



PLANNING COMMISSION REGULAR MEETING

MONDAY, APRIL 21, 2025

AGENDA

Monday, April 21, 2025

6:00 PM

Hearing Room

Disclaimer - This packet is provided for informational purposes only and is subject to change. Some documents may have been unavailable at the time this agenda was prepared. For additional information, contact the responsible staff person.

Instructions to access the video or audio of the meeting are available here:
<https://www.douglas.co.us/board-county-commissioners/boards-commissions/planning-commission/>
To submit written public comment and/or exhibits for a Planning Commission meeting, please send them, in advance, to planningcommission@douglas.co.us. Instructions for providing audio comments at the remote meeting are available at the webpage above.

1. Call to Order

- a. Pledge of Allegiance
- b. Roll Call
- c. Attorney Certification of the Agenda
- d. Planning Commission Disclosures

2. Approval of Minutes

- a. Unofficial Minutes from April 7, 2025. **3489**
Attachments: [Unofficial Minutes from April 7, 2025](#)

3. 2025 Election of PC Secretary

- a. Proposed Election of Secretary. **3496**
Attachments: [Proposed Election of Secretary](#)

4. Land Use Hearing Items

- a. 9315 Sand Creek Road - Rezoning - Project File: ZR2024-030. **3495**
Trevor Bedford, AICP, Senior Planner — *Department of Community Development*
Attachments: [Staff Report - ZR2024-030](#)

4. Adjournment

The Next Regular Meeting Will be Held on Monday, May 5, 2025 @ 6:00 p.m.

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MEETING DATE: April 21, 2025

DESCRIPTION: Unofficial Minutes from April 7, 2025.

ATTACHMENTS:

Unofficial Minutes from April 7
2025



PLANNING COMMISSION REGULAR MEETING

MONDAY, APRIL 7, 2025

MINUTES

Monday, April 7, 2025

6:00 PM

Hearing Room

1. Call to Order

Commissioner Garbo presented virtual hearing instructions.

a. Pledge of Allegiance

b. Roll Call

PRESENT	Commissioner Stephen S. Allen Commissioner Calvin Downs Commissioner C. J. Garbo Commissioner Michael McKesson Commissioner Jim Smallwood
EXCUSED	Commissioner Len Abruzzo Commissioner Jack Gilmartin Commissioner Edward Rhodes Commissioner Jeff Toborg Alternate Matt Collitt

c. Attorney Certification of the Agenda

Andrew Steers, Sr. Assistant County Attorney, stated that all items on today's agenda have been reviewed by the County Attorney's Office, they have been properly noticed and the Commission has jurisdiction to hear them.

d. Planning Commission Disclosures

None

2. Approval of Minutes

a. Unofficial Minutes from March 3, 2025.

Commissioner Mike McKesson moved that the Commission approve the Minutes from March 3, 2025.

RESULT: APPROVED

MOVER: Mike McKesson

SECONDER: Stephen Allen

AYES: Stephen Allen, Calvin Downs, C. J. Garbo, Mike McKesson

ABSTAIN: Jim Smallwood

3. Land Use Hearing Items

- a. Inverness Subdivision Filing 9, Lot 3, Use by Special Review and CARA Noise Waiver - Project File: US2024-011 - Request for Continuance.

This item was removed from the Agenda.

- b. Castle Pines Village Filing 15D, Tracts G and H and Castle Pines Village Filing 15D, Tracts G and H and Castle Pines Village Filing 28A, Tract A - Location and Extent - Project File: LE2025-003.

Carolyn Washee-Freeland, AICP, Senior Planner - Department of Community Development - presented the proposed application.

The applicant's representative, John Shackleford, Castle Pines Metropolitan District - provided additional information.

Commissioner Garbo opened public comment.

Doug Hutchins - Castle Pines, CO - provided comment.

Mark Larson - Castle Pines, CO - provided comment.

Commissioner Garbo closed public comment.

Commissioner Garbo opened Planning Commission discussion.

Commissioner Calvin Downs moved to approve the Castle Pines Village Filing 15D, Tracts G and H and Castle Pines Village Filing 28A, Tract A - Location and Extent - Project File: LE2025-003.

RESULT: APPROVED

MOVER: Calvin Downs

SECONDER: Mike McKesson

AYES: Stephen Allen, Calvin Downs, C. J. Garbo, Mike McKesson, Jim Smallwood

NAYS: None

- c. Monte Ridge 1st Amendment, Lots 1A and 2A - Location and Extent - Project File: LE2024-004.

Trevor Bedford, AICP, Senior Planner - Department of Community Development - presented the proposed application.

The applicant's representative, Brooke Hines, representing CORE Electric Cooperative - provided additional information.

Commissioner Garbo opened public comment.

Barbara Kubereit - Castle Rock, CO - provided comment.

Margarite Padlsey - Castle Rock, CO - provided comment.

Daniel Spuhler - Castle Rock, CO - provided comment.

Connie Hicks, Castle Rock, CO - provided comment.

Tori Mock - Castle Rock, CO speaking on behalf of Castle Ridge Homeowners Association - provided comment.

Cameron Hicks - Castle Rock, CO - provided comment.

Jeff Schmidt - Castle Rock, CO - provided comment.

Mike Mottice - Castle Rock, CO - provided comment.

Diane Ortiz - Castle Rock, CO - provided comment.

Melina Tercheva - Castle Rock, CO - provided comment.

Mike Engler - Castle Rock, CO - provided comment.

Joyce Swanson - Castle Rock, CO - provided comment.

Curtis Sosius - Castle Rock, CO - provided comment.

Jeffery Guarente - Castle Rock, CO - provided comment.

Eric Orrill - Castle Rock, CO - provided comment.

Dr. Alan Shackelford - Castle Rock, CO - provided comment.

Shanti Devi - Castle Rock, CO - provided comment.

Johnny Stumpf - Castle Rock, CO - provided comment.

George Rabatin - Castle Rock, CO - provided comment.

Commissioner Garbo closed public comment.

Commissioner Garbo opened Planning Commission discussion.

The applicant's representative, Brooks Kaufman, CORE Electric Cooperative - provided additional information.

Commissioner Mike McKesson moved to approve the Monte Ridge, 1st Amendment, Lots 1A and 2A - Location and Extent - Project File: LE2025-004.

RESULT: APPROVED

MOVER: Mike McKesson

SECONDER: Stephen Allen

AYES: Stephen Allen, C. J. Garbo, Mike McKesson, Jim Smallwood

NAYS: Calvin Downs

- d. Struby Resurvey, Lots 7-11 - Rezoning - Project File: ZR2024-008.

Trevor Bedford, AICP, Senior Planner - Department of Community Development - presented the proposed application.

The applicant's representative, James Lynch, provided additional information.

The applicant's representative, Mark Skellske, Samuel Engineering, provided additional information.

Commissioner Garbo opened public comment.

There was no public comment.

Commissioner Garbo closed public comment.

Commissioner Garbo opened Planning Commission discussion.

Commissioner Calvin Downs moved to recommend approval of the Struby Resurvey, Lots 7-11 - Rezoning - Project File: ZR2024-008.

RESULT: APPROVED

MOVER: Calvin Downs

SECONDER: Stephen Allen

AYES: Stephen Allen, Calvin Downs, C. J. Garbo, Mike McKesson, Jim Smallwood

NAYS: None

- e. Rocchio Luly Exemption, Parcel 2, 8th Amendment - Use by Special Review - Project File: US2024-010.

Eric Pavlinek, Principal Planner - Department of Community Development - presented the proposed application.

The applicant's representative, Rachel Bruin, Hope Media, provided additional information.

Commissioner Garbo opened public comment.

There was no public comment.

Commissioner Garbo closed public comment.

Commissioner Garbo opened Planning Commission discussion.

Commissioner Stephen Allen moved to recommend approval of the Rocchio Luly Exemption, Parcel 2, 8th Amendment - Use by Special Review - Project File: US2024-010.

RESULT: APPROVED
MOVER: Stephen Allen
SECONDER: Mike McKesson
AYES: Stephen Allen, Calvin Downs, C. J. Garbo, Mike McKesson, Jim Smallwood
NAYS: None

4. Adjournment

The meeting was adjourned at 9:23 p.m.

Secretary

Samantha Hutchison, Recording Secretary

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MEETING DATE: April 21, 2025

DESCRIPTION: Proposed Election of Secretary.

SUMMARY:

ATTACHMENTS:

Proposed Election of Secretary

PLANNING COMMISSION ELECTION OF OFFICERS 2025

Election Actions

Ensure any nominees accept the nomination prior to a vote. As stated in Part II, Section 8 of the PC Policies & Procedures, at the second regular public hearing or meeting of the new calendar year, the Commission members shall conduct election of officers, unless the Commission members vote to delay the election. Commission officers shall include a Chair, A Vice-Chair, and a Secretary.

Current District Leadership Configuration:

Chair: District II

Vice Chair: District I

Secretary: District III

1. Motion to elect _____ as Secretary for the 2025 Douglas County Planning Commission

OR

2. Motion to **CONTINUE** the election of Planning Commission Secretary for 2025 until (date certain)

MEETING DATE: April 21, 2025

STAFF PERSON RESPONSIBLE: Trevor Bedford, AICP, Senior Planner

DESCRIPTION: 9315 Sand Creek Road - Rezoning - Project File: ZR2024-030.

SUMMARY: The request is for approval of rezoning approximately 30.16 acres from Agricultural One to Large Rural Residential in the Parker area.

STAFF ASSESSMENT: Staff has evaluated the rezoning request in accordance with the Douglas County Comprehensive Master Plan policies and Section 25 of the Douglas County Zoning Resolution. Should the Planning Commission find that the approval criteria have been met, it may recommend approval of the rezoning of 30.16 acres to the Large Rural Residential zone district to the Board of County Commissioners.

REVIEW:

Steven E Koster	Approve	4/10/2025
Samantha Hutchison - FYI	Notified - FYI	4/10/2025

ATTACHMENTS:

Staff Report - ZR2024-030

Rezoning Staff Report

Date: April 9, 2025
To: Douglas County Planning Commission
From: Trevor Bedford, AICP, Senior Planner *TB*
Curtis J. Weitkunat, AICP, Long Range Planning Manager *CW*
Steven E. Koster, AICP, Assistant Director of Planning Services *SK*
Subject: 9315 Sand Creek Road – Rezoning
Project File: ZR2024-030

Planning Commission Hearing:	April 21, 2024 @ 6:00 p.m.
Board of County Commissioners Hearing:	May 13, 2024 @ 2:30 p.m.

