

June 1, 2015

Catherine Chase-Groos
7007 Daniels Park Road
Sedalia, CO 80135

**RE: 7007 Daniels Park Road Use by Special Review Request
Project No. US2015-003**

Dear Ms. Chase-Groos:

This letter provides more detailed analysis of your proposed 7007 Daniels Park Road Use by Special Review application for an event center. Further, it supplements comments provided in Planning Services' letter of May 6, 2015, attached. This letter provides Planning Services assessment of the application material that you have submitted, as well as referral agency and public comments provided through the land use referral and public review process.

The Douglas County Board of County Commissioners (BOCC), on April 28, 2015, approved amendments to the Douglas County Zoning Resolution (DCZR), including the establishment of the "event center" use within DCZR Section 21, Use by Special Review and Section 36, Definitions. The USR application was submitted in February 2015, based on a set of draft regulations, developed by Douglas County Planning Services, intended to establish the event center use.

Revised regulations

In comparison to the initial draft regulations for the event center use, which were the basis for your February 2015 application, the adopted regulations include new, revised standards that affect your application. In order to more clearly meet approval criteria, these revised standards should be addressed through modifications to your application. Notably, these include:

DCZR Section 2107.11.2 states: "Structures, outdoor assembly areas, and parking lots used for the event center shall be setback a minimum of 200 feet from all adjacent property lines."

DCZR Section 2107.11.3 states: "Noise generated by the event center use shall not result in noise levels which exceed 40 dB(A) between 7:00 a.m. and 7:00 p.m., and 35 dB(A) between 7:00 a.m. and 7:00 p.m." These Section 2107.11.3 noise standards are herein described as the "40/35 dB(A) noise standards."

DCZR Section 2107.11.4 states: "A noise study shall be submitted demonstrating compliance with the event center noise standard." This Section 2107.11.4 noise study is herein referred to as the "noise compliance study."

These new regulatory provisions, as applicable to your application, are further addressed within the body of this letter, below.

Submittal Requirements

The following comments are offered based on submittal requirements as described within DCZR Section 2111. Comments regarding Project Narrative submittal requirements are described in DCZR 2111.05(1) through 2111.05(14). The referenced sections should discuss these items at a general level. Please note that some of these same items are also to be addressed in the management plan, also described below. The Management Plan narrative should clearly describe the intended process, restriction, requirement or measure to be utilized, as well as the owner's obligation to implement such.

General Comments

1. All Project Narrative and Management Plan discussion should be updated to reflect any revisions to the event center use as may be proposed in order to address the adopted event center USR regulations. Please update all section number references within the application as well. To aid in the clarity of your proposal, staff recommends that you separately address each of the required topics within DCZR Sections 2107.11, 2111.05 and 2112.02 in your resubmitted application materials.

Project Narrative Comments (DCZR 2111.05)

2. DCZR 2111.05(1). A brief overview of the main concepts of the USR proposal will suffice. This section should provide an overview of the event center use inclusive of any proposed revisions. More detailed analysis statements are required in subsequent sections. In order to avoid contradictory statements within the Project Narrative or Management Plan, please avoid, to the extent feasible, duplicative statements regarding performance or development standards.
3. Please amend or clarify the Project Narrative discussion under 2111.05(1) to reference the adopted USR standards for "event center." Clarify the maximum number of guests and staff, individually and total, for indoor and outdoor events. Clarify the maximum number of events that may be held on one day. Please clarify that an "outdoor event" allows a maximum indoor occupancy number. Please describe within your response letter and Management Plan methods by which "accessory" indoor use can be limited to 49 persons in the event of bad weather or other circumstances. Clarify whether the "accessory indoor use" is limited to the "dressing" area. Clarify whether indoor events will have access to limited or all portions of first floor area. As you are aware, public assembly of more than 50 persons requires that outward swinging doors be provided in accordance with the County's adopted building codes.
4. DCZR 2111.05(2). This section requires discussion of 1) compliance with zone district requirements and 2) additional requirements for event center use as described in Section 2107.
5. Requirements established within DCZR 2107.11.1 through 2107.11.4 and 2107.11.6 are to be addressed within the body of the Project Narrative. Requirements established within DCZR 2107.11.5 are to be provided as a component of the Management Plan, and are discussed in the Management Plan section, below.
 - a. Please address the adopted event center setback of 200 feet, per DCZR 2107.11.2. Much of the event center use area does not meet the 200-foot setback. Please be advised that a lesser setback may be established by the

