

## Chris LaRue

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**From:** Chris LaRue  
**Sent:** Tuesday, October 1, 2019 10:51 AM  
**To:** Murphy, Chad; Peterson, Mitch  
**Cc:** Chad Schroeder; Wendi Palmer; David Pasic; Fred Starr; Deborah Bachelder  
**Subject:** Rex Ranch Filing No. 3 Preliminary Plat comments  
**Attachments:** Referral Comments.pdf

Good morning:

Attached are the referral comments for Rex Ranch Filing No. 3. Responses will be required for each item.

Below are the Planning Comments for proposed Filing No. 3

1. Per the Sketch Plan BOT Staff memo:
  - a. "Per the Comprehensive Plan the site is located within an area of Special Consideration to acknowledge that an increased level of review and consideration will need to be placed on development proposals occurring within the area identified in terms of their use and design. To the south of Rex Ranch are rural areas located within Boulder County that are developed with single-family homes on large lots and Boulder County open space. In order to create a buffer and transition from the rural area south of the Rex Ranch development, staff will recommend, at preliminary plat, the Town consider Alternative Equivalent Compliance to the Mix of Housing Type requirement to allow only one type of housing (single-family detached) with one housing variation in the lot sizes".
  - b. Accordingly, please submit the requested AEC request. Consult the UDC Section 10.6.1.C. The BOT will decide upon the request during the public hearing for the Preliminary Plat. You will need to analyze Rex Ranch as whole (Filings 1, 2, 3) for the diversity requirement.
  - c. Remove the housing diversity note from the Preliminary Plat. This will be addressed with the AEC request.
2. You recently discussed changing the lot widths for Lots 6 & 7, however, this would mean decreasing the width of the trail easement. The previous sketch plan comments stated:
  - a. "Lot 6 will need to provide an additional 15 feet along the north property line to be combined with the tract to the north to create a 30-foot easement for the trail connection".
  - b. The 30-foot trail width is mandated per the UDC in Sections 10.6.3.C.d.v, 10.6.5.F.2.c, and 10.6.5.F.3.d
    - i. The 30-foot trail width shall be required to be maintained.
3. Utility Plan: A street light should be placed at the end of the cul-de-sac.
4. Landscape Plans:
  - a. Re-letter the tracts to be consistent with the Plat. There are references to "Tract B" within the Filing No. 3 area. There is no Tract B listed on the plat.
  - b. Rescale the 1:80 drawings to 1:40 or something similar on a standard engineer's scale.
  - c. Remove the crusher fines detail on page L4.01. There are no crusher fines trails with the plan area.
  - d. The concrete trail scales out to a little over 6 feet in width. Please update the drawing to depict 5 feet.
  - e. Place a trash receptacle next to the pet waste station.

The next step for the Rex Ranch Filing 3 Sketch Plan application is revision and resubmittal for another referral and Development Review Team review. Please make the appropriate revisions to the application materials and provide written response to address each written comment from the Town staff and referral agencies.

Copies:

- 3 Copies: Written response to staff and referral comments. For distribution to: Planning, Engineering and Parks.
- 3 Copies: Updated written materials, 3 hole-punched for notebooks. For distribution to: Planning, Engineering and Public.
- 3 Copies: Updated 11x17 plans tri-folded and 3 hole punched for notebooks. For distribution to: Planning, Engineering and Public.
- 2 Copies: Updated 24x36 plan sets, rolled. For distribution to: Planning & Engineering
- Please bind and label materials for each entity listed above for ease of distribution to each referral.
- A PDF of the resubmittal item on 12 flash drives.

Thank you,



**Chris LaRue** | Senior Planner

Town of Erie | Planning & Development

645 Holbrook Street | P.O. BOX 750 | Erie, CO 80516

Phone: 303-926-2776 | Fax: 303-926-2706

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**To:** Chris LaRue, Senior Planner

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**cc:** Jim Lenzotti, Tetra Tech

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**From:** Savannah Benedick-Welch, Land Use Planner III

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**Date:** September 24, 2019

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**Subject:** Rex Ranch Filing 3 Preliminary Plat - Tetra Tech Planning Referral Comments

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**Project Narrative:**

This proposal includes a proposal to divide a 3.76-acre lot into 10 single-family residential lots and a tract for landscaping and drainage purposes.

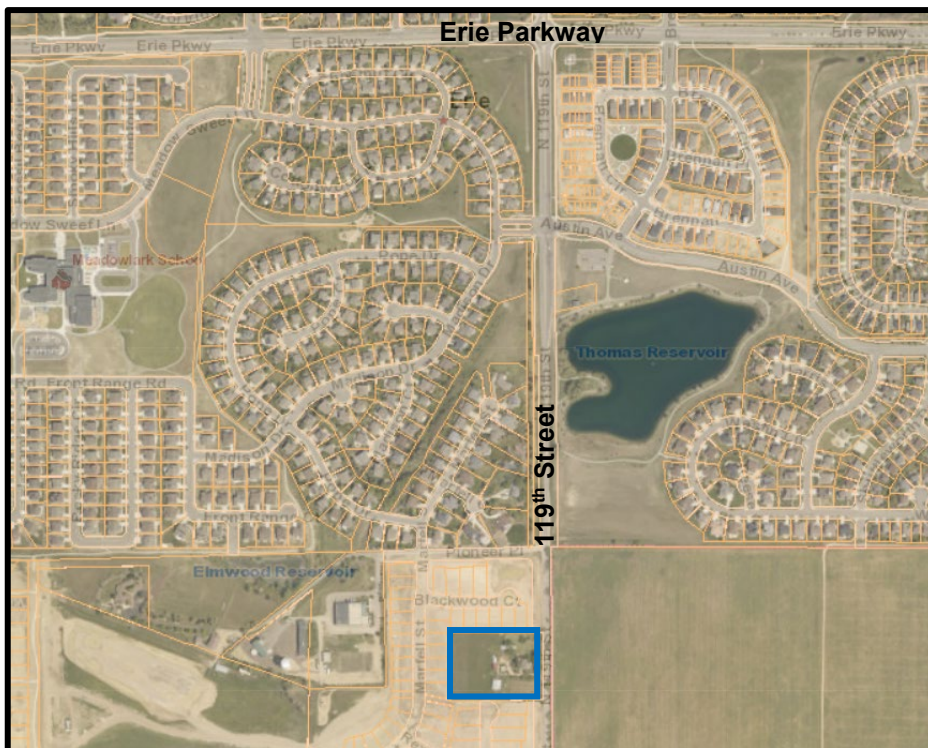
**Site Information:**

Location: Located on 119<sup>th</sup> Street between Eire Parkway and Arapahoe Road, southwest of Thomas Reservoir

Property zoning: LR, Low-Density Residential, PUD Overlay

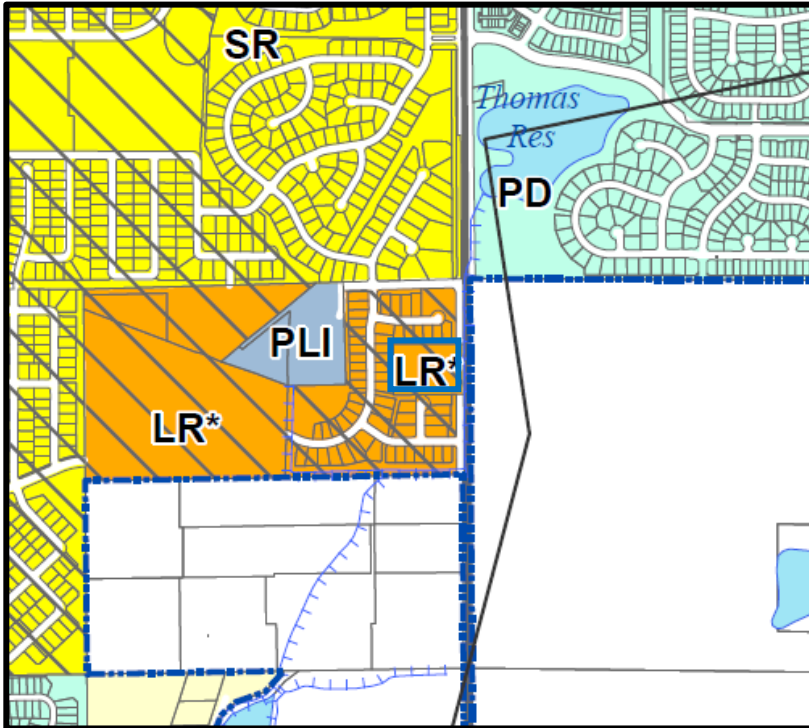
**Location map**

The subject property is highlighted in blue below:



## Erie Land Use Map

The subject property is zoned LR with PUD overlay as illustrated below:



## Code Sections Reviewed:

### Preliminary Plat

- Chapter 5 – Subdivision Standards, Design and Improvements – 10.5.4 Layout and Design Generally (page 86)
  - i. 10.5.4 Layout and design generally (page 86)
- Chapter 6 – Development and Design Standards – 10.6.7.B Parks, Open Space and Trails; 10.6.7.D General Standards for All Residential Development
  - i. 10.6.3 Parks, Open Space and Trails (page 103)
  - ii. 10.6.4 Landscaping, Screening and Fencing (page 112)
- User Guide checklist for Preliminary Plat

## Preliminary Plat Review

*Chapter 5 – Subdivision Standards, Design and Improvements:*

*Chapter 10.5.4 Layout and Design Generally:*

**A. Name of Subdivision –** [Rex Ranch Filing 3](#)

**B. Natural and Scenic Resource Protection -** The standards and requirements in Section 6.2, shall apply to all subdivisions. [Documentation provided indicates that natural and scenic resources are properly preserved for the proposed subdivision.](#)

**C. Natural Hazard Areas –** [There do not appear to be any significant hazard areas on this property. The Geotechnical Report stated the following: “Geologic hazards at the site are expected to include expansive soil and bedrock, shallow groundwater, and the regional geologic hazards of seismicity and naturally occurring radioactive materials. No geologic hazards that would preclude the proposed development are anticipated. We believe potential hazards can be mitigated with proper](#)



[engineering, design, and construction practices, as discussed in this report.”](#)

- D. Adjoining Subdivision** – A proposed subdivision shall be designed in such a manner as to be coordinated with adjoining subdivisions (existing and proposed) with respect to the alignment of street right-of-ways, utility and drainage easements, open space, view corridors, pedestrian/bicycle paths, and other relevant design considerations. [It appears, based on the documentation provided to Tetra Tech, that all rights-of-ways utility and drainage easements, open space and other features are designed to coordinate with the adjoining filings.](#)
- E. Lots** – [the minimum lot size in the LR zoning district is 5000 square feet. The lots in this proposed subdivision range from 9,408 square feet to 13,048 square feet, therefore, it appears that this standard has been met.](#)
- F. Blocks** – [There is one block proposed with this subdivision, labeled as Block 1.](#)
- G. Streets** – [streets shall meet the minimum standards as outlined in the Erie street standards and access requirements.](#)
- H. Alleys** – [It does not appear that alleys are proposed with this subdivision.](#)
- I. Sidewalks, Curbs and Gutters** – [the Road Construction Plan illustrates a 5’ sidewalk on each side of the proposed street.](#)
- J. Utility Easements** – [the UDC states that utility easements should follow side and rear property lines whenever practicable. The proposed plat illustrates an 8’ utility easement along a majority of the front and rear lot lines and a 5’ utility easement along the northeast and southwest property lines. The utility easements should be large enough to accommodate utilities and fit into the City’s street design.](#)
- K. Storm Water Drainage** – [storm water drainage shall be in compliance with the City’s Urban Drainage and Flood Control District standards.](#)
- L. Water and Wastewater Lines** - [oversizing of water or wastewater lines may be required by the Town. In such cases the applicant shall pay for the cost of the line.](#)
- M. Water Courses and Ditches** - [The requirements and standards in Subsection 6.2.B, shall apply to all subdivision plats.](#)
- N. Water Supply** - [The requirements and standards in Title 8 of the Municipal Code apply to all subdivision applications.](#)

#### *Chapter 6: Development and Design Standards*

##### *10.6.3. Parks, Open Space and Trails*

###### *B. Park Land Dedication Park Construction, and Neighborhood Park Land and Construction Cost Fee*

[The UDC requires a variety of parks, open space and trails for residential development. A combination of pocket parks, neighborhood parks, community parks and open space are required. The UDC requires 0.5 acres of pocket parks per 1000 residents, 3 acres of neighborhood parks per 1000 residents, 5 acres of community parks per 1000 residents, and 17 acres of open space per 1000 residents. The average household size in Erie is 2.89 persons per unit. The Rex Ranch Filing 3 proposal includes 10 new lots and is not a large enough subdivision to justify requirements for additional park area.](#)

##### *10.6.4 Landscaping, Screening and Fencing*

###### *E. Minimum Landscaping Requirements*

- 1. Right-of-way:
  - ✓ 1 deciduous tree required for every 40 feet of street frontage: [the landscaping plan does not show any trees along the street frontage for the new Red Iron Court within the development. This needs to be updated.](#)
  - ✓ Live groundcover is required; [the landscaping plan does not show any live ground cover along the Red Iron Court street frontage.](#)
  - ✓ Automatic irrigation system; [this requirement has been met for the overall plan.](#)

2. Water Efficiency in Landscape Design:
  - ✓ Appropriate turf selection – minimize bluegrass use – Landscaping plans show a combination of Texas hybrid bluegrass, mixed native seed, and shortgrass native seed. It appears that a large portion of Tract A is proposed to be bluegrass. Staff should consider whether this is an appropriate grass for water efficiency.
  - ✓ Mulch; Mulch is mentioned on the specifications sheet, however, the plans do not illustrate the location of mulched areas. If mulch is to be utilized in planting areas, this should be illustrated on the plans.
  - ✓ Zoning of plant materials; the landscaping specifications on Sheet L3.01 mention that the contractor will perform an audit for irrigation zones as part of the final acceptance. Based on the UDC, it appears that this should be reviewed as part of the preliminary plat.
  - ✓ Improvement of soil – organic matter; the plans do not specifically mention the use of organic matter to improve the soil conditions.
  - ✓ Efficient irrigation systems; the irrigation notes on Sheet L5.01 mention an automatic irrigation system will be installed that provides coverage for all areas, however, the specs do not provide further detail on the type of system. Notes mention the use of a drip line.
  - ✓ Water Efficiency in Irrigation Design – note 20 in the irrigation notes discusses the maintenance schedule for the irrigation system, but it does not appear that an irrigation design is specifically mentioned.
3. Common Open Area landscaping
  - ✓ Trees, shrubs and live plant groundcover, as well as a water-efficient irrigation system; Open area Tracts A and B contain trees, shrubs and live plant groundcover.

