

# OUTLINE DEVELOPMENT PLAN AMENDMENT NO. 1

## BROOKS FARM

### TOWN OF FIRESTONE

### WELD COUNTY

### STATE OF COLORADO

## SHEET 1 OF 2

**LEGAL DESCRIPTION**

TRACT A, BLOCK 1, MINOR PLAT OF BROOKS FARM FIRST SUBDIVISION, RECORDED OCTOBER 3, 2002 AS RECEPTION NO. 2993165 OF THE RECORDS OF WELD COUNTY CLERK AND RECORDER, LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION SIX (6), TOWNSHIP TWO NORTH (T.2N.), RANGE SIXTY-SEVEN WEST (R.67W.) OF THE SIXTH PRINCIPAL MERIDIAN (6TH P.M.), TOWN OF FIRESTONE, COUNTY OF WELD, STATE OF COLORADO.

SAID DESCRIBED PARCEL OF LAND CONTAINS 68.031 ACRES, MORE OR LESS (±).

**A - PROJECT CONCEPT**  
 THIS ODP AMENDMENT WILL AUTHORIZE MINING ACTIVITIES AS SET FORTH IN THE CONDITIONAL USE PERMIT (CUP) FOR CARBON VALLEY RESOURCE - BROOKS FARM AREA. THIS ODP AMENDMENT WILL PROVIDE FOR A "HIGHEST AND BEST" USE OF THE PROPERTY AND APPLIES ONLY TO THE END USE FOR THE LAND LYING NORTH OF THE LAST CHANCE DITCH. THIS AREA, WHICH SHALL BE CALLED AREA C TO COINCIDE WITH "AREA C" IN THE CUP, COVERS 56.40 ACRES OF THE SITE AND IS UNDERLAIN BY A VALUABLE NATURAL RESOURCE, SAND AND GRAVEL. THE AGGREGATES UNDERLYING THIS SITE WILL PROVIDE ONE OF THE BASIC BUILDING BLOCKS NEEDED FOR CONSTRUCTION OF ROADS, BIKE PATHS, STRUCTURES FOUNDATIONS, AND RECREATIONAL FACILITIES. THE RESULTING DEPRESSION WILL BE RECLAIMED TO BENEFICIAL USES IN ACCORDANCE WITH THE MINED LAND RECLAMATION ACT OF 1973. ON THIS SITE, THE FINAL RECLAMATION CALLS FOR EITHER CREATING A WATER STORAGE RESERVOIR SURROUNDED BY REVEGETATED AREAS, OR WILL BE BACKFILLED WITH INERT MATERIAL AS DEFINED BY THE COLORADO SOLID WASTE REGULATIONS ADMINISTERED BY THE COLORADO DEPARTMENT OF HEALTH AND ENVIRONMENT. IF BACKFILLED, THE AREA WOULD BE REVEGETATED. THE FINAL RECLAIMED USE WILL BE DETERMINED BY FACTORS SUCH AS THE TIMING AND TYPE OF FINAL DEVELOPMENT TAKING PLACE ADJACENT TO THIS SITE, AS WELL AS ONGOING MARKET CONDITIONS THAT DETERMINE THE NEED OF WATER STORAGE. DUE TO THESE VARIABLES, THIS ODP PRESERVES THE CURRENT ZONING OF PLANNED UNIT DEVELOPMENT WITH RESIDENTIAL A LAND USES (PUD R-A); HOWEVER, FURTHER AMENDMENT TO THIS ODP WILL BE REQUIRED BEFORE ANY RESIDENTIAL DEVELOPMENT MAY COMMENCE ON THE PROPERTY. THE AMENDMENT USES ARE COMPATIBLE WITH THE ADJACENT LAND USES, AS GRAVEL EXTRACTION IS OR HAS TAKEN PLACE TO THE NORTH, EAST AND WEST SIDES OF THE SITE. THE AREA SOUTH OF THE LAST CHANCE DITCH WILL NOT BE AFFECTED BY THIS AMENDMENT. THIS AREA CONSISTS OF AREA G (A RESIDENTIAL DEVELOPMENT AREA LISTED IN THE ORIGINAL ODP) AND SOME OPEN SPACE (WHICH IS REFERRED TO AS "BUFFER AREA" IN THE CUP).

