

TO: Fremont County Planning and Zoning
Attn: Daniel Victoria
615 Macron Avenue
Room 210
Cañon City, CO 81212

FROM: Civil Resources, LLC

DATE: October 22, 2024

RE: Penrose RV & Boat Storage – CDP 24-001
Comment Response Letter

Fremont County

OCT 24 2024

Planning & Zoning

This letter is prepared in response to Fremont County Planning & Zoning Department's review comments for the Penrose RV & Boat Storage Commercial Development Plan, dated June 18, 2024, and September 19, 2024. The relevant civil engineering comments are listed below, followed by responses from Civil Resources, LLC.

DEPARTMENT COMMENTS 2 – JUNE 18, 2024

Section 3: Required Submittals (Section 3)

6. Item #6 – Drainage Plan & Report – See engineer comments
Response: Refer to responses to engineer comments below.
7. Item #7 – Please provide a more detailed lighting plan. See section
Response: Cut sheet removed from Site Plan. More detailed lighting plan included with the resubmittal.
8. Item #12 – Colorado Department of Transportation Access Permit
Need an approved access permit from CDOT. The submitted permit does not have the State's signature filled in.
Response: A copy of the approved access permit, signed by Arthur Gonzales, Access Manager, dated 4/1/2024, and Amendment dated 10.09.2024 are included with the resubmittal.
9. Item #17 – Site Plan
Provide a Site Plan written and graphic scale with minimum of 1" = 200' maximum 1" = 50'. Please see the attached regulations for the required site plan.
Response: A letter requesting the use of a larger scale (1" = 30') is included with this resubmittal.

Engineer Comments

1. Editorial: The use of the word, "site" is sometimes confusing. Sometimes it seems to refer to the applicant's property and sometimes it also seems to refer to a portion of State of Colorado property and/or Colorado Dept. of Transportation (CDOT) Right-of-way (ROW). For example, on page 5 of 11, section 2.1 first paragraph, "The existing Site can be divided into three (3) on-site historic drainage basins, and four (4) off-site basins." This occurs many times throughout the plan. A suggestion is to use "on-property" or "off-property" instead of "on-site" or "off-site". In some manner, however it is accomplished, "site" should be clarified, as contrasted with 'property'. This comment may seem frivolous, but correcting this issue now could prevent any confusion to other readers and users of the plan. This comment does not appear to have been addressed.
Response: Drainage report has been revised to clarify "Site" vs "Property".
2. I would like to verify if CDOT is reviewing or have they approved the access road relocation and size, and the drainage plan changed within their ROW? For example, drainage changes such as 1. A larger culvert under the access road, with higher flows, and 2. Higher flows through existing culvert at southwest corner of the drainage plan near design point OS-2. This comment does not appear to have been addressed.

*Response: CDOT has approved the access road relocation. See approved CDOT access permit. The existing culvert is **not** being upsized and flow is not increasing significantly. The existing 18" CMP culvert under the existing access road (design point OS-1) will be replaced with an 18" RCP culvert. Historically, this culvert passes 2.65 cfs during the 100-year storm, and post-construction the culvert will receive 2.67 cfs of runoff during the 100-year storm. The negligible increase in flow is the result of the culvert being moved approximately 50 feet downstream. This capacity of this culvert is analyzed in Appendix C of the Drainage Report. The downstream culvert (design point OS-2) receives 9.09 cfs of runoff, which will be reduced to 7.89 cfs. The revised Commercial Development Plan sheets included with this resubmittal will be submitted to CDOT to request a "notice to proceed".*

3. On page 6 of 11, 2nd bullet from the bottom, an "existing 18-inch corrugated metal pipe culvert" is mentioned (also noted in item 2 above). This culvert within CDOT ROW is not depicted well on the drawings at all or analyzed for the increase in flow it will receive according to the plan. It is not clear if this comment has been addressed.

Response: This culvert is shown on the drainage plan at design point OS-2 and called out as "existing 18" CMP culvert". There is no increase in flow to this existing culvert. Under historic conditions, design point HOS-2 receives 9.09 cfs of runoff from historic basins H-2, H-3, HOS-1 and HOS-2. Under developed conditions, the proposed design point at the same location, OS-2 receives 7.89 cfs of runoff from basins OS-1, OS-2, SO-1, SO-2 and the detention pond outlet structure. This decrease in tributary flow is a result of runoff being detained in the pond.

4. Brush Hollow Supply Ditch: Section 4.2, page 8 of 11 of the drainage plan states that, "Upstream runoff from the major, 100-year storm will enter and flow through the Site, bypassing detention." There is also similar language in the note at the top of sheet D-2. These statements introduce a lot of uncertainty in my understanding as to if and how these bypass flows are accounted for in the drainage plan. These statements about flows related to the Ditch should be clarified. Any off-site flows onto the property must be accounted for in the drainage design. This comment does not appear to have been addressed.

Response: Refer to drainage report section 4.2, paragraph 6 and Figure OS-4 in Appendix D.

5. Outlet Structure, Page 9 of 11: An outlet structure design detail should be included. ROW swale erosion control measures should be described for the location downstream of the pond outlet. It appears to me that rip rap should be included at the discharge end of the pond outlet and possibly at the inlet of the existing culvert, because of the 8% slope and predicted 2.31 cfs flow. This potential discharge during the 100-year storm is more than the historic flow that the ROW swale and existing culvert just downstream normally experiences. Some riprap has been added to the design, but not a design detail of the pond outlet structure.

Response: Detention pond outlet structure and spillway details have been added to the Commercial Development Plan Set.

6. If not already required by CDOT, the ROW swale erosion control and stabilization measures should be described for the new access road and culvert location. This comment does not appear to have been addressed.

Response: Erosion and sediment control plans have been added to the Commercial Development Plan Set.

7. Maintenance of the design features should be addressed in the plan. For example, the three 3/8-inch orifices of the outlet structure would seem to be susceptible to plugging and monitoring/maintenance of the orifices should be addressed. Maintenance of pond, ditched, pipes, and swales should be described. Maintenance items and schedules should be documented. This comment does not appear to have been addressed.

Response: An operations and maintenance manual has been added to the drainage report. Refer to Appendix E.

DEPARTMENT COMMENTS 3 – SEPTEMBER 19, 2024

Site and Development (Section 1)

1. **Application #1** What hours will the facility be open to the public?

Response: Please see revised application explaining the Self-Storage approach, utilizing custom individual codes for entry and use.

2. **Application #23 Parking** is a requirement.

Response: Please see revised Site Plan C3.0 for added parking.

Section 3: Required Submittals (Section 3)

3. **Item #4 – Sanitation** – Request for a waiver for no Sanitation.

Response: Please see Waiver Request included in this resubmission.

4. **Item #5 – Refuse Plan** – Please explain how refuse will be handled on-site.

Response: Please see Waiver Request included in this resubmission.

5. **Item #8 – Lighting Plan**

Response: Revised Site Photometric and Site Photometric Specifications (SP-1, SP-2) have been added to this resubmission.

Site Plan

1. See all redlines:

Response: Refer to "greenlined" pdf with responses to redlines.

2. Provide all building heights.

Response: Heights of each building are provided in the building summary table on sheet C3.0 Site Plan.

3. Provide in the legend a written description of the "buildings".

Response: Legend revised to "Pre-engineered metal building".

4. Sub-title containing a brief description of the proposed use.

Response: Sub-title added "Commercial recreational vehicle and boat storage facility".

5. Zoning of the site noted on drawing

Response: Zoning is noted on the cover sheet. Zoning added to Lot 2 label on Site Plan.

6. Zoning of adjacent properties on site map

Response: Zoning of adjoining properties is noted on the cover sheet. Zoning added to labels on Site Plan.

7. Written scale noted

Response: Written scale is noted under the scale bar and in the title block.

8. Move Legal description on the site map

Response: Legal description removed from sheet titles. The legal description is included on the cover sheet.

9. Vicinity map of the site in relation to other streets in the area

Response: A vicinity map is provided on the cover sheet.

10. Label the boundary as the CDP Boundary

Response: Boundary is labeled as property line per the legend, "CDP Boundary" callout added to plan.

11. Setback dimension from State Highway to Building A

Response: Dimension added.

12. Label the driving surface area

Response: Hatch is denoted as road base in the legend.

13. Off-street parking shown or a note to parking requirements

Response: Parking added.

14. Off-street loading areas need to be shown or noted

Response: There are no designated off-street loading areas, but by nature a loading area is provided in front of each unit to serve the unit. Note added to sheet C3.0 Site Plan.

15. Size of sign and how it is to be illuminated

Response: Refer to architectural elevations for signage location, type, and illumination.

16. Dimension width of Beaver Park Water, Inc., easement that exists on the site

Response: The existing Beaver Park Water, Inc. easement is already shown and dimensioned on the plans.

17. Add setback requirements for the side adjacent to the street.

Response: All building setbacks are dimensioned. Based on discussions during the BOZA meeting, we have dimensioned the setback on the west side (future H street) as a 15' minimum side yard.

Additional Concerns

1. Please see letter from Fremont County Project Engineer, #2 shall be a note on the site plan for the maintenance of the drainage features.
Response: Refer to Appendix E of the Drainage Report. A note has been added to the Drainage Plan.
2. Please submit a statement on how any types of spills, or leaks from vehicles, campers, or boats, will be addressed.
Response: The Owner shall have this addressed in tenant agreements stating to the effect; "The facility shall not be used under any circumstances for performing vehicle maintenance. Waste of any kind, including but not limited to landfill disposable type refuse, petroleum products, organic matter, etc. shall be the sole responsibility of the tenant to dispose of off-site, appropriately and according to Local, State and Federal Regulations."
3. Please provide a statement on how H Street will be developed for future access.
Response: Please see Explanation Letter included with resubmission.

Engineer Comments

1. Brush Hollow Supply Ditch: Section 4.2, page 8 of 11 of the drainage plans states that, "Upstream runoff from the major, 100-year storm will enter and flow through the Site, bypassing detention." There is also similar language in the note at the top of sheet D-2. Any off-site flows onto the property must be accounted for in the drainage design. The effect of the ditch could be a current mitigating drainage factor but should be analyzed for positive and negative impact. It is uncertain how long the ditch will be present into the future.
Response: Refer to drainage report section 4.2, paragraph 6 and Figure OS-4 in Appendix D.
2. Maintenance of the design features should be addressed with a signed maintenance plan. Maintenance of pond, ditches, pipes, and swales should be described. Responsible party for maintenance should be identified. Maintenance items and schedule should be documented.
Response: An operations and maintenance manual has been added to the drainage report. Refer to Appendix E.

Prepared by: Rebekah Janquart, E.I.
Reviewed by: Jim Brzostowicz, P.E.



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

LAND USE APPLICATION
SPECIAL REVIEW USE, CONDITIONAL USE PERMIT, COMMERCIAL DEVELOPMENT PLAN

It is recommended that the applicant schedule an appointment with a Department of Planning & Zoning Representative prior to application preparation and submittal to discuss the project as currently planned and future project proposals.

Project Name: Penrose RV & Boat Storage

Site Address: 17225 SH 115, Penrose, CO 81240

Applicant(s)

Name(s) John Edgar

Address 3455 Fillmore Heights, Colorado Springs, CO 80907

Phone 719-651-5563 Fax _____

Email john@edgartruck.com

Owner(s)

Name(s) John Edgar, EPCOCO REI One, LLC

Address 3455 Fillmore Heights, Colorado Springs, CO 80907

Phone 719-651-5563 Fax _____

Email john@edgartruck.com

Authorized Representative / Agent / Consultant (if other than owner)

Name(s) Anna Fluckey

Address 650 Innovation Cir, Windsor, CO 80550

Phone 970-686-6300 Fax 970-686-6320

Email _____

Type of Application / Application Fee (There maybe additional fees for publications or professional reviews):

Special Review Use Permit \$1,800 Major Modification to existing permit \$500

Conditional Use Permit \$1,750 Major Modification to existing permit \$500

Commercial Development Plan \$1750 Major Modification \$500

The applicant shall provide **one (1) original document, and an electronic copy (either CD or flash/thumb drive) of the application, site plan (2 COPIES)** and all of its attachments (*copies of deeds, contracts, leases etcetera are acceptable*) at the time of application submittal along with the **application fee** set as per Resolution of the Board. Submittals shall be made to the Department no later than 3:00 pm on the submittal deadline date.

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). Further, any application that is inadequate or incomplete, may be subject to postponement of placement on an agenda of the Fremont County Planning Commission (Commission), pending receipt of an adequate and complete application.

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 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.