#### Technical Review – Per Preliminary Plat User Guide

The following information represents a review of the technical information contained within the Preliminary Plat:

#### Review Checklist:

1. Submittal package – is it complete?
  - ✓ Application fee
  - ✓ Written Narrative
  - ✓ Proof of ownership
  - ✓ Notarized letter of authorization
  - ✓ Special agreements – Surface Use Agreement
  - Development Agreement – Not applicable
  - ✓ Land Title Survey
  - ✓ Preliminary Plat
  - ✓ Development Reports and Plans: Development Plans, Drainage Plans, Hydrogeologic plans, Environmental Hazards report, Cultural Resources, Native Tree/Vegetation Survey, Aquatic Resources, Threatened/Endangered Species, Landscape Plan, Traffic Plans, Soils report, Elevation plans.
2. Preliminary Plat elements:
  - ✓ The plat exhibits shall be prepared on 24" x 36" paper at a scale that best conveys the detailed survey, engineering and design of the subdivision, not to exceed 1"=100'. If a proposal requires multiple sheets, a composite, on 24" x 36" paper, shall be provided that delineates the boundaries and identifies each sheet number. A 1" margin on all sheets shall be left blank on all sides; Tt comment: this item is met.
  - ✓ A title shall be placed at the top/center of the sheet along the long dimension of each sheet and shall include the name of the proposed subdivision, general aliquot legal description with county, the total acreage, number of lots proposed, and project file number. The name of the subdivision shall not duplicate existing subdivision names;

[Tt comment: This item is generally met.](#)

EXAMPLE:

**ERIE VALLEY PRELIMINARY PLAT**  
A PORTION OF THE N ½ OF SECTION 18, TOWNSHIP 1 NORTH, RANGE 68 WEST OF THE 6<sup>TH</sup>  
PRINCIPLE MERIDIAN, TOWN OF ERIE, COUNTY OF WELD, COLORADO  
100 ACRES – 200 LOTS/8 TRACTS  
PP\_\_-\_\_

A block in the lower right-hand corner shall include the following: the preparation date and revision date chronology; a north arrow designated as true north; a written and graphic scale; name and address information for the applicant, developer, registered engineer or surveyor preparing the exhibits; and the number of the sheet and total number of sheets;

[Tt comment: This item is met.](#)

- ✓ A scaled vicinity map that depicts the area to be subdivided and the area that surrounds the proposal within a 1-mile radius;

[Tt comment: This item is generally met.](#)

A written metes and bounds legal description of the subdivision boundary with a map showing all information as required by State Statutes. The names and locations of all abutting subdivisions, the location of all abutting unplatted parcels and public lands shall be depicted. All lines, names and descriptions on the plat which do not constitute a part of the subdivision shall be screened back or shown as dashed lines. Any area enclosed by the subdivision, but not part thereof shall be labeled "Not a Part of this Subdivision";

[Tt comment: This item is generally met.](#)

Display ties to aliquot section corners and to the State grid which shows dimensions of all primary boundary survey control points with complete monument and location descriptions, all parcel lines showing dimensions with lengths, bearings, and curve data, including chord lengths and bearings, basis of bearings and relation to true meridian and similar data. Only circular curves shall be used. No spirals, parabolas, etc. shall be used. All dimensions are to be shown to the nearest 0.01' or in the cases of degrees, to the nearest second. An accuracy of 1:50,000 (second order) minimum for linear and angular (bearing) closure shall be required for the boundary. All internal lots, tracts and parcels shall have a closure accuracy of 0.01';

[Tt comments: This item is generally met.](#)

- ✓ Depict all lots, blocks, tracts, and when appropriate, building envelopes, providing accurate dimensions with linear, bearing, and curve data. All lots and tracts shall be shown in their entirety on one sheet. Lots and blocks shall be numbered consecutively, tracts shall be lettered alphabetically. Include the acreage within each lot to the nearest 0.01 of an acre. In residential subdivisions, tracts shall be used exclusively for non-residential property and uses;

[Tt comment: The acreage within each lot is not listed to the nearest .01 of an acre – this should be modified on the plat.](#)

- ✓ Depict all road names, right-of-way widths at each leg of an intersection, at point of curve and point of tangent, at dead ends and at angle points; and right-of-way lines with accurate distance and bearings, central angles and radii of all curves. If any road in the subdivision is a continuation or approximately a continuation of an existing road, the conformity or the amount of conformity of the new road to the existing road shall be accurately shown;

[Tt comment: This item is generally met.](#)

Depict the purpose, width and location of all easements and abutting easements with

fine dashed lines. The widths of all easements and sufficient data to definitely locate the same with respect to the subdivision and each lot must be shown. All easements must be clearly labeled and identified. If an easement shown on the plat is already of record, its recorded reference shall be given. If an easement is being dedicated by the plat, it shall be set out in the owner's certificate. A plat note may be necessary to provide complete information of the purpose of the easement;

As previously stated, there is an 8' proposed utility easement along a majority of the front and rear lot lines adjacent to the proposed road, and a 5' proposed utility easement at the northeast and southwest property lines.

ALTA survey shows an existing home and other improvements on the property. It is assumed that these structures will be removed from the property prior to development of the 10-lot subdivision. A plan may be warranted as part of the Development Agreement regarding removal of the existing buildings from the site.

Accurately locate 100-year floodplains, all existing/proposed watercourses, retention and detention areas, wetlands and riparian areas, streams, lakes, ditches and laterals on the effected property;

Tt comment: After review of the Boulder County Floodplain mapping website, this property is not located within a 100-year floodplain.

- ✓ Depict existing subdivision lot lines or metes and bounds property lines and rights-of-way within 100' of the proposal. Said information for adjacent properties shall be screened back;

Tt comment: the key map on page 2 should label the other Rex Ranch filings.

Identify the land use and zone district information of all adjacent property. When an adjacent property is not within the Town's boundary, the respective jurisdictions' land use and zone district information shall be identified;

Tt comment: the overall plat map illustrates property owner, land use and zoning information of surrounding properties. This has been met.

- ✓ Provide a "Land Summary Chart" that accounts for all of the land area within the subdivision as follows:

LAND SUMMARY CHART		
TYPE	AREA	% OF TOTAL AREA
Residential Lots		
Tracts		
Public ROW		
<b>TOTAL</b>		

- ✓ Include a "Tract Summary Chart" and plat notes that adequately explain information pertinent to the execution, ownership and maintenance of the tracts within the subdivision:

TRACT SUMMARY CHART				
TRACT	AREA	USE	OWNERSHIP	MAINTENANCE

The above tables are provided on the Preliminary Plat cover sheet.

Additional comments:

Fire Access: It does not appear that secondary emergency access is required for the Rex Ranch Filing 3 development. The fire district should comment and may require this.

Tract A: The Preliminary Plat illustrates a single Tract A for landscaping and drainage, however, the landscaping plans show a separate Tract B along 119<sup>th</sup> Street.

# REX RANCH FILING NO. 3 PRELIMINARY PLAT

LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26,  
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO  
3.76 ACRES - 10 RESIDENTIAL LOTS - 1 TRACT  
PP-001070-2019

## CERTIFICATE OF DEDICATION AND OWNERSHIP

A PARCEL OF LAND LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCING** AT THE NORTHEAST CORNER OF SAID SECTION 26 AND CONSIDERING THE EAST LINE OF SAID NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26 TO BEAR SOUTH 00°19'39" EAST WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

THENCE SOUTH 00°19'39" EAST, ALONG THE EAST LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SAID SECTION 26, A DISTANCE OF 446.43 FEET;  
THENCE SOUTH 89°41'36" WEST, A DISTANCE OF 30.00 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 119TH STREET AS RECORDED IN BOOK 148 AT PAGE 135 OF THE RECORDS OF THE BOULDER COUNTY CLERK AND RECORDER, SAID POINT ALSO BEING THE **POINT OF BEGINNING**;

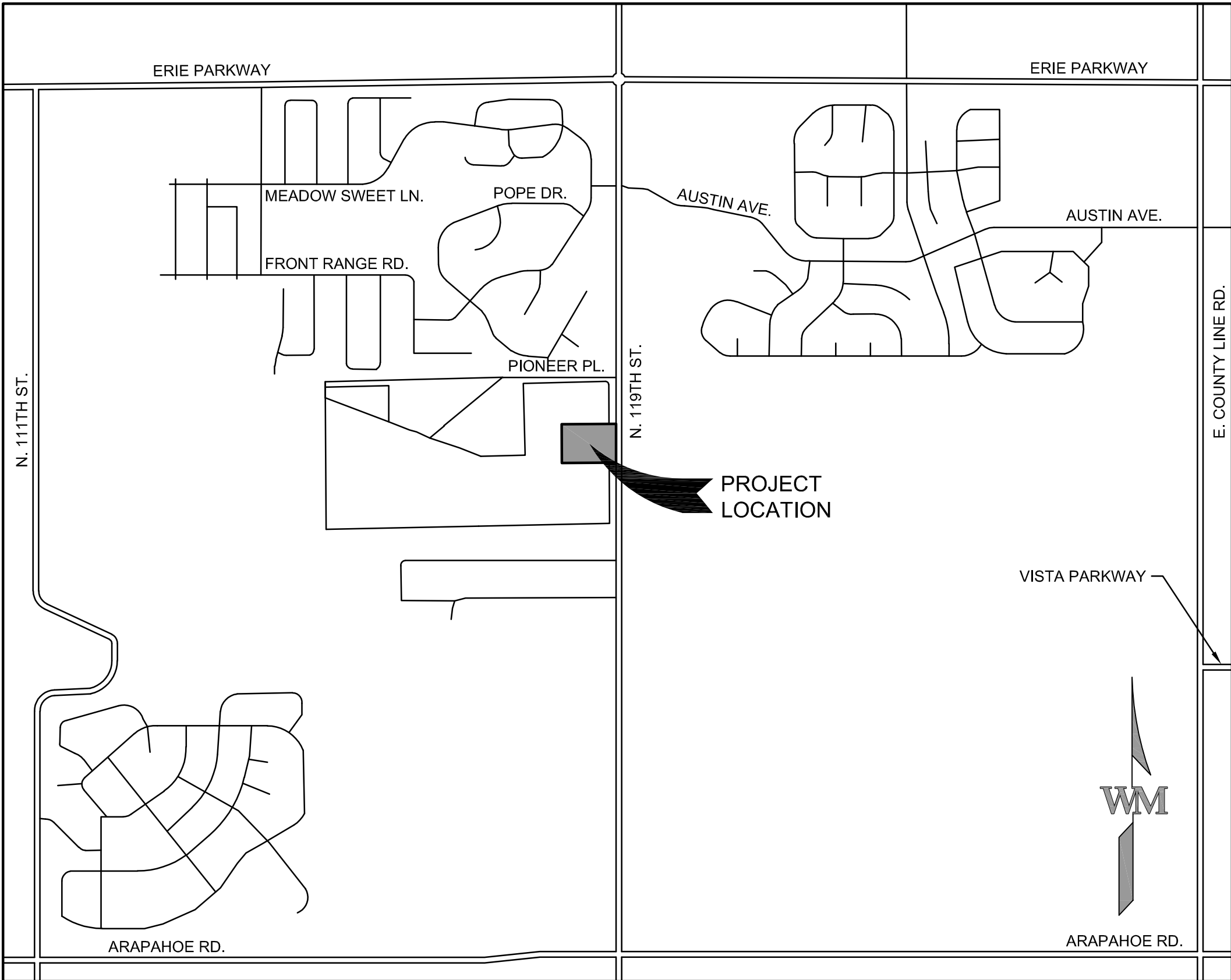
THENCE SOUTH 00°19'39" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 349.87 FEET;  
THENCE SOUTH 89°39'19" WEST A DISTANCE OF 467.58 FEET;  
THENCE NORTH 00°18'19" WEST A DISTANCE OF 350.18 FEET;  
THENCE NORTH 89°41'36" EAST A DISTANCE OF 467.45 FEET TO THE **POINT OF BEGINNING**;

PARCEL CONTAINS A CALCULATED AREA OF 163,641 SQUARE FEET, OR 3.76 ACRES, MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, BLOCKS, TRACTS, STREETS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME OF **REX RANCH FILING NO. 3**. THE EASEMENTS SHOWN HEREON ARE DEDICATED AND CONVEYED TO THE TOWN OF ERIE, COLORADO, IN FEE SIMPLE ABSOLUTE, WITH MARKETABLE TITLE, FOR PUBLIC USES AND PURPOSES AS SHOWN HEREON.

## HOUSING DIVERSITY

REX RANCH FILING NO. 3 IS REQUIRED TO PROVIDE 1 HOUSING TYPE. THIS PROJECT WILL MEET THIS REQUIREMENT WITH SINGLE FAMILY DETACHED HOUSING. THE VARYING LOT SIZES WILL MEET THE VARIATION REQUIREMENT.



VICINITY MAP

SCALE 1"=1000'

## LAND SUMMARY CHART

TYPE	AREA (ACRES)	% OF TOTAL AREA
RESIDENTIAL LOTS	2.60	69.12
TRACTS	0.37	9.85
PUBLIC ROW	0.79	21.03
TOTAL	3.76	100.00

## TRACT SUMMARY CHART

TRACT	AREA (sq. ft.)	AREA (AC.)	USE	OWNERSHIP	MAINTENANCE
A	16,124	0.37	LANDSCAPE/DRAINAGE	HOA	HOA
TOTAL	16,124	0.37			

## SHEET INDEX

1	COVER SHEET
2	PRELIMINARY PLAT
3	EROSION CONTROL PLAN
4	AREA GRADING PLAN
5	UTILITY PLAN
6	ROAD CONSTRUCTION PLAN

## 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. BASED UPON A REVIEW OF FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 08013C0439 J, MAP REVISED DECEMBER18, 2012, THE SUBJECT PROPERTY IS NOT WITHIN THE THE 100-YEAR FLOOD PLAIN LIMITS.

4. BASIS OF BEARINGS: THE EAST LINE OF THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26, TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN WAS ASSUMED TO BEAR SOUTH 00°19'39" EAST AND IS MONUMENTED AS SHOWN HEREON.

5. FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 099-F0565946-015-PNX, AMENDMENT NO. 1, DATED MARCH 25, 2017 AT 7:00 A.M. WAS ENTIRELY RELIED UPON FOR RECORDED INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES IN THE PREPARATION OF THIS PLAT. NO LIABILITY IS ACCEPTED BY WARE MALCOMB FOR THE ACCURACY OF INFORMATION CONTAINED IN SAID COMMITMENT.

6. TRACT AND BLOCK MONUMENTATION SHALL BE IN ACCORDANCE WITH THE COLORADO REVISED STATUTES (CRS 38-51-105).

7. THE LINEAL UNIT USED IN THE PREPARATION OF THIS PLAT IS THE U.S. SURVEY FOOT. THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY DEFINES THE U.S. SURVEY FOOT AS 1200/3937 METERS.

