



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

Nancy A. Doty, Chair, District 1
Nancy Sharpe, District 2
Rod Bockenfeld, District 3
Nancy Jackson, Chair Pro-Tem, District 4
Bill Holen, District 5

Public Meeting
October 25, 2016
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. CALL TO ORDER

Arapahoe County Board of County Commissioners

2. INTRODUCTION

Ron Carl, County Attorney
Joleen Sanchez, Asst. Clerk to the Board

3. ROLL CALL

4. PLEDGE OF ALLEGIANCE

5. MODIFICATION TO THE AGENDA

6. ADOPTION OF THE AGENDA

7. CEREMONIES

7.a. Retirement Ceremony for Tammy King, Zoning Administrator, Public Works and Development

Retirement Ceremony and resolution for Tammy King recognizing her for over thirty-six years of dedicated service

David M. Schmit, Director, Public Works and Development

Documents:

8. APPROVAL OF THE MINUTES

8.a. BOCC Public Meeting Minutes - September 27, 2016

Documents:

[BOCC PUBLIC MEETING MINUTES 09.27.2016.PDF](#)

9. 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.

10. CONSENT AGENDA

10.a. 10.11.2016 Warrant ACH Expenditure Report

Authorization to sign the Warrant Disbursement Register

Ron Carl, County Attorney

Documents:

[10.11.2016 WARRANT ACH EXPENDITURE REPORT.PDF](#)

10.b. Abatements

Adoption of a resolution approving the recommendations of the Assessor.

Ron Carl, County Attorney

Karen Thompsen, Paralegal, County Attorney's Office

Documents:

[10-25-16 BSR.DOC](#)

[KAREN TABLE 10-25-16.XLSX](#)

[SAMPLE ABATEMENT APPROVAL KST.DOC](#)

10.c. Adoption of Revised Budgetary Financial Policies

Adoption of a resolution approving the revised Budgetary Financial Policies

Todd Weaver, Budget Manager, Finance

Janet Kennedy, Director, Finance

John Christofferson, Deputy County Attorney

Documents:

[BSR_CA_BUDGET FINANCIAL POLICIES.PDF](#)

10.d. Approval Abatements

Adoption of a resolution approving the recommendations of the Assessor for an abatement petition as a result of agreements reached between taxpayers and the County regarding the value of property for property tax purposes, pursuant to the terms contained therein

Barb LeBlanc, Paralegal

Ron Carl, County Attorney

Documents:

[10-25 BSR.DOC](#)
[DRAFT RESO.DOC](#)

10.e. Appointment to fill a vacancy on the Arapahoe County Water and Wastewater Authority Board

Adoption of a resolution appointing Thomas Wood to fill a vacancy on the Arapahoe County Water and Wastewater Authority (ACWWA) Board, with an appointment that will expire on February 12, 2019

Carol Dosmann, Executive Assistant, BoCC Administration
Diana Maes, Manager, BoCC Administration
Ron Carl, County Attorney

Documents:

[ACWWA-TOM WOOD APPT-BSR-RESO-10-15-16.PDF](#)

10.f. Authorization for Legal Representation; Banks v. Colorado, et al.

Adoption of a resolution authorizing legal defense and indemnification for a former employee of the Arapahoe County Sheriff's Office named in a civil lawsuit in the Arapahoe County District Court, Torrey Banks v. State of Colorado, *et al.*, Case No. 16cv412, and the U.S District Court, Case No. 16-cv-01725-GPG

Benjamin Swartzendruber, Assistant County Attorney
Ron Car, County Attorney

Documents:

[BSR RE INDEMNIFICATION OF C. ROMERO BANKS LITIGATION 10-13-16.DOC](#)
[DRAFT RESO BANKS LITIGATION_ROMERO.DOCX](#)

10.g. Cancellation of 2005 Real Estate Tax - Certain Garages at Spinnaker Run II Condos

Adoption of a resolution to cancel taxes for 2005 on garages #7, 10, 14, 15, 28 and 39 at Spinnaker Run II Condos, also identified as PIN 032875321 in records maintained by the Assessor and Treasurer, as presented to the Board of County Commissioners on this date

Debbie Dater, Property Tax Director, Treasurer's Office
Sue Sandstrom, Treasurer
Janet Kennedy, Director, Finance
Monica Kovaci, Assistant County Attorney

Documents:

[CANCEL 2005 RE TAX.DOC](#)

10.h. Cancellation of Possessory Interest Tax - JHK Marketing d/b/a Track at Centennial Airport

Adoption of a resolution to cancel the 2010 through 2014 possessory interest taxes for JHK Marketing, d/b/a the Track at Centennial Airport, as presented to the Board of County Commissioners on this date

Debbie Dater, Property Tax Manager, Treasurer's Office
Sue Sandstrom, Treasurer
Janet Kennedy, Director, Finance
Monica Kovaci, Assistant County Attorney

Documents:

[CANCEL POSSESSORY INTEREST TAX.DOC](#)

10.i. Cancellation of the Regularly Scheduled November 28 and 29, 2016 Study Sessions and Public Meeting

Adoption of a resolution cancelling the regularly scheduled November 28 and 29, 2016 Study Sessions and Public Meeting, due to a lack of quorum because of the Board of County Commissioners' attendance at the Colorado Counties Inc. (CCI) Winter Conference

Carol Dosmann, Executive Assistant, BoCC Administration
Diana Maes, Manager, BoCC Administration
Ron Carl, County Attorney

Documents:

[MTG CANCELLATION-CCI WINTER CONF-2016-BSR AND RESO.PDF](#)

10.j. Grant of Easement - Lima Plaza Utility Maintenance

Approval of a resolution authorizing Dick Hawes, Director of the Facilities and Fleet Management Department, to sign a non-exclusive utility easement required by Public Service Company of Colorado (PSCO) as part of final approval from PSCO for the utility relocation work associated with the tenant improvements at the two vacant buildings in the Lima Plaza campus for the Probation Department relocation

Dick Hawes, Director Facilities and Fleet Management
Ann Baertlein, Project Manager, Facilities and Fleet Management
John Christofferson, Deputy County Attorney

Documents:

[BSR CONSENT AGENDA - APPROVAL OF THE PSCO EASMENT AGREEMENT FOR LI....DOCX](#)
[RESO EASEMENT WITH PSCO AT LIMA - CLEAN.DOC](#)

10.k. Public Trustee's 3rd Quarter 2016 Net Income Statement

Acceptance of the Public Trustee's 3rd Quarter 2015 Net Income Statement

Cynthia D. Mares, Public Trustee
Monica Kovaci, Assistant County Attorney

Documents:

[AC PUBLIC TRUSTEE 3RD QTR 2016 INCOME STATEMENT.PDF](#)

11. GENERAL BUSINESS ITEMS

11.a. *PUBLIC HEARING - Case No. P16-011, Sky Ranch, Preliminary Plat

Consideration of a request for Case No. P16-011, Sky Ranch Preliminary Plat for ten super blocks for the 144.46 acres of Neighborhood B. Five super blocks will be for single-family residential uses, four super blocks will be for open space and

floodplains, and one superblock will be for a public facility. This application is requested in conjunction with the Sky Ranch Preliminary Development Plan Amendment (Case No. Z16-003)

*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:

[P16-011 BOCC SUMMARY PACKET WITH MOTIONS.PDF](#)
[P16-011 BOCC PCSTFRPT.PDF](#)
[P16-011 SKY RANCH PRELIMINARY PLAT - 082316.PDF](#)

11.b. *PUBLIC HEARING - Case No. Z16-003, Sky Ranch Preliminary Development Plan Amendment

Consideration of a request for Case No. Z16-003, a Preliminary Development Plan Amendment case proposing to reduce the number of dwelling units in Neighborhood B from 750 to 525 and to remove non-residential/commercial land uses from Neighborhood B. This case is requested in conjunction with the Sky Ranch Preliminary Plat, Case No. P16-011

*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:

[Z16-003 BOCC SUMMARY PACKET.PDF](#)
[Z16-003 BOCC PCSTFRPT.PDF](#)
[SKY RANCH PDP AMENDMENT NO.2 EXHIBIT-9-30-16.PDF](#)

11.c. *PUBLIC HEARING - 2017 Budget

Consideration of the 2017 Recommended Budget. This public hearing is for discussion and public comment and testimony on the content of the 2017 Recommended Budget for Arapahoe County, the Arapahoe Law Enforcement Authority, the Arapahoe County Recreation District, and the Arapahoe County Water and Wastewater Public Improvement District. The adoption of the 2017 budget will occur on December 13, 2016.

*Presenter - Todd Weaver, Budget Manager, Finance
Janet Kennedy, Director, Finance
John Christofferson, Deputy County Attorney*

Documents:

[BSR - 2017 BUDGET PUBLIC HEARING.DOCX](#)
[2017 RECOMMENDED BUDGET_PHOCT25.PDF](#)

12. 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.

RETIREMENT – TAMARA K. KING

RESOLUTION NO. 16XXXX It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, Tammy King began her employment with Arapahoe County in June of 1980, first as a part-time clerk and then, soon after, as a permanent member of Arapahoe County's staff, and will retire on November 1, 2016, from her current position as Zoning Administrator with over 36 years of dedicated service to the citizens of Arapahoe County; and

WHEREAS, Tammy began work with the County as an Administrative Clerk in the Assessor's Office and then attained positions over the years as a Service Clerk in Building Inspections in 1982 and as a Zoning Inspector in 1986 and was then promoted to the position of Zoning Administrator in September 1998; and

WHEREAS, Tammy has provided exemplary service to the citizens of Arapahoe County with her promptness, technical knowledge, focus on the issues at hand, understanding of community resources, and long familiarity with the communities and neighborhoods she served; and

WHEREAS, Tammy has demonstrated commitments to working with people through difficult community compliance situations to achieve the best possible outcome for all parties in a respectful way, often earning words of praise even from those with violations to be resolved; and

WHEREAS, Tammy's work has long contributed to maintaining the quality of life envisioned by the County's Comprehensive Plan and Zoning and Subdivision Regulations; and

WHEREAS, Tammy, as Zoning Administrator for the last 18 years, has addressed a wide array of ever-changing, and often controversial, urban and rural community issues such as urban chickens, urban bees, rodeos, Riot Fest, livestock disputes, marijuana operations, "questionable business operations," and other situations that led her to quote the musician M.C. Hammer ("Can't touch this!"); and

WHEREAS, Tammy's work was regularly in cooperation with departments and agencies that included the Arapahoe County Sheriff's Office, County Attorney's Office, Human Services Department, Assessor's Office, Communication Services, Community Resources, Volunteer Services, and the TriCounty Health Department; and

WHEREAS, Tammy has provided support as a manager to the Community Compliance and Noxious Weed Program staff members and as professional staff to the Board of Adjustment, Planning Commission and Board of County Commissioners, as well as cooperating with the Building, Engineering Services, Current Planning, Animal Control and other programs of Public Works and Development; and

WHEREAS, Tammy has earned the respect, admiration, appreciation and true affection of her many professional colleagues and friends within the Arapahoe County organization and community and will be fondly remembered and often missed; and

WHEREAS, Tammy will now go on to new goals, challenges and adventures with a second career and to spending more time with her family and grandchildren and pursuing the joys of life through snowmobiling and spending time at the family cabin in Grand Lake;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County to recognize the contributions that Tamara K. King has made as a valued employee and hereby declares that her future shall prosper, as Arapahoe County has prospered under her dedication and service.

The vote was: Commissioner Bockenfeld, ____; Commissioner Doty, ____; Commissioner Holen, ____; Commissioner Jackson, ____; Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.

I, Matt Crane, Arapahoe County Clerk and ex-officio Clerk to the Board of County Commissioners, in and for the County and State aforesaid, do hereby certify that the annexed and foregoing order is truly copied from the records of the proceedings of the Board of County Commissioners for said Arapahoe County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Littleton, Colorado this ____ day of _____, 2016.

Matt Crane, Clerk to the Board

**MINUTES OF THE ARAPAHOE COUNTY
BOARD OF COUNTY COMMISSIONERS
TUESDAY, SEPTEMBER 27, 2016**

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 Doty, Chair	Commissioner District 1	Present
Nancy Jackson, Chair Pro-Tem	Commissioner District 4	Present
Nancy A. Sharpe	Commissioner District 2	Present
Rod Bockenfeld	Commissioner District 3	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 Doty called the meeting to order.

INTRODUCTIONS

ROLL CALL

PLEDGE OF ALLEGIANCE

MODIFICATION(S) TO THE AGENDA

There were no modifications to the agenda.

ADOPTION OF THE AGENDA

The motion was made by Commissioner Sharpe and duly seconded by Commissioner Jackson to adopt the Agenda as presented.

The motion passed 5-0.

ADOPTION OF THE MINUTES

The motion was made by Commissioner Holen and duly seconded by Commissioner Jackson to adopt the minutes of August 23, 2016 public meeting as presented.

The motion passed 5-0.

The motion was made by Commissioner Holen and duly seconded by Commissioner Jackson to adopt the minutes of August 30, 2016 public meeting as presented.

The motion passed 5-0.

The motion was made by Commissioner Holen and duly seconded by Commissioner Jackson to adopt the minutes of September 6, 2016 public meeting as presented.

The motion passed 5-0.

CEREMONIES

There were no ceremonies on this date.

CITIZEN COMMENT PERIOD

Natasha Adler, citizen, representing the campaign to oppose the tobacco tax, requested that the Arapahoe County Commissioners take an official position in opposition to Amendment 72.

CONSENT AGENDA

The motion was made by Commissioner Sharpe and duly seconded by Commissioner Jackson to approve the items on the Consent Agenda as presented.

The motion passed 5-0.

GENERAL BUSINESS ITEMS

There were no general business items on this date.

COMMISSIONER COMMENTS

Commissioner Bockenfeld discussed the contract between Centennial and the Arapahoe County Sheriff's Office that will expire. He recommended that the Board get a third party, independent assessment.

The motion was made by Commissioner Bockenfeld that Arapahoe County submit a Request for Proposal for a third, independent party, to make the contract assessment, similar to the one that was prepared by the City of Centennial, which will include, but not be limited to, pricing of service considerations, when renewing the Centennial law enforcement contract.

The motion died due to a lack of a second.

Commissioner Sharpe suggested a study session be held to determine the scope and cost before an RFP is issued.

Commissioner Bockenfeld explained why he feels a third party review is necessary.

Commissioner Jackson said there must be robust discussion with the Sheriff before any decision is made, and she suggested that this discussion be deferred until the new Board is in place.

There being no other business before the Board, the public meeting was adjourned by Commissioner Doty at 9:49 a.m.

ARAPAHOE COUNTY BOARD OF COUNTY COMMISSIONERS

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

EPORT FOR 10/04/2016 TO 10/11/2016

UNDS SUMMARY:

UNDS SUMMARY:

0 General Fund	411,671.92
1 Social Services	110,491.97
4 Law Enforcement Authority Dist	20,908.54
5 Arapahoe / Douglas Works!	19,537.87
5 Road and Bridge	30,837.62
0 Sheriff's Commissary	20,072.42
1 Community Development	58,285.54
5 Developmental Disability	9,016.88
5 Grants	368,015.80
3 Open Space Sales Tax	35,825.60
9 Homeland Security - North Cent	6,401.04
3 Building Maintenance Fund	1,288.60
4 Fair Fund	6,582.90
1 Capital Expenditure	574,499.50
2 Infrastructure	22,686.03
3 Arapahoe County Recreation Dis	579.53
0 Central Services	17,338.57
1 Self-Insurance Liability	28,343.58
2 Employee Flexible Benefit	1,860.00
3 Self-Insurance Workers Comp	44,262.07
1 Self-Insurance Dental	45,958.59
1 E-911 Authority	27,604.15
1 Treasurer	7,155,408.95
	=====
TAL	9,017,477.67

JND REPORT - EXPENDITURE TYPE

JND 10 EXPENDITURE REPORT

1ST CLASS TOWING	Services And Other	165.00
ACCOUNT BROCKERS INC	MISC.	15.00
ADAMSON POLICE PRODUCTS	Supplies	21.00
ALL AMERICAN WINDOW TINTING INC	Supplies	1,152.00
ALLIED SECURITY HOLDINGS LLC	Services And Other	9,669.65
AMERICAN TIRE DISTRIBUTORS INC	Supplies	587.50
ANDREW CORNELL	Services And Other	203.85
ANNERLY COOPER	Services And Other	65.34
ARAMARK CHICAGO LOCKBOX	Services And Other	5,933.00
ARAMARK CHICAGO LOCKBOX	Supplies	23,754.23
ARAPAHOE WATER AND WASTEWATER	Services And Other	59,949.98
ASHLEY MARIE DELUERY	MISC.	15.00
ASPIRE HR INC	Services And Other	240.00
AURORA INTERCHURCH TASK FORCE	Services And Other	12,500.00
AUTO MOTORS OF ENGLEWOOD LLC	Supplies	58.57
AVI SYSTEMS INC	Services And Other	640.00
BATTERY SYSTEMS INC	Supplies	142.34
BEN BULLARD	Services And Other	150.00
BRENDA SIMONS	Services And Other	2.19
BRENT LEE MAILAND	MISC.	15.00
BRIAN GILPATRICK	Services And Other	48.47
BRICE HANLON	Services And Other	65.00
BRIDGESTONE RETAIL OPERATIONS LLC	Services And Other	104.98
BRIDGESTONE RETAIL OPERATIONS LLC	Supplies	852.88



Board Summary Report

Date: October 13, 2016
To: Board of County Commissioners
Through: Ron Carl, County Attorney
From: Karen Thompsen, Paralegal
Subject: Abatements

Request and Recommendation

The purpose of this request is to obtain the authorization for the Chair to sign a resolution approving the recommendations of the Assessor concerning the listed abatements.

Background

These abatements were filed by petitioners and approved the Assessor's Office. C.R.S. 39-1-113(1) states. . ."no decision on any petition regarding abatements or refund of taxes shall be made unless a hearing is had thereon. . ."

Discussion

Attached

Alternatives:

None

Fiscal Impact

A decrease in the taxes collected on approval abatements.

Concurrence

The Assessor and County Attorney support these recommendations.

Reviewed by:

Karen Thompsen, Paralegal
Ron Carl, County Attorney

name	parcel number	year	refund	reason
James L. Goodloe	1973-26-2-02-005	2015	\$27.00	Information received from the property owner, after the original value was placed on the property, resulted in a reduction to that property's value.
Doug Gerlach	2073-31-3-09-036	2015	\$75.51	This petition is based on "Overvaluation" and the recommendation for approval is based on C.R.S. 39-10-114(1)(a)(I)(A)
HT 6979 South Holly Circle, LLC	2075-29-2-12-004	2014	\$6,752.82	Information received from the property owner, after the original value was placed on the property, resulted in a reduction to that property's value.

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

RESOLUTION NO. 160XXX It was moved by Commissioner _____
and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, _____, 2016; and

WHEREAS, the Board at that time considered Petitions for Abatement or Refund of Taxes as submitted by various taxpayers and as contained within an Agenda Memorandum to the Board; and

WHEREAS, applicable procedures, due process, and requirements of notice were followed pursuant to Sections 39-1-113 and 39-10-114, C.R.S.; and

WHEREAS, no Petitioners or representatives of the Arapahoe County Assessor were present, although both parties were afforded notice; and

WHEREAS, the Board received comments from the County Attorney, received exhibits and reviewed the record as represented by an Agenda Memorandum summarizing the Petitions and the Arapahoe County Assessor recommendations.

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

1. That the Petitions listed below, presented this date to the Board and relating to the schedule numbers set forth therein, shall be and are hereby granted, the recommendations of the Assessor are hereby adopted and abatements or refunds in the amounts approved by the Assessor are hereby approved by the Board.

Petitioner	Parcel Number	Year	Refund
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The vote was:

Commissioner Bockenfeld, Yes; Commissioner Doty, Yes; Commissioner Holen, Yes; Commissioner Jackson, Yes; Commissioner Sharpe, Yes.

The Chair declared the motion carried and so ordered.



Board Summary Report

Date: October 13, 2016
To: Board of County Commissioners
From: Todd Weaver, Budget Manager
Subject: Adoptions of the Revised Budget Financial Policies

Request and Recommendation

The purpose of this agenda item is to adopt the proposed revisions to the budgetary financial policies for the County. It is our desire that the Board approve these policies so that the current budget practices and processes can be solidified into strong financial policies that are useful to the County and the staff that work within the budget process.

Background

The Budget Division has taken the existing but outdated financial policies that relate to the County's budget process and has updated them to reflect the current philosophies, policies, and practices in place now. The existing policies dated back to the late 1990's and refer to departments or divisions within departments that no longer exist and do not accurately reflect how the County develops and amends its budget.

We are requesting your review and adoption of these updated budget financial policies. Finance Department Director Janet Kennedy and the Executive Budget Committee have reviewed these policies and have approved them to move forward for your review and approval. The policies were also discussed with the E-Team at their August 24th meeting.

The revised policies were reviewed and discussed with the Board of County Commissioners at a study session on September 13th. The Board had a comment and discussion about the Budget Preparation and Control Policy with respect to adding additional language regarding adopting a structurally balanced General Fund operating budget. The concerns centered on how the Board would be notified and proceed in the event the County was proposing and considering adopting a budget for the General Fund that is not structurally balanced. Revisions to this particular policy were reviewed and discussed at a drop-in session on October 3, 2016.

The attached revisions to the policy address the need to disclose whether or not the budget is structurally balanced and adds a provision that if a budget that is not structurally balanced is being considered for adoption, the full Board should be notified of that fact prior to voting on adopting such a budget. If the budget is not structurally balanced on the day of adoption, a Board vote

shall be taken to indicate their awareness of this fact and the reasoning behind such a budget. The revisions are highlighted and can be found on pages 7 (Section F, 3, (c) was added) and 8 (Section F, 4, (c) and (e) were added) of the attached Budget Preparation and Control policy per Board direction.

Links to Align Arapahoe

Having current and well written financial policies are important for the County as they help institutionalize and clarify the intent of good financial management practices, manage risks to financial sustainability, define the boundaries and limits for budgetary actions, and support several of the County's Align Arapahoe result measures for Fiscal Responsibility of maintaining a structurally balanced budget and maintaining or improving the County's bond rating in pursuit of the efficient use of taxpayers' dollars.

Alternatives

The Board could choose to remain with the existing budget policies.

Fiscal Impact

These policies guide how the County develops, reviews, and modifies its budget but does not have a direct financial impact.

Reviewed By:

Janet Kennedy, Finance Director
John Christofferson, Deputy County Attorney



I. Authority:

The Board of County Commissioners has exclusive power to adopt the annual budget for the operation of county government, including all offices, departments, boards, commissions or other spending agencies of the county government, and other agencies which are funded in whole or part by county appropriations, per statute. This includes the approval of financial policies which establish and direct the budget process of Arapahoe County. The Finance Department is responsible for carrying out the policy directives of the Board of County Commissioners and establishing the necessary procedures to do so. In addition, the specific financial reserve requirements of Article X - Revenue, Section 20 of the Colorado Constitution apply to this policy.

II. Purpose and Scope:

There are numerous beneficial reasons for establishing financial reserve policies along with statutory and Constitutional requirements for such reserves.

A. The establishment of a financial reserve policy for the County provides for:

1. Compliance with statutory and Constitutional requirements for financial reserves.
2. Planning for contingencies in response to volatile revenues or unexpected expenditures for items such as weather events, volatility in energy costs, or unanticipated expenditures as a result of legislation by the State or Federal government.
3. Flexibility in options to address financial issues that may arise without reducing service levels or raising taxes or fees.
4. Maintaining positive ratings with bond rating agencies that look at financial reserves as an indicator of the County's fiscal condition, creditworthiness, and the ability to pay debt obligations.
5. Ensuring the availability of funds for necessary expenses when revenues are unavailable due to variances in the timing of revenue collections.
6. Avoiding interest expenses for operating and capital project funding needs by using financial reserves rather than financing with debt.
7. Investment of available fund balance provides additional revenue to the County as the funds can yield returns while being held as a financial reserve.
8. Is consistent with the County's goal of fiscal responsibility and for the responsible use of taxpayer money.

The scope of this policy applies specifically to those funds for which the Board of County Commissioners has established a financial reserve.

III. Definitions:

- A. Fund: A fiscal and accounting entity with a self-balancing set of accounts in which cash and other financial resources, all related liabilities and residual equities, or balances, and changes therein are recorded and segregated to carry on specific activities or attain certain objectives in accordance with special regulations, restrictions, or limitations.
- B. Fund Balance: The balance of total resources available for subsequent years' budgets consistent with the basis of accounting elected for budget purposes.
- C. Operating Budget: The sum total of expenditures for the routine day-to-day operations that provide basic services such as personnel, supplies, contract services and other recurring items but that excludes capital costs and expenditures made for a one-time purpose.
- D. TABOR: Refers to the Taxpayer's Bill of Rights in Section 20 of Article X of the Colorado Constitution.

IV. Policy:

It shall be the policy of Arapahoe County to maintain a satisfactory level of financial reserves in order to continually ensure a strong financial position within the County, to conform to statutory and other legal requirements, including the Taxpayer's Bill of Rights (TABOR), as well as to adhere to recognized government finance best practices. This policy details the purpose, establishment, maintenance, and guidelines for use of financial reserves for the County.

- A. Factors in Determining the Amount to be Held in Reserve
 - 1. Any applicable statutory, Constitutional, or legal requirements,
 - 2. The predictability and/or volatility of revenues and expenditures,
 - 3. The availability of resources across all County funds,
 - 4. The liquidity of funds,
 - 5. The current amount of funds already designated for other purposes, and
 - 6. The policy priorities and preferences of the County and the Board of County Commissioners.
- B. Reserve Requirements under the Taxpayer's Bill of Rights
 - 1. The Taxpayer's Bill of Rights (TABOR) specifies that local governments shall reserve three (3) percent or more of its fiscal year spending excluding bonded debt service for use for declared emergencies only.
 - 2. TABOR restricts the emergency use of this emergency reserve to exclude "economic conditions, revenue shortfalls or district salary or fringe benefit increases."
 - 3. TABOR does not, however, restrict the use of fund balance reserves that exceed the required 3 percent, nor does it specify what constitutes an "emergency" with respect to the use of the required TABOR fund balance reserve.
- C. Establishing Financial Reserves

1. The Board of County Commissioners shall approve by resolution, the amounts to be established as financial reserves for the current fiscal year by fund as specified in this policy.
2. The Finance Department shall calculate the amount of the financial reserves as defined in this policy, including both the financial reserves stipulated by this policy and estimates of the emergency reserves required under the Taxpayer's Bill of Rights.

D. Financial Reserves

1. General Fund:
 - a) A financial reserve of no less than 11 percent of the current year's total initial adopted General Fund operating budget shall be established each year by Board of County Commissioner resolution.
 - b) The 3 percent emergency reserve amount required by the Taxpayer's Bill of Rights for all of County government and the accrued vacation/sick leave liability shall be part of this 11 percent reserve.
2. Social Services Fund:
 - a) A financial reserve of the County's portion of one-sixth of the current year's total initial adopted Social Services Fund operating budget shall be established each year by the Board of County Commissioners as the minimum financial reserve balance.
 - b) The County's portion of the total adopted operating budget shall be approximated at 20 percent of the total based upon the County funding requirements for State and Federal social service programs.
 - c) The Social Services Fund accrued vacation/sick leave liability shall be part of this financial reserve.
3. Road and Bridge Fund:
 - a) A financial reserve of one-sixth, or 16.67 percent, of the current year's total initial adopted Road & Bridge Fund operating budget shall be established each year by the Board of County Commissioners as the minimum financial reserve balance.
 - b) The Road & Bridge Fund accrued vacation/sick leave liability will be a part of this one-sixth reserve.
4. Arapahoe Law Enforcement Authority Fund:
 - a) A financial reserve of one-sixth, or 16.67 percent, of the current year's initial adopted Law Enforcement Authority operating budget shall be established each year by the Board of County Commissioners as the minimum financial reserve balance.
 - b) TABOR stipulates that separate authorities within the County maintain their own TABOR reserve. Therefore, the required TABOR 3 percent emergency reserve shall be included as part of this established financial reserve.
 - c) The Law Enforcement Authority Fund accrued vacation/sick leave liability will also be part of this financial reserve.
5. Arapahoe County Recreation District Fund:
 - a) TABOR stipulates that separate authorities within the County maintain their own TABOR reserve.

- b) A financial reserve shall be established each year by the Board of County Commissioners that is a minimum of the required TABOR 3 percent emergency reserve.
- 6. Other Financial Reserves:
 - a) Financial Reserves for Debt Service
 - (1) Financial reserves shall be established and maintained for debt obligations as provided for in the bond or lease documents within the specific debt service fund.
 - b) Other
 - (1) Other financial reserves may be established for other purposes in these or other funds either by:
 - (a) Amendment of this policy by Board of County Commissioner action,
 - (b) The establishment of a financial reserve in the specific policy for that fund, or
 - (c) Board of County Commissioner action.

E. Use and Maintenance of Financial Reserves

- 1. Use:
 - a) The Board of County Commissioners may exercise discretion in the way that financial reserves and unassigned fund balances are used to the extent that it does not violate any statute or Constitutional requirement.
 - b) Regarding the utilization of financial reserves and unassigned fund balances, these funds may be appropriated and expended to address:
 - (1) Temporary cash flow shortages,
 - (2) Unanticipated economic or revenue downturns,
 - (3) Meeting current or future capital needs,
 - (4) Providing for unanticipated expenditures,
 - (5) Flexibility to take advantage of unexpected opportunities, or
 - (6) Providing funds to respond to emergency situations.
 - c) The aforementioned uses are limited to the financial reserve amounts that are not specifically the 3 percent emergency reserve required by the provisions of the Taxpayer's Bill of Rights or by other statutory limitations.
 - d) It shall be the policy of the County to avoid the use of financial reserves or unassigned fund balances for ongoing operating expenses other than to respond to a temporary condition or situation.
- 2. Maintenance:
 - a) The Finance Department shall be responsible for the preparation and notification to the Board of County Commissioners of the status of financial reserves and estimated fund balances on a quarterly basis, noting any exceptions to the levels as defined in this policy.
 - b) It shall be the policy of the County to maintain financial reserves at or above the amounts set forth in this policy.
 - c) In the event that a portion of a financial reserve is used, it shall be replenished to the amount set forth in this policy as soon as practical depending on the circumstances of its use.

V. Related Documents and Procedures:

Colorado Constitution – Article X, Revenue Section 20 – The Taxpayer’s Bill of Rights

This policy supersedes and replaces the General Fund and Mill Levy Fund Reserve Policy 3.6 dated 5/99.



Budget Preparation and Control Policy

I. Authority:

The Board of County Commissioners has exclusive power to adopt the annual budget for the operation of county government, including all offices, departments, boards, commissions or other spending agencies of the county government, and other agencies which are funded in whole or part by county appropriations, per statute. This includes the approval of financial policies which establish and direct the budget process of Arapahoe County. The Finance Department is responsible for carrying out the policy directives of the Board of County Commissioners and establishing the necessary procedures to do so.

II. Purpose and Scope:

This policy guides the requirements for the annual budget development process for all funds, departments, and elected offices of the County. Colorado statute requires local governments to prepare and adopt an annual budget, and it also specifies the information that the budget is required to include (29-1-101 through 115, C.R.S.). The Board of County Commissioners is responsible for the annual adoption and appropriation of the budget in accordance with these statutory requirements. The scope of this policy extends to all funds, elected offices, and departments for the County and to the related districts and authorities under the purview of the Board of County Commissioners to include the Law Enforcement Authority, Recreation District, and the Arapahoe County Water and Wastewater Public Improvement District.

III. Definitions:

- A. Adopted Budget Resolutions: The set of resolutions approved by the Board of County Commissioners that adopts the revenues and expenditures and appropriates funds for the budget year including resolutions certifying applicable mill levies.
- B. Appropriation: The authorization by ordinance or resolution of a spending limit for expenditures and obligations for specific purposes.
- C. Balanced Budget: Per statute, a budget cannot provide for expenditures in excess of available revenues and beginning fund balances.
- D. Budget: The complete, estimated financial plan of the County.
- E. Capital Improvement Program: The proposed plan for capital projects that is developed and updated to reflect the estimated amount of capital expenditures to be incurred each year over a five-year period as well as the anticipated revenues to finance those capital projects.
- F. Executive Budget Committee: A committee that is appointed and tasked with the detailed review of the annual requested budget, supplemental budget requests, the annual reappropriation of funds, and other financial matters as identified by the Board of County Commissioners.

- G. Expenditure: Any use of financial resources for the provision or acquisition of goods and services for operations, debt service, capital outlay, transfers, or other financial uses.
- H. Fiscal Year: For the County, the period commencing January 1st and ending December 31st.
- I. Full Accrual Basis of Accounting: The basis of accounting under which revenues are recorded when earned and expenses are recorded at the time liabilities are incurred, notwithstanding that the receipt of revenue or the payment of the expense may take place in whole or in part, in another accounting period.
- J. Fund: A fiscal and accounting entity with a self-balancing set of accounts in which cash and other financial resources, all related liabilities and residual equities, or balances, and changes therein are recorded and segregated to carry on specific activities or attain certain objectives in accordance with special regulations, restrictions, or limitations.
- K. Fund Balance: The balance of total resources available for subsequent years' budgets consistent with the basis of accounting elected for budget purposes.
- L. Level of Control: The lowest level of budgetary detail at which a department or elected office may reassign resources without the approval of the Board of County Commissioners through a supplemental appropriation resolution.
- M. Local Government Budget Law: The Colorado Revised Statutes (Section 29-1-101 through 29-1-115, C.R.S.) that provide the budgetary requirements for local governments.
- N. Modified Accrual Basis of Accounting: Basis of accounting that recognizes revenues when they become available and measurable and, with a few exceptions, recognizes expenditures when liabilities are incurred.
- O. Operating Expenditure: Expenditures for the routine day-to-day operations that provide basic services such as personnel, supplies, contract services and other recurring items but that excludes capital costs and expenditures made for a one-time purpose.
- P. Operating Revenue: Revenues from regular, recurring sources such as taxes, fees, fines, permits, charges for services and similar sources that are reasonably expected to continue and excludes proceeds from long-term debt and other one-time non-recurring financial sources.
- Q. Reappropriation: The re-appropriation of funds through a supplemental appropriation in the current fiscal year to allow for further expenditures when planned expenditures of an existing appropriation cannot be completed by the end of the prior fiscal year for that same purpose.
- R. Recommended Budget: The proposed preliminary budget for the ensuing fiscal year that is presented to the Board of County Commissioners prior to October 15th each year.
- S. Revenue: A resource available to finance expenditures.
- T. Structurally Balanced Budget: A budget where ongoing operating revenues meet or exceed ongoing operating expenditures.
- U. Supplemental Appropriation: An appropriation when there is a need to transfer budgeted and appropriated monies from one or more spending agencies in a fund to one or more spending agencies in another fund, or to transfer budgeted and appropriated monies between spending agencies within a fund, or if, during the fiscal

year, the governing body or any spending agency of such local government received unanticipated revenue or revenues not assured at the time of the adoption of the budget.

IV. Policy:

The following sections provide the policies for the preparation, review, and adoption of the County's annual budget along with policies regarding the basis of accounting for budget purposes, budgetary control and monitoring, and the responsibilities of the key parties involved in the budget process.

A. Basis of Budgeting

1. The basis of accounting refers to the specific time at which revenues and expenditures are recognized in accounts and reported in financial statements.
2. Basis of Accounting
 - a) Governmental Funds: Use the modified accrual basis of accounting
 - b) Proprietary Funds: Use the full accrual basis of accounting
3. Budgetary Basis of Accounting
 - a) The main difference between the basis of accounting used for accounting purposes and the basis of accounting for budget purposes is that the budgets for the proprietary funds (the Central Services Fund, the Flexible Benefit Fund, the Self Insurance Dental Fund, and the Worker's Compensation Fund) are prepared on a cash basis.
 - b) According to the cash basis of accounting, capital expenditures and the redemption of bonds and leases are recorded as expenditures and depreciation and amortization costs are not budgeted since these costs are non-cash transactions.
 - c) The budget for all other funds is prepared on a modified accrual basis.

B. Budgetary Control

1. Statutory Requirements
 - a) Pursuant to Section 29-1-110, C.R.S., a department or elected office may not expend, or contract to expend, monies in excess of the amount appropriated. This restriction applies to both the expenditures of monies by fund and by department or elected office depending upon how the Board appropriates funds in the annual adoption resolutions.
2. Level of Control
 - a) The budgetary level of control will correspond to the appropriations made by the Board of County Commissioners by fund and department/elected office within the annual adopted budget resolutions.
 - b) Within the General Fund:
 - (1) At the appropriation amount for the department/elected office.
 - c) Funds other than the General Fund:
 - (1) At the appropriation amount for the fund.
 - d) Responsibility for budget and appropriations:

- (1) Pursuant to statute, the Board of County Commissioners is responsible for ensuring that the annual appropriation is not exceeded.
- (2) The Board of County Commissioners delegates to department directors and elected officials the authority to be responsible for their budgets and appropriations as defined by the above limits on the level of control and appropriations.
- (3) As the budget is not appropriated by line item, departments and elected offices are permitted to make adjustments and modifications to their budget within these levels of control to the extent that it does not violate any other policy or procedure or require a supplemental appropriation per the Budget Amendment policy.

3. Monitoring of County Budgetary and Fiscal Condition

- a) It shall be the policy of the County to continuously monitor the budget and fiscal status in order to assess financial condition and demonstrate fiscal responsibility.
- b) The Budget Division shall be responsible for and coordinate periodic reviews of the budget, actual revenue collections and expenditures, and identification of possible budget amendments per the Budget Amendment policy with specific regard to the quarterly budget reviews.
- c) It is the responsibility of the departments and elected offices to review and analyze revenue and expenditure data to identify trends and variables that might affect their operations or the ability to remain within their appropriation limit.

C. Balanced Budget

1. Statutory Definition

- a) Per Section 29-1-103, C.R.S., no local government budget shall provide for expenditures in excess of available revenues and beginning fund balances.

2. Structurally Balanced Budget

- a) It is the desire of the Board of County Commissioners to ensure that the General Fund operating budget is structurally balanced on adoption.
- b) A structurally balanced budget is a budget where ongoing operating revenues meet or exceed ongoing operating expenditures.

D. Budget Calendar

1. Fiscal Year - The County operates on an annual fiscal year of January 1st through December 31st.
2. Deadline for the Recommended Budget:
 - a) The Recommended Budget shall be submitted to the Board of County Commissioners no later than October 15 each year.
 - b) The Recommended Budget submitted shall meet or exceed the statutory requirements for the budget estimates in Section 29-1-105, C.R.S.
3. Deadline for the Adopted Budget:

- a) The budget for the ensuing fiscal year shall be adopted and appropriated no later than December 15 each year per the requirements of Section 29-1-108, C.R.S. and Section 39-5-128, C.R.S.

4. Detailed Calendar for Budget Development Process and Procedures

- a) At the direction of the Board of County Commissioners, the Budget Division of the Finance Department will prepare and distribute a detailed calendar, guidance, and instructions for the development of the upcoming fiscal year's budget.
- b) The specific processes and dates for the submission and review of the budget will follow applicable Board approved policies and the procedures developed by the Budget Division.

E. Development of the Budget

1. Statutory and Constitutional Requirements

- a) Colorado statute requires local governments to prepare and adopt an annual budget, and it also specifies the information that the budget is required to include (see Sections 29-1-101 through 115, C.R.S. also known as the Local Government Budget Law of Colorado).
- b) The Local Government Budget Law also requires that counties annually prepare and submit a balanced budget. Pursuant to Section 29-1-103 (2), C.R.S., a balanced budget is one in which the expenditures do not exceed the combination of available revenue and beginning fund balances.
- c) The Local Government Budget Law requires local governments to prepare and adopt an annual budget that includes:
 - (1) A written budget message that describes the important features of the proposed budget and a description of the services to be delivered during the budget year;
 - (2) All proposed expenditures for administration, operations, maintenance, debt service, and capital projects for the budget year;
 - (3) Anticipated revenues, including the revenue source;
 - (4) Estimated beginning and ending fund balances;
 - (5) Actual expenditures for the prior fiscal year and estimates projected through the end of the current fiscal year;
 - (6) Expenditures classified by object and the revenues by source; and
 - (7) The amount to be expended during the upcoming fiscal year for all capital leases, including real property and non-property, as well as the total maximum payment liability for such leases.
- d) The budget is a fiscal plan for the coming year, and an appropriation is the legal authority to spend the funds.
- e) The Board of County Commissioners appropriates money either by fund source or by the department or elected office within a fund (Section 29-1-108 (2), C.R.S.).
- f) The Local Government Budget Law requires the proposed budget to be submitted to the Board by October 15th of each year.

g) Taxpayer's Bill of Rights:

- (1) The Taxpayer's Bill of Rights (TABOR), which is included in Article X, Section 20 of the Colorado Constitution, has a significant impact on a local government's budgeting process and requirements.
- (2) It limits the amount of property tax revenue that the County may collect, and also requires that a certain percentage of fund balance must be dedicated for an emergency reserve.
- (3) TABOR also prohibits the Board of County Commissioners from increasing the mill levy or imposing any other form of tax without voter approval.
- (4) A local government may obtain voter approval to exempt itself from certain TABOR restrictions.
- (5) Arapahoe County is exempt from TABOR for all non-tax revenues per a 1995 voter approved ballot measure.
- (6) Arapahoe County voters also exempted the Open Space Sales and Use Tax as well as the Arapahoe Law Enforcement Authority from the limitations of TABOR as well.

- h) The contents of the budget and budget format shall be in accordance with applicable Constitutional and statutory requirements.

2. Budget Guidance

- a) The Board of County Commissioners, with the assistance of the Executive Budget Committee, shall develop the budget and policy priorities for the upcoming fiscal year and include them in the budget guidance.
- b) The budget guidance will include the County goals, policy and performance objectives of the Board, and may also include specific requests or requirements that are to be incorporated in all budget submissions.
- c) This information is compiled in a memorandum that is distributed to all departments and elected offices prior to the budget submission period.
- d) The memo shall serve as direction and guidance for how a department or elected office should modify its forecasting and planning and prepare their budget request.

3. Budget Process and Procedures

- a) The Board of County Commissioners, with the assistance of the Executive Budget Committee, shall determine the specific process for the development of the annual budget each year.
- b) Communication of the specific budget process to all of the departments and elected offices involved in the budget process is delegated by the Board of County Commissioners to the Executive Budget Committee and/or the Budget Division of the Finance Department.
- c) It shall be the responsibility of the Executive Budget Committee and the Budget Division to develop and communicate relevant procedures for the development of the annual budget.

- d) Elected offices and departments shall develop and submit their budget requests and information in accordance with the applicable budget development process and procedures set forth for that budget year.
- F. Review and Adoption of the Budget
- 1. Following the submission of department and elected office budget requests, the Budget Division will review and consolidate all submissions and prepare materials for the Executive Budget Committee for their review.
 - 2. Executive Budget Committee Review
 - a) Reviews all budget requests per the Executive Budget Committee policy.
 - b) Meet with departments and elected offices to discuss their budget requests prior to developing the recommended budget.
 - c) Develop the annual recommended budget for review by the Board of County Commissioners.
 - 3. Recommended Budget
 - a) Shall be presented to the Board of County Commissioners no later than October 15th.
 - b) Shall include the following information, per Section 29-1-105, C.R.S.:
 - (1) Budget estimates of expenditure requirements and estimated revenues for the budget year,
 - (2) Actual figures for the last completed fiscal year,
 - (3) Estimated figures through the end of the current fiscal year,
 - (4) Explanatory schedule or statement classifying the expenditures by object and the revenues by source, and
 - (5) The amount to be expended during the upcoming fiscal year for all capital leases, including real property and non-property, as well as the total maximum payment liability for such leases.
 - c) The recommended budget shall include information on whether the General Fund operating budget is structurally balanced and, if it is not, provide an explanation and the reasoning for why it is not.
 - d) The recommended budget should also include the recommendations of the Executive Budget Committee for the budget year with information regarding the budget requests that were recommended for adoption and those that were not.
 - 4. Adoption and Appropriation of the Budget
 - a) Following the submission of the recommended budget, the Board of County Commissioners shall cause to be published a notice of when the budget will be considered for adoption, where a copy of the budget will be available for inspection, and other requirements pursuant to Section 29-1-106, C.R.S.
 - b) The Board of County Commissioners may review and direct the modification of the recommended budget prior to consideration for adoption.
 - c) In the event that the Board of County Commissioners is considering the adoption of a budget that will include a General Fund budget that is not structurally balanced per this policy, this fact shall be communicated to

the Board prior to the date of the adoption of the budget and an explanation of the reasoning provided prior to any vote on adoption.

- d) The adoption of the budget shall be guided by the requirements of Section 29-1-108, C.R.S. and occur no later than December 15th each year if a mill levy is to be certified.
 - e) On the day of adoption, if the General Fund operating budget is not structurally balanced per this policy, the Board shall take a vote to indicate their awareness of that fact and the reasoning for such a budget prior to voting on its adoption.
 - f) The adoption of the budget, the appropriation of funds, and certification of mill levy shall be effective upon adoption by the Board of County Commissioners and available for department and elected office spending on January 1st of that budget year.
 - g) All unexpended appropriations expire at the end of the fiscal year.
5. Amendments to the Budget
- a) If, following the adoption of the budget, there is a need to amend the adopted budget, such an amendment shall follow the approved Budget Amendment policy and procedures set forth by the Budget Division.

G. Responsibilities

- 1. Board of County Commissioners
 - a) Develop, with the assistance of the Executive Budget Committee, the budget and policy priorities for the upcoming fiscal year and include them in the budget guidance.
 - b) Determine, with the assistance of the Executive Budget Committee, the specific process for the development of the annual budget each year and delegate the authority to the Executive Budget Committee and Budget Division to implement procedures to carry out such a process.
 - c) Publish notice of when the budget will be considered for adoption at a public hearing, where a copy of the budget will be available for inspection, and other requirements pursuant to Section 29-1-106, C.R.S.
 - d) Review and modify the recommended budget in preparation for adoption and appropriation.
 - e) Adopt and appropriate the annual operating and capital budget for the County and applicable district and authorities prior to December 15th that is in compliance with all relevant budgetary statutory and Constitutional requirements.
- 2. Executive Budget Committee
 - a) Assist the Board of County Commissioners with the development and distribution of the annual budget guidance.
 - b) Review and recommend to the Board of County Commissioners the proposed operating and capital budget for the ensuing fiscal year per the responsibilities outlined in the Executive Budget Committee policy.
- 3. Departments and Elected Offices
 - a) Consider prior trends in revenue collections and expenditures and forecast the revenue collections and expenditure needs for the upcoming budget year,

- b) Comply with the approved policies and established guidelines, instructions, and procedures to prepare and submit their annual budget requests,
 - c) Following budget adoption, to review and analyze revenue and expenditure data to identify trends and variables that might affect their operations or the ability to remain within their appropriation limit.
 - d) Make necessary adjustments to their budget within the applicable level of budgetary control and/or request budget amendments or supplemental appropriations through the appropriate policy and process.
- 4. Budget Division
 - a) Per Board of County Commissioner direction, lead the process and develop procedures for the development of the County's annual budget,
 - b) Assisting departments and elected offices in the preparation and submission of their budget requests,
 - c) Compile, review, and analyze all budget requests into the necessary format, materials, and documents for review by the Executive Budget Committee, Board of County Commissioners, and others,
 - d) Assist the Executive Budget Committee and the Board of County Commissioners with review and analysis of the County's fiscal condition and budget requests,
 - e) Publish and present the recommended and adopted budgets for required public meetings as well as prepare adoption and appropriation resolutions,
 - f) Ensure the contents of the budget and budget format are in accordance with applicable Constitutional and statutory requirements,
 - g) Upon adoption and appropriation of the budget, notify and submit the budget to the Division of Local Government in the Department of Local Affairs, and
 - h) Provide any other assistance or analysis regarding the County's annual budget as directed by the Board of County Commissioners and/or Executive Budget Committee.
 - i) Continuously monitor the budget and fiscal status in order to assess financial condition and demonstrate fiscal responsibility.
 - j) Coordinate periodic reviews of the budget, actual revenue collections and expenditures, and identification of possible budget amendments per the Budget Amendment policy with specific regard to the quarterly budget reviews.

V. Related Documents and Procedures:

- A. Budget Development Procedures
- B. Colorado Revised Statutes
 - 1. Local Government Budget Law: Section 29-1-101 to 29-1-115, C.R.S.
 - 2. Changes to Budget: Section 29-1-109, C.R.S.
 - 3. Expenditures not to Exceed Appropriations: Section 29-1-110 C.R.S.

- 4. Powers of the Board: Section 30-11-107, C.R.S.
- C. Executive Budget Committee Policy
- D. Budget Amendment Policy
- E. Financial Reserves Policy
- F. Capital Improvement Program Policy

This policy supersedes and replaces the Budget Preparation and Planning Policy 3.1, Budgetary Fiscal Controls Policy 3.2, and Budgetary Fiscal Implementation Policy 3.3, all dated 10/98.



Staffing Authorization Policy

I. Authority:

The Board of County Commissioners has exclusive power to adopt the annual budget for the operation of county government, including all offices, departments, boards, commissions or other spending agencies of the county government, and other agencies which are funded in whole or part by county appropriations, per statute. For authorized staffing levels, such authority is also derived from the annual budget adoption resolution. This authority includes the approval of financial policies which establish and direct the budget process of Arapahoe County. The Finance Department is responsible for carrying out the policy directives of the Board of County Commissioners and establishing the necessary procedures to do so.

II. Purpose and Scope:

The number of authorized positions is a major factor in determining the County's annual budget, specifically personnel costs and facility costs to house them. The County's annual budget adoption resolution authorizes a specific number of full-time equivalent (FTE) positions by department or elected office, as well as by fund.

The Board of County Commissioners must formally approve any changes to a department's or elected office's authorized number of FTE or the number of FTE for any given fund. Therefore, any changes to a department's or elected office's staffing level must be submitted during the annual budget development cycle or through the quarterly supplemental budget amendment process.

The scope of this policy includes requests to change the authorized staffing level that would change the authorized staffing allocations laid out in the budget adoption resolutions. Such a change includes both an increase and decrease to an authorized staffing level.

III. Definitions:

- A. Authorized Position: A position (job) authorized by the Board of County Commissioners as part of the annual adopted budget.
- B. Authorized Staffing Level: The total number of positions authorized by the Board of County Commissioners as part of the annual adopted budget by department and elected office within each fund.
- C. Full-Time Equivalent (FTE): The value based on the number of hours per week an employee works. An employee who works 40 hours per week is considered as one (1) full-time equivalent, or FTE, whereas an employee who works 20 hours per week is 0.50 FTE, or one-half of one FTE.
- D. Full-Time Staff: A full-time employee is one who is assigned to a position which requires 40 hours of work per week.

- E. Fund: A fiscal and accounting entity with a self-balancing set of accounts in which cash and other financial resources, all related liabilities and residual equities, or balances, and changes therein are recorded and segregated to carry on specific activities or attain certain objectives in accordance with special regulations, restrictions, or limitations.
- F. Part-Time Staff: A part-time employee is one who is assigned to a position which regularly works fewer than 40 hours per week.
- G. Temporary Staff: A temporary employee is assigned work for a temporary period of time or the length of a clearly defined project, and is paid on an hourly basis.

IV. Policy:

The County's annual budget adoption resolution authorizes a specific number of full-time equivalent (FTE) positions by department or elected office, as well as by fund. The total authorized staffing level includes all regular part- and full-time positions within the County. Any change to the authorized staffing level, whether it is an increase, decrease, or transfer between departments/elected offices or funds, requires formal approval by the Board of County Commissioners and shall follow the policies outlined below.

A. Changes During the Budget Development Process

1. It is preferred that changes in the authorized staffing level occur during the annual budget development process and are submitted as part of the department's or elected office's budget request for the upcoming year.
2. This allows the adopted budget for the upcoming fiscal year to plan for and reflect the cost, or savings, from changes to staffing levels.
3. Requests for changes in the authorized staffing level shall be reviewed with the Human Resources Department to evaluate and/or create the position, job code, position description, and classification.
 - a) Reductions or transfers of authorized staff may not require this step.
4. The submission of the request shall follow the applicable policies and procedures established for the development of the annual budget.
5. The change in the authorized staffing level for a department or elected office will be effective as of the beginning of the fiscal year following the adoption of the annual budget by the Board of County Commissioners.

B. Changes Outside of the Budget Development Process

1. Any change that occurs outside of the annual budget development process must be submitted as a budget amendment per the applicable policy and process.
2. The request includes the change in authorized staffing level and the applicable increase or decrease in costs related to the request.
3. Requests for changes in the authorized staffing level shall be reviewed with the Human Resources Department to evaluate and/or create the position, job code, position description, and classification.
 - a) Reductions or transfers of authorized staff may not require this step.
4. The change in the authorized staffing level for a department or elected office will be effective as of the date of the adoption of the budget amendment resolution by the Board of County Commissioners.

C. Temporary Positions

1. Temporary positions are not covered under this policy as they are not included in the authorized staffing level of the department or elected office.
2. Funding for temporary salaries may be included in the budget for the department or elected office and used for this purpose.
3. The department or elected office should contact the Human Resources Department regarding the hiring of temporary employees.

D. Grant Funded Positions

1. Grant funded positions are included in the number of the department or elected office's authorized staffing level and shall follow the policy and processes for authorized staffing.
2. Once approved, a grant-funded position may be included in the budget only as long as the grant funds continue.
3. This does not apply to temporary grant-funded employees with benefits as, even with the inclusion of benefits, this type of employee is considered a temporary employee and not an FTE, for the purposes of budgeting and the authorized staffing level.

E. Appropriations for Authorized Staffing Salaries and Benefits

1. The Budget Division applies centralized calculations during the budget development process based on the actual current staffing level of the department or elected office.
2. Departments and elected offices are not permitted to transfer funds to or from salary and benefit accounts for FTE in their authorized staffing level to other expenditure categories without approval from the Budget Division.

F. Exceptions

1. If there is a change in staffing that does not impact a department or elected office's total appropriation or appropriation by fund, and it does not change the total number of authorized FTE, the Department of Human Resources shall have the discretion to approve such a change without seeking formal Board approval.

G. Responsibilities

1. Budget Division
 - a) Track and review the County's authorized staffing level and identify discrepancies between the data and the authorized staffing level approved by Board of County Commissioner resolution.
 - b) Work with departments and elected offices and the Human Resources Department to resolve any identified discrepancies in the authorized staffing level.
 - c) Review requests for authorized staffing level positions to determine the completeness and verify the fiscal impact of the request.
 - d) Include requests in materials submitted for Executive Budget Committee and Board of County Commissioner review in both the formal budget development and amendment process.
 - e) Inform the requesting department or elected office and the Human Resources Department of changes in the authorized staffing level adopted by resolutions of the Board of County Commissioners.
2. Departments and Elected Offices

- a) Monitor and submit the appropriate request to change the authorized staffing level.
 - b) It is the department's or elected office's responsibility to communicate with the Human Resources Department and the Budget Division about proposed changes in the authorized staffing level to ensure that the correct process is followed and that any changes are included in the appropriate budget process.
 - c) To notify the Budget Division if there is a change to a grant or a grant's revenue, so that staff can begin the process to adjust the staffing authorization accordingly.
3. Human Resources Department
- a) To assist departments and elected offices with the review of requests for changes in the authorized staffing level and to evaluate the need to create or change the position, job code, position description, and classification.

V. Related Documents and Procedures:

- A. Budget Adoption Resolutions
- B. Budget Amendment Policy
- C. Colorado Revised Statutes
 - 1. Local Government Budget Law: Section 29-1-101 to 29-1-115, C.R.S.
 - 2. Powers of the Board: Section 30-11-107, C.R.S.

This policy supersedes and replaces the Staffing Authorization Policy 3.6 dated 10/98.



Budget Amendment Policy

I. Authority:

The Board of County Commissioners has exclusive power to adopt the annual budget for the operation of county government, including all offices, departments, boards, commissions or other spending agencies of the county government, and other agencies which are funded in whole or part by county appropriations, per statute. This includes the approval of financial policies which establish and direct the budget process of Arapahoe County. The Finance Department is responsible for carrying out the policy directives of the Board of County Commissioners and establishing the necessary procedures to do so.

II. Purpose and Scope:

This policy guides the amendment of the County budget and appropriations. Pursuant to Section 29-1-109, C.R.S., if, after the adoption of the annual budget and appropriation, the Board of County Commissioners deems it necessary, it may transfer appropriated monies between funds or spending agencies within a fund, as determined by the original appropriation level, or increase the appropriation if unanticipated revenues, other than property taxes, are received by enacting a supplemental budget and appropriation. This policy also outlines how, after adoption of the annual budget, expenditures and revenues will be reviewed and budget amendments considered.

This policy is applicable to all funds and all departments and elected offices. The budget is appropriated in total amounts by fund and, within the General Fund, by department and elected office. Funds may not be transferred between departments or elected offices within the General Fund or between funds without Board consideration and approval by resolution at a public hearing consistent with Section 29-1-106, C.R.S.

III. Definitions:

- A. Appropriation: The authorization by ordinance or resolution of a spending limit for expenditures and obligations for specific purposes.
- B. Budget: The financial plan for the operation of a program, completion of a project, or the entire organization for the year.
- C. Budget Amendment: Any requested change to the existing revenue or expenditure budget of a department, elected office, or fund regardless of whether such change requires a supplemental appropriation request.
- D. Capital Asset: Equipment, computer equipment, computer software, vehicles and furniture with a unit cost of \$5,000 or more. Does not include capital projects.
- E. Authorized Staffing Level: The total number of positions authorized by the Board of County Commissioners as part of the annual adopted budget by department and elected office within each fund.

- F. Fund: A fiscal and accounting entity with a self-balancing set of accounts in which cash and other financial resources, all related liabilities and residual equities, or balances, and changes therein are recorded and segregated to carry on specific activities or attain certain objectives in accordance with special regulations, restrictions, or limitations.
- G. Fiscal Year: For the County, the period commencing January 1st and ending December 31st.
- H. Supplemental appropriation: An appropriation when there is a need to transfer budgeted and appropriated monies from one or more spending agencies in a fund to one or more spending agencies in another fund, or to transfer budgeted and appropriated monies between spending agencies within a fund, or if, during the fiscal year, the governing body or any spending agency of such local government received unanticipated revenue or revenues not assured at the time of the adoption of the budget.

IV. Policy:

An amendment to the budget and appropriations may be necessary due to unanticipated situations that may occur after the adoption of the budget when combined with the statutory requirement that a department or elected office may not expend, or contract to expend, monies in excess of the amount appropriated.

A. Quarterly Budget Reviews

1. The Budget Division of the Finance Department shall develop and implement the process and procedures to develop a quarterly budget review to be presented to the Board of County Commissioners at the end of each quarter of the County's fiscal year.
2. Purpose of the Quarterly Budget Reviews:
 - a) Provides an opportunity for the Executive Budget Committee and the Board to review and understand the County's fiscal condition on a periodic basis.
 - b) Provides the context in which to consider upcoming budget, policy, and program decisions.
 - c) Provides the timeframe during which the Board of County Commissioners considers requested budget amendments, supplemental appropriation requests or changes in the authorized staffing level to the current adopted budget.
3. Content of Quarterly Budget Reviews:
 - a) Quarterly budget reviews shall provide updated information to the Board of County Commissioners, budget staff, and the public about the County's fiscal status, current economic trends and indicators, and revenue and expenditure projections through the end of the current fiscal year.
 - b) Provides a five-year financial projections for key County funds, which are based on revenue and expenditure trend assumptions and projections provided by the Budget Division and departments and elected offices.

- c) Information regarding supplemental appropriation requests and requests to change the authorized staffing level for departments and elected offices.
 - d) Recommendations of the Executive Budget Committee on matters applicable to the fiscal status, budget trends, and the supplemental appropriation and authorized staffing requests submitted by departments and elected offices.
- 4. The information detailed in Section 3 above, shall be presented to the Board of County Commissioners in the following manner:
 - a) The Budget Division will schedule a study session to present the quarterly budget review to the Board of County Commissioners and all other interested parties.
 - b) Following the presentation of the quarterly budget review at a study session, the Budget Division will schedule a public hearing for the Board of County Commissioners to consider adoption of supplemental appropriation resolutions and publish such resolutions prior to the public hearing per Section 29-1-106, C.R.S.
- B. Budget Amendments that Require Supplemental Appropriation Requests
 - 1. Increases or decreases to the appropriation of a department, elected office or fund for which a specific appropriation was adopted in the annual budget resolution.
 - 2. Transfers between departments and elected offices or between funds for which a specific appropriation was adopted in the annual budget resolution.
 - 3. Increases or decreases to the authorized staffing level.
 - 4. Recognition of unanticipated revenue.
 - 5. Requests to purchase capital assets.
 - 6. Reauthorization of prior year grant funding on a reimbursement basis.
- C. Budget Amendments that Do Not Require a Supplemental Appropriation Request:
 - 1. Transfers between line items within the appropriation of a department, elected office or fund for which a specific appropriation was adopted in the annual budget resolution.
 - 2. Changes in the authorized staffing that does not change the overall authorized staffing level for the department or elected office within the same fund.
- D. Responsibilities:
 - 1. Departments and Elected Offices
 - a) To perform thorough reviews and develop projections for their respective budgets and spending to determine if there are sufficient appropriations to allow for a proposed expenditure or encumbrance commitment.
 - b) To notify the Budget Division of the receipt of any unanticipated revenues or grants awarded.
 - c) To prepare and submit supplemental appropriation requests, if there is a need for a budget amendment that fits the requirements of Section B – Budget Amendments that Require Supplemental Appropriation Requests above.
 - d) Provide adequate information and justification for supplemental appropriation requests to the Budget Division, Executive Budget

Committee, and Board of County Commissioners to facilitate the consideration of the request.

- e) Attend the quarterly budget review study sessions and public hearings as needed.

2. Budget Division

- a) Assisting departments and elected offices in the preparation of quarterly financial projections, budget amendments and supplemental appropriation requests,
- b) Compiling and analyzing all such supplemental appropriation requests into the necessary materials and documents for review.
- c) Assist the Executive Budget Committee and the Board of County Commissioners with review and analysis of the financial condition of the County and any supplemental appropriation requests.
- d) Prepare and present the quarterly budget review at a study session.
- e) Prepare supplemental appropriation resolutions.
- f) Publish the supplemental appropriation requests prior to and present the information during the public hearing.
- g) Upon approval by the Board of County Commissioners, make the adopted changes to the appropriations and authorized staffing levels for the affected departments and elected offices.
- h) File copies of the adopted resolutions with the Division of Local Government in the Department of Local Affairs per Section 29-1-109, C.R.S.

3. Executive Budget Committee

- a) Review the quarterly budget review and supplemental appropriation request information provided by the Budget Division.
- b) Provide recommendations to the Board of County Commissioners per the Executive Budget Committee policy.

4. Board of County Commissioners

- a) Review the quarterly budget review and supplemental appropriation request information provided by the Budget Division.
- b) Review the recommendations of the Executive Budget Committee.
- c) Consider adoption of the supplemental appropriation resolutions presented during the public hearing following each quarterly budget review.

V. Related Documents and Procedures:

A. Annual Budget Adoption Resolutions

B. Colorado Revised Statutes

- 1. Local Government Budget Law: Section 29-1-101 to 29-1-115, C.R.S.
- 2. Changes to Budget: Section 29-1-109, C.R.S.
- 3. Expenditures not to Exceed Appropriations: Section 29-1-110 C.R.S.
- 4. Powers of the Board: Section 30-11-107, C.R.S.

C. Executive Budget Committee Policy

D. Budget Amendment Procedures

This policy supersedes and replaces Policy 3.4 dated 10/98.



Reappropriation Policy

I. Authority:

The Board of County Commissioners has exclusive power to adopt the annual budget for the operation of county government, including all offices, departments, boards, commissions or other spending agencies of the county government, and other agencies which are funded in whole or part by county appropriations, per statute. This includes the approval of financial policies which establish and direct the budget process of Arapahoe County. The Finance Department is responsible for carrying out the policy directives of the Board of County Commissioners and establishing the necessary procedures to do so and, for reappropriation, such authority is delegated in the annual budget adoption resolution.

II. Purpose and Scope:

The appropriation authority granted in a fiscal year expires on December 31st of that same fiscal year. In specific circumstances, planned expenditures of that appropriation cannot be completed by the end of the fiscal year and a mechanism to amend the budget in the subsequent fiscal year is required to allow for further expenditures for that purpose.

These unspent funds, or appropriations, from the prior fiscal year may be re-appropriated for the following fiscal year for the original purpose(s). This re-appropriation of funds allows departments and elected offices to continue spending on these ongoing items without negatively impacting the budget and appropriations set for the current fiscal year. The amount of funds reappropriated are limited to the amount of unspent appropriation from the prior year and, in specific circumstances, the available unappropriated balance of the fund.

This policy applies to all departments, elected offices, and funds that have received prior appropriations for the items that are eligible for consideration under this policy.

III. Definitions:

- A. Appropriation: The authorization by ordinance or resolution of a spending limit for expenditures and obligations for specific purposes.
- B. Capital Asset: Equipment, Computer Equipment, Computer Software, Vehicles and Furniture with a unit cost of \$5,000 or more. Does not include capital projects.
- C. Capital Project: Major, non-recurring projects that have a purpose of acquiring or building assets such as buildings, facilities and roadways with a cost of \$50,000 or more.
- D. Encumbrance: An amount committed, but not yet expended, for the purchase of a specific good or service.
- E. Fiscal Year: For the County, the period commencing January 1st and ending December 31st.

- F. Fund Balance: The balance of total resources available for subsequent years' budgets consistent with the basis of accounting elected for budget purposes.
- G. Grant: A contribution of assets (usually cash) by one government unit or other organization to another. The contribution is usually made to aid in the support of a specific function, but can be for general purposes.
- H. Purchase order: A document which authorizes the delivery of specified merchandise or the rendering of certain services and the making of a charge for them.
- I. Reappropriation: The re-appropriation of funds through a supplemental appropriation in the current fiscal year to allow for further expenditures when planned expenditures of an existing appropriation cannot be completed by the end of the prior fiscal year for that same purpose.
- J. Supplemental appropriation: An appropriation when there is a need to transfer budgeted and appropriated monies from one or more spending agencies in a fund to one or more spending agencies in another fund, or to transfer budgeted and appropriated monies between spending agencies within a fund, or if, during the fiscal year, the governing body or any spending agency of such local government received unanticipated revenue or revenues not assured at the time of the adoption of the budget.

IV. Policy:

Appropriation authority expires at the end of each fiscal year and the unspent balances revert to the balance in the fund of origin. In specific circumstances, if planned expenditures of that appropriation cannot be completed by the end of the fiscal year, the reappropriation of those appropriations through a supplemental appropriation in the subsequent fiscal year is required to allow for further expenditures for that purpose. Following the end of the prior fiscal year, the Budget Division of the Finance Department will initiate the reappropriation process to allow for departments and elected offices to submit eligible requests.

A. Reappropriation Process

1. The Finance Director is authorized to review:
 - a) All purchase orders that are open at the end of the year,
 - b) All capital assets approved that have not been purchased,
 - c) All capital projects previously started but not finished,
 - d) All grant projects previously started but not finished, and
 - e) The unappropriated balance of applicable funds.
2. The Finance Director is authorized to identify which purchase orders, fixed assets, capital projects, grants projects, and unappropriated fund balances should be reappropriated and is authorized to increase the appropriation so as to continue the funding of these previously appropriated needs, subject to review and action by the Board.
3. Elected offices and departments are responsible for:
 - a) Reviewing items eligible for reappropriation,
 - b) Requesting items be considered for reappropriation, and
 - c) Ensuring that the request follows the applicable procedures and deadlines established by the Budget Division of the Finance Department.

4. The Budget Division of the Finance Department is responsible for:
 - a) Establishing the procedure for gathering and reviewing requests under this policy.
 - b) Drafting the appropriate reports and resolutions related to this policy.
 - c) Scheduling meetings of the Executive Budget Committee or Board of County Commissioners to review reappropriation requests and adopt the reappropriation resolutions, if required.
 - d) Ensuring that the reappropriation resolutions follow the notice requirements of Section 29-1-106, C.R.S. and a copy of any adopted resolutions be sent to the Colorado Department of Local Affairs - Division of Local Government.

B. Items that are Eligible for Reappropriation Consideration

1. The balance of purchase orders opened and encumbered in a prior fiscal year but for which the money was not expended and the funds are still required for the original purpose,
2. The unspent balance of amounts budgeted for previously approved capital assets, capital projects, or other specific projects to allow for completion of the intended purpose,
3. The unspent balance of grants not funded on a reimbursement basis to allow the grant spending to be completed as originally intended, and
4. The unappropriated balance of the following funds:
 - a) Electronic Filing Technology Fund
 - b) Cash-in-Lieu Fund
 - c) Conservation Trust Fund
 - d) Communication Network System Replacement Fund
 - e) Commissary Fund
 - f) Forfeited Property Fund
 - g) Developmental Disability Fund
 - h) Open Space Sales and Use Tax Fund
 - i) Arapahoe County Fair Fund
 - j) The capital construction portions of the following funds:
 - (1) Capital Expenditure Fund
 - (2) Infrastructure Fund
 - (3) Arapahoe County Recreation District Fund
 - (4) Arapahoe County Water and Wastewater Public Improvement District Fund

C. Items Not Eligible

1. Requests for supplemental funding needs that were not appropriated in the prior year budget are not within the scope of this policy and shall be handled as supplemental appropriation requests under the policy for Budget Amendments.
2. The unspent portion of grants funded on a reimbursement basis as the required revenue will need to be added along with the appropriation through the Budget Amendment policy and process.
3. Any eligible item where the amount of requested reappropriation for any one department or elected office and any one fund, is greater than the amount of

unspent appropriations from the prior year and the available unappropriated fund balances.

V. Related Documents and Procedures:

- A. Annual Budget Adoption Resolutions
- B. Colorado Revised Statutes
 - 1. Local Government Budget Law: Section 29-1-101 to 29-1-115, C.R.S.
 - 2. Powers of the Board: Section 30-11-107, C.R.S.
- C. Budget Amendment Policy
- D. Reappropriation Procedures

This policy supersedes and replaces the Reappropriation Policy 3.11 dated 5/99.



Arapahoe County Finance Department

Executive Budget Committee Policy

Policy No.: 3.5

Version: 1.1

Resolution No.: 070164

Effective Date: 3/13/2007

I. Authority:

The Board of County Commissioners has exclusive power to adopt the annual budget for the operation of county government, including all offices, departments, boards, commissions or other spending agencies of the county government, and other agencies which are funded in whole or part by county appropriations, per statute. This includes the approval of financial policies which establish and direct the budget process of Arapahoe County. The Finance Department is responsible for carrying out the policy directives of the Board of County Commissioners and establishing the necessary procedures to do so.

II. Purpose and Scope:

The Executive Budget Committee shall be appointed and tasked with the detailed review of the annual requested budget, supplemental budget requests, the annual reappropriation of funds, and other financial matters as identified by the Board of County Commissioners. Following such review, the Committee is to provide a recommendation for approval of the budget items to the Board of County Commissioners for their review and approval.

The scope of the Executive Budget Committee includes review of the annually submitted departmental and elected office budgets including baseline and budget package requests and revenue and expenditure projections. The Committee will also review quarterly supplemental appropriation requests and the requests for reappropriation. Other areas of review may be specified by the Board of County Commissioners. Final decisions on all financial and budgetary matters, as may be recommended by the Committee, will be made by the Board of County Commissioners.

III. Definitions:

- A. Budget: The financial plan for the operation of a program, completion of a project, or the entire organization for the year.
- B. Budget amendment: Any requested change to the existing revenue or expenditure budget of a department, elected office, or fund regardless of whether such change requires a supplemental appropriation request.
- C. Reappropriation: The re-appropriation of funds through a supplemental appropriation in the current fiscal year to allow for further expenditures when planned expenditures of an existing appropriation cannot be completed by the end of the prior fiscal year for that same purpose.
- D. Recommended Budget: The estimated and proposed budget of revenues and expenditures for the ensuing fiscal year that is required to be submitted to the Board of County Commissioners no later than October 15th each year.
- E. Supplemental appropriation: An appropriation when there is a need to transfer budgeted and appropriated monies from one or more spending agencies in a fund to

one or more spending agencies in another fund, or to transfer budgeted and appropriated monies between spending agencies within a fund, or if, during the fiscal year, the governing body or any spending agency of such local government received unanticipated revenue or revenues not assured at the time of the adoption of the budget.

IV. Policy:

A. Composition

1. Committee Membership:

- a) The members of the Executive Budget Committee are appointed by the Board of the County Commissioners and shall be composed of three (3) to five (5) members for voting and decision-making purposes.
- b) The Committee shall be composed of representatives from the following three (3) groups: the Board of County Commissioners, other County Elected Officials, and Department Directors or other non-elected staff.
- c) Depending on the number of total members, each group shall not be without representation and no group shall have more than two (2) representatives on the Committee.
- d) A quorum shall consist of two members when membership is less than five (5) members.

2. Non-Voting Staff: The Executive Budget Committee will be assisted in their work by the County Finance Director, Budget Manager, and Budget Division staff as non-voting liaisons. Staff will provide Committee members with financial data and analysis of the budget issues to be considered and assist in gathering any other information the Committee requests.

B. Process

1. Meetings and Decisions:

- a) Meetings of the Executive Budget Committee will be scheduled and held at times as determined by the Committee members in cooperation with staff liaisons.
- b) Committee meetings require a majority of the voting members to be present to decide on any recommendation to the Board of County Commissioners.
- c) Final decisions on all financial matters before the Committee that relate to the development or modification of the County's annual budget shall be determined by the Board of County Commissioners.

2. Annual Budget Development and Review:

- a) Budget Guidance: Each year the Executive Budget Committee shall:
 - (1) Assess the financial condition of the County,
 - (2) Consider the goals of the County,
 - (3) Seek guidance from the Board of County Commissioners, and
 - (4) Provide written guidance to elected offices and departments pertaining to the development of the upcoming year's budget prior to their budget submission.

- b) Budget Review and Recommendation: Following the budget submissions from elected offices and departments, the Executive Budget Committee shall:
 - (1) Schedule times to meet with elected offices and departments to review and discuss their budget requests,
 - (2) Review and evaluate the budget requests to determine which requests should be recommended to the Board of County Commissioners as part of that year's recommended budget,
 - (3) Distribute the information regarding which requests will be recommended to the Board of County Commissioners and which will not,
 - (4) Schedule additional time for elected offices and departments who wish to appeal the preliminary recommendations of the Executive Budget Committee prior to submission of those recommendations to the Board of County Commissioners,
 - (5) Submit the annual recommended budget to the Board of County Commissioners at a public hearing prior to the statutory deadline of October 15th that includes information on the recommendations of the Committee along with information on the budget requests that were not recommended, and
 - (6) The Committee shall present its recommendations to the Board of County Commissioners at a study session.
- 3. Budget Amendments and Annual Reappropriations: The Executive Budget Committee shall:
 - a) Schedule a meeting of the Committee to review requests for budget amendments that require supplemental appropriations and annual reappropriations prior to the quarterly budget review study session,
 - b) Review all quarterly requests for budget amendments requiring supplemental appropriations and annual requests for reappropriations and make recommendations to the Board of County Commissioners on which requests should be approved, and
 - c) Finance Department staff will schedule the required study sessions and public hearings for formal Board of County Commissioner consideration of these requests and coordinate with other County elected officials, department directors, and staff to attend these meetings to be present to answer questions posed by the Board.
- 4. Other Reviews as Specified by the Board of County Commissioners:
 - a) The Executive Budget Committee shall analyze and review other topics and issues as directed by the Board of County Commissioners.
 - b) The manner in which these reviews or analyses are conducted and the end product or recommendation shall be in accordance with Board direction or, in the absence of specific Board direction, per the judgment of the Committee to complete the task.
 - c) Results of the Committee's work shall be presented to the Board of County Commissioners.

V. Related Documents and Procedures:

- A. Colorado Revised Statutes
 - 1. Powers of the Board: Section 30-11-107, C.R.S.
 - 2. Local Government Budget Law: Section 29-1-101 to 29-1-115, C.R.S.
- B. Budget Preparation and Control Policy
- C. Budget Amendment Policy
- D. Reappropriation Policy

This policy updates the Executive Budget Committee Policy dated 3/07.



Arapahoe County Finance Department

Capital Improvement Program Policy

Policy No.: 3.6

Version: 0.0

Resolution No.: 16XXXX

Effective Date: 12/31/2016

I. Authority:

The Board of County Commissioners has exclusive power to adopt the annual budget for the operation of county government, including all offices, departments, boards, commissions or other spending agencies of the county government, and other agencies which are funded in whole or part by county appropriations, per statute. This includes the approval of financial policies which establish and direct the budget process of Arapahoe County including the budgeting and appropriation of capital improvement projects. The Finance Department is responsible for carrying out the policy directives of the Board of County Commissioners and establishing the necessary procedures to do so.

II. Purpose and Scope:

The Board of County Commissioners has the responsibility for approving capital improvement policies as well as approving Capital Improvement Program funding as part of its responsibility for the County's annual budget. This policy establishes the process by which requests for capital project funding, as part of the County's budget, will be considered, reviewed, and adopted.

The scope of this policy includes all departments and elected offices that request funding for capital improvement projects across any of the County's funds.

III. Definitions:

- A. Appropriation: The authorization by ordinance or resolution of a spending limit for expenditures and obligations for specific purposes.
- B. Capital Asset: Equipment, computer equipment, computer software, vehicles and Furniture with a unit cost of \$5,000 or more. Does not include capital projects.
- C. Capital Improvement Program: The proposed plan for capital projects that is developed and updated to reflect the estimated amount of capital expenditures to be incurred each year over a five-year period as well as the anticipated revenues to finance those capital projects.
- D. Capital Project: Major, non-recurring projects that have a purpose of acquiring or building assets such as buildings, facilities and roadways with a cost of \$50,000 or more and have a useful life of 10 years or more. Also referred to as a capital improvement project.
- E. Fiscal Year: For the County, the period commencing January 1st and ending December 31st.
- F. Fund Balance: The balance of total resources available for subsequent years' budgets consistent with the basis of accounting elected for budget purposes.
- G. Reappropriation: The re-appropriation of funds through a supplemental appropriation in the current fiscal year to allow for further expenditures when planned expenditures

of an existing appropriation cannot be completed by the end of the prior fiscal year for that same purpose.

- H. Supplemental appropriation: An appropriation when there is a need to transfer budgeted and appropriated monies from one or more spending agencies in a fund to one or more spending agencies in another fund, or to transfer budgeted and appropriated monies between spending agencies within a fund, or if, during the fiscal year, the governing body or any spending agency of such local government received unanticipated revenue or revenues not assured at the time of the adoption of the budget.

IV. Policy:

Capital projects are defined as those major, non-recurring projects that have a purpose of acquiring or building capital assets such as buildings, facilities, equipment, software, and roadway infrastructure with a cost of \$50,000 or more and have a useful life of 10 years or more. The following sections provide the policy guidance for the Capital Improvement Program, Capital Improvement Program Committee, and the responsibilities of the parties related to capital projects and the Capital Improvement Program.

A. Capital Improvement Program

1. The Capital Improvement Program (CIP) is the proposed plan for capital projects that is developed and updated to reflect the estimated amount of capital expenditures to be incurred each year over a five-year period as well as the anticipated revenues to finance those capital projects.
2. Capital projects are defined as those major, non-recurring projects that have a purpose of acquiring or building capital assets such as buildings, facilities, equipment, software, and roadway infrastructure with a cost of \$50,000 or more and have a useful life of 10 years or more.
3. The Board of County Commissioners requests that a Capital Improvement Program Committee develop, monitor, and maintain the Capital Improvement Program plan.
4. The Board of County Commissioners will adopt only the upcoming year, or the first year of the Capital Improvement Program, in the annual adopted budget.
5. In the event of requested changes to an adopted capital project budget or the Capital Improvement Program or plan, the requested change will be:
 - a) Reviewed by the Capital Improvement Program Committee.
 - b) Submitted for consideration as a supplemental appropriation request at the next quarterly budget review through the appropriate process.
6. Capital projects that are not complete at the end of the fiscal year and have appropriations remaining, will be considered in the annual reappropriation process to allow completion of the project within the remaining appropriation per the Reappropriation policy.

B. Capital Improvement Program Committee

1. The Capital Improvement Program (CIP) Committee is established by this policy to develop, monitor, and maintain the Capital Improvement Program plan.

2. Specifically, the Capital Improvement Program Committee shall be responsible for the following:
 - a) To establish the administrative framework, format, and process for the development of the Capital Improvement Program plan,
 - b) To consolidate, compile, review, analyze, and evaluate all of the Capital Improvement Program project requests,
 - c) To prepare a recommendation for the Capital Improvement Program as well as the annual action plan for the upcoming year to the Executive Budget Committee and the Board of County Commissioners during the annual budget development process,
 - d) To implement the approved Capital Improvement Program plan,
 - e) To monitor the status of previously approved capital projects and evaluate the results of the Capital Improvement Program plan,
 - f) To perform any review or analysis of the Capital Improvement Program or capital project as directed by the Board of County Commissioners.
3. Composition of the Capital Improvement Program Committee
 - a) The Committee will be comprised of voting and non-voting members who are all appointed by the Board of County Commissioners for one-year terms.
 - b) Voting Members:
 - (1) Will be selected from among County departments and elected offices that are the primary agencies that submit and/or manage capital projects and the Finance Department.
 - (2) No more than one (1) voting member per department or elected office can be appointed.
 - (3) One (1) County Commissioner shall be appointed to the Committee.
 - c) Non-Voting Members:
 - (1) The Committee shall be assisted in its work by staff from the Finance Department.
 - (2) These staff are not permitted to be voting members for purposes of Committee decisions and recommendations.
4. The Committee shall meet as needed throughout the year to develop and update the Capital Improvement Program plan and discuss other topics related to capital projects and the Capital Improvement Program.
5. Recommendations of the CIP Committee shall be through a deliberative process whereby a majority of the voting members of the Committee agree on the composition and funding of the proposed Capital Improvement Program plan.
6. The Committee will work with the Budget Division of the Finance Department in determining the process and format for how capital project requests will be submitted and what information is required for consideration.

C. Capital Project Funds and Mill Levy

1. Capital Expenditure Fund
 - a) The Capital Expenditure Fund is a capital project fund for accounting purposes and shall be the primary location for the funding of the Capital Improvement Program and capital projects.

- b) If the Board of County Commissioners sets a mill levy for capital improvements, the revenue shall be collected and spent within the Capital Expenditure Fund for such improvements and projects.
- 2. Infrastructure Fund
 - a) The Infrastructure Fund will be classified as a capital projects fund for accounting purposes.
 - b) The fund will account for all monies allocated for capital projects for infrastructure projects by the County or transferred to the County by developers or other entities for such projects.
- 3. Other Funds
 - a) If there is a specific need to fund a capital project from a fund other than the Capital Expenditure or Infrastructure Fund, the Finance Department will review the specific circumstances and make a determination on such a request.

D. Responsibilities:

- 1. Capital Improvement Program Committee:
 - a) Responsible for items included in Section B of this policy.
- 2. Department and Elected Offices:
 - a) Adequately forecast and plan for capital projects and other significant project expenditures through the entire Capital Improvement Program plan timeframe.
 - b) Submit capital project requests in the appropriate format and through the appropriate process to the Capital Improvement Program Committee and/or the Budget Division of the Finance Department.
- 3. Budget Division:
 - a) Assist the Capital Improvement Program Committee, the Executive Budget Committee, and the Board of County Commissioners in developing, monitoring, and analyzing capital projects and the Capital Improvement Program.
 - b) Assist elected offices and departments with the development and submission of capital project requests through the Capital Improvement Program Committee process, the annual budget development process, or the supplemental appropriation process per the applicable policies and procedures.
 - c) Assist the departments and elected offices, Executive Budget Committee and the Board of County Commissioners in the gathering, submission, and analysis of reappropriation requests for capital projects per the Reappropriation policy and procedure.
- 4. Executive Budget Committee:
 - a) Review and recommend to the Board of County Commissioners the proposed Capital Improvement Program plan and capital project funding requests from the Capital Improvement Program Committee per the responsibilities outlined in the Executive Budget Committee policy.
- 5. Board of County Commissioners:
 - a) Appoint the members of the Capital Improvement Program Committee annually.

- b) Review and approve the proposed Capital Improvement Program plan and capital project funding requests from the Capital Improvement Program Committee and Executive Budget Committee.
- c) Adopt the Capital Improvement Program funding for the next fiscal year.
- d) Review and adopt any recommended changes to Capital Improvement Program plan and capital project funding requests from the Capital Improvement Program Committee and Executive Budget Committee during the current fiscal year.

V. Related Documents and Procedures:

- A. Colorado Revised Statutes –
 - 1. Local Government Budget Law: Section 29-1-101 to 29-1-115, C.R.S.
 - 2. Powers of the Board: Section 30-11-107, C.R.S.
 - 3. Capital Expenditures Fund – Tax Levy: Section 30-25-202, C.R.S.
- B. Budget Preparation and Control Policy
- C. Budget Amendment Policy
- D. Reappropriation Policy
- E. Capital Improvement Program Procedures

This policy supersedes and replaces the Capital Improvement Program Policy 9.1 dated 1/97.



Capital Asset Budget Policy

I. Authority:

The Board of County Commissioners has exclusive power to adopt the annual budget for the operation of county government, including all offices, departments, boards, commissions or other spending agencies of the county government, and other agencies which are funded in whole or part by county appropriations, per statute. This includes the approval of financial policies which establish and direct the budget process of Arapahoe County including the budgeting and appropriation of capital assets due to their generally large, one-time budget outlay in addition to recurring charges for its future replacement and expenses related to the operation and maintenance of the asset that may impact other departments and elected offices. The Finance Department is responsible for carrying out the policy directives of the Board of County Commissioners and establishing the necessary procedures to do so.

II. Purpose and Scope:

The purpose of this Capital Asset Budget policy is to maintain a system by which capital assets can be funded and replaced when the asset has reached the end of its useful life without undue financial hardship on the County or on any specific budget year.

The scope of this policy extends to the budgeting of capital assets that include vehicles, machinery, equipment, assembled furniture and fixtures, and computer hardware whose cost exceeds the \$5,000 capitalization threshold as well as computer software whose cost exceeds the capitalization threshold of \$50,000.

III. Definitions:

- A. Capital Asset: Includes land, land improvements, easements, buildings, building improvements, vehicles, machinery, equipment, infrastructure and all other tangible and intangible assets that are used in operations and that have initial useful lives beyond a single financial reporting period and where the cost of the asset is greater than the capitalization threshold.
- B. Capital Asset Number: A unique number used to identify a capital asset that is determined and assigned by the Accounting Division of the Finance Department.
- C. Capital Asset Replacement: The replacement of a capital asset that is worn out, obsolete, or that has reached the end of its useful life with another similar capital asset that will provide similar functionality as the originally purchased capital asset.
- D. Capitalization Threshold: The amount at which an item becomes a capital asset. For purposes of this policy, the capitalization threshold is \$5,000.
- E. Central Services Fund: A proprietary fund of the County which serves as the location for the purchase and replacement of capital assets.

- F. Intergovernmental Rental Charges: Monthly charges allocated by the Central Services Fund to the operating budget of the department or elected office user of the capital asset that are equal to the depreciation over the capital asset's useful life.
- G. Reappropriation: The re-appropriation of funds through a supplemental appropriation in the current fiscal year to allow for further expenditures when planned expenditures of an existing appropriation cannot be completed by the end of the prior fiscal year for that same purpose.

IV. Policy:

The Capital Asset Budget policy below is intended to maintain a system by which capital assets can be funded and replaced when the asset has reached the end of its useful life without undue financial hardship on the County or on any specific budget year. The purchase of a capital asset generally requires a large one-time budget outlay in addition to recurring charges for its future replacement and expenses related to the operation and maintenance of the asset that may impact other departments and elected offices. Therefore, the Board of County Commissioners shall approve the purchase of all capital assets by departments, elected offices, and agencies within their budgetary authority. All capital assets shall be identified by an asset number that is determined and assigned by the Accounting Division of the Finance Department.

A. Costs to be Included in a Capital Asset Request

1. The budget request for a capital asset shall include all costs associated with the purchase of the capital asset including ancillary costs such as:
 - a) Freight, shipping, and transportation costs,
 - b) Design costs,
 - c) Installation costs,
 - d) Professional services fees and costs as related to the purchase and installation of the capital asset, and
 - e) Other costs directly attributable to the acquisition of the capital asset.
2. Costs for training or ongoing maintenance or support of the acquired capital asset should not be considered part of the cost and should be expensed against operating funds.
3. The requesting elected office or department has the responsibility to make sure that all valid costs required for purchasing and putting the capital asset into service be included in the cost of the capital asset per the above limitations.

B. Requesting a New Capital Asset

1. A department or elected office that requires the purchase of a new capital asset must request and receive approval for such a purchase from the Board of County Commissioners.
2. Generally, in order to purchase the approved new capital asset, funds will need to be transferred from the operating budget for the requesting department or elected office to which the asset is assigned to the Central Service Fund as part of the adopted budget or as part of a supplemental appropriation request.
3. The elected office or department request for the capital asset shall follow the applicable financial policy and procedures established by the Budget Division

for submitting such a request for the annual budget development process or the quarterly budget review and amendment process.

4. Following approval of the annual budget or supplemental appropriation request by the Board of County Commissioners, the Budget Division will provide a list of approved fixed assets showing the fixed asset number (as assigned by the Accounting Division of the Finance Department), description of the asset, and the budgeted amount to the department or elected office.
5. Once the approval and notification has been received, the department and elected office is responsible for initiating the requisition of the approved fixed asset in accordance with the Purchasing Policy and other applicable policies.
6. Once the capital asset is acquired, the Central Service Fund will begin charging intergovernmental rents to the applicable department or elected office over its useful life to fund its future replacement.

C. Requesting the Replacement of a Capital Asset

1. Once a capital asset reaches the end of its useful life and is in need of replacement, a department or elected office can request the replacement of the capital asset from the Central Service Fund drawing on the funds contributed through intergovernmental rental charges.
2. A capital asset replacement is defined as the replacement of a capital asset that is worn out, obsolete, or that has reached the end of its useful life with another similar capital asset that will provide similar functionality as the originally purchased capital asset.
3. If a department or elected office has determined that the replacement capital asset will not be similar to the asset being replaced or will fulfill a different function, the requesting department or elected office shall seek the approval of the Board of County Commissioners for such a change.
4. If the capital asset was not purchased within the Central Service Fund or charged intergovernmental rents, no replacement funding is available and it will need to be replaced using funds from the requesting department or elected office operating budget similar to the process for a new capital asset.
5. The elected office or department request for the capital asset shall follow the applicable policies and procedures established by the Budget Division for submitting such a request for the annual budget development process or the quarterly budget review and amendment process.
6. Following approval of the annual budget or supplemental appropriation request by the Board of County Commissioners, the Budget Division will provide a list of approved fixed assets showing the fixed asset number (as assigned by the Accounting Division of the Finance Department), description of the asset, and the budgeted amount to the department or elected office.
7. Once the approval and notification has been received, the department and elected office is responsible for initiating the requisition of the approved fixed asset in accordance with the Purchasing Policy and other applicable policies.
8. Once the capital asset is acquired, the Central Service Fund will begin charging intergovernmental rents to the applicable department or elected office over its useful life to fund its future replacement.

D. Intergovernmental Rent Charges and the Central Services Fund

1. Central Services Fund

- a) The Central Service Fund serves as a revolving fund for the replacement of capital assets.
- b) All approved capital assets applicable under this policy that meet the capitalization threshold shall be purchased from the Central Service Fund unless the specific circumstances below are met.
- c) Circumstances for purchasing a capital asset outside of the Central Services Fund:
 - (1) One-time or Grant Funded Purchases
 - (a) Capital assets that are one-time purchases that will not be replaced or those funded by a grant or grant funded program can be budgeted, expensed, and replaced in the fund that enabled the purchase.
 - (b) These capital assets will not be part of or replaced through the Central Services Fund.
 - (c) These assets are still bound by the other provisions of this capital asset policy regarding the request and approval for the purchase of capital assets.
- d) The Central Service Fund operates on an assumption that, over time, price overruns for replacement capital assets will equal price savings and assets no longer required and retired.
- e) A new or replacement capital asset that is approved will be purchased unless the price on any one asset exceeds the approved price by 15 percent or \$15,000 more than the budgeted amount, whichever is less, for the purchase.
- f) If an approved capital asset costs less than the budgeted amount, the savings will remain in the Central Service Fund to offset additional costs on other capital assets.
- g) Additional amounts can be added to the Central Service Fund each year as needed to provide for new purchases, purchases that exceed the cost overrun threshold above, or inflationary pressures.

2. Intergovernmental Rental Charges

- a) Intergovernmental rental charges are those charges allocated by the Central Services Fund to the operating budget of the department or elected office user of the capital asset that are equal to the depreciation over the capital asset's useful life.
- b) The useful life of a capital asset shall be determined by the Accounting Division of the Finance Department and the applicable policy unless specific circumstances require a different useful life.
- c) These intergovernmental rental charges shall be applied monthly by the Accounting Division of the Finance Department.
- d) The purpose of these charges is to provide funding to the Central Services Fund for the future replacement of the capital asset.
- e) The Budget Division shall calculate the amount of intergovernmental rentals to be budgeted for each department and elected office during the annual budget development process and whenever there is an addition to the capital assets during the fiscal year that was not included in the adopted budget.

- (1) These budgeted intergovernmental rental charges shall include amounts for those capital assets currently being depreciated and estimates for capital assets that have been approved but have yet to be acquired.

E. Other Provisions for Capital Asset Budgeting

1. Cooperation with Applicable Support Departments and Divisions
 - a) It is the responsibility of the requesting department or elected office to work with the appropriate support departments such as Information Technology and Facilities and Fleet Management to determine the need and specifications of new and replacement capital assets.
 - b) The requesting department or elected office should also work with the Purchasing Division of the Finance Department to determine the estimated cost and purchasing policies that need to be followed in order to budget for and acquire the capital asset.
2. Requests for New or Replacement Capital Assets without Appropriations
 - a) In rare circumstances, if the request for a new or replacement capital asset does not change the appropriation of the requesting department or elected office or require a transfer from the operating budget to the Central Service Fund, approval from the Board of County Commissioners for the new capital asset can be obtained through a study session rather than through the formal budget process.
 - b) Regardless of the process, the requesting department or elected office shall notify the Budget Division to ensure proper handling of the request and capital asset number creation.
3. Reappropriation of Capital Assets
 - a) In the event that an approved new or replacement capital asset has not been purchased by the end of the current fiscal year, the appropriation for the capital asset should be requested during the reappropriation process in the following year to enable the purchase of the capital asset to be completed.
 - b) Such a request shall follow the established Reappropriation policy and procedures.
4. Replacement Capital Assets No Longer Needed or Below Capitalization Threshold
 - a) Below the Capitalization Threshold
 - (1) If the cost for a replacement capital asset falls below the capitalization threshold, the capital asset shall be purchased from the operating budget of the requesting department or elected office.
 - (2) If the department or elected office chooses, it may request a one-time transfer of the amount of funding for replacement contributed to the Central Service Fund through intergovernmental rent changes to the appropriate operating budget during the budget development or quarterly budget review process.
 - b) Replacement of Capital Asset No Longer Needed

- (1) In the event that a capital asset has been charged its applicable intergovernmental rental charges and the department or elected office has determined that the capital asset is no longer needed and a future replacement is not necessary, a request can be made to the Board of County Commissioner to have the accumulated intergovernmental rental charges applied to another capital asset or returned to the operating budget.
- (2) This request shall follow the applicable policies and procedures for the annual budget development or budget amendments.

V. Related Documents and Procedures:

- A. Budget Preparation and Control Policy
- B. Budget Amendment Policy
- C. Reappropriation Policy
- D. Capital Asset Accounting Policy

This policy supersedes and replaces the Fixed Asset Budget Policy 3.13 dated 10/98.



Board Summary Report

Date: October 6, 2016
To: Board of County Commissioners
Through: Ron Carl, County Attorney
From: Barbara LeBlanc, Paralegal
Subject: Abatement

Request and Recommendation

The purpose of this request is to obtain the authorization for the Chair to sign a resolution approving the recommendations of the Assessor concerning the listed abatement.

Background

These abatements were filed by petitioners and approved the Assessor's Office. C.R.S. 39-1-113(1) states. . ."no decision on any petition regarding abatements or refund of taxes shall be made unless a hearing is had thereon. . ."

Discussion

Attached in draft resolution

Alternatives:

None

Fiscal Impact

A decrease in the taxes collected on approval abatements.

Concurrence

The Assessor and County Attorney support these recommendations.

Reviewed by:

Barbara LeBlanc, Paralegal
Ron Carl, County Attorney

RESOLUTION NO. 160--- It was moved by Commissioner and duly seconded by Commissioner to adopt the following Resolution:

WHEREAS, the Board of County Commissioners of Arapahoe County met at a duly and lawfully called meeting held on Tuesday, October 25, 2016; and

WHEREAS, the Board at that time considered Petitions for Abatement or Refund of Taxes as submitted by various taxpayers and as contained within an Agenda Memorandum to the Board; and

WHEREAS, applicable procedures, due process, and requirements of notice were followed pursuant to Sections 39-1-113 and 39-10-114, C.R.S.; and

WHEREAS, no Petitioners or representatives of the Arapahoe County Assessor were present, although both parties were afforded notice; and

WHEREAS, the Board received comments from the County Attorney, received exhibits and reviewed the record as represented by an Agenda Memorandum summarizing the Petitions and the Arapahoe County Assessor recommendations.

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

1. That the Petition (per attached list), presented this date to the Board and relating to the schedule number set forth therein, shall be and are hereby granted, the recommendation of the Assessor is hereby adopted and abatements or refunds in the amounts approved by the Assessor are hereby approved by the Board.

Petitioner	Parcel Number	Year(s)	Refund
DBHL Inc Taxpayer was not doing business on the Assessment Date, C.R.S. 39-5-122(2).	33990-04378-001	2015	\$17,451.91
James Lebsack A vacant parcel contiguous to the owner's improved parcel is eligible for the residential assessment rate. C.R.S. 39-1-103(14.4)	2077-12-4-01-089	2015	\$15,078.29
Snows Concrete Forming C.R.S. 39-10-114(a)(1)(A) now allows errors by the property owner in the declaration.	27399-25118-001	2015	\$11,561.95
CC Blackstone LLC Information received from the property owner, after the original value was placed on the property, resulted in a reduction to that property's value.	27947-69842-001	2015	\$17,856.01

The vote was:

Commissioner Bockenfeld, ;Commissioner Doty, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.



BOARD SUMMARY REPORT

Date: October 25, 2016

To: Board of County Commissioners

Through: Diana Maes, BOCC Administration Manager

From: Carol Dosmann, Executive Assistant, BOCC Administration

Subject: Amend Resolution No. 160138 adopted on February 9, 2016 and appoint Thomas Wood to fill a vacancy on the ACWWA Board, which appointment will expire February 12, 2019.

Purpose and Recommendation

Amend Resolution No. 160138 adopted on February 9, 2016 and appoint Thomas Wood to fill a vacancy on the ACWWA Board, which appointment will expire February 12, 2019.

