



SPECIAL June 30, 2016

PLANNING COMMISSION MEETING

7:00 p.m.

- 1. CALL TO ORDER**
- 2. PLEDGE OF ALLEGIANCE**
- 3. ROLL CALL**
- 4. ADDITIONS TO OR DELETIONS FROM THE AGENDA**
- 5. APPROVAL OF MINUTES**
- 6. CONSENT AGENDA**
- 7. PUBLIC HEARING: PAWNEE DANIELS PARK 345 KILOVOLT TRANSMISSION LINE – Use by Special Review (Continued from June 23, 2016)
Applicant: Derek Holscher, Public Service Company
Location: Public Service Company (Xcel) right-of-way corridor, between Mainstreet and Chambers Road, bisecting the Town of Parker
Planner: Patrick Mulready**
- 8. PLANNING COMMISSION ITEMS**
- 9. STAFF ITEMS**
- 10. ADJOURNMENT**



**PLANNING COMMISSION MINUTES
June 23, 2016**

Chair Gary Poole called the meeting to order at 7:01 p.m.

Commissioner John Howe led the Planning Commission and audience in the Pledge of Allegiance.

Also, present were Commissioners Sasha Levy and Brent Bitz. Alternate Robert Moffitt was present and seated for the absent Commissioner Duane Hopkins. Alternates Eliana Burke and Kathleen Thayer were present.

ADDITIONS TO OR DELETIONS FROM THE AGENDA

None

APPROVAL OF MINUTES

Commissioner John Howe moved to approve the June 9, 2016 meeting minutes. Commissioner Sasha Levy seconded; a vote was taken and passed 4:0:1 with Commissioner Robert Moffitt abstaining due to being absent from the June 9, 2016 meeting.

CONSENT AGENDA

None

**PUBLIC HEARING: PAWNEE DANIELS PARK 345 KILOVOLT
TRANSMISSION LINE – Use by Special Review (Continued to June 30, 2016)**

Chair Gary Poole said the Pawnee Daniels Park 345 Kilovolt Transmission Line – Use by Special Review will not be a public hearing tonight but will be rescheduled to June 30, 2016 to address:

- an error in the public notice process
- the additional time needed for review and preparation of the technical analysis for staff's report
- and to ensure the experts retained by the Town to assist with the application are able to attend the public hearing

Chair Gary Poole added that notice for the continuance has been published on the Town's website, updated on the Town's project page and updated agendas have been posted at Town Hall and on the Town's website, as well as the affected Homeowner's Associations along the Xcel/PSCO corridor.

Commissioner John Howe moved that the Planning Commission reschedule the Pawnee Daniels Park 345 Kilovolt Transmission Line – Use by Special Review hearing to June 30, 2016 at 7 p.m.” Commissioner Robert Moffitt seconded; a vote was taken and passed 5:0.

PLANNING COMMISSION ITEMS

None

STAFF ITEMS

ADJOURNMENT

The meeting was adjourned at 7:04 p.m.

Rosemary Sietsema
Recording Secretary

Gary Poole
Chair



**Community Development Department Memorandum
Development Review Division**

To: Town of Parker Planning Commission

From: Patrick Mulready, Senior Planner *[Signature]*
Bryce Matthews, Comprehensive Planning Manager *[Signature]*

Through: John Fussa, Community Development Director *[Signature]*

Date: June 30, 2016

Regarding: Public Hearing:
Pawnee-Daniels Park 345 Kilovolt Transmission Line – Use by Special
Review (Continued from June 23, 2016)
[Case No. Z16-008]

**Section I.
Subject & Proposal:**

Location: Public Service Company of Colorado right-of-way corridor proceeds east/west through Town, between Mainstreet and Chambers Road, bisecting the Town of Parker

Applicant: Derek Holscher, Public Service Company of Colorado (PSCO)

Proposal: The applicant proposes to locate a second transmission line using monopole towers within the existing PSCO right-of-way. This is part of a regional project to construct a new 345 Kilovolt (kV) transmission line between the Daniels Park electrical substation located northeast of Castle Pines to the Pawnee electrical substation in northeastern Colorado.

**Section II.
Background:**

History: PSCO acquired the majority of the ground within the utility right-of-way corridor through Parker in the 1960s and constructed a series of lattice towers to convey electrical power via a 230 kV transmission line. Where PSCO does not own land in the corridor, they have acquired easements allowing them to construct utilities that ensure the right-of-way corridor is continuous.

There are two such easements through the portions of the right-of-way within Parker. One is located adjacent to the Olde Town at Parker subdivision at the northwest corner of Todd Drive and Motsenbocker Road. The other is within the parking areas associated with Parker Pavilions in front of Office Depot and PetSmart. The existing 230 kV transmission line is located toward the southerly edge of the right-of-way to accommodate a second line along the northerly edge as growth in the Denver metropolitan region would require this additional infrastructure.

In 2007, the Colorado State Legislature approved Senate Bill (SB) 07-100 which established an expectation for electrical service providers whose rates are regulated by the Public Utilities Commission (PUC) to file a biennial transmission development plan intended to demonstrate how the utility provider will meet anticipated future growth demands as well as expanding the range of renewable energy resources such as solar and wind. SB07-100 specifically affected PSCO. PSCO made an application to the PUC in 2015 and obtained a Certificate of Public Convenience and Necessity (CPCN) beginning work on the design of a new transmission to comply with SB07-100. That designed project is the Pawnee Daniels Park 345 kV Transmission Line.

Site Data:

The PSCO right-of-way within Parker is approximately 5.4-miles long, 210-foot wide and contains buried natural gas lines in addition to the existing 230 kV transmission line. Portions of this right-of-way contain parks either within it, such as in Rowley Downs, or adjacent to it, such as in Bradbury Ranch. The Town has obtained license agreements to allow public streets to cross the right-of-way in a perpendicular direction. The Town has also designed the East/West Regional Trail, from the Cherry Creek Trail to the westerly edge of the Town to be within the existing PSCO right-of-way. Portions of the right-of-way pass through parking lots as it progresses through the Market Center Design District of the Greater Downtown District in the vicinity of Twenty Mile Road. The vast majority of the right-of-way has been left in a natural, ungraded state. This is despite the fact that the entire alignment within Parker is adjacent to residential or commercial development.

Land Use Summary Data:

Total Area: 153.07 acres across 5.4-miles long and 210-foot wide

Zoning: The PSCO right-of-way spans several different zones within Parker:
PF – Public Facilities
PD – Planned Development, Bradbury Ranch
PD – Planned Development, Olde Town at Parker
Greater Downtown District/Market Center Sub-district
PD – Planned Development, Mead’s Crossing

PD – Planned Development, Rowley Downs
A – Agricultural
PD – Planned Development, Villages of Parker

Existing Use: Utility right-of-way corridor containing an existing 230 kV transmission line utilizing lattice tower structures except for the portion within the Greater Downtown District/Market Center Design District. Within that District, PSCO has installed weathered steel monopole structures.

Surrounding Zoning

& Land Use:

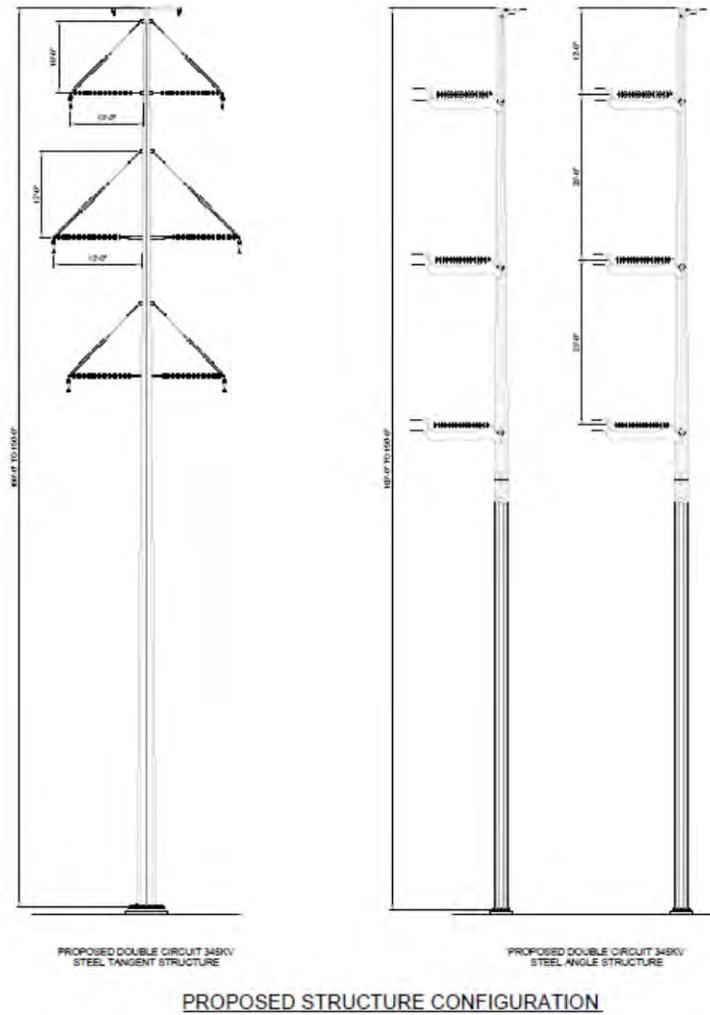
The PSCO right-of-way, 5.4-miles in length, borders a number of adjacent zones. This is a summary of them:

- PD – Planned Development, Parker Homestead; single-family residential at 3.6 DU/acre
- PD – Planned Development, Regency; single-family residential at 3.5 DU/acre
- PD – Planned Development, Newlin Meadows First Amendment; single-family residential at 4.0 DU/acre
- PD – Planned Development, Bradbury Ranch; single-family residential at 3.5 DU/acre and park
- PD – Planned Development, Olde Town at Parker; single-family residential at 4.5 DU/acre
- PD – Planned Development, Overlook at Cherry Creek; single-family residential at 3.8 DU/acre
- GD – Greater Downtown District/Market Center Design District; commercial retail, restaurant and office
- PD – Planned Development, Parker Hilltop Plaza; multi-family residential at 18 DU/acre
- PD – Planned Development, Mead’s Crossing; single-family residential at 6.0 DU/acre
- PD – Planned Development, Rowley Downs; single-family residential at 2.0 DU/acre and park
- PD – Planned Development, Willow Park South; single-family residential at 3.0 DU/acre
- PD – Planned Development, Village of Parker; single-family residential at densities ranging from 3.0 DU/acre to 6.0 DU/acre and golf course

Section III.

Analysis:

PSCO proposes to locate 34 monopole structures within the existing 5.4 mile utility corridor in parallel with the existing lattice towers. These monopoles will be between 100-feet and 150-feet in height depending upon the existing grades at the base of the monopole.



These structures are to be placed on the northern portion of the PSCO right-of-way, as these photo simulations from Siebert Circle in Rowley Downs illustrate:



Existing Lattice Structure



*Monopole addition in
Galvanized Steel*



*Monopole addition in Self-
Weathering metal*

Impacts

Based upon the scope of the application as provided by PSCO, staff has determined that the following are anticipated impacts as a result of the location of a second transmission line through the utility right-of-way corridor:

Visual:

The proposed second line will increase the number and visibility of electric transmission lines and monopole towers in the corridor. This will further impede views of the mountains, surrounding bluffs, the Black Forest and will blight sight lines through town.

Nuisance:

The proposal is for an industrial use with identified nuisances including noise, vibrations and impact from construction. It will increase nuisance impacts over that which can already be experienced near the existing 230 kV power line. The addition of a 345 kV line is anticipated to exacerbate the situation with the expansion of the industrial use.

Industrial Nature of the Utility Use:

Transmission line structures, whether lattice towers or monopoles, are facilities of an industrial nature. The utility corridor progresses through existing residential neighborhoods, parks/open space and the Greater Downtown District/Market Center commercial retail and restaurant use areas. Installing a second transmission line in this area will intensify an industrial use which is already not compatible with surrounding land uses. This will exacerbate the land use conflicts associated with the proposal.

Sensitive Area Intrusion (Parks, Schools, Open Space):

The PSCO corridor and proposal for a second transmission line will adjoin and be located in close proximity to multiple sensitive receptors such as housing, parks/open space and schools. There are existing schools near the power line, as well as community parks within the utility corridor or immediately adjacent to it. There are also existing open space resources impacted by the proposal such as Cherry Creek and Harvie Open Space. A second transmission line will impact these sensitive receptors and the residents and visitors enjoyment of these resources.