Site & Development

(Section 1)

1. Describe the proposed type of operation to include days & hours of operation, number of employees, & machinery:
New ground-up Pre-Engineered Metal building (PEMB) erected for the purposes of a new commercial RV & Boat Storage.
This facility shall be strictly Self-Storage, open to customers approximately 365 days each year, 24/7 through assigned-
personal gate code access. Refuse disposal shall be an exclusion noted in all Tenant Rental Agreements.
Refuse shall be the responsibility of each tenant, no trash receptacles nor amenities available on property.
Tenancy established through telephone and email communication and documentation only.
2. Property address or schedule number: 17225 SH 115, Penrose, CO 81240
3. Have the mineral interests been severed from the subject property? YES NO
 - a. If yes (severed) who is the mineral interest owner? Research shown, rights have not been severed
4. Is the property currently developed? YES NO
5. Existing types & sizes of structures: (1) Metal Sided Garage 912sf (2) Conn-ex 40'X8'
6. Proposed types & sizes of structures: (3) Commercial Industrial PEMB's total 17,970sf
7. Lot Coverage (indicate percent or square footage): Existing 2% Proposed 28%
8. FCZR Citing 4.14.2.30 Property size (acres or square footage) 59,183sf
9. Amount of the property the use will encumber: 84.4%
10. Zone District: B-Business Land Use Storage Facility
11. Please indicate the zone district & current land use for adjoining properties:
 - a. Northerly: (ZD) B-BUSINESS Land Use: B-BUSINESS
 - b. Easterly: (ZD) AR-AGRICULTURAL RURAL Land Use: UNDEVELOPED
 - c. Westerly: (ZD) AL-AGRICULTURAL LIVING Land Use: UNDEVELOPED
 - d. Southerly: (ZD) AR-AGRICULTURAL RURAL Land Use: AUTOMOTIVE/TRUCKING COMPANY
12. Master Plan – Planning District of property: PENROSE/BEAVER PARK PLANNING DISTRICT
(please refer to Chapter four and planning district of the Fremont County Master Plan)
13. Name(s) and type(s) of road(s) the property is accessed from:
COLORADO STATE HIGHWAY 115
14. Is access through adjacent properties? YES NO If yes, is access legally established through:
 Deed of record Recorded Plat Court Order (Documentation shall be provided)
15. Estimated Traffic Count 36 (per day) Number of access points (1) Proposed
16. Is access from or within five-hundred feet (500') of a Colorado Department of Transportation Controlled Road:
 YES NO (If yes, CDOT approval/comments shall be required)
17. Does the property lie adjacent to or within three (3) miles of any municipal boundary lines (city/town limits)?
YES NO Municipality Name(s) _____
18. Does the property lie within the boundaries or within ¼ of a mile of any service district?

YES NO Entity Name(s) PENROSE WATER DISTRICT, FLORENCE FIRE PROTECTION DISTRICT

19. Requested duration of proposed use: _____ Life of use Estimated life of use years

20. Is temporary cessation proposed: YES NO Duration: _____

21. Is buffering required: YES NO (Contractor yards, Junk yards, Automobile graveyards, & Vehicle impoundment yards **require** buffering per FCZR 5.17.15)

22. Is landscaping proposed: YES NO a waiver is requested

23. Total parking spaces 3 standard size 2 compact 0 ADA 1
(Standard 9' X 18') (Compact 7' X 15') (Please refer to section 5.3 & 5.4 of the FCZR)

24. Will the parking area include lighting? YES NO

25. Parking area surface type: Roadbase Thickness: 6 Inches

26. Is a loading/unloading area proposed? YES NO Size: _____ Thickness: _____

27. Will hazardous materials be stored on site? YES NO

28. Will noxious weed control measures be included in the scope of the project? YES NO

29. Will any equipment meeting the Colorado Revised Statute definition of Special Mobile Machinery be stored or used onsite? YES NO

30. Mark all services and facilities necessary to accommodate the proposed use in addition to Fire Protection, Emergency Medical Response, & Law Enforcement: N/A

Roadway Maintenance Hospital Park & Recreation

Airport Search & Rescue Schools Library

31. Utility Provider information: Please provide the name of provider below:

a) **Water:** PENROSE WATER DISTRICT

b) **Sanitation:** N/A

c) **Electrical:** Black Hills Energy

d) **Telephone:** TBD - Cellular

e) **Refuse:** N/A

f) **Irrigation Water:** _____

g) **Natural Gas/Propane:** Black Hills Energy

h) **Cable Television:** TBD

Impact Analysis
(Section 2)

1. Dust and erosion control measures:

All areas will be stabilized with buildings, pavement, or vegetation to minimize erosion and the generation of fugitive dust after completion of the project. During construction, industry standard erosion and dust control BMP's, such as vehicle tracking, silt fence, watering access areas, will be implemented

2. Noise control measures:

Noise impact anticipated during construction is associated to typical construction activity

Post construction - no impact is anticipated

3. Odor control measures:

Odor impact anticipated during construction is associated to typical construction activity

Post construction - no impact is anticipated

4. Visual impact control measures:

Visual impact anticipated during construction is associated to typical construction activity

Post construction-native vegetation shall be utilized to enhance the visual corridor of HWY 115

5. Wildlife/plant habitat protection measures:

Per species list provided, protection measures N/A

6. Water quality and/or water way(s) protection measures:

EXTENDED DETENTION BASIN - please reference Drainage Report emailed 3/26/2024.

7. Safety measures to protect adjacent properties, residents, & agricultural operations:

An extended detention basin is proposed to reduce the 100-year discharge from the developed site and is not

anticipated to adversely impact neighboring properties or downstream drainage conditions. In regards to the irrigation;

the site is graded away from the Brush Hollow Supply Ditch to prevent runoff from entering the ditch.

8. Measures to protect and/or preserve archaeologically or historically significant sites:

Per a conversation with the Owner; no discovery of any historical or archaeological significance has ever been made on

site, nor any artifacts of such significance ever been located on this property.

9. Measures to limit or control offsite discernable vibrations:

Little to no vibrations are anticipated during or post construction of this project.

**Required Submittals Attachments
(Section 3)**

1. Current Deed of Record
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
3. Fremont County's Colorado Division of Water Resources Information Form
4. Sanitation Documentation: Public sewer shall require documentation evidencing ability to provide service. Onsite Waste Water System (OWTS) shall require a percolation test and 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
5. 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.)
6. Drainage Plan: Must contain all required items under FCZR 5.10 (Drainage plans require approval by the County Engineer).
7. Landscaping Plan or justification for waiver request.
8. Lighting Plan or justification for waiver request
9. Noxious Weed Control Plan or justification for waiver request. (Plans and waiver requests require approval by the Fremont County Noxious Weed Manager)
10. List of owners and mailing address for all properties located within a five-hundred (500') foot radius of the subject property
11. County Roadway Impact Analysis Form (If accessed off a county road)
12. Colorado Department of Transportation Access Permit (If accessed off a CDOT controlled road)
13. Statement indicating how the proposed use complies with "Goals Objectives, and Implementation Strategies" of the Fremont County Master Plan District
14. 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.
15. Fire protection plan addressing method of fire protection, location of hydrants or other means of protection. If located within a fire protection district the plan shall be approved by the District.
16. A detailed utility plan showing the proposed or existing location of all utilities.
17. Site Plan drawn to professional standards (3 hard copies 18" x 24" or 24" x 36")
18. 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.

If Applicable Submittals

19. CDOT Notification form of Proposed Land Use and comments (if access is from or within 500' of a CDOT controlled road)
20. Mineral Interest Notification and certified mailing receipt. Notification & Mailing shall be completed within 30 days prior to the scheduled Planning Commission Meeting. (this is only required if the minerals interests are severed)
21. Copies of all local, state and federal licenses and/or status of applications.
22. In circumstances of Corporate Ownership, documentation evidencing whom is eligible to execute documents on behalf of the corporation
23. In circumstances where the applicant is not the owner written authorization from the owner specifying the extent to which the representation is authorized
24. 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
25. 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)
26. Buffering Plan (If required)
27. Current registration for SMM equipment or documentation that equipment is on tax rolls associated with the property, to include list of machinery.
28. List of Hazardous materials stored and/or used on site, to include location of storage and management practices
29. Copies of mining and reclamation plans (CUP's)
30. Required information set forth in FCRZ 8.13.17.1 (Airports)
31. Required information set forth in FCRZ 8.13.17.2 (Adult Uses)
32. Required information set forth in FCRZ 8.13.17.3 (Kennels)
33. Required information set forth in FCRZ 8.13.17.4 (Antennas & Towers)

Site Plan Drawing Requirements

- a. Drawing Size: Minimum sheet size 18" x 24" to a maximum sheet size of 24" x 36";
- b. Written and graphic scale with minimum of 1" = 200' max 1" = 50';
- c. Appropriate title (SPECIAL REVIEW USE PERMIT, CONDITIONAL USE PERMIT, COMMERCIAL DEVELOPMENT PLAN FOR {name});
- d. Appropriate subtitle (brief description of the proposed use);
- e. Boundary drawing of the property with bearings and dimensions illustrating the legal description;
- f. Legal description of the property;
- g. Acreage or square footage of the subject property;
- h. Zoning classification of the subject property;
- i. Zoning classification of the adjoining properties;
- j. North Arrow;
- k. Vicinity map locating the subject property in relation to surrounding areas;
- l. Table indicating relationship between proposed and existing construction to remain on the property
- m. Minimum lot size, maximum lot coverage, maximum building height, minimum lot width, minimum setback requirements (Front, Two sides, & Rear)
- n. 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;
- o. 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;
- p. Location of loading areas to include size, dimensions surface type & thickness;
- q. Labeled access points including interior roadways with dimensions, surface type & thickness, circulation pattern, and dimensions from property lines;
- r. Any proposed pedestrian areas & walkways to include dimensions, surface type & thickness;
- s. Location and dimensions of refuse areas;
- t. Identification and location of all drainageway, drainage facilities, including FEMA flood areas, to include dimensions from property lines;
- u. Location, height & type of lighting for parking and off-loading areas;
- v. Location, type, and size of all on-site identification signage (table may be used);
- w. All easements (existing & proposed) to include dimensions from property lines (beginning, end, & centerline) width, and if they are to be vacated or relocated;
- x. Significant natural features;
- y. Soil types
- z. Open space areas
- aa. Legend identifying symbols and/or lines

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.

Anna Fluckey
Printed Name Applicant Signature

Anna Fluckey

Digitally signed by Anna Fluckey
DN: C=US,
E=anna.fluckey@mccauleyconstructors.com,
O="McCaughey Constructors", OU="Design-Build
Director", CN="Anna Fluckey"
Date: 2024.10.21 11:27:20-05'00'

Date

Applicant

John Edgar
Printed Name Owner Signature

Please see attached Owner Authorization

Date

Owner

LETTER OF AUTHORIZATION

I, John Edgar, the undersigned property Owner hereby acknowledges that Mrs. Anna Fluckey of McCauley Constructors, Inc., is to act on my behalf in all manners relating to my application to Fremont County for Commercial Development Plan review and the Board of Zoning Adjustment for the premises located at 17225 SH 115 in Penrose, Colorado, effective the date of my signing below.

My signature below indicates my acknowledgment that I do not object to Mrs. Anna Fluckey applying on my behalf and receiving under my name from the County of Penrose, all coordination communication from the County for the purposes of completing the applications noted above with the County to the end of the review and approval process on the property listed above, which I own.

I understand that for the application review process to begin I must pay the appropriate application fees, to be included with this Letter of Authorization along with the physical applications.

Thank you,

John Edgar
Property Owner, Printed Name

3455 Fillmore Ridge Heights
Property Owner, Street Address

Colorado Springs, CO 80907
Property Owner, State Zip

DocuSigned by:

Property Owner, Signature

703-897-2624
Property Owner, Telephone

John@EdgarTruck.com
Property Owner, Email Address

2/12/2024
Date

TO: Fremont County Planning and Zoning
Attn: Daniel Victoria
615 Macron Avenue
Room 210
Cañon City, CO 81212

FROM: Civil Resources, LLC

DATE: October 4, 2024

RE: Penrose RV & Boat Storage – Site Plan Scale

On behalf of McCauley Constructors, Civil Resources has prepared the following letter requesting an exception to the site plan scale requirement of the *Fremont County Zoning Resolution (FCZR)*.

Section 8.15.9 of the FCZR requires the site plan to be scaled between 1" = 50' and 1" = 200'. The proposed development Site is relatively small, approximately 1.36 acres. For a sheet sized 22"x34", the use of a maximum scale of 1" = 50' would result in a viewport of approximately 10" x 10", which limits the readability of the plan and crowds the text.

We are requesting the use of a 1" = 30' scale. This scale allows a larger viewport of approximately 18" x18", which significantly improves the plan readability. Furthermore, the Commercial Development Plan set includes an enlarged view of the proposed highway access for the Colorado Department of Transportation (CDOT) to review. The CDOT Access Plan has a viewport scale of 1" = 10', which is necessary for the legibility of callouts, spot elevations, and dimensions.

Thank you for your consideration of this request.

Sincerely,

CIVIL RESOURCES, LLC

Prepared by: Rebekah Janquart, E.I.

Reviewed by: Jim Brzostowicz, P.E.

J:\McCauley Construction 355\355.001.02 Penrose RV Storage\Memos & Reports\Variance Request\Penrose_Site Plan Scale Letter.docx



October 21, 2024

Fremont County
Planning & Zoning Department
Attn: Dan Victoria
615 Macon Avenue, Room 210
Canon City, CO 81212

RE: Waiver Request for no Refuse Plan – Penrose RV & Boat Storage, 17225 SH 115, Penrose, CO

To Mr. Dan Victoria,

On Behalf of Mr. John Edgar of EPCOCO REI One, LLC, McCauley Constructors has prepared the following letter requesting an exception be granted to the project property referenced above regarding the Refuse Plan requirement of the Fremont County Zoning Resolution (FCZR).

Due to the passive nature of this project/business, on-site amenities such as restroom facilities, water use, refuse disposal, etc. are not required to support this business' operations and therefore shall not be offered nor provided to this business' clients nor anyone else visiting the site.

Please accept this written explanation as an official request for a "waiver of no Refuse Plan."

Your consideration is greatly appreciated, thank you.

A handwritten signature in blue ink that reads "Anna Fluckey".

Anna Fluckey
Director of Design-Build, McCauley Constructors



October 21, 2024

Fremont County
Planning & Zoning Department
Attn: Dan Victoria
615 Macon Avenue, Room 210
Canon City, CO 81212

RE: Waiver Request for no Sanitation – Penrose RV & Boat Storage, 17225 SH 115, Penrose, CO

To Mr. Dan Victoria,

On Behalf of Mr. John Edgar of EPCOCO REI One, LLC, McCauley Constructors has prepared the following letter requesting an exception be granted to the project property referenced above regarding the Sanitation Plan requirement of the Fremont County Zoning Resolution (FCZR).