Background

The Authority is a political subdivision formed in 1988 pursuant to an intergovernmental agreement between Arapahoe County and Arapahoe Water and Sanitation District. The Authority encompasses approximately 5,200 acres and provides water and wastewater services. Revenues are primarily user rate based. Committee members are paid \$100 per meeting until the annual maximum of \$1,600 is reached.

Discussion

Alternatives

Fiscal Impact

Concurrence

Reviewed By:

Diana Maes, BOCC Administration Manager
John Christofferson, Deputy County Attorney

RESOLUTION NO. 160

It was moved by Commissioner _____ and duly seconded by Commissioner _____ to amend Resolution No. 160138 adopted on February 9, 2016 and hereby appoint Thomas Wood to serve on the Arapahoe County Water and Wastewater Authority Board to fill one of the existing vacancies, which term will expire February 12, 2019. Said appointee shall serve at the pleasure of the Board of County Commissioners and said appointees may be removed at any time by action of the Board of County Commissioners, with or without good cause shown.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.



Board Summary Report

Date: October 13, 2016,

To: Board of County Commissioners

Through: Ronald Carl, County Attorney

From: Benjamin P. Swartzendruber

Subject: Approval of a resolution authorizing legal representation and indemnification in pending litigation filed against former ACSO employee, Cynthia Romero

Purpose

Two civil lawsuits for monetary damages were recently commenced by Torrey Banks, one in Denver District Court, *Torrey Banks v. State of Colorado, et al.*, Case No. 16cv412, and one in U.S. District Court, Case No. 16-cv-01725-GPG, seeking money damages against the County, current employees of the ACSO, former ACSO employee Cynthia Romero, and others for violations of civil rights as a result of allegedly being subjected to malicious prosecution and deprived of his right to a fair and speedy trial by the purported use of fabricated, manufactured investigatory notes, and testimony.

Background

The subject litigation arises from the prosecution of burglary and sexual assault charges filed against Torrey Banks in 2009. Banks was in federal custody at the time of his preliminary hearings and arraignment, and there were issues related to his transfer and availability for hearings. He pled guilty to the charges in 2012 but his pleas were conditional on his ability to challenge speedy trial violations. In his appeal, the Court of Appeals held conditional pleas are not allowed, remanded the case, and Banks ultimately withdrew the pleas. The charges were later dismissed for speedy trial violations.

Banks alleges claims of malicious prosecution and civil conspiracy against Ms. Romero, current ACSO employees, and others for allegedly falsifying evidence and contributing to prolonging his incarceration.

Discussion

Under the provisions of the Colorado Peace Officers Act and the Governmental Immunity Act, a county is obligated to bear the costs of providing a legal defense for its law enforcement officers when they are sued for acts or omissions allegedly committed by them during the performance

of their jobs. The same holds true with respect to non-law enforcement personnel under the terms of the Governmental Immunity Act. As an Evidence Technician working for the ACSO at the time of the alleged activities, Ms. Romero is within the non-law enforcement personnel category. Additionally, a county is obligated to indemnify its officers and civilian employees for judgments or settlements that may enter against them in those suits, excluding punitive damages (unless otherwise authorized). These obligations are generally subject to the following conditions. First, that the conduct of an employee giving rise to the lawsuit occurred within the scope and performance of his or her job and, second, that the conduct of the employee was not wanton or willful, i.e., maliciously motivated or executed or taken in bad faith.

After reviewing the facts and information currently available, the County Attorney's Office has determined that the conduct of Ms. Romero relevant to the claims in Mr. Banks' suits was not undertaken wantonly or willfully, or with any intent to injure him or to violate his rights. It is also apparent that her challenged conduct was taken within the scope of her job duties.

Recommendation

The County Attorney's Office recommends that the Board adopt the proposed resolution accompanying this memo and authorize a legal defense and indemnification protection (inclusive of potential punitive damages) as provided under the Colorado Peace Officers Act and the Governmental Immunity Act in the above-noted litigation for Ms. Romero. The defense will be conducted by the County Attorney's Office.

Alternatives

Not applicable.

Fiscal Impact

Presently unknown litigation costs.

A Resolution of the Board of County Commissioners for the County of Arapahoe, Colorado

RESOLUTION NO. _____ It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, Arapahoe County is generally obligated under the terms of the Colorado Governmental Immunity Act and/or the Colorado Peace Officers Act to bear the costs of the defense of its officials, employees and law enforcement officers incurred in lawsuits brought against them for injuries they are alleged to have caused within the course and scope of their employment, and indemnify them with respect to money judgments and settlements that might result from such suits so long as their conduct was not willful or wanton; and

WHEREAS, it is common for plaintiffs, without a factual basis to do so, to allege that government officials and employees acted outside the scope and course of their employment, or acted willfully and wantonly; and

WHEREAS, a lawsuit titled *Torrey Banks v. State of Colorado, et al.*, was recently commenced in Denver District Court against the County and several current and former employees for acts and omissions allegedly undertaken by them during the course and scope of their official duties and employment; and

WHEREAS, a lawsuit titled *Torrey Banks v. John Hickenlooper, et al.*, was recently commenced in the United States District Court for the District of Colorado against the County and several current and former employees for acts and omissions allegedly undertaken by them during the course and scope of their official duties and employment; and

WHEREAS, it appearing from the information presently available that the claims asserted against the several employees did not arise from wanton or willful conduct, and that there exist no disqualifying conflicts of interests between the named current and former employee defendants and the County; and

WHEREAS, the Board hereby determines that it is in the public interest for Arapahoe County to bear the cost of defending the current and former employees against the claims for personal liability and damages asserted in the suits against them, and to defend against and/or pay or settle such claims on their behalf subject to the terms and conditions contained in the Colorado Peace Officer Act and Colorado Governmental Immunity Act.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for the County of Arapahoe, State of Colorado, that the cost of providing a legal defense for former ACSO employee, Cynthia Romero, in the case of *Torrey Banks v. John Hickenlooper, et al.*, Case No. 16-cv-01725-GPG, pending in the United States District Court for the District of Colorado, and a lawsuit titled *Torrey Banks v. State of Colorado, et al.*, Case No. 16cv412, pending in Denver District Court, were recently commenced against the County and several employees for acts and omissions allegedly undertaken by them during the course and scope of their official duties and employment and shall be borne by Arapahoe County, and that such representation shall be provided by the Arapahoe County Attorney's Office, except as may

otherwise be determined by the County Attorney, in which case the County Attorney may retain outside legal counsel as may be deemed necessary; and

BE IT FURTHER RESOLVED that Arapahoe County shall, consistent with the terms contained in the Colorado Peace Officers Act and Colorado Governmental Immunity Act, indemnify Ms. Romero in the suits from any and all judgments or settlements that may enter against her in the above-noted litigation, and that the claims asserted against her may be compromised, settled, and resolved of by Arapahoe County as it may deem appropriate, necessary, or convenient.

The vote was:

Commissioner Bockenfeld, ____; Commissioner Doty, Chair, ____; Commissioner Holen, ____; Commissioner Jackson, ____; and Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.



Board Summary Report

Date: September 30, 2016
To: Board of County Commissioners
Through: Sue Sandstrom, Treasurer
From: Debbie Dater, Property Tax Director
Subject: Cancel Real Property Tax – Tax Year 2005

Request and Recommendation

Request for resolution to cancel real property taxes for tax year 2005 on garages #7, 10, 14, 15, 28 and 39 at Spinnaker Run II Condos.

Background

The garages are identified in the Assessor's records as PIN 032875321. In October 2014, the property was inactivated by the Assessor's office with an effective date of May 21, 2002. The garages were deeded to various unit owners starting in 1993 and concluding in 2002. Tax liens were sold for all years except 2005 and those tax liens were treated as sales in error and the liens were canceled. A lien was never sold for tax year 2005 and we are now requesting that the 2005 taxes be canceled.

Discussion

The Assessor's office is unable to initiate an abatement for tax year 2005 due to state statute limitations. The Treasurer's office considers this request for cancellation of these taxes to be a housekeeping item that needs to be completed to preserve the integrity of our tax records.

Alternatives

The Treasurer's office is unable to collect these taxes, as taxes on the garages should not have been assessed after 2002. If the taxes are not canceled, they will remain on the delinquent tax roll.

Fiscal Impact

As the 2005 tax cannot be collected, there is no real fiscal impact to the County; however, the amount we are requesting to be canceled is \$56.57. This amount would have been dispersed between 6 various taxing authorities. Of this total, \$10.39 would have been payable to the County.

Attorney Comments

Reviewed By:

Sue Sandstrom, Treasurer
Todd Weaver, Budget Manager
Debbie Dater, Property Tax Director

Monica Kovaci, Assistant County Attorney

RESOLUTION NO. _____. It was moved by Commissioner _____ and duly seconded by Commissioner _____ to cancel taxes for 2005 on garages #7, 10, 14, 15, 28 and 39 at Spinnaker Run II Condos, also identified as PIN 032875321 in records maintained by the Assessor and Treasurer, and, as presented to the Board of County Commissioners on this date.

The vote was:

Commissioner Bockenfeld, ____; Commissioner Doty ____; Commissioner Holen ____; Commissioner Jackson ____; Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.



Board Summary Report

Date: September 30, 2016

To: Board of County Commissioners

Through: Sue Sandstrom Treasurer

From: Debbie Dater, Property Tax Director

Subject: Cancellation of Possessory Interest Tax

Request and Recommendation

This is a request for a resolution to cancel possessory interest taxes on a lease where the possessory interest tax has been deemed uncollectible by the Treasurer's office.

Background

When a taxable entity leases land, office space, etc. from a governmental organization, the entity leasing from the governmental organization must pay possessory interest tax. In this case, Centennial Airport owned the property and leased the land to JHK Marketing, d/b/a the Track at Centennial Airport.

Discussion

The Track is no longer leasing space from Centennial Airport, has gone out of business, and has accumulated substantial debt to other taxing agencies, one of which is the Internal Revenue Service. The amounts due to Arapahoe County go back to tax year 2010. Because of the way possessory interest tax is calculated, taxes can continue to be billed after the business shuts down.

When the Track was a viable business, they were making partial payments on their delinquent possessory interest taxes and a little more than half of the 2010 obligation was paid before they ceased operations. We are requesting taxes for the years 2010 through 2014, inclusive, be canceled. Pursuant to state statute, we cannot request cancellation of taxes for 2015 until July of 2017.

Alternatives

As identified in CRS 39-1-107 (4), unlike other real property taxes, delinquent possessory interest tax does not become a lien on the property. It is a debt due from the holder of the possessory interest to the Board of County Commissioners and is recoverable by direct action in debt on behalf of each governmental entity for which a property tax levy has been made.

If no action is taken, the delinquent possessory interest taxes will continue to be included on the Treasurer's delinquent tax roll and will continue to accrue interest when neither the tax nor the interest will be paid.

Fiscal Impact

As these amounts cannot be collected, there is no real fiscal impact to the county; however, the amounts that we are requesting be canceled are as followed:

Tax Year 2010 (remaining balance after partial payment)	\$ 8,525.59
Tax Year 2011	17,201.91
Tax Year 2012	15,862.34
Tax Year 2013	13,191.49
Tax Year 2014	<u>9,177.96</u>

Total to be canceled in 2016	\$63,959.29
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These taxes would have been dispersed between 12 various taxing authorities. Of this total, \$7,511.77 would have been payable to the County.

Attorney Comments**Reviewed By:**

Debbie Dater, Property Tax Director
Sue Sandstrom, Treasurer
Todd Weaver, Budget Manager
Monica Kovaci, Assistant County Attorney

RESOLUTION NO. _____. It was moved by Commissioner _____ and duly seconded by Commissioner _____ to cancel the 2010 through 2014 possessory interest taxes for JHK Marketing, d/b/a the Track at Centennial Airport, as presented to the Board of County Commissioners on this date.

The vote was:

Commissioner Bockenfeld, ____; Commissioner Doty ____; Commissioner Holen ____; Commissioner Jackson ____; Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.



Date: October 25, 2016

To: Board of County Commissioners

From: Carol Dosmann, Executive Assistant

Through: Diana Maes, BOCC Administration Office Manager

Subject: Cancellation of November 28 and 29, 2016 Study Sessions and
November 29, 2016 Public Meeting

Request and Recommendation

A request to cancel the regularly scheduled November 28 and 29, 2016 Study Sessions and November 29, 2016 Public Meeting due to a lack of quorum.

Background

Each year any number of County Commissioners may attend the annual Colorado Counties, Inc. Winter Conference; and due to a lack of quorum on November 28 and 29, 2016, the Board of County Commissioners will not hold meetings on these two days.

Discussion

Adoption of the attached resolution will notify all interested parties of the Board's attendance at the CCI Winter Conference and subsequent cancellation of the November 28 and 29, 2016 Study Sessions and November 29 Public Meeting.

Alternatives

Fiscal Impact

Concurrence

Attorney Comments

Reviewed By:
Diana Maes, BOCC Administration Office Manager
John Christofferson, Deputy County Attorney

RESOLUTION NO. 160
seconded by Commissioner

It was moved by Commissioner
to adopt the following Resolution:

and duly

WHEREAS, pursuant to Section 30-10-304, C.R.S., the Board of County Commissioners of Arapahoe County, Colorado, is required to hold at least two meetings in each week of the year at the county seat; and

WHEREAS, by the adoption of Resolution No. 160019 adopted on January 12, 2016, the Board of County Commissioners did establish Mondays and Tuesdays (except for legal holidays) as the regular meeting days for the Board to conduct County business during calendar year 2016; and

WHEREAS, the Board of County Commissioners must have a quorum of its members available in order for it to transact County business; and

WHEREAS, due to the attendance of a majority of members of the Board of County Commissioners at the Colorado Counties, Inc. (CCI) Winter Conference, a quorum of the members of the Board of County Commissioners will be unavailable for meetings on November 28 and 29, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Arapahoe County, Colorado, to cancel its meetings, including the public meeting and the study sessions, on November 28 and 29, 2016 due to a lack of a quorum of its members.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ;
Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.



Board Summary Report

Date: October 3, 2016

To: Arapahoe County Board of County Commissioners

Through: Dick Hawes, Director, Facilities and Fleet Management

From: Ann Baertlein, Project Manager, Facilities and Fleet Management

Project: Lima Plaza Probation Relocation

Subject: **Approval of the Public Service Company of Colorado Easement Agreement**

Request and Recommendation

The purpose of this report is to request the Board of County Commissioners (Board) approve and authorize Richard Hawes, Director, Facilities and Fleet Management to sign one (1) non-exclusive utility easement as required by Public Service Company of Colorado and record by separate document.

Staff has reviewed the non-exclusive utility easement and has determined that it meets the County's requirements and recommends approval.

Background

In 2015, the Board approved funding for tenant improvements at the two vacant buildings at the Lima Plaza campus for the Probation Department. Existing utilities were discovered in the proposed location of the connecting link that was to be installed between the two buildings for security purposes. It was a requirement of Xcel (Public Service Company) to relocate the existing main gas and electric lines to accommodate the new link. These utilities were relocated during construction in mid-2016. As a condition of the final plan approval from Public Service Company of Colorado, a non-exclusive utility easement was to be executed by both parties at completion of the project and recorded.

Discussion

This non-exclusive utility easement is for the above referenced County funded project, which included tenant improvements at 6904 and 6914 S. Lima Street. Public Service Company of Colorado required this easement, as part of the terms of service, to maintain (repair, replace, etc.) the electric and gas service lines that were relocated during construction of the above referenced County project.

County staff requests that the attached non-exclusive utility easement be **conveyed to** the Public Service Company of Colorado.

Alternatives

There are no viable alternatives. Public Service Company of Colorado requires this easement as a condition to service and repair the gas and electric service lines.

Fiscal Impact

There is no fiscal impact to the County. This easement is to be **conveyed to** the Public Service Company of Colorado strictly for maintenance purposes.

Reviewed by

Richard Hawes, Director, Facilities and Fleet Management, Ken Morris, Manager of Project Operations, Facilities and Fleet Management; John Christofferson, Deputy County Attorney, County Attorney's Office

Attachments: Permanent Easement Agreement
 Exhibit A: Legal Description, Utility Easement (Lima Plaza Campus)

RESOLUTION NO. _____ It was moved by Commissioner _____ and duly seconded by Commissioner _____ to adopt the following Resolution:

WHEREAS, in mid-2015, the Board approved funding for the tenant improvement of two vacant buildings at the Lima Plaza campus for the Probation Department; and

WHEREAS, on or about August 11, 2016, the County completed construction of the tenant improvements which included the relocation of the existing gas and electrical main lines on or about June 15, 2016, Public Service Company of Colorado was substantially complete with the relocation of the main gas and electric lines; and

WHEREAS, the County and Public Service Company of Colorado have agreed to an easement agreement to include the newly relocated gas and electric service lines; and

WHEREAS, the County desires to convey the gas and electric service lines and appurtenances to Public Service Company of Colorado pursuant to the easement agreement.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners, County of Arapahoe, State of Colorado, to approve the non-exclusive easement agreement between Arapahoe County and Public Service Company of Colorado for construction, operation and maintenance of the gas and electric lines and appurtenances, and to authorize Richard Hawes, Director, Facilities and Fleet Management to sign the easement agreement.

The vote was:

Commissioner Bockenfeld, ____; Commissioner Doty, ____; Commissioner Holen, ____; Commissioner Jackson, ____; Commissioner Sharpe, ____.

The Chair declared the motion carried and so ordered.



ARAPAHOE COUNTY
COLORADO'S FIRST

Office of the Public Trustee

1610 West Littleton Blvd., Suite 150
Littleton, Colorado 80120-2006
Phone: 303-730-0071
Fax: 303-730-0076
www.arapahoegov.com
publictrustee@arapahoegov.com

NET INCOME STATEMENT
3rd Quarter 2016

CYNTHIA D. MARES
Public Trustee


Foreclosure Fee Income	38,018.57
Release Fee Income	165,178.00
Other Income	\$9.30
Interest Income	\$4,738.26
Total Income	<u>\$207,944.13</u>

Operating Expense Total	<u>\$123,990.10</u>
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Balance of Fees due Arapahoe County	<u>\$83,954.03</u>
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Special Reserve Account	<u>\$492,231.00</u>
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This is a full and complete statement.


Cynthia D. Mares
Public Trustee

The foregoing Net Income Statement was acknowledged before me this 6th day of October, 2016
by Cynthia D. Mares as the Public Trustee of Arapahoe County, State of Colorado

Witness my hand and official seal 
Notary Public
My commission expires 2/12/17

DIANA SPRINGFIELD NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20094004608 MY COM. EXPIRES FEB 12 2017

Chair, Board of County Commissioners
Arapahoe County



Board Summary Report

Date: October 3, 2016
To: Board of County Commissioners
Through: Jan Yeckes, Planning Division Manager
From: Sherman Feher, Senior Planner
Subject: Sky Ranch, Preliminary Plat, (P16-011).

Request and Recommendation

The purpose of this action is to request BOCC approval of a Preliminary Plat (PP) to create ten super-block areas that will be developed and platted in the future. The Planning Commission and Planning Staff are recommending approval of the PP with conditions of approval.

Background

On January 6, 2004 the BOCC approved the zoning for Sky Ranch to include MU-PUD and F (Floodplain District) zones which allow a variety of mixed land uses for the overall Sky Ranch Development of 771.9 acres. On April 22, 2005 an Administrative Amendment was approved that reduced the amount of right-of-way for collector streets; no changes were made to the zoning and land uses with the Administrative Amendment.

On September 20, 2016, the Arapahoe County Planning Commission unanimously voted (7-0) to recommend approval of the Sky Ranch Preliminary Plat case (Case No. P16-011) with eight conditions of approval. No public comments were given at the Planning Commission hearing.

Links to Align Arapahoe

This request, if approved, will likely “improve the County’s economic environment” by generating jobs to build houses.

Discussion

This application is in conjunction with a Preliminary Development Plan Amendment (Sky Ranch – Z16-003) for Neighborhood B to reduce the number of total dwelling units from 750 to 525 and to remove the commercial land uses from Neighborhood B. The total dwelling units (4,000) and square footage of non-residential uses (1,150,000 sq. ft.) will remain the same for the Sky Ranch Development.

The Preliminary Plat has ten super blocks for the 144.46 acres of Neighborhood B. Five super blocks will be for single-family residential uses, four super blocks will be for open space and floodplains, and one super block will be for a public facility.

Alternatives

The Board of County Commissioners has 3 alternatives:

1. Approve the Preliminary Plat with Conditions of Approval.
2. Continue to a date certain for more information.
3. Deny the Preliminary Plat.

Fiscal Impact

This request might have some positive fiscal impact on the County based on the employment created to build the proposed residential development and potentially increased property tax assessed valuation.

Concurrence

PWD Staff concur with this case.

Reviewed By:

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

DRAFT MOTIONS:

A. In the case of P16-011, Sky Ranch Preliminary Plat, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with staff findings including the draft plan and attachments as set forth in the Board Summary Report dated October 3, 2016, and approve this case, subject to the following conditions:

- 1- The applicant will make minor modifications to the plans and supporting documentation, as identified by PWD staff, prior to signature on the mylar,
- 2- The applicant agrees to address all Division of Engineering Services' findings, comments and concerns, as identified within all related Engineering report(s).
- 3- The applicant will be able to construct 774 residential dwelling units without filing a 1601 process with CDOT. No further development beyond the 774 residential dwelling units will be permitted until completion of the CDOT 1601 process.
- 4- The applicant agrees to address all SEMSWA's comments and concerns.
- 5- The applicant agrees to address all UDFCD's (Urban Drainage) comments and concerns.
- 6- The applicant agrees to address all CDOT's comments and concerns.
- 7- The applicant agrees to address all Bennett Fire Protection District's comments and concerns.
- 8- The applicant will provide more water supply and demand information at the Final Plat process.

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 P16-011, Sky Ranch Preliminary Plat, we have read the Board Summary Report dated October 3, 2016, 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 P16-011, Sky Ranch Preliminary Plat, I move to continue the decision on this request to [DATE], 2016, date certain, at 9:30 a.m., at this same location [to receive further information] [to further consider information presented during the hearing].

PRELIMINARY PLAT APPROVAL

RESOLUTION NO. [reso #] It was moved by Commissioner [moved] and duly seconded by Commissioner [seconded] to approve the preliminary plat for Sky Ranch, Filing No. 1, Case No. P16-011. Said approval is subject to applicant agreeing to adhere to any and all Arapahoe County staff recommendations and/or conditions of approval as set forth within the record and/or as determined by the Board on this date, including:

- 1- The applicant will make minor modifications to the plans and supporting documentation, as identified by PWD staff, prior to signature on the mylar,
- 2- The applicant agrees to address all Division of Engineering Services' findings, comments and concerns, as identified within all related Engineering report(s).
- 3- The applicant will be able to construct 774 residential dwelling units without filing a 1601 process with CDOT. No further development beyond the 774 residential dwelling units will be permitted until completion of the CDOT 1601 process.
- 4- The applicant agrees to address all SEMSWA's comments and concerns.
- 5- The applicant agrees to address all UDFCD's (Urban Drainage) comments and concerns.
- 6- The applicant agrees to address all CDOT's comments and concerns.
- 7- The applicant agrees to address all Bennett Fire Protection District's comments and concerns.
- 8- The applicant will provide more water supply and demand information at the Final Plat process.

Subject to review and approval of the Preliminary Plat mylar by the Arapahoe County Public Works and Development Department, including the Planning, Mapping and Engineering Services Divisions, and the County Attorney's Office, the Chairman of the Board is hereby authorized to sign said mylar pursuant to the terms contained therein.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING
September 20, 2016
6:30 P.M.

**SUBJECT: Z16-003 – SKY RANCH, PRELIMINARY DEVELOPMENT PLAN
AMENDMENT.**
P16-011 – SKY RANCH, PRELIMINARY PLAT.

SHERMAN FEHER, PLANNER.

September 13, 2016

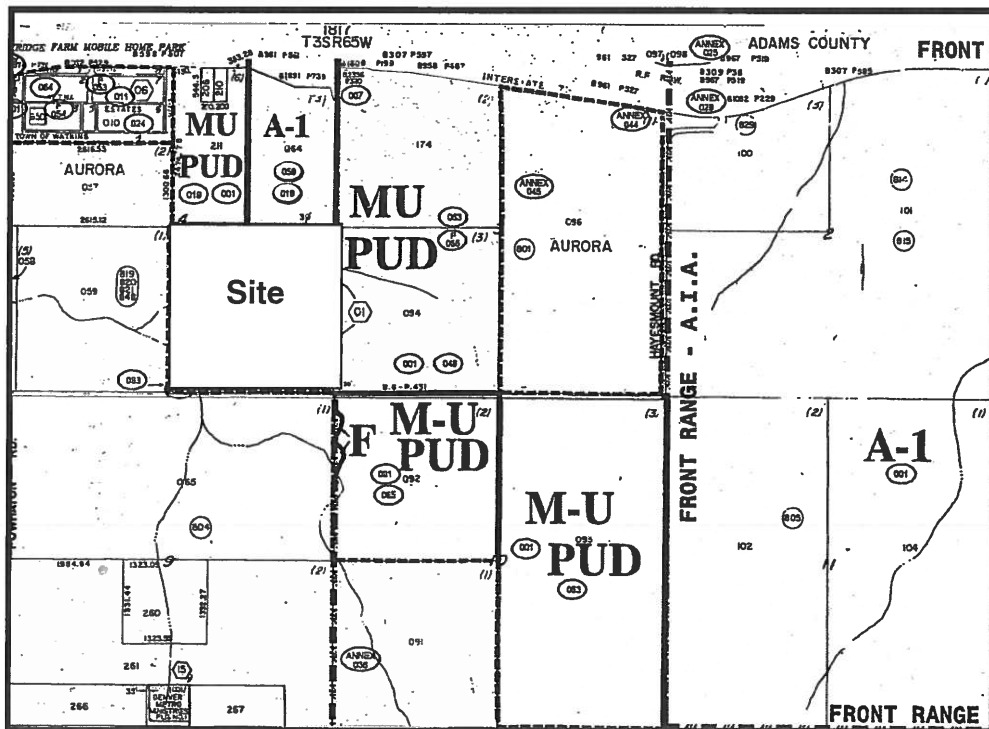
VICINITY MAP: The overall Sky Ranch site is generally bounded by I-70 on the North, East Alameda Avenue on the South, Hayesmount Road on the East and ½ Section West of Monaghan Road to the West, within Commissioner District #3.



Vicinity Map

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES FOR THE OVERALL SKY RANCH DEVELOPMENT:

North	Under the jurisdiction of Adams County, vacant. Some property is zoned A-1, residential.
South	Unplatted land, under the jurisdiction of the City of Aurora, vacant. Also Hills at Sky Ranch, MU-PUD, vacant.
East -	Northeast portion - Aurora, vacant. Also Prosper, MU-PUD, vacant.
West -	Under the jurisdiction of the City of Aurora, platted, vacant. Also zoned A-1, unplatted, vacant



Zoning Map

PROPOSAL:

The applicant, CVL Consultants LLC, on behalf of the owner PCY LLC, is requesting approval of a Preliminary Development Plan Amendment (PDPA) and Preliminary Plat (PP) known as Sky Ranch. The purpose of the PDPA request is to amend the existing PDP for Sky Ranch. This amendment primarily deals with Neighborhood B.

The following changes are proposed:

1. The reduction of total dwelling units from 750 to 525 for Neighborhood B.
2. Remove commercial land uses from Neighborhood B.

3. Reallocate dwelling units and non-residential square footage to other neighborhoods but have the total number of dwelling units and non-residential square footage remain the same for Sky Ranch.

This PDPA still depicts a Residential/Commercial, mixed use development for Sky Ranch, amounting to 771.9 acres of land. A total of 4000 dwelling units and 1,150,000 square feet of non-residential uses are proposed overall for Sky Ranch. This proposed amendment will essentially comply with the current design guidelines of the original Sky Ranch PDP.

Staff Recommendation:

Staff is recommending approval of the Preliminary Development Plan Amendment and Preliminary Plat, subject to the findings and conditions contained in this Staff Report.

I. BACKGROUND

The photographs below outline some of the area in and around Sky Ranch.



Shot facing east, showing existing trees



Shot facing south.

BACKGROUND

On January 6, 2004 the BOCC approved the zoning for Sky Ranch to include MU-PUD and F (Case Number Z01-010) which allowed single and multi-family residential, commercial and light industrial with various infrastructure standards and design guidelines. The site encompassed 772.3 acres and would have a maximum of 4,000 dwelling units and 1,150,000 square feet of non-residential buildings.

On April 22, 2005 an Administrative Amendment was approved that reduced the right-of way for collectors from 88' to 76' which corresponded to the traffic study. Acreages for parcels affected by this reduction were modified. No change occurred in the zoning.

II. DISCUSSION:

Staff's 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 an analysis of referral comments.

1. The Comprehensive Plan

The Arapahoe County Comprehensive Plan looks beyond pressing current issues to provide a perspective on opportunities for the future. The Plan illustrates a generalized pattern of future land uses, and it serves as a policy and strategy guide to update the County's land use regulations and establish the foundation for new programs.

On May 22, 2012; a Comprehensive Plan Amendment was approved by the Planning Commission. The Comprehensive Plan Amendment encompassed much of the area along the I-70 Corridor and it also includes the area for this PDPA. This area has a Comprehensive Plan Land Use Designation of Planning Reserve/Tier 1. In general terms the purpose of Tier 1 is intended for urban level development. This designation permits residential, employment and mixed use development along a portion of the I-70 Corridor. As such the PDPA is in compliance with the Arapahoe County Comprehensive Plan for this area.

2. Ordinance Review and additional Background Information

Preliminary Development Plan Amendment:

Chapter 13.101.03 of the Planned Unit Development section of the Land Development Code states that "the P.U.D. process is intended to prevent the creation of a monotonous urban landscape by allowing for the mixture of uses which might otherwise be considered non-compatible, through the establishment of flexible development standards", provided said standards:

- a. Recognize the limitations of existing and planned infrastructure, by thoroughly examining the availability and capability of water, sewer,**

drainage and transportation systems to serve present and future land uses.

Water and sewer service will be provided by the Rangeview Metropolitan District through its service provider Pure Cycle Corporation.

The applicant has provided a Drainage Study, which has been reviewed by Engineering staff, SEMSWA and Urban Drainage. The applicant will need to respond to all of the review agency comments. This will be a condition of approval.

A CDOT 1601 process will be required with the Sky Ranch development which helps define the required transportation infrastructure particularly as it pertains to I-70. Per the traffic impact study, CDOT has agreed that the 1601 process will not be required until after 774 residential dwelling units are constructed. This PDPA for Neighborhood B will only allow 525 dwelling units, therefore the 1601 process will not be triggered as a result of residential development in Neighborhood B.

b. Assure compatibility between the proposed development, surrounding land uses and the natural environment.

General:

The County is committed to development occurring in a manner that seeks to ensure the viability of the eastern communities along the I-70 corridor. A compact development pattern is desirable, that encourages growth to locate within well-defined growth areas, and one that balances development and conservation of the natural environment.

In terms of providing a high quality design of the site, the applicant has included the extensive list of Design Standards from the original PDP. These Standards include:

Protection of natural features, resources, and sensitive areas;
On-site automobile, pedestrian and bicycle circulation;
Open areas and amenities;
Entryway design;
Building height and setbacks;
Architectural considerations;
Residential developments (single-family detached, single-family attached and multi-family developments);
Commercial and industrial developments;
Open space and parks;
Landscaping;
Engineering; and
Community design.

Surrounding Land Uses:

In consideration of the compatibility of the proposed development with the surrounding land uses, there are no existing neighborhoods adjacent to this site. The closest neighborhoods are located in Watkins, and the Foxridge Mobile Home Park located half a mile to the north west of the proposed development. In the City of Aurora both commercial and residential developments are proposed near the proposed development.

Natural Environment:

Open space areas and trails are proposed along the drainage ways, so as to provide the future residents with a natural area to recreate in.

- c. **Allow for the efficient and adequate provision of public services. Applicable public services include, but are not limited to, police, fire, schools, parks and libraries.**

This PDPA was referred to outside referral agencies. Please see section 3 of this report for a detailed review of outside referral comments. The Bennett Fire Protection District had a number of requirements for this development; they will be a condition of approval. No responses were received from the Sheriff, schools or libraries. Through the original Sky Ranch PDP some 30 acres of land is provided for schools.

- d. **Enhance convenience for the present and future residents of Arapahoe County by ensuring that appropriate supporting activities, such as employment, housing, leisure-time activities and retail centers are in close proximity to one another.**

The County recognizes that employment opportunities are important to its residents. The County encourages well-designed employment centers and commercial development in the Eastern Communities along the I-70 corridor. The proposed development's 1,150,000 square feet of non-residential development for the overall Sky Ranch development will contribute to the community by providing employment opportunities. Staff referred this application to the I-70 Regional Economic Advancement Partnership (REAP). Staff has not received a referral response letter.

- e. **Ensure that public health and safety are adequately protected against natural and man-made hazards, which include, but are not limited to, traffic noise, water pollution, airport hazards and flooding.**

Flooding:

No buildings will be allowed to be built in the 100-year floodplain.

Airport Influence Area:

The proposed development is within the DIA Airport Influence Area, which will need to meet the AIA requirements related to noise.

- f. **Provide for accessibility within the proposed development, and between the development and existing adjacent uses. Adequate on-site interior traffic circulation, public transit, pedestrian avenues, parking and thoroughfare connections are all factors to be examined when determining the accessibility of a site.**
- g. **Minimize disruption to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.**

No significant physiographic features exist on-site.

The proposed development will include adequate open space, as detailed on the PDPA, which will serve to preserve and enhance the physical environment. In addition, development will be planned with protection of drainage ways, flood plains and other environmental features.

- h. **Ensure that the amenities provided adequately enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions such as, the preservation of mountain views, the creation of landscaped open areas, and the establishment of recreational activities.**

The PDPA shows a neighborhood park and open space to be included in the proposed development, which will serve to enhance the physical environment. In addition, the applicant has stated that development is being planned so as to protect drainage ways, flood plains and other environmental features.

The proposed development provides for landscaping which is designed to enhance and complement the development.

Recreational amenities, both active and passive, are proposed for the development. These include: walking and bicycle trails, parks, and open recreational areas.

- i. **Enhance the usable open spaces in Arapahoe County, and provide sufficient unobstructed open spaces and recreational areas to accommodate a project's residents and employees.**

The minimum unobstructed required open space, as listed in the PDPA, has been provided for all proposed development types. Also see previous response related to amenities for the establishment of recreational areas.

OTHER:

The "Residential Self-Imposed Limits" table on sheet 5 had a number of reallocations within the various neighborhoods, however the table was not outlined as changed. This will need to be done under the condition of approval that the applicant will make all minor modifications suggested by PWD Staff.

Preliminary Plat:

a. Provide for a public water supply.

The Rangeview Metropolitan District will serve the project's drinking water. A 'will serve' letter has been provided with this Preliminary Plat. More specific water information will need to be provided with the Final Plat process.

b. Provide for a public sewage disposal system.

The Sky Ranch Metro District, will serve the project's sewage disposal needs. A 'will serve' letter has been provided with this Preliminary Plat.

c. Provide evidence to show that all areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified by the subdivider, and that the proposed uses of these areas are compatible with such conditions.

Soils:

The original Sky Ranch PDP Soil's Report notes that some moderately to highly expansive clay soils underlie portions of the site. The soils consultant suggests considering the use of structural floor systems as one construction method to minimize problems associated with these expansive soils.

Colorado Geological Survey:

The original Sky Ranch PDP response of the Colorado Geological Survey recommends supplemental exploration and analysis to determine engineering parameters such as expansion/consolidation potential, strength, allowable bearing pressures and minimum dead load pressures, and to use such information in the designs of foundations, floor systems and pavements. The Survey further recommends that proper grading, compaction and surface drainage are incorporated into the development plans.

d. Comply with all applicable zoning regulations governing the property as adopted by the Board of County Commissioners.

The proposal complies with all applicable zoning regulations governing the property as adopted by the Board of County Commissioners.

e. Comply with the Mineral Resource Areas in the Regulations for Areas of Special Interest as adopted in the Arapahoe County Zoning Regulation.

Minerals (oil and gas) may be recoverable from Neighborhood B, but the applicant appears to have worked out an arrangement for recovering these minerals from other locations on the Sky Ranch development.

3. Referral Comments:

Comments received as a result of the referral process are detailed below:

County Engineer	-	PDPA & PP: Engineering had comments regarding 1601 process, drainage/floodplain, traffic study, SIA, PDP, and the PP. <i>The applicant has addressed or will address these issues. This will be a condition of approval.</i>
Mapping	-	PDPA: Comments need to be addressed. <i>Comments have been or will be addressed by applicant</i> PP: Comments need to be addressed. <i>Comments addressed by applicant</i>
Weed Control		No response.
Zoning Administrator	-	PDPA: No comments. PP: No comments.
Open Spaces	-	PDPA: No comments. PP: No comments.
Arapahoe County Assessor		No response.
Oil & Gas (Arapahoe County)		No response.
Arapahoe County Sheriff		No response.
Army Corps of Engineers	-	PDPA & PP: Comments on 404 Permit. <i>Applicant acknowledges 404 Permitting process, if applicable.</i>
City of Aurora	-	PDPA & PP: Comments regarding compliance with regional plans, water, transportation, and infrastructure improvements and airport noise. Aurora does not support this development. Applicant is welcome to annex into Aurora. <i>Applicant acknowledges many comments and has addressed or will address City of Aurora comments.</i>
Division of Wildlife	-	PDPA & PP: No response.
Adams County	-	PDPA & PP: No response.
Bennett Fire District	-	PDPA & PP: Comments regarding fire code standards, adequate fire suppression, revise existing development agreement for unmet capital costs, and land for public facilities.

		Applicant acknowledges Fire District comments and is working to revise Development agreement. <i>The applicant acknowledges these comments and will need to address all of the comments. This will be a condition of approval.</i>
Arapahoe Library District	-	PDPA & PP: No response.
Post Office	-	PDPA & PP: No response.
REAP	-	PDPA & PP: No response.
Century Link	-	PDPA & PP: No response.
RTD	-	PDPA & PP: No response.
Aurora School District	-	PDPA & PP: No response.
Bennett School District	-	PDPA & PP: No response.
West Arapahoe Conservation District	-	PDPA & PP: No response.
SEMSWA		<p>PDPA: Comments regarding floodplains, detention and water quality facilities note, and PDP. Also a number of comments regarding drainage report.</p> <p>PP: Comments regarding tract ownership, floodplain delineations, box culvert and PP.</p> <p><i>The applicant has or will address all of these comments. This will be a condition of approval.</i></p>
Tri-County Health	-	PDP & PP: Comments regarding water and wastewater treatment plant permits, covering of wastewater treatment plant for odor control, environmental clean-up, and water supply. <i>The applicant has or will deal with these issues as applicable.</i>
CDOT	-	PDPA & PP: CDOT has a number of comments pertaining to roads, traffic, TIA, other service providers, <i>The applicant's traffic engineer provided an extensive written response to CDOT's comments (see attached letter). Also the applicant and the County had a meeting with CDOT to resolve CDOT's concerns. One of the conditions of approval related to the 1601 process, as mentioned earlier in this staff report is a result of the meeting.</i>

XCEL	-	PDPA & PP: Comments on utility easements. <i>Applicant will work with XCEL for expansion of natural gas and electricity service to development.</i>
Urban Drainage	-	PDPA & PP: No response to Planning, but is referred to in the Engineering Planning Commission Update.
Rangeview Water & Sanitation District	-	PDPA & PP: Provided a will serve letter.

III. **STAFF FINDINGS:**

Staff has visited the site, reviewed the plans and supporting documentation, referral comments, as well as citizen input in response to these applications. Based upon review of applicable policies and goals in the Comprehensive Plan, review of the development regulations and analysis of referral comments, our findings include:

1. The development appears to be in compliance with the Arapahoe County Comprehensive Plan.
2. The submittals appear to comply with the FDP and PP submittal requirements of Chapters 13 and Chapters 14 of the Arapahoe Land Development Code.
3. The applicant needs to address all SEMSWA's and UDFCD's comments and concerns.
4. The applicant needs to address all CDOT's comments and concerns.
5. The applicant needs to address all Bennett Fire Protection District's comments and concerns.
6. The applicant will need to provide more water supply and demand information at the Final Plat process.

IV. **RECOMMENDATION:**

Considering the findings and other information provided herein, staff recommends approval of Z16-003, Sky Ranch Preliminary Development Plan Amendment and P16-011 Sky Ranch Preliminary Plat, subject to the following:

1. The applicant will make minor modifications to the plans and supporting documentation, as identified by PWD staff, prior to signature on the mylar.
2. The applicant agrees to address all Division of Engineering Services' findings, comments and concerns, as identified within all related Engineering report (s).
3. The applicant will be able to construct 774 residential dwelling units without filing a 1601 process with CDOT. No further development beyond the 774 residential dwelling units will be permitted until completion of the CDOT 1601 process.
4. The applicant agrees to address all SEMSWA's comments and concerns.
5. The applicant agrees to address all UDFCD's comments and concerns.
6. The applicant agrees to address all CDOT's comments and concerns.

7. The applicant agrees to address all Bennett Fire Protection District's comments and concerns.
8. The applicant will provide more water supply and demand information at the Final Plat process.

This is based upon:

- The proposed PDP Amendment is in compliance with the Arapahoe County Comprehensive Plan.
- The proposed PDP Amendment with the above-mentioned conditions of approval and the PP is in compliance with the Arapahoe County Land Development Code.

V. DRAFT MOTIONS:

A. In the case of Z16-003, Sky Ranch Preliminary Development Plan Amendment and P16-011, Sky Ranch Preliminary Plat, 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 September 13, 2016, and move to recommend approval to the BOCC of these cases, subject to the following conditions:

1. The applicant will make minor modifications to the plans and supporting documentation, as identified by PWD staff, prior to signature on the mylar.
2. The applicant agrees to address all Division of Engineering Services' findings, comments and concerns, as identified within all related Engineering report (s).
3. The applicant will be able to construct 774 residential dwelling units without filing a 1601 process with CDOT. No further development beyond the 774 residential dwelling units will be permitted until completion of the CDOT 1601 process.
4. The applicant agrees to address all SEMSWA's comments and concerns.
5. The applicant agrees to address all UDFCD's comments and concerns.
6. The applicant agrees to address all CDOT's comments and concerns.
7. The applicant agrees to address all Bennett Fire Protection District's comments and concerns.
8. The applicant will provide more water supply and demand information at the Final Plat process.

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 Z16-003, Sky Ranch Preliminary Development Plan Amendment and case P16-011, Sky Ranch Preliminary Plat, 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 September 13, 2016, and recommend the Board of County Commissioners DENY the request for approval of the Final Development Plan.



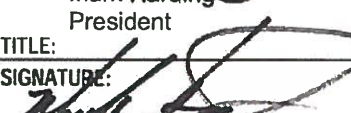
Findings:

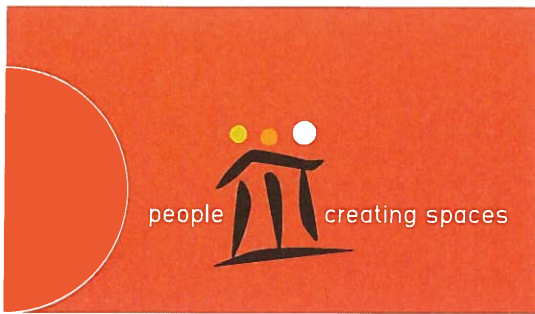
1. *State new or amended findings to support Planning Commission recommendation of "Denial" as part of the motion.*
- 2.

C. CONTINUE: In the case of Z16-003, Sky Ranch Preliminary Development Plan Amendment and case P16-011, Sky Ranch Preliminary Plat, 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/Letter of Intent
Applicant's response
Referral Comments
PDP and PP Exhibits

 <p>Arapahoe County Colorado's First</p>	<p>Public Works and Development 6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650 www.arapahoegov.com</p>	<p>Land Development Application Form must be complete</p> <p style="color: red;">Land Development Application materials received after 2pm shall be date stamped received the following working day.</p>
APPLICANT/REPRESENTATIVE: Pure Cycle Corp. (PCY Holdings, LLC)	ADDRESS: 34501 East Quincy Ave., Bldg. 34, Box 10 Watkins CO 80137 PHONE: 303 292-3456 FAX: 303 292-3475 EMAIL: mharding@purecyclewater.com	SIGNATURE:  NAME: Mark Harding TITLE: President
OWNER(S) OF RECORD: Pure Cycle Corp. (PCY Holdings, LLC)	ADDRESS: 34501 East Quincy Ave., Bldg. 34, Box 10 Watkins CO 80137 PHONE: 303 292-3456 FAX: 303 292-3475 EMAIL: mharding@purecyclewater.com	SIGNATURE:  NAME: Mark Harding TITLE: President
ENGINEERING FIRM: CVL Consultants of Colorado, Inc.	ADDRESS: 10333 East Dry Creek Rd., Suite 240 Englewood, CO 80112 PHONE: 720 249-3539 FAX: 720 482-9546 EMAIL: mlundquist@cvlci.com	CONTACT PERSON: Melinda Lundquist
Pre-Submittal Case Number: Q16-002 Pre-Submittal Planner: Sherman Feher Pre-Submittal Engineer: Sue Liu		
Parcel ID no. (AIN no.) 1977-00-0-00-094, -319, -320, -321; 1977-00-0-01-004, -005, -012, -013, -014, -015, -016, -017, -018		
Parcel Address or Cross Streets: Southeast of Airpark Exit from Interstate 70. West 1/2 Sect. 3, SE 1/4 Sect 4, E 1/2 Sect 10; all T4S, R65W		
Subdivision Name & Filing No.: Sky Ranch		
Related Case Numbers: (Preliminary/Final Development Plan, Rezoning, and / or Plat) Z04-005, A04-010, Z01-010		
EXISTING		
Zoning:	MU	PROPOSED
Case/Project/Subdivision Name:	Sky Ranch	no changes
Site Area (Acres):	151.329 (PP), ??? (PDP)	
Floor Area Ratio (FAR):	n/a	n/a
Density (Dwelling Units/Acre):	n/a	n/a
Building Square Footage:	n/a	n/a
Disturbed Area (Acres):		20
CASE TYPE (Administrative Case types are shaded in Gray)		
<input type="checkbox"/> Preliminary Development Plan or Major Amendment <input checked="" type="checkbox"/>	<input type="checkbox"/> Location & Extent or Major Amendment <input type="checkbox"/>	<input type="checkbox"/> Administrative Site Plan <input checked="" 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:	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.		



April 11, 2016

Sherman Feher
Arapahoe County Planning Department
6924 South Lima Street
Centennial, Colorado 80112

RE: Letter of Intent
Preliminary Plat and Preliminary Development Plan Amendment
Sky Ranch Subdivision
Arapahoe County Pre-submittal Case No. Q16-002

Dear Mr. Feher:

On behalf of Pure Cycle Corporation, please consider this application for a Preliminary Plat (PP) and Preliminary Development Plan (PDP) Amendment which addresses the Neighborhood B portion of the overall Sky Ranch subdivision, and the overall anticipated phasing. Neighborhood B is generally comprised of the 151 acres located in the southeast corner of Section 4, Township 4 South, Range 65 West of the 6th Principal Meridian, which as you know is that portion of the Sky Ranch property located to the West of the future Monaghan Road alignment. We are interested in pursuing an amendment to the currently approved preliminary development plan to facilitate development of the property in response to market conditions, which have changed dramatically since the original PDP was approved back in 2004. This latest application addresses the proposed land uses and associated densities, projected traffic volumes, and major roadway, drainage and utility infrastructure required to support development of this parcel.

The Preliminary Development Plan Amendment addresses the revised portions of the Sky Ranch development, with localized revisions relative to Neighborhood B, most specifically the land planning of said neighborhood and the resulting change to the overall development phasing.

Neighborhood B is anticipated to be the first phase of development, including approximately 500 single-family homes. When originally conceived, Neighborhood B was intended to be the 3rd phase of the development, following the development of a large portion of residential, mixed use and commercial uses in Neighborhoods A & C. This was proposed due to the amount of anticipated development activity in the surrounding area that was being entitled in the City of Aurora at the same time as Sky Ranch was moving through the County. Obviously the most recent recession in Colorado derailed this development pattern. With the re-emergence of community development since the recession, the applicant believes the time is right to move forward with Sky Ranch, albeit in a slightly different manner. We would like to amend the Preliminary Development Plan for Sky Ranch to first bring a mix of single family detached residential types and sizes online within Neighborhood B. The timing of this development combined with other residential uses within the broader area will then make the development of commercial and mixed use areas, along with the integration of single family attached product within the community much more viable. As such, we anticipate those uses occurring in phase

2 and beyond within Sky Ranch. We are still viewing Sky Ranch as a mixed use community, as an entire project, but we are removing the commercial areas and higher density residential from this initial phase because market feasibility doesn't indicate that these will be viable in this area for some time yet. While some of the proposed land uses within Neighborhood B have changed, the general concept for this Neighborhood has remained consistent from a parks and open space and community connectivity standpoint.

The Preliminary Plat addresses Neighborhood B only, including the superblocs defining where single-family homes are planned, open space areas, including the neighborhood park, the wastewater treatment plant site, and F-Zones for the First Creek floodplain and the First Creek Tributary floodplain. Access to Neighborhood B will be provided at the Airpark Road interchange with Interstate 70. From the Interstate 70 frontage road, the two eastern most lanes of Monaghan Road will be constructed and extended to the Neighborhood B parcel. This alignment is planned on land owned by either Pure Cycle Corporation or the Colorado Department of Transportation. No improvements to the Interstate 70 interchange are necessary to support the development of this first phase. Emergency access will be gained via the existing gravel road, currently utilized by oil and gas operations (formerly an airport runway) that connects to Hayesmount Road. Two collector access points are planned off of Monaghan Road; one collector access point is planned off of East 6th Avenue. Interior roadways are planned adhering to the local 50 foot right-of-way cross-section depicted on previous PP and PDP applications but are not depicted herein since changes are not being proposed to them. Water and sanitary sewer service will be provided by Sky Ranch Metropolitan District No. 5, working with the Rangeview Metropolitan District and Pure Cycle Corporation. Water infrastructure will be extended to Neighborhood B from offsite locations. A wastewater reclamation facility is to be constructed on the public facilities tract near the western border of Neighborhood B; a parcel that was the subject to a Location and Extent (Case # L06-001), a Subdivision Exemption Plat (Case # X06-001) and an August 14, 2006 Subdivision Improvement Agreement. Please refer to the Offsite Infrastructure exhibit within the PP document. Storm drainage conveyance will be engineered per Arapahoe County, Southeast Metro Stormwater Authority and Urban Drainage and Flood Control District requirements. Planned drainage infrastructure includes construction of two onsite sub-regional detention and water quality ponds and an onsite drainage channel.

Enclosed within this application are the materials listed on the County's Submittal Requirements checklist and those requested in the pre-submittal notes. Please do not hesitate to call me directly at (303) 887-9786 with any questions that you may have on this application. We look forward to working with the County and referral agencies to expand the Arapahoe County community of residents.

Sincerely,
PCS Group, Inc.



Al Cunningham



ARAPAHOE COUNTY
COLORADO'S FIRST

Public Works and Development

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DAVID M. SCHMIT, P.E.
Director

Planning Commission Update

Date: September 7, 2016
To: Sherman Feher, Planning Division
From: Sue Liu, Engineering Division
RE: Z16-003 P13-011 Sky Ranch PDP PP

Scope/Location:

The applicant, Pure Cycle Corporation, is requesting approval of a Preliminary Plat and a Preliminary Development Plan Amendment which addresses the Neighborhood B Portion of the overall Sky Ranch Developments and overall anticipated phasing. The Preliminary Development Plan Amendment addresses the revised portions of the Sky Ranch development, with localized revisions relative to Neighborhood B, most specifically the land planning of said neighborhood and the resulting change to the overall development phasing. Neighborhood B is anticipated to be the first phase of development, including approximately 500 single-family homes. The Preliminary Plat addresses Neighborhood B only, including the superblocks defining where single-family homes are planned, open space areas, including the neighborhood park, the wastewater treatment plant site, and F-Zones for the First Creek floodplain and the First Creek Tributary floodplain.

Two collector access points are planned off of Monaghan Road; one collector access point is planned off of East 6th Avenue. Interior roadways are planned adhering to the local 50 foot right-of-way cross-section depicted on previous PDP application.

The site is located within the First Creek Drainage Basin. A floodplain delineation study for the First Creek Tributary (T-9) that crosses the Development – Neighborhood B is required and will need to be approved by both Arapahoe County and Urban Drainage Flood Control District. In this study, the 100-year floodplain limits for the T-9 tributary will be defined, and regional detention facilities are also proposed within this Amendment.

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

1. The Sky Ranch Development is partially within the Aurora Airpark Civilian Airport influence area.
2. The site lies within the First Creek basin and its tributary.
3. This development will require a Subdivision Improvement Agreement (SIA) to guarantee on-site and off-site public improvements for each proposed Final Plat.
4. This site lies within the Southeast Metro Stormwater Authority (SEMSWA) service area.
5. This project is in the boundaries of the Urban Drainage and Flood Control District (UDFCD).
6. The applicant is required to provide a Floodplain Delineation Study for the First Creek tributary, T-9 that is across the Neighborhood B development.
7. A Floodplain Development Permit (FDP) will be required for all activities within a County designated floodplain, regardless of impact.
8. Master Drainage Impact Fees of \$115/Gross Acre is required and should be paid to the County at the time of final plat or final development plan process.
9. The applicant shall be permitted to design and construct 774 residential dwelling units of the Sky Ranch Development as detailed in the approved Traffic Impact Study for Sky Ranch Neighborhood B without filing a 1601 process with the Colorado Department of Transportation (CDOT). No further development beyond the 774 units will be permitted until the completion of the CDOT 1601 process for the Airpark Road and I-70 Interchange improvements.
10. The applicant (Pure Cycle Corporation) will be required to escrow with Arapahoe County the funding for the 1601 Process at the time of the Final Plat or Final Development application. The 1601 Process must be completed with Arapahoe County as the Contract Agency per CDOT Regulations.
11. Upon completion of the 1601 process, the applicant (Pure Cycle Corporation) and/or Developer will be required to contribute a pro-rata share of the proposed cost for interchange modifications.

Engineering Services Staff is recommending the land use application(s) favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' findings, comments, and concerns as identified within the staff report.
2. The applicant agrees to address SEMSWA's comments and concerns.
3. The applicant agrees to address UDFCD's comments and concerns.
4. The applicant agrees to address CDOT's comments and concerns.



August 23, 2016

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

**RE: Sky Ranch
Preliminary Plat & Preliminary Development Plan Amendment
Z16-003, P13-011**

Dear Mr. Feher:

CVL Consultants of Colorado, Inc., on behalf of the applicant, PCY Holdings, LLC, has considered the comments from the following: Arapahoe County Engineering, Bennett Fire Protection District #7, Xcel Energy, Tri-County Health Department, Army Corps of Engineers, Southeast Metro Stormwater Authority, City of Aurora, and CDOT for the referenced project. We have restated the comments below and addressed them per the italicized responses. An updated preliminary plat, preliminary development plan amendment, Phase II Drainage Report, and Traffic Impact Study is included with this resubmittal, revised per the following review comments and redlines.

Many of the review comments pertained to the traffic study. CDOT's comments were addressed under separate cover and submitted directly to CDOT. Arapahoe County was copied on that email correspondence. CDOT responded with another letter, dated August 19, 2016, which demonstrated support for the project. It may be prudent to share these letters with the City of Aurora as well.

ARAPAHOE COUNTY ENGINEERING – Sue Liu, PE
Findings

11. The applicant (Pure Cycle Corporation) will be required to escrow with Arapahoe County the funding for the 1601 Process at the time of the Final Plat or Final Development application. The 1601 Process must be completed with Arapahoe County as the Contract Agency per CDOT Regulations.

Response: Applicant acknowledges it will be responsible for participation in the funding the 1601 study for the Monahan Interchange and acknowledges Arapahoe County will be the governmental agency coordinating the study per CDOT Regulations. Pursuant to the Applicants' TIS, the 1601 study is not anticipated to occur until Applicant develops up to the 774 units outlined in the PDP Amendment and Preliminary Platt. Buildout of Applicants' first phase is anticipated to take between 10 to 15 years and funding a future 1601 study more than a decade out places significant burden on the Applicant as well as the County to administer the escrow for ten or more years. Recognizing Applicant will be

seeking additional phases of the Sky Ranch project, Applicant proposes funding for the 1601 study be a condition of approval of any future PDP amendments.

General

- Comment: In addition to the comments listed in this report, Staff has provided redlined plans and reports illustrating clarification to comments included within this report and other minor comments to be addressed. Comments within these redlined documents shall be fully addressed. The redlined documents shall be returned to Staff and must be included with the resubmittal for it to be considered complete.

Response: Acknowledged.

- Comment: The application was referred to SEMSWA, UDFCD, and CDOT for review. A response to comment letter is required for all comments issued by the County, SEMSWA, UDFCD and CDOT.

Response: This comment-response letter addresses comments from those agencies as well.

- Comment: RESUBMITTAL PROCEDURE - Attached to this report are instructions to the applicant regarding the resubmittal of documents. The applicant and their consultants must follow these instructions explicitly to avoid delays in our and processing of this case.

Response: Acknowledged.

Preliminary Development Plan

1. Comment: The section for F-zone should not be removed from the PDP plan. PDP is a zoning document, and F-zone must be included. As staff commented in the previous review, the Floodplain Modification Study must be provided to define the 100-year floodplain boundary of the First Creek Tributary, T-9.

Response: The F-zone has been defined and is included on the revised PDP cover sheet.

2. Comment: General Notes #6: the phasing map is on sheet 8 of 24, not 5 of 6. Please correct.

Response: The note has been corrected.

3. Comment: General Note # 13: the dates for study and letter will need to be updated.

Response: The dates have been updated.

4. Comment: General Note # 14: please remove this note – traffic impact study states that minor mitigations such as adding signs will be required at the interchange.

Response: The note has been removed as requested.

5. Comment: Easement noted #B4143424 is not an Arapahoe County Record.

Response: Easement #B4143424 is an Arapahoe County Record of an easement Recorded 8/12/2004.

6. Comment: Preliminary Plat is I think Neighborhood B it has a different area than 144.5.
Response: The areas shown in the neighborhood descriptions are net areas that remove the R.O.W that is defined at this level. This is how the land use charts on sheet 5 of 24 have always been set up, so we are remaining consistent with that pre-established standard for this PDP.
7. Comment: Show and label the F-zone of First Creek within B9 area.
Response: The entirety of Tracts B2, B3 and B9 are being defined as F-zones and re labeled as such on the plans.
8. Comment: Please call out the source of the designation for one hundred-year floodplain of First Creek and Trib. T-9.
Response: First Creek's Floodplain is defined by FEMA Panel No.: 08005C0206L. The Trib T-9 source is defined by CVL's analysis, "Sky Ranch Floodplain Study", dated August 2016. A note to this effect has been added to Sheet 5 of 24 of the PDP.
9. Comment: The 100-year floodplain should be placed within the Tract and the floodplain easement.
Response: The 100 year floodplain will be placed within the tract and floodplain easement as required.
10. Comment: Sheet 8 of 24: show K Street on the plan and call out as such; and clearly define the roadway improvement limits.
Response: K Street has been added to the plans and the improvement limits are defined.

Preliminary Plat

11. Comment: Please remove the SEMSWA's case #. SEMSWA's case # can be placed on the engineering documents but not on the land development plan.
Response: Completed.
12. Comment: Flood zone note: The detailed floodplain Modification study should be completed with the PDP application (boundary of the 100-year floodplain must be defined by Floodplain Delineation Study through the PDP process).
Response: The Floodplain Modification Study will be completed and included with the 2nd submittal. This note has been removed from the plat, as redlined.
13. Comment: Generate Note # 15: the note may require to be modified based upon the review of CDOT.
Response: Please refer to the revised language in general note #15 and #16. References to the phase 1A have been replaced with references to the allowed 774 residential units.
14. Comment: North access point: need to confirm that 76' ROW is proposed to be dedicated.
Response: That 76' total is correct.

15. Comment: Show the 100-year floodplain limit and call out the source of designation. The 100-year floodplain plus 1' freeboard shall be placed within the Tract and Floodplain easement (also drainage easement for the regional detention/WQ facility).
Response: The 100-year floodplain is defined in the Floodplain Modification Study. It is shown per the submittal requirements.
16. Comment: Sheet 6: pond volume must be consistent with the calculation result of the drainage study. Please verify the value.
Response: Corrected.
17. Comment: Sheet 7: the plan shows a 72' proposed ROW. This ROW is within the overall Sky Ranch Development but outside of the Neighborhood B. It can be dedicated by a separate document.
Response: Acknowledged. We've enhanced the note on sheets 4 and 5 accordingly, and added it to sheets 6 and 7.

Phase II Drainage Study

18. Comment: Include Case No. P16-011 on the cover sheet.
Response: Corrected.
19. Comment: Need to state that the development plan for Sky Ranch II was withdrawn.
Response: Corrected.
20. Comment: Page 8: a) Need to describe how flow from Basin F-2 be conveyed to the 66" RCP? By existing road side ditch? b) Basin OS-2 is not within the Sky Ranch boundary. Please explain where the assumption of I value of 60% was obtained.
Response: Corrected. Explained.
21. Comment: Page 9: please discuss where the X-basins ultimately discharge to.
Response: Explained.
22. Comment: Page 10: please call out the study that proposed two sub-regional and a regional pond within Sky Ranch site.
Response: Corrected.
23. Comment: Please note that the County requires a minimum 2-foot of freeboard between the 100-year water surface elevation and the lowest finished floor elevation of all structures adjacent to the 100-year floodplain.
Response: Note Added.
24. Comment: Page 14: a) Need to discuss the natural channel in detail - size, slope and capacity, etc.
Response: Added.

25. Comment: Inconsistent information is presented within the report and drainage map – such as the pond V100, Q100 outflow, etc. Please verify.
Response: Corrected.
26. Comment: The Phase II drainage study for Sky Ranch II was attached as an appendix – please note that the % of impervious and the runoff coefficients were updated by UDFCD this year. Therefore, the model should be updated if re-used.
Response: Corrected.
27. Comment: C5 value for basins x-1 to x-4 should be 0.83. Please revise the calculations. Please also delete the text of “drainage to Pond A” for all Basin Xs calculation.
Response: Corrected.
28. Comment: Runoff Calculation for Basin Xs: the report state the runoff from basin x-3 piped to DP4. Please show this design point 4 on the drainage map.
Response: Corrected.
29. Comment: Interim analysis - please provide the summary of the calculation results for 100-year.
Response: Added.

Drainage Map

30. Comment: Check the capacity for channels 2, 3, 5 and 4. The volume shown the map must match the calculation results.
Response: Checked.
31. Comment: Summary Tables – please check all tables with CUHP/SWMM model results.
Response: Checked.
32. Comment: Inlet design along the roadways: label the design point correctly; revise the inlet size to 15' at design point 1-A, and 2 @ 10' at design point 1-C.
Response: Corrected.
33. Comment: Call out the source of designation for Tributary T-9. Again, please provide the Floodplain Modification Study for review and approval.
Response: Added.

Traffic Impact Study (TIS)

34. Comment: Please be advised that the TIS for this development established a traffic generation budget. The traffic budget is associated with improvements provided by the developer to maintain acceptable roadway capacity and level of the services per County criteria. If the Final Development Plan applications at later time that propose to exceed the traffic budget, they would not be accepted without additional analysis and improvements that demonstrate the increase could be accommodated within County criteria.

Response: Traffic counts or trip generation compliance letters can be provided at critical points to verify the trip generation budget for the site is not exceeded.

35. Comment: The study includes design years of 2025, 2030 and 2036. What year is the opening year for this project? The opening year should be evaluated in the study.

Response: Completion year is estimated to be 2025. The 2030 scenario covers the County's five-year after buildout requirement and the 2036 scenario covers both the County's and CDOT's long-range 20-year requirements.

36. Comment: Please specify the annual growth rate per the County Transportation Plan for the roadways in the study area.

Response: US 36 north of I-70 and the I-70 Frontage Road are not shown in Figures 28 (2020 total traffic) or on Figure 30 (2035 total traffic) of the 2010 Arapahoe County 2035 Transportation Plan. We feel the assumed annual growth rates of one percent on the Frontage Road and two percent on Colfax Avenue are appropriate without reconstruction of the I-70/Monaghan Road interchange and no development within Sky Ranch.

37. Comment: Please know that this TIS is currently under the review by CDOT. The confirmation of the previous approval for the Airpark/I-70 interchange capacity is necessary to proceed the development.

Response: Comment noted.

38. Comment: Average Daily Traffic for I-70 is omitted from Figures 4 to 6. Please revise.

Response: This can be added to an updated study if determined to be necessary after discussing with staff.

39. Comment: Please include roadway capacity information within the Figures as the following – site generated traffic/Total traffic/roadway capacity/assumed number of lanes.

Response: The capacity of a two-lane roadway is generally assumed to be a minimum of about 10,000 vehicles per day (vpd). The highest daily volume projected between the site and the I-70 Frontage Road is 7,370 vpd per Figure 14a with full development of 774 residential dwelling units.

40. Comment: Figure 8: show the distribution of the site generated traffic at each access point.

Response: Completed.

41. Comment: Overall, the proposed study shows that no realignment of Monaghan Rd. will occur or be necessary through year 2036 (LOS is at acceptable level per the Study). Staff will like to see CDOT's response on this.

Response: We would expect the 1601 interchange study for Monaghan will identify if the interchange will remain at its current alignment or will be realigned to Monaghan Rd. If the interchange remains at its current location, the Monaghan Road extension will be on property not controlled by the applicant, and the impacted property will need likely need participate in the realignment of the applicant will need to seek access for the realignment.

The report suggests a single-lane roundabout may be necessary by 2036 at the intersection of Monaghan Road with the I-70 Frontage Road. This can be reevaluated once the first 502 dwelling units are mostly constructed during the approval process for the additional 272 dwelling units.

42. Comment: An emergency access was shown on the Preliminary Plat. Please include the discussion of the emergency access in the report.

Response: As stated in the revised traffic study, the emergency access to the site will be finalized, as coordinated with Bennett Fire Protection District.

BENNETT FIRE PROTECTION DISTRICT #7 – Caleb Connor, Fire Marshall

- Comment: Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.

Response: Acknowledged.

- Comment: 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: Acknowledged.

- Comment: The developer shall confer with Bennett Fire Protection District and ensure that the proposed development conforms to adopted fire code standards.

Response: Acknowledged.

- Comment: Bennett Fire Protection District will incur unmet capital costs associated with all development. To address these unmet capital costs for this development and to insure that “development pays its own way”, Bennett Fire Protection District will need to enter into a Development Agreement or other arrangement with the developer. Currently, the District’s identified capital cost is \$1,500.00 per residential dwelling unit and \$720.00 per 1,000 square feet of non-residential units. The Development Agreement will include provisions to pay these costs, a station location land dedication, and cash-in-lieu options.

Response: Acknowledged – in process.

- Comment: Bennett Fire Protection District has existing recorded agreements in place to meet these costs and dedication requirements dating back to the original proposed development, also formerly under the “Sky Ranch” name. Based upon the revised plat and development plan, an update to these agreements is necessary.

Response: Acknowledged.

- Comment: Bennett Fire Protection District has already entered into dialogue with the Developer to address the update or restructuring of this agreement.

Response: Acknowledged.

- Comment: Bennett Fire Protection District has expressed interest to the Developer to obtain land for public facilities to provide fire protection in the proposed development area as part of the District's future planning. This may include the granting or lease of temporary facilities to provide such services until permanent facilities can be constructed as the development grows.

Response: Acknowledged.

- Comment: Bennett Fire Protection District currently has excellent communication with the applicant and will continue to work together to complete the necessary agreements and requirements outlined.

Response: Acknowledged.

XCEL ENERGY – Donna George, Contract Right of Way Referral Processor

Comment: Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the preliminary plat and preliminary development plan (PDP) for **Sky Ranch Subdivision**. Public Service Company has no objection to this proposed PDP amendment, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

Response: Acknowledged. Applicant will work closely with PSCo for the expansion of natural gas and electric transmission for service to development with Sky Ranch. Detailed service expansion and service agreements will be defined at FDP.

Comment: The property owner/developer/contractor must contact **the Builder's Call Line at 1-800-628-2121** or <https://xcelenergy.force.com/FastApp> (register, application can then be tracked) and complete the application process for any new gas or 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.

Response: Acknowledged.

Comment: As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center at 1-800-922-1987** to have all utilities located prior to any construction.

Response: Acknowledged.

TRI-COUNTY HEALTH DEPARTMENT – Laurel Broten, MPH Land Use & Built Environment Specialist

(Responses supplied by Scott Lehman, PE, Pure Cycle Corporation)

Please also refer to Appendixes A & B, attachments to this comprehensive comment-response letter.

Wastewater Treatment Plant Approvals

Comment: The Wastewater Treatment Plant (WWTP) will require several approvals from the Colorado Department of Public Health and Environment (CDPHE) prior to construction. The following approvals are required:

1. Site approval
2. Preliminary Effluent Levels
3. Design approval
4. Discharge Permit

TCHD contacted Bret Icenogle, P.E. with CDPHE regarding the status of these approvals. Mr. Icenogle could not determine if the above approvals had been previously issued for the WWTP. However, even if the WWTP had prior approval from CDPHE, the applicant will need to go through the CDPHE approval process again. Consequently, TCHD recommends that the above approvals be completed prior to application for the Final Development Plan.

Response: Comment noted. We are familiar with the regulatory requirements and approval process with the Water Quality Control Division and are proceeding with that step-wise process. Given the costs and extended timing of both the land use and WQCD regulatory approval processes, we suggest that having final approvals from the WQCD for the wastewater facilities should be tied as a condition precedent to the County's issuance of building permits for the Sky Ranch development (and not tied to "prior to application for Final Development Plan"); and suggest that this is equally protective of public health and environmental protection.

Wastewater Treatment Plant – Nuisance Odors

Comment: In our previous letters, TCHD raised concerns about potential nuisance odors from the wastewater treatment plant that will be constructed in the western portion of Neighborhood B. To address these concerns, it was agreed to construct covers over the headworks, sequencing batch reactor (SBR) basins and the biosolids handling facility. Our preference is that the covers be in place before construction begins in the affected area. We recommend that a condition of the final plat be completion of construction of the covers for the headworks, SBR basins and biosolids handling facility before Arapahoe County issues a building permit for Sky Ranch residences that are within 1,000 feet of the wastewater treatment plant. We request that the County implement a system to notify Tri-County when a building permit is being considered for residences within 1,000 feet of the wastewater treatment plant, so that we can confirm compliance with the final plat condition. We will be happy to coordinate with the applicant and County Planning staff on the working of that plat condition.

As previously noted, we also recommend that the developer work with the builder at Sky Ranch to inform and educate prospective property owners about the existence and function of the plant. Providing potential residents this information in the form of an advisory letter would allow them to make informed decisions, and may help in reducing future complaints. The wastewater plant operator should participate in drafting the advisory letter.

Properties in the City of Aurora that are adjacent to Sky Ranch on the west are zoned Planned Development, which could allow residential development. We are unaware if the City of Aurora has received any development applications for these areas. If residences are slated for development in Aurora within 1,000 feet of the Sky Ranch wastewater treatment plant, residents of these homes could also experience nuisance odors from the plant. We encourage the applicant to contact the City of Aurora to determine if residential development is likely to occur before the currently anticipated timeframe for completion of construction of the covers for the plant operations. If municipal residential development is slated before that time, we recommend that SRMD consider accelerating its' odor mitigation schedule to prevent possible nuisance odors to City residents.

Response: Comment noted. Developer is committed to covering the pretreatment works, aeration basins, and biosolids handling facility, and also to provide odor control equipment, at the time of construction of the first phase wastewater reclamation facilities (WWRF); consistent with General Notes 7 and 8 on Sheet 1 of the PDP Amendment (below):

7. THE WASTE WATER FACILITY SHALL EMPLOY ODOR MITIGATION MEASURES INCLUDING COVERING TANKS, LANDSCAPE BUFFERS, AND FILTERING. IMPLEMENTATION OF THIS TECHNOLOGY SHALL BE IN LIEU OF PROVIDING 1000' BUFFER AROUND THE FACILITY.

8. THE PRELIMINARY TREATMENT WORKS (I.E. SCREENING, FLOW MEASUREMENT AND GRIT REMOVAL EQUIPMENT) AND THE SEQUENCING BATCH REACTOR BASINS WILL BE COVERED, AND BIOLOGICAL, CHEMICAL OR PHYSICAL ODOR CONTROLS WILL BE DESIGNED INTO THE PLANS AND SPECIFICATIONS FOR THE WASTEWATER TREATMENT PLANT TO REDUCE ANY POTENTIAL ODOR IMPACTS FROM THE PLANT.

This negates the need for the county and TCHD to develop and implement a notification process of when building permits are issued within 1,000 feet of the WWRF.

Water Treatment Plant

Comment: Prior to construction of the Water Treatment Plant (WTP), CDPHE need to complete a design review and issue an approval for the design. TCHD also discussed the status of the water plant with Mr. Icenogle. Mr. Icenogle could not confirm if the WTP had received design approval. Mr. Icenogle also mentioned that a capacity assessment is required for the WTP. TCHD recommends that the water plant be approved by CDPHE prior to application for the Final Development Plan.

Response: Please see discussion above dealing with the approval process for the wastewater system.

Environmental Cleanup

Comment: In our previous letters, we outlined several items that required environmental assessment and/or remediation. We requested that the applicant provide Tri-County Health Department a status report on those items, and that Tri-County determine, in consultation with

appropriate State regulatory agencies, that site conditions will allow for safe development to occur before the county schedules the final Development Plan for public hearing.

The report should address the following:

1. Surficial soil sampling for pesticides in the area of the AeroSpray, Inc. trailer.

Response: Since my involvement with the project, which started in 2003, there has been no onsite pesticide storage at the Sky Ranch property. Some unspectacular use of pesticides and herbicides has been practiced at the Sky Ranch property as is normal and typical agricultural practice in the region.

2. Registration and compliance status of the 2,000-gallon aboveground diesel storage tank.

Response: Since my involvement with the project, which started in 2003, there has been no above-grade fuel storage tanks at the site.

I did track down a brief discussion about the tank in the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc.:

"This tank is not owned or controlled by ICON. A telephone conversation was held on October 7th 2003 with Mr. Steve Wakeham of Pipeline Industries Inc, the owner of the tank. Mr. Wakeman indicated that the tank was empty and that he was not aware it had ever been used at this site. Additional conversations with Kyle Odegaaart and Scott Simons of the OPS on October 17th, 2003 indicate that this is a non-regulated tank, assuming that the construction company will remove it upon completion of the project."

3. Comment: Surficial soil sampling of the biosolids application areas and the base of the sewage lagoons for RCRA metals,

Response: From page 5 of the July 23, 2010 "Phase I Environmental Assessment Update" prepared by CTL I Thompson:

"Our review of environmental studies provided by Pure Cycle indicates that sampling related to crop dusting, application of biosolids, and on site waste water treatment have revealed no residual levels of pesticides, chlorinated solvents, or metals related to historic operations conducted on site."

Excerpts from the March 26, 2009 "Limited Phase II Environmental Site Assessment" prepared by ENERCON are provided below and, with the exception of Arsenic, indicate that the bottom of the lagoon and the biosolids application site are clear. (Note: underline emphasis added" to excerpts.)

"Soil Boring DP-4 was installed in the bottom of the northwest dry sewage lagoon in the north central portion of the property and extended to a total depth of 32.5 feet below the bottom of the sewage lagoon. The bottom of the sewage lagoon was approximately 8 to 10 feet below surface grade. Soil samples from the 1- to 2- foot and 7- to 8- foot BGS intervals of the soil boring were selected for laboratory analysis. The shallow 1- to 2- foot soil sample contained an arsenic concentration of 2.6 mg/kg,

which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. The soil sample from 7 to 8 feet contained no detectable concentration of arsenic. However, the laboratory detection limit for the 7- to 8- foot sample was 1.4 mg/kg. Thus, this sample also potentially exceeds the regulatory limit for arsenic in soil. All other chemicals of concern from each sample were below the analytical laboratory detection limits.

Soil boring SB-1 was installed in the dry bottom of the southern sewage lagoon to a total depth of about 3 feet BGS; which was about 8 to 10 feet below surface grade. A soil sample was collected from the 1- to 3- foot BGS interval for laboratory analysis. This soil sample contained arsenic at a concentration of 2.4 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Soil boring SB-2 was installed in the dry bottom of the northeastern sewage lagoon to a total depth of about 3 feet below the base of the lagoon; which was about 8 to 10 feet below surface grade. A soil sample was selected from the 1- to 3- foot BGS interval for laboratory analysis. This soil sample contained arsenic at a concentration of 2.3 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Hand auger sample HA-13 was collected in the former biosolids storage area near the northeastern corner of Section J O. A soil sample was selected from the 1- to 2- foot BGS interval for laboratory analysis. This soil sample contained an arsenic concentration of 4.2 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Note that “chemicals of concern” in the above context included: Metals, VOCs, Pesticides, Herbicides and PCBs.

Concerning levels of Arsenic referenced above, ENERCON "recommended further study in regards to arsenic levels on site, as many areas in Colorado have background levels of arsenic in excess of State standards." This additional investigatory work, consisting of fifteen additional soils samples collected from across the property, was performed as evidenced by the following excerpts from the May 14, 2009 "Determination of Background Arsenic Concentration" prepared by ENERCON Services Inc:

“Results of the additional soil sampling indicate the arsenic levels detected during the March 2009 Phase II investigation appear to be similar to background concentrations in the area.”

“Laboratory results of additional shallow soil sampling revealed arsenic concentrations ranging from 3.3 mg/kg (HA-5) to 8.5 mg/kg (HA-10) with an average concentration of 5.7 mg/kg (see Laboratory Reports, Attachment D). These concentrations were examined using the CDPHE's "Guidelines for Determining Background Concentrations" (see attached). Using this guideline, a background arsenic concentration of 7.6 mg/kg was calculated for the site. These calculations are included as Attachment E. The only sample collected showing concentrations greater than the calculated background sample was HA-J O, collected along the northern boundary of the site in the northeast quarter of Section 4 (see attached site map). The concentration from this sample appears anomalous and does not appear to be attributed to potential arsenic sources, and is considered to be naturally occurring.”

Finally, the following excerpts from the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc., also address the old lagoons and the sludge disposal area:

“Surficial soil sampling at the base of the sewage lagoons for RCRA metals and volatile organic compounds. Two samples from the sewage lagoons were acquired on October 7th, 2003. The samples were taken from the northern most settling ponds adjacent to the inlet. These samples were analyzed for 8 RCRA metals and VOC's using EPA Methods 6010 and 8260. The results of the samples were either non-detect or well below the Colorado Department of Public Health and Environment, Soil Remediation Objectives for unrestricted residential use.

Surficial soil sampling of the biosolids application area for RCRA metals. The Colorado Department of Public Health and Environment requires the operator of the bio-solids application firm to perform soil sampling. On October 17th, 2003 Western Environmental and Ecology contact Wes Carr of the Colorado Department of Public Health and Environment, Biosolids Program. Mr. Carr stated that no permit violation have occurred at the site...”

4. Comment: Schedule for ceasing the application of biosolids at the site. State regulations stipulate that unrestricted development not occur until one year after cessation of biosolids application. Based on a conversation with Mr. Luke Bond, of Parker Ag Serviced, the company has applied biosolids to the eastern half of Section 10, the southwest quarter of Section 3 and the southeast quarter of Section 4 (state permit #1156). The applicant should contact Mr. Bond, who maintains and certifies records of biosolids application, and Mr. Wes Carr, at the Colorado Department of Public Health and Environment, for assistance in complying with the biosolids regulation. Mr. Carr can be reached at (303) 692-3613,
Response: Since my involvement with the project, which started in 2003, there has been no application of biosolids at the site.

5. Comment: Ground water quality investigation for volatile organic compounds and pesticides in the vicinity of the hangar and the crop duster trailer areas.

Response: Excerpts from the March 26, 2009 "Limited Phase II Environmental Site Assessment" prepared by ENERCON are provided below and, with the exception of Arsenic, indicate that the soils in the vicinity of the old hanger and crop duster operation are clear. (Note: underline emphasis added" to excerpts.)

"Soil boring DP-1 was installed near the former crop dusting operations trailer on the northern portion of the property and extended to a total depth of 45 feet BGS. A soil sample was selected from the 6- to 7-foot BGS interval for laboratory analysis. This soil sample contained a detectable concentration of naphthalene of 0.047 milligrams per kilogram (mg/kg). However, the concentration was well below the CDPHE Soil Evaluation Value of 23 mg/kg for protection of groundwater. Concentrations of all other analyzed chemicals of concern were below laboratory detection limits.

Hand auger sample HA-2 was collected near direct-push soil boring DP-1 in the area of the former hangar foundations and crop dusting area in the northern portion of the property. A soil sample was selected. from the 1- to 2-foot BGS interval for laboratory analysis. This soil sample contained no detectable concentrations of any chemicals of concern."

Further, an excerpt from the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc., is provided below:

"Surficial soil sampling in the vicinity of the crop duster trailer for pesticides: Two soil samples were acquired and analyzed for chlorinated pesticides in accordance with EPA Method 8081. Samples were taken from directly beneath the trailer fill connection and approximately 1.5 feet to the north where the aircraft would have been filled. The results of the samples were non-detect or well below the Colorado Department of Public Health and Environment, Soil Remediation Objectives for unrestricted residential use."

6. Comment: Inventory of various containers stored on site, management of residual contents, if any, and assessment of the conditions of underlying soils.

Response: At this time there are no containers on the site and I am unaware of the disposition of any containers that might have been referenced in previous site assessments. I did track down a brief discussion about the tank in the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc:

"It is the responsibility of the aircraft owners to maintain and dispose of their own wastes. On October 16th, 2003, Western Environment and Ecology, Inc. posted notices on each of the leased hanger spaces that reminded tenants to properly store and dispose of maintenance fluids and lubricants. Additionally, the rental agreement prohibits the improper storage or disposal of wastes."

7. Comment: Documentation of completion of monitoring and formal closure of the former underground storage tank sites, per the approved Corrective Action Plan of the Colorado Division of Oil and Public Safety.

Response: As Appendix B hereto, please find a copy of the June 8, 2015 letter from the Petroleum Program, Division of Oil and Public Safety, Colorado Department of Labor and Employment finding that "No Further Action" is required at the subject Silco Oil site.

Copies of the 120-page July 23, 2010 "Phase 1 Environmental Assessment Update" prepared by CTL I Thompson; or any of the other previous environmental assessments listed in Appendix A hereto, are available upon request.

Water Supply

Comment: The project narrative states that water will be provided through a service agreement with Rangeview Metropolitan District and Pure Cycle Corporation. We cannot comment on the adequacy of the water supply for the proposed project because the referral package did not include a water supply plan. We assume that the County will require a demonstration, consistent with State and County standards that sufficient water will be available to meet the long term drinking and sanitation needs of the project.

Response: As you have noted, we appreciate that Arapahoe County is charged with establishing the adequacy of water supplies for new development within unincorporated areas of the county. Working together, Rangeview Metropolitan District, the Sky Ranch Metropolitan Districts, and Pure Cycle Corporation have extensive water resources and water supply facilities available to serve the Sky Ranch development.

DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS

Comment: In accordance with Section 404 of the Clean Water Act, the Corps of Engineers regulates the discharge of dredged or fill material, and any excavation associated with a dredged or fill project, either temporary or permanent, into waters of the United States (WOUS). You should notify this office if the project proposed falls within these regulated activities because the project may require a Department of the Army Section 404 permit.

Response: Acknowledged.

Comment: A WOUS may include ephemeral and/or perennial streams, wetlands, lakes, ponds, drainage ditches and irrigation ditches. A wetland delineation must be conducted, and verified by the Corps of Engineers, using the methods outlined in the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual*: (using applicable Regional Supplement) to determine wetlands based on the presence of three wetland indicators: hydrophytic vegetation, hydric soils, and wetland hydrology. Wetland delineations must be conducted in the field by a qualified environmental consultant and any aquatic resource boundaries must be identified accordingly. Once the aquatic resources have been identified, only this office can determine if they are WOUS. Please note that development of the upland areas, avoiding stream and wetland resources, does not require authorization from this office.

Response: Acknowledged.

Comment: Nationwide Permits (NWP) authorize common types of fill activities in WOUS that will result in a minimal adverse effect to the environment. Descriptions of the 52 types of nationwide permit activities and their general conditions can be found on our website: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>. Some fill activities require notifying the Corps before starting work. Also, some types/sizes of work may require additional information or mitigation.

Response: Acknowledged.

Comment: Regional General Permits (RGP) authorize specific types of fill activities in WOUS that will result in a minimal adverse effect to the environment. Descriptions of the 4 types of regional general permit activities and their general conditions can be found on our website: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado/RegionalGeneralPermits.aspx>.

These fill activities require notifying the Corps before starting work, and possibly other local or state agencies. Also, some types/sizes of work may require additional information or mitigation. Please note several of the RGP's are applicant and location specific.

Response: Acknowledged.

SOUTHEAST METRO STORMWATER AUTHORITY, Tiffany Clark, PE, CFM

General

1. Comment: Please submit a response letter to the comments with the re-submittal. Response Letter is required for further review.

Response: A comprehensive comment-response letter was resubmitted.

Preliminary Development Plan

2. Comment: On Sheets 6 and 16 the F Zone is labeled. Is this the area that is being zoned floodplain? or the floodplain delineation itself. Please show and label the floodplain delineation as previously commented.

Response: The entirety of Tracts B2, B3 and B9 are being defined as F-zones and re labeled as such on the plans.

3. Comment: As previously commented in the northeast corner of Neighborhood C the Drainage Plan shows a proposed pond (A-2). The PDP does not appear to have an OS area called out to accommodate this proposed Detention Pond. Please revise accordingly.

Response: This PDP Amendment is only proposing to change Neighborhood B at this point in time. We are not proposing to make any changes to the planning areas within the other neighborhoods. Additionally, the drainage plans have always anticipated proposed ponds throughout the Sky Ranch community, to be located in the various planning areas, with the location to be determined at the time of Final Development Plan / Final Plat and that remains unchanged.

4. Comment: As previously commented please include a note similar to the following on Sheet 3: Detention and Water Quality facilities will be designed with the Final Development Plan however these facilities shall be located in the following areas _____.

Response: In relation to the above comment, a note has been added to Sheet 5 of 24 as requested.

5. Comment: Please refer to redlines and make the necessary corrections and revisions.

Response: The necessary revisions have been made and responded to both in this letter and on the actual redlines.

Preliminary Plat

6. Comment: The Ownership/Maintenance at Final Plat table shows blocks B2 and B3 to be owned and maintained by the HOA/Metro District. These tracts will contain Regional Detention/Water Quality Facilities and a channel. Does the Metro District want to be responsible for the ultimate maintenance of these facilities? As discussed previously SEMSWA may be willing to accept these properties for maintenance.

Response: The tract will be owned by the Metropolitan District. Within said tract, a floodplain/drainage/utility easement is shown, which will be the maintenance responsibility of SEMSWA. The tract table has been enhanced for further clarification.

7. Comment: As previously commented please show and label all floodplain/floodway delineations on the Plat on all necessary sheets to ensure that they will fall within the Floodzone Easement.

Response: Completed. As discussed with the County, the F Zone designation will be applied to the tract areas (B2, B3, and B9). A floodplain and drainage easement is shown within the limits of those tracts, which includes the 100 year water surface plus freeboard. Please refer to the enhanced notes on sheet 3.

8. Comment: As previously commented all storm sewers that are not located within the ROW shall be located within Drainage Easements and Tracts. Please show and label or note accordingly.

Response: A note was added to sheets 4 & 5 of the previous submittal. Please refer to the lower right hand corner of those pages.

9. Comment: Please show the floodzone extending under the area where a box culvert is proposed.

Response: Completed.

10. Comment: Please refer to redlines and make the necessary corrections and revisions.

Response: Completed.

Phase II Drainage Report

11. Comment: SEMSWA only received a marked up copy of the SEMSWA redlines from the first review of the Phase II Drainage Report. It appears that some comments were not addressed. The repeat comments are not listed below, but redlined within the Report and Plans as “previously commented”. Please address all comments.

Response: Completed.

12. Comment: There are some clarifications that need to be made to the Phase II Drainage Report. Please see redlines and revise accordingly.

Response: Addressed.

13. Comment: Previously the ownership group and SEMSWA had discussed the possibility of SEMSWA owning and maintaining the regional facilities and channel. The report states that these facilities will be owned and maintained by the Metro District. Is this the desire? Please response accordingly.

Response: Please see response to SEMSWA comment #6. Language in the drainage report has been enhanced, to be in concert with the plat language.

14. Comment: Please discuss the proposed floodplain within the report as the flood zone easement and tract shall be determined on this delineation.

Response: Added.

15. Comment: The C5 coefficients in the Composite Basin Coefficient calculations for 60% and 90% are slightly off. Please revise accordingly.

Response: Corrected. Updated with UDFCD 2016.

16. Comment: The comment response stated that the impervious values were acquired from the Sky Ranch II report. The impervious values do not correlate with the basins or the impervious values provided in the previous report and referenced herein this report. Please state, note, circle or provide how the impervious values for the basins were determined.

Response: Corrected. Updated with UDFCD 2016.

17. Comment: On the water quality pond sizing spreadsheet please note where the allowable release and design release values come from.

Response: Added.

18. Comment: In the Basin X-1 inlet calculations please state where the bypass comes from. Additionally, this value conflicts with the basin we believe it comes from. Please revise accordingly.

Response: Corrected.

19. Comment: Can the inlets in basin X-2 be upsized to reduce the amount of bypass? Please revise accordingly.

Response: Corrected.

20. Comment: Is the Grass swale design calculations provided for the interim swale that runs the length of the norther border of Neighborhood B? If so, the parameters in the calculations conflict with the text of the report. Please revise accordingly.

Response: Added

21. Comment: Please address the following on the Drainage Plans:

a. As previously commented please show and label proposed Drainage Easement and tracts for the provided infrastructure.

Response: Added

b. As previously commented please show and label the floodplain/floodway delineations.

Response: Added

c. The basin designation symbol in the legend does not match the symbols shown on the Plans.

Response: Corrected.

d. Provide sizing calculations for the 6'x8' outlet culvert.

Response: Added.

e. Provide sizing for all proposed storm sewers discussed within the report or shown on the Drainage Plans.

Response: Added.

f. Show the proposed swale on sheet DR8.

Response: Added.

g. On Sheet DR 12 please show and label the proposed floodplain delineation.

Response: Added.

22. Comment: There is a lot of conflicting information between information presented in the report (text and tables), calculations and plans. Please revise accordingly and ensure consistency throughout the Phase II Drainage Report.

Response: Corrected.

23. Comment: Please refer to redlines and make the necessary corrections and revisions.

Response: Completed.

Floodplain

24. Comment: The effective floodplain for First Creek in the project area is shown on FIRM Panel No. 08005C0206K (12/17/2010). This FIRM Panel is currently undergoing a Physical Map Revision (PMR). Preliminary FIRM Panel No. 08005C0206L, dated 9/26/2014, is based on the 2011 FHAD. Please show and label the effective floodplain as well as the PMR floodplains and floodway on all plan sheets.

Response: Added.

25. Comment: The Phase II Drainage Report indicates that the Trib T-9 channel will be modified as part of this development. Trib T-9 has an approximate 100-year floodplain and any channel modification will require a Floodplain Modification Study (FMS). A Floodplain Development

Permit will also be required. Please refer to the FMS & CLOMR Checklist for FMS submittal requirements.

Response: Acknowledged.

26. Comment: Since the Pond E outlet is within the floodplain, that portion of the project must be included in the Floodplain Development Permit. Please verify that the Pond E footprint is outside of the PMR floodplain.

Response: Pond E is not in the floodplain.

27. Comment: The lowest floor (including basement) of any structure on a parcel that is adjacent to the floodplain must have 2 feet of freeboard over the 100-year water surface elevation.

Response: Acknowledged.

28. Comment: The report indicates the name of the First Creek tributary through the property is Trib T-9, but the HEC-RAS model files show the stream name as Trib T12. Please ensure the tributary is named consistently throughout the submittal.

Response: Corrected.

29. Comment: The HEC-RAS model contains only an existing conditions plan. Please also submit a proposed conditions analysis as part of the FMS to determine the impacts of the development.

Response: Acknowledged.

30. Comment: Please submit HEC-RAS models using a subcritical flow regime, or explain why a mixed flow regime is more appropriate.

Response: Acknowledged.

31. Comment: Section 404 permitting requirements may have changed since the July 26, 2006 Wetland Determination letter from USACE. Under current standards, Trib T-9 might now be considered Waters of the US. The applicant should verify that the project will not cause any impacts to wetlands or Waters of the US.

Response: Tributary T-9 has been farmed for years by the property owners and their leasees, as part of their agricultural operations. It is not a natural channel. In order to accommodate the anticipated developed drainage flows in Tributary T-9 and route them to sub-regional Pond D, the existing drainage channel will need to be modified. Currently it has a steep, 2% +/- thalweg, which is an unstable slope. The proposed cross-section will be inline with UDFCD's current requirements, which include a meandering, low flow channel, for a more natural appearance. The cross-section will be enlarged to convey the developed flows.

While we acknowledge the ACOE's letter is ten years old (2006), ERO Resources, a professional environmental firm, well-versed in the Corps current regulations, conducted a site visit this year and deemed the 2006 still valid.

CITY OF AURORA, George K. Noe, City Manager

1. Compliance with Regional Plan

Comment:

This is in reference to Metro Vision 2035. Both Arapahoe County and the City of Aurora have signed the Mile High Compact, which adopts the Metro Vision Plan. The purpose of the plan is to promote more compact urban development. This goal is vital in a metropolitan area in order to limit vehicle miles traveled, to reduce air pollution and to enhance a more efficient and cost effective provision of water, sewer, street, fire, school and drainage services to our citizens. We question whether the proposal meets the goals or letter of Metro Vision 2035. We would ask Arapahoe County to carefully evaluate this proposal in light of the Metro Vision Plan. As a region we have already entitled more than enough development to accommodate the most optimistic 2040 growth estimates. By placing a significant development on the periphery of the metropolitan area, it reduces the metropolitan region's ability to encourage denser development, reduce vehicle miles traveled, control air quality, and to provide the most efficient services to future residents.

Response: Arapahoe County has existing UGB/A and has allocated portions of its UGB/A allocation to the Sky Ranch Development. The current Development Plan Amendment carries forward the key design, densities, transportation, utility, and open space design guidelines as the original Development Plan approved by the County when allocating UGB/A consistent with regional Metro Vision goals and objectives. The Development Plan Amendment does not seek to increase densities from the original approved Development Plan that had approved UGB/A allocations.

2. Water

Comment:

Aurora has concerns about the water supply outlined for the Sky Ranch development. While multiple sources are referenced to meet the long term supply (WISE, groundwater and reclaimed water), it is unclear how and when all these individual sources will be utilized.

Aurora is highly concerned about the planned use of groundwater as a long-term source especially without supplemental aquifer replenishment (aquifer recharge) seeming planned by Pure Cycle to offset aquifer depletions. Aquifer depletions in the Rangeview area (as identified) have significant potential to directly diminish regional aquifer levels that would negatively impact others (most directly the City of Aurora). Aurora is actively engaged in efforts to preserve groundwater for times of drought and emergency. Active aquifer replenishment should be included in any plan to rely on groundwater.

WISE is an interruptible supply. It is unclear how Pure Cycle is planning to utilize their WISE subscription as part of their supply. While the plans seem to indicate transmission pipelines to convey the supply, we could not find any reference to any form of storage or other ability to firm the supply. The capability to firm WISE water supplies will be critical in being able to utilize them as part of a water supply portfolio.

The submittals seem to indicate that a Metro District will be formed to provide water and wastewater services. We are not aware of Pure Cycle having the capabilities to directly provide these services. The complexities of the supplies and their implementation will require specialized expertise. How exactly are the services planned to be provided?

Response: Pure Cycle together with the Rangeview Metropolitan District have invested tens of millions of dollars into developing its water and wastewater systems serving eastern Arapahoe County including:

- ***25,000 acre feet of Denver Basin Groundwater;***
- ***3,300 acre feet of average yield Surface Water;***
- ***30,000+ acre feet of Surface Storage Rights;***
- ***500 acre feet WISE water supplies;***
- ***More than 15 miles of transmission pipelines;***
- ***1 MG finished water storage;***
- ***About 3 miles of wastewater collection sewers;***
- ***Existing wastewater reclamation facility for the Ridgeview youth services campus;***
- ***More than 80 acre feet of effluent storage reservoirs.***

Pure Cycle is well capitalized and employs highly experience water and wastewater professionals who have been providing high quality water and wastewater service to Arapahoe County for more than 15 years. Pure Cycle together with Rangeview will submit detailed water and wastewater service plans as part of its 1041 and FDP application.

3. Transportation

Comment: Sky Ranch's transportation plan assumes that the development will use I-70 for many trips in the initial stages of development, since streets connecting to Aurora will not exist. Aurora's transportation master plan, the Northeast Aurora Transportation Study, does not include the Sky Ranch area, nor does it assume any substantial development east of Aurora. Such development will impact street capacity and likely trigger improvements to Aurora streets, thus raising costs to our developers and existing and future residents.

Response: While Sky Ranch is not labeled in the figure summarizing Master Planned Areas in the NEATS study, the traffic analysis zones 1820, 1821, and 1822 are labeled as Sky Ranch and include 1, 523 households and 85 employees. This suggests Sky Ranch was included in NEATS. The natural draw of traffic to I-70 will likely result in Aurora traffic traveling north to I-70 via Monaghan Road through Arapahoe County at a higher volume than Sky Ranch traffic passing south and west into Aurora.

Comment: If the arterial roadway connections to Aurora are not realized, then the Sky Ranch development will place a heavy reliance on I-70. Like our own street system, the existing I-70 corridor was not designed with a development like Sky Ranch in mind. If Sky Ranch goes forward, the City will need to be involved with the necessary systems and project level feasibility studies, as well as the environmental clearances necessary for the use of the I-70 interchange and discussion regarding impacts to adjacent property. This effort will need to be in compliance with the CDOT Interchange 1601 process.

Response: We assume this would be coordinated between City and County staffs.

Comment: Aurora's arterial and CDOT's interstate system have not been planned to accommodate Sky Ranch. Improvements and associated costs to these roads have not been accounted for in the application, and are left to be subsidized by the taxpayers of Colorado and Aurora.

Response: Applicant will be developing arterial roadway improvements pursuant to County standards and will be working with CDOT, the City of Aurora, and surrounding property owners on interchange improvements pursuant to the 1601 process.

Comment: In addition, Aurora would offer the following specific comments:

- Only the eastern two lanes of Monaghan are proposed to be built from the Area 8 northern limit to I-70. The applicant's plans show Monaghan as a six-lane arterial. When would the rest of the east side of the road be built and who would pay for it?

Response: A full six-lane alignment is expected to occur after both the interchange is improved and the property owner between I-70 and Sky Ranch develops. It is expected that future phases of Sky Ranch would participate in this effort. Much of the short-term two-lane connection will be abandoned and repurposed once the permanent alignment is established.

- The 2007 Aurora Northeast Area Transportation Study (NEATS) shows Monaghan from I-70 south to 6th Ave as an 8-Lane arterial based on traffic projections. The applicant's plans show this stretch of Monaghan being a 6-lane arterial instead.

