



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

CASE NO.: PLT2021-00012
CASE NAME: Lefor Major Subdivision Preliminary Plat

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**COMMUNITY AND ECONOMIC
DEVELOPMENT DEPARTMENT
STAFF REPORT**

Board of County Commissioners

August 2, 2022

CASE No.: PLT2021-00012 CASE NAME: Lefor Major Subdivision Preliminary Plat	
Owners' Names:	Denise and Christopher Lefor
Applicant's Name:	Ben Binkley
Applicant's Address:	206 Quari Street Arvada, Colorado 80011
Parcel Number:	0156500000086
Nature of Requests:	Major Subdivision Preliminary Plat to create three lots on approximately 65 acres.
Current Zone Districts:	Agriculture-2 (A-2)
Future Land Use:	Estate Residential
Total Site Area:	Approximately 65.6 acres
Hearing Date(s):	PC: July 14, 2022 / 6:00 pm BoCC: August 2, 2022 / 9:30 am
Report Date:	July 24, 2022
Case Manager:	Layla Bajelan, Senior Long-Range Planner
PC Recommendation:	APPROVAL with 9 findings-of-fact and 4 notes

SUMMARY OF PAST APPLICATIONS

In February of 2021, the Board of County Commissioners approved a rezone to change the zoning on the property from Agriculture-3 (A-3) to Agriculture-2 (A-2) and a Comprehensive Plan amendment to change the future land use from Agriculture to Estate Residential. The approval of these applications allows for the subdivision of the property in the future.

SUMMARY OF APPLICATIONS

Background:

The applicant, Ben Binkley, on behalf of the Lefor family, is requesting a Major Subdivision Preliminary Plat to create 3 lots from the existing 65.6 acre parcel.

The preliminary plat request consists of one parcel totaling 65.6 acres. The proposed preliminary plat would reconfigure the site into 3 lots that are intended to be used for the Lefors and their two children. The lots will allow for one single-family home to be constructed on each lot, and the preliminary plat proposes that the lots be accessed by E. 128th Avenue to the south. Upon approval of the preliminary plat, the applicant will be expected to submit an application for the final plat and associated subdivision improvements agreement, if deemed required.

Zone District Regulations:

The current zone district for this parcel is A-2. Per Section 3-09-01 of the County's Development Standards and Regulations, the purpose of the A-2 zone district is to provide a district for rural subdivisions of at least ten (10) acres in size, where adequate provisions are made for internal and external roads and access, water and sewer facilities, fire protection and other emergency services, and other public services and utilities.

Major Subdivision (Preliminary Plat):

Per Section 2-02-17 of the County's Development Standards and Regulations, the applicant is requesting a Major Subdivision (Preliminary Plat) for the proposed residential development. Currently, the site consists of a single parcel. The applicant's proposal will create 3 total lots.

The dimensional requirements for the A-2 zone district include a minimum of a 10-acre lot size and a minimum lot width of 425 feet. Lot one is proposed to be roughly 35 acres in size with 1,165 feet in lot width. Lots two and three are proposed to be roughly 13.5 acres in size with 450 feet in lot width. All lots are conforming to the minimum dimensional standards of the underlying zone district.

The Preliminary Subdivision Plat conforms to the Development Standards and Regulations and the goals of the Comprehensive Plan. The proposed subdivision has adequate water and sewer services that will be provided by well and septic.

Subdivision Design and Improvements

The proposed preliminary plat has been reviewed by County staff for consistency with the County's Subdivision Design Standards (Section 5-03). The proposed plat has been designed to be appropriate for development, and the lot configuration is suitable for access and emergency services. The proposed subdivision has been determined by the Colorado Division of Water Resources to have adequate water supply. All documentation has been provided to ensure conformance with the County's water supply requirements.

Per Section 5-02-05 of the County's Development Standards and Regulations, a subdivision improvements agreement (SIA) will be required with a final plat. The SIA allows for construction of infrastructure, such as streets, curbs, gutters, sidewalks, and storm sewers to be constructed on the property, if required. In addition, for residential subdivisions, public land dedication is required to support schools, neighborhood parks, and regional parks. Section 5-05-04 of the County's Development Standards and Regulations allows for cash-in-lieu of land dedication. These cash-in-lieu fees will be expected to be paid prior to scheduling the final plat application for public hearings.

Future Land Use Designation:

The Adams County Comprehensive Plan designates this area as Estate Residential. Per Chapter 5 of the Adams County Comprehensive Plan, the purpose of the Estate Residential future land use designation is to provide limited opportunities for ex-urban or rural lifestyles in the County. Estate Residential areas are designated for single-family housing at lower densities, typically no greater than 1 unit per acre, and compatible uses such as schools and parks.

The proposed preliminary plat is compatible with the future land use designation as the applicant is intending to develop the lots with a single-family home.

Site Characteristics:

The subject property has street frontage along both E. 128th Avenue and Imboden Road. Currently, the parcel is undeveloped with some oil and gas equipment located on the northern edge of the parcel.

Surrounding Zoning Designations and Existing Use Activity:

Northwest A-1 Undeveloped	North A-1 Undeveloped	Northeast A-3 Undeveloped
West A-3 Undeveloped	Subject Property A-2 Undeveloped	East A-3 Single-family dwelling
Southwest A-3 Single-Family Dwelling	South A-3 Undeveloped	Southeast A-3 Undeveloped

Compatibility with the Surrounding Area:

The surrounding properties are primarily zoned A-3 or PUD (Preliminary), with A-1 properties being located directly to the north. The properties are either undeveloped or developed with single-family dwellings and associated accessory structures. As shown on the aerial map, the parcel is within very close proximity to several higher density residential Planned Unit Development areas to the north and northwest. Several of the A-3 zoned properties in this area are considered legal nonconforming as they are not 35 acres in size.

This application is compatible with the overall area and is not detrimental to public health and safety. Approval of this request will be consistent with the character of development activities in the area.

Staff Recommendation:

Based upon the application, the criteria for approval, and a recent site visit, staff recommends approval of the request preliminary plat with 9 findings-of-fact and 4 notes:

Recommended Findings-of-Fact

1. The preliminary plat is consistent with the Adams County Comprehensive Plan and any available area plan.
2. The preliminary plat is consistent with the purposes of these standards and regulations.
3. The preliminary plat is in conformance with the subdivision design standards and any approved sketch plan.

4. 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.
5. 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.
6. 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.
7. The applicant has provided evidence that adequate drainage improvements comply with these standards and regulations.
8. The overall density of development within the proposed subdivision conforms to the zone district density allowances.
9. 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.

Recommended Notes to the Applicant:

1. The applicant shall comply with all building, zoning, fire, engineering, and health codes and regulations during the development of the subject site.
2. The preliminary plat approval shall expire on August 2, 2024, if a final plat application is not submitted to the Adams County Community and Economic Development Department.
3. A public land dedication fee for parks and schools shall be paid to Adams County prior to or with the final plat submittal. This fee shall be determined by the fee structure specified in Section 5-05 of the Adams County Development Standards and Regulations.

4. All utilities shall be located underground pursuant to the Adams County Development Standards and Regulations.

PC UPDATE

This case was heard at the Planning Commission (PC) on June 14, 2022, and the PC forwarded a recommendation of approval (5-0) with 9 findings-of-fact and 4 notes to the applicant. The PC had questions on the oil wells on the property and staff was able to respond confirming that the wells are plugged and abandoned. There were no members of the public to testify in support or opposition to this request.

CITIZEN COMMENTS

Notifications Sent	Comments Received
9	0

All property owners and occupants within 1,000 feet of the subject property were notified of the request. As of writing this report, staff has not received any public comment on this case.

REFERRAL AGENCY COMMENTS

Initially, the Division of Water Resources (DWR) had concern over the available water supply/ water rights on the property. The applicant has since applied for underground water rights and has a State-approved Water Augmentation Plan that demonstrates they have adequate water rights to meet the 300-year water supply requirement. The DWR has signed off on the applicant's water supply plan.

