

ADJACENT SUBDIVISIONS, ZONING, AND LAND USES:

West	Single Family, A-1 Zoning
North	Single Family, City of Aurora
East	Single Family, Rural Residential-B Zoning, Allred Subdivision
South	Single Family, Mixed Use Zoning, Country Village Subdivision

PROPOSAL:

The applicant, Janis Jensen, on behalf of Roderic and Jane Guilford (owners), is requesting approval of the Guilford Ranch Conventional Rezoning. The applicant has another active Land Development case on this property, a Minor Subdivision (PM20-003), and that case will be before the Planning Commission and Board of County Commissioners separately in the future.

The applicant is proposing a Conventional Rezoning from the existing A-1 (Agricultural-1) zoning to RR-B (Rural Residential-B zoning). The existing zoning has a minimum lot size of 19 acres, and the proposed zoning has a minimum lot size of 2.41 acres. The proposed zone district's minimum lot size mirrors the existing zoning to the east of the property, and proposes larger minimum lot sizes than the residential properties to the north and south of the site.

RECOMMENDATION:

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

I. BACKGROUND

The site is zoned A-1, the original zoning. The site is larger than 35 acres and so is not part of a previous subdivision. The north, east, and south property lines abut existing residential with minimum lot sizes equal to or smaller than 2.41 acres, the minimum lot size of the proposed zone district, making the proposed rezoning consistent and compatible with surrounding land uses. The proposed zone district, RR-B, is intended for residential development of a more rural character, and public water and wastewater facilities are not required, meaning homes may utilize water wells and on-site septic systems.

The applicant held a neighborhood open house at the site on September 30, 2020 to discuss the proposed Rezoning (as well as the proposed Minor Subdivision that will be before the Planning Commission in the future), and invited all residents from the subdivision to the south, the adjacent neighbors to the north, east, and west, and notified the HOA to the east. The applicant estimates 50 neighbors attended the open house.

II. DISCUSSION

1. Comprehensive Plan

The subject parcel is designated as Single Family Detached/Light Intensity (SFDLI) in the Comprehensive Plan. The SFDLI areas *“generally contain homes sited on individual lots, predominantly 2.5 acres or larger per residence, with rural/suburban character.”* This application is consistent with the Comprehensive Plan designation and proposes a zone district which requires 2.41 acre minimum lots.

This application complies with the following Goals, Policies, and Strategies of the Comprehensive Plan:

Goal GM 1 – Ensure a Compact Land Development Pattern

- Policy GM 1.1 – Direct Growth to the Urban Area:

The proposal develops an existing site for more compact development in an urban/suburban area.

- Policy GM 1.2 – Encourage Infill Development and Redevelopment:

The proposal develops an infill site.

- Policy GM 3.1 – Direct Future Development to Areas with Low Risks from Natural and Man-made Hazards:

The proposal does not coincide with an area of known natural or man-made hazards.

Goal PFS 2 – Integrate Water and Land Use Planning Policy

- Policy PFS 2.1 – Require Adequate Water Availability for Proposed Development:

Through joint review of this Rezoning case and the forthcoming proposed Minor Subdivision, the Division of Water Resources has determined there is adequate groundwater supply for the level of development proposed at this time.

- Strategy PFS 5.1(e) – Restrict Development in the 100-year Floodplain:

The proposal is not within the 100-year floodplain.

- Policy PFS 6.1 – Continue Collaboration with Utility Companies in the Development Review Process:

The utility providers received referrals during the review process and provided comment as they determined necessary.

2. Land Development Code

Section 5-3.2.B of the Land Development Code provides approval criteria for Conventional Rezoning applications.

5-3.2.B

The proposal:

- 1 – recognizes 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:

The proposal recognizes the limitations of existing water and wastewater service, and the proposed zone district permits water wells and on-site septic systems. The Division of Water Resources and Tri-County Public Health Department have confirmed this infrastructure is acceptable. The Engineering Division reviewed the proposal and determined the level of development proposed at this time would have such a low impact on the existing road network that a Traffic Impact Study was not warranted.

- 2 – assures compatibility between the proposed development, surrounding land uses, and the natural environment:

The proposal is consistent with the zoning on three sides of the project location, and the residential use is compatible with all surrounding development. The project location is surrounded by existing residential and is consistent with that development pattern.

- 3 – allows for the efficient and adequate provision of public services:

The proposal received favorable or 'no comment' responses from public services such as Sheriff's Office and fire (greater discussion will be held prior to the completion of the Minor Subdivision), and no comment was received from the library. The school district stated they can serve future residents of this area.

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

The proposal aims to increase residential opportunities in an already residential area that would not be well suited to commercial development.

- 5 – ensures that public health and safety is adequately protected against natural and man-made hazards which include traffic noise, water pollution, airport hazards, and flooding:

The proposal does not include any features that would negatively affect public health and safety; any increased traffic in the area is forecasted to be minimal.

- 6 – provides for accessibility within the proposed development, and between the development and existing adjacent uses:

The proposal fronts existing public right-of-way, and new lots proposed at this time would be accessed from this right-of-way.

- 7 – minimizes disruption to existing physiographic features, including vegetation, streams, lakes, and soil types:

The project location is an existing rural residential lot that includes improvements made by the current owners. Especially significant physiographic features do not exist on this site.

- 8 – ensures that the amenities provided adequately enhance the quality of life in the area, by creating a comfortable and aesthetically enjoyable environment through conventions such the preservation of mountain views, the creation of landscaped open areas, and the establishment of recreational activities:

The proposal is for a rezoning from one residential zone district to another, and traditional amenities provided by something like a commercial or planned unit development do not occur with this type of proposal. The applicant has stated that they intend for future residential lots to have mountain views.

- 9 – enhances the useable open spaces in Arapahoe County, and provides sufficient unobstructed open space and recreational area to accommodate a project's residents and employees:

The proposal is infill development, and the establishment of denser residential zoning in this area may leave open spaces in other areas of the county available for recreational uses.

-10 – ensures the application complies with the requirements of this Resolution and is in general conformance with the Arapahoe County Comprehensive Plan:

This proposal conforms to the Comprehensive Plan and complies with the requirements of a Conventional Rezoning.

3. Referral Comments

See supplemental document with referral comments and applicant responses. The Conventional Rezoning case was sent out for referral along with the Minor Subdivision case (to be heard at a future public hearing, PM20-003). Comments included here relate more directly to the Conventional Rezone.

The applicant and County staff have spoken with one neighbor to the west of the proposal regarding use of the road for new development. Their comments pertained to the potential traffic associated with the lot layout proposed in PM20-003.

STAFF FINDINGS:

Staff reviewed the plans, supporting documentation, referral comments, and citizen input in response to this application. Based on the review of applicable policies and goals as set forth in the Comprehensive Plan, review of the development regulations, and analysis of referral comments, our findings include:

Conventional Rezoning

1. The proposed Conventional Rezoning conforms to the overall goals and intent of the Arapahoe County Comprehensive Plan in regards to the policies set forth in that plan.
2. The proposed Conventional Rezoning is consistent with development standards enumerated in the Arapahoe County Land Development Code.
3. The proposed Conventional Rezoning complies with the process and requirements outlined in Section 5-3.2 of the Arapahoe County Land Development Code.

RECOMMENDATION:

Considering the findings and other information provided herein, staff recommends approval of Case No. CZ20-002, Guilford Ranch Conventional Rezoning, with conditions recommended in this report's draft motions below.

DRAFT MOTIONS:

In the case of CZ20-002, Guilford Ranch Conventional Rezoning, the Planning Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the public hearing. I hereby move to recommend approval of this application based on the findings in the staff report, subject to the following conditions:

1. Prior to signature of the final copy of these plans, the applicant must address Public Works and SEMSWA Staff comments and concerns.
2. Development of lots within the rezoning area shall meet requirements of the fire code adopted by the fire district, which includes water supply and access.

Alternate Motions:

The following motions are provided as alternatives to the recommended motion for Conditional Approval:

DENIAL: In the case of CZ20-002, Guilford Ranch Conventional Rezoning, the Planning Commissioners have reviewed the staff report, including all exhibits and attachments, and have listened to the applicant's presentation and any public comment as presented at the public hearing. I hereby move to recommend denial of this application based on the following findings:

- a. State new or amended findings in support of denial as part of the motion.*
- b. ...

CONTINUE TO DATE CERTAIN:

In the case of CZ20-002, Guilford Ranch Conventional Rezoning, I move to continue the public hearing to (DATE), date certain, 6:30 p.m., in the Arapahoe Room at 6954 S. Lima Street, Centennial, Colorado 80112, to receive additional information and to further consider information presented.

Attachments:

Application & Exhibits
Engineering Staff Report
Referral Comments & Responses



ARAPAHOE COUNTY
COLORADO'S FIRST

Arapahoe County
Public Works and Development
Planning Division
6924 S. Lima Street
Centennial, Colorado 80112
Phone: 720-874-6650
www.arapahoegov.com

Land Development Application

This form must be **complete**.