Due to the passive nature of this project/business, on-site amenities such as restroom facilities, water use, refuse disposal, etc. are not required to support this business' operations and therefore shall not be offered nor provided to this business' clients nor anyone else visiting the site.

Please accept this written explanation as an official request for a "waiver of no Sanitation."

Your consideration is greatly appreciated, thank you.

A handwritten signature in blue ink that reads "Anna Fluckey".

Anna Fluckey
Director of Design-Build, McCauley Constructors



October 23, 2024

Fremont County
Planning & Zoning Department
Attn: Dan Victoria
615 Macon Avenue, Room 210
Canon City, CO 81212

RE: Explanation of Approach to "H" Street – Penrose RV & Boat Storage, 17225 SH 115, Penrose, CO

To Mr. Dan Victoria,

On Behalf of Mr. John Edgar of EPCOCO REI One, LLC, McCauley Constructors has prepared the following letter regarding the Owner's approach to the County's question about developing "H" Street for future access to the project property referenced above during the Fremont County Commercial Development application review.

It is the intention of the Owner/Developer to comply with the approved Permanent CDOT Access Permit and build-out the access off of State Highway 115 only. The Colorado Department of Transportation has granted permanent access off of SH115 (please see attached Amendment Letter for Permit 224022).

This project has been expected to generate very low traffic volumes as determined in the previously provided "Trip Generation Memo," prepared by Civil Resources, and falls below the threshold for improvements as set forth in the State Highway Access Code. This fact is even more so true given that the Watchman's Quarters and Office have been removed from the scope of the project, further reducing the generated traffic.

Finally, the land and proposed RV & Boat Storage are zoned for Business use; according to the Fremont County Zoning Resolution (FCZR) for a Commercial Development Plan (8.15.10.19), *"When Access to the subject property is proposed to be directly controlled by the Colorado Department of Transportation (CDOT) a copy of an approved access permit for the proposed use shall be provided."* Please see attached to fulfill said requirement.

Thank you,
McCauley Constructors

Prepared by: Nicole Suttle, PE
Reviewed by: Anna Fluckey, Dir. D-B



COLORADO
Department of Transportation

Region 2 Permits
5615 Wills Blvd, Suite A
Pueblo, CO 81008-2349

10//09/2024

Access Permit No. 224022
SH115/ Fremont County

McCauley Constructors
Anna Fluckey and Nicole Suttle
650 Innovation Circle
Windsor, CO 80550

RE: **Amendment Letter for Access Permit 224022**
State Highway 115, MM17.90, LT in Penrose, CO

Dear APPLICANT,

In accordance with Section 2.4(5) of the State Highway Access Code, which states:

“When necessary to amend a permit, and the Permittee is agreeable and waives the right to an administrative hearing on the amendment, a letter detailing the amendment with reasons for the amendment shall be prepared. This letter of amendment requires the approval of the issuing authority, the Department, and the Permittee.”

The subject Access Permit No. 224022 is hereby amended to change terms and conditions #13a, 14 by allowance for a full movement access and the removal of the language of temporary access to SH115.

See the original term and condition with the new proposed term and condition underlined below for the amendment.

- Term and Condition Item #13 shall read:

13. This access will be allowed $\frac{3}{4}$ movements (right in, right out, left in). Left turns out of the access are not allowed.

This access will be allowed a full movement access. However, left turn movements in and out of this access may be prohibited at some future date.

14. The Permittee/Applicant shall notify the Department of Transportation Inspector Ron Young in Pueblo (719)289-8718 upon completion of the access improvements for:

a) A final inspection for the *temporary* access and to request a Letter of Acceptance for use of the *temporary* access.

a) A final inspection for the access and to request a Letter of Acceptance for use of the access.




Remaining terms and conditions (b and c) for item #14 shall remain the same as original.



The undersigned agree to the permit amendment as described above. Permittee/applicant waives the right to an administrative hearing on the amendment.

There are no other forms or verbal agreement. This form and the permit documents constitute the complete agreement.

Please sign and return for signature. A signed copy will be returned to you once all signatures are collected on this document.

Permittee/Property Owner (Print Name): John Edgar	
Title: owner	
Permittee/Property Owner Signature: <small>DocuSigned by:</small> 	Date: 10/14/2024 5:35 PM PDT
Applicant (Print Name): Anna Fluckey	
Title: Preconstruction Manager	
Applicant Signature: <small>DocuSigned by:</small> 	Date: 10/10/2024 8:23 AM MDT
CDOT Authorized Representative (Print Name): Arthur Gonzales	
Title: R2 - Access Manager.	
CDOT Authorized Representative Signature: <small>DocuSigned by:</small> 	Date: 10/17/2024 9:49 AM MDT





COLORADO
Department of
Transportation

Region 2 Traffic Section
5615 Wills Blvd., Suite A
Pueblo, Colorado 81008
(719) 546-5732 Fax:

Permit No. **224022**

March 26, 2024

To:
McCauley Constructors
Anna Fluckey
650 Innovation Circle
Windsor, Colorado 80550

Dear Applicant:

1. Please **review** the attached State Highway Access Permit (Form #101) and all enclosed attachments.
2. If you choose **NOT** to act on the permit, within 60 days of the date of this transmittal letter, Colorado Department of Transportation will consider this permit withdrawn and reapplication will be required.
3. If you wish to **APPEAL** the Terms and Conditions of the permit, please refer to the attached Form 101, Pages 2 and 3 for an explanation of the appeal procedures.
4. **If you ACCEPT** the Permit and its Terms and Conditions and are authorized to sign as legal owner of the property or as an authorized representative, please sign and date the DocuSign Access Permit form #101 on the line marked "PERMITTEE". Your signature confirms your agreement to all the listed Terms and Conditions. **The file will be returned electronically to the permit Author for final signatures and completion. The executed DocuSign envelope will be returned to you electronically through email once the permit author has signed, executing the permit. Keep in mind that this by no means grants access, permission to construct or perform any work in the CDOT right-of-way. This will come with a Notice to Proceed to construct.** This agreement step merely states that we have an agreement to grant access at the given location to you.
5. **Upon affixing** the Permittees signature or authorized signatory a link to pay the fee will be provided through PAYPAL. The link will be for the total amount due of \$100.00. If the Permittee is not paying the fee and the fee is being paid by third party a PayPal link can be requested through your permit author. **If the link is missed contact the permit author and they will send the link via email.**
6. As described in the attached Terms and Conditions, you must make a written request to obtain a Notice to Proceed. DO NOT begin any work within the State Highway Right-of-Way without a validated Access Permit and Notice to Proceed. Use of this permit without the Colorado Department of Transportation's validation shall be considered a violation of State Law and the permit will be revoked.

If you have any questions please call Arthur Gonzales, Access Manager at arthur.gonzales@state.co.us or office (719) 546-5732 (email is best).

COLORADO DEPARTMENT OF TRANSPORTATION		CDOT Permit No. 224022	
STATE HIGHWAY ACCESS PERMIT		State Highway No / Mp / Side 115A / 17.190 / Left	
Permit Fee \$100.00	Date of Transmittal 03/26/24	Region / Section / Patrol / Name 2 / 04 / 023 James (Jamie) Buford	Local Jurisdiction CDOT

The Permittee(s):

Epcoco Rei one, LLC
John Edgar
17225 Highway 115
Penrose, Colorado 81240

The Applicant(s):

McCauley Constructors
Anna Fluckey
650 Innovation Circle
Windsor, Colorado 80550

is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the Issuing Authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.

Location: 17225 State Hwy 115, Penrose CO |

Access to Provide Service to: (Land Use Code)	(Size)	(Units)
150 - Warehousing RV/Boat Storage/Mini Warehouse on 17,760	1.36	Acres
1000 - Other RV/Boat Storage Office - Lounge	1,000	SqFt
1097 - Agricultural Field Approach Vacant Land	1.36	Acres

Additional Information:

Please see additional documentation in the electronic folder.

MUNICIPALITY OR COUNTY APPROVAL

Required only when the appropriate local authority retains issuing authority.

Signature	Print Name	Date	Title
Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.			
The permittee shall notify Ron Young with the Colorado Department of Transportation, at 719-289-8718 at least 5-day hours prior to commencing construction within the State Highway right-of-way.			
The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.			
Permittee Signature: <i>Anna Fluckey</i>	Print Name Anna Fluckey	Date 3/28/2024 4:44 PM MDT	
Applicant Signature: (if applicable) <i>Anna Fluckey</i>	Print Name Anna Fluckey	Date 3/28/2024 4:41 PM MDT	
This permit is not valid until signed by a duly authorized representative of the Department.			
Signature <i>Arthur Gonzales</i>	Print Name Arthur Gonzales	Title R2 - Access Manager	Date (of issue) 3/28/2024 4:10 PM MDT

Copy Distribution:

Required:
1.Region

3.Staff Access Section

Make copies as necessary for:
Local Authority Inspector

Previous editions are obsolete and may not be used
Page 1 of 3 CDOT Form #101 5/07

The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.
2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.
3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.
4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4]
2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.
3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.
4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

DS
RF

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

Terms and Conditions

Date: March 26, 2024
Access Permit No. 224022
Permittee: Epcoco Rej, LLC (John Edgar)
Applicant: McCauley Constructors, Inc (Anna Fluckey)

Page - 1

1. A NOTICE TO PROCEED TO CONSTRUCTION, CDOT Form 1265, is required before beginning the construction of the access or any activity in the highway right-of-way. All submittals, documents, plans, and other items that must be completed shall be submitted and approved by the Department before a NOTICE TO PROCEED to construction will be issued.
2. The access is located on the west side of State Highway 115, a distance of 1003-feet North from milepost 17 (17.19) with a known address of 17225 State Hwy 115, Penrose, CO in Fremont County.
3. This section of highway is a Category R-A highway. The information submitted with the application requires the following improvements be designed and installed:
 - a. A concrete hard surfaced single point of access shall be constructed for $\frac{3}{4}$ left in access movement for ingress/egress traffic movements at this access point. Left turn out of the access are not allowed without the proper acceleration lane northbound.
 - b. The access shall be placed adjacent from the existing 1st Street connection.
 - c. A concrete paved section is required to be placed 20-feet from edge of roadway surface and doweled into the existing highway paving back toward property line.
 - d. The access width shall be 24-feet measured at the Right of Way.
 - e. A 36" x 36" R1-1 STOP sign shall be placed at the access for egressing vehicles.
 - f. Upon inspection, if it is determined that the existing culvert pipe is damaged or a culvert pipe is required for the access, the culvert pipe shall be removed and replaced in kind or new 18-inch culvert pipe will be installed.
 - g. Fence work is required as part of this permit per CDOT Standards.
 - h. Remove of existing Rumble Strips from highway shoulder at the access point are required to be removed and replaced with a smooth flat surface panel.
4. The Permittee/Applicant shall provide the Department with the following submittals, documents, plans and other items for review prior to the issuance of a NOTICE TO PROCEED to construction:
 - a. A written request for a NOTICE TO PROCEED including the access permit number listed above.
 - b. The Permittee, through a Colorado registered professional engineer, shall provide design, construction, pavement striping and signing plans to the Department and/or Issuing Authority for approval. The plans must include, but not limited to, layout of auxiliary lanes, utility locations, present and proposed right-of-way lines, present and proposed traffic control devices, cross sections on 50-foot intervals (NO CONTOURS), typical sections showing proposed surfacing requirements, and seeding requirements. Upon approval and prior to issuing a NOTICE TO PROCEED, the auxiliary lane(s) and intersection improvement plans shall be provided and shall be stamped and sealed by a Colorado registered professional engineer. The final plans will be incorporated into this Access Permit. The Permittee shall furnish the Department with a minimum of three sets of final plans.
 - c. Cost estimate for the improvements of the highway.
 - d. Current title policy or warranty deed.
 - e. A copy of the final recorded plat.
5. This Access Permit is issued to re-permit an existing access to State Highway 115 for a change in use. It replaces Access Permit Number 215075, issued, and expired in 2015. The access was previously permitted to allow access to car lot sales, service, and a single-family residence/Office but never constructed that reverted back to vacant land. This new permit will now allow access to the 17,760-SF Penrose RV & Boat Storage, Mini-Warehouse, and 1,000-SF Office-Lounge on 1.36-acres of land.

Terms and Conditions

Date: March 26, 2024

Page - 2

Access Permit No. 224022

Permittee: Epcoco Rei, LLC (John Edgar)

Applicant: McCauley Constructors, Inc (Anna Fluckey)

- If **ANY DEVELOPMENT** occurs adjacent to the recorded Fremont H Street boundaries and H Street is constructed, the access located on SH115 closed and removed at the owner's expense with all access to be obtained from the developed H Street. The site plan shows the projected access point to H Street. The removal of the existing access shall include, but not limited to, the return of highway right-of-way slopes, ditches, and fences to match existing adjacent conditions, including removal of asphalt aprons and culverts. Any asphalt removed from the highway shall result in a smooth finished edge.
6. The Annual Average Daily Traffic (AADT) volumes for this access shall not exceed 36-trips.
 7. The Peak Hour Volumes (PHV) volumes using this access shall not exceed 3-AM Peak Hour trips and 4-PM Peak Hour trips.

