

Board of County Commissioners

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

PUBLIC HEARING AGENDA

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

THIS AGENDA IS SUBJECT TO CHANGE

Tuesday March 26, 2019 9:30 AM

- 1. ROLL CALL
- 2. PLEDGE OF ALLEGIANCE
- 3. MOTION TO APPROVE AGENDA
- 4. AWARDS AND PRESENTATIONS
 - A. Public Works Staff Recognition
 - **B.** Proclamation of April 2019 as Child Abuse Awareness and Prevention Month
- 5. PUBLIC COMMENT

A. Citizen Communication

A total of 30 minutes is allocated at this time for public comment and each speaker will be limited to 3 minutes. If there are additional requests from the public to address the Board, time will be allocated at the end of the meeting to complete public comment. The chair requests that there be no public comment on issues for which a prior public hearing has been held before this Board.

B. Elected Officials' Communication

6. CONSENT CALENDAR

- A. List of Expenditures Under the Dates of March 11-15, 2019
- **B.** Minutes of the Commissioners' Proceedings from March 19, 2019
- C. Minutes of the Commissioners' Proceedings from March 20, 2019

Partners LLLP to Adams County for the Dedication of Right-of-Way for East 64th Avenue (File approved by ELT)

E. Resolution Accepting a Permanent Drainage Easement from Hyland Hills
Park and Recreation District to Adams County for Storm Water Drainage
Purposes
(File approved by ELT)

F. Resolution Accepting a Quitclaim Deed Conveying Property from Viva A&R, LLC, to Adams County for the Dedication of Right-of-Way for East 71st Avenue (File approved by ELT)

G. Resolution Approving an Agreement for Purchase of Real Property for the Harley Property between the Estate of Jean E. Harley and Adams County (File approved by ELT)

H. Resolution Approving the Colorado Preschool Program Independent
Contractor Agreement for Services of \$10,000 or more with Adams 14
School District for PY 2018-2019
(File approved by ELT)

I. Resolution Approving Termination of Regional Park Farmland Lease
Agreement between Adams County and Richard Larson
(File approved by ELT)

7. NEW BUSINESS

A. COUNTY MANAGER

Resolution Awarding an Agreement to FCI Constructors for Construction Management General Contractor Services for the Adams County Fleet and Public Works Buildings (File approved by ELT)

B. COUNTY ATTORNEY

8. Motion to Adjourn into Executive Session Pursuant to C.R.S. 24-6-402(4)(b) and (e) for the Purpose of Receiving Legal Advice and Instructing Negotiators Regarding Noise Monitoring Litigation

9. LAND USE HEARINGS

A. Cases to be Heard

- 1. RCU2018-00056 Pivot-38 Conditional Use Permit (File approved by ELT)
- 2. RCU2018-00055 Molberg at Imboden Conditional Use Permit (File approved by ELT)
- **3.** PRC2018-00009 Microgrid Rezone and Preliminary Plat (File approved by ELT)
- 4. PRC2018-00002 Pomponio Filings 3 and 4 (File approved by ELT)

10. ADJOURNMENT

AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE

Proclamation

Child Abuse Awareness and Prevention Month April 2019

Whereas, the Adams County Board of Commissioners prides itself on giving back to the community, contributing to the quality of life of all our citizens, and

Whereas, Child Abuse Prevention & Awareness Month draws attention to the hundreds of innocent child victims in Adams County each year who suffer from physical, sexual or emotional abuse and neglect at the hands of their parents or guardians, and

Whereas, the Court Appointed Special Advocates (CASA) of Adams & Broomfield Counties, in association with the National CASA Association, speaks up for the basic human rights of our abused and neglected children who are involved in the human services and court systems, through no fault of their own, and

Whereas, effective child abuse prevention programs, such as Ralston House, succeed because of partnerships among families, social service agencies, school, religious and civic organizations, law enforcement agencies and the business community;

Whereas, through community efforts, Adams County residents are encouraged to join together to raise awareness during the month of April, and continuing throughout the year, for our most vulnerable children who have fallen victim to abuse and neglect, and

Whereas, through this effort, Adams County citizens will help to ensure that abused and neglected children have the opportunity to live in safe, loving, permanent homes and have hope for their future.

Now Therefore, Be It Resolved, that the Board of County Commissioners of the County of Adams, State of Colorado, proclaims April 2019 as

Child Abuse Awareness and Prevention Month

and urges all citizens to join the local, statewide and national efforts to raise awareness and to help prevent child abuse and neglect.

In witness whereof, we have set our hands and caused the seal of the county to be affixed – March 26, 2019.

County of Adams

Net Warrant by Fund Summary

Fund	Fund	
Number	Description	Amount
1	General Fund	608,116.29
4	Capital Facilities Fund	17,304.01
5	Golf Course Enterprise Fund	28,996.77
6	Equipment Service Fund	175,697.82
13	Road & Bridge Fund	35,638.18
19	Insurance Fund	288,928.12
24	Conservation Trust Fund	6,503.75
28	Open Space Sales Tax Fund	2,341,896.18
31	Head Start Fund	19,520.02
34	Comm Services Blk Grant Fund	27,155.00
35	Workforce & Business Center	10,000.00
43	Front Range Airport	2,763.56
50	FLATROCK Facility Fund	5,741.50
94	Sheriff Payables	4,994.00
		3,573,255.20

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1 General Fund

00735066 00735067	32273 322973 490725	ALL COPY PRODUCTS INC ARMORED KNIGHTS INC	03/11/19	147.94
00735067		ADMODED KNICHTS INC		
	490725	ARMORED RIVOITIS INC	03/11/19	2,036.52
00735071	470723	BREAK THRU BEVERAGE	03/11/19	1,285.55
00735073	825268	CATYLIST REAL ESTATE SOFTWARE	03/11/19	840.00
00735075	6331	COLO ASSESSORS ASSN	03/11/19	865.00
00735076	28639	COLO STATE UNIVERSITY	03/11/19	300.00
00735077	825927	COLORADO VETERINARY MEDICAL AS	03/11/19	400.00
00735079	810159	CORHIO	03/11/19	3,300.00
00735080	40374	COSTAR REALTY INFORMATION INC	03/11/19	3,981.97
00735081	825362	DENVER METRO COMMERCIAL ASSOC	03/11/19	249.00
00735082	700466	DIRECT EDGE DENVER LLC	03/11/19	4,081.00
00735084	35867	ELDORADO ARTESIAN SPRINGS INC	03/11/19	50.28
00735087	47723	FEDEX	03/11/19	18.70
00735088	197938	FIRST CALL OF COLO	03/11/19	5,850.00
00735089	689772	GENEDX INC	03/11/19	1,500.00
00735090	809485	HAGGERTY BRIAN	03/11/19	65.00
00735092	166138	LAND TITLE GUARANTEE COMPANY	03/11/19	750.00
00735093	40843	LANGUAGE LINE SERVICES	03/11/19	46.74
00735095	637831	MCCREARY RAPHAEL	03/11/19	65.00
00735098	181778	POST ERIN	03/11/19	181.25
00735099	747632	PRICE RITA M	03/11/19	65.00
00735102	51001	SOUTHLAND MEDICAL LLC	03/11/19	1,679.64
00735105	810316	TRELOAR TARA A	03/11/19	65.00
00735107	712817	WHITESTONE CONSTRUCTION SERVIC	03/11/19	4,350.00
00735122	12012	ALSCO AMERICAN INDUSTRIAL	03/12/19	56.25
00735123	322973	ARMORED KNIGHTS INC	03/12/19	1,362.40
00735125	612089	COMMERCIAL CLEANING SYSTEMS	03/12/19	79,106.08
00735129	826432	GRAY RYAN	03/12/19	85.00
00735131	825929	REID HEINOLD LANINA	03/12/19	151.00
00735133	29686	SHEPARD STUART	03/12/19	600.00
00735134	13538	SHRED IT USA LLC	03/12/19	199.20
00735138	37012	UNITED REPROGRAPHIC SUPPLY INC	03/12/19	16.87
00735143	32293	ACAN	03/15/19	160.00
00735144	826426	ADAME JANELL	03/15/19	175.00
00735145	433987	ADCO DISTRICT ATTORNEY'S OFFIC	03/15/19	394.05
00735147	28303	CENTURA HEALTH	03/15/19	1,200.00

General Fund

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County of Adams

Warrant	Supplier No	Supplier Name	Warrant Date	Amount
00735148	37266	CENTURY LINK	03/15/19	205.39
00735155	5050	COLO DIST ATTORNEY COUNCIL	03/15/19	24.84
00735160	44656	DENVER HEALTH & HOSPITAL AUTHO	03/15/19	1,360.00
00735161	248103	DS WATERS OF AMERICA INC	03/15/19	124.55
00735163	827709	HAMMOND ALAN S	03/15/19	994.11
00735164	350168	HOFFER MICHELLE L	03/15/19	200.00
00735166	13593	KAISER PERMANENTE	03/15/19	9,750.00
00735169	192058	LADWIG MICHAEL V MD PC	03/15/19	1,290.00
00735170	40843	LANGUAGE LINE SERVICES	03/15/19	701.92
00735171	11166	LEEPAAC	03/15/19	900.00
00735172	827721	MARTINEZ ESPERANZA LEACETT	03/15/19	90.48
00735173	94055	MCALLISTER JEAN G	03/15/19	100.00
00735174	147921	METRO CITY AND COUNTY MANAGEME	03/15/19	190.00
00735175	729564	METRO TRANSPORTATION PLANNING	03/15/19	6,430.40
00735177	13774	NORTH PECOS WATER & SANITATION	03/15/19	41.34
00735178	33604	STATE OF COLORADO	03/15/19	235.00
00735180	599714	SUMMIT FOOD SERVICE LLC	03/15/19	165.68
00735181	240959	UNITED HEALTHCARE	03/15/19	7,750.00
00735185	28574	VERIZON WIRELESS	03/15/19	302.40
00735186	7117	WORLD CONNECTIONS TRAVEL	03/15/19	5,688.00
00735187	13822	XCEL ENERGY	03/15/19	445.08
00735189	12012	ALSCO AMERICAN INDUSTRIAL	03/15/19	124.15
00735190	9902	CHEMATOX LABORATORY INC	03/15/19	143.00
00735191	250958	COHEN MILSTEIN SELLERS & TOLL	03/15/19	945.00
00735192	5050	COLO DIST ATTORNEY COUNCIL	03/15/19	2,830.30
00735197	305607	FLYWHEEL RECORDS LLC	03/15/19	1,850.00
00735199	535614	HR ADVANTAGE GROUP LLC	03/15/19	2,725.00
00735201	77611	KD SERVICE GROUP	03/15/19	12,747.97
00735202	4842	PITNEY BOWES	03/15/19	399.96
00735203	44703	QUICKSILVER EXPRESS COURIER	03/15/19	214.17
00735204	263724	RED HAWK FIRE & SECURITY	03/15/19	1,682.00
00735206	248870	ROTH SHEPPARD ARCHITECTS	03/15/19	5,000.00
00735207	472626	SAFEWARE INC	03/15/19	20,573.00
00735209	574170	SCHULTZ PUBLIC AFFAIRS LLC	03/15/19	4,333.33
00735210	42818	STATE OF COLORADO	03/15/19	2,146.63
00735211	42818	STATE OF COLORADO	03/15/19	371.22

General Fund

Net Warrants by Fund Detail

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608,116.29

Fund Total

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Warrant	Supplier No	Supplier Name	Warrant Date	Amount
00735212	42818	STATE OF COLORADO	03/15/19	667.80
00735213	42818	STATE OF COLORADO	03/15/19	61.62
00735214	42818	STATE OF COLORADO	03/15/19	10,544.24
00735215	42818	STATE OF COLORADO	03/15/19	872.21
00735216	42818	STATE OF COLORADO	03/15/19	26.62
00735217	42818	STATE OF COLORADO	03/15/19	11.08
00735218	42818	STATE OF COLORADO	03/15/19	130.55
00735219	42818	STATE OF COLORADO	03/15/19	20.28
00735220	42818	STATE OF COLORADO	03/15/19	17.58
00735221	42818	STATE OF COLORADO	03/15/19	2.81
0735222	42818	STATE OF COLORADO	03/15/19	1,728.60
00735223	42818	STATE OF COLORADO	03/15/19	210.00
00735224	42818	STATE OF COLORADO	03/15/19	2,761.55
00735225	42818	STATE OF COLORADO	03/15/19	506.00
00735227	42984	TIME TO CHANGE	03/15/19	26,282.08
00735228	1094	TRI COUNTY HEALTH DEPT	03/15/19	302,923.68
00735229	666214	TYGRETT DEBRA R	03/15/19	432.00
00735231	1007	UNITED POWER (UNION REA)	03/15/19	141.93
00735232	1007	UNITED POWER (UNION REA)	03/15/19	36,173.66
00735233	1007	UNITED POWER (UNION REA)	03/15/19	15,847.64

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4	Capital Facil	lities Fund			
	Warrant	Supplier No	Supplier Name	Warrant Date	Amount
	00735091	40395	KUMAR & ASSOCIATES INC	03/11/19	3,907.50
	00735195	798606	D2C ARCHITECTS INC	03/15/19	13,396.51
				Fund Total	17,304.01

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5	Golf Course Enterprise Fund					
	Warrant	Supplier No	Supplier Name	Warrant Date	Amount	
	00005207	6177	PROFESSIONAL RECREATION MGMT I	03/14/19	28,996.77	
				Fund Total	28,996.77	

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6	Equipment S	ervice Fund			
	Warrant	Supplier No	Supplier Name	Warrant Date	Amount
	00735121	295403	ABRA AUTO BODY & GLASS	03/12/19	35.00
	00735132	16237	SAM HILL OIL INC	03/12/19	15,704.84
	00735136	790907	THE GOODYEAR TIRE AND RUBBER C	03/12/19	3,015.65
	00735140	24560	WIRELESS ADVANCED COMMUNICATIO	03/12/19	93,500.00
	00735208	16237	SAM HILL OIL INC	03/15/19	1,464.24
	00735241	24560	WIRELESS ADVANCED COMMUNICATIO	03/15/19	61,978.09
				Fund Total	175,697.82

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13	Road & Bridge Fund					
	Warrant	Supplier No	Supplier Name	Warrant Date	Amount	
	00735162	824572	GARCIA MELISSA D	03/15/19	675.00	
	00735188	411865	ALFRED BENESCH & CO	03/15/19	31,345.50	
	00735205	147080	ROCKSOL CONSULTING GROUP INC	03/15/19	3,617.68	
				Fund Total	35,638.18	

Net Warrants by Fund Detail

19 Insurance Fund

Warrant	Supplier No	Supplier Name	Warrant Date	Amount
00005208	37223	UNITED HEALTH CARE INSURANCE C	03/15/19	117,899.00
00735128	31507	DELVILLAR OSCAR	03/12/19	714.40
00735130	61886	NATHAN DUMM & MAYER PC	03/12/19	1,937.00
00735135	826715	TELLIGEN INC	03/12/19	69.50
00735139	788876	WEST HEALTH ADVOCATE SOLUTIONS	03/12/19	1,150.00
00735159	13663	DELTA DENTAL PLAN OF COLO	03/15/19	15.96
00735165	8031	JUDICIAL ARBITER GROUP INC	03/15/19	4,000.00
00735167	13593	KAISER PERMANENTE	03/15/19	89,615.58
00735182	37507	UNITED HEALTHCARE	03/15/19	2,801.40
00735183	240958	UNITED HEALTHCARE	03/15/19	14,522.70
00735184	240959	UNITED HEALTHCARE	03/15/19	36,390.67
00735193	13663	DELTA DENTAL PLAN OF COLO	03/15/19	14,971.80
00735194	13663	DELTA DENTAL PLAN OF COLO	03/15/19	19.95
00735196	346750	FACTORY MOTOR PARTS	03/15/19	1,031.96
00735198	37852	FTI GROUP	03/15/19	318.09
00735200	13593	KAISER PERMANENTE	03/15/19	1,829.03
00735226	826715	TELLIGEN INC	03/15/19	70.50
00735230	37507	UNITED HEALTHCARE	03/15/19	816.20
00735237	11552	VISION SERVICE PLAN-CONNECTICU	03/15/19	375.92
00735238	11552	VISION SERVICE PLAN-CONNECTICU	03/15/19	3.81
00735239	11552	VISION SERVICE PLAN-CONNECTICU	03/15/19	369.57
00735240	11552	VISION SERVICE PLAN-CONNECTICU	03/15/19	5.08

Fund Total 288,928.12

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24	Conservation Trust Fund					
	Warrant	Supplier No	Supplier Name	Warrant Date	Amount	
	00735094	13635	LOWER CLEAR CREEK DITCH	03/11/19	6,503.75	
				Fund Total	6,503.75	

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Net Warrants by Fund Detail

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Open Space Sales Tax Fund

Warrant	Supplier No	Supplier Name	Warrant Date	Amount
00735068	43143	ARVADA CITY OF	03/11/19	19,645.45
00735069	1080	AURORA CITY OF	03/11/19	457,852.29
00735070	43145	BENNETT TOWN OF	03/11/19	16,155.87
00735072	43146	BRIGHTON CITY OF	03/11/19	328,018.48
00735078	77095	COMMERCE CITY	03/11/19	302,696.78
00735086	13456	FEDERAL HEIGHTS CITY OF	03/11/19	50,492.89
00735097	42881	NORTHGLENN CITY OF	03/11/19	181,439.23
00735104	37327	THORNTON CITY OF	03/11/19	641,949.74
00735106	336027	WESTMINSTER CITY OF	03/11/19	343,645.45
			Fund Total	2,341,896.18

Net Warrants by Fund Detail

Head Start Fund

00735152

00735154

00735158

00735168

327250

54679

248029

555192

31

Warrar	t Supplier No	Supplier Name	Warrant Date	Amount
007350	74 166025	CHILDRENS HOSPITAL	03/11/19	1,505.00
007350	96 79121	MEADOW GOLD DAIRY	03/11/19	383.60
007351	03 13770	SYSCO DENVER	03/11/19	4,670.99
007351	26 612089	COMMERCIAL CLEANING SYSTEMS	03/12/19	4,007.00
007351	49 37266	CENTURY LINK	03/15/19	356.70
007351	50 37266	CENTURY LINK	03/15/19	147.02
007351	51 37266	CENTURY LINK	03/15/19	146.06

CINTAS CORPORATION NO 2

KROHM RON M

COLO DEPT OF HUMAN SERVICES

COMMUNITY REACH CENTER FOUNDAT

Fund Total 19,520.02

03/15/19

03/15/19

03/15/19

03/15/19

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134.61

320.00

30.00

7,819.04

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34	Comm Servi	ces Blk Grant Fund			
	Warrant	Supplier No	Supplier Name	Warrant Date	Amount
	00735065	258636	ADAMS COUNTY FOOD BANK	03/11/19	2,376.84
	00735083	190240	ECPAC	03/11/19	350.16
	00735085	689894	ETHIOPIAN COMMUNITY DEVELOPMEN	03/11/19	1,569.52
	00735100	189016	PROJECT ANGEL HEART	03/11/19	10,248.96
	00735101	58925	SERVICIOS DE LA RAZA INC	03/11/19	1,470.00
	00735146	5991	ALMOST HOME INC	03/15/19	881.95
	00735176	689895	NEW LEGACY CHARTER SCHOOL	03/15/19	10,257.57
				Fund Total	27,155.00

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35	Workforce &	& Business Center			
	Warrant	Supplier No	Supplier Name	Warrant Date	Amount
	00735137	827482	TURING SCHOOL OF SOFTWARE AND	03/12/19	10,000.00
				Fund Total	10,000.00

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Net Warrants by Fund Detail

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Front Range Airport

Warrant	Supplier No	Supplier Name	Warrant Date	Amount
00735124	322973	ARMORED KNIGHTS INC	03/12/19	66.37
00735141	13822	XCEL ENERGY	03/12/19	778.09
00735142	13822	XCEL ENERGY	03/12/19	1,919.10
			Fund Total	2,763.56

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Warrant	Supplier No	Supplier Name	Warrant Date	Amount
00735127	612089	COMMERCIAL CLEANING SYSTEMS	03/12/19	1,430.24
00735179	33604	STATE OF COLORADO	03/15/19	1.77
00735234	1007	UNITED POWER (UNION REA)	03/15/19	91.10
00735235	1007	UNITED POWER (UNION REA)	03/15/19	3,836.94
00735236	1007	UNITED POWER (UNION REA)	03/15/19	381.45

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94	Sheriff Paya	bles			
	Warrant	Supplier No	Supplier Name	Warrant Date	Amount
	00735153	95935	CLERK OF THE COUNTY COURT	03/15/19	2,220.00
	00735156	44915	COLO JUDICIAL DEPT	03/15/19	2,550.00
	00735157	44915	COLO JUDICIAL DEPT	03/15/19	224.00
				Fund Total	4,994.00

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County of Adams

Net Warrants by Fund Detail

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Grand Total <u>3,573,255.20</u>

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4304	Airport Operations/Maintenance	Fund	Voucher	Batch No	GL Date	Amount
	Gas & Electricity					
	XCEL ENERGY	00043	948185	331778	02/28/19	1,279.49
	XCEL ENERGY	00043	948185	331778	02/28/19	501.40-
	XCEL ENERGY	00043	948186	331778	02/28/19	716.74
	XCEL ENERGY	00043	948186	331778	02/28/19	1,432.40
	XCEL ENERGY	00043	948186	331778	02/28/19	230.04-
					Account Total	2,697.19
				D	epartment Total	2,697.19

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2051	ANS - Administration	Fund	Voucher	Batch No	GL Date	Amount
	Animal Control/Shelter					
	GRAY RYAN	00001	948493	332324	03/12/19	85.00
	REID HEINOLD LANINA	00001	948494	332324	03/12/19	151.00
					Account Total	236.00
				D	epartment Total	236.00

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4	Capital Facilities Fund	Fund	Voucher	Batch No	GL Date	Amount
	Received not Vouchered Clrg					
	D2C ARCHITECTS INC	00004	948640	332467	03/14/19	4,175.00
	D2C ARCHITECTS INC	00004	948653	332467	03/15/19	9,221.51
	KUMAR & ASSOCIATES INC	00004	948406	332230	03/11/19	3,907.50
					Account Total	17,304.01
				De	epartment Total	17,304.01

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1041	County Assessor	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Education & Training					
	COLO ASSESSORS ASSN	00001	948247	331917	03/05/19	865.00
					Account Total	865.00
	Maintenance Contracts					
	COSTAR REALTY INFORMATION INC	00001	948248	331917	03/05/19	3,981.97
					Account Total	3,981.97
	Operating Supplies					
	ALL COPY PRODUCTS INC	00001	948246	331917	03/05/19	147.94
					Account Total	147.94
				D	epartment Total	4,994.91

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2031	County Coroner	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Operating Supplies					
	ELDORADO ARTESIAN SPRINGS INC	00001	948384	332143	03/08/19	38.95
	ELDORADO ARTESIAN SPRINGS INC	00001	948385	332143	03/08/19	11.00
	ELDORADO ARTESIAN SPRINGS INC	00001	948386	332143	03/08/19	.33
	SOUTHLAND MEDICAL LLC	00001	948392	332143	03/08/19	1,345.64
	SOUTHLAND MEDICAL LLC	00001	948393	332143	03/08/19	334.00
					Account Total	1,729.92
	Other Professional Serv					
	FEDEX	00001	948389	332143	03/08/19	18.70
	FIRST CALL OF COLO	00001	948390	332143	03/08/19	5,850.00
	GENEDX INC	00001	948391	332143	03/08/19	1,500.00
	LANGUAGE LINE SERVICES	00001	948387	332143	03/08/19	46.74
					Account Total	7,415.44
	Subscrip/Publications					
	CORHIO	00001	948388	332143	03/08/19	3,300.00
					Account Total	3,300.00
				Г	epartment Total	12,445.36

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1012	County Manager	Fund	Voucher	Batch No	GL Date	Amount
	Membership Dues					
	METRO CITY AND COUNTY MANAGEME	00001	948423	332240	03/11/19	190.00
					Account Total	190.00
				D	epartment Total	190.00

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1022	CLK Elections	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Maintenance Contracts					
	PITNEY BOWES	00001	948609	332448	03/14/19	399.96
					Account Total	399.96
				D	epartment Total	399.96

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1023	CLK Motor Vehicle	Fund	Voucher	Batch No	GL Date	Amount
	Destruction of Records					
	SHRED IT USA LLC	00001	948373	332133	03/08/19	199.20
					Account Total	199.20
	Operating Supplies					
	ALSCO AMERICAN INDUSTRIAL	00001	948370	332133	03/08/19	19.53
	ALSCO AMERICAN INDUSTRIAL	00001	948371	332133	03/08/19	19.53
	ALSCO AMERICAN INDUSTRIAL	00001	948372	332133	03/08/19	17.19
	ALSCO AMERICAN INDUSTRIAL	00001	948604	332448	03/14/19	26.89
	ALSCO AMERICAN INDUSTRIAL	00001	948605	332448	03/14/19	26.89
	ALSCO AMERICAN INDUSTRIAL	00001	948606	332448	03/14/19	19.82
	ALSCO AMERICAN INDUSTRIAL	00001	948607	332448	03/14/19	31.02
	ALSCO AMERICAN INDUSTRIAL	00001	948608	332448	03/14/19	19.53
					Account Total	180.40
	Other Professional Serv					
	RED HAWK FIRE & SECURITY	00001	948610	332448	03/14/19	1,682.00
					Account Total	1,682.00
				Г	epartment Total	2,061.60

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1021	CLK Recording	Fund	Voucher	Batch No	GL Date	Amount
	Postage & Freight					
	UNITED REPROGRAPHIC SUPPLY INC	00001	948374	332133	03/08/19	16.87
					Account Total	16.87
				D	epartment Total	16.87

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951016	CSBG	Fund	Voucher	Batch No	GL Date	Amount
	Grants to Other Instit					
	ADAMS COUNTY FOOD BANK	00034	948402	332152	03/08/19	2,376.84
	ALMOST HOME INC	00034	948477	332310	03/12/19	881.95
	ECPAC	00034	948400	332152	03/08/19	350.16
	ETHIOPIAN COMMUNITY DEVELOPMEN	00034	948403	332152	03/08/19	1,569.52
	NEW LEGACY CHARTER SCHOOL	00034	948478	332310	03/12/19	10,257.57
	PROJECT ANGEL HEART	00034	948401	332152	03/08/19	10,248.96
	SERVICIOS DE LA RAZA INC	00034	948399	332152	03/08/19	1,470.00
					Account Total	27,155.00
				Dep	partment Total	27,155.00

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6021	CT- Trails- Plan/Design Const	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Improv Other Than Bldgs					
	LOWER CLEAR CREEK DITCH	00024	948249	331918	03/06/19	6,503.75
					Account Total	6,503.75
				De	epartment Total	6,503.75

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1051	District Attorney	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Business Meetings					
	COLO DIST ATTORNEY COUNCIL	00001	948576	332360	03/12/19	24.84
					Account Total	24.84
	Other Professional Serv					
	ACAN	00001	948577	332360	03/12/19	160.00
	HAMMOND ALAN S	00001	948578	332360	03/12/19	994.11
	MCALLISTER JEAN G	00001	948579	332360	03/12/19	100.00
					Account Total	1,254.11
	Witness Fees					
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	948575	332360	03/12/19	50.96
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	948575	332360	03/12/19	158.80
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	948575	332360	03/12/19	42.12
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	948575	332360	03/12/19	123.55
	ADCO DISTRICT ATTORNEY'S OFFIC	00001	948575	332360	03/12/19	18.62
	MARTINEZ ESPERANZA LEACETT	00001	948580	332360	03/12/19	90.48
					Account Total	484.53
				D	Department Total	1,763.48

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6	Equipment Service Fund	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Received not Vouchered Clrg					
	ABRA AUTO BODY & GLASS	00006	948509	332334	03/12/19	35.00
	SAM HILL OIL INC	00006	948507	332334	03/12/19	15,704.84
	SAM HILL OIL INC	00006	948600	332446	03/14/19	1,464.24
	THE GOODYEAR TIRE AND RUBBER C	00006	948508	332334	03/12/19	3,015.65
	WIRELESS ADVANCED COMMUNICATIO	00006	948506	332334	03/12/19	93,500.00
	WIRELESS ADVANCED COMMUNICATIO	00006	948596	332446	03/14/19	16,532.83
	WIRELESS ADVANCED COMMUNICATIO	00006	948597	332446	03/14/19	16,532.83
	WIRELESS ADVANCED COMMUNICATIO	00006	948598	332446	03/14/19	16,532.83
	WIRELESS ADVANCED COMMUNICATIO	00006	948599	332446	03/14/19	4,244.61
	WIRELESS ADVANCED COMMUNICATIO	00006	948599	332446	03/14/19	8,134.99
					Account Total	175,697.82
				De	partment Total	175,697.82

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9243	Extension - Family & Consumer	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Other Communications					
	VERIZON WIRELESS	00001	948330	332040	03/07/19	41.15
					Account Total	41.15
				De	epartment Total	41.15

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9240	Extension - Horticulture	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Other Communications					
	VERIZON WIRELESS	00001	948330	332040	03/07/19	41.15
					Account Total	41.15
				D	epartment Total	41.15

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9241	Extension- Administration	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Other Communications					
	VERIZON WIRELESS	00001	948330	332040	03/07/19	96.65
					Account Total	96.65
				D	epartment Total	96.65

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9244	Extension- 4-H/Youth	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Operating Supplies					
	COLO STATE UNIVERSITY	00001	948244	331914	03/06/19	300.00
	POST ERIN	00001	948245	331914	03/06/19	181.25
					Account Total	481.25
	Other Communications					
	VERIZON WIRELESS	00001	948330	332040	03/07/19	41.15
	VERIZON WIRELESS	00001	948330	332040	03/07/19	41.15
	VERIZON WIRELESS	00001	948330	332040	03/07/19	41.15
					Account Total	123.45
				D	epartment Total	604.70

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50	FLATROCK Facility Fund	Fund	Voucher	Batch No	GL Date	Amount
	Colorado Sales Tax Payable					
	STATE OF COLORADO	00050	948449	332260	03/11/19	1.77
					Account Total	1.77
	Received not Vouchered Clrg					
	COMMERCIAL CLEANING SYSTEMS	00050	948512	332334	03/12/19	1,430.24
					Account Total	1,430.24
				D	epartment Total	1,432.01

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1091	FO - Administration	Fund	Voucher	Batch No	GL Date	Amount
	Consultant Services					
	LAND TITLE GUARANTEE COMPANY	00001	948329	332036	03/07/19	750.00
					Account Total	750.00
	Subscrip/Publications					
	CATYLIST REAL ESTATE SOFTWARE	00001	948327	332036	03/07/19	840.00
	DENVER METRO COMMERCIAL ASSOC	00001	948328	332036	03/07/19	249.00
					Account Total	1,089.00
				De	epartment Total	1,839.00

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2090	FO - Flatrock Facility	Fund	Voucher	Batch No	GL Date	Amount
	Gas & Electricity					
	Energy Cap Bill ID=9300	00050	948650	332508	02/21/19	91.10
	Energy Cap Bill ID=9306	00050	948651	332508	02/21/19	3,836.94
	Energy Cap Bill ID=9307	00050	948652	332508	02/21/19	381.45
					Account Total	4,309.49
				De	epartment Total	4,309.49

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2009	FO - Sheriff Maintenance	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Gas & Electricity					
	Energy Cap Bill ID=9309	00001	948647	332508	02/21/19	141.93
	Energy Cap Bill ID=9312	00001	948648	332508	02/21/19	36,173.66
	Energy Cap Bill ID=9313	00001	948649	332508	02/21/19	15,847.64
					Account Total	52,163.23
				De	epartment Total	52,163.23

County of Adams

1	General Fund	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Colorado Sales Tax Payable					
	STATE OF COLORADO	00001	948448	332260	03/11/19	235.00
					Account Total	235.00
	Received not Vouchered Clrg					
	ARMORED KNIGHTS INC	00001	948405	332230	03/11/19	339.42
	ARMORED KNIGHTS INC	00001	948405	332230	03/11/19	339.42
	ARMORED KNIGHTS INC	00001	948405	332230	03/11/19	339.42
	ARMORED KNIGHTS INC	00001	948405	332230	03/11/19	339.42
	ARMORED KNIGHTS INC	00001	948405	332230	03/11/19	339.42
	ARMORED KNIGHTS INC	00001	948405	332230	03/11/19	339.42
	ARMORED KNIGHTS INC	00001	948510	332334	03/12/19	66.37
	ARMORED KNIGHTS INC	00001	948511	332334	03/12/19	339.42
	ARMORED KNIGHTS INC	00001	948511	332334	03/12/19	136.08
	ARMORED KNIGHTS INC	00001	948511	332334	03/12/19	339.42
	ARMORED KNIGHTS INC	00001	948511	332334	03/12/19	68.83
	ARMORED KNIGHTS INC	00001	948511	332334	03/12/19	136.08
	ARMORED KNIGHTS INC	00001	948511	332334	03/12/19	68.83
	ARMORED KNIGHTS INC	00001	948511	332334	03/12/19	68.83
	ARMORED KNIGHTS INC	00001	948511	332334	03/12/19	136.08
	ARMORED KNIGHTS INC	00001	948511	332334	03/12/19	68.83
	CHEMATOX LABORATORY INC	00001	948564	332363	03/12/19	143.00
	COHEN MILSTEIN SELLERS & TOLL	00001	948639	332467	03/14/19	945.00
	COLO DIST ATTORNEY COUNCIL	00001	948590	332446	03/14/19	2,830.30
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	4,233.97
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	438.83
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	713.60
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	720.72
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	440.77
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	3,038.42
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	1,383.43
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	18,956.05
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	604.03
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	833.78
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	27,358.12
	COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	1,705.17

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General Fund	Fund	Voucher	Batch No	GL Date	Amount
COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	825.55
COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	4,424.89
COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	437.55
COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	1,621.25
COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	3,851.11
COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	646.68
COMMERCIAL CLEANING SYSTEMS	00001	948513	332334	03/12/19	6,872.16
FLYWHEEL RECORDS LLC	00001	948656	332512	03/15/19	1,387.50
FLYWHEEL RECORDS LLC	00001	948657	332512	03/15/19	462.50
HR ADVANTAGE GROUP LLC	00001	948654	332467	03/15/19	2,725.00
KD SERVICE GROUP	00001	948566	332363	03/12/19	219.85
KD SERVICE GROUP	00001	948566	332363	03/12/19	2,171.64
KD SERVICE GROUP	00001	948568	332363	03/12/19	851.68
KD SERVICE GROUP	00001	948569	332363	03/12/19	3,199.48
KD SERVICE GROUP	00001	948570	332363	03/12/19	426.50
KD SERVICE GROUP	00001	948571	332363	03/12/19	5,878.82
QUICKSILVER EXPRESS COURIER	00001	948589	332446	03/14/19	214.17
ROTH SHEPPARD ARCHITECTS	00001	948655	332467	03/15/19	5,000.00
SAFEWARE INC	00001	948572	332363	03/12/19	3,142.00
SAFEWARE INC	00001	948573	332363	03/12/19	1,571.00
SAFEWARE INC	00001	948573	332363	03/12/19	15,860.00
SCHULTZ PUBLIC AFFAIRS LLC	00001	948591	332446	03/14/19	4,333.33
STATE OF COLORADO	00001	948659	332512	03/15/19	2,146.63
STATE OF COLORADO	00001	948659	332512	03/15/19	371.22
STATE OF COLORADO	00001	948660	332512	03/15/19	667.80
STATE OF COLORADO	00001	948660	332512	03/15/19	61.62
STATE OF COLORADO	00001	948661	332512	03/15/19	10,544.24
STATE OF COLORADO	00001	948661	332512	03/15/19	872.21
STATE OF COLORADO	00001	948662	332512	03/15/19	26.62
STATE OF COLORADO	00001	948662	332512	03/15/19	11.08
STATE OF COLORADO	00001	948663	332512	03/15/19	130.55
STATE OF COLORADO	00001	948663	332512	03/15/19	20.28
STATE OF COLORADO	00001	948664	332512	03/15/19	17.58
STATE OF COLORADO	00001	948664	332512	03/15/19	2.81
STATE OF COLORADO	00001	948665	332512	03/15/19	1,728.60
STATE OF COLORADO	00001	948665	332512	03/15/19	210.00

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1	General Fund	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	STATE OF COLORADO	00001	948666	332512	03/15/19	2,761.55
	STATE OF COLORADO	00001	948666	332512	03/15/19	506.00
	TIME TO CHANGE	00001	948592	332446	03/14/19	6,399.00
	TIME TO CHANGE	00001	948593	332446	03/14/19	5,679.55
	TIME TO CHANGE	00001	948594	332446	03/14/19	6,501.31
	TIME TO CHANGE	00001	948595	332446	03/14/19	7,702.22
	TRI COUNTY HEALTH DEPT	00001	948658	332512	03/15/19	302,923.68
	TYGRETT DEBRA R	00001	948574	332363	03/12/19	432.00
	WHITESTONE CONSTRUCTION SERVIC	00001	948407	332230	03/11/19	4,350.00
					Account Total	487,999.69
				De	partment Total	488,234.69

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5026	Golf Course- Maintenance	Fund	Voucher	Batch No	GL Date	Amount
	Contract Employment					
	PROFESSIONAL RECREATION MGMT I	00005	948584	332443	03/14/19	13,260.36
	PROFESSIONAL RECREATION MGMT I	00005	948584	332443	03/14/19	1,610.34
					Account Total	14,870.70
				De	epartment Total	14,870.70

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5021	Golf Course- Pro Shop	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Contract Employment					
	PROFESSIONAL RECREATION MGMT I	00005	948584	332443	03/14/19	11,115.11
	PROFESSIONAL RECREATION MGMT I	00005	948584	332443	03/14/19	1,316.35
					Account Total	12,431.46
	Insurance Premiums					
	PROFESSIONAL RECREATION MGMT I	00005	948584	332443	03/14/19	543.00-
	PROFESSIONAL RECREATION MGMT I	00005	948584	332443	03/14/19	1,097.32
					Account Total	554.32
	Other Professional Serv					
	PROFESSIONAL RECREATION MGMT I	00005	948584	332443	03/14/19	326.27
	PROFESSIONAL RECREATION MGMT I	00005	948584	332443	03/14/19	351.52
					Account Total	677.79
	Security Service					
	PROFESSIONAL RECREATION MGMT I	00005	948584	332443	03/14/19	462.50
					Account Total	462.50
				Γ	epartment Total	14,126.07

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9252	GF- Admin/Org Support	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Special Events					
	DIRECT EDGE DENVER LLC	00001	948320	332017	03/07/19	4,081.00
					Account Total	4,081.00
				D	epartment Total	4,081.00

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31	Head Start Fund	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Received not Vouchered Clrg					
	CHILDRENS HOSPITAL	00031	948414	332230	03/11/19	1,505.00
	COMMERCIAL CLEANING SYSTEMS	00031	948514	332334	03/12/19	4,007.00
	MEADOW GOLD DAIRY	00031	948408	332230	03/11/19	109.60
	MEADOW GOLD DAIRY	00031	948409	332230	03/11/19	54.80
	MEADOW GOLD DAIRY	00031	948410	332230	03/11/19	54.80
	MEADOW GOLD DAIRY	00031	948411	332230	03/11/19	68.50
	MEADOW GOLD DAIRY	00031	948412	332230	03/11/19	95.90
	SYSCO DENVER	00031	948416	332230	03/11/19	658.60
	SYSCO DENVER	00031	948421	332230	03/11/19	4,012.39
					Account Total	10,566.59
				De	partment Total	10,566.59

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935119	HHS Grant	Fund	Voucher	Batch No	GL Date	Amount
	Building Rental					
	COMMUNITY REACH CENTER FOUNDAT	00031	948430	332241	03/11/19	7,819.04
					Account Total	7,819.04
	Education & Training					
	KROHM RON M	00031	948431	332241	03/11/19	30.00
					Account Total	30.00
	Licenses and Fees					
	COLO DEPT OF HUMAN SERVICES	00031	948432	332241	03/11/19	320.00
					Account Total	320.00
	Operating Supplies					
	CINTAS CORPORATION NO 2	00031	948429	332241	03/11/19	134.61
					Account Total	134.61
	Telephone					
	CENTURY LINK	00031	948424	332241	03/11/19	356.70
	CENTURY LINK	00031	948426	332241	03/11/19	147.02
	CENTURY LINK	00031	948427	332241	03/11/19	146.06
					Account Total	649.78
				Γ	Department Total	8,953.43

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8613	Insurance - UHC EPO Medical	Fund	Voucher	Batch No	GL Date	Amount
	Administration Fee					
	UNITED HEALTHCARE	00019	948565	332361	03/12/19	157.41
	UNITED HEALTHCARE	00019	948625	332451	03/14/19	209.88
					Account Total	367.29
	Claims					
	UNITED HEALTH CARE INSURANCE C	00019	948637	332466	03/14/19	117,899.00
					Account Total	117,899.00
	Insurance Premiums					
	UNITED HEALTHCARE	00019	948565	332361	03/12/19	192.39
	UNITED HEALTHCARE	00019	948625	332451	03/14/19	256.52
					Account Total	448.91
				D	epartment Total	118,715.20

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8622	Insurance -Benefits & Wellness	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Medical Services					
	TELLIGEN INC	00019	948483	332312	03/12/19	69.50
	TELLIGEN INC	00019	948629	332451	03/14/19	70.50
	WEST HEALTH ADVOCATE SOLUTIONS	00019	948481	332312	03/12/19	1,150.00
					Account Total	1,290.00
	Printing External					
	FTI GROUP	00019	948559	332361	03/12/19	318.09
					Account Total	318.09
				De	epartment Total	1,608.09

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19	Insurance Fund	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	COBRA Medical - Kaiser Ins.					
	KAISER PERMANENTE	00019	948558	332361	03/12/19	1,829.03
					Account Total	1,829.03
	Received not Vouchered Clrg					
	FACTORY MOTOR PARTS	00019	948601	332446	03/14/19	491.89
	FACTORY MOTOR PARTS	00019	948633	332446	03/14/19	328.36
	FACTORY MOTOR PARTS	00019	948633	332446	03/14/19	48.20
	FACTORY MOTOR PARTS	00019	948634	332446	03/14/19	25.56
	FACTORY MOTOR PARTS	00019	948635	332446	03/14/19	112.39
	FACTORY MOTOR PARTS	00019	948636	332446	03/14/19	25.56
	NATHAN DUMM & MAYER PC	00019	948516	332338	03/12/19	799.16
	NATHAN DUMM & MAYER PC	00019	948516	332338	03/12/19	1,137.84
					Account Total	2,968.96
	Retiree Med - Kaiser					
	KAISER PERMANENTE	00019	948452	332261	03/11/19	89,615.58
					Account Total	89,615.58
	Retiree Med -United Health EPO					
	DELVILLAR OSCAR	00019	948433	332245	03/11/19	714.40
					Account Total	714.40
				Г	Department Total	95,127.97

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8614	Insurance- Delta Dental	Fund	Voucher	Batch No	GL Date	Amount
	Administration Fee					
	DELTA DENTAL PLAN OF COLO	00019	948457	332261	03/11/19	15.96
	DELTA DENTAL PLAN OF COLO	00019	948627	332451	03/14/19	19.95
					Account Total	35.91
	Ins Premium Dental-Delta					
	DELTA DENTAL PLAN OF COLO	00019	948560	332361	03/12/19	14,971.80
					Account Total	14,971.80
				De	epartment Total	15,007.71

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8611	Insurance- Property/Casualty	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	General Liab - Other than Prop					
	JUDICIAL ARBITER GROUP INC	00019	948515	332337	03/12/19	4,000.00
					Account Total	4,000.00
				D	epartment Total	4,000.00

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8615	Insurance- UHC Retiree Medical	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Administration Fee					
	UNITED HEALTHCARE	00019	948451	332261	03/11/19	1,262.28
					Account Total	1,262.28
	AARP RX					
	UNITED HEALTHCARE	00019	948456	332261	03/11/19	14,522.70
					Account Total	14,522.70
	Insurance Premiums					
	UNITED HEALTHCARE	00019	948451	332261	03/11/19	1,539.12
					Account Total	1,539.12
	UHC_MED					
	UNITED HEALTHCARE	00019	948458	332261	03/11/19	36,390.67
					Account Total	36,390.67
				Γ	Department Total	53,714.77

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8623	Insurance- Vision	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Ins. Premium-Vision					
	VISION SERVICE PLAN-CONNECTICU	00019	948562	332361	03/12/19	3.81
	VISION SERVICE PLAN-CONNECTICU	00019	948628	332451	03/14/19	5.08
					Account Total	8.89
				De	epartment Total	8.89

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6203	Open Space Tax- Cities	Fund	Voucher	Batch No	GL Date	Amount
	Payments To Cities-Sales Taxes					
	ARVADA CITY OF	00028	948172	331752	03/05/19	19,645.45
	AURORA CITY OF	00028	948171	331752	03/05/19	457,852.29
	BENNETT TOWN OF	00028	948165	331752	03/05/19	16,155.87
	BRIGHTON CITY OF	00028	948170	331752	03/05/19	328,018.48
	COMMERCE CITY	00028	948169	331752	03/05/19	302,696.78
	FEDERAL HEIGHTS CITY OF	00028	948168	331752	03/05/19	50,492.89
	NORTHGLENN CITY OF	00028	948167	331752	03/05/19	181,439.23
	THORNTON CITY OF	00028	948166	331752	03/05/19	641,949.74
	WESTMINSTER CITY OF	00028	948164	331752	03/05/19	343,645.45
					Account Total	2,341,896.18
				De	partment Total	2,341,896.18

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1015	People & Culture - Admin	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Insurance Premiums					
	KAISER PERMANENTE	00001	948453	332261	03/11/19	9,750.00
	SHEPARD STUART	00001	948446	332245	03/11/19	600.00
	UNITED HEALTHCARE	00001	948461	332261	03/11/19	7,750.00
					Account Total	18,100.00
				De	epartment Total	18,100.00

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5010	PKS- Fair & Special Events	Fund	Voucher	Batch No	GL Date	Amount
	Liquor Purchases	00001	049251	221010	02/06/10	1 205 55
	BREAK THRU BEVERAGE	00001	948251	331918	03/06/19 Account Total	1,285.55 1,285.55
					recount fotur	1,203.33
	Regional Park Rentals					
	ADAME JANELL	00001	948346	332113	03/08/19	175.00
	COLORADO VETERINARY MEDICAL AS	00001	948252	331918	03/06/19	400.00
					Account Total	575.00
				D	epartment Total	1,860.55

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5012	PKS- Regional Complex	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Gas & Electricity					
	XCEL ENERGY	00001	948348	332115	03/08/19	445.08
					Account Total	445.08
				D	epartment Total	445.08

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5016	PKS- Trail Ranger Patrol	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Water/Sewer/Sanitation					
	NORTH PECOS WATER & SANITATION	00001	948347	332113	03/08/19	41.34
					Account Total	41.34
				De	epartment Total	41.34

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1089	PLN- Boards & Commissions	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Other Professional Serv					
	HAGGERTY BRIAN	00001	948341	332104	03/08/19	65.00
	MCCREARY RAPHAEL	00001	948339	332104	03/08/19	65.00
	PRICE RITA M	00001	948340	332104	03/08/19	65.00
	TRELOAR TARA A	00001	948342	332104	03/08/19	65.00
					Account Total	260.00
				De	partment Total	260.00

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8624	Retiree-Vision	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Ins. Premium-Vision					
	VISION SERVICE PLAN-CONNECTICU	00019	948557	332361	03/12/19	375.92
	VISION SERVICE PLAN-CONNECTICU	00019	948563	332361	03/12/19	369.57
					Account Total	745.49
				De	epartment Total	745.49

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13	Road & Bridge Fund	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Received not Vouchered Clrg					
	ALFRED BENESCH & CO	00013	948631	332446	03/14/19	9,321.50
	ALFRED BENESCH & CO	00013	948632	332446	03/14/19	22,024.00
	ROCKSOL CONSULTING GROUP INC	00013	948630	332446	03/14/19	102.47
	ROCKSOL CONSULTING GROUP INC	00013	948630	332446	03/14/19	3,515.21
					Account Total	34,963.18
				De	epartment Total	34,963.18

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94	Sheriff Payables	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Brain Trust					
	COLO JUDICIAL DEPT	00094	948321	332023	03/07/19	2,550.00
	COLO JUDICIAL DEPT	00094	948321	332023	03/15/19	2,550.00-
					Account Total	
	Family Friendly Fee					
	COLO JUDICIAL DEPT	00094	948323	332023	03/07/19	224.00
					Account Total	224.00
	State Surcharge					
	CLERK OF THE COUNTY COURT	00094	948322	332023	03/07/19	2,220.00
					Account Total	2,220.00
				De	epartment Total	2,444.00

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2008	SHF - Training Academy	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Other Professional Serv					
	HOFFER MICHELLE L	00001	948546	332356	03/12/19	200.00
					Account Total	200.00
				D	epartment Total	200.00

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2011	SHF- Admin Services Division	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Education & Training					
	LEEPAAC	00001	948551	332356	03/12/19	600.00
					Account Total	600.00
	Operating Supplies					
	DS WATERS OF AMERICA INC	00001	948545	332356	03/12/19	124.55
					Account Total	124.55
	Other Professional Serv					
	LADWIG MICHAEL V MD PC	00001	948547	332356	03/12/19	1,170.00
	LADWIG MICHAEL V MD PC	00001	948548	332356	03/12/19	120.00
					Account Total	1,290.00
				Б	epartment Total	2,014.55

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2075	SHF- Commissary Fund	Fund	Voucher	Batch No	GL Date	Amount
	Other Communications					
	CENTURY LINK	00001	948542	332356	03/12/19	205.39
					Account Total	205.39
	Other Professional Serv					
	METRO TRANSPORTATION PLANNING	00001	948552	332356	03/12/19	3,549.55
	METRO TRANSPORTATION PLANNING	00001	948553	332356	03/12/19	2,880.85
					Account Total	6,430.40
				D	epartment Total	6,635.79

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2016	SHF- Detective Division	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Interpreting Services					
	LANGUAGE LINE SERVICES	00001	948550	332356	03/12/19	74.62
					Account Total	74.62
	Medical Services					
	CENTURA HEALTH	00001	948541	332356	03/12/19	1,200.00
	DENVER HEALTH & HOSPITAL AUTHO	00001	948543	332356	03/12/19	680.00
	DENVER HEALTH & HOSPITAL AUTHO	00001	948544	332356	03/12/19	680.00
					Account Total	2,560.00
				D	epartment Total	2,634.62

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2071	SHF- Detention Facility	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Education & Training					
	LEEPAAC	00001	948551	332356	03/12/19	300.00
					Account Total	300.00
	Interpreting Services					
	LANGUAGE LINE SERVICES	00001	948550	332356	03/12/19	417.38
					Account Total	417.38
	Operating Supplies					
	SUMMIT FOOD SERVICE LLC	00001	948554	332356	03/12/19	165.68
					Account Total	165.68
				D	epartment Total	883.06

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2017	SHF- Patrol Division	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Interpreting Services					
	LANGUAGE LINE SERVICES	00001	948550	332356	03/12/19	209.92
					Account Total	209.92
				D	epartment Total	209.92

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2018	SHF- Records/Warrants Section	Fund	Voucher	Batch No	GL Date	Amount
	Extraditions					
	WORLD CONNECTIONS TRAVEL	00001	948555	332356	03/12/19	3,986.50
	WORLD CONNECTIONS TRAVEL	00001	948556	332356	03/12/19	1,701.50
					Account Total	5,688.00
				De	epartment Total	5,688.00

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3056	Transportation CIP	<u>Fund</u>	Voucher	Batch No	GL Date	Amount
	Land					
	GARCIA MELISSA D	00013	948236	331898	03/06/19	675.00
					Account Total	675.00
				De	epartment Total	675.00

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97200	WIOA ADULT PROGRAM	Fund	Voucher	Batch No	GL Date	Amount
	Clnt Trng-Tuition					
	TURNING SCHOOL OF SOFTWARE AND	00035	948471	332308	03/12/19	6,000.00
					Account Total	6,000.00
				De	epartment Total	6,000.00

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97500	WIOA YOUTH OLDER	Fund	Voucher	Batch No	GL Date	Amount
	Clnt Trng-Tuition					
	TURNING SCHOOL OF SOFTWARE AND	00035	948471	332308	03/12/19	4,000.00
					Account Total	4,000.00
				D	epartment Total	4,000.00

County of Adams

Vendor Payment Report

03/15/19 Page -

14:30:03 56

Grand Total

3,570,705.20



Board of County Commissioners Minutes of Commissioners' Proceedings

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

Tuesday March 19, 2019 9:30 AM

1. ROLL CALL

Rollcall

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

2. PLEDGE OF ALLEGIANCE

3. MOTION TO APPROVE AGENDA

A motion was made by Commissioner Pinter, seconded by Commissioner Hodge, that the Agenda be approved. The motion carried by the following vote:

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

4. AWARDS AND PRESENTATIONS

5. PUBLIC COMMENT

A. Citizen Communication

A total of 30 minutes is allocated at this time for public comment and each speaker will be limited to 3 minutes. If there are additional requests from the public to address the Board, time will be allocated at the end of the meeting to complete public comment. The chair requests that there be no public comment on issues for which a prior public hearing has been held before this Board.

B. Elected Officials' Communication

6. CONSENT CALENDAR

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

- **Aye:** 5 Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge
- **A.** List of Expenditures Under the Dates of March 4-8, 2019
- **B.** Minutes of the Commissioners' Proceedings from March 12, 2019
- Resolution Changing the Name of the Front Range Airport Fund to the Colorado Air and Space Port Fund
 (File approved by ELT)
- D. Resolution Approving Agreement to Amend/Extend Contract between Adams County and Kenneth M Marrone and Stanley J Marrone (File approved by ELT)
- E. Resolution Approving the Colorado Preschool Special Education Program Annual Cost Rate Adjustment between Adams County Head Start and School District 27J for 2018-2019
 (File approved by ELT)
- F. Resolution Approving a Residential Lease Agreement between Adams County and the Adams County Foundation for Rental of Dwellings (File approved by ELT)
- **G.** Resolution Ratifying March 13, 2019 Disaster Declaration (File approved by ELT)
- **H.** Resolution Establishing the Adams County Foster Care Taskforce (File approved by ELT)

7. NEW BUSINESS

A. COUNTY MANAGER

1. Resolution Authorizing Fourth Supplemental Appropriations to the 2018 Adams County Government Budget (File approved by ELT)

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

- **Aye:** 5 Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge
- 2. Resolution Authorizing First Supplemental Appropriations to the 2019 Adams County Government Budget

(File approved by ELT)

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

- **Aye:** 5 Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge
- 3. Resolution Approving an Agreement between Adams County and North Metro Community Services, Inc., for Services for Persons with Developmental Disabilities

(File approved by ELT)

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

- **Aye:** 5 Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge
- 4. Resolution Approving Amendment One to the Agreement between Adams County and Family Tree, Inc., to provide Domestic Violence Shelter and Services for Temporary Assistance for Needy Families (TANF) (File approved by ELT)

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

- **Aye:** 5 Commissioner Henry, Commissioner Tedesco, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge
- 5. Resolution Designating Pre-Qualified Contractors for the Construction Manager General Contractor Proposal Qualifications for the Adams County Leader Blade Station And Strasburg Wash Bay (File approved by ELT)

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

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

6. Resolution Approving the Agreement between Adams County and Noraa Concrete Construction Corporation for the ADA Transition Plan Program Improvements for Area Five (5) East 55th Avenue (File approved by ELT)

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

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

B. COUNTY ATTORNEY

8. LAND USE HEARINGS

A. Cases to be Heard

1. RCU2018-00035 American Towers Henderson (File approved by ELT)

A motion was made by Commissioner Pinter, seconded by Commissioner Henry, that this Land Use Hearing be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Henry, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

Absent: 1 - Commissioner Tedesco

2. RCU2018-00039 Snetzinger Caretaker Unit (File approved by ELT)

A motion was made by Commissioner Henry, seconded by Commissioner Pinter, that this Land Use Hearing be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Henry, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

Absent: 1 - Commissioner Tedesco

3. PRC2018-00013 Piccadilly Solar (File approved by ELT)

A motion was made by Commissioner Henry, seconded by Commissioner Pinter, that this Land Use Hearing be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Henry, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

Absent: 1 - Commissioner Tedesco

4. PLN2018-00033 2018 Code Amendments (File approved by ELT)

A motion was made by Commissioner Hodge, seconded by Commissioner Pinter, that this Land Use Hearing be approved. The motion carried by the following vote:

Aye: 4 - Commissioner Henry, Commissioner Pinter, Commissioner O'Dorisio, and Commissioner Hodge

Absent: 1 - Commissioner Tedesco

9. ADJOURNMENT

AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE



Board of County Commissioners Minutes of Commissioners' Proceedings

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

> Wednesday March 20, 2019 2:00 PM

1. ROLL CALL

Rollcall

Present: 5 -

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

2. PLEDGE OF ALLEGIANCE

3. MOTION TO APPROVE AGENDA

A motion was made by Commissioner Henry, seconded by Commissioner Hodge, that the Agenda be approved. The motion carried by the following vote:

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

4. AWARDS AND PRESENTATIONS

5. PUBLIC COMMENT

A. Citizen Communication

A total of 30 minutes is allocated at this time for public comment and each speaker will be limited to 3 minutes. If there are additional requests from the public to address the Board, time will be allocated at the end of the meeting to complete public comment. The chair requests that there be no public comment on issues for which a prior public hearing has been held before this Board.

B. Elected Officials' Communication

6. CONSENT CALENDAR

7. NEW BUSINESS

A. COUNTY MANAGER

B. COUNTY ATTORNEY

1. Moratorium on Oil and Gas Regulations

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

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

8. ADJOURNMENT

AND SUCH OTHER MATTERS OF PUBLIC BUSINESS WHICH MAY ARISE



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: March 26, 2019
SUBJECT: Resolution accepting a deed conveying property to Adams County for the dedication of right-of-way for East 64th Avenue.
FROM: Kristin Sullivan, Director, Community & Economic Development Department
AGENCY/DEPARTMENT: Community & Economic Development
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: YES NO
RECOMMENDED ACTION: That the Board of County Commissioners approves a resolution
accepting a Quitclaim Deed from Gilliland Family Partners LLLP, to Adams County for the dedication of
right-of-way for East 64th Avenue

BACKGROUND:

Gilliland Family Partners has executed a Quitclaim Deed to dedicate road right-of-way to Adams County. The property is located at 1931 and 1961 E 64^{th} Avenue. The right-of-way is being dedicated as part of a requirement for a proposed development and change in use on the property for an outside crane storage yard.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community & Economic Development, Public Works, Office of the County Attorney

ATTACHED DOCUMENTS:

Quitclaim Deed Board of County Commissioners Resolution Planning Commission Resolution

Revised 06/2016 Page 1 of 2

FISCAL IMPACT:

Please check if there is no fiscal impact \boxtimes . If there is fiscal impact, please fully complete the section below.						
Fund:						
Cost Center:						
			Object Account	Subledger	Amount	
Current Budgeted Revenue:						
Additional Revenue not included in	n Current Budge	t:				
Total Revenues:				_		
		[Object Account	Subledger	Amount	
Current Budgeted Operating Exper	nditure:					
Add'l Operating Expenditure not in	ncluded in Curre	nt Budget:				
Current Budgeted Capital Expendi						
Add'l Capital Expenditure not inclu	uded in Current	Budget:				
Total Expenditures:						
				=		
New FTEs requested:	YES	NO NO				
Future Amendment Needed:	☐ YES	⊠ NO				
Additional Note:						

Revised 06/2016 Page 2 of 2

BOARD OF COUNTY COMMISSIONERS FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING QUITCLAIM DEED CONVEYING PROPERTY FROM GILLILAND FAMILY PARTNERS LLLP, TO ADAMS COUNTY FOR THE DEDICATION OF ROAD RIGHT-OF-WAY FOR EAST 64TH AVENUE

WHEREAS, Gilliland Family Partners LLLP, has executed a Quitclaim Deed to dedicate a parcel of land for right-of-way purposes for East 64th Avenue that complies with County standards and will benefit the citizens of Adams County; and,

WHEREAS, this right-of-way dedication is in conjunction with the development project on the property; and,

WHEREAS, the Planning Commission for Adams County, Colorado, has considered the advisability of accepting the Quitclaim Deed from Gilliland Family Partners LLLP, for property located in the Southeast Quarter of Section 2, Township 3 South, Range 68 West of the 6th Principal Meridian as described in the attached Quitclaim Deed; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 25th day of October, 2018, the Planning Commission recommended that the Board of County Commissioners accept said Quitclaim Deed.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Quitclaim Deed from Gilliland Family Partners LLLP, conveying property for the dedication of road right-of-way for East 64th Avenue, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

THIS DEED, dated this day of day of 2018, between Gilliland Family Partners LLLP, whose legal address is 1900 E 66TH AVE, Denver, Colorado, grantor, and THE COUNTY OF ADAMS, State of Colorado, grantee, whose legal address is 4430 South Adams County Parkway, Brighton, Colorado 80601, Brighton, Colorado 80601:

WITNESS, that the grantor, for other good and valuable consideration, the receipt and sufficiency of which is

hereby acknowledged, have remised, released, sold and QUITCLAIMED, and by these presents remise, release, sell and QUITCLAIM unto the grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the grantor has in and to the real property, together with improvements, if any, situate, lying and being in the said County of Adams, State of Colorado, described as follows:

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

Dedicated for E 64th Ave

Also known by street and number as: 1931 and 1961 E 64th Ave

Assessor's schedule or parcel number: part of 0182502403053 and 0182502403054

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

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

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

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

By: Member

Title: Member

Gilliland Family Partners LLLP

STATE OF COLORADO)) §
County of **Q damj**)

The foregoing instrument was acknowledged before me this 19 day of September, 2018, Gilliand Family lartners as owners.