Segmentation/Fragmentation of Neighborhoods along Utility Corridor:

The existing utility corridor already bisects several neighborhoods within Parker. Those neighborhoods must accept the fragmentation and segmentation which comes from having such an intrusive industrial use located through their neighborhood. A second transmission line will intensify the industrial use of the corridor and increase the negative impact generated by the proposal because it bifurcates neighborhoods and physically separates the Town north to south. The addition of a second transmission line towers will make the corridor an even greater barrier through Town.

Construction:

PSCO anticipates that construction of the second transmission line will not occur until 2019, however when construction commences there will be heavy equipment, grading apparatus and multiple points of access to the utility corridor from existing Town streets. If not managed properly, construction activity will generate noise, dust, fumes, vibration and may displace animals/vermin/rodents within the utility corridor to adjoining properties.

Mitigation Strategy:

Given the multiple and substantial impacts associated with the PSCO proposal, the Town has identified the need for an effective mitigation strategy. The focus of this mitigation effort is to establish projects or initiatives which directly address the impacts by virtue of proximity to the PSCO right-of-way, providing benefit to multiple neighborhoods through the corridor and improving community integration where fragmentation has previously occurred. The mitigation strategy includes the following elements:

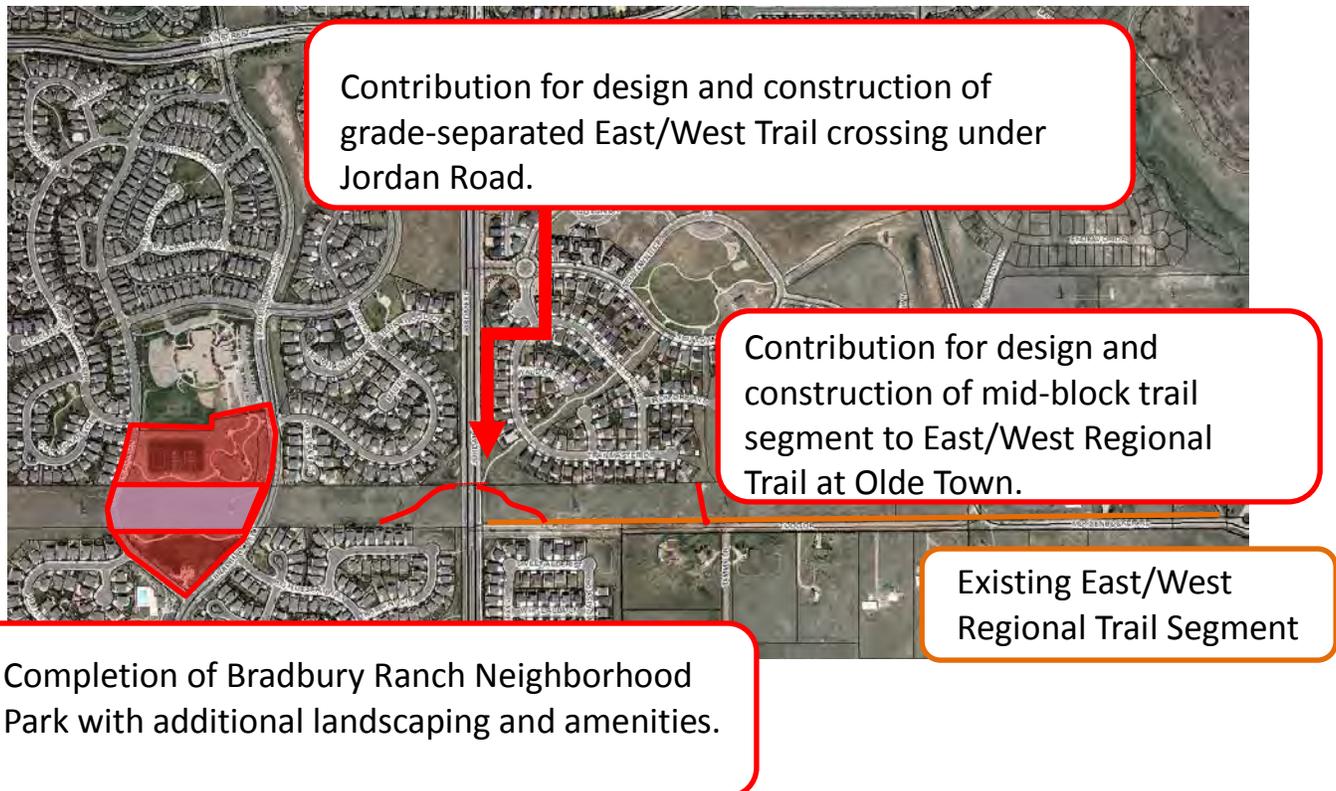
Project No. 1



- 1. Rowley Downs Trail Connection to Reata North** – This trail addition will run from the central open space within Rowley Downs southeast within the PSCO corridor and connecting with the existing trail running north/south within the Willow Park community. There will also be an at-grade crossing of Seibert Circle. The trail will be 10-foot wide concrete and approximately 1,700-feet long. The new trail will connect to the existing Willow Park Trail which will eventually connect to the trail system being developed within the Reata North development.

Staff would also support improvements to the Rowley Downs Homeowners' Association (HOA) owned park on Siebert Circle that is partly bisected by the PSCO right-of-way and will be impacted by the proposal, should the HOA seek mitigation and PSCO agree to improvements as part of the mitigation.

Project Nos. 2, 3 and 4



- 2. Olde Town Mid-block Trail Connection** – Olde Town filing 1A established several open space tracts between East NeuTowne Parkway and the southerly boundary of Olde Town at Parker. Olde Town at Parker Filing 1B will locate a trail within these open space tracts. The mitigation trail connection will run from the terminus of Olde Town Trail at the south boundary of the property and continue south through the existing PSCO corridor to link with the existing East/West Regional Trail adjacent to Todd Drive. This will provide existing and future residents of this area convenient regional trail access. The trail will be 10-foot wide concrete and approximately 225-feet long.
- 3. Completion of Bradbury Hills Community Park** – Bradbury Park was constructed approximately 12 years ago in cooperation with Ryland Homes which developed the community at that time. Their land plan included a centrally located 11-acre community park. Since the proposed community park was bisected by the PSCO corridor (210-foot wide), the Town requested permission from the Company to include the three-acre property that bisected the park in its design and construction.

This prior request was denied by PSCO. As a result, the current park has an unimproved, PSCO owned strip of land dividing the improved northerly and southerly sections. Proposed improvements will include irrigated sod and planter/shrub beds as well as walking paths, resulting in a fully completed and integrated 11-acre community park. PSCO has agreed to allow these park improvements within their ROW with the approval of a license agreement. Proposed improvements will include irrigated sod and planter/shrub beds as well as walking paths, resulting in a fully completed and integrated 11 acre community park. PSCO has agreed to allow these park improvements within their ROW with the approval of a license agreement.

4. **East/West Regional Trail Grade Separated Under Crossing At Jordan Road** – The East-West Regional Trail crosses Jordan Road at-grade adjacent to the PSCO right-of-way with limited bike/pedestrian improvements. The Trail is expected to be completed in several years within Parker greatly increasing its usage. A grade separated under-crossing at Jordan Road would provide a safer and more convenient route for pedestrians and bicyclists using the Trail within the PSCO corridor. This trail is ultimately planned to run from the Cherry Creek Trail on the east within Parker to Chatfield State Park in the west. We anticipate significant use by Parker residents, County residents and visitors. Based upon anticipated usage, this trail will be constructed 10-feet wide with an all-weather concrete surface.
5. **Public Service Company Right-of-Way Vegetation Enhancement Program** – Within the PSCO corridor are a number of native grasses which lend to the open space feel of the area. However, there are substantial areas of invasive, non-native plant species along the corridor that threaten the native, xeric vegetation and are a nuisance to adjacent property owners. The vegetation enhancement program is targeted to increase the viability of the native, xeric plant species found within the 5.4-mile PSCO corridor through Parker by managing the invasive species to reduce their negative impact upon the landscape.
6. **Tree/Landscape Grant Program** – The proposed monopoles for the 345 kV transmission line are anticipated to be between 100 and 150-feet high. There is no practical way to completely screen an object that tall, particularly if you are the owner of a property adjacent or proximate to the edge of the PSCO corridor. This mitigation strategy will create a grant program for the owners of residential properties which are located within 100 feet of the PSCO corridor and provide them with a maximum \$500 reimbursement for the planting of trees or landscaping for screening of the monopoles.

Post-construction Restoration

In addition to the mitigation strategies, the Town also analyzed methods of restoration and reclamation following actual construction activities. Within the PSCO right-of-way are a series of two-track rutted pathways used by PSCO staff for access to the lattice structures for maintenance. The Town has proposed that these paths, as part of the construction restoration effort, be converted into soft-surface trails allowing for both maintenance access and pedestrians access.

The Town has also recommends PSCO reach out to the Rowley Downs HOA Board to discuss impacts to the HOA's existing park on Seibert Circle and perform some refurbishment of the park following construction if the HOA requests it and PSCO agrees.

PSCO has responded favorably to both the mitigation strategy proposal and the restoration requirements. PSCO has agreed to fund the mitigation strategy with the provision that the Town manages the actual mitigation and PSCO performs the restoration items as a part of the scope of the construction effort. In return, PSCO has asked that if the Use by Special Review is approved, it be accompanied by a resolution allowing the approval to remain valid for four years to allow construction in 2019 or 2020 in compliance with the PUC approval.

Section IV.

Additional Staff Findings:

Section 13.04.205 of the Town's land development ordinance specifies two process issues and 13 criteria for approval of a utility use by special review. Below are the staff summary findings related to these evaluative factors:

(d) Public utilities—where prohibited. In addition to criteria contained in Subsection (h) below, a public utility shall not be permitted as a use by special review in any residential zone district unless the applicant shall have first demonstrated to the Town Council, by clear and convincing evidence, the following:

(1) There is a compelling need for such public utility to be located on the proposed site

Staff Finding:

PSCO has successfully argued the compelling need for the Pawnee Daniels Park 345 kV transmission line before both the Colorado State Legislature and the Colorado Public Utilities Commission (PUC). It was a finding of compelling need by both the legislature and the PUC that led to the filing of this use by special review application with the Town of Parker.

(2) The applicant cannot adequately perform its utility functions on a site which is zoned to permit such a use, either by right or by special review, whether within or without the Town.

Staff Finding:

Within the corporate town limits of Parker, the PSCO right-of-way has one of three kinds of zoning: PF – Public Facilities, A – Agriculture or PD – Planned Development. Both PF and A allow for this kind of utility use.

All of the associated PD zones within Parker have specifically made allowances for the transmission line as a utility corridor on the Development Plan and reserve the 210-foot wide utility corridor solely for use by PSCO. Proposed development within these PDs is restricted to locations outside of the corridor.

(h) Public utilities—criteria for review of use by special review application. In determining whether to approve or deny an application for a public utility use by special review, the Planning Commission and the Town Council shall consider the following criteria:

(1) Whether the public utility is compatible with the surrounding area;

Staff Finding:

The proposed transmission line is of an industrial character and is effectively doubling the impact of the existing transmission line. It is not compatible with either the residential uses adjacent to the corridor, nor is it compatible the commercial retail and restaurant uses in the Greater Downtown District without adequate mitigation. The mitigation strategy, as described above, has been proposed to PSCO and they have indicated their acceptance which will be formalized in a mitigation agreement with the Town subject to Town Council approval.

(2) Whether the public utility is in harmony with the character of the surrounding area;

Staff Finding:

The areas surrounding the PSCO transmission line are either single-family residential, multi-family residential, commercial or park/open space in character. The proposed transmission line is industrial in character and is therefore incompatible with and exacerbates the existing industrial nature of the PSCO transmission corridor unless adequate mitigation measures are implemented. A mitigation strategy which addresses this impact has been proposed to and accepted by, PSCO.

(3) The effect of the public utility upon the immediate area;

Staff Finding:

Without the aforementioned adequate mitigation efforts, the proposed transmission line will further bifurcate existing neighborhoods and commercial districts. A mitigation strategy to address the impact of a second transmission line within the PSCO right-of-way has been proposed and accepted by, PSCO.

