APPENDIX ‘B’
Applicant’s Project Narrative

PROPOSAL FOR THE DEVELOPMENT OF THE DILLON MEDICAL BUILDING

Revised November 27, 2018

I. INTRODUCTION

The purpose of this report is to provide information on the proposed development of the Dillon Medical Building (DMB). This application has been submitted by Ten Mile Holdings, LLC, a Colorado limited liability company and is a collaborative effort of Vail Health, Vail Summit Orthopaedics, The Steadman Clinic and Howard Head Sports Medicine. Information provided herein has been prepared in accordance with procedures outlined by the Town of Dillon development review process.

DMB is a medical facility proposed on Lots 12, 13 and 14 of the Dillon Ridge Marketplace subdivision and Tract B of the Lookout Ridge Townhomes subdivision. The building will encompass approximately 100,000 square feet, with approximately 75,000 square feet constructed in an initial phase and 25,000 square feet to be constructed in a second phase. Primary uses within the building will include urgent care, orthopaedic surgery center and 72-hour convalescent beds, physical therapy, physician clinic space and other accessory uses necessary to support these operations.

Perspective of Dillon Medical Building looking east on Dillon Ridge Road.

The proposed development of this Dillon Medical Building is consistent with the subject property's existing, underlying Mixed-Use zoning and will provide several benefits to the Town of Dillon and surrounding areas:

- A home in Dillon for long-time Summit County and regional physicians
- Readily accessible healthcare for the Dillon Community and surrounding areas
- A significant economic driver for existing retail, restaurants and hotels
- Potential for year-around destination medical patients
- Project design that is integrated with the site and sensitive to adjacent residential neighborhoods
- Financial participation in the development of a new bus stop for the Summit Stage, and
- A pedestrian easement to provide access to a future trail connection along Hwy 9 to Lake Dillon Drive.

Three development applications have been submitted for this project:

1. PUD Zoning and PUD Development Plan for the Dillon Medical Building PUD
2. Class S-2 Subdivision
3. Variance request to Appendix 17-C Wetlands Regulations

Applications have been submitted on behalf of Ten Mile Holdings, LLC and the project partners. Ten Mile Holdings, LLC is currently under contract to purchase the subject properties. Current owners of these properties have provided letters authorizing Ten Mile Holdings, LLC to submit these development applications to the Town of Dillon.

The proposed location of the Dillon Medical Building in relation to the Town of Dillon.

Information in this report is provided in the following sections:

I. Introduction
II. Project Overview and Background
III. Project Description
IV. PUD Development Plan and Project Narrative
V. Appendix

A PUD Development Plan for the Dillon Medical Building along with application form and fees, title reports and other project information has been provided to the Town under separate cover.

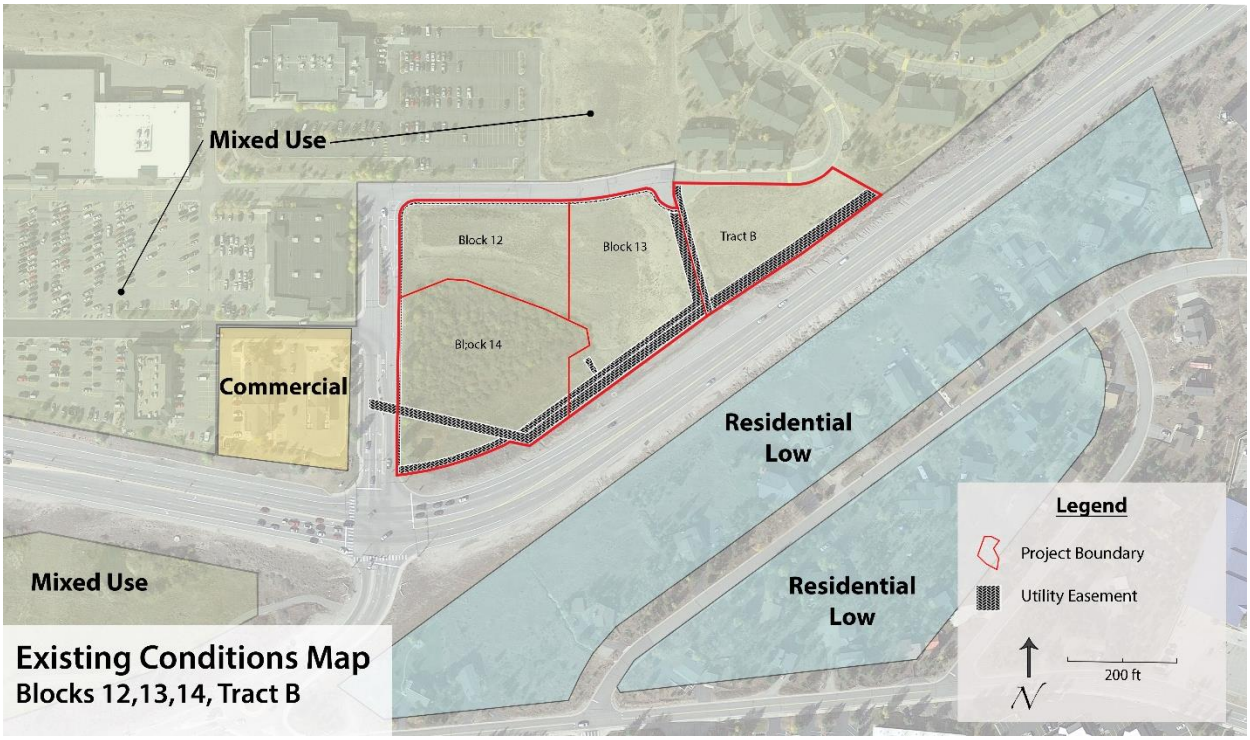
II. PROJECT OVERVIEW AND BACKGROUND

The need for this project is very simple – to provide a facility that will improve the quality of healthcare in Dillon and the eastern portion of Summit County. Currently Dillon residents deal with considerable travel time to access healthcare providers. The DMB, and particularly with the proposed urgent care clinic, will greatly improve health care accessibility to Dillon residents and guests. The DMB will also provide a permanent home for Vail Summit Orthopaedics and The Steadman Clinic, both of whom have been serving Summit County for many years.

Project Site

The project is proposed to be located on three existing lots and one tract, Lots 12, 13 and 14 of the Dillon Ridge Marketplace subdivision and Tract B of the Lookout Ridge Townhomes subdivision. These lots total 5.43 acres. The Class S-2 subdivision that has been submitted with these applications will consolidate these lots and tract by abandoning interior lot lines such that the development site is one lot. This subdivision is described in greater detail below.

Each of the subject properties are currently zoned Mixed-Use. Lots 12,13 and 14 are currently located with the Dillon Ridge Market Place PUD. The proposed Dillon Medical Building PUD will remove these three lots from the Dillon Ridge Market Place PUD and establish a new Dillon Medical Building PUD that will include Lots 12, 13, and 14 and Tract B.



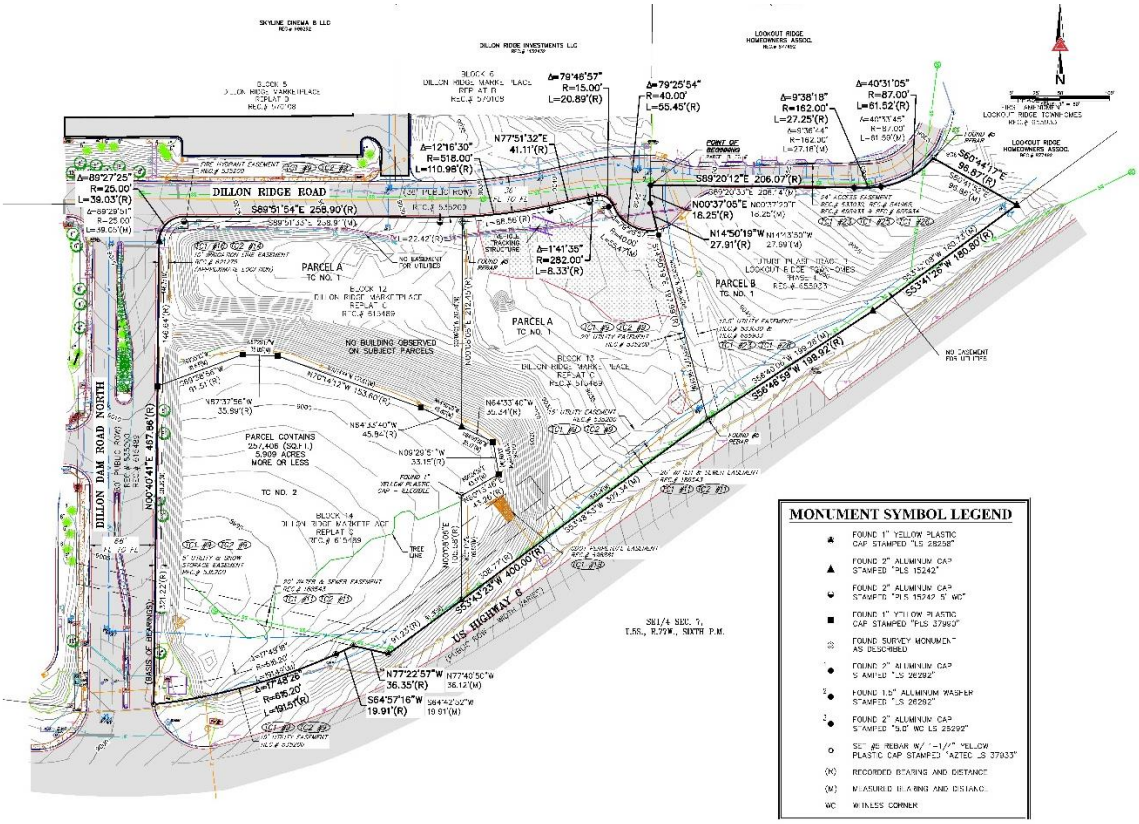
Existing conditions around the proposed Dillon Medical Building PUD

Adjacent land uses are consistent with surrounding Mixed-Use zoning. Commercial uses are located on lands directly west and north (the Dillon Market Place) and residential uses are located to the north (Lookout Ridge Townhomes). The medical uses proposed for DMB are consistent with the Town's Mixed-Use zone district that allows for "Medical or dental offices or clinics" as a permitted use.

The site is bound by North Dillon Dam Road and Dillon Ridge Road and it is assumed that site access will be provided by these roads. While the site fronts on Hwy 6, direct access from the highway is not feasible for a number of reasons.

The proposed PUD is roughly triangular in shape and defined by Hwy. 6 on the south and east, North Dillon Dam Road on the west and Dillon Ridge Road on the north. The site slopes considerably from north to south. The grade change between Dillon Ridge Road and Hwy 6 is in some places 35'. A large depression created in part by the construction of North Dillon Dam Road is a prominent feature of the site.

There are no significant site or environmental conditions (geologic, floodplain, wildlife, etc.) that would preclude the development of this site.



Topographic map depicting the four subject parcels and the prominent depression at the corner of Hwy. 6 and North Dillon Dam Road.

III. PROJECT DESCRIPTION

This section provides an overview of the proposed development program, factors that have influenced project design, information regarding the proposed subdivision and a variance to wetland regulations, and other considerations relative to the proposed PUD. Information specific to the PUD Development Plan is provided in section IV. PUD Development Plan and Project Narrative.

Summary of Development Program and Project Phasing

The DMB will be developed in two phases. Phase I will consist of approximately 75,000 square feet of medical use and is expected to include the uses and approximate square footages listed below. Final determination of square footages for uses within the building will be made during subsequent steps in the design process. It is also possible that other uses not listed below may occur in the building, but in all cases uses will conform to the Mixed-Use zone district and in all likelihood be within the "Medical or dental offices or clinics" use category.

Urgent Care	4,000sf
Surgery Center	21,400sf
72-hour recover rooms	3,600sf
Ortho Clinics	13,200sf
Howard Head PT	4,800sf
Imaging	2,400sf
Sterile processing	5,300sf
Retail Pharmacy	700sf
Circulation/support space	19,600sf
	75,000sf

Phase II will include approximately 25,000 square feet and it is anticipated that approximately 50% of this space will be allocated to additional clinic space, 25% to two additional operating rooms and 25% to support space. The final breakdown of Phase II square footage may vary from these estimates but is expected to generally fall within these percentages.

The PUD Development Plan graphically depicts Phases I and II. Phase II will be accomplished by minor expansions to the building footprint and expansion to Level 2 that will be constructed during the initial phase of development.

Approach to Site and Building Design

Two primary considerations in the design of the project were to integrate the building with existing site terrain and for the project to be sensitive to neighboring residential uses. Below is a summary of these considerations and other design features of the project.

Integration with Existing Terrain and Building Mass

Site terrain, specifically the significant grade change between Dillon Ridge Road and Hwy. 6 create both a design challenge and a design opportunity. The proposed solution to this site condition is to bench the building into the hillside and step the building mass from north to south. The result is a building that expresses just one level along its frontage with Dillon Ridge Road and three levels as viewed from Hwy. 6.

This design solution minimizes building mass along Dillon Ridge Road and present a very sensitive response to adjacent residential neighbors.

Site Access

Due to site terrain and the unlikelihood of obtaining an access permit from the Colorado Department of Transportation for access directly from Hwy 6, access for the project will be from North Dillon Dam Road and Dillon Ridge Road. In order to minimize conflicts along North Dillon Dam Road, access to the project will be from Dillon Ridge Road.

Services/Delivery

Service and delivery functions are located along Dillon Ridge Road. Access to the loading area is designed to allow trucks to enter the site and maneuver such that they do not back out into the street.

In order to minimize impacts to adjacent residential neighbors, the loading facility is enclosed.

Parking

The off-street parking requirement for DMB is based on the Town's standard of 1 space per 400 gross square feet. "Gross square footage" is not defined by the Town Code, it is assumed to mean all enclosed floor area within a building.

The total gross square footage proposed for both Phase I and Phase II is 100,000 square feet, and as per the town code requires 250 on-site parking spaces. Current plans propose a total of 293 spaces. As project design progresses, it is possible that the number of parking spaces may change, but in no case will the on-site parking be less than the required 250 spaces. It is anticipated that all parking will be constructed as part of Phase I.

Subdivision

The purpose of the S-2 Subdivision is to consolidate the project area into one lot. The project is comprised on Lots 12, 13 and 14 of the Dillon Ridge Marketplace subdivision and adjoining Tract B of the Dillon Ridge Townhomes subdivision. This consolidation will be done by re-platting a portion of the Dillon Ridge Marketplace subdivision to vacate interior lot lines (that define lots 12, 13, and 14), and to then incorporate Tract B to create one lot.

The re-platting will also involve vacating certain easements and establishing new easements. New easements will accommodate new utility lines and will also establish an easement for the Dillon Ridge Marketplace project sign at the corner of Hwy. 6 and North Dillon Dam Road. The plat will also expand the Town's right-of-way at the existing cul-de-sac on Dillon Ridge Road.

Variance to Wetland Regulations

Appendix 17-C – Wetlands Regulations of the Town's Subdivision Regulations establishes standards for wetlands throughout the Town. The Findings section of 17-C states that "Identified wetlands include the areas along Little Beaver Trail and the Dillon Ridge Market Place." This reference pertains to the subject property and specifically the depression at the corner of Hwy 9 and North Dillon Dam Road.

The land and habitat in question has over the years been subject to many wetland studies and evaluations. These studies date back to 1997 and on several occasions the US Army Corps of Engineers (Corps) has opined on this habitat. A recent determination by the Corps in 2015 referred to these aquatic resources as a "storm detention facility" and "is not covered under the jurisdiction of the Army Corp Section 404 of the Clean Water Act". In 2016 the Corp issued a second letter with this same determination and in 2018 the Corps provided an email stating that previous determinations are valid today. These letters and email correspondence are provided in the appendix of this report.