My commission expire Dec. 29,200つ

STACEY ANN BROOKS
Notary Public - State of Colorado
Notary ID 20164048935
My Commission Expires Dec 29, 2020

Witness my hand and official seal.

Notary Public

EXHIBIT A RIGHT OF WAY FOR E. 64TH AVE.

A part of the SE1/4, Section 2, Township 3 South, Range 68 West of the 6th Principal Meridian, also being a part of Lots 2 and 3, RMS MUNGER SUBDIVISION, records of the clerk and recorder for Adams County, State of Colorado more particularly described as follows:

Commencing at the Southwest corner of the SE1/4, Section 2, Township 3 South, Range 68 West of the 6th Principal Meridian; Thence S89°24′09″E (basis of bearings is the South line of said SE1/4 having a bearing of S89°24′09″E per the subdivision plat of RMS MUNGER SUBDIVISION), along the South line of said SE1/4, a distance of 691.54 feet; Thence N0°35′51″E a distance of 32.16 feet to the POINT OF BEGINNING, which point is the Southwest corner of Lot 2, RMS MUNGER SUBDIVISION; Thence S89°20′17″E, along the South lines of Lots 2 and 3 of said RMS MUNGER SUBDIVISION, a distance of 858.00 feet to the Southeast corner of said Lot 3; Thence N0°39′04″E, along the East line of said Lot 3, a distance of 8.80 feet to a point 40.00 feet North (by perpendicular measurement) from the South line of said SE1/4; Thence N89°24′09′W, parallel with the South line of said SE1/4, a distance of 858.00 feet to the West line of said Lot 2; Thence S0°39′04″W a distance of 7.84 feet to the POINT OF BEGINNING, County of Adams, State of Colorado, containing 7,141 square feet or 0.164 acres more or less.

Prepared by Edgar Jennings PE&PLS

PO Box 200662 Denver, Colorado 303-388-1867

edjennings@comcast.net

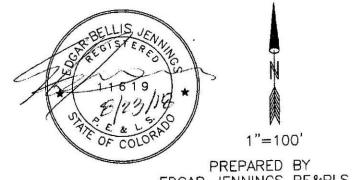
Job No: 08121-04 File No: ROW18121



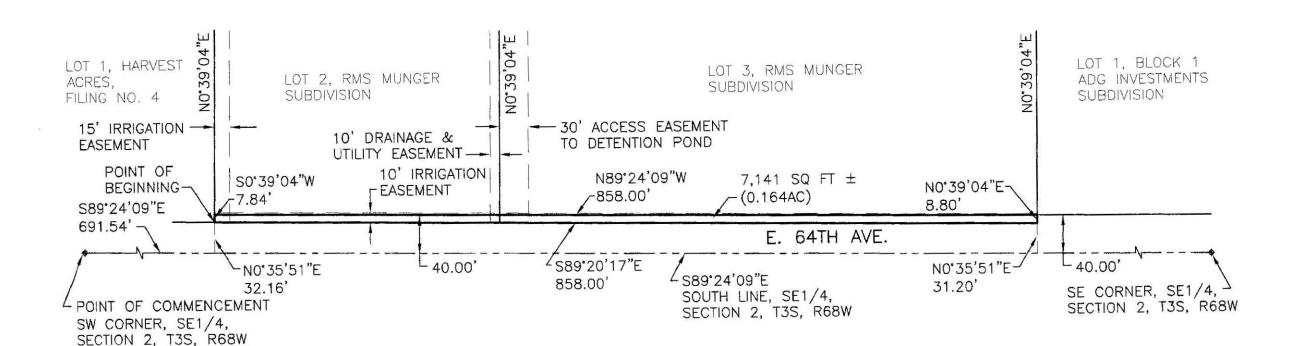
EXHIBIT A
RIGHT-OF-WAY FOR E. 64TH AVE.
PART OF LOTS 2 & 3
RMS MUNGER SUBDIVISION
ADAMS COUNTY, COLORADO

NOTES:

BASIS OF BEARINGS IS THE SOUTH LINE, SE1/4, SECTION 2, T3S, R68W HAVING A BEARING OF S89°24'09"E PER THE SUBDIVISION PLAT OF RMS MUNGER SUBDIVISION



PREPARED BY
EDGAR JENNINGS PE&PLS
PO BOX 200662 DENVER, CO 80220
303-388-1867



AGENDA ITEM 5A

PLANNING COMMISSION FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A QUITCLAIM DEED FROM GILLILAND FAMILY PARTNERS LLLP, TO ADAMS COUNTY FOR RIGHT-OF-WAY PURPOSES

At a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton Colorado on Thursday the 25th day of October, 2018, the following proceedings, among others, were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of accepting a Quitclaim Deed from Gilliland Family Partners LLLP, for the dedication of road right-of-way for East 64th Avenue being on the following described property:

See Legal Description as set forth in Exhibit A to the Quitclaim Deed attached hereto and incorporated herein by this reference.

WHEREAS, this property is being conveyed as a condition of a development project in the Southeast Quarter of Section 2, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED that the Adams County Planning Commission recommends to the Board of County Commissioners that said Quitclaim Deed be accepted by the Board of County Commissioners for road right-of-way as designated above.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, Greg Thompson, Chair of the Adams County Planning Commission do hereby certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.

Greg Thompson, Chair

Adams County Planning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: March 26, 2019
SUBJECT: Resolution accepting a permanent drainage easement from Hyland Hills Park and Recreation District to Adams County for storm water drainage purposes
FROM: Kristin Sullivan, Director, Community & Economic Development Department
AGENCY/DEPARTMENT: Community & Economic Development
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: YES NO
RECOMMENDED ACTION: That the Board of County Commissioners approves a resolution accepting a permanent drainage easement from Hyland Hills Park and Recreation District to Adams County for storm water drainage purposes

BACKGROUND:

Adams County is being granted a permanent drainage easement from Hyland Hills Park and Recreation District on a property located adjacent to the Sherrelwood Village Subdivision at approximately 7840 Pecos Street. The purpose of the easement is to allow the County to enter the property to inspect and maintain drainage facilities, which include inlets, pipes, culverts, channels, ditches, hydraulic structures, detention basins, etc, located on the property. Said easement is to be used solely in the event the Grantor fails to maintain such drainage facilities.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community & Economic Development, Public Works, Office of the County Attorney

ATTACHED DOCUMENTS:

Permanent Drainage Easement Board of County Commissioners Resolution Planning Commission Resolution

Revised 06/2016 Page 1 of 2

FISCAL IMPACT:

Please check if there is no fiscal section below.	impact ⊠. If	there is fisc	al impact, pl	ease fully comp	olete the
Fund:					
Cost Center:					
			Object Account	Subledger	Amount
Current Budgeted Revenue:					
Additional Revenue not included in	n Current Budge	t:			
Total Revenues:					
		[Object Account	Subledger	Amount
Current Budgeted Operating Exper	nditure:				
Add'l Operating Expenditure not in	cluded in Curre	nt Budget:			
Current Budgeted Capital Expendit	ture:				
Add'l Capital Expenditure not inclu	ided in Current l	Budget:			
Total Expenditures:					
				=	
New FTEs requested:	☐ YES	⊠ NO			
Future Amendment Needed:	☐ YES	⊠ NO			
Additional Note:					

Revised 06/2016 Page 2 of 2

BOARD OF COUNTY COMMISSIONERS FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING A PERMANENT DRAINAGE EASEMENT FROM HYLAND HILLS PARK AND RECREATION DISTRICT TO ADAMS COUNTY FOR STORM WATER DRAINAGE PURPOSES

WHEREAS, the Planning Commission for Adams County, Colorado, has considered the advisability of accepting a Permanent Drainage Easement from Hyland Hills Park and Recreation District for property located in the Northeast Quarter of Section 33, Township 2 South, Range 68 West of the 6th Principal Meridian as described in the attached easement agreement; and,

WHEREAS, this Permanent Drainage Easement is in conjunction with the Sherrelwood Village Subdivision located on the adjacent property; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 13th day of September, 2018, the Planning Commission recommended that the Board of County Commissioners accept said Permanent Drainage Easement.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Permanent Drainage Easement from Hyland Hills Park and Recreation District to Adams County for Storm Water Drainage Purposes, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

PERMANENT DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS:

HYLAND HILLS PARK AND RECREATION DISTRICT, whose legal address is 8801 North Pecos Street, Federal Heights, Colorado, 80260, hereinafter called "Grantor", for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, and convey to 7840 PECOS INVESTMENTS, LLC, whose legal address is 155 Madison Street # 326, Denver, Colorado, 80209, hereinafter "7840 PECOS" its successors and assigns, and to the COUNTY OF ADAMS, STATE OF COLORADO, a body politic, whose address is 4430 South Adams County Parkway, Brighton, Colorado 80601 hereinafter "County", its successors and assigns, a permanent storm water drainage easement ("Easement"). The Easement is granted to 7840 PECOS for the purpose of maintenance of all drainage facilities for a detention pond located on Grantor's property, including maintenance of outlet pipes, inlets, pipes, culverts, channels, ditches, hydraulic structures, detention basins, catch grates, maintenance roads, etc., ("Detention Pond") for the benefit of the Sherrelwood Village Subdivision located on 7840 PECOS' property as described in Exhibit "A". The Easement is granted to the County to be used solely in the event that 7840 PECOS fails to maintain the drainage facilities for the detention pond. The Easement is to be used as described above, together with lateral and subjacent support thereto as may from time to time be required on, over, across, and through the following described land to wit:

Legal description as set forth in Exhibit "B" attached hereto and incorporated by this reference.

Grantor reserves the right to use and occupy the Easement property for any purpose consistent with the rights and privileges above granted and which will not unduly interfere with or endanger the Detention Pond or otherwise interfere with the County's rights hereunder; and the parties further agree that uses of said Easement property by Grantor and the agreements concerning those uses shall be as follows:

- a) Grantor covenants and agrees that no permanent buildings or structures will be placed, erected, installed or permitted upon said easement that will cause any obstructions to prevent the proper maintenance and use of said Detention Pond, without obtaining specific permission of the County, not to be unreasonably withheld.
- b) Grantor may use the Easement property for any and all lawful purposes not inconsistent with the purposes set forth in this Easement, including but not limited to setbacks, density, open space, landscaping, roadway and utilities, so long as such uses do not interfere with the continued use, maintenance and repair of, or cause damage to the Detention Pond constructed within the Easement property.

In the event the County exercises its right to maintain the Detention Pond, all of the County's costs to maintain the drainage facilities shall be reimbursed by 7840 PECOS within thirty days of receiving the County's invoice, including any collection costs and attorney fees.

In further consideration of the granting of this easement, it is hereby agreed that all work performed by the County, its successors and assigns, in connection with this easement shall be done with care, and the surface of the property shall be restored to its original condition, or as close thereto as possible, except as necessarily modified to accommodate the facilities and appurtenances installed and any damages caused on said easement arising out of the reconstruction, maintenance and repair of said drainage facilities and appurtenances in the exercise of the rights hereby provided shall be restored reasonably similar to its original condition following completion of the work performed.

IN WITNESS WHEREOF, Grantor ha	as hereto set his hand on this 30 day of
0 0	Hyland Hills Park and Recreation District,
	By: Word technol
10	Print Name: <u>Yvonne Fischbach</u>
	Print Title: Executive Director
STATE OF COLORADO)) § COUNTY OF <u>ADAMS</u> The foregoing instrument was acknowle	edged before me this 30 day of July ,
2018 by	, as <u>Executive Director</u> of
Hyland Hills Park & Recreation District	
IN WITNESS WHEREOF, I have hereto	set my hand and official seal.
	Ricole S. Knight
My commission expires: $5 \cdot 29 \cdot 20$	020

NICOLE D KNIGHT NOTARY PUBLIC STATE OF COLORADO NOTARY ID 19924005233

My Commission Expires May 29, 2020

7840 Pecos Investments, LLC

Fillici	ue.
STATE OF COLORADO)	
COUNTY OF Demies	
	fore me this 2 day of Alau A
The foregoing instrument was acknowledged be 2018 by <u>Joe Del 7046</u>	day of parametris,
2018 by Joe Dellotto,	as Manager of
1840 Peros Investments UC	0
IN WITNESS WHEREOF, I have hereto set my	hand and official seal.
m +	Naha of Faire
	Notary Public
My commission expires: 7-14-19	Notary Fublic
wy commission expires. 7-74-71	DEBRA L FARNEY
	NOTARY PUBLIC
9	STATE OF COLORADO NOTARY ID 19954007439
	MY COMMISSION EXPIRES JULY 14, 2019

Print Name: _

EXHIBIT "A"

7840 PECOS INVESTMENTS, LLC

Legal Description

Know all people by these presents that the undersigned warrant they are the owner of a parcel of land situated in the Northeast Quarter of Section 33, Township 2 South, Range 68 West of the Sixth P.M., more particularly described as follows:

Bearings for this description are based on the North line of the Northeast Quarter of Section 33, Township 2 South, Range 68 West of the Sixth P.M., being assumed to bear N 89°30'30" E, from the North Quarter Corner of said Section 33, being a 3-1/4" Aluminum Cap in range box, PLS 23519 to the Northeast Corner of said Section 33 being a 3-1/4" Aluminum Cap in range box, PLS 7276 with all bearings contained herein relative thereto;

Commencing at the North Quarter Corner of said Section 33, thence N 89°30'30" E, along said North line, a distance of 30.00 feet to a point on the East line of the Pecos Street Right-of-Way, and the <u>Point of Beginning</u>;

Thence N 89°30'30" E, along the North line of said Northeast Quarter, also being the South line of that parcel of land recorded in Book 3254 at Page 139 in the records of the Adams County Clerk and Recorder's Office, a distance of 299.36 feet to a point on the West line of that parcel of land recorded in Book 3251 at Page 924, said Adams County records;

Thence along the West lines of said parcel of land, the following two (2) courses:

- 1. S 21°38'59" E, a distance of 266.92 feet;
- 2. S 33°40'19" E, a distance of 83.13 feet to a point on the West line of lot 2, KALCEVIC SUBDIVISION AMENDED, as recorded at Reception No. B1041161, said Adams County records;

Thence along the West lines of lot 2 and lot 1, said KALCEVIC SUBDIVISION AMENDED, the following four (4) courses:

- 1. S 14°37'52" E, a distance of 76.08 feet;
- 2. N 88°03'04" E, a distance of 39.50 feet;
- 3. S 17°49'46" E, a distance of 104.05 feet;
- \$ 55°05'47" E, a distance of 112.26 feet;

Thence S 01°01'29" E, a distance of 259.37 feet to a point on the North line of the ELMWOOD PARK SUBDIVISION, as recorded at Reception No. CO184761, said Adams County records;

Thence S 89°32'44" W, along the North line of said ELMWOOD PARK SUBDIVISION, a distance of 631.65 feet to a point on the East line of the Pecos Street Right-of-Way;

Thence N 00°01'53" E, along said East line of the Pecos Street Right-of-Way, a distance of 586.61 feet to the Southwest Corner of that exception parcel recorded in Book 746, at Page 180 of said Adams County records;

Thence along the South, East and North lines of said exception parcel the following three (3) courses:

- N 89°30'30" E, parallel to the North line of the Northeast Quarter of said Section 33, a distance of 208.00 feet to a point;
- 2. N 00°29'30" W, at a Right Angle, a distance of 207.99 feet to a point being 20.00 feet South of the North line of the Northeast Quarter of said Section 33;
- 3. S 89°30'30" W, along a line being 20.00 feet South of and parallel to the North line of the Northeast Quarter of said Section 33, a distance of 206.10 feet to the Northwest Corner of said parcel and a point on the East line of the Pecos Street Right-of-Way;

Thence N 00°01'53" E, along the East line of said Pecos Street Right-of-Way, a distance of 20.00 feet to the <u>Point of Beginning</u>.

Containing 358,387 Square Feet, or 8.227 Acres. more or less.

Legal description prepared by: Thomas M. Girard Colorado PLS 38151 For and on behalf of CORE Consultants, INC.



EXHIBIT "B"

Legal Description

A drainage easement, of variable width, situated in the Northeast Quarter of Section 33, Township 2 south, Range 68 west of the 6th Principal Meridian, County of Adams, State of Colorado, being a part of Lots 1 and 2, KALCEVIC SUBDIVISION AMENDED, a Subdivision Plat recorded at Reception No. B1041161, in the records of the Adams County Clerk and Recorder's Office, being more particularly described as follows;

Bearings for this description are based upon the West line of the Northeast Quarter of Section 33, Township 2 South, Range 68 West of the Sixth Principal Meridian, being assumed to bear South 00°01'53" West, from the North Quarter Corner of said Section 33, being monumented by a Rebar with a 3-1/4" Aluminum Cap stamped "PLS 23519", to the Center Quarter Corner of said Section 33, being monumented by a Rebar with a 3-1/4" Aluminum Cap stamped "PLS 11434", with all bearings contained herein relative thereto;

Commencing at the North Quarter Corner of said Section 33, thence South 49°45'31" East, a distance of 814.53 feet to a point on the East line of that Deed recorded at Reception No. 2015000104930, said Adams County Records, also being a point on the West line of said Lot 2, KALCEVIC SUBDIVISION AMENDED and the Point of Beginning;

Thence North 80°27'43" East, a distance of 134.83 feet;

Thence South 43°06'49" East, a distance of 170.03 feet;

Thence South 69°26'27" East, a distance of 93.42 feet;

Thence South 20°33'33" West, a distance of 20.00 feet;

Thence North 69°26'27" West, a distance of 88.02 feet;

Thence South 05°27'34" West, a distance of 44.66 feet;

Thence North 76°25'55" West, a distance of 152.36 feet;

Thence South 35°25'01" West, a distance of 9.75 feet to a point on the West line of said Lot 1, KALCEVIC SUBDIVISION AMENDED;

Thence North 55°05'47" West, along the West line of said Lot 1, a distance of 69.92 feet;

Thence North 17°49'46" West, along the West lines of said lots 1 and 2, a distance of 104.05 feet to the Point of Beginning.

Containing: 30,754 square feet or 0.706 acres, more or less.

Legal description prepared by:

Thomas M. Girard

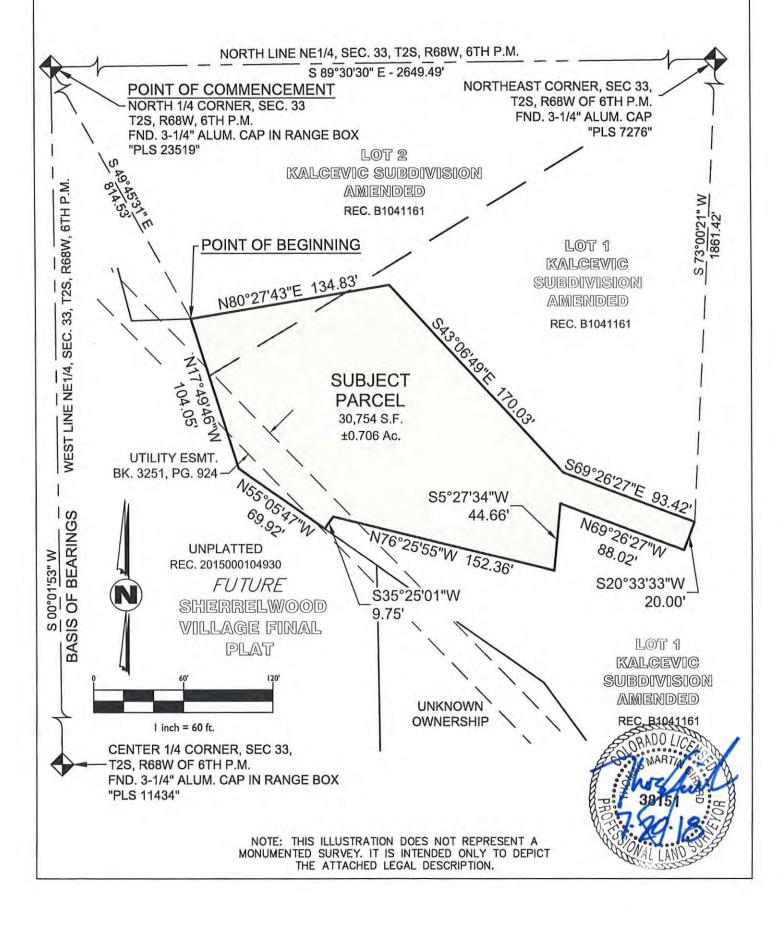
Colorado PLS 38151

For and on behalf of CORE Consultants, INC.

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



EXHIBIT "B"



AGENDA ITEM 5A

PLANNING COMMISSION FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A PERMANENT DRAINAGE EASEMENT FROM HYLAND HILLS PARK AND RECREATION DISTRICT TO ADAMS COUNTY FOR STORM WATER DRAINAGE PURPOSES

At a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton, Colorado, on Thursday the 13th day of September, 2018, the following proceedings, among others, were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of accepting a permanent drainage easement from Hyland Hills Park and Recreation District for storm water drainage purposes, being on the following described property:

See Legal Description as set forth in Exhibit "B" attached hereto and incorporated herein by this reference.

WHEREAS, this Permanent Drainage Easement is in conjunction with the Sherrelwood Village Subdivision located in the northeast quarter of Section 33, Township 2 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED that the Adams County Planning Commission recommends to the Board of County Commissioners that said Permanent Drainage Easement be accepted by the Board of County Commissioners.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, Greg Thompson, Chair of the Adams County Planning Commission, do here by certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.

Greg Thompson, Chair

Adams County Planning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: March 26, 2019
SUBJECT: Resolution accepting a deed conveying property to Adams County for the dedication of right-of-way for East 71 st Avenue
FROM: Kristin Sullivan, Director, Community & Economic Development Department
AGENCY/DEPARTMENT: Community & Economic Development
HEARD AT STUDY SESSION ON: N/A
AUTHORIZATION TO MOVE FORWARD: YES NO
RECOMMENDED ACTION: That the Board of County Commissioners approves a resolution accepting a Quitclaim Deed from Viva A&R, LLC, to Adams County for the dedication of right-of-way for East 71 st Avenue.

BACKGROUND:

Viva A&R, LLC, has executed a Quitclaim Deed to dedicate road right-of-way to Adams County. The property is located at 1040 East 71st Avenue. The right-of-way is being dedicated as part of requirement for a change in use on the property for an equipment repair shop.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Community & Economic Development, Public Works, Office of the County Attorney

ATTACHED DOCUMENTS:

Quitclaim Deed Board of County Commissioners Resolution Planning Commission Resolution

Revised 06/2016 Page 1 of 2

FISCAL IMPACT:

Please check if there is no fiscal impact \boxtimes . If there is fiscal impact, please fully complete the section below.						
Fund:						
Cost Center:						
			Object Account	Subledger	Amount	
Current Budgeted Revenue:						
Additional Revenue not included in	n Current Budge	t:				
Total Revenues:				_		
		[Object Account	Subledger	Amount	
Current Budgeted Operating Exper	nditure:					
Add'l Operating Expenditure not in	ncluded in Curre	nt Budget:				
Current Budgeted Capital Expendi						
Add'l Capital Expenditure not inclu	uded in Current	Budget:				
Total Expenditures:						
				=		
New FTEs requested:	YES	NO NO				
Future Amendment Needed:	☐ YES	⊠ NO				
Additional Note:						

Revised 06/2016 Page 2 of 2

BOARD OF COUNTY COMMISSIONERS FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION ACCEPTING QUITCLAIM DEED CONVEYING PROPERTY FROM VIVA A&R, LLC, TO ADAMS COUNTY FOR THE DEDICATION OF ROAD RIGHT-OF-WAY FOR EAST 71st AVENUE

WHEREAS, Viva A&R, LLC, has executed a Quitclaim Deed to dedicate a parcel of land for right-of-way purposes for East 71st Avenue that complies with County standards and will benefit the citizens of Adams County; and,

WHEREAS, this right-of-way dedication is in conjunction with a change in use and building permit on the property; and,

WHEREAS, the Planning Commission for Adams County, Colorado, has considered the advisability of accepting the Quitclaim Deed from Viva A&R, LLC, for property located in the Southwest Quarter of Section 2, Township 3 South, Range 68 West of the 6th Principal Meridian as described in the attached Quitclaim Deed; and,

WHEREAS, at a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton on Thursday the 11th day of October, 2018, the Planning Commission recommended that the Board of County Commissioners accept said Quitclaim Deed.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Quitclaim Deed from Viva A&R, LLC, for the Dedication of Road Right-of-Way for East 71st Avenue, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is accepted.

QUITCLAIM DEED

THIS DEED, dated this day of August 2018, between VIVA A&R, LLC, whose legal address is 1040 East 71st Avenue, Denver, 80229, grantor, and THE COUNTY OF ADAMS, State of Colorado, grantee, whose legal address is 4430 South Adams County Parkway, Brighton, Colorado 80601, Brighton, Colorado 80601:

WITNESS, that the grantor, for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, have remised, released, sold and QUITCLAIMED, and by these presents remise, release, sell and QUITCLAIM unto the grantee, its successors and assigns forever, all the right, title, interest, claim and demand which the grantor has in and to the real property, together with improvements, if any, situate, lying and being in the said County of Adams, State of Colorado, described as follows:

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

Dedicated for East 71st Avenue

Also known by street and number as: 1040 East 71st Avenue Assessor's schedule or parcel number: part of 0182502203008

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

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

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

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

STATE OF COLORADO

County of Jefferson)

The foregoing instrument was acknowledged before me this 28 day of August, 2018, Armando Dominquez Varela as owner.

My commission expires: 5/83/8020

vitness my hand and official seal.

Notary Public

Kelsie Tennyson NOTARY PUBLIC STATE OF COLORADO NOTARY ID 20164019623 MY COMMISSION EXPIRES 05/23/20

EXHIBIT 'A'

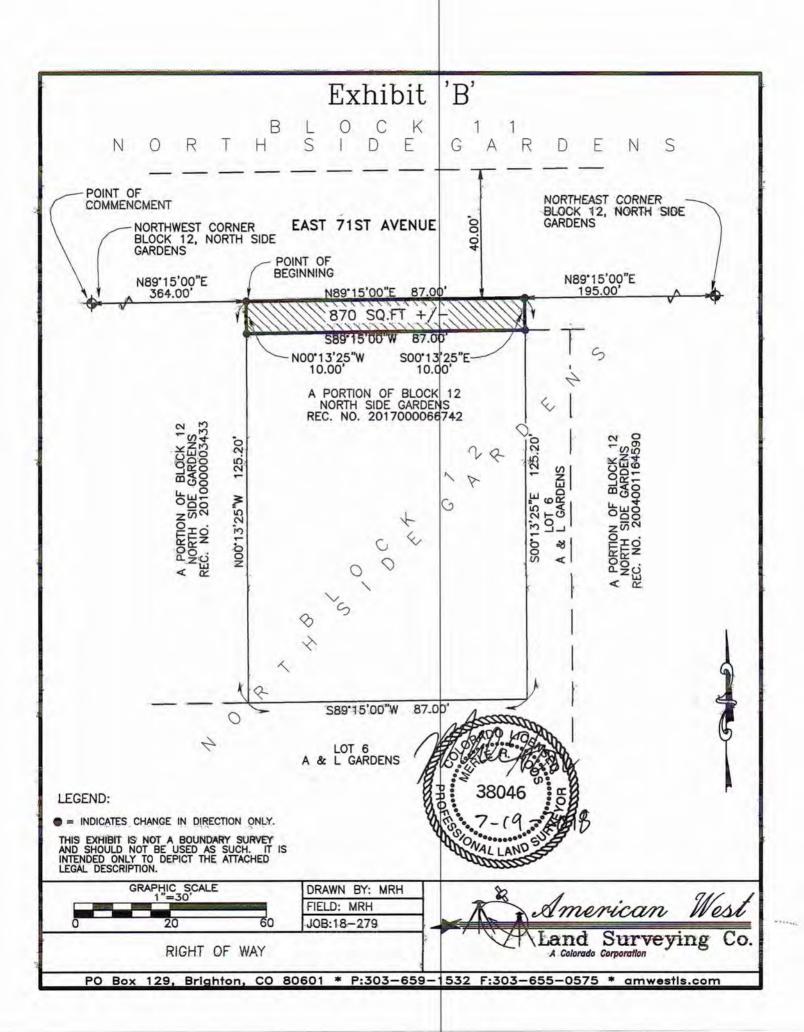
THAT PART OF BLOCK 12, NORTH SIDE GARDENS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

CONSIDERING THE NORTH LINE OF BLOCK 12, NORTH SIDE GARDENS TO BEAR NORTH 00°15′00″ EAST ACCORDING TO THE PLAT OF A & L GARDENS RECORDED SEPTEMBER 12, 1978 IN FILE 14, MAP 426, AS RECEPTION NO. B154968, WITH ALL BEARINGS CONTAINED HEREIN, RELATIVE THERETO;

COMMENCING AT THE NORTHWEST CORNER OF SAID BLOCK 12; THENCE COINCIDENT WITH THE NORTH LINE OF SAID BLOCK 12 NORTH 89°15′00″ EAST, A DISTANCE OF 364.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING COINCIDENT WITH THE NORTH LINE OF SAID BLOCK 12 NORTH 89°15′00″ EAST, A DISTANCE OF 87.00 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID BLOCK 12 SOUTH 00°13′25″ EAST, A DISTANCE OF 10.00 FEET; THENCE PARALLEL WITH THE NORTH LINE OF SAID BLOCK 12 SOUTH 89°15′00″ WEST, A DISTANCE OF 87.00 FEET; THENCE PARALLEL WITH THE WEST LINE OF SAID BLOCK 12 NORTH 00°13′25″ WEST, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING, CONTAINING 870 SQUARE FEET MORE OR LESS, COUNTY OF ADAMS, STATE OF COLORADO.

DESCRIPTION PREPARED BY:
MERLE R. HOOS, PLS 38046
FOR AND ON BEHALF OF
AMERICAN WEST LAND SURVEYING CO.





AGENDA ITEM 5A

PLANNING COMMISSION FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION RECOMMENDING ACCEPTANCE OF A QUITCLAIM DEED FROM VIVA A&R, LLC, TO ADAMS COUNTY FOR RIGHT-OF-WAY PURPOSES

At a regular meeting of the Planning Commission for Adams County, Colorado, held at the County Government Center in Brighton Colorado on Thursday the 11th day of October, 2018, the following proceedings, among others, were had and done, to wit:

WHEREAS, the Adams County Planning Commission has considered the advisability of accepting a Quitclaim Deed from Viva A&R, LLC, for the dedication of road right-of-way for East 71st Avenue being on the following described property:

See Legal Description as set forth in Exhibit "A & B" attached hereto and incorporated herein by this reference.

WHEREAS, this property is being conveyed as a condition of a change of use permit in the Southwest Quarter of Section 2, Township 3 South, Range 68 West of the 6th Principal Meridian, County of Adams, State of Colorado.

NOW, THEREFORE, BE IT RESOLVED that the Adams County Planning Commission recommends to the Board of County Commissioners that said Quitclaim Deed be accepted by the Board of County Commissioners for road right-of-way as designated above.

Upon a motion duly made and seconded, the foregoing resolution was adopted.

I, Greg Thompson, Chair of the Adams County Planning Commission do hereby certify that the annexed foregoing resolution is a true and correct record of the proceedings of the Adams County Planning Commission.

Greg Thompson, Chair

Adams County Manning Commission



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: March 26, 2019
SUBJECT: Purchase and Sale Agreement for Harley Property
FROM: Marc Pedrucci and Bryon Fanning
AGENCY/DEPARTMENT: Parks and Open Space
HEARD AT STUDY SESSION ON: March 12, 2019
AUTHORIZATION TO MOVE FORWARD: ⊠ YES ☐ NO
RECOMMENDED ACTION: That the Board of County Commissioners approve a Purchase and Sale Agreement for the acquisition of the 5-acre Harley Property near Barr Lake.

BACKGROUND:

The Parks and Open Space Department wishes to acquire the 5-acre Harley property near Barr Lake State Park. The Harley property is an inholding located within the 269-acre Smith/Heckendorf Open Space located at 20880 E. 152nd Avenue. Parks wishes to acquire the Harley property in order to add it to and manage it as part of the Smith/Heckendorf Open Space. Acquisition by the county will remove the threat of incompatible development of the property if it were sold to a private owner.

The longtime owner of the property passed away recently, and the family members have agreed to sell the property to the county for open space at the appraised value of \$490,000. The POSD wishes to execute a Purchase and Sale Agreement with the Estate of Jean Harley to acquire to the property.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Parks and Open Space, Community and Economic Development

ATTACHED DOCUMENTS:

Resolution Agreement of Sale Revised 06/2016

FISCAL IMPACT:			
Please check if there is no fiscal impact . If there is fisc section below.	cal impact, pl	ease fully com	plete the
Fund: 27			
Cost Center: 6107			
	Object Account	Subledger	Amount
Current Budgeted Revenue:	Hecount		
Additional Revenue not included in Current Budget:			
Total Revenues:			
		-	
	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:	9010	61071902	\$490,000
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			\$490,000
		=	

⊠ NO

⊠ NO

☐ YES

☐ YES

Additional Note:

New FTEs requested:

Future Amendment Needed:

Revised 06/2016 Page 2 of 2

BOARD OF COUNTY COMMISSIONERS FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING AN AGREEMENT FOR PURCHASE OF REAL PROPERTY FOR THE HARLEY PROPERTY BETWEEN THE ESTATE OF JEAN E. HARLEY AND ADAMS COUNTY

WHEREAS, the Estate of Jean E. Harley owns 5 acres of real property ("the Property") within the Smith/Heckendorf Open Space near Barr Lake State Park; and,

WHEREAS, the Property has been identified for acquisition in the Adams County Open Space, Parks & Trails Master Plan because of its open space, scenic, and natural resource values; and,

WHEREAS, Adams County wishes to purchase the Property in order to preserve it as open space in perpetuity; and,

WHEREAS, the Estate of Jean E. Harley and Adams County have agreed to terms for the sale of the property to Adams County and wish to execute an Agreement for Purchase of Real Property; and,

WHEREAS, Parks and Open Space Department staff is knowledgeable with the terms of the purchase and is able to attend the closing for the property acquisition.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Agreement between the Estate of Jean E. Harley and Adams County for the Purchase of the Harley property, a copy of which is attached hereto and incorporated herein by this reference, is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is authorized to execute said Agreement for Purchase of Real Property on behalf of Adams County.

BE IT FURTHER RESOLVED, that Adams County hereby authorizes the expenditure of funds necessary to meet the terms and obligations of said Agreement for Purchase of Real Property.

BE IT FURTHER RESOLVED, that Parks & Open Space Department staff is authorized to attend the closing and sign non-contractual documents on behalf of the County.

PURCHASE AND SALE AGREEMENT

	This Purchase a	and Sale Agreement ("Agreement") is made and entered into as of
the	day of	, 2019, by and between the Board of County
Com	missioners, Count	y of Adams, State of Colorado, located at 4430 S. Adams County
Parky	way ("County"), a	nd the Estate of Jean Harley, the personal representative of which
is Jar	nes H. Harley, P.O	D. Box 716, Brighton, CO, 80601 (the "Seller").

RECITALS

A. WHEREAS, Seller owns 5 acres of real property situated in the County of Adams, State of Colorado, as depicted on the map attached as Exhibit A, and more particularly described as follows:

SECT,TWN,RNG:14-1-66 DESC: PT OF NE4 AND NW4 SEC 14 DESC AS BEG AT A PT FROM WHICH THE N4 COR SD SEC BRS N 02D 53M W 1555/70 FT TH S 35D 41M W 108/92 FT TH S 41D 34M W 381/38 FT TH N 53D 58M W 482 FT TH N 56D 49M E 258/87 FT TH N 26D 26M E 250 FT TH S 53D 58M E 467/99 FT TO POB 5A

20880 E. 152nd Avenue, Brighton, CO 80603

Also known as Adams County Assessor Parcel Number 0156900000274.

- B. WHEREAS, County wishes to purchase the approximately 5 acres of the above described real property, together with all improvements, any water rights, and surface mineral rights and as depicted on the map attached as Exhibit A (the "Property").
- WHEREAS, County wishes to purchase the Property, together with all improvements and appurtenances for \$490,000 dollars; and
- D. WHEREAS, the County and Seller desire to enter into this Agreement for the Purchase and Sale of the Property upon terms as herein set forth.

WITNESSETH:

NOW, THEREFORE, in consideration of the promises, mutual covenants and agreements set forth herein and for other good and valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged, the County and Seller hereby agree as follows:

Purchase and Sale. Subject to the terms and conditions set forth in this
Agreement, the Seller agrees to sell and convey to County, and County agrees
to purchase from Seller, the Property.

- 2. Purchase Price. The total purchase price for the Property shall be \$490,000 ("Purchase Price"). Purchase Price shall be payable upon the closing of the transaction contemplated by this Agreement ("Closing"). The location of the Closing shall be <u>Land Title Guarantee Company in Brighton, Colorado</u>, or the closing may be done remotely via U.S. Mail or electronically. County shall pay Seller the Purchase Price, subject only to adjustments and prorations provided for herein, by cash or certified funds.
- 2.1 Appraisal. No appraisal contingency.
- 2.2 **Earnest Money.** The Earnest Money Deposit shall be five thousand dollars and no cents (\$5,000), which shall be deposited into an interest bearing escrow account established by Land Title Guarantee Company, within five (5) business days following the execution and delivery of the Agreement by and between County and Seller. So long as County performs fully on the Agreement, the entire Earnest Money Deposit of five thousand dollars and no cents (\$5,000) shall become non-refundable upon the expiration of the Inspection Period and waiver of all Contingencies by County, which shall be by no later than 5:00 p.m. MST on April 1, 2019.
- 2.3 Inspection. County shall have the right to inspect the physical condition of the Property at County's expense. If the physical condition of the Property is unsatisfactory in the County's subjective discretion, County shall give notice to Seller by March 15, 2019. If the parties fail to agree in writing to a resolution of County's objection(s) by April 1, 2019, then this Agreement shall terminate, unless the County waives the objection in writing prior to April 1, 2019. In the event that the County terminates the Agreement pursuant to this section, the Earnest Money Deposit shall be returned to the County without deduction or penalty.
- 2.4 Property Survey. Seller shall provide to the County any and all surveys they may have in their possession. The County, in its sole discretion, shall decide if a new property survey is required. If a new survey is required, the County, at their expense, shall contract with a reputable survey company for an ALTA Survey of the Property including a depiction and legal description of the Property.
- 3. Environmental History. The County, at its sole option and expense, may contract for a Phase I Environmental Site Assessment on the Property. If the County has an objection based on the Phase I Environmental Site Assessment, such an objection must be made in writing by March 15, 2019. If Seller receives a written objection based on the Phase I Environmental Site Assessment, Seller shall use reasonable effort to correct said items and bear any nominal expense to correct the same prior to Closing. If, in the County's sole discretion, the results of the Phase I Environmental Site Assessment support the need for a Phase II Environmental Site Assessment, then Seller

shall cooperate with the County to obtain a Phase II Environmental Site Assessment. The County will pay the expense of the Phase II Environmental Site Assessment. If the parties are unable to reach agreement regarding cleanup of any environmental objections on or before Closing, this Agreement shall then terminate; provided, however, County may waive objection to such terms by written notice received by Seller on or before Closing. In the event that the County terminates the Agreement pursuant to this section, the Earnest Money Deposit shall be returned without deduction or penalty.

4. Title

- 4.1 The Property shall be merchantable in the Seller, subject only to taxes and assessments for the year in which the Closing occurs and subject to the list of exceptions found in the title commitment.
- 4.2 The Seller, at the Seller's sole expense, shall provide evidence of title to the Property by a title insurance commitment in the amount of the Purchase Price to the County by March 15, 2019. If the County, in its sole discretion, finds the title is not merchantable or has other objection as to the evidence of title, then County shall so advise the Seller in writing by April 1, 2019.
- 4.3 If Seller receives notice of unmerchantability of title(s) or any other unsatisfactory title conditions(s) or commitment terms as provided in Section 4.2, Seller shall use reasonable effort to correct said items and bear any nominal expense to correct the same prior to Closing. If such unsatisfactory title conditions are not corrected on or before Closing, this Agreement shall then terminate; provided, however, County may waive objection to such terms by written notice received by Seller on or before Closing. In the event that the County terminates the Agreement pursuant to this section, the Earnest Money Deposit shall be returned to the County without deduction or penalty.
- 4.4 Matters not shown by public records. Seller shall deliver to County, on or before March 15, 2019, true copies of all leases, surveys, and water decrees in Seller's possession pertaining to the Property and shall disclose to County all easements, liens or other title matters not shown by the public records of which Seller has actual knowledge. County shall have the right to inspect the Property to determine if any third parties have any right in the Property not shown by the public records, such as unrecorded easements, unrecorded leases, dry up agreements or boundary line discrepancy. Written notice of any unsatisfactory conditions disclosed by Seller or revealed by such inspection shall be given to Seller on or before April 1, 2019.
- 5. Pro-rations. County shall be responsible for the closing costs. Seller shall be responsible for the costs of the title insurance policy. Property taxes for the year of Closing shall be prorated. The closing company shall be instructed to pay taxes rather than to give the County a credit.

- Closing-Conveyance.
- 6.1 Closing shall take place on or before April 30, 2019, at such time as the parties may, by mutual agreement, designate. If the inspection, title and off-record matters meet with County's satisfaction prior to the stated deadlines, the parties may agree to a closing date earlier than April 30, 2019.
- 6.2 Deeds. Seller shall provide the County with a Personal Representative's Deed as title to the Property.
- 7. Notices. All notices or other communications required or permitted to be given by this Agreement shall be in writing and shall be delivered personally (including by means of professional messenger service); or sent by prepaid registered or certified mail, return receipt requested and addressed as follows:

If to County, to:

Marc Pedrucci Adams County Parks & Open Space 9755 Henderson Road Brighton, Colorado 80601

With a copy to:

Adams County Attorney's Office 4430 South Adams County Parkway Brighton, Colorado 80601

If to Seller, to:

Estate of Jean E. Harley c/o James Harley P.O. Box 716 Brighton, CO 80601-0716

Or, as to such other address as shall, from time to time, be supplied by either party by like notice. Any notice of other communication sent as aforesaid shall be deemed served when actually received or refused.

8. Remedies

- 8.1 County's default. If the Contingencies are satisfied and the sale and purchase is not consummated because of County's default, then Land Title Guarantee Company shall deliver the Earnest Money Deposit, plus any accrued interest, to Seller as full liquidated damages for such default by County, and this shall be Seller's sole and exclusive remedy. The parties expressly acknowledge that it is impossible to more precisely estimate the damages suffered by Seller upon the County's default, and that receipt of the Earnest Money Deposit, plus interest, is intended not as a penalty, but as full liquidated damages.
- 8.2 **Seller's default**. If the Contingencies are satisfied and the sale and purchase is not consummated because of Seller's default, then <u>Land Title Guarantee Company</u> shall return the Earnest Money Deposit without deduction or penalty, plus any accrued interest, to the County and this shall be the County's sole and exclusive remedy.
- General Provisions. The parties further agree as follows:
- 9.1 Time. Time is of the essence of this Agreement and County's and Seller's obligations hereunder. For purposes of this Agreement, facsimile copies shall be treated as originals.
- 9.2 Entire Agreement. No change or modification of this Agreement shall be valid unless the same is in writing and signed by the parties hereto. This Agreement contains the entire agreement between the parties relating to the purchase and sale of the Property. All prior negotiations between the parties are merged in this Agreement and there are no promises, agreements, conditions, undertakings, warranties or representations—whether written, express or implied—between the parties other than as set forth herein.
- 9.3 **Exhibits.** The exhibits hereto constitute an integral part of this Agreement and are incorporated herein.
- 9.4 Survival. All of the representations, warranties, covenants and agreements hereunder, to the extent not fully performed and discharged by or through the Closing, shall not be deemed merged into any instrument delivered at Closing and shall remain fully enforceable thereafter.
- 9.5 Governing Law. This Agreement shall be construed and enforced in accordance with the laws of the State of Colorado, and venue for any lawsuit arising from this Agreement shall be in Adams County, Colorado.
- 9.6 Headings. The headings which appear in some of the sections of this Agreement are for purposes of convenience and reference and are not in any sense to be construed as modifying the sections in which they appear.

- 9.7 Counterparts. This Agreement may be executed in counterparts, each of which (or any combination of which) when signed and delivered by all of the parties shall be deemed an original, but all of which when taken together shall constitute one agreement.
- 9.8 Successor and Assign. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors and assigns.
- 9.9 Authority. Each party to the Agreement warrants to the other that the respective signatories have full right and authority to enter into and consummate this Agreement and all related documents.
- 10. In the event that any provisions of this Agreement shall be determined to be illegal, invalid or unenforceable, a provision similar in terms will be added to this Agreement, if possible, which provision shall be legal, valid and enforceable; and this Agreement shall not be construed against the party preparing it, but shall be construed as if all parties prepared this Agreement.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date set forth above.

COUNTY OF ADAMS, STATE OF COLORADO

Chair

ATTEST:
JOSH ZYGIELBAUM, CLERK AND RECORDER

Deputy Clerk

APPROVED AS TO FORM:

County Attorney's Office

ESTATE OF JEAN E. HARLEY:

James H. Harley, Personal Representative

BOARD OF COUNTY COMMISSIONERS



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: March 26, 2019				
SUBJECT: Adams County Head Start's Colorado Preschool Program Independent Contractor Agreement for Services of \$10,000 or More with Adams 14 School District for PY 2018-2019				
FROM: Chris Kline, Director of Human Services Department				
AGENCY/DEPARTMENT: Human Services Department				
HEARD AT STUDY SESSION ON: NA				
AUTHORIZATION TO MOVE FORWARD: YES NO				
RECOMMENDED ACTION: That the Board of County Commissioners Approves the resolution for Head Start to enter into the Colorado Preschool Program Independent Contractor Agreement for Services of \$10,000 or More with Adams 14 School District for PY 2018-2019				

BACKGROUND:

Adams County Head Start would like to enter into the Colorado Preschool Program Independent Contractor Agreement for Services of \$10,000 or More with Adams 14 School District for PY 2018-2019. For each child enrolled in the Adams County Head Start program, Adams 14 School District will pay to Adams County Head Start the sum of \$350.00 per month per child, not to exceed a total of \$151,200.00

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Adams 14 School District

ATTACHED DOCUMENTS:

Resolution attached

Colorado Preschool Program Independent Contractor Agreement for Services of \$10,000 or More with Adams 14 School District for PY 2018-2019

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FISCAL IMPACT:			
Please check if there is no fiscal impact . If there is fiscal section below.	cal impact, plo	ease fully com	plete the
Fund: 31			
Cost Center: Various			
	Object Account	Subledger	Amount
Current Budgeted Revenue:	5660		151,200
Additional Revenue not included in Current Budget:			
Total Revenues:			151,200
	•	=	
	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:	7000.9999	5000	151,200
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:			
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			151,200
	-	=	

 \boxtimes NO

⊠ NO

YES

☐ YES

Additional Note:

New FTEs requested:

Future Amendment Needed:

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BOARD OF COUNTY COMMISSIONERS FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING THE COLORADO PRESCHOOL PROGRAM INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICES OF \$10,000 OR MORE WITH ADAMS 14 SCHOOL DISTRICT FOR PY 2018-2019

WHEREAS, Adams County Head Start would like to enter into the attached Colorado Preschool Program Independent Contractor Agreement for Services of \$10,000 or More with Adams 14 School District for PY 2018-2019; and,

WHEREAS, pursuant to the agreement, Adams 14 School District will provide \$350.00/month for enrollees, not to exceed \$151,200.00 to Adams County Head Start to provide services for children.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the Colorado Preschool Program Independent Contractor Agreement for Services of \$10,000 or More with Adams 14 School District for PY 2018-2019 between Adams County Head Start and Adams 14 School District is hereby approved.

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



INDEPENDENT CONTRACTOR AGREEMENT FOR SERVICES OF \$10,000 OR MORE

WHEREAS, Adams County School District 14 in the County of Adams and State of Colorado (the "District") has the statutory authority to contract with persons, firms, consultants, and/or entities for the provision of services to the District; and

WHEREAS, the District has determined that a need exists to retain a Contractor to provide the service hereinafter specified; and

WHEREAS, Adams County Head Start(the "Contractor") is qualified to provide the services required by the District;

WHEREAS, the District maintains certain confidential information including trade secrets, student records, and all other information not clearly known to the public and/or confidential pursuant to law. The District's trade secrets and other proprietary and confidential information includes the whole or any portion or phase of any of the following: student records, employee records, scientific or technical information, designs, processes, procedures, improvements, confidential business or financial information, other information relating to any of the District's business bids, techniques, operations, services, contracts, forms, and all other trade secret information not clearly known to the public ("Confidential Information"). Due to the value of the District's Confidential Information and the consequences if it is disclosed, taken or misused for any reason, the District seeks by this Agreement to protect the District's Confidential Information and any other confidential information the Contractor acquires as a result of the Contractor's provision of services to the District. The Contractor recognizes and respects the value of the District's Confidential Information.

NOW, THEREFORE, the parties desire to enter into this Agreement subject to the following terms and conditions:

- **1. Scope of Services.** The Contractor shall perform the Services as follows: provide academic and social emotional services that align with Colorado academic standards for students three and four years of age. The Contractor will provide the services consistent with generally accepted industry standards for the Contractor's customary services. On the effective date of this Agreement, and during the term of this Agreement, the Contractor will be fully qualified and will have all licenses, permits, certificates, registrations, and approvals needed to perform its obligations under this Agreement. Include the individual names of all service providers that will perform any of the services under this agreement (add additional pages as needed): See addendum.
- **2. Schedule.** The District and the Contractor agree that the services shall be provided at the following mutually agreed locations and times, or as agreed to in writing by the parties after the approval of this Agreement:
- 3. Term. The provision of services under this Agreement shall commence on September 1, 2018, and will terminate on May 31, 2019; however, under no circumstances will the Term exceed one fiscal year from the commencement date. The Contractor understands and agrees that the District has no obligation to extend this Agreement's term, or contract for the provision of any future services, and makes no warranties or representations otherwise.
- 4. Remuneration. The Contractor's fee the District is obligated to pay for the services rendered under this Agreement is as follows: \$350.00 a month per child _and under no circumstances whatsoever shall the fee exceed \$151,200.00. The District shall process the Contractor's payment within thirty (30) days from the receipt of a valid invoice to the District's Accounts Payable office. Such invoice shall be submitted to the site administrator to be forwarded to Accounts Payable with the Voucher Request, the P.E.R.A. Retiree form and the Contractor's W-9 form.
- 5. **Invoicing Requirements.** The Contractor shall furnish the following information within invoices that are submitted for request for payment to the District:
 - a. Dates of which services were rendered
 - b. Detailed description of the services or activities performed

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- c. If services were on a "fixed price" basis, a summary of provided milestones as per the scope of work shall be furnished
- d. Names of the individuals providing services
- e. Hours worked
- f. Bill rate or compensation for the services rendered
- g. All 'Other Direct Expenditures' shall include-vendor name, expense type, expense description, and date of expense.
- 6. Independent Contractor. Contractor shall perform its duties hereunder as an independent contractor and not as an employee. Neither Contractor nor any agent or employee of Contractor shall be deemed to be an agent or employee of the District. Contractor and its employees and agents are not entitled to unemployment insurance or workers compensation benefits through the District and the District shall not pay for or otherwise provide such coverage for Contractor or any of its agents or employees. Unemployment insurance benefits shall be available to Contractor and its employees and agents only if such coverage is made available by Contractor or a third party. Contractor shall pay when due all applicable employment taxes and income taxes and local head taxes incurred pursuant to this agreement. The parties agree that the District will not:
 - a. Require the Contractor to work exclusively for the District; and
 - b. Establish a quality standard for the Contractor, or oversee the actual work or instruct the Contractor as to how the work is to be performed, except the Parties agree as stated in Paragraph 1 that the Contractor's services will be consistent with generally accepted industry standards for the Contractor's customary services and products; and
 - Pay the Contractor a salary or hourly wage, but rather will pay only the compensation stated in Paragraph 4; and
 - d. Terminate the Contractor's current services for particular work the Contractor accepts from the District unless the Contractor violates the terms of this Agreement or fails to produce a result that meets the specifications of this Agreement; and
 - e. Provide more than minimal training for the Contractor; and
 - f. Provide tools or benefits to the Contractor; and
 - g. Dictate the time of performance, except that a completion schedule and a range of mutually agreeable work hours may be established through a written agreement mutually acceptable to both Parties for particular work the Contractor accepts from the District; and
 - h. Pay the Contractor individually if the Contractor is an individual; instead, the District will make all compensation checks payable to the trade or business name under which the Contractor does business; or
 - Combine its business operations in any way with the Contractor's business, but instead both Parties will maintain their own operations as separate and distinct.
- 7. No Agency Created. The Contractor agrees and understands that no authority exists through this Agreement permitting the Contractor to enter into any third party contract, assume any obligation, or makes any representation to third parties on behalf of, or which may bind the District.
- 8. Conflict of Interest. The signatories aver that to their knowledge, no employee of the District has any personal or beneficial interest whatsoever in the service or property described in this agreement. Contractor has no interest and shall not acquire any interest, direct or indirect, that would conflict in any manner or degree with the performance of Contractor's services and Contractor shall not employ any person having such known interests.
- 9. No Unauthorized Use of Names. Neither party will use the other's name in any advertisement, promotion, business card, or similar circumstance. without the other party's prior written consent.
- 10. Assignment Prohibited. The Contractor shall not assign any of the services that require performance under the Agreement. In this regard, the Contractor understands that the performance of the scope of work is considered personal services under this Agreement.
- 11. Compliance with Law and District Policies. Contractor shall strictly comply with all applicable federal and state laws, rules, and regulations in effect or hereafter established, including, without limitation, laws applicable to

discrimination and unfair employment practices. Contractor shall also comply with all applicable District policies. Contractor shall complete a criminal background check on all employees who work under this Agreement and maintain records of such during the term of the Agreement. Those employees who have been convicted of, pled no contest to, or received a deferred sentence or deferred prosecution for any crime involving a child will not be allowed to work on District property, with District staff or students, or have access to District information. Contractor shall provide proof of background checks upon request by the District. Contractor will be responsible for following all federal, state, and local privacy and confidentiality requirements in performing background checks.

- 12. Modification/Entire Agreement/No Prior Agreement. This Agreement constitutes the entire understanding between the parties hereto and may not be modified and/or amended unless any such modification or amendment is reduced to writing and signed by both parties. The Contractor further understands and agrees that this Agreement supersedes any prior written or verbal agreement, promise, representation, understanding, or course of conduct between the parties.
- 13. Termination/Revocation. Either party may revoke or otherwise terminate this Agreement, with or without cause, by notifying the other party in writing of its intention to take such action. Any such writing shall be sent to the other party by certified mail, return receipt requested, and shall be effective thirty (30) days after the date of mailing. In the event of termination, the District shall be obligated to pay the Contractor only for services rendered up to the effective date of termination. The District's obligations under this Agreement shall automatically terminate in the event of the insolvency, receivership, bankruptcy filing, or dissolution of Contractor. In addition, the District may terminate this Agreement immediately without prior notice if the Contractor commits an act of fraud, dishonesty, or any other act of negligent, reckless or willful misconduct in providing services to the District, or if any contract by the District with any third party, or grant awarded to the District, on which this Agreement substantially depend, is terminated or the District is unable for any other reason to provide services for to the party/parties to that contract.
- 14. Fund Availability. Financial obligations of the District payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available, including via grant awards.

15.Indemnification. To the extent allowed by law, The Contractor agrees to indemnify, defend and hold the District harmless from and against

any claim, cause of action, judgment, loss, demand, suit, or legal proceeding brought against the District or its employees, representatives, or agents, which arises directly or indirectly from any act or omission of the Contractor, including but not limited to any misconduct or neglect by the Contractor and/or its employees, subcontractors, or agents. Furthermore, to the maximum extent permitted by law, the Contractor will defend the District from any claim and will indemnify the District against any liability for any Employee Benefits for the Contractor and/or any of its employees, subcontractors, or agents, imposed on the District; and the Contractor will reimburse the District for any award, judgment or fine against the District based on the position the Contractor and/or any of its employees, subcontractors or agents, who provides any services to the District related to this Agreement was ever the District's employee, and all attorneys' fees and costs the District reasonably incurs defending itself against any such liability.

- 16. Governing Law. Colorado law, and rules and regulations issued pursuant thereto, shall be applied in the interpretation, execution, and enforcement of this agreement. Any provision included or incorporated herein by reference which conflicts with said laws, rules, and regulations or which purports to negate this or any other provision of this Agreement in whole or in part shall be null and void.
- 17. Severability. If it is found by a court of competent jurisdiction or by operation of law that a term or provision of this Agreement is invalid or unenforceable, the remainder of the Agreement shall be unimpaired and continue in force and effect, and the invalid or unenforceable term or provision shall be replaced by such valid term or provision as comes closest to the intention underlying the invalid or unenforceable term or provision.
- 18. Governmental Immunity. No term or condition of this agreement shall be construed or interpreted as a waiver, express or implied, of any of the immunities, rights, benefits, protections, or other provisions, of the Colorado Governmental Immunity Act, CRS §24-10-101 et seq., or the Federal Tort Claims Act, 28 U.S.C. §§1346(b) and 2671 et seq., as applicable now or hereafter amended.
- 19. Binding Arbitration Prohibited. The District does not agree to binding arbitration by any extra-judicial body or person. Any provision to the contrary in this contact or incorporated herein by reference shall be null and void.

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- 20. Insurance. The District will not include the Contractor as an insured under any policy the District has for itself, including, without limitation, any liability, life, collision, comprehensive, health, medical, workers' compensation or unemployment compensation insurance policy. The Contractor shall provide the insurance as the service requires and no later than seven days after execution of this Agreement, the Contractor shall provide the District with certificates of insurance evidencing each of the types and amounts specified below:
 - a. Standard Workers' Compensation coverage as required by Colorado law.
 - b. Comprehensive General Liability Insurance for operations and contractual liability adequate to cover the liability assumed hereunder and with limits of not less than \$1,000,000 for each occurrence and \$500,000 for bodily injury or property damage, and \$5,000 for medical expenses for any one person.
 - c. Automobile Liability Insurance in those instances where the Contractor uses an automobile, regardless of ownership, for the performance of Services.

Insurance coverage shall not be reduced below the limits described above or canceled without the District's written approval of such reduction or cancellation. The Contractor shall require that any of its agents and subcontractors who enter upon the District's premises shall maintain like insurance. Certificates of such insurance shall be provided to the District upon request. With regard to all insurance, such insurance shall (i) be primary insurance to the full limits of liability herein before stated; and (ii) should the District have other valid insurance covering the loss, the District insurance shall be excess insurance only; and (iii) not be canceled without thirty (30) days prior written notice to the District; and (iv) the District shall be named as an additional insured.