(4) The effect of the public utility upon future development of the area;

Staff Finding:

The visual and nuisance impacts of a second transmission line will adversely affect adjacent property owners with obscured view corridors and increased visual clutter. One of the negotiated strategies for mitigation of 345 kV transmission line includes a grant program for additional landscaping for the owners of lots adjacent to the PSCO right-of-way.

Within the mitigation strategy, there are several other projects to improve existing parks and trails that will more closely integrate neighborhoods and districts fragmented by the existence of the right-of-way and an historic reluctance by PSCO to allow improvements within the corridor. This mitigation has been accepted by PSCO.

(5) Whether the proposed height limitations, setbacks, lot area and open space are sufficient to mitigate the impacts of the proposed use by special review on the surrounding area;

Staff Finding:

The height of the monopoles along the proposed 345 kV transmission line will be between 100 and 150 feet above existing grade. To address this impact, the Town has proposed mitigation strategies that will provide property owners adjacent to the right-of-way with additional landscaping and soften the appearance of the corridor itself by including trail and park improvements. PSCO has found this mitigation strategy acceptable.

(6) Whether land surrounding the public utility can be planned in coordination with the public utility;

Staff Finding:

The land immediately adjacent to the existing utility corridor is predominantly built out with residential, recreational, school and commercial uses. Within the right-of-way itself there are opportunities to connect trails, construct grade-separated trail and improve parks to make them more usable as a community benefit and quality of life amenity. These have been proposed as mitigation strategies and been found acceptable to PSCO.

(7) Whether the public utility is in conformity with the master plan;

Staff Finding:

The Town's 2035 Master Plan requires utility lines to be buried. The exception to this requirement is transmission lines that cannot feasibly be buried due to maintenance issues and unrealistic cost. A 345 kV transmission line qualifies as an exception to the requirement to bury lines because of both the cost to construct and the cost to maintain.

Staff has learned that to replace the existing lattice structures would cost in excess of \$200,000 per tower. This cost is excluded from the scope of the Pawnee-Daniels Park 345 kV Transmission Line as specified in the CPCN. This exclusion means that the cost of replacing existing lattice structures cannot be passed along to PSCO rate payers.

(8) Whether the existing and proposed streets are adequate to carry anticipated traffic in the vicinity of the public utility;

Staff Finding:

There are several Town-owned local residential streets crossing the existing PSCO right-of-way, which provide access to existing neighborhoods adjoining the subject property.

These streets are not constructed to handle the sort of heavy equipment necessary to construct the proposed 345 kV transmission line. Staff recommends a condition of approval which states that PSCO will need to establish an access plan whereby construction vehicles and equipment can only enter the right-of-way via a collector or arterial road classification.

This recommendation also requires PSCO to submit a full-set of construction documents, to include a grading/drainage/erosion control plan to address the concerns of heavy truck equipment within residential neighborhoods.

(9) Whether adequate open space and visual corridors are preserved;

Staff Finding:

A second transmission line which also utilizes monopoles ranging in height from 100 to 150 feet will significantly impact view corridors. The proposed height is required for safety reasons and PSCO indicates that it cannot be modified. To address these criteria, the Town has requested that PSCO utilize the galvanized steel monopoles as they tend to be less visually intrusive from a distance than the reddish “weathered” variety, except for those areas in downtown Parker where weathered monopoles are already in use. The requirement to engage in corridor vegetation maintenance and connect trails will continue to ensure these corridors function for passive, open space uses.

(10) Whether the public utility fosters a desirable and stable environment;

Staff Finding:

In this context, “desirable and stable environment” is identified to mean strong, cohesive and robust neighborhoods and shopping districts. Staff has discussed with PSCO’s representatives how the existence of PSCO’s right-of-way and PSCO’s own historic policies of non-intrusion into the right-of-way, have resulted in a segmentation and bifurcation of neighborhoods as they developed along the right-of-way’s alignment. The mitigation strategies staff has proposed to PSCO have been created for the purpose of taking steps to re-integrate neighborhoods, providing additional trail connections and to ameliorate the PSCO right-of-way that has historically been a barrier separating neighborhoods and the Town itself.

(11) Whether the public utility makes possible the innovative and efficient use of the subject property;

Staff Finding:

The existing 230 kV transmission line within the PSCO right-of-way was constructed in the 1960’s and is situated to the southerly end of the right-of-way. The clear intent behind this was to efficiently locate a second transmission line along the northerly edge. The proposed Pawnee Daniels Park 345 kV Transmission Line accomplishes this.

(12) Whether the public utility would exacerbate a natural hazard; and

Staff Findings:

There are no known natural hazards within the existing PSCO right-of-way.

(13) Whether there are reasonably available and economically feasible alternatives for the public utility.

Staff Finding:

Of the three alignments considered by the applicant for the Pawnee Daniels Park 345kV Transmission Line, locating it within the existing PSCO right-of-way is the most economically feasible alternative for the applicant.

Further, under the Town's Land Development Ordinance, in order for PSCO to submit an application for either of the other two considered alignments, PSCO would have to be able to demonstrate that they either own the property where those alignments are proposed, or have established a right-of-use via some form of easement granted by the property owner. PSCO could not demonstrate this type of ownership condition to staff for the other two considered alignments.

Section V.

Referral Agency Comments:

Below are the condensed versions of referral responses received from affected agencies:

Town of Parker Engineering Department:

Engineering will require the applicant to obtain a grading and right-of-way permit. It is also the applicant's responsibility to obtain any necessary state or federally-issued permits including ACE Section 404 (wetland) permits.

Town of Parker Fire/Life Safety:

No Comment

Town of Parker Recreation Department:

No Comment

Town of Parker Police Department:

No Comment

Town of Parker Building Department:

No Comment

Town of Parker Economic Development:

No Comment

Parker Water & Sanitation District (PWSD):

PWSD has multiple crossings along Xcel's easement. Please get proper locates from PWSD before construction of towers.

Colorado Department of Transportation:

Any work within the State Highway right-of-way will require a utility permit from our office. Contact for that permit currently is Steve Loeffler.

Colorado Parks & Wildlife, Northeast Region:

No Comment

Douglas County Planning:

The county will review the portions of the transmission line within the unincorporated areas of the county when they are submitted for review.

Magellan Pipeline:

Please have Xcel provide answers to the questions listed in the attached Electric Utility Data Requirements for Electromagnetic Interference Evaluation. Please submit the completed questionnaire to Patrick Dunakey with Magellan Pipeline Company.

Urban Drainage & Flood Control District:

Monopoles should be located outside of 100-year floodplains.

IREA:

No Comment

CenturyLink Communications:

No Comment

Comcast:

No Comment

Cherry Creek Basin Water Quality Authority:

No Comment

Bradbury Ranch Homeowner's Association:

No comment

Canterberry Crossing Homeowners Association:

No Comment

Jordan Crossing Homeowner's Association:

No Comment

Newlin Meadows Homeowner's Association:

No Comment

Olde Town at Parker Homeowner's Association:

No comment

Parker Hilltop Apartments:

No comment

Parker Homestead Metropolitan District:

No Comment

Regency Homeowner's Association:

No comment

Rowley Downs Homeowner's Association:

No comment

Turtle Creek Homeowner's Association:

As a board, Turtle Creek does not want to see more lines going through the middle of our neighborhood. This is due to aesthetic reasons and the immense power and noise that come with lines of this size. We would like to see them redirected using an alternative route that has been proposed. We cannot imagine the health consequences of having that much electricity so close to families with newborns, infants and toddlers. We also feel as a board that the resale values of our homes and the community as a whole will be negatively impacted if the new transmission lines are approved.

Willow Park Homeowners Association:

No comment

Exponential Engineering:

See attached report for technical evaluation of the proposed transmission line

Section VI.

Recommendation:

Staff recommends that Planning Commission recommend that Town Council find the mitigation strategy acceptable to address the impact of the 345 kV transmission line, Planning Commission should vote to accept the mitigation strategy and recommend Town Council approve the use by special review by Public Service Company of Colorado ("The Company") subject to the adoption of a resolution citing the following 26 conditions of approval:

1. The monopoles used by the Company for the Project will be grey steel poles. If a lattice tower is removed as a part of the Project, it will be replaced by the Company with a monopole of a type similar to the monopoles being installed as a part of the Project. The Company will also provide the Town with an estimate of the cost to replace all of lattice structures within the Company ROW with monopoles within 90 days of the date of this Resolution.
2. Noise and electromagnetic field levels will not exceed those levels provided in the CPCN.
3. The Company will restore any disturbance to the Site, including the removal of all soil that is displaced on the Site as a result of the installation of the new monopoles, as a part of the Project.
4. The Company will reconstruct to Town Standards any recreational trails disturbed by the Project, including any recreational trails that cross the Site or are located within the Site, including, but not limited to, the Town of Parker East-West Trail.
5. The installation of monopoles by the Company as a part of the Project will not reduce the number of parking spaces that currently exist in the commercial areas of the Town.
6. The Company, in lieu of a two-track access through the Site, will construct as approved by the Town, a fixed permanent access made of soft surface materials that allows for recreational use, as well as access for the Company.
7. The Company will provide to the Town a construction access plan (the "Construction Access Plan") based upon Town Standards, at least six (6) months prior to the issuance of any permits by the Town for the Project. No permits will be issued until the Construction Access Plan is approved by the Town. The Construction Access Plan will describe where the Company and its designated contractors can access the Site from Town streets with large construction vehicles. The Town will not permit access to the Site from residential local streets, except as provided in the Town-approved Construction Access Plan and the associated right-of-way permit.
8. The Company will provide a Construction BMP (GESC) Plan to the Town based upon Town and/or County standards, at least six (6) months prior to the issuance of any permits by the Town for the Project. No permits will be issued until the Construction BMP (GESC) Plan is approved by the Town. This plan will ensure that construction activities do not create erosion/sediment impacts as a result of the Project and associated construction access to the Project. This plan will also identify all existing drainage facilities to ensure that they are not adversely impacted by the proposed improvements and construction activities.
9. The Company will be required to obtain a Town grading (GESC) permit prior to the start of construction. The Company will be required to prepare and submit for review all necessary CBMP plans (GESC) and technical information associated with this permit. The application associated with this permit, including all required information, must be submitted to the Town for review a minimum of ninety (90) days prior to the start of construction.

10. The Company will provide a construction mitigation plan (the “Construction Mitigation Plan”) to the Town based upon Town standards, at least six (6) months prior to the issuance of any permits by the Town for the Project. No permits will be issued until the Construction Mitigation Plan is approved by the Town. The Company will address in this plan how the Company will prevent the generation of dust, fumes, vibration, displacement to residential properties of animals/vermin/rodents and construction-related noise, or, if generated, how the Company will mitigate impacts to adjacent neighborhoods. The Company will provide to the Town a single point of contact for public communication with the Company. The Company will provide for public outreach prior to and during the construction of the Project, such as a newsletter, open house and hotline.
11. The Company will provide to the Town a pre-construction visual survey of the Town streets, sidewalks, trails and landscaping adjacent to the Site prior to the issuance of any permits for the Project to establish a base line of the existing conditions of these streets prior to the start of construction.
12. The Company will provide to the Town a post-construction visual survey of the Town streets, sidewalks, trails and landscaping adjacent to the Site upon completion of the Project to determine that any damage has been properly repaired, including the restoration of any landscaping that is damaged. The Company will repair all damage to Town roadways and adjacent landscaping.
13. The Company will meet with each of the board of directors of the homeowners’ associations that represent the neighborhoods adjacent to the Site at least six (6) months prior to the issuance of any permits for the Project. The purpose of these meetings is to brief the directors concerning the pertinent construction details associated with the Project.
14. The Company will obtain a Town right-of-way permit for any construction activities that will impact adjacent public roadways. These activities include temporary staging of materials or equipment within the roadways. The Company will submit an application for this permit at least ninety (90) days prior to the issuance of any permits for the Project. The application will include the preparation and submission of all necessary traffic control plans to ensure that pedestrians and the traveling public are not adversely impacted by the construction activities associated with the Project.
15. The staging of Project equipment and/or materials on Town roadways will generally not be permitted. However, there are likely to be some construction activities within the Town roadways that may be unavoidable (stringing of power lines). These activities must be approved as part of a Town right-of-way permit. The Company will be required to repair any street damage associated with the construction activities, in accordance with Town standards.
16. Project construction traffic and access to the Company’s right-of-way should be limited to arterial or collector roadways. Construction traffic on residential local streets will not be permitted, unless authorized by the Town through the associated Town grading (GESC) and/or right-of-way permit.