Code	Land Use	AADT	PHV_AM	PHV_PM
151	Mini Storage Warehouse (RV & Boat Storage)	26	2	3
210	Single Family Detached Housing (Owners Lounge/Caretakers Space)	10	1	1
TOTAL		35	3	4

8. Future roadway improvements may be required if:
 - a. If the vehicular volume of the access meet warrants as required by Section 3 of the State Highway Access Code, or if the warrants for a signal are met in accordance with the Manual on Uniform Traffic Control Devices (M.U.T.C.D.) or safety issue arise with eh access, a new access permit will be required.
 - b. If in the future, the traffic volumes increase by greater than 20% of the permitted number, the permittee (property owner) is required to apply for a new Access Permit and may be required to construct highway improvements.
 - c. If the vehicular volumes exceed the stated Peak Hour volumes, as determined by the Department, the appropriate warranted highway improvements shall be designed and installed within the earliest construction season unless specifically allowed otherwise, in writing by the Department. The highway improvements shall be designed and constructed by the Permittee at no cost to the Department. Documenting of this will be with a new Access Permit. Failure by the Permittee to provide such warranted improvements may result in the revoking of the Access Permit and closure of the access approach.
 - d. If the installation of auxiliary lane(s) are deemed necessary (i.e., right/left acceleration lanes, right/left deceleration lanes) and/or a traffic signal or median islands to prohibit traffic movements may be required in the future as determined by the Department. These improvements will be determined based on safety problems created by the access. The improvements shall be designed and installed by the Permittee in a timely manner to the Department's standards and specifications and at no cost to the Department. Failure by the Permittee to provide such improvements shall result in the revocation of this access permit and closure of the access approach. Documentation of this shall be through a new Access Permit.

Terms and Conditions

Date: March 26, 2024
Access Permit No. 224022
Permittee: Epcoco Rei, LLC (John Edgar)
Applicant: McCauley Constructors, Inc (Anna Fluckey)

Page - 3

9. All costs associated with the installation of this access are the responsibility of the Permittee. This includes the design, construction, utility relocation, testing of materials and inspection.
10. All required access improvements shall be installed prior to the herein-authorized use of this access.
11. If in the future, the traffic volumes increase by greater than 20% of the permitted number, the permittee (property owner) is required to apply for a new Access Permit and may be required to construct highway improvements.
12. The highway improvements shall be designed and constructed by the Permittee at no cost to the Department. Failure by the Permittee to provide such warranted improvements may result in the revoking of the Access Permit and closure of the access approach.
13. This access will be allowed 3/4 movements (right in, right out, left in). Left turns out of the access are not allowed.
14. **The Permittee/Applicant shall notify the Department of Transportation Inspector Ron Young in Pueblo (719)289-8718 upon completion of the access improvements for:**
 - a) A final inspection for the temporary access and to request a Letter of Acceptance for use of the temporary access.
 - b) A cost estimate for any of the highway improvements made within the CDOT Right of Way shall be submitted to the Access Inspector at the time of acceptance by the Permittee.
 - c) **Reconstruction or improvements to the access may be required when the Permittee/Applicant has failed to meet the required design and/or materials specifications. If any construction element fails within the 2-year timeline, repairs to the access shall be reconstructed in a timely manner and the Permittee shall be responsible for all repairs.** Failure to make such repairs may result in the revoking of the permit and closure of the access. A new 2-year warranty period shall be established once newly constructed items are accepted for the failed work. Unaffected work/improvement items will be remaining under the original acceptance period and warranty period for the work.
15. Under no circumstances shall the construction of a private driveway by a private interest interfere with the completion of a public highway construction project. The private interest shall coordinate work the CDOT resident engineer named below.
16. The ditches may not be used for any construction purposes unless allowed under appropriate legal permits; any construction traffic accessing SH115 under permits shall have appropriate flagging or traffic control.
17. Equipment and vehicles cannot be parked in the clear zone; this includes when occupied by construction personnel; the clear zone shall be kept clear of vehicles, equipment, and stockpile to prevent accidents.
18. No additional access will be allowed to State Highway 115A along the frontage of the property boundary and the CDOT ROW boundary.
19. The Permittee shall refer to all additional standard requirements attached to this permit. This includes CDOT Form 101, enclosed additional terms, conditions, exhibits, and noted attachments.

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20. The following criteria were used to establish this Access Permit:
- a. The Application for Access Permit (CDOT Form 137) dated 03/26/24 and accepted by the regional office on 03/26/24 and all attachments.
 - b. State Highway Access Code, Volume 2, CCR-601-1; Effective date March 2002
 - c. The State Highway Access Category Assignment Schedule, as revised.
 - d. The Colorado Department of Transportation (CDOT) M&S Standard Plans (see website for details)
 - e. Vicinity Map
 - f. Attached Details
 - g. Environmental Clearances Information Summary
 - h. Preliminary Design/Construction Plans
 - i. Standard Special Provision - Compliance with NCHRP 350 Crashworthiness Certification for Work Zone Traffic Control Devices.
21. The Permittee is required to comply with the Americans with Disabilities Act Accessibility Guidelines (ADAAG) that have been adopted by the U.S. Architectural and Transportation Barriers Compliance Board (Access Board) and incorporated by the U.S. Attorney General as a federal standard. These guidelines are defining traversable slope requirements and prescribing 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/designsupport/standard-plans>.
22. ALL discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include substances such as: wash water, paint, automotive fluids, solvents, oils, or soaps.
23. Unless otherwise identified by CDOT or the Colorado Department of Public Health and Environment (CDPHE) Water Quality Control Division (WQCD) as significant sources of pollutants to the waters of the State, the following discharges to storm water systems are allowed without a Colorado Discharge Permit System permit: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, springs, footing drains; water line flushing, flows from riparian habitats and wetlands, and flow from firefighting activities. However, construction activities may require a Construction Stormwater Permit. Contact the CDOT R2 Water Quality Specialist, Troy Rice at (719) 227-3260.
24. This Access Permit is issued in accordance with the 2002 State Highway Access Code (2CCR 601-1) and is based in part upon the information submitted by the Permittee. This Access Permit is only for the use and purpose stated in the Application and on the Permit. Any changes, based upon existing and/or anticipated future conditions in traffic volumes, drainage, types of traffic, or other operational aspects may render this permit void, requiring a new Application for Access Permit to be submitted for review by the Department and/or Issuing Authority.
25. If necessary, minor changes, corrections and/or additions to the Permit may be ordered by the Department Inspector, other Department representative, or the local authority, to meet unanticipated site conditions. Changes may not be in violation of the State Highway Access Code. All major changes to the permit must be approved in writing by the Department prior to commencement of any work on or within the State Highway right-of-way.

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26. All work is to conform to the plans referenced by this permit on file with the Colorado Department of Transportation or as modified by this Permit or a valid Notice to Proceed. If discrepancies arise, this permit and the valid Notice to Proceed shall take precedence over the plans. The Department plan review is only for the general conformance with the Department's design and code requirements. The Department is not responsible for the accuracy and adequacy of the design, dimensions, elevations, or any other elements, which shall be confirmed and correlated at the work site. The Department through the approval of this document assumes no responsibility for the completeness and/or accuracy of the plans.
27. The Department standards, specifications, and regulations shall override the design/construction plans incorporated in this permit should an oversight, omission, or conflict occur. The Department assumes no liability or responsibility whatsoever for the accuracy, completeness or correctness of the Permittee's design/construction plans. Any design plan errors are the sole responsibility of the Permittee and/or the engineer.
28. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within State Highway right-of-way.
29. Backing maneuvers within and into the State Highway right-of-way are strictly prohibited. All vehicles shall enter and exit the highway right-of-way in a forward movement. Backing into the right-of-way shall be considered a violation of the Terms and Conditions of the Access Permit and may result in the revocation of the Permit by the Department and/or Issuing Authority.
30. **A Fully Executed Complete Copy of this Permit and a valid Notice to Proceed to Construction must be on the job site with the contractor at all times during the construction.** Failure to comply with this or any other construction requirement may result in the immediate suspension of the work by order of the Department Inspector or the Issuing Authority.
31. The Permittee is responsible for obtaining any necessary additional federal, state and/or local government agency permits or clearances required for construction of the access. Approval of this access permit does not constitute verification of this action by the Permittee.
32. Whenever there is work within the highway right of way, the Permittee shall develop and implement a construction traffic control plan. This plan shall utilize traffic control devices as necessary to ensure the safe and expeditious movement of traffic around and through the work site as well as ensure the safety of the work force. The approved traffic control plan shall be on site and followed at all times during construction within the right-of-way. A certified Traffic Control Supervisor or a Professional Traffic Engineer may prepare the traffic control plan. The plan shall be in conformance with the latest Manual on Uniform Traffic Control Devices (MUTCD) and other applicable standards. The plan must be submitted and approved by the Senior Maintenance Supervisor listed below five working days prior to beginning construction within the highway right of way. The approved traffic control plan will be attached to the Permit and the NOTICE TO PROCEED TO CONSTRUCTION and must be available on site throughout the duration of the construction. All work that requires traffic control shall be supervised by a registered professional traffic engineer or by a certified traffic control supervisor. The contractor in accordance with the Department Standards shall certify flagging personnel, when required.
33. Five working days prior to beginning construction, the Permittee/Contractor must contact Mr. Jamie Buford, Senior Maintenance Supervisor, to coordinate the construction. Mr. Buford can be contacted in Pueblo at (719) 546-5765. Failure to comply with this requirement may result in the revocation of this permit.

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34. Two-way traffic shall be maintained throughout the work area at all times.

35. WORK HOUR ALLOWANCES:

- a) All work time will be verified with State Highway Lane Closure Strategy.
- b) No work is allowed within the highway right-of-way on weekends or State/Federal holidays.
- c) No construction vehicles shall be parked, or construction materials stockpiled on the highway right-of-way overnight.
- d) No private vehicles may be parked on the highway right-of-way at any time. Modifications to this condition may be allowed as determined by the CDOT Inspector for this permit and area only.
- e) No interference with traffic will be allowed after 12:00 Noon the day before a 3- or 4-day holiday weekend, as listed under 108.06 of the Standard Specifications for Road and Bridge Construction.

36. Signing and striping are the responsibilities of the Permittee. All signs shall be manufactured in accordance with the Manual on Uniform Traffic Control Devices (M.U.T.C.D.). The sheeting for the signs shall be highway intensity sheeting (ASTM Type III retro reflective sheeting). The Department shall approve the striping.

37. All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures and all applicable US 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.

38. 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:

- a. Head protection that complies with the ANSI Z89.1-2014 standard
- b. 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 ASTM F 2412-05 and ASTM F 2413-05
- c. High visibility apparel as specified in the Traffic Control provisions of this permit (at a minimum, ANSI/ISEA 107-1999, Class 2)
- d. Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

39. All construction materials, techniques and processes shall be in conformance with the specification on the permit and shall be consistent with Department standard specifications for road construction as set forth in the latest "Standard Specifications for Road and Bridge Construction" manual.

40. The Permittee is responsible for any utilities and/or traffic control devices disrupted by the construction of this access and all expenses incurred for repair. There are existing utilities on the highway right-of-way by permit. Owners of those utilities must be contacted. Any work necessary

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to protect existing permitted utilities, such as encasements, bulwarks, etc. will be the responsibility of the Permittee.

- a. The Permittee is hereby advised that other utilities may exist within the proposed permit area. Permittee shall implement any and all measures to protect any existing utilities from damage.
 - b. Non-Destructive Air-vacuum Excavation (potholing) to expose the utilities being surveyed to determine their exact depth and location maybe necessary before any work commences. A core hole saw cut is the recommended method of entry through pavement for potholing. Flowfill is required for backfill of the core hole under the pavement or on the roadway.
 - c. The vacuum excavation technique is used not only to expose utilities but also for other uses that are benefited by the non-invasive/non-destructive, environmentally friendly technology such as dewatering or drill fluid/saw cutting fluid removal.
 - d. The Contractor shall utilize a spotter to assist in the visual inspection of all excavation work as it progresses near existing CDOT Intelligent Transportation Systems fiber optic line conduits, pull boxes and manholes. The Contractor shall provide a spotter to aid equipment operators when construction activities are near marked or unmarked fiber lines.
 - e. The spotter shall observe all excavation work as it progresses to ensure that no damage occurs to existing underground fiber lines. When the spotter has visual sight of the underground conduit, the spotter shall notify the equipment operator of the proximity to the conduit and begin to guide the excavation work. The spotter shall guide all excavation work around the conduit to ensure no damage occurs.
41. It is the responsibility of the permittee to comply with the Subsurface Utility Engineering (SUE) requirements as defined in the ASCE 38 (American Society for Civil Engineering).
 42. Additional CDOT permits are required for work involving water, sanitary sewer, gas, electrical, telephone and landscaping within the right-of-way.
 43. Any damage to existing highway facilities shall be repaired immediately at no cost to the Department and prior to continuing other work. Any mud or other material tracked or otherwise deposited on the roadway shall be removed daily or as ordered by the Department inspector.
 44. The Department Inspector or the Issuing Authority may suspend any work due to non-compliance with the provisions of this permit, adverse weather or traffic conditions, concurrent highway construction or maintenance in conflict with permit work or any condition deemed unsafe for workers or the general public. The work may be resumed upon notice from the Department Inspector or Issuing Authority.
 45. The Permittee shall maintain adequate, unobstructed sight distance in both directions from the access. When determining the distance between accesses, the point of tangent shall be used where a radius is present, or the beginning of the curb cut. **The minimum sight distance that shall be maintained along the highway for the access shall be 650-feet. The minimum sight distance that shall be maintained for the vehicle entering the highway shall be 1,000-feet.**
 46. Any landscaping or potentially obstructing objects such as but not limited to advertising signs, structures, trees, and bushes, shall be designed, placed, and maintained at a height not to interfere with the sight distance needed by any vehicle using the access. Planting of tree(s), which will be over 4 inches in caliper at maturity, will not be allowed within 30 feet of the edge of the traveled way. All other objects shall not exceed a total height of thirty inches from the top of final