Land Development Application materials received after 2pm
shall be date stamped received the following business day.

APPLICANT NAME: 1. Cornerstone Insight 2. Jensen Jensen#1LP	ADDRESS: 1. 10129 Summit View Pointe Highlands Ranch, Co 8012625501 2. 19402 E Mainstreet, Unit 1 Parker, Co 80138 PHONE: 1.303 807 7087/ 2.303 324 5187 EMAIL: 1. jrepella@cornerstoneinsight.com 2. janisj@msn.com	CONTACT: 1. Jill Repella 2. Janis Jensen TITLE: 1. President 2. Partner
OWNER(S) OF RECORD NAME(S): Roderic N and Jane E. Guilford Revocable Trust UTA May 26, 2009	ADDRESS: 25501 East Kettle Avenue, Aurora, Co 80016 PHONE: 303 525 1397 EMAIL: rodandjane5700@gmail.com	SIGNATURE(S):  
ENGINEERING FIRM NAME: RK Enterprises Inc.	ADDRESS: 15800 E 13th St., Golden, Co 80401 PHONE: 303 332 4977 EMAIL: bkngnr@gmail.com	CONTACT: Robert Kelsey TITLE: P.E.

Pre-Submittal Case Number: Q Q20 - 029

Pre-Submittal Planner: Kelsea Dombrovski

Pre-Submittal Engineer: Sue Liu

State Parcel ID No. (AIN no.): 2071-32-2-00-070

Parcel Address or Cross Streets: 25501 East Kettle Avenue, Aurora, Co 80106

Subdivision Name & Filing No: Forest Rim Estates

EXISTING		PROPOSED
Zoning:	A-1	RR-B
Project Name:	Guilford Ranch	Forest Rim Estates
Site Area (Acres):	38.57	38.57
Density (Dwelling Units/Acre):	1	4
Building Square Footage:	1750	TBD
Disturbed Area (Acres):	N/A	N/A

CASE TYPE (S)

☐ ☐ ☐

THIS SECTION IS FOR OFFICE USE ONLY

Case No:		Assigned Planner:		Assigned Engineer:	
TCHD Fee:	\$	Planning Fee(s):	\$	Engineering Fee(s):	\$

This land use application shall be submitted with all required application fees. Incomplete applications will not be accepted. 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.

August 14, 2020

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

RE: Proposed Forest Rim Estates Minor Subdivision

Dear Public Works & Development

Our Company, Jensen Jensen #3LP on behalf of the property owner, The Roderick N. and Jane E Guilford Revocable Trust UTA May 26, 2009, are proposing a project within unincorporated Arapahoe County. This project is located at 25501 East Kettle Avenue in Aurora, Co 80016 also known as parcel 2071-32-2-00-070. The project is a total of 38.57 acres currently zoned A-1 and on which we are proposing a simultaneous rezone to RR-B. The Minor subdivision is proposed to be 4 lots on this acreage for the purpose of selling to potential home owners for the construction of a single family residence on three of the proposed lots. The fourth lot will remain the residence of the current owners.

Sincerely,

A handwritten signature in dark ink, appearing to read "Janis Jensen", with a long horizontal flourish extending to the right.

Janis Jensen, Partner
Jensen Jensen #3LP

janisj@msn.com

303 324 5187



BRYAN D. WEIMER, PWLF
Director

Lima Plaza
6924 South Lima Street
Centennial, Colorado 80112-3853
720-874-6500
arapahoegov.com

Planning Commission's Summary Report

Date: August 3, 2021

To: Arapahoe County Planning Commission

Through: Kelsea Dombrovski, Planning Division

Through: Chuck Haskins, PE
Engineering Services Division, Manager

From: Sue Liu, PE
Engineering Services Division

Case name: CZ20-002 Guilford Ranch



Purpose and Recommendation

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

Scope/Location:

Jensen Jensen #3LP on behalf of the property owner, the Roderick N. and Jane E Guilford Revocable Trust UTA May 26, 2009, is proposing a zoning project at 25501 East Kettle Avenue. The site is a total of 38.57 acres currently zoned A-1 and on which is to be rezoned to RR-B.

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

1. The site lies within the Sampson Gulch drainage basin, which is tributary to the Piney Creek.
2. This site lies within the Southeast Metro Stormwater Authority (SEMSWA) service area.
3. A regional detention facility was proposed downstream of the site within the City of Aurora according to the Piney Creek Major Drainageway Plan, prepared by WRC Engineering, INC, 2012. This facility was constructed and is currently functioning.
4. This development is subject to the Rural Transportation Impact Fee (RuTIF). The fee is a one-time payment on new development only to help offset the impacts on roadway infrastructure that occur with development. The fee is for new development in unincorporated Arapahoe County, east of Gun Club Road. It will be collected at time of building permit issuance of residential, commercial, industrial and office buildings.
5. The Applicant requests a waiver from providing a traffic impact study (TIS) for the project, which will include a maximum of 15-single family lots. Pursuant to the County

Guidelines for Traffic Impact Studies, the need for the TIS can be waived if all of the following conditions are met:

- The average trip generation of the proposed project is less than 250 trips per day and 25 trips in the peak hour
- The combination of the proposed development traffic plus existing traffic does not exceed an average 150 vehicles per day on any unpaved road
- Access is not being requested to either a state highway or County arterial roadway

Based on the proposed project land use and trip generation estimates, the project meets the TIS waiver conditions. The staffs from both the Engineering Services and the Traffic Operation Divisions support approval of the full TIS analysis waiver.

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's comments and concerns as identified within this report.
2. The applicant agrees to address the comments and concerns from SEMSWA.

CZ20-002 Referral Comments

The Conventional Rezoning case was sent out for referral along with the Minor Subdivision case (to be heard at a future public hearing, PM20-003). Comments included here pertain to the Conventional Rezone only.

Referral Agency	Comments
Arapahoe County Assessor	No comments received.
Arapahoe County Building Division	No comments received.
Arapahoe County Engineering Services Division	See attached report.
Arapahoe County Mapping	Comments included and addressed during plan review.
Arapahoe County Open Spaces	No comments on Conventional Rezoning.
Arapahoe County Zoning	Comments included and addressed during plan review.
Arapahoe County Sheriff	No comments; no comments on Conventional Rezoning (Emergency Response).
Arapahoe Libraries	No comments received.
Arapahoe Park & Recreation District	No comments.
Aurora Planning	No objection; not expected to be an area for future development within city limits. Proposed low-density residential is compatible with adjacent established neighborhood.
CenturyLink	Call for locates.
Cherry Creek School District	Will provide educational services to future residents; no additional comments on Conventional Rezoning.
CO Geological Survey	No comments.
CO Parks & Wildlife	No comments received.
Douglas County Planning	No comments.
DRCOG	No comments received.
HOA – Allred	No comments received.
HOA – Country Village	Will there be covenants for this area comparable to Country Village’s covenants? Could this area be incorporated into Country Village HOA and its rules?
IREA	Willing to extend facilities.
Mile High Flood District	No comments.
Post Office	No comments received.
RTD	No comments received.
SEMSWA	Comments included and addressed during plan review.
South Metro Fire Rescue	No comments on Conventional Rezoning.

State Water Engineer	There is adequate water to serve the area with the number of units proposed at this time (in reference to the Minor Subdivision).
Tri-County Health Department	Protect drinking water from contamination; no objection to site being served by septic system as long as regulations are followed.
Unincorporated Arapahoe County Economic Development	No comments.
US Army Corps of Engineers	Permits required if participating in dredge and fill activities.
Xcel	No objection as long as Xcel retains existing rights and facilities. Willing to extend facilities.
West Arapahoe Conservation District	No response received.



October 13, 2020

Kelsea Dombrovski
Arapahoe County Public Works and Development
6924 S. Lima Street
Centennial, CO 80112

RE: 25501 E. Kettle Avenue, CZ20-002 & PM20-003
TCHD Case No. 6499 & 6500

Dear Ms. Dombrovski,

Thank you for the opportunity to review and comment on the Conventional Rezoning and Minor Subdivision requests for the rezoning of the property from Agricultural-1 to Rural Residential-B and then subdivide the 38.57-acre property to create three additional lots that will be greater than 2.41 acres each, located at 25501 E. Kettle Avenue. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD has the following comments.

Water Supply

Drinking water contaminated with pathogens can cause a variety of illnesses in humans. It is important to protect source water from contamination, and to treat drinking water to eliminate pathogens before it is provided for human consumption. The Colorado Division of Water Resources is the agency that regulates well permitting. The applicant shall contact the Division at 1313 Sherman Street, Suite 821, Denver, (303) 866-3581 to obtain the proper permit. More information is available here <http://water.state.co.us/Home/Pages/default.aspx>

On-Site Wastewater Treatment System (OWTS) – New or Expanded

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the property being served by an OWTS provided that the system is permitted, inspected and operated in accordance with TCHD's current OWTS Regulation. Based on the applicant's description, a permit for the installation and final approval of the OWTS is required. In order to start the process, the applicant may contact TCHD Administrative office by phone at 720-200-1670 or in person at 6162 S. Willow Drive. More information is available at <http://www.tchd.org/269/Septic-Systems>.

