



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

CASE NO.: RCU2017-00003

CASE NAME: ORTHODOX CHURCH SOLAR FACILITY

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**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**

STAFF REPORT (Exhibit 1)

Board of County Commissioners

May 2, 2017

CASE No.: RCU2017-00003	CASE NAME: Orthodox Church Solar Facility
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Owner's Name:	St. John the Baptist Serbian Orthodox Church
Applicant's Name:	Clean Energy Collective (Jonathan Fitzpatrick)
Applicant's Address:	361 Centennial Parkway, 3 rd Floor, Louisville, CO 80027
Location of Request:	33850 East 38 th Avenue
Nature of Request:	An amendment to a conditional use permit for a solar garden facility to allow an extension of the expiration date by nine months.
Zone District:	Agriculture-3 (A-3)
Comprehensive Plan:	Estate Residential
Site Size:	40 acres (overall site) / 15 acres (lease area for the solar garden)
Proposed Uses:	Solar Garden
Existing Use:	Agricultural (vacant)
Hearing Date(s):	PC: April 13, 2017 / 6:00 p.m.
	BOCC: May 2, 2017 / 9:30 a.m.
Report Date:	April 14, 2017
Case Manager:	Christopher C. LaRue <i>ccy</i>
Staff Recommendation:	APPROVAL with 8 Findings-of-Fact and 3 Conditions
PC Recommendation:	APPROVAL with 8 Findings-of-Fact and 3 Conditions

SUMMARY OF PREVIOUS APPLICATIONS

On March 15, 2016, the Board of County Commissioners approved a conditional use permit for a solar garden on the property (Case # RCU2015-00042).

On March 2, 2017, the Department of Community and Economic Development issued a building permit for development of the solar garden on the property.

SUMMARY OF APPLICATION

Background

Clean Energy Collective is requesting an amendment to their conditional use permit (CUP) approved on March 15, 2016, to allow a solar garden on the subject property. Specifically, the request is to extend the expiration date of the conditional use permit from March 15, 2037, to December 15, 2037. There are no other changes requested to the approved conditional use permit.

The subject solar garden project is in cooperation with Xcel Energy, which is mandated by Colorado Law (Amendment 37 and SB 252) to provide 30% renewable energy as part of its electric generation by the year 2020. According to the applicant, the project will operate as part of Xcel's Solar Rewards Community program. This program allows utility customers to purchase or lease interests in solar facilities. People who purchase interest in the solar facility are then allowed to offset their home or business electricity consumption with their share of the solar system credit.

According to the applicant, the request to extend expiration of the conditional use permit is a result of delay in construction due to a dispute with the Colorado Public Utilities Commission (PUC). The dispute pertained to a request by Xcel Energy and other solar energy developers to the PUC to change the system of allocating solar production credits to participants of the community rewards program. In March of 2016, the PUC rejected the request to change the community solar rewards program. Xcel Energy then filed an appeal to the PUC in June 2016. In August of 2016, the PUC approved the appeal, thus ending the dispute. The dispute delayed construction of the solar garden and has prompted the applicant to request an extension to the expiration of the conditional use permit. The extension is necessary for full financing of the project, which is projected to operate for a full 20-year period.

Site Characteristics:

The property is located south of East 38th Avenue and about ¼ mile west of Imboden Road. The subject property is approximately 40 acres and vacant. The site plan provided with the application shows the solar facility would occupy 15 acres of the southern section of the property. Access to the site will be from East 38th Avenue, which abuts the property to the north. According to the applicant, approximately 6,000 to 18,000 solar panels will be installed on the property and the project is projected to operate for 20 years. The applicant is requesting the CUP for 21 years. This is to accommodate overall construction of the project, a 20-year operational life, and time to decommission the project.

Development Standards and Regulations Requirements

Per Section 3-07-01 of the Adams County Development Standards and Regulations, a conditional use permit is required for a solar garden use in the A-3 zone district. In addition, Section 4-03-03-02-10 of the County's Development Standards and Regulations outline performance standards for solar energy systems. These standards regulate height and setbacks for solar panels. In accordance with the performance standards, the maximum allowed height of solar panels is 15 feet. According to the applicant, the proposed solar panels will not exceed nine

feet in height. In addition, the proposed 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.

No landscaping is proposed for development of the site. However, the site will be screened with existing topography and placement of the solar panels on the subject property. The site plan provided with the application also shows a six- to eight-foot high chain link fence to be constructed along the perimeter of the area demarcated for the conditional use permit. According to the applicant, the decision to construct a chain link fence is to adhere to the neighboring property owner's preference for such a fence.

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

The Comprehensive Plan designates the subject site and surrounding area as Estate Residential. Per Chapter 5 of the Adams County Comprehensive Plan, Estate Residential areas are designated for single-family housing at lower densities. Typically, Estate Residential areas would have no greater than one unit per acre and allow compatible uses such as schools and parks. In general, Estate Residential areas are intended to provide limited opportunities for ex-urban or rural lifestyles in the County.

Installing solar panels on the property will not be detrimental or impede the goals of the Comprehensive Plan designation of Estate Residential or surrounding areas of the site. It will also not impede future development of the site. Overall, daily operations of the site are fully automated and do not require presence of staff on site. In addition, planned maintenance occurs only two to four times a year. Other than initial traffic from installation of the solar panels, there will be no additional traffic generated as a result of the subject request. Further, surrounding areas of the site are not expected to substantially change during the tenure of using the site for a solar garden.

Surrounding Zoning Designations and Existing Use Activity:

Northwest City of Aurora (NE Plains- FRAP) City owned - undeveloped	North P-U-D Large lot single-family	Northeast A-2 NGL liquid handling facility (Bronco Pony Station)
West A-3 Agricultural/Single Family	Subject Property A-3 Vacant	East City of Aurora (NE Plains- FRAP) Agriculture/Residential
Southwest City of Aurora (NE Plains- FRAP) Agriculture/Residential	South City of Aurora (NE Plains- Gen) Agriculture	Southeast City of Aurora (NE Plains- FRAP) Agriculture/Residential

Compatibility with the Surrounding Land Uses:

The majority of the surrounding area to the site consists of agriculture and limited residential uses. The area immediately west of the site is zoned A-3. The property to the north is zoned PUD (residential). The property to the northeast is zoned A-2 and has been developed as a natural gas liquids handling facility. Properties to the east and south are located within the City of Aurora. The subject request is located approximately five miles southeast of Denver International Airport (DIA) and approximately two miles southwest of the Front Range Airport. The proposed use of the property will not generate additional traffic, pollution, noise, or lighting or glare to surrounding properties. In addition, the proposed solar panels will be located more than 800 feet from the nearest residential development. Further, the solar garden facility is approximately 845 feet from East 38th Avenue and approximately 1,370 feet from Imboden Road. The proposed setback would minimize any potential visual impact to the general travelling public.

Planning Commission Update:

The Planning Commission considered this case on April 13, 2017, and recommended unanimous approval of the request. The Planning Commission as well as the applicant had no concerns with the staff report or the recommended conditions of approval. Beside the applicant, no one from the public spoke in favor or in opposition to the request.

Staff Recommendations:

It is staff's determination the request for a nine-month extension of the expiration date of the previously approved conditional use permit is consistent with the surrounding area, and will not be detrimental to development of surrounding property or future growth of the area. Based upon the application, the CUP review criteria and a recent site visit, staff recommends approval of the request with 8 findings-of-fact and 3 conditions.

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 December 15, 2037.
2. No landscaping or screen fencing shall be required with development of the 15-acre conditional use permit site area.
3. The solar panels on-site shall be removed when the conditional use permit expires, unless another extension or renewal is granted by the Board of County Commissioners.

PUBLIC COMMENTS

Property Owners Notified	Number of Responses
9	0

Staff sent notices to property owners within 1,000 feet of the subject request. As of writing this report, staff has no comments from the public regarding the request.

COUNTY AGENCY COMMENTS

Adams County Building Safety Division:

Building permits would be required, and all applicable codes shall be followed.

Adams County Code Compliance:

No comments.

Adams County Parks & Community Resources Department:

No comments.

Adams County Sheriff's Office:

The Adams County Sheriff's Office stated they have no objections to this project.

Adams County Development Services Engineering

No comments.

Adams County Development Services Right-of-Way

No comments.

REFERRAL AGENCY COMMENTS

Responding with Concerns:

None

Responding without Concerns:

Bennett Fire District

CDOT

DIA

FAA

Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Bennett Park & Recreation District

Bennett School District 29J

Box Elder Water & Sanitation District

CDPHE

Century Link

City of Aurora

Colorado Division of Wildlife

Comcast

Front Range Airport

Metro Wastewater Reclamation



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: Christopher C. LaRue, Senior Planner

Subject: RCU2017-00003, Orthodox Church Solar Facility

Date: May 2, 2017

ALTERNATIVE RECOMMENDED FINDINGS OF FACT

If the Board of County Commissioners does not concur with the Staff recommendation of Approval, the following findings may be adopted as part of a decision of Denial:

1. The conditional use is not permitted in the applicable zone district.
2. The conditional use is not consistent with the purposes of these standards and regulations.
3. The conditional use will not comply with the requirements of these standards and regulations including, but not limited to, all applicable performance standards.
4. The conditional use is not compatible with the surrounding area, not harmonious with the character of the neighborhood, would be detrimental to the immediate area, would be detrimental to the future development of the area, and would be detrimental to the health, safety, or welfare of the inhabitants of the area and the County.
5. The conditional use permit has not addressed all off-site impacts.
6. The site is not suitable for the conditional use including adequate usable space, adequate access, and absence of environmental constraints.
7. The site plan for the proposed conditional use will not 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 not available and adequate to serve the needs of the conditional use as designed and proposed.



**COMMUNITY AND ECONOMIC DEVELOPMENT
DEPARTMENT**


STAFF REPORT (Exhibit 1)

Planning Commission

April 13, 2017

CASE No.: **RCU2017-00003**

CASE NAME: **Orthodox Church Solar Facility**

Owner's Name:	St. John the Baptist Serbian Orthodox Church
Applicant's Name:	Clean Energy Collective (Jonathan Fitzpatrick)
Applicant's Address:	361 Centennial Parkway, 3 rd Floor, Louisville, CO 80027
Location of Request:	33850 East 38 th Avenue
Nature of Request:	An amendment to a conditional use permit for a solar garden facility to allow an extension of the expiration date by nine months.
Zone District:	Agriculture-3 (A-3)
Comprehensive Plan:	Estate Residential
Site Size:	40 acres (overall site) / 15 acres (lease area for the solar garden)
Proposed Uses:	Solar Garden
Existing Use:	Agricultural (vacant)
Hearing Date(s):	PC: April 13, 2017 / 6:00 p.m.
	BOCC: May 2, 2017 / 9:30 a.m.
Report Date:	March 28, 2017
Case Manager:	Christopher C. La Rue 
Staff Recommendation:	APPROVAL with 8 Findings-of-Fact and 3 Conditions

Summary of Previous Application

On March 15, 2016, the Board of County Commissioners approved a Conditional Use Permit for a solar garden on the property (Case # RCU2015-00042).

On March 2, 2017, the Department of Community and Economic Development issued a building permit for development of the solar garden on the property.

SUMMARY OF APPLICATION

Background

Clean Energy Collective is requesting an amendment to their conditional use permit (CUP) approved on March 15, 2016, to allow a solar garden on the subject property. Specifically, the request is to extend the expiration date of the conditional use permit from March 15, 2037 to December 15, 2037. There are no other changes requested to the approved conditional use permit.

The subject solar garden project is in cooperation with Xcel Energy, which is mandated by Colorado Law (Amendment 37 and SB 252) to provide 30% renewable energy as part of its electric generation by the year 2020. According to the applicant, the project would operate as part of Xcel's Solar Rewards Community program. This program allows utility customers to purchase or lease interests in solar facilities. People who purchase interest in the solar facility are then allowed to offset electricity consumption of their home or business with their share of the solar system credit.

According to the applicant, the request to extend expiration of the conditional use permit is a result of delay in construction due to a dispute with the Colorado Public Utilities Commission (PUC). The dispute pertained to a request by Xcel Energy and other solar energy developers to the PUC to change the system of allocating solar production credits to participants of the community rewards program. In March of 2016, the PUC rejected the request to change the community solar rewards program. Xcel Energy then filed an appeal to the PUC in June 2016. In August of 2016, the PUC approved the appeal, thus ending the dispute. This delay in commencing construction of the solar facility has prompted the applicant to request an extension to the expiration of the conditional use permit. The extension is necessary for full financing of the project, which is projected to operate for a full 20-year period.