I. EXECUTIVE SUMMARY

The request is for approval of rezoning approximately 30.16 acres from Agricultural One (A-1) to Large Rural Residential (LRR) in the Parker area. The property is currently one lot with an existing residence and accessory barn. With this rezoning, the applicant intends to subdivide the property into two lots in the future.

II. APPLICATION INFORMATION

A. Applicant

William P. Driskill
9315 East Sand Creek Road
Parker, CO 80138

B. Request

The applicant requests approval of a rezoning from A-1 to LRR for approximately 30.16 acres.

C. Process

A rezoning application is processed pursuant to Section 2504 of the Douglas County Zoning Resolution (DCZR).

Per Section 2504.06, "The Planning Commission shall evaluate the rezoning request, staff report, referral agency comments, applicant responses, and public comment and testimony, and make a recommendation to the Board of County Commissioners to approve, approve with conditions, continue, table for further study, or deny the amendment request. The Planning Commission's decision shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines."

D. Location

The project area is located on the north side of Sand Creek Road in the Parker area. The attached vicinity map, zoning map, and aerial map highlight site location and existing conditions.

III. CONTEXT

A. Background

The subject property consists of one 30.16-acre parcel and is currently zoned A-1. The applicant wishes to subdivide the property into two parcels in the future and to maintain limited grazing uses on the property. The proposed LRR zoning is intended for large-lot residential properties with densities between one dwelling per 34.9 acres to one dwelling per 10 acres and allows for limited agricultural uses. This density range would allow for a maximum of three parcels on the subject property.

Properties zoned A-1 smaller than 35 acres are limited to the principal and accessory uses allowed in the residential zone district to which the parcel conforms in size. In this case, the 30.16-acre parcel would follow the uses allowed by LRR. The existing property size and potential future division into two parcels is more consistent with the density range for the proposed LRR zoning than the existing A-1 zoning.

B. Adjacent Land Uses and Zoning

The subject property is surrounded by Agricultural One and Estate Residential properties. Directly to the east are utility lines. Surrounding land uses are residential lots varying in size from approximately three acres to approximately 20 acres.

Zoning and Land Use

Direction	Zoning	Land Use
North	Agricultural One	Residential
South	Estate Residential	Residential
East	Agricultural One	Utilities
West	Agricultural One	Residential

IV. PHYSICAL SITE CHARACTERISTICS

A. Site Characteristics and Constraints

The site is developed with a single-family residence and a barn in the southwest portion of the property. The remainder of the property is used for grazing.

B. Access

The property currently has access via Sand Creek Road. Access to any future lots will be evaluated through the subdivision process.

C. Soils and Geology

The CMP Class 3 Hazards and Environmental Constraints map does not identify any Class 3 Hazards on the subject property. Colorado Geological responded to the referral request with “no comment”. Geologic conditions and soils will continue to be evaluated with any future subdivision request.

D. Drainage and Erosion

Engineering has reviewed the application materials and provided no comments. Drainage and erosion will continue to be evaluated during the subdivision process.

E. Floodplain

No mapped 100-year floodplain is present on the site.

V. PROVISION OF SERVICES

A. Schools

The Douglas County School District (DCSD) responded to the referral request with no objections to the proposed rezoning. DCSD noted that if the property is subdivided into fewer than 10 lots, a minimum cash-in-lieu fee of \$500 per new residential lot will be required. This fee will be payable prior to recordation of a future Minor Development Final Plat.

B. Fire Protection

South Metro Fire Rescue (SMFR) provides fire and emergency services for the property. SMFR responded to the referral request with no objection.

C. Sheriff Services

The Douglas County Sheriff’s Office (DCSO) will provide police protection to the site. DCSO responded to the referral request with no comments or concerns. Responses were not received from the Office of Emergency Management or E911.

D. Water

The property and existing structures on site are currently served by a well. The applicant has provided an attorney’s opinion showing ownership of sufficient water rights below the property. The Colorado Division of Water Resources (CDWR) reviewed the request and had no comments regarding the proposed rezoning. CDWR did note that the existing well will need to be re-permitted if it is to be used for one of the lots in a future subdivision.

E. Sanitation

The property currently uses an on-site wastewater treatment system (OWTS). Any future properties will be served by OWTS. DCHD responded to the referral request with no objections to potential future lots being served by OWTS provided that the system is permitted, inspected, and operated in accordance with DCHD’s current OWTS Regulations.

F. Utilities

Area utility service providers were provided a referral on this application. AT&T and Xcel Energy responded with no conflict. CORE Electric responded with no comment. Comcast, CenturyLink, and Black Hills Energy did not respond to the referral request.

VI. PUBLIC NOTICE AND INPUT

In accordance with Section 2508 of the DCZR, public notice is required to be published in the Douglas County News-Press, mailed to abutting property owners and posted on the site by the applicant.

Notifications of an application in process were sent to all abutting property owners. No comments have been received from the public.

VII. STAFF ANALYSIS

The following criteria shall be considered by the Planning Commission in the review of all rezoning applications:

2502.01: The application is in compliance with the requirements of this Resolution and the Douglas County Comprehensive Master Plan.

Staff Comment: The subject property is located within the Northeast Subarea as identified by the Comprehensive Master Plan Nonurban Subareas Map 3.1. The proposed rezoning is consistent with the policies of Section 3, Nonurban Land Use. Policy 3-3E.1 calls for a maximum density of one dwelling unit per 2.5 acres in the Northeast Subarea if approximately 50 percent of the property is adjacent to zoned lands or parcel sizes consistent with the proposed development, and where site characteristics can generally support it. The property is adjacent on the south and east to properties zoned Estate Residential and Rural Residential, which allow for densities as low as one dwelling unit per 2.5 acres and one dwelling unit per 5 acres, respectively. To the north and west are A-1 properties with parcel sizes approximately 10 acres to 20 acres, which is consistent with the proposed LRR zone district. Policy 3-2A.1 is that "Design should be of a scale and character that complements the nonurban area." The proposed rezoning would allow a maximum of three 10-acre properties with limited agricultural uses. This is consistent with the nonurban nature of the area.

2502.02: The application is in compliance with all applicable statutory provisions.

Staff Comment: The application complies with applicable provisions of the Colorado Revised Statutes.

2502.03: Whether there has been a substantial change in the character of the neighborhood, since the land was last zoned.

Staff Comment: The area near the property generally consists of residential properties with lot sizes of approximately 3 acres in the Ponderosa Hills subdivision to the south and in the Ponderosa Summit subdivision to the east.

2502.04: Whether the application demonstrates public facilities and services necessary to accommodate the proposed development will be available concurrently with the impacts of such development.

Staff Comment: The rezoning will not adversely impact the provision of public facilities and services. South Metro Fire Rescue and Douglas County Sheriff's Office provide emergency services to the site. All service providers will review any proposed future subdivision.

2502.05: Whether the roadway capacity necessary to maintain the adopted roadway level-of-service for the proposed development will be available concurrently with the impacts of such development.

Staff Comment: Engineering Services reviewed the application materials and had no comments or concerns. Traffic will continue to be evaluated during any proposed future subdivision.

2502.06: Whether the application is in conformance with Section 18A, Water Supply – Overlay District, herein.

Staff Comment: DCZR Section 1803A establishes approval standards to be used in the evaluation of land use application reviewed under Section 18A.

1803A.01: The applicant has demonstrated that the water rights can be used for the proposed purposes.

Staff Comment: The applicant has provided a letter from an attorney stating ownership of sufficient water rights under the property.

1803A.02: The reliability of a renewable right has been analyzed and is deemed sufficient by the County based on its priority date within the Colorado System of Water Rights Administration.

Staff Comment: No new renewable water rights are proposed for this development under this application.

1803A.03: The Water Plan is deemed adequate and feasible by the County to ensure that water supply shortage will not occur due to variations in the hydrologic cycle.

Staff Comment: The provided documentation is adequate to ensure that the proposed water supply can serve the uses.

1803A.04: The Water Plan is sufficient to meet the demand applicable to the project based on the minimum water demand standards in Section 1805A herein.

Staff Comment: The provided documentation shows the applicant owns 4.9 acre feet of water in the Lower Dawson aquifer and 37.1 acre feet of water in other aquifers. Section 1805A.02.1 establishes the demand standard at 1 acre feet per year for a residence on an A-1 or LRR property. This demonstrates sufficient water rights to serve the maximum density allowable for the property if rezoned to LRR.

2502.07: Whether the proposed rezoning is compatible with the surrounding land uses.

Staff Comment: The proposed rezoning is compatible with the surrounding land uses. The property is primarily surrounded by residential properties ranging from 2.8 acres to approximately 20 acres. The proposed rezoning fits within the existing nearby densities.

2502.08: Whether the subject land is suitable for the intended use.

Staff Comment: The land is currently used as a residence with grazing on site. After rezoning, these uses will continue to be allowed. Any future subdivision of the property will be evaluated to ensure all requirements of the DCZR and the Douglas County Subdivision Resolution continue to be met.

VIII. STAFF ASSESSMENT

Staff has evaluated the rezoning request in accordance with the Douglas County Comprehensive Master Plan policies and Section 25 of the DCZR. Should the Planning Commission find that the approval criteria have been met, it may recommend approval of the rezoning of 30.16 acres to the Large Rural Residential zone district to the Board of County Commissioners.

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Department of Community Development

www.douglas.co.us

Planning Services

LAND USE APPLICATION

Please fill in this application form completely. An incomplete application will not be processed.

Note: Neither the Planning Commission nor the Board of County Commissioners should be contacted regarding an open application.