**B - REGIONAL IMPACTS**  
 THIS PROJECT WAS ANNEXED INTO THE TOWN IN 2001. THE PROPERTY WAS ZONED PLANNED UNIT DEVELOPMENT WITH RESIDENTIAL A LAND USES (PUD-R-A), AND THE BROOKS FARM ODP WAS APPROVED BY THE TOWN BOARD OF TRUSTEES. LAND USES ON EACH SIDE OF THE PROPERTY ARE RESIDENTIAL (OAK MEADOWS PUD), MINING (CURRENT CARBON VALLEY RESOURCE GRAVEL MINE, TO WHICH AREA C OF THIS PROPERTY IS BEING AMENDED THROUGH THE CUP AND ODP PROCESS), AND RURAL/AGRICULTURAL. THE FEMA 100-YEAR FLOODPLAIN WAS RE-MAPPED IN JANUARY-2016, AND THIS PROPERTY IS NO LONGER IN THE FLOODPLAIN. THE AMENDMENT USE (MINING) AND FINAL RECLAMATION OF AREA C OF THE PROPERTY INTO A WATER RESERVOIR WILL ACTUALLY DECREASE THE IMPACTS ORIGINALLY ANTICIPATED BECAUSE IT IS DECREASING THE RESIDENTIAL FOOT PRINT, THERE BY REDUCING THE ADDITIONAL ROADS, UTILITIES, SERVICE AND INFRASTRUCTURE. THE TRAFFIC ASSOCIATED WITH THE MINING OPERATION WILL BE TEMPORARY, AND WHEN AREA C IS RECLAIMED, THE ONLY TRAFFIC ASSOCIATED WITH AREA C WILL BE INFREQUENT ACCESS FOR OIL & GAS OPERATIONS AREAS AND RESERVOIR MANAGEMENT. THE MATERIAL BEING REMOVED WILL EXIT THE SITE ONTO ZINNIA AVENUE (FORMERLY COUNTY ROAD 26) FROM AN EXISTING DRIVEWAY WHICH IS LOCATED ON THE CARBON VALLEY RESOURCE PROPERTY TO THE EAST. ACCESS TO THE PROPERTY DURING DEVELOPMENT OF THE RESERVOIR WILL BE LIMITED TO EXISTING ACCESS POINTS ON ZINNIA AVENUE OR COLORADO BOULEVARD. THE ACCESSES WILL BE USED BY OIL & GAS OPERATORS AND CONTINUING AGRICULTURE PRACTICES UNTIL THE MINING OPERATION DEVELOPS. AFTER RECLAMATION INTO A WATER STORAGE RESERVOIR, ACCESS WILL BE USED INFREQUENTLY FOR RESERVOIR MANAGEMENT. THE FIRESTONE TRAIL CORRIDOR, WHICH LIES TO THE EAST OF THE SITE, WILL NOT BE AFFECTED BY THE AMENDMENT OF THIS ODP.

**C - ENVIRONMENTAL INFORMATION**  
 AREA C HAS HISTORICALLY BEEN IRRIGATED AGRICULTURAL LAND WITH NATURAL VEGETATION OCCURRING ALONG FENCES AND DITCHES. THERE DOES NOT APPEAR TO BE SIGNIFICANT NATURAL FEATURES PRESENT ON THE PROPERTY. THIS HAS NOT CHANGED SINCE THE INITIAL ODP WAS APPROVED.

UNDERLYING THE SITE IS A 33 FOOT DEEP LAYER OF SAND AND GRAVEL THAT IS TO BE REMOVED BEFORE THE AREA WILL BE DEVELOPED FOR RESIDENTIAL LAND USES.

OIL AND GAS WELLS AND APPURTENANCES ARE LOCATED AT VARIOUS LOCATIONS THROUGHOUT THE SITE, WHICH ARE IDENTIFIED ON SHEET 2 THE EXISTING IRRIGATION DITCH THAT RUNS THROUGH THE SITE WILL REMAIN UNDISTURBED BY DEVELOPMENT OF THE PROPERTY. STORMWATER DRAINAGE AND MANAGEMENT WILL BE COVERED BY A SITE-SPECIFIC STORMWATER MANAGEMENT PLAN THAT WILL CALL FOR GRADING THE PERIMETER AREA AROUND THE SITE TOWARD THE EXCAVATION. THE EXISTING BORROW DITCHES ALONG ZINNIA AVENUE, AND COLORADO BOULEVARD WILL CARRY UP-GRADIENT STORMWATER AROUND THE SITE. THIS SITE WILL BE AN EXTENSION OF THE AGGREGATE MINING OPERATION ON THE EAST AND THERE ARE NO KNOWN ARCHEOLOGICAL OR OTHER ENVIRONMENTAL ISSUES..

