

**ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING-CONTINUANCE
OCTOBER 21, 2025
6:30 P.M.**

**SUBJECT: PP23-002 – RANCH AT WATKINS FARM FILING NO. 1
PRELIMINARY PLAT**

MOLLY ORKILD-LARSON, PRINCIPAL PLANNER

CONTINUANCE FROM SEPTEMBER 16, 2025

On September 16, 2025, the applicant requested that the public hearing be continued to October 21, 2025, so that the applicant's representative and other supporting team members could be present to discuss and answer the floodplain and water rights questions the Planning Commission (PC) had regarding this project. The PC voted to continue to this date.

CONTINUANCE FROM AUGUST 19, 2025

On August 19, 2025, the PC conducted a public hearing to consider Case No. PP23-002 for a proposed preliminary plat for 11 single-family residential lots and one tract south and adjacent to the 6th Avenue Service Road and east of Thunder Ranch subdivision. After hearing staff and the applicant's presentations and taking public testimony, the PC closed the public hearing and voted to continue the case to September 16, 2025, to consider supplemental material regarding water rights and how the floodplain affects this and nearby properties.

Floodplain Exhibits

The attached exhibit shows the 100-year floodplain of Cardboard Draw. Cardboard Draw crosses the subject property, specifically Lots 8-11. The attached cross sections of Lots 8-11 compare the location of the proposed lots to the floodplain base flood elevation. These cross sections demonstrate that the potential building area for Lots 8 to 11 are located outside the 100-year floodplain of Cardboard Draw. As per the Arapahoe County Floodplain Policy, 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 is required and will be applied to this development. Additionally, no grading and construction will occur within the floodplain; therefore, the development should not impact the floodplain.

Water Rights

The attached referral letter from the Colorado Division of Water Resources analyzes the water supply and demand for the proposed development. As noted in the letter, permits issued under C.R.S. 37-90-137(4)(b)(I) allow withdrawals on the basis of an aquifer life of one hundred years. The State Engineer's Office (State) reviewed the water rights decreed

to the applicant and determined that the water supply is adequate and that the water can be provided without causing injury to others' decreed water rights.

Also attached is an email received September 30, 2025, from the State in response to concerns received from the surrounding community about the development potentially causing injury to their existing water rights. The State indicated that as long as the withdrawal of the groundwater subject to the letter is consistent with the statute, the decree, and the well permits issued by their office, they do not anticipate material injury occurring to existing water rights. The State also stated that it cannot consider potential concerns of injury without supporting information in its review of these subdivision water supply plans. Additionally, the lowering of groundwater levels alone does not necessarily constitute injury (see CRS 37-90-137(4)(c)). The State mentions this example because it is often a concern cited by the public as a reason for their office to deny the water supply plan, but that is not consistent with their standards of review, and it is not consistent with the statute. The State reiterated in this email that the applicant is entitled to withdraw the water that they have a right to pursuant to statute, their decree, and well permits, and should someone in the future file a complaint that the pumping or use of this groundwater is causing injury, their office would take appropriate action at that time.

The Arapahoe County Comprehensive Plan includes policies and strategies that require adequate water availability for proposed developments, including the following strategy:

Strategy PFS 2.1(b) – Adopt a 300-year Water Supply Requirement

The County will require new development to provide a 300-year water supply. This requirement should be included in the Land Development Code (code) and apply to all development applications.

Although that 300-year standard is not incorporated into and mandated by the code, the State performs a courtesy review of supply and demand based on the 300-year recommendation. Using that measure, the Denver aquifer water is not sufficient to supply the lots for a period of 300 years; however, as noted by the State, the county's current legal requirement is a 100-year supply.

Since the inclusion of the 300-year requirement in the Comprehensive Plan, Arapahoe County hired a water consultant, LRE Water, to develop a Water Supply Study. The purpose of this study is to update the goals, policies, and strategies related to water resources from the County's 2018 Comprehensive Plan, and its primary objectives are to close gaps between future supply and demand, improve water efficiency, and extend the life of the Denver Basin aquifers to sustain a long-term supply. This study also provides Denver Basin Annual Production Factors rather than using the 300-year requirement. This factor provides a formula for calculating the amount of water available in an aquifer for a project. This study has not been adopted but is to be added to the code in the future. As stated above, County staff relies on the 100-year analysis from the State to determine if there is sufficient water for applications.

**ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING-CONTINUANCE
SEPTEMBER 16, 2025
6:30 P.M.**

**SUBJECT: PP23-002 – RANCH AT WATKINS FARM FILING NO. 1
PRELIMINARY PLAT**

MOLLY ORKILD-LARSON, PRINCIPAL PLANNER

CONTINUANCE FROM AUGUST 19, 2025

On August 19, 2025, the Planning Commission (PC) conducted a public hearing to consider Case No. PP23-002 for a proposed preliminary plat for 11 single-family residential lots and one tract south and adjacent to the 6th Avenue Service Road and east of Thunder Ranch subdivision. After hearing staff and the applicant's presentations and taking public testimony, the PC closed the public hearing and voted to continue the case to September 16, 2025, to consider supplemental material regarding water rights and how the floodplain affects this and nearby properties.

Floodplain Exhibits

The attached exhibit shows the 100-year floodplain of Cardboard Draw. Cardboard Draw crosses the subject property, specifically Lots 8-11. The attached cross sections of Lots 8-11 compare the location of the proposed lots to the floodplain base flood elevation. These cross sections demonstrate that the building area for Lots 8 to 11 are located outside the 100-year floodplain of Cardboard Draw. In addition, the lowest finished floor elevations for buildings on these lots will be required to be a minimum of two feet above the base floodplain elevation.

Water Rights

The attached referral letter from the Colorado Division of Water Resources analyzes the water supply and demand for the proposed development. As noted in the letter, permits issued under C.R.S. 37-90-137(4)(b)(I) shall allow withdrawals on the basis of an aquifer life of one hundred years. The State Engineer's Office reviewed the water rights decreed to the applicant and determined that the water supply is adequate and that the water can be provided without causing injury to others' decreed water rights.

The Arapahoe County Comprehensive Plan includes policies and strategies that require adequate water availability for proposed developments, including the following strategy:

Strategy PFS 2.1(b) – Adopt a 300-year Water Supply Requirement

The County will require new development to provide a 300-year water supply. This requirement should be included in the Land Development Code and apply to all development applications.

Although that 300-year standard is not incorporated into and mandated by the Arapahoe County code, the State Water Engineer's Office performs a courtesy review of supply and demand based on the 300-year recommendation. Using that measure, the Denver aquifer water is not sufficient to supply the lots for a period of 300 years; however, as noted by the State Water Engineer, the county's current legal requirement is a 100-year supply.

Since the inclusion of the 300-year requirement in the Comprehensive Plan, Arapahoe County hired a water consultant, LRE Water, to develop a Water Supply Study. The purpose of this study is to update the goals, policies, and strategies related to water resources from the County's 2018 Comprehensive Plan, and its primary objectives are to close gaps between future supply and demand, improve water efficiency, and extend the life of the Denver Basin aquifers to sustain a long-term supply. This study also provides Denver Basin Annual Production Factors rather than using the 300-year. This factor provides a formula for calculating the amount of water available in an aquifer for a project. This study has not been adopted but is to be added to the Arapahoe County Land Development Code in the future. As stated above, County staff relies on the 100-year analysis from the State Water Engineer to determine if there is sufficient water for applications.

