

May 26, 2026

Via Email: chuck.darnell@cityoflonetree.com

Chuck Darnell, Senior Planner
City of Lone Tree
9220 Kimmer Drive, Suite 100
Lone Tree, CO 80124

Re: Referral-Period Comments, Hillcamp / Southridge Preserve, Resubmittal 2 (March 27, 2026)

Dear Mr. Darnell, and Members of the Planning Commission and City Council:

Orten Cavanagh Holmes & Hunt, LLC is legal counsel to the Concerned Residents of Surrey Ridge ("CRSR"), stakeholders and adjacent landowners who are sharing their concerns with the above application. These comments are in response to the developer's March 27, 2026, Resubmittal 2 packet for the Hillcamp / Southridge Preserve development (the "**Project**"). The comments are timely filed within the second-referral comment period and are intended to become part of the administrative record for the four pending applications.

The Project proposes 343 single-family detached lots on approximately 392 acres located on a landlocked parcel atop the mesa tops in a high wind location with no water, and an adjacent landslide, straddling the RidgeGate 7th Amendment PDD and the Southridge Preserve PDD ("SPPD"), accessed primarily via Hillcamp Trail (the extension of Cabela Drive) to RidgeGate Parkway, with proposed emergency-vehicle-only access ("EVA") from McArthur Drive to the west and from N. Heather Drive to the south.

Approval will occur *after* the City of Lone Tree's adoption of the Colorado Wildfire Resiliency Code ("CWRC") on second reading on April 21, 2026 (effective July 1, 2026). On the record now before the City, the Project application cannot be approved consistent with C.R.S. § 29-20-304 (water adequacy), C.R.S. § 34-1-302 (geological hazards), C.R.S. § 24-67-105(4) (PDD density findings), the CWRC, the IFC second-access requirement, the RidgeGate PDD Main Access Road designation, and C.R.S. § 24-65.1-103 (Douglas County Hazard Mitigation Plan). The deficiencies are not policy preferences but required findings the City must make on the record before any approval.

We further note that The Retreat at RidgeGate Homeowners Association, also opposes these four applications. CRSR's opposition and The Retreat's opposition arise from different property interests but converge on the same statutory and code grounds: failure of approval criteria, PDD inconsistency under C.R.S. § 24-67-105, which every planned unit development is to be evaluated against, and not to be inconsistent with the standards and conditions set forth in the adopting

resolution or ordinance. In this case, the record demonstrates the Colorado Geological Survey's January 30, 2026, insufficiency finding, the developer's decline to respond to referral agencies in this second referral submission, as the City directed, and procedural notice defects across the four-application package. The City should treat the convergence as evidence that the deficiencies are not isolated objections but systemic record gaps the applicant has chosen to leave on the record.

I. WATER ADEQUACY - MANDATORY JURISDICTIONAL FINDING (C.R.S. § 29-20-304)

C.R.S. § 29-20-303 provides that a municipality "*shall not*" approve a development without an adequate water supply finding plan demonstrating water availability, dependability, and infrastructure capability. This is mandatory, not discretionary. No City or State Engineer determination exists in the record.

The developer's Off-Site Utility Report (Merrick Project No. 100618, March 2026) discloses material vulnerabilities in the proposed supply that the City must make findings on:

- Two PWSD sources: Zone 2 (via the proposed new Hillcamp Booster Pump Station ["HCBPS"], pressurized from RidgeGate) and Zone 3 (gravity-fed).
- The Zone 3 transmission main is "connected at the north end of the Canyons development and routed through the future Freshfields development." One of two "redundant" sources thus depends on a development that does not yet exist.
- The Off-Site Utility Report concedes that "Zone 3 water storage tanks ... already have trouble balancing hydraulic grade lines during high demand periods under pre-development conditions" — i.e., the system the developer plans to rely on is already strained without Hillcamp's 343-home load.
- The new HCBPS, multiple parallel transmission lines (260 LF of 6" DIP, 366 LF of 12" PVC, 3,474 LF of 12" DIP, 13,520 LF of 16" PVC, 8,601 LF of 16" DIP), an I-25 crossing, 17 fire hydrants and 12 air-release valves must all be built before the supply is actual rather than theoretical.

In parallel, the Southridge City Response Letter (March 27, 2026) confirms that "Water supply evaluation, confirmed by PWSD and SMFR, required prior to plat approval," the City's own acknowledgement that the § 29-20-304 finding has not yet been made.

Finding Requested. Given material deficiencies and the impact to adjacent land owners with wells as well as necessity to mitigate fire risk, the City should either make a determination of what is required of the developer before resubmitting for further referral processes or refer the Project to the State Engineer for a formal C.R.S. § 29-20-304 adequate-water-supply determination (and include the determination in the record before approval). The City must also make a separate CWRC §402 conforming-water-supply finding (see Section II.D).

II. FIRE AND LIFE SAFETY - REQUIRED FINDINGS (CWRC; IFC § D107.1)

A. Lone Tree CWRC Adoption (April 21, 2026; Effective July 1, 2026) Governs at Approval

On April 21, 2026, the Lone Tree City Council adopted the Colorado Wildfire Resiliency Code (“CWRC”) on second reading, with an *effective date of July 1, 2026*. The CWRC implements the state Wildfire Resiliency Code Board rule (8 CCR 1507-39, promulgated under SB 23-166) and the City’s Community Wildfire Protection Plan (adopted June 17, 2025). The CWRC governs new construction, additions, substantial improvements, and *new subdivisions and planned unit developments* within designated WUI areas.

The Project lacks materiality in the current applications that requires further review. Final Plat approval and building-permit issuance, will occur *after* the City has adopted the Code and after CWRC’s July 1, 2026, effective date. Under C.R.S. § 24-68-103(1)(b), a Colorado statutory vested property right attaches only upon conditional or formal approval of a site-specific development plan, which has not occurred. The CWRC is the governing code at the time the City must make its findings. Preliminary approval that is internally inconsistent with CWRC compliance is ripe for challenge because it rests on infeasibility.

B. CWRC § 302.1 - Fire Intensity Classification

CWRC § 302.1 requires the City to declare the WUI areas within its jurisdiction based on findings of fact, recorded on publicly inspectable maps. The City’s February 2026 staff report to City Council on CWRC adoption classifies all WUI areas within Lone Tree as either Class I (High Intensity) or Class II (Moderate Intensity) - there is no Class III (Low) designation. Lone Tree’s Staff Report to the City Council, dated January 2026, stated, in part, “Lone Tree has identified wildfire risk mitigation as a priority in the Regional Hazard Mitigation Plan for almost a decade.” *Staff Report: Overview of Colorado Wildfire Resiliency Code, Colorado Wildfire Resiliency Code Map, and Associated Proposed Minor Amendments to Municipal Code p.7, January 2, 2026*. The developer’s own Wildfire Mitigation Plan (HPTT 2025) characterizes the surrounding fuels environment as a wildfire-prone area with confirmed "breaches of the HIZ" (Home Ignition Zone) in adjacent Surrey Ridge and McArthur Ranch communities. The R2 packet does not classify the parcel under § 302.1; instead the SAP pushes wildfire mitigation to a future Development Agreement.