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- grade. The Department will require any object or landscaping that becomes unsightly or is considered to be a traffic hazard to be removed by the Permittee at no cost to the Department.
47. is CDOT Standard Plan M-203-1, entitled "Approach Roads". The radii, surfacing, side drains, and side slope requirements shall be as specified in this permit.
 48. The access width, for an access without curbs, shall be measured exclusive of the radii or flares. The width of any non-traversal median is not counted as part of the access width. Only the travel portion is measured.
 49. The equivalent turning radii of the access shall accommodate the turning radius of the largest vehicle using the access on a daily basis. Where roadway shoulders are present, the radius is measured to the edge of the closest lane. Where roadway shoulders are not present, the minimum access radii are to be 20-feet. Where paved shoulders are present, the radius is measured to the edge of the closest lane.
 50. The access width shall be 24-feet measured at the CDOT right-of-way line.
 51. For any access that is not a curb cut, including streets and private access using curb returns, the first 20 feet beyond the closest highway lane, including speed change lanes or the distance to the side drain, whichever is greater, shall slope down and away from the highway at a two percent grade to ensure proper drainage control.
 52. The access shall be surfaced upon completion of earthwork construction and prior to being used. The access shall be surfaced from the highway roadway to the right-of-way line.
 - a. The access shall have a hard surface concrete pavement for a minimum distance of 20 feet from the traveled way. The first 20 feet of the access shall be surfaced with 12-inches Concrete Paving and 12 inches of Aggregate Base Course (Class 6). The remainder of the access within the highway right-of-way shall be surfaced with 12 inches of Aggregate Base Course (Class 6).
 - b. The Permittee will be responsible for removing the existing rumble strips that are located in the shoulder of the existing highway at the access connection point. The rumble strips must be removed 300 feet east and west from the point of tangent of the radii along the highway.
 - c. If hard surfacing (concrete or bituminous pavement) abuts existing pavement, the existing pavement shall be saw cut and removed a minimum of one (1) foot back from the existing edge of pavement.
 - d. Compaction of the Aggregate Base Course shall comply with section 304.06.
 - e. Compaction of sub-grade, embankments and backfills shall be in accordance with section 203.07 of the Department's standard specification.
 - f. Placement of base course materials shall be in accordance with section 304.04 of the standard specifications. Compaction shall be in conformance with AASHTO procedure T-99.
 - g. You must obtain a new NTP following the suspension of work through the winter. If the permit has expired and no other extensions are available to you, then a new access permit application must be submitted to CDOT.
 53. When highway widening is necessary, the following apply:
 - a. Prior to placement of fill material, the permitted owner/contractor shall clear and grub the affected access area. Clearing and grubbing shall consist of clearing, grubbing,

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- removing, and disposing of vegetation and debris within the limits of construction and/or fill placement. Upon completion of clearing and grubbing activities, the area shall be proof-rolled with heavy construction equipment to provide assurance that no soft spots are present that would prove detrimental to the final product. Soft spots shall be removed and/or stabilized with suitable material.
- b. If fill is placed, it shall be constructed with suitable soil in maximum 8-inch loose lifts and compacted as specified before the next lift is placed. Once the fill section is complete, the area shall be proof-rolled with heavy construction equipment to provide assurance that no soft spots are present that would prove detrimental to the final product.
 - c. Base course shall be constructed in maximum 8-inch loose lifts and compacted as specified before the next lift is placed. Prior to asphalt/concrete placement, the area shall be proof-rolled with heavy construction equipment to provide assurance that no soft spots are present that would prove detrimental to the final product.
54. The design of the horizontal and vertical curves, super-elevations, transitions, and related specifications shall be no less than the current highway design.
 55. Within the right-of-way, maximum grades shall be limited to eight percent for all accesses except field and residential.
 56. The horizontal axis of an access to the highway shall be at a right angle to the centerline of the highway and extend a minimum of 40 feet from the edge of pavement or to the right-of-way line, whichever is greater.
 57. The horizontal axis of an access to the highway shall be an angle of 90 degrees if significant physical constraints require a skew angle less than 90 degrees, Department approval is required and the angle must be approved by the issuing authority and the Department based upon site-specific conditions.
 58. Fill slopes and cut slopes shall be constructed to current Department minimum standards.
 59. Fill slopes and cut slopes shall be constructed to the slope of the existing highway near the access.
 60. Soil preparation including topsoil, seeding, and mulching is required with the highway right-of-way on all disturbed areas not surfaced and those areas beyond the highway that may erode and send debris into the highway right-of-way. The Department or local municipality shall provide minimum seed mixes, types and rates of seeding and preparation. (See attached Exhibit)
 61. Installation or removal of any right-of-way fence by the Permittee shall be consistent with right-of-way fence law in section 35-46-111 C.R.S. The Permittee is required to obtain a highway right-of-way fence agreement for a special fence if the Permittee desires to remove the existing standard highway fencing in the area. The Permittee shall contact TJ Thiebaut at (719) 546-5413 or Thomas.Thiebaut@state.co.us for information regarding the fence agreement.
 62. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the entrance shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. This shall be in conformance with the Department's Standard M-607-1.
 63. All right-of-way fence posts and wire removed are Department property and shall be turned over to a representative of the Department.

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64. Installation of any traffic control device necessary for the safe and proper operation and control of the access shall be required by the permit at the cost of the Permittee.
65. All traffic control devices (permanent or temporary) within the highway or other public right-of-way or access that serve the general public shall conform to the M.U.T.C.D.
66. If any traffic control devices are evident within 50 feet of the construction area, the Permittee/ Contractor must contact Mr. Jimmy Biren, Asst. Traffic Operations Engineer, in Pueblo. Mr. Biren can be contacted in Pueblo at (719) 546-5404. Matt Jagow, Traffic Operations Engineer, in Pueblo. Mr. Jagow can be contacted in Pueblo at (719) 546-5751.
67. Prior to removing any existing highway signs within the limits of the construction activities, the Permittee must contact Mr. Walter Garcia in Pueblo. Mr. Garcia can be contacted at (719) 546-5767.
68. Physical separation and delineation along a property frontage such as curb and gutter or fencing, may be required when necessary to ensure that access will be limited to permitted locations.
 - a. Survey markers or monuments must be preserved in their original positions. Notify Mr. Dennis Pirtle, CDOT Land Surveyor, at (719) 546-5746 immediately upon damage to or discovery of any such markers or monuments at the work site.
 - b. Any survey markers or monuments disturbed during the execution of this permit shall be repaired and/or replaced immediately to the satisfaction of the CDOT Land Surveyor at the expense of the Permittee.
 - c. All survey procedures and minimum tolerances shall be in conformance with the Department Survey Manual and the "Manual of Instruction for the Survey of Public Lands of the United States" 1972 and section 38-53-101 et seq, C.R.S.
 - d. Monuments shall conform to Department Standard M-629-1.
69. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder and shall not interfere with the existing drainage system in the right-of-way or any adopted municipal system and drainage plan.
70. The highway drainage system is for the protection of the state highway right-of-way, structures, and appurtenances. It is not designed nor intended to serve the drainage requirement of abutting or other properties beyond undeveloped historical flow. Drainage to the state highway right-of-way shall not exceed the undeveloped historical rate of flow.
71. If determined the Permittee shall provide, at their own expense, drainage structures for access that will become an integral part of the existing drainage system. Drainage structures under the access should extend beyond the access radius to accommodate the side slopes.
72. If determined the Permittee shall install a new at minimum 18-inch corrugated metal pipe. It shall be a sufficient length to allow for the side slopes.
73. Any work in area adjacent to open water (streams, drainage, ponds, etc.) will require adequate erosion control measures in accordance with Section 107.25 of the Department standard specifications.

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74. All drainage appurtenances required for detention and release shall be located and fully maintainable outside the highway right-of-way.
75. This Permit hereby replaces all previous access permit(s) for this ownership, which now become null and void.
76. A certificate of insurance naming the Colorado Department of Transportation (CDOT) as an additional insured is required to be submitted before work begins. The insurance certificate shall also list the Access Permit number.
77. The Permittee or the contractor shall be required to provide comprehensive general liability and property damage insurance naming the Department and the issuing authority (if applicable) as an additional insured party, in the amounts of not less than \$600,000 per occurrence and automobile liability insurance of \$600,000 combined single limit bodily injury and property damage for each accident, during the period of access construction. By accepting the permit, the Permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the Permittee's use of the access permit during the construction of the access.
78. CDOT retains the right to perform any necessary maintenance work in this area.
79. READ ALL ADDITIONAL STANDARD REQUIREMENTS ON THE ATTACHED FORM 101 AND OTHER TERMS AND CONDITIONS ON THESE ATTACHED SHEETS. A COPY OF THIS PERMIT MUST BE ON THE JOB SITE WITH THE CONTRACTOR. Call for an inspection of forms at least one working day prior to placing any concrete. The Colorado Department of Transportation inspection is not an approval of the grade or alignment of the work. The contractor and/or engineer are responsible for the proper grade and alignment. Minor changes or additions may be ordered by the field inspector to meet field conditions. Any survey markers or monuments disturbed during the execution of this permit shall be repaired immediately at the expense of the permittee. Minimum cover for buried utilities shall be 48 inches.

**COLORADO DEPARTMENT OF TRANSPORTATION
STATE HIGHWAY ACCESS PERMIT APPLICATION**

Issuing authority application acceptance date:

- Instructions:**
- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
 - Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
 - Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
 - Submit an application for each access affected.
 - If you have any questions contact the issuing authority.
 - For additional information see CDOT's Access Management website at <http://www.dot.state.co.us/AccessPermits/index.htm>
- Please print or type**

1) Property owner (Permittee) Epcoco Rei One, LLC		2) Applicant or Agent for permittee (if different from property owner) McCauley Constructors, Attn: Anna Fluckey	
Street address 3455 Fillmore Ridge Heights		Mailing address 650 Innovation Cir.	
City, state & zip Colorado Springs, CO 80907	Phone #	City, state & zip Windsor, CO 80550	Phone # (required) 970-686-6300
E-mail address john@edgartruck.com		E-mail address if available anna.fluckey@mccauleyconstructors.com	
3) Address of property to be served by permit (required) 17225 State HWY 115, Penrose, CO			
4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one? county Fremont subdivision Coyle-Vanegmond block _____ lot 2 section _____ township _____ range _____			
5) What State Highway are you requesting access from? HWY 115		6) What side of the highway? <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W	
7) How many feet is the proposed access from the nearest mile post? Aprx 510 feet <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: MM17		How many feet is the proposed access from the nearest cross street? Aprx 2115 feet <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: 2nd St to W G-St to East	
8) What is the approximate date you intend to begin construction? 5/1/2024			
9) Check here if you are requesting a: <input type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated: _____) <input checked="" type="checkbox"/> improvement to existing access <input type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> relocation of an existing access (provide detail)			
10) Provide existing property use Vacant Land			
11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - what are the permit number(s) and provide copies: 219009 and/or, permit date: 4/5/2019 This permit has expired			
12) Does the property owner own or have any interests in any adjacent property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - please describe:			
13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input type="checkbox"/> no <input checked="" type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points.			
14) If you are requesting agricultural field access - how many acres will 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	square footage	business	square footage
Penrose RV & Boat Stor - Mini-warehouse	17,760		
Penrose RV & Boat Stor - SFDH	210		
16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?			
type	number of units	type	number of units
N/A			
N/A			
17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.			
Indicate if your counts are <input type="checkbox"/> peak hour volumes or <input type="checkbox"/> average daily volumes.	# of passenger cars and light trucks at peak hour volumes 26	# of multi unit trucks at peak hour volumes 0	
# of single unit vehicles in excess of 30 ft	# of farm vehicles (field equipment)	Total count of all vehicles 26	

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 plan 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 plan.
- f) Proposed access design.
- g) Parcel and ownership maps including easements.
- h) Traffic studies.
- i) Proof of ownership.

1- It is the applicant'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 <http://www.dot.state.co.us/environmental/Forms.asp>.

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 Z89.1-1997 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 Z41-1999.

Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

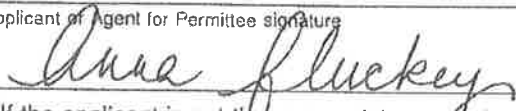
3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <http://www.dot.state.co.us/DesignSupport/>, then click on *Design Bulletins*.

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 applicant 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.

Applicant or Agent for Permittee signature



Print name

Anna Fluckey

Date

01.25.2024

If the applicant is not the owner of the property, we require this application also to be 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.

Property owner signature


5/12/2005 06:04:18

Print name

Date

3/26/2024

LETTER OF AUTHORIZATION

I, John Edgar, the undersigned property Owner hereby acknowledges that Mrs. Anna Fluckey of McCauley Constructors, Inc., is to act on my behalf in all manners relating to my application to Fremont County for Commercial Development Plan review and the Board of Zoning Adjustment for the premises located at 17225 SH 115 in Penrose, Colorado, effective the date of my signing below.

My signature below indicates my acknowledgment that I do not object to Mrs. Anna Fluckey applying on my behalf and receiving under my name from the County of Penrose, all coordination communication from the County for the purposes of completing the applications noted above with the County to the end of the review and approval process on the property listed above, which I own.

I understand that for the application review process to begin I must pay the appropriate application fees, to be included with this Letter of Authorization along with the physical applications.