Appendix 17-C defines "wetlands" a number of ways, one of which is "a wetland must also meet the standards of the 1987 U.S.A.C.E. Wetlands Delineation Manual applied according to procedures set forth below". Based on Corps correspondence, this area is not considered jurisdictional wetlands and as such the area in question does not meet this standard.

Section 11 Variances of Appendix 17-C includes a process for "contesting the delineation of the boundary of a wetland". Based on determinations made by the Army Corps of Engineers, the applicant herein requests a variance to the provisions of 17-C and the determination that there are no wetlands on the subject property.

Other Project Considerations

Below are other considerations relative to the proposed project.

Traffic Analysis

A traffic impact analysis has been completed and is provided in the appendix of this report. The findings of this analysis are that no improvements to the surrounding road system are necessary to accommodate anticipated traffic volumes from the project and the level of service at surrounding intersections will perform at satisfactory levels.

Summit Stage Bus Stop

In order to support the use of public transportation, DMB will make a financial contribution to the development of a new bus stop for Summit Stage. Based on initial discussions with the Town and Summit Stage, it is anticipated that this new stop will be located within Dillon Market Place and as such will provide some benefit to the project. Specifics of this contribution will be finalized with Town staff during the review of this project.

Pedestrian Circulation

Sidewalks will be constructed along North Dillon Dam Road and Dillon Ridge Road. Interior, soft-surface walking paths will also be developed around the project. A portion of the interior path system will extend to the eastern end of the site. This section of path will allow for a connection to a future sidewalk the Town is planning to construct along Hwy 6. The applicant will provide an easement for this connection between the Town/Hwy 6 sidewalk and the sidewalk to be constructed along Dillon Ridge Road.

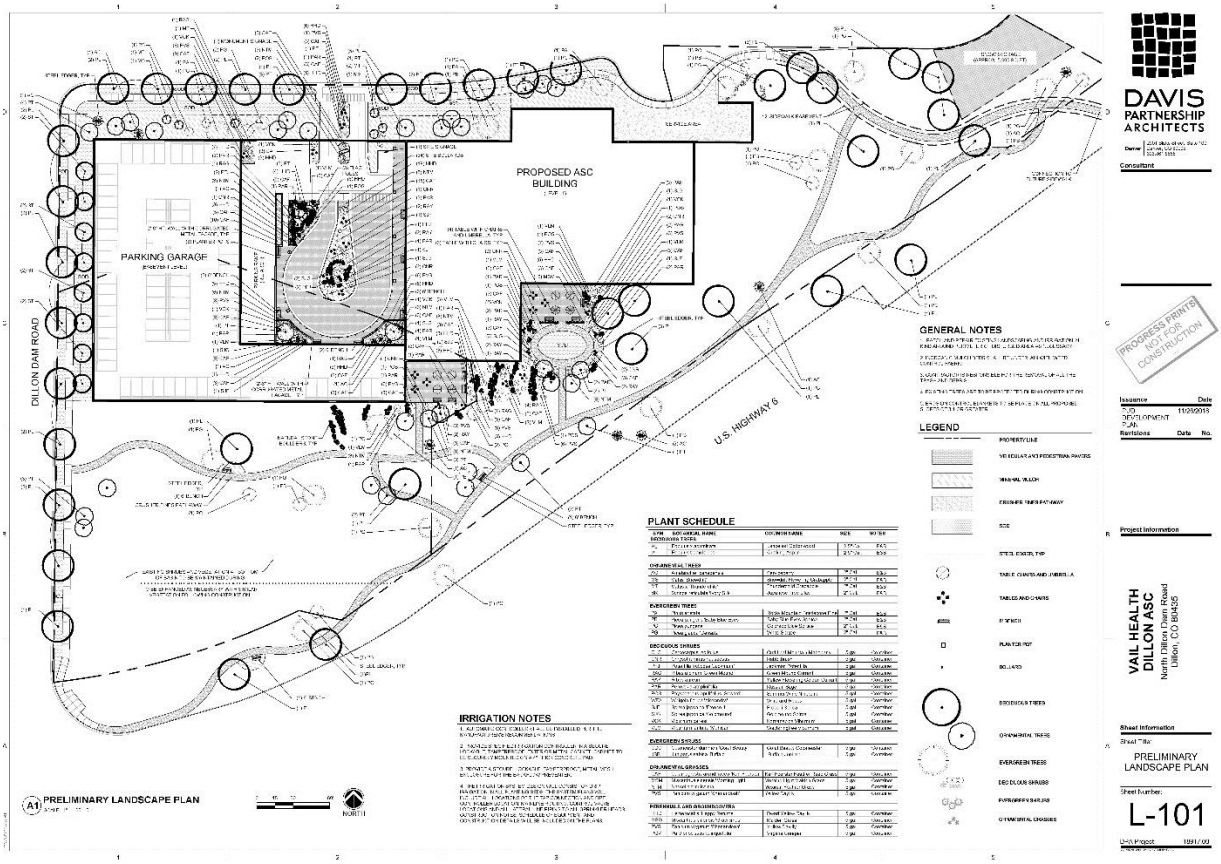
Affordable Housing Cash in Lieu

DMB will provide a cash-in-lieu contribution to the Town's housing fund consistent with the Town's housing policy.

Signage

A comprehensive sign program is provided in the PUD Plan set. This sign program identifies the type, location and number of signs. Prior to implementation of signs, the applicant will return to the Planning Commission for design review of these signs.

On the following page is a site/landscape plan of the proposed project that depicts building location, site access, sidewalks, pedestrian trails and landscaping.



Composite site and landscape plan for the Dillon Medical Building.

IV. PUD DEVELOPMENT PLAN AND PROJECT NARRATIVE

The Town' zoning regulations outline information to be provided in a PUD Development Plan and topics to be addressed in a PUD Development Plan narrative. The PUD Development Plan has been submitted under separate cover and includes the site survey, site and landscape plans, a preliminary grading/drainage/utility plans, preliminary elevations and floor plans, building perspectives and a comprehensive sign plan. Below are the thirteen topics to be addressed in a project narrative:

1. Statement of the basic concept and purpose of the planned development.
   Response
   The basic development concept is described above. The purpose of the PUD is to provide some flexibility to prescribed development standards that will improve the overall design of the project. Variations to prescribed develop standards are limited to building height, site coverage and signage.

2. Narrative explaining environmental issues, including floodplains, severe slopes and other natural hazards, and the mitigation plan for these issues.
   Response
   There are no environmental issues with the property that would preclude development. Refer to the section above on the site's aquatic resources and how they relate to the Town's wetlands regulations.

3. Tables showing the total number of acres and square footage of floor areas and the percentage of the total area which is designated for each type of land use, including each dwelling type, off-street parking, streets, parking lots, parks, playgrounds, schools and open space, as shown on the proposed development plan.
   Response
   - Upon completion of the proposed subdivision, the size of the development parcel will be 5.43 acres, or 236,530 square feet.
   - The proposed building is approximately 100,000 square feet.
   - All land uses within the building are "Medical or dental offices or clinics", and other related accessory or support uses.
   - The proposed parking structure is 128,000 square feet. 293 off-street parking spaces are provided.
   - No residential uses are proposed

4. Tables showing the overall density of the proposed residential development and showing density by dwelling type. All density calculations shall be net dwelling units, excluding all land earmarked for public or private rights-of-way and all other lands to be dedicated to the Town.

Response
N/A

5. Drafts of appropriate restrictive covenants, including those regarding the maintenance of any common open space, or required dedications or reservations of public open space and of any dedications of development rights.
   Response
   The property is planned to remain under single ownership and as such all maintenance will be provided by a single owner. There is no need for covenants regarding maintenance or dedications.

6. A timetable indicating when utility and drainage facilities intended to serve the development are to be installed. If the development is to be constructed in stages, the timetable should reflect this.
   Response
   All utility and drainage improvements will be implemented with the initial phase of development.

7. A narrative explaining the snow removal plan.
   Response
   The applicant will coordinate on a plan for snow removal and maintenance of sidewalks and how the Town and DMB can cooperate on snow storage for the Town's street maintenance. Snow storage for DMB's upper parking deck will be provided on land immediately south of the structure.

8. Narrative of the PUD zoning plan establishing the permitted land uses, parcel sizes (if the PUD includes subdivision of land) and dimensions, setbacks, heights and maximum and/or minimum percent coverage.
   Response
   Development statistics listed above will be provided at a later date and will be included on the cover sheet of the PUD Development Plan.

9. Design standards for landscaping, architecture, signage, outdoor lighting and fences.
   Response
   Preliminary architectural and landscape plans have been provided. More detailed plans and information on signage, lighting and fencing will be provided at a later date.

10. Development phasing plan.
    Response
    The project will be developed in two phases. The initial phase will include approximately 75,000 square feet and Phase II will include approximately 25,000 square

feet. Parking to be provided during the initial phase of construction has been sized to meet the parking requirements for both Phases I and II.

11. The applicant's proof of ownership of the property and written consent for development as a PUD.
    Response
    Title commitments for the subject lands have been provided under separate cover. Authorization letters for the current land owners authorizing the applicant to submit these applications have been provided under separate cover.

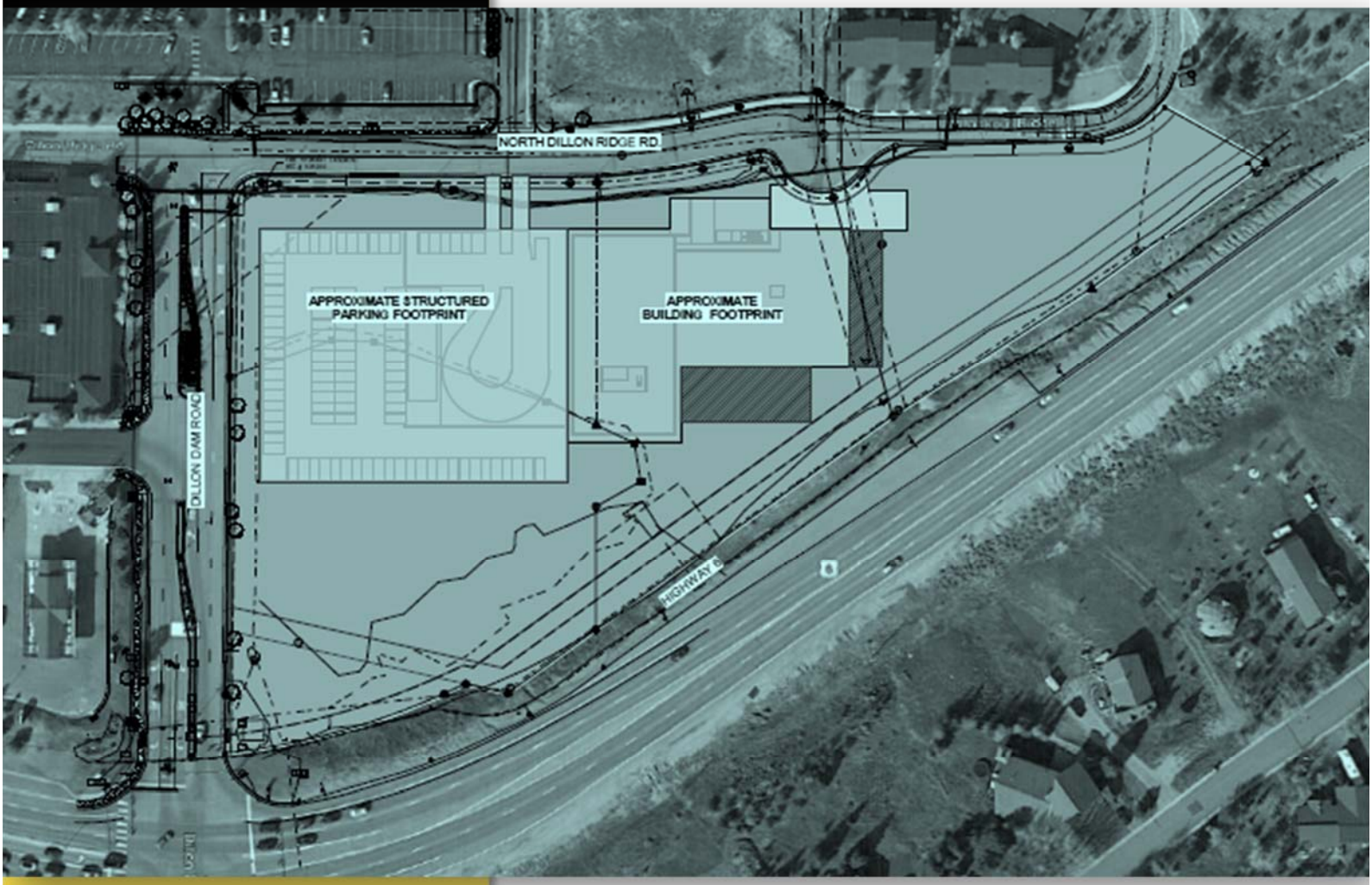
12. Any other documents as required by the Town.
    Response
    N/A

APPENDIX

1. Traffic Impact Analysis prepared by Fox Tuttle Hernandez Transportation Group, LLC
2. September15, 2015 US Army Corps of Engineers determination letter
3. April 22, 2016 US Army Corps of Engineers determination letter
4. October 23, 2018 email correspondence from US Army Corps of Engineers

Dillon Medical Building

Traffic Impact Analysis



Date: November 7, 2018

Submitted To:
Braun Associates, Inc.
225 Main Street, Suite G-2
Edwards, CO 81632

Submitted By:
Fox Tuttle Hernandez Transportation Group, LLC
P.O. Box 19768
Boulder, CO 80308-2768

FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

TABLE OF CONTENTS

LIST OF TABLES

LIST OF FIGURES

APPENDIX

DILLON MEDICAL BUILDING

TRAFFIC IMPACT STUDY

1.0 INTRODUCTION

The Fox Tuttle Hernandez Transportation Group prepared this traffic impact study for the development of the Dillon Medical Building in Dillon, CO. The project proposes to construct a medical center and parking garage on vacant property to accommodate an urgent care, outpatient surgery, and medical offices. The hospital is located just north of US Highway 6 and east of N. Dillon Dam Road, as shown to the right. Lookout Ridge Drive will provide access to the medical facility.

The purpose of this study is to assist in identifying potential traffic impacts within the study area as a result of this project. The traffic study addresses existing, short-term (Year 2022), and long-term (Year 2038) peak hour intersection conditions in the study area with and without the project generated traffic. The information contained in this study is anticipated to be used by the Town of Dillon in identifying any intersection or roadway deficiencies and potential improvements for both the short-term and long-term future scenarios. This study focused on the weekday Midday and PM and Saturday peak hours which historically has been the periods of highest traffic on N. Dillon Dam Road. This traffic study is consistent with Town of Dillon requirements.

2.0 PROJECT DESCRIPTION

The new building will be located in the northeast corner of US Highway 6 and N. Dillon Dam Road with the parking structure on the west side of the property and the medical building on the east side of the property. Dillon Medical Building proposes to construct one building within two phases, with approximately 75,000± gross square feet (sq. ft.) in the first phase and an additional 25,000± sq. ft. in the second phase. Initially, a parking structure that will be constructed with roughly 293 parking spaces. Based on the conceptual plan, the new building will provide the following services:

- Outpatient surgery center
- Sports Medicine, Orthopedic, and Physical Therapy Clinical services
- Urgent Care
- 72-Hour Care (inpatient)
- Retail Pharmacy

It is anticipated that the pharmacy will support the health center staff and patients with infrequent visits from outside customers. A vicinity map is shown on **Figure 1**. The site and access plan is provided on **Figure 2**.