Board of County Commissioners upon demonstration by the applicant of adequate buffering and mitigation, as described within DCZR 2106.01. The revised narrative should discuss the request for the reduced setback and establish the justification for such reduction based on adequate buffering and mitigation of identified impacts. The formal request and justification for lesser setbacks may be addressed in this subsection 2107.11.2.

- b) As established within DCZR 2107.11.3 and 2107.11.4, please review the 40/35 dB(A) noise standards and noise compliance study requirements. Please describe noise impacts in relation to the property line as established in the standard. The newly adopted 40/35 dB(A) noise standards address “noise generated by the event center use,” and not solely noise from amplified music. Such would include amplified and non-amplified human voices, live music, noise from set-up and breakdown activities, food service, and noise events elsewhere on the site, including the parking area and driveway.
- c) The Project Narrative should reference the required noise study and provide a summary of its findings. Implementation of procedures and establishment of standards related to mitigation noise impacts are discussed under DCZR 2111.02(7), Management Plan, below.

Consistent with DCZR 2107.11.6(1), as previously requested, please amend the narrative to discuss the ability of the existing or proposed structures to comply with building and fire code requirements for public assembly uses. Please describe generally the modifications necessary to support the proposed use, consistent with the County-adopted Building Code as referenced in the April 14, 2015 Douglas County Building Division letter. Please note that all required improvements will need to be included on the Site Plan in either architectural or site plan details, and at an appropriate scale.

Please discuss any regulatory review, certifications or inspections related to semi-permanent tent structures.

- d) The submitted narrative section addressing DCZR 2107.11.6(2) does not address other considerations concerning the On-site Wastewater Treatment System (OWTS) as identified in the Tri-County Health (TCH) referral letter. Please briefly list the discussion points raised by TCH concerning OWTS, including intended resolution of identified issues. More comments concerning OWTS and TCH comments are discussed under Management Plan, below.
 - e) The submitted narrative section addressing DCZR 2107.11.6(3), water supply, does not address the provision of a “public water system,” as described in the TCH referral letter. Please briefly outline the requirements for such a system within the Project Narrative. Provision of a public water system must be addressed within the Management Plan, as discussed below.
- 6. DCZR 2111.05(3). This section will need to be revised based upon the adopted noise standards. Impacts from the proposed event center use are the principle focus of the USR review process and are thematic in the USR approval criteria.
 - 7. DCZR 2111.05(4). The existing Narrative does not accurately identify the topic addressed within DCZR 2111.05(4), “Compliance with the Douglas County Comprehensive Master Plan.” This topic is a listed approval standard as described in DCZR Section 2102.05 and therefore warrants discussion within the Project Narrative.
 - 8. DCZR 2111.05(5). This section should discuss ways in which the plan is 1) already in compliance with specific agency regulations and permits, 2) the requirements for additional permits and the timing of provision of such, as are further required within the

Management Plan, Section 2112.02.5. Topics to be briefly addressed, as identified by affected referral agencies include septic system upgrades, establishment of a public drinking water system, building code requirements to meet public accommodation, occupancy limits, ADA requirements, road standard requirements.

