



December 8, 2023

Jefferson County – Planning and Zoning  
100 Jefferson County Parkway, Suite 3550  
Golden, CO 80419  
Attn: Dylan Monke, Planner

Re: Shadow Mountain Bike Park - Case No. Case No. 23-102980 RZ

Dear Mr. Monke,

We are in receipt of the Referral Agency List, dated March 17, 2023. As part of the first referral of the application for a special use for the Shadow Mountain Bike Park project (the “**Application**”), we understand that the following agencies were provided with the opportunity to comment on the Application:

- Army Corps of Engineers - kiel.g.downing@usace.army.mil;
- CDOT Mountains - bradley.Sheehan@state.co.us;david.dixon@state.co.us;
- CDPHE (Colo Health) - cdphe\_localreferral@state.co.us;
- Cartography - khagaman@jeffco.us;
- Colorado Natural Gas - jgutierrez@summitutilitiesinc.com;
- Colorado Parks and Wildlife NERO - Mountains - mark.lamb@state.co.us;
- Colorado State Forest Service - matt.piscopo@colostate.edu;
- Colorado State Land Board - greg.ochis@state.co.us;
- Comcast - Alfonzo\_Martinez@cable.comcast.com;
- Current Planning - SHUTCHIN@jeffco.us<sup>1</sup>
- DRCOG - asummers@drcog.org;gchiapella@drcog.org;
- Division of Water Resources - sarah.brucker@state.co.us;joanna.williams@state.co.us;
- Elk Creek Fire Protection - rparker@elkcreekfire.org;jware@elkcreekfire.org;
- Geologist - poconnel@jeffco.us;
- IREA
- Historical Commission
- LUMEN - platreview@lumen.com;
- Long Range - hgutherl@jeffco.us;
- Open Space - nyork@jeffco.us;estoner@co.jefferson.co.us;
- Planning Engineering - NSEYMOUR@jeffco.us
- Public Health - publichealthelanduse@jeffco.us;
- Road & Bridge 4 - kdean@jeffco.us;
- Transportation and Engineering - ltownsen@co.jefferson.co.us;mvanatta@co.jefferson.co.us;
- United Power Inc - platreferral@unitedpower.com;
- XCEL Energy - donna.L.George@xcelenergy.com;

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<sup>1</sup> We understand this item to refer to the Planning and Zoning comments.

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We have not received comments from the following:

- Army Corps of Engineers - [kiel.g.downing@usace.army.mil](mailto:kiel.g.downing@usace.army.mil);
- Cartography - [khagaman@jeffco.us](mailto:khagaman@jeffco.us);
- Colorado State Land Board - [greg.ochis@state.co.us](mailto:greg.ochis@state.co.us);
- Comcast - [Alfonzo\\_Martinez@cable.comcast.com](mailto:Alfonzo_Martinez@cable.comcast.com);
- DRCOG - [asummers@drcog.org](mailto:asummers@drcog.org);[gchiapella@drcog.org](mailto:gchiapella@drcog.org);
- IREA
- LUMEN - [platreview@lumen.com](mailto:platreview@lumen.com);

Of the comments received, we have addressed each of the Referral Comments on the table set forth in the following pages. The following items have been prepared or updated since the initial Application submittal, and are included in this resubmittal package:

1. First Referral Response – Summary of Referral Comments – SMBP (this document)
2. First Referral Response – Planning & Zoning – SMBP
3. Written Restrictions/ODP
  - a. Updated Item 2: Official Development/Special Use/Site Approval Plan [satisfies Zoning Resolution Section 9.B., Item 10] as described in the initial Application submittal
4. Engineering Study for Water System Improvements
  - a. Updated Item 12: Water [satisfies Zoning Resolution Section 9.B., Item 21] as described in the initial Application submittal
5. Wildfire Hazard Mitigation Plan
  - a. Updated Item 14: Fire Protection [satisfies Zoning Resolution Section 9.B., Item 23] as described in the initial Application submittal
6. First Referral Response – Transportation and Engineering – SMBP
  - a. Includes updated Item 15: Transportation Analysis [satisfies Zoning Resolution Section 9.B., Item 27] as described in the initial Application submittal
7. Visual Analysis
  - a. Updated Item 23: Visual Analysis [satisfies Zoning Resolution Section 9.B., Item 17] as described in the initial Application submittal
8. Vegetation Preservation Plan
  - a. Updated Item 25: Vegetation Preservation Plan [satisfies Zoning Resolution Section 9.B., Item 19] as described in the initial Application submittal
9. Sensory Impact Assessment
  - a. Includes Item 28: Sensory Impact Report/Plan [satisfies Zoning Resolution Section 9.B., Item 33], in addition to initial Application submittal
10. First Referral Response – CPW – SMBP
  - a. Includes updated Item 29a: Wildlife Summary [Satisfies LDR Section 4.B., Item 31] as described in the initial Application submittal
11. First Referral Response – Historical Commission – SMBP
  - a. Includes Item 30: Historical, Archaeological, and Paleontological Report/Plan [Satisfies Land Development Regulation Section 4.B., Item 36] in addition to initial Application submittal

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12. First Referral Response – Long Range Planning - SMBP

We look forward to your continued cooperation in connection with the Application. Please do not hesitate to reach out should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink on a light green rectangular background. The signature is cursive and appears to read "Phil Bouchard".