3.0 STUDY CONSIDERATIONS

The traffic analysis addressed the signalized and unsignalized intersection operations using the procedures and methodologies set forth by the *Highway Capacity Manual (HCM)*[1]. Study intersections were evaluated using Synchro (version 9) software for signalized and stop-controlled intersections.

3.1 Data Collection

Town staff provided historic count data for N. Dillon Dam Road to determine the most appropriate time periods to gather data. During the weekday, the historic data indicated that the peak traffic periods accorded at 11:00am to 1:00pm and 4:00pm to 6:00pm. The Town

[1] Highway Capacity Manual, Highway Research Board Special Report 209, Transportation Research Board, National Research Council, 2010.

requested additional count data to be collected over Labor Weekend; therefore, count data was also collected on Saturday afternoon to capture holiday traffic.

Traffic counts were collected on Saturday, September 1, 2018 (Labor Day Weekend) and Thursday, September 6, 2018 (typical weekday). Intersection turning movement counts were collected for the three study intersections during the peak periods. The data indicated that the Saturday peak is 4:00 to 5:00 PM, the weekday midday peak hour is 12:00 to 1:00 PM and the evening peak hour is 4:45 to 5:45 PM.

Volumes through the intersection on US Highway 6 are similar between the Saturday and weekday evening peaks. On N. Dillon Dam Road, the highest peak hour intersection and roadway volumes occurred on Saturday afternoon. Evaluating the holiday weekend peak hour and a typical weekday peak hour provides the opportunity to understand if there are traffic impacts related to the proposed medical office at varying traffic levels.

The existing traffic volumes are illustrated on **Figure 3**. The existing intersection geometry and traffic control are also shown on this figure. Signal timing for the intersection of US Highway 6 at N. Dillon Dam Road was provided by Colorado Department of Transportation (CDOT) and utilized within the analysis. Count data is provided in the **Appendix**.

3.2 Level-of-Service Criteria

To measure and describe the operational status of the study intersections, transportation engineers and planners commonly use a grading system referred to as “Level-of-Service” (LOS) that is defined by the *HCM.* LOS characterizes the operational conditions of an intersections traffic flow, ranging from LOS A (indicating very good, free flow operations) and LOS F (indicating congested and sometimes oversaturated conditions). These grades represent the perspective of drivers and are an indication of the comfort and convenience associated with traveling through the intersections. The intersection LOS is represented as a delay in seconds per vehicle for the intersection as a whole and for each turning movement. Criteria contained in the *HCM* was applied for these analyses in order to determine peak hour LOS. A more detailed discussion of LOS methodology is contained in the **Appendix** for reference. Typically, an acceptable level-of-service is LOS D or better in the peak hours.

4.0 EXISTING CONDITIONS

4.1 Roadways

The study area boundaries are based on the amount of traffic to be generated by the project and potential impact to the existing roadway network. The existing study area street network consists of arterials and local streets. The primary public roadways that serve the project site are discussed in the following text. The existing study area roadway network is illustrated on **Figure 1**.

US Highway 6 is an east-west principal arterial that connects Dillon to Keystone to the Loveland Ski Area. The highway provides access to I-70 on both sides of the Continental Divide/Eisenhower-Johnson Tunnels. US Highway 6 becomes Loveland Pass between Keystone and Loveland Ski Area, which is the alternative route to I-70 for trucks carrying hazardous materials to bypass the tunnels. West of N. Dillon Dam Road, US Highway 6 is classified by CDOT as a Non-Rural Rural Arterial (NR-B) with three lanes per direction and services approximately 17,900 vehicles per day (vpd). East of N. Dillon Dam Road, the highway changes classification to Non-Rural Principal Highway (NR-A) with two lanes per direction and services approximately 12,000 vpd. The posted speed limit also changes on either side of N. Dillon Dam Road; west of the intersection the speed limit is 35 miles per hour (mph) and increases to 45 mph east of the intersection.

Adjacent to the project property, the highway is 60-feet wide and increasing to 94-feet as it approaches the intersection with N. Dillon Dam Road. The cross-section includes 12-foot through lanes, two per direction; 6-foot shoulders; and 12-foot auxiliary lanes at the intersection. US Highway 6 is the southern boundary of the project study area.

N. Dillon Dam Road is a four-lane collector that serves as the east access to the existing Dillon Ridge Marketplace, while also serving the vehicles destined for Skyline Cinema and the Lookout Ridge Townhomes. The roadway width is 66-feet with 12-foot travel lanes (two per direction and 18-foot median/center turn lane. It has a posted speed limit 25 mph. N. Dillon Dam Road, north of US Highway 6, served 9,650 vpd on Saturday of Labor Day weekend and 8,900 vpd on a weekday. This roadway is the western boundary of the project study area.

Dillon Ridge Way, Dillon Ridge Road, and Lookout Ridge Drive are two-lane local roadways that serve commercial and residential properties. Dillon Ridge Way and Dillon Ridge Road lead into the Dillon Ridge Marketplace. Lookout Ridge Drive leads to

townhomes and is proposed be the primary roadway for access to the Dillon Medical Building.

4.2 Intersections

The study area was developed from discussions with Town staff and includes three existing intersections as listed below with the current traffic control:

1. US Highway 6 at Dillon Dam Road (signalized)
2. N. Dillon Dam Road at Dillon Ridge Way (side-street stop-controlled)
3. N. Dillon Dam Road at Dillon Ridge Road/Lookout Ridge Drive (all-way stop)

The lane configuration at each of the study intersections is illustrated on **Figure 3**.

4.3 Pedestrian and Bicycle Access

There are sidewalks on the west side of N. Dillon Dam Road, north side of Lookout Ridge Drive, and both sides of Dillon Ridge Road. Across from the highway, there is a multi-use path that circulates Dillon Reservoir and leads to the center of the Town, as well as to the adjacent communities of Frisco, Silverthorne, and Keystone.

There are no on-street bike lanes on the study area roadways.

4.4 Transit Access

Currently, the project area is served by Summit Stage and there is one bus route that has a stop near the project site. Silverthorne-Dillon-Keystone Route connects the Silverthorne Station to River Run in Keystone via US Highway 6. The bus route travels through Dillon Ridge Marketplace via Dillon Dam Way, with a covered shelter bus stop just east of Ruby Tuesday's.

The Town plans to provide an enhanced bus stop within or near the study area that will serve the existing commercial uses, as well as the future staff and visitors of the proposed Dillon Medical Building. The exact location and design of the enhanced bus stop is to be determined.

4.5 Existing Intersection Capacity Analysis

The results of the LOS calculations for the intersections are summarized in **Table 1**. The intersection level-of-service worksheets are attached in the **Appendix**. **All of the study intersections operate overall at acceptable level-of-service, LOS D or better.**

The intersection of US Highway 6 at Dillon Dam Road has two movements operating at LOS E: northbound left and northbound left+through. The side-street delay is a result of the signal needing to operate as split phasing for the northbound and southbound approaches. The left-turn storage is limited; therefore, both side-street approaches have added left-turn capacity by sharing the through lane with a second left-turn lane.

No mitigation measures are recommended. It is common that side-street movements, especially left-turns, to operate below acceptable levels during peak hours, and shifting time to accommodate these movements would be at the expense of the heavy through traffic on US Highway 6.

5.0 FUTURE BACKGROUND TRAFFIC CONDITIONS

5.1 Annual Growth Factor and Future Volume Methodology

In order to forecast the future peak hour traffic volumes, background traffic growth assumptions were based on CDOT's 20-year factor for US Highway 6 available on their Online Transportation Information System (OTIS). West of Dillon Dam Road the 20-year factor is 1.19 (equates to 0.9% annual growth) and east of Evergreen Road the 20-year factor is 1.24 (equates to 1.1% annual growth). Therefore, the average annual growth rate on the highway adjacent to the project property is anticipated to be 1.0%. This rate was applied to all the intersections within the study area.

The 2022 background traffic is summarized on **Figure 4** and the 2038 background traffic is summarized on **Figure 5**.

5.2 Year 2022 Background Intersection Capacity Analysis

The study area intersections were evaluated to determine baseline operations for the 2022 background scenario and to identify any capacity constraints associated with background traffic. The level-of-service criteria discussed previously was applied to the study area intersections to determine the impacts with the short-term background volumes.

The results of the LOS calculations for the intersections are summarized in **Table 1**. The intersection level-of-service worksheets are attached in the **Appendix**.

All of the study intersections operate overall at acceptable levels-of-service and perform similarly to the existing conditions. The movements that operated at LOS E in the weekday Midday peak hour in the existing condition will continue to operate at that level in the 2022 background scenario.

5.3 Year 2038 Background Intersection Capacity Analysis

The study area intersections were evaluated to determine baseline operations for the 2038 background scenario and to identify any capacity constraints associated with background traffic. The level-of-service criteria discussed previously was applied to the study area intersections to determine the impacts with the long-term background volumes.

The results of the LOS calculations for the intersections are summarized in **Table 1**. The intersection level-of-service worksheets are attached in the **Appendix**.

All of the study intersections operate overall at acceptable levels-of-service and perform similarly to the existing conditions. The movements that operated at LOS E in the weekday Midday peak hour in the existing and short-term background conditions will continue to operate at that level in the 2038 background scenario.

6.0 PROPOSED DEVELOPMENT TRAFFIC

6.1 Trip Generation

To establish the volume of new trips that will be added to the roadway network from the proposed Dillon Medical Building, trip generation rates were gathered from the *Institute of Transportation Engineers (ITE) Trip Generation Manual*[2]. A trip generation estimate was performed to determine the traffic increase based on land use types. It is proposed that the first phase will provide a building of 75,000± sq. ft. for hospital type uses, including sports medicine, orthopedics, surgery center, urgent care, 72-hour stay, and pharmacy. The parking garage will be built in the first phase and will include approximately 293 parking spaces. The second phase

2 Trip Generation 10th Edition, Institute of Transportation Engineers, 2017.

will increase the building size by 25,000± sq. ft. with additional surgical operating rooms and outpatient care.

For the purpose of this traffic study, the various uses were combined into these three medical land uses that are most appropriate based on the ITE *Trip Generation Manual*:

- ITE #610: Hospital
- ITE #720: Medical-Dental Office
- ITE #650: Free-Stranding Emergency Room

It is anticipated that the pharmacy will mainly service the hospital patrons and any new trips will be estimated within the hospital land use. The following square footage per land use type were assumed for the traffic study:

Land Use	Phase 1	Phase 2
Hospital	41,700	9,000
Medical Office	29,200	16,000
Urgent Care	4,100	0
Total Sq. Ft.	*75,000*	*25,000*

Majority of land uses within the ITE *Trip Generation Manual* do not have separate trip rates for midday peak hours; therefore, the AM peak hour rates were utilized for the Midday peak hour in this traffic study. The trip generation estimates are shown in **Table 2A (Phase 1)** and **Table 2B (Phase 2)**.

Trip Types

The proposed Dillon Medical Building will create new trips, also known as 'primary trips', which is discussed in detail below:

> Primary Trips. These trips are made specifically to visit the medical center and are considered "new" trips. Primary trips would not have been made if the proposed project

did not exist. Therefore, this is the only trip type that increases the total number of trips made on a regional basis.

Multi-Use/Non-Auto Trips. These internal trips occur from one land use or office to another within the subject property. For example, a person who works at the hospital may purchase an item from the pharmacy or visit another office within the building. Non-auto trips are those that are completed by walking, biking, or using transit. Multi-use and non-auto trips do not affect the exterior site access points, nor add any additional traffic volumes to the adjacent street network. It was assumed multi-use/non-auto trips would be minimal due to the nature of the land use and patrons/employees coming from various locations within the mountains; for conservative purposes the trips were not reduced for multi-use/non-auto trips.

These assumptions are shown within the trip generation estimates in **Table 2A (Phase 1)** and **Table 2B (Phase 2)**. The trips are summarized below:

Period	Phase 1	Phase 2	Total (Full Build-out)
Weekday Daily	1,565	653	2,218
Weekday Midday	126	52	178
Weekday PM	147	64	211
Saturday Daily	647	206	853
Saturday PM	78	25	103

6.2 Trip Distribution and Assignment

The distribution percentages are based on regional land use destinations, existing travel patterns, and proximity to I-70 and neighboring mountain communities. The overall distribution is as follows, as well as presented on **Figure 6**:

- 40% to/from US Highway 6 (west)
- 38% to/from US Highway 6 (east)
- 20% to/from Dillon Dam Road (south)
- 2% to/from Dillon Ridge Marketplace

Using these distribution assumptions, the projected site traffic was assigned to the study area roadway network for the Saturday and weekday Midday and PM peak hour periods. The phase 1 site-generated volumes are shown on **Figure 7A** and phase 2 site-generated volumes are shown on **Figure 7B.**

6.3 Proposed Access

The project proposes to have two accesses on Lookout Ridge Drive: (1) into the parking garage and near the front door and (2) serving the loading docks. The access locations are shown on **Figure 2**.

7.0 FUTURE TRAFFIC CONDITIONS WITH SITE DEVELOPMENT

This section discusses impacts associated with the development of the Dillon Medical Building in the short-term and long-term scenarios.

7.1 Phase 1 – Year 2022 Background + Project Intersection Capacity Analysis

The phase 1 site-generated traffic volumes were added to the 2022 background volumes to analyze potential site impacts in the short-term, phase 1 scenario. The 2022 background + phase 1 site-generated traffic volumes are illustrated on **Figure 8**. The level-of-service criteria discussed in prior sections was applied to the study area intersections to determine impacts with the addition of site-build out traffic volumes in the short-term. The results of the LOS calculations for the intersections are summarized in **Table 1**.

The project trips do not significantly impact the study intersections for the short-term (phase 1) scenario. The study intersections and all movements will operate with the same LOS letter grade or within two seconds of additional delay when compared to the Year 2022 background scenario.

7.2 Phase 2 – Year 2038 Background + Project Intersection Capacity Analysis

The phase 1 & 2 site-generated traffic volumes were added to the 2038 background volumes to analyze potential site impacts in the long-term build-out scenario. The 2038 background + phase 1 & 2 site-generated traffic volumes are illustrated on **Figure 9**. The level-of-service criteria discussed in prior sections was applied to the study area intersections to determine impacts with the addition of site-build out traffic volumes in the long-term. The results of the LOS calculations for the intersections are summarized in **Table 1**.

The project trips do not significantly impact the study intersections for the long-term (phase 2) build-out scenario. The study intersections and all movements will operate with the same LOS letter grade or within six seconds of additional delay when compared to the 2038 background scenario.

8.0 QUEUE ANALYSIS

A queuing analysis was performed to determine if the queues would be accommodated by the existing storage length and if any of the queues impact an upstream intersection/access. **Table 3** provides the existing storage lengths or distance to nearest intersection/access, and the 95th percentile[3] and average queues for the three peak hours within each evaluation scenario.

As shown in **Table 3**, the majority of the 95th percentile queues are shorter than the provided storage length or nearest upstream intersection/access, except those highlighted with **blue bold** font. The 95th percentile queues exceed the existing storage length during the existing and background conditions for the following movements:

- **US Highway 6 at N. Dillon Dam Road**
    - Northbound Left-turn
    - Southbound Left-turn

Both side street movements have limited length to accommodate the turn lane storage needs. The northbound and southbound through lanes have become shared lanes with the left-turn to increase turning capacity. The signal timing is constrained by the progression needed on the highway and side street split phase operations. No mitigation measure is recommended.