9. DCZR 2111.05(6).. Submitted application materials show proposed event center water uses totaling 0.30 af/yr. Under the revised regulations adopted by the Board of County Commissioners on May 26, 2015 and a determination by the State Engineer's Office that the existing well permit is sufficient to support the proposed use, the approval standard for water supply, referenced under DCZR 2102.11 has been met. Please amend the narrative to include discussion of compliance with DCZR 2102.11.2.
Narrative regarding proof of water availability should focus on water supply. Narrative regarding water supply for fire protection should be addressed in DCZR 2111.05.6. Please correct the narrative to accurately reflect numerical data submitted as part of the application. This topic also requires discussion under DCZR 2107.11.6(3).
10. DCZR 2111.05(7), Method of Wastewater Treatment. Tri-County Health Department has provided a detailed overview of the On-site Wastewater Treatment System (OWTS) including its capability to serve the proposed use. The revised narrative should highlight TCH's findings and resolution of the agency's concerns. Please see additional comments regarding resolution of TCH's comments, inclusive of recommended modifications to the Management Plan, below. Please additionally address specific concepts described in DCZR 2107.11.6(2) and reference such by section number. This topic also requires discussion under DCZR 2107.11.6(2).
11. DCZR 2111.05(8). Please identify West Douglas Fire District by its full name within the narrative. Please verify stated distance to the nearest fire hydrant and pond size. This topic also requires discussion under DCZR 2107.11.6(1).
12. DCZR 2111.05(9). No comment.
13. DCZR 2111.05(10). This section is intended to address surface water quality and air pollution. Please verify with Douglas County Engineering that use of gravel roadways meet air quality standards. Please discuss surface runoff mitigation measures.
14. DCZR 2111.05(11) Discussion of "impacts on peace and quiet of neighborhood" may appropriately be combined with discussion of DCZR 2107.11.3 and 2107.11.4. Please amend this section to describe consistency with the revised noise standards, results of any new noise impact study, and refinements to the proposed use program that are necessary to demonstrate consistency with the USR approval standards. Please additionally address specific concepts described in DCZR 2107.11.3 and 2107.11.4.
15. DCZR 2111.05(12). Planning Services notes that portions of the designated "event area" such as the parking area and front entrance to the residence are visible to nearby residents. Noise and visual impacts from these areas are less well buffered than is the more active event area space on the north side of the residence.
16. DCZR 2111.05(13). Please discuss the availability and adequacy of public services and facilities not addressed within other sections of the Project Narrative, such as Sheriff's Office.
17. DCZR 2111.05(14). This section establishes the correct location for Project Narrative discussion of DCZR Sections 2107.11.1 through 2107.11.4 and 2107.11.6 as discussed above.
18. DCZR 2111.07. Please provide a Drainage Letter addressing site runoff impacts as requested by Engineer Services in their referral response letter.

Plan Exhibit Requirements (DCZR 2112.01)