Responding with Initial Concerns:

CDNR-Division of Water Resources

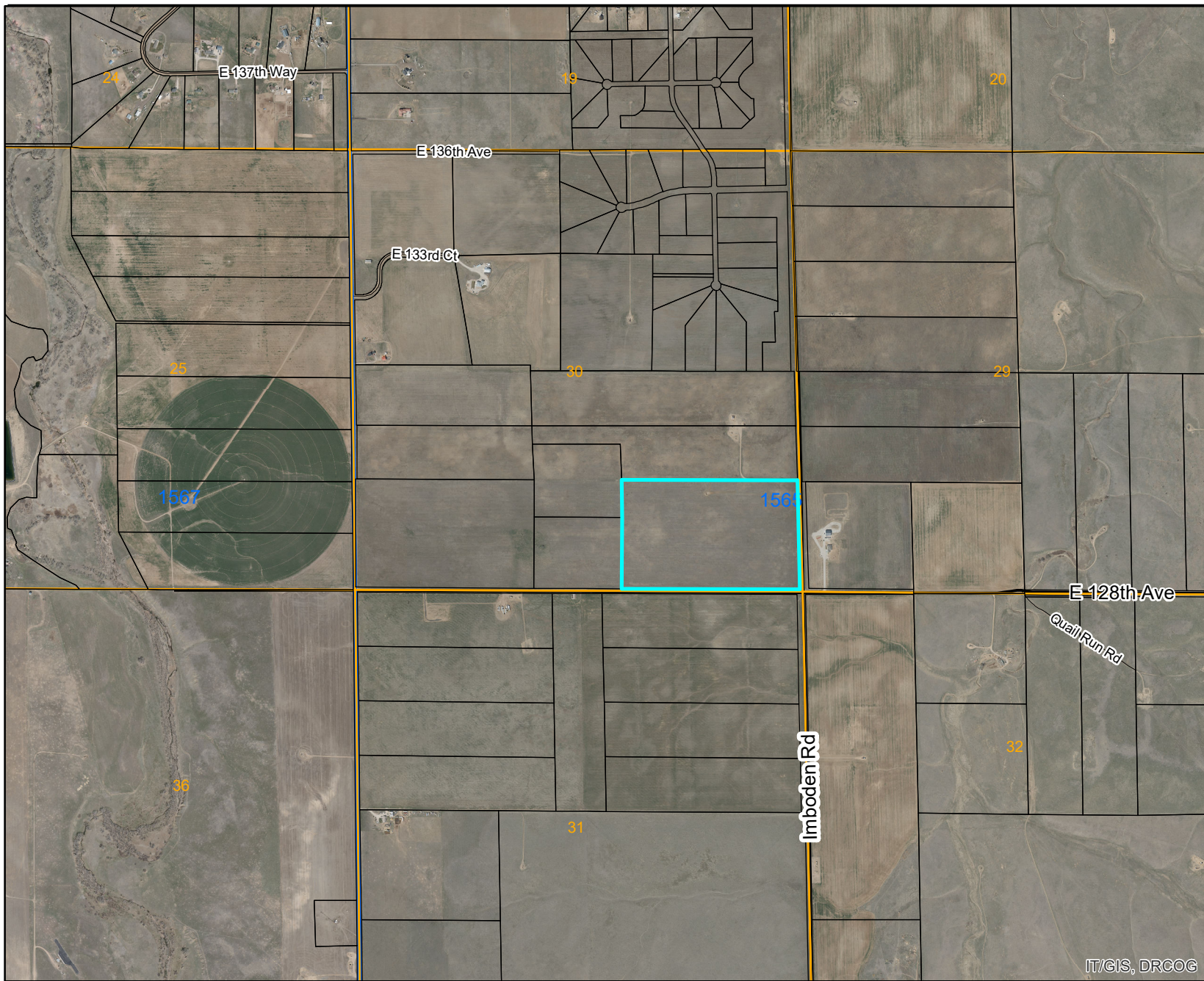
Responding without Concerns:

Adams County Treasurer
Colorado Geological Survey
Tri-County Health Department
Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Adams 12 Five Star Schools
Adams County Assessor
Adams County Sheriff
Arvada Fire Department
Berkley Neighborhood Association
Berkeley Sanitation District
Century Link
CDNR-Division of Mining & Reclamation Safety
CDNR-Division of Parks & Wildlife
City of Arvada

City of Federal Heights
Comcast
Crestview Water & Sanitation District
Fisher Ditch Company
Goat Hill
Mapleton School District #1
Metro Wastewater Recovery
Mobile Gardens
North Lincoln Water & Sanitations District
North Washington Water & Sanitation District
Northridge Estates at Gold Run
Pecos Logistics Park Metro District
Perl Mack Neighborhood Group
Pomponio Terrace Metro District
Shaw Heights Water District
The TOD Group
Union Pacific Railroad
U.S. Environmental Protection Agency
U.S. Post Office
Welby Citizen Group
Westminster School District #50



Legend

- Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

- A-1
- A-2
- A-3
- R-E
- R-1-A
- R-1-C
- R-2
- R-3
- R-4
- M-H
- C-0
- C-1
- C-2
- C-3
- C-4
- C-5
- I-1
- I-2
- I-3
- CO
- PL
- AV
- DIA
- P-U-D
- P-U-D(P)
- Conditions