17. The Company will be required to submit an application for a Town floodplain development permit for any disturbance within regulatory floodplains within the Town at least ninety (90) days prior to the issuance of any permits for the Project. This includes permanent impacts as well as temporary construction impacts. The Company will need to provide an engineering analysis showing the impacts of permanent structures/impacts within the limits of the Cherry Creek floodplain. If the engineering analysis suggests no adverse impact (0.00 ft. rise in the base flood elevation), a no-rise certification will need to be prepared by a registered professional engineer and submitted along with the floodplain development permit application. If the activity results in a change to the base flood elevation, the Company will be required to submit necessary letter of map change applications to FEMA. The Company is strongly encouraged to organize construction in a manner that will not cause any impacts (permanent and/or temporary) to all other regulatory floodplain crossings within Town.
18. Since the proposed improvements (monopoles) are isolated, including minimal impervious area, and are not changing the existing topography, a drainage report/plan will not be required. However, care should be taken by the Company during construction to ensure existing drainage facilities are not adversely impacted or damaged.
19. The proposed pole located at the northeast corner of Dransfeldt Road and Twenty-Mile Road is within the inundation area of an existing stormwater retention pond. The pole is not within the permanent pool, but may be inundated (less than 2-3 feet) for short durations after heavy precipitation events. The Company should evaluate any potential impacts to the associated pole foundation. Technical information pertaining to this detention pond can be provided by the Town upon request.
20. It appears that the proposed poles are outside of the Preble's Meadow Jumping Mouse (riparian conservation zone) along Cherry Creek. However, the Company should verify and be aware that any permanent or temporary impacts/disturbance to the riparian conservation zone will require authorization from the U.S. Fish and Wildlife Service.
21. The Company will obtain all municipal, state and federal permits associated with the construction of this project, including Section 404 (Wetlands) permits.
22. The Company will hold a pre-construction meeting with the Town prior to the release of any permits and the start of construction. This meeting can be scheduled through the Town's Engineering Department. The Company will also hold regular progress meetings between the Town, the Company and the contractor(s) used by the Company, based on a schedule provided by the Town.

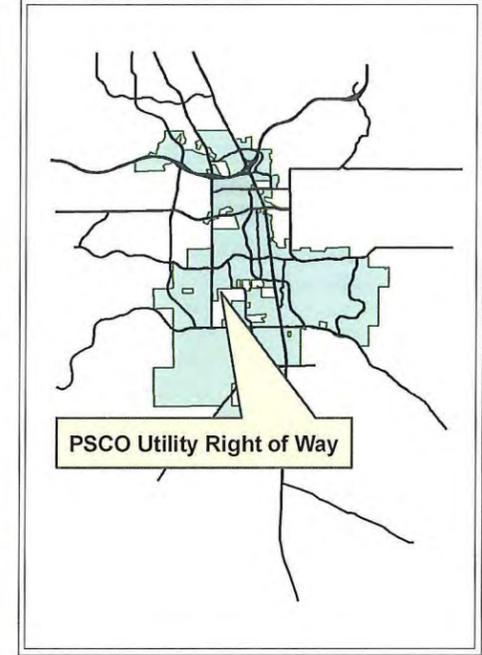
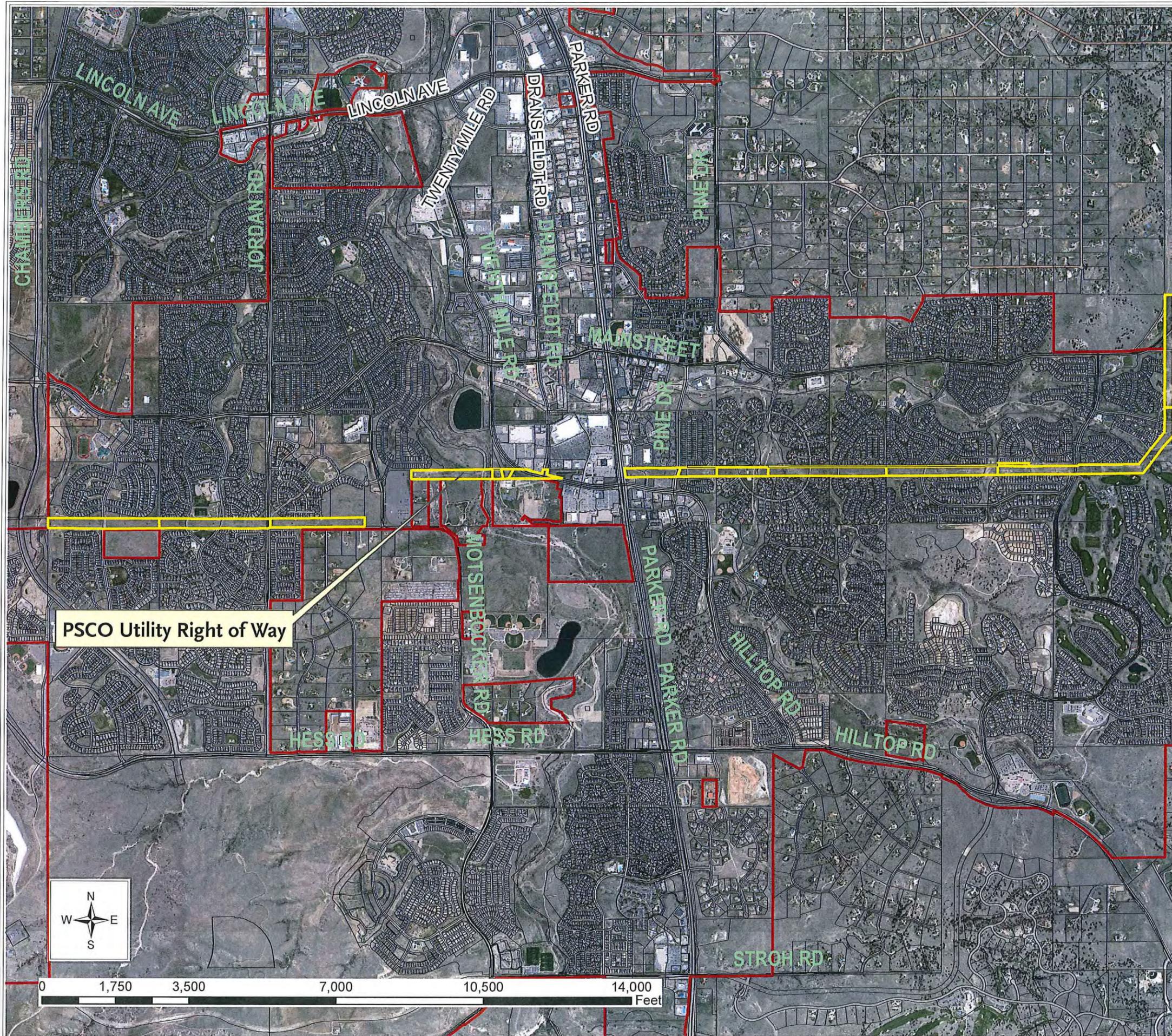
23. The Company will ensure that construction activities related to the Project will not interfere with the following events and races that are held in the Town, including Parker Days (second weekend in June); Parker Farmer's Market (Sundays May through October; Trick or Treat on Mainstreet (Oct. 31); Let Freedom Sing (July 4); Valentine's Day Race (second weekend in February); So Long to Summer Race (first or second weekend in August); Arbor Day Race (Last Saturday in April); as well as other events and races that take place along the Company ROW during construction. The Company will contact the Town at least six (6) months prior to the issuance of any permits for the Project to determine the events and races that will be subject to this condition.
24. The Company will comply with the Parker Municipal Code and all applicable state and federal laws during the construction of the Project.
25. The Department of Community Development is authorized to make minor changes to the conditions/safeguards contained herein to the extent provided in Section 13.03.030 of the Parker Municipal Code.
26. The Company agrees to the mitigation strategy as presented in this staff report.

Section VII.
Attachments:

1. Vicinity Map
2. Site Plan Exhibits
3. Referral Agency Comments
4. Resolution for Approval

Section VIII.
Proposed Motion(s):

"I move the Planning Commission accept the mitigation strategy for the Pawnee Daniels Park 345 kilovolt transmission line through the Town of Parker, and recommend Town Council approve the Use by Special Review subject to the 26 conditions outlined in staff's report."



Legend

- Town Boundary
- Site
- Roads

Narrative:
 Applicant seeks approval of a Utility Use By Special Review for location of a 345 kilovolt transmission line adjacent to an existing transmission line within right of way owned by the utility provider.

Planner: Patrick Mulready
Hearing Schedules:
Planning Commission:
 June 30, 2016
Town Council:
 July 5, 2016

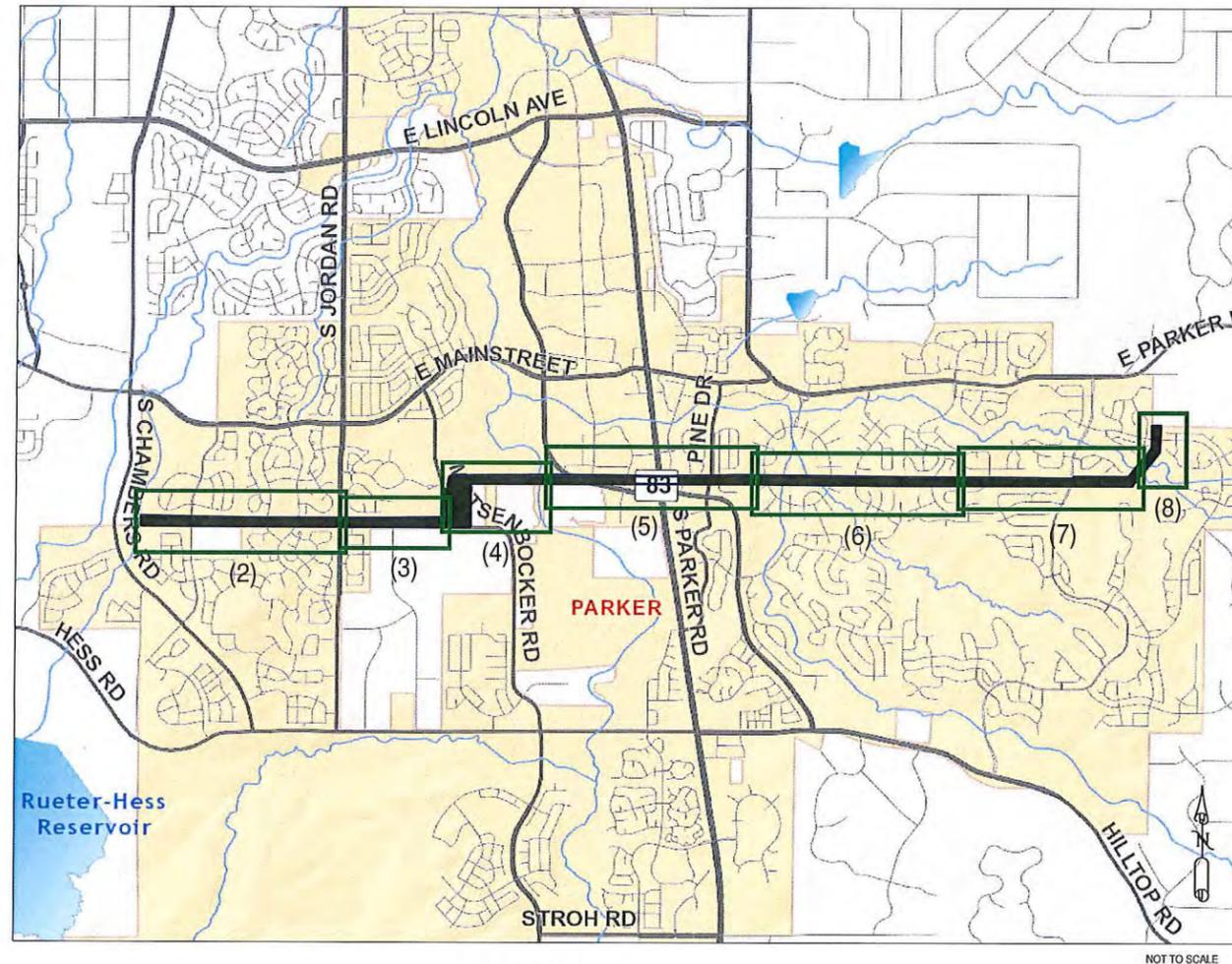


**PSCO Pawnee Daniels 345 kV
 Transmission Line
 Utility Use by Special Review**

PUBLIC SERVICE COMPANY OF COLORADO
PAWNEE-DANIELS PARK 345kV
TRANSMISSION LINE

LOCATED IN SECTIONS 20, 21, 22, 23, & 24, T6S, R66W AND SECTION 19, T6S, R65W
TOWN OF PARKER, COUNTY OF DOUGLAS, STATE OF COLORADO
SITE PLAN EXHIBITS