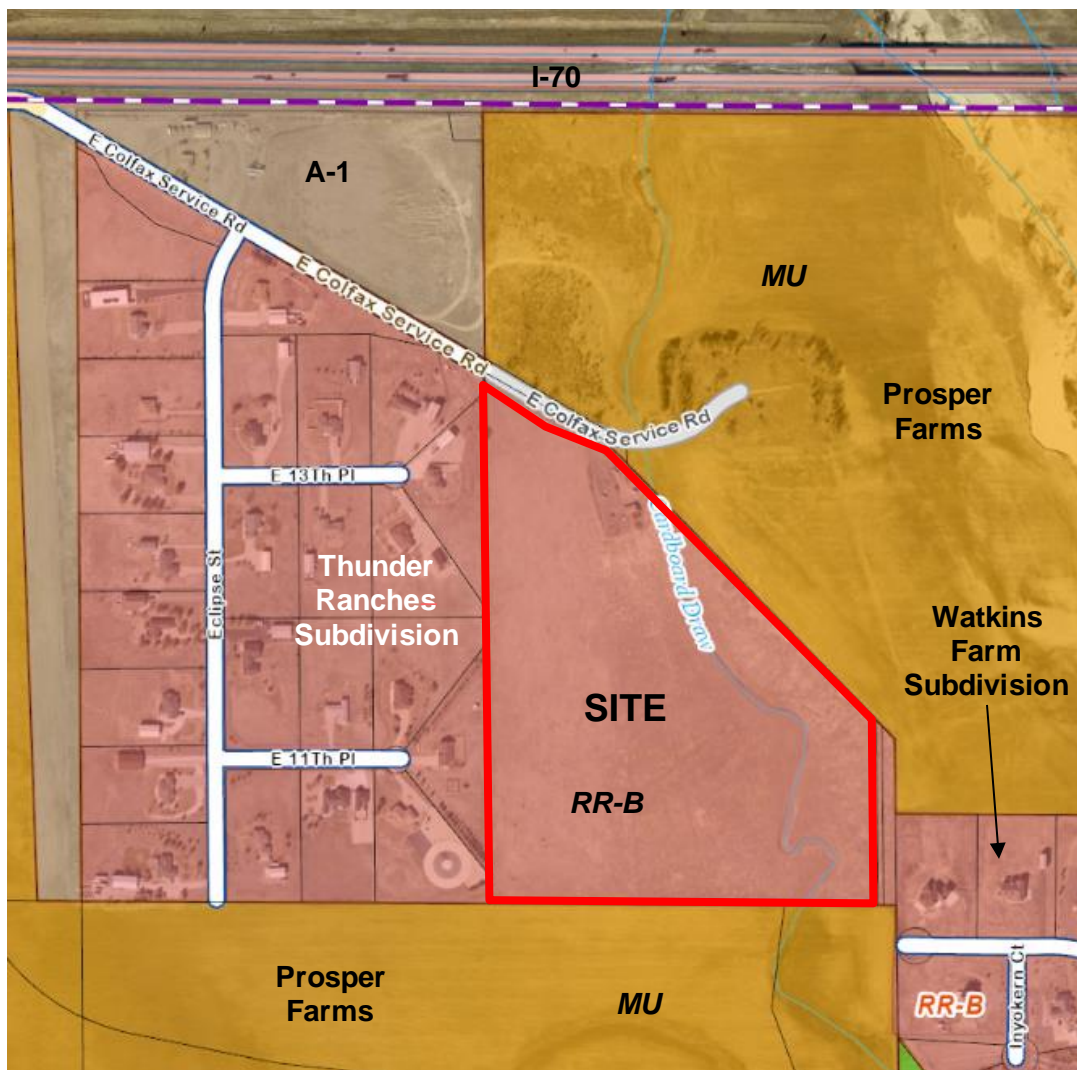
**ARAPAHOE COUNTY PLANNING COMMISSION
PUBLIC HEARING
JULY 15, 2025
6:30 P.M.**

**SUBJECT: PP23-002 – RANCH AT WATKINS FARM FILING NO. 1
PRELIMINARY PLAT**

MOLLY ORKILD-LARSON, PRINCIPAL PLANNER

LOCATION:

The subject 36.74-acre parcel is located south of I-70 and E. Colfax Service Road and east of N. Watkins Road and adjacent to the Thunder Ranches Subdivision. The parcel is in Commissioner District No. 3 and zoned Rural Residential-B (RR-B).



Vicinity and Zoning Map

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:

North: Prosper Farms, zoned MU and single-family residential, zoned A-1
South: Prosper Farms, zoned MU
East: Prosper Farms, zoned MU, and Watkins Farm Subdivision - single-family residential, zoned RR-B
West: Thunder Ranches Subdivision - single-family residential – zoned RR-B

PROPOSAL:

The applicant is seeking approval to subdivide a 36.74-acre parcel into 11 lots and one tract. Lots 1 through 11 will be developed for single-family residential, and Tract A for a detention pond. The residential lot size ranges from 2.41 to 4.5 acres, which adheres to the minimum 2.41-acre lot size in the RR-B zone. Access to the subject property is from the E. Colfax Service Road.

RECOMMENDATION:

Staff recommends the application be approved based on the findings and subject to the conditions of approval outlined herein.

I. BACKGROUND

The parcel is zoned RR-B. The property contains a corral and is being used for grazing cattle.

II. DISCUSSION

Staff review of this application included a comparison of the proposal to 1) applicable policies and goals outlined in the Comprehensive Plan; 2) Preliminary Plat Regulations; and 3) analysis of referral comments.

1. The Comprehensive Plan

Comprehensive Plan (Comp Plan): The subject parcel is located in the land use category of Urban Residential/Single-Family Detached and Attached. This category supports residential development with a variety of housing types combined with non-residential secondary land uses that are complementary and supportive. Primary uses are Single-Family Detached, Single-Family Attached (duplexes, triplexes, fourplexes, townhomes, each with private entrance), and multiplex units.