Site Characteristics:

The property is located south of East 38th Avenue and about ¼ mile west of Imboden Road. The subject property is approximately 40 acres and vacant. The site plan provided with the application shows the solar facility will occupy 15 acres of the southern section of the property. Access to the site will be from East 38th Avenue, which abuts the property to the north. According to the applicant, approximately 6,000 to 18,000 solar panels will be installed on the property and the project is projected to operate for 20 years. The applicant is requesting the CUP for 21 years. This is to accommodate overall construction of the project, a 20-year operational life, and time to decommission the project.

A majority of the surrounding land uses to the site consist of isolated single-family homes and agricultural uses. The area immediately west of the site is zoned A-3. The property to the north is zoned PUD (residential). The property to the northeast is zoned A-2 and has been developed as a natural gas liquids handling facility. Properties to the east and south are located within the City of Aurora. The subject request is located approximately five miles southeast of Denver International Airport (DIA) and approximately two miles southwest of the Front Range Airport.

Development Standards and Regulations Requirements

Per Section 3-07-01 of the Adams County Development Standards and Regulations, a conditional use permit is required for a solar garden use in the A-3 zone district. In addition,

Section 4-03-03-02-10 of the County's Development Standards and Regulations outline performance standards for solar energy systems. These standards regulate height and setbacks for solar panels. In accordance with the performance standards, the maximum allowed height of solar panels is 15 feet. According to the applicant, the proposed solar panels will not exceed nine feet in height. In addition, the proposed 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.

No landscaping is proposed for development of the site. However, the site will be screened with existing topography and placement of the solar panels on the subject property. The site plan provided with the application also shows a six to eight feet high chain link fence to be constructed along the perimeter of the area demarcated for the conditional use permit. According to the applicant, the decision to construct a chain link fence is to adhere to the neighboring property owner's preference for such a fence.

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

The Comprehensive Plan designates the subject site and surrounding area as Estate Residential. Per Chapter 5 of the Adams County Comprehensive Plan, Estate Residential areas are designated for single family housing at lower densities. Typically, Estate Residential areas would have no greater than one unit per acre and allow compatible uses such as schools and parks. In general, Estate Residential areas are intended to provide limited opportunities for ex-urban or rural lifestyles in the County.

Installing solar panels on the property will not be detrimental or impede the goals of the Comprehensive Plan designation of Estate Residential or surrounding areas of the site. The use of the property will also not be detrimental to future development of the site. Overall, daily operations of the site are fully automated and do not require presence of staff on site. In addition, planned maintenance occurs only two to four times a year. Other than initial traffic from installation of the solar panels, there will be no additional traffic generated as result of the subject request. Further, surrounding areas of the site are not expected to substantially change during the tenure of using the site for a solar garden.

Surrounding Zoning Designations and Existing Use Activity:

Northwest City of Aurora (NE Plains- FRAP) City owned - undeveloped	North P-U-D Large lot single-family	Northeast A-2 NGL liquid handling facility (Bronco Pony Station)
West A-3 Agricultural/Single Family	Subject Property A-3 Vacant	East City of Aurora (NE Plains- FRAP) Agriculture/Residential
Southwest City of Aurora (NE Plains- FRAP)	South City of Aurora (NE Plains- Gen)	Southeast City of Aurora (NE Plains- FRAP)

Agriculture/Residential	Agriculture	Agriculture/Residential
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Compatibility with the Surrounding Land Uses:

The majority of the surrounding area to the site consists of agriculture and limited residential uses. The use will not generate additional traffic, pollution, noise, or lighting or glare to surrounding properties. In addition, the proposed solar panels will be located more than 800 feet from the nearest residential development. Further, the solar garden facility is approximately 845 feet from East 38th Avenue and approximately 1,370 feet from Imboden Road. The setback of the solar facility would minimize potential visual impact to the general travelling public. According to the applicant, initial construction and installation of the panels is estimated to be eight to ten weeks.

Staff Recommendations:

It is staff's determination the request for a nine month extension of the expiration date of the previously approved conditional use permit is consistent with the surrounding area, and will not be detrimental to development of surrounding property or future growth of the area. Based upon the application, the CUP review criteria and a recent site visit, staff recommends Approval of the request with 8 findings-of-fact and 3 conditions.

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 December 15, 2037.
2. No landscaping or screen fencing shall be required with development of the 15-acre conditional use permit site area.
3. 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.

PUBLIC COMMENTS

Property Owners Notified	Number of Responses
9	0

Staff sent notices to property owners within 1,000 feet of the subject request. As of this report date, staff has not received any comments from the public regarding this request.

COUNTY AGENCY COMMENTS

Adams County Building Safety Division:

Building permits would be required, and all applicable codes shall be followed.

Adams County Code Compliance:

No comments.

Adams County Parks & Community Resources Department:

No comments.

Adams County Sheriff's Office:

The Adams County Sheriff's Office stated they have no objections to this project.

Adams County Development Services Engineering

No comments.

Adams County Development Services Right-of-Way

No comments.

REFERRAL AGENCY COMMENTS

Responding with Concerns:

None

Responding without Concerns:

Bennett Fire District

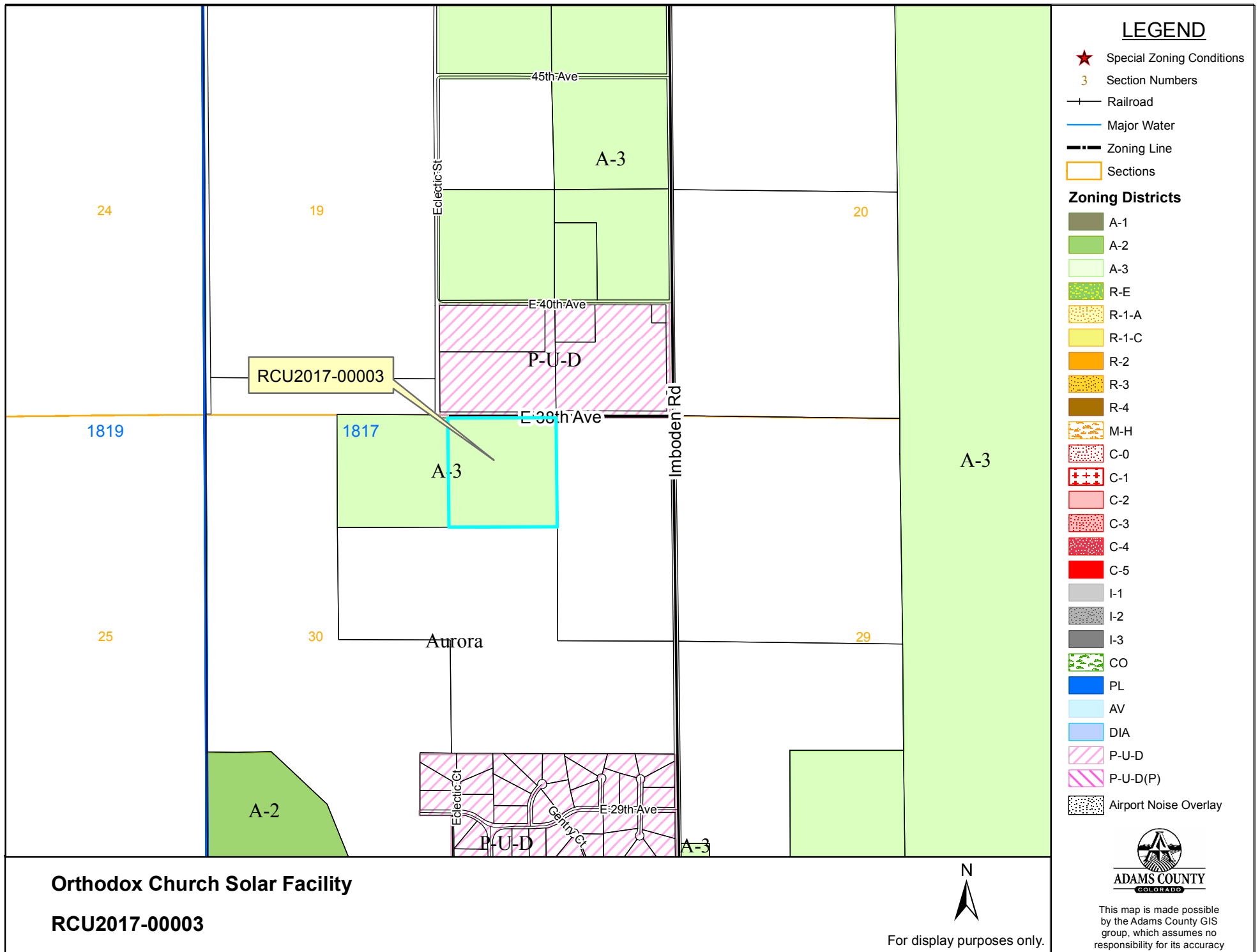
CDOT

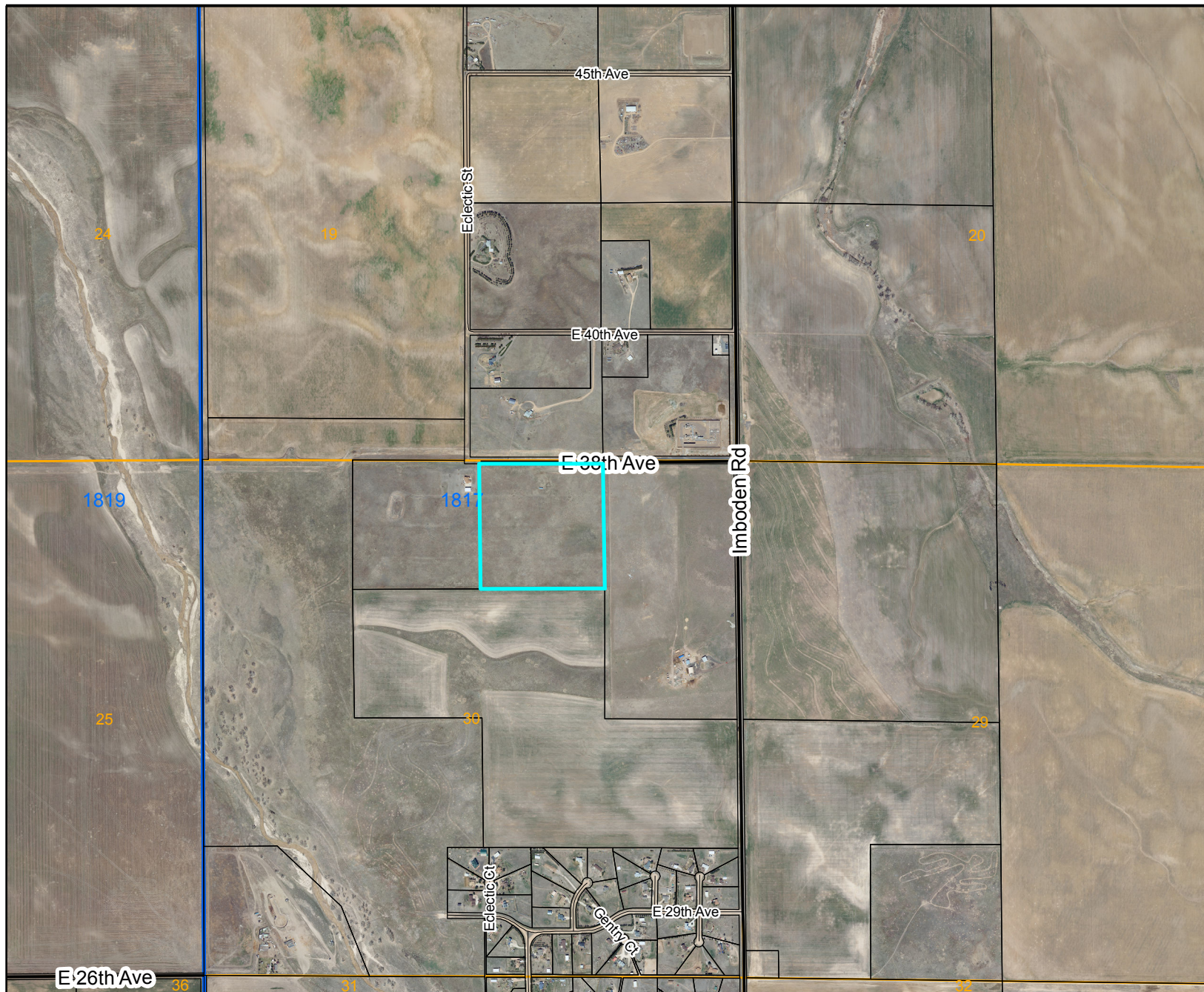
DIA

FAA
Xcel Energy

Notified but not Responding / Considered a Favorable Response:

Bennett Park & Recreation District
Bennett School District 29J
Box Elder Water & Sanitation District
CDPHE
Century Link
City of Aurora
Colorado Division of Wildlife
Comcast
Front Range Airport
Metro Wastewater Reclamation





Orthodox Church Solar Facility
RCU2017-00003



For display purposes only.