OFFICE USE ONLY

PROJECT FILE #:

PROJECT NAME:

PLANNING FEES:

PROJECT TYPE: RE ZONING, AGRICULTURAL to Large Rural ResidentialMARKETING NAME: NA

ENGINEERING FEES:

SITE ADDRESS: 9315 EAST Sand Creek Road, PARKER CO 80138

OWNER(S):

TOTAL FEES:

Name(s): William P. Driskill & Maria T. DriskillAddress: 9315 EAST Sand Creek Road, PARKER CO 80138Phone: 832-236-1836Email: billpd1957@gmail.com

RELATED PROJECTS:

AUTHORIZED REPRESENTATIVE (requires notarized letter of authorization if other than owner)

Name: William P. DriskillAddress: 9315 EAST Sand Creek Road, PARKER CO 80138Phone: 832-236-1836Email: billpd1957@gmail.com

LEGAL DESCRIPTION:

Subdivision Name: None (metes and bounds)Filing #: R091367 Lot #: - Block #: PT W1/2 Section #: 7 Township: 6 Range: 65STATE PARCEL NUMBER(S): 2235-070-00-007

ZONING:

Present Zoning: AGRICULTURAL 4142 Proposed Zoning: Large Rural Residential Gross Acreage: 30.16Gross Site Density (DU per AC): 1 per 10 AC # of Lots or Units Proposed: 2

SERVICE PROVIDERS:

Fire District: South Metro 247Metro District: South MetroGas: Xcel EnergyWater: Private WellSewer: Septic TankElectric: CORE ElectricRoads: ☒ Public ☐ Private (please explain):

To the best of my knowledge, the information contained on this application is true and correct. I have received the County's information sheet regarding the Preble's Meadow Jumping Mouse.

William P. Driskill Maria T. Driskill
Applicant Signature

10/15/2024
Date

100 Third Street, Castle Rock, Colorado 80104 • 303.660.7460

Revised 03.04.2021

PREBLE'S MEADOW JUMPING MOUSE

What is the Prebles' meadow jumping mouse?

The Preble's meadow jumping mouse is a rare mouse designated by the United States Fish and Wildlife Service as a "threatened species" under the Endangered Species Act. The federal threatened species designation prohibits the unlawful "take" of the Preble's meadow jumping mouse or its habitat.

Where does the mouse live?

The Preble's meadow jumping mouse lives primarily in heavily vegetated riparian habitats. In Douglas County, the mouse has been located in or near many drainages, including tributaries and the main stream reaches, of East and West Plum Creek. However, **any** stream reach or potential habitat within Douglas County may be subject to the requirements of the Endangered Species Act.

The mouse has also been found in Boulder, Elbert, El Paso, Jefferson and Larimer counties and in parts of Wyoming.

What activities may be considered a violation of the Endangered Species Act?

In its listing decision, the United States Fish and Wildlife Service identified activities that may result in violation of the Endangered Species Act to include:

1. Unauthorized or unpermitted collection, handling, harassing, or taking of the species;

ANY APPROVAL GIVEN BY DOUGLAS COUNTY DOES NOT OBVIATE THE NEED TO COMPLY WITH APPLICABLE FEDERAL, STATE, OR LOCAL LAWS AND/OR REGULATIONS.

2. Activities that directly or indirectly result in the actual death or injury death of the mouse, or that modify the known habitat of the species, thereby significantly modifying essential behavioral patterns (e.g., plowing, mowing, or cutting; conversion of wet meadow or riparian habitats to residential, commercial, industrial, recreational areas, or cropland; overgrazing; road and trail construction; water development or impoundment; mineral extraction or processing; off-highway vehicle use; and, hazardous material cleanup or bioremediation); and;
3. The application or discharge of agrichemicals, or other pollutants, and pesticides, onto plants, soil, ground water, or other surfaces in violation of label directions or any use following Service notification that such use, application or discharge is likely to harm the species; would be evidence of unauthorized use, application or discharge.

How to determine if a proposed activity would violate the Endangered Species Act.

Any questions regarding whether an activity will impact the Preble's meadow jumping mouse or its habitat should be directed to:

Liisa Niva
 Fish and Wildlife Biologist
 Ecological Services
 Colorado Field Office
 P.O.Box 25486, DFC (MS 65412)
 Denver, CO 80225-0486
 303-236-4773

Where to find more information on the Preble's meadow jumping mouse.

More information can be found at the US Fish and Wildlife Service website at:

<https://ecos.fws.gov/ecp/species/4090>

William P. and Maria T. Driskill
9315 East Sand Creek Road
Parker, CO 80138

Job No. PS 2024-097
November 19, 2024

Project Summary
Driskill Rezoning

General Project Concept: The property consists of 30.16 acres. The owners intend to rezone the property from A1 to Large Rural Residential (LRR). The property will then be subdivided into one LRR lot of 10 acres which will contain the existing house, outbuildings and structures, and one undeveloped LRR lot of 20.16 acres.

Landowner/Applicant: William P. Driskill and Maria T. Driskill
9315 East Sand Creek Road
Parker, CO 80138

Representative: William P. Driskill

Mineral Rights Owner: Landowner/Applicant

Water Rights Owner: Landowner/Applicant

Purpose of Request: To obtain zoning approval.

Proposed Staging and Time Frame: The subdivide will commence after all approvals are obtained.

Relationship to Existing Land Uses: Adjoining land to the West is subdivided into two 10 acre lots. The adjoining lots to the North are subdivided into one 10 acre lot and one 20.13 acre lot. All 4 lots are zoned Residential and are part of the Metes and Bounds subdivision. Lots lying to the South, across East Sand Creek Road, vary in size from 2.789 acres to 3.022 acres, are zoned Residential and are part of the Ponderosa Hills subdivision. Adjoining land to the East is a 5.0 acre utility easement that is maintained by Public Service Co. of Colorado. To the East of the easement is open space that is maintained by the Ponderosa Summit HOA. Lots lying to the East of the open space vary in size from 3.0 acres to 3.12 acres, are zoned Residential, and are part of the Ponderosa Summit subdivision.

Public Service availability: Given the relatively minor nature and location of the project, the availability and adequacy of public services should not be an issue. The property is served by Core Electric for electricity, Xcel Energy for natural gas, ATT/Direct TV, and Rise Broadband for Internet. The property is served by the Douglas County School District. Fire protection is provided by South Metro Station #47 located 3.4 miles from the property. Water and Sewer is and will be provided by private well and septic systems as central water and sewer is not available in the area. . Underground water has been determined to be more than adequate (attachment).

Site Characteristics: There is an existing home, barn/shop, outbuilding, and corrals located on the West part of the property that will be located within the 10 acre LRR lot once subdivided. A slight draw exists on the East part of the property that runs from the South to the North. The property consists of open grass land. The property is fenced in its entirety with 4 and 5 string wire to accomodate livestock while allowing wildlife to pass over and through. The property is well maintained. There are no known natural or man-made hazards on the property. Vast views of open space as spectacular.

Impacts on existing Flora or Fauna: Impacts on the existing flora and fauna will be minimal given the large size of the proposed lots, property characteristics and the minor nature of the proposal.

Compliance with the Douglas County Comphehensive Master Plan: This rezoning project lies within the Douglas County Northeast Subarea. This project is in compliance with the policies discussed in the nonurban land use section of the Douglas County Comprehensive Master Plan. The project is also in compliance with section 4 of the Douglas County Zoning Resolution, Large Rural Residential District.

Policy 3-3E.1- The LRR maximum gross density of 1 dwelling per 10 acres does not exceed the Master Plan maximum of 1 dwelling per 2.5 acres. The project lot sizes and site characteristics are consistent with adjacent and adjoining properties.

Policy 3-3E.2- The public infrastucture is adequate to support the rezoning and subdivide.

Policy 3-3E.3- Central water and sewer systems are not available in the area.

Policy 3-3E.4- The site has no existing alluvial wells at this time and non are anticipated. No development is planned.

Policy 3-3E.5- The project will not remove any trees or vegetation. Trees have been planted around the existing house and barn/shop. No development is planned. Additional trees will be planted if necessary.

Policy 3-3E.6- The property will continue to be maintained. Open space is adjacent to the entire East side of the property and is present in the surrounding area.

Policy 3-3E.7- No development is planned other than an entrance off Sand Creek Road to the undeveloped 20.16 acre lot.

Drainage and Water Quality Study: A copy of the report is submitted herewith.

Recreational Facilities: The Parker Recreation Center and Pathfinder Park are located within 3 miles. A public golf course within 5 miles.

Changes in Character of the Neighborhood: The Ponderosa Hills subdivision (2.5 to 6 acre lots) was developed around 1968. The Ponderosa Summit subdivision (3 acre lots) was developed around 1998. Douglas County has proposed to pave Sand Creek Road in 2025 under the High Priority Gravel Road Paving Program.

Comprehensive Master Plan Land Use Reference Map

Comprehensive Master Plan Areas

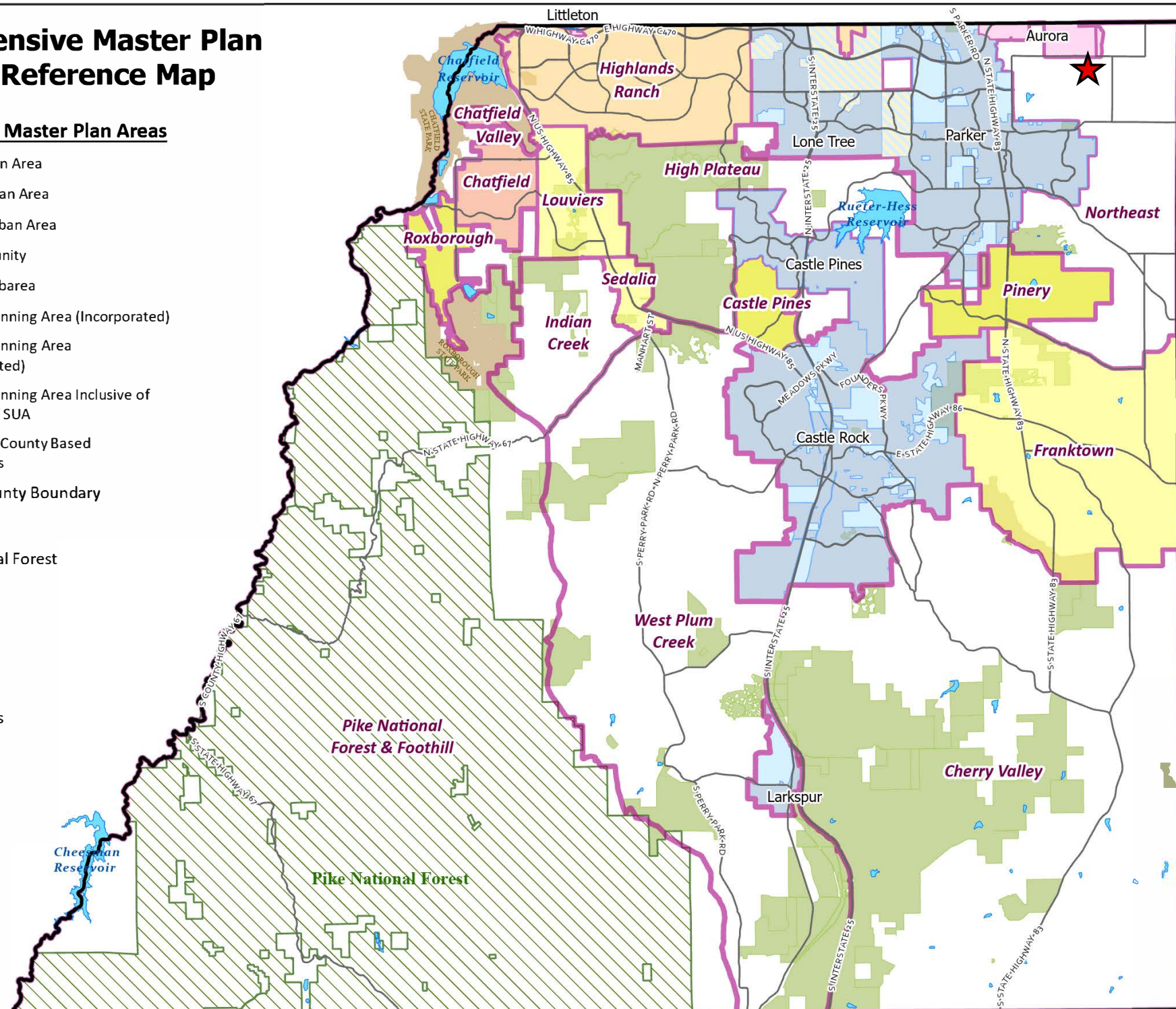
- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads

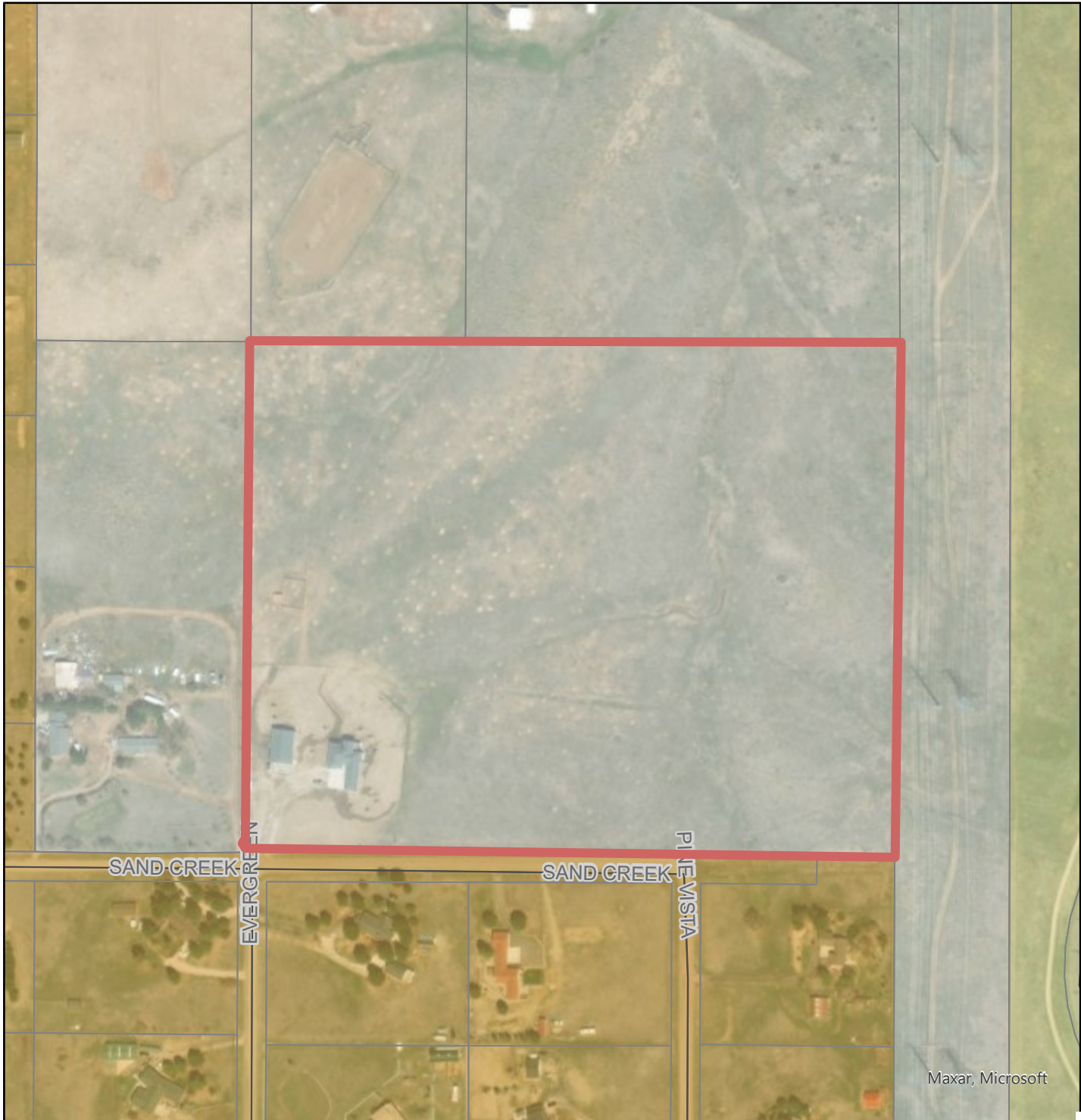


9315 Sand Creek Road

ZR2024-030
Zoning Map



- LEGEND
- Roads
 - Major Roads
 - ▭ Parcels - PARCELS
 - ▭ A1 - AGRICULTURAL ONE
 - ▭ RR - RURAL RESIDENTIAL
 - ▭ ER - ESTATE RESIDENTIAL



9315 Sand Creek Road

ZR2024-030
Aerial Map



- LEGEND
- Roads
 - Major Roads
 - Parcels - PARCELS



Referral Agency Response Report**Page 1 of 4****Project Name:** 9315 Sand Creek Road**Project File #:** ZR2024-030**Date Sent:** 12/20/2024**Date Due:** 01/15/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	12/27/2024	No Comment:	No response necessary
Arapahoe County Engineering Services Division		No Response Received:	No response necessary
Arapahoe County PWD/ Planning	01/07/2025	No Comment: Thank you for the opportunity to review and comment on this project. The Arapahoe County Planning Division has no comments; however, other departments and/or divisions may submit comments.	No response necessary
AT&T Long Distance - ROW	12/26/2024	Received: This is in response to your eReferral with a utility map showing any buried AT&T Long Line Fiber Optics near 9315 Sand Creek Rd Parker, Colorado. The Earth map shows the project area in red. Based on the address and/or map you provided, there should be NO conflicts with the AT&T Long Lines, as we do not have facilities in that area. Please feel free to contact us with any questions or concerns.	No response necessary
Bell Cross Ranch HOA		No Response Received:	No response necessary
Black Hills Energy		No Response Received:	No response necessary
Building Services	12/23/2024	No Comment:	No response necessary
CenturyLink		No Response Received:	No response necessary

Referral Agency Response Report**Page 2 of 4****Project Name:** 9315 Sand Creek Road**Project File #:** ZR2024-030**Date Sent:** 12/20/2024**Date Due:** 01/15/2025

Agency	Date Received	Agency Response	Response Resolution
Cherry Creek Basin Water Quality Authority	01/03/2025	Received: The Cherry Creek Basin Water Quality Authority (Authority) acknowledges notification from Douglas County that the proposed development plans for ZR2024-030, 9315 Sand Creek Road have been or will be reviewed by Douglas County for compliance with the applicable Regulation 72 construction and post-construction requirements. Based on the Authority's current policy, the Authority will no longer routinely conduct a technical review and instead the Authority will defer to Douglas County's review and ultimate determination that the proposed development plans comply with Regulation 72. If a technical review of the proposed development plan is needed, please contact LandUseReferral@ccbwwqa.org. The review may include consultation with the Authority's Technical Manager to address specific questions or to conduct a more detailed Land Use Review, if warranted.	No response necessary
City of Aurora	01/15/2025	No Comment:	No response necessary
Colorado Division of Water Resources	12/31/2024	Received: See attached letter. Summary: Existing well on site will need to be re-permitted if it is used on a lot in a future subdivision.	Applicant acknowledges the need to re-permit the existing well if it is to be used on a new lot in a future subdivision.
Colorado Geological Survey	01/15/2025	No Comment:	No response necessary

Referral Agency Response Report**Page 3 of 4****Project Name:** 9315 Sand Creek Road**Project File #:** ZR2024-030**Date Sent:** 12/20/2024**Date Due:** 01/15/2025

Agency	Date Received	Agency Response	Response Resolution
Colorado Parks and Wildlife (East DC - Dist 549)	01/08/2025	Received: Thank you for the opportunity to comment on the rezone proposal for 9315 Sand Creek Road under Project #ZR2024-030. Our goal in responding to land use proposals such as this is to provide complete, consistent, and timely information to all entities who request comment on matters within our statutory authority. Upon review of the proposed referral request, Colorado Parks and Wildlife (CPW) has no objections to the application moving forward as planned for approval. Please do not hesitate to contact me about ways to continue developing and managing your properties in order to maximize wildlife value while minimizing potential conflicts. If you have any further questions, please contact me at (720) 930-8039.	No response necessary
Comcast		No Response Received:	No response necessary
CORE Electric Cooperative	01/15/2025	No Comment:	No response necessary
Douglas County Conservation District		No Response Received:	No response necessary
Douglas County Health Department	12/30/2024	Received: See attached letter. Summary: DCHD has no objection to On site Water Treatment Systems on a future subdivision provided that the system is properly permitted, inspected, and operated in accordance with DCHD's guidelines. DCHD provided additional information to consider regarding water quality and fugitive dust.	Applicant acknowledged permitting requirements and provided information.
Douglas County Historic Preservation	01/14/2025	Received: Please see attached comments. Summary: A cultural resource survey should be performed prior to future ground disturbance.	Applicant acknowledged comments.
Douglas County Parks and Trails		No Response Received:	No response necessary
Douglas County School District RE 1		Received See attached letter. Summary: DCSD provided information regarding anticipated student generation from the project. DCSD noted a \$500 minimum cash-in-lieu fee for any new lots created by a future subdivision.	Applicant acknowledged the comments.
Engineering Services	12/24/2024	No Comment:	No response necessary

Referral Agency Response Report**Page 4 of 4****Project Name:** 9315 Sand Creek Road**Project File #:** ZR2024-030**Date Sent:** 12/20/2024**Date Due:** 01/15/2025