19. Provide an approval certificate consistent with DCZR 2112.04, modified as necessary consistent with the form of ownership, i.e., corporate or individual, as requested in the March 3, 2015 Planning Services' letter.
20. Plan exhibit requirements, as established in DCZR 2112, require provision of identified site plan elements as described in DCZR Section 27, Site Improvement Plan as noted in the March 3, 2015 Planning Services' letter.
 - a. Site Plan elements that require further description through provision of "detail areas" at a readable scale (such as ¼-inch = 1-foot) include: proposed exterior ramps, pathways, and materials demonstrating that path grades and widths meet County building code requirements (include contour and spot elevations). Please depict any doors to be modified for emergency egress purposes.
 - b. Interior architectural modifications necessary to: 1) accommodate handicap persons, 2) address emergency egress requirements in accordance with County building code requirements, and 3) meet other building code requirements necessary to support the event center use shall be provided in a supplemental "detail drawing." Submittal of building permit construction drawings for these interior improvements may be deferred until following any approval of the request. A management plan note or condition of approval will need to establish that no use of the property as an event center may occur held until all required improvements are completed as established through inspection and approval by the authorized agency, including issuance of certificate of occupancy for the event center structure. Planning Services recommends that you engage an architect to evaluate and describe all necessary required exterior and interior improvements for inclusion in the Site Plan and supplemental exhibit.
 - c. Site lighting within the described permit area shall be brought into compliance with DCZR Section 30 (3005.16), Lighting Standards. Please provide details indicating compliance with Section 3005.16 for light fixtures within the permit area. Provide information necessary to demonstrate that proposed site lighting for the parking area adjacent to pasture #6 meets general requirements established within DCZR 3005. Please indicate the location of the second light pole adjacent to the 50-space parking area (Sheet 1). Please label and identify any proposed additional site lighting in proximity to ramps and stairs.
 - d. Please provide an elevation and plan view detail for any permanent or semi-permanent tent. Please show and label any awning attached to the residential structure.
 - e. The Sheet 2 detail shows a substantial portion of the first floor as "event space," "dressing," or "vendor area." Please confirm or revise the Project Narrative statement, under "General Project Concept," that "49 guests will have access to indoor facilities as accessory use for dressing and restrooms." Please clarify whether the intention of this statement is to limit indoor use to the labeled "dressing" room. Please note that the Building Division indicates that the maximum occupant load is to include temporary staff. Please amend the application accordingly.
21. The Management Plan indicates that live bands must be set up in the "Great Room." Please clarify or label the Great Room (Sheet 2).
22. Please show and label fence improvements on Sheet 2.
23. Existing trees that are interfering with site distance triangles at Daniel's Park Road shall be designated on the Site Plan as "to be removed," consistent with comments from

Douglas County Engineering. Please include a statement that establishes this requirement within the Management Plan.

24. Please label surface materials for all proposed parking areas. Please add details providing for grading improvements for proposed parking areas. Please describe dust suppression measures, if required by Douglas County Engineering.
25. Please delineate the 200-foot setback on the Sheets 1 and 2 site plans. Please delineate the portion of the site permit area that does not meet the adopted minimum setback standards, consistent with the revised narrative discussion under DCZR Section 2107.11.2.

Management Plan Requirements (DCZR 2112.02)

26. Please organize the Management Plan according to the listed subsections of 2112.02. Section 2112.02.7 is intended to include additional management plan requirements as laid out in DCZR 2107.11.5. While these topics are somewhat duplicative of Project Narrative topics, their discussion within the Management Plan should clearly set parameters for the day-to-day operation of the use by special review.
27. Modifications to the current version of the Management Plan should appropriately amend narrative content and section numbering to reflect the newly-adopted event center regulations.
28. The Management Plan should establish that all required improvements as depicted on the Site Plan shall be completed prior to commencement of the event center use.
29. The Management Plan should include on-going management steps such as septic system maintenance logs, water meter use logs, event operations log, etc.
30. Tri-County Health Department discusses two options by which the On-site Wastewater Treatment System (OWTS) may be upgraded to meet proposed demands. The revised Management Plan should address implementation of one of the OWTS alternatives as identified on page 2 of the April 13, 2015 TCH letter. Please determine whether you will expand the existing OWTS system or implement the conditions and management plan program as described on pages 2-5 of the TCH letter. Please fully address within the USR Management Plan.
31. Please clarify all management plan statements as previously noted. As an example, please use full sentences throughout the Management Plan, such as:
 "The maximum total number of wedding events shall be __, of which a maximum of __ shall be outdoors."

Comments on Existing Management Plan

The current management plan may require substantial modification in order to meet the adopted 40/35 dB(A) noise standards. The following comments are based upon the existing management plan and should be considered, as applicable, in the development and refinement of the new management plan.

32. Proposed limitations and mitigation measures to ensure compliance with the noise standards are heavily dependent on event center management practices and procedures. As currently presented, limitations on maximum noise levels are subject to:
 1) a one-time decibel level reading, prior to commencement of the use of amplified music, and 2) a prohibition of increasing the decibel level subsequent to the initial reading. Planning Services does not support this approach owing to inherent enforcement difficulties.