LEGEND

- Special Zoning Conditions
- Section Numbers
- 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)
 - Airport Noise Overlay



ADAMS COUNTY
COLORADO

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

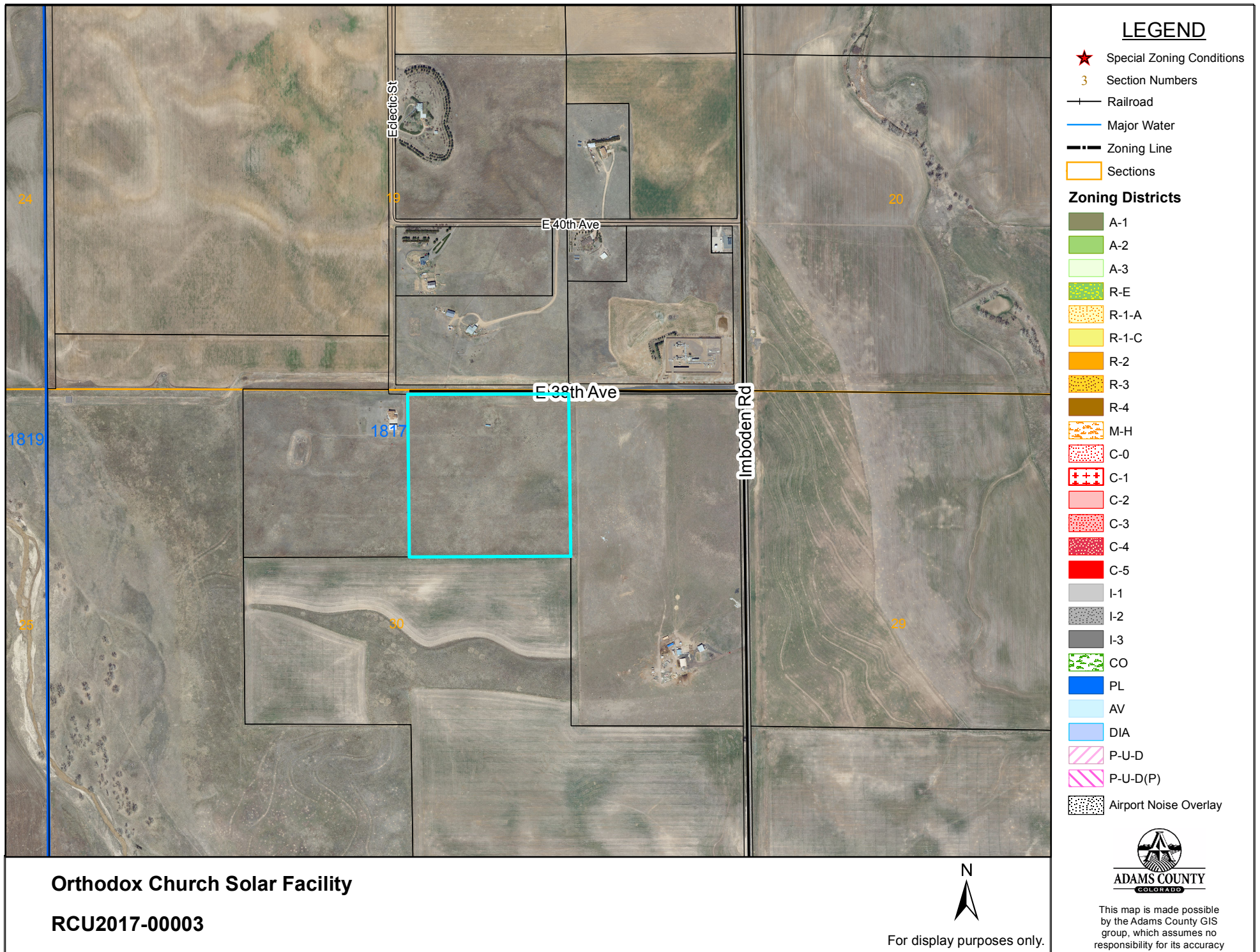
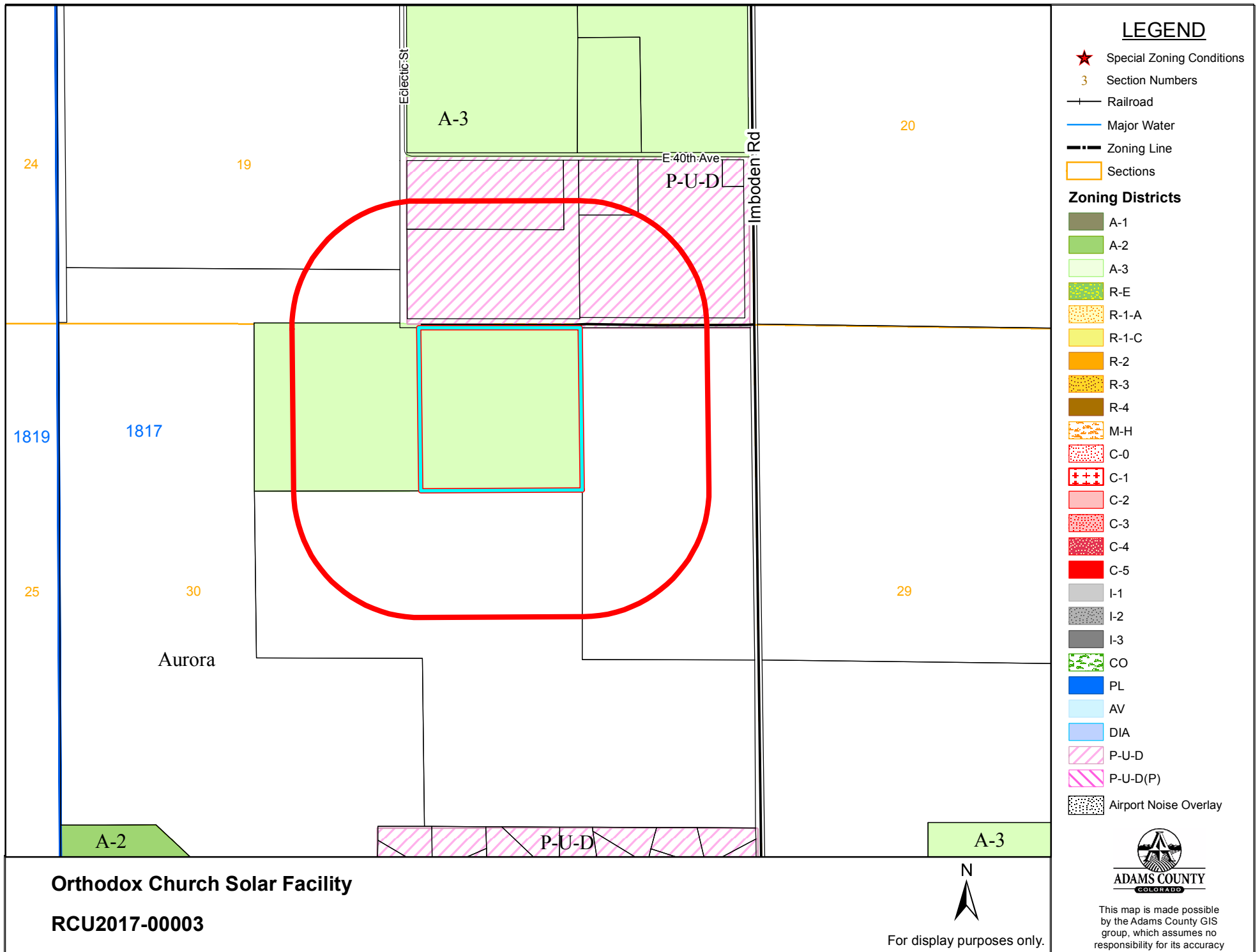
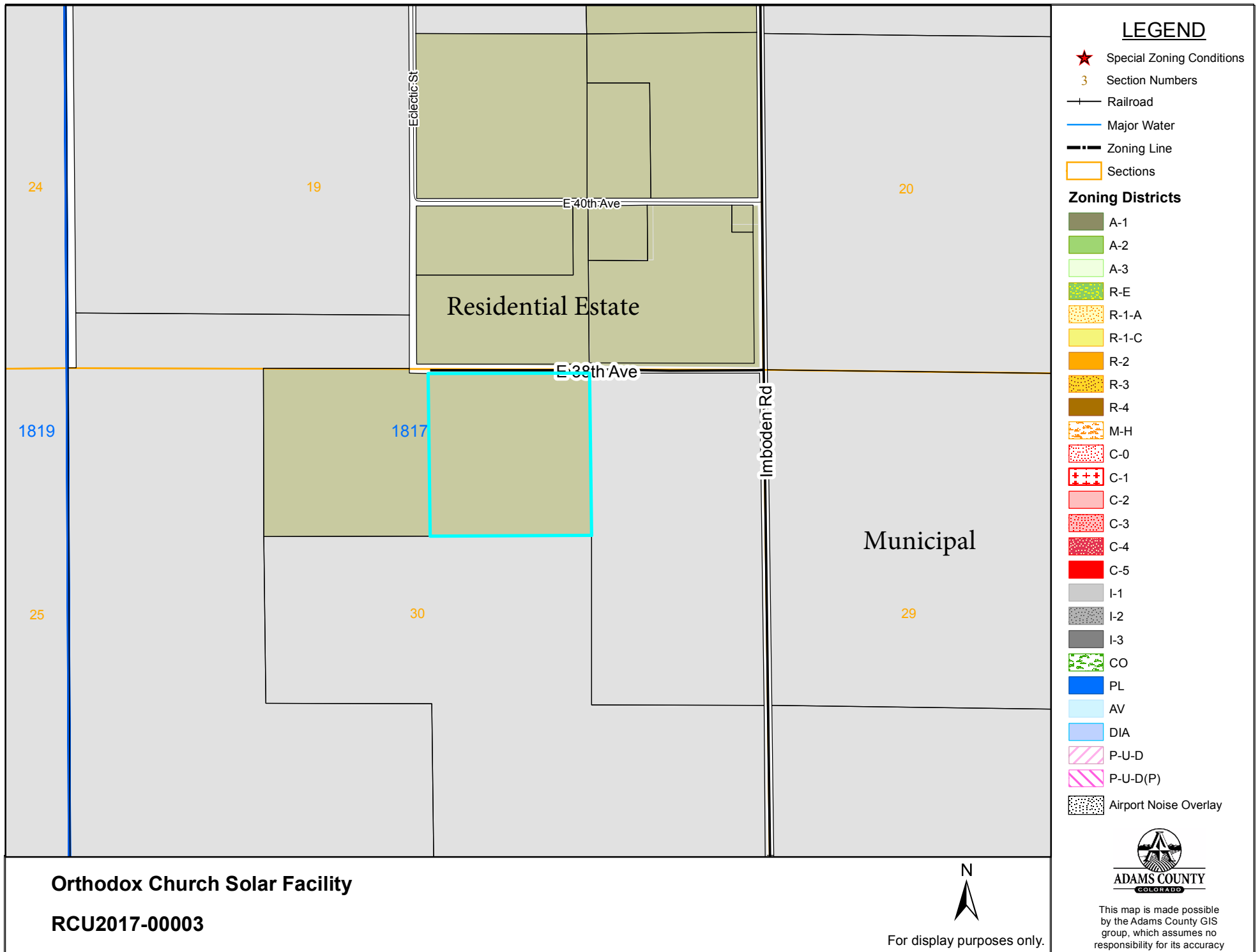


Exhibit 2.2 (a)





January 9, 2017

Adams County CUP Application Description

Re: Serbian Orthodox Church Community Solar Array
33850 E. 38th Ave
Watkins, CO 80137

This Conditional Use Permit application is made in conjunction with the existing CUP, memorialized in Adams County by Resolution 2016-159, covering the same area and for the same purpose, which is a community solar garden. Clean Energy Collective (CEC) is requesting an extension of the CUP for an additional 9 months, such that the expiration date is December 15, 2037.