Finding Requested. The City must make the § 302.1 Fire Intensity Classification finding for the Hillcamp parcel on the record before approval and place the Colorado Wildfire Resiliency Map (CWRM) GIS layer for this parcel into the record. The City must also require an SMFR § 403 / § 404 adequacy memo on the present plan geometry. The classification is a finding of fact the City, not the applicant, must make.

C. IFC Appendix D § D107.1 - Two Fire-Apparatus Access Roads

IFC § D107.1 requires two fire-apparatus access roads for developments exceeding 30 dwelling units. The Project proposes 343 homes on a landlocked mesa-top with high winds, served by a single public collector (Hillcamp Trail / Cabela Drive extension) and exceeds this 30-unit threshold by more than 1,000%.

Using Hillcamp Drive (an extension of Cabela Drive) as the primary public route funnels 343 homes onto a single collector. A development of this scale sitting on a mesa-top poses a severe public safety risk if a wildfire or vehicle incident blocks that sole roadway. Further, the geography of the Lone Tree Bluffs area, a high, exposed mesa-top, is known for high winds. High winds cause fires to spread exponentially faster, meaning evacuation routes must be highly reliable, wide enough for two-way traffic, and clear of hazards.

Utilizing the McArthur Ranch Emergency Vehicle Access (“EVA”) road as a secondary option for 343 homes presents its own set of problems. Standard fire apparatus roads require a minimum unobstructed width (usually 20 to 26 feet depending on the jurisdiction) and strict slope limits. Because the McArthur EVA is reportedly deficient in both slope (roughly 10%) and width (narrow), standard fire engines and heavy rescue vehicles may be unable to navigate it, rendering it unsafe as a true secondary means of egress. Moreover, CRSR opposes *any* connection to the neighborhood given unfunded traffic, roadway and fire impacts.

Douglas County owns rights of way between the Project and proposed access points; and, it seems, those areas will not be paved, and thus not meet SMFR’s requirements. Further, we did not see a referral from Douglas County planning approving such use of its right of way.

SMFR’s February 4, 2026, referral letter identifies open code violations and is conditional, not an unconditional AHJ approval. No SMFR concurrence letter is in the R2 packet. The R2 SAP recites only that *"All roadways shall meet the emergency access requirements of South Metro Fire Rescue."* R2 SAP, § 2.11.3 (Public and Private Ownership and Maintenance of Roadways), p. 35. That statement is a recital, no facts exist and it is not approval.

On May 15, 2026, a fatal accident occurred on I-25 between Happy Canyon and Castle Pines Parkway exits (the south exit that would serve a Surrey Ridge EVA), shutting down the highway for at least three (3) hours. Residents were stuck on the roads from Lone Tree down to Castle Rock downtown, because arterial access roads abutting the highway, including use of the ones proposed, are not sufficient to handle the existing vehicle load. Adding 3,100+ trips onto unfunded, rural roads rated for 400 cars, in an already deficient traffic scenario violates the City’s obligations to protect its citizens and their property. It could result in deaths if a fire emergency were to occur. The developer’s argument that an additional access to Surrey Ridge through the Hillcamp development, would protect those residents is a thinly veiled guise to get the approval they need to start construction. There is no modeling showing that Surrey Ridge households would be able to get up to, and through, the proposed Project and would be in the back of a queue of a minimum of 1,000 cars based on the household density in the application. This is not a true safety measure.

Finding Requested. The City must make an express finding on the record either (a) that IFC § D107.1 is satisfied by an *unconditional* SMFR AHJ approval letter included in the

record before approval, or (b) that D107.1 is not satisfied and two compliant access roads must be in place before approval. A conditional referral letter cannot be treated as the unconditional AHJ approval D107.1 requires. IFC D107.1 demands that access roads *be provided* or legally excepted. Approving a project with conditions that conflict with life safety elements leaves the local government legally exposed. A conditional referral does not provide the concrete assurance the fire code requires. SMFR Attachment 1 supersedes the IFC where more restrictive, and SMFR is the AHJ; any developer argument that IFC § D103.2 permits grades up to 10% does not displace SMFR's more-restrictive standards.

D. CWRC § 402 - Conforming Water Supply for WUI Subdivisions

CWRC §402 requires a subdivision in a Moderate or High WUI area to have a conforming water supply meeting minimum flow, duration, and hydrant spacing. The Resubmittal 2 packet contains no CWRC-compliant fire-flow certification. In the absence of such certification and with notification that pressure in the existing water supply is deficient preconstruction, the City can either make a determination this is adequate, or request a letter from the State Engineer of adequate-water determination required by C.R.S. § 29-20-305 (Section I above). All findings are missing.

Finding Requested. The City must require a CWRC § 402 conforming-water-supply certification and a CWRC-conforming hydrant-spacing plan, both on the face of the preliminary plan, before approval.

E. CWRC § 403 - Fire-Apparatus Access Roads (Developer Admissions on the Record)

CWRC § 403 requires adequate width, turning radii, vertical clearance, and a second point of ingress/egress unless the IFC § D107.1 sprinkler exception is satisfied *and* the AHJ unconditionally approves. Adequate width is typically 20 feet but frequently increases to 26 feet in the vicinity where fire hydrants are present. The R2 packet contains two material developer admissions on the record:

"McArthur Ranches and Surrey Ridge near Hillcamp are both served by Rural Local type III and IV roads. These roads are designed to handle up to 400 vehicles daily that currently dead-end South of the proposed Hillcamp neighborhood." — Wildfire Mitigation Plan (HPTT 2025), § 1.1.

"Traffic is expected to primarily enter/exit via Hillcamp Dr. as traffic managed by Surrey Ridge, via N. Heather Dr., is all Type III and IV Rural Local roads and will likely become EVA only through the use process. Emergency vehicle access will be alternately provided via McArthur Drive." — Wildfire Mitigation Plan (HPTT 2025), § 1.2.

"The majority of the McArthur Drive emergency access will be +/-10%, which meets emergency access criteria, but is much steeper than the 6% allowed for a public

roadway. Because of this elevation difference, a public roadway connection is infeasible at this location."