33. Please eliminate any discussion of historical noise levels or past complaint and enforcement history related to the property.
34. Please consider re-organizing presentation of noise-related topics (maximum decibels, proposed monitoring, initial noise level testing, enforcement procedures, and sound system management obligations, etc.) as discrete topics. Please be advised that the property owner remains responsible for implementation of the USR Management Plan, including enforcement of noise restrictions and limitations, regardless of any contractual obligations of an event management company.
35. Please list specific vendor break-down activities that are to be allowed within the 10:30 pm to 11:30 pm timeframe and those that are to occur the following day. (Please be advised that late night activities, particularly, may prove to exceed the adopted 40/35 dB(A) noise levels, as demonstrated within the revised noise study.)
36. The proposed prohibition on backing-up vehicles as a means to control noise from back-up beepers seems prone to human error and enforcement difficulties by event center staff. Non-compliance with this provision of the Management Plan, as currently proposed, would be a violation of the USR approval.
37. Removal of patrons exhibiting disorderly conduct, as referenced in the Management Plan, appears highly problematic and may result in enforcement difficulties for the event center staff. This measure additionally cannot be enforced by Douglas County. Non-compliance with this provision of the Management Plan, as currently proposed, would be a violation of the USR approval. Please consider and discuss alternate measures to address guest behavior issues.
38. Within Management Plan discussion under 2112.02.4, please review apparent discrepancies regarding hours of delivery of “rentals” and “vendor set-up” referenced in 2112.02.2. Please clarify “shuttle and bus parking.” Are shuttles and buses used to bring guests from off-site locations? Does parking of shuttles and buses interfere with required parking for guests and staff? Please address.
39. Do identified handicap parking spaces in the driveway apron interfere with event delivery and parking? The actual size of the driveway apron is smaller than that shown on the Site Plan, based on an overlay of the Site Plan and an aerial photograph. Relocation of handicap parking space may be necessary.
40. Under Section 2112.02.5, please identify all permits required to be obtained prior to commencement of the event center use. These may include, but are not limited to, a public water system permit from the Colorado Department of Public Health and Environment (CDPHE), inspections for interior and exterior improvements and renovations by Douglas County Building Division, and GESC permit and inspections by Douglas County Engineering Services.
41. Under Section 2112.02.6 of the Management Plan, please provide for provision of approval of the annual fire protection plan to Douglas County at the time of the County-required zoning compliance review of the event center use. Please confirm with West Douglas Fire Protection District that they are willing to perform these inspections on a yearly basis.
42. Discussion under DCZR Section 2107.11.5(1) may be provided in lieu of DCZR Section 2112.02.1. Discussion under DCZR Section 2107.11.5(2) may be provided in lieu of DCZR Section 2112.02.2.

Referral Agency Comments

The process for responding to referral agency comments is discussed within DCZR Section 2109.04. Written responses to regulatory agencies are strongly encouraged and should describe the extent to which the application has been revised based upon their comments. Provision of a written response to referral agencies – advisory and to comments received as a result of courtesy notice is also strongly encouraged.

43. Regulatory referral agencies that responded to the referral request include Douglas County Engineering, Tri-County Health Department, Colorado Division of Water Resources, West Douglas County Fire Protection District, Colorado Parks and Wildlife, and the Douglas County Sheriff's Office. Please respond directly to these agencies, copying such letters to Douglas County Planning Services.

Based upon potential modifications to the application and the re-referral of the application to outside agencies, you may wish to defer responding to those agencies affected by any change in scale or scope of the application until any revised comments are provided by those agencies.