The reason for this request is as follows: In March of 2016, the Colorado Public Utilities Commission (CPUC) denied the proposed terms of a settlement agreement between Public Service Company of Colorado (dba Xcel Energy) and several solar stakeholders, including developers participating in Xcel Energy's Solar*Rewards Community Program. This denial introduced significant uncertainty into the development and financing of multiple projects, including the one approved by the above-mentioned CUP.

In the August of 2016, the denial of the proposed settlement was overturned by the CPUC, reinstating the settlement and allowing the impacted programs began again in earnest. The uncertainty created by the initial denial delayed several key timelines associated with individual project development that were essential to creating a viable project. To compensate for this impact to developers, Xcel Energy extended the deadlines of the Solar*Rewards Community program to give developers time to complete their projects. This request is made in conjunction with Xcel's extensions to ensure finance-ability of the project and to allow for the project to operate for the full period of time contemplated by the Solar*Rewards Community program.

Should you have questions or require any additional information please contact me directly at (303) 506-7792. I will look forward to your feedback.

Best regards,

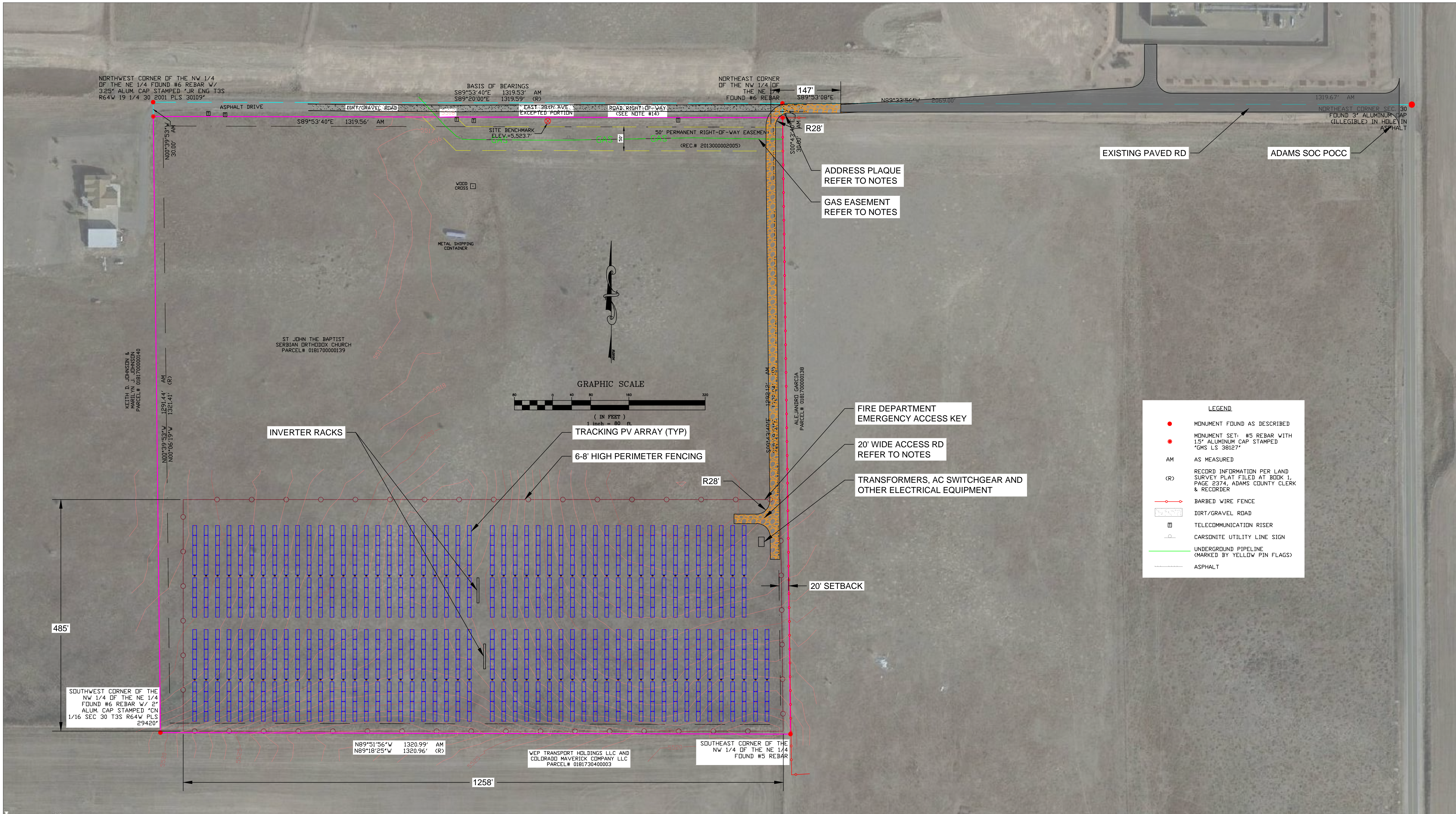
Jonathan Fitzpatrick
Director, Land Management
NABCEP PV Installation Professional # 092411-57



The Clean Energy Collective is a new idea in power generation. A member-owned cooperative venture that builds and operates centralized clean power-generation facilities at the community level.

go ahead. power up.





REVISIONS		DESCRIPTION
REV	DATE	
0	6/30/2015	PRELIMINARY LAYOUT (XCEL-RFP)
1	9/23/2015	LAYOUT REVISION
2	6/23/2016	ACCESS RD, GMS ALTA UNDERLAY, NOTES

STAMP

Adams SOC

PROJECT #	XCEL-RFP Prelim
PROJECT MILESTONE	XCEL-RFP Prelim
DRAFTED BY	SMD
REVIEWED BY	PJD
PROJECT MANAGER	----
DATE	2016-06-23
SCALE	1" = 100'
TITLE	SITE PLAN
DRAWING	G003

Project Summary	
System Size (kW-DC)	1985 KW DC/1811 KW AC
Tilt	+60°/-60°
Azimuth	180°
Module	Qty. 17640, FIRST SOLAR FS-4112-2
Inverter 1	Qty. 49, SOLECTRIA PVI 36TL
Inverter 3	Qty. 1, SMA 15000-TL-US
Racking System	(98) NEXTRACKER 1-AXIS TRACKERS,DRIVEN PILE

- NOTES:**
- GAS EASEMENT**
- 50' GAS EASEMENT
 - CABLING
 - CABLING CLEARANCE TO BE 24" BETWEEN BOTTOM OF GAS LINE AND TOP OF CABLING
 - CABLING SHOULD CROSS THE GAS LINE AS CLOSE TO 90° AS POSSIBLE
 - ROADWAY
 - THE DEPARTMENT OF TRANSPORTATION (DOT) REQUIRES PAVED ROADWAYS AND DRIVEWAYS BE INSTALLED WITH A MINIMUM COVERAGE OF FIVE FEET FROM THE TOP OF THE PIPELINE TO THE TOP OF THE PAVED SURFACE.
 - A MINIMUM CLEARANCE OF FOUR FEET BETWEEN THE TOP OF THE PIPELINE AND TOP OF OTHER SURFACES OR BOTTOM OF DITCHES SHALL BE MAINTAINED.
 - ROADWAY SHOULD CROSS THE GAS LINE AS CLOSE TO 90° AS POSSIBLE

- ACCESS RD**
- STARTING FROM PAVED PORTION OF EAST 38TH AVE.
 - 20' WIDE, CLASS 6 ROAD BASE, 6IN DEEP, COMPACTED TO 80%.
 - TURNING RADIUS TO BE NO LESS THAN 28' ALONG THE WIDTH OF DRIVABLE SURFACE
- ADDRESS PLAQUE**
- ADDRESS NUMBERS SHALL BE CLEARLY VISIBLE FROM EITHER DIRECTION OF TRAVEL AND SHALL BE PROVIDED ON A MONUMENT POLE AT THE DRIVEWAY ENTRANCE MEETING THE FOLLOWING SPECIFICATION.
 - ADDRESS NUMBERS SHALL BE ARABIC NUMBERS OR ALPHABETICAL LETTERS.
 - NUMBERS SHALL BE A MINIMUM OF 4 INCHES (101.6 MM) HIGH WITH A MINIMUM STROKE WIDTH OF 0.5 INCH (12.7 MM).
 - ADDRESS NUMBERS SHALL ALWAYS BE MAINTAINED.

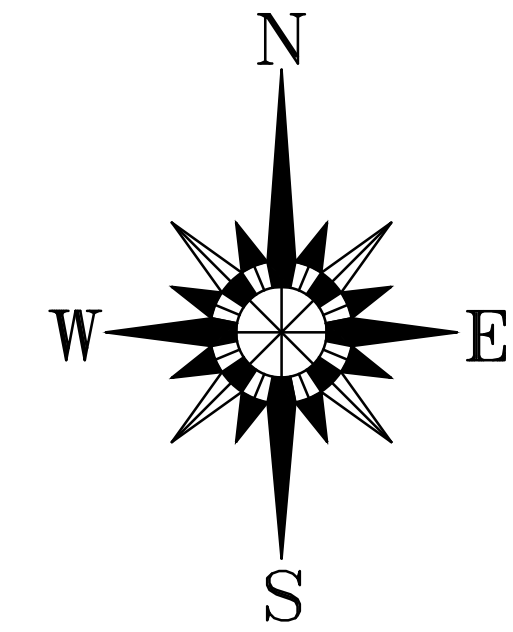


Exhibit 3.2

From: [Rev. Radovan Petrovic](#)
To: [Jonathan Fitzpatrick](#)
Subject: Re: Solar stuff
Date: Monday, January 09, 2017 12:00:49 PM

I agree, You may sign the extension petition.
Fr. Radovan

On Jan 9, 2017 11:26 AM, Jonathan Fitzpatrick <jonathan.fitzpatrick@easycleanenergy.com> wrote:

Fr.

Good morning. I hope you and your family and church enjoyed the holiday this past weekend. Again, I'm sorry I wasn't able to attend the services.

As we lead up to the final details of the solar project, I'm working with Adams County to extend out our Conditional Use Permit by 9 months. The project delays we experienced last year mean that our Conditional Use Permit will expire 20 years from this March (that is, in 2037). However, our project likely won't be operational until June-ish, and we'll need about 2 – 4 months to take it apart after that. With this in mind, I'd like to request an extension with Adams County to ensure we have all of the details covered for our financing partners.

Are you okay with me signing the Conditional Use Permit application on your behalf for this specific request? If not, I've attached it here for your signature. I can come and pick it up if you are not able to scan and return it.

Thanks,

Jon

Jonathan Fitzpatrick
Director, Land Management | Clean Energy Collective
P: 720-583-7442 M: 303-506-7792
THE POWER TO... CleanEnergyCo.com

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. Access to this email by anyone else is unauthorized. If you are not the intended recipient of this email, any disclosure, copying, distribution or any action taken or omitted to be taken in reliance on it, is strictly prohibited and may be unlawful. Nothing contained in this e-mail shall be considered a legally binding agreement, amendment or modification of any agreement, each of which requires a separate fully executed agreement in writing with signatures.

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: 2/23/2017

Project Number: RCU2017-00003

Project Name: Orthodox Church Solar

Note to Applicant:

The following review comments and information from the Development Review Team is based on submitted documents only. 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.

Commenting Division: Building Review

Name of Reviewer: Justin Blair

Date: 01/17/2017

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.

Commenting Division: Engineering Review

Name of Reviewer: Greg Labrie

Date: 02/23/2017

Email: glabrie@adcogov.org

Complete

ENG1: Development Engineering has no comments regarding the extension of 9 months to the existing schedule.