— Community Response Letter (March 27, 2026), Emergency Vehicle Access section.

These admissions juxtapose against the (deficient) TIS's likely understated, **3,136 average daily trips** from 343 homes, **roughly eight times the 400-vehicle-per-day design capacity of the surrounding Type III/IV network** admitted by the developer's own fire-mitigation consultant. The current Project street geometry inherently cannot satisfy CWRC § 403 without a preliminary-plan-level redesign; the McArthur EVA is admitted to be infeasible for public-roadway use; and the N. Heather EVA depends on a Surrey Ridge / Douglas County rural local network CRSR opposes and the developer concedes is inadequate.

Finding Requested. The City must obtain an SMFR § 403 adequacy memo on the present geometry before approval, and place into the record an analysis of how the Project's 3,136-trip-per-day generation interacts with the developer-admitted 400-vehicle-per-day surrounding network as a suitable EVA. If the geometry does not comply and the traffic analysis is understated, the preliminary plan must be redesigned and resubmitted; § 403 compliance cannot be deferred to building permit.

F. CWRC § 404 - Defensible Space; Setbacks Deleted

CWRC § 404 requires three-zone defensible space in Moderate and High WUI areas: 0–5 ft non-combustible adjacent to structures; 5–30 ft lean/clean; 30–100 ft reduced-fuel zone. The R2 packet does not demonstrate § 404 compliance at the southern grassland edge against The Retreat open space and SH-7 fuels. The defensible-space geometry depends on lot size, lot orientation, and setback discipline, all of which the applicant has eroded. The applicant *deleted* setbacks from the SAP after three rounds of City rejection: *"Consistent with the City's previous comments, remove the standard setback site plan provided on page 4 of the memo; each lot will require unique building envelopes..."* R2 Response Letter, p. 10 (§ 3.4.2 response). Building envelopes are now to be determined administratively at the Final Plat stage. Defensible space cannot be cured at building permit if the lot geometry does not allow it.

Finding Requested. The City must require a CWRC § 404 three-zone defensible-space demonstration on the face of the preliminary plan, with lot-by-lot graphics showing the 0–5 / 5–30 / 30–100 ft zones, before approval. The City may not approve a Sub-Area Plan whose lot geometry forecloses § 404 compliance.

G. CWRC §§ 504–505 - Ignition-Resistant Construction (IR-1 / IR-2)

Under CWRC §§ 504–505, new construction in a Moderate WUI area must meet IR-2 at minimum; in a High WUI area, IR-1 controls (Class A roof assemblies, ignition-resistant eaves/soffits/vents, non-combustible gutters/downspouts, ignition-resistant exterior walls, and window assemblies meeting exterior flame-exposure standards). The R2 SAP, § 3.5.5 (Exterior Materials & Colors), p. 43, requires *"asphalt, slate, and concrete tiles"* and a *"Class A fire rated"* roof, but does not

address vulnerable wall coverings and window exposures nor commit to the full IR-1/IR-2 wall, eave, vent, gutter, and window package across the parcel.

Finding Requested. The City must require, on the face of the preliminary plan, an express commitment to IR-1 construction for lots in High WUI areas and IR-2 for lots in Moderate WUI areas, with materials specifications tied to CWRC §§504–505. A generic "Class A roof" commitment is not sufficient; CWRC IR-1/IR-2 is a system requirement, not a roof requirement.

H. CWRC §§ 405–406 - Addressing, Hydrant Location, and Signage

CWRC §§ 405–406 require addressing hydrant placement, and signage on the preliminary plan in a manner that supports emergency response. The Resubmittal 2 packet does not show CWRC-conforming hydrant placement tied to fire flow and does not show CWRC-conforming addressing and signage on the face of the plan.

Finding Requested. The City must require CWRC §§405–406 compliance elements on the face of the preliminary plan, in coordination with the §402 fire-flow certification, before approval.

III. GEOTECHNICAL / SLOPE STABILITY - CGS REFERRAL AND C.R.S. § 30-28-136

C.R.S. § 30-28-136 makes Colorado Geological Survey referral mandatory and requires the Planning Commission to consider the CGS report. The Colorado Geological Survey, the statutory referral agency, has formally found the developer's geotechnical record insufficient.

"the current level of geotechnical investigation, analysis, and documentation is insufficient to demonstrate that the proposed Hillcamp Drive roadway extension can be constructed and maintained as a public roadway within mapped landslide terrain, unstable and potentially unstable slopes, and debris-flow-susceptible channels." - CGS Letter dated January 30, 2026, Unique No. DU-26-0010_2 (signed by Amy Crandall, P.E.).

CGS's January 30, 2026 letter identified the following deliverables required from the applicant, none of which has been delivered in final form: final (not preliminary) geotechnical report; design-level subsurface characterization; specific bench-cut proposal; revised slope-stability analyses reflecting Michael W. West & Associates parameters; water-sensitivity analyses; independent construction-observation plan; and a utility risk mitigation and response plan.

The applicant's March 27, 2026 City Response Letter at page 20 declined the utility risk plan, taking the position that *"There are no water lines within the roadway and it is unrealistic to assume that a utility failure would impact the integrity of the roadway,"* a position in direct tension with three recent water-line breaks on the same hillside in 2024 and the Retreat at Ridgeway, LLC's

own pending litigation (Case No. 2025CV30307) alleging utility-failure causation of the January 2025 slope failure on the same hillside.

The developer's March 27, 2026 Updated Preliminary Geotechnical Investigation and Slope Stability Evaluation (CTL | Thompson Project No. DN52,378-125-L2) is the operative geotechnical submission. It is internally limited and contains four undeniable admissions:

*"The purpose of our investigation was to evaluate subsurface conditions to assist in due diligence assessment and **preliminary** planning of site development and construction and assess slope stability for the existing slopes." — CTL | Thompson, March 27, 2026, p.1 [Emphasis added].*

"Site slopes are very steep, precluding rig access in many locations. Our boring locations were selected in areas we could safely access." — Id. p. 6.

"Based on previous studies within the Ridgeway Development and near I-25, landslides and slope failures have occurred within the claystones and sandstones..." — Geotech Response Letter, Geological Hazards and Slope Instability, Revised March 27, 2026, p.9.