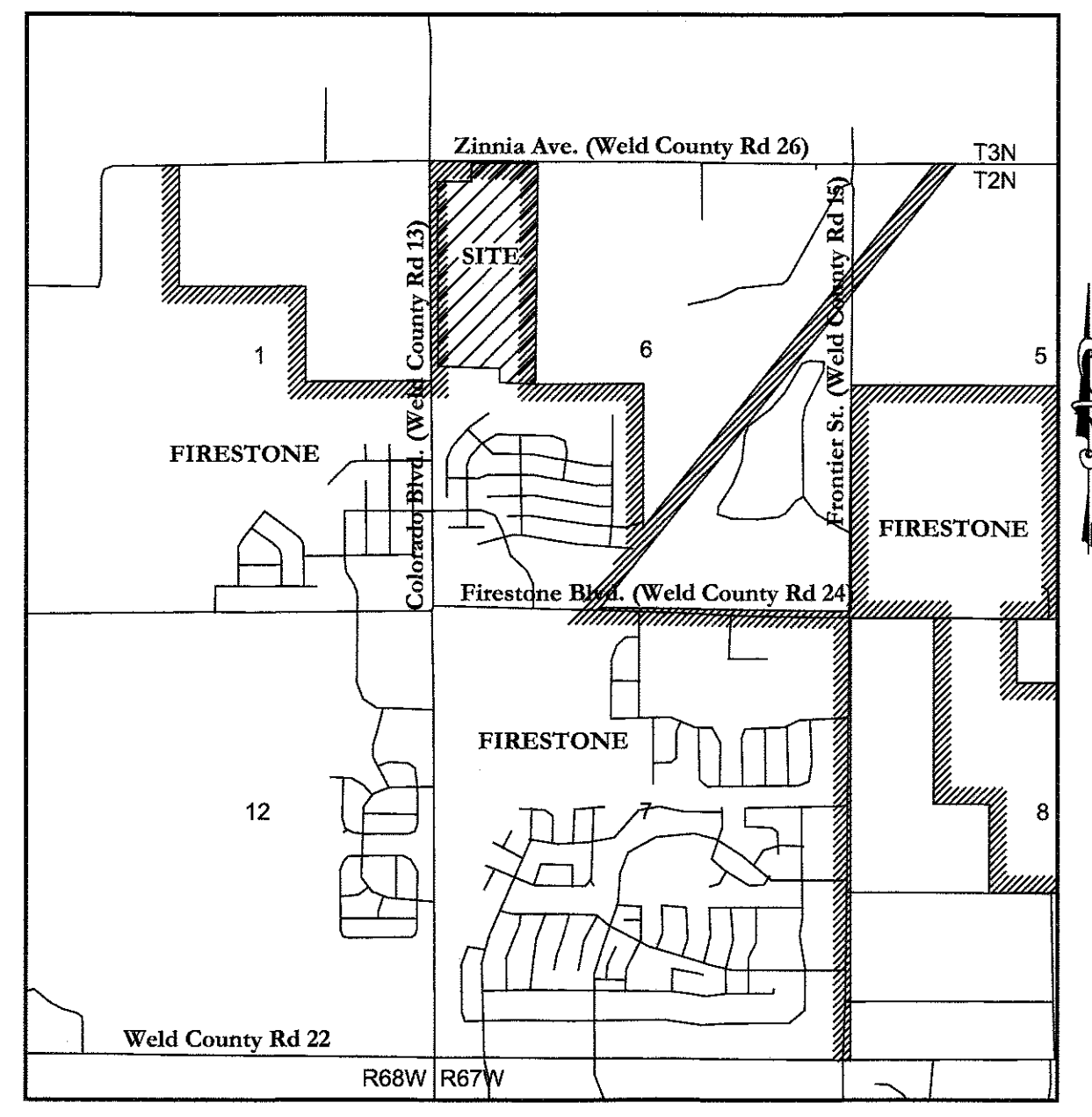
**D - UTILITIES**  
 ELECTRIC: UNITED POWER  
 TELEPHONE: CENTURY LINK  
 THE UTILITIES ARE ALREADY IN PLACE FOR THE MINING OPERATION.

FOR AREA G THE UTILITIES NEEDED FOR THE DEVELOPMENT WILL REMAIN UNCHANGED FROM THOSE SET FORTH ON THE ORIGINAL ODP.

**E - GRADING CONCEPT**  
 NATURAL SURFACE DRAINAGE OF THE AREA FLOWS TOWARDS THE NORTHEAST. THE SURFACE SOILS HAVE BEEN CONTOURED OVER THE YEARS OF AGRICULTURAL DEVELOPMENT TO SLOPE TOWARDS THE CENTER OF THE SITE. THEREFORE, THE SURFACE RUNOFF APPEARS TO RUN DOWNHILL IN A NORTHERN DIRECTION FROM THE SOUTHERN PORTION OF THE SITE. AS MINING PROGRESSES ALL SURFACE FLOWS WILL BE DIRECTED INTO THE EXCAVATED AREA AND LATER DISCHARGED ACCORDING TO THE APPROVED COLORADO POLLUTION DISCHARGE SYSTEM PERMIT (CDPS). ONCE THE RESERVOIR AREA IS RECLAIMED, THE SAME SLOPING PLAN WILL BE RETAINED TO PROTECT OFF SITE AREAS FROM STORMWATER DISCHARGES.