Commenting Division: Environmental Analyst Review

Name of Reviewer: Jen Rutter

Date: 02/02/2017

Email: jrutter@adcogov.org

No Comment

Commenting Division: Parks Review

Name of Reviewer: Aaron Clark

Date: 01/20/2017

Email: aclark@adcogov.org

No Comment

Commenting Division: Planner Review

Name of Reviewer: Chris LaRue

Date: 02/17/2017

Email: clarue@adcogov.org

Complete

PLN1. Request an amendment to the Conditional Use Permit for a Major Energy Facility (Community Solar Garden) in the A-3 zoned district to allow an extension in the expiration date.

PLN2. There are no concerns regarding this request.

PLN3. Per Section 11-02-314 of the Adams County Development Standards and Regulations, Major Energy Facilities include related uses of transmission lines, power plants, and substations.

PLN4. Per Section 3-07-01 of the Adams County Development Standards and Regulations, a Major Energy Facility is allowed as a Conditional Use in every zone district, except Public Lands (P-L) where this use is prohibited.

PLN5. Per Section 2-02-08 and 4-15-07, the Board of County Commissioners (BOCC) is the final decision authority to review and approve/deny Conditional Use Permits. Also, Per Section 2-02-08-05 CUPs are reviewed by the Planning Commission (PC) and BoCC.

PLN6. The property is located in the A-3 zoning district. Per Section 3-10-01 the purpose of the Agricultural-3 District is to provide land primarily in holdings of at least thirty-five (35) acres for dryland or irrigated farming, pasturage, or other related food production uses.

PLN7. The property is located in the Estate Residential future land use. Estate Residential areas are designated for single family housing at a lower densities, typically no greater than 1 unit per acre, and compatible uses such as schools and parks. Under certain circumstances, net densities for Estate Residential areas may be as low as one unit per acre, provided that development is clustered so as to preserve a significant amount of open

PLN8. The site is located within the Airport Influence Zone (AIZ). Per Section 3-33-01 the Airport Influence Zone Overlay District 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.

The Airport Influence Zone is also intended to provide for notice and disclosure of the airport location to owners of residential and non-residential properties in areas which may be subjected to aircraft activities of such duration and frequency which would constitute a nuisance to residential and other uses.

From: [Karl Smalley](#)
To: [Chris LaRue](#)
Subject: RE: RCU2017-00003 Request for comments
Date: Saturday, January 28, 2017 8:21:15 AM

Hi Chris,

The Adams County Sheriff's Office has no objections to this project.

Karl Smalley, Commander
Adams County Sheriff's Office Plains Section
Strasburg, Co 80136
303-622-9797

From: [Caleb J. Connor](#)
To: [Chris LaRue](#)
Cc: victoriaflamini@bennettfirerescue.org; virginia Wittman@bennettfirerescue.org; "Earl R. Cumley"
Subject: RE: RCU2017-00003 Request for comments
Date: Wednesday, February 01, 2017 4:20:23 PM

Chris,

We've had a lot of dialogue with the applicant on this project previously. I don't see any reason we would object to the proposed amendment for an extension as long as the applicant follows the conditions in our previous comments. Thanks!



Captain Caleb J. Connor
Fire Marshal
Life Safety Division
Bennett Fire Protection District
303-644-3572 - Headquarters / 303-532-7733 - Direct
www.BennettFireRescue.org

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From: Chris LaRue [mailto:CLaRue@adcogov.org]
Sent: Friday, January 27, 2017 3:12 PM
To: Chris LaRue <CLaRue@adcogov.org>
Subject: RCU2017-00003 Request for comments

The Adams County Planning Commission & Board of County Commissioners are requesting comments on the following request:

Request for amendment to an approved conditional use permit for a solar garden facility. The proposed amendment would extend the expiration date by 9 months.

This request is located at: 33850 E 38TH AVE

The Assessor's Parcel Number is: 0181700000139

Applicant Information: Clean Energy Collective
JONATHAN FIZPATRICK
33850 E 38TH AVE
WATKINS, CO 80027

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) 523-6800 by 02/17/2017 in order that your comments may be taken into consideration in the review of

From: [Clark, Thomas](#)
To: [Chris LaRue](#)
Subject: Case No. RCU2017-00003 Request for Comments
Date: Thursday, February 09, 2017 11:45:01 AM

Hi Christopher,

My name is Tom, I'm an employee in Real Property. I received two "Request for Comments" Docs from Adams County pertaining to E. 38th Ave which the City owns.

Can you tell me how this will affect the City's interests in E. 38th Ave? Are any easements or ROWs needed from the City? The City cannot comment without a more specific explanation as to how this affects the City, our property or our interests.

Thank you!

Tom Clark

Associate Real Property Agent
Department of Public Works | City of Aurora
Division of Real Property
Office 303.739.1508



From: [Hammett, Alisha - DEN](#)
To: [Chris LaRue](#)
Cc: [Reed, Tom - DEN](#); [Howes, Brandon - DEN](#); [Hilaire, Jeannette - DEN](#)
Subject: Response: Case #RCU2017-00003 Request for Comments
Date: Monday, January 30, 2017 10:30:26 AM
Attachments: [image001.png](#)
[FAA AC70-7460-2K Constr Notification.pdf](#)

Mr. LaRue,

The Denver International Airport (DEN) Planning Office has received the Adams County Planning Commission's Request for Comments, dated January 25, 2017 regarding a request for amendment to an approved Conditional Use Permit for Orthodox Church Solar Facility- Case #RCU2017-00003.

We offer the following comments:

1. The proposed development site is located approximately 27,086 ft (5.13 miles) southeast of the south end of existing Runway 17L/35R at DEN. The location falls within the CFR Title 14 Part 77 Navigable Airspace Surfaces associated with DEN.
2. We recommend the applicant file an FAA Form 7460-1 (Notice of Proposed Construction or Alteration) in order to complete an FAA aeronautical study. See FAA Advisory Circular 70/7460-2K, attached. The FAA website from which the Proponent may file FAA Form 7460-1 online is: <https://oeaaa.faa.gov/oeaaa/external/portal.jsp> Should any pilots or air traffic controllers complain of any glare or reflections, the problem must be mitigated immediately.

Thank you for the opportunity to comment on this proposal. Should you or the proponent have any questions regarding our comments, please contact the DEN Planning Office.



ALISHA KWON HAMMETT
ASSOCIATE CITY PLANNER

Denver International Airport
Airport Infrastructure Management- Planning
Airport Office Building | 7th Floor
8500 Peña Boulevard | Denver, CO 80249-6340
(303) 342-2601 | (720) 296-5187

ALISHA.HAMMETT@FLYDENVER.COM | WWW.FLYDENVER.COM

[Click here](#) to visit DEN on social media



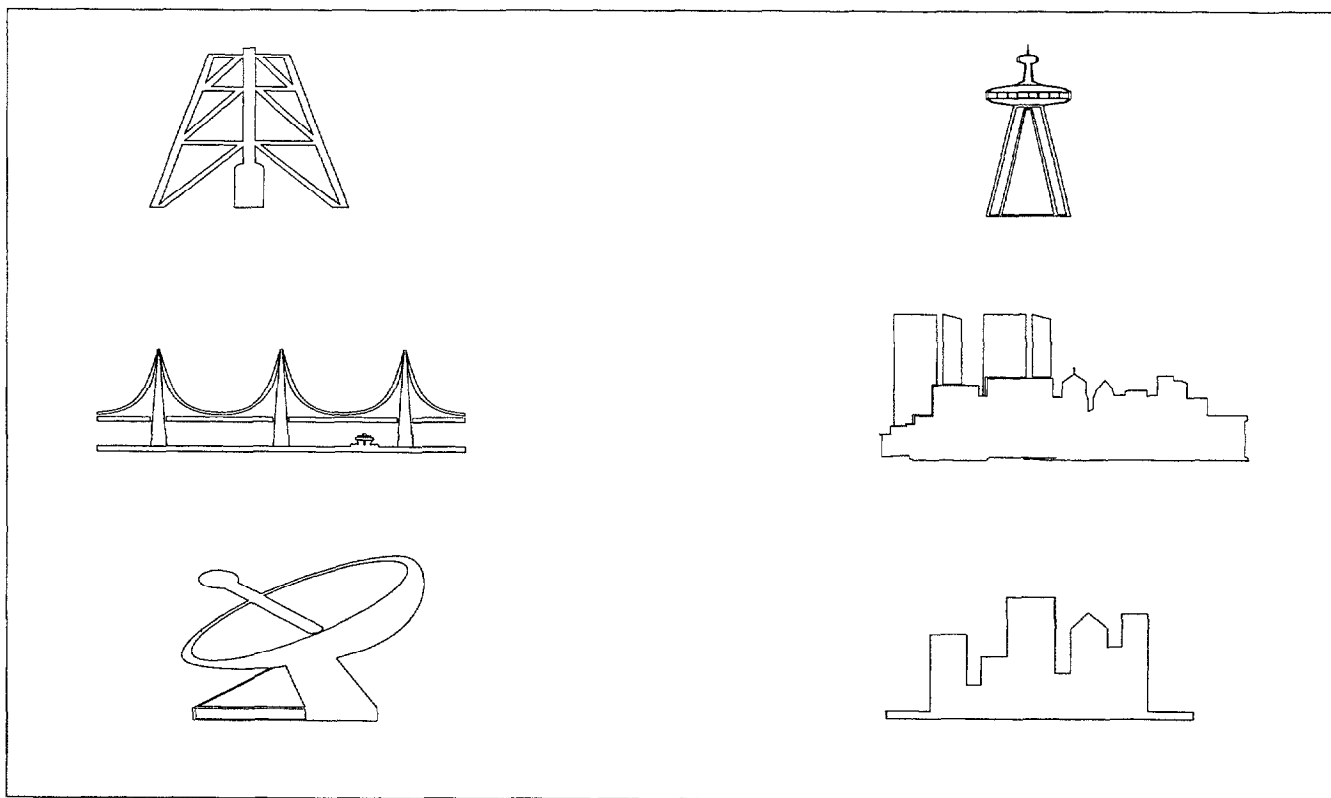
U.S. Department
of Transportation

**Federal Aviation
Administration**

ADVISORY CIRCULAR

AC 70/7460-2K

Proposed Construction or Alteration of Objects that May Affect the Navigable Airspace





U.S. Department
of Transportation

Federal Aviation
Administration

ADVISORY CIRCULAR

Subject: PROPOSED CONSTRUCTION OR ALTERATION OF OBJECTS THAT MAY AFFECT THE NAVIGABLE AIRSPACE

Date: 3/1/00

AC No: 70/7460.2K

Initiated by: ATA-400

1. PURPOSE.

This Advisory Circular (AC) provides information to persons proposing to erect or alter an object that may affect the navigable airspace. The AC also explains the requirement to notify the Federal Aviation Administration (FAA) before construction begins and FAA's responsibility to respond to these notices in accordance with Title 14 Code of Federal Regulations (14 CFR) part 77, Objects Affecting Navigable Airspace. Additionally, the AC explains the process by which to petition the FAA's Administrator for discretionary review of the determinations issued by the FAA.

2. CANCELLATION.

AC 70/7460-2J, Proposed Construction or Alteration of Objects That May Affect the Navigable Airspace, dated 11/29/95, is cancelled.

3. BACKGROUND/AUTHORITY.

a. 49 U.S.C. Section 44718 mandates, in pertinent part, that "The Secretary of Transportation shall require a person to give adequate public notice...of the construction or alteration, establishment or extension, or the proposed construction, alteration, establishment, or expansion, of any structure...when the notice will promote:

- (1) safety in air commerce, and
- (2) the efficient use and preservation of the navigable airspace and of airport traffic capacity at public-use airports."

b. To this end, 14 CFR Part 77 was issued prescribing that notice shall be given to the Administrator of certain proposed construction or alteration.

4. EFFECTIVE DATE.

This advisory circular becomes effective March 1, 2000.

5. NOTICES.

a. WHY IS NOTIFICATION REQUIRED?

In administering 14 CFR Part 77, the FAA's prime objectives are to ensure the safe and efficient use of the navigable airspace. The FAA recognizes that there are varied demands for the use of airspace, both by aviation and nonaviation interests. When conflicts arise out of construction proposals, the FAA emphasizes the need for conserving the navigable airspace. Therefore, early notice of proposed construction or alteration provides the FAA the opportunity to:

(1) Recognize potential aeronautical hazards to minimize the adverse effects to aviation.

(2) Revise published data or issue a Notice to Airmen (NOTAM) to alert pilots to airspace or procedural changes made as a result of the structure.