Response: The NEATS study shows 60,000 vehicles per day using Monaghan Road in 2030 both north and south of 6th Avenue. The section north of 6th Avenue is shown as eight lanes and to the south as six lanes. 144 feet of right-of-way is planned for dedication, per the typical Arapahoe County cross-section for a six lane arterial. If the 1601 process confirms the need for eight lanes, the additional lane (in each direction) may be accommodated in the twenty-three foot (23') tree lawn. The ten foot (10') sidewalk may then be constructed outside and adjacent to the aforementioned 144 feet of right-of-way, in a twelve foot (12') sidewalk easement. Please refer to the cross-sections on the Preliminary Development Plan (PDP).

- The second point of emergency access to Area B is proposed to be a fairly complex and indirect path along existing and proposed gravel roads. Is this route and gravel surface acceptable for fire and other emergency access?

Response: This will be coordinated through the review process with Arapahoe County and Bennett Fire.

- The drainage improvements for Area B need to be completed per UDFCD Master Plan for First Creek.

Response: It is our understanding that the current First Creek Master Plan is being amended. We have been working with the County, SEMSWA and Urban Drainage, to propose a drainage plan that will be supported, operated and maintained by said governing agencies. The plan presented herein has that support.

- We suggest that drainage improvements in Area B should be completed prior to the first Certificate of Occupancy for Area B.

Response: Neighborhood B will be developed in phases. The construction plans will indicate the extent of infrastructure necessary to support each phase.

4. Airport Noise

Comment:

- Residential Land Use Proposed in 60 LON Contour.

The northernmost portion of the proposed project (Northwest quarter of Section 3, T4S, R65W) is located within the 60 LON contour (Commercial Airport Noise Area) of Denver International Airport. The proposed site plan appears to include residential land uses within this contour. Residential land uses within the 60 LON contour are not permitted, particularly since this development is located directly south of runway 35U1 7R and will be subject to near continuous overflights from air traffic at DIA.

- Additional Airport Noise Issues and Special Construction Recommendations

The entire project is located within the Noise Impact Boundary Area (NIBA) and airport influence area of DIA and the westernmost portion of the project is within the airport influence district of Buckley AFB. All residential structures within the NIBA should include noise level reduction measures to achieve an interior noise level reduction of 25 decibels in A-weighted values. Such noise reduction measures would be required if the project were located in (or would be annexed into) Aurora.

- Avigation Easement and Notice Requirements

The applicant will need to convey an avigation easement to Arapahoe County and to Denver International Airport and record this easement with the Arapahoe County Clerk and Recorder. The applicant will also need to provide notice to all prospective purchasers that the property is located within an airport influence district.

Response: Neighborhood B, which is identified for initial phase development, does not include any property located with the 60LDN contour of Denver International Airport.

Notwithstanding this, Air Rights Covenant and Avigation Easements recognizing DIA and Buckley Air Force Base are established and recorded for the property.

Comment: Sky Ranch does 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 this proposal.

Response: Acknowledged.

Comment: Alternatively, 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: It is the intent to have the proposed development remain in unincorporated Arapahoe County.

If you have any additional questions please do not hesitate to contact me directly at 720.249.3539.

Sincerely,
CVL Consultants of Colorado, Inc.

Melinda E. Lundquist

Melinda Lundquist, PE
Vice President



a water and wastewater services company

July 8, 2016

Tri-County Health Department
6162 South Willow Drive, Suite 100
Greenwood Village, CO 80111
Attn: Ms. Laurel Broten (also by Email to lbroten@tchd.org)
cc: Mr. Warren Brown (also by Email to wbrown@tchd.org)

This information is provided as a point-by-point response to issues raised in your July 6, 2016 referral comment letter for the Sky Ranch Preliminary Plat and Preliminary Development Plan Amendments, TCHD case #3950. Information is addressed in the order raised in your letter.

Wastewater Treatment Plant – Approvals: Comment noted. We are familiar with the regulatory requirements and approval process with the Water Quality Control Division and are proceeding with that step-wise process. Given the costs and extended timing of both the land use and WQCD regulatory approval processes, we suggest that having final approvals from the WQCD for the wastewater facilities should be tied as a condition precedent to the County's issuance of **building permits** for the Sky Ranch development (and not tied to "prior to application for Final Development Plan"); and suggest that this is equally protective of public health and environmental protection.

Wastewater Treatment Plant - Nuisance Odors: Comment noted. Developer is committed to covering the pretreatment works, aeration basins, and biosolids handling facility, and also to provide odor control equipment, at the time of construction of the first phase wastewater reclamation facilities (WWRF); consistent with General Notes 7 and 8 on Sheet 1 of the PDP Amendment (below):

7. THE WASTE WATER FACILITY SHALL EMPLOY ODOR MITIGATION MEASURES INCLUDING COVERING TANKS, LANDSCAPE BUFFERS, AND FILTERING. IMPLEMENTATION OF THIS TECHNOLOGY SHALL BE IN LIEU OF PROVIDING 1000' BUFFER AROUND THE FACILITY.

8. THE PRELIMINARY TREATMENT WORKS (I.E. SCREENING, FLOW MEASUREMENT AND GRIT REMOVAL EQUIPMENT) AND THE SEQUENCING BATCH REACTOR BASINS WILL BE COVERED, AND BIOLOGICAL, CHEMICAL OR PHYSICAL ODOR CONTROLS WILL BE DESIGNED INTO THE PLANS AND SPECIFICATIONS FOR THE WASTEWATER TREATMENT PLANT TO REDUCE ANY POTENTIAL ODOR IMPACTS FROM THE PLANT.

This negates the need for the county and TCHD to develop and implement a notification process of when building permits are issued within 1,000 feet of the WWRF.

Water Treatment Plant: Comment noted. Please see discussion above dealing with the approval process for the wastewater system.

Environmental Cleanup:

1. Surficial soil sampling for pesticides in the area of the AeroSpray, Inc. trailer: Since my involvement with the project, which started in 2003, there has been no onsite pesticide storage at the Sky Ranch property. Some unspectacular use of pesticides and herbicides has been practiced at the Sky Ranch property as is normal and typical agricultural practice in the region.
2. Registration and compliance status of the 2,000-gallon aboveground diesel storage tank: Since my involvement with the project, which started in 2003, there has been no above-grade fuel storage tanks at the site.

I did track down a brief discussion about the tank in the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc:

This tank is not owned or controlled by ICON. A telephone conversation was held on October 7th, 2003 with Mr. Steve Wakeham of Pipeline Industries Inc, the owner of the tank. Mr. Wakeman indicated that the tank was empty and that he was not aware it had ever been used at this site. Additional conversations with Kyle Odegaaart and Scott Simons of the OPS on October 17th, 2003 indicate that this is a non-regulated tank, assuming that the construction company will remove it upon completion of the project.

3. Surficial soil sampling of the biosolids application areas and the base of the sewage lagoons: From page 5 of the July 23, 2010 "Phase I Environmental Assessment Update" prepared by CTL | Thompson,

Our review of environmental studies provided by Pure Cycle¹ indicates that sampling related to crop dusting, application of biosolids, and on site waste water treatment have revealed no residual levels of pesticides, chlorinated solvents, or metals related to historic operations conducted on site.

Excerpts from the March 26, 2009 "Limited Phase II Environmental Site Assessment" prepared by ENERCON are provided below and, with the exception of Arsenic, indicate that the bottom of the lagoon and the biosolids application site are clear. (Note: **bold emphasis added** to excerpts.)

Soil Boring DP-4 was installed in the bottom of the northwest dry sewage lagoon in the north central portion of the property and extended to a total depth of 32.5 feet below the bottom of the sewage lagoon. The bottom of the sewage lagoon was approximately 8 to 10 feet below surface grade. Soil samples from the 1- to 2-foot and 7- to 8-foot BGS intervals of the soil boring were selected for laboratory analysis. The shallow 1- to 2-foot soil sample contained an arsenic concentration of 2.6 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. The soil sample from 7 to 8 feet contained no detectable concentration of arsenic. However, the laboratory detection limit for the 7- to 8-foot sample was 1.4 mg/kg. Thus, this sample also potentially exceeds the regulatory limit for arsenic in

¹ Please see Appendix A hereto for an annotated listing of Previous Environmental Assessments considered by CTL Thompson in the preparation of their July 22, 2010 ESA Update.

soil. All other chemicals of concern from each sample were below the analytical laboratory detection limits.

Soil boring SB-1 was installed in the dry bottom of the southern sewage lagoon to a total depth of about 3 feet BGS; which was about 8 to 10 feet below surface grade. A soil sample was collected from the 1- to 3-foot BGS interval for laboratory analysis. This soil sample contained arsenic at a concentration of 2.4 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Soil boring SB-2 was installed in the dry bottom of the northeastern sewage lagoon to a total depth of about 3 feet below the base of the lagoon; which was about 8 to 10 feet below surface grade. A soil sample was selected from the 1- to 3-foot BGS interval for laboratory analysis. This soil sample contained arsenic at a concentration of 2.3 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Hand auger sample HA-13 was collected in the former biosolids storage area near the northeastern corner of Section 10. A soil sample was selected from the 1- to 2-foot BGS interval for laboratory analysis. This soil sample contained an arsenic concentration of 4.2 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Note that “chemicals of concern” in the above context included: Metals, VOCs, Pesticides, Herbicides and PCBs.

Concerning levels of Arsenic referenced above, ENERCON “recommended further study in regards to arsenic levels on site, as many areas in Colorado have background levels of arsenic in excess of State standards.” This additional investigatory work, consisting of fifteen additional soils samples collected from across the property, was performed as evidenced by the following excerpts from the May 14, 2009 “Determination of Background Arsenic Concentration” prepared by ENERCON Services Inc:

“Results of the additional soil sampling indicate the arsenic levels detected during the March 2009 Phase II investigation appear to be similar to background concentrations in the area.”

“Laboratory results of additional shallow soil sampling revealed arsenic concentrations ranging from 3.3 mg/kg (HA-5) to 8.5 mg/kg (HA-10) with an average concentration of 5.7 mg/kg (see Laboratory Reports, Attachment D). These concentrations were examined using the CDPHE’s “Guidelines for Determining Background Concentrations” (see attached). Using this guideline, a background arsenic concentration of 7.6 mg/kg was calculated for the site. These calculations are included as Attachment E. The only sample collected showing concentrations greater than the calculated background sample was HA-10, collected along the northern boundary of the site in the northeast quarter of Section 4 (see attached site map). The concentration from this sample appears anomalous and does not

appear to be attributed to potential arsenic sources, and is considered to be naturally occurring."

Finally, the following excerpts from the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc., also address the old lagoons and the sludge disposal area:

Surficial soil sampling at the base of the sewage lagoons for RCRA metals and volatile organic compounds. Two samples from the sewage lagoons were acquired on October 7th, 2003. The samples were taken from the northern most settling ponds adjacent to the inlet. These samples were analyzed for 8 RCRA metals and VOC's using EPA Methods 6010 and 8260. The results of the samples were either non-detect or well below the Colorado Department of Public Health and Environment, Soil Remediation Objectives for unrestricted residential use.

Surficial soil sampling of the biosolids application area for RCRA metals. The Colorado Department of Public Health and Environment requires the operator of the bio-solids application firm to perform soil sampling. On October 17th, 2003 Western Environmental and Ecology contact Wes Carr of the Colorado Department of Public Health and Environment, Biosolids Program. Mr. Carr stated that no permit violations have occurred at the site...

4. Schedule for ceasing the application of biosolids at the site: Since my involvement with the project, which started in 2003, there has been no application of biosolids at the site.
5. Ground water quality investigation for in the vicinity of the hangar and the crop duster trailer areas: Excerpts from the March 26, 2009 "Limited Phase II Environmental Site Assessment" prepared by ENERCON are provided below and, with the exception of Arsenic, indicate that the soils in the vicinity of the old hangar and crop duster operation are clear. (Note: **bold emphasis added** to excerpts.)

Soil boring DP-1 was installed near the former crop dusting operations trailer on the northern portion of the property and extended to a total depth of 45 feet BGS. A soil sample was selected from the 6- to 7-foot BGS interval for laboratory analysis. This soil sample contained a detectable concentration of naphthalene of 0.047 milligrams per kilogram (mg/kg). However, the concentration was well below the CDPHE Soil Evaluation Value of 23 mg/kg for protection of groundwater. Concentrations of all other analyzed chemicals of concern were below laboratory detection limits.

Hand auger sample HA-2 was collected near direct-push soil boring DP-1 in the area of the former hangar foundations and crop dusting area in the northern portion of the property. A soil sample was selected from the 1- to 2-foot BGS interval for laboratory analysis. This soil sample contained no detectable concentrations of any chemicals of concern.

Further, an excerpt from the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc., is provided below:

Surficial soil sampling in the vicinity of the crop duster trailer for pesticides: Two soil sample were acquired and analyzed for chlorinated pesticides in accordance with EPA Method 8081. Samples were taken from directly beneath the trailer fill connection and approximately 1.5 feet to the north where the aircraft would have been filled. The results of the samples were non-detect or well below the Colorado Department of Public Health and Environment, Soil Remediation Objectives for unrestricted residential use.

6. Inventory of various containers stored on site: At this time there are no containers on the site and I am unaware of the disposition of any containers that might have been referenced in previous site assessments. I did track down a brief discussion about the tank in the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc:

It is the responsibility of the aircraft owners to maintain and dispose of their own wastes. On October 16th, 2003, Western Environment and Ecology, Inc. posted notices on each of the leased hanger spaces that reminded tenants to properly store and dispose of maintenance fluids and lubricants. Additionally, the rental agreement prohibits the improper storage or disposal of wastes.

7. Documentation of completion of monitoring and formal closure of the former underground storage tank sites: As Appendix B hereto, please find a copy of the June 8, 2015 letter from the Petroleum Program, Division of Oil and Public Safety, Colorado Department of Labor and Employment finding that "No Further Action" is required at the subject Silco Oil site.

Copies of the 120-page July 23, 2010 "Phase 1 Environmental Assessment Update" prepared by CTL | Thompson; or any of the other previous environmental assessments listed in Appendix A hereto, are available upon request.

Water Supply: Comment noted. As you have noted, we appreciate that Arapahoe County is primarily charged with establishing the adequacy of water supplies for new development within unincorporated areas of the county. Working together, Rangeview Metropolitan District, the Sky Ranch Metropolitan Districts, and Pure Cycle Corporation have extensive water resources and water supply facilities available to serve the Sky Ranch development.

We hope that this information addresses your comments and we remain available to discuss these matters further at your convenience.

Pure Cycle Corporation



Scott E. Lehman, P.E.

cc: Mr. Sherman Feher, Arapahoe County Planning Department (also by Email to SFeher@arapahogov.com)

Appendix A

Annotated listing of Previous Environmental Assessments considered by CTL | Thompson in the preparation of their July 22, 2010 ESA Update.

- (118 pages) **Phase I ESA, Aurora Airpark 28580 East Colfax Avenue, Arapahoe County, Colorado, ERO Resources Corporation, July 31, 2002:** Approximately 773 acres of the site were included in this investigation. Several recognized environmental conditions (REC) were identified including the presence of a biosolids staging area, crop dusting operations, historical use of petroleum products and chlorinated solvents, on site sewage treatment, several waste disposal areas, and hazardous material storage and usage. ERO had several recommendations including soil sampling related to the crop dusting and biosolids and sewage lagoons operations, completion of an additional groundwater well north of the Airpark LUST, and a soil investigation related to the Barn Store LUST.
- (13 pages) **Phase I ESA, Northwest ¼ Section 10, Township 4 South, Range 65 West, Aurora, Colorado, Western Environment and Ecology, Inc., August 18, 2003:** Approximately 158 acres of the site were included in this investigation and the property is located in the south central portion of the site currently under investigation. Reportedly, this portion of the site has only been used for agricultural purposes. The Western report concluded that there were no RECs associated with the 158 acres.
- **Limited Environmental Sampling Program: Sky Ranch, Ground Engineering and Consulting, Inc., September 21, 2005:** Subsequent to a geotechnical investigation where petroleum odors were detected in one of the borings, Ground was requested to perform limited soil sampling. Sample results indicated levels of hydrocarbons below State standards, and the report did not recommend further study. It should be noted that the figure indicating sample locations is relatively unclear. (Note: I still need to track down a copy of this report if requested by TCHD)
- **Summary of Monitoring and Remediation Efforts for 28100 East Colfax Avenue, Altus Environmental, September 6, 2005:** Per the request of LaSalle Bank National Association, Altus provided a brief summary of the LUST event that took place at the Barn Store located on the northwest portion of the site. This event is discussed in the Public Records section of this letter. (Note: I still need to track down a copy of this report if requested by TCHD)
- (267 pages) **Phase I Environmental Site Assessment: Sky Ranch, 28100 and 28580 East Colfax Avenue, ENERCON Services, Inc., December 23, 2008:** The ENERCON investigation was conducted on the entire 934 acres of the site. At the time of their investigation the site generally appeared how it does currently, with only two remaining structures on site, three dry sewage lagoons, runways, and a model airplane use area, and foundation and dispenser island remnants. Several RECs were identified including the use of biosolids, crop dusting operations, historical use and storage of petroleum products and chlorinated solvents, on site sewage treatment, an abandoned vehicle and the ongoing ground water remediation associated with the former Barn Store.

- (176 pages) **Limited Phase II Environmental Site Assessment:** Sky Ranch, 28100 and 28580 East Colfax Avenue, ENERCON Services Inc., March 26, 2009: Subsequent to the findings published in their December 2008 Phase I report, ENERCON was contracted to perform a limited Phase II investigation of the subsurface conditions related to the crop dusting operations, hazardous material storage, sewage lagoons and former USTs/ASTs located on site. Five “deep” (32.5 to 45 feet below ground surface) monitoring wells were completed; however ground water was not reached at the time. A monitoring well previously installed as part of the Aurora Airpark LUST site was used to collect a ground water sample. Petroleum hydrocarbons in excess of State standards were present. Soil samples collected from the deep soil borings do not appear to be significantly impacted from previous operations conducted on site; however arsenic in concentrations exceeding State standards were detected at the surface of some samples. ENERCON recommended further study in regards to arsenic levels on site, as many areas in Colorado have background levels of arsenic in excess of State standards.
- (54 pages) **Determination of Background Arsenic Concentration:** Sky Ranch at 28100 and 28580 East Colfax Avenue, ENERCON Services Inc., May 14, 2009: Results of the additional soil sampling indicate the arsenic levels detected during the March 2009 Phase II investigation appear to be similar to background concentrations in the area.

Appendix B

**June 8, 2015 letter from the Petroleum Program, Division of Oil and Public Safety,
Colorado Department of Labor and Employment**

JOHN HICKENLOOPER
Governor

ELLEN GOLOMBEK
Executive Director

MAHESH ALBUQUERQUE
Division Director



DEPARTMENT OF LABOR AND EMPLOYMENT

DIVISION OF OIL AND PUBLIC SAFETY

Petroleum Program
633 17th Street, Suite 500
Denver, Colorado 80202-3610
Phone: 303-318-8500; Fax 303-318-8546
Web: <http://colorado.gov/cdle/ops>
Email: cdle_remediation@state.co.us

June 8, 2015

VIA EMAIL

SUSAN VANDERBERG
SILCO OIL
28100 EAST COLFAX AVENUE
WATKINS CO 80137

Re: No Further Action (NFA) determination at Silco Oil, 28100 East Colfax Avenue, Watkins, Adams County, Colorado (Event ID 7212)

Dear Ms. Vanderberg:

The Division of Oil and Public Safety (OPS) has reviewed the First Quarter 2015 Monitoring and Remediation Report and No Further Action (NFA) Request report for the above-referenced site received on May 27, 2015.

Based solely upon the information submitted it appears you have removed the source of contamination and reduced the potential for endangerment to human health, safety, and the environment as a result of the contamination at this property.

A soil and groundwater fate and transport model was used to demonstrate compliance with State closure criteria. If you need additional information, please contact the Public Records Center at 303-318-8525 to set up a file review.

In light of the remedial action taken at this site, and the confirmatory modeling results, OPS does not require any further investigation or remedial action at this time. **OPS cannot release you from any liability that may be associated with any petroleum contamination at or from this site. If the function of the property is modified, OPS must be contacted immediately.** This NFA letter is in reference to confirmed petroleum release reported at the above referenced site on January 27, 1999.

Please address correspondence regarding this event to me, and if you should have any questions please contact me at (303) 318-8540.

Sincerely,

Vincent P. Secondo, P.G.
Environmental Protection Specialist
Petroleum Program

cc: Catt Wilson, P.E., Altus Environmental, via email
Scott Lehman, PCY Holdings, Inc., via email
Chuck Attardo, Colorado Department of Transportation, via email



LSC TRANSPORTATION CONSULTANTS, INC.

1889 York Street
Denver, CO 80206
(303) 333-1105
FAX (303) 333-1107
E-mail: lsc@lscdenver.com

July 21, 2016

Mr. Mark Harding
Sky Ranch Metro District 5
c/o Pure Cycle Corporation
34501 E. Quincy Avenue, Bldg. 34, Box 10
Watkins, CO 80137

Re: Sky Ranch Neighborhood B
Traffic Study Update
Arapahoe County, CO
(LSC #150270)
County Case No. Z16-003

Dear Mr. Harding:

At your request, we have prepared this response to address transportation comments from CDOT, the City of Aurora, and Arapahoe County on the Sky Ranch Neighborhood B development. The most recent traffic study for the site is the May 27, 2016 *Sky Ranch Neighborhood B TIA*. The following are the comments and our responses:

CDOT COMMENTS

Paul Sherner 6-9-16

Comment 1: CDOT has concerns regarding potential vehicle queuing at the intersection immediately south of the I-70 EB off ramp. Current intersection separation is approximately 150 feet.

Response: Conclusions and Recommendations #12 states the southbound approach could operate at LOS "E" by 2036 with full development of 774 residential dwelling units. A single-lane roundabout was suggested for mitigating poor levels of service. It could also be used to mitigate long queue lengths.

Comment 2: What is the currently planned timeline to realign Monaghan Rd shown as the dashed line in the study? The intersection lane diagrams show no changes to the current roadway and intersection geometry through the 2036 timeline. Without this re-alignment, CDOT fears that backups will occur on the EB off-ramp during the PM peak hour, even with the proposed mitigation of an all-way stop at the south intersection. The study needs to investigate this potential issue, and identify any needed mitigation measures and the time line for mitigation.

Response: The extension south is through property not controlled by the applicant so the timing is unknown. A single-lane roundabout could be implemented in the future if needed to mitigate poor levels of service or long queue lengths. See response to Comment #1 above.

Resident Engineer

Comment 1: R1 asks that Arapahoe County have a process in place to guarantee that this phase of the Sky Ranch Development would be the only additional traffic that would be added to the Airpark Rd. Interchange from the new access until a 1601 process is completed on the interchange.

Response: No response.

Comment 2: We concur with Paul Scherner that vehicle queuing at the intersection of Monaghan Rd. and I-70 Frontage Rd. will become a problem.

Response: See response to Comments #1 and #2 above.

Comment 3: At some point the I-70 Frontage Rd. will need to be located further South when traffic volumes dictate. ROW should be preserved for this.

Response: The referenced ROW would be dedicated from property not controlled by the applicant.

Comment 4: The 300 foot radius for 2 lane Monaghan approaching I-70 should be increased to include 6 lanes in the future.

Response: This specific section of Monaghan Road is expected to be abandoned or repurposed once the I-70/Monaghan Road interchange is improved.

Permit Comments

Comment 1: I am not inclined to support the letter written by Chuck Binford, then acting Access manager for Region 1, from 11-17-2003 for the following general reasons:

- a. This is a different zoning plan with a different phasing scheme. This is a different TIA from the one Binford reviewed – dated 11-2003.

Response: The proposed land use type (residential) and trip generation potential are consistent with the prior studies. The methodology was based on our prior coordination meeting with both Arapahoe County and CDOT.

- b. Too much has changed with regards to nearby annexations, zonings and background traffic.

Response: We are not aware of any such actions that would effect the south side of the I-70/Monaghan Road interchange.

c. Too much has changed with regards to the climate for funding studies & improvements, as well as procedural processes.

Response: It is our understanding that CDOT would not be funding the studies.

Comment 2: More specifically, I wish to begin by pointing out how the two TIA studies are different. The land use scheme layout & internal roadway structure is different. It is not a simple comparison, rather apples to oranges. That being said, and recognizing certain similarities, I have prepared a brief comparison of the two studies recommendations.

Response: The comment letter provides various differences between the prior and current studies. What is important to note is the proposed land use type (residential) and trip generation potential are almost identical. These are the two most relevant items for an access permit.

Comment 3: CDOT also desires to understand what is the position & concerns of other service providers to this property in terms of access. In particular the Bennett Fire District for life-safety, and the Bennett School district. It would appear that 100% of the traffic for phase 1 must utilize the interstate even for the shortest of daily routine trips. There appears to be no commitment (or time frame) to build an offsite roadway network at an earlier date that would make critical connections for these basic services & needs.

Response: These items will be coordinated through the review process with Arapahoe County.

Comment 4: Arapahoe County needs to present to CDOT the revised TIA that was to be done when the PBSJ study was complete. Or, is this new version of the TIA the outcome of that feasibility study? If so, and whereby this study shows no funding mechanism in place at this time, I can not be supportive or consenting to the recommendations contained therein.

Response: Arapahoe County?

Comment 5: Furthermore, CDOT has a copy of a "Revised TIA, for Sky Ranch II" dated February 1, 2006 for Neumann Homes. We are not aware of the standing of this document, was it approved along with a zoning amendment? It too has recommendations similar to the 2003 edition and the current TIA makes no mention of this study or recommendations therein. The same question as above, was this 02-01-06 version of the TIA the outcome of the PBSJ Study?

Response: We specifically referenced the 2003 TIA per direction from Arapahoe County as that was the version the approved documents were based on.

Comment 6: It is evident that not all the facts were disclosed or shared with CDOT at our earlier meeting & discussion.

Response: This is not evident to the project team. Our intent in meeting with CDOT and Arapahoe County together was to facilitate an open discussion and further define the scope of work of the traffic study that was completed.

CITY OF AURORA COMMENTS

Transportation

Comment 1: Sky Ranch's transportation plan assumes that the development will use I-70 for many trips in the initial stages of development, since streets connecting to Aurora will not exist. Aurora's transportation master plan, the Northeast Aurora Transportation Study, does not include the Sky Ranch area, nor does it assume any substantial development east of Aurora. Such development will impact street capacity and likely trigger improvements to Aurora street, such raising costs to our developers and existing and future residents.

Response: While Sky Ranch is not labeled in the figure summarizing Master Planned Areas in the NEATS study, the traffic analysis zones 1820, 1821, and 1822 are labeled as Sky Ranch and include 1,523 households and 85 employees. This suggests Sky Ranch was included in NEATS at some level. The natural draw of traffic to I-70 will likely result in Aurora traffic traveling north to I-70 via Monaghan Road through Arapahoe County at a higher volume than Sky Ranch traffic passing south and west into Aurora.

Comment 2: If the arterial roadway connections to Aurora are not realized, then the Sky Ranch development will place a heavy reliance on I-70. Like our own street system, the existing I-70 corridor was not designed with a development like Sky Ranch in mind. If Sky Ranch goes forward, the City will need to be involved with the necessary systems and project level feasibility studies, as well as the environmental clearances necessary for the use of the I-70 interchange and discussion regarding impacts to adjacent property. This effort will need to be in compliance with the CDOT Interchange 1601 process.

Response: We assume this would be coordinated between City and County staffs.

Comment 3: Aurora's arterial and CDOT's interstate system have not been planned to accommodate Sky Ranch. Improvements and associated costs to these roads have not been accounted for in the application, and are left to be subsidized by the taxpayers of Colorado and Aurora.

Response: See response above to Comment #1.

Comment 4: In addition, Aurora would offer the following specific comments:

- **Only the eastern two lanes of Monaghan are proposed to be built from the Area B northern limit to I-70. The applicant's plans show Monaghan as a six-lane arterial. When would the rest of the east side of the road be built and who would pay for it?**

Response: A full six-lane alignment is expected to occur after both the interchange is improved and the property owner between I-70 and Sky Ranch develops. It is expected that future phases of Sky Ranch would participate in this effort. Much of the short-term two-lane connection will be abandoned or repurposed once the permanent alignment is established.

- **The 2007 Aurora Northeast Area Transportation Study (NEATS) shows Monaghan from I-70 south to 6th Ave as an 8-Lane arterial based on traffic projections. The applicant's plans show this stretch of Monaghan being a 6-lane arterial instead.**

Response: The NEATS study shows 60,000 vehicles per day using Monaghan Road in 2030 both north and south of 6th Avenue. The section north of 6th Avenue is shown as eight lanes and to the south as only six lanes. This will need to be coordinated between City and County.

- **The second point of emergency access to Area B is proposed to be a fairly complex and indirect path along existing and proposed gravel roads. Is this route and gravel surface acceptable for fire and other emergency access?**

Response: This will be coordinated through the review process with Arapahoe County.

ARAPAHOE COUNTY COMMENTS

Traffic Impact Study (TIS)

Comment 32: Please be advised that the TIS for this development established a traffic generation budget. The traffic budget is associated with improvements provided by the developer to maintain acceptable roadway capacity and level of the services per County criteria. If the Final Development Plan applications at later time that propose to exceed the traffic budget, they would not be accepted without additional analysis and improvements that demonstrate the increase could be accommodated within County criteria.

Response: Traffic counts or trip generation compliance letters can be provided at critical points to verify the trip generation budget for the site is not exceeded.

Comment 33: The study includes design years of 2025, 2030, and 2036. What year is the opening year for this project? The opening year should be evaluated in the study.

Response: Completion year is estimated to be 2025. The 2030 scenario covers the County's five-year after buildout requirement and the 2036 scenario covers both the County's and CDOT's long-range 20-year requirements.

Comment 34: Please specify the annual growth rate per the County Transportation Plan for the roadways in the study area.

Response: US 36 north of I-70 and the I-70 Frontage Road are not shown in Figures 28 (2020 total traffic) or on Figure 30 (2035 total traffic) of the 2010 Arapahoe County 2035 Transportation Plan. We feel the assumed annual growth rates of one percent on the Frontage Road and two percent on Colfax Avenue are appropriate without reconstruction of the I-70/Monaghan Road interchange and no development within Sky Ranch.

Comment 35: Please know that this TIS is currently under the review by CDOT. The confirmation of the previous approval for the Airport/I-70 interchange capacity is necessary to proceed the development.

Response: Comment noted.

Comment 36: Average Daily Traffic for I-70 is omitted from Figures 4 to 6. Please revise.

Response: This can be added to an updated study if determined to be necessary after discussing with staff. Generally speaking the volume on free-flow I-70 is not that relevant for the scope of the study.

Comment 37: Please include roadway capacity information within the Figures as the following - site generated traffic/Total traffic/roadway capacity/assumed number of lanes.

Response: The capacity of a two-lane roadway is generally assumed to be a minimum of about 10,000 vehicles per day (vpd). The highest daily volume projected between the site and the I-70 Frontage Road is 7,370 vpd per Figure 14a with full development of 774 residential dwelling units.

Comment 38: Figure 8: show the distribution of the site generated traffic at each access point.

Response: This can be added to an updated study if determined to be necessary after discussing with staff.

Comment 39: Overall, the proposed study shows that no realignment of Monaghan Road will occur or be necessary through year 2036 (LOS is acceptable level per the Study). Staff will like to see CDOT's response on this.

Response: The Monaghan Road extension will be on property not controlled by the applicant so the timing is unknown. The report suggests a single-lane roundabout may be necessary by 2036 at the intersection of Monaghan Road with the I-70 Frontage

July 21, 2016

Road. This can be reevaluated once the first 502 dwelling units are mostly constructed during the approval process for the additional 272 dwelling units.

Comment 40: An emergency access was shown on the Preliminary Plat. Please include the discussion of the emergency access in the report.

Response: This can be added to an updated study if determined to be necessary after discussing with staff.

* * *

We trust that these responses will assist in the planning efforts for the Sky Ranch Neighborhood B development. Please call us if we can be of further assistance.

Respectfully submitted,

LSC Transportation Consultants, Inc.

By: 

Christopher S. McGranahan, P.E., PTOE

CSM/wc



COLORADO

Department of Transportation

Transportation Systems
Management & Operations

Region 1 Permits Unit
2000 S Holly St
Denver, CO 80222

MEMORANDUM

TO: Chris Mcgranahan, Mark Harding, Sue Liu

FROM: Marilyn Cross

CC: Kurt Kionka, Barb DeSarro, Rick Solomon, Melinda Lundquist, Chuck Haskings, Sherman Feher, Steve Loeffler, Paul Scherner, file

DATE: 8/19/2016

SUBJECT: SKY RANCH - CDOT UPDATED COMMENTS

On August 8, 2016 CDOT staff met with Arapahoe County and the Sky Ranch Project Team to discuss CDOT's concerns and comments. After the August 8th meeting CDOT staff held an internal meeting to discuss the issues presented to us at the meeting.

Our Comments back to the County and Development Team are summarized below:

1. CDOT would support an initial access permit application that would accommodate traffic from the first phase of construction (500 residential units), including other land uses proposed (commercial or non-residential) that could be allowed based on traffic equivalency. CDOT agrees the tight diamond configuration of the ramp and frontage road has additional capacity to serve an initial phase with a threshold of 500 units. When the 500 units are built, a new permit may be needed for modifications to the ramp and frontage road. One option suggested for consideration was a round-about. Limiting the permit to 500 units, would give CDOT and the County the opportunity to monitor and re-evaluate the operation of the roads.
2. CDOT supports the note on the PDP that states that no development beyond the identified 774 residential units may occur until the 1601 process is complete.
3. CDOT requests that no access to local roads occur within at least 800 feet of the current Frontage Road. This request is because there is no current design for a new interchange that would be developed through the 1601 process and we want to keep all options open. The State Highway Access Code states that access rights should be obtained for a distance of 550 feet along the lesser street or cross road, measured from the radius point of any ramp touch. We feel that the 800 feet could allow for that. CDOT would request the County to establish Access Control Lines (A-lines) for this purpose.
4. Please include CDOT Region 1 in a referral of the finalized PDP and the updated traffic study.
5. CDOT will seek to gain support for an I-70 PEL that will bring together Arapahoe and Adams County, City of Aurora, Town of Bennet to examine all interchanges, existing and proposed between Picadilly and Kiowa Bennett Road.
6. Baseline Access permits will be requested of Arapahoe County at the interchange ramps. Baseline counts would include traffic from existing mobile home park. CDOT may require by term or condition actual traffic counts to monitor the thresholds agreed to.



STATE OF COLORADO

Traffic & Safety

Region 1

2000 South Holly Street

Denver, Colorado 80222



COLORADO

Department of Transportation

Project Name: **Sky Ranch**

Print Date: 7/7/2016

Highway:

070

Mile Marker:

Traffic Comments:

Paul Scherner 6-9-16

CDOT has concerns regarding potential vehicle queuing at the intersection immediately south of the I-70 EB off ramp. Current intersection separation is approximately 150 feet.

What is the currently planned timeline to realign Monaghan Rd shown as the dashed line in the study? The intersection lane diagrams show no changes to the current roadway and intersection geometry through the 2036 timeline. Without this re-alignment, CDOT fears that backups will occur on the EB off-ramp during the PM peak hour, even with the proposed mitigation of an all-way stop at the south intersection. The study needs to investigate this potential issue, and identify any needed mitigation measures and the time line for mitigation.

Resident Engineer Comments:

R1 asks that Arapahoe County have a process in place to guarantee that this phase of the Sky Ranch Development would be the only additional traffic that would be added to the Airpark Rd. Interchange from the new access until a 1601 process is completed on the interchange.

We concur with Paul Scherner that vehicle queuing at the intersection of Monaghan Rd. and I-70 Frontage Rd. will be become a problem.

At some point the I-70 Frontage Rd. will need to be located further South when traffic volumes dictate. ROW should be preserved for this.

The 300 foot radius for 2 lane Monaghan approaching I-70 should be increased to include 6 lanes in the future.

Permits Comments:

I am not inclined to support the letter written by Chuck Binford, then acting Access manager for Region 1, from 11-17-2003 for the following general reasons:

- a. This is a different zoning plan with a different phasing scheme. This is a different TIA from the one Binford reviewed – dated 11-2003.
- b. Too much has changed with regards to nearby annexations, zonings and background traffic
- c. Too much has changed with regards to the climate for funding studies & improvements, as well as procedural processes.

More specifically, I wish to begin by pointing out how the two TIA studies are different. The land use scheme-layout & internal roadway structure is different. It is not a simple comparison, rather apples to oranges. That being said, and recognizing certain similarities, I have prepared a brief comparison of the two studies recommendations:

Early Improvements I-70 Frontage Road	Realign by year 3, approx. 1/8 mile south of interstate ramp with traffic signal if warranted	Not mentioned	possible single lane roundabout after the initial 502 homes are built. The initial 2003 study desired the Frontage Road realignment to be counted as part of the 1601- first phase improvements. 2003 TIA expected 6 th to be extended & connected to E-470 by year 3. New study does not give a tie-in date
Major Alternative Roadway connections	6 th Ave		2003 TIA expected Monaghan to extend to the south (to tie into Jewell?) by the 5 th year of development. New study does not give a date for this extension.
Major Alternative Roadway connections	Monaghan Rd		The 2003 TIA refers to a feasibility study for the Airpark Road interchange commissioned by Arapahoe County to be performed by PBSJ. <u>The original (11/03) TIA says when the PBSJ study is complete, the TIA will need to be revised</u>
Major Alternative Roadway connections	I-70 Frontage Road	Not mentioned	

CDOT also desires to understand what is the position & concerns of other service providers to this property in terms of access. In particular the Bennett Fire District for life-safety, and the Bennett School district. It would appear that 100% of the traffic for phase 1 must utilize the interstate even for the shortest of daily routine trips. There appears to be no commitment (or time frame) to build an off-site roadway network at an earlier date that would make critical connections for these basic services & needs.

Arapahoe County needs to present to CDOT the revised TIA that was to be done when the PBSJ study was complete. Or, is this new version of the TIA the outcome of that feasibility study? If so, and whereby this study shows no funding mechanism in place at this time, I can not be supportive or consenting to the recommendations contained therein.

Furthermore, CDOT has a copy of a "Revised TIA, for Sky Ranch II" dated February 1, 2006 for Neumann Homes. We are not aware of the standing of this document, was it approved along with a zoning amendment? It too has recommendations similar to the 2003 edition and the current TIA makes no mention of this study or recommendations therein. The same question as above, was this 02-01-06 version of the TIA the outcome of the PBSJ Study?

It is evident that not all the facts were disclosed or shared with CDOT at our earlier meeting & discussion.



September 9, 2016

Mr. Sherman Feher
Arapahoe County Planning
6924 S. Lima St.
Centennial, CO 80112

Re: Water and Wastewater Will Serve Letter – Sky Ranch Case Nos. Z16-003 & P16-011

Dear Mr. Feher;

Rangeview Metropolitan District, together with its' service provider Pure Cycle Corporation, provides this "Will Serve" letter for the Arapahoe County development applications known as Sky Ranch Preliminary Development Plan Z16-003 and Preliminary Plat P16-011. Sky Ranch is a proposed 931-acre mixed use master planned development in Arapahoe County with a projected thirty-year phased buildout.

Sky Ranch's water demands will be met from Rangeview's water supplies which include renewable water developed in conjunction with on-site adjudicated storage reservoirs at the Lowry Range, regional renewable water from the Water Infrastructure Supply Efficiency ("WISE") project, and Denver Basin groundwater. At buildout, Sky Ranch will require less than 10% of the water resources currently held by Rangeview and Pure Cycle.

We will also provide domestic wastewater service to the property using a zero surface discharge water reclamation facility that will produce high quality effluent meeting the requirements of the Water Quality Control Commission's "Reclaimed Water Control Regulation, 5CCR 1002-84". This reclaimed water will be used for irrigation at parks, open spaces and common areas using a separate non-potable "purple pipe" water distribution system. The integrated use of water and reclaimed water will protect our valuable water supplies to the fullest extent.

Rangeview has obtained easements and Location and Extent and GESC permitting for a water transmission pipeline to deliver water to the Sky Ranch development and other potential customers in Arapahoe County. We anticipate construction of the pipeline to be complete in early 2017.

If you need any additional information, please do not hesitate to contact me.

Sincerely,

Mark Harding
President



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 6th, 2016

Sherman Feher

Arapahoe County Public Works & Development

6924 S. Lima Street

Centennial, CO 80112

Re: P16-011 & Z16-003 / Sky Ranch Preliminary Plat and Preliminary Development Plan Amendment

Planner Feher,

In regards case P16-011 & Z16-003 / Sky Ranch Preliminary Plat and Preliminary Development Plan Amendment, 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 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.
- The developer shall confer with Bennett Fire Protection District and ensure that the proposed development conforms to adopted fire code standards.
- Bennett Fire Protection District will incur unmet capital costs associated with all development. To address these unmet capital costs for this development and to insure that "development pays its own way", Bennett Fire Protection District will need to enter into a Development Agreement or other arrangement with the developer. Currently, the District's identified capital cost is \$1,500.00 per residential dwelling unit and \$720.00 per 1,000 square feet of non-residential units. The Development Agreement will include provisions to pay these costs, a station location land dedication, and cash-in-lieu options.
- Bennett Fire Protection District has existing recorded agreements in place to meet these costs and dedication requirements dating back to the original proposed development, also formerly under the "Sky Ranch" name. Based upon the revised plat and development plan, an update to these agreements is necessary.
- Bennett Fire Protection District has already entered into dialogue with the Developer to address the update or restructuring of this agreement.
- Bennett Fire Protection District has expressed interest to the Developer to obtain land for public facilities to provide fire protection in the proposed development area as part of the District's future planning. This may include the granting or lease of temporary facilities to provide such services until permanent facilities can be constructed as the development grows.
- Bennett Fire Protection District currently has excellent communication with the applicant and will continue to work together to complete the necessary agreements and requirements outlined above.

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



City Manager
15151 E. Alameda Parkway, 5th Floor
Aurora, Colorado 80012
phone 303.739.7010
fax 303.739.7123

Worth Discovering • auroragov.org

July 8, 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 Sky Ranch Preliminary Plat and Preliminary Development Plan Amendment application (P16-011 and Z16-003). The City of Aurora has reviewed the application and has the following comments:

1. Compliance with Regional Plans

This is in reference to Metro Vision 2035. Both Arapahoe County and the City of Aurora have signed the Mile High Compact, which adopts the Metro Vision Plan. The purpose of the plan is to promote more compact urban development. This goal is vital in a metropolitan area in order to limit vehicle miles traveled, to reduce air pollution and to enhance a more efficient and cost effective provision of water, sewer, street, fire, school and drainage services to our citizens.

We question whether the proposal meets the goals or letter of Metro Vision 2035. We would ask Arapahoe County to carefully evaluate this proposal in light of the Metro Vision Plan. As a region we have already entitled more than enough development to accommodate the most optimistic 2040 growth estimates. By placing a significant development on the periphery of the metropolitan area, it reduces the metropolitan region's ability to encourage denser development, reduce vehicle miles traveled, control air quality, and to provide the most efficient services to future residents.

2. Water

Aurora has concerns about the water supply outlined for the Sky Ranch development. While multiple sources are referenced to meet the long term supply (WISE, groundwater and reclaimed water), it is unclear how and when all these individual sources will be utilized.

Aurora is highly concerned about the planned use of groundwater as a long-term source especially without supplemental aquifer replenishment (aquifer recharge) seeming planned by Pure Cycle to offset aquifer depletions. Aquifer depletions in the Rangeview area (as identified) have significant potential to directly diminish regional aquifer levels that would negatively impact others (most directly the City of Aurora). Aurora is actively engaged in efforts to preserve groundwater for times of drought and emergency. Active aquifer replenishment should be included in any plan to rely on groundwater.

WISE is an interruptible supply. It is unclear how Pure Cycle is planning to utilize their WISE subscription as part of their supply. While the plans seem to indicate transmission pipelines to convey the supply, we could not find any reference to any form of storage or other ability to firm the supply. The

capability to firm WISE water supplies will be critical in being able to utilize them as part of a water supply portfolio.

The submittals seem to indicate that a Metro District will be formed to provide water and wastewater services. We are not aware of Pure Cycle having the capabilities to directly provide these services. The complexities of the supplies and their implementation will require specialized expertise. How exactly are the services planned to be provided?

3. Transportation

Sky Ranch's transportation plan assumes that the development will use I-70 for many trips in the initial stages of development, since streets connecting to Aurora will not exist. Aurora's transportation master plan, the Northeast Aurora Transportation Study, does not include the Sky Ranch area, nor does it assume any substantial development east of Aurora. Such development will impact street capacity and likely trigger improvements to Aurora streets, thus raising costs to our developers and existing and future residents.

If the arterial roadway connections to Aurora are not realized, then the Sky Ranch development will place a heavy reliance on I-70. Like our own street system, the existing I-70 corridor was not designed with a development like Sky Ranch in mind. If Sky Ranch goes forward, the City will need to be involved with the necessary systems and project level feasibility studies, as well as the environmental clearances necessary for the use of the I-70 interchange and discussion regarding impacts to adjacent property. This effort will need to be in compliance with the CDOT Interchange 1601 process.

Aurora's arterial and CDOT's interstate system have not been planned to accommodate Sky Ranch. Improvements and associated costs to these roads have not been accounted for in the application, and are left to be subsidized by the taxpayers of Colorado and Aurora.

In addition, Aurora would offer the following specific comments:

- Only the eastern two lanes of Monaghan are proposed to be built from the Area B northern limit to I-70. The applicant's plans show Monaghan as a six-lane arterial. When would the rest of the east side of the road be built and who would pay for it?
- The 2007 Aurora Northeast Area Transportation Study (NEATS) shows Monaghan from I-70 south to 6th Ave as an 8-Lane arterial based on traffic projections. The applicant's plans show this stretch of Monaghan being a 6-lane arterial instead.
- The second point of emergency access to Area B is proposed to be a fairly complex and indirect path along existing and proposed gravel roads. Is this route and gravel surface acceptable for fire and other emergency access?
- The drainage improvements for Area B need to be completed per UDFCD Master Plan for First Creek.
- We suggest that drainage improvements in Area B should be completed prior to the first Certificate of Occupancy for Area B.

4. Airport Noise

- **Residential Land Use Proposed in 60 LDN Contour.**

The northernmost portion of the proposed project (Northwest quarter of Section 3, T4S, R65W) is located within the 60 LDN contour (Commercial Airport Noise Area) of Denver International Airport. The proposed site plan appears to include residential land uses within this contour. Residential land uses within the 60 LDN contour are not permitted, particularly since this development is located directly south of runway 35L/17R and will be subject to near continuous overflights from air traffic at DIA.

- **Additional Airport Noise Issues and Special Construction Recommendations**

The entire project is located within the Noise Impact Boundary Area (NIBA) and airport influence area of DIA and the westernmost portion of the project is within the airport influence district of Buckley AFB. All residential structures within the NIBA should include noise level reduction measures to achieve an interior noise level reduction of 25 decibels in A-weighted values. Such noise reduction measures would be required if the project were located in (or would be annexed into) Aurora.

- **Avigation Easement and Notice Requirements**

The applicant will need to convey an avigation easement to Arapahoe County and to Denver International Airport and record this easement with the Arapahoe County Clerk and Recorder. The applicant will also need to provide notice to all prospective purchasers that the property is located within an airport influence district.

Sky Ranch does 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 this proposal.

Alternatively, 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.

Cordially,



George K. Noe
City Manager

cc: Mayor and Members of City Council
Nancy Freed, Deputy City Manager
Jason Batchelor, Deputy City Manager

Sherman Feher

From: Raymond Winn
Sent: Wednesday, July 06, 2016 2:27 PM
To: Sherman Feher
Subject: RE: REFERRALS FOR SKY RANCH PRELIMINARYL DEVELOPMENT PLAN AMENDMENT (Z16-003) AND PRELIMINARY PLAT (P16-011)

Sherman,

I have reviewed the Sky Ranch PDP and Open Spaces has no comments at this time.

Thanks,

Ray Winn

Open Spaces Planner

Arapahoe County Open Spaces

6934 S. Lima Street, Suite A, Centennial, CO 80112

Office: 720-874-6551

rwinn@arapahoe.gov

From: Sherman Feher
Sent: Monday, June 06, 2016 11:36 AM
Subject: FW: REFERRALS FOR SKY RANCH PRELIMINARYL DEVELOPMENT PLAN AMENDMENT (Z16-003) AND PRELIMINARY PLAT (P16-011)

Dear Referral Person:

Please review the attached Arapahoe County referral plans for the following cases: [Sky Ranch Preliminary Development Plan Amendment \(Z16-003\)](#) and [Preliminary Plat \(P16-011\)](#).

Then please fill out the applicable information blocks on the attached referral sheet and attach it to a response email or "reply" with an email that will come back to me.

Contact me if you have any questions.

Thank you

Sherman Feher
Public Works and Development – Planning Division
6924 S. Lima Street
Centennial, CO 80112



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3524
donna.l.george@xcelenergy.com

July 6, 2016

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

Attn: Sherman Feher

Re: Sky Ranch Subdivision, Case #s P16-011 and Z16-003

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the preliminary plat and preliminary development plan (PDP) for **Sky Ranch Subdivision**. Public Service Company has no objection to this proposed PDP amendment, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (register, application can then be tracked) and complete the application process for any new gas or 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** to have all utilities located prior to any 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



July 6, 2016

Sherman Feher
Arapahoe County Planning Division
6924 S Lima St
Centennial CO 80112

RE: Sky Ranch Preliminary Plat and Preliminary Development Plan Amendment
Case Nos. P16-011 & Z16-003
TCHD No. 3950

Dear Mr. Feher:

Thank you for the opportunity to review and comment on the Preliminary Plat and Preliminary Development Plan Amendment for Sky Ranch located south of I-70 on Monaghan Rd. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations.

During the review of previous applications for Sky Ranch, TCHD provided comments in letters dated September 19, 2003 and March 8, 2006 related to wastewater treatment plant nuisance odors and potential environmental impacts from historic uses.

Wastewater Treatment Plant-Approvals

The Wastewater Treatment Plant (WWTP) will require several approvals from the Colorado Department of Public Health and Environment (CDPHE) prior to construction. The following approvals are required:

1. Site approval
2. Preliminary Effluent Levels
3. Design approval
4. Discharge Permit

TCHD contacted Bret Icenogle, P.E. with CDPHE regarding the status of these approvals. Mr. Icenogle could not determine if the above approvals had been previously issued for the WWTP. However, even if the WWTP had prior approval from CDPHE, the applicant will need to go through the CDPHE approval process again. Consequently, TCHD recommends that the above approvals be completed prior to application for the Final Development Plan.

Wastewater Treatment Plant – Nuisance Odors

In our previous letters, TCHD raised concerns about potential nuisance odors from the wastewater treatment plant that will be constructed in the western portion of Neighborhood B. To address these concerns, it was agreed to construct covers over the headworks, sequencing batch reactor (SBR) basins and the biosolids handling facility. Our preference is that the covers be in place before construction begins in the affected area. We recommend that a condition of

the final plat be completion of construction of the covers for the headworks, SBR basins and biosolids handling facility before Arapahoe County issues a building permit for Sky Ranch residences that are within 1,000 feet of the wastewater treatment plant. We request that the County implement a system to notify Tri-County when a building permit is being considered for residences within 1,000 feet of the wastewater treatment plant, so that we can confirm compliance with the final plat condition. We will be happy to coordinate with the applicant and County Planning staff on the wording of the plat condition.

As previously noted, we also recommend that the developer work with the builder at Sky Ranch to inform and educate prospective property owners about the existence and function of the plant. Providing potential residents this information in the form of an advisory letter would allow them to make informed decisions, and may help in reducing future complaints. The wastewater plant operator should participate in drafting the advisory letter.

Properties in the City of Aurora that are adjacent to Sky Ranch on the west are zoned Planned Development, which could allow residential development. We are unaware if the City of Aurora has received any development applications for these areas. If residences are slated for development in Aurora within 1,000 feet of the Sky Ranch wastewater treatment plant, residents of these homes could also experience nuisance odors from the plant. We encourage the applicant to contact the City of Aurora to determine if residential development is likely to occur before the currently anticipated timeframe for completion of construction of the covers for the plant operations. If municipal residential development is slated before that time, we recommend that SRMD consider accelerating its odor mitigation schedule to prevent possible nuisance odors to City residents.

Water Treatment Plant

Prior to construction of the Water Treatment Plant (WTP), CDPHE needs to complete a design review and issue an approval for the design. TCHD also discussed the status of the water plant with Mr. Icenogle. Mr. Icenogle could not confirm if the WTP had received design approval. Mr. Icenogle also mentioned that a capacity assessment is required for the WTP. TCHD recommends that the water plant be approved by CDPHE prior to application for the Final Development Plan.

Environmental Cleanup

In our previous letters, we outlined several items that required environmental assessment and/or remediation. We requested that the applicant provide Tri-County Health Department a status report on those items, and that Tri-County determine, in consultation with appropriate State regulatory agencies, that site conditions will allow for safe development to occur before the County schedules the Final Development Plan for public hearing. Though development is only at the Preliminary Development Plan stage at this time, we encourage the applicant to prepare and submit us the requested report as soon as possible so that any outstanding environmental and public health issues related to former site operations are resolved before the Final Development Plan is ready for approval:

The report should address the following issues:

1. Surficial soil sampling for pesticides in the area of the AeroSpray, Inc. trailer,
2. Registration and compliance status of the 2,000-gallon aboveground diesel storage tank,

3. Surficial soil sampling of the biosolids application areas and the base of the sewage lagoons for RCRA metals,
4. Schedule for ceasing the application of biosolids at the site. State regulations stipulate that unrestricted development not occur until one year after cessation of biosolids application. Based on a conversation with Mr. Luke Bond, of Parker Ag Services, the company has applied biosolids to the eastern half of Section 10, the southwest quarter of Section 3 and the southeast quarter of Section 4 (state permit #1156). The applicant should contact Mr. Bond, who maintains and certifies records of biosolids application, and Mr. Wes Carr, at the Colorado Department of Public Health and Environment, for assistance in complying with the biosolids regulation. Mr. Carr can be reached at (303) 692-3613,
5. Ground water quality investigation for volatile organic compounds and pesticides in the vicinity of the hangar and the crop duster trailer areas,
6. Inventory of various containers stored on site, management of residual contents, if any, and assessment of the conditions of underlying soils, and
7. Documentation of completion of monitoring and formal closure of the former underground storage tank sites, per the approved Corrective Action Plan of the Colorado Division of Oil and Public Safety.

Water Supply

The project narrative states that water will be provided through a service agreement with Rangeview Metropolitan District and Pure Cycle Corporation. We cannot comment on the adequacy of the water supply for the proposed project because the referral package did not include a water supply plan. We assume that the County will require a demonstration, consistent with State and County standards, that sufficient water will be available to meet the long term drinking and sanitation needs of the project.

Please feel free to contact me at (720) 200-1585 or lbroten@tchd.org if you have any questions about TCHD's comments.

Sincerely,



Laurel Broten, MPH
Land Use and Built Environment Specialist
Tri-County Health Department

CC: Sheila Lynch, Steve Chevalier, Warren Brown TCHD
Bret Icenogle, P.E., CDPHE



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 SOUTH WADSWORTH BOULEVARD
LITTLETON, COLORADO 80128-6901

RE: Section 404 of the Clean Water Act Initial Comments

To whom it concerns:

In accordance with Section 404 of the Clean Water Act, the Corps of Engineers regulates the discharge of dredged or fill material, and any excavation associated with a dredged or fill project, either temporary or permanent, into waters of the United States (WOUS). You should notify this office if the project proposed falls within these regulated activities because the project may require a Department of the Army Section 404 permit.

A WOUS may include ephemeral and/or perennial streams, wetlands, lakes, ponds, drainage ditches and irrigation ditches. A wetland delineation must be conducted, and verified by the Corps of Engineers, using the methods outlined in the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual*: (using applicable Regional Supplement) to determine wetlands based on the presence of three wetland indicators: hydrophytic vegetation, hydric soils, and wetland hydrology. Wetland delineations must be conducted in the field by a qualified environmental consultant and any aquatic resource boundaries must be identified accordingly. Once the aquatic resources have been identified, only this office can determine if they are WOUS. Please note that development of the upland areas, avoiding stream and wetland resources, does not require authorization from this office.

Nationwide Permits (NWP) authorize common types of fill activities in WOUS that will result in a minimal adverse effect to the environment. Descriptions of the 52 types of nationwide permit activities and their general conditions can be found on our website:

<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>.

Some fill activities require notifying the Corps before starting work. Also, some types/sizes of work may require additional information or mitigation.

Regional General Permits (RGP) authorize specific types of fill activities in WOUS that will result in a minimal adverse effect to the environment. Descriptions of the 4 types of regional general permit activities and their general conditions can be found on our website:

<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado/RegionalGeneralPermits.aspx>. These fill activities require notifying the Corps before starting work, and possibly other

local or state agencies. Also, some types/sizes of work may require additional information or mitigation. Please note several of the RGP's are applicant and location specific.

Individual permits may authorize fill activities that are not covered under the NWP or Regional General Permits (RGP's). This permit will be processed through the public interest review procedures, including public notice and receipt of comments. An alternative analysis (AA) must be provided with this permit action. The AA must contain an evaluation of environmental impacts for a range of alternatives. These alternatives should include the preferred action, no action alternative, and other action alternatives that would be the identified project purpose. Other action alternatives should include other practicable (with regards to cost, logistics, and technology) that meet the overall project purpose. The alternatives could include offsite alternatives and alternative designs. When evaluating individual permit applications, the Corps can only issue a permit for the least environmentally damaging practicable alternative (LEDPA). In some cases, the LEDPA may not be the applicant's preferred action. The individual permit application form and form instructions can be found on our website: <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainPermit.aspx>.

If the activity requires a Department of the Army permit as a result of any impacts to WOUS or any earth disturbances within that resource, a federal action will occur. For the Corps to make a permit decision, the applicant must provide enough information to demonstrate compliance with Section 106 of the National Historic Preservation Act (NHPA) and Section 7 of the Endangered Species Act (ESA).

The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to WOUS to the maximum extent practicable at the project site. Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal. Any loss of an aquatic site may require mitigation. Mitigation requirements will be determined during the Department of the Army permitting review.

If the information that was submitted could impact WOUS, which are jurisdictional resources, this office should be notified. If a section 404 permit is required, work in an aquatic site should be identified by the proponent of the project and be shown on a map identifying the Quarter Section, Township, Range and County, Latitude and Longitude, Decimal Degrees (example 39.55555; -104.55555) and the dimensions of work in each aquatic site.

If there are any questions, please call the Denver Regulatory Office at 303-979-4120.

Sincerely,

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

Kiel Downing
Chief, Denver Regulatory Office



Pre-Construction Notification (PCN) Requirements

(Nationwide Permit General Condition No. 31
from the February 21, 2012 Federal Register)

**US Army Corps of Engineers,
Omaha District, Denver Regulatory Office
9307 South Wadsworth Blvd,
Littleton, CO 80128
Phone: (303) 979-4120**

Website: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>

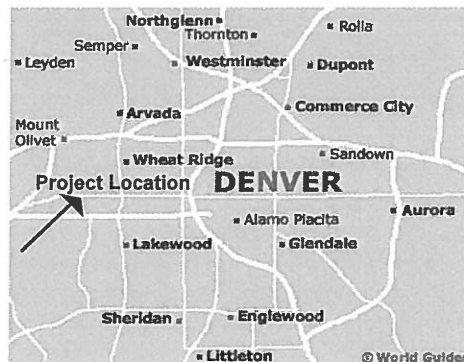
Contents of Pre-Construction Notification:

The PCN must be in writing and include the following information:

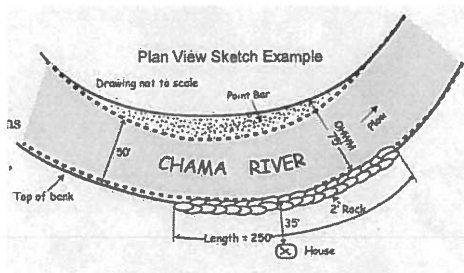
- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed project;
- (3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause, including the anticipated amount of loss of water of the United States expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);
- (4) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;
- (5) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse effects are minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.
- (6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and
- (7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(8) Attach map and sketches-
examples shown here.

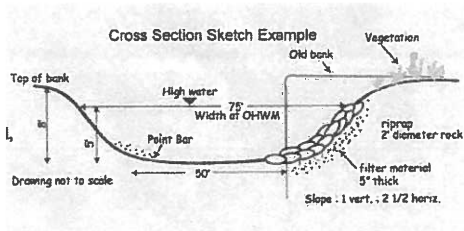
Location Map: Photocopy from road
or topo map; indicate site location,
any landmarks, etc.



Plan View Sketch: "Bird's-eye view";
include all features- distances, length
and width; dimensions of features
and stream/wetlands.



Cross Section Sketch: "Cut away
view"; include heights, widths of
structures, channel, wetland, bank
slopes, etc.





Regional Economic Advancement Partnership

P.O. Box 711

Strasburg, CO 80136

admin@i-70Reap.com

www.i-70Reap.com

www.ColoradoHighPlainsAdventure.com

September 13, 2016

Watkins

*

Bennett

*

Strasburg

*

Byers

*

Deer Trail

*

Aurora

*

Adams

County

*

Arapahoe

County

*

Front

Range

Airport

Sherman Feher
Arapahoe County Planning
6924 S. Lima St.
Centennial, Co. 80112

Dear Sherman;

We understand Sky Ranch has submitted their PDP/PP for Arapahoe County's approval.

Reap has been following the Sky Ranch development with great interest and recently had a detailed presentation by the developer. The developer is working hard to build needed affordable housing in the area and Reap fully encourages this. We think the addition of 502 new units will be well received.

Reap also is pleased that Sky Ranch will bring new water supplies to the area.

We hope Arapahoe County approves the Sky Ranch Development. Thank you for your consideration.

Sincerely,

Gary Duke
Chairman

Jack Keever
Executive Director

REAP Mission Statement

Stimulate private investment in order to increase opportunities for employment, expand the tax base, broaden the economy and generally improve the quality of life of our citizens.



September 20, 2016

VIA E-MAIL

Arapahoe County – Planning Department
Sherman Feher, Senior Planner
328 Massachusetts Ave - PO Box 1229
Berthoud, CO 80513
jfeher@arapahoegov.com

**NOTICE OF MINERAL INTERESTS OWNED BY ANADARKO LAND CORP.
AND ANADARKO E&P COMPANY LP**

Re: Z16-003 – Sky Ranch 2nd Amendment/Preliminary Development Plan – “Application”
CVL Consultants of Colorado, Inc. - “Applicant”
Township 4 South, Range 65 West
Section 3: W/2
Arapahoe County, Colorado

Mr. Feher:

This letter is being submitted on behalf of Anadarko E&P Onshore LLC and Anadarko Land Corp. (together the “Anadarko entities”) to inform you that the Anadarko entities own the mineral interests underlying the W/2 of Section 3, Township 4 South, Range 65 West (“Property”).

The mineral interests constitute a real property interest that entitles the Anadarko entities or their lessees to develop, operate and maintain oil and gas wells on the Property in accordance with applicable local and Colorado Oil and Gas Conservation Commission (“COGCC”) regulations. The Anadarko entities believe that their mineral interests have significant value.

The Anadarko entities do not object to the subject Application providing the Applicant conforms to the Surface Use Agreement that was executed on October 31, 2013, and recorded on November 4, 2013 with the Adams County Clerk and Recorder at reception number 83239297. Please note that although the Anadarko entities do not object to this Application, we continue to assert our rights to make reasonable use of the surface of the Property to develop our mineral interests.

Please contact me at 720-929-3013 if you have any questions or comments about this matter.

Sincerely,
ANADARKO PETROLEUM CORPORATION

A handwritten signature in black ink, appearing to read "Paul Ratliff", written over a horizontal line.

Paul Ratliff
Landman

cc: Jeff Fiske, Lead Counsel
Ron Olsen
Travis Book
Justin Shoulders
Don Jobe
Melinda Lundquist (mlundquist@cvl-denver.com)
Mark Harding (mharding@purecyclewater.com)

SKY RANCH, FILING NO. 1
PRELIMINARY PLAT

BEING A REPLAT OF LOTS 1 THROUGH 28, AND LOTS 30 THROUGH 32 OF
MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHTS-OF-WAY
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

STANDARD NOTES

THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDER(S) OF THE PRELIMINARY PLAT KNOWN AS SKY RANCH FILING NO. 1, 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

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

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.

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 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.
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.

SPECIFIC NOTES

AIRPORT INFLUENCE AREA NOTE (OFF-SITE IMPROVEMENTS)

TO CARRY OUT ONE OR MORE OF THE FOLLOWING AS MAY BE REQUIRED BY THE BOARD
OF COUNTY COMMISSIONERS:

1. TO INCLUDE SAID DEVELOPMENT WITHIN A SPECIAL DISTRICT FOR THE PURPOSE OF PARTICIPATION IN THE CONSTRUCTION OF NECESSARY OFF-SITE IMPROVEMENTS AT THE TIME OF APPROVAL OF FINAL DEVELOPMENT PLANS.
2. TO COOPERATE WITH OTHER OWNERS OF OTHER PARCELS AND/OR OTHER SPECIAL DISTRICTS IN OFF-SITE ROADWAY IMPROVEMENTS AS NECESSITATED BY THE DEVELOPMENT IMPACTS AS MAY BE DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS.
3. TO COMPLETE SUCH OTHER IMPROVEMENTS TO PUBLIC ROADWAYS BROUGHT ABOUT OR IMPACTED BY THIS DEVELOPMENT AS MAY BE DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS.
4. TO PARTICIPATE AND COOPERATE IN ANY TRANSPORTATION MANAGEMENT PROGRAM AS SPECIFIED IN THE AIRPORT INFLUENCE AREA TRANSPORTATION STUDY, IF SUCH A PROGRAM IS APPROVED AND/OR ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS.

SPECIFIC NOTES - CONTINUED

**AIRPORT INFLUENCE AREA NOTE
(EASEMENT/HAZARD EASEMENT)**

AN AIR RIGHTS, AVIGATION AND HAZARD EASEMENT AFFECTING ALL PROPERTY CONTAINED WITHIN THIS PRELIMINARY PLAT HAS BEEN LEGALLY EXECUTED. SAID EASEMENT DOCUMENTS CAN BE FOUND AT R.N. B4104295 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, AND IN BOOK 3361 AT PAGE 359 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER, AND AT R.N. 179334 IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER

THE LANDS CONTAINED WITHIN THIS PRELIMINARY PLAT LIE WITHIN THE AIRPORT INFLUENCE AREA, AN AREA WHICH IS LIKELY TO BE AFFECTED BY AIRCRAFT OPERATIONS AND THEIR POTENTIAL NOISE AND/OR CRASH HAZARDS TO A GREATER DEGREE THAN LANDS SITUATED OUTSIDE OF THE INFLUENCE AREA.

ALL LANDS CONTAINED WITHIN THIS PRELIMINARY PLAT SHALL COMPLY WITH F.A.R. PART 77, "HEIGHT AND OBSTRUCTIONS CRITERIA".

PRIVATE OPEN SPACE

- A. 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.
- B. 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.
- C. WHEN A PROJECT CONSISTS OF ONE LOT, THE PRIVATE PARK SHALL BE INSTALLED PRIOR TO THE CERTIFICATE OF OCCUPANCY.

GENERAL NOTES:

1. THE SUBJECT PROPERTY CONTAINS 151.329 ACRES (6,591.911 SQUARE FEET), MORE OR LESS.
2. THE BASIS OF BEARINGS FOR THIS PLAT IS THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH P.M. AS DETERMINED BY REAL TIME KINEMATIC GPS OBSERVATIONS OF EXISTING MONUMENTS AT BOTH ENDS OF SAID LINE FOR A PERIOD OF 3 MINUTES. SAID LINE WAS DETERMINED TO BEAR SOUTH 00°21'35" EAST AND IS MONUMENTED AS SHOWN HEREON.
3. VISIBLE UTILITIES ARE BY SURFACE FIELD OBSERVATIONS ONLY. UNDERGROUND UTILITIES WERE NOT LOCATED AND ARE UNKNOWN TO CVL CONSULTANTS OF COLORADO, INC. UTILITY LOCATIONS MUST BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.
4. THE DATA SHOWN ON THIS PRELIMINARY PLAT, REFLECTS FIELD WORK PERFORMED BY CVL CONSULTANTS OF COLORADO, INC. SURVEY CREWS IN MARCH 2016.
5. THE SUBJECT PROPERTY IS LOCATED IN BOTH ZONE "X" AND ZONE "A", THAT AREA DETERMINED TO LIE WITHIN A SPECIAL FLOOD HAZARD AREA INUNDATED BY 100-YEAR FLOOD FOR WHICH NO BASE ELEVATION HAS BEEN DETERMINED. THESE AREAS ARE SHOWN ON FEMA FLOOD INSURANCE RATE MAP PANEL 08005C0206 K DATED DECEMBER 1, 2010.
6. STEWART TITLE GUARANTY COMPANY COMMITMENT NO. 16000310152-AMENDMENT NO. EFFECTIVE APRIL 18, 2016 AT 5:30 P.M. WAS RELIED UPON FOR RECORD INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENT(S) AND ENCUMBRANCE(S). THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY CVL CONSULTANTS OF COLORADO, INC. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY, EASEMENT(S) OR OTHER MATTERS OF PUBLIC RECORD. THE PROPERTY SHOWN HEREON IS ALL OF THE PROPERTY DESCRIBED IN THE ABOVE DESCRIBED TITLE COMMITMENT.
7. THE PROPOSED CRITERIA FOR SIGNAGE TYPES, LOCATIONS AND DIMENSIONS FOR SKY RANCH SHALL BE DEVELOPED AT TIME OF FINAL DEVELOPMENT PLAN / FINAL PLAT.
8. EXISTING TOPOGRAPHY IS SHOWN AT A TWO FOOT CONTOUR INTERVAL AND PROPOSED GRADING IS ALSO SHOWN AT A TWO FOOT CONTOUR INTERVAL.
9. THE LOCATION OF THE FLOOD PLAIN SHOWN HEREON IS BASED UPON ELEVATIONS PLOTTED FROM FIRM MAP PANEL NO. 08005C0206 K.
10. BENCHMARK: 4S-6503 SE001, PREVIOUSLY KNOWN AS NGVD 27-040, BEING A 3" DIA. BRASS CAP ATOP A 30" LONG ST. PIPE IN CONC. 3" M/L S. OF P&T POLE NO. 601 BEING ON THE WEST SIDE OF FARM RD. (HAYESMOUNT MILE RD. EXT.) APPROX. 24' W. OF SD. FARM RD. C.L. ALSO BEING ON E. 6TH AVE. EXT. 1988 DATUM. ELEV = 5669.67
11. BUCKLEY AIR FORCE BASE LIMITS AS SHOWN ON THE ARAPAHO COUNTY AIRPORT INFILTRATION AREAS MAP LIE WEST OF THE EAST LINE OF THE SE 1/4 OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN.
12. PARKS ARE AN ALLOWABLE USE IN OPEN SPACE AND MAY BE COUNTED TOWARD OPEN SPACE REQUIREMENTS. ALL USES ON THE POP SHALL MEET OPEN SPACE REQUIREMENTS SPECIFIED IN THE CHART SHOWN ON SHEET 5 OF THE SKY RANCH PRELIMINARY DEVELOPMENT PLAN.
13. EIGHT-FOOT (8') WIDE UTILITY EASEMENT WILL BE GRANTED ON FINAL PLAT FOR PRIVATE PROPERTY ADJACENT TO THE FRONT AND REAR LOT LINES OF EACH LOT IN THE SUBDIVISION OR PLATTED AREA INCLUDING LOTS, TRACTS, PARCELS AND/OR OPEN SPACE AREAS. THESE EASEMENTS ARE DEDICATED FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF ELECTRIC, GAS, TELEVISION CABLE, AND TELECOMMUNICATION FACILITIES. UTILITIES SHALL ALSO BE PERMITTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES AND WATER METERS SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS.

GENERAL NOTES: (CONTINUED)

- THE OWNER IS RESPONSIBLE FOR A MOSQUITO ABATEMENT PROGRAM.
15. THE APPLICANT SHALL BE PERMITTED TO DESIGN AND CONSTRUCT 774 RESIDENTIAL DWELLING UNITS OF THE SKY RANCH DEVELOPMENT AS DETAILED IN THE APPROVED TRAFFIC IMPACT STUDY FOR SKY RANCH NEIGHBORHOOD B, DATED 2016, WITHOUT FILING A 1601 PROCESS WITH THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT). NO FURTHER DEVELOPMENT BEYOND THE 774 UNITS WILL BE PERMITTED UNTIL THE COMPLETION OF THE CDOT 1601 PROCESS FOR THE AIRPARK ROAD AND I-70 INTERCHANGE IMPROVEMENTS.
16. RIGHT OF WAY AND EASEMENT TO MOUNTAIN STATE TELEPHONE AND TELEGRAPH RECORDED IN BOOK 1189 AT PAGE 495 AND BOOK 1189 AT PAGE 499.
17. AVIGATION AND HAZARD EASEMENT RECORDED IN BOOK 3361 AT PAGE 359 IN ADAMS COUNTY RECORDS, AND RECORDED AT RECEPTION NO. 179334 IN DENVER COUNTY RECORDS.
18. RESOLUTION OF THE E-470 PUBLIC HIGHWAY AUTHORITY RECORDED AT RECEPTION NO. A5133864, AND AMENDMENT RECORDED AT RECEPTION NO. A5133865.
19. DEVELOPMENT AGREEMENT WITH BENNETT FIRE PROTECTION DISTRICT NO. 7 RECORDED UNDER RECEPTION NO. B3104474.
20. INCLUSION OF A PORTION OF THE PROPERTY IN THE BENNETT FIRE PROTECTION DISTRICT NO.7 RECORDED UNDER RECEPTION NO. B3156759.
21. AIR RIGHTS COVENANT AND AVIGATION EASEMENT RECORDED AT RECEPTION NO. B4104295.
22. RESOLUTION NO. 014, SERIES OF 2003 REGARDING THE ANNEXATION OF UNINCORPORATED PROPERTY IN ARAPAHOE COUNTY RECORDED AT RECEPTION NO. B6063680.
23. WATER SERVICE AGREEMENT RECORDED AT RECEPTION NO. B7142007.
24. DENVER GROUNDWATER PURCHASE AGREEMENT RECORDED AT RECEPTION NO. B7142008.
25. ANY RIGHTS, INTERESTS OR EASEMENTS IN FAVOR OF THE UNITED STATES, THE STATE OF COLORADO OR THE PUBLIC, WHICH EXIST OR ARE CLAIMED TO EXIST IN AND OVER THE PRESENT AND PAST BED, BANKS OF WATERS OF FIRST CREEK.
26. OIL AND GAS LEASE RECORDED AT RECEPTION NO. D1044504.
27. ASSIGNMENT AND BILL OF SALE RECORDED DECEMBER 21, 2012 AT RECEPTION NO. D2147994.
28. AMENDMENT TO ASSIGNMENT AND BILL OF SALE RECORDED AT RECEPTION NO. D3090510.
29. AFFIDAVIT OF EXERCISE OF OPTIONS TO EXTEND OIL AND GAS LEASES RECORDED AT RECEPTION NO. D4051759.
30. DECLARATION OF POOLED UNIT RECORDED AT RECEPTION NO. D4086078.
31. DECLARATION OF POOLED UNIT RECORDED AT RECEPTION NO. D4115405.
32. AMENDMENT TO OIL AND GAS LEASE RECORDED AT RECEPTION NO. D1069100.
33. ORDER OF INCLUSION OF SUBJECT PROPERTY WITHIN THE SKY RANCH METROPOLITAN DISTRICT NO. 5. RECORDED AT RECEPTION NO. D2021974.
34. 2014 AMENDED AND RESTATED LEASE AGREEMENT RECORDED AT RECEPTION NO. D4073781.
35. DEED OF TRUST EXECUTED BY SKY RANCH LLC TO THE PUBLIC TRUSTEE OF ARAPAHOE COUNTY RECORDED AS RECEPTION NO. B5137538.
36. MODIFICATION OF LOAN DOCUMENTS RECORDED AT RECEPTION NO. B6154257.
37. SECOND MODIFICATION OF LOAN DOCUMENTS RECORDED AT RECEPTION NO. B7070396.
38. ASSIGNMENT OF DEED OF TRUST RECORDED AT RECEPTION NO. D0107052.
39. SUBORDINATION OF DEED OF TRUST TO OIL AND GAS LEASE RECORDED AT RECEPTION NO. D5039858.

2

CASE NO. P16-011

BEING A REPLAT OF LOTS 1 THROUGH 28, AND LOTS 30 THROUGH 32 OF
MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHTS-OF-WAY
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

SUPERBLOCK AREA	SQ. FT.	ACREAGE	OWNERSHIP / MAINTENANCE AT FINAL PLAT	LAND USE
B1	1,020,519	23.428	DEVELOPER / DEVELOPER *	SINGLE FAMILY SF4
B2 ²	357,423	8.205	HOA OR METRO DISTRICT / HOA OR METRO DISTRICT & SEMSWA	OPEN SPACE/UTILITY/DRAINAGE ¹
B3 ²	469,557	10.780	HOA OR METRO DISTRICT / HOA OR METRO DISTRICT & SEMSWA	OPEN SPACE/UTILITY/DRAINAGE ¹
B4	777,786	17.856	DEVELOPER / DEVELOPER *	SINGLE FAMILY SF2
B5	534,276	12.265	DEVELOPER / DEVELOPER *	SINGLE FAMILY SF2
B6	213,877	4.910	DEVELOPER / DEVELOPER *	OPEN SPACE (PARK)
B7	274,633	6.305	METRO DISTRICT / METRO DISTRICT	WASTEWATER TREATMENT PLANT
B8	923,348	21.197	DEVELOPER / DEVELOPER *	SINGLE FAMILY SF3
B9 ²	184,276	4.230	HOA OR METRO DISTRICT / HOA OR METRO DISTRICT & SEMSWA	OPEN SPACE/UTILITY/DRAINAGE ¹
B10	1,537,860	35.304	DEVELOPER / DEVELOPER *	SINGLE FAMILY SF2
ROW 1	90,562	2.060	ARAPAHOE COUNTY	RIGHT OF WAY PARCEL
ROW 2	207,793	4.770	ARAPAHOE COUNTY	RIGHT OF WAY PARCEL

SOUTHEAST METRO STORMWATER AUTHORITY (SEMSWA)

1 THE FLOODPLAIN AND DRAINAGE EASEMENT IS DEFINED AS THE APPROXIMATED 100-YR DEVELOPED WATER SURFACE + 1' FREEBOARD.

2. THE FLOODPLAIN AND DRAINAGE EASEMENT LOCATED WITHIN THESE TRACTS INCLUDES REGIONAL DRAINAGE INFRASTRUCTURE, WHICH SHALL BE THE MAINTENANCE RESPONSIBILITY OF SEMSWA.

* ALL RESIDENTIAL PLANNING AREAS WILL BE OWNED BY THE DEVELOPER UNTIL SOLD FOR UNIT CONSTRUCTION.

LAND USE SUMMARY			
USE		ACRES	PERCENT
SINGLE FAMILY (SF)		110.050	72.72%
OPEN SPACE (OS)		28.125	18.59%
PUBLIC FACILITY (PF)		6.305	4.17%
R.O.W.		6.849	4.52%
TOTAL		151.329	100.0 %

* EXISTING ZONING - MU-PUD & F

** "F ZONE" IS DESIGNATED FOR PLANNING AREAS B2, B3 & B9, ALSO USED AS OPEN SPACE (OS), BUT NOT INCLUDED IN THE COMPOSITE ACREAGE FOR OPEN SPACE IN THE CHART ABOVE.

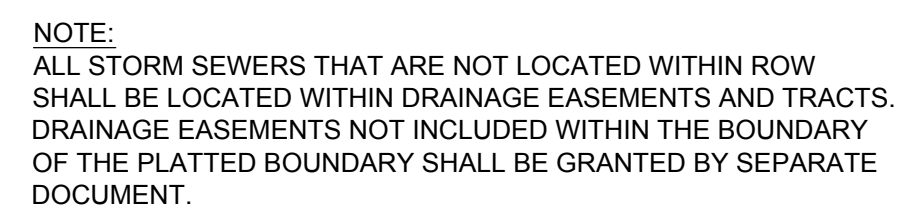
LINE TABLE		
LINE NO.	LENGTH	DIRECTION
L1	134.31'	N891°7'38"E
L2	110.00'	S50°00'00"W
L3	18.95'	N891°7'38"E
L4	79.18'	N891°7'38"E
L5	40.41'	S04°22'22"E
L6	86.00'	S461°4'03"W
L7	137.50'	N641°9'50"W
L8	89.18'	N20°03'56"W
L9	25.00'	N46°14'03"E
L10	92.67'	N82°37'00"E
L11	82.83'	N481°3'36"E
L12	137.50'	N87°27'00"E
L13	52.05'	N02°44'42"E
L14	52.05'	N3°51'52"E
L15	52.05'	N8°08'27"E
L16	52.05'	N12°25'02"E
L17	52.05'	N16°41'37"E
L18	52.05'	N20°58'12"E
L19	52.05'	N25°14'47"E
L20	52.05'	N29°31'22"E
L21	52.05'	N33°47'56"E
L22	52.05'	N38°04'31"E
L23	52.05'	N42°21'06"E
L24	74.01'	N47°31'52"E
L25	50.04'	N55°04'11"E

LINE TABLE		
LINE NO.	LENGTH	DIRECTION
L26	115.99'	S37°01'39"E
L27	48.06'	S89°38'01"W
L28	84.00'	S50°38'42"E
L29	70.51'	S78°49'38"W
L30	50.41'	S89°38'01"W
L31	98.94'	S56°39'38"W
L32	95.33'	S191°65'55"E
L33	120.75'	S42°05'32"E
L34	188.81'	N74°08'07"E
L35	60.26'	N68°46'26"W
L36	110.00'	N39°53'21"E
L37	79.61'	S80°19'17"E
L38	110.00'	S52°49'21"W
L39	91.61'	S12°39'09"E
L40	96.42'	S82°09'57"W
L41	61.58'	N68°16'23"E
L42	148.03'	N89°17'38"E
L43	56.22'	S71°51'32"E
L44	120.00'	N89°25'33"W
L45	58.43'	S89°46'55"E
L46	58.37'	N66°53'52"W
L47	283.03'	N89°17'38"E
L48	280.12'	S63°53'57"E
L49	75.18'	S70°31'39"E
L50	45.03'	S60°48'35"E

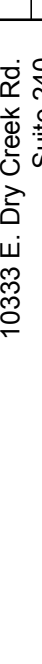
LINE TABLE		
LINE	LENGTH	DIRECTION
L.51	247.92'	N89°25'33"E
L.52	85.19'	S04°48'46"W
L.53	75.75'	S37°38'14"E
L.54	75.75'	S53°45'42"E
L.55	71.99'	S85°11'09"E
L.56	75.75'	N67°23'03"E
L.57	75.75'	N43°35'35"E
L.58	59.82'	S100°44'57"W
L.59	177.52'	S02°19'59"E
L.60	47.06'	S6°33'26"E
L.61	117.73'	S28°56'48"E
L.62	25.00'	N48°59'17"E
L.63	76.00'	S41°00'43"E
L.64	25.00'	N48°59'17"E
L.65	38.00'	S0°42'22"E
L.66	283.00'	S4°00'43"E
L.67	283.00'	S0°42'22"E
L.68	155.61'	N89°17'38"E
L.69	155.61'	N89°17'38"E

CURVE TABLE					
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD DIRECTION	CHORD LENGTH
C1	110.62	125.00'	90°42'22"	S65°21'11"E	107.05'
C2	42.41'	27.00'	90°00'00"	N44°17'38"E	38.18'
C4	263.98'	275.00'	54°59'56"	N28°12'20"W	253.96'
C5	116.69'	560.00'	11°56'20"	S49°44'08"E	116.48'
C6	176.87'	560.00'	18°05'47"	S34°43'04"W	176.14'
C7	225.97'	560.00'	23°07'11"	S14°06'35"E	224.44'
C8	104.34'	3000.00'	1°59'34"	S47°13'49"W	104.33'
C9	241.69'	283.00'	48°55'58"	S66°14'23"E	234.41'
C10	647.38'	283.00'	31°14'02"	S23°45'37"W	515.18'
C11	152.01'	262.00'	33°14'31"	S65°36'33"W	149.88'
C12	76.73'	338.00'	13°00'27"	S55°29'31"W	76.57'
C13	32.90'	262.00'	7°11'45"	S85°49'41"W	32.88'
C14	42.51'	27.00'	90°13'01"	N45°27'57"W	38.26'
C15	42.25'	27.00'	89°39'05"	N44°28'06"E	38.07'
C16	42.58'	27.00'	90°20'55"	N45°31'54"W	38.30'
C17	46.94'	30.00'	89°39'05"	N44°28'06"E	42.30'

BEING A REPLAT OF LOTS 1 THROUGH 28, AND LOTS 30 THROUGH 32 OF
MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHTS-OF-WAY
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



4

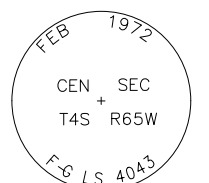
SHEET NUMBER 4	DRAWN BY:	KJD	SCALE:	SKY RANCH, FILING NO. 1					10333 E. Dry Creek Rd. Suite 240 Englewood, CO 80112 Tel: (720) 482-9526 Fax: (720) 482-9546					
	CHECKED BY:	MEL	FILE NO:	PRELIMINARY PLAT										
	DATE:	AUGUST 2016	8.13.0107307											
									No.	Revisions	Date	Init.	Appr.	Date
									1	Address county comments	7-29-16	WFH	WFH	7-29-16

SKY RANCH, FILING NO. 1
PRELIMINARY PLAT

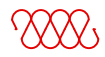
BEING A REPLAT OF LOTS 1 THROUGH 28, AND LOTS 30 THROUGH 32 OF
MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHTS-OF-WAY
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO

MATCH LINE SHEET 4

UNPLATTED
OWNER: JAMASCO LLC.
OWNER ADDRESS: 4100 E. MISSISSIPPI AVE
SUITE 500
GLENDALE, CO 80246
ZONED PD
(CITY OF AURORA)



CENTER 1/4 CORNER, SEC 4
FOUND 2" BRASS CAP
SET IN CONCRETE
(STAMPED AS SHOWN)



APPROXIMATE ACCESS ROUTE TO INTERNAL
SUPERBLOCKS. PRECISE ROADWAY ALIGNMENTS
TO BE DETERMINED AT FINAL PLAT.

30' RIGHT-OF-WAY PER PLAT
OF MONTCLAIR GARDENS 2ND FILING
BOOK A2, PAGE 50B
 $L=57.44'$ $R=394.00'$
 $\Delta=8'21'13''$
 $CHB=S57'54'42''W$
 $CH=57.39'$

PROPOSED 38'
RIGHT-OF-WAY

E 1/4 CORNER, SEC 4
FOUND 2" BRASS CAP
SET IN CONCRETE
(STAMPED AS SHOWN)

200 100 0 200 400
SCALE: 1" = 200'

- LEGEND
- FND #5 REBAR WITH CAP, LS 35593
 - FND #5 REBAR WITHOUT CAP
(ADDED ORANGE CAP, LS 25369)
 - ALIQUOT CORNER AS DESCRIBED
 - BARBED WIRE FENCE
 - CULVERT
 - TREE LINE
 - MISC TREE
 - OBS OBSERVATION/MONITORING WELL
 - FIELD ROAD/DIRT ROAD
 - TELEPHONE PEDESTAL
 - OVERHEAD UTILITY POLE
 - UNDERGROUND FIBER OPTIC MARKER
 - SINGLE POST SIGN
 - LIGHT POLE
 - DOUBLE POST SIGN
 - APPROXIMATE ACCESS ROUTE TO INTERNAL
SUPERBLOCKS. PRECISE ROADWAY ALIGNMENTS
TO BE DETERMINED AT FINAL PLAT.

UNPLATTED
OWNER: PROPERTY RESERVE INC.
OWNER ADDRESS: P.O. BOX 91196
SALT LAKE CITY, UT 84151-1196
ZONED PD (CITY OF AURORA)

WEST LINE OF THE SE 1/4 OF SEC. 4
N00°21'59"W 2568.68'

60' VACATED R.O.W.
REC. NO. B3210792

FLOODPLAIN
& DRAINAGE
EASEMENT

B3 (OS)
469,557 S.F.
10,780 AC.
(F ZONE)

B5 (SF)
534,276 S.F.
12,265 AC.

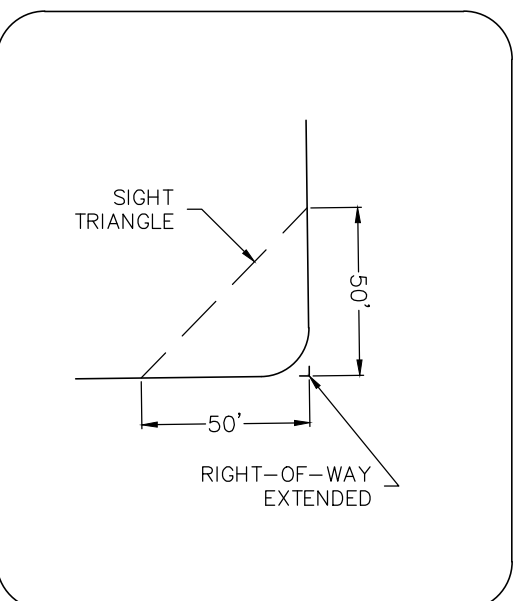
B6 (OS)
213,877 S.F.
4,910 AC.

LOTS 1-28 & 30-32
MONTCLAIR GARDENS - 2ND FILING
BOOK A2, PAGE 50B
OWNER: PCY HOLDINGS LLC.
OWNER ADDRESS: 34501 E QUINCY AVE
BLDG 34, BOX 10
WATKINS, CO 80137-9303
ZONED MIXED USE (ARAPAHOE COUNTY)

RIGHT-OF-WAY 2
207,733 S.F.
4,770 AC.

PROPOSED 42'
RIGHT-OF-WAY

UNPLATTED
OWNER: PCY HOLDINGS LLC.
OWNER ADDRESS: 34501 E QUINCY AVE
BLDG 34, BOX 10
WATKINS, CO 80137-9303
ZONED MIXED USE (ARAPAHOE COUNTY)

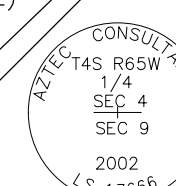


SIGHT TRIANGLE
N.T.S.

WESTERLY LIMITS
CITY OF AURORA

E. 6TH AVENUE/
E. CO RD 6

POINT OF COMMENCEMENT
S. 1/4 CORNER, SEC 4
FOUND 3-1/4" ALUM. CAP
6" BELOW SURFACE
(STAMPED AS SHOWN)



ZONE A, FEMA
PANEL NO. 08005C0206K

42' RIGHT-OF-WAY PER
REC. NO. B8049447

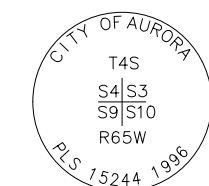
30' RIGHT-OF-WAY PER PLAT
OF MONTCLAIR GARDENS 2ND FILING
BOOK A2, PAGE 50B

UNPLATTED
OWNER: BELLWEATHER ASSOC.
7400 E. CRESTLINE CIR
SUITE 150
GREENWOOD VILLAGE, CO 80111-3655
ZONED PD (CITY OF AURORA)

8.25" TELEPHONE ESMT.
BOOK 1189, PAGE 495

72' RIGHT-OF-WAY
REC. NO. B8049447

SE CORNER, SEC 4
FOUND 2-1/2" ALUM. CAP
6" BELOW SURFACE
(STAMPED AS SHOWN)

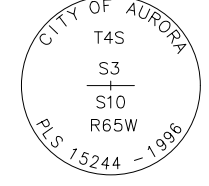


60' RIGHT-OF-WAY
ARAPAHOE COUNTY ROAD NO. 6
BOOK 6 PAGE 431

SOUTH LINE OF THE SW 1/4 OF SEC. 3
S89°30'23"W 2644.20'

8.25" TELEPHONE ESMT.
BOOK 1189, PAGE 495

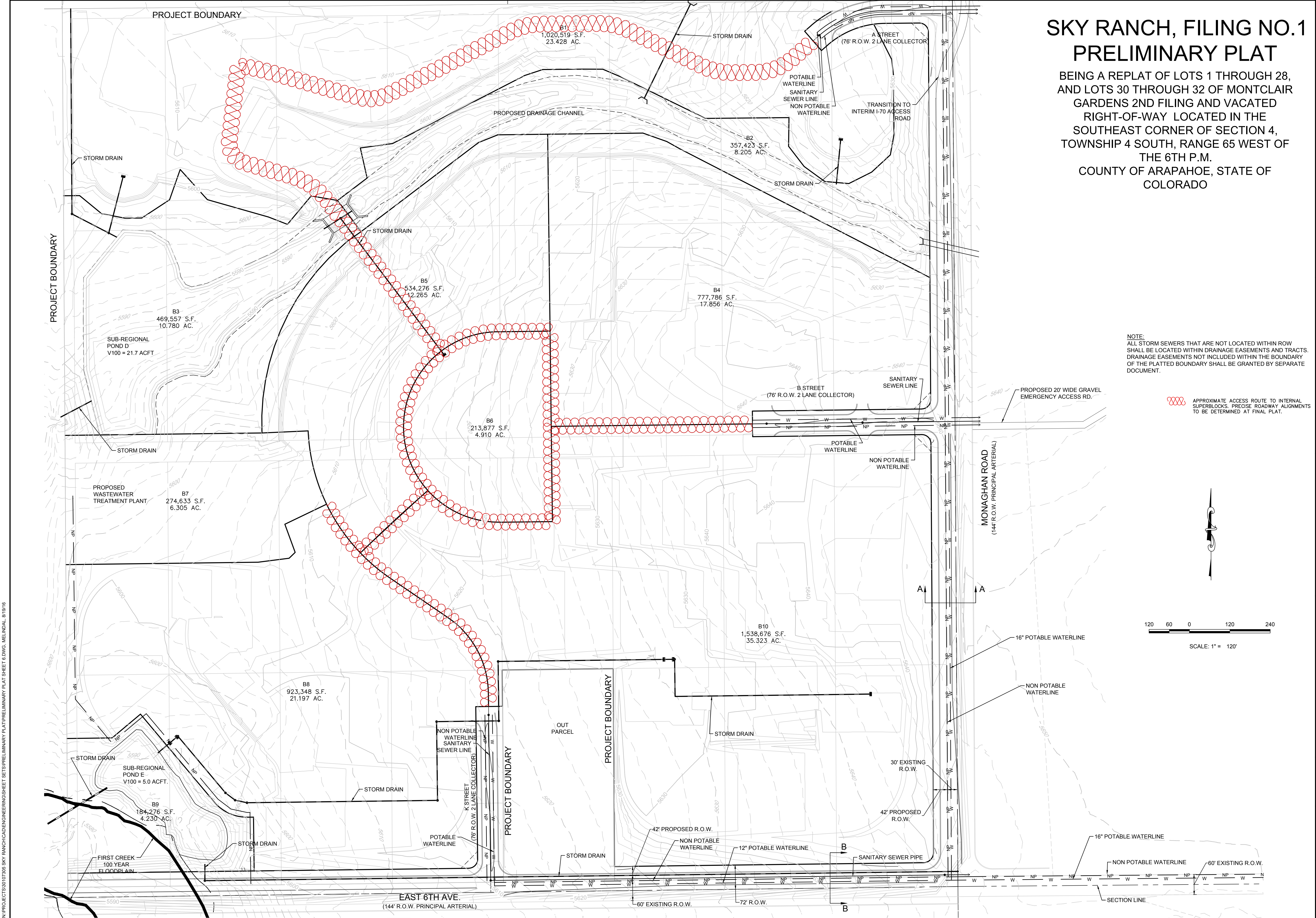
S 1/4 CORNER, SEC 3
FOUND 2-1/2" ALUM. CAP
6" BELOW SURFACE
(STAMPED AS SHOWN)



NOTE:
ALL STORM SEWERS THAT ARE NOT LOCATED WITHIN ROW
SHALL BE LOCATED WITHIN DRAINAGE EASEMENTS AND TRACTS.
DRAINAGE EASEMENTS NOT INCLUDED WITHIN THE BOUNDARY
OF THE PLATTED BOUNDARY SHALL BE GRANTED BY SEPARATE
DOCUMENT.

SHEET NUMBER	DRAWN BY:	CHECKED BY:	DATE:	SKY RANCH, FILING NO. 1 PRELIMINARY PLAT		PCY HOLDINGS, LLC. 34501 EAST QUINCY AVE. BLDG. 34, BOX 10 WATKINS, CO 80137		10339 E. Dry Creek Rd. Suite 240 Englewood, CO 80150 Tel: (720) 482-9526 Fax: (720) 482-9546		Address county comments		Revisions		Date	Init.	Appr.	Date
				SCALE:	AS SHOWN	FILE NO:	8.13.0107307										
5	KJD	MEL	AUGUST 2016											7-29-16	WFH		

N:\PROJECTS\0107206 SKY RANCH\CAD\ENGINEERING\SET\PRELIMINARY PLAT\PRELIMINARY PLAT SHEET 6.DWG, MELINDA, 8/19/16



SKY RANCH, FILING NO.1 PRELIMINARY PLAT

BEING A REPLAT OF LOTS 1 THROUGH 28,
AND LOTS 30 THROUGH 32 OF MONTCLAIR
GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY LOCATED IN THE
SOUTHEAST CORNER OF SECTION 4,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF
THE 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF
COLORADO

NOTE:
ALL STORM SEWERS THAT ARE NOT LOCATED WITHIN ROW
SHALL BE LOCATED WITHIN DRAINAGE EASEMENTS AND TRACTS.
DRAINAGE EASEMENTS NOT INCLUDED WITHIN THE BOUNDARY
OF THE PLATTED BOUNDARY SHALL BE GRANTED BY SEPARATE
DOCUMENT.