Thank you,

John Edgar
Property Owner, Printed Name

3455 Fillmore Ridge Heights
Property Owner, Street Address

Colorado Springs, CO 80907
Property Owner, State Zip

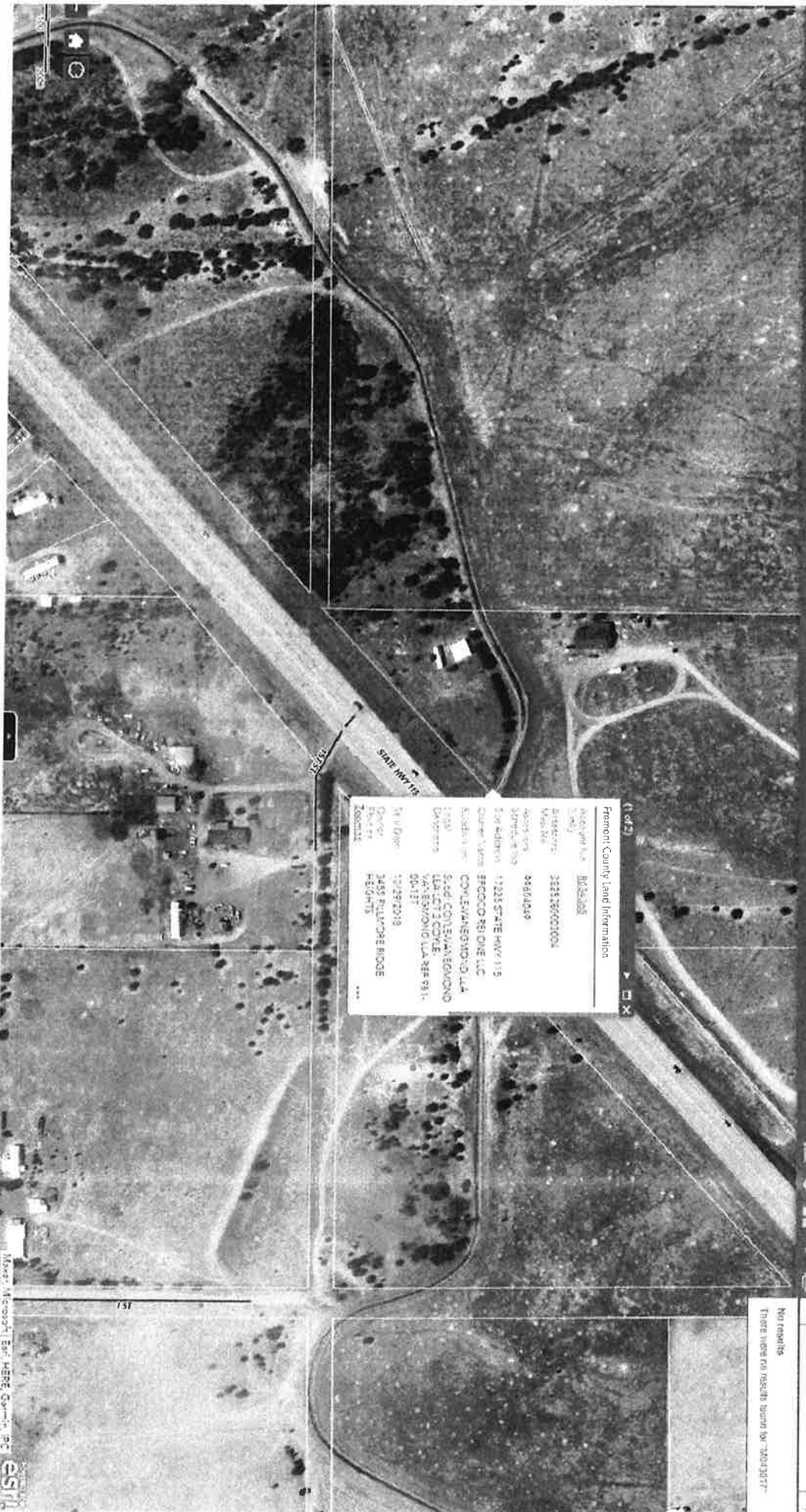
DocuSigned by:

112703058169418
Property Owner, Signature

703-897-2624
Property Owner, Telephone

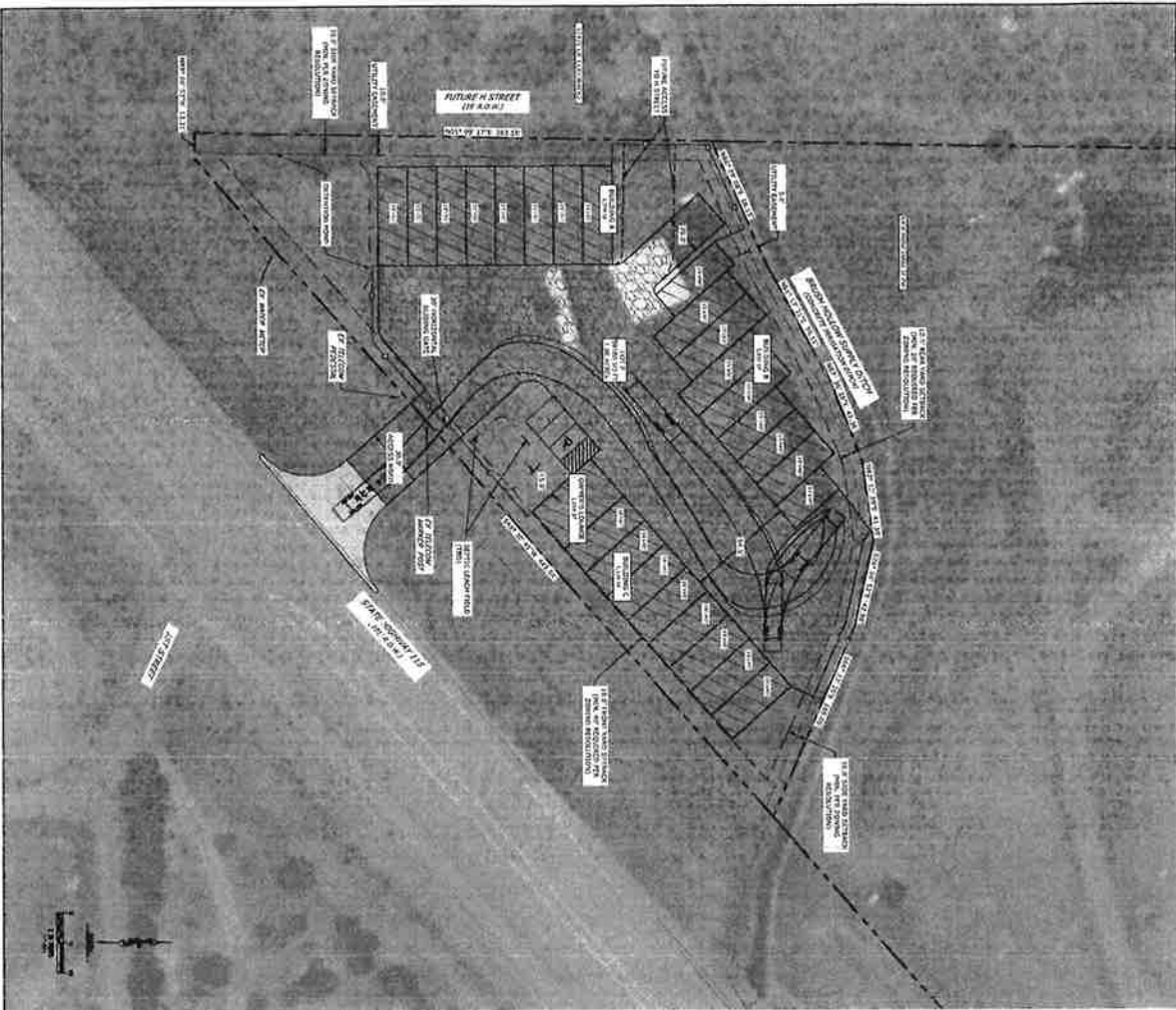
John@EdgarTruck.com
Property Owner, Email Address

2/12/2024
Date



Fremont County Land Information
Parcel ID: BLS2325
Assessor's Parcel No.: 3235267001004
Address: 32700 S 700
3450 J219
State Address: 11235 STATE HWY 115
Owner Name: BFOODC RE ONE LLC
Subdiv Name: COWLEY/ANBOND, L.L.C.
Parcel ID: S-04-COWLEY/ANBOND
L.A. Section: 12
Date Acquired: 06-13-17
Parcel ID: 06-137-00100 L.A. RE-981
Parcel ID: 10-29-2018
Owner Name: 3455 FLYING BIRD
HEIGHTS

No results
There were no results found for 72013017



LEGEND

- PROPOSED**
- PROPERTY LINE
 - EASEMENT
 - SETBACK
 - CONCRETE FENCE
 - STONE STONE
 - TILECOM
 - OVERHEAD WIRES
 - CHANNEL CENTER LINE
 - ROAD BASE
 - ASPHALT
 - CONCRETE
 - BUILDING
- EXISTING**
- PROPERTY LINE
 - EASEMENT
 - SETBACK
 - CONCRETE FENCE
 - STONE STONE
 - TILECOM
 - OVERHEAD WIRES
 - CHANNEL CENTER LINE
 - ROAD BASE
 - ASPHALT
 - CONCRETE
 - BUILDING

UNIT	AREA (SQ FT)	PERCENTAGE OF TOTAL AREA
1	15,5	0.2
2	15,5	0.2
3	15,5	0.2
4	15,5	0.2
5	15,5	0.2
6	15,5	0.2
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96	15,5	0.2
97	15,5	0.2
98	15,5	0.2
99	15,5	0.2
100	15,5	0.2



SITE PLAN
OPTION 1D

PENROSE RV STORAGE
17225 SH 115, PENROSE, CO
CONCEPTUAL SITE PLAN

455 INNOVATION CIR
WINDSOR, CO 80551



455 INNOVATION CIR
WINDSOR, CO 80551



CIVIL RESOURCES

TECHNICAL MEMORANDUM

TO: Colorado Department of Transportation
FROM: Civil Resources, LLC
DATE: January 16, 2024
RE: Trip Generation Memo
Penrose RV Storage

PROJECT DESCRIPTION

The Commercial Development Plan is for an RV storage facility located at 17225 State Highway 115 in Penrose, Colorado (Figure 1). The development includes approximately 16,970 square-feet of warehouse storage space, a 1,000 SF owner's lounge/caretaker's space, gravel drive aisles, and parking spaces. The overall site is 1.36 acres. The site is intended for RV/vehicle storage, and expected to generate very low traffic volumes.

The study area includes Colorado State Highway 115 (SH 115), located southeast of the site. Access to the proposed development will be from SH 115. At the location of the site, the highway is two-lanes in each direction, with a painted median.

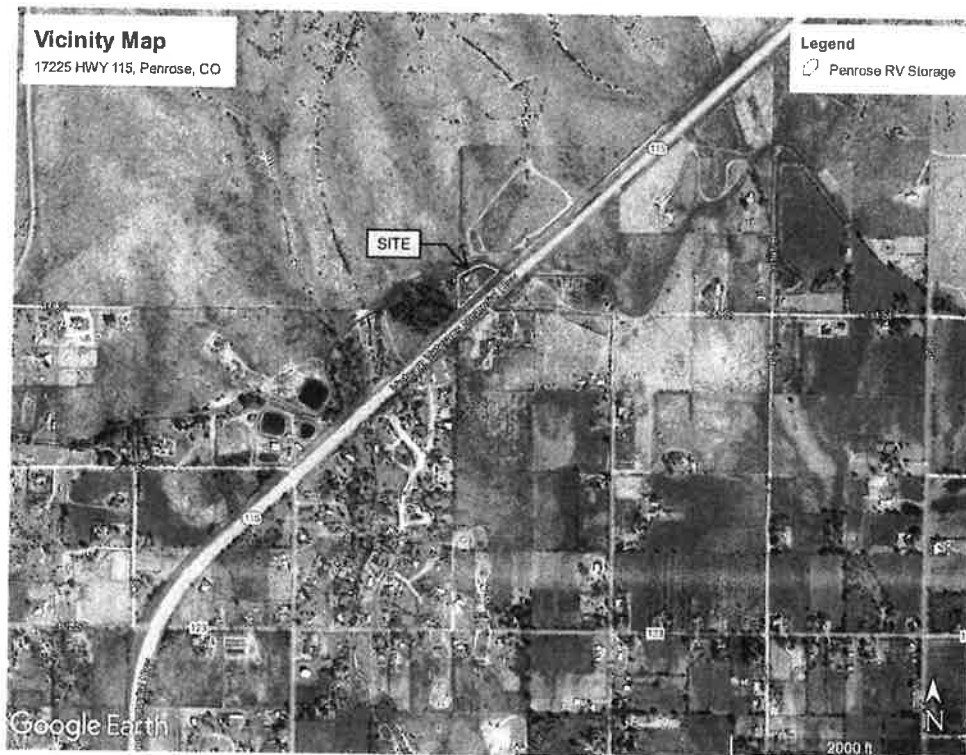


Figure 1- Vicinity Map

TRIP GENERATION

The volume of traffic that the proposed development is expected to generate was estimated using the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 10th Edition*. The development will consist of 16,970 square-foot of mini-warehouse area, and 1 owner's lounge/caretaker's space, classified as a single-family residential dwelling unit. The mini-warehouse area will generate an additional 26 trips per day, and the dwelling unit will generate an additional 10 trips per day, totaling 36 additional trips per day for the Site.

The morning peak hour rates for mini-warehouse areas and single dwell units are 0.10 and 0.74, respectively. This totals 3 trips during the peak morning hour. The evening peak hour rates are 0.17 for mini-warehouse areas, and 0.99 for single dwelling units. This totals 5 trips during the peak evening hour.

Table 1 summarizes the trip generation calculations.

Table 1- Trip Generation

LAND USE	ITE CODE	SIZE	UNIT	AVERAGE DAILY TRIPS				AM PEAK HOUR TRIPS				PM PEAK HOUR TRIPS			
				RATE	TOTAL	IN	OUT	RATE	TOTAL	IN	OUT	RATE	TOTAL	IN	OUT
Mini-Warehouse	151	16.97	1,000 SF	1.51	26	13	13	0.10	2	1	1	0.17	3	1	2
Single-Family Detached Housing	210	1.00	DU	9.44	10	5	5	0.74	1	0	1	0.99	1	1	0
TOTAL	-	-	-	-	36	18	18	-	3	1	2	-	4	2	2

¹Trip generation estimate based on rates outlined in ITE *Trip Generation Manual, 10th Edition*

ADJACENT TRAFFIC CONDITIONS

Colorado State Highway 115 (SH 115) is classified by the Colorado Department of Transportation (CDOT) as a regional highway (RA). The Site is approximately located at station 17. The annual average daily traffic for the stretch of SH 115 adjacent to the Site is 11,000 vehicles, as counted in 2021. The CDOT State Highway Access Code requires auxiliary turn lanes if the following parameters are met:

- Left turn deceleration: projected peak hour left ingress turning volume greater than 10 vehicles per hour (vph),
- Right turn deceleration: projected peak hour right ingress turning volume greater than 25 vph,
- Right turn acceleration: projected peak hour right turning volume greater than 50 vph, when the posted speed on the highway is greater than 40 mph.