The Comp Plan's density range for Single-Family Detached is 1-8 du/ac. This application proposes single-family detached homes with a density of 3.34 dwelling units per acre, which complies with the designated density.

This proposal complies with the Comp plan as follows:

GOAL PSF 1 – Ensure an Adequate Water Supply in Terms of Quantity and Quality for Existing and Future Development

The 11 residential lots depicted on the proposed plat will be served by individual wells. The Colorado Division of Water Resources has determined that the proposed water supply is expected to be adequate and can be provided without causing material injury to existing water rights.

The proposed development's water use is for household use, and outside irrigation and water supply will be from individual lot wells. The groundwater in the aquifers underlying the subject property was adjudicated in Division 1 Water Court Case No. 97CW398. As per the court decree, a Property Owners Association must be created for the property, and all the lot purchasers must join. The water rights and the augmentation plan will be assigned to the Property Owners Association; therefore, if lot owners apply for an on-lot well permit, they will not be required to provide evidence that the applicant has acquired the right to the portion of the water being requested on the application. A condition of approval has been set for the Property Owners Association to be created before the signing of the plat.

Policy PFS 4.3 - Require Adequate Wastewater Treatment

Arapahoe County Public Health Department had concerns about Lots 8-11 being able to meet setbacks between water wells and On-site Wastewater Treatment Systems (OWTS) on these lots. The applicant has provided the County with a Buildable Lot Exhibit demonstrating how these lots can meet the Arapahoe County Health Department's well and OWTS setbacks. Planning staff discussed this exhibit and the setbacks shown with the Health Department, and it was decided that a condition of approval stating that a note be placed on the plat, saying that all setbacks between water wells and OWTS shall be met on each lot and with adjacent lots.

GOAL PFS 6 – Ensure the Adequacy of Electric, Natural Gas, Telephone, Cable, and Internet in Existing and New Development

Xcel Energy has indicated that they can serve the property. No other utility providers responded.

GOAL PFS 7 – Ensure Existing and New Development have Adequate Police and Fire Protection Utilities in Existing and New Development

The Arapahoe County Sheriff's Office is concerned that E. Colfax Service Road, along the property's northern property line, does not reside within a public right-of-way but rather in a 30-foot access and utility easement. Since the initial submittal of this application, the applicant has purchased land from the property owner to the north, and the E. Colfax Service Road is now within a 60-foot road right-of-way. The road within the development will also be located within a road

right-of-way. Both E. Colfax Service Road fronting the development and the interior roads will be dedicated to Arapahoe County through the final plat.

Bennett-Watkins Fire Rescue has no objections to the proposed development provided their requirements are met. Staff have made their requirements a condition of approval. The applicant does not object to meeting these requirements.

GOAL PFS 9 – Ensure that the Educational Needs of Existing and New Developments Are Met

The site will be served by the Bennett School District. The school district reviewed the preliminary plat application and is requesting cash-in-lieu fees of \$22,869.99 for schools, but these fees will be addressed at the time of the final plat.

2. Land Development Code – Subdivision Regulations

Section 5-6.2.B of the Land Development Code allows a Preliminary Plat shall be approved if the proposal meets all of the following criteria:

A. *The Applicant has provided evidence that provision has been made for a public water supply system, and if other methods of water supply are proposed, adequate evidence that a water supply is sufficient in terms of quantity, quality, and dependability for the type of subdivision proposed [Section 30-28133(6)(a) C.R.S.].*

See comments under 1. Comprehensive Plan.

B. *The Applicant has provided evidence that provision has been made for a public sewage disposal system, and, if other methods of sewage disposal are proposed, adequate evidence that such system shall comply with State and local laws and regulations [Section 3018-133(6)(b) C.R.S.].*

See comments under 1. Comprehensive Plan.

C. *The Applicant has provided 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 use of these areas are compatible with such conditions. [Section 30-281 33 (6) (c) C.R.S.]*

The Colorado Geological Survey commented that it has no objection to the approval of the plat, but recommends the following:

1. The homes and septic systems should be set back as far as possible from the flood zone to reduce hazards associated with scour, erosion, and sedimentation. Building envelopes and septic systems should be shown on the final plat drawings.
2. Site-specific geotechnical investigations are needed to determine depths to bedrock and seasonal groundwater levels on the lots. These investigations will help minimize the risk of structural damage.