It should be noted that **the project trips only slightly increase queues at the study intersections.** The largest increase related to the phase 1 trips (Year 2022) is on the eastbound and southbound left-turns at US Highway 6 and Dillon Dam Road during the weekday peak hours. It was estimated that the 95th percentile queues will be lengthened by up to 1.5 vehicles (assumes each vehicle utilizes 25 feet of space). The additional trips from phase 2 will increase

[3] It should be noted that the 95th percentile queue length is a theoretical queue that is 1.65 standard deviations above the average queue length. In theory, the 95th percentile queue would be exceeded 5% of the time based on the average queue length, but it is also possible that a queue this long may not occur.

the 95th percentile queues in the Year 2038 background scenario by 0.5 to 2.5 vehicles on the following lanes at the intersection of US Highway 6 and Dillon Dam Road: eastbound left-turn, southbound left-turn, and southbound left/through.

At the all-way stop intersection of N. Dillon Dam Road at Lookout Ridge Drive, the westbound approach and the northbound right-turn lane will experience longer queues; however, the queues are not anticipated to be more than 40 feet (less than two vehicles). Increased queues related to the trips associates with the proposed Dillon Medical Building will not exceed existing storage lengths.

9.0 CONCLUSIONS

The Dillon Medical Building proposes to construct a medical building with 75,000± sq. ft. in phase 1 to include an urgent care, outpatient surgery center, sports medicine, orthopedic clinic, and physical therapy, 72-hour care (inpatient), and a retail pharmacy. During the second phase of this project, it is anticipated that the building will increase by 25,000± sq. ft. to expand upon the phase 1 services. Access to the site is planned via two proposed driveways on Lookout Ridge Drive. The primary access for staff and visitors will be the access nearest to N. Dillon Dam Road as it will lead to the parking structure and front door of the medical center. The secondary access will serve loading and unloading operations.

Phase 1 of the project is estimated to generate approximately 1,565 weekday daily trips with 126 trips occurring in the Midday peak hour and 147 trips occurring in the PM peak hour at build-out. Saturday is estimated to have 647 daily trips with 78 trips in the Saturday PM peak hour. Phase 2 will add approximately 653 weekday daily trips, 52 Midday peak hour trips, and 64 PM peak hour trips, as well as 206 daily Saturday trips and 25 weekend peak hour trips. **It was determined that the existing roadway and intersection network can serve the site added traffic volumes in the short-term and long-term scenarios**. No mitigation measures are needed.

The proposed site access and circulation will adequately serve the estimated vehicular trips and loading operations.

Tables and Figures:

FOX TUTTLE HERNANDEZ TRANSPORTATION GROUP

Table 1 - Peak Hour Intersection Level of Service Summary

Intersection and Lanes Groups	2018 Existing						2022 Background						2022 Background + Project						2038 Background						2038 Background + Project					
	Midday Peak		PM Peak		Sat Peak		Midday Peak		PM Peak		Sat Peak		Midday Peak		PM Peak		Sat Peak		Midday Peak		PM Peak		Sat Peak		Midday Peak		PM Peak		Sat Peak	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
STOP SIGN CONTROL																														
Dillon Dam Rd. at Dillon Ridge Way	**7**	**A**	**8**	**A**	**7**	**A**	**7**	**A**	**9**	**A**	**7**	**A**	**7**	**A**	**8**	**A**	**7**	**A**	**8**	**A**	**10**	**A**	**9**	**A**	**7**	**A**	**10**	**A**	**9**	**A**
Eastbound Left+Right	*11*	*B*	*12*	*B*	*13*	*B*	*11*	*B*	*12*	*B*	*13*	*B*	*12*	*B*	*14*	*B*	*14*	*B*	*13*	*B*	*14*	*B*	*17*	*C*	*14*	*B*	*18*	*C*	*20*	*C*
Northbound Left	*8*	*A*	*9*	*A*	*9*	*A*	*8*	*A*	*9*	*A*	*9*	*A*	*8*	*A*	*9*	*A*	*9*	*A*	*8*	*A*	*9*	*A*	*9*	*A*	*9*	*A*	*10*	*B*	*9*	*A*
Northbound Through	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*
Southbound Through+Right	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*	*0*	*A*
Dillon Dam Rd. at Dillon Ridge Rd. / Lookout Ridge Dr.	**8**	**A**	**8**	**A**	**9**	**A**	**8**	**A**	**8**	**A**	**9**	**A**	**8**	**A**	**9**	**A**	**10**	**A**	**8**	**A**	**8**	**A**	**10**	**A**	**9**	**A**	**9**	**A**	**10**	**B**
Eastbound Through+Right	*7*	*A*	*7*	*A*	*8*	*A*	*7*	*A*	*7*	*A*	*8*	*A*	*8*	*A*	*8*	*A*	*9*	*A*	*7*	*A*	*7*	*A*	*9*	*A*	*8*	*A*	*8*	*A*	*9*	*A*
Westbound Left+Through	*8*	*A*	*8*	*A*	*9*	*A*	*8*	*A*	*8*	*A*	*9*	*A*	*8*	*A*	*9*	*A*	*10*	*A*	*8*	*A*	*8*	*A*	*9*	*A*	*9*	*A*	*10*	*A*	*11*	*B*
Northbound Left	*9*	*A*	*9*	*A*	*10*	*B*	*9*	*A*	*9*	*A*	*10*	*B*	*9*	*A*	*9*	*A*	*11*	*B*	*9*	*A*	*9*	*A*	*11*	*B*	*9*	*A*	*10*	*A*	*12*	*B*
Northbound Right	*7*	*A*	*7*	*A*	*8*	*A*	*7*	*A*	*7*	*A*	*8*	*A*	*8*	*A*	*8*	*A*	*9*	*A*	*7*	*A*	*7*	*A*	*8*	*A*	*8*	*A*	*8*	*A*	*9*	*A*
Lookout Ridge Dr. at Skyline Cinema / Access 1													**3**	**A**	**6**	**A**	**6**	**A**							**3**	**A**	**6**	**A**	**6**	**A**
Eastbound Left+Through+Right													*2*	*A*	*1*	*A*	*4*	*A*							*1*	*A*	*1*	*A*	*4*	*A*
Westbound Left+Through+Right													*0*	*A*	*0*	*A*	*0*	*A*							*0*	*A*	*0*	*A*	*0*	*A*
Northbound Left+Through+Right													*10*	*A*	*10*	*A*	*11*	*B*							*10*	*B*	*10*	*B*	*12*	*B*
Southbound Left+Through+Right													*9*	*A*	*9*	*A*	*9*	*A*							*9*	*A*	*9*	*A*	*9*	*A*
Lookout Ridge Dr. at Access 2													**0**	**A**	**0**	**A**	**0**	**A**							**0**	**A**	**0**	**A**	**0**	**A**
Eastbound Through+Right													*0*	*A*	*0*	*A*	*0*	*A*							*0*	*A*	*0*	*A*	*0*	*A*
Westbound Left+Through													*0*	*A*	*0*	*A*	*0*	*A*							*0*	*A*	*0*	*A*	*0*	*A*
Northbound Left+Right													*0*	*A*	*9*	*A*	*0*	*A*							*0*	*A*	*9*	*A*	*0*	*A*
SIGNAL CONTROL																														
Highway 6 at Dillon Dam Road	**29**	**C**	**33**	**C**	**31**	**C**	**30**	**C**	**34**	**C**	**32**	**C**	**31**	**C**	**35**	**D**	**32**	**C**	**32**	**C**	**37**	**D**	**36**	**D**	**34**	**C**	**41**	**D**	**37**	**D**
Eastbound Left	*13*	*B*	*17*	*B*	*14*	*B*	*13*	*B*	*18*	*B*	*15*	*B*	*13*	*B*	*19*	*B*	*16*	*B*	*15*	*B*	*22*	*C*	*18*	*B*	*16*	*B*	*25*	*C*	*20*	*B*
Eastbound Through	*19*	*B*	*25*	*C*	*23*	*C*	*19*	*B*	*27*	*C*	*24*	*C*	*20*	*C*	*29*	*C*	*25*	*C*	*23*	*C*	*33*	*C*	*29*	*C*	*25*	*C*	*36*	*D*	*31*	*C*
Eastbound Right	*17*	*B*	*22*	*C*	*20*	*B*	*18*	*B*	*23*	*C*	*20*	*C*	*18*	*B*	*24*	*C*	*21*	*C*	*20*	*C*	*26*	*C*	*24*	*C*	*22*	*C*	*29*	*C*	*25*	*C*
Westbound Left	*12*	*B*	*17*	*B*	*16*	*B*	*13*	*B*	*18*	*B*	*17*	*B*	*14*	*B*	*20*	*B*	*18*	*B*	*15*	*B*	*22*	*C*	*23*	*C*	*19*	*B*	*26*	*C*	*25*	*C*
Westbound Through	*19*	*B*	*25*	*C*	*24*	*C*	*19*	*B*	*27*	*C*	*25*	*C*	*21*	*C*	*30*	*C*	*27*	*C*	*23*	*C*	*34*	*C*	*34*	*C*	*29*	*C*	*41*	*D*	*38*	*D*
Westbound Right	*17*	*B*	*24*	*C*	*22*	*C*	*18*	*B*	*24*	*C*	*23*	*C*	*20*	*B*	*27*	*C*	*25*	*C*	*20*	*C*	*29*	*C*	*30*	*C*	*25*	*C*	*34*	*C*	*33*	*C*
Northbound Left	*60*	*E*	*53*	*D*	*55*	*D*	*60*	*E*	*54*	*D*	*55*	*D*	*61*	*E*	*54*	*D*	*55*	*D*	*60*	*E*	*52*	*D*	*54*	*D*	*59*	*E*	*51*	*D*	*54*	*D*
Northbound Left+Through	*60*	*E*	*53*	*D*	*55*	*D*	*60*	*E*	*53*	*D*	*55*	*D*	*60*	*E*	*54*	*D*	*55*	*D*	*59*	*E*	*52*	*D*	*54*	*D*	*59*	*E*	*51*	*D*	*53*	*D*
Northbound Right	*50*	*D*	*45*	*D*	*46*	*D*	*50*	*D*	*45*	*D*	*46*	*D*	*49*	*D*	*45*	*D*	*46*	*D*	*49*	*D*	*44*	*D*	*45*	*D*	*48*	*D*	*44*	*D*	*44*	*D*
Southbound Left	*54*	*D*	*53*	*D*	*52*	*D*	*54*	*D*	*52*	*D*	*52*	*D*	*55*	*D*	*52*	*D*	*52*	*D*	*54*	*D*	*53*	*D*	*52*	*D*	*54*	*D*	*55*	*D*	*53*	*D*
Southbound Left+Through	*54*	*D*	*52*	*D*	*51*	*D*	*54*	*D*	*52*	*D*	*52*	*D*	*54*	*D*	*53*	*D*	*52*	*D*	*54*	*D*	*53*	*D*	*52*	*D*	*55*	*D*	*54*	*D*	*52*	*D*
Southbound Right	*49*	*D*	*40*	*D*	*41*	*D*	*49*	*D*	*40*	*D*	*41*	*D*	*48*	*D*	*38*	*D*	*40*	*D*	*48*	*D*	*38*	*D*	*39*	*D*	*47*	*D*	*36*	*D*	*39*	*D*

Note: Delay represented in average seconds per vehicle.

FOX TUTTLE HERNANDEZ TRANSPORTATION GROUP

Table 2A - Trip Generation Summary [Phase 1]

Land Use	Size	Unit	Internal Capture	Non-Auto Factor	Average Daily Trips				Midday Peak Hour Trips				PM Peak Hour Trips			
					Rate	Total	In	Out	Rate	Total	In	Out	Rate	Total	In	Out
Weekday																
ITE 610: Hospital	41.70	ksf	1.00	1.00	10.72	447	224	223	0.89	37	25	12	0.97	40	13	27
ITE 720: Medical-Dental Office	29.20	ksf	1.00	1.00	34.80	1016	508	508	2.78	81	63	18	3.46	101	28	73
ITE 650 - Free-Standing Emergency Room *[Urgent Care]*	4.1	ksf	1.00	1.00	24.94	102	51	51	2.06	8	5	3	1.52	6	3	3
Total Weekday New Trips:	***75.000***	***ksf***				***1,565***	***783***	***782***	***MD >***	***126***	***93***	***33***	***PM >***	***147***	***44***	***103***
Saturday																
ITE 610: Hospital	41.70	ksf	1.00	1.00	7.72	322	161	161					[a]	39	19	20
ITE 720: Medical-Dental Office	29.20	ksf	1.00	1.00	8.57	250	125	125					[a]	30	16	14
ITE 650 - Free-Standing Emergency Room *[Urgent Care]*	4.1	ksf	1.00	1.00	[b]	75	38	37					2.24	9	4	5
Total Saturday New Trips:						***647***	***324***	***323***					***PM >***	***78***	***39***	***39***

Source : ITE Trip Generation 10th Edition, 2017.

[a] ITE has limited data for Saturday peak hour for hospital and medical offices since there are only two sites; therefore, it was assumed that the Saturday peak hour is 12% of the Saturday daily traffic. Typically, a weekday peak hour is between 9% and 12% of the daily total. It was assumed the Saturday peak is 12% of the daily total which maybe conservative a mountain community and health center that is not anticipated to be opened on the weekend (except the urgent care).

[b] ITE does not provide a Saturday daily or peak hour rates for #650. Therefore, the rate for PM peak hour generator was used for the Saturday peak and it was assumed that the peak is 12% of the daily traffic.

FOX TUTTLE HERNANDEZ TRANSPORTATION GROUP

Table 2B - Trip Generation Summary [Phase 2]

Land Use	Size	Unit	Internal Capture	Non-Auto Factor	Average Daily Trips				Midday Peak Hour Trips				PM Peak Hour Trips			
					Rate	Total	In	Out	Rate	Total	In	Out	Rate	Total	In	Out
Weekday																
ITE 610: Hospital	9.00	ksf	1.00	1.00	10.72	96	48	48	0.89	8	5	3	0.97	9	3	6
ITE 720: Medical-Dental Office	16.00	ksf	1.00	1.00	34.80	557	279	278	2.78	44	34	10	3.46	55	15	40
ITE 650 - Free-Standing Emergency Room *[Urgent Care]*	0.0	ksf	1.00	1.00	24.94	0	0	0	2.06	0	0	0	1.52	0	0	0
Total Weekday New Trips:	***25.000***	***ksf***				***653***	***327***	***326***	***MD >***	***52***	***39***	***13***	***PM >***	***64***	***18***	***46***
Saturday																
ITE 610: Hospital	9.00	ksf	1.00	1.00	7.72	69	35	34					[a]	8	4	4
ITE 720: Medical-Dental Office	16.00	ksf	1.00	1.00	8.57	137	69	68					[a]	16	9	7
ITE 650 - Free-Standing Emergency Room *[Urgent Care]*	0.0	ksf	1.00	1.00	[b]	0	0	0					2.24	0	0	0
Total Saturday New Trips:						***206***	***104***	***102***					***PM >***	***25***	***13***	***11***

Source : ITE Trip Generation 10th Edition, 2017.

[a] ITE has limited data for Saturday peak hour for hospital and medical offices since there are only two sites; therefore, it was assumed that the Saturday peak hour is 12% of the Saturday daily traffic. Typically, a weekday peak hour is between 9% and 12% of the daily total. It was assumed the Saturday peak is 12% of the daily total which maybe conservative a mountain community and health center that is not anticipated to be opened on the weekend (except the urgent care).

[b] ITE does not provide a Saturday daily or peak hour rates for #650. Therefore, the rate for PM peak hour generator was used for the Saturday peak and it was assumed that the peak is 12% of the daily traffic.