25501 E. Kettle Avenue
October 13, 2020
Page 2 of 2

Please feel free to contact me at 720-200-1537 or pmoua@tchd.org if you have any questions about TCHD's comments.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke at the end.

Pang Moua, MPP
Land Use and Built Environment Specialist

cc: Sheila Lynch, Dylan Homersham, TCHD



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name: CZ20-002 & PM20-003

Planner: Kelsea Dombrovski

Engineer: Sue Liu

Date sent: 9/18/20

Date to be returned: 10/13/20 10/15/2020 GAC

The enclosed development application has been submitted to the Arapahoe County Planning Office for consideration. This development proposal is being referred to your agency for comment due to its proximity to your property or area of influence. Please examine the referenced materials and check the appropriate line before returning this form to the Arapahoe County Planning Office. Responding on or before the date indicated above is appreciated.

	COMMENTS	INSERT YOUR ORGANIZATION & NAME/ SIGNATURE
	I Have NO Comments to make on the case as submitted	
	I Have the following comments to make related to the case:	Gregg Chase, Country Village POA

Comments: (responding by email, letter, or an email attachment is optional)

Will there be covenants for these properties that are comparable to our CV covenants?

Could these lots be incorporated into our HOA thereby subjecting them to our rules?



Vicky Lisi

Director, Planning & Enrollment

Auxiliary Services Center
4850 S. Yosemite Street
Greenwood Village, CO 80111
720.554.4244
vlisi@cherrycreekschools.org

September 21, 2020

Kelsea Dombrovski
Arapahoe County Planning Division
6924 South Lima Street
Centennial, CO 80112
kdombrovski@arapahoegov.com

References to cash-in-lieu will be addressed with the forthcoming Minor Subdivision.

Subject: 25501 E Kettle Ave – Rezone
Case Number: CZ20-002 & PM20-003
Additional lots created – 3 lots

To Whom it May Concern:

Cherry Creek School District No. 5 has reviewed the information provided by Arapahoe County regarding the specific rezone development plan for the property located at **25501 E Kettle Ave** and **will provide educational services to the future residents of this project.** Students from this project are within the current boundaries of Black Forest Hills Elementary School, Fox Ridge Middle School, and Cherokee Trail High School. Boundaries are subject to change when necessary to promote the efficient utilization of school facilities.

Utilizing the Arapahoe County Land Development Code, the land dedication calculation for the school district would be an appropriate cash-in-lieu fee equivalent to **0.06 acres**. In this instance, the district believes that the Assumed Value Method that is commonly used to determine cash-in-lieu requirements will result in an amount that is far less than the actual fair market value of this property.

In order to fairly evaluate the cash-in-lieu fee, the district's intent is to utilize the Appraisal Method to determine the fair market value as outlined in the Arapahoe County Land Development Code 14-111.05.02 B.1.

Based on adjacent properties located directly across the street on Kettle Ave (25639, 25424 & 25343 East Kettle Avenue), the value applied in this instance is \$100,000 per acre and the cash-in-lieu value would be **\$6,045.00**

The student generation worksheet is included below.

Cherry Creek School District #5

Planning & Enrollment

Student Generation Worksheet - Arapahoe County

Project Name: 25501 East Kettle Ave - Rezone
Developer/Contact Person: Arap County – Kelsea Dombrovski
Submitted for Review: 9/21/2020
Total Project Acreage: 38.57
Maximum Dwelling Units: 4 (3 Additional)
Dwelling Units/Acre 0.10370754
Acres per child 0.026

Residential Density	#D.U.s	Student Generation per DU	Students Generated	Land Calculation
0.0 - 7.49 du/ac	3	0.775		0.060450
7.5 - 14.99 du/ac	0	0.364		0.000000
15.00 or more du/ac	0	0.195		0.000000
Totals				0.0605

Land appraisal value (per acre) \$ 100,000.00
Cash in lieu -school dedication \$ 6,045.00

Thank you for the opportunity to review this referral. Should you need additional information from Cherry Creek Schools, please feel free to contact me.

Sincerely,

Vicky Lisi

Vicky Lisi
Director, Planning & Enrollment

Cc: Scott Smith – Chief Operating Officer
David Henderson – Deputy Chief of Operations



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

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Planning Division

Referral Routing

Case Number/Name: CZ20-002 & PM20-003

Planner: Kelsea Dombrovski

Engineer: Sue Liu

Date sent: 9/18/20

Date to be returned: 10/13/20

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	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input type="checkbox"/>	I Have NO Comments to make on the case as submitted	<u>Roger Harvey</u> – <u>Arapahoe County Open Spaces</u>
<input checked="" type="checkbox"/>	I Have the following comments to make related to the case:	For these small, large lot subdivision developments where we don't and can't provide parks close by, assumed value CiL is best method.

Comments: (responding by email, letter, or an email attachment is optional)

Cash-in-lieu will be addressed with the forthcoming Minor Subdivision; no comments on proposed rezoning.

SOUTH METRO FIRE RESCUE

FIRE MARSHAL'S OFFICE



Kelsea Dombrovski, Planner
Planning Division, Arapahoe County Public works and Development
6924 S Lima Street. Centennial, CO 80112
720-874-6854
kdombrovski@arapahoegov.com

Project Name: 25501 E Kettle Ave, Aurora CO 80016
Project File #: **CZ20-002**
S Metro Review # REFOTH20-00210

Review date: May 13, 2021

Plan reviewer: Jeff Sceili
720-989-2244
Jeff.Sceili@southmetro.org

Project Summary: Rezoning of 38.5 acre lot to smaller lots.

Code Reference: 2018 Fire Code Edition, 2015 Building Code Edition

South Metro Fire Rescue (SMFR) has reviewed the above project and has conditionally approved the plans based on the following comments that must be resolved prior issuance of any permits. Applicants and Contractors are encouraged to contact SMFR regarding the applicable permit requirements for the proposed project.

COMMENTS:

1. **There are no objection to the proposed rezoning, however it must be understood that development of these lots following a lot split shall meet requirements of the adopted fire code, which will include water supply and access.**



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

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Planning Division

Referral Routing

Case Number/Name: CZ20-002 & PM20-003

Planner: Kelsea Dombrovski

Engineer: Sue Liu

Date sent: 9/18/20

Date to be returned: 10/13/20

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	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input checked="" type="checkbox"/>	I Have NO Comments to make on the case as submitted	Glenn Thompson, Bureau Chief, Arapahoe County Sheriff's Office
<input type="checkbox"/>	I Have the following comments to make related to the case:	

Comments: (responding by email, letter, or an email attachment is optional)



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name: CZ20-002 & PM20-003

Planner: Kelsea Dombrovski

Engineer: Sue Liu

Date sent: 9/18/20

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	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input type="checkbox"/>	I Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/>	I Have the following comments to make related to the case:	Wenli Dickinson, Division of Water Resources

Comments: (responding by email, letter, or an email attachment is optional)

See attached letter.



July 1, 2021

Kelsea Dombrovski, Planner
Arapahoe County Public Works and Development Planning Division
Transmission via email: kdombrovski@arapahoegov.com

Re: Forest Rim Estates Subdivision, Filing No. 1 - 3rd Letter
Case Nos. PM20-003 & CZ20-002
The NE ¼ NW ¼ Sec. 32, T 5S, R 65W, 6th P.M.
Water Division 1, Water District 8

Dear Kelsea Dombrovski:

We have reviewed the above-referenced June 30, 2021 proposal to rezone and subdivide a 38.57-acre parcel known as the NE ¼ of the NW ¼ of Section 32, Township 5 South, Range 65 West, 6th P.M. The parcel will be rezoned from A-1 (agricultural) to RR-B (residential/grazing) and then be subdivided into four lots. Lot 1 will be 3.19 acres, Lot 2 will be 3.04 acres, Lot 3 will be 30.55, and Lot 4 will be 2.88 acres. The proposal will allow the construction of new single-family residences on three lots and the fourth lot will be for the existing residence. Our office previously provided comments on this subdivision proposal on September 23, 2020 and April 5, 2021.

Water Supply Demand

According to the October 29, 2020 letter from James J. Petrock (Water Supply Letter), the estimated water demand is 0.35 acre-feet per year for in-house use and 0.4 acre-feet per year for irrigation of 7,000 square feet of home lawn, garden, and trees. The estimated demand per lot is 0.75 acre-feet per year and the estimated demand for the subdivision is 3 acre-feet per year.