OVER LOT GRADING OF THE SITE FOR DEVELOPMENT WILL GENERALLY FOLLOW THE NATURAL CONTOURS OF THE SITE. A DETENTION POND WILL BE REQUIRED SOUTH IN AREA G, ON THE WEST SIDE OF THE PROPERTY, TO DETAIN STORMWATER PRIOR TO DISCHARGE INTO THE LAST CHANCE DITCH. NORTH OF THE LAST CHANCE DITCH AROUND THE RESERVOIR AREA ALL SLOPES WILL BE DIRECTED INTO THE RESERVOIR AREA TO PREVENT ANY STORM WATER DISCHARGE FROM LEAVING THE SITE UNTIL TREATED AS DISCUSSED ABOVE. THE LAST CHANCE DITCH ON THE SOUTH, THE BORROW DITCHES ALONG COLORADO BOULEVARD ON THE WEST AND ZINNIA AVENUE ON THE NORTH, DIRECT EXISTING STORM WATER AROUND THE SITE. THESE FACILITIES WILL BE RETAINED DURING DEVELOPMENT.

**F - SERVICE REQUIREMENTS**  
 POLICE: TOWN OF FIRESTONE  
 FIRE PROTECTION: FREDERICK- FIRESTONE AREA FIRE PROTECTIONS DISTRICT



VICINITY MAP  
NO SCALE

**G - CIRCULATION SYSTEMS**  
 THE PRIMARY ACCESS POINT FOR THIS SITE WILL BE FROM AN EXISTING POINT LOCATED ON ZINNIA AVENUE AT THE EXISTING MINE ENTRANCE. THIS ACCESS WILL BE USED UNTIL DEVELOPMENT ENDS. LIMITED ACCESS POINTS ARE LOCATED ON COLORADO BOULEVARD AND ZINNIA AVENUE - THESE LIMITED POINTS PROVIDE ACCESS TO OIL & GAS FACILITIES, THE LAST CHANCE DITCH, UTILITIES, AND FOR AGRICULTURAL ACTIVITIES ASSOCIATED WITH THE SITE. IN THE FUTURE, THEY WILL BE USED TO ACCESS THE PERIMETER OF THE PROPOSED RESERVOIR FOR MAINTENANCE, AND DEVELOPMENT.

FOR AREA G THE CIRCULATION SYSTEM WILL REMAIN UNCHANGED FROM THAT SHOWN ON THE ORIGINAL ODP.

**H - LAND USE AND ZONING.**  
 THIS SITE WAS PREVIOUSLY ANNEXED INTO THE TOWN OF FIRESTONE AS THE BROOKS FARM, ZONED PLANNED UNIT DEVELOPMENT WITH A RESIDENTIAL A LAND USES (PUD-R-A), AND IS SUBJECT TO THE BROOKS FARM OUTLINE DEVELOPMENT PLAN. THIS ODP AMENDMENT REVISES THE PLANNED USE ON THE AREA NORTH OF THE LAST CHANCE DITCH FROM RESIDENTIAL DEVELOPMENT TO AGGREGATE MINING/WATER STORAGE RESERVOIR/INERT MATERIAL FACILITY. THE AREA SOUTH OF THE LAST CHANCE DITCH WOULD REMAIN AS CURRENTLY APPROVED. THIS ODP AMENDMENT DOES NOT MODIFY THE PUD-R-A ZONING FOR THE PROPERTY. IT IS INTENDED TO MAINTAIN THE GREATEST FLEXIBILITY IN DETERMINING THE "HIGHEST AND BEST" USE OF THE PROPERTY THROUGHOUT THE LIFE OF THE DEVELOPMENT. THEREFORE, AS THIS SITE DEVELOPS, THE FINAL METHOD OF RECLAIMING IT WILL BE DETERMINED. IF IT BECOMES AN INERT MATERIAL FACILITY, ADDITIONAL PERMITS WILL REQUIRE FURTHER APPROVAL BY THE TOWN OF FIRESTONE.

FOR AREA G THE LAND USE AND ZONING WILL REMAIN UNCHANGED FROM THAT SHOWN ON THE ORIGINAL ODP.