Agency	Date Received	Agency Response	Response Resolution
Homestead Hills HOA		No Response Received:	No response necessary
Livengood Hills HOA		No Response Received:	No response necessary
Mile High Flood District		No Response Received:	No response necessary
Office of Emergency Management		No Response Received:	No response necessary
Open Space and Natural Resources	01/09/2025	No Comment:	No response necessary
Ponderosa Hills Civic Association		No Response Received:	No response necessary
Rural Water Authority of Douglas County		No Response Received:	No response necessary
Sheriff's Office	01/06/2025	Received: This referral was reviewed by Deputy Jeff Pelle of the Douglas County Sheriff's Office. I have no comments or concerns at this time for the request to rezone the 9315 Sand Creek Road land to residential lots.	No response necessary
Sheriff's Office E911		No Response Received:	No response necessary
South Metro Fire Rescue	12/27/2024	Received: South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed rezoning from Agricultural One to Large Rural Residential.	No response necessary
Town of Parker Development Review	12/23/2024	No Comment:	No response necessary
Town of Parker Public Works	01/15/2025	No Comment:	No response necessary
Wildfire Mitigation	01/13/2025	Received: Parcel contains grass fuels. At this time any additional wildfire mitigation related activity would take place in conjunction with building permits for additional structures on the proposed 10 acre parcel and the proposed 20 acre parcel. Wildfire mitigation is not opposed to the rezoning.	Applicant acknowledged the comments.
Xcel Energy-Right of Way & Permits	01/02/2025	Received: Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans for 9315 Sand Creek Road and currently has no apparent conflict. 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.	Applicant acknowledged the comments.



Inspiration Dr

Inspiration Dr

Tomahawk Rd

9315 Sand Creek Rd



December 31, 2024

Trevor Bedford

Douglas County Planning Services

Transmission via email: tbedford@douglas.co.us

Re: 9315 Sand Creek Road Rezone

Case Number: ZR2024-030, Applicant: William and Maria Driskill

Part of the SE ¼ of the NW ¼ and NE ¼ of the SW ¼ of Sec. 7, Twp. 6S, Rng.

65W, 6th P.M., Douglas County

Water Division 1, Water District 8

Dear Trevor Bedford,

We have received the application for a proposed rezoning from Agricultural 1 (A-I) to Large Rural Residential (LRR) on approximately 30.16 +/- acres of land located in the SE ¼ of the NW ¼ and the NE ¼ of the SW ¼ of Sec. 7, Twp. 6S, Rng. 65W, 6th P.M., Douglas County for a future subdivision. The proposed subdivision is anticipated to include two new lots, one 10 acres in size and one 20.16 acres in size. The parcel is currently used as pasture for livestock and contains a home on the West side that will be located within the future 10 acre lot.

Water Supply Demand

No estimated water requirements for this project were provided in the submittal. Therefore, the estimated water demand for this project is unknown.



Source of Water Supply

According to a letter provided by Hayes Poznanovic Korver, LLC (“Letter”) in the application documents, the proposed water supply source is ground water from one of the Denver Basin bedrock aquifers underlying the parcel. The application documents do not mention which aquifer source is desired, or the number of wells anticipated for the future subdivision.

Based on the information provided in the Letter the amounts of water are available underlying the 30.16-acre parcel, are as shown in the following Table 1:

Table 1

Aquifer	Annual amount available for the 30.16-acre parcel based on 100 Year Allocation Approach (acre-feet)	Type
Lower Dawson	4.9	NT*
Denver	12.7	NT
Arapahoe	14.3	NT
Laramie-Fox Hills	10.1	NT

*Not-Nontributary

Unless the water in any of the above sources underlying the property is decreed in water court, well permits would ultimately be issued pursuant to C.R.S. 37-92-602(3)(b)(I) and the policy of the State Engineer. Under those provisions only the quantity of water underlying the individual lots could be considered available for withdrawal by the existing wells. To the extent that the parcel sizes change from those currently proposed the amount of water available to the lot will also change.

A review of our records indicates that well no. 283445 is located on the subject property. Well permit no. 283445 was issued on June 30, 2010 pursuant to CRS 37-92-602(3)(b)(I) and policy of the State Engineer for a 30 acre parcel known as part of the W ½ of Sec. 7, Twp. 6 South, Rng. 65 West, 6th P.M., Douglas County for ordinary household purposes inside two (2) single family dwellings, the watering of the user's own non-commercial domestic animals, and the irrigation of not more than 1 acre of home gardens and lawns, with an annual withdrawal not to exceed 3 acre-feet.

Upon approval of the subdivision, the parcel on which the well is located will no longer exist under the conditions for which it was permitted. Therefore, this well has the potential to create a conflict between its current legal operation and the evaluation of new permits. As such well permit no. 283445 must be repermited for the new parcel size or else be plugged and abandoned.

The ability for the new lots to obtain a well permit(s) will be evaluated pursuant to applicable statutes, rules, and policies at the time that application(s) are submitted to and reviewed by this office.

State Engineer's Office Opinion

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

1. Indicate if well no. 283445 will be used in any of the lots in the subdivision.
This will required that well no. 283445 be repermited for the new lot in the subdivision or else be plugged and abandoned prior to final approval of the subdivision.

2. Provide a water supply plan that specifies the estimated water requirements, the proposed uses for the subdivision, and the proposed water source for the lots in the subdivision.

Our office has no comments regarding the rezoning application for the future subdivision.

Please contact Mike Matz at 303-866-3581 x8241 or at michael.matz@state.co.us with any questions.

Sincerely,



Ioana Comaniciu, P.E.

Water Resources Engineer

Ec: Referral no. 32617
Well Permit no. 283445

December 30th, 2024

Trevor Bedford
100 Third St.
Castle Rock, CO 80104

RE: ZR2024-030

Thank you for the opportunity to review and comment on the rezoning project of 9315 Sand Creek Road. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has the following comment(s).

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

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. DCHD has no objection to the properties being served by an OWTS provided that the system is permitted, inspected, and operated in accordance with DCHD's current OWTS Regulation.

Fugitive Dust – Recommendations for temporary uses

Exposure to air pollution is associated with several health problems including asthma, lung cancer, and heart disease. This project may contribute to increased fugitive dust emissions. We recommend that the applicant utilize all available methods to minimize fugitive dust. Control measures or procedures that may be employed include, but are not limited to, watering, chemical stabilization, carpeting roads with aggregate, and speed restrictions.

Domestic Well

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

The applicant may want to consider having the well water analyzed for a number of contaminants as a baseline of the water quality. A baseline water quality analysis is valuable for future reference in the case of possible contamination. Certain parameters such as coliform bacteria and nitrate, pH and Total Dissolved Solids (TDS) are recommended to be analyzed annually as these can indicate possible breaches in the well. The Colorado Department of Public

Health and Environment (CDPHE), Laboratory Services Division can assist you with water analyses. The CDPHE offers individual water tests as well as testing packages to choose from depending on your needs. The CDPHE laboratory web site is located at:
<https://cdphe.colorado.gov/laboratory-services/water-testing>.

Wastewater and Water Provision

It is DCHD's understanding that the subject property may not be within the boundaries of an existing water and sanitation district. DCHD supports the consideration of water and wastewater provision early in the land development process to ensure that the proposed land use can be adequately served.

Sincerely,

Caden Thompson
Environmental Health Specialist I
Douglas County Health Department

January 14, 2025

Trevor Bedford, AICP
100 Third Street
Castle Rock, CO 80104

Re: ZR2024-030, 9315 Sand Creek Road

Dear Mr. Bedford:

The letter provides comments regarding the applicants request to rezone approximately 30.16 acres from Agricultural One to Large Rural Residential. The property will then be subdivided into one LRR lot of 10 acres which will contain the existing house, outbuildings, and structures, and one undeveloped LRR lot of 20.16 acres.

At this time the Curator has no recommendations, but if there is future development with ground disturbance on the property a cultural survey should be performed. There has been no previous surveys or studies done on the property. There is potential for buried archaeological resources related to prehistoric activities in the project area and potential for the discovery of subsurface cultural deposits during ground moving activities. As a result, more specific analysis to address these resources will be necessary at future phases of development, including a Class II cultural resource survey of the property, will need to be addressed if development occurs in the future.

Should buried artifacts and features be discovered, we recommend completion of the appropriate Colorado Office of Archaeology and Historic Preservation (OAHP) Data Management and Historic and/or Prehistoric Component forms, following OAHP guidelines, with accompanying sketch maps and photographs. Completed forms are submitted to OAHP to ensure that Douglas County's historic or prehistoric data is included in the Colorado OAHP state-wide database of cultural resources.

Thank you in advance for your attention to the preservation and protection of Douglas County's cultural resources for future generations.

Sincerely,

Brittany Cassell

Brittany Cassell, Curator

REFERRAL RESPONSE REQUEST


 Date Sent: December 20, 2024

 Comments due by: **January 15, 2025**
Project Name: 9315 Sand Creek Road

Project File #: ZR2024-030

Project Summary: The applicant is proposing to rezone approximately 30.16 acres from Agricultural One to Large Rural Residential.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

<input checked="" type="checkbox"/> No Comment	
<input type="checkbox"/> Please be advised of the following concerns: <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div> <div style="border-bottom: 1px solid black; height: 20px; margin-top: 5px;"></div>	
<input type="checkbox"/> See letter attached for detail.	
Agency: Douglas County Public Works	Phone #: 303-660-7490
Your Name: Kenneth Murphy, P.E. <div style="text-align: center;">(please print)</div>	Your Signature:  <div style="text-align: center;">Date: 24 DEC 2024</div>

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,

Trevor Bedford, AICP, Project Planner

Enclosure

SOUTH METRO FIRE RESCUE

FIRE MARSHAL'S OFFICE



Trevor Bedford, AICP, Project Planner
Douglas County Department of Community Development, Planning Services
100 Third St
Castle Rock Co 80104
303.660.7460
303.660.9550 Fax

Project Name: 9315 Sand Creek Road
Project File #: **ZR2024-030**
S Metro Review # REFGRP24-00216

Review date: December 27, 2024

Plan reviewer: Aaron Miller
720.989.2246
aaron.miller@southmetro.org

Project Summary: The applicant is proposing to rezone approximately 30.16 acres from Agricultural One to Large Rural Residential.

Code Reference: Douglas County Fire Code, 2018 International Fire Code, and 2021 International Building Code with amendments as adopted by Douglas County.