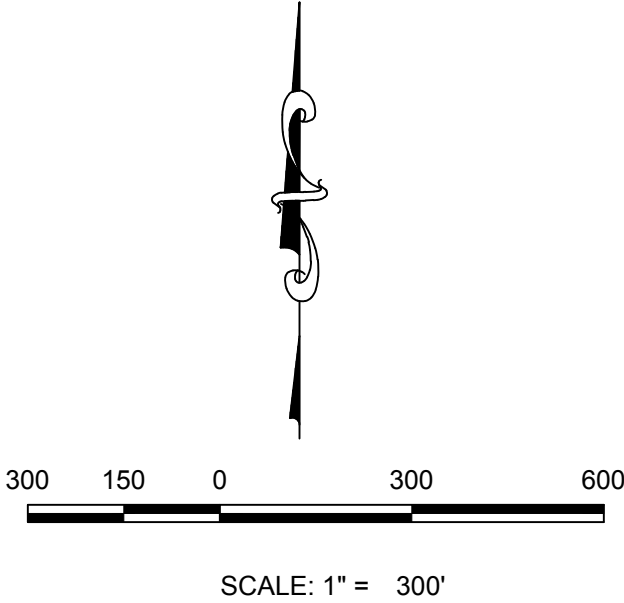
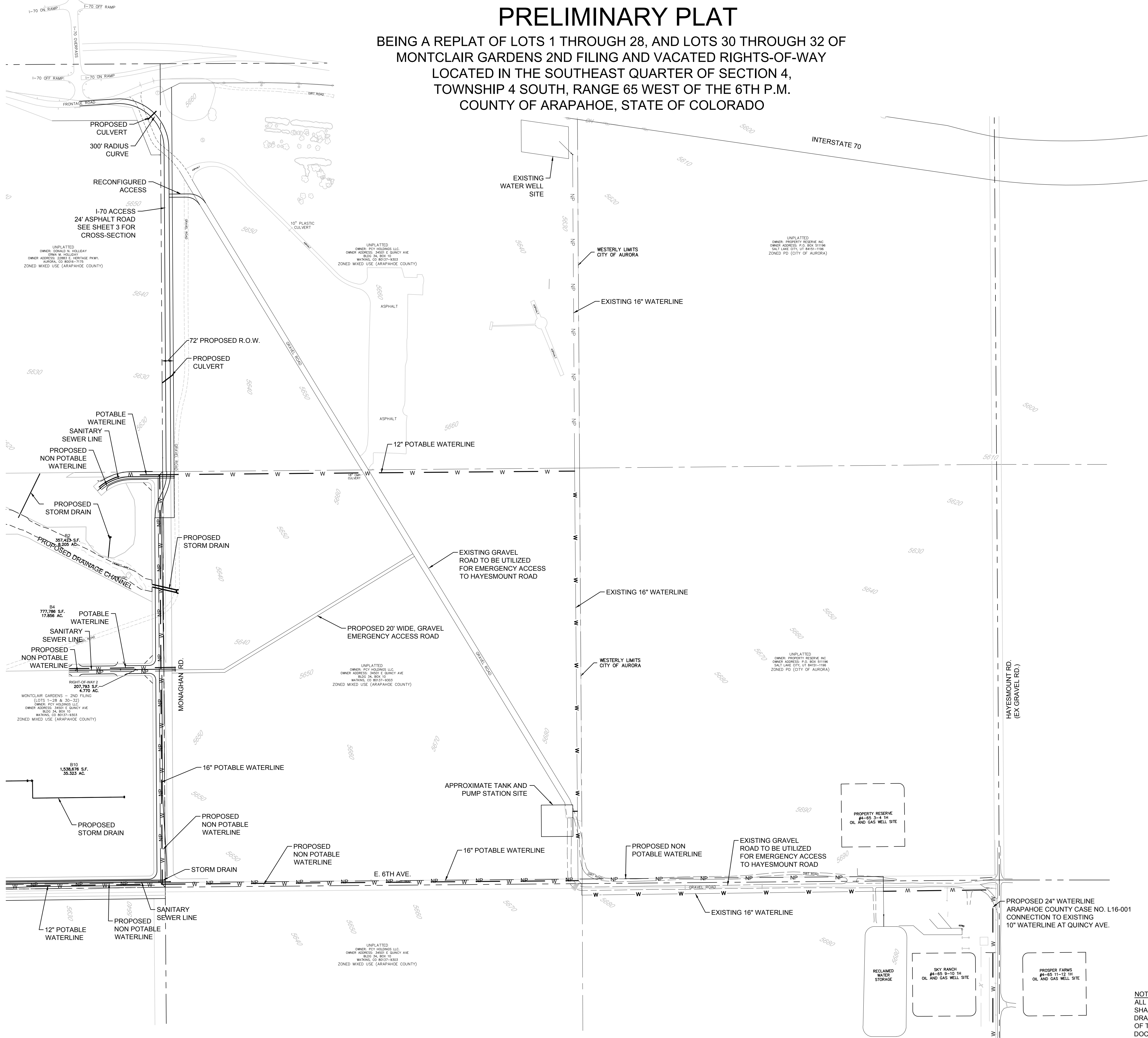
APPROXIMATE ACCESS ROUTE TO INTERNAL
SUPERBLOCKS, PRECISE ROADWAY ALIGNMENTS
TO BE DETERMINED AT FINAL PLAT.

120 60 0 120 240
SCALE: 1" = 120'

SHEET NUMBER	DRAWN BY:	CHECKED BY:	DATE:	SCALE:	K/D	FILE NO.	DATE:	Revisions	No.	Date	Appr.	Date
6	K.D	MEL	AUGUST 2016	AS SHOWN		8.13.0107307						
SKY RANCH, FILING NO.1 PRELIMINARY PLAT SITE PLAN												
PCY HOLDINGS LLC 34501 EAST QUINCY AVE. BLDG. 34, BOX 10 WATKINS CO. 80137												
10339 E. Dry Creek Rd. Suite 240 Englewood, CO 80150 Tel: (720) 482-9526 Fax: (720) 482-9546												
CVL CONSULTANTS												



SKY RANCH, FILING NO. 1
PRELIMINARY PLAT

BEING A REPLAT OF LOTS 1 THROUGH 28, AND LOTS 30 THROUGH 32 OF
MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHTS-OF-WAY
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 4,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
COUNTY OF ARAPAHOE, STATE OF COLORADO



NOTE:
ALL STORM SEWERS THAT ARE NOT LOCATED WITHIN ROW
SHALL BE LOCATED WITHIN DRAINAGE EASEMENTS AND TRACTS.
DRAINAGE EASEMENTS NOT INCLUDED WITHIN THE BOUNDARY
OF THE PLATTED BOUNDARY SHALL BE GRANTED BY SEPARATE
DOCUMENT.

CASE NO. P16-011

SHEET NUMBER	7	DRAWN BY:	KJD	SCALE:	SKY RANCH, FILING NO. 1 PRELIMINARY PLAT OFFSITE PLAN		PCY HOLDINGS, LLC. 34501 EAST QUINCY AVE. BLDG. 34, BOX 10 WATKINS CO. 80137		10333 E. Dry Creek Rd. Suite 240 Englewood, CO 80112 Tel: (720) 482-9526 Fax: (720) 482-9546								
		CHECKED BY:	MEL							FILE NO:	1	Address county comments	7-29-16	WFH	WFH	Date	Appr.
		DATE:	AUGUST 2016	8.13.0107307													
																	No.



Board Summary Report

Date: October 3, 2016

To: Board of County Commissioners

Through: Jan Yeckes, Planning Division Manager

From: Sherman Feher, Senior Planner

Subject: Sky Ranch, Preliminary Development Plan Amendment, (Z16-003).

Request and Recommendation

The purpose of this action is to request BOCC approval of a Preliminary Development Plan Amendment (PDPA) to amend Neighborhood B in the Sky Ranch development by reducing the number of dwelling units and removing the commercial land-use area within Neighborhood B. The Planning Commission and Planning Staff are recommending approval of the PDPA with conditions of approval.

Background

On January 6, 2004 the BOCC approved the zoning for Sky Ranch to include MU-PUD and F (Floodplain District) zones which allow a variety of mixed land uses for the overall Sky Ranch Development of 771.9 acres. On April 22, 2005 an Administrative Amendment was approved that reduced the amount of right-of-way for collector streets; no changes were made to the zoning and land uses with the Administrative Amendment.

On September 20, 2016, the Arapahoe County Planning Commission unanimously voted (7-0) to recommend approval of the Sky Ranch Preliminary Development Plan Amendment case (Case No. Z16-003) with eight conditions of approval. No public comments were given at the Planning Commission hearing.

Links to Align Arapahoe

This request, if approved, will likely "improve the County's economic environment" by generating jobs to build houses. Also Quality of Life is likely to be improved because the applicant is increasing open space from the previously approved zoning.

Discussion

This application is done in conjunction with a Preliminary Plat case that has ten super blocks for the 144.46 acres of Neighborhood B. Five super blocks will be for single-family residential uses, four super blocks will be for open space and floodplains, and one super block will be for a public facility.

This PDPA application is primarily an amendment for Neighborhood B to reduce the number of total dwelling units from 750 to 525 and to remove the commercial land uses from Neighborhood B. The total dwelling units (4,000) and square footage of non-residential uses (1,150,000 sq. ft.) will remain the same for the Sky Ranch Development. The applicant has indicated that the reason for this amendment is to update this development with more current lot sizes and development styles.

Alternatives

The Board of County Commissioners has 3 alternatives:

1. Approve the Preliminary Development Plan Amendment with Conditions of Approval.
2. Continue to a date certain for more information.
3. Deny the Preliminary Development Plan Amendment.

Fiscal Impact

This request might have some positive fiscal impact on the County based on the employment created to build the proposed residential development and potentially increased property tax assessed valuation.

Concurrence

PWD Staff concur with this case.

Reviewed By:

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

DRAFT MOTIONS:

A. In the case of Z16-003, Sky Ranch Preliminary Development Plan Amendment, we have read the staff report and received testimony at the public hearing. We find ourselves in agreement with staff findings including the draft plan and attachments as set forth in the Board Summary Report dated October 3, 2016, and approve this case, subject to the following conditions:

- 1- The applicant will make minor modifications to the plans and supporting documentation, as identified by PWD staff, prior to signature on the mylar,
- 2- The applicant agrees to address all Division of Engineering Services' findings, comments and concerns, as identified within all related Engineering report(s).
- 3- The applicant will be able to construct 774 residential dwelling units without filing a 1601 process with CDOT. No further development beyond the 774 residential dwelling units will be permitted until completion of the CDOT 1601 process.
- 4- The applicant agrees to address all SEMSWA's comments and concerns.
- 5- The applicant agrees to address all UDFCD's (Urban Drainage) comments and concerns.
- 6- The applicant agrees to address all CDOT's comments and concerns.
- 7- The applicant agrees to address all Bennett Fire Protection District's comments and concerns.
- 8- The applicant will provide more water supply and demand information at the Final Plat process.

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 Z16-003, Sky Ranch Preliminary Development Plan Amendment, we have read the Board Summary Report dated October 3, 2016, 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 Z16-003, Sky Ranch Preliminary Development Plan Amendment, I move to continue the decision on this request to [DATE], 2016, date certain, at 9:30 a.m., at this same location [to receive further information] [to further consider information presented during the hearing].

REZONING – WITH PDP AMENDMENT

RESOLUTION NO. [Reso #] It was moved by Commissioner [Moved] duly seconded by Commissioner [Seconded] to adopt the following Resolution:

WHEREAS, PCY Holdings LLC has applied for amending the MU-PUD zoning of certain property and approval of the preliminary development plan amendment, Case No. Z16-003; and

WHEREAS, after a hearing on this matter, the Arapahoe County Planning Commission has made a favorable recommendation for said change in zoning subject to certain stipulations of said Planning Commission as specified in the record of the proceedings before the Planning Commission; and

WHEREAS, following said Planning Commission hearing, public notice of a hearing before the Arapahoe County Board of County Commissioners (“the Board”) was properly given of such proposed rezoning and preliminary development plan by publication on September 29, 2016 in The Villager, a newspaper of general circulation within the County of Arapahoe, by posting of said property and by mail notification of adjacent property owners in accordance with the Arapahoe County Zoning Resolution; and

WHEREAS, a public hearing was held before the Board of County Commissioners at the Arapahoe County Administration Building, 5334 South Prince Street, Littleton, Colorado, on the 25th day of October 2016 at 9:30 o'clock a.m. at which time evidence and testimony were presented to the Board concerning said rezoning request; and

WHEREAS, the administrative record for this Case includes, but is not limited to, all duly adopted ordinances, resolutions and regulations, together with all Public Works and Development Department processing policies which relate to the subject matter of the public hearing, the staff files and reports of the Planning and Engineering case managers, and all submittals of the applicant; and

WHEREAS, representations, statements and positions were made by or attributed to the applicant or its representatives on the record, including representations contained in the materials submitted to the Board by the applicant and County staff; and

WHEREAS, the applicant has agreed to all conditions of approval recommended by County staff, and has agreed to execute all agreements and to convey all rights of way and easements recommended by staff, except as stated in this resolution; and

WHEREAS, the Board finds that the proposed amendment of the preliminary development plan generally conforms to the Arapahoe County Comprehensive Plan and the review and complies with the approval criteria found in the Land Development Code; and

WHEREAS, pursuant to the authority vested unto the Board of County Commissioners by Article 28 of Title 30 C.R.S. as amended, the Board has concluded that the public health, safety, convenience and general welfare, as well as good zoning practice, justifies granting a change in the zoning of the hereinafter described property subject to the conditions precedent and/or other conditions as hereinafter delineated.

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

1. The Board of County Commissioners for Arapahoe County hereby grants and approves an amendment of the Preliminary Development Plan of the following parcel and approval of a preliminary development plan amendment, Case No. Z16-003 subject to the conditions precedent and/or other conditions as hereinafter delineated.

LEGAL DESCRIPTION

[Legal Description] To be provided later

2. Approval of this amendment of the preliminary development plan is based upon the following understandings, agreements and/or representations:
 - a) The applicant's assent and/or agreement to make all modifications to the final version of the documents that are necessary to conform the documents to the form and content requirements of the County in existence at the time the documents are submitted for signature.
 - b) The representations, statements and positions contained in the record that were made by or attributed to the applicant and its representatives, including all such statements contained in materials submitted to the Board by the applicant and County staff.
3. Approval of this amendment of the preliminary development plan shall be and is subject to the following conditions precedent and/or other conditions, which the applicant has accepted and which the applicant is also deemed to accept by preparing a mylar for signature by the Chairman of the Board of County Commissioners within sixty (60) days of this date and by continuing with the development of the property:
 - a) The applicant's compliance with the recommended conditions of the Arapahoe County Planning Commission as set forth in the record of the hearing before the Planning Commission, except as may be modified by this Board.
 - b) The applicant's compliance with all conditions of approval recommended by the staff case managers in the written staff reports presented to the Board, and any conditions stated by staff on the record, except as may be modified by this Board.
 - c) The applicant's compliance with all additional conditions of approval stated by the Board, including:

- 1- The applicant will make minor modifications to the plans and supporting documentation, as identified by PWD staff, prior to signature on the mylar,
 - 2- The applicant agrees to address all Division of Engineering Services' findings, comments and concerns, as identified within all related Engineering report(s).
 - 3- The applicant will be able to construct 774 residential dwelling units without filing a 1601 process with CDOT. No further development beyond the 774 residential dwelling units will be permitted until completion of the CDOT 1601 process.
 - 4- The applicant agrees to address all SEMSWA's comments and concerns.
 - 5- The applicant agrees to address all UDFCD's (Urban Drainage) comments and concerns.
 - 6- The applicant agrees to address all CDOT's comments and concerns.
 - 7- The applicant agrees to address all Bennett Fire Protection District's comments and concerns.
 - 8- The applicant will provide more water supply and demand information at the Final Plat process.
- d) The applicant's performance of all commitments and promises made by the applicant or its representatives and stated to the Board on the record, or contained within the materials submitted to the Board.
4. Upon the applicant's completion of any and all changes to the rezoning mylar as may be required by this Resolution, the Chairman of the Board of County Commissioners is hereby authorized to sign same.
 5. That the Zoning Map of Arapahoe County shall be and the same is hereby amended to conform to and reflect said change in zoning.
 6. 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.
 7. 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.

The vote was:

Commissioner Bockenfeld, ; Commissioner Doty, ; Commissioner Holen, ; Commissioner Jackson, ; Commissioner Sharpe, .

The Chair declared the motion carried and so ordered.

ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING
September 20, 2016
6:30 P.M.

**SUBJECT: Z16-003 – SKY RANCH, PRELIMINARY DEVELOPMENT PLAN
AMENDMENT.**
P16-011 – SKY RANCH, PRELIMINARY PLAT.

SHERMAN FEHER, PLANNER.

September 13, 2016

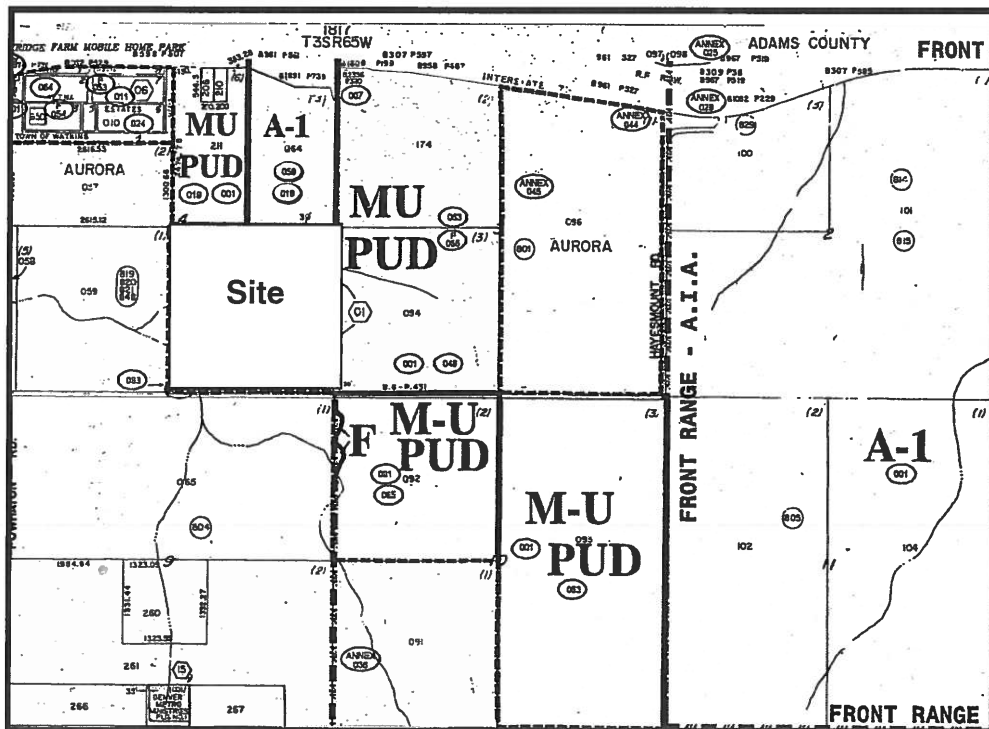
VICINITY MAP: The overall Sky Ranch site is generally bounded by I-70 on the North, East Alameda Avenue on the South, Hayesmount Road on the East and ½ Section West of Monaghan Road to the West, within Commissioner District #3.



Vicinity Map

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES FOR THE OVERALL SKY RANCH DEVELOPMENT:

North	Under the jurisdiction of Adams County, vacant. Some property is zoned A-1, residential.
South	Unplatted land, under the jurisdiction of the City of Aurora, vacant. Also Hills at Sky Ranch, MU-PUD, vacant.
East -	Northeast portion - Aurora, vacant. Also Prosper, MU-PUD, vacant.
West -	Under the jurisdiction of the City of Aurora, platted, vacant. Also zoned A-1, unplatted, vacant



Zoning Map

PROPOSAL:

The applicant, CVL Consultants LLC, on behalf of the owner PCY LLC, is requesting approval of a Preliminary Development Plan Amendment (PDPA) and Preliminary Plat (PP) known as Sky Ranch. The purpose of the PDPA request is to amend the existing PDP for Sky Ranch. This amendment primarily deals with Neighborhood B.

The following changes are proposed:

1. The reduction of total dwelling units from 750 to 525 for Neighborhood B.
2. Remove commercial land uses from Neighborhood B.

3. Reallocate dwelling units and non-residential square footage to other neighborhoods but have the total number of dwelling units and non-residential square footage remain the same for Sky Ranch.

This PDPA still depicts a Residential/Commercial, mixed use development for Sky Ranch, amounting to 771.9 acres of land. A total of 4000 dwelling units and 1,150,000 square feet of non-residential uses are proposed overall for Sky Ranch. This proposed amendment will essentially comply with the current design guidelines of the original Sky Ranch PDP.

Staff Recommendation:

Staff is recommending approval of the Preliminary Development Plan Amendment and Preliminary Plat, subject to the findings and conditions contained in this Staff Report.

I. BACKGROUND

The photographs below outline some of the area in and around Sky Ranch.



Shot facing east, showing existing trees



Shot facing south.

BACKGROUND

On January 6, 2004 the BOCC approved the zoning for Sky Ranch to include MU-PUD and F (Case Number Z01-010) which allowed single and multi-family residential, commercial and light industrial with various infrastructure standards and design guidelines. The site encompassed 772.3 acres and would have a maximum of 4,000 dwelling units and 1,150,000 square feet of non-residential buildings.

On April 22, 2005 an Administrative Amendment was approved that reduced the right-of way for collectors from 88' to 76' which corresponded to the traffic study. Acreages for parcels affected by this reduction were modified. No change occurred in the zoning.

II. DISCUSSION:

Staff's 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 an analysis of referral comments.

1. The Comprehensive Plan

The Arapahoe County Comprehensive Plan looks beyond pressing current issues to provide a perspective on opportunities for the future. The Plan illustrates a generalized pattern of future land uses, and it serves as a policy and strategy guide to update the County's land use regulations and establish the foundation for new programs.

On May 22, 2012; a Comprehensive Plan Amendment was approved by the Planning Commission. The Comprehensive Plan Amendment encompassed much of the area along the I-70 Corridor and it also includes the area for this PDPA. This area has a Comprehensive Plan Land Use Designation of Planning Reserve/Tier 1. In general terms the purpose of Tier 1 is intended for urban level development. This designation permits residential, employment and mixed use development along a portion of the I-70 Corridor. As such the PDPA is in compliance with the Arapahoe County Comprehensive Plan for this area.

2. Ordinance Review and additional Background Information

Preliminary Development Plan Amendment:

Chapter 13.101.03 of the Planned Unit Development section of the Land Development Code states that "the P.U.D. process is intended to prevent the creation of a monotonous urban landscape by allowing for the mixture of uses which might otherwise be considered non-compatible, through the establishment of flexible development standards", provided said standards:

- a. Recognize the limitations of existing and planned infrastructure, by thoroughly examining the availability and capability of water, sewer,**

drainage and transportation systems to serve present and future land uses.

Water and sewer service will be provided by the Rangeview Metropolitan District through its service provider Pure Cycle Corporation.

The applicant has provided a Drainage Study, which has been reviewed by Engineering staff, SEMSWA and Urban Drainage. The applicant will need to respond to all of the review agency comments. This will be a condition of approval.

A CDOT 1601 process will be required with the Sky Ranch development which helps define the required transportation infrastructure particularly as it pertains to I-70. Per the traffic impact study, CDOT has agreed that the 1601 process will not be required until after 774 residential dwelling units are constructed. This PDPA for Neighborhood B will only allow 525 dwelling units, therefore the 1601 process will not be triggered as a result of residential development in Neighborhood B.

b. Assure compatibility between the proposed development, surrounding land uses and the natural environment.

General:

The County is committed to development occurring in a manner that seeks to ensure the viability of the eastern communities along the I-70 corridor. A compact development pattern is desirable, that encourages growth to locate within well-defined growth areas, and one that balances development and conservation of the natural environment.

In terms of providing a high quality design of the site, the applicant has included the extensive list of Design Standards from the original PDP. These Standards include:

Protection of natural features, resources, and sensitive areas;
On-site automobile, pedestrian and bicycle circulation;
Open areas and amenities;
Entryway design;
Building height and setbacks;
Architectural considerations;
Residential developments (single-family detached, single-family attached and multi-family developments);
Commercial and industrial developments;
Open space and parks;
Landscaping;
Engineering; and
Community design.

Surrounding Land Uses:

In consideration of the compatibility of the proposed development with the surrounding land uses, there are no existing neighborhoods adjacent to this site. The closest neighborhoods are located in Watkins, and the Foxridge Mobile Home Park located half a mile to the north west of the proposed development. In the City of Aurora both commercial and residential developments are proposed near the proposed development.

Natural Environment:

Open space areas and trails are proposed along the drainage ways, so as to provide the future residents with a natural area to recreate in.

- c. **Allow for the efficient and adequate provision of public services. Applicable public services include, but are not limited to, police, fire, schools, parks and libraries.**

This PDPA was referred to outside referral agencies. Please see section 3 of this report for a detailed review of outside referral comments. The Bennett Fire Protection District had a number of requirements for this development; they will be a condition of approval. No responses were received from the Sheriff, schools or libraries. Through the original Sky Ranch PDP some 30 acres of land is provided for schools.

- d. **Enhance convenience for the present and future residents of Arapahoe County by ensuring that appropriate supporting activities, such as employment, housing, leisure-time activities and retail centers are in close proximity to one another.**

The County recognizes that employment opportunities are important to its residents. The County encourages well-designed employment centers and commercial development in the Eastern Communities along the I-70 corridor. The proposed development's 1,150,000 square feet of non-residential development for the overall Sky Ranch development will contribute to the community by providing employment opportunities. Staff referred this application to the I-70 Regional Economic Advancement Partnership (REAP). Staff has not received a referral response letter.

- e. **Ensure that public health and safety are adequately protected against natural and man-made hazards, which include, but are not limited to, traffic noise, water pollution, airport hazards and flooding.**

Flooding:

No buildings will be allowed to be built in the 100-year floodplain.

Airport Influence Area:

The proposed development is within the DIA Airport Influence Area, which will need to meet the AIA requirements related to noise.

- f. **Provide for accessibility within the proposed development, and between the development and existing adjacent uses. Adequate on-site interior traffic circulation, public transit, pedestrian avenues, parking and thoroughfare connections are all factors to be examined when determining the accessibility of a site.**
- g. **Minimize disruption to existing physiographic features, including vegetation, streams, lakes, soil types and other relevant topographical elements.**

No significant physiographic features exist on-site.

The proposed development will include adequate open space, as detailed on the PDPA, which will serve to preserve and enhance the physical environment. In addition, development will be planned with protection of drainage ways, flood plains and other environmental features.

- h. **Ensure that the amenities provided adequately enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions such as, the preservation of mountain views, the creation of landscaped open areas, and the establishment of recreational activities.**

The PDPA shows a neighborhood park and open space to be included in the proposed development, which will serve to enhance the physical environment. In addition, the applicant has stated that development is being planned so as to protect drainage ways, flood plains and other environmental features.

The proposed development provides for landscaping which is designed to enhance and complement the development.

Recreational amenities, both active and passive, are proposed for the development. These include: walking and bicycle trails, parks, and open recreational areas.

- i. **Enhance the usable open spaces in Arapahoe County, and provide sufficient unobstructed open spaces and recreational areas to accommodate a project's residents and employees.**

The minimum unobstructed required open space, as listed in the PDPA, has been provided for all proposed development types. Also see previous response related to amenities for the establishment of recreational areas.

OTHER:

The "Residential Self-Imposed Limits" table on sheet 5 had a number of reallocations within the various neighborhoods, however the table was not outlined as changed. This will need to be done under the condition of approval that the applicant will make all minor modifications suggested by PWD Staff.

Preliminary Plat:

a. Provide for a public water supply.

The Rangeview Metropolitan District will serve the project's drinking water. A 'will serve' letter has been provided with this Preliminary Plat. More specific water information will need to be provided with the Final Plat process.

b. Provide for a public sewage disposal system.

The Sky Ranch Metro District, will serve the project's sewage disposal needs. A 'will serve' letter has been provided with this Preliminary Plat.

c. Provide evidence to show that all areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified by the subdivider, and that the proposed uses of these areas are compatible with such conditions.

Soils:

The original Sky Ranch PDP Soil's Report notes that some moderately to highly expansive clay soils underlie portions of the site. The soils consultant suggests considering the use of structural floor systems as one construction method to minimize problems associated with these expansive soils.

Colorado Geological Survey:

The original Sky Ranch PDP response of the Colorado Geological Survey recommends supplemental exploration and analysis to determine engineering parameters such as expansion/consolidation potential, strength, allowable bearing pressures and minimum dead load pressures, and to use such information in the designs of foundations, floor systems and pavements. The Survey further recommends that proper grading, compaction and surface drainage are incorporated into the development plans.

d. Comply with all applicable zoning regulations governing the property as adopted by the Board of County Commissioners.

The proposal complies with all applicable zoning regulations governing the property as adopted by the Board of County Commissioners.

e. Comply with the Mineral Resource Areas in the Regulations for Areas of Special Interest as adopted in the Arapahoe County Zoning Regulation.

Minerals (oil and gas) may be recoverable from Neighborhood B, but the applicant appears to have worked out an arrangement for recovering these minerals from other locations on the Sky Ranch development.

3. Referral Comments:

Comments received as a result of the referral process are detailed below:

County Engineer	-	PDPA & PP: Engineering had comments regarding 1601 process, drainage/floodplain, traffic study, SIA, PDP, and the PP. <i>The applicant has addressed or will address these issues. This will be a condition of approval.</i>
Mapping	-	PDPA: Comments need to be addressed. <i>Comments have been or will be addressed by applicant</i> PP: Comments need to be addressed. <i>Comments addressed by applicant</i>
Weed Control		No response.
Zoning Administrator	-	PDPA: No comments. PP: No comments.
Open Spaces	-	PDPA: No comments. PP: No comments.
Arapahoe County Assessor		No response.
Oil & Gas (Arapahoe County)		No response.
Arapahoe County Sheriff		No response.
Army Corps of Engineers	-	PDPA & PP: Comments on 404 Permit. <i>Applicant acknowledges 404 Permitting process, if applicable.</i>
City of Aurora	-	PDPA & PP: Comments regarding compliance with regional plans, water, transportation, and infrastructure improvements and airport noise. Aurora does not support this development. Applicant is welcome to annex into Aurora. <i>Applicant acknowledges many comments and has addressed or will address City of Aurora comments.</i>
Division of Wildlife	-	PDPA & PP: No response.
Adams County	-	PDPA & PP: No response.
Bennett Fire District	-	PDPA & PP: Comments regarding fire code standards, adequate fire suppression, revise existing development agreement for unmet capital costs, and land for public facilities.

		Applicant acknowledges Fire District comments and is working to revise Development agreement. <i>The applicant acknowledges these comments and will need to address all of the comments. This will be a condition of approval.</i>
Arapahoe Library District	-	PDPA & PP: No response.
Post Office	-	PDPA & PP: No response.
REAP	-	PDPA & PP: No response.
Century Link	-	PDPA & PP: No response.
RTD	-	PDPA & PP: No response.
Aurora School District	-	PDPA & PP: No response.
Bennett School District	-	PDPA & PP: No response.
West Arapahoe Conservation District	-	PDPA & PP: No response.
SEMSWA		<p>PDPA: Comments regarding floodplains, detention and water quality facilities note, and PDP. Also a number of comments regarding drainage report.</p> <p>PP: Comments regarding tract ownership, floodplain delineations, box culvert and PP.</p> <p><i>The applicant has or will address all of these comments. This will be a condition of approval.</i></p>
Tri-County Health	-	PDP & PP: Comments regarding water and wastewater treatment plant permits, covering of wastewater treatment plant for odor control, environmental clean-up, and water supply. <i>The applicant has or will deal with these issues as applicable.</i>
CDOT	-	PDPA & PP: CDOT has a number of comments pertaining to roads, traffic, TIA, other service providers, <i>The applicant's traffic engineer provided an extensive written response to CDOT's comments (see attached letter). Also the applicant and the County had a meeting with CDOT to resolve CDOT's concerns. One of the conditions of approval related to the 1601 process, as mentioned earlier in this staff report is a result of the meeting.</i>

XCEL	-	PDPA & PP: Comments on utility easements. <i>Applicant will work with XCEL for expansion of natural gas and electricity service to development.</i>
Urban Drainage	-	PDPA & PP: No response to Planning, but is referred to in the Engineering Planning Commission Update.
Rangeview Water & Sanitation District	-	PDPA & PP: Provided a will serve letter.

III. **STAFF FINDINGS:**

Staff has visited the site, reviewed the plans and supporting documentation, referral comments, as well as citizen input in response to these applications. Based upon review of applicable policies and goals in the Comprehensive Plan, review of the development regulations and analysis of referral comments, our findings include:

1. The development appears to be in compliance with the Arapahoe County Comprehensive Plan.
2. The submittals appear to comply with the FDP and PP submittal requirements of Chapters 13 and Chapters 14 of the Arapahoe Land Development Code.
3. The applicant needs to address all SEMSWA's and UDFCD's comments and concerns.
4. The applicant needs to address all CDOT's comments and concerns.
5. The applicant needs to address all Bennett Fire Protection District's comments and concerns.
6. The applicant will need to provide more water supply and demand information at the Final Plat process.

IV. **RECOMMENDATION:**

Considering the findings and other information provided herein, staff recommends approval of Z16-003, Sky Ranch Preliminary Development Plan Amendment and P16-011 Sky Ranch Preliminary Plat, subject to the following:

1. The applicant will make minor modifications to the plans and supporting documentation, as identified by PWD staff, prior to signature on the mylar.
2. The applicant agrees to address all Division of Engineering Services' findings, comments and concerns, as identified within all related Engineering report (s).
3. The applicant will be able to construct 774 residential dwelling units without filing a 1601 process with CDOT. No further development beyond the 774 residential dwelling units will be permitted until completion of the CDOT 1601 process.
4. The applicant agrees to address all SEMSWA's comments and concerns.
5. The applicant agrees to address all UDFCD's comments and concerns.
6. The applicant agrees to address all CDOT's comments and concerns.

7. The applicant agrees to address all Bennett Fire Protection District's comments and concerns.
8. The applicant will provide more water supply and demand information at the Final Plat process.

This is based upon:

- The proposed PDP Amendment is in compliance with the Arapahoe County Comprehensive Plan.
- The proposed PDP Amendment with the above-mentioned conditions of approval and the PP is in compliance with the Arapahoe County Land Development Code.

V. DRAFT MOTIONS:

A. In the case of Z16-003, Sky Ranch Preliminary Development Plan Amendment and P16-011, Sky Ranch Preliminary Plat, 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 September 13, 2016, and move to recommend approval to the BOCC of these cases, subject to the following conditions:

1. The applicant will make minor modifications to the plans and supporting documentation, as identified by PWD staff, prior to signature on the mylar.
2. The applicant agrees to address all Division of Engineering Services' findings, comments and concerns, as identified within all related Engineering report (s).
3. The applicant will be able to construct 774 residential dwelling units without filing a 1601 process with CDOT. No further development beyond the 774 residential dwelling units will be permitted until completion of the CDOT 1601 process.
4. The applicant agrees to address all SEMSWA's comments and concerns.
5. The applicant agrees to address all UDFCD's comments and concerns.
6. The applicant agrees to address all CDOT's comments and concerns.
7. The applicant agrees to address all Bennett Fire Protection District's comments and concerns.
8. The applicant will provide more water supply and demand information at the Final Plat process.

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 Z16-003, Sky Ranch Preliminary Development Plan Amendment and case P16-011, Sky Ranch Preliminary Plat, 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 September 13, 2016, and recommend the Board of County Commissioners DENY the request for approval of the Final Development Plan.

Findings:

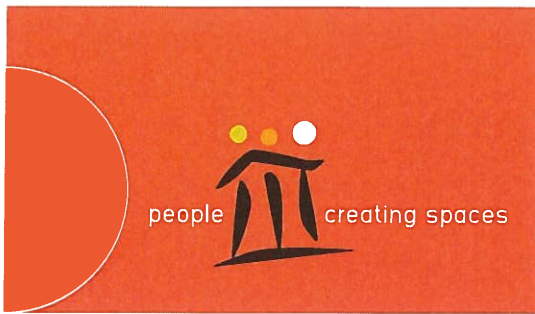
1. *State new or amended findings to support Planning Commission recommendation of "Denial" as part of the motion.*
- 2.

C. CONTINUE: In the case of Z16-003, Sky Ranch Preliminary Development Plan Amendment and case P16-011, Sky Ranch Preliminary Plat, 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/Letter of Intent
Applicant's response
Referral Comments
PDP and PP Exhibits

Arapahoe County Colorado's First		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 <div style="color: red; font-weight: bold; margin-top: 10px;"> Land Development Application materials received after 2pm shall be date stamped received the following working day. </div>	
APPLICANT/REPRESENTATIVE: Pure Cycle Corp. (PCY Holdings, LLC)		ADDRESS: 34501 East Quincy Ave., Bldg. 34, Box 10 Watkins CO 80137 PHONE: 303 292-3456 FAX: 303 292-3475 EMAIL: mharding@purecyclewater.com		SIGNATURE: NAME: Mark Harding TITLE: President	
OWNER(S) OF RECORD: Pure Cycle Corp. (PCY Holdings, LLC)		ADDRESS: 34501 East Quincy Ave., Bldg. 34, Box 10 Watkins CO 80137 PHONE: 303 292-3456 FAX: 303 292-3475 EMAIL: mharding@purecyclewater.com		SIGNATURE: NAME: Mark Harding TITLE: President	
ENGINEERING FIRM: CVL Consultants of Colorado, Inc.		ADDRESS: 10333 East Dry Creek Rd., Suite 240 Englewood, CO 80112 PHONE: 720 249-3539 FAX: 720 482-9546 EMAIL: mlundquist@cvtci.com		CONTACT PERSON: Melinda Lundquist	
Pre-Submittal Case Number: Q16-002 Pre-Submittal Planner: Sherman Feher Pre-Submittal Engineer: Sue Liu					
Parcel ID no. (AIN no.)		1977-00-0-00-094, -319, -320, -321; 1977-00-0-01-004, -005, -012, -013, -014, -015, -016, -017, -018			
Parcel Address or Cross Streets:		Southeast of Airpark Exit from Interstate 70. West 1/2 Sect. 3, SE 1/4 Sect 4, E 1/2 Sect 10; all T4S, R65W			
Subdivision Name & Filing No.:		Sky Ranch			
Related Case Numbers: (Preliminary/Final Development Plan, Rezoning, and / or Plat)		Z04-005, A04-010, Z01-010			
EXISTING			PROPOSED		
Zoning:		MU		no changes	
Case/Project/Subdivision Name:		Sky Ranch			
Site Area (Acres):		151.329 (PP), ????.?? (PDP)			
Floor Area Ratio (FAR):		n/a		n/a	
Density (Dwelling Units/Acre):		n/a		n/a	
Building Square Footage:		n/a		n/a	
Disturbed Area (Acres):				20	
CASE TYPE (Administrative Case types are shaded in Gray)					
<input type="checkbox"/> Preliminary Development Plan or Major Amendment <input checked="" type="checkbox"/>		<input type="checkbox"/> Location & Extent or Major Amendment <input type="checkbox"/>		<input type="checkbox"/> Administrative Site Plan <input checked="" 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.:		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.					



April 11, 2016

Sherman Feher
Arapahoe County Planning Department
6924 South Lima Street
Centennial, Colorado 80112

RE: Letter of Intent
Preliminary Plat and Preliminary Development Plan Amendment
Sky Ranch Subdivision
Arapahoe County Pre-submittal Case No. Q16-002

Dear Mr. Feher:

On behalf of Pure Cycle Corporation, please consider this application for a Preliminary Plat (PP) and Preliminary Development Plan (PDP) Amendment which addresses the Neighborhood B portion of the overall Sky Ranch subdivision, and the overall anticipated phasing. Neighborhood B is generally comprised of the 151 acres located in the southeast corner of Section 4, Township 4 South, Range 65 West of the 6th Principal Meridian, which as you know is that portion of the Sky Ranch property located to the West of the future Monaghan Road alignment. We are interested in pursuing an amendment to the currently approved preliminary development plan to facilitate development of the property in response to market conditions, which have changed dramatically since the original PDP was approved back in 2004. This latest application addresses the proposed land uses and associated densities, projected traffic volumes, and major roadway, drainage and utility infrastructure required to support development of this parcel.

The Preliminary Development Plan Amendment addresses the revised portions of the Sky Ranch development, with localized revisions relative to Neighborhood B, most specifically the land planning of said neighborhood and the resulting change to the overall development phasing.

Neighborhood B is anticipated to be the first phase of development, including approximately 500 single-family homes. When originally conceived, Neighborhood B was intended to be the 3rd phase of the development, following the development of a large portion of residential, mixed use and commercial uses in Neighborhoods A & C. This was proposed due to the amount of anticipated development activity in the surrounding area that was being entitled in the City of Aurora at the same time as Sky Ranch was moving through the County. Obviously the most recent recession in Colorado derailed this development pattern. With the re-emergence of community development since the recession, the applicant believes the time is right to move forward with Sky Ranch, albeit in a slightly different manner. We would like to amend the Preliminary Development Plan for Sky Ranch to first bring a mix of single family detached residential types and sizes online within Neighborhood B. The timing of this development combined with other residential uses within the broader area will then make the development of commercial and mixed use areas, along with the integration of single family attached product within the community much more viable. As such, we anticipate those uses occurring in phase

2 and beyond within Sky Ranch. We are still viewing Sky Ranch as a mixed use community, as an entire project, but we are removing the commercial areas and higher density residential from this initial phase because market feasibility doesn't indicate that these will be viable in this area for some time yet. While some of the proposed land uses within Neighborhood B have changed, the general concept for this Neighborhood has remained consistent from a parks and open space and community connectivity standpoint.

The Preliminary Plat addresses Neighborhood B only, including the superblocs defining where single-family homes are planned, open space areas, including the neighborhood park, the wastewater treatment plant site, and F-Zones for the First Creek floodplain and the First Creek Tributary floodplain. Access to Neighborhood B will be provided at the Airpark Road interchange with Interstate 70. From the Interstate 70 frontage road, the two eastern most lanes of Monaghan Road will be constructed and extended to the Neighborhood B parcel. This alignment is planned on land owned by either Pure Cycle Corporation or the Colorado Department of Transportation. No improvements to the Interstate 70 interchange are necessary to support the development of this first phase. Emergency access will be gained via the existing gravel road, currently utilized by oil and gas operations (formerly an airport runway) that connects to Hayesmount Road. Two collector access points are planned off of Monaghan Road; one collector access point is planned off of East 6th Avenue. Interior roadways are planned adhering to the local 50 foot right-of-way cross-section depicted on previous PP and PDP applications but are not depicted herein since changes are not being proposed to them. Water and sanitary sewer service will be provided by Sky Ranch Metropolitan District No. 5, working with the Rangeview Metropolitan District and Pure Cycle Corporation. Water infrastructure will be extended to Neighborhood B from offsite locations. A wastewater reclamation facility is to be constructed on the public facilities tract near the western border of Neighborhood B; a parcel that was the subject to a Location and Extent (Case # L06-001), a Subdivision Exemption Plat (Case # X06-001) and an August 14, 2006 Subdivision Improvement Agreement. Please refer to the Offsite Infrastructure exhibit within the PP document. Storm drainage conveyance will be engineered per Arapahoe County, Southeast Metro Stormwater Authority and Urban Drainage and Flood Control District requirements. Planned drainage infrastructure includes construction of two onsite sub-regional detention and water quality ponds and an onsite drainage channel.

Enclosed within this application are the materials listed on the County's Submittal Requirements checklist and those requested in the pre-submittal notes. Please do not hesitate to call me directly at (303) 887-9786 with any questions that you may have on this application. We look forward to working with the County and referral agencies to expand the Arapahoe County community of residents.

Sincerely,
PCS Group, Inc.



Al Cunningham



ARAPAHOE COUNTY
COLORADO'S FIRST

Public Works and Development

6924 South Lima Street
Centennial, Colorado 80112-3853
Phone: 720-874-6500
Fax: 720-874-6611
TDD: 720-874-6574
www.arapahoegov.com
publicworks@arapahoegov.com

DAVID M. SCHMIT, P.E.
Director

Planning Commission Update

Date: September 7, 2016
To: Sherman Feher, Planning Division
From: Sue Liu, Engineering Division
RE: Z16-003 P13-011 Sky Ranch PDP PP

Scope/Location:

The applicant, Pure Cycle Corporation, is requesting approval of a Preliminary Plat and a Preliminary Development Plan Amendment which addresses the Neighborhood B Portion of the overall Sky Ranch Developments and overall anticipated phasing. The Preliminary Development Plan Amendment addresses the revised portions of the Sky Ranch development, with localized revisions relative to Neighborhood B, most specifically the land planning of said neighborhood and the resulting change to the overall development phasing. Neighborhood B is anticipated to be the first phase of development, including approximately 500 single-family homes. The Preliminary Plat addresses Neighborhood B only, including the superblocks defining where single-family homes are planned, open space areas, including the neighborhood park, the wastewater treatment plant site, and F-Zones for the First Creek floodplain and the First Creek Tributary floodplain.

Two collector access points are planned off of Monaghan Road; one collector access point is planned off of East 6th Avenue. Interior roadways are planned adhering to the local 50 foot right-of-way cross-section depicted on previous PDP application.

The site is located within the First Creek Drainage Basin. A floodplain delineation study for the First Creek Tributary (T-9) that crosses the Development – Neighborhood B is required and will need to be approved by both Arapahoe County and Urban Drainage Flood Control District. In this study, the 100-year floodplain limits for the T-9 tributary will be defined, and regional detention facilities are also proposed within this Amendment.

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

1. The Sky Ranch Development is partially within the Aurora Airpark Civilian Airport influence area.
2. The site lies within the First Creek basin and its tributary.
3. This development will require a Subdivision Improvement Agreement (SIA) to guarantee on-site and off-site public improvements for each proposed Final Plat.
4. This site lies within the Southeast Metro Stormwater Authority (SEMSWA) service area.
5. This project is in the boundaries of the Urban Drainage and Flood Control District (UDFCD).
6. The applicant is required to provide a Floodplain Delineation Study for the First Creek tributary, T-9 that is across the Neighborhood B development.
7. A Floodplain Development Permit (FDP) will be required for all activities within a County designated floodplain, regardless of impact.
8. Master Drainage Impact Fees of \$115/Gross Acre is required and should be paid to the County at the time of final plat or final development plan process.
9. The applicant shall be permitted to design and construct 774 residential dwelling units of the Sky Ranch Development as detailed in the approved Traffic Impact Study for Sky Ranch Neighborhood B without filing a 1601 process with the Colorado Department of Transportation (CDOT). No further development beyond the 774 units will be permitted until the completion of the CDOT 1601 process for the Airpark Road and I-70 Interchange improvements.
10. The applicant (Pure Cycle Corporation) will be required to escrow with Arapahoe County the funding for the 1601 Process at the time of the Final Plat or Final Development application. The 1601 Process must be completed with Arapahoe County as the Contract Agency per CDOT Regulations.
11. Upon completion of the 1601 process, the applicant (Pure Cycle Corporation) and/or Developer will be required to contribute a pro-rata share of the proposed cost for interchange modifications.

Engineering Services Staff is recommending the land use application(s) favorably subject to the following conditions:

1. The applicant agrees to address the Division of Engineering Services' findings, comments, and concerns as identified within the staff report.
2. The applicant agrees to address SEMSWA's comments and concerns.
3. The applicant agrees to address UDFCD's comments and concerns.
4. The applicant agrees to address CDOT's comments and concerns.



August 23, 2016

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

**RE: Sky Ranch
Preliminary Plat & Preliminary Development Plan Amendment
Z16-003, P13-011**

Dear Mr. Feher:

CVL Consultants of Colorado, Inc., on behalf of the applicant, PCY Holdings, LLC, has considered the comments from the following: Arapahoe County Engineering, Bennett Fire Protection District #7, Xcel Energy, Tri-County Health Department, Army Corps of Engineers, Southeast Metro Stormwater Authority, City of Aurora, and CDOT for the referenced project. We have restated the comments below and addressed them per the italicized responses. An updated preliminary plat, preliminary development plan amendment, Phase II Drainage Report, and Traffic Impact Study is included with this resubmittal, revised per the following review comments and redlines.

Many of the review comments pertained to the traffic study. CDOT's comments were addressed under separate cover and submitted directly to CDOT. Arapahoe County was copied on that email correspondence. CDOT responded with another letter, dated August 19, 2016, which demonstrated support for the project. It may be prudent to share these letters with the City of Aurora as well.

ARAPAHOE COUNTY ENGINEERING – Sue Liu, PE

Findings

11. The applicant (Pure Cycle Corporation) will be required to escrow with Arapahoe County the funding for the 1601 Process at the time of the Final Plat or Final Development application. The 1601 Process must be completed with Arapahoe County as the Contract Agency per CDOT Regulations.

Response: Applicant acknowledges it will be responsible for participation in the funding the 1601 study for the Monahan Interchange and acknowledges Arapahoe County will be the governmental agency coordinating the study per CDOT Regulations. Pursuant to the Applicants' TIS, the 1601 study is not anticipated to occur until Applicant develops up to the 774 units outlined in the PDP Amendment and Preliminary Platt. Buildout of Applicants' first phase is anticipated to take between 10 to 15 years and funding a future 1601 study more than a decade out places significant burden on the Applicant as well as the County to administer the escrow for ten or more years. Recognizing Applicant will be

seeking additional phases of the Sky Ranch project, Applicant proposes funding for the 1601 study be a condition of approval of any future PDP amendments.

General

- Comment: In addition to the comments listed in this report, Staff has provided redlined plans and reports illustrating clarification to comments included within this report and other minor comments to be addressed. Comments within these redlined documents shall be fully addressed. The redlined documents shall be returned to Staff and must be included with the resubmittal for it to be considered complete.

Response: Acknowledged.

- Comment: The application was referred to SEMSWA, UDFCD, and CDOT for review. A response to comment letter is required for all comments issued by the County, SEMSWA, UDFCD and CDOT.

Response: This comment-response letter addresses comments from those agencies as well.

- Comment: RESUBMITTAL PROCEDURE - Attached to this report are instructions to the applicant regarding the resubmittal of documents. The applicant and their consultants must follow these instructions explicitly to avoid delays in our and processing of this case.

Response: Acknowledged.

Preliminary Development Plan

1. Comment: The section for F-zone should not be removed from the PDP plan. PDP is a zoning document, and F-zone must be included. As staff commented in the previous review, the Floodplain Modification Study must be provided to define the 100-year floodplain boundary of the First Creek Tributary, T-9.

Response: The F-zone has been defined and is included on the revised PDP cover sheet.

2. Comment: General Notes #6: the phasing map is on sheet 8 of 24, not 5 of 6. Please correct.

Response: The note has been corrected.

3. Comment: General Note # 13: the dates for study and letter will need to be updated.

Response: The dates have been updated.

4. Comment: General Note # 14: please remove this note – traffic impact study states that minor mitigations such as adding signs will be required at the interchange.

Response: The note has been removed as requested.

5. Comment: Easement noted #B4143424 is not an Arapahoe County Record.

Response: Easement #B4143424 is an Arapahoe County Record of an easement Recorded 8/12/2004.

6. Comment: Preliminary Plat is I think Neighborhood B it has a different area than 144.5.
Response: The areas shown in the neighborhood descriptions are net areas that remove the R.O.W that is defined at this level. This is how the land use charts on sheet 5 of 24 have always been set up, so we are remaining consistent with that pre-established standard for this PDP.
7. Comment: Show and label the F-zone of First Creek within B9 area.
Response: The entirety of Tracts B2, B3 and B9 are being defined as F-zones and re labeled as such on the plans.
8. Comment: Please call out the source of the designation for one hundred-year floodplain of First Creek and Trib. T-9.
Response: First Creek's Floodplain is defined by FEMA Panel No.: 08005C0206L. The Trib T-9 source is defined by CVL's analysis, "Sky Ranch Floodplain Study", dated August 2016. A note to this effect has been added to Sheet 5 of 24 of the PDP.
9. Comment: The 100-year floodplain should be placed within the Tract and the floodplain easement.
Response: The 100 year floodplain will be placed within the tract and floodplain easement as required.
10. Comment: Sheet 8 of 24: show K Street on the plan and call out as such; and clearly define the roadway improvement limits.
Response: K Street has been added to the plans and the improvement limits are defined.

Preliminary Plat

11. Comment: Please remove the SEMSWA's case #. SEMSWA's case # can be placed on the engineering documents but not on the land development plan.
Response: Completed.
12. Comment: Flood zone note: The detailed floodplain Modification study should be completed with the PDP application (boundary of the 100-year floodplain must be defined by Floodplain Delineation Study through the PDP process).
Response: The Floodplain Modification Study will be completed and included with the 2nd submittal. This note has been removed from the plat, as redlined.
13. Comment: Generate Note # 15: the note may require to be modified based upon the review of CDOT.
Response: Please refer to the revised language in general note #15 and #16. References to the phase 1A have been replaced with references to the allowed 774 residential units.
14. Comment: North access point: need to confirm that 76' ROW is proposed to be dedicated.
Response: That 76' total is correct.

15. Comment: Show the 100-year floodplain limit and call out the source of designation. The 100-year floodplain plus 1' freeboard shall be placed within the Tract and Floodplain easement (also drainage easement for the regional detention/WQ facility).
Response: The 100-year floodplain is defined in the Floodplain Modification Study. It is shown per the submittal requirements.
16. Comment: Sheet 6: pond volume must be consistent with the calculation result of the drainage study. Please verify the value.
Response: Corrected.
17. Comment: Sheet 7: the plan shows a 72' proposed ROW. This ROW is within the overall Sky Ranch Development but outside of the Neighborhood B. It can be dedicated by a separate document.
Response: Acknowledged. We've enhanced the note on sheets 4 and 5 accordingly, and added it to sheets 6 and 7.

Phase II Drainage Study

18. Comment: Include Case No. P16-011 on the cover sheet.
Response: Corrected.
19. Comment: Need to state that the development plan for Sky Ranch II was withdrawn.
Response: Corrected.
20. Comment: Page 8: a) Need to describe how flow from Basin F-2 be conveyed to the 66" RCP? By existing road side ditch? b) Basin OS-2 is not within the Sky Ranch boundary. Please explain where the assumption of I value of 60% was obtained.
Response: Corrected. Explained.
21. Comment: Page 9: please discuss where the X-basins ultimately discharge to.
Response: Explained.
22. Comment: Page 10: please call out the study that proposed two sub-regional and a regional pond within Sky Ranch site.
Response: Corrected.
23. Comment: Please note that the County requires a minimum 2-foot of freeboard between the 100-year water surface elevation and the lowest finished floor elevation of all structures adjacent to the 100-year floodplain.
Response: Note Added.
24. Comment: Page 14: a) Need to discuss the natural channel in detail - size, slope and capacity, etc.
Response: Added.

25. Comment: Inconsistent information is presented within the report and drainage map – such as the pond V100, Q100 outflow, etc. Please verify.
Response: Corrected.
26. Comment: The Phase II drainage study for Sky Ranch II was attached as an appendix – please note that the % of impervious and the runoff coefficients were updated by UDFCD this year. Therefore, the model should be updated if re-used.
Response: Corrected.
27. Comment: C5 value for basins x-1 to x-4 should be 0.83. Please revise the calculations. Please also delete the text of “drainage to Pond A” for all Basin Xs calculation.
Response: Corrected.
28. Comment: Runoff Calculation for Basin Xs: the report state the runoff from basin x-3 piped to DP4. Please show this design point 4 on the drainage map.
Response: Corrected.
29. Comment: Interim analysis - please provide the summary of the calculation results for 100-year.
Response: Added.

Drainage Map

30. Comment: Check the capacity for channels 2, 3, 5 and 4. The volume shown the map must match the calculation results.
Response: Checked.
31. Comment: Summary Tables – please check all tables with CUHP/SWMM model results.
Response: Checked.
32. Comment: Inlet design along the roadways: label the design point correctly; revise the inlet size to 15' at design point 1-A, and 2 @ 10' at design point 1-C.
Response: Corrected.
33. Comment: Call out the source of designation for Tributary T-9. Again, please provide the Floodplain Modification Study for review and approval.
Response: Added.

Traffic Impact Study (TIS)

34. Comment: Please be advised that the TIS for this development established a traffic generation budget. The traffic budget is associated with improvements provided by the developer to maintain acceptable roadway capacity and level of the services per County criteria. If the Final Development Plan applications at later time that propose to exceed the traffic budget, they would not be accepted without additional analysis and improvements that demonstrate the increase could be accommodated within County criteria.

Response: Traffic counts or trip generation compliance letters can be provided at critical points to verify the trip generation budget for the site is not exceeded.

35. Comment: The study includes design years of 2025, 2030 and 2036. What year is the opening year for this project? The opening year should be evaluated in the study.

Response: Completion year is estimated to be 2025. The 2030 scenario covers the County's five-year after buildout requirement and the 2036 scenario covers both the County's and CDOT's long-range 20-year requirements.

36. Comment: Please specify the annual growth rate per the County Transportation Plan for the roadways in the study area.

Response: US 36 north of I-70 and the I-70 Frontage Road are not shown in Figures 28 (2020 total traffic) or on Figure 30 (2035 total traffic) of the 2010 Arapahoe County 2035 Transportation Plan. We feel the assumed annual growth rates of one percent on the Frontage Road and two percent on Colfax Avenue are appropriate without reconstruction of the I-70/Monaghan Road interchange and no development within Sky Ranch.

37. Comment: Please know that this TIS is currently under the review by CDOT. The confirmation of the previous approval for the Airpark/I-70 interchange capacity is necessary to proceed the development.

Response: Comment noted.

38. Comment: Average Daily Traffic for I-70 is omitted from Figures 4 to 6. Please revise.

Response: This can be added to an updated study if determined to be necessary after discussing with staff.

39. Comment: Please include roadway capacity information within the Figures as the following – site generated traffic/Total traffic/roadway capacity/assumed number of lanes.

Response: The capacity of a two-lane roadway is generally assumed to be a minimum of about 10,000 vehicles per day (vpd). The highest daily volume projected between the site and the I-70 Frontage Road is 7,370 vpd per Figure 14a with full development of 774 residential dwelling units.

40. Comment: Figure 8: show the distribution of the site generated traffic at each access point.

Response: Completed.

41. Comment: Overall, the proposed study shows that no realignment of Monaghan Rd. will occur or be necessary through year 2036 (LOS is at acceptable level per the Study). Staff will like to see CDOT's response on this.

Response: We would expect the 1601 interchange study for Monaghan will identify if the interchange will remain at its current alignment or will be realigned to Monaghan Rd. If the interchange remains at its current location, the Monaghan Road extension will be on property not controlled by the applicant, and the impacted property will need likely need participate in the realignment of the applicant will need to seek access for the realignment.

The report suggests a single-lane roundabout may be necessary by 2036 at the intersection of Monaghan Road with the I-70 Frontage Road. This can be reevaluated once the first 502 dwelling units are mostly constructed during the approval process for the additional 272 dwelling units.

42. Comment: An emergency access was shown on the Preliminary Plat. Please include the discussion of the emergency access in the report.

Response: As stated in the revised traffic study, the emergency access to the site will be finalized, as coordinated with Bennett Fire Protection District.

BENNETT FIRE PROTECTION DISTRICT #7 – Caleb Connor, Fire Marshall

- Comment: Bennett Fire Protection District currently serves this location as it falls within our Fire Protection District and has no objections to the proposed development.

Response: Acknowledged.

- Comment: 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: Acknowledged.

- Comment: The developer shall confer with Bennett Fire Protection District and ensure that the proposed development conforms to adopted fire code standards.

Response: Acknowledged.

- Comment: Bennett Fire Protection District will incur unmet capital costs associated with all development. To address these unmet capital costs for this development and to insure that “development pays its own way”, Bennett Fire Protection District will need to enter into a Development Agreement or other arrangement with the developer. Currently, the District’s identified capital cost is \$1,500.00 per residential dwelling unit and \$720.00 per 1,000 square feet of non-residential units. The Development Agreement will include provisions to pay these costs, a station location land dedication, and cash-in-lieu options.

Response: Acknowledged – in process.

- Comment: Bennett Fire Protection District has existing recorded agreements in place to meet these costs and dedication requirements dating back to the original proposed development, also formerly under the “Sky Ranch” name. Based upon the revised plat and development plan, an update to these agreements is necessary.

Response: Acknowledged.

- Comment: Bennett Fire Protection District has already entered into dialogue with the Developer to address the update or restructuring of this agreement.

Response: Acknowledged.

- Comment: Bennett Fire Protection District has expressed interest to the Developer to obtain land for public facilities to provide fire protection in the proposed development area as part of the District's future planning. This may include the granting or lease of temporary facilities to provide such services until permanent facilities can be constructed as the development grows.

Response: Acknowledged.

- Comment: Bennett Fire Protection District currently has excellent communication with the applicant and will continue to work together to complete the necessary agreements and requirements outlined.

Response: Acknowledged.

XCEL ENERGY – Donna George, Contract Right of Way Referral Processor

Comment: Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the preliminary plat and preliminary development plan (PDP) for **Sky Ranch Subdivision**. Public Service Company has no objection to this proposed PDP amendment, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

Response: Acknowledged. Applicant will work closely with PSCo for the expansion of natural gas and electric transmission for service to development with Sky Ranch. Detailed service expansion and service agreements will be defined at FDP.

Comment: The property owner/developer/contractor must contact **the Builder's Call Line at 1-800-628-2121** or <https://xcelenergy.force.com/FastApp> (register, application can then be tracked) and complete the application process for any new gas or 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.

Response: Acknowledged.

Comment: As a safety precaution, PSCo would like to remind the developer to call the **Utility Notification Center at 1-800-922-1987** to have all utilities located prior to any construction.

Response: Acknowledged.

TRI-COUNTY HEALTH DEPARTMENT – Laurel Broten, MPH Land Use & Built Environment Specialist

(Responses supplied by Scott Lehman, PE, Pure Cycle Corporation)

Please also refer to Appendixes A & B, attachments to this comprehensive comment-response letter.

Wastewater Treatment Plant Approvals

Comment: The Wastewater Treatment Plant (WWTP) will require several approvals from the Colorado Department of Public Health and Environment (CDPHE) prior to construction. The following approvals are required:

1. Site approval
2. Preliminary Effluent Levels
3. Design approval
4. Discharge Permit

TCHD contacted Bret Icenogle, P.E. with CDPHE regarding the status of these approvals. Mr. Icenogle could not determine if the above approvals had been previously issued for the WWTP. However, even if the WWTP had prior approval from CDPHE, the applicant will need to go through the CDPHE approval process again. Consequently, TCHD recommends that the above approvals be completed prior to application for the Final Development Plan.

Response: Comment noted. We are familiar with the regulatory requirements and approval process with the Water Quality Control Division and are proceeding with that step-wise process. Given the costs and extended timing of both the land use and WQCD regulatory approval processes, we suggest that having final approvals from the WQCD for the wastewater facilities should be tied as a condition precedent to the County's issuance of building permits for the Sky Ranch development (and not tied to "prior to application for Final Development Plan"); and suggest that this is equally protective of public health and environmental protection.

Wastewater Treatment Plant – Nuisance Odors

Comment: In our previous letters, TCHD raised concerns about potential nuisance odors from the wastewater treatment plant that will be constructed in the western portion of Neighborhood B. To address these concerns, it was agreed to construct covers over the headworks, sequencing batch reactor (SBR) basins and the biosolids handling facility. Our preference is that the covers be in place before construction begins in the affected area. We recommend that a condition of the final plat be completion of construction of the covers for the headworks, SBR basins and biosolids handling facility before Arapahoe County issues a building permit for Sky Ranch residences that are within 1,000 feet of the wastewater treatment plant. We request that the County implement a system to notify Tri-County when a building permit is being considered for residences within 1,000 feet of the wastewater treatment plant, so that we can confirm compliance with the final plat condition. We will be happy to coordinate with the applicant and County Planning staff on the working of that plat condition.

As previously noted, we also recommend that the developer work with the builder at Sky Ranch to inform and educate prospective property owners about the existence and function of the plant. Providing potential residents this information in the form of an advisory letter would allow them to make informed decisions, and may help in reducing future complaints. The wastewater plant operator should participate in drafting the advisory letter.

Properties in the City of Aurora that are adjacent to Sky Ranch on the west are zoned Planned Development, which could allow residential development. We are unaware if the City of Aurora has received any development applications for these areas. If residences are slated for development in Aurora within 1,000 feet of the Sky Ranch wastewater treatment plant, residents of these homes could also experience nuisance odors from the plant. We encourage the applicant to contact the City of Aurora to determine if residential development is likely to occur before the currently anticipated timeframe for completion of construction of the covers for the plant operations. If municipal residential development is slated before that time, we recommend that SRMD consider accelerating its' odor mitigation schedule to prevent possible nuisance odors to City residents.

Response: Comment noted. Developer is committed to covering the pretreatment works, aeration basins, and biosolids handling facility, and also to provide odor control equipment, at the time of construction of the first phase wastewater reclamation facilities (WWRF); consistent with General Notes 7 and 8 on Sheet 1 of the PDP Amendment (below):

7. THE WASTE WATER FACILITY SHALL EMPLOY ODOR MITIGATION MEASURES INCLUDING COVERING TANKS, LANDSCAPE BUFFERS, AND FILTERING. IMPLEMENTATION OF THIS TECHNOLOGY SHALL BE IN LIEU OF PROVIDING 1000' BUFFER AROUND THE FACILITY.

8. THE PRELIMINARY TREATMENT WORKS (I.E. SCREENING, FLOW MEASUREMENT AND GRIT REMOVAL EQUIPMENT) AND THE SEQUENCING BATCH REACTOR BASINS WILL BE COVERED, AND BIOLOGICAL, CHEMICAL OR PHYSICAL ODOR CONTROLS WILL BE DESIGNED INTO THE PLANS AND SPECIFICATIONS FOR THE WASTEWATER TREATMENT PLANT TO REDUCE ANY POTENTIAL ODOR IMPACTS FROM THE PLANT.

This negates the need for the county and TCHD to develop and implement a notification process of when building permits are issued within 1,000 feet of the WWRF.

Water Treatment Plant

Comment: Prior to construction of the Water Treatment Plant (WTP), CDPHE need to complete a design review and issue an approval for the design. TCHD also discussed the status of the water plant with Mr. Icenogle. Mr. Icenogle could not confirm if the WTP had received design approval. Mr. Icenogle also mentioned that a capacity assessment is required for the WTP. TCHD recommends that the water plant be approved by CDPHE prior to application for the Final Development Plan.

Response: Please see discussion above dealing with the approval process for the wastewater system.

Environmental Cleanup

Comment: In our previous letters, we outlined several items that required environmental assessment and/or remediation. We requested that the applicant provide Tri-County Health Department a status report on those items, and that Tri-County determine, in consultation with

appropriate State regulatory agencies, that site conditions will allow for safe development to occur before the county schedules the final Development Plan for public hearing.

The report should address the following:

1. Surficial soil sampling for pesticides in the area of the AeroSpray, Inc. trailer.

Response: Since my involvement with the project, which started in 2003, there has been no onsite pesticide storage at the Sky Ranch property. Some unspectacular use of pesticides and herbicides has been practiced at the Sky Ranch property as is normal and typical agricultural practice in the region.

2. Registration and compliance status of the 2,000-gallon aboveground diesel storage tank.

Response: Since my involvement with the project, which started in 2003, there has been no above-grade fuel storage tanks at the site.

I did track down a brief discussion about the tank in the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc.:

"This tank is not owned or controlled by ICON. A telephone conversation was held on October 7th 2003 with Mr. Steve Wakeham of Pipeline Industries Inc, the owner of the tank. Mr. Wakeman indicated that the tank was empty and that he was not aware it had ever been used at this site. Additional conversations with Kyle Odegaaart and Scott Simons of the OPS on October 17th, 2003 indicate that this is a non-regulated tank, assuming that the construction company will remove it upon completion of the project."

3. Comment: Surficial soil sampling of the biosolids application areas and the base of the sewage lagoons for RCRA metals,

Response: From page 5 of the July 23, 2010 "Phase I Environmental Assessment Update" prepared by CTL I Thompson:

"Our review of environmental studies provided by Pure Cycle indicates that sampling related to crop dusting, application of biosolids, and on site waste water treatment have revealed no residual levels of pesticides, chlorinated solvents, or metals related to historic operations conducted on site."

Excerpts from the March 26, 2009 "Limited Phase II Environmental Site Assessment" prepared by ENERCON are provided below and, with the exception of Arsenic, indicate that the bottom of the lagoon and the biosolids application site are clear. (Note: underline emphasis added" to excerpts.)

"Soil Boring DP-4 was installed in the bottom of the northwest dry sewage lagoon in the north central portion of the property and extended to a total depth of 32.5 feet below the bottom of the sewage lagoon. The bottom of the sewage lagoon was approximately 8 to 10 feet below surface grade. Soil samples from the 1- to 2- foot and 7- to 8- foot BGS intervals of the soil boring were selected for laboratory analysis. The shallow 1- to 2- foot soil sample contained an arsenic concentration of 2.6 mg/kg,

which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. The soil sample from 7 to 8 feet contained no detectable concentration of arsenic. However, the laboratory detection limit for the 7- to 8- foot sample was 1.4 mg/kg. Thus, this sample also potentially exceeds the regulatory limit for arsenic in soil. All other chemicals of concern from each sample were below the analytical laboratory detection limits.

Soil boring SB-1 was installed in the dry bottom of the southern sewage lagoon to a total depth of about 3 feet BGS; which was about 8 to 10 feet below surface grade. A soil sample was collected from the 1- to 3- foot BGS interval for laboratory analysis. This soil sample contained arsenic at a concentration of 2.4 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Soil boring SB-2 was installed in the dry bottom of the northeastern sewage lagoon to a total depth of about 3 feet below the base of the lagoon; which was about 8 to 10 feet below surface grade. A soil sample was selected from the 1- to 3- foot BGS interval for laboratory analysis. This soil sample contained arsenic at a concentration of 2.3 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Hand auger sample HA-13 was collected in the former biosolids storage area near the northeastern corner of Section J O. A soil sample was selected from the 1- to 2- foot BGS interval for laboratory analysis. This soil sample contained an arsenic concentration of 4.2 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Note that “chemicals of concern” in the above context included: Metals, VOCs, Pesticides, Herbicides and PCBs.

Concerning levels of Arsenic referenced above, ENERCON "recommended further study in regards to arsenic levels on site, as many areas in Colorado have background levels of arsenic in excess of State standards." This additional investigatory work, consisting of fifteen additional soils samples collected from across the property, was performed as evidenced by the following excerpts from the May 14, 2009 "Determination of Background Arsenic Concentration" prepared by ENERCON Services Inc:

“Results of the additional soil sampling indicate the arsenic levels detected during the March 2009 Phase II investigation appear to be similar to background concentrations in the area.”

“Laboratory results of additional shallow soil sampling revealed arsenic concentrations ranging from 3.3 mg/kg (HA-5) to 8.5 mg/kg (HA-10) with an average concentration of 5.7 mg/kg (see Laboratory Reports, Attachment D). These concentrations were examined using the CDPHE's "Guidelines for Determining Background Concentrations" (see attached). Using this guideline, a background arsenic concentration of 7.6 mg/kg was calculated for the site. These calculations are included as Attachment E. The only sample collected showing concentrations greater than the calculated background sample was HA-J O, collected along the northern boundary of the site in the northeast quarter of Section 4 (see attached site map). The concentration from this sample appears anomalous and does not appear to be attributed to potential arsenic sources, and is considered to be naturally occurring.”

Finally, the following excerpts from the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc., also address the old lagoons and the sludge disposal area:

“Surficial soil sampling at the base of the sewage lagoons for RCRA metals and volatile organic compounds. Two samples from the sewage lagoons were acquired on October 7th, 2003. The samples were taken from the northern most settling ponds adjacent to the inlet. These samples were analyzed for 8 RCRA metals and VOC's using EPA Methods 6010 and 8260. The results of the samples were either non-detect or well below the Colorado Department of Public Health and Environment, Soil Remediation Objectives for unrestricted residential use.

Surficial soil sampling of the biosolids application area for RCRA metals. The Colorado Department of Public Health and Environment requires the operator of the bio-solids application firm to perform soil sampling. On October 17th, 2003 Western Environmental and Ecology contact Wes Carr of the Colorado Department of Public Health and Environment, Biosolids Program. Mr. Carr stated that no permit violation have occurred at the site...”

4. Comment: Schedule for ceasing the application of biosolids at the site. State regulations stipulate that unrestricted development not occur until one year after cessation of biosolids application. Based on a conversation with Mr. Luke Bond, of Parker Ag Serviced, the company has applied biosolids to the eastern half of Section 10, the southwest quarter of Section 3 and the southeast quarter of Section 4 (state permit #1156). The applicant should contact Mr. Bond, who maintains and certifies records of biosolids application, and Mr. Wes Carr, at the Colorado Department of Public Health and Environment, for assistance in complying with the biosolids regulation. Mr. Carr can be reached at (303) 692-3613,
Response: Since my involvement with the project, which started in 2003, there has been no application of biosolids at the site.

5. Comment: Ground water quality investigation for volatile organic compounds and pesticides in the vicinity of the hangar and the crop duster trailer areas.

Response: Excerpts from the March 26, 2009 "Limited Phase II Environmental Site Assessment" prepared by ENERCON are provided below and, with the exception of Arsenic, indicate that the soils in the vicinity of the old hanger and crop duster operation are clear. (Note: underline emphasis added" to excerpts.)

"Soil boring DP-1 was installed near the former crop dusting operations trailer on the northern portion of the property and extended to a total depth of 45 feet BGS. A soil sample was selected from the 6- to 7-foot BGS interval for laboratory analysis. This soil sample contained a detectable concentration of naphthalene of 0.047 milligrams per kilogram (mg/kg). However, the concentration was well below the CDPHE Soil Evaluation Value of 23 mg/kg for protection of groundwater. Concentrations of all other analyzed chemicals of concern were below laboratory detection limits.

Hand auger sample HA-2 was collected near direct-push soil boring DP-1 in the area of the former hangar foundations and crop dusting area in the northern portion of the property. A soil sample was selected. from the 1- to 2-foot BGS interval for laboratory analysis. This soil sample contained no detectable concentrations of any chemicals of concern."

Further, an excerpt from the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc., is provided below:

"Surficial soil sampling in the vicinity of the crop duster trailer for pesticides: Two soil samples were acquired and analyzed for chlorinated pesticides in accordance with EPA Method 8081. Samples were taken from directly beneath the trailer fill connection and approximately 1.5 feet to the north where the aircraft would have been filled. The results of the samples were non-detect or well below the Colorado Department of Public Health and Environment, Soil Remediation Objectives for unrestricted residential use."

6. Comment: Inventory of various containers stored on site, management of residual contents, if any, and assessment of the conditions of underlying soils.

Response: At this time there are no containers on the site and I am unaware of the disposition of any containers that might have been referenced in previous site assessments. I did track down a brief discussion about the tank in the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc:

"It is the responsibility of the aircraft owners to maintain and dispose of their own wastes. On October 16th, 2003, Western Environment and Ecology, Inc. posted notices on each of the leased hanger spaces that reminded tenants to properly store and dispose of maintenance fluids and lubricants. Additionally, the rental agreement prohibits the improper storage or disposal of wastes."

7. Comment: Documentation of completion of monitoring and formal closure of the former underground storage tank sites, per the approved Corrective Action Plan of the Colorado Division of Oil and Public Safety.

Response: As Appendix B hereto, please find a copy of the June 8, 2015 letter from the Petroleum Program, Division of Oil and Public Safety, Colorado Department of Labor and Employment finding that "No Further Action" is required at the subject Silco Oil site.

Copies of the 120-page July 23, 2010 "Phase 1 Environmental Assessment Update" prepared by CTL I Thompson; or any of the other previous environmental assessments listed in Appendix A hereto, are available upon request.

Water Supply

Comment: The project narrative states that water will be provided through a service agreement with Rangeview Metropolitan District and Pure Cycle Corporation. We cannot comment on the adequacy of the water supply for the proposed project because the referral package did not include a water supply plan. We assume that the County will require a demonstration, consistent with State and County standards that sufficient water will be available to meet the long term drinking and sanitation needs of the project.

Response: As you have noted, we appreciate that Arapahoe County is charged with establishing the adequacy of water supplies for new development within unincorporated areas of the county. Working together, Rangeview Metropolitan District, the Sky Ranch Metropolitan Districts, and Pure Cycle Corporation have extensive water resources and water supply facilities available to serve the Sky Ranch development.

DEPARTMENT OF THE ARMY, CORPS OF ENGINEERS

Comment: In accordance with Section 404 of the Clean Water Act, the Corps of Engineers regulates the discharge of dredged or fill material, and any excavation associated with a dredged or fill project, either temporary or permanent, into waters of the United States (WOUS). You should notify this office if the project proposed falls within these regulated activities because the project may require a Department of the Army Section 404 permit.

Response: Acknowledged.

Comment: A WOUS may include ephemeral and/or perennial streams, wetlands, lakes, ponds, drainage ditches and irrigation ditches. A wetland delineation must be conducted, and verified by the Corps of Engineers, using the methods outlined in the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual*: (using applicable Regional Supplement) to determine wetlands based on the presence of three wetland indicators: hydrophytic vegetation, hydric soils, and wetland hydrology. Wetland delineations must be conducted in the field by a qualified environmental consultant and any aquatic resource boundaries must be identified accordingly. Once the aquatic resources have been identified, only this office can determine if they are WOUS. Please note that development of the upland areas, avoiding stream and wetland resources, does not require authorization from this office.

Response: Acknowledged.

Comment: Nationwide Permits (NWP) authorize common types of fill activities in WOUS that will result in a minimal adverse effect to the environment. Descriptions of the 52 types of nationwide permit activities and their general conditions can be found on our website: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>. Some fill activities require notifying the Corps before starting work. Also, some types/sizes of work may require additional information or mitigation.

Response: Acknowledged.

Comment: Regional General Permits (RGP) authorize specific types of fill activities in WOUS that will result in a minimal adverse effect to the environment. Descriptions of the 4 types of regional general permit activities and their general conditions can be found on our website: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado/RegionalGeneralPermits.aspx>.

These fill activities require notifying the Corps before starting work, and possibly other local or state agencies. Also, some types/sizes of work may require additional information or mitigation. Please note several of the RGP's are applicant and location specific.

Response: Acknowledged.

SOUTHEAST METRO STORMWATER AUTHORITY, Tiffany Clark, PE, CFM

General

1. Comment: Please submit a response letter to the comments with the re-submittal. Response Letter is required for further review.

Response: A comprehensive comment-response letter was resubmitted.

Preliminary Development Plan

2. Comment: On Sheets 6 and 16 the F Zone is labeled. Is this the area that is being zoned floodplain? or the floodplain delineation itself. Please show and label the floodplain delineation as previously commented.

Response: The entirety of Tracts B2, B3 and B9 are being defined as F-zones and re labeled as such on the plans.

3. Comment: As previously commented in the northeast corner of Neighborhood C the Drainage Plan shows a proposed pond (A-2). The PDP does not appear to have an OS area called out to accommodate this proposed Detention Pond. Please revise accordingly.

Response: This PDP Amendment is only proposing to change Neighborhood B at this point in time. We are not proposing to make any changes to the planning areas within the other neighborhoods. Additionally, the drainage plans have always anticipated proposed ponds throughout the Sky Ranch community, to be located in the various planning areas, with the location to be determined at the time of Final Development Plan / Final Plat and that remains unchanged.

4. Comment: As previously commented please include a note similar to the following on Sheet 3: Detention and Water Quality facilities will be designed with the Final Development Plan however these facilities shall be located in the following areas _____.

Response: In relation to the above comment, a note has been added to Sheet 5 of 24 as requested.

5. Comment: Please refer to redlines and make the necessary corrections and revisions.

Response: The necessary revisions have been made and responded to both in this letter and on the actual redlines.

Preliminary Plat

6. Comment: The Ownership/Maintenance at Final Plat table shows blocks B2 and B3 to be owned and maintained by the HOA/Metro District. These tracts will contain Regional Detention/Water Quality Facilities and a channel. Does the Metro District want to be responsible for the ultimate maintenance of these facilities? As discussed previously SEMSWA may be willing to accept these properties for maintenance.

Response: The tract will be owned by the Metropolitan District. Within said tract, a floodplain/drainage/utility easement is shown, which will be the maintenance responsibility of SEMSWA. The tract table has been enhanced for further clarification.

7. Comment: As previously commented please show and label all floodplain/floodway delineations on the Plat on all necessary sheets to ensure that they will fall within the Floodzone Easement.

Response: Completed. As discussed with the County, the F Zone designation will be applied to the tract areas (B2, B3, and B9). A floodplain and drainage easement is shown within the limits of those tracts, which includes the 100 year water surface plus freeboard. Please refer to the enhanced notes on sheet 3.

8. Comment: As previously commented all storm sewers that are not located within the ROW shall be located within Drainage Easements and Tracts. Please show and label or note accordingly.

Response: A note was added to sheets 4 & 5 of the previous submittal. Please refer to the lower right hand corner of those pages.

9. Comment: Please show the floodzone extending under the area where a box culvert is proposed.

Response: Completed.

10. Comment: Please refer to redlines and make the necessary corrections and revisions.

Response: Completed.

Phase II Drainage Report

11. Comment: SEMSWA only received a marked up copy of the SEMSWA redlines from the first review of the Phase II Drainage Report. It appears that some comments were not addressed. The repeat comments are not listed below, but redlined within the Report and Plans as “previously commented”. Please address all comments.

Response: Completed.

12. Comment: There are some clarifications that need to be made to the Phase II Drainage Report. Please see redlines and revise accordingly.

Response: Addressed.

13. Comment: Previously the ownership group and SEMSWA had discussed the possibility of SEMSWA owning and maintaining the regional facilities and channel. The report states that these facilities will be owned and maintained by the Metro District. Is this the desire? Please response accordingly.

Response: Please see response to SEMSWA comment #6. Language in the drainage report has been enhanced, to be in concert with the plat language.

14. Comment: Please discuss the proposed floodplain within the report as the flood zone easement and tract shall be determined on this delineation.

Response: Added.

15. Comment: The C5 coefficients in the Composite Basin Coefficient calculations for 60% and 90% are slightly off. Please revise accordingly.

Response: Corrected. Updated with UDFCD 2016.

16. Comment: The comment response stated that the impervious values were acquired from the Sky Ranch II report. The impervious values do not correlate with the basins or the impervious values provided in the previous report and referenced herein this report. Please state, note, circle or provide how the impervious values for the basins were determined.

Response: Corrected. Updated with UDFCD 2016.

17. Comment: On the water quality pond sizing spreadsheet please note where the allowable release and design release values come from.

Response: Added.

18. Comment: In the Basin X-1 inlet calculations please state where the bypass comes from. Additionally, this value conflicts with the basin we believe it comes from. Please revise accordingly.

Response: Corrected.

19. Comment: Can the inlets in basin X-2 be upsized to reduce the amount of bypass? Please revise accordingly.

Response: Corrected.

20. Comment: Is the Grass swale design calculations provided for the interim swale that runs the length of the norther border of Neighborhood B? If so, the parameters in the calculations conflict with the text of the report. Please revise accordingly.

Response: Added

21. Comment: Please address the following on the Drainage Plans:

a. As previously commented please show and label proposed Drainage Easement and tracts for the provided infrastructure.

Response: Added

b. As previously commented please show and label the floodplain/floodway delineations.

Response: Added

c. The basin designation symbol in the legend does not match the symbols shown on the Plans.

Response: Corrected.

d. Provide sizing calculations for the 6'x8' outlet culvert.

Response: Added.

e. Provide sizing for all proposed storm sewers discussed within the report or shown on the Drainage Plans.

Response: Added.

f. Show the proposed swale on sheet DR8.

Response: Added.

g. On Sheet DR 12 please show and label the proposed floodplain delineation.

Response: Added.

22. Comment: There is a lot of conflicting information between information presented in the report (text and tables), calculations and plans. Please revise accordingly and ensure consistency throughout the Phase II Drainage Report.

Response: Corrected.

23. Comment: Please refer to redlines and make the necessary corrections and revisions.

Response: Completed.

Floodplain

24. Comment: The effective floodplain for First Creek in the project area is shown on FIRM Panel No. 08005C0206K (12/17/2010). This FIRM Panel is currently undergoing a Physical Map Revision (PMR). Preliminary FIRM Panel No. 08005C0206L, dated 9/26/2014, is based on the 2011 FHAD. Please show and label the effective floodplain as well as the PMR floodplains and floodway on all plan sheets.

Response: Added.

25. Comment: The Phase II Drainage Report indicates that the Trib T-9 channel will be modified as part of this development. Trib T-9 has an approximate 100-year floodplain and any channel modification will require a Floodplain Modification Study (FMS). A Floodplain Development

Permit will also be required. Please refer to the FMS & CLOMR Checklist for FMS submittal requirements.

Response: Acknowledged.

26. Comment: Since the Pond E outlet is within the floodplain, that portion of the project must be included in the Floodplain Development Permit. Please verify that the Pond E footprint is outside of the PMR floodplain.

Response: Pond E is not in the floodplain.

27. Comment: The lowest floor (including basement) of any structure on a parcel that is adjacent to the floodplain must have 2 feet of freeboard over the 100-year water surface elevation.

Response: Acknowledged.

28. Comment: The report indicates the name of the First Creek tributary through the property is Trib T-9, but the HEC-RAS model files show the stream name as Trib T12. Please ensure the tributary is named consistently throughout the submittal.

Response: Corrected.

29. Comment: The HEC-RAS model contains only an existing conditions plan. Please also submit a proposed conditions analysis as part of the FMS to determine the impacts of the development.

Response: Acknowledged.

30. Comment: Please submit HEC-RAS models using a subcritical flow regime, or explain why a mixed flow regime is more appropriate.

Response: Acknowledged.

31. Comment: Section 404 permitting requirements may have changed since the July 26, 2006 Wetland Determination letter from USACE. Under current standards, Trib T-9 might now be considered Waters of the US. The applicant should verify that the project will not cause any impacts to wetlands or Waters of the US.

Response: Tributary T-9 has been farmed for years by the property owners and their leasees, as part of their agricultural operations. It is not a natural channel. In order to accommodate the anticipated developed drainage flows in Tributary T-9 and route them to sub-regional Pond D, the existing drainage channel will need to be modified. Currently it has a steep, 2% +/- thalweg, which is an unstable slope. The proposed cross-section will be inline with UDFCD's current requirements, which include a meandering, low flow channel, for a more natural appearance. The cross-section will be enlarged to convey the developed flows.

While we acknowledge the ACOE's letter is ten years old (2006), ERO Resources, a professional environmental firm, well-versed in the Corps current regulations, conducted a site visit this year and deemed the 2006 still valid.

CITY OF AURORA, George K. Noe, City Manager

1. Compliance with Regional Plan

Comment:

This is in reference to Metro Vision 2035. Both Arapahoe County and the City of Aurora have signed the Mile High Compact, which adopts the Metro Vision Plan. The purpose of the plan is to promote more compact urban development. This goal is vital in a metropolitan area in order to limit vehicle miles traveled, to reduce air pollution and to enhance a more efficient and cost effective provision of water, sewer, street, fire, school and drainage services to our citizens. We question whether the proposal meets the goals or letter of Metro Vision 2035. We would ask Arapahoe County to carefully evaluate this proposal in light of the Metro Vision Plan. As a region we have already entitled more than enough development to accommodate the most optimistic 2040 growth estimates. By placing a significant development on the periphery of the metropolitan area, it reduces the metropolitan region's ability to encourage denser development, reduce vehicle miles traveled, control air quality, and to provide the most efficient services to future residents.

Response: Arapahoe County has existing UGB/A and has allocated portions of its UGB/A allocation to the Sky Ranch Development. The current Development Plan Amendment carries forward the key design, densities, transportation, utility, and open space design guidelines as the original Development Plan approved by the County when allocating UGB/A consistent with regional Metro Vision goals and objectives. The Development Plan Amendment does not seek to increase densities from the original approved Development Plan that had approved UGB/A allocations.

2. Water

Comment:

Aurora has concerns about the water supply outlined for the Sky Ranch development. While multiple sources are referenced to meet the long term supply (WISE, groundwater and reclaimed water), it is unclear how and when all these individual sources will be utilized.

Aurora is highly concerned about the planned use of groundwater as a long-term source especially without supplemental aquifer replenishment (aquifer recharge) seeming planned by Pure Cycle to offset aquifer depletions. Aquifer depletions in the Rangeview area (as identified) have significant potential to directly diminish regional aquifer levels that would negatively impact others (most directly the City of Aurora). Aurora is actively engaged in efforts to preserve groundwater for times of drought and emergency. Active aquifer replenishment should be included in any plan to rely on groundwater.

WISE is an interruptible supply. It is unclear how Pure Cycle is planning to utilize their WISE subscription as part of their supply. While the plans seem to indicate transmission pipelines to convey the supply, we could not find any reference to any form of storage or other ability to firm the supply. The capability to firm WISE water supplies will be critical in being able to utilize them as part of a water supply portfolio.

The submittals seem to indicate that a Metro District will be formed to provide water and wastewater services. We are not aware of Pure Cycle having the capabilities to directly provide these services. The complexities of the supplies and their implementation will require specialized expertise. How exactly are the services planned to be provided?

Response: Pure Cycle together with the Rangeview Metropolitan District have invested tens of millions of dollars into developing its water and wastewater systems serving eastern Arapahoe County including:

- ***25,000 acre feet of Denver Basin Groundwater;***
- ***3,300 acre feet of average yield Surface Water;***
- ***30,000+ acre feet of Surface Storage Rights;***
- ***500 acre feet WISE water supplies;***
- ***More than 15 miles of transmission pipelines;***
- ***1 MG finished water storage;***
- ***About 3 miles of wastewater collection sewers;***
- ***Existing wastewater reclamation facility for the Ridgeview youth services campus;***
- ***More than 80 acre feet of effluent storage reservoirs.***

Pure Cycle is well capitalized and employs highly experience water and wastewater professionals who have been providing high quality water and wastewater service to Arapahoe County for more than 15 years. Pure Cycle together with Rangeview will submit detailed water and wastewater service plans as part of its 1041 and FDP application.

3. Transportation

Comment: Sky Ranch's transportation plan assumes that the development will use I-70 for many trips in the initial stages of development, since streets connecting to Aurora will not exist. Aurora's transportation master plan, the Northeast Aurora Transportation Study, does not include the Sky Ranch area, nor does it assume any substantial development east of Aurora. Such development will impact street capacity and likely trigger improvements to Aurora streets, thus raising costs to our developers and existing and future residents.

Response: While Sky Ranch is not labeled in the figure summarizing Master Planned Areas in the NEATS study, the traffic analysis zones 1820, 1821, and 1822 are labeled as Sky Ranch and include 1, 523 households and 85 employees. This suggests Sky Ranch was included in NEATS. The natural draw of traffic to I-70 will likely result in Aurora traffic traveling north to I-70 via Monaghan Road through Arapahoe County at a higher volume than Sky Ranch traffic passing south and west into Aurora.

Comment: If the arterial roadway connections to Aurora are not realized, then the Sky Ranch development will place a heavy reliance on I-70. Like our own street system, the existing I-70 corridor was not designed with a development like Sky Ranch in mind. If Sky Ranch goes forward, the City will need to be involved with the necessary systems and project level feasibility studies, as well as the environmental clearances necessary for the use of the I-70 interchange and discussion regarding impacts to adjacent property. This effort will need to be in compliance with the CDOT Interchange 1601 process.

Response: We assume this would be coordinated between City and County staffs.

Comment: Aurora's arterial and CDOT's interstate system have not been planned to accommodate Sky Ranch. Improvements and associated costs to these roads have not been accounted for in the application, and are left to be subsidized by the taxpayers of Colorado and Aurora.

Response: Applicant will be developing arterial roadway improvements pursuant to County standards and will be working with CDOT, the City of Aurora, and surrounding property owners on interchange improvements pursuant to the 1601 process.

Comment: In addition, Aurora would offer the following specific comments:

- Only the eastern two lanes of Monaghan are proposed to be built from the Area 8 northern limit to I-70. The applicant's plans show Monaghan as a six-lane arterial. When would the rest of the east side of the road be built and who would pay for it?

Response: A full six-lane alignment is expected to occur after both the interchange is improved and the property owner between I-70 and Sky Ranch develops. It is expected that future phases of Sky Ranch would participate in this effort. Much of the short-term two-lane connection will be abandoned and repurposed once the permanent alignment is established.

- The 2007 Aurora Northeast Area Transportation Study (NEATS) shows Monaghan from I-70 south to 6th Ave as an 8-Lane arterial based on traffic projections. The applicant's plans show this stretch of Monaghan being a 6-lane arterial instead.

Response: The NEATS study shows 60,000 vehicles per day using Monaghan Road in 2030 both north and south of 6th Avenue. The section north of 6th Avenue is shown as eight lanes and to the south as six lanes. 144 feet of right-of-way is planned for dedication, per the typical Arapahoe County cross-section for a six lane arterial. If the 1601 process confirms the need for eight lanes, the additional lane (in each direction) may be accommodated in the twenty-three foot (23') tree lawn. The ten foot (10') sidewalk may then be constructed outside and adjacent to the aforementioned 144 feet of right-of-way, in a twelve foot (12') sidewalk easement. Please refer to the cross-sections on the Preliminary Development Plan (PDP).

- The second point of emergency access to Area B is proposed to be a fairly complex and indirect path along existing and proposed gravel roads. Is this route and gravel surface acceptable for fire and other emergency access?

Response: This will be coordinated through the review process with Arapahoe County and Bennett Fire.

- The drainage improvements for Area B need to be completed per UDFCD Master Plan for First Creek.

Response: It is our understanding that the current First Creek Master Plan is being amended. We have been working with the County, SEMSWA and Urban Drainage, to propose a drainage plan that will be supported, operated and maintained by said governing agencies. The plan presented herein has that support.

- We suggest that drainage improvements in Area B should be completed prior to the first Certificate of Occupancy for Area B.

Response: Neighborhood B will be developed in phases. The construction plans will indicate the extent of infrastructure necessary to support each phase.

4. Airport Noise

Comment:

- Residential Land Use Proposed in 60 LON Contour.

The northernmost portion of the proposed project (Northwest quarter of Section 3, T4S, R65W) is located within the 60 LON contour (Commercial Airport Noise Area) of Denver International Airport. The proposed site plan appears to include residential land uses within this contour. Residential land uses within the 60 LON contour are not permitted, particularly since this development is located directly south of runway 35U1 7R and will be subject to near continuous overflights from air traffic at DIA.

- Additional Airport Noise Issues and Special Construction Recommendations

The entire project is located within the Noise Impact Boundary Area (NIBA) and airport influence area of DIA and the westernmost portion of the project is within the airport influence district of Buckley AFB. All residential structures within the NIBA should include noise level reduction measures to achieve an interior noise level reduction of 25 decibels in A-weighted values. Such noise reduction measures would be required if the project were located in (or would be annexed into) Aurora.

- Avigation Easement and Notice Requirements

The applicant will need to convey an avigation easement to Arapahoe County and to Denver International Airport and record this easement with the Arapahoe County Clerk and Recorder. The applicant will also need to provide notice to all prospective purchasers that the property is located within an airport influence district.

Response: Neighborhood B, which is identified for initial phase development, does not include any property located with the 60LDN contour of Denver International Airport.

Notwithstanding this, Air Rights Covenant and Avigation Easements recognizing DIA and Buckley Air Force Base are established and recorded for the property.

Comment: Sky Ranch does 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 this proposal.

Response: Acknowledged.

Comment: Alternatively, 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: It is the intent to have the proposed development remain in unincorporated Arapahoe County.

If you have any additional questions please do not hesitate to contact me directly at 720.249.3539.

Sincerely,
CVL Consultants of Colorado, Inc.

Melinda E. Lundquist

Melinda Lundquist, PE
Vice President



a water and wastewater services company

July 8, 2016

Tri-County Health Department
6162 South Willow Drive, Suite 100
Greenwood Village, CO 80111
Attn: Ms. Laurel Broten (also by Email to lbroten@tchd.org)
cc: Mr. Warren Brown (also by Email to wbrown@tchd.org)

This information is provided as a point-by-point response to issues raised in your July 6, 2016 referral comment letter for the Sky Ranch Preliminary Plat and Preliminary Development Plan Amendments, TCHD case #3950. Information is addressed in the order raised in your letter.

Wastewater Treatment Plant – Approvals: Comment noted. We are familiar with the regulatory requirements and approval process with the Water Quality Control Division and are proceeding with that step-wise process. Given the costs and extended timing of both the land use and WQCD regulatory approval processes, we suggest that having final approvals from the WQCD for the wastewater facilities should be tied as a condition precedent to the County's issuance of **building permits** for the Sky Ranch development (and not tied to "prior to application for Final Development Plan"); and suggest that this is equally protective of public health and environmental protection.

Wastewater Treatment Plant - Nuisance Odors: Comment noted. Developer is committed to covering the pretreatment works, aeration basins, and biosolids handling facility, and also to provide odor control equipment, at the time of construction of the first phase wastewater reclamation facilities (WWRF); consistent with General Notes 7 and 8 on Sheet 1 of the PDP Amendment (below):

7. THE WASTE WATER FACILITY SHALL EMPLOY ODOR MITIGATION MEASURES INCLUDING COVERING TANKS, LANDSCAPE BUFFERS, AND FILTERING. IMPLEMENTATION OF THIS TECHNOLOGY SHALL BE IN LIEU OF PROVIDING 1000' BUFFER AROUND THE FACILITY.

8. THE PRELIMINARY TREATMENT WORKS (I.E. SCREENING, FLOW MEASUREMENT AND GRIT REMOVAL EQUIPMENT) AND THE SEQUENCING BATCH REACTOR BASINS WILL BE COVERED, AND BIOLOGICAL, CHEMICAL OR PHYSICAL ODOR CONTROLS WILL BE DESIGNED INTO THE PLANS AND SPECIFICATIONS FOR THE WASTEWATER TREATMENT PLANT TO REDUCE ANY POTENTIAL ODOR IMPACTS FROM THE PLANT.

This negates the need for the county and TCHD to develop and implement a notification process of when building permits are issued within 1,000 feet of the WWRF.

Water Treatment Plant: Comment noted. Please see discussion above dealing with the approval process for the wastewater system.

Environmental Cleanup:

1. Surficial soil sampling for pesticides in the area of the AeroSpray, Inc. trailer: Since my involvement with the project, which started in 2003, there has been no onsite pesticide storage at the Sky Ranch property. Some unspectacular use of pesticides and herbicides has been practiced at the Sky Ranch property as is normal and typical agricultural practice in the region.
2. Registration and compliance status of the 2,000-gallon aboveground diesel storage tank: Since my involvement with the project, which started in 2003, there has been no above-grade fuel storage tanks at the site.

I did track down a brief discussion about the tank in the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc:

This tank is not owned or controlled by ICON. A telephone conversation was held on October 7th, 2003 with Mr. Steve Wakeham of Pipeline Industries Inc, the owner of the tank. Mr. Wakeman indicated that the tank was empty and that he was not aware it had ever been used at this site. Additional conversations with Kyle Odegaaart and Scott Simons of the OPS on October 17th, 2003 indicate that this is a non-regulated tank, assuming that the construction company will remove it upon completion of the project.

3. Surficial soil sampling of the biosolids application areas and the base of the sewage lagoons: From page 5 of the July 23, 2010 "Phase I Environmental Assessment Update" prepared by CTL | Thompson,

Our review of environmental studies provided by Pure Cycle¹ indicates that sampling related to crop dusting, application of biosolids, and on site waste water treatment have revealed no residual levels of pesticides, chlorinated solvents, or metals related to historic operations conducted on site.

Excerpts from the March 26, 2009 "Limited Phase II Environmental Site Assessment" prepared by ENERCON are provided below and, with the exception of Arsenic, indicate that the bottom of the lagoon and the biosolids application site are clear. (Note: **bold emphasis added** to excerpts.)

Soil Boring DP-4 was installed in the bottom of the northwest dry sewage lagoon in the north central portion of the property and extended to a total depth of 32.5 feet below the bottom of the sewage lagoon. The bottom of the sewage lagoon was approximately 8 to 10 feet below surface grade. Soil samples from the 1- to 2-foot and 7- to 8-foot BGS intervals of the soil boring were selected for laboratory analysis. The shallow 1- to 2-foot soil sample contained an arsenic concentration of 2.6 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. The soil sample from 7 to 8 feet contained no detectable concentration of arsenic. However, the laboratory detection limit for the 7- to 8-foot sample was 1.4 mg/kg. Thus, this sample also potentially exceeds the regulatory limit for arsenic in

¹ Please see Appendix A hereto for an annotated listing of Previous Environmental Assessments considered by CTL Thompson in the preparation of their July 22, 2010 ESA Update.

soil. All other chemicals of concern from each sample were below the analytical laboratory detection limits.