- 21. No Waiver. No assent, expressed or implied, by the District to any breach of any obligation or covenant by the Contractor shall be construed as a waiver of any subsequent or other breach by the Contractor. Notwithstanding any other provision of this Agreement to the contrary, no term or condition of this Agreement shall be construed or interpreted as a waiver, expressed or implied, unless it is in a written document executed by the party against whom the waiver is sought to be enforced.
- 22. Public Contracts for Services. Contractor certifies, warrants, and agrees that it does not knowingly employ or contract with an illegal alien who shall perform work under this agreement and shall confirm the employment eligibility of all employees who are newly hired for employment in the United States to perform work under this agreement, through participation in the E-Verify Program or the State program established pursuant to CRS §8-17.5-102(5)(c), Contractor shall not knowingly employ or contract with an illegal alien to perform work under this agreement or enter into a contract with a subcontractor that fails to certify to Contractor that the subcontractor shall not knowingly employ or contract with an illegal alien to perform work under this agreement. Contractor (a) shall not use E-Verify Program or State program procedures to undertake pre-employment screening of job applicants while this agreement is being performed, (b) shall notify the subcontractor and the District within three days if Contractor has actual knowledge that a subcontractor is employing or contracting with an illegal alien for work under this agreement, (c) shall terminate the subcontract if a subcontractor does not stop employing or contracting with the illegal alien within three days of receiving the notice, and (d) shall comply with reasonable requests made in the course of an investigation, undertaken pursuant to CRS §8-17.5-102(5), by the Colorado Department of Labor and Employment. If Contractor participates in the State program, Contractor shall deliver to the District a written, notarized affirmation, affirming that Contractor has examined the legal work status of such employee, and shall comply with all of the other requirements of the State program. If Contractor fails to comply with any requirement of this provision or CRS §8-17.5-101 et seq., the District may terminate this agreement for breach and, if so terminated, Contractor shall be liable for damages.
- 23. Public Contracts with Natural Persons. Contractor, if a natural person eighteen (18) years of age or older, hereby swears and affirms under penalty of perjury that he or she (a) is a citizen or otherwise lawfully present in the United States pursuant to federal law, (b) shall comply with the provisions of CRS §24-76.5-101 et seq., and (c) has produced one form of identification required by CRS §24-76.5-103 prior to the effective date of this agreement
- **24. Paragraph Headings.** The captions and headings set forth herein are for convenience of reference only, and shall not be construed to limit or define the terms and provisions hereof.

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- **25. Conflict.** In the event of a conflict between the terms of the Agreement and any exhibits attached to this Agreement, the terms of this Agreement shall prevail.
- 26. Relief the District May Seek. The Contractor further agrees that, if the Contractor violates Paragraph 27 of this Agreement, it would be difficult to determine the damages the District would suffer including, but not limited to, losses attributable to lost confidential information. Accordingly, the Contractor agrees that if the Contractor violates Paragraphs 27 of this Agreement, the District will be entitled to an Order for injunction relief and/or for specific performance, or their equivalent, from a court, including requirements that the Contractor take action or refrain from action to preserve the secrecy of the District's Confidential Information and to protect the District from additional damages, and the Contractor agrees the District does not need to post a bond to obtain an injunction and waives the Contractor's right to require such a bond.
- 27. Confidential Information Belongs Solely to the District. The District's Confidential Information and all other confidential information and data relating to the District's business are the District's exclusive property, and the Contractor therefore agrees that:
 - All notes, data, reference materials, sketches, drawings, memoranda, disks, documentation and records in any way incorporating or reflecting and of the Confidential Information and all proprietary rights in the Confidential Information, including copyrights, trade secrets and patents shall belong exclusively to the District;
 - At all times while this Agreement is in effect, the Contractor will keep secret and will not disclose to any third party, take or misuse any of the District's Confidential Information, or any other confidential information the Contractor acquires or has access to because of its provision of services;
 - c. At all times while this Agreement is in effect, the Contractor will not use or seek to use any of the District's Confidential Information for the Contractor's own benefit or for the benefit of any other person or business in any way adverse to the District's interests;
 - d. The Contractor will cause each of its Employees who may gain access to any of the District's Confidential Information, to execute a confidentiality agreement reasonably acceptable to the District before disclosing any Confidential Information to that Employee or permitting that Employee to have access to any Confidential Information.
 - e. On the District's request or on termination of this Agreement, the Contractor will promptly return to the District all its property, specifically including all documents, disks or other computer media or other materials in the Contractor's possession or control that contain any of the District's Confidential Information.
 - f. After termination of this Agreement, the Contractor will preserve the secrecy of and will not disclose directly or indirectly to any other person or business any of the District's Confidential Information;
 - g. The Contractor will promptly advise the District of any unauthorized disclosure or use of the District's Confidential Information by any person or entity.

The Parties agree this provision is intended to express the District's rights and the Contractor's duties to the District under the Colorado Uniform Trade Secrets Act, C.R.S. 7-74-101, et seq., and other applicable law. Additionally, the Contractor's obligation regarding the preservation and return of the District's Confidential Information will continue indefinitely, both during and after the time during which the Contractor may provide services and products to the District.

- **28. Non-solicitation**. The Contractor shall not solicit directly or indirectly any of the District's employees for a period of two (2) years following the termination of this Agreement without prior written consent of the District.
- 29. Attorneys' Fees, Experts' Fees, Costs. In any litigation of any dispute between the parties, in addition to any relief, order or award that enters, if the District is the prevailing party, it will be awarded and the Contractor shall be liable for reasonable attorneys' fees, expert witness fees and costs.
- 30. Notices, Process. Any notice this Agreement requires must be in writing and will be effective only if hand-delivered or sent by certified U.S. mail, return receipt requested, to the party entitled to receive the notice at the

Contractor's address provided in this Agreement, while the District's Notice address is as follows: Adams County School District 14, Chief Operating Officer, 5291 East 60th Avenue, Commerce City, CO 80022; or at such other address that either party may provide later to the other party. Each party agrees to waive service of process in any action brought to enforce or to interpret this Agreement and the parties further agree that service of the complaint and any other pleading, discovery, order or document in any such action that would otherwise have to be served by personal service will be deemed served three (3) days after being sent to the other party and that party's attorney as provided above.

- 31. Work for Hire. To the extent that this Agreement expressly or impliedly requires the Contractor to produce deliverable items which may be subject to patent, copyright, trade secret, or proprietary rights of any kind:
 - a. The Contractor warrants and represents that the deliverable items are original and have not heretofore been published; that the items do not infringe upon any statutory copyright, common law right, proprietary right, or any other right whatsoever; and that Contractor agrees to indemnify and hold harmless the District against any claim of infringement of the deliverable items or any portion thereof or for any patent, copyright, trade secret or other proprietary rights of third parties.
 - b. Contractor agrees to secure permission in writing from any third parties whose works are utilized in whole or in part by Contractor in the preparation of the items, to notify the District of the extent of copying from third party works as well as to notify the District of any limitations placed on the use of those materials copied from third parties.
 - c. All of the items prepared for or submitted to the District by the Contractor under this Agreement shall belong exclusively to the District and with respect to the copyrightable materials shall be deemed to be works made for hire; and with respect to other ideas or inventions agrees to assign all right, title and interest to the District. To the extent that any of the deliverable items may not, by operation of law, be works made for hire, the Contractor hereby assigns to the District the ownership of copyright in the deliverable items and the District shall have the right to obtain and hold in its own name copyrights, registrations and similar protection which may be available in the deliverable items. The Contractor agrees to give the District or its designees all assistance reasonably required to perfect such rights.
 - d. To the extent that any pre-existing materials are contained in the deliverable items, the Contractor grants to the District an irrevocable, non-exclusive, worldwide, royalty-free license to (i) use, execute, reproduce, display, perform, distribute (internally or externally) copies of and prepare derivative works based upon, such pre-existing materials and derivative works thereof, and (ii) authorize other to do any, some or all of the foregoing.
 - e. No license or right is granted to the Contractor either expressly or by implication, estoppel or otherwise to publish, reproduce, prepare derivative works based upon, distribute copies of, publicly display, or perform, any of such items, except pre-existing materials of the Contractor, either during or after the term of this Agreement.

Created July 1, 2013 Page 6

IN WITNESS OF THE PARTIES AGREEMENTS, the District and the Contractor have executed this Agreement on the date(s) indicated below: Acknowledged Before Me CONTRACTOR:___ By_ Signature This____day of _______, 20_____ Name and Title Witness My Hand and Official Seal Address My Commission Expires:___ City, State, Zip **Notary Public** Tax ID Date The undersigned Administrator hereby certifies that the individuals to be rendering services pursuant to this Agreement are not Adams County School District 14 employees, and are not family members of mine. Any finding to the contrary may require repayment and/or further disciplinary action up to and including termination. ADAMS COUNTY SCHOOL DISTRICT 14 IN THE CITY OF COMMERCE CITY, COUNTY OF ADAMS STATE OF COLORADO RECOMMENDED BY: Site Administrator's Signature Shay L. Carter Name and Title Student School or Department Date APPROVED BY: Authorized Designee of the Board of Education Date

This form must be completed in full, submitted to the District's Purchasing Department, and approved and executed by the duly authorized designee of the Board of Education prior to the commencement of the Contractor's provision of services. THE DISTRICT SHALL NOT BE LIABLE FOR PAYMENT FOR ANY SERVICES PERFORMED BY THE CONTRACTOR PRIOR TO SAID APPROVAL.

Adams 14 Schools Adams County Head Start Colorado Preschool Program (CPP) Contract 2018-2019 Addendum

THIS AGREEMENT is made and entered into this first day of September 2018, by and between the Adams 14 Schools, 5291 E. 60th Ave., Commerce City, Colorado, 80022, hereinafter referred to as "Adams 14", and "Adams County Head Start" herein after referred to as the "contracting preschool".

Background. Pursuant to the Colorado Preschool Program Act, C.R.S. section 22-28-101 et seq., the District applied for, and has received, funds to establish a preschool program which emphasizes the language development needs of children aged three, four and five. In accordance with the recommendation of the District Preschool Advisory Council, known as, Adams 14 Early Childhood Council, and the authority vested in it pursuant to C.R.S. section 22-28-109, the District's Board of Education determined that the District's preschool program shall be contracted out to qualifying preschools.

THEREFORE, the parties agree as follows:

I. Adams 14 shall;

- (a) Determine which children are eligible for participation in the Preschool Program and administer those assessment instruments it deems necessary.
- (b) Assess staff development needs, develop a training plan, coordinate training, and provide appropriate staff development activities in addition to those offered as part of the staff development program of the contracting preschool.
- (c) Employ a Program Coordinator who will be responsible for the monitoring of preschool classes for adherence to program standards and the collection of child and program data.
- (d) Fund the contracting preschool for the full contract period at the rate of \$350.00 per child (slot) per month for a maximum of forty-eight (48) slots (part-time children) to be distributed in 9 installments no later than the 15th of the month following the complete program month. CPP funds will include only the education component of the program and will not be used for other comprehensive components of Head Start.

II. The contracting preschool shall:

- (a) Provide a developmentally appropriate preschool program addressing the first and second language development needs of the participating children. Such programs shall employ teaching strategies included in Adams 14's application for funding under the Colorado Preschool Program Act and in meeting the rules and regulations promulgated by the Colorado Department of Education for the administration of preschool programs funded under the Act.
- (b) Maintain a program classroom size of no greater than sixteen (16) children. Limiting class size to 1:8 adult-child ratio.
- (c) Staff each classroom with two teachers with at least one teacher who must be head teacher qualified pursuant to requirements of the Colorado Department of Human Services or who as earned a Child Development Associate credential. Each teacher must have earned an Associate's degree or higher in Early Childhood or be actively and continuously enrolled in an accredited early childhood program course of study. Each teacher must demonstrate competency in working with children with the kinds of needs

to be addressed by this program, or must be supervised by a teacher and/or the contracting preschool's director who meets these criteria.

- (d) Hold preschool classes for the equivalent of four half days (amounting to a minimum of eleven hours and/or a total of 360 hours over the contact period) each week from September 1, 2018 to May 31, 2019.
- (e) Develop and implement an individual learning plan (ILP) set forth in the referenced document as Exhibit B, for each child, including teaching activities to occur in the home between the child and the child's parents and the provision of materials necessary to carry out the teaching plan. Individual teaching plans must be completed and implemented by January 8, 2019 and submitted to Adams 14's Child Find/Preschool Coordinator for review on that date.
- (f) Conduct a minimum of three scheduled parent contacts each year, utilizing appropriate linguistic and cultural strategies. The first contact shall be related to the mutual development of an individual learning plan (ILP), will occur by October 26, 2018 and be monitored per (e) above. The second contact shall be related to data gathered through the Results Matter requirements, will occur by February 1, 2019, and will be monitored by the district coordinator during the week of February 12, 2019. The third contact shall consist of the mutual development of an end of year transition plan covering either the child's transition into kindergarten or the next year of preschool, will occur by May 10, 2019, and be monitored by the district coordinator during the week of May 7, 2019.
- (g) Supervise and evaluate staff of the contracting preschool, ensuring participation in staff development and transition activities. The contracting preschool will submit to the district's coordinator a timeline for implementation and completion of staff observations, staff evaluations, staff development trainings, parent training activities, and transition activities by November 30, 2018.
- (h) Provide assistance in transition and registration activities as needed.
- (i) Incorporate parents of participating children into the parent training activities of the contracting preschool.
- Submit to Adams 14 reports on program components as directed by the Child Find/Preschool Coordinator.
- (k) Maintain and submit to Adams 14 daily attendance records for all participating children during the October and November pupil count periods in accordance with the School Finance Act of 1994, C.R.S. § 22-54-101 et seq., and in accordance with the procedures established by the District.
- (I) Work in cooperation with the Child Find/Preschool Coordinator to develop, review and evaluate the contracting preschool's on-site implementation of the Adams 14, Colorado Preschool Program. The contracting preschool shall provide information for monitoring program implementation which shall include, but may not be limited to the following:
 - Assessment and evaluation of program children's individual needs, development, and progress in accordance with the Results Matter program requirements;
 - Development of individual teaching plans (ITP) to meet identified needs;
 - Implementation of appropriate program activities and teaching strategies in accordance with individual teaching plans;
 - Planning of children's transitions into their next year of preschool or kindergarten;
 - Provision of parent involvement activities and educational program;
 - Assessment of staff development needs and delivery of appropriate training activities; and
 - Provision of data and reports as required by the Colorado Department of Education and the Results Matter program.

- (m) Adhere to state licensing requirements applicable to this contracting preschool, have and keep in force a liability insurance policy issued by a company authorized to do business in the State of Colorado or maintain membership in an authorized self-insurance pool.
- (n) The contracting preschool assures and certifies that it will comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disability Act, Title IX of the Education Amendments of 1972, and the Age Discrimination Act of 1975, which, collectively prohibit discrimination on the basis of race, color, national origin, disability, sex, or age; and further, that the contracting preschool will comply with the requirements in the Family Educational Rights and Privacy Act, 20 U.S.C.§1232g, concerning the confidentiality and release of student records, and with the provisions of 20 U.S.C. § 1232h, as reflected in District Policy JRA/JRC, concerning the need to obtain written consent of the parent prior to subjecting a student to certain manner of survey, analysis, or evaluation.
- (o) Attend monthly Adams 14 Early Childhood Council meetings.

III. General Provisions:

- (a) The terms of this Agreement shall be in effect from September 1, 2018 through to May 31, 2019.
- (b) Notwithstanding the provision of subsection (a) above, either party to this Agreement may, after sixty days' written notice or after a shorter period of time if both parties agree, terminate this Agreement without cause.
- (c) Notwithstanding the provisions of subsection (a) above, upon the occurrence of a material breach of any provision of this Agreement, the non-breaching party may terminate this Agreement after written notice of said breach to the breaching party, provided that the breaching party fails to cure such breach within seven days after receipt of said notice.
- (d) In the event of a termination of this Agreement, as specified in subsection (b) and (c) above, Adams 14 will pay the contracting preschool a prorated amount sufficient to cover any unpaid services already provided by the contracting preschool and the contracting preschool will reimburse to Adams 14 any funds for which it was paid, but for which it will not be providing services as result of the termination.
- (e) The contracting preschool shall immediately notify Adams 14 of a vacant slot. A time period of thirty days shall be allowed to fill a vacant slot with payment made during that period to the contracting preschool for the slot. After thirty days, if the contracting preschool has not filled the opening, the District Coordinator must be contacted to assist in filling the opening.
- (f) The funds transmitted to the contracting preschool for the services provided in the Adams 14 Preschool Program shall not supplant moneys available to fund other services provided by the contracting preschool.
- (g) The contracting preschool shall acknowledge its receipt of funds pursuant to this Agreement and Adams 14's Preschool Program when publicizing its programs or soliciting funds to support its programs.
- (h) Upon the request of Adams 14 the financial records of the contracting preschool concerning this program will be available to Adams 14, and an accounting of the expenditure of Adams 14 monies may be required.
- (i) Each party assumes responsibility for its actions and omissions, and those its officers, agents and employees in performance or failure to perform work under this agreement.

By agreeing to this provision, neither party waives or intends to waive, as to any person not a party to the Agreement, the limitations on liability which are provided to the city and county under the Colorado Governmental Immunity Act § 24-10-101 et seq., C.R.S. Each party agrees to notify the other of any claims or potential claims from damage or injury that come to its attention in connection with the activities of this preschool program.

- (j) The contracting preschool shall not extend the faith or credit of Adams 14.
- (k) The parties agree Adams 14 shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury to any persons while in, or upon the contracting preschool property, or any part thereof or any activity authorized or carried on by the contracting preschool. To the extent allowed by law, contracting preschool agrees to indemnify and hold harmless Adams 14 from all liabilities, charges, expenses (including attorney fees) and costs on account or by reason of such injuries, liabilities, claims, suits or losses however occurring or damages arising out of the same.
- (I) Either party may commence legal action to enforce the terms of this agreement. In the event of a determination by a court, or an agreed upon method of alternative dispute resolution, that a party has materially breached this agreement, in addition to the remedy awarded, the prevailing party shall be entitled to recover its attorney fees and costs incurred enforcing the agreement and costs of collection.

IV. List of Providers:

Teacher	Cynthia Bowdry
Teacher Assistant	Carmen Mendoza
Family Service Specialist	Maritza Sanchez
Teacher	Jennifer Gonzalez
Teacher Assistant	Diana Romero
Family Service Specialist	Cyndi Henderson
Teacher	Wendy Anglo
Teacher Assistant	Julie Wize
Family Service Specialist	Shannon Lillie
Teacher Assistant	Maria Ochoa
Teacher Assistant	Amber Mendez
Classroom Assistant	Shannon Dili
Health/Nutrition	Leslie Oliver
Health Specialist	Natasha Walmsley
Mental Health	Monica Lujan
Mental Health Consultants	Brandon Barbour
Mental Health Consultants	Daniela Perez



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: March 26, 2019				
SUBJECT: Riverdale Animal Shelter Farm Lease Termination				
FROM:				
Raymond H Gonzales, County Manager				
Alisha Reis, Deputy County Manager				
Seán Braden, Manager of Planning Design & Construction				
Nicci Beauprez, Land & Asset Coordinator				
AGENCY/DEPARTMENT: Facilities & Fleet Management				
HEARD AT STUDY SESSION ON: N/A				
AUTHORIZATION TO MOVE FORWARD: YES NO				
RECOMMENDED ACTION: That the Board of County Commissioners Approves the Termination of				
Regional Park Farmland Lease Agreement Between Adams County and Richard Larson				

BACKGROUND:

The County entered a lease with Richard Larson to farm approximately 60 acres of land located northeast of Riverdale Road and 120th Parkway at the Regional Park. In 2016 that lease was amended to extend the term of the agreement through December 2020. The County wishes to terminate the lease to allow construction and other uses related to development which includes but is not limited to the new Riverdale Animal Shelter. Richard Larson has agreed to this termination in exchange for \$15,000 as compensation for lost production.

This termination will allow construction at the new animal shelter as well as soil exports relating to the old shooting range reclamation.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

County Manager's Office, Facilities & Fleet Management, County Attorney's Office, Parks

ATTACHED DOCUMENTS:

Resolution

Termination of Regional Park Farmland Lease Agreement between Adams County and Richard Larson

Revised 06/2016 Page 1 of 2

FISCAL IMPACT:			
Please check if there is no fiscal impact . If there is fisc section below.	cal impact, pl	ease fully com	plete the
Fund: 4			
Cost Center: 3161			
	Object Account	Subledger	Amount
Current Budgeted Revenue:			
Additional Revenue not included in Current Budget:			
Total Revenues:			
	•	•	
	Object Account	Subledger	Amount
Current Budgeted Operating Expenditure:			
Add'l Operating Expenditure not included in Current Budget:			
Current Budgeted Capital Expenditure:	9055	31611701	11,000,000
Add'l Capital Expenditure not included in Current Budget:			
Total Expenditures:			11,000,000
		·	
New FTEs requested: YES NO			

⊠ NO

☐ YES

Additional Note:

Future Amendment Needed:

Revised 06/2016 Page 2 of 2

BOARD OF COUNTY COMMISSIONERS FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION APPROVING TERMINATION OF REGIONAL PARK FARMLAND LEASE AGREEMENT BETWEEN ADAMS COUNTY AND RICHARD LARSON

WHEREAS, Adams County entered into a lease agreement ("Lease") on April 20, 2011, allowing Richard Larson ("Larson") to farm approximately 60 acres of land at the Riverdale Regional Park (the "Property"), formerly known as the Adams County Regional Park; and,

WHEREAS, in 2016 the parties entered into amendment one to the Lease, which extended the Lease term through December 31, 2020; and,

WHEREAS, the lands farmed will be used to construct the new Riverdale Animal Shelter and other County amenities; and,

WHEREAS, the County wishes to terminate the Lease, and Larson is willing upon the terms of this agreement for a single payment of \$15,000.

NOW THEREFORE BE IT RESOLVED, by the Board of County Commissioners of the County of Adams, State of Colorado, that the Termination of the Lease between Adams County and Richard Larson, a copy of which is attached hereto and incorporated herein by this reference, be and hereby is approved.

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

TERMINATION OF REGIONAL PARK FARMLAND LEASE AGREEMENT BETWEEN ADAMS COUNTY AND RICHARD LARSON

THIS AGREEMENT is made and entered into this <u>Jan</u>day of <u>February</u>, 2018, by and between Adams County ("County"), located at 4430 S. Adams County Parkway, Brighton, CO 80601, and Richard Larson ("Larson"), located at P.O. Box 275, Henderson, CO 80640.

WHEREAS, the parties entered into a lease agreement ("Lease") on April 20, 2011, allowing Larson to farm approximately 60 acres of land at the Riverdale Regional Park (the "Property"), formerly known as the Adams County Regional Park; and,

WHEREAS, in 2016 the parties entered into Amendment One, which extended the Lease term through December 31, 2020; and,

WHEREAS, the County wishes to terminate the Lease in order to use the Property for construction of a new animal shelter and other uses; and,

WHEREAS, Larson is willing to terminate the Lease upon the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the foregoing promises and covenants, to be kept and performed by each of them, the parties agree as follows:

- 2. **Compensation to Larson**. As consideration for terminating the Lease, County shall pay fifteen thousand dollars (\$15,000) to Larson by 3|3||19||.

3. Liability and Insurance. Larson shall be liable for, and shall indemnify County with respect to, any liability or obligation incurred by Larson with respect to the Property prior to the Termination Date, including, but not limited to, liability for any negligent act or omission by Larson through the Termination Date and liability for any unpaid debts or expenses incurred by Larson through the Termination Date.

Dated this day of	, 2018.
	COUNTY OF ADAMS
ATTEST: STAN MARTIN, CLERK	STATE OF COLORADO
and the second	By: Chair, Board of County Commissioners
Erica Hannah, Deputy Clerk Approved as to form:	
N. Edetal	
	Richard Larson By:



PUBLIC HEARING AGENDA ITEM

DATE OF PUBLIC HEARING: March 26, 2019						
SUBJECT: Construction Manager/ General Contractor Services for the Adams County Fleet and Public						
Works Bui	ildings					
FROM:	Raymond H. Gonzales, County Manager					
	Alisha Reis, Deputy County Manager					
	Benjamin Dahlman, Finance Director					
	Kim Roland, Procurement and Contracts Manager					
AGENCY/DEPARTMENT: Facilities and Fleet Management Department						
HEARD AT STUDY SESSION ON:						
AUTHORIZATION TO MOVE FORWARD: YES NO						
RECOMMENDED ACTION: That the Board of County Commissioners approves a proposal award to FCI Constructors to provide Construction Manager/General Contractor (CM/GC) services for the Adams County Fleet and Public Works Buildings.						

BACKGROUND:

The current Fleet/Transportation facility is an existing two story, framed construction facility that has met the end of its useful life. The project will replace existing aged facilities on the site and will entail phased construction and demolition of structures that are obsolete.

A formal Request for Proposal to provide CM/GC services for the Adams County Fleet and Public Works Buildings was sent to the pre-qualified construction firms. Proposals were opened on January 29, 2019. Five of the eight pre-qualified firms submitted proposals; the other firms withdrew from the process as they were working on other projects.

After a thorough evaluation, the top scoring firm, FCI Constructors, was interviewed. After completion of the interview it was determined that FCI Constructors was the best overall value for the County and no other interviews needed to be conducted.

The recommendation is that FCI Constructors be awarded the contract for CM/GC services for the Adams County Fleet and Public Works Buildings. The initial phase of this project is for the pre-construction and design in the amount of \$78,632.00. The Guaranteed Maximum Price (GMP) will be finalized prior to construction.

AGENCIES, DEPARTMENTS OR OTHER OFFICES INVOLVED:

Facilities and Fleet Management Department

Revised 06/2016 Page 1 of 2

ATTACHED DOCUMENTS:

Resolution

FISCAL IMPACT:					
Please check if there is no fiscal impact . If there is fiscal impact, please fully complete the section below.					plete the
Fund: 4					
Cost Center: 3165					
			Object Account	Subledger	Amount
Current Budgeted Revenue:					
Additional Revenue not included i	n Current Budge	t:			
Total Revenues:				=	
		r			
			Object Account	Subledger	Amount
Current Budgeted Operating Exper					
Add'l Operating Expenditure not in		nt Budget:			
Current Budgeted Capital Expendi			9055	3165571801	7,500,000
Add'l Capital Expenditure not incl	uded in Current I	Budget:			
Total Expenditures:				=	7,500,000
New FTEs requested:	☐ YES	□NO			
Future Amendment Needed:	☐ YES	□ NO			

Revised 06/2016 Page 2 of 2

BOARD OF COUNTY COMMISSIONERS FOR ADAMS COUNTY, STATE OF COLORADO

RESOLUTION AWARDING AN AGREEMENT TO FCI CONSTRUCTORS FOR CONSTRUCTION MANAGEMENT GENERAL CONTRACTOR SERVICES FOR THE ADAMS COUNTY FLEET AND PUBLIC WORKS BUILDINGS

WHEREAS, FCI Constructors submitted a proposal on January 29, 2019, to provide Construction Manager General Contractor (CM/GC) Services for the Adams County Fleet and Public Works Buildings; and,

WHEREAS, after a thorough evaluation it was deemed that FCI Constructors was the most responsive and responsible proposer; and,

WHEREAS, FCI Constructors agrees to provide CM/GC services for the Adams County Fleet and Public Works Buildings at the initial pre-construction and design cost of \$78,632.00.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that the agreement with FCI Constructors to provide CM/GC services for the Adams County Fleet and Public Works Buildings is hereby approved.

BE IT FURTHER RESOLVED, that the Chair is hereby authorized to sign the agreement with FCI Constructors after negotiation and approval as to form is completed by the County Attorney's Office.



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

CASE NO.: RCU2018-00056 CASE NAME: PIVOT-38 SOLAR

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EXHIBIT 1 – PC Staff Report

EXHIBIT 2- Maps

- 2.1 Aerial Map
- 2.2 Zoning Map
- 2.3 Future Land Use Map

EXHIBIT 3- Applicant Information

- 3.1 Applicant Written Explanation
- 3.2 Applicant Site Plan

EXHIBIT 4- Referral Comments

- 4.1 Referral Comments (Adams County)
- 4.2 Referral Comments (Bennett-Watkins Fire)
- 4.3 Referral Comments (CDPHE)
- 4.4 Referral Comments (Colorado Division of Natural Resources)
- 4.5 Referral Comments (TCHD)
- 4.6 Referral Comments (Xcel)

EXHIBIT 5- Citizen Comments

None

EXHIBIT 6- Associated Case Materials

- 6.1 Request for Comments
- 6.2 Public Hearing Notice
- 6.3 Newspaper Publication
- 6.4 Referral Agency Labels
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- 6.6 Certificate of Posting



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

STAFF REPORT

Board of County Commissioners

March 26, 2019

CASE No.: RCU2018-00056	CASE NAME: Pivot-38 Solar
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Owner's Name:	St. John Baptist Serbian Orthodox Church	
Applicant's Name:	TCA Microgrid Energy DBA Pivot Energy	
Applicant's Address:	1536 Wynkoop Street, #400, Denver, CO 80202	
Location of Request:	33850 E. 38 th Avenue	
Nature of Request:	A conditional use permit to allow a solar garden facility	
Zone Districts:	Agriculture-3 (A-3) with Airport Influence Zone	
Comprehensive Plan:	Estate Residential	
Site Size:	11 acres of a 39 acre parcel	
Proposed Uses:	Solar Garden	
Existing Use:	Vacant	
Hearing Date(s):	PC: February 14, 2019 / 6:00 p.m.	
	BOCC: March 26, 2019 /9:30 a.m.	
Report Date:	February 28, 2019	
Case Manager:	Greg Barnes	
Staff Recommendation:	APPROVAL with 8 Findings-of-Fact, 9 Conditions, and 1 Note	

SUMMARY OF APPLICATION

Background

Pivot Energy, the applicant, is requesting a conditional use permit (CUP) to allow a solar garden facility on the subject property. The proposed solar garden facility is proposed in partnership with Xcel Energy and is necessary to meet the demands of the State of Colorado's Renewable Portfolio Standard. Enacted by ballot-initiative in 2004, Colorado requires electricity providers to obtain a minimum percentage of their power from renewable energy sources. A 22-year approval

is being requested to allow the facility to be located on the site for twenty years, with additional years for construction and disassembly of the site.

The proposed solar garden facility would occupy approximately eleven (11) acres of a thirty-nine (39) acre parcel. The site plan shows the solar panels are proposed to be arranged in rows and will be constructed in two clusters of approximately 6,200 solar panels for the entire project (see Exhibit 3.2). The maximum height of the panels is proposed to be eight (8) feet. There is also a security fence proposed along the perimeter of the facility. No landscaping is proposed with the development of the site. Landscaping is not proposed with the development of the site. The applicant is proposing to access the site from East 38th Avenue.

Site Characteristics:

Currently, the property is used for farming and farm equipment storage. The proposed solar garden facility site would be located on the northeastern portion on approximately 11-acres of the 39-acre property. There are no structures currently on the property. East 38th Avenue is located to the north of the site provides access to the proposed solar facility.

Development Standards and Regulations Requirements:

The property is designated Agricultural-3 (A-3) which is intended to provide landholdings of 35 acres or greater for agriculture and pasturage. Per Section 3-07-01 of the Adams County Development Standards and Regulations, a conditional use permit is required for a solar garden facility in the Agriculture-3 (A-3) zone district. Section 2-02-08-06 of the County's Development Standards and Regulations outlines the criteria for approval of a conditional use permit. These include compliance with the County's Development Standards and Regulations; compatibility with the surrounding area, the request must be permitted in the zone district, and must address all off-site impacts. In addition, the proposed use is required to be harmonious with the character of the neighborhood, and must not be detrimental to the immediate area, or to the health, safety, or welfare of the inhabitants of the area and the County.

In addition, Section 4-03-03-02-10 of the County's Development Standards and Regulations outlines performance standards for solar garden facilities. These performance standards regulate height and setbacks for solar panels. Per the standards, the maximum permitted height for solar panels is 15 feet. According to the materials submitted with the application, the proposed solar panels will not exceed eight (8) feet in height. In addition, according to the site plan, the panels will conform to all setback requirements of the A-3 zone district, which include a 50-foot front setback, a 10-foot side setback, and a 20-foot rear setback.

Per Section 4-16-19-01 of the County's Development Standards, landscaping may be required; however, as the proposed solar garden facility is located approximately 50 feet from the E. 38th Avenue right-of-way and availability of water for irrigation is limited, the applicant is requesting to develop the site without landscaping. The applicant has submitted a screening plan to provide visual mitigation of the proposed facility. The request includes two options for fencing: a wildlife-compatible design consisting of wood and wire or a standard chain-link. Both options are proposed to be eight feet tall which is consistent with the County's Development Standards and Regulations.

The subject property is located within the Airport Influence Zone overlay district. The purpose of the AIZ district is to prohibit development activity that encourages wildlife and interferes with aviation. Per Section 3-33-05-04 of the County's Development Standards, an aircraft activity covenant is required to be recorded prior to the issuance of building permits for development within the AIZ overlay district. Staff has included a condition of approval to ensure compliance with this requirement.

In addition, the proposed conditional use does not result in excessive traffic generation, noise, vibration, dust, glare, odors, or cause disruption to the surrounding area. Furthermore, the site is suitable for the conditional use including adequate usable space, access, and absence of environmental constraints.

Future Land Use Designation/Goals of the Comp-Plan for the Area

The future land use designation on the property is Estate Residential. Per Chapter 5 of the County's Comprehensive Plan, the purpose of the Estate Residential future land use designation is to provide opportunities for rural lifestyles or low-intensity neighborhoods outside of municipalities.

The proposed use of the property for solar energy production is unlikely to have negative impacts on the goals of the County's Comprehensive Plan. The use will generate a minimal amount of noise or traffic and the use will improve renewable energy sources, which will support future residential uses in this area of the County.

Surrounding Zoning Designations and Existing Use Activity:

Northwest	North	Northeast
City of Aurora	PUD	A-2
Vacant	Single-Family Residential	Compressor Station
West	Subject Property	East
A-3	A-3	City of Aurora
Single-Family Residential	Agriculture	Agriculture
Southwest	South	Southeast
City of Aurora	City of Aurora	City of Aurora
Vacant	Vacant	Single-Family Residential

Compatibility with the Surrounding Land Uses:

The surrounding properties to the site are zoned Agricultural-2 (A-2), Agricultural-3 (A-3), and Planned Unit Development (PUD). The surrounding properties are either vacant or developed with very low density single-family residential, agriculture, or oil and gas production. There are three single-family homes located in the vicinity of the site. The homes are located to the north, southeast and west of the proposed solar facility. The subject request to allow a solar garden is compatible with the surrounding area and will not cause significant off-site impacts such as traffic, air pollution, noise, or lighting to the surrounding properties. There will be initial

construction traffic during installation of the solar panels; however, this traffic volume will be significantly reduced after construction completion.

PLANNING COMMISSION UPDATE

The Planning Commission (PC) considered this case on February 14, 2019, and voted (7-0) to recommend approval of the request. The applicant spoke at the meeting and had no concerns with the staff report or presentation. There was no one from the public to speak in favor or in opposition to the request.

Staff Recommendations:

Based upon the application, the criteria for approval of a conditional use permit, and a recent site visit, staff recommends approval of the request with 8 findings-of-fact, 9 conditions, and 1 note.

RECOMMENDED FINDINGS-OF-FACT:

- 1. The conditional use is permitted in the applicable zone district.
- 2. The conditional use is consistent with the purposes of these standards and regulations.
- 3. The conditional use will comply with the requirements of these standards and regulations, including but not limited to, all applicable performance standards.
- 4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
- 5. The conditional use permit has addressed all off-site impacts.
- 6. The site is suitable for the proposed conditional use including adequate usable space, adequate access, and absence of environmental constraints.
- 7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
- 8. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.

Recommended Conditions of Approval:

- 1. This conditional use permit shall expire on February 14, 2041 (22 years).
- 2. Prior to issuance of a building permit, the applicant shall file an Aircraft Activity Covenant with Disclosure with the Adams County Clerk & Recorder.
- 3. Prior to issuance of a building permit, the applicant shall provide documentation showing an access easement or agreement for access to the solar facility from the adjoining property.
- 4. The applicant shall comply with all of the requirements of the Bennett Fire District provided in their letter dated August 9, 2017, including measures for weed control, International Fire Code compliance, and emergency responder access to the site.

- 5. The applicant shall comply with all of the requirements of the Colorado Division of Natural Resources provided in their letter dated July 25, 2017, including surveying the site for nesting birds, swift foxes, prairie dogs, and burrowing owls if installation of panels occurs between March 15th and July 31st of the year.
- 6. The applicant shall comply with all of the requirements of the Tri-County Health Department provided in their letter dated August 8, 2017, including the use of portable toilets and trash enclosures during construction.
- 7. A building permit shall be required for any fence associated with the site.
- 8. Landscaping is not required with development of the site for a solar garden.
- 9. The solar panels on-site shall be removed when the conditional use permit expires, unless an extension or renewal is granted by the Board of County Commissioners.

Recommended Note to the applicant:

1. This conditional use permit shall expire within one year, if a building permit is not obtained for the development.

PUBLIC COMMENTS

Notices Sent	Number of Responses
11	0

All property owners and current residents within 1,000 feet of this request were notified of this application. As of writing this report, staff had not received any comments regarding the request.

REFERRAL AGENCY COMMENTS

Staff sent the request to various referral agencies and there were no objections. Several agencies recommended best management practices, such as installation of temporary facilities for sanitation during panel installation, weed management practices, and surveying for wildlife at particular times of year. The Colorado Division of Wildlife requested that the applicant survey the property for prairie dogs, burrowing owls, and swift foxes, if installation occurs between March 15th and July 31st. The Bennett Fire District requested that the applicant provide a vegetation management plan demonstrating how development of the site will not increase the threat of wildfire. Staff has recommended several conditions of approval to ensure compliance with these comments.

Responding with Concerns:

Bennett Fire Colorado Division of Wildlife Tri-County Health Department

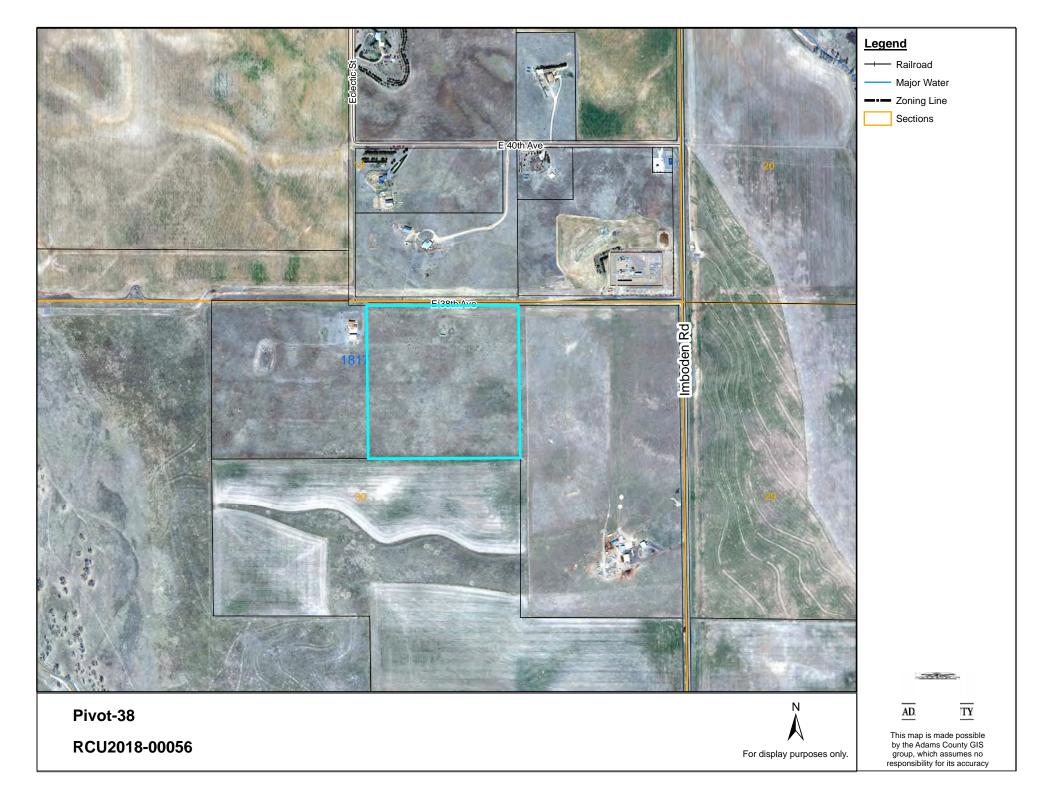
Responding without Concerns:

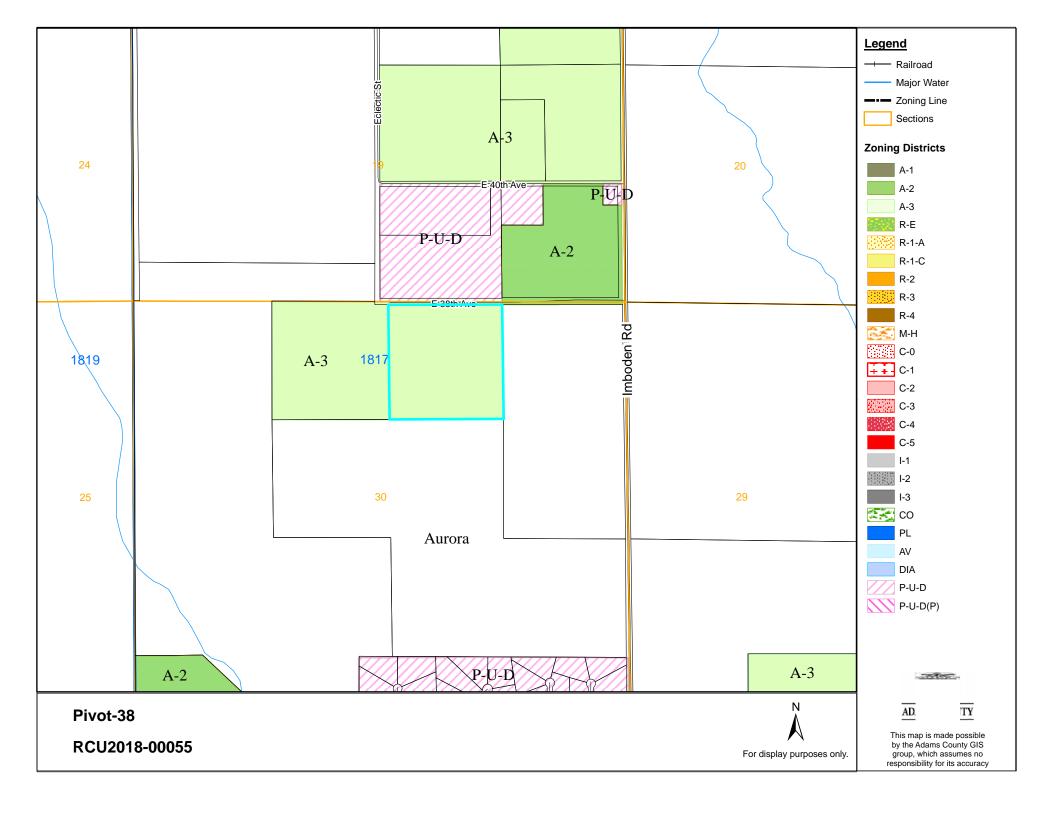
CDPHE

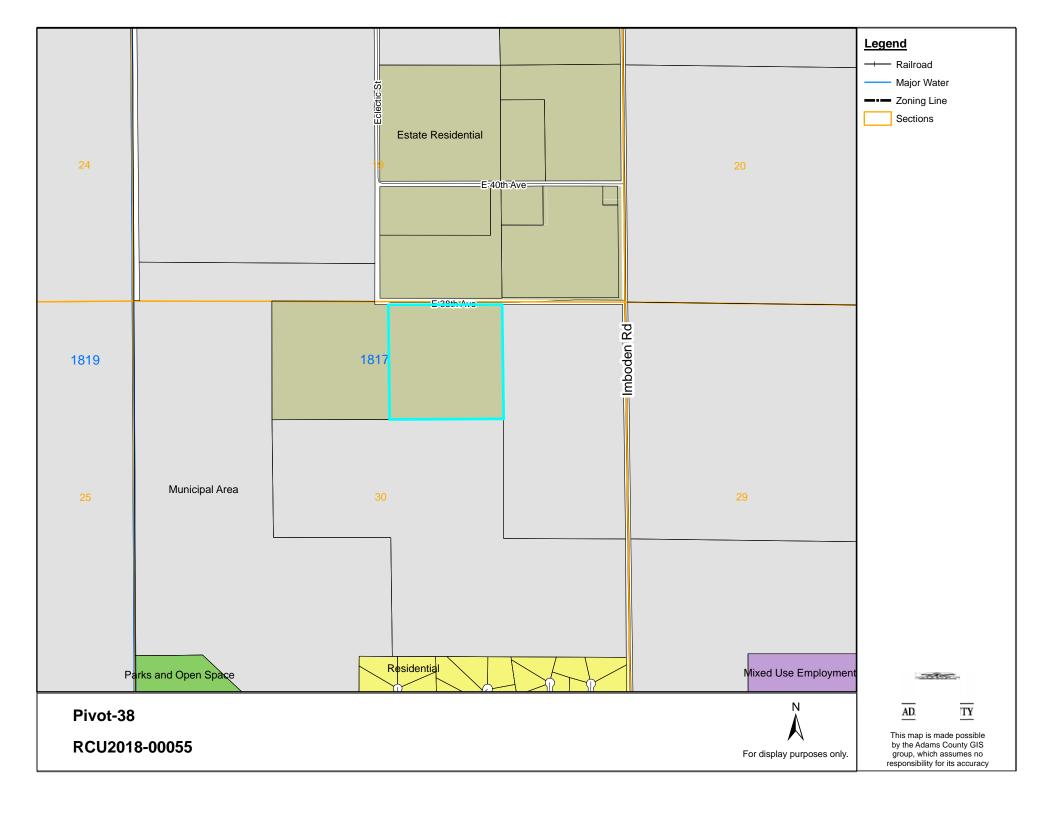
Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Bennett Park & Recreation District
Bennett School District 29J
Century Link
City of Aurora
Colorado Air & Space Port
Comcast
Denver International Airport
Federal Aviation Administration
Metro Wastewater Reclamation









November 9, 2018

Adams County Community & Economic Development Department 4430 S. Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204

RE: Request for Conditional Use Permit for Major Energy Facility (Solar Garden)

Project Explanation:

Pivot Energy hereby makes a request on behalf of the land owner (St John the Baptist Serbian Orthodox Church) for a Conditional Use Permit for the parcel of land currently known as Adams County parcel 0181-700-000-139 (aka Account: R0083352).

Pivot Energy was awarded several opportunities to build community solar gardens by Xcel Energy as part of a competitive procurement process used to meet the demands of the State of Colorado's Renewable Portfolio Standard. This project is one of several Pivot Energy is building across Colorado that will help to meet the needs of this growing segment of the industry.

Once completed, the Community Solar project would operate for a minimum of 20 years. Approximately 6,200 solar panels would be supported by a single-axis tracking racks very similar to the one currently operating immediately south of this proposed project also on the subject property. The footprint required is about 12 acres. Applicant is requesting the Conditional Use Permit for 22 years, which would allow for final design, equipment procurement, and installation required prior to operation, as well as decommissioning and removal of the project after operations are complete.

The following information outlines key points of our application:

- 1. Applicant will design and construct the projects in accordance with applicable zoning regulations and building codes, and in compliance with the requirements and conditions of the CUP issued by Adams County.
- 2. Any applicable performance standards associated with the CUP will be followed by the applicant.
- 3. The solar garden will operate for at least 20 years as part of Xcel Energy's Solar*Rewards Community program. All equipment used on the project will be industry standard bearing



all applicable certifications required by the National Electric Code (NEC). All components will be designed to meet or exceed the anticipated lifespan of the facility. The solar modules will be supported by single-axis tracking racks, which "follow" the path of the sun through the sky each day. The technology is clean, quiet, and doesn't generate any dust during operation.

If approved, Applicant will begin construction as soon as possible in hopes of completing construction early in 2019. Construction will take approximately 8-10 weeks. The maximum height of the equipment is not expected to exceed 8' above grade. In addition to the solar panels and racks, there will be electric inverters, disconnecting boxes and switches, weather monitoring components, energy meters, and a transformer.

To access the site, Applicant will use existing access off of E. 38th Ave along the same road that accesses the existing solar array on the subject parcel. Xcel Energy will bring their electrical lines into the site via this same general pathway.

The project area is currently vacant and consists of open prairie lands. There is an existing solar garden along the southern portion of the subject parcel. No screening vegetation is planned due to the existing character of the site which does not support native vegetation other than prairie grasses. Furthermore, other solar arrays in the area that have attempted to install screening vegetation have failed, resulting in brown, dead trees dotting the front of the existing fences.

The long-term operation and maintenance of the sites is limited. Typically, 4-8 annual visits are needed to ensure the equipment is working properly, and to keep the on-site vegetation trimmed and clean. Because of the limited site visits, the overall impact to traffic in the area will be negligible. Because the racking will be driven directly into the ground and because the access road will be gravel, there is very little increase in the imperviousness of the site. The project does not require on-site personnel after construction, so there is no need for water, sewer, septic services, or storm water drainage on site.

Following the conclusion of the project, all equipment will be removed from the project site by applicant, and any impacts to the site will be remediated with the goal of returning the site as closely as possible to the condition it was in before the project began. Most of the project components will be recycled, including the steel, aluminum, and copper that make up much of the materials.

Due to the harmonious existence of other similar projects in the immediate area, the solar arrays are not anticipated to cause any impact to the operations of Denver International



Airport to the northwest, or Front Range Airport to the northeast. At the time of this application, Applicant has received a determination from the FAA on the projects indicating no anticipated impacts.

Applicant is coordinating with the Bennett Fire and Protection District to integrate BFPD's requirements into the final design of the solar array.

- 4. Applicant does not anticipate any significant off-site impacts resulting from the projects, with no pollution, noise, increased traffic, or other impacts expected during normal operations. Construction impacts will be limited to the construction window discussed above. During this window, there will be increased traffic during the morning and afternoon as workers and materials arrive and depart from the site. Space for parking and equipment lay down within the site is sufficient, and applicant has designed the projects with setbacks in mind.
- 5. The project site is a great fit for the solar array considering the nearby uses. All around the project area are low-density rural residential development and agricultural uses. To the south on the subject parcel there is already a 2 MW operational solar garden. When the project is decommissioned, the land will again be available for development and consideration of uses suited to the area at that time. There are no environmental concerns or constraints on the subject parcel.
- 6. The location of the project on the parcel is the most convenient and functional use of the parcel because it maximizes the solar array on the lot without wasting any space or taking away from other potential uses.
- 7. As mentioned above, the proposed project does not require sewer, water, or septic systems, and because of the negligible increase in impervious area storm water drainage is not anticipated to be a concern. The road designed and outlined by Enertia Consulting Group is adequate to provide emergency access for emergency services, and the road will function to serve the needs of the conditional uses as designed and proposed.
- 8. Neighborhood meeting: Applicant hosted a neighborhood meeting for the project on Tuesday October 30, 2018 at Lulu's Inn in Watkins, CO from 5 7 pm. Three families attended the meeting: one is a lessor partner of the Applicant. One was Richard Johnson, the neighbor to the immediate west. His only concern was that Applicant and Applicant's subcontractors ensure that E. 38th Ave is not blocked at any time by construction vehicles. The final family was Cheryl and Dave Dye who live near but not adjacent to the subject parcel. They were supportive of the concepts. No one left a specific comment on the available comment sheets.

There is currently and oil and gas lease in place on the subject parcel. Applicant has worked with mineral estate lessee in the past to secure partial surface rights relinquishment for the existing solar



array. Applicant will ensure the mineral estate owner and the mineral lessee will both receive notice per the provisions of C.R.S. 24-65.5-103.

Please do not hesitate to contact me with additional questions regarding the project.

Sincerely,
Jon Fitzpatrick
Director of Project Development
Pivot Energy
1536 Wynkoop St, #400
Denver, CO 80202

CONDITIONAL USE PERMIT PIVOT ENERGY - MTN 2 SOLAR GARDEN

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30,
TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M.,
COUNTY OF ADAMS, STATE OF COLORADO



LEGAL DESCRIPTION

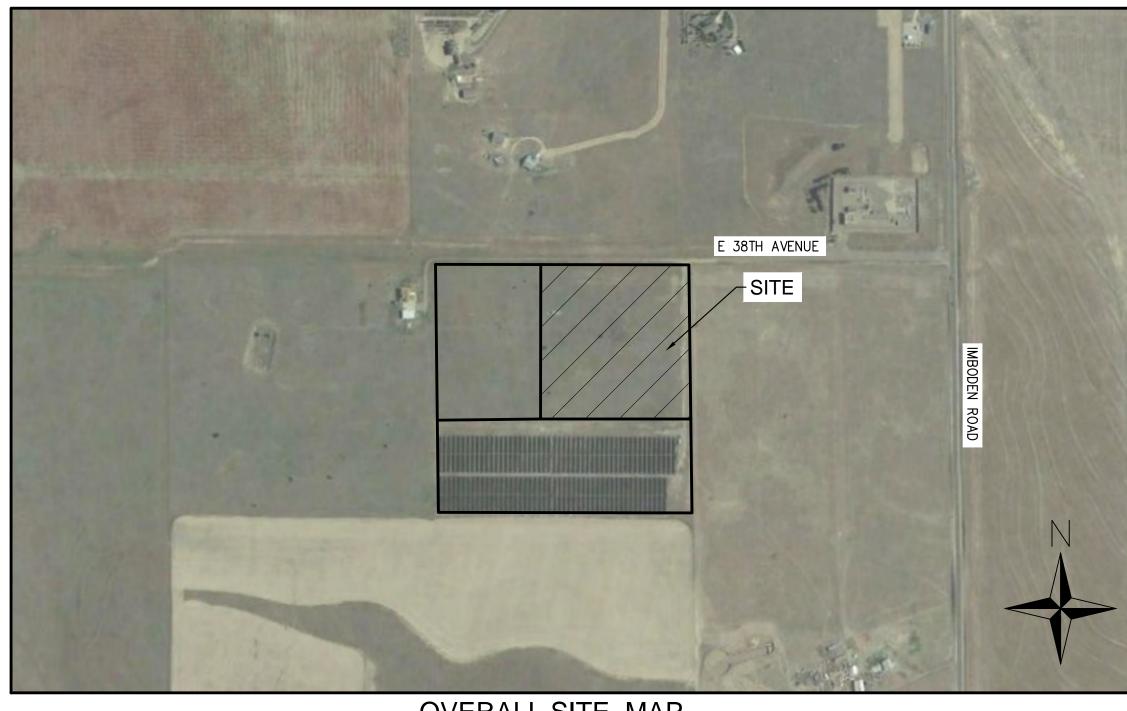
PER FIDELITY NATIONAL TITLE INSURANCE COMPANY TITLE REPORT NO.: F0617866-152-T56
THE NW 1/4 OF THE NE 1/4 OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EXCEPT THE NORTH 30 FEET THEREOF, COUNTY OF ADAMS, STATE OF COLORADO.

ADAMS COUNTY NOTE

PUBLIC IMPROVEMENTS SHALL CONFORM TO ADAMS COUNTY STANDARDS AND SPECIFICATIONS AND LATEST EDITION OF COLORADO DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS

BENCHMARK

ELEVATIONS BASED ON CITY OF AURORA BENCHMARK ID#356417XW001, HAVING A PUBLISHED ELEVATION OF 5433.94 BEING A BRASS CAP IN CONCRETE. WITH AN ON SITE BENCHMARK BEING ESTABLISHED UPON THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST, WITH A RELATED ELEVATION OF 5514.98'. WITH ALL OTHER ELEVATIONS SHOWN HEREON RELATED THERETO.



OVERALL SITE MAP

SCALE 1" = 500'

APPLICANT PIVOT ENERGY 1536 WYNKOOP STREET, SUITE 400 DENVER, COLORADO 80202 CONTACT: JON FITZPATRICK (303) 506-7792 SL GRE 1198 CON (970

SITE DATA

ACCOUNT #: R00833:

PARCEL #: 018170000

ZONE DISTRICT: A-3

PROPERTY ADDRES

PROPERTY AREA: 39

SOLAR GARDEN ARE

LOT COVERAGE: 3.31

SYSTEM SIZE: 2 MW

TOTAL MODULES: 6
325 W MODULES OR

INVERTER: 25 - SOL

OR SIMILAR EQUIPM

MOUNTING SYSTEM

AXIS TRACKERS OR

LEGEND	
	PROPERTY BOUNDARY
	SETBACK
	EXISTING EASEMENT
	EXISTING EDGE OF PAVEMENT (EOP)
xx	SOLAR GARDEN PERIMETER FENCE
	EXISTING FENCE
	SECTION LINE
	SOLAR PANELS
	PROPOSED 16' GRAVEL ACCESS DRIVEWAY
	PROPOSED CONCRETE
	EXISTING GRAVEL
	BENCHMARK

	_
SH	-
SHEET#	_
1	_
2	_
3	_
4	_
5	-
6	_
7	-

ALTA/NSPS LAND TITLE SURVEY

SHEET 1 OF 2

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30,

TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO

FIDELITY NATIONAL TITLE INSURANCE COMPANY TITLE REPORT NO.: F0617866-152-T56 WAS ENTIRELY RELIED UPON FOR INFORMATION REGARDING LEGAL DESCRIPTION AND ENCUMBRANCES DURING THE PREPARATION OF THIS SURVEY.

(BLANKET IN NATURE, APPEARS TO AFFECT THE ENTIRE PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)

EXCEPTIONS:

TITLE NOTES:

1) ANY EXISTING LEASES OR TENANCIES, AND ANY AND ALL PARTIES CLAIMING BY, THROUGH OR UNDER SAID LESSEES. (NOT SHOWN HEREON)

2) ANY INTEREST IN ALL OIL, GAS AND OTHER MINERALS CONVEYED BY DEED, RECORDED ON JUNE 26, 2006 AT RECEPTION NUMBER 20060626000646110 AND IN DEED RECORDED DECEMBER 3, 2014 AT RECEPTION NO. 2014000084716 AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN.

3) THE LIS PENDENS: COURT: DISTRICT CASE NO: 2012CV1332 COUNTY: ADAMS PLAINTIFF: FRONT RANGE PIPELINE LLC DEFENDANT: ST. JOHN THE BAPTIST SERBIAN ORTHODOX CHURCH, ET AL LIS PENDENS RECORDING DATE: OCTOBER 30, 2012 LIS PENDENS RECORDING NO: 2012000081748

RELEASE OF LIS PENDENS RECORDED DECEMBER 7, 2012 AT RECEPTION NO. 2012000092609.

(APPEARS TO AFFECT PIPELINE EASEMENT, SHOWN HEREON)

4) AN OIL AND GAS LEASE FOR THE TERM THEREIN PROVIDED WITH CERTAIN COVENANTS, CONDITIONS AND PROVISIONS, TOGETHER WITH EASEMENTS, IF ANY, AS SET FORTH THEREIN, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS

RECORDING DATE: NOVEMBER 15, 2010 RECORDING NO: 2010000079102

RE-RECORDED FEBRUARY 8, 2012 AT RECEPTION NO. 201200009205.

(BLANKET IN NATURE, APPEARS TO AFFECT THE ENTIRE PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)

PARTIAL SURFACE RELINOUISHMENT ACKNOWLEDGMENT RECORDED MARCH 28, 2016 AT RECEPTION NO. 2016000022685

(SOLAR LEASE AREA, SHOWN HEREON) AND JUNE 23, 2016 AT RECEPTION NO. 2016000049780.