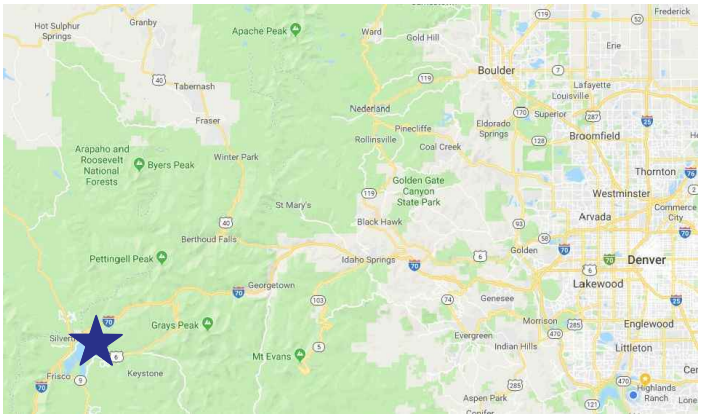
FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

Table 3 - Queue Length Summary

Intersection and Lanes Groups	Storage Length or Dist. to Adj. Int	2018 Existing						2022 Background						2022 Background + Project						2038 Background						2038 Background + Project					
		Midday Peak		PM Peak		Sat Peak		Midday Peak		PM Peak		Sat Peak		Midday Peak		PM Peak		Sat Peak		Midday Peak		PM Peak		Sat Peak		Midday Peak		PM Peak		Sat Peak	
		Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th	Avg.	95th
STOP SIGN CONTROL																															
Dillon Dam Rd. at Dillon Ridge Way																															
Eastbound Left+Right	215'	-	40'	-	66'	-	58'	-	43'	-	72'	-	63'	-	47'	-	84'	-	68'	-	62'	-	104'	-	106'	-	72'	-	138'	-	122'
Northbound Left	65'	-	22'	-	35'	-	26'	-	24'	-	38'	-	28'	-	25'	-	43'	-	29'	-	30'	-	50'	-	36'	-	32'	-	62'	-	39'
Northbound Through	510'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'
Southbound Through+Right	175'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'	-	0'
Dillon Dam Rd. at Dillon Ridge Rd. / Lookout Ridge Dr.																															
Eastbound Through+Right	250'	-	8'	-	10'	-	15'	-	8'	-	10'	-	18'	-	8'	-	10'	-	18'	-	10'	-	13'	-	23'	-	10'	-	13'	-	23'
Westbound Left+Through	200'	-	3'	-	3'	-	13'	-	3'	-	3'	-	15'	-	10'	-	20'	-	28'	-	5'	-	3'	-	18'	-	13'	-	30'	-	38'
Northbound Left	175'	-	10'	-	13'	-	25'	-	10'	-	13'	-	25'	-	13'	-	13'	-	28'	-	13'	-	15'	-	35'	-	15'	-	18'	-	35'
Northbound Right	175'	-	3'	-	3'	-	10'	-	3'	-	3'	-	13'	-	15'	-	8'	-	20'	-	5'	-	3'	-	15'	-	23'	-	13'	-	25'
Lookout Ridge Dr. at Skyline Cinema / Access 1																															
Eastbound Left+Through+Right	200'													-	1'	-	1'	-	4'							-	2'	-	1'	-	5'
Westbound Left+Through+Right	265'													-	0'	-	0'	-	0'							-	0'	-	0'	-	0'
Northbound Left+Through+Right	220'													-	3'	-	11'	-	6'							-	5'	-	17'	-	8'
Southbound Left+Through+Right	200'													-	1'	-	1'	-	4'							-	1'	-	1'	-	5'
Lookout Ridge Dr. at Access 2																															
Eastbound Through+Right	200'													-	0'	-	0'	-	0'							-	0'	-	0'	-	0'
Westbound Left+Through	170'													-	0'	-	0'	-	0'							-	0'	-	0'	-	0'
Northbound Left+Right	100'													-	0'	-	0'	-	0'							-	0'	-	0'	-	0'
SIGNAL CONTROL																															
Highway 6 at Dillon Dam Road																															
Eastbound Left	500'	30'	91'	48'	111'	58'	137'	32'	96'	52'	116'	62'	143'	47'	128'	65'	132'	71'	156'	44'	114'	70'	142'	84'	174'	69'	166'	91'	205'	97'	200'
Eastbound Through	5740'	107'	233'	152'	270'	156'	285'	114'	245'	165'	286'	167'	302'	118'	248'	175'	286'	171'	303'	156'	306'	224'	365'	226'	427'	163'	314'	242'	365'	232'	436'
Eastbound Right	5740'	0'	58'	0'	55'	0'	59'	0'	59'	0'	57'	0'	61'	0'	59'	0'	57'	0'	61'	0'	66'	0'	60'	0'	70'	0'	68'	0'	60'	0'	70'
Westbound Left	150'	34'	99'	45'	104'	30'	80'	36'	103'	49'	109'	32'	83'	37'	104'	53'	110'	33'	84'	49'	124'	64'	131'	43'	99'	51'	128'	70'	133'	45'	100'
Westbound Through	2000'	118'	252'	160'	282'	134'	252'	126'	266'	174'	295'	144'	265'	133'	278'	187'	295'	151'	265'	171'	329'	241'	374'	205'	314'	193'	366'	270'	374'	217'	314'
Westbound Right	420'	0'	60'	0'	79'	0'	73'	0'	61'	0'	80'	0'	76'	0'	69'	0'	83'	0'	77'	0'	68'	0'	88'	0'	82'	0'	80'	0'	91'	0'	84'
Northbound Left	110'	115'	166'	115'	152'	104'	160'	120'	170'	122'	157'	109'	165'	128'	181'	125'	161'	111'	167'	138'	193'	141'	175'	126'	184'	149'	202'	146'	178'	131'	190'
Northbound Left+Through	280'	118'	169'	121'	158'	108'	164'	123'	174'	125'	161'	112'	168'	132'	185'	130'	167'	116'	173'	142'	195'	147'	183'	130'	189'	156'	211'	153'	186'	134'	193'
Northbound Right	70'	0'	36'	2'	39'	0'	47'	0'	40'	6'	44'	0'	47'	0'	39'	12'	49'	0'	47'	11'	55'	31'	68'	7'	56'	12'	55'	36'	73'	9'	58'
Southbound Left	120'	106'	143'	173'	227'	157'	214'	110'	149'	177'	234'	162'	221'	118'	158'	201'	269'	171'	233'	127'	171'	208'	277'	188'	260'	138'	187'	241'	331'	201'	277'
Southbound Left+Through	510'	109'	147'	181'	233'	161'	217'	113'	151'	186'	243'	169'	229'	122'	163'	212'	278'	178'	242'	133'	177'	217'	287'	194'	267'	146'	193'	251'	343'	205'	283'
Southbound Right	510'	0'	48'	0'	40'	0'	44'	0'	50'	0'	41'	0'	45'	0'	52'	0'	46'	0'	47'	0'	53'	0'	44'	0'	48'	0'	56'	0'	51'	0'	51'

Note: Delay represented in average seconds per vehicle.

Location Map



Project Site

Vicinity Map

FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

VICINITY MAP

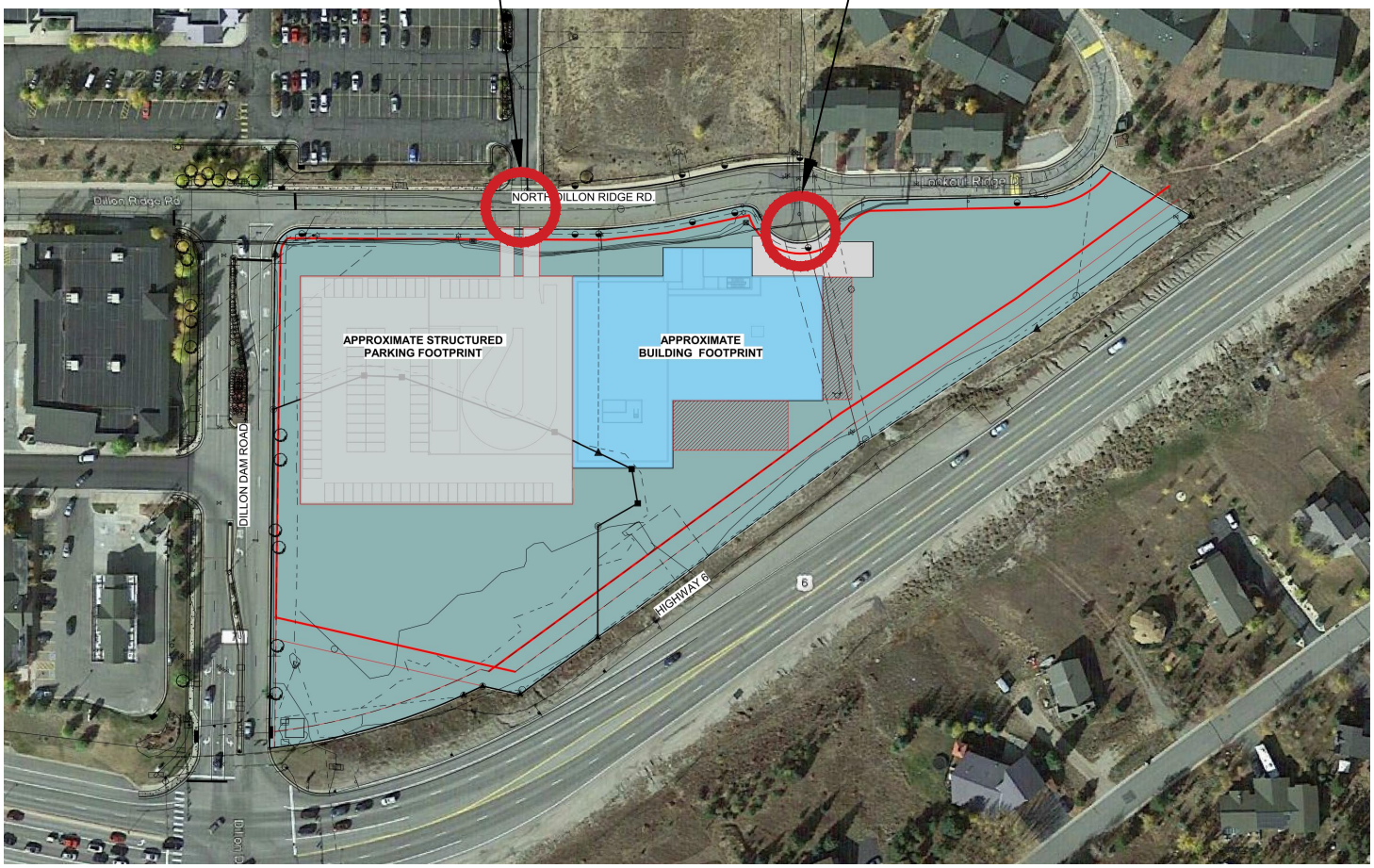
Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	1