8. NO DEVELOPMENT RIGHTS ARE GRANTED BY THE REX RANCH FILING NO. 3 SUBDIVISION, AND NO DEVELOPMENT SHALL BE ALLOWED ON ANY TRACT CREATED HEREIN UNTIL THE FOLLOWING REQUIREMENTS ARE FULLY COMPLIED WITH: NO DEVELOPMENT OR BUILDING OR IMPROVEMENTS SHALL BE ALLOWED ON ANY TRACT, AND NO BUILDING PERMIT SHALL BE ISSUED FOR ANY PURPOSE UNTIL THERE IS FULL COMPLIANCE WITH ALL TOWN OF ERIE MUNICIPAL CODE REQUIREMENTS, INCLUDING BUT NOT LIMITED TO: COMPLETION OF SUBDIVISION PROCEDURES (SKETCH PLAN/PRELIMINARY PLAT/FINAL PLAT); A DEVELOPMENT AGREEMENT (AND ANY OTHER AGREEMENT THAT MAY BE REQUIRED BY THE TOWN OF ERIE MUNICIPAL CODE); AND IF NECESSARY COMPLETION OF THE SITE PLAN REVIEW PROCEDURE.

9. UTILITIES, AND VEHICULAR AND PEDESTRIAN ACCESS ROUTES AND IMPROVEMENT GUARANTEE REQUIREMENTS WILL BE REQUIRED AS REQUIRED IN THE TOWN OF ERIE MUNICIPAL CODE, PRIOR TO THE ISSUANCE OF ANY BUILDING PERMIT.

10. THE RESTRICTIONS AND REQUIREMENTS SET FORTH BY THE REX RANCH FILING NO. 3 SUBDIVISION SHALL RUN WITH THE LAND INCLUDED WITHIN THE REX RANCH FILING NO. 3 SUBDIVISION AND SHALL INSURE TO THE BENEFIT OF AND BE BINDING UPON THE SUCCESSORS AND ASSIGNS OF THE OWNER. ALL OBLIGATIONS AND RESPONSIBILITIES OF OWNERS HEREIN SHALL PASS TO EACH AND EVERY SUCCESSOR AND/OR ASSIGN. IT IS THE RESPONSIBILITY OF ANY PURCHASER OF A TRACT WITHIN THIS REX RANCH FILING NO. 3 SUBDIVISION TO FULLY INVESTIGATE THE REQUIREMENTS PRIOR TO SUCH PURCHASE.

## OWNER/DEVELOPER

HINES  
1144 15TH STREET  
SUITE 3675  
DENVER, CO 80202  
(720) 932-0522

**WARE MALCOMB**  
CIVIL ENGINEERING & SURVEYING

990 south broadway  
suite 230  
denver, co 80209  
p 303.561.3333  
waremalcomb.com

## COVER SHEET

JOB NO:	17000
DATE:	12/31/18
SCALE:	AS SHOWN
Sheet	1 of 6

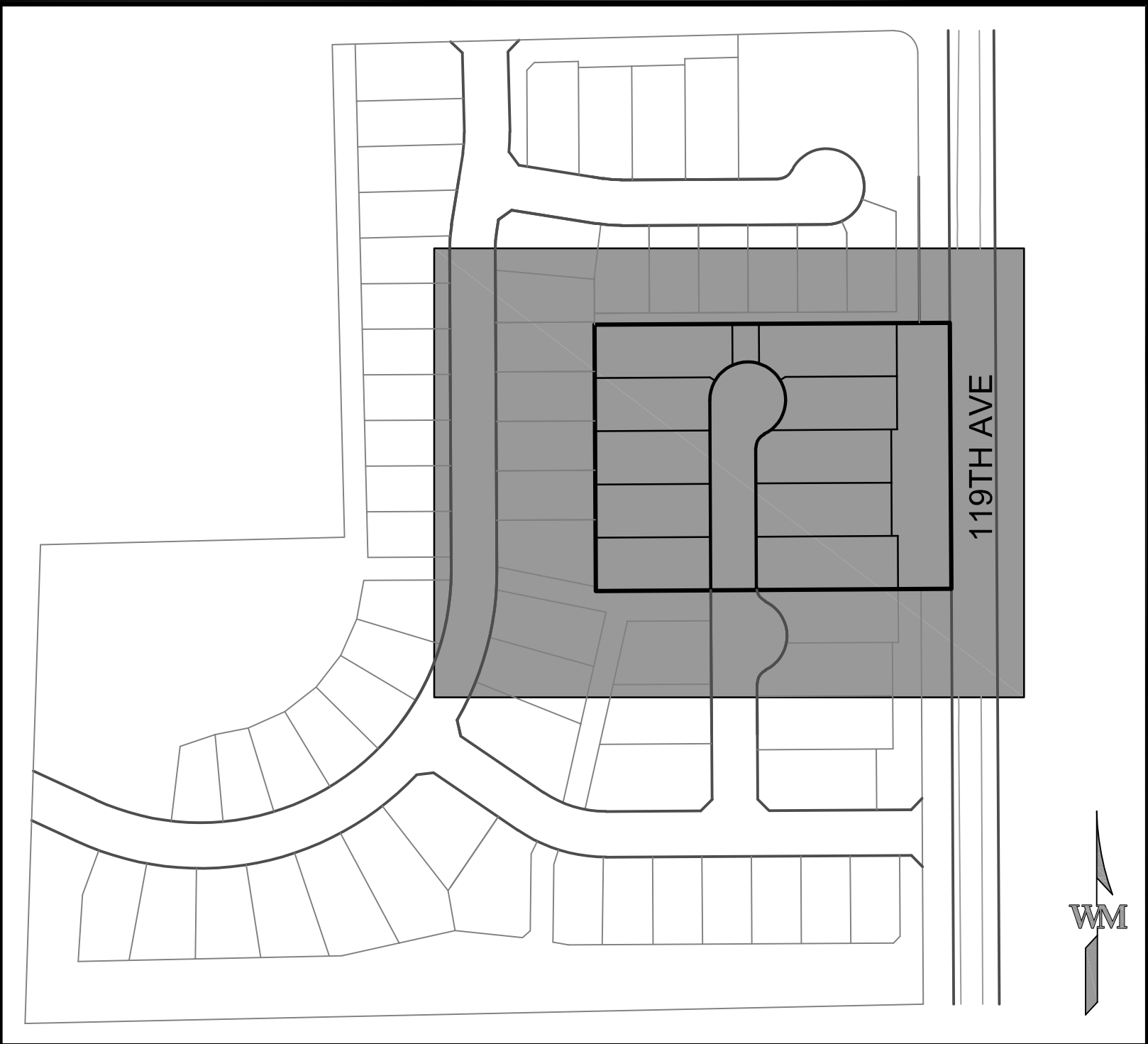
NO.	DATE	REMARKS
DRAWN BY:	KB/IH	PA/PM: GB



# REX RANCH FILING NO. 3 PRELIMINARY PLAT

LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26,  
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO  
3.76 ACRES - 10 RESIDENTIAL LOTS - 1 TRACT  
PP-001070-2019

Emergency access  
could be an issue for the  
northern lots - should  
secondary emergency  
access be required?

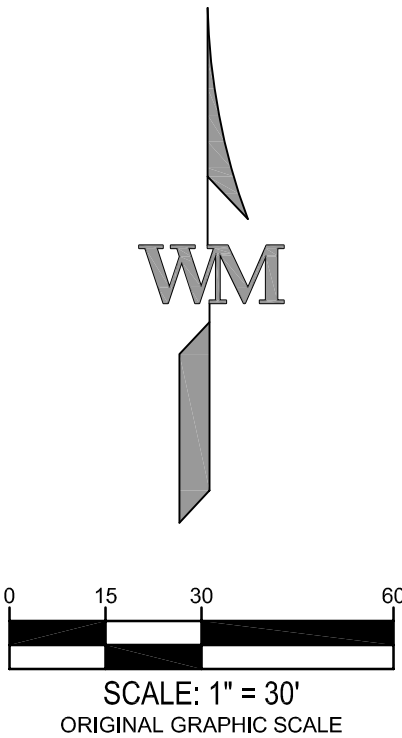


KEY MAP  
N.T.S.

LEGEND

- SITE BOUNDARY LINE
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED LOT LINE
- SECTION LINE
- PROPOSED EASEMENT LINE
- PROPOSED CENTERLINE
- BLOCK NUMBER
- UTILITY EASEMENT
- RIGHT-OF-WAY

CURVE TABLE					
CURVE #	DELTA	RADIUS	ARC LENGTH	CHORD DIRECTION	CHORD LENGTH
C1	244°37'25"	50.00'	213.47'	N58°00'58"W	84.52'
C2	64°37'23"	20.00'	22.56'	S31°59'03"W	21.38'



PRELIMINARY PLAT

JOB NO. 17000  
DATE: 12/31/18  
SCALE: AS SHOWN  
Sheet 2 of 6

OWNER/DEVELOPER

HINES  
1144 15TH STREET  
SUITE 3675  
DENVER, CO 80202  
(720) 932-0522

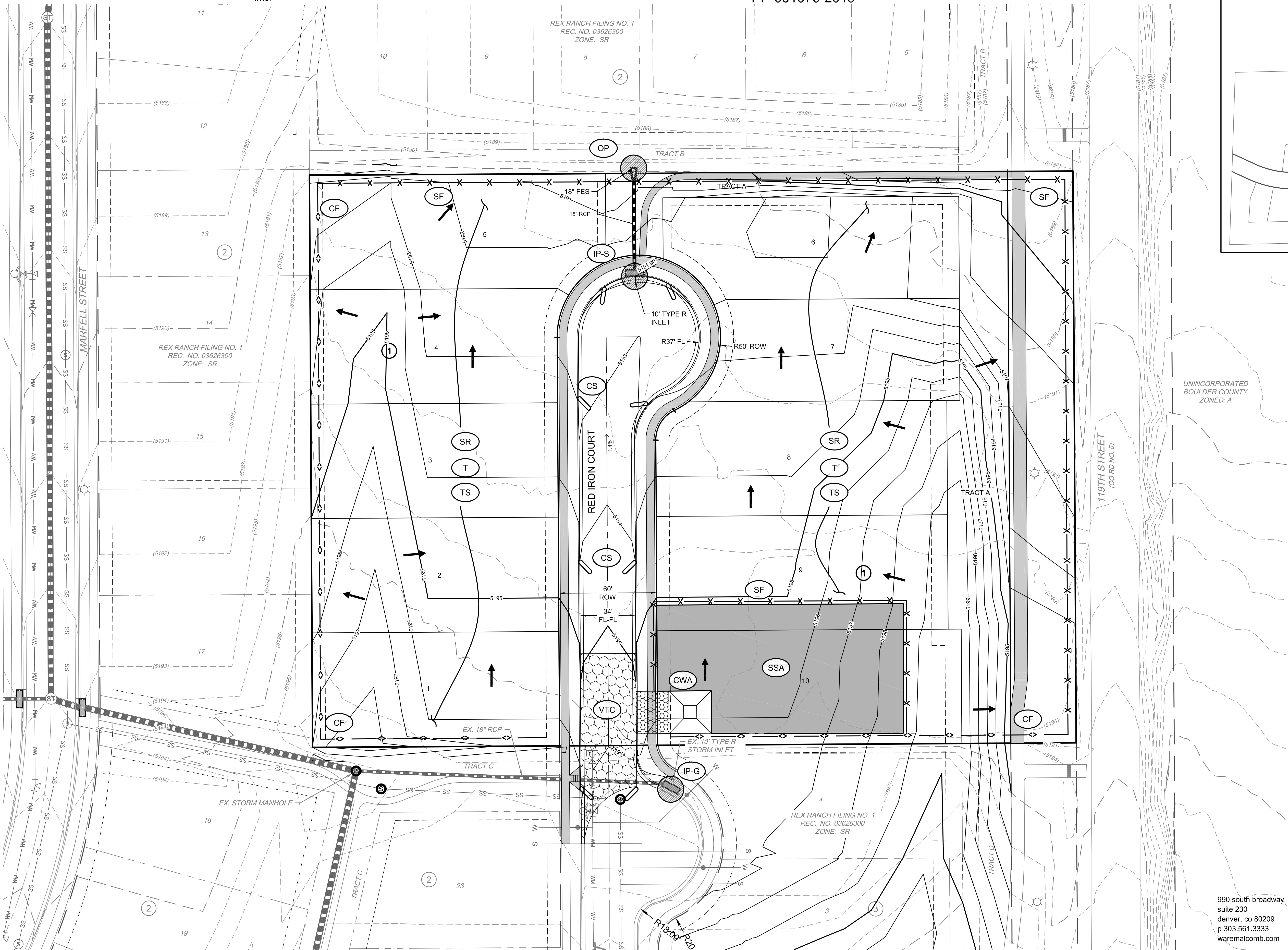
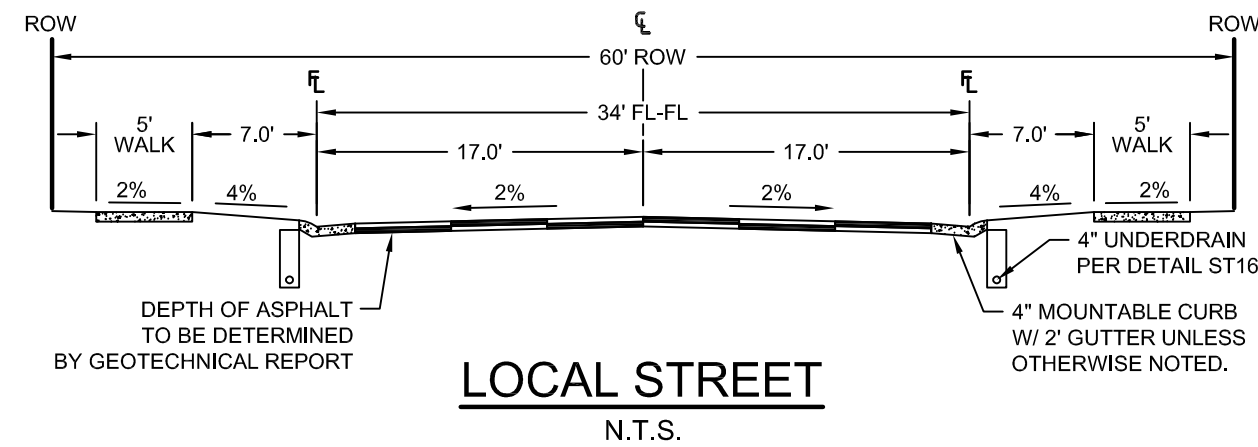
**WARE MALCOMB**  
CIVIL ENGINEERING & SURVEYING

990 south broadway  
suite 230  
denver, co 80209  
p 303.561.3333  
waremalcomb.com