The CTL slope-stability table in the same March 27, 2026 letter reports interim factors of safety below the 1.5 industry preferred minimum for permanent infrastructure and at or below the 1.3 minimum for critical temporary excavations (1.1 noted) *Id.* p.7. CTL further notes, "Although the interim models generally resulted in lower [factor of safety] values than the existing and proposed conditions, we believe these values are acceptable due to the short-term duration of these conditions and not indicative of the overall global stability of the slope." *Id.* The report recommends moving drainage ponds to those interior portions of the site, strongly implying that construction would not be suitable in these locations. Other cross-sections show interim or proposed-elevated-groundwater FOS values of 1.3 or 1.4, uncomfortably close to the failure threshold but then dismisses them as acceptable due to the short-term duration of those conditions. *Id.*, p.11. The report further discusses temporary slope layback of 1.6H:1V, steeper than standard, in the same section where it concedes, with emphasis "Changes to proposed grading, site grading techniques, and surface drainage will impact slopes stability along these sections." Updated Preliminary Geotechnical Investigation and Slope Stability Evaluation, Revised March 27, 2026, p.8.

The developer's own Drainage Outfalls Memorandum (JR Engineering, March 27, 2026) corroborates the slope vulnerability, with emphasis:

"Per the geotechnical recommendations for the Site, the stormwater flows are not to be conveyed over the steep hillsides surrounding the project area, as these flows would create unstable slope conditions." — Drainage Outfalls Memorandum, March 27, 2026, p. 1.

Ground Engineering (third-party geotechnical reviewer for the developer) noted the developer's low FOS values, and coincidentally, introduced a lower standard: *"We generally do not consider factor of safety values for non-critical temporary/interim conditions less than 1.1 to be acceptable."* Trail Geotechnical Response Letter (CTL | Thompson, revised March 27, 2026), Ground Engineering Comments section. Combined with the May 2024 Tract C landslide on the same hillside which is the subject of *Southgate Water v. Century Communities*, the record cannot support a competent finding under C.R.S. § 30-28-136.

Finding Requested. C.R.S. § 30-28-136 makes CGS referral mandatory and requires the Planning Commission to consider the CGS report. The City must require an independent slope-stability review by the Colorado Geological Survey on the record, on the present alignment, with any missing borings completed and the developer's "planning purposes only" qualifier cured, before approval. C.R.S. § 29-20-104(1)(a) authorizes the City to deny development in hazardous areas. A "planning purposes only" geotechnical letter, with interim FOS values at or below the 1.3 industry minimum, with the developer's own drainage engineer admitting that stormwater conveyance over the surrounding hillsides "would create unstable slope conditions," and against a backdrop of known post-construction slope failures on the same hillside, cannot support a competent finding under § 30-28-136.

IV. PDD DENSITY - REQUIRES CAPACITY FINDINGS (C.R.S. § 24-67-105)

C.R.S. § 24-67-105(4) mandates the City establish create its own density metrics. The SAP itself acknowledges it is not self-executing: *"The City shall use this SAP, the two applicable PDDs, and other applicable City code in the review and approval process."* R2 SAP, § 1.2 (Purpose of the Sub-Area Plan), p. 7. The R2 SAP further states that *"the criteria provided in this SAP are not exhaustive and that the City code applies to topics not otherwise addressed in this document."* *Id.* Despite that, no findings in the Resubmittal 2 packet tie the 343-unit count (261 RidgeGate + 82 Southridge, per the March 27, 2026 Project Narratives) to *demonstrated* water, fire, geotechnical, or transportation capacity.

The applicant deleted setbacks from the SAP after three prior City rejections: City staff has stated on the record that the SAP's bulk-setback approach is not consistent with the intent of the underlying Planned Developments, and further, that "each lot will require unique building envelopes to ensure consistency with the Planned Development" (Southridge City Response Letter, Technical Memorandum: Grading and Limits of Disturbance, March 27, 2026, ¶2).

Finding Requested. The City must make findings under C.R.S. § 24-67-105 tying any approved density to demonstrated infrastructure capacity (water, fire, geotechnical, and transportation) on the present record. Without those findings, treating PDD density as entitlement is an abuse of discretion. Density approved on an SAP that has deleted its setback standards and deferred its building envelopes to administrative determination cannot satisfy § 24-67-105.

V. COMPREHENSIVE PLAN CONFORMANCE REQUIRED WITH FINDINGS

Under *Bd. of Cnty. Comm'rs of Larimer Cnty. v. Conder*, 927 P.2d 1339, 1348 (Colo. 1996), the Court noted that a specificity requirement obligates a municipal entity to note specific findings that are properly applied and not undercut a desirable degree of flexibility to strike the right balance. In this case, the City of Lone Tree applied this standard in Resolution 22-05 (Living Water Car Wash), unanimously denying the application on Comp Plan grounds notwithstanding a staff recommendation of approval. Resolution 22-05 is binding City precedent on method.

The R2 packet does not contain a Comp Plan conformance analysis. The R2 Response Letter and the four Project Narratives contain no Comp Plan section. The Project pushes material substantive decisions to a future Development Agreement that is not before the Planning Commission and not subject to public hearing, including height variances, geotechnical lot review, active landslide mitigation, wildfire-mitigation maintenance, fencing, irrigation, traffic impacts, wildlife mitigation related to burrowing owls and the nearby golden eagle nest, parks, and Tract X HOA structure. R2 Response Letter, pp. 10–11 (§§ 1.4.1, 1.4.2, and 3.4.2 responses).

Finding Requested. The City must identify each Comp Plan policy implicated (at minimum: infrastructure-first, sustainability/resilience, natural-resource protection, neighborhood compatibility, rural character) and find conformance or non-conformance for each. For any departure, the City must state the specific findings Snyder and Resolution 22-05 require. A Comp Plan finding that exists only by recital and not by analysis is not a finding.

VI. TRAFFIC AND TRANSPORTATION - TIS ADEQUACY

The developer's Traffic Impact Study (JR Engineering, March 24, 2026) is faulty and projects an understated **3,136 Average Daily Trips** from the Project. *Id.* p.7. The companion I-25 & RidgeGate Parkway Traffic Memorandum (JR Engineering, March 27, 2026) makes two material admissions:

- Existing-conditions LOS F at the SB I-25 Off-Ramp & RidgeGate Parkway, SB Left, PM Peak (Year 2026), highlighted by the developer's own engineer as failing to meet the established LOS D threshold. I-25 & RidgeGate Parkway Traffic Memo, Table 1 p.9.
- CDOT access permit required by 2028 less than 2 years from now. The developer admits site-generated traffic exceeds the 20% threshold on four interchange movements: NB I-25 Off-Ramp & RidgeGate Parkway EB Right AM Peak (58%); NB I-25 Off-Ramp NB Left PM Peak (26%); SB I-25 Off-Ramp EB Right AM Peak (22%); SB I-25 Off-Ramp SB Right PM Peak (53%). *Id.* Access Permit Requirement section. The proposed "fix" is "optimized signal timings," a CDOT-controlled action, not a developer commitment. *Id.*

Methodology gaps remain: only a single weekday count when communities are bedroom communities (Thursday, February 5, 2026) at the I-25 ramps and a 24-hour tube count at RidgeGate Parkway & Cabela; no weekend data; no cumulative-impact analysis with other approved RidgeGate-area development (increased Canyons density, LifeTime Fitness, new large

mixed use development on Castle Pines Parkway); no GPS routing analysis; entire omission of the Surrey Ridge North Tunnel; no operational analysis of the proposed EVAs.