(3) Recommend appropriate marking and lighting to make objects visible to pilots. Before filing FAA Form 7460-1, Notice of Proposed Construction or Alteration, construction sponsors should become knowledgeable in the different types of obstruction marking and lighting systems that meet FAA standards. Information about these systems can be obtained from the manufacturers. Proponents can then determine which system best meets their needs based on purchase, installation, and maintenance costs. The FAA will make every effort to accommodate the request.

(4) Depict obstacles on aeronautical charts for pilotage and safety.

b. WHO MUST FILE NOTICE?

Any person or an agent who intends to sponsor construction is required to submit notice to the Administrator if the proposed construction or alteration falls within any of the following categories:

(1) *Greater than 200 feet in height.* The proposed object would be more than 200 feet above ground level (AGL) at its location.

NOTE-

See FIG 1 and FIG 2.

Greater Than 200 Feet AGL at Object's Location [Over Land]

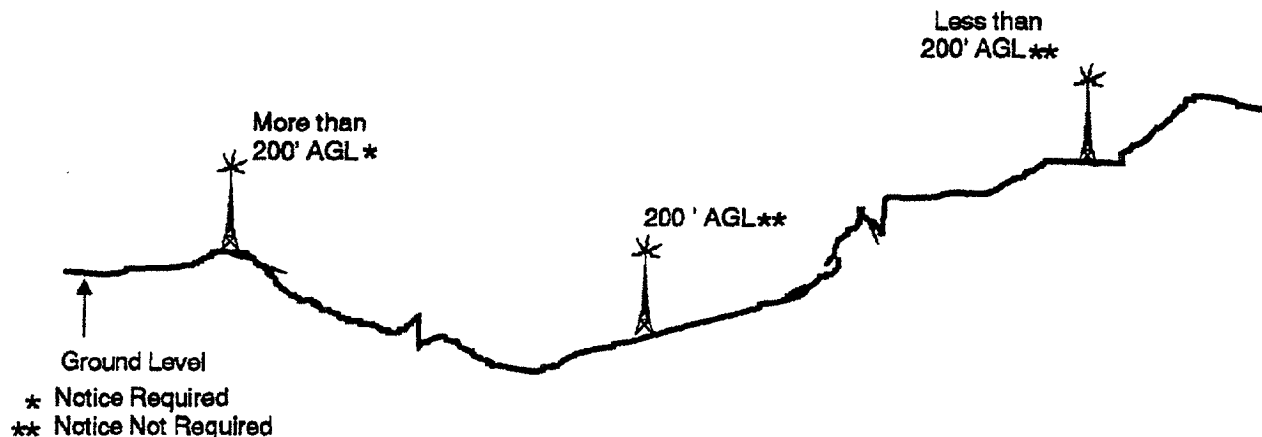


FIG 1

Greater Than 200 Feet AGL at Object's Location [Over Water]

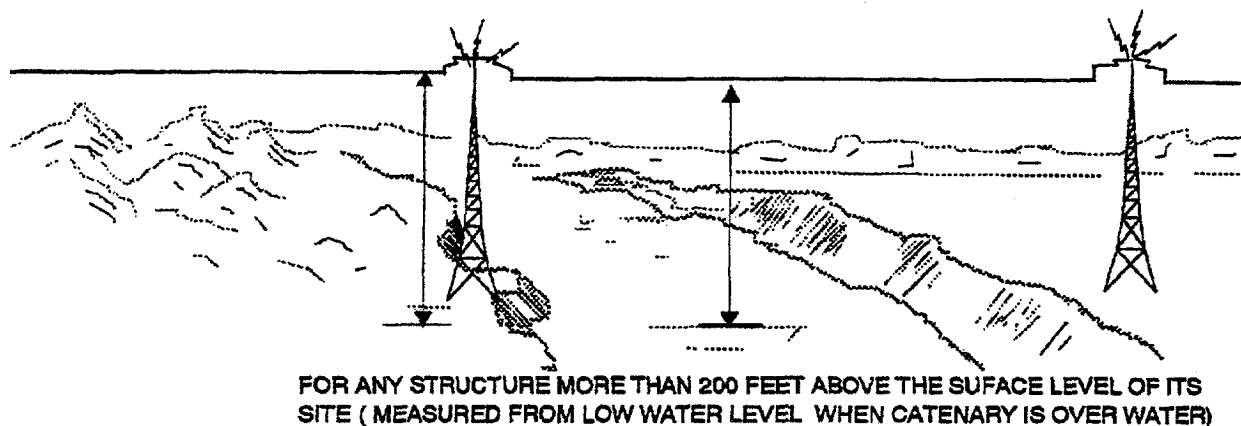


FIG 2

(2) *Near a Public-Use or Military Airport, Heliport, or Seaplane Base.* A public use airport, heliport or a seaplane base with visually marked seaplanes that is listed in the current Airport Facility Directory, the Alaska Supplement or the Pacific Chart Supplement, or near an airport operated by an armed force of the United States.

(a) *Airport or Seaplane Base.* The proposed object or alteration would be within:

(1) 20,000 feet of an airport or seaplane base with at least one runway more than 3,200 feet in length

and the object would exceed a slope of 100:1 horizontally (100 feet horizontally for each 1 foot vertically) from the nearest point of the nearest runway.

(2) 10,000 feet of an airport or seaplane base that does not have a runway more than 3,200 feet in length and the object would exceed a 50:1 horizontal slope (50 feet horizontally for each 1 foot vertically) from the nearest point of the nearest runway.

NOTE-
See FIG 3.

Object Penetrates Airport/Seaplanes Base Surface

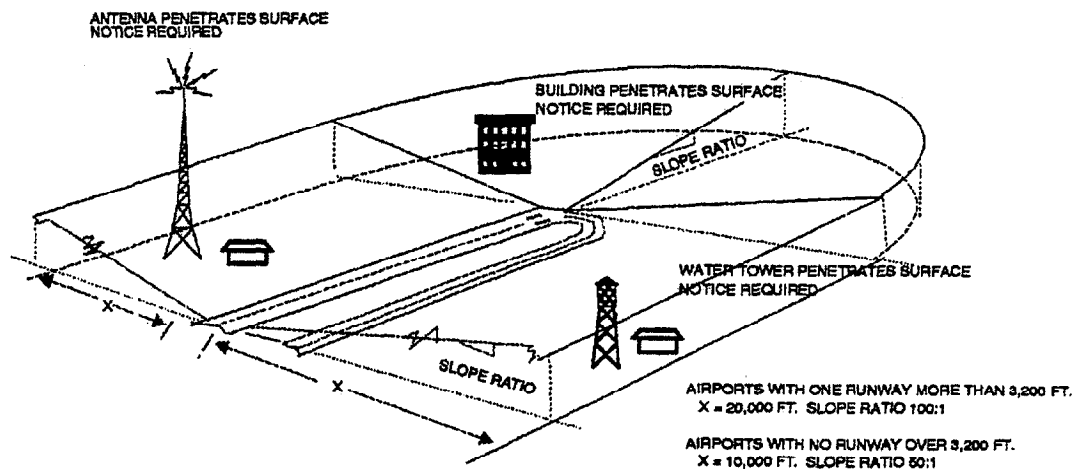


FIG 3

(b) *Heliport.* The proposed object would be within 5,000 feet of a heliport and would exceed a 25:1 horizontal slope (25 feet horizontally for each 1 foot vertically) from the nearest landing and takeoff area of that heliport.

NOTE-
See FIG 4.

Object Penetrates Heliport Surface

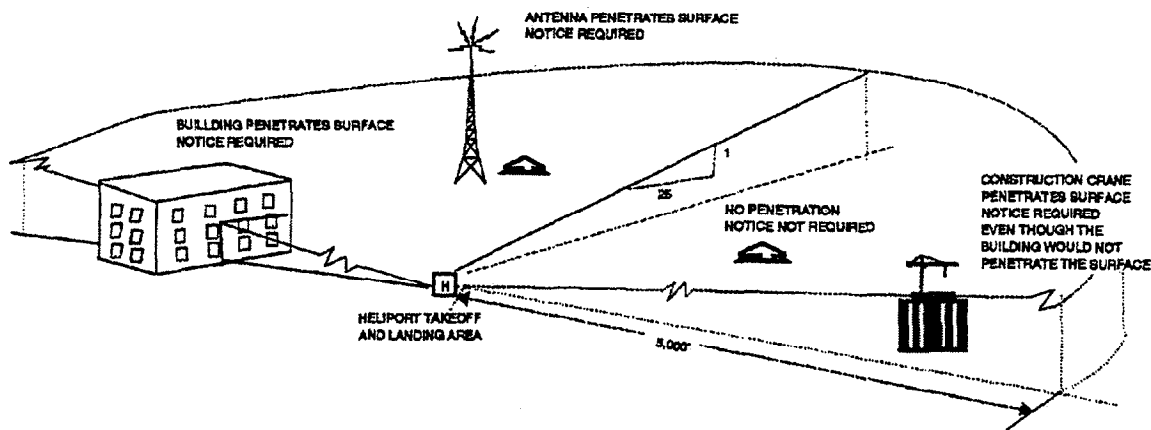


FIG 4

(3) *Highways and Railroads.* The proposed object is a traverse way which would exceed one or more of the standards listed in paragraphs a and b above, after the height of the object is adjusted upward as follows:

(a) *Private road:* 10 feet or the height of the highest mobile object that would traverse the roadway, whichever is greater.

(b) *Other public roadways:* 15 feet.

(c) *Interstate Highways:* 17 feet.

(d) *Railroad:* 23 feet.

(e) *Waterway or any other thoroughfare not previously mentioned:* an amount equal to the highest mobile object that would traverse the waterway or thoroughfare.

NOTE-
See FIG 5.

Proposed Object in a Traverse Way

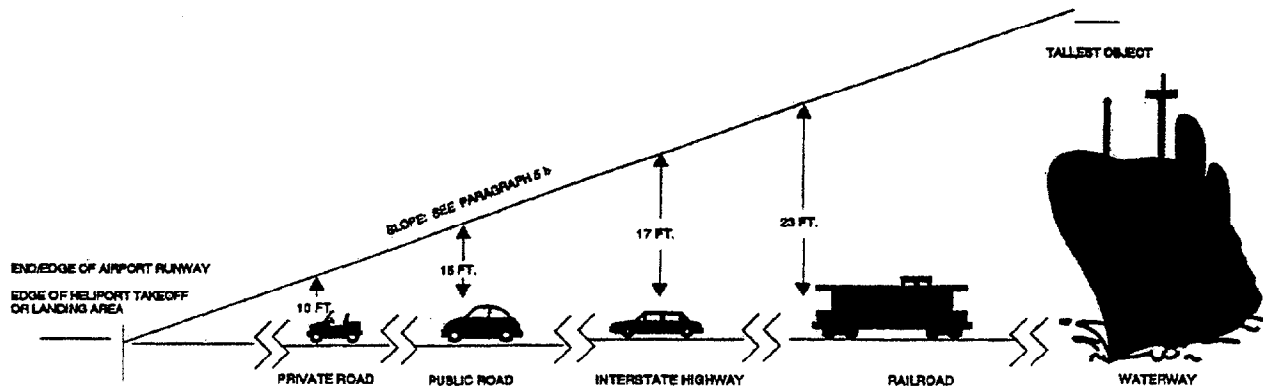


FIG 5

(4) *Objects on a Public-Use or Military Airport or Heliport.* The proposed construction or alteration would be on an airport or heliport, or any airport operated by an armed force of the United States, regardless of height or location.

(5) *When Requested by the FAA.* The FAA may request notice if available information indicates the proposal may exceed an obstruction standard or the proposal may cause electromagnetic interference to aircraft, particularly construction associated with an AM, FM, or TV station including a change in authorized frequency or transmitting power, may cause transmitted signals to be reflected upon ground-based or airborne air navigation communications equipment, or affect instrument procedures. In addition, notice may be requested when the proposal may affect an air traffic control procedure, may obstruct air traffic controllers' line of sight capability, or may affect air traffic control radar.

c. WHAT KIND OF STRUCTURES REQUIRE FAA NOTIFICATION?

The following are examples of structures requiring notice to the FAA.

(1) Proposed construction or alteration of structures such as:

- (a) Buildings.
- (b) Antenna Towers.
- (c) Roadways.
- (d) Overhead communications and transmission lines as well as the height of the supporting structures.
- (e) Water towers and the supporting structure.