Soil boring SB-1 was installed in the dry bottom of the southern sewage lagoon to a total depth of about 3 feet BGS; which was about 8 to 10 feet below surface grade. A soil sample was collected from the 1- to 3-foot BGS interval for laboratory analysis. This soil sample contained arsenic at a concentration of 2.4 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Soil boring SB-2 was installed in the dry bottom of the northeastern sewage lagoon to a total depth of about 3 feet below the base of the lagoon; which was about 8 to 10 feet below surface grade. A soil sample was selected from the 1- to 3-foot BGS interval for laboratory analysis. This soil sample contained arsenic at a concentration of 2.3 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Hand auger sample HA-13 was collected in the former biosolids storage area near the northeastern corner of Section 10. A soil sample was selected from the 1- to 2-foot BGS interval for laboratory analysis. This soil sample contained an arsenic concentration of 4.2 mg/kg, which exceeds the CDPHE Soil Evaluation Value for residential soils of 0.39 mg/kg. Other detected metals were below regulatory limits. No other chemicals of concern were present in this soil sample above laboratory detection limits.

Note that “chemicals of concern” in the above context included: Metals, VOCs, Pesticides, Herbicides and PCBs.

Concerning levels of Arsenic referenced above, ENERCON “recommended further study in regards to arsenic levels on site, as many areas in Colorado have background levels of arsenic in excess of State standards.” This additional investigatory work, consisting of fifteen additional soils samples collected from across the property, was performed as evidenced by the following excerpts from the May 14, 2009 “Determination of Background Arsenic Concentration” prepared by ENERCON Services Inc:

“Results of the additional soil sampling indicate the arsenic levels detected during the March 2009 Phase II investigation appear to be similar to background concentrations in the area.”

“Laboratory results of additional shallow soil sampling revealed arsenic concentrations ranging from 3.3 mg/kg (HA-5) to 8.5 mg/kg (HA-10) with an average concentration of 5.7 mg/kg (see Laboratory Reports, Attachment D). These concentrations were examined using the CDPHE’s “Guidelines for Determining Background Concentrations” (see attached). Using this guideline, a background arsenic concentration of 7.6 mg/kg was calculated for the site. These calculations are included as Attachment E. The only sample collected showing concentrations greater than the calculated background sample was HA-10, collected along the northern boundary of the site in the northeast quarter of Section 4 (see attached site map). The concentration from this sample appears anomalous and does not

appear to be attributed to potential arsenic sources, and is considered to be naturally occurring."

Finally, the following excerpts from the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc., also address the old lagoons and the sludge disposal area:

Surficial soil sampling at the base of the sewage lagoons for RCRA metals and volatile organic compounds. Two samples from the sewage lagoons were acquired on October 7th, 2003. The samples were taken from the northern most settling ponds adjacent to the inlet. These samples were analyzed for 8 RCRA metals and VOC's using EPA Methods 6010 and 8260. The results of the samples were either non-detect or well below the Colorado Department of Public Health and Environment, Soil Remediation Objectives for unrestricted residential use.

Surficial soil sampling of the biosolids application area for RCRA metals. The Colorado Department of Public Health and Environment requires the operator of the bio-solids application firm to perform soil sampling. On October 17th, 2003 Western Environmental and Ecology contact Wes Carr of the Colorado Department of Public Health and Environment, Biosolids Program. Mr. Carr stated that no permit violations have occurred at the site...

4. Schedule for ceasing the application of biosolids at the site: Since my involvement with the project, which started in 2003, there has been no application of biosolids at the site.
5. Ground water quality investigation for in the vicinity of the hangar and the crop duster trailer areas: Excerpts from the March 26, 2009 "Limited Phase II Environmental Site Assessment" prepared by ENERCON are provided below and, with the exception of Arsenic, indicate that the soils in the vicinity of the old hangar and crop duster operation are clear. (Note: **bold emphasis added** to excerpts.)

Soil boring DP-1 was installed near the former crop dusting operations trailer on the northern portion of the property and extended to a total depth of 45 feet BGS. A soil sample was selected from the 6- to 7-foot BGS interval for laboratory analysis. This soil sample contained a detectable concentration of naphthalene of 0.047 milligrams per kilogram (mg/kg). However, the concentration was well below the CDPHE Soil Evaluation Value of 23 mg/kg for protection of groundwater. Concentrations of all other analyzed chemicals of concern were below laboratory detection limits.

Hand auger sample HA-2 was collected near direct-push soil boring DP-1 in the area of the former hangar foundations and crop dusting area in the northern portion of the property. A soil sample was selected from the 1- to 2-foot BGS interval for laboratory analysis. This soil sample contained no detectable concentrations of any chemicals of concern.

Further, an excerpt from the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc., is provided below:

Surficial soil sampling in the vicinity of the crop duster trailer for pesticides: Two soil sample were acquired and analyzed for chlorinated pesticides in accordance with EPA Method 8081. Samples were taken from directly beneath the trailer fill connection and approximately 1.5 feet to the north where the aircraft would have been filled. The results of the samples were non-detect or well below the Colorado Department of Public Health and Environment, Soil Remediation Objectives for unrestricted residential use.

6. Inventory of various containers stored on site: At this time there are no containers on the site and I am unaware of the disposition of any containers that might have been referenced in previous site assessments. I did track down a brief discussion about the tank in the October 17, 2003 Phase II Environmental Assessment prepared by Western Environment and Ecology, Inc:

It is the responsibility of the aircraft owners to maintain and dispose of their own wastes. On October 16th, 2003, Western Environment and Ecology, Inc. posted notices on each of the leased hanger spaces that reminded tenants to properly store and dispose of maintenance fluids and lubricants. Additionally, the rental agreement prohibits the improper storage or disposal of wastes.

7. Documentation of completion of monitoring and formal closure of the former underground storage tank sites: As Appendix B hereto, please find a copy of the June 8, 2015 letter from the Petroleum Program, Division of Oil and Public Safety, Colorado Department of Labor and Employment finding that "No Further Action" is required at the subject Silco Oil site.

Copies of the 120-page July 23, 2010 "Phase 1 Environmental Assessment Update" prepared by CTL | Thompson; or any of the other previous environmental assessments listed in Appendix A hereto, are available upon request.

Water Supply: Comment noted. As you have noted, we appreciate that Arapahoe County is primarily charged with establishing the adequacy of water supplies for new development within unincorporated areas of the county. Working together, Rangeview Metropolitan District, the Sky Ranch Metropolitan Districts, and Pure Cycle Corporation have extensive water resources and water supply facilities available to serve the Sky Ranch development.

We hope that this information addresses your comments and we remain available to discuss these matters further at your convenience.

Pure Cycle Corporation



Scott E. Lehman, P.E.

cc: Mr. Sherman Feher, Arapahoe County Planning Department (also by Email to SFeher@arapahogov.com)

Appendix A

Annotated listing of Previous Environmental Assessments considered by CTL | Thompson in the preparation of their July 22, 2010 ESA Update.

- (118 pages) **Phase I ESA, Aurora Airpark 28580 East Colfax Avenue, Arapahoe County, Colorado, ERO Resources Corporation, July 31, 2002:** Approximately 773 acres of the site were included in this investigation. Several recognized environmental conditions (REC) were identified including the presence of a biosolids staging area, crop dusting operations, historical use of petroleum products and chlorinated solvents, on site sewage treatment, several waste disposal areas, and hazardous material storage and usage. ERO had several recommendations including soil sampling related to the crop dusting and biosolids and sewage lagoons operations, completion of an additional groundwater well north of the Airpark LUST, and a soil investigation related to the Barn Store LUST.
- (13 pages) **Phase I ESA, Northwest ¼ Section 10, Township 4 South, Range 65 West, Aurora, Colorado, Western Environment and Ecology, Inc., August 18, 2003:** Approximately 158 acres of the site were included in this investigation and the property is located in the south central portion of the site currently under investigation. Reportedly, this portion of the site has only been used for agricultural purposes. The Western report concluded that there were no RECs associated with the 158 acres.
- **Limited Environmental Sampling Program: Sky Ranch, Ground Engineering and Consulting, Inc., September 21, 2005:** Subsequent to a geotechnical investigation where petroleum odors were detected in one of the borings, Ground was requested to perform limited soil sampling. Sample results indicated levels of hydrocarbons below State standards, and the report did not recommend further study. It should be noted that the figure indicating sample locations is relatively unclear. (Note: I still need to track down a copy of this report if requested by TCHD)
- **Summary of Monitoring and Remediation Efforts for 28100 East Colfax Avenue, Altus Environmental, September 6, 2005:** Per the request of LaSalle Bank National Association, Altus provided a brief summary of the LUST event that took place at the Barn Store located on the northwest portion of the site. This event is discussed in the Public Records section of this letter. (Note: I still need to track down a copy of this report if requested by TCHD)
- (267 pages) **Phase I Environmental Site Assessment: Sky Ranch, 28100 and 28580 East Colfax Avenue, ENERCON Services, Inc., December 23, 2008:** The ENERCON investigation was conducted on the entire 934 acres of the site. At the time of their investigation the site generally appeared how it does currently, with only two remaining structures on site, three dry sewage lagoons, runways, and a model airplane use area, and foundation and dispenser island remnants. Several RECs were identified including the use of biosolids, crop dusting operations, historical use and storage of petroleum products and chlorinated solvents, on site sewage treatment, an abandoned vehicle and the ongoing ground water remediation associated with the former Barn Store.

- (176 pages) **Limited Phase II Environmental Site Assessment:** Sky Ranch, 28100 and 28580 East Colfax Avenue, ENERCON Services Inc., March 26, 2009: Subsequent to the findings published in their December 2008 Phase I report, ENERCON was contracted to perform a limited Phase II investigation of the subsurface conditions related to the crop dusting operations, hazardous material storage, sewage lagoons and former USTs/ASTs located on site. Five “deep” (32.5 to 45 feet below ground surface) monitoring wells were completed; however ground water was not reached at the time. A monitoring well previously installed as part of the Aurora Airpark LUST site was used to collect a ground water sample. Petroleum hydrocarbons in excess of State standards were present. Soil samples collected from the deep soil borings do not appear to be significantly impacted from previous operations conducted on site; however arsenic in concentrations exceeding State standards were detected at the surface of some samples. ENERCON recommended further study in regards to arsenic levels on site, as many areas in Colorado have background levels of arsenic in excess of State standards.
- (54 pages) **Determination of Background Arsenic Concentration:** Sky Ranch at 28100 and 28580 East Colfax Avenue, ENERCON Services Inc., May 14, 2009: Results of the additional soil sampling indicate the arsenic levels detected during the March 2009 Phase II investigation appear to be similar to background concentrations in the area.

Appendix B

**June 8, 2015 letter from the Petroleum Program, Division of Oil and Public Safety,
Colorado Department of Labor and Employment**

JOHN HICKENLOOPER
Governor

ELLEN GOLOMBEK
Executive Director

MAHESH ALBUQUERQUE
Division Director



DEPARTMENT OF LABOR AND EMPLOYMENT

DIVISION OF OIL AND PUBLIC SAFETY

Petroleum Program
633 17th Street, Suite 500
Denver, Colorado 80202-3610
Phone: 303-318-8500; Fax 303-318-8546
Web: <http://colorado.gov/cdle/ops>
Email: cdle_remediation@state.co.us

June 8, 2015

VIA EMAIL

SUSAN VANDERBERG
SILCO OIL
28100 EAST COLFAX AVENUE
WATKINS CO 80137

Re: No Further Action (NFA) determination at Silco Oil, 28100 East Colfax Avenue, Watkins, Adams County, Colorado (Event ID 7212)

Dear Ms. Vanderberg:

The Division of Oil and Public Safety (OPS) has reviewed the First Quarter 2015 Monitoring and Remediation Report and No Further Action (NFA) Request report for the above-referenced site received on May 27, 2015.


Based solely upon the information submitted it appears you have removed the source of contamination and reduced the potential for endangerment to human health, safety, and the environment as a result of the contamination at this property.

A soil and groundwater fate and transport model was used to demonstrate compliance with State closure criteria. If you need additional information, please contact the Public Records Center at 303-318-8525 to set up a file review.

In light of the remedial action taken at this site, and the confirmatory modeling results, OPS does not require any further investigation or remedial action at this time. **OPS cannot release you from any liability that may be associated with any petroleum contamination at or from this site. If the function of the property is modified, OPS must be contacted immediately.** This NFA letter is in reference to confirmed petroleum release reported at the above referenced site on January 27, 1999.

Please address correspondence regarding this event to me, and if you should have any questions please contact me at (303) 318-8540.

Sincerely,



Vincent P. Secondo, P.G.
Environmental Protection Specialist
Petroleum Program

cc: Catt Wilson, P.E., Altus Environmental, via email
Scott Lehman, PCY Holdings, Inc., via email
Chuck Attardo, Colorado Department of Transportation, via email



LSC TRANSPORTATION CONSULTANTS, INC.

1889 York Street
Denver, CO 80206
(303) 333-1105
FAX (303) 333-1107
E-mail: lsc@lscdenver.com

July 21, 2016

Mr. Mark Harding
Sky Ranch Metro District 5
c/o Pure Cycle Corporation
34501 E. Quincy Avenue, Bldg. 34, Box 10
Watkins, CO 80137

Re: Sky Ranch Neighborhood B
Traffic Study Update
Arapahoe County, CO
(LSC #150270)
County Case No. Z16-003

Dear Mr. Harding:

At your request, we have prepared this response to address transportation comments from CDOT, the City of Aurora, and Arapahoe County on the Sky Ranch Neighborhood B development. The most recent traffic study for the site is the May 27, 2016 *Sky Ranch Neighborhood B TIA*. The following are the comments and our responses:

CDOT COMMENTS

Paul Sherner 6-9-16

Comment 1: CDOT has concerns regarding potential vehicle queuing at the intersection immediately south of the I-70 EB off ramp. Current intersection separation is approximately 150 feet.

Response: Conclusions and Recommendations #12 states the southbound approach could operate at LOS "E" by 2036 with full development of 774 residential dwelling units. A single-lane roundabout was suggested for mitigating poor levels of service. It could also be used to mitigate long queue lengths.

Comment 2: What is the currently planned timeline to realign Monaghan Rd shown as the dashed line in the study? The intersection lane diagrams show no changes to the current roadway and intersection geometry through the 2036 timeline. Without this re-alignment, CDOT fears that backups will occur on the EB off-ramp during the PM peak hour, even with the proposed mitigation of an all-way stop at the south intersection. The study needs to investigate this potential issue, and identify any needed mitigation measures and the time line for mitigation.

Response: The extension south is through property not controlled by the applicant so the timing is unknown. A single-lane roundabout could be implemented in the future if needed to mitigate poor levels of service or long queue lengths. See response to Comment #1 above.

Resident Engineer

Comment 1: R1 asks that Arapahoe County have a process in place to guarantee that this phase of the Sky Ranch Development would be the only additional traffic that would be added to the Airpark Rd. Interchange from the new access until a 1601 process is completed on the interchange.

Response: No response.

Comment 2: We concur with Paul Scherner that vehicle queuing at the intersection of Monaghan Rd. and I-70 Frontage Rd. will become a problem.

Response: See response to Comments #1 and #2 above.

Comment 3: At some point the I-70 Frontage Rd. will need to be located further South when traffic volumes dictate. ROW should be preserved for this.

Response: The referenced ROW would be dedicated from property not controlled by the applicant.

Comment 4: The 300 foot radius for 2 lane Monaghan approaching I-70 should be increased to include 6 lanes in the future.

Response: This specific section of Monaghan Road is expected to be abandoned or repurposed once the I-70/Monaghan Road interchange is improved.

Permit Comments

Comment 1: I am not inclined to support the letter written by Chuck Binford, then acting Access manager for Region 1, from 11-17-2003 for the following general reasons:

- a. **This is a different zoning plan with a different phasing scheme. This is a different TIA from the one Binford reviewed – dated 11-2003.**

Response: The proposed land use type (residential) and trip generation potential are consistent with the prior studies. The methodology was based on our prior coordination meeting with both Arapahoe County and CDOT.

- b. **Too much has changed with regards to nearby annexations, zonings and background traffic.**

Response: We are not aware of any such actions that would effect the south side of the I-70/Monaghan Road interchange.

c. Too much has changed with regards to the climate for funding studies & improvements, as well as procedural processes.

Response: It is our understanding that CDOT would not be funding the studies.

Comment 2: More specifically, I wish to begin by pointing out how the two TIA studies are different. The land use scheme layout & internal roadway structure is different. It is not a simple comparison, rather apples to oranges. That being said, and recognizing certain similarities, I have prepared a brief comparison of the two studies recommendations.

Response: The comment letter provides various differences between the prior and current studies. What is important to note is the proposed land use type (residential) and trip generation potential are almost identical. These are the two most relevant items for an access permit.

Comment 3: CDOT also desires to understand what is the position & concerns of other service providers to this property in terms of access. In particular the Bennett Fire District for life-safety, and the Bennett School district. It would appear that 100% of the traffic for phase 1 must utilize the interstate even for the shortest of daily routine trips. There appears to be no commitment (or time frame) to build an offsite roadway network at an earlier date that would make critical connections for these basic services & needs.

Response: These items will be coordinated through the review process with Arapahoe County.

Comment 4: Arapahoe County needs to present to CDOT the revised TIA that was to be done when the PBSJ study was complete. Or, is this new version of the TIA the outcome of that feasibility study? If so, and whereby this study shows no funding mechanism in place at this time, I can not be supportive or consenting to the recommendations contained therein.

Response: Arapahoe County?

Comment 5: Furthermore, CDOT has a copy of a "Revised TIA, for Sky Ranch II" dated February 1, 2006 for Neumann Homes. We are not aware of the standing of this document, was it approved along with a zoning amendment? It too has recommendations similar to the 2003 edition and the current TIA makes no mention of this study or recommendations therein. The same question as above, was this 02-01-06 version of the TIA the outcome of the PBSJ Study?

Response: We specifically referenced the 2003 TIA per direction from Arapahoe County as that was the version the approved documents were based on.

Comment 6: It is evident that not all the facts were disclosed or shared with CDOT at our earlier meeting & discussion.

Response: This is not evident to the project team. Our intent in meeting with CDOT and Arapahoe County together was to facilitate an open discussion and further define the scope of work of the traffic study that was completed.

CITY OF AURORA COMMENTS

Transportation

Comment 1: Sky Ranch's transportation plan assumes that the development will use I-70 for many trips in the initial stages of development, since streets connecting to Aurora will not exist. Aurora's transportation master plan, the Northeast Aurora Transportation Study, does not include the Sky Ranch area, nor does it assume any substantial development east of Aurora. Such development will impact street capacity and likely trigger improvements to Aurora street, such raising costs to our developers and existing and future residents.

Response: While Sky Ranch is not labeled in the figure summarizing Master Planned Areas in the NEATS study, the traffic analysis zones 1820, 1821, and 1822 are labeled as Sky Ranch and include 1,523 households and 85 employees. This suggests Sky Ranch was included in NEATS at some level. The natural draw of traffic to I-70 will likely result in Aurora traffic traveling north to I-70 via Monaghan Road through Arapahoe County at a higher volume than Sky Ranch traffic passing south and west into Aurora.

Comment 2: If the arterial roadway connections to Aurora are not realized, then the Sky Ranch development will place a heavy reliance on I-70. Like our own street system, the existing I-70 corridor was not designed with a development like Sky Ranch in mind. If Sky Ranch goes forward, the City will need to be involved with the necessary systems and project level feasibility studies, as well as the environmental clearances necessary for the use of the I-70 interchange and discussion regarding impacts to adjacent property. This effort will need to be in compliance with the CDOT Interchange 1601 process.

Response: We assume this would be coordinated between City and County staffs.

Comment 3: Aurora's arterial and CDOT's interstate system have not been planned to accommodate Sky Ranch. Improvements and associated costs to these roads have not been accounted for in the application, and are left to be subsidized by the taxpayers of Colorado and Aurora.

Response: See response above to Comment #1.

Comment 4: In addition, Aurora would offer the following specific comments:

- **Only the eastern two lanes of Monaghan are proposed to be built from the Area B northern limit to I-70. The applicant's plans show Monaghan as a six-lane arterial. When would the rest of the east side of the road be built and who would pay for it?**

Response: A full six-lane alignment is expected to occur after both the interchange is improved and the property owner between I-70 and Sky Ranch develops. It is expected that future phases of Sky Ranch would participate in this effort. Much of the short-term two-lane connection will be abandoned or repurposed once the permanent alignment is established.

- **The 2007 Aurora Northeast Area Transportation Study (NEATS) shows Monaghan from I-70 south to 6th Ave as an 8-Lane arterial based on traffic projections. The applicant's plans show this stretch of Monaghan being a 6-lane arterial instead.**

Response: The NEATS study shows 60,000 vehicles per day using Monaghan Road in 2030 both north and south of 6th Avenue. The section north of 6th Avenue is shown as eight lanes and to the south as only six lanes. This will need to be coordinated between City and County.

- **The second point of emergency access to Area B is proposed to be a fairly complex and indirect path along existing and proposed gravel roads. Is this route and gravel surface acceptable for fire and other emergency access?**

Response: This will be coordinated through the review process with Arapahoe County.

ARAPAHOE COUNTY COMMENTS

Traffic Impact Study (TIS)

Comment 32: Please be advised that the TIS for this development established a traffic generation budget. The traffic budget is associated with improvements provided by the developer to maintain acceptable roadway capacity and level of the services per County criteria. If the Final Development Plan applications at later time that propose to exceed the traffic budget, they would not be accepted without additional analysis and improvements that demonstrate the increase could be accommodated within County criteria.

Response: Traffic counts or trip generation compliance letters can be provided at critical points to verify the trip generation budget for the site is not exceeded.

Comment 33: The study includes design years of 2025, 2030, and 2036. What year is the opening year for this project? The opening year should be evaluated in the study.

Response: Completion year is estimated to be 2025. The 2030 scenario covers the County's five-year after buildout requirement and the 2036 scenario covers both the County's and CDOT's long-range 20-year requirements.

Comment 34: Please specify the annual growth rate per the County Transportation Plan for the roadways in the study area.

Response: US 36 north of I-70 and the I-70 Frontage Road are not shown in Figures 28 (2020 total traffic) or on Figure 30 (2035 total traffic) of the 2010 Arapahoe County 2035 Transportation Plan. We feel the assumed annual growth rates of one percent on the Frontage Road and two percent on Colfax Avenue are appropriate without reconstruction of the I-70/Monaghan Road interchange and no development within Sky Ranch.

Comment 35: Please know that this TIS is currently under the review by CDOT. The confirmation of the previous approval for the Airport/I-70 interchange capacity is necessary to proceed the development.

Response: Comment noted.

Comment 36: Average Daily Traffic for I-70 is omitted from Figures 4 to 6. Please revise.

Response: This can be added to an updated study if determined to be necessary after discussing with staff. Generally speaking the volume on free-flow I-70 is not that relevant for the scope of the study.

Comment 37: Please include roadway capacity information within the Figures as the following - site generated traffic/Total traffic/roadway capacity/assumed number of lanes.

Response: The capacity of a two-lane roadway is generally assumed to be a minimum of about 10,000 vehicles per day (vpd). The highest daily volume projected between the site and the I-70 Frontage Road is 7,370 vpd per Figure 14a with full development of 774 residential dwelling units.

Comment 38: Figure 8: show the distribution of the site generated traffic at each access point.

Response: This can be added to an updated study if determined to be necessary after discussing with staff.

Comment 39: Overall, the proposed study shows that no realignment of Monaghan Road will occur or be necessary through year 2036 (LOS is acceptable level per the Study). Staff will like to see CDOT's response on this.

Response: The Monaghan Road extension will be on property not controlled by the applicant so the timing is unknown. The report suggests a single-lane roundabout may be necessary by 2036 at the intersection of Monaghan Road with the I-70 Frontage

July 21, 2016

Road. This can be reevaluated once the first 502 dwelling units are mostly constructed during the approval process for the additional 272 dwelling units.

Comment 40: An emergency access was shown on the Preliminary Plat. Please include the discussion of the emergency access in the report.

Response: This can be added to an updated study if determined to be necessary after discussing with staff.

* * *

We trust that these responses will assist in the planning efforts for the Sky Ranch Neighborhood B development. Please call us if we can be of further assistance.

Respectfully submitted,

LSC Transportation Consultants, Inc.

By: 

Christopher S. McGranahan, P.E., PTOE

CSM/wc



COLORADO

Department of Transportation

Transportation Systems
Management & Operations

Region 1 Permits Unit
2000 S Holly St
Denver, CO 80222

MEMORANDUM

TO: Chris Mcgranahan, Mark Harding, Sue Liu

FROM: Marilyn Cross

CC: Kurt Kionka, Barb DeSarro, Rick Solomon, Melinda Lundquist, Chuck Haskings, Sherman Feher, Steve Loeffler, Paul Scherner, file

DATE: 8/19/2016

SUBJECT: SKY RANCH - CDOT UPDATED COMMENTS

On August 8, 2016 CDOT staff met with Arapahoe County and the Sky Ranch Project Team to discuss CDOT's concerns and comments. After the August 8th meeting CDOT staff held an internal meeting to discuss the issues presented to us at the meeting.

Our Comments back to the County and Development Team are summarized below:

1. CDOT would support an initial access permit application that would accommodate traffic from the first phase of construction (500 residential units), including other land uses proposed (commercial or non-residential) that could be allowed based on traffic equivalency. CDOT agrees the tight diamond configuration of the ramp and frontage road has additional capacity to serve an initial phase with a threshold of 500 units. When the 500 units are built, a new permit may be needed for modifications to the ramp and frontage road. One option suggested for consideration was a round-about. Limiting the permit to 500 units, would give CDOT and the County the opportunity to monitor and re-evaluate the operation of the roads.
2. CDOT supports the note on the PDP that states that no development beyond the identified 774 residential units may occur until the 1601 process is complete.
3. CDOT requests that no access to local roads occur within at least 800 feet of the current Frontage Road. This request is because there is no current design for a new interchange that would be developed through the 1601 process and we want to keep all options open. The State Highway Access Code states that access rights should be obtained for a distance of 550 feet along the lesser street or cross road, measured from the radius point of any ramp touch. We feel that the 800 feet could allow for that. CDOT would request the County to establish Access Control Lines (A-lines) for this purpose.
4. Please include CDOT Region 1 in a referral of the finalized PDP and the updated traffic study.
5. CDOT will seek to gain support for an I-70 PEL that will bring together Arapahoe and Adams County, City of Aurora, Town of Bennet to examine all interchanges, existing and proposed between Picadilly and Kiowa Bennett Road.
6. Baseline Access permits will be requested of Arapahoe County at the interchange ramps. Baseline counts would include traffic from existing mobile home park. CDOT may require by term or condition actual traffic counts to monitor the thresholds agreed to.



STATE OF COLORADO

Traffic & Safety

Region 1

2000 South Holly Street

Denver, Colorado 80222



COLORADO

Department of Transportation

Project Name: **Sky Ranch**

Print Date: 7/7/2016

Highway: 070

Mile Marker:

Traffic Comments:

Paul Scherner 6-9-16

CDOT has concerns regarding potential vehicle queuing at the intersection immediately south of the I-70 EB off ramp. Current intersection separation is approximately 150 feet.

What is the currently planned timeline to realign Monaghan Rd shown as the dashed line in the study? The intersection lane diagrams show no changes to the current roadway and intersection geometry through the 2036 timeline. Without this re-alignment, CDOT fears that backups will occur on the EB off-ramp during the PM peak hour, even with the proposed mitigation of an all-way stop at the south intersection. The study needs to investigate this potential issue, and identify any needed mitigation measures and the time line for mitigation.

Resident Engineer Comments:

R1 asks that Arapahoe County have a process in place to guarantee that this phase of the Sky Ranch Development would be the only additional traffic that would be added to the Airpark Rd. Interchange from the new access until a 1601 process is completed on the interchange.

We concur with Paul Scherner that vehicle queuing at the intersection of Monaghan Rd. and I-70 Frontage Rd. will be become a problem.

At some point the I-70 Frontage Rd. will need to be located further South when traffic volumes dictate. ROW should be preserved for this.

The 300 foot radius for 2 lane Monaghan approaching I-70 should be increased to include 6 lanes in the future.

Permits Comments:

I am not inclined to support the letter written by Chuck Binford, then acting Access manager for Region 1, from 11-17-2003 for the following general reasons:

- a. This is a different zoning plan with a different phasing scheme. This is a different TIA from the one Binford reviewed – dated 11-2003.
- b. Too much has changed with regards to nearby annexations, zonings and background traffic
- c. Too much has changed with regards to the climate for funding studies & improvements, as well as procedural processes.

More specifically, I wish to begin by pointing out how the two TIA studies are different. The land use scheme-layout & internal roadway structure is different. It is not a simple comparison, rather apples to oranges. That being said, and recognizing certain similarities, I have prepared a brief comparison of the two studies recommendations:

Early Improvements I-70 Frontage Road	Realign by year 3, approx. 1/8 mile south of interstate ramp with traffic signal if warranted	Not mentioned	possible single lane roundabout after the initial 502 homes are built. The initial 2003 study desired the Frontage Road realignment to be counted as part of the 1601- first phase improvements. 2003 TIA expected 6 th to be extended & connected to E-470 by year 3. New study does not give a tie-in date
Major Alternative Roadway connections	6 th Ave		2003 TIA expected Monaghan to extend to the south (to tie into Jewell?) by the 5 th year of development. New study does not give a date for this extension.
Major Alternative Roadway connections	Monaghan Rd		The 2003 TIA refers to a feasibility study for the Airpark Road interchange commissioned by Arapahoe County to be performed by PBSJ. <u>The original (11/03) TIA says when the PBSJ study is complete, the TIA will need to be revised</u>
Major Alternative Roadway connections	I-70 Frontage Road	Not mentioned	

CDOT also desires to understand what is the position & concerns of other service providers to this property in terms of access. In particular the Bennett Fire District for life-safety, and the Bennett School district. It would appear that 100% of the traffic for phase 1 must utilize the interstate even for the shortest of daily routine trips. There appears to be no commitment (or time frame) to build an off-site roadway network at an earlier date that would make critical connections for these basic services & needs.

Arapahoe County needs to present to CDOT the revised TIA that was to be done when the PBSJ study was complete. Or, is this new version of the TIA the outcome of that feasibility study? If so, and whereby this study shows no funding mechanism in place at this time, I can not be supportive or consenting to the recommendations contained therein.

Furthermore, CDOT has a copy of a "Revised TIA, for Sky Ranch II" dated February 1, 2006 for Neumann Homes. We are not aware of the standing of this document, was it approved along with a zoning amendment? It too has recommendations similar to the 2003 edition and the current TIA makes no mention of this study or recommendations therein. The same question as above, was this 02-01-06 version of the TIA the outcome of the PBSJ Study?

It is evident that not all the facts were disclosed or shared with CDOT at our earlier meeting & discussion.



September 9, 2016

Mr. Sherman Feher
Arapahoe County Planning
6924 S. Lima St.
Centennial, CO 80112

Re: Water and Wastewater Will Serve Letter – Sky Ranch Case Nos. Z16-003 & P16-011

Dear Mr. Feher;

Rangeview Metropolitan District, together with its' service provider Pure Cycle Corporation, provides this "Will Serve" letter for the Arapahoe County development applications known as Sky Ranch Preliminary Development Plan Z16-003 and Preliminary Plat P16-011. Sky Ranch is a proposed 931-acre mixed use master planned development in Arapahoe County with a projected thirty-year phased buildout.

Sky Ranch's water demands will be met from Rangeview's water supplies which include renewable water developed in conjunction with on-site adjudicated storage reservoirs at the Lowry Range, regional renewable water from the Water Infrastructure Supply Efficiency ("WISE") project, and Denver Basin groundwater. At buildout, Sky Ranch will require less than 10% of the water resources currently held by Rangeview and Pure Cycle.

We will also provide domestic wastewater service to the property using a zero surface discharge water reclamation facility that will produce high quality effluent meeting the requirements of the Water Quality Control Commission's "Reclaimed Water Control Regulation, 5CCR 1002-84". This reclaimed water will be used for irrigation at parks, open spaces and common areas using a separate non-potable "purple pipe" water distribution system. The integrated use of water and reclaimed water will protect our valuable water supplies to the fullest extent.

Rangeview has obtained easements and Location and Extent and GESC permitting for a water transmission pipeline to deliver water to the Sky Ranch development and other potential customers in Arapahoe County. We anticipate construction of the pipeline to be complete in early 2017.

If you need any additional information, please do not hesitate to contact me.

Sincerely,

Mark Harding
President



BENNETT FIRE PROTECTION DISTRICT #7

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

EMAIL: LIFESAFETY@BENNETTFIREFESCUE.ORG

"Striving to Preserve Life and Property"

July 6th, 2016

Sherman Feher

Arapahoe County Public Works & Development

6924 S. Lima Street

Centennial, CO 80112

Re: P16-011 & Z16-003 / Sky Ranch Preliminary Plat and Preliminary Development Plan Amendment

Planner Feher,

In regards case P16-011 & Z16-003 / Sky Ranch Preliminary Plat and Preliminary Development Plan Amendment, 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 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.
- The developer shall confer with Bennett Fire Protection District and ensure that the proposed development conforms to adopted fire code standards.
- Bennett Fire Protection District will incur unmet capital costs associated with all development. To address these unmet capital costs for this development and to insure that "development pays its own way", Bennett Fire Protection District will need to enter into a Development Agreement or other arrangement with the developer. Currently, the District's identified capital cost is \$1,500.00 per residential dwelling unit and \$720.00 per 1,000 square feet of non-residential units. The Development Agreement will include provisions to pay these costs, a station location land dedication, and cash-in-lieu options.
- Bennett Fire Protection District has existing recorded agreements in place to meet these costs and dedication requirements dating back to the original proposed development, also formerly under the "Sky Ranch" name. Based upon the revised plat and development plan, an update to these agreements is necessary.
- Bennett Fire Protection District has already entered into dialogue with the Developer to address the update or restructuring of this agreement.
- Bennett Fire Protection District has expressed interest to the Developer to obtain land for public facilities to provide fire protection in the proposed development area as part of the District's future planning. This may include the granting or lease of temporary facilities to provide such services until permanent facilities can be constructed as the development grows.
- Bennett Fire Protection District currently has excellent communication with the applicant and will continue to work together to complete the necessary agreements and requirements outlined above.

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



City Manager
15151 E. Alameda Parkway, 5th Floor
Aurora, Colorado 80012
phone 303.739.7010
fax 303.739.7123

Worth Discovering • auroragov.org

July 8, 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 Sky Ranch Preliminary Plat and Preliminary Development Plan Amendment application (P16-011 and Z16-003). The City of Aurora has reviewed the application and has the following comments:

1. Compliance with Regional Plans

This is in reference to Metro Vision 2035. Both Arapahoe County and the City of Aurora have signed the Mile High Compact, which adopts the Metro Vision Plan. The purpose of the plan is to promote more compact urban development. This goal is vital in a metropolitan area in order to limit vehicle miles traveled, to reduce air pollution and to enhance a more efficient and cost effective provision of water, sewer, street, fire, school and drainage services to our citizens.

We question whether the proposal meets the goals or letter of Metro Vision 2035. We would ask Arapahoe County to carefully evaluate this proposal in light of the Metro Vision Plan. As a region we have already entitled more than enough development to accommodate the most optimistic 2040 growth estimates. By placing a significant development on the periphery of the metropolitan area, it reduces the metropolitan region's ability to encourage denser development, reduce vehicle miles traveled, control air quality, and to provide the most efficient services to future residents.

2. Water

Aurora has concerns about the water supply outlined for the Sky Ranch development. While multiple sources are referenced to meet the long term supply (WISE, groundwater and reclaimed water), it is unclear how and when all these individual sources will be utilized.

Aurora is highly concerned about the planned use of groundwater as a long-term source especially without supplemental aquifer replenishment (aquifer recharge) seeming planned by Pure Cycle to offset aquifer depletions. Aquifer depletions in the Rangeview area (as identified) have significant potential to directly diminish regional aquifer levels that would negatively impact others (most directly the City of Aurora). Aurora is actively engaged in efforts to preserve groundwater for times of drought and emergency. Active aquifer replenishment should be included in any plan to rely on groundwater.

WISE is an interruptible supply. It is unclear how Pure Cycle is planning to utilize their WISE subscription as part of their supply. While the plans seem to indicate transmission pipelines to convey the supply, we could not find any reference to any form of storage or other ability to firm the supply. The

capability to firm WISE water supplies will be critical in being able to utilize them as part of a water supply portfolio.

The submittals seem to indicate that a Metro District will be formed to provide water and wastewater services. We are not aware of Pure Cycle having the capabilities to directly provide these services. The complexities of the supplies and their implementation will require specialized expertise. How exactly are the services planned to be provided?

3. Transportation

Sky Ranch's transportation plan assumes that the development will use I-70 for many trips in the initial stages of development, since streets connecting to Aurora will not exist. Aurora's transportation master plan, the Northeast Aurora Transportation Study, does not include the Sky Ranch area, nor does it assume any substantial development east of Aurora. Such development will impact street capacity and likely trigger improvements to Aurora streets, thus raising costs to our developers and existing and future residents.

If the arterial roadway connections to Aurora are not realized, then the Sky Ranch development will place a heavy reliance on I-70. Like our own street system, the existing I-70 corridor was not designed with a development like Sky Ranch in mind. If Sky Ranch goes forward, the City will need to be involved with the necessary systems and project level feasibility studies, as well as the environmental clearances necessary for the use of the I-70 interchange and discussion regarding impacts to adjacent property. This effort will need to be in compliance with the CDOT Interchange 1601 process.

Aurora's arterial and CDOT's interstate system have not been planned to accommodate Sky Ranch. Improvements and associated costs to these roads have not been accounted for in the application, and are left to be subsidized by the taxpayers of Colorado and Aurora.

In addition, Aurora would offer the following specific comments:

- Only the eastern two lanes of Monaghan are proposed to be built from the Area B northern limit to I-70. The applicant's plans show Monaghan as a six-lane arterial. When would the rest of the east side of the road be built and who would pay for it?
- The 2007 Aurora Northeast Area Transportation Study (NEATS) shows Monaghan from I-70 south to 6th Ave as an 8-Lane arterial based on traffic projections. The applicant's plans show this stretch of Monaghan being a 6-lane arterial instead.
- The second point of emergency access to Area B is proposed to be a fairly complex and indirect path along existing and proposed gravel roads. Is this route and gravel surface acceptable for fire and other emergency access?
- The drainage improvements for Area B need to be completed per UDFCD Master Plan for First Creek.
- We suggest that drainage improvements in Area B should be completed prior to the first Certificate of Occupancy for Area B.

4. Airport Noise

- **Residential Land Use Proposed in 60 LDN Contour.**

The northernmost portion of the proposed project (Northwest quarter of Section 3, T4S, R65W) is located within the 60 LDN contour (Commercial Airport Noise Area) of Denver International Airport. The proposed site plan appears to include residential land uses within this contour. Residential land uses within the 60 LDN contour are not permitted, particularly since this development is located directly south of runway 35L/17R and will be subject to near continuous overflights from air traffic at DIA.

- **Additional Airport Noise Issues and Special Construction Recommendations**

The entire project is located within the Noise Impact Boundary Area (NIBA) and airport influence area of DIA and the westernmost portion of the project is within the airport influence district of Buckley AFB. All residential structures within the NIBA should include noise level reduction measures to achieve an interior noise level reduction of 25 decibels in A-weighted values. Such noise reduction measures would be required if the project were located in (or would be annexed into) Aurora.

- **Avigation Easement and Notice Requirements**

The applicant will need to convey an avigation easement to Arapahoe County and to Denver International Airport and record this easement with the Arapahoe County Clerk and Recorder. The applicant will also need to provide notice to all prospective purchasers that the property is located within an airport influence district.

Sky Ranch does 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 this proposal.

Alternatively, 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.

Cordially,



George K. Noe
City Manager

cc: Mayor and Members of City Council
Nancy Freed, Deputy City Manager
Jason Batchelor, Deputy City Manager

Sherman Feher

From: Raymond Winn
Sent: Wednesday, July 06, 2016 2:27 PM
To: Sherman Feher
Subject: RE: REFERRALS FOR SKY RANCH PRELIMINARYL DEVELOPMENT PLAN AMENDMENT (Z16-003) AND PRELIMINARY PLAT (P16-011)

Sherman,

I have reviewed the Sky Ranch PDP and Open Spaces has no comments at this time.

Thanks,

Ray Winn

Open Spaces Planner

Arapahoe County Open Spaces

6934 S. Lima Street, Suite A, Centennial, CO 80112

Office: 720-874-6551

rwinn@arapahoegov.com

From: Sherman Feher
Sent: Monday, June 06, 2016 11:36 AM
Subject: FW: REFERRALS FOR SKY RANCH PRELIMINARYL DEVELOPMENT PLAN AMENDMENT (Z16-003) AND PRELIMINARY PLAT (P16-011)

Dear Referral Person:

Please review the attached Arapahoe County referral plans for the following cases: [Sky Ranch Preliminary Development Plan Amendment \(Z16-003\)](#) and [Preliminary Plat \(P16-011\)](#).

Then please fill out the applicable information blocks on the attached referral sheet and attach it to a response email or "reply" with an email that will come back to me.

Contact me if you have any questions.

Thank you

Sherman Feher
Public Works and Development – Planning Division
6924 S. Lima Street
Centennial, CO 80112



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571.3524
donna.l.george@xcelenergy.com

July 6, 2016

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

Attn: Sherman Feher

Re: Sky Ranch Subdivision, Case #s P16-011 and Z16-003

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the preliminary plat and preliminary development plan (PDP) for **Sky Ranch Subdivision**. Public Service Company has no objection to this proposed PDP amendment, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

The property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (register, application can then be tracked) and complete the application process for any new gas or 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** to have all utilities located prior to any 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



July 6, 2016

Sherman Feher
Arapahoe County Planning Division
6924 S Lima St
Centennial CO 80112

RE: Sky Ranch Preliminary Plat and Preliminary Development Plan Amendment
Case Nos. P16-011 & Z16-003
TCHD No. 3950

Dear Mr. Feher:

Thank you for the opportunity to review and comment on the Preliminary Plat and Preliminary Development Plan Amendment for Sky Ranch located south of I-70 on Monaghan Rd. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations.

During the review of previous applications for Sky Ranch, TCHD provided comments in letters dated September 19, 2003 and March 8, 2006 related to wastewater treatment plant nuisance odors and potential environmental impacts from historic uses.

Wastewater Treatment Plant-Approvals

The Wastewater Treatment Plant (WWTP) will require several approvals from the Colorado Department of Public Health and Environment (CDPHE) prior to construction. The following approvals are required:

1. Site approval
2. Preliminary Effluent Levels
3. Design approval
4. Discharge Permit

TCHD contacted Bret Icenogle, P.E. with CDPHE regarding the status of these approvals. Mr. Icenogle could not determine if the above approvals had been previously issued for the WWTP. However, even if the WWTP had prior approval from CDPHE, the applicant will need to go through the CDPHE approval process again. Consequently, TCHD recommends that the above approvals be completed prior to application for the Final Development Plan.

Wastewater Treatment Plant – Nuisance Odors

In our previous letters, TCHD raised concerns about potential nuisance odors from the wastewater treatment plant that will be constructed in the western portion of Neighborhood B. To address these concerns, it was agreed to construct covers over the headworks, sequencing batch reactor (SBR) basins and the biosolids handling facility. Our preference is that the covers be in place before construction begins in the affected area. We recommend that a condition of

the final plat be completion of construction of the covers for the headworks, SBR basins and biosolids handling facility before Arapahoe County issues a building permit for Sky Ranch residences that are within 1,000 feet of the wastewater treatment plant. We request that the County implement a system to notify Tri-County when a building permit is being considered for residences within 1,000 feet of the wastewater treatment plant, so that we can confirm compliance with the final plat condition. We will be happy to coordinate with the applicant and County Planning staff on the wording of the plat condition.

As previously noted, we also recommend that the developer work with the builder at Sky Ranch to inform and educate prospective property owners about the existence and function of the plant. Providing potential residents this information in the form of an advisory letter would allow them to make informed decisions, and may help in reducing future complaints. The wastewater plant operator should participate in drafting the advisory letter.

Properties in the City of Aurora that are adjacent to Sky Ranch on the west are zoned Planned Development, which could allow residential development. We are unaware if the City of Aurora has received any development applications for these areas. If residences are slated for development in Aurora within 1,000 feet of the Sky Ranch wastewater treatment plant, residents of these homes could also experience nuisance odors from the plant. We encourage the applicant to contact the City of Aurora to determine if residential development is likely to occur before the currently anticipated timeframe for completion of construction of the covers for the plant operations. If municipal residential development is slated before that time, we recommend that SRMD consider accelerating its odor mitigation schedule to prevent possible nuisance odors to City residents.

Water Treatment Plant

Prior to construction of the Water Treatment Plant (WTP), CDPHE needs to complete a design review and issue an approval for the design. TCHD also discussed the status of the water plant with Mr. Icenogle. Mr. Icenogle could not confirm if the WTP had received design approval. Mr. Icenogle also mentioned that a capacity assessment is required for the WTP. TCHD recommends that the water plant be approved by CDPHE prior to application for the Final Development Plan.

Environmental Cleanup

In our previous letters, we outlined several items that required environmental assessment and/or remediation. We requested that the applicant provide Tri-County Health Department a status report on those items, and that Tri-County determine, in consultation with appropriate State regulatory agencies, that site conditions will allow for safe development to occur before the County schedules the Final Development Plan for public hearing. Though development is only at the Preliminary Development Plan stage at this time, we encourage the applicant to prepare and submit us the requested report as soon as possible so that any outstanding environmental and public health issues related to former site operations are resolved before the Final Development Plan is ready for approval:

The report should address the following issues:

1. Surficial soil sampling for pesticides in the area of the AeroSpray, Inc. trailer,
2. Registration and compliance status of the 2,000-gallon aboveground diesel storage tank,

3. Surficial soil sampling of the biosolids application areas and the base of the sewage lagoons for RCRA metals,
4. Schedule for ceasing the application of biosolids at the site. State regulations stipulate that unrestricted development not occur until one year after cessation of biosolids application. Based on a conversation with Mr. Luke Bond, of Parker Ag Services, the company has applied biosolids to the eastern half of Section 10, the southwest quarter of Section 3 and the southeast quarter of Section 4 (state permit #1156). The applicant should contact Mr. Bond, who maintains and certifies records of biosolids application, and Mr. Wes Carr, at the Colorado Department of Public Health and Environment, for assistance in complying with the biosolids regulation. Mr. Carr can be reached at (303) 692-3613,
5. Ground water quality investigation for volatile organic compounds and pesticides in the vicinity of the hangar and the crop duster trailer areas,
6. Inventory of various containers stored on site, management of residual contents, if any, and assessment of the conditions of underlying soils, and
7. Documentation of completion of monitoring and formal closure of the former underground storage tank sites, per the approved Corrective Action Plan of the Colorado Division of Oil and Public Safety.

Water Supply

The project narrative states that water will be provided through a service agreement with Rangeview Metropolitan District and Pure Cycle Corporation. We cannot comment on the adequacy of the water supply for the proposed project because the referral package did not include a water supply plan. We assume that the County will require a demonstration, consistent with State and County standards, that sufficient water will be available to meet the long term drinking and sanitation needs of the project.

Please feel free to contact me at (720) 200-1585 or lbroten@tchd.org if you have any questions about TCHD's comments.

Sincerely,



Laurel Broten, MPH
Land Use and Built Environment Specialist
Tri-County Health Department

CC: Sheila Lynch, Steve Chevalier, Warren Brown TCHD
Bret Icenogle, P.E., CDPHE



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
DENVER REGULATORY OFFICE, 9307 SOUTH WADSWORTH BOULEVARD
LITTLETON, COLORADO 80128-6901

RE: Section 404 of the Clean Water Act Initial Comments

To whom it concerns:

In accordance with Section 404 of the Clean Water Act, the Corps of Engineers regulates the discharge of dredged or fill material, and any excavation associated with a dredged or fill project, either temporary or permanent, into waters of the United States (WOUS). You should notify this office if the project proposed falls within these regulated activities because the project may require a Department of the Army Section 404 permit.

A WOUS may include ephemeral and/or perennial streams, wetlands, lakes, ponds, drainage ditches and irrigation ditches. A wetland delineation must be conducted, and verified by the Corps of Engineers, using the methods outlined in the *Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory 1987) and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual*: (using applicable Regional Supplement) to determine wetlands based on the presence of three wetland indicators: hydrophytic vegetation, hydric soils, and wetland hydrology. Wetland delineations must be conducted in the field by a qualified environmental consultant and any aquatic resource boundaries must be identified accordingly. Once the aquatic resources have been identified, only this office can determine if they are WOUS. Please note that development of the upland areas, avoiding stream and wetland resources, does not require authorization from this office.

Nationwide Permits (NWP) authorize common types of fill activities in WOUS that will result in a minimal adverse effect to the environment. Descriptions of the 52 types of nationwide permit activities and their general conditions can be found on our website:

<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>.

Some fill activities require notifying the Corps before starting work. Also, some types/sizes of work may require additional information or mitigation.

Regional General Permits (RGP) authorize specific types of fill activities in WOUS that will result in a minimal adverse effect to the environment. Descriptions of the 4 types of regional general permit activities and their general conditions can be found on our website:

<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado/RegionalGeneralPermits.aspx>. These fill activities require notifying the Corps before starting work, and possibly other

local or state agencies. Also, some types/sizes of work may require additional information or mitigation. Please note several of the RGP's are applicant and location specific.

Individual permits may authorize fill activities that are not covered under the NWP or Regional General Permits (RGP's). This permit will be processed through the public interest review procedures, including public notice and receipt of comments. An alternative analysis (AA) must be provided with this permit action. The AA must contain an evaluation of environmental impacts for a range of alternatives. These alternatives should include the preferred action, no action alternative, and other action alternatives that would be the identified project purpose. Other action alternatives should include other practicable (with regards to cost, logistics, and technology) that meet the overall project purpose. The alternatives could include offsite alternatives and alternative designs. When evaluating individual permit applications, the Corps can only issue a permit for the least environmentally damaging practicable alternative (LEDPA). In some cases, the LEDPA may not be the applicant's preferred action. The individual permit application form and form instructions can be found on our website: <http://www.usace.army.mil/Missions/CivilWorks/RegulatoryProgramandPermits/ObtainPermit.aspx>.

If the activity requires a Department of the Army permit as a result of any impacts to WOUS or any earth disturbances within that resource, a federal action will occur. For the Corps to make a permit decision, the applicant must provide enough information to demonstrate compliance with Section 106 of the National Historic Preservation Act (NHPA) and Section 7 of the Endangered Species Act (ESA).

The activity must be designed and constructed to avoid and minimize adverse effects, both temporary and permanent, to WOUS to the maximum extent practicable at the project site. Mitigation in all its forms (avoiding, minimizing, rectifying, reducing, or compensating for resource losses) will be required to the extent necessary to ensure that the adverse effects to the aquatic environment are minimal. Any loss of an aquatic site may require mitigation. Mitigation requirements will be determined during the Department of the Army permitting review.

If the information that was submitted could impact WOUS, which are jurisdictional resources, this office should be notified. If a section 404 permit is required, work in an aquatic site should be identified by the proponent of the project and be shown on a map identifying the Quarter Section, Township, Range and County, Latitude and Longitude, Decimal Degrees (example 39.55555; -104.55555) and the dimensions of work in each aquatic site.

If there are any questions, please call the Denver Regulatory Office at 303-979-4120.

Sincerely,

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

Kiel Downing
Chief, Denver Regulatory Office



Pre-Construction Notification (PCN) Requirements

(Nationwide Permit General Condition No. 31
from the February 21, 2012 Federal Register)

**US Army Corps of Engineers,
Omaha District, Denver Regulatory Office
9307 South Wadsworth Blvd,
Littleton, CO 80128
Phone: (303) 979-4120**

Website: <http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>

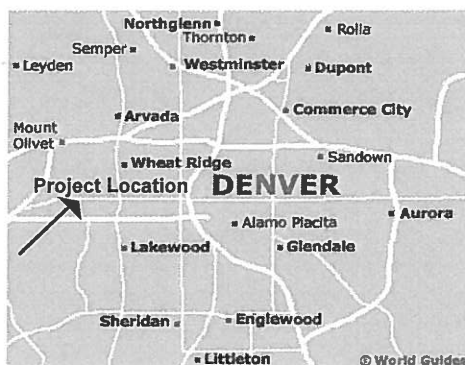
Contents of Pre-Construction Notification:

The PCN must be in writing and include the following information:

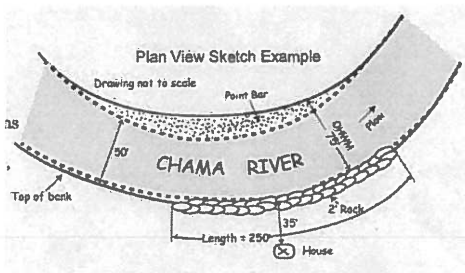
- (1) Name, address and telephone numbers of the prospective permittee;
- (2) Location of the proposed project;
- (3) A description of the proposed project; the project's purpose; direct and indirect adverse environmental effects the project would cause, including the anticipated amount of loss of water of the United States expected to result from the NWP activity, in acres, linear feet, or other appropriate unit of measure; any other NWP(s), regional general permit(s), or individual permit(s) used or intended to be used to authorize any part of the proposed project or any related activity. The description should be sufficiently detailed to allow the district engineer to determine that the adverse effects of the project will be minimal and to determine the need for compensatory mitigation. Sketches should be provided when necessary to show that the activity complies with the terms of the NWP. (Sketches usually clarify the project and when provided results in a quicker decision. Sketches should contain sufficient detail to provide an illustrative description of the proposed activity (e.g., a conceptual plan), but do not need to be detailed engineering plans);
- (4) The PCN must include a delineation of wetlands, other special aquatic sites, and other waters, such as lakes and ponds, and perennial, intermittent, and ephemeral streams, on the project site. Wetland delineations must be prepared in accordance with the current method required by the Corps. The permittee may ask the Corps to delineate the special aquatic sites and other waters on the project site, but there may be a delay if the Corps does the delineation, especially if the project site is large or contains many waters of the United States. Furthermore, the 45 day period will not start until the delineation has been submitted to or completed by the Corps, as appropriate;
- (5) If the proposed activity will result in the loss of greater than 1/10-acre of wetlands and a PCN is required, the prospective permittee must submit a statement describing how the mitigation requirement will be satisfied, or explaining why the adverse effects are minimal and why compensatory mitigation should not be required. As an alternative, the prospective permittee may submit a conceptual or detailed mitigation plan.
- (6) If any listed species or designated critical habitat might be affected or is in the vicinity of the project, or if the project is located in designated critical habitat, for non-Federal applicants the PCN must include the name(s) of those endangered or threatened species that might be affected by the proposed work or utilize the designated critical habitat that may be affected by the proposed work. Federal applicants must provide documentation demonstrating compliance with the Endangered Species Act; and
- (7) For an activity that may affect a historic property listed on, determined to be eligible for listing on, or potentially eligible for listing on, the National Register of Historic Places, for non-Federal applicants the PCN must state which historic property may be affected by the proposed work or include a vicinity map indicating the location of the historic property. Federal applicants must provide documentation demonstrating compliance with Section 106 of the National Historic Preservation Act.

(8) Attach map and sketches-
examples shown here.

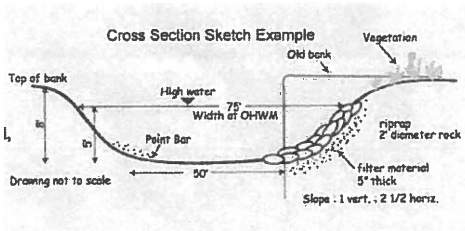
Location Map: Photocopy from road
or topo map; indicate site location,
any landmarks, etc.



Plan View Sketch: "Bird's-eye view";
include all features- distances, length
and width; dimensions of features
and stream/wetlands.



Cross Section Sketch: "Cut away
view"; include heights, widths of
structures, channel, wetland, bank
slopes, etc.





Regional Economic Advancement Partnership

P.O. Box 711

Strasburg, CO 80136

admin@i-70Reap.com

www.i-70Reap.com

www.ColoradoHighPlainsAdventure.com

September 13, 2016

Watkins

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Bennett

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Strasburg

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Byers

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Deer Trail

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Aurora

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Adams

County

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Arapahoe

County

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Front

Range

Airport

Sherman Feher
Arapahoe County Planning
6924 S. Lima St.
Centennial, Co. 80112

Dear Sherman;

We understand Sky Ranch has submitted their PDP/PP for Arapahoe County's approval.

Reap has been following the Sky Ranch development with great interest and recently had a detailed presentation by the developer. The developer is working hard to build needed affordable housing in the area and Reap fully encourages this. We think the addition of 502 new units will be well received.

Reap also is pleased that Sky Ranch will bring new water supplies to the area.

We hope Arapahoe County approves the Sky Ranch Development. Thank you for your consideration.

Sincerely,

Gary Duke
Chairman

Jack Keever
Executive Director

REAP Mission Statement

Stimulate private investment in order to increase opportunities for employment, expand the tax base, broaden the economy and generally improve the quality of life of our citizens.



September 20, 2016

VIA E-MAIL

Arapahoe County – Planning Department
Sherman Feher, Senior Planner
328 Massachusetts Ave - PO Box 1229
Berthoud, CO 80513
jfeher@arapahoegov.com

**NOTICE OF MINERAL INTERESTS OWNED BY ANADARKO LAND CORP.
AND ANADARKO E&P COMPANY LP**

Re: Z16-003 – Sky Ranch 2nd Amendment/Preliminary Development Plan – “Application”
CVL Consultants of Colorado, Inc. - “Applicant”
Township 4 South, Range 65 West
Section 3: W/2
Arapahoe County, Colorado

Mr. Feher:

This letter is being submitted on behalf of Anadarko E&P Onshore LLC and Anadarko Land Corp. (together the “Anadarko entities”) to inform you that the Anadarko entities own the mineral interests underlying the W/2 of Section 3, Township 4 South, Range 65 West (“Property”).

The mineral interests constitute a real property interest that entitles the Anadarko entities or their lessees to develop, operate and maintain oil and gas wells on the Property in accordance with applicable local and Colorado Oil and Gas Conservation Commission (“COGCC”) regulations. The Anadarko entities believe that their mineral interests have significant value.

The Anadarko entities do not object to the subject Application providing the Applicant conforms to the Surface Use Agreement that was executed on October 31, 2013, and recorded on November 4, 2013 with the Adams County Clerk and Recorder at reception number 83239297. Please note that although the Anadarko entities do not object to this Application, we continue to assert our rights to make reasonable use of the surface of the Property to develop our mineral interests.

Please contact me at 720-929-3013 if you have any questions or comments about this matter.

Sincerely,
ANADARKO PETROLEUM CORPORATION

A handwritten signature in black ink, appearing to read "Paul Ratliff".

Paul Ratliff
Landman

cc: Jeff Fiske, Lead Counsel
Ron Olsen
Travis Book
Justin Shoulders
Don Jobe
Melinda Lundquist (mlundquist@cvtldenver.com)
Mark Harding (mharding@purecyclewater.com)

SKY RANCH

PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2

BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN

LEGAL DESCRIPTION

PARCEL 1
A PARCEL OF LAND BEING A PORTION OF THE WEST HALF OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 3, AND CONSIDERING THE WESTERLY LINE OF THE NORTHWEST QUARTER OF SAID SECTION 3 TO BEAR SOUTH 07°20'38" EAST, AND ALL BEARINGS ARE MADE AS A REFERENCE HEREON, THENCE ALONG SAID WESTERLY LINE, SOUTH 07°20'38" WEST 97.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF INTERSTATE 70 AND TRUE POINT OF BEGINNING.

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY THE FOLLOWING FIVE (5) COURSES:
1. NORTH 89°48'48" EAST 471.50 FEET;
2. SOUTH 75°38'23" EAST 103.25 FEET;
3. NORTH 89°48'48" EAST 61.00 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE SOUTHERLY HAVING A RADIUS OF 5580.00 FEET;
4. EASTERLY ALONG SAID CURVE 831.03 FEET THROUGH A CENTRAL ANGLE OF 08°32'00";
5. TANGENT TO SAID CURVE, SOUTH 88°41'12" EAST 1166.14 FEET TO THE EASTERLY LINE OF SAID NORTHWEST QUARTER OF SECTION 3.

THENCE DEPARTING SAID SOUTHERLY RIGHT-OF-WAY AND ALONG SAID EASTERLY LINE, SOUTH 07°21'38" EAST 2211.11 FEET TO THE SOUTHEAST CORNER THEREOF;

THENCE ALONG THE EASTERLY LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 3, SOUTH 07°21'38" EAST 200.84 FEET TO A POINT 30 FEET NORTH OF THE SOUTHERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3, SAID POINT BEING ON THE NORTHERLY RIGHT-OF-WAY OF ARAPAHOE COUNTY ROAD NO. 6 AS OPENED BY THE ARAPAHOE COUNTY COMMISSIONERS IN BOOK 6 AT PAGE 431 OF THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER.

THENCE ALONG SAID NORTHERLY RIGHT-OF-WAY, SOUTH 89°30'23" WEST 2644.21 FEET TO THE WESTERLY LINE OF SAID SOUTHWEST QUARTER OF SECTION 3.

THENCE DEPARTING SAID NORTHERLY RIGHT-OF-WAY AND ALONG SAID WESTERLY LINE, NORTH 07°21'21" WEST 200.61 FEET TO THE NORTHWEST CORNER THEREOF;

THENCE ALONG SAID WESTERLY LINE OF THE NORTHWEST QUARTER OF SECTION 3, NORTH 07°20'38" WEST 289.23 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 303.046 ACRES (13,200,680 SQ. FT.), MORE OR LESS.

PARCEL 2
A PARCEL OF LAND BEING LOTS 1 THROUGH 28, INCLUSIVE, AND 30 THROUGH 32, INCLUSIVE, OF MONTCLAIR GARDENS 2ND FILING, AS RECORDED IN BOOK 42, PAGE 508 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, AND THOSE CERTAIN RIGHT-OF-WAYS VACATED UNDER RECEPTION NO. 83210792 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER LYING IN THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE COUNTY OF ARAPAHOE, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4;

THENCE NORTH 07°21'39" WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, WITH ALL BEARINGS MADE AS A REFERENCE HEREON, A DISTANCE OF 72.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 07°21'39" WEST, ALONG SAID WEST LINE, A DISTANCE OF 2568.68 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 4;

THENCE NORTH 89°25'33" EAST, ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2082.89 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 08°21'13", A RADIUS OF 594.00 FEET, AN ARC LENGTH OF 57.44 FEET AND A CHORD BEARING SOUTH 57°54'42" WEST A DISTANCE OF 57.30 FEET TO A POINT OF NON-TANGENCY;

THENCE NORTH 89°25'33" EAST, ALONG THE NORTH LINE OF LOTS 2 AND 1 AS SHOWN ON SAID MONTCLAIR GARDENS 2ND FILING, A DISTANCE OF 580.66 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF A 30 FOOT WIDE ROAD DEDICATION AS SHOWN ON SAID MONTCLAIR GARDENS 2ND FILING;

THENCE SOUTH 07°21'27" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 2574.67 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF A 30 FOOT WIDE ROAD DEDICATION AS SHOWN ON SAID MONTCLAIR GARDENS 2ND FILING;

THENCE SOUTH 89°17'38" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 990.02 FEET TO THE SOUTHEAST CORNER OF LOT 29 AS SHOWN ON SAID MONTCLAIR GARDENS 2ND FILING;

THENCE ALONG THE BOUNDARY LINE OF SAID LOT 29 THE FOLLOWING THREE (3) COURSES:

- NORTH 07°21'27" WEST A DISTANCE OF 6300.02 FEET TO THE NORTH-EAST CORNER OF SAID LOT 29;
- SOUTH 89°17'38" WEST A DISTANCE OF 3300.01 FEET TO THE NORTHWEST CORNER OF SAID LOT 29;
- SOUTH 07°21'27" EAST A DISTANCE OF 6300.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT 29, SAID CORNER ALSO BEING A POINT ON THE SAID NORTH RIGHT-OF-WAY LINE OF A 30 FOOT WIDE ROAD DEDICATION AS SHOWN ON MONTCLAIR GARDENS 2ND FILING;

THENCE SOUTH 89°17'38" WEST, ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 1264.33 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF A 30 FOOT WIDE ROAD DEDICATION AS SHOWN ON SAID MONTCLAIR GARDENS 2ND FILING;

THENCE NORTH 07°21'39" WEST, ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 42.00 FEET TO A POINT;

THENCE SOUTH 89°17'38" WEST A DISTANCE OF 3000 FEET TO THE POINT OF BEGINNING.

CONTAINING 151.329 ACRES, MORE OR LESS.

PARCEL 3
A PARCEL OF LAND BEING A PORTION OF THE EAST HALF OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, IN THE COUNTY OF ARAPAHOE, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 10, AND CONSIDERING THE EASTERLY LINE OF THE NORTHEAST QUARTER OF SAID SECTION 10 TO BEAR SOUTH 07°00'22" EAST, AND ALL BEARINGS ARE MADE AS A REFERENCE HEREON, THENCE ALONG SAID EASTERLY LINE, SOUTH 07°00'12" EAST 300.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF ARAPAHOE COUNTY ROAD NO. 6 AS OPENED BY THE ARAPAHOE COUNTY COMMISSIONERS IN BOOK 6 AT PAGE 431, OF THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, AND THE TRUE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID EASTERLY LINE, SOUTH 07°00'12" EAST 2935.62 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 10;

THENCE ALONG THE EASTERLY LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 10, SOUTH 07°00'18" EAST 2835.72 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 10;

THENCE ALONG THE SOUTHERLY LINE OF SAID SOUTHEAST QUARTER OF SAID SECTION 10, SOUTH 88°49'19" WEST 2894.73 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 10;

THENCE ALONG THE WESTERLY LINE OF SAID SOUTH-EAST QUARTER, NORTH 07°13'30" WEST 2651.33 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 10;

THENCE ALONG THE WESTERLY LINE OF SAID NORTH-EAST QUARTER, NORTH 07°13'30" WEST 2621.33 FEET TO SAID SOUTHERLY RIGHT-OF-WAY OF ARAPAHOE COUNTY ROAD NO. 6;

THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY, NORTH 88°30'32" EAST 2694.59 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 317.928 ACRES (13,848,962 SQ. FT.), MORE OR LESS.

F-ZONE

PARCEL B2
A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AND CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4, BEING MONUMENTED AT THE EAST QUARTER CORNER BY A 2" BRASS SURVEY MONUMENT IN CONCRETE - PLS 4043 AND AT THE NORTHEAST CORNER BY A 3/4" ALUMINUM SURVEY MONUMENT - PLS 17666, BEING ASSUMED TO BEAR NORTH 07°21'35" WEST, 2586.36 FEET, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 23°45'4" EAST, A DISTANCE OF 2161.94 FEET TO THE POINT OF BEGINNING;
THENCE NORTH 37°10'39" WEST, A DISTANCE OF 1159.90 FEET;
THENCE NORTH 52°49'21" EAST, A DISTANCE OF 1100.00 FEET;
THENCE NORTH 82°30'57" EAST, A DISTANCE OF 96.42 FEET;
THENCE NORTH 62°44'57" EAST, A DISTANCE OF 442.00 FEET;
THENCE NORTH 71°51'32" EAST, A DISTANCE OF 563.22 FEET;
THENCE NORTH 89°25'33" EAST, A DISTANCE OF 1200.00 FEET;
THENCE SOUTH 89°46'55" EAST, A DISTANCE OF 58.45 FEET;
THENCE SOUTH 63°53'52" EAST, A DISTANCE OF 38.37 FEET;
THENCE SOUTH 63°53'57" EAST, A DISTANCE OF 280.12 FEET;
THENCE NORTH 89°25'33" EAST, A DISTANCE OF 247.92 FEET;
THENCE SOUTH 07°48'48" EAST, A DISTANCE OF 85.19 FEET;
THENCE SOUTH 37°38'14" EAST, A DISTANCE OF 75.75 FEET;
THENCE SOUTH 53°45'42" EAST, A DISTANCE OF 75.75 FEET;
THENCE SOUTH 85°11'19" EAST, A DISTANCE OF 71.69 FEET;
THENCE NORTH 63°23'03" EAST, A DISTANCE OF 75.75 FEET;
THENCE NORTH 47°15'35" EAST, A DISTANCE OF 75.75 FEET;
THENCE NORTH 10°04'45" EAST, A DISTANCE OF 50.82 FEET;
THENCE NORTH 07°21'39" WEST, A DISTANCE OF 177.92 FEET;
THENCE NORTH 03°33'28" WEST, A DISTANCE OF 47.03 FEET;
THENCE NORTH 28°58'48" WEST, A DISTANCE OF 117.73 FEET TO A POINT OF NON-TANGENT CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2820.00 FEET, A CENTRAL ANGLE OF 07°11'45", AN ARC LENGTH OF 32.90 FEET, THE CHORD OF WHICH BEARS NORTH 85°49'41" EAST, 32.88 FEET;

THENCE NORTH 89°25'33" EAST, A DISTANCE OF 102.24 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2700.00 FEET, A CENTRAL ANGLE OF 03°13'01", AN ARC LENGTH OF 42.51 FEET, THE CHORD OF WHICH BEARS SOUTH 47°27'57" EAST, 38.69 FEET TO A POINT BEING 72.00 FEET BY PERPENDICULAR MEASUREMENT WESTERLY OF THE EAST LINE OF SAID SOUTHEAST QUARTER OF SECTION 4;

THENCE SOUTH 07°21'27" EAST, PARALLEL WITH SAID EAST LINE, A DISTANCE OF 729.60 FEET;

THENCE NORTH 62°44'43" WEST, A DISTANCE OF 835.19 FEET;
THENCE NORTH 07°48'35" WEST, A DISTANCE OF 45.00 FEET;
THENCE NORTH 70°31'39" WEST, A DISTANCE OF 75.18 FEET;
THENCE SOUTH 89°17'38" WEST, A DISTANCE OF 283.03 FEET;
THENCE SOUTH 89°17'38" WEST, A DISTANCE OF 1480.03 FEET;
THENCE SOUTH 68°16'23" WEST, A DISTANCE OF 61.58 FEET;
THENCE SOUTH 52°49'21" WEST, A DISTANCE OF 437.69 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINING A CALCULATED AREA OF 357,423 SQUARE FEET OR 8.205 ACRES, MORE OR LESS.

PARCEL B3
A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

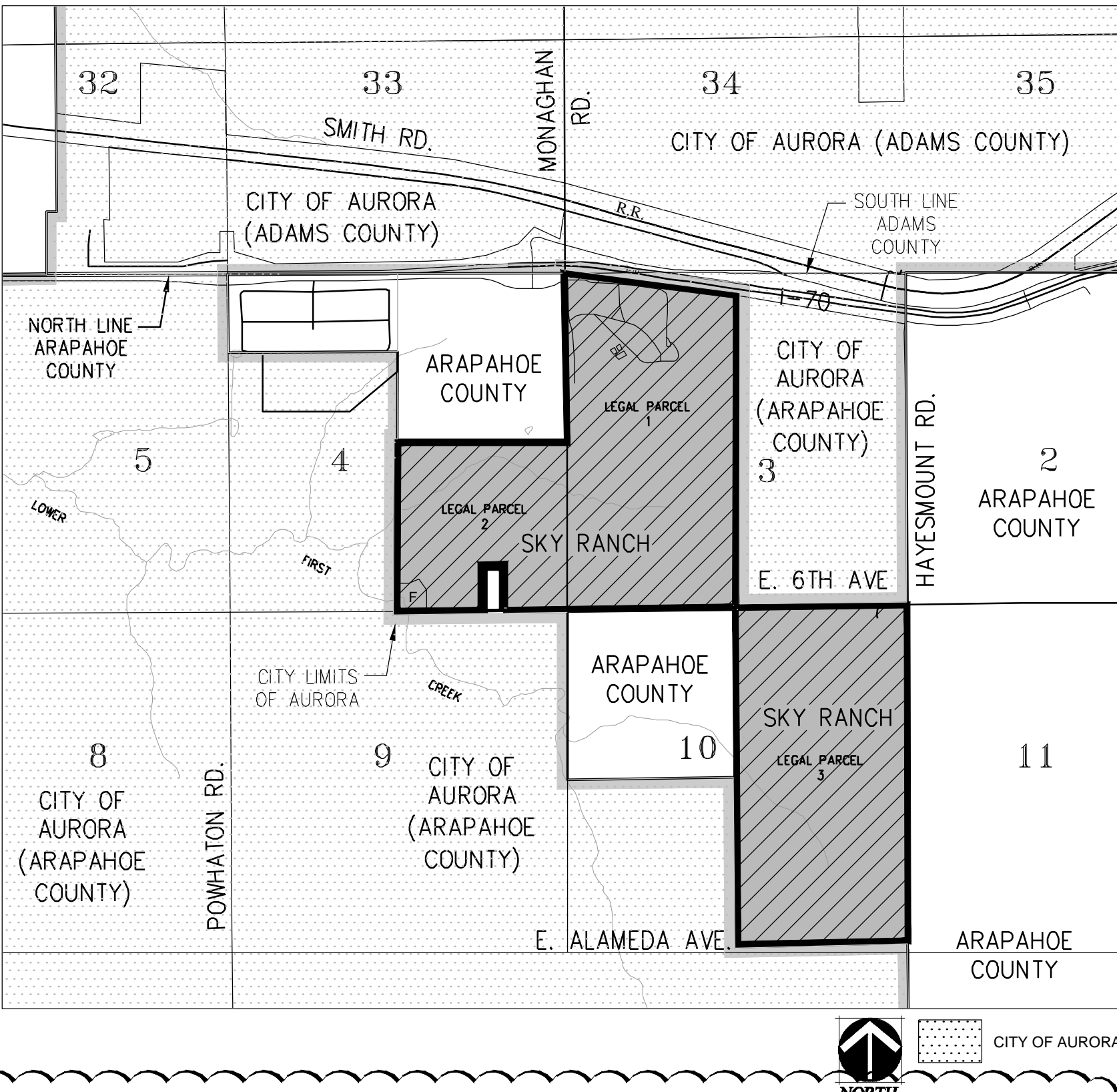
COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AND CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4, BEING MONUMENTED AT THE EAST QUARTER CORNER BY A 2" BRASS SURVEY MONUMENT IN CONCRETE - PLS 4043 AND AT THE NORTHEAST CORNER BY A 3/4" ALUMINUM SURVEY MONUMENT - PLS 17666, BEING ASSUMED TO BEAR NORTH 07°21'35" WEST, 2586.36 FEET, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 07°21'39" WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1372.99 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 07°21'39" WEST ALONG SAID WEST LINE, A DISTANCE OF 712.05 FEET;
THENCE NORTH 89°38'00" EAST, A DISTANCE OF 480.95 FEET;
THENCE SOUTH 53°38'42" EAST, A DISTANCE OF 840.00 FEET;
THENCE SOUTH 78°49'38" EAST, A DISTANCE OF 70.51 FEET;
THENCE NORTH 89°38'00" EAST, A DISTANCE OF 50.41 FEET;
THENCE NORTH 53°39'38" EAST, A DISTANCE OF 98.94 FEET;
THENCE NORTH 19°16'55" EAST, A DISTANCE OF 95.33 FEET;
THENCE SOUTH 42°05'32" EAST, A DISTANCE OF 120.75 FEET;
THENCE SOUTH 74°08'07" EAST, A DISTANCE OF 188.81 FEET;
THENCE SOUTH 08°46'28" EAST, A DISTANCE OF 60.29 FEET;
THENCE NORTH 39°53'21" EAST, A DISTANCE OF 1100.00 FEET;
THENCE SOUTH 89°19'17" EAST, A DISTANCE OF 79.61 FEET;
THENCE SOUTH 37°10'39" EAST, A DISTANCE OF 1159.90 FEET;
THENCE SOUTH 53°04'11" WEST, A DISTANCE OF 500.4 FEET;
THENCE SOUTH 47°31'32" WEST, A DISTANCE OF 740.1 FEET;
THENCE SOUTH 42°21'05" WEST, A DISTANCE OF 520.05 FEET;
THENCE NORTH 38°04'31" WEST, A DISTANCE OF 520.05 FEET;
THENCE SOUTH 33°47'53" WEST, A DISTANCE OF 520.05 FEET;
THENCE SOUTH 169°31'22" WEST, A DISTANCE OF 520.05 FEET;
THENCE SOUTH 25°14'47" WEST, A DISTANCE OF 520.05 FEET;
THENCE SOUTH 187°38'12" WEST, A DISTANCE OF 520.05 FEET;
THENCE SOUTH 12°25'02" WEST, A DISTANCE OF 520.05 FEET;
THENCE SOUTH 08°08'27" WEST, A DISTANCE OF 520.05 FEET;
THENCE SOUTH 03°51'32" WEST, A DISTANCE OF 520.05 FEET;
THENCE SOUTH 07°24'42" EAST, A DISTANCE OF 520.05 FEET;
THENCE SOUTH 89°17'38" WEST, A DISTANCE OF 585.22 FEET TO THE POINT OF BEGINNING;

SAID PARCEL CONTAINING A CALCULATED AREA OF 469,557 SQUARE FEET OR 10.780 ACRES, MORE OR LESS.

VICINITY MAP



PARCEL B9
A PARCEL OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF ARAPAHOE, STATE OF COLORADO, SAID PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 4, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, AND CONSIDERING THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 4, BEING MONUMENTED AT THE EAST QUARTER CORNER BY A 2" BRASS SURVEY MONUMENT IN CONCRETE - PLS 4043 AND AT THE NORTHEAST CORNER BY A 3/4" ALUMINUM SURVEY MONUMENT - PLS 17666, BEING ASSUMED TO BEAR NORTH 07°21'35" WEST, 2586.36 FEET, WITH ALL BEARINGS CONTAINED HEREIN BEING RELATIVE THERETO;

THENCE NORTH 07°21'39" WEST ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 720.00 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING NORTH 07°21'39" WEST ALONG SAID WEST LINE, A DISTANCE OF 400.48 FEET;

THENCE NORTH 89°17'38" EAST, A DISTANCE OF 134.31 FEET;

THENCE SOUTH 40°00'00" EAST, A DISTANCE OF 341.51 FEET TO A POINT OF CURVATURE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 1250.00 FEET, A CENTRAL ANGLE OF 53°42'22", AN ARC LENGTH OF 110.82 FEET, THE CHORD OF WHICH BEARS SOUTH 63°21'11" EAST, 107.05 FEET;

THENCE NORTH 89°17'38" EAST, A DISTANCE OF 1895.00 FEET;

THENCE SOUTH 07°42'22" EAST, A DISTANCE OF 1600.00 FEET;

THENCE SOUTH 89°17'38" WEST, A DISTANCE OF 553.78 FEET TO POINT OF BEGINNING.

SAID PARCEL CONTAINING A CALCULATED AREA OF 184,276 SQUARE FEET OR 4.230 ACRES, MORE OR LESS.

STANDARD NOTES

THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDER(S) OF THE PRELIMINARY DEVELOPMENT PLAN KNOWN AS SKY RANCH, 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 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 DATE 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 AGREEMENTS. 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.

LANDSCAPE MAINTENANCE
THE OWNERS OF THIS PLAN, 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 PERMETER 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.

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 3.3.2 OF THE ARAPAHOE DRAINAGE CRITERIA MANUAL) OR AS REQUIRED BY THE COUNTY AND DESIGNATED IN THE PHASE III DRAINAGE REPORT.
- MAINTENANCE EASEMENT**
A MAINTENANCE EASEMENT IS REQUIRED FOR DEVELOPMENT WITH ZERO SIDE SETBACKS IF ONE STRUCTURE IS BUILT ON THE LOT LINE. IN ORDER TO MAINTAIN STRUCTURE WITHOUT SIDE SETBACKS, A MAINTENANCE EASEMENT MAY BE REQUIRED ON ADJACENT LOTS TO ENABLE MAINTENANCE TO BE PERFORMED ON SAID STRUCTURE FROM ADJACENT PROPERTY. EACH LOT OWNER AGREES TO ALLOW ADJACENT LOT OWNERS ACCESS THEIR LOT WITHIN 5' OF THE COMMON LOT LINE, AS IT MAY BE NEEDED TO MAINTAIN AND REPAIR THE ADJACENT OWNER'S PRINCIPAL STRUCTURE. EACH ADJACENT OWNER AGREES TO REPAIR ANY DAMAGE WHICH MAY BE CAUSED TO THE LOT OWNERS' PROPERTY FROM THE ADJACENT OWNERS' USE OF THIS MAINTENANCE EASEMENT, AND TO TAKE ALL NECESSARY STEPS TO AVOID CAUSING SUCH DAMAGE.

GENERAL NOTES

- ALL OTHER ORIGINAL TERMS, CONDITIONS AND NOTES OF THE PRELIMINARY DEVELOPMENT PLAN (2001-010) APPROVED ON 6 JANUARY 2004 AND PRELIMINARY DEVELOPMENT PLAN AMENDMENT (A04-010) APPROVED ON 22 APRIL 2005 WILL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY EXECUTED BY OWNER AND ARAPAHOE COUNTY. THE GENERAL LOCATIONS OF PROPOSED COMMERCIAL MIXED USE AND BUSINESS PARK STRUCTURES AND PARKING ARE NOT YET DETERMINED.
- DEVELOPMENT WILL COMPLY WITH THE DESIGN STANDARDS AS WRITTEN IN THIS PDP. STANDARDS ARE BASED UPON DRAFT ARAPAHOE COUNTY'S DESIGN GUIDELINES FOR THE URBAN SERVICE AREA FOR UNINCORPORATED ARAPAHOE COUNTY.
- ALL SINGLE FAMILY DETACHED LOTS IN THE SF1, SF2, AND SF3 ZONE CATEGORIES MAY BE LESS THAN 6,000 S.F. AND LOTS SMALLER THAN 6,000 S.F. WILL BE SUBJECT TO SMALL LOT DEVELOPMENT STANDARDS.
- THIS PDP PERMITS DENSITIES AND PRODUCT TYPES WITHIN EACH PLANNING AREA TO VARY FROM THOSE SHOWN, PROVIDED THE MAXIMUM ALLOWABLE UNITS FOR THE PROJECT AS STATED IN THIS PDP IS NOT EXCEEDED.
- SKY RANCH IS DESIGNED TO PROMOTE MARKET-RATE AFFORDABILITY IN MULTI-FAMILY, SINGLE FAMILY, ATTACHED, AND SINGLE FAMILY DETACHED RESIDENTIAL CATEGORIES. PURCHASERS ARE EXPECTED TO INCLUDE EMPLOYEES OF DIA, FRONT RANGE AIRPORT, BUCKLEY AFB, AND EMPLOYEES OF TECH INDUSTRIES LOCATED ALONG THE E-470 CORRIDOR. THE UTILIZATION OF SMALL RESIDENTIAL LOTS, ATTACHED RESIDENTIAL PRODUCTS, AND MULTI-FAMILY RESIDENTIAL PRODUCTS SHALL AID IN MAKING MANY OF THESE UNITS ATTAINABLE TO THE TARGET MARKET DESCRIBED ABOVE.
- PLEASE REFER TO THE PHASING MAP ON SHEET 8 OF 24 FOR THE ANTICIPATED PHASING OF DEVELOPMENT.
- THE WASTE WATER FACILITY SHALL EMPLOY ODOR MITIGATION MEASURES INCLUDING COVERING TANKS, LANDSCAPE BUFFERS, AND FILTERING. IMPLEMENTATION OF THIS TECHNOLOGY SHALL BE IN LIEU OF PROVIDING 1000' BUFFER AROUND THE FACILITY.
- THE PRELIMINARY TREATMENT WORKS (IE. SCREENING, FLOW MEASUREMENT AND GRIT REMOVAL EQUIPMENT) AND THE SEQUENCING BATCH REACTOR BASINS WILL BE COVERED, AND BIOLOGICAL, CHEMICAL OR PHYSICAL ODOR CONTROLS WILL BE DESIGNED INTO THE PLANS AND SPECIFICATIONS FOR THE WASTEWATER TREATMENT PLANT TO REDUCE ANY POTENTIAL ODOR IMPACTS FROM THE PLANT.

SPECIFIC NOTES

AIRPORT INFLUENCE AREA NOTE
(OFF-SITE IMPROVEMENTS)
TO CARRY OUT ONE OR MORE OF THE FOLLOWING AS MAY BE REQUIRED BY THE BOARD OF COUNTY COMMISSIONERS:

- TO INCLUDE SAID DEVELOPMENT WITHIN A SPECIAL DISTRICT FOR THE PURPOSE OF PARTICIPATION IN THE CONSTRUCTION OF NECESSARY OFF-SITE IMPROVEMENTS AT THE TIME OF APPROVAL OF FINAL DEVELOPMENT PLANS.
- TO COOPERATE WITH OTHER OWNERS OF OTHER PARCELS AND/OR OTHER SPECIAL DISTRICTS IN OFF-SITE ROADWAY IMPROVEMENTS AS NECESSITATED BY THE DEVELOPMENT IMPACTS AS MAY BE DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS.
- TO COMPLETE SUCH OTHER IMPROVEMENTS TO PUBLIC ROADWAYS BROUGHT ABOUT OR IMPACTED BY THIS DEVELOPMENT AS MAY BE DETERMINED BY THE BOARD OF COUNTY COMMISSIONERS.
- TO PARTICIPATE AND COOPERATE IN ANY TRANSPORTATION MANAGEMENT PROGRAM AS SPECIFIED IN THE AIRPORT INFLUENCE AREA TRANSPORTATION STUDY, IF SUCH A PROGRAM IS APPROVED AND/OR ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS.

(EASEMENT/HAZARD EASEMENT)
AN AIR RIGHTS, AVIGATION AND HAZARD EASEMENT AFFECTING ALL PROPERTY CONTAINED WITHIN THE PRELIMINARY PLAT HAVE BEEN LEGALLY EXECUTED. SAID EASEMENT DOCUMENTS CAN BE FOUND AT R.N. B4104295 IN THE RECORDS OF THE ARAPAHOE COUNTY CLERK AND RECORDER, AND IN BOOK 3361 AT PAGE 359 IN THE RECORDS OF THE ADAMS COUNTY CLERK AND RECORDER, AND AT R.N. 179334 IN THE RECORDS OF THE DENVER COUNTY CLERK AND RECORDER.

THE LANDS CONTAINED WITHIN THE PRELIMINARY PLAT LIE WITHIN THE AIRPORT INFLUENCE AREA, AN AREA WHICH IS LIKELY TO BE AFFECTED BY AIRCRAFT OPERATIONS AND THEIR POTENTIAL NOISE AND/OR CRASH HAZARDS TO A GREATER DEGREE THAN LANDS SITUATED OUTSIDE OF THE INFLUENCE AREA.

ALL LANDS CONTAINED WITHIN THE PRELIMINARY PLAT SHALL COMPLY WITH F.A.R. PART 77, "HEIGHT AND OBSTRUCTIONS CRITERIA".

REZONING REQUEST

THIS PUD AMENDMENT WILL NOT CHANGE THE OVERALL MU PUD ZONING ON THE PROPERTY. HOWEVER, IT WILL MODIFY PARCELS AND SOME OF THE DESIGNATIONS WITHIN NEIGHBORHOOD B, AND ADJUST THE PHASING TO REFLECT NEIGHBORHOOD B AS THE FIRST PHASE.

AMENDMENT HISTORY

THIS (AMENDMENT NO. 2) TO THE (PRELIMINARY DEVELOPMENT PLAN AND AMENDMENT NO. 1) FOR (SKY RANCH) SETS FORTH THE FOLLOWING CHANGES AS DESCRIBED:

- | | |
|-----------------|---|
| SHEET 1 OF 24: | ADDITIONAL GENERAL NOTES |
| SHEET 2 OF 24: | NEIGHBORHOOD B ACREAGE & ZONING NOTE REVISED |
| SHEET 4 OF 24: | SETBACK ENCROACHMENT NOTES ADDED |
| SHEET 5 OF 24: | NEIGHBORHOOD B PLAN AREAS, COMM. & RES. SELF-IMPOSED USES REVISED |
| SHEET 6 OF 24: | NEIGHBORHOOD B PLAN REVISED |
| SHEET 8 OF 24: | NEIGHBORHOOD B PHASING PLAN REVISED |
| SHEET 10 OF 24: | NOTE 7 OF ARCHITECTURAL SCORING LIST REVISED |
| SHEET 11 OF 24: | MONUMENTATION REVISED |
| SHEET 16 OF 24: | NEIGHBORHOOD B TRAILS & PEDESTRIAN CONNECTIVITY REVISED |
| SHEET 20 OF 24: | SINGLE FAMILY RESIDENTIAL & ARCHITECTURAL FEATURES NOTES REVISED |

THE PREVIOUSLY APPROVED AMENDMENTS RELATED TO THE (PRELIMINARY DEVELOPMENT PLAN) FOR (SKY RANCH) ARE AS FOLLOWS: (AMENDMENT NO. 1)

SHEET INDEX

- | | | | |
|----------|---|-------------|--|
| SHEET 1: | COVER SHEET | SHEET 10: | SMALL LOT SINGLE FAMILY DETAILS |
| SHEET 2: | ZONING NARRATIVE | SHEET 11: | SINGLE FAMILY ATTACHED AND MULTI-FAMILY ARCHITECTURE |
| SHEET 3: | LAND USE MATRIX | SHEET 12: | TYPICAL NEIGHBORHOOD VIGNETTES & PERSPECTIVE |
| SHEET 4: | LAND USE DEVELOPMENT STANDARDS MATRIX | SHEET 13: | TYPICAL NEIGHBORHOOD VIGNETTE & PERSPECTIVE |
| SHEET 5: | OVERALL PRELIMINARY DEVELOPMENT PLAN EXHIBIT | SHEET 14: | TYPICAL COMMERCIAL VIGNETTE & PERSPECTIVE |
| SHEET 6: | PRELIMINARY DEVELOPMENT EXHIBIT (NORTH PORTION) | SHEET 15: | SITE CHARACTER SKETCHES |
| SHEET 7: | PRELIMINARY DEVELOPMENT EXHIBIT (SOUTH PORTION) | SHEET 16: | TRAILS AND PEDESTRIAN CONNECTIVITY MAP |
| SHEET 8: | PHASING PLAN | SHEET 17:</ | |

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO

ZONING NARRATIVE

1.1 Introduction

The purpose of this section is to establish general provisions and clarify standards and requirements for development within the Sky Ranch Preliminary Development Plan (PDP). Due to the size of land area contained within this PDP (approximately 772 acres), the County's desire to have a mixture of land use and housing types within Planning Areas, and the corresponding long term build-out that is anticipated, a broad range of uses have been proposed for the overall project. This will allow for a variety of housing products, lot sizes, and uses. In addition to promoting land use and density flexibility, this approach will accommodate housing product, land planning, market and technological changes well into the future. Refer to the Preliminary Development Plan Exhibit (Sheets 3 & 4), Land Use Matrix (Sheet 3) and the Land Use Development Standards Matrix in the original P.D.P. Z1-0101 for specific planning area uses and densities.

In addition to including conventional zone categories such as single family, multifamily and commercial/nonresidential uses, the Sky Ranch PDP also includes three types of mixed use categories which provide flexibility for development with the intent of creating a unique urban environment in key locations throughout the development. These categories are as follows:

Mixed Use 1: Predominantly a commercial focus, this district requires at least 50% of its area to be used for retail, office or other commercial uses. The remainder of the area may also be used for commercial, or it may include a mixture of residential on top of ground floor commercial, stand-alone residential, or civic type uses. Open space plazas, courtyards and other pedestrian enhancing elements shall be encouraged.

Mixed Use 2: Predominantly a residential focus, this district requires at least 50% of its area to be used for multifamily, single family attached, or single family detached residential uses. The remainder of the area may also be used for residential, but may also include commercial or civic uses. Design and development standards have been put into place to allow for a mixing of uses that will integrate residential with other uses throughout this and other mixed use districts.

Mixed Use 3: Predominantly a non-residential focus, this district requires at least 50% of its area to be used for non-residential uses. These could include HOA offices, civic uses, fire stations, police substations, recreation centers or other community-based uses. The remaining 50% of the area may be used for more non-residential, or could include other mixed uses such as residential, commercial or open space.

1.2 Plan Organization

On the Preliminary Development Plan Exhibit, a series of Neighborhoods designated A, B, C, D & E have been identified. Neighborhoods consist of multiple Planning Areas, e.g. A-1, B-3, etc. To further define the Planning Areas, a land use designation and acreage have been assigned to each. This designation has been selected to accommodate the land use and /or housing product type most likely to occur within an individual parcel over the life of the project.

Neighborhood A

Encompassing approximately 198.9 acres, Neighborhood A lies east of Monaghan Road, west of F St., south of a proposed east-west collector and north of 6th Avenue. The Neighborhood lies south of a proposed commercial corridor (Neighborhood C) along I-70 and includes a mixture of uses, which generally decreases in intensity from north to south. The southerly half of the Neighborhood is largely residential. Within the residential area, however, lie three Planning Areas designated for mixed-use. These areas will allow for a variety of land uses to provide compatible non-residential activities and residential building types. The lower half of Neighborhood A also is planned to accommodate a park, school, and public facility site.

Circulation through Neighborhood A will be provided by an east-west collector serving the commercial and mixed-use area to the north and a looped collector providing access to the remainder of the Neighborhood and westerly to Neighborhood B.

Neighborhood B

Neighborhood B lies west of Monaghan Road, north of 6th Avenue and east of Powhatan Road. A total of approximately 144.5 acres, this Neighborhood is largely residential. A variety of single-family housing densities are proposed within this Neighborhood with single-family detached lots ranging from 3,200 to 6,000 square feet and larger. A series of separate mixed-use Planning Areas accommodating compatible non-residential uses such as community facilities, and a wastewater treatment plant are anticipated to occur within the first phase of development, east of Monaghan Road.

The open space network for Neighborhood B includes a wide drainage associated with First Creek; this network is intentionally extended east of Monaghan Road into Neighborhood A.

Internal vehicular access is provided by collector road connections to both Monaghan Road & 6th Avenue, that quickly transition down to well-connected local roads to disperse traffic and slow vehicular speeds through this residential Neighborhood.

Neighborhood C

Neighborhood C, totaling approximately 68.9 acres, lies south of I-70, east of Monaghan Road, west of F St. and directly north of Neighborhood A. With excellent visibility and access from I-70, this Neighborhood is largely planned for commercial uses, including up to 350,000 square feet of large format retail. One small area of mixed-use zoning also permits multi-family residential.

Access will be provided to Neighborhood C by way of a full-movement intersection at Monaghan Road and the proposed east-west collector.

Neighborhood D

Neighborhood D lies east of F St., west of Hayesmount Road, south of East 6th Avenue and north of Neighborhood E. This approximately 152.7 acre neighborhood is largely residential in nature, except for two areas have been designated mixed-use, to allow for neighborhood commercial, civic and multifamily uses that are compatible with residential uses. A variety of lot sizes, two parks and a school site further contribute to the diversity anticipated for this Neighborhood.

Access will be provided off F Street by means of east-west collector roadways, which will intersect with a north-south collector interior to the neighborhood.

Neighborhood E

Neighborhood E lies directly south of Neighborhood D, between Monaghan and F St. Like the other neighborhoods within Sky Ranch, it is proposed to accommodate a variety of residential and commercial uses and densities within its approximately 127.1 acres.

Access will be provided by a north-south collector, which curves to the northwest, intersecting with F Street at an anticipated full-movement intersection.

1.3 Overall Preliminary Development Plan Caps

The overall Preliminary Development Plan is comprised of 5 distinct Neighborhoods, A, B, C, D, and E. Each of the five Neighborhoods has a permitted maximum number of residential dwelling units and maximum amount of commercial square footage, as documented on the Land Use Summary (Sheet 3) of this PDP. This maximum number of units or square footage, as stated in the Land Use Summary, is a self-imposed limit, which is less than the applied units per acre would allow. Transfer(s) of residential units within Neighborhoods (maximum transfer of units is 20% beyond the recipient Planning Area cap) is permitted by the Developer with approval by the Arapahoe County Planning and Engineering Division Managers. Unit counts and possible transfers shall be tracked by the Developer and provided to the Planning and Engineering Division Managers with each Final Development Plan. However, at no time shall the overall Preliminary Development Plan residential unit cap exceed 4000 units without a major amendment per the Arapahoe County Development Code latest revision. Additionally, at no time shall the non-residential square footage exceed 1.15 million square feet without a major amendment to the PDP per Section 4900 of the Arapahoe County Development Code latest revision.

1.4 Individual Planning Area Caps

Each of the five Neighborhoods has a permitted maximum number of residential dwelling units and non-residential square footage. These units may be platted within each Planning Area and final unit counts shall be determined during the Final Development Plan process. Final platted densities are determined based on the Zone District designation within each of the Planning Areas. Transfer(s) of units between Planning Areas within a given Neighborhood on the Preliminary Development Plan are permitted with a maximum 20% increase beyond the cap for the recipient Planning Area. Refer to the Land Use Summary on Sheet 3 of this PDP for the maximum number of residential dwelling units and non-residential square footage permitted per Neighborhood.

1.5 Residential Units Transfers

Transfer(s) of residential units from Neighborhood to Neighborhood or Planning Area to Planning Area (maximum transfer of units is 20% beyond the recipient Neighborhood cap) is permitted by the Developer with approval of the Arapahoe County Planning and Engineering Division Managers. Unit transfers shall be tracked by the Developer and provided to the Arapahoe County Planning Division Manager with each such transfer at the Final Development Plan stage.

Once a Planning Area has been fully platted through the Final Development Plan / Platting process, any remaining/unplatted residential units designated on the Preliminary Development Plan within said Neighborhood shall remain available for transfer to other remaining recipient Planning Areas or Neighborhoods. At no time shall this overall Preliminary Development Plan residential unit cap exceed 4,000 units without a major amendment to the PDP per the Arapahoe County Land Development Code latest revision.

1.6 Overall Preliminary Development Plan Density Increase

Any request for density over and above the overall permitted density shown on the Preliminary Development Plan will be considered a major amendment to this Preliminary Development Plan and must follow the procedures outlined in Section 4900 of the Arapahoe County Land Development Code latest revision.

1.7 Parcel Boundaries

Parcel acreages and boundaries of the Planning Areas shown on the Preliminary Development Plan are preliminary and subject to change with detailed planning. Individual Planning Area acreages may change up to 15% without a major amendment to this Preliminary Development Plan. Such changes will result in corresponding changes to the residential units and/or non-residential square footage amounts shown in the Land Use Summary.

1.8 Development Phasing

Phasing will occur in a logical and cost effective manner based on infrastructure extension, availability of utility service and market conditions. The project will be built in several phases, as conditions dictate. It is anticipated that development will begin in Neighborhood B and proceed to Neighborhood A, followed by Neighborhood C, D and E. However, the Sky Ranch PDP shall permit development of Planning Areas to commence in other Neighborhoods regardless of buildout status of parcels located in current or preceding Neighborhoods (e.g. Development of Planning Areas in Neighborhood C may commence prior to commencement or completion of Planning Areas in Neighborhood A). Please refer to Sheet 5 for the anticipated phasing plan.