Proposed Access 1
Main Access
Leads to Parking Structure

Full Movement
Side-Street Stop-Controlled

Proposed Access 2
Loading

Full Movement
Side-Street Stop-Controlled

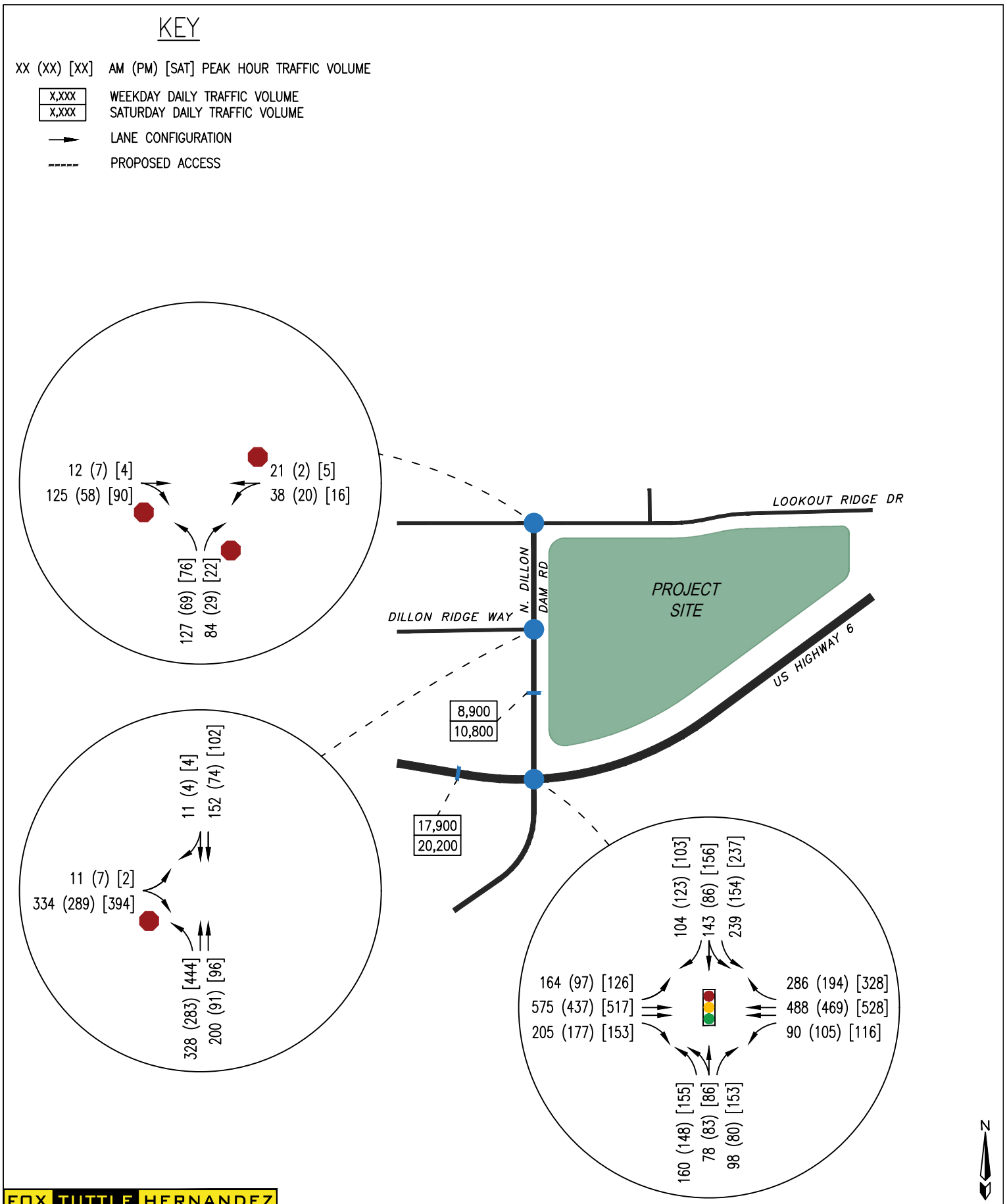


FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

CONCEPTUAL SITE PLAN

Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	2

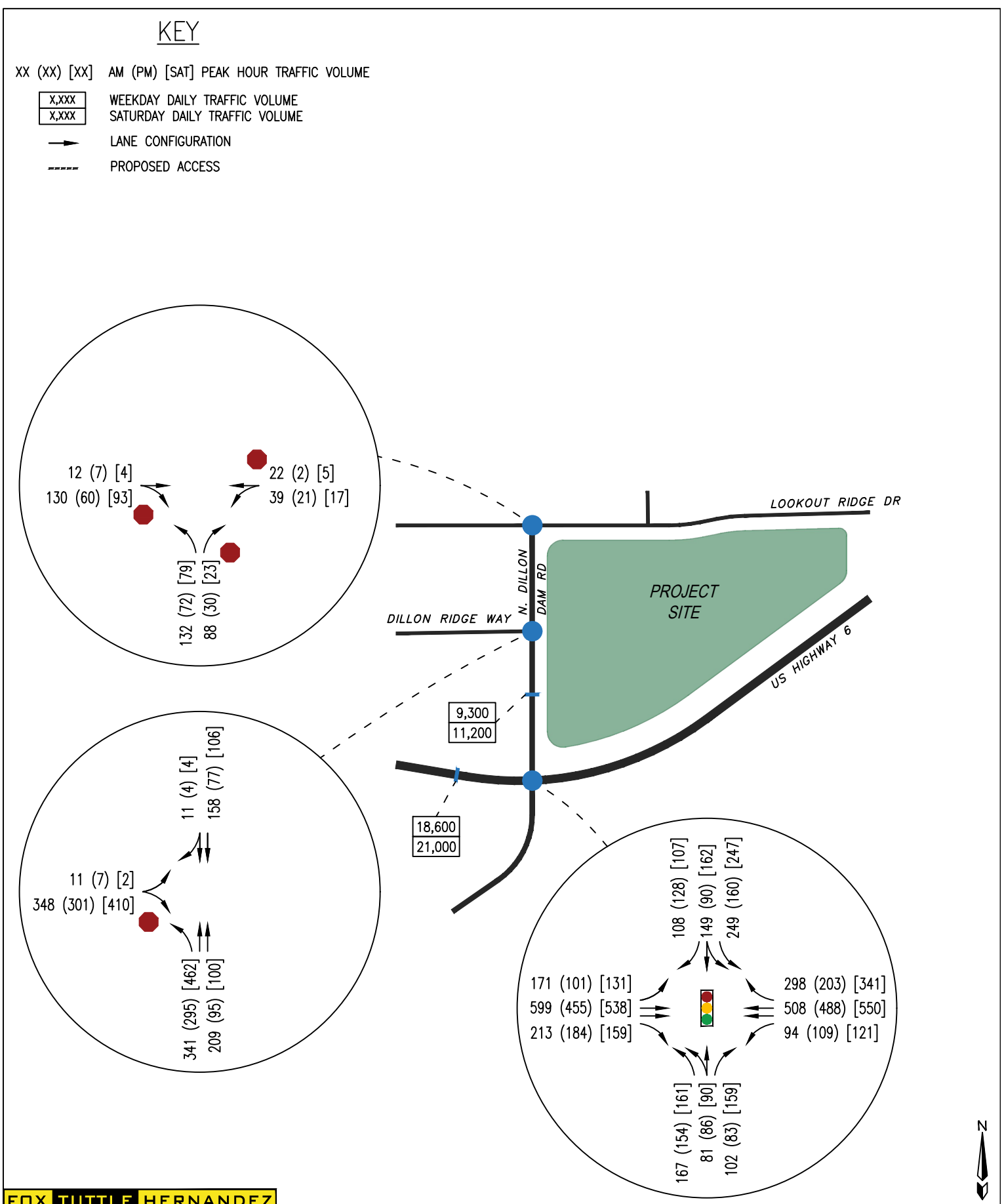


FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

YEAR 2018 EXISTING TRAFFIC VOLUMES

Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	3

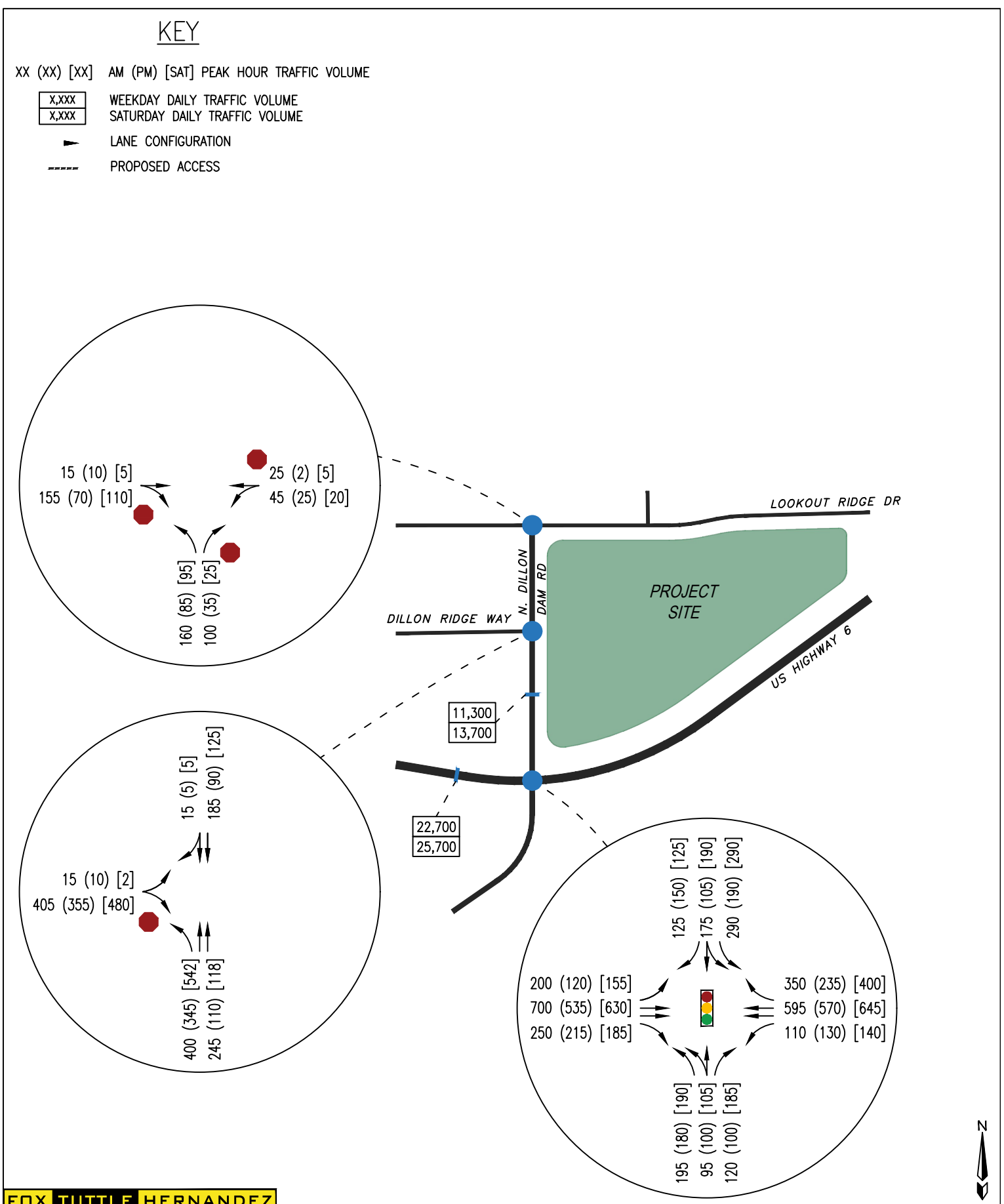


FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

YEAR 2022 BACKGROUND WEEKDAY TRAFFIC VOLUMES

Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	4

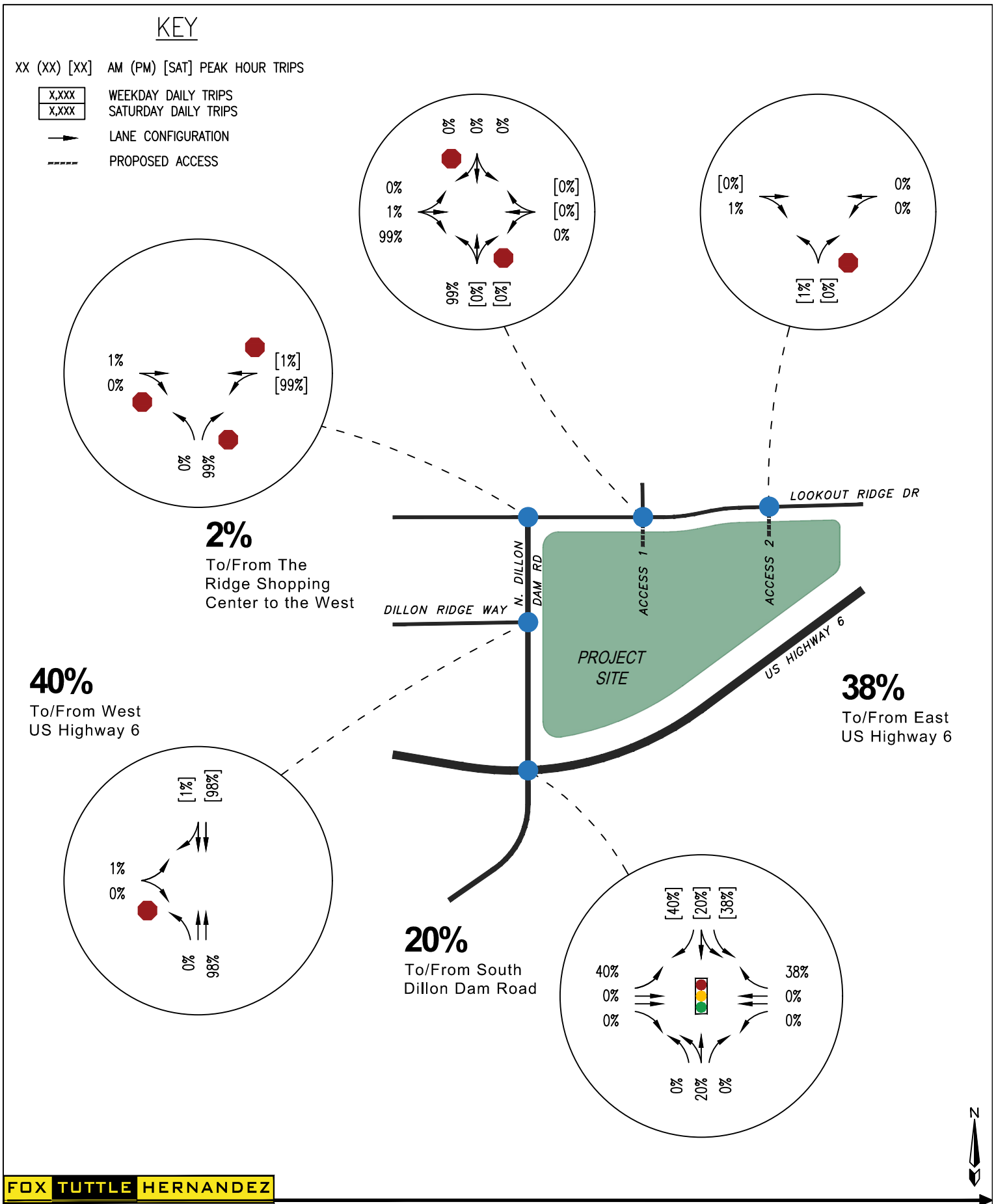


FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

YEAR 2038 BACKGROUND WEEKDAY TRAFFIC VOLUMES

Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	5

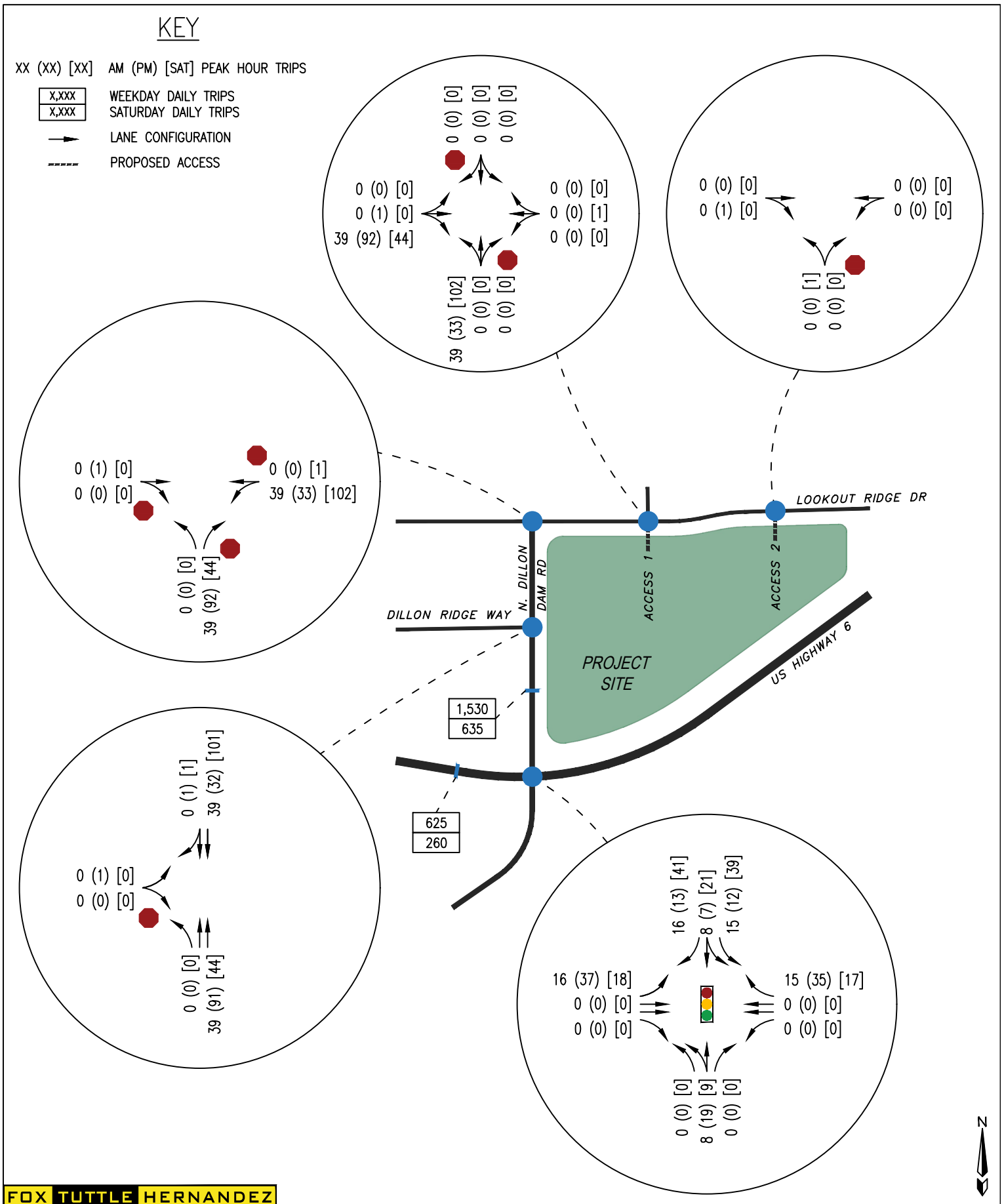


FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

SITE TRIP DISTRIBUTION

Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	6

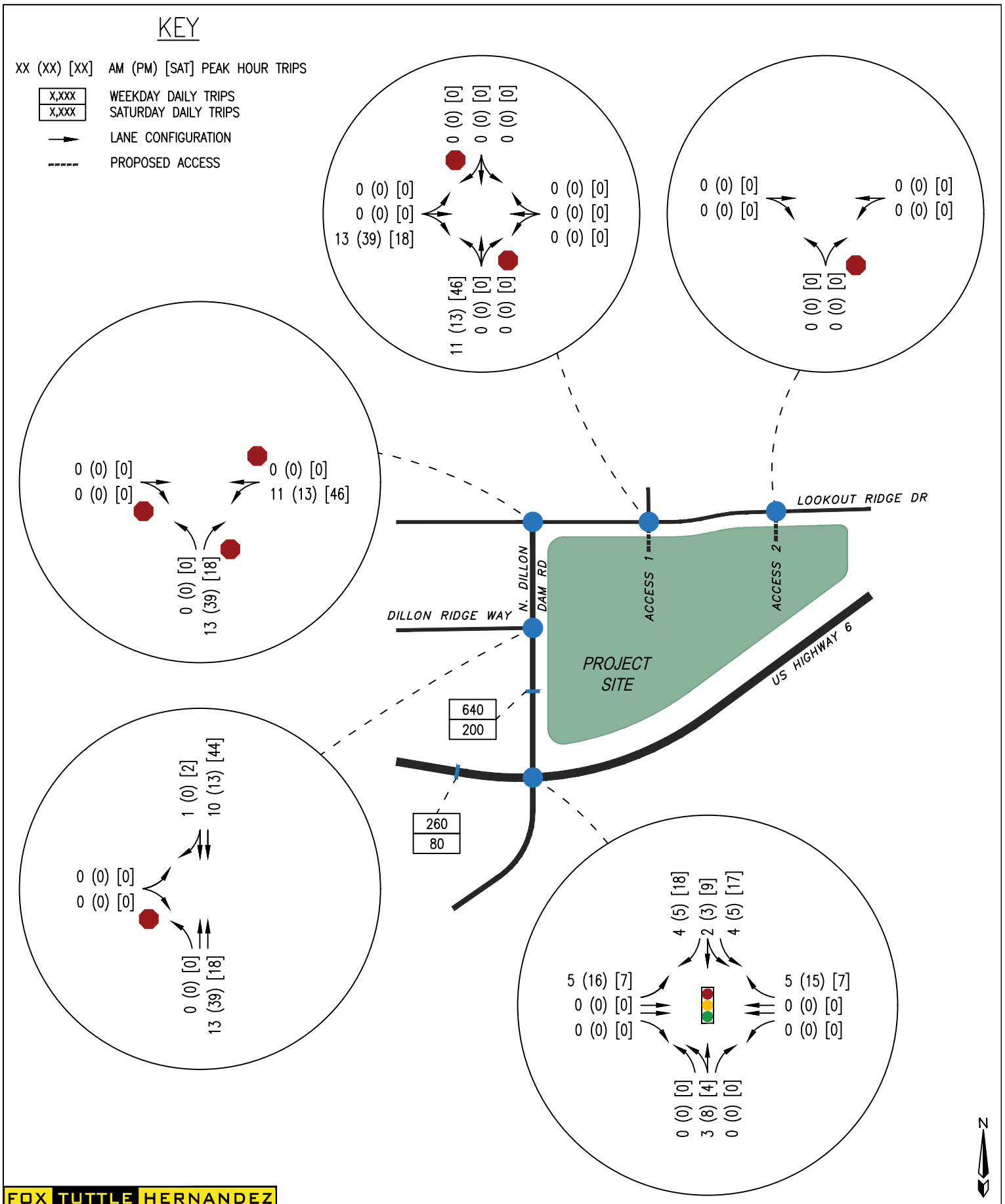


FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

PHASE 1 SITE-GENERATED TRAFFIC VOLUMES

Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	7A

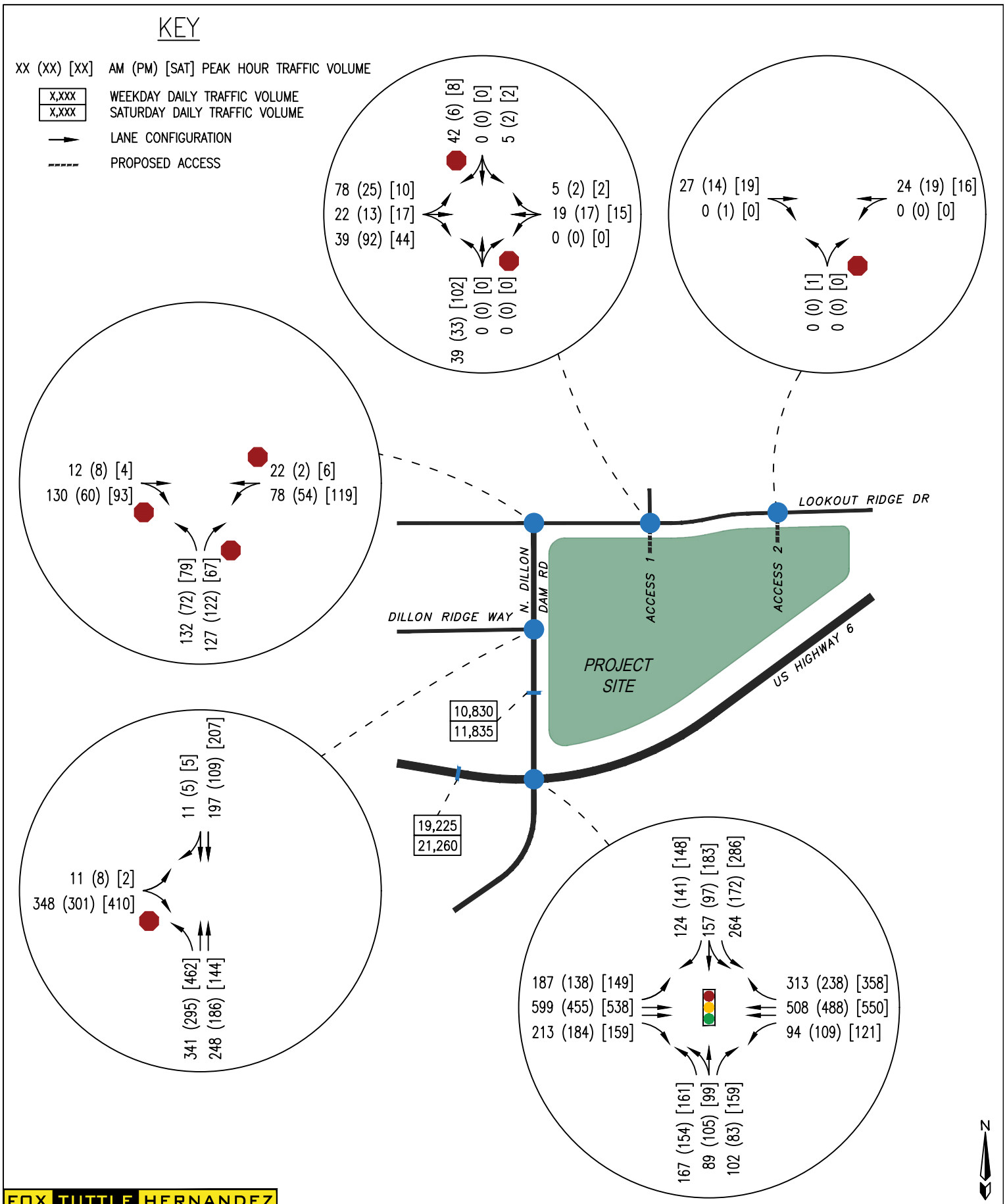


FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

PHASE 2 SITE-GENERATED TRAFFIC VOLUMES

Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	7B

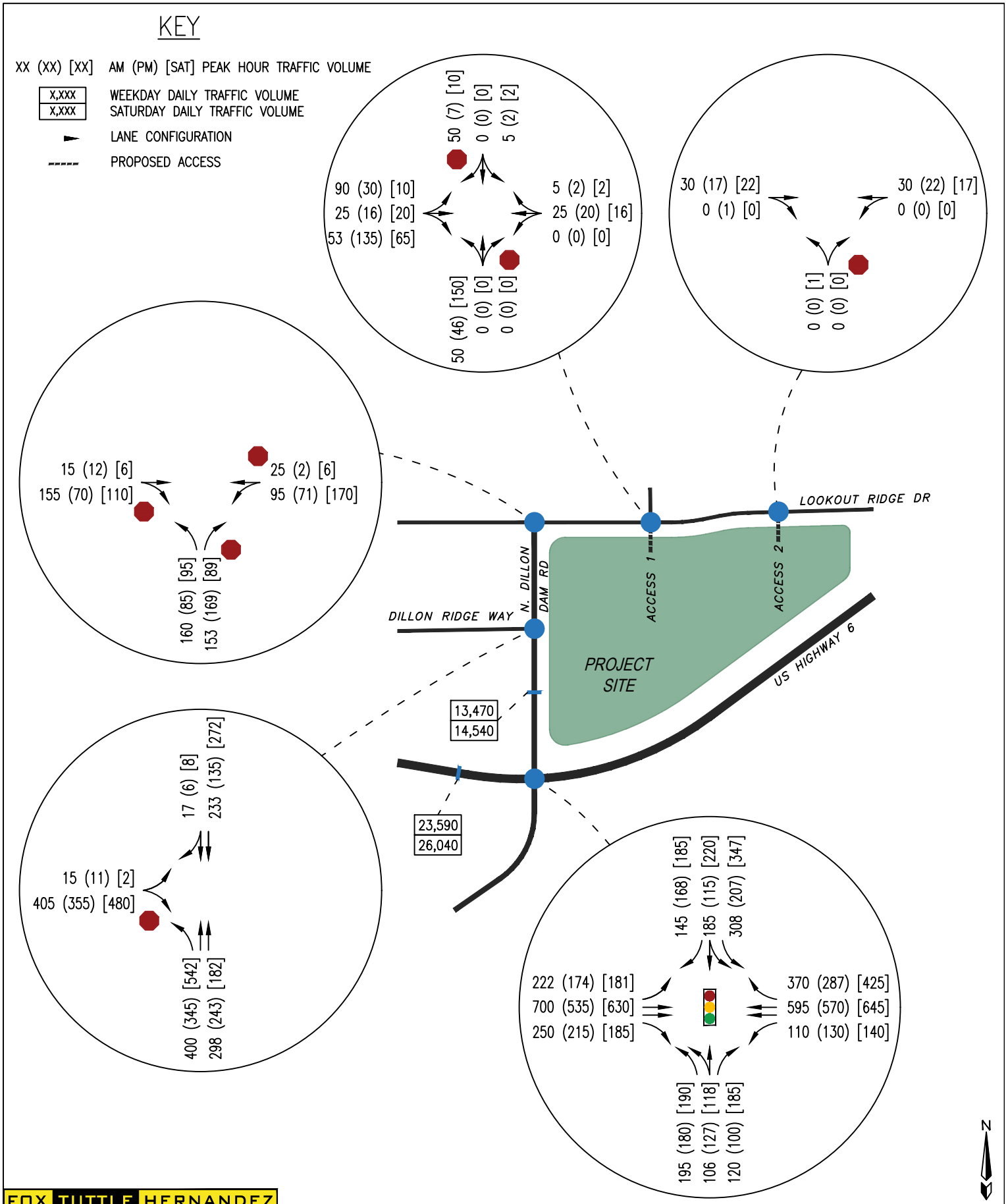


FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

YEAR 2022 BACKGROUND + PHASE 1 SITE-GENERATED TRAFFIC VOLUMES

Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	8



FOX TUTTLE HERNANDEZ
TRANSPORTATION GROUP

DILLON MEDICAL BUILDING (DILLON, CO) TRAFFIC IMPACT STUDY

YEAR 2038 BACKGROUND + PHASE 1 & 2 SITE-GENERATED TRAFFIC VOLUMES

Project #	18069	Original Scale	NTS	Date	11/7/18	Drawn by	CRS	Figure #	9

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

September 30, 2015

Regulatory Division SPK-1997-75127

Dillon Ridge Vista, LLC
Attn: Mr. John Loss
7100 E. Belleview Ave., Ste. 309
Greenwood Village, CO 80111

Dear Mr. Loss:

I am writing concerning your proposed Dillon Ridge Vista project which would construct a commercial development. The approximately 4.79-acre site is located within Section 1, Township 6 South, Range 78 West, Sixth Principal Meridian, Latitude 39.629349° N, Longitude -106.052377° W, Town of Dillon, Summit County, Colorado.

Based on the information you have provided, we have determined that the proposed work will not result in the discharge of dredged or fill material within waters of the United States. Therefore, a Department of the Army Permit is not required for this work. Measures should be taken to prevent construction materials and/or activities from entering any waters of the United States. Appropriate soil erosion and sediment controls should be implemented onsite to achieve this end.

Reference is made to the November 13, 1986 Federal Register (Page 41217), Part 328 (c) artificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. The Corps of Engineers generally does not consider these types of aquatic resources waters of the U.S. except on a case-by-case basis. In this case, the stormwater detention facility was constructed in what is now a non-jurisdictional location, with no relatively permanent flow to a waters of the US. The only flows into the detention facility are supplied by stormwater runoff from adjacent areas. Within the detention facility, there are two inlet culverts and a single outlet. Flows from the outlet are ephemeral, traverse a series of down-gradient stormwater detention facilities, and are then piped to Straight Creek. As such, the aquatic resource is not considered jurisdictional