South Metro Fire Rescue (SMFR) has reviewed the provided documents and has no objection to the proposed rezoning from Agricultural One to Large Rural Residential.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

January 2, 2025

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104

Attn: Trevor Bedford

Re: 9315 Sand Creek Road, Case # ZR2024-030

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plans for **9315 Sand Creek Road** and currently has **no apparent conflict**.

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.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com

January 23rd, 2025

Trevor Bedford, AICP
Planning Services
100 Third Street
Castle Rock, CO 80104
303-660-7460 (main)

RE: 9315 Sand Creek Road - Rezoning (ZR2024-030)

Dear Mr. Bedford,

Thank you for the opportunity to respond to the above referenced application. It is our understanding that the applicant is requesting to rezone an ~30-acre property from Agricultural One to Large Rural Residential. The proposed development is located at 9315 Sand Creek Road which is generally located at the northeast intersection of Sand Creek Road and Evergreen Trail.

On behalf of Douglas County School District, we have a couple comments regarding this application. It is our understanding that if approved, the proposed zoning would allow a maximum residential density of 1 residential lot/unit per 10-acres. DCSD has calculated the amount of school site land dedication that would be required should this property be platted at the maximum allowed density for the proposed LRR zoning. Should this property be developed at the maximum allowed density, a total of 3 students are expected requiring a total land dedication requirement of 0.081-acres.

**CASH-IN-LIEU CALCULATION
STUDENT GENERATION**

PROJECT NAME: 9315 Sand Creek Road - Rezoning (ZR2024-030)				
DU/	ACRES		DENSITY	
3	30.16		0.10	
			Generation	Number
<u>STUDENT GENERATION RATES</u>	<u>No. of DU's</u>		<u>Rate</u>	<u>of Students</u>
ELEMENTARY	3	X	0.5	2
MIDDLE SCHOOL	3	X	0.2	1
HIGH SCHOOL	3	X	0.4	1
				3
				Required
			School	Land
	Number		Acreage	Dedication
<u>SCHOOL LAND DEDICATION</u>	<u>of Students</u>		<u>Per Student</u>	<u>Acreage</u>
ELEMENTARY	2	X	0.018	0.027
MIDDLE SCHOOL	1	X	0.030	0.018
HIGH SCHOOL	1	X	0.030	0.036
			TOTAL	0.081

Since this amount of land dedication is smaller than DCSD's minimum site requirements DCSD would request cash-in-lieu of land (should the applicant/owner pursue subdivision of the property). DCSD would request that fee-in-lieu of land dedication valuation and payment requirements for the proposed development conform to Douglas County Subdivision Resolution. Pursuant to Section 1004.05.3 of the Douglas County Subdivision Resolution, "The cash-in-lieu fee shall be equivalent to the full market value of the acreage required for school land dedication. Value shall be based on anticipated market value after completion of platting. The applicant shall submit a proposal for the cash-in-lieu fee and supply the information necessary for the Board to evaluate the adequacy of the proposal. This information shall include at least one appraisal of the property by a qualified appraiser."

If future subdivision of the property can be accomplished via a minor development plat, DCSD would request cash-in-lieu of land in accordance with Section 1004.05.04 of the Douglas County Subdivision Resolution which states, "For residential minor development final plat or replats creating 10 or fewer residential lots, the minimum cash-in-lieu fee shall be \$500 per each new residential lot."

Subject to approval by Douglas County, and assuming the applicant agrees with these school fee requirements at the time of final plat, DCSD has no objection to approval of this application.

Sincerely,

Shavon Caldwell
Planning Manager, DCSD Planning & Construction
scaldwell2@dcsdk12.org
office: 303.387.0417

HAYES POZNANOVIC KORVER LLC

ATTORNEYS AT LAW

700 17TH STREET, SUITE 1800
DENVER, COLORADO 80202

TELEPHONE (303) 825-1980

FACSIMILE (303) 825-1983

July 17, 2024

Douglas County Department of Community Development
100 Third Steet
Castle Rock CO 80124

Re: Available Water Rights- Case number PS 2024-097 , Rezoning, Large rural residential, 30 acres, SE ¼ NW ¼ Sec 7 T6SR65W, William P Driskill and Maria T Driskill, Applicants.

1. Property Description.

SE ¼ NW1/4 Section 7 T 6S R 65 W. County of Douglas, State of Colorado. 30 acres.

2. Ownership

William P Driskill and Maria T. Driskill

3. Water Rights appurtenant to Described Property

(a) Well permit 83445 – 3 acre feet Lower Dawson non tributary groundwater.

(b) Non tributary groundwater underlying the Property:

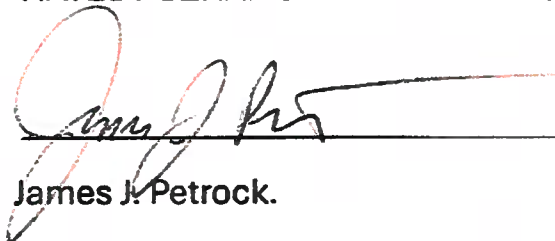
<u>Aquifer</u>	<u>Annual Appropriation</u>
Lower Dawson (NT)	4.9 acre feet*
Denver (NT)	12.7 acre feet
Arapahoe (NT)	14.3 acre feet
Laramie Fox Hills(NT)	10.1 acre feet

*less 3 acre feet under well permit 83445.

4. Adequacy of Water Supply for Large Rural Residential Zoning

Douglas County zoning requires 1 acre foot/year/ per residential unit. 3 acre feet of non-tributary Lower Dawson groundwater is legally available. There is also 12.7 acre feet of non-tributary Denver aquifer and 14.3 acre feet of Arapahoe aquifer groundwater available.

HAYES POZNANOVIC KORVER LLC



James J. Petrock.

Copy- Bill Driskill billpd1957@gmail.com

HAYES POZNANOVIC KORVER LLC
ATTORNEYS AT LAW

1999 BROADWAY, SUITE 3200
DENVER, COLORADO 80202

TELEPHONE (303) 825-1980

FACSIMILE (303) 825-1983

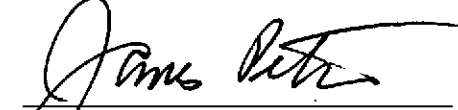
February 3, 2024

Douglas County Department of Community Development
100 Third Street
Castle Rock Colorado 80124

Re: CORRECTION to July 17 2024 Water Supply Report Case PS 2024-097, Rezoning, Large rural residential, 30 acres SE ¼ NW ¼ Section 7 T6S R65 W William T Driskill and Maria Driskill, Applicants.

The Lower Dawson well permit referenced in the July 17 2024 report previously submitted, was incorrectly identified as permit number 83445. The correct permit number for the Driskill well is 283445. There are 2 references to the incorrect permit number in paragraph 3 of the report. All other information in the prior report is correct.

HAYES POZNANOVIC KORVER LLC


James J. Petrock

Copy- Bill Driskill billpd1957@gmail.com



ORIGINAL PERMIT APPLICANT(S)

SMITH JOHN R & JUDY H TRUST

APPROVED WELL LOCATION

Water Division: 1 Water District: 8
Designated Basin: N/A
Management District: N/A
County: DOUGLAS
Parcel Name: N/A
Physical Address: N/A

SE 1/4 NW 1/4 Section 7 Township 6.0 S Range 65.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 524906.0 Northing: 4377241.0

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT
CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(I) and policy of the State Engineer under the following conditions, for a 30-acre parcel known as part of the W 1/2 of Sec. 7, Twp. 6 South, Rng 65 West, 6th P.M., Douglas County, more particularly described on the attached Exhibit A.
- 4) The use of ground water from this well is limited to ordinary household purposes inside two (2) single family dwellings, the watering of the user's own non-commercial domestic animals, and the irrigation of not more than 1 acre of home gardens and lawns.
- 5) Production from this well is restricted to the Lower Dawson aquifer, which corresponds to the interval between 470 feet and 610 feet below the ground surface. Plain casing shall be installed and grouted to prevent production from other zones.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The annual withdrawal of ground water from this well shall not exceed 3 acre-feet.
- 8) The return flow from the use of this well must be through an individual waste water disposal system of the type so that not less than 2% of the total amount of water withdrawn is returned to the same stream system in which the well is located.
- 9) This well shall be constructed not more than 200 feet from the location specified on this permit.

NOTE: The ability of this well to withdraw its authorized amount of water from this non-renewable aquifer may be less than the 100 years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.

NOTE: To ensure a maximum productive life of this well, perforated casing should be set through the entire producing interval of the approved zone or aquifer indicated above.