44. A significant amount of comments were provided by the Castle Pines North Homes Master Association and the Forest Park Master Association. Public comment has been posted to the County website. All public e-mails and letters have been posted to the County's PRO System and are available for review. A full set of these comments are attached as well. These referral letters and public comments identify and discuss concerns about the compatibility of, and impacts from, the proposed use. Many of these concerns closely align with the intent of one or more of the USR approval criteria and therefore warrant review, consideration and acknowledgement. As noted in previous correspondence from this office, reaching out to affected neighbors to understand and address their concerns is recommended.

Next Steps

To summarize, the next steps in the land use application review process are as follows:

- Assess the impact of the adopted event center regulations on the current proposal, and make appropriate changes to ensure compliance. Most significantly, a revised noise study must be submitted which demonstrates how the proposed use can be reliably operated in order to meet the more stringent noise standards put in place by the BOCC. This may result in significant limitations on outdoor event center activities.
- Address the staff comments provided in this and previous letters, along with those provided by referral agencies and members of the public. It is best to address all comment in writing for inclusion in subsequent staff reports to the Planning Commission and BOCC. In some instances, changes to the event center site plan and management plan components will form the basis of your response.
- Provide a revised application - including an updated project narrative, plan exhibit (site plan and management plan), and noise study – to be sent out for a second referral review period. This step is necessary, regardless of whether you elect to change your proposal or not, in order to provide the referral agencies and members of the public with an opportunity to the comment on your proposal in light of the newly-adopted event center regulations and associated standards.

Following the end of the second referral agency review period, you will be given an opportunity to respond to the additional comments provided. Public hearing dates may then be scheduled before the Planning Commission and Board of County Commissioners. The Planning

Commission and Board of County Commissioners will review the use by special review in accordance with the approval criteria listed in DCZR Section 2102 (attached).

Please do not hesitate to call to seek clarification regarding comments offered within this letter. Alternately, we would be happy to meet with you to discuss the letter in greater detail.

Sincerely,

Joe Fowler, AICP
Chief Planner

cc: Jeanette Bare, AICP, Current Planning Supervisor

att.: Planning Services' letter dated May 6, 2015
Use by Special Review Approval Standards
Public comment letters and e-mails (provided as electronic attachment)

2102 Approval Standards

A use by special review shall be approved only if the Board of County Commissioners finds that the proposed use:

2102.01 Complies with the minimum zoning requirements of the zone district in which the special use is to be located, as set forth in this Resolution.

2102.02 Complies with the requirements of this Section 21.

2102.03 Complies with the Douglas County Subdivision Resolution.

2102.04 Will be in harmony and compatible with the character of the surrounding areas and neighborhood.

2102.05 Will be consistent with the Douglas County Comprehensive Master Plan, as amended.

2102.06 Will not result in an over-intensive use of land.

2102.07 Will provide roadway capacity necessary to maintain the adopted roadway level-of-service for the proposed development concurrently with the impacts of such development.

2102.08 Will provide public facilities and services necessary to accommodate the proposed development concurrently with the impacts of such development.

2102.09 Will not cause significant air, water, or noise pollution.

2102.10 Will be adequately landscaped, buffered, and screened.

2102.11 Complies with the following standards regarding water supply:

2102.11.1 If it is demonstrated that the use by special review will not generate any ongoing water demand, no proof of water supply shall be required and no other provisions of Section 18A, Water Supply - Overlay District, herein, shall be applicable. (Amended 5/26/2015)

2102.11.2 If it is demonstrated that the use by special review, when located on a conforming parcel within the A-1 or LRR zone district, will generate a water demand not to exceed three (3) acre-feet per year, and that the demand can be supplied by a groundwater well which has or is capable of receiving a permit from the Colorado Division of Water Resources for such use, this standard shall be met and no other provisions of Section 18A, Water Supply - Overlay District, herein, shall be applicable. Water demands shall be estimated in accordance with the Minimum Water Demand Standards defined in Section 18A, Water Supply – Overlay District, herein. (Amended 5/26/2015)

2102.11.3 For all other use by special review applications, the applicant shall demonstrate conformance with Section 18A, Water Supply - Overlay District, herein. (Amended 5/26/2015)

2102.12 Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the County.