(ACCESS EASEMENT, SHOWN HEREON)

5) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE PERMANENT EASEMENT & TEMPORARY CONSTRUCTION EASEMENT AS SET FORTH BELOW:

RECORDING DATE: JANUARY 8, 2013

RECORDING NO.: 2013000002005 (EXISTING GAS LINE EASEMENT, SHOWN HEREON)

6) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE LICENSE AGREEMENT AS SET FORTH BELOW:

RECORDING DATE: JUNE 20, 2013

RECORDING NO.: 2013000052700 (EXHIBIT C APPEARS TO BE WITHIN THE 38TH AVE RIGHT OF WAY, NOT WITHIN THE SUBJECT PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)

7) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION FOR ZONING HEARING DECISION CASE #PLN2013-00002 FRONT RANGE PIPELINE AS SET FORTH BELOW:

RECORDING DATE: OCTOBER 30, 2013

RECORDING NO.: 2013000093709 (BLANKET IN NATURE, APPEARS TO AFFECT THE ENTIRE PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)

8) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE DEVELOPMENT AGREEMENT AS

SET FORTH BELOW: **RECORDING DATE: DECEMBER 2, 2013**

RECORDING NO.: 2013000101334

(BLANKET IN NATURE, APPEARS TO AFFECT THE ENTIRE PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)

9) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION APPROVING A DEVELOPMENT AGREEMENT BETWEEN THE FRONT RANGE PIPELINE, LLC AND ADAMS COUNTY AS SET FORTH BELOW: RECORDING DATE: DECEMBER 16, 2013

RECORDING NO.: 2013000104445 (BLANKET IN NATURE, APPEARS TO AFFECT THE ENTIRE PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)

10) AFFIDAVIT OF NON-DEVELOPMENT RECORDED JANUARY 28, 2014 AT RECEPTION NO. 2014000005878.

(BLANKET IN NATURE, APPEARS TO AFFECT THE ENTIRE PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)

(BLANKET IN NATURE, APPEARS TO AFFECT THE ENTIRE PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)

11) CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS RECORDED DECEMBER 11, 2015 AT RECEPTION NO. 2015000103429.

12) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION APPROVING APPLICATION IN CASE #RCU2015-00042 SERBIAN ORTHODOX CHURCH COMMUNITY SOLAR GARDEN AS SET FORTH BELOW:

RECORDING DATE; MARCH 18, 2016

RECORDING NO.: 2016000020527

(EXISTING SOLAR LEASE AREA, SHOWN HEREON)

13) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE REQUEST FOR ENCROACHMENT ACROSS THE FRONT RANGE PIPELINE (FRONT RANGE; LID# FR-1; TRACT # CO-AD-0055.00000; DB#9559) LETTER

OF NO OBJECTION | ADAMS COUNTY, COLORADO AS SET FORTH BELOW: **RECORDING DATE: JANUARY 6, 2017**

RECORDING NO.: 2017000001472

(ENCROACHMENT OVER EXISTING PIPELINE, SHOWN HEREON)

14) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE LAND LEASE OPTION

AGREEMENT (SOLAR FARM) AS SET FORTH BELOW:

RECORDING DATE: FEBRUARY 25, 2016

RECORDING NO.: 2016000014323 AMENDMENT RECORDED DECEMBER 15, 2016 AT RECEPTION NO. 2016000109436.

ASSIGNMENT AND ASSUMPTION RECORDED FEBRUARY 28, 2017 AT RECEPTION NO. 2017000018299.

(SOLAR LEASE AREA AND ACCESS EASEMENT, SHOWN HEREON)

15) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE RESOLUTION APPROVING APPLICATION IN CASE #RCU2017-00003 ORTHODOX CHURCH SOLAR FACILITY RESOLUTION 2017-235 AS SET FORTH

RECORDING NO.: 2017000039350

(SOLAR LEASE AREA, SHOWN HEREON)

16) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE PRIVATE ACCESS MAINTENANCE

RECORDING DATE: AUGUST 18, 2016 RECORDING NO.: 2016000068145

(MAINTENANCE AGREEMENT FOR EAST 38TH, APPEARS TO EXIST WITHIN THE RIGHT OF WAY. NOT GRAPHICALLY DEPICTED HEREON)

17) TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS CONTAINED IN THE ACCESS AND UTILITY EASEMENT

AS SET FORTH BELOW: RECORDING DATE: DECEMBER 15, 2016

RECORDING NO.: 2016000109435

ASSIGNMENT AND ASSUMPTION RECORDED FEBRUARY 28, 2017 AT RECEPTION NO. 2017000018300

(ACCESS AND UTILITY EASEMENT, SHOWN HEREON)

18) AFFIDAVIT OF POSSESSION OF LAND RECORDED FEBRUARY 20, 2018 AT RECEPTION NO. 2018000014430.NG NO.: 2013000101334

(BLANKET IN NATURE, APPEARS TO AFFECT THE ENTIRE PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)

LEGAL DESCRIPTION: PER FIDELITY NATIONAL TITLE INSURANCE COMPANY TITLE REPORT NO.: F0617866-152-T56

THE NW 1/4 OF THE NE 1/4 OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EXCEPT THE NORTH 30 FEET THEREOF, COUNTY OF ADAMS, STATE OF COLORADO.

1) FIDELITY NATIONAL INSURANCE COMPANY TITLE REPORT NO.: F0617866-152-T56, DATED AUGUST 15, 2018 AT 8:00 A.M., WAS RELIED UPON FOR RECORDED INFORMATION PERTAINING TO RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY.

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

3) THIS ALTA/NSPS LAND TITLE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF FIDELITY NATIONAL TITLE INSURANCE COMPANY, AND MICROGRID ENERGY, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON NOR ADDITIONAL PARTY WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR OF RECORD ADDING SAID

4) THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

5) BASIS OF BEARINGS: GPS DERIVED BASED ON COLORADO STATE PLANE NORTH ZONE 0501, NAD83 (2011), GEOID12A, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., BEING SOUTH 89°53'54" EAST, BETWEEN THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER, BEING A FOUND #6 REBAR WITH A 3 1/4" ALUMINUM CAP STAMPED "JR ENG T3S R64W 19 1/4 30 2001 PLS 30109", AND THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION, BEING A FOUND #6 REBAR, AS SHOWN AND DESCRIBED HEREON, WITH ALL OTHER BEARINGS AND DISTANCES SHOWN HEREON RELATED

6) THE LOCATIONS OF THE UNDERGROUND UTILITIES SHOWN HEREON ARE BASED UPON A COMBINATION OF VISIBLE SURFACE EVIDENCE AT THE TIME OF SURVEY AND MAPS PROVIDED BY THE APPROPRIATE UTILITY LOCATE COMPANIES AND MUNICIPALITIES. LOCATIONS OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM LOCATIONS DEPICTED HEREON. ADDITIONAL BURIED UTILITIES AND STRUCTURES MAY EXIST. NO EXCAVATIONS WERE MADE DURING THE COURSE OF THIS SURVEY TO LOCATE BURIED UTILITIES AND STRUCTURES. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY PRIOR TO ANY EXCAVATION, PURSUANT TO SEC. 9-1.5-103 C.R.S.

7) SUBSURFACE BUILDINGS, IMPROVEMENTS OR STRUCTURES ARE NOT NECESSARILY SHOWN. BUILDINGS AND OTHER IMPROVEMENTS ON ADJACENT PROPERTIES THAT ARE MORE THAN FIVE FEET FROM ANY OF THE PROPERTY LINES INDICATED HEREON ARE NOT NECESSARILY SHOWN.

8) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO MISDEMEANOR PURSUANT TO SEC. 18-4-508 C.R.S.

9) THE SUBJECT PROPERTY IS ZONED "A-3" PER THE ADAMS COUNTY ASSESSOR PER RESEARCH OBTAINED 10/09/2018 AND IS SUBJECT TO CHANGE.

10) THE DISTANCE MEASUREMENTS SHOWN HEREON ARE THE U.S. SURVEY FOOT

11) DATES OF FIELDWORK: SEPTEMBER, 2018.

12) TOTAL AREA OF THE SUBJECT PROPERTY IS 1705217 SQ. FT. OR 39.15 ACRES, MORE OR LESS.

13) AT THE TIME OF THE SURVEY THERE WAS NO OBSERVED EVIDENCE OF ANY RIGHT-OF-WAY CHANGES FOR EAST 38TH AVENUE.

14) AT THE TIME OF THE SURVEY THERE WAS NO OBSERVED EVIDENCE OF A SOLID WASTE DUMP.

15) THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X UNSHADED, PER FEMA FIRMETTE MAP NUMBER 08001C0687J, REVISED 9/28/2018, FLOOD INFORMATION SUBJECT TO CHANGE.

16) THE CONTOURS REPRESENTED HEREON WERE INTERPOLATED BY CARLSON SOFTWARE VERSION 2018 BETWEEN ACTUAL OBSERVED ELEVATIONS. DEPENDING ON THE DISTANCE FROM THE NEAREST MEASURED ELEVATION AND LOCAL VARIATIONS IN TOPOGRAPHY, THE CONTOURS SHOWN HEREON WILL NOT BE AN EXACT REPRESENTATION OF THE TOPOGRAPHY. ADDITIONAL TOPOGRAPHIC OBSERVATIONS MAY BE NECESSARY IN SPECIFIC AREAS OF DESIGN. DATE OF TOPOGRAPHIC SURVEY SEPTEMBER 2018. TOPOGRAPHIC INFORMATION SUBJECT TO CHANGE.

17) BENCHMARK INFORMATION: ELEVATIONS BASED ON CITY OF AURORA BENCHMARK ID#356417XW001, HAVING A PUBLISHED ELEVATION OF 5433.94 BEING A BRASS CAP IN CONCRETE. WITH AN ON SITE BENCHMARK BEING ESTABLISHED UPON THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST, WITH A RELATED ELEVATION OF 5514.98'. WITH ALL OTHER ELEVATIONS SHOWN HEREON RELATED THERETO.

18) PROPERTY OWNERSHIP SHOWN HEREON PER THE ADAMS COUNTY ASSESSOR RESEARCHED 10/09/2018 AND IS SUBJECT TO

SURVEYOR'S STATEMENT:

TO MICROGRID ENERGY AND FIDELITY NATIONAL TITLE INSURANCE COMPANY:

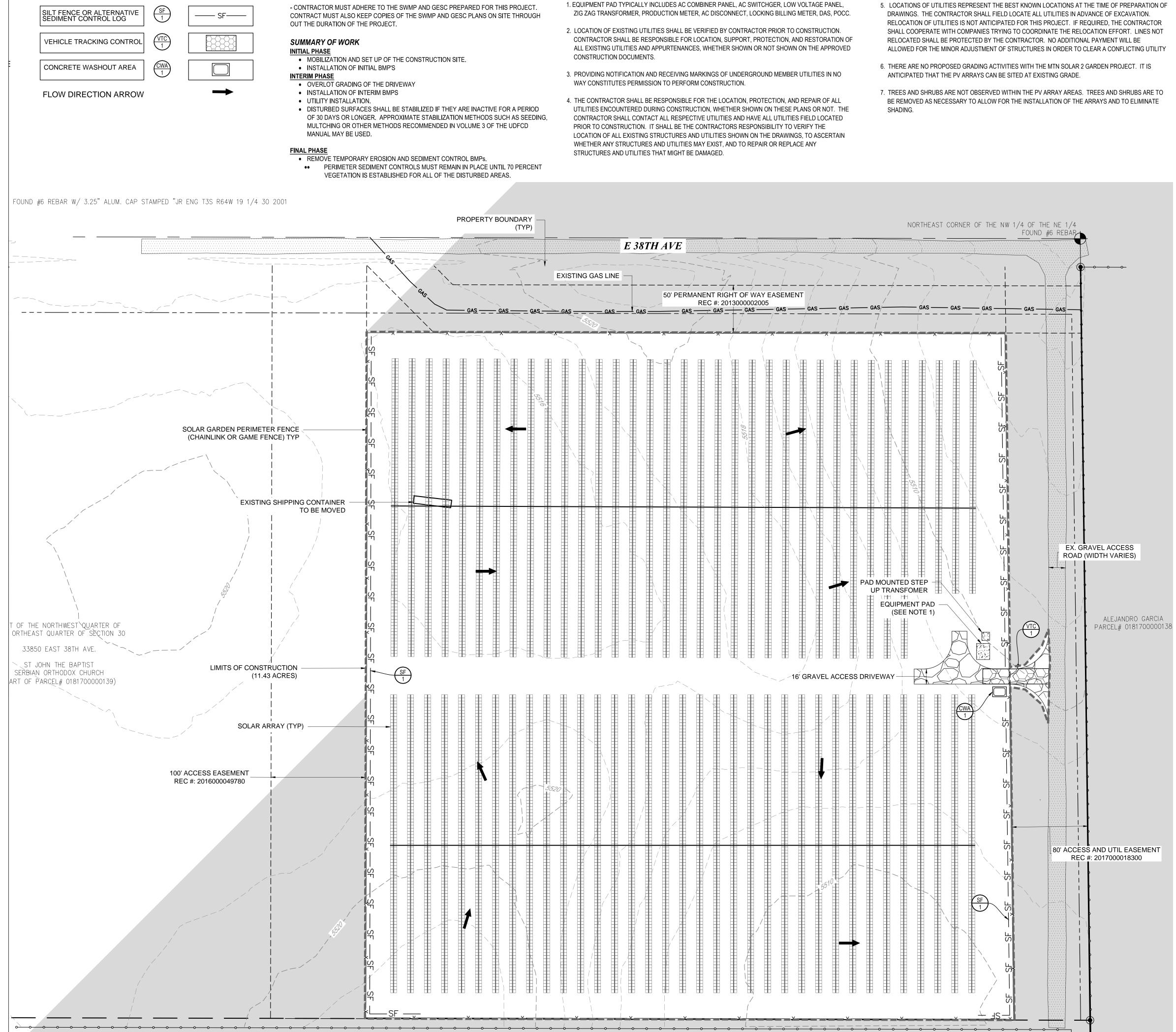
THIS IS TO CERTIFY THAT THIS MAP OR PLAT OF PART OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 5, 8, AND 13, 16, 17 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON

SAMUEL A. KNIGHT CO PLS #38,127 **GREEN MOUNTAIN SURVEYING** 1195 EDINBORO DR. BOULDER CO, 80305

33850 E 38TH AVE. ADAMS COUNTY STATE OF COLORADO

COPYRIGHT GREEN MOUNTAIN SURVEYING 2018

ALTA/NSPS LAND TITLE SURVEY A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO SHEET 2 OF 2 NORTHWEST CORNER OF THE NW 1/4 OF THE NE 1/4 FOUND #6 REBAR W/ 3.25" ALUM. CAP STAMPED "JR ENG T3S R64W 19 1/4 30 2001 PLS 30109" THE NORTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, T3S, R64W OF THE 6TH P.M. BASIS OF BEARINGS NORTHEAST CORNER OF THE NW 1/4 OF THE NE 1/4 SEE NOTE #5 S 89°53'54" E 1319,54' AM SITE BENCHMARK: FOUND #6 REBAR LE=5514,98' SEE NOTE #17 8'X40' SHIPPING CONTAINER PART OF THE NORTHWEST QUARTER IE NORTHEAST QUARTER OF SECTION 33850 EAST 38TH AVE. SERBIAN ORTHODOX CHURCH (PART OF PARCEL# 0181700000139) EXISTING SOLAR LEASE AREA CONTAINING (NOT DETAILED) 653,469 SQ. FT. DR 15,00 ACRES MORE OR LESS (4) (12) (14) (15) SOUTHWEST CORNER OF THE NW 1/4 OF THE NE 1/4 FOUND #6 REBAR W/ 2" ALUM. CAP STAMPED "CN 1/16 SEC 30 SOUTHEAST CORNER OF THE NW 1/4 OF THE NE 1/4 T3S R64W PLS 29420" FOUND #5 REBAR N 89°52′05″ W 1320,98′ AM WEP TRANSPORT HOLDINGS LLC AND COLORADO MAVERICK COMPANY LLC PARCEL# 0181730400003



EXISTING SOLAR LEASE AREA CONTAINING 653,469 SQ. FT. OR 15.00 ACRES MORE OR LESS

NOTES

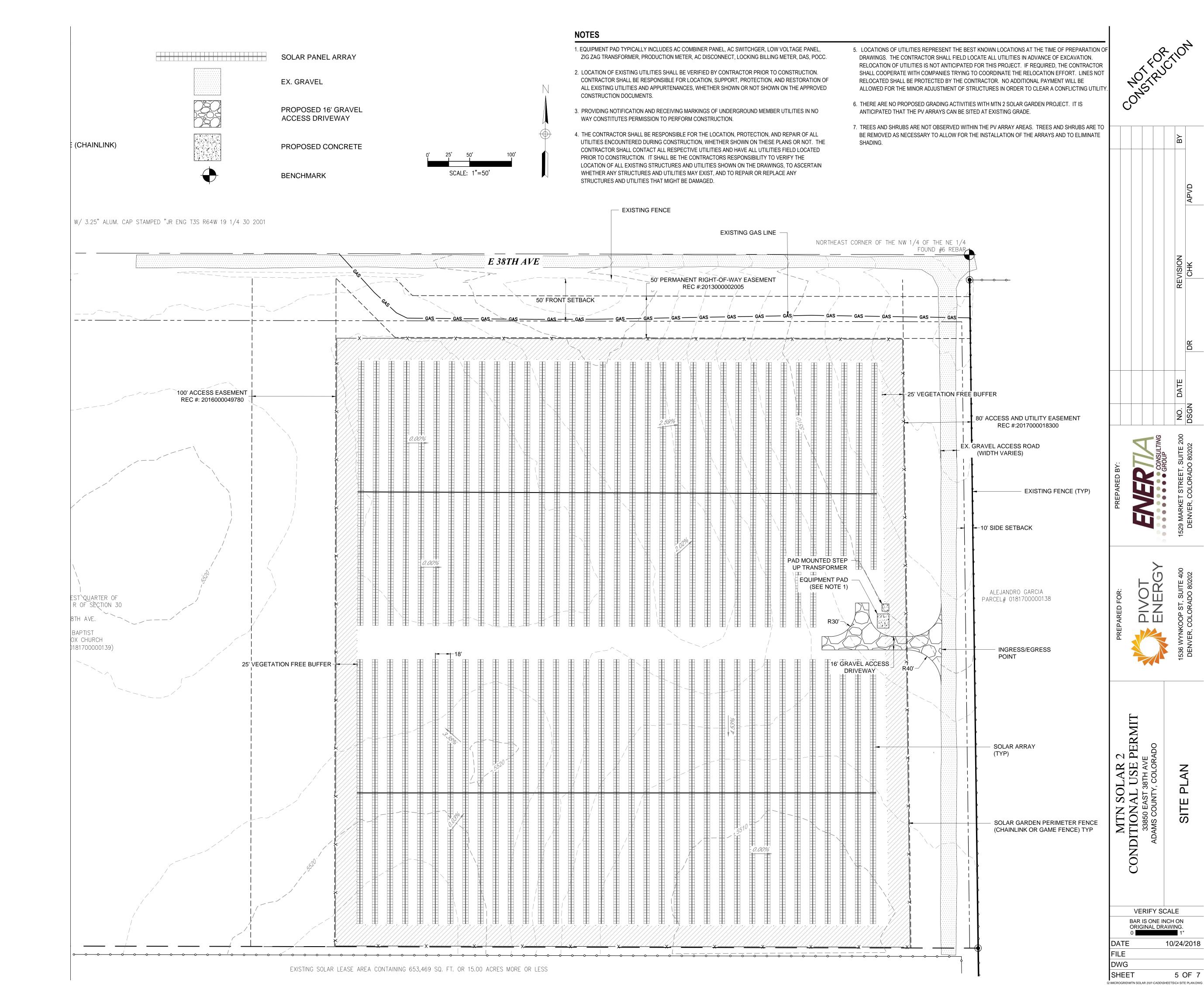
EROSION & SEDIMENT CONTROL NOTES

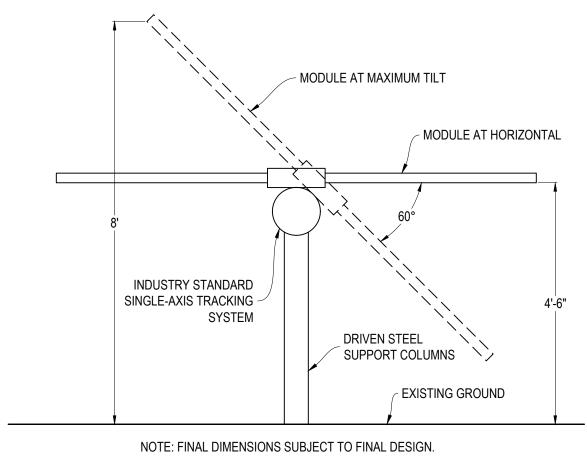
EROSION & SEDIMENT CONTROL LEGEND

VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING.

10/24/2018 4 OF 7

:\MICROGRID\MTN SOLAR 2\07-CADD\SHEETS\4 GESC PLAN.DWG

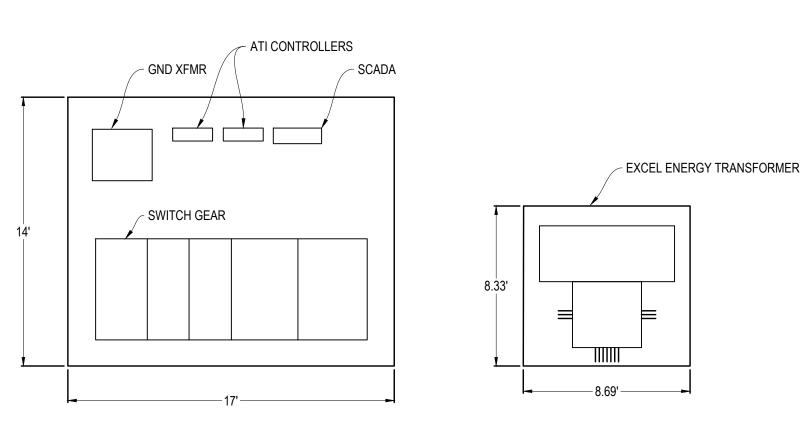




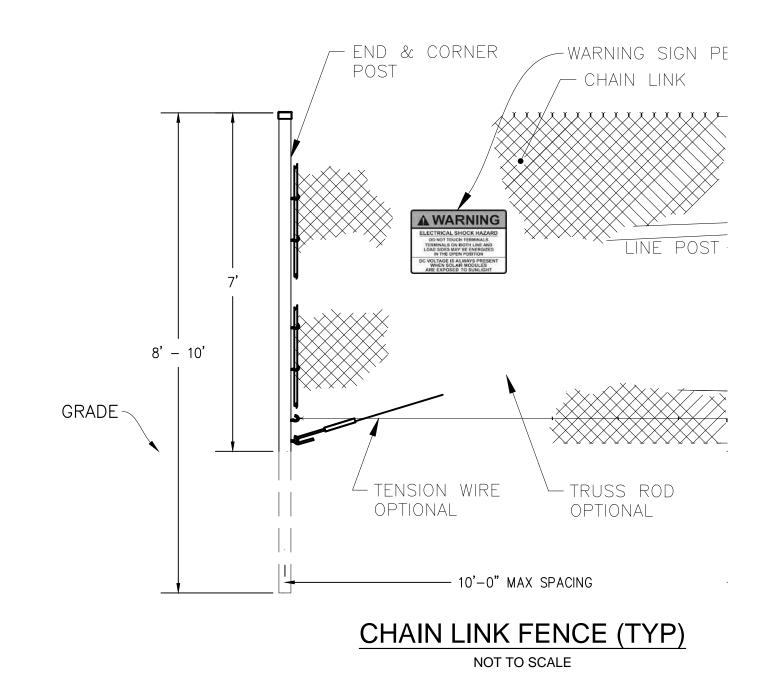
NOTE: FINAL DIMENSIONS SUBJECT TO FINAL DESIGN.

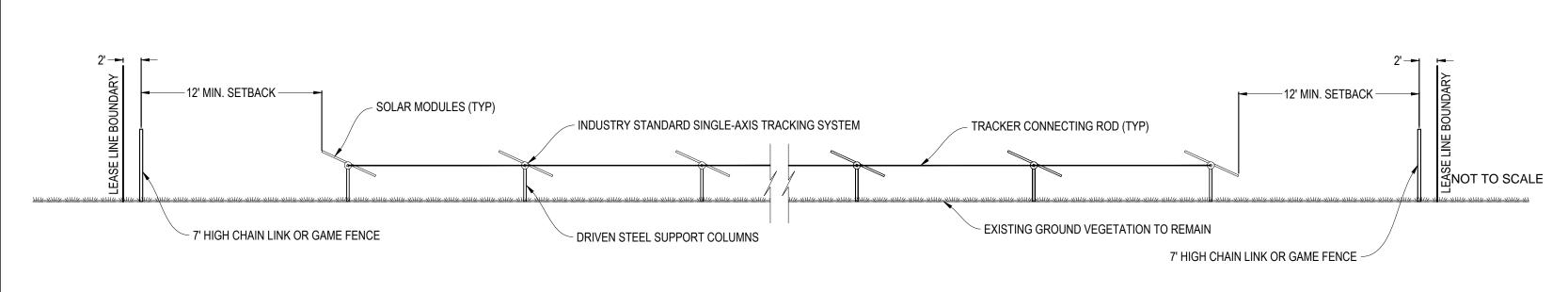
TYPICAL PV ARRAY RACKING SYSTEM

NOT TO SCALE

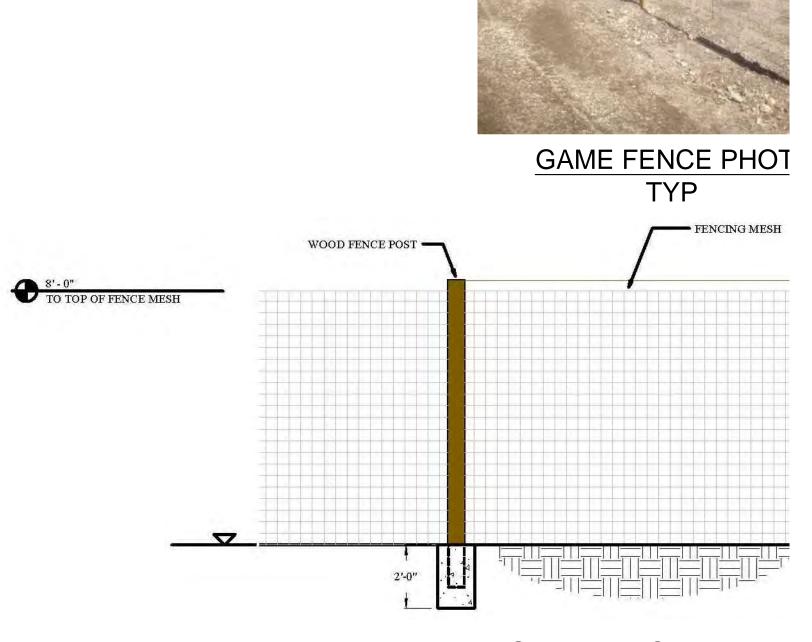


TYPICAL EQUIPMENT PAD LAYOUT
NOT TO SCALE





SOLAR GARDEN CROSS SECTION
NOT TO SCALE



GAME FENCE DETAIL

Eco-Pan Specification sheet

asy concrete pump washout, ready mix trucks, and other equipment with cement on site and easy off site recycling of the same concrete

n projects where concrete, stucco, mortar, grout and cement are used as a material or where cementitious wastewater is created.

aintenance

clean out when % full, not allowing the Eco-Pan to overflow. tewater level and request service. Replace with empty Eco-Pan, as needed.
-Pan's to ensure that proper housekeeping are employed when washing out

ined and watertight eco-pan with added fork channels for portability captures s concrete wastewater and washout material. Our eco-pan's come in two ommodate every size pour, 1 yard /2 ton or 2.5 yard 4.5 ton.

TIONS

n must be portable and temporary, watertight, equipped with fork channels and ing capacity to accept washout from approximately 250 yds - 2.5 yard /4.5ton, s-1yard /2 ton of poured concrete.



apacity er Wash Outs*



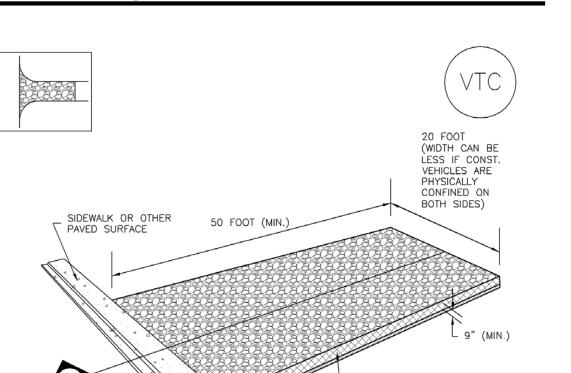
apacity er Wash Outs*

Enough to contain material from Pump Hopper)

CONCRETE WASHOUT DETAIL

NOT TO SCALE

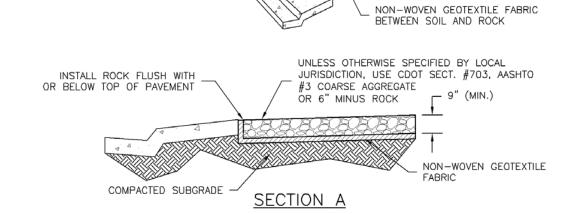
Vehicle Tracking Control (VTC)



SM-4

UNLESS OTHERWISE SPECIFIED BY LOCAL JURISDICTION, USE CDOT SECT. #703, AASHTO #3

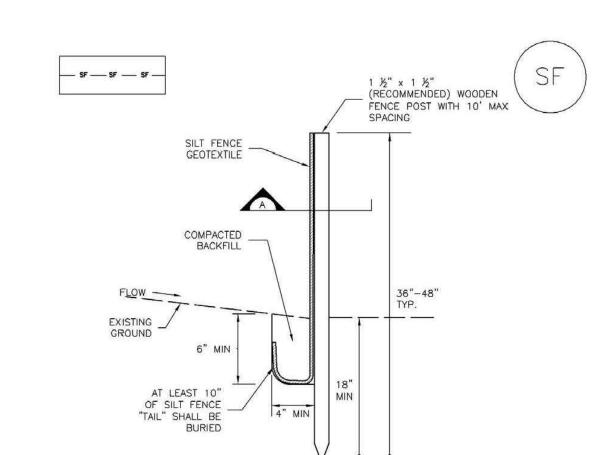
COARSE AGGREGATE OR 6"

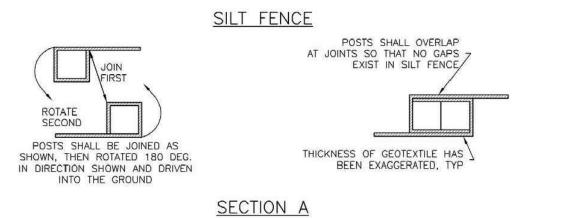


VTC-1. AGGREGATE VEHICLE TRACKING CONTROL

November 2010 Urban Drainage and Flood Control District VTC-3 Urban Storm Drainage Criteria Manual Volume 3

Silt Fence (SF)

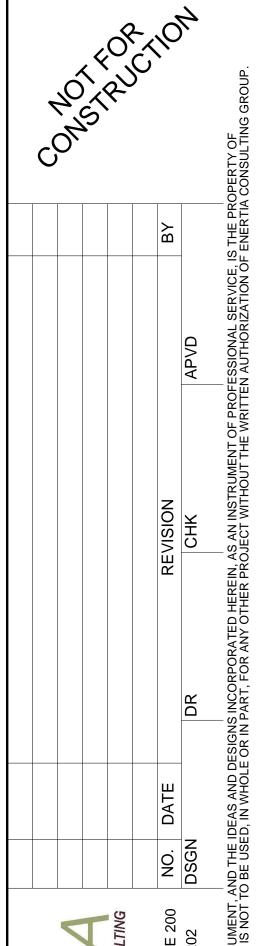




SF-1. SILT FENCE

November 2010 Urban Drainage and Flood Control District Urban Storm Drainage Criteria Manual Volume 3

SC-1





REUSE (

MTN SOLAR 2
CONDITIONAL USE PERMIT
33850 EAST 38TH AVE
ADAMS COUNTY, COLORADO VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING. 10/24/2018 SHEET 7 OF 7 Q:\MICROGRID\MTN SOLAR 2\07-CADD\SHEETS\6 GESC DETAILS.DWG

Community & Economic Development Department www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204 PHONE 720.523.6800 FAX 720.523.6998

Development Review Team Comments

Date: 12/13/2018

Project Number: RCU2018-00056

Project Name: Pivot-38

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the conditional use permit. Please contact the case manager if you have any questions:

Commenting Division: ROW Review

Name of Reviewer: Eden Steele

Date: 12/06/2018

Email:

Complete

ROW1: No additional right-of-way will be needed along E. 38th Ave, given that 30-feet already exists for the half street.

ROW2: The title report did not show any existing easements over areas where the solar arrays will be placed. Therefore, there are no ROW concerns as to the proposed location of the arrays.

Commenting Division: Development Engineering Review

Name of Reviewer: Eden Steele

Date: 12/06/2018

Email:

Complete

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0689H), Federal Emergency Management Agency, January 20, 2016. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone. A floodplain use permit will not be required.

ENG2: The project site is not located in a NRCO district. An environmental assessment is not required.

ENG3: The project site is NOT within the County's MS4 Stormwater Permit area. The use of erosion and sediment control BMPs are expected. The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements.

ENG4: No new access is requested. Must use existing access to property. No other access is permitted by Adams County.

ENG5: If applicant proposes to import soil to this site, additional permitting is required. Per section 4-05-02-07, of the Adams County Development Standards and Regulations, a Temporary or Conditional Use Permit is required to ensure that only clean, inert soil is imported into any site within Un-incorporated Adams County. This regulation applies to ANY amount of soil imported to a site.

ENG6: The submitted drainage letter demonstrated an increased imperviousness less than 3,000 square feet, therefore no drainage report will be required.

ENG7: The submitted traffic impact letter demonstrated that less than 20 vehicle trips per day are generated by the solar garden operations, therefore no traffic impact study will be required.

ENG8: Adams County does not allow greater that 25,000 lb axel loads on County roads.

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 12/07/2018

Email: gjbarnes@adcogov.org

Resubmittal Required

PLN01: Please specify which fence type will be used (chain link or game) and specify this on the site plan too.

Commenting Division: Building Safety Review

Name of Reviewer: Justin Blair

Date: 12/03/2018

Email: jblair@adcogov.org

Complete

BSD1- Building permits would be required. Engineered plans will be required to obtain permits.

BSD2- Applicant should refer to commercial and industrial submittal requirements.

BSD3- Current adopted codes are the 2012 International Building Codes, 2006 International Energy Code, and

the 2014 National Electrical Code

BSD4- Applicant should contact Fire Department for their requirements.



Bennett-Watkins Fire Rescue

District Office: 303-644-3572 Fax: 303-644-3401 355 4th Street, Bennett, CO 80102

Email: LifeSafety@BennettFireRescue.org

"Striving to Preserve Life and Property"

December 7th, 2018

Greg Barnes Adams County Planning & Development 4430 South Adams County Parkway 1st Floor - Suite W2000A Brighton, CO 80601-8216

Re: RCU2018-00056 Pivot-38

Manager Barnes,

In regards to the RCU2018-00056 Pivot-38, Bennett –Watkins Fire Rescue (BWFR) is providing this letter of comments for Adams County as follows:

- KNOX fire department gate access to the facility shall be provided/maintained at all times. Gate width shall not be less than 20ft minimum.
- Facility address and sign must be posted on a permanent sign and maintained at all times identifying the address, facility name, and facility contact information.
- A site vegetation management plan shall be provided and approved by BWFR. The facility shall be maintained in compliance with this plan and current International Fire Code requirements at all times for the life of the facility.
- Access road to facility shall be a width not less than 20 feet and comprised of Class 6 road base or better at a 6" depth.
- Access road shall confirm to IFC guidelines listed in 2012 IFC and Appendix D, including turnarounds (if equipped).
- Installation of solar equipment shall conform to all IFC guidelines as indicated in 2012 IFC 605.11 through 605.11.2 and 605.11.4 at all times.
- Bennett Fire Protection District will require the applicant to address the facility's wildfire interface exposure to surrounding wildland area. There is some concern that if native vegetation is allowed to grow in and around the arrays that the equipment can be exposed to fire or vice versa an equipment malfunction can cause a fire which extends through vegetation outside the facility. A vegetation management plan will be required for this facility. Fire breaks or other mitigation measures may also be warranted with this large of a facility.
- It is highly recommended that the applicant contact the Fire District directly to obtain more information on the Adams County fire code requirements for this project.

If you have any other questions or concerns, please feel free to contact me. Thanks!

Thank You

Carlotter -

Captain Caleb J. Connor
Life Safety Division
Bennett-Watkins Fire Rescue
303-644-3572 - Headquarters / 720-893-7672 - Direct
www.BennettFireRescue.org

Greg Barnes

From: Hackett - CDPHE, Sean [sean.hackett@state.co.us]

Sent: Thursday, November 22, 2018 11:24 AM

To: Greg Barnes

Subject: Re: For Review: Pivot-38 (RCU2018-00056)

Attachments: image003.jpg

CDPHE has no comment on this request.

Sincerely,

Sean Hackett
Oil and Gas Liaison
Colorado Department of Public Health and Environment



P 303.692.3662 | F 303.691.7702

4300 Cherry Creek Drive South, Denver, CO 80246 sean.hackett@state.co.us | www.colorado.gov/cdphe

On Fri, Nov 16, 2018 at 1:52 PM Greg Barnes < GJBarnes@adcogov.org > wrote:

Request for Comments

Case Name: Pivot-38

Case Number: RCU2018-00056

November 16, 2018

The Adams County Planning Commission is requesting comments on the following application: **conditional use permit to allow a solar energy facility in the Agricultural-3 (A-3) zone district.** This request is located at 33850 East 38th Avenue. The Assessor's Parcel Number is 0181700000139.



Northeast Regional Office 6060 Broadway Denver, CO 80216

P 303.291.7227 | F 303.291.7114

November 30, 2018

Greg Barnes Adams County Community and Economic Development Department 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216

RE: Conditional Use Permit to allow a Solar Energy Facility in the Agricultural-3 (A-3) Zone District (RCU2018-00056)

Dear Mr. Barnes:

Thank you for the opportunity to comment on the Pivot-38 solar energy facility conditional use permit. The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

The proposed 12-acre Pivot-38 solar facility conditional use permit is a solar garden facility, with approximately 6,200 solar panels located at 33850 East 38th Avenue, Watkins, Adams County, Colorado (parcel number 0181700000139). The proposed solar garden facility is surrounded by agricultural lands and immediately north of a similar solar facility.

District Wildlife Manager Serena Rocksund recently analyzed this site. The main impacts to wildlife from this development include fragmentation and loss of habitat. Fragmentation of wildlife habitat has been shown to impede the movement of big game species across the landscape. Open space areas are more beneficial to wildlife if they connect to other natural areas. The areas of wildlife habitat that most closely border human development show heavier impact than do areas on the interior of the open space. However, when open space areas are smaller in size, the overall impact of the fragmentation is greater (Odell and Knight, 2001). By keeping open space areas contiguous and of larger size the overall benefit to wildlife increases dramatically.

CPW would expect a variety of wildlife species to utilize this site on a regular basis, most notably, small to mid-sized mammals, songbirds, and raptors. The potential also exists for large mammals such as deer and pronghorn to frequent this site. Raptors and other migratory birds are protected from take, harassment, and nest disruption at both the state and federal levels. If an active nest is discovered within the development area, CPW recommends that buffer zones around nest sites be implemented during any period of activity that may



interfere with nesting season. This will prevent the intentional or unintentional destruction of an active nest.

For further information on this topic, a copy of the document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors," is available from your local District Wildlife Manager or located at

https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf.

Following the recommendations outlined in this document will decrease the likelihood of unintentional take through disturbance.

If a prairie dog colony is discovered within the project area, the potential may also exist for the presence of burrowing owls. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs, badgers, and foxes. These raptors are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. These laws prohibit the killing of burrowing owls or disturbance of their nests. Therefore, if any earth-moving will begin between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey can also be obtained from your local District Wildlife Manager or found at

https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RecommendedSurvey Owls.pdf

If prairie dog colonies are present, CPW recommends they either be captured alive and moved to another location or humanely euthanized before any earth-moving occurs. The possibility of live-trapping and donating to a raptor rehabilitation facility or the black-footed ferret recovery program may also exist. If interested, please contact the local District Wildlife Manager. Be aware that a permit and approval from county commissioners may be required for live relocation.

CPW recommends that all site lights be motion-activated and downward-directed to minimize light pollution for active nocturnal or resting diurnal wildlife species.

CPW recommends the installation of an exclusionary fence to prevent deer from accessing the solar facility. Exclusionary fence should be at least seven-feet in height, with round-capped posts for wildlife safety, plus the addition of two strands of top wire, at least six-inches apart, for a total fence height of at least eight feet. This design is to prevent wildlife from impaling themselves or entanglement if they attempt to cross into the solar facility. The bottom of the fence shall also be four inches or less from the ground. CPW has developed a document.

https://cpw.state.co.us/Documents/LandWater/PrivateLandPrograms/FencingWithWildlifeIn Mind.pdf, to assist with choosing the correct type of fencing to allow or restrict wildlife movement.

Also, CPW requests the solar garden facility be checked at least every few days, in the unlikely event a deer or other wildlife become trapped in the facility, and can be released. CPW is also asking solar garden facilities to monitor birds that may have died within the facility and submit an annual list to the District Wildlife Manager.

Thank you again for opportunity to comment on the conditional use permit for the Pivot-38 Solar Garden Facility, in Adams County. Please do not hesitate to contact us again about ways to continue managing the facility in order to maximize wildlife value while minimizing potential conflicts. If you have any further questions, please contact District Wildlife Manager Serena Rocksund at (303) 291-7132 or serena.rocksund@state.co.us.

Sincerely,

Crystal Chick

Area 5 Wildlife Manager

Crystal Chick

Cc: M. Leslie, T. Kroening, S. Rocksund



November 30, 2018

Greg Barnes Adams County Community and Economic Development 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601

RE: Pivot-38, RCU2018-00056

TCHD Case No. 5284

Dear Mr. Barnes,

Thank you for the opportunity to review and comment on the Conditional Use Permit to allow a solar energy facility in the Agricultural-3 zone district located at 33850 East 38th 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 the following comments.

Renewable Energy

Alternative energy supplies generally do not contribute to air and water pollution and can have a positive impact on the environment. TCHD commends the applicant for bringing forward a proposal that promotes the use of renewable energy.

Wastewater Service for Construction Trailers

The applicant does not state what means they will be using to dispose of wastewater from the onsite personnel during the construction phase. If the applicant is proposing to use portable restrooms, TCHD has no objection to the use of portable toilets, provided the units are properly cleaned and maintained. While TCHD cannot require the use of hand sinks, we recommend that the applicant provide those for the workers, as it will reduce the potential for the transmission of disease.

Solid Waste

Rodents, such as mice and rats, carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, or saliva, or through rodent bites. As rodents are attracted to trash, TCHD strongly recommends that all trash dumpsters on site during construction are equipped with a closeable lid and with regular collection and disposal at an approved landfill.

Fugitive Dust - Recommendations for Temporary Uses

Exposure to air pollution is associated with a number of health problems including asthma, lung cancer, and heart disease. Construction, and traffic in unpaved areas may contribute to increased fugitive dust emissions. We recommend that the applicant utilize

Pivot-38 November 30, 2018 Page 2 of 2

all available methods to minimize fugitive dust. Control measures or procedures that may be employed include, but are not limited to, watering, chemical stabilization, carpeting roads with aggregate, and speed restrictions.

Please feel free to contact me at 720-200-1585 or aheinrich@tchd.org if you have any questions.

Sincerely,

Annemarie Heinrich, MPH/MURP Land Use and Built Environment Specialist

cc: Sheila Lynch, Monte Deatrich, TCHD



Right of Way & Permits

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

December 6, 2018

Adams County Community and Economic Development Department 4430 South Adams County Parkway, 3rd Floor, Suite W3000 Brighton, CO 80601

Attn: Greg Barnes

Re: Pivot-38, Case # RCU2018-00056

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the conditional use plans for **Pivot-38** and has **no apparent conflict**.

Please be aware PSCo owns and operates existing underground electric distribution facilities along the easterly property line which are requested to be shown on the plans.

The property owner/developer/contractor must complete the **application process** for any new natural gas or electric service, or modification to existing facilities via FastApp-Fax-Email-USPS (go to:

https://www.xcelenergy.com/start, stop, transfer/new construction service activation for builders). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

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

Please contact me at donna.l.george@xcelenergy.com or 303-571-3306 if there are any questions with this referral response.

Donna George
Right of Way and Permits
Public Service Company of Colorado

Community & Economic Development Department Development Services Division

www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 PHONE 720.523.6800 FAX 720.523.6967

Request for Comments

Case Name: Case Number: Pivot-38 RCU2018-00056

November 16, 2018

The Adams County Planning Commission is requesting comments on the following application: **conditional use permit to allow a solar energy facility in the Agricultural-3 (A-3) zone district.** This request is located at 33850 East 38th Avenue. The Assessor's Parcel Number is 0181700000139.

Applicant Information: TCA Microgrid Energy DBA Pivot Energy

Jon Fitzpatrick

1536 Wynkoop Street, #400

Denver, CO 80202

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 12/07/2018 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to GJBarnes@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you for your information upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Greg Barnes

Case Manager



Airport to the northwest, or Front Range Airport to the northeast. At the time of this application, Applicant has received a determination from the FAA on the projects indicating no anticipated impacts.

Applicant is coordinating with the Bennett Fire and Protection District to integrate BFPD's requirements into the final design of the solar array.

- 4. Applicant does not anticipate any significant off-site impacts resulting from the projects, with no pollution, noise, increased traffic, or other impacts expected during normal operations. Construction impacts will be limited to the construction window discussed above. During this window, there will be increased traffic during the morning and afternoon as workers and materials arrive and depart from the site. Space for parking and equipment lay down within the site is sufficient, and applicant has designed the projects with setbacks in mind.
- 5. The project site is a great fit for the solar array considering the nearby uses. All around the project area are low-density rural residential development and agricultural uses. To the south on the subject parcel there is already a 2 MW operational solar garden. When the project is decommissioned, the land will again be available for development and consideration of uses suited to the area at that time. There are no environmental concerns or constraints on the subject parcel.
- 6. The location of the project on the parcel is the most convenient and functional use of the parcel because it maximizes the solar array on the lot without wasting any space or taking away from other potential uses.
- 7. As mentioned above, the proposed project does not require sewer, water, or septic systems, and because of the negligible increase in impervious area storm water drainage is not anticipated to be a concern. The road designed and outlined by Enertia Consulting Group is adequate to provide emergency access for emergency services, and the road will function to serve the needs of the conditional uses as designed and proposed.
- 8. Neighborhood meeting: Applicant hosted a neighborhood meeting for the project on Tuesday October 30, 2018 at Lulu's Inn in Watkins, CO from 5 7 pm. Three families attended the meeting: one is a lessor partner of the Applicant. One was Richard Johnson, the neighbor to the immediate west. His only concern was that Applicant and Applicant's subcontractors ensure that E. 38th Ave is not blocked at any time by construction vehicles. The final family was Cheryl and Dave Dye who live near but not adjacent to the subject parcel. They were supportive of the concepts. No one left a specific comment on the available comment sheets.

There is currently and oil and gas lease in place on the subject parcel. Applicant has worked with mineral estate lessee in the past to secure partial surface rights relinquishment for the existing solar

Community & Economic Development Department Development Services Division

www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 PHONE 720.523.6800 FAX 720.523.6967

Public Hearing Notification

Case Name: Pivot-38
Case Number: RCU2018-00056

Planning Commission Hearing Date: 2/14/2019 at 6:00 p.m. Board of County Commissioners Hearing Date: 3/26/2019 at 9:30 a.m.

January 18, 2019

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request: **conditional use permit to allow solar energy facility in an Agricultural-3 (A-3) zone district.**

This request is located at 33850 East 38th Avenue on approximately 12 acres of a 39 acre parcel. The Assessor's Parcel Number is 0181700000139.

Applicant Information: TCA Microgrid Energy DBA Pivot Energy

Jon Fitzpatrick

1536 Wynkoop St, #400 Denver, CO 80202

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at (720) 523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date.

For further information regarding this case, please contact the Community and Economic Development Department, 4430 S Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Greg Barnes Case Manager

PUBLICATION REQUEST

Pivot-38 Solar

Case Number: RCU2018-00056
Planning Commission Hearing Date: 2/14/2019 at 6:00 p.m.
Board of County Commissioners Hearing Date: 3/5/2019 at 9:30 a.m.

Request: Conditional use permit to allow solar energy facility in an Agricultural-3 (A-3) zone district

Location: 33850 E 38th Avenue Parcel Number: 0181700000139

Case Manager: Greg Barnes

Applicant: JON FITZPATRICK

1536 WYNKOOP ST

#400

DENVER, CO 80202

Owner: ST JOHN THE BAPTIST SERBIAN

ORTHODOX CHURCH 9305 W CEDAR AVE

LAKEWOOD, CO 802261045

Legal Description: THE NW 1/4 OF THE NE 1/4 OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., EXCEPT THE NORTH 30 FEET THEREOF, COUNTY OF ADAMS, STATE OF COLORADO.



Referral Listing Case Number RCU2018-00056 Pivot-38

Agency	Contact Information

Adams County Attorney's Office Christine Fitch

CFitch@adcogov.org

4430 S Adams County Pkwy

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Adams County CEDD Development Services Engineer Devt. Services Engineering

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Adams County CEDD Environmental Services Division Jen Rutter

4430 S Adams County Pkwy

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Adams County CEDD Right-of-Way Marissa Hillje

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Adams County Parks and Open Space Department Aaron Clark

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Adams County Sheriff's Office: SO-HQ Rick Reigenborn

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rreigenborn@adcogov.org

Adams County Sheriff's Office: SO-SUB SCOTT MILLER

720-322-1115 smiller@adcogov.org

BENNETT FIRE DISTRICT #7 Captain Caleb J Connor

825 SHARIS CT BENNETT CO 80102

303-532-7733 303-644-3572

CalebConnor@BennettFireRescue.org

Contact Information Agency CHIEF EARL CUMELY BENNETT FIRE DISTRICT #7 825 SHARIS CT BENNETT CO 80102 303-644-3434 ecumley941@aol.com BENNETT PARK AND RECREATION Chris Raines **PO BOX 379** 455 S. 1ST ST. BENNETT CO 80102-0379 303-644-5041 Director@bennettrec.org BENNETT SCHOOL DISTRICT 29J Robin Purdy 615 7TH ST. BENNETT CO 80102 303-644-3234 Ext: 8203 robinp@bsd29j.com BOX ELDER WATER AND SANITATION DISTRICT BARBARA VANDER WALL c/o Collins, Cockrel, & Cole P.C. 390 Union Boulevard, Suite 400 Lakewood CO 80228 303 770-2700 **CDPHE** Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 303.692.3662 303.691.7702 sean.hackett@state.co.us **CDPHE** Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 303.692.3662 sean.hackett@state.co.us **CDPHE** Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 sean.hackett@state.co.us CDPHE - AIR QUALITY Richard Coffin 4300 CHERRY CREEK DRIVE SOUTH DENVER CO 80246-1530 303.692.3127 richard.coffin@state.co.us CDPHE - WATER QUALITY PROTECTION SECT Patrick Pfaltzgraff 4300 CHERRY CREEK DRIVE SOUTH WQCD-B2 DENVER CO 80246-1530 303-692-3509

patrick.j.pfaltzgraff@state.co.us

Contact Information Agency CDPHE SOLID WASTE UNIT Andy Todd 4300 CHERRY CREEK DR SOUTH HMWMD-CP-B2 DENVER CO 80246-1530 303.691.4049 Andrew.Todd@state.co.us Century Link, Inc Brandyn Wiedreich 5325 Zuni St, Rm 728 Denver CO 80221 720-578-3724 720-245-0029 brandyn.wiedrich@centurylink.com CITY OF AURORA - WATER AND SAN. DEPT. PETER BINNEY 15151 E ALAMEDA PKWY #3600 AURORA CO 80012 303-739-7370 pbinney@ci.aurora.co.us CITY OF AURORA ATTN: PLANNING DEPARTMENT Porter Ingrum 15151 E ALAMEDA PKWY 2ND FLOOR AURORA CO 80012 (303) 739-7227 303.739.7000 pingrum@auroragov.org Code Compliance Supervisor Eric Guenther eguenther@adcogov.org 720-523-6856 eguenther@adcogov.org Colorado Air and Spaceport Dave Ruppel 5200 Front Range Airport WATKINS CO 80137-7131 303-261-9100 druppel@ftg-airport.com COLORADO DIVISION OF WILDLIFE Serena Rocksund 6060 BROADWAY DENVER CO 80216 3039471798 serena.rocksund@state.co.us COLORADO DIVISION OF WILDLIFE Eliza Hunholz Northeast Regional Engineer 6060 BROADWAY DENVER CO 80216-1000 303-291-7454 eliza.hunholz@state.co.us **COMCAST** JOE LOWE 8490 N UMITILLA ST

FEDERAL HEIGHTS CO 80260

 $thomas_lowe@cable.comcast.com$

303-603-5039

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303-571-3306

Donna.L.George@xcelenergy.com

BRONCO PIPELINE COMPANY 34501 E QUINCY AVE BLDG 1 WATKINS CO 80137-9303 CURRENT RESIDENT 34100 E 40TH AVE WATKINS CO 80137-7153

CITY OF AURORA 15151 E ALAMEDA PKWY 3RD FLOOR AURORA CO 80012

CITY OF AURORA 15151 E ALAMEDA PARKWAY 5TH FLOOR AURORA CO 80012

LEE BRIAN AND LEE SAMANTHA AND POCH ARTHUR L 1932 S OAKLAND ST AURORA CO 80014-1129

ST JOHN THE BAPTIST SERBIAN ORTHODOX CHURCH 9305 W CEDAR AVE LAKEWOOD CO 80226-1045

WESTERN TRANSPORT LLC UND 58.76% AND TREE TO P LP AND LP UND 21.24% AND COLORADO MAVERICK COMPANY LLC UND 20% 625 E MAIN ST STE 1028-303 ASPEN CO 81611-1935

GARCIA ALEJANDRO OR CURRENT RESIDENT 3295 IMBODEN RD WATKINS CO 80137-8901

JOHNSON KEITH D OR CURRENT RESIDENT 33780 38TH AVE WATKINS CO 80137-7176

SMALLEY KARLAND H AND SMALLEY TRACEY A OR CURRENT RESIDENT 33980 E 40TH AVE WATKINS CO 80137

CURRENT RESIDENT 33900 E 40TH AVE WATKINS CO 80137-7148

CERTIFICATE OF POSTING



I, J. Gregory Barnes do hereby certify that I posted the property at 33850 East 38th Avenue on February 1, 2019 in accordance with the requirements of the Adams County Development Standards and Regulations.

J. Gregory Barnes

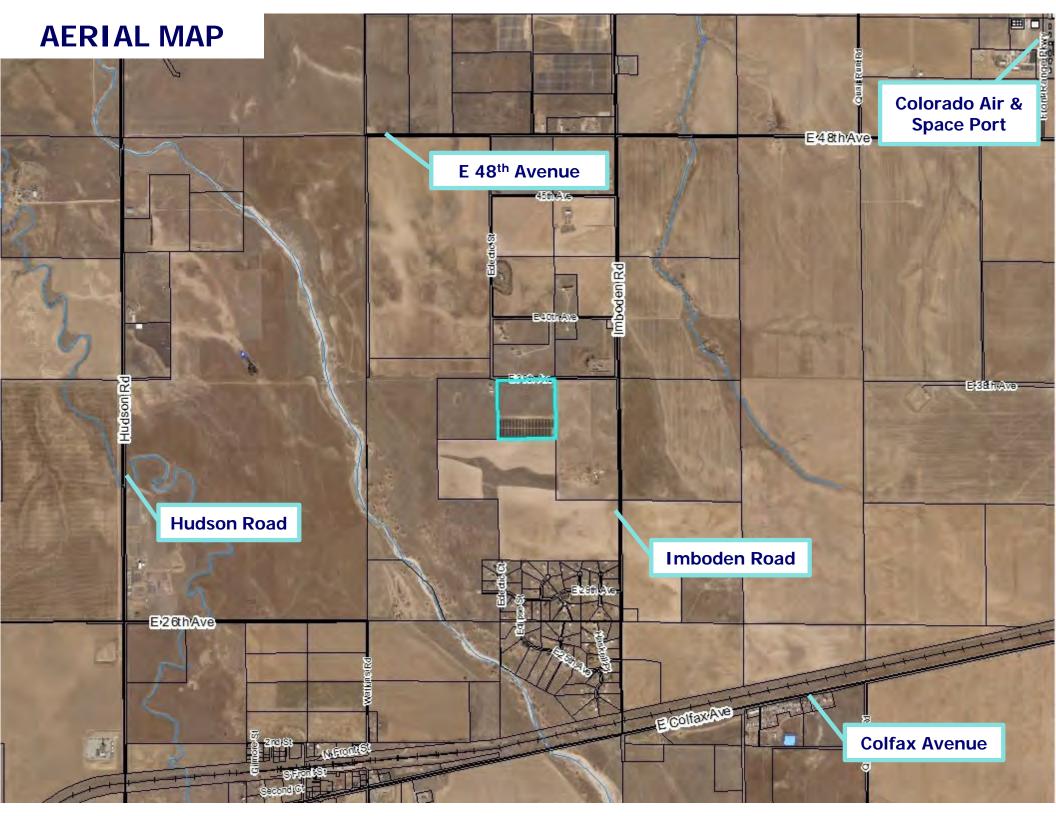
Pivot-38 RCU2018-00056

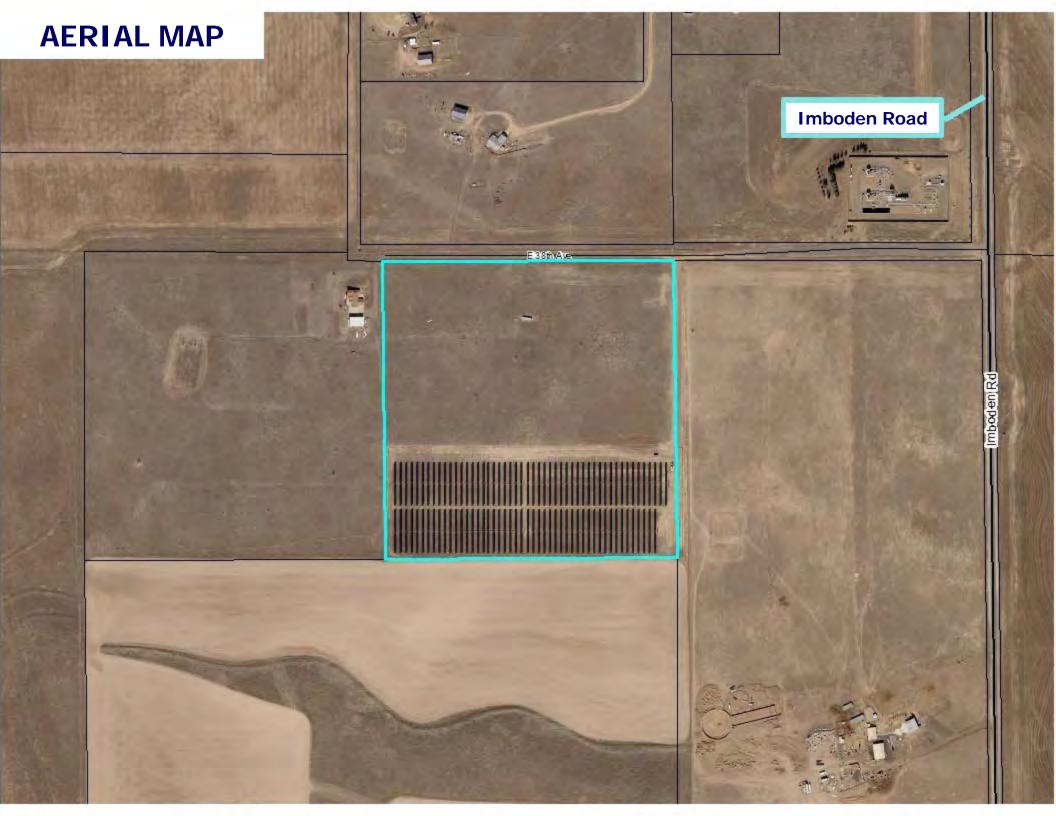
33850 East 38th Avenue

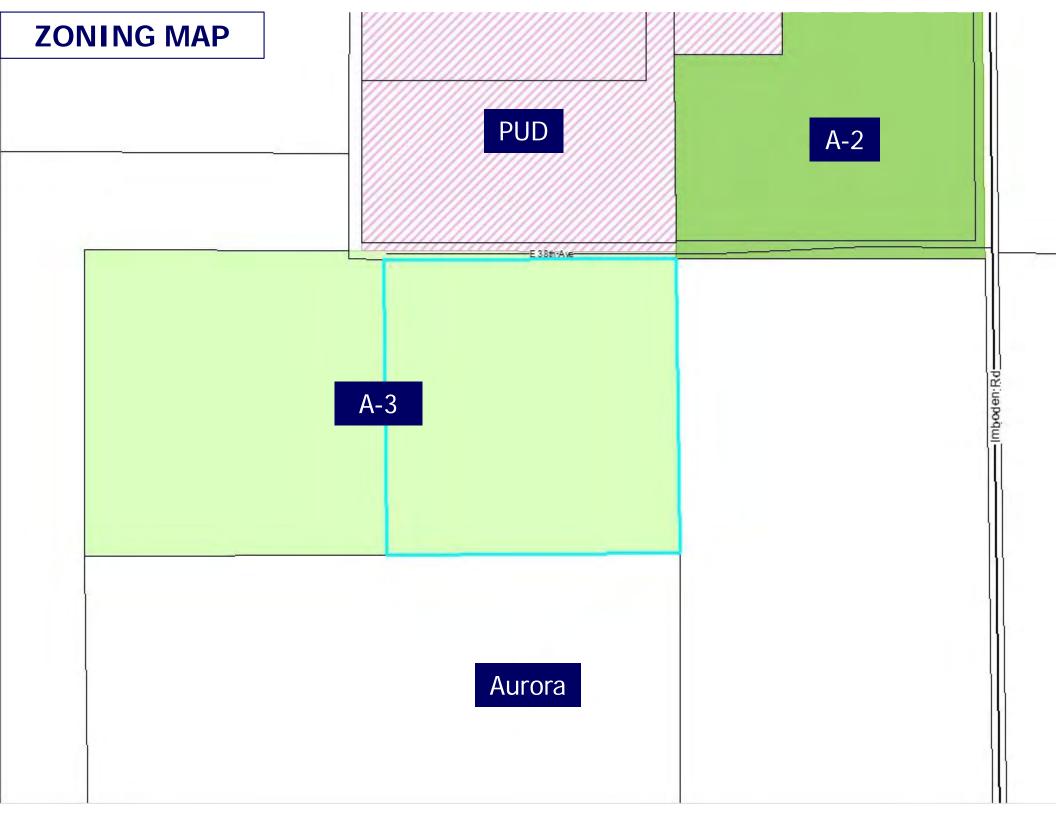
March 26, 2019
Board of County Commissioners Public Hearing
Community and Economic Development Department
Case Manager: Greg Barnes

Request

Conditional Use Permit to allow a solar garden facility in the Agricultural-3 (A-3) zone district.