Crucially, the developer's own Wildfire Mitigation Plan admits that the surrounding network is designed for **400 vehicles daily** and is composed of Type III/IV rural local roads (see Section II.E above). The TIS does not reconcile a 3,136-trip generation with the 400-vehicle-per-day surrounding-network capacity admitted in another section of the same R2 packet. In a wildfire evacuation on streets that are already jammed when there's a highway accident, the City's approval of this analysis could cause great harm to its residents and those over the City line in unincorporated neighborhoods.

Finding Requested. The City must make specific findings on TIS adequacy before approval, including: (a) compliance or non-compliance with the City's own study scope; (b) reconciliation of the 3,136-trip projection with the developer-admitted 400-vehicle-per-day surrounding capacity; (c) responsiveness to CDOT's I-25 interchange comments, including reduction of LOS F at SB I-25 Off-Ramp E2; (d) GPS analysis; (e) inclusion of the Surrey Ridge North Tunnel and cumulative-impact analysis; and (f) operational analysis of the EVAs themselves taking Surrey Ridge and Oak Hills communities equestrian communities into account. At a minimum, the developer should provide an updated TIS, complete the CDOT access permit process, incorporate weekend and multi-day counts, and post funded intersection improvements with developer bonding.

VII. ACCESS AND EXTRATERRITORIAL AUTHORITY

A. March R2 SAP - EVA Designation on Deficient ROWs

The March 2026 SAP materially changed the access framing from prior submittals. The operative recital is now:

"Two (2) additional emergency only access points will be provided with connections to McArthur Drive to the west and Heather Drive to the south..." Each emergency only access point is planned to be gated and will access existing public right-of-way — *Community Response Letter (March 27, 2026), Access, Traffic, and Cut Through Concerns section, p1.*

The developer's recharacterization of these access points as EVA-only, in a ROW not dedicated to manage the traffic impact, does not resolve the legal access defects identified in subsections B–D below.

B. Surrey Ridge - Equestrian Community; Existing Egress Already Deficient

Surrey Ridge communities consist of approximately 170 homes and lie outside City limits in unincorporated Douglas County. It does not have the infrastructure to support EVA-only ingress and egress to a 343-home subdivision on the mesa above it, nor the capacity to support an evacuation – the purpose of the proposed EVA. CRSR and other Surrey Ridge residents have

already advised the City and County that they believe their emergency egress is deficient at present *and* Surrey Ridge is an equestrian community whose residents would need to trailer horses and livestock out of the area in the event of an emergency. If the Project were to be approved and a fire were to start at the Project location, residents would surely be trapped, as already happens periodically due to highway accidents on I-25. Further, Surrey Ridge is constrained to the east by rural, windy interior streets to exit the neighborhood, a one lane underpass on one end, and a shared larger exit at the other end, but a church and second neighborhood share that egress route as their main artery as well. Adding over 3,000 trips to an already overloaded rural street routing to a highway containing a failing traffic grade of F at one end and significantly increased density at the other (sharing capacity with a church and adjacent neighborhoods including the new Canyons multifamily densities, new mixed use on Castle Pines Parkway, Ridgeway East), will compound and exacerbate any need to evacuate. Residents fear they will be trapped as they are occasionally in the mornings when driving their children to school, and were as recently as on May 15, 2026, watching cars wandering their interior streets backed up all the way to the interior of the neighborhood hoping to navigate around standstill traffic.

The Colorado Supreme Court in *Bd. of Com'rs of Routt Co. v. O'Dell*, 920 P.2d 48 (1996), upheld a county's rejection of a 41-acre minor subdivision. The denial was based on several combined factors in the administrative record similar to those here, including critical wildlife range, lack of water for fire suppression, inadequate emergency vehicle access, and severe soil/slope limitations. Further, *Sellon v. City of Manitou Springs*, 745 P.2d 229 (1987) establishes that local governments have the legal authority to enact and enforce strict hillside, slope, and erosion regulations. In that case, the court ruled that such ordinances are constitutional so long as they do not deprive a landowner of all reasonable use of their property.

C. Douglas County Consent - Narrow Parks-and-Rec Email; No Public Works Consent of Record

Douglas County has statutory authority over County roads under C.R.S. § 43-1-106. Douglas County's prior February 9, 2026, communication confirmed that McArthur Drive is partly on private land via never-formalized prescriptive rights, that the County has no plans to pave, and that the County would not support a full public opening. C.R.S. § 24-65.1-202 indicates that the City should analyze the environmental, socioeconomic, and traffic impacts of key facilities that are considered for the broader region, which effectively addresses spillover effects into unincorporated areas.

While not necessarily a project of state interest, the City has worked with the developer of the subject Project for over two decades for the larger expansive City development including future City works buildings, RidgeGate East which includes a new school, senior center, PUDs of residential homes and amenities. The City and Project developer have a symbiotic relationship wherein each development provides the City with added tax revenue, the developer with more profit, and feeds larger development needs for the City. This relationship makes the subject Project application part of a larger regional development objective of the City and may influence the City's review and/or implicate this code provision. Further, the Resubmittal 2 packet does not contain a recorded easement nor a Douglas County Public Works consent.

Two additional property-rights instruments narrow the record further. First, the recorded "Non-Exclusive Easement for Driveway Purposes," Doc. No. 99014022 (recorded February 4, 1999), limits use to driveway purposes for a specific tract (Tract 56), for egress and access to utilities to Tract 56; not mass civilian or emergency egress for 343 homes. Second, the 2004 Southridge Preserve PDD limits McArthur access to "emergency personnel and City use only" via a gated road, not mass civilian evacuation of 343 homes. Even if the geometric standards could be met, the legal authorization to use McArthur for emergency egress for 343 homes is not in the record. The only Douglas County document the developer added in March is an email exchange with Nick Giauque, *Park Program Manager, Douglas County Department of Parks and Recreation*, dated March 9, 2026. Parks and Recreation's only stated concern is: *"The only concern we had was making sure that our trucks (F350-sized) would be able to go across the bridge for maintenance and snow removal."* This letter relates to a pedestrian bridge and has no bearing on the EVA access rights, maintenance. It is not consent under § 43-1-106 regarding County road impacts from the McArthur Drive or N. Heather Drive EVAs. The developer's own February 17, 2026, email asks Douglas County to *"confirm that Douglas County will accept ownership and maintenance of the bridge,"* Worth noting, while unrelated to the EVA, Parks & Recreation is not the affirming agency for ownership of the pedestrian bridge and its narrow reply does not affirmatively answer that ownership question.