May 6, 2015

Catherine Chase-Groos
7007 Daniels Park Road
Sedalia, CO 80135

**RE: 7007 Daniels Park Road Use by Special Review Request
Project No. US2015-003**

Dear Ms. Chase-Groos:

As you are aware, your Use by Special Review application was developed based upon draft event center regulations that had not been vetted through the land use review and public hearing process. In multiple conversations and communications, Planning Services staff advised you of the financial risk inherent to submitting the USR application based upon the draft regulations. The Zoning Resolution amendment as approved by the Board of County Commissioners in fact established more rigorous standards which now serve as the basis for submittal requirements and demonstration of fulfillment of approval criteria for your application.

The adopted standards provide, in part, that:

- "Noise generated by the event center use shall not result in noise levels which exceed 40 dB(A) between 7:00 a.m. and 7:00 p.m., and 35 dB(A) between 7:00 a.m. and 7:00 p.m." (DCZR Section 2107.11.3)
- "A noise study shall be submitted demonstrating compliance with the event center noise standard." (DCZR Section 2107.11.4)

Compliance with these standards is not demonstrated by the January 29, 2015, FHU Noise Study Report. A revised noise study in compliance with all aspects of the regulations will need to be developed and submitted. Consistent with the adopted regulations, the noise study will need to establish the type, intensity, and specific location of event center activities which may occur on the property while ensuring the defined noise standards are consistently and reliably met. It may be that outdoor events, particularly those with amplified sound or other significant noise-generating activities, will not be supported based on the outcome of the noise study. In addition, staff will not support a management plan approach for controlling the level of amplified music and sound by "fixing" the system's volume control. Such approach does not provide a reliable means of meeting the noise standard.

Planning Services staff acknowledges that the adopted standards are rigorous. They were developed to support the achievement of key USR approval criteria regarding 1) harmony and compatibility of the proposed use with surrounding areas and neighborhoods and 2) avoidance of significant noise pollution, as identified in DCZR Sections 2102.04 and 2102.09.

While the referral period for the previously submitted USR has ended, the project narrative, management plan and site plan should be revised based on the adopted event center submittal requirements and other standards, most specifically to ensure compliance with the adopted

noise standards. Once the resubmitted items are received, the application will be re-referred for agency review and public comment.

Referral agency comments have previously been provided to you. Significant comments and concerns remain to be resolved, including but not limited to comments regarding the public water system regulations, wastewater management, building code requirements for accessibility and public assembly, and development of appropriate enforcement solutions. A written response to all referral agencies should be provided. Depending on the nature of your resubmittal, additional referral comments may need to be addressed.

Please be advised that you may request a public hearing before the Planning Commission and Board of County Commissioner if you choose not to further amend your application. At this time, staff's initial assessment is that the application does not meet multiple USR approval criteria, including:

- Compliance with the requirements of Section 21 of the Douglas County Zoning Resolution (as has now been amended),
- Will be in harmony and compatible with the character of the surrounding areas and neighborhood,
- Consistency with the Douglas County Comprehensive Master Plan,
- Will not result in significant air, water, or noise pollution,
- Will not result in detriment to the health, safety, or welfare of present or future inhabitants of the County.

Planning Services would be happy to schedule a meeting with you and your noise consultant to discuss the revised submittal standards and requirements prior to development of a revised noise study and re-referral of the application. This meeting also provides an opportunity to discuss revisions to the application based upon details established within referral agency comments, community concerns, and Planning Services' evaluation of the application materials.

Please do not hesitate to call to discuss the comments offered within this letter or to seek clarification regarding the same.

Sincerely,

Joe Fowler, AICP
Chief Planner

cc: Jeanette Bare, AICP, Current Planning Supervisor
Steve Koster, AICP, Assistant Director of Planning Services

Attached electronically: Referral agency correspondence