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Fremont County
Planning and Zoning Department
615 Macon Avenue, Room 210
Cañon City, CO 81212

STAFF REPORT

SRU 26-001

Special Review Use Permit

Legacy Metals – Fabrication and Sales Facility

PC DATE: April 7th 2026
BOCC DATE: May 12,2026

PURPOSE

The subject project proposes to improve the currently vacant land with a 61,316 SF building that will contain offices, a conference room, a break room, and a metal fabrication shop and material storage area.

The proposed facility will be a fabrication and sales facility for metal panels, siding, roofs, and similar products. The facility will be open Monday through Friday from 7am – 4pm in the winter, and 6:30 am – 4:30 pm for the rest of the year, with the change in operating hours occurring at daylight savings time changes.

The facility is expected to have 25 employees and 10 – 20 customers per day. On average, the facility will receive three deliveries per week from 18-wheelers. Additionally, the facility will send out two of its own delivery trucks each morning, that return each evening.

Roll forming machines, forklift operation, and loading operations will all take place within the building and will not create significant noise or vibration outside the building footprint.

LOCATION

130 County Road 67, Penrose, Colorado 81240
M&B PARCEL A VERNON PROPERTY BLA REC #1038340 (A portion of this application refers to this legal description due to address being assigned after submittal).

BACKGROUND / ASSOCIATED CASES

The lot is 1,619,650 square feet (37.18 acres), zoned Business (B), and is currently vacant land (0% lot coverage).
The proposed use is being submitted for a Special Review Use and does not propose to rezone the property. The proposed building will cover 61,316 square feet, for a proposed lot coverage of 3.8%. The proposed building will be a metal building, containing offices, conference room, and metal fabrication / storage space.

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Fremont County
Planning and Zoning Department
615 Macon Avenue, Room 210
Cañon City, CO 81212

Operation
Requested hours of operation:

- Monday- Friday
- Daylight Savings Time- 6:30 am – 4:30 pm
- Standard Time- 7am – 4pm

Employees:

- They anticipate having 25 employees.

Customers:

- 10-20 customers per day.

Deliveries

- Approximately 3 per week

ZONING AND LAND USE
Zoning: Business
North: Residential Three (R3) – Vacant Land

East: Residential Three (R3) – Vacant Land

South: Industrial Park (IP) – Industrial Park

West: Business (B) – Vacant Land

Estimated Traffic Count: 146 trips per day (factors employees leaving and returning for lunch)

Number of Access Points: 1

Floodplain: N/A

Water: Cistern – Bulk water delivery from Hanson Construction & Excavation

Sanitation: Engineered OWTS

Electric: Black Hill Energy

Refuse: Twin Enviro

Natural gas/Propane: Propane

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Fremont County
Planning and Zoning Department
615 Macon Avenue, Room 210
Cañon City, CO 81212

Lighting:
Dusk to dawn floodlights for security purposes are proposed outside the building. Special care will be taken by the owner to ensure that floodlights do not illuminate areas off the property, especially along the south side, into Highway 50 right of way.
Parking and loading areas are not proposed to be lit by parking lot lighting, as business hours correlate with daylight hours. However, security floodlights are proposed for off hours, and would provide adequate lighting to the parking and loading areas if needed.

Parking:
Since the vast majority of the proposed building will be fabrication equipment and metal storage, a variance from this section is requested. It is proposed to provide one parking space for the maximum number of employees at any given time (25) plus 10 standard customer spaces. It is also proposed to include 2 ADA spaces (both van accessible) per section 5.05 (d) (ii). Customer and delivery truck loading / off-loading will occur on the north side of the fabrication shop area.

FIRE PROTECTION DISTRICT: Florence Fire Protection

ACCESS: County Road 67

PUBLIC COMMENTS/CONCERNS: None Received

AGENCY COMMENTS
Staff requested comments from various review agencies. Staff has incorporated comments received to date either in their entirety or in part into this staff report.

FCDOT:

- Driveway access will need to be hard surfaced and match existing grade to protect county hard surface shouldering.
- Annual road impact fee of $478.24 to be reviewed annually to update cost with market prices.
- Roads built within the planned location will not be maintained by the County.

FREMONT COUNTY ENGINEER:

- Appears to meet all Fremont County regulations.

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Fremont County
Planning and Zoning Department
615 Macon Avenue, Room 210
Cañon City, CO 81212

FREMONT COUNTY BUILDING AND ENVIROMENTAL HEALTH DEPARTMENT:

- The OWTS design appears to be large enough to accommodate this facility.
- The department reserves the right to review the OWTS system in a more realistic environment once the plans for this project are submitted.

FIRE PROTECTION PLAN:

- Approved the cistern size based on the proposed reception and office area.

FAA:

- Notice of Proposed Construction or Alteration- Aeronautical Study Number 2026-ANM-1189-OE.
  Status-Determined-No Hazard

REQUESTED WAIVERS:

1. **Parking**
   - Per Section 5.05 of the Fremont County Zoning Code, the proposed use of the site most nearly aligns with the industrial use category (fabricating). Per this section, the minimum number of spaces required is the greater of 1 per 300 sq. ft. of floor area up to 100,000 sq. ft. or 1 per employee on maximum shift. This would require the use to have 205 parking spaces (61,316 sq ft / 300 sf).

2. **Screening**
   - The applicant would like to request a variance from FCZR section 5.04, which requires screening along the north and east property line. The justification for this variance is that the property to the north is currently vacant range land. Additionally, the applicant owns all parcels to Eightmile Creek (east). Granting this variance will allow the applicant more flexibility in further subdividing their property, without the risk or removing newly constructed fence or mature trees in the near future

RECOMMENDATION

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Special Review Use Permit application with the following contingencies/Conditions:

Fremont County
Planning and Zoning Department
615 Macon Avenue, Room 210
Cañon City, CO 81212

WAIVERS:

1. **Parking-**
   Staff supports this waiver. Regulations require 205 standard spaces and 11 ADA for this square footage. The Applicant's proposed employee/customer parking spaces seem adequate and an overflow parking area is detailed on the site plan. The overflow parking area is 20'x 298' (33 spaces).
2. **Screening-**
   Staff supports this waiver. FCZR section 5.04 requires screening between commercial or industrial uses and agricultural or residential zoning or use. This Business is 796' from the East property line and approximately 431' from the North property line. Screening would have little to no effect to screen the business at these distances.

CONTINGENCIES:

1. None

CONDITIONS:

1. Hard surface driveway access to match existing grade of County Road 67.
2. Annual road impact fee to be collected by Fremont County Transportation of $478.24.

Planning Commission:
On April 7, 2026 Planning Commission recommended Approval with the staff recommended Waivers and Conditions.

FREMONT COUNTY
DEPARTMENT OF PLANNING AND ZONING
615 MACON AVENUE, ROOM 210, CAÑON CITY, COLORADO, 81212
Telephone 719-276-7360 / Facsimile 719-276-7374
Email: Planning@fremontco.com

Special Review Use, Conditional Use Permit. & Commercial Development Plan

Application Packet

Note: All applications prior to submittal must have gone through a pre-application meeting.

FREMONT COUNTY PLANNING & ZONING

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Process & Requirements Overview

Any application which is not complete or does not include all minimum submittal requirements will be rejected by the Fremont County Department of Planning and Zoning (Department). The department requires one (1) hard copy of the application and all required submittals. Two (2) copies of a drawing shall be prepared to professional standards, minimum size 24" X 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the Department prior to submittal of the application, & two (2) reduced (to 11"x17") copies. One (1) electronic copy all items shall be labeled exactly as the required submittal.

Upon receipt of a complete application, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter), which will state the submittal deficiencies which must be addressed by the applicant, Department comments and/or questions about the application, and the number of revised application packets to be supplied to the Department for placement on an agenda of the Commission. An additional full application fee may be charged to the applicant, as per Resolution approved by the Board of County Commissioners (Board), if all deficiencies as per the initial D & C Letter are not adequately addressed or provided. Each subsequent D & C Letter, based on resubmitted items, will result in another full application fee. All such fees shall be paid along with the deficiency submittal, prior to any further review of the application.

The Department, Commission, and/or Board of County Commissioners (Board) may require additional information at any time during the application process as may be deemed necessary for thorough consideration of the application and to enable an informed final decision.

Any Land Use application for that has been submitted after the use requiring the permit has been established on the property may be subject to a penalty fee in addition to the set application fee for such permit. The penalty fee shall be equal to the initial application fee for the Land Use Application. As with all land use applications payment of associated fees do not ensure approval of the application.

If the application is approved by the Board with contingencies the contingencies shall be completed to the Department within six (6) months of the approval date, or the approval shall be deemed rescinded and the application expired, after which, re-submittal of the application, including fees, and procedural requirements, will be required.

In approving an application for Land Use, the Board may require higher standards for development than required by the Fremont County Zoning Resolution (FCZR).

Modifications, major or minor, to the Land Use Permit as approved, shall be accomplished in compliance with requirements of the Fremont County Zoning Resolution.

Applicants shall pay all application fees to the Fremont County Treasurer's Office. Upon receipt of a complete application, a Department representative will provide the applicant with a payment check list to present to the Treasurer's Office with payment.

FREMONT COUNTY
DEPARTMENT OF PLANNING AND ZONING

615 MACON AVENUE, ROOM 210, CAÑON CITY, COLORADO, 81212
Telephone 719-276-7360 / Facsimile 719-276-7374
Email: Planning@fremontco.com

Check the Applicable Application		
☑ Special Review Use $1,800.00	☐ Conditional Use Permit $1,800.00	☐ Commercial Development Plan $1,800.00
☐ Minor Modification $500.00	☐ Major Modification $1,000.00	Existing Permit #

PROPERTY INFORMATION: Provide information to identify properties and the proposed development. Attach additional sheets if necessary.

Property Address(es): TBD	
Tax ID/Parcel Numbers(s): 66001390	**Parcel size(s) in Acres:** 37.172
Zone District: B	**Proposed Land Use:** INDUSTRY, LIGHT

PROPERTY OWNER(S) INFORMATION: Indicate the person(s) or organization(s) who own the property proposed for development. Attach additional sheets if there are multiple property owners.

Name(s) (Individual or Organization): 325 SHOOP, LLC
Mailing Address: 325 SHOOP DRIVE, PENROSE, CO 81240
Telephone: 719-784-1949
Email Address: JERRY@LEGACYMETALCENTER.COM

Fremont County Planning & Zoning Department

Special Review Use, Conditional Use Permit, &
Commercial Development Plan Application

1. Please indicate the Zone District & Current Land Use for adjacent properties.

	Zone District	Land Use
Northerly	R3	Vacant
Easterly	R3	Vacant
Westerly	B	Vacant
Southerly	IP	Industrial Park

2. Master Plan – Planning District of property: Urban Growth Planning District

3. Is access through adjacent properties? ☐ Yes ☑ No
   - If **"yes"** is access legally established through:
     ☐ Deed of Record ☐ Recorded Plat ☐ Court Order (Attach documentation marked "Exhibit 1.3").

4. Does the property lie adjacent to or within three (3) miles of any municipal boundary lines (city/town limits)? ☑ Yes ☐ No
   - If marked **"yes"** Entity Name: Florence

5. Requested duration of proposed use: ☑ Life of Use ☐ Estimated use in years: _____

6. List Utility Provider information:

WATER	Cistern
SANITATION	Septic
ELECTRICAL	Black Hills
TELEPHONE	Century Link
REFUSE	Twin Enviro
IRRIGATION WATER	N/A
NATURAL GAS / PROPANE	Propoane
CABLE TELEVISION	Satellite

AUTHORIZATION REPRESENTATIVE / AGENT / CONSULTANT: Indicate person(s) submitting the application if different than the property owner(s). Attach additional sheets if necessary.

Name(s) (Individual or Organization): JERRY MARTIN
Mailing Address: 375 SHOOP DR, PENROSE, CO 81240
Telephone: 719-784-1949
Email Address: JERRY@LEGACYMETALCENTER.COM

By signing this Application, the Applicant, or the agent / representative / consultant acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of the Applicant's knowledge and belief.

The Applicant understands that required private or public improvements imposed as a contingency of approval for the application may be required as a part of the approval process.

Fremont County hereby advises the Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of County Commissioners may take any and all reasonable and appropriate steps to declare null and void, any actions of the Board regarding the Application.

Signing this Application is a declaration by the applicant that all plans, drawings and commitments submitted with or contained within this Application are or will be in conformance with the requirements of the Fremont County Zoning Resolution.

Printed Name	Applicant Signature	Date
JERRY MARTIN		1/20/2026

Printed Name	Owner Signature	Date
NOAH MILLER		1/20/2026

REQUIRED EXHIBITS

Submittals and exhibits should be clearly identified with section and/or question number located on the bottom right-hand corner, or otherwise tabbed or marked. Any waiver requests shall be labeled as the same exhibit number.

LETTERS OF INTENT – SECTION TWO

☑ **EXHIBIT 2.1**	Describe in detail the proposed type of operation to include days, & hours of operation, number of employees, number of guests, machinery used, etc..
☑ **EXHIBIT 2.2**	Describe the existing land use & proposed structures, with dimensions and square footage, & the current and proposed lot coverage.
☑ **EXHIBIT 2.4**	Landscaping Plan
☑ **EXHIBIT 2.5**	Lighting Plan
☑ **EXHIBIT 2.6**	Total parking spaces standard size, compact size, ADA spaces, & loading areas. Parking surface material and thickness. Describe the lighting for all parking areas.
☑ **Exhibit 2.8**	Statement indicating how the proposed use complies with "Goals Objectives, and Implementation Strategies" of the Fremont County Master Plan District
☑ **Exhibit 2.9**	Statement indicating how the proposed use will be in harmony and compatible with surrounding land uses and development in the area and/or measures that can be taken to make it in harmony & compatible.

IMPACT ANALYSIS – SECTION THREE

☑ **EXHIBIT 3.1**	Dust and erosion measures
☑ **EXHIBIT 3.2**	Noise control measures
☒ **EXHIBIT 3.3**	Visual impact control measures
☑ **EXHIBIT 3.4**	Odor Control
☑ **EXHIBIT 3.5**	Wildlife/plant habitat protection measures
☑ **EXHIBIT 3.6**	Water quality and/or water way(s) protection measures
☑ **EXHIBIT 3.7**	Safety measures to protect adjacent properties, residents, & agricultural operations
☑ **EXHIBIT 3.8**	Measures to protect and/or preserve archaeologically or historically significant sites
☑ **EXHIBIT 3.9**	Measures to limit or control offsite discernable vibrations

REQUIRED SUBMITTALS – SECTION FOUR

☑ **Exhibit 4.1**	Current Deed of Record
☑ **Exhibit 4.2**	Water Supply documentation: Public water source requires documentation evidencing ability to provide service. Wells require documentation of a well permit and/or documentation that the existing well is adequate for the proposed use.

☒ **Exhibit 4.3**	Sanitation Documentation: Public sewer shall require documentation evidencing the ability to provide service. Onsite Wastewater System (OWTS) shall require a soils report and a design plan from a certified engineer. Existing OWTS systems shall require documentation that the existing system is adequate for the proposed use.
☑ **Exhibit 4.4**	Refuse Plan: Shall address the storage, collection, and disposal of refuse. It shall also document screening of refuse receptacles/areas. (Refuse plans require approval by the Fremont County Environmental Health Dept.)
☑ **Exhibit 4.5**	Drainage Plan & Report: (Drainage plans require approval by the County Engineer).
☑ **Exhibit 4.6**	Noxious Weed Control Plan
☑ **Exhibit 4.7**	List of owners and mailing address for all properties located within five hundred (500') foot radius of the subject property.
☑ **Exhibit 4.8**	A detailed utility plan showing the proposed or existing location of all utilities.

IF APPLICABLE SUBMITTALS – SECTION FIVE

☑ **Exhibit 5.1** ☐ **N/A**	CDOT Notification of Proposed Land Use and comments
☐ **Exhibit 5.2** ☑ **N/A**	Mineral Interest Notification and certified mailing receipt. (this is only required if the minerals interests are severed)
☐ **Exhibit 5.3** ☑ **N/A**	Copies of all local, state and federal licenses and/or status of applications.
☐ **Exhibit 5.4** ☑ **N/A**	In circumstances of Corporate Ownership, documentation evidencing whom is eligible to execute documents on behalf of the corporation
☐ **Exhibit 5.5** ☑ **N/A**	In circumstances where the applicant is not the owner written authorization from the owner specifying the extent to which the representation is authorized
☐ **Exhibit 5.6** ☑ **N/A**	In circumstances where a consultant is making application on behalf of the owner, written authorization from the owner specifying the extent to which the representation is authorized
☐ **Exhibit 5.7** ☑ **N/A**	In circumstances where the property owner of record is not involved in the operation or application, documentation indicating right to occupy and use the property shall be provided. (lease or similar document)
☐ **Exhibit 5.8** ☑ **N/A**	Buffering Plan Required for Contractor Yards, Junk Yards, Automobile Graveyards, & Vehicle Impoundment Yards
☐ **Exhibit 5.9** ☐ **N/A**	Current registration for SMM equipment or documentation that equipment is on tax rolls associated with the property, to include list of machinery.
☐ **Exhibit 5.10** ☑ **N/A**	List of Hazardous materials stored and/or used on site, to include location of storage and management practices
☐ **Exhibit 5.11** ☑ **N/A**	Copies of mining and reclamation plans (CUP's)
☐ **Exhibit 5.12** ☑ **N/A**	Required information set forth in FCRZ 8.01(a) (Airports)
☐ **Exhibit 5.13** ☑ **N/A**	Required information set forth in FCRZ 8.01(b) (Adult Uses)

☐ **Exhibit 5.14** ☑ **N/A**	Required information set forth in FCRZ 8.01(c) (Antenna or Towers)
☐ **Exhibit 5.15** ☑ **N/A**	Required information set forth in FCRZ 8.01(d) (Contractor's Yard #2)
☐ **Exhibit 5.16** ☑ **N/A**	Required information set forth in FCRZ 8.01(e) (Junkyards)
☐ **Exhibit 5.17** ☑ **N/A**	Required information set forth in FCRZ 8.01(f) (Kennel)
☐ **Exhibit 5.18** ☑ **N/A**	Required information set forth in FCRZ 8.01(g) (Solid Waste Disposal Site and Facility)
☑ **Exhibit 5.18** ☐ **N/A**	Required information set fourth in FCZR 8.01(h) Tiny Home Communities
☐ **Exhibit 5.19** ☑ **N/A**	Required information set forth in FCRZ 8.01(i) (Travel Trailer Park & Campground)

REQUIRED FORMS

☑ **CODWR**	Fremont County's Colorado Division of Water Resources Information Form
☑ **FCDOT**	Fremont County Roadway Impact Analysis Form (if accessed from a county road)
☑ **CDOT**	Colorado Department of Transportation Access Permit (if accessed from a CDOT controlled highway)
☑ **FIRE**	Fire Protection Plan

SITE PLAN

☐	Two (2) copies of a drawing shall be prepared to professional standards, minimum size 24" X 36", drawn at a common increment scale between or including 1" = 50' and 1" = 200' unless otherwise approved by the Department prior to submittal of the application. Two (2) reduced (to 11"x17") copies all of which shall include the following:
☑	Written and graphic scale with minimum of 1" = 200' max 1" = 50';
☑	Appropriate title (SPECIAL REVIEW USE PERMIT, CONDITIONAL USE PERMIT, COMMERICAL DEVELOPMENT PLAN FOR {name};
☑	Appropriate subtitle (brief description of the proposed use);
☑	Boundary drawing of the property with bearings and dimensions illustrating the legal description;
☑	Legal description of the property;
☑	Acreage or square footage of the subject property;
☑	Zoning classification of the subject property;
☑	Zoning classification of the adjoining properties;
☑	North Arrow;
☑	Vicinity map locating the subject property in relation to surrounding areas;
☑	Table indicating relationship between proposed and existing construction to remain on the property
☑	Minimum lot size, maximum lot coverage, maximum building height, minimum lot width, minimum setback requirements (Front, Two sides, & Rear)

☑	Size and shape of all existing & proposed structures: each structure shall be labeled/noted as existing or proposed. Dimensions from at least two property lines shall be noted;
☑	Location of all parking areas to include size, dimensions, surface type & thickness, type of space (ADA, Standard, Compact) and a table specifying the minimum numbers of spaces required for each category;
☑	Location of loading areas to include size, dimensions surface type & thickness;
☑	Labeled access points including interior roadways with dimensions, surface type & thickness, circulation pattern, and dimensions from property lines;
☑	Any proposed pedestrian areas & walkways to include dimensions, surface type & thickness;
☑	Location and dimensions of refuse areas;
☑	Identification and location of all drainageway, drainage facilities, including FEMA flood areas with the Map # and effective date, to include dimensions from property lines;
☑	Location, height & type of lighting for parking and off-loading areas;
☑	Location, type, and size of all on-site identification signage (table may be used);
☑	All easements (existing & proposed) to include dimensions from property lines (beginning, end, & centerline) width, and if they are to be vacated or relocated;
☑	Significant natural features;
☑	Soil types
☑	Open space areas
☑	Legend identifying symbols and/or lines
☑	Architectural rendering or perspectives to portray fully the whole project. The rendering shall be a minimum size of 18”x24”; multiple sheets can be used to display the project. CUP applications are excluded from this requirement.

Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado 81212
Telephone (719) 276-7360 / Facsimile (719) 276-7374
Email planning@fremontco.com

ISSUANCE OF ADDRESS

3/2/2026

325 Shoop LLC
325 Shoop Drive
Penrose, CO 81240

Your New Address is: **130 County Road 67, Penrose, Colorado 81240**

While we have already notified the appropriate U.S. Post Office of your new address, it will be necessary for you to bring a copy of this letter to your Post Office to validate the new address.

PREMISES IDENTIFICATION: Approved numbers or addresses shall be provided by the property owner for all existing buildings and new construction in such a position as to be plainly visible and legible from the street or road fronting the property. (Reference: R319.1 SITE ADDRESS: International Residence Code).

All lands within Fremont County are subject to zoning and building regulations.
Please contact the Planning and Zoning department at 719-276-7630 for further information.

If you have any questions, please contact the Department of Planning and Zoning, Code Enforcement

This issuance of address does not guarantee mail delivery or constitute the availability to register vehicles with the Department of Motor Vehicles.

This issuance of address does not guarantee that the parcel/lot was legally created or subdivided, meets development regulations, or is otherwise eligible for building or other county permits.

LEGAL INFORMATION

Parcel # 69001390 **Sched/Acct#** 69001390/ R021985
Legal Information: M & B PARCEL A VERNON PROPERTY BLA REC #1038340

Zone District: B - Business
County Access Permit # A26- 005 **State Access Permit # N/A**
Application Fees: $75.00 **Payment:** Check # 3462 **Receipt # 2026-03-02-KE-6394**
Access Fee: Yes - $55.00 Fee

Matt Tafoya
Planning & Zoning – Code Enforcement

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Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado 81212

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

Inspection Checklist

Date 2/10/2026 **Project Name: SRU 26-001 Legacy Metal Fabrication Facility**

Any Current Permits? ☐ Yes or ☒ No
Any Past Permits? ☐ Yes or ☒ No
Current Violation? ☐ Yes or ☒ No
Past Violations ☐ Yes or ☒ No

VISUAL OBSERVATIONS CHECKLIST

# of buildings: 0
Types:
SMM on site? No

Does the site plan match site conditions? No

Structures Code/Zoning Compliant : Yes

Land Use Compliant: Yes

Notes/Concerns
No Concerns

Matt Tafoya February 10, 2026

George Meffley February 10, 2026

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FREMONT COUNTY
Project Engineer
615 Macon Avenue, Room 203b
Canon City, Colorado 81212
Office (719) 276-7367 Cell (719) 792-9372
Email: Samuel.Cocchia@fremontcountyco.gov

March 3, 2026

Fremont County Planning & Zoning
Attn: Daniel Victoria
615 Macon Ave., Room 210
Cañon City, CO 81212

RE: SRU 26-001 Legacy Drainage

Dear Mr. Victoria,

This letter is to inform you that the Fremont County Engineering Department has reviewed the above-referenced application and has the following comments/requirements:

Based on the Fremont County Zoning Regulations Chapter 10, I have performed a compliance review of the Legacy Metal Fabrication Center Drainage Plan and Report.
The submission is generally compliant with the core hydraulic requirements (release rates, NOAA data, floodplain analysis). However, there are issues to be addressed before full approval can be recommended.

1. Missing Operation & Maintenance (O&M) Plan
    a. An operation and maintenance (O&M) plan for all drainage facilities shall be included by the engineer in the final drainage report. The O&M plan should include instructions for the property owner on safe and correct operations, repair and maintenance, and recommended inspection schedules.
    b. You must add a dedicated O&M section or Appendix to the report that outlines specific inspection schedules (e.g., "Inspect debris removal monthly"), maintenance tasks (mowing, sediment removal), and instructions for the outlet structure and embankment.
2. Drainage Map and Data Requirements Blurry
    a. The Proposed Drainage Map and tables provided above and below (Pages 63-70) are not fully legible. The images of these sheets is blurry. Provide a clean digital copy.
    b. Ensure the 10-year and 100-year flow rates and the Pond Design Data Table

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(Volume, WQCV, Release Rates) are placed directly on the Drainage Map sheet.

Conclusion
Please submit a revised Drainage Report and a point-by-point response letter addressing the items above.

Thank you,

Samuel R. Cocchia

Samuel. R Cocchia, P.E.
Fremont County Engineer

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Fremont County
Department of Transportation

1170 Red Canyon Road ● Cañon City, Colorado 81212
Phone: 719-276-7430 ● Fax: 719-275-2120

2.23.2026

Fremont County
Department of Planning & Zoning
615 Macon, Room 210
Cañon City, CO 81212

RE: SRU 26-001 Legacy Metal Fabrication Facility

Dear Mr. Victoria,

We are in receipt of the above-referenced application and the following are requested by our department.

- Drive way access will need to be hard surfaced and match existing grade to protect county hard surface shouldering. (According to County Roadway specs)
- Annual road impact fee of $478.24 to be reviewed annually to update cost with market prices.
- Roads built within the planned location will not be maintained by the County.

Should you have any questions or concerns, feel free to contact our office.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT

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FREMONT COUNTY
ENVIRONMENTAL HEALTH DEPARTMENT

615 MACON AVENUE, ROOM 212
CAÑON CITY, COLORADO
(719) 276-7460 FAX (719) 276-7461
wyatt.sanders@fremontco.com

TO: Planning and Zoning

ATTN: Director, Dan Victoria,
Planning Coordinator, Danielle Adamic

FROM: Wyatt Sanders, Fremont County Building Official
Fremont County Environmental Health

SUBJECT: SRU 26-001 Legacy Metals

DATE: February 12, 2026

This department has received the application for SRU 26-001 for Legacy Metals located at US HWY 50 and HWY 67 after my review of the application, this department has no existing violations against the property. The OWTS design as submitted appears to be large enough to accommodate this facility. This department reserves the right to review the OWTS system in a more realistic environment once the plans for this project are submitted. This will help determine the size of the system based on employment / fixtures etc.

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Fremont Conservation District
248 Dozier Avenue
Canon City, CO 81212
719-315-3417
info@fremontcd.org

Board of Supervisors
John Daniels, President
Bart Adams, Vice President
Tim Morse, Secretary Treasurer
Kathleen Drenckhahn, Member
Trevor Aronson, Member

February 5th, 2026,

Fremont County Planning & Zoning
615 Macon Ave., Room 210
Canon City, CO 81212

RE: “SRU 26-001”

The Fremont Conservation District has reviewed the application “SRU 26-001 Legacy Metal Fabrication Facility” and has no comments at this time.

On behalf of the Fremont Conservation District Board of Supervisors

Daniel Morse

District Manager
Fremont Conservation District
719-315-3417
info@fremontcd.org

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COLORADO
Division of Water Resources
Department of Natural Resources
Water Division 2 - Main Office

February 10, 2026

Planning Director
Fremont County Planning and Zoning
615 Macon Ave. Room 210
Canon City, Colorado 81212

Re: **SRU 26-001 Legacy Metal Fabrication Facility**

Dear Sir/Madam,

This is provided as a courtesy comment as this proposal does not involve a subdivision requiring comment by the State Engineer's Office pursuant to C.R.S. 30-28-101(10)(a). Therefore, pursuant to the State Engineer's March 4, 2005 memorandum to county planning directors, this office will only perform a cursory review of the referral information and provide comments. The comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

The submittal indicates the above-proposed Special Review Use Permit on behalf of 325 Shoop LLC in seeking approval for a light industrial metal shop with an office and conference room for staff, located on Parcel A of the Vernon Property Boundary Line Adjustment within Fremont County, Colorado, more particularly described as:

- Fremont County Assessor Schedule No. 66001390

History:

According to our records there are no registered groundwater wells on the subject parcels.

Compliance:

According to the submittal, the applicant intends to haul water to a cistern for the restrooms, break room, and for fire fighting purposes. The applicant's Septic System Design Report states that groundwater was not encountered during the reconnaissance and field exploration. The Division of Water Resources finds that this action will not involve expanded or changed use of groundwater.

The application Site Plan includes a Proposed Storm Water Pond. The Division of Water Resources sees no expansion to surface water use as long as the storm water pond is built and operated pursuant to regulations.

Please reach out with any questions or concerns by email to *dnr_div2ground.water@state.co.us*.

Sincerely,

Raquel Fuentes
Data Analyst - Water Division 2

ECC: Christine Sedneck, P.E., Water Resources Engineer

Enclosures: DWR Administrative Statement Regarding the Management of Storm Water Detetion Facilities and Post-Wildland Fire Facilities in Colorado

COLORADO
Division of Water Resources
Department of Natural Resources

Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado

Issued February 2016, Amended December 2025

The Division of Water Resources (DWR) has previously administered storm water detention facilities based on DWR's "Administrative Approach for Storm Water Management" dated May 21, 2011. Since the passage of Colorado Senate Bill 15-212, that administrative approach has been superseded. This document describes SB15-212, codified in section 37-92-602(8), Colorado Revised Statutes (C.R.S.), and how the law directs administrative requirements for storm water management. This document is for informational purposes only; please refer to section 37-92- 602(8) for comprehensive language of the law.

Pursuant to section 37-92-602(8), storm water detention facilities and post-wildland fire facilities shall be exempt from administration under Colorado's water rights system only if they meet specific criteria. The provisions of SB15-212 apply to surface water throughout the state, except within the Designated Ground Water Basins.[1] SB15-212 *only* clarifies when facilities may be subject to administration by the State Engineer; all facilities may be subject to the jurisdiction of other government agencies and must continue to obtain any permits required by those agencies.

Storm Water Detention Facilities

Pursuant to section 37-92-602(8), a storm water detention and infiltration facility ("Detention Facility") is a facility that:

- Is owned or operated by a governmental entity or is subject to oversight by a governmental entity, including those facilities that are privately owned but are required by a governmental entity for flood control or pollution reduction.
- Operates passively and does not subject storm water to any active treatment process.
- Has the ability to continuously release or infiltrate at least 97 percent of all of the water from a rainfall event that is equal to or less than a five-year storm within 72 hours after the end of the rainfall event.
- Has the ability to continuously release or infiltrate at least 99 percent of all of

[1] It is likely that the Colorado Ground Water Commission would find that at least a portion of storm runoff originating within the boundary of a designated groundwater basin is designated groundwater subject to administration by the Colorado Ground Water Commission and not subject to the exemption in SB-212.

the water from a rainfall event that is greater than a five-year storm within 120 hours after the end of the rainfall event.
- Is operated solely for storm water management.[2]

In addition, to qualify for the allowances provided in SB15-212, the facility:

- Must not be located in the Fountain Creek watershed, unless the facility is required by or operated pursuant to a Colorado Discharge Permit System Municipal Separate Storm Sewer System Permit issued by the Department of Public Health and Environment pursuant to Article 8 of Title 25, C.R.S.
- Must not use water detained in the facility for any other purpose nor release it for subsequent diversion by the person who owns, operates, or has oversight over the facility. The facility cannot be operated as the basis for a water right, credit, or other water use right.
- Must not expose groundwater.
- May include a structure or series of structures of any size.

If the Detention Facility was constructed *on or before* August 5, 2015 and meets all the requirements listed above, by statute it does not cause material injury to vested water rights and will not be subject to administration by the State Engineer.

If the Detention Facility is constructed after August 5, 2015, meets the requirements listed above, and the operation of the detention facility does not cause a reduction to the natural hydrograph as it existed prior to the upstream development, it has a rebuttable presumption of non-injury pursuant to paragraph 37-92-602(8)(c)(II). A holder of a vested water right may bring an action in a court of competent jurisdiction in accordance with paragraph 37-92-602(8)(c)(II)(A) and (B) to determine whether the operation of the detention facility has caused material injury. If the court determines that the vested water rights holder has been injured, the detention facility will be subject to administration.

In addition, for Detention Facilities constructed after August 5, 2015, the entity that owns, operates, or has oversight for the Detention Facility must, prior to the operation of the facility, provide notice of the proposed facility to the Substitute Water Supply Plan (SWSP) Notification List for the water division in which the facility is located. Notice must include: the location of the proposed facility, the approximate surface area at design volume of the facility, and data that demonstrates that the facility has been designed to comply with section 37-92-602(8)(b)(I) paragraphs (B) and (C). The State Engineer has not been given the statutory responsibility to review notices, however,

[2] Precipitation Harvesting Pilot Projects, operating in accordance with section 37-60-115, C.R.S. have an allowance for integrated facilities pursuant to SB24-148.

DWR staff may choose to review notices in the course of their normal water administration duties. Not reviewing notices does not preclude the Division Engineer from taking enforcement action in the event that the above criteria are not met in design and/or operation.

To satisfy the notification requirement, operators may use the Colorado Stormwater Facility Notification Portal.

Types of detention facilities contemplated under this statute include underground detention vaults, permanent flood detention basins, extended detention basins, and full spectrum detention basins, all of which capture runoff and release it slowly. Rooftop systems may also qualify as Detention Facilities.[3] Storm Water Best Management Practices (BMPs)[4] not contemplated above, including all Construction BMPs and non-retention BMPs, do not require notice pursuant to SB15-212 and are allowed at the discretion of the Division Engineer. BMPs that rely on retention, such as retention ponds and constructed wetlands, will be subject to administration by the State Engineer.

Any detention facility that does not meet all of the statutory criteria described above, in design or operation, is subject to administration by the State Engineer.

Post-Wildland Fire Facilities

Pursuant to section 37-92-602(8), a post-wildland fire facility is a facility that:

- Includes a structure or series of structures that are not permanent.
- Is located on, in or adjacent to a nonperennial stream.[5]
- Is designed and operated to detain the least amount of water necessary, for the shortest duration of time necessary, to achieve the public safety and welfare objectives for which it is designed.
- Is designed and operated solely to mitigate the impacts of wildland fire events that have previously occurred.

In addition, to qualify for the allowances provided in SB15-212, the facility:

- Must be removed or rendered inoperable after the emergency conditions created by the fire no longer exist, such that the location is returned to its natural

[3] Rooftop systems that are not Detention Facilities should be designed to continuously discharge the water that passes through them and should not store water for later beneficial use, unless a court decree or other administrative approval allows for such an operation.
[4] Best management practice: A technique, process, activity, or structure used to reduce pollutant discharges in stormwater.
[5] DWR may use the National Hydrography Dataset or other reasonable measure to determine the classification of a stream.

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conditions with no detention of surface water or exposure of groundwater.
- Must not use water detained in the facility for any other purpose nor release it for subsequent diversion by the person who owns, operates, or has oversight over the facility. The facility will not be operated as the basis for a water right, credit, or other water use right.

If the post-wildland fire facility meets the requirements listed above, it does not cause material injury to vested water rights. While DWR recognizes that post-wildland fire facilities are essential to the protection of public safety and welfare, property, and the environment, DWR may, from time to time, request that the person who owns, operates, or has oversight of the post-wildland fire facility supply information to DWR to demonstrate they meet the criteria set forth above.

If a post-wildland fire facility does not meet all the criteria set forth above, it will be subject to administration by the State Engineer.

Resources and References

United States Geological Survey National Hydrography Dataset: http://nhd.usgs.gov

Mile High Flood District (previously Urban Drainage and Flood Control District) 37-92-602(8) explanation memo and FAQ's, available at www.mhfd.org

Mile High Flood District. *Urban Storm Drainage Criteria Manual* Located at: www.mhfd.org

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COLORADO
Department of Transportation
Region 2
Traffic & Safety – Access Permits

US-050A / CR 67 Phantom Canyon Dr.
Fremont County

February 05, 2026

Josh Peek
J & B Construction
25302 St. Charles Rd
Pueblo, CO 81006

RE: Legacy Production & Sales Office

Josh,

I am in receipt of a referral request for comments for Legacy Production & Sales Office, located at CR 67 Phantom Canyon Dr, and State Highway 50, Fremont County (Parcel #98504086, 66001390) The submittals have been reviewed by CDOT. After review of all submitted documents, we have the following comments:

- CDOT is in need of additional information pertaining to the drainage plan please provide the following:
  - PDF document of the report and site plans.
- The report mentions the EDB spillway.
  - Where does the spillway discharge to? Does it discharge into CDOT ROW? If so, please include analysis for this condition (roadside ditch calculations, ect.)
  - Where does the pond out fall ultimately discharge to?
  - What channel is the flowmaster calculation corresponding to?
  - The Q of 36.06 does not match the hydrology or EDB results.

Please contact me at 719-924-2930 or kimberly.blanchard@state.co.us with any questions.

Sincerely,

Kimberly Blanchard
Kimberly Blanchard
CDOT R2 Access Management Trainee

xc: Joanne Kohl – Fremont County Planning – joanne.kohl@fremontcountyco.gov
Mike Maik, mmaik@maikengineering.com
Matt Koch cssurveying90@gmail.com
Jerry@legacymetalcenter.com
Lancaster / file

January 20, 2026

Fremont County
Department of Planning and Zoning
615 Macon Avenue, Room 210
Canon City, CO 81212

To Whom It May Concern,

On behalf of Legacy Metal, we respectfully submit this Special Review Use application to Fremont County for the proposed Legacy Metal Fabrication Facility at Parcel A of the Vernon Property Boundary Line Adjustment (as recorded in the records of the Fremont County Clerk and Recorders Office under Reception No. 1039340.

The subject project proposes to improve the currently vacant land with a 61,316 SF building that will contain offices, a conference room, a break room, and a metal fabrication shop and material storage area.

The proposed facility will be a fabrication and sales facility for metal panels, siding, roofs, and similar products. The facility will be open Monday through Friday from 7am – 4pm in the winter, and 6:30 am – 4:30 pm for the rest of the year, with the change in operating hours occurring at daylight savings time changes. The facility is expected to have 25 employees and 10 – 20 customers per day. On average, the facility will receive three deliveries per week from 18-wheelers. Additionally, the facility will send out two of its own delivery trucks each morning, that return each evening.

Roll forming machines, forklift operation, and loading operations will all take place within the building and will not create significant noise or vibration outside the building footprint.

EXHIBIT 2.1
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The proposed project is located at Parcel A of the Vernon Property Boundary Line Adjustment as recorded in the Records of the Fremont County Clerk and Recorders Office Under Reception No. 1039340.

The lot is 1,619,650 square feet (37.18 acres), zoned Business (B), and is currently vacant land (0% lot coverage).

The proposed use is being submitted for as a Special Review Use and does not propose to rezone the property. The proposed building will cover 61,316 square feet, for a proposed lot coverage of 3.8%. The proposed building will be a metal building, containing office, conference room, and metal fabrication / storage space.

EXHIBIT 2.2
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The property owner is committed to creating a welcoming environment at the storefront area (south side), through native plantings and xeriscape methods that will not require irrigation, as the north side of Highway 50 does not have public water infrastructure to utilize.

The areas directly adjacent to the building will be landscaped by a professional landscaper. See attached site plan sheet for areas of proposed landscaping (xeriscape). The remainer of the property will be left as undisturbed prairie land, matching the adjacent properties.

EXHIBIT 2.4
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Since the business hours correlate with daylight hours in all season (7am – 4pm in the winter, and 6:30 am – 4:30 pm for the rest of the year, with the change in operating hours occurring at daylight savings time changes), parking lot and drive aisle lighting is not proposed.

Dusk to dawn floodlights for security purposes are proposed outside the building. Special care will be taken by the owner to ensure that floodlights do not illuminate areas off the property, especially along the south side, into Highway 50 right of way.

Per Section 5.05 of the Fremont County Zoning Code, the proposed use of the site most nearly aligns with the industrial use category (fabricating). Per this section, the minimum number of spaces required is the greater of 1 per 300 sq. ft. of floor area up to 100,000 sq. ft. or 1 per employee on maximum shift. This would require the use to have 205 parking spaces (61,316 sq ft / 300 sf).

Since the vast majority of the proposed building will be fabrication equipment and metal storage, a variance from this section is requested. It is proposed to provide one parking space for the maximum number of employees at any given time (25) plus 10 standard customer spaces. It is also proposed to include 2 ADA spaces (both van accessible) per section 5.05 (d) (ii).

Customer and delivery truck loading / off loading will occur on the north side of the fabrication shop area.

Parking and loading areas are not proposed to be lit by parking lot lighting, as business hours correlate with daylight hours. However, security floodlights are proposed for off hours, and would provide adequate lighting to the parking and loading areas if needed.

The proposed metal fabrication facility and associated office space is consistent with the Goals, Objectives, and Implementation Strategies of the Fremont County Master Plan and supports the County's long-term vision for responsible economic development, appropriate land use, and efficient infrastructure utilization.

A key goal of the Master Plan is to promote economic vitality and employment opportunities while maintaining compatibility with existing land uses. The proposed facility supports this goal by providing skilled employment opportunities and contributing to the local economy through a use that is appropriate for a highway-adjacent location and consistent with existing industrial and transportation-oriented development patterns in the area.

The Master Plan emphasizes directing industrial and commercial development to locations with adequate transportation access to reduce impacts on local roads and residential areas. The project's location at U.S. Highway 50 and County Road 67 allows for efficient access for employees, deliveries, and shipping, thereby supporting Master Plan objectives related to traffic safety, roadway efficiency, and infrastructure planning.

The proposed development also aligns with Master Plan objectives that encourage land use compatibility and mitigation of potential impacts. The site layout, building placement, operational controls, and buffering measures are intended to minimize noise, lighting, visual impacts, and traffic conflicts. These measures support implementation strategies that call for thoughtful site design and operational standards to ensure new development coexists harmoniously with surrounding uses.

In addition, the Master Plan recognizes the importance of preserving rural character and environmental quality while accommodating growth. The project incorporates setbacks, limited outdoor activity, controlled lighting, dust management, and stormwater controls consistent with county and state regulations. These strategies support implementation measures related to environmental stewardship and protection of natural resources.

Overall, the proposed metal fabrication facility and office space advances the Fremont County Master Plan by supporting economic development, utilizing existing transportation infrastructure, promoting compatible land use patterns, and incorporating design and operational strategies that minimize impacts. The project represents an appropriate balance between growth and preservation consistent with the County's adopted planning goals and objectives.

In general, our team feels that the proposed development and site plan will be an efficient way of expanding the airport industrial park, while keeping similar uses adjacent to each other. This will help encourage growth in this area of the county, and addresses the concern of "scattered development and inconsistent land use" stated in the 2015 master plan.

The proposed metal fabrication facility and associated office space located at the northeast corner of Phantom Canyon Road and U.S. Highway 50 in Fremont County, Colorado, has been designed to be compatible with and in harmony with surrounding land uses and existing development patterns in the area.

The project site is situated along a major transportation corridor (Highway 50) and within an area characterized by a mix of transportation-oriented, industrial, utility, and rural land uses. The proposed metal fabrication operation is consistent with these uses and is well suited to a location with direct highway access, minimizing impacts on local residential areas and reducing heavy vehicle traffic on smaller county roads.

Building placement, scale, and architectural design will be appropriate to the surrounding context, with structures set back from public roadways and oriented to reduce visual impacts. Exterior materials and colors will be neutral and non-reflective, helping the facility blend with the natural landscape and nearby development.

Operational impacts will be mitigated through a combination of site planning and management practices. Noise-generating activities will occur primarily within enclosed buildings and during normal business hours. All work and loading will be performed inside the building. No outdoor storage or work areas are proposed with this development. Lighting will be downcast and shielded to prevent light spillover and preserve dark-sky conditions.

The fully developed, signalized, intersection at Phantom Canyon Road and Highway 50 will limit enable safe and efficient ingress and egress of the site. Adequate on-site parking and loading areas will be provided to prevent congestion or queuing on public rights-of-way, or the proposed internal drives.

Landscaping and buffering measures, including native vegetation where feasible, will be used to soften the site's appearance and provide additional separation from neighboring uses. Stormwater management, dust control, and proper waste handling will be implemented in accordance with county and state regulations.

With these design features and operational measures, the proposed metal fabrication facility and office space will function in a manner that is compatible with surrounding land uses, supports the existing transportation and industrial character of the area, and minimizes potential impacts on adjacent properties and the broader Fremont County community.

Dust and Erosion Control Measures

The proposed metal fabrication facility and office space will incorporate dust and erosion control measures during construction and throughout ongoing site operations to protect adjacent properties, public roadways, and natural resources.

During construction, disturbed areas will be minimized to the extent practicable and phased to reduce the amount of exposed soil at any one time. Temporary dust control measures will include the application of water or approved dust suppressants to exposed soils, unpaved access areas, and haul routes as needed, particularly during dry or windy conditions. Stockpiled materials will be covered, wetted, or otherwise stabilized to prevent wind erosion. Construction vehicle speeds on unpaved surfaces will be limited to reduce dust generation.

Erosion control measures will be implemented in accordance with Fremont County requirements and applicable state regulations. These measures may include silt fencing, straw wattles, sediment traps, stabilized construction entrances, and perimeter controls to prevent sediment from leaving the site or entering adjacent roadways and drainage features. Stormwater will be managed to prevent concentrated flows and off-site sediment transport.

Following construction, permanent stabilization will be achieved through a combination of paved or graveled surfaces, building coverage, and revegetation using native or adapted plant species where feasible. Unpaved areas will be limited and stabilized to reduce ongoing dust generation. On-site traffic and material handling areas will be designed to minimize soil disturbance.

All dust and erosion control measures will be inspected and maintained as necessary, and corrective actions will be taken promptly if excessive dust or erosion is observed. These practices will ensure compliance with applicable Fremont County and State of Colorado regulations and will minimize impacts to surrounding properties and public infrastructure.

Noise Control Measures

The proposed metal fabrication facility and associated office space will be designed and operated to minimize noise impacts on adjacent properties and public roadways and to remain compatible with surrounding land uses.

Primary fabrication and equipment operations will occur within enclosed buildings constructed with insulated walls and roofing materials that reduce sound transmission. Large equipment, machinery, and ventilation systems will be selected and installed in accordance with manufacturer recommendations to limit operational noise, vibration, and tonal impacts. Where necessary, equipment will be mounted on vibration-isolating pads to further reduce noise transmission.

Noise-generating activities will generally be limited to normal business hours, and routine maintenance of equipment will be conducted to ensure proper operation and prevent excessive noise caused by wear or malfunction. All loading and fabrication work will be performed inside the building. No outdoor storage or work is proposed with this development.

Site layout has been planned to further reduce noise impacts, with loading areas, service zones, and mechanical equipment oriented away from adjacent properties where feasible. Truck loading and unloading will occur on site and will be managed to prevent idling or queuing on public roadways.

Additional noise buffering will be provided through setbacks, building placement, and all loading and fabrication facilities being limited to inside the building. Lighting and security features will be designed to avoid attracting unnecessary nighttime activity.

With these design and operational measures in place, noise associated with the proposed facility is expected to be consistent with similar industrial and commercial uses along Highway 50 and will not adversely affect surrounding land uses or the overall character of the area.

Visual Impact Control Measures

The proposed metal fabrication facility and associated office space will incorporate visual impact control measures to ensure the development is compatible with surrounding land uses, public roadways, and the natural landscape of Fremont County.

Building placement and site layout have been designed to minimize visibility from adjacent roadways and neighboring properties. Structures will be set back from U.S. Highway 50 and Phantom Canyon Road, and building massing will be oriented to reduce the apparent scale of the facility when viewed from off site.

Exterior building materials and colors will be selected to be neutral, earth-toned, and non-reflective, allowing the structures to blend with the surrounding terrain and reduce visual contrast. Roof and wall finishes will avoid high-gloss or highly reflective surfaces.

All work and loading will be performed inside the building. No outdoor storage or work is proposed with this development. Utility components such as transformers, generators, and refuse areas will be located away from roadways and screened to the extent practicable.

Lighting will be designed to minimize visual impacts, using fully shielded, downcast fixtures that limit glare and light spillover beyond the site. Lighting levels will be sufficient for safety and security while preserving the rural and dark-sky character of the area.

Landscaping will be used where feasible to soften the visual appearance of the development and provide buffering from adjacent properties and roadways. Landscaping will emphasize native or drought-tolerant plant species compatible with local conditions and will be arranged to break up large paved areas and building façades.

Through thoughtful site planning, building design, screening, lighting controls, and landscaping, the proposed project will minimize visual impacts and remain visually compatible with the surrounding land uses and character of the Highway 50 corridor and Fremont County.

Odor Control Measures

The proposed metal fabrication facility and associated office space will be operated in a manner that minimizes the generation and off-site migration of odors and remains compatible with surrounding land uses.

Metal fabrication activities typically do not produce significant odors; however, any processes that may generate fumes or odors, such as cutting, or surface preparation, will be conducted primarily within enclosed buildings. These areas will be equipped with appropriate ventilation and filtration systems designed to capture and exhaust fumes in accordance with applicable building codes and occupational safety standards.

Materials, coatings, lubricants, and cleaning agents will be stored in sealed containers and handled in accordance with manufacturer recommendations to prevent the release of odors. Waste materials will be contained and removed on a regular basis to avoid odor accumulation.

Routine equipment maintenance and housekeeping practices will be implemented to ensure proper operation of ventilation systems and prevent the buildup of materials that could generate odors. If any odor-related issues are identified, corrective measures will be taken promptly to prevent impacts to neighboring properties.

With these operational controls in place, the proposed facility is not expected to generate objectionable odors beyond the site boundary and will remain consistent with the surrounding land uses and the rural and highway-oriented character of the area.

WILDLIFE / PLANT PROTECTION MEASURES

The proposed metal fabrication facility and associated office space will be developed and operated in a manner that minimizes impacts to existing vegetation and local wildlife and is consistent with Fremont County and State of Colorado environmental protection practices.

Site disturbance will be limited to the minimum area necessary for construction and operations. Existing native vegetation will be preserved where practicable, particularly along site boundaries and in undisturbed buffer areas. Areas disturbed during construction will be stabilized and revegetated where feasible using native or adapted plant species appropriate to local conditions.

Construction activities will be confined to designated work areas to reduce impacts to surrounding habitat. Equipment staging, material storage, and access routes will be clearly defined to prevent unnecessary disturbance of adjacent lands. Any temporary impacts to vegetation will be addressed through site restoration following construction.

Operational practices will be implemented to discourage wildlife attraction to the site. Waste materials will be stored in secured containers and removed regularly, and no food or organic waste will be stored outdoors. Outdoor lighting will be shielded and directed downward to reduce nighttime disturbance to wildlife.

Stormwater management, dust control, and erosion control measures will further protect surrounding soils, vegetation, and drainage features from indirect impacts. If protected wildlife species or sensitive plant communities are encountered during construction, appropriate measures will be taken in coordination with applicable state or federal agencies.

Through these measures, the proposed project will limit impacts to wildlife and plant resources while maintaining compatibility with the surrounding landscape and rural character of Fremont County.

WATER QUALITY AND WATER AND WATER WAY PROTECTION MEASURES

The proposed metal fabrication facility and associated office space will be designed, constructed, and operated in a manner that protects surface water quality, groundwater resources, and any nearby drainage features or waterways, in accordance with Fremont County requirements and applicable State of Colorado regulations.

Stormwater runoff from the site will be managed to prevent erosion, sediment transport, and pollutant discharge. During construction, erosion and sediment control measures such as silt fencing, straw wattles, stabilized construction entrances, and sediment controls will be installed and maintained to prevent sediment from leaving the site or entering adjacent roadways or drainage features. Disturbed areas will be stabilized as soon as practicable.

Post-construction, stormwater will be managed through permanent site design features, which may include graded drainage patterns, swales, detention or infiltration areas, and stabilized conveyances designed to control runoff rates and improve water quality. Impervious areas will be minimized where feasible, and runoff will be directed away from sensitive areas.

Materials that could affect water quality, including fuels, oils, lubricants, and chemicals, will be stored in secure, labeled containers within designated areas and managed in accordance with best management practices. Spill prevention and response measures will be implemented, and any spills will be promptly contained and cleaned to prevent discharge to soil or waterways.

Wastewater and process-related discharges, if any, will be handled in compliance with applicable state and local regulations. No untreated process water or wash water will be discharged to surface waters or drainage features.

Through the implementation of these stormwater, material management, and operational practices, the proposed project will protect water quality and nearby waterways and will be compatible with the environmental objectives of Fremont County.

Safety Measures to Protect Adjacent Properties, Residents, and Agricultural Operations

The proposed metal fabrication facility and associated office space will be designed and operated with safety measures in place to protect adjacent properties, nearby residents, and surrounding agricultural operations.

All activities will comply with applicable local, state, and federal safety regulations, including building codes, fire protection standards, and occupational safety requirements. The site will be designed to provide safe internal circulation for employees, visitors, and service vehicles, with designated access points, parking areas, and loading zones to prevent conflicts with public roadways and neighboring properties.

Hazardous materials, fuels, and chemicals, if used, will be stored in approved containers within designated areas and handled in accordance with manufacturer specifications and regulatory requirements. Spill prevention and response measures will be implemented to prevent impacts to soils, crops, livestock, or nearby properties.

Noise, dust, lighting, and traffic impacts will be controlled through operational practices and site design measures to reduce potential effects on adjacent land uses, including agricultural activities. Equipment maintenance and housekeeping practices will be employed to ensure safe and orderly operations.

Fire safety measures will include compliance with fire code requirements, adequate access for emergency vehicles, appropriate fire suppression systems, and clear separation between operational areas and property boundaries. Outdoor activities and storage will be managed to maintain setbacks and avoid encroachment onto adjacent properties.

Stormwater, erosion, and drainage controls will be implemented to prevent runoff, sediment, or pollutants from affecting neighboring lands, irrigation features, or agricultural uses.

Through these safety and operational measures, the proposed facility will operate in a manner that protects nearby properties, residents, and agricultural operations while remaining compatible with the surrounding land uses and rural character of Fremont County.

The applicant would like to request a variance from FCZR section 5.04, which requires screening along the north and east property line. The justification for this variance is that the property to the north is currently vacant range land. Additionally, the applicant owns all parcels to Eightmile Creek. Granting this variance will allow the applicant more flexibility in further subdividing their property, without the risk or removing newly constructed fence or mature trees in the near future.

Measures to protect and/or preserve archaeologically or historically significant sites

The proposed metal fabrication facility and associated office space will be developed in a manner that recognizes and protects any archaeologically or historically significant resources that may be present on or near the site, in accordance with Fremont County requirements and applicable State and Federal regulations.

Prior to construction, the site will be reviewed for known archaeological or historic resources using available records and mapping. If no known resources are identified, construction will proceed as planned. Ground-disturbing activities will be limited to the approved development footprint to minimize the potential for impacts to undiscovered resources.

If previously unknown archaeological or historic materials are encountered during construction, all work in the immediate area will cease, and the appropriate County officials and relevant State agencies will be notified. The discovery will be evaluated by qualified professionals, and appropriate avoidance, preservation, or mitigation measures will be implemented in coordination with Fremont County and applicable regulatory agencies before work resumes.

Construction personnel will be informed of the requirement to report any potential archaeological or historic discoveries, and equipment staging and access will be managed to avoid unnecessary disturbance of undisturbed areas.

Through these measures, the proposed project will comply with applicable cultural resource protection requirements while allowing for orderly and responsible development consistent with Fremont County planning objectives.

Measures to limit or control offsite discernable vibrations

The proposed metal fabrication facility and associated office space will be designed and operated to minimize the generation of vibrations and prevent perceptible impacts on adjacent properties and surrounding land uses.

All primary fabrication, cutting, welding, and machinery operations will occur within enclosed buildings constructed with structural supports and foundations designed to absorb and dampen operational vibrations. Equipment will be installed on vibration-isolating pads or mounts where necessary to reduce transmission to the building structure and surrounding soil.

Operational practices will limit the use of heavy machinery or high-impact equipment during sensitive hours, particularly early mornings and evenings, to prevent disturbance to nearby residents, agricultural operations, and other surrounding land uses. Routine maintenance of equipment will ensure machinery operates smoothly and without excess vibration.

Outdoor activities, including loading, unloading, or material handling, will be managed to avoid repetitive impacts that could transmit discernible vibrations offsite. Truck traffic will be directed along on-site routes and access points designed to minimize vibration impacts to adjacent properties.

Through these design and operational measures, the facility will limit offsite discernible vibrations and ensure compatibility with the surrounding land uses and rural character of Fremont County.

RETURN RECORDED DOCUMENT TO:
325 Shoop, LLC, a Wyoming limited liability company
325 Shoop Dr., Penrose, CO 81240

Document Fee: **$66.00**

GENERAL WARRANTY DEED

THIS GENERAL WARRANTY DEED, dated 27th day of November, 2024, is made between **Vernon Estes** ("Grantor"), of the County of Fremont and the State of Colorado.

AND

325 Shoop, LLC, a Wyoming limited liability company ("Grantee"), of the County of Fremont and the State of Colorado., whose legal address is 325 Shoop Dr., Penrose, CO 81240.

WITNESS, that the Grantor(s), for and in consideration of SIX HUNDRED SIXTY THOUSAND AND 00/100 DOLLARS ($660,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, and convey unto the Grantee, **IN SEVERALTY** and the heirs, successors and assigns of the Grantee forever, all the real property, together with fixtures and improvements located thereon, if any, situate, lying and being in the County of **Fremont** and State of Colorado, described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT A

ALSO KNOWN AS: **Vacant Land, , CO**

TOGETHER WITH, all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor(s), either in law or in equity, of, in and to the above-bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, and the heirs, successors and assigns of the Grantee forever. The Grantor, for the Grantor and the heirs, successors and assigns or the Grantor, **warrants title to the same.**, subject to ***the Statutory Exceptions***

EXECUTED AND DELIVERED by Grantor on the date first set forth above.

Vernon Estes

State of : **Colorado** }
} ss.
County Of **Fremont** }

The foregoing instrument was subscribed, sworn to, and acknowledged before me this **November 27, 2024**, by **Vernon Estes**

My Commission expires:

REBECCA WALLEN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19994002922
MY COMMISSION EXPIRES NOVEMBER 07, 2025

Witness my hand and official seal.

Notary Public

****If tenancy is unspecified, the legal presumption shall be tenants in common (C.R.S. 38-31-101)**

Exhibit 'A'

PARCEL 1:

PARCEL A. OF THE VERNON PROPERTY BOUNDARY LINE ADJUSTMENT AS RECORDED SEPTEMBER 3, 2024 AT RECEPTION NO. 1039340, COUNTY OF FREMONT, STATE OF COLORADO.

PARCEL 2:

THAT PORTION OF THE NORTHWEST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 34, TOWNSHIP 18 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, FREMONT COUNTY, STATE OF COLORADO LYING NORTH OF HIGHWAY 50.

PARCEL 3:

THE NORTHEAST ONE QUARTER OF THE SOUTHWEST ONE QUARTER OF SECTION 34, TOWNSHIP 18 SOUTH, RANGE 69 WEST OF THE SIXTH PRINCIPAL MERIDIAN, FREMONT COUNTY, STATE OF COLORADO.

WATER SUPPLY

The proposed metal fabrication facility will utilize a cistern tank, with water supply from bulk water delivery. Several companies servicing the area have committed to servicing the site with both domestic, and fire protection water to fill on-site cisterns as needed until public water mains are extended north of Highway 50.

See attached will serve commitment from Hanson Construction & Excavation.

Outlook

Fw: Legacy Water hauling

From Josh Peek <jpeek@jandb.construction>
Date Mon 2/23/2026 3:18 PM
To Mike Maik <mmaik@maikengineering.com>

Get Outlook for iOS

From: Tyler Hanson <Stargazerconstruction@outlook.com>
Sent: Monday, February 23, 2026 2:21:22 PM
To: Josh Peek <jpeek@jandb.construction>
Subject: Legacy Water hauling

To whom it may concern

We have been contracted by legacy metal fabrication facility to deliver the desired amount of water needed to run the facility and are scheduled with them on a keep full status. Please reach out with any questions. Thank you.

Tyler Hanson
Hanson Construction & Excavation, LLC
719-553-7114

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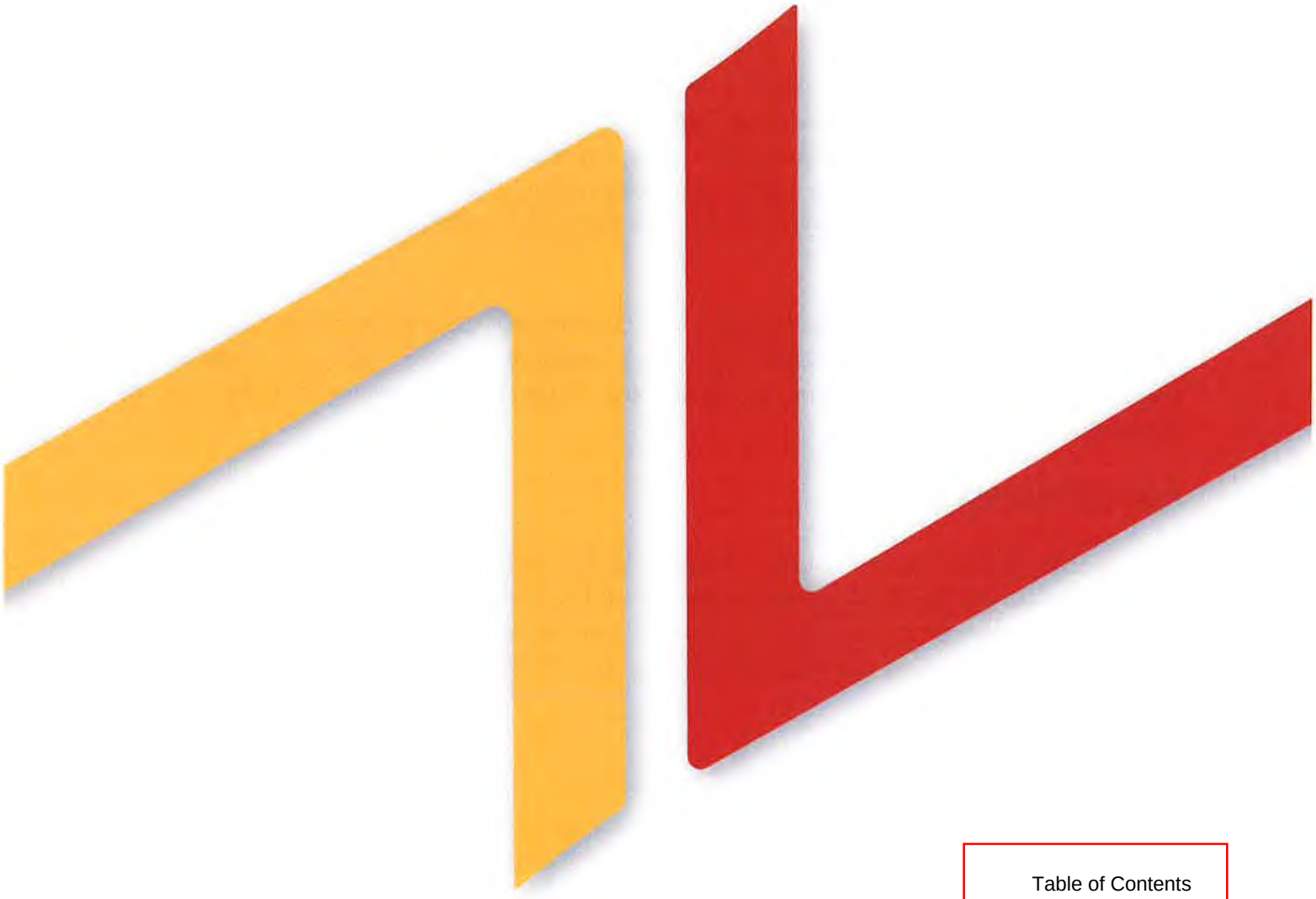
AMERICAN GEOSERVICES

Septic System Design Report

CR 67 and US Hwy 50, Penrose, CO

Date: October 30, 2025 ; Project No: 0269-CS25



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AMERICAN GEOSERVICES

GEOTECHNICAL & MATERIALS
ENVIRONMENTAL
STRUCTURAL
CIVIL
ENGINEERING AND SCIENCE

888-276-4027

November 15, 2025

PROJECT NO: 0269-CS25-SEPTIC

Mr. Josh Peek

Re: Septic System Design Report, CR 67 and US Hwy 50, Penrose, CO

Dear Mr. Peek,

At your request, we have completed the design of OWTS for the referenced project in general accordance with USEPA's "On-Site Wastewater Treatment Systems Manual" and the most current local county or Colorado Health Department's regulatory standards. Results of our 'site evaluation' and 'design' are attached.

PRELIMINARY INVESTIGATION

The site is located as shown in Figure 1. Legal description is as shown in Figure 2. There are NO existing structures at the site in the proposed construction area of septic system. Based on our review of available USGS topographic map and site visit, the site is gently sloping towards east-southeast with a slope of approximately 2-5%. Available NRCS soil survey map data (Web Soil Survey) revealed that the septic field area and the site is generally underlain by 'Manvel Silt Loam.'

The soil treatment area (STA) is estimated to be approximately 768 sq.ft. as noted in Data Sheet 1 and Figure 3. STA is not located within any easements, flood plain, or wetlands. At present, there are no physical features on-site and off-site that will require setbacks from the proposed septic field location.

RECONNAISSANCE

The proposed septic field as noted in Figure 2 is not located in a depression or in the area where there will be significant surface water run-off and accumulation towards the field. In any case, it is the owner's responsibility to make sure all the surface water will be diverted away from the septic field area so that surface water run-off does not accumulate at or near the proposed septic field.

Perched water table and springs were not noted during the reconnaissance and during field exploration.

Site topography is gently sloping downwards towards east-southeast with a slope of about 2-5%. Site is generally covered with natural grass and no wetland vegetation. There are no natural or known cultural features of concern at the site. There is no current or historic land use at the site that is of concern for the proposed septic system.

LONG-TERM ACCETANCE RATE (AS PER PDPHE)

- Long-term Acceptance Rate (LTAR) for soil Type 2, with an unlined sand filter with secondary sand media, 3ft thick = 0.60 gpd/sq.ft.

CONSTRUCTION AND MAINTENANCE

We make following recommendations in regard to construction and maintenance.

- The installer must be licensed through local County Health Department.
- In addition to the recommendations given in attached drawings, construction must occur in accordance with local County Onsite Wastewater Treatment System Regulations and the installation permit provided by governing authorities.
- Construction equipment or trucks should be kept off the soil treatment area, so construction must happen from the side and ends.
- The surface of the soil treatment area shall be planted with a suitable vegetative cover that does not require irrigation. A good quality topsoil capable of supporting re-vegetation shall be placed over the entire disturbed area. Native grass seeds that can stabilize soil cover without taproots should be used. Any trees or shrubs requiring irrigation should be avoided. The owner should maintain the OWTS area with proper vegetation cover.
- Mechanical components shall be installed in a properly vented location and all vents, air intakes, and air hoses shall be protected from snow, ice, or water vapor accumulations.
- For pumps, air release valves and weep holes should be installed to facilitate pump lines to drain in order to minimize risk of freezing.
- All systems shall be installed to include protection of openings against entry of insects, rodents, other vectors and unauthorized people.
- Livestock should not be allowed to graze in the soil treatment area.

- Following construction, the soil treatment area shall be protected against erosion and frost.
- The owners of property shall obtain and maintain all necessary operating permits.
- The owners of property shall be responsible for the operation and maintenance of the entire OWTS system. All water wells should be located at least 100 ft away from the soil treatment areas.
- Septic system maintenance shall take place every six months.
- The owners of property should check plumbing fixtures (such as leaky or running taps) in the house regularly to make sure no excessive water is being discharged to OWTS.
- Every two years, the owners of property should pump the septic tank or as needed based on the measurements of solids in the tank.
- Garbage disposal should be kept to a minimum and non-biodegradable materials should not be discharged into the OWTS. Grease should not be placed in the drains in the house and loading from water softener and any hazardous materials should not be discharged into the OWTS. It should be noted that the designed OWTS is for domestic use only.

INSTALLATION MONITORING

We recommend that a representative AGS should observe OWTS installation during construction to assure proper installation in accordance with our design and construction recommendations. We request a 24-hour notice for site visits for monitoring purposes. Field inspection costs are not included in the cost of the preparation of this report.

LIMITATIONS

Septic soil profile analysis of any kind was beyond our scope of services for the preparation of this report. Therefore, no warranty is expressed or implied.

Design Data/Recommendations contained in this report are based on our field observations and subsurface explorations performed by others; therefore, no warranty of any kind is expressed or implied. It is possible that soil conditions could vary between or beyond the points explored. If soil conditions are encountered during construction that differ from those described herein, we should be notified so that we can review and make any supplemental recommendations necessary. If the scope of the proposed construction, including the proposed use, number of occupants, or structural locations changes from that described in this report, our recommendations should also be reviewed and revised by AGS.

Flood hazards evaluation of the site, surveying of on-site and surrounding well locations was beyond our scope of services. Our scope of work for this project did not include research, testing, or assessment relative to past or present contamination of the site by any source. If such contamination were present, it is very likely that the exploration and testing conducted

for this report would not reveal its existence. If the Owner is concerned about the potential for such contamination, additional studies should be undertaken. We are available to discuss the scope of such studies with you. No tests were performed to detect the existence of mold or other environmental hazards as it was beyond Scope of Work.

Local regulations regarding land or facility use, on and off-site conditions, or other factors may change over time, and additional work may be required with the passage of time. Based on the intended use of the report within one year from the date of report preparation, AGS may recommend additional work and report updates. Non-compliance with any of these requirements by the client or anyone else will release AGS from any liability resulting from the use of this report by any unauthorized party. Client agrees to defend, indemnify, and hold harmless AGS from any claim or liability associated with such unauthorized use or non-compliance.

In this report, we have presented judgments based partly on our understanding of the proposed construction and partly on the data we have obtained. This report meets professional standards expected for reports of this type in this area. Our company is not responsible for the conclusions, opinions or recommendations made by others based on the data we have presented.

This report has been prepared exclusively for the client, its' engineers and subcontractors for the purpose of design and construction of the proposed structure. No other engineer, consultant, or contractor shall be entitled to rely on information, conclusions or recommendations presented in this document without the prior written approval of AGS.

We appreciate the opportunity to be of service to you on this project. If we can provide additional assistance or observation and testing services during design and construction phases, please call us at 1 888 276 4027.

Sincerely,

Sam Adettiwar, MS, PE, GE
Attachments

FIGURES

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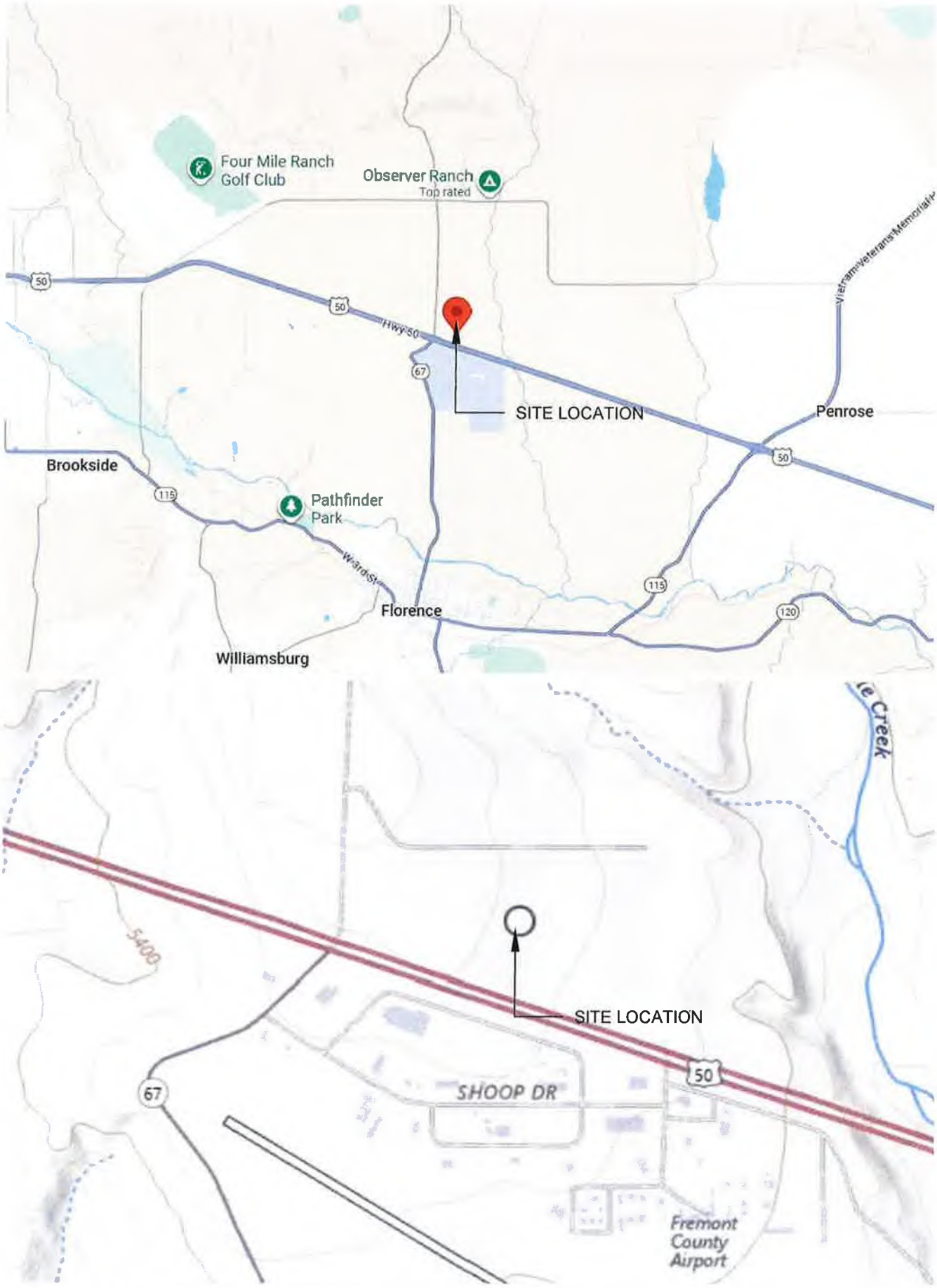

EFERENCE:
OOGLE MAPS

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FIGURE 1: SITE LOCATION MAP

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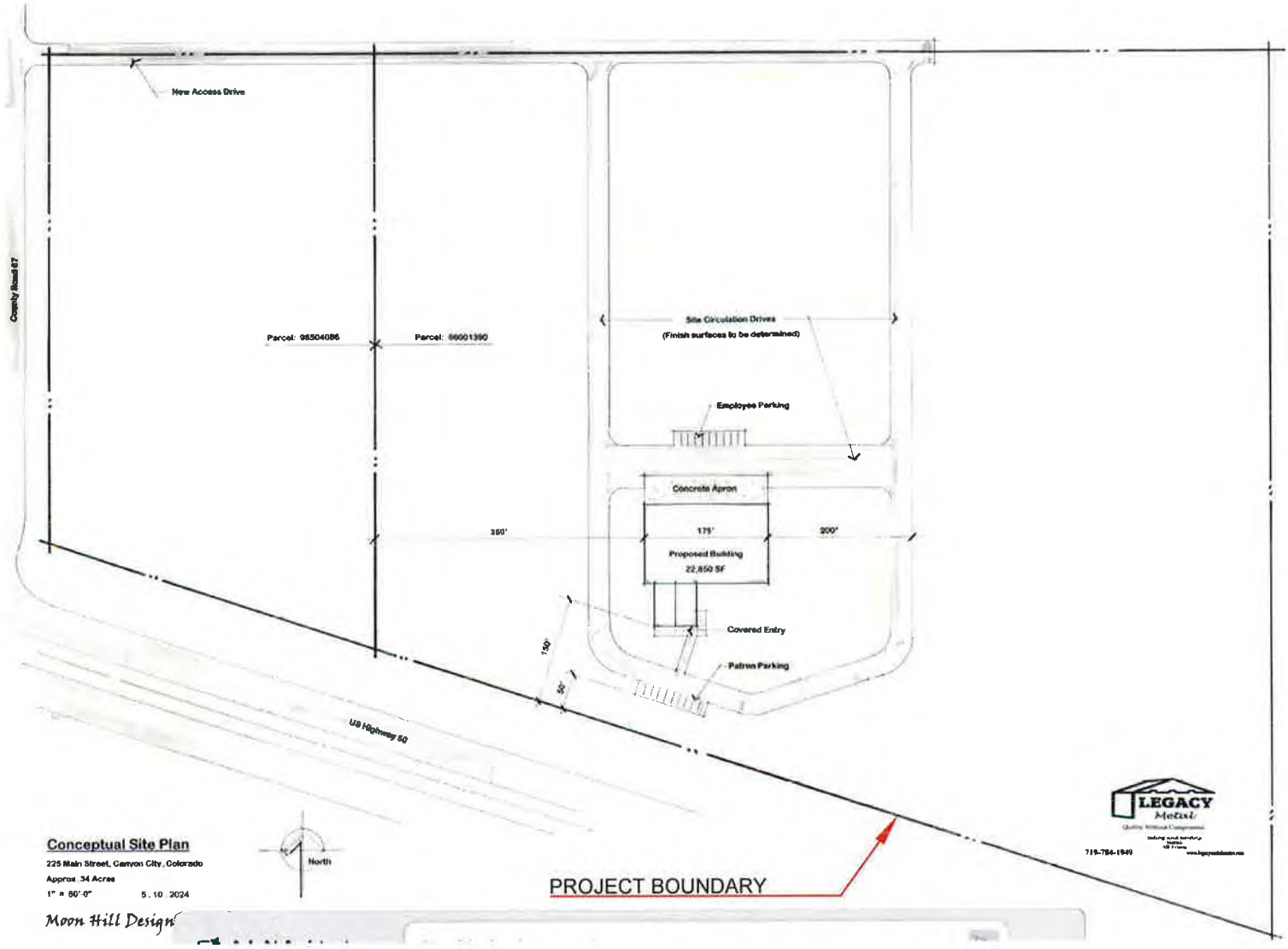

Fremont County Land Information

Assessors Map No	3823334000001
Assessors Schedule No	66001390
Site Address	
Owner Name	325 SHOOP LLC
Subdivision	M & B OR UNKNOWN
Legal Description	PARCEL A VERNON PROPERTY BLA REC #1038340
Tax Year	2025
Sale Date	11/26/2024
Owner Physical Addr.	325 SHOOP DR PENROSE, CO 81240-9531

N

REFERENCE:
FREMONT COUNTY
PROPERTY MAP;
CLIENT MAP

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FIGURE 1A: SCHEMATIC SITE PLAN

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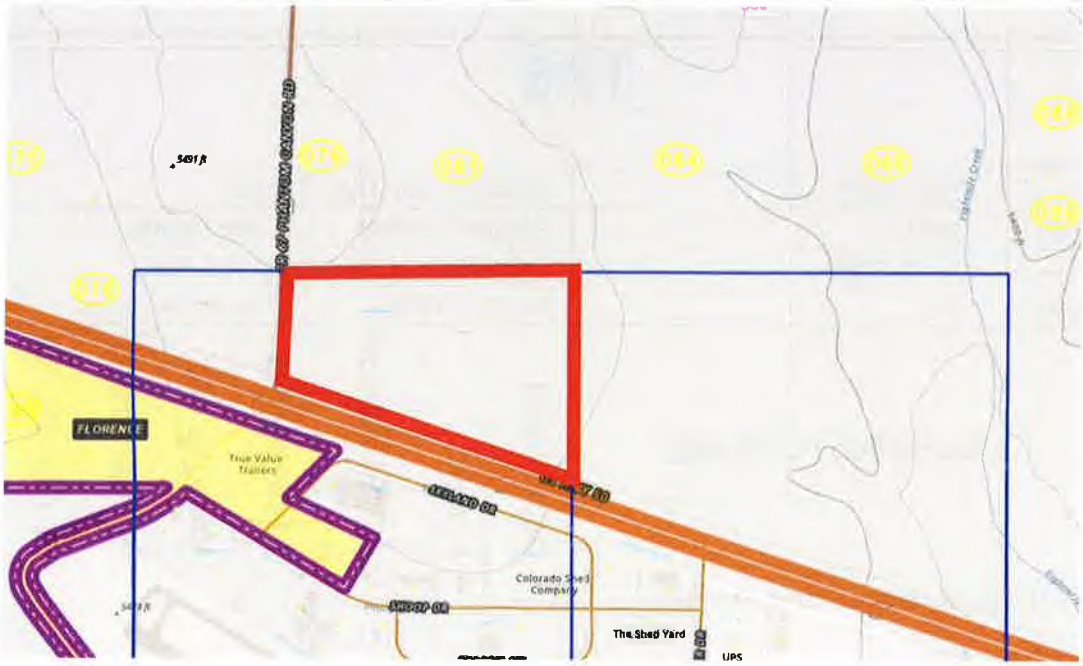

NOTE:
SCHEMATIC PLAN TO SHOW APPROXIMATE SUBSURFACE EXPLORATION LOCATION ONLY; NOT SURVEYED.

LEGEND:

DESIGNATES SUBSURFACE EXPLORATION LOCATION, BY AMERICAN GEOSERVICES, LLC. , OCTOBER 2025
EXPLORATION LOG IN APPENDIX FOR FURTHER DETAILS.

EFERENCE:
OOGLE MAPS
IENT MAPS

N

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FIGURE 2: EXPLORATION MAP

Date of Consultation

TP5

Project Number	0269-CS25	Excavator and Drive Probes	
Geologist/Engineer	SMA	Ground Elevation	See Figures
Date Drilled	10-30-2025	Total Depth of Exploration	9.0 Feet
Borehole Diameter	NA	Depth to Water	Not encountered

Graphic Log	Description / Lithology	Depth (feet)	Sample	SPT* BlowCount	Recovery (%)	Moisture (%)	Pocket Pen (tsf)	LL (%), PL (%)	Swell (%)	Completion
CL/ML	SILT LOAM, Moderate Grade, Granular **(Soil Type: 2)**	2.5								
BEDROCK	Silt loam and bedrock fragments (Soil Type 2 > 65 Rock (>2mm), OR > 50% of the Rock >20 mm (3/4 inch) **(Soil Type R-2)**	5.0 7.5								
	End of exploration at 9.0 feet. Groundwater seepage was not encountered during or at the completion of exploration. SPT blowcounts are based on drive probe data and correlations, see appendix.	10.0								

TP6

Project Number	0269-CS25	Excavator and Drive Probes	
Geologist/Engineer	SMA	Ground Elevation	See Figures
Date Drilled	10-30-2025	Total Depth of Exploration	9.0 Feet
Borehole Diameter	NA	Depth to Water	Not encountered

Graphic Log		Description / Lithology
	CL/ ML	SILT LOAM, Moderate Grade, Granular **(Soil Type: 2)**
	BEDROCK	Silt loam and bedrock fragments (Soil Type 2 > 65 Rock (>2mm), OR > 50% of the Rock >20 mm (3/4 inch) **(Soil Type R-2)**
		End of exploration at 9.0 feet. Groundwater seepage was not encountered during or at the completion of exploration. SPT blowcounts are based on drive probe data and correlations, see appendix.

Depth (feet): 2.5, 5.0, 7.5, 10.0

Sample | SPT* BlowCount | Recovery (%) | Moisture (%) | Pocket Pen (tsf) | LL (%), PL (%) | Swell (%) | Completion

APPENDIX

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GENERAL NOTES:

THE SEPTIC SYSTEM IS DESIGNED AND INTENDED FOR THE GIVEN WASTEWATER LOAD. THE OWNER MUST ASSUME RESPONSIBILITY FOR ONGOING MAINTENANCE TO ASSURE LONG-TERM PERFORMANCE. SITE FEATURE LOCATIONS ARE APPROXIMATE AND NOT SURVEYED. THE PROPERTY OWNER SHOULD ASSURE PROPER SURVEY IS DONE AND PROPOSED CONSTRUCTION IS LOCATED WITHIN THE PROPERTY BOUNDARIES. THE OWNER/ CONTRACTOR MUST VERIFY ALL DISTANCES AND SETBACKS DURING CONSTRUCTION.

ALL UTILITIES SHOULD BE LOCATED AND DAMAGED PREVENTED DURING CONSTRUCTION.

DEVIATION FROM THESE PLANS SHOULD NOT BE ALLOWED WITHOUT APPROVAL OF AMERICAN GEOSERVICES, LLC (AGS). A SET OF PLANS APPROVED BY LOCAL COUNTY MUST BE AVAILABLE ONSITE DURING CONSTRUCTION.

AN EXPERIENCED CONTRACTOR SHOULD INSTALL THE SEPTIC SYSTEM AND ASSURE THAT ALL COMPONENTS MEET LOCAL COUNTY STANDARDS. ANY UNSPECIFIED REQUIREMENTS SHOULD ALSO BE MET.

AGS SHOULD OBSERVE THE INSTALLATION OF THE RECOMMENDED SYSTEM. AS A MINIMUM, OBSERVATION OF EXCAVATIONS, FINAL PRE-COVER, AND FINAL GRADE POST-COVER MUST BE PERFORMED.

SEPTIC SYSTEM SHOULD BE LOCATED AT LEAST 100 FEET AWAY FROM ONSITE OR NEIGHBORING WATER WELLS TO AVOID DEEP WELL GROUTING.

THERE ARE NO ANTICIPATED CONSTRUCTION RELATED ISSUES.

THERE ARE NO FORESEEABLE LAND USE CHANGES WHICH WOULD ADVERSELY IMPACT THE PROPOSED SYSTEM PERFORMANCE.

NO DIFFICULTIES WERE ENCOUNTERED DURING SITE VISIT. THE SITE CONDITIONS WERE EVALUATED BY THE FOLLOWING INDIVIDUAL:

SAM ADETTIWAR, MS, PE, GE, P.ENG, M.ASCE
AMERICAN GEOSERVICES, LLC (AGS)
MAILING ADDRESS: 3862 HODGEN POND CT, COLORADO SPRINGS, CO 80908
PHONE: 303-961-7598
EMAIL: SMA@AMERICANGEOSERVICES.COM
REGISTERED PROFESSIONAL CIVIL ENGINEER
STATE OF COLORADO, PE NO. 41370

DESIGN: THE SEPTIC SYSTEM IS DESIGNED TO SERVE UP TO 30 PERSONS / 8HR SHIFT IN AN OFFICE BUILDING, USING REGULATIONS OF THE FREEMONT COUNTY, COLORADO.

ESTIMATED FLOW = 15X30 = 450 GALLONS PER DAY (GPD); USE DESIGN FLOW, Q = 450 GPD.

SEPTIC TANK: 1,250 GALLON TANK CAN BE USED. FIRST COMPARTMENT CAPACITY MINIMUM IS 1250 / 2 = 625 GALLONS. USE 1,250-GALLON PRECAST CONCRETE SEPTIC TANK (OR EQUIVALENT) WITH HIGH HEAD PUMP, AS ILLUSTRATED IN ATTACHED FIGURES. SEPTIC TANK SHOULD BE LISTED AS 'ACCEPTED FOR USE IN COLORADO ON-SITE WASTEWATER TREATMENT SYSTEMS.' IN PLACE OF ILLUSTRATED TANK, ANY OTHER TANK MAY BE USED AS LONG AS ALL THE DESIGN REQUIREMENTS ARE MET.

USE UNLINED SAND FILTER WITH SECONDARY SAND MEDIA. AT THE TIME OF FIELD EXPLORATION, WEATHER CONDITIONS WERE PARTIALLY CLOUDY AND NO RAIN. SUBSURFACE CONDITIONS MAY CHANGE FROM LOCATION TO LOCATION. IF THIS IS NOTED DURING CONSTRUCTION, AGS MUST BE CONTACTED TO EVALUATE WHETHER THE ENCOUNTERED SITE CONDITIONS DURING CONSTRUCTION ARE ADEQUATE FOR THE DESIGNED SYSTEM. IF NECESSARY, WE WILL REVISE THE DESIGN TO ACCOMMODATE VARIATIONS IN SITE CONDITIONS DURING CONSTRUCTION.

LONG TERM ACCEPTANCE RATE (LTAR) AS PER FREEMONT COUNTY, CO HEALTH DEPARTMENT WITH UNLINED SAND FILTER WITH SECONDARY SAND MEDIA, LTAR FOR TYPE 2 SOIL PROFILE = 0.60 GPD/SQ.FT.

MINIMUM SOIL TREATMENT AREA REQUIRED (STA) = (Q/LTAR) = (450/0.60) = 750.0 SQ.FT.

ADJUSTMENT FACTOR FOR INFILTRATORS, NONE; FOR BED, 1.0. REQUIRED STA = 750 X 1.0 = 750 SQ.FT.

NUMBER OF QUICK4+ STANDARD CHAMBER WITH 12 SQ.FT./UNIT ABSORPTION AREA: 750/12 = 63 CAMBERS.

USE TWO LEACH FIELD BEDS WITH 32 CHAMBERS EACH.

USE BED WIDTH = 12 FT, SO USE 4 ROWS OF 3FT WIDE CHAMBERS GIVING 32 / 4 = 8 CHAMBERS PER ROW MAXIMUM.

MAXIMUM REQUIRED BED LENGTH = 8 X 4 FT LONG CHAMBERS = 32 FT AS SHOWN IN ATTACHED FIGURES.

PRESSURE DISTRIBUTION NOTES NOTES:

THE EFFLUENT TO BE PRESSURE-DOSED TO AN AUTOMATIC DISTRIBUTING VALVE (ADV), MODEL V6402, TO BE INSTALLED AT HIGH POINT, TO BE ACCESSIBLE AT GRADE WITH A MINIMUM 30-INCH ORENGO KOR-FLOR RR3018 PVC RISER AND SECURED, INSULATED LID.

ADV TO ALTERNATE DOSING CYCLES BETWEEN THREE PRESSURE-DOSED CHAMBER BEDS.

TRANSPORT LINE TO HAVE A MINIMUM 1% DRAIN BACK TO THE TANK.

ONE INSPECTION PORT (4" DIA SDR-35 PVC) TO BE INSTALLED AT ALL FOUR CORNERS OF EACH BED, TO BE CAPPED AT TOP AND BOTTOM TO EXTEND TO THE CHAMBER BOTTOM AT ALL CORNERS OF EACH BED.

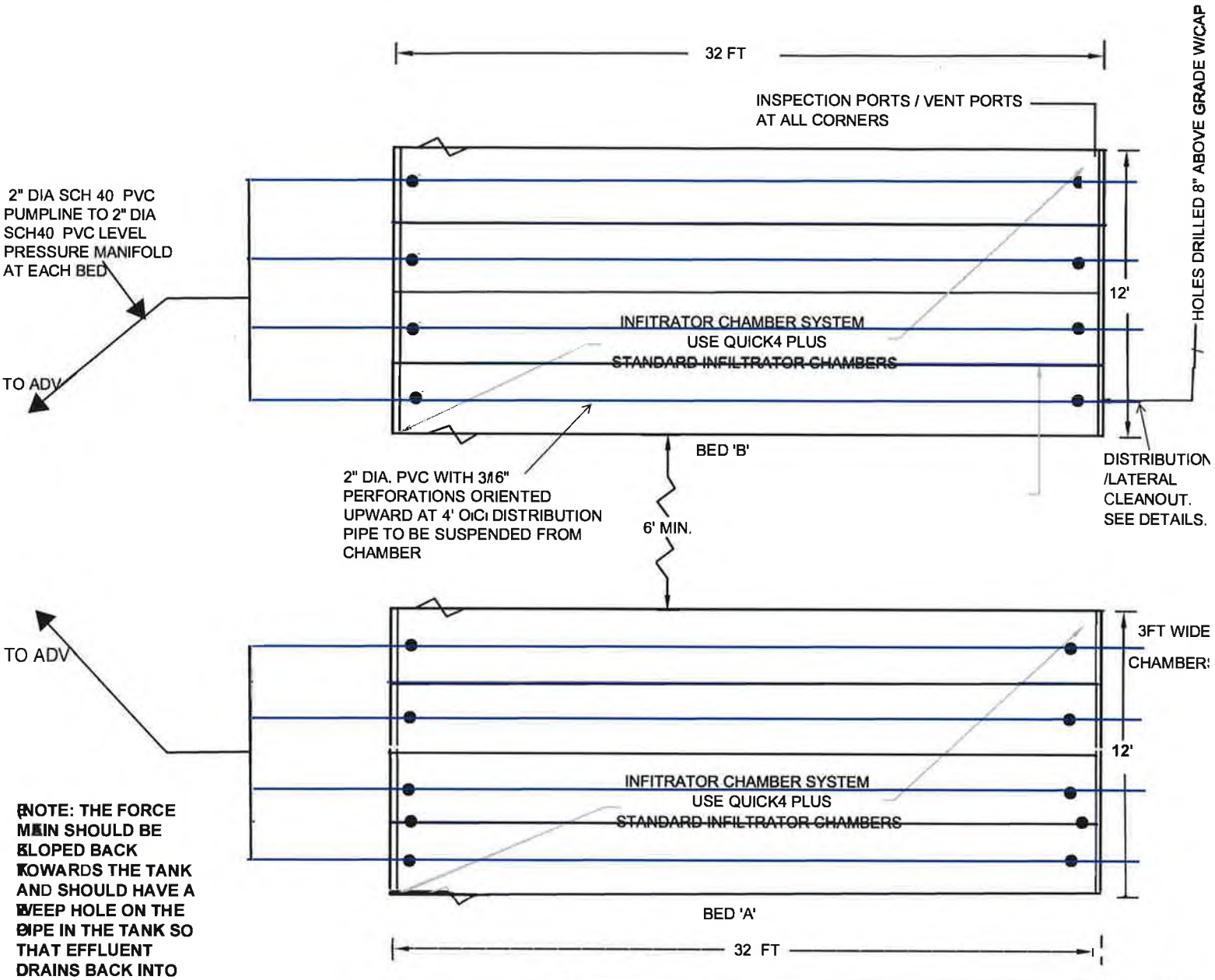
ALL PIPES SCH40 PVC@ 2% SLOPE MIN. PRIMER & GLUE ALL FITTINGS WELL IN ACCORDANCE WITH LOCAL CODE & REGULATIONS. PROVIDE ADEQUATE FROST PROTECTION.

THE FORCE MAIN SHOULD SHOULD BE SLOPED BACK TOWARDS THE TANK AND SHOULD HAVE A WEEP HOLE ON THE PIPE IN THE TANK SO THAT EFFLUENT DRAINS BACK INT0 THE TANK WHEN THE PUMP STOPS.

SEPTIC TANK MADE BY ANY MANUFACTURER MAY BE USED AS LONG AS IT IS EQUIVALENT TO THE SPECIFIED TANK.

1. EFFLUENT PUMP SYSTEM: ORENCO PF5007 HIGH HEAD EFFLUENT PUMP, 50GPM, 1/2HP, 230V.
2. FLOW RATE OF 8.8 GPM WITH A TOTAL DYNAMIC HEAD OF 12.1 FT.
3. DOSING REQUIREMENT MINIMUM 18.1 GALLONS. SET FLOATS TO DOSE (FIVE TIMES THE TOTAL PIPE VOLUME) = 90.5 GALLONS. RESIDUAL HEAD OF 5 FT AT DISTAL END OF EACH LATERAL TO BE TESTED AT FINAL.
4. PUMP TO BE EQUIPPED WITH COLD WEATHER DISCHARGE ASSEMBLY WITHOUT CHECK VALVE. INSTALL ONE UL LISTED FLOAT TO CONTROL HIGH LEVEL ALARM AND TWO ADDITIONAL UL LISTED FLOATS TO CONTROL PUMP ON AND OFF. A REDUNDANT UL LISTED FLOAT MAY BE INSTALLED TO ENSURE PUMP DOES NOT RUN DRY. SET FLOATS FOR A 101 GALLONS DRAWDOWN TO FILL THE LINE AND TO DOES THE FIELD WITH APPROXIMATELY 101 GALLONS.

TOTAL SOIL TREATMENT AREA:
32 CHAMBERS PER BED X 12 SQ.FT. X 2 BEDS = 768 SQ.FT.



(NOTE: THE FORCE MAIN SHOULD BE SLOPED BACK TOWARDS THE TANK AND SHOULD HAVE A WEEP HOLE ON THE PIPE IN THE TANK SO THAT EFFLUENT DRAINS BACK INTO THE TANK WHEN THE PUMP STOPS).

TOTAL SOIL TREATMENT AREA

32 CHAMBERS PER BED X 12 SQ.FT. = 384SQ.FT. X 2 BEDS = 768 SQ. FT.

PRESSURE DISTRIBUTION NOTES:

1.EFFLUENT PUMP SYSTEM: ORENCO PF5005 HIGH HEAD EFFLUENT PUMP, 50GPM, 1/2HP, 115/230V.
2.FLOW RATE OF 8.8 GPM WITH A TOTAL DYNAMIC HEAD OF 12.1 FT.
3.DOSING REQUIREMENT MINIMUM 18.1 GALLONS. SET FLOATS TO DOSE (FIVE TIMES THE TOTAL PIPE VOLUME) = 90.5 GALLONS. RESIDUAL HEAD OF 5 FT AT DISTAL END OF EACH LATERAL TO BE TESTED AT FINAL.
4.PUMP TO BE EQUIPPED WITH COLD WEATHER DISCHARGE ASSEMBLY WITHOUT CHECK VALVE. INSTALL ONE UL LISTED FLOAT TO CONTROL HIGH LEVEL ALARM AND TWO ADDITIONAL UL LISTED FLOATS TO CONTROL PUMP ON AND OFF. A REDUNDANT UL LISTED FLOAT MAY BE INSTALLED TO ENSURE PUMP DOES NOT RUN DRY. SET FLOATS FOR A 101 GALLONS DRAWDOWN TO FILL THE LINE AND TO DOES THE FIELD WITH APPROXIMATELY 90.5 GALLONS.

NOTES:

ALL PIPES SCH40 PVC @ 2% SLOPE MIN. PRIMER & GLUE ALL FITTINGS WELL IN ACCORDANCE WITH LOCAL CODE & REGULATIONS. PROVIDE ADEQUATE FROST PROTECTION.

NOT TO SCALE. SCHEMATIC PLAN TO SHOW APPROXIMATE LOCATIONS.

SEPTIC TANK MADE BY ANY MANUFACTURER MAY BE USED AS LONG AS IT IS EQUIVALENT TO THE SPECIFIED TANK.

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SOIL TREATMENT AREA DETAILS

SCALE	FIGURE NO.	PROJECT NO.	DATE
AS SHOWN	3		

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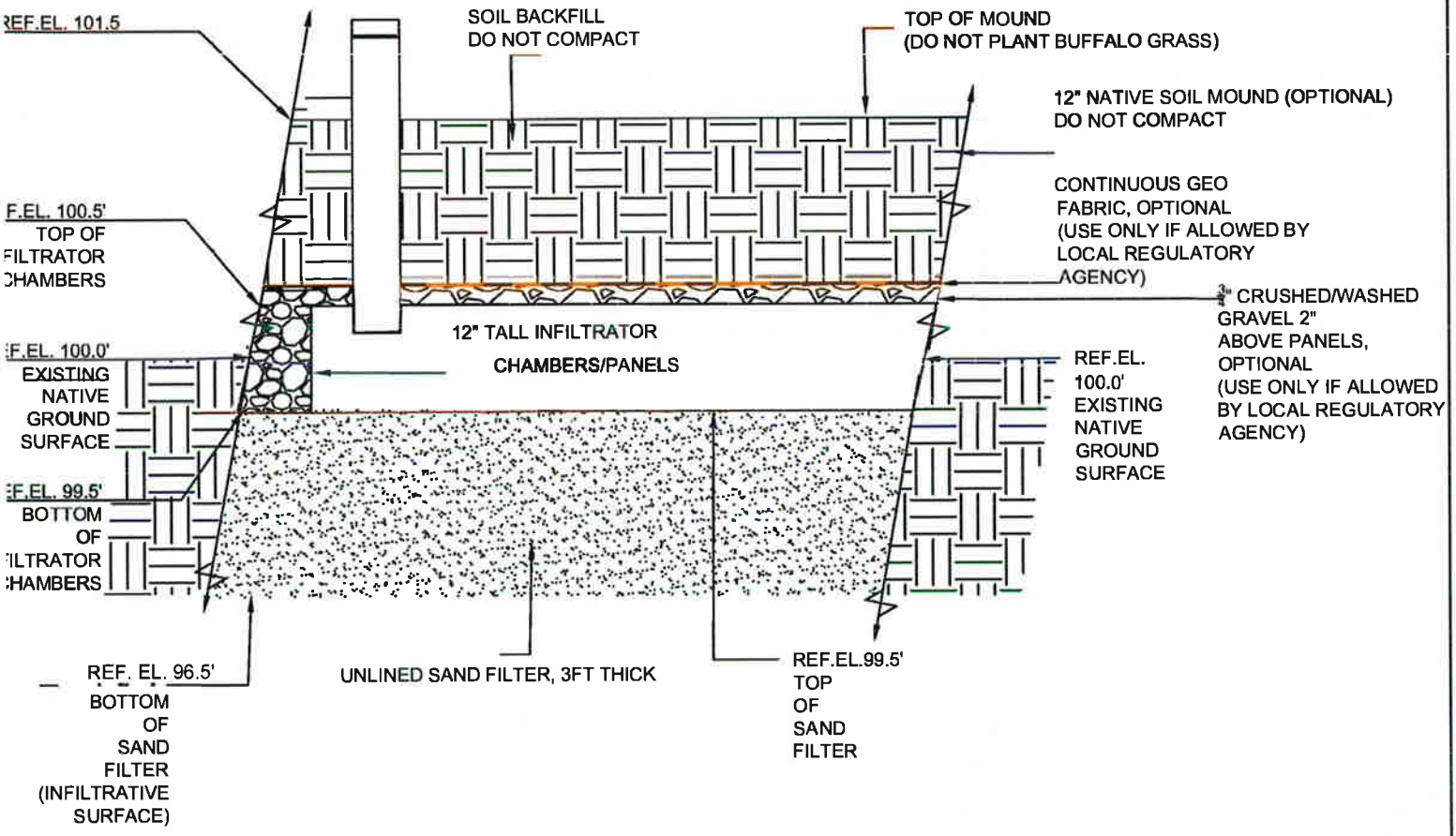


NOTES:

UNLINED SAND FILTER MATERIALS MUST MEET THE SPECIFICATIONS OF PDPHF OR LOCAL REGULATORY AGENCY.

SOIL TREATMENT AREA (STA) MUST BE CONSTRUCTED AT LOCATION SHOWN ON THE SITE PLAN.

STA AREA SHOULD BE LEVELED AND SCARIFIED. NO COMPACTION.

STA SHOULD BE INSTALLED ALONG THE GROUND CONTOURS IN ORDER TO MAINTAIN EXCAVATION DEPTHS CONSISTENT ALONG THE UPHILL AND DOWNHILL SIDES.

N ORDER TO AVOID WATER INFILTRATION INTO THE SYSTEM, ALL CONNECTIONS IN PIPING SHOULD BE SECURELY ASTENED.

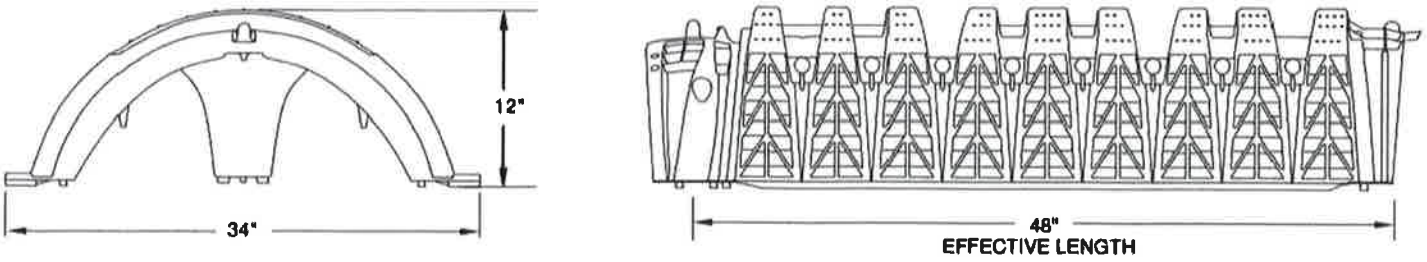
N ADDITION, REDIRECT SURFACE WATER AWAY FROM STA BY GRADING.

EXCAVATED AREA SHOULD BE RE-VEGETATED WITH ONLY NATIVE SPECIES. CONTACT AGS FOR RECOMMENDATIONS.

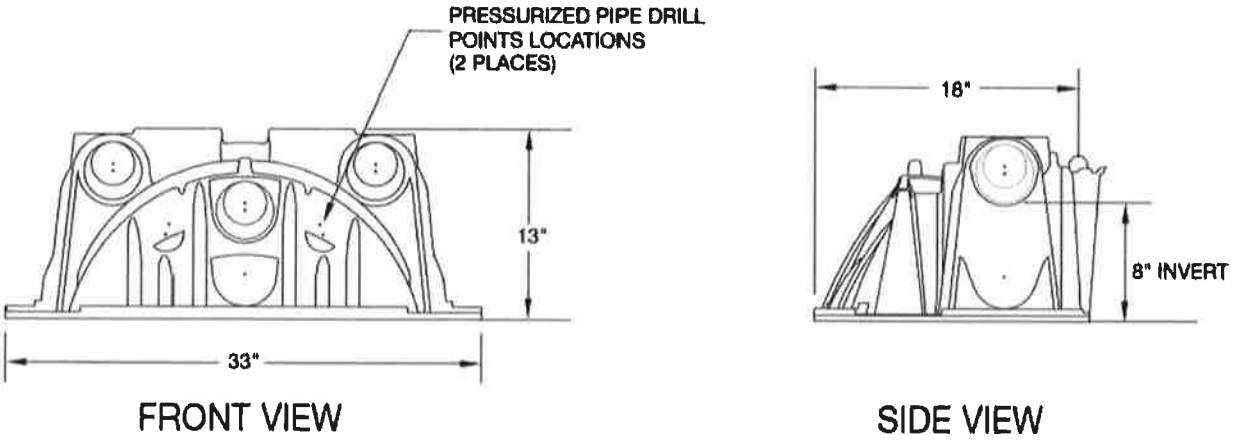
STA AREAS SHOULD BE FREE FROM ANY SNOW STORAGE.

OFF-SITE FILTERING MATERIAL IF USED, SHOULD BE CLEAN COURSE CONCRETE SAND MEETING ASTM C33 SPECIFICATIONS, CONTAINING <5% PASSING THE 200 SIEVE.

ALL ELEVATIONS ARE REFERENCE ELEVATIONS ONLY.



QUICK4 PLUS STANDARD CHAMBER



QUICK4 PLUS ALL-IN-ONE 12 ENDCAP

OTES:

BRING EFFLUENT PIPE ONLY IN TOP OF CHAMBER END AP.

AS A SPLASH PLATE, INSTALL LARGE GRANITE OR URABLE CERAMIC TILE UNDERNEATH INLET.

VENTILATE THE ENDS OF EVERY LEACH FIELD PIPE RUN R SET OF CHAMBERS. THIS IS EXTREMELY IMPORTANT.

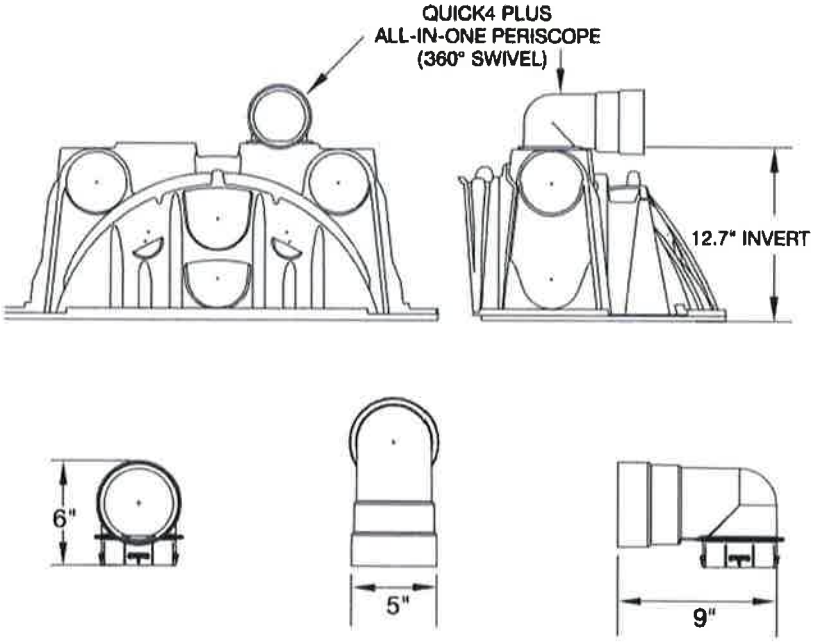
DO NOT COMPACT OR DENSIFY SOIL IN BASE OF THE RENCH.
CARIFY THE SUBGRADE SOIL TO 'LOOSEN' AT LEAST ONE OOT IN BASE OF TRENCH BEFORE BACKFILLING.

ADD GRAVEL INTO BASE OF TRENCH AND ATOP HAMBERS IN ORDER TO IMPROVE DESIGN LIFE.

INSTALL GEOTEXTILE FABRIC TO PREVENT SOIL TRUSION INTO GRAVEL FROM ABOVE & SIDES. DO NOT STALL GEOFABRIC IN THE BOTTOM OF THE TRENCH OR EPTIC LEACH FIELD.

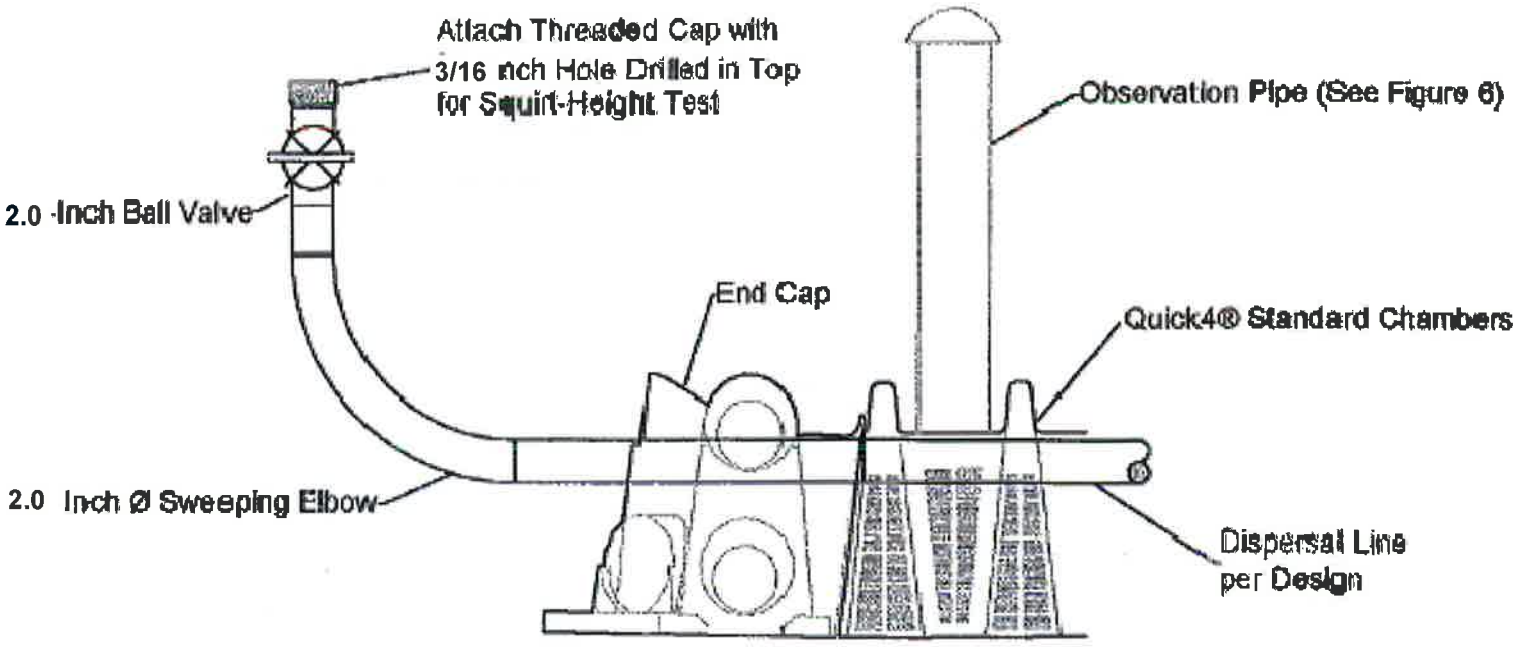
MAKE SURE THE LEACH FIELD IS 20+ FEET AWAY FROM REES. DO NOT PLANT BUSHES OR DEEP-ROOTING FESCUE, CHONDRA, BROME, OR RYE ATOP.

DO NOT DRIVE OVER A SEPTIC TANK OR LEACH FIELD IN ARALLEL.

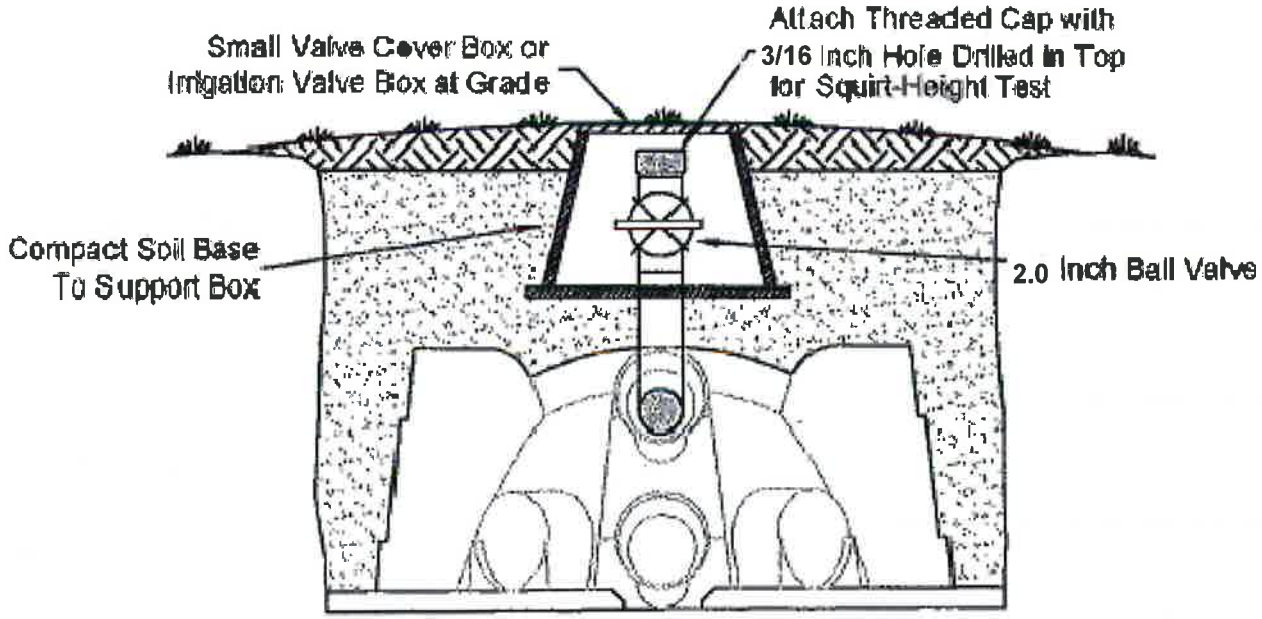


QUICK4 PLUS ALL-IN-ONE PERISCOPE

SIDE VIEW



END VIEW



AMERICAN GEOSERVICES
888.276.4027 - americangeoservices.com

DISTRIBUTION LATERAL CLEANOUT

SCALE	FIGURE NO.	PROJECT NO.	DATE
As Shown	6		

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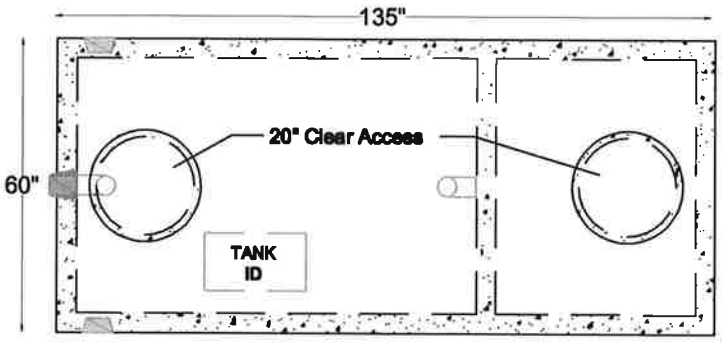
1250 Gallon Top Seam - 2CP with High Head Pump

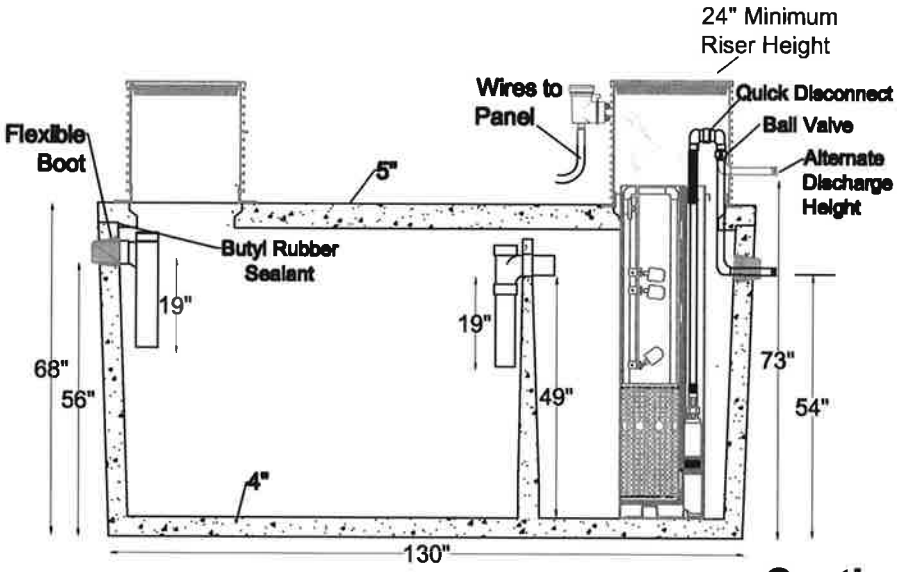
Item #
1250T-2CP-HH

DESIGN NOTES
- Design per performance test per ASTM C1227
- Top surface area 56.25 ft²
- f'c @ 28 days; concrete = 6,000 PSI Min.

Installation:
- Tank to be set on 5" min. sand bed or pea gravel
- Tank ta be backfilled uniformly an all sides in lifts less than 24" and mechanically compacted
- Excavated material may be used far backfill, pravided large stones are removed
- Excavation should be dewatered and tank filled with water prior ta being put in service for installation with water table less than 2' below grade
- Meets C1644–06 for resilient connectars
- Inlet and Outlet identified abave pipe
- Delivered complete with internal piping
- Control Panel to be maunted in sight line of tank
- 4' Maximum bury depth



Top View



Section View

ALLOWABLE BURY (Based on Water Table)	
WATER TABLE	ALLOWABLE EARTH FILL
0' – 0"	2' – 0"
1' – 0"	3' – 0"
2' – 0"	3' – 0"
3' – 0"	4' – 0"
DRY	4' – 0"

Service contracts available for maintenance

Pump:
- **Lowers TSS and improves effluent quality to field**
- **Complete installation (wiring, panel, mounting and start-up procedures)**
- **Complete warranty**

Digging Specs	Invert		Dimensions			Net Capacity			Net Weight		
13' Long x 7' Wide	Inlet	Outlet	Length	Width	Min. Height	Inlet Side	Outlet	Total	Lid	Tank	Total
56" below inlet	56"	54"or73"	135"	60"	92"	843 gal	416 gal	1259 gal	3120 lbs	10880 lbs	14200 lbs

VALLEY PRECAST, Inc.
Buena Vista, Colorado

Phone: 719-395-6764
Fax: 719-395-3727
Website: www.valleyprecast.com
Email: frontdesk@valleyprecast.com

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Pump Selection for a Pressurized System - Commerical Project

CR 67 and US Hwy 50, Penrose, CO / PROJ.NO. 0269-CS25

Parameters

Discharge Assembly Size	2.00	inches
Transport Length Before Valve	80	feet
Transport Pipe Class	40	
Transport Line Size	3.00	inches
Distributing Valve Model	6402	
Transport Length After Valve	60	feet
Transport Pipe Class	40	
Transport Pipe Size	2.00	inches
Max Elevation Lift	5	feet
Manifold Length	12	feet
Manifold Pipe Class	40	
Manifold Pipe Size	2.00	inches
Number of Laterals per Cell	2	
Lateral Length	32	feet
Lateral Pipe Class	40	
Lateral Pipe Size	2.00	inches
Orifice Size	3/16	inches
Orifice Spacing	4	feet
Residual Head	5	feet
Flow Meter	None	inches
'Add-on' Friction Losses	0	feet

Calculations

Minimum Flow Rate per Orifice	0.97	gpm
Number of Orifices per Zone	9	
Total Flow Rate per Zone	8.8	gpm
Number of Laterals per Zone	1	
% Flow Differential 1st/Last Orifice	0.2	%
Transport Velocity Before Valve	0.4	fps
Transport Velocity After Valve	0.8	fps

Frictional Head Losses

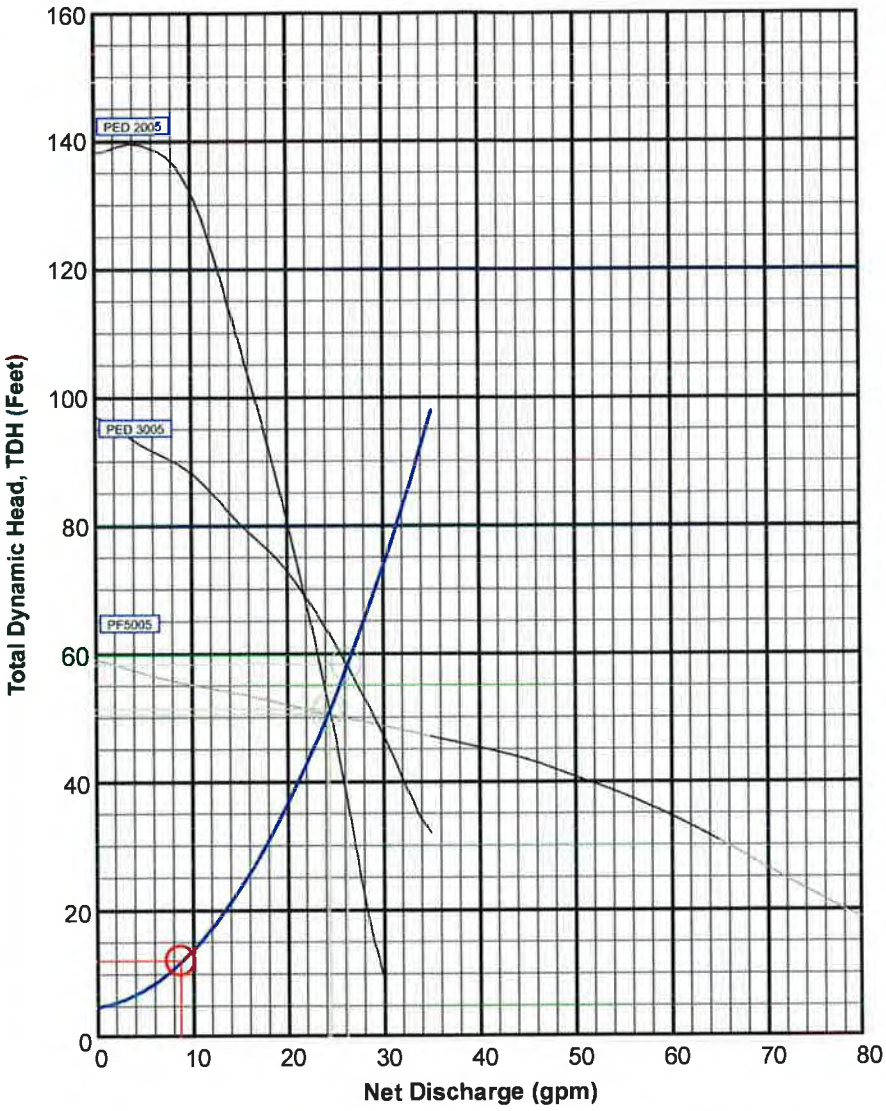
Loss through Discharge	0.2	feet
Loss in Transport Before Valve	0.0	feet
Loss through Valve	1.8	feet
Loss in Transport after Valve	0.1	feet
Loss in Manifold	0.0	feet
Loss in Laterals	0.0	feet
Loss through Flowmeter	0.0	feet
'Add-on' Friction Losses	0.0	feet

Pipe Volumes

Vol of Transport Line Before Valve	30.7	gals
Vol of Transport Line After Valve	10.5	gals
Vol of Manifold	2.1	gals
Vol of Laterals per Zone	5.6	gals
Total Vol Before Valve	30.7	gals
Total Vol After Valve	18.1	gals

equirements

	8.8	gpm
	12.1	feet



PumpData

PF5005 High Head Effluent Pump
50 GPM, 1/2HP
115/230V 1Ø 60Hz, 200/230V 3Ø 60Hz

PED 3005
1/2HP, 115V 1Ø

PED 2005
1/2HP, 115V 1Ø

Legend

System Curve:
Pump Curve:
Pump Optimal Range:
Operating Point:
Design Point:

Orenco SYSTEMS
PROTECTING THE WORLD'S WATER

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Subsurface Explorations

Soil Testing

Earthwork Monitoring

Geotechnology

Foundation Engineering

Rock Mechanics

Earthquake Engineering

Geophysics

Retaining Wall Design

Geostrructural Design

Pavement Design

Drainage Evaluations

Groundwater Studies

Environmental Assets

Building Assessments

REFUSE PLAN

The proposed metal fabrication facility and associated office space will implement a comprehensive refuse management plan to ensure safe, orderly, and environmentally responsible handling of all waste materials generated on site.

Refuse generated by operations, including scrap metal, packaging materials, office waste, and other non-hazardous materials, will be collected in designated containers located within enclosed or screened areas. Containers will be sized appropriately to accommodate typical waste volumes and will be emptied on a regular schedule by a licensed waste disposal service to prevent accumulation and odor generation.

Recyclable materials, including metals and cardboard, will be segregated from general refuse and collected for recycling in accordance with applicable local and state recycling programs. Any hazardous or potentially harmful materials, such as oils, solvents, or chemicals, will be stored in secure, labeled containers and managed in accordance with manufacturer instructions and applicable regulations. These materials will be removed from the site only by licensed hazardous waste contractors.

The facility will maintain housekeeping practices to ensure all refuse is stored safely and does not create hazards, attract wildlife, or impact adjacent properties. Outdoor storage areas for refuse will be designed with proper containment and screening to minimize visual and environmental impacts.

The refuse collection areas are proposed on the north side of the building, to allow easy access by staff from the manufacturing area, as well as easy access by the refuse collections company. See the attached site plan for proposed dumpster locations.

Through these refuse management measures, the proposed project will operate in a safe, orderly, and environmentally responsible manner, consistent with Fremont County regulations and best practices for industrial facilities.

FINAL DRAINAGE REPORT
LEGACY METAL FABRICATION FACILITY

PARCEL A, VERNON PROPERTY BOUNDARY LINE ADJUSTMENT AS RECORDED IN THE RECORDS OF THE FREMONT COUNTY CLERK AND RECORDERS OFFICE UNDER RECEPTION NO. 1039340

Prepared For:
Legacy Metal
Jerry Martin
(719) 420-8865
jerry@legacymetalcenter.com

Prepared By:
Maik Engineering
Michael Maik, P.E.
719-469-5118
mmaik@maikengineering.com

Date Prepared: 2/24/2026

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Engineer's Statement:

I hereby state that this Drainage Report for the Legacy Metal Fabrication Center was prepared by me (or under my direct supervision) in accordance with the provisions of the Fremont County Zoning Regulations for the owners thereof. I understand that Fremont County does not, and will not, assume liability or responsibility for design, maintenance or functionality of the drainage facilities, unless the County expressly consents to accept responsibility.

Michael Maik, P.E.
Licensed Professional Engineer
State of Colorado Number: 58388
Email Address: mmaik@maikengineering.com

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I. Introduction / Site Description

The subject parcel is Parcel A, Vernon Property Boundary Line Adjustment as recorded in the records of the Fremont County Clerk and Recorders Office under reception No. 1039340. Generally, the project is located at the northeast corner of the State Highway 50 and Fremont County Road 67 intersection in Fremont County, Colorado. The existing condition of the site is vacant land, bordered by Fremont County Road 67 to the west, State Highway 50 to the south, vacant ranch land to the north, and vacant land to the east.

The proposed development is a new metal fabrication facility and office space. In addition to the new building, the site will include gravel access roads and parking areas, as well as a loading / unloading concrete area on the north side of the facility. The full build out of the facility and associated infrastructure is expected to disturb approximately 3.64 acres.

The existing site is nearly entirely native prairie grass, with a NRCS soil group classification of B. The existing topography generally slopes from northwest to southeast at approximately 3% toward Eightmile Creek. The existing site appears well vegetated, with adequate slope to drain. No erosion risks were observed in the current condition.

There are no major drainage ways through the subject site, and stormwater appears to flow in an unchanneled manner off site to the east. The subject property is located in FEMA Zone X (Area of minimal flood hazard) per FIRM Map #08043C0675E, effective 9/19/2007. See Appendix A for FEMA map for reference.

I. Existing and Proposed Drainage Basin Descriptions

The subject parcel is broken up into three basins in the existing condition (2 on-site and 1 off-site) with the following descriptions. See drainage map in Appendix B for summary of basin size and estimated historical flow rates.

Basin OFF-1 is native prairie grass that covers the area north of the western 1/3 of the existing site. Flows from this basin flow overland from north to south into the western 1/3 of the subject property into Basin EA. Basin OFF-1 covers approximately 9.3 acres and is expected to produce Q_{10} = 2.01 CFS and Q_{100} = 17.13 CFS.

Basin EA is native prairie grass that covers the western 1/3 of the subject parcel. Flows from this basin flow overland from north to south to a centralized low point, and infiltrate into the ground. Basin EA covers approximately 11.5 acres and is expected to produce Q_{10} = 2.49 CFS and Q_{100} = 21.18 CFS. The low point at the southwest corner of the existing property will remain undisturbed, and development in this basin will be channelized away from the low point. The low point currently forms a natural retention pond with 0.89 ac-ft (38,700 CF) of storage, which is greater than the 0.53 ac-ft (23,087 CF) of runoff expected in the 100-year storm event over Basins OFF-1 and EA.

Basin EB is native prairie grass that covers the eastern 2/3 of the subject parcel. Flows from this basin from overland from west to east to Eightmile Creek. Basin EB covers approximately 25.68 acres and is expected to produce Q_{10} = 5.56 CFS and Q_{100} = 47.29 CFS.

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The subject parcel is broken up into five basins in the proposed condition with the following descriptions. See drainage map in Appendix B for summary of basin size and estimated historical flow rates.

Basin A is native prairie that is not proposed to be disturbed. The basin is 7.6 acres and is expected to produce Q_{10} = 1.64 CFS and Q_{100} = 13.98 CFS. Flows from this basin are tributary to the existing retention area described above in Basin EA.

Basin B is the proposed development, and includes proposed gravel roads, undisturbed native vegetation, the new building, and the concrete loading pad. The basin is 9.45 acres and is expected to produce Q_{10} = 11.71 CFS and Q_{100} = 30.90 CFS. Flows from this basin are tributary to the proposed extended detention basin at the southeast corner of the development. Runoff from this basin will be directed to the detention basin via an earthen swale along the west and east sides of the access road, as well as an underground roof drain system.

Basin C is native prairie that is not proposed to be disturbed. The basin is 19.26 acres and is expected to produce Q_{10} = 3.37 CFS and Q_{100} = 28.70 CFS. Flows from this basin will follow historical patterns, and flow off-site via overland flow to the east.

Basin D is the proposed extended detention basin. The basin is 0.5 acres and is expected to produce Q_{10} = 0.26 CFS and Q_{100} = 1.00 CFS. Flow out of the basin will be detained and released at a maximum rate of 90% of the historical peak flow for the 100-year storm. Maintenance of the extended detention will be by the owner of the property.

II. Proposed Detention Facilities

The proposed development will have a full spectrum extended detention basin (EDB) at the southeast corner of the proposed improvements. The proposed pond is designed to have 0.5 acres of surface area, 6’ of depth, 1’ of freeboard, and 0.79 ac-ft (34,412 CF) of volume. The peak inflow to the pond is expected to be Q_{10} = 11.71 CFS and Q_{100} = 30.90 CFS. Flows out of the pond are designed to detain the water quality storm event for 40 hours, and to drain the 100-year event in approximately 60 hours, while releasing the 100-year event at a maximum rate of 90% of the undeveloped peak. Expected flows out of the pond for the design storms are Q_{10} = 0.1 CFS and Q_{100} = 9.70 CFS.

The EDB is designed with 4:1 side slopes, and a natural channel bottom sloped at 2% toward the outlet structure. The proposed outlet structure is a modified CDOT type C inlet, with an orifice plate on the inlet side. The proposed orifice configuration is three 13/16” orifice holes, spaced at 12” on center starting at the bottom of the pond. The outlet pipe is proposed to be 18” HDPE, with a restrictor plate set at 7.70 inches above the outlet pipe invert.

The EDB spillway is designed as a 7’ wide riprap lined notch, 1’ deep, with 4:1 side slopes. From the spillway notch, there is a 4:1 proposed slope down to existing grade, that is also proposed to be lined with riprap.

Both the outlet pipe and spillway will be on the east side of the pond, and will discharge to existing ground, which over lot flow directly east to the creek without discharging into CDOT right-of-way.

III. Downstream Drainage Considerations

Per the rational method calculations provided in the Appendix, it is expected that flows offsite in the existing condition for the design storm events are Q_{10} = 5.56 CFS and Q_{100} = 47.29 CFS (from Basin EB). The expected runoff in the proposed condition is Q_{10} = 3.47 CFS and Q_{100} = 38.40 CFS. The expected runoff is the sum of the undisturbed Basin C plus the controlled release from the EDB. No adverse effects to downstream properties are expected.

IV. Conclusion

Runoff for the proposed disturbance area and increase in impervious area has been designed to adequately detain stormwater for water quality, and reduce runoff to flows lower than the historical condition. Additionally, and outlet structure is proposed that is designed to release water off-site in compliance with state statutes. No adverse erosion or flooding effects to the subject site, or sites downstream are expected.

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APPENDIX A – FEMA Map and NOAA Rainfall Values

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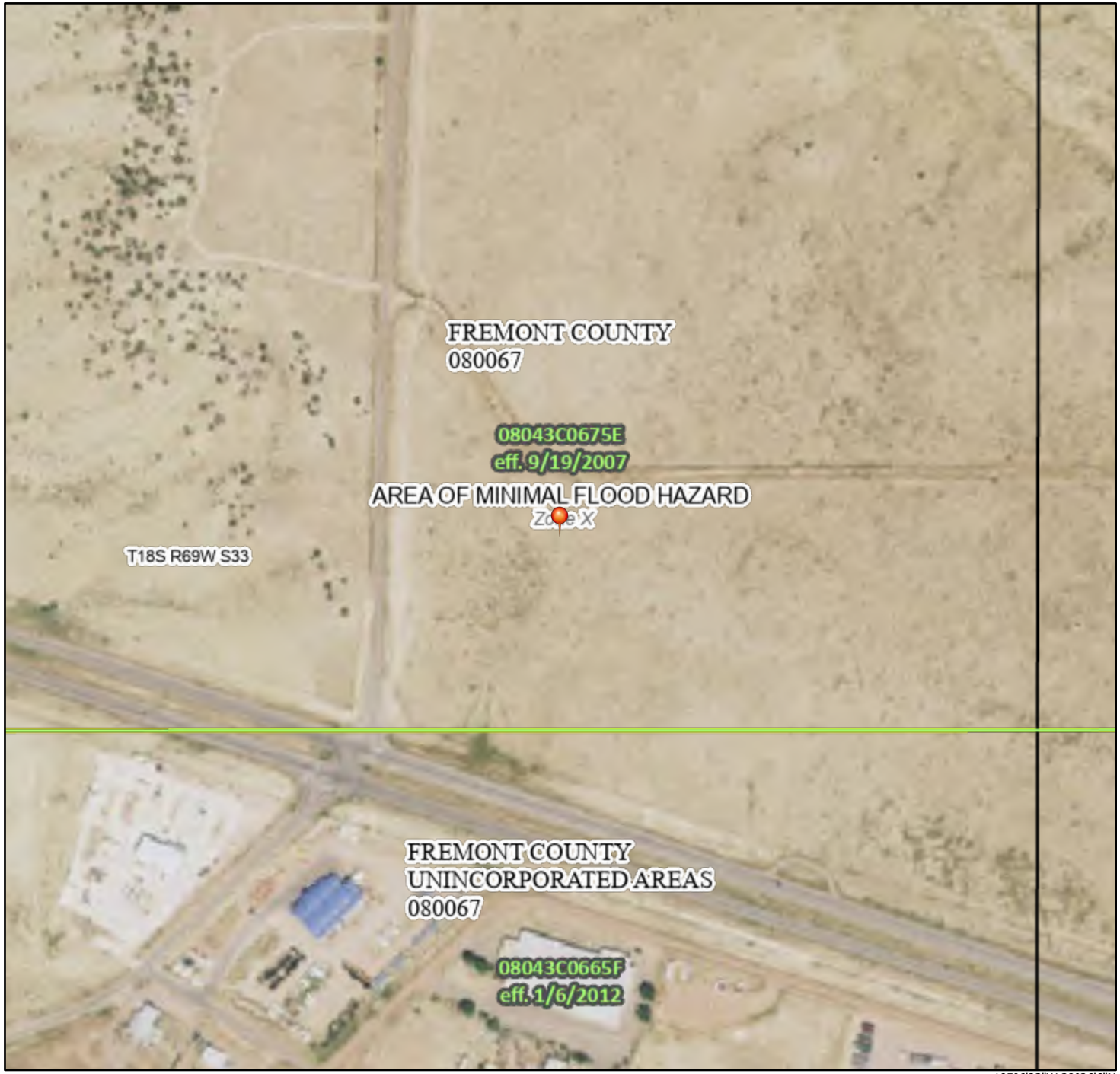
National Flood Hazard Layer FIRMette

FEMA

105°7'1"W 38°26'34"N



105°6'23"W 38°26'6"N

0 250 500 1,000 1,500 2,000 Feet

1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS
- Without Base Flood Elevation (BFE) *Zone A, V, A99*
- With BFE or Depth *Zone AE, AO, AH, VE, AR*
- Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile *Zone X*
- Future Conditions 1% Annual Chance Flood Hazard *Zone X*
- Area with Reduced Flood Risk due to Levee. See Notes. *Zone X*
- Area with Flood Risk due to Levee *Zone D*

OTHER AREAS
- NO SCREEN Area of Minimal Flood Hazard *Zone X*
- Effective LOMRs
- Area of Undetermined Flood Hazard *Zone D*

GENERAL STRUCTURES
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

OTHER FEATURES
- 20.2 Cross Sections with 1% Annual Chance
- 17.5 Water Surface Elevation
- Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

MAP PANELS
- Digital Data Available
- No Digital Data Available
- Unmapped

N

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 1/22/2026 at 4:33 AM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

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NOAA Atlas 14, Volume 8, Version 2
Location name: Penrose, Colorado, USA*
Latitude: 38.4378°, Longitude: -105.1091°
Elevation: 5459 ft**
* source: ESRI Maps
** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Sanja Perica, Deborah Martin, Sandra Pavlovic, Ishani Roy, Michael St. Laurent, Carl Trypaluk, Dale Unruh, Michael Yekta, Geoffery Bonnin

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_&_aerials

PF tabular

PDS-based point precipitation frequency estimates with 90% confidence intervals (in inches)[1]

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	0.214 (0.165-0.278)	0.259 (0.199-0.337)	0.341 (0.262-0.445)	0.418 (0.319-0.548)	0.536 (0.402-0.750)	0.637 (0.465-0.902)	0.747 (0.527-1.09)	0.867 (0.588-1.30)	1.04 (0.679-1.61)	1.18 (0.747-1.85)
10-min	0.313 (0.242-0.407)	0.379 (0.292-0.493)	0.499 (0.384-0.652)	0.611 (0.468-0.803)	0.785 (0.589-1.10)	0.933 (0.681-1.32)	1.09 (0.772-1.59)	1.27 (0.861-1.91)	1.52 (0.994-2.36)	1.73 (1.09-2.71)
15-min	0.382 (0.295-0.496)	0.462 (0.356-0.601)	0.609 (0.468-0.795)	0.746 (0.570-0.979)	0.957 (0.719-1.34)	1.14 (0.831-1.61)	1.33 (0.942-1.94)	1.55 (1.05-2.33)	1.86 (1.21-2.88)	2.11 (1.34-3.30)
30-min	0.538 (0.416-0.700)	0.650 (0.501-0.846)	0.855 (0.657-1.12)	1.05 (0.800-1.37)	1.34 (1.01-1.88)	1.60 (1.16-2.26)	1.87 (1.32-2.73)	2.17 (1.47-3.27)	2.61 (1.70-4.05)	2.96 (1.87-4.64)
60-min	0.674 (0.520-0.876)	0.798 (0.615-1.04)	1.04 (0.799-1.36)	1.28 (0.976-1.68)	1.66 (1.25-2.34)	1.99 (1.46-2.84)	2.36 (1.67-3.46)	2.78 (1.89-4.20)	3.39 (2.22-5.28)	3.89 (2.46-6.09)
2-hr	0.809 (0.631-1.04)	0.946 (0.737-1.22)	1.22 (0.951-1.58)	1.51 (1.16-1.96)	1.97 (1.51-2.76)	2.39 (1.77-3.38)	2.86 (2.05-4.15)	3.38 (2.33-5.07)	4.16 (2.76-6.42)	4.82 (3.08-7.45)
3-hr	0.876 (0.687-1.12)	1.01 (0.789-1.29)	1.29 (1.01-1.66)	1.59 (1.24-2.05)	2.10 (1.62-2.94)	2.56 (1.92-3.62)	3.09 (2.24-4.48)	3.70 (2.57-5.52)	4.60 (3.07-7.06)	5.36 (3.45-8.23)
6-hr	1.01 (0.799-1.28)	1.14 (0.901-1.44)	1.44 (1.13-1.82)	1.76 (1.38-2.25)	2.33 (1.83-3.25)	2.86 (2.17-4.00)	3.47 (2.54-4.98)	4.17 (2.93-6.16)	5.22 (3.52-7.92)	6.11 (3.97-9.26)
12-hr	1.18 (0.942-1.47)	1.33 (1.06-1.66)	1.66 (1.32-2.09)	2.02 (1.60-2.54)	2.62 (2.07-3.59)	3.18 (2.43-4.38)	3.82 (2.82-5.40)	4.56 (3.23-6.63)	5.65 (3.85-8.46)	6.58 (4.32-9.84)
24-hr	1.36 (1.10-1.68)	1.56 (1.26-1.94)	1.96 (1.58-2.44)	2.37 (1.89-2.95)	3.02 (2.40-4.04)	3.61 (2.77-4.87)	4.26 (3.17-5.92)	5.00 (3.57-7.15)	6.09 (4.18-8.96)	6.99 (4.64-10.3)
2-day	1.55 (1.27-1.90)	1.82 (1.48-2.22)	2.32 (1.88-2.84)	2.79 (2.25-3.44)	3.53 (2.81-4.63)	4.17 (3.22-5.52)	4.87 (3.64-6.63)	5.64 (4.06-7.92)	6.76 (4.68-9.78)	7.68 (5.15-11.2)
3-day	1.68 (1.38-2.05)	1.97 (1.62-2.40)	2.51 (2.06-3.06)	3.02 (2.46-3.70)	3.82 (3.06-4.98)	4.51 (3.51-5.94)	5.27 (3.97-7.12)	6.10 (4.42-8.50)	7.30 (5.09-10.5)	8.29 (5.60-12.0)
4-day	1.80 (1.49-2.18)	2.11 (1.74-2.55)	2.68 (2.20-3.24)	3.21 (2.63-3.92)	4.05 (3.26-5.25)	4.78 (3.74-6.26)	5.57 (4.22-7.50)	6.45 (4.69-8.94)	7.71 (5.40-11.0)	8.74 (5.93-12.6)
7-day	2.10 (1.75-2.51)	2.46 (2.04-2.94)	3.10 (2.57-3.73)	3.70 (3.05-4.46)	4.61 (3.72-5.88)	5.38 (4.24-6.95)	6.22 (4.74-8.25)	7.13 (5.22-9.75)	8.43 (5.95-11.9)	9.49 (6.50-13.5)
10-day	2.35 (1.96-2.79)	2.74 (2.29-3.26)	3.43 (2.86-4.10)	4.06 (3.37-4.88)	5.01 (4.06-6.33)	5.80 (4.59-7.43)	6.65 (5.09-8.75)	7.57 (5.56-10.3)	8.86 (6.28-12.4)	9.90 (6.82-14.0)
20-day	2.99 (2.53-3.51)	3.45 (2.91-4.06)	4.24 (3.57-5.01)	4.94 (4.14-5.86)	5.95 (4.85-7.36)	6.77 (5.39-8.50)	7.62 (5.88-9.85)	8.53 (6.33-11.4)	9.78 (7.00-13.4)	10.8 (7.50-15.0)
30-day	3.51 (2.99-4.10)	4.04 (3.44-4.72)	4.93 (4.18-5.78)	5.69 (4.79-6.70)	6.76 (5.53-8.27)	7.61 (6.09-9.46)	8.48 (6.57-10.8)	9.39 (7.00-12.4)	10.6 (7.63-14.4)	11.6 (8.11-16.0)
45-day	4.18 (3.58-4.85)	4.82 (4.12-5.59)	5.86 (5.00-6.82)	6.72 (5.70-7.86)	7.91 (6.49-9.55)	8.82 (7.09-10.8)	9.73 (7.57-12.3)	10.6 (7.97-13.9)	11.9 (8.56-15.9)	12.8 (9.00-17.5)
60-day	4.77 (4.10-5.50)	5.52 (4.74-6.37)	6.72 (5.76-7.78)	7.69 (6.55-8.95)	8.99 (7.40-10.8)	9.97 (8.04-12.1)	10.9 (8.53-13.7)	11.9 (8.91-15.3)	13.1 (9.46-17.4)	14.0 (9.88-19.0)

[1] Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).

Numbers in parenthesis are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.

Please refer to NOAA Atlas 14 document for more information.

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PF graphical

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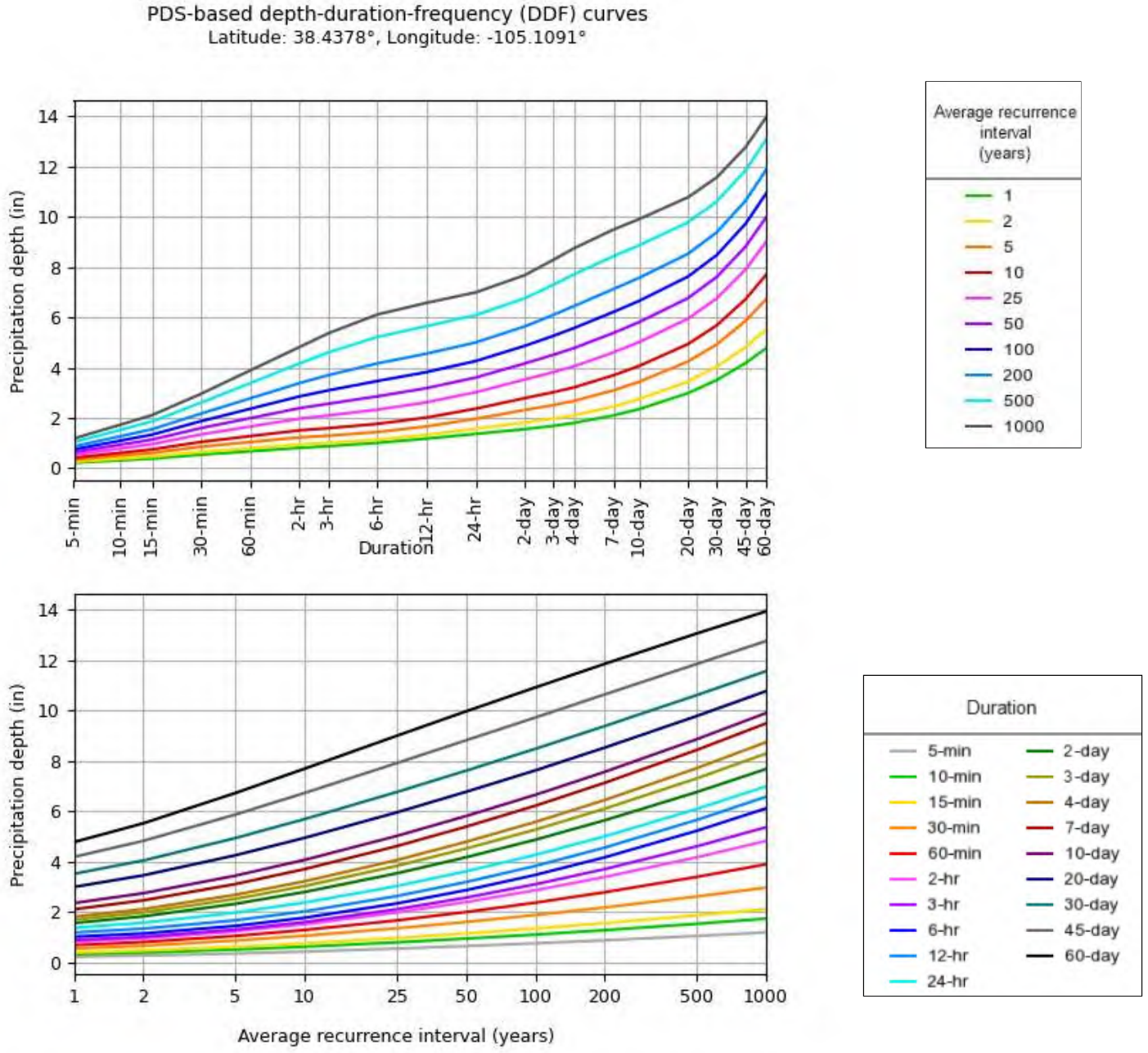

NOAA Atlas 14, Volume 8, Version 2

Created (GMT): Fri Jan 23 04:52:34 2026

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Maps & aerials

Small scale terrain

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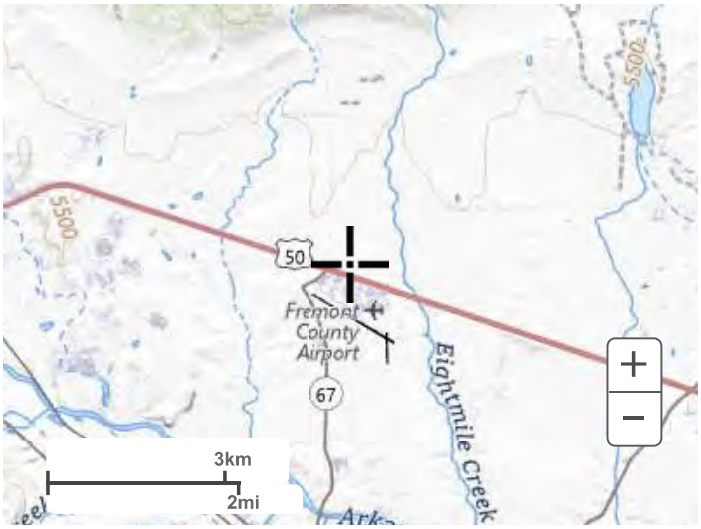

Large scale terrain

Large scale map

Large scale aerial

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US Department of Commerce
National Oceanic and Atmospheric Administration
National Weather Service
National Water Center
1325 East West Highway
Silver Spring, MD 20910
Questions?: HDSC.Questions@noaa.gov

Disclaimer

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APPENDIX B – Hydrologic and Hydraulic Calculations and Drainage Maps

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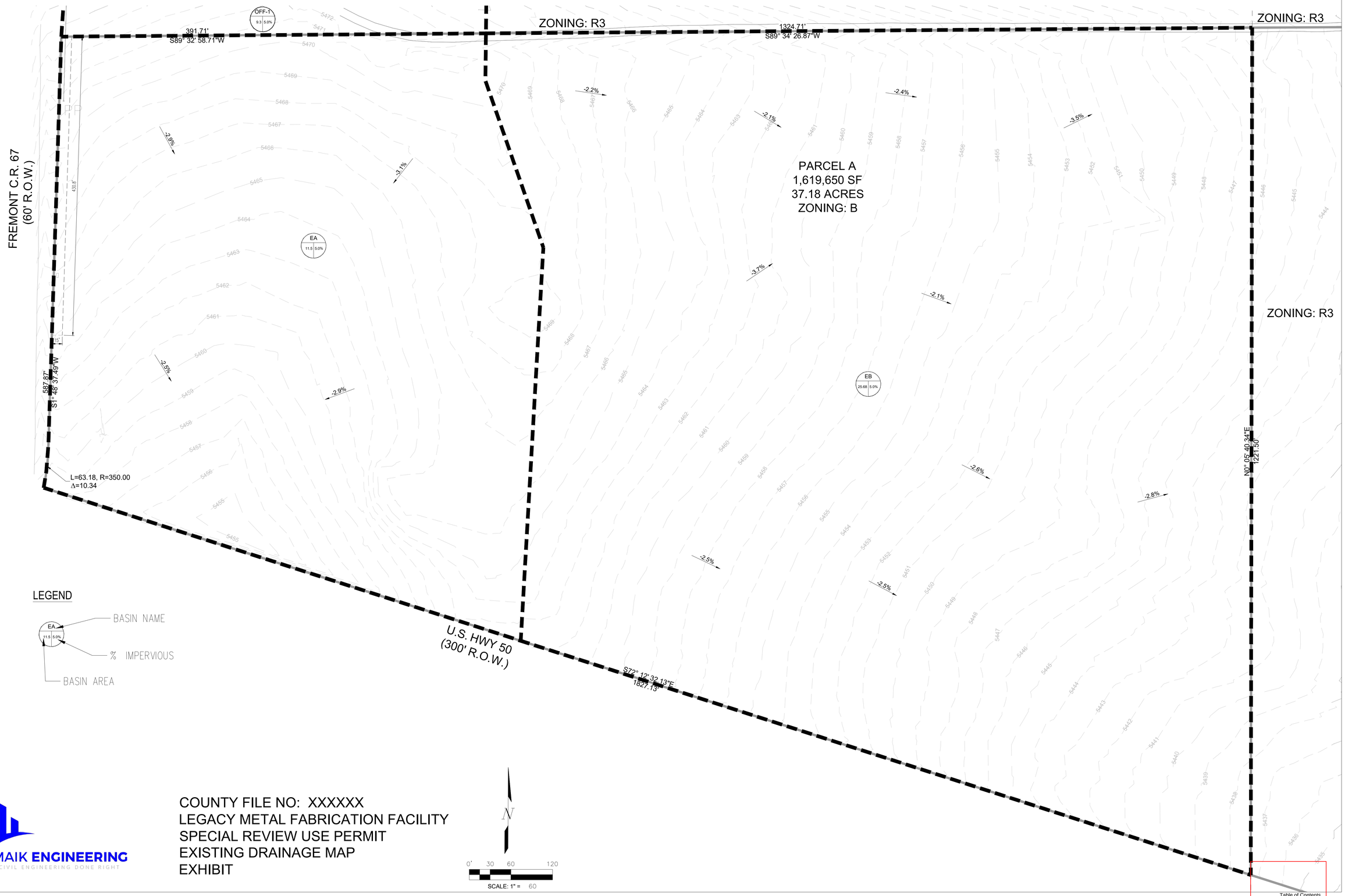
SPECIAL REVIEW USE PERMIT

LEGACY METAL FABRICATION FACILITY



LEGEND

EA
11.5 5.0%

BASIN NAME

% IMPERVIOUS

BASIN AREA

MAIK ENGINEERING
CIVIL ENGINEERING DONE RIGHT

COUNTY FILE NO: XXXXXX
LEGACY METAL FABRICATION FACILITY
SPECIAL REVIEW USE PERMIT
EXISTING DRAINAGE MAP
EXHIBIT

N

0' 30 60 120

SCALE: 1" = 60

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Calculation of Peak Runoff using Rational Method

Calculation of Peak Runoff using Rational Method

Designer: Mike Maik
Company: Maik Engineering
Date: 1/22/2026
Project: Legacy Metal Fabrication Facility
Location: Fremont County, CO

MHFD-Rational, Version 3.00 (August 2025)

Cells of this color are for required user-input
Cells of this color are for optional override values

$$t_i = \frac{0.395(1.1 - C_5)\sqrt{L_i}}{S_l^{0.33}}$$

$$t_t = \frac{L_t}{60K\sqrt{S_t}} = \frac{L_t}{60V_t}$$

Computed $t_c = t_i + t_t$

Regional $t_c = (26 - 17i) + \frac{L_t}{60(14i + 9)\sqrt{S_t}}$

$t_{c\ minimum} = 5$ (urban)
$t_{c\ minimum} = 10$ (non-urban)

Selected $t_c = \max\{t_{minimum}, \min(\text{Computed } t_c, \text{Regional } t_c)\}$

Provide input for area, soil type, and imperviousness on the Runoff Coeffs worksheet.

Subcatchment Name	Area (ac)	NRCS Hydrologic Soil Group(s)	Imperviousness	Runoff Coefficient, C							Overland (Initial) Flow Time					Channelized (Travel) Flow Time						
				WQE & 2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr	Overland Flow Length L_i (ft)	U/S Elevation (ft) (Optional)	D/S Elevation (ft) (Optional)	Overland Flow Slope S_i (ft/ft)	Overland Flow Time t_i (min)	Channelized Flow Length L_t (ft)	U/S Elevation (ft) (Optional)	D/S Elevation (ft) (Optional)	Channelized Flow Slope S_t (ft/ft)	NRCS Conveyance Factor K	Channelized Flow Velocity V_t (ft/sec)	Channelized Flow Time t_t (min)
OFF-1	9.30	B	5.0%	0.03	0.03	0.10	0.28	0.36	0.45	0.55	500.00			0.025	31.84	0.00			0.025	7	1.11	0.00
EA	11.50	B	5.0%	0.03	0.03	0.10	0.28	0.36	0.45	0.55	500.00			0.025	31.84	0.00			0.025	7	1.11	0.00
EB	25.68	B	5.0%	0.03	0.03	0.10	0.28	0.36	0.45	0.55	500.00			0.025	31.84	0.00			0.025	7	1.11	0.00

Calculation of Peak Runoff using Rational Method

Designer:
Company:
Date:
Project:
Location:

Select MHFD location for NOAA Atlas 14 Rainfall Depths from the pulldown list OR enter your own depths obtained from the NOAA website (click this link)

	WQE	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
1-hour rainfall depth, P1 (in) =	0.60	0.80	1.04	1.28	1.66	1.99	2.36	3.39

	a	b	c
Rainfall Intensity Equation Coefficients =	28.50	10.00	0.786

$$I(in/hr) = \frac{a * P_1}{(b + t_c)^c}$$

$$Q(cfs) = CIA$$

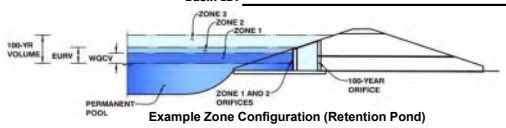
Subcatchment Name	Time of Concentration: Computed t_c (min)	Regional t_c (min)	Selected t_c (min)	(Optional) Override t_c (min)	Rainfall Intensity, I (in/hr): WQE	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr	Peak Flow, Q (cfs): WQE	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
OFF-1	31.84	25.15	25.15		1.04	1.39	1.81	2.22	2.88	3.46	4.10	5.89	0.24	0.32	0.55	2.01	7.52	11.44	17.13	30.35
EA	31.84	25.15	25.15		1.04	1.39	1.81	2.22	2.88	3.46	4.10	5.89	0.30	0.40	0.68	2.49	9.30	14.15	21.18	37.53
EB	31.84	25.15	25.15		1.04	1.39	1.81	2.22	2.88	3.46	4.10	5.89	0.67	0.90	1.53	5.56	20.76	31.59	47.29	83.81

DETENTION BASIN STAGE-STORAGE TABLE BUILDER

MHFD-Detention, Version 4.07 (June 2025)

Project: _____

Basin ID: _____



Example Zone Configuration (Retention Pond)

Watershed Information

Selected SCM Type =	**RP**	
Watershed Area =	20.80	acres
Watershed Length =	1,000	ft
Watershed Length to Centroid =	500	ft
Watershed Slope =	0.025	ft/ft
Watershed Imperviousness =	5.00%	percent
Percentage Hydrologic Soil Group A =	0.0%	percent
Percentage Hydrologic Soil Group B =	100.0%	percent
Percentage Hydrologic Soil Groups C/D =	0.0%	percent
Target WQCV Drain Time =	12.0	hours
Location for 1-hr Rainfall Depths =	Denver - Capitol Building	

After providing required inputs above including 1-hour rainfall depths, click 'Run CUHP' to generate runoff hydrographs using the embedded Colorado Urban Hydrograph Procedure.

			Optional User Overrides
Water Quality Capture Volume (WQCV) =	0.050	acre-feet	acre-feet
Excess Urban Runoff Volume (EURV) =	0.092	acre-feet	acre-feet
2-yr Runoff Volume (P1 = 0.8 in.) =	0.031	acre-feet	0.80 inches
5-yr Runoff Volume (P1 = 1.04 in.) =	0.059	acre-feet	1.04 inches
10-yr Runoff Volume (P1 = 1.28 in.) =	0.220	acre-feet	1.28 inches
25-yr Runoff Volume (P1 = 1.66 in.) =	0.918	acre-feet	1.66 inches
50-yr Runoff Volume (P1 = 1.99 in.) =	1.425	acre-feet	1.99 inches
100-yr Runoff Volume (P1 = 2.36 in.) =	2.168	acre-feet	2.36 inches
500-yr Runoff Volume (P1 = 3.39 in.) =	3.917	acre-feet	3.39 inches
Approximate 2-yr Detention Volume =	0.037	acre-feet	
Approximate 5-yr Detention Volume =	0.063	acre-feet	
Approximate 10-yr Detention Volume =	0.199	acre-feet	
Approximate 25-yr Detention Volume =	0.345	acre-feet	
Approximate 50-yr Detention Volume =	0.373	acre-feet	
Approximate 100-yr Detention Volume =	0.528	acre-feet	

Define Zones and Basin Geometry

Zone 1 Volume (100-year) =	0.528	acre-feet	**WQCV not provided!**
Select Zone 2 Storage Volume (Optional) =		acre-feet	
Select Zone 3 Storage Volume (Optional) =		acre-feet	
Total Detention Basin Volume =	0.528	acre-feet	
Initial Surcharge Volume (ISV) =	N/A	ft^3	
Initial Surcharge Depth (ISD) =	N/A	ft	
Total Available Detention Depth (H_{total}) =		ft	
Depth of Trickle Channel (H_{TC}) =	N/A	ft	
Slope of Trickle Channel (S_{TC}) =	N/A	ft/ft	
Slopes of Main Basin Sides (S_{main}) =		H:V	
Basin Length-to-Width Ratio ($R_{L/W}$) =			

Initial Surcharge Area (A_{ISV}) =		ft^2
Surcharge Volume Length (L_{ISV}) =		ft
Surcharge Volume Width (W_{ISV}) =		ft
Depth of Basin Floor (H_{FLOOR}) =		ft
Length of Basin Floor (L_{FLOOR}) =		ft
Width of Basin Floor (W_{FLOOR}) =		ft
Area of Basin Floor (A_{FLOOR}) =		ft^2
Volume of Basin Floor (V_{FLOOR}) =		ft^3
Depth of Main Basin (H_{MAIN}) =		ft
Length of Main Basin (L_{MAIN}) =		ft
Width of Main Basin (W_{MAIN}) =		ft
Area of Main Basin (A_{MAIN}) =		ft^2
Volume of Main Basin (V_{MAIN}) =		ft^3
Calculated Total Basin Volume (V_{total}) =		acre-feet

Depth Increment = _____ ft

Stage - Storage Description	Stage (ft)	Optional Override Stage (ft)	Length (ft)	Width (ft)	Area (ft^2)	Optional Override Area (ft^2)	Area (acre)	Volume (ft^3)	Volume (ac-ft)
Permanent Pool									

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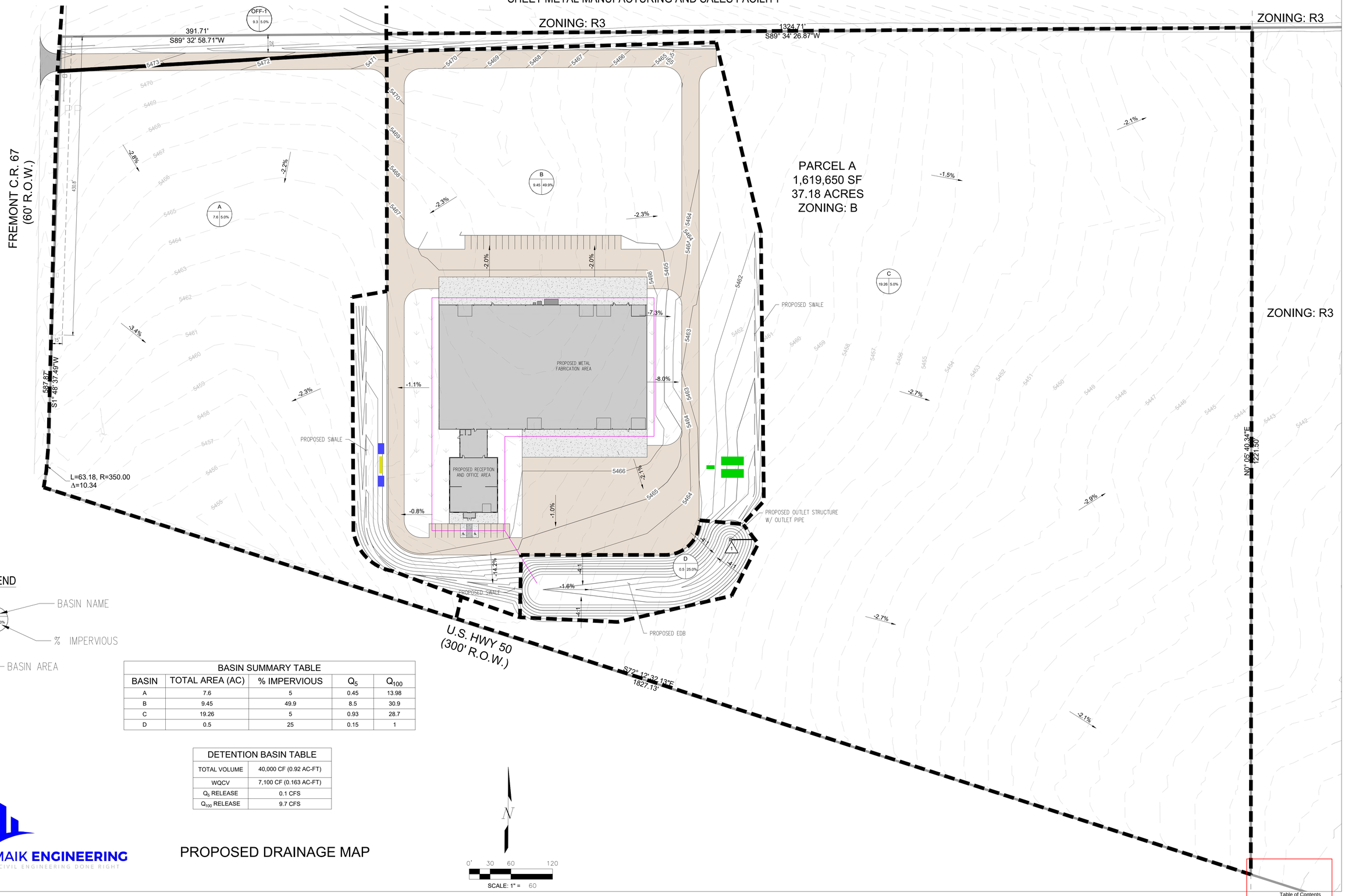
LEGACY METAL FABRICATION FACILITY

SPECIAL REVIEW USE PERMIT

SHEET METAL MANUFACTURING AND SALES FACILITY



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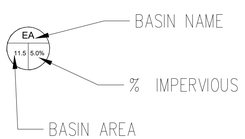

BASIN SUMMARY TABLE				
BASIN	TOTAL AREA (AC)	% IMPERVIOUS	Q_5	Q_{100}
A	7.6	5	0.45	13.98
B	9.45	49.9	8.5	30.9
C	19.26	5	0.93	28.7
D	0.5	25	0.15	1

DETENTION BASIN TABLE	
TOTAL VOLUME	40,000 CF (0.92 AC-FT)
WQCV	7,100 CF (0.163 AC-FT)
Q_5 RELEASE	0.1 CFS
Q_{100} RELEASE	9.7 CFS

MAIK ENGINEERING
CIVIL ENGINEERING DONE RIGHT

PROPOSED DRAINAGE MAP

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Calculation of Peak Runoff using Rational Method

Designer: Mike Maik
Company: Maik Engineering
Date: 2/24/2026
Project: Legacy Metal Fabrication Facility
Location: Fremont County, CO

MHFD-Rational, Version 3.00 (August 2025)

Cells of this color are for required user-input
Cells of this color are for optional override values

$$t_i = \frac{0.395(1.1 - C_5)\sqrt{L_i}}{S_l^{0.33}}$$

$$t_t = \frac{L_t}{60K\sqrt{S_t}} = \frac{L_t}{60V_t}$$

Computed $t_c = t_i + t_t$

Regional $t_c = (26 - 17i) + \frac{L_t}{60(14i + 9)\sqrt{S_t}}$

$t_{c\ minimum} = 5$ (urban)
$t_{c\ minimum} = 10$ (non-urban)

Selected $t_c = \max\{t_{minimum}, \min(\text{Computed } t_c, \text{Regional } t_c)\}$

Calculation of Peak Runoff using Rational Method

Provide input for area, soil type, and imperviousness on the Runoff Coeffs worksheet.

Subcatchment Name	Area (ac)	NRCS Hydrologic Soil Group(s)	Imperviousness	Runoff Coefficient, C							Overland (Initial) Flow Time					Channelized (Travel) Flow Time						
				WQE & 2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr	Overland Flow Length L_i (ft)	U/S Elevation (ft) (Optional)	D/S Elevation (ft) (Optional)	Overland Flow Slope S_i (ft/ft)	Overland Flow Time t_i (min)	Channelized Flow Length L_t (ft)	U/S Elevation (ft) (Optional)	D/S Elevation (ft) (Optional)	Channelized Flow Slope S_t (ft/ft)	NRCS Conveyance Factor K	Channelized Flow Velocity V_t (ft/sec)	Channelized Flow Time t_t (min)
A	7.59	B	5.0%	0.03	0.03	0.10	0.28	0.36	0.45	0.55	500.00			0.025	31.84	0.00			0.025	7	1.11	0.00
B	9.45	B	49.9%	0.39	0.41	0.46	0.56	0.61	0.66	0.72	500.00			0.025	20.56	0.00			0.025	7	1.11	0.00
C	19.26	B	5.0%	0.03	0.03	0.10	0.28	0.36	0.45	0.55	500.00			0.025	31.84	1000.00			0.025	7	1.11	15.06
D	0.50	B	25.0%	0.17	0.19	0.26	0.41	0.47	0.54	0.63	500.00			0.025	27.16	1000.00			0.025	7	1.11	15.06
																				7		

Calculation of Peak Runoff using Rational Method

Designer:
Company:
Date:
Project:
Location:

Select MHFD location for NOAA Atlas 14 Rainfall Depths from the pulldown list OR enter your own depths obtained from the NOAA website (click this link)

	WQE	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
1-hour rainfall depth, P1 (in) =	0.60	0.80	1.04	1.28	1.66	1.99	2.36	3.39

	a	b	c
Rainfall Intensity Equation Coefficients =	28.50	10.00	0.786

$$I(in/hr) = \frac{a * P_1}{(b + t_c)^c}$$

$$Q(cfs) = CIA$$

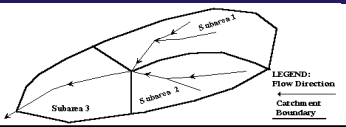
Subcatchment Name	Time of Concentration				Rainfall Intensity, I (in/hr)								Peak Flow, Q (cfs)							
	Computed t_c (min)	Regional t_c (min)	Selected t_c (min)	**(Optional)** Override t_c (min)	WQE	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr	WQE	2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr
A	31.84	25.15	25.15		1.04	1.39	1.81	2.22	2.88	3.46	4.10	5.89	0.20	0.26	0.45	1.64	6.14	9.34	13.98	24.77
B	20.56	17.52	17.52		1.26	1.68	2.19	2.69	3.49	4.19	4.97	7.14	4.62	6.14	8.50	11.71	18.57	24.01	30.90	48.47
C	46.90	36.02	36.02		0.84	1.12	1.46	1.80	2.33	2.80	3.32	4.76	0.41	0.54	0.93	3.37	12.60	19.17	28.70	50.86
D	42.22	30.18	30.18		0.94	1.25	1.63	2.00	2.60	3.11	3.69	5.30	0.08	0.10	0.15	0.26	0.53	0.73	1.00	1.66

Determination of Runoff Coefficients for Rational Method

Designer: Mike Maik
Company: Maik Engineering
Date: 2/24/2026
Project: Legacy Metal Fabrication Facility
Location: Fremont County, CO

MHFD-Rational, Version 3.00 (August 2025)

Cells of this color are for required user-input
Cells of this color are for optional override values



Provide subcatchment names on the Rational Calcs worksheet to open up the table below.

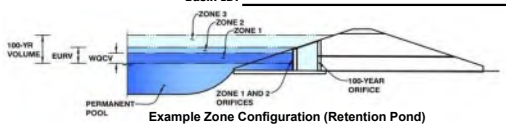
Subcatchment Name	# of Subareas	Area (ac)	NRCS Hydrologic Soil Group	Percent Imperviousness				Runoff Coefficient, C							(Optional) Override Runoff Coefficient, C							Comments
				Imperviousness Source	Imperviousness Category	Calculated Imperviousness	(Optional) Override Imperviousness	WQE & 2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr	WQE & 2-yr	5-yr	10-yr	25-yr	50-yr	100-yr	500-yr	
A	**1**	**7.59**	**B**			**5.0%**	**5.0%**	**0.03**	**0.03**	**0.10**	**0.28**	**0.36**	**0.45**	**0.55**	**0.03**	**0.03**	**0.10**	**0.28**	**0.36**	**0.45**	**0.55**	
		7.59	B	Surface Type	Historic Flow Analysis	5%		0.03	0.03	0.10	0.28	0.36	0.45	0.55								
B	**3**	**9.45**	**B**			**49.9%**	**49.9%**	**0.39**	**0.41**	**0.46**	**0.56**	**0.61**	**0.66**	**0.72**	**0.39**	**0.41**	**0.46**	**0.56**	**0.61**	**0.66**	**0.72**	
		5.16	B	Surface Type	Receiving Pervious Areas (GB & GS)	20%		0.13	0.15	0.22	0.37	0.44	0.52	0.61								
		2.61	B	Surface Type	Gravel - High Traffic Areas	80%		0.64	0.67	0.70	0.75	0.77	0.80	0.83								
		1.68	B	Surface Type	Roofs	95%		0.79	0.81	0.82	0.85	0.86	0.87	0.88								
C	**1**	**19.26**	**B**			**5.0%**	**5.0%**	**0.03**	**0.03**	**0.10**	**0.28**	**0.36**	**0.45**	**0.55**	**0.03**	**0.03**	**0.10**	**0.28**	**0.36**	**0.45**	**0.55**	
		19.26	B	Surface Type	Historic Flow Analysis	5%		0.03	0.03	0.10	0.28	0.36	0.45	0.55								
D	**1**	**0.50**	**B**			**25.0%**	**25.0%**	**0.17**	**0.19**	**0.26**	**0.41**	**0.47**	**0.54**	**0.63**	**0.17**	**0.19**	**0.26**	**0.41**	**0.47**	**0.54**	**0.63**	
		0.50	B	Surface Type	Extended Detention Basins	25%		0.17	0.19	0.26	0.41	0.47	0.54	0.63								

DETENTION BASIN STAGE-STORAGE TABLE BUILDER

MHFD-Detention, Version 4.07 (June 2025)

Project: Legacy Metal Fabrication Facility

Basin ID:



Example Zone Configuration (Retention Pond)

Watershed Information

Selected SCM Type =	**EDB**	
Watershed Area =	9.45	acres
Watershed Length =	1,000	ft
Watershed Length to Centroid =	500	ft
Watershed Slope =	0.025	ft/ft
Watershed Imperviousness =	49.90%	percent
Percentage Hydrologic Soil Group A =	0.0%	percent
Percentage Hydrologic Soil Group B =	100.0%	percent
Percentage Hydrologic Soil Groups C/D =	0.0%	percent
Target WQCV Drain Time =	40.0	hours
Location for 1-hr Rainfall Depths =	Denver - Capitol Building	

After providing required inputs above including 1-hour rainfall depths, click 'Run CUHP' to generate runoff hydrographs using the embedded Colorado Urban Hydrograph Procedure.

			Optional User Overrides	
Water Quality Capture Volume (WQCV) =	0.162	acre-feet		acre-feet
Excess Urban Runoff Volume (EURV) =	0.504	acre-feet		acre-feet
2-yr Runoff Volume (P1 = 0.79 in.) =	0.265	acre-feet	0.79	inches
5-yr Runoff Volume (P1 = 1.03 in.) =	0.369	acre-feet	1.03	inches
10-yr Runoff Volume (P1 = 1.27 in.) =	0.505	acre-feet	1.27	inches
25-yr Runoff Volume (P1 = 1.65 in.) =	0.821	acre-feet	1.65	inches
50-yr Runoff Volume (P1 = 1.98 in.) =	1.071	acre-feet	1.98	inches
100-yr Runoff Volume (P1 = 2.35 in.) =	1.392	acre-feet	2.35	inches
500-yr Runoff Volume (P1 = 3.37 in.) =	2.208	acre-feet	3.37	inches
Approximate 2-yr Detention Volume =	0.253	acre-feet		
Approximate 5-yr Detention Volume =	0.358	acre-feet		
Approximate 10-yr Detention Volume =	0.501	acre-feet		
Approximate 25-yr Detention Volume =	0.624	acre-feet		
Approximate 50-yr Detention Volume =	0.696	acre-feet		
Approximate 100-yr Detention Volume =	0.823	acre-feet		

Define Zones and Basin Geometry

Zone 1 Volume (WQCV) =	0.162	acre-feet
Zone 2 Volume (EURV - Zone 1) =	0.342	acre-feet
Zone 3 Volume (100-year - Zones 1 & 2) =	0.319	acre-feet
Total Detention Basin Volume =	0.823	acre-feet
Initial Surcharge Volume (ISV) =	user	ft^3
Initial Surcharge Depth (ISD) =	user	ft
Total Available Detention Depth (H_{total}) =	user	ft
Depth of Trickle Channel (H_{TC}) =	user	ft
Slope of Trickle Channel (S_{TC}) =	user	ft/ft
Slopes of Main Basin Sides (S_{main}) =	user	H:V
Basin Length-to-Width Ratio ($R_{L/W}$) =	user	

Initial Surcharge Area (A_{ISV}) =	user	ft^2
Surcharge Volume Length (L_{ISV}) =	user	ft
Surcharge Volume Width (W_{ISV}) =	user	ft
Depth of Basin Floor (H_{FLOOR}) =	user	ft
Length of Basin Floor (L_{FLOOR}) =	user	ft
Width of Basin Floor (W_{FLOOR}) =	user	ft
Area of Basin Floor (A_{FLOOR}) =	user	ft^2
Volume of Basin Floor (V_{FLOOR}) =	user	ft^3
Depth of Main Basin (H_{MAIN}) =	user	ft
Length of Main Basin (L_{MAIN}) =	user	ft
Width of Main Basin (W_{MAIN}) =	user	ft
Area of Main Basin (A_{MAIN}) =	user	ft^2
Volume of Main Basin (V_{MAIN}) =	user	ft^3
Calculated Total Basin Volume (V_{total}) =	**user**	acre-feet

Depth Increment = ft

Stage - Storage Description	Stage (ft)	Optional Override Stage (ft)	Length (ft)	Width (ft)	Area (ft^2)	Optional Override Area (ft^2)	Area (acre)	Volume (ft^3)	Volume (ac-ft)
Top of Micropool	--	0.00	--	--	--	83	0.002		
	--	1.00	--	--	--	758	0.017	420	0.010
	--	2.00	--	--	--	2,306	0.053	1,952	0.045
	--	3.00	--	--	--	4,938	0.113	5,574	0.128
	--	4.00	--	--	--	8,663	0.199	12,375	0.284
	--	5.00	--	--	--	14,788	0.339	24,100	0.553
	--	6.00	--	--	--	17,805	0.409	40,397	0.927
	--	7.00	--	--	--	21,660	0.497	60,130	1.380

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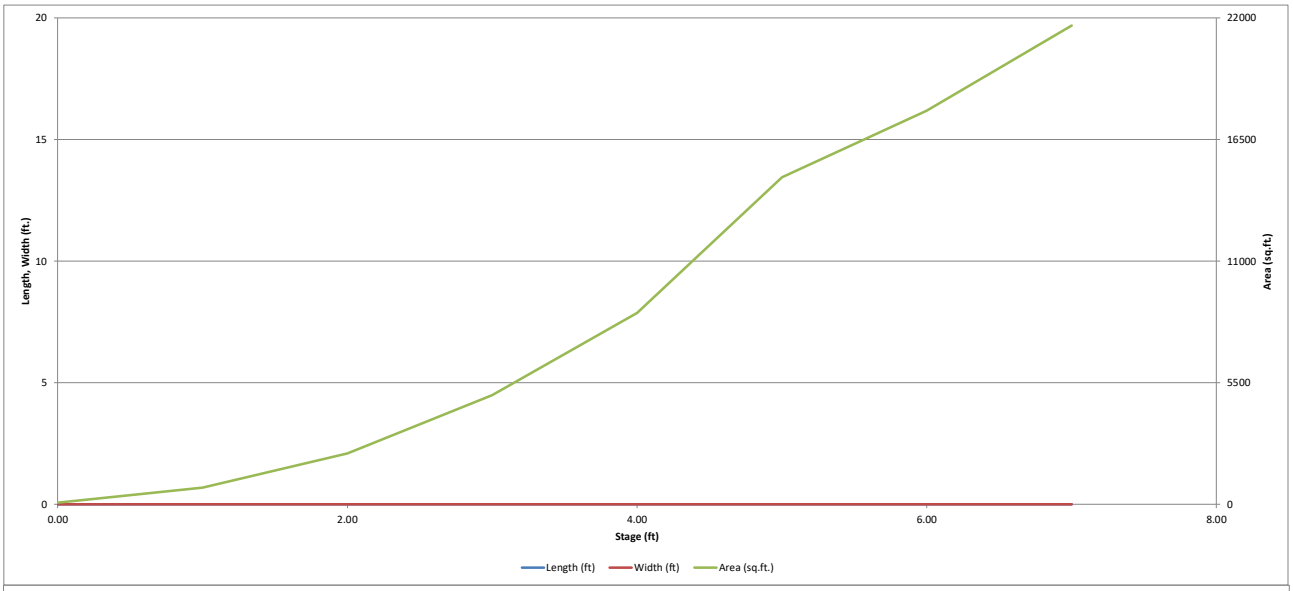
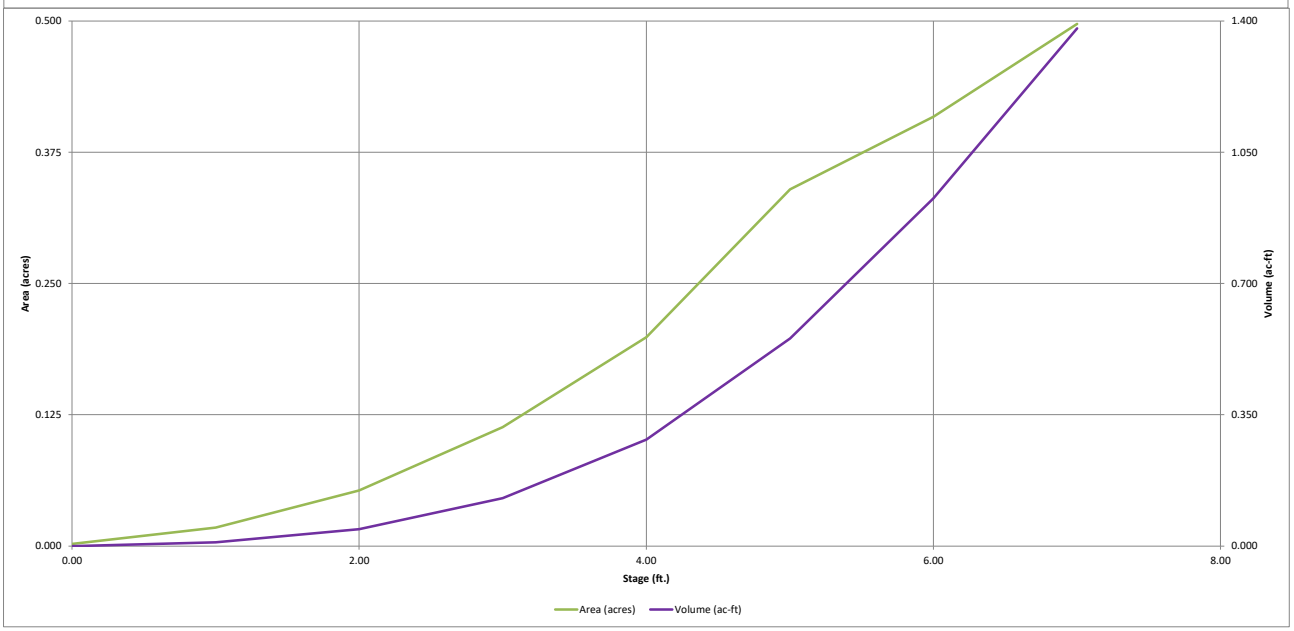
DETENTION BASIN STAGE-STORAGE TABLE BUILDER

MHFD-Detention, Version 4.07 (June 2025)





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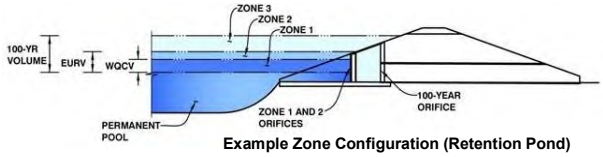
DETENTION BASIN OUTLET STRUCTURE DESIGN

MHFD-Detention, Version 4.07 (June 2025)

Project: **Legacy Metal Fabrication Facility**

Basin ID:



Example Zone Configuration (Retention Pond)

	Estimated Stage (ft)	Estimated Volume (ac-ft)	Outlet Type
Zone 1 (WQCV)	3.28	0.162	Orifice Plate
Zone 2 (EURV)	4.86	0.342	Orifice Plate
Zone 3 (100-year)	5.74	0.319	Weir&Pipe (Restrict)
Total (all zones)		0.823	

User Input: Orifice at Underdrain Outlet (typically used to drain WQCV in a Filtration SCM)

				Calculated Parameters for Underdrain		
Underdrain Orifice Invert Depth =	N/A	ft (distance below the filtration media surface)		Underdrain Orifice Area =	N/A	ft²
Underdrain Orifice Diameter =	N/A	inches		Underdrain Orifice Centroid =	N/A	feet

User Input: Orifice Plate with one or more orifices or Elliptical Slot Weir (typically used to drain WQCV and/or EURV in a sedimentation SCM)

				Calculated Parameters for Plate		
Centroid of Lowest Orifice =	0.00	ft (relative to basin bottom at Stage = 0 ft)		WQ Orifice Area per Row =	3.681E-03	ft²
Depth at top of Zone using Orifice Plate =	4.86	ft (relative to basin bottom at Stage = 0 ft)		Elliptical Half-Width =	N/A	feet
Orifice Plate: Orifice Vertical Spacing =	12.00	inches		Elliptical Slot Centroid =	N/A	feet
Orifice Plate: Orifice Area per Row =	0.53	sq. inches (diameter = 13/16 inch)		Elliptical Slot Area =	N/A	ft²

User Input: Stage and Total Area of Each Orifice Row (numbered from lowest to highest)

	Row 1 (required)	Row 2 (optional)	Row 3 (optional)	Row 4 (optional)	Row 5 (optional)	Row 6 (optional)	Row 7 (optional)	Row 8 (optional)
Stage of Orifice Centroid (ft)	0.00	1.00	2.00	3.00	4.00			
Orifice Area (sq. inches)	0.53	0.53	0.53	0.53	0.53			

	Row 9 (optional)	Row 10 (optional)	Row 11 (optional)	Row 12 (optional)	Row 13 (optional)	Row 14 (optional)	Row 15 (optional)	Row 16 (optional)
Stage of Orifice Centroid (ft)								
Orifice Area (sq. inches)								

User Input: Vertical Orifice (Circular or Rectangular)

	Not Selected	Not Selected		Calculated Parameters for Vertical Orifice	Not Selected	Not Selected	
Invert of Vertical Orifice =	N/A	N/A	ft (relative to basin bottom at Stage = 0 ft)	Vertical Orifice Area =	N/A	N/A	ft²
Depth at top of Zone using Vertical Orifice =	N/A	N/A	ft (relative to basin bottom at Stage = 0 ft)	Vertical Orifice Centroid =	N/A	N/A	feet
Vertical Orifice Diameter =	N/A	N/A	inches				

User Input: Overflow Weir (Dropbox with Flat or Sloped Grate and Outlet Pipe OR Rectangular/Trapezoidal Weir and No Outlet Pipe)

	Zone 3 Weir	Not Selected		Calculated Parameters for Overflow Weir	Zone 3 Weir	Not Selected	
Overflow Weir Front Edge Height, Ho =	5.75	N/A	ft (relative to basin bottom at Stage = 0 ft)	Height of Grate Upper Edge, H_t =	5.75	N/A	feet
Overflow Weir Front Edge Length =	8.00	N/A	feet	Overflow Weir Slope Length =	8.00	N/A	feet
Overflow Weir Grate Slope =	0.00	N/A	H:V	Grate Open Area / 100-yr Orifice Area =	61.73	N/A	
Horiz. Length of Weir Sides =	8.00	N/A	feet	Overflow Grate Open Area w/o Debris =	44.54	N/A	ft²
Overflow Grate Type =	Type C Grate	N/A		Overflow Grate Open Area w/ Debris =	22.27	N/A	ft²
Debris Clogging % =	50%	N/A	%				

User Input: Outlet Pipe w/ Flow Restriction Plate (Circular Orifice, Restrictor Plate, or Rectangular Orifice)

	Zone 3 Restrictor	Not Selected		Calculated Parameters for Outlet Pipe w/ Flow Restriction Plate	Zone 3 Restrictor	Not Selected	
Depth to Invert of Outlet Pipe =	2.50	N/A	ft (distance below basin bottom at Stage = 0 ft)	Outlet Orifice Area =	0.72	N/A	ft²
Outlet Pipe Diameter =	18.00	N/A	inches	Outlet Orifice Centroid =	0.37	N/A	feet
Restrictor Plate Height Above Pipe Invert =	7.70		inches	Half-Central Angle of Restrictor Plate on Pipe =	1.43	N/A	radians

User Input: Emergency Spillway (Rectangular or Trapezoidal)

			Calculated Parameters for Spillway		
Spillway Invert Stage=	6.10	ft (relative to basin bottom at Stage = 0 ft)	Spillway Design Flow Depth=	0.84	feet
Spillway Crest Length =	7.00	feet	Stage at Top of Freeboard =	7.94	feet
Spillway End Slopes =	4.00	H:V	Basin Area at Top of Freeboard =	0.50	acres
Freeboard above Max Water Surface =	1.00	feet	Basin Volume at Top of Freeboard =	1.38	acre-ft

Routed Hydrograph Results

The user can override the default CUHP hydrographs and runoff volumes by entering new values in the Inflow Hydrographs table (Columns W through AF).

Design Storm Return Period =	WQCV	EURV	2 Year	5 Year	10 Year	25 Year	50 Year	100 Year	500 Year
One-Hour Rainfall Depth (in) =	N/A	N/A	0.79	1.03	1.27	1.65	1.98	2.35	3.37
CUHP Runoff Volume (acre-ft) =	0.162	0.504	0.265	0.369	0.505	0.821	1.071	1.392	2.208
Inflow Hydrograph Volume (acre-ft) =	N/A	N/A	0.265	0.369	0.505	0.821	1.071	1.392	2.208
CUHP Predevelopment Peak Q (cfs) =	N/A	N/A	0.2	0.3	1.2	5.1	7.6	11.0	18.9
OPTIONAL Override Predevelopment Peak Q (cfs) =	N/A	N/A							
Predevelopment Unit Peak Flow, q (cfs/acre) =	N/A	N/A	0.02	0.03	0.13	0.54	0.81	1.16	2.00
Peak Inflow Q (cfs) =	N/A	N/A	3.9	5.4	7.5	13.1	17.2	22.4	35.0
Peak Outflow Q (cfs) =	0.1	0.1	0.1	0.1	0.1	0.2	3.5	9.7	18.8
Ratio Peak Outflow to Predevelopment Q =	N/A	N/A	N/A	0.4	0.1	0.0	0.5	0.9	1.0
Structure Controlling Flow =	Plate	Plate	Plate	Plate	Plate	Plate	Overflow Weir 1	Overflow Weir 1	Spillway
Max Velocity through Grate 1 (fps) =	N/A	N/A	N/A	N/A	N/A	N/A	0.1	0.2	0.2
Max Velocity through Grate 2 (fps) =	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Time to Drain 97% of Inflow Volume (hours) =	37	66	48	57	67	88	89	86	80
Time to Drain 99% of Inflow Volume (hours) =	**40**	72	53	62	73	95	97	95	92
Maximum Ponding Depth (ft) =	3.28	4.86	3.81	4.29	4.78	5.66	5.91	6.07	6.58
Area at Maximum Ponding Depth (acres) =	0.14	0.32	0.18	0.24	0.31	0.38	0.40	0.41	0.46
Maximum Volume Stored (acre-ft) =	0.163	0.507	0.246	0.348	0.479	0.789	0.891	0.956	1.179

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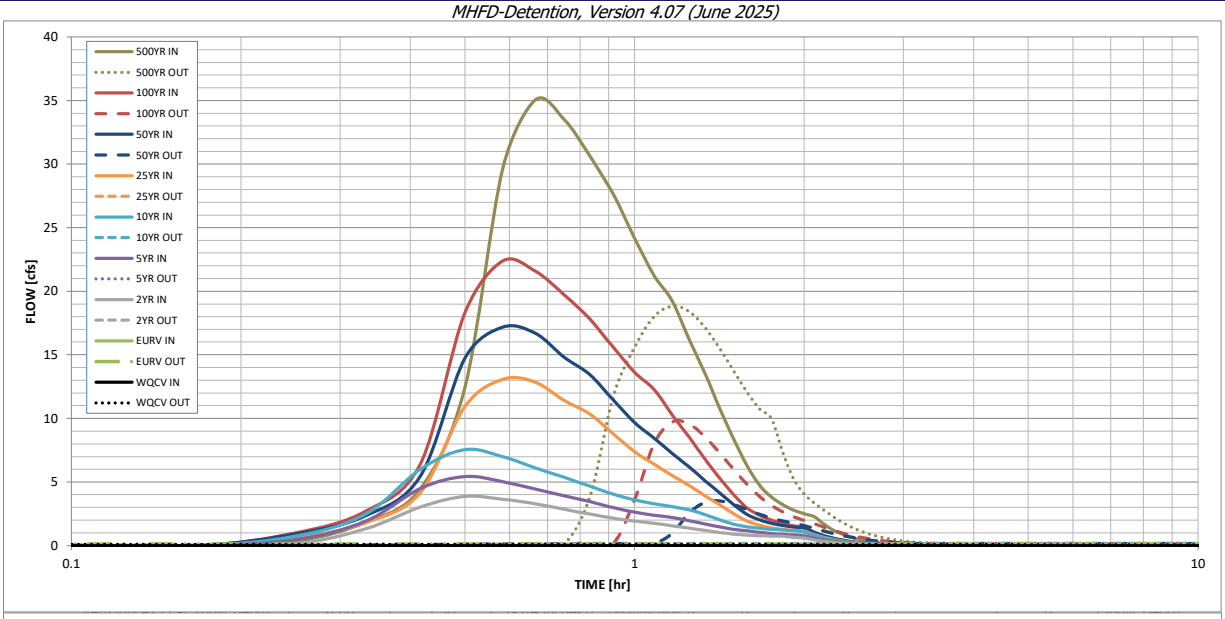
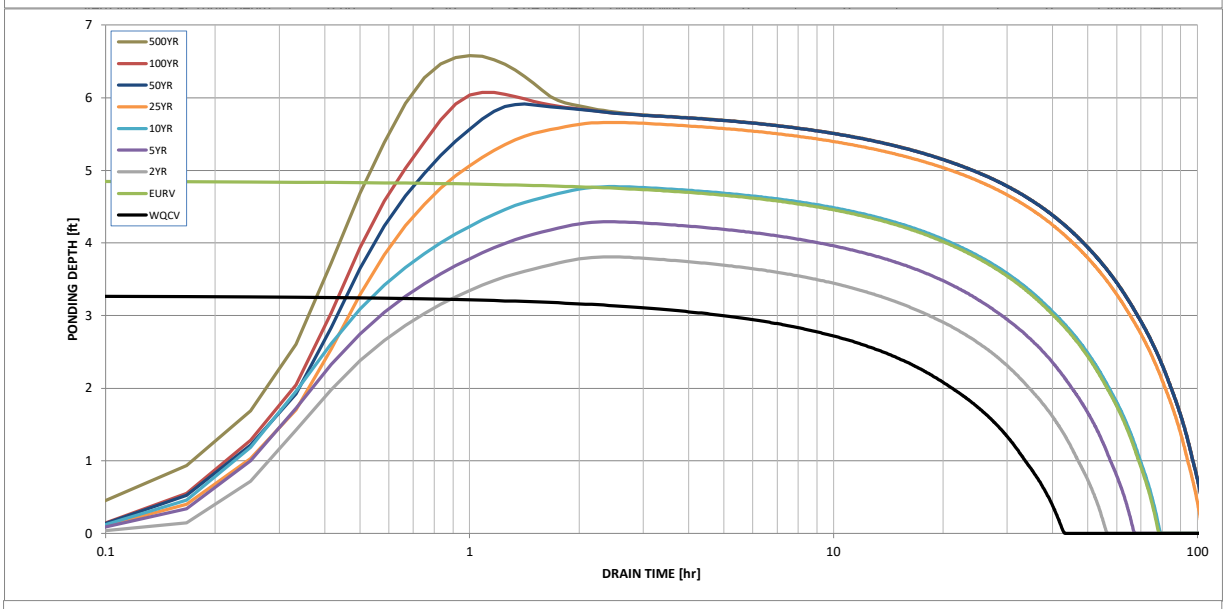
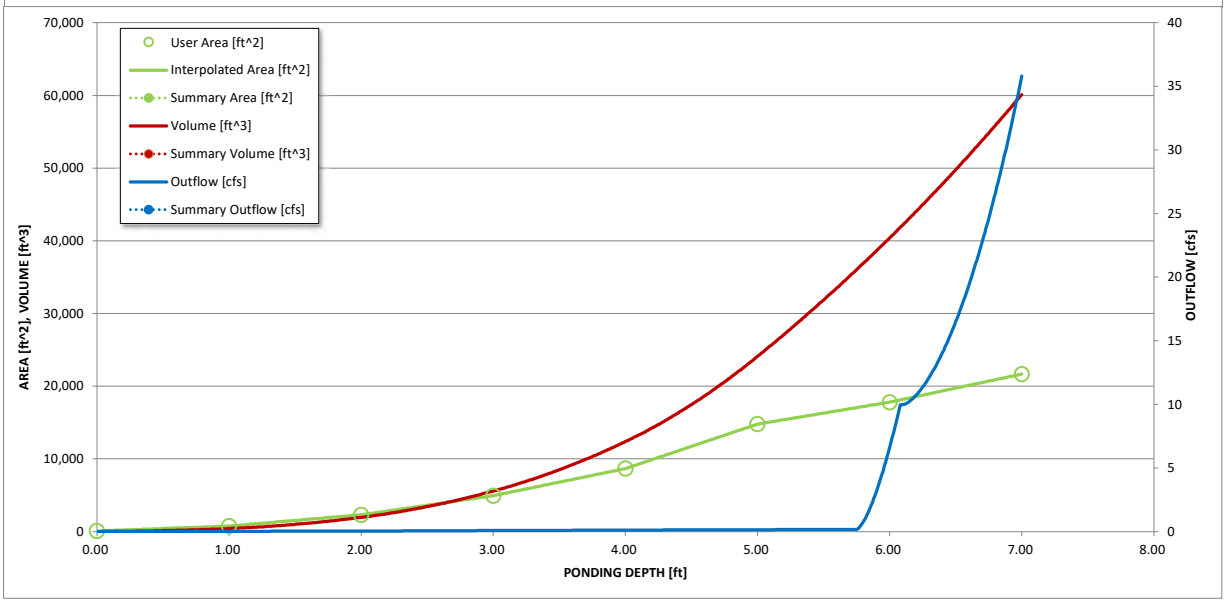
DETENTION BASIN OUTLET STRUCTURE DESIGN

MHFD-Detention, Version 4.07 (June 2025)







S-A-V-D Chart Axis Override	X-axis	Left Y-Axis	Right Y-Axis
minimum bound			
maximum bound			

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DETENTION BASIN OUTLET STRUCTURE DESIGN

Outflow Hydrograph Workbook Filename:

Inflow Hydrographs

The user can override the calculated inflow hydrographs from this workbook with inflow hydrographs developed in a separate program.

	SOURCE	CUHP	CUHP	CUHP	CUHP	CUHP	CUHP	CUHP	CUHP	CUHP
Time Interval	TIME	WQCV [cfs]	EURV [cfs]	2 Year [cfs]	5 Year [cfs]	10 Year [cfs]	25 Year [cfs]	50 Year [cfs]	100 Year [cfs]	500 Year [cfs]
5.00 min	0:00:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	0:05:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	0:10:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.34
	0:15:00	0	0.00	0.13	0.46	0.74	0.60	0.92	1.00	1.82
	0:20:00	0	0.00	1.32	1.92	2.49	1.81	2.34	2.71	4.48
	0:25:00	0	0.00	3.02	4.49	6.01	4.15	5.48	6.43	12.44
	0:30:00	0	0.00	3.87	5.43	7.55	10.94	14.73	18.32	29.63
	0:35:00	0	0.00	3.65	5.02	6.99	13.07	17.18	22.38	35.04
	0:40:00	0	0.00	3.29	4.44	6.11	12.83	16.69	21.57	33.51
	0:45:00	0	0.00	2.85	3.90	5.37	11.40	14.80	19.71	30.61
	0:50:00	0	0.00	2.48	3.45	4.66	10.34	13.44	17.79	27.61
	0:55:00	0	0.00	2.15	2.98	4.04	8.77	11.44	15.59	24.18
	1:00:00	0	0.00	1.92	2.63	3.59	7.39	9.68	13.62	21.22
	1:05:00	0	0.00	1.75	2.39	3.29	6.40	8.45	12.27	19.22
	1:10:00	0	0.00	1.55	2.20	3.05	5.49	7.23	10.26	16.19
	1:15:00	0	0.00	1.37	1.96	2.81	4.73	6.19	8.52	13.56
	1:20:00	0	0.00	1.20	1.70	2.44	3.91	5.10	6.80	10.78
	1:25:00	0	0.00	1.03	1.46	2.02	3.20	4.15	5.31	8.37
	1:30:00	0	0.00	0.90	1.27	1.68	2.50	3.21	4.00	6.29
	1:35:00	0	0.00	0.81	1.17	1.48	1.93	2.45	2.97	4.73
	1:40:00	0	0.00	0.77	1.05	1.36	1.60	2.02	2.37	3.81
	1:45:00	0	0.00	0.75	0.95	1.28	1.40	1.75	1.99	3.21
	1:50:00	0	0.00	0.74	0.89	1.23	1.27	1.58	1.73	2.79
	1:55:00	0	0.00	0.65	0.83	1.16	1.18	1.46	1.55	2.49
	2:00:00	0	0.00	0.58	0.78	1.06	1.13	1.38	1.42	2.28
	2:05:00	0	0.00	0.45	0.60	0.81	0.87	1.05	1.05	1.69
	2:10:00	0	0.00	0.34	0.45	0.61	0.65	0.78	0.77	1.23
	2:15:00	0	0.00	0.26	0.34	0.45	0.48	0.58	0.57	0.91
	2:20:00	0	0.00	0.19	0.25	0.34	0.36	0.43	0.43	0.68
	2:25:00	0	0.00	0.14	0.19	0.25	0.26	0.31	0.32	0.50
	2:30:00	0	0.00	0.11	0.13	0.18	0.19	0.23	0.23	0.36
	2:35:00	0	0.00	0.08	0.09	0.13	0.14	0.17	0.17	0.26
	2:40:00	0	0.00	0.05	0.07	0.09	0.10	0.12	0.12	0.18
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	3:05:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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	3:40:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	3:45:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	3:50:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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	4:10:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	4:15:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	4:20:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	4:25:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
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	5:35:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	5:40:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	5:45:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	5:50:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	5:55:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
	6:00:00	0	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

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Channel Report

Hydraflow Express Extension for Autodesk® Civil 3D® by Autodesk, Inc. Thursday, Jan 22 2026

EAST AND WEST SWALE NORMAL DEPTH CALC

Triangular

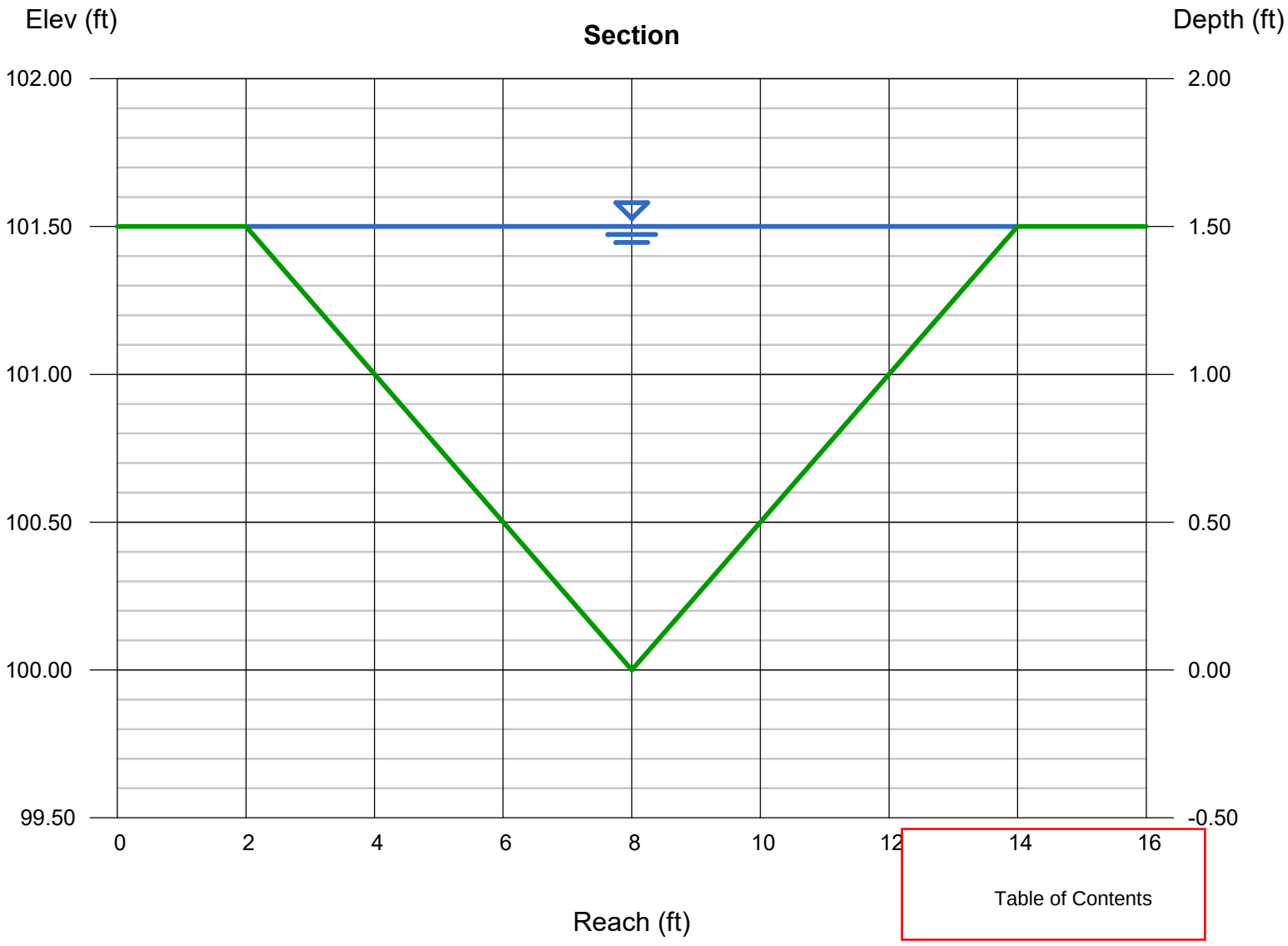
Side Slopes (z:1)	= 4.00, 4.00
Total Depth (ft)	= 1.50
Invert Elev (ft)	= 100.00
Slope (%)	= 1.00
N-Value	= 0.030

Calculations

Compute by:	Q vs Depth
No. Increments	= 10

Highlighted

Depth (ft)	= 1.50
Q (cfs)	= 36.06
Area (sqft)	= 9.00
Velocity (ft/s)	= 4.01
Wetted Perim (ft)	= 12.37
Crit Depth, Yc (ft)	= 1.39
Top Width (ft)	= 12.00
EGL (ft)	= 1.75



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APPENDIX C – STORMWATER OPERATIONS AND MAINTENANCE MANUAL

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Stormwater Management Facility
Operation and Maintenance (O&M) Plan

for:

Legacy Metal Fabrication and Sales Facility

Located at:

130 County Road 67, Penrose, Colorado 81240

Prepared for:

325 Shoop LLC
325 Shoop Drive
Penrose, CO 81240

Prepared by:

Maik Engineering, LLC
Michael Maik, P.E.
3081 S Fulton Ct, Denver, CO 80231
(719) 469-5118, mmaik@maikengineering.com

3/3/2026

Reference:

This plan is adapted from Southeast Metro Stormwater Authority, *Operation and Maintenance (O & M) Manual,* and Town of Parker, Colorado, *Stormwater Permanent Best Management Practices (PBMP) Long-Term Operation and Maintenance Manual*, October 2004

Stormwater Management Facility
Inspection and Maintenance (I&M) Plan

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Appendix C

Standard Operating Procedures for Extended Detention Basins (EDBs), Grass Buffers and Grass Swales (GB-GS)

Appendix C-1

Extended Detention Basins

Updated 2/2024

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Standard Operation Procedures for Inspection and Maintenance

Extended Detention Basins (EDBs)

Updated 2/2024

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EDB-1 Background

Extended Detention Basins (EDBs) are one of the most common types of Stormwater Management Facilities utilized within the Front Range of Colorado. An EDB is a sedimentation basin designed to "extend" the runoff detention time, but to drain completely dry sometime after stormwater runoff ends. The EDB's drain time for the water quality portion of the facility is typically forty (40) hours. The basins are considered to be "dry" because the majority of the basin is designed not to have a significant permanent pool of water remaining between runoff events.

EDBs are an adaptation of a detention basin used for flood control, with the primary difference is the addition of forebays, micro-pools and a slow release outlet design. Forebays are shallow concrete "pans" located at the inflow point to the basin and are provided to facilitate sediment removal within a contained area prior to releasing into the pond. These forebays collect and briefly hold stormwater runoff resulting in a process called sedimentation, dropping sediment out of the stormwater. The stormwater is then routed from the forebay into the concrete trickle channel and upper basin, the large grassy portion of the basin. The EDB uses a much smaller outlet that extends the emptying time of the more frequently occurring runoff events to facilitate pollutant removal. An EDB should have a small micro-pool just upstream of the outlet. This micro-pool is designed to hold a small amount of water to keep sediment and floatables from blocking the outlet orifices.

EDB-2 Inspecting Extended Detention Basins (EDBs)

EDB-2.1 Access and Easements

Inspection or maintenance personnel may utilize the stormwater facility map located in Appendix G containing the location(s) of the access points and maintenance easements of the EDB(s) within this development.

EDB-2.2 Stormwater Management Facilities Locations

Inspection or maintenance personnel may utilize the stormwater facility map located in Appendix G containing the location(s) of the EDB(s) within this development.

EDB-2.3 Extended Detention Basin (EDB) Features

EDBs have a number of features that are designed to serve a particular function. Many times the proper function of one feature depends on another. For example, if a forebay is not properly maintained, it could negatively affect the performance of a feature downstream (trickle channel, micro-pool, etc.). Therefore, it is critical that each feature of the EDB is properly inspected and maintained to ensure the overall facility functions as it was intended. Below is a list and description of the most common features within an EDB and the corresponding maintenance inspection items that can be anticipated:

Table EDB-1
Typical Inspection and Maintenance Requirements Matrix

EDB Features	Sediment Removal	Mowing/ Weed control	Trash & Debris Removal	Erosion	Overgrown Vegetation Removal	Standing Water (mosquito/ algae control)	Structure Repair
Inflow Points (outfalls)	X		X				X
Forebay	X		X				X
Low-flow channel	X		X	X	X		X
Bottom Stage	X	X	X	X	X	X	
Micro-pool	X		X		X	X	X
Outlet Works	X		X				X
Emergency Spillway			X	X	X		X
Upper Stage			X	X			
Embankment		X		X	X		

EDB-2.3.1 Inflow Points

Inflow Points or Outfalls into EDBs are the point source of the stormwater discharge into the facility. An inflow point is commonly a storm sewer pipe with a flared end section that discharges into the EDB. In some instances, an inflow point could be a drainage channel or ditch that flows into the facility.

An energy dissipater (riprap or hard armor protection) is typically immediately downstream of the discharge point into the EDB to protect from erosion. In some cases, the storm sewer outfall can have a toe-wall or cut-off wall immediately below the structure to prevent undercutting of the outfall from erosion.

The typical maintenance items found with inflow points are as follows:

a. Riprap Displaced – Many times, because the repeated impact/force of water, the riprap can shift and settle. If any portion of the riprap apron appears to have settled, soil is present between the riprap, or the riprap has shifted, maintenance may be required to ensure future erosion is prevented. Depending on the nature of the maintenance the use of heavy equipment and proper bedding material may be required to repair the riprap. See Section EDB-3.5 – EDB-3.8.

b. Erosion Present/Outfall Undercut – In some situations, the energy dissipater may not have been sized, constructed, or maintained appropriately and erosion has occurred. Any erosion within the vicinity of the inflow point will require maintenance to prevent damage to the structure(s) and sediment transport within the facility. If there is any question to whether the original design is inadequate, a qualified engineer should review the situation to avoid chronic maintenance repairs if it is a design issue.

c. Sediment Accumulation – Because of the turbulence in the water created by the energy dissipater, sediment often deposits immediately downstream of the inflow point. To prevent a loss in hydraulic performance of the upstream infrastructure, sediment that accumulates in this area must be removed in a timely manner.

d. Structural Damage – Structural damage can occur at any time during the life of the facility. Typically, for an inflow, the structural damage occurs to the pipe flared end section (concrete or steel). Structural damage can lead to additional operating problems with the facility, including loss of hydraulic performance.

e. Woody Growth/Weeds Present – Undesirable vegetation can grow in and around the inflow area to an EDB that can significantly affect the performance of the drainage facilities discharging into the facility. This type of vegetation includes trees (typically cottonwoods) and dense areas of shrubs (willows). If woody vegetation is not routinely mowed/removed, the growth can cause debris/sediment to accumulate, resulting in blockage of the discharge. Also, tree roots can cause damage to the structural components of the inflow. Routine maintenance is essential for trees (removing a small tree/sapling is much cheaper and "quieter" than a mature tree). In addition, noxious weeds growing in the facility can result in the loss of desirable native vegetation and impact adjacent open spaces/land.

EDB-2.3.2 Forebay

A forebay is a solid surface (pad), typically constructed of concrete, immediately downstream of the inflow point. The forebay is designed to capture larger particles and trash to prevent them from entering the main portion of the EDB. The solid surface is designed to facilitate mechanical sediment removal (skid steer). The forebay typically includes a small diameter discharge pipe or v-notch weir on the downstream end and designed to drain the forebay in a specified period of time to promote sedimentation. The forebays vary in size and depth depending on the design and site constraints.

The typical maintenance items found with forebays are as follows:

a. Sediment/Debris Accumulation – Because this feature of the EDB is designed to provide the initial sedimentation, debris and sediment frequently accumulate in this area. If the sediment and debris is not removed from the forebay on a regular basis, it can significantly affect the function of other features within the EDB. Routine sediment removal from the forebay can **significantly** reduce the need for dredging of the main portion of the EDB using specialized equipment (long reach excavators). Routine removal of sediment from the forebay can **substantially** decrease the long-term sediment removal costs of an EDB.

b. Concrete Cracking/Failing – The forebay is primarily constructed of concrete, which cracks, spalls, and settles. Damage to the forebay can result in deceased performance and impact maintenance efforts.

c. Drain Pipe/Weir Clogged – Many times the drainpipe or weir can be clogged with debris, and prevent the forebay from draining properly. If standing water is present in the forebay (and there is not a base flow), the forebay is most likely not draining properly. This can result in a decrease in performance and create potential nuisances with stagnant water (mosquitoes).

d. Weir/Drain Pipe Damaged – Routine maintenance activities, vandalism, or age may cause the weir or drain pipe in the forebay to become damaged. Weirs are typically constructed of concrete, which cracks and spalls. The drainpipe is typically smaller in diameter and constructed with plastic, which can fracture.

EDB-2.3.3 Trickle Channel (Low-Flow)

The trickle channel conveys stormwater from the forebay to the micro-pool of the EDB. The trickle channel is typically made of concrete. However, grass lined (riprap sides protected) is also common and can provide for an additional means of water quality within the EDB. The trickle channel is typically six (6) to nine (9) inches in depth and can vary in width.

The typical maintenance items found with trickle channels are as follows:

a. Sediment/Debris Accumulation – Trickle channels are typically designed with a relatively flat slope that can promote sedimentation and the collection of debris. Also, if a trickle channel is grass lined it can accumulate sediment and debris at a much quicker rate. Routine removal of accumulated sediment and debris is essential in preventing flows from circumventing the trickle channel and affecting the dry storage portion of the pond.

b. Concrete/Riprap Damage – Concrete can crack, spall, and settle and must be repaired to ensure proper function of the trickle channel. Riprap can also shift over time and must be replaced/repaired as necessary.

c. Woody Growth/Weeds Present – Because of the constant moisture in the area surrounding the trickle channel, woody growth (cottonwoods/willows) can become a problem. Trees and dense shrub type vegetation can affect the capacity of the trickle channel and can allow flows to circumvent the feature.

d. Erosion Outside of Channel – In larger precipitation events, the trickle channel capacity will likely be exceeded. This can result in erosion immediately adjacent to the trickle channel and must be repaired to prevent further damage to the structural components of the EDB.

EDB-2.3.4 Bottom Stage

The bottom stage is at least 1.0 to 2.0 feet deeper than the upper stage and is located in front of the outlet works structure. The bottom stage is designed to store the smaller runoff events, assists in keeping the majority of the basin bottom dry resulting in easier maintenance operations, and enhances the facilities pollutant removal capabilities.

This area of the EDB may develop wetland vegetation.
The typical maintenance items found with the bottom stage are as follows:

a. Sediment/Debris Accumulation – The bottom stage can frequently accumulate sediment and debris. This material must be removed to maintain pond volume and proper function of the outlet structure.

b. Woody Growth/Weeds Present - Because of the constant moisture in the soil surrounding the micro-pool, woody growth (cottonwoods/willows) can create operational problems for the EDB. If woody vegetation is not routinely mowed/removed, the growth can cause debris/sediment to accumulate outside of the micro-pool (See EDB 2.3.5), which can cause problems with other EDB features. Also, tree roots can cause damage to the structural components of the outlet works. Routine management is essential for trees (removing a small tree/sapling is much cheaper and "quieter" than a mature tree).

c. Bank Erosion – The bottom stage is usually a couple feet deeper than the other areas of the ponds. Erosion can be caused by water dropping into the bottom stage if adequate protection/armor is not present. Erosion in this area must be mitigated to prevent sediment transport and other EDB feature damage.

d. Mosquitoes/Algae Treatment – Nuisance created by stagnant water can result from improper maintenance/treatment of the bottom stage. Mosquito larvae can be laid by adult mosquitoes within the permanent pool. Also, aquatic vegetation that grows in shallow pools of water can decompose causing foul odors. Chemical/mechanical treatment of the bottom stage may be necessary to reduce these impacts to adjacent homeowners.

e. Petroleum/Chemical Sheen – Many indicators of illicit discharges into the storm sewer systems will be present in the bottom stage area of the EDB. These indicators can include sheens, odors, discolored soil, and dead vegetation. If it is suspected that an illicit discharge has occurred, contact the supervisor immediately. Proper removal/mitigation of contaminated soils and water in the EDB is necessary to minimize any environmental impacts downstream.

EDB-2.3.5 Micro-pool

The micro-pool is a concrete or grouted boulder walled structure directly in front of the outlet works. At a minimum, the micro-pool is 2.5 feet deep and is designed to hold water. The micro-pool is critical in the proper function of the EDB; it allows suspended sediment to be deposited at the bottom of the micro-pool and prevents these sediments from being deposited in front of the outlet works causing clogging of the outlet structure, which results in marshy areas within the top and bottom stages.

The typical maintenance items found with micro-pools are as follows:

a. Sediment/Debris Accumulation – The micro-pool can frequently accumulate sediment and debris. This material must be removed to maintain the micro pool

volume, depth, and proper function of the outlet structure.

b. Woody Growth/Weeds Present - Because of the constant moisture in the soil surrounding the micro-pool, woody growth (cottonwoods/willows) can create operational problems for the EDB. If woody vegetation is not routinely mowed/removed, the growth can cause debris/sediment to accumulate outside of the micro-pool, which can cause problems with other EDB features. Also, tree roots can cause damage to the structural components of the outlet works. Routine management is essential for trees (removing a small tree/sapling is much cheaper and "quieter" than a mature tree).

c. Mosquitoes/Algae Treatment – Nuisance created by stagnant water can result from improper maintenance/treatment of the micro-pool. Mosquito larvae can be laid by adult mosquitoes within the permanent pool. If mosquitoes are breeding within the micro-pool this may also be an indication there is significant sediment build-up that is reducing the depth of the micro-pool. Also, aquatic vegetation that grows in shallow pools of water can decompose causing foul odors. Chemical/mechanical treatment of the micro-pool may be necessary to reduce these impacts to adjacent homeowners.

d. Petroleum/Chemical Sheen – Many indicators of illicit discharges into the storm sewer systems will be present in the micro-pool area of the EDB. These indicators can include sheens, odors, discolored soil, and dead vegetation. If it is suspected that an illicit discharge has occurred, contact the supervisor immediately. Proper removal/mitigation of contaminated soils and water in the EDB is necessary to minimize any environmental impacts downstream.

EDB-2.3.6 Outlet Works

The outlet works is the feature that drains the EDB in specified quantities and periods of time. The outlet works is typically constructed of reinforced concrete into the embankment of the EDB. The concrete structure typically has steel orifice plates anchored/embedded into it to control stormwater release rates. The larger openings (flood control) on the outlet structure typically have trash racks over them to prevent clogging. The water quality orifice plate (smaller diameter holes) will typically have a well screen covering it to prevent smaller materials from clogging it. The outlet structure is the single most important feature in the EDB operation. Proper inspection and maintenance of the outlet works is essential in ensuring the long-term operation of the EDB.

The typical maintenance items found with the outlet works are as follows:

a. Trash Rack/Well Screen Clogged – Floatable material entering the EDB will most likely make its way to the outlet structure. This material is trapped against the trash racks and well screens on the outlet structure (which is why they are there). This material must be removed on a routine basis to ensure the outlet structure drains in the specified design period.

b. Structural Damage - The outlet structure is primarily constructed of concrete,

which can crack, spall, and settle. The steel trash racks and well screens are also susceptible to damage.

c. Orifice Plate Missing/Not Secure – Many times residents, property owners, or maintenance personnel will remove or loosen orifice plates if they believe the pond is not draining properly. Any modification to the orifice plate(s) will significantly affect the designed discharge rates for water quality and/or flood control. Modification of the orifice plates is not allowed without approval from the Engineering Control Division.

d. Manhole Access – Access to the outlet structure is necessary to properly inspect and maintain the facility. If access is difficult or not available to inspect the structure, chances are it will be difficult to maintain as well.

e. Woody Growth/Weeds Present - Because of the constant moisture in the soil surrounding the outlet works, woody growth (cottonwoods/willows) can create operational problems for the EDB. If woody vegetation is not routinely mowed/removed, the growth can cause debris/sediment to accumulate around the outlet works, which can cause problems with other EDB features. Also, tree roots can cause damage to the structural components of the outlet works. Routine management is essential for trees (removing a small tree/sapling is much cheaper and "quieter" than a mature tree).

EDB-2.3.7 Emergency Spillway

An emergency spillway is typical of all EDBs and designed to serve as the overflow in the event the volume of the pond is exceeded. The emergency spillway is typically armored with riprap (or other hard armor) and is sometimes buried with soil. The emergency spillway is typically a weir (notch) in the pond embankment. Proper function of the emergency spillway is essential to ensure flooding does not affect adjacent properties.

The typical maintenance items found with emergency spillways are as follows:

a. Riprap Displaced – As mentioned before, the emergency spillway is typically armored with riprap to provide erosion protection. Over the life of an EDB, the riprap may shift or dislodge due to flow. Depending on the nature of the maintenance the use of heavy equipment and proper bedding material may be required to repair the riprap. See Section EDB-3.5 – EDB-3.8.

b. Erosion Present – Although the spillway is typically armored, stormwater flowing through the spillway can cause erosion damage. Erosion must be repaired to ensure the integrity of the basin embankment, and proper function of the spillway.

c. Woody Growth/Weeds Present – Management of woody vegetation is essential in the proper long-term function of the spillway. Larger trees or dense shrubs can capture larger debris entering the EDB and reduce the capacity of the spillway.

d. Obstruction Debris – The spillway must be cleared of any obstruction (man-made or natural) to ensure the proper design capacity.

EDB-2.3.8 Upper Stage (Dry Storage)

The upper stage of the EDB provides the majority of the water quality flood detention volume. This area of the EDB is higher than the bottom stage and typically stays dry, except during storm events. The upper stage is the largest feature/area of the basin. Sometimes, the upper stage can be utilized for park space and other uses in larger EDBs. With proper maintenance of the bottom stage, micro-pool, and forebay(s), the upper stage should not experience much sedimentation; however, bottom elevations should be monitored to ensure adequate volume.

The typical maintenance items found with upper stages are as follows:

a. Vegetation Sparse – The upper basin is the most visible part of the EDB, and therefore aesthetics is important. Adequate and properly maintained vegetation can greatly increase the overall appearance and acceptance of the EDB by the public. In addition, vegetation can reduce the potential for erosion and subsequent sediment transport to the other areas of the pond.

b. Woody Growth/Undesirable Vegetation – Although some trees and woody vegetation may be acceptable in the upper basin, some thinning of cottonwoods and willows may be necessary. Remember, the basin will have to be dredged to ensure volume, and large trees and shrubs will be difficult to protect during that operation.

c. Standing Water/Boggy Areas – Standing water or boggy areas in the upper stage is typically a sign that some other feature in the pond is not functioning properly. Routine maintenance (mowing, trash removal, etc.) can be extremely difficult for the upper stage if the ground is saturated. If this inspection item is checked, make sure you have identified the root cause of the problem.

d. Sediment Accumulation – Although other features within the EDB are designed to capture sediment, the upper storage area will collect sediment over time. Excessive amounts of sedimentation will result in a loss of storage volume. It may be more difficult to determine if this area has accumulated sediment without conducting a field survey.

Below is a list of indicators:

1. Ground adjacent to the trickle channel appears to be several inches higher than the concrete/riprap trickle channel.
2. Standing water or boggy areas in upper stage.
3. Uneven grades or mounds.
4. Bottom Stage, Micro-pool, or Forebay has excessive amounts of sediment.

e. Erosion (banks and bottom) – The bottom grades of the dry storage area are typically flat enough that erosion should not occur. However, inadequate vegetative cover may result in erosion of the upper stage. Erosion that occurs in the upper stage can result in increased dredging/maintenance of the bottom stage/micro-pool.

f. Trash/Debris – Trash and debris can accumulate in the upper area after large events, or from illegal dumping. Over time, this material can accumulate and clog the EDB outlet works.

g. Maintenance Access – Most EDBs typically have a gravel/concrete maintenance access path to either the upper stage or forebay. This access path should be inspected to ensure the surface is still drivable. Some of the smaller EDBs may not have maintenance access paths; however, the inspector should verify that access is available from adjacent properties.

EDB-2.3.9 Miscellaneous

There are a variety of inspection/maintenance issues that may not be attributed to a single feature within the EDB. This category on the inspection form is for maintenance items that are commonly found in the EDB, but may not be attributed to an individual feature.

a. Encroachment in Easement Area – Private lots/property can sometimes be located very close to the EDBs, even though they are required to be located in tracts with drainage easements. Property owners may not place landscaping, trash, fencing, or other items within the easement area that may adversely affect maintenance or the operation of the facility.

b. Graffiti/Vandalism – Damage to the EDB infrastructure can be caused by vandals. If criminal mischief is evident, the inspector should forward this information to the Fremont County Sheriff Department.

c. Public Hazards – Public hazards include items such as vertical drops of greater than four (4) feet, containers of unknown/suspicious substances, exposed metal/jagged concrete on structures. **If any hazard is found within the facility area that poses an immediate threat to public safety, call 911 immediately!**

d. Burrowing Animals/Pests – Prairie dogs and other burrowing rodents may cause damage to the EDB features and negatively affect the vegetation within the EDB.

e. Other – Any miscellaneous inspection/maintenance items not contained on the form should be entered here.

EDB-2.4 Inspection Forms

EDB Inspection forms are located in Appendix D. Inspection forms shall be completed by the person(s) conducting the inspection activities. Each form shall be reviewed and submitted by the property owner or property manager to Fremont County per the requirements of the Inspection and Maintenance Plan. These inspection forms shall be kept indefinitely and made available to Fremont County upon request.

EDB-3 Maintaining Extended Detention Basins (EDBS)

EDB-3.1 Maintenance Personnel

Maintenance personnel must be qualified to properly maintain EDBs. Inadequately trained personnel can cause additional problems resulting in additional maintenance costs.

EDB-3.2 Equipment

It is imperative the appropriate equipment and tools are taken to the field with the operations crew. The types of equipment/tools will vary depending on the task at hand. Below is a basic list of tools, equipment, and material(s) that may be necessary to perform maintenance on an EDB:

1. Loppers/Tree Trimming Tools
2. Mowing Tractors
3. Trimmers (extra string)
4. Shovels
5. Rakes
6. All Surface Vehicle (ASVs)
7. Skid Steer
8. Back Hoe
9. Track Hoe/Long Reach Excavator
10. Dump Truck
11. Jet-Vac Machine
12. Engineers Level (laser)
13. Riprap (Minimum - Type M, or as shown on the approved civil plans)
14. Filter Fabric
15. Erosion Control Blanket(s)
16. Seed Mix (See seed mix in the *Rules and Regulations Regarding Stormwater (Quality) Discharge for Construction Activities*, Std Det. SM, Seeding & Mulching)
17. Illicit Discharge Cleanup Kits
18. Trash Bags
19. Tools (wrenches, screw drivers, hammers, etc)
20. Chain Saw
21. Confined Space Entry Equipment
22. Approved Stormwater Facility Inspection and Maintenance Plan

Some of the items identified above may not be needed for every maintenance operation. However, this equipment should be available to the maintenance operations crews should the need arise.

EDB-3.3 Safety

Vertical drops may be encountered in areas located within and around the facility. Avoid walking on top of retaining walls or other structures having a significant vertical drop. If a vertical drop within the EDB is identified as greater than 48" in height, make the appropriate note/comment on the maintenance inspection form.

EDB-3.4 Maintenance Forms

The EDB Maintenance Form provides a record of each maintenance operation performed by maintenance contractors. The EBD Maintenance Form shall be filled out in the field after the completion of the maintenance operation. Each form shall be reviewed and submitted by the property owner or property manager to Fremont County per the requirements of the Inspection and Maintenance Plan. The EDB Maintenance form is located in Appendix E.

EDB-3.5 Maintenance Categories and Activities

A typical EDB Maintenance Program will consist of three broad categories of work. Within each category of work, a variety of maintenance activities can be performed on an EDB. A maintenance activity can be specific to each feature within the EDB, or general to the overall facility. This section of the SOP explains each of the categories and briefly describes the typical maintenance activities for an EDB.

A variety of maintenance activities are typical of EDBs. The maintenance activities range in magnitude from routine trash pickup to the reconstruction of drainage infrastructure. Below is a description of each maintenance activity, the objectives, and frequency of actions:

EDB-3.6 Routine Maintenance Activities

The majority of this work consists of regularly scheduled mowing and trash and debris pickups for stormwater management facilities during the growing season. This includes items such as the removal of debris/material that may be clogging the outlet structure well screens and trash racks. It also includes activities such as weed control, mosquito treatment, and algae treatment. These activities normally will be performed numerous times during the year. These items can be completed without any prior correspondence with Fremont County ; however, completed inspection and maintenance forms shall be submitted to Fremont County for each inspection and maintenance activity in accordance with the Inspection and Maintenance Plan.

The Maintenance Activities are summarized below, and further described in the following sections.

Table – EDB-2
Summary of Routine Maintenance Activities

Maintenance Activity	Minimum Frequency	Look for:	Maintenance Action
Mowing	Twice annually	Excessive grass height/aesthetics	Mow grass to a height of 4" to 6"
Trash/Debris Removal	Twice annually	Trash & debris in EDB	Remove and dispose of trash and debris
Outlet Works Cleaning	As needed - after significant rain events – twice annually min.	Clogged outlet structure; ponding water	Remove and dispose of debris/trash/sediment to allow outlet to function properly
Weed control	Minimum twice annually	Noxious weeds; Unwanted vegetation	Treat w/ herbicide or hand pull; Consult the local weed specialist
Mosquito Treatment	As needed	Standing water/mosquito habitat	Treat w/ EPA approved chemicals
Algae Treatment	As needed	Standing water/ Algal growth/green color	Treat w/ EPA approved chemicals

EDB-3.6.1 Mowing

Occasional mowing is necessary to limit unwanted vegetation and to improve the overall appearance of the EDB. Native vegetation should be mowed to a height of four (4) to six (6) inches tall. Grass clippings should be collected and disposed of properly.

Frequency – Routine - Minimum of twice annually or depending on aesthetics.

EDB-3.6.2 Trash/Debris Removal

Trash and debris must be removed from the entire EDB area to minimize outlet clogging and to improve aesthetics. This activity must be performed prior to mowing operations.

Frequency – Routine – Prior to mowing operations and minimum of twice annually and should be done after significant storm events.

EDB-3.6.3 Outlet Works Cleaning

Debris and other materials can clog the outlet work's well screen, orifice plate(s) and trash rack. This activity must be performed anytime other maintenance activities are conducted to ensure proper operation.

Frequency - Routine – After significant rainfall event or concurrently with other maintenance activities.

EDB-3.6.4 Weed Control

Noxious weeds and other unwanted vegetation must be treated as needed throughout the EDB. This activity can be performed either through mechanical means (mowing/pulling) or with herbicide. Consultation with the local Weed Inspector is highly recommended prior to the use of an herbicide. All herbicide applications should be applied in accordance with the manufacturer's recommendations.

Frequency – Routine – As needed based on inspections.

EDB-3.6.5 Mosquito/Algae Treatment

Treatment of permanent pools is necessary to control mosquitoes and undesirable aquatic vegetation that can create nuisances. Only EPA approved chemicals/materials can be used in areas that are warranted.

Frequency – As needed.

EDB- 3.7 Minor Maintenance Activities

This work consists of a variety of isolated or small-scale maintenance or operational problems. Most of this work can be completed by a small crew, tools, and small equipment. These items require prior correspondence with Fremont County Water Staff, and require completed inspection and maintenance forms to be submitted to Fremont County Water Staff for each inspection and maintenance activity.

Table – EDB-3
Summary of Minor Maintenance Activities

Maintenance Activity	Minimum Frequency	Look for:	Maintenance Action
Sediment Removal*	As needed; typically every 1–2 years	Sediment build-up; decrease in pond volume	Remove and dispose of sediment
Erosion Repair	As needed, based upon inspection	Rills/gullies forming on side slopes, trickle channel, other areas	Repair eroded areas Revegetate; address source of erosion
Vegetation Removal/Tree Thinning	As needed, based upon inspection	Large trees/wood vegetation in lower chamber of pond	Remove vegetation; restore grade and surface
Drain Cleaning/Jet Vac	As needed, based upon inspection	Sediment build-up /non draining system	Clean drains; Jet Vac if needed

*Usually from the forebay, trickle channel, and/or micro-pool

EDB-3.7.1 Sediment Removal

Sediment removal is necessary to maintain the original design volume of the EDB and to ensure proper function of the infrastructure. Regular sediment removal (minor) from the forebay, inflow(s), and trickle channel can significantly reduce the frequency of major sediment removal activities (dredging) in the upper and lower stages. The minor sediment removal activities can typically be addressed with shovels and smaller equipment.

Stormwater sediments removed from EDBs do not meet the criteria of "hazardous waste". However, these sediments are contaminated with a wide array of organic and inorganic pollutants and handling must be done with care. Sediments from permanent pools must be carefully removed to minimize turbidity, further sedimentation, or other adverse water quality impacts. Sediments should be transported by motor vehicle only after they are dewatered. All sediments must be taken to a landfill for proper disposal. Prompt and thorough cleanup is important should a spill occur during transportation.

Frequency – Non-routine – As necessary based upon inspections. Sediment removal in the forebay, trickle channel, and micro-pool may be necessary as frequently as every 1-2 years.

EDB-3.7.2 Erosion Repair

The repair of eroded areas is necessary to ensure the proper function of the EDB, minimize sediment transport, and to reduce potential impacts to other features. Erosion can vary in magnitude from minor repairs to trickle channels, energy dissipaters, and rilling to major gullies in the embankments and spillways. The repair of eroded areas may require the use of excavators, earthmoving equipment, riprap, concrete, erosion control blankets, and turf reinforcement mats. Major erosion repair to the pond embankments, spillways, and adjacent to structures will require consultation with Fremont County Water, and Engineering Staff.

Frequency – Non-routine – As necessary based upon inspections.

EDB-3.7.3 Vegetation Removal/Tree Thinning

Dense stands of woody vegetation (willows, shrubs, etc) or trees can create maintenance problems for the infrastructure within an EDB. Tree roots can damage structures and invade pipes/channels thereby blocking flows. Also, trees growing in the upper and lower stages of the EDB will most likely have to be removed when sediment/dredging operations occur. A small tree is easier to remove than a large tree, therefore, regular removal/thinning is imperative. All trees and woody vegetation that is growing in the bottom of the EDB or near structures (inflows, trickle channels, outlet works, emergency spillways, etc.) should be removed. Any trees or woody vegetation in the EDB should be limited to the upper portions of the pond banks.

Frequency – Non-routine – As necessary based upon inspections.

EDB-3.7.4 Clearing Drains/Jet-Vac

An EDB contains many structures, openings, and pipes that can be frequently clogged with debris. These blockages can result in a decrease of hydraulic capacity and create standing water in areas outside of the micro-pool. Many times the blockage to this infrastructure can be difficult to access and/or clean. Specialized equipment (jet-vac machines) may be necessary to clear debris from these difficult areas.

Frequency – Non-routine – As necessary based upon inspections.

EDB-3.8 Major Maintenance Activities

This work consists of larger maintenance/operational problems and failures within the stormwater management facilities. All of this work requires consultation with Fremont County to ensure the proper maintenance is performed. This work requires the Fremont County Water Staff review the original design before approval of the proposed maintenance. **A public improvements permit shall be required for all major maintenance activities.** This work may also require more specialized maintenance equipment, design/details, submittal of plans to Fremont County for review and approval, surveying, or assistance through private contractors and consultants.

Table – EDB-4
Summary of Major Maintenance Activities

Maintenance Activity	Minimum Frequency	Look for:	Maintenance Action
Major Sediment Removal	As needed – based upon scheduled inspections	Large quantities of sediment; reduced pond capacity	Remove and dispose of sediment. Repair vegetation as needed
Major Erosion Repair	As needed – based upon scheduled inspections	Severe erosion including gullies, excessive soil displacement, areas of settlement, holes	Repair erosion – find cause of problem and address to avoid future erosion
Structural Repair	As needed – based upon scheduled inspections	Deterioration and/or damage to structural components – broken concrete, damaged pipes, outlet works	Structural repair to restore the structure to its original design

EDB-3.8.1 Major Sediment Removal

Major sediment removal consists of removal of large quantities of sediment or removal of sediment from vegetated areas. Care shall be given when removing large quantities of sediment and sediment deposited in vegetated areas. Large quantities of sediment need to be carefully removed, transported and disposed of. Vegetated areas need special care to ensure design volumes and grades are preserved.

Major sediment removal activities will require larger and more specialized equipment. The major sediment activities will also require surveying with an engineer's level, and consultation with Fremont County Water, and Engineering Staff to ensure design

volumes/grades are achieved. Pond volume recertification will be required in accordance with Fremont County drainage criteria manual.

Frequency – Non-routine – Repair as needed based upon inspections.

EDB-3.8.2 Major Erosion Repair

Major erosion repair consists of filling and revegetating areas of severe erosion. Determining the cause of the erosion as well as correcting the condition that caused the erosion should also be part of the erosion repair. Care should be given to ensure design grades and volumes are preserved. Any condition/repair affecting design grades or pond volumes requires consultation with Fremont County Water and Engineering Staff.

Frequency – Non-routine – Repair as needed based upon inspections.

EDB-3.8.3 Structural Repair

An EDB includes a variety of structures that can deteriorate or be damaged during the course of use and routine maintenance. These structures are constructed of steel and concrete that can degrade or be damaged and may need to be repaired or re-constructed from time to time. These structures include items like outlet works, trickle channels, forebays, inflows and other features. In-house operations staff can perform some of the minor structural repairs. Major repairs to structures may require input from a structural engineer and specialized contractors. Consultation with the Fremont County and Engineering Staff shall take place prior to all structural repairs.

Frequency – Non-routine – Repair as needed based upon inspections.

Reference:

This plan is adapted from Southeast Metro Stormwater Authority, *Operation and Maintenance (O & M) Manual,* **and Town of Parker, Colorado,** *Stormwater Permanent Best Management Practices (PBMP) Long-Term Operation and Maintenance Manual*, October 2004

Appendix C-2

Grass Buffers and Grass Swales

Updated 2/2024

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Standard Operation Procedures
for
Inspection and Maintenance

Grass Buffers and Grass Swales
(GB-GS)

September 2010

Updated 2/2024

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GB-GS-1 Background

Grass Buffers and Grass Swales are common types of Stormwater Management Facilities utilized within the Front Range of Colorado. Grass Buffers and Grass Swales promote filtration, infiltration, and settling to reduce runoff volume.

Grass Buffers are uniformly graded and densely vegetated areas of turf grass. They are designed to accommodate sheet flow rather than concentrated or channelized flow. They are typically located adjacent to impervious areas such as parking lots or along roads. Grass Buffers are designed to evenly distribute runoff across the width of the buffer to achieve uniform sheet-flow conditions. A flow spreader may be incorporated for this purpose. In some cases, grass buffers may have underdrain systems.

Grass Swales are densely vegetated drainage ways with low-pitched side slopes that collect and convey runoff. Design of their longitudinal slope and cross section forces the flow to be slow and shallow, thereby facilitating sedimentation while limiting erosion. Berms or check dams may be installed perpendicular to the flow to decrease the slope and slow down the flow. Grass swales are used in open space and landscaped areas to collect and convey overland flows, and can be used as an alternative to curb and gutter (when approved by the City Engineer) to collect and convey street flows. Some grass swales are designed with underdrain systems.

GB-GS-2 Inspecting Grass Buffers and Swales (GB-GS)

GB-GS-2.1 Access and Easements

Inspection and maintenance personnel may utilize the stormwater facility map located in Appendix G containing the locations of the access points and maintenance easements of the GB-GSs within this development.

GB-GS-2.2 Stormwater Management Facilities Locations

Inspection and maintenance personnel may utilize the stormwater facility map located in Appendix G containing the locations of the GB-GSs within this development.

GB-GS-2.3 Grass Buffer - Grass Swale (GB-GS) Features

GB-GSs are unique stormwater quality facilities, in that they are typically viewed as landscaping or ground cover, and are often overlooked as water quality treatment facilities. GB-GSs have a number of features designed to serve a particular function. It is important for maintenance personnel to understand the function of each of these features. Below is a list of the common features of a Grass Swale or Grass Buffer and the corresponding maintenance inspection items anticipated:

Table GB-GS-1
Typical Inspection & Maintenance Requirements Matrix

	Sediment Removal	Mowing Weed control	Trash & Debris Removal	Erosion	Removal/ Replacement	Structural Repair
Swale Bottom	X	X	X	X		
Side Slope		X	X	X		
Buffer Strip	X	X	X	X		
Inflows	X	X	X	X	X	X
Underdrain System*					X	
Grade Control/Level Spreader				X		X
Irrigation System					X	

*If the design and inspection allows, flushing of the system may be all that is needed.

GB-GS-2.3.1 Grass Swale Bottom and Side Slopes; Grass Buffer Strips

Grass Swales and Grass Buffers require general maintenance of the turf grass and repair of any rill or gully development. The bottom and side slopes of grass swales and the area of grass buffer strips should be maintained with dense vegetative cover, and should not be eroded or bare. Inspection over the first few years will help to determine if any problems are developing.

The typical maintenance items required at the side slopes and bottoms of grass swales and within grass buffer areas are as follows:

a. Sediment Accumulation – The purpose of the grass swale or buffer is to slow down flow and allow sedimentation to occur. To prevent a loss in performance of the swale or buffer, sediment that accumulates must be removed on a timely basis.

b. Vegetation Sparse – Grass Swales and Buffers rely on a healthy, dense cover of grass to decrease the flow velocities and promote sedimentation and infiltration. Grasses that are diseased, dying or otherwise damaged should be replaced. All bare areas should be reseeded or patched. Causes which contribute to the damaged grass cover, including lack of adequate irrigation, traces of pedestrian or vehicular traffic, uncontrolled weeds, excessive sedimentation accumulation, etc., should be identified and remedied.

c. Erosion Present – Lack of adequate vegetative cover or excessive flow velocities may result in rill or gully development, and erosion of the swale or buffer strip. Erosion will require maintenance to prevent further damage to the area and to prevent sediment transport.

d. *Standing Water/Boggy Areas* – Grass swales and buffers are generally intended to drain and be dry in between rain events. If areas of standing water are present,

the swale or buffer may need to be evaluated for proper grade to ensure drainage or the addition of underdrains. In some cases, where underdrains are used, the underdrains should be inspected to ensure that they are not clogged.

GB-GS-2.3.2 Inflow Points

Inflow points are the points of stormwater discharge into the swale or buffer. Inflow points are typically pipe outfalls, other grass swales or buffers, or curb cuts from upstream impervious areas, such as parking lots. Some form of energy dissipation is typically provided immediately downstream of the inflow point into the grass swale or buffer. Energy dissipation devices may include riprap aprons, or flow spreader devices.

The typical maintenance items required at inflow points are as follows:

a. Riprap Displaced/Rundown Damaged – Often, because of, the repeated impact/force of water, the riprap can shift and settle. If any portion of the riprap rundown or apron appears to have settled, if soil is present between the riprap, or if the riprap has shifted, maintenance may be required to ensure future erosion is prevented.

b. Erosion Present/Outfall Undercut – In some situations, an energy dissipater may have not been provided, or may not have been sized, constructed, or maintained appropriately and erosion has occurred. Any erosion within the vicinity of the inflow point will require maintenance to prevent damage to the structure(s) and sediment transport within the facility.

c. Sediment Accumulation – Because of the turbulence in the water created by the energy dissipater, sediment often deposits immediately downstream of the inflow point. To prevent a loss in performance, sediment that accumulates in this area must be removed on a timely basis.

GB-GS-2.3.3 Underdrain System

Some grass swales and buffers that have a flatter slope or soils which do not allow adequate percolation or are in areas with a continuous base flow may have been installed with an underdrain system. Underdrains typically consist of a layer of geotextile fabric, gravel storage area and perforated PVC pipe. The geotextile fabric is utilized to prevent the filter material from entering the underdrain system. The gravel storage area allows for storage of treated stormwater runoff prior to the discharge of the runoff through the perforated PVC pipe.

The typical maintenance activities required for the underdrain system are as follows:

With proper maintenance of the grassed areas, there should be a minimum amount of maintenance required on the underdrain system. Generally the only maintenance performed on the underdrain system is jet-vac cleaning in the event it becomes clogged.

GB-GS-2.3.4 Grade Control Level Spreader

Grass swales installed in areas with steep longitudinal slopes often necessitate the use of grade control checks or drop structures. Grade control structures are typically either concrete walls or rip rap structures that serve to provide a reinforced drop at specific locations in the channel, reducing the longitudinal slope between the control structures.

Level Spreaders are installed on the upstream of grass buffers to evenly distribute flows along the design length. Level spreaders may consist of slotted curbing, modular block porous pavement, level walls or other spreader devices.

The typical maintenance activities required for grade control structures and level spreaders are as follows:

a. Erosion present – Grade control structures and level spreaders are provided to reduce the potential for erosion of the grassed swale or buffer areas. Erosion within the vicinity of the control structure or level spreader indicates the structure is not functioning as intended and requires maintenance to prevent future erosion and damage. Or, review the original design if erosion becomes chronic.

b. Structural damage – Structural damage can occur at any time along the life of the facility. Typically, structural damage occurs with the deterioration of concrete, including cracking, spalling or settling and the erosion and deterioration of the riprap structures. Level spreaders may settle unevenly creating low areas, which concentrate the flows. Partial or full replacement may be required depending on the extent of the damage.

GB-GS-2.3.5 Irrigation

Grass Buffers and Grass Swales depend on healthy, dense turf grass to function, and therefore require an irrigation system, to provide a consistent water supply. Typically, the condition of the grass cover will provide evidence of the effectiveness and maintenance needs of the irrigation system.

The typical maintenance activities required for irrigation systems are as follows:

Irrigation systems will generally require routine periodic maintenance and adjustment to ensure proper amounts of water are being applied given the weather conditions, and that they are providing coverage to all areas of the grass to eliminate bare spots.

GB-GS-2.3.6 Miscellaneous

There are a variety of inspection/maintenance issues that may not be attributed to a single feature within the GB-GS. This category on the inspection form is for maintenance items commonly found in the GB-GS, but may not be attributed to an individual feature.

a. Encroachment in Easement Area – Fremont County requires GB-GS be located in tracts or drainage easements. Property owners may not place

landscaping, trash, fencing, or other items within the easement area that may adversely affect maintenance or the operation of the facility.

b. Public Hazards – Public hazards include items such as containers of unknown/suspicious substances, and exposed metal/jagged concrete on structures. **If any unknown/suspicious hazard is found within the facility area that poses an immediate threat to public safety, call 911 immediately.**

c. Burrowing Animals/Pests– Prairie dogs and other burrowing rodents may cause damage to the GB-GS features and negatively affect the vegetation within the GB-GS.

d. Other – Any miscellaneous inspection/maintenance items not contained on the form should be entered here.

GB-GS-2.4 Inspection Forms

GB-GS Inspection forms are located in Appendix D. Inspection forms shall be completed by the person(s) conducting the inspection activities. Each form shall be reviewed and submitted by the property owner or property manager to Fremont County per the requirements of the Inspection and Maintenance Plan. These inspection forms shall be kept indefinitely and made available to Fremont County upon request

GB-GS-3 Maintaining Grass Buffers and Grass Swales (GB-GS)

GB-GS-3.1 Maintenance Personnel

Maintenance personnel must be experienced to properly maintain GB-GSs. Inadequately trained personnel can cause additional problems resulting in additional maintenance costs.

GB-GS-3.2 Equipment

It is imperative the appropriate equipment and tools are taken to the field with the operations crew. The types of equipment/tools will vary depending on the task at hand. Below is a basic list of tools, equipment, and material(s) that may be necessary to perform maintenance on a GB-GS:

1. Mowing Tractors
2. Trimmers (extra string)
3. Shovels
4. Rakes
5. All Surface Vehicle (ASVs)
6. Engineers Level (laser)
7. Erosion Control Blanket(s)
8. Mulch
9. Sod or Seed (See seed mix in the *Rules and Regulations*

Regarding Stormwater (Quality) Discharge for Construction Activities, Std Det. SM, Seeding & Mulching)

10. Illicit Discharge Cleanup Kits
11. Trash Bags
12. Jet-Vac Equipment
13. Stormwater Facility Inspection and Maintenance Plan

Some of the items identified above may not be needed for every maintenance operation. However, this equipment should be available to the maintenance operations crews should the need arise.

GB-GS-3.3 Maintenance Forms

The GB-GS Maintenance Form provides a record of each maintenance operation performed by maintenance contractors. The GB-GS Maintenance Form shall be filled out in the field after the completion of the maintenance operation. Each form shall be reviewed and submitted by the property owner or property manager to Fremont County per the requirements of the Inspection and Maintenance Plan. The GB-GS Maintenance form is located in Appendix E.

GB-GS-3.4 Maintenance Categories and Activities

A typical GB-GS Maintenance Program will consist of three broad categories of work: Routine, Minor and Major. Within each category of work, a variety of maintenance activities can be performed on a GB-GS. A maintenance activity can be specific to each feature within the GB-GS, or general to the overall facility. This section of the SOP explains each of the categories and briefly describes the typical maintenance activities for a GB-GS.

A variety of maintenance activities are typical of GB-GSs. The maintenance activities range in magnitude from routine trash pickup to the reconstruction of the GB-GS or underdrain system. Below is a description of each maintenance activity, the objectives, and frequency of actions.

GB-GS-3.5 Routine Maintenance Activities

The majority of this work consists of scheduled mowing, trash and debris pickups and landscape care for the GB-GS during the growing season. It also includes activities such as weed control. These activities normally will be performed numerous times during the year. These items do not require any prior approval by Fremont County however, completed inspection and maintenance forms shall be submitted to Fremont County for each inspection and maintenance activity in accordance with the Inspection and Maintenance plan.

The Routine Maintenance Activities are summarized below, and further described in the following sections.

Table GB-GS-2
Summary of Routine Maintenance Activities

Maintenance Activity	Minimum Frequency	Indication Action is Needed:	Maintenance Action
Trash/Debris Removal	Twice annual and before mowing	Trash & debris in GB-GS	Remove and properly dispose of trash and debris
Mowing	Routine – as necessary to maintain 2"- 4" grass height	Excessive grass height/aesthetics	2"- 4" grass height for turf grass; 4" - 6" for native grass
Irrigation (Automatic)	Three times annually	Areas of insufficient or excess watering; broken or missing parts	SPRING: start up system; test for even coverage and correct timer settings SUMMER: test for even coverage and correct timer settings FALL: drain and winterized system (follow watering regulations)
Irrigation (Not Automatic)	As needed to maintain healthy grass	Areas of insufficient or excess watering	Water as needed to maintain healthy grass; (follow watering regulations)
Weed Control	Minimum twice annually	Noxious weeds; Unwanted vegetation	Treat w/herbicide or hand pull; consult a local Weed Inspector
Mosquito Treatment	As needed, based upon inspections	Standing water/ mosquito habitat	Perform maintenance to eliminate standing water*; Treat w/ EPA approved chemicals
Level Spreader (Grass Buffer only)	As needed, based upon inspections	Evidence of uneven flow/localized erosion	Look for cause; repair, fill or revegetate areas of erosion
Rodent Damage	As needed, based upon inspections	Holes, small piles of dirt, raised burrows	Evaluate damage; contact Parks Dept. or Division of Wildlife for guidance

*See Section GB-GS-2.3.1d for further discussion

GB-GS-3.5.1 Trash/Debris Removal

Trash and debris must be removed from the GB-GS area to allow for proper functioning and to improve aesthetics. This activity must be performed prior to mowing operations.

Frequency – Routine – Prior to mowing operations and a minimum of twice annually.

GB-GS-3.5.2 Mowing

Routine mowing of the turf grass embankments is necessary to maintain an appropriate grass height and to improve the overall appearance of the GB-GS. Turf grass should be mowed to a height of 2 to 4 inches (4-6 inches for native grass) and shall be bagged to prevent potential contamination of the filter media, especially if there is an underdrain system.

Frequency – Routine – as necessary to maintain grass height.

GB-GS-3.5.3 Irrigation

Irrigation systems should be maintained in proper working order to provide an adequate water supply to support the grass cover. When automatic irrigation systems are not available, alternate methods for providing a water supply during times of drought must be provided.

Automatic irrigation systems should be maintained routinely throughout the growing season to ensure that they are providing the appropriate amounts of water, and are providing complete coverage of the area. Sprinkler heads should be adjusted as necessary, and checked for broken or missing parts.

Frequency - Routine as needed throughout the growing season, plus the following:

Spring: Start up the system and test for even coverage and correct timer settings.

Summer: Test for even coverage and correct timer settings.

Fall: Drain and winterize the system.

GB-GS-3.5.4 Weed Control

Noxious weeds and other unwanted vegetation must be treated as needed throughout the GB-GS. This activity can be performed either through mechanical means (mowing/pulling) or with herbicide. Consultation with a local Weed Inspector is highly recommended prior to the use of herbicide. Herbicides should be utilized sparingly and as a last resort. All herbicide applications should be in accordance with the manufacturer's recommendations.

Frequency – Routine – As needed based upon inspections.

GB-GS-3.5.5 Mosquito Treatment

GB-GS facilities are intended to drain, and should not have areas of standing water which creates mosquito habitat. Causes of the standing water or boggy conditions should be investigated and remediated as necessary to eliminate the standing water. Only EPA approved chemicals should be applied in accordance with the recommendations of the manufacturer. See Section GB-GS-2.3.1d.

Frequency – As needed based upon inspections.

GB-GS-3.5.6 Level Spreader (Grass Buffer only)

Evidence of uneven flow and localized erosion downstream of the level spreader indicates the flow is not evenly distributed along the length of the spreader. Areas of erosion should be repaired, filled and revegetated. Causes for the erosion should be investigated and repaired.

Frequency – As needed based upon inspections.

GB-GS-3.5.7 Rodent Damage

Small holes, piles of dirt, and raised burrows are evidence of rodent damage. Damaged areas should be repaired and revegetated. Consultation with an animal control specialist or the Division of Wildlife may be required for persistent problems.

Frequency – As needed based on inspections.

GB-GS-3.6 Minor Maintenance Activities

This work consists of a variety of isolated or small-scale maintenance/operational problems. Most of this work can be completed by a small crew, hand tools, and small equipment. These items require approval by Fremont County Completed inspection and maintenance forms shall be submitted to Fremont County for each inspection and maintenance activity.

Table GB-GS-3
Summary of Minor Maintenance Activities

Maintenance Activity	Minimum Frequency	Indication Action is Needed:	Maintenance Action
Sediment Removal	As needed.	Sediment build-up.	Remove and properly dispose of sediment.
Erosion Repair	As needed, based upon inspection.	Rills and gullies forming on slopes and other areas.	Repair eroded areas and revegetate; address cause.
Vegetation Removal	As needed, based upon inspection	Trees, willows, shrubs impeding flow.	Remove vegetation; restore correct grade and surface.
Revegetation	As needed, based upon inspection.	Areas without grass.	Replace grass by sodding or seeding.
Irrigation (Automatic)	As needed, based upon inspection.	Evidence of broken or missing parts.	Replace parts and test system.
Level Spreader (Grass Buffer Only)	As needed, based upon inspection.	Evidence of uneven flow; erosion; or rills/gullies.	Repair sections of level spreader and address cause.
Fertilization or Soil Amendment	As needed, minimize fertilization.	Grass with pale color; areas with poor grass growth not due to irrigation problems.	Consult with turf specialist; Test soil.
Vehicle Tracks (Along Roadways)	As needed, based upon inspection.	Depressions from vehicle tracks; vegetation damage.	Repair and fill depressions; sod or seed damaged areas.

GB-GS-3.6.1 Sediment Removal

Sediment removal is necessary to ensure proper function of the grass swale or buffer. Care should be taken when removing sediment to prevent damage to the turf grass and surrounding areas. Excessive amounts of sediment are an indication of upstream erosion or lack of adequate BMPs during construction activities. Causes for contributions of excess sediment should be investigated and addressed.

Frequency – As needed based upon inspections.

GB-GS-3.6.2 Erosion Repair

The repair of eroded areas is necessary to ensure the proper functioning of the GB-GS, to minimize sediment transport, and to reduce potential impacts to other features. Erosion can vary in magnitude from minor repairs to vegetation and embankments, to rills and gullies in the embankments and inflow points. The repair of eroded areas may require the use of excavators, riprap, new poured-in-place concrete, and sod. Extreme care should be taken when utilizing motorized or heavy equipment to ensure damage to the underdrain system, if present, does not occur. Major erosion in a GS-GB is generally the result of excessive velocities caused by steep slopes. It may be necessary to make design improvements to the swale or buffer when erosion becomes a major maintenance item.

Frequency – As necessary, based upon inspections.

GB-GS-3.6.3 Vegetation Removal

Weeds, Shrubs, Willows and other unwanted vegetation that develops in the grass swale or buffer area may impede the flow and cause standing water or back flow problems. It is necessary to remove unwanted vegetation as soon as it appears. Remove the unwanted vegetation, and restore the correct grade. Revegetate with seed or sod. Supplement irrigation as needed until new vegetation is sufficiently established.

Frequency – As necessary, based upon inspections.

GB-GS -3.6.4 Revegetation

Bare areas should be repaired as soon as possible. Repair bare areas with appropriate grass seed or sod. Supplement irrigation as needed until new vegetation is sufficiently established. Causes of the problem, such as inadequate water supply or diseased grasses, should be investigated and resolved.

Frequency – As necessary, based upon inspections.

GB-GS-3.6.5 Irrigation (Automatic)

Irrigation systems require routine maintenance in accordance with the manufacturer's recommendations (valves, timer, etc.), and maintenance of the pipe and heads to ensure even coverage is being applied, and there are no missing or broken parts. Timing systems should be checked to verify the correct amount of water is being applied to the grassed areas for the seasonal conditions.

Frequency – As necessary, based upon inspections.

GB-GS-3.6.6 Level Spreader

Level Spreaders that are no longer level, or have developed damaged areas of cracking or spalling, allow flows to concentrate in these depressed areas instead of

being distributed over the length of the structure. Also, buildup of grasses along the edge of the spreader may create an uneven flow distribution. Rills, gullies and other erosion that develop downstream of level spreaders should be repaired and reseeded or sodded. Causes of the erosion should be investigated and addressed.

Frequency – As necessary, based upon inspections.

GB-GS-3.6.7 Fertilization/Soil Amendment

Grass Buffers and Swales rely on healthy, dense turf in order to function properly. Grasses that appear to be diseased, dying or unhealthy may require amendments. Fertilizers should be applied in the minimum amounts recommended by the manufacturer. Check for insect infestation also.

Frequency – As necessary, based upon inspections.

GB-GS-3.6.8 Vehicle Tracks

GB-GSs adjacent to roadway sections or drive aisles in parking lots may be damaged by vehicle tracks. Rutted areas should be filled in and revegetated as soon as possible. Frequent problems associated with vehicle traffic (such as around corners) may require a barrier or sign to avoid vehicular traffic within the grassed areas.

Frequency – As necessary, based upon inspections.

GB-GB-3.7 Major Maintenance Activities

This work consists of larger maintenance/operational problems and failures within the stormwater management facilities. All of this work requires consultation with the Fremont County Water Staff to ensure the proper maintenance is performed. This work requires Fremont County Engineering Staff review the original design and construction drawings to assess the situation before approval of the proposed maintenance. This work may also require more specialized maintenance equipment, design/details, submittal of plans to Fremont County for review and approval, surveying, or assistance through private contractors and consultants.

Table GB-GS-4
Summary of Major Maintenance Activities

Maintenance Activity	Minimum Frequency	Look for:	Maintenance Action
Major Sediment/Pollutant Removal	As needed – based upon scheduled inspections.	Large quantities of sediment.	Remove and dispose of sediment. Repair vegetation as needed.
Major Erosion Repair	As needed – based upon scheduled inspections.	Severe erosion including gullies, excessive soil displacement, areas of settlement, holes	Repair erosion – find cause of problem and address to avoid future erosion.
Structural Repair	As needed – based upon scheduled inspections.	Deterioration and/or damage to structural components – level spreader, grade control structures, irrigation components, and ponding water.	Structural repair to restore the structure to its original design.
GB-GS Rebuild	As needed – due to complete failure of BMP.	Removal of filter media and underdrain system.	Contact Fremont County

GB-GS-3.7.1 Major Sediment/Pollutant Removal

Major sediment removal consists of removal of large quantities of pollutants/sediment /landscaping material. Stormwater sediments removed from GB-GSs do not meet the regulatory definition of "hazardous waste". However, these sediments can be contaminated with a wide array of organic and inorganic pollutants and handling must be done with care to insure proper removal and disposal. Sediments should be transported by motor vehicle only after they are dewatered. All sediments must be taken to a licensed landfill for proper disposal. Should a spill occur during transportation, prompt and thorough cleanup and disposal is imperative. Vegetated areas need special care to ensure design volumes and grades are preserved or may need to be replaced due to the removal activities.

Frequency – Non-routine – Repair as needed, based upon inspections.

GB-GS-3.7.2 Major Erosion Repair

Major erosion repair consists of filling and revegetating areas of severe erosion. Determining the cause of the erosion as well as correcting the condition that caused the erosion should also be part of the erosion repair. Care should be given to ensure design grades and volumes are preserved.

Frequency – Non-routine – Repair as needed, based upon inspections.

GB-GS-3.7.3 Structural Repair

A GB-GS generally includes level spreader and grade control structure that can deteriorate or be damaged during the service life of the facility. These structures are constructed of steel and concrete that can degrade or be damaged and may need to be repaired or re-constructed from time to time. Major repairs to structures may require input from a structural engineer and specialized contractors. Consultation with the Fremont County Engineering Staff shall take place prior to all structural repairs.

Frequency – Non-routine – Repair as needed, based upon inspections.

GB-GS-3.7.4 GB-GS Rebuild

In very rare cases, a GB-GS may need to be rebuilt. Generally, the need for a complete rebuild is a result of improper construction, improper maintenance resulting in structural damage to the underdrain system, if present, or extensive contamination of the GB-GS. Consultation with Fremont County Water and Engineering Staff shall take place prior to any rebuild project.

Frequency – Non-routine – As needed based upon inspections.

Reference:

This plan is adapted from Southeast Metro Stormwater Authority, *Operation and Maintenance (O & M) MANUAL,* **and the Douglas County, Colorado,** *Standard Operating Procedure for Extended Detention Basin (EDB) Inspection and Maintenance,* July 2005

Appendix D

Inspection Forms

EXTENDED DETENTION BASIN (EDB)
INSPECTION FORM

Date:_____

Subdivision/Business Name:_____ Inspector:_____

Subdivision/Business Address:_____

Weather: _____

Date of Last Rainfall:_____ Amount:_____Inches

Property Classification: Residential Multi Family Commercial Other:_____
(Circle One)

Reason for Inspection: Routine Complaint After Significant Rainfall Event
(Circle One)

INSPECTION SCORING - For each facility inspection item, insert one of the following scores:

0 = No deficiencies identified
1 = Monitor (potential for future problem)
2 = Routine maintenance required
3 =Immediate repair necessary
N/A = Not applicable

FEATURES

1.) Inflow Points
- ____Riprap Displaced
- ____Erosion Present/Outfall Undercut
- ____Sediment Accumulation
- ____Structural Damage (pipe, end-section, etc.)
- ____Woody Growth/Weeds Present

2.) Forebay
- ____Sediment/Debris Accumulation
- ____Concrete Cracking/Failing
- ____Drain Pipe/Wier Clogged (not draining)
- ____Wier/Drain Pipe Damage

3.) Trickle Channel (Low-flow)
- ____Sediment/Debris Accumulation
- ____Concrete/Riprap Damage
- ____Woody Growth/Weeds Present
- ____Erosion Outside Channel

4.) Bottom Stage (Micro-Pool)
- ____Sediment/Debris Accumulation
- ____Woody Growth/Weeds Present
- ____Bank Erosion
- ____Mosquitoes/Algae Treatment
- ____Petroleum/Chemical Sheen

5.) Outlet Works
- ____Trash Rack/Well Screen Clogged
- ____Structural Damage (concrete,steel,subgrade)
- ____Orifice Plate(s) Missing/Not Secure
- ____Manhole Access (cover, steps, etc.)
- ____Woody Growth/Weeds Present

6.) Emergency Spillway
- ____Riprap Displaced
- ____Erosion Present
- ____Woody Growth/Weeds Present
- ____Obstruction/Debris

7.) Upper Stage (Dry Storage)
- ____Vegetation Sparse
- ____Woody Growth/Undesirable Vegetation
- ____Standing Water/Boggy Areas
- ____Sediment Accumulation
- ____Erosion (banks and bottom)
- ____Trash/Debris
- ____Maintenance Access

8.) Miscellaneous
- ____Encroachment in Easement Area
- ____Graffiti/Vandalism
- ____Public Hazards
- ____Burrowing Animals/Pests
- ____Other

Inspection Summary / Additional Comments:_____

OVERALL FACILITY RATING (Circle One)

0 = No Deficiencies Identified
1 = Monitor (potential for future problem exists)
2 = Routine Maintenance Required
3 = Immediate Repair Necessary

GRASS BUFFER-GRASS SWALE
INSPECTION FORM

Date:_____

Subdivision/Business Name:_____ Inspector:_____

Subdivision/Business Address:_____ _____

Weather: _____

Date of Last Rainfall:_____ Amount:_____ Inches

Property Classification: Residential Multi Family Commercial Other:_____
(Circle One)

Reason for Inspection: Routine Complaint After Significant Rainfall Event
(Circle One)

INSPECTION SCORING - For each facility inspection item, insert one of the following scores:

0 = No deficiencies identified
1 = Monitor (potential for future problem)
2 = Routine maintenance required
3 =Immediate repair necessary
N/A = Not applicable

FEATURES

1.) Grass Swale Bottom & Side Slopes
- ____Sediment/Debris Accumulation
- ____Vegetation Cover
- ____Erosion Present
- ____Standing Water/Boggy Areas

2.) Grass Buffer
- ____Sediment/Debris Accumulation
- ____Vegetation Cover
- ____Erosion Present
- ____Standing Water/Boggy Areas

3.) Inflow Points
- ____Rip Rap Displaced/Rundown or Pipe Damage
- ____Erosion Present/Outfall Undercut
- ____Sediment Accumulation

4.) Underdrain System
- ____Standing water/Not draining
- ____Evidence of clogged system

5.) Grade Control
- ____Erosion Present
- ____Structural Damage

6.) Level Spreader
- ____Erosion Present
- ____Structural Damage
- ____Unlevel/Uneven Distribution of flow

7.) Irrigation
- ____General Grass Condition
- ____Bare Spots
- ____Broken sprinkler heads

8.) Miscellaneous
- ____Encroachment in Easement Area
- ____Public Hazards
- ____Burrowing Animals/Pests
- ____Other

Inspection Summary / Additional Comments:_____

OVERALL FACILITY RATING (Circle One)

0 = No Deficiencies Identified
1 = Monitor (potential for future problem exists)
2 = Routine Maintenance Required
3 = Immediate Repair Necessary

Appendix E

Maintenance Forms

EXTENDED DETENTION BASIN (EDB)
MAINTENANCE FORM

Subdivision/Business Name:_____ Completion Date:_____

Subdivision/Business Address:_____ Contact Name:_____

Maintenance Category: (Circle All That Apply) Routine Restoration Rehabilitation

MAINTENANCE ACTIVITIES PERFORMED

ROUTINE WORK

____ MOWING
____ TRASH/DEBRIS REMOVAL
____ OUTLET WORKS CLEANING (TRASH RACK/WELL SCREEN)
____ WEED CONTROL (HERBICIDE APPLICATION)
____ MOSQUITO TREATMENT
____ ALGAE TREATMENT

RESTORATION WORK

____ SEDIMENT REMOVAL
- ____ FOREBAY
- ____ TRICKLE CHANNEL
- ____ INFLOW

____ EROSION REPAIR
- ____ INFLOW POINT
- ____ TRICKLE CHANNEL

____ VEGETATION REMOVAL/TREE THINNING
- ____ INFLOW(S)
- ____ TRICKLE CHANNEL
- ____ UPPER STAGE
- ____ BOTTOM STAGE

____ REVEGETATION
____ JET-VAC/CLEARING DRAINS
- ____ FOREBAY
- ____ OUTLET WORKS
- ____ INFLOWS

REHABILITATION WORK

____ SEDIMENT REMOVAL (DREDGING)
- ____ BOTTOM STAGE
- ____ UPPER STAGE

____ EROSION REPAIR
- ____ OUTLET WORKS
- ____ UPPER STAGE
- ____ BOTTOM STAGE
- ____ SPILLWAY

____ STRUCTURAL REPAIR
- ____ INFLOW
- ____ OUTLET WORKS
- ____ FOREBAY
- ____ TRICKLE CHANNEL

OTHER_____
_____
_____

ESTIMATED TOTAL MANHOURS: _____

EQUIPMENT/MATERIAL USED: _____

_____

_____

COMMENTS/ADDITIONAL INFO:

_____

_____

GRASS BUFFERS AND GRASS SWALES
(GB-GS)
MAINTENANCE FORM

Subdivision/Business Name:_____ Completion Date:_____

Subdivision/Business Address:_____ Contact Name:_____

Maintenance Category: Routine Restoration Rehabilitation
(Circle all that apply)

MAINTENANCE ACTIVITIES PERFORMED

ROUTINE WORK

____ MOWING
____ TRASH/DEBRIS REMOVAL
____ OUTLET WORKS CLEANING (TRASH RACK/WELL SCREEN)
____ WEED CONTROL (HERBICIDE APPLICATION)

RESTORATION WORK

____ SEDIMENT REMOVAL
- ____ INFLOW POINT
- ____ SWALE BOTTOM
- ____ SIDE SLOPE
- ____ BUFFER STRIP

____ EROSION REPAIR
- ____ INFLOW POINT
- ____ SWALE BOTTOM
- ____ SIDE SLOPE
- ____ BUFFER STRIP
- ____ GRADE CONTROL/LEVEL SPREADER

____ REVEGETATION
- ____ SWALE BOTTOM
- ____ SIDE SLOPE
- ____ BUFFER STRIP

REHABILITATION WORK

____ SEDIMENT REMOVAL (DREDGING)
- ____ SWALE BOTTOM
- ____ INFLOW POINT

____ EROSION REPAIR
- ____ INFLOW POINT
- ____ SWALE BOTTOM
- ____ SIDE SLOPE
- ____ BUFFER STRIP

____ STRUCTURAL REPAIR
- ____ INFLOW
- ____ UNDERDRAIN
- ____ LEVEL SPREADER

OTHER_____
_____
_____
_____
_____
_____

ESTIMATED TOTAL MANHOURS: _____

EQUIPMENT/MATERIAL USED: _____

_____

_____

COMMENTS/ADDITIONAL INFO: _____

_____

Appendix F

Annual Inspection and Maintenance Reporting Form

Annual Inspection and Maintenance Reporting Form
for
Stormwater Facilities

(This form shall be submitted to the Fremont County Engineering Departments prior to May 31 of each year along with the Inspection Forms and Maintenance Forms as required for the property)

Date: _____

To: Fremont County Engineer
615 Macon Avenue, Room 203b
Canon City, Colorado 81212

Re: Certification of Inspection and Maintenance; Submittal of forms

Property/Subdivision Name: _____

Property Address: _____

Contact Name: _____

I verify that the required stormwater facility inspections and required maintenance have been completed in accordance with the Stormwater Facilities Maintenance Agreement, and the Inspection and Maintenance Plan associated with the above referenced property.

The required Stormwater Facility Inspection and Maintenance forms are hereby provided.

_____	_____
Name of Party Responsible for Inspection & Maintenance	Property Owner
_____	_____
Authorized Signature	Signature

FREMONT COUNTY WEED MANAGEMENT

1901 East Main St.
Cañon City, CO 81212
719-276-7317
brittany.pierce@fremontco.com

Integrated Weed Management Plan

Project/Owner Name: 325 Shoop LLC DATE 2/23/2026

Address (or location of property) Legal Description- Parcel A, Vernon Property Boundary Line Adjustment

List of Noxious Weeds and Control Plan:

Noxious Weeds Present Control Measures:
Reference "Guideline for Weed Management Plans April 2015"

State Law requires all landowners to manage noxious weeds on their property. The following weeds under Colorado Noxious Weed Act, if present, are considered a threat to the economic and environmental value of our state lands. These listed under the Noxious Weed Act shall be managed under the provisions of this article. The following species under this act have been identified in this county and should be managed in the appropriate manner as mandated throughout the term of the permit and thereafter.

"List A" species - These are rare noxious weed species that are subject to eradication upon confirmed identification during any interval of reclamation to the site. Such List A species confirmed in Fremont County may include, but are not limited to:

*Myrtle Spurge, *Japanese Knotweed, *Giant Reed, *Elongated Mustard

"List B" species - These are noxious weed species distributed throughout the State of Colorado and are subject to eradication, containment, or suppression in order to halt the continued spread. Species identified within Fremont County may include, but are not limited to:

Absinth Wormwood, Black Henbane, Bouncingbet, *Bull Thistle, *Canada Thistle, Common Teasel, *Dalmatian Toadflax, Dame's Rocket, *Diffuse Knapweed, Eurasian Watermilfoil, *Hoary Cress, *Houdstongue, Hybrid Knapweed, Hybrid Toadflax, Jointed Goatgrass, *Leafy Spurge, *Musk Thistle, Oxeye Daisy, Perennial Pepperweed, *Russian Knapweed, Russian-olive, *Salt Cedar, Scentless Chamomile, Scotch Thistle, *Spotted Knapweed, *Yellow Toadflax.

"List C" species - Are well-established noxious weed species and are widespread throughout the State for which control is only recommended. Common species in Fremont County include, but are not limited to:

Chicory, Common Burdock, Common Mullein, Downy Brome, Field Bindweed, Halogeton, Johnsongrass, Perennial Sowthistle, Poison Hemlock, Puncturevine, Redstem Filaree

Identification and treatment can be conducted through Fremont County Weed Management or a recommended partnering agency. Please see Fremont County Weed Control's booklet, "Guideline for Weed Management Plans" for more details such as herbicide rates and specifics about weed control methods.

Fremont County Weed Management is operated by Qualified Licensed Applicators under the Department of Agriculture. Any management or treatment involving chemical treatment should be carried out as indicated on the label. The label is the law. Any information on management planning or about receiving cost share that is available to the public can be discussed with the department to confirm eligibility.

*These weed species receive priority for cost-share funding.

Other Required Action: Though not always present, it is highly advisable to keep an eye out for these species as well as any other state-listed noxious weeds if they begin to emerge. Heavy traffic and soil disturbances can bring about the growth of other seeds dormant in the soil. Watching for this type of activity is key to monitoring this type of occurrence. In the event any 'List A' or large populations of 'List B' species are observed, a site visit would be recommended during the peak growing season to discuss further management plans. In order to do this, please consider all factors in choosing a time (such as weather, presence of actively growing plants, and operation plans or activities). Any additional questions or concerns in completing this management plan please contact Fremont County Weed Management to discuss available options. (719-276-7317)

Applicant Signature

1/20/2026
Date

Owner/Manager Signature

1/20/2026
Date

Brittany Pierce
Fremont County Weed Management Representative

Date

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OWNER'S WITHIN 500' OF PROPERTY

BOND PAUL
PO BOX 315
PENROSE, CO, 812400315

DENMARK DISTRIBUTORS INC
380 SKYLAND DR
PENROSE, CO, 812409525

ESTES VERNON
225 MAIN
CANON CITY, CO, 812123729

DCMA PROPERTIES LLC
155 SHOOP DR
PENROSE, CO, 812409502

ESTES VERNON
225 MAIN
CANON CITY, CO, 812123729

325 SHOOP LLC
325 SHOOP DR
PENROSE, CO, 812409531

ESTES VERNON
225 MAIN
CANON CITY, CO, 812123729

325 SHOOP LLC
325 SHOOP DR
PENROSE, CO, 812409531

325 SHOOP LLC
325 SHOOP DR
PENROSE, CO, 812409531

EQUITY TRUST CO FBO
1835A S CENTRE CITY PKWY #202
ESCONDIDO, CA, 920256525

FONTANA JAMES JR
1226 ELM AVE #A
CANON CITY, CO, 812124815

ESTES VERNON
225 MAIN
CANON CITY, CO, 812123729

TRAILSIDE PROPERTIES LLC
2831 AZALEA PL
NASHVILLE, TN, 372043117

DCMA PROPERTIES LLC
155 SHOOP DR
PENROSE, CO, 812409502

DCMA PROPERTIES LLC
155 SHOOP DR
PENROSE, CO, 812409502

EXHIBIT 4.7

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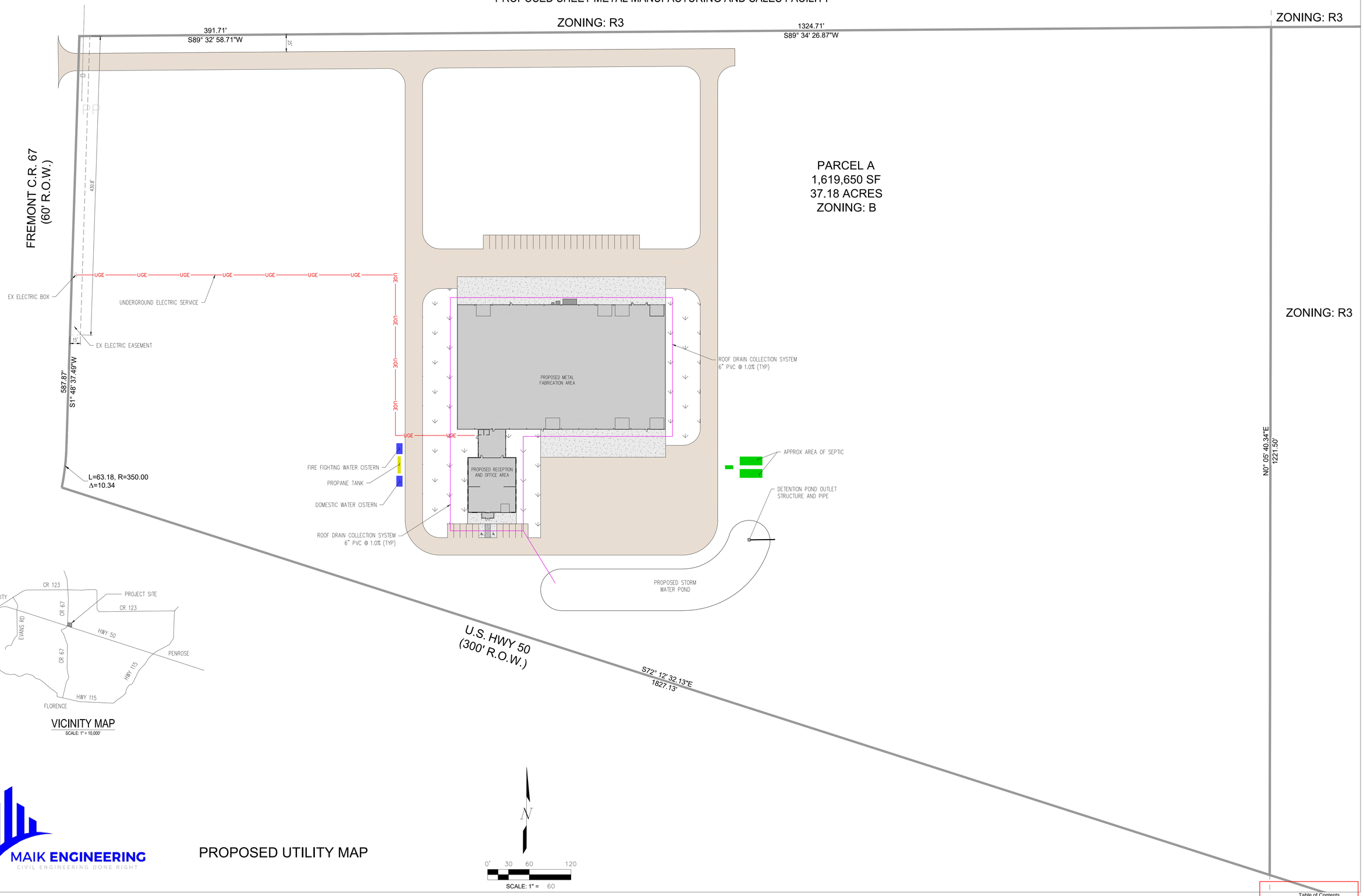
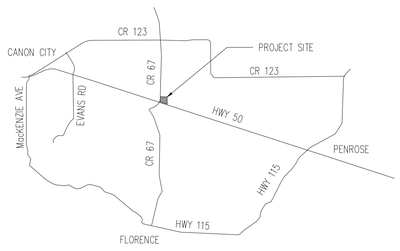
LEGACY METAL FABRICATION FACILITY

SPECIAL REVIEW USE PERMIT

PROPOSED SHEET METAL MANUFACTURING AND SALES FACILITY





VICINITY MAP

SCALE: 1" = 10,000'

MAIK ENGINEERING

CIVIL ENGINEERING DONE RIGHT

PROPOSED UTILITY MAP

N

0' 30 60 120

SCALE: 1" = 60

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COLORADO
Department of Transportation
Region 2
Traffic & Safety – Access Permits

US-050A / CR 67 Phantom Canyon Dr.
Fremont County

December 23, 2025

Josh Peek
J & B Construction

RE: Legacy Production & Sales Office

Josh,

I am in receipt of a referral request for comments for Legacy Production & Sales Office, located at CR 67 Phantom Canyon Dr, and State Highway 50, Fremont County (Parcel #98504086, 66001390) The submittals have been reviewed by CDOT. After review of all submitted documents, we have the following comments:

- Please provide drainage plan/report for review.
- The State Highway Access Code requires an access permit if the proposed vehicle volumes increase by 20 percent or more, the develoment is adjacent to the state highway, and/or significant changes in the use of the property are made which will affect access operation, traffic volume and/or vehicle type.

Please contact me at 719-924-2930 or kimberly.blanchard@state.co.us with any questions.

Sincerely,

Kimberly Blanchard

Kimberly Blanchard
CDOT R2 Access Management Trainee

xc: Joanne Kohl – Fremont County Planning – joanne.kohl@fremontcountyco.gov
Mike Maik, mmaik@maikengineering.com
Matt Koch cssurveying90@gmail.com
Jerry@legacymetalcenter.com
Lancaster / file

EXHIBIT 5.1

325 Shoop LLC
325 Shoop Dr.
Penrose, CO, 81240
Phone: (719) 784-1949
Email: accounting@legacymetalcenter.com

Date: February 16, 2026

Re: Jerry Martin Authorization

To: Whom it may concern,

This document confirms that Jerry Martin is authorized to act on behalf of 325 Shoop LLC.

Jerry is authorized to negotiate contracts, sign purchase orders, communicate with vendors and subcontractors, assist in hiring of subcontractors and provide general direction regarding the building of our new manufacturing facility.

This authorization does not extend beyond the responsibilities stated above and does not grant authority to bind 325 Shoop LLC in any other matter.

Sincerely,

Enos Miller, Owner
325 Shoop LLC

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325 SHOOP, LLC

A Wyoming "Close" Limited Liability Company

Operating Agreement

THIS OPERATING AGREEMENT (this **"Agreement"**) is entered into, effective **August 28, 2024**, by and between:

ENOS MILLER ("Enos"), an adult individual whose office address is located at 375 Shoop Drive, Penrose, CO 81240;

NOAH MILLER ("Noah"), an adult individual whose office address is located at 375 Shoop Drive, Penrose, CO 81240;

The **CACTUS HILLS LEGACY TRUST, DATED DECEMBER 1, 2021 ("Cactus Hills Trust")** of which **VIRGIL STOLTZFUS ("Virgil")**, an adult individual whose office address is located at 2900 Vaughn Road, Great Falls, MT 59404, is the Trustee;

The **CLOUD 9 TRUST, DATED DECEMBER 1, 2021 ("Cloud 9 Trust")** of which **CALVIN STOLTZFUS ("Calvin")**, an adult individual whose office address is located at 2900 Vaughn Road, Great Falls, MT 59404, is the Trustee;

The **EASH FAMILY TRUST, DATED DECEMBER 1, 2021 ("Eash Trust")** of which **JARED EASH ("Jared")**, an adult individual whose office address is located at 2900 Vaughn Road, Great Falls, MT 59404, is the Trustee; and

The **DHA CAPITAL TRUST, DATED DECEMBER 1, 2021 ("DHA Trust")** of which **R. KEVIN STOLTZFUS ("Kevin")**, an adult individual whose office address is located at 2900 Vaughn Road, Great Falls, MT 59404, is the Trustee.

(Enos, Noah, the Cactus Hills Trust, the Cloud 9 Trust, the Eash Trust, and the DHA Trust are collectively referred to hereinafter as the **"Members"**).

The Members have organized, and hereby agree to operate, a limited liability company in accordance with the terms of, and subject to the conditions set forth in, this Agreement.

NOW, THEREFORE, for good and valuable consideration, the parties hereto, intending to be legally bound, hereby agree as follows:

ARTICLE I: INTERPRETATION and DEFINITIONS

1.1 Interpretation. Unless the context clearly requires or indicates otherwise, and for any and all purposes related to this Agreement, certain words and phrases shall be interpreted in accordance with **Schedule "1.1"**, attached hereto and made a part hereof.

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1.2 Definitions. Unless the context clearly requires or indicates otherwise, and for any and all purposes related to this Agreement, capitalized words and phrases (other than those which are capitalized in accordance with the rules of English grammar) shall have the meanings set forth in **Schedule "1.2"**, attached hereto and made a part hereof.

ARTICLE II: FORMATION, NAME, PURPOSE, TERM & FISCAL PERIOD

2.1 Formation. The Company was organized by the Members as a "Close" limited liability company by filing Articles of Organization with the Wyoming Secretary of State's Office (**"WY SoS"**) pursuant to Title 17, Chapter 29 of the Wyoming Statutes of 2023, more commonly known as the Wyoming Limited Liability Company Act (the **"Act"**). Said Articles are recorded as "Original ID: 2024-001513776" in the records of the WY SoS.

Pursuant to the provisions of the "Wyoming Close Limited Liability Company Supplement" which was included with the Articles when filed, the following Statement is added to this Agreement:

> **NOTICE OF RESTRICTIONS ON TRANSFERS AND WITHDRAWALS.** The rights of Members in a Close Limited Liability Company may differ materially from the rights of Members in other limited liability companies. The Close Limited Liability Company Supplement, Articles of Organization, and Operating Agreement of a Close Limited Liability Company may restrict transfer of ownership interests, withdrawal or resignation from the Company, return of capital contributions and dissolution of the Company.

2.2 Name of the Company. The name of the company is "**325 SHOOP, LLC**" The Company may do business under that name, and/or under any other name or names upon which the Members agree.

2.3 Purpose. The company was organized for the purpose of acquiring, developing, improving, leasing and/or managing commercial real estate within the State of Colorado and elsewhere as the Members shall agree, and to do and perform all acts necessary or convenient for such purpose, and to do any other thing or provide any other service permitted under the Act.

2.4 Term. The Term of the Company began upon the acceptance of the Articles of Organization by WY SOS and shall continue perpetually, unless its existence is terminated pursuant to Article VI of this Agreement.

2.5 Principal Office. As of the date hereof, the Principal Office of the Company is located at **325 Shoop Drive, Penrose, CO 81240**. The Members may agree at any time and from time to time in the future to change the Principal Office.

2.6 Resident Agent in the State of Wyoming. **Wyoming Registered Agent Services, LLC** is the Resident Agent for the Company in the State of Wyoming, and shall continue in such

capacity until such time, if ever, as the Members shall agree to designate a different entity or person to so serve. Said Resident Agent maintains a physical office at 30 N. Gould Street, Suite 100, Sheridan, WY 82801.

2.7 Resident Agent in the State of Colorado. **Enos** is the Resident Agent for the Company in the State of Colorado, and shall continue in such capacity until such time, if ever, as the Members shall agree to designate a different entity or person to so serve.

2.9 Fiscal Periods. The Company's initial Fiscal Year shall begin on August 28, 2024 and end on December 31, 2024 of each calendar year. Thereafter, its Fiscal Years shall begin on January 1st and end on December 31st of each successive year. A Fiscal Month shall begin on the 1st day of a calendar month and end on the last day of that calendar month.

ARTICLE III: MEMBERS, CAPITAL, CAPITAL ACCOUNTS, WITHDRAWAL FROM MEMBERSHIP

3.1 Members. The name, present mailing address, taxpayer identification number, number of Units owned, and Ownership Interest of each Member are set forth on **Schedule 3.1**, attached hereto and made a part hereof. Schedule 3.1 shall be amended from time to time as is necessary to ensure that the information set forth in it is correct and complete at all times.

3.2 Capital Contributions. Cash, certified checks, money orders, personal checks, business checks and/or promissory notes will be accepted as future capital contributions. Intangible assets may be accepted as capital contributions and shall be valued as the Members shall agree.

3.3 Capital Accounts. A Capital Account has been maintained continuously in the Company's tax records for each Member. As of the date hereof, the Capital Account of each respective Member shall be equal to the amounts set forth in **"Schedule 3.3"**, attached hereto and made a part hereof. Schedule 3.3 shall be amended as of the end of each Fiscal Year, or as of the date upon which the Members agree to accept any additional capital contribution from a Member or a Person who desires to become a Member, to show a revised Capital Account for each respective Member after consideration of the following:

3.3.1. A Member's Capital Account shall be increased by the amount of any additional capital contributions and by all income, gain or profits allocated, but not distributed to or withdrawn by such Member; and

3.3.2. A Member's Capital Account shall be decreased by all distributions made to such Member (exclusive of any salaries, fees, commissions or expense reimbursements due such Member, if any), and by all losses or deductions allocated to such Member.

3.4 Units.

3.4.1 Ownership in the Company shall be evidenced by the issuance of "Units" to Members (in much the same way that "shares" are issued to the owners of a corporation's

equities). Once issued each Unit carries with it the right to one (1) vote with respect to any matter to be voted upon and decided by the Members in accordance with the terms and conditions of this Agreement.

3.4.2 The Company is authorized to issue up to Ten Thousand (10,000) total Units (Preferred Units and Common Units combined).

3.4.3 As of the date hereof:

Six Thousand (6,000) Units have been issued to Enos;

Six Hundred Twenty-Five (625) Units have issued to each of:

- The Cactus Hills Trust
- The Cloud 9 Trust
- The Eash Trust; and
- The DHA Trust; and

Fifteen Hundred (1,500) Units have been issued to Noah.

3.4.4 As of the date of this Agreement no other Units have been issued, and there are **NO** additional authorized Units available to be issued by the Company.

3.5 Ownership Interest. The percentage of the Company which is owned by each Member (hereinafter referred to as each Member's **"Ownership Interest"**), at any time and from time to time, shall be listed on Schedule 3.1, attached hereto, or in subsequent amendments to Schedule 3.1. As of this date, and as of the date on which any amendment to Schedule 3.1 is to be made, the Ownership Interest attributed to each respective Member shall be equal to the number of Units owned by each respective Member, divided by the total number of Units issued to all Members.

3.6 Additional Capital Contributions. Subject to the approval of the Members, additional capital contributions may be made by any Member.

3.7 Withdrawals. No Member shall be entitled to withdraw all or any part of his Capital Account without the prior, express, written, consent of the Members.

3.8 No Other Capital Contributions Required. No Member shall be required to contribute any additional capital to the Company, and, except as set forth in the Act, no Member shall have any personal liability for any obligations of the Company. No Member shall be obligated to restore a Negative Capital Account.

3.9 No Interest on Capital Contributions. Members shall not be paid interest on their Capital Contributions.

3.10 Return of Capital Contributions. Except as is provided otherwise in this Agreement, no Member shall have the right to receive the return of any Capital Contribution.

ARTICLE IV: MANAGEMENT, MEETINGS OF THE MEMBERS, THE RIGHT OF AFFILIATED VENDORS TO DO BUSINESS WITH THE COMPANY & DISTRIBUTIONS

4.1 Managed by the Members. The Company shall be managed by its Members.

4.1.1 The Members shall have the sole and exclusive control of the management of, and shall conduct the day-to-day affairs of, the Company, and, in general, shall have the right, power and authority to perform all acts deemed by them to be appropriate or incidental to carrying out the purposes and business of the Company.

4.1.2 In the event of the permanent physical or mental disability, or withdrawal from the Company of any Member, the Company shall not dissolve or terminate, but its business shall be continued without interruption or without any break in its continuity by the remaining Members who shall be immediately vested in all the powers, authorities, and discretions provided herein for the Members as the managers of the company.

4.2 Authorized Persons. Each of Enos and Noah shall be an "Authorized Person" of the Company and may execute any document or file any document or effect any action in the name of, and on behalf of, the Company **when so authorized by a majority of all Members.**

4.3 Meetings of and Voting by Members

4.3.1 An in-person or virtual Meeting of the Members may be called at any time by any Member. If held in-person, such Meetings shall be held at the Company's principal place of business, or at any other place in the State of Colorado designated by the Member calling the Meeting.

4.3.1.1 Not less than three (3) nor more than thirty (30) days before each Meeting, the Member calling the meeting shall give written notice of the Meeting to each Member entitled to vote at the Meeting. The notice shall state the time, place and purpose of the Meeting.

4.3.1.2 Notwithstanding the foregoing provisions, each Member who is entitled to notice of a Meeting waives such notice if, before or after the Meeting, the Member signs a waiver of the notice which is filed with the records of Members' Meetings or is present at the Meeting in person or by proxy.

4.3.1.3 Unless this Agreement provides otherwise, at a Meeting of Members the presence in person or by proxy of **a majority of all Members** shall constitute a quorum. A Member may vote in person, or by written proxy signed by the Member or by the Member's authorized attorney-in-fact.

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4.3.2 Except as may be provided otherwise in this Agreement, the affirmative vote of Members holding fifty-one percent (51%) or more of the Ownership Interests then held by all Members shall be required to approve any matter coming before the Members for a vote during a Meeting which satisfies the standard for a quorum which is stipulated in Section 4.3.1.3, above.

4.3.3 In lieu of holding an in-person or virtual Meeting as described above, the Members may vote or otherwise take action by a written instrument or by electronic mail indicating the consent of Members owning fifty-one percent (51%) or more of the Units then owned by all Members **provided at least a majority of all Members casts a vote via such written instrument or electronic mail message**.

4.4 Personal Services. No Member shall be required to perform services for the Company solely by virtue of being a Member. Unless expressly approved in advance by the Members, no Member shall be entitled to compensation for services performed for the Company. However, upon substantiation of the amount and purpose thereof, Members shall be entitled to reimbursement for expenses reasonably incurred in connection with the activities of the Company.

4.5 Duties and Rights of the Parties.

4.5.1 Each Member shall devote such time to the business and affairs of the Company as is necessary to carry out the Members' duties set forth in this Agreement.

4.5.2 Except as may be otherwise expressly provided in Article 4.5.3 hereof, nothing in this Agreement shall be deemed to restrict in any way the rights of any Member to conduct any other business or activity whatsoever, and no Member shall be accountable to the Company or to any other Member with respect to that business or activity even if the business or activity competes with the Company's business. The organization of the Company shall be without prejudice to the Members' respective rights to maintain, expand, or diversify such other interests and activities and to receive and enjoy profits or compensation therefrom. Each Member waives any rights the Member might otherwise have to share or participate in such other interests or activities of any other Member.

4.5.3 Each Member understands and acknowledges that the conduct of the Company's business may involve business dealings and undertakings with other Members and/or with entities owned by Members, or with persons related to Members. In any of these instances, such dealings and undertakings shall be at arm's length and on commercially reasonable terms.

4.6 Liability and Indemnification.

4.6.1 A Member (including, but not limited to, the Managing Member) shall not be liable, responsible, or accountable, in damages or otherwise, to any other Member or to the Company for any act performed by the Member with respect to Company matters, except for fraud, gross negligence, or an intentional breach of this Agreement.

4.6.2 The Company shall indemnify each Member for any act performed by the Member with respect to Company matters, except for fraud, gross negligence, or an intentional breach of this Agreement.

4.7.1 Distributions or Other Payments to Members.

4.7.1. Excepting **only**: (i) a loan from the Company to a Member that is clearly documented as a loan by means of an executed promissory note, or other written evidence of indebtedness that is signed by a majority of the other Members; (ii) payments made to reimburse expenses legitimately incurred by a Member on behalf of the Company (in accordance with the provisions of Section 4.4 hereof); and (iii) wages, salaries or other compensation to be paid to a Member in connection with an express compensation agreement approved by a majority of the Members; **all** distributions of funds from the Company to its Members shall be made in accordance with Section 3.4.1 of this Agreement.

4.7.2. **Within ten (10) calendar days of the date the Company's annual federal and state income tax returns are filed, the Company shall distribute funds to each Member as follows: (i) each Member shall receive a cash distribution equal to Twenty-Five percent (25%) of any positive taxable income passed through the Company's federal income tax return to the Member's federal income tax return; and (ii) each Member shall receive a cash distribution equal to Five Percent (5.00%) of any positive taxable income passed through the Company's State income tax return to the Member's state income tax return.** In the event that federal or state income tax rates change, or any Member's State of legal residence changes, after the date hereof, the Members shall adjust this subsection in such a manner as to ensure that the Members receive distributions from the Company sufficient to pay any income tax liabilities incurred by the Members as a consequence of their ownership of Units of the Company.

ARTICLE V: TRANSFERS OF INTERESTS & WITHDRAWALS OF MEMBERS

5.1 Transfers. In order to ensure that the ownership of the Units is maintained in a manner that is in keeping with applicable state and federal securities regulations, and that the affairs of the Company are managed and conducted in a manner which is in keeping with the original intentions of the Members, no Member may gift, bequeath, assign, sell, or otherwise transfer all, or any portion of, the Units owned by that Member, or any interest or rights in the Ownership Rights owned by that Member without the prior, express, written consent of all other Persons who are Members of the Company on the date of any such attempted transfer.

5.1.1. Each Member hereby acknowledges the reasonableness of this prohibition in view of the purposes of the Company and the relationship of the Members as the owners of the Company. **The Transfer of any Units, or of any Ownership Rights in violation of the prohibition contained in this Article shall be deemed invalid, null and void, and of no force or effect.** No Person to whom Ownership Rights are attempted to be transferred in violation of this Article shall be entitled to vote on matters coming before the Members, participate in the

management of the Company, act as an agent of the Company, possess certificates evidencing ownership of Units, receive distributions from the Company, or have any other rights in or with respect to Units or Ownership Rights.

5.1.2. The foregoing prohibitions against the transfer of Units or Ownership Rights by a Member notwithstanding, no term or provision contained in this Agreement shall prevent a Member from transferring, by any means permitted by law, including, but not limited to, gift, sale, assignment and/or bequest, any or all of the Units owned, or Ownership Rights enjoyed by such Member to a trust, whether revocable or irrevocable, provided that the trustee(s) of such trust while the Member is alive and competent is the Member or the Member and the Member's spouse (provided the Member and his spouse are, at the time of the transfer, legally married and sharing the same legal residence).

5.2 Voluntary Withdrawal. No Member or Interest Holder may simply withdraw from the Company. Instead, a Member or Interest Holder who no longer wishes to be a Member or Interest Holder in the Company shall: (i) provide written notice to the other Members of his desire to end his association with the Company; (ii) state an effective date of the termination of such Member's association with the Company, which date shall not be less than six (6) months from the date on which said written notice is delivered to the other Members, and **(iii) then sell, or otherwise transfer, all, and not less than all, of his Units to another Member or to other Members, the Company itself, and/or a third party in strict conformity with the then-current Members' Agreement as executed by the Members, or with this Agreement (including, but not limited to, the provisions of Article 5.1 above) if no such Members' Agreement exists at the time a Member gives such notice to the other Members of his desire to voluntarily withdraw from the Company.** Until the date upon which the withdrawing Member's Units have been sold, or otherwise transferred, in accordance with the provisions set forth hereinabove, the Member shall continue to have all rights accorded in this Agreement to a Member, and, for all intents and all purposes (including, but not limited to, matters related to state and federal income taxes) shall be deemed to be a Member of the Company. In view of the purposes of the Company and the relationship of the Members to one another as owners of the Company, each Member acknowledges the reasonableness of the terms and conditions of this Article 5.2.

5.3 Involuntary Withdrawal. Immediately upon the occurrence of an Involuntary Withdrawal of a Member (see the definition of "Involuntary Withdrawal" in Schedule 1.2) the successor of such Member shall sell all, and not less than all, the Units then owned by said Member in accordance with the terms and conditions set forth in Article 5.2 above, as if said Member's Involuntary Withdrawal had been Voluntary instead. In view of the purposes of the Company and the relationship of the Members to one another as owners of the Company, each Member acknowledges the reasonableness of the terms and conditions of this Article 5.3.

ARTICLE VI: DISSOLUTION, LIQUIDATION & TERMINATION OF THE COMPANY

6.1 Events of Dissolution. The Company shall be dissolved upon the happening of any of the following events:

6.1.1. When the period fixed for its duration in Article 2.5 hereof has expired; or

6.1.2. As of the effective date specified in a written agreement to dissolve the Company prior to the expiration of the period fixed for the Company's duration as set forth in Article 2.5 hereof executed by Members holding not less than fifty one percent (51%) of the Units then held by all Members.

6.2 Procedure for Winding Up and Distribution. If the Company is dissolved, the remaining Members shall wind up its affairs and make a final distribution of it assets, as follows: First, to creditors of the Company, including Members who are creditors, in satisfaction of the liabilities of the Company; second, to the Members in accordance with the balances in their respective Capital Accounts; and, third, the Members in proportion to their respective Ownership Interests as of the date of dissolution of the Company.

6.3 Articles of Dissolution. When the Company is dissolved, the Members shall promptly file Articles of Dissolution with WY SOS. If there are no remaining Members, the Articles shall be filed by the last Person to be a Managing Member, or by the legal or personal representative of the last Person to be a Member.

ARTICLE VII: BOOKS, RECORDS, ACCOUNTING & TAX ELECTIONS

7.1 Bank and Other Accounts. All funds of the Company shall be deposited in bank accounts, brokerage accounts or other accounts opened in the name of the Company. The Members shall determine the institution or institutions at which the accounts will be opened and maintained, the types of accounts, and the Persons who will have authority with respect to the accounts and the funds therein.

7.2 Books and Records. The Members shall keep, or cause to be kept, complete and accurate books and records of the Company and supporting documentation of all transactions with respect to the conduct of the Company's business. The books and records shall be maintained in accordance with generally accepted accounting principles and practices, and shall be available at the Company's Principal Office for examination by any Member, or by the Member's duly authorized representative, at any and all reasonable times during normal business hours.

7.3 Allocation of Items of Tax Significance. For federal, state, and other tax purposes, the determination of each Member's share of any items of tax significance (whether income, gain, deduction, credit, allowance, etc.) for each Fiscal Year shall be allocated amongst the Members in proportion to their respective Ownership Interests as of the last day of that Fiscal Year.

7.4. Reports. On or before the final due date (including such additional time as is permitted in connection with timely-filed extensions of said due date) for filing the Company's federal income tax returns for each Fiscal Year:

7.4.1. The Members shall cause to be sent to each Person who was a Member as of the last day of that Fiscal Year a complete accounting of the affairs of the Company for said taxable year; and

7.4.2. The Members shall cause to be sent to each Person who was a Member as of the last day of that Fiscal Year such tax information concerning the Company's business which is necessary for preparing the Member's income tax returns for that year.

7.4.3. At the request of any Member, and at such Member's expense, the Members shall cause an audit of the Company's books and records to be prepared by independent accountants for the period requested by the Member. The preceding sentence is intended to establish the right of any Member to require that an audit of the Company's books and records be completed, provided such Member is willing to pay for such an audit. However, nothing contained therein shall be construed in such a manner as to infringe upon the right of the Members, exercisable by the affirmative vote of the Members in accordance with Article 4.2 of this Agreement, to cause such an audit to be completed at the Company's expense at any time, or from time to time.

7.5 Tax Matters Partner. The Tax Matters Partner shall prepare, or cause to be prepared, all applicable income tax returns for the Company. **The Tax Matters Partner shall be identified from time to time, and may be changed from time to time, as the Members shall determine by majority vote.**

ARTICLE VIII: GENERAL PROVISIONS

8.1 Assurances. Each Member shall execute all certificates and other documents and shall do all such filing, recording, publishing and other acts as the Members deem appropriate to comply with the requirements of law for the formation and operation of the Company, and to comply with any applicable state and/or federal securities laws and regulations, and any laws, rules, and regulations related to the acquisition, operation or use and ownership of the assets of the Company.

8.2 Notifications. Any notice, demand, consent, election, offer, approval, request, or other communication (collectively, "Notice") required or permitted under this Agreement must be in writing and must be delivered personally or sent by certified or registered mail, postage prepaid, return receipt requested. A Notice must be addressed to a Member at the Member's last known address in the records of the Company. A Notice to the Company or to the Members must be addressed to the Company's Principal Office. A Notice personally delivered will be deemed given only when acknowledged in writing by the party to whom it is delivered. A Notice that is sent by certified or registered mail will be deemed given three (3) days after it is mailed. A Notice sent by regular (i.e., unregistered, uncertified) mail shall be deemed given only when acknowledged in writing by the party to whom it is delivered. Any party may designate, by Notice to the Company, a substitute address for Notices, and, thereafter, Notices are to be directed to that substitute address.

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8.3 Specific Performance. The parties recognize that significant and irreparable damage will result from any breach of any provision of this Agreement and that money damages will be inadequate to fully remedy the injury. Accordingly, in the event of a breach, or threatened breach, of one or more of the provisions of this Agreement, any party who may be injured shall be entitled, in addition to any other remedies which may be available to that party, to one or more preliminary orders (i) restraining and enjoining any act which would constitute a breach, or (ii) compelling the performance of any obligation which, if not performed, would constitute a breach.

8.4 Complete Agreement. This Agreement contains the complete and entire statement of the agreement amongst the Members. It supercedes any prior representation, statement, condition, or warranty, or any prior agreement made amongst the Members with respect to the business of the Company. Except as may be expressly provided otherwise herein, this Agreement may not be amended without the written consent of the Members owning at least two-thirds (2/3) of all the Units then owned by all Members.

8.5 Applicable Law. All questions concerning the construction, validity, enforcement and interpretation of this Agreement shall be determined in accordance with the laws of the State of Wyoming, pursuant to whose Act the Company was organized and formed.

8.6 Article Titles. The headings herein are inserted as a matter of convenience only, and do not define, limit, or describe the scope of this Agreement or the intent of the provisions hereof.

8.7 Binding Provisions. This Agreement is binding upon, and shall inure to the benefit of, the parties hereto, and their respective heirs, executors, administrators, personal and legal representatives, successors and permitted assigns.

8.8 Jurisdiction and Venue. Any suit involving any matter arising under this Agreement may only be brought in United States District Court for the District of Wyoming, and any Wyoming State Court having jurisdiction over the subject matter of the dispute or question.

8.9 Terms. Common nouns and pronouns shall be deemed to refer to the masculine, feminine, neuter, singular, and plural, as the identity of the Person may in the context require.

8.10 Separability of the Provisions. Each provision of this Agreement shall be considered separable. If, for any reason, any provision or provisions herein are determined to be invalid and contrary to any existing or future law, such invalidity shall not impair the operation or affect those portions of this Agreement which are, otherwise, valid.

8.11 Counterparts. This Agreement may be executed simultaneously or in two or more counterparts, each one of which shall be deemed an original document, and all of which, when taken together, shall constitute one and the same document. The signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart.

IN WITNESS WHEREOF, the Members have executed this Agreement, effective August 28, 2024. Additional Members admitted to the Company after the date of this Agreement shall be

deemed to have accepted, and to be bound by, all of the provisions and conditions set forth herein as of the date each such Additional Member executed the Additional Member's Acknowledgment attached hereto as Appendix I.

Executed by or for the following Members, effective: **August 28, 2024**.

Enos Miller
Enos Miller (Feb 18, 2025 15:20 MST)

ENOS MILLER, Member

Virgil Stoltzfus (Feb 18, 2025 15:35 MST)

THE CACTUS HILLS LEGACY TRUST, DATED 12/1/2021
by **VIRGIL STOLTZFUS**, its Trustee, Member

Calvin Stoltzfus (Feb 20, 2025 23:16 CST)

THE CLOUD 9 TRUST, DATED 12/1/2021
by **CALVIN STOLTZFUS**, its Trustee, Member

Jared Eash (Feb 18, 2025 16:52 MST)

THE EASH FAMILY TRUST, DATED 12/1/2021
by **JARED EASH**, its Trustee, Member

R. Kevin Stoltzfus (Feb 18, 2025 16:03 MST)

THE DHA CAPITAL TRUST, DATED 12/1/2021
by **R. KEVIN STOLTZFUS**, its Trustee, Member

Noah L Miller

NOAH MILLER, Member

SCHEDULE "1.1": INTERPRETATION

1. The words "hereof," "herein," "hereunder", and similar terms shall refer to this Agreement and not to any particular Article of this Agreement unless the context of the use of such words clearly requires otherwise.

2. References to any document or agreement, including this Agreement, shall be deemed to include references to such document or agreement as amended, supplemented, replaced or restated from time to time, in accordance with its terms and subject to compliance with any requirements set forth therein.

3. References to any law, statute, rule, regulation, or form shall be deemed to include references to such statute, rule, regulation, or form as amended, modified, supplemented or replaced from time to time (and, in the case of any statute, include any rules and regulations promulgated under such statute), and all references to any section or part of any statute, rule, regulation, or form include any successor to such section or part.

4. Wherever the word "include," "includes" or "including" is used herein, it shall be deemed to be followed by the words "without limitation," and any list of examples following such term shall in no way restrict or limit the generality of the word or provision with respect to which such examples are provided.

5. The words "shall" and "will" are used interchangeably throughout this Agreement, and the use of either connotes a mandatory requirement.

6. The word "may" shall be interpreted to mean an option to be taken, or not taken, at the sole discretion of one or more persons, fiduciaries, and/or duly authorized Officers or Representatives of an entity, as the context of a specific decision indicates, and shall not be deemed to connote a mandatory requirement to be imposed upon any of the same.

7. The word "or" is not meant to be exclusive and shall be interpreted as "and/or".

8. References to "day" or "days" are references to calendar days.

9. Whenever the context requires, terms used in this Agreement shall include the plural as well as the singular number, and the masculine, feminine, and neuter genders.

10. Wherever the phrase "binding upon" is used herein, it shall be deemed to be followed by "and inure to the benefit of the parties hereto and their respective heirs, successors, and assigns."

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SCHEDULE "1.2": DEFINITIONS

"Act" means Title 17, Chapter 29 of the Wyoming Statutes (2023), also known as the "Wyoming Limited Liability Company Act", as amended from time to time.

"Code" means the Internal Revenue Code of 1986, as amended, or any corresponding provision of any succeeding law.

"Company" means **"325 SHOOP, LLC"**, the Limited Liability Company whose affairs are to be governed in accordance with this Agreement.

"Interest Holder" means any Person who holds an Interest, whether such Person is a Member or not.

"Involuntary Withdrawal" means, with respect to any Member, the occurrence of any of the following events after the date of this Agreement:

(i) the Member makes an assignment for the benefit of creditors;

(ii) the Member files a voluntary petition of bankruptcy;

(iii) the Member is adjudicated bankrupt or insolvent, or there is entered against the Member an order for relief in any bankruptcy or insolvency proceeding;

(iv) the Member files a petition or answer seeking for the Member any reorganization, arrangement, composition, readjustment, liquidation, dissolution, or similar relief under statute, law or regulation;

(v) the Member seeks, consents to, or acquiesces in the appointment of a trustee for, receiver for, or liquidation of the Member or of all or any substantial part of the Member's assets;

(vi) the Member files an answer or other pleading admitting or failing to contest the material allegations of a petition filed against the Member in any proceeding described in Subsections (i) through (v) hereof;

(vii) any Proceeding against the Member seeking reorganization, arrangement, composition, readjustment, liquidation, dissolution or similar relief under any statute, law or regulation that continues for one hundred twenty (120) days after the commencement thereof, or the appointment of a trustee, receiver or liquidator for the Member or for all or any substantial part of the Member's assets without the Member's agreement or acquiescence, which appointment is not vacated or stayed for one hundred twenty (120) days, or, if the appointment is stayed, for one hundred twenty (120) days after the expiration of the stay during which period the appointment is not vacated;

(viii) if the Member is an individual, the Member's death, or adjudication by a court of competent jurisdiction as being incompetent to manage the Member's person or property.

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(ix) if the Member is acting as a Member by virtue of being a trustee of a trust, the termination of the trust;

(x) if the Member is a Partnership or another Limited Liability Company, the dissolution and commencement of winding up of the partnership or Limited Liability Company;

(xi) if the Member is a corporation, the dissolution of the corporation or the revocation of its charter; or

(xii) if the Member is an estate, the distribution by a fiduciary of the estate's entire Interest in the Company.

The phrase **"Legally Incapacitated"** shall mean that a person is, or has become, unable to perform the duties of any office or position of authority provided for in this Agreement, or to manage his or her own personal care, financial affairs, or property, because:

a. a Court of Competent Jurisdiction has ruled, determined or Ordered that such person is disabled, incompetent, or legally incapacitated for any reason; or

b. at least two (2) physicians licensed to practice medicine in whichever State of the United States of America, or in whichever foreign country such person is then living or located, and who have separately, and either physically or remotely, examined such person, have concluded that such person is, by reason of advanced age, illness, accident or injury, psychologically or mentally unable to manage his or her own personal care, financial affairs, or property; or

c. thirty (30) or more consecutive days have passed during which the whereabouts of such person are unknown based upon a statement of facts reasonably believed to be true by the Trustee, or, if such person is a Trustee, then by the Trust Protector; or

d. such person is then detained, under emotional or psychological duress, in a medical or other treatment facility; or

e. such person is then incarcerated, for a term which is expected to last for more than thirty (30) consecutive days, in a local, state, or federal prison or penitentiary.

f. Once any such person is deemed to be Legally Incapacitated, he or she shall continue to be deemed Legally Incapacitated for as long as the order, certificate, absence, detention, or incarceration described above is in effect or continues.

"Member" means each natural Person signing this Agreement, each Trust whose Trustee signs this Agreement on behalf of a Trust, and any Person who is subsequently admitted as a Member of the Company. Generally, a Member is a person who is entitled to vote on administrative and policy matters to be determined on behalf of the Company.

"Negative Capital Account" means a Capital Account with a balance of less than zero dollars.

"Ownership Interest" means a Person's share of the Profits and Losses of, and the right to receive distributions from, the Company.

"Ownership Rights" means all the rights of a Member or other Interest Holder in the Company, including a Member's: (i) Units; (ii) Ownership Interest; (iii) right to inspect the Company's books and records; (iv) right to participate in the management of and vote on matters coming before the Company; (v) the right to receive distributions from the Company; and (vi) unless this Agreement or the Articles of Organization provide to the contrary, right to act as an agent of the Company.

"Person" means and includes an individual who, or a corporation, partnership, association, limited liability company, trust, estate or other entity that, owns one or more Units.

"Wyoming Close Limited Liability Company" refers to a limited liability company that is organized pursuant to the Act, but that, pursuant to Title 17, Chapter 25 of the Wyoming Statutes (2022) (commonly referred to as the "Wyoming Close Limited Liability Supplement"), as amended, allows for greater restriction on transfers of membership interests, the rights of members, the withdrawal of a member from the company, and the dissolution of the company. The Company was organized as a Wyoming Close Limited Liability Company.

"Transfer" means, when used as a noun, any voluntary sale, hypothecation, pledge, assignment, attachment or other transfer, and, when used as a verb, means voluntarily to sell, hypothecate, pledge, assign or otherwise transfer.

"Voluntary Withdrawal" means a Member's dissociation with the Company by means other than a Transfer or an Involuntary Withdrawal.

SCHEDULE 3.1: MEMBERS & OWNERSHIP INTERESTS

Members	Ownership Units	Ownership Interest
ENOS MILLER 375 Shoop Drive Penrose, CO 81240 SSN: ***-**-9894	6,000	60.00%
CACTUS HILLS LEGACY TRUST DATED 12/1/2022 2900 Vaughn Road Great Falls, MT 59404 EIN: **-**4244	625	6.25%
CLOUD 9 TRUST, DATED 12/1/2022 2900 Vaughn Road Great Falls, MT 59404 EIN: **-**4125	625	6.25%
EASH FAMILY TRUST, DATED 12/1/2022 2900 Vaughn Road Great Falls, MT 59404 EIN: **-**4397	625	6.25%
DHA CAPITAL TRUST, DATED 12/1/2022 2900 Vaughn Road Great Falls, MT 59404 EIN: **-**4326	625	6.25%
NOAH MILLER 375 Shoop Drive Penrose, CO 81240 SSN: ***-**-9895	1,500	15.00%

As of the date shown below, there are no other Members or Interest Holders than those shown above.

Effective Date: August 28, 2024.

Enos Miller
Enos Miller (Feb 18, 2025 15:20 MST)

ENOS MILLER, Member

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Virgil Stoltzfus (Feb 18, 2025 15:35 MST)

THE CACTUS HILLS LEGACY TRUST, DATED 12/1/2021
by **VIRGIL STOLTZFUS**, its Trustee, Member

Calvin Stoltzfus (Feb 20, 2025 23:16 CST)

THE CLOUD 9 TRUST, DATED 12/1/2021
by **CALVIN STOLTZFUS**, its Trustee, Member

Jared Eash (Feb 18, 2025 16:52 MST)

THE EASH FAMILY TRUST, DATED 12/1/2021
by **JARED EASH**, its Trustee, Member

R. Kevin Stoltzfus (Feb 18, 2025 16:03 MST)

THE DHA CAPITAL TRUST, DATED 12/1/2021
by **R. KEVIN STOLTZFUS**, its Trustee, Member

Noah L Miller

NOAH MILLER, Member

SCHEDULE 3.3: CAPITAL ACCOUNTS

Member	Capital Account
ENOS MILLER	[to be determined by the Company's Tax Advisors]
CACTUS HILLS LEGACY TRUST DATED 12/1/2022	[to be determined by the Company's Tax Advisors]
CLOUD 9 TRUST, DATED 12/1/2022	[to be determined by the Company's Tax Advisors]
EASH FAMILY TRUST, DATED 12/1/2022	[to be determined by the Company's Tax Advisors]
DHA CAPITAL TRUST, DATED 12/1/2022	[to be determined by the Company's Tax Advisors]
NOAH MILLER	[to be determined by the Company's Tax Advisors]

Op Ag. 325 Shoop LLC

Final Audit Report 2025-02-21

Created:	2025-02-18
By:	Barry Bruce (Barry@WildcatLaneAdvisors.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAA86mPbpfh55T0Hbbz2ABSvvqJWmpJdU4H

"Op Ag. 325 Shoop LLC" History

Document created by Barry Bruce (Barry@WildcatLaneAdvisors.com)
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2025-02-21 - 5:15:22 AM GMT

Document e-signed by Calvin Stoltzfus (calvinstoltzfus1@gmail.com)
Signature Date: 2025-02-21 - 5:16:08 AM GMT - Time Source: server

Agreement completed.
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Hazardous Material Storage

The proposed metal fabrication facility will have the following hazardous materials on-site:

- (1) 55 gallon drum of oil in a containment area for cleanup (within the building)
- (2) one-gallon gas cans and aerosol cans within a fire department approved cabinet (within the building)
- Propane storage tanks within locked cage at the north side of the building near the trash dumpsters.

FREMONT COUNTY'S
COLORADO DIVISION OF WATER RESOURCES
INFORMATION FORM FOR
SPECIAL USE, ZONING, AND OTHER LAND USE ACTIONS

The Fremont County Department of Planning & Zoning (Department) is required to submit proposed land use actions to the State Engineer's Office (SEO) at the Colorado Division of Water Resources (CDWR). The SEO is responsible for providing an opinion regarding material injury likely to occur to decreed water rights by virtue of diversion of water necessary or proposed to be used to supply the proposed land use action.

This CDWR Information Form must be filled out completely and accurately to ensure that the submittal to the CDWR regarding this proposed land use action includes the necessary information required by that agency. The CDWR has 21 days to respond to County submittals. Incomplete submittals will be returned to the County for additional information and then must be resubmitted to the CDWR.

Please note that the CDWR timeframe for review may not coincide with the County deadlines or meetings, and if the CDWR requires additional information, further delays may occur.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 8 would be marked* - Exhibit CDWR-8.1, *the fifth attached document supporting the narrative provided for application item 8 would be marked* - Exhibit CDWR-8.5). Exhibit numbers should be placed in the lower right hand area of the exhibit.

1. Name of proposed project: LEGACY METAL

2. Provide a map of proposed improvements with an identified location that includes a quarter-quarter, section, township, range and principle meridian (PLSS).

3. Legal description of subject property:
   PARCEL A, VERNON PROPERTY BOUNDARY LINE ADJUSTMENT

4. What is the size of the existing parcel? 37.172 ☒ Acres --- ☐ Square feet

5. What are the proposed uses of the subject property?
   - ☐ Residential Only
   - ☒ Commercial
   - ☐ Commercial and Residential

6. What are the current uses of water on this parcel? NONE
   a. Are there any established uses that require water? ☐ Yes --- ☒ No
   b. Number of existing homes: 0

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If one or more, date this use was established: N/A

c. Home lawn / garden irrigation: ☐ Yes --- ☒ No

If yes, amount: _____ ☐ Acres --- ☐ Square feet
Date this use was established: _____

d. Livestock watering: ☐ Yes --- ☒ No

If yes, commercial or non-commercial livestock? *(Circle one)*

If yes, date this use was established: _____

e. Other uses: N/A
Dates established: N/A

7. What will be the proposed uses of water for this parcel? RESTROOMS AND BREAK ROOM

a. Number of proposed homes (including the home above if it will remain): 0

b. Lawn / garden watering, amount: N/A ☐ Acres --- ☐ Square feet

c. Livestock watering: ☐ Yes --- ☒ No

If yes, commercial or non-commercial livestock? *(Circle one)*

d. Number of Employees per day: 25 Number of days open per year: 254

e. Number of Customers per day: 10-20 Number of days open per year: 254

f. Bed / Breakfast Customers per day: N/A Number of days open per year: N/A

g. Describe other water needs: SEPARATE CISTERN REQUIRED FOR FIRE FIGHTING PURPOSES.

8. Source of water for the uses described above: *(If more than one source is utilized for parcel, describe which sources will supply which proposed uses)* BULK WATER (HAULED)

a. Is Municipal water available to parcel: ☐ Yes --- ☒ No

b. Is water available to parcel from an independent water district? ☐ Yes --- ☒ No

c. Are the uses described above proposed to be provided water by a municipality?

☐ Yes -- ☒ No

Name of provider: _____

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d. Is water hauled: ☒ Yes --- ☐ No

e. Is there an existing permitted well?: ☐ Yes --- ☒ No

If yes, permit number: _____

f. Is there a Substitute Water Supply Plan? *(Substitute water supply plans provide water users a mechanism to replace out-of-priority depletions on an interim basis.)*
☐ Yes --- ☒ No

If yes, name of plan: _____

g. Is there an unregistered well? ☐ Yes --- ☒ No

h. Is there a Surface Spring? ☐ Yes --- ☒ No

If yes, Court Adjudication Number and Spring Name: _____

9. What is the Waste Water Method?
☐ Municipal
☒ Septic with Leach Field
☐ Closed Vault, Waste Water hauled to: _____

By signing this form, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the form and any attachments to the form, is true and correct to the best of Applicant's knowledge and belief.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Department regarding the Application to be null and void.

Signing this form is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this form, provided that the same is in conformance with the Fremont County Zoning Resolution.

JERRY MARTIN, _____, 1/20/2026
Applicant Printed Name — Signature — Date

Noah Miller, _____, 1/20/2026
Property Owner Printed Name (If different from applicant) — Signature — Date

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Fremont County Department of Planning and Zoning
Roadway Impact Analysis Form

This form shall be used in conjunction with any applications submitted in accordance with Section 8 of the Fremont County Zoning Resolution and or Section VI of the Fremont County Subdivision Regulations. This form is considered a minimum application submittal item and shall be required to be provided at the time of application submittal. This form is intended to provide the minimum items that must be addressed in the roadway impact analysis. The form can be expanded or attachments can be made to further address the roadway impact of the proposed use. **If the estimated average daily traffic increase is less than thirty (30) vehicle trips per day (*one trip to be considered as a single or one-direction vehicle movement with either the origin or the destination [exiting or entering] inside the subject property*) as per the Institute of Transportation Engineers, Trip Generation Handbook, Second Edition or subsequent editions for the entire development, as estimated by the project engineer, then a Roadway Impact Analysis will not be required to be completed by an engineer. In such situations other minimum items shall be addressed by the applicant.**

1. Project Name New Production and Sales Facility for Legacy Metal Center

2. Type of application:

- ☐ Zone Change #1
- ☐ Zone Change #2 – Use Designation Plan
- ☐ Zone Change #2 – Final Development Plan
- ☒ Commercial Development Plan
- ☐ Commercial Development Modification
- ☐ Expansion of an existing Business or Industrial Use
- ☐ Special Review Use Permit
- ☐ Conditional Use Permit
- ☐ Temporary Use Permit
- ☐ Change of Use of Property
- ☐ Subdivision Preliminary Plan

3. Engineer: Mike Maik Address: 3081 S Fulton Ct
City: Denver State: CO Zip Code: 80231
Telephone #: (719) 469-5118 Facsimile #: ( ) Email mmaik@maikengineering.com

4. Provide a detailed description of the proposed use:
Light industrial metal shop with office and conference room space for staff

5. Provide the estimated average daily traffic to be generated by the proposed use(s), using the Institute of Transportation Engineers, Trip Generation Handbook, Second Edition or subsequent editions. The estimated volumes of traffic to be generated by the proposed use(s) shall include as a minimum, the average weekday traffic volume and the peak-hour (*morning and afternoon*) traffic volumes. Specify the number of trips in each category. (*one trip to be considered as a single or one-direction vehicle movement with either the origin or the destination [exiting or entering] inside the subject property*)

Residential: 0 daily, 0 peak-hour am, 0 peak-hour pm _____
Employee: 100 daily, 18 peak-hour am, 20 peak-hour pm _____

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Customer: 40 daily, 3 peak-hour am, 2 peak-hour pm

Truck generated by the proposed use: 2 daily, 0 peak-hour am, 0 peak-hour pm

Delivery – required by the use: 4 daily, 1 peak-hour am, 2 peak-hour pm

Total Vehicle Trips: 146 daily, 22 peak-hour am, 24 peak-hour pm

I certify that based on the proposed use(s) the total vehicle trips using the Institute of Transportation Engineers, Trip Generation Handbook, Second Edition or subsequent editions will average less than thirty (30) trips per day based on any fourteen (14) day time frame.

_____ Date _____ Seal

Colorado Licensed Professional Engineer

If the above has been certified, then the applicant can complete the form and acknowledge it. If completed by the applicant only the questions marked by asterisk (*) are required to be answered.

NOTE: If the additional information provided warrants improvements to the roadway system, even though the traffic generated by the proposed use is less than thirty (30) trips per day, such improvements will be required. If in the future the use exceeds an average of thirty (30) trips per day a complete analysis could be required.

6. *What is the general location of the subject property? NE Corner of CR 67 and Highway 50

7. *What are the names and/or the numbers of the public roadways that serve the site? Fremont County Road 67 (Phantom Canyon Road)

Provide a site plan drawing that shows the subject property, its proposed access points and all public roadways within a one-half (½) mile radius of the subject property, marked as Exhibit 7.1. [X] An exhibit has been attached.

8. *What is the classification, according to the Fremont County Master Plan, of the roadway from which the project site will gain access to the public transportation system?
☐ Expressway or Freeway --- ☐ Major Arterial --- [X] Arterial --- ☐ Collector --- ☐ Local

9. *Do the roadways in question lie within a three (3) mile radius of any incorporated town or city limits or the boundary of another County? [X] Yes --- ☐ No
If yes, provide the name(s) of the jurisdiction(s): Florence
In addition if a new roadway is to be constructed, how will it comply with the transportation plan in effect for the municipality? N/A - Access will be to subject property only from existing CR 67

10. *Will this project require a Fremont County Driveway Access Permit or a Colorado Department of Transportation (CDOT) State Highway Access Permit? [X] Yes --- ☐ No
Please explain: CDOT is requiring an access permit application to facilitate their review. Since the proposed access is from CR 67, a county driveway access permit is anticipated.

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11. *Will the project require construction of, or improvement to any roadway maintained by the CDOT? ☐ Yes --- ☒ No
If yes, will the proposed construction or improvement be in compliance with CDOT's "5 Year Transportation Plan"? ☐ Yes --- ☐ No Please Explain _____

Has CDOT required that the applicant provide a traffic study? ☐ Yes --- ☒ No
If yes, a copy of the study shall be attached to this application, marked as Exhibit 11.1. ☐ An exhibit has been attached.

12. *Will the project require construction of, or improvement to any roadway currently maintained or proposed to be maintained by the County? ☐ Yes --- ☒ No
If yes, what would be the social, economic, land use, safety and environmental impacts and effects of the new roadway on the existing transportation system and neighborhood?_____

13. *Are any roadways proposed to be vacated or closed in conjunction with the proposed project? ☐ Yes --- ☒ No
If yes, please explain._____

14. *Is the proposed project site adjacent to or viewable from any portion of the Gold Belt Tour Scenic Byway or other scenic corridor designated by the Master Plan? ☒ Yes --- ☐ No
If yes, identify the byway and or scenic corridor: Phantom Canyon Road (CR #67)
If yes, explain how the scenic quality will be affected by the proposed project.
The proposed development is directly adjacent to Hwy 50, and will not affect the scenic quality of the corridor.
If yes, what measures will be taken to not have a negative impact on the byway and or scenic corridor? The proposed development is directly adjacent to Hwy 50, and will not affect the scenic quality of the corridor.

15. *Will the proposed project gain access to the public transportation system via 3rd, 9th, K and or R Streets in the Penrose-Beaver Park Area of the County? ☐ Yes --- ☒ No

16. *Does the subject property have frontage on a public roadway? ☒ Yes --- ☐ No
If answered no, then documentation evidencing a "right of access" to the subject property for the proposed use shall be attached marked as Exhibit 16.1. ☐ An exhibit has been attached. If answered no, then please explain what the right of access consists of:_____

17. *What is the right-of-way width of the public roadway(s) that serve the site? 60'

18. *What is the surface type of the public roadway(s) that serve the site? Asphalt

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19. *What is the surface width of the public roadway(s) that serve the site? 24'

20. *What are the existing drainage facilities for the public roadway(s) that serve the site? Ditch

21. *Does the public roadway(s) that serves the site have curb and gutter? ☐ Yes --- ☒ No
If answered yes, what is the type of curb and gutter?

22. *Does the public roadway(s) that serves the site have adjacent sidewalks or other pedestrian ways?
☐ Yes --- ☒ No
If answered yes, what is the width(s) and surface type(s)?

23. *How many access points will the subject property have to public roadways? 1

24. *Will the proposed roadways that access the public roadways intersect the public roadways other than at perpendicular? ☐ Yes --- ☒ No
If answered yes, please explain:

25. *What are the sight distances, in all directions, from the subject property access point(s) along the public roadway that serves the site? (*mark and provide distance for each that is applicable*)
☒ Northerly, site distance: 5,000' ☒ Southerly, site distance: 630'
☐ Easterly, site distance: ☐ Westerly, site distance:

26. *What are the distances from the subject property access point(s), in all directions, to the nearest intersection with another public roadway along the public roadway that serves the site? (*mark and provide distance for each that is applicable*)
☒ Northerly, distance: 7,800' ☒ Southerly, distance: 630'
☐ Easterly, distance: ☐ Westerly, distance:

27. *What are the distances from the subject property access point(s), in all directions, to the nearest driveway(s) along the public roadway that serves the site? (*mark and provide distance for each that is applicable*)
☒ Northerly, distance: 180' ☒ Southerly, distance: 1,500' across Hwy 50
☐ Easterly, distance: ☐ Westerly, distance:

28. *What are the distances from the subject property access point(s), in all directions, to the nearest blind curve(s) along the public roadway that serves the site? (*mark and provide distance for each that is applicable*)
☒ Northerly, distance: 5,000' ☐ Southerly, distance:
☐ Easterly, distance: ☐ Westerly, distance:

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29. *What are the distances from the subject property access point(s), in all directions, to the nearest blind hill(s) along the public roadway that serves the site? (*mark and provide distance for each that is applicable*)

[X] Northerly, distance: 5,000' [ ] Southerly, distance: _____

[ ] Easterly, distance: _____ [ ] Westerly, distance: _____

30. *Identify any and all hazardous conditions with regard to the public roadway(s) that provide access to the subject property in the general area of the subject property: None to note. Adequate site distance in all directions.

If the public roadway(s) that currently serve the subject property have any hazardous conditions, then recommendations shall be made for improvements that will decrease the hazardous conditions on the public roadway(s): _____

31. *Explain what effect the proposed use will have on the existing traffic in the neighborhood. If no change is expected, please explain why no change is expected: Employee trips to and from the site, 10-20 customer trips to and from the site, and two delivery truck round trips per day to and from the site.

32. *Will the proposed use, due to the increase in traffic or the type of vehicle traffic generated by the proposed use, change the level and or type of required maintenance for the public roadway(s) that serve the site? [ ] Yes --- [X] No, (*please explain*) The proposed use will generate a relatively small amount of both truck and passenger vehicle trips for the roadway classification.

If the proposed use, due to the increase in traffic or the type of vehicle traffic generated by the proposed use, changes the level and or type of required maintenance for the public roadway(s) that serve the site, then recommendations shall be made that would lessen the maintenance impact for the entity in control of maintenance of the public roadway(s): _____

Note: If improvements are required, it may be mandatory that such improvement be installed prior to final approval of the application.

33. *Are new roadways proposed to be constructed, on or off site, in association with the proposed project? [ ] Yes --- [X] No If yes, provide evidence that the roadways will be constructed to conform to natural contours in order to minimize soil disturbance, cut and fills, protect drainageways and not create to unstable slopes. _____

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34. Provide an analysis of the existing traffic volumes on the adjacent roadway system, including the average weekday traffic (*vehicles per day*) and the weekday peak-hour traffic (*vehicles per hour – am and pm*), showing the dates and times of traffic counts or source utilized for traffic volume counts. Determine the existing level of service or percentage of roadway capacity currently in use.

Roadway name or # CR-67 average weekday traffic 2,800

Weekday peak-hour traffic 280 am Based on CDOT traffic counts and HCM peak-hour as 10% of AADT dates _____ times

Weekday peak-hour traffic 280 pm Based on CDOT traffic counts and HCM peak-hour as 10% of AADT dates _____ times

Current level of service - % of roadway in use LOS B - 16.5% of capacity in use. Per HCM, capacity of two-lane rural highway is 1,700 VPH. 280 (peak-hour volume) / 1700 = 16.5%

Roadway name or # _____ average weekday traffic _____

Weekday peak-hour traffic _____ am _____ dates _____ times

Weekday peak-hour traffic _____ pm _____ dates _____ times

Current level of service / % of roadway in use _____

Roadway name or # _____ average weekday traffic _____

Weekday peak-hour traffic _____ am _____ dates _____ times

Weekday peak-hour traffic _____ pm _____ dates _____ times

Current level of service / % of roadway in use _____

35. Provide an estimate of the probable traffic directional distribution from and to the subject property based on the proposed use(s) and assignment of the estimated traffic volumes to the adjacent roadway network. Estimate the future background and resulting total traffic volumes (*including the estimated generated traffic due to the proposed use*) on the adjacent roadway system for a twenty (20) year design period, showing volumes for both left and right turn movements as well as through traffic. Estimated traffic volumes and movement for the life of the proposed use is 22 VPH turning right from northbound CR 67 into the site for the AM, and 24 VPH turning left from the site to southbound CR 67 for the peak hour PM.

36. Determine the projected future levels of service or percentage of roadway capacity to be in use at the subject property's access points and key adjacent intersections. Provide recommendations for street and access improvements if any portions of the roadways do not have the capacity to accept the additional estimated traffic volumes. All necessary improvements will be required to be designed, completed and accepted by the County prior to any final action regarding the application.

The projected future level of service is expected to remain LOS B, as traffic is expected to continue near the posted speed of 50 mph. The intersection with Highway 50 is not expected to be impacted, as there are left and right turn auxiliary lanes already in place for both Highway 50, and CR 67.

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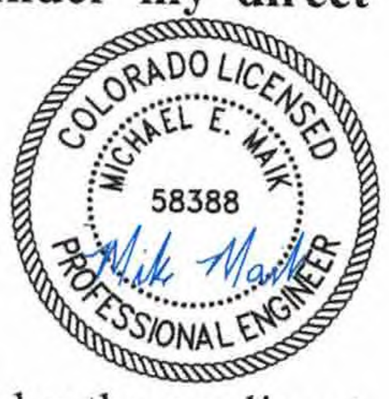
37. Please provide any additional information considered by the Certifying Engineer to be pertinent to the roadway impact in association with the proposed project: The proposed driveway cut for the new Legacy Metal Center Fabrication and Sales facility will generally mirror Shoop Drive south of Highway 50. The industrial park development south of Highway 50 generates far more traffic than the proposed development, without any notable safety or congestion concerns.

I hereby certify that the foregoing information was prepared by myself or under my direct supervision and is true and correct to the best of my knowledge and belief.

Mike Maik
Colorado Licensed Professional Engineer

Date 1/18/2026



If not completed by an Engineer, then the following acknowledgement shall be signed by the applicant and/or owner.

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

Applicant Printed Name	Signature	Date
JERRY MARTIN		1/20/2026

Owner Printed Name	Signature	Date
Noah Miller	Noah L Mi	1/20/2026

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COLORADO DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCESS PERMIT APPLICATION

Issuing authority application acceptance date:

Instructions:

1. Please type or clearly print responses in the space provided.
2. An asterisk (*) indicates a required field.
3. Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
4. Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
5. Complete this form (some questions may not apply to you) and attach all necessary documents and submit it to the issuing authority.
6. Submit a separate application for each access affected.
7. If you have any questions, contact the issuing authority.
8. For additional information, see CDOT's Access Management website at https://www.codot.gov/business/permits/accesspermits.

1) Property Owner (Permittee)*		2) Applicant for Permittee (if different from property owner)	
325 Shoop, LLC		Mike Maik	
Company (if applicable) Legacy Metal		Company (if applicable) Maik Engineering, LLC	
Mailing Address* 325 Shoop Drive		Mailing Address 3081 S Fulton Ct	
City, State, & Zip* Penrose, CO 81240	Phone #* 719-784-1949	City, State, & Zip Denver, CO 80231	Phone # 719.469.5118
E-mail Address* jerry@legacymetalcenter.com		E-mail Address mmaik@maikengineering.com	

3) Address of property to be served by permit: TBD

4) Legal description of property:

County*	City or Municipality	Parcel # or Tax Schedule #	Latitude	Longitude
Fremont		66001390		

5) What State Highway are you requesting access from?* 50

6) What side of the highway?* ☑ N ☐ S ☐ E ☐ W

7) How many feet is the proposed access from the nearest milepost (or cross street if mile post unknown)?*

650 feet (☑ N ☐ S ☐ E ☐ W) from: Fremont CR 67 and State Highway 50

8) What is the approximate date you intend to begin construction? 4/1/2026

9) Check here if you are requesting a:*

☑ New Access ☐ Temporary Access (duration anticipated:) ☐ Improvement to Existing Access
☐ Change in Access Use ☐ Removal of Access ☐ Access via a local public road ☐ Relocation of an Existing Access (provide detail)

10) Provide existing property use.

☑ Vacant ☐ Single Family Residence ☐ Multi-Family ☐ Mixed Use ☐ Other
☐ City Street/County Road ☐ Commercial ☐ Agriculture ☐ Grazing ☐ Industrial

11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest?*

☑ No ☐ Yes If yes, what are the permit number(s) and provide copies: and/or permit date(s):

12) Does the property owner own or have any interests in any adjacent property?*

☐ No ☑ Yes If yes, please describe: Two lots east of the subject lot along Highway 50.

13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property?*

☐ No ☑ Yes If yes, list them on your plans and indicate the proposed and existing access points.

14) If you are requesting agriculture field access, how many acres with the access serve? n/a

15) If you are requesting commercial or industrial access, please indicate the types and number of businesses and provide the floor area square footage of each.

Business/Land Use (Proposed)	Square Footage	Business/Lane Use (Existing)	Square Footage
Business	61,316 SF	Vacant	n/a

16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?

Type (Proposed)	Number of Units	Type (Existing)	Number of Units
n/a	n/a	n/a	n/a

17) Provide the following vehicle count estimates for vehicles that will use the access.*

Total peak hour volumes for all vehicles*	# of passenger cars and light trucks in peak hour	# of multi-unit trucks in peak hour
20	20	0
# of single unit vehicles in excess of 30 ft.	# of farm vehicles (field equipment)	
2	0	

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

a) Property map indicating other access, bordering roads and streets.
b) Highway and driveway plan profile.
c) Drainage plans showing impact to the highway right-of-way.
d) Map and letters detailing utility locations before and after development in and along the right-of-way.
e) Subdivision, zoning, or development plans.
f) Proposed access design.
g) Parcel and ownership maps including easements.
h) Traffic Studies.
i) Proof of ownership.

1- It is the permittee's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage: https://www.codot.gov/programs/environmental/resources/guidance-standards/environmental_clearances_info_summary.pdf

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/ procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations -including, but not limited to the applicable sections of 29 CFR Part 1910 -Occupational Safety and Health Standards and 29 CFR Part 1926

- Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI 289.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI 241-1999.

Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: https://www.codot.gov/business/civilrights/ada/resources-engineers.

If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The permittee declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

If the applicant is not the owner of the property, we require this application being signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.

Permittee (Property Owner #1) or Authorized by the Owner Signature	Print Name	Date
[signature]	JERRY MARTIN	1/20/2024
Permittee (Property Owner #2) or Authorized by the Owner Signature (if applicable)	Print Name	Date
[signature]	Noah M. Miller	1/20/2024

FREMONT COUNTY
FIRE PROTECTION PLAN
AND DISTRICT COMMENT FORM

The Fremont County Subdivision Regulations and Fremont County Zoning Resolution require a fire protection plan be submitted with many different types of applications, at the time of application submittal. In order to provide consistency in the information received, it shall be required that these plans be submitted on this form.

The Fremont County Department of Planning and Zoning (Department), Fremont County Planning Commission (Commission) and Fremont County Board of County Commissioners (Board) take into consideration the responses of the Applicant and the District during their respective review process.

Attachments can be made to this form to provide expanded narrative for any application item including supportive documentation or evidence for provided form item answers. Please indicate at the form item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 4 would be marked* - Exhibit 4.1, *the fifth attached document supporting the narrative provided for application item 4 would be marked* - Exhibit 4.5). Exhibit numbers should be placed in either the lower right hand area or the upper right hand area of the exhibit.

If the subject property is not in a fire protection district, only applicants' information and map are required. A copy of the Colorado State Forest Service Wildfire Hazard Area Map with the subject property clearly and accurately located, shall be attached and marked as Exhibit A.

APPLICANT INFORMATION

1. Project Name Legacy Metal Fabrication Facility

2. Project Description New metal fabrication facility at the NE corner of Hwy 50 and CR 67.

3. Type of application:

- ☐ Zone Change #1
- ☐ Zone Change #2 – Use Designation Plan
- ☐ Zone Change #2 – Final Development Plan
- ☐ Commercial Development Plan
- ☐ Commercial Development Modification
- ☐ Expansion of an existing Business or Industrial Use
- ☒ Special Review Use Permit
- ☐ Conditional Use Permit
- ☐ Temporary Use Permit
- ☐ Change of Use of Property
- ☐ Subdivision Preliminary Plan
- ☐ Minor Subdivision

3. The subject property is located at:
NE corner of Hwy 50 and CR 67. Parcel A, Vernon Property Boundary Line Adjustment.

Address and or General Location (*If general location only is used, it will be required that a legal description of the subject property be attached Marked as Exhibit 3.1*) ☒ An exhibit is attached.

4. Fire protection will be provided in what manner and with what resources? Fire protection will be provided by a cistern with fire truck connection point and sprinkler system for higher life safety risk areas (upstairs office / conference room area).

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5. The source of water for fire protection is:
☐--- Water District – Name of District:_____

☐--- Well – Colorado Division of Water Resources Well Permit Number:_____
Is the well approved for fire protection? ☐ Yes --- ☐ No Please explain:_____

_____

☒ ---Cistern – What is the cistern capacity? 22,500 Gallons – What is the water source for filling the cistern? Bulk water delivery.

_____

6. What is the distance from the subject property to the nearest fire hydrant? 1,000' at the intersection of Shoop and CR 67.

7. What public roadways provide access to the subject property? County Road 67.

_____

8. How many accesses to public roadways will the subject property have? 1

_____

9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? ☒ Yes --- ☐ No Please explain by providing right-of-way and surface widths, length of roadway, surface types for all interior existing and proposed roadways and turning radii for cul-de-sacs. CR 67 is asphalt with 24' paved width. The interior drive aisles will be 25' wide with 25' inner turning radii all the way around building for full circulation of WB-67 semi-trucks as design vehicle. Interior roads will be gravel section capable of withstanding semi-truck loads.

10. What are the existing and or proposed interior roadway names? N/A

_____

11. Is the subject property located within a fire protection district? ☒ Yes --- ☐ No
If yes, please provide the district name: Florence Fire Protection District

If the subject property is not located within a fire protection district please answer the following questions and the form will be considered completed for submittal. If the subject property is located within a fire protection district then answers to the following will not be required, however the remainder of the form shall be addressed by a representative of the fire protection district in which the subject property is located.

a. What is the name of the fire protection district closest to the subject property?_____

_____

b. What is the distance from the subject property to the nearest fire protection district boundary?

_____

c. Is it logical and feasible to annex the subject property to a fire protection district?
☐ Yes ----- ☐ No Please explain:_____

_____

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d. What types of fire protection improvements are proposed for the subject property and or structures to be housed on the property? Please explain:_____

_____

_____

_____

_____

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

JERRY MARTIN		1/20/2026
Applicant Printed Name	Signature	Date
Noah Miller	Noah L Mar	1/20/2026
Owner Printed Name	Signature	Date

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FIRE PROTECTION AUTHORITY INFORMATION

1. The name of the fire protection authority is: Florence Fire Protection District

2. Name of contact person: Bill Ritter

   Title: Fire Chief Telephone: 719-280-3811

3. The name and address of the responding fire station is: Florence Fire District Station 1
   300 West Main Street Florence, CO 81226

4. The distance from the subject property, by public roadway, to the responding fire station is:
   3.7 miles

5. The estimated response time to the subject property is: 6 minutes

6. The location of the closest fire hydrant to the subject property is:
   Shoop Drive and HWY 67

7. Is the existing hydrant size and location adequate for the existing neighborhood and the proposed development? ☐ Yes --- ☒ No Please explain: This hydrant is located across HWY 50 from this building site.

8. Are the existing public roadways accessing the subject property adequate for fire vehicle access? ☒ Yes --- ☐ No Please explain:

9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? ☒ Yes --- ☐ No Please explain:

10. Are the proposed fire protection measures adequate for any existing or proposed structures to be housed on the subject property? ☐ Yes --- ☐ No Please explain:
    See below

11. What are the wildfire hazard classifications for the subject property, as prepared by the Colorado State Forest Service? Contact BLM Office in Canon City

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12. Recommendations concerning fire protection in general, fire protection improvements, suggested road names, for this project are as follows: **NOTE:** Be sure to list type, size and location of improvements recommended (*i.e.; hydrants, water lines, cisterns, dry hydrants, roadway improvements, etc.*). **Please indicate whether recommendations or requirements are the result of codes or regulations, and provide supporting information which will assist the Planning Commission and the Board of County Commissioners to determine whether to adopt any or all of the recommendations as requirements of the permit.**

In reference to question 10 above. I have spoke with people from Leagcy about the fire protection systems. I did approve the cistern size based on the proposed reception and office area. I was informed at that time there would be two apartments above this area. The drawings I was provided before That meeting did not have any information about that. The information I have received with this Plan review does not show the apartments above the reception/office area. Without complete information I cannot answer this question. As for the overall site plan the requests I had previously made have been met.

Bill Ritter

Signature and title of Authorized Fire Protection Representative

3/4/2026

Date

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VERNON PROPERTY BOUNDARY LINE ADJUSTMENT

BEING A PORTION OF THE NORTH HALF OF THE SOUTHEAST QUARTER
OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 69 WEST OF THE 6TH P.M.,
FREMONT COUNTY, COLORADO

NOTES:

1. FEDERAL EMERGENCY MANAGEMENT AGENCY, Flood Insurance Rate Map, Map Number 08043C0675 E effective date September 19, 2007, and Map Number 08043C0665 F effective date January 6, 2012, indicates the area in the vicinity of this parcel of land to be in Zone X "white" (areas determined to be outside the 0.2% annual chance floodplain).

2. Date of survey: October 10, 2017.

3. Basis of Bearings: All bearings are relative to the Northerly line of Northeast Quarter of the Southwest Quarter of Section 33, Township 18 South, Range 69 West of the 6th P.M., monumented as shown and assumed to bear N88°53'48"W, a distance of 1072.91 feet.

○ – indicates set #4 rebar with plastic cap, PLS No. 18465
● – indicates found survey monument as noted

(100.00) – indicates data "of record".

4. Approval of a Property Boundary Line Adjustment does not transfer property between the two (2) affected property owners. Said real estate transfer must be achieved through separate action by both property owners involved, for example a quit claim deed, etc.

N

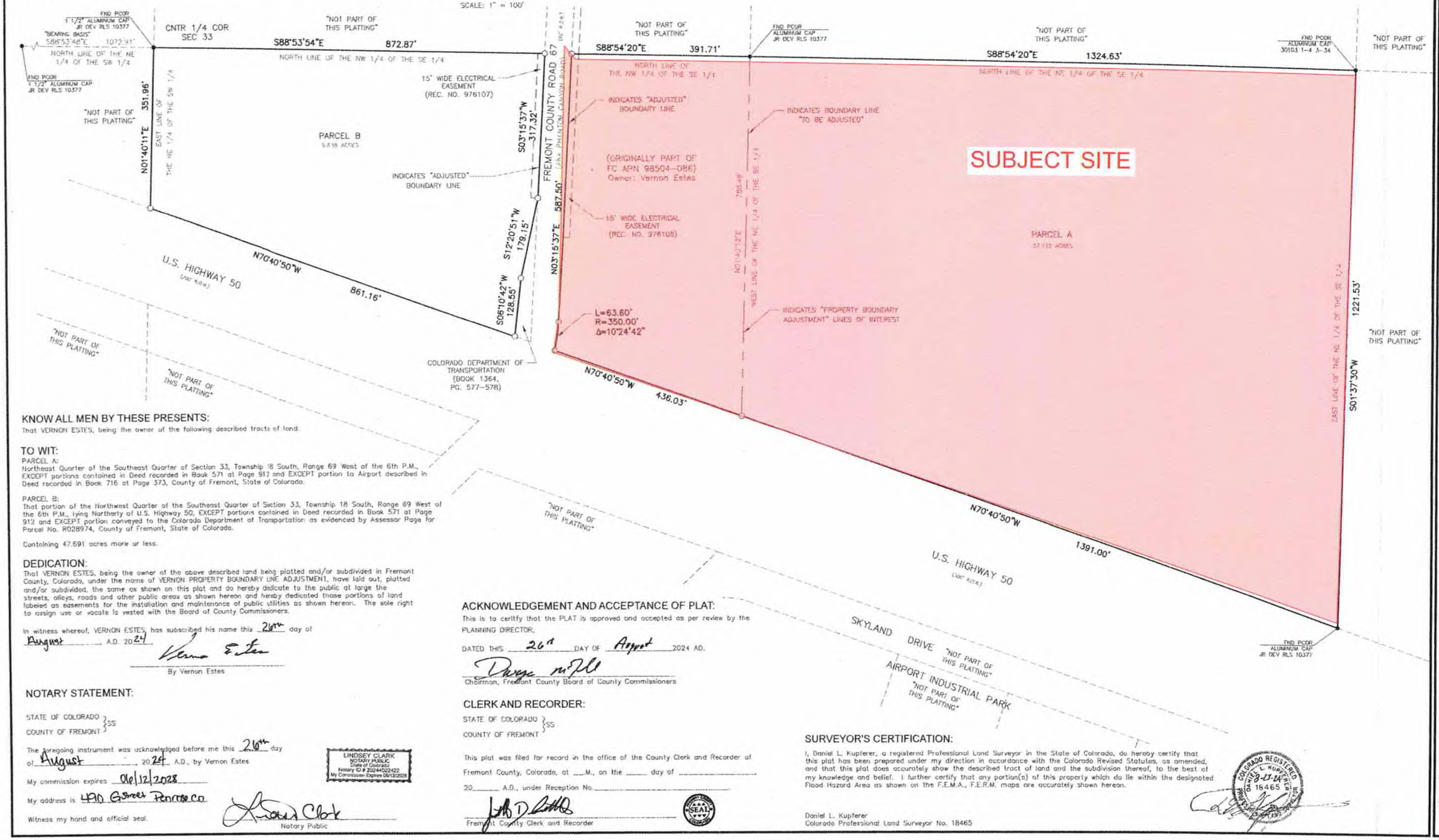
100' 0 100' 200'

SCALE: 1" = 100'

EASEMENTS:

Easements for public purposes, including utilities, are as indicated on the plat, with the sole responsibility for maintenance being vested with the adjacent property owners. Except as otherwise noted, all interior lot lines are subject to a five (5) foot Utility Easement on both sides of lot lines. Exterior subdivision boundary not fronting public way is subject to a ten (10) foot Utility Easement.

VICINITY MAP
(NOT TO SCALE)



KNOW ALL MEN BY THESE PRESENTS:

That VERNON ESTES, being the owner of the following described tracts of land:

TO WIT:

PARCEL A:
Northeast Quarter of the Southeast Quarter of Section 33, Township 18 South, Range 69 West of the 6th P.M., EXCEPT portions contained in Deed recorded in Book 571 at Page 912 and EXCEPT portion to Airport described in Deed recorded in Book 716 at Page 373, County of Fremont, State of Colorado.

PARCEL B:
That portion of the Northwest Quarter of the Southeast Quarter of Section 33, Township 18 South, Range 69 West of the 6th P.M., lying Northerly of U.S. Highway 50, EXCEPT portions contained in Deed recorded in Book 571 at Page 912 and EXCEPT portion conveyed to the Colorado Department of Transportation as evidenced by Assessor Page for Parcel No. R028974, County of Fremont, State of Colorado.

Containing 47.691 acres more or less.

DEDICATION:

That VERNON ESTES, being the owner of the above described land being platted and/or subdivided in Fremont County, Colorado, under the name of VERNON PROPERTY BOUNDARY LINE ADJUSTMENT, have laid out, platted and/or subdivided, the same as shown on this plat and do hereby dedicate to the public at large the streets, alleys, roads and other public areas as shown hereon and hereby dedicated those portions of land labeled as easements for the installation and maintenance of public utilities as shown hereon. The sole right to assign use or vacate is vested with the Board of County Commissioners.

In witness whereof, VERNON ESTES, has subscribed his name this 26th day of August A.D. 2024

Vernon Estes
By Vernon Estes

NOTARY STATEMENT:

STATE OF COLORADO }SS
COUNTY OF FREMONT }

The foregoing instrument was acknowledged before me this 26th day of August 2024 A.D., by Vernon Estes.

My commission expires 06/12/2028

My address is 490 G Street Penrose CO

Witness my hand and official seal.

LINDSEY CLARK
NOTARY PUBLIC
State of Colorado
Notary ID # 20244022422
My Commission Expires 06/12/2028

Notary Public

ACKNOWLEDGEMENT AND ACCEPTANCE OF PLAT:

This is to certify that the PLAT is approved and accepted as per review by the PLANNING DIRECTOR.

DATED THIS 26th DAY OF August 2024 AD.

Chairman, Fremont County Board of County Commissioners

CLERK AND RECORDER:

STATE OF COLORADO }SS
COUNTY OF FREMONT }

This plat was filed for record in the office of the County Clerk and Recorder of Fremont County, Colorado, at ___M., on the _____ day of _____, 20_____ A.D., under Reception No._____

Fremont County Clerk and Recorder

SURVEYOR'S CERTIFICATION:

I, Daniel L. Kupferer, a registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat has been prepared under my direction in accordance with the Colorado Revised Statutes, as amended, and that this plat does accurately show the described tract of land and the subdivision thereof, to the best of my knowledge and belief. I further certify that any portion(s) of this property which do lie within the designated Flood Hazard Area as shown on the F.E.M.A., F.E.R.M. maps are accurately shown hereon.

COLORADO REGISTERED DANIEL L. KUPFERER 18465 PROFESSIONAL LAND SURVEYOR 8-27-24

Daniel L. Kupferer
Colorado Professional Land Surveyor No. 18465

According to Colorado law, you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

CALL BEFORE YOU DIG . . .
811
DIAL 811
48 HOURS BEFORE YOU DIG CALL UTILITY LOCATORS FOR LOCATING AND MARKING GAS, ELECTRIC, WATER AND PARTNERS

No.	Description	By	Date
1	COUNTY REVIEW COMMENTS	DAS	07/25/2024
2	ADDITIONAL COUNTY COMMENTS	DAS	08/20/2024

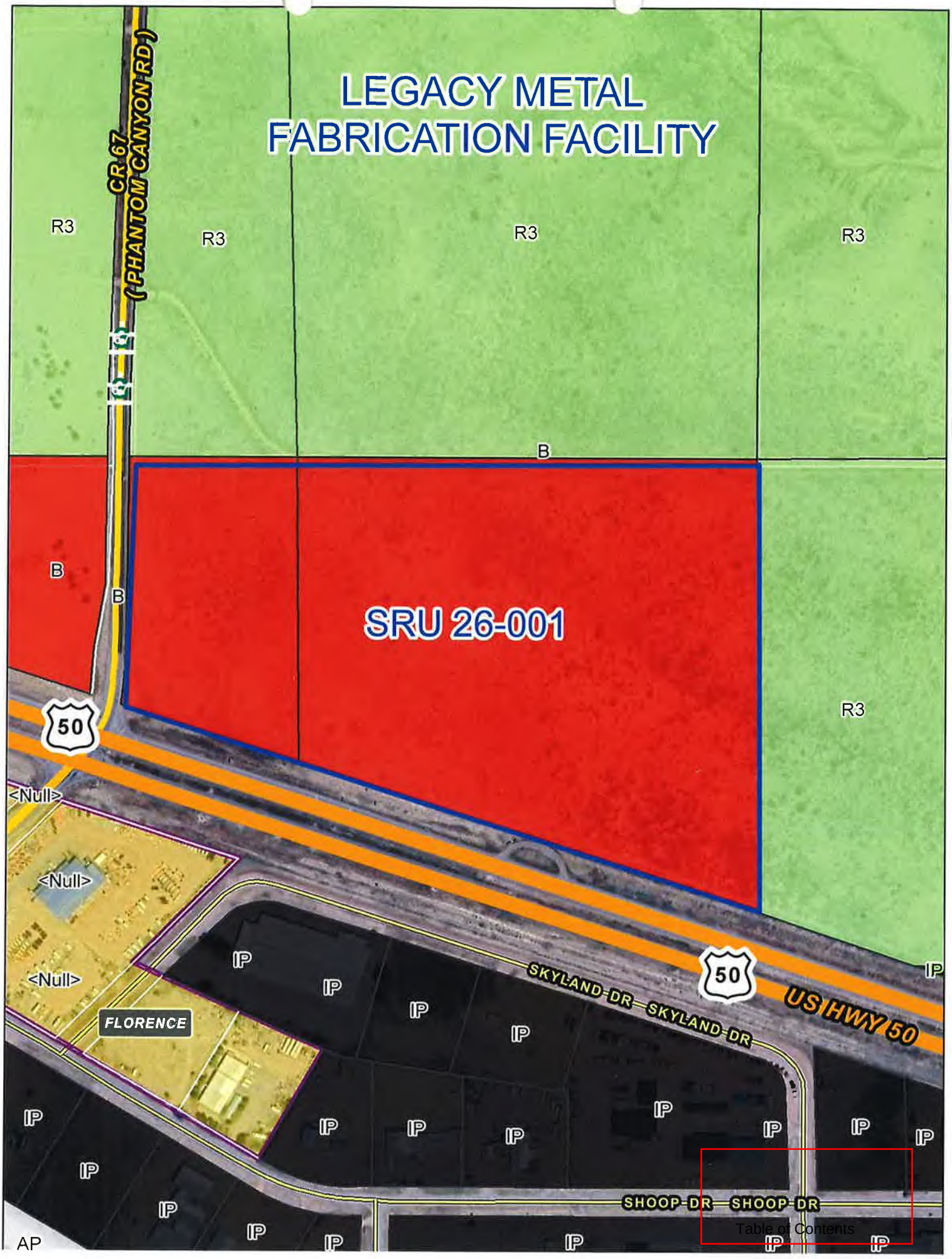
H Scale: 1" = 100'
V Scale: N/A
Designed By: N/A
Drawn By: DAS
Checked By: DLK
Date: 05/08/2024

Land Development Consultants, Inc.
PLANNING • SURVEYING
www.ldcinc.com • TEL: (719) 528-6133 • FAX: (719) 528-6848
3090 MAZELAND ROAD • COLORADO SPRINGS, CO 80908

BOUNDARY LINE ADJUSTMENT
A PORTION OF THE SOUTH HALF OF SECTION 33, TOWNSHIP 18 SOUTH, RANGE 69 WEST OF THE 6TH P.M., FREMONT COUNTY, COLORADO

Project No.: 17047
Sheet: EXHIBIT 3.1


LEGACY METAL
FABRICATION FACILITY
CR 67
(PHANTOM CANYON RD.)
SRU 26-001
50
50
US HWY 50
SKYLAND DR
SKYLAND DR
FLORENCE
SHOOP DR
SHOOP DR



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02/10/2026


02/10/2026

02/10/2026

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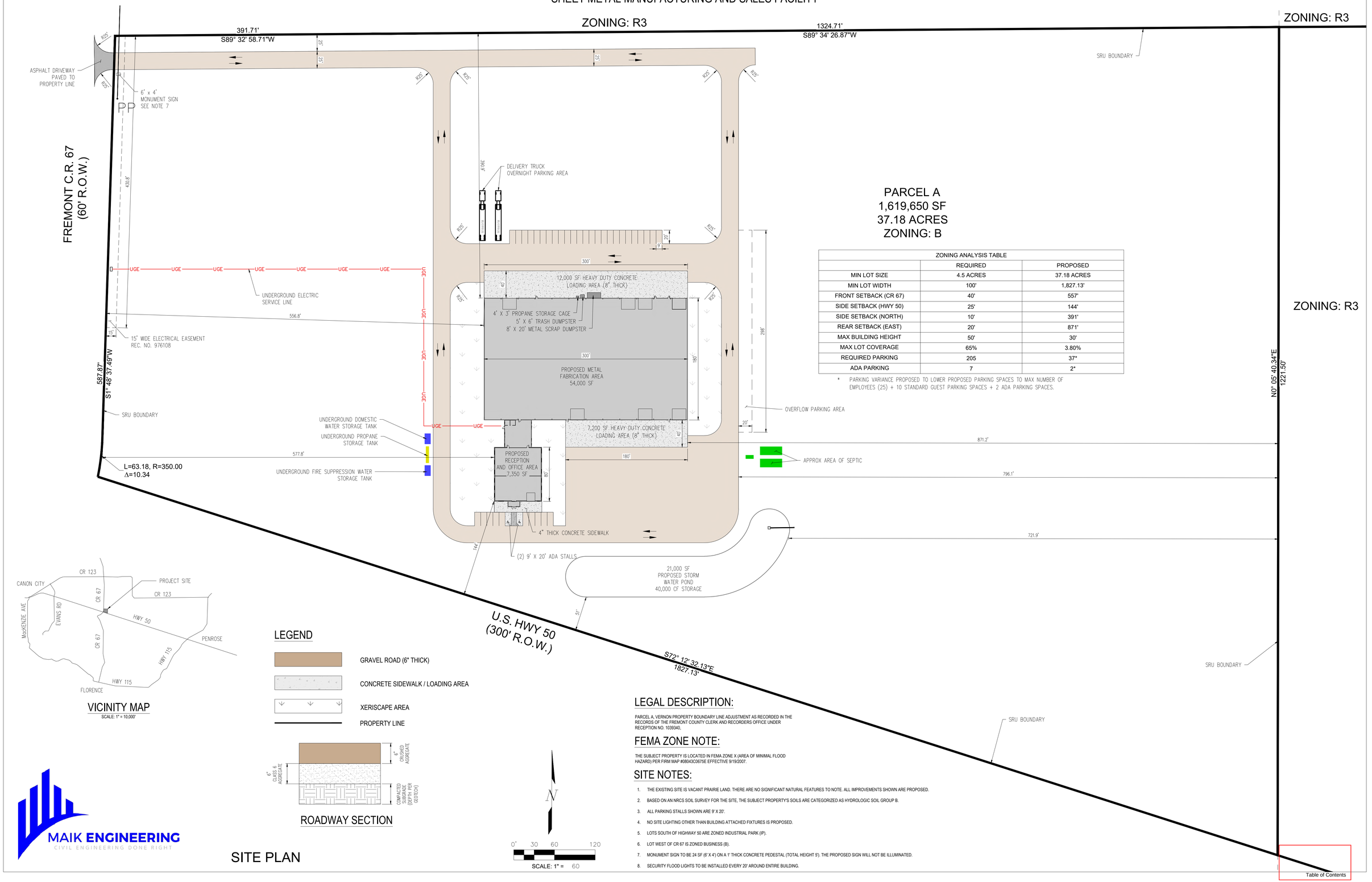
LEGACY METAL FABRICATION FACILITY

SPECIAL REVIEW USE PERMIT

SHEET METAL MANUFACTURING AND SALES FACILITY



PARCEL A
1,619,650 SF
37.18 ACRES
ZONING: B

ZONING ANALYSIS TABLE		
	REQUIRED	PROPOSED
MIN LOT SIZE	4.5 ACRES	37.18 ACRES
MIN LOT WIDTH	100'	1,827.13'
FRONT SETBACK (CR 67)	40'	557'
SIDE SETBACK (HWY 50)	25'	144'
SIDE SETBACK (NORTH)	10'	391'
REAR SETBACK (EAST)	20'	871'
MAX BUILDING HEIGHT	50'	30'
MAX LOT COVERAGE	65%	3.80%
REQUIRED PARKING	205	37*
ADA PARKING	7	2*

* PARKING VARIANCE PROPOSED TO LOWER PROPOSED PARKING SPACES TO MAX NUMBER OF EMPLOYEES (25) + 10 STANDARD GUEST PARKING SPACES + 2 ADA PARKING SPACES.

VICINITY MAP
SCALE: 1" = 10,000'

LEGEND

- GRAVEL ROAD (6" THICK)
- CONCRETE SIDEWALK / LOADING AREA
- XERISCAPE AREA
- PROPERTY LINE

ROADWAY SECTION

SCALE: 1" = 60

MAIK ENGINEERING
CIVIL ENGINEERING DONE RIGHT

SITE PLAN

LEGAL DESCRIPTION:

PARCEL A, VERNON PROPERTY BOUNDARY LINE ADJUSTMENT AS RECORDED IN THE RECORDS OF THE FREMONT COUNTY CLERK AND RECORDERS OFFICE UNDER RECEPTION NO. 1039340,

FEMA ZONE NOTE:

THE SUBJECT PROPERTY IS LOCATED IN FEMA ZONE X (AREA OF MINIMAL FLOOD HAZARD) PER FIRM MAP #08043C0675E EFFECTIVE 9/19/2007.

SITE NOTES:

1. THE EXISTING SITE IS VACANT PRAIRIE LAND. THERE ARE NO SIGNIFICANT NATURAL FEATURES TO NOTE. ALL IMPROVEMENTS SHOWN ARE PROPOSED.
2. BASED ON AN NRCS SOIL SURVEY FOR THE SITE, THE SUBJECT PROPERTY'S SOILS ARE CATEGORIZED AS HYDROLOGIC SOIL GROUP B.
3. ALL PARKING STALLS SHOWN ARE 9' X 20'.
4. NO SITE LIGHTING OTHER THAN BUILDING ATTACHED FIXTURES IS PROPOSED.
5. LOTS SOUTH OF HIGHWAY 50 ARE ZONED INDUSTRIAL PARK (IP).
6. LOT WEST OF CR 67 IS ZONED BUSINESS (B).
7. MONUMENT SIGN TO BE 24 SF (6' X 4') ON A 1' THICK CONCRETE PEDESTAL (TOTAL HEIGHT 5'). THE PROPOSED SIGN WILL NOT BE ILLUMINATED.
8. SECURITY FLOOD LIGHTS TO BE INSTALLED EVERY 20' AROUND ENTIRE BUILDING.

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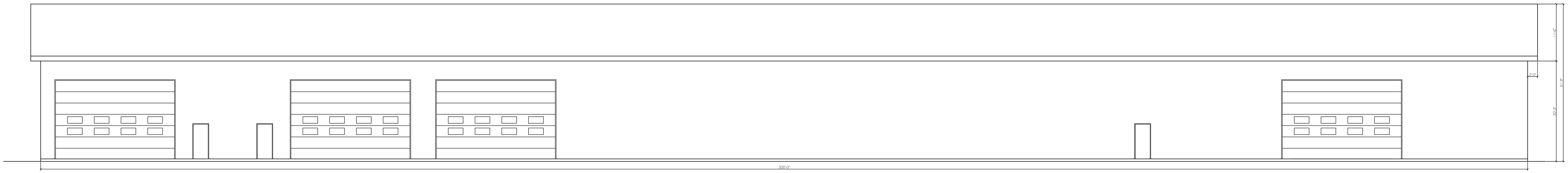
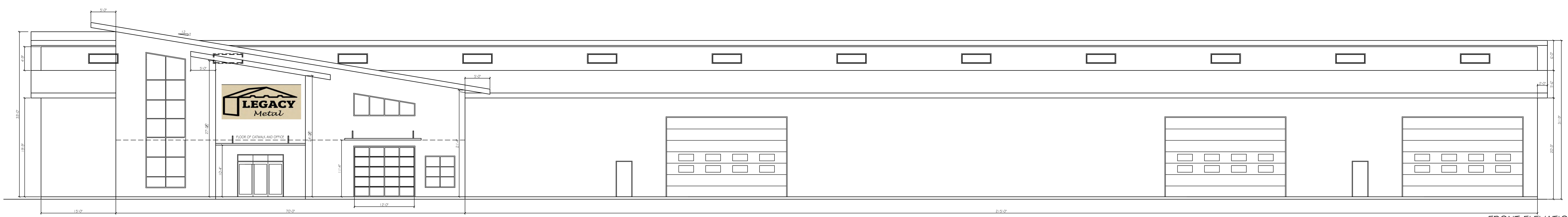
LEFT SIDE ELEVATION
SCALE: 1/8"= 1'-0"



REAR ELEVATION
SCALE: 1/8"= 1'-0"

RIGHT SIDE ELEVATION
SCALE: 1/8"= 1'-0"



FRONT ELEVATION
SCALE: 1/8"= 1'-0"

RJM Designs
Robert J. Maixner, Architect
(719) 660-6183 maxarctec@aol.com

J&B Construction
Josh Peek jpeek@jandbconstruction
phone: 719-214-2383

Legacy Metal Fabrication Facility
CR 67, Penrose, CO 81240

JOB NO.
25-110
SHEET NO.
A-2.1

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Privacy Act Statement (5 U.S.C. § 552a(e)(3)): Authority: Information solicited by the Federal Aviation Administration (FAA) Obstruction Evaluation/Airport Airspace Analysis (OE/AAA) is authorized by 49 U.S.C. § 44718 and 47101 Purpose: The FAA OE/AAA is an application used to evaluate all structures that may affect the national airspace system and defend against potential hazards to the safety and efficient use of the navigable airspace. The information collected is used to allow a user access to the OE/AAA and to administer the Aeronautical Study Process. Routine Uses: In accordance with the Privacy Act system of records notice, DOT/ALL 16 Mailing Management System and DOT/FAA 826 Petitions for Exemptions, Other than Medical Exemptions this information may be disclosed to officials within the federal government and the public in general. DOT/ALL 13 - Internet/Intranet Activity and Access Records, this information is routinely used; • To provide information to any person(s) authorized to assist in an approved investigation of improper access or usage of DOT computer systems; • To an actual or potential party or his or her authorized representative for the purpose of negotiation or discussion of such matters as settlement of the case or matter, or informal discovery proceedings; • To contractors, grantees, experts, consultants, detailees, and other non-DOT employees performing or working on a contract, service, grant cooperative agreement, or other assignment from the Federal government, when necessary to accomplish an agency function related to this system of records; and • To other government agencies where required by law.

Disclosure: Submission of the information is voluntary, however, failure to submit requested information will result in FAA's inability to grant you access to the system and may result in an inability of the FAA to process the notice or administer the aeronautical study process for the construction, alteration, activation, or deactivation proposed.

U.S. Department of Transportation
Federal Aviation Administration

Failure to Provide All Requested Information May Delay Processing of your Notice

Notice of Proposed Construction or Alteration

FOR FAA USE ONLY

Aeronautical Study Number
2026-ANM-1189-OE

Status: Determined - No Hazard

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1.Sponsor

Name:	Legacy Metal Center
Attn of:	Jerry Martin
Address:	375 Shoop Drive
City:	Penrose
State:	CO
Zip:	81240
Country:	US
Phone:	+1-1-719-420-8865
Fax:	

2.Sponsor's Representative

Name:	Maik Engineering
Attn of:	Maik Engineering
Address:	3081 South Fulton Court
City:	Denver
State:	CO
Zip:	80231-4724
Country:	US
Phone:	+1-1-719-469-5118
Fax:	

3.Notice of: New Construction

4.Duration:

Permanent (Months:0 Days:0)

5.Work Schedule:

6.Type: Building

7.Marking/Lighting: None

8.FCC Antenna Registration Number:
(if applicable)

9.Latitude: 38°26' 15.22" N

10.Longitude: 105°6' 43.36" W

12.Nearest

State:	CO
County:	Fremont

13.Nearest Public Use Airport: 1V6
(or Military Airport/Heliport)

14.Distance from Airport to Structure: 3600 ft

15.Direction from Airport to Structure: 336°

16.Site Elevation *(SE)*: 5468 ft

17.Structure Height *(AGL)*: 30 ft

18.Overall Height *(AMSL)*: 5498 ft

19.Prior ASN *(if applicable)*:

20.Description of Location:
NE corner of Highway 50 and CR 67 in Fremont County, Colorado

21.Description of Proposal:
Proposed 30' tall metal building for fabrication and sale of sheet metal products

Frequencies:

Low Freq	High Freq	Unit	ERP

Letters:
07/04/2026 - DET

Processed 7460-2 Forms:

Supplemental Form 7460-2:
Please login to add a Supplemental Form 7460-2

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FREMONT COUNTY
PLANNING COMMISSION MEETING MINUTES
April 7, 2026, AT 3:00 P.M.

MEMBERS PRESENT
Travis Payne
John Hamrick
Rudl Mergelman
John Carper

STAFF PRESENT
Dan Victoria, Planning Director
Mike Fowler, Planning Coordinator
Joanne Kohl, Office Manager

1. **CALL TO ORDER**
   Chairman Hamrick Called the meeting to order at 3:00 pm.

2. **PLEDGE OF ALLEGIANCE**
   Pledge of Allegiance was recited.

3. **APPROVAL OF THE APRIL 7, 2026, PLANNING COMMISSION AGENDA**
   Chairman Hamrick asked if there were any changes, additions or corrections to the April 7, 2026, Fremont County Planning Commission Agenda.

   MOTION
   Mr. Carper motioned to accept the April 7, 2026, Fremont County Planning Commission Meeting agenda.

   SECOND
   Mr. Payne second the motion.

   Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

4. **APPROVAL OF THE JANUARY 6, 2026, PLANNING COMMISSION MEETING MINUTES**
   Chairman Hamrick asked if there were any changes, additions or corrections to the January 6, 2026, Fremont County Planning Commission Meeting Minutes.

   MOTION
   Mr. Mergelman motioned for approval of the January 6, 2026, minutes.

   SECOND
   Mr. Carper second the motion.

   Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

5. **UNFINISHED BUSINESS:**
   NONE

   Chairman Hamrick asks the applicant to speak about their item on the agenda.

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Mr. Rob Brown from Fremont Economic Development Corporation states that they are here to talk about their project, Legacy Metal. The project is located near HWY 67 and HWY 50. There have been several projects over the years, in 2018 the project resurrected itself and was deemed a great place for a commercial business park standing to bring people in from outside the community. During the pandemic, the project stalled out. Now, this is a very solid project that has been very successful in the community and that has been producing jobs and products and generating wealth from outside the community and bringing it in and creating the ultimate primary jobs. He introduces Jerry Martin to talk about the details of the project.

Mr. Martin states that Legacy Metal is a Colorado based company, established in 2020, they specialize in metal roofing, siding and trim products as well as metal building packages. They are a small but growing business. The new 61,000 sqft. Building, on their 37-acre site, is designed to support the next stage of their growth.

Chairman Hamrick ask for staff report.

6. NEW BUSINESS:

A. SRU 26-001 Legacy Metal Fabrication Facility

The subject project proposes to improve the currently vacant land with a 61,316 SF building that will contain offices, a conference room, a break room, and a metal fabrication shop and material storage area.

Representative: Jerry Martin

Director Victoria presents the staff report. The subject project proposes to improve the currently vacant land with a 61,316 SF building that will contain offices, a conference room, a break room, and a metal fabrication shop and material storage area.

The proposed facility will be a fabrication and sales facility for metal panels, siding, roofs, and similar products. The facility will be open Monday through Friday from 7am – 4pm in the winter, and 6:30 am – 4:30 pm for the rest of the year, with the change in operating hours occurring at daylight savings time changes.

The facility is expected to have 25 employees and 10 – 20 customers per day. On average, the facility will receive three deliveries per week from 18-wheelers. Additionally, the facility will send out two of its own delivery trucks each morning, that return each evening.

Roll forming machines, forklift operation, and loading operations will all take place within the building and will not create significant noise or vibration outside the building footprint.

LOCATION

130 County Road 67, Penrose, Colorado 81240

BACKGROUND / ASSOCIATED CASES

The lot is 1,619,650 square feet (37.18 acres), zoned Business (B), and is currently vacant land (0% lot coverage).

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The proposed use is being submitted for a Special Review Use and does not propose to rezone the property. The proposed building will cover 61,316 square feet, for a proposed lot coverage of 3.8%. The proposed building will be a metal building, containing offices, conference room, and metal fabrication / storage space.

Estimated Traffic Count: 146 trips per day (factors employees leaving and returning for lunch)

Number of Access Points: 1

Floodplain: N/A

Water: Cistern – Bulk water delivery from Hanson Construction & Excavation

Sanitation: Engineered OWTS

Electric: Black Hill Energy

Refuse: Twin Enviro

Natural gas/Propane: Propane

Lighting:
Dusk to dawn floodlights for security purposes are proposed outside the building. Special care will be taken by the owner to ensure that floodlights do not illuminate areas off the property, especially along the south side, into Highway 50 right of way.
Parking and loading areas are not proposed to be lit by parking lot lighting, as business hours correlate with daylight hours. However, security floodlights are proposed for off hours, and would provide adequate lighting to the parking and loading areas if needed.

Parking:
Since the vast majority of the proposed building will be fabrication equipment and metal storage, a variance from this section is requested. It is proposed to provide one parking space for the maximum number of employees at any given time (25) plus 10 standard customer spaces. It is also proposed to include 2 ADA spaces (both van accessible) per section 5.05 (d) (ii).
Customer and delivery truck loading / off-loading will occur on the north side of the fabrication shop area.

FIRE PROTECTION DISTRICT: Florence Fire Protection

ACCESS: County Road 67

PUBLIC COMMENTS/CONCERNS: None Received

AGENCY COMMENTS
Staff requested comments from various review agencies. Staff has incorporated comments received to date either in their entirety or in part into this staff report.

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FCDOT:

- Driveway access will need to be hard surfaced and match existing grade to protect county hard surface shouldering.
- Annual road impact fee of $478.24 to be reviewed annually to update cost with market prices.
- Roads built within the planned location will not be maintained by the County.

FREMONT COUNTY ENGINEER:

- The submission is generally compliant with the core hydraulic requirements.
- There are issues that need to be addressed before full approval can be recommended.
  - Missing Operation & Maintenance Plan. (This was later received and forwarded to the County Engineer on 3/19/2026).
  - Drainage Map and Data Requirement Blurry (This was later received and forwarded to the County Engineer on 3/19/2026).

FREMONT COUNTY BUILDING AND ENVIROMENTAL HEALTH DEPARTMENT:

- The OWTS design appears to be large enough to accommodate this facility.
- The department reserves the right to review the OWTS system in a more realistic environment once the plans for this project are submitted.

FIRE PROTECTION PLAN:

- Approved the cistern size based on the proposed reception and office area.

REQUESTED WAIVERS:

1. **Parking**
   - Per Section 5.05 of the Fremont County Zoning Code, the proposed use of the site most nearly aligns with the industrial use category (fabricating). Per this section, the minimum number of spaces required is the greater of 1 per 300 sq. ft. of floor area up to 100,000 sq. ft. or 1 per employee on maximum shift. This would require the use to have 205 parking spaces (61,316 sq ft / 300 sf).

2. **Screening**
   - The applicant would like to request a variance from FCZR section 5.04, which requires screening along the north and east property line. The justification for this variance is that the property to the north is currently vacant range land. Additionally, the applicant owns all parcels to Eightmile Creek (east). Granting this variance will allow the applicant more flexibility in further subdividing their property, without the risk or removing newly constructed fence or mature trees in the near future

RECOMMENDATION

Having found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Special Review Use Permit application with the following contingencies/Conditions:

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WAIVERS:

1. **Parking-**

   Staff supports this waiver. Regulations require 205 standard spaces and 11 ADA for this square footage. The Applicant's proposed employee/customer parking spaces seem adequate and an overflow parking area is detailed on the site plan. The overflow parking area is 20'x 298' (33 spaces).

2. **Screening-**

   Staff supports this waiver. FCZR section 5.04 requires screening between commercial or industrial uses and agricultural or residential zoning or use. This Business is 796' from the East property line and approximately 431' from the North property line. Screening would have little to no effect to screen the business at these distances.

CONTINGENCIES:

1. Compliance with Fremont County Engineer recommendations. Staff are still waiting for a comment from the Fremont County Engineer.

2. Letter of approval from the FAA Case ID 2026-ANM-1189-OE. Staff have received a letter of approval from FAA case 2026 ANM1189OE. The FAA status was determined there is no hazard with this building going in this place.

CONDITIONS:

1. Hard surface driveway access to match existing grade of County Road 67.

2. Annual road impact fee to be collected by Fremont County Transportation of $478.24.

Chairman Hamrick aske the Board if they have any comments or questions for the applicant.

Mr. Payne states that he fully supports this project.

Chairman Hamrick states that he was looking at the hazardous materials storage, and it is proposed that there be a 55-gallon drum of oil in a containment, is that hydraulic oil for some of the equipment. The trucks will be running off propane, and the propane tanks will be there on site.

Mr. Martin states that is correct.

Chairman Hamrick also asks, if they include the Stormwater drainage plan in the submittal, does that put the enforcement on Planning and Zoning Department? And should the final plan include that approval or not.

Director Victoria states that he is waiting for the revised comments from the Fremont County Engineer and that is certainly something he can discuss with him.

Chairman Hamrick states he is open for a motion.

MOTION

Mr. Carper Motioned to Approve **SRU 26-001 Legacy Metal Fabrication Facility**

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with staff recommendations as presented.

SECOND
Mr. Payne second the motion.

Chairman Hamrick called for a roll call vote, and the motion passed unanimously. (4 of 4)

7. ADJOURNMENT
Chairman Hamrick adjourned the meeting at 3:25 p.m.

_____ _____
CHAIRMAN, FREMONT COUNTY PLANNING COMMISSION DATE

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