Phil Bouchard  
Shadow Mountain Bike Park

A handwritten signature in black ink on a light green rectangular background. The signature is cursive and appears to read "Jason Evans".

Jason Evans  
Shadow Mountain Bike Park

Agency	REFERRAL COMMENTS	APPLICANT RESPONSE
<b>CDOT</b>	Received the following summarized comment, dated March 24, 2023: <ul style="list-style-type: none"> <li>This property is off the State Highway System; no objections or concerns.</li> </ul>	No response needed.
<b>Colorado Natural Gas</b>	Received the following summarized comment, dated March 20, 2023: <ul style="list-style-type: none"> <li>Colorado Natural Gas has no existing assets within the Property; no objections or concerns.</li> </ul>	No response needed.
<b>Colorado Parks and Wildlife</b>	Received comments dated March 21, 2023.	See “First Referral Response – CPW – SMBP.”
<b>Colorado State Forest Service</b>	Received the following summarized comment, dated April 5, 2023: <ul style="list-style-type: none"> <li>A Wildfire Mitigation Plan is recommended.</li> <li>CSFS requests an analysis / technical documentation for the installed equipment on the property (ie. chairlift) as it relates to the probability of starting fires.</li> </ul>	The requested Wildfire Mitigation Plan, titled “Shadow Mountain Bike Park Wildfire Mitigation Hazard Plan” is submitted with this 1 <sup>st</sup> Re-submittal. The Applicant asked for clarification on the requested analysis / technical documentation for the equipment with CSFS contacts John White and Hilary Hiatt. In an August 8, 2023 email correspondence, the CSFS indicated that they “will not require the analysis on the probability of the infrastructure starting a fire,” so there is no response required regarding this request.
<b>Current Planning</b>	Received First Referral Response Letter dated June 5, 2023.	See “First Referral Response – Planning & Zoning – SMBP”
<b>Division of Water Resources</b>	Received the following summarized comment, dated March 20, 2023: <ul style="list-style-type: none"> <li>The application does not qualify as a “subdivision” and therefore the office has only prepared a cursory review of information and is not</li> </ul>	No response needed.

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	<p>commenting on the adequacy of water supply or availability</p> <ul style="list-style-type: none"> <li>• Well permit (s) and the allowed use(s) will be determined at the time permit application(s) are submitted to and reviewed by the State Engineer’s Office</li> <li>• The Applicant is advised to review the requirements and guidelines applicable to the proposed detention pond on the Property, and may be subject to administration by the DWR office if some are not met</li> <li>• For any construction or activities that may temporarily disturb or fill any wetlands on site, the Applicant may need to obtain a permit from the U.S. Army Corps of Engineers</li> </ul>	
<p><b>Elk Creek Fire Protection</b></p>	<p>Received the following summarized comment, dated March 20, 2023:</p> <ul style="list-style-type: none"> <li>• Access roads would need to be designed in accordance with the International Fire Code, Section 503</li> <li>• Fire protection water supply would need to be designed in accordance with the International Fire Code, Section 507</li> <li>• Minimum fire protection water supply for proposed buildings should be 180,000 gallons; the current proposed 15,000-gallon water tank does not meet these requirements</li> <li>• A fire flow report will need to be provided based on the proposed structures</li> <li>• One to three fire hydrants may be required depending on the proposed buildings</li> </ul>	<p>The requested fire protection water supply and storage have been incorporated into the Engineering Study for Water System Improvements, included in this resubmittal.</p> <p>From correspondence on 8/25/2023 between the Applicant and Elk Creek Fire Protection, it was agreed that the fire flow report will be provided at the SDP phase.</p> <p>Other design measures, including fire hydrants and locations, fire pump, and building alarm system will be determined at the SDP phase.</p> <p>Design will be finalized in accordance with the International Fire Code, as referenced in the comment.</p>

Agency	REFERRAL COMMENTS	APPLICANT RESPONSE
	<ul style="list-style-type: none"> <li>• A fire pump may be required depending on the proposed buildings and water system</li> <li>• A building fire alarm system may be required in accordance with the International Fire Code, Section 907</li> </ul>	
<b>Geologist</b>	<p>Received the following summarized comment, dated April 12, 2023:</p> <ul style="list-style-type: none"> <li>• A geologist report is not required with the rezoning process</li> <li>• The water requirements are not anticipated to exceed the threshold required for an Aquifer Test as described in Section 21 of the LDR</li> <li>• Legal water rights will be required with the SDP process</li> <li>• Square footage of buildings will be required to finalize the Water Availability Analysis (WAA)</li> <li>• Grading within the Jefferson County Floodplain Overlay District will require a separate Floodplain Development Permit</li> </ul>	<p>Comments are noted. Refer to the ODP Written Restrictions for building square footage maximums.</p>
<b>Historical Commission</b>	<p>Received the following summarized comment, dated May 19, 2023:</p> <ul style="list-style-type: none"> <li>• There are no recorded cultural resource surveys and sites within the Property</li> <li>• No determination of effect or mitigation measures can be provided because no resources are recorded in the project area</li> <li>• Recommendation 1: Consider impacts to “historic, archaeological, and paleontological resources” with a records search, consultation with the Conifer Historical Society, or an on-the-ground survey</li> <li>• Recommendation 2: Consider how to preserve the cultural, historical,</li> </ul>	<p>Refer to “First Referral Response – Historical Commission – SMBP”</p>