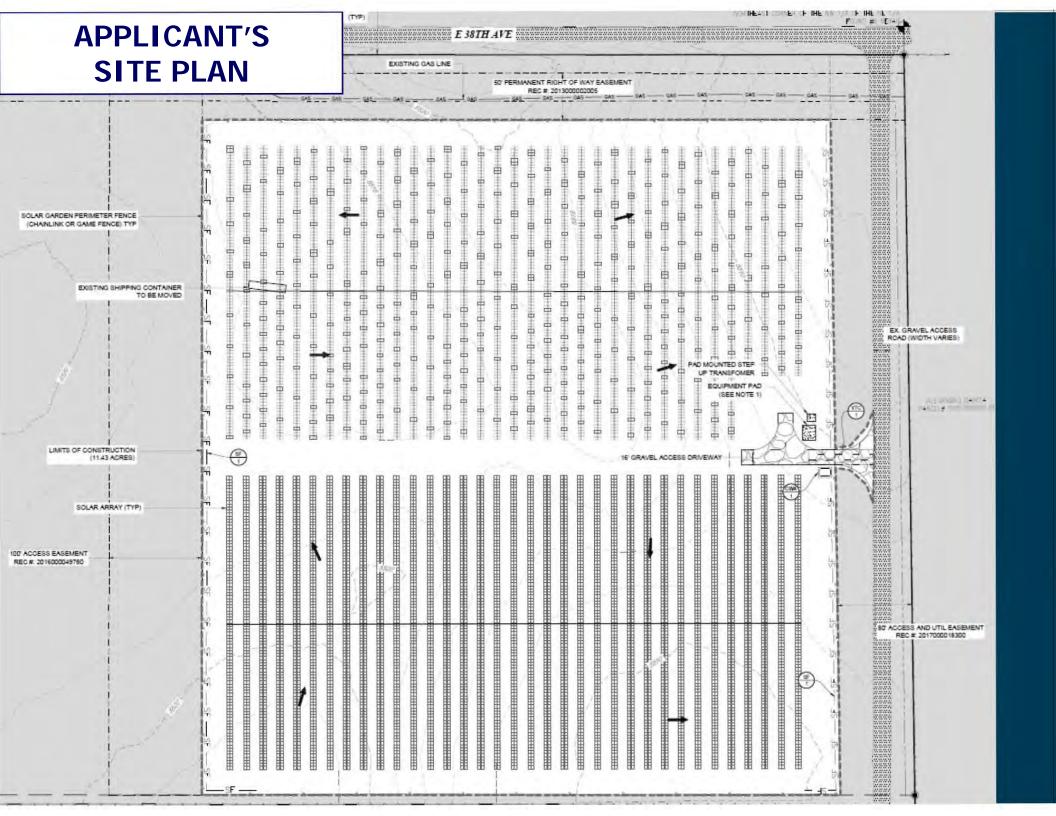




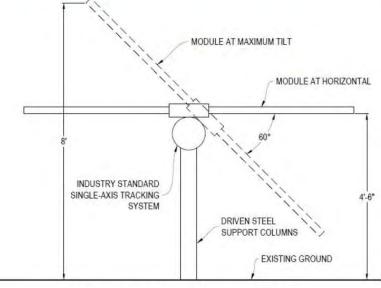
Criteria for Conditional Use

Section 2-02-08-06

- 1. Permitted in zone district
- 2. Consistent with regulations
- 3. Comply with performance standards
- 4. Harmonious & compatible
- 5. Addressed all off-site impacts
- 6. Site suitable for use
- 7. Site plan adequate for use
- 8. Adequate services



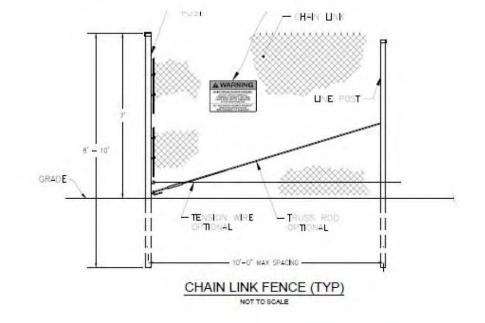
SITE DETAILS



NOTE: FINAL DIMENSIONS SUBJECT TO FINAL DESIGN.

TYPICAL PV ARRAY RACKING SYSTEM

NOT TO SCALE





GAME FENCE PHOTO TYP

WOOD FENCE POST

TO TOP OF FENCE MESSE

FENCING MESSE

TO TOP OF FENCE MESSE

FORT FOR ROLL ATTOM

FORT FOR ROLL ATTOM

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FOR THE POST FOR ROL

GAME FENCE DETAIL









Referral Period

Notices sent*	# of Comments Received
11	0

* Property owners and residents within 1,000 were notified

Referral Agencies

- Bennett-Watkins Fire & Rescue
- Colorado Dept. of Public Health & Environment
- Colorado Div. Parks & Wildlife
- Tri-County Health Dept.
- Xcel Energy

Planning Commission Update

Public Hearing on February 14, 2019

No members of the public testified on this case

No issues identified or changes to the application

PC & Staff Recommendation

Approval of the proposed Conditional Use Permit with 8 Findings-of-Fact, 8 Conditions, and 1 Note.

(RCU2018-00056 - Pivot-38)

Recommended Conditions

- 1. This conditional use permit shall expire on March 26, 2041 (22 years).
- 2. Prior to issuance of a building permit, the applicant shall file an Aircraft Activity Covenant with Disclosure with the Adams County Clerk & Recorder.
- 3. The applicant shall comply with all of the requirements of the Bennett Fire District provided in their letter dated August 9, 2017, including measures for weed control, International Fire Code compliance, and emergency responder access to the site.
- 4. The applicant shall comply with all of the requirements of the Colorado Division of Natural Resources provided in their letter dated July 25, 2017, including surveying the site for nesting birds, swift foxes, prairie dogs, and burrowing owls if installation of panels occurs between March 15th and July 31st of the year.

Recommended Conditions

- 5. The applicant shall comply with all of the requirements of the Tri-County Health Department provided in their letter dated August 8, 2017, including the use of portable toilets and trash enclosures during construction.
- 6. A building permit shall be required for any fence associated with the site.
- 7. Landscaping is not required with development of the site for a solar garden.
- 8. The solar panels on-site shall be removed when the conditional use permit expires, unless an extension or renewal is granted by the Board of County Commissioners.

Recommended Note

1. This conditional use permit shall expire within one year, if a building permit is not obtained for the development.



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

CASE NO.: RCU2018-00055 CASE NAME: MOLBERG AT IMBODEN SOLAR

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- 3.2 Applicant Site Plan

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- 4.2 Referral Comments (Bennett-Watkins Fire)
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- 4.4 Referral Comments (Colorado Division of Natural Resources)
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EXHIBIT 5- Citizen Comments

None

EXHIBIT 6- Associated Case Materials

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COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

STAFF REPORT

Board of County Commissioners

March 26, 2019

CASE No.: **RCU2018-00055** CASE NAME: **Molberg at Imboden Solar**

Owner's Name:	Leonard W. & Judith A. Molberg.
Applicant's Name:	TCA Microgrid Energy DBA Pivot Energy
Applicant's Address:	1536 Wynkoop Street, #400, Denver, CO 80202
Location of Request:	4401 Imboden Road
Nature of Request:	A conditional use permit to allow a solar garden facility
Zone Districts:	Agriculture-3 (A-3) with Airport Influence Zone
Comprehensive Plan:	Estate Residential
Site Size:	20 acres of a 40 acre parcel
Proposed Uses:	Solar Garden
Existing Use:	Agriculture
Hearing Date(s):	PC: February 14, 2019 / 6:00 p.m.
	BOCC: March 26, 2019 /9:30 a.m.
Report Date:	February 28, 2019
Case Manager:	Greg Barnes
PC Recommendation:	APPROVAL with 8 Findings-of-Fact, 8 Conditions, and 1 Note

SUMMARY OF APPLICATION

Background

Pivot Energy, the applicant, is requesting a conditional use permit (CUP) to allow a solar garden facility on the subject property. The proposed solar garden facility is proposed in partnership with Xcel Energy and is necessary to meet the demands of the State of Colorado's Renewable Portfolio Standard. Enacted by ballot-initiative in 2004, Colorado requires electricity providers to obtain a minimum percentage of their power from renewable energy sources. A 22-year approval

is being requested to allow the facility to be located on the site for twenty years, with additional years for construction and disassembly of the site.

The proposed solar garden facility would occupy approximately twenty (20) acres of a forty (40) acre parcel. The site plan shows the solar panels are proposed to be arranged in rows and will be constructed in four clusters of approximately 6,200 solar panels for the entire project (see Exhibit 3.2). The maximum height of the panels is proposed to be eight (8) feet. There is also a security fence proposed along the perimeter of the facility. Landscaping is not proposed with the development of the site. The applicant is proposing to access the site from Imboden Road.

Site Characteristics:

Currently, the property is used for farming and farm equipment storage. The proposed solar garden facility site would be located on the southern portion of the property on approximately 20-acres of the 40-acre property. An existing 5,400 square foot structure is located on the northern portion of the parcel which is used for farm equipment storage. This structure is not associated with the proposed conditional use permit. Imboden Road is located to the east of the site and provides access to the proposed solar facility.

Development Standards and Regulations Requirements:

The property is designated Agricultural-3 (A-3) which is intended to provide landholdings of 35 acres or greater for agriculture and pasturage. Per Section 3-07-01 of the Adams County Development Standards and Regulations, a conditional use permit is required for a solar garden facility in the Agriculture-3 (A-3) zone district. Section 2-02-08-06 of the County's Development Standards and Regulations outlines the criteria for approval of a conditional use permit. These include compliance with the County's Development Standards and Regulations; compatibility with the surrounding area, the request must be permitted in the zone district, and must address all off-site impacts. In addition, the proposed use is required to be harmonious with the character of the neighborhood, and must not be detrimental to the immediate area, or to the health, safety, or welfare of the inhabitants of the area and the County.

In addition, Section 4-03-03-02-10 of the County's Development Standards and Regulations outlines performance standards for solar garden facilities. These performance standards regulate height and setbacks for solar panels. Per the standards, the maximum permitted height for solar panels is 15 feet. According to the materials submitted with the application, the proposed solar panels will not exceed eight (8) feet in height. In addition, according to the site plan, the panels will conform to all setback requirements of the A-3 zone district, which include a 50-foot front setback, a 10-foot side setback, and a 20-foot rear setback.

Per Section 4-16-19-01 of the County's Development Standards, landscaping may be required; however, as the proposed solar garden facility is located approximately 75 feet from the Imboden Road right-of-way and availability of water for irrigation is limited, the applicant is requesting to develop the site without landscaping. The applicant has submitted a screening plan to provide visual mitigation of the proposed facility. The request includes two options for fencing: a wildlife-compatible design consisting of wood and wire or a standard chain-link. Both options

are proposed to be eight feet tall which is consistent with the County's Development Standards and Regulations.

The subject property is located within the Airport Influence Zone overlay district. The purpose of the AIZ district is to prohibit development activity that encourages wildlife and interferes with aviation. Per Section 3-33-05-04 of the County's Development Standards, an aircraft activity covenant is required to be recorded prior to the issuance of building permits for development within the AIZ overlay district. Staff has included a condition of approval to ensure compliance with this requirement.

In addition, the proposed conditional use does not result in excessive traffic generation, noise, vibration, dust, glare, odors, or cause disruption to the surrounding area. Furthermore, the site is suitable for the conditional use including adequate usable space, access, and absence of environmental constraints.

Future Land Use Designation/Goals of the Comp-Plan for the Area

The future land use designation on the property is Estate Residential. Per Chapter 5 of the County's Comprehensive Plan, the purpose of the Estate Residential future land use designation is to provide opportunities for rural lifestyles or low-intensity neighborhoods outside of municipalities.

The proposed use of the property for solar energy production is unlikely to have negative impacts on the goals of the County's Comprehensive Plan. The use will generate a minimal amount of noise or traffic and the use will improve renewable energy sources, which will support future residential uses in this area of the County.

Surrounding Zoning Designations and Existing Use Activity:

Northwest	North	Northeast
A-3	A-3	City of Aurora
Single-Family Residential	Vacant	Vacant
West	Subject Property	East
City of Aurora	A-3	City of Aurora
Vacant	Agriculture	Vacant
Southwest	South	Southeast
A-3	A-3	City of Aurora
Single-Family Residential	Vacant	Vacant

Compatibility with the Surrounding Land Uses:

A majority of the properties adjacent to the subject site are designated Agricultural-3 (A-3) and are currently vacant. There are two single-family homes located northwest and southwest of the property. The subject request to allow a solar garden will be compatible with the surrounding area and will not cause significant off-site impacts such as traffic, air pollution, noise, or light pollution. There will be initial construction traffic during installation of the solar panels; however, this traffic volume will be significantly reduced after construction completion.

PLANNING COMMISSION UPDATE

The Planning Commission (PC) considered this case on February 14, 2019, and voted (7-0) to recommend approval of the request. The applicant spoke at the meeting and had no concerns with the staff report or presentation. There was no one from the public to speak in favor or in opposition to the request.

Staff Recommendations:

Based upon the application, the criteria for approval of a conditional use permit, and a recent site visit, staff recommends approval of the request with 8 findings-of-fact, 8 conditions, and 1 note.

RECOMMENDED FINDINGS-OF-FACT:

- 1. The conditional use is permitted in the applicable zone district.
- 2. The conditional use is consistent with the purposes of these standards and regulations.
- 3. The conditional use will comply with the requirements of these standards and regulations, including but not limited to, all applicable performance standards.
- 4. The conditional use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
- 5. The conditional use permit has addressed all off-site impacts.
- 6. The site is suitable for the proposed conditional use including adequate usable space, adequate access, and absence of environmental constraints.
- 7. The site plan for the proposed conditional use will provide the most convenient and functional use of the lot including the parking scheme, traffic circulation, open space, fencing, screening, landscaping, signage, and lighting.
- 8. Sewer, water, storm water drainage, fire protection, police protection, and roads are to be available and adequate to serve the needs of the conditional use as designed and proposed.

Recommended Conditions of Approval:

- 1. The conditional use permit shall expire on March 26, 2041 (22 years).
- 2. Prior to issuance of a building permit, the applicant shall file an Aircraft Activity Covenant with Disclosure with the Adams County Clerk & Recorder.
- 3. The applicant shall comply with all of the requirements of the Bennett-Watkins Fire District provided in their letter dated December 7, 2018, including measures for weed control, International Fire Code compliance, and emergency responder access to the site.
- 4. The applicant shall comply with all of the requirements of the Colorado Division of Natural Resources provided in their letter dated November 30, 2018, including surveying the site for nesting birds, swift foxes, prairie dogs, and burrowing owls if installation of panels occurs between March 15th and July 31st of the year.

- 5. The applicant shall comply with all of the requirements of the Tri-County Health Department provided in their letter dated November 30, 2018, including the use of portable toilets and trash enclosures during construction.
- 6. A building permit shall be required for any fence associated with the site.
- 7. Landscaping is not required with development of the site for a solar garden.
- 8. The solar panels on-site shall be removed when the conditional use permit expires, unless an extension or renewal is granted by the Board of County Commissioners.

Recommended Note to the Applicant:

1. This conditional use permit shall expire within one year (March 26, 2020), if a building permit is not obtained for the development.

PUBLIC COMMENTS

Notices Sent	Number of Responses
11	0

All property owners and addresses within 1,000 feet of this request were notified of this application. As of writing this report, staff has not received any comments regarding the subject request.

REFERRAL AGENCY COMMENTS

Staff sent the request to various referral agencies and there were no objections. Several agencies recommended best management practices, such as installation of temporary facilities for sanitation during panel installation, weed management practices, and surveying for wildlife at particular times of year. The Colorado Division of Wildlife requested a survey of the property for prairie dogs, burrowing owls, and swift foxes, if installation occurs between March 15th and July 31st. The Bennett Fire District requested that the applicant provide a vegetation management plan demonstrating how development of the site will not increase the threat of wildfire. Staff has recommended several conditions of approval to ensure compliance with these comments.

Responding with Concerns:

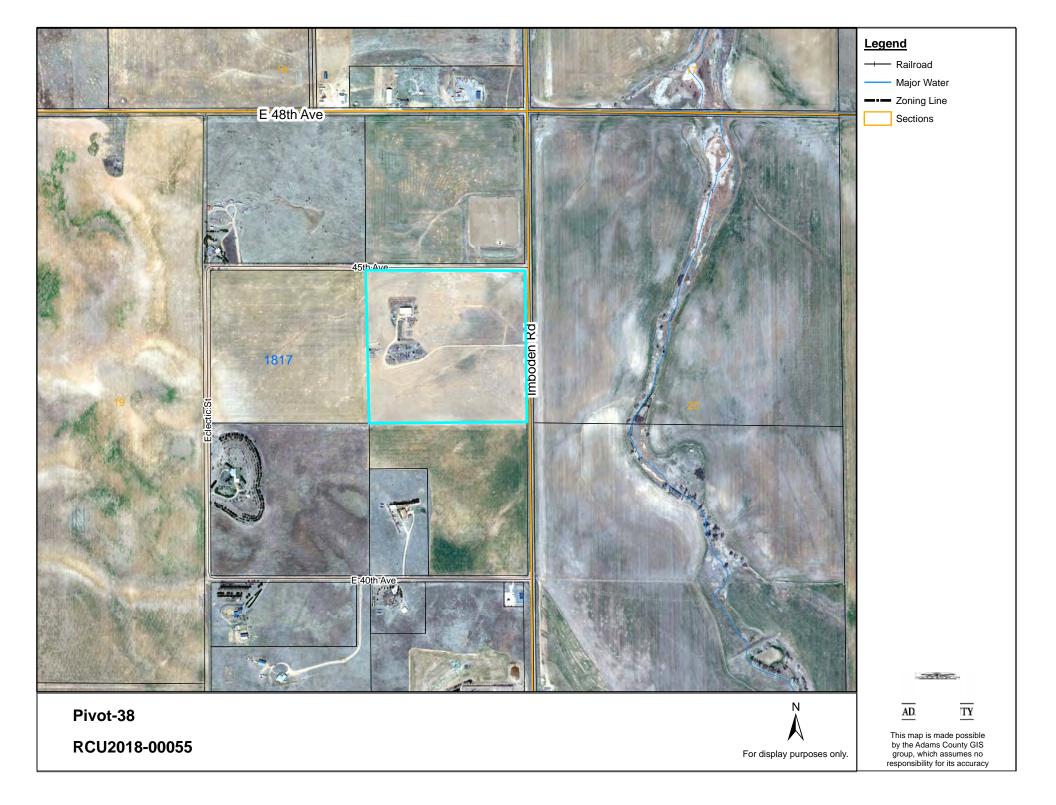
Bennett Fire Colorado Division of Wildlife Tri-County Health Department

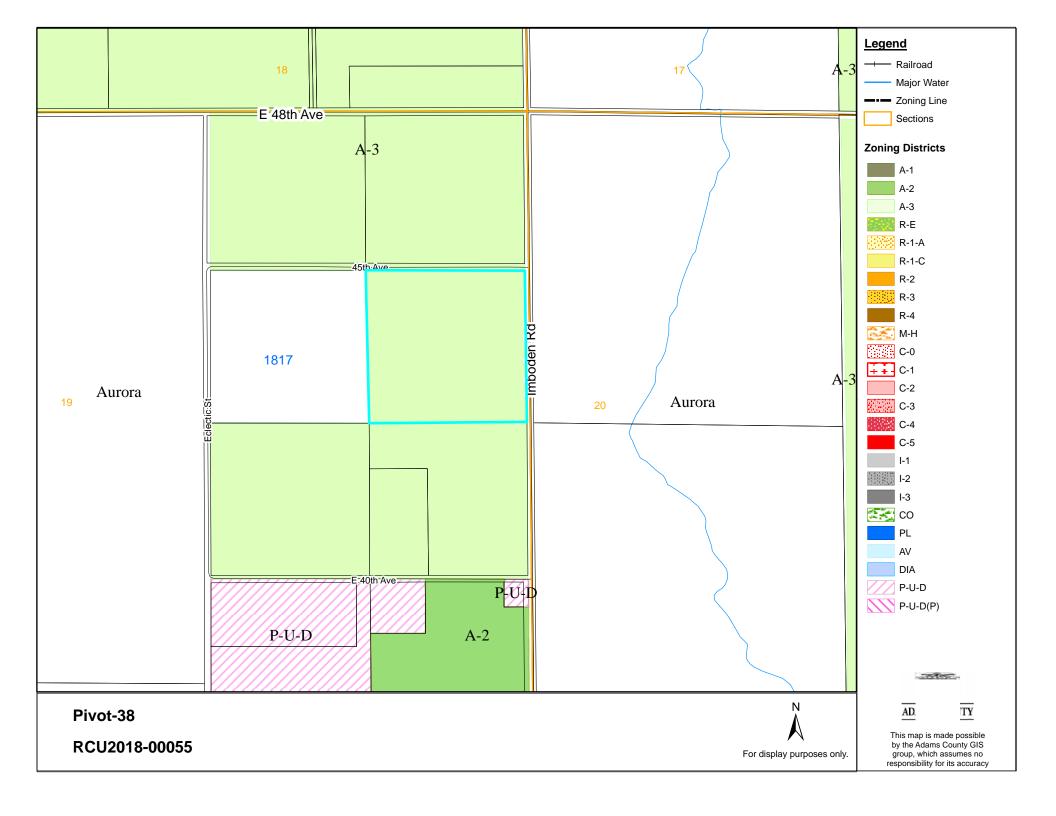
Responding without Concerns:

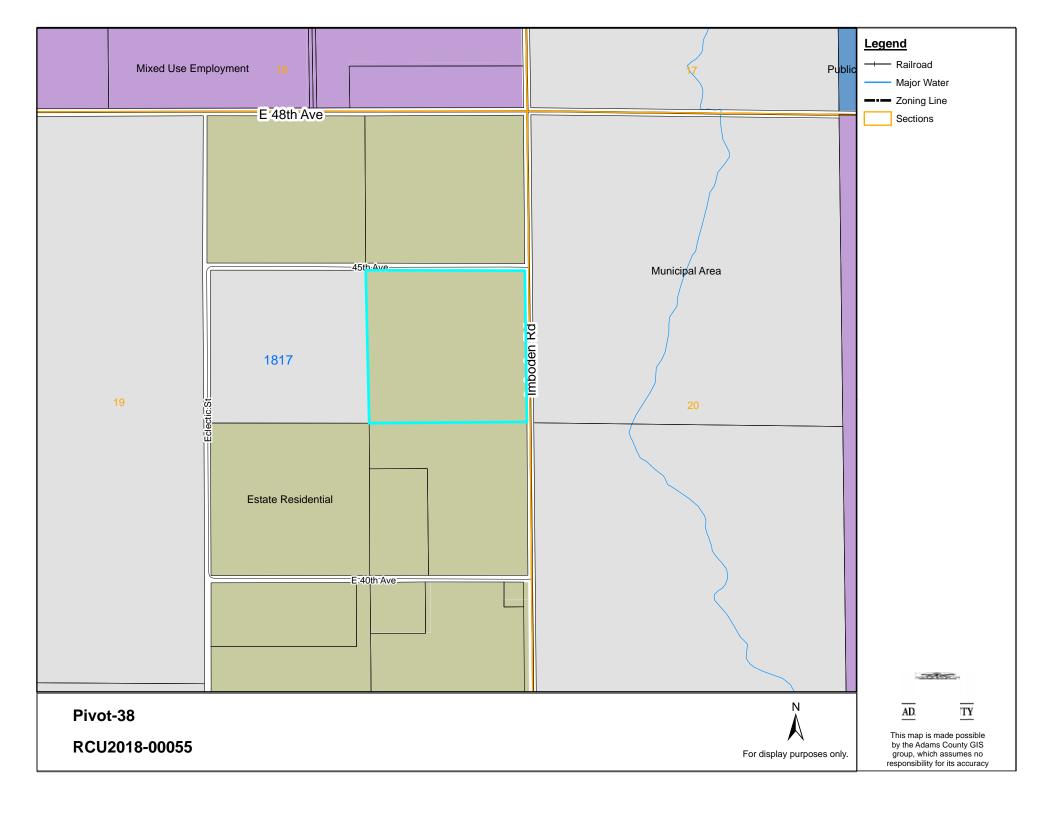
CDPHE Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Bennett Park & Recreation District Bennett School District 29J Century Link
City of Aurora
Colorado Air & Space Port
Comcast
Denver International Airport
Federal Aviation Administration
Metro Wastewater Reclamation









November 9, 2018

Adams County Community & Economic Development Department 4430 S. Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204

RE: Request for Conditional Use Permit for Major Energy Facility (Solar Garden)

Project Explanation:

Pivot Energy hereby makes a request on behalf of the land owner (Leonard W and Judith A Molberg) for a Conditional Use Permit for the parcel of land known as Adams County parcel 0181-700-000-165 (aka Account: R0083363).

Pivot Energy was awarded several opportunities to build community solar gardens by Xcel Energy as part of a competitive procurement process used to meet the demands of the State of Colorado's Renewable Portfolio Standard. This project is one of several Pivot Energy is building across Colorado that will help to meet the needs of this growing segment of the industry.

Applicant is requesting this CUP with Phase A, a 2 MW solar garden, to be built beginning in late spring 2019, and Phase B, another 2 MW solar garden, to be built later in 2020. Each project would operate for 20 years from the first day of commercial operation.

Once completed, the Community Solar projects would operate for a minimum of 20 years. Approximately 6,200 solar panels (for each Phase) would be supported by a single-axis tracking racks. The footprint required for each is about 12 acres, taking into account existing easements and encumbrances. Applicant is requesting the Conditional Use Permit for 22 years, which would allow for final design, equipment procurement, and installation required prior to operation, as well as decommissioning and removal of the project after operations are complete.

The following information outlines key points of our application:

- 1. Applicant will design and construct the projects in accordance with applicable zoning regulations and building codes, and in compliance with the requirements and conditions of the CUP issued by Adams County.
- 2. Any applicable performance standards associated with the CUP will be followed by the



applicant.

3. The solar gardens will operate for at least 20 years as part of Xcel Energy's Solar*Rewards Community program. All equipment used on the project will be industry standard bearing all applicable certifications required by the National Electric Code (NEC). All components will be designed to meet or exceed the anticipated lifespan of the facility. The solar modules will be supported by single-axis tracking racks, which "follow" the path of the sun through the sky each day. The technology is clean, quiet, and doesn't generate any dust during operation.

If approved, Applicant will begin construction as soon as possible in hopes of completing construction in summer of 2019. Construction will take approximately 8-10 weeks. The maximum height of the equipment is not expected to exceed 8' above grade. In addition to the solar panels and racks, there will be electric inverters, disconnecting boxes and switches, weather monitoring components, energy meters, and a transformer.

To access the site, Applicant will use existing access off Imboden Road. Xcel Energy will bring their electrical lines into the site via this same path.

The project area is currently dryland agriculture and has recently been seeded. No screening vegetation is planned due to the existing character of the site which does not support native vegetation other than prairie grasses. Furthermore, other solar arrays in the area that have attempted to install screening vegetation have failed, resulting in brown, dead trees dotting the front of the existing solid fences that have been blown over from time to time.

The long-term operation and maintenance of the sites is limited. Typically, 4-8 annual visits are needed to ensure the equipment is working properly, and to keep the on-site vegetation trimmed and clean. Because of the limited site visits, the overall impact to traffic in the area will be negligible. Because the racking will be driven directly into the ground and because the access road will be gravel, there is very little increase in the imperviousness of the site. The project does not require on-site personnel after construction, so there is no need for water, sewer, septic services, or storm water drainage on site.

Following the conclusion of the project, all equipment will be removed from the project site by applicant, and any impacts to the site will be remediated with the goal of returning the site as closely as possible to the condition it was in before the project began. Most of the project components will be recycled, including the steel, aluminum, and copper that make up much of the materials.



Due to the harmonious existence of other similar projects in the immediate area, the solar arrays are not anticipated to cause any impact to the operations of Denver International Airport to the northwest, or Front Range Airport to the northeast. At the time of this application, Applicant has received a determination from the FAA on the projects indicating no anticipated impacts.

Applicant is familiar with the Bennett Fire and Protection District's requirements for the final design of the solar array.

- 4. Applicant does not anticipate any significant off-site impacts resulting from the projects, with no pollution, noise, increased traffic, or other impacts expected during normal operations. Construction impacts will be limited to the construction window discussed above. During this window, there will be increased traffic during the morning and afternoon as workers and materials arrive and depart from the site. Space for parking and equipment lay down within the site is sufficient, and applicant has designed the projects with setbacks in mind.
- 5. The project site is a great fit for the solar array considering the nearby uses. All around the project area are low-density rural residential development and agricultural uses. There are operational solar arrays within 1 mile from this project site to the north and the south. When the project is decommissioned, the land will again be available for development and consideration of uses suited to the area at that time. There are no environmental concerns or constraints on the subject parcel.
- 6. The location of the project on the parcel is the most convenient and functional use of the parcel because it maximizes the solar array on the lot without wasting any space or taking away from other potential uses.
- 7. As mentioned above, the proposed project does not require sewer, water, or septic systems, and because of the negligible increase in impervious area storm water drainage is not anticipated to be a concern. The road designed and outlined by Enertia Consulting Group is adequate to provide emergency access for emergency services, and the road will function to serve the needs of the conditional uses as designed and proposed.
- 8. Neighborhood meeting: Applicant hosted a neighborhood meeting for the project on Tuesday October 30, 2018 at Lulu's Inn in Watkins, CO from 5 7 pm. Three families attended the meeting: one is the land owner of the subject parcel. One was Richard Johnson, a neighbor to the southwest. The final family was Cheryl and Dave Dye who live near but not adjacent to the subject parcel. They were supportive of the concepts. No one left a specific comment on the available comment sheets.

There is currently and oil and gas lease in place on the subject parcel. Applicant will ensure the mineral estate owner and the mineral lessee will both receive notice per the provisions of C.R.S.



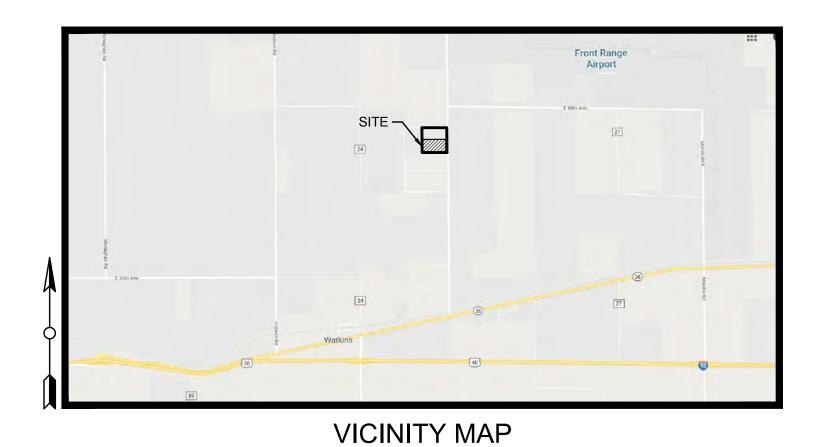
24-65.5-103.

Please do not hesitate to contact me with any additional questions regarding the project.

Sincerely,
Jon Fitzpatrick
Director of Project Development
Pivot Energy
1536 Wynkoop St, #400
Denver, CO 80202

CONDITIONAL USE PERMIT PIVOT ENERGY - MTN 1 SOLAR GARDEN

A PORTION OF THE NORTHEAST QUARTER OF SECTION 19,
TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M.,
COUNTY OF ADAMS, STATE OF COLORADO



SCALE 1" = 5000'

LEGAL DESCRIPTION

A PORTION OF THAT PROPERTY DESCRIBED IN FIDELITY NATIONAL TITLE INSURANCE COMPANY TITLE REPORT NO.: F0615864-152-T56, DATED JULY 30, 2018 AT 8 A.M. A PART OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH

P.M., DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 19; THENCE SOUTH 0'02'43" WEST
ALONG THE EAST LINE OF THE NORTHEAST 1/, OF SAID SECTION 19, A DISTANCE OF 1324.41 FEET

TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0'02'43" WEST ALONG SAID EAST LINE 1324.41 FEET TO THE EAST 1/o CORNER OF SAID SECTION 19; THENCE NORTH 89'27'39" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST 1/o 1368.50 FEET; THENCE NORTH 0'05'37" EAST 1323.37 FEET; THENCE SOUTH 89'27'39" WEST (EAST) 1367.37 FEET TO THE POINT OF BEGINNING, COUNTY OF ADAM (ADAMS), STATE OF COLORADO.

NOTE: THE LEGAL DESCRIPTION PROVIDED DOES NOT FORM A CLOSED PARCEL () INTERPRETED INFORMATION.

ADAMS COUNTY NOTE

PUBLIC IMPROVEMENTS SHALL CONFORM TO ADAMS COUNTY STANDARDS AND SPECIFICATIONS AND LATEST EDITION OF COLORADO DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS

BENCHMARK

ELEVATIONS BASED ON CITY OF AURORA BENCHMARK ID#356417SW001, BEING A BRASS CAP IN CONCRETE, HAVING A PUBLISHED ELEVATION OF 5433.94'. WITH ALL OTHER ELEVATION INFORMATION SHOWN HEREON RELATED THERETO.



OVERALL SITE MAP

SCALE 1" = 500'

APPLICANT PIVOT ENERGY 1536 WYNKOOP STREET, SUITE 400 DENVER, COLORADO 80202 CONTACT: JON FITZPATRICK (303) 506-7792

SITE DATA

ACCOUNT #: R00833

PARCEL #: 01817000

ZONE DISTRICT: A-:
PROPERTY ADDRES
PROPERTY AREA: 4'
SOLAR GARDEN ARI
LOT COVERAGE: 5.7
SYSTEM SIZE: 4.0 M'
TOTAL MODULES:12
325 W MODULES OR
INVERTER: 50 - SOL
OR SIMILAR EQUIPN
MOUNTING SYSTEM
AXIS TRACKERS OR

LEGEND	
	PROPERTY BOUNDARY
	SETBACK
	EXISTING EASEMENT
	EXISTING EDGE OF PAVEMENT (EOP)
xx	SOLAR GARDEN PERIMETER FENCE
	EXISTING FENCE
	CENTER LINE
	SOLAR PANELS
	PROPOSED 16' GRAVEL ACCESS DRIVEWAY
	PROPOSED CONCRETE
	EXISTING GRAVEL
	BENCHMARK

	SH
SHEET#	
1	
2	
3	
4	
5	
6	
7	

ALTA/ACSM LAND TITLE SURVEY

A PORTION OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO SHEET 1 OF 2

LEGAL DESCRIPTION:

A PORTION OF THAT PROPERTY DESCRIBED IN FIDELITY NATIONAL TITLE INSURANCE COMPANY TITLE REPORT NO.: F0615864-152-T56, DATED JULY 30, 2018 AT 8 A.M.

A PART OF THE NORTHEAST ¼ OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 19; THENCE SOUTH 0°02'43" WEST ALONG THE EAST LINE OF THE NORTHEAST ¼ OF SAID SECTION 19, A DISTANCE OF 1324.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0°02'43" WEST ALONG SAID EAST LINE 1324.41 FEET TO THE EAST ¼ CORNER OF SAID SECTION 19; THENCE NORTH 89°27'39" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST ¼ 1368.50 FEET; THENCE NORTH 0°05'37" EAST 1323.37 FEET; THENCE SOUTH 89°27'39" WEST (EAST) 1367.37 FEET TO THE POINT OF BEGINNING,

COUNTY OF ADAM (ADAMS), STATE OF COLORADO.

NOTE: THE LEGAL DESCRIPTION PROVIDED DOES NOT FORM A CLOSED PARCEL () INTERPRETED INFORMATION.

EXCEPTIONS:

- ALL TAXES AND ASSESSMENTS, NOW OR HERETOFORE ASSESSED, DUE OR PAYABLE. (NOT SHOWN HEREON)
 ANY PORTION THEREOF BEING USED FOR COUNTY ROAD, AKA IMBODEN ROAD, AND 45TH AVENUE, AS IT NOW EXISTS. (IMBODEN ROAD SHOWN HEREON BEING 72' EACH SIDE OF THE SECTION LINE PER ADAMS COUNTY 2/2017)
- 3. RESERVATIONS BY THE UNION PACIFIC LAND COMPANY OF (1) ALL OIL, COAL AND OTHER MINERALS UNDERLYING SUBJECT PROPERTY, (2) THE EXCLUSIVE RIGHT TO PROSPECT FOR, MINE AND REMOVE OIL, COAL AND OTHER MINERALS, AND (3) THE RIGHT OF INGRESS AND EGRESS AND REGRESS TO PROSPECT FOR, MINE AND REMOVE OIL, COAL AND OTHER MINERALS, ALL AS CONTAINED IN DEED RECORDED OCTOBER 1, 1906 IN BOOK 25 AT PAGE 159, AND ANY INTEREST THEREIN OR RIGHTS THEREUNDER. (BLANKET STATEMENT APPEARS TO AFFECT THE ENTIRE SUBJECT PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)
- 4. AN UNDIVIDED INTEREST IN ALL OIL, GAS AND OTHER MINERAL RIGHTS, AS RESERVED IN DEED RECORDED JANUARY 4, 1977 IN BOOK 2113 AT PAGE 987 AND RE-RECORDED JANUARY 26, 1977 IN BOOK 2118 AT PAGE 554, AND ANY AND ALL ASSIGNMENTS THEREOF OR INTERESTS THEREIN. (BLANKET STATEMENT APPEARS TO AFFECT THE ENTIRE SUBJECT PROPERTY, NOT GRAPHICALLY DEPICTED HEREON)
- TERMS, CONDITIONS, PROVISIONS, AGREEMENTS AND OBLIGATIONS AND EASEMENTS CONTAINED IN THE RIGHT-OF-WAY CONTRACT AS SET FORTH BELOW:
- RECORDING DATE: NOVEMBER 1, 2017 RECORDING NO.: 2017000096709 (50' WIDE EASEMENT SHOWN HEREON)

NOTES:

1) FIDELITY NATIONAL TITLE INSURANCE COMPANY REPORT NO.: F00615864-152-T56 DATED JULY 30, 2018 AT 8:00 A.M., WAS RELIED UPON FOR RECORDED INFORMATION PERTAINING TO RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SURVEY.

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

3) THIS ALTA/NSPS LAND TITLE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF FIDELITY NATIONAL TITLE INSURANCE COMPANY, AND TCA MICROGRID ENERGY LLC, NAMED IN THE STATEMENT HEREON. SAID STATEMENT DOES NOT EXTEND TO ANY UNNAMED PERSON NOR ADDITIONAL PARTY WITHOUT AN EXPRESS STATEMENT BY THE SURVEYOR OF RECORD ADDING SAID ADDITIONAL PARTY

4) THIS SURVEY IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

5) BASIS OF BEARINGS: GPS DERIVED BASED ON COLORADO STATE PLANE NORTH ZONE 0501, NAD83 (2011), GEOID12A, SOUTH 00°32'32" EAST ALONG THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., BETWEEN THE MONUMENT LOCATED AT THE NORTHEAST CORNER OF SAID NORTHEAST QUARTER, BEING A FOUND 3 1/4" ALUMINUM CAP IN A RANGE BOX, AS SHOWN AND DESCRIBED HEREON, AND THE MONUMENT LOCATED THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER, BEING A FOUND A 3 1/4" ALUMINUM CAP IN A RANGE BOX, AS SHOWN AND DESCRIBED HEREON. WITH ALL OTHER BEARINGS AND DISTANCES SHOWN HEREON RELATED THERETO.

6) THE LOCATIONS OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON OBSERVED VISIBLE SURFACE EVIDENCE AT THE TIME OF FIELD WORK. UTILITY LOCATES WERE NOT ORDERED/PERFORMED PRIOR TO THE SURVEY FIELD WORK. LOCATIONS OF UNDERGROUND UTILITIES AND STRUCTURES MAY VARY FROM LOCATIONS DEPICTED HEREON. ADDITIONAL BURIED UTILITIES AND STRUCTURES MAY EXIST. NO EXCAVATIONS WERE MADE DURING THE COURSE OF THIS SURVEY TO LOCATE BURIED UTILITIES AND STRUCTURES. ALL UNDERGROUND UTILITIES MUST BE FIELD LOCATED BY THE APPROPRIATE AGENCY PRIOR TO ANY EXCAVATION, PURSUANT TO SEC. 9-1.5-103 C.R.S.

7) SUBSURFACE BUILDINGS, IMPROVEMENTS OR STRUCTURES ARE NOT NECESSARILY SHOWN. BUILDINGS AND OTHER IMPROVEMENTS ON ADJACENT PROPERTIES THAT ARE MORE THAN FIVE FEET FROM ANY OF THE PROPERTY LINES INDICATED HEREON ARE NOT NECESSARILY SHOWN.

8) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO MISDEMEANOR PURSUANT TO SEC. 18-4-508 C.R.S.

9) THE SUBJECT PROPERTY IS ZONED "A-3" PER THE ADAMS COUNTY ASSESSOR PER RESEARCH OBTAINED 2/2018 AND IS SUBJECT TO CHANGE.

10) THE DISTANCE MEASUREMENTS SHOWN HEREON ARE THE U.S. SURVEY FOOT,

11) DATES OF FIELDWORK: AUGUST 2018.

12) AT THE TIME OF THE SURVEY THE SUBJECT PROPERTY HAD A POSTED ADDRESS OF 4401 IMBODEN ROAD.

13) THE SUBJECT PROPERTY IS LOCATED WITHIN ZONE X UNSHADED, PER FEMA FIRMETTE MAP NUMBER 08005C0089K, EFFECTIVE DATE 12/7/2010. FLOOD INFORMATION SUBJECT TO CHANGE.

14) TOTAL AREA OF THE SUBJECT PROPERTY IS 1810921 SQ. FT. OR 41.57 ACRES MORE OR LESS (INCLUDING ADJACENT ROADS).

15) AT THE TIME OF SURVEY THERE WAS EVIDENCE OF ACTIVE PILING OR EARTH WORK IN THE SOUTHEAST CORNER OF THE SUBJECT PROPERTY AS SHOWN HEREON.

16) AT THE TIME OF THE SURVEY THERE WAS NO OBSERVED EVIDENCE OF ANY RIGHT-OF-WAY CHANGES FOR IMBODEN ROAD. RIGHT OF WAY INFORMATION FOR IMBODEN ROAD SHOWN PER ADAMS COUNTY (2/2017) AS 144' WIDE 72' ON EITHER SIDE OF THE SECTION LINE. A 30' RIGHT OF WAY FOR 45 TH AVENUE HAS BEEN SHOWN HEREON.

17) AT THE TIME OF THE SURVEY THERE WERE NO OBSERVED MARKINGS DELINEATING WETLANDS ON THE SITE.

18) AT THE TIME OF THE SURVEY THERE WAS NO OBSERVED EVIDENCE OF A SOLID WASTE DUMP.

19) THE SUBJECT PROPERTY IS CURRENTLY ZONED "A-3" PER A LETTER FROM ADAMS COUNTY PROVIDED TO THIS SURVEYOR BY THE CLIENT.

20) BENCHMARK INFORMATION: ELEVATIONS BASED ON CITY OF AURORA BENCHMARK ID#356417SW001, BEING A BRASS CAP IN CONCRETE, HAVING A PUBLISHED ELEVATION OF 5433.94'. WITH ALL OTHER ELEVATION INFORMATION SHOWN HEREON RELATED THERETO.

21) THE CONTOURS REPRESENTED HEREON WERE INTERPOLATED BY CARLSON SOFTWARE 2018 BETWEEN ACTUAL FIELD OBSERVATIONS ELEVATIONS. DEPENDING ON THE DISTANCE FROM THE NEAREST MEASURED ELEVATION AND LOCAL VARIATIONS IN TOPOGRAPHY, THE CONTOURS SHOWN HEREON MAY NOT BE AN EXACT REPRESENTATION OF THE TOPOGRAPHY. ADDITIONAL TOPOGRAPHIC OBSERVATIONS MAY BE NECESSARY WITHIN SPECIFIC AREAS OF DESIGN. TOPOGRAPHIC INFORMATION SUBJECT TO CHANGE.

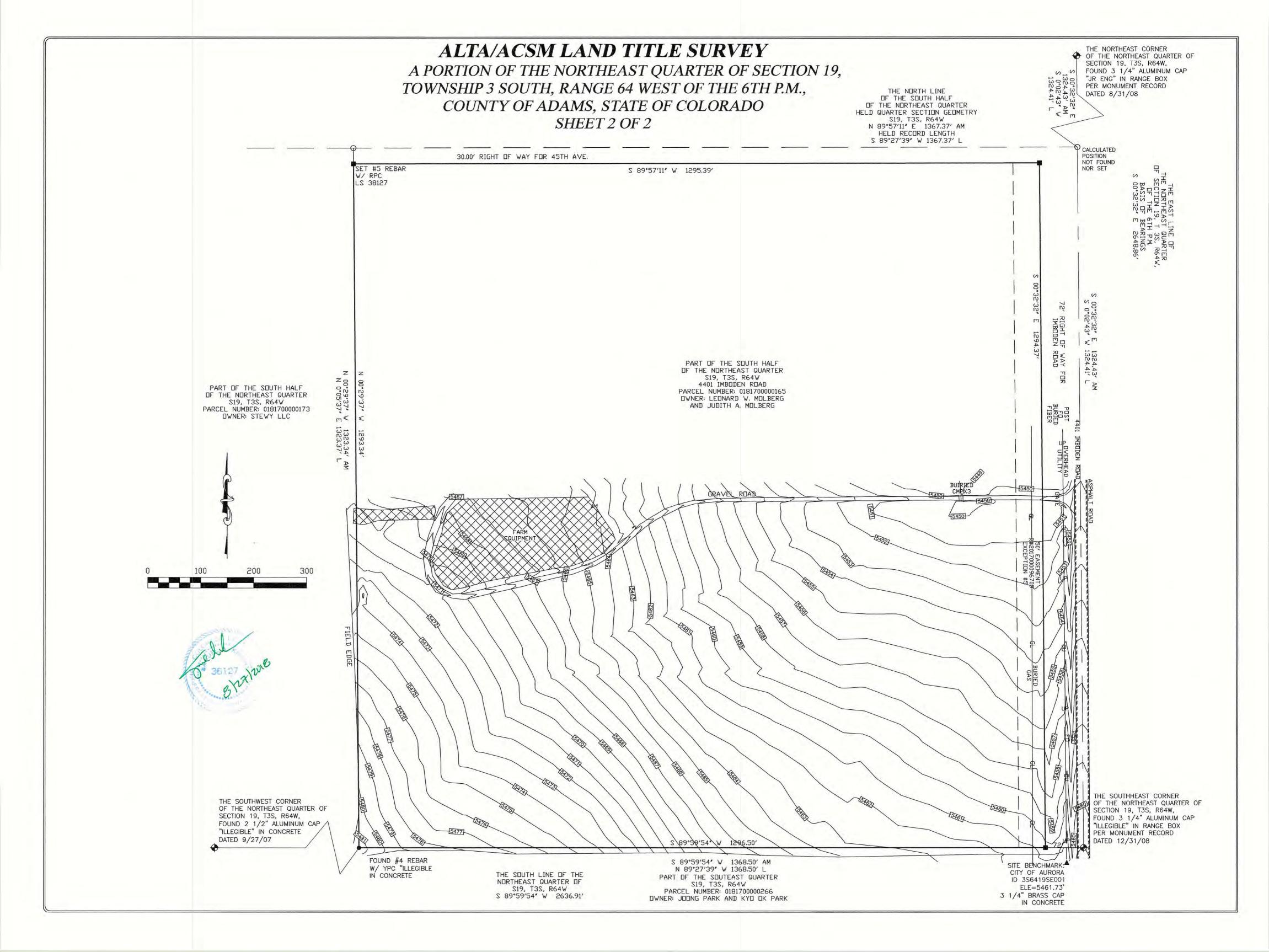
SURVEYOR'S STATEMENT:

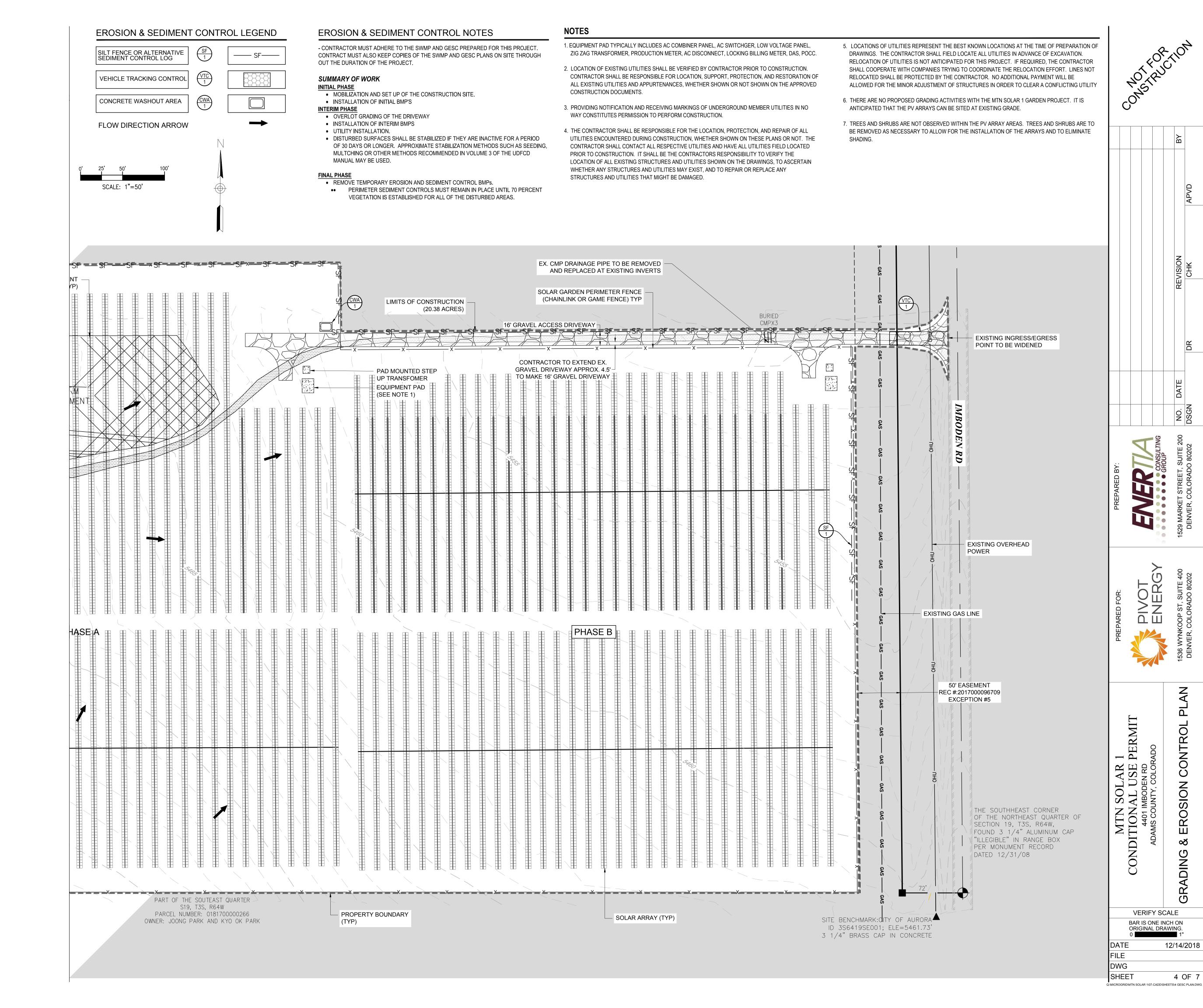
TO: FIDELITY NATIONAL TITLE INSURANCE COMPANY AND TCA MICROGRID ENERGY LLC:

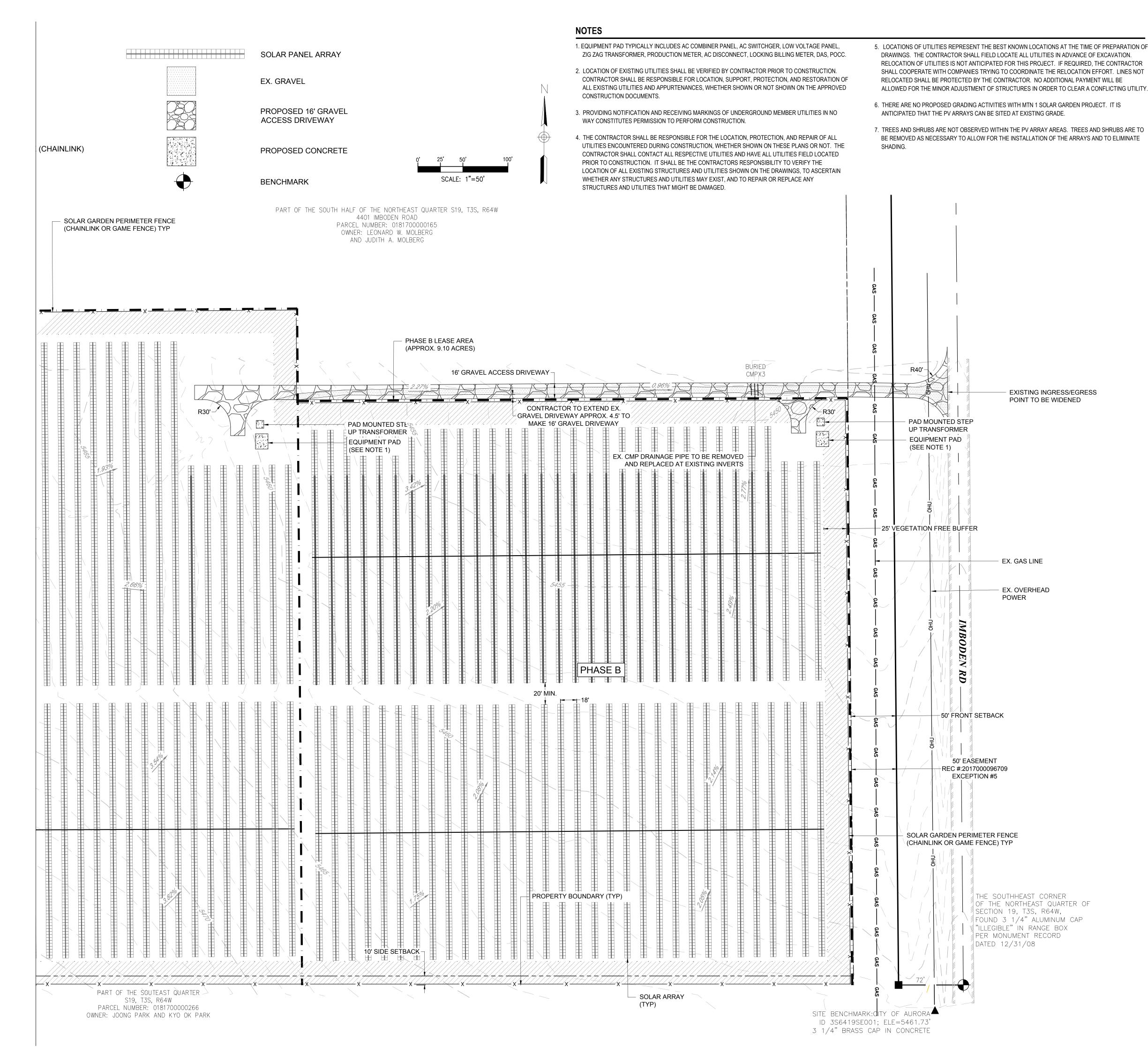
THIS IS TO CERTIFY THAT THIS MAP OR PLAT OF A PART OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-6, 8, 11, 13, AND 16-18OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON AUGUST 27, 2018.

CO PLS 38127 GREEN MOUNTAIN SURVEYING BOULDER CO, 80305 303-601-8588 DATE 4401 IMBODEN RD. ADAMS COUNTY, COLORADO

COPYRIGHT GREEN MOUNTAIN SURVEYING 2018







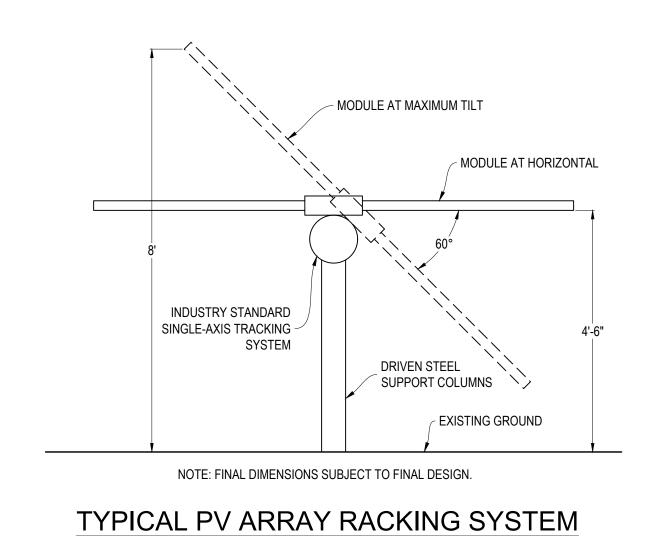
MTN SOLAR 1
CONDITIONAL USE PERMIT
4401 IMBODEN RD
ADAMS COUNTY, COLORADO

VERIFY SCALE BAR IS ONE INCH ON ORIGINAL DRAWING.