Our disclaimer of jurisdiction is only for this activity as it pertains to Section 404 of the Federal Clean Water Act and does not refer to, nor affect jurisdiction over any waters present on site. Other Federal, State, and local laws may apply to your activities. Therefore, in addition to contacting other Federal and local agencies, you

should also contact state regulatory authorities to determine whether your activities may require other authorizations or permits.

We appreciate your feedback. At your earliest convenience, please tell us how we are doing by completing the customer survey on our website under *Customer Service Survey*.

Please refer to identification number SPK-1997-75127 in any correspondence concerning this project. If you have any questions, please contact me at our Grand Junction Regulatory Office, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at *Matthew.R.Montgomery@usace.army.mil*, or telephone at 970-243-1199 17. For more information regarding our program, please visit our website at *www.spk.usace.army.mil/Missions/Regulatory.aspx*.

Sincerely,

Matthew Montgomery

Matthew Montgomery
Senior Project Manager, CO West Branch
Regulatory Division

cc:
Ms. Lindsay Hirsh, Summit County Engineering, Post Office Box 5660, Frisco, Colorado 80443

DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SACRAMENTO DISTRICT
1325 J STREET
SACRAMENTO CA 95814-2922

REPLY TO
ATTENTION OF

April 22, 2016

Regulatory Division SPK-1997-75127

Dillon Ridge Vista, LLC
Attn: Mr. John Loss
6900 E. Belleview Ave.
Greenwood Village, CO 80111

Dear Mr. Loss:

I am writing concerning your request for an approved jurisdictional determination for the Dillon Ridge Marketplace. The approximately 4.79-acre site is located within Section 1, Township 6 South, Range 78 West, Sixth Principal Meridian, Latitude 39.629349° N, Longitude -106.052377° W, Town of Dillon, Summit County, Colorado.

The 1.73-acre wetland identified in your wetland delineation received by this office January 12, 2015 is considered a "preamble water". As such, this water is not regulated by the Corps of Engineers. This disclaimer of jurisdiction is only for Section 404 of the Federal Clean Water Act. Other Federal, State, and local laws may apply to your activities.

Reference is made to the November 13, 1986 Federal Register (Page 41217), Part 328 (c) artificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. The Corps of Engineers generally does not consider these types of aquatic resources waters of the U.S. except on a case-by-case basis. In this case, the stormwater detention facility was constructed in what is now a non-jurisdictional location, with no relatively permanent flow to a waters of the US. The only flows into the detention facility are supplied by stormwater runoff from adjacent areas. Within the detention facility, there are two inlet culverts and a single outlet. Flows from the outlet are ephemeral, traverse a series of down-gradient stormwater detention facilities, and are then piped to Straight Creek. As such, the aquatic resource is not considered jurisdictional.

This determination is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 Code of Federal Regulations (CFR) Part 331.

A Notification of Appeal Process (NAP) and Request for Appeal (RFA) form is enclosed. If you request to appeal this determination you must submit a completed RFA form to the South Pacific Division Office at the following address: Administrative Appeal Review Officer, Army Corps of Engineers, South Pacific Division, CESPD-PDO, 1455 Market Street, 2052B, San Francisco, California 94103-1399, Telephone: 415-503-6574, FAX: 415-503-6646.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the Division Office within 60 days of the NAP. Should you decide to submit an RFA form, it must be received at the above address by 60 days from the date of this letter. It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this letter.

You should provide a copy of this letter and notice to all other affected parties, including any individual who has an identifiable and substantial legal interest in the property.