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	and agricultural/ranching heritage of the area	
<b>Long Range</b>	Received Long Range Review Memo dated May 5, 2023.	Refer to “First Referral Response – Long Range Planning – SMBP.”
<b>Open Space</b>	Received the following summarized comment, dated April 10, 2023: <ul style="list-style-type: none"> <li>• No Comment.</li> </ul>	No response needed.
<b>Planning Engineering</b>	Received Planning Engineering Memorandum dated April 10, 2023.	Refer to “First Referral Response – Traffic and Engineering – SMBP.”
<b>Public Health</b>	Received the following summarized comment, dated March 22, 2023: <ul style="list-style-type: none"> <li>• Water: The applicant should determine legal rights to water supply through the Colorado Division of Water Resources. The Applicant should contact the Water Quality Control Division to discuss water quality for the project.</li> <li>• Wastewater: Using Jefferson County Onsite Wastewater Regulations, the anticipated gallons of wastewater per day would be approximately 1,800 gpd. A permit from Jefferson County Public Health is necessary prior to installation of the treatment system. If there are multiple systems onsite, or if the average daily flow is over 2,000 gpd, the system would need to be evaluated by the Colorado Department of Public Health and Environmental.</li> <li>• Environmental Assessment: No recognized environmental conditions exist which would negatively impact the property.</li> <li>• Regulated Facilities: Food Trucks must have a valid Colorado Retail</li> </ul>	<p>Water: The Applicant will review legal rights and water quality within the SDP.</p> <p>Wastewater: Noted. The Applicant will obtain a permit and complete necessary review processes prior to installation of wastewater systems.</p> <p>Environmental Assessment: Noted. Regulated Facilities: Noted.</p> <p>Maintenance Facilities: Noted.</p> <p>Air: Noted. The Fugitive Dust Control Plan will be completed within the SDP.</p> <p>Noise: Refer to the Sensory Impact Assessment.</p>

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	<p>Food Establishment License for Mobile Units.</p> <ul style="list-style-type: none"> <li>• Maintenance Facilities: Above-ground storage fuel tanks with 660-40,000 gallons capacity and associated infrastructure are regulated by Colorado Department of Labor and Employment, Division of Oil, Public Safety, and may be regulated by the local fire department. Onsite disposal is prohibited for hazardous materials or waste from repair operations.</li> <li>• Air: This Project may require an air permit. A Fugitive Dust Control Plan will be required.</li> <li>• Noise: Commercial noise standards were identified.</li> </ul>	
<p><b>Road &amp; Bridge 4</b></p>	<p>Received the following summarized comment, dated March 20, 2023:</p> <ul style="list-style-type: none"> <li>• No issues identified; however, impacts of the development should be analyzed for the intersections of CR 73 and Pleasant Park Road or Barkley Road and the on and off ramp of Hwy 285.</li> </ul>	<p>In a meeting on August 16, 2023 with Nathan Seymour (Planning Engineer), Kelly Dunne (Traffic Operations Manager), and Dylan Monke (Case Manager), it was determined that these intersections may be analyzed in the Transportation Impact Study that will be prepared with the SDP and do not need to be included in this resubmittal. This was confirmed in email correspondence from the Case Manager on 9/14/2023, after he spoke with Keith Dean.</p>
<p><b>Transportation and Engineering</b></p>	<p>Received the following summarized comment, dated March 24, 2023:</p> <ul style="list-style-type: none"> <li>• No concerns about the Right-of-Way</li> <li>• Included a summary of Planning Engineering comments</li> </ul>	<p>Refer to “First Referral Response – Traffic and Engineering – SMBP” for a response to the Planning Engineering comments.</p>
<p><b>United Power Inc</b></p>	<p>Received the following summarized comment, dated March 20, 2023:</p> <ul style="list-style-type: none"> <li>• This property is outside the United Power service area; unable to comment.</li> </ul>	<p>No response needed.</p>



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<b>XCEL Energy</b>	Received the following summarized comment, dated March 28, 2023: <ul style="list-style-type: none"> <li>• No conflict.</li> </ul>	No response needed.
<b>USFW</b>	Received the following summarized comment, dated June 13, 2023: <ul style="list-style-type: none"> <li>• The Service has reviewed your Shadow Mountain bike park project in Jefferson County and has no concerns with this project resulting in impacts to species listed as proposed, threatened, or endangered.</li> </ul>	No response needed.