Source of Water Supply

The proposed water supply source are new individual on lot wells to be constructed in the nontributary Denver aquifer. The Applicants own 10.4 acre-feet per year of nontributary Denver aquifer water decreed in Division 1 Water Court case no. 18CW3012. The owner of Lot 3 will also be conveyed the remaining Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifer water adjudicated in case no. 18CW3012, not used for the proposed Denver aquifer wells for Lots 1, 2, and 4, in order to be used as a potential future water supply source. The ability for these lots to obtain a well permit(s) will be evaluated pursuant to the decree granted in case no. 18CW3012, applicable statutes, rules, and policies at the time that application(s) are submitted to and reviewed by this office.

The proposed sources of water for this subdivision are bedrock aquifers in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amount of water available pursuant to



case no. 18CW3012 is equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the Arapahoe County Comprehensive Plan, adopted June 19, 2001, Strategy PFS 1.5(a) states:

“To allow time to obtain and secure a renewable source of water, the County will consider requiring water districts that serve development in areas east of Gun Club Road to prepare service plans using a conservative aquifer life assumption of a 100-Year supply, non-tributary groundwater classification only, assuming a 50 percent recovery factor.”

This subdivision is east of Gun Club Road. The State Engineer’s Office does not have evidence regarding the length of time for which this source will provide a water supply. However, treating Arapahoe County’s requirement as an allocation approach that limits withdrawals to 50 percent of the statutory allocation, the allowed average annual amount of withdrawal of 10.4 acre-feet per year would be reduced to one half of that amount, or 5.2 acre-feet per year, which is greater than the annual demand for the four proposed lots.

A review of our records show well permit no. 186137 located on the subject property. Well permit no. 186137 was issued April 17, 1995 pursuant to section 37-92-602(3)(b)(II)(A), C.R.S. as the only well on a tract of land of 40 acres described as the NE ¼ of the NW ¼ of Section 32, Township 5 South, Range 65 West of the 6th P.M. The well is permitted for ordinary household purposes inside three single family dwellings, fire protection, the watering of poultry, domestic animals, and livestock on farms and ranches, and the irrigation of not more than one acre of home gardens and lawns. The well produces from the nontributary Denver aquifer. According to the April 29, 2021 letter from James Petrock, the well will continue to operate as an exempt well and will serve Lot 3 of the subdivision. With the adoption of Senate Bill 20-155 on July 2, 2020, section 37-92-602(3), C.R.S. was amended to allow an existing exempt well to retain its presumption of non-injury after the land on which the well is located has been divided, subject to the following requirements:

1. The existing well may only be used on Lot 3 and must be the only exempt well serving Lot 3.
2. The well must continue to be used in accordance with its permitted terms and conditions.
3. No additional exempt well permits would be allowed to be constructed on or to claim the land area encumbered by well permit no. 186137, which encumbers all of the 38.57 acres subject of the subdivision.

If the Applicant is unable or unwilling to comply with these requirements, then the well must be re-permitted consistent with the new parcel on which the well is located. According to the April 29, 2021 letter, the Applicant is willing to comply with the above requirements.

State Engineer’s Office Opinion

Pursuant to section 30-28-136(1)(h)(II), C.R.S., the State Engineer’s Office offers the opinion that the proposed water supply can be provided without causing material injury to existing water rights and the supply is expected to be adequate **as long as existing well 186137 is only used on Lot 3 and is the only well serving Lot 3. The well must continue to be used in accordance with its permitted terms and conditions. It is recommended that this restriction be included in the plat notes for the subdivision.**

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

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available to subdivision on an annual basis for the proposed uses, according to the statutory allocation approach, is greater than the annual amount of water required to supply the demands of the proposed subdivision.

Our opinion is qualified by the following:

For the decreed Denver Basin water, the Division 1 Water Court has retained jurisdiction over the final amount of water available pursuant to the decree referenced in Applicant's court case, pending actual geophysical data from the aquifer.

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

If you or the Applicant have any questions, please contact Wenli Dickinson at 303-866-3581 x8206 or at Wenli.Dickinson@state.co.us.

Sincerely,

A handwritten signature in blue ink that reads "Joanna Williams". The signature is fluid and cursive, with the first name "Joanna" and last name "Williams" clearly distinguishable.

Joanna Williams, P.E.
Water Resources Engineer

Ec: Subdivision file no. 27309
Well permit no. 186137



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

October 13, 2020

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

Attn: Kelsea Dombrowski

Re: Forest Rim Estates Subdivision Filing No. 1, Case #s PM20-003 and CZ20-002

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Forest Rim Estates F1**. Please be advised that PSCo has existing natural gas facilities within the areas indicated in this proposed rezone, and has no objection to this proposed rezone, contingent upon PSCo's ability to maintain all existing rights and this amendment should not hinder our ability for future expansion, including all present and any future accommodations for natural gas transmission and electric transmission related facilities.

PSCo acknowledges the platted dry utility easements and requests that the following language or plat note is placed on the preliminary and final plats for the subdivision:

Utility easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via [xcelenergy.com/InstallAndConnect](https://www.xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



WILL SERVE LETTER

May 1, 2020

AEG Pros
19402 E Main St
Parker, CO 80138

Re: Property currently addressed as 25501 E Kettle Ave, Aurora, Unincorporated Arapahoe County

Dear Erik Jensen,

This letter is to confirm that Xcel Energy is your utility provider for natural gas. In accordance with our tariffs, on file with and approved by the Colorado Public Utilities Commission, gas facilities can be made available to serve the project at 25501 E Kettle Ave., Aurora, Unincorporated Arapahoe County.

Your utility service(s) will be provided after the following steps are completed:

- ***Application submitted to Public Service's "Builders Call Line (BCL)"*** – once your application is accepted you will be assigned a design department representative who will be your primary point of contact
- ***Utility design is completed*** – you must provide your design representative with the site plan, the one line diagrams, and panel schedules for electric and gas loads if applicable
- ***All documents provided by design representative are signed and returned***
- ***Payment is received***
- ***Required easements are granted*** - you must sign and return applicable easement documents to your Right-of-Way agent
- ***Site is ready for utility construction***

A scheduled in-service date will be provided once these requirements have been met.

It is important to keep in mind that the terms and conditions of utility service, per our tariffs, require that you provide adequate space and an easement on your property for all gas and electric facilities required to serve your project, including but not limited to gas and electrical lines and meters, transformers, and pedestals. General guidelines for these requirements can be found at [Site Requirements. https://www.xcelenergy.com/staticfiles/xe-responsive/Admin/Managed Documents & PDFs/Xcel-Energy-Standard-For-Electric-Installation-and-Use.pdf](https://www.xcelenergy.com/staticfiles/xe-responsive/Admin/Managed%20Documents%20and%20PDFs/Xcel-Energy-Standard-For-Electric-Installation-and-Use.pdf) Easement requirements can be found at [Utility Design and Layout](#).

Xcel Energy looks forward to working with you on your project and if I can be of further assistance, please contact me at the phone number or email listed below.

Sincerely,

Suzie Douglas
Xcel Energy Technician
suzanne.r.douglas@xcelenergy.com

suzanne.r.douglas
@xcelenergy.com

Digitally signed by
suzanne.r.douglas@xcelenergy.com
DN:
cn=suzanne.r.douglas@xcelenergy.com
Date: 2020.05.01 10:21:56 -06'00'

Mailing address: Xcel Energy
2070 S Valentia St
Denver, CO 80231



Brooks Kaufman
Lands and Rights of Way Manager

April 3, 2020

Roderic and Jane Guilford
25501 E Kettle Ave
Aurora, CO 80016

Re: Four (4) Lots Guilford Parcel

Dear Mr. and Mrs. Guilford:

We are an electric utility operating under the rules and regulations approved by our Board of Directors. The above-referenced parcel of land in Section 32, Township 5 South, and Range 65 West of the 6th P.M., County of Arapahoe, State of Colorado, and containing 4 residential lots is located within our service area.

We are willing to extend our facilities to the proposed project in accordance with our extension policies. When you submit an application for service, the designer assigned will be able to answer any questions concerning the location of electric facilities in relation to the project.

If you have any further questions, please feel free to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read "Brooks", is written over a horizontal line.