The applicant has provided the County with a Buildable Lot Exhibit for the lots that have the most constraints (Lots 8-11), demonstrating the location of building areas outside the floodplain and how a water well and OTWS can be located on these lots and meet the Arapahoe County setback requirements. This exhibit has been attached to the staff report.

Staff is recommending, as a condition of approval, to add a note to the plat that recommends a geotechnical investigation be done on the lots in the development to determine the depth of bedrock and seasonal groundwater to minimize on-site structural damage.

A referral form was sent to Colorado Parks and Wildlife (CPW), but this agency never provided staff with comments. Staff visited the site, and the subject property contains prairie dogs and is located near a water corridor with trees. Staff contacted CPW to discuss what staff observed on and adjacent to the property, and they recommended requiring a burrowing owl and raptor study to be conducted before grading/construction occurs on-site. Staff has made this recommendation as conditions of approval.

- D. *The application is in compliance with all applicable zoning regulations governing the property as adopted by the Board of County Commissioners.*

The proposed property is zoned RR-B, and the minimum lot size for this district is 2.41 acres. The proposed lots range in size from 2.41 acres to 4.5934 acres, which meets the minimum lot size for this zone district.

- E. *The application is in compliance with the Mineral Resource Areas in the Regulations for Areas of Special Interest as adopted in the Arapahoe County LDC.*

The Mineral Resource Map B-8 doesn't indicate any mineral resources on the subject property.

3. Referral Comments

Comments received during the referral process are summarized in the chart attached to this report. Any late responses will be conveyed verbally at the public hearing.

4. Neighborhood Outreach and Public Comments

Neighborhood Meeting: A neighborhood meeting was held on September 25, 2023, and eight people signed the attendance sheet. The comments received at this meeting and emails to staff are as follows:

- Water Supply: Concerns about the impact on existing private wells in the area from the new development.
Response: This will be addressed during the platting process.
- Traffic: Concerns about increased traffic.
Response: This will be addressed during the platting process. The applicant has provided the County with a Waiver to the Traffic Impact Study which meets the County's waiver requirements. This waiver states that the site generated traffic is too low to have a measurable impact on the improved portion of E. Colfax Avenue Service Road.
- Covenants: Will there be covenants for the development?
Response: This will be determined by the future homeowners. Staff's comment: It's the developer who develops the covenants.
- Sale Price of the Lots: What will be the costs of the lots?
Response: The lot prices will be determined after the cost of platting and development has been completed.
- Floodplain: Is the property in the floodplain?
Response: Portions of the parcel are within the floodplain. The floodplain will be identified on the plat, and structures will need to be located outside this area.

Public Comment: The following concerns were expressed by the public during the review of this development.

- Will there be a privacy fence between Thunder Ranches subdivision and the new development?
Response: This topic is one not addressed at the time of a plat. A perimeter fence for the development is not proposed. Any fencing for future residents of the development can be discussed during the construction phase of the lots.
- Thunder Ranch Subdivision has wells that do not supply an adequate water supply for both small yard irrigation, without requiring recovery time to allow the well to resume an adequate water supply.
 - a. What studies/research will assure our current residents that their current water supply will not be infringed on?
 - b. What and how will the water supply impact the current Thunder Ranches residences?

Response to a-b: The water rights for this development are adjudicated by the Colorado Division of Water Resources (CDWR). The water rights are specific to the different aquifers, and they are not necessarily in the same aquifer as the adjacent development. The CDWR has determined that the water supply is adequate and can be provided without causing injury.

- Will there be a standard of design restricting the design/build of the new homes?
Response: The buildings will have to meet the zoning dimensional standards (height, setbacks, etc.). No design guidelines for the homes within the development are proposed. The development is for single-family detached homes, and accessory buildings/structures would have to meet zoning requirements.
- Will there be a Homeowners Association (HOA)?
Response: Yes, an HOA will be created for this development.

5. Cash in Lieu of Land Dedication

The school district is requesting a \$22,869.99 cash-in-lieu fee for the schools. However, land dedication for public schools, public parks, and other public purposes, or cash-in-lieu instead of land dedication, will be addressed at the final plat.

STAFF FINDINGS:

Staff has visited the site and reviewed the plans, supporting documentation, and referral comments in response to this application. Based on the review of applicable policies and goals, as set forth in the Comp Plan, review of the subdivision regulations, and analysis of referral comments, our findings include:

1. The proposed Preliminary Plat generally conforms to the Arapahoe County Comprehensive Plan.
2. The proposed Preliminary Plat complies with the General Submittal Requirements contained in Section 2-15 enumerated in the Arapahoe County Development Application Manual.
3. The proposed Preliminary Plat complies with the Approval Standards contained in Section 5-6.2.B enumerated in the Arapahoe County Land Development Code.