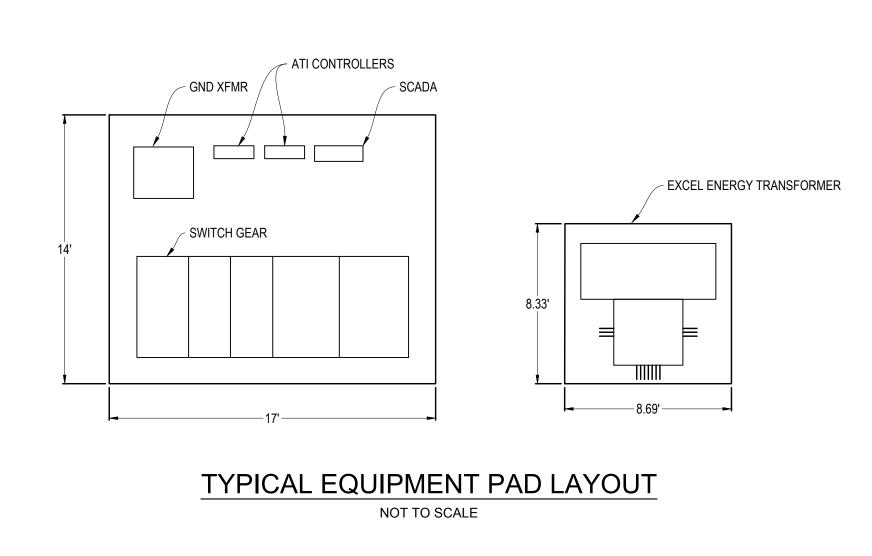
12/14/2018

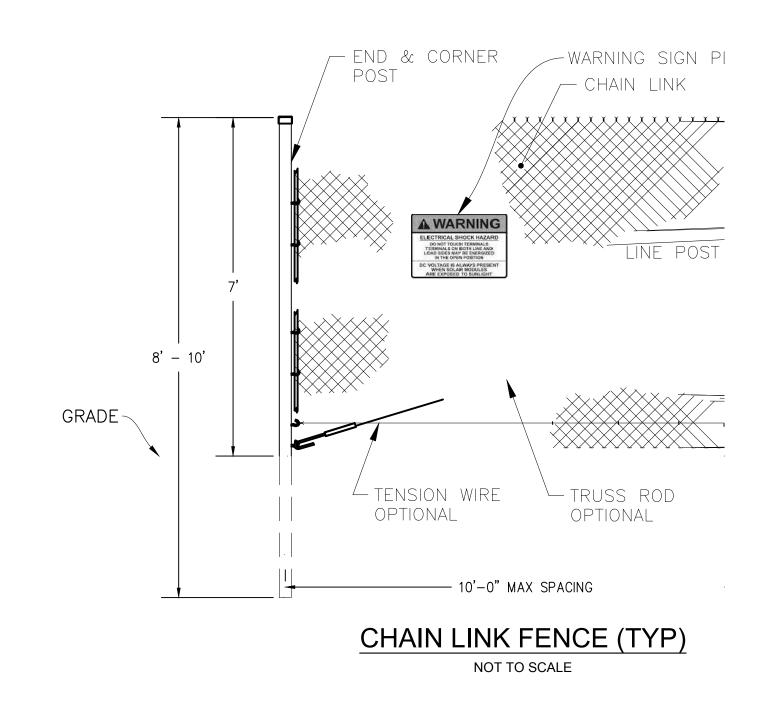
Q:\MICROGRID\MTN SOLAR 1\07-CADD\SHEETS\4 SITE PLAN.DWG

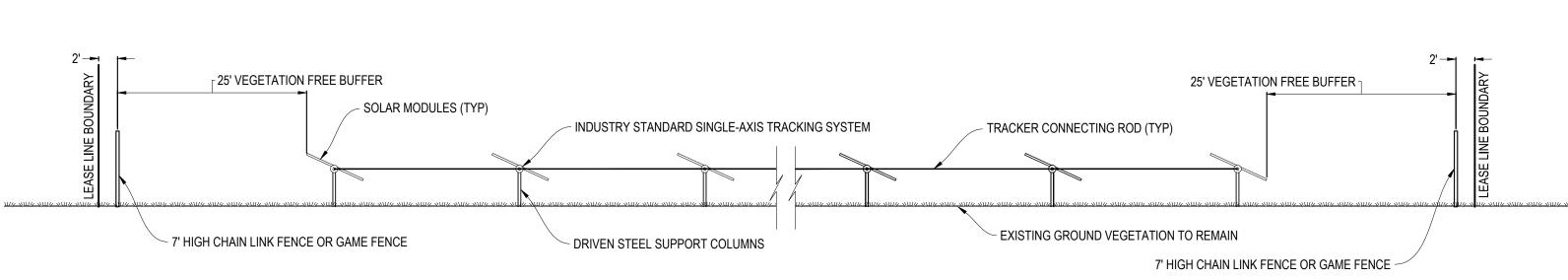
5 OF 7

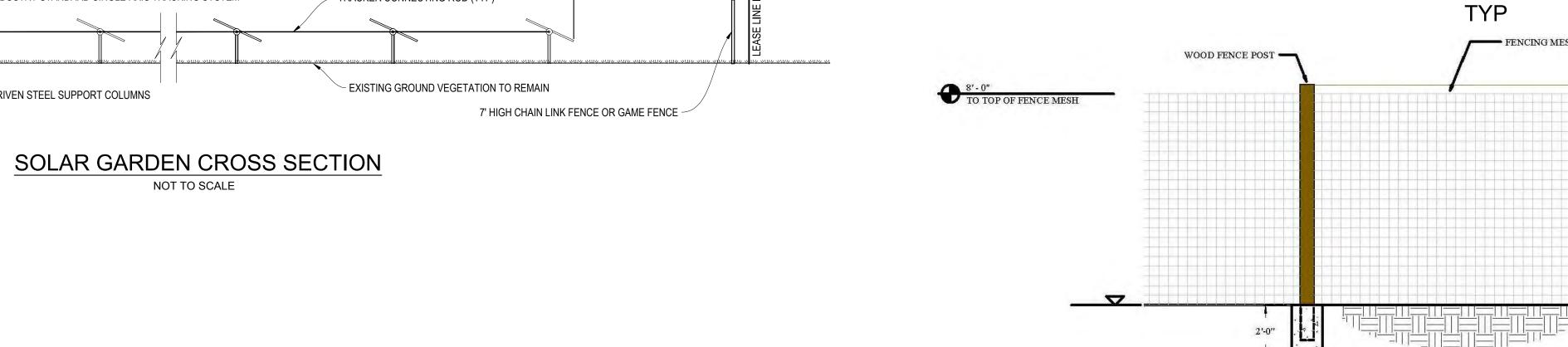


NOT TO SCALE









GAME FENCE DETAIL

GAME FENCE PHOT

Eco-Pan Specification sheet

sy concrete pump washout, ready mix trucks, and other equipment vith cement on site and easy off site recycling of the same concrete

projects where concrete, stucco, mortar, grout and cement are used as a material or where cementitious wastewater is created.

intenance

clean out when % full, not allowing the Eco-Pan to overflow. ewater level and request service, Replace with empty Eco-Pan, as needed. Pan's to ensure that proper housekeeping are employed when washing out

ned and watertight eco-pan with added fork channels for portability captures concrete wastewater and washout material. Our eco-pan's come in two ammodate every size pour, 1 yard /2 ton or 2.5 yard 4.5 ton.

must be portable and temporary, watertight, equipped with fork channels and ng capacity to accept washout from approximately 250 yds - 2,5 yard /4.5ton, ⇒1yard /2 ton of poured concrete.



ipacity r Wash Outs*



rpacity r Wash Outs*

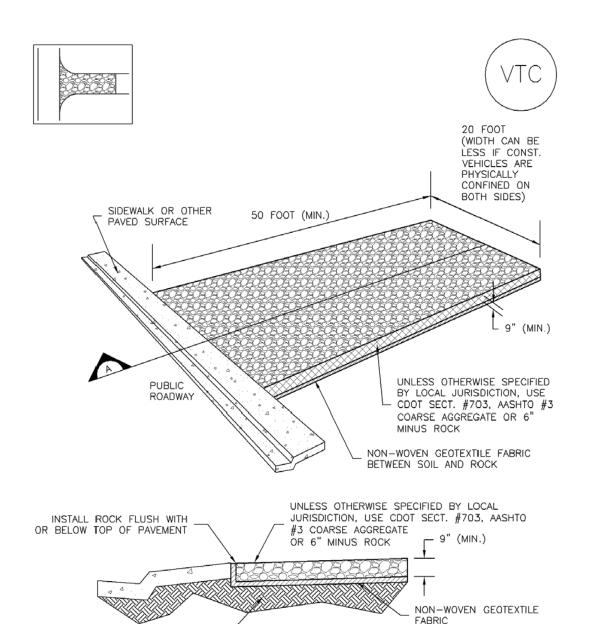
nough to contain material from Pump Hopper)

CONCRETE WASHOUT DETAIL

NOT TO SCALE

Vehicle Tracking Control (VTC)

COMPACTED SUBGRADE -



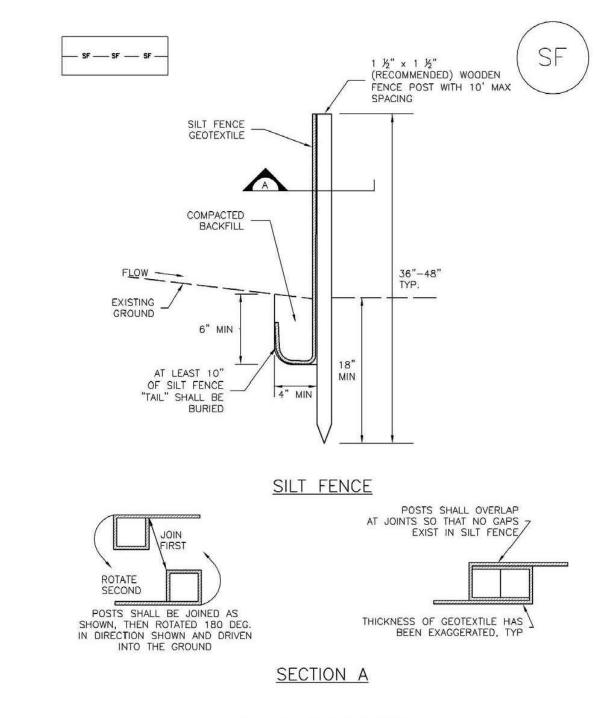
SM-4

VTC-1. AGGREGATE VEHICLE TRACKING CONTROL

SECTION A

November 2010 Urban Drainage and Flood Control District VTC-3 Urban Storm Drainage Criteria Manual Volume 3

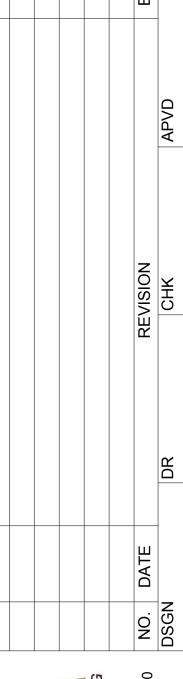
Silt Fence (SF)

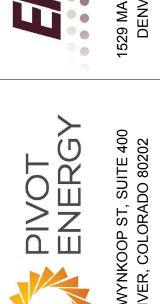


SF-1. SILT FENCE

November 2010 Urban Drainage and Flood Control District Urban Storm Drainage Criteria Manual Volume 3

SC-1





REUSE (



GESC DETAILS **VERIFY SCALE**

BAR IS ONE INCH ON ORIGINAL DRAWING. 12/14/2018 SHEET 7 OF 7

Q:\MICROGRID\MTN SOLAR 1\07-CADD\SHEETS\5 GESC DETAILS.DWG

Community & Economic Development Department www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204 PHONE 720.523.6800 FAX 720.523.6998

Development Review Team Comments

Date: 12/13/2018

Project Number: RCU2018-00055

Project Name: Molberg at Imboden Solar

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the conditional use permit. Please contact the case manager if you have any questions:

Commenting Division: Addressing Review

Name of Reviewer: Eden Steele

Date: 12/06/2018

Email:

Complete

Commenting Division: ROW Review

Name of Reviewer: Eden Steele

Date: 12/06/2018

Email:

Resubmittal Required

ROW1: Imboden Rd. is a City of Aurora Rd. Contact City of Aurora for additional right-of-way dedication requirements. Right-of-way dedication will be required as a condition of approval.

ROW2: 45th Ave is classified as a local street which requires 30-feet of right-of-way for the ½ street. There is already 30-feet of ROW present. If there is a rational nexus to acquire additional right of way it needs to be equal to the impact of the development. This can be determined by a traffic impact study and/or public improvement requirements for the development.

Commenting Division: Planner Review

Name of Reviewer: Greg Barnes

Date: 12/07/2018

Email: gjbarnes@adcogov.org

Resubmittal Required

PLN01: Please specify which fence type will be used (chain link or game) and specify this on the site plan too.

PLN02: The rear setback in the A-3 zone district is 20 feet. (Section 3-10-07-03-04, DSR)

Commenting Division: Building Safety Review

Name of Reviewer: Justin Blair

Date: 12/03/2018

Email: jblair@adcogov.org

Complete

BSD1- Building permits would be required. Engineered plans will be required to obtain permits.

BSD2- Applicant should refer to commercial and industrial submittal requirements.

BSD3- Current adopted codes are the 2012 International Building Codes, 2006 International Energy Code, and

the 2014 National Electrical Code

BSD4- Applicant should contact Fire Department for their requirements.



Bennett-Watkins Fire Rescue

District Office: 303-644-3572 Fax: 303-644-3401 355 4th Street, Bennett, CO 80102 Email: LifeSafety@BennettFireRescue.org

"Striving to Preserve Life and Property"

December 7th, 2018

Greg Barnes Adams County Planning & Development 4430 South Adams County Parkway 1st Floor - Suite W2000A Brighton, CO 80601-8216

Re: RCU2018-00055 Molberg at Imboden Solar

Manager Barnes,

In regards to the RCU2018-00055 Molberg at Imboden Solar, Bennett –Watkins Fire Rescue (BWFR) is providing this letter of comments for Adams County as follows:

- KNOX fire department gate access to the facility shall be provided/maintained at all times. Gate width shall not be less than 20ft minimum.
- Facility address and sign must be posted on a permanent sign and maintained at all times identifying the address, facility name, and facility contact information.
- A site vegetation management plan shall be provided and approved by BWFR. The facility shall be maintained in compliance with this plan and current International Fire Code requirements at all times for the life of the facility.
- Access road to facility shall be a width not less than 20 feet and comprised of Class 6 road base or better at a 6" depth.
- Access road shall confirm to IFC guidelines listed in 2012 IFC and Appendix D, including turnarounds (if equipped).
- Installation of solar equipment shall conform to all IFC guidelines as indicated in 2012 IFC 605.11 through 605.11.2 and 605.11.4 at all times.
- Bennett Fire Protection District will require the applicant to address the facility's wildfire interface
 exposure to surrounding wildland area. There is some concern that if native vegetation is allowed
 to grow in and around the arrays that the equipment can be exposed to fire or vice versa an
 equipment malfunction can cause a fire which extends through vegetation outside the facility. A
 vegetation management plan will be required for this facility. Fire breaks or other mitigation
 measures may also be warranted with this large of a facility.
- It is highly recommended that the applicant contact the Fire District directly to obtain more information on the Adams County fire code requirements for this project.

If you have any other questions or concerns, please feel free to contact me. Thanks!

Thank You

Carlon-

Captain Caleb J. Connor Life Safety Division Bennett-Watkins Fire Rescue 303-644-3572 - Headquarters / 720-893-7672 - Direct www.BennettFireRescue.org

Greg Barnes

From: Hackett - CDPHE, Sean [sean.hackett@state.co.us]

Sent: Monday, November 26, 2018 7:35 AM

To: Greg Barnes

Subject: Re: For Review: Molberg at Imboden (RCU2018-00055)

Attachments: image002.jpg

CDPHE does not have any comments on this request.

Sincerely,

Sean Hackett
Oil and Gas Liaison
Colorado Department of Public Health and Environment



P 303.692.3662 | F 303.691.7702

4300 Cherry Creek Drive South, Denver, CO 80246 sean.hackett@state.co.us | www.colorado.gov/cdphe

On Fri, Nov 16, 2018 at 2:02 PM Greg Barnes < GJBarnes@adcogov.org > wrote:

Request for Comments

Case Name: Molberg at Imboden Solar

Case Number: RCU2018-00055

November 16, 2018

The Adams County Planning Commission is requesting comments on the following application: **conditional use permit to allow a solar energy facility in the Agricultural-3 (A-3) zone district.** This request is located at 4401 Imboden Road. The Assessor's Parcel Number is 018170000165.



Northeast Regional Office 6060 Broadway Denver, CO 80216 P 303.291.7227 | F 303.291.7114

November 30, 2018

Greg Barnes Adams County Community and Economic Development Department 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216

RE: Conditional Use Permit to allow a Solar Energy Facility in the Agricultural-3 (A-3) Zone District (RCU2018-00056)

Dear Mr. Barnes:

Thank you for the opportunity to comment on the Molberg at Imboden solar energy facility conditional use permit. The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

The proposed 12-acre Molberg at Imboden solar facility conditional use permit is for a solar garden facility with approximately 6,200 solar panels located at 4401 Imboden Road, Watkins, Adams County, Colorado (parcel numbers 018170000165). The proposed solar garden facility is surrounded by agricultural lands and immediately north of a similar solar facility and the proposed Pivot-38 solar facility.

District Wildlife Manager Serena Rocksund recently analyzed this site. The main impacts to wildlife from this development include fragmentation and loss of habitat. Fragmentation of wildlife habitat has been shown to impede the movement of big game species across the landscape. Open space areas are more beneficial to wildlife if they connect to other natural areas. The areas of wildlife habitat that most closely border human development show heavier impact than do areas on the interior of the open space. However, when open space areas are smaller in size, the overall impact of the fragmentation is greater (Odell and Knight, 2001). By keeping open space areas contiguous and of larger size the overall benefit to wildlife increases dramatically.

CPW would expect a variety of wildlife species to utilize this site on a regular basis, most notably, small to mid-sized mammals, songbirds, and raptors. The potential also exists for large mammals such as deer and pronghorn to frequent this site. Raptors and other migratory birds are protected from take, harassment, and nest disruption at both the state and federal levels. If an active nest is discovered within the development area, CPW recommends that



buffer zones around nest sites be implemented during any period of activity that may interfere with nesting season. This will prevent the intentional or unintentional destruction of an active nest.

For further information on this topic, a copy of the document "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors," is available from your local District Wildlife Manager or located at

https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RaptorBufferGuidelines2008.pdf.

Following the recommendations outlined in this document will decrease the likelihood of unintentional take through disturbance.

If a prairie dog colony is discovered within the project area, the potential may also exist for the presence of burrowing owls. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs, badgers, and foxes. These raptors are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. These laws prohibit the killing of burrowing owls or disturbance of their nests. Therefore, if any earth-moving will begin between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey can also be obtained from your local District Wildlife Manager or found at

https://cpw.state.co.us/Documents/WildlifeSpecies/LivingWithWildlife/RecommendedSurvey Owls.pdf

If prairie dog colonies are present, CPW recommends they either be captured alive and moved to another location or humanely euthanized before any earth-moving occurs. The possibility of live-trapping and donating to a raptor rehabilitation facility or the black-footed ferret recovery program may also exist. If interested, please contact the local District Wildlife Manager. Be aware that a permit and approval from county commissioners may be required for live relocation.

CPW recommends that all site lights be motion-activated and downward-directed to minimize light pollution for active nocturnal or resting diurnal wildlife species.

CPW recommends the installation of an exclusionary fence to prevent deer from accessing the solar facility. Exclusionary fence should be at least seven-feet in height, with round-capped posts for wildlife safety, plus the addition of two strands of top wire, at least six-inches apart, for a total fence height of at least eight feet. This design is to prevent wildlife from impaling themselves or entanglement if they attempt to cross into the solar facility. The bottom of the fence shall also be four inches or less from the ground. CPW has developed a document,

https://cpw.state.co.us/Documents/LandWater/PrivateLandPrograms/FencingWithWildlifeIn Mind.pdf, to assist with choosing the correct type of fencing to allow or restrict wildlife movement.

Also, CPW requests the solar garden facility be checked at least every few days, in the unlikely event a deer or other wildlife become trapped in the facility, and can be released. CPW is also asking solar garden facilities to monitor birds that may have died within the facility and submit an annual list to the District Wildlife Manager.

Thank you again for opportunity to comment on the conditional use permit for the Molberg at Imboden Solar Garden Facility in Adams County. Please do not hesitate to contact us again about ways to continue managing the facility in order to maximize wildlife value while minimizing potential conflicts. If you have any further questions, please contact District Wildlife Manager Serena Rocksund at (303) 291-7132 or serena.rocksund@state.co.us.

Sincerely,

Crystal Chick

Area 5 Wildlife Manager

Crystal Chick

Cc: M. Leslie, T. Kroening, S. Rocksund



November 30, 2018

Greg Barnes Adams County Community and Economic Development 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601

RE: Molberg at Imboden Solar, RCU2018-00055

TCHD Case No. 5285

Dear Mr. Barnes,

Thank you for the opportunity to review and comment on the Conditional Use Permit to allow a solar energy facility in the Agricultural-3 zone district located at 4401 Imboden Road. Tri-County Health Department (TCHD) staff has reviewed the application for compliance with applicable environmental and public health regulations and principles of healthy community design. After reviewing the application, TCHD the following comments.

Renewable Energy

Alternative energy supplies generally do not contribute to air and water pollution and can have a positive impact on the environment. TCHD commends the applicant for bringing forward a proposal that promotes the use of renewable energy.

Wastewater Service for Construction Trailers

The applicant does not state what means they will be using to dispose of wastewater from the onsite personnel during the construction phase. If the applicant is proposing to use portable restrooms, TCHD has no objection to the use of portable toilets, provided the units are properly cleaned and maintained. While TCHD cannot require the use of hand sinks, we recommend that the applicant provide those for the workers, as it will reduce the potential for the transmission of disease.

Solid Waste

Rodents, such as mice and rats, carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, or saliva, or through rodent bites. As rodents are attracted to trash, TCHD strongly recommends that all trash dumpsters on site during construction are equipped with a closeable lid and with regular collection and disposal at an approved landfill.

Fugitive Dust - Recommendations for Temporary Uses

Exposure to air pollution is associated with a number of health problems including asthma, lung cancer, and heart disease. Construction, and traffic in unpaved areas may contribute to increased fugitive dust emissions. We recommend that the applicant utilize

Molberg at Imboden Solar November 30, 2018 Page 2 of 2

all available methods to minimize fugitive dust. Control measures or procedures that may be employed include, but are not limited to, watering, chemical stabilization, carpeting roads with aggregate, and speed restrictions.

Please feel free to contact me at 720-200-1585 or aheinrich@tchd.org if you have any questions.

Sincerely,

Annemarie Heinrich, MPH/MURP Land Use and Built Environment Specialist

cc: Sheila Lynch, Monte Deatrich, TCHD



Right of Way & Permits 1123 West 3rd Avenue

Denver, Colorado 80223 Telephone: 303.571.3306 Facsimile: 303. 571.3284 donna.l.george@xcelenergy.com

December 6, 2018

Adams County Community and Economic Development Department 4430 South Adams County Parkway, 3rd Floor, Suite W3000 Brighton, CO 80601

Attn: Greg Barnes

Re: Molberg at Imboden Solar, Case # RCU2018-00055

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the conditional use plans for **Molberg at Imboden Solar** and has **no apparent conflict**.

Please be aware PSCo owns and operates existing electric distribution facilities within the subject property. The property owner/developer/contractor must complete the **application process** for any new natural gas or electric service, or modification to existing facilities via FastApp-Fax-Email-USPS (go to:

https://www.xcelenergy.com/start, stop, transfer/new construction service activation for builders). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

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

Should you have any questions with this referral response, please contact me at 303-571-3306.

Donna George
Right of Way and Permits
Public Service Company of Colorado

Community & Economic Development Department Development Services Division

www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 PHONE 720.523.6800 FAX 720.523.6967

Request for Comments

Case Name: Case Number: Molberg at Imboden Solar RCU2018-00055

November 16, 2018

The Adams County Planning Commission is requesting comments on the following application: conditional use permit to allow a solar energy facility in the Agricultural-3 (A-3) zone district. This request is located at 4401 Imboden Road. The Assessor's Parcel Number is 018170000165.

Applicant Information: TCA Microgrid Energy DBA Pivot Energy

Jon Fitzpatrick

1536 Wynkoop Street, #400

Denver, CO 80202

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 12/07/2018 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to GJBarnes@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you for your information upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Greg Barnes

Case Manager



Due to the harmonious existence of other similar projects in the immediate area, the solar arrays are not anticipated to cause any impact to the operations of Denver International Airport to the northwest, or Front Range Airport to the northeast. At the time of this application, Applicant has received a determination from the FAA on the projects indicating no anticipated impacts.

Applicant is familiar with the Bennett Fire and Protection District's requirements for the final design of the solar array.

- 4. Applicant does not anticipate any significant off-site impacts resulting from the projects, with no pollution, noise, increased traffic, or other impacts expected during normal operations. Construction impacts will be limited to the construction window discussed above. During this window, there will be increased traffic during the morning and afternoon as workers and materials arrive and depart from the site. Space for parking and equipment lay down within the site is sufficient, and applicant has designed the projects with setbacks in mind.
- 5. The project site is a great fit for the solar array considering the nearby uses. All around the project area are low-density rural residential development and agricultural uses. There are operational solar arrays within 1 mile from this project site to the north and the south. When the project is decommissioned, the land will again be available for development and consideration of uses suited to the area at that time. There are no environmental concerns or constraints on the subject parcel.
- 6. The location of the project on the parcel is the most convenient and functional use of the parcel because it maximizes the solar array on the lot without wasting any space or taking away from other potential uses.
- 7. As mentioned above, the proposed project does not require sewer, water, or septic systems, and because of the negligible increase in impervious area storm water drainage is not anticipated to be a concern. The road designed and outlined by Enertia Consulting Group is adequate to provide emergency access for emergency services, and the road will function to serve the needs of the conditional uses as designed and proposed.
- 8. Neighborhood meeting: Applicant hosted a neighborhood meeting for the project on Tuesday October 30, 2018 at Lulu's Inn in Watkins, CO from 5 7 pm. Three families attended the meeting: one is the land owner of the subject parcel. One was Richard Johnson, a neighbor to the southwest. The final family was Cheryl and Dave Dye who live near but not adjacent to the subject parcel. They were supportive of the concepts. No one left a specific comment on the available comment sheets.

There is currently and oil and gas lease in place on the subject parcel. Applicant will ensure the mineral estate owner and the mineral lessee will both receive notice per the provisions of C.R.S.

Community & Economic Development Department Development Services Division

www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 PHONE 720.523.6800 FAX 720.523.6967

Public Hearing Notification

Case Name: Case Number: Molberg at Imboden Solar RCU2018-00055

Planning Commission Hearing Date: Board of County Commissioners Hearing Date: 2/14/2019 at 6:00 p.m. 3/26/2019 at 9:30 a.m.

January 18, 2019

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request: **Conditional use permit to allow solar energy facility in an Agricultural-3 (A-3) zone district.**

This request is located at 4401 Imboden Road on 20 acres of a 40 acre parcel. The Assessor's Parcel Number is 0181700000165.

Applicant Information:

TCA Microgrid Energy DBA Pivot Energy

Jon Fitzpatrick

1536 Wynkoop St, #400 Denver, CO 80202

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601-8216. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at (720) 523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date.

For further information regarding this case, please contact the Community and Economic Development Department, 4430 S Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed.

The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Greg Barnes Case Manager

PUBLICATION REQUEST

Molberg at Imboden Solar

Case Number: RCU2018-00055
Planning Commission Hearing Date: 2/14/2019 at 6:00 p.m.
Board of County Commissioners Hearing Date: 3/5/2019 at 9:30 a.m.

Request: Conditional use permit to allow solar energy facility in an Agricultural-3 (A-3) zone district

Location: 4401 IMBODEN RD Parcel Number: 0181700000165

Case Manager: Greg Barnes

Applicant: JON FITZPATRICK

1536 WYNKOOP ST

#400

DENVER, CO 80202

Owner: MOLBERG LEONARD W AND

MOLBERG JUDITH A 13184 ROBINS DR DENVER, CO 802393720

Legal Description: A PART OF THE NORTHEAST 1/4 OF SECTION 19, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6^{TH} P.M., DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 19; THENCE SOUTH 0'02'43" WEST ALONG THE EAST LINE OF THE NORTHEAST 1/2, OF SAID SECTION 19, A DISTANCE OF 1324.41 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 0'02'43" WEST ALONG SAID EAST LINE 1324.41 FEET TO THE EAST 1/20 CORNER OF SAID SECTION 19; THENCE NORTH 89'27'39" WEST ALONG THE SOUTH LINE OF SAID NORTHEAST 1/20 1368.50 FEET; THENCE NORTH 0'05'37" EAST 1323.37 FEET; THENCE SOUTH 89'27'39" WEST (EAST) 1367.37 FEET TO THE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.



BENNETT FIRE DISTRICT #7

Referral Listing Case Number RCU2018-00055 Molberg at Imboden Solar

Contact Information

Agency Adams County Attorney's Office Christine Fitch CFitch@adcogov.org 4430 S Adams County Pkwy Brighton CO 80601 720-523-6352 Adams County CEDD Development Services Engineer Devt. Services Engineering 4430 S. Adams County Pkwy. Brighton CO 80601 720-523-6800 Adams County CEDD Environmental Services Division Jen Rutter 4430 S Adams County Pkwy Brighton CO 80601 720-523-6841 jrutter@adcogov.org Adams County CEDD Right-of-Way Marissa Hillje 4430 S. Adams County Pkwy. Brighton CO 80601 720-523-6837 mhillje@adcogov.org Adams County Development Services - Building Justin Blair 4430 S Adams County Pkwy Brighton CO 80601 720-523-6825 JBlair@adcogov.org Adams County Parks and Open Space Department Aaron Clark mpedrucci@adcogov.org (303) 637-8005 aclark@adcogov.org Adams County Sheriff's Office: SO-HQ Rick Reigenborn (303) 654-1850 rreigenborn@adcogov.org SCOTT MILLER Adams County Sheriff's Office: SO-SUB 720-322-1115

smiller@adcogov.org

303-532-7733

Captain Caleb J Connor 825 SHARIS CT BENNETT CO 80102

CalebConnor@BennettFireRescue.org

303-644-3572

Contact Information Agency CHIEF EARL CUMELY BENNETT FIRE DISTRICT #7 825 SHARIS CT BENNETT CO 80102 303-644-3434 ecumley941@aol.com BENNETT PARK AND RECREATION Chris Raines **PO BOX 379** 455 S. 1ST ST. BENNETT CO 80102-0379 303-644-5041 Director@bennettrec.org BENNETT SCHOOL DISTRICT 29J Robin Purdy 615 7TH ST. BENNETT CO 80102 303-644-3234 Ext: 8203 robinp@bsd29j.com **CDPHE** Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 303.692.3662 303.691.7702 sean.hackett@state.co.us **CDPHE** Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 303.692.3662 sean.hackett@state.co.us **CDPHE** Sean Hackett 4300 S Cherry Creek Dr Denver CO 80246 sean.hackett@state.co.us CDPHE - AIR QUALITY Richard Coffin 4300 CHERRY CREEK DRIVE SOUTH DENVER CO 80246-1530 303.692.3127 richard.coffin@state.co.us CDPHE - WATER QUALITY PROTECTION SECT Patrick Pfaltzgraff 4300 CHERRY CREEK DRIVE SOUTH WOCD-B2 DENVER CO 80246-1530 303-692-3509 patrick.j.pfaltzgraff@state.co.us CDPHE SOLID WASTE UNIT Andy Todd 4300 CHERRY CREEK DR SOUTH HMWMD-CP-B2 DENVER CO 80246-1530 303.691.4049 Andrew.Todd@state.co.us

Contact Information Agency Brandyn Wiedreich Century Link, Inc 5325 Zuni St. Rm 728 Denver CO 80221 720-578-3724 720-245-0029 brandyn.wiedrich@centurylink.com CITY OF AURORA - WATER AND SAN. DEPT. PETER BINNEY 15151 E ALAMEDA PKWY #3600 AURORA CO 80012 303-739-7370 pbinney@ci.aurora.co.us CITY OF AURORA ATTN: PLANNING DEPARTMENT Porter Ingrum 15151 E ALAMEDA PKWY 2ND FLOOR AURORA CO 80012 (303) 739-7227 303.739.7000 pingrum@auroragov.org Code Compliance Supervisor Eric Guenther eguenther@adcogov.org 720-523-6856 eguenther@adcogov.org Colorado Air and Spaceport Dave Ruppel 5200 Front Range Airport WATKINS CO 80137-7131 303-261-9100 druppel@ftg-airport.com COLORADO DIVISION OF WILDLIFE Serena Rocksund 6060 BROADWAY DENVER CO 80216 3039471798 serena.rocksund@state.co.us COLORADO DIVISION OF WILDLIFE Eliza Hunholz Northeast Regional Engineer 6060 BROADWAY DENVER CO 80216-1000 303-291-7454 eliza.hunholz@state.co.us COMCAST JOE LOWE 8490 N UMITILLA ST FEDERAL HEIGHTS CO 80260 303-603-5039 thomas_lowe@cable.comcast.com Denver International Airport Tim Hester Planning & Design 8500 Peña Boulevard Denver CO 80249 (303) 342-2391 Tim.Hester@flydenver.com FEDERAL AVIATION ADMINISTRATION LINDA BRUCE

linda.bruce@faa.gov

303-342-1264

26805 E 68TH AVENUE, #224 DENVER CO 80249-6361

Contact Information Agency METRO WASTEWATER RECLAMATION **CRAIG SIMMONDS** 6450 YORK ST. DENVER CO 80229 303-286-3338 CSIMMONDS@MWRD.DST.CO.US NS - Code Compliance Gail Moon gmoon@adcogov.org 720.523.6833 gmoon@adcogov.org TRI-COUNTY HEALTH DEPARTMENT Sheila Lynch 6162 S WILLOW DR, SUITE 100 GREENWOOD VILLAGE CO 80111 720-200-1571 landuse@tchd.org TRI-COUNTY HEALTH DEPARTMENT MONTE DEATRICH 4201 E. 72ND AVENUE SUITE D COMMERCE CITY CO 80022 (303) 288-6816 mdeatrich@tchd.org Tri-County Health: Mail CHECK to Sheila Lynch Tri-County Health landuse@tchd.org Xcel Energy Donna George 1123 W 3rd Ave DENVER CO 80223 303-571-3306 Donna.L.George@xcelenergy.com Xcel Energy Donna George 1123 W 3rd Ave DENVER CO 80223 303-571-3306 Donna.L.George@xcelenergy.com

CONOCOPHILLIPS COMPANY 34501 E QUINCY AVE BLDG 1 WATKINS CO 80137-9303

DYE DAVID O AND DYE CHERYL A 4101 IMBODEN MILE RD/BOX 36 WATKINS CO 80137-0036

MOLBERG LEONARD W AND MOLBERG JUDITH A 13184 ROBINS DR DENVER CO 80239-3720

PARK JOONG HO AND PARK KYO OK 5415 S HANNIBAL COURT CENTENNIAL CO 80015

ROBSON RYAN E 1863 ASOKA ST STRASBURG CO 80136-7708

STEWY LLC 595 CIRCLE DR DENVER CO 80206-4112

WESTERN TRANSPORT LLC UND 58.76% AND TREE TO P LP AND LP UND 21.24% AND COLORADO MAVERICK COMPANY LLC UND 20% 625 E MAIN ST STE 1028-303 ASPEN CO 81611-1935

AGNEW R ROGER AKA AGNEW RAYMOND R OR CURRENT RESIDENT 4100 ECLECTIC ST WATKINS CO 80137-7163

CURRENT RESIDENT 4101 IMBODEN RD WATKINS CO 80137-7136

CERTIFICATE OF POSTING



I, J. Gregory Barnes do hereby certify that I posted the property at 4401 Imboden Road on February 1, 2019 in accordance with the requirements of the Adams County Development Standards and Regulations.

J. Gregory Barnes

Molberg at Imboden

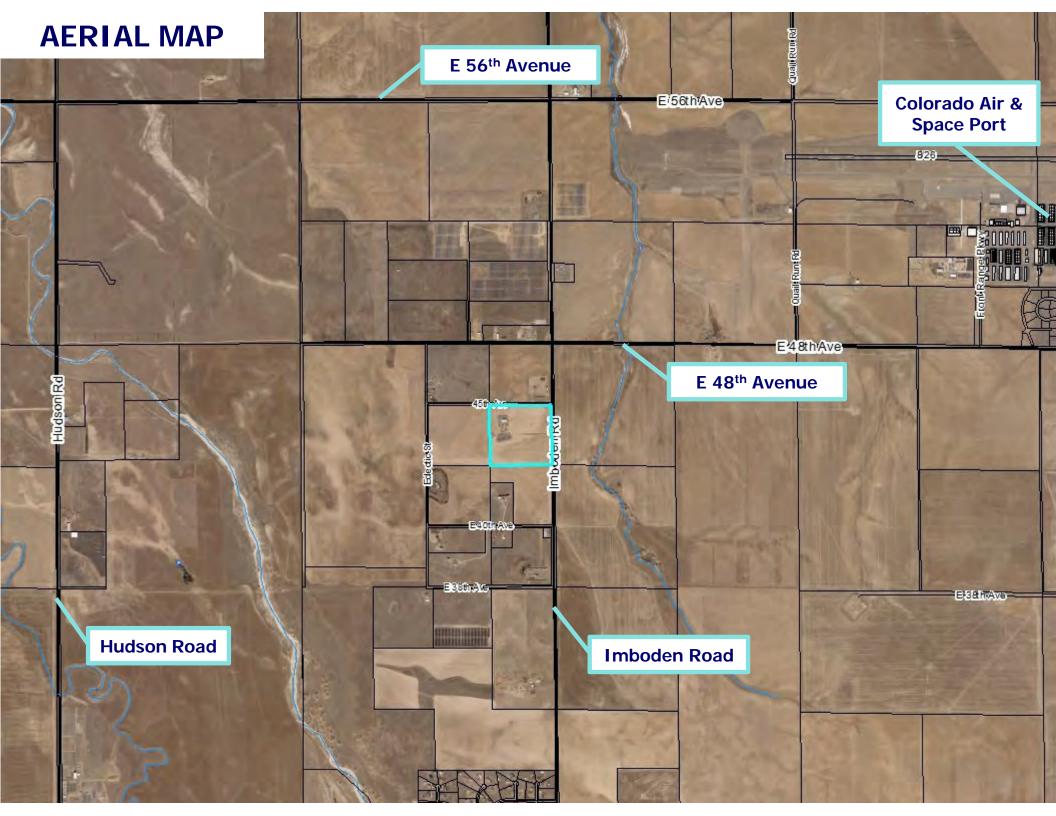
RCU2018-00055

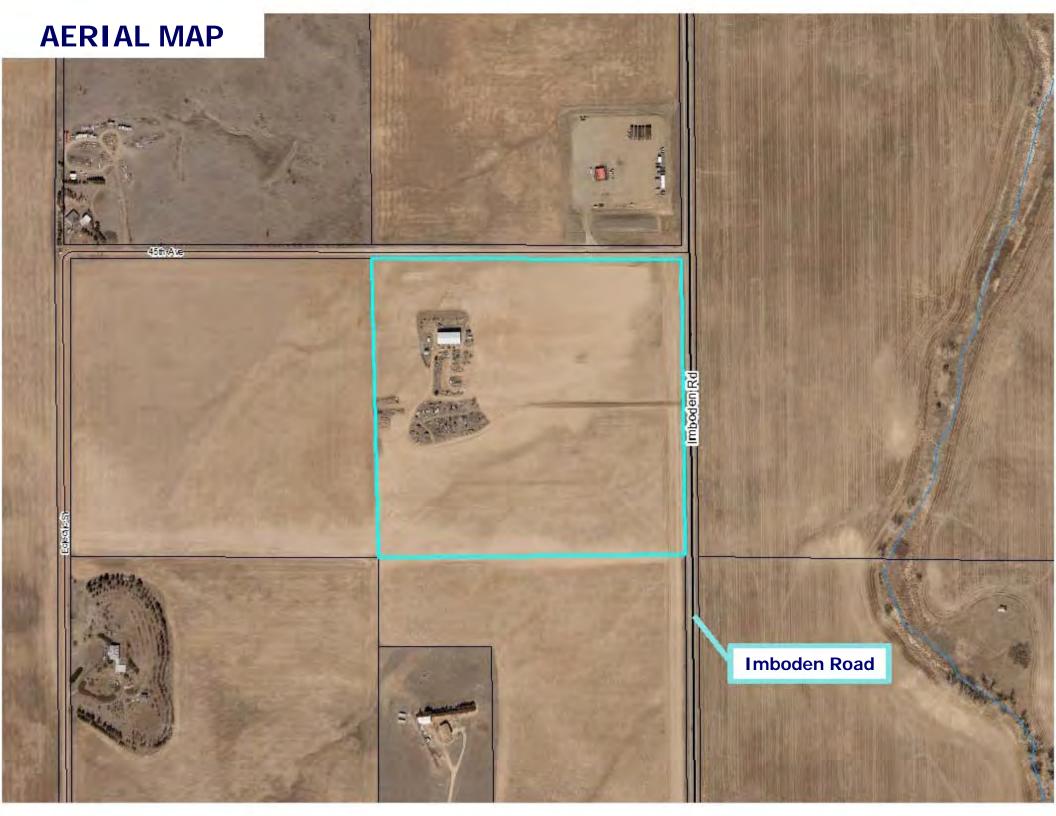
4401 Imboden Road

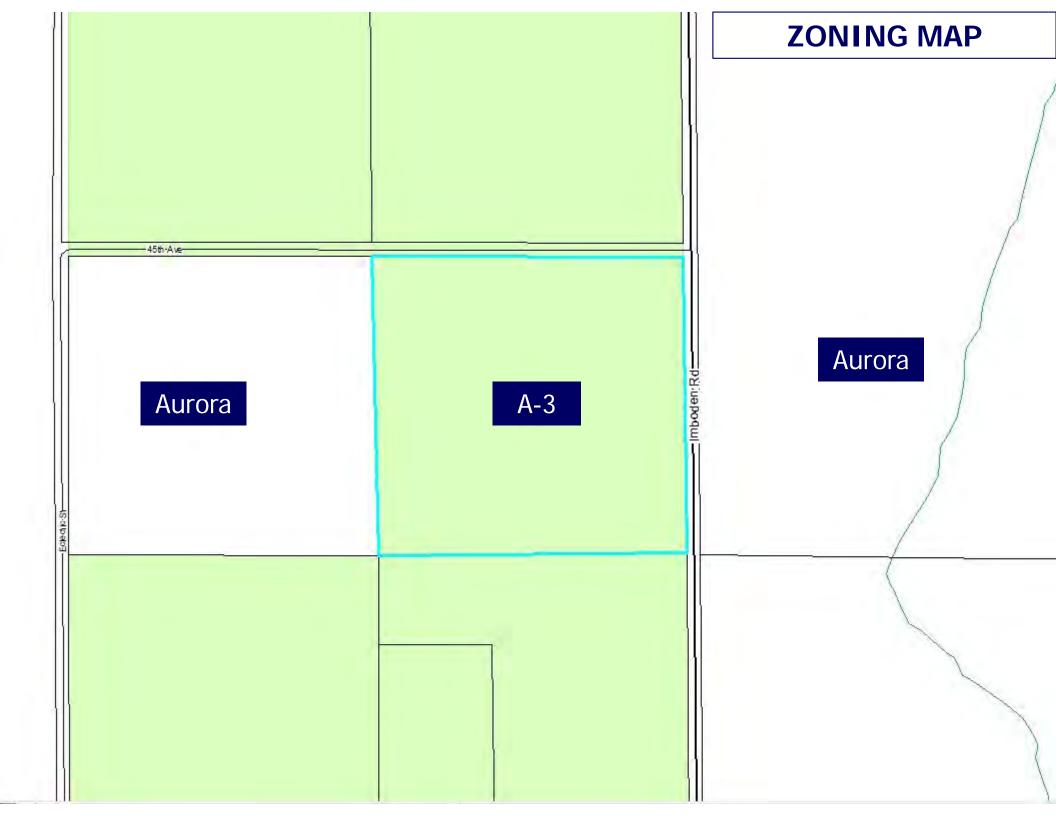
March 26, 2019
Board of County Commissioners Public Hearing
Community and Economic Development Department
Case Manager: Greg Barnes

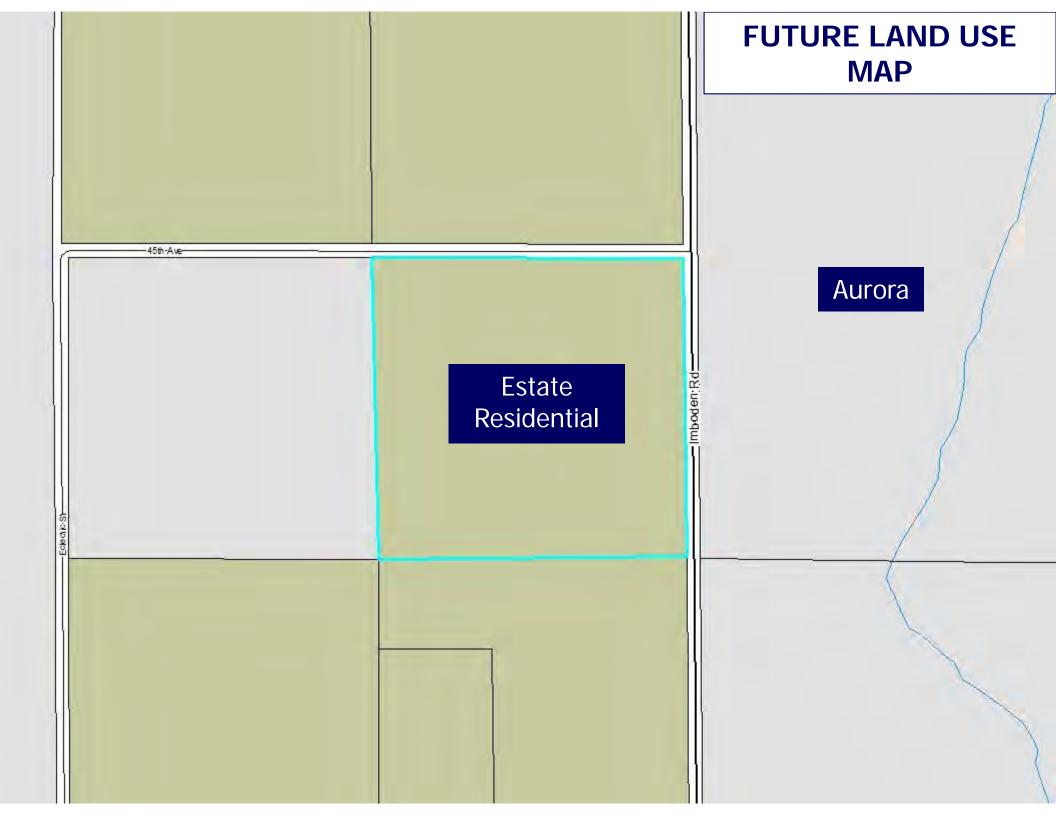
Request

Conditional Use Permit to allow a solar garden facility in the Agricultural-3 (A-3) zone district.





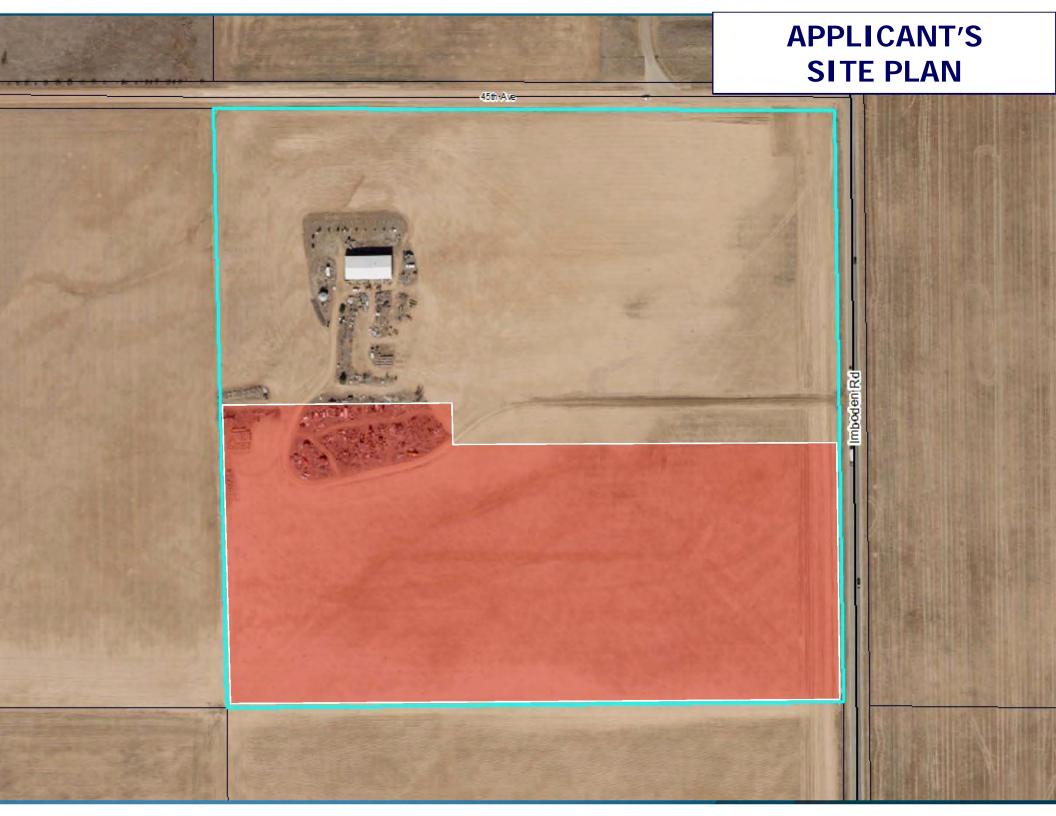




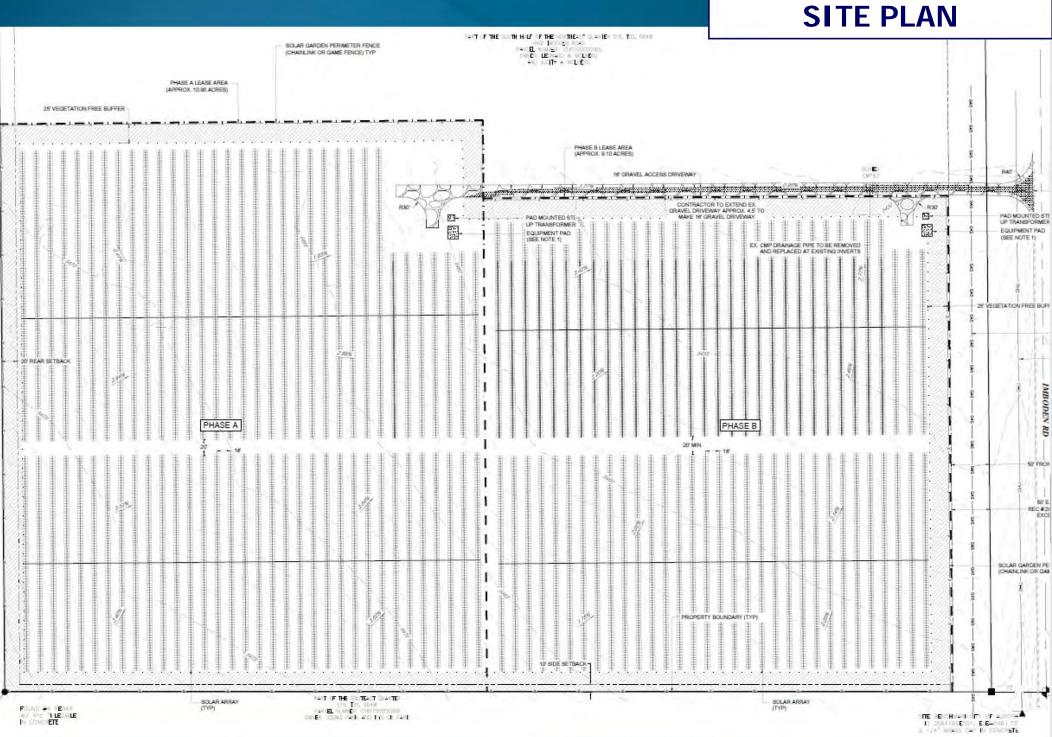
Criteria for Conditional Use

Section 2-02-08-06

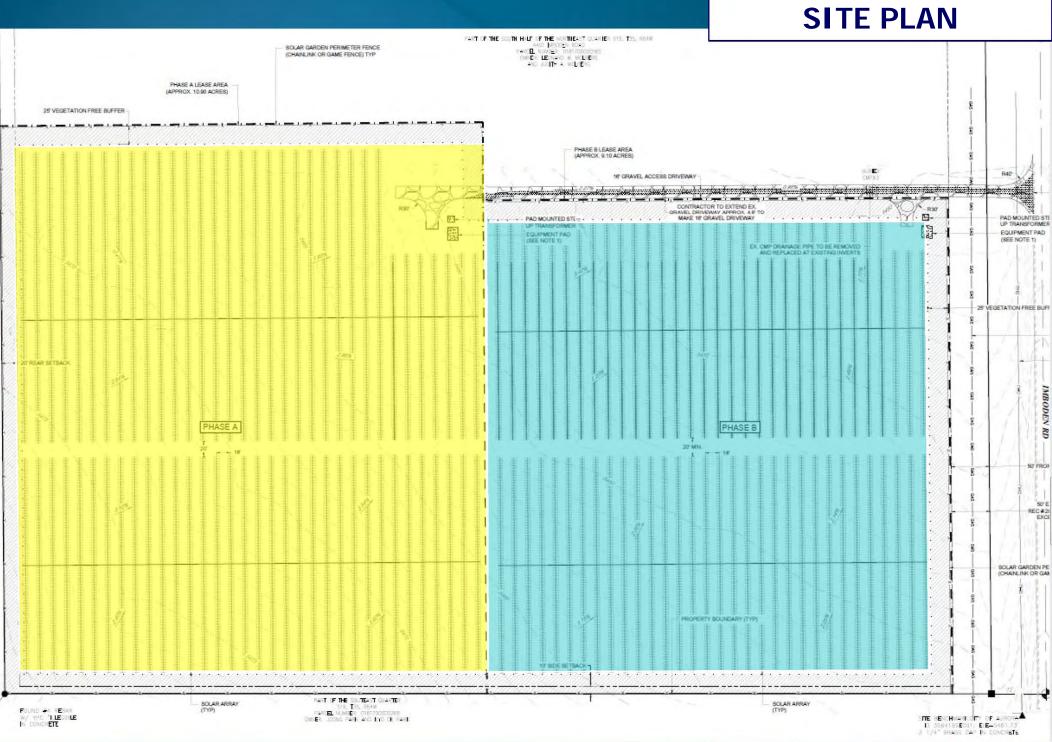
- 1. Permitted in zone district
- 2. Consistent with regulations
- 3. Comply with performance standards
- 4. Harmonious & compatible
- 5. Addressed all off-site impacts
- 6. Site suitable for use
- 7. Site plan adequate for use
- 8. Adequate services



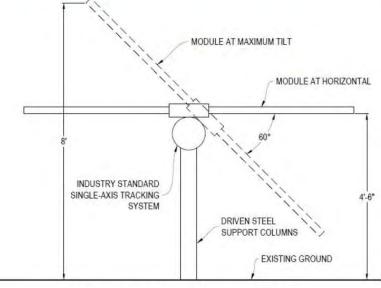
APPLICANT'S SITE PLAN



APPLICANT'S SITE PLAN



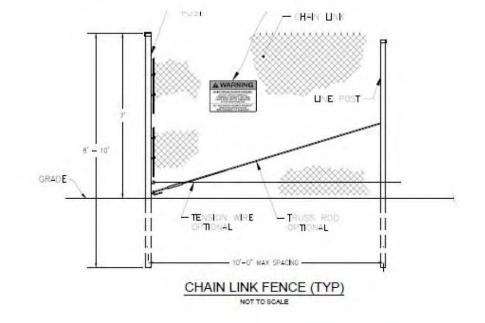
SITE DETAILS



NOTE: FINAL DIMENSIONS SUBJECT TO FINAL DESIGN.

TYPICAL PV ARRAY RACKING SYSTEM

NOT TO SCALE





GAME FENCE PHOTO TYP

WOOD FENCE POST

TO TOP OF FENCE MESSE

FENCING MESSE

TO TOP OF FENCE MESSE

FORT FOR ROLL ATTOM

FORT FOR ROLL ATTOM

FORT FOR ROLL ATTOM

FOR THE POST FOR ROL

GAME FENCE DETAIL









Referral Period

Notices sent*	# of Comments Received
9	0

* Property owners and residents within 1,000 were notified

Referral Agencies

- Bennett-Watkins Fire & Rescue
- Colorado Dept. of Public Health & Environment
- Colorado Div. Parks & Wildlife
- Tri-County Health Dept.
- Xcel Energy

Planning Commission Update

Public Hearing on February 14, 2019

No members of the public testified on this case

No issues identified or changes to the application

Recommendation

Approval of the proposed Conditional Use Permit with 8 Findings-of-Fact, 8 Conditions, and 1 Note.

(RCU2018-00055 – Molberg at Imboden)

To be forwarded to the March 26, 2019 Board of County Commissioners agenda

Recommended Conditions

- 1. The conditional use permit shall expire on March 26, 2041 (22 years).
- 2. Prior to issuance of a building permit, the applicant shall file an Aircraft Activity Covenant with Disclosure with the Adams County Clerk & Recorder.
- 3. The applicant shall comply with all of the requirements of the Bennett-Watkins Fire District provided in their letter dated December 7, 2018, including measures for weed control, International Fire Code compliance, and emergency responder access to the site.
- 4. The applicant shall comply with all of the requirements of the Colorado Division of Natural Resources provided in their letter dated November 30, 2018, including surveying the site for nesting birds, swift foxes, prairie dogs, and burrowing owls if installation of panels occurs between March 15th and July 31st of the year.
- 5. The applicant shall comply with all of the requirements of the Tri-County Health Department provided in their letter dated November 30, 2018, including the use of portable toilets and trash enclosures during construction.

Recommended Conditions

- 6. A building permit shall be required for any fence associated with the site.
- 7. Landscaping is not required with development of the site for a solar garden.
- 8. The solar panels on-site shall be removed when the conditional use permit expires, unless an extension or renewal is granted by the Board of County Commissioners.