VICINITY MAP - EXISTING TRANSMISSION CORRIDOR



DRAWING LIST

VICINITY MAP	SHEET NO.	LOCATION DESCRIPTION
(-)	1 OF 10	SITE PLAN COVER SHEET
(2)	2 OF 10	S20, T6S, R66W
(3)	3 OF 10	SW1/4 S21, T6S, R66W
(4)	4 OF 10	SE1/4 S21, T6S, R66W
(5)	5 OF 10	S22, T6S, R66W
(6)	6 OF 10	S23, T6S, R66W
(7)	7 OF 10	S24, T6S, R66W
(8)	8 OF 10	S19, T6S, R65W - S24, T6S, R66W
(-)	9 OF 10	EXISTING/PROPOSED STRUCTURE ELEVATIONS
(-)	10 OF 10	EXISTING/PROPOSED STRUCTURE ELEVATIONS

LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTH HALVES OF SECTIONS 20, 21, 22, 23, AND 24 TOWNSHIP 6 SOUTH, RANGE 66 WEST AND THE SOUTH HALF OF SECTION 19, TOWNSHIP 6 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARING OF THIS DESCRIPTION IS ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20, ASSUMED TO BEAR S00°30'53"E A DISTANCE OF 2595.63 FEET FROM A 3.25" ALUMINUM CAP L.S. #10717 FOUND AT THE WEST QUARTER CORNER OF SAID SECTION 20 TO THE SOUTHWEST CORNER OF SAID SECTION 20 ESTABLISHED BY FOUND TIES PER MONUMENT RECORD DATED NOVEMBER 10, 2005;

BEGINNING AT SAID SOUTHWEST CORNER OF SECTION 20;

THENCE N00°30'53"W ALONG SAID WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 20 A DISTANCE OF 240.01 FEET; THENCE S89°56'52"E A DISTANCE OF 2,645.44 FEET; THENCE S89°59'31"E A DISTANCE OF 2,647.74 FEET; THENCE N89°26'17"E A DISTANCE OF 2,719.65 FEET TO THE WESTERLY LINE OF LOT 2, BLOCK 1, SULPHUR SUBSTATION TRANSMISSION AND RIGHT-OF-WAY FIRST AMENDMENT; THENCE ALONG SAID WESTERLY LINE THE FOLLOWING NINE COURSES; 1) N00°40'16"W A DISTANCE OF 653.27 FEET; 2) N16°57'26"W A DISTANCE OF 94.46 FEET; 3) N73°59'28"E A DISTANCE OF 55.47 FEET; 4) N13°55'17"E A DISTANCE OF 47.65 FEET; 5) N00°40'59"W A DISTANCE OF 97.51 FEET; 6) N20°26'39"E A DISTANCE OF 87.17 FEET; 7) N11°24'17"E A DISTANCE OF 84.95 FEET; 8) N36°03'07"E A DISTANCE OF 28.59 FEET; 9) THENCE N57°02'48"E A DISTANCE OF 45.76 FEET TO THE NORTHERLY LINE OF SAID LOT 2, BLOCK 1, SULPHUR SUBSTATION TRANSMISSION AND RIGHT-OF-WAY FIRST AMENDMENT; THENCE N89°39'38"E ALONG SAID NORTHERLY LINE A DISTANCE OF 2,436.59 FEET; THENCE N89°25'17"E ALONG THE CENTERLINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22 A DISTANCE OF 2,649.84 FEET; THENCE N89°15'18"E ALONG THE CENTERLINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22 A DISTANCE OF 2,658.13 FEET; THENCE S89°59'52"E ALONG THE CENTERLINE OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 2,674.52 FEET; THENCE N89°52'23"E ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 1,340.60 FEET; THENCE N89°53'58"E ALONG THE SOUTH OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 23 A DISTANCE OF 1,338.56 FEET; THENCE N89°21'52"E ALONG THE CENTERLINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24 A DISTANCE OF 2,629.34 FEET; THENCE N89°19'43"E ALONG THE CENTERLINE OF THE SOUTHWEST QUARTER OF SAID SECTION 24 A DISTANCE OF 2,015.30 FEET; THENCE N39°19'43"E A DISTANCE OF 963.82 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER OF SAID SECTION 24; THENCE N00°06'08"W ALONG SAID EAST LINE A DISTANCE OF 585.80 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 24; THENCE S89°36'31"E ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 19 A DISTANCE OF 210.01 FEET; THENCE S00°06'08"E A DISTANCE OF 659.24 FEET; THENCE S39°19'43"W A DISTANCE OF 1,137.00 FEET; THENCE S89°19'43"W A DISTANCE OF 2,114.89 FEET; THENCE S89°21'52"W A DISTANCE OF 2,628.35 FEET; THENCE S89°53'58"W A DISTANCE OF 1,338.56 FEET; THENCE S89°52'23"W A DISTANCE OF 1,341.08 FEET; THENCE N89°59'52"W A DISTANCE OF 2,674.42 FEET; THENCE S89°15'18"W A DISTANCE OF 2,657.07 FEET; THENCE S89°25'17"W A DISTANCE OF 2,650.17 FEET; THENCE S89°39'38"W A DISTANCE OF 1,929.59 FEET TO THE EASTERLY LINE OF SAID SULPHUR SUBSTATION TRANSMISSION AND RIGHT-OF-WAY FIRST AMENDMENT; THENCE S00°38'21"E ALONG SAID EASTERLY LINE A DISTANCE OF 1,114.18 FEET TO THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 21; THENCE S89°35'21"W ALONG SAID SOUTH LINE A DISTANCE OF 720.00 FEET; THENCE S89°26'17"W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 21 A DISTANCE OF 2,650.82 FEET; THENCE S89°21'31"W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20 A DISTANCE OF 2,648.00 FEET; THENCE N89°56'52"W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 20 A DISTANCE OF 2,644.48 FEET TO THE POINT OF BEGINNING; WHEN SAID EAST QUARTER CORNER OF SAID SECTION 20 BEARS N00°30'53"W A DISTANCE OF 2595.63 FEET.

SAID PARCEL CONTAINS 6,623,976 SQUARE FEET OR 152.066 ACRES, MORE OR LESS.

PRELIMINARY



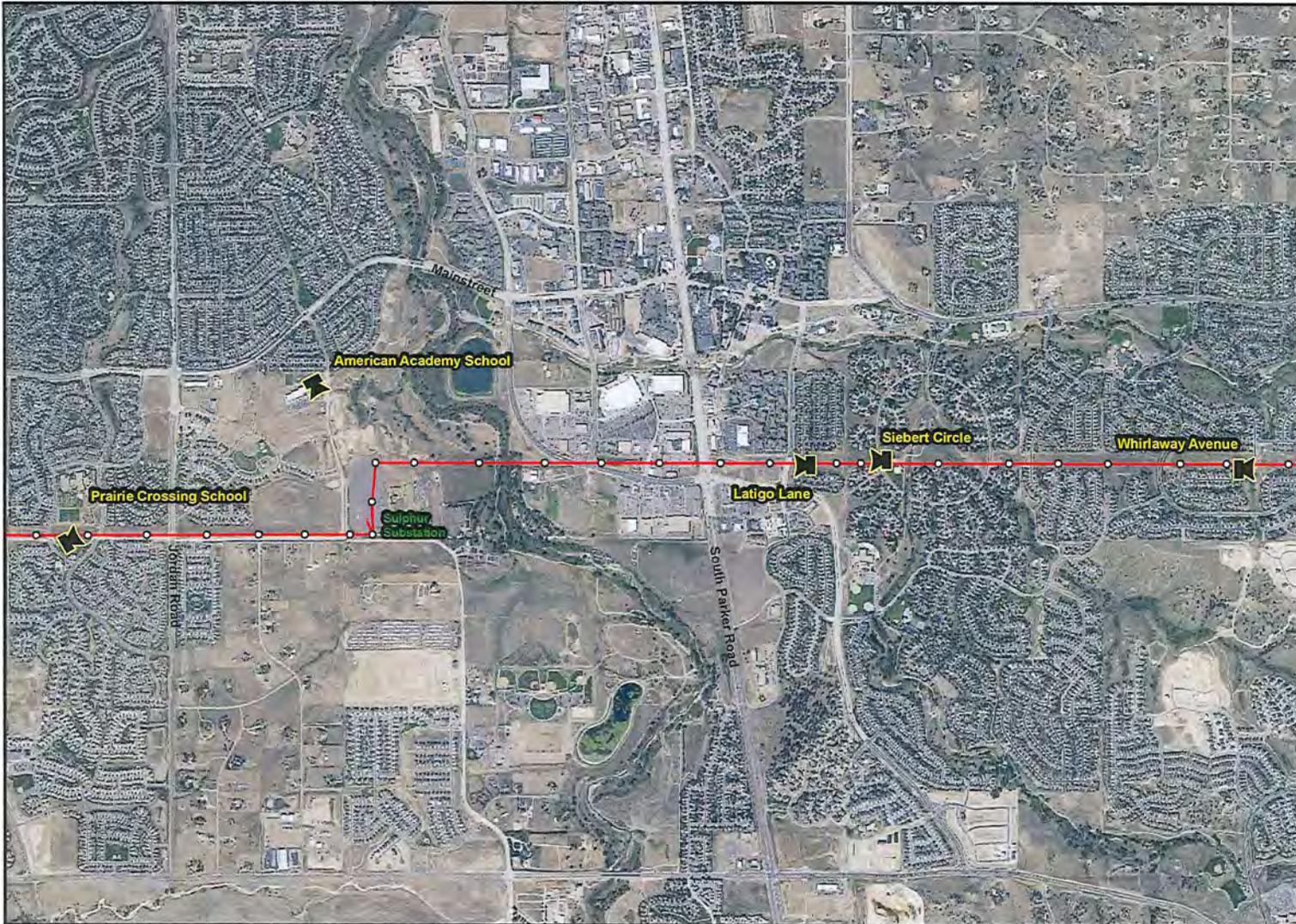
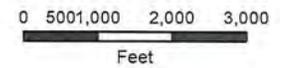
DRAWN: C. HAHN
APPROVED: D. HOLSCHER
DATE: 02-26-16
PAWNEE-DANIELS PARK 345KV
TRANSMISSION LINE
SITE PLAN COVER SHEET
SHEET 1 of 10

Pawnee to Daniels Park 345kV Transmission Project

Photopoint Locations

Legend

-  Photograph Location
-  Existing Transmission Structure
-  Existing 230kV Transmission Line