IT/GIS, DRCOG

PLT2021-00012; Lefor Major Subdivision Preliminary Plat

Aerial Map

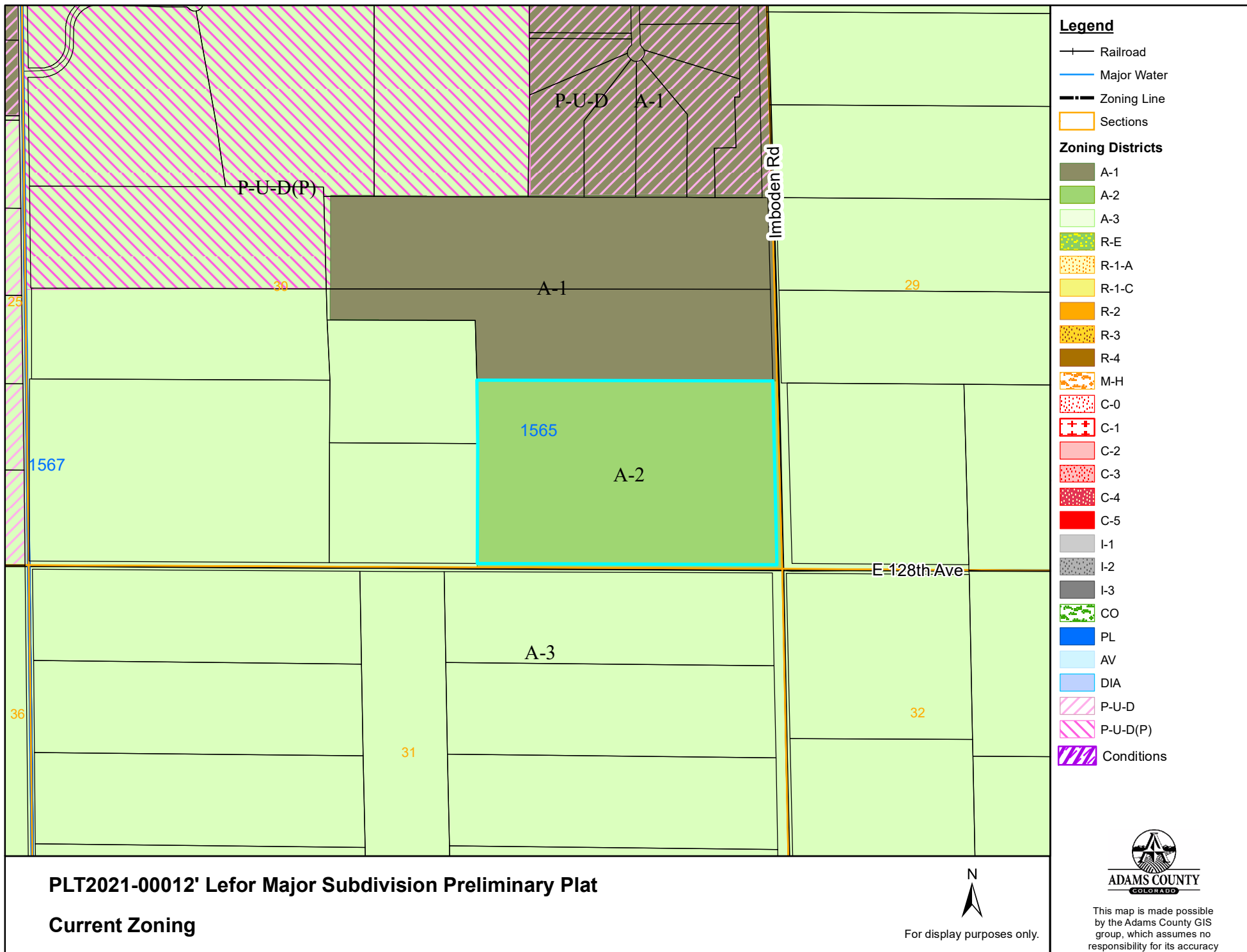


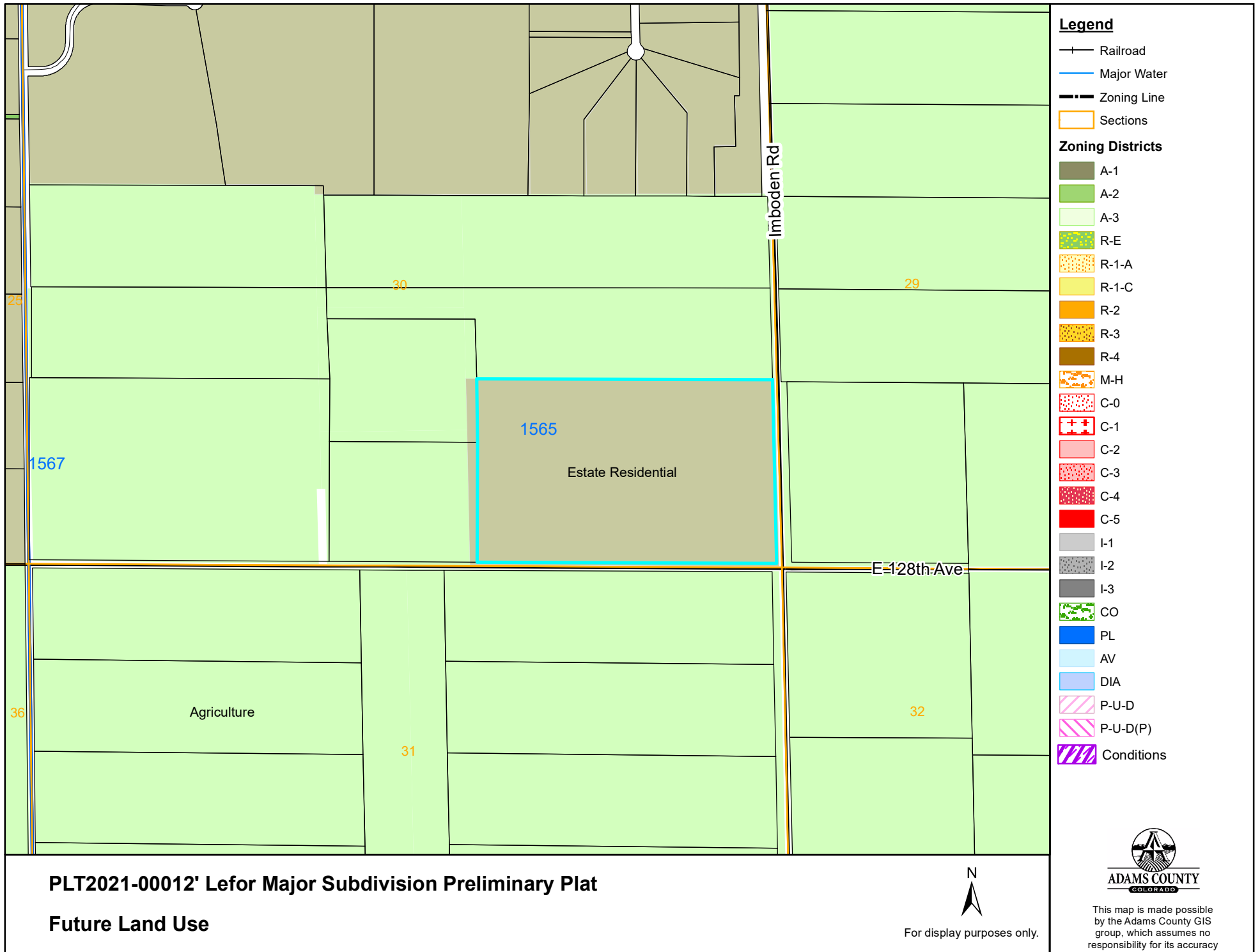
For display purposes only.

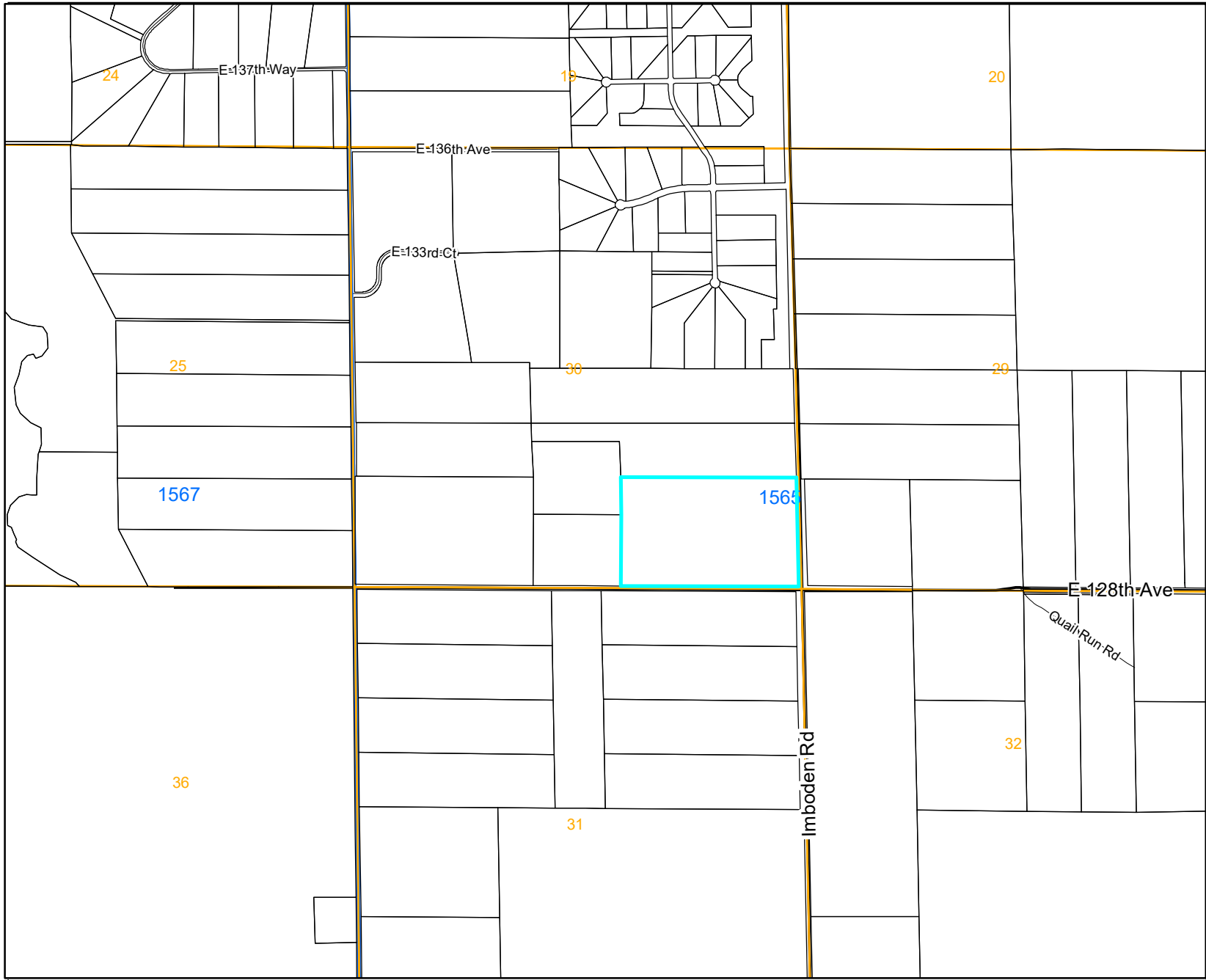


ADAMS COUNTY
COLORADO

This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy







Legend

- Railroad
- Major Water
- Zoning Line
- Sections

PLT2021-00012; Lefor Major Subdivision Preliminary Plat
Simple Map



For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible
by the Adams County GIS
group, which assumes no
responsibility for its accuracy

Project Explanation (#3 Major Subdivision):

The goal is to subdivide a sixty-five acre parcel, owned by Christopher and Denise Lefor, into three separate parcels or lots. The three lots are to be for family members Amber, her mother and father (Christopher and Denise), and her brother Ben Lefor. Each member would ultimately like to have the opportunity to build a single family home to keep the family close. The family would like to subdivide the 65 acre parcel into one A3 lot at 35 acres for Dad/Mom, and the other two lots rezoned to A2 just 13.5 acres, all for residential single family home construction. Potentially totaling three homes.

Amber is has taken the lead on pursuing this subdivision for her family. Due to the rising cost of land and housing in Colorado, the opportunity her parents offered was one she can afford. She plans to build herself a ranch style home approximately 1800 square feet with attached two car garage. Her house will be on an approved septic system once approved for construction. The home will also have a well for water and propane to heat. The intent is to leave natural vegetation and keep her horses on the land.

Amber intends to start necessary testing for septic and well as soon as approval is met for subdividing the property. Engineering and final home plans will begin once approved for subdivision.

We have spoken with Tri-county for well and septic. Tri-County does no longer issues "will-serve" letters until property meets approval for home construction.

LEFOR SUBDIVISION

BEING A PART OF THE SOUTHEAST QUARTER OF SECTION 30,
TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF ADAMS, STATE OF COLORADO

SHEET 1 OF 2

CASE NUMBER:
PLT2021-00012

DEDICATION AND OWNERSHIP STATEMENT:

KNOW ALL PEOPLE BY THESE PRESENTS THAT THE UNDERSIGNED WARRANT IT IS THE OWNER OF A PARCEL OF LAND AS DESCRIBED IN VESTING DEED AS RECORDED AT RECEPTION NO.2017000075854, BEING SITUATED IN THAT PART OF THE SE 1/4 OF SECTION 30, T1S, R64W OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PORTION OF LAND LOCATED IN THE SOUTH 1/2 OF SECTION 30, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 30; THENCE RUNNING SOUTH ALONG THE EAST LINE OF SAID SECTION 30 A DISTANCE OF 1304.83 FEET TO THE TRUE POINT OF BEGINNING; THENCE RUNNING SOUTH ALONG SAID EAST LINE OF SAID SECTION 30, 1339.53 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 30; THENCE RUNNING WEST ALONG THE SOUTH LINE OF SAID SECTION 30, 2136.51 FEET TO A POINT ON THE SOUTH LINE OF SAID SECTION 30; THENCE RUNNING NORTH AND PARALLEL TO THE EAST LINE OF SAID SECTION 30, 1340.70 FEET TO A POINT; THENCE RUNNING EAST AND PARALLEL TO THE DIVIDING LINE BETWEEN THE NORTH 1/2 AND THE SOUTH 1/2 OF SAID SECTION 30, A DISTANCE OF 2136.54 FEET TO A POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.