Recommended Note

1. This conditional use permit shall expire within one year, if a building permit is not obtained for the development.



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

CASE NO.: PRC2018-00009

CASE NAME: MICROGRID ENERGY/ KAMERRA SUBDIVISION

TABLE OF CONTENTS

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EXHIBIT 2- Maps

- 2.1 Aerial Map
- 2.2 Zoning Map
- 2.3 Comprehensive Plan

EXHIBIT 3- Applicant Information

- 3.1 Applicant Written Explanation
- 3.2 Applicant Site Plan
- 3.3 Applicant Preliminary Plat

EXHIBIT 4- Referral Comments

- 4.1 Referral Comments (Development Services)
- 4.2 Referral Comments (Division of Water)
- 4.3 Referral Comments (Tri-County)
- 4.4 Referral Comments (Geological Survey)
- 4.5 Referral Comments (Parks and Wildlife)
- 4.6 Referral Comments (Xcel Energy)

EXHIBIT 5- Public Comments

None

EXHIBIT 6- Associated Case Materials

- 6.1 Request for Comments
- 6.2 Public Hearing Notice
- 6.3 Newspaper Publication
- 6.4 Referral Agency Labels
- 6.5 Property Owner Labels
- 6.6 Posting Certificate



COMMUNITY AND ECONOMIC DEVELOPMENT DEPARTMENT

STAFF REPORT

Board of County Commissioners

March 26, 2019

CASE No.: PRC2018-00009	CASE NAME: Microgrid Energy/Kamerra Subdivision
Owner's Name:	Kamerra LLC
Applicant's Name:	Microgrid Energy (Jon Fitzpatrick)
Applicant's Address:	1536 Wynkoop St., #400, Denver, CO 80202
Location of Requests:	Approximately E. 48 th Ave. and Imboden Rd.
Nature of Requests:	1) Rezoning from Agriculture-3 (A-3) to Agriculture-2 (A-2); 2) Major Subdivision (Preliminary Plat) to create two lots on approximately 23 acres
Zone District:	Agriculture-3 (A-3)
Site Size:	Approximately 23 acres
Proposed Use:	Solar Facility
Existing Use:	Vacant
Hearing Date:	PC: February 28, 2019/ 6:00 pm
	BOCC: March 26, 2019/ 9:30 am
Report Date:	February 28, 2019
Case Manager:	Greg Barnes
PC Recommendation:	APPROVAL with 13 findings-of-fact and 1 note

SUMMARY OF APPLICATION

Background:

The applicant is requesting to rezone the subject property from Agriculture-3 (A-3) to Agriculture-2 (A-2) and a major subdivision (preliminary plat) to create two lots on approximately 23 acres. Currently, the site consists of one parcel that was created by deed in 1998 after adoption of state regulations requiring approval of a subdivision plat to divide land. The lot is therefore illegally subdivided and requires approval of a subdivision plat to correct the legal status. The applicant intends to create two lots to allow for redevelopment of the site with solar facilities.

Development Standards and Regulations Requirements:

Rezone:

Section 2-02-13-06-02 of the County's Development Standards and Regulations outlines the approval criteria for rezoning a property. These include compliance with the requirements and purposes of the Development Standards and Regulations, consistency with the comprehensive plan, and compatibility with the surrounding area.

Currently, the subject property is designated as A-3 on the County's zoning map. Per Section 3-10-01 of the County's Development Standards and Regulations, the purpose of the A-3 designation is to provide landholdings of 35 acres or more for farming, pasturage, and food production. The County's future land use designation on the property is mixed use employment. This land use designation is intended to accommodate a range of employment uses, help increase employment, and contributes to the County's tax base.

In addition, the subject property is located within the Airport Influence Zone (AIZ) Overlay and Restriction Area Two of the Colorado Air and Space Port. The AIZ designation is intended to provide areas within the County suitable for economic development related to general aviation uses. Restriction Area Two prohibits construction of new residential dwelling units, unless the property is 35 acres in size or was created prior to the adoption of the AIZ overlay (August 1, 1983). The subject property does not comply with the requirements to construct a new residential dwelling unit; therefore, the applicant intends to develop the property with a permitted conditional use (solar garden facility).

The request to rezone the property from Agricultural-3 to Agriculture-2 is consistent with the Development Standards and Regulations and does not negatively impact the goals of the County's Comprehensive Plan. Section 3-09-01 of the County's Development Standards and Regulations describes the purpose of the A-2 zone district as providing areas for rural subdivisions, cultivation of land, and farming or animal keeping. Uses permitted in the A-2 zone district include farming, ranching, single-family residential, outdoor public uses, and limited commercial and industrial uses with approval of a conditional use permit. The applicant intends to develop the site with multiple solar facilities which require approval of a conditional use permit. The proposed development conforms to the goals of the Comprehensive Plan to support future development and employment in the County adjacent to the Colorado Air and Space Port.

The subject request also conforms to the dimensional requirements for the A-2 zone district. Per Section 3-09-07 of the County's Development Standards and Regulations, the minimum lot size for properties in the A-2 zone district is ten (10) acres and minimum lot width is four-hundred and twenty-five (425) feet. The proposed subdivision associated with the request consists of two lots, each exceeding the minimum dimensional requirements for the zone district.

Major Subdivision (Preliminary Plat):

The request includes a proposed preliminary plat to create 2 lots on approximately 23 acres. Section 2-02-17-03-05 of the County's Development Standards outlines the criteria for approval for a preliminary plat which includes conformance to the County's Comprehensive Plan, the

subdivision design standards, evidence of adequate water and sewer supply, adequate drainage improvements, and compatibility with the surrounding area.

Per Section 5-03-03 of the County's Development Standards and Regulations, subdivision plats and lot dimensions are required to conform to requirements of the zone district in which the property is located. The subject property is proposed to be rezoned to Agriculture-2 (A-2). Lots 1 and 2 of the proposed subdivision each exceed the minimum 10 acre lot size and 425 foot lot width requirement for the zone district. In addition, Lot 2 is configured as a flag lot. Per Section 4-20-01-02 of the County's Development Standards, flag lots shall be allowed in all zone districts, but shall only be used where all other design alternatives are impractical. The minimum width of the pole of any flag lot shall be thirty (30) feet and the maximum depth of the pole shall be six hundred (600) feet. The proposed lot conforms to the dimensional requirements for a flag pole design and will have access to a public right-of-way, E. 48th Avenue, which abuts the lots to the south.

All lots created by a subdivision shall have access on a County maintained right-of-way. Lot 1 has direct access to Imboden Road, which abuts the lot to the east, and Lot 2 has direct access to E. 48th Avenue, which abuts the lot to the south. The applicant also provided information to the State Division of Water Resources describing the intended solar garden development and restrictions to new residential dwellings as a result of the Airport Influence Zone Restriction Area Two. The State Division of Water stated the proposed development does not require a water supply but that to the extent water supply is needed in the future; there is legally available water in three aquifers underlying the property. In addition, Tri-County Health Department stated the property can be served by an On-site Wastewater Treatment System (OWTS).

All other documents associated with public improvements, including final traffic studies and drainage facilities, will be reviewed with the final plat application.

Future Land Use Designation/Comprehensive Plan:

The Future Land Use Designation on the property is Mixed-Use Employment. Per Chapter 5 of the Adams County Comprehensive Plan, the purpose of the Mixed-Use Employment future land use designation is to accommodate a range of employment uses with a mix of supporting uses to serve employment needs. In addition, Mixed-Used Employment areas are designated in locations that have transportation access and visibility, but are not suitable for residential development. Mixed-Use Employment areas may include offices, light manufacturing, distribution, indoor warehousing, clean industry, and supporting retail businesses.

The current zoning of the property is inconsistent with the adopted Comprehensive Plan and its future land use designation of mixed-use employment. Rezoning the property to A-2 will not negatively impact the goals of the Comprehensive Plan for providing mixed use employment areas. The applicant intends to develop the property with solar energy facilities which will support future commercial development in the area and thus supports the goals of the Comprehensive Plan.

Site Characteristics:

The property abuts Imboden Road to the east and E. 48th Avenue to the south, which provides access to the proposed subdivision. Currently, the site is vacant. The purpose of the proposed subdivision is to create two lots for development of solar garden facilities.

Properties surrounding the site to the north are developed with similar uses, including a utility substation and three solar garden facilities. The property to the south is developed with a single-family residence.

Surrounding Zoning Designations and Existing Use Activity:

Northwest	North	Northeast
A-3	A-3	City of Aurora
Solar Garden	Solar Garden	Utility Substation
West	Subject Property	East
A-3	A-3	City of Aurora
Vacant	Vacant	Vacant
Southwest	South	Southeast
A-3	A-3	City of Aurora
Vacant	Residential	Vacant

Compatibility with the Surrounding Land Uses:

The properties surrounding the site are developed with similar solar garden facilities uses along Imboden Road. Properties to the south of the site are developed with single-family residences. The proposed subdivision to create two lots for solar facilities is consistent with the goals of the Comprehensive Plan and compatible with the surrounding area. Any new development on the subject property must comply with all setbacks, landscaping, and screening standards to buffer adjacent residential uses to the east. A landscape and screening plan would be required with any application for a building permit on the site.

Referral Comments:

The Colorado Division of Water Resources reviewed the request and stated the proposed development does require water supply; however, adequate water supply exists underlying the property. The Colorado Geological Survey and Xcel Energy reviewed the request and had no concerns. Colorado Parks and Wildlife also reviewed the request provided best practices for weed management and construction activity to reduce disturbance to wildlife.

PLANNING COMMISSION UPDATE

The Planning Commission (PC) considered this case on February 28, 2019, and voted (7-0) to recommend approval of the request. The applicant spoke at the meeting and had no concerns with the staff report or presentation. There was no one from the public to speak in favor or in opposition to the request.

Staff Recommendations:

Based upon the application, the criteria for rezoning and a major subdivision preliminary plat, and a recent site visit, staff recommends Approval of this request with 13 findings-of-fact and 1 note.

RECOMMENDED FINDINGS OF FACT

Rezoning:

- 1. The Zoning Map amendment is consistent with the Adams County Comprehensive Plan.
- 2. The Zoning Map amendment is consistent with the purposes of these standards and regulations.
- 3. The Zoning Map amendment will comply with the requirements of these standards and regulations.
- 4. The Zoning Map amendment is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County.

Major Subdivision Preliminary Plat:

- 5. The preliminary plat is consistent with the Adams County Comprehensive Plan and any available area plan.
- 6. The preliminary plat is consistent with the purposes of these standards and regulations.
- 7. The preliminary plat is in conformance with the subdivision design standards and any approved sketch plan.
- 8. The applicant has provided evidence that a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards.
- 9. The applicant has provided evidence that a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, adequate evidence indicating that such system complies with state and local laws and regulations.
- 10. The applicant has provided evidence to show all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified by the applicant and the proposed uses of these areas are compatible with such conditions.
- 11. The applicant has provided evidence that adequate drainage improvements on the site comply with these standards and regulations.
- 12. The overall density of development within the proposed subdivision conforms to the zone district density allowances.
- 13. The proposed subdivision is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the immediate area, not detrimental to the future development of the area, and not detrimental to the health, safety, or welfare of the inhabitants of the area and the County. The proposed subdivision has established an adequate level of compatibility by:
 - a. Incorporating natural physical features into the development design and providing sufficient open spaces considering the type and intensity of use;
 - b. Incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit, and the cost

- effective delivery of other services consistent with adopted plans, policies and regulations of the County;
- c. Incorporating physical design features in the subdivision to provide a transition between the project and adjacent land uses through the provision of an attractive entryway, edges along public streets, architectural design, and appropriate height and bulk restrictions on structures:
- d. Incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the project design; and
- e. Incorporating public facilities or infrastructure, or cash-in-lieu, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of the County services and facilities.

Notes to the Applicant:

1. All applicable building, zoning, health, engineering, and fire codes shall be adhered to with this request.

PUBLIC COMMENTS

Notifications Sent	Comments Received
15	0

Notices were sent to all property owners and residents within 2,000 feet radius of the site. As of this report, staff has not received any comments on the request.

REFERRAL AGENCY COMMENTS

Responding with Concerns:

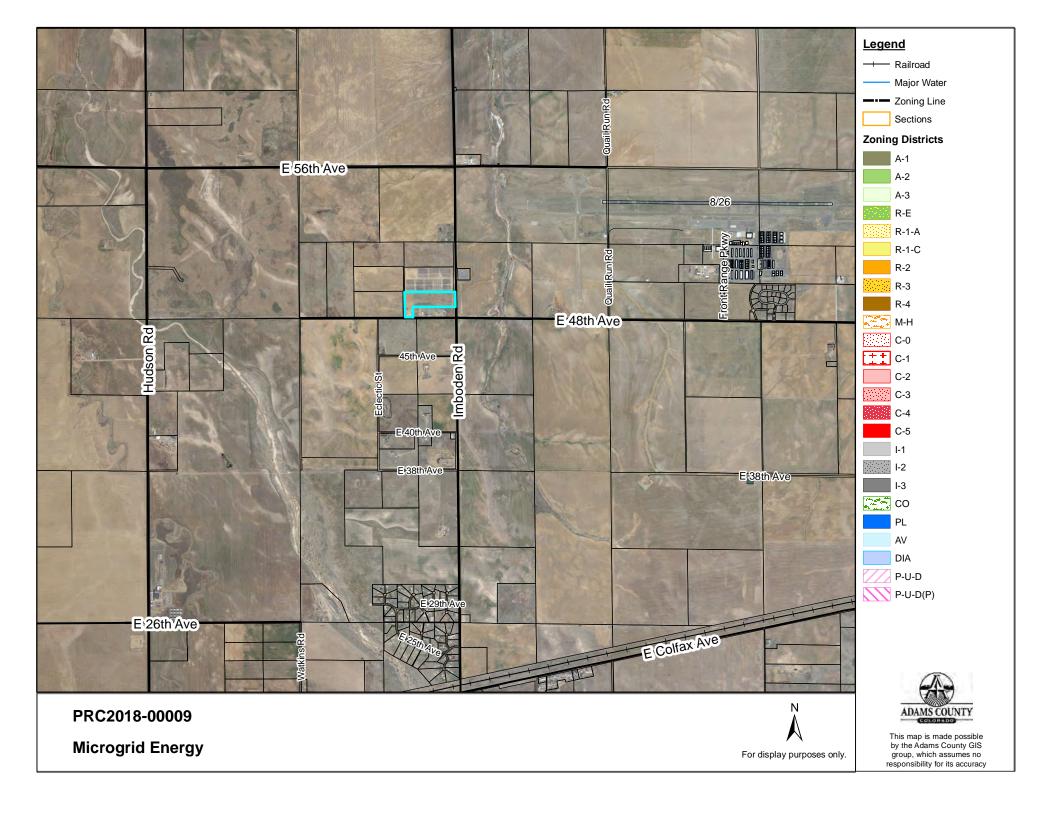
None

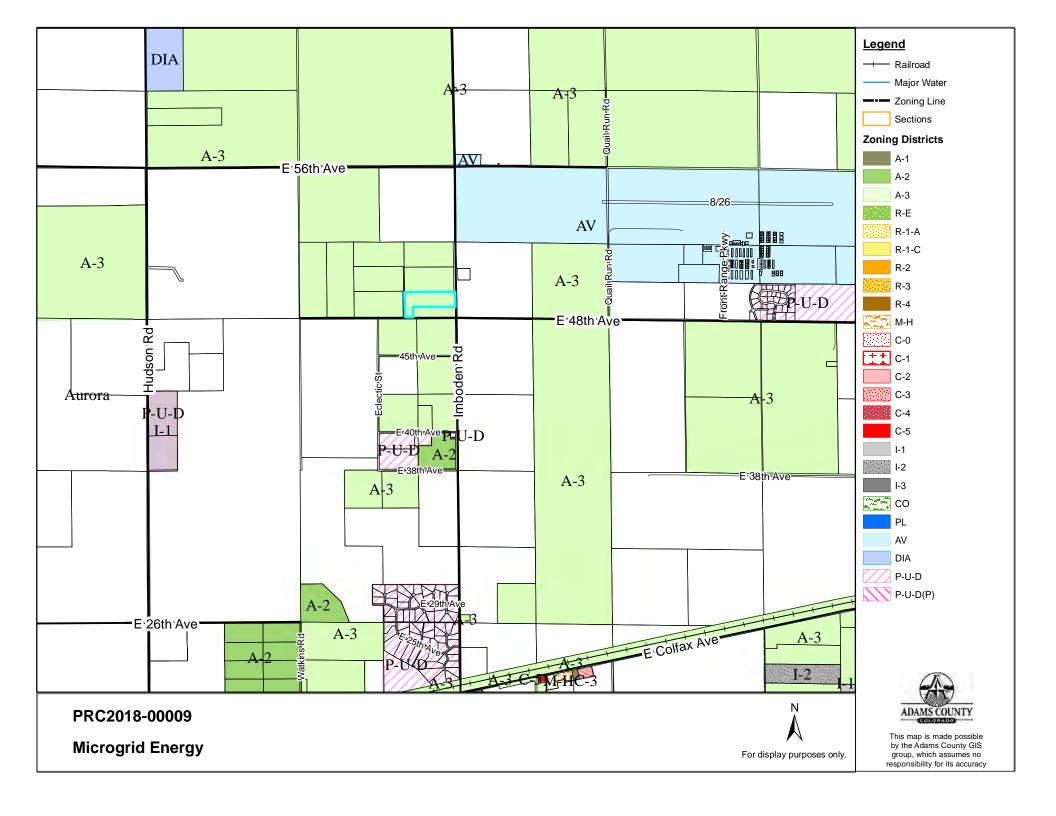
Responding without Concerns:

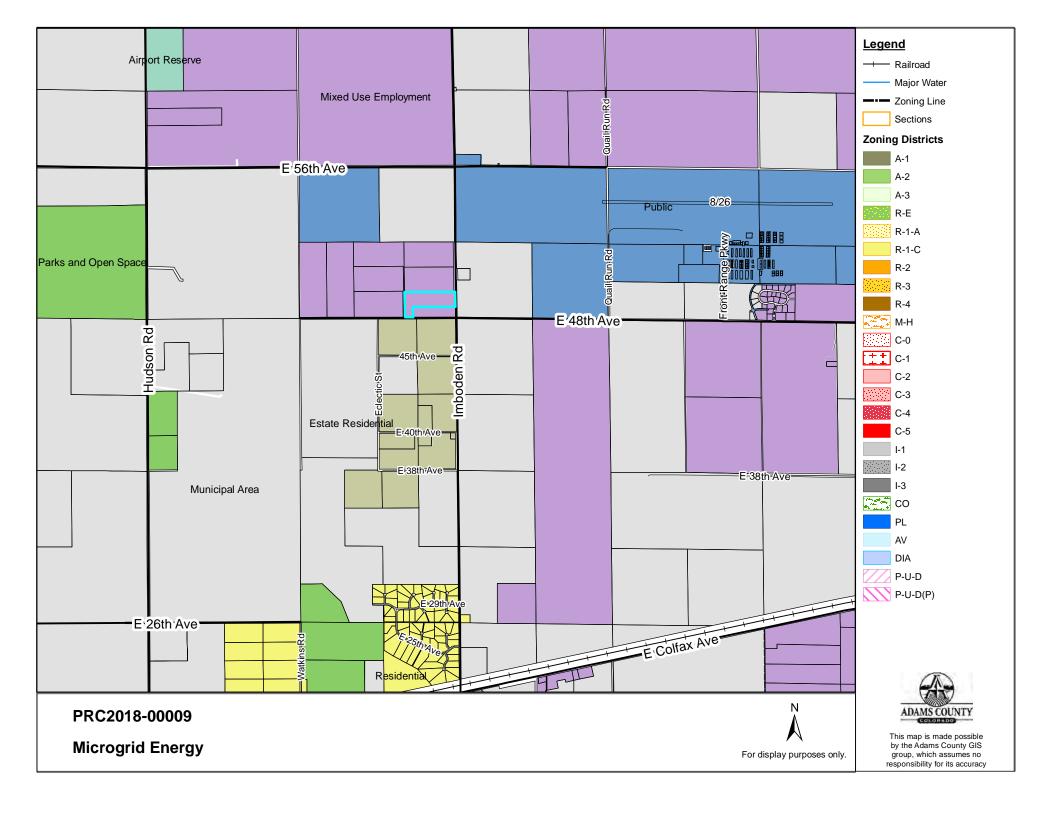
Colorado Division of Water Resources Colorado Geological Survey Tri-County Health Department Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Bennett Fire District
Bennett Park and Recreation
Bennett School District 29J
City of Aurora
Century Link
Comcast
Metro Wastewater Reclamation District
United States Post Office









May 22, 2018

Adams County Community & Economic Development Department 4430 S. Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204

RE: Request to Rezone and Subdivide (Major/Preliminary)

CO LI CSG 1 LLC, a wholly owned subsidiary of TCA Microgrid Energy LLC, hereby makes a request on behalf of the land owner (Kamerra LLC) to rezone and also to subdivide the parcel of land currently known as Adams County parcel 0181-700-000-325 (aka Account: R0115201).

In the late 1990s, the original parcel (approx. 35 acres in size) was illegally subdivided by deed. Since that time, the parcel has been sold to the current owner, who was not aware of the "illegal" status of the parcel at the time of the sale. Since that time, the current owner has attempted to develop their parcel only to learn of the illegal status preventing such development without reconciliation of this outstanding issue. After consultation with Adams County staff, the best path forward appears to be rezoning the parcel to the A-2 zone district which would allow the parcel at the current size (23 acres).

The applicant also requests to subdivide the parcel into two new parcels as described in the additional application documents. The result would be one parcel of 12 acres, and another of 11 acres, both of which meet the minimum lot size of the A-2 zone district.

The applicant held a neighborhood meeting at Lulu's Inn in Watkins, Colorado, on May 15, 2018, from 5 pm - 7 pm. Two nearby land owners attended the meeting. One was interested in hearing more about leasing his own property for a solar array, and the other attendee represented the land owner immediately south of the subject parcel. The attendee representing the adjacent land owner supports the rezoning and subdivision to bring the parcel back into legal standing.

It is the intention of the applicant and land owner to work together to build community solar



arrays on each of the new lots. These projects will be similar in appearance and function to the existing community solar arrays immediately north of the subject parcel, and will provide reduced-cost power to Denver-metro area Xcel Energy customers.

There is currently and oil and gas lease in place on the subject parcel, but the lease is a "non-surface occupancy" lease, meaning the mineral estate owner negotiated to protect 100% of the surface from oil and gas development. Therefore, there is no need for a surface use agreement for this project. The mineral estate owner and the mineral lessee have both received notice per the provisions of C.R.S. 24-65.5-103.

Please do not hesitate to contact me with additional questions regarding the project.

Sincerely,

Jon Fitzpatrick Director of Project Development TCA Microgrid Energy 1536 Wynkoop St, #400 Denver, CO 80202



June 20, 2018

Adams County Community & Economic Development Department 4430 S. Adams County Parkway 1st Floor, Suite W2000 Brighton, CO 80601-8204

RE: Request for Conditional Use Permit for Community Solar Garden (CO LI CSG 1 LLC) near 4900 Imboden Road.

Project Explanation:

CO LI CSG 1 LLC, a wholly owned subsidiary of TCA Microgrid Energy LLC, hereby makes a request on behalf of the land owner (Kamerra LLC) for a Conditional Use Permit for the parcel of land currently known as Adams County parcel 0181-700-000-325 (aka Account: R0115201).

TCA Microgrid Energy was awarded several opportunities to build community solar gardens by Xcel Energy as part of a competitive procurement process used to meet the demands of the State of Colorado's Renewable Portfolio Standard. This project is one of several TCA Microgrid Energy is building across Colorado that will help to meet the needs of this growing segment of the industry.

Once completed, the 2 MW project would operate for at least 20 years. Approximately 6,200 solar panels would be supported by a single-axis tracking solar array very similar to the one currently operating immediately north of the subject property. The footprint required for this project would be about 11.5 acres, and the project would be situated as far east on the parcel as possible, taking into account existing easements and encumbrances along the parcel boundary. Applicant is requesting the Conditional Use Permit for 22 years, which would allow for final design, equipment procurement, and installation required prior to operation, as well as decommissioning and removal of the project after operations are complete. The project itself will operate for 20 years from the day the system achieves commercial operation.



The following information outlines key points of our application:

- 1. The project is concurrently being considered for rezoning and subdivision to correct an illegal subdivision that occurred in the late 1990s. If approved, the new parcel would be zoned A-2. Per Adams County Development Standards and Regulations 3-09-04-05, a Major Energy Facility is a permitted Conditional Industrial Use within this zone district. The site is not in a floodplain, and there are no site restrictions for this type of development. The location is fit for this type of development due to minimal slopes, favorable soil conditions, and proximity to other, similar developments. The land is nearly vacant at this time.
- 2. Applicant will design and construct the project in accordance with applicable zoning regulations and building codes, and in compliance with the requirements and conditions of the CUP issued by Adams County.
- 3. Any applicable performance standards associated with the CUP will be followed by the applicant.
- 4. The solar garden will operate for 20 years as part of Xcel Energy's Solar*Rewards Community program. All equipment used on the project will be industry standard bearing all applicable certifications required by the National Electric Code (NEC). All components will be designed to meet or exceed the anticipated lifespan of the facility. The polysilicone solar modules will be supported by single-axis tracking racks, which "follow" the path of the sun through the sky each day. The technology is clean, quiet, and doesn't generate any dust during operation.

If approved, applicant will begin construction as soon as possible in hopes of completing construction before the end of 2018. Construction will take approximately 12 weeks, and when complete will maximize the available area within the subject parcel. The maximum height of the equipment is not expected to exceed 8' above grade. In addition to the solar panels and racks, there will be electric inverters, disconnecting boxes and switches, weather monitoring components, energy meters, and a transformer.

To access the site, applicant plans to take access off of Imboden Road in a fashion similar to what is used immediately north of the subject parcel. Applicant will request an Access Permit from Adams County. Xcel Energy will bring their electrical lines into the site via this same general pathway.



The project area is currently vacant and consists of open prairie lands. There is an existing cedar fence along the Imboden Road frontage which the applicant proposes to remain in place for the purpose of visual screening. No screening vegetation is planned due to the existing character of the site and lack of water necessary to keep vegetation alive.

The long-term operation and maintenance of the site is limited. Typically, 4-8 annual visits are needed to ensure the equipment is working properly, and to keep the on-site vegetation trimmed and clean. Because of the limited site visits, the overall impact to traffic in the area will be negligible. Because the racking will be driven directly into the ground and because the access road will be gravel, there is very little increase in the imperviousness of the site. The project does not require on-site personnel after construction, so there is no need for water, sewer, septic services, or storm water drainage on site.

Following the conclusion of the project, all equipment will be removed from the project site by applicant, and any impacts to the site will be remediated with the goal of returning the site as closely as possible to the condition it was in before the project began. Most of the project components will be recycled, including the steel, aluminum, and copper that make up much of the materials.

Due to the harmonious existence of other similar projects in the immediate area, this solar array is not anticipated to cause any impact to the operations of Denver International Airport to the northwest, or Front Range Airport to the northeast. At the time of this application, Applicant is currently awaiting a determination from the FAA on the project.

Applicant has reached out to the Bennett Fire and Protection District to discuss the project, and will integrate BFPD's requirements into the final design of the solar array.

5. Applicant does not anticipated any significant off-site impacts resulting from the project, with no pollution, noise, increased traffic, or other impacts expected during normal operations. Construction impacts will be limited to the construction window discussed above. During this window, there will be increased traffic during the

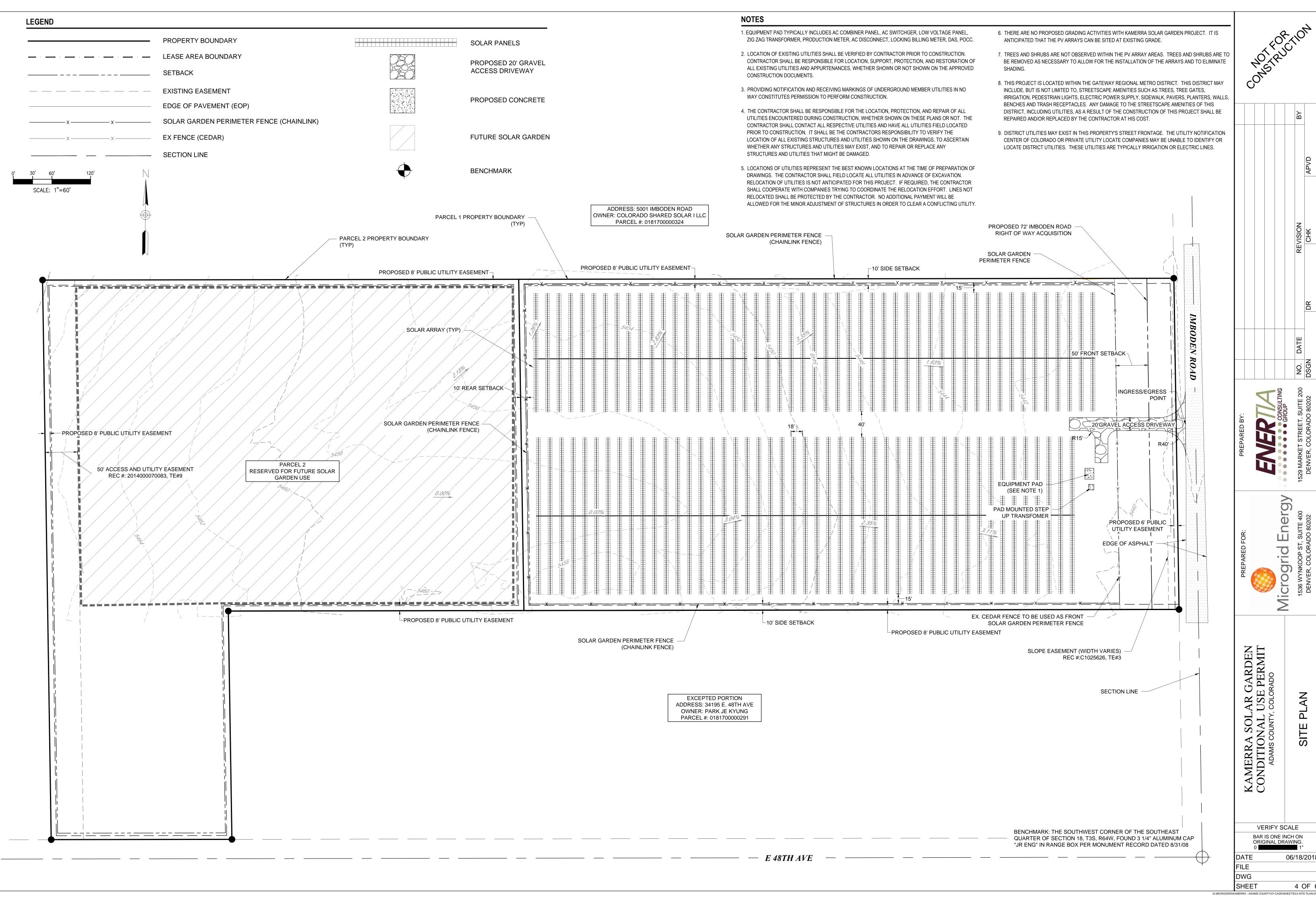


- morning and afternoon as workers and materials arrive and depart from the site. Space for parking and equipment lay down within the site is sufficient, and applicant has designed the project with setbacks in mind.
- 6. The project site is a great fit for the solar array considering the nearby uses. To the north and northeast, existing solar arrays and utility infrastructure currently operate. To the south, west, and southeast, land is dryland farmed. When the project is decommissioned, the land will again be available for development and consideration of uses suited to the area at that time. There are no environmental concerns or constraints on the parcel at this time.
- 7. The location of the project on the parcel is the most convenient and functional use of the parcel because it maximizes the solar array on the lot without wasting any space or taking away from other potential uses.
- 8. As mentioned above, the proposed project does not require sewer, water, or septic systems, and because of the negligible increase in impervious area storm water drainage is not anticipated to be a concern. The road designed and outlined by Enertia Consulting Group is adequate to provide emergency access for emergency services, and the road will function to serve the needs of the conditional use as designed and prososed.

There is currently and oil and gas lease in place on the subject parcel, but the lease is a "non-surface occupancy" lease, meaning the mineral estate owner negotiated to protect 100% of the surface from oil and gas development. Therefore, there is no need for a surface use agreement for this project. The mineral estate owner and the mineral lessee have both received notice per the provisions of C.R.S. 24-65.5-103.

Please do not hesitate to contact me with additional questions regarding the project.

Sincerely,
Jon Fitzpatrick
Director of Project Development
TCA Microgrid Energy
1536 Wynkoop St, #400
Denver, CO 80202



06/18/2018

4 OF 6

KAMERRA SUBDIVISION

A SUBDIVISION BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M.,

COUNTY OF ADAMS, STATE OF COLORADO

VICINITY MAP

PRELIMINARY PLAT

SHEET 1 OF 2

NOTES:

A PART OF THE SOUTHERN HALF OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SECTION 18; THENCE NORTH 00°17'44" WEST ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER 30.00 FEET; THENCE NORTH 89°30'07" WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER 30.00 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE IMBODEN ROAD AND THE NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE AND THE POINT OF BEGINNING; THENCE CONTINUING NORTH 89°30'07" WEST ALONG SAID NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE, A DISTANCE OF 1753.36 FEET; THENCE NORTH 00°17'44" WEST, A DISTANCE OF 868.72 FEET; THENCE SOUTH 89°29'44"EAST, A DISTANCE OF 1755.37 FEET; THENCE SOUTH 00°17'44" EAST, A DISTANCE OF 868.53 FEET TO THE POINT OF BEGINNING; **EXCEPT**

KNOW ALL MEN BY THESE PRESENTS THAT KAMERRA, LLC, A COLORADO LIMITED LIABILITY COMPANY,

A PORTION OF THAT PROPERTY DESCRIBED IN FIDELITY NATIONAL TITLE INSURANCE COMPANY

BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

TITLE REPORT NO.: F0600112-152-T56 DATED DECEMBER 29, 2017 AT 8 A.M.

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 18; THENCE NORTH 00°18'17" WEST ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER 30.00 FEET; THENCE NORTH 89°30'07" WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER 30.00 FEET TO THE POINT OF BEGINNING, SAID POINT BEING ON THE WEST RIGHT OF WAY LINE OF IMBODEN ROAD AND ON THE NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE; THENCE CONTINUING NORTH 89°30'07" WEST ALONG SAID NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE 1475.00 FEET; THENCE NORTH 00°18,17, WEST PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER 354.42 FEET; THENCE SOUTH 89°30'07" EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER 1475.00 FEET TO A POINT BEING, A DISTANCE OF 30.00 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER; THENCE SOUTH 00°13'17" WEST PARALLEL WEST SAID EAST LINE 354.42 FEET TO THE POINT OF BEGINNING.

ALSO DESCRIBED AS:

LOT 8

OWNERSHIP AND DEDICATION CERTIFICATE:

A PARCEL OF LAND LOCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 64 WEST, OF THE 6TH P.M. COUNTY OF ADAMS, STATE OF COLORADO, BEING MORE PARTICULARITY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 18, AND CONSIDERING THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18 TO BEAR SOUTH 89°54'29" WEST, BETWEEN THE MONUMENT LOCATED AT SAID SOUTHEAST CORNER OF SAID SECTION 18, BEING A FOUND 3 1/4" ALUMINUM CAP "JR ENG" IN A RANGE BOX, AS SHOWN AND DESCRIBED HEREON, AND THE MONUMENT LOCATED AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 18, BEING A FOUND 3 1/4" ALUMINUM CAP "ILLEGIBLE", AS SHOWN AND DESCRIBED HEREON; THENCE NORTH 00°53'39" WEST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER 30.00 FEET; THENCE SOUTH 89°54'29" WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER 30.00 FEET TO THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE IMBODEN ROAD AND THE NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE, BEING A FOUND 3/4" BRASS TAG "ILLEGIBLE", AS SHOWN AND DESCRIBED HEREON; THENCE CONTINUING SOUTH 89°54'29" WEST ALONG SAID NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE, A DISTANCE OF 1475.03 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THAT PARCEL DESCRIBED IN ADAMS COUNTY RECEPTION NUMBER 2004000058830, BEING A FOUND #5 REBAR WITH A 1 1/2" YELLOW PLASTIC CAP LS 31158 AND THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 89°54'29" WEST ALONG SAID NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE, A DISTANCE OF 280.39 FEET MORE OR LESS, TO A FOUND #5 REBAR WITH A 1 1/2" YELLOW PLASTIC CAP LS 31158, AS SHOWN AND DESCRIBED HEREON; THENCE LEAVING SAID RIGHT OF WAY NORTH 00°53'20" WEST, A DISTANCE OF 868.59 FEET MORE OR LESS TO A FOUND #5 REBAR WITH A 1 1/2" YELLOW PLASTIC CAP LS 31158, AS SHOWN AND DESCRIBED HEREON; THENCE NORTH 89°54'32" EAST, A DISTANCE OF 1755.34 FEET MORE OR LESS TO A FOUND #5 REBAR WITH A 1 1/2" YELLOW PLASTIC CAP LS 31158, AS SHOWN AND DESCRIBED HEREON, AND THE WEST RIGHT OF WAY LINE OF IMBODEN ROAD, THENCE SOUTH 00°53'39" EAST ALONG SAID WEST RIGHT OF WAY LINE OF IMBODEN ROAD, A DISTANCE OF 514.07 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID PARCEL DESCRIBED IN ADAMS COUNTY RECEPTION NUMBER 2004000058830, BEING A FOUND #5 REBAR WITH A 1 1/2" YELLOW PLASTIC CAP LS 31158, AS SHOWN AND DESCRIBED HEREON; THENCE SOUTH 89°54'10" WEST ALONG THE NORTH LINE OF SAID PARCEL DESCRIBED IN ADAMS COUNTY RECEPTION NUMBER 2004000058830, A DISTANCE OF 1475.10 FEET MORE OR LESS TO THE NORTH WEST CORNER OF SAID PARCEL DESCRIBED IN ADAMS COUNTY RECEPTION NUMBER 2004000058830, BEING A FOUND #5 REBAR WITH A 1 1/2" YELLOW PLASTIC CAP LS 31158, AS SHOWN AND DESCRIBED HEREON; THENCE SOUTH 00°54'19" EAST ALONG THE WEST LINE OF SAID PARCEL DESCRIBED IN ADAMS COUNTY RECEPTION NUMBER 2004000058830, A DISTANCE OF 354.37 FEET MORE OR LESS TO THE POINT OF BEGINNING.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, STREETS AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF KAMERRA SUBDIVISION. ALL PUBLIC STREETS ARE HEREBY DEDICATED TO ADAMS COUNTY FOR PUBLIC USE. THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO ADAMS COUNTY THOSE PUBLIC EASEMENTS AS SHOWN ON THE PLAT; AND FURTHUR RESTRICTS THE USE OF ALL PUBLIC EASEMENTS TO ADAMS COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELAEASE OR QUITCLAIM ALL OR ANY SUCH EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN ADAMS COUNTY.

EXCECUTED THIS DAY OF BY: KAMERRA, LLC, A COLORADO LIMITED LIABILITY COMPANY

ALLEN STUBBS, MANAGER
ON THE BEHALF OF KAMERRA LLC

STATE OF COLORADO) COUNTY OF ADAMS

THE FORGOING INSTRUMENT WAS ACKNOWLEDGED BY ME THIS DAY OF

Y:	A\$	OF KAMERRA, LLC, A COLORADO LIMITED LIABILITY
OMPANY		

WITNESS MY HAND AND SEAL, MY COMMISION EXPIRES

NOTARY PUBLIC

NOT IC	SCALE		
7	RANGE 6	4 WEST	10
E 56TH AVE	17	16	15
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 FIDELITY NATIONAL TITLE INSURANCE COMPANY REPORT NO.: F0600112-152-T56 DATED AUGUST 20. 2018 AT 8:00 A.M., WAS RELIED UPON FOR RECORDED INFORMATION PERTAINING TO RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS SUBDIVISION PLAT.

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

- 3) THE DISTANCE MEASUREMENTS SHOWN HEREON ARE THE U.S. SURVEY FOOT.
- 4) THIS SUBDIVISION PLAT IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

5) BASIS OF BEARINGS: GPS DERIVED BASED ON COLORADO STATE PLANE NORTH ZONE 0501, NAD83 (2011), GEOID12A, BEING SOUTH 89°54'29" WEST BETWEEN THE MONUMENT LOCATED AT THE SOUTHWEST CORNER, OF THE SOUTHEAST QUARTER, OF SECTION 18, TOWNSHIP 3 SOUTH , RANGE 64 WEST, OF THE 6TH P.M., BEING A FOUND 3 1/4" ALUMINUM CAP "JR ENG" IN A RANGE BOX AS SHOWN AND DESCRIBED HEREON, AND THE MONUMENT LOCATED AT THE THE SOUTHWEST CORNER, OF THE SOUTHEAST QUARTER, OF SAID SECTION 18, BEING A FOUND 3 1/4" ALUMINUM CAP ON 1" AXLE ±1' DOWN AS SHOWN AND DESCRIBED HEREON. WITH ALL OTHER BEARINGS AND DISTANCES SHOWN HEREON RELATED THERETO.

6) THE TOTAL AREA OF THE PROPERTY TO BE SUBDIVIDED IS 1001773 SQ. FEET OR 23.00 ACRES MORE OR

7) SIX-FOOT (6') WIDE UTILITY EASEMENTS ARE HEREBY DEDICATED ON PRIVATE PROPERTY ADJACENT TO THE FRONT LOT LINES OF EACH LOT IN THE SUBDIVISION. IN ADDITION, EIGHT-FOOT (8.) WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED AROUND THE PERIMETER OF TRACTS, PARCELS AND/OR OPEN SPACE AREAS. THESE EASEMENTS ARE DEDICATED TO ADAMS COUNTY FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITIES. UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING, WITHOUT LIMITATION, VEGETATION.

8) THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS SHALL BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNER FAIL TO MAINTAIN SAID FACILITIES. THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COST WILL BE ASSESSED TO THE PROPERTY OWNERS.

9) CONTRACTOR IS REQUIRED TO INSTALL AND MAINTAIN CONSTRUCTION BMPS ACCORDING TO THE CONDITIONALLY ACCEPTED GESC PLAN AND BMP DETAIL DRAWINGS AND ENSURE THEY ARE IN EFFECTIVE WORKING CONDITION TO FUNCTION AS DESIGNED UNTIL THE COMPLETION OF CONSTRUCTION. BMPS ARE TO BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE URBAN DRAINAGE AND FLOOD CONTROL DISTRICT'S URBAN STORM DRAINAGE CRITERIA MANUAL, VOLUME 3.

10) FLOOD INSURANCE RATE MAP. FIRM PANEL # (08001C0690H), FEDERAL EMERGENCY MANAGEMENT AGENCY, JANUARY 20, 2016. ACCORDING TO THE ABOVE REFERENCE, THE PROJECT SITE IS NOT LOCATED WITHIN A DELINEATED 100-YEAR FLOOD HAZARD ZONE; A FLOODPLAIN USE PERMIT WILL NOT BE REQUIRED

NOTES CONTINUED:

11) A 42' WIDE PORTION OF THE PROPERTY TO BE SUBDIVIDED IS TO BE DEDICATED TO THE COUNTY OF ADAMS AS A PORTION OF IMBODEN ROAD RIGHT OF WAY BY THIS PLAT.

12) THE DRAINAGE EASEMENT ADAMS COUNTY RECEPTION NUMBER C1025627 DOES NOT APPEAR TO AFFECT THE SUBJECT PROPERTY AND THEREFOR HAS NOT BEEN SHOWN HEREON.

PLANNING COMMISSION APPROVAL

A.D., 20	
HAIR	
OARD OF COUNTY COMMISSIONERS	
APPROVED BY THE ADAMS COUNTY BOARD OF CO	MMISSIONERS THISDAY OF
A.D., 20	
:HAIR	

CLERK AND RECORDER'S CERTIFICATE:

THIS PLAT FILED FOR RECORD IN THE	OFFICE OF	ADAMS COUNTY	CLERK AND RECORDER
IN THE STATE OF COLROADO, AT	<u>:</u>	M. ON THE	_DAY OF
A.D., 20	_		
COUNTY CLERK AND RECORDER	_		

BY: DEPUTY	-	
RECEPTION NO.		

SURVEYOR'S STATEMENT:

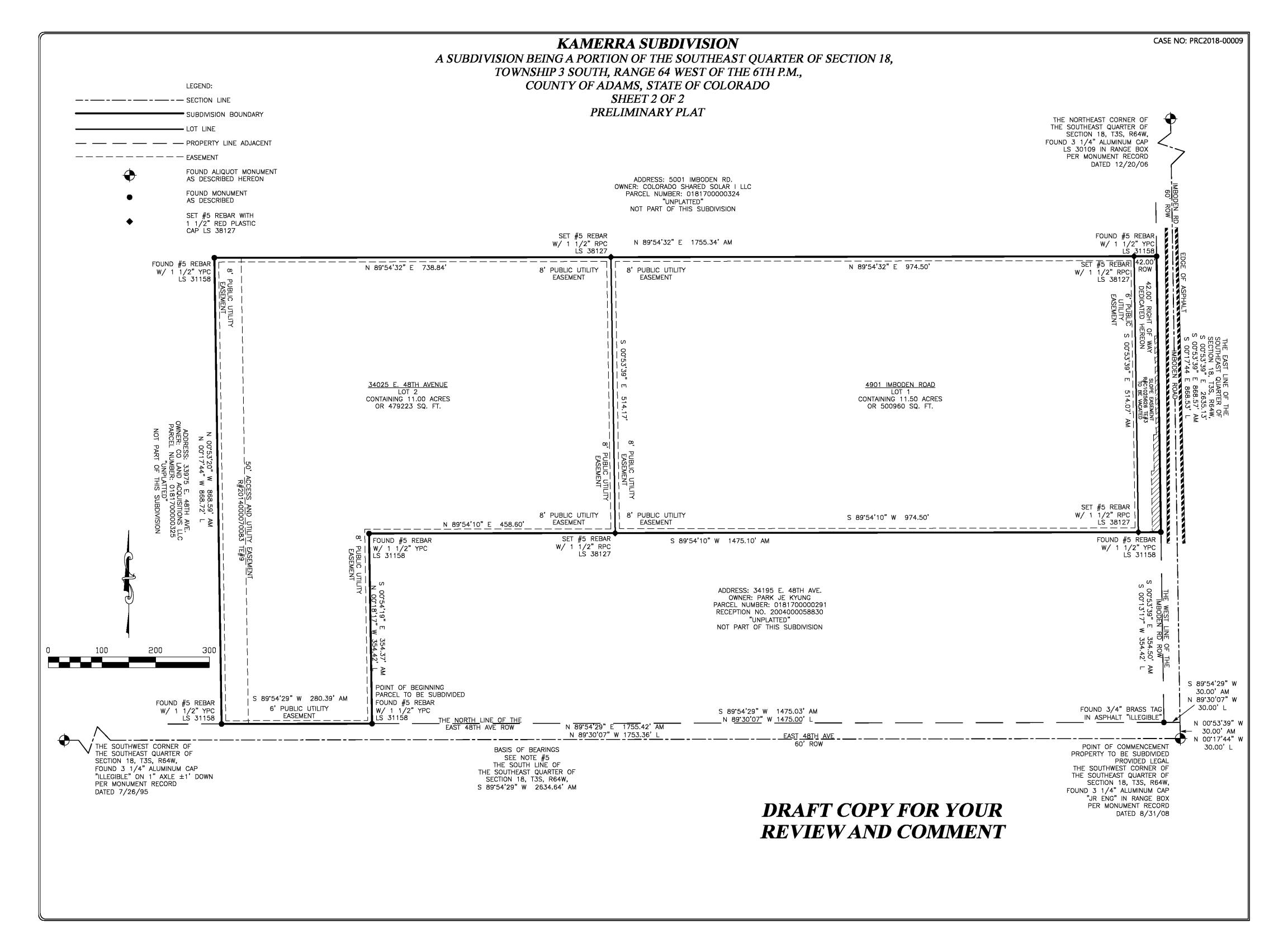
I, samuel A. Knight, a duly registered land surveyor, licensed in the state of colorado, HEREBY STATE FOR AND ON THE BEHALF OF GREEN MOUNTAIN SURVEYING, THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME, AND THAT SAID SURVEY AND THE ATTACHED

DRAFT COPY FOR YOUR REVIEW AND COMMENT

SAMUEL A KNIGHT CO PLS 38127 GREEN MOUNTAIN SURVEYING BOULDER CO, 80305 303-601-8588

KAMERRA SUBDIVISION

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Community & Economic Development Department www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 PHONE 720.523.6800 FAX 720.523.6967

Development Review Team Comments

Date: 8/10/2018

Project Number: PRC2018-00009 Project Name: Microgrid Energy

For submission of revisions to applications, a cover letter addressing each staff review comments must be provided. The cover letter must include the following information: restate each comment that require a response and provide a response below the comment; respond to each comment with a description of the revisions and the page of the response on the site plan. And identify any additional changes made to the original document other than those required by staff.

A re-submittal is required. Please submit 1 hard copy and 1 electronic copy to the Community and Economic Development Department front desk with the re-submittal form.

An additional 20% review fee will be required after the third review and upon submittal of the fourth review.

Commenting Division: Development Services, Planning

Name of Reviewer: Emily Collins Email: ecollins@adcogov.org

PLN1. REQUEST:

- a. Rezone from Agriculture-3 to Agriculture-2.
- b. Major Subdivision (Preliminary Plat) to create two lots. Proposed Lot A 12 acres and proposed Lot B 11 acres.
- c. Conditional Use Permit to allow a solar facility on each of the new lots.

PLN2. SITE HISTORY/ ZONING:

- a. Subject property, located at approximately NE corner of Imboden Road and E. 48th Ave. (PIN# 0181700000325, is approximately 23 acres and designated Agriculture-A (A-3).
- b. According to records on file in the Adams County Assessor's Office, this parcel was created on 7-6-1998 per Bk 5387 Pg 450 and is therefore considered an illegal subdivision of land; thus requiring a subdivision plat to correct this action.
- a. Site is also located in the Airport Influence Zone (AIZ) which is intended to provide areas within the County suitable for the economical development and safe operation of air carrier and/or general aviation airports for public use without adversely affecting the activities upon surrounding properties. A signed "Aircraft Activity

Covenant with Disclosure" must be filed prior to approval of a subdivision, if applicable, or the issuance of a building permit.

i. The site is within Restriction Area 2 which prevents construction of new residences.

PLN3. COMPREHENSIVE PLAN:

a. The site is designated as Mixed Use Employment which is intended for a range of urbanlevel residential uses combined with compatible and supporting uses and activities that serve the neighbrohood and are developed in harmony with the residential character of a neighborhood.

PLN5. SUBDIVISION PLAT COMMENTS:

- a. Per Section 3-09-07, the minimum lot size required for the A-2 zone district is 10 acres and minimum lot width is 425 feet. **Both proposed lots exceed the minimum dimensional requirements.**
- b. Per Section 5-03, the lots conform to the following design standards:
 - i. Design is compatible with Comprehensive plan, zoning, and area's character
 - ii. No hazardous areas or floodplain
 - iii. Lot configuration is appropriate for development
 - iv. Lots have access to public roads
- c. Proof of adequate water and sanitation is required (even if the proposed development does not require these services, the subdivision must be able to support future development in accordance with the regulations and zone district allowances).
- d. A final plat application and SIA will be required after approval of the preliminary plat.

PLN6. CONDITIONAL USE COMMENTS:

- a. Minimum setbacks in A-2 include 50' front (also from Collector or Arterial ROW), 10' side, and 10' rear.
 - a. Setbacks as shown on site plan conform to zone district setbacks.
- b. Maximum height in A-2 is
 - a. Proposed panels are a maximum of 8 ft in height at maximum tilt and conforms to the height restrictions.
- c. Anticipated Conditions of Approval
 - a. Expiration Date. Please provide a proposed expiration for the solar facility.
 - b. Fire District vegetation free buffer.
 - c. Installation of fencing and landscaping

PLEASE PROVIDE A RESPONSE TO THE FOLLOWING:

- d. Please confirm if a solid/decorative fence is proposed along Imboden Road and chain link along all other property lines.
- e. Please provide the total proposed square footage of panels on each lot (i.e. lot coverage).

f. If the intent of this application is to have a Conditional Use Permit approved for both lots (i.e. approved legal descriptions), a site plan is required for proposed development of Lot B/ Parcel 2.

Commenting Division: Development Services, Engineering:

Name of Review: Greg Labrie Email: glabrie@adcogov.org

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0690H), Federal Emergency Management Agency, January 20, 2016. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; A floodplain use permit will not be required.

ENG2: The project site is not located in a NRCO district. An environmental assessment is not required.

ENG3: The applicant shall be responsible to ensure compliance with all Federal, State, and Local water quality construction requirements. The project site is not within the County's MS4 Stormwater Permit area. The use of erosion and sediment control BMPs are expected.

ENG4: The applicant is required to submit a trip generation analysis and a preliminary drainage analysis for the proposed development of the site. The preliminary drainage analysis shall include the use of Adams County engineering standards for the full build out of the site, to provide if required, a rough estimate of the size and location of the proposed drainage facilities for the site. The analysis shall also include the proposed location of the outfall and identify any stormwater challenges that must be resolved before final construction plans are submitted.

ENG5: Prior to the issuance of any construction or building permits, the developer shall enter into a Subdivision Improvements Agreement (SIA) with the County and provide a security bond for all public improvements.

ENG6: Prior to scheduling the final plat/FDP BOCC hearing, the developer is required to submit for review and receive approval of all construction documents (construction plans and reports). Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study, and Subdivision Improvement Agreement. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County Development Review Engineering division the following: Engineering Review Application, Engineering Review Fee, two (2) copies of all construction documents. The development review fee shall be in accordance to the fee schedule found on the Adams County Website at the One Stop Customer Center Webpage.

ENG7: The developer is required to construct roadway improvements adjacent to the proposed site. Roadway improvements will consist of any roadway construction as required by the approved traffic impact study. All improvements must meet current ADA requirements.

Commenting Division: Development Services, Right-of-Way:

Name of Review: Marissa Hillje Email: mhillje@adcogov.org

ROW1. Submit a title commitment which should be used to depict the applicable recordings on the plat. Send Adams County a copy of the title commitment with your application dated no later than 30 days to review in order to ensure that any other party's interests are not encroached upon.

ROW2. Add Easement Statement: if applicable (width will vary)

a. "Six-foot (6') wide utility easements are hereby dedicated on private property adjacent to the front lot lines of each lot in the subdivision. In addition, eight-foot (8') wide dry utility easements are hereby dedicated around the perimeter of tracts, parcels and/or open space areas. These easements are dedicated to Adams County for the benefit of the applicable utility providers for the installation, maintenance, and replacement of utilities. Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation."

ROW3. Add Storm Drainage Facilities Statement:

a. "The policy of the County requires that maintenance access shall be provided to all storm drainage facilities to assure continuous operational capability of the system. The property owners shall be responsible for the maintenance of all drainage facilities including inlets, pipes, culverts, channels, ditches, hydraulic structures, and detention basins located on their land unless modified by the subdivision development agreement. Should the owner fail to maintain said facilities, the County shall have the right to enter said land for the sole purpose of operations and maintenance. All such maintenance cost will be assessed to the property owners."

ROW4. Add Stormwater operations manual if required by Engineering: Add the following language to first page of subdivision plat, "The approved stormwater operations and maintenance manual is on file with the Adams County clerk and recorders office at Reception #_____"

ROW5. Legend: Provide a legend which designates all lines and symbols except where called out on plat drawing.

ROW6. Adjacent Subdivision: Names of adjacent platted areas along with the reception and/or plat book and page number shall be shown. If unplatted, so indicate. Existing street rights of way that intersect the subdivision boundary or are adjacent to said boundary lines shall be clearly labeled with the street name, right of way width and appropriate deed or plat recording information wherein the right of way is defined. Show and label all existing lots and blocks that are immediately adjacent to the subdivision boundary.

ROW7. Monuments: All monuments used to determine and/or describe a boundary (including basis of bearings, point of beginning and point of commencement) shall be shown and clearly labeled on the plat drawing. Monuments for corners defined by the plat, or otherwise found to be missing in the field, shall be placed and set in accord with the requirements of the State of Colorado.

ROW8. Right of way dedication required for Imboden Road. This should be clearly labeled as 42ft from the east property line. This dedication should match the property to the north. All existing easements must be vacated/quitclaimed from the dedicated area.

ROW9. The first page is missing several approval blocks. – see redlines

ROW10. Edit title- see redlines

ROW11. Remove the word "proposed" from the easements shown on the plat.

ROW12. See all other redlines on plat attached.

ROW13: Address assignments can be done during the plat or access permit review. Addresses are based on the driveway/access location.

Commenting Division: Development Services, Building Safety:

Name of Review: Justin Blair Email: jblair@adcogov.org

BSD1- No comment.

Commenting Division: Development Services, Environmental Programs:

Name of Review: Jen Rutter Email: jrutter@adcogov.org

ENV: No comment

Commenting Division: Parks and Open Space

Name of Review: Aaron Clark Email: aclark@adcogov.org

PKS: No comment.

KAMERRA SUBDIVISION

PORTION OF THE SOUTHEAST OUART WNSHIP 3 SOUTH, RANGE 64 WEST OF COUNTY OF ADAMS, STATE OF COLORADO SHEET 1 OF 2

ng ₽

LEGAL DESCRIPTION PROVIDED:

A PORTION OF THAT PROPERTY DESCRIBED IN FIDELITY NATIONAL TITLE INSURANCE

TITLE REPORT NO.: F0600112-152-T56 DATED DECEMBER 29, 2017 AT 8 A.M.

LOT 8

A PART OF THE SOUTHERN HALF OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 18, THENCE NORTH 00"1744"
WEST ALONG THE EAST LINE OF S" OUTHEAST ONE QUARTER 30.00 TEE; THENCE
NORTH 83"200" WEST PARALLE.

THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER 30,00 FEET TO THE LINE IMBODEN ROAD AND THE NO T OF INTERSECTION OF THE WEST RIGHT OF WAY RIGHT OF WAY LINE OF EAST 48TH AVENUE AND NTINUING NORTH 89"30"07" WEST ALONG SAID BTH AVENUE, A DISTANCE OF 1753.36 FEET; THENCE THE POINT OF BEGINNING; THENC NORTH RIGHT OF WAY LINE OF FA NORTH 00°17'44" WEST, A DISTAN F 868.72 FEET; THENCE SOUTH 89°29'44"EAST, A DISTANCE OF 1755.37 FEET; THENCE SOUTH 90°17'44" EAST, A DISTANCE OF 868.53 FEET TO THE POINT OF BEGINNING:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 18: THENCE NORTH RIGHT OF WAY LINE OF IMBODEN ROAD AND ON THE NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE: THENCE CONTINUING NORTH 89°30'07" WEST ALONG SAID NORTH RIGHT OF WAY LINE OF EAST 48TH AVENUE 1475.00 FEET; THENCE NORTH 00°18,17, WEST PARALLEL WITH THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER 354.42 FEET; THENCE SOUTH 89"30"07" EAST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST ONE-QUARTER 1475.00 FEET TO A POINT BEING, A DISTANCE OF 30.00 FEET WEST OF THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER, THENCE SOUTH 00"13"17" WEST PARALLEL WEST SAID EAST LINE 354.42 FEFT TO THE POINT OF BEGINNING.