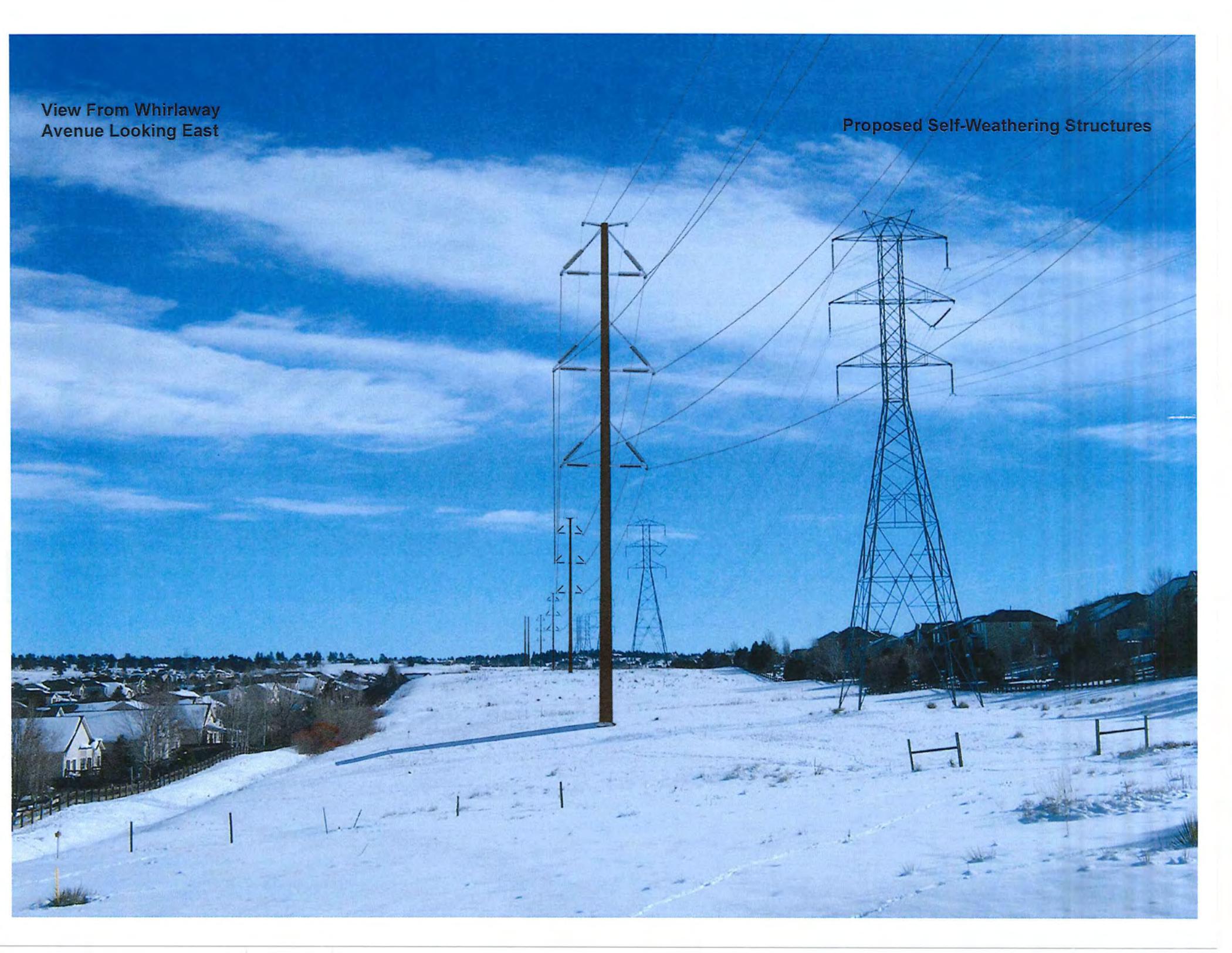
View From Whirlaway
Avenue Looking East

Existing Condition



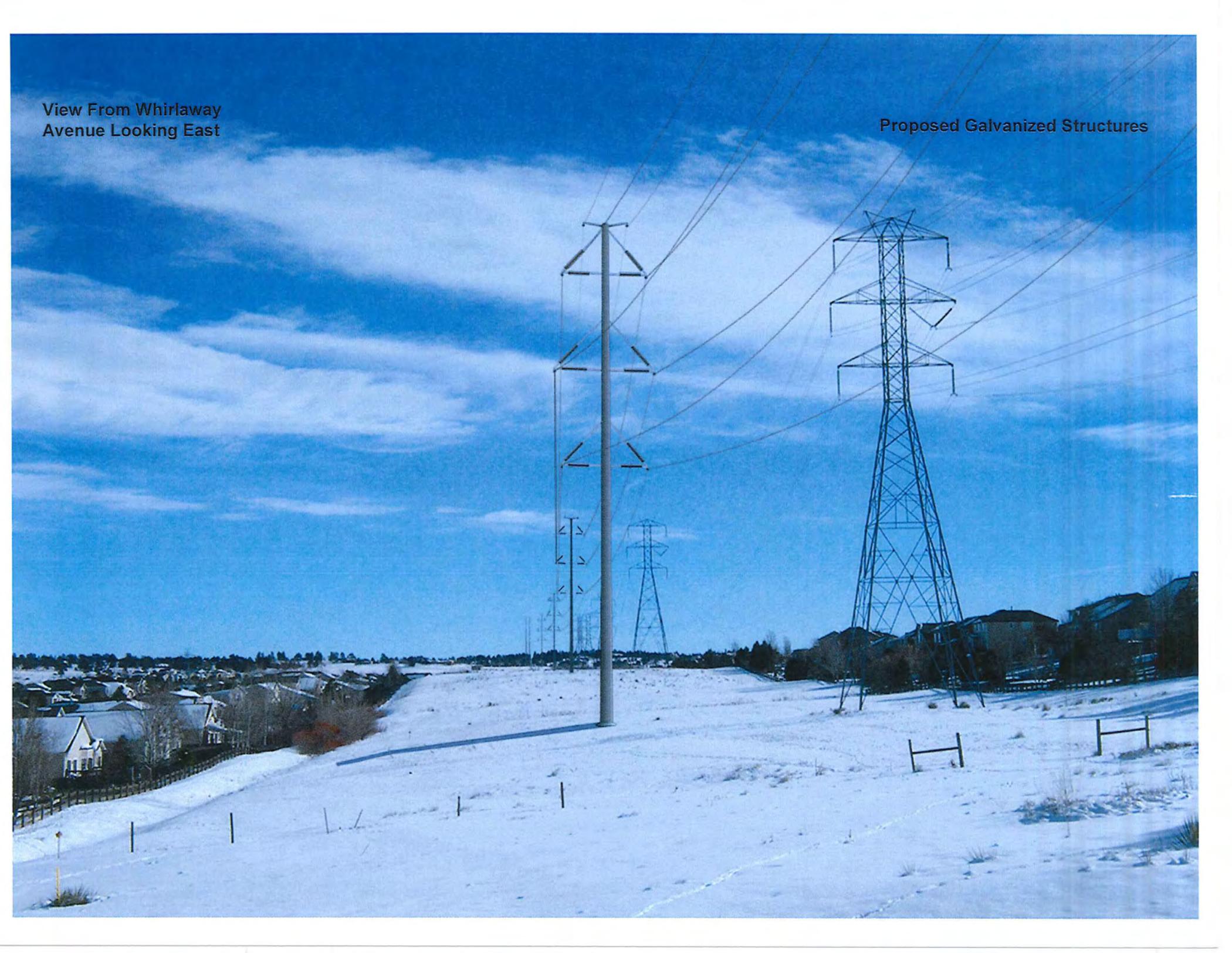
**View From Whirlaway
Avenue Looking East**