**I - DENSITY**  
 THE CHANGE IN USE TO AN AGGREGATE EXTRACTION FACILITY/DEVELOPED WATER STORAGE RESERVOIR MAKES DEVELOPMENT DENSITIES NOT APPLICABLE. IF THE SITE IS BACKFILLED AS AN INERT MATERIAL FACILITY, IT WILL BE DEVELOPED FOR RESIDENTIAL USES IN ACCORDANCE WITH THE TOWN OF FIRESTONE DEVELOPMENT REGULATIONS AND DEVELOPMENT DENSITIES WILL BE DETERMINED AT THAT TIME. NO RESIDENTIAL DEVELOPMENT MAY OCCUR ON THE PROPERTY UNTIL FURTHER AMENDMENT OF THIS ODP FOR AREA C IS APPROVED BY THE TOWN BOARD OF TRUSTEES

FOR AREA G THE DENSITIES WILL REMAIN UNCHANGED FROM THAT SHOWN ON THE ORIGINAL ODP.

**J - BUILDING HEIGHT**  
 BUILDINGS THAT ARE DEVELOPED WILL BE IN ACCORDANCE WITHIN THE MAXIMUM BUILDING HEIGHT DESIGNATIONS AS OUTLINED IN THE TOWN OF FIRESTONE DEVELOPMENT REGULATIONS. THE BUILDING HEIGHTS WILL BE GOVERNED BY THE LAND USE TYPE.

FOR AREA G THE BUILDING HEIGHTS WILL REMAIN UNCHANGED FROM THAT SHOWN ON THE ORIGINAL ODP.

**K - LAND USE TABLE**

PARCEL LAND USE CATEGORY	ACRES	PERCENT	ZONING
C DEVELOPED WATER STORAGE	49.04	72.1	PUD R-A
G RESIDENTIAL 10000 - 12000 SQ-FT LOTS	8.83	13.0	PUD R-A
OPEN SPACE BUFFER AREA	3.87	15.7	PUD R-A
OIL & GAS WELL AREAS	6.29	9.2	PUD R-A
<b>SITE DEVELOPMENT TOTALS</b>	<b>68.03</b>	<b>100 %</b>	

NOTE: 10.37 ACRES OF RIGHT OF WAY WAS PREVIOUSLY DEDICATED TO THE TOWN FOR EXISTING ROADS.

**L - DEVELOPMENT SCHEDULE**  
 IF APPROVED, THE DEVELOPER INTENDS TO BEGIN GRAVEL EXTRACTION IN 2017 AND CONTINUE FOR 15 TO 20 YEARS. THE RECLAMATION ON THE RESERVOIR IS TO BE COMPLETE WITHIN 5 YEARS AFTER EXTRACTION ENDS. THE TIME FRAME FOR RESIDENTIAL DEVELOPMENT IN AREA G HAS NOT BEEN DETERMINED.

**M - PARK DEVELOPMENT**  
 PARK DEVELOPMENT IS NOT COMPATIBLE WITH A DEVELOPED WATER STORAGE RESERVOIR DUE TO SAFETY CONCERNS. THE RESERVOIR LEVEL IS RAISED AND LOWERED AS NEEDED THROUGHOUT THE YEAR FOR WATER RIGHTS REQUIREMENTS. THE RESERVOIR WILL NOT BE OPEN FOR PUBLIC USE - BOTH FOR THE SAFETY OF THE PUBLIC, AND THE PROTECTION OF THE RESERVOIR. THE OIL AND GAS AREAS AND LAST CHANCE DITCH CORRIDOR WILL ACT AS BUFFERS BETWEEN THE DEVELOPED PART OF THE SITE ON THE SOUTH SIDE OF THE DITCH AND THE WATER STORAGE RESERVOIR WHICH WOULD ACT AS A PASSIVE OPEN SPACE AREA.

**N - PRIVATE MAINTENANCE & ENFORCEMENT**  
 THE OWNERS OF THE WATER STORAGE RESERVOIR WILL BE RESPONSIBLE OF ALL MAINTENANCE OF AREA C AND ASSOCIATED FACILITIES. THEY WILL ALSO CONTROL THE ACCESS AND USE OF THE AREAS NORTH OF THE LAST CHANCE DITCH TO ENSURE PROTECTION OF THE RESERVOIR.

AMENDMENT NO. 1  
 THIS ODP AMENDS A PORTION OF THE ORIGINAL BROOKS FARM ODP. THIS ODP RE-ESTABLISHES THE ZONING OF THIS PROPERTY (PUD R-A) AS THE ORIGINAL BROOKS FARM ODP IS MORE THEN 10 YEARS OLD AND HAS EXPIRED.