Brooks Kaufman
Lands and Rights-of-Way Manager

INTERMOUNTAIN RURAL ELECTRIC ASSOCIATION

5496 N. U.S. Highway 85, P.O. Drawer A / Sedalia, Colorado 80135

Telephone (720)733-5493

bkaufman@irea.coop

September 25, 2020

City of Centennial, Town of Parker Community Development Department

RE: Denver, CO Plat Review (25501 E. Kettle Ave) PM20-003 & CZ20-002

Contact Information:

Kelsea Dombrovski | Planner

Planning Division | Arapahoe County Public Works and Development

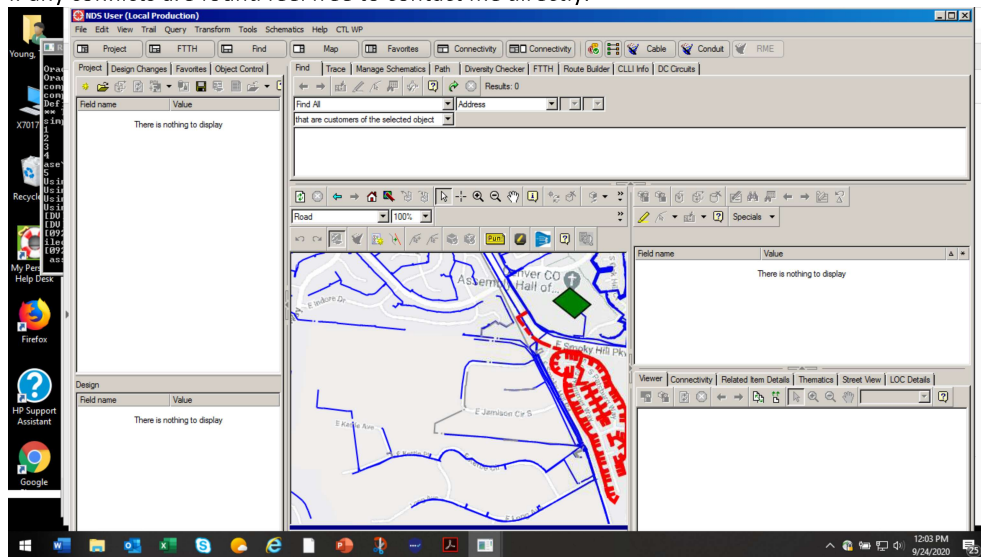
6924 South Lima St. Centennial, CO 80112

Direct: 720-874-6854 | Planning Office: 720-874-6650 | TTY: 711

kdombrovski@arapahoegov.com | Fax: 720-874-6611

Kelsea, Good Morning!!

After review, CenturyLink Engineer, Travis Young has the following comments regarding the review request submitted: Here is a screen shot of the area in question. Please call locates and if any conflicts are found feel free to contact me directly.



If, you have any questions, please contact Travis Young at:

Travis Young

SR Network Implementation Engineer

7759 S. Wheeling Ct.

Cell (303) 263-1725

Thank You.

Sincerely,

Don Davalos

Don Davalos

Ph: 505-886-4673

Don.davalos@centurylink.com

P832111

Kelsea Dombrovski

From: Koonce, Ellison A CIV USARMY CENWO (USA) <Ellison.A.Koonce@usace.army.mil>
Sent: Friday, September 18, 2020 1:45 PM
To: Kelsea Dombrovski
Cc: Sue Liu
Subject: RE: Referral Comments Requested by 10/13/20: PM20-003 & CZ20-002

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

All,

If any work requires the discharge of dredged or fill material, and any excavation associated with a dredged or fill project, either temporary or permanent in an aquatic site, which may include ephemeral and perennial streams, wetlands, lakes, ponds, drainage ditches and irrigation ditches, this office should be notified by a proponent of the project for Department of the Army permits, changes in permit requirements or jurisdictional determinations pursuant to Section 404 of the Clean Water Act.

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 in Decimal Degrees (example 39.55555; - 104.55555) and the dimensions of work in each aquatic site. Any loss of an aquatic site may require mitigation. Mitigation requirements will be determined during the Department of the Army permitting review.

Please see below for instructions on what/where to email your Section 404 request.
Thank you,

Ellison Koonce
U.S. Army Corps of Engineers
9307 South Wadsworth Boulevard
Littleton, Colorado 80128

In light of the COVID-19 Pandemic, Denver Regulatory Office staff are teleworking and may not have immediate access to office phones. Please consider sending an email if you have regulatory questions or inquiries.

The Denver Regulatory Office is now accepting digital submittals! Effective immediately, please submit new requests in digital form to DenverRegulatoryMailbox@usace.army.mil for initial in-processing. (NOTE: Emails including attachments cannot exceed 40Mb). Further information and instructions regarding submitting requests electronically can be found at: <https://www.nwo.usace.army.mil/Missions/Regulatory-Program/Colorado/>

From: Kelsea Dombrovski <KDombrovski@arapahoegov.com>
Sent: Friday, September 18, 2020 11:48 AM
To: Kelsea Dombrovski <KDombrovski@arapahoegov.com>
Cc: Sue Liu <SLiu@arapahoegov.com>
Subject: [Non-DoD Source] Referral Comments Requested by 10/13/20: PM20-003 & CZ20-002



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name: CZ20-002 & PM20-003

Planner: Kelsea Dombrovski

Engineer: Sue Liu

Date sent: 9/18/20

Date to be returned: 10/13/20

The enclosed development application has been submitted to the Arapahoe County Planning Office for consideration. This development proposal is being referred to your agency for comment due to its proximity to your property or area of influence. Please examine the referenced materials and check the appropriate line before returning this form to the Arapahoe County Planning Office. Responding on or before the date indicated above is appreciated.

	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input checked="" type="checkbox"/>	I Have NO Comments to make on the case as submitted	Colorado Geological Survey (Jill Carlson / carlson@mines.edu)
<input type="checkbox"/>	I Have the following comments to make related to the case:	

Comments: (responding by email, letter, or an email attachment is optional)

CGS Unique No. AR-21-0003

39.5783, -104.6911

There are no geologic hazards or unusual geotechnical constraints present that would preclude the proposed four-lot residential subdivision. Colorado Geological Survey has no objection to approval.

MAINTENANCE ELIGIBILITY PROGRAM (MEP)

MHFD Referral Review Comments

For Internal MHFD Use Only.	
MEP ID:	105898
Submittal ID:	10005312
MEP Phase:	Referral

Date: October 13, 2020

To:

Via email

RE: MHFD Referral Review Comments

Project Name:	Forest Rim Estates Subdivision Filing No, 1
Location:	SW of E Smoky Hill & E Glasgow Dr.
Drainageway:	Sampson Gulch

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

- No eligible features

We have no comments on the referenced project as there are no proposed features eligible for maintenance. The site is not adjacent to a mapped floodplain and does not include any proposed UDFCD master plan improvements. We do not need to review future submittals.

We appreciate the opportunity to review this proposal. Please feel free to contact me with any questions.

Sincerely,



Kurt Bauer, P.E., CFM

Project Manager, Watershed Services
Mile High Flood District
LH



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name: CZ20-002 & PM20-003


Planner: Kelsea Dombrovski

Engineer: Sue Liu

Date sent: 9/18/20

Date to be returned: 10/13/20

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	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input checked="" type="checkbox"/>	I Have NO Comments to make on the case as submitted	 District Manager Arapahoe Park and Recreation District
<input type="checkbox"/>	I Have the following comments to make related to the case:	

Comments: (responding by email, letter, or an email attachment is optional)



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name: CZ20-002 & PM20-003

Planner: Kelsea Dombrovski

Engineer: Sue Liu

Date sent: 9/18/20

Date to be returned: 10/13/20

The enclosed development application has been submitted to the Arapahoe County Planning Office for consideration. This development proposal is being referred to your agency for comment due to its proximity to your property or area of influence. Please examine the referenced materials and check the appropriate line before returning this form to the Arapahoe County Planning Office. Responding on or before the date indicated above is appreciated.

	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input checked="" type="checkbox"/>	I Have NO Comments to make on the case as submitted	James Shelley, Executive Director Unincorporated Arapahoe County Economic Development <i>James Shelley</i>
<input type="checkbox"/>	I Have the following comments to make related to the case:	

Comments: (responding by email, letter, or an email attachment is optional)

Project Name: 25501 E. Kettle Ave.

Project Number: CZ20-002 and PM20-003

Date Received: 10/08/2020

Jurisdiction: Arapahoe County

Due Date: 10/13/2020

Addressing Comments:

No Comments

Engineering Comments:

No Comments

Planner Comments:

No Comments



Public Works and Development

6924 S. Lima Street Centennial, Colorado 80112 Phone: 720-874-6650; FAX 720-874-6611

www.co.arapahoe.co.us

Planning Division

Referral Routing

Case Number/Name: CZ20-002 & PM20-003

Planner: Kelsea Dombrovski

Engineer: Sue Liu

Date sent: 9/18/20

Date to be returned: 10/13/20

The enclosed development application has been submitted to the Arapahoe County Planning Office for consideration. This development proposal is being referred to your agency for comment due to its proximity to your property or area of influence. Please examine the referenced materials and check the appropriate line before returning this form to the Arapahoe County Planning Office. Responding on or before the date indicated above is appreciated.

	COMMENTS	INSERT YOUR ORGANIZATION & NAME/SIGNATURE
<input type="checkbox"/>	I Have NO Comments to make on the case as submitted	
<input checked="" type="checkbox"/>	I Have the following comments to make related to the case:	<u>Aja Tibbs, Planner II</u> <u>City of Aurora</u>

Comments: (responding by email, letter, or an email attachment is optional)

At this time, we do not have any objection to the proposed rezone or subdivision applications. This area is designated as an established neighborhood within our Comprehensive Plan, and is not expected to be an area for future development within the city limits. The low-density residential use being proposed is also compatible with the adjacent established neighborhood to the north. It is also appreciated that the proposed lot layout includes new lots on the south side of the property, accessed from the existing county road network. This allows the back of the lot, that is adjacent to the existing residential neighborhood, to remain untouched.