Sky Ranch is committed to commercial development and acknowledges the importance of commercial uses within a mixed-use development. Prior to the issuance of the 2001st building permit for residential units within Sky Ranch, a minimum of one hundred thousand (100,000) square feet of non-residential uses shall have Final Development Plan approval by Arapahoe County.

1.9 Zoning Notes

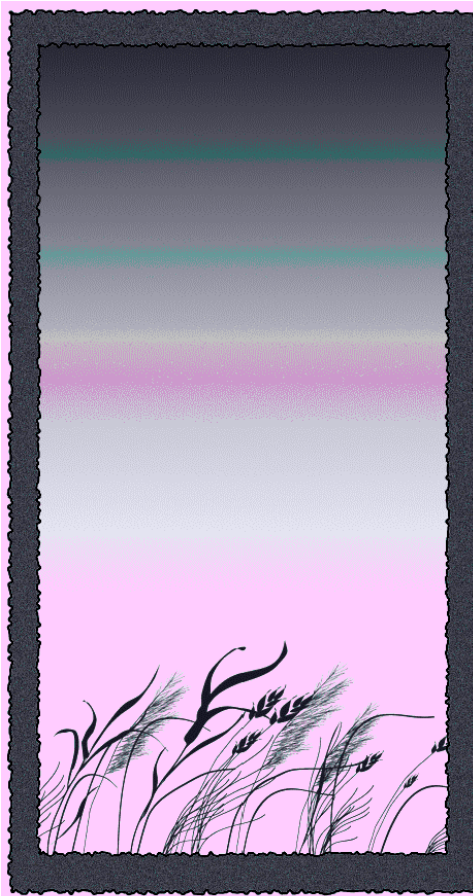
- A. Commercial, office or residential uses can occupy the same lot, mixed horizontally or vertically.
- B. Lighting will conform to Arapahoe County Land Development Code Chapter 12, Section 12-1300.
- C. Home occupations will conform to Arapahoe County Land Development Code Chapter 6.
- D. This PDP permits a 2' encroachment of soffits, bay windows, chimneys, brick facing, mechanical equipment and any other items physically attached to the primary dwelling unit into the front, sides, and rear setbacks of each lot. Refer to sheet 4, note 15 of this document for encroachment details.
- E. Parking will comply with Arapahoe County Land Development Code latest revision and reserves the right to apply for a ten percent parking waiver at FDP to allow tandem garages to count as two off street parking spaces.

2.0 Snow Shadowing

The potential issues regarding snow shadowing are a concern of Arapahoe County and the Sky Ranch development. Building orientation significantly effects snow shadowing, and therefore, building setbacks within Sky Ranch shall be contingent upon addressing snow shadowing issues as Sky Ranch is developed. Please see note 14 on Sheet 4 of the original Sky Ranch PDP, Case Number z01-010, for setback standards regarding snow shadowing.

2.1 Reclaimed Water Distribution

A non-potable water system will provide reclaimed water for irrigation at parks, playing fields, streetscapes, commercial site landscapes, and to other large irrigation customers. Reclaimed water will also be made available for other approved non-potable water uses. The reclaimed water system and reclaimed water uses will comply with requirements of Regulation No. 84 "Reclaimed Water Control Regulation" of the Water Quality Control Commission and those of the Water Quality Control Division of the Colorado Department of Public Health and Environment.



SKY RANCH

PROPERTY OWNER:
PCY HOLDINGS, LLC
34501 E. QUINCY AVE.
BLDG. 34, BOX 10
WATKINS, CO 80137
303.292.3456

ENGINEER:
CVL CONSULTANTS OF
COLORADO, INC
10333 E. DRY CREEK RD. #240
ENGLEWOOD, CO 80112
720.482.9526

PREPARED BY:



SHEET
2 OF 24
ZONING NARRATIVE

REPLACES SKY RANCH PDP AMENDMENT NO. 1
CASE NUMBER A04-010, SHEET 2 OF 9
PDP AMENDMENT NO. 2

SEPTEMBER 30, 2016

SKY RANCH

PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2

BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN COUNTY OF ARAPAHOE, STATE OF COLORADO

LAND USE DESIGNATION MATRIX (CONT.)

ZONE CATEGORY	SF1	SF2	SF3	SF4	MF1	MP2	MU1	MU2	MU3	C1	BP1	BP2	BP3	F
Day care centers/nursery school	●	●	●	●	P	P	P	P	P	P	P	P	P	●
Department store	●	●	●	●	●	●	●	●	●	P	P	P	P	●
Drive through restaurants	●	●	●	●	●	P	P	P	P	P	P	P	P	●
Drive-in theater	●	●	●	●	●	●	●	●	●	P	P	P	P	●
Driving range, miniature golf and "par 3" course	●	●	●	●	●	●	●	●	●	P	P	P	P	●
Duplexes (with minimum lot size of 2,500 sf per unit)	P	P	●	●	P	P	P	P	P	●	●	●	●	●
Electric substations	●	●	●	●	●	●	●	●	●	●	P	P	P	●
Entertainment facilities (indoor)	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Financial institutions	●	●	●	●	●	P	P	P	P	P	P	P	P	●
Furniture store (following size restrictions)	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Gasoline service station, including car wash and small convenience store	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Gardening (community)	P	P	P	P	P	P	P	P	P	●	●	●	●	●
General office	●	●	●	●	●	●	P	P	P	P	P	P	P	●
General retail (following size restrictions)	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Greenhouses and nurseries (with limited storage of animal by-products, fertilizer fungicides, herbicides and insecticides, as necessary for retail and wholesale purposes)	●	●	●	●	●	●	●	●	●	P	P	P	P	●
Ground floor retail commercial with multifamily housing or office space located above	●	●	●	●	●	●	P	P	P	●	●	●	●	●
Home occupations	A	A	A	A	A	A	A	A	A	●	●	●	●	●
Hospitals or other public health facilities	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Hotel / motel	●	●	●	●	●	●	●	●	●	P	P	P	P	●
Insurance and investment offices, etc.	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Kennels or catteries	●	●	●	●	●	●	●	●	●	P	P	P	P	●
Laboratories (basic and applied research, experimental, testing, etc.)	●	●	●	●	●	●	●	●	●	●	P	P	P	●
Liquor stores	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Live / work units	P	P	P	P	P	P	P	P	P	●	●	●	●	●
Local retail greenhouses, garden centers or fruit/vegetable stands	●	●	●	●	●	●	P	P	P	●	●	●	●	●
Manufacture, fabrication, processing and assembling of products	●	●	●	●	●	●	●	●	●	●	P	P	P	●
Medical, dental and small animal veterinary offices	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Mini-warehouse/self storage/outdoor storage	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Multi-Family (can include rental or for-sale units)	●	●	●	●	P	P	P	P	P	●	●	●	●	●
Neighborhood retail uses (ie dry cleaning, coin operated laundry)	●	●	●	●	●	●	P	P	P	P	P	P	P	●
New and used car sales and service, boat and trailer rental and sales, automobile	●	●	●	●	●	●	●	●	●	●	P	P	P	●
Night club/tavern	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Non-profit membership clubs	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Office/Show room/Warehouse (following size restrictions)	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Offices for the sale of existing or future, on site units	P	P	P	P	P	P	P	P	P	P	P	P	P	●
Open space/pedestrian plazas	P	P	P	P	P	P	P	P	P	P	P	P	P	●
Outdoor recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Outdoor storage associated with an outdoor retail/commercial use	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Pedestrian plazas or pedestrian malls	P	P	P	P	P	P	P	P	P	P	P	P	P	●
Private lodges and clubs	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Professional services/offices	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Public and private golf courses and related uses	●	●	●	●	●	●	●	●	●	●	P	P	P	●
Public gardening and similar cultivation of land	P	P	P	P	P	P	P	P	P	●	●	●	●	●
Public transportation terminals	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Radio and television broadcasting station and recording facilities	●	●	●	●	●	●	●	●	●	●	P	P	P	P
Recyclable materials collection facilities	●	●	●	●	●	●	●	●	●	P	P	P	P	●
Restaurants	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Sales from a movable structure, vacant lot or parking lot	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Shared facilities for community use with appropriate joint use agreements	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Show room and warehouses	●	●	●	●	●	●	●	P	P	P	P	P	P	●
Single family attached	P	P	●	●	P	P	P	P	P	●	●	●	●	●
Single family detached residential units (including Duplex)	P	P	P	P	P	P	P	P	P	●	●	●	●	●
Single-family attached dwelling unit including: townhome, cluster development, patio home	P	P	●	●	P	P	P	P	P	●	●	●	●	●
Skateboard tracks	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Small theatre for live performances (300 seats max.)	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Small wind energy conversion system	●	●	●	●	●	●	●	●	●	●	P	P	P	●
Special trade contractors, including but not limited to plumbing, heating and electrical	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Stores less than 40,000 s.f.	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Stores greater than 40,000 s.f. and less than 80,000 s.f.	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Store greater than 80,000 s.f.	●	●	●	●	●	●	●	●	●	●	P	P	P	●
Temporary construction offices subject to zoning approval	P	P	P	P	P	P	P	P	P	P	P	P	P	●
Temporary office subject to zoning approval	P	P	P	P	P	P	P	P	P	P	P	P	P	●
Temporary seasonal tent or sidewalk sales not exceeding a total of 30 days in one calendar year, per shopping center subject to zoning approval	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Temporary signage subject to zoning approval	P	P	P	P	P	P	P	P	P	P	P	P	P	●
Temporary use for a fair or carnival not to exceed 30 days subject to zoning approval	●	●	●	●	●	●	P	P	P	P	P	P	P	●
Theatres, limited to two screens, not including drive-in	●	●	●	●	●	●	●	●	●	●	P	P	P	●
Theatres, not including drive-in	●	●	●	●	●	●	●	●	●	●	P	P	P	●
Wastewater treatment plants	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Water treatment/storage	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Water wells	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Wholesale business, storage or warehousing	●	●	●	●	●	●	P	P	P	P	P	P	P	●

ZONE CATEGORIES and INTENTS

Single Family 1 (SF1) - Intent: To allow for single family detached and attached residential units. A minimum lot size of 3,200 square feet for single-family detached homes. Single family attached minimum lot sizes shall be 2,500 square feet per unit for duplexes and 1,200 square feet per unit for townhomes.

Single Family 2 (SF2) - Intent: To allow for single family detached and attached residential units with minimum lot size of 4,000 square feet for single-family detached homes.

Single Family 3 (SF3) - Intent: To allow for single family detached residential units with minimum lot size of 5,000 square feet.

Single Family 4 (SF4) - Intent: To allow for single family detached residential units with a minimum lot size of 6,000 square feet.

Multifamily 1 (MF1) - Intent: To allow for single family attached or multi-family residential units with a maximum density of 24 du / acre; and single family detached residential units with a minimum lot size of 3,200 square feet.

Multifamily 2 (MF2) - Intent: To allow for single family attached or multi-family residential units with a maximum density of 18 du/acre; and single family detached residential units with a 3,200 square foot minimum lot size.

Mixed Use 1 - Intent: Predominantly a commercial focus, this district requires at least 50% of its area to be used for retail, office or other commercial uses. The remainder of the area may also be used for commercial, or it may include a mixture of residential on top of ground floor commercial, stand-alone residential, or civic type uses. Open space plazas, courtyards and other pedestrian enhancing elements shall be encouraged.

Mixed Use 2 - Intent: Predominantly a residential focus, this district requires at least 50% of its area to be used for multifamily, single family attached, or single family detached residential uses. The remainder of the area may also be used for residential, but may also include commercial or civic uses. Design and development standards have been put into place to allow for a mixing of uses that will integrate residential with other uses throughout this and other mixed use districts.

Mixed Use 3 - Intent: Predominantly a non-residential focus, this district requires at least 50% of its area to be used for non-residential uses. These could include HOA offices, civic uses, fire stations, police substations, recreation centers or other community-based uses. The remaining 30% of the area may be used for more non-residential, or could include mixed uses such as residential, commercial or open space.

Commercial 1 (C1) - Intent: To provide for the location of commercial retail to serve regional residents. No more than 350,000 square feet of large format retail buildings (individual retail store buildings greater than 80,000 square feet) shall be permitted in the C1 district. Gross maximum FAR shall be .25.

Business Park 1 (BP1) - Intent: To promote areas of light industrial and/or high technology development. Storage of live animals, commercial explosives or debris is prohibited. Maximum FAR shall be 0.25.

Business Park 2 (BP2) - Intent: To provide for areas which encourage office employment opportunities proximate to residential areas in Unincorporated Arapahoe County. Maximum FAR shall be 0.3.

Business Park 3 (BP3) - Intent: To provide for areas which encourage light industrial, office employment and utility district uses. Maximum FAR shall be 0.25.

Floodplain (F) - Intent: Floodplain

LAND USE DESIGNATION MATRIX															LEGEND	
															P	Principal Permitted Use
															A	Accessory Use
															D	Use Which May Require a PUD
															S	Amendment
															S	Special Exception Uses
															●	Excluded Use
ZONE CATEGORY	SF1	SF2	SF3	SF4	MF1	MF2	MU1	MU2	MU3	C1	BP1	BP2	BP3	F		
24-hour convenience retail operation	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Administrative and executive offices	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Agricultural use (limited to cultivation of crops only, provided that no dwelling or other structure is located in the district)	P	P	P	P	P	P	P	P	P	P	P	P	P	●		
Amusement park (outdoor)	●	●	●	●	●	●	●	●	●	P	●	●	●	●		
Animal hospital and veterinary clinic exclusive of kennel-small animal facilities	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Animal hospital and veterinary clinic-large animal facilities	●	●	●	●	●	●	●	●	●	●	D	D	D	●		
Appliance store (following size restrictions)	●	●	●	●	●	●	●	●	●	P	P	P	P	●		
Appurtenant retail uses	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Auto sales and repair	●	●	●	●	●	●	●	●	●	P	P	P	P	●		
Automobile parking lot	●	●	●	●	A	A	A	A	A	A	A	A	A	●		
Automobile parking when proposed as principal permitted use (i.e. car pool lots and park and ride) size limit for MU1, MU2 and MU3	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Automobile, truck, trailer, boat and farm implement sales, storage leasing, or major repair	●	●	●	●	●	●	●	●	●	P	P	P	P	●		
Bakery, creamery, soft drink bottling plant and dyeing plant	●	●	●	●	●	●	●	●	●	P	P	P	P	●		
Large format retail	●	●	●	●	●	●	●	●	●	P	●	●	●	●		
Billboard and/or off-premise signage which conforms to code	●	●	●	●	●	●	●	●	●	P	P	P	P	●		
Body shop	●	●	●	●	●	●	P	P	P	●	P	P	P	●		
Bowling alley, tennis club, skating rink, health club, etc.	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Building material sales yard, not including concrete mixing or creosote operation	●	●	●	●	●	●	●	●	●	P	P	P	P	●		
Cabinet shop, electric shop, plumbing shop, heating shop, lithographic and/or printing shop, furniture reupholstering	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Call center	●	●	●	●	●	●	●	●	●	P	P	P	P	●		
Car wash and/or auto detailing	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Churches / synagogues / places of worship	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Commercial antennas and radio towers (height and location especially to be reviewed)	●	●	●	●	P	P	P	P	P	P	P	P	P	●		
Community / neighborhood recreation center	P	P	P	P	P	P	P	P	P	P	P	P	P	●		
Community uses such as sales/commercial offices, private recreation centers and clubhouses, etc.	P	P	P	P	P	P	P	P	P	P	P	P	P	●		
Consulting service offices	●	●	●	●	●	●	P	P	P	P	P	P	P	●		
Convenience commercial stores	●	●	●	●	●	●	P	P	P	P	P	P	P	●		

SKY RANCH

PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2

BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO

SKY RANCH

Non-Residential Land Use Development Standards Matrix

Non-Residential							
Standards	MU1 _(A)	MU2 _(B)	MU3 _(C)	C1	BP1	BP2	BP3
Minimum Lot Size	10,000	25,000	25,000	25,000	25,000	25,000	25,000
Minimum Lot Width	50'	50'	50'	100'	100'	100'	100'
Maximum Floor Area Ratio	0.3	0.3	0.3	0.25	0.25	0.3	0.25
Required Landscape Area	20%	20%	20%	20%	20%	20%	20%
Parking	(4)	(4)	(4)	(4)	(4)	(4)	(4)
Primary Use							
Height	50'	50'	50'	50'	50'	50'	50'
Setback from Arterial (14)	50'	50'	50'	50'	50'	50'	50'
Setback from Collector (14)	35'	35'	35'	35'	35'	35'	35'
Setback from Local / Private (14)	25'	25'	25'	15'	15'	15'	15'
Setback from Parking	10'	10'	10'	10'	10'	10'	10'
Setback from Property Line	35'	35'	35'	20'	20'	20'	20'
Building Separation	20'	20'	20'	20'	30'	20'	30'
Surface Parking Setback from ROW	20'	20'	20'	20'	20'	20'	20'
Setback from Single Family Detached	20'	20'	20'	50'	50'	50'	50'
Setback from Single Family Attached	20'	20'	20'	50'	50'	50'	50'
Setback from Multi-Family	10'	10'	10'	30'	30'	30'	30'
Accessory Use							
Height	25'	25'	25'	25'	25'	25'	25'
Setback from Collector (14)	35'	35'	35'	35'	35'	35'	35'
Setback from Local / Private (14)	25'	25'	25'	15'	15'	15'	15'
Setback from Parking	10'	10'	10'	10'	10'	10'	10'
Setback from Property Line	35'	35'	35'	20'	20'	20'	20'

SKY RANCH

Residential Land Use Development Standards Matrix

Single Family Detached									
Standards	SF1	SF2	SF3	SF4	MF1	MF2	MU1	MU2	MU3
Minimum Lot Size (3)	3200 sf (1)	4000 (1)	5000	6000	3200 sf	3200 sf	3200 sf	3200 sf	3200 sf
Maximum Detached Footprint Size (2)	1920	2400	3000	3600	1920	1920	1920	1920	1920
Lot Frontage (7) (10)	35'	40'	50'	50'	35'	35'	35'	35'	35'
Corner Lot Frontage	45'	50'	60'	60'	45'	45'	45'	45'	45'
Parking Requirement (6)	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit
Max. Height	35'	35'	35'	35'	35'	35'	35'	35'	35'
Floor Area Min.	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Principal Use With Attached Sidewalks									
Front Setback to Living Space (9)	15'	15'	15'	15'	15'	15'	15'	15'	15'
Front Setback to Covered Porch (9)	10'	10'	10'	10'	10'	10'	10'	10'	10'
Front Setback to Garage	18'	18'	18'	18'	18'	18'	18'	18'	18'
Front Setback to Side Load Garage	10'	10'	10'	10'	10'	10'	10'	10'	10'
Side Setback Minimum	3'	3'	3'	5'	3'	3'	3'	3'	3'
Side Setback with Easement (8)	0'	0'	0'	0'	0'	0'	0'	0'	0'
Building Separation	6'	6'	10'	10'	6'	6'	6'	6'	6'
Rear Setback- Front Load	10'	10'	15'	20'	10'	10'	10'	10'	10'
Rear Setback - Alley Load	4'	4'	4'	4'	4'	4'	4'	4'	4'
Side (Corner) Setback	15'	15'	15'	15'	15'	15'	15'	15'	15'
Principal Use With Detached Sidewalks									
Front Setback to Living Space (9)	15'	15'	15'	15'	15'	15'	15'	15'	15'
Front Setback to Covered Porch	10'	10'	10'	10'	10'	10'	10'	10'	10'
Front Setback to Garage	18'	18'	18'	18'	18'	18'	18'	18'	18'
Front Setback to Side Load Garage (9)	10'	10'	10'	10'	10'	10'	10'	10'	10'
Side Setback Minimum	3'	3'	3'	5'	3'	3'	3'	3'	3'
Side Setback with Access Easement (8)	0'	0'	0'	0'	0'	0'	0'	0'	0'
Building Separation	6'	6'	10'	10'	6'	6'	6'	6'	6'
Rear Setback- Front Load (9)	10'	10'	15'	20'	10'	10'	10'	10'	10'
Rear Setback - Alley Load	4'	4'	4'	4'	4'	4'	4'	4'	4'
Side (Corner) Setback (9)	10'	10'	10'	15'	10'	10'	10'	10'	10'
Accessory Use (12)									
Max Height	15'	15'	15'	15'	15'	15'	15'	15'	15'
Front Setback (9)	20'	20'	20'	20'	20'	20'	20'	20'	20'
Side Setback (9)	3'	3'	3'	5'	3'	3'	3'	3'	3'
Rear Setback (9)	10'	10'	15'	20'	10'	10'	10'	10'	10'
Rear Setback (alley load garage)	4'	4'	4'	4'	4'	4'	4'	4'	4'
Side (Corner) Setback (9)	15'	15'	15'	15'	15'	15'	15'	15'	15'

Residential Land Use Development Standards Matrix

Single Family Attached ⁽¹³⁾							
Standards	SF1	SF2	MF1	MF2	MU1 _(A)	MU2 _(B)	MU3 _(C)
Minimum Lot Size	1200 sf	1200 sf	1200 sf	1200 sf	1200 sf	1200 sf	1200 sf
Lot Frontage (7)	20'	20'	20'	20'	20'	20'	20'
Corner Lot Frontage	30'	30'	30'	30'	30'	30'	30'
Parking Requirement (5) (6)	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit	2 sp./unit
Guest Parking Requirement	.25 sp/unit	.25 sp/unit	.25 sp/unit	.25 sp/unit	.25 sp/unit	.25 sp/unit	.25 sp/unit
Max. Height	35'	35'	50'	50'	50'	50'	50'
Floor Area Min.	500 SF	500 SF	500 SF	500 SF	500 SF	500 SF	500 SF
Max. Number of Units Attached	8	8	8	8	8	8	8
Principal Use With Attached Sidewalks							
Front Setback to Living Space (9)	15'	15'	15'	15'	15'	15'	15'
Front Setback to Covered Porch (9)	10'	10'	10'	10'	10'	10'	10'
Front Setback to Garage	18'	18'	18'	18'	18'	18'	18'
Side Setback Minimum	5'	5'	5'	5'	5'	5'	5'
Side Setback with Easement (9)	0'	0'	0'	0'	0'	0'	0'
Building Separation	20'	20'	20'	20'	20'	20'	20'
Rear Setback (9)	10'	10'	10'	10'	10'	10'	10'
Rear Setback - Alley Load Garage	4'	4'	4'	4'	4'	4'	4'
Side (Corner) Setback (9)	15'	15'	15'	15'	15'	15'	15'
Principal Use With Detached Sidewalks							
Front Setback to Living Space (9)	10'	10'	10'	10'	10'	10'	10'
Front Setback to Covered Porch (9)	5'	5'	5'	5'	5'	5'	5'
Front Setback to Garage	18'	18'	18'	18'	18'	18'	18'
Side Setback Minimum	5'	5'	5'	5'	5'	5'	5'
Side Setback with Easement (9)	0'	0'	0'	0'	0'	0'	0'
Building Separation	20'	20'	20'	20'	20'	20'	20'
Rear Setback (9)	10'	10'	10'	10'	10'	10'	10'
Rear Setback - Alley Load Garage	4'	4'	4'	4'	4'	4'	4'
Side (Corner) Setback (9)	15'	15'	15'	15'	15'	15'	15'
Accessory Use							
Max Height	15'	15'	15'	15'	15'	15'	15'
Front Setback (9)	20'	20'	20'	20'	20'	20'	20'
Side Setback (9)	5'	5'	5'	5'	5'	5'	5'
Rear Setback (non-garage) (9)	10'	10'	10'	10'	10'	10'	10'
Rear Setback (garage)	4'	4'	4'	4'	4'	4'	4'
Side (Corner) Setback (9)	15'	15'	15'	15'	15'	15'	15'

Multi-Family ⁽¹³⁾					
Standards	MF1	MF2	MU1 _(A)	MU2 _(B)	MU3 _(C)
Minimum Lot Size	NONE	NONE	NONE	NONE	NONE
Lot Frontage (7)	No Minimum	No Minimum	No Minimum	No Minimum	No Minimum
Parking Requirement (4) (5)	(4)	(4)	(4)	(4)	(4)
Max. Height	50'	50'	50'	50'	50'
Floor Area Min.	500 SF	500 SF	500 SF	500 SF	500 SF
Principal Use					
Setback from Local / Private (9) (14)	25'	25'	20'	20'	20'
Setback from Parking	20'	20'	15'	15'	15'
Setback from Property Line (9)	20'	20'	20'	20'	20'
Building Separation	20'	20'	20'	20'	20'
Open Parking Setback from ROW	20'	20'	20'	20'	20'
Accessory Use					
Max Height	15'	15'	15'	15'	15'
Setback from Local / Private (9)	25'	25'	20'	20'	20'
Setback from Parking	5'	5'	5'	5'	5'
Parking Setback from Carport	0'	0'	0'	0'	0'
Setback from Property Line (9)	20'	20'	20'	20'	20'
Building Separation	5'	5'	5'	5'	5'

- Notes:
- (1) In the SF1 and SF2 zone districts, minimum lot size for duplex products shall be 2500 square feet per unit.

(2) Maximum detached footprint size reflects the maximum allowable lot coverage of 60%.

(3) Min. lot size shown for single family detached. Townhomes and duplexes allowed at same minimum lot sizes discussed in Note 1.

(4) Required parking shall meet the Arapahoe County Land Development Code Parking Standards outlined in Section 4608. Shared parking shall be allowed in instances where appropriate.

(5) Studio and 1 bedroom units require 1.5 parking spaces per unit and .25 guest spaces per unit. 2 bedrooms units require 2.0 parking spaces per unit and .25 guest spaces per unit. 3+ bedrooms units require 2.5 parking spaces per unit and .25 guest spaces per unit.

(6) Parking includes a minimum of one space in a garage and one space in the driveway. Guest parking spaces for SFD shall be accommodated in the driveway or on-street.

(7) Lot frontage measured at setback.

(8) A zero lot line may be utilized when a maintenance easement and side yard easement are executed.

(9) Residential setback on a collector or arterial shall be increased by 10 feet.

(10) Lot frontage on a cul-de-sac may be reduced by five feet.

(11) An accessory use shall not include a living space above the garage which has a separate internal or external entrance. This living space area shall be deemed part of the primary structure and shall follow the primary use height restrictions.

(12) SFA standards are provided for townhome uses accommodating 6 - 18 Du/Ac. Higher density apartment and condo products shall follow the multi-family standards below.

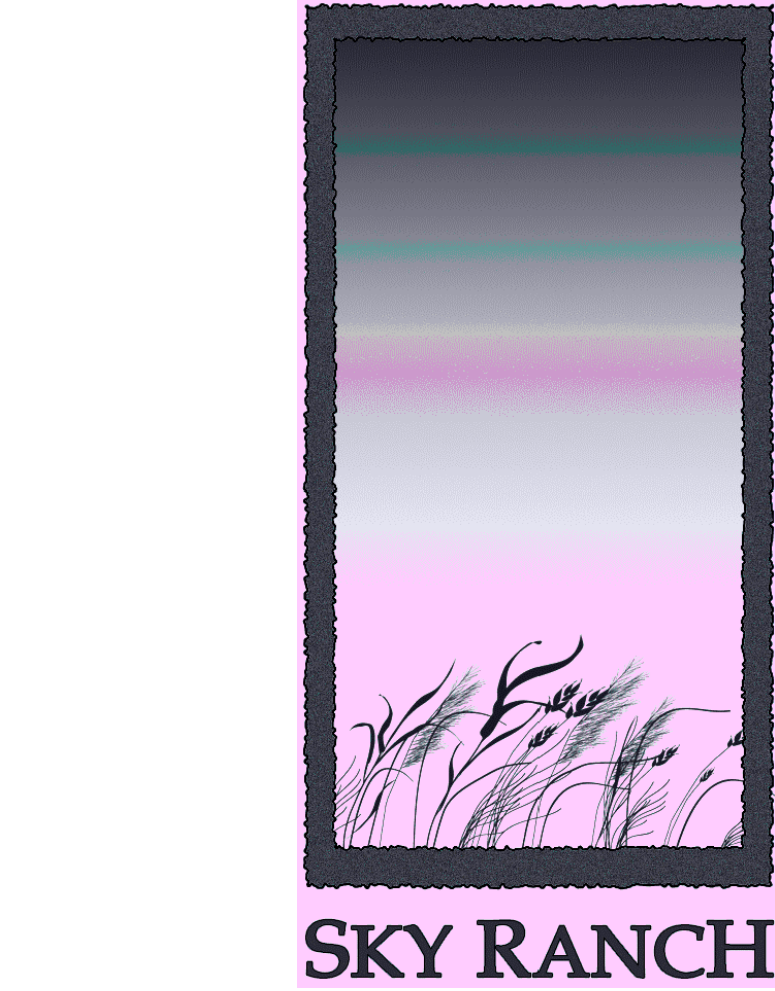
(13) Multi-family standards are provided for apartment and condo products ranging from 18.1 - 24 DU/Ac. Standards for townhome product are provided above within the SFA standards.

(14) Building setbacks may be required to be increased as a function of building orientation. Building height and orientation on a lot shall determine minimum setbacks. Additional setback distances may be required if the height of a building and/or orientation of a building would result in snow shadowing beyond the curb line into the street. Additional setbacks required by snow shadow issues shall be reviewed by the County on a case-by-case basis at Site Plan application. A building height of over 30' will have a 1' to 1' ratio of building height to building setback.

(15) Building setbacks shall be measured from the property line to the foundation wall. However, the following encroachments shall be allowed into setbacks:

i) Eaves, roof overhangs, gutters, masonry, bay windows, fireplaces & chimneys may protrude up to 24 inches into all setbacks.

ii) Window wells and counterforts may protrude 36 inches into all setbacks.



PROPERTY OWNER:
PCY HOLDINGS, LLC
34501 E. QUINCY AVE.
BLDG. 34, BOX 10
WATKINS, CO 80137
303.292.3456

ENGINEER:
CVL CONSULTANTS OF
COLORADO, INC
10333 E. DRY CREEK RD. #240
ENGLEWOOD, CO 80112
720.482.9526

PREPARED BY:



SHEET

4 OF 24

LAND USE

DEVELOPMENT

STANDARDS MATRIX

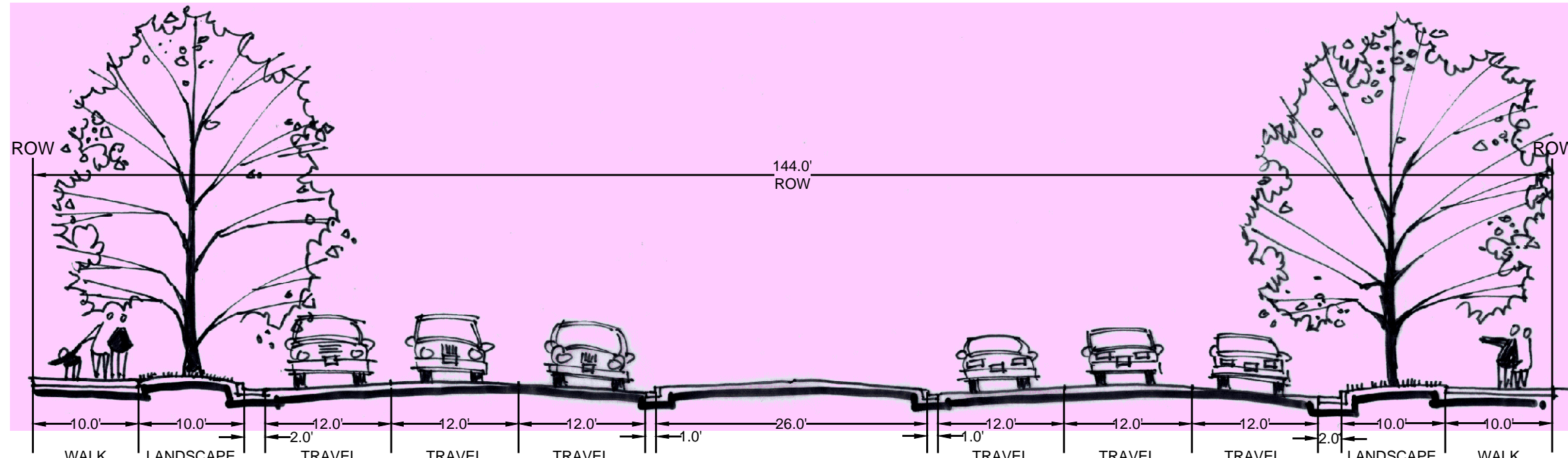
REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 4 OF 24
PDP AMENDMENT NO. 2

SEPTEMBER 30, 2016

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO

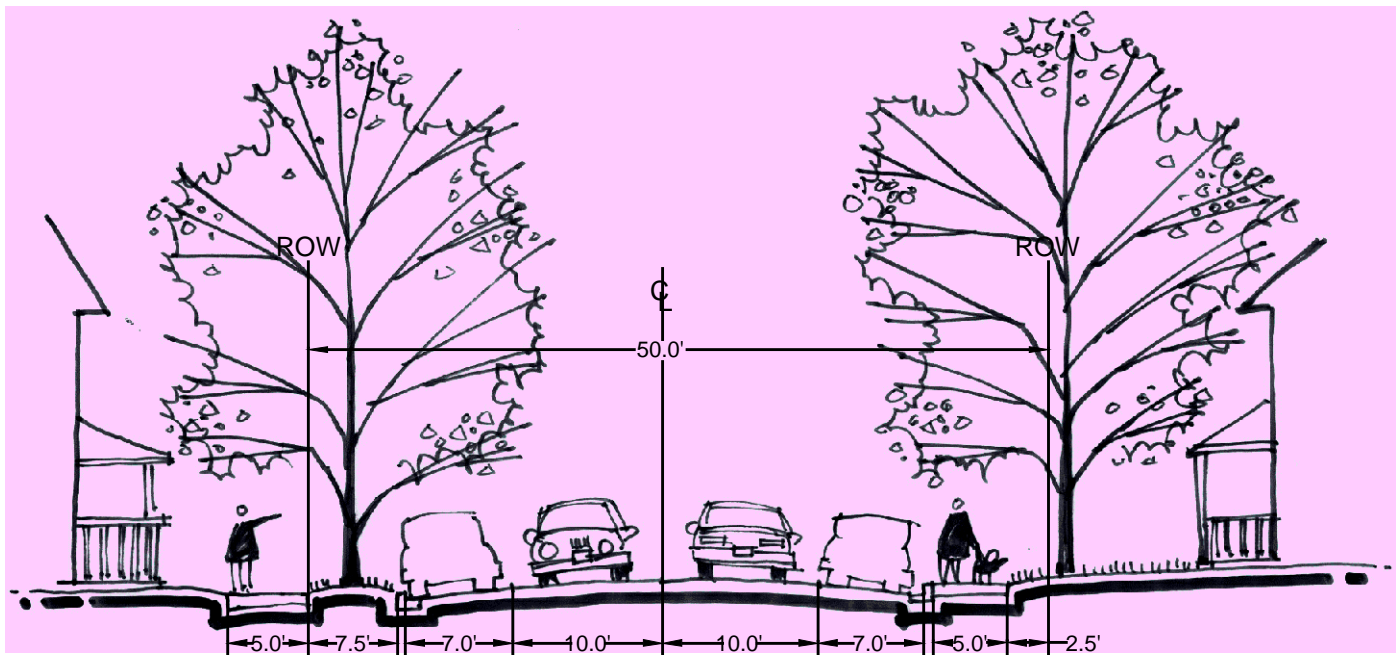


SKY RANCH



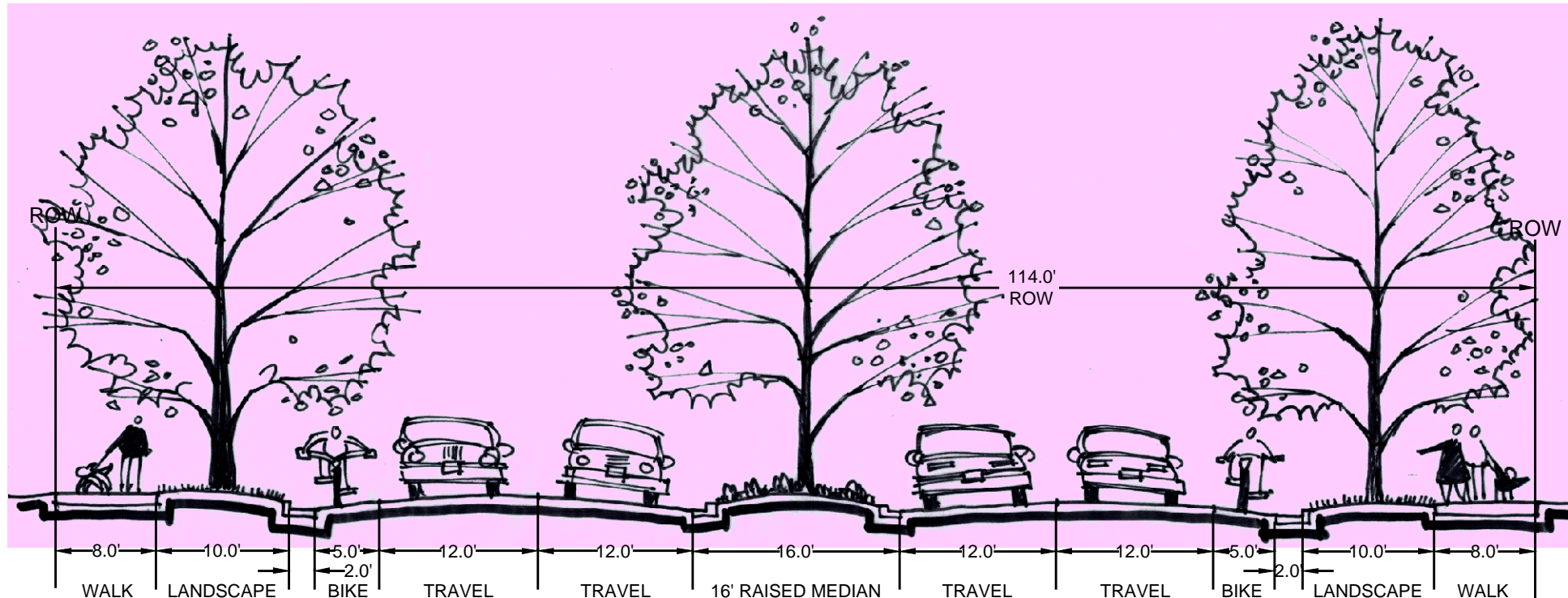
SIX-LANE PRINCIPAL ARTERIAL

NTS



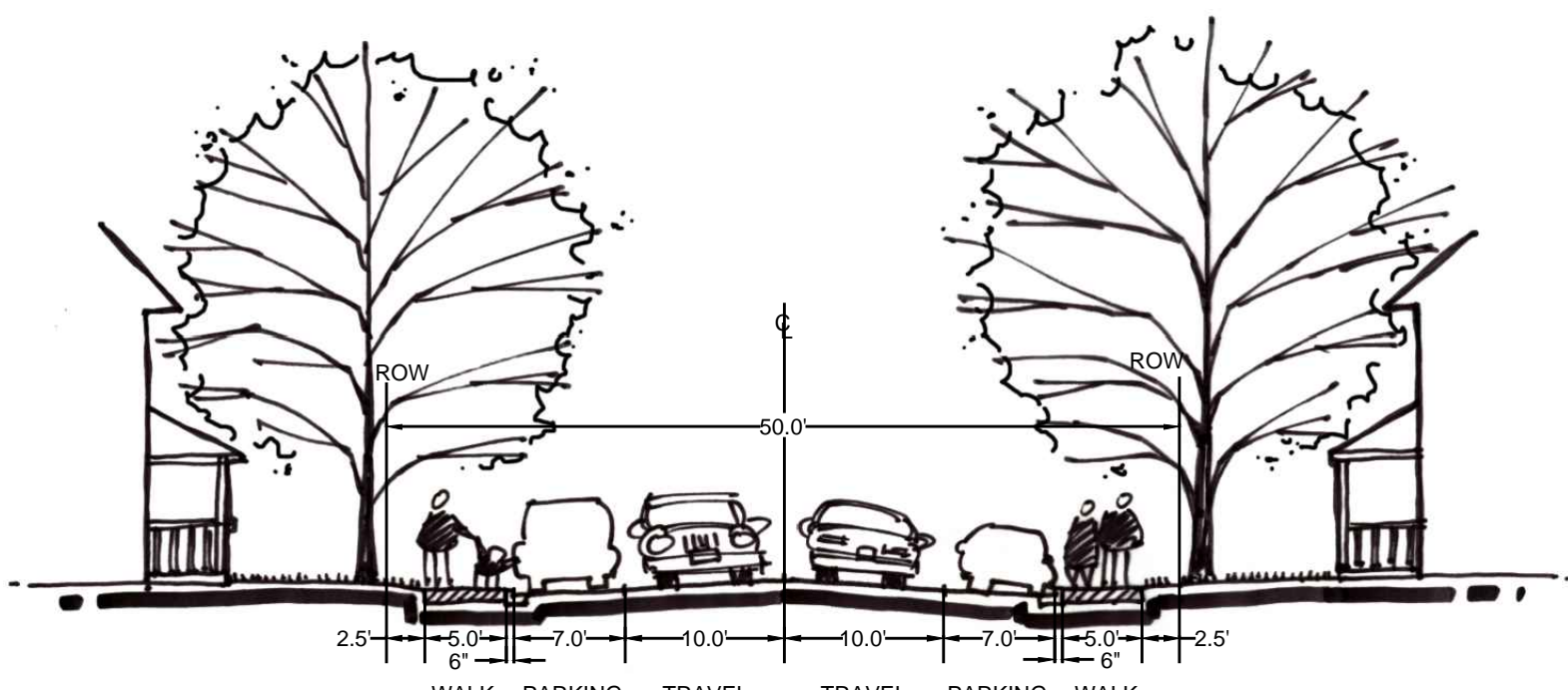
50' PUBLIC URBAN LOCAL
(WITH A DETACHED SIDEWALK ON ONE SIDE)

NTS



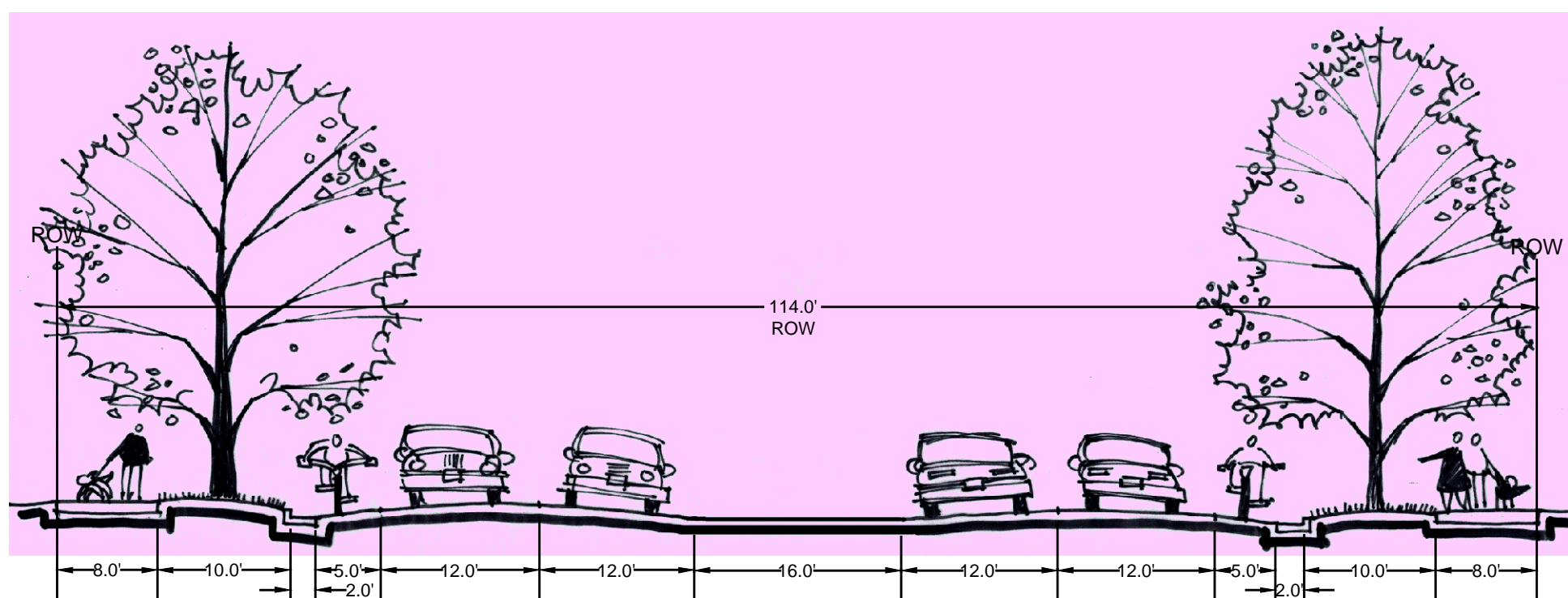
FOUR-LANE ARTERIAL
(WITH RAISED MEDIAN)

NTS



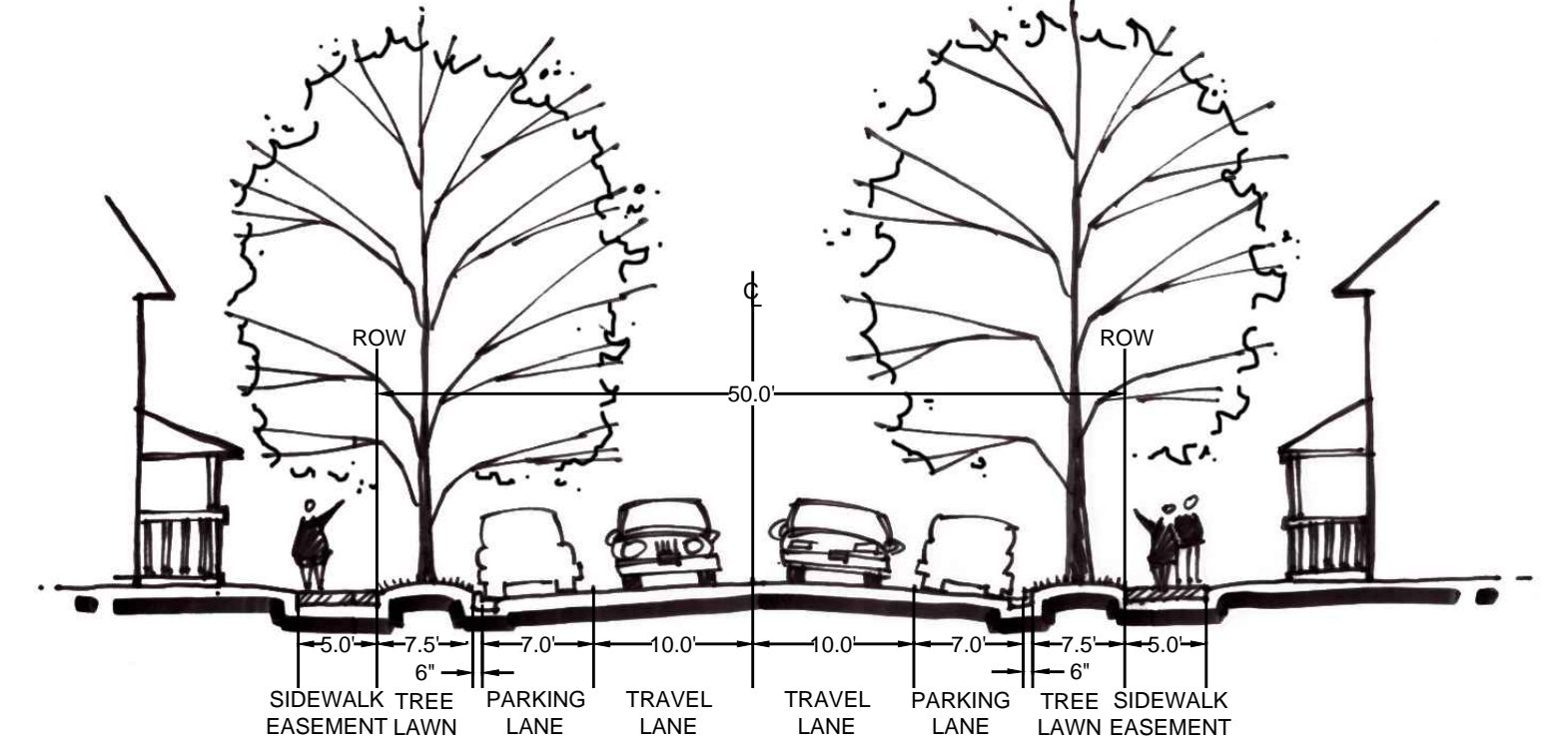
50' PUBLIC URBAN LOCAL
(WITH ATTACHED SIDEWALKS)

NTS



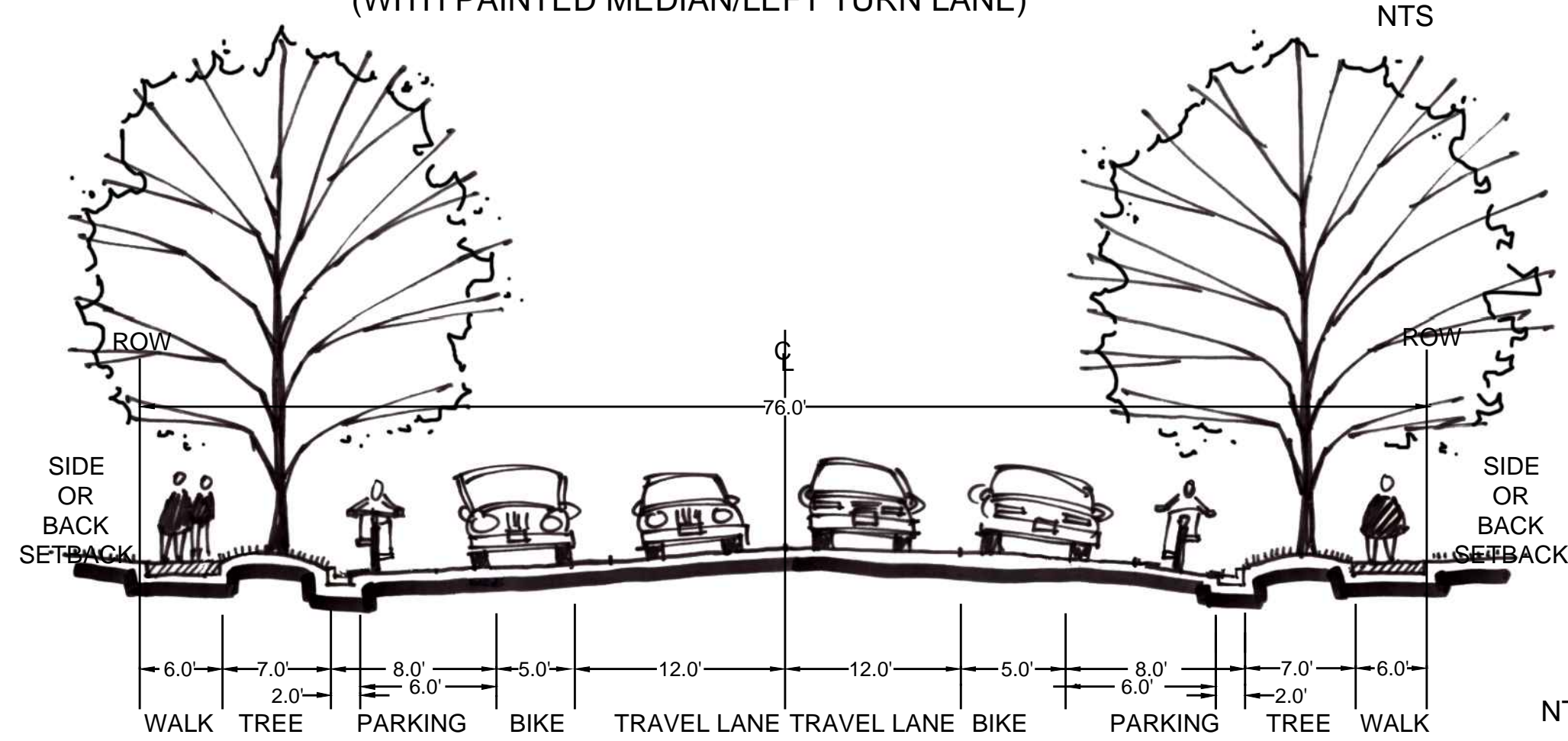
FOUR-LANE ARTERIAL
(WITH PAINTED MEDIAN/LEFT TURN LANE)

NTS



50' PUBLIC URBAN LOCAL
(WITH DETACHED SIDEWALKS)

NTS



STANDARD 76' COLLECTOR WITH DETACHED SIDEWALKS

NTS

PDP AMENDMENT CASE NO. A04-010:
REMOVED STREET SECTION
88' COLLECTOR WITH DETACHED
SIDEWALK AND PARALLEL PARKING ON
ONE SIDE, INSERTED 76' COLLECTOR.
ALSO ADDED TO MATCH PLAT STREET
SECTIONS IS THE 114' ROW - FOUR
LANE ARTERIAL (WITH PAINTED
MEDIAN/LEFT TURN LANE).

ALL GRAPHICS ARE FOR
ILLUSTRATIVE PURPOSES
ONLY.

PROPERTY OWNER:
PCY HOLDINGS, LLC
34501 E. QUINCY AVE.
BLDG. 34, BOX 10
WATKINS, CO 80137
303.292.3456

ENGINEER:
CVL CONSULTANTS OF
COLORADO, INC
10333 E. DRY CREEK RD. #240
ENGLEWOOD, CO 80112
720.482.9526

PREPARED BY:

people creating spaces
pcs group inc. www.pcsgroupco.com
#3, 8-180 Independence plaza
1007 16th street . denver co 80265
t 303.531.4905 . f 303.531.4908

SHEET
9 OF 24
TYPICAL STREET
CROSS-SECTIONS

REPLACES SKY RANCH PDP, AMENDMENT NO. 1
CASE NUMBER A04-010, SHEET 7 OF 9
PDP AMENDMENT NO. 2

TYPICAL ELEVATIONS 1-4
FOR ILLUSTRATIVE PURPOSES ONLY

TYPICAL ELEVATION 1



1. Brick on front facade
2. Concrete tile roof shingles
3. One of three distinct architectural styles
4. Variation in location of garage door
5. Variations in front plane and roofline
6. Use of roof dormer
7. Front windo grids
8. Garage door windows
9. Garage does not protrude more than five feet from the main facade
10. Front porch with two columns with a cross section of eight inches each

NTS

TYPICAL ELEVATION 2



1. Use of two materials on front elevation
2. Dimensional asphalt shingles
3. Alley load garage
4. Variations in location and proportions of front porch
5. Variation in building types
6. Variation in front roofline
7. Simulated chimney

NTS

TYPICAL ELEVATION 3



NTS

1. Use of two materials on front elevation
2. Simulated chimney
3. Variation in front roof line
4. Use of roof dormer
5. Front door with transom window
6. Variation in building type

TYPICAL ELEVATION 4



NTS

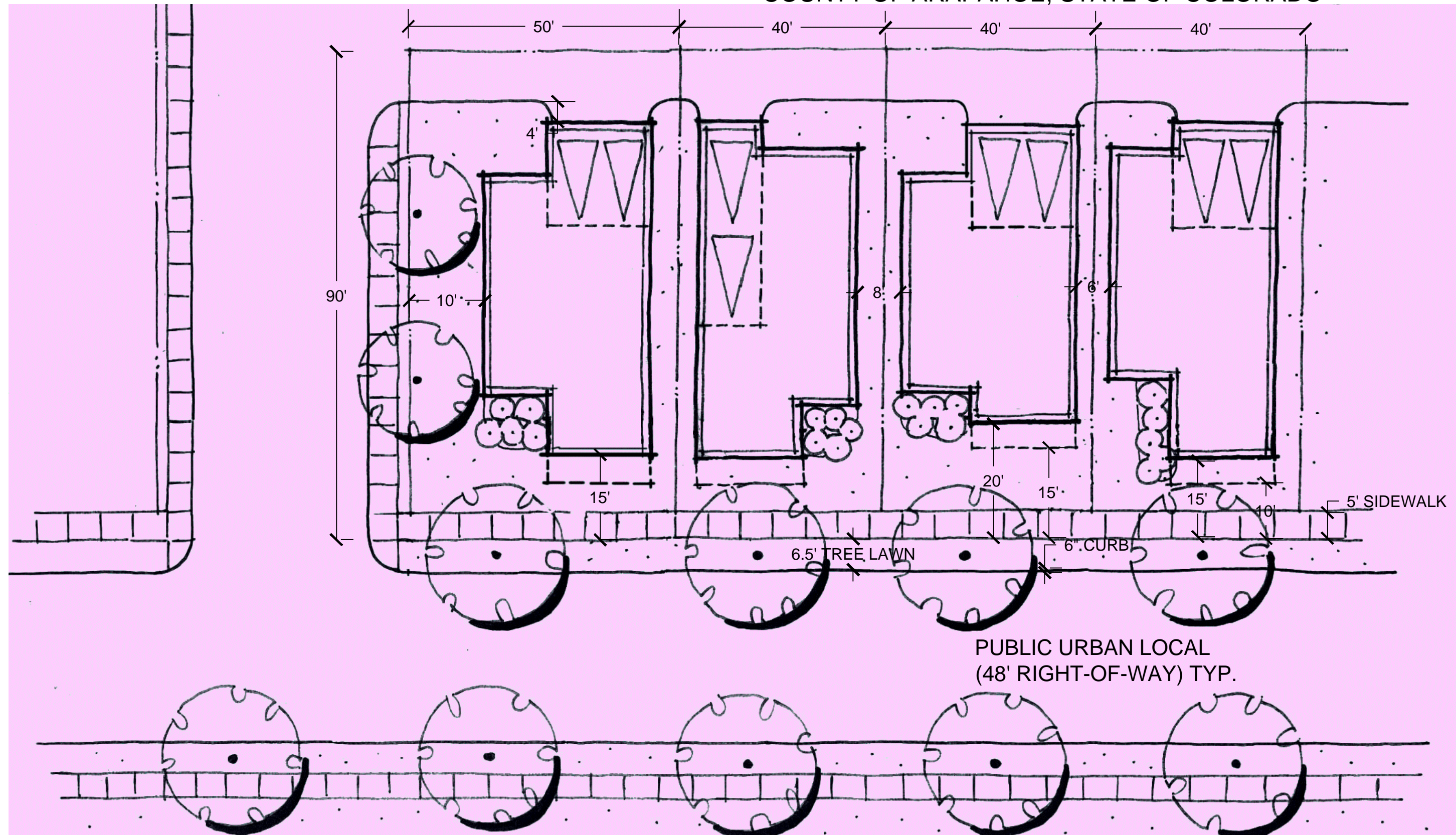
1. Simulated stone on front facade
2. Dimensional asphalt shingles
3. Recessed garage door
4. Variation in location and proportions of front porch
5. Variations in the front plane and roofline
6. Front window grids
7. Front porch light

NOTE: TYPICAL ELEVATIONS DEPICT ARCHITECTURAL FEATURES THAT ARE REPRESENTATIVE OF THOSE REQUIRED IN THE DESIGN STANDARDS, BUT ARE NOT INTENDED TO REPRESENT FULL COMPLIANCE WITH THE LIST IN EACH TYPICAL ELEVATION.

SKY RANCH

PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2

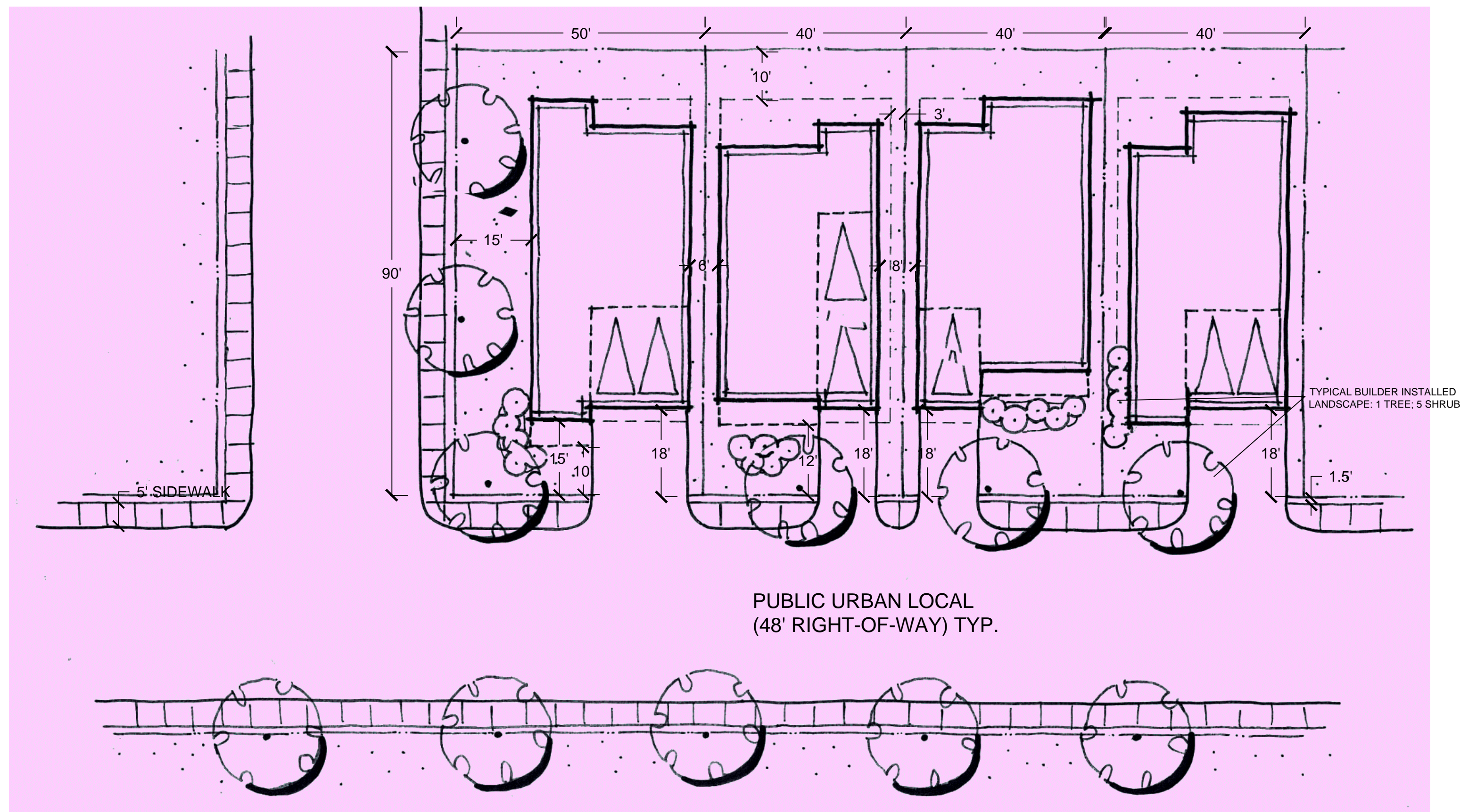
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN COUNTY OF ARAPAHOE, STATE OF COLORADO



OPTIONAL ALLEY LOADED - SMALL LOT
SINGLE FAMILY DETACHED

NTS

ALL GRAPHICS ARE REPRESENTATIVE OF TYPICAL
EXAMPLES AND ARE FOR ILLUSTRATIVE PURPOSES ONLY



FRONT LOADED - SMALL LOT
SINGLE FAMILY DETACHED

NTS

LOT DIMENSIONS ARE FOR ILLUSTRATIVE PURPOSES ONLY. SMALL LOT SIZES SHALL CONFORM TO THE DESIGN STANDARDS OUTLINED ON SHEET 4.

DESIGN STANDARDS ARCHITECTURAL FEATURES LIST

Sky Ranch has established an architectural scoring system to provide a vehicle for individual design while ensuring quality and compatibility with the community. All homes in Sky Ranch shall incorporate the following 8 architectural features, at a minimum:

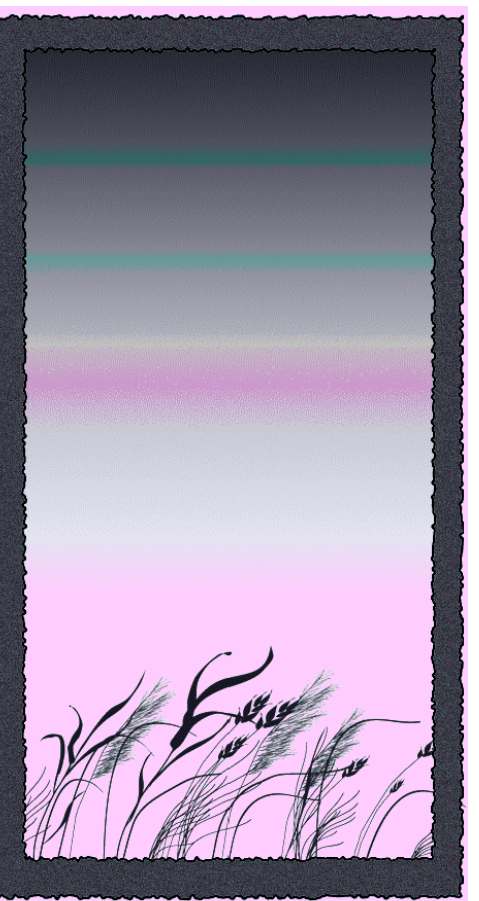
1. At least two different materials on the front elevation and any elevation visible from a collector or arterial street. Options include brick, simulated or real stone, stucco, siding or other appropriate materials.
2. More than one treatment for the predominant siding (i.e. vinyl, cedar, or other siding material).
3. Use of at least three different colors including trim, accent for front door and shutters (if selected), and base. Shades of gray and beige shall be discouraged. A minimum of four color packages shall be offered. No two adjacent houses shall share the same color package.
4. Roofs with high profile composition shingles such as slate, clay or concrete tile, or dimensional asphalt shingles. No shake roofs shall be permitted. All roofs shall carry a minimum 20-year warranty.
5. Front yard irrigation and landscaping shall be installed by the builder.
 - a. Builder shall install at least one deciduous tree (2 1/2" caliper minimum) or one evergreen tree(6' tall minimum) and five 5-gallon shrubs. Placement of trees on adjacent lots shall vary.
 - b. Wing fencing to be installed by builder with front yard landscaping.
6. 50% of the homes on the same block and side of the street shall have alternatively loaded garages per Section 3.1 on sheet 20 of this document.
7. Permanent foundations shall be required.

In addition to the minimum architectural requirements, builders must select eight options from the following list of architectural features:

- *1. At least two different materials are required on all four elevations. Options include brick, simulated or real stone, stucco, vinyl siding, cedar siding or other appropriate material. Masonry may be used as an exclusive material on the front elevation, but the other three elevations must use at least two other treatments. If masonry is used on the front elevation, it must wrap around to a natural break point or side-yard fence.
2. Use of at least three distinct architectural styles for each product (ie: craftsman, prairie, mountain, traditional, etc.)
3. Varying locations and proportions of front portions in a series of four houses on the same block and side of a street.
4. Varying location and proportions of garage doors in a series of four houses on the same block and side of a street
5. The width of front elevation differing by more than 2' in a series of four houses on the same block and side of a street
6. Variations in the front plane and roofline.
7. Use of roof dormers.
- *8. Variation of building types: ranch, two-story and split level.
9. Walk-out basements.
- *10. Window shapes that are substantially different, including bay windows.
- *11. At least one bay window on front elevation or any elevation visible from a street.
12. Windows with grids or other enhanced treatment on all four elevations.
13. At least 2 clerestory windows, or windows w/ transoms above the main window.
14. Front door w/ at least one sidelight, transom window, or double door.
15. Clay or concrete tile roofs.
16. Garage door with a minimum of 3 windows/door
17. A home design where garage doors do not appear on the front elevation.
18. For non-alternately loaded garages, garages that do not protrude more than 5' from main facade.
19. Main roof w/ a slope of 6:12 min.
20. Front or side porch w/ a min. depth of 5' and a min. floor area of 50 SF.
21. Front or side porch w/ at least 2 columns w/ a min. cross section of 8" each.
- *22. Decorative shutters on all street-facing windows.
- *23. Second story porch front or side porch of at least 25 SF.
- *24. Rear or side deck of at least 50 SF.
25. At least a 16" roof overhang on the front elevation w/ decorative brackets, beams, or exposed rafter ends.
26. Decorative material treatment on at least one gable end facing the street.
27. At least 10 lineal feet of masonry privacy walls on the subject property.
28. At least 100 SF of patterned paving on the subject property.
29. Real or simulated chimneys on elevation facing street.
30. Front porch lights with 40 watt fixtures or coach lights on posts on all houses.
31. Partial basement.
32. On lots less than 5000 square feet, 12' maximum curb cuts for driveways.
- *33. Rear yard landscaping installed by builder.
- *34. Entire yard fenced by builder prior to C/O.
35. Additional tree or five 5-gallon shrubs for front yard landscaping.
36. 50% of all homes shall have an entry walk from porch/front door to street.
- *37. Minimum of two planes on rear elevations, each plane to have a min. 1' depth variation.

On homes fronting collectors, pocket parks, schools, and entryways to neighborhoods, at least four of the optional architectural features must be included on the front elevation. Similarly, on homes backing or siding onto collectors, parks and open space, at least four of the optional architectural features must be included on the rear or side elevation facing the right-of-way or community amenity.

* Depicts treatments suitable to meet rear-enhanced elevation requirements.



SKY RANCH

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CVL CONSULTANTS OF
COLORADO, INC
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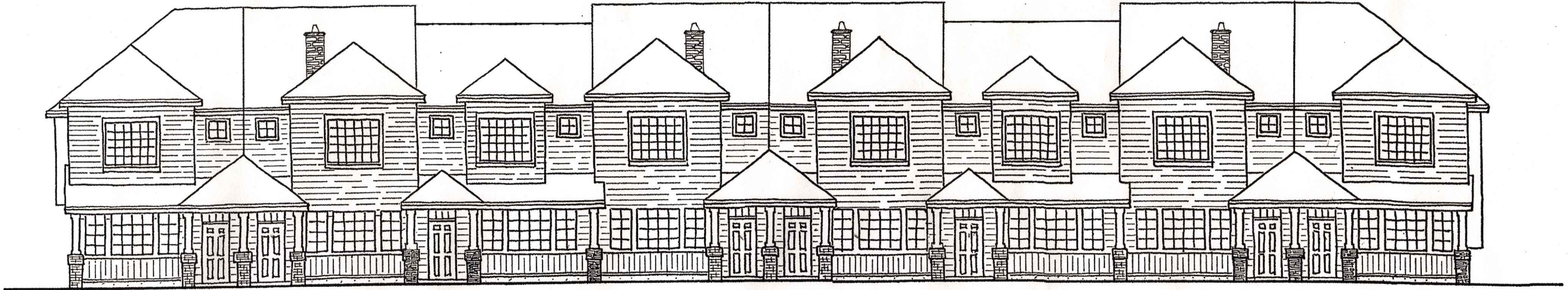
**SHEET
10 OF 24
SMALL LOT SINGLE
FAMILY DETAILS**

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 10 OF 24
PDP AMENDMENT NO. 2

SEPTEMBER 30, 2016

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
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TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO

Design Guidelines
Architectural Feature Requirements
For Single Family Attached



SINGLE FAMILY ATTACHED
TYPICAL ELEVATION

TYPICAL SINGLE FAMILY ATTACHED ELEVATION NTS
FOR ILLUSTRATIVE PURPOSES ONLY

Design Guidelines
Architectural Feature Requirements
For Multi-Family



MULTI-FAMILY
TYPICAL ELEVATION

TYPICAL MULTI-FAMILY ELEVATION NTS
FOR ILLUSTRATIVE PURPOSES ONLY

All homes shall embody the following architectural features, at a minimum:

- At least two (2) different materials on front elevation and any elevation visible from a street. Options include brick, simulated or real stone, stucco, siding, other
- More than one treatment for predominant siding (ie: vinyl, cedar, other)
- Use of at least four (4) different colors, including trim (1 color), accent for front door and shutters (1 color) and base (at least two complimentary colors or contrasting shades). Shades of gray and beige shall be discouraged. A minimum of four (4) color packages shall be offered. No two adjacent houses shall share the same color package
- Roofs w/ high profile composition shingles such as slate, clay or concrete tile, or dimensional asphalt shingles. No shake roofs shall be permitted. All roofs shall carry a 20-year minimum warranty
- Front yard irrigation and landscaping to be installed by builder.

Builders must select 8 options from the following list of architectural features:

- At least two (2) different materials on all four elevations. Options include brick, simulated or real stone, stucco, vinyl siding, cedar siding, other. Use of masonry may only be used on front elevation, but other three (3) elevations must use at least two other treatments. If masonry used on front elevation, it must wrap around until natural breakline or side yard fence
- Varying locations and proportions of front porches for each unit within a building.
- In a series of four units or more within one building, width of front elevation of two adjacent units differing by more than 2'
- Variations in the front plane and roofline
- Use of roof dormers
- Variation of building types: i.e. one story on the ends with two-story in the center
- Walk-out basements
- Window shapes that are substantially different, including bay windows
- At least one bay window on front elevation or any elevation visible from a street
- Windows with grids on all four elevations
- Front door w/ at least one sidelight, transom window, or double door
- Clay or concrete tile roofs
- Garage door w/ windows and at least 6 panels
- A building design where garage doors do not appear on the front elevation
- Main roof w/ a slope of 6:12 min.
- Front or side porch w/ a min. depth of 5' and a min. floor area of 50 SF
- Front or side porch w/ at least 2 columns w/ a min. cross section of 8" each
- Decorative shutters on all street facing windows
- Second story porch front or side porch of at least 25 SF
- Rear or side deck of at least 50 SF
- At least a 16" roof overhang on the front elevation w/ decorative brackets, beams, or exposed rafter ends
- Decorative material treatment on at least one gable end facing the street
- At least 10 lineal feet of masonry privacy walls on the subject property
- At least 100 SF of patterned paving on the subject property
- Real or simulated chimneys
- Front porch lights with 40 watt fixtures or coach lights on posts on all houses
- Partial basement
- 50% of all homes shall have an entry walk from porch/front door to street
- Minimum of two planes on rear elevations, each plane to have a min. 1' depth variation
- Minimum private yard or courtyard of at least 80 SF.
- Non-repetitive front elevation for adjacent units within a building.

All buildings shall embody the following architectural features, at a minimum:

- At least two (2) different materials on front elevation and any elevation visible from a street. Options include brick, simulated or real stone, stucco, siding, other
- More than one treatment for predominant siding (ie: vinyl, cedar, other)
- Use of at least four (4) different complimentary colors throughout the project.
- Roofs w/ high profile composition shingles such as slate, clay or concrete tile, or dimensional asphalt shingles. No shake roofs shall be permitted. All roofs shall carry a 20-year minimum warranty
- A minimum of two planes for the front elevation

Builders must select 8 options from the following list of architectural features:

- At least two (2) different materials on all four elevations. Options include brick, simulated or real stone, stucco, vinyl siding, cedar siding, other. Use of masonry may only be used on front elevation, but other three (3) elevations must use at least two other treatments. If masonry used on front elevation, it must wrap around until natural breakline or side yard fence
- Porches and balconies for at least 50% of the units
- Utilizing covered parking for a minimum of 50% of the required parking
- Variations in the front plane and roofline
- Use of roof dormers
- Use of one and two story variations within the same building
- Window shapes that are substantially different, including bay windows
- At least one bay window on front elevation or any elevation visible from a street
- Windows with grids on all four elevations
- Clay or concrete tile roofs
- At least two distinct roof lines
- Decorative shutters on all street facing windows
- At least a 16" roof overhang on the front elevation w/ decorative brackets, beams, or exposed rafter ends
- Decorative material treatment on at least one gable end facing the street
- Real or simulated chimneys
- Minimum of two planes on rear and side elevations, each plane to have a min. 1' depth variation

NOTE: THESE ELEVATIONS ARE FOR
ILLUSTRATIVE PURPOSES ONLY
AND ARE SUBJECT TO CHANGE.
THEY HAVE BEEN PREPARED TO
REPRESENT TYPICAL COMMUNITY
DESIGN ELEMENTS THAT MAY BE
USED AND ARE ENCOURAGED
WITHIN SKY RANCH.

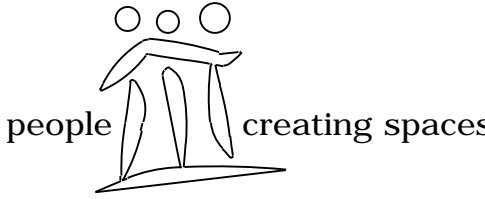


SKY RANCH

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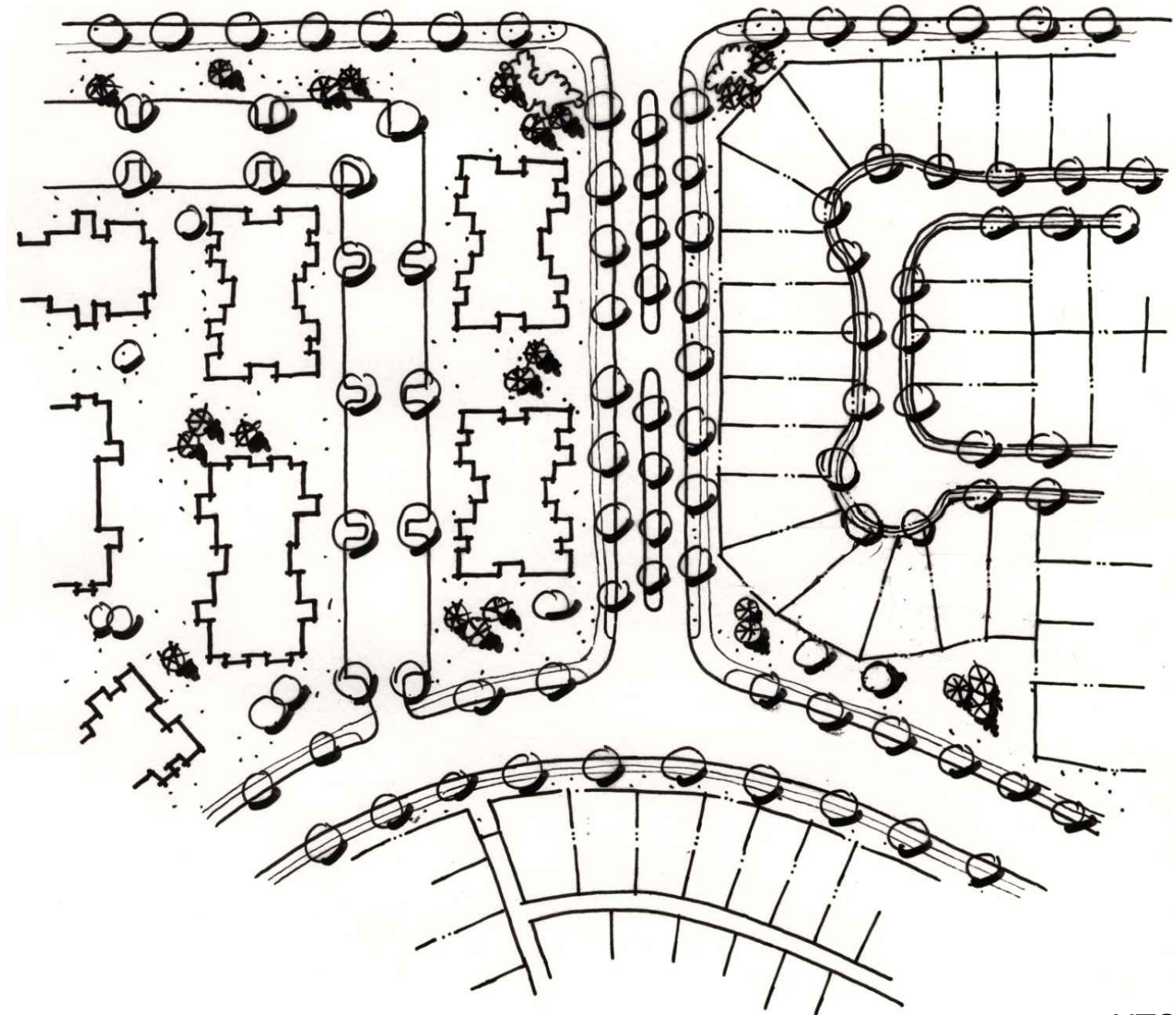
SHEET
11 OF 24
SINGLE FAMILY
ATTACHED AND
MULTI-FAMILY
ARCHITECTURE

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 11 OF 24
PDP AMENDMENT NO. 2

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
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TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO



SKY RANCH

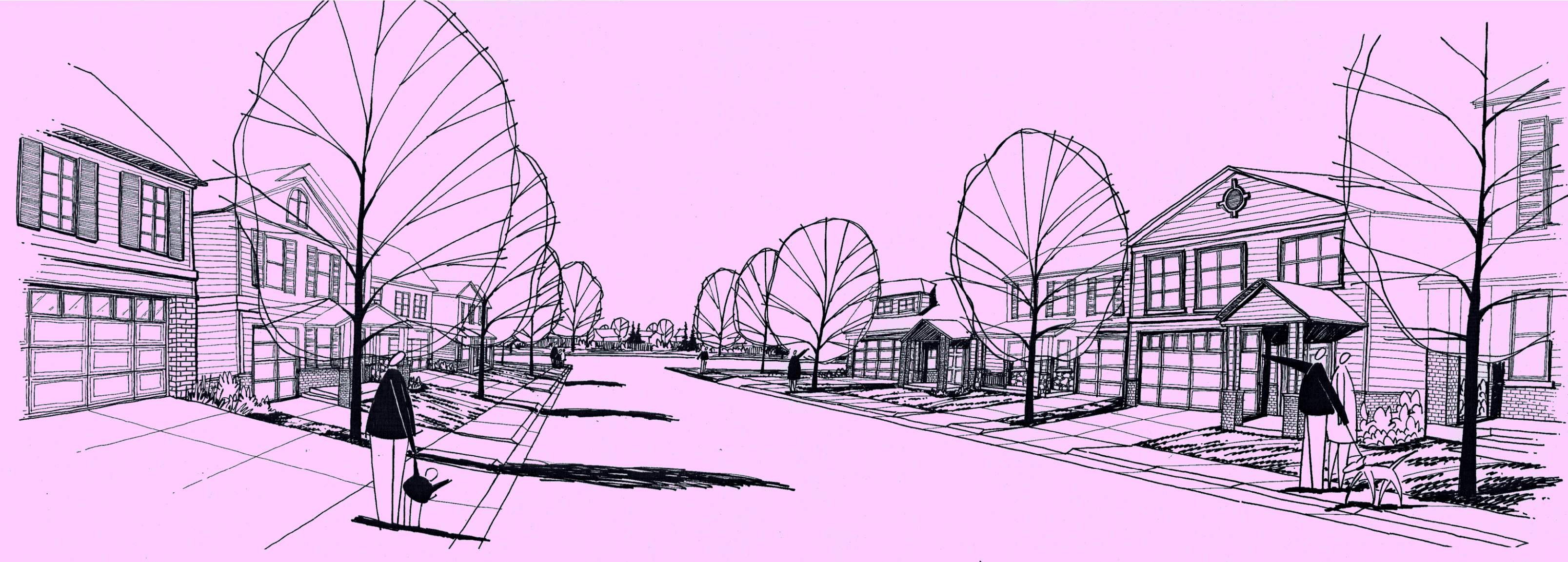


IN SKY RANCH, INTEGRATION OF RESIDENTIAL PRODUCT IS ENCOURAGED THROUGHOUT THE DEVELOPMENT. VIGNETTE 1 DEMONSTRATES MULTI-FAMILY, SINGLE FAMILY DETACHED AND ALLEY LOADED HOMES IN CLOSE PROXIMITY TO ONE ANOTHER -PROMOTING INTEGRATION OF DIFFERENT HOUSING TYPES. THE ENTRY DEPICTS ENHANCED LANDSCAPING, MONUMENTATION AND RAISED/LANDSCAPED MEDIANS WHICH MAY BE USED SEPARATELY OR IN COMBINATION TO DEFINE PRIMARY AND/OR SECONDARY ENTRIES INTO THE COMMUNITY OR INTO INDIVIDUAL NEIGHBORHOODS. AN UNDULATING LANDSCAPED SETBACK MAY BE USED ALONG COLLECTOR STREETS TO BUFFER HOMES, TO PROVIDE AN ATTRACTIVE STREETScape, AND TO PROVIDE AN ENHANCED FEELING OF OPENNESS WITHIN THE CORE OF SKY RANCH.

NTS

TYPICAL VIGNETTE 1

ALL GRAPHICS ARE REPRESENTATIVE OF TYPICAL EXAMPLES AND ARE FOR ILLUSTRATIVE PURPOSES ONLY



TYPICAL NEIGHBORHOOD PERSPECTIVE 1

NEIGHBORHOOD PERSPECTIVE 1 DEPICTS FRONT-LOADED DETACHED HOMES ON A LOCAL STREET. VARIATION IN FRONT SETBACK HELPS ALLEVIATE MONOTONY OF STREETScape. ADDITIONALLY, HOMES REFLECT APPLICATION OF ARCHITECTURAL DESIGN STANDARDS, INCLUDING USE OF PORCHES, SHUTTERS, MATERIAL DIVERSITY, AND DORMERS. BUILDER INSTALLED LANDSCAPE OF AT LEAST ONE TREE AND FIVE-GALLON SHRUBS IS ALSO SHOWN.

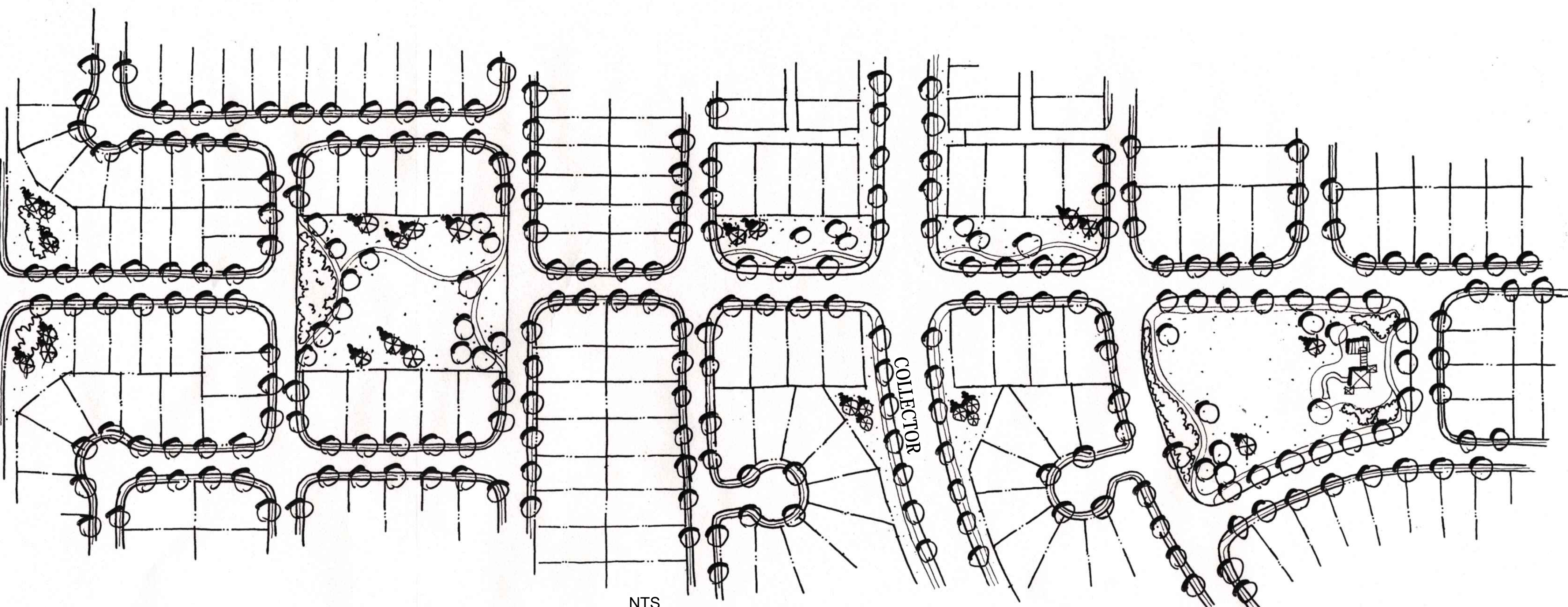
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NTS

TYPICAL VIGNETTE 2

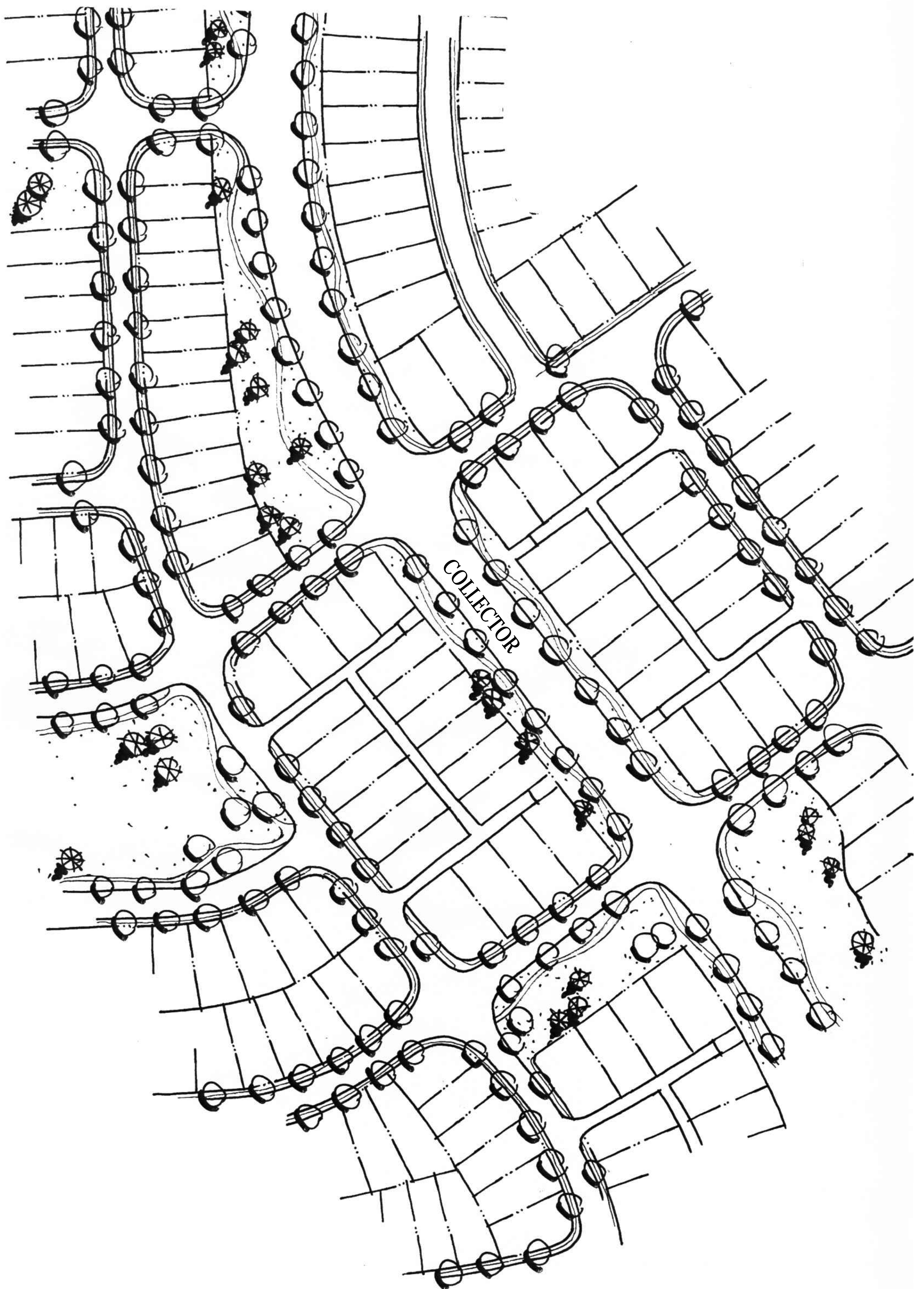
ALL GRAPHICS ARE REPRESENTATIVE OF TYPICAL EXAMPLES AND ARE FOR ILLUSTRATIVE PURPOSES ONLY

VIGNETTE 2 DEPICTS AN AXIAL PEDESTRIAN LINKAGE BETWEEN NEIGHBORHOODS VIA ATTACHED AND DETACHED SIDEWALKS. IT ALSO DEMONSTRATES VARIOUS USES AND CONFIGURATIONS OF POCKET PARKS TO ACHIEVE DESIRED DESIGN ELEMENTS WHEN SUCH PARKS ARE INCORPORATED. IN THIS VIGNETTE, POCKET PARKS ARE UTILIZED AS ENTRY FEATURES, PASSIVE AREAS, TOT LOTS, AND BUFFERS FROM ROADWAYS. THIS VIGNETTE ALSO DEMONSTRATES INTEGRATION OF ALLEY-LOADED AND FRONT-LOADED RESIDENTIAL HOMES, AND THE USE OF LANDSCAPE ENHANCEMENTS TO DENOTE NEIGHBORHOOD ENTRYWAYS.

NOTE: THESE VIGNETTES AND THIS PERSPECTIVE ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE. THEY HAVE BEEN PREPARED TO REPRESENT TYPICAL COMMUNITY DESIGN ELEMENTS THAT MAY BE USED AND ARE ENCOURAGED WITHIN SKY RANCH.

SHEET
12 OF 24
TYPICAL
NEIGHBORHOOD
VIGNETTES AND
PERSPECTIVE
REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 12 OF 24
PDP AMENDMENT NO. 2

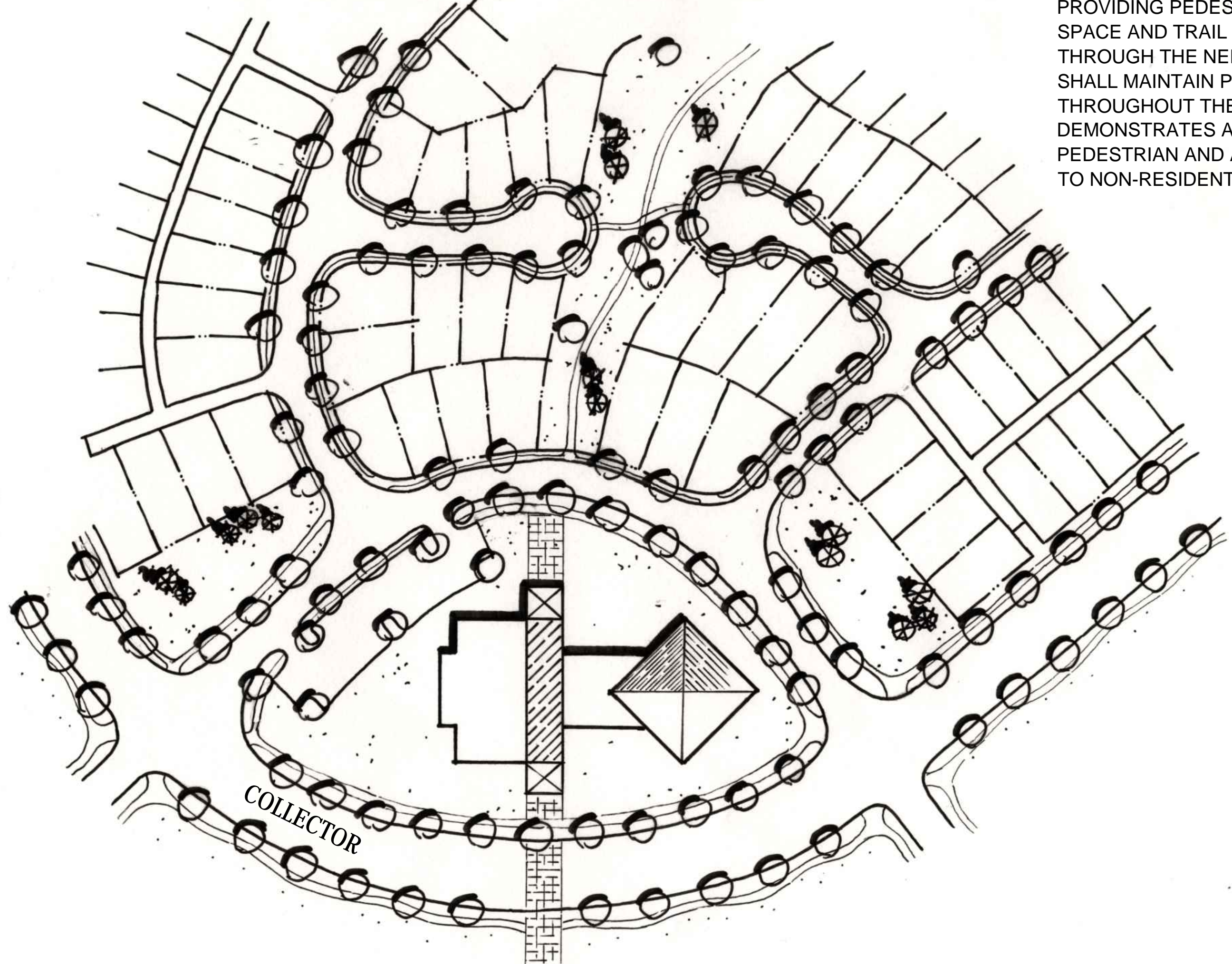
SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
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COUNTY OF ARAPAHOE, STATE OF COLORADO



TYPICAL VIGNETTE 3
NTS

ALL GRAPHICS ARE REPRESENTATIVE
OF TYPICAL EXAMPLES AND ARE FOR
ILLUSTRATIVE PURPOSES ONLY

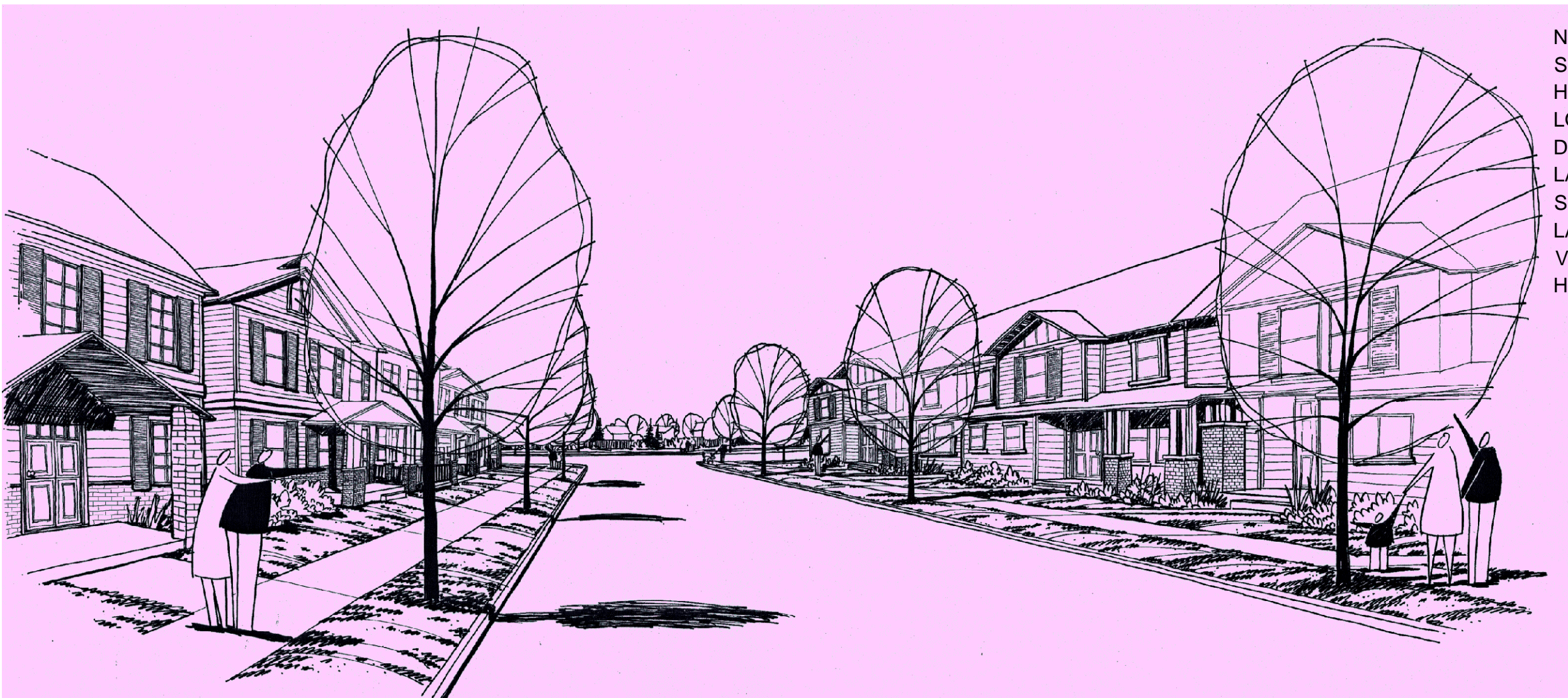
VIGNETTE 3 FOCUSES ON THE INTENDED CHARACTER OF THE COLLECTOR STREETS INTERNAL TO THE RESIDENTIAL NEIGHBORHOODS. DETACHED WALKS AND LANDSCAPE BUFFERS WILL BE UTILIZED TO ENHANCE THE COLLECTOR STREET AND PROVIDE ADDITIONAL SEPARATION OF RESIDENTIAL UNITS FROM COLLECTOR STREETS. BY ALLOWING ALLEY LOAD PRODUCTS, HOMES CAN FRONT THE COLLECTOR, ENHANCING STREETSCAPES AND ENCOURAGING SOCIAL INTERACTION AMONG RESIDENTS. WHERE CONVENTIONAL FRONT LOADED UNITS BACK OR SIDE ONTO THE COLLECTOR, ARCHITECTURAL ENHANCEMENTS SHALL BE REQUIRED AS SPECIFIED IN THE DESIGN STANDARDS. POCKET PARKS ARE ENCOURAGED TO BE VISIBLE FROM ENTRY STREETS INTO RESIDENTIAL NEIGHBORHOODS.