The maximum peak hour trips for the Site is 4 trips; therefore, the site does not require auxiliary turning lanes for SH 115.

APPENDIX

- Plat
- Site Plan
- Land use traffic rates from ITE *Trip Generation Manual*
- CDOT System Classification
- CDOT AADT Data

Jim Brzostowicz, P.E.

Digitally signed by Jim Brzostowicz, P.E.
 DN: cn=US, email=ejjim@civresources.com, ou=Civil Resources, cn="Jim Brzostowicz, P.E."
 Date: 2024.01.16 10:07:56-0700'



Prepared by: Rebekah Janquart, E.I.
 Reviewed by: Jim Brzostowicz, P.E.

J:\McCauley Construction 355\355.001.02 Penrose RV Storage\Memos & Reports\Traffic\Penrose_Trip Generation Memo.docx

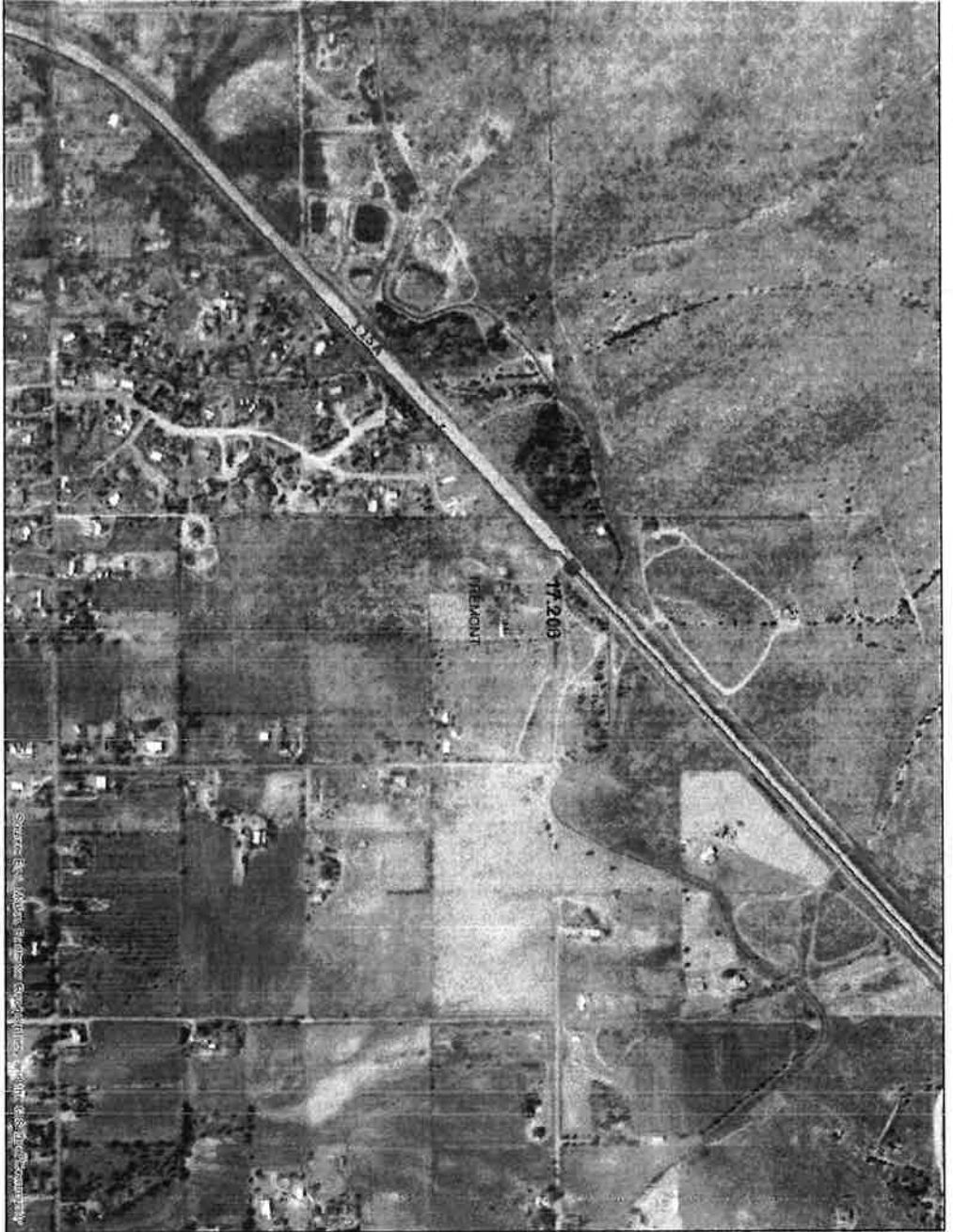
TTE Trip Generation, 10th Edition

ITE No.	Land Use Description	unit	Daily Rate	Peak Hour of Adjacent Street Rate					
				AM (7-9)			PM (4-6)		
				Total	In	Out	Total	In	Out
Industrial/Agricultural									
110	General Light Industrial	ksf	4.96	0.70	88%	12%	0.63	13%	87%
		emp.	3.05	0.52	83%	17%	0.49	22%	78%
130	Industrial Park	ksf	3.37	0.40	81%	19%	0.40	21%	79%
		emp.	2.91	0.44	86%	14%	0.42	20%	80%
140	Manufacturing	ksf	3.93	0.62	77%	23%	0.67	31%	69%
		ac.	35.02	4.62	90%	10%	4.54	43%	57%
150	Warehousing	ksf	1.74	0.17	77%	23%	0.19	27%	73%
		emp.	5.05	0.61	72%	28%	0.66	36%	64%
151	Mini-Warehouse	ksf	1.51	0.10	60%	40%	0.17	47%	53%
160	Data Center	ksf	0.99	0.11	55%	45%	0.09	30%	70%
Residential									
210	Single-Family Detached Housing	DU	9.44	0.74	25%	75%	0.99	63%	37%
220	Multifamily Housing (Low-Rise)	DU	7.32	0.46	23%	77%	0.56	63%	37%
231	Mid-Rise Residential w/ 1st-Floor Commerci	DU	3.44	0.30	28%	72%	0.36	70%	30%
240	Mobile Home Park	DU	5.00	0.26	31%	69%	0.46	62%	38%
251	Senior Adult Housing - Detached	DU	4.27	0.24	33%	67%	0.30	61%	39%
252	Senior Adult Housing - Attached	DU	3.70	0.20	35%	65%	0.26	55%	45%
253	Congregate Care Facility	DU	2.02	0.07	60%	40%	0.18	53%	47%
254	Assisted Living	beds	4.24	0.39	78%	22%	0.49	30%	70%
255	Continuing Care Retirement Community	units	2.40	0.14	65%	35%	0.16	39%	61%
270	Residential Planned Unit Development	DU	7.38	0.57	22%	78%	0.69	75%	25%
Lodging									
310	Hotel	rooms	8.36	0.47	59%	41%	0.60	51%	49%
311	All Suites Hotel	rooms	4.46	0.34	53%	47%	0.36	48%	52%
312	Business Hotel	rooms	4.02	0.39	42%	58%	0.32	55%	45%
320	Motel	rooms	3.35	0.38	37%	63%	0.38	54%	46%
330	Resort Hotel	rooms	n/a	0.32	72%	28%	0.41	43%	57%
Recreational									
411	Public Park	ac.	0.78	0.02	59%	41%	0.11	55%	45%
416	Campground/Recreational Vehicle Park	occ. sites	n/a	0.21	36%	64%	0.27	65%	35%
444	Movie Theatre	screens	220.00	n/a	n/a	n/a	14.60	44%	56%
445	Multiplex Movie Theatre	screens	292.50	n/a	n/a	n/a	13.73	51%	49%
488	Soccer Complex	fields	71.33	0.99	61%	39%	16.43	66%	34%
490	Tennis Courts	courts	30.32	n/a	n/a	n/a	4.21	n/a	n/a
491	Racquet/Tennis Club	courts	27.71	n/a	n/a	n/a	3.82	n/a	n/a
492	Health/Fitness Club	ksf	n/a	1.31	51%	49%	3.45	57%	43%
495	Recreational Community Center	ksf	28.82	1.76	66%	34%	2.31	47%	53%

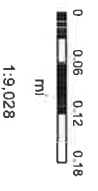
CDOT SYSTEM CLASSIFICATION							
ROUTE	BEGIN REF	END REF	LENGTH	ACCESS CONTROL	ADMIN CLASS	FUNCTIONAL CLASS	NHS DE
115A	0	1.223	1.129	NR-B: Non-Rural Arterial	CDOT Highway	4 Minor Arterial	0 No
115A	1.223	4.661	3.56	R-A: Regional Highway	CDOT Highway	4 Minor Arterial	0 No
115A	4.661	7.129	2.39	R-A: Regional Highway	CDOT Highway	5 Major Collector	0 No
115A	7.129	7.789	0.63	NR-B: Non-Rural Arterial	CDOT Highway	5 Major Collector	0 No
115A	7.789	9	1.303	NR-C: Non-Rural Arterial	CDOT Highway	5 Major Collector	0 No
115A	9	9.616	0.544	NR-B: Non-Rural Arterial	CDOT Highway	5 Major Collector	0 No
115A	9.616	13.96	4.314	R-A: Regional Highway	CDOT Highway	5 Major Collector	0 No
115A	13.96	14	0.143	R-A: Regional Highway	CDOT Highway	4 Minor Arterial	0 No
115A	14	16.776	2.63	NR-A: Non-Rural Principal Highway	CDOT Highway	4 Minor Arterial	0 No
115A	16.776	27.168	10.327	R-A: Regional Highway	CDOT Highway	4 Minor Arterial	0 No
115A	27.168	40.344	13.009	E-X: Expressway Major Bypass	CDOT Highway	4 Minor Arterial	0 No
115A	40.344	46	5.463	E-X: Expressway Major Bypass	CDOT Highway	3 Principal Arterial - Other	1 Mai
115A	46	47.496	1.537	NR-A: Non-Rural Principal Highway	CDOT Highway	3 Principal Arterial - Other	1 Mai

CDOT TRAFFIC COUNTS										
ROUTE	BEGIN REF	END REF	LENGTH	AADT	AADTYR	COUNTYEAR	SINGLE UNIT	COMB. TRUCKS	% TRUCKS	20-YR
115A	0	0.537	0.531	13000	2021	2020	170	120	2.2	1
115A	0.537	0.672	0.138	9800	2021	2020	170	70	2.4	1
115A	0.672	1.081	0.311	8900	2021	2019	180	80	2.9	1
115A	1.081	1.325	0.244	5800	2021	2021	120	70	3.3	1
115A	1.325	1.811	0.489	6600	2021	2021	110	80	2.9	1
115A	1.811	2.35	0.607	6500	2021	2021	90	80	2.7	1
115A	2.35	2.911	0.557	5000	2021	2021	90	90	3.4	1
115A	2.911	3.405	0.492	4700	2021	2021	110	90	4.3	1
115A	3.405	4.24	0.825	5200	2021	2019	60	80	2.7	1
115A	4.24	4.661	0.495	6000	2021	2020	70	70	2.4	1
115A	4.661	5.696	0.972	7700	2021	2020	60	80	1.8	1
115A	5.696	8.076	2.312	5800	2021	2021	90	50	2.4	1
115A	8.076	8.36	0.293	5200	2021	2021	90	60	2.9	1
115A	8.36	8.487	0.08	4500	2021	2018	130	90	4.8	1
115A	8.487	8.694	0.25	7700	2021	2019	200	100	3.9	1
115A	8.694	8.985	0.324	7200	2021	2021	260	100	5	1
115A	8.985	10.255	1.264	8000	2021	2020	200	100	3.8	1
115A	10.255	11.046	0.776	4900	2021	2019	90	140	4.7	1
115A	11.046	13.96	2.91	5000	2021	2019	180	180	7.1	1
115A	13.96	14.782	0.835	11000	2021	2019	280	530	7.3	1
115A	14.782	18.2	3.309	11000	2021	2019	240	560	7.3	1
115A	18.2	36.709	18.508	9900	2021	2021	270	610	8.9	1

Potential Access Location SH115



Created:
Date: 2/27/2023
Time: 9:23:28 AM



1:9,028

Legend

- Find Route Point
- ◆ Override 1
- Find Route Line
- Milepoints
- Highways
- ▭ Counties

COLORADO DEPARTMENT OF TRANSPORTATION Environmental Clearances Information Summary

PURPOSE - This summary is intended to inform entities external to CDOT that may be entering the state highway right-of-way to perform work related to their own facilities (such as Utility, Special Use or Access Permittees), about some of the more commonly encountered environmental permits/clearances that may apply to their activities. This listing is not all-inclusive—additional environmental or cultural resource permits/clearances may be required in certain instances. Appropriate local, state and federal agencies should be contacted for additional information if there is any uncertainty about what permits/clearances are required for a specific activity. **IMPORTANT: Please Review The Following Information Carefully – Failure to Comply With Regulatory Requirements May Result In Suspension or Revocation of Your CDOT Permit, Or Enforcement Actions By Other Agencies.**

CLEARANCE CONTACTS - As indicated in the permit/clearance descriptions listed below, the following agencies may be contacted for additional information:

- Colorado Department of Public Health and Environment (CDPHE): General Information – (303) 692-2000
Water Quality Control Division (WQCD): (303) 692-3500
Environmental Permitting Website <https://www.colorado.gov/pacific/cdphe/all-permits>
- CDOT Water Quality Program Manager: (303) 512-4053 <https://www.codot.gov/programs/environmental/water-quality>
- CDOT Asbestos Project Manager: (303) 512-5519
- Colorado Office of Archaeology and Historic Preservation: (303) 866-5216
- U.S. Army Corps of Engineers, District Regulatory Offices:
Omaha District (Northeastern CO), Denver Office (303) 979-4120
<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>
Sacramento District (Western CO), Grand Junction Office (970) 243-1199
<http://www.spk.usace.army.mil/Missions/Regulatory.aspx>
Albuquerque District (Southeastern CO), Pueblo Office (719) 543-9459
<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>
- CDOT Utilities, Special Use and Access Permitting: (303) 757-9654 <https://www.codot.gov/business/permits>

Wildlife Resources - Disturbance of wildlife shall be avoided to the maximum extent practicable. Entry into areas of known or suspected threatened or endangered species habitat requires special authorization from the CDOT permitting office. If any threatened or endangered species are encountered during the progress of the permitted work, work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Information about threatened or endangered species may be obtained from the CDOT website, <http://www.codot.gov/programs/environmental/wildlife/guidelines>, or the Colorado Parks and Wildlife (CPW) website, <http://www.cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>. Additional guidance may be provided by the appropriate Region Planning and Environmental Manager (RPEM).