Proposed Self-Weathering Structures



View From Whirlaway
Avenue Looking East

Proposed Galvanized Structures



Siebert Circle Looking West

Existing Condition



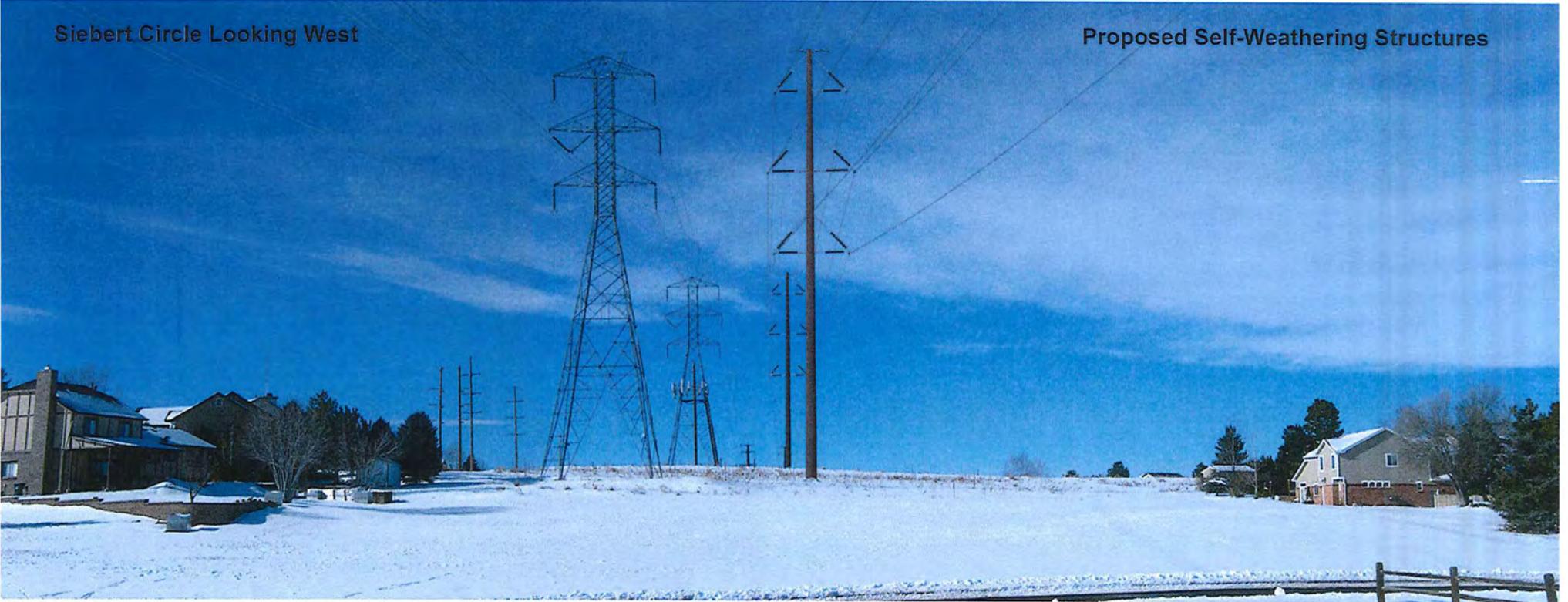
Siebert Circle Looking West

Proposed Galvanized Structures



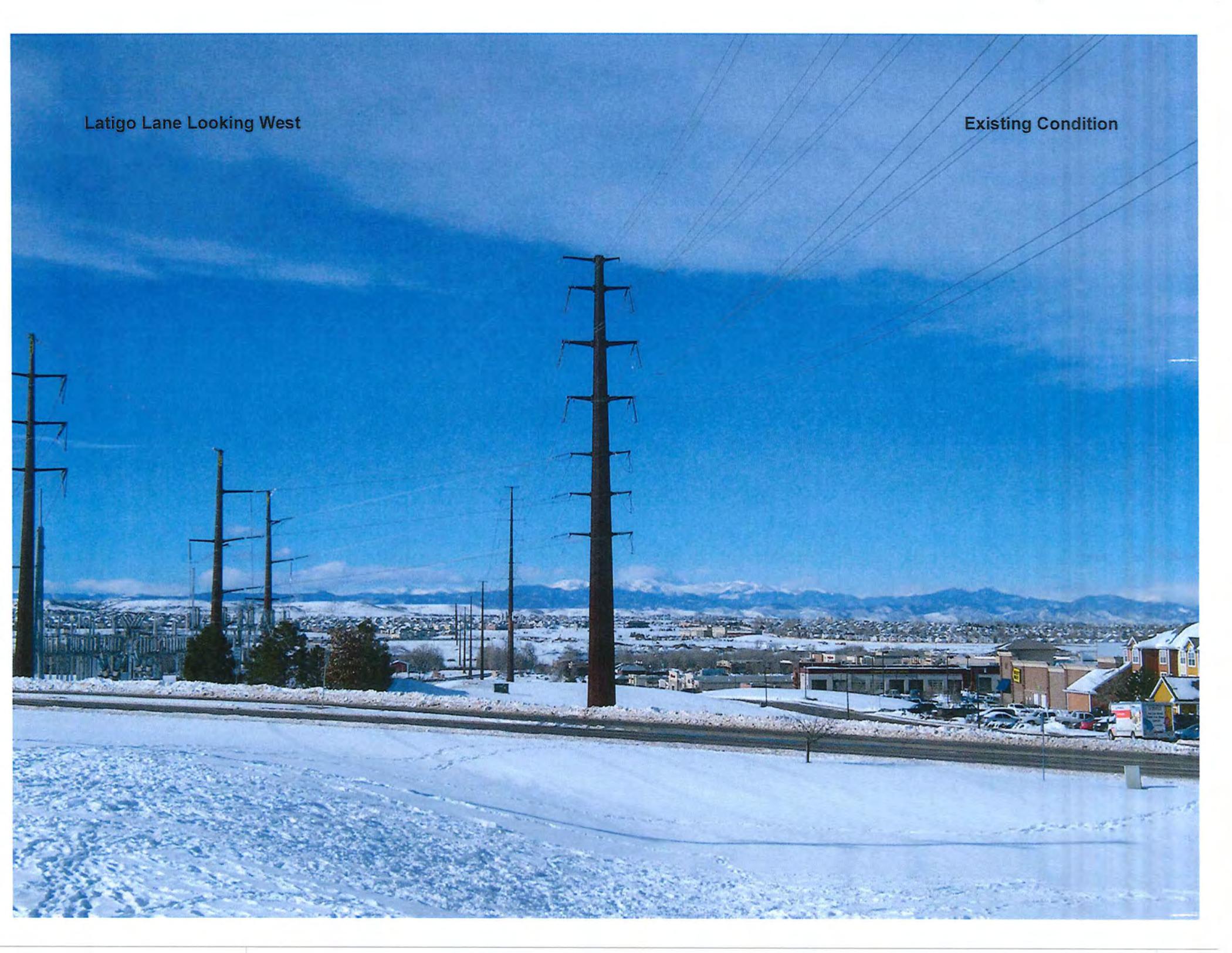
Siebert Circle Looking West

Proposed Self-Weathering Structures



Latigo Lane Looking West

Existing Condition



Latigo Lane Looking West

Proposed Galvanized Structures



Latigo Lane Looking West

Proposed Self-Weathering Structures



American Academy School
View to the Southeast

Existing Condition

Sulphur Substation



American Academy School
View to the Southeast

Proposed Galvanized Structures

Sulphur Substation



American Academy School
View to the Southeast

Proposed Self-Weathering Structures

Sulphur Substation



Auburn Hills Community Park Looking Northeast

Existing Condition

Prairie Crossing
Elementary School



Auburn Hills Community Park Looking Northeast

Proposed Galvanized Structures

Prairie Crossing
Elementary School



Auburn Hills Community Park Looking Northeast

Proposed Self-Weathering Structures

Prairie Crossing
Elementary School



**PRKR-1401 – Xcel 10UBSR2016 Application
Engineering Review**

Exponential Engineering Company
T. Ghidossi, P.E., M. Mansour

Rev 1
June 8, 2016

Exponential Engineering Company (EEC) has reviewed the Public Service Company of Colorado (PSCo) Application for Use by Special Review for the Pawnee to Daniels Park 345kV Transmission Line (10UBSR2016). The following are EEC's comments and conclusions regarding our review.

1. Noise Levels and EMF
 - a. PSCo in their statement of position in their request for granting of the CPCN to the PUC (proceeding NO. 14A-0287E) stated the following.
 - i. PSCo seeks a finding that noise levels of 50dB or less at the right-of way edge plus 25 feet are reasonable for the project except Section 4A.
 - ii. In Section 4A, which is a commercial zone, PSCo seeks a finding that noise levels of 50.5 dB or less at the edge of the right-of-way plus 25 feet are reasonable.
 - iii. PSCo's design incorporates measures to help mitigate noise:
 1. Use of low-corona hardware on the lines.
 2. Arranging phase conductors in a configuration to reduce noise.
 - b. PSCo in their statement of position in their request for granting of the CPCN to the PUC (proceeding NO. 14A-0287E) stated the following.
 - i. PSCo seeks a finding that a magnetic field level of 150 mG is reasonable for the project.
 - ii. PSCo's design incorporates two measures to help mitigate EMF:
 1. Arranging phase conductors in a configuration to reduce magnetic fields.
 2. Increasing the height of transmission structures (an extra five feet) to reduce the magnetic field strength at ground level.
 - c. The PUC adopted Decision No. R14-1405 by Administrative Law Judge G. Harrison that the PSCo requests with respect to Noise and EMF are reasonable for the project.
 - d. PSCo provided Exhibits for the Noise Model for the corridor (see Appendix A).
 - e. PSCo provided Exhibits for Magnetic Field Models for the corridor (see Appendix B).
 - f. Colorado does not have specific standards or limits for Noise and EMF for transmission lines.
 - g. Based on our experience, the limitations on Noise and EMF values given are reasonable and typical for transmission lines across the U.S.
2. Alternative Routes
 - a. PSCo provided information regarding alternative routes that they considered. Their analysis indicates that these alternatives are not feasible for a number of reasons. EEC has the following comments with regard to the alternatives and PSCo's response to questions posed with those comments.
 - b. PSCo described the need for 200 feet of ROW width for the alternative routes. However, 200 feet is the width of the existing ROW corridor (75 feet from existing structures to edge of ROW, 65 feet between centerlines of the existing and new structures and 70 feet to the edge of the ROW from the new structures). The ROW required for the new 345kV line alone would be 135 feet or less.
 - i. Question: Why did PSCo require 200 feet of ROW for the alternative routes?
Response: "Prudent avoidance is one reason – also with just the double circuit line – we don't not have all of the canceling effects from the 2nd double circuit line to help lower noise and magnetic fields."
 - c. Route Alternative B appears to be a very obvious attempt to create a route that skirts the Parker City limits.
 - i. Question: Is Route Alternative B truly a reasonably researched proposition or just one of convenience?

**PRKR-1401 – Xcel 10UBSR2016 Application
Engineering Review**

Exponential Engineering Company
T. Ghidossi, P.E., M. Mansour

Rev 1
June 8, 2016

Response: "We were looking for routes. Every route shown was a buildable route at the time we were routing. There was NO attempt to avoid Parker or any other jurisdiction."

- d. EEC is still skeptical of the PSCo responses; however, the primary consideration is that the existing corridor is by far the least expensive and was intended for this type of use from the beginning.

3. Purpose of the Line

- a. PSCo provides information on the need for the Pawnee to Smoky Hill line segment by describing significant new generation resources in Eastern and Northeastern Colorado.

- i. Request: PSCo should provide more detailed information as to how the 345kV line improves capacity, performance and reliability of the connections to IREA that serve Parker. In the application PSCo mentions only that the line provides support for IREA, and by extension, Parker load growth.

Response: PSCo reiterated that the line provides support for IREA which serves Parker. In addition, the line will provide a transmission path for significant renewable energy resources to the Denver metropolitan area.

- b. The illustration of planned development (page 21, Figure 4) and the paragraph associated with the illustration describe "...A small sample of the developments planned for the Town of Parker and surrounding area includes over 70,000 residential units and 28.8 million square feet of non-residential development..." However, the illustration appears to show most of this development occurring outside of Parker, thus the additional power supply is not benefitting Parker as much as described.

- c. IREA connects to Smoky Hill Substation and indirectly to Daniels Park Substation. The 345kV line will provide additional capacity to those substations. PSCo indicated in discussions that the existing 230kV transmission lines serving IREA substations are highly loaded and would not be capable of taking on additional generation resources.

4. Additional Items

- a. There are approximately 5.42 miles of 230kV double circuit line through the Town, with a number of lattice steel structures. PSCo indicated that this line was built in the late 1960's which would make the structures about 50 years old. PSCo may well be interested in replacing the lattice steel structures within the next ten years.

- i. Question: Will PSCo consider replacing the existing 230kV Lattice Steel Towers in the corridor with monopoles to lessen the visual impact of both lines?

Response: PSCo expects the lattice towers in the existing 230kV line to last another 50 to 60 years and has no plans to replace any of them. If the Town of Parker or another entity wishes to pay the costs for structure replacement, that option would be considered.

- b. While it appears that the existing 230kV line is located to one side of the ROW, there may end up being places where the line must be relocated in order to make room for the new 345kV line. PSCo should reasonably consider putting in new monopole structures when a lattice tower needs to be relocated.

- i. Question: Will PSCo replace any 230kV line structures that need to be relocated with monopoles?

Response: If a lattice tower would need to be relocated for the Project, PSCo would replace the lattice tower with a single pole steel structure.

- c. Parker has the option of requesting that galvanized steel or weathering (corten) steel monopoles be used in specific areas along the Right-of-Way.

- i. Galvanized steel poles can have shiny, reflective surfaces that make them more obvious at some positions of the sun. However, these poles are less obvious from a distance.

**PRKR-1401 – Xcel 10UBSR2016 Application
Engineering Review**

Exponential Engineering Company
T. Ghidossi, P.E., M. Mansour

Rev 1
June 8, 2016

- ii. Corten poles have a rust-colored finish and stand out whether nearby or from a distance. Often corten poles will appear larger and heavier than galvanized poles of the same size.

5. EEC Conclusions

- a. EMF and Noise – the mitigation measures specified by PSCo meet PUC requirements, which are the only requirements given in Colorado.
- b. Alternative Routes – the consideration of alternative routes supports the conclusion that using the existing corridor is the appropriate solution.
- c. Purpose for the Line – the stated purpose for the line has been accepted by the PUC for overall system reliability and transfer of renewable generation resources. In our judgement, the 345kV lines will provide a significant transmission path for additional resources and reduce the existing loading on the 230kV transmission lines serving IREA, leading to greater flexibility in system configurations and thereby improving overall reliability to PSCo and IREA customers.
- d. Additional Items – the existing lattice towers can be expected to last the length of time PSCo indicates, especially with regular maintenance and inspection. In general, PSCo is conforming to normal practice in requiring the requesting party to pay for replacement of facilities that would not otherwise need to be replaced. The PUC would most likely not be willing to allow PSCo to put such costs into their rate base.

PRKR-1401 – Xcel 10UBSR2016 Application
Engineering Review
Exponential Engineering Company
T. Ghidossi, P.E., M. Mansour

Rev 1
June 8, 2016

APPENDIX A – PSCo Representations of Noise Model for the Parker Area (4 and 4a)

This information is excerpted from PSCo's PUC direct testimony by Mr. Danny Pearson.

Exhibit No. DJP-S4c
Noise Model for the Pawnee - Daniels Park 345 kV Transmission Corridor
(Section 4) Fair Weather (L5) using the BPA Algorithm

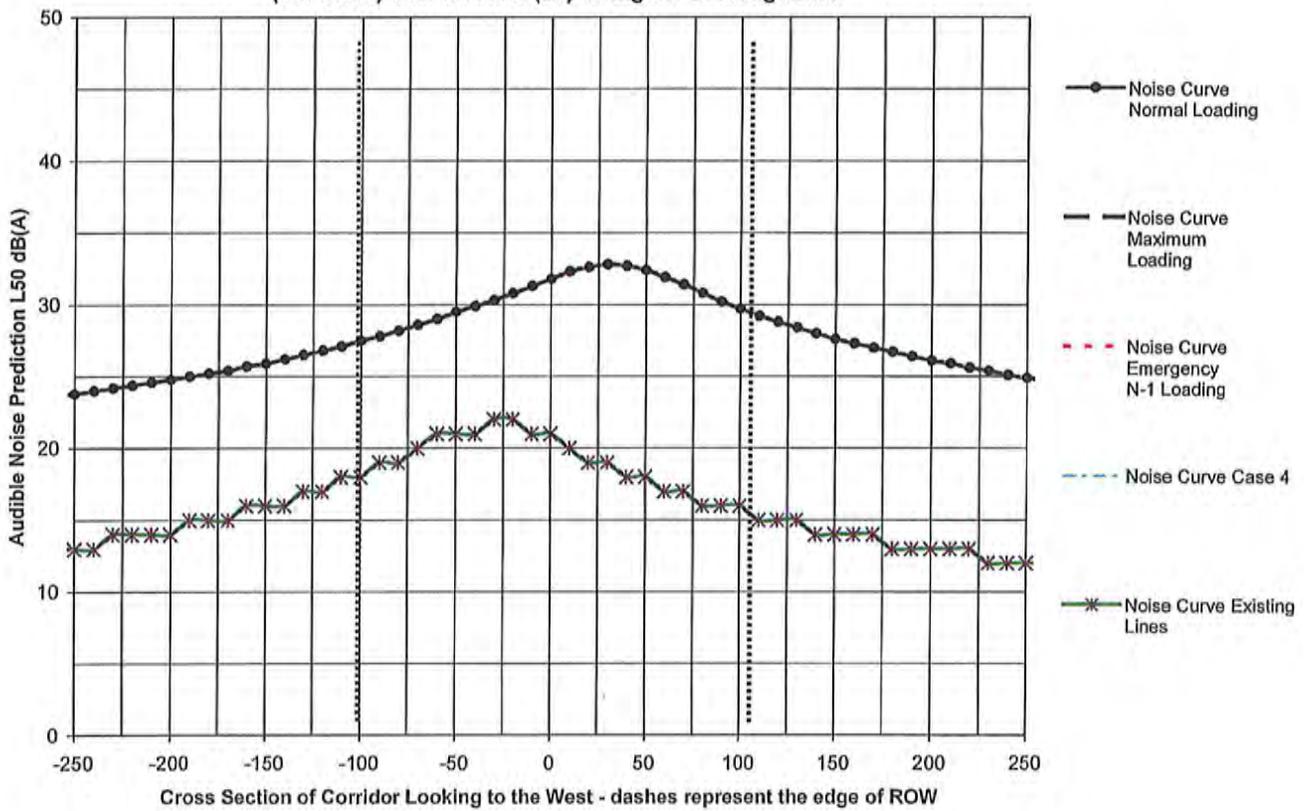


Exhibit No. DJP-S4d
Noise Model for the Pawnee - Daniels Park 345 kV Transmission Corridor
(Section 4) Rainy (L50) - Wet Weather using the BPA Algorithm