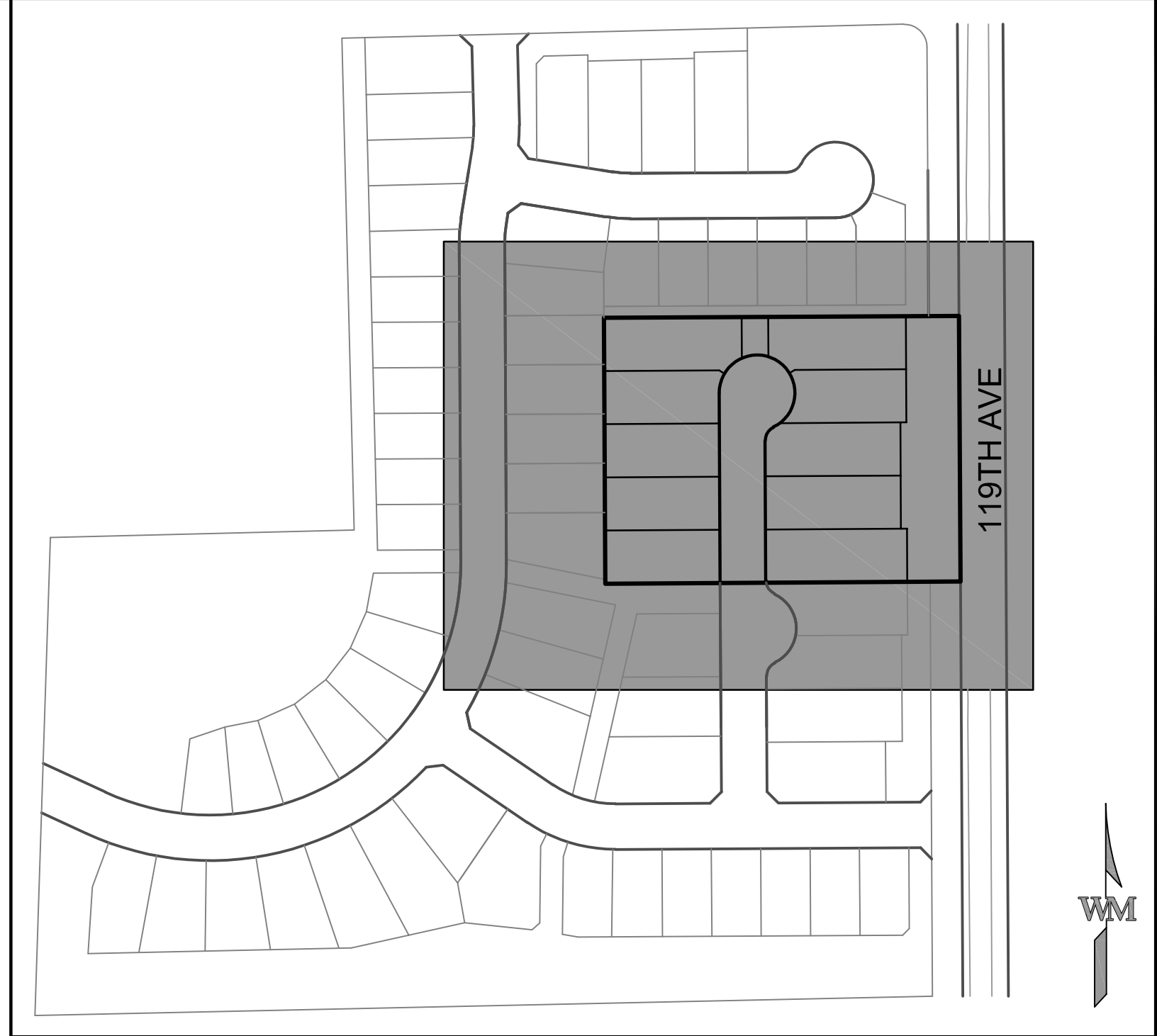
NO.	DATE	REMARKS
DRAWN BY:	KB/IH	PA/PM: GB

# REX RANCH FILING NO. 3 PRELIMINARY PLAT

LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26,  
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO  
3.76 ACRES - 10 RESIDENTIAL LOTS - 1 TRACT  
PP-001070-2019



990 south broadway  
suite 230  
denver, co 80209  
p 303.561.3333  
waremalcomb.com



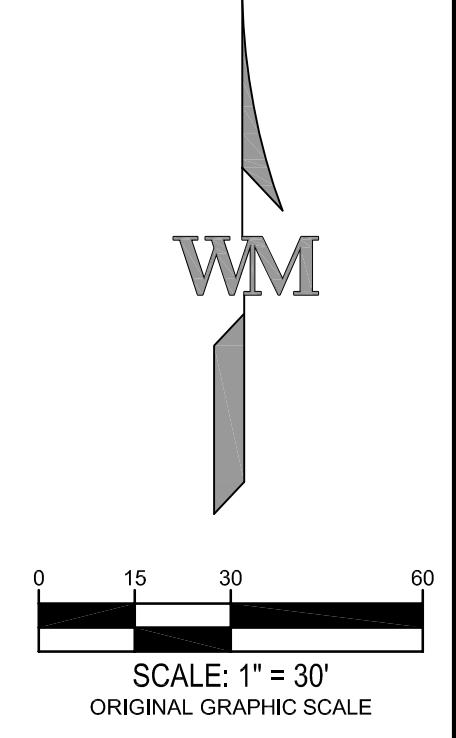
**KEY MAP**  
N.T.S.

**LEGEND (OVERLOT LEGEND)**

- 5120 EXISTING 5' CONTOUR
- 5121 EXISTING 1' CONTOUR
- 5120 PROPOSED 5' CONTOUR
- 5121 PROPOSED 1' CONTOUR
- H.P. HIGH POINT
- L.P. LOW POINT
- 2.00% STREET GRADE
- PROPOSED STORM SEWE MANHOLE, F.E.S. AND INL
- PROPOSED FLOW DIREC

**BMP LEGEND (EC LEGEND)**

- CS CURB SOCK
- IP-G INLET PROTECTION - ON GRADE
- IP-S INLET PROTECTION - IN SUMP
- OP OUTLET PROTECTION
- PS PERMANENT SEEDING
- SF SILT FENCE
- XSF EXISTING SILT FENCE
- SR SURFACE ROUGHENING
- T TACKIFIER
- TS TEMPORARY SEEDING
- TRM TURF REINFORCEMENT MATTING
- VTC VEHICLE TRACKING CONTROL
- CD CHECK DAM
- SB PROPOSED SEDIMENT BASIN



**OWNER/DEVELOPER**

HINES  
1144 15TH STREET  
SUITE 3675  
DENVER, CO 80202  
(720) 932-0522

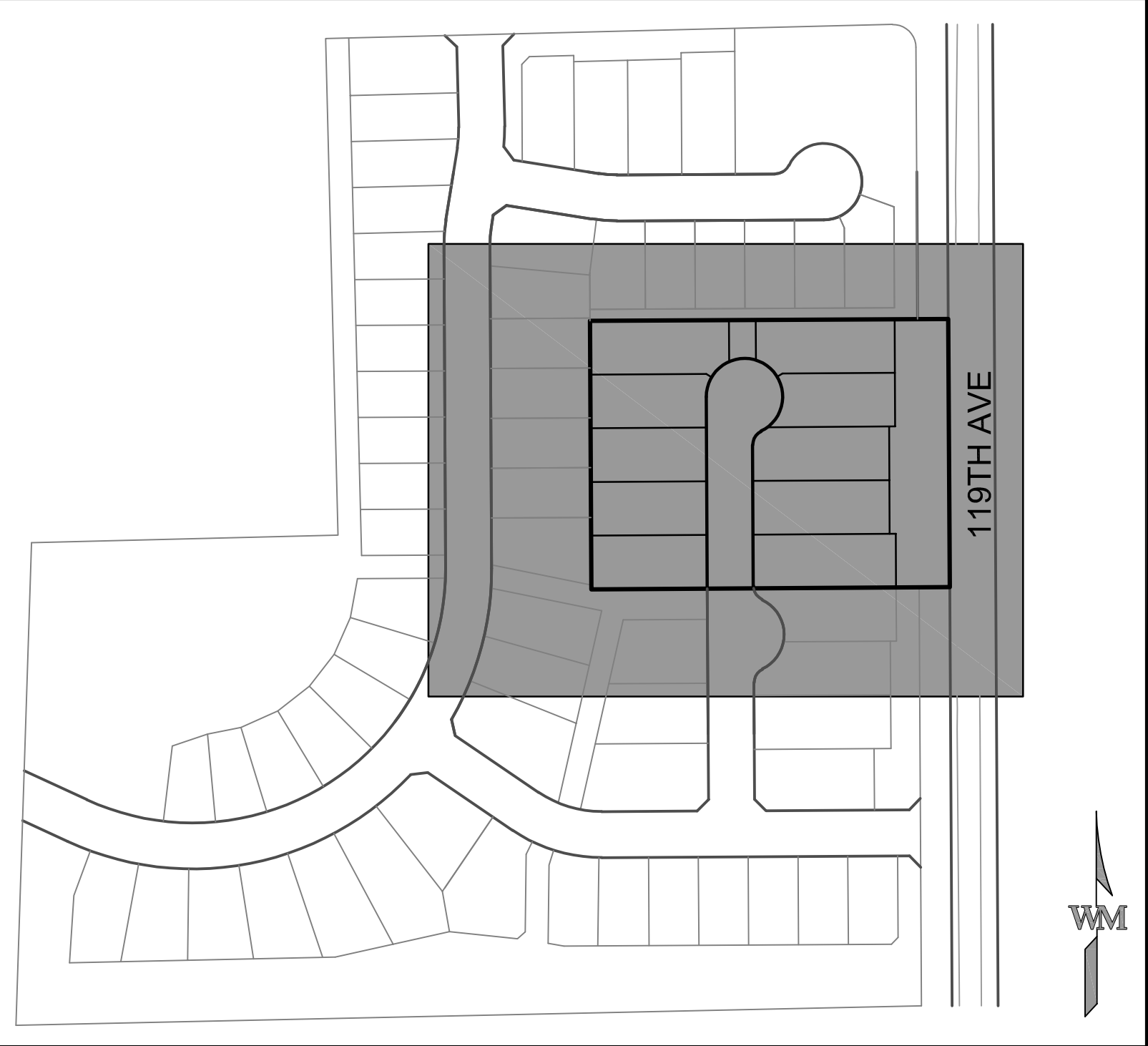
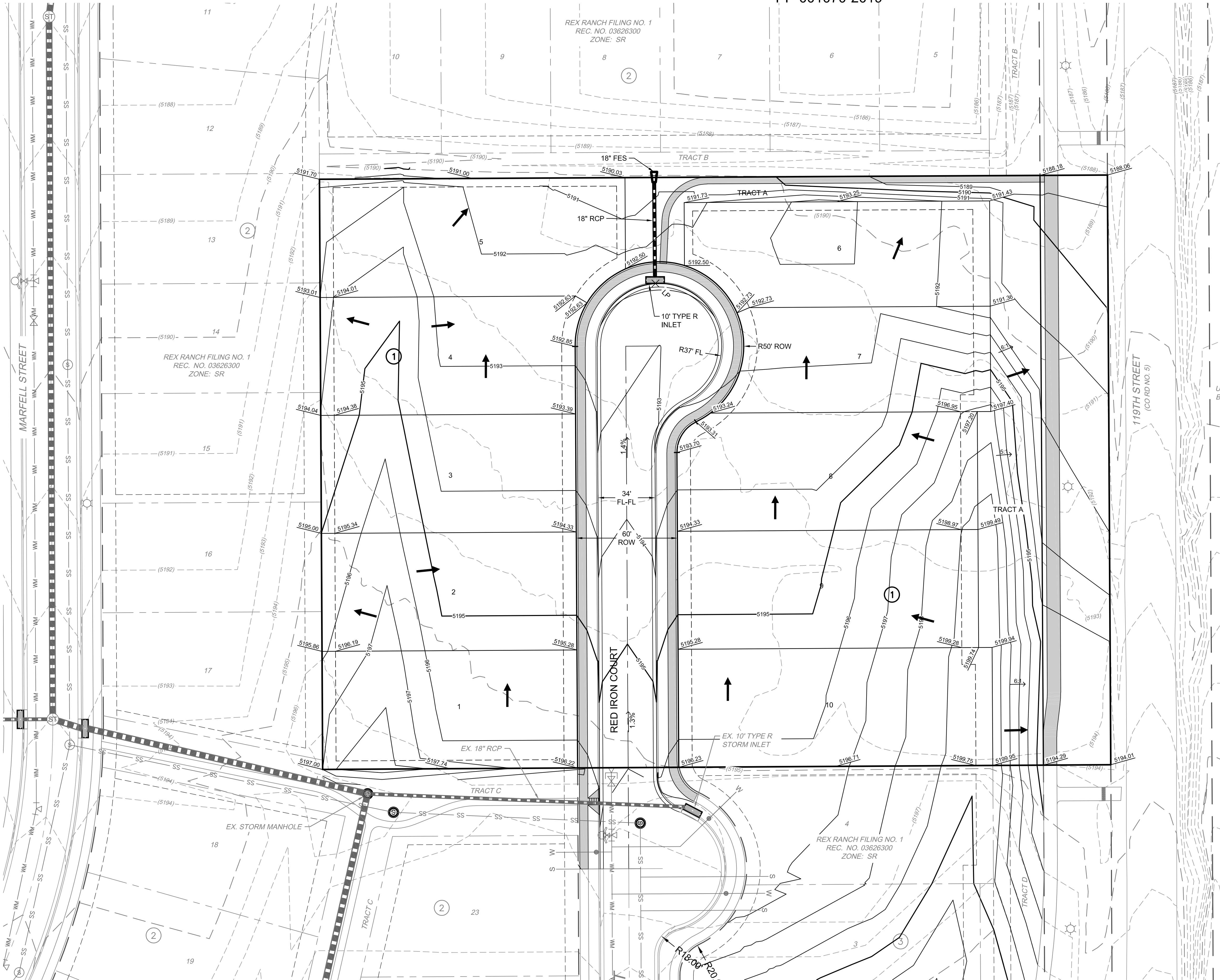
**WARE MALCOMB**  
CIVIL ENGINEERING & SURVEYING

		JOB NO. 17000	
		DATE: 12/31/18	
		SCALE: AS SHOWN	
		Sheet 3 of 6	
NO.	DATE	REMARKS	
DRAWN BY: KB/IH		PA/PM:	GB



# REX RANCH FILING NO. 3 PRELIMINARY PLAT

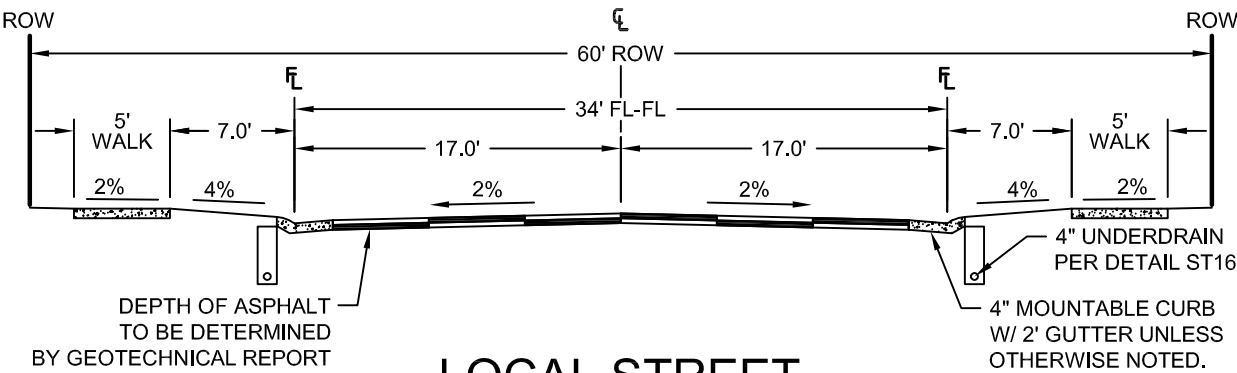
LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26,  
TOWNSHIP 1 NORTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN,  
TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO  
3.76 ACRES - 10 RESIDENTIAL LOTS - 1 TRACT  
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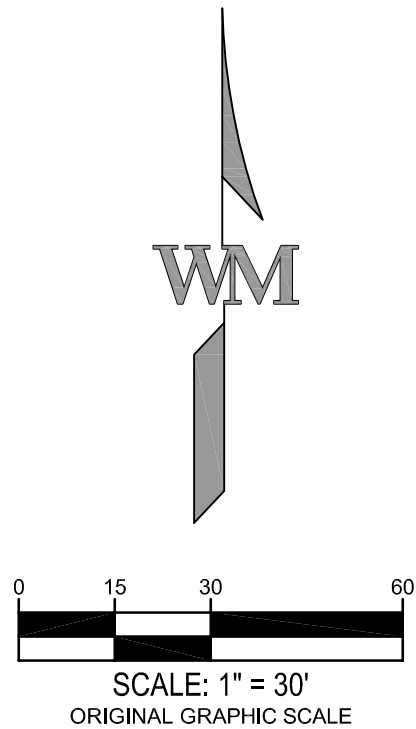
KEY MAP  
N.T.S.