Thank you for the referral, and please feel free to contact me if you have any questions or would like me to take a look at something additional.

Case number: PM20-003/CZ20-002

Enclosed: Letter of Response to External Comments

Tri County Health Department : Water Supply Drinking water contaminated with pathogens can cause a variety of illnesses in humans. It is important to protect source water from contamination, and to treat drinking water to eliminate pathogens before it is provided for human consumption. The Colorado Division of Water Resources is the agency that regulates well permitting. The applicant shall contact the Division at 1313 Sherman Street, Suite 821, Denver, (303) 866-3581 to obtain the proper permit. More information is available here <http://water.state.co.us/Home/Pages/default.aspx> On-Site Wastewater Treatment System (OWTS) – New or Expanded Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the property being served by an OWTS provided that the system is permitted, inspected and operated in accordance with TCHD’s current OWTS Regulation. Based on the applicant’s description, a permit for the installation and final approval of the OWTS is required. In order to start the process, the applicant may contact TCHD Administrative office by phone at 720-200-1670 or in person at 6162 S. Willow Drive. More information is available at <http://www.tchd.org/269/Septic-Systems>

Response:

Acknowledged, the individual lot owners/building contractors will be required to submit individually to The Division of Water Resources for well permit and to Tri-County Health Department for septic permit at time of submittal to Arapahoe County Building prior to any construction.

Gregg Chase, Country Village HOA: Will there be covenants for these properties that are comparable to our CV covenants? Could these lots be incorporated into our HOA thereby subjecting them to our rules?

Response:

- Yes the proposed subdivision will have protective covenants. No the lots cannot be included in the covenants for Country Village. The proposed subdivision will be a separate era subdivision bound by those covenants.

Cherry Creek School District: In order to fairly evaluate the cash-in-lieu fee, the district’s intent is to utilize the Appraisal Method to determine the fair market value as outlined in the Arapahoe County Land Development Code 14- 111.05.02 B.1. Based on adjacent properties located directly across the street on Kettle Ave (25639, 25424 & 25343 East Kettle Avenue), the value applied in this instance is \$100,000 per acre and the cash-in-lieu value would be \$6,045.00.

Response:

- We acknowledge and agree to the CIL value of \$6,045.00.

Arapahoe County Open Space: For these small, large lot subdivision developments where we don’t and can’t provide parks close by, assumed value CiL is best method.

Response: No objection

Arapahoe County Sheriffs Office- No Response Required

Colorado Division of Water Resources- See attached clarification from Petrock Fendel Poznanovich

Xcel Energy- PSCo acknowledges the platted dry utility easements and requests that the following language or plat note is placed on the preliminary and final plats for the subdivision: Utility easements are dedicated to Arapahoe County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities (Dry Utilities). Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

Response: Acknowledged, no objections to the addition of the above listed plat note.

Developer/Contractor will submit the application to Xcel Energy for design service, permitting, and easement locations.

IREA - No Response Required

Century Link- No Response Required

Army Corps of Engineers – No Discharge of Dredged or Fill material is required

Colorado Geological Survey – No Response Required

Mile Hi Flood District - No Response Required

Arapahoe Parks and Recreation District - No Response Required

Unincorporated Arapahoe County Economic Development - No Response Required

Douglas County Department of Community Development – No Response Required

June 18, 2021

Arapahoe County
Public Works and Development
Case # CZ20-002
Response to Centennial Referral

Aurora planner Aja Tibbs responded with no objection to the proposed rezone or subdivision application. She mentions the back of the lot is at this point remaining untouched. The back of the lot is not included in the minor subdivision but was included in the rezone.

Janis Jensen

June 24, 2021

Arapahoe County Public Works and Development
Case # CZ20-002 Rezone

Fire District Review comment:

Applicant does agree to add the following verbiage to the plan for
rezone

"Development of lots within the rezoning area shall meet requirements of the fire code adopted by the
fire district, which includes water supply and access."

Janis Jensen

Re: Forest Rim Estates Subdivision, Filing No. 1-3rd letter
Case Nos. PM20-003 & CZ20-002
The NE ¼ NW ¼ Sec. 32, T 5S, R 65W, 6th P.M.
Water Division 1, Water District 8

Note: Many of the points in this response pertain to the forthcoming Minor Subdivision, not the proposed Conventional Rezoning.

Kelsea Dombrovski:

I am in receipt of a letter from Colorado Division of Water Resources regarding the upcoming rezone of the Guilford Parcel referenced above. On behalf of the Guilfords, I make the following comments.

Source of Water Supply

We understand the estimated is demand for the subdivision 3 acre-feet per year.

Water Supply Demand

Permit no. 186137 is located on Lot 3 and will continue to operate as an exempt well as permitted.

1. It will be the only well serving Lot 3.
2. It will be used with its permitted terms and conditions.
3. No additional well permits will be applied for on the area encumbered by well permit no 186137.

The Applicant is willing to comply with these requirements.

State Engineer's Office Opinion

The Applicant agrees a restriction for the well on Lot 3 to be used in accordance with its permitted terms and conditions may be included in the plat notes for the subdivision.

NOTE:

South Metro Fire has discussed using the well on Lot 3 to supply a fire cistern for the subdivision and to require Lot 3 to obtain a separate well for use for the current home. Applicant has discussed leaving the well permitted by 186137 for use on the current residence and to bring water purchased off site for the cistern. The applicant believes this approach may ultimately be approved by South Metro Fire, but Applicant discloses that final decision is not in the control of the Applicant. Applicant will work with Colorado Water Resources and South Metro Fire to reach an acceptable resolution but that is not in the scope of Applicants knowledge at this time.

Janis Jensen
For: Rod and Jane Guilford

OWNER:
RODERIC N. & JANE E. GUILFORD
REVOCABLE TRUST UTA MAY 26, 2009
25501 E. KETTLE AVE.
AURORA, CO 80016
CONTACT: ROD GUILFORD

DEVELOPER:
JENSEN-JENSEN #1, LP
19402 MAIN STREET
PARKER, COLORADO 80138
303-841-0345
303-841-0260 (FAX)
CONTACT: JANIS JENSEN

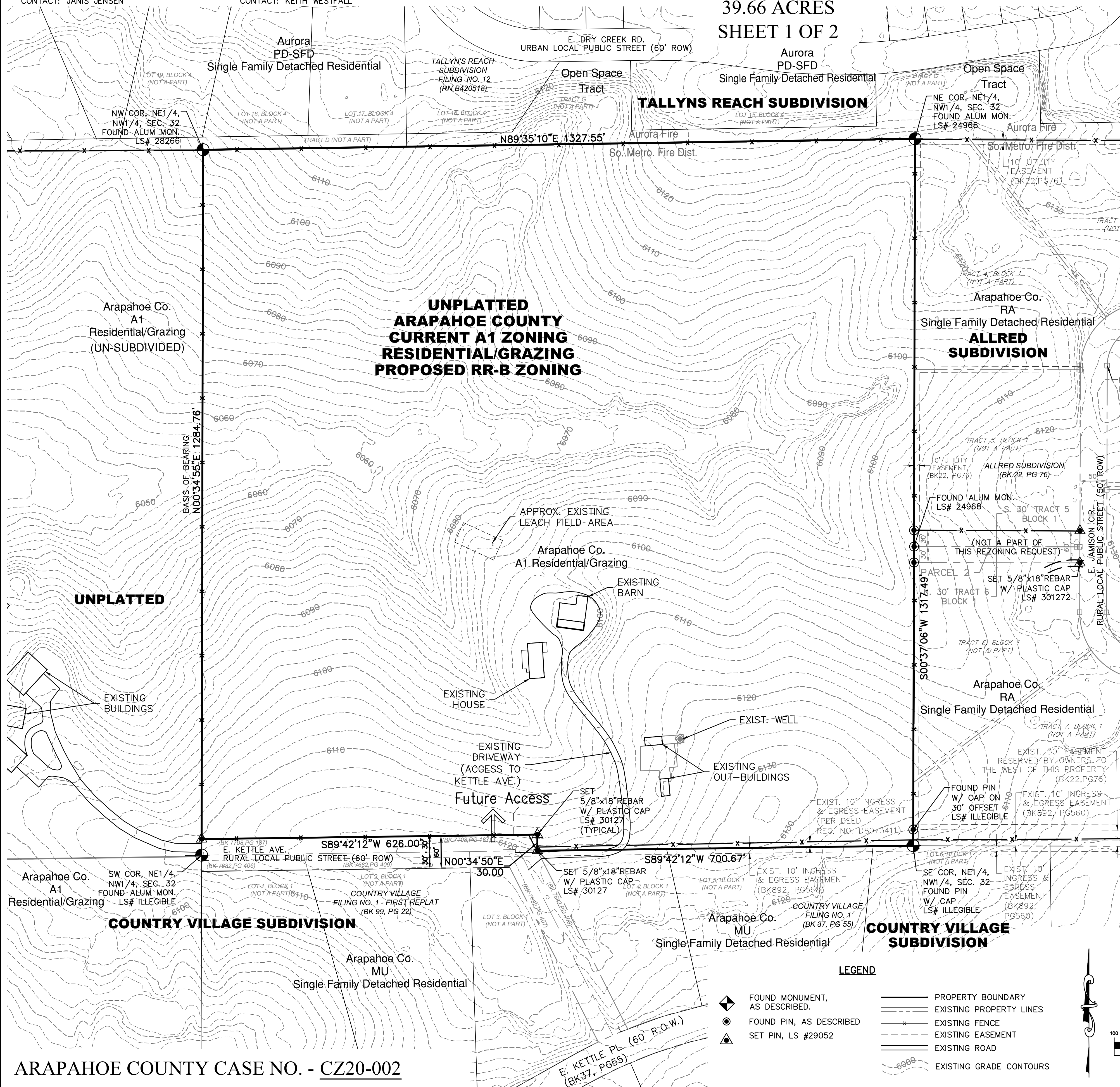
CIVIL ENGINEER:
RK ENTERPRISES, INC.
15800 W. 13TH AVE.
GOLDEN, COLORADO 80401
303-332-4977
CONTACT: BOB KELSEY