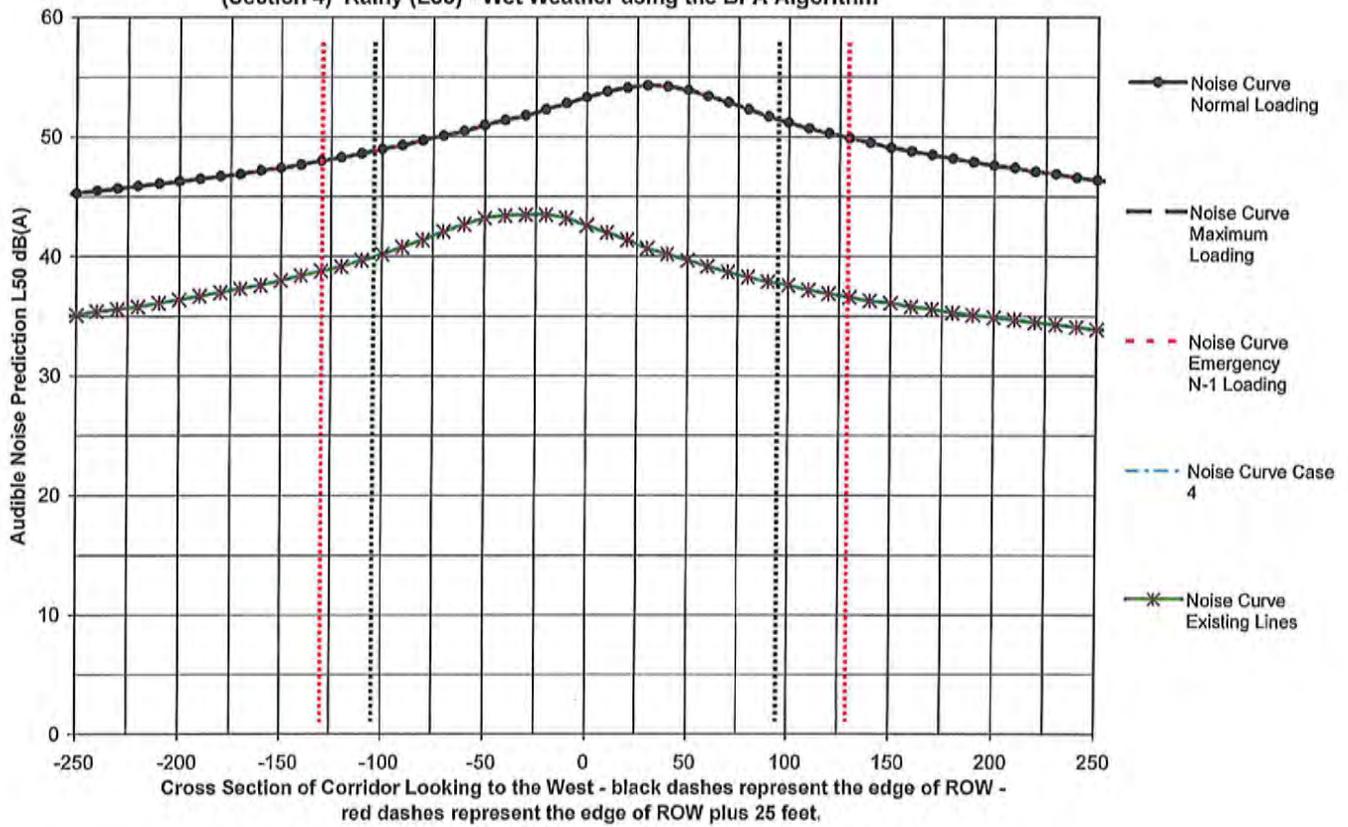


Exhibit No. DJP-S4Ac
Noise Model for the Pawnee - Daniels Park 345 kV Transmission Corridor
(Section 4A) Fair Weather (L5) using the BPA Algorithm

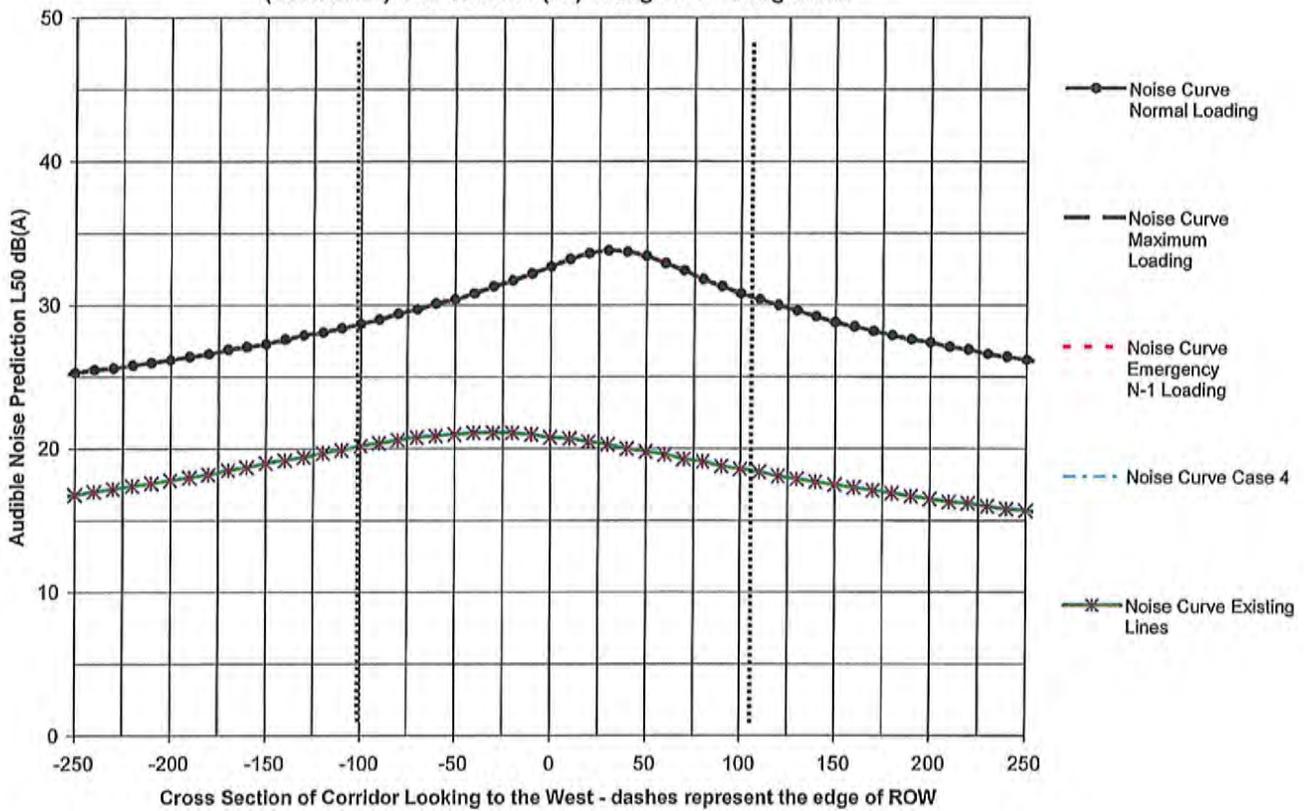
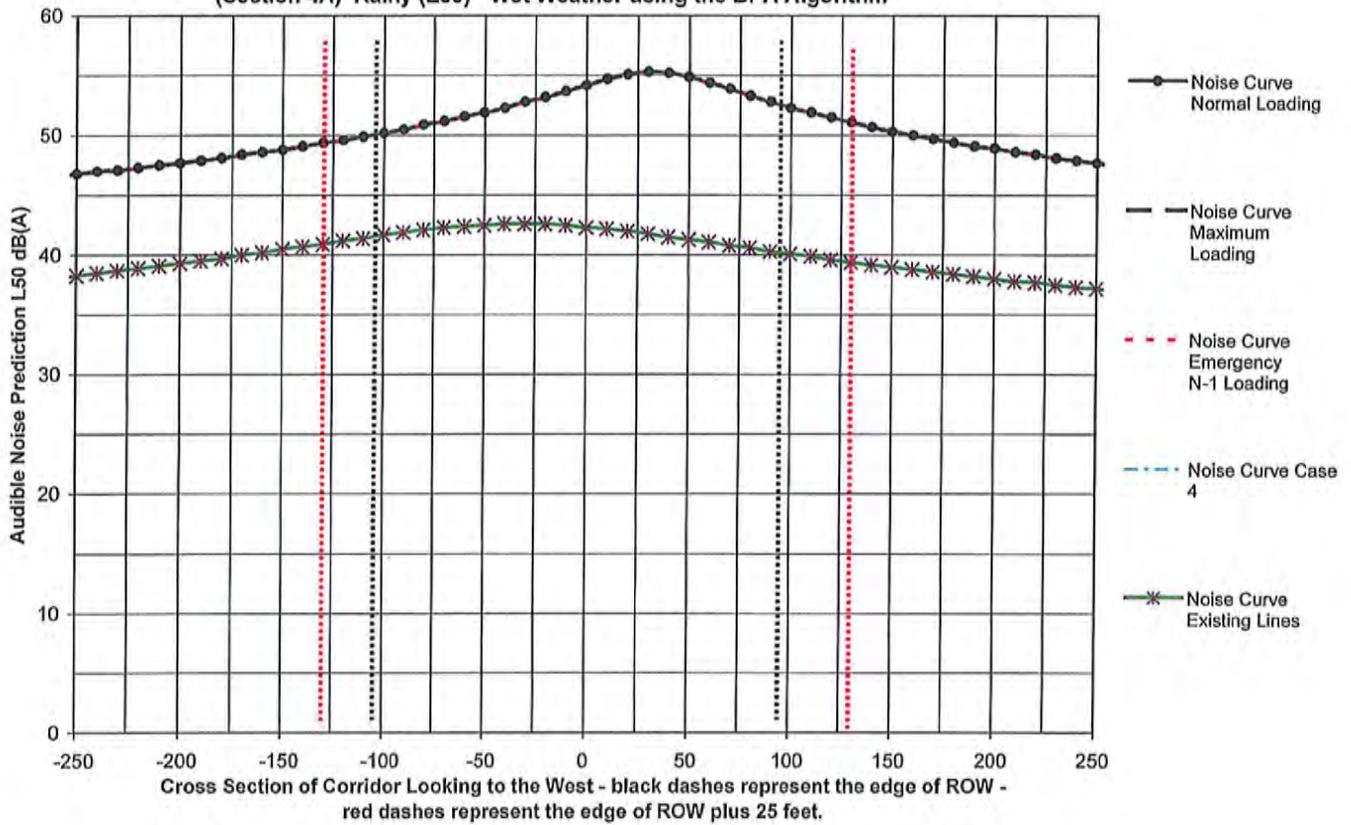


Exhibit No. DJP-S4Ad
Noise Model for the Pawnee - Daniels Park 345 kV Transmission Corridor
(Section 4A) Rainy (L50) - Wet Weather using the BPA Algorithm



PRKR-1401 – Xcel 10UBSR2016 Application
Engineering Review
Exponential Engineering Company
T. Ghidossi, P.E., M. Mansour

Rev 1
June 8, 2016

APPENDIX B – PSCo Representations of Magnetic Field Models for the Parker Area (4 and 4a)

This information is excerpted from PSCo's PUC direct testimony by Mr. Danny Pearson.

Exhibit No. DJP-S4a
Magnetic (B) Field Models for the Pawnee - Daniels Park 345 kV Transmission Corridor
(Section 4) milliGauss