TYPICAL VIGNETTE 4
NTS

ALL GRAPHICS ARE REPRESENTATIVE
OF TYPICAL EXAMPLES AND ARE FOR
ILLUSTRATIVE PURPOSES ONLY

VIGNETTE 4 DEMONSTRATES "OPEN" CUL-DE-SACS PROVIDING PEDESTRIAN ACCESS TO THE OPEN SPACE AND TRAIL SYSTEM. PEDESTRIAN LINKAGE THROUGH THE NEIGHBORHOOD ACTIVITY CENTER SHALL MAINTAIN PEDESTRIAN CONNECTIVITY THROUGHOUT THE SITE. THIS VIGNETTE ALSO DEMONSTRATES ACCESSIBILITY VIA INTEGRATED PEDESTRIAN AND AUTOMOBILE-ORIENTED ACCESS TO NON-RESIDENTIAL BUILDINGS.



TYPICAL NEIGHBORHOOD PERSPECTIVE 2
NTS

ALL GRAPHICS ARE REPRESENTATIVE
OF TYPICAL EXAMPLES AND ARE FOR
ILLUSTRATIVE PURPOSES ONLY

NEIGHBORHOOD PERSPECTIVE 2 DEPICTS SINGLE-FAMILY DETACHED, ALLEY-LOADED HOMES ACROSS THE STREET FROM ALLEY-LOADED, SINGLE-FAMILY ATTACHED HOMES. DETACHED SIDEWALKS PROVIDE A TREE-LAWN, AND BRING HOMES CLOSER TO SIDEWALK ACTIVITY. ARCHITECTURAL AND LANDSCAPE TREATMENTS, ALONG WITH VARIED SINGLE-FAMILY DETACHED SETBACKS HELP ADD CHARACTER OF THE STREETSCAPE.

NOTE: THESE VIGNETTES AND THIS PERSPECTIVE ARE FOR ILLUSTRATIVE PURPOSES ONLY AND ARE SUBJECT TO CHANGE. THEY HAVE BEEN PREPARED TO REPRESENT TYPICAL COMMUNITY DESIGN ELEMENTS THAT MAY BE USED AND ARE ENCOURAGED WITHIN SKY RANCH.



SKY RANCH

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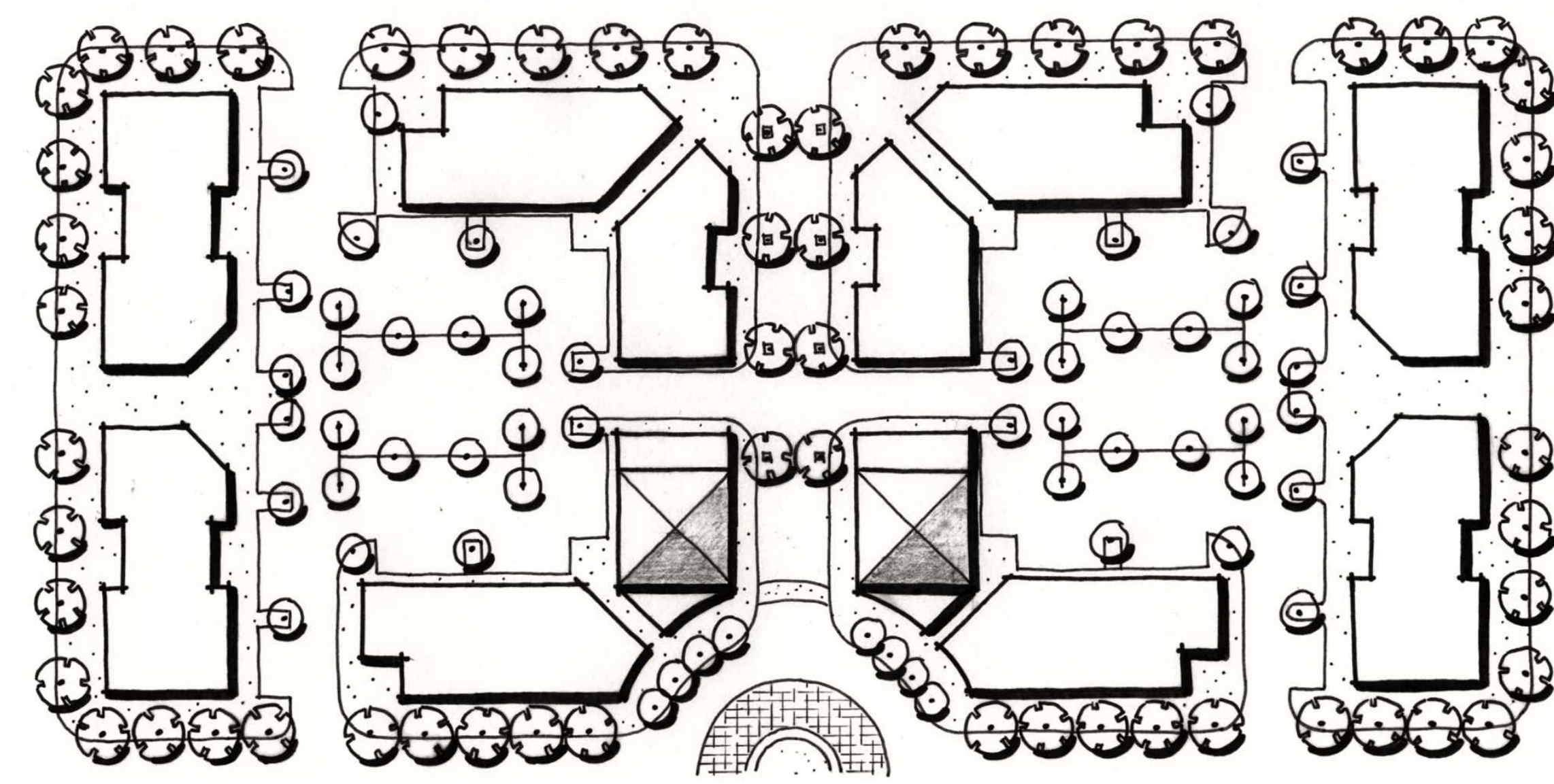
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SHEET
13 OF 24
TYPICAL
NEIGHBORHOOD
VIGNETTES AND
PERSPECTIVE
REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 13 OF 24
PDP AMENDMENT NO. 2

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
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SKY RANCH



NTS

TYPICAL VIGNETTE 5

ALL GRAPHICS ARE REPRESENTATIVE OF TYPICAL EXAMPLES
AND ARE FOR ILLUSTRATIVE PURPOSES ONLY

IN SKY RANCH, VARIOUS COMMERCIAL/MIXED USE BUILDINGS MAY BE PLACED ALONG THE STREET FRONTAGE TO CREATE A PEDESTRIAN FRIENDLY ENVIRONMENT. TO ACCOMODATE VEHICULAR TRAFFIC, AND FRAME STREETS, PARKING AREAS HAVE BEEN PLACED BEHIND BUILDINGS. TUCKING THE PARKING BEHIND BUILDINGS PLACES EMPHASIS ON THE STOREFRONT AND PEDESTRIAN ORIENTATION. VERTICAL ELEMENTS ON BUILDINGS AND FORMAL TREE PLACEMENT CREATE A SENSE OF PLACE AND IDENTIFY MAIN SHOPPING AND GATHERING AREAS. LANDSCAPED PEDESTRIAN PLAZAS AND OTHER SITE FEATURES MAY BE INCORPORATED INTO THE DESIGN TO ENHANCE THE PEDESTRIAN EXPERIENCE. THESE FEATURES SHALL REFLECT A UNIFIED THEME AND MAY INCLUDE WATER FEATURES, PEDESTRIAN SHELTERS, SEATING AREAS, PAVING AND HARDSCAPE FEATURES, SIGNAGE, LIGHTING, AND OTHER SIMILAR ELEMENTS.

NOTE: THIS VIGNETTE IS FOR ILLUSTRATIVE PURPOSES ONLY AND IS SUBJECT TO CHANGE. IT HAS BEEN PREPARED TO REPRESENT TYPICAL COMMUNITY DESIGN ELEMENTS THAT MAY BE USED, AND ARE ENCOURAGED WITHIN SKY RANCH.



NTS

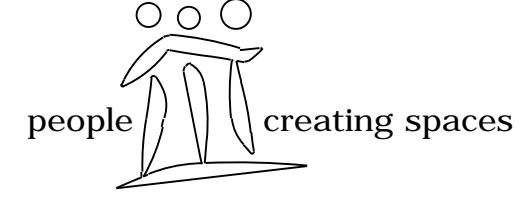
TYPICAL MIXED-USE ELEVATION

ACTUAL COMMERCIAL AND MIXED-USE BUILDING ELEVATIONS
WILL BE PROPOSED AT THE FDP LEVEL OF COUNTY REVIEW.

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TYPICAL COMMERCIAL PERSPECTIVE 1

ALL GRAPHICS ARE REPRESENTATIVE OF TYPICAL
EXAMPLES AND ARE FOR ILLUSTRATIVE PURPOSES
ONLY

NOTE: THIS ILLUSTRATIVE SKETCH REPRESENTS THE POTENTIAL CHARACTER IN SELECT LOCATIONS WITHIN THE COMMERCIAL/ MIXED-USE AREAS AT SKY RANCH. SPECIFIC BUILDING CONSTRUCTION AND LANDSCAPING WITHIN THESE AREAS WILL FOLLOW THE SKY RANCH DESIGN STANDARDS AND WILL BE DETERMINED AS BUILDERS PURSUE SITE PLANS FOR INDIVIDUAL PARCELS.

SHEET
14 OF 24
TYPICAL COMMERCIAL
VIGNETTE AND
PERSPECTIVE

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 14 OF 24
PDP AMENDMENT NO. 2

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO



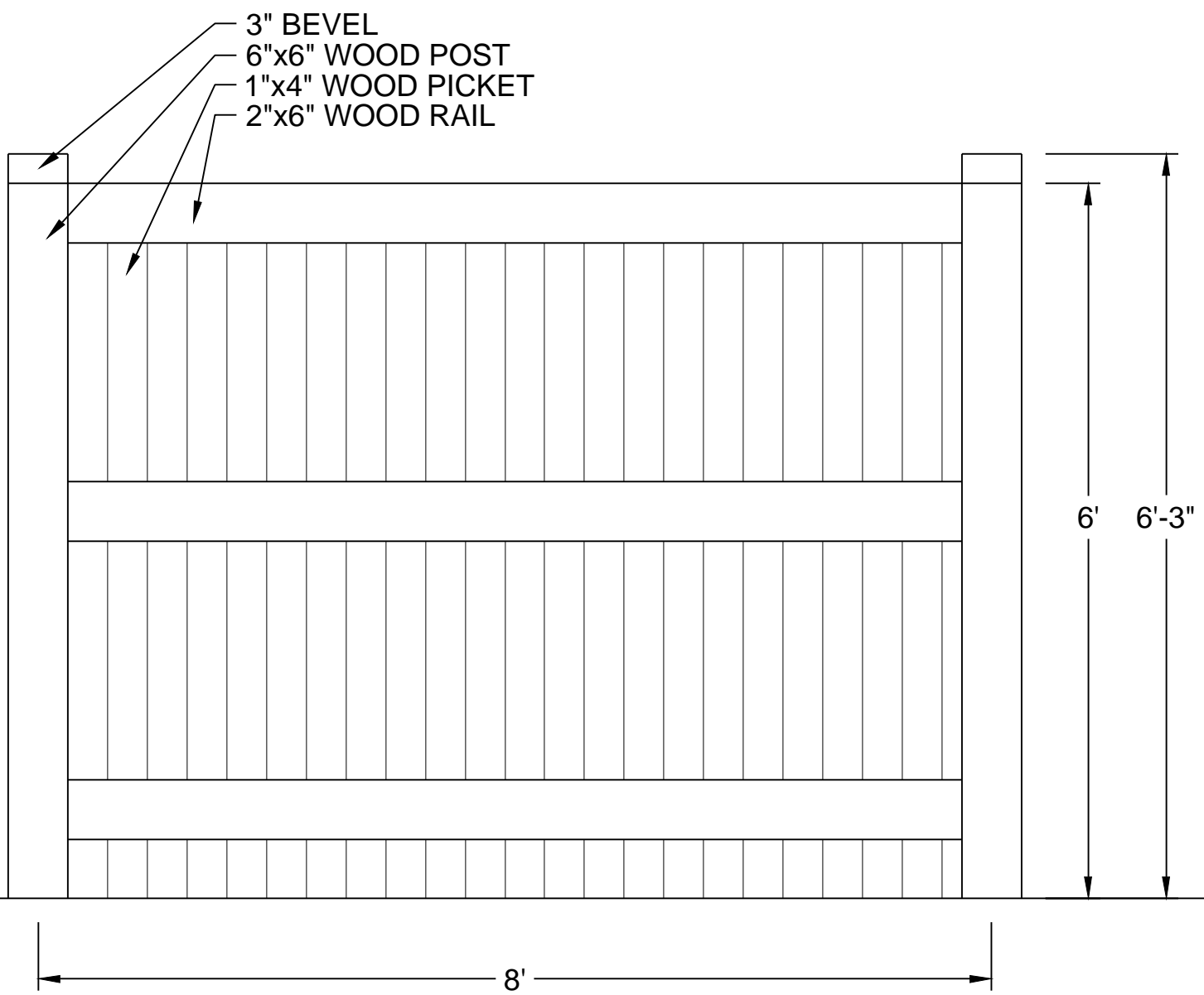
SKY RANCH



SECONDARY RESIDENTIAL MONUMENTATION
(TYPICAL) NTS

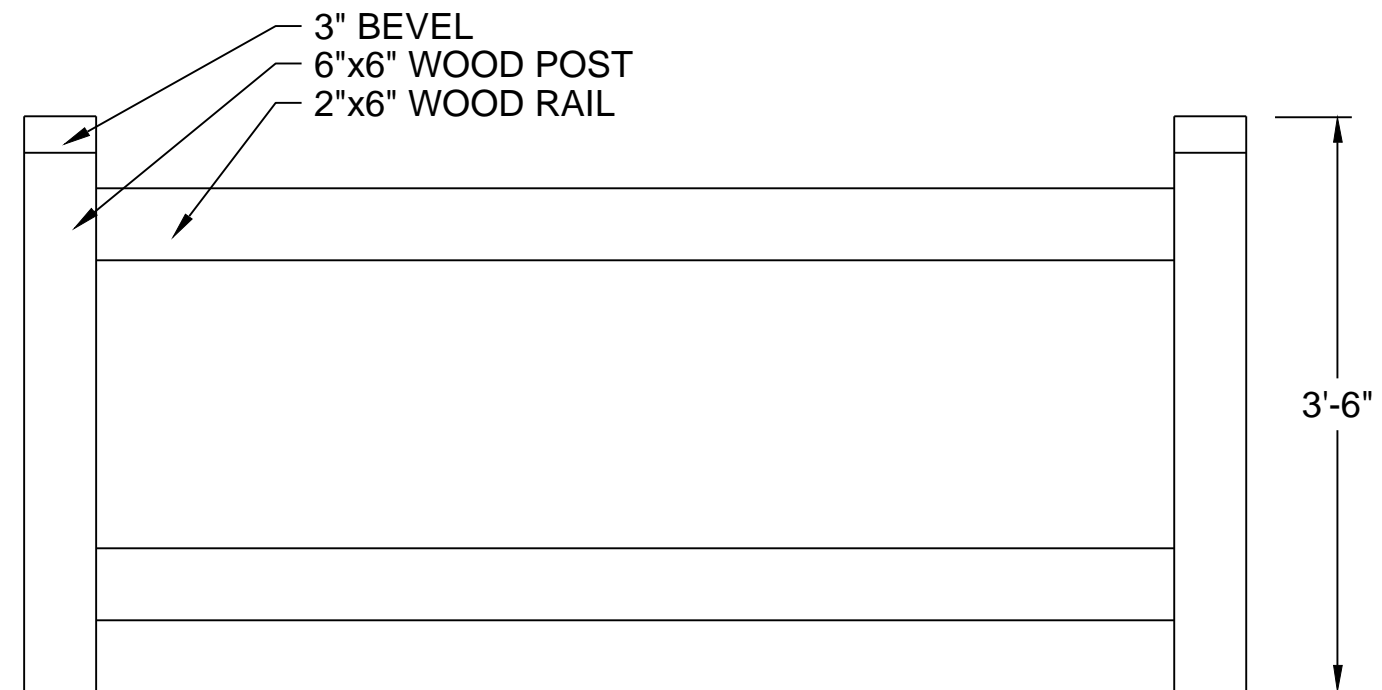
- NOTES:
- NEIGHBORHOODS MAY BE IDENTIFIED ON SECONDARY MONUMENTATION
 - SECONDARY MONUMENTATION IS TO BE INSTALLED BY DEVELOPER
 - MAXIMUM HEIGHT FOR SECONDARY MONUMENTATION IS 6'

**MONUMENTATION SHOWN IS FOR ILLUSTRATIVE PURPOSES ONLY. DESIGN IS
SUBJECT TO CHANGE. HOWEVER, CHARACTER AND MATERIALS SHALL BE
SIMILAR TO THAT SHOWN.



PRIVACY FENCE TYPICAL NTS

- NOTE:
- ON PERIMETER FENCES, COLUMNS SHALL BE INSTALLED
EVERY 250' O.C. AS SPECIFIED IN THE DESIGN STANDARDS



OPEN RAIL FENCE TYPICAL NTS

- NOTE:
- COLUMNS NOT REQUIRED ON OPEN RAIL FENCE



PRIMARY RESIDENTIAL MONUMENTATION
(TYPICAL) NTS

- NOTE:
- PRIMARY MONUMENTATION TO BE INSTALLED BY METRO DISTRICT
 - MAXIMUM HEIGHT FOR PRIMARY MONUMENTATION IS 20'

**MONUMENTATION SHOWN IS FOR ILLUSTRATIVE PURPOSES ONLY. DESIGN IS
SUBJECT TO CHANGE. HOWEVER, CHARACTER AND MATERIALS SHALL BE
SIMILAR TO THAT SHOWN.

- SIGNAGE FOR SKY RANCH:
- Sign area is measured by a single continuous perimeter line around the outermost limits of writing, emblem or character, together with any material or color forming an integral part of the display. The exterior supports, uprights or structure on which any sign is supported shall not be included in Determining the sign area.
 - The Arapahoe County Planning Division Manager may approve changes in height and square footage of a monument sign without an amendment to this PDP.
 - Additional signage standards may be established during the FDP as per Arapahoe County Development Code, Section 1-3702.06.

- COMMERCIAL SIGNAGE:
- Two primary monuments are permitted for the commercial development within Neighborhood C. It is anticipated that one primary monument sign shall face I-70 and a second primary monument shall face Monaghan Road.
 - Two monument signs are permitted for the Business planning area within Neighborhood B. It is anticipated that one monument sign shall face I-70 and a second monument sign shall front a public street along the eastern side of Neighborhood B.
 - The monumentation along I-70 shall not exceed twenty-five (25) feet in height and four-hundred (400) square feet of sign face per side. The monumentation along Monaghan Road and Street F shall not exceed fifteen feet (15') in height and two hundred (200) square feet of sign face per side.
 - Buildings with multiple frontages, or buildings, which have internalized parking, are permitted to have one fascia sign for each side of a building, which faces a public or private street or parking area.
 - Monument sign locations described in this section are subject to change at site plan for each planning area.

- RESIDENTIAL SIGNAGE:
- Identification monumentation for residential neighborhoods may have two sign faces per monumentation.
 - Residential and non-residential neighborhoods may have a primary identification monumentation not to exceed twenty feet (20') in height and eighty (80) square feet of sign face, including logo and/or other graphic characters.

NOTE: THESE TYPICAL DETAILS AND
ILLUSTRATIONS ARE FOR ILLUSTRATIVE
PURPOSES ONLY AND ARE SUBJECT TO
CHANGE. ADDITIONAL
MONUMENTATION MAY BE PROPOSED
AT FUTURE FDP'S.

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34501 E. QUINCY AVE.
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303.292.3456

ENGINEER:
CVL CONSULTANTS OF
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PREPARED BY:

people creating spaces
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1007 16th street . denver co 80265
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SHEET
15 OF 24
SITE CHARACTER
SKETCHES

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 15 OF 24
PDP AMENDMENT NO. 2

SEPTEMBER 30, 2016

SKY RANCH

PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2

BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN COUNTY OF ARAPAHOE, STATE OF COLORADO

THESE IMAGES ARE PRESENTED FOR ILLUSTRATION PURPOSES ONLY, AND ARE PROVIDED AS EXAMPLES OF THE INTENT OF THE COMMERCIAL DESIGN GUIDELINES ONLY. THEY DO NOT REPRESENT SPECIFIC DESIGN INTENT FOR THE PROJECT.

Commercial buildings should be Articulated. This reduces long span of horizontal plane. Articulation may be achieved by one of the following:



Pilasters frame out an in line entry.



Introduction of an arcade is another approach to break up the mass.



Pilasters are recessed at an equal bay spacing.



Stepping of planes create visual interest.



Tenants may use architectural elements such as TOWERS or TURRETS to characterize functional or visual hierarchy, at the end of the building, in-line, or a place of social gathering.



ALIGNMENT in buildings provides visual coherence and ensures better proportions. Windows, sills, cornices, banding, etc., should be carried from plane to another.



SCALE may be achieved through pedestrian scale storefronts, supporting suspended canopies. Pilasters may be placed at structural grids to provide a vision consistent bay system.

SCALE may achieved by stepping of the cornice lines and planes. Scale contributes the to physical hierarchy of architecture.



PROPORTION Buildings should develop base and body. Lower portion may be treated by using different materials or a change in color. Proportion contributes to a pedestrian scale experience. Cornice lines, stepping of the roof and etc... are such attributes.



Roof lines also enhance a pedestrian scale architecture. Pitched roof, steeping of flat roofs and projected canopy help reduce the mass for a better proportion.



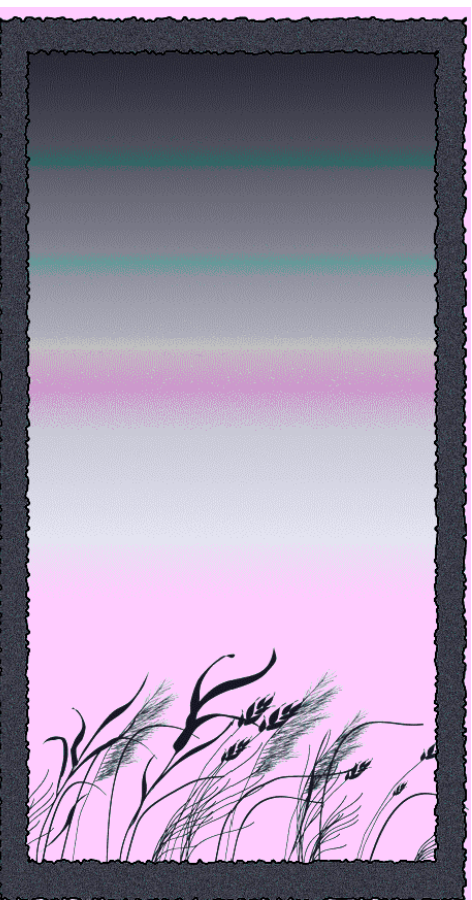
Pedestrian paths connecting circulation spine provide a cohesive shopping experience. Landscaping accentuate direction and path of movement.



Suspended canopy defines entry and reinforces pedestrian scale. Mix and change of materials contribute to the visual experience of the overall development.



Landscape treatment incorporated as architectural theme reinforce pedestrian experience.



SKY RANCH

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SHEET
17 OF 24
COMMERCIAL
DESIGN
STANDARDS

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 17 OF 24
PDP AMENDMENT NO. 2

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
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1.0 INTRODUCTION

1.1 INTENT

The intent of these Design Standards is to promote high-quality design of development. A secondary intent is the incorporation of commercial and business park development with residential neighborhoods, in Sky Ranch. Where applicable, these Design Standards serve as flexible guidance for the design of elements throughout a development, and promote consistency and quality in materials and form in all aspects of new development. In particular, these Standards promote better design compatibility between different uses, especially where incompatible uses are located adjacent to one another.

This intent is in keeping with the Arapahoe County Comprehensive Plan, which states that Arapahoe County will project its local character and convey an image of high-quality design in new development.

These Standards are complementary to the Arapahoe County Land Development Code, and are derived from the *Design Guidelines for the Urban Service Area of Unincorporated Arapahoe County*. Development applications are required to review and apply the Standards discussed in this document. For purposes of this document, the terms *will, shall, and must* shall be mandatory, and the terms *may, can, should, and could* shall be permissive. In case of disagreement regarding terms and their intent, the County and the developer shall enter into discussions to come to a mutual agreement. Applicable development applications are: Final Development Plan, Master Development Plan, Subdivision Development Plan, Location and Extent and PDP Amendment.

Minor amendments to these Design Standards, that do not modify the intent but rather clarify ambiguity or oversights, may be administratively approved by the Planning Division Manager or Engineering Division Manager, on a case-by-case basis.

These Standards are specific to the Sky Ranch Preliminary Development Plan and supercede the *Design Guidelines for the Urban Service Area of Unincorporated Arapahoe County*, and any other existing or future Design Guidelines in accordance with the Arapahoe County Zoning Code.

To assist in the County's review, a project description is required for each submittal which discusses how the development proposal meets or varies from the Design Standards for each topic. The intent of these Standards is to be specific enough to guide development, but not to preclude creative design solutions.

2.0 GENERAL DESIGN STANDARDS

2.1 PROTECTION OF NATURAL FEATURES, RESOURCES AND SENSITIVE AREAS

A goal of this Standard is to protect significant natural features, resources, and sensitive areas in order to minimize the impacts of development on the environment, and create more distinctive neighborhoods and mixed use areas. Such features shall be used as amenities to enhance the value of development.

Sky Ranch is organized and designed to protect, appropriately use, or enhance natural and cultural resources. This can be accomplished by including such features in common landscaped areas or dedicated open spaces, and construction in these areas that is sensitive to the protection of these features. If possible, the following features shall be connected or integrated with similar amenities on adjacent lands:

- Water features;
- Parks and public open space areas on or adjacent to the site;
- Historic or archeological sites, or areas that have been formally recognized by the Board of County Commissioners or the State Historic Preservation Office;
- Significant views of the front range or of open space areas as viewed from dedicated public parks and open spaces, from I-70 or from collector or arterial streets, where possible;
- Riparian wildlife habitats, as identified by the Division of Wildlife;
- Public protection from adjacent natural or geologic hazard areas or soil conditions, such as unstable or potentially unstable slopes, faulting, landslides, rockfalls, or expansive soils is recommended, with such features having an integrated protection system; and
- Other natural features such as bluffs, ridges, steep slopes, stands of mature trees, rock outcroppings, or wetlands.

Lacking any reasonable alternative, major ridgelines and swales shall be graded in a manner that maintains their approximate topographic form. Significant reconstruction of major or prominent topographic features shall be avoided to the maximum extent feasible.

At this time, there are no known historic or archaeological sites, water features, riparian habitats, geologic hazards, adverse soil conditions, natural features or major ridgelines on the Sky Ranch property.

2.2 ON-SITE AUTOMOBILE, PEDESTRIAN, AND BICYCLE CIRCULATION
On-site automobile, pedestrian, and bicycle circulation

The intent of this Standard is to create an efficient automobile circulation system that considers the needs of pedestrians and bicyclists, and avoids the creation of large, isolated tracts without routes for through traffic or pedestrian connections.

2.2.1 Pedestrian circulation

Pedestrian connectivity throughout Sky Ranch and its varied land use elements shall be a high priority, with consideration given to all off-site generators of pedestrian movement, such as open spaces, schools, retail centers, bus stops, etc. Bikeways and pedestrian walkways shall be separated and buffered from external and internal automobile circulation within parking lots or along pedestrian routes. Walkways shall lead pedestrians from parking areas to building entrances to facilitate convenient movement, and to minimize conflicts with cars. In some cases, a walkway from the perimeter sidewalk to a building entrance may be considered as an alternative.

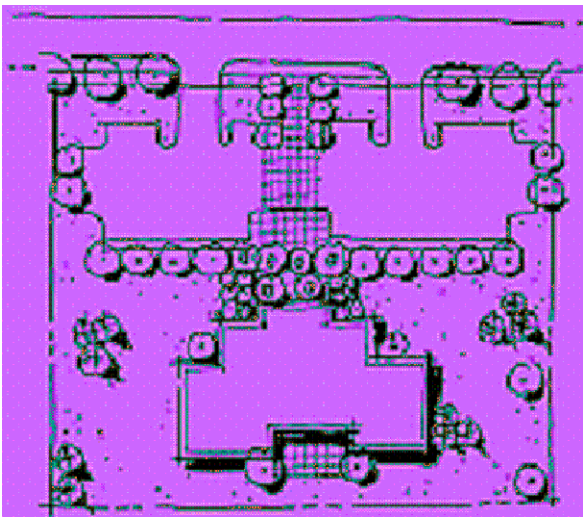


Illustration of clearly defined pedestrian pathway

Surface accent strips of brick or textured paving, or other similar design solutions to define pedestrian walkways, shall be utilized in select locations.



Other design solutions are acceptable, provided that they meet the intent of defining pedestrian walkways. Pedestrians should feel comfortable that they are in a clearly defined pathway to the building.

Pedestrian elements within a residential or non-residential project shall incorporate the thematic materials, colors, and design of the development. In addition to adequate sidewalk connections, the following elements would enhance the pedestrian orientation of the parcels:

- Provide vertical elements as part of the structures to give the buildings additional height and interest, where it will help define an outdoor area for the pedestrians.
- Pedestrian scale details promote a sense of human scale. Special accent materials and design details can be incorporated into first floor facades and paving areas abutting pedestrian walkways.



Such features should include, but are not limited to: changes in paving patterns and materials at pedestrian building entrances and other significant pedestrian locations, special decorative wall patterns, textures, accent materials, or graphics, trim banks and reveals, special architectural features marking pedestrian entries, and display windows for commercial uses.

Site furnishings such as benches, trash receptacles, kiosks, newspaper stands, etc. shall be located where appropriate for pedestrian convenience, and site furnishings are encouraged to match the architectural theme of the development. However, site furnishings shall not be located in areas that will impede pedestrian traffic.

Detached sidewalks shall be utilized within appropriate areas of Sky Ranch. The collector roads through the development provide access and lend opportunity to set the theme and provide a sense of community. All collector roads within Sky Ranch shall provide a detached sidewalk.

Detached sidewalks shall be utilized in connection with all proposed alley load product. Transition between detached sidewalks along alley product to attached sidewalks shall occur at roadway intersections or at other logical breaks in street frontage.

The primary entry from collector streets into residential areas shall utilize detached sidewalks, tree lawns and other design features in order to define the entry as an enhanced area, and demarcate the entrances of each neighborhood.

Bicycle and automobile parking will be provided at appropriate locations within every non-single-family detached development. Bicycle racks shall be evenly distributed, and separated from vehicular drives and parking lots by a three-foot separation distance, a curb, or other physical barrier.

Provisions for access for disabled persons must be incorporated into the overall pedestrian circulation system. The overall design shall be in compliance with the most current disability access laws, in particular the *Americans with Disabilities Act (A.D.A.)*.

2.2.2 Automobile Parking Lot Layout and Circulation

The quantity of required parking spaces shall be in accordance with the parking design Standards contained in the *Arapahoe County Land Development Code*. Safe vehicular circulation routes around the site shall be provided, using landscaped islands, street buffers, and buildings to define drive aisles.

Non-residential parking areas shall be buffered from adjacent residential properties. Suggested methods of buffering include building design, landscaping, berming and appropriate fencing. In addition, parking areas shall be located to minimize negative visual impacts, particularly as viewed from I-70, arterial, or collector frontage, and from residential use areas.

Where appropriate, surface-parking design shall utilize shared access drives with adjacent, similarly zoned properties to reduce interference with pedestrians. The overall design should strive to minimize the number of curb cuts and ensure appropriate pedestrian access.

Select use of textures, patterns and colors are encouraged in the design of paved parking areas or entries. Large monolithic areas of single-color untextured paving shall be avoided and can be broken up by the use of landscaping, walkways, and other materials. Colored and textured paving of project entry driveways, parking court entries and internal driveways are encouraged, so as to soften the streetscape.

Large non-residential parking lots shall be functionally divided into several smaller lots by internal circulation corridors, pathways or aisles to prevent random or high-speed movements.



Where appropriate, end of row parking aisles shall be used to delineate primary traffic aisles. Concrete or landscaped islands, shall be provided where appropriate in order to prevent vehicles from parking in such areas and thereby obstructing sight distance triangles. Painted areas shall be an allowable treatment where concrete or landscaped islands are not feasible.

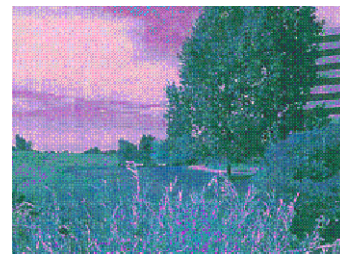
The application of speed bumps and humps, to reduce internal travel speeds, is discouraged for new construction. Structures and circulation aisles shall be configured to reduce speeds.

2.3 Open areas and amenities

In residential areas, land dedication for parks, open space, buffers, trails, drainage, and other public uses are required to comply with the *Arapahoe County Land Development Code*, as a part of the subdivision process. For non-residential sites, open space areas shall be depicted on the Final Development Plan and Final Plat submittals.

The following are the purposes of the open space provisions:

- Preserve and create view corridors to the west and to other open space areas within the development, whenever possible;
- Provide trail corridors within the development and connecting trails between residential and commercial uses;
- Provide focal points, such as artwork and/or landscaping features, at key entrances to neighborhoods;



- Preserve and allow for passive recreational uses along drainage channels;
- Create opportunities for appropriate active recreation;
- Provide buffers and space between buildings and/or developments; and
- Help provide sense of place within a development.

The Sky Ranch Homeowners' Association, Metropolitan District or similar entity shall maintain any areas not subject to maintenance by Arapahoe County or a recreation district. The ownership/maintenance of such areas shall be specified and/or dedicated on the Final Plats.

Open areas have been organized so as to create an integrated system that connects with the following types of lands located within or adjacent to the development plat or plan: dedicated park lands, dedicated school sites, other dedicated open spaces, portions of the regional trail and open space system, and activity centers.

Each required residential open area shall be adjacent to or visible from at least one dedicated public street or public site, and be accessible to all residents of the development. The majority of open areas are located in areas central to the population of Sky Ranch, and provide connectivity throughout the site and into neighboring properties as appropriate.

Retention and detention ponds created to meet storm drainage requirements shall be located, designed, and managed to serve as visual amenities, entryway features, or opportunities for passive recreation, whenever possible.

2.4 ENTRYWAY DESIGN

In Sky Ranch, entryway features shall be located at one of the development's primary street entries. The feature shall be constructed to be consistent with or complimentary to the predominant building materials used in the overall development.

Entryway feature areas may be located in required landscaped areas, and shall be included as part of the gross land acreage used in maximum development density/intensity calculations. Entry features shall not be located within sight triangles.

To help identify each individual neighborhood, at least one entry into each residential neighborhood shall incorporate additional detail into the street cross section. The entry feature may include monumentation, additional landscaping, open space and/or other special features identified by the development. At a minimum, this entry shall include a detached sidewalk with a tree lawn per Section 2.2.1 herein.

2.5 BUILDING HEIGHT AND SETBACKS

Building heights and setbacks are established at the time of development application review.

Building heights should avoid the perception that individual buildings are out of scale with the size of their lots or with neighboring buildings, and shall comply with the regulations specified in the Arapahoe County Land Development Code regarding snow shadowing of neighboring buildings and public right-of-ways. Developments shall display transitional elements when incompatible uses are adjacent to one another.

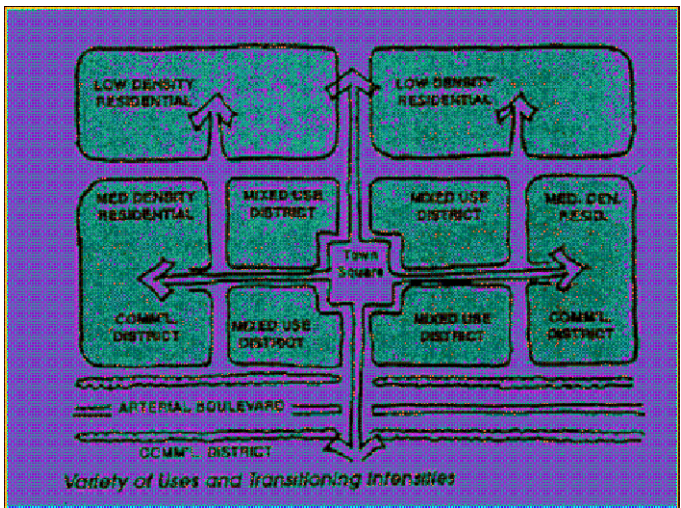
2.6 MIXED USES

Sky Ranch has been planned to include a wide range of land uses, including single family and multi family residential, commercial, office, business park, civic and mixed uses. This mixture of land uses has been determined during specific planning processes, and is appropriate for the respective mixture of land uses.

Buffering and proximity of differing land uses have been planned to be appropriate for mixed land uses throughout the site as detailed below.

2.6.1 Mixed Use Location and Connections

Sky Ranch has planned a mixed use center with a variety of locally serving uses, connected by a strong structure of streets, buildings, pedestrian corridors and open spaces. Land uses shall generally transition in intensity from the commercial center to surrounding lower intensity residential neighborhoods. The following illustrates one possible scenario:



a. Variety of Uses

Mixed Use commercial areas shall contain a combination of uses including residential, retail, offices, services, civic uses, parks and open space. Uses located on the ground floor that stimulate pedestrian activity are enabled through the Sky Ranch PDP zoning, which permits a vertical and horizontal mix of uses within the Mixed Use 1, 2, and 3 zones. Auto repair and supply uses are allowed only as uses in the Business Park zone districts. Large retail uses shall incorporate the small scale pedestrian and block pattern of the mixed-use area.

b. Development Pattern

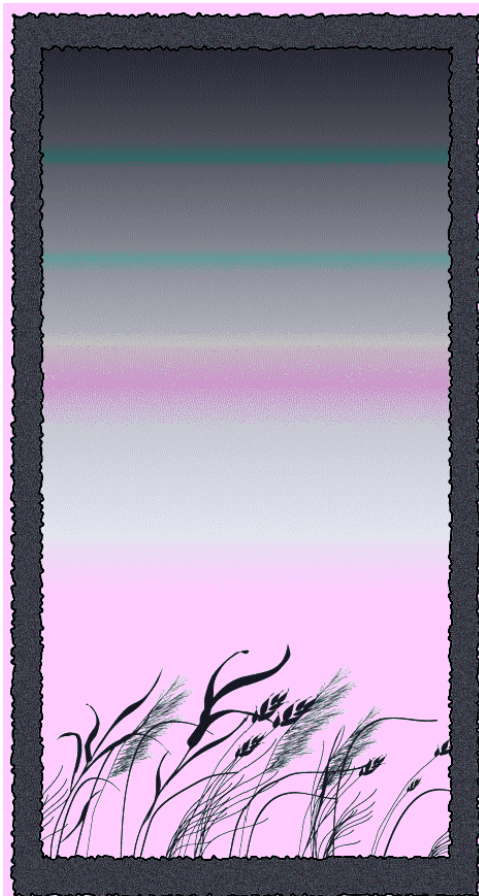
The Mixed Use zone districts shall maintain a functionally linked pattern of street layout, site design, building scale and character. Street and block patterns, pedestrian and bicycle connections shall extend through the mixed use commercial center.

c. Location of Commercial Mixed Use Areas

Commercial mixed use areas have been located to maximize pedestrian access by the greatest number of residents as well as the surrounding community.

d. Transition Areas

Mixed use commercial centers are a focus for the surrounding neighborhood as a place to live, shop and work. These areas include denser attached and detached housing around a neighborhood commercial center or a commercial area with secondary uses above primary retail establishments.



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SHEET
18 OF 24
DESIGN
STANDARDS

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 18 OF 24
PDP AMENDMENT NO. 2

SEPTEMBER 30, 2016

SKY RANCH

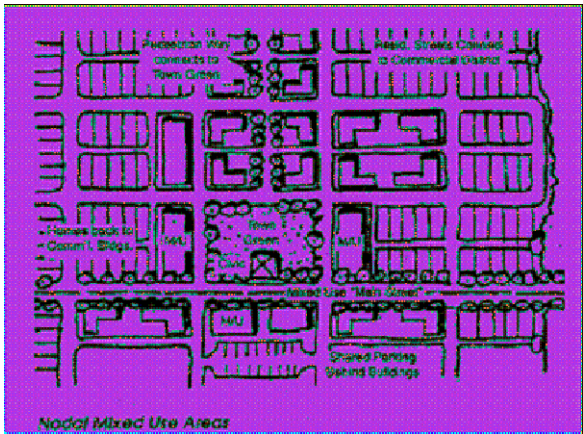
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BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10, TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN COUNTY OF ARAPAHOE, STATE OF COLORADO

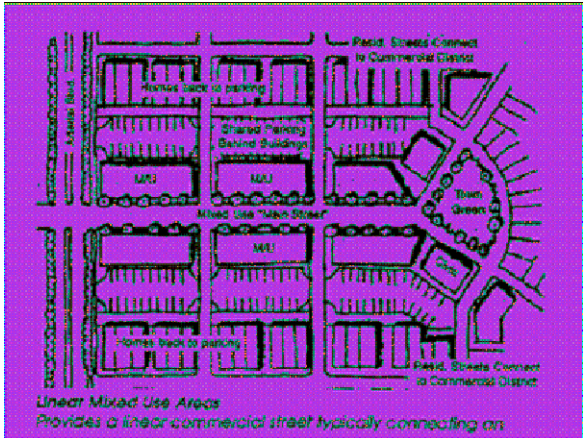
The surrounding neighborhoods contain moderate densities that form a transition and link between lower density residential neighborhoods and heavier intensity commercial or light industrial/employment areas.

e. Structure of Mixed Use Areas

The structure of mixed use areas will vary, however, the following two illustrations represent two possibilities:



1. Nodal centers generally focused on a civic space such as a square, plaza, village green or commons.



2. Linear mixed use areas generally feature main streets" mixed use retail streets sometimes ending in a civic space, such as a park or plaza.

2.6.2 Mixture of Land Uses and Housing Types

Sky Ranch has incorporated mixed use areas with a variety of locally serving businesses and other commercial establishments integrated with a variety of residential housing types and densities. Organization of these areas allows for appropriate integration, while protecting more sensitive low intensity residential neighborhoods, and allowing easy cross neighborhood access.

a. Variety of Uses

A variety of grouped, non-residential land uses are appropriate to the mixed use area. These include:

- Transit station/park and ride/bus stops;
- Neighborhood serving retail uses;
- Small businesses with low-traffic generation such as service businesses;
- Small-scale offices and clinics;
- Civic Uses;
- Daycares;
- Places of worship and assembly;
- Parks and other small recreation areas; and
- Schools

b. Variety of Housing Types

A variety of housing types can fit into this higher activity area including:

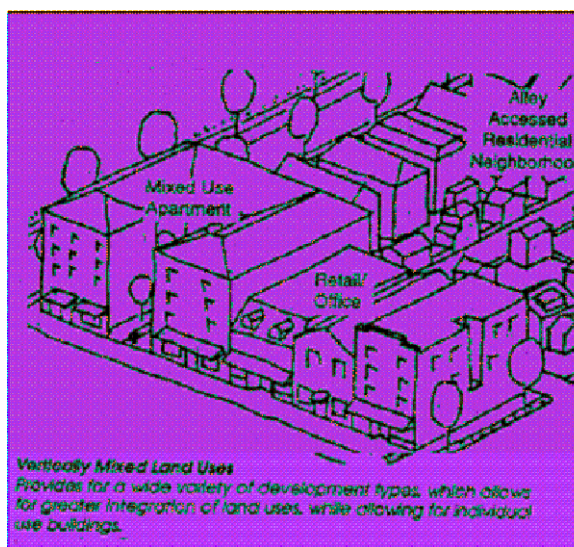
- Residential units above retail shops or work places
- Multi-family housing;
- Townhomes or duplexes; and
- Small lot single family homes with or without accessory dwelling units.



These housing types and other uses can easily share streets and blocks, and provide opportunity for moderate cost housing to be located adjacent to higher cost housing as well as non-residential uses.

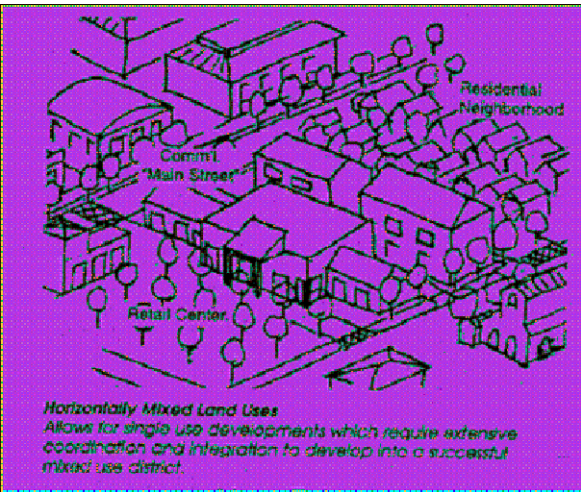
c. Horizontally Mixed Land Uses

Horizontally mixed land uses, unified by a pattern of streets and blocks with buildings fronting streets, are currently planned for the Sky Ranch project. This is an effective way to integrate commercial uses and housing in a mixed use area. Compatible uses may share a street. More intense uses may share a block and an alley while fronting on separate streets.



d. Vertically Mixed Land Uses

In Sky Ranch, vertically mixed uses are desirable and may be accomplished in the Mixed Use districts as identified on the PDP. Streets lined with shops with offices and residences above provide added activity and informal surveillance of the street-life.



2.7 MIXED USE ARCHITECTURAL CONSIDERATIONS

2.7.1 Scale

Scale relationships shall be carefully considered, and appropriate transitions provided where a change of scale is proposed or required. 'Stairstepping' building height, breaking up the mass of the building and shifting building placement can help mitigate the impact of differing building scales and intensities.



Transition between buildings within a multi-family development

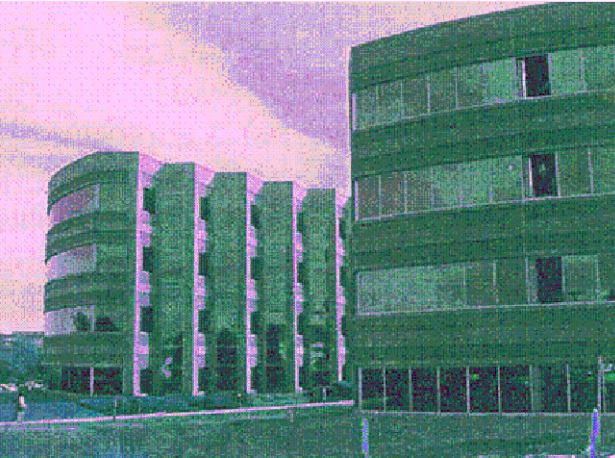
A proposed multi-family residential, commercial or industrial building shall respect the scale of any adjacent residential buildings, and provide an orderly transition to the different scale of development.

For example, the actual height and bulk of a two-story office building is usually greater than that of a two-story residence. These buildings will not normally be compatible in close proximity, unless they are separated by distance, articulated elevations, or a landscape buffer/screen.

2.7.2 Rhythm

Building rhythm relates to the horizontal and vertical patterns expressed by architectural features such as cornices, columns, windows, doors, or variations in massing.

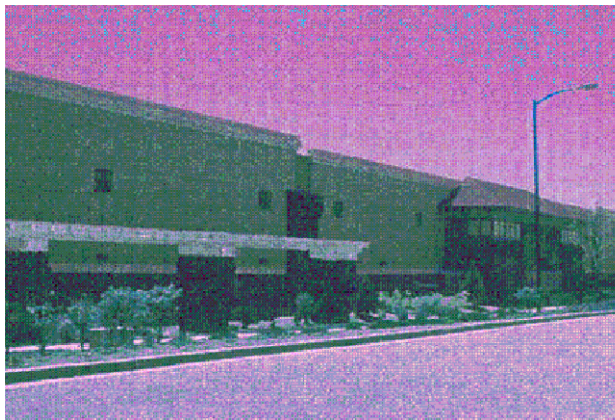
Development in Sky Ranch shall respect rhythms established by adjacent buildings. Designers shall employ several related rhythms to avoid repetition of one, or very few elements throughout the building.



Examples of building rhythm include: horizontal and vertical banding with different colors or materials, groupings of windows, repetition of storefront details, or consistent sign design and placement.

2.7.3 Building Façade

External details in building facades, entries, stairways, retaining walls and other features provide visual interests, enrichment and texture to buildings. 360-degree architectural treatment shall be utilized in key locations where appropriate as determined during the Final Development Plan process. New developments are encouraged to incorporate the use of strong vertical and/or horizontal reveals, off-sets, and three dimensional detail between surface planes to create shadow lines and break up flat surface areas. If large blank surfaces are proposed, they should be for some compelling design purpose. The design shall incorporate mitigating features to enrich the appearance of the project, and provide a sense of human scale at the ground level that is inviting to the public.



Rear building elevations, especially those facing adjoining residential areas, shall be aesthetically enhanced with materials to match the front of the building. Where the rear of a building is viewed from a public right-of-way or an entryway into another building, more details on the rear of a structure shall be required. A scoring system shall be established for residential uses in Sky Ranch which will define a list of architectural treatments that may be employed to enhance elevations fronting or backing onto collector roads shown on the Preliminary Development Plan.

Exterior side yard setback areas (i. e., along side streets) and building elevations along collectors and arterials shall be treated with a quality of design and materials compatible with the front setback area and front building elevations.

2.7.4 Colors and Materials

Materials and colors in the vicinity of the site shall be considered when selecting the materials and colors for the proposed development. Materials and colors can unify an area through the use of a clearly defined palette. Colors and materials should be selected for compatibility with the site, as well as compatibility with the neighboring area.

2.7.5 Windows and Door Placement

Doors and windows shall be located to maximize the possibility of occupant surveillance of common areas. Grids of repeated windows and doors shall be architecturally improved so that the patterns created by window and door placements add variety and interest to the design of the building when appropriate. One such example could be pop out/revealed windows.

2.7.6 Screening

All rooftop and grade level mechanical equipment shall be screened from grade-level view. Soft water tanks, gas meters, heating and air conditioning units and electrical meters shall also be screened from public view, wherever possible. All methods of screening shall be architecturally compatible with the primary structure. Landscape treatments shall be an allowable method of screening, as appropriate. The screening should be part of the articulation of the building and not appear to be an afterthought. Sound attenuation to mechanical equipment is required when impacting residential uses or a public area (not right-of-way).

2.7.7 Building Orientation and Siting

Placement of the building in relation to the surrounding elements is just as important as the design of the building. The proposed building orientation shall respect the orientation of surrounding buildings, existing pedestrian paths/sidewalks, the orientation of surrounding streets, adjacent uses and the proximity to residential developments. Rows of buildings, which create a monotonous, "cookie-cutter" design, are not permitted.

Non-residential buildings should be oriented to allow for the use of common driveways, especially along arterial streets, where a reduction in the number of curb openings would enhance the streetscape and promote traffic safety.

Buildings shall be oriented so that the entrances are clearly identifiable and directly accessible from a sidewalk. Buildings shall be accessible for pedestrians and public transit users, not just for customers driving private automobiles. On commercial sites, especially large retail centers, a portion of the total building area shall be located near the street perimeter as permitted by site conditions. Such siting reinforces the streetscape and helps to provide additional screening for large parking areas. Where large numbers of parking spaces are required, parking structures are encouraged to be architecturally compatible with the principal structure.

2.7.8 Service Areas

Service areas (loading docks, refuse collection areas and similar facilities) which could be sources of odor, noise and smoke, or be visually objectionable, should not be located in highly traveled areas, and shall be screened and/or aesthetically mitigated from incompatible uses such as residential, retail commercial, restaurants and other public areas.



Whenever possible, service areas shall be located away from public right-of-ways, public spaces and residential uses. Appropriate screening of the service areas includes: decorative walls, overhead latticework, berms landscaping and fencing.

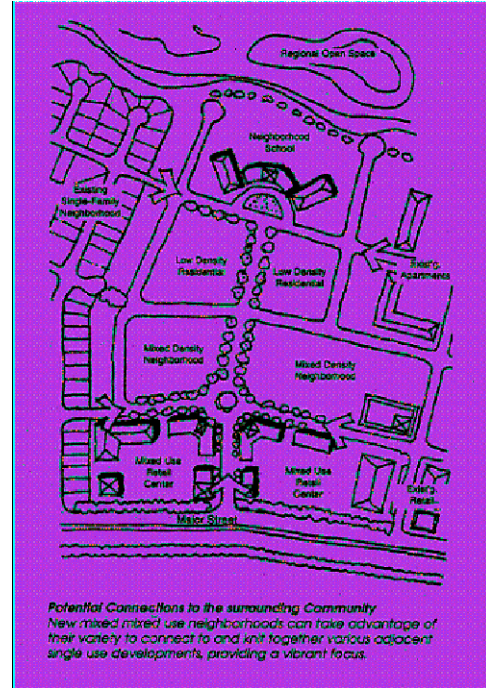
2.7.9 Noise

A reasonable effort shall be made to minimize the level of site-generated noise that crosses into adjacent properties. For example, remote outdoor ordering systems, used in conjunction with fast food restaurants and similar retail uses offering a drive through service, shall be designed to direct the sound away from residential properties. Other noise producing businesses, such as automotive repair facilities, shall be designed so that the entrance to the service bays and other areas where the noise is created are oriented away from residential properties. Auto dealerships shall use a paging system, rather than an external sound system.

2.8 RELATIONSHIP TO ADJACENT USES

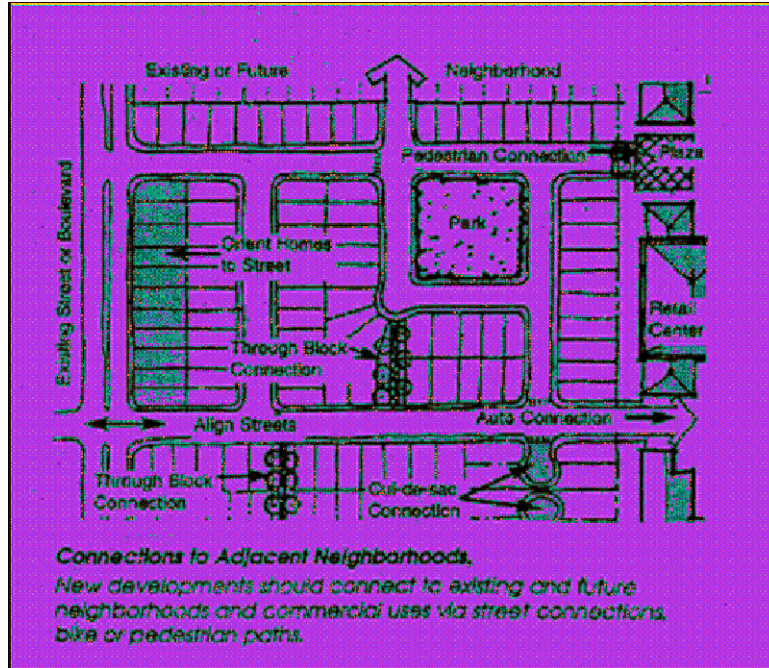
In Sky Ranch, the intent is to promote the connection of new developments to adjacent uses and neighborhoods, via biking, walking or driving, to better integrate new projects into the existing community.

Sky Ranch has been designed so that the edges of a neighborhood shall be formed by features shared with adjacent neighborhoods such as major streets, changes in street pattern, greenways or natural features such as streams and major drainage or riparian corridors.



2.8.1 Connection to Existing Neighborhoods

New streets, bikeways, paths and trails shall connect to existing adjacent neighborhoods. Trails and pedestrian walkways within Sky Ranch shall be developed up to the property boundary, so that future developments may link trail connections to the trails in Sky Ranch.

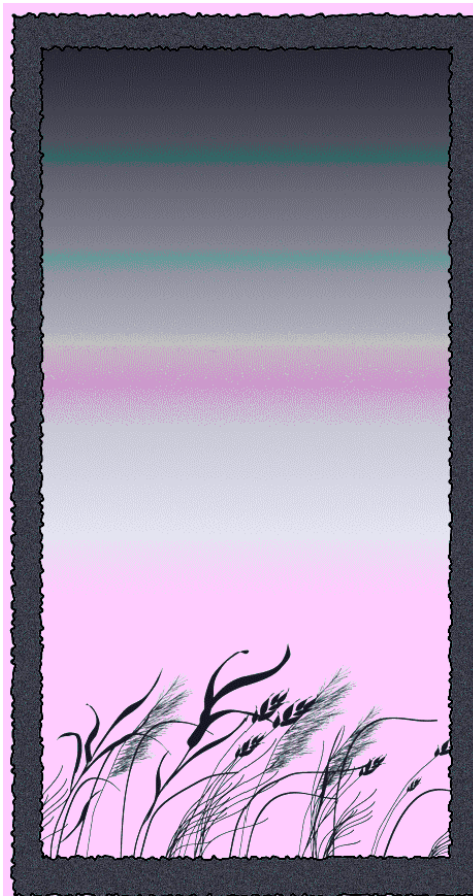


2.8.2 Transition of Land Uses and Intensity

The proposed zoning for Sky Ranch requires non-residential uses, larger buildings and attached multifamily housing to be located near commercial centers, with a transition to smaller buildings closer to low density neighborhoods.

2.8.3 Pedestrian and Bike Connections

Pedestrian and bike connections shall be made to residential neighborhoods, retail centers and open space systems. Pedestrian, bike and visual connections should be made wherever auto connections are infeasible due to physical constraints or other considerations.



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SHEET
19 OF 24
DESIGN
STANDARDS

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 19 OF 24
PDP AMENDMENT NO. 2

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO

3.0 RESIDENTIAL DEVELOPMENT STANDARDS

The Sky Ranch development shall promote diverse types of housing, lot sizes and densities that are appropriate to meet the changing needs and assure options for residents of all income levels, including housing that is attainable by individuals working at nearby employment centers such as Denver International Airport, Front Range Airport, Buckley Air Force Base, and the tech industries located in the E-470 Corridor. The project's goal is to promote different sizes of lots as well as single/multi-family housing to meet a variety of housing needs and income levels. The small lots utilized in Sky Ranch shall aid in the attainability of the project.

Sky Ranch has identified five key development considerations that will be addressed through neighborhood design.

1. The importance of vehicular and pedestrian connectivity.

Vehicular connectivity shall be provided through the street hierarchy ranging from arterial, collector to local streets. All streets within Sky Ranch shall provide a sidewalk system, either attached or detached. Pedestrian connections shall not only be accommodated through the extensive sidewalk system, but additional trails and open space connections shall provide both on-street and off-street connections between residences, retail, offices, and recreational opportunities.

2. Neighborhood interaction is important in the Community of Sky Ranch.

Sky Ranch shall provide a variety of pocket and community parks throughout the community. These parks shall provide neighborhood identity as well as both passive and active recreation opportunities. The parks shall be designed to be the focus of each individual neighborhood. Each park shall provide local street access on at least one side and houses are encouraged to front onto a pocket park where appropriate. Parks shall be dedicated to the Sky Ranch Homeowners' Association, a metro district, or other appropriate receiving entity.

3. Sky Ranch shall emphasize the importance of human scale.

Interaction among neighbors is encouraged within Sky Ranch. In order to facilitate socializing, Sky Ranch shall encourage architecture that includes front porches, staggered front setbacks and additional design features to promote interaction.

4. Sky Ranch shall incorporate many facets of life into the community.

This includes the opportunity to live, work and play within the same community and Sky Ranch shall provide all of these opportunities by achieving the incorporation of residential, retail, offices and recreation within the Sky Ranch Community. This incorporation enables residents to reduce the number of vehicular trips both within the community and outside of the community because they have all of the necessary day-to-day requirements within close proximity.

5. Sky Ranch recognizes the importance of 'people spaces'.

Sky Ranch architecture shall encourage the incorporation of covered porches and entries as well as outdoor areas to promote meeting and socializing with neighbors.

3.1 Single-Family Residential

The intent of these Standards is to provide a distinctive recognizable style of high-quality architectural character in residential developments that avoids featureless design and repetition of facades.

The design of individual residential buildings and groups of buildings shall employ a variety of design features, such as wall and roof massing, textured surfaces, bay windows, the creation of shadow lines, a varied color palette, window patterns, historical reference, and similar residential architectural devices to avoid the creation of monotonous residential neighborhoods and streetscapes.

Alternative placement of the garage structures to minimize dominance of front loaded designs is a high priority in Sky Ranch. Minimizing garage dominance ensures that the house is the primary element along the street frontage emphasizing the entrance to the home. Alternative placement of the garage shall include:

- Garages recessed behind front plane of house/porch
- Two separate garage doors or architectural embellishment to create the appearance of two garage doors
- Tandem garages
- Side-loaded garages
- Garages located on alternate sides of house facade

Detached sidewalks and tree lawns shall be required on collectors, and in strategic locations on local streets where an enhanced streetscape is desirable.

3.2 STANDARDS APPLICABLE TO SINGLE-FAMILY DETACHED DEVELOPMENTS

In addition to the General Standards featured in Section 2, the following menu is a suggested list of design elements which are encouraged to be incorporated into single-family detached dwelling units and include General Site Planning, Garage/Parking, Architectural Features, Lighting Design, Private Yards and Fencing:

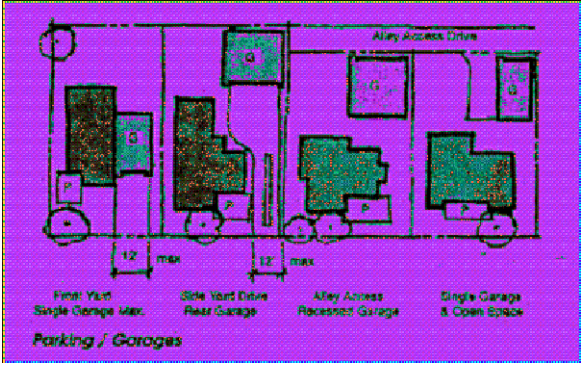
3.2.1 General Site Planning

- A non-repetitive front elevation design will prevent a monotonous streetscape from occurring. Architectural Features are included in Section 3.2.3 and include antimotony criteria designed to minimize repetitive front elevations. Varied architectural styles shall be encouraged, which incorporate a mixture of different footprints, materials, design and color palettes. Architectural banding, through the use of a change in materials, design and/or color, can also relieve a monotonous design theme.
- Variation in the front setback of residences, as depicted in the small lot Standards of the Sky Ranch PDP, will help to prevent a monotonous 'cookie cutter' appearance.
- Where provided, porch and deck columns and roofs shall be integrated into the overall design of the house to which they are attached, and shall be constructed of materials consistent with those found elsewhere on the house. Front or side porches add to the architectural ambiance of a neighborhood. Front entry gates and sidewalks leading to a side entry may be considered.
- Porches raised above the sidewalk level are encouraged.
- Side use easements are desirable to maximize useable yard space.
- Recessed front doors add an aesthetically pleasing design element to residential structures.
- Homes along a collector street may either be alley loaded with the front of the home facing the collector or shall have enhanced architecture on the side or rear elevation of the home facing the public right-of-way. Standards for enhanced side or rear elevations are included in Section 3.2.3.

3.2.2 Garages/Parking

- Minimize garage visibility from the street.
- A minimum of a one-car garage is required for all single-family detached residences. Alternative placement of the garage structures shall help reduce the dominance of front loaded designs. The objective is to have the house as the primary element along the street frontage, with emphasis on the entrance to the home. The garage placements may include but are not limited to: front loaded garage structures both attached and detached, and rear loaded garage structures both attached and detached.

- Garages shall not obstruct the front entrance to the residence. A clear and identifiable walkway from the street to the front entrance is encouraged. Detached garages shall be faced with the same mix and percentage of materials as the primary structures.



3.2.3 Architectural Features

Architecture in Sky Ranch shall be developed by the individual developers or builders. However, to ensure architectural continuity throughout the community, builders and developers working within Sky Ranch shall employ the following architectural Standards throughout the community.

Builders are encouraged to apply Colorado's historic architectural styles in designing architecture for Sky Ranch. Incorporating indigenous and traditional building materials is encouraged. In order to alleviate monotony of the streetscape, a variety of architectural elements shall be incorporated. These elements may include covered porches and entries, outdoor areas, window patterns, bay windows, shutters, dormers, gable roofs, building projections, textures, columns, changes in wall planes, building articulation and multiple materials.

Color shall be an important aspect of Sky Ranch. Architecture is encouraged to provide community identity by using a selective palette of colors, materials and forms while allowing some freedom for individual expression in design. The palette of Sky Ranch should center around saturated, full bodied colors focusing on rich earth tones including greens, ochres and terra cotta colors. When grays or browns are utilized they must be accented with livelier, richer colors.

The architecture of Sky Ranch should also respond to the topography of the site. Ranches, alley load and traditional two-story residential homes should be incorporated into the development.

Sky Ranch has established an architectural scoring system to provide a vehicle for individual design while ensuring quality and compatibility with the community. All homes in Sky Ranch shall incorporate the following 8 architectural features, at a minimum:

- At least two different materials on the front elevation and any elevation visible from a collector or arterial street. Options include brick, simulated or real stone, stucco, siding or other appropriate materials.
- More than one treatment for the predominant siding (i.e. vinyl, cedar, or other siding material).
- Use of at least three different colors including trim, accent for front door and shutters (if selected), and base. Shades of gray and beige shall be discouraged. A minimum of four color packages shall be offered. No two adjacent houses shall share the same color package.
- Roofs with high profile composition shingles such as slate, clay or concrete tile, or dimensional asphalt shingles. No shake roofs shall be permitted. All roofs shall carry a minimum 20-year warranty.
- Front yard irrigation and landscaping shall be installed by the builder.
 - Builder shall install at least one deciduous tree (2 1/2" caliper minimum) or one evergreen tree(6" tall minimum) and five 5-gallon shrubs. Placement of trees on adjacent lots shall vary.
 - Wing fencing to be installed by builder with front yard landscaping.
- 50% of the homes on the same block and side of the street shall have alternatively loaded garages per Section 3.1 on this page of the standards.
- Permanent foundations shall be required.

In addition to the minimum architectural requirements, builders must select eight options from the following list of architectural features:

- At least two different materials are required on all four elevations. Options include brick, simulated or real stone, stucco, vinyl siding, cedar siding or other appropriate material. Masonry may be used as an exclusive material on the front elevation, but the other three elevations must use at least two other treatments. If masonry is used on the front elevation, it must wrap around to a natural break point or side-yard fence.
- Use of at least three distinct architectural styles for each product (ie: craftsman, prairie, mountain, traditional, etc.)
- Varying locations and proportions of front portions in a series of four houses on the same block and side of a street.
- Varying location and proportions of garage doors in a series of four houses on the same block and side of a street
- The width of front elevation differing by more than 2' in a series of four houses on the same block and side of a street
- Variations in the front plane and roofline.
- Use of roof dormers.
- Variation of building types: ranch, two-story and split level.
- Walk-out basements.
- Window shapes that are substantially different, including bay windows.
- At least one bay window on front elevation or any elevation visible from a street.
- Windows with grids or other enhanced treatment on all four elevations.
- At least 2 clerestory windows, or windows w/ transoms above the main window.
- Front door w/ at least one sidelight, transom window, or double door.
- Clay or concrete tile roofs.
- Garage door with a minimum of 3 windows/door
- A home design where garage doors do not appear on the front elevation.
- For non-alternately loaded garages, garages that do not protrude more than 5' from main facade.
- Main roof w/ a slope of 6:12 min.
- Front or side porch w/ a min. depth of 5' and a min. floor area of 50 SF.
- Front or side porch w/ at least 2 columns w/ a min. cross section of 8" each.
- Decorative shutters on all street-facing windows.
- Second story porch front or side porch of at least 25 SF.
- Rear or side deck of at least 50 SF.

- At least a 16" roof overhang on the front elevation w/ decorative brackets, beams, or exposed rafter ends.
- Decorative material treatment on at least one gable end facing the street.
- At least 10 lineal feet of masonry privacy walls on the subject property.
- At least 100 SF of patterned paving on the subject property.
- Real or simulated chimneys on elevation facing street.
- Front porch lights with 40 watt fixtures or coach lights on posts on all houses.
- Partial basement.
- On lots less than 5000 square feet, 12' maximum curb cuts for driveways.
- Rear yard landscaping installed by builder.
- Entire yard fenced by builder prior to C/O.
- Additional tree or five 5-gallon shrubs for front yard landscaping.
- 50% of all homes shall have an entry walk from porch/front door to street.
- Minimum of two planes on rear elevations, each plane to have a min. 1' depth variation.

On homes fronting collectors, pocket parks, schools, and entryways to neighborhoods, at least four of the optional architectural features must be included on the front elevation. Similarly, on homes backing or siding onto collectors, parks and open space, at least four of the optional architectural features must be included on the rear or side elevation facing the right-of-way or community amenity.

* Depicts treatments suitable to meet rear-enhanced elevation requirements.

On homes fronting collectors, pocket parks, schools, and entryways to neighborhoods, at least four of the optional architectural features must be included on the front elevation. Similarly, on homes backing or siding onto collectors, parks and open space, at least four of the optional architectural features must be included on the rear or side elevation facing the right-of-way or community amenity.

*Describes treatments suitable to meet rear-enhanced elevation requirements.

3.2.4 Lighting Design

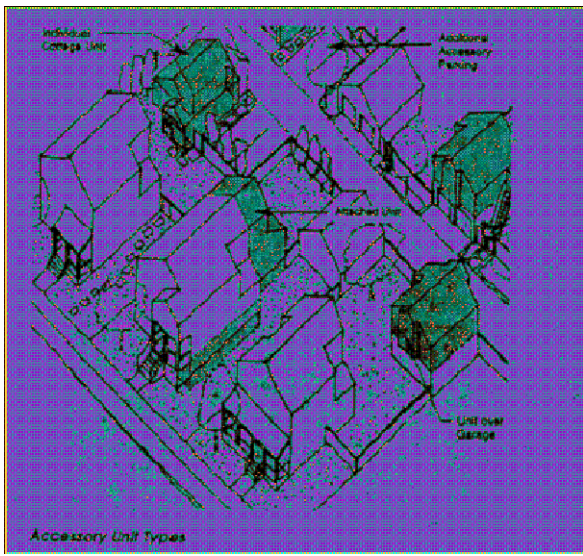
- Soft outdoor pedestrian-oriented lighting at a human scale, in conformance with the lighting standards in the *Arapahoe County Land Development Code*, is required. Lighting should be designed to ensure the safety of the residents, while minimizing overflow onto the surrounding properties. Lighting should be shielded for glare.

3.2.5 Private Yards and Fencing

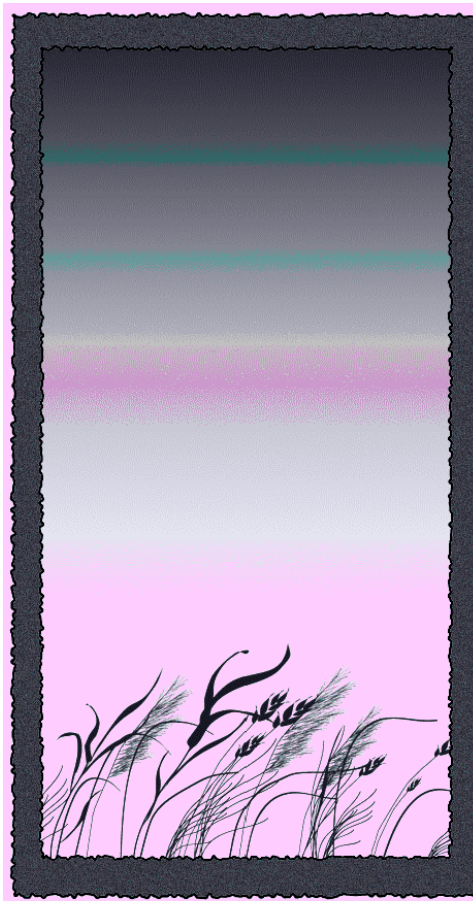
- The builder and/or developer shall provide front yard landscaping for all homes in Sky Ranch in accordance with these Design Standards.
- Front yard fencing, where it occurs, should be low (approximately 3 feet), transparent and compatible with the home. A full stucco or brick wall may be used as part of the architectural theme.

3.2.6 Accessory Buildings

- Accessory Structures are small scale buildings integrated with single-family homes as either secondary living, storage space or detached garage.



- Accessory dwelling units may be:
 - Integrated within the main residence;
 - Attached to the main residence; or
 - A separate structure located within rear yard or over garage.

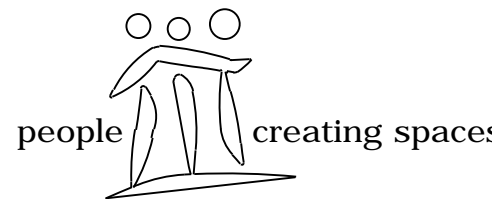


SKY RANCH

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SHEET
20 OF 24
DESIGN
STANDARDS

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 20 OF 24
PDP AMENDMENT NO. 2

SEPTEMBER 30, 2016

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
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TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO



- c. The siting of accessory structures must consider the privacy from the main house and adjacent parcels.
- d. Accessory buildings shall be located to maximize yard usage.
- e. Each lot must provide one on-site parking space for each habitable accessory unit.

3.2.7 Small Lot Standards

These Standards apply to those properties under 5,000 square feet as regulated by the Small Lot Criteria in the Land Development Code. These Standards are in addition to the Section 3.2 and 3.3.

- a. Wherever possible, use open yards to minimize side and rear yard fencing;
- b. Wherever appropriate, encourage side use easements to maximize useable yard area;
- c. Maximum 12' front yard curb cut and driveway is encouraged.
- d. Maximum 2 car front loaded garage is encouraged.
- e. Minimum of 400 square feet of useable back and side yard is required, including outdoor living space (covered or uncovered), patios, decks, storage buildings and other uses.

3.3 STANDARDS APPLICABLE TO SINGLE-FAMILY ATTACHED DEVELOPMENTS

In addition to the General Standards featured in Section 2, the following menu is a suggested list of design elements which are encouraged to be incorporated into single-family attached units and include General Site Planning, Garage/Parking, Architectural Features, Lighting Design, Private Yard and Fencing:

3.3.1 General Site Planning

- a. Breaks in long buildings are suggested, so as to provide for pedestrian circulation and access to alleys.
- b. The maximum number of units attached to one another shall be eight (8).
- c. Where attached garages are used, semi-private front yards and larger decks are encouraged.
- d. Staggered front setbacks are encouraged.
- e. Creativity of design is greatly encouraged.

3.3.2 Architectural Features

- a. A front elevation with the first floor clad in stucco, stone or brick, or other architecturally compatible material is encouraged.
- b. A non-repetitive front façade design is encouraged, and can be developed by mixing different window treatments, such as: transom windows, bay windows, and roof dormers containing windows.
- c. A front door containing at least one side light, or one transom window over the front door is encouraged.
- d. Offsets are encouraged between two double garage doors on the same façade.

3.3.3 Private Yards and Fencing

- a. A fully landscaped yard and/or an outdoor private patio or deck is encouraged.
- b. Where townhome designs do not provide private rear yards, a front patio, yard or balcony is recommended such as a 12 foot by 12 foot patio and/or an eight foot by 10 foot balcony.

3.3.4 Building Entry Locations

- a. A unit designed so that the unit's garage door or doors and its "front entry" appear on different sides of a building is encouraged. A front entry is defined as an entry to a unit, which is directly connected to a network of sidewalks, and which opens directly into the unit's living room or family room, or to a hallway leading directly to a living room or family room. For example, an exterior door opening into a kitchen area would not be considered a "front entry."
- b. The facades of single-family attached townhouses shall be articulated to differentiate individual units unless the units are designed to look like one large single family home.
- c. Alley loaded designs.

3.3.5 Lighting Design

- a. Soft outdoor lighting at a human scale, in conformance with the lighting standards in the *Arapahoe County Land Development Code*, is encouraged. Lighting overflow to adjacent properties is required to be minimized. In addition, lighting should be shielded for glare.

3.3.6 Architectural Features

All homes shall embody the following architectural features, at a minimum:

- At least two (2) different materials on front elevation and any elevation visible from a street. Options include brick, simulated or real stone, stucco, siding, other
- More than one treatment for predominant siding (ie: vinyl, cedar, other)
- Use of at least four (4) different colors, including trim (1 color), accent for front door and shutters (1 color) and base (at least two complimentary colors or contrasting shades). Shades of gray and beige shall be discouraged. A minimum of four (4) color packages shall be offered. No two adjacent houses shall share the same color package
- Roofs w/ high profile composition shingles such as slate, clay or concrete tile, or dimensional asphalt shingles. No shake roofs shall be permitted. All roofs shall carry a 20-year minimum warranty
- Front yard irrigation and landscaping to be installed by builder.

Builders must select 8 options from the following list of architectural features:

- At least two (2) different materials on all four elevations. Options include brick, simulated or real stone, stucco, vinyl siding, cedar siding, other. Use of masonry may only be used on front elevation, but other three (3) elevations must use at least two other treatments. If masonry used on front elevation, it must wrap around until natural breakline or side yard fence
- Varying locations and proportions of front porches for each unit within a building.
- In a series of four units or more within one building, width of front elevation of two adjacent units differing by more than 2'
- Variations in the front plane and roofline
- Use of roof dormers
- Variation of building types: i.e. one story on the ends with two-story in the center
- Walk-out basements
- Window shapes that are substantially different, including bay windows
- At least one bay window on front elevation or any elevation visible from a street
- Windows with grids on all four elevations
- Front door w/ at least one sidelight, transom window, or double door
- Clay or concrete tile roofs
- Garage door w/ windows and at least 6 panels
- A building design where garage doors do not appear on the front elevation
- Main roof w/ a slope of 6:12 min.
- Front or side porch w/ a min. depth of 5' and a min. floor area of 50 SF
- Front or side porch w/ at least 2 columns w/ a min. cross section of 8" each
- Decorative shutters on all street facing windows
- Second story porch front or side porch of at least 25 SF
- Rear or side deck of at least 50 SF
- At least a 16" roof overhang on the front elevation w/ decorative brackets, beams, or exposed rafter ends
- Decorative material treatment on at least one gable end facing the street
- At least 10 lineal feet of masonry privacy walls on the subject property
- At least 100 SF of patterned paving on the subject property
- Real or simulated chimneys
- Front porch lights with 40 watt fixtures or coach lights on posts on all houses
- Partial basement
- 50% of all homes shall have an entry walk from porch/front door to street
- Minimum of two planes on rear elevations, each plane to have a min. 1' depth variation
- Minimum private yard or courtyard of at least 80 SF.
- Non-repetitive front elevation for adjacent units within a building.

3.4 STANDARDS APPLICABLE TO MULTI-FAMILY DEVELOPMENTS

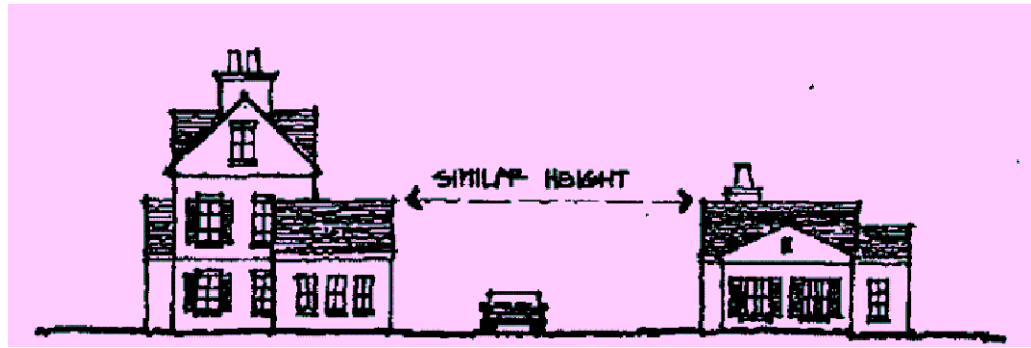
In addition to the General Standards featured in Section 2, the following menu is a suggested list of design elements which are encouraged to be incorporated into the design of multi-family developments:

- a. All multi-family buildings are encouraged to be designed to provide complex massing configurations with a variety of different wall planes and roof planes. Plain, monolithic structures with long, monotonous, unbroken wall and roof plane surfaces are discouraged.



- b. Horizontal articulation through the use of decorative banding, a change of siding material and/or color, or sloping roof planes are preferred design features.

- c. To help mitigate the impacts of multi-family developments when located directly adjacent to single family detached and attached residences, multi-family developments shall either; 1) provide adequate buffer space between the multi-family and single family detached or single family attached development; or 2) provide one and two story units or building elements at the ends or corners of the multi-family buildings. Garages and carports can be sited at the ends of buildings to meet the transition of three story end conditions.



Multi-family building transitions

- d. Buildings should be oriented outward towards the street or parks to provide a residential character to the community's streets and parks. Internal to the parcel, buildings should be oriented to create parking courts (areas for parking, carports and garages), and usable areas of open space.



This will also minimize the visual impacts of automobiles on the community experience. Facades with no entries, fenestration or articulation should not be visible from approach streets and property entry.

- e. If possible, building entries shall be visible from the street, and be clearly signed and lit.
- f. Ground floor units shall have articulated residential entries whenever possible, which may be shared for multiple units.
- g. On smaller multi-family buildings with less than 4 units, a design option would be to utilize massing and exterior materials to give each building the appearance of a large single-family home.
- h. Building spacing should be optimized so that the structures do not over power the design of the development.

- i. On buildings where sloping roofs are the predominant roof type, distinct roof ridgelines are recommended. Hip and gable roofs are encouraged.
- j. A building's special architectural features and treatments should not be restricted to a single façade, and can be applied throughout the entire community. Massing can be simple, yet allow enough variation to create visual interest and a residential scale.
- k. All elevations on multi-family buildings are required to contain windows.
- l. Sensitivity to the proximity and buffering of garages adjacent to buildings is encouraged.
- m. Residential buildings should be setback from parking courts to provide a landscaping area. When possible, parking courts (area for parking, carports and garages) shall be utilized. When parking is organized into courts, the visual impact of parking on internal driveways and buildings is minimized.
- n. To minimize exterior surface parking in multi-family developments, resident parking should be provided in garages, wherever possible.
- o. Garage door elevations can be mixed with non-garage door elevations on the front façade, and the plane of each garage door is recommended to be offset from the plane of the garage door adjacent to it.
- p. Outdoor balcony or patio areas are encouraged. Such areas should be oriented towards interior streets, walkways or parks.
- q. When excessive through wall heating, venting, or air conditioning units appear on exterior building walls, such units are required to be covered by an architectural grille, and be designed in such a manner as to blend in with surrounding wall surfaces. Utilities should be designed to blend in with the architecture and landscaping
- r. All rain downspouts are encouraged to be located inside the building.
- s. Soft outdoor lighting at a human scale, in conformance with the lighting standards in the *Arapahoe County Land Development Code*, is required. Overflow lighting should be minimized, and all lighting should be shielded for glare.
- t. The screening of exterior stairwells would prevent the somewhat offensive view of stairs and staircases. Another option is the internalization of the stairwells.
- u. All roof top mechanical equipment shall be appropriately screened.
- v. Trash receptacles, dumpsters and recycling bins are required to be located within the multifamily residential complex within reasonable walking distance of all residential units, yet thoroughly screened with walls/fences and/or landscaping buffer. Receptacles should be sited to avoid adverse visual, noise and odor impacts to residential units or public spaces. A central compactor is a recommended amenity.
- w. The following amenity features are encouraged within Sky Ranch: a recreational facility, such as a tennis court, picnic area, or volleyball court; a swimming pool; a paved plaza area with benches focusing on a water feature or work of art; resident clubhouse space; entryway design; and children's play area, with benches and trash receptacles. Development of these features may occur within individual neighborhoods by individual builders or developers.
- x. Creativity of design is greatly encouraged.

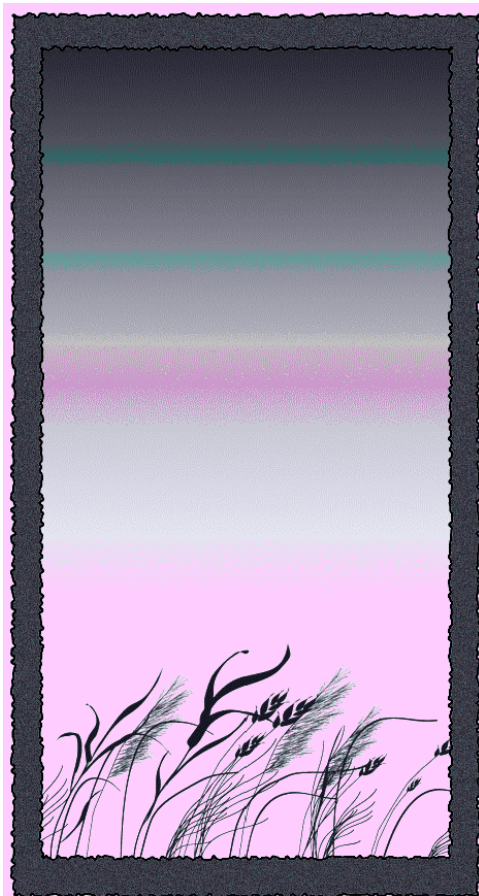
3.4.1 Architectural Features

All buildings shall embody the following architectural features, at a minimum:

- At least two (2) different materials on front elevation and any elevation visible from a street. Options include brick, simulated or real stone, stucco, siding, other
- More than one treatment for predominant siding (ie: vinyl, cedar, other)
- Use of at least four (4) different complimentary colors throughout the project.
- Roofs w/ high profile composition shingles such as slate, clay or concrete tile, or dimensional asphalt shingles. No shake roofs shall be permitted. All roofs shall carry a 20-year minimum warranty
- A minimum of two planes for the front elevation

Builders must select 8 options from the following list of architectural features:

- At least two (2) different materials on all four elevations. Options include brick, simulated or real stone, stucco, vinyl siding, cedar siding, other. Use of masonry may only be used on front elevation, but other three (3) elevations must use at least two other treatments. If masonry used on front elevation, it must wrap around until natural breakline or side yard fence
- Porches and balconies for at least 50% of the units
- Utilizing covered parking for a minimum of 50% of the required parking
- Variations in the front plane and roofline
- Use of roof dormers
- Use of one and two story variations within the same building
- Window shapes that are substantially different, including bay windows
- At least one bay window on front elevation or any elevation visible from a street
- Windows with grids on all four elevations
- Clay or concrete tile roofs
- At least two distinct roof lines
- Decorative shutters on all street facing windows
- At least a 16" roof overhang on the front elevation w/ decorative brackets, beams, or exposed rafter ends
- Decorative material treatment on at least one gable end facing the street
- Real or simulated chimneys
- Minimum of two planes on rear and side elevations, each plane to have a min. 1' depth variation



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SHEET
21 OF 24
DESIGN
STANDARDS

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 21 OF 24
PDP AMENDMENT NO. 2

SEPTEMBER 30, 2016

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO

4.0 COMMERCIAL DEVELOPMENT STANDARDS

4.1 INTENT

Commercial parcels should be cohesive, planned tracts, with all elements sharing the same or compatible architectural and landscaping themes within a parcel. Infill developments are encouraged to consider the surrounding area for their design concept. Both pads and anchor stores should incorporate thematic materials, roof types, and colors. Thematic concepts, floor/area ratios and uses are reviewed at time of the appropriate development application, as established in the *Arapahoe County Land Development Code*. Strip commercial is discouraged.

4.2 STANDARDS APPLICABLE TO COMMERCIAL DEVELOPMENTS

In addition to the General Standards featured in Section 2, the following menu is a suggested list of design elements which are encouraged to be incorporated into the design of commercial developments:

- a. On-site loading docks and service areas are encouraged to be oriented towards service roads, and shared service drives should be used where possible. They should be located to minimize visibility from public streets or adjacent residential uses. Service and loading areas that are visible from residences or public streets are required to be adequately and appropriately screened by fences, walls, landscaping, berms or any combination thereof.
- b. No loading docks or service areas shall be located within the required building setbacks.
- c. Loading docks and service areas shall be combined between multiple sites, when possible.
- d. Trash enclosures shall be shielded from view by placement within buildings, or by an enclosure, with walls at least six feet in height. Trash storage containers shall not project above the screen wall or fence. Wall, gates and fence materials are encouraged to be identical to, or compliment, exterior building materials of the commercial structure.
- e. Outdoor storage must be completely screened so as to match the thematic colors and materials of the development.
- f. The design of all buildings should employ textured surfaces, projections, recesses, shadow lines, color, window patterns, overhangs, changes in parapet heights, and similar architectural devices to avoid monolithic shapes and surfaces.



Awnings, banners, towers, and other architectural treatments as appropriate are recommended to help emphasize building entries.

- g. Each primary building taller than 30 feet in height should be designed so that the massing or facade articulation of the building is appropriately articulated to provide human scale.
- h. All stairwells, corridors and circulation components of the building shall be completely enclosed within the building envelope.
- i. Intense, bright, or fluorescent colors should not be used as the predominant color on any wall or roof of any primary or accessory structure. These colors may be used as building accent colors. Highly reflective or glare-producing glass is not recommended.
- j. Soft outdoor lighting at a human scale, in conformance with the lighting standards in the *Arapahoe County Land Development Code*, is encouraged. Overflow lighting shall be minimized, and all lighting should be shielded for glare.
- k. All building facades facing and visible from I-70 or an arterial, should be finished with the same mix of materials and colors, and the same degree of fenestration and articulation used on the major entry walls facing the nearest adjacent street.
- l. When sloping roofs are used, the following design elements are encouraged: projecting gables, hips, horizontal/vertical breaks, or other similar techniques.
- m. Pitched roofs shall be encouraged to be surfaced with attractive and durable materials such as concrete, clay, or slate tiles, or seamed architectural metals such as tin or copper, with a color finish.
- n. All rooftop mechanical equipment and vents greater than eight inches in diameter shall be screened. Screening by an extended parapet wall or a free standing screen wall is appropriate. Screens shall be at least as high as the equipment they hide, and are encouraged to be of a color and material matching or compatible with the dominant colors and materials found on the facades of the primary building.
- o. When through wall heating, venting, or air conditioning units appear on exterior building walls, such units shall be covered by an architectural grille or appropriate landscape treatment, and be designed in such a manner as to blend in with surrounding wall surfaces.
- p. Landscaping, pedestrian areas and design elements within the commercial areas shall be maintained by the commercial association, unless agreed to be maintained by another entity.
- q. Where a building design allows, parking can be located behind the structures, so that the building is the focal point along the public street.
- r. Tasteful consideration of corporate identities, in terms of logos and signage, should be applied.

4.3 STANDARDS APPLICABLE TO RETAIL PAD DEVELOPMENTS

In addition to the General Standards featured in Section 2, the following menu is a suggested list of design elements which are encouraged to be incorporated into retail pad site developments:

- a. A commercial pad is considered to be a building pad located at the perimeter of a commercial site, adjacent to a street.

- b. Commercial pad sites shall not be sited to completely obstruct the view of the anchor stores.

- c. Drive-through windows are not recommended to face the adjacent public street. Sufficient stacking should be provided for each drive through lane to prevent spill over into major circulation aisles. In addition, ordering systems should not negatively impact any adjacent residential uses.



- d. Temporary and seasonal outdoor uses, such as farmer's markets, outdoor nursery displays, and sidewalk sales are permitted as outlined in the Sky Ranch PDP and are subject to the regulations of the *Arapahoe County Land Development Code*.
- e. Each building facade is encouraged to have a repeating theme, such as: color change, texture changes, material changes, and/or offsets, reveals, or projecting ribs.
- f. Pedestrian oriented design features are promoted, for example: ground floor facades that face public streets should have arcades, display windows, entry areas, awnings, or other such features.
- g. Soft outdoor lighting at a human scale, in conformance with the lighting standards in the *Arapahoe County Land Development Code*, is required. Overflow lighting shall be minimized, and all lighting should be shielded for glare.

5.0 INDUSTRIAL DEVELOPMENT STANDARDS

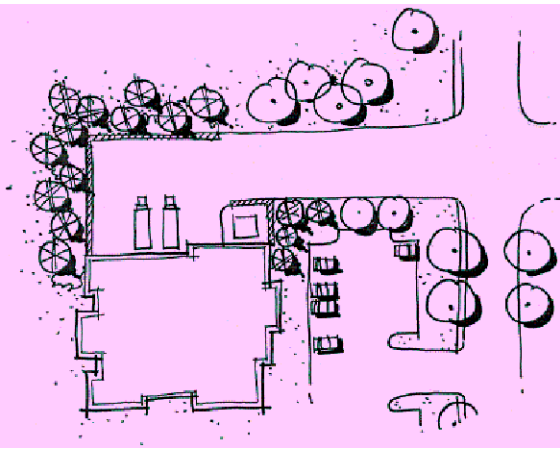
5.1 INTENT

The Sky Ranch PDP permits some light industrial type uses within the Business Park 1 zone district. The parcels shall be cohesive, planned tracts, with all elements sharing the same or compatible architectural and landscaping themes within a parcel. Infill developments are encouraged to consider the surrounding area for their design concept. Thematic concepts, floor/area ratios and uses are reviewed at time of the appropriate development application, as established in the *Arapahoe County Land Development Code*.

5.2 STANDARDS APPLICABLE TO INDUSTRIAL DEVELOPMENTS

In addition to the General Standards in Section 2, the following menu is a suggested list of design elements which are encouraged to be incorporated into industrial developments:

- a. Industrial activities shall be oriented to minimize visual and audible impacts to residential uses, and to I-70 and the arterials. A combination of appropriate screening and landscaping would enhance the compatibility of industrial uses to adjacent land uses.
- b. Long, unarticulated facades shall be avoided by employing any combination of the following to create visual interest and shadow lines: textured and/or patterned surfaces, projections of exterior building walls, recesses and reveals in exterior building walls, variations in color, window fenestration, roof overhangs, and/or changes in parapet height.
- c. Roofs shall be a prominent and complimentary element of a building's architecture. Buildings with flat roofs should be designed to create visual interest by using variations in parapet height. Pitched roofs can be integrated into a building's architecture and used to accent its façade by identifying entrances, providing pedestrian arcades, etc. Large monolithic expanses of pitched roofs shall be avoided. Materials such as seamed architectural metals, concrete, clay, and/or slate tiles should be used on all pitched roof surfaces. Internal roof drains are recommended.
- d. Position entries to buildings so they are easily identifiable from adjoining public right-of-way and primary access drives. The entrance to the building should be clearly defined.
- e. Provide employee-gathering places in areas that are of a sufficient size and scale, and buffered from traffic and circulation areas. Employee gathering areas are preferred to not be located in proximity to primary public entrances.
- f. Loading docks and service drives/areas shall be combined between multiple sites, wherever possible.
- g. On-site loading docks and service areas shall be oriented towards service roads. They shall be located to minimize visibility from public streets or adjacent residential uses. Service and loading areas that are visible from residences or public streets are required to be appropriately screened by fences, walls, landscaping, berms or any combination thereof.
- h. Metal buildings are permitted, provided that architectural improvements are planned. Methods of architectural improvements may include wainscoting, use of different colors and materials, placement of doors, window treatments, color bands, material changes, and/or an integral use of landscaping.
- i. Trash enclosures shall be shielded from view by placement within buildings, or by enclosure within walls a minimum of six feet in height. Trash storage containers shall not project above the screen wall or fence. Wall and fence materials are encouraged to be identical to or compliment exterior building materials. Gates should be constructed of metal with screen material or cladding.
- j. Outdoor storage should be completely screened by a method that matches the thematic colors and materials of the building. The screen wall shall not exceed ten feet in height, and storage materials shall not be stacked or be visible above the enclosure, when viewed from the property line. Non-visibility of stored materials is still recommended if the site is located at a lower level than the property line.



- k. Outside storage areas shall not exceed a percentage, to be established at the time of development plan application review, and shall be typically associated with the specific industrial operation proposed for the building.

- l. Refuse areas and outside storage areas shall not encroach into parking setbacks or landscape buffers.

- m. Fences and walls should be constructed of materials consistent with those used on primary structures.

- n. The location of exterior mechanical equipment associated with industrial processing or manufacturing operations shall be such that it minimizes visual and auditory impacts to adjacent property and public streets, and shall be mitigated with structural or appropriate landscape screening and buffering.

- o. Temporary and seasonal outdoor uses are subject to the requirements of the *Arapahoe County Land Development Code*.

- p. A mechanism for maintenance of the common areas, landscaping, pedestrian areas and design elements within the industrial areas shall be identified at the time of the review of the development application review.