See Original Permit

Date Issued: 6/30/2010

Expiration Date: 6/30/2012

Issued By _____

PERMIT HISTORY

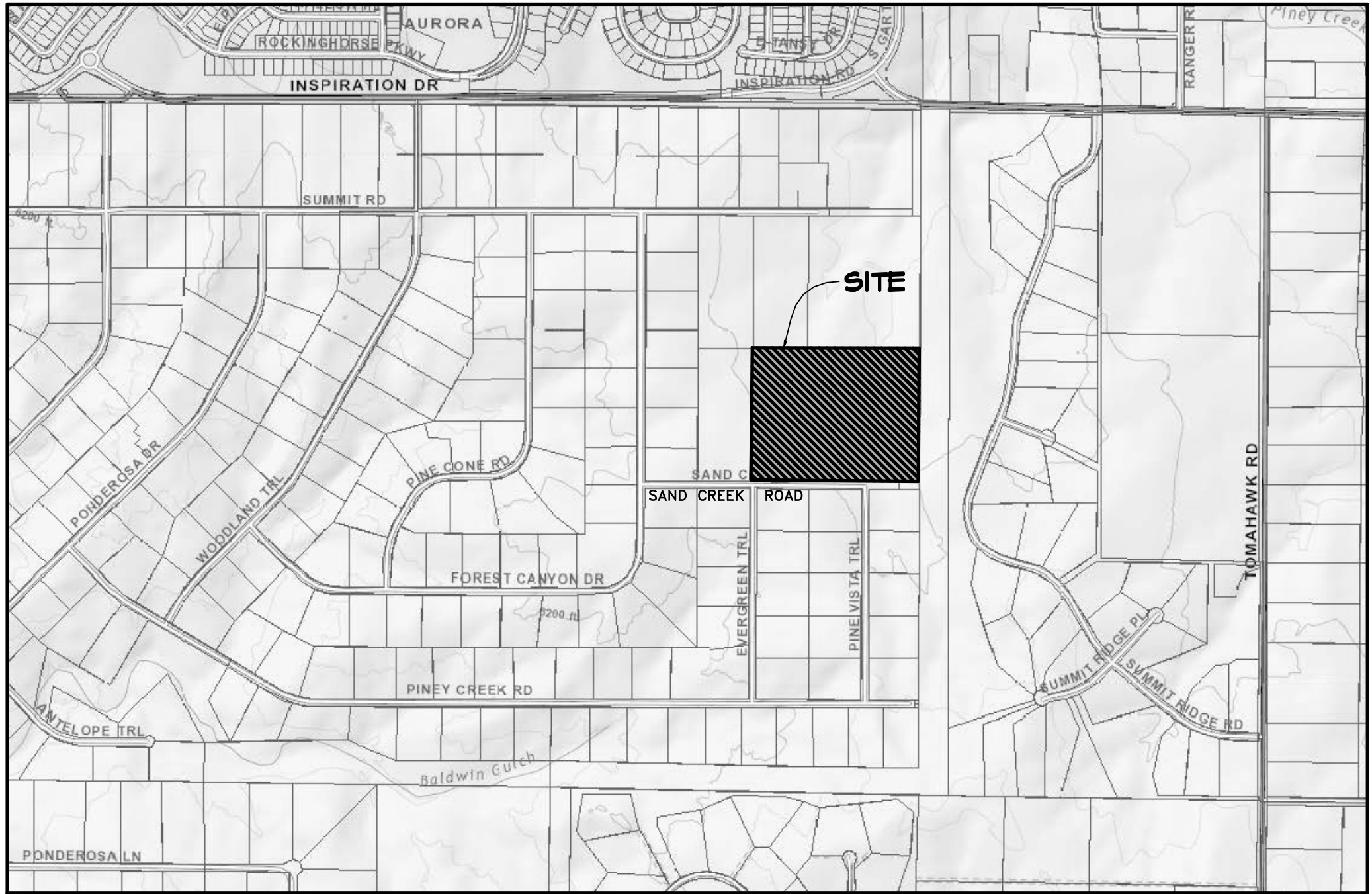
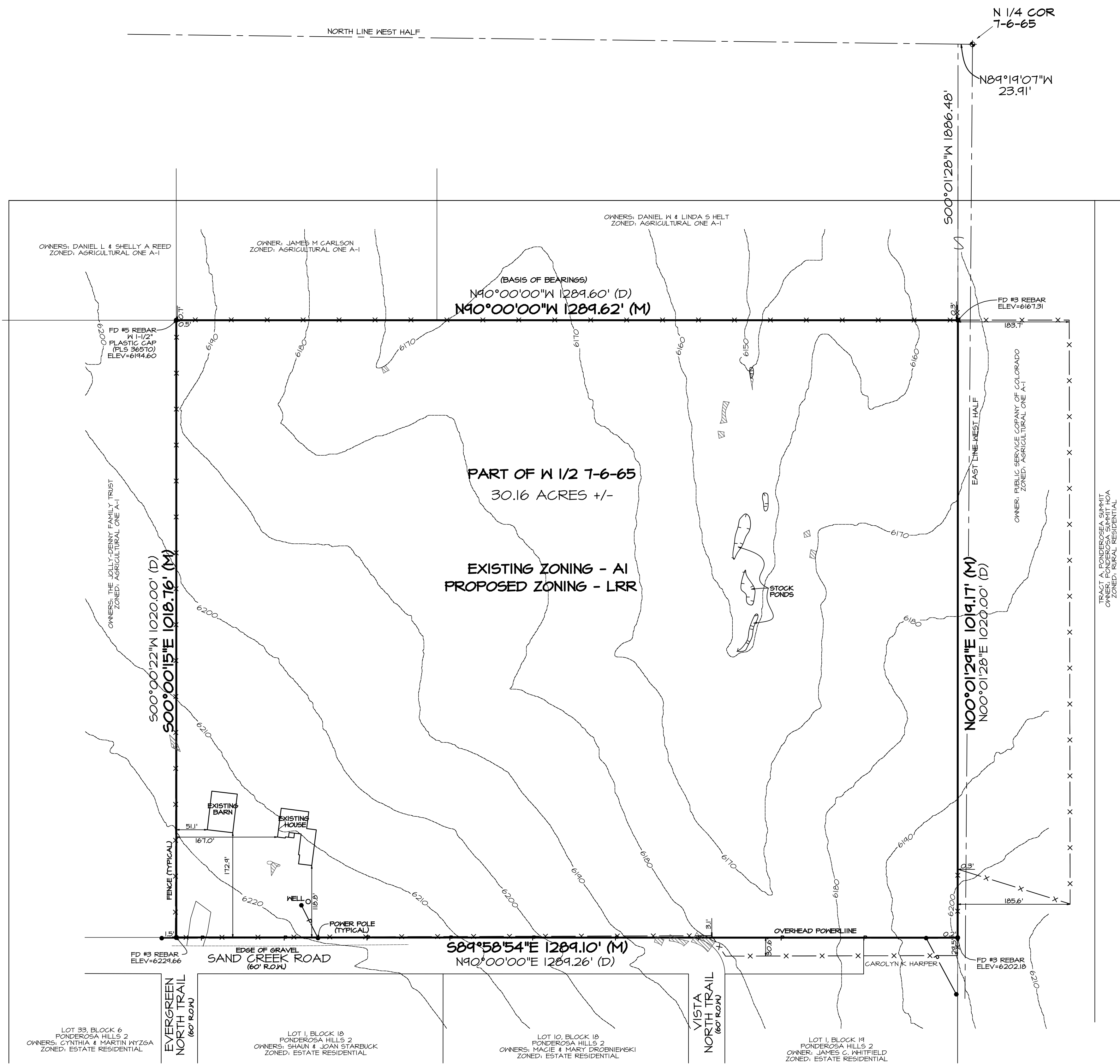
07-20-2021 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO WILLIAM P DRISKILL
07-20-2021 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO MARIA T DRISKILL

FORM NO. GWS-31 04/2005	WELL CONSTRUCTION AND TEST REPORT STATE OF COLORADO, OFFICE OF THE STATE ENGINEER 1313 Sherman St., Room 818, Denver, CO 80203 Phone - Info (303) 866-3587 Main (303) 866-3581 Fax (303) 866-3589 http://www.water.state.co.us	For Office Use Only <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> RECEIVED AUG 12 2010 WATER RESOURCES STATE ENGINEER COLO. </div>																																																																																															
1. WELL PERMIT NUMBER: 283445		WATER RESOURCES STATE ENGINEER COLO.																																																																																															
2. WELL OWNER INFORMATION NAME OF WELL OWNER: John R & Judy H Smith Trust																																																																																																	
MAILING ADDRESS: 15915 E. 7th Ave.																																																																																																	
CITY: Aurora STATE: CO ZIP CODE: 80019 TELEPHONE NUMBER: (303) 344-1403																																																																																																	
3. WELL LOCATION AS DRILLED: SE 1/4, NW 1/4, Sec. 7, Twp. 6 <input type="checkbox"/> N or <input checked="" type="checkbox"/> S, Range 65 <input type="checkbox"/> E or <input checked="" type="checkbox"/> W DISTANCES FROM SEC. LINES: 2400 ft. from <input checked="" type="checkbox"/> N or <input type="checkbox"/> S section line and 2200 ft. from <input type="checkbox"/> E or <input checked="" type="checkbox"/> W section line. SUBDIVISION: _____ LOT _____ BLOCK _____ FILING (UNIT) _____ Optional GPS Location: GPS Unit must use the following settings: Format must be UTM, Units must be meters, Datum must be NAD83, Unit must be set to true N. <input type="checkbox"/> Zone 12 or <input checked="" type="checkbox"/> Zone 13 STREET ADDRESS AT WELL LOCATION: _____ CO _____ Northing: 4377241																																																																																																	
4. GROUND SURFACE ELEVATION _____ feet DATE COMPLETED 7/13/2010 TOTAL DEPTH 600 feet DRILLING METHOD Rotary air																																																																																																	
5. GEOLOGIC LOG: <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Depth</th> <th>Type</th> <th>Grain Size</th> <th>Color</th> <th>Water Loc.</th> </tr> </thead> <tbody> <tr><td>0 - 2</td><td>Clay</td><td></td><td>Brown</td><td></td></tr> <tr><td>2 - 13</td><td>Loam</td><td></td><td>Brown</td><td></td></tr> <tr><td>13 - 33</td><td>Sand</td><td></td><td></td><td></td></tr> <tr><td>33 - 50</td><td>Clay</td><td></td><td>Yellow</td><td></td></tr> <tr><td>50 - 144</td><td>Sand</td><td></td><td></td><td></td></tr> <tr><td>144 - 162</td><td>Shale</td><td></td><td>Gray</td><td></td></tr> <tr><td>162 - 196</td><td>Sand</td><td></td><td></td><td></td></tr> <tr><td>196 - 205</td><td>Clay</td><td></td><td>Yellow</td><td></td></tr> <tr><td>205 - 263</td><td>Sand</td><td></td><td></td><td>***</td></tr> <tr><td>263 - 342</td><td>Shale</td><td></td><td>Gray</td><td></td></tr> <tr><td>342 - 353</td><td>Sand</td><td></td><td></td><td>***</td></tr> <tr><td>353 - 380</td><td>Shale</td><td></td><td>Green</td><td></td></tr> <tr><td>380 - 417</td><td>Sandstone & Shale</td><td></td><td>Gray</td><td></td></tr> <tr><td>417 - 465</td><td>Shale</td><td></td><td>Gray</td><td></td></tr> <tr><td>465 - 528</td><td>Sand</td><td></td><td></td><td>***</td></tr> <tr><td>528 - 547</td><td>Shale</td><td></td><td>Gray</td><td></td></tr> <tr><td>547 - 592</td><td>Sand</td><td></td><td></td><td>***</td></tr> <tr><td>592 - 600</td><td>Shale</td><td></td><td>Gray</td><td></td></tr> </tbody> </table>			Depth	Type	Grain Size	Color	Water Loc.	0 - 2	Clay		Brown		2 - 13	Loam		Brown		13 - 33	Sand				33 - 50	Clay		Yellow		50 - 144	Sand				144 - 162	Shale		Gray		162 - 196	Sand				196 - 205	Clay		Yellow		205 - 263	Sand			***	263 - 342	Shale		Gray		342 - 353	Sand			***	353 - 380	Shale		Green		380 - 417	Sandstone & Shale		Gray		417 - 465	Shale		Gray		465 - 528	Sand			***	528 - 547	Shale		Gray		547 - 592	Sand			***	592 - 600	Shale		Gray	
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8. FILTER PACK: Material Sand Size 8-12 Interval 460 - 600 9. PACKER PLACEMENT: Type _____ Depth _____																																																																																																	
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TESTING METHOD Static Level 375 ft. Date/Time measured: 7/13/2010 Production Rate 10 gpm. Pumping Level 460 ft. Date/Time measured: 7/13/2010 Test Length (hrs) 4 Remarks: Air Test - 15 gpm @ 364'																																																																																																	
13. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402-2. [The filing of a document that contains false statements is a violation of section 37-91-108(1)(e), C.R.S., and is punishable by fines up to \$5000 and/or revocation of the contracting license.]																																																																																																	
Company Name: Hier Drilling Co.		Phone: (303) 688-3012 License Number: 1413																																																																																															
Mailing Address: P. O. Box 250 Castle Rock, CO 80104																																																																																																	
Signature:	Print Name and Title: Bruce A. Hier, Pres.	Date: 7/26/2010																																																																																															