SURVEYOR:
HIGH PRAIRIE SURVEY CO.
P.O. BOX 384
KIOWA, COLORADO 80117
303-621-8672
303-621-7749 (FAX)
CONTACT: KEITH WESTFALL

GUILFORD RANCH - REZONING PLAN

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32,
TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ARAPAHOE, STATE OF COLORADO

39.66 ACRES
SHEET 1 OF 2



LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF THE NE1/4 OF THE NW1/4 OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO; BEING FURTHER DESCRIBED AS FOLLOWS:

FOR PURPOSES OF THIS DESCRIPTION, BEARINGS ARE BASED ON THE EAST LINE OF THE NE1/4 OF THE NW1/4 OF SEC. 32 HAVING A BEARING OF N00°34'55"E AND MONUMENTED AS SHOWN HEREON.

THE NE1/4 OF THE NW1/4 OF SECTION 32, TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EXCEPT THE WEST 626 FEET OF THE SOUTH 30 FEET OF SAID TRACT HERETOFORE DEDICATED FOR THE CREATION OF EAST KETTLE AVENUE; TOGETHER WITH ALL OIL, GAS, AND OTHER MINERALS WITHIN SAID TRACT NOT HERETOFORE CONVEYED; TOGETHER WITH ALL EASEMENTS FOR INGRESS AND EGRESS TO AND FROM SAID TRACT OVER AND UPON THE FOLLOWING PORTIONS OF SAID SECTION 32 TO EAST KETTLE AVENUE, TO-WIT: THE NORTH 10 FEET OF THE SE1/4 OF THE NW1/4 AND THE SOUTH 10 FEET OF THE NE OF THE NW1/4 OF SECTION 32; AND SUBJECT TO AN EASEMENT OVER THE SOUTH 10 FEET OF SAID TRACT HEREIN CONVEYED FOR INGRESS AND EGRESS TO AND FROM ADJOINING LANDS.

CONTAINS 39.661 ACRES (1,727,615.49 SQUARE FEET)
MORE OR LESS.

CERTIFICATE OF OWNERSHIP

I, RODERIC N. GUILFORD, HEREBY AFFIRM THAT I AM THE OWNER OR AUTHORIZED AGENT OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN, KNOWN AS GUILFORD RANCH CASE NUMBER CZ20-002.

RODERIC N. GUILFORD

STATE OF _____ }
COUNTY OF _____ } S.S.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
THIS ____ DAY

OF _____, 20____

BY _____

AS _____ OF _____
AN AUTHORIZED SIGNATORY.

BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

NOTARY I.D. NUMBER _____

CERTIFICATE OF OWNERSHIP

I, JANE E. GUILFORD, HEREBY AFFIRM THAT I AM THE OWNER OR AUTHORIZED AGENT OF ALL INDIVIDUALS HAVING OWNERSHIP INTEREST IN THE PROPERTY DESCRIBED HEREIN, KNOWN AS GUILFORD RANCH CASE NUMBER CZ20-002.

JANE E. GUILFORD

STATE OF _____ }
COUNTY OF _____ } S.S.

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME
THIS ____ DAY

OF _____, 20____

BY _____

AS _____ OF _____
AN AUTHORIZED SIGNATORY.

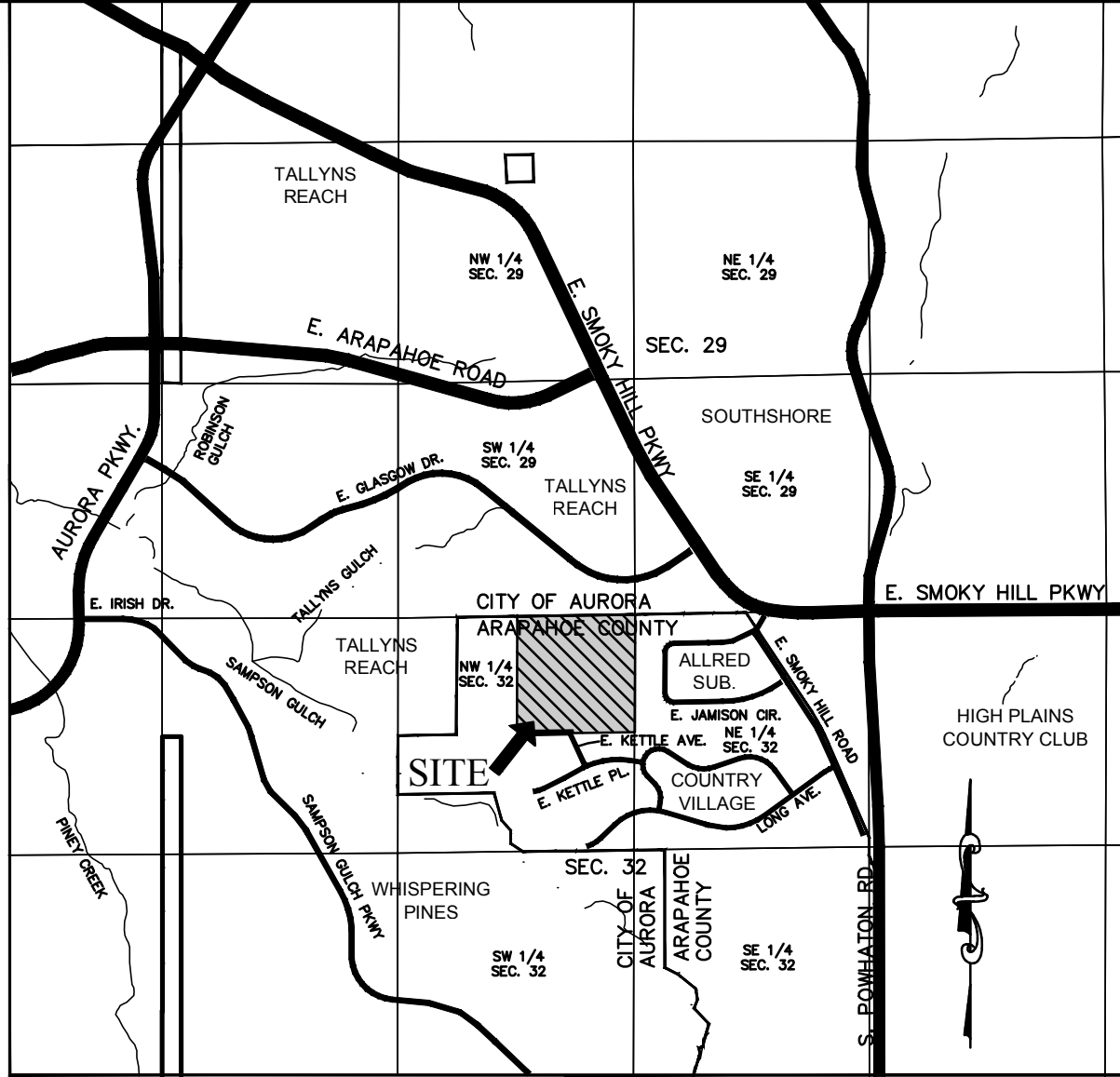
BY _____ WITNESS MY HAND AND SEAL
NOTARY PUBLIC

MY COMMISSION EXPIRES _____

NOTARY I.D. NUMBER _____

SHEET INDEX

- 1 REZONING PLAN
- 2 NOTES



VICINITY MAP

0
SCALE: 1" = 2000'

REZONING REQUEST STATEMENT:

THE INTENT OF THIS REZONING REQUEST IS TO CHANGE THE ZONING DESIGNATION OF THIS UNPLATTED PARCEL FROM THE CURRENT AGRICULTURAL-1 (A-1) ZONE DISTRICT TO RR-B ZONE DISTRICT.