- q. Soft outdoor lighting at a human scale, in conformance with the lighting standards in the *Arapahoe County Land Development Code*, is encouraged. Overflow lighting shall be minimized, and all lighting should be shielded for glare.

- r. Creativity of design is encouraged.

6.0 OPEN SPACE AND PARKS STANDARDS

Open space issues are also discussed in Section 2 of these Standards.

6.1 PURPOSE

In Sky Ranch land dedication for parks, open space, buffers, trails, drainage, and other public uses shall comply with the requirements of the *Arapahoe County Land Development Code*. Public parks shall be dedicated and maintained by the Sky Ranch Homeowners Association, a metropolitan district, or other appropriate entity. The following are the purposes of land dedications and cash-in-lieu of dedication requirements:

- a. Preserve and create view corridors to the west and to other open space areas within Sky Ranch, whenever possible;
- b. Provide trail corridors throughout the development and trail connections between residential and commercial areas. In addition, trail connections between commercial and industrial uses will be provided;
- c. Provide focal points, such as artwork and/or landscaping features, at key entrances to neighborhoods;
- d. Preserve and allow for passive recreational uses along drainage channels, such as trails;
- e. Create opportunities for appropriate active recreation;
- f. Provide buffers and space between buildings and/or developments; and
- g. Help provide sense of place within a development.

6.2 ORGANIZATION OF OPEN SPACE

Open areas should be organized so as to create integrated systems of open areas that connect with the following types of lands located within or adjacent to the development plat or plan, when appropriate:

- a. Dedicated park lands;
- b. Dedicated school sites;
- c. Other dedicated open spaces;
- d. Portions of the regional trail and open space system; and
- e. Activity centers.

Each required open area shall be adjacent to or visible from at least one dedicated public street or public site, and shall be accessible to all residents of the development. The majority of open areas should not be located in isolated corners of the development, in peripheral strips along the borders of the subdivision, or in unconnected patterns, unless such a location is necessary to achieve one of the connections or visibility standards.

Open space and parks in Sky Ranch shall be connected by pedestrian routes which can utilize sidewalk systems. Sidewalks may increase in width to accommodate significant connections, and may be either attached or detached, except on collectors and at key neighborhood entrances, where the sidewalks must be detached.

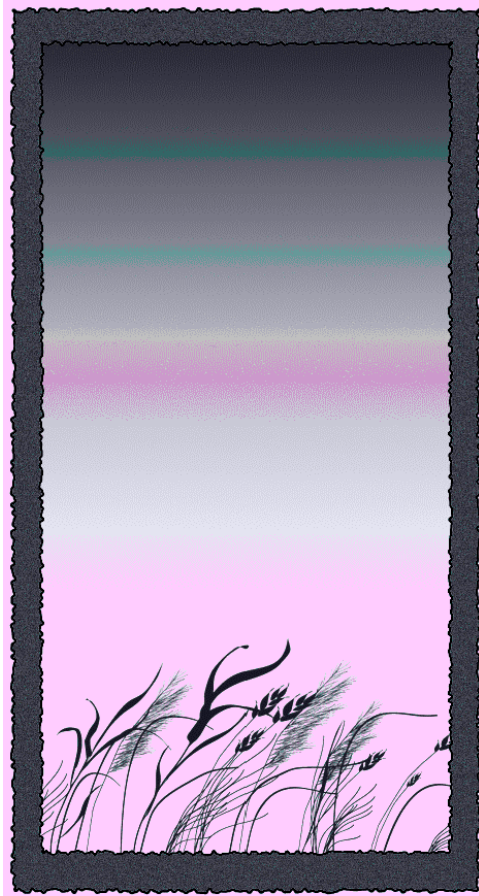
6.3 OPEN SPACE AND DRAINAGE FACILITIES

Retention and detention ponds, created to meet storm drainage requirements, shall be located, designed, and managed to serve as visual amenities, entryway features, or opportunities for recreation, whenever possible. This is appropriate for residential and non-residential developments and shall be in conformance with the Arapahoe County Land Development Code. Drainage ways should be incorporated visually into the development, as detailed below:



Drainage way open space design

Views, both into and from the open space corridor and drainage area, are enhanced by providing a variety of viewing opportunities: from the street, from houses fronting the corridor and from houses backing to the corridor.



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SHEET
22 OF 24
DESIGN
STANDARDS

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 22 OF 24
PDP AMENDMENT NO. 2

SEPTEMBER 30, 2016

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
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COUNTY OF ARAPAHOE, STATE OF COLORADO

Landscaping of retention/detention ponds and drainage ways shall include natural and/or man made landscaping features including native grass seed mix, or other ground cover, in addition to the installation of trees and shrubs. The design, quantity and type of landscaping will be reviewed by Arapahoe County, and may be adjusted to ensure conformance with the requirements of the Urban Drainage and Flood Control Districts.

6.3.1 Variety of Parks and Open Space

Neighborhoods shall incorporate a wide variety of parks and open spaces consistent with the requirements of the Arapahoe County Land Development Code. Each type of park plays an important role in recreation and leisure activities of the neighborhood as well as the larger area.

6.3.2 Squares/Plazas or Greens

This type of open space shall be located within a mixed use district and shall play the role of a community gathering space. In Sky Ranch, these spaces shall be designed for extensive seating areas with hardscape plazas, lawn and landscape areas where appropriate.

6.3.3 Active Community Parks

Sky Ranch shall incorporate several active community parks ranging in size from 3 to 7.5 acres. The active community parks may contain a number of play fields, linear trails, community buildings and other active play areas.

6.3.4 Neighborhood Parks

Each neighborhood in Sky Ranch shall contain several neighborhood or "pocket" parks. These are generally ½ to 3 acres in size and help to identify the focus and identity for the neighborhood. Less active in quality, these parks are typically designed for smaller children as well as informal open ball playing areas. Tot lots may be incorporated into these smaller parks.

6.3.5 Tot Lots

Tot lots are small parks for younger neighborhood children which are often located on parcels as small as 3,000 to 5,000 square feet. They often have play equipment for smaller children. Small protected hardscape areas and shade lawn areas are encouraged. These parks play an important role in small lot single family neighborhoods and shall be incorporated into neighborhood and active community parks within Sky Ranch.

7.0 LANDSCAPE STANDARDS

7.1 REQUIREMENT

All landscaping in Sky Ranch must, at a minimum, conform to the *Arapahoe County Land Development Code*.

7.2 INTENT

Appropriately placed landscaping can reduce the visual impact of the man-made environment, and create usable and aesthetically pleasing outdoor spaces. The landscaping in Sky Ranch shall be designed for safety, discouraging hiding places and overly dense planting areas. Accent planting of both deciduous and evergreen varieties shall be applied to break up facades as necessary. Consideration shall also be given to the use of trees to act as wind breaks, and to augment energy efficiency through selective shading.

7.3 LANDSCAPING BUFFERS

Landscape design, in terms of quantity, quality and spacing of landscaping materials, will be reviewed at time of development plan application. Particular emphasis will be placed on buffers and determination of optimal placing of landscaping between incompatible uses.



Landscaping buffer between incompatible uses

Landscape buffers shall contain only landscaping and other landscape/screening elements such as fences, berms, decorative walls, retaining walls, etc. A combination of such design treatments is encouraged for buffers. Fences and walls are only encouraged in landscape buffers if there are assurances that the abutting property will not be allowed to install a fence on their property adjacent to the buffer to prevent a "canyon" lined by fences on each side.

7.4 PARKING LOTS

Parking lot landscaping and screening shall be provided in accordance with the parking regulations contained in the *Arapahoe County Land Development Code*. Methods of screening a parking lot include: berming, landscaping and decorative walls/fencing.

7.5 LANDSCAPING AND WATER

In accordance with water conservation practices, irrigation shall be provided at strategic levels and locations, so that areas requiring high levels of irrigation are provided only where necessary, such as around shelters, playgrounds, entrances and playing fields. Natural areas should be planted with grasses that adapt to native conditions.

7.5.1 XERISCAPING

Xeriscape materials are strongly recommended. All landscape materials shall be in compliance with the *Arapahoe County Land Development Code*. All plant material should have a habit of growth that is normal for the species and should be of sound health, vigorous growth, and free from insect pests, diseases and injuries. The seven principles of xeriscape are:

- Minimize cool season turf areas.
- Replace turf areas with hardscape such as decking, patios, walkways, etc.
- Reduce turf areas with mulched planting beds.
- Amend soils with organic matter.
- Zone plants by water, soil, and sun needs.
- Zone irrigation by plant water needs.
- Maintain landscape to reduce water usage by weeds and promote healthy plant growth.

In Sky Ranch, homebuilders and residents shall be encouraged to plant drought tolerant shrubs and trees in yards.

8.0 ENGINEERING STANDARDS

8.1 CONNECTIVITY STANDARDS

The intent of these Standards is to create a successful development with adequate transportation infrastructure. Connectivity throughout the Urban Service Area is an important aspect to prospective homeowners and business owners. Connectivity, as it relates to new development, is very important to ensure transportation corridors are in place for travelers to safely commute to and from work, as well as for consumers to access the commercial properties.

All new development will be required to have connections to the metro area in order to allow for adequate transit between developments and the Metro Area. All proposed future connections are shown within the *Arapahoe County Transportation Plan* and the *City of Aurora's Northeast Area Transportation Study*. The following are allowable roadway sections to ensure connectivity to the metro area:

- Arterial Roadways - Generally 4 to 6 lanes with higher Levels of Service than collector roadways. Usually an adequate connection to the metro area.
- State Highways - Generally 2 to 4 lanes with higher Levels of Service due to minimal signalization and fewer stop conditions. Traffic usually flows freely on State Highways.
- Interstate Highway - Generally 4 to 8 lanes with very high Levels of Service due to no signalization or stop conditions. Traffic flows freely on Interstate Highways.

Providing Connectivity will be the responsibility of the developer, if the adequate infrastructure is not already in place.

8.2 MODIFIED ROADWAY GRID SYSTEM

The intent of this Standard is to create increased circulation within new developments. The Modified Roadway Grid System shall have arterial roadways along each section line. Collector roadways shall intersect each Arterial at the approximate midpoint between the section lines. Where possible Sky Ranch shall follow the typical street hierarchy requirements shown in the *Arapahoe County Transportation Plan*. The Modified Grid System would fulfill the goals shown in the *Arapahoe County Transportation Plan* and in the *City of Aurora's Northeast Area Transportation Plan*.

8.3 STORM DRAINAGE CRITERIA

These Standards will create an adequate Storm Drainage System that will protect against potential flooding during the 100-year storm or more frequent storm events and improved storm water quality. The latest revision of the *Arapahoe County Storm Drainage Design and Technical Criteria Manual* shall be utilized to design storm sewer systems. Water Quality will be designed using the latest revision of *Urban Drainage and Flood Control District Manual Volume III*.

8.4 EROSION CONTROL CRITERIA

The Erosion Control Design Criteria shall comply with the latest revision of the *Arapahoe County Storm Drainage Design and Technical Criteria Manual*.

8.5 ROADWAY DESIGN STANDARDS

The Roadway Design and Construction Standards for Sky Ranch will not differ from the existing Standards located in the most recently adopted version of the *Arapahoe County Roadway Design and Construction Standards*. All public and private roadways shall comply with these Standards with the exception of the Roadway Cross Sections shown in Section 8.6 of this document. Snow shadowing criteria will be evaluated on a case by case basis for all public and private roads.

8.6 ROADWAY CROSS SECTIONS

The Roadway Cross Sections for Sky Ranch will vary from those shown in the most recently adopted version of the *Arapahoe County Roadway Design and Construction Standards*. The cross sections for arterial and collector roadways will meet the requirements shown in the *Arapahoe County Transportation Plan* (adopted in 2003).

The following requirements are for 4-Lane Arterial Roadways:

- 114' Right-of-Way
- 4 - 12' Driving Lanes
- 2 - 5' Bike Lanes
- 10' Landscaped Tree Lawns
- 8' Detached Sidewalks
- 16' Median including curb and gutter if a median is used/Left Turn Lane

The following requirements are for 6-Lane Arterial Roadways:

- 144' Right-of-Way
- 6 - 12' Driving Lanes
- 10' Landscaped Tree Lawns
- 10' Detached Sidewalks
- 26' Median with additional 1' gutter pan/Left Turn Lane

The following requirements are for 2-Lane Collector:

- 76' Right-of-Way
- 2 - 12' Driving Lanes
- 2 - 8' Parking
- 2 - 5' Bike Lanes
- 7' Landscaped Tree Lawns
- 6' Detached Sidewalks

The following requirements are for 4-Lane Collector:

- 88' Right-of-Way
- 4 - 12' Driving Lanes
- 2 - 5' Bike Lanes
- 7' Landscaped Tree Lawns
- 6' Detached Sidewalks

The following Requirements are for 4-Lane Collectors at Intersections:

- 88' Right-of-Way
- 4 - 12' Driving Lanes
- 2 - 5' Bike Lanes
- 6' Attached Sidewalks
- 14' Painted Median/Left Turn Lane

The following requirements are for 8-Lane Urban Expressway:

- 188' Right-of-Way
- 8 - 12' Driving Lanes
- 10' Landscaped Tree Lawns
- 10' Detached Sidewalks
- 26' Raised Median/Left Turn Lane(s)

The cross section for local roadways will be designed to increase the aesthetic value of neighborhoods and ensure public safety. The Sky Ranch Development Team has designed a cross section for local roadways that will accommodate neighborhood automobile, pedestrian and bicycle traffic in a safe and aesthetically pleasing manner. In Sky Ranch, both attached and detached walks shall be utilized on the local streets to help define character and separate traffic types in key locations.

When used, ownership and maintenance of the tree lawn will be the responsibility of the property owner or Homeowners Association.

8.7 TRAFFIC IMPACT ANALYSIS

Traffic Impact Analysis Studies shall utilize the latest revision of the *Arapahoe County Guidelines for Traffic Impact Studies* during the design process.

8.8 PAVEMENT DESIGN

Pavement Design Reports shall utilize the Standards located in the latest revision of the *Arapahoe County Roadway Design and Construction Standards*.

8.9 ALLEY DESIGNS

Alleys are encouraged within a residential community as one means of improving the neighborhood streetscape. Alley design quality should be consistent with the neighborhood. Alleys shall provide adequate site distance when intersecting other alleys or roadways.

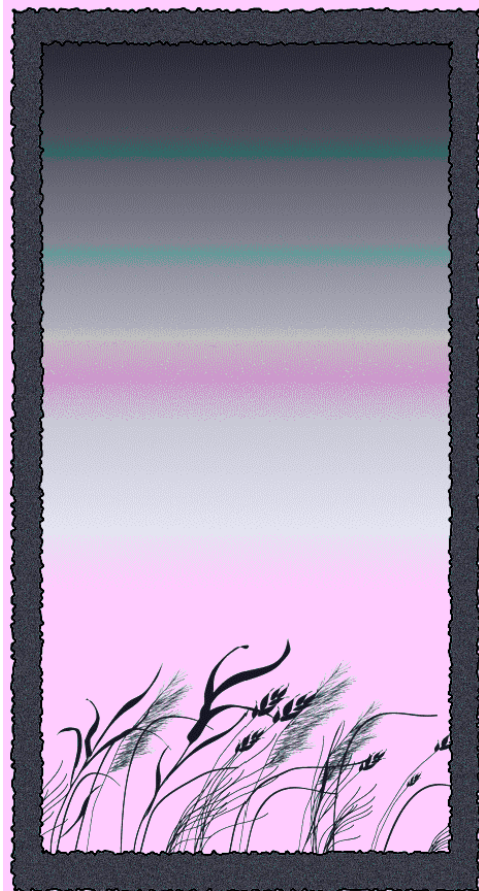
Alleys are encouraged to eliminate the impact of the garage door and driveway upon on the streetscape, and eliminate driveway access conflicts on streets. Alleys also allow homes to front lot lots, parks, or open space without a road separating the homes from such features. Alleys can provide additional parking where needed.

Mid block land use and density transitions can share alleys for appropriate vehicular access and minimize impacts to lower intensity residential uses. High quality alleys support accessory residential units. Alleys are generally privately owned and maintained and must meet applicable Standards and Land Development Code (latest version). If an alleyway is to be used for emergency access, all applicable County Engineering and Fire District requirements will apply.



a. APPROPRIATE USE

Alleys shall be allowed where developments face major streets to which driveway access is not allowed. Alleys shall be permitted wherever visitor parking is in high demand in order to provide the greatest amount of on-street parking. Alleys shall also be used to permit homes to "front" onto collector streets in select locations in Sky Ranch.



SKY RANCH

PROPERTY OWNER:

PCY HOLDINGS, LLC
34501 E. QUINCY AVE.
BLDG. 34, BOX 10
WATKINS, CO 80137
303.292.3456

ENGINEER:

CVL CONSULTANTS OF
COLORADO, INC
10333 E. DRY CREEK RD. #240
ENGLEWOOD, CO 80112
720.482.9526

PREPARED BY:



SHEET
23 OF 24
DESIGN
STANDARDS

REPLACES SKY RANCH PDP, AMENDMENT NO. 1
CASE NUMBER A04-010, SHEET 9 OF 9
PDP AMENDMENT NO. 2

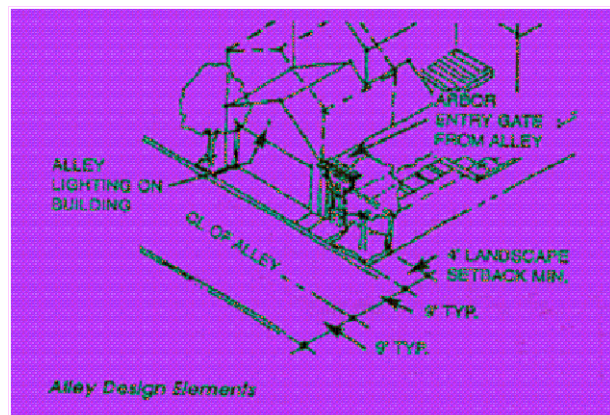
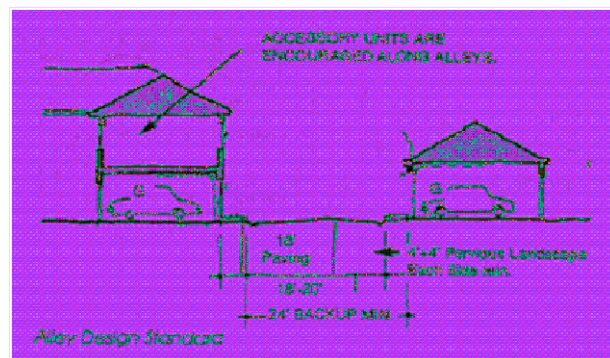
SEPTEMBER 30, 2016

SKY RANCH
PRELIMINARY DEVELOPMENT PLAN AMENDMENT NO. 2
BEING A PART OF LOTS 1-16, LOTS 17-28, AND LOTS 30-32 OF MONTCLAIR GARDENS 2ND FILING AND VACATED
RIGHT-OF-WAY AND UNPLATTED PARCELS OF LAND LOCATED IN THE THE WEST HALF OF SECTION 3, THE SOUTHEAST
QUARTER OF SECTION 4 AND THE EAST HALF OF SECTION 10,
TOWNSHIP 4 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN
COUNTY OF ARAPAHOE, STATE OF COLORADO

b. DESIGN PRINCIPLES

- Dead end alleys shall provide for adequate turn around facilities as determined by the applicable Fire District and County Engineering requirements.

- Fencing should be consistent along the alleyway in terms of material and design.



9.0 COMMUNITY DESIGN STANDARDS

9.1 INTENT

Community design elements play an important role in Sky Ranch. These design elements should be viewed as a whole package, where each element has a particular function. The developer needs to assess all the functions that should be accommodated within the public space areas of the community, and then provide the elements to allow those functions to occur in a safe and effective manner. By pre-planning the community design elements, a theme can be chosen and high quality elements and materials selected. Staying within a theme helps create an identifiable and cohesive community. The theme chosen for Sky Ranch is reflected in the PDP and throughout these Design Standards.

9.2 SITE AMENITIES

Site amenities such as gazebos, shelters arbors, kiosks, benches, tables, etc. shall be used within parks, open spaces and along walkways in Sky Ranch. These amenities have been designed to be architecturally consistent with the style and character of Sky Ranch.

9.3 SIGNAGE

All signage must, at a minimum, conform to the *Arapahoe County Land Development Code*. Community identity features and entry features shall be simple, and compatible with the overall design of the community. A signage theme specific to Sky Ranch has been developed.

9.4 FENCING

Different types of fencing have been designed to serve different functions. Examples of fencing designed for Sky Ranch are included in the Preliminary Development Plan.

Residential wooden perimeter fences should be treated with a weather-resistant finish. In addition, all perimeter fences that face a public or private street should include at least one column for every 250 lineal feet, and one column at every fence corner, entryway and dead end. It is recommended that the columns be faced with brick, real or artificial stone, decorative iron, stucco or integrally colored concrete masonry units. Other appropriate improvements to streetscape may be considered, in lieu of the column standard. Perimeter fencing should have staggers where possible to eliminate monotony of long, linear fencing. This standard does not apply to fences in side yards between single-family residences.

A common fence color, style, and material for each type of fence allowed is shown on the Sky Ranch PDP.

9.5 LIGHTING

All lighting shall, at a minimum, conform to the lighting standards in the *Arapahoe County Land Development Code*.

Lighting serves a variety of needs within a development. In addition to street lighting, special consideration needs to be given to pedestrian area lighting, signage lighting, monument lighting, residential street lighting, commercial roadway lighting, and any other lighting necessary for the safety of the residents.

All lighting mounted on buildings or poles should be downcast, without drop lenses, and should be shielded for glare. Lighting is recommended to include only color corrected mercury vapor, or metal halide to avoid excessive light color variety.

9.6 MAIL BOXES

Where group mail boxes are required, such boxes should be located conveniently and safely located within a community. Common mail box areas should be illuminated, with lighting compatible with the development's fixtures. The design must conform to A.D.A. and post office requirements.

9.7 STREET FURNISHINGS

The following street furnishings can be used to provide functional, coordinated amenities in Sky Ranch, which would complement the existing architectural and landscaping assets: seating, trash containers, planters, drinking fountains, directories, bike racks, retaining walls and fences.

9.8 ENTRYWAY DESIGNS

Entryway features shall be located at at least one of a development's primary street entries. A development's thematic style shall be incorporated into the entryway design feature.

10.0 DEFINITIONS

The following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. In addition, the definitions listed in the *Arapahoe County Land Development Code* apply to this document.

Abutting. Having a common property line with an adjacent property.

Accessible. Approachable, enterable, and usable by persons with disabilities.

Accessory building. A detached building located on the same zone lot with the principal building, the use of which is customary and incidental to the use of the principal building.

Alley. A public or private way permanently reserved as a secondary means of access to abutting property.

Buffer. A continuous strip of land set aside for landscaping along the perimeter of a site. Buffer landscaping mitigates external effects, ensures compatibility between uses, and provides a natural transition between uses.

Building. Any structure built for the support, shelter or enclosure of persons, animals, or property of any kind.

Deciduous plant. Woody ornamental plant species that shed their leaves annually as opposed to evergreen.

Development. Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, conversion, or enlargement of any structure.

Development application. Development applications include: Conventional Rezoning, Preliminary Development Plan, Final Development Plan, Master Development Plan, Subdivision Development Plan, Location and Extent and Use By Special Review.

Downcast lighting. On-site illumination which is constructed, located and aligned in such a manner as to restrict the cone or illumination to ground surface areas within the boundaries of the site, and to prevent such illumination sources from being visible from abutting properties and public streets.

Duplex home. A two-dwelling unit constructed on a single lot, whether in a side-by-side or stacked configuration.

Dwelling, multi-family. One or more buildings on a site designed for occupancy by two or more family groups living independently of each other.

Dwelling unit. A building or portion thereof designed for occupancy and used exclusively by one family as a single housekeeping unit.

Evergreen. Plant species that retain their leaves year around. An evergreen plant or tree includes most conifers and many broad-leaved plants.

Garage. An enclosed space for the storage of one or more automobiles.

Grade (ground level). The lowest point of elevation of the finished surface of the ground, paving or sidewalk within the area between the building and the property line.

Height of building. The vertical distance from the average finished grade immediately adjacent to the structure to the highest point of the structure, including rooftop appurtenances.

Irrigation system. A permanent, underground, and automatically controlled, artificial watering system designed to transport and distribute water to plant materials.

Landscaped area. An unoccupied space open to the sky on the same lot with the building and shall consist of private landscaped areas, open recreational facilities, and areas utilized exclusively for pedestrian and non-motorized traffic. Parking lots, recreational vehicle and equipment storage areas, public and private roadways, and structures shall not be included as landscaped area.

Landscaping. An expanse of natural scenery or lawns, trees, plants, and other natural materials, such as rock and wood chips, and decorative features, including sculpture, patterned walks, and pools.

Lot. The designation of the smallest area on a subdivision map or plat that is not a tract or dedicated to a Homeowners' Association.

Manufactured home. A single-family dwelling which is partially or entirely manufactured in a factory; is not less than 24 feet wide and 36 feet long, is installed on an engineered foundation, has brick, wood or cosmetically equivalent exterior siding and a pitched roof, and is certified pursuant to the 'National Manufactured Housing Construction and Safety Standards Act of 1974,' 42 U.S.C. 5401 et seq., as amended. The term 'manufactured home' does not include a recreational vehicle.

Masonry walls. Walls faced with integrally colored decorative masonry block, stucco, or brick to match or blend with the materials used on other site buildings, signs, or fence columns.

Outdoor storage. The placement or deposit of any equipment, furniture, machine, material, merchandise, or supplies in an outside location or outside an enclosed structure, except objects that are customarily placed outside and clearly incidental and commonly associated with the permitted use.

Parcel. A tract or parcel of land of any size that may or may not be subdivided or improved.

Parking Space. An off-street space available for the parking of one motor vehicle, exclusive of passageways and driveways appurtenant thereto, and giving access to a street or alley.

Plant Materials. All living plant species consisting of trees, shrubs, annuals, perennials, vines, groundcovers, ornamental and turf grasses that will thrive in the city's climate, water restrictions, and soils. All plant materials shall meet or exceed minimum standards as outlined in the *Colorado Nursery Act Regulations*. Plants will be installed according to specifications of the *Associated Landscape Contractors of Colorado*. Plant material shall also conform to *Uniform Nursery Standards*, current edition.

Principal Building. The primary structure located on a lot, and designed for a use or occupancy which is a permitted primary use in the zoning district applicable to the lot.

Private Roadway. The roadway that has not been conveyed to Arapahoe County.

Public Right-of-Way. The right-of-way that has been conveyed to the Arapahoe County.

Pullout. A parking space adjacent to the roadway.

Roof Dormer. A windowed wall area flanked on at least two sides by sloping roof areas.

Site. A parcel of land occupied or capable of being occupied by one building, and the accessory building or uses customarily incident to it, including such open spaces as are required by this chapter.

Story. A portion of a building, other than a basement or cellar as defined in the building code, included between the surface of any floor and the surface of the next floor above it or, if there is no floor above it, the space between the surface of the floor and the ceiling next above it.

Street. A public or private thoroughfare used, or intended to be used, for passage or travel by motor vehicles. Streets are further classified by the functions they perform.

Streetscape. A design term referring to all the elements that constitute the physical makeup of a street and that as a group, define its character, including building frontage, street paving, street furniture, landscaping, including trees and other plantings, awnings and marquees, signs and lighting. Also known as street front or street frontage.

Strip Commercial. Commercial development, usually one lot deep, that fronts on a major street.

Structure. Anything constructed or erected, the use of which requires fixed location on the ground or attachment to something having fixed location on the ground.

Tract. A parcel of land of any size that may or may not be subdivided or improved.

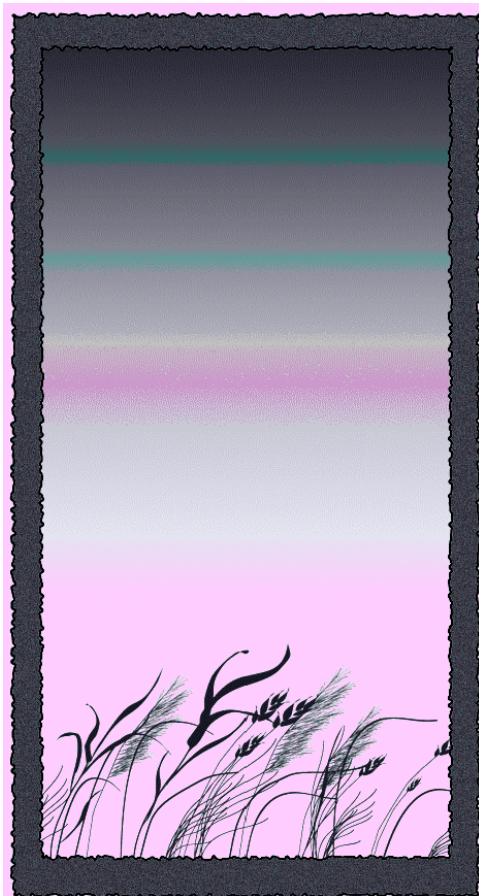
Tree. A self supporting woody perennial reaching a mature height of a least eight feet. Trees are further classified for the purposes of these Standards as ornamental, shade, and street trees.

Townhouses. Individual dwelling units attached by one or more party walls, with the habitable spaces of different dwelling units arranged in a side-by-side, rather than a stacked configuration, and intended either for sale or rent.

Urban Service Area. The defined area (as depicted in the *Arapahoe County Comprehensive Land Use Plan Map*) of government-supplied public facilities and services and urban development.

Xeriscape. Water-wise landscaping. A landscaping method that utilizes individual site conditions to maximize efficient water usage

Yard. That portion of a site not occupied by a building housing the principal and accessory uses.



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PREPARED BY:



SHEET
24 OF 24
DESIGN
STANDARDS

REPLACES SKY RANCH PDP
CASE NUMBER Z01-010, SHEET 24 OF 24
PDP AMENDMENT NO. 2

SEPTEMBER 30, 2016



Board Summary Report

Date: October 14, 2016

To: Board of County Commissioners

From: Todd Weaver, Budget Manager

Subject: Public Hearing on the 2017 Recommended Budget

Request and Recommendation

The purpose of this public hearing is to provide all interested persons and citizens an opportunity to be heard concerning the 2017 Recommended Budget for Arapahoe County, the Arapahoe Law Enforcement Authority, the Arapahoe County Recreation District, and the Arapahoe County Water and Wastewater Public Improvement District. The adoption of the 2017 budget will occur on December 13, 2016.

Background

The 2017 Recommended Budget was submitted to the Board of County Commissioners on October 11, 2016 and contained the budget recommendations of the Executive Budget Committee. The Executive Budget Committee (EBC) presented these budget recommendations to the Board of County Commissioners during a study session on October 18, 2016. The recommended budget contains projected revenues and expenditures for fiscal year 2017, is in conformance with Colorado law including the Taxpayer's Bill of Rights (TABOR) and other legal revenue and spending restrictions, and the General Fund operating budget is structurally balanced.

For Arapahoe County the total recommended 2017 expenditure budget is \$365.5 million, an increase of 1.0% from the adopted 2016 budget of \$361.7 million. The County's General Fund increased about 2.1% from \$173.7 million in the 2016 adopted budget to \$177.4 million in the 2017 recommended budget. The total recommended 2016 expenditure budget for the Arapahoe Law Enforcement Authority is \$7.4 million, an increase of about \$400,000 from the 2016 adopted budget of \$7.0 million. The Arapahoe County Recreation District budget for the 2017 recommended budget totals \$1.2 million for expenditures. The Arapahoe County Water and Wastewater Authority Public Improvement District (PID) has a recommended budget of \$9.3 million for the 2017 payment of debt service for bonds and other debt issuances.

For capital projects, the \$5.6 million transferred to the Capital Expenditure Fund from the General Fund results in a recommended budget of \$10.5 million. Additional recommended budget information is attached to this Board Summary Report and will be presented during the public hearing on October 25, 2016.

Links to Align Arapahoe

The adoption of a balanced budget is not only required by State statute but, the recommendations included in the budget and the adoption of a structurally balanced operating fund is in keeping with the County's goal of Fiscal Responsibility.

Discussion

The Finance Department will conduct a short presentation on the content of the 2017 Recommended Budget and be available to answer questions from the Board or the public.

Alternatives

No direction from the Board of County Commissioners is required. Therefore, alternatives are not applicable for this item.

Fiscal Impact

There is no fiscal impact from this public hearing and is designed to be an opportunity for discussion and comment on the content of the 2017 recommended budget by the BOCC and citizens.

Approved By:

Janet Kennedy, Finance Director
John Christofferson, Deputy County Attorney



ARAPAHOE COUNTY
COLORADO'S FIRST

2017 Recommended Budget

BOCC PUBLIC HEARING

OCTOBER 25, 2016



Key Budget Challenges

- Pressure for increased expenditures due to current workload and staffing issues, increasing costs, and increasing demand for services from a growing population
- While collections are still stronger than in prior years, many County revenue sources not showing much growth in 2017 over 2016 as activity moderates
- Property tax revenue for 2017 restrained both by TABOR limitation on growth and by necessity to refund over collection in 2016 based on revised CPI and reset of base for growth
- How to balance maintaining a healthy fund balance versus the need to provide funding for one-time expenditures such as capital projects
- Long Range Budget Committee look at key budgetary issues is progressing but 2017 needs to be a bridge between current fiscal situation and longer term solutions
- Budget climate and situation very similar to the 2016 budget development process



Executive Budget Committee Goals

- Structurally Balance the General Fund Operating Budget
- Maintaining the Total Compensation Philosophy
- Attempt to Meet Growing Needs with Limited Revenue Growth
- Continue the Capital Improvement Program with Available Resources



Quick 2017 Budget Facts

- Total Revenues (all funds): \$357.4 million, 1.8% increase
 - General Fund revenue: \$170.9 million, 3.0% increase - w/o one-time: \$169.7 million, 2.9% increase
- Total Expenditures (all funds): \$365.5 million, 1.0% increase
 - General Fund expenditures: \$177.4 million, 2.1% increase - w/o one-time: \$169.6 million, 3.0% incr.
- Total Staffing: 2,070.15 FTE, up 22.50 FTE from current 2016 staffing level
 - General Fund staffing: 1,242.90 FTE, up 9.00 FTE from 2016 level
- 2017 Estimated Ending General Fund Balance: \$37.9 million, \$6.5 million use of fund balance
- Total County Net Assessed Value: \$8.961 billion, 0.6% increase from \$8.912 billion in '16
- Total County Mill Levy (estimated): 13.988 mills (maximum allowable of 15.821 mills)
 - Temporary tax credit of -1.812 mills for 2017 along with -0.136 mill TABOR refund levy
- Capital Improvement Program budget for 2017: \$10.4 million



Align Arapahoe

- The 2017 recommended budget supports and balances priorities among the three main goals as well as many of the outcomes outlined in the Align Arapahoe performance management process.
- Elected offices and departments were requested to provide justifications for budget packages that contained a linkage between the request and the Align Arapahoe goals and outcomes.

Arapahoe County's Strategic Goals and Outcomes



- Foster safe communities
- Foster a healthier and vibrant County

- Improve the County's economic environment
- Improve process efficiencies

- Improve access to County services and information
- Achieve customer service excellence



Structurally Balanced Budget

- Structurally balancing the General Fund operating budget is important to financial stability.
- Balancing the operating budget benefits the County by:
 - Showing the County does not budget beyond its means to pay for ongoing services
 - Enhancing financial sustainability by not relying on one-time fund balance to operate County programs and services
 - Reserving the use of the fund balance for one-time items such as capital projects, equipment, and other capital assets
 - Strengthening County financial condition and bolsters credit rating
 - Demonstrating fiscal responsibility



Structurally Balanced Budget

- The General Fund operating budget is structurally balanced for 2017 with a \$85,741 surplus at this time
 - Prior Year Surpluses:
 - 2016: \$170,899
 - 2015: \$286,441
 - 2014: \$487,139
- Factors involved in the structural balancing of the General Fund operating budget:
 - Analysis of revenue trends to maximize budget based on collections
 - Continuing with baseline budgeting process and vacancy savings reductions
 - Inclusion of the Total Compensation recommendations
 - Limiting the growth in ongoing operating expenses



Structurally Balanced Budget

REVENUE TRENDS:

- Overall revenue growth for 2017 was less than the growth experienced in 2016
 - Growth across all funds is currently 1.8% and was over 5.0% in the 2016 adopted budget
 - Growth in the General Fund is currently at 3.0% and was 4.3% for 2016
- In the General Fund, revenue is up \$5.0 million year over year, while the increase in 2016 was \$7.0 million
 - Property tax growth from the County mill levy is \$1.8 million and factors in the required TABOR refund of \$1.2 million and a reset of the base for the calculation
 - Growth in property taxes from 2015 to 2016 was \$4.2 million, but should have been \$3.0 million if the CPI rate was known at the time of adoption.
- If you remove property tax growth in the General Fund of \$1.6 million, the remainder of the revenue sources increased about \$3.4 million from 2016 with revenue from the Treasurer's Office accounting for \$1.3 million of this growth from tax collection fees and interest



Structurally Balanced Budget

SIGNIFICANT REVENUE ADJUSTMENTS:

■ Motor Vehicle

- Growth in motor vehicle sales are leveling off but activity is still strong for 2017
- Total revenue in the Motor Vehicle Division for 2017 is \$8.0 million, up \$250,000 from 2016

■ Development

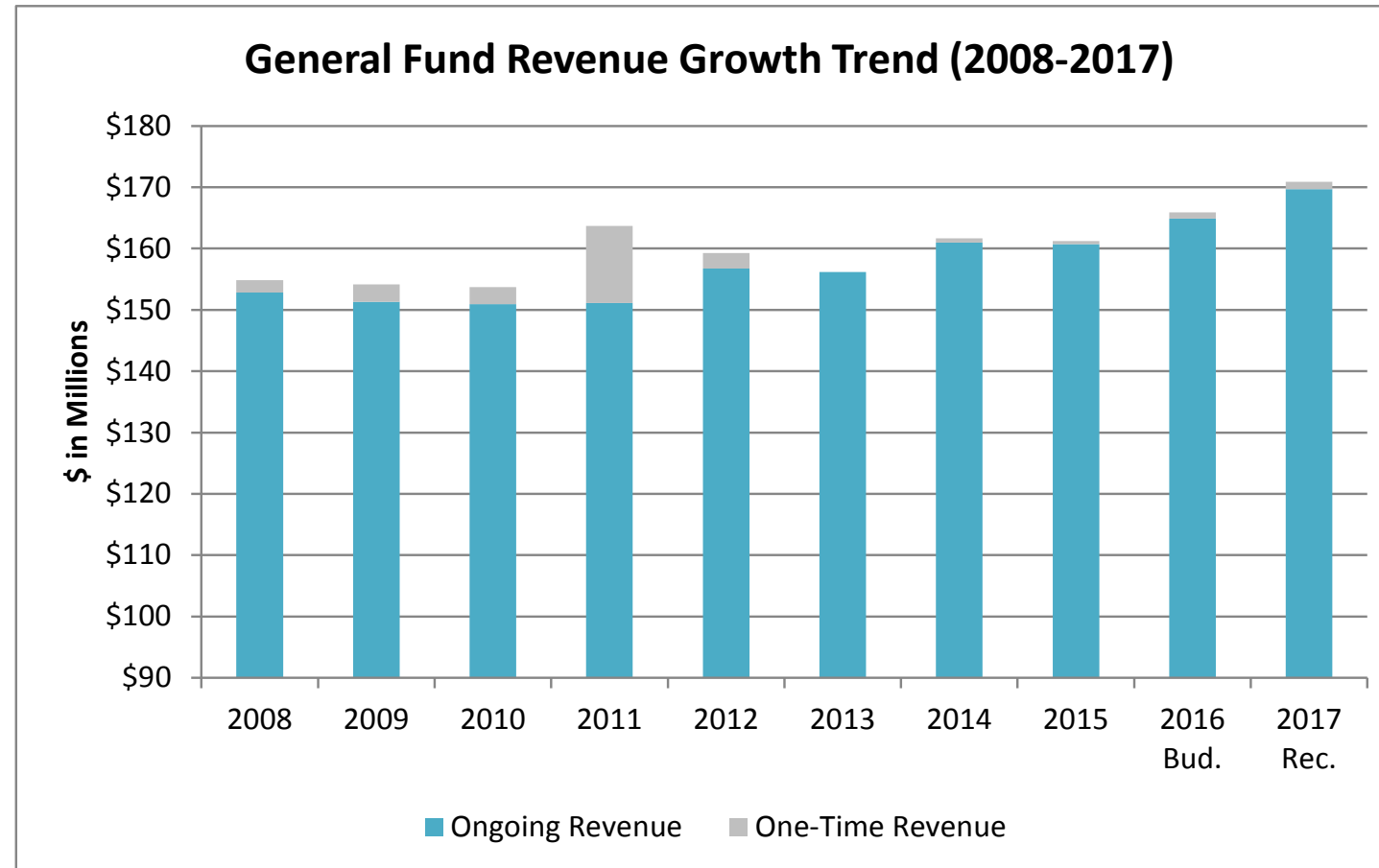
- Development activity continues to be strong but activity not expected to grow at the same rate as in the past few years
- There is no significant growth in revenues for building permits, planning fees and charges or other development revenue for Public Works & Development
- There is an increase of \$120,000 in land recording fees reflecting the current real estate market

■ Other Revenue Sources

- Gradual increases in interest rates is having a positive effect on earnings for the County resulting in \$800,000 growth in this revenue source
- Increase in overall taxable value following the 2015 re-appraisal has resulted in \$500,000 in increased tax collection fees for the Treasurer's Office
- Increases in salaries, benefits, and other costs will result in a preliminary estimated increase of about \$320,000 in additional revenue from the IGA for law enforcement services with the City of Centennial.



Structurally Balanced Budget





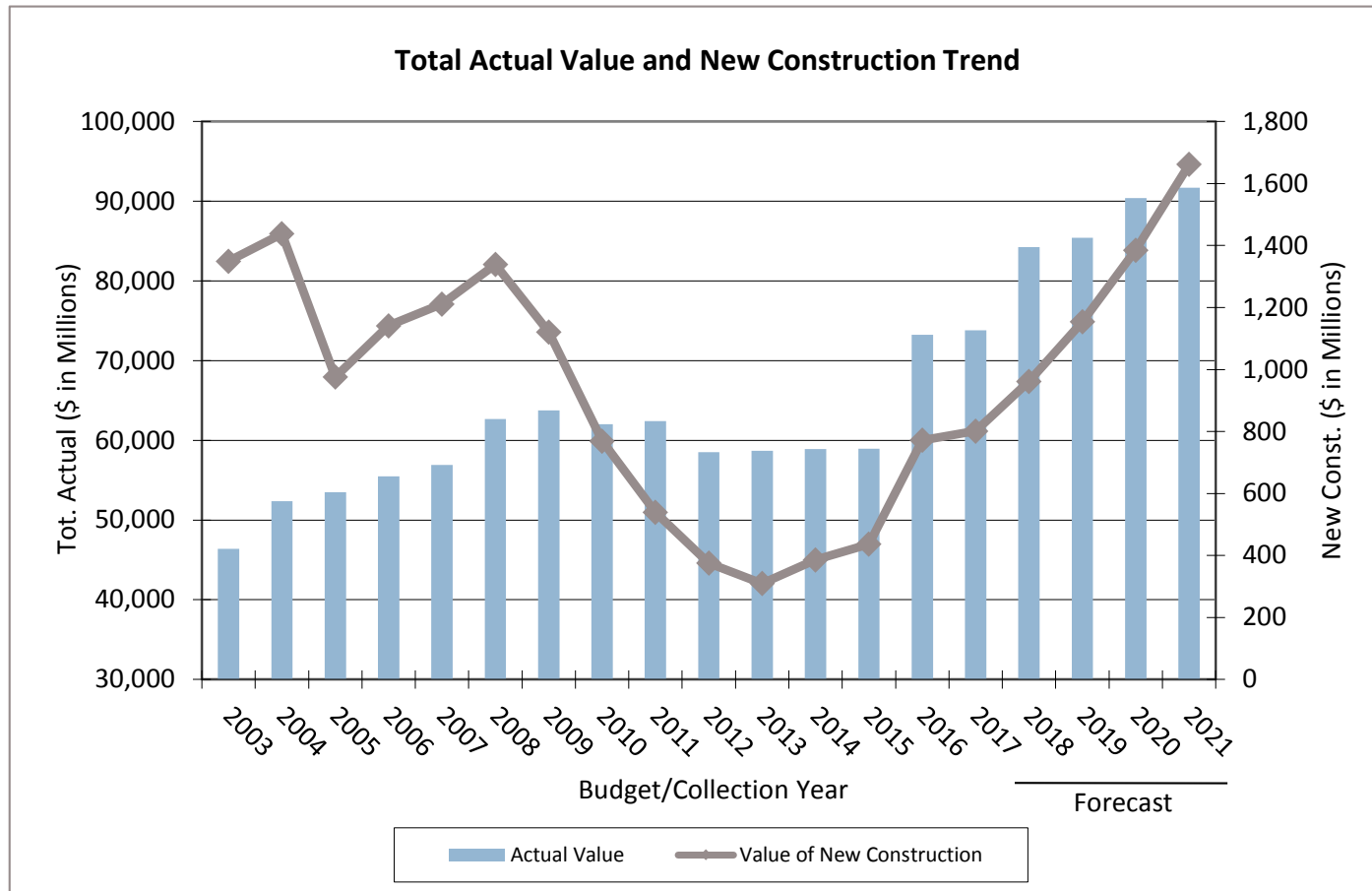
Structurally Balanced Budget

PROPERTY TAX VALUE TRENDS:

- Actual (Market) Value: \$73.8 billion, a 0.8% increase over '16 value of \$73.2 billion
 - Actual Value of New Construction: \$801.5 million, a 3.8% increase over '16
- Assessed Value: \$8.96 billion, a 0.6% increase over the 2016 value of \$8.91 billion
 - Assessed Value of New Construction: \$108.4 million, up from \$100.3 million
 - Assessed Value of TIF Districts: \$116.3 million, up from \$108.2 million
- TABOR Local Growth Calculation for FY 2017
 - Denver-Boulder CPI for 2016 (Sept. forecast): OSPB – 2.7%, CLC – 2.9%, forecast uses 2.7%
 - Local Growth: Formula based on the actual value of new construction/total actual value = 1.07%
 - Total Local Growth = CPI + Local growth which is 3.77% for 2017 collections
 - Local growth was 3.3% in 2016 budget but lowered to 2.2% following release of CPI in February



Structurally Balanced Budget





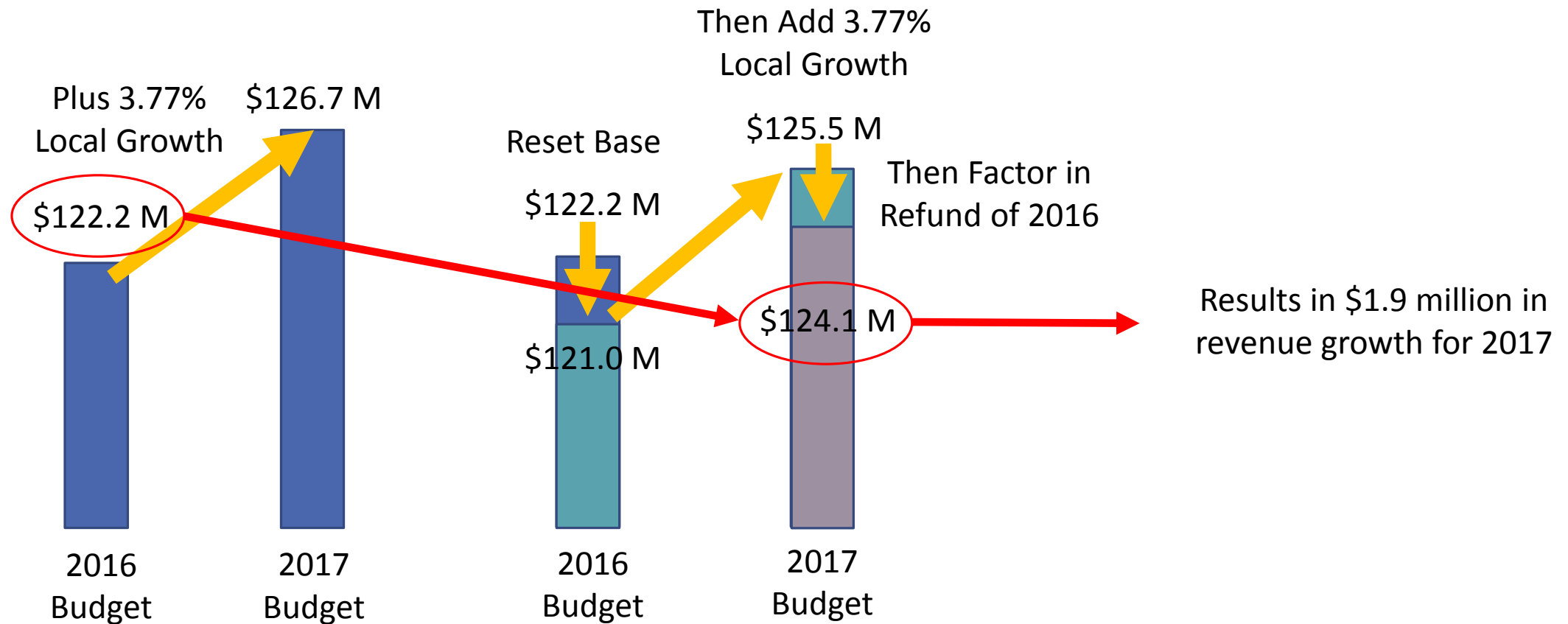
Structurally Balanced Budget

PROPERTY TAX REVENUE:

- Revenue growth over 2016 amount is estimated to be 3.77%, growing to \$124.1 million
 - General Fund revenue for 2017: \$101.4 million
- 2016 Revenue: \$122.2 million (\$99.8 million in the General Fund)
 - With 1.2% CPI rather than 2.2%, revenue should have been \$121 million or about \$1.2 million less
- 2017 growth should be nearly \$4.5 million more than 2016, however...
 - TABOR revenue base was reset to \$121 million
 - Plus \$4.5 million in growth would have totaled \$126.7 million in total revenue over budgeted 2016
 - Revenue is less \$1.2 million to reset base at \$121.0 plus \$4.5 million = \$125.5M
 - Total revenue of \$125.5 million less \$1.2 million for TABOR refund of 2016 over collection and \$250K difference in refund and abatement levy yields \$124.1 million in revenue for 2017
 - Or about \$1.9 million in overall property tax revenue growth over 2016 (\$1.6M in the General Fund)

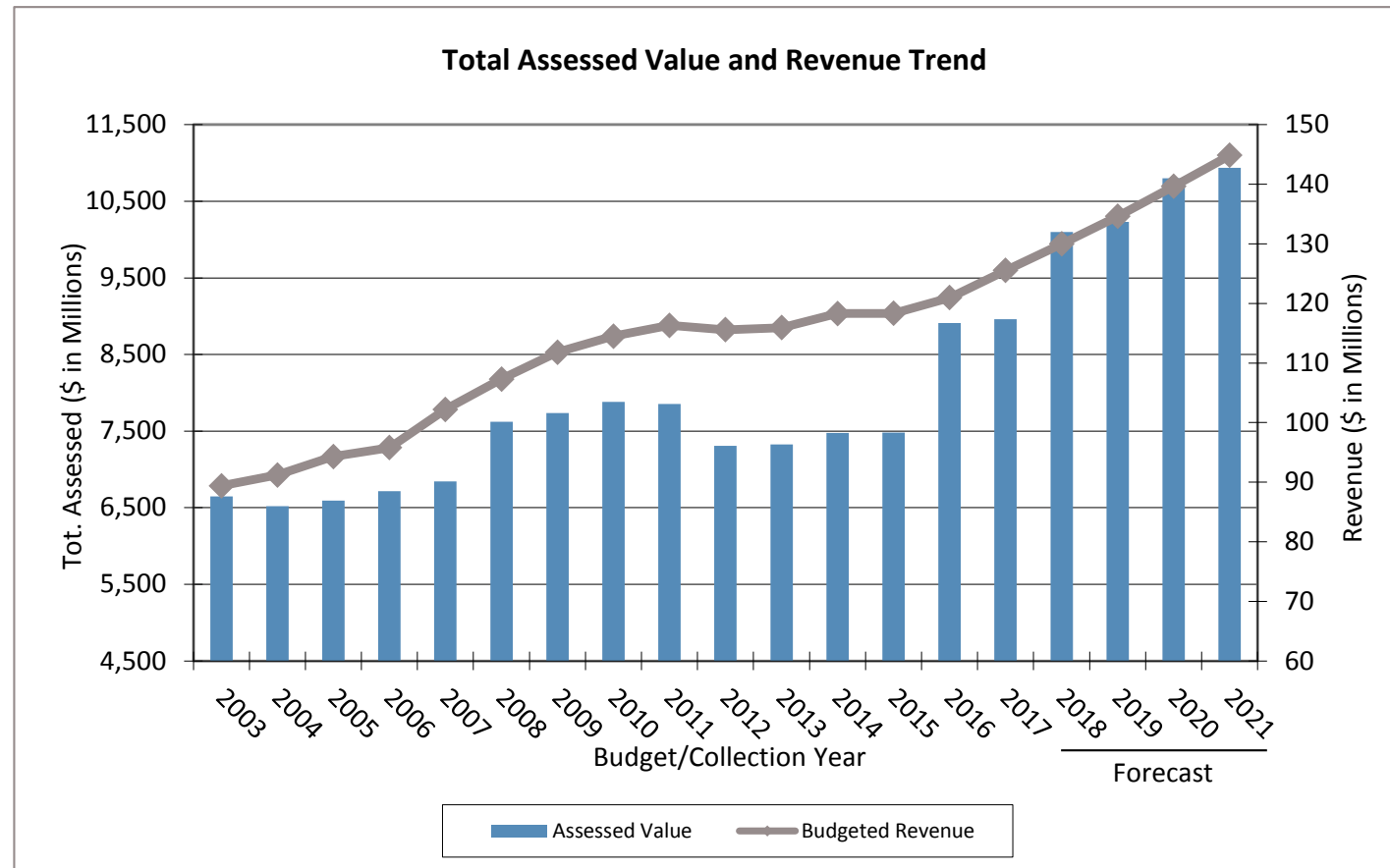


Structurally Balanced Budget





Structurally Balanced Budget





Structurally Balanced Budget

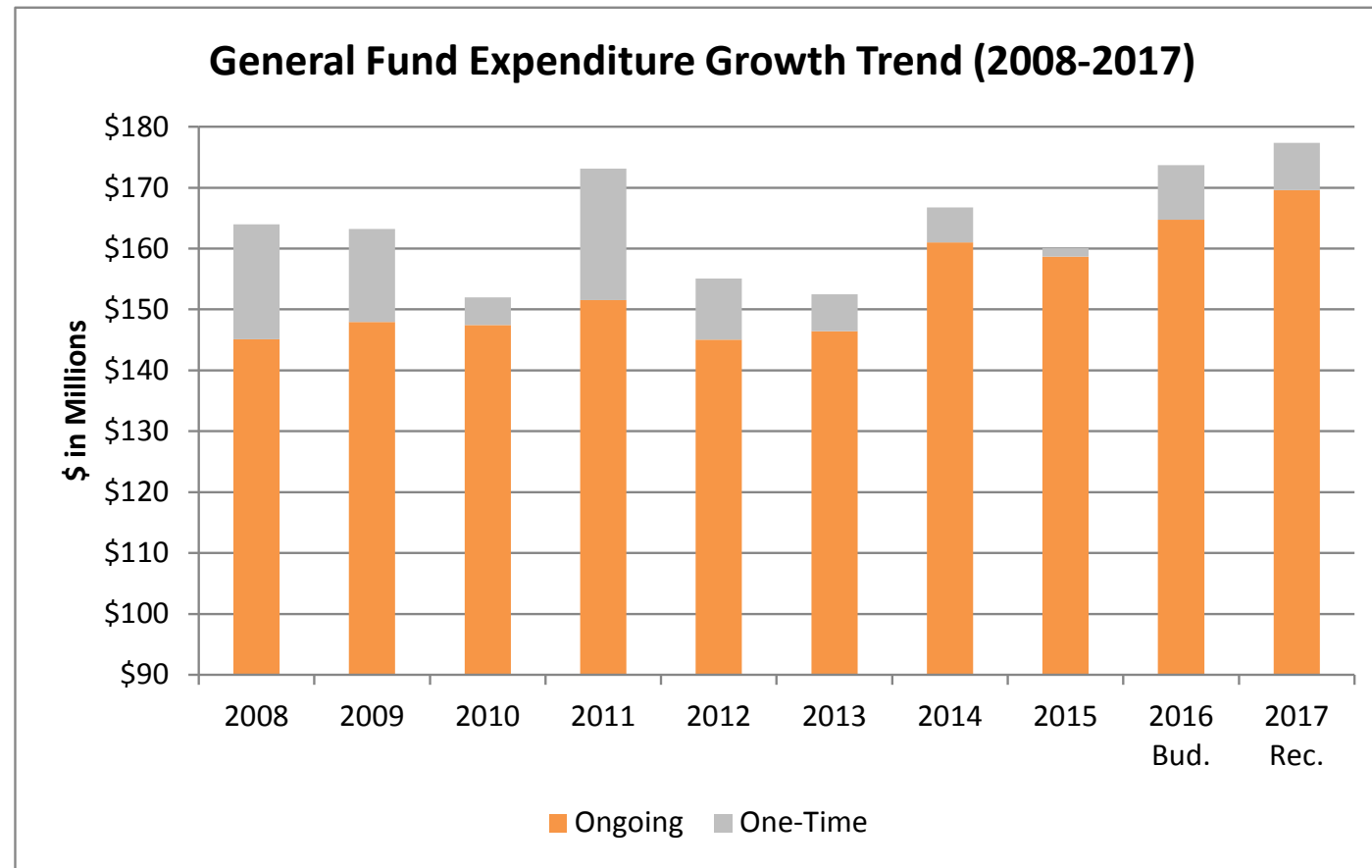
(Dollars in Millions)	2016 Levy	2016 Revenue	2017 Levy	2017 Revenue	2017 Assess. Value	2017 AV Change
General Fund	11.310	\$ 99.8	11.433	\$ 101.4		
Social Services Fund	1.379	12.2	1.395	12.4		
Road & Bridge Fund	0.654	5.8	0.650	5.8		
Capital Expenditure Fund	0.513	4.5	0.510	4.5		
Total County*	13.856	\$ 122.2	13.988	\$ 124.1	\$ 8,961.2	0.6%
Developmental Disability	1.000	\$ 8.9	1.000	\$ 8.9	\$ 9,012.2	0.6%
ALEA Fund	4.982	6.3	4.982	6.1	1,227.9	-4.4%
Recreation District*	0.774	0.9	0.765	0.9	1,148.9	1.4%
ACWWA PID	19.300	7.8	18.200	7.7	431.1	4.4%

■ Notes:

- The refund and abatement levy is to capture revenue that would have been collected in prior years due to errors in assessments and considered outside of the TABOR revenue calculation and therefore is added on to the levies for both the County and the Rec. District.
- For 2017, there will be a temporary tax credit of 1.812 mills to prevent over collection of revenue in 2017 based on the TABOR calculation and a TABOR refund levy credit of 0.136 mills for over collection in 2016.
- Mill levies will be adjusted again following the final certification of values in late-November/early-December

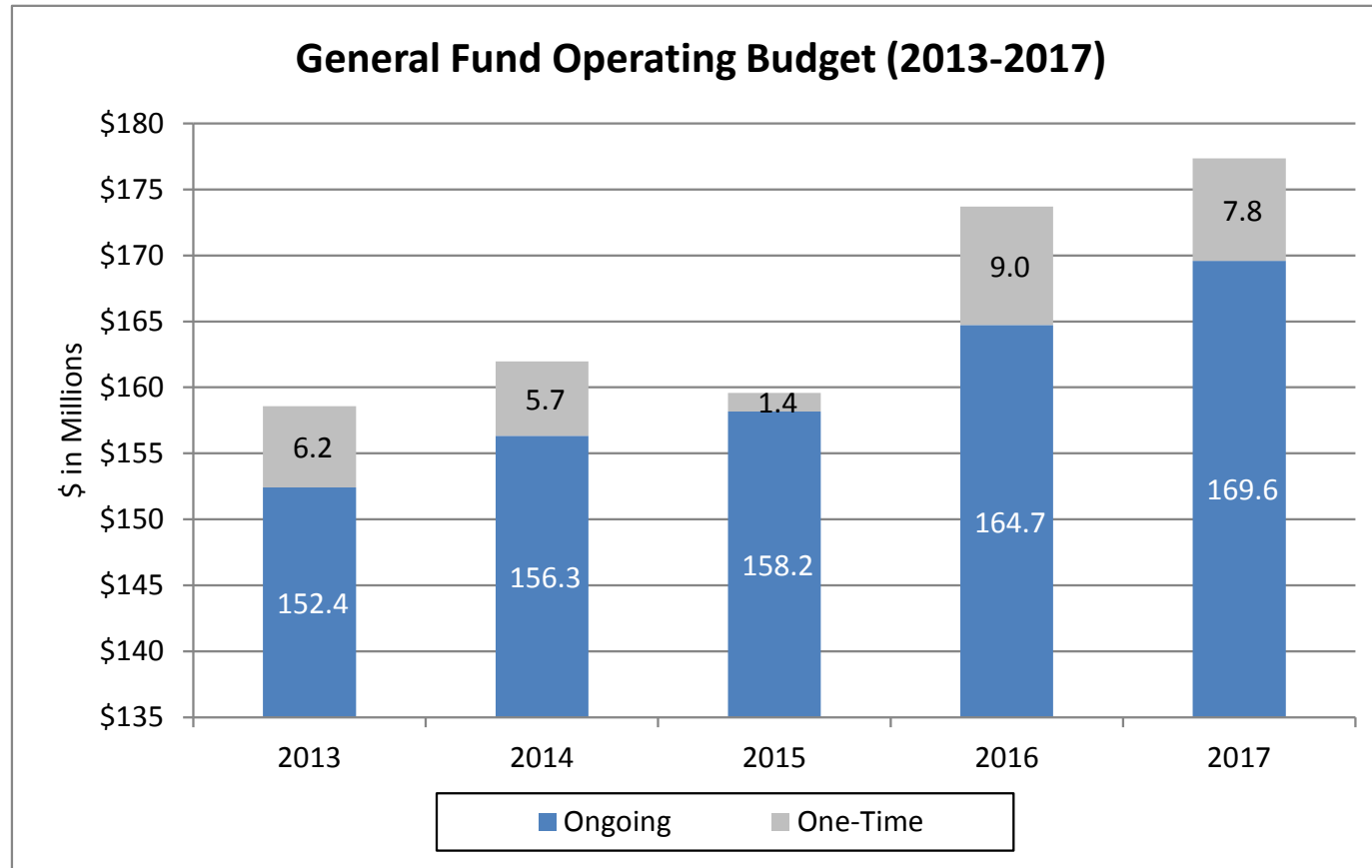


Structurally Balanced Budget





Structurally Balanced Budget



- Operating budget is balanced with a \$85,741 surplus of revenues over expenditures
- The 2016 operating budget surplus was \$170,199 on adoption and \$802,932 at the recommended budget
- The \$7.8 million in one-time uses includes a \$5.6 million transfer to the Capital Expenditure Fund



Structurally Balanced Budget

■ Vacancy Savings Reductions:

- Continues to be an important tool in being able to balance the operating budget and free up funds for Total Compensation increases
- The EBC is recommending continuing with vacancy savings reductions of:
 - 2.0% for departments/elected offices with fewer than 50 FTE
 - 3.5% for departments/elected offices with more than 50 FTE
- This level of vacancy savings reductions will yield \$4.4 million across all funds and \$2.8 million in the General Fund
- The amount of vacancy savings in excess of the reductions made has declined since 2013 and the current level of reductions is beginning to put some strain on department/elected office budgets
- To date, there have been no widespread negative effects on department/elected office year-end budgets due to vacancy savings

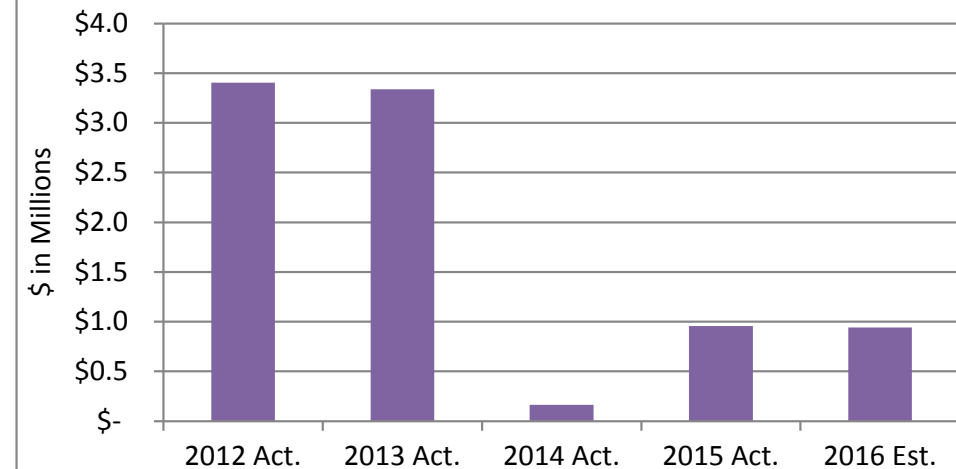


Structurally Balanced Budget

General Fund Vacancy Savings (2010-2016)

	Vacancy	Budget	Actual	Remaining	
	Reduction			Amount	%
2010 Act.	2%/1%	\$ 95.41	\$ 92.51	\$ 2.90	3.0%
2011 Act.	2%/1%	94.12	90.71	3.41	3.6%
2012 Act.	2%/1%	95.89	92.49	3.41	3.6%
2013 Act.	2%/1%	98.12	94.78	3.34	3.4%
2014 Act.	3%/1.5%	99.97	99.81	0.16	0.2%
2015 Act.	3.5%/2%	103.43	102.48	0.96	0.9%
2016 Est.	3.5%/2%	107.48	106.54	0.94	0.9%
Average		\$ 99.20	\$ 97.04	\$ 2.16	2.2%

General Fund Vacancy Savings (2012-2016)



NOTE: The figures above are after the budgeted vacancy savings reductions for departments and elected offices.



Structurally Balanced Budget

- The 2017 requested General Fund budget would have resulted in a \$3.2 million operating deficit and a \$12.2 million use of fund balance
- The EBC recommended budget increases revenue and reduces the amount of operating budget requests funded to result in a \$85,741 operating surplus for 2017
- Requested one-time uses of fund balance were reduced from \$10.4 million to \$7.8 million.
- Recommended budget is structurally balanced and would draw down fund balance by \$6.5 million by the end of 2017
- Ending fund balance of \$37.9 million includes the \$18.7 million 11% policy reserve but could be about \$3.6 million higher following 3rd Quarter Review

Category	2017 Requested Budget	2017 Recommended Budget	Variance
Estimated Beginning Balance	\$ 44,410,461	\$ 44,410,461	\$ -
Baseline Revenues	166,253,927	167,670,863	1,416,936
Package Revenues	2,756,852	3,220,852	464,000
LESS: One-Time Items	(1,380,573)	(1,230,573)	150,000
Subtotal Operating Revenues	167,630,206	169,661,142	2,030,936
TOTAL REVENUES	169,010,779	170,891,715	1,880,936
Baseline Expenditures	166,752,349	166,784,108	31,759
Package Expenditures	14,427,229	10,574,994	(3,852,235)
LESS: One-Time Items	(10,394,283)	(7,783,701)	2,610,582
Subtotal Operating Expenditures	170,785,295	169,575,401	(1,209,894)
TOTAL EXPENDITURES	181,179,578	177,359,102	(3,820,476)
Net Operating Surplus/(Deficit)	(3,155,089)	85,741	3,240,830
Total Use of Fund Balance	(12,168,799)	(6,467,387)	5,701,412
Estimated Ending Balance	\$ 32,241,662	\$ 37,943,074	\$ 5,701,412



Maintaining Total Compensation

- The Human Resources Department presented their Total Compensation recommendations to the E-Team, Executive Budget Committee and then to the BOCC on August 16th, 2016
- The recommendations presented included:
 - Merit based increases in employee salaries
 - Law enforcement officer step program progressions
 - Structural adjustments to pay ranges
 - A market based adjustment to the law enforcement pay step program
 - Market increases for specific positions
 - Market comparison and options related to the medical insurance renewal and contributions
 - Subsidized dental insurance premiums to lower self insured fund balance
- The Executive Budget Committee incorporated the Total Compensation recommendations into the 2017 budget



Maintaining Total Compensation

- Merit Based Salary Increases

- Base salary increases distributed based on performance and retaining key talent
- Recommendation for merit salary increase of 3.0% for 2017 budget
 - Recommendation based on market survey and comparison with similar government organizations
 - Total funding of \$3.26 million across all funds and \$1.8 million in the General Fund
- Recommendation also includes funding of annual law enforcement step program progressions
 - Funding across all funds of \$404,361 with 88% in the General Fund of \$356,532
- History of prior year increases:
 - In 2016: 3.00% Merit Increase plus Step Progressions
 - In 2015: 2.25% Merit Increase plus Step Progressions
 - In 2014: 2.00% Merit Increase plus Step Progressions



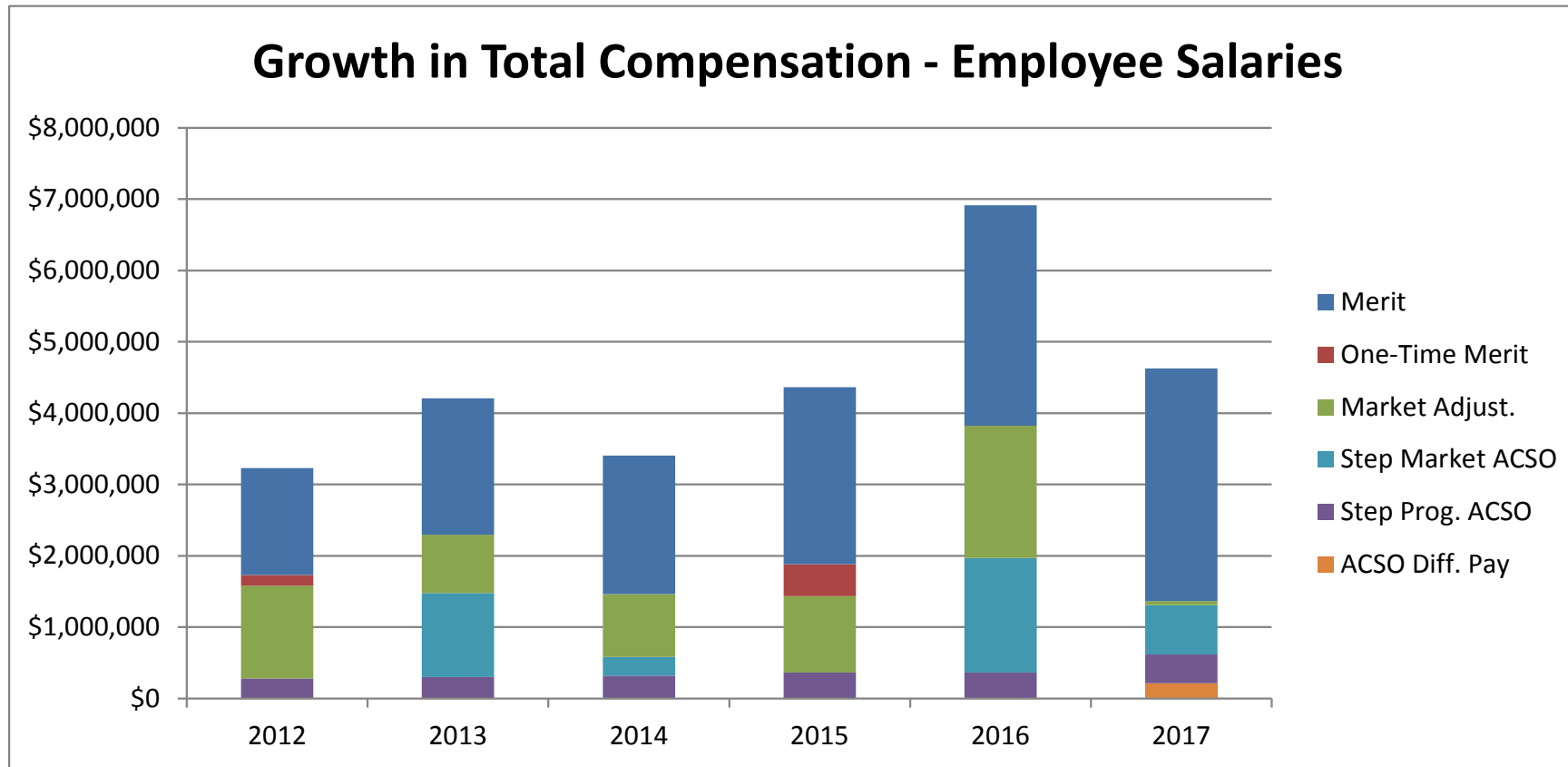
Maintaining Total Compensation

■ Market Salary Increases

- Human Resources conducts an annual market salary survey where County positions are matched with similar positions in other governmental organizations or the private sector
- For 2017, Human Resources is recommending adjustments to the salary range structure of 1.6%
 - Adjustments will be made to only those that fall below the bottom of the range and will require funding of \$56,000
- Law enforcement step program market increase budgeted at \$692,000
- Implementing a differential pay program for the Sheriff's Office at \$212,000
 - To be received only by those officers that have specialized duties such as Bomb Squad, K-9, or SWAT
- Assessor's Office funded for market increases for appraiser positions due to improved real estate market at \$63,534
- Human Services Department funded for a market increase related to Program Specialist positions due to this position classification being paid lower than the market creating retention difficulties
 - Increase totals \$305,198 but the County share is only about \$61,000



Maintaining Total Compensation





Maintaining Total Compensation

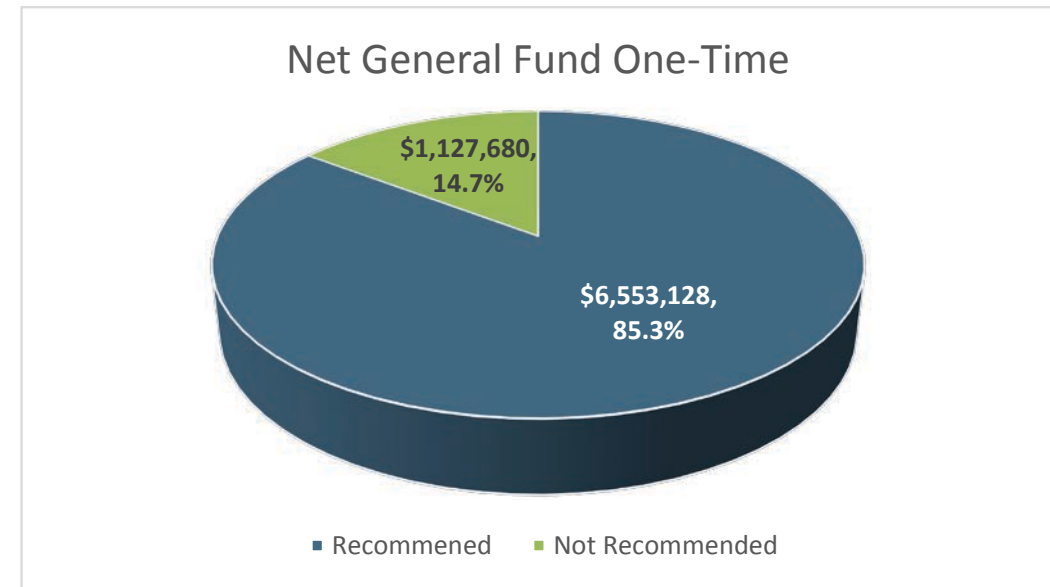
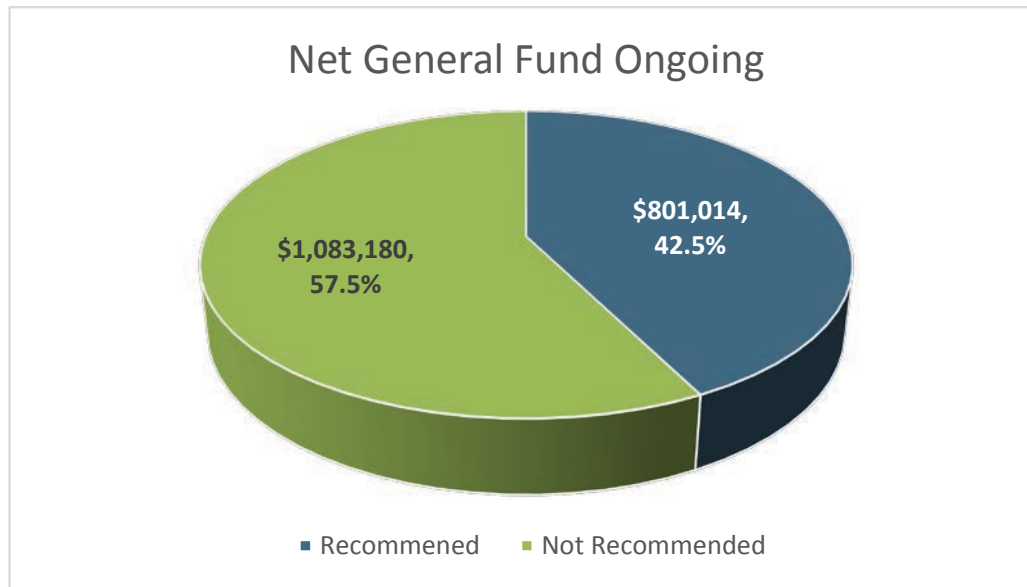
■ Employee Benefits

- Health Insurance: Premium increase is 3.44% and plans are at a level that is still slightly higher financial value than market
 - Small adjustment to benefits per Affordable Care Act but no County adjustments to plan design
 - Recommendation to increase employee only contribution for health insurance to \$10 per pay period for deductible HMO
 - Phased reduction in medical plan waiver payment to \$40 per month
 - Budget Result: About a \$290,000 increase in County cost for medical plan
- Dental Insurance: Estimating 1.24% increase in claims for 2017 but still working on reducing balance
 - Increase in claims would result in a \$17,400 increase in costs
 - Current reserve excess approximately \$165,000 and requesting to subsidize plan premiums by \$100,000 for 2017 budget
 - Results in about a 6% increase in premiums but still below the actual premium amount as balance is reduced



Meeting Growing Funding Needs

- One of the key challenges for the EBC in 2017 was trying to accommodate budget requests for additional funding from departments and elected offices that the Committee felt were needed.
- Looking at the General Fund net requested budget packages of \$9,565,002:





Meeting Growing Funding Needs

SIGNIFICANT GENERAL FUND BUDGET PACKAGES RECOMMENDED

■ Clerk & Recorder's Office

- Address Motor Vehicle Workload Issues – Increased volume of work and higher wait times
 - Additional Motor Vehicle FTE – Added 3.00 Motor Vehicle FTE and 1.00 Driver's License FTE for ongoing cost of \$244,052
 - Motor Vehicle Overtime – 2016 budget for overtime was a one-time budget item and was not included in 2017 baseline therefore another one-time amount of \$215,300 is funded for 2017 to assist with catching up on workload
- Election Administration – Need to fund the 2017 election and maintenance for new voting system
 - Ongoing maintenance of new voting system equipment and software funded with ongoing expense of \$64,500
 - Additional funding of \$234,019 in one-time expenses for specific 2017 election costs such as ballot printing and postage

■ Community Resources

- Judicial Services Pretrial Navigator – Funding of position recommended by Judicial Coordinating Committee subcommittee to reduce recidivism with pretrial services for clients with behavioral issues
 - Funded 1.00 FTE for ongoing cost of \$76,967 but grant funds have been applied for and are awaiting award decision



Meeting Growing Funding Needs

SIGNIFICANT GENERAL FUND BUDGET PACKAGES RECOMMENDED

■ Coroner's Office

- Increased Workload Issues – Number of autopsies and investigations continues to increase annually and no additional staff have been added to office since 2009 causing coverage and workload issues for staff
 - Additional Medicolegal Investigator FTE – Added 1.00 FTE for \$84,422 to assist with workload and coverage issues

■ Facilities and Fleet Management

- Custodial Needs – The unavailability of trustee labor and the decision to move the 18th Judicial District Probation Division to Lima Plaza have created larger areas for existing Custodial staff to cover
 - Custodian position– Added 1.00 FTE to Central Area to provide services for new space at Lima Plaza for Probation Division
 - Custodian position – Added 1.00 FTE to ACJC to provide services formerly provided by trustee laborers

■ Human Resources

- Increasing Compliance and Regulatory Needs – The provisions of the Affordable Care Act and maintaining compliance with new FLSA provisions have diverted current staff from regular duties
 - Addition of 1.00 FTE for \$75,452 to be able to assist in the service and compliance demands on a long term basis



Meeting Growing Funding Needs

SIGNIFICANT GENERAL FUND BUDGET PACKAGES RECOMMENDED

■ Public Works & Development

- Land Development Code Rewrite – Complete project to update land development code regulations
 - Addition of \$120,000 in one-time expenses to fund professional services for this code rewrite effort
- Participation in Colorado 811 Program – County to participate in utility locating service program
 - Added \$30,000 in additional ongoing expenses to provide utility location information as part of deferred State requirement

■ Sheriff's Office

- Contracted Medical Services – County received an increase in the amount for contracted medical services for inmates in the Detention Center after moving to a contracted only service model in 2015
 - EBC recommends funding the additional ongoing \$446,741 for contract inmate medicals services
- Contract Security Services – A contract increase for existing security services along with the need to provide security services for the newly finished space for the Probation Division at Lima Plaza
 - Increase of \$127,000 in ongoing expenses for the contracted security services provider for 2017



Meeting Growing Funding Needs

SIGNIFICANT GENERAL FUND BUDGET PACKAGES RECOMMENDED

■ Shared Services

- District Attorney's Office – Annual population adjustments along with requested increases for employee salaries and benefits were requested from the four counties in the 18th Judicial District
 - The 2017 Recommended Budget includes \$486,648 in ongoing expenses
- Tri-County Health Department – Annual population adjustment requested for 2017 along with increase in per capital rate of \$0.15 for salary and benefit increases and additional IT security position
 - Added \$189,112 in additional ongoing expenses to fund the Tri-County population and per capita increases

■ Administrative Services – Adjustments to transfers to the Capital Expenditure Fund and Self-Insurance Fund

- Capital Expenditure Fund – Budget includes a \$5.6 million transfer from the General Fund to allow for the recommended Capital Improvement Program plan projects for 2017 that is considered one-time
- Self-Insurance Liability Fund – Reduction in the \$750,000 transfer to \$500,000 for funding the Self-Insurance Liability Fund. If claims increase, a supplemental transfer from General Fund may be necessary as in 2015



Meeting Growing Funding Needs

SIGNIFICANT BUDGET PACKAGES RECOMMENDED – OTHER FUNDS

- Community Resources – Grant Fund
 - Weatherization Program– Declining Federal funding for this program since 2013 requires a reduction
 - Reduction of 8.50 FTE and \$529,581 in expenses in the Weatherization program in response to funding reductions
- Human Services – Social Services Fund
 - Additional staffing of 16 FTE in child and adult protective services and increases in Program Specialist salaries due to changes in FLSA standards were approved in August 2016 but included here as well
- Sheriff's Office – Law Enforcement Authority Fund
 - Additional Patrol Officers – Increasing population and service demands are stretching existing resources
 - 2017 Budget includes 4.00 Patrol FTE at an ongoing cost of \$383,894 and a total cost of \$540,245



Meeting Growing Funding Needs

SIGNIFICANT BUDGET PACKAGES NOT RECOMMENDED

■ General Fund:

- Communication Services – Additional Communication Services Specialist position for \$95,498
- District Attorney – Request for new Elder Abuse and Gang Units for \$250,539
- Information Technology:
 - Request for new developer position for \$128,588
 - Request for additional software maintenance expenses for \$121,901
- Public Works & Development:
 - Request for 2.00 FTE for Planner and Planning Assistant positions for a cost of \$147,615
 - Funding for New construction/project management software for a cost of \$100,000
- Sheriff's Office:
 - Funding for an additional Evidence Technician position for \$71,901
 - Funding for ACSO Administration Building lobby security improvements for \$46,466 in one-time costs
 - Request for 4 new Bomb Squad and Special Response Unit vehicles for a total of \$198,062 in one-time costs



Meeting Growing Funding Needs

(Dollars in Millions)	Social Services	Law Enforce.	Road & Bridge	Capital Expend.	Rec. District	ACWWA PID
Revenues						
Baseline Budget	\$ 55.8	\$ 7.1	\$ 15.4	\$ 4.9	\$ 1.2	\$ 9.3
Recommended Packages	-	-	-	5.6	-	-
Total Revenues	55.8	7.1	15.4	10.5	1.2	9.3
Expenditures						
Baseline Budget	\$ 54.2	\$ 6.8	\$ 15.1	\$ 0.1	\$ 1.2	\$ 9.3
Recommended Packages	1.8	0.6	0.7	10.4	0.0	-
Total Expenditures	56.1	7.4	15.9	10.5	1.2	9.3
Net Change	\$ (0.3)	\$ (0.3)	\$ (0.5)	\$ -	\$ (0.0)	\$ 0.0
Cumulative Balance						
Beginning Funds Available	\$ 9.6	\$ 8.7	\$ 3.2	\$ 1.7	\$ 1.8	\$ 2.6
Change in Fund Balance	(0.3)	(0.3)	(0.5)	-	(0.0)	0.0
Ending Funds Available	9.3	8.4	2.7	1.7	1.8	2.6
Fund Balance Restricted	(1.9)	(1.2)	(2.6)	-	-	(1.2)
Funds Available for Approp.	\$ 7.5	\$ 7.2	\$ 0.1	\$ 1.7	\$ 1.8	\$ 1.4

- Social Services Fund's budget increases due to addition of 16 FTE in 2016 and total compensation increases
- Law Enforcement Authority Fund deficit due to drop in assessed value and addition of 4 Patrol FTE
- Road & Bridge Fund deficit continues due to flat revenue. Reduced additional funding for road maintenance from '16
- Recreation District and ACWW PID stable for '17 for revenues and expenses



Continue Capital Improvement Program

- Capital Improvement Program Committee:
 - Process has been revised in an effort to develop a more comprehensive and stable 5-year capital plan
 - The CIP Committee scores projects across a number of criteria in order to prioritize needs
 - Switched to a 2-year process whereby the CIP Plan for 2016/2017 was determined primarily during 2015
 - This year's process was the second year of the two-year process and strove to maintain the project plan for 2017 formulated in during the 2016 budget development process with very few changes
- Recommendation from CIP Committee to EBC was for a \$11.1 million capital improvement program plan for 2017
 - Had a preliminary review of 2017 plan with BOCC on August 15
 - The EBC recommended a few adjustments to the CIP plan for 2017 that reduced total budget to \$10.4 million
 - Recommended deferring the second phase of tenant improvements to the Elections Warehouse for the Clerk's Office (\$400,000) and the implementation of the Talent Management software for Human Resources (\$232,500)



Continue Capital Improvement Program

2017 Capital Improvement Program	
Project	Amount
Iliff Avenue Widening (Parker/Quebec) Federal Project	\$ 2,500,000
Quincy/Gun Club Intersection Imprv.	1,600,000
Warehouse Roof Replacement	1,075,000
Warehouse Paving Replacement	1,055,000
Detention Center Perimeter Security	528,000
Rural Road Shoulder Construction Safety Projects	500,000
ACJC Building Comparison Evaluation	360,000
Valentia Curb/Gutter/Walk (Club Valentia - Miss)	300,000
Interim Paving Repairs - ACJC Employee Parking/DC Acc	300,000
Other Facilities Projects	693,500
Other Roads/Streets/Drainage Projects	935,000
Sheriff/Public Safety Projects	405,000
Technology/Communication Projects	175,000
Total Capital Improvement Program	\$ 10,426,500



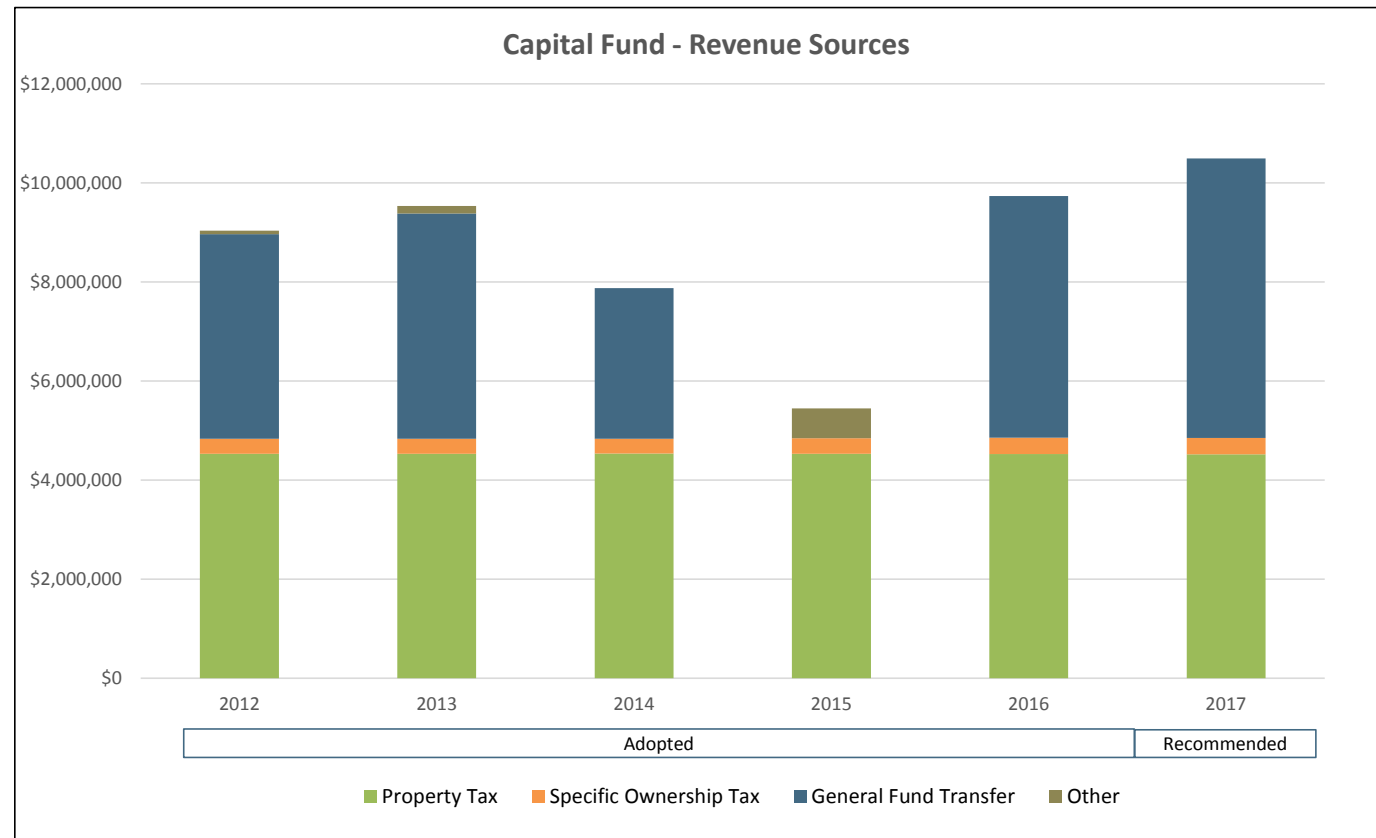
Continue Capital Improvement Program

SIGNIFICANT PROJECTS FOR 2017:

- Iliff Avenue Widening: \$23 million project to make improvements along the Iliff Ave. corridor between Quebec Street and Parker Road with this funding going towards the \$6.2 million local match over 3 yrs.
- Quincy/Gun Club Intersection: Expansion of the intersection to include additional lanes at a total cost of \$12.7 million with a County share of about \$4.8 million over 3 years with \$1.6 million in 2017
- Warehouse Roof Replacement and Parking Lot Resurfacing: Funds the removal of the existing roof system and replacing it with a new watertight roofing system. Parking lot requires the removal and replacement of the asphalt and reconfiguration of the loading dock due to property redevelopment. Both projects total over \$2.1 million
- Detention Center Perimeter Security: Designed to provide a completely secure perimeter fence for the facility and would include reusing existing materials to save cost but also requires significant additions to the fence structure for \$528,000.
- ACJC Building Comparison Evaluation: Continuation of the project started in 2016 to provide a high-level evaluation of the capital maintenance and space improvements/additions to meet the needs of the criminal justice system. The 2017 study will expand to study the cost and impacts of a replacement facility to address the long-term needs for \$360,000
- Rural Road Shoulder Improvements: Design and construction of roadway shoulders as identified in the 2035 Transportation Plan to address safety.
- Digital Trunk Radio System Upgrade: Continuation of the 2015 project to upgrade radio hardware and software for the radio communications system that will no longer be supported after 2018 with funding of \$252,000 for 2017.
- Network Access Control Platform: Technology to identify users and devices trying to access the network and applying security policy to determine level of access. Funded at \$175,000 for 2017.
- Full list of Capital Improvement Projects can be found on page 141 of 2017 recommended budget



Continue Capital Improvement Program





Issues Not Addressed

- As in the 2016 budget development process, there were a number of issues that could not be addressed in the 2017 budget:
 - District Attorney Budget Requests:
 - The District Attorney's Office requested funding for additional staff and resources for both an Elder Abuse and Gang Unit
 - Elder Abuse Unit – Requested at \$168,737 for an additional prosecutor and investigator
 - Gang Unit – Requested at \$81,802 for an additional prosecutor
 - Funding for Road & Bridge:
 - Public Works & Development has identified a need for additional road maintenance funds of about \$5 million more per year
 - In the 2016 budget, \$1.95 million was added to the budget from the fund balance to complete more road maintenance work
 - For 2017, this amount had to be removed from the budget as, if included, it would have reduced the fund balance to a level below the policy reserve for the Road & Bridge Fund.
 - A permanent solution for the deficit in the Road & Bridge Fund will need to be found soon or further reductions to the fund balance will occur



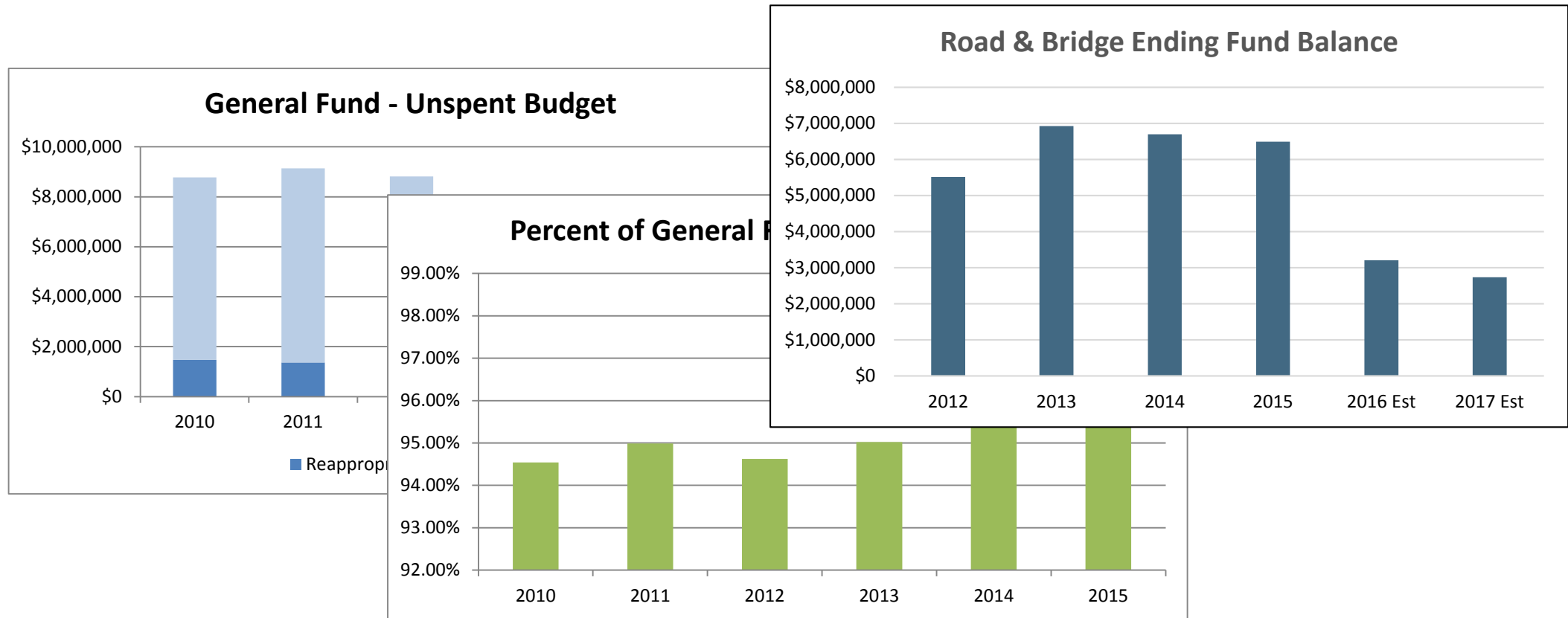
Items Not Addressed

Continued:

- **Additional Funding for the County Landfill:**
 - This fall the County has become aware that it will be required by the State to reactivate the de-watering system at the landfill
 - In addition, there is also a requirement for the drilling of a new monitoring well
 - These steps as well as other post closure maintenance activities could require additional funds in 2017 to complete
 - Possible addition of \$150,000-\$200,000 in one-time costs to 2017 to supplement ongoing maintenance budget of \$120,000
- **Long Term Funding of Operational and Capital Costs**
 - As identified during the 2016 budget development process, there were a number of budget requests the EBC felt were needed by departments and elected offices but that could not be funded on an ongoing basis with the current ongoing revenue.
 - In addition, there is concern that the Capital Improvement Program will consistently need a sizable transfer from the General Fund each year to complete the projects in the plan as well as those deferred from prior years
 - Number of large infrastructure projects in progress right now that require a significant County funding match
 - As the General Fund budget spends more of its budget each year, less is available for departments and elected offices to absorb operational costs within their existing budget or to add to fund balance to transfer to the Capital Expenditure Fund
 - It is hoped that the Long Range Budget Committee will explore ways to rectify this situation and bring recommendations to the Board of County Commissioners and the EBC in the near future



Items Not Addressed





2017 Budget Next Steps and Calendar

- Several adjustments and revisions are necessary prior to adoption in December:
 - Re-calculation of property tax revenue based on revised assessed values from Assessor
 - Re-calculation of County payroll costs
 - Review of required reserve amounts for applicable funds including 11% General Fund reserve
 - Incorporation of any BOCC changes and adjustments
 - Incorporation or adjustment of any omitted items or items in need of correction
 - Review of all County fund budgets and revenue trends prior to finalizing and rebalancing, if necessary
- October 25th: Public hearing on the 2017 Recommended Budget
- November 14th: Study session to review the 3rd Quarter Budget Review and for the final review of the 2017 Recommended Budget
- December 13th: Adoption of 2017 budget and certification of mill levies



Recommended Budget

- Thank you to all of the Elected Officials, Department Directors and staff that helped develop the 2017 Recommended Budget!
- 2017 Recommended Budget is available on the County's website.