## LEGEND

- 5120 EXISTING 10' CONTOUR
- 5121 EXISTING 2' CONTOUR
- 5120 PROPOSED 10' CONTOUR
- 5121 PROPOSED 2' CONTOUR
- SIDEWALK/TRAILS
- 2.00% PROPOSED STREET GRADE
- H.P. HIGH POINT
- L.P. LOW POINT
- M.E. MATCH EXISTING



LOCAL STREET  
N.T.S.



## AREA GRADING PLAN

JOB NO. 17000  
DATE: 12/31/18  
SCALE: AS SHOWN  
Sheet 4 of 6

## OWNER/DEVELOPER

HINES  
1144 15TH STREET  
SUITE 3675  
DENVER, CO 80202  
(720) 932-0522

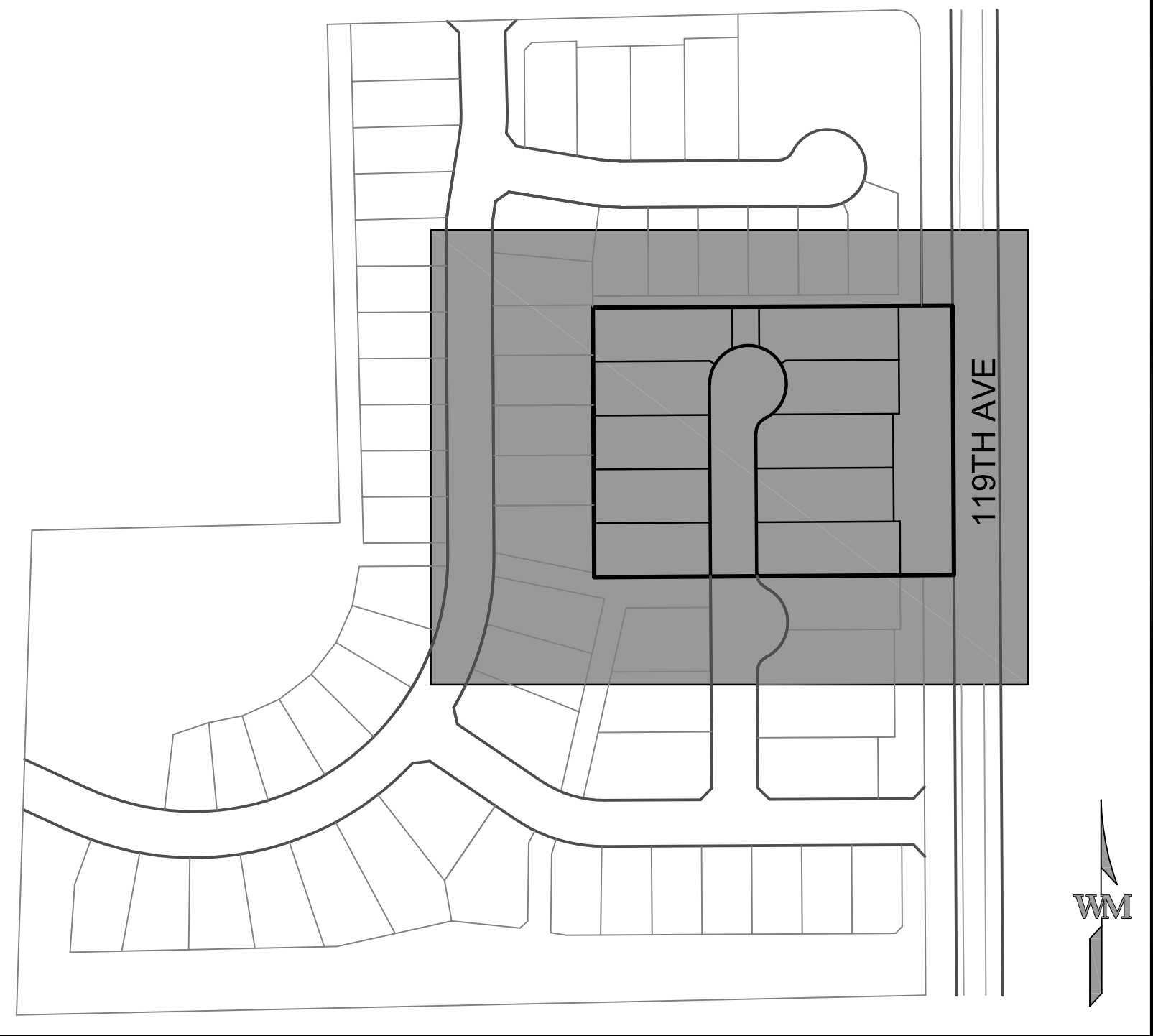
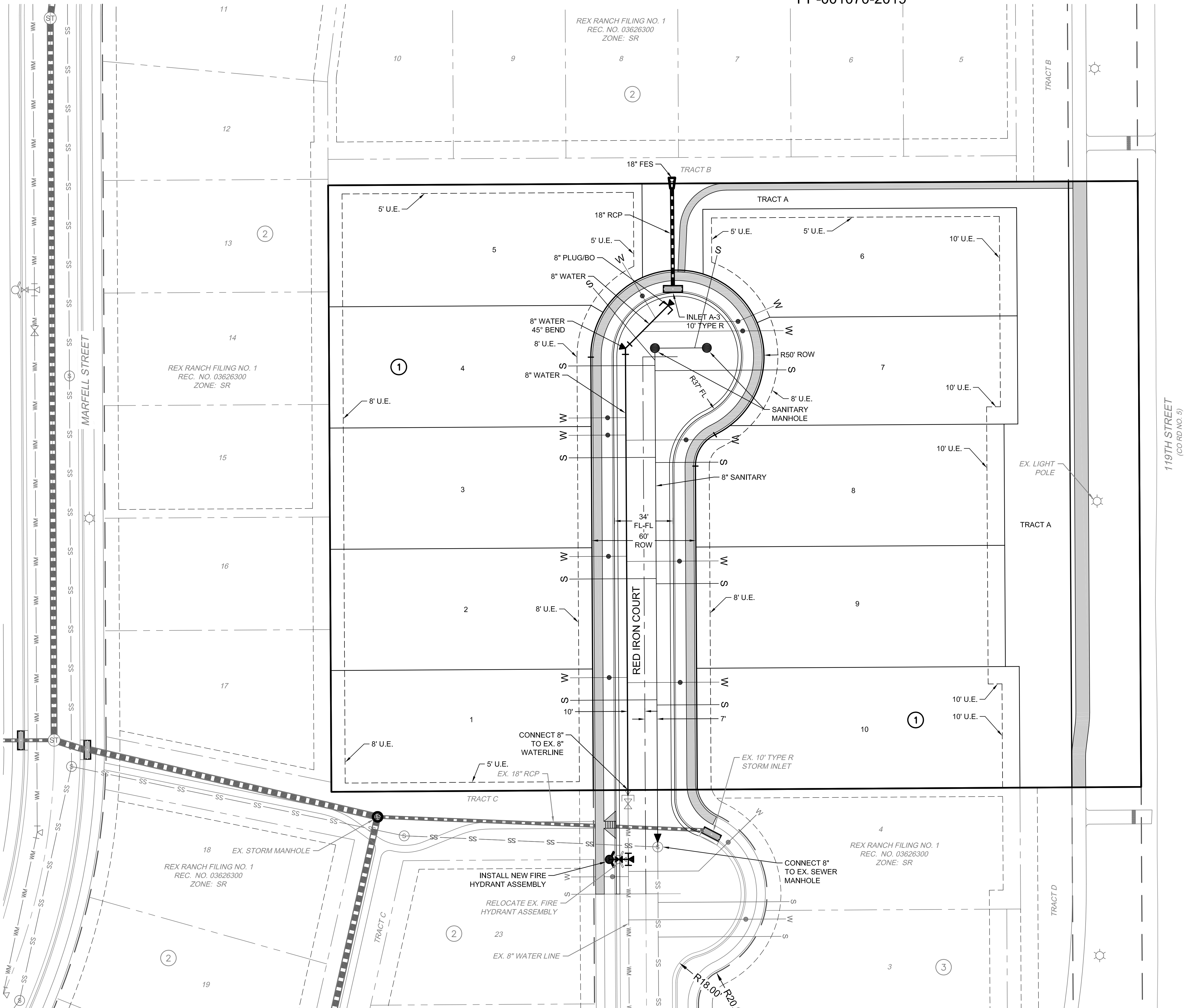
**WARE MALCOMB**  
CIVIL ENGINEERING & SURVEYING

990 south broadway  
suite 230  
denver, co 80209  
p 303.561.3333  
waremalcomb.com

NO.	DATE	REMARKS
DRAWN BY:	KB/IH	PA/PM: GB

# REX RANCH FILING NO. 3 PRELIMINARY PLAT

LOCATED IN THE NORTH HALF OF THE NORTHEAST QUARTER OF SECTION 26,  
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3.76 ACRES - 10 RESIDENTIAL LOTS - 1 TRACT  
PP-001070-2019



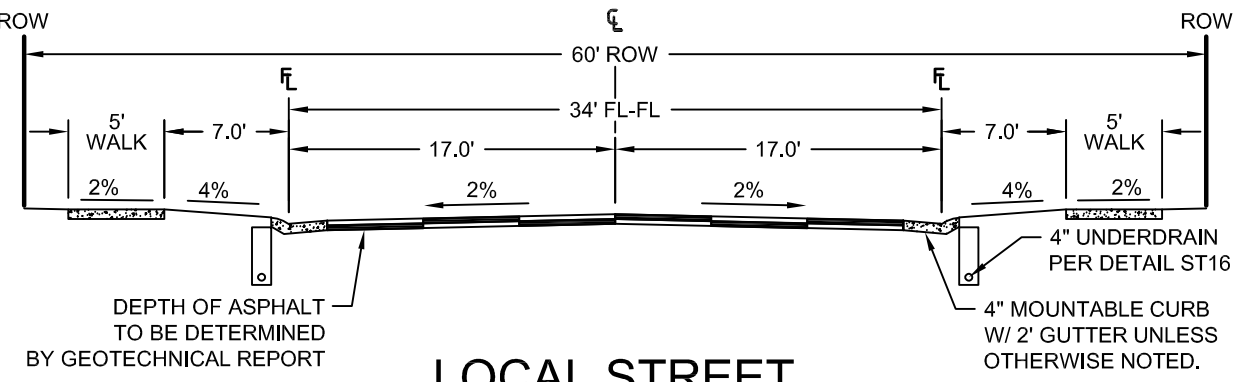
## KEY MAP

N.T.S.

## LEGEND

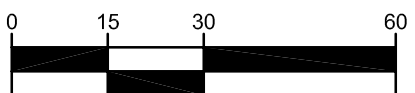
(UTILITY LEGEND)

- SITE BOUNDARY LINE
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED LOT LINE
- PROPOSED EASEMENT LINE
- PROPOSED CENTERLINE
- PROPOSED STORM SEWER, MANHOLE, F.E.S. AND INLET
- EXISTING STORM SEWER
- PROPOSED SANITARY SEWER W/ MH
- EXISTING SANITARY SEWER W/ MH
- PROPOSED WATER LINE, VALVE AND FIRE HYDRANT
- EXISTING WATER LINE AND VALVE
- UTILITY EASEMENT
- CONCRETE WALK
- RIGHT OF WAY
- PROPOSED WATER SERVICE W/ METER
- PROPOSED SANITARY SERVICE



## LOCAL STREET

N.T.S.