**Board of Trustees Approval Block**  
 Approved by the Town Board of Trustees of the Town of Firestone, Colorado this  
 22nd day of March, 2017 by Resolution Ordinance No. 17-16  
 [Signatures: Dan Soar, Lisa Bentley]  
 Mayor Attest: Town Clerk

**Acceptance Block and Notary**  
 By signing this ODP, the owner acknowledges and accepts all of the requirements and intent set forth herein.  
 Owner: L.G. Everist, Inc., an Iowa Corporation.  
 [Signatures: Dennis Fields, Vice President]  
 Representative for Owner Title: Vice President  
 Dennis Fields

STATE OF COLORADO )  
 COUNTY OF ADAMS )

The foregoing instrument was acknowledged before me this 24 day of APRIL, 2017  
 by Dennis Fields, Vice-PRES. of L.G. Everist, Inc.  
 By: DEBRA ANN THOMPSON

Witnessed by my hand and official seal  
 [Signature: Debra Ann Thompson]  
 Notary Public  
 10-07-2020  
 My Commission Expires

**CONSULTANT INFORMATION:**  
 ENVIRONMENT, INC.  
 ATT: STEVE O'BRIAN  
 7985 VANCE DR. #205A  
 ARVADA, CO 80003  
 PHONE: 303-423-7297  
 E-MAIL: Environment-inc@outrds.net

**OWNER INFORMATION:**  
 L.G. EVERIST, INC.  
 P.O. BOX 5829  
 SIOUX FALLS, SD 57117-5829  
 PHONE: 303-286-2247  
 E-MAIL: lmsults@lgeverist.com

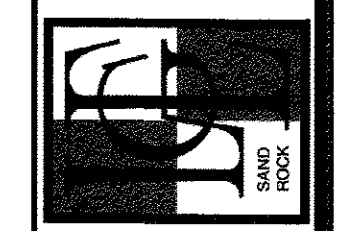
**APPLICANT INFORMATION:**  
 L.G. EVERIST, INC.  
 ATT: LYNN MAYER SHULTS  
 7321 E 88th Ave. Ste 200  
 HENDERSON, CO 80640  
 PHONE: 303-286-2247  
 E-MAIL: lmsults@lgeverist.com

**SHEET INDEX:**  
 SHEET 1 OF 2 - COVER & NOTE PAGE  
 SHEET 2 OF 2 - MAP PAGE

BROOKS FARM COVER & NOTE PAGE	
Name of Application	BROOKS FARM
Type of Submittal	ODP - AMENDMENT NO. 1
Filing Number	
Phase Number	
Preparation Date:	NOVEMBER 21, 2016
Revision Date:	JANUARY 25, 2017
Revision Date:	FEBRUARY 24, 2017
Revision Date:	APRIL 21, 2017
Revision Date:	
Revision Date:	

DATE: 09/22/2016  
 FILE NAME: CVR-10F2  
 SCALE: 1"=200'  
 DRAWN BY: END/slo  
 CHECKED BY: LMS

**L.G. Everist, Inc.**  
 7321 East 88th Avenue | Henderson, Colorado 80640  
 phone: (303) 287-4656 | fax: (303) 289-1348



OUTLINE DEVELOPMENT PLAN FOR BROOKS FARM

PREPARED BY: ENVIRONMENT, INC.  
 7985 VANCE DR. # 205A  
 ARVADA, CO 80003  
 Environment-inc@outrds.net