FORM NO. GWS-32 02/2005	PUMP INSTALLATION AND TEST REPORT STATE OF COLORADO, OFFICE OF THE STATE ENGINEER 1313 Sherman St., Room 818, Denver, CO 80203 Info (303) 866-3587 Main (303) 866-3581 Fax (303) 866-3589 http://www.water.state.co.us	For Office Use Only <div style="border: 1px solid black; padding: 5px; text-align: center;"> RECEIVED AUG 12 2010 WATER RESOURCES STATE ENGINEER COLO. </div>
1. WELL PERMIT NUMBER: 283445		<div style="border: 1px solid black; padding: 10px;"> RECEIVED AUG 12 2010 WATER RESOURCES STATE ENGINEER COLO. </div>
2. WELL OWNER INFORMATION NAME OF OWNER John R & Judy H Smith Trust		
MAILING ADDRESS 15915 E. 7th Ave.		
CITY Aurora	STATE CO	
TELEPHONE # () - (303) 344-1403		
3. WELL LOCATION AS DRILLED: <u>SE</u> 1/4, <u>NW</u> 1/4 Sec. <u>7</u> , Twp <u>6</u> <input type="checkbox"/> N or <input checked="" type="checkbox"/> S, Range <u>65</u> <input type="checkbox"/> E or <input checked="" type="checkbox"/> W DISTANCES FROM SEC. LINES: <u>2400</u> ft. from <input checked="" type="checkbox"/> N or <input type="checkbox"/> S section line and <u>2200</u> ft. from <input type="checkbox"/> E or <input checked="" type="checkbox"/> W section line. SUBDIVISION: _____ LOT _____ BLOCK _____ FILING (UNIT) _____ Optional GPS Location: GPS Unit must use the following settings: Format must be UTM , Units Easting: <u>524906</u> must be meters , Datum must be NAD83 , Unit must be set to true N . <input type="checkbox"/> Zone 12 or <input checked="" type="checkbox"/> Zone 13 Northing: <u>4377241</u>		
STREET ADDRESS AT WELL LOCATION: _____		
4. PUMP DATA: Type: <u>Submersible</u> Date Installed: <u>7/15/2010</u> Pump Manufacturer: <u>Grundfos</u> Pump Model No. <u>10S15-21</u> Design GPM: <u>10</u> at RPM <u>3450</u> HP <u>1.50</u> Volts <u>230</u> Full Load Amps <u>11.5</u> Pump Intake Depth: <u>500</u> Feet, Drop/Column Pipe Size <u>1</u> Inches, Kind of Drop Pipe <u>PVC</u> ADDITIONAL INFORMATION FOR PUMPS GREATER THAN 50 GPM: Turbine Driver Type: <input type="checkbox"/> Electric <input type="checkbox"/> Engine <input type="checkbox"/> Other _____ <div style="display: flex; justify-content: space-between;"> Design Head feet Number of Stages Shaft size inches </div>		
5. OTHER EQUIPMENT: Airline Installed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Orifice Depth ft. _____ Monitor Tube Installed <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Depth ft. _____ Flow Meter Mfg. _____ Meter Serial No. _____ Meter Readout: <input type="checkbox"/> Gallons, <input type="checkbox"/> Thousand Gallons, <input type="checkbox"/> Acre feet Beginning Reading _____		
6. TEST DATA: <input type="checkbox"/> check box if Test Data is submitted on Supplemental Form. <div style="display: flex; justify-content: space-between;"> <div> Total Well Depth: <u>600</u> ft. Static Level: <u>375</u> ft. Date Measured: <u>7/15/2010</u> </div> <div> Date: <u>7/15/2010</u> Time: _____ Rate (gpm): <u>10</u> Pumping Level (ft): <u>500</u> </div> </div>		
7. DISINFECTION: Type <u>HTH</u> Amt. Used <u>.5</u> Cups		
8. Water Quality analysis available: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please submit with this report.		
9. Remarks: _____		
10. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402-2. [The filing of a document that contains false statements is a violation of section 37-91-108(1)(e), C.R.S., and is punishable by fines up to \$5000 and/or revocation of the contracting license.]		
Company Name: <u>Hier Drilling Co.</u>		Phone: <u>(303) 688-3012</u>
Mailing Address: <u>P. O. Box 250</u>		License Number: <u>1413</u>
Signature:		Print Name and Title: <u>Bruce A. Hier, Pres.</u>
		Date: <u>7/26/2010</u>

DRISKILL REZONE A-1 TO LRR

In Sec. 7, Township 6 South, Range 65 West, 6th P.M., Douglas County
30.16 ACRES ZR2024-XX



VICINITY MAP
SCALE: 1"=1000'

REZONING NOTES:

- | | |
|---------------------------------------|---|
| 1. Plan Scale | 1' = 100" |
| 2. The Legal Description: | As Shown |
| 3. Vicinity Map: | As Shown Hereon. |
| 4. Zoning: | |
| A. Existing | Agricultural One (A-1) |
| B. Abutting Land | Agricultural One (A-1), Estate Rural, Rural Residential |
| 5. Land Use: | |
| A. Existing | Agricultural |
| B. Abutting Land | As Shown Hereon |
| 6. Proposed Zoning | LRR—Large Rural Residential |
| 7. Existing Easements: | None |
| 8. Existing Structures: | As shown |
| 9. Public Access: | Sand Creek Road |
| 10. Adjacent Right-of-ways: | |
| A. Name | Sand Creek Road |
| B. Surface Material | Gravel |
| C. Dimensions | 60' Right of Way |
| 11. Contour Interval: | 10 feet |
| 12. Water Courses: | |
| A. Natural | Yes |
| B. Manmade | None |
| 13. Retention Area: | |
| A. Natural | None |
| B. Manmade | None |
| 14. Streams: | |
| A. Natural | None |
| B. Manmade | None |
| 15. Lakes | |
| A. Natural | Stock Ponds |
| B. Manmade | None |
| 16. 100 Year Flood Plain: | None Per08035C0087G Effective 2/17/2017 |
| 17. Adjacent Land Owned by applicant: | None |
| 18. Unique Features: | Topography, Swale, Ponds |

Engineer / Surveyor

David E Archer & Associates, Inc.
105 Wilcox Street
Castle Rock, Colorado 80104
(303) 688-4642

Applicant

William P Driskill
9315 Sand Creek Road
Parker CO 80138

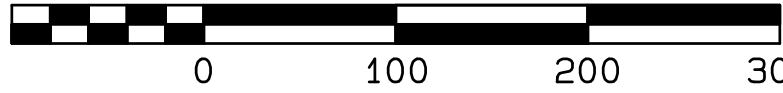
Name & Address of Owners

William P Driskill & Maria T Driskill
9315 Sand Creek Road
Parker CO 80138

20% OR GREATER SLOPE

FENCE LINE

GRAPHIC SCALE 1"=100'



All measurements shown hereon are U.S. Survey Feet.

Conflicting boundary evidence is as shown.

(D) = DEEDED DIMENSION

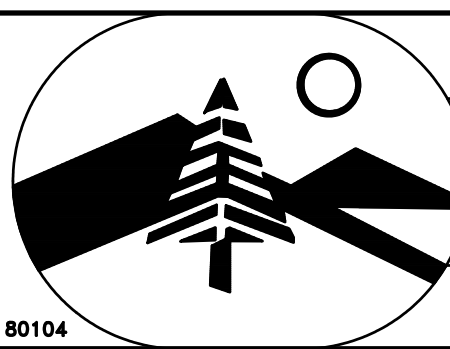
(M) = MEASURED DIMENSION

PROPERTY DESCRIPTION:

A PARCEL OF LAND IN THE W1/2 OF SECTION 7, TOWNSHIP 6 SOUTH, RANGE 65 WEST OF THE 6TH P.M., RECORDED JANUARY 19, 2021 AT REC NO 2021006962, MORE PARTICULARLY DESCRIBED AS:
BEGINNING AT THE NORTHEAST CORNER OF THE W1/2 OF SAID SECTION 7;
THENCE N 89°19'07"W, 23.91 FEET TO A POINT ON THE NORTH LINE OF SAID W 1/2 OF SECTION 7; THENCE S 0°01'28"W, 1886.48 FEET TO THE TRUE POINT OF BEGINNING; THENCE WEST 1,289.60 FEET; THENCE S 0°00'22" W, A DISTANCE OF 1020 FEET; THENCE EAST 1,289.26 FEET; THENCE N 0°01'28" E, A DISTANCE OF 1020 FEET, TO THE TRUE POINT OF BEGINNING, CONTAINING 30 ACRES OR LESS, COUNTY OF DOUGLAS, STATE OF COLORADO.

REVISIONS

DAVID E. ARCHER & ASSOCIATES, INC.
LAND DEVELOPMENT CONSULTING
SURVEYING & ENGINEERING
PHONE (303) 688-4642
105 WILCOX ST. CASTLE ROCK, COLORADO 80104



SCALE AS SHOWN
DATE 08-21-24
DRN BILL
APVD.

TITLE DRISKILL REZONE A-1 TO LRR
9315 Sand Creek Road
In Sec. 7, Township 6 South, Range 65 West, 6th P.M., Douglas County
CLIENT Bill Driskill
JOB NUMBER 20-1555
Sheet 1 of 1