HAVE LAID OUT, PLATTED, AND SUBDIVIDED THE SAME INTO LOTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF LEFOR SUBDIVISION, AND BY THESE PRESENTS DO HEREBY DEDICATE TO THE COUNTY OF ADAMS, STATE OF COLORADO, FOR THE PERPETUAL USE OF THE PUBLIC, THE STREETS AND EASEMENTS AS SHOWN HEREON AND NOT PREVIOUSLY DEDICATED TO THE PUBLIC.

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 (AND TRACTS) AS SHOWN ON THE PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENT TO ADAMS COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUITCLAIM ALL OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN ADAMS COUNTY

OWNER:

SIGNATURE – CHRISTOPHER LEFOR

SIGNATURE – DENISE LEFOR

NOTORIAL:

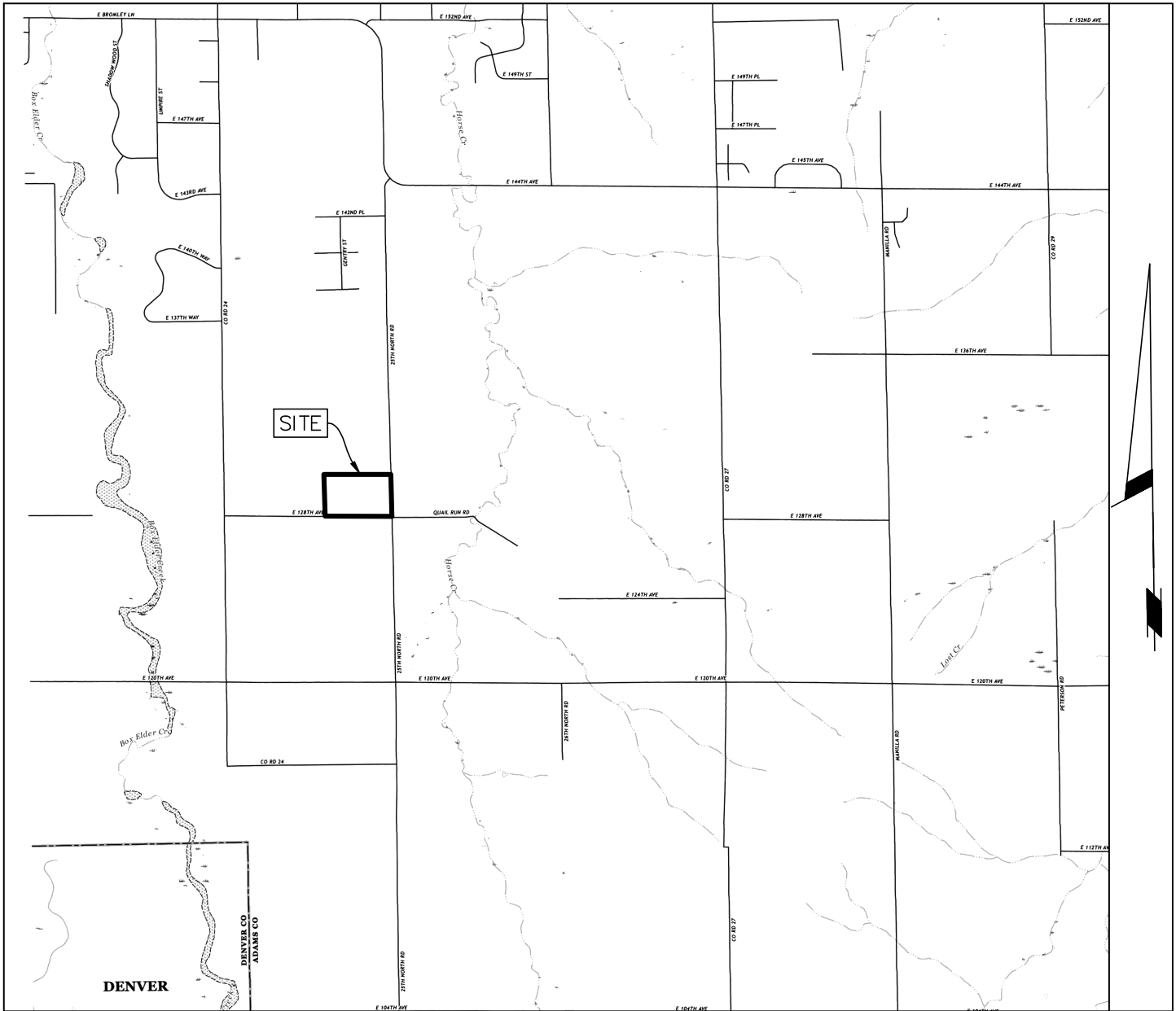
STATE OF COLORADO)
)SS
COUNTY OF _____)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ____ DAY OF _____, 20____, BY CHRISTOPHER LEFOR AND DENISE LEFOR AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP.

WITNESS MY HAND AND OFFICIAL SEAL:

NOTARY PUBLIC

MY COMMISSION EXPIRES : _____



VICINITY MAP
SCALE 1"=5000'

NOTES:

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

2. ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.

3. BASIS OF BEARINGS: BEARINGS ARE BASED ON GRID BEARINGS OF THE COLORADO STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE, NORTH AMERICAN DATUM 1983. THE BEARING OF THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 30, T1S, R64W OF THE 6TH P.M. BETWEEN MONUMENTS AS SHOWN HEREON IS S1°35'26"E WITH ALL BEARINGS CONTAINED HEREON RELATIVE THERETO.

4. ALL DISTANCES ARE GROUND MEASUREMENTS IN U.S. SURVEY FEET, DEFINED AS EXACTLY 1200/3937 METERS.

5. 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.

7. 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 GRANTEEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEEES, INCLUDING, WITHOUT LIMITATION, VEGETATION.

8. THIS SURVEY WAS PREPARED WITHOUT A TITLE COMMITMENT. A TITLE SEARCH WAS NOT PERFORMED TO DETERMINE OWNERSHIP, EASEMENTS OR OTHER MATTERS OF PUBLIC RECORD. INFORMATION CONTAINED HEREON IS BASED ON THE DEED AT RECEPTION NO.2017000075845, RECORDED AT THE ADAMS COUNTY CLERK AND RECORDER.

SURVEYOR'S CERTIFICATE:

I HEREBY CERTIFY THAT I WAS IN RESPONSIBLE CHARGE OF THE SURVEY WORK USED IN THE PREPARATION OF THIS PLAT; THE POSITIONS OF THE PLATTED POINTS SHOWN HEREON HAVE AN ACCURACY OF NOT LESS THAN ONE (1) FOOT IN TEN THOUSAND (10,000) FEET PRIOR TO ADJUSTMENTS, AND ALL BOUNDARY MONUMENTS AND CONTROL CORNERS SHOWN HEREON WERE IN PLACE AS DESCRIBED ON 4/6/2022.

DAVID L. SWANSON
PROFESSIONAL LS. NO.36070

PLANNING COMMISSION APPROVAL:

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS ____ DAY OF _____ A.D. 2022.

CHAIR

BOARD OF COUNTY COMMISSIONERS:

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS ____ DAY OF _____ A.D. 2022.

CHAIR

COUNTY ATTORNEY APPROVAL:

APPROVED BY THE ADAMS COUNTY ATTORNEY THIS ____ DAY OF _____ A.D. 2022.

COUNTY ATTORNEY

RECORDER'S CERTIFICATE:

ACCEPTED FOR FILING IN THE OFFICE OF THE CLERK AND RECORDER OF ADAMS COUNTY, COLORADO, AT ____O' CLOCK ____ .M. THIS ____ DAY OF _____, 20____ A.D.

CLERK AND RECORDER

DEPUTY

INSTRUMENT NO.: _____

NOTES (CONT.):


9. THE OWNER SHALL DISCLOSE TO PROSPECTIVE PURCHASERS OF LOTS WITHIN A RADIUS OF 200 FEET OF THE PLUGGED AND ABANDONED WELL OF (1) THE LOCATION OF THE PLUGGED AND ABANDONED WELL, (2) THE LOCATION OF THE MAINTENANCE AND WORKOVER SETBACK, AND (3) THE PURPOSE FOR THE WELL MAINTENANCE AND WORKOVER SETBACK.

10. THE SUBJECT PROPERTY IS LOCATED WITHIN FLOOD HAZARD AREAS HAVING ZONE DESIGNATION "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, ON FLOOD INSURANCE RATE MAP (FIRM) PANEL 08001C0390J, EFFECTIVE NOVEMBER 28, 2018.

4	4/6/2022	 Development and Support Solutions	JOB NUMBER
3	12/17/2021		20012302
2	11/5/2021		DRAWN BY: F. CHAVEZ
1	6/28/2021		
0	4/12/2020		
NO.	DATE		
REVISION	992 S. 4TH ST. STE 100/266, BRIGHTON , CO 80601 - 303.589.4419		

CASE NUMBER:
PLT2021-00012



- = SET NO.5x18" REBAR W/PLASTIC CAP LS# 36070
 ● = FOUND MONUMENT AS NOTED
 = FOUND PLSS MONUMENT AS NOTED
 (R) = RECORD INFORMATION
 (M) = MEASURED
 _____ = PROPERTY LINE
 - - - - - = LOT LINE
 _____ = PROPOSED LOT LINE
 - - - - - = PLSS SECTION LINE

4	4/6/2022		JOB NUMBER
3	12/17/2021		20012302 DRAWN BY: F. CHAVEZ
2	11/5/2021		
1	6/28/2021		
0	4/12/2020		
NO.	DATE		
REVISION		992 S. 4TH ST. STE 100/266, BRIGHTON , CO 80601 - 303.589.4419	



Development Review Team Comments- 1st Review

Date: June 24, 2021

Project Number: PLT2021-00012

Project Name: Lefor Major Subdivision Preliminary Plat

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the Major Subdivision Preliminary Plat Application. The Development Review Team review comments may change if you provide different information during a land use submittal/ building permit. Please contact the case manager if you have any questions.