(2) Construction equipment or other temporary structures such as:

- (a) Cranes.
- (b) Derricks.
- (c) Stockpiles of equipment.
- (d) Earth moving equipment.

d. WHEN MUST NOTICES BE FILED?

Notice must be submitted:

(1) At least 30 days before the earlier of the following:

- (a) The date the proposed construction or alteration is to begin, or
- (b) The date the application for a construction permit will be filed.

(2) On or before the date the application for construction is filed with the Federal Communications Commission (FCC), if the proposed structure is subject to FCC licensing requirements.

(3) Immediately by telephone or other expeditious means to the nearest FSS, with written notification submitted within 5 days thereafter, if immediate construction or alteration is required as in cases involving public services, health or safety.

(4) As early as possible in the planning stage but not less than 30 days before construction will begin.

e. HOW AND WHERE TO FILE NOTICE.

Notification of the proposal should be made on FAA Form 7460-1, Notice of Proposed Construction or Alteration. Additional information such as charts and/or drawings that accurately depict the proposed construction or alteration should be included to

facilitate the FAA's analysis of the project. The completed form should be mailed to the Manager, Air Traffic Division, of the regional office having jurisdiction over the area within which the construction or alteration will occur.

NOTE-

Information on regional addresses may be found on the FAA's website at www.faa.gov/ats/ata/ata-400/oeaaa.htm or contact the FAA listed in local telephone books under United States Government.

f. PENALTY FOR FAILING TO PROVIDE NOTICE.

Persons who knowingly and willfully violate the notice requirements of 14 CFR part 77 are subject to a civil penalty.

g. COMPLIANCE RESPONSIBILITY.

A notice filed with the FAA does not relieve the proponent of compliance with laws, ordinances or regulations of any other Federal, state or local governmental entity.

h. ASSOCIATED PUBLICATIONS.

The following publications contain obstruction criteria, marking and lighting standards and specifications for lighting and paint.

(1) *Federal Aviation Regulations 14 CFR, part 77, Objects Affecting Navigable Airspace*. This part sets forth the requirements for notice to the FAA of proposed construction or alteration and provides standards for determining obstructions to navigable airspace. 14 CFR, part 77 (Stock No. 050-007-00276-9) may be ordered from:

Superintendent of Documents
U. S. Government Printing Office
Washington, DC 20402

(2) *Advisory Circulars*. FAA advisory circulars are available free of charge from:

Department of Transportation
TASC
Subsequent Distribution Office,
SVC-121.23
Ardmore East Business Center
3341 Q 75th Avenue
Landover, MD 20785

(a) *AC 70/7460-1, Obstruction Marking and Lighting*, describes the standards for marking and lighting structures such as buildings, chimneys, antenna towers, cooling towers, storage tanks, supporting structures of overhead wires, etc.

(b) *AC 150/5190-4, A Model Zoning Ordinance to Limit Height or Objects Around Airports*, provides a

model-zoning ordinance to be used as a guide to control the height of objects around airports.

(c) *AC 150/5300-13, Airport Design*, includes planning information on electronic and visual navigational aids and air traffic control facility siting and clearance requirements that influence the physical layout of airports.

(d) *AC 150/5345-53, Airport Lighting Equipment Certification Program*, addendum lists equipment model numbers and manufacturer's part numbers in compliance with item (e) below. The addendum is located on the Internet at the Office of Airports homepage: <http://www.faa.gov/arp/arphome.htm> under Advisory Circulars.

(e) *AC 150/5345-43, Specification for Obstruction Lighting Equipment*, contains specifications for equipment used in obstruction lighting systems.

(3) *Marking Specifications and Standards*. Aviation colors and paint standards and specifications are available from:

General Services Administration
Specifications Section
470 L'Enfant Plaza, Suite 8214
Washington, DC 20407

(4) *FAA Forms*. FAA forms are available free of charge from all FAA regional offices.

(a) *FAA Form 7460-1, Notice of Proposed Construction or Alteration*, is used to notify the FAA of proposed construction or alteration of an object that may affect the navigable airspace.

(b) *FAA Form 7460-2, Notice of Actual Construction or Alteration*, is used to notify the FAA of progress or abandonment, as requested on the form. The FAA regional office routinely includes this form with a determination when such information will be required. The information is used for charting purposes, to change affected aeronautical procedures and to notify pilots of the location of the structure.

i. ADMINISTRATIVE ASSISTANCE TO CONSTRUCTION PROPONENTS.

(1) Airspace specialists are available in each regional office to assist proponents in filing their notice. Proponents are encouraged to call in advance for appointments. Limited resources often prevent the specialist from responding spontaneously without advanced planning or preparation.

(2) To insure timely determinations, construction proponents must submit complete and accurate data. Lack of complete and accurate data could result in the return of the form. United States Geological Survey quadrangle maps are available at nominal costs to aid in determining

the geographical coordinates (latitude/longitude) and site elevation above mean sea level. The latitude/longitude information should be submitted in North American Datum of 1983. The quadrangle maps can be obtained from:

U.S. Geological Survey
Reston, Virginia 22092
Telephone No. (703) 860-6045

U.S. Geological Survey
District Branch
P.O. Box 25286, Bldg. #41
Denver, Colorado 80225
Telephone No. (303) 844-4169

(3) Airport planners are available for assistance with construction proposals on Federally obligated airports.

(4) Proposals for electronic transmitting devices should include frequency, effective radiated power (ERP), radiation center height (RCAMSL), and antenna characteristics such as number of bays, beam tilt, and null fill.

6. FAA's RESPONSIBILITY.

a. The FAA will acknowledge receipt of the notice.

b. After initial screening, the outcome of the screening will be sent to the filer and may state one of the following:

(1) The proposal is not identified as an obstruction and would not be a hazard to air navigation, or

(2) The proposal would be an obstruction unless reduced to a specified height and is presumed to be a hazard to air navigation pending further study. When this is indicated, the acknowledgement will either specify that the FAA has initiated further study, or the proponent may elect to reduce the height or request further study within (sixty) 60 days, in which event, the FAA will begin the study when the proponent so advises.

c. If further aeronautical study is initiated, public notice may be prepared and distributed for comments to those agencies, organizations, or individuals with known aeronautical interests to determine if the proposal would be a hazard to air navigation. State and local aviation authorities, as well as various military organizations of the Department of Defense, are also offered the opportunity to comment on the aeronautical effects of the proposal.

d. All responses received by the end of the specified comment period are analyzed by the FAA regional specialists for valid aeronautical comments and objections.

e. The office conducting the study may decide to conduct an informal airspace meeting with interested parties to discuss the effects of the proposal and to gather additional facts or information relevant to the study.

f. The FAA specialists may negotiate with the proponent during the study process to resolve any adverse

effect(s) on aeronautical operations. Many times, a minor reduction in height and/or relocation of a proposed structure will eliminate or sufficiently minimize adverse aeronautical effects that would permit the issuance of a Determination of No Hazard to Air Navigation.

g. After the aeronautical study is completed, the regional office will normally issue a:

(1) Determination of Hazard to Air Navigation; or

(2) Determination of No Hazard to Air Navigation.

h. An FAA determination is a conclusion based on the study of a structure's projected impact on the safe and efficient use of the navigable airspace by aircraft. It should not be construed as an approval or disapproval of the project.

i. The FAA usually recommends marking and/or lighting of a structure when its height exceeds 200 feet above ground level (AGL) or exceeds Part 77 obstruction criteria. However, the FAA may recommend marking and/or lighting of a structure that does not exceed 200 feet AGL or Part 77 obstruction standards because of its particular location.

7. HOW TO PETITION THE ADMINISTRATOR FOR DISCRETIONARY REVIEW.

a. When a determination is issued under 14 CFR Section 77.19 (except Section 77.19 c.(1)), or Section 77.35 or when a revision or extension is issued under Section 77.39 (c), you may petition the FAA Administrator for a review of the determination, revision, or extension if you:

(1) Are the sponsor of the proposed construction or alteration,

(2) Stated a substantial aeronautical objection to the proposal during an aeronautical study, or

(3) Have a substantial aeronautical objection but were not given an opportunity to state it.

b. The petition must be submitted within 30 days after the issue date of the determination, revision, or extension and must contain a full statement of the basis upon which it is made. Submit an original and two copies to:

Manager, Airspace and Rules
Division, ATA-400
Federal Aviation Administration
800 Independence Avenue, SW
Washington, DC 20591

Nancy Kalinowski

John S. Walker

Program Director, Air Traffic
Airspace Management Program

From: Marsha.Hofer@faa.gov
To: [Chris LaRue](#)
Subject: FW: RCU2017-00003 Request for comments
Date: Friday, January 27, 2017 3:28:46 PM
Attachments: [RCU2017-00003 request for comments.pdf](#)

The Federal Aviation Administration (FAA) reviews planning and construction proposals through the submittal of FAA Form 7460-1, Notice of Proposed Construction or Alteration. The FAA uses information provided on this form to conduct an airspace analysis to determine if the proposal will pose an aeronautical hazard and to minimize the adverse effects to aviation. FAA Form 7460-1 can be filed electronically at www.oaaaa.faa.gov. Please use the notice criteria tool on this website to determine whether or not the proponent is required to file. It also may be necessary to file a Form 7460-1 if the structure requires an FCC license or there is a potential for navigational equipment interference.

Marsha Hofer
 Program Specialist
 Denver Airports District Office

From: Bruce, Linda (FAA)
Sent: Friday, January 27, 2017 3:20 PM
To: Hofer, Marsha (FAA)
Subject: FW: RCU2017-00003 Request for comments

Linda Bruce
 Colorado State Planner
 Federal Aviation Administration
 Denver Airports District Office
 (303) 342-1264

From: Chris LaRue [<mailto:CLaRue@adcogov.org>]
Sent: Friday, January 27, 2017 3:12 PM
To: Chris LaRue
Subject: RCU2017-00003 Request for comments

The Adams County Planning Commission & Board of County Commissioners are requesting comments on the following request:

Request for amendment to an approved conditional use permit for a solar garden facility. The proposed amendment would extend the expiration date by 9 months.

This request is located at: 33850 E 38TH AVE

The Assessor's Parcel Number is: 0181700000139

Applicant Information: Clean Energy Collective
 JONATHAN FIZPATRICK
 33850 E 38TH AVE
 WATKINS, CO 80027

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



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

February 15, 2017

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

Attn: Chris LaRue

Re: Orthodox Church Solar Facility, Case # RCU2017-00003

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans for an amendment to an approved conditional use permit for **Orthodox Church Solar Facility** and has **no apparent conflict**.

The property owner/developer/contractor must contact the **Builder's Call Line** at 1-800-628-2121 or <https://xcelenergy.force.com/FastApp> (*register*, application can then be tracked) and complete the application process for any new electric service, or modification to existing facilities. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

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

If you have any questions about this referral response, please contact me at (303) 571-3306.

Donna George
Contract Right of Way Referral Processor
Public Service Company of Colorado

CERTIFICATE OF POSTING



I, Christopher C. La Rue do hereby certify that I had the property posted at

33850 East 38th Avenue

on March 30, 2017

in accordance with the requirements of the Adams County Zoning Regulations

Christopher C. La Rue

Christopher C. La Rue

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

Public Hearing Notification

Case Name:	Orthodox Church Solar Facility
Case Number:	RCU2017-00003
Planning Commission Hearing Date:	04/13/2017 at 6:00 p.m.
Board of County Commissioners Hearing Date:	05/02/2017 at 9:30 a.m.

March 17, 2017

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

Request for amendment to an approved conditional use permit for a solar garden facility. The proposed amendment would extend the expiration date by 9 months.

The proposed use will be

This request is located at: 33850 E 38TH AVE

The Assessor's Parcel Number: 0181700000139

Applicant Information: Clean Energy Collective
JONATHAN FIZPATRICK
33850 E 38TH AVE
WATKINS, CO 80027

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

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1


Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

contacting this office or by accessing the Adams County web site at www.adcogov.org/planning/currentcases.

A handwritten signature in dark ink that reads "Christopher C. LaRue". The signature is written in a cursive style with a large initial 'C' and a long, sweeping underline.

Christopher C. LaRue
Senior Planner

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:	Orthodox Church Solar Facility
Case Number:	RCU2017-00003

January 25, 2017

The Adams County Planning Commission & Board of County Commissioners are requesting comments on the following request:

Request for amendment to an approved conditional use permit for a solar garden facility. The proposed amendment would extend the expiration date by 9 months.