SCALE: 1" = 30'

ORIGINAL GRAPHIC SCALE

## UTILITY PLAN

JOB NO. 17000

DATE: 12/31/18

SCALE: AS SHOWN

Sheet 5 of 6

## OWNER/DEVELOPER

HINES  
1144 15TH STREET  
SUITE 3675  
DENVER, CO 80202  
(720) 932-0522

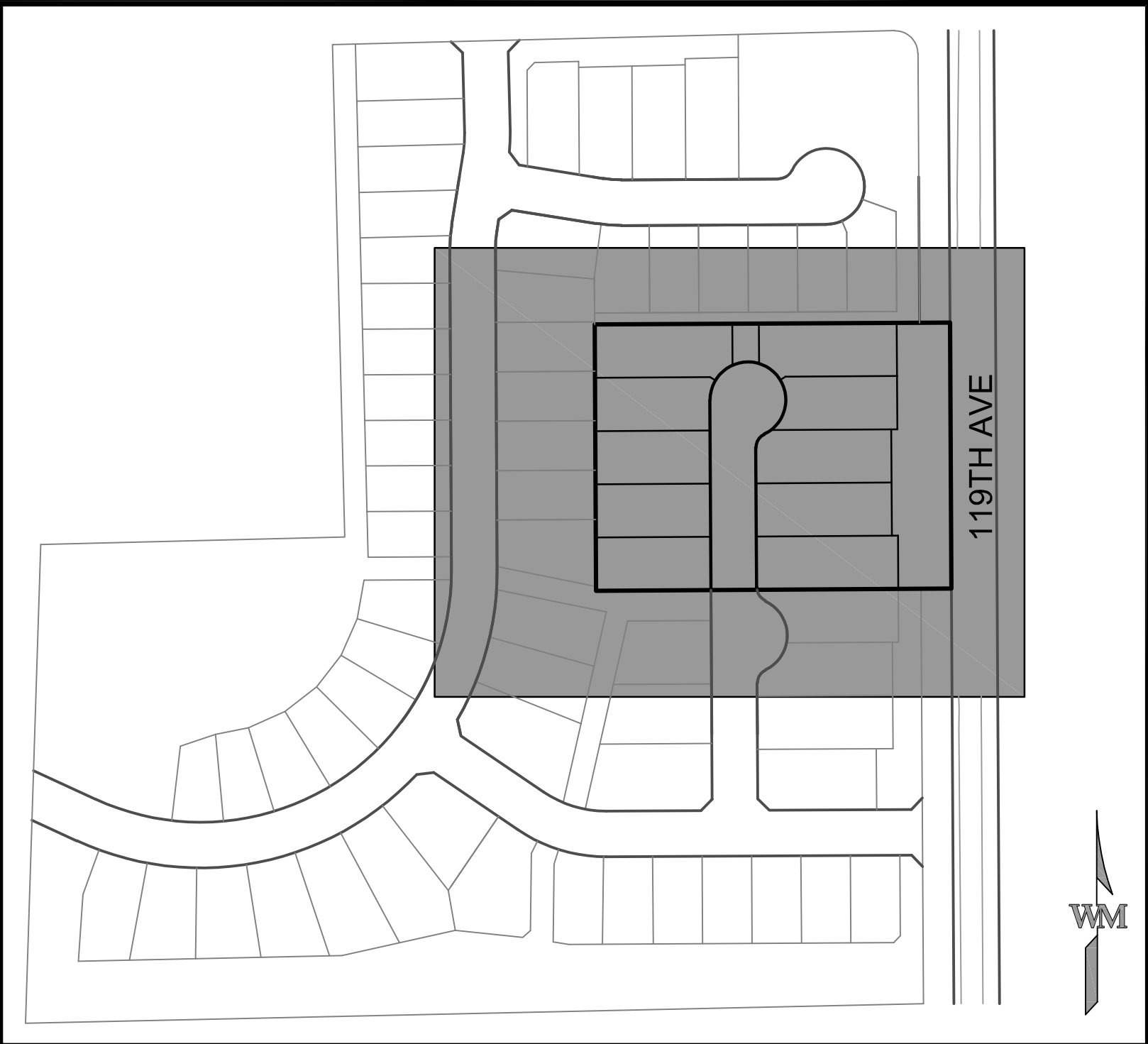
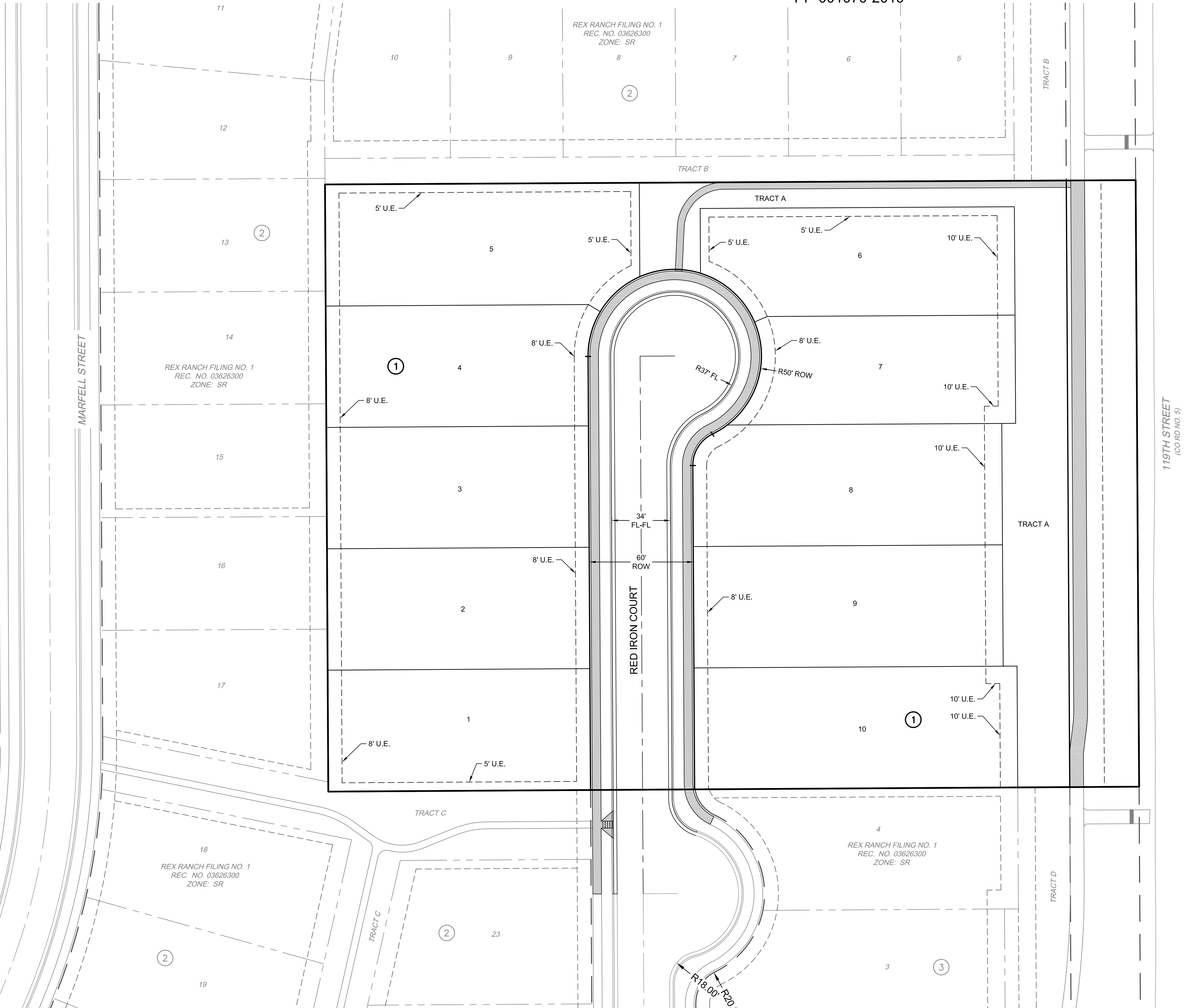
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NO.	DATE	REMARKS
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TOWN OF ERIE, COUNTY OF BOULDER, STATE OF COLORADO  
3.76 ACRES - 10 RESIDENTIAL LOTS - 1 TRACT  
PP-001070-2019



## KEY MAP

N.T.S.

## LEGEND

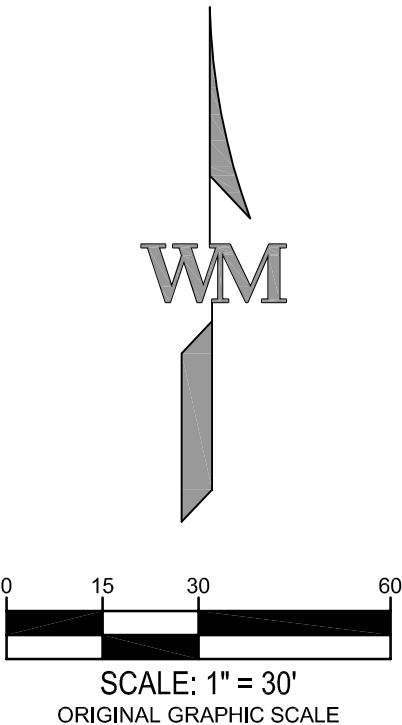
(UTILITY LEGEND)

- SITE BOUNDARY LINE
- PROPOSED RIGHT-OF-WAY LINE
- PROPOSED LOT LINE
- SECTION LINE
- PROPOSED EASEMENT LINE
- PROPOSED CENTERLINE
- RIGHT OF WAY
- CONCRETE WALK
- UTILITY EASEMENT



## LOCAL STREET

N.T.S.



## ROAD CONSTRUCTION PLAN

### OWNER/DEVELOPER

HINES  
1144 15TH STREET  
SUITE 3675  
DENVER, CO 80202  
(720) 932-0522

**WARE MALCOMB**  
CIVIL ENGINEERING & SURVEYING

990 south broadway  
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denver, co 80209  
p 303.561.3333  
waremalcomb.com

JOB NO. 17000  
DATE: 12/31/18  
SCALE: AS SHOWN  
Sheet 6 of 6

NO.	DATE	REMARKS
DRAWN BY:	KB/IH	PA/PM: GB



## Memo

---

To: Chris LaRue  
From: Wendi Palmer, P.E., Civil Engineer  
Date: September 18, 2019  
Subject: **Rex Ranch Filing 3 Preliminary Plat**  
CC: Joe Smith  
Chad Schroeder  
David Pasic  
Tyler Burhenn

---

### **Preliminary Plat Comments:**

#### **The following comments can be addressed at Final Plat**

1. The direction of the bearings on the plat boundary should match the legal description. This can be corrected with the Final Plat Submittal.
2. On both the erosion control and area grading plan, revise the grading at the northeast corner to demonstrate how drainage from lots 6 and 7 reach the swale in tract B of Filing 1 and reach the existing detention pond.
3. The stormsewer in tract B should be directed so the storm flows enter the drainage swale without eroding. It is currently pointed perpendicular to the swale.
4. Show street lights needed for Red Iron Court. Assume one will be required at the end of the cul-de-sac.

### **Drainage Report Comments:**

#### **The following comments can be addressed at Final Plat**

1. The basin boundaries in the drainage report do not reflect the developed conditions for Filing 3.
2. A design point is needed for the storm inlet and where the flows combine from lot 6 and 7 drainage and flows from the storm inlet along the east side of filing 1.
3. As built the existing swale in filing 1 and verify the capacity to ensure it has the capacity for the 100-year developed flow for Filing 3.
4. An overflow swale is needed at the north end of the cul-de-sac in Tract A, unless the inlet and storm pipe captures the 100 year flows. No calculations were provided.



**General Comments:**

**The following comments can be addressed at Final Plat**

1. Has the water rights for the existing water tap been transferred from Left Hand Water District to the Town. The water rights can be applied to one of the new lots proposed in Filing 3. This should be addressed in the development agreement.
2. There will be cost Recovery for sanitary sewer required at Final Plat, \$1,795.30 for the Coal Creek Sanitary Sewer and \$4,100 for the NWRf Interceptor line.
3. Fee in Lieu for 119<sup>th</sup> Street needs to be determined for Filing 3. It is discussed in detail in the Filing 1 Development Agreement

# COLORADO GEOLOGICAL SURVEY

1801 Moly Road  
Golden, Colorado 80401



Karen Berry  
State Geologist

September 19, 2019

Chris LaRue  
Planning & Development  
Town of Erie  
P.O. Box 750  
Erie, CO 80516

**Location:**  
NE NE Section 26,  
T1N, R69W of the 6<sup>th</sup> P.M.  
40.0277, -105.0755

**Subject: Rex Ranch Filing 3 – Preliminary Plat PP-001070-2019**  
**Town of Erie, Boulder County, CO; CGS Unique No. BO-20-0001**

Dear Chris:

Colorado Geological Survey has reviewed the Rex Ranch Filing 3 preliminary plat referral. I understand the applicant proposes 10 residential lots on approximately 3.76 acres located at 2839 N. 119<sup>th</sup> Street. Filing 3 is surrounded on the north, west, and south by Rex Ranch Filing 1.

With this referral, CGS received:

- Development Referral requesting CGS's review,
- Rex Ranch Filing No. 3, Preliminary Plat Narrative (Ware Malcomb, March 1, 2019),
- Set of six preliminary plat sheets (Ware Malcomb, December 31, 2018),
- Preliminary Geotechnical Investigation, Rex Ranch, Filing No. 3 (CTL/Thompson, February 26, 2018),
- and other documents.

**CTL's preliminary geotechnical investigation contains no filing-specific subsurface information.** CTL did not have access to the Gilliland parcel when their 2/26/2018 report was prepared. Geotechnical constraints observed within the surrounding Rex Ranch Filing 1 area include shallow groundwater, soft/loose, low strength soils, and expansive soils and bedrock. The effectiveness of the interceptor drain system, and the need for overexcavation and an underdrain system within Filing 3, if this is not already planned or completed, should be evaluated through additional, filing-specific borings, water level observation (including observations made at least several days post-drilling), sampling, testing, and analysis.

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,

A handwritten signature in black ink, appearing to read "Jill Carlson", is written over a horizontal line.

Jill Carlson, C.E.G.  
Engineering Geologist



## MEMORANDUM

**TO:** Chris LaRue

**FROM:** Charles M. Buck, P.E., PTOE

**DATE:** September 19, 2019

**SUBJECT:** Traffic Engineering Review – Rex Ranch Filing No. 3  
Preliminary Plat  
PP-001070-2019  
FHU # 95-190

I have reviewed the current materials submitted for Rex Ranch Filing No. 3, located on the west side of 119<sup>th</sup> Street, approximately 0.62 miles south of Erie Parkway. Filing 3 includes 10 single family residential lots. The submittal materials were provided on a flash drive. I have examined these materials specifically from the perspective of traffic engineering and transportation planning but not general civil or utility engineering. I have no comments or concerns with this submittal.

Please call if you have questions or if I can provide any additional information.

## Chris LaRue

---

**From:** Dan Hill <dhill@udfcd.org>  
**Sent:** Tuesday, September 17, 2019 4:16 PM  
**To:** Development Referral  
**Cc:** Jim Watt  
**Subject:** MEP Referral Comments - Rex Ranch Filing No. 3

Hello Chris,

This is in response to the request for our comments concerning the Rex Ranch Filing No. 3 Preliminary Plat (PP-001070-2019) project. We appreciate the opportunity to review this proposal and have no comment, as this project does not include any major drainage features. We do not need to receive any future submittals on this project.

Please feel free to contact me or Jim with any questions or concerns.