LEGAL DESCRIPTION PROPERTY TO BE SUBDIVIDED:

A PARCEL OF LAND LOCATED WITHIN IARTER OF SECTION 18, TOWNSHIP 3 SOUTH, RANGE 64 WEST, COLORADO, BEING MORE PARTICULARI OUNTY OF ADAMS, STATE OF OLLOWS:

proper MENCING AT THE SOUTHEAST COI H LINE OF THE SOUTHEAST QUAR , BETWEEN THE MONUMENT LOCA ON 18, BRING A FOUND 3 1/4" AL TION 18, AND CONSIDERING THE ON 18 TO BEAR SOUTH 89"54'29" THEAST CORNER OF SAID ₹ NG" IN A RANGE BOX, AS IN AND DESCRIBED HEREON, AND ER OF THE SOUTHEAST QUARTER LOCATED AT THE SOUTHWEST 18. BEING A FOUND 3 1/4" INUM CAP "ILLEGIBLE", AS SHOW 199" WEST ALONG THE EAST LINE HEREON; THENCE NORTH ST QUARTER 30.00 FEET; THENCE H 69°54 29" WEST PARALLEL WITH FEET TO THE POINT OF INTERSECTION OF WAY SAID SOUTHEAST QUARTER RIGHT OF WAY LINE IMBODEN I AVENUE AND THE POINT OF NING, BEING A FOUND 3/4" BRAS AS SHOWN AND DESCRIBED ONG SAID NORTH RIGHT OF PET MORE OR LESS TO THE AMS COUNTY PARCEL NUMBER LINE OF EAST 48TH AVENUE, A D HWEST CORNER OF THAT PARCEL 018170000291, BEING A FOUND #5 RE AND THE POINT OF BEGINNING; THEN NORTH RIGHT OF WAY LINE OF EAST 44 UTH 89"54'29" WEST ALONG SAID TANCE OF 280,39 FEET MORE OR LESS, TO A FOUND #5 REBAR WITH A 1 AND DESCRIPED HEREON; THENCE LEAV TIC CAP LS 31158, AS SHOWN F WAY NORTH 00°53'20" WEST, A DISTANCE OF 868.59 FEET MORE OR LES PLASTIC CAP IS 31158, AS SHOWN AND REBAR WITH A 1 1/2" YELLOW EAST, A DISTANCE OF 1755.34 FEET MORE OR LESS TO A FOUND #5 REBAR WITH A 1 1/2" PELLOW PLASTIC CAP IS 31158, AS SHOWN AND DESCRIBED HERDON, AND THE WEST RIGHT OF WAY UNE OF IMBODEN ROAD; THENCE SOUTH 00°53'39" EAST ALONG SAID WEST RIGHT OF WAY UNE OF IMBODEN ROAD, A DISTANCE OF 5140'T FEET MORE OR LESS TO THE NORTHEAT CORNER OF SAID PARCEL DESCRIBED AS ADAMS COUNTY PARCEL NUMBER 0181700000291, BEING A FOUND #5 REBAR WITH A 1 1/2" YELLOW PLASTIC CAP LS 31158, AS SHOWN AND DESCRIBED HEREON; THENCE SOUTH 89"54"10" WEST ALONG LS 31158, AS SHOWN AND DESCRIBED HEREIN, THENCE SOUTH 89°941 WISH AUDING THE NORTH LINE OF SAID PARCEL DESCRIBED AS ADMAS COUNTY PARCEL NUMBER O181700000291; A DISTANCE OF 1475.10 FEET MORE OR LESS 10 THE NORTH WEST CORNER OF SAID PARCEL DESCRIBED AS ADAMS COUNTY PARCEL NUMBER 018170000291, BEING A FOUND #95 REBAR WITH A 1 1/2* YELLOW PLASTIC CAP LS 31158, AS SHOWN AND DESCRIBED HEREON, THENCE SOUTH 00°9419° EAST ALONG THE WEST LINE OF SAID.

PARCEL DESCRIBED AS ADAMS COUNTY PARCEL NUMBER 0181700000297, A DISTANCE OF 354.37 FEET MORE OR LESS TO THE POINT OF BEGINNING.

CHANERSHIP CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS THAT OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND: BEING THE SOLE

OCATED WITHIN THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 3 SE COLORADO, BE , RANGE 64 WEST, OF THE 6TH P.M. COUNTY OF ADAMS, STATE OF MORE PARTICULARITY DESCRIBED AS FOLLOWS: NORE PARTICULARITY DESCRIBED AS POLICIONS:

OUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 18 TO

"WEST, BETWEEN THE MONUMENT LOCATED AT THE SOUTHEAST
TION 18, BENG A FOUND 3 1/4" ALUMINUM CAP "AR ENG" IN A

E MONUMENT LOCATED AT THE SOUTHWEST CONNER OF THE
R GF SAID SECTION 18, BEING A FOUND 3 1/4" ALUMINUM CAP BEAR SOUTH 6 CORNER OF SA RANGE BOX, A SOUTHEAST QU NCING AT THE SOUTHEAST CORNER OF SAID SECTION 18; THENCE EST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER 30.00 FEET; "ILLEGIBLE", CX NORTH 00°53' 129" WEST PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST TO THE POINT OF INTERSECTION OF THE WEST RIGHT OF WAY LINE OLIARTER 30 OC THE NORTH RIGHT OF WAY LINE 48TH AVENUE AND THE MBODEN ROA POINT OF REGI 5. THENCE CONTINUING SOUTH 89 VEST ALONG SAID NORTH RIGHT OF WAY OF EAST 48TH AVENUE, A DISTANC 5.03 FEET TO THE R OF THAT PARCEL DESCRIBED AS A IG A FOUND FOUND #5 REBAR WIT OUNTY PARCEL NUMBER SOUTHWEST CO 018170000029 2" YELLOW PLASTIC CAP LS 31158 AND TH T OF BEGINNING; THENCE CONTIN UTH 89°54'29" WEST ALDING SAID I RIGHT DE WAY LINE OF FAST ARTH A DISTANCE DE 280 39 5 34 FEFT MORE OR LESS 868 59 FEFT: TI NORTH 89"54"32" FAST A DISTANC TO SAID WEST FOF WAY LINE OF IMBODEN ROAD IGHT OF WAY LINE OF IMBODEN R ALCING SAID V DISTANCE OF \$14.07 FEET MORE OR LESS ESCRIBED AS ADAMS COUNTY PARCE MBER 0181700000291, BEING A FOL EBAR WITH A 1 1/2" ALONG THE NORTH LINE YELLOW PLAST P IS 31158: THENCE SOUTH 89°54'1 R 0181700000291, A CORNER OF SAID PARCEL CRIBED AS ADAMS COUN DISTANCE OF DEFET MORE OR LESS TO NOR DESCRIBED AS IS COUNTY PARCEL NUMB 181700000291, BEING A FOUND #5 YELLOW PLASTIC CAP LS NE OF SAID PARCEL DESCRI 58; THENCE SOUTH 00"54"19" EAST D AS ADAMS COUNTY PARCEL NUMBER REBAR WITH A ALONG THE WI STANCE OF 354.37 FEET M OR LESS TO THE POINT OF BEGINNING.

HAVE BY THESE PRESENTS LAID OUT , PLATTED AND SUBDIVIDED THE SAME INTO LOTS, TREETS AND EASEMENTS AS SHOWN AN THIS PLAT UNDER THE NAME AND STYLE OF

ASEMENT DEDICATION:

THE UNDERSIGNED DOES HEREBY DEDICATE, GRANT AND CONVEY TO ADAMS COUNTY THOSE PUBLIC EASEMENTS AS SHOWN ON THE PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENTS TO ADAMS COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND ALTHORITY TO RELEASE OR QUITCLAIM ALL OR ANY SUCH UBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN ADAMS COUNTY

DATE

NOTES:

18,

1) FIDELITY NATIONAL TITLE INSURANCE COMPANY REPORT NO.: F0600112-152-T56 DATED DECEMBER 29, 2017 AT 8:00 A.M., WAS RELIED UPON FOR RECORDED INFORMATION PERTAINING TO RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION

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

3) THE DISTANCE MEASUREMENTS SHOWN HEREON ARE THE U.S. SURVEY FOOT.

4) THIS SUBDIVISION PLAT IS VALID ONLY IF PRINT HAS ORIGINAL SEAL AND SIGNATURE OF SURVEYOR.

5) BASIS OF BEARINGS: GPS DERIVED BASED ON COLORADO STATE PLANE NORTH ZONE 0501, NAD83 (2011), GEOID12A, BEING SOUTH 89°54'29" WEST BETWEEN THE MONUMENT LOCATED AT THE SOUTHWEST CORNER, OF THE SOUTHEAST QUARTER, OF SECTION 18. TOWNSHIP 3 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., BEING A FOUND 3 1/4" ALUMINUM CAP "IR ENG" IN A RANGE BOX AS SHOWN AND DESCRIBED HEREON, AND THE MONUMENT LOCATED AT THE THE SOUTHWEST CORNER, OF THE SOUTHEAST QUARTER, OF SAID SECTION 18, BEING A FOUND 3 1/4" ALUMINUM CAP ON 1" AXLE ±1" DOWN AS SHOWN AND DESCRIBED HEREON. WITH ALL OTHER BEARINGS AND DISTANCES SHOWN HEREON RELATED THERETO.

6) THE TOTAL AREA OF THE PROPERTY TO BE SUBDIVIDED IS 1001773 SQ. FEET OR 23.00 ACRES MORE OR LESS.

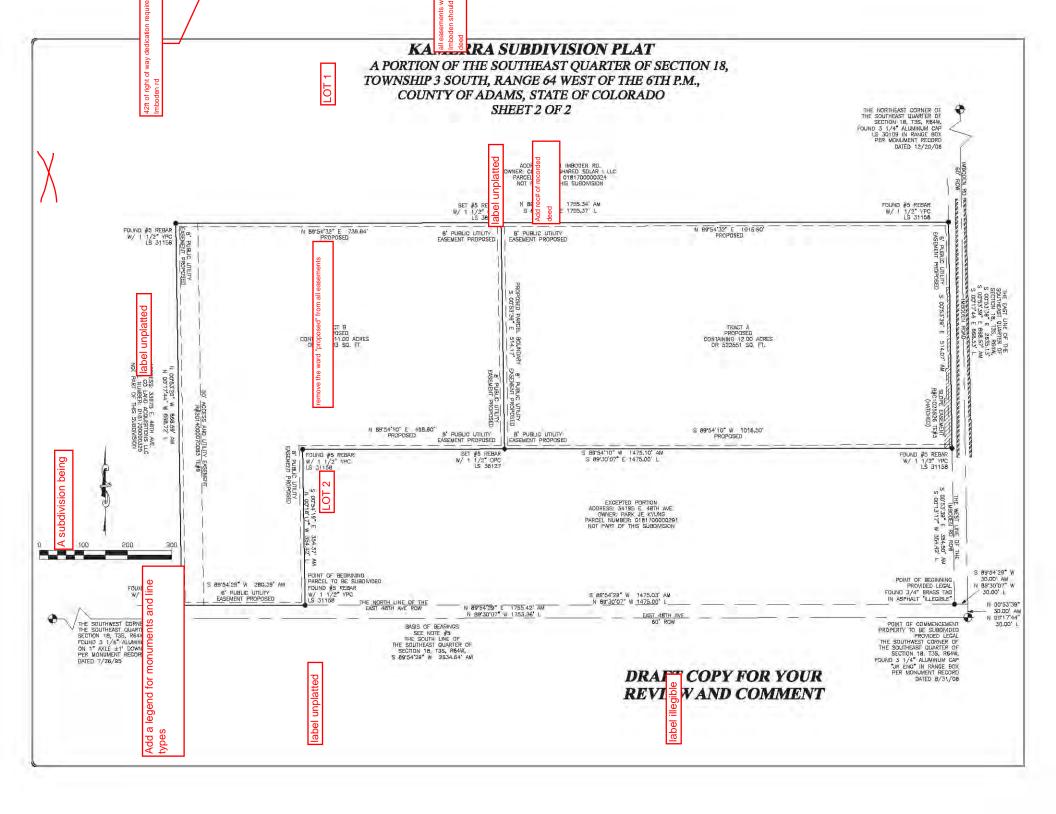
SURVEYOR'S STATEMENT:

I, SAMUEL A. KNIGHT, A DULY REGISTERED LAND SURVEYOR, LICENSED IN THE STATE OF COLORADO, HEREBY STATE FOR AND ON THE BEHALF OF GREEN MOUNTAIN SURVEYING. THAT A SURVEY OF THE ABOVE DESCRIBED PREMISES WAS CONDUCTED BY ME, AND THAT SAID SURVEY AND THE ATTACHED SUBDIVISION PLAT ARE ACCURATE TO THE BEST OF KNOWLEDGE, INFORMATION, AND BELIEF.

DRAFT COPY FOR YOUR REVIEW AND COMMENT

SAMUEL A KNIGHT KAMERRA SUBDIVISION CO PIS 38127 GREEN MOUNTAIN SURVEYING BOULDER CO. 80305 303-601-8588

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John W. Hickenlooper Governor

Robert Randall Executive Director

Kevin G. Rein, P.E. Director/State Engineer

September 18, 2018

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

RE: Kamerra Subdivision

Case no. PRC2018-00009

Part of S ½ of the SE ¼ Sec. 18, T3S, R64W, 6th P.M.

Water Division 1, Water District 1

Dear Ms. Collins:

We have reviewed the additional information received by this office on September 7, 2018 regarding the above referenced referral. The Applicant is proposing to rezone 23 acres from the Agriculture-3 (A-3) to the Agriculture-2 (A-2) Zone, to subdivide the 23 acres into two lots of approximately 12 acres (Tract A) and 11 acres (Tract B), and a Conditional Use Permit to allow a solar garden (major energy facility) on the property.

Water Supply Demand

A Water Supply Information Summary Sheet was not submitted; however, according to the letter dated May 22, 2018 from Microgrid Energy, there is no anticipated water supply demand. According to the additional information, dated September 7, 2018, should water supply be needed, water well(s) in the nontributary Upper Arapahoe, Lower Arapahoe or Laramie-Fox Hills aquifers would be constructed.

Source of Water Supply

A review of our records did not find any existing well permits or water rights associated with the subject parcel. Based on the acreage shown on the plat map the amounts of water available underlying the 23 acres, are as shown in Table 1 below. The values in Table 1 were determined based on the Denver Basin Rules.

Table 1

Aquifer	Parcel Size	Saturated Thickness (ft)	Annual amount available (based on 100 yr. aquifer allocation)	Туре
Denver	23	295	11.53 acre-feet	NNT*
Upper Arapahoe	23	85	3.32 acre-feet	NT**
Lower Arapahoe	23	100	3.91 acre-feet	NT**
Laramie-Fox Hills	23	170	5.87 acre-feet	NT**

^{*}Not nontributary



^{**}Nontributary

The source of water, should any be required in the future, for the subdivision according to the Applicant is wells constructed into the nontributary, Upper Arapahoe, Lower Arapahoe or Laramie-Fox Hills aquifers, since the withdraw of ground water from the not nontributary Denver aquifer would not be available until an augmentation plan to offset depletions caused by the well(s) is decreed by the water court.

Unless the water underlying the property is decreed in water court, well permits would ultimately be issued pursuant to C.R.S. 37-92-602(3)(b)(l) and the policy of the State Engineer or C.R.S. 37-90-137(4). Under the provisions of C.R.S. 37-92-602(3)(b)(l) only the quantity of water underlying the individual lots could be considered available for withdrawal by the proposed wells. Under the provisions of C.R.S. 37-90-137(4) only the quantity of water underlying the individual lots could be considered available for withdrawal by the proposed wells, unless consent as defined in statute is obtained for the use of water underlying other lands.

The proposed source of water for this subdivision is a bedrock aquifer 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 <u>allocation</u> approach, the annual amounts of water shown in Table 1 are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

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

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

The State Engineer's Office does not have evidence regarding the length of time for which this source will be "dependable in quantity and quality." However, treating Adams County's requirement as an <u>allocation</u> approach based on three hundred years, the allowed average annual amount of withdrawal from the nontributary Upper Arapahoe, Lower Arapahoe and Laramie-Fox Hills aquifers shown in Table 1 above would be reduced to one third of those amounts as shown in Table 2 below.

Table 2

Aquifer	Acres	Annual amount available (based on 100 yr. aquifer allocation)	Annual amount available (based on 300 yr. aquifer allocation)
Upper Arapahoe	23	3.32 acre-feet	1.11 acre-feet
Lower Arapahoe	23	3.91 acre-feet	1.30 acre-feet
Laramie-Fox Hills	23	5.87 acre-feet	1.96 acre-feet

State Engineer's Office Opinion

The State Engineer's Office does not have any comments on the subdivision water supply plan, rezoning or condition use permit since there is no water supply demand. However to the extent that a water supply is needed in the future there is currently legally water available in the Upper Arapahoe, Lower Arapahoe and Laramie-Fox Hills aquifers underlying the property. Since the future water requirement was not specified our office cannot comment on whether the available water would be adequate to meet such requirements.

Our opinion is qualified by the following:

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for <u>allocation</u> 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.

Should you or the Applicant have any questions, please contact Ailis Thyne of this office at 303-866-3581 x8216.

Singerely,

Joanha Williams, P.E. Water Resource Engineer

Ec: Subdivision File #24576



John W. Hickenlooper Governor

Robert Randall Executive Director

Kevin G. Rein, P.E. Director/State Engineer

July 13, 2018

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

RE: Kamerra Subdivision

Case no. PRC2018-00009

Part of S ½ of the SE ¼ Sec. 18, T3S, R64W, 6th P.M.

Water Division 1, Water District 1

Dear Ms. Collins:

We have reviewed the information received by this office on July 12, 2018 regarding the above referenced referral. The Applicant is proposing to rezone 23 acres from the Agriculture-3 (A-3) to the Agriculture-2 (A-2) Zone, to subdivide the 23 acres into two lots of approximately 12 acres (Tract A) and 11 acres (Tract B), and a Conditional Use Permit to allow a solar garden (major energy facility) on the property.

Water Supply Demand

A Water Supply Information Summary Sheet was not submitted; however, according to the letter dated May 22, 2018 from Microgrid Energy, there is no anticipated water supply demand.

Source of Water Supply

A review of our records did not find any existing well permits or water rights associated with the subject parcel.

State Engineer's Office Opinion

The State Engineer's Office does not have any comments on the subdivision water supply plan, rezoning or condition use permit since there is no water supply demand.

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

Sincerely,

Joanna Williams, P.E. Water Resource Engineer

Ec: Subdivision File #24576





October 4, 2018

Emily Collins, AICP Adams County Community and Economic Development 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601

RE: Microgrid Energy Rezoning, Major Subdivision, & CUP/PRC2018-00009

TCHD Case No. 5052

Dear Ms. Collins,

Tri-County Health Department (TCHD) provided comments on the proposed Rezoning, Major Subdivision to create two lots on 23 acres, and Conditional Use Permit to allow for a solar garden facility at the northwest corner of E 48th Ave and Imboden Road in a letter dated July 24, 2018. The comments in that letter addressed the proposed land use of a solar garden facility. Since providing our comment letter, the applicant requested a letter speaking to whether the property could be served by an On-site Wastewater Treatment System (OWTS) for future and uses.

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. OWTS are designed to treat domestic wastewater. Section 11.12 of TCHD's OWTS Regulation O-17 requires that OWTS which serve business, commercial, industrial or institutional property or a multifamily dwelling must receive only such biodegradable wastes for treatment and distribution as are compatible with those biological treatment processes that occur within the septic tank, any additional treatment unit and the soil treatment area. Some types of non-residential wastewater generated by some manufacturing or industrial businesses are prohibited from being disposed of into the OWTS and can significantly impact the function of the OWTS and impact nearby groundwater supplies.

TCHD has no objection to the property being served by an OWTS provided that the wastewater generated by any future land use is compatible with biological treatment processes that occur within a septic tank; that TCHD evaluates the suitability of the proposed land use for an OWTS; and the system is permitted, inspected and operated in accordance with TCHD's OWTS Regulation. More information is available at http://www.tchd.org/269/Septic-Systems.

Please feel free to contact me at (720) 200-1571 or slynch@tchd.org if you have any questions regarding TCHD's comments.

Sincerely,

Sheila Lynch

Skula Synch

Land Use, Built Environment, and Health Program Manager

cc: Mike Weakley, Dylan Garrison, TCHD



July 24, 2018

Emily Collins, AICP Adams County Community and Economic Development 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601

RE: Microgrid Energy Rezoning, Major Subdivision, & CUP/PRC2018-00009

TCHD Case No. 5052

Dear Ms. Collins,

Thank you for the opportunity to review and comment on the Rezoning, Major Subdivision to create two lots on 23 acres, and Conditional Use Permit to allow for a solar garden facility at the northwest corner of E 48th Ave and Imboden Rd. 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.

Renewable Energy

Alternative energy supplies generally do not contribute to air and water pollution and can have a positive impact on the environment. TCHD commends the applicant for bringing forward a proposal that promotes the use of renewable energy.

Wastewater for Construction Sites

Sewage has the potential to carry illness-causing organisms and must be handled properly to avoid spreading disease. The application does not specify how wastewater services will be provided during the construction for onsite employees. We anticipate that portable toilets will be necessary during construction. TCHD has no objection to the use of portable toilets, provided the units are properly cleaned and maintained. While TCHD cannot require the use of hand sinks, we recommend that the applicant provide those for the workers, as it will reduce the potential for the transmission of disease.

Solid Waste

Rodents, such as mice and rats, carry diseases which can be spread to humans through contact with rodents, rodent feces, urine, or saliva, or through rodent bites. The applicant does not state what method they will be using to remove solid waste from the site during construction. As rodents are attracted to trash, TCHD strongly recommends that all trash is enclosed in rodent proof receptacles and is regularly collected and disposed of at an approved landfill.

Microgrid Energy/TCHD #5052 July 24, 2018 Page 2 of 2

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

Sincerely,

Mallory R. Bettag, MPH/MURP

Land Use and Built Environment Specialist III

cc: Sheila Lynch, Dylan Garrison, TCHD

COLORADO GEOLOGICAL SURVEY

1801 19th Street Golden, Colorado 80401



Karen Berry State Geologist

August 1, 2018

Emily Collins Adams County Community & Economic Development 4430 S. Adams County Parkway, Suite W2000A Brighton, CO 80601

Location: SE½ Section 18, T3S, R64W of the 6th P.M. 39.785, -104.586

Subject: Microgrid Energy Rezoning, 2-Lot Subdivision and CUP

Case Number PRC2018-00009; Adams County, CO; CGS Unique No. AD-19-0001

Dear Ms. Collins:

Colorado Geological Survey has reviewed the Microgrid Energy referral. I understand the applicant proposes to 1) rezone from A-3 to A-2 approximately 23 acres located northwest of Imboden Road and E. 48th Avenue, 2) subdivide the property, creating two lots of 12 acres (Tract A) and 11 acres (Tract B), and 3) a conditional use permit to develop a solar garden facility on proposed Tract A.

The site does not contain steep slopes, is not undermined, is located within an area of "minimal flood hazard," and is not exposed to or located within any identified geologic hazard areas that would preclude the proposed rezoning, two-lot subdivision and solar energy use. **CGS therefore has no objection to approval.**

Mineral resource potential. According to the Atlas of Sand, Gravel, and Quarry Aggregate Resources, Colorado Front Range Counties (Schwochow et al, Colorado Geological Survey Special Publication 5-B, 1974, Manila Quadrangle), the property is **not** mapped as containing a sand, gravel, or aggregate resource. The site is located near the northern edge of the Watkins lignite seam as mapped in Kirkham, R.M., 1978, The Watkins Lignite Seam, Adams and Arapahoe Counties, Colorado: Colorado Geological Survey, Open-File Report OF-78-6, scale 1:50,000. The thickness of the lignite seam beneath the site is probably less than ten feet, pinching out toward the northeast, and the seam is approximately 50 feet below the ground surface. Extraction at this depth would result in subsidence at the surface, and likely damage to any structures, utilities, and pipelines. A determination regarding whether lignite in general, or this lignite seam specifically, constitutes an economically viable mineral resource is outside the scope of CGS review.

Thank you for the opportunity to review and comment on this project. If you have questions or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G. Engineering Geologist



Northeast Regional Office 6060 Broadway Denver, CO 80216 P 303.291.7227 | F 303.291.7114

July 24, 2018

Emily Collins Adams County Community and Economic Development Department 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216

RE: Conditional use permit to allow a solar garden facility (major energy facility) on the property (Case Number: PRC2018-00009)

Dear Ms. Collins:

Thank you for the opportunity to comment on the Microgrid Energy conditional use permit. The mission of Colorado Parks and Wildlife (CPW) is to perpetuate the wildlife resources of the state, to provide a quality state parks system, and to provide enjoyable and sustainable outdoor recreation opportunities that educate and inspire current and future generations to serve as active stewards of Colorado's natural resources. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority.

The proposed 23-acre Microgrid Energy Solar facility is located at the northwest corner of East 48th Avenue and Imboden Road, Aurora, Colorado (parcel number 0181700000325). The property listed on the conditional use permit is proposed to be rezoned in the Agriculture-2 zone district. The proposed solar garden facility is surrounded by agricultural lands and an existing solar array immediately north of the subject parcel.

District Wildlife Manager Serena Rocksund recently analyzed this amendment to the site. The main impacts to wildlife from this development include fragmentation and loss of habitat. Fragmentation of wildlife habitat has been shown to impede the movement of wildlife across the landscape. Open space areas are more beneficial to wildlife if they connect to other natural areas. The areas of wildlife habitat that most closely border human development show heavier impact than do areas on the interior of the open space. However, when open space areas are smaller in size, the overall impact of the fragmentation is greater (Odell and Knight, 2001). By keeping open space areas contiguous and of larger size the overall benefit to wildlife increases dramatically.

CPW would expect a variety of wildlife species to utilize this site on a regular basis, most notably, small to mid-sized mammals, song birds, and raptors. The potential also exists for large mammals such as deer and pronghorn to frequent this site. Raptors and other migratory birds, such as most song birds, are protected from take, harassment, and nest disruption at both the state and federal levels. If an active nest is discovered within the development area,



CPW recommends that buffer zones around nest sites be implemented during any period of activity that may interfere with nesting season. This will prevent the intentional or unintentional destruction of an active nest.

If initial site disturbance is proposed to occur between February 15 and August 31, CPW recommends surveys for tree, shrub, and ground nesting raptors and songbirds. If an active nest is observed, a minimum of a 150-ft buffer (unless otherwise indicated in the "Recommended Buffer Zones and Season Restrictions for Colorado Raptors" document) should be maintained until the young are no longer dependent on the nest.

For further information on this topic, a copy of the document, "Recommended Buffer Zones and Seasonal Restrictions for Colorado Raptors," is available from your local District Wildlife Manager. Following the recommendations outlined in this document will decrease the likelihood of unintentional take through disturbance.

If a prairie dog colony is discovered within the project area, the potential may also exist for the presence of burrowing owls. Burrowing owls live on flat, treeless land with short vegetation, and nest underground in burrows dug by prairie dogs, badgers, and foxes. These raptors are classified as a state threatened species and are protected by both state and federal laws, including the Migratory Bird Treaty Act. These laws prohibit the killing of burrowing owls or disturbance of their nests. Therefore, if any earth-moving will begin between March 15th and October 31st, a burrowing owl survey should be performed. Guidelines for performing a burrowing owl survey can also be obtained from your local District Wildlife Manager.

If prairie dog colonies are present, CPW would recommend they either be captured alive and moved to another location or humanely euthanized before any earth-moving occurs. Be aware that a permit and approval from county commissioners may be required for live relocation.

CPW recommends consideration be made for using principles of an integrated weed management plan, which Adams County may already have in place, to control and eliminate the spread of any noxious weeds in and around the site. CPW recommends that the planting of any species listed as noxious weeds be avoided throughout the development site and surrounding area. The spread and control of noxious weeds on the sites is a concern for wildlife in the immediate and surrounding area. Weeds are defined as "a plant that interferes with management objectives for a given area of land at a given point in time" (Whitson, 1999). Invasive plants endanger the ecosystem by disturbing natural processes and jeopardizing the survival of native plants and the wildlife that depend on them. The threat is so severe in the United States that scientist now agree that the spread of invasive species is one of the greatest risks to biodiversity (Nature Conservancy, 2003).

CPW recommend a smooth top to the fence (e.g., no top barbed wire or exposed metal rods) to prevent wildlife from impaling themselves if they attempt to cross into the solar facility. CPW has developed a document that helps project proponents choose the correct type of fencing allow or restrict wildlife movement. In this case, the 8-ft fence with barbless wire apron on extension arms angled outward at 45° would be preferable to exclude wildlife from the solar garden facility.

CPW also requests that the solar garden facility is checked at least every few days, in the unlikely event that a deer or other wildlife become trapped in the facility, and can be released.

Thank you again for the opportunity to comment on the conditional use permit for the Microgrid Energy Solar Garden Facility in Adams County. Please do not hesitate to contact us again about ways to continue managing the facility in order to maximize wildlife value while minimizing potential conflicts. If you have any further questions, please contact District Wildlife Manager Serena Rocksund at (303) 291-7132 or serena.rocksund@state.co.us.

Sincerely,

Crystal Chick

Area 5 Wildlife Manager

Crystal Chick

Cc: M. Leslie, T. Kroening, S. Rocksund



Right of Way & Permits 1123 West 3rd Avenue

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

August 1, 2018

Adams County Community and Economic Development Department 4430 South Adams County Parkway, 3rd Floor, Suite W3000 Brighton, CO 80601

Attn: Emily Collins

Re: Microgrid Energy, Case # PRC2018-00009

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Microgrid Energy** and has **no apparent conflict**.

Please be aware PSCo owns and operates existing natural gas and electric distribution facilities along Imboden Road. Public Service Company has no objection to this proposed rezone, contingent upon Public Service Company of Colorado'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.

Should the project require any new electric service or modification to existing facilities, the property owner/developer/contractor must complete the **application process** via FastApp-Fax-Email-USPS (go to:

https://www.xcelenergy.com/start, stop, transfer/new construction service activation for buil ders). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

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

Please contact me at donna.l.george@xcelenergy.com or 303-571-3306 if there are any questions with this referral response.

Donna George Right of Way and Permits Public Service Company of Colorado Community & Economic Development Department www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 PHONE 720.523.6800 FAX 720.523.6967

Request for Comments

Case Name:	Microgrid Energy
Case Number:	PRC2018-00009

July 11, 2018

Adams County Planning Commission is requesting comments on the following request:

1) Rezoning from Agriculture-3 (A-3) to Agriculture-2 (A-2); 2) Major Subdivision to create two lots on approximately 23 acres; 3) Conditional Use Permit to allow a solar garden facility (major energy facility) on the property.

The Assessor's Parcel Numbers is **0181700000325**Applicant Information **MICROGRID ENERGY (JON FITZPATRICK) 1536 WYNKOOP ST, Suite 400 DENVER, CO 80202**

Please forward any written comments on this application to the Department of Community and Economic Development at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216. (720) 523-6820 by **August 1, 2018** in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to ECollins@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates will be forwarded to you for your information. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Emily Collins, AICP

Case Manager

Community & Economic Development Department Development Services Division

www.adcogov.org



4430 South Adams County Parkway 1st Floor, Suite W2000B Brighton, CO 80601-8218 PHONE 720.523.6800 FAX 720.523.6967

Public Hearing Notification

Case Name: Microgrid Energy/ Kamerra Subdivision

Case Number:PRC2018-00009Planning Commission Date:02/28/2019 at 6:00 p.mBoard of County Commissioners Date:03/26/2019 at 9:30 a.m.

February 5, 2019

A public hearing has been set by the Adams County Planning Commission and Board of County Commissioners to consider the following request:

Rezoning from Agriculture-3 (A-3) to Agriculture-2 (A-2) and a Major Subdivision (Preliminary Plat) to create two lots on approximately 23 acres

This request is located at approximately E. 48th Ave. and Imboden Rd.
The Assessor's Parcel Numbers are 0181700000325

Applicant Information MICROGRID ENERGY (JON FITZPATRICK)

1536 WYNKOOP ST., #400

DENVER, CO 80202

The hearing will be held in the Adams County Hearing Room located at 4430 South Adams County Parkway, Brighton CO 80601. This will be a public hearing and any interested parties may attend and be heard. The Applicant and Representative's presence at these hearings is requested. If you require any special accommodations (e.g., wheelchair accessibility, an interpreter for the hearing impaired, etc.) please contact the Adams County Community and Economic Development Department at 720-523-6800 (or if this is a long distance call, please use the County's toll free telephone number at 1-800-824-7842) prior to the meeting date. For further information regarding this case, please contact the Department of Community and Economic Development, 4430 S. Adams County Parkway, Brighton, CO 80601, 720-523-6800. This is also the location where maps and/or text certified by the Planning Commission may be viewed. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

Thank you for your review of this case.

Emily Collins, AICP
Case Manager

NOTICE OF PUBLIC HEARING FOR LANDUSE

NOTICE IS HEREBY GIVEN, that an application has been filed by JON FITZPATRICK Case # PRC2018-00009 requesting: Rezone from Agriculture-3 (A-3) to Agriculture-2 (A-2) and Major Subdivision Preliminary Plat to create two lots on approximately 23 acres on the following property:

LEGAL DESCRIPTION:

SECT,TWN,RNG:18-3-64 DESC: PT OF THE S2 OF SEC 18 DESC AS FOLS BEG AT THE SE COR OF SEC 18 TH N 30 FT TH N 89D 30M 07S W 30 FT TH CONT N 89D 30M 07S W 1755/36 FT TH N 00D 17M 44S W 868/72 FT TH S 89D 29M 44S E 1755/37 FT TH S 00D 17M 44S E 868/53 FT TO THE POB EXC PARC 23/0070A

(The above legal description was provided by the applicant and Adams County is not responsible for any errors and omissions that may be contained herein and assumes no liability associated with the use or misuse of this legal description.)

APPROXIMATE LOCATION: E. 48th Avenue and Imboden Road

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Adams County Planning Commission in the Hearing Room of the Adams County Government Center, 4430 S. Adams County Parkway, Brighton, $CO - 1^{st}$ Floor, on the 28^{th} day of February, 2019, at the hour of 6:00 p.m., where and when any person may appear and be heard and a recommendation on this application will be forwarded to the Board of County Commissioners.

NOTICE IS FURTHER GIVEN, that a public hearing will be held by the Adams County Board of County Commissioners in the Hearing Room of the Adams County Government Center, 4430 S. Adams County Parkway, Brighton, $CO - 1^{st}$ Floor, on the 26^{th} day of March, 2019, at the hour of 9:30 a.m., to consider the above request where and when any person may appear and be heard.

For further information regarding this case, please contact **Emily Collins** at the Community and Economic Development Department, 4430 S. Adams County Pkwy, Brighton, CO 80601, 720.523.6820. This is also the location where the maps and/or text certified by the Planning Commission may be viewed.

BY ORDER OF THE BOARD OF COUNTY COMMISSIONERS JOSH ZYGIELBAUM, CLERK OF THE BOARD

TO BE PUBLISHED IN THE February 22, 2019 ISSUE OF THE Eastern Colorado News/I-70 Scout

Please reply to this message by email to confirm receipt or call Shayla Christenson at 720.523.6800.

Adams County

Attn: Planning Addressing

PLN

CITY OF AURORA ATTN: PLANNING DEPARTMENT

Attn: Porter Ingrum

15151 E ALAMEDA PKWY 2ND FLOOR

AURORA CO 80012

Adams County Construction Inspection

Attn: PWCI . PWCI

Code Compliance Supervisor

Attn: Eric Guenther eguenther@adcogov.org

Adams County Development Services - Building

Attn: Justin Blair

4430 S Adams County Pkwy

Brighton CO 80601

COLO DIV OF WATER RESOURCES

Attn: Joanna Williams

OFFICE OF STATE ENGINEER 1313 SHERMAN ST., ROOM 818

DENVER CO 80203

Adams County Treasurer: Send email

Attn: Adams County Treasurer

bgrimm@adcogov.org

COLO DIV OF WATER RESOURCES

Attn: Joanna Williams

OFFICE OF STATE ENGINEER 1313 SHERMAN ST., ROOM 818

DENVER CO 80203

BENNETT FIRE DISTRICT #7
Attn: Captain Caleb J Connor

825 SHARIS CT BENNETT CO 80102 COLORADO DIVISION OF WILDLIFE

Attn: Eliza Hunholz

Northeast Regional Engineer

6060 BROADWAY

DENVER CO 80216-1000

BENNETT FIRE DISTRICT #7 Attn: CHIEF EARL CUMELY

825 SHARIS CT BENNETT CO 80102 COLORADO DIVISION OF WILDLIFE

Attn: Serena Rocksund 6060 BROADWAY DENVER CO 80216

BENNETT PARK AND RECREATION

Attn: Chris Raines PO BOX 379 455 S. 1ST ST.

BENNETT CO 80102-0379

COLORADO GEOLOGICAL SURVEY

Attn: Jill Carlson 1500 Illinois Street Golden CO 80401

BENNETT SCHOOL DISTRICT 29J

Attn: Robin Purdy 615 7TH ST.

BENNETT CO 80102

Colorado Geological Survey: CGS LUR@mines.edu

Attn: Jill Carlson

Mail CHECK to Jill Carlson

Century Link, Inc.

Attn: Brandyn Wiedreich 5325 Zuni St, Rm 728 Denver CO 80221 COMCAST Attn: JOE LOWE 8490 N UMITILLA ST

FEDERAL HEIGHTS CO 80260

CITY OF AURORA - WATER AND SAN, DEPT.

Attn: PETER BINNEY

15151 E ALAMEDA PKWY #3600

AURORA CO 80012

COUNTY ATTORNEY- Email Attn: Christine Francescani CFrancescani@adcogov.org

Engineering Department - ROW Attn: Transportation Department

PWE - ROW

UNITED STATES POST OFFICE Attn: MARY C. DOBYNS 56691 E COLFAX AVENUE STRASBURG CO 80136-8115

Engineering Division

Attn: Transportation Department

PWE

Xcel Energy Attn: Donna George 1123 W 3rd Ave DENVER CO 80223

METRO WASTEWATER RECLAMATION Attn: CRAIG SIMMONDS 6450 YORK ST. DENVER CO 80229 Xcel Energy Attn: Donna George 1123 W 3rd Ave DENVER CO 80223

NS - Code Compliance Attn: Gail Moon gmoon@adcogov.org

Parks and Open Space Department Attn: Nathan Mosley mpedrucci@adcogov.org aclark@adcogov.org

SHERIFF'S OFFICE: SO-HQ
Attn: MICHAEL McINTOSH

nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcog

snielson@adcogov.org

Sheriff's Office: SO-SUB Attn: SCOTT MILLER TFuller@adcogov.org, smiller@

TFuller@adcogov.org, smiller@adcogov.org aoverton@adcogov.org; mkaiser@adcogov.org

TRI-COUNTY HEALTH DEPARTMENT Attn: Sheila Lynch 6162 S WILLOW DR, SUITE 100 GREENWOOD VILLAGE CO 80111

TRI-COUNTY HEALTH DEPARTMENT Attn: MONTE DEATRICH 4201 E. 72ND AVENUE SUITE D COMMERCE CITY CO 80022

Tri-County Health: Mail CHECK to Sheila Lynch

Attn: Tri-County Health landuse@tchd.org

ADAMS COUNTY 4430 S ADAMS COUNTY PKWY 5TH FLOOR BRIGHTON CO 80601-8222 PUBLIC SERVICE CO OF COLORADO C/O PROPERTY AND LOCAL TAXES PO BOX 1979 DENVER CO 80201-1979

CITY OF AURORA 15151 E ALAMEDA PKWY 3RD FLOOR AURORA CO 80012 ROBSON RYAN E 1863 ASOKA ST STRASBURG CO 80136-7708

CLEAN ENERGY COLLECTIVE, LLC 4430 S ADAMS COUNTY PKWY 5TH FLOOR LOUISVILLE CO 80027-1288 ROSEMAR VENTURERS C/O J & B BUILDING CO GREENWOOD VILLAGE CO 80111-1357

CO LAND ACQUISITIONS LLC 1551 BANNOCK ST DENVER CO 80204 STEWY LLC 595 CIRCLE DR DENVER CO 80206-4112

COLORADO SHARED SOLAR I LLC 211 CARNEGIE CTR PRINCETON NJ 08540-6213 WESTERN TRANSPORT LLC UND 58.76% AND TREE TO P LP AND LP UND 21.24% AND COLORADO MAVERICK COMPANY LLC UND 20% 625 E MAIN ST STE 1028-303 ASPEN CO 81611-1935

JOBES ROY A 623 E 111TH PLACE NORTHGLENN CO 80233

KAMERRA LLC 1250 S BUCKLEY RD UNIT I-246 AURORA CO 80017-4150

METHVEN MARIANNE 3405 PECAN PARK DR FLOWER MOUND TX 75022

MOLBERG LEONARD W AND MOLBERG JUDITH A 13184 ROBINS DR DENVER CO 80239-3720

PARK JE KYUNG 1557 PEORIA ST AURORA CO 80010-2829

CERTIFICATE OF POSTING



I, J. Gregory Barnes do hereby certify that I posted the property (Parcel # 0181700000325) on February 12, 2019 in accordance with the requirements of the Adams County Development Standards and Regulations.

J. Gregory Barnes

PRC2018-00009 Microgrid Energy

March 26, 2019

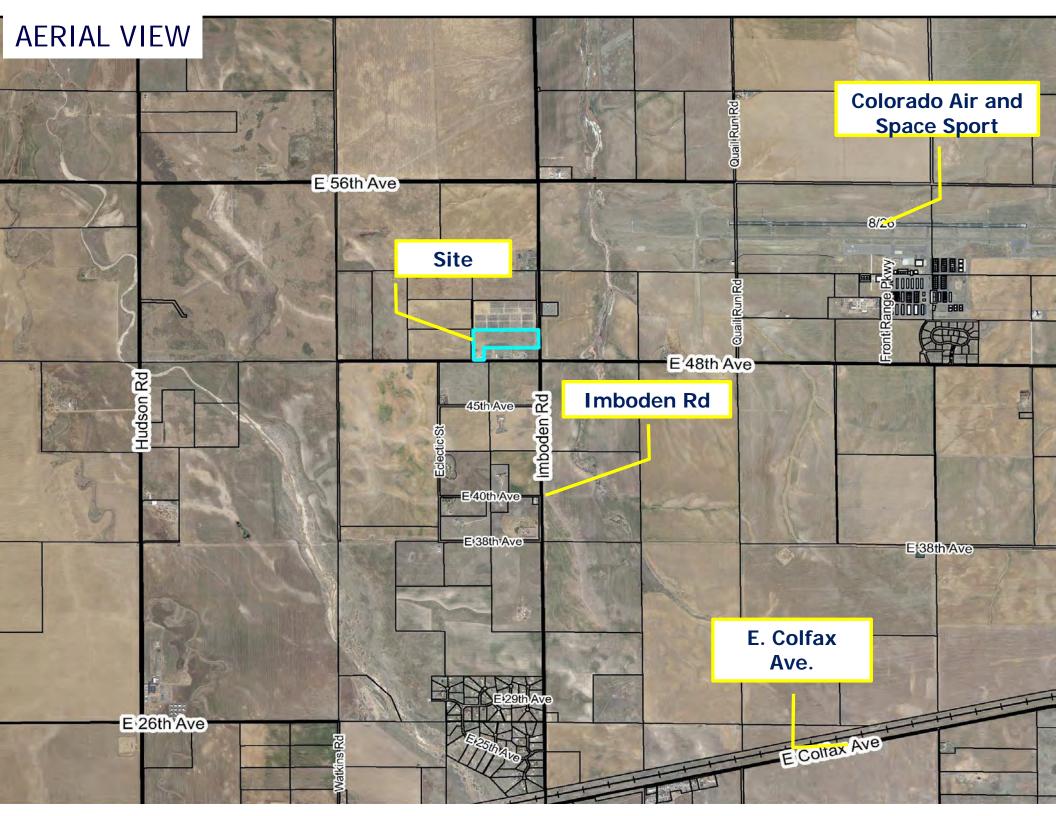
Community and Economic Development Case Manager: Greg Barnes

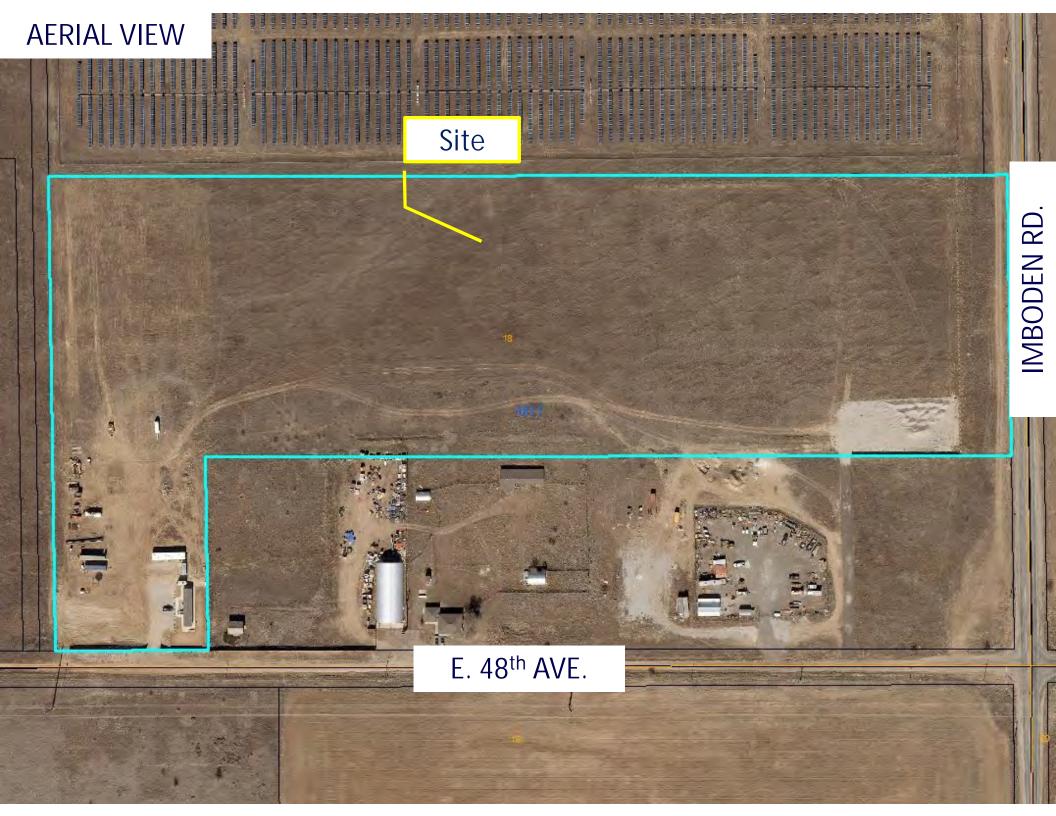
Request

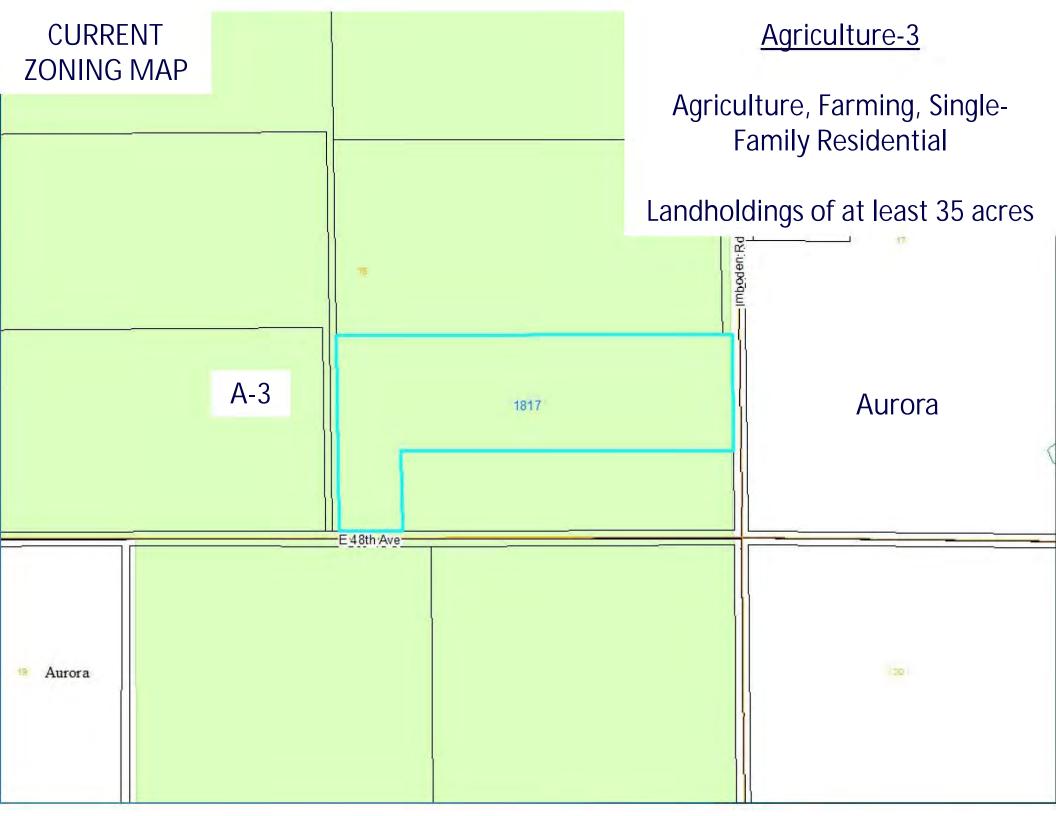
- 1. Rezone of 23 acres from Agricultural-3 to Agricultural-2
- 2. Preliminary Plat to create 2 lots on 23 acres

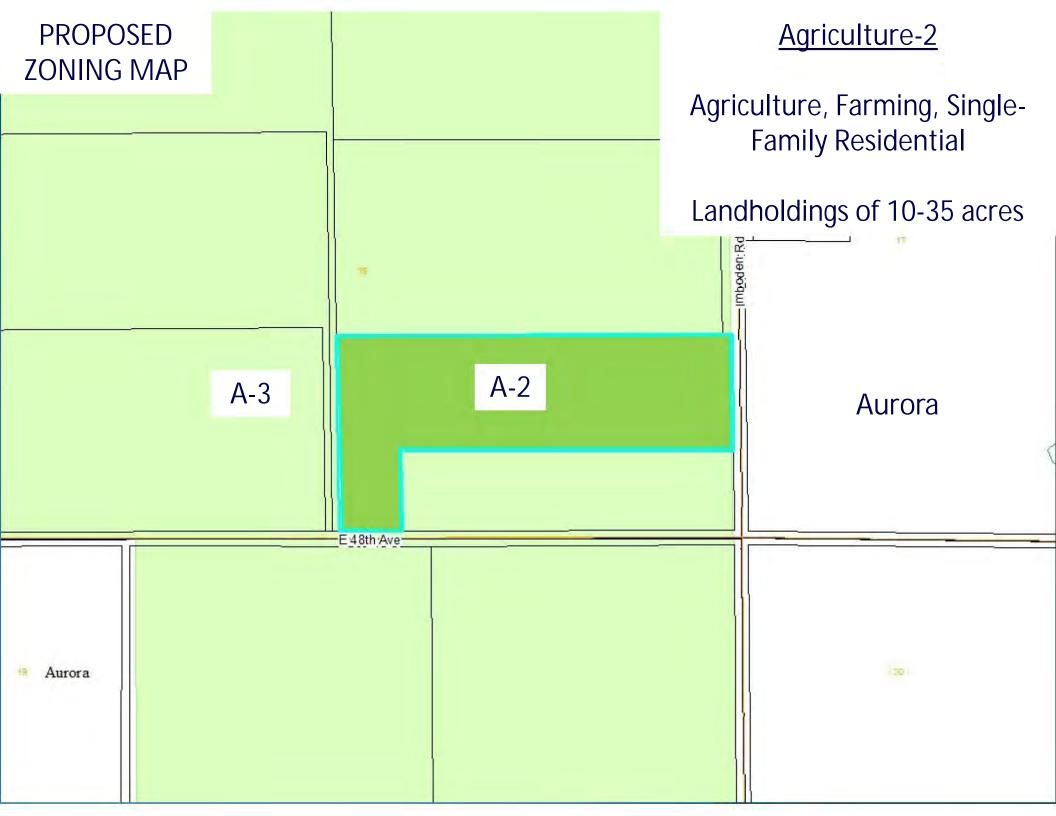
Background

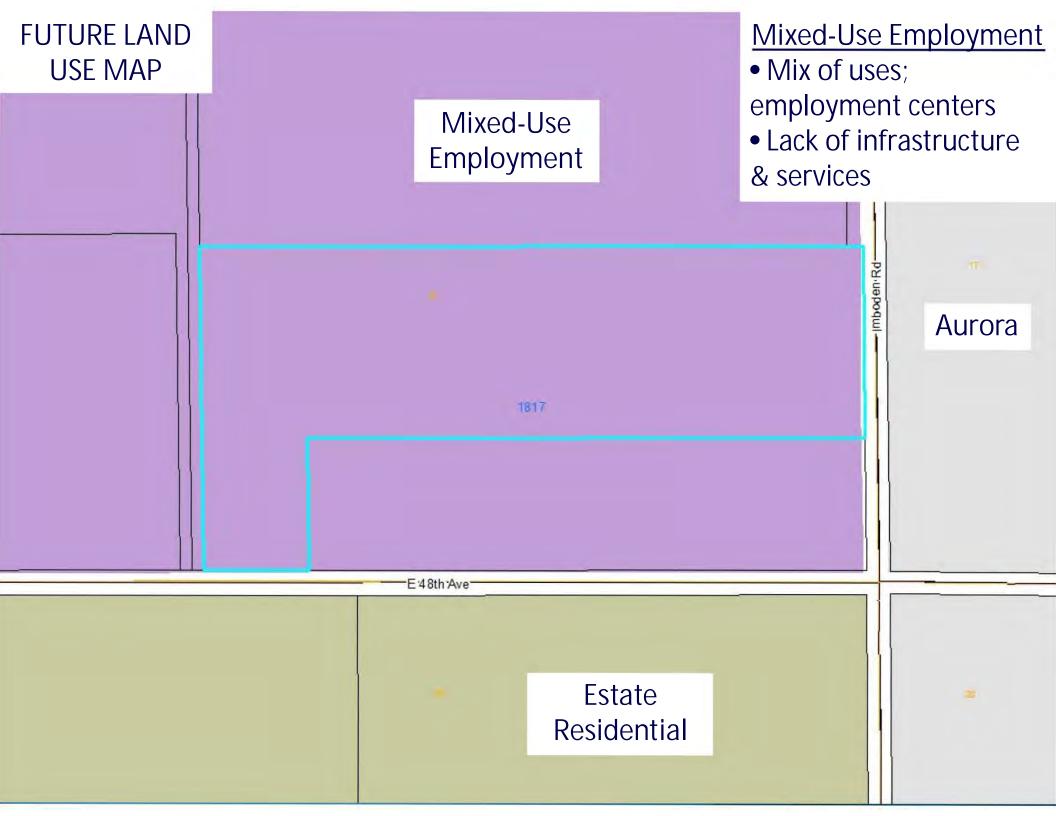
- Applicant: Microgrid Energy
- Intends to develop property for a solar energy use
- Lot created illegally, requires subdivision
- Minimum lot size in A-3 is 35 acres











Criteria for Rezoning

Section 2-02-13-06-02

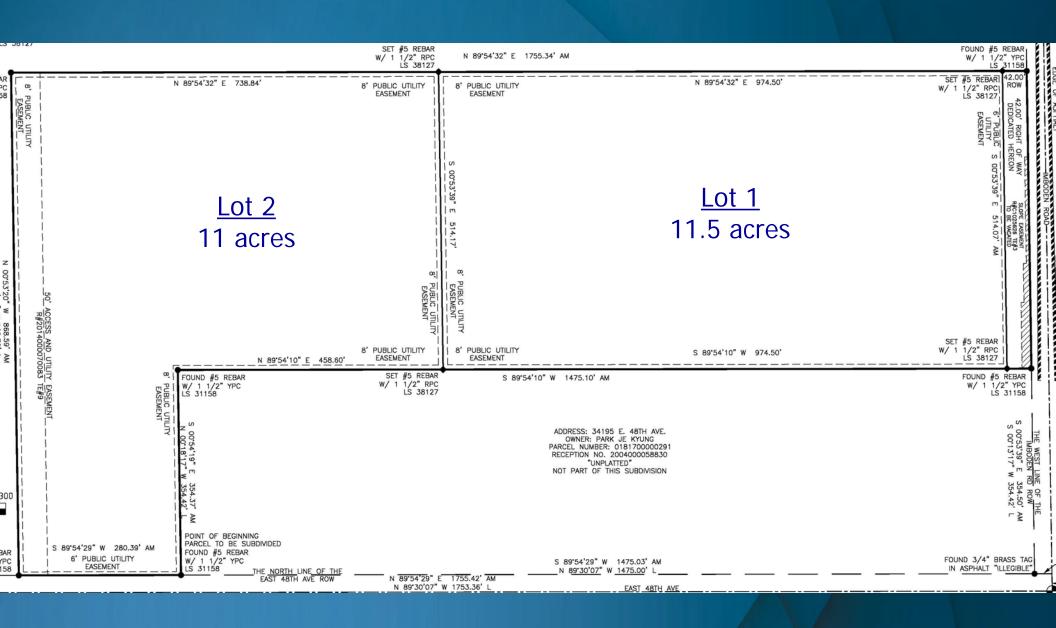
- 1. Consistent with Comprehensive Plan
- 2. Consistent with Development Standards
- 3. Complies to Development Standards
- 4. Harmonious & Compatible

Criteria for Major Subdivision Preliminary Plat

Section 2-02-17-04-05

- 1. Consistent with Comprehensive Plan
- 2. Consistent with purpose of standards
- 3. Conforms with subdivision design standards
- 4. Sufficient water supply
- 5. Adequate sewer service
- 6. Identify any soil or topographical conditions
- 7. Adequate drainage infrastructure
- 8. Density conformance to zone district
- 9. Compatible to area

Proposed Preliminary Plat



Development Standards

Agriculture-2 Zone District

Minimum Lot Size - 10 acres

• Lot 1: 11.5 acres

• Lot 2: 11 acres

Minimum Lot Width - Required: 425 ft.

• Lot 1: 514 feet

 Lot 2: Conforms to minimum flag pole standard of 30 feet at roadway

716 feet after

Criteria for Conditional Use

Section 2-02-08-06

- 1. Permitted in zone district
- 2. Consistent with regulations
- 3. Comply with performance standards
- 4. Harmonious & compatible
- 5. Addressed all off-site impacts
- 6. Site suitable for use
- 7. Site plan adequate for use
- 8. Adequate services





Referral Comments

- No concerns:
 - Geological, Xcel
- Comments:
 - Parks and Wildlife: related to intended use, not subdivision or rezoning
- Property Owners and Residents within 750 ft:

Notifications Sent	Comments Received
15	0

Planning Commission Update

Public Hearing on February 28, 2019

No members of the public testified on this case

No issues identified or changes to the application

Recommendation

PRC2018-00009 Microgrid Energy

Staff recommends Approval of (PRC2018-00009) based on: 13 Findings-of-Fact, and 1 note

To be forwarded to the Board of County Commissioners agenda for March 26, 2019



Community & Economic Development Department

4430 South Adams County Parkway, 1st Floor, Suite W2000 Brighton, CO 80601-8205 PHONE 720.523.6800 FAX 720.523.6998

MEMORANDUM

To: Board of County Commissioners

From: Libby Tart, Planner III

Date: March 26, 2019

Subject: Request to continue Case# PRC2018-00002 Pomponio Filing No. 3 and 4 Final

Development Plan, Plat and SIA to April 9, 2019

Background

Pomponio Terrace Holdings, LLC, the applicant, is requesting: 1) a Final Development Plan (FDP) to allow 114 lots on approximately 6.5 acres in the Planned Unit Development (P-U-D) zone district; 2) a Major Subdivision (Final Plat) to create 33 lots on approximately 2.15 acres; 3) a Major Subdivision (Final Plat) to create 81 lots on approximately 4.4 acres; 4) a Subdivision Improvement Agreement (SIA) for Filing No.3; and 5) a Subdivision Improvement Agreement (SIA) for Filing No. 4 of the Pomponio Terrace Planned Unit Development.

The Board of County Commissioners (BoCC) approved a Preliminary Development Plan (PDP) for the PUD in 2015. Per Section 2-02-10-04-01 of the County's Development Standards and Regulations, a Final Development Plan and Plat is required prior to development of the site. The proposed request is to adhere to requirements for obtaining a Final Development Plan and Plat.

In addition, the applicant is proposing two final plats as part of the second phase of development. This allows the developer to phase required public improvements while still complying with all County subdivision requirements.

The continuance requested is to allow staff time to fully vet and execute the two Subdivision Improvement Agreements for each filing. Finance, Engineering and Legal must review the collateral amount and find it acceptable prior to taking the two SIAs before the BoCC.

Currently, the BoCC is scheduled to consider the Final Development Plan, Final Plats and SIAs on March 26, 2019. However, due to the SIAs being amended, staff recommends that the BoCC continue hearing of the case to April 9, 2019.

Recommended Action:

Staff is requesting the Board of County Commissioners continue the request for case # PRC2018-00002 to the Board's meeting on April 9, 2019. A full staff report shall be provided at the April 9, 2019 hearing.

Pomponio Filings No. 3 and 4

Final Development Plan, Two Final Plats and Two Subdivision Improvement Agreements

PRC2018-00002

6856 Federal Blvd.

March 26, 2019
Board of County Commissioners Public Hearing
Community and Economic Development Department
Case Manager: Greg Barnes (on behalf of Libby Tart)

Staff Recommendation

Staff is requesting the Board of County Commissioners continue the request for case # PRC2018-00002 to the Board's meeting on April 9, 2019. A full staff report shall be provided at the April 9, 2019 hearing.