D. Tract M - Developer Has Abandoned Tract M; Replacement Water-Quality Design Must Be Tested

Tract M is owned by The Retreat at RidgeGate Homeowners Association. Eighty (80%) homeowner approval is required for conveyance and is acknowledged as unavailable. The developer, in its March 27, 2026, Retreat Response Letter (Brownstein Hyatt Farber Schreck), now *abandons* Tract M as a Project component:

"[Tract M] is Not Necessary for the Project. ... the Project was redesigned to provide water quality in an alternative manner. ... construction or reliance on Tract M is no longer needed for the Project." - Retreat Response Letter (Brownstein Hyatt Farber Schreck), March 27, 2026, § II.A, p. 2.

Yet, it appears that Tract M remains in the developer's preliminary construction documents stamped as of March 27, 2026, the same day as the developer's legal counsel response stating that Tract M is longer in play. Assuming that legal communication is accurate, that removes Tract M as a direct property-rights obstacle. It does *not* remove the question whether the replacement water-quality design is itself defective, or whether the redesign creates new stormwater or slope-stability impacts on the hillsides immediately above Surrey Ridge. The City must test the replacement on its own merits.

E. 2020 Easement (Reception No. 2020069125) - Overburdening Under Lazy Dog Ranch

The Retreat Response Letter affirmatively names the legal-access basis for the Project: *"the subject property already benefits from a perpetual, non-exclusive easement, recorded in the real property*

records of Douglas County at Reception No. 2020069125 on July 30, 2020 [the 'Roadway Easement'], providing the legal right to access the property." Retreat Response Letter, p. 7. The 2020 easement was granted to RidgeGate Investments before Rampart Range Metropolitan District conveyed approximately 374 acres to the City. The applicant now asserts that easement as the legal basis for a 4,077-foot collector road (now branded "Hillcamp Trail"), three tiers of retaining walls (up to 25 feet, 1,123 linear feet), a 120-foot pedestrian bridge on drilled caissons, and permanent traffic and emergency-vehicle loading.

Under *Lazy Dog Ranch v. Telluray Ranch Corp.*, 965 P.2d 1229 (Colo. 1998), and Restatement (Third) of Property: Servitudes § 4.10, the holder of a blanket easement may not materially intensify use beyond what was contemplated by the original grant. The R2 packet contains no analysis of the 2020 easement's scope, no comparison of the original contemplated use to the proposed use, and no answer to the overburdening question.

Finding Requested. The City must, as conditions precedent to approval: (a) require recorded easements or fee ownership for all emergency-access routes, supported by Douglas County Public Works consent under § 43-1-106; (b) make specific extraterritorial-impact findings under § 24-65-103; (c) require the developer to place the 2020 Roadway Easement (Reception No. 2020069125) into the record with a scope analysis under *Lazy Dog Ranch*; and (d) require an independent review of the post-Tract-M water-quality redesign to confirm it does not relocate stormwater impacts onto the unstable hillsides above Surrey Ridge.

VIII. PDD INCONSISTENCY — RIDGEGATE 7TH AMENDMENT MAIN ACCESS ROAD; ALTERNATIVE ALIGNMENT 7

The RidgeGate PDD 7th Amendment designates a "Main Access Road" / Conceptual Roadway for any mesa-top development off Heather Drive, yet the developer expressly engages and *rejects* any alternative alignment referred to as Alternative Alignment 7, in its March 27, 2026 Retreat Response Letter:

"The Conceptual Roadway was thoroughly evaluated by the Applicant along with multiple other alternatives, as shown in the Alternative Access Memo ... seven roadway alternatives were compared ... Alternative 1 [the proposed alignment] is the least impactful option that meets the applicable access and safety requirements." — Retreat Response Letter, p. 6.

"... the Surrey Ridge options (which are labeled Alternatives 6 and 7 in the Alternative Access Memo) ... were evaluated and found to raise material environmental and community-compatibility concerns such as disrupting wildlife movement access to Happy Canyon Creek, requiring extensive cuts and scrub oak removal, and creating significant visual impacts to prominent bluffs ... in addition to having certain additional emergency-access and design-standard constraints ..." — Retreat Response Letter, p. 7.

Unlike binding regulations, a master plan is a guide to development rather than an instrument to control land use. C.R.S. § 30-28-106(3)(a). The RidgeGate PDD 7th Amendment, Reception No. 2020012568 (recorded February 21, 2020, revised June 7, 2024), at Sheet 7 of 8, labels the Surrey Ridge access as "*Main Access Road*" and the opposite end as "*Limited Emergency Access*." Both labels appear as distinct PDD elements. The Sheet 8 disclaimer that circulation elements are "conceptual in nature and subject to modification and refinement" permits refinement *within* a designation; it does not permit *inversion* of which end is main and which is emergency. The applicant has not sought a PDD amendment. The developer's multi-criteria override of the PDD-designated Conceptual Roadway is, in substance, a quasi-amendment without the PD-amendment process. It is further noted in *Bd. of Cnty. Comm'rs of Larimer Cnty. v. Conder*, 927 P.2d 1339, 1351 (Colo. 1996), that "...[I]n requiring master plan compliance, the master plan provisions at issue must be drafted with sufficient exactitude so that proponents of new development are afforded due process, the county does not retain unfettered discretion." The case further noted that the basis for the county's decision must be clear for purposes of reasoned judicial review.

A master plan cannot be amended without affording due process to impacted residents. Moreover, Surrey Ridge's road is not a feasible main road despite its inclusion in a master plan. It is rated for 400 cars/day, designed for rural residential unincorporated county use and has no known funds allocated for improvement. Despite its assertions in the Project application, the developer can't sidestep the application and approval process to suit its own benefit.

A. The "Environmentally Infeasible" Rationale Is Contradicted by the Applicant's Own Infrastructure Routing

The developer further characterizes the Surrey Ridge corridor (Alternative 7) as "environmentally infeasible." Yet, three of the applicant's own contemporaneous documents simultaneously plan a 12-inch Future Zone 3 water transmission main through the same corridor:

- October 2023 Southridge Preserve Water Demand Study (referenced in the February 10, 2026, Retreat referral response at p. 6), planned 12-inch transmission main through the Surrey Ridge / I-25 underpass corridor.
- PWSO inclusion materials for Tract AZ (per City 3rd Technical Review Sheet 20 comments), proposed water improvements in the Surrey Ridge corridor.
- SB25-0010 4th Submittal Comment Response at p. 42 - applicant confirms coordination with PWSO on "off-site water and sewer mains to the site ... being designed and constructed with RRMD as a separate project."

