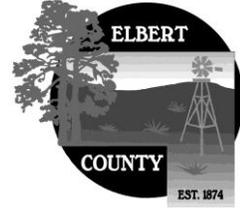




# COUNTY OF ELBERT

## COMMUNITY & DEVELOPMENT SERVICES OFFICE

P.O. BOX 7  
215 COMANCHE STREET  
KIOWA, COLORADO 80117  
303-621-3136 FAX: 303-621-3165



Date: November 3, 2016  
For the Elbert County Planning Commission meeting of  
Date: November 15, 2016

**TO: ELBERT COUNTY PLANNING COMMISSION**

**FROM: ETHAN WATEL, AICP, SENIOR PLANNER (BASELINE CORP.)**  
**APPROVED BY: KYLE FENNER, DIRECTOR OF CDS**

**RE: INDEPENDENCE CONCEPT PLAN. A REQUEST TO DISCUSS A CONCEPT PLAN APPLICATION FOR 920 HOMES ON A 1,012 ACRE PROPERTY IN THE PLANNED UNIT DEVELOPMENT (PUD) ZONE DISTRICT LOCATED IN SECTIONS 14 AND 15, TOWNSHIP 7 SOUTH, RANGE 65 WEST OF THE 6<sup>TH</sup> P.M. IN ELBERT COUNTY, COLORADO.**

**APPLICANT:** Bluegreen Investments, LLC (landowner)

**REPRESENTATIVE:** Craft Bandera Acquisition Company, LLC

### **SUMMARY OF REQUEST:**

Independence, formerly known as Bandera, is a project consisting of 920 proposed homes on a 1,011.9 acre property in northwestern Elbert County. The applicants have submitted an application for a Concept Plan, in accordance with the requirements of the Elbert County Subdivision Regulations, Section VII.

A Concept Plan is a process utilized to discuss a project that is conceptual in nature, taking place after a community meeting and prior to making formal subdivision applications for Preliminary Plats and Final Plats. A Concept Plan application shall be discussed at a work session of the Planning Commission followed by a work session at the Board of County Commissioners. The purpose the Concept Plan is for the county to provide direction on major issues of concern or interest, separate from technical requirements. The work sessions are not public hearings, and as such do not include any public notices or testimony.

The overall concept is to provide six different home types in 12 phases. The average proposed lots size is 8,000 SF. The lots range in size from 4,500 SF to 43,560 SF (1 acre). Sites for parks, open space, a school, and fire station are proposed. Refer to the applicant's Conceptual Plan for more information.

**PERTINENT DATA:**

Site Description – The site is comprised of 1,011.9 acres of land located north of and adjacent to Hilltop Road (CR 158) and along the Douglas/Elbert County line.

Existing Zoning – PUD (Planned Unit Development – Bandera East and Bandera West PUDs)

Proposed Zoning – no change

Surrounding Land Use and Zoning –

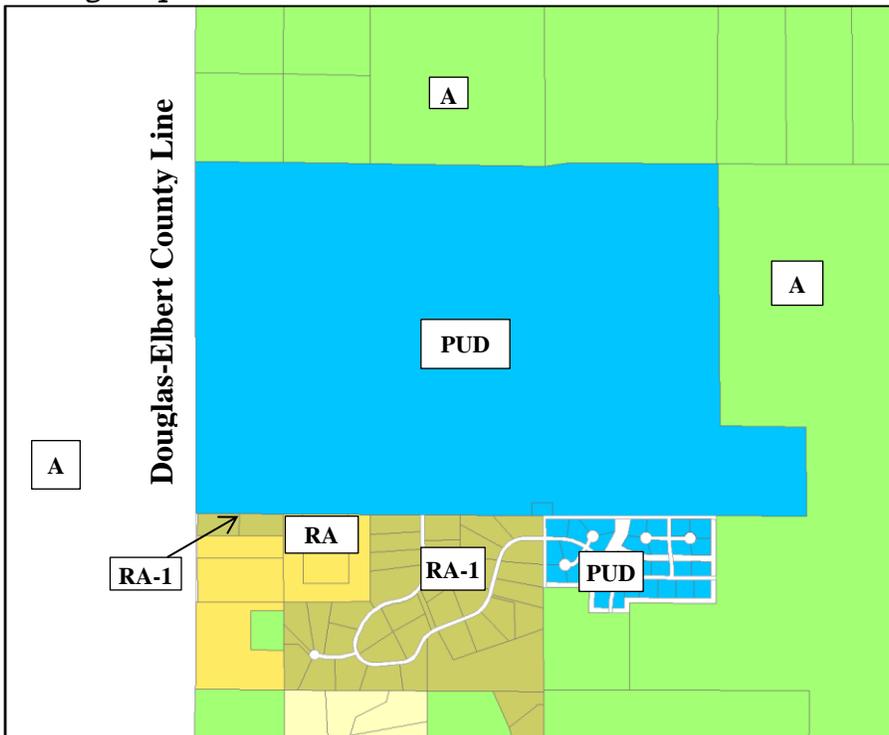
North: Use: Agricultural w/ residential and agricultural. Zoning: A – Agriculture.

South: Use: Residential. Zoning: RA-1, RA, PUD, and A. Coyote Hills and Hilltop Landing Subdivisions.

East: Use: Agricultural. Zoning: A.

West: Use: Agricultural. Zoning: A (Douglas County).

***Zoning Map***



## **BACKGROUND:**

A Pre-application meeting was held on February 23, 2016. The applicant held a Community Meeting for the proposal on August 1, 2016. The community interest level is very high.

Formal applications for subdivisions have not been submitted. The Concept Plan application was submitted on October 19, 2016 then revised and re-submitted on November 1, 2016.

Planning Commission work session date is: November 15, 2016

Board of County Commissioners work session date is: November 30, 2016

### *Previous approvals on this site:*

On February 11, 2009, the Elbert County Board of County Commissioners approved two resolutions for what was known at the time as Bandera East and Bandera West.

Resolution 09-13 conditionally approved the Bandera East Planned Unit Development, Bandera East Preliminary Plat, and Bandera East 1041 Permit. The Bandera East Planned Unit Development Rezoning Exhibit is recorded at Reception Number 201287.

Resolution 09-14 conditionally approved the Bandera West Planned Unit Development, Bandera West Preliminary Plat, and Bandera West 1041 Permit. The Bandera West Planned Unit Development Rezoning Exhibit is recorded at Reception Number 201288.

### *Together, the intent of the two Bandera PUDs is:*

*“Bandera is a residential development planned with a pedestrian friendly trail system designed around community open space, a community school and active parks. The public street system provides a connection through the neighborhood to the established county road system. Bandera will consist of a maximum of 920 residential units with an overall density based on one dwelling per 0.91 acres. Bandera East consists of not more than 214 residential units and Bandera West consists of not more than 706 residential units.”*

## **CONCEPT PLAN**

The documents submitted meet the Subdivision Regulations standards for a Concept Plan application. Technical reviews of subdivisions will occur with future formal preliminary plat and final plat applications. At that time, a full review will be performed against all county standards and regulations, including planned unit development zoning and previous approvals.

At the work sessions, the Planning Commission and Board of County Commissioners are encouraged to review the proposal and provide feedback to the applicant.

Please be aware that the zoning for this property has been in place for seven years. This step in the process is to ensure that proposed development meets the existing zoning standards, engineering standards, and subdivision regulations. Access points, necessary and required public improvements, land dedications, and engineering design standards and requirements are to be considered while reviewing this application. The applicant shall consider all comments while preparing the next phase of development – preliminary and final plats.

**Attachments:**

- Concept Plan regulation summary
- Resolution 09-13
- Resolution 09-14
- Bandera East Planned Unit Development Rezoning Exhibit
- Bandera West Planned Unit Development Rezoning Exhibit
- Independence Concept Plan application

Respectfully submitted to and on behalf of Elbert County,



Ethan Watel, AICP  
Senior Planner  
Baseline Corporation  
Contract Planner for Elbert County

CC: Kyle Fenner, Director of Community and Development Services

## CONCEPT PLAN

### (Excerpt from the Elbert County Subdivision Regulations)

The **Concept Plan** is utilized to discuss a conceptual plan, to obtain the Planning Commission's and County Commissioners reaction to the appropriateness of an intended land use, and to raise reasonable concerns, prior to more detailed work being done. At this stage of formal review, the applicant should be advised by Community & Development Services, Planning Commission and/or County Commissioners, of major issues of concern or interest which are separate and apart from technical requirements yet to be met. The Planning Commission and County Commissioners shall make a recommendation on the conceptual plan presented, in order for the applicant to know how best to proceed.

#### Requirements

When the [Concept Plan] application is formally submitted, Community & Development Services shall review the proposal within ten (10) working days and provide the applicant with a list of any changes / corrections. Scheduling a work session before the Planning Commission will be done at the earliest available time, but not more than thirty-five (35) days from the date the application is found to be complete. Scheduling a work session before the County Commissioners will be done at the earliest available time, but not more than 35 days from meeting with the Planning Commission. No Public Hearing is required.

Following the community meeting, the formal concept plan application shall be submitted. It shall include the completed application form, proof of ownership, disclosure letter, fee, and two (2) paper copies of the required Concept Plan map, and related supplemental information. Community & Development Services shall review the proposal within ten (10) working days and provide the applicant with a list of any changes / corrections together with a request for Staff and Commissioner copies needed. Community & Development Services may reject and return any application, which, in their opinion, does not display the required information, or is done in an unacceptable manner (e.g., poor drafting). Scheduling a work session before the Planning Commission will be done not more than thirty-five (35) days from the date the application is found to be complete. Scheduling a work session before the County Commissioners will be done not more than 35 days from meeting with the Planning Commission. No Public Hearing is required.

The rezoning procedures and submittal requirements under Part I, Section 6 of the Elbert County Zoning Regulations, shall be followed at this stage.

*NOTE: Because no public hearing is required, there are no notice requirements for concept plans as no decisions are being made and no testimony is being received.*





**WHEREAS**, the proposed zoning is Residential Planned Unit Development, and

**WHEREAS**, the project is located in the Rural Residential-High Density Land Use Area as identified in the Master Plan. The development density for this Land Use Area is one unit per 3.00 acres to one unit per 10.00 acres. This proposal is for parcels beginning with a base density within that density range; and

**WHEREAS**, the minimum lot size will be as small as 7,000 square feet, after density bonuses are applied, and

**WHEREAS**, Community & Development Services has made the following Findings related to this application:

The applicant has submitted the required documentation detailed in Part I, Section 6, B, 2, b, "Rezoning Procedures and Requirements, and Part II, Section 16, C, "Requirements for PUD Rezoning", and

The applicant has submitted the required documentation to comply with the following Sections of the Subdivision Regulations; Sections II, IV, V, VIII, XV, and XVII, and

The submitted documentation has satisfied and shows compliance with the specified requirement contained in Chapter 4, Article 4-307 of the 1041 Regulations:

**WHEREAS**, on December 11, 2008 and January 8, 2009, the Planning Commission held public hearings on this application. At the hearing, there were presentations by Staff and the applicant, and comment from the public. The associated staff report dated February 11, 2009 contains comments of the Planning Commission.

Community & Development Services Office's recommendation was "Approval with Conditions".

The Planning Commission voted 5-0 to "Approve with Conditions", **PD 08-0033 BANDERA EAST PLANNED UNIT DEVELOPMENT, PP 08-0035 BANDERA EAST PRELIMINARY PLAT, and BANDERA EAST 1041 PERMIT 10-08-0037** and is forwarding a similar recommendation, to the Board of County Commissioners.

**WHEREAS**, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of the Community & Development Services, the Planning Commission, the documentation of the

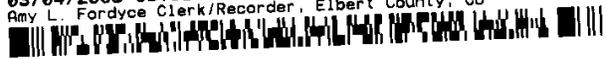


applicant, and having heard public comment, and being fully advised in the premise.

BE IT THEREFORE RESOLVED, the Board of County Commissioners do hereby approve **PD 08-0033 BANDERA EAST PLANNED UNIT DEVELOPMENT, PP 08-0035 BANDERA EAST PRELIMINARY PLAT, and BANDERA EAST 1041 PERMIT 10-08-0037**, "Conditions of Approval" to include:

**PD 08-0033 Bandera East Planned Unit Development Rezoning:**

- 1.) The submitted "Bandera East Rezone Plan Exhibit" and the "Planned Unit Development Standards" will be modified as per the red-marked print dated December 6, 2008.
- 2.) While the Bandera East Planned Unit Development allows for a maximum of 214 lots, only 210 dwelling units will be issued building permits, after final platting for either Bandera East or Bandera West, until off-site improvements are made, or a pro-rata share of improvements is contributed for improvements to the intersection of Hilltop Road and Flintwood Road. The number of building permits beyond the 210<sup>th</sup> building permit will be issued based upon when off-site improvements are made, or a pro-rata share of the off-site improvements is contributed by the applicant. Timing of off-site improvements relative to the number of building permits issued shall be clearly defined in the Subdivision Improvement Agreement.
- 3.) The applicant shall coordinate with the Elizabeth Fire Protection District and comply with all necessary conditions including Resolution 99-35 as related to fire protection. A letter confirming agreement will be submitted to the Community & Development Services Office prior to recording of any documentation.
- 4.) The current site layout shows residential clusters abutting the property boundaries on the north, west, and east. To avoid potential conflicts between agricultural uses and the smaller lots (1/2 acre), the buffer area along these property boundaries should be increased. This will require shifting some of the perimeter lots toward the interior to create additional buffer area, eliminating the perimeter lots, or re-locating them elsewhere on the property. Serenity Point is a proposed development adjacent to and immediately north of Bandera. The lot configuration being proposed along Bandera's north boundary may be appropriate, provided the open space and road connections are coordinated between the two proposed developments.
- 5.) The name of the Planned Unit Development rezoning is to be reviewed for any duplication of names by the County Mapper, prior to recordation.



- 6.) The rezoning will not become effective until all conditions of approval are met, all fees paid, and documents recorded.
- 7.) The applicant will record the Planned Unit Development Rezoning Exhibit (Development Guidelines), Weed Management Plan, and associated documents within ninety (90) days of approval by the Board of County Commissioners.
- 8.) The applicant will be required to remove the public notice sign within seven (7) days of approval by the Board of County Commissioners. A letter to that effect will be placed in the Community & Development Services Office file, prior to recordation of the Planned Unit Development Rezoning Exhibit.
- 9.) Adopt the Findings enumerated herein.

**PP 08-0035 Bandera East Preliminary Plat**

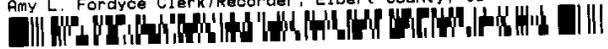
- 1.) A letter confirming that the design, water supply, and fire flow requirements are sufficient to meet all Fire District standards and requirements, will be submitted to the Community & Development Services Office prior to Final Plat recordation.
- 2.) While the Bandera East Planned Unit Development allows for a maximum of 214 lots, only 210 dwelling units will be issued building permits after final platting for either Bandera East or Bandera West, until off-site improvements are made, or a pro-rata share of improvements is contributed by the applicant for improvements to the intersection of Hilltop Road and Flintwood Road. The number of building permits beyond the 210<sup>th</sup> building permit will be issued based upon when off-site improvements are made, or a pro-rata share of the off-site improvements is contributed by the applicant. Timing of off-site improvements relative to the number of building permits issued shall be clearly defined in the Subdivision Improvement Agreement.
- 3.) A Subdivision Improvement Agreement will be prepared that addresses all public improvements and other development-related improvements as part of the Final Plat process.
- 4.) The "Ecological Resources Survey" shall be amended as part of the Final Plat submittal items to provide additional information to determine whether or not the site is critical habitat, calving area, or critical winter range for the pronghorn antelope. A determination as to whether or not the property has a burrowing owl population shall also be included in the Ecological Resources Survey.



- 5.) As part of the Final Plat submittal items, a determination shall be made by the Division of Water Resources which indicates that the Running Rivers Water & Sanitation District has sufficient water, based upon Elbert County's 300-year supply, to service Bandera East and Bandera West. The determination by the Division of Water Resources shall also include a statement rendering their opinion as to whether or not there is a potential for causing material injury to any decreed water rights.
- 6.) Prior to the release of any building permits, the Colorado Department of Health, the County Engineer, and the County Environmental Health Department must review and approve the central water and sanitary sewer systems design.
- 7.) The applicant will coordinate with Qwest regarding phone service and necessary easements to set equipment. The final plat exhibit will indicate easement locations together with a letter to the Community & Development Services Office from Qwest confirming satisfactory access to all lots prior to recordation of the final plat.
- 8.) The applicant shall satisfactorily demonstrate compliance with the requirements of HB 08-1141, which requires among other items, that the water supply report is to be prepared by a registered professional engineer or water supply expert, acceptable to and approved by the County Engineer. This information shall be required as part of the Final Plat application submittal items.
- 9.) The applicant will coordinate with Public Service Company of Colorado regarding gas service and necessary easements to set equipment. The final plat exhibit will indicate easement locations together with a letter to the Community & Development Services Office from Public Service Company of Colorado confirming satisfactory access to all lots prior to recordation of the final plat.
- 10.) The "soft trail" pedestrian circulation system, built pursuant to Elbert County Construction and Specification Standards, shall connect the various open space parcels and parks within the development and shall provide connectivity throughout the subdivision. A meandering trail shall be provided along collector streets. A schematic of this pedestrian circulation system shall be included as a submittal items for the Final Plat application. Specific trail construction costs estimates shall be included in the Subdivision Improvements Agreement.



11. The applicant will provide utility easements to accommodate the installation of front-lot design for electric facilities in this project; a ten foot (10') easement on all front lots will be required. Further, a five foot (5') utility easement is required on one side lot line of each lot and will coordinate with the Intermountain Rural Electric Association to have service lines from the drop pole, installed underground.
- 12.) Should there be a need to conduct over-lot grading, the applicant will coordinate with the Kiowa Conservation District and obtain a grading and erosion control permit from the County.
- 13.) The applicant will mitigate impacts to County roads by payment of TAZ fees of \$2,521 per dwelling unit at the time of Final Plat recordation. All internal roads will be constructed and paved to County standards. The applicant will coordinate an agreement with the Road & Bridge Department and the County Engineer regarding improvements to County Road 158 and County Road 5 and to County Road 158 and Road "A" (the second entrance to the development off County Road 158); said agreement shall be specified in detail in the Subdivision Improvements Agreement.
- 14.) Any right-of-way required for widening of County Road 158 shall be dedicated to the County at the time of Final Plat.
- 15.) The applicant shall pay to Elbert County, growth related impact fees of \$2,453 per single-family unit and \$1,999 per multi-family unit at each final plat filing, based upon the number of units in the filing.
- 16.) The County will withhold building permits until the proposed roads are constructed to County standards and approved. A letter of confirmation will be provided to the Community & Development Services Office from the Elbert County Road and Bridge Department.
- 17.) The County will withhold building permits until the water supply and fire protection systems are in place and have been inspected and approved. A letter of confirmation will be provided to the Community & Development Services Office from the Elizabeth Fire Protection District.
- 18.) The applicant and the Elizabeth Fire Protection District have agreed to a fee being paid to the District in lieu of two lots being deeded to the District. The Elizabeth Fire Protection District and the applicant will agree on an acceptable fee to be paid to the District, in lieu of lots being dedicated. Prior to recordation of the Final Plat, the District shall provide the Community & Development Services Office with a letter indicating that an acceptable fee has been collected by the District.



- 19.) The applicant shall dedicate a school site of approximately 14.5 acres to the Elizabeth School District No. C1 prior to recordation of the Final Plat of the first filing.
- 20.) The applicant shall continue to work with Elbert County and Douglas County for an acceptable solution to the off-site intersections improvements, a portion of which are generated by this development.
- 21.) Lot lines will be shown on the Final Plat document.
- 22.) Additional detail to the geotechnical studies shall be provided at the time of Final Plat to satisfy the concerns mentioned in the referral letter from Colorado Geologic Survey.
- 23.) The applicant shall construct Delbert Road from County Road 158 to Singing Hills Road, according to Elbert County Construction Standards and Specifications Manual, prior to release of the 370th residential building permit.
- 24.) The Final Plat must be applied for within one (1) year of approval of the Preliminary Plat by the Board of County Commissioners.
- 25.) Should the Elbert County Sheriff's Office determine that there is a need for a sheriff's substation within the Bandera development, at any time during the phasing of the various filings, to adequately address law enforcement concerns, the applicant will coordinate with the Sheriff's office regarding deeding a parcel to Elbert County, not to exceed two (2) acres in size, for the substation."
- 26.) The community center, as presented at the Planning Commission public hearings and as referenced in the application submittal items, shall be constructed and a certificate of occupancy issued by the Elbert County Building Department, prior to the release of the 361st building permit.
- 27.) Adopt the Finding enumerated herein.

**1041 Permit No. 10-08-0037 (1041 Permit Bandera East)**

The health and safety of the citizens of Elbert County are addressed via letters to the Community & Development Services Office confirming satisfactory completion of:

Prior to any building permits being approved:



- a.) Central water system adequate to serve Bandera East and Bandera West shall be approved by the Elbert County Building Department and the State Health Department.
- b.) Central sanitary sewerage system approval by the Elbert County Building Department, Elbert County Environmental Health Department and the County Engineers.
- c.) Roads approved by Elbert County Road & Bridge Department and the County Engineer.
- d.) The water supply and fire protection systems are in place and have been inspected and approved by the Elizabeth Fire Protection District.

Prior to Recordation of the Final Plat:

- a.) It is understood the applicant will provide equity funds for the infrastructure. Running Rivers Water & Sanitation District will own and manage the water and sanitary sewer system. The adjudicated water necessary to meet all the obligations of the District shall be transferred to the District prior to recording of the Final Plat of the first filing.
- b.) Elbert County and the applicant will sign and have recorded a Subdivision Improvement Agreement and the County will issue a 1041 Permit after the recordation of the Final Plat and prior to initiation of any construction.
- c.) The applicant and the Elizabeth School District #C-1 will comply with Resolution 99-14 prior to the recordation of each final plat filing. A letter from the district indicating compliance will be provided to Community & Development Services Office prior to recordation of the Final Plat.

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

*Hope Goetz* Aye  
**HOPE GOETZ, CHAIRMAN**

*Del Schwab* Aye  
**DEL SCHWAB, VICE CHAIRMAN**

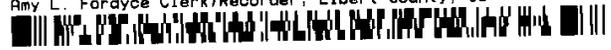


**ATTEST: AMY FORDYCE  
COUNTY CLERK**

**BY:** *Amy Scheidt*  
**Deputy, Clerk to the Board**







**WHEREAS**, the project is located in the Rural Residential-High Density Land Use Area as identified in the Master Plan. The development density for this Land Use Area is one unit per 3.00 acres to one unit per 10.00 acres. This proposal is for parcels beginning with a base density within that density range; and

**WHEREAS**, the minimum lot size will be as small as 7,000 square feet, after density bonuses are applied, and

**WHEREAS**, Community & Development Services has made the following Findings related to this application:

The applicant has submitted the required documentation detailed in Part I, Section 6, B, 2, b, "Rezoning Procedures and Requirements, and Part II, Section 16, C, "Requirements for PUD Rezoning", and

The applicant has submitted the required documentation to comply with the following Sections of the Subdivision Regulations; Sections II, IV, V, VIII, XV, and XVII, and

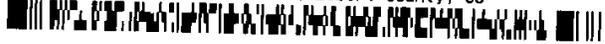
The submitted documentation has satisfied and shows compliance with the specified requirement contained in Chapter 4, Article 4-307 of the 1041 Regulations:

**WHEREAS**, on January 8, 2009, the Planning Commission held a public hearing on this application. At the hearing, there were presentations by Staff and the applicant, and comment from the public. The associated staff report dated February 11, 2009 contains comments of the Planning Commission.

Community & Development Services Office's recommendation was "Approval with Conditions".

The Planning Commission voted 5-0 to "Approve with Conditions", **PD 08-0034 BANDERA WEST PLANNED UNIT DEVELOPMENT, PP 08-0036 BANDERA WEST PRELIMINARY PLAT, and BANDERA WEST 1041 PERMIT 10-08-0038** and is forwarding a similar recommendation, to the Board of County Commissioners.

**WHEREAS**, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of the Community & Development Services, the Planning Commission, the documentation of the applicant, and having heard public comment, and being fully advised in the premise.



BE IT THEREFORE RESOLVED, the Board of County Commissioners do hereby approve **PD 08-0034 BANDERA WEST PLANNED UNIT DEVELOPMENT, PP 08-0036 BANDERA WEST PRELIMINARY PLAT, and BANDERA WEST 1041 PERMIT 10-08-0038**, "Conditions of Approval" to include:

**PD 08-0034 Bandera West Planned Unit Development Rezoning:**

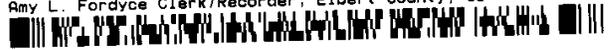
- 1.) The submitted "Bandera West Rezone Plan Exhibit" and the "Planned Unit Development Standards" will be modified as per the red-marked print dated December 6, 2008.
- 2.) While the Bandera West Planned Unit Development allows for a maximum of 706 lots, only 210 dwelling units will be issued building permits, after final platting for either Bandera East or Bandera West, until off-site improvements are made, or a pro-rata share of improvements is contributed for improvements to the intersection of Hilltop Road and Flintwood Road. The number of building permits beyond the 210<sup>th</sup> building permit will be issued based upon when off-site improvements are made, or a pro-rata share of the off-site improvements is contributed by the applicant. Timing of off-site improvements relative to the number of building permits issued shall be clearly defined in the Subdivision Improvement Agreement.
- 3.) The applicant shall coordinate with the Elizabeth Fire Protection District and comply with all necessary conditions including Resolution 99-35 as related to fire protection. A letter confirming agreement will be submitted to the Community & Development Services Office prior to recording of any documentation.
- 4.) The current site layout shows residential clusters abutting the property boundaries on the north, west, and east. To avoid potential conflicts between agricultural uses and the smaller lots (1/2 acre), the buffer area along these property boundaries should be increased. This will require shifting some of the perimeter lots toward the interior to create additional buffer area, eliminating the perimeter lots, or re-locating them elsewhere on the property. Serenity Point is a proposed development adjacent to and immediately north of Bandera. The lot configuration being proposed along Bandera's north boundary may be appropriate, provided the open space and road connections are coordinated between the two proposed developments.
- 5.) The name of the Planned Unit Development rezoning is to be reviewed for any duplication of names by the County Mapper, prior to recordation.



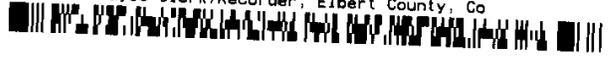
- 6.) The rezoning will not become effective until all conditions of approval are met, all fees paid, and documents recorded.
- 7.) The applicant will record the Planned Unit Development Rezoning Exhibit (Development Guidelines), Weed Management Plan, and associated documents within ninety (90) days of approval by the Board of County Commissioners.
- 8.) The applicant will be required to remove the public notice sign within seven (7) days of approval by the Board of County Commissioners. A letter to that effect will be placed in the Community & Development Services Office file, prior to recordation of the Planned Unit Development Rezoning Exhibit.
- 9.) Adopt the Findings enumerated herein.

**PP 08-0036 Bandera West Preliminary Plat**

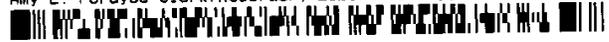
- 1.) A letter confirming that the design, water supply, and fire flow requirements are sufficient to meet all Fire District standards and requirements, will be submitted to the Community & Development Services Office prior to Final Plat recordation.
- 2.) While the Bandera East Planned Unit Development allows for a maximum of 706 lots, only 210 dwelling units will be issued building permits after final platting for either Bandera East or Bandera West, until off-site improvements are made, or a pro-rata share of improvements is contributed by the applicant for improvements to the intersection of Hilltop Road and Flintwood Road. The number of building permits beyond the 210<sup>th</sup> building permit will be issued based upon when off-site improvements are made, or a pro-rata share of the off-site improvements is contributed by the applicant. Timing of off-site improvements relative to the number of building permits issued shall be clearly defined in the Subdivision Improvement Agreement.
- 3.) A Subdivision Improvement Agreement will be prepared that addresses all public improvements and other development-related improvements as part of the Final Plat process.
- 4.) The "Ecological Resources Survey" shall be amended as part of the Final Plat submittal items to provide additional information to determine whether or not the site is critical habitat, calving area, or critical winter range for the pronghorn antelope. A determination as to whether or not the property has a burrowing owl population shall also be included in the Ecological Resources Survey.



- 5.) As part of the Final Plat submittal items, a determination shall be made by the Division of Water Resources which indicates that the Running Rivers Water & Sanitation District has sufficient water, based upon Elbert County's 300-year supply, to service Bandera East and Bandera West. The determination by the Division of Water Resources shall also include a statement rendering their opinion as to whether or not there is a potential for causing material injury to any decreed water rights.
- 6.) Prior to the release of any building permits, the Colorado Department of Health, the County Engineer, and the County Environmental Health Department must review and approve the central water and sanitary sewer systems design.
- 7.) The applicant will coordinate with Qwest regarding phone service and necessary easements to set equipment. The final plat exhibit will indicate easement locations together with a letter to the Community & Development Services Office from Qwest confirming satisfactory access to all lots prior to recordation of the final plat.
- 8.) The applicant shall satisfactorily demonstrate compliance with the requirements of HB 08-1141, which requires among other items, that the water supply report is to be prepared by a registered professional engineer or water supply expert, acceptable to and approved by the County Engineer. This information shall be required as part of the Final Plat application submittal items.
- 9.) The applicant will coordinate with Public Service Company of Colorado regarding gas service and necessary easements to set equipment. The final plat exhibit will indicate easement locations together with a letter to the Community & Development Services Office from Public Service Company of Colorado confirming satisfactory access to all lots prior to recordation of the final plat.
- 10.) The "soft trail" pedestrian circulation system, built pursuant to Elbert County Construction and Specification Standards, shall connect the various open space parcels and parks within the development and shall provide connectivity throughout the subdivision. A meandering trail shall be provided along collector streets. A schematic of this pedestrian circulation system shall be included as a submittal items for the Final Plat application. Specific trail construction costs estimates shall be included in the Subdivision Improvements Agreement.



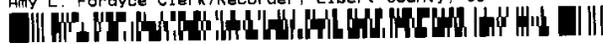
11. The applicant will provide utility easements to accommodate the installation of front-lot design for electric facilities in this project; a ten foot (10') easement on all front lots will be required. Further, a five foot (5') utility easement is required on one side lot line of each lot and will coordinate with the Intermountain Rural Electric Association to have service lines from the drop pole, installed underground.
- 12.) Should there be a need to conduct over-lot grading, the applicant will coordinate with the Kiowa Conservation District and obtain a grading and erosion control permit from the County.
- 13.) The applicant will mitigate impacts to County roads by payment of TAZ fees of \$2,521 per dwelling unit at the time of Final Plat recordation. All internal roads will be constructed and paved to County standards. The applicant will coordinate an agreement with the Road & Bridge Department and the County Engineer regarding improvements to County Road 158 and County Road 5 and to County Road 158 and Road "A" (the second entrance to the development off County Road 158); said agreement shall be specified in detail in the Subdivision Improvements Agreement.
- 14.) Any right-of-way required for widening of County Road 158 shall be dedicated to the County at the time of Final Plat.
- 15.) The applicant shall pay to Elbert County, growth related impact fees of \$2,453 per single-family unit and \$1,999 per multi-family unit at each final plat filing, based upon the number of units in the filing.
- 16.) The County will withhold building permits until the proposed roads are constructed to County standards and approved. A letter of confirmation will be provided to the Community & Development Services Office from the Elbert County Road and Bridge Department.
- 17.) The County will withhold building permits until the water supply and fire protection systems are in place and have been inspected and approved. A letter of confirmation will be provided to the Community & Development Services Office from the Elizabeth Fire Protection District.
- 18.) The applicant and the Elizabeth Fire Protection District have agreed to a fee being paid to the District in lieu of two lots being deeded to the District. The Elizabeth Fire Protection District and the applicant will agree on an acceptable fee to be paid to the District, in lieu of lots being dedicated. Prior to recordation of the Final Plat, the District shall provide the Community & Development Services Office with a letter indicating that an acceptable fee has been collected by the District.



- 19.) The applicant shall dedicate a school site of approximately 14.5 acres to the Elizabeth School District No. C1 prior to recordation of the Final Plat of the first filing.
- 20.) The applicant shall continue to work with Elbert County and Douglas County for an acceptable solution to the off-site intersections improvements, a portion of which are generated by this development.
- 21.) Lot lines will be shown on the Final Plat document.
- 22.) Additional detail to the geotechnical studies shall be provided at the time of Final Plat to satisfy the concerns mentioned in the referral letter from Colorado Geologic Survey.
- 23.) The applicant shall construct Delbert Road from County Road 158 to Singing Hills Road, according to Elbert County Construction Standards and Specifications Manual, prior to release of the 370th residential building permit.
- 24.) The Final Plat must be applied for within one (1) year of approval of the Preliminary Plat by the Board of County Commissioners.
- 25.) Should the Elbert County Sheriff's Office determine that there is a need for a sheriff's substation within the Bandera development, at any time during the phasing of the various filings, to adequately address law enforcement concerns, the applicant will coordinate with the Sheriff's office regarding deeding a parcel to Elbert County, not to exceed two (2) acres in size, for the substation."
- 26.) The community center, as presented at the Planning Commission public hearings and as referenced in the application submittal items, shall be constructed and a certificate of occupancy issued by the Elbert County Building Department, prior to the release of the 361st building permit.
- 27.) Adopt the Finding enumerated herein.

**1041 Permit No. 10-08-0038**

The health and safety of the citizens of Elbert County are addressed via letters to the Community & Development Services Office confirming satisfactory completion of:



Prior to any building permits being approved:

- a.) Central water system adequate to serve Bandera East and Bandera West shall be approved by the Elbert County Building Department and the State Health Department.
- b.) Central sanitary sewerage system approval by the Elbert County Building Department, Elbert County Environmental Health Department and the County Engineers.
- c.) Roads approved by Elbert County Road & Bridge Department and the County Engineer.
- d.) The water supply and fire protection systems are in place and have been inspected and approved by the Elizabeth Fire Protection District.

Prior to Recordation of the Final Plat:

- a.) It is understood the applicant will provide equity funds for the infrastructure. Running Rivers Water & Sanitation District will own and manage the water and sanitary sewer system. The adjudicated water necessary to meet all the obligations of the District shall be transferred to the District prior to recording of the Final Plat of the first filing.
- b.) Elbert County and the applicant will sign and have recorded a Subdivision Improvement Agreement and the County will issue a 1041 Permit after the recordation of the Final Plat and prior to initiation of any construction.
- c.) The applicant and the Elizabeth School District #C-1 will comply with Resolution 99-14 prior to the recordation of each final plat filing. A letter from the district indicating compliance will be provided to Community & Development Services Office prior to recordation of the Final Plat.



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

Hope Goetz Aye  
**HOPE GOETZ, CHAIRMAN**

Del Schwab Aye  
**DEL SCHWAB, VICE CHAIRMAN**

**ATTEST: AMY FORDYCE  
COUNTY CLERK**

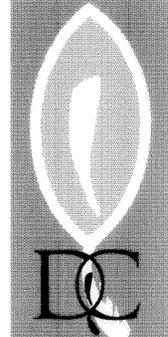
**BY:** Spive Schick  
**Deputy, Clerk to the Board**



# BANDERA- EAST

## UNINCORPORATED ELBERT COUNTY, COLORADO

CASE NUMBER:  
PD 08-00-33



DESIGN  
CONCEPTS

www.dclanet.com 303.664.5301  
211 North Public Rd.  
Suite 200  
Lafayette, CO  
80026

### REZONING PLAN EXHIBIT

PART OF SECTION 15, PART OF THE WEST 1/2 OF SECTION 14, THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 65 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ELBERT, STATE OF COLORADO  
235.57 Acres 214 RESIDENTIAL LOTS

Team members	Firm	Contact
Applicant & Owners	Timber Ridge LLC 8480 E Orchard Rd, Ste 1100 Greenwood Village, CO 80111 303-622-4690	David Johnson Charles Wahlert Rex Weimer
Planning & Landscape Architecture	Design Concepts 211 North Public Road, Ste 200 Lafayette, CO 80026 303-664-5301	Axel Bishop Dave Peterson
Engineer & land planning - Civil, survey, drainage	Paragon Engineering Inc. 7852 South East, Suite 203 Littleton, CO 80120 303-794-8604 Fax 303-795-3072	Wendell Ayers
Engineer - Water & wastewater	RG Consulting Engineers 1331 17 <sup>th</sup> Street, Ste 710 Denver, CO 80202 303-468-6489 Fax 303-293-8106	David Takeda
Engineer - Soils, geotech	Terracon Consultants, Inc. 10825 West 170 Frontage Rd North Suite 3 Whitral Ridge, CO 80033 303-423-3300 Fax 303-423-3353	Raymond Denton II Michael Anderson
Engineer - Traffic	LSC Transportation Consultants, Inc. 1489 York Street Denver, CO 80202 303-333-1195 Fax 303-333-1107	Dave Ruble, Jr.
Ecology & Environment	Western Environment & Ecology Inc. 2217 West Powers Avenue Littleton, CO 80120 303-730-3452 Fax 303-730-3461	Greg Sherman
Survey	High Plains Survey P.O. Box 773 Parker, CO 80138 303-621-8672 Fax 303-621-1873	Keith Westfall
Governmental liaison	Tom Maroney P.O. Box 802 Elizabeth, CO 303-646-3606 Fax 303-646-0843	Tom Maroney
Application coordination Fiscal impact	Allen Gerstenberger 5255 Bowmar Drive Littleton, CO 80123 303-795-6880 Fax 303-795-1788	Allen Gerstenberger
Attorney Water issues	Petrock & Fendel, P.C. 730 17 <sup>th</sup> Street, Suite 1900 Denver, CO 80202 303-534-0702 Fax 303-534-0310	Scott Huyler Gary Crosby
Attorney Metropolitan special district	Miller & Rosenbluth 730 17th Street, Ste 2200 Denver, CO 80202 303-285-5304 Fax 303-285-5301	Dianne Miller
Groundwater geology	Wm. Curtis Wells 13942 Legend Way, Ste 101 Broomfield, CO 80020 303-466-3891 Fax 303-465-5859	Curtis Wells

#### LEGAL DESCRIPTION - BANDERA EAST

PART OF SECTION 15, PART OF THE WEST 1/2 OF SECTION 14, THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 65 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ELBERT, STATE OF COLORADO, FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 15 AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15 TO BEAR N00°29'17"E WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15 S89°24'16"E, A DISTANCE OF 2,650.65 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 15; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15 S89°24'24"E, A DISTANCE OF 2,600.52 TO THE POINT OF BEGINNING;

THENCE N00°18'45"E, A DISTANCE OF 646.73 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 14°59'13" AND A RADIUS OF 1,050.00 FEET, A DISTANCE OF 274.65 FEET; THENCE N15°17'58"E, A DISTANCE OF 219.19 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 36°15'01", A RADIUS OF 1,000.00 FEET, A DISTANCE OF 632.69 FEET TO A POINT OF COMPOUND CURVE; THENCE ALONG THE ARC OF A COMPOUND CURVE, HAVING A CENTRAL ANGLE OF 53°09'50", A RADIUS OF 25.00 FEET, A DISTANCE OF 23.20 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG THE ARC OF A REVERSE CURVE, HAVING A CENTRAL ANGLE OF 200°13'19", A RADIUS OF 93.00 FEET, A DISTANCE OF 324.99 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG THE ARC OF A REVERSE CURVE, HAVING A CENTRAL ANGLE OF 62°13'06", A RADIUS OF 25.00 FEET, A DISTANCE OF 27.15 FEET; THENCE N63°53'20"E, A DISTANCE OF 52.53 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 72°19'10", A RADIUS OF 220.00 FEET, A DISTANCE OF 277.69 FEET; THENCE N08°25'50"W, A DISTANCE OF 224.03 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 41°10'37", A RADIUS OF 670.00 FEET, A DISTANCE OF 481.51 FEET, THE CHORD OF WHICH BEARS N29°01'09"W, A DISTANCE OF 471.21 FEET; THENCE N37°49'34"E, A DISTANCE OF 114.04 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 31°46'45", A RADIUS OF 220.00 FEET, A DISTANCE OF 122.02 FEET; THENCE N69°36'19"E, A DISTANCE OF 227.94 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 35°32'53", A RADIUS OF 69.00 FEET, A DISTANCE OF 42.81, THE CHORD OF WHICH BEARS N51°49'53"E, A DISTANCE OF 42.13 FEET; THENCE N79°00'18"E, A DISTANCE OF 206.91 FEET; THENCE N49°18'45"E, A DISTANCE OF 222.07 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 45°00'00", A RADIUS OF 69.00 FEET, A DISTANCE OF 54.19 FEET, THE CHORD OF WHICH BEARS N86°23'30"E, A DISTANCE OF 52.81 FEET; THENCE N63°53'30"E, A DISTANCE OF 190.28 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 83°41'48", A RADIUS OF 7.00 FEET, A DISTANCE OF 10.23 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG THE ARC OF A REVERSE CURVE, HAVING A CENTRAL ANGLE OF 47°24'00", A RADIUS OF 330.00 FEET, A DISTANCE OF 273.00 FEET; THENCE S89°36'24"E, A DISTANCE OF 441.13 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST QUARTER OF SECTION 14; THENCE ALONG SAID EAST LINE OF THE NORTHWEST QUARTER OF SECTION 14 S00°23'36"W, A DISTANCE OF 617.60 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 14; THENCE ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14 S00°23'37"W, A DISTANCE OF 1,322.66 FEET TO THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14; THENCE ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14 S89°54'31"E, A DISTANCE OF 1,336.38 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14; THENCE ALONG THE EAST LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14 S00°14'10"W, A DISTANCE OF 1,322.15 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 14 N89°55'47"W, A DISTANCE OF 1,340.01 FEET TO THE SOUTH QUARTER CORNER OF SECTION 14; THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 14 N89°56'06"W, A DISTANCE OF 2,679.97 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 15; THENCE N89°24'24"W, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING, CONTAINING 235.57 ACRES, MORE OR LESS.

#### Planning Commission

This rezone was reviewed by and recommended for approval by the Elbert County Planning Commission on the 14 day of 2010, year 2010, A.D.

*[Signature]*  
Chairman, Planning Commission

#### Board of County Commissioners

This rezone was reviewed by and approved by the Elbert County Board of County Commissioners on the 13 day of January, year 2010, A.D.

*[Signature]*  
Chairman, Board of County Commissioners

#### Clerk and Recorder's Certificate

State of Colorado }  
County of Elbert }

I hereby certify this rezoning exhibit was filed in my office on the 13 day of February, year 2010, A.D. at 3:22 A.M./P.M. and was recorded at Reception Number 201087.

*[Signature]*  
County Clerk and Recorder

Owner: Timber Ridge LLC

By: Charles H. Wahlert *[Signature]* may member

State of Colorado }  
County of Elbert }

The foregoing instrument was acknowledged before me this 28 day

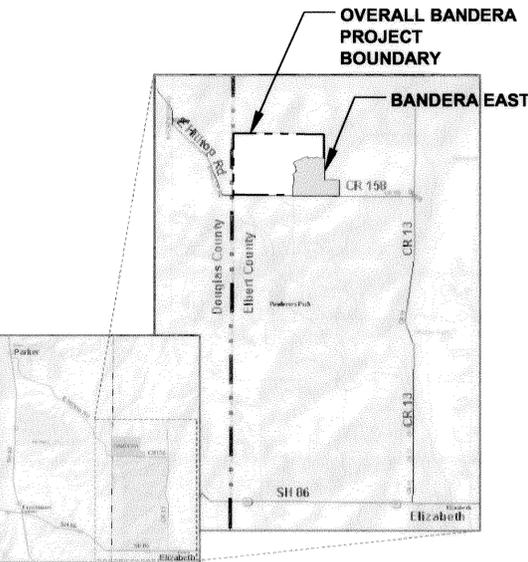
Jan AD, 2010 by Charles H. Wahlert *[Signature]* may member Timber Ridge LLC

Witness my hand and official seal Notary

*[Signature]*

My commission expires 1/29/2011

Notary business address: 117 S. Elizabeth St  
Elizabeth, CO 80107



#### Vicinity Map

SCALE 1"=2000'-0"



BANDERA - EAST	
SITE DATA CHART	
(From Preliminary Plat)	
Total Acreage	235.57 ac.
R.O.W. Acreage	34.35 ac.
Net Acreage	201.22 ac.
Number of Lots	214
Average Lot Size	0.362 ac.
1 Lot per	1.10 ac.
Adjacency	2,680 lf
Perimeter (Maximum)	16,080 lf
Perimeter (Provided)	14,957 lf
Single Family - Net	77.54 ac.
% Single Family - Net	38.53 %
Open Space - Net	123.68 ac.
% Open Space - Net	61.47 %

#### OWNER AND APPLICANT:

Timber Ridge, LLC.  
8480 E Orchard Rd, Suite 1100  
Greenwood Village, CO 80111  
Phone: 303-622-4690

#### REPRESENTATIVE:

Allen Gerstenberger  
5255 Bowmar Dr.  
Littleton, CO 80123  
Phone: 303-795-6880

Tom Maroney  
P.O. Box 902  
Elizabeth, CO 80107  
Phone: 303-646-3606

BANDERA-EAST REZONE  
PLAN EXHIBIT  
Elbert County, Colorado

Project No.: 20620  
Drafted By: DP  
Checked By: AB

Issued For: date:  
Rezoning Plan Exhibit 12-14-06

Revision: date:  
Rezoning Plan Exhibit 04-26-07  
Rezoning Plan Exhibit 05-28-08  
Rezoning Plan Exhibit 05-06-09

All drawings and written material appearing herein constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

COVER SHEET

RZE1.0

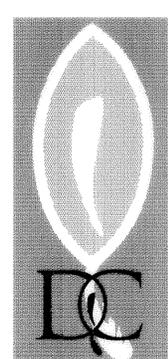
201087

1084

# BANDERA- EAST

## UNINCORPORATED ELBERT COUNTY, COLORADO

CASE NUMBER:  
PD 08-00-33



DESIGN  
CONCEPTS

www.dcla.net 303.664.5301  
211 North Public Rd.  
Suite 200  
Lafayette, CO  
80026

### REZONING PLAN EXHIBIT

ALL OF SECTION 15, THE WEST 1/2 OF SECTION 14, AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14  
TOWNSHIP 7 SOUTH, RANGE 65 WEST, COUNTY OF ELBERT, STATE OF COLORADO  
235.57 Acres 214 RESIDENTIAL LOTS

#### Planned Unit Development Standards

##### 1 PROJECT INTENT

Bandera is proposed as a planned residential community in Elbert County.

The objective of the Bandera Planned Unit Development (PUD) zoning is to:

- provide quality housing opportunities for Elbert County residents;
- respect the unique site features, land forms and preserve large areas of natural open space.

##### 2 SITE DATA

The entire Bandera site consists of 1011.93 acres.

The development has been divided into two Planning Areas, Bandera East and Bandera West.

The property is 7 miles northeast of Elizabeth.

Primary access to the site will be Elbert County Road 158.

The property is all of section 15, the west 1/2 of section 14, and the southwest 1/4 of the southeast 1/4 of section 14 township 7 south, range 65 west, in Elbert County, State of Colorado.

##### Site Area:

Bandera East:	235.57 acres more or less
Bandera West:	776.36 acres more or less
Bandera TOTAL:	1,011.93 acres, more or less

##### 3 DEFINITIONS

- Standard Single Family Residential Unit or Lot ("Standard Lot" or "Standard Unit"):** A single family dwellings on a subdivided lot not less than 7,000 sq.ft.
- Alternative Residential Unit or Lot ("Alternative Lot" or "Alternative Unit"):** Residential dwelling unit that is on a lot smaller than 7,000 sq. ft. or in a multifamily building. Examples include but are not limited to zero lot lines lots, patio homes, townhomes, apartments.

##### 4 PUD LAND USE STANDARDS

###### 4.1 Residential

###### 4.1.1 Intent

Bandera is a residential development planned with a pedestrian friendly trail system designed around passive community open space, a community school and active parks. The public street system provides a connection through the neighborhood to the established county road system. Bandera will consist of a maximum of 920 residential units with an overall density based on one dwelling per 0.91 acres. Bandera East consists of not more than 214 residential units and Bandera West consists of not more than 706 residential units.

###### 4.1.2 Permitted Uses

- One (1) Standard Single Family Residential Unit per lot.
- Minimum of 120 Alternative Residential Units in Bandera.
- Accessory buildings, apparatus and uses, including but not limited to those private amenities further defined in the CC&R's
- Home occupations
- Temporary construction and residential sales offices. Such facilities shall be removed within 30 days of last sale of unit in the project or phase of the project associated with the trailer or sales office.

###### 4.1.3 Uses Permitted by Special Review

- Non-commercial antenna support structures as regulated by Elbert County
- Cellular Communication Facilities

###### 4.1.4 Lot Area for Standard Lot

- Minimum lot size shall be 7000sf.

###### 4.1.5 Setback Regulations for Standard Residential Units

Minimum building setbacks and building separations are as follows:

Minimum setback to perimeter property line abutting public ROW

on Delbert Road	50 feet
Front Yard setback; garage door to road right-of-way	30 feet
Front Yard setback; living space to road right-of-way	20 feet
Side yard setback	7 feet
Rear yard setback	20 feet
Minimum lot frontage at setback along Road Easement	70 feet

###### 4.1.6 Setback Regulations for Alternative Residential Units

Minimum building setbacks and building separations are as follows:

Minimum setback to perimeter Property line abutting public ROW

on Delbert Road	50 feet
Front Yard setback; garage door to road right-of-way	20 feet
Front Yard setback; living space to road right-of-way	12 feet
Side yard setback	5 feet
Zero Side Yard setback	0 feet
Rear yard setback (porches and decks excepted)	10 feet
Minimum lot frontage at setback along Road Easement	30 feet

###### 4.1.7 Minimum floor area: Standard Residential Units

- 1500 square feet habitable area per unit.
- Garages and basements do not count in calculating floor area for the purposes of this provision.

###### 4.1.8 Minimum floor area: Alternative Residential Units

- 900 square feet habitable area per unit. Garages and basements do not count in calculating floor area for the purposes of this provision.

###### 4.1.9 Height

- Maximum average building height is 35 feet. (measured as an average of entire building perimeter grade to ridge line.)

###### 4.1.10 Landscaped / Irrigated Area

- No more than 3000 square feet of the yard area may be landscaped in high water demand sod.
- Landscaped areas, including storm water conveyance swales and detention facilities, shall be incorporated into the common landscaped area and pedestrian circulation system for this development.

###### 4.1.11 Fences and Enclosures

- Fences, hedges and walls shall not exceed 40" in height on the side and rear and in the front fence yard setback. The front yard fence setback is a line parallel to the street and behind the face of the structure fifteen feet.
- All yard fences must be at least 80% transparent, made from wood, and comply with the standards details.
- Six foot privacy fences are allowed only when attached to a deck or porch.
- Electrified and barbed wire fences shall be prohibited in this zone with the exception of pet containment "invisible fences".

###### 4.1.12 Sign Requirements

- Sign standards shall comply with the requirements of the Elbert County sign ordinance.
- The residential identification signage shall be limited to two (2) monument signs for each planning area (east and west) or neighborhood with a maximum height of six feet. The maximum allowable square footage of any monument sign shall be 48 square feet per sign face. See Part II, Section 19 of Elbert County regulations.

###### 4.1.13 Parking

- Two off-street parking spaces shall be provided for each dwelling unit.

###### 4.1.14 Addresses

- Each lot shall have an address clearly marked with sandblasting or securely attached 8" lettering on a stone or rock measuring at least 18" by 24", and placed next to the shoulder of the road within 5' of the drive, or next to a walk connecting the home to the roadway. This stone or rock may be a structure which includes low level lighting. See plan details.

###### 4.1.15 Water and Sanitation Requirements

- Water is served by a central water and sewer facility (District) approved by the State Health Department.

###### 4.1.16 Utility Requirements

- All proposed power and communication lines will be installed underground. Necessary above-ground appurtenances, such as meters, pedestals, transformers, etc. will be located for maximum aesthetic consideration and shall be screened.

###### 4.1.17 Design Standards:

- Architecture, building materials, colors, lighting and landscape standards shall be subject to private controls administered through the Homeowners Association, Design Review Committee and the CC&R's.

###### 4.1.18 Temporary Uses:

- Agricultural uses shall be allowed as temporary uses, such uses shall terminate within each filing when the first building permit is issued for that filing.

###### 4.2 Open Space Areas

###### 4.2.1 Intent

Preservation of open space and natural features is a very important component of the Bandera PUD. The amenities will include a community center, picnic area, playgrounds and walking trails.

###### 4.2.2 Permitted Uses:

- Passive Open Space
- Active recreation fields
- Pedestrian / Bicycle (non-motorized vehicle) Trails
- Drainage conveyance improvements
- Transit passenger shelter
- Mail kiosk / mail box clusters
- Trash collection receptacles
- Vehicle drives and parking lot area(s)
- Vehicle parking structure, covered bridge, footbridge(s)
- Information and directional signage, kiosks, benches, restroom facilities
- Tot lot, Playground/ Play area, including volleyball, Bocce ball, horseshoes and similar outdoor recreation uses
- Picnic area, picnic shelter, outdoor grill area.
- Off leash dog activity park.
- Clubhouse / Hot tub, Swimming pool, Tennis Court, Sport Court
- Utility Service facilities including well sites, public / private wastewater treatment, and water storage facilities and accessory facilities and structures.
- Temporary construction and residential sales offices. Such facilities shall be removed within 30 days of last sale of unit in the project or phase of the project associated with the trailer or sales office.
- Other public uses consistent with passive open space as primary use.

###### 4.2.3 Uses Permitted by Special Review

- Non-commercial antenna support structures as regulated by Elbert County
- Cellular Communication Facilities
- Mining activities.

###### 4.2.4 Setback Regulations

- Minimum setback to perimeter Property line - 15 feet from public street frontage
- Above ground utility service improvements shall have a 25 foot setback from platted developable lots.

###### 4.2.5 Height

- Structures that require a building permit shall not exceed 35 feet. Community identification elements, such as a windmill, silo, tower element or similar features, will be limited to 50 feet.

###### 4.2.6 Landscape, Pedestrian Amenities and Trails

- Landscaped areas, including storm water conveyance swales and detention facilities, shall be incorporated into the common landscaped area and pedestrian circulation system for this development.
- Trails and foot bridges shall be designed for active pedestrian use and incorporated into the development to minimize conflicts and allow pedestrians to safely travel throughout the neighborhood and connect to adjacent public ways. The pedestrian trail shall be constructed by the developers, pursuant to Section 1082.00 - Walkways, Maintenance Paths and Soft Trails of the Elbert County Construction Standards and Specifications, 2007 Edition. The exact location of trails shall be shown on the final plat.
- The architectural character of the amenities and project entry features shall incorporate the same or similar materials and colors such that the design is consistent and integrated.
- All private common elements, including internal trails shall be constructed by the Owner and or assigns and maintained by the Metropolitan District or the HOA.
- Fencing, hedges and walls shall be permitted in this district and do not have to comply with the minimum setbacks of the zone. Their use can not restrict visibility (sight triangles) from the street.

- Fencing, bridges landscaping or similar improvements shall be limited so as not to restrict the flow of water within the area(s) designated for drainage.
- A landscape plan shall be provided showing plant type, location, quantity, and size for any landscape area within the development at the time of final plat submittal.
- Prior to filing of first Final Plat. An entry landscape plan for entrances on CR 158 will be submitted to community and development services for approval.

###### 4.2.7 Parking

- Off-street parking shall be provided to allow for convenient access for persons wanting to access the trails or other activity areas within the open space.
- Off-street parking shall comply the minimum requirements as established by Elbert County Zoning Regulations and in effect at the time of development.

###### 4.3 Lighting

- All light sources including porch lights, shall be indirect, diffused shielded type fixtures, installed to reduce glare and the consequent interference with boundary streets and adjacent properties. Fixtures providing direct illumination shall be in character with the architectural and landscape character of the development.
- Maximum height of light poles along vehicular access drives shall not exceed 12 feet.

###### 4.4 Streets and Roads

- Street sections are provided as part of the Subdivision Plat. The design of public streets and private access drives for the development will be in accordance with the standards as approved by Elbert County.
- The developer, his successors and assigns shall be responsible for the construction of all roads in each final plat filing prior to the issuance of the first building permit for that filing and probationary acceptance period of all public streets prior to the County accepting maintenance of public streets.

##### 5 ENFORCEMENT

- The Developer shall be responsible for establishing a Home Owners Association (HOA) as well as preparing and recording "Conditions, Covenants and Restrictions (CC&R's), to be in place not later than Building Permit approval for the first permit for development.

##### 6 GENERAL REQUIREMENTS

- Other issues specifically not addressed herein will be addressed by the general provisions and regulations and those standards in the Zoning Resolution in effect at the time of building permit application.
- Outdoor Storage: All outdoor dumpsters and trash containers shall be screened with a fence, wall or landscaping materials. The point of access shall be screened by an opaque gate; however, no landscaping shall be required along the gate that would impede the operation of the gate.
- No materials or wastes shall be deposited upon any lot in such form or manner, that it may be transferred off the lot by natural forces or causes.
- Every use within this Planned Unit Development shall be operated so that it does not emit an obnoxious or dangerous degree of heat, glare, vibration, radiation, dust noise, smoke or fumes beyond the property boundaries.

BANDERA-EAST REZONE  
PLAN EXHIBIT  
Elbert County, Colorado

Project No.: 20620  
Drafted By: DP  
Checked By: AB

Issued For: date:  
Rezone Plan Exhibit 12-14-06

Revision: date:  
Rezone Plan Exhibit 04-28-07  
Rezone Plan Exhibit 05-28-08  
Rezone Plan Exhibit 05-06-09

All drawings and written materials appearing here constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

PUD STANDARDS

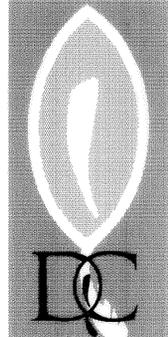
RZE2.0

2014

# BANDERA- EAST

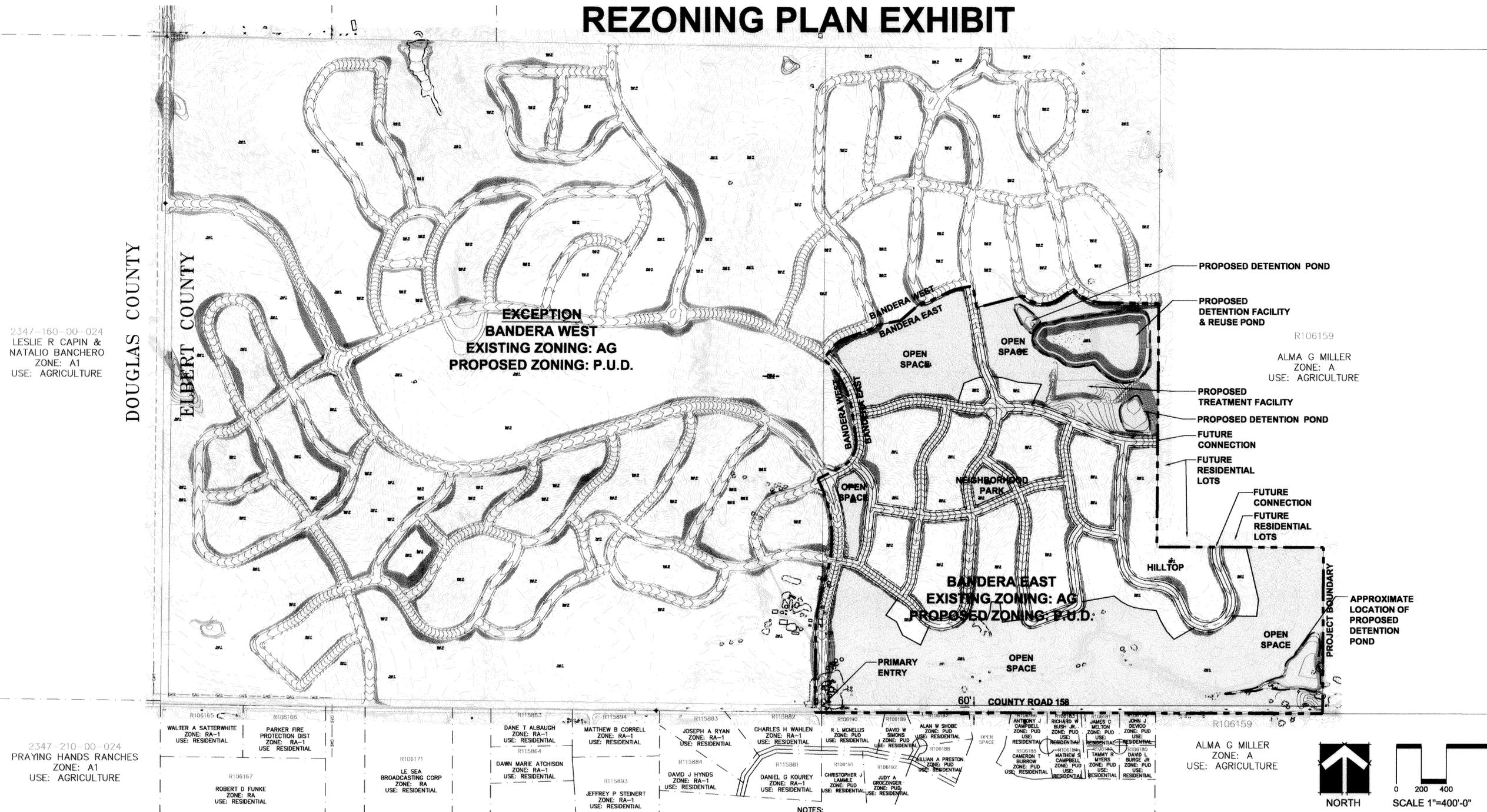
## UNINCORPORATED ELBERT COUNTY, COLORADO

CASE NUMBER:  
PD 08-00-33



DESIGN  
CONCEPTS  
www.dcla.net 303.664.5301  
211 North Public Rd.  
Suite 200  
Lafayette, CO  
80026

### REZONING PLAN EXHIBIT



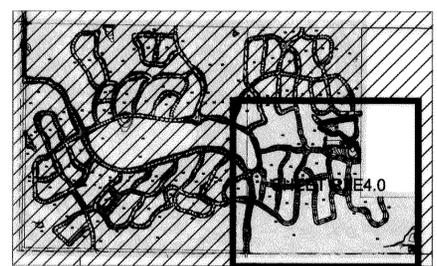
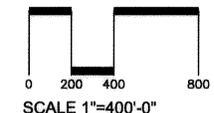
2347-160-00-024  
LESLIE R CAPIN &  
NATALIO BANCHERO  
ZONE: A1  
USE: AGRICULTURE

DOUGLAS COUNTY  
ELBERT COUNTY

2347-210-00-024  
PRAYING HANDS RANCHES  
ZONE: A1  
USE: AGRICULTURE

R106185 WALTER A SATTERWHITE ZONE: RA-1 USE: RESIDENTIAL	R106166 PARKER FIRE PROTECTION DIST ZONE: RA-1 USE: RESIDENTIAL	R115883 DANE T ALBAUGH ZONE: RA-1 USE: RESIDENTIAL	R115884 MATTHEW B CORRELL ZONE: RA-1 USE: RESIDENTIAL	R115883 JOSEPH A RYAN ZONE: RA-1 USE: RESIDENTIAL	R115882 CHARLES H WAHLEN ZONE: RA-1 USE: RESIDENTIAL	R106190 R L MCNEILLIS ZONE: PUD USE: RESIDENTIAL	R106188 DAVID W SIMONS ZONE: PUD USE: RESIDENTIAL	R106187 ALAN W SHOBE ZONE: PUD USE: RESIDENTIAL	R106186 ANTHONY J CAMPBELL ZONE: PUD USE: RESIDENTIAL	R106185 RICHARD W BUSH JR. ZONE: PUD USE: RESIDENTIAL	R106184 MELTON ZONE: PUD USE: RESIDENTIAL	R106183 JOHN J DEVCO ZONE: PUD USE: RESIDENTIAL	R106182 DAVID L BURGE JR ZONE: PUD USE: RESIDENTIAL	R106181 TAMMY R MYERS ZONE: PUD USE: RESIDENTIAL	R106180 DAVID L BURGE JR ZONE: PUD USE: RESIDENTIAL
---	--	---	--	--	---	---	--	--	--	--	---	--	--	---	--

ALMA G MILLER  
ZONE: A  
USE: AGRICULTURE



KEY MAP  
SCALE: 1" = 2000'

**LEGEND:**

- SLOPES GREATER THAN 20%
- EXISTING TREE CLUMP
- PROPOSED DETENTION FACILITY
- VIEW CORRIDOR
- EXISTING TREE
- EXISTING SHRUB
- PROJECT BOUNDARY
- OPEN SPACE AND PARKS

**NOTES:**

1. **EXISTING STRUCTURES:** AN EXISTING HOMESTEAD WITH SEVERAL ASSOCIATED BUILDINGS EXISTS ON THE SITE AND WILL BE PART OF A PROPOSED PARK SITE. SOME BUILDINGS WILL BE REMOVED WHILE OTHERS REMAIN.
2. **WETLANDS, STREAMS & FLOOD PLAINS:** THERE DO NOT APPEAR TO BE ANY YEAR-ROUND STREAMS, ACTIVE WETLANDS, OR FLOOD PLAINS ON SITE. APPROPRIATE STUDIES WILL BE COMPLETED PRIOR TO AN APPLICATION FOR A 1041 LAND USE PERMIT. THE EXISTING DRAINAGEWAYS ARE NOT NAMED.
3. **LAKES, PONDS, AND RETENTION AREAS:** THERE ARE SEVERAL NATURAL LOWPOINTS ON THE SITE THAT RETAIN SOME SMALL AMOUNTS OF WATER. A LARGE 7 ACRE POND WILL BE REPLACING ONE OF THE RETENTION AREAS. THIS WATER WILL BE USED FOR IRRIGATION ON THE SITE.
4. **20% SLOPES:** EXIST ON SITE AND ARE DESIGNATED ON THE PLAN. NO STRUCTURES WILL BE PERMITTED ON SLOPES EXCEEDING 20%.
5. **ADJACENT PROPERTY OWNED BY APPLICANT** NO ADJACENT PROPERTY IS OWNED BY THE APPLICANT, TIMBER RIDGE, LLC.
6. **EXISTING STREETS, ROADS, OR PUBLIC ROWS:** NONE.
7. **PROPOSED STREETS, ROADS & DRIVEWAYS** WILL BE DESIGNED AND CONSTRUCTED TO MEET OR EXCEED COUNTY REQUIREMENTS.
8. **STREET NAMES** HAVE NOT YET BEEN SELECTED. THEY WILL COMPLY WITH COUNTY STANDARDS AND BE APPROVED BY THE COUNTY MAPPER PRIOR TO THE FINAL APPLICATION.
9. **EXISTING EASEMENTS:** NONE
10. **UTILITY SERVICE PROVIDERS** INCLUDE: IREA, AQUILA, QWEST.
11. **MINERAL RIGHTS:** ACCORDING TO THE ELBERT COUNTY ASSESSOR'S OFFICE, THE MINERALS UNDERLYING THE PROPERTY HAVE NOT BEEN SEVERED, THEREFORE THEY ARE OWNED BY THE SURFACE PROPERTY OWNER.
12. **ZONING:** EXISTING - AGRICULTURE  
PROPOSED - P.U.D.

BANDERA-EAST REZONE  
PLAN EXHIBIT  
Elbert County, Colorado

Project No.: 20620  
Drafted By: DP  
Checked By: AB

Issued For: Rezone Plan Exhibit  
date: 12-14-06

Revision: Rezone Plan Exhibit  
date: 04-26-07  
05-28-08  
05-06-09

All drawings and written material, including herein constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

OVERALL SITE PLAN

RZE3.0



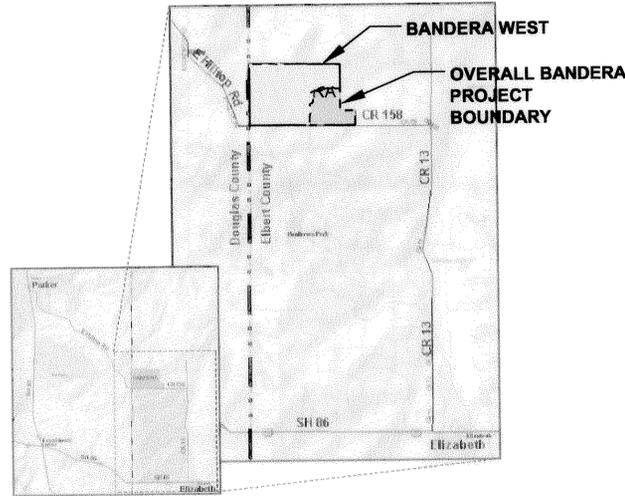
# BANDERA- WEST

## UNINCORPORATED ELBERT COUNTY, COLORADO

CASE NUMBER:  
PD 08-00-34

### REZONING PLAN EXHIBIT

PART OF SECTION 15, AND PART OF THE WEST 1/2 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 65 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ELBERT, STATE OF COLORADO  
776.36 Acres 706 RESIDENTIAL LOTS



#### Vicinity Map

SCALE 1"=2000'-0"



Team members	Firm	Contact
Applicant & Owners	<b>Timber Ridge LLC</b> 9480 E Orchard Rd, Ste 1100 Greenwood Village, CO 80111 303-622-4690	David Johnson Charles Wahlen Rex Weimer
Planning & Landscape Architecture	<b>Design Concepts</b> 211 North Public Road, Ste 200 Lafayette, CO 80026 303-664-5301	Axel Bishop Dave Peterson
Engineer & land planning- Civil, survey, drainage	<b>Paragon Engineering Inc.</b> 7802 South Elm, Suite 203 Littleton, CO 80120 303-794-8604 Fax 303-795-3072	Wendell Ayers
Engineer - Water & wastewater	<b>RG Consulting Engineers</b> 1331 17th Street, Ste 710 Denver, CO 80202 303-468-5469 Fax 303-393-9106	David Takeda
Engineer - Soils, geotech	<b>Terracon Consultants, Inc.</b> 10625 West 170 Frontage Rd North Suite 3 Wheat Ridge, CO 80033 303-423-2300 Fax 303-423-3353	Raymond Denton II Michael Anderson
Engineer - Traffic	<b>LSC Transportation Consultants, Inc.</b> 1889 York Street Denver, CO 80206 303-333-1106 Fax 303-333-1107	Dave Ruble, Jr.
Ecology & Environment	<b>Western Environment &amp; Ecology Inc.</b> 2217 West Pecos Avenue Littleton, CO 80120 303-730-3452 Fax 303-730-3461	Greg Sherman
Survey	<b>High Plains Survey</b> PO Box 173 Parker, CO 80138 303-421-2872 Fax 303-621-1873	Keith Westfall
Governmental liaison	<b>Tom Maroney</b> PO Box 902 Elizabeth, CO 303-646-3806 Fax 303-646-0843	Tom Maroney
Application coordination Fiscal impact	<b>Allen Gerstenberger</b> 5255 Bowmar Drive Littleton, CO 80123 303-795-6860 Fax 303-795-1788	Allen Gerstenberger
Attorney - Water issues	<b>Petrock &amp; Fendel, P.C.</b> 700 17th Street, Suite 1900 Denver, CO 80202 303-534-0202 Fax 303-534-0310	Scott Huyler Gary Crosby
Attorney - Metropolitan special district	<b>Miller &amp; Rosenbluth</b> 700 17th Street, Ste 2200 Denver, CO 80202 303-295-5394 Fax 303-295-5301	Dianne Miller
Groundwater geology	<b>Wm. Curtis Wells</b> 13842 Legend Way, Ste 101 Broomfield, CO 80020 303-466-3801 Fax 303-466-5859	Curtis Wells

SITE DATA CHART	
Total Acreage	776.36 ac.
R.O.W. Acreage	118.15 ac.
Net Acreage	658.21 ac.
Number of Lots	706
Average Lot Size	0.489 ac.
1 Lot per	1.100 ac.
Adjacency	6,288 lf
Perimeter (Maximum)	37,728 lf
Perimeter (Provided)	26,865 lf
School	14.65 ac.
Single Family - Net	344.84 ac.
% Single Family - Net	52.39 %
Open Space - Net	298.72 ac.
% Open Space - Net	45.38 %

#### LEGAL DESCRIPTION -- BANDERA WEST

PART OF SECTION 15, AND PART OF THE WEST 1/2 OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 65 WEST, OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF ELBERT, STATE OF COLORADO, FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 15 AND CONSIDERING THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15 TO BEAR N00°29'17"E WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; THENCE ALONG SAID WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 15 N00°29'17"E, A DISTANCE OF 2,662.69 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 15; THENCE ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15 N00°29'17"E, A DISTANCE OF 2,662.69 FEET TO THE NORTHWEST CORNER OF SAID SECTION 15; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15 S89°03'43"E, A DISTANCE OF 2,642.54 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 15; THENCE ALONG THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 15 S89°05'26"E, A DISTANCE OF 2,642.54 FEET TO THE NORTHEAST CORNER OF SAID SECTION 15; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15; THENCE ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 14 S89°50'50"E, A DISTANCE OF 2,687.43 FEET TO THE NORTH QUARTER CORNER OF SAID SECTION 14; THENCE ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 14 S00°23'36"W, A DISTANCE OF 2,028.07 FEET; THENCE N89°36'24"W, A DISTANCE OF 441.13 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 47°24'00", A RADIUS OF 330.00 FEET, A DISTANCE OF 273.00 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG THE ARC OF A REVERSE CURVE, HAVING A CENTRAL ANGLE OF 83°41'48", A RADIUS OF 7.00 FEET, A DISTANCE OF 10.23 FEET; THENCE S54°05'48"W, A DISTANCE OF 124.02 FEET TO A POINT OF CURVATURE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 79°46'37", A RADIUS OF 230.00 FEET, A DISTANCE OF 320.25 FEET, THE CHORD OF WHICH BEARS N86°00'54"W, A DISTANCE OF 295.00 FEET; THENCE S75°41'21"W, A DISTANCE OF 384.98 FEET; THENCE N09°59'15"W, A DISTANCE OF 175.56 FEET; THENCE S80°00'45"W, A DISTANCE OF 118.57 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 16°07'15", A RADIUS OF 270.00 FEET, A DISTANCE OF 75.97 FEET; THENCE S63°53'30"W, A DISTANCE OF 190.28 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 45°00'00", A RADIUS OF 69.00 FEET, A DISTANCE OF 54.19 FEET, THE CHORD OF WHICH BEARS S86°23'30"W, A DISTANCE OF 52.81 FEET; THENCE S49°18'45"W, A DISTANCE OF 222.07 FEET; THENCE S79°00'18"W, A DISTANCE OF 206.91 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE ALONG THE ARC OF A NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 35°32'53", A RADIUS OF 69.00 FEET, A DISTANCE OF 42.13 FEET; THENCE S69°36'19"W, A DISTANCE OF 227.94 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 31°46'45", A RADIUS OF 220.00 FEET, A DISTANCE OF 122.02 FEET; THENCE S37°49'34"W, A DISTANCE OF 114.04 FEET TO A POINT OF NON-TANGENT CURVATURE; THENCE ALONG THE ARC OF NON-TANGENT CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 41°10'37", A RADIUS OF 670.00 FEET, A DISTANCE OF 481.51 FEET, THE CHORD OF WHICH BEARS S29°01'09"E, A DISTANCE OF 471.21 FEET; THENCE S08°25'50"E, A DISTANCE OF 224.03 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 72°19'10", A RADIUS OF 220.00 FEET, A DISTANCE OF 277.69 FEET; THENCE S63°53'20"W, A DISTANCE OF 52.53 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE RIGHT, HAVING A CENTRAL ANGLE OF 62°13'06", A RADIUS OF 25.00 FEET, A DISTANCE OF 27.15 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG THE ARC OF A REVERSE CURVE, HAVING A CENTRAL ANGLE OF 200°13'19", A RADIUS OF 93.00 FEET, A DISTANCE OF 324.99 FEET TO A POINT OF REVERSE CURVE; THENCE ALONG THE ARC OF A REVERSE CURVE, HAVING A CENTRAL ANGLE OF 53°09'50", A RADIUS OF 25.00 FEET, A DISTANCE OF 23.20 FEET TO A POINT OF COMPOUND CURVE; THENCE ALONG THE ARC OF A COMPOUND CURVE HAVING A CENTRAL ANGLE OF 36°15'01", A RADIUS OF 1,000.00 FEET, A DISTANCE OF 632.69 FEET; THENCE S15°17'58"W, A DISTANCE OF 219.19 FEET TO A POINT OF CURVATURE; THENCE ALONG THE ARC OF A CURVE TO THE LEFT, HAVING A CENTRAL ANGLE OF 14°59'13", A RADIUS OF 1,050.00 FEET, A DISTANCE OF 274.65 FEET; THENCE S00°18'45"W, A DISTANCE OF 646.73 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST CORNER OF SAID SECTION 15; THENCE ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 15 N89°24'24"W, A DISTANCE OF 2,600.52 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 15, THENCE ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15 N89°24'16"W, A DISTANCE OF 2,650.65 FEET TO THE POINT OF BEGINNING, CONTAINING 776.36 ACRES, MORE OR LESS.

#### Planning Commission

This rezone was reviewed by and recommended for approval by the Elbert County Planning Commission on the 14 day of July, year 2010, A.D.

*[Signature]*  
Chairman, Planning Commission

#### Board of County Commissioners

This rezone was reviewed by and approved by the Elbert County Board of County Commissioners on the 13 day of August, year 2010, A.D.

*[Signature]*  
Chairman, Board of County Commissioners

#### Clerk and Recorder's Certificate

State of Colorado }  
County of Elbert } SS

I hereby certify this rezoning exhibit was filed in my office on the 17 day of February, year 2010, A.D. at 2:29 A.M./P.M. and was recorded at Reception Number 201288.

*[Signature]*  
County Clerk and Recorder

Owner: Timber Ridge LLC

By: Charles H. Wahlen Army member

State of Colorado }  
County of Elbert } SS

The foregoing instrument was acknowledged before me this 28 day

Jan AD, 2010 by Charles H. Wahlen my member Timber Ridge LLC

Witness my hand and official seal Notary

My commission expires 1/21/2011

Notary business address: 117 S Elizabeth St Elizabeth, CO 80107

#### OWNER AND APPLICANT:

Timber Ridge, LLC.  
8480 E Orchard Rd, Suite 1100  
Greenwood Village, CO 80111  
Phone: 303-622-4690

#### REPRESENTATIVE:

Allen Gerstenberger  
5255 Bowmar Dr.  
Littleton, CO 80123  
Phone: 303-795-6880

Tom Maroney  
P.O. Box 902  
Elizabeth, CO 80107  
Phone: 303-646-3806



DESIGN  
CONCEPTS  
www.dcln.net 303.644.5301  
211 North Public Rd.  
Suite 200  
Lafayette, CO  
80026

BANDERA WEST REZONE  
PLAN EXHIBIT  
Elbert County, Colorado

Project No.: 20620  
Drafted By: DP  
Checked By: AB

Issued For: date:  
Rezoning Plan Exhibit 12-14-06

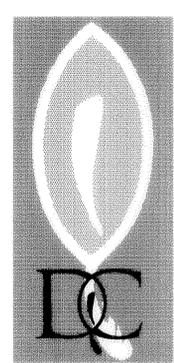
Revision: date:  
Rezoning Plan Exhibit 04-26-07  
Rezoning Plan Exhibit 05-28-08  
Rezoning Plan Exhibit 05-06-09

All drawings and written material appearing herein constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

COVER SHEET

201288

RZW1.0



DESIGN  
CONCEPTS

www.dcla.net 303.664.5301  
211 North Public Rd.  
Suite 200  
Lafayette, CO  
80026

BANDERA WEST REZONE  
PLAN EXHIBIT  
Elbert County, Colorado

Project No.: 20620  
Drafted By: DP  
Checked By: AB

Issued For: date:  
Rezoning Plan Exhibit 12-14-06

Revision: date:  
Rezoning Plan Exhibit 04-28-07  
Rezoning Plan Exhibit 05-28-08  
Rezoning Plan Exhibit 05-06-09

All drawings and written materials opposing herein constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

PUD STANDARDS

RZW2.0  
2 of 6

# BANDERA- WEST

## UNINCORPORATED ELBERT COUNTY, COLORADO

### REZONING PLAN EXHIBIT

ALL OF SECTION 15, THE WEST 1/2 OF SECTION 14, AND THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 14  
TOWNSHIP 7 SOUTH, RANGE 65 WEST, COUNTY OF ELBERT, STATE OF COLORADO  
776.36 Acres 706 RESIDENTIAL LOTS

#### Planned Unit Development Standards

##### 1 PROJECT INTENT

Bandera is proposed as a planned residential community in Elbert County. The objective of the Bandera Planned Unit Development (PUD) zoning is to:

- a. provide quality housing opportunities for Elbert County residents;
- b. respect the unique site features, land forms and preserve large areas of natural open space.

##### 2 SITE DATA

The entire Bandera site consists of 1011.93 acres. The development has been divided into two Planning Areas, Bandera East and Bandera West. The property is 7 miles northeast of Elizabeth. Primary access to the site will be Elbert County Road 158. The property is all of section 15, the west 1/2 of section 14, and the southwest 1/4 of the southeast 1/4 of section 14 township 7 south, range 65 west, in Elbert County, State of Colorado.

**Site Area:**

Bandera East:	235.57 acres more or less
Bandera West:	776.36 acres more or less
Bandera TOTAL:	1,011.83 acres, more or less

##### 3 DEFINITIONS

- a. **Standard Single Family Residential Unit or Lot ("Standard Lot" or "Standard Unit"):** A single family dwellings on a subdivided lot not less than 7,000 sq.ft.
- b. **Alternative Residential Unit or Lot ("Alternative Lot" or "Alternative Unit"):** Residential dwelling unit that is on a lot smaller than 7,000 sq. ft. or in a multifamily building. Examples include but are not limited to zero lot lines lots, patio homes, townhomes, apartments.

##### 4 PUD LAND USE STANDARDS

###### 4.1 Residential

###### 4.1.1 Intent

Bandera is a residential development planned with a pedestrian friendly trail system designed around passive community open space, a community school and active parks. The public street system provides a connection through the neighborhood to the established county road system. Bandera will consist of a maximum of 920 residential units with an overall density based on one dwelling per 0.91 acres. Bandera East consists of not more than 214 residential units and Bandera West consists of not more than 706 residential units.

###### 4.1.2 Permitted Uses

- a. One (1) Standard Single Family Residential Unit per lot.
- b. Minimum of 120 Alternative Residential Units in Bandera.
- c. Accessory buildings, apparatus and uses, including but not limited to those private amenities further defined in the CC&R's
- d. Home occupations
- e. Temporary construction and residential sales offices. Such facilities shall be removed within 30 days of last sale of unit in the project or phase of the project associated with the trailer or sales office.

###### 4.1.3 Uses Permitted by Special Review

- a. Non-commercial antenna support structures as regulated by Elbert County
- b. Cellular Communication Facilities

###### 4.1.4 Lot Area for Standard Lot

- a. Minimum lot size shall be 7000sf.

###### 4.1.5 Setback Regulations for Standard Residential Units

Minimum building setbacks and building separations are as follows:

Minimum setback to perimeter property line abutting public ROW	
on Delbert Road	50 feet
Front Yard setback; garage door to road right-of-way	30 feet
Front Yard setback; living space to road right-of-way	20 feet
Side yard setback	7 feet
Rear yard setback	20 feet
Minimum lot frontage at setback along Road Easement	70 feet

###### 4.1.6 Setback Regulations for Alternative Residential Units

Minimum building setbacks and building separations are as follows:

Minimum setback to perimeter Property line abutting public ROW	
on Delbert Road	50 feet
Front Yard setback; garage door to road right-of-way	20 feet
Front Yard setback; living space to road right-of-way	12 feet
Side yard setback	5 feet
Zero Side Yard setback	0 feet
Rear yard setback (porches and decks excepted)	10 feet
Minimum lot frontage at setback along Road Easement	30 feet

###### 4.1.7 Minimum floor area: Standard Residential Units

- a. 1500 square feet habitable area per unit.
- b. Garages and basements do not count in calculating floor area for the purposes of this provision.

###### 4.1.8 Minimum floor area: Alternative Residential Units

- a. 900 square feet habitable area per unit. Garages and basements do not count in calculating floor area for the purposes of this provision.

###### 4.1.9 Height

- a. Maximum average building height is 35 feet. (measured as an average of entire building perimeter grade to ridge line.)

###### 4.1.10 Landscaped / Irrigated Area

- a. No more than 3000 square feet of the yard area may be landscaped in high water demand sod.
- b. Landscaped areas, including storm water conveyance swales and detention facilities, shall be incorporated into the common landscaped area and pedestrian circulation system for this development.

###### 4.1.11 Fences and Enclosures

- a. Fences, hedges and walls shall not exceed 40" in height on the side and rear and in the front fence yard setback. The front yard fence setback is a line parallel to the street and behind the face of the structure fifteen feet.
- b. All yard fences must be at least 80% transparent, made from wood, and comply with the standards details.
- c. Six foot privacy fences are allowed only when attached to a deck or porch.
- d. Electrified and barbed wire fences shall be prohibited in this zone with the exception of pet containment "invisible fences".

###### 4.1.12 Sign Requirements

- a. Sign standards shall comply with the requirements of the Elbert County sign ordinance.
- b. The residential identification signage shall be limited to two (2) monument signs for each planning area (east and west) or neighborhood with a maximum height of six feet. The maximum allowable square footage of any monument sign shall be 48 square feet per sign face. See Part II, Section 19 of Elbert County regulations.

###### 4.1.13 Parking

- a. Two off-street parking spaces shall be provided for each dwelling unit.

###### 4.1.14 Addresses

- a. Each lot shall have an address clearly marked with sandblasting or securely attached 8" lettering on a stone or rock measuring at least 18" by 24", and placed next to the shoulder of the road within 5' of the drive, or next to a walk connecting the home to the roadway. This stone or rock may be a structure which includes low level lighting. See plan details.

###### 4.1.15 Water and Sanitation Requirements

- a. Water is served by a central water and sewer facility (District) approved by the State Health Department.

###### 4.1.16 Utility Requirements

- a. All proposed power and communication lines will be installed underground. Necessary above-ground appurtenances, such as meters, pedestals, transformers, etc. will be located for maximum aesthetic consideration and shall be screened.

###### 4.1.17 Design Standards:

- a. Architecture, building materials, colors, lighting and landscape standards shall be subject to private controls administered through the Homeowners Association, Design Review Committee and the CC&R's.

###### 4.1.18 Temporary Uses:

- a. Agricultural uses shall be allowed as temporary uses, such uses shall terminate within each filing when the first building permit is issued for that filing.

###### 4.2 Open Space Areas

###### 4.2.1 Intent

Preservation of open space and natural features is a very important component of the Bandera PUD. The amenities will include a community center, picnic area, playgrounds and walking trails.

###### 4.2.2 Permitted Uses:

- a. Passive Open Space
- b. Active recreation fields
- c. Pedestrian / Bicycle (non-motorized vehicle) Trails
- d. Drainage conveyance improvements
- e. Transit passenger shelter
- f. Mail kiosk / mail box clusters
- g. Trash collection receptacles
- h. Vehicle drives and parking lot area(s)
- i. Vehicle parking structure, covered bridge, footbridge(s)
- j. Information and directional signage, kiosks, benches, restroom facilities
- k. Tot lot, Playground/ Play area, including volleyball, Bocce ball, horseshoes and similar outdoor recreation uses
- l. Picnic area, picnic shelter, outdoor grill area.
- m. Off leash dog activity park.
- n. Clubhouse / Hot tub, Swimming pool, Tennis Court, Sport Court
- o. Utility Service facilities including well sites, public / private wastewater treatment, and water storage facilities and accessory facilities and structures.
- p. Temporary construction and residential sales offices. Such facilities shall be removed within 30 days of last sale of unit in the project or phase of the project associated with the trailer or sales office.
- q. Other public uses consistent with passive open space as primary use.

###### 4.2.3 Uses Permitted by Special Review

- a. Non-commercial antenna support structures as regulated by Elbert County
- b. Cellular Communication Facilities
- c. Mining activities.

###### 4.2.4 Setback Regulations

- a. Minimum setback to perimeter Property line - 15 feet from public street frontage
- b. Above ground utility service improvements shall have a 25 foot setback from platted developable lots.

###### 4.2.5 Height

- a. Structures that require a building permit shall not exceed 35 feet. Community identification elements, such as a windmill, silo, tower element or similar features, will be limited to 50 feet.

###### 4.2.6 Landscape, Pedestrian Amenities and Trails

- a. Landscaped areas, including storm water conveyance swales and detention facilities, shall be incorporated into the common landscaped area and pedestrian circulation system for this development.
- b. Trails and foot bridges shall be designed for active pedestrian use and incorporated into the development to minimize conflicts and allow pedestrians to safely travel throughout the neighborhood and connect to adjacent public ways. The pedestrian trail shall be constructed by the developers, pursuant to Section 1082.00 - Walkways, Maintenance Paths and Soft Trails of the Elbert County Construction Standards and Specifications, 2007 Edition. The exact location of trails shall be shown on the final plat.
- c. The architectural character of the amenities and project entry features shall incorporate the same or similar materials and colors such that the design is consistent and integrated.
- d. All private common elements, including internal trails shall be constructed by the Owner and or assigns and maintained by the Metropolitan District or the HOA.
- e. Fencing, hedges and walls shall be permitted in this district and do not have to comply with the minimum setbacks of the zone. Their use can not restrict visibility (sight triangles) from the street.

- f. Fencing, bridges landscaping or similar improvements shall be limited so as not to restrict the flow of water within the area(s) designated for drainage.
- g. A landscape plan shall be provided showing plant type, location, quantity, and size for any landscape area within the development at the time of final plat submittal.
- h. Prior to filing of first Final Plat. An entry landscape plan for entrances on CR 158 will be submitted to community and development services for approval.

###### 4.2.7 Parking

- a. Off-street parking shall be provided to allow for convenient access for persons wanting to access the trails or other activity areas within the open space.
- b. Off-street parking shall comply the minimum requirements as established by Elbert County Zoning Regulations and in effect at the time of development.

###### 4.3 Lighting

- a. All light sources including porch lights, shall be indirect, diffused shielded type fixtures, installed to reduce glare and the consequent interference with boundary streets and adjacent properties. Fixtures providing direct illumination shall be in character with the architectural and landscape character of the development.
- b. Maximum height of light poles along vehicular access drives shall not exceed 12 feet.

###### 4.4 Streets and Roads

- a. Street sections are provided as part of the Subdivision Plat. The design of public streets and private access drives for the development will be in accordance with the standards as approved by Elbert County.
- b. The developer, his successors and assigns shall be responsible for the construction of all roads in each final plat filing prior to the issuance of the first building permit for that filing and probationary acceptance period of all public streets prior to the County accepting maintenance of public streets.

##### 5 ENFORCEMENT

- a. The Developer shall be responsible for establishing a Home Owners Association (HOA) as well as preparing and recording "Conditions, Covenants and Restrictions (CC&R's), to be in place not later than Building Permit approval for the first permit for development.

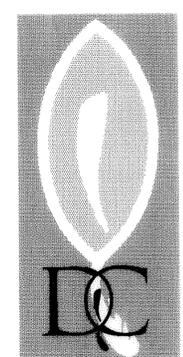
##### 6 GENERAL REQUIREMENTS

- a. Other issues specifically not addressed herein will be addressed by the general provisions and regulations and those standards in the Zoning Resolution in effect at the time of building permit application.
- b. Outdoor Storage: All outdoor dumpsters and trash containers shall be screened with a fence, wall or landscaping materials. The point of access shall be screened by an opaque gate; however, no landscaping shall be required along the gate that would impede the operation of the gate.
- c. No materials or wastes shall be deposited upon any lot in such form or manner, that it may be transferred off the lot by natural forces or causes.
- d. Every use within this Planned Unit Development shall be operated so that it does not emit an obnoxious or dangerous degree of heat, glare, vibration, radiation, dust noise, smoke or fumes beyond the property boundaries.

# BANDERA-WEST

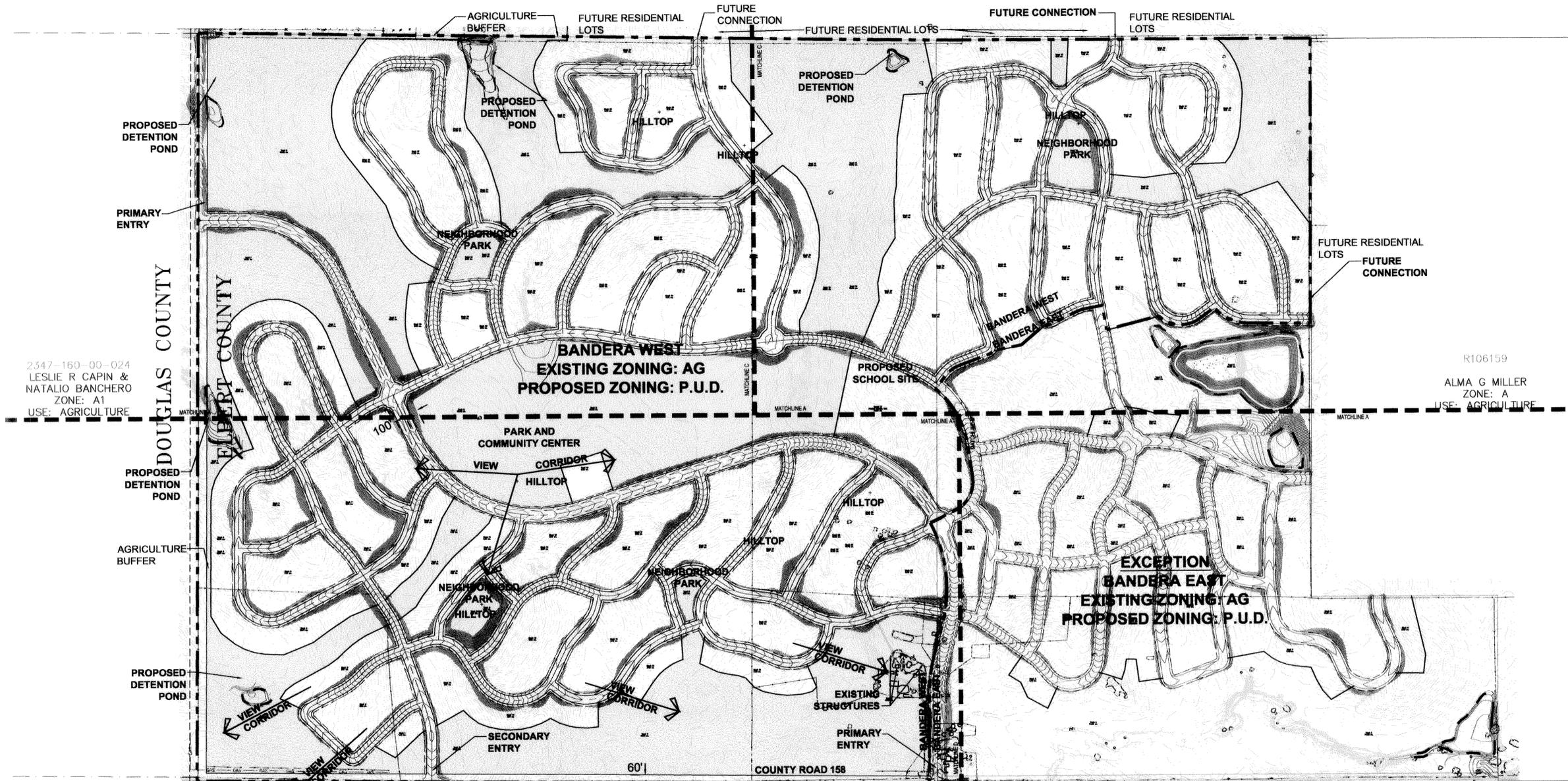
## UNINCORPORATED ELBERT COUNTY, COLORADO

CASE NUMBER:  
PD 08-00-34



DESIGN  
CONCEPTS  
www.dcla.net 303.664.5301  
211 North Public Rd.  
Suite 200  
Lafayette, CO  
80026

### REZONING PLAN EXHIBIT

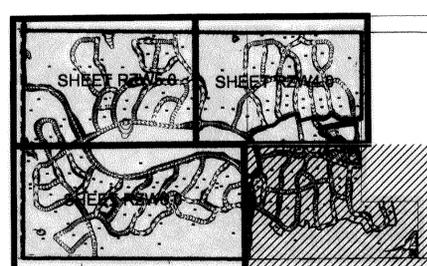
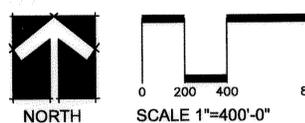


2347-160-00-024  
LESLIE R CAPIN &  
NATALIO BANCHERO  
ZONE: A1  
USE: AGRICULTURE

R106159  
ALMA G MILLER  
ZONE: A  
USE: AGRICULTURE

2347-210-00-024  
PRAYING HANDS RANCHES  
ZONE: A1  
USE: AGRICULTURE

R106165 WALTER A SATTERWHITE ZONE: RA-1 USE: RESIDENTIAL	R106166 PARKER FIRE PROTECTION DIST ZONE: RA-1 USE: RESIDENTIAL	R106171 LE SEA BROADCASTING CORP ZONE: RA USE: RESIDENTIAL	R115863 DANE T ALBAUGH ZONE: RA-1 USE: RESIDENTIAL	R115864 MATTHEW B CORRELL ZONE: RA-1 USE: RESIDENTIAL	R115883 JOSEPH A RYAN ZONE: RA-1 USE: RESIDENTIAL	R115884 CHARLES H WAHLEN ZONE: RA-1 USE: RESIDENTIAL	R115885 RUSSELL SIMONS ZONE: PUD USE: RESIDENTIAL	R115886 DAVID W SIMONS ZONE: PUD USE: RESIDENTIAL	R115887 ALAN W SHOBIE ZONE: PUD USE: RESIDENTIAL	R115888 ANTHONY J CAMPBELL ZONE: PUD USE: RESIDENTIAL	R115889 RICHIE W BUSH JR. ZONE: PUD USE: RESIDENTIAL	R115890 JAMES C MELTON ZONE: PUD USE: RESIDENTIAL	R115891 JOHN J DEVCO ZONE: PUD USE: RESIDENTIAL	R115892 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115893 TAMMY R MYERS ZONE: PUD USE: RESIDENTIAL	R115894 MATTHEW S CAMPBELL ZONE: PUD USE: RESIDENTIAL	R115895 CAMERON T BURROW ZONE: PUD USE: RESIDENTIAL	R115896 SALLAN A PRESTON ZONE: PUD USE: RESIDENTIAL	R115897 JULY A GROEZINGER ZONE: PUD USE: RESIDENTIAL	R115898 CHRISTOPHER J LAMALLE ZONE: PUD USE: RESIDENTIAL	R115899 DAVID J HYNDS ZONE: RA-1 USE: RESIDENTIAL	R115900 DANIEL G KOUREY ZONE: RA-1 USE: RESIDENTIAL	R115901 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115902 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115903 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115904 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115905 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115906 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115907 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115908 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115909 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115910 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115911 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115912 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115913 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115914 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115915 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115916 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115917 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115918 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115919 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115920 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115921 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115922 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115923 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115924 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115925 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115926 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115927 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115928 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115929 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115930 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115931 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115932 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115933 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115934 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115935 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115936 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115937 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115938 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115939 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115940 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115941 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115942 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115943 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115944 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115945 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115946 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115947 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115948 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115949 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115950 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115951 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115952 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115953 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115954 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115955 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115956 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115957 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115958 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115959 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115960 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115961 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115962 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115963 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115964 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115965 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115966 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115967 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115968 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115969 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115970 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115971 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115972 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115973 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115974 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115975 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115976 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115977 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115978 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115979 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115980 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115981 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115982 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115983 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115984 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115985 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115986 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115987 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115988 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115989 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115990 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115991 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115992 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115993 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115994 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115995 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115996 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115997 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115998 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R115999 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL	R116000 DAVID L BURG JR. ZONE: PUD USE: RESIDENTIAL
---	--	---	---	--	--	---	--	--	---	--	---	--	--	--	---	--	--	--	---	---	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--



KEY MAP  
SCALE: 1" = 2000'

- LEGEND:**
- SLOPES GREATER THAN 20%
  - EXISTING TREE CLUMP
  - PROPOSED DETENTION FACILITY
  - VIEW CORRIDOR
  - EXISTING TREE
  - EXISTING SHRUB
  - BANDERA WEST BOUNDARY
  - OPEN SPACE AND PARKS

- NOTES:**
- EXISTING STRUCTURES:** AN EXISTING HOMESTEAD WITH SEVERAL ASSOCIATED BUILDINGS EXISTS ON THE SITE AND WILL BE PART OF A PROPOSED PARK SITE. SOME BUILDINGS WILL BE REMOVED WHILE OTHERS REMAIN.
  - WETLANDS, STREAMS & FLOOD PLAINS:** THERE DO NOT APPEAR TO BE ANY YEAR-ROUND STREAMS, ACTIVE WETLANDS, OR FLOOD PLAINS ON SITE. APPROPRIATE STUDIES WILL BE COMPLETED PRIOR TO AN APPLICATION FOR A 1041 LAND USE PERMIT. THE EXISTING DRAINAGEWAYS ARE NOT NAMED.
  - LAKES, PONDS, AND RETENTION AREAS:** THERE ARE SEVERAL NATURAL LOWPOINTS ON THE SITE THAT RETAIN SOME SMALL AMOUNTS OF WATER. A LARGE 7 ACRE POND WILL BE REPLACING ONE OF THE RETENTION AREAS. THIS WATER WILL BE USED FOR IRRIGATION ON THE SITE.
  - 20% SLOPES:** EXIST ON SITE AND ARE DESIGNATED ON THE PLAN. NO STRUCTURES WILL BE PERMITTED ON SLOPES EXCEEDING 20%.
  - ADJACENT PROPERTY OWNED BY APPLICANT:** NO ADJACENT PROPERTY IS OWNED BY THE APPLICANT, TIMBER RIDGE, LLC.
  - EXISTING STREETS, ROADS, OR PUBLIC ROWS:** NONE.
  - PROPOSED STREETS, ROADS & DRIVEWAYS:** WILL BE DESIGNED AND CONSTRUCTED TO MEET OR EXCEED COUNTY REQUIREMENTS.

- STREET NAMES:** HAVE NOT YET BEEN SELECTED. THEY WILL COMPLY WITH COUNTY STANDARDS AND BE APPROVED BY THE COUNTY MAPPER PRIOR TO THE FINAL APPLICATION.
- EXISTING EASEMENTS:** NONE
- UTILITY SERVICE PROVIDERS:** INCLUDE: IREA, AQUILA, QWEST.
- MINERAL RIGHTS:** ACCORDING TO THE ELBERT COUNTY ASSESSOR'S OFFICE, THE MINERALS UNDERLYING THE PROPERTY HAVE NOT BEEN SEVERED, THEREFORE THEY ARE OWNED BY THE SURFACE PROPERTY OWNER.
- ZONING:** EXISTING - AGRICULTURE  
PROPOSED - P.U.D.

BANDERA WEST REZONE  
PLAN EXHIBIT  
Elbert County, Colorado

Project No.: 20620  
Drafted By: DP  
Checked By: AB

Issued For: Rezone Plan Exhibit  
date: 12-14-06

Revision: 04-26-07  
05-28-08  
05-06-09

All drawings and written material appearing herein constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

OVERALL SITE PLAN

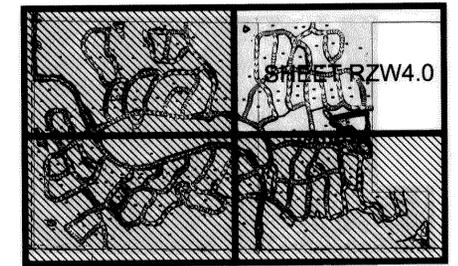
RZW3.0  
306

# BANDERA- WEST

## UNINCORPORATED ELBERT COUNTY, COLORADO

CASE NUMBER:  
PD 08-00-34

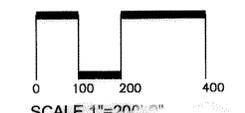
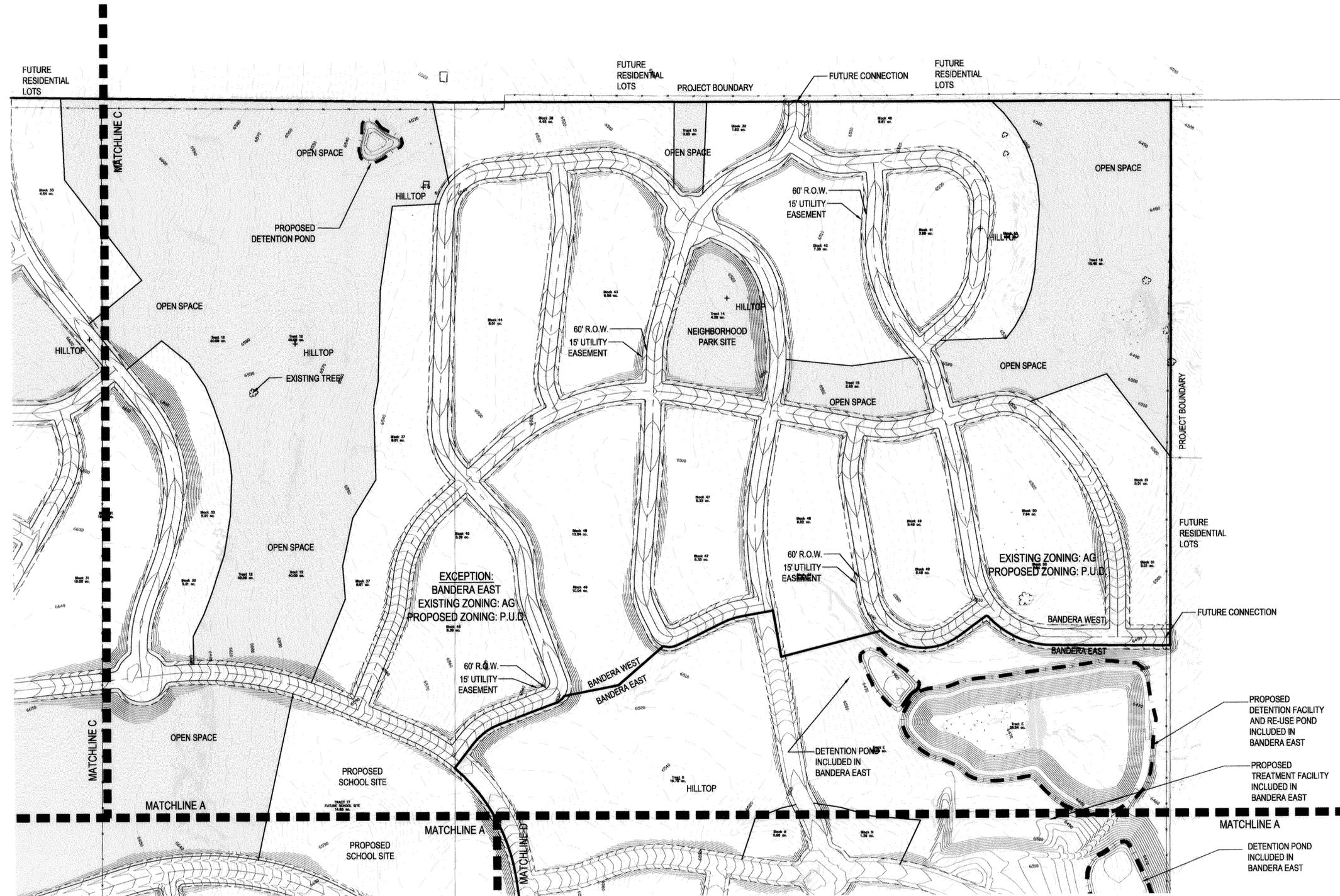
### REZONING PLAN EXHIBIT



KEY MAP  
SCALE: 1" = 2000'



- LEGEND:**
- SLOPES GREATER THAN 20%
  - EXISTING TREE CLUMP
  - PROPOSED DETENTION FACILITY
  - VIEW CORRIDOR
  - EXISTING TREE
  - EXISTING SHRUB
  - PROJECT BOUNDARY
  - OPEN SPACE AND PARKS



DESIGN  
CONCEPTS  
www.dclanet 303.664.5301  
211 North Public Rd.  
Suite 200  
Lafayette, CO  
80026

**BANDERA WEST REZONE  
PLAN EXHIBIT**  
 Elbert County, Colorado

Project No.: 20620  
 Drafted By: DP  
 Checked By: AB

Issued For:                      date:  
 Rezone Plan Exhibit                      12-14-06

Revision:                      date:  
 Rezone Plan Exhibit                      04-26-07  
 Rezone Plan Exhibit                      05-28-08  
 Rezone Plan Exhibit                      05-06-09

All drawings and written material appearing herein constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

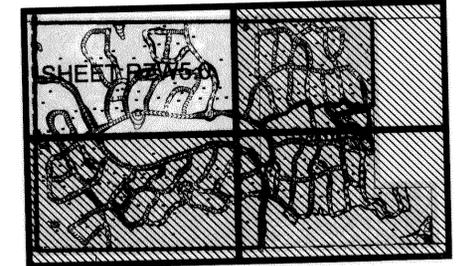
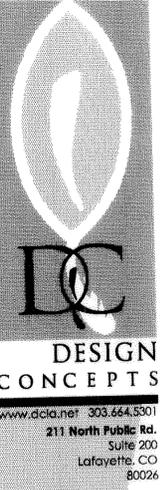
**SITE PLAN  
ENLARGEMENT**

# BANDERA- WEST

## UNINCORPORATED ELBERT COUNTY, COLORADO

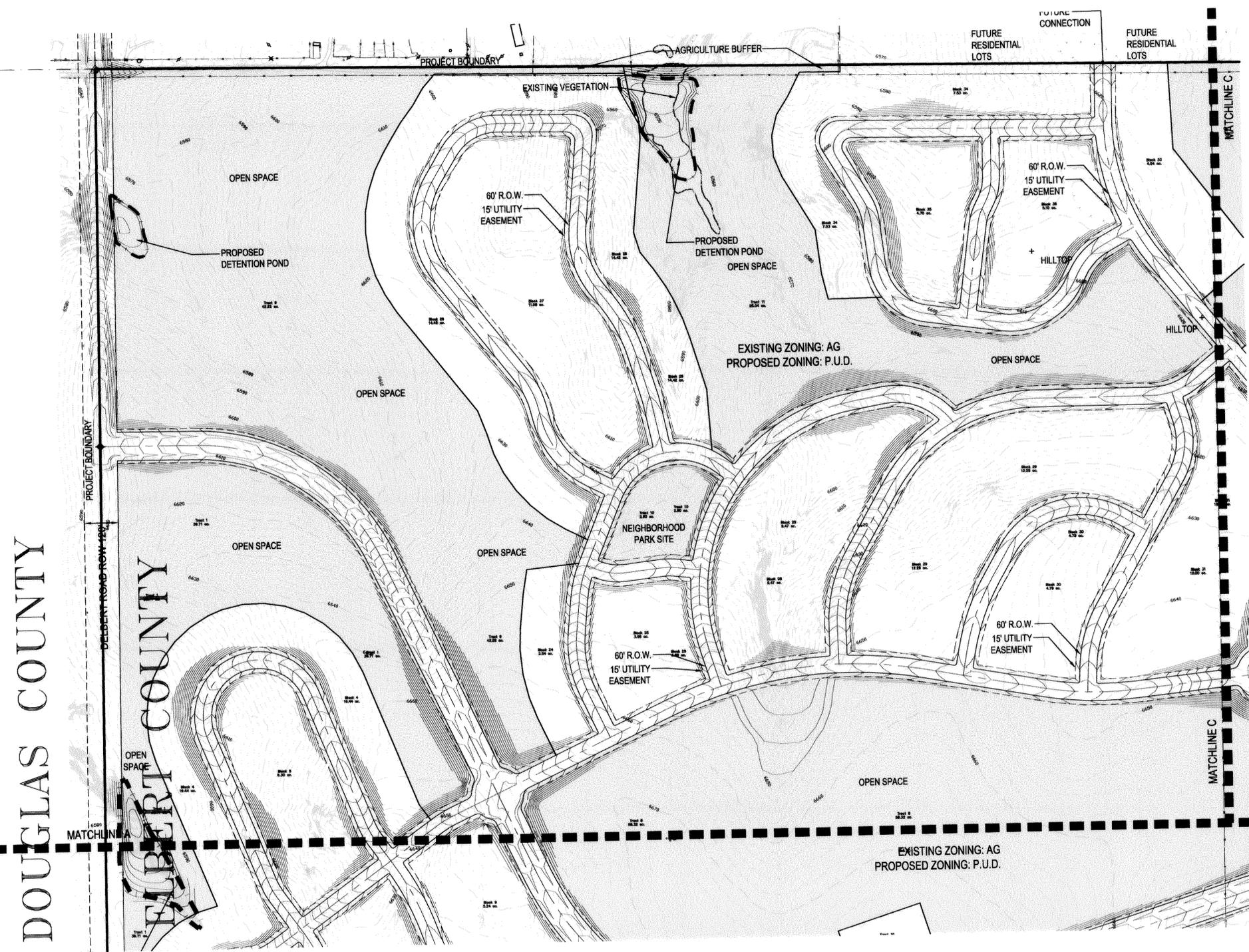
### REZONING PLAN EXHIBIT

CASE NUMBER:  
PD 08-00-34



KEY MAP  
SCALE: 1" = 2000'

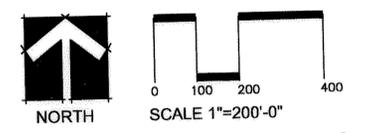
- LEGEND:**
- SLOPES GREATER THAN 20%
  - EXISTING TREE CLUMP
  - PROPOSED DETENTION FACILITY
  - VIEW CORRIDOR
  - EXISTING TREE
  - EXISTING SHRUB
  - PROJECT BOUNDARY
  - OPEN SPACE AND PARKS



2347-160-00-024  
LESLIE R CAPIN &  
NATALIO BANCHERO  
ZONE: A1  
USE: AGRICULTURE

DOUGLAS COUNTY

ELBERT COUNTY



BANDERA WEST REZONE  
PLAN EXHIBIT  
Elbert County, Colorado

Project No.: 20620  
Drafted By: DP  
Checked By: AB

Issued For: date:  
Rezoning Plan Exhibit 12-14-06

Revision: date:  
Rezoning Plan Exhibit 04-26-07  
Rezoning Plan Exhibit 05-28-08  
Rezoning Plan Exhibit 05-06-09

All drawings and written material appearing herein constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

SITE PLAN  
ENLARGEMENT

RZW5.0

30 10 5 026

# BANDERA- WEST

## UNINCORPORATED ELBERT COUNTY, COLORADO

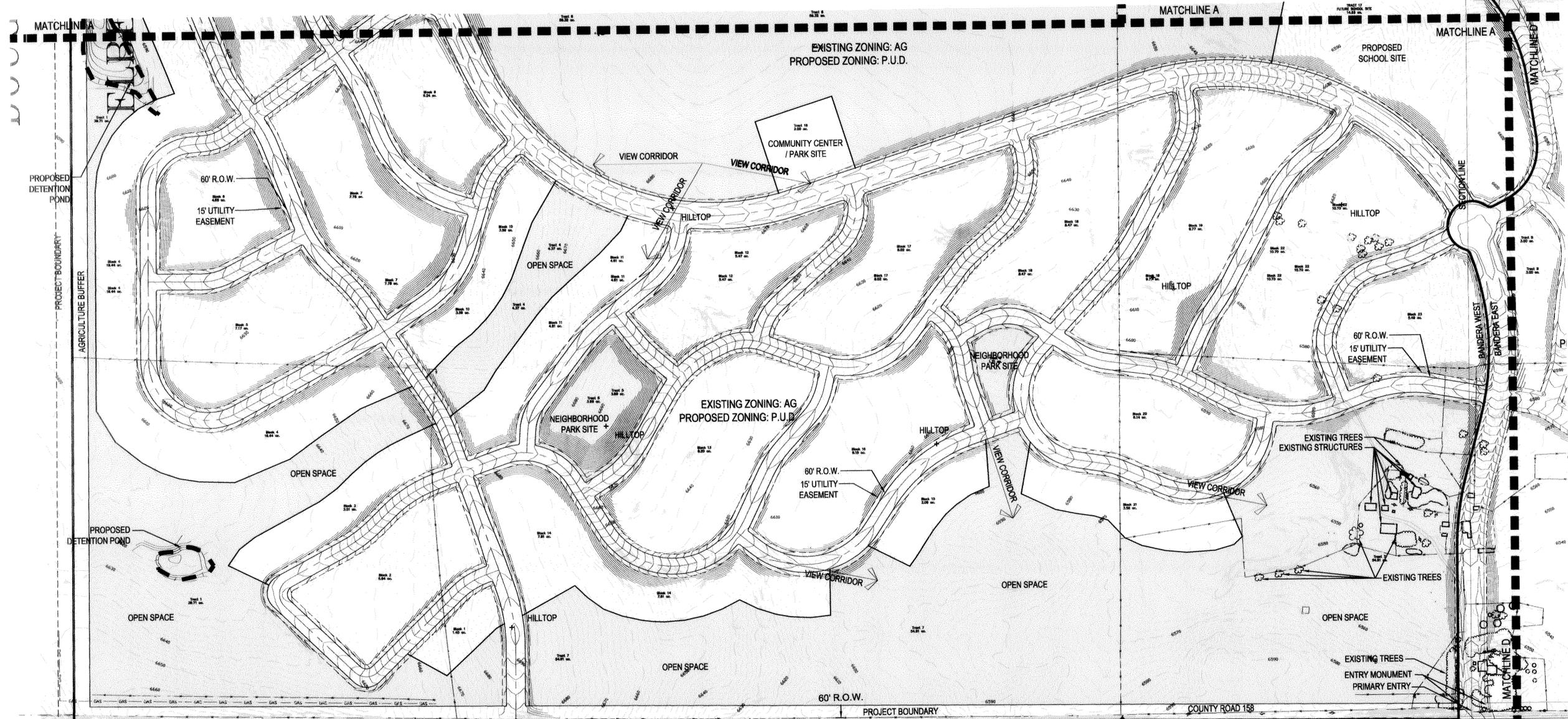
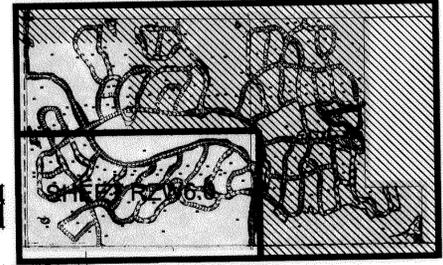
CASE NUMBER:  
PD 08-00-34

### REZONING PLAN EXHIBIT



DESIGN  
CONCEPTS  
www.dcln.net 303.664.5301  
211 North Public Rd.  
Suite 200  
Lafayette, CO  
80026

KEY MAP  
SCALE: 1" = 2000'



- LEGEND:**
- SLOPES GREATER THAN 20%
  - EXISTING TREE CLUMP
  - PROPOSED DETENTION FACILITY
  - VIEW CORRIDOR
  - EXISTING TREE
  - EXISTING SHRUB
  - PROJECT BOUNDARY
  - OPEN SPACE AND PARKS

**BANDERA WEST REZONE**  
**PLAN EXHIBIT**  
 Elbert County, Colorado

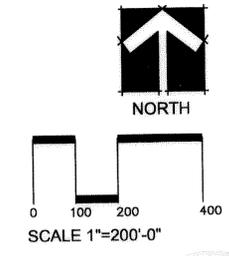
Project No.: 20620  
 Drafted By: DP  
 Checked By: AB

Issued For: Rezoning Plan Exhibit  
 date: 12-14-06

Revision: 04-26-07  
 Rezoning Plan Exhibit 05-28-08  
 Rezoning Plan Exhibit 05-06-09

All drawings and written material appearing herein constitute original and unpublished work of Design Concepts and may not be duplicated, used or disclosed.

**SITE PLAN ENLARGEMENT**



R106165 WALTER A SATTERWHITE ZONE: RA-1 USE: RESIDENTIAL	R406166 PARKER FIRE PROTECTION DIST ZONE: RA-1 USE: RESIDENTIAL	R115863 DANE T ALBAUGH ZONE: RA-1 USE: RESIDENTIAL	R115894 MATTHEW B CORRELL ZONE: RA-1 USE: RESIDENTIAL	R115883 JOSEPH A RYAN ZONE: RA-1 USE: RESIDENTIAL	R115882 CHARLES H WAHLEN ZONE: RA-1 USE: RESIDENTIAL	R106190 R L MCNELLIS ZONE: PUD USE: RESIDENTIAL
R106167 ROBERT D FUNKE ZONE: RA USE: RESIDENTIAL	R106171 LE SEA BROADCASTING CORP ZONE: RA USE: RESIDENTIAL	R115864 DAWN MARIE ATCHISON ZONE: RA-1 USE: RESIDENTIAL	R115893 JEFFREY P STEINERT ZONE: RA-1 USE: RESIDENTIAL	R115884 DAVID J HYNDS ZONE: RA-1 USE: RESIDENTIAL	R115881 DANIEL G KOUREY ZONE: RA-1 USE: RESIDENTIAL	R106191 CHRISTOPHER J LAUMLE ZONE: PUD USE: RESIDENTIAL

RZW6.0