Please refer to identification number SPK-1997-75127 in any correspondence concerning this project. If you have any questions, please contact me at our Grand Junction Regulatory Office, 400 Rood Avenue, Room 224, Grand Junction, Colorado 81501, by email at *Matthew.R.Montgomery@usace.army.mil*, or telephone at 970-243-1199 17. For more information regarding our program, please visit our website at *www.spk.usace.army.mil/Missions/Regulatory.aspx*.

Sincerely,

MONTGOMERY.MATTHEW.RAY.1258492168

Digitally signed by MONTGOMERY.MATTHEW.RAY.1258492168
DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USA, cn=MONTGOMERY.MATTHEW.RAY.1258492168
Date: 2016.04.22 15:23:24 -06'00'

Matthew Montgomery
Senior Project Manager, CO West Branch
Regulatory Division

cc:
Ms. Lindsay Hirsh, Summit County Engineering, Post Office Box 5660, Frisco, Colorado 80443
Mr Jason Deem, HP Geotech, via email: jdeem@hpgeotech.com

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: , Attn: Mr. John Loss	File No.: SPK-1997-75127	Date: April 22, 2016

Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
x	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at *http://www.usace.army.mil/cecw/pages/reg_materials.aspx* or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer (address on reverse). This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer (address on reverse). This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer (address on reverse). This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

Matthew Montgomery
Senior Project Manager, CO West Branch
Regulatory Division
U.S. Army Corps of Engineers
400 Rood Avenue, Room 224
Grand Junction, Colorado 81501
Phone: 970-243-1199 17, FAX 916-557-7803
Email: Matthew.R.Montgomery@usace.army.mil

If you only have questions regarding the appeal process you may also contact:

Thomas J. Cavanaugh
Administrative Appeal Review Officer
U.S. Army Corps of Engineers
South Pacific Division
1455 Market Street, 2052B
San Francisco, California 94103-1399
Phone: 415-503-6574, FAX 415-503-6646)
Email: Thomas.J.Cavanaugh@usace.army.mil

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

	Date:	Telephone number:
Signature of appellant or agent.		

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): April 22, 2016

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: DILLON RIDGE MARKETPLACE & STORMWATER, SPK-1997-75127

C. PROJECT LOCATION AND BACKGROUND INFORMATION:
State: Colorado County/parish/borough: Summit City: Dillon
Center coordinates of site (lat/long in degree decimal format): Lat. 39.629349°, Long. -106.052377°
Universal Transverse Mercator:
Name of nearest waterbody: Straight Creek
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Dillon Reservoir
Name of watershed or Hydrologic Unit Code (HUC): Blue, 14010002
☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form:

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
☒ Office (Desk) Determination. Date: April 22, 2016
☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There Are no "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [*Required*]
☐ Waters subject to the ebb and flow of the tide.
☒ Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. Explain:

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There Are no "*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [*Required*]

1. **Waters of the U.S.**
   a. **Indicate presence of waters of U.S. in review area (check all that apply):** [1]
      ☐ TNWs, including territorial seas
      ☐ Wetlands adjacent to TNWs
      ☐ Relatively permanent waters[2] (RPWs) that flow directly or indirectly into TNWs
      ☐ Non-RPWs that flow directly or indirectly into TNWs
      ☐ Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
      ☐ Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
      ☐ Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
      ☐ Impoundments of jurisdictional waters
      ☐ Isolated (interstate or intrastate) waters, including isolated wetlands

   b. **Identify (estimate) size of waters of the U.S. in the review area:**
      Non-wetland waters: linear feet, wide, and/or acres.
      Wetlands: acres.

   c. **Limits (boundaries) of jurisdiction** based on: **Pick List**
      Elevation of established OHWM (if known):

2. **Non-regulated waters/wetlands (check if applicable):**[3]
   ☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: 1.73 acre of wetlands on the project site are located within a detention facility constructed in uplands, with non-RPW flow to a downstream WUS. This facility only flows in response to heavy precipitation events, and is considered a "preamble water". See Section F for further explanation.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs

---

[1] Boxes checked below shall be supported by completing the appropriate sections in Section III below.
[2] For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).
[3] Supporting documentation is presented in Section III.F.

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

1. **TNW**
   Identify TNW:

   Summarize rationale supporting determination:

2. **Wetland adjacent to TNW**
   Summarize rationale supporting conclusion that wetland is "adjacent":

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are "relatively permanent waters" (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody[4] is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

1. **Characteristics of non-TNWs that flow directly or indirectly into TNW**

   (i) **General Area Conditions:**
   Watershed size: **Pick List**
   Drainage area: **Pick List**
   Average annual rainfall: inches
   Average annual snowfall: inches

   (ii) **Physical Characteristics:**
   (a) Relationship with TNW:
   ☐ Tributary flows directly into TNW.
   ☐ Tributary flows through **Pick List** tributaries before entering TNW.

   Project waters are **Pick List** river miles from TNW.
   Project waters are **Pick List** river miles from RPW.
   Project waters are **Pick List** aerial (straight) miles from TNW.
   Project waters are **Pick List** aerial (straight) miles from RPW.
   Project waters cross or serve as state boundaries. Explain:

   Identify flow route to TNW[5]:
   Tributary stream order, if known:

[4] Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.
[5] Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

(b) General Tributary Characteristics (check all that apply):
Tributary is: ☐ Natural
☐ Artificial (man-made). Explain:
☐ Manipulated (man-altered). Explain:

Tributary properties with respect to top of bank (estimate):
Average width: feet
Average depth: feet
Average side slopes: **Pick List**.

Primary tributary substrate composition (check all that apply):
☐ Silts ☐ Sands ☐ Concrete
☐ Cobbles ☐ Gravel ☐ Muck
☐ Bedrock ☐ Vegetation. Type/% cover:
☐ Other. Explain:

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain:
Presence of run/riffle/pool complexes. Explain:
Tributary geometry: **Pick List**
Tributary gradient (approximate average slope): %

(c) Flow:
Tributary provides for: **Pick List**
Estimate average number of flow events in review area/year: **Pick List**
Describe flow regime:
Other information on duration and volume:

Surface flow is: **Pick List**. Characteristics:

Subsurface flow: **Pick List**. Explain findings:
☐ Dye (or other) test performed:

Tributary has (check all that apply):
☐ Bed and banks
☐ OHWM[6] (check all indicators that apply):
☐ clear, natural line impressed on the bank ☐ the presence of litter and debris
☐ changes in the character of soil ☐ destruction of terrestrial vegetation
☐ shelving ☐ the presence of wrack line
☐ vegetation matted down, bent, or absent ☐ sediment sorting
☐ leaf litter disturbed or washed away ☐ scour
☐ sediment deposition ☐ multiple observed or predicted flow events
☐ water staining ☐ abrupt change in plant community
☐ other (list):
☐ Discontinuous OHWM.[7] Explain:

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):
☐ High Tide Line indicated by: ☐ Mean High Water Mark indicated by:
☐ oil or scum line along shore objects ☐ survey to available datum;
☐ fine shell or debris deposits (foreshore) ☐ physical markings;
☐ physical markings/characteristics ☐ vegetation lines/changes in vegetation types.
☐ tidal gauges
☐ other (list):

(iii) Chemical Characteristics:
Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.). Explain:
Identify specific pollutants, if known:

---

[6]A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.
[7]Ibid.

(iv) Biological Characteristics. Channel supports (check all that apply):
- ☐ Riparian corridor. Characteristics (type, average width):
- ☐ Wetland fringe. Characteristics:
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings:
  - ☐ Fish/spawn areas. Explain findings:
  - ☐ Other environmentally-sensitive species. Explain findings:
  - ☐ Aquatic/wildlife diversity. Explain findings:

2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW

(i) Physical Characteristics:

(a) General Wetland Characteristics:
Properties:
Wetland size: acres
Wetland type. Explain:
Wetland quality. Explain:
Project wetlands cross or serve as state boundaries. Explain:

(b) General Flow Relationship with Non-TNW:
Flow is: **Pick List**. Explain:

Surface flow is: **Pick List**
Characteristics:

Subsurface flow: **Pick List**. Explain findings:
- ☐ Dye (or other) test performed:

(c) Wetland Adjacency Determination with Non-TNW:
- ☐ Directly abutting
- ☐ Not directly abutting
  - ☐ Discrete wetland hydrologic connection. Explain:
  - ☐ Ecological connection. Explain:
  - ☐ Separated by berm/barrier. Explain:

(d) Proximity (Relationship) to TNW
Project wetlands are **Pick List** river miles from TNW.
Project waters are **Pick List** aerial (straight) miles from TNW.
Flow is from: **Pick List**.
Estimate approximate location of wetland as within the **Pick List** floodplain.

(ii) Chemical Characteristics:
Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain:
Identify specific pollutants, if known:

(iii) Biological Characteristics. Wetland supports (check all that apply):
- ☐ Riparian buffer. Characteristics (type, average width):
- ☐ Vegetation type/percent cover. Explain:
- ☐ Habitat for:
  - ☐ Federally Listed species. Explain findings:
  - ☐ Fish/spawn areas. Explain findings:
  - ☐ Other environmentally-sensitive species. Explain findings:
  - ☐ Aquatic/wildlife diversity. Explain findings:

3. Characteristics of all wetlands adjacent to the tributary (if any)
All wetland(s) being considered in the cumulative analysis: **Pick List**
Approximately acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)

Summarize overall biological, chemical and physical functions being performed:

C. SIGNIFICANT NEXUS DETERMINATION

A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.

Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:

2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:
   - ☐ TNWs: linear feet, wide, Or acres.
   - ☐ Wetlands adjacent to TNWs: acres.

2. **RPWs that flow directly or indirectly into TNWs.**
   - ☐ Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:
   - ☐ Tributaries of TNW where tributaries have continuous flow "seasonally" (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:

   Provide estimates for jurisdictional waters in the review area (check all that apply):
   - ☐ Tributary waters: linear feet wide.
   - ☐ Other non-wetland waters: acres.
     Identify type(s) of waters:

3. **Non-RPWs[8] that flow directly or indirectly into TNWs.**

[8]See Footnote # 3.

☐ Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):
☐ Tributary waters: linear feet, wide.
☐ Other non-wetland waters: acres.
Identify type(s) of waters:

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**
☐ Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
☐ Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

☐ Wetlands directly abutting an RPW where tributaries typically flow "seasonally." Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**
☐ Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisidictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**
☐ Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: acres.

7. **Impoundments of jurisdictional waters.[9]**
As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.
☐ Demonstrate that impoundment was created from "waters of the U.S.," or
☐ Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
☐ Demonstrate that water is isolated with a nexus to commerce (see E below).

E. **ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):[10]**
☐ which are or could be used by interstate or foreign travelers for recreational or other purposes.
☐ from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
☐ which are or could be used for industrial purposes by industries in interstate commerce.
☐ Interstate isolated waters. Explain:
☐ Other factors. Explain:

Identify water body and summarize rationale supporting determination:

Provide estimates for jurisdictional waters in the review area (check all that apply):
☐ Tributary waters: linear feet, wide.
☐ Other non-wetland waters: acres.
Identify type(s) of waters:
☐ Wetlands: acres.

[9] To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.
[10] **Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA *Memorandum Regarding CWA Act Jurisdiction Following Rapanos.***

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.

☐ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.

☐ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).

☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:

☒ Other: (explain, if not covered above): Reference is made to the November 13, 1986 Federal Register (Page 41217), Part 328 (c) artificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. The Corps of Engineers generally does not consider these types of aquatic resources waters of the U.S. except on a case-by-case basis. In this case, the stormwater detention facility was constructed in what is now a non-jurisdictional location, with no relatively permanent flow to a waters of the US. The only flows into the detention facility are supplied by stormwater runoff from adjacent areas. Within the detention facility, there are two inlet culverts and a single outlet. Flows from the outlet are ephemeral, traverse a series of down-gradient stormwater detention facilities, and are then piped to Straight Creek. As such, the aquatic resource is not considered jurisdictional.

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

☐ Non-wetland waters (i.e., rivers, streams): linear feet, wide.
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource:
☐ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

☐ Non-wetland waters (i.e., rivers, streams): linear feet, wide.
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource:
☒ Wetlands: 1.73 acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. **Data reviewed for JD (check all that apply** - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: January 20, 2016 submittal from HP Geotech
☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
☒ Office concurs with data sheets/delineation report.
☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps:
☐ Corps navigable waters' study:
☐ U.S. Geological Survey Hydrologic Atlas:
☐ USGS NHD data.
☐ USGS 8 and 12 digit HUC maps.
☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24K; CO-DILLON
☐ USDA Natural Resources Conservation Service Soil Survey. Citation:
☐ National wetlands inventory map(s). Cite name:
☐ State/Local wetland inventory map(s):
☐ FEMA/FIRM maps:
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
☒ Photographs: ☒ Aerial (Name & Date): January 20, 2016 submittal from HP Geotech
or ☒ Other (Name & Date): January 20, 2016 submittal from HP Geotech
☒ Previous determination(s). File no. and date of response letter: SPK-1997-75127, September 30, 2015
☐ Applicable/supporting case law:
☐ Applicable/supporting scientific literature:
☒ Other information (please specify): August 10, 2015 submittal from HP Geotech

B. ADDITIONAL COMMENTS TO SUPPORT JD:

October 2018 Email from Army Corps of Engineers

Paul,

The Corps has two types of jurisdiction; activity and geographic. As you know, our geographic jurisdiction is subject to frequent litigation and has expanded and contracted many times since 1972. We have many permits on our books for impacts to aquatic resources that are no longer considered geographically jurisdictional. This is the reason Approved Jurisdictional Determinations are only valid for 5 years.

The 2016 Approved Jurisdictional Determination is valid and applies to site. We were aware of the 1997 permit, however, we processed the 2016 request under our current regulatory environment.

Let me know if you have additional questions.

Matt Montgomery
US Army Corps of Engineers
Senior Project Manager, CO West Section
Sacramento District
400 Rood Avenue, Room 224
Grand Junction, Colorado 81501
970-243-1199 Ext: 1017

Please note: Our out-of-office notification has been disabled. If I do not respond to your message in a few days, I may be out of the office. I will respond as soon as I am able.

-----Original Message-----
From: Paul L Noto [mailto:noto@waterlaw.com]
Sent: Monday, October 22, 2018 3:57 PM
To: Montgomery, Matthew R CIV USARMY CESPK (US) <Matthew.R.Montgomery@usace.army.mil>
Cc: Craig Cohn (craig.cohn@vailhealth.org) <craig.cohn@vailhealth.org>; James Wear <jwear@wtpvail.com>; tom@braunassociates.com
Subject: [Non-DoD Source] Dillon Project

Dear Matt- I hope things are well with you. I am contacting you again regarding the project in the Town of Dillon we had corresponded on a few weeks back.

The Town of Dillon wants us to confirm that the 2016 Non-Jurisdictional Determination is the controlling document so that the area in question is definitively non-jurisdictional. They make reference to a 1997 permit for the same site, and are wanting to Corps to confirm that the 2016 Non-Jurisdictional Determination controls. I think it's merely a matter of the Town having this explanation for their understanding.

Please take a look at the attached and could you please write me a simple email that confirms the 2016 Determination is controlling as to the status of potential wetland areas on the site? Can you also let us know whether the Corps considered the 1997 determination in making its 2016 determination, or if the 1997 determination is even applicable?

Thank you and please feel free to call me or email me with any questions or if you would like to discuss this.

Paul L. Noto

noto@waterlaw.com <mailto:noto@waterlaw.com>
0197 Prospector Road, Suite 2104A

Aspen, Colorado 81611

Denver Place
999 18th Street, 30th Floor
Denver, CO 80202
(970) 920.1030 tel
(970) 925.6847 fax

Blockedwww.waterlaw.com <Blockedhttp://www.waterlaw.com/>