A 12-inch transmission main requires deep trenching, a continuous disturbance corridor, permanent utility easements, and ongoing maintenance access. If the corridor accommodates a 12-inch transmission main, it accommodates a roadway. The City's Technical Review found the access memorandum's justifications were not supported by thorough analysis. The contemporaneous water-main routing converts that finding from "unsupported" to demonstrated pretext: the applicant's own infrastructure decisions prove the corridor is feasible, and the

"environmental" rationale was constructed to justify cost avoidance for the I-25 underpass improvements that would be required by the PDD-designated alignment.

Finding Requested. The City must place the RidgeGate PDD 7th Amendment Main Access Road sheet, the developer's Alternative Access Memo, and the underlying Alternative multi-criteria scoring into the record on each of the four applications. The City must then make an express finding that the proposed Alternative 1 (Cabela Drive / Hillcamp Trail) is consistent with the PDD Main Access Road designation. To reiterate, while CRSR expressly opposes any neighborhood connection, a developer cannot displace a PDD-designated Main Access Road by its own multi-criteria scoring without public process and fail to evaluate available alternatives. In this case, there are one to two alternative options not on the plans that the developer has failed to explore entirely.

IX. FEDERAL AND STATE WILDLIFE — BGEPA, MBTA, AND CPW BUFFERS

The developer's March 2026 Wildlife Preservation Plan (CTL | Thompson Project No. DN52,036.000-232-R1R3) addresses CPW's January 19, 2026, raptor / golden eagle concerns. The relevant developer representations:

"... a Golden Eagle nest mapped approximately 0.9 miles from the southwestern tip of Subject Property, and 0.95 miles from the nearest residential lots on the Subject Property. CPW provides ¼-mile and ½-mile mapped buffer zones from the Golden Eagle nest. The ½-mile buffer zone ... is at its closest point approximately 0.4 miles from the Subject Property." — Wildlife Preservation Plan, § 3.2 (Migratory Bird, Raptor, and Eagle Habitat).

"CPW recommends No Surface Occupancy beyond that which has historically occurred in the area within ¼-mile of active nests and no permitted, authorized, or human encroachment activities within ½-mile radius of active nests from December 15 through July 15. The development of the Subject Property does not encroach on recommended raptor buffer zones[;] no further action is required regarding the nearby Golden Eagle nest." — Id.

Three issues remain even on the developer's representation. First, the 0.9-mile distance is the developer's consultant's representation, not CPW's confirmation. CPW should be asked to verify nest coordinates and confirm the buffer geometry. Second, the developer treats the 0.5-mile buffer as a static geographic line; construction noise, dust, blasting, and traffic dispersal from a 343-home subdivision and its 4,000+-foot collector with caisson-mounted pedestrian bridge may carry into the buffer projection even when the property line does not. CPW should opine on whether construction activity within line-of-sight of the nest during the December 15–July 15 sensitive period triggers the no-permitted-activity provision. Third, the Wildlife Preservation Plan confirms prairie dog burrows on the property (potential burrowing-owl habitat; breeding season March 15–August 15) and identifies multiple SWAP Tier 1 bat species; the proposed prairie-dog removal sequence and timing need CPW concurrence.

Bald and Golden Eagle Protection Act penalties for an organizational violation can reach up to \$500,000. CWA § 404 / Sackett v. EPA jurisdictional analysis is engaged by the developer's Trail Biological Assessment but the wetlands and Waters-of-the-U.S. conclusions are the developer's consultant's, not an independent Corps determination of record.

Finding Requested. The City must require, on the record before approval: (i) CPW concurrence with the developer's 0.9-mile nest distance, the 0.4-mile buffer-edge geometry, and the conclusion that the Project does not encroach; (ii) CPW position on whether construction activity within line-of-sight of the nest during December 15–July 15 satisfies CPW's no-permitted-activity recommendation; (iii) USFWS BGEPA compliance documentation; (iv) Army Corps Section 404 jurisdictional determination of record including mitigation of indirect negative impact of hydrology of riparian wetlands; and (v) CPW protected-species survey results for golden eagle, bald eagle, prairie dog, burrowing owl, and SWAP-Tier 1 bats. The CPW comment letter itself remains unanswered in the developer's consolidated response and is independently preserved within the procedural-defect argument (Section XI). Silence on these federal and state predicates is not a finding.

X. DEFERRED FINDINGS DO NOT APPLY TO MATERIAL DEFICIENCIES

In Colorado, a city cannot punt substantive statutory prerequisites to a future date, a building permit, or a private Development Agreement. If a finding is *required by law* to approve the development, it must be satisfied *before* or *at the time of* the approval, otherwise a city is acting in an arbitrary and capricious manner. The City may not approve a development by deferring substantive findings to post-approval conditions where those findings go to statutory prerequisites whereas a ministerial detail or routine monitoring would be appropriate to attach as a post-approval condition. The Resubmittal 2 packet is built on a "defer to the next stage" architecture: numerous substantive issues are pushed into a future Development Agreement that is not yet drafted, not before the Planning Commission, and not subject to public hearing. Examples in the developer's own words:

"Wildfire mitigation plans will be prepared at the time of the development of Preliminary Plans and will be adopted with the approval of the Preliminary Plans. ... Long-term maintenance expectations and responsibilities for open space, common areas, and private lots will be further detailed in the Development Agreement." — R2 SAP, § 2.4.10 (Preparing a Wildfire Resilient Environment), p. 25.

Items currently "reserved" or unresolved in the record include: C.R.S. § 29-20-304 water adequacy; CWRC § 302.1 Fire Intensity Classification; IFC § D107.1 AHJ determination; SMFR § 403 / § 404 adequacy memo; CGS slope-stability review under § 34-1-302; CPW concurrence with the 0.9-mile eagle buffer geometry; Douglas County Public Works consent under § 43-1-106 for both McArthur and N. Heather EVAs; 2020 Roadway Easement scope analysis under *Lazy Dog Ranch*; SAP variance and amendment procedures; setbacks (now deleted); height variance methodology; Comprehensive Plan findings; and the alternative water-quality design that replaced Tract M.