Also, please note where "Section" is referenced, it is referring to the appropriate section of the Adams County Development Standards and Regulations.

Your RCC meeting will be held on **Tuesday, June 29th 2021 from 2:00 p.m. to 2:45 p.m.**

Commenting Division: Development Services, Planning

Name of Reviewer: Layla Bajelan, Planner II- Long Range Planning

Email: LBajelan@adcogov.org / 720-523-6863

Resubmittal Required

PLN01: Request

Major Subdivision Preliminary Plat to create three lots on approximately 65 acres.

PLN02: Site Characteristics

Recent rezone and comp plan amendment changed the zoning to A-2 and the future land use to Estate Residential.

Parcel Size: 65.6 acres

PLN03: A-2 Zone District

Minimum lot size: 10 acres

Minimum lot width: 425 feet

- In this review, all three proposed lots appear to meet the minimum requirements for A-2.

PLN04: Referral Comments

1. The Department of Water Resources is requesting a Water Supply Plan to document that water supply is sufficient for three parcels. The County will require that the DWR state there is sufficient water supply before approval.

2. It does appear that taxes may be late. If already paid, please disregard. All taxes must be paid prior to public hearing.

PLN05: Criteria of Approval

2-02-19-03-05 CRITERIA FOR APPROVAL

The Planning Commission, in making their recommendation, and the Board of County Commissioners, in approving a preliminary plat, shall find:

1. The preliminary plat is consistent with the Adams County Comprehensive Plan and any available area plan.
2. The preliminary plat is consistent with the purposes of these standards and regulations.
3. The preliminary plat is in conformance with the subdivision design standards and any approved sketch plan.
4. 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.
5. 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.
6. 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.
7. The applicant has provided evidence that adequate drainage improvements comply with these standards and regulations.
8. The overall density of development within the proposed subdivision conforms to the zone district density allowances.
9. 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.

Commenting Division: Development Services, Right-of-Way Agent

Name of Review: David Dittmer

Email: DDittmer@adcogov.org / 720-523-6811

Resubmittal Required

ROW1: Add "Dedication and Ownership Statement" header

ROW2: Need to provide ownership information by deed reference in the ownership statement

ROW3: Vicinity Map to be within a 2 or 3 mile radius

ROW4: Add Case number to the top right-hand corner of all sheets

ROW5: Need to revise the acknowledgement for the owners: THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, BY CHRISTOPHER LEFOR AND DENISE LEFOR AS JOINT TENANTS WITH RIGHTS OF SURVIVORSHIP

ROW6: Need to add the signature blocks for the Adams County Planning Commission and Board of County Commissioners:

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS _____ DAY OF _____
A.D. 2021.

CHAIR

BOARD OF COUNTY COMMISSIONERS

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS THIS _____ DAY OF _____
A.D. 2021.

CHAIR

ROW7: Remove note concerning Storm Water Drainage Facilities as there won't be any.

ROW8: Number the notes

ROW9: Need to add Notice to Perspective Buyers as to the existence of plugged and abandoned oil and gas wells affecting the lots

ROW10: Provide illustration of location of public utility easements as provided in notes on sheet 2

ROW11: If the 30' shown along the section line is to be dedicated to Adams County, need to note as such on Sheet 2: Right-of-Way dedicated by this plat. It needs to be delineated from the dedication along Imboden Road.

ROW12: Need to verify by surveyor the necessary half right-of-way width of 70' from the centerline of Imboden Road, and any difference between the 70' and existing will need to be dedicated to Adams County by previous example.

ROW13: If intent is to use the 30' of dedicated right-of-way along the north side of the section line shown as E. 128th, and don't want to build it out to County Standards, the Fire Department construction guidelines must be used. However, a Private Road Maintenance Agreement will need to be entered into with the County, as the County will not maintain or plow the road.

ROW14: Remove "PRELIMINARY" from the Plat sheets.

ROW15: Due to the plugged and abandoned oil and gas wells on the subject lands, need to comply with Adams County requirements in Chapter 4: 4-11-02-03-03-5 and provide the following on the plat:

- 1) Location of well head and dimensions to same from property lines
- 2) A 50' x 100' workover setback with the well centered in, or a 50' Radius provided as a "NO BUILD" area
- 3) A 20' access easement to the setback must be shown
- 4) Verify plaque has been set according to the Colorado Oil and Gas Conservation Commission (COGCC) has been set.
- 5) The plugging and abandonment document from the COGCC number needs to be provided on Sheet 2, along with recording the same and providing the recording information on Sheet 2 for both.

ROW16: Correct 128th Ave on Sheet 2 to E. 128th Ave.

ROW17: The owners signature block should be after the Dedication and Ownership Statement. The surveyor's Certificate should be followed by the Planning Commission and Board of County Commissioners, and then Clerk and Recorder's information, signature blocks.

ROW18: Need to provide signature acceptance of Road Maintenance on Plat; Who owns it, and how is to be maintained, and by whom.

ROW19: Need to add note as to title commitment by surveyor since one has been provided in the application packet, and is a necessary part of the whole.

ROW20: Review all redline comments provided on plat.

Commenting Division: Development Services, Engineering:

Name of Review: Greg Labrie, Senior Engineer

Email: GLabrie@adcogov.org / 720-523-6824

Resubmittal Required

ENG1: Final construction plans and reports for the required site improvements are due at time of final plat and they are required to be signed and stamped by a professional engineer. The design plans for the building and the building permit can be completed and submitted to Adams County staff after the subdivision and site improvements have been approved.

ENG2: The site improvements will include the installation and/or grading of road base material along 128th Avenue and the construction and/or repair of the roadside ditch along 128th Avenue.

Commenting Division: Environmental Programs Manager

Name of Review: Katie Keefe

Email: KKeefe@adcogov.org / 720-523-6986

Resubmittal Required

ENV1. There are two (2) plugged and abandoned oil and gas wells located on the subject parcel. Prior to submittal of a final plat or site-specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent benchmark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission and the County.

ENV2. On every final plat or site specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback. There shall be public access for ingress and egress to the setback of a width of not less than twenty feet. 4-11-02-03-05.2.c

ENV3. The Final Plat shall include the following notice to prospective buyers of the location of the oil and gas well and associated easements: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."

ENV4. All known oil and gas well flow lines and/or easements shall be graphically depicted on the Final Plat.

Commenting Division: Building Safety Division, Chief Building Official

Name of Review: Justin Blair

Email. JBlair@adcogov.org / 720-523-6843

No Comment



Development Review Team Comments- 2nd Review

Date: October 8, 2021

Project Number: PLT2021-00012

Project Name: Lefor Major Subdivision Preliminary Plat

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the Major Subdivision Preliminary Plat Application. The Development Review Team review comments may change if you provide different information during a land use submittal/ building permit. Please contact the case manager if you have any questions.

Also, please note where "Section" is referenced, it is referring to the appropriate section of the Adams County Development Standards and Regulations.

Commenting Division: Development Services, Planning

Name of Reviewer: Layla Bajelan, Planner II- Long Range Planning

Email: LBajelan@adcogov.org / 720-523-6863

No Comment

Commenting Division: Development Services, Engineering:

Name of Review: Greg Labrie, Senior Engineer

Email: GLabrie@adcogov.org / 720-523-6824

No Comment

Commenting Division: Environmental Programs Manager

Name of Review: Katie Keefe

Email: KKeefe@adcogov.org / 720-523-6986

Resubmittal Required

ENV1. The plugged and abandoned well buffer of 50-ft radius as delineated on the plat does not comply with the County's development standards and regulations as clearly stated and provided to the applicant within staff's first submittal comments.

ENV2. In accordance with ACDSR section 4-11-02-03-03-5-2.c there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback.

ENV3. The Final Plat shall include the following notice to prospective buyers of the location of the oil and gas well and associated easements: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."

Commenting Division: Development Services, Right-of-Way Agent

Name of Review: David Dittmer

Email: DDittmer@adcogov.org / 720-523-6811

Resubmittal Required

ROW1: Need to add year to Notary Affirmation

ROW2: Cannot record Final Plat with blanks. Have surveyor complete their statement.

ROW3: Need Flood Plain or MS4 note

ROW4: Notice to Prospective Buyers note due to plugged and abandoned oil and gas wells. See plat note



Development Review Team Comments

Date: 12/10/2021

Project Number: PLT2021-00012

Project Name: Lefor Major Subdivision Preliminary Plat

Commenting Division: Plan Coordination 3rd Review

Name of Reviewer: Layla Bajelan

Date: 12/10/2021

Email:

Resubmittal Required

Commenting Division: Planner Review 3rd Review

Name of Reviewer: Layla Bajelan

Date: 12/10/2021

Email:

Complete

PLN01: No further planning comments.