Thanks,

**Dan Hill, P.E., CFM**

Engineering Technologist | Watershed Services

**MILE HIGH FLOOD DISTRICT**

2480 W. 26th Ave Suite 156-B | Denver, Colorado 80211

**Office:** 303-455-6277 | **Direct:** 303-749-5427 | [www.udfcd.org](http://www.udfcd.org)

***Celebrating 50 Years of Protecting  
People, Property, and our Environment***



**MILE HIGH FLOOD DISTRICT**





## MOUNTAIN VIEW FIRE RESCUE

3561 North Stagecoach Road, Unit 200 • Longmont, CO 80504  
(303) 772-0710 • FAX (303) 651-7702

August 28, 2019

Mr. Chris LaRue  
Town of Erie Community Development  
P.O. Box 750  
Erie, CO 80516

Dear Mr. LaRue:

I have reviewed the submitted material pertaining to the Preliminary Plat for the Rex Ranch Filling 3 located at 2839 North 119<sup>th</sup> Street (Case Number: PP-001070-2019) in Erie. Based on my review, I have the following comments:

- Access appears to be satisfactory as indicated on the plans. Fire apparatus access roads must be designed and maintained to support the imposed loads of fire apparatus (75,000 pounds) and must have a surface that provides all-weather driving capabilities. All access roads will need to be constructed and approved before building permits are issued.
- Fire hydrant spacing appears to be exceeded. Fire hydrants should be spaced between 500 and 600 feet apart. The fire hydrant located on Red Iron Court is approximately 360 feet from the end of the cul-de-sac (720 foot spacing).

Nothing in this review is intended to authorize or approve of any aspect of this project that does not comply with all applicable codes and standards. We appreciate being involved in the planning process, should you have any questions please contact me at 303-772-0710 x 1121.

Sincerely,



LuAnn Penfold  
Fire Prevention Specialist

cc: project file

lp08.16.19

Date: September 24, 2019  
To: Chris LaRue, Town Planner  
From: Orchard Glen HOA Board  
Re: Rex Ranch Filing No. 3

The Board of Directors for the HOA of Orchard Glen was asked to respond to the preliminary platt for Rex Ranch Filing number 3. The platt includes the plans to develop just under 4 acres with a request to subdivide the area into 10 lots. This section of Rex Ranch will have a court type of street with the lots aligned on each side of the street. Five of the lots will be on the West side of the street backing into the interior of the development. The other five lots will be on the East side of the street and will back to 119<sup>th</sup> Street.

The density of this development has been of great concern to Orchard Glen. We feel the projected density is not living up to the wishes of the Town residents due to several factors:

- 58% of the respondents to the 2019 Town Survey indicated that maintaining a small town feel is very important. The density of this development, with just 10 feet from foundation to foundation is not in keeping with a rural feel.
- 55% of the respondents feel at this time that the Town of Erie is a good place to live due to it not being as crowded as other nearby communities. This will not remain true if developments such as Rex Ranch become the norm going forward. These plans seem to indicate that more houses on smaller tracts is becoming the focus.
- 82% of the respondents indicated the acquiring more open space is very important. There is only .63 acres of open space dedicated with this plan. It is assumed that this open space includes the tracts along 119<sup>th</sup> that include easements for utilities and distance from 119<sup>th</sup> Street itself. Due to Town growth it is also assumed that at some time 119<sup>th</sup> will be widened and will take up some of the easement bringing this part of the development even closer to the roadway.
- 51% of the respondents indicated that open space/views were important. Lining up half of the lots in this part of the development along a major road in the community will not preserve any type of view other than people's back yards. The homes being built in Rex Ranch are not small homes. They take up almost the entire lot from side to side. With increasing numbers of people using 119<sup>th</sup> Street it seems counter to the indications in the survey to have these homes create a visual wall to viewing out to the mountains.

We would like to see the density of this development reduced to maintain the Town feel that is reflected in the current survey.

In addition, it seems that Town Code has changed since the development of most of the communities that encompass the general area of 119<sup>th</sup> Street and Erie Parkway. The communities around that area built prior to Flat Iron Meadows and Rex Ranch have larger view corridors between homes and the styles of the home vary giving visual interest. Even with the space between homes previous communities have been allowed to line major streets with privacy fences. It now seems that the Town wants to have visual access to all lots by requiring only open fencing.

We would like to recommend that if this platt is allowed to go forward that a solid or semi-solid fence be built along the 119<sup>th</sup> Street boundary so those driving along the road will not have to look



into the backyards of the homes that are so close to the road. It would also seem be valuable to anyone purchasing those homes to have a solid sound barrier between them and the street noise. Thank you for the opportunity to express our concerns regarding the Rex Ranch Filing number 3 development. If you have any questions of us feel free to call our community manager:

**Amanda Kovinchick**

Community Manager

MSI, LLC

11002 Benton St.

Westminster, CO 80020

Direct: (720) 974-4294

Fax: (303) 420-6611

[akovinchick@msiho.com](mailto:akovinchick@msiho.com)

Orchard Glen HOA Board of Directors



## Town of Erie Open Space and Trails Advisory Board

---

From: Town of Erie Open Space and Trails Advisory Board (OSTAB)

To: Chris LaRue, Senior Planner, Community Development

Date: September 24, 2019

**Subject: Sunset Preliminary Plat**

Date of Drawing: December 31, 2018

Location: 119<sup>th</sup> Street, west side, south of Erie Parkway

### **Open Space:**

#### **Discussion:**

This filing is for a tiny area: 3.76 acres, with 10 dwelling units. As expected, there is no planned dedicated open space within such a tiny area. We also reviewed the recorded preliminary plat for Filing 1, and noticed that there is also no dedicated open space. It is our understanding that there is a Filing 2 that is still in the preliminary review process. That filing is for Tract G in Filing 1, a roughly 29 acre parcel on the west side which was defined as "future development" in Filing 1. We anticipate that the dedicated open space requirement will be addressed in Filing 2.

**Recommendation:** None.

### **Spine Trail:**

**Discussion:** This tiny area is surrounded by dwelling units from Filing 1 on 3 sides, and 119<sup>th</sup> Street on the east side. Since there is neither an adjacent Spine Trail nor a planned future Spine Trail, it is understandable that there is not a proposed Spine Trail in this application.

**Recommendation:** None.

### **Neighborhood Trails and Sidewalks:**

**Discussion:** The east side of this Filing is adjacent to 119<sup>th</sup> street. It contains a sidewalk (8 feet?) in a landscaped buffer that will be connected to comparable sidewalks to the north and south. The area between that sidewalk and 119<sup>th</sup> side will be landscaped with a native seed mix. The area between that sidewalk and the rear of the lots will primarily be landscaped with sod and a mix of deciduous and evergreen trees. There is an area adjacent to the rear (east) of lots 8 and 9 that will be landscaped with a mix of deciduous shrubs, ornamental grasses, and perennials. We recommend that this area be expanded to the rear of lots 6, 7, and/or 10.

The Filing has 1 internal street: a cul-de-sac that connects to an existing street to the south. At the north end, there is a neighborhood trail that will connect to the sidewalk adjacent to 119<sup>th</sup> St. It lies within Tract B, which will be landscaped with a native seed mix. Directly south of this Filing there is a neighborhood trail that extends westward to Marfell Street and ultimately to an 8' concrete trail adjacent to the rear of lots on the west side of Marfell Street. We are not recommending any additional

neighborhood trails in this Filing.

Recommendation: Expand the area with a mix of deciduous shrubs/ornamental grasses/perennials adjacent to the rear of lots 8 and 9 to the rear of lots 6, 7, and/or 10.

-----

Please pass this referral letter to the Applicant, and appropriate town departments, boards, and commissions. Thank you for your attention to these matters. OSTAB is available to discuss any of the above in more detail as needed.

Sincerely,

**Open Space and Trails Advisory Board**

Bob Braudes  
Phil Brink  
Christine Felz  
Ken Martin (Chair)  
Tim Payne  
Joe Swanson  
Dave Tazik



5303 Spine Road, Suite 202 Boulder, Colorado 80301  
Telephone: 303.443.6151 www.vrlaw.com

September 30, 2019

Chris LaRue, Town of Erie  
Community Development Dept.  
P.O. Box 750  
Erie, CO 80516  
developmentreferral@erieco.gov

Re: Rex Ranch Filing No. 3 – Preliminary Plat – PP-001070-2019

Dear Chris:

You asked for comments regarding the Preliminary Plat for the Rex Ranch Filing No. 3 by September 24. We apologize that our comments are late.

The Town should assure that the property has been included into the Northern Colorado Water Conservancy District ("NCWCD") and its Municipal Subdistrict prior to providing any water service. Exception No. 11 in the title commitment provided by the applicant references Orders of Inclusion for the NCWCD and its Municipal Subdistrict; however, the Town should confirm that the entire Rex Ranch Filing No. 3 property was so included in the NCWCD and its Municipal Subdistrict by those orders.

If the property is currently in the Left Hand Water District, it should be excluded from that District prior to the approval of the final plat for any subdivision of the property. Said exclusion can provide confirmation that Left Hand will continue to provide water service until such time as the Town provides water service to the property.

The Town should not provide sanitary sewer service to the property until such time as it provides water service. This is necessary for the Town to properly account for the sanitary sewer return flows to the Town's wastewater and reuse systems.

September 30, 2019

Page 2

It should also be determined whether there are any appurtenant decreed surface water rights that should be conveyed to the Town. If so, the Applicant should comply with Town Municipal Code Section 8-1-9 regarding dedication of water rights.

Finally, all non-tributary ground water rights should be dedicated to the Town. Please contact us with any questions or comments.

Sincerely,

VRANESH AND RAISCH, LLP

/s/ Andrea Kehrl  
Andrea A. Kehrl, Esq.

cc: Todd Fessenden



**Right of Way & Permits**

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

September 20, 2019

Town of Erie Community Development Services  
645 Holbrook / PO Box 750  
Erie, CO 80516

Attn: Chris LaRue

**Re: Rex Ranch Filing No. 3, Case # PP-001070-2019**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk acknowledges the utility easements provided on the plat for **Rex Ranch F3**. Utility easements are dedicated to the Town of Erie for the benefit of the applicable utility providers for the installation, maintenance, and replacement of electric, gas, television, cable, and telecommunications facilities. Utility easements shall also be granted within any access easements and private streets in the subdivision. Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.

The property owner/developer/contractor must complete the application process for any new natural gas or electric service via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect). The Builder's Call Line is 1-800-628-2121. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

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

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



## Chris LaRue

---

**From:** Chris LaRue  
**Sent:** Wednesday, April 29, 2020 3:17 PM  
**To:** Murphy, Chad; Greg Blount  
**Cc:** Peterson, Mitch; Tom Jansen; Fred Starr; Deborah Bachelder  
**Subject:** RE: Rex Ranch Filing 3

Hi Chad.

Yes, you can. At this point, it looks like everyone will be good and any outstanding issues can be dealt with at final plat. I'm going to look at possible schedules for hearings to get this moving along.

I'll be touch.

Thank you,

**Chris LaRue** | Senior Planner  
Town of Erie | Planning & Development  
Phone: 303-926-2776 | Fax: 303-926-2706  
[www.erieco.gov](http://www.erieco.gov) | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

---

**From:** Murphy, Chad <Chad.Murphy@hines.com>  
**Sent:** Tuesday, April 28, 2020 2:53 PM  
**To:** Chris LaRue <clarue@erieco.gov>; Greg Blount <gblount@waremalcomb.com>  
**Cc:** Peterson, Mitch <Mitch.Peterson@hines.com>; Tom Jansen <tjansen@waremalcomb.com>; Fred Starr <fstarr@erieco.gov>; Deborah Bachelder <dbach@erieco.gov>  
**Subject:** RE: Rex Ranch Filing 3

Hi Chris,  
Per below, can we expect comments this week?

**Chad Murphy**  
Managing Director

**Hines**

---

**From:** Chris LaRue <[clarue@erieco.gov](mailto:clarue@erieco.gov)>  
**Sent:** Friday, April 10, 2020 8:36 AM  
**To:** Murphy, Chad <[Chad.Murphy@hines.com](mailto:Chad.Murphy@hines.com)>; Greg Blount <[gblount@waremalcomb.com](mailto:gblount@waremalcomb.com)>  
**Cc:** Peterson, Mitch <[Mitch.Peterson@hines.com](mailto:Mitch.Peterson@hines.com)>; Tom Jansen <[tjansen@waremalcomb.com](mailto:tjansen@waremalcomb.com)>; Fred Starr <[fstarr@erieco.gov](mailto:fstarr@erieco.gov)>; Deborah Bachelder <[dbach@erieco.gov](mailto:dbach@erieco.gov)>  
**Subject:** RE: Rex Ranch Filing 3

[From an External Email System]

Good morning everyone:

## Chris LaRue

---

**From:** Chris LaRue  
**Sent:** Thursday, April 30, 2020 3:05 PM  
**To:** Murphy, Chad; Greg Blount  
**Cc:** Peterson, Mitch; Tom Jansen; Fred Starr; Deborah Bachelder  
**Subject:** RE: Rex Ranch Filing 3  
**Attachments:** Applicant Neighborhood Mtg Notice Template - digital meeting.docx; Affidavit of Posting - Neighborhood Mtg.docx

Chad:

I don't have any information verifying that you had the meeting. If you haven't already done one, you can host a Zoom meeting, or other similar format, which would allow the outreach to occur safely without a traditional in person meeting.

Please reference the Town of Erie Unified Development Code (UDC) section 10.7.2.D for neighborhood meeting specifics. You can find this section by following the below link and searching for the noted section:

<https://www.erieco.gov/DocumentCenter/View/351/Unified-Development-Code-UDC>

Some general information:

- You as the applicant are responsible for mailing the notices & posting the property.
- Please use the attached neighborhood meeting template and posting affidavit.
- The Town of Erie will provide the signage.
- Per the UDC, postings and mailings have to occur a minimum of 15 days prior to the meeting.
- The notice of the public meeting should be sent out to property owners within 500 feet of the outer boundary of the land subject to the application.
- Meetings should be planned to maximize the potential for attendance.
- A summary of the meeting shall be provided to town staff.

We have signs available for pick up from our office. You'll need to schedule an appointment for someone to pick up the sign, and a staff member will provide it at our front door. Let me know, and I can help coordinate the sign pick up.

Thank you,



**Chris LaRue** | Senior Planner  
Town of Erie | Planning & Development  
645 Holbrook Street | P.O. BOX 750 | Erie, CO 80516  
Phone: 303-926-2776 | Fax: 303-926-2706  
[www.erieco.gov/department](http://www.erieco.gov/department) | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

***Erie, Colorado - the BEST place to raise a family!***

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**From:** Murphy, Chad <Chad.Murphy@hines.com>  
**Sent:** Thursday, April 30, 2020 11:41 AM  
**To:** Chris LaRue <clarue@erieco.gov>; Greg Blount <gblount@waremalcomb.com>  
**Cc:** Peterson, Mitch <Mitch.Peterson@hines.com>; Tom Jansen <tjansen@waremalcomb.com>; Fred Starr

<fstarr@erieco.gov>; Deborah Bachelder <dbach@erieco.gov>

**Subject:** Re: Rex Ranch Filing 3

I'm not sure we did it. Please advise.