# OUTLINE DEVELOPMENT PLAN, AMENDMENT NO. 1

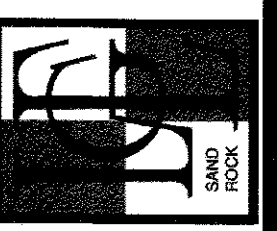
## BROOKS FARM

### TOWN OF FIRESTONE WELD COUNTY STATE OF COLORADO

#### SHEET 2 OF 2

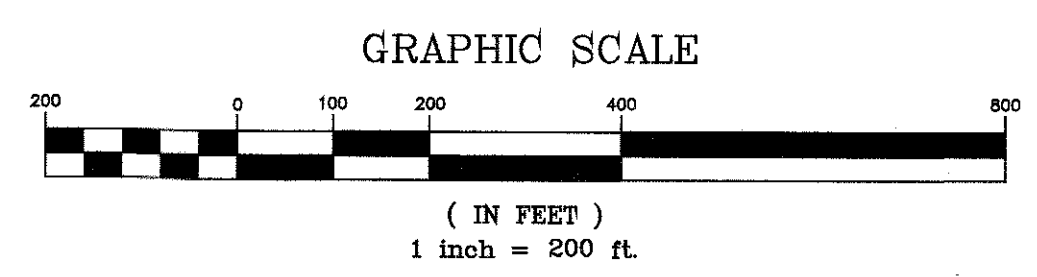
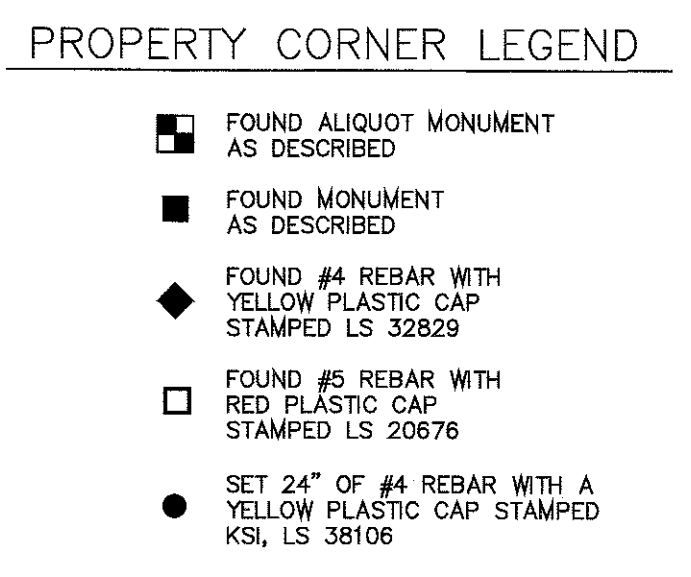
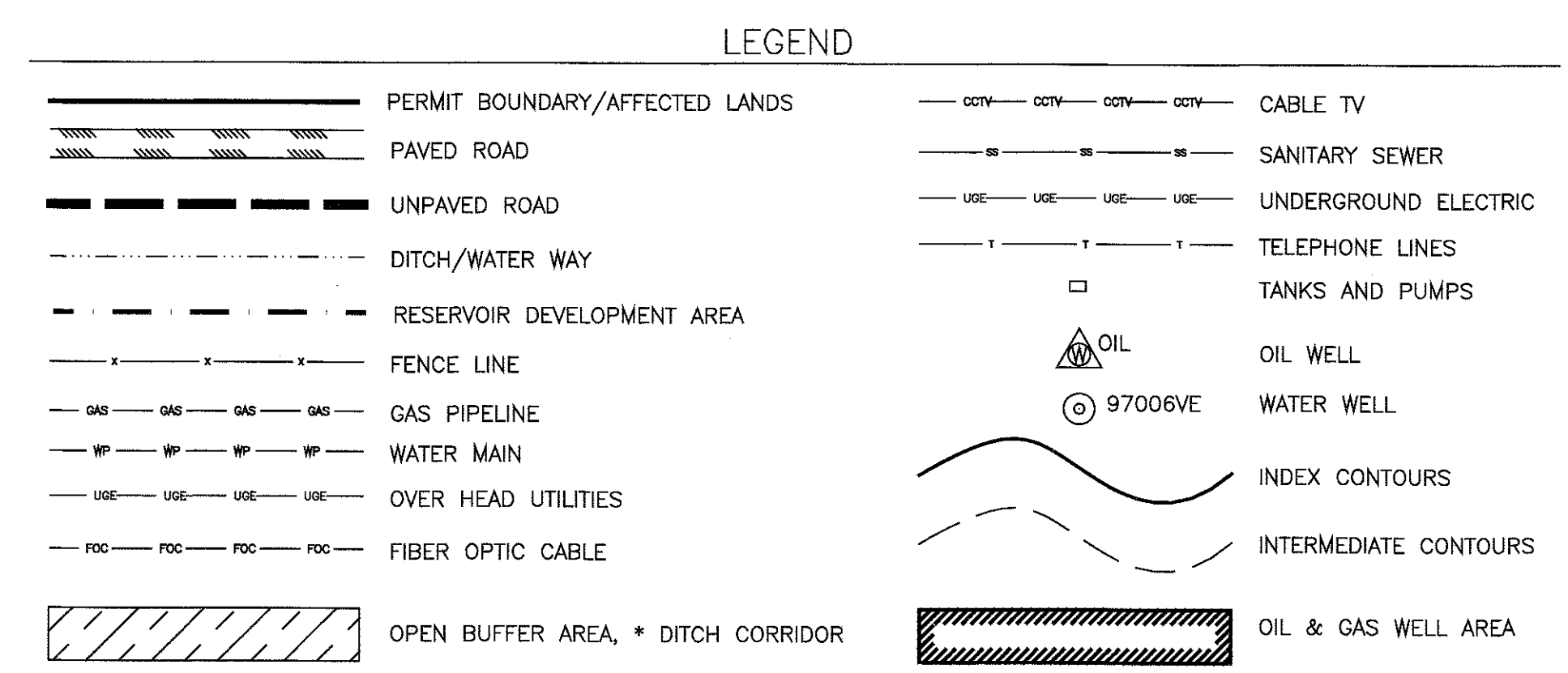