This request is located at: 33850 E 38TH AVE

The Assessor's Parcel Number is: 0181700000139

Applicant Information: Clean Energy Collective
JONATHAN FIZPATRICK
33850 E 38TH AVE
WATKINS, CO 80027

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) 523-6800 by 02/17/2017 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 CLaRue@adcogov.org. Once comments have been received and the staff report written, the 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.

Christopher C. LaRue
Senior Planner

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Erik Hansen
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Mary Hodge
DISTRICT 5

From: [Megan Ulibarri](#)
To: ["jker0@i-70scout.com"](mailto:jker0@i-70scout.com)
Cc: [Chris LaRue](#); [Shayla Christenson](#)
Subject: Newspaper Publication
Date: Monday, March 20, 2017 10:04:07 AM
Attachments: [publication.doc](#)

Good Morning Jason,

Please see the attached publication request for the following case(s):

- RCU2017-00003 Orthodox Church Solar Facility

May I get this case published in the Friday March 24, 2017 issue of the Brighton Blade. Please let me know if there are any issues with deadlines.

Thank you,

Megan Ulibarri

Community and Economic Development

4430 South Adams County Parkway, Suite W2000B

Brighton, CO 80601-8212

720.523.6848 | mulibarri@adcogov.org

PUBLICATION REQUEST

Orthodox Church Solar Facility

Case Number: RCU2017-00003
Planning Commission Hearing Date: 04/13/2017 at 6:00 p.m.
Board of County Commissioners Hearing Date: 05/02/2017 at 10:00 a.m.

Request: Request for amendment to an approved conditional use permit for a solar garden facility. The proposed amendment would extend the expiration date by 9 months.

Location: 33850 E 38TH AVE

Parcel Number(s): 0181700000139

Case Manager: Chris LaRue

Case Technician: Rayleen Swarts

Applicant: Clean Energy Collective
JONATHAN FIZPATRICK 720-583-7442
33850 E 38TH AVE
WATKINS, CO 80027

Owner: ST JOHN THE BAPTIST SERBIAN
ORTHODOX CHURCH
9305 W CEDAR AVE
LAKEWOOD, CO 802261045

Legal Description:

Legal Description of entire parcel:

NW4 NE4 EXC N 30 FT, Sect 30, T3S, R64W, 39.55 ac

Legal Description of lease area within parcel:

A LEASE AREA EXISTING OVER AND ACROSS A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST, OF THE 6TH P.M. CONSIDERING THE NORTH LINE OF NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30 TO HAVE A GPS DERIVED BEARING BASED ON COLORADO STATE PLANE NORTH ZONE 0501, NAD83 (2011), GEOID12A, OF SOUTH 89°53'40" EAST, BETWEEN THE MONUMENT FOUND AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, BEING A #6 REBAR WITH A 3.25" ALUMINUM CAP STAMPED "JR ENG T3S R64W 19 1/4 30 2001 PLS 30109", AND THE MONUMENT

FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, BEING A #6 REBAR, WITH ALL OTHER BEARINGS AND DISTANCES DESCRIBED HEREIN RELATED THERETO. COMMENCING AT SAID NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 00°39'53" EAST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 826.61 FEET MORE OR LESS, TO THE POINT OF BEGINNING; THENCE SOUTH 89°51'56" EAST, A DISTANCE OF 1320.45 FEET MORE OR LESS TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 00°43'40" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 494.84 FEET MORE DR LESS TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, BEING A FOUND #5 REBAR; THENCE NORTH 89°51'56" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1320.99 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, BEING A FOUND #6 REBAR WITH A 2' ALUMINUM CAP PLS 29420; THENCE NORTH 00°39'53' WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 494.83 FEET MORE DR LESS TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINING 653,469 SQ. FT. OR 15.00 ACRES MORE OR LESS.

BRONCO PIPELINE COMPANY
3300 N A ST BLDG 6
MIDLAND TX 79705-5421

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

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

GARCIA ALEJANDRO
3295 IMBODEN RD
WATKINS CO 80137-8901

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

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

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

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

WEP TRANSPORT HOLDINGS LLC 58.76% & TREE
21.24% & COLORADO MAVERICK COMPANY LLC 2
PO BOX 7068
RANCHO SANTA FE CA 92067-7068



Referral Listing
Case Number RCU2017-00003
Orthodox Church Solar Facility

Agency	Contact Information
Adams County Development Services - Building	Justin Blair 4430 S Adams County Pkwy Brighton CO 80601 720-523-6825 JBlair@adcogov.org
BENNETT FIRE DISTRICT #7	CHIEF EARL CUMELY 825 SHARIS CT BENNETT CO 80102 303-644-3434 ecumley941@aol.com
BENNETT FIRE DISTRICT #7	Captain Caleb J Connor 825 SHARIS CT BENNETT CO 80102 303-532-7733 303-644-3572 CalebConnor@BennettFireRescue.org
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 - AIR QUALITY	JAMES A. DILEO 4300 CHERRY CREEK DRIVE SOUTH DENVER CO 80246-1530 303-692-3127 jim.dileo@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

Agency	Contact Information
CDPHE SOLID WASTE UNIT	<p>Andy Todd 4300 CHERRY CREEK DR SOUTH HMWMD-CP-B2 DENVER CO 80246-1530 303.691.4049 Andrew.Todd@state.co.us</p>
Century Link, Inc	<p>Brandyn Wiedreich 5325 Zuni St, Rm 728 Denver CO 80221 720-508-3724 720-245-0029 brandyn.wiedrich@centurylink.com</p>
CITY OF AURORA - WATER AND SAN. DEPT.	<p>PETER BINNEY 15151 E ALAMEDA PKWY #3600 AURORA CO 80012 303-739-7370 pbinney@ci.aurora.co.us</p>
CITY OF AURORA ATTN: PLANNING DEPARTMENT	<p>... 15151 E ALAMEDA PKWY 2ND FLOOR AURORA CO 80012 (303) 739-7542 cglore@auroragov.org</p>
Code Compliance Supervisor	<p>Eric Guenther eguenther@adcogov.org 720-523-6856 eguenther@adcogov.org</p>
COLORADO DIVISION OF WILDLIFE	<p>JOSEPH PADIA 6060 BROADWAY DENVER CO 80216 303-291-7132 joe.padia@state.co.us</p>
COLORADO DIVISION OF WILDLIFE	<p>Eliza Hunholz Northeast Regional Engineer 6060 BROADWAY DENVER CO 80216-1000 303-291-7454 eliza.hunholz@state.co.us</p>
COMCAST	<p>JOE LOWE 8490 N UMITILLA ST FEDERAL HEIGHTS CO 80260 303-603-5039 thomas_lowe@cable.comcast.com</p>
COUNTY ATTORNEY- Email	<p>Christine Francescani CFrancescani@adcogov.org 6884</p>
DENVER INTERNATIONAL AIRPORT	<p>Bill Poole 900 South Broadway Suite 350 DENVER CO 80209 303.524.3023 William.Poole@flydenver.com</p>

Agency	Contact Information
Denver International Airport	Tom Reed 303.502.7692 Tom.Reed@flydenver.com
Engineering Department - ROW	Transportation Department PWE - ROW 303.453.8787
Engineering Division	Transportation Department PWE 6875
ENVIRONMENTAL ANALYST	Jen Rutter PLN 6841
FEDERAL AVIATION ADMINISTRATION	LINDA BRUCE 26805 E 68TH AVENUE, #224 DENVER CO 80249-6361 303-342-1264 linda.bruce@faa.gov
FRONT RANGE AIRPORT	Dave Ruppel 5200 FRONT RANGE PARKWAY WATKINS CO 80137-7131 303-261-9100 druppel@ftg-airport.com
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
Parks and Open Space Department	Nathan Mosley mpedrucci@adcogov.org aclark@adcogov.org (303) 637-8000 nmosley@adcogov.org
SHERIFF'S OFFICE: SO-HQ	MICHAEL McINTOSH nblair@adcogov.org, aoverton@adcogov.org; mkaiser@adcogov.org snielson@adcogov.org (303) 654-1850 aoverton@adcogov.org; mkaiser@adcogov.org; snielson@adcogov.org
Sheriff's Office: SO-SUB	SCOTT MILLER TFuller@adcogov.org, smiller@adcogov.org aoverton@adcogov.org; mkaiser@adcogov.org 720-322-1115 smiller@adcogov.org

Agency

Contact Information

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

STATE OF COLORADO)
COUNTY OF ADAMS)

Exhibit 6.7

At a regular meeting of the Board of County Commissioners for Adams County, Colorado, held at the Government Center in Brighton, Colorado on the 15th day of March, 2016 there were present:

Charles “Chaz” Tedesco	Commissioner
Steve O’Dorisio	Commissioner
Eva J. Henry	Commissioner
Erik Hansen	Commissioner
Jan Pawlowski	Commissioner
Heidi Miller	County Attorney
Erica Hannah	Clerk to the Board

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

RESOLUTION APPROVING APPLICATION IN CASE #RCU2015-00042 SERBIAN
ORTHODOX CHURCH COMMUNITY SOLAR GARDEN

Resolution 2016-159

WHEREAS, this case involved a Conditional Use Permit to allow a Major Energy Facility (solar farm garden) in an A-3 zone district.

APPROXIMATE LOCATION: 33850 East 38th Avenue.

LEGAL DESCRIPTION:

Legal Description of entire parcel:

NW4 NE4 EXC N 30 FT, Sect 30, T3S, R64W, 39.55 ac

Legal Description of lease area within parcel:

A LEASE AREA EXISTING OVER AND ACROSS A PORTION OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 3 SOUTH, RANGE 64 WEST, OF THE 6TH P.M. CONSIDERING THE NORTH LINE OF NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30 TO HAVE A GPS DERIVED BEARING BASED ON COLORADO STATE PLANE NORTH ZONE 0501, NAD83 (2011), GEOID12A, OF SOUTH 89°53'40" EAST, BETWEEN THE MONUMENT FOUND AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, BEING A #6 REBAR WITH A 3.25" ALUMINUM CAP STAMPED "JR ENG T3S R64W 19 1/4 30 2001 PLS 30109", AND THE MONUMENT FOUND AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, BEING A #6 REBAR, WITH ALL OTHER BEARINGS AND DISTANCES DESCRIBED HEREIN RELATED THERETO. COMMENCING AT SAID NORTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 00°39'53" EAST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 826.61 FEET MORE OR LESS, TO THE POINT OF BEGINNING; THENCE SOUTH 89°51'56" EAST, A DISTANCE OF 1320.45 FEET MORE OR LESS TO THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30; THENCE SOUTH 00°43'40" EAST ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 494.84 FEET MORE DR LESS TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST

QUARTER OF SAID SECTION 30, BEING A FOUND #5 REBAR; THENCE NORTH 89°51'56" WEST ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 1320.99 FEET MORE OR LESS TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, BEING A FOUND #6 REBAR WITH A 2' ALUMINUM CAP PLS 29420; THENCE NORTH 00°39'53' WEST ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 30, A DISTANCE OF 494.83 FEET MORE OR LESS TO THE POINT OF BEGINNING. SAID EASEMENT CONTAINING 653,469 SQ. FT. OR 15.00 ACRES MORE OR LESS.

WHEREAS, the Adams County Planning Commission held a public hearing on the application on the 25th day of February, 2016, and forwarded a recommendation of APPROVAL to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners held a public hearing on the application on the 15th day of March, 2016; and

WHEREAS, substantial testimony was presented by members of the public and the applicant.

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners, County of Adams, State of Colorado, that based upon the evidence presented at the hearing and the recommendation of the Adams County Planning Commission, the application in this case is hereby APPROVED based upon the following findings of fact and conditions:

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.

CONDITIONS OF APPROVAL:

1. This Conditional Use Permit shall expire on March 15, 2037.
2. No landscaping or screen fencing shall be required with development of the 15-acre Conditional Use Permit site area.
3. 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.

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

O'Dorisio	_____	Aye
Henry	_____	Aye
Tedesco	_____	Aye
Hansen	_____	Aye
Pawlowski	_____	Aye
Commissioners		

STATE OF COLORADO)
County of Adams)

I, Stan Martin, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Adams County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Brighton, Colorado this 15th day of March, A.D. 2016.

County Clerk and ex-officio Clerk of the Board of County Commissioners

Stan Martin:



By:



Deputy