GENERAL NOTES:

1. COLORADO ESCROW AND TITLE SERVICES, LLC COMMITMENT NO. 35370CEW DATED AUGUST 26, 2020 WAS RELIED UPON FOR RECORD INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES. THIS SURVEY DOES NOT PRESENT A TITLE SEARCH TO DETERMINE OWNERSHIP, EASEMENT OR OTHER MATTERS OF PUBLIC RECORD BY RK ENTERPRISES, INC. AND/OR ITS AGENTS.

2. THIS ZONING MAP IS BASED UPON SURVEY INFORMATION DEPICTED ON THE IMPROVEMENT SURVEY PLAT FOR THE PROPERTY PREPARED BY HIGH PRAIRIE SURVEY COMPANY JOB NO. 18216-ISP, DATED 09/19/18.

3. BASIS OF BEARINGS: THE EAST LINE OF THE NE1/4 OF THE NW1/4, SEC. 32 HAVING A BEARING OF N00°34'55"E AND MONUMENTED AS SHOWN HEREON.

4. BENCHMARK: CITY OF AURORA BENCHMARK #5S6529SE001. 3" BRASS CAP ON THE SELY CORNER OF A CURB OPENING INLET STRUCTURE BEING ON THE EASTERLY SIDE OF SMOKY HILL ROAD AND BEING NEARLY ON A PROJECTED LINE WITH THE SELY BOUNDARY OF SERENITY RIDGE SUBD. FILING NO. 3 & THE NWLY BDY OF SERENITY RIDGE FILING NO. 1. ELEVATION 6,145.93 (NAVD88)

5. THE SITE IS NOT LOCATED WITHIN ANY FEMA FLOODPLAIN. THE SITE IS LOCATED WITHIN ZONE X PER FEMA MAP NO. 08005C0504L, FEBRUARY 17, 2017.

6. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY HIGH PRAIRIE SURVEY CO., INC. OF THE PROPERTY SHOWN AND DESCRIBED HEREON TO DETERMINE:

- A. OWNERSHIP OF THE TRACT OF LAND.
- B. COMPATIBILITY OF THIS DESCRIPTION WITH THOSE OF ADJACENT TRACTS OF LANDS.
- C. RIGHTS OF WAY, EASEMENTS, AND ENCUMBRANCES OF RECORD AFFECTING THIS TRACT OF LAND. THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF TITLE INSURANCE COMMITMENT NO. 35370CEW PREPARED BY COLORADO ESCROW AND TITLE SERVICES, LLC, DATED 8/26/2020. A TITLE INSURANCE COMMITMENT OR TITLE INSURANCE POLICY MAY DISCLOSE FACTS NOT REFLECTED ON THIS SURVEY. CORNER MONUMENTS WERE SET, OR FOUND, AND ACCEPTED AS SHOWN HEREON.

7. DEVELOPMENT OF LOTS WITHIN THE REZONING AREA SHALL MEET REQUIREMENTS OF THE FIRE CODE ADOPTED BY THE FIRE DISTRICT, WHICH INCLUDES WATER SUPPLY AND ACCESS.

CERTIFICATIONS

BOARD OF COUNTY COMMISSIONERS APPROVAL

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

CHAIR: _____

ATTEST: _____

PLANNING COMMISSION RECOMMENDATION

NOT RECOMMENDED/RECOMMENDED BY THE ARAPAHOE COUNTY PLANNING COMMISSION, THIS ____ DAY OF _____ A.D., 20____

CHAIR: _____

RK ENTERPRISES, INC.

CONTACT: BOB KELSEY, P.E.
PHONE: 303-332-4977
EMAIL: BKGNNR@GMAIL.COM

GUILFORD RANCH

REZONING PLAN

A PORTION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 32,
TOWNSHIP 5 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ARAPAHOE, STATE OF COLORADO
39.66 ACRES
SHEET 2 OF 2

STANDARD NOTES:

THE OWNER(S), DEVELOPER(S) AND/OR SUBDIVIDERS(S) OF THE REZONING PLAN KNOWN AS GUILFORD 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 PLAT/PLAN WILL NOT BE MAINTAINED BY THE COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS IN EFFECT AT THE DATE CONSTRUCTION PLANS ARE APPROVED, AND PROVIDED CONSTRUCTION OF SAID ROADWAYS IS STARTED WITHIN ONE YEAR OF THE CONSTRUCTION PLAN APPROVAL. THE OWNERS, DEVELOPERS AND/OR SUBDIVIDERS, THEIR SUCCESSORS AND/OR ASSIGNS IN INTEREST, SHALL BE RESPONSIBLE FOR STREET MAINTENANCE UNTIL SUCH TIME AS THE COUNTY ACCEPTS THE RESPONSIBILITY FOR MAINTENANCE AS STATED ABOVE.

DRAINAGE MAINTENANCE

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

EMERGENCY ACCESS NOTE

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

DRIVES, PARKING AREAS, AND UTILITY EASEMENTS MAINTENANCE

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

DRAINAGE LIABILITY

IT IS THE POLICY OF ARAPAHOE COUNTY THAT IT DOES NOT AND WILL NOT ASSUME LIABILITY FOR THE DRAINAGE FACILITIES DESIGNED AND/OR CERTIFIED BY RK ENTERPRISES, INC.. ARAPAHOE COUNTY REVIEWS DRAINAGE PLANS PURSUANT TO COLORADO REVISED STATUTES TITLE 30, ARTICLE 28, BUT CANNOT, ON BEHALF OF RODERIC N. & JANE E. GUILFORD REVOCABLE TRUST UTA MAY 26, 2009 GUARANTEE THAT FINAL DRAINAGE DESIGN REVIEW WILL ABSOLVE RODERIC N. & JANE E. GUILFORD REVOCABLE TRUST UTA MAY 26, 2009 AND/OR THEIR SUCCESSORS AND/OR ASSIGNS OF FUTURE LIABILITY FOR IMPROPER DESIGN. IT IS THE POLICY OF ARAPAHOE COUNTY THAT APPROVAL OF THE FINAL PLAT AND/OR FINAL DEVELOPMENT PLAN DOES NOT IMPLY APPROVAL OF RK ENTERPRISES, INC. DRAINAGE DESIGN.

LANDSCAPE MAINTENANCE

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

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

STANDARD NOTES (CONT.):

SIGHT TRIANGLE MAINTENANCE

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

PUBLIC IMPROVEMENTS NOTE

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

DRAINAGE MASTER PLAN NOTE

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

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

REGIONAL TRANSPORTATION IMPROVEMENT FEE (RTIF) AREA

THIS GUILFORD RANCH IS LOCATED WITHIN AN AREA THAT HAS BEEN IDENTIFIED AS DEFICIENT IN REGIONAL INFRASTRUCTURE IMPROVEMENTS, PRIMARILY REGIONAL TRANSPORTATION INFRASTRUCTURE. THE BOARD OF COUNTY COMMISSIONERS HAS ADOPTED RESOLUTION 375 J95A, WHICH REQUIRES FEES, PURSUANT TO THE FEE SCHEDULE ADOPTED BY THIS RESOLUTION, TO BE CHARGED BY THE BUILDING DIVISION, AND COLLECTED UPON THE ISSUANCE OF ALL BUILDING PERMITS FOR NEW CONSTRUCTION WITHIN THE REGION BOUNDARIES. THE FEES, THE REGION BOUNDARIES, THE REGIONAL TRANSPORTATION INFRASTRUCTURE PROPOSED TO BE FUNDED BY THE FEES, AND OTHER PERTINENT PORTIONS OF THE FEE SCHEDULE MAY BE FURTHER STUDIED AND AMENDED FROM TIME TO TIME, AS NEEDED TO ENSURE A FAIR BALANCED SYSTEM.

DRAINAGE

ALL DRAINAGE, DETENTION POND AND STORM SEWER EASEMENTS SHOWN HEREON BURDEN AND RUN WITH ALL LANDS DESCRIBED IN THIS PLAT TO THE BENEFIT OF ARAPAHOE COUNTY AND ITS ASSIGNS, AND ARE BINDING UPON THE OWNERS AND THEIR RESPECTIVE SUCCESSORS, HEIRS AND ASSIGNS. THE EASEMENTS ARE GOVERNED BY THE TERMS AND CONDITIONS OF ARAPAHOE COUNTY'S STORMWATER AND DRAINAGE REGULATIONS AND STANDARDS AND ALL TERMS AND CONDITIONS OF RECORD, INCLUDING THOSE RECORDED ON JUNE 5, 1997, AT RECEPTION NUMBER A7066570, AS THOSE REGULATIONS, STANDARDS, TERMS AND CONDITIONS EXIST AT THE TIME OF COUNTY APPROVAL OF THIS DOCUMENT AND AS THEY MAY BE AMENDED FROM TIME TO TIME.