When a city defers a substantive requirement into an un-drafted Development agreement, it pushes those decisions post-public hearing which denies the public and the Commission the opportunity to review and shape the project. It further fails to address, in this case, statutory criteria (such as traffic mitigation and geographic standards) that the approving body may not have a legal basis to grant an approval if not proven during the public hearing process.

Finding Requested. Each of the above must be resolved on the record before approval. Conditional approval that defers statutory prerequisites is vulnerable under C.R.C.P. 106(a)(4). The "defer to the Development Agreement" architecture is not a finding; it is the absence of one.

XI. PROCEDURAL DEFECT - THE CITY'S FEBRUARY 11, 2026 DIRECTIVE

The City's February 11, 2026 review letter expressly directed the applicant to provide a consolidated response to "*all referral comments received.*" The developer's March 27, 2026, R2 packet contains consolidated response letters addressed to City Planning and City Attorney comments, a separate Brownstein Hyatt response to The Retreat at Ridgeway Homeowners Association, Inc., and a single Community Response Letter aggregating neighbor concerns. The R2 packet does not contain item-by-item responses to the referral letters from CGS, CDOT (other than the developer-prepared I-25 memo addressing only the interchange ramp signals), CPW, Douglas County Public Works, the Surrey Ridge Association, or the McArthur Drive Coalition. Several substantive comments from these agencies and stakeholders therefore remain un rebutted on the record. Under *Alpenhof, LLC v. City of Ouray*, 2013 COA 9, ¶ 9, an approval that lacks competent evidence in the record is an abuse of discretion.

Finding Requested. The City must require the applicant to file a true consolidated, item-by-item response to all referral comments (including CGS, the full set of CDOT comments, CPW, Douglas County Public Works, Surrey Ridge Association, and the McArthur Drive Coalition), and satisfy statutory requirements, before any further hearing or approval. Anything short of that leaves the record absent on the agency comments the City itself directed the applicant to address, which would prejudice any party pursuing a C.R.C.P. 106(a)(4) appeal.

XII. CONCLUSION AND REQUESTS FOR ON-THE-RECORD FINDINGS

The deficiencies identified above are not policy preferences. They are statutory and code requirements that the City must satisfy on the record. CRSR respectfully request that the City make each of the following findings on the record before approval and, where findings cannot be made on the present record, require the developer to resubmit:

1. C.R.S. § 29-20-304 - State Engineer adequate-water-supply determination of record, addressing the Off-Site Utility Report's dependence on the future Freshfields development and the admitted Zone 3 hydraulic strain.
2. CWRC § 302.1 - Fire Intensity Classification for the parcel; CWRM GIS layer in the record.

3. CWRC §§ 402, 403, 404, 405–406, 504–505 - compliance demonstrated on the face of the preliminary plan, including reconciliation of the 3,136-ADT generation with the developer-admitted 400-vehicle-per-day surrounding Type III/IV capacity.
4. IFC § D107.1 - unconditional SMFR AHJ approval letter in the record (not a conditional referral letter).
5. C.R.S. § 30-28-136 - independent Colorado Geological Survey slope-stability review of record, with any missing borings completed and the "planning purposes only" qualifier cured.
6. C.R.S. § 24-67-105 - density findings tying the 343-unit count to demonstrated water, fire, geotechnical, and transportation capacity.
7. Comp Plan conformance findings on each implicated policy required. PDD inconsistency and amendment by Project rejected.
8. TIS findings - compliance with a standard study scope; CDOT access permit completion; cure of LOS F at SB I-25 Off-Ramp E2 SB Left PM; cumulative, weekend, and GPS-routing analysis; Hillcamp Trail and EVA operational and land use analysis.
9. Federal and State wildlife, BGEPA / MBTA / CPW, confirm CPW concurrence with the developer's 0.9-mile eagle distance and 0.4-mile buffer-edge geometry; CPW position on construction within the buffer projection; protected-species surveys (golden eagle, bald eagle, prairie dog, burrowing owl, SWAP-Tier 1 bats).
10. Access, Use, and Authority to Use Property, including required Douglas County Public Works consent (not Parks and Recreation's narrow F-350 maintenance email) for County-road use under § 43-1-106; extraterritorial-impact findings under § 24-65-103, the 2020 Roadway Easement (Reception No. 2020069125) - scope analysis placed in the record before approval, Tract M replacement - independent review of the post-Tract-M water-quality redesign to confirm it does not relocate stormwater impacts onto the unstable hillsides above Surrey Ridge.
11. Deferred findings must not contain material deficiencies or impacts that are punted down the road. A resolution on the record of each currently deferred substantive issue (no further "defer to the Development Agreement").
12. An applicant's consolidated, item-by-item response to all referral comments (CGS, full CDOT, CPW, Douglas County Public Works, Surrey Ridge Association, McArthur Drive Coalition) as directed by the City's February letter.
13. Ensure all adjacent owners, including in unincorporated Douglas County, have received proper notice of the Project and impacts while the referral period is ongoing rather than after the time for meaningful input has concluded; at Planning Commission or City Council hearings.

CRSR respectfully requests that the City make the findings identified above before any further action on RG24-0007, SB25-0009, SB25-0010, or SB25-0014.

Sincerely,



Jonah G. Hunt
ORTEN CAVANAGH HOLMES & HUNT LLC

JGH/sb

Applications: RG24-0007 (Sub-Area Plan); SB25-0009 (Hillcamp Southridge Preserve Parcels 4 & 5 Preliminary Plan); SB25-0010 (Hillcamp RidgeGate Rural Residential Preliminary Plan); SB25-0014 (Hillcamp Trail Filing No. 1 Final Plat).

Resubmittal 2 packet of record: Sub-Area Plan (March 27, 2026); RidgeGate Rural Residential and Southridge Project Narratives and Preliminary Plans; consolidated City Response Letters; Community Response Letter; The Retreat at RidgeGate Response Letter (Brownstein Hyatt Farber Schreck); Traffic Impact Study (March 24, 2026); I-25 & RidgeGate Parkway Traffic Memorandum (March 27, 2026); Wildfire Mitigation Plan (HPTT 2025); Wildlife Preservation Plan; Drainage Report (Phase II) and Drainage Outfalls Memorandum; Off-Site Utility Report (Merrick, March 2026); Geotechnical Response Letter (CTL | Thompson, revised March 27, 2026) and Updated Preliminary Geotechnical Investigation and Slope Stability Evaluation (CTL | Thompson, March 27, 2026); Grading and Disturbance Technical Memorandum; Auto-Turn Exhibit; Hillcamp Trail Final Plat and associated Trail-suite documents (Biological Assessment, Pedestrian Bridge Geotech, GESR Report and Plans, Phase III Drainage Report, Tree Protection Plan).