STAFF RECOMMENDATION:

Considering the findings and other information provided herein, staff recommends approval of Case No. PP23-002 The Ranch at Watkins Farm Filing No. 1 Preliminary Plat, with the following conditions of approval. See Planning Commission Draft Motions below.

The Planning Commission has alternatives that include the following:

1. Recommend approval of the proposed Preliminary Plat.
2. Continue to a date certain for more information.
3. Recommend denial of the proposed Preliminary Plat.

CONCURRENCE:

The Public Works and Development Planning and Engineering Services Division has reviewed the application, and the Arapahoe County Public Works and Development Department is recommending approval of this case.

PLANNING COMMISSION DRAFT MOTIONS – CASE NO. PP23-002 RANCH AT WATKINS FARM FILING NO. 1 PRELIMINARY PLAT:

Conditional Recommendation to Approve

In the case of PP23-002 The Ranch at Watkins Farm Filing No. 1 Preliminary Plat, I have reviewed the staff report, including all exhibits and attachments and have listened to the applicant's presentation and the public comment as presented at the hearing and hereby move to recommend approval of this application based on the findings in the staff report, subject to the following conditions:

1. Prior to the signature of the final copy of these plans, the applicant shall address all Public Works and Development Staff comments.
2. A note shall be placed on the plat stating that "All lots within the development shall meet the minimum Arapahoe County Health Department setbacks. These setbacks are as follows:

Water well from OWTS: 100 feet.
OWTS from property line: 10 feet.
OWTS from floodplain boundary: 50 feet.

Setbacks between wells and OWTS on individual lots and to adjacent lots' wells and OWTS shall be considered."
3. The applicant shall pave E. Colfax Service Road from the development site to the existing pavement at the intersection of Eclipse Street and E. Colfax Avenue Service Road at the time of the final plat.
4. The applicant shall create a Property Owners Association prior to the signing of the final plat.
5. The applicant shall comply with the Bennett-Watkins Fire Rescue requirements, including:
 - a. The road shall be designed and constructed as per the Arapahoe County Public Roadway Standards. The roadway shall be within the dedicated right-of-way for County-Maintained Roadways.
 - b. Any structure built on the 11 single-family lots will need to comply with all current Arapahoe County adopted codes and standards, as well as the 2018

- International Fire Code as adopted by Bennett-Watkins Fire Rescue (subject to change before future development phases if a newer edition is adopted).
- c. Access serving individual lots (driveways) within the development area shall meet the minimum requirements outlined in Arapahoe County Rural Roadway Standards, Appendix R.
 - d. When development occurs on each lot, applicants will need to submit for plan review directly to the fire department as part of the building permit process. Applicable fees will apply at the time of submission.
6. The applicant shall add a note to the plat that reads: "A geotechnical investigation is recommended to be done on the lots in the development to determine the depth of bedrock and seasonal groundwater to minimize on-site structural damage."
 7. Prairie dogs are present within the subject property. A Burrowing Owl Survey shall be conducted if any earthmoving is to occur between March 15 and August 31. This survey shall be submitted to the County Planning Division and Colorado Parks and Wildlife for review and approval, and no construction/grading shall be permitted during those dates without prior CPW's authorization.
 8. If the start of construction occurs during the raptor nesting season (between February 15 and August 31), a nesting raptor survey shall be conducted before the start of construction to identify active nests within 0.25 miles of the project workspace. This survey shall be submitted to the County Planning Division and the Colorado Parks and Wildlife for review and approval. If nesting raptors are present, no construction/grading is permitted during those dates without prior CPW authorization.

Staff provides the following Draft Motions listed below as general guidance in preparing an alternative motion if the Planning Commission reaches a different determination:

Recommendation to Deny

In the case of PP23-002 Ranch at Watkins Farm Filing No. 1 Preliminary Plat, I have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and the public comment as presented at the hearing and hereby move to recommend denial of this application based on the following findings:

1. *State new findings in support of denial as part of the motion.*

Continue to Date Certain:

In the case of PP23-002 Ranch at Watkins Farm Filing No. 1 Preliminary Plat, I move to continue the hearing to [date certain], 6:30 p.m., to obtain additional information and to further consider the information presented.

Attachments:

Engineering Staff Report

Referral Comments and Applicant's Response Letter
Exhibit
Buildable Lot Exhibit