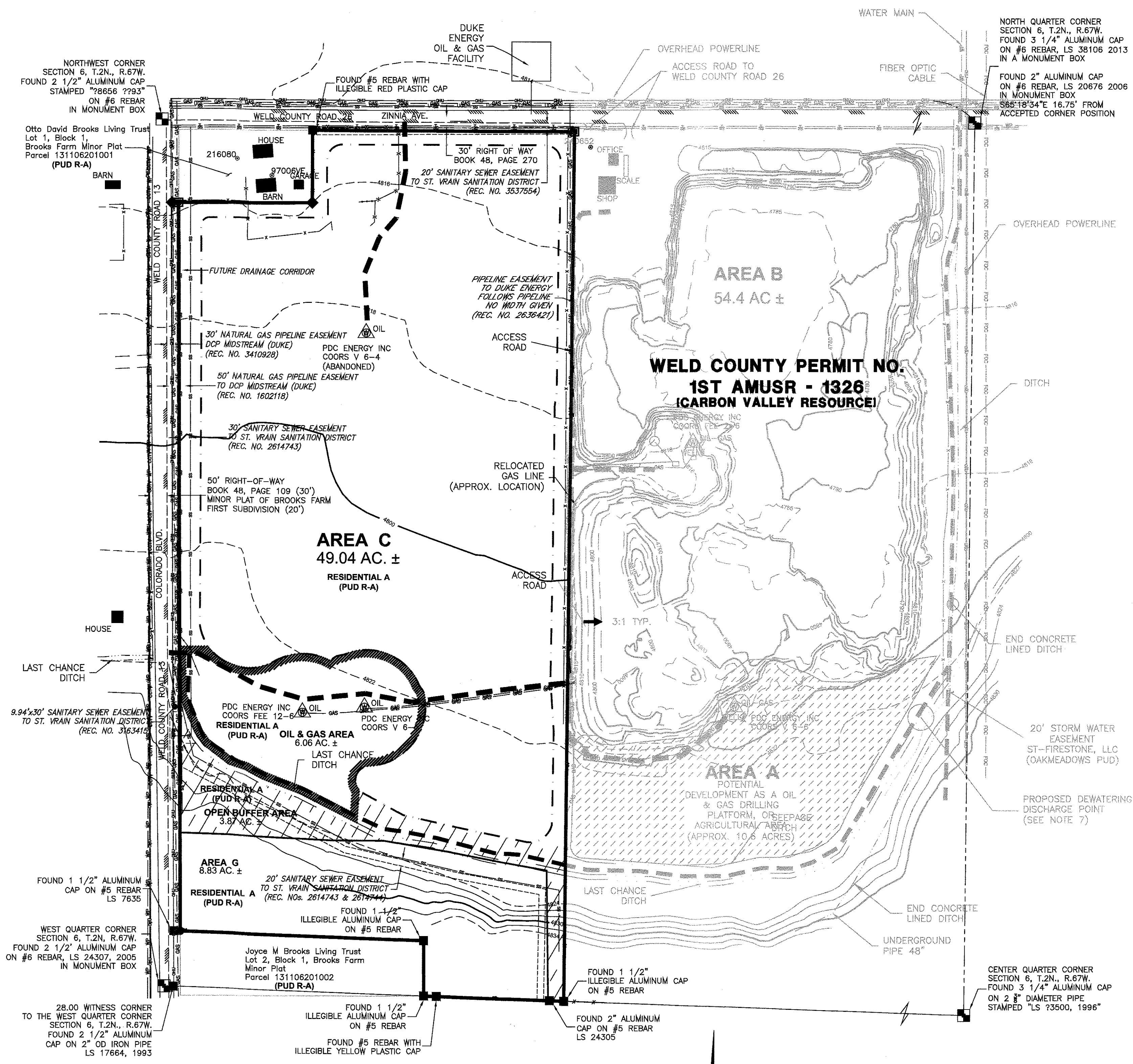
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OUTLINE DEVELOPMENT PLAN  
 FOR  
**BROOKS FARM**

PREPARED BY:  
  
**ENVIRONMENT, INC.**  
 ARVADA, CO 80007 200A  
 (303) 423-7297  
 info@lgeverist.com



BROOKS FARM MAP PAGE	
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