Get [Outlook for iOS](#)

---

**From:** Chris LaRue <[clarue@erieco.gov](mailto:clarue@erieco.gov)>

**Sent:** Thursday, April 30, 2020 11:20:47 AM

**To:** Murphy, Chad <[Chad.Murphy@hines.com](mailto:Chad.Murphy@hines.com)>; Greg Blount <[gblount@waremalcomb.com](mailto:gblount@waremalcomb.com)>

**Cc:** Peterson, Mitch <[Mitch.Peterson@hines.com](mailto:Mitch.Peterson@hines.com)>; Tom Jansen <[tjansen@waremalcomb.com](mailto:tjansen@waremalcomb.com)>; Fred Starr <[fstarr@erieco.gov](mailto:fstarr@erieco.gov)>; Deborah Bachelder <[dbach@erieco.gov](mailto:dbach@erieco.gov)>

**Subject:** RE: Rex Ranch Filing 3

[From an External Email System]

Yes, one is required for a preliminary plat per UDC Section 10.7.7.C.6 – Step 4. Neighborhood meetings are not required for final plats.

Thank you,

**Chris LaRue** | Senior Planner

Town of Erie | Planning & Development

Phone: 303-926-2776 | Fax: 303-926-2706

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---

**From:** Murphy, Chad <[Chad.Murphy@hines.com](mailto:Chad.Murphy@hines.com)>

**Sent:** Thursday, April 30, 2020 11:15 AM

**To:** Chris LaRue <[clarue@erieco.gov](mailto:clarue@erieco.gov)>; Greg Blount <[gblount@waremalcomb.com](mailto:gblount@waremalcomb.com)>

**Cc:** Peterson, Mitch <[Mitch.Peterson@hines.com](mailto:Mitch.Peterson@hines.com)>; Tom Jansen <[tjansen@waremalcomb.com](mailto:tjansen@waremalcomb.com)>; Fred Starr <[fstarr@erieco.gov](mailto:fstarr@erieco.gov)>; Deborah Bachelder <[dbach@erieco.gov](mailto:dbach@erieco.gov)>

**Subject:** RE: Rex Ranch Filing 3

Neighborhood meeting for Prelim Plat?

**Chad Murphy**

Managing Director

**Hines**

---

**From:** Chris LaRue <[clarue@erieco.gov](mailto:clarue@erieco.gov)>

**Sent:** Wednesday, April 29, 2020 4:38 PM

**To:** Murphy, Chad <[Chad.Murphy@hines.com](mailto:Chad.Murphy@hines.com)>; Greg Blount <[gblount@waremalcomb.com](mailto:gblount@waremalcomb.com)>

**Cc:** Peterson, Mitch <[Mitch.Peterson@hines.com](mailto:Mitch.Peterson@hines.com)>; Tom Jansen <[tjansen@waremalcomb.com](mailto:tjansen@waremalcomb.com)>; Fred Starr <[fstarr@erieco.gov](mailto:fstarr@erieco.gov)>; Deborah Bachelder <[dbach@erieco.gov](mailto:dbach@erieco.gov)>

**Subject:** RE: Rex Ranch Filing 3

[From an External Email System]

Chad:

I don't see that you ever sent your neighborhood meeting information over to us. I'm going to need that for the file and to include in our board reports. Could you e-mail that to me?

Thanks,

**Chris LaRue** | Senior Planner

Town of Erie | Planning & Development

Phone: 303-926-2776 | Fax: 303-926-2706

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---

**From:** Murphy, Chad <[Chad.Murphy@hines.com](mailto:Chad.Murphy@hines.com)>  
**Sent:** Wednesday, April 29, 2020 3:48 PM  
**To:** Chris LaRue <[clarue@erieco.gov](mailto:clarue@erieco.gov)>; Greg Blount <[gblount@waremalcomb.com](mailto:gblount@waremalcomb.com)>  
**Cc:** Peterson, Mitch <[Mitch.Peterson@hines.com](mailto:Mitch.Peterson@hines.com)>; Tom Jansen <[tjansen@waremalcomb.com](mailto:tjansen@waremalcomb.com)>; Fred Starr <[fstarr@erieco.gov](mailto:fstarr@erieco.gov)>; Deborah Bachelder <[dbach@erieco.gov](mailto:dbach@erieco.gov)>  
**Subject:** Re: Rex Ranch Filing 3

Great news!! Thanks, Chris.

Get [Outlook for iOS](#)

---

**From:** Chris LaRue <[clarue@erieco.gov](mailto:clarue@erieco.gov)>  
**Sent:** Wednesday, April 29, 2020 3:16:57 PM  
**To:** Murphy, Chad <[Chad.Murphy@hines.com](mailto:Chad.Murphy@hines.com)>; Greg Blount <[gblount@waremalcomb.com](mailto:gblount@waremalcomb.com)>  
**Cc:** Peterson, Mitch <[Mitch.Peterson@hines.com](mailto:Mitch.Peterson@hines.com)>; Tom Jansen <[tjansen@waremalcomb.com](mailto:tjansen@waremalcomb.com)>; Fred Starr <[fstarr@erieco.gov](mailto:fstarr@erieco.gov)>; Deborah Bachelder <[dbach@erieco.gov](mailto:dbach@erieco.gov)>  
**Subject:** RE: Rex Ranch Filing 3

[From an External Email System]

Hi Chad.

Yes, you can. At this point, it looks like everyone will be good and any outstanding issues can be dealt with at final plat. I'm going to look at possible schedules for hearings to get this moving along.

I'll be touch.

Thank you,

**Chris LaRue** | Senior Planner

Town of Erie | Planning & Development

Phone: 303-926-2776 | Fax: 303-926-2706

[www.erieco.gov](http://www.erieco.gov) | [Facebook](#) | [Twitter](#) | [LinkedIn](#)

---

**From:** Murphy, Chad <[Chad.Murphy@hines.com](mailto:Chad.Murphy@hines.com)>  
**Sent:** Tuesday, April 28, 2020 2:53 PM  
**To:** Chris LaRue <[clarue@erieco.gov](mailto:clarue@erieco.gov)>; Greg Blount <[gblount@waremalcomb.com](mailto:gblount@waremalcomb.com)>  
**Cc:** Peterson, Mitch <[Mitch.Peterson@hines.com](mailto:Mitch.Peterson@hines.com)>; Tom Jansen <[tjansen@waremalcomb.com](mailto:tjansen@waremalcomb.com)>; Fred Starr



Memo

---

To: Chris LaRue  
From: Wendi Palmer, P.E., Civil Engineer  
Date: March 23, 2020  
Subject: **Rex Ranch Filing 3 Preliminary Plat**  
CC: Joe Smith  
Chad Schroeder  
David Pasic  
Tyler Burhenn

---

**Preliminary Plat Comments:**

**Previous comments still apply and must be addressed at Final Plat Submittal.**

**The following additional comment was not included in the September 18, 2019 comments.**

The Erosion Control Report submitted is for Filing 1 and 2, Filing 3 is not included. A resubmittal for Preliminary Plat is not necessary. An updated Erosion Control Report will be required for Filing 3 and must be submitted with the Final Plat. Since Filing 1 is nearing completion and Filing 2 is not adjacent to Filing 3, the report should address Filing 3 only.



---

## Internal Memo

To: Chris LaRue, Planning & Development, Senior Planner  
From: Darren Champion, Parks and Open Space Project Coordinator  
Date: April 30, 2020  
**Subject: Rex Ranch Filing No. 3 – Preliminary Plat**  
Cc: Patrick Hammer, Parks and Recreation Director  
Luke Bolinger, Community Partnership and Special Projects Manager

---

Parks & Open Space Division staff have reviewed the subject plans and offer the following comments:

### Landscape Comments:

- Due to the size of the tract and the location of the sidewalk, staff recommend using shortgrass native seed mixture in Tract A.
- Shortgrass native seed mixture should be used within 15' of trails and roads.
- Mixed grass prairie seed mixture should be used for areas outside of 15' from trails and roads.
- "TOTAL REMOVED: 26 CALIPER INCHES", as shown in the Total Removed calculation should be "TOTAL REMOVED: 36 CALIPER INCHES".
- Per the UDC: *Healthy trees that meet the size requirement shall be replaced by trees of no less than 2-inch caliper, with the total gross caliper inches of the replacement trees being 1 1/2 times greater than the total caliper inches of those trees removed.* This requirement increases the trees required from 18 trees (36") to 27 trees (54")
- Per the UDC: *If a property cannot physically meet the tree replacement requirement then at the Town's discretion, a fee-in-lieu payment may be considered by the Town. Final approval shall be with the entity identified for final approval of the application. The fee-in-lieu payment will be equal to the Town's tree impact fee and the fee-in-lieu received will be deposited by the Town into that impact fee fund.*

# COLORADO GEOLOGICAL SURVEY

1801 Moly Road  
Golden, Colorado 80401



April 17, 2020

Karen Berry  
State Geologist

Chris LaRue  
Planning & Development  
Town of Erie  
P.O. Box 750  
Erie, CO 80516

**Location:**  
NE NE Section 26,  
T1N, R69W of the 6<sup>th</sup> P.M.  
40.0277, -105.0755

**Subject: Rex Ranch Filing 3 Resubmittal – Preliminary Plat PP-001070-2019**  
**Town of Erie, Boulder County, CO; CGS Unique No. BO-20-0001-2**

Dear Chris:

Colorado Geological Survey has reviewed the Rex Ranch Filing 3 preliminary plat resubmittal, for ten residential lots on approximately 3.76 acres located at 2839 N. 119<sup>th</sup> Street. Filing 3 is surrounded on the north, west, and south by Rex Ranch Filing 1.

The available referral documents include a response to CGS's September 19, 2019 review comments (Ware Malcomb, January 8, 2020) regarding shallow groundwater, soft/loose, low strength soils, and expansive soils and bedrock. The response states, "Since Rex Ranch Filing No. 1 surrounds Filing No. 3, the recommendations from the CTL Filing 1 report have been used in Filing 3. Overexcavation and an underdrain system will be used in Filing 3."

This is acceptable, and satisfactorily addresses the comments in our September 19, 2019 review letter.

Thank you for the continued 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,

A handwritten signature in black ink, appearing to read "Jill Carlson", is written over a light blue horizontal line.

Jill Carlson, C.E.G.  
Engineering Geologist

Date: April 21, 2020  
To: Chris LaRue, Town of Erie Planner  
From: Orchard Glen HOA Board of Directors  
Re: Rex Ranch Filing No. 3 Plat Resubmittal

This letter is in response by the Orchard Glen Board of Directors to the refile of the plat for Rex Ranch Filing number 3. We responded to the original plat filing back in 2019. In reviewing this new submittal we find that our concerns did not change anything.

We submitted several areas of concern including the density of this parcel and the fact that five of the lots back up to 119<sup>th</sup> Street with only a split rail fence and plantings to obscure the back yards from view from the street and walkway. The developer responded to our density concern by merely stating that the density meets the UDC guidelines. That may be the case but the data we provided shows that the people of Erie prefer a more rural feel that isn't in keeping with the developer's statement that the parcel provides a rural "suburban" feel. Suburban doesn't fit in with the message garnered from the Town survey.

The other area of concern we stated was the fact that the five homes backing up to 119<sup>th</sup> will have open yards that will only be separated from 119<sup>th</sup> and the walk along the street by a split rail fence and some landscape plantings, along with existing trees. The developer states in their Alternative Equivalent Compliance letter that "The landscape and streetscapes enhance the neighborhood by preventing views of garages and obscuring the homes from main arterials, neighborhoods, and adjacent rural areas." This addresses the interior "enhancement" of the neighborhood but not what is seen from the street and walk. Colorado is a harsh climate to contend with when trying to keep plants, trees and shrubs alive. Even if the plantings are densely placed not all of them will survive as well as continue to grow as intended. Having to look at yards that can become messy and unkempt will not add to the enjoyment of those having to pass them day in and day out.

We would like to recommend that the developer install a fence along this parcel that is similar to the fence that separates the parking lot of the new medical building on Briggs and the neighborhood to the north of them. This fence is very stylish and not any higher than the planned split rail fence. It will add a visual buffer as well as help with privacy and noise for the owners of those homes.

We hope that the Town planners will take these concerns and recommendations into consideration when the review of this plat comes before them.

Please feel free to contact our Community Manager:  
Amanda Kovinchick  
MSI, LLC  
11002 Benton St.  
Westminster CO 80020  
Direct: (720)974-4294  
Fax: (303)420-6611  
[akovinchick@msiho.com](mailto:akovinchick@msiho.com)

Orchard Glen HOA Board of Directors



## Chris LaRue

---

**From:** LuAnn Penfold <lpenfold@mvfpd.org>  
**Sent:** Tuesday, March 17, 2020 1:12 PM  
**To:** Development Referral  
**Subject:** Rex Ranch

We have no additional comments at this time.

Thank you,

### **LuAnn Penfold, Fire Prevention Specialist**

Mountain View Fire Rescue

3561 N. Stagecoach Road, Longmont, CO 80504

303-772-0710 x1121 | lpenfold@mvfpd.org | www.mvfpd.org





5303 Spine Road, Suite 202 Boulder, Colorado 80301  
Telephone: 303.443.6151 www.vrlaw.com

April 20, 2020

Chris LaRue  
Town of Erie  
Planning and Development  
645 Holbrook  
Erie, CO 80516

Re: Rex Ranch Filing No. 3, Preliminary Plat

Dear Chris:

We are in receipt of the Applicant's response to our original comments to the Preliminary Plat for Rex Ranch Filing No. 3, which were helpful. They indicate that the property has been included into the Northern Colorado Water Conservancy District ("NCWCD") and excluded from the Left Hand Water District. The Town should confirm that those actions have been completed.

In addition, the property needs to be included into the Municipal Subdistrict of NCWCD prior to receiving water service from the Town. This is required in order to use Windy Gap water, which is an integral part of the Town's water rights used to provide treated water service. It should be noted that inclusion into the Municipal Subdistrict is far easier than inclusion into the NCWCD, because the U.S. Bureau of Reclamation is not involved in the process for inclusion into the Municipal Subdistrict, as it is with inclusions into the NCWCD.

Finally, all non-tributary ground water underlying the property should be conveyed to the Town.

I hope this is helpful and please contact me with any questions or comments. I hope everyone is staying healthy!

Chris LaRue  
April 20, 2020  
Page 2

Sincerely,

VRANESH AND RAISCH, LLP

A handwritten signature in blue ink, appearing to read "Paul J. Zilis". The signature is fluid and cursive, with a large initial "P" and "Z".

Paul J. Zilis, Esq.

PJZ:

Cc: Todd Fessenden  
Alison Gorsevski



**Right of Way & Permits**

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

April 16, 2020

Town of Erie Community Development Services  
645 Holbrook / PO Box 750  
Erie, CO 80516

Attn: Chris LaRue

**Re: Rex Ranch Filing No. 3 - 2nd referral, Case # PP-001070-2019**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the second referral preliminary plat for **Rex Ranch F3**. If the property owner/developer/contractor has already completed the application process for any new natural gas or electric service or modification to existing facilities via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect), they must continue to work with the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

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

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