PLN02: Further information is needed from the Division of Water Resources to determine water rights.

Commenting Division: Environmental Analyst Review 3rd Review

Name of Reviewer: Katie Keefe

Date: 12/09/2021

Email:

Resubmittal Required

ENV1. The applicant has still not correctly delineated the required oil and gas well setback on the residential plat, which Staff clearly provided in both the first and second submittal review comments. The applicant has neither responded to such comments nor amended the preliminary plat documents to properly comply with those regulations

ENV2. The plugged and abandoned well buffer of 50-ft radius as delineated on the plat still does not comply with the County's regulations for residential development as Staff noted in the first submittal comments.

ENV3. In accordance with ACDSR section 4-11-02-03-03-5-2.c there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback.

ENV4. The plat shall include the following notice to prospective buyers of the location of the oil and gas well and associated easements: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."

Commenting Division: ROW Review 3rd Review

Name of Reviewer: David Dittmer

Date: 12/01/2021

Email:

Resubmittal Required

ROW1: Need to use boundary line/property line weight on Sheet two as currently owned and should include area of right-of-way dedications.

ROW2: Need to correct plat to match legal call and distance for west property/lot line of Lot 1.

ROW3: Need to provide year in Notary Affirmation

ROW4: Sheet 1 needs to include Flood Plain Note and note to prospective buyers of the existence of the plugged and abandoned wells affecting the lands.

ROW5: Use Lot Line line weight designation for interior lots and not the property boundary line.

ROW6: Lift survey calls and distances on Sheet 2 to allow the easements to continue across

ROW7: Need to provide a 20' wide access easement to the 50' radius workover rig setback locations.

ROW8: See comments on sheets uploaded to case file.



Development Review Team Comments

Date: 1/11/2022

Project Number: PLT2021-00012

Project Name: Lefor Major Subdivision Preliminary Plat

Commenting Division: ROW Review 4th Review

Name of Reviewer: David Dittmer

Date: 01/07/2022

Email:

Resubmittal Required

ROW1: Revise all year dating on Acceptance Blocks and Notary Affirmation

ROW2: Should the legal description state that the Southern boundary line is the Section Line?

ROW3: There are no BLOCKS provided on the plat and need to remove this statement

ROW4: Need to add Acceptance Block for the County Attorney's office.

ROW5: Title should not contain any abbreviations as to Section/Quarter Section (Southeast Quarter of)

Commenting Division: Planner Review 4th Review

Name of Reviewer: Layla Bajelan

Date: 01/06/2022

Email:

Resubmittal Required

PLN01: No further planning comments.

PLN02: Further information is needed from the Division of Water Resources to determine water rights.

From: [Lisa Culpepper](#)
To: [Layla Bajelan](#)
Subject: RE: Request for Comments- PLT2021-00012; Lefor Major Subdivision Preliminary Plat
Date: Thursday, May 27, 2021 6:38:36 PM
Attachments: [image002.png](#)
[image003.png](#)

Unfortunately, on this one, the taxes for the identified parcel are late – they were due 04/30/2021, but remain outstanding.

Very truly yours,

LISA L. CULPEPPER, JD
TREASURER & PUBLIC TRUSTEE

“Doing only that which the law requires is barely doing the minimum. Do more.”

PLEASE NOTE: I'm not at my desk for much of the day due to operational requirements in other areas of the office and building. IF I DO NOT RESPOND WITHIN TWO (2) HOURS, PLEASE CALL THE OFFICE.
THANK YOU!

Adams County Treasurer & Public Trustee
4430 S. Adams County Pkwy.
Brighton, CO 80601
Direct: 720.523.6162 | Office: 720-523-6160
www.adcotax.com
Mon. – Fri. 7am-5pm



Adams County Mission

To responsibly serve the Adams County Community with integrity and innovation.

From: Layla Bajelan <LBajelan@adcogov.org>
Sent: Thursday, May 27, 2021 3:38 PM
To: Layla Bajelan <LBajelan@adcogov.org>
Subject: Request for Comments- PLT2021-00012; Lefor Major Subdivision Preliminary Plat

Request for Comments

Case Name: Lefor Major Subdivision Preliminary Plat
Case Number: PLT2021-00012

May 27th, 2021

The Adams County Planning Commission is requesting comments on the following application: Major Subdivision Preliminary Plat to create three lots on approximately 65 acres. This request is located at the northwest corner of Imboden and E. 128th Avenue. The Assessor's Parcel Number is

COLORADO GEOLOGICAL SURVEY

1801 Moly Road
Golden, Colorado 80401



Karen Berry
State Geologist

June 17, 2021

Layla Bajelan
Adams County Community & Economic Development
LBajelan@adcogov.org

Location:
SE Section 30,
T1S, R64W, 6th P.M.
39.9298, -104.5873

Subject: Lefor Major Subdivision Preliminary Plat PLT2021-00012
Adams County, CO; CGS Unique No. AD-21-0007-2

Dear Ms. Bajelan:

Colorado Geological Survey has reviewed the Lefor Major Subdivision Preliminary Plat (PLT2021-00012) referral, for three residential/ag lots on 65 acres located immediately northwest of Imboden Road and 128th Ave.

CGS reviewed this project on 11/24/2020 at comprehensive plan amendment and rezone (PRC2020-00011). The currently proposed plat is consistent with the comp plan amendment and rezoning plans. Our previous comments therefore remain valid.

The site does not contain steep slopes, is not undermined, is located within an "Area of Minimal Flood Hazard," and no geologic hazards or unusual geotechnical constraints are known to be present that would preclude the proposed residential use and density. **CGS therefore has no objection to approval of PLT2021-00012.**

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 Publications 5-A, Plate 2, and 5-B, Horse Creek Quadrangle, 1974), the subject property does not contain a mapped aggregate resource.

Collapsible and expansive soils. The site is underlain by relatively low density, low strength, wind-deposited silt, clay and fine sand. Some of the soils are calcareous. Wind deposits, especially those containing soluble calcareous minerals, tend to be loose, fine-grained, and hydrocompactive, meaning they can lose strength, settle, compress, or collapse when water infiltrates the soils. Thick columns of compressible or collapsible soils can result in significant settlement and structural damage. Alternatively, clay minerals and clayey pockets within the surficial soils may exhibit volume changes (shrink-swell) in response to changes in water content. Claystone, carbonaceous shale and lignite of the Dawson arkose are present at unknown depth beneath the surficial soils. If claystone or shale layers capable of producing high swell pressures are present within a few feet of foundation bearing depths, they can cause significant structural damage if not properly characterized and mitigated. Lignite is a relatively soft, low-strength material present as layers and discontinuous lenses within the Dawson, and is unsuitable as a foundation bearing material.

Lot-specific geotechnical investigations consisting of drilling, sampling, lab testing and analysis will be needed, once building locations have been identified, to: determine the thickness and extent to which the soils beneath proposed structures are subject to collapse under loading and/or wetting; characterize soil and bedrock engineering properties such as density, strength, water content, swell/consolidation potential and corrosivity; determine depths to groundwater, bedrock, and any impermeable layers that might lead to development of a perched water condition; verify the feasibility of full-depth basements, if planned; and

Layla Bajelan
June 17, 2021
Page 2 of 2

provide earthwork, foundation, floor system, subsurface drainage, and pavement recommendations for design. It is imperative that grading, surface drainage, and subsurface drainage are correctly designed, constructed and maintained to prevent wetting of potentially collapsible and expansive soils in the immediate vicinity of foundation elements.

Thank you for the opportunity to review and comment on this project. If you have questions or require further review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G.
Engineering Geologist

A handwritten signature in black ink, appearing to read 'Jill Carlson', written over the printed name and title.



COLORADO
Division of Water Resources
Department of Natural Resources

June 15, 2021

Layla Bajelan
Adams County Community & Economic Development Department
Transmitted via email:
LBajelan@adcogov.org

RE: Lefor Subdivision
Case no. PLT2021-00012
Part of the SE ¼ of Sec. 30, T1S, R64W, 6th P.M.
Water Division 1, Water District 1

Dear Lelay Bajelan,

We have reviewed the information submitted on May 27, 2021 for the referral concerning the above referenced proposal to subdivide 65 acres into three lots. This office previously responded to the proposed subdivision in a letter dated November 30, 2020, this letter supersedes the previous letter.

Water Supply Demand

A Water Supply Information Summary Sheet was not submitted; therefore, the water supply demand for this subdivision is unknown.

Source of Water Supply

The proposed water source for the property is water wells. The application did not specify the aquifer into which the proposed wells will be constructed or show that there is adequate water in that source to satisfy the demands of the lots.

State Engineer's Office Opinion

Pursuant to Section 30-28-136(1)(h)(I), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the adequacy of the proposed water supply. Prior to further review of the subdivision water supply plan the following information is required:

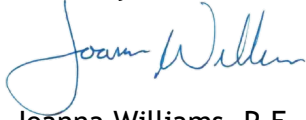
1. A water supply plan that clearly defines the proposed subdivision's water demand and proposed source of water supply for each lot in the subdivision. See the attached March 16, 2005 memorandum for additional information regarding the information that needs to be included in the subdivision water supply plan.

Should you, or the Applicant, have any questions please contact Ailis Thyne in this office at 303-866-3581 x8216.



Lefor Subdivision
June 15, 2021
Page 2 of 2

Sincerely,

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

Joanna Williams, P.E.
Water Resource Engineer

Ec: File for subdivision no. 27432



COLORADO
Division of Water Resources
Department of Natural Resources

October 12, 2021

Layla Bajelan
Adams County Community & Economic Development Department
Transmitted via email:
LBajelan@adcogov.org

RE: Lefor Subdivision
Case no. PLT2021-00012
Part of the SE ¼ of Sec. 30, T1S, R64W, 6th P.M.
Water Division 1, Water District 1

Dear Lelay Bajelan,

We have reviewed the additional information submitted on September 17, 2021 for the referral concerning the above referenced proposal to subdivide 65 acres into three lots, one approximately 35.037 acre lot and two approximately 13 acre lots. This office previously responded to the proposed subdivision in a letter dated November 30, 2020 and June 15, 2021, this letter supersedes the previous letters.

Water Supply Demand

According to the letter dated August 31, 2021 by Eric Trout (“Water Supply Letter”), the proposed water demand for the two 13 acre lots is 0.65 acre-feet/year per lot for a 200 year pumping period, for a total demand of 1.3 acre-feet/year 260 acre-feet total. The proposed water demand for the 35.037 acre lot is unknown.

Source of Water Supply

The proposed water source for the property are wells to be constructed in the not-nontributary Denver Aquifer. The proposed water source for the 35.037 acre lot is a future well to be constructed in the Denver aquifer and operate pursuant to section 37-92-602(3)(b)(II)(A). Section 37-92-602(3)(b)(III), C.R.S., requires that the cumulative effect of all wells in a subdivision be considered when evaluating material injury to decreed water rights. **Therefore, a proposed exempt well cannot be used within the subdivision. The proposed uses of the proposed well must be specified and the applicant must demonstrate that a court approved augmentation plan has been obtained for the proposed well.**

The proposed water source for the two 13 acre lots are on lot wells to be constructed in the not-nontributary Denver aquifer and operate pursuant to the pending augmentation plan in Division 1 Water Court Case no. 21CW3157 for the withdrawal of 0.65 acre-feet/year per lot for 200 years to be used for in-house use, irrigation of 6,000 square-feet of home lawn and garden and the watering of four domestic animals.

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 Applicant's water supply plan does not state how they will satisfy the county's 300 year allocation approach.

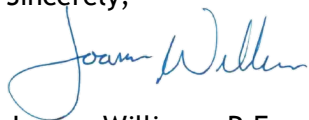
State Engineer's Office Opinion

Pursuant to Section 30-28-136(1)(h)(l), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the adequacy of the proposed water supply. Prior to further review of the subdivision water supply plan the following information is required:

1. A water supply plan that clearly defines the proposed water demand and legal source of water supply for the 35.037 acre lot. Should the proposed water supply be a well in to be constructed into the not-nontributary Denver aquifer in the future a court approved augmentation plan must be obtained for the proposed well.
2. A water supply plan that satisfies the County's 300 year allocation approach.
3. Evidence that the pending augmentation plan in Division 1 Water Court case no. 21CW3157 has been approved by the water court.

Should you, or the Applicant, have any questions please contact Ailis Thyne in this office at 303-866-3581 x8216.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

Ec: File for subdivision no. 27432

From: [Williams - DNR, Joanna](#)
To: [Layla Bajelan](#)
Subject: Re: FW: PLT2021-00012; Lefor Major Subdivision Preliminary Plat-2nd Submittal
Date: Monday, December 6, 2021 5:26:43 AM
Attachments: [image007.png](#)

Please be cautious: This email was sent from outside Adams County

Good Morning Layla,
In order to properly evaluate the submitted information the decree in pending case no. 21CW3157 would need to be approved by the water court. According to the court records the application was originally filed on August 31, 2021 and the application is still pending. Therefore we request that this water supply plan be re-referred to our office for comments once that decree has been approved. Please contact me if you have questions.
Regards,

Joanna Williams, P.E.
Water Resource Engineer



P 303.866.3581 x 8265
1313 Sherman Street, Room 821, Denver, CO 80203
Joanna.Williams@state.co.us | www.colorado.gov/water

On Fri, Dec 3, 2021 at 5:10 PM Layla Bajelan <LBajelan@adcogov.org> wrote:

Hi Joanna,

I received a bounce back from Ailis. Would you be able to help pass this to the correct person?

Thanks,



[Layla Bajelan](#)

Long Range Planner II, *Community and Economic Development*

ADAMS COUNTY, COLORADO



May 12, 2022

Layla Bajelan
Adams County Community & Economic Development Department
Transmitted via email:
LBajelan@adcogov.org

RE: Lefor Subdivision
Case no. PLT2021-00012
Part of the SE ¼ of Sec. 30, T1S, R64W, 6th P.M.
Water Division 1, Water District 1

Dear Lelay Bajelan,

We have reviewed the additional information submitted on April 21, 2022 and May 5, 2022 for the referral concerning the above referenced proposal to subdivide 65 acres into three lots, one approximately 35.037 acre lot and two approximately 13 acre lots. This office previously responded to the proposed subdivision in a letter dated November 30, 2020, June 15, 2021 and October 11, 2021, this letter supersedes the previous letters.

Water Supply Demand

According to the correspondence dated May 5, 2022 with the county and applicant, the proposed water demand and uses are the same as allowed by the approved augmentation plan in Division 1 Water Court case no. 2021CW3157.

Source of Water Supply

The proposed source of water is individual on-lot wells producing from the not-nontributary Denver aquifer that will operate pursuant to the decree and plan for augmentation in case no. 2021CW3157. The plan for augmentation decreed in case no. 2021CW3157 allows for an average diversion of 1.5 acre-feet annually for a maximum of 300 years. The augmentation allows the groundwater to be used to serve three (3) individual wells, each to serve one (1) single-family residence, irrigation, including lawn, garden and trees of up to 3,000 square-feet and the watering of up to 4 large domestic animals.

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 allocation approach, the annual amounts of water decreed in 2021CW3157 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.

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 allocation approach based on three hundred years, the augmentation plan allows an average annual amount of withdrawal of 1.5 acre-feet/year for 300 years, which is the same as the annual demand for this subdivision. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years. The State Engineer’s Office has no comment on the quality of the water supply or the required ‘dynamic analysis’ to evaluate whether the appropriable water supply is sustainable for three hundred years.

Applications for on lot well permits, submitted by an entity other than the current water right holder (Christopher and Denise Lefor), must include evidence that the applicant has acquired the right to the portion of water being requested on the application.

State Engineer’s Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

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

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

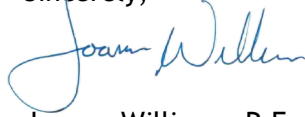
Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100 year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Should you, or the Applicant, have any questions please contact Ailis Thyne in this office at 303-866-3581 x8216.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joanna Williams". The signature is fluid and cursive, with the first name "Joanna" written in a larger, more prominent script than the last name "Williams".

Joanna Williams, P.E.
Water Resource Engineer

Ec: File for subdivision no. 27432



June 10, 2021

Layla Bajelan
Adams County Community and Economic Development
4430 South Adams County Parkway, Suite W2000A
Brighton, CO 80601

RE: Lefor Major Subdivision Preliminary Plat, PLT2021-00012
TCHD Case No. 7014

Dear Ms. Bajelan,

Thank you for the opportunity to review and comment on the Preliminary Plat to create 3 lots, 13.5, 13.5, and 35 acres for the construction of 3 homes, located at located at the northwest corner of Imboden Road and 128th Avenue. Tri-County Health Department (TCHD) staff previously reviewed the application for the rezoning and, in a letter dated November 12, 2020 responded with the comments included below. TCHD has no further comments.

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

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. TCHD has no objection to the properties being served by an OWTS provided that the system is permitted, inspected and operated in accordance with TCHD's current OWTS Regulation. Based on the applicant's description, a permit for the installation and final approval of the OWTS is required. In order to start the process, the applicant may contact our Commerce City office by phone at 303-288-6816 or in-person at 4201 E 72nd Avenue. More information is available at <http://www.tchd.org/269/Septic-Systems>.

Domestic Well

Drinking water contaminated with pathogens can cause a variety of illnesses in humans. It is important to protect source water from contamination, and to treat drinking water to eliminate pathogens before it is provided for human consumption. Individual well owners have primary responsibility for the safety of the water drawn from their own wells. Well owners with questions about wells or well water can call the Wellcare® Hotline operated by the Water Systems Council, a national organization focused on well systems not regulated under the Safe Drinking Water Act., at 888-395-1033 or online at www.wellcarehotline.org. Well owners may also contact Jennifer Charles, Water Quality Specialist, at (720) 200-1583 with water quality questions.

Lefor Subdivision

June 10, 2021

Page 2 of 2

The applicant may want to consider having the well water analyzed for a number of contaminants as a baseline of the water quality. A baseline water quality analysis is valuable for future reference in the case of possible contamination. Certain parameters such as coliform bacteria and nitrate, pH and Total Dissolved Solids (TDS) are recommended to be analyzed annually as these can indicate possible breaches in the well. The Colorado Department of Public Health and Environment (CDPHE), Laboratory Services Division can assist you with water analyses. The CDPHE offers individual water tests as well as testing packages to choose from depending on your needs. The CDPHE laboratory web site is located at: <https://www.colorado.gov/pacific/cdphe/water-testing>.

Please feel free to contact me at 720-200-1575 or kboyer@tchd.org if you have any questions on TCHD's comments.

Sincerely,

A handwritten signature in cursive script, appearing to read 'K Boyer', followed by a horizontal line.

Kathy Boyer, REHS
Land Use and Built Environment Specialist III

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

June 16, 2021

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

Attn: Layla Bajelan

Re: Lefor Major Subdivision Preliminary Plat, Case # PLT2021-00012

Public Service Company of Colorado's Right of Way & Permits Referral Desk has reviewed the documentation for **Lefor Major Subdivision Preliminary Plat**. Should the project require any natural gas service, and PSCo is the provider, the property owner/developer/contractor must complete the application process via xcelenergy.com/InstallAndConnect.

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



Request for Comments

Case Name: Lefor Major Subdivision Preliminary Plat
Case Number: PLT2021-00012

May 26, 2021

The Adams County Planning Commission is requesting comments on the following application: **Major Subdivision Preliminary Plat to create three lots on approximately 65 acres.** This request is located at . The Assessor's Parcel Number is 0156500000086.

Applicant Information:

BEN BINKLEY
206 QUARI ST
ARVADA, CO 80011

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 06/16/2021 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 LBajelan@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 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.

Layla Bajelan
Planner II

BOARD OF COUNTY COMMISSIONERS

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DISTRICT 2

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DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5



Public Hearing Notification

Case Name:	Lefor Major Subdivision Preliminary Plat
Case Number:	PLT2021-00012
Planning Commission Hearing Date:	07/14/2022 at 6:00 p.m.
Board of County Commissioners Hearing Date:	08/02/2022 at 9:30 a.m.

June 22, 2022

A public hearing has been set by the Adams County Planning Commission and the Board of County Commissioners to consider the following request:

Major Subdivision Preliminary Plat to create three lots on approximately 65 acres.

The Assessor's Parcel Number(s) 0156500000086

Applicant Information: BEN BINKLEY

206 QUARI ST
ARVADA, CO 80011

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 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.

Layla Bajelan, Senior Long Range Planner
Case Manager

BOARD OF COUNTY COMMISSIONERS

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DISTRICT 1

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DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5

PUBLICATION REQUEST

Case Name: Lefor Major Subdivision Preliminary Plat

Case Number: PLT2021-00012

Planning Commission Hearing Date: 07/14/2022 at 6:00 p.m.

Board of County Commissioners Hearing Date: 08/02/2022 at 9:30 a.m.

Case Manager: Layla Bajelan, Senior Long-Range Planner, LBajelan@adcogov.org 720.523.6863

Request: Major Subdivision Preliminary Plat to create three lots on approximately 65 acres.

Parcel Number (s): 0156500000086

Legal Description: SECT,TWN,RNG:30-1-64 DESC: BEG AT NE COR OF S2 SEC 30 TH S 1305 FT TO TRUE POB TH S 1335 FT TH W 2136/5 FT TH N 1335 FT TH E 2136/5 FT TO POB 65/60A

Applicant: Ben Binkley 206 Quari Street Arvada, Colorado 80011

Public Hearings Location: 4430 S. Adams County Pkwy., Brighton, CO 80601 Please visit <http://www.adcogov.org/bocc> for up to date information. The full text of the proposed request and additional colored maps can be obtained by accessing the Adams County Community and Economic Development Department website at www.adcogov.org/planning/currentcases.



Referral Listing
Case Number PLT2021-00012
Lefor Major Subdivision Preliminary Plat

Agency	Contact Information
Adams County Assessor	Margaret Grondalsky 4430 S Adams County Pkwy C2100 Brighton CO 80601 720.523.6712 MGrondalski@adcogov.org
Adams County Attorney	Christine Fitch 4430 S Adams County Pkwy Brighton CO 80601 720-523-6352 CFitch@adcogov.org
Adams County CEDD Addressing	Kevin Mills 4430 S Adams County Pkwy Brighton CO 80601 720.523.6800 kmills@adcogov.org
Adams County CEDD Administrative	Gina Maldonado 4430 S Adams County Pkwy Brighton CO 80601 720-523-6823 gmaldonado@adcogov.org
Adams County CEDD Building Safety	Justin Blair 4430 S Adams County Pkwy Brighton CO 80601 720-523-6825 JBlair@adcogov.org
Adams County CEDD Engineer	Devt. Services Engineering 4430 S Adams County Pkwy Brighton CO 80601 720-523-6800 Contact Person May Vary Depending on Case
Adams County CEDD Right-of-Way	David Dittmer 4430 S Adams County Pkwy. Brighton CO 80601 720-523-6837 ddittmer@adcogov.org
Adams County CSWB Neighborhood Services Division	Gail Moon 4430 S Adams County Pkwy Brighton CO 80601 720-523-6856 gmoon@adcogov.org

Agency	Contact Information
Adams County POSCA Deputy Director	Marc Pedrucci 9755 Henderson Rd Brighton CO 80601 303-637-8014 mpedrucci@adcogov.org
Adams County POSCA Director	Byron Fanning 9755 Henderson Rd Brighton CO 80601 303-637-8000 bfanning@adcogov.org
Adams County POSCA Natural Resource Specialist	Aaron Clark 9755 Henderson Rd Brighton CO 80601 (303) 637-8005 aclark@adcogov.org
Adams County Public Works Construction Inspection	Gordon Stevens 4430 S Adams County Pkwy Brighton CO 80601 720-523-6965 gstevens@adcogov.org
Adams County Sheriff	Community Connections 4430 S Adams County Pkwy Brighton CO 80601 303-655-3283 CommunityConnections@adcogov.org
Adams County Sheriff	Rick Reigenborn 4430 S Adams County Pkwy Brighton CO 80601 (303) 654-1850 rreigenborn@adcogov.org
Adams County Treasurer	Lisa Culpepper 4430 S Adams County Pkwy Brighton CO 80601 720.523-6166 lculpepper@adcogov.org
Century Link	Joseph Osbourne 303.518.3360 RCUs only: joseph.osborne@centurylink.com
Century Link	Network Real Estate Team 303.518.3360 VSPs ONLY: relocations@centurylink.com
Century Link	NRE Easement 303.518.3360 PLTs ONLY: nre.easement@centurylink.com
Century Link, Inc	Ken Miller 5325 Zuni St, Rm 728 Denver CO 80221 303.518.3360 RCUs ONLY: kenneth.r.miller@lumen.com

Agency	Contact Information
Colorado Division of Water Resources	Joanna Williams Office of State Engineer 1313 Sherman St, Room 818 Denver CO 80203 303-866-3581 joanna.williams@state.co.us
Colorado Division of Wildlife	Hannah Posey 6060 Broadway St. Denver CO 80216-1000 303-947-1798 hannah.posey@state.co.us
Colorado Geological Survey	Jill Carlson 1500 Illinois Street Golden CO 80401 303-384-2643 303-384-2655 CGS_LUR@mines.edu
Colorado Geological Survey: CGS_LUR@mines.edu	Jill Carlson Mail CHECK to Jill Carlson 303-384-2643 303-384-2655 CGS_LUR@mines.edu
COMCAST	JOE LOWE 8490 N UMATILLA ST FEDERAL HEIGHTS CO 80260 303-603-5039
Public Service Company of Colorado (PSCo) dba Xcel Energy	Donna George 1123 W 3rd Ave DENVER CO 80223 303-571-3306 Donna.L.George@xcelenergy.com
Public Service Company of Colorado (PSCo) dba Xcel Energy	- - 1123 W 3rd Ave Denver CO 80223 303.571.3306 bdrco@xcelenergy.com
United States Postal Service	Jason Eddleman 303-853-6025 Jason.G.Eddleman@usps.gov

CHASE THOMAS L AND
CHASE VENESSA L
11602 OAKLAND DR
COMMERCE CITY CO 80640-7626

GREENEMEIER WALTER KIRK
7074 E WARREN DR
DENVER CO 80224-2529

HOULIHAN JOHN J IV
29 HUNTWICK LN
ENGLEWOOD CO 80113-7112

IMBODEN 128 LLC
7979 E TUFTS AVE APT 1125
DENVER CO 80237-2843

LEFOR CHRISTOPHER AND
LEFOR DENISE
32651 E 137TH WAY
BRIGHTON CO 80603-8308

MCCORMICK CINDY AND
MCCORMICK RONALD
33400 E 133RD CT
HUDSON CO 80642-7655

MILLER NORMA LOUISE
13096 ALCOTT PL
BROOMFIELD CO 80020-0811

R CHAVEZ CUSTOM HOMES INC
PO BOX 201750
DENVER CO 80220-7750

LAUBENSTEIN SHEILA AND
LAUBERSTEIN ALLEN L JR
OR CURRENT RESIDENT
34575 E 128TH AVE
HUDSON CO 80642-7622

CERTIFICATE OF POSTING



I, Layla Bajelan, do hereby certify that I had the property posted at

Parcel No.:0156500000086

on June 29, 2022

In accordance with the requirements of the Adams County Zoning Regulations

Layla Bajelan