Cultural Resources - The applicant must request a file search of the permit area through the Colorado Office of Archaeology and Historic Preservation (OAHP), Denver, to ascertain if historic or archaeological resources have previously been identified (<https://www.historycolorado.org/file-access>; 303-866-5216). Inventory of the permit area by a qualified cultural resources specialist may be necessary, per the recommendation of CDOT. If archaeological sites/artifacts or historic resources are encountered as the project progresses, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office and RPEM.

Paleontological Resources - The level of effort required for paleontological resources is dependent on the amount of ground disturbance, including rock scaling, digging, trenching, boring, ground leveling, and similar activities.

- If the permit will involve extensive ground disturbance (generally involving more than one mile of CDOT ROW), a full review will be required by a qualified paleontologist, including map, file, and locality searches, with final recommendations provided by the CDOT paleontologist upon receipt of the report. Based on results of the review, a survey or inventory of the permit area may be necessary.
- If the permit will involve a small amount of ground disturbance (less than one mile of ROW), the applicant must request a fossil locality search through the University of Colorado Museum of Natural History (<https://www.colorado.edu/cumuseum/research-collections/paleontology/policies-procedure>) and the Denver Museum of Nature and Science (<https://www.dmns.org/science/earth-sciences/earth-sciences-collections/>). The museum collections manager will provide information about localities in the project area. If there are no known localities, the permit requirement for paleontology is complete upon submitting that information to CDOT. If there are known localities, the CDOT paleontologist will be contacted by the museum with details, and additional recommendations will be made if necessary. Note that museum staff are not required to disclose the details of fossil localities to the permit applicant, nor is detailed locality information required for the permit application to proceed.
- If the permit involve no ground disturbance, no action is required for paleontological resources. If fossils are encountered during the permitted action, all work in the immediate area of the find should stop and the CDOT Staff Paleontologist and the Region Environmental Manager should be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office in the Permit Special Provisions. Contact Information: See the museum websites listed above. The CDOT Paleontologist is not able to conduct locality searches independently. For further information contact CDOT Paleontologist Nicole Peavey at nicole.peavey@state.co.us or (303)757-9632.

Hazardous Materials, Solid Waste - The Solid Wastes Disposal Sites and Facilities Act C.R.S. 30-20-100, et al, and Regulations Pertaining to Solid Waste Disposal Sites and Facilities (6 CCR 1007-2), prohibit solid waste disposal without an approved Certificate of Designation (a landfill permit). The Colorado Hazardous Waste Act C.R.S. 25-15-301 et al, and the Colorado Hazardous Waste Regulations (6 CCR 1007-3) prohibit the transfer, storage or disposal (TSD) of hazardous waste except at permitted TSD sites. There are no permitted landfills or TSD sites within the State Highway Right of Way. Therefore, all solid or hazardous wastes that might be generated by the activities of entities entering the State Highway Right of Way must be removed from the ROW and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster). If pre-existing solid waste or hazardous materials contamination (including oil or petroleum contaminated soil, asbestos, chemicals, mine tailings, etc.) is encountered during the performance of work, the permittee shall halt work in the affected area and immediately contact the CDOT Regional Permitting Office for direction as to how to proceed.
Contact Information: Theresa Santangelo-Dreiling, CDOT Hazardous Materials Management Supervisor: (303) 512-5524.

Asbestos Containing Materials, Asbestos Contaminated Soil - All work on asbestos containing materials (ACM) must comply with the applicable requirements of the CDPHE Air Pollution Control Division's (APCD) Regulation 8. Disposal of ACM, and work done in asbestos-contaminated soil, must comply with the CDPHE Hazardous Materials and Waste Management Division's (HMWMD) Solid Waste Regulations. The application for any CDOT permit must specifically identify any ACM involved in the work for which authorization is being requested. Additional guidance or requirements may be specified in the permit special provisions.
Contact Info: CDPHE APCD and HMWMD Regulations can be accessed via the CDPHE Environmental Permitting Website listed above. Additional information **concerning clearance on CDOT projects** is available from the CDOT Asbestos Project Manager (303) 512-5519, or Theresa Santangelo-Dreiling, Hazardous Materials Management Supervisor: (303) 512-5524.

Transportation of Hazardous Materials - No person may offer or accept a hazardous material for transportation in commerce unless that person is registered in conformance with the United States Department of Transportation regulations at 49 CFR, Part 171. The hazardous material must be properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized by applicable requirements, or an exemption, approval or registration has been issued. Vehicles requiring a placard, must obtain authorization and a State HAZMAT Permit from the Colorado Public Utilities Commission. **Contact Information:** For authorization and more info call the Federal Motor Safety Carrier Administration, US DOT for inter- and intra-state HAZMAT Registration (303) 969-6748. Colorado Public Utilities Commission: (303) 894-2868.

Discharge of Dredged or Fill Material – 404 Permits Administered By the U.S. Army Corps of Engineers, and Section 401 Water Quality Certifications Issued by the CDPHE WQCD - Clean Water Act section 404 permits are often required for the discharge of dredged or fill material into waters of the U.S., including wetlands. Several types of section 404 permits exist, including nationwide, regional general, and individual permits. Nationwide permits are the most commonly authorized type for activities with relatively minor impacts. If an individual 404 permit is required, section 401 water quality certification from the CDPHE WQCD is also required. Contact the appropriate Corps District Regulatory Office for information about what type of 404 permit may be required (contact information above). Contact the CDPHE Water Quality Control Division at (303) 692-3500.

Working on or in any stream or its bank - In order to protect and preserve the state's fish and wildlife resources from actions that may obstruct, diminish, destroy, change, modify, or vary a natural existing stream or its banks or tributaries, it may be necessary to obtain a Senate Bill 40 certification from the Colorado Department of Natural Resources. A stream is defined as 1) represented by a solid blue line on USGS 7.5' quadrangle maps; and/or 2) intermittent streams providing live water beneficial to fish and wildlife; and/or 3) segments of streams supporting 25% or more cover within 100 yards upstream or downstream of the project; and/or 4) segments of streams having wetlands present within 200 yards upstream or downstream of the project measured by valley length. The CPW application, as per guidelines agreed upon by CDOT and CPW, can be accessed at <https://www.codot.gov/programs/environmental/wildlife/guidelines>.

Erosion and Sediment Control Practices - Any activities that disturb one or more acres of land require a Stormwater Construction Permit (SCP) from the CDPHE-WQCD. Erosion & sediment control requirements will be specified in that permit. In situations where a stormwater permit is *not* required, all reasonable erosion and sediment control measures should be taken to minimize erosion and sedimentation. Control practices should be in accordance with CDOT Standard Specifications 107.25, 208, 213 and 216 (<https://www.codot.gov/business/designsupport/cdot-construction-specifications>). The CDOT Erosion Control and Stormwater Quality Guide (website: <https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality>) can also be used to design erosion/sediment controls. **Contact Information:** Contact the CDPHE-WQCD at (303) 692-3500. Website: <https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits>

Site Stabilization - All disturbances require a stabilization plan, native seeding or landscape design plan according to applicable CDOT Standard Specifications 212-217 and 623. The CDOT Erosion Control and Stormwater Quality Guide should also be used to plan restoration of disturbed vegetation. Website: <https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality>

Stormwater Discharge From Industrial Facilities - Discharges of stormwater runoff from certain types of industrial facilities, such as concrete batch plants - require a CDPS Stormwater Permit. **Contact Information:** Contact the CDPHE-WQCD at (303) 692-3500. Website: <https://colorado.gov/pacific/cdphe/wq-commerce-and-industry-permits>

Concrete Washout - Waste generated from concrete activities shall NOT be allowed to flow into the drainage ways, inlets, receiving waters, or in the CDOT ROW. Concrete waste shall be placed in a temporary concrete washout facility and must be located a minimum of 50 feet from state waters, drainageways, and inlets. Concrete washout shall be in accordance to CDOT specifications and guidelines at <https://www.codot.gov/business/designsupport/cdot-construction-specifications> and refer to the specifications and their revisions for sections 101, 107 and 208.

Construction Dewatering (Discharge or Infiltration) and Remediation Activities - Discharges of water encountered during excavation or work in wet areas may require a Construction Dewatering or Remediation Activities Discharge Permit. **Contact**

Information: Contact the CDPHE-WQCD at (303) 692-3500. For Applications and Instructions:
<https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits>.

Municipal Separate Storm Sewer System (MS4) Requirements - When working in a MS4 area, discharges to the storm sewer system are subject to CDOT's or other municipalities' MS4 Permit. For activities within the boundaries of a municipality that has a MS4 permit, the owner of such activity should contact the municipality regarding stormwater related requirements. All discharges to the CDOT highway drainage system or within the Right of Way (ROW) must comply with the applicable provisions of the Colorado Water Quality Control Act, the Water Quality Control Commission (WQCC) Regulations (<https://www.colorado.gov/pacific/cdphe/wqcc-regulations-and-policies-and-water-quality-statutes>) and the CDOT MS4 Permit #COS-000005 (<https://www.codot.gov/programs/environmental/water-quality/documents>). Discharges are subject to inspection by CDOT and CDPHE. For CDOT-related MS4 programs and requirements, go to:
<https://www.codot.gov/programs/environmental/water-quality/stormwater-programs>.

Post-Construction Permanent Water Quality - When working in a CDOT MS4 area and the activity disturbs one or more acres, permanent water quality control measures may be required. Information on the requirements can be found under the CDOT Permanent Water Quality MS4 Program at: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/pwq-permanent-water-quality>

Discharges to Storm Sewer Systems

Prohibited Discharges - All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include, but are not limited to, substances such as wash water, paint, automotive fluids, solvents, oils or soaps and sediment.

Allowable Discharges - The following discharges to stormwater systems are allowed without a permit from the CDPHE-WQCD: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, uncontaminated springs, footing drains, water line flushing, flows from riparian habitats and wetlands, and flow from firefighting activities. **Contact Information:** Contact the CDPHE-WQCD at (303) 692-3500. Information can also be found in the CDOT Illicit Discharge MS4 Program PDD at: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/idde.html>.

Spill Reporting - Spills shall be contained and cleaned up as soon as possible. Spills shall NOT be washed down into the storm drain or buried. All spills shall be reported to the CDOT Illicit Discharge Hotline at (303) 512-4426 (4H20), as well as the Regional Permitting Office and Regional Maintenance Supervisor. Spills on highways, into waterways, any spill in the highway right-of-way exceeding 25 gallons, or that may otherwise present an immediate danger to the public shall be reported by calling 911, and shall also be reported to the CDPHE at 1-877-518-5608. More information can be found at <https://www.colorado.gov/pacific/cdphe/emergency-reporting-line>.

Disposal of Drilling Fluids - Drilling fluids used in operations such as Horizontal Directional Drilling may be classified as "discharges" or "solid wastes," and in general, should be pumped or vacuumed from the construction area, removed from the State Highway Right of Way, and disposed of at permitted facilities that specifically accept such wastes. Disposal of drilling fluids into storm drains, storm sewers, roadside ditches or any other type of man-made or natural waterway is prohibited by Water Quality Control and/or Solid Waste regulations. Small quantities of drilling fluid solids (less than 1 cubic yard of solids) may be left on-site after either being separated from fluids or after infiltration of the water, provided: 1) the drilling fluid consists of only water and bentonite clay, or, if required for proper drilling properties, small quantities of polymer additives that are approved for use in drinking water well drilling; 2) the solids are fully contained in a pit, and are not likely to pose a nuisance to future work in the area, 3) the solids are covered and the area restored as required by CDOT permit requirements (Utility, Special Use, or Access Permits, etc.). **Contact Information:** Contact CDPHE (telephone #'s listed above).

Noxious Weeds and Invasive Species Management Plan - Noxious Weeds and Invasive Species guidance can be found by contacting the Colorado Department of Agriculture (<https://www.colorado.gov/pacific/agconservation/noxiousweeds>) and the Colorado Division of Parks and Wildlife (<http://cpw.state.co.us/aboutus/Pages/RS-NoxiousWeeds.aspx>). In either case, management plans involving the control of noxious weeds associated with the permitted activity and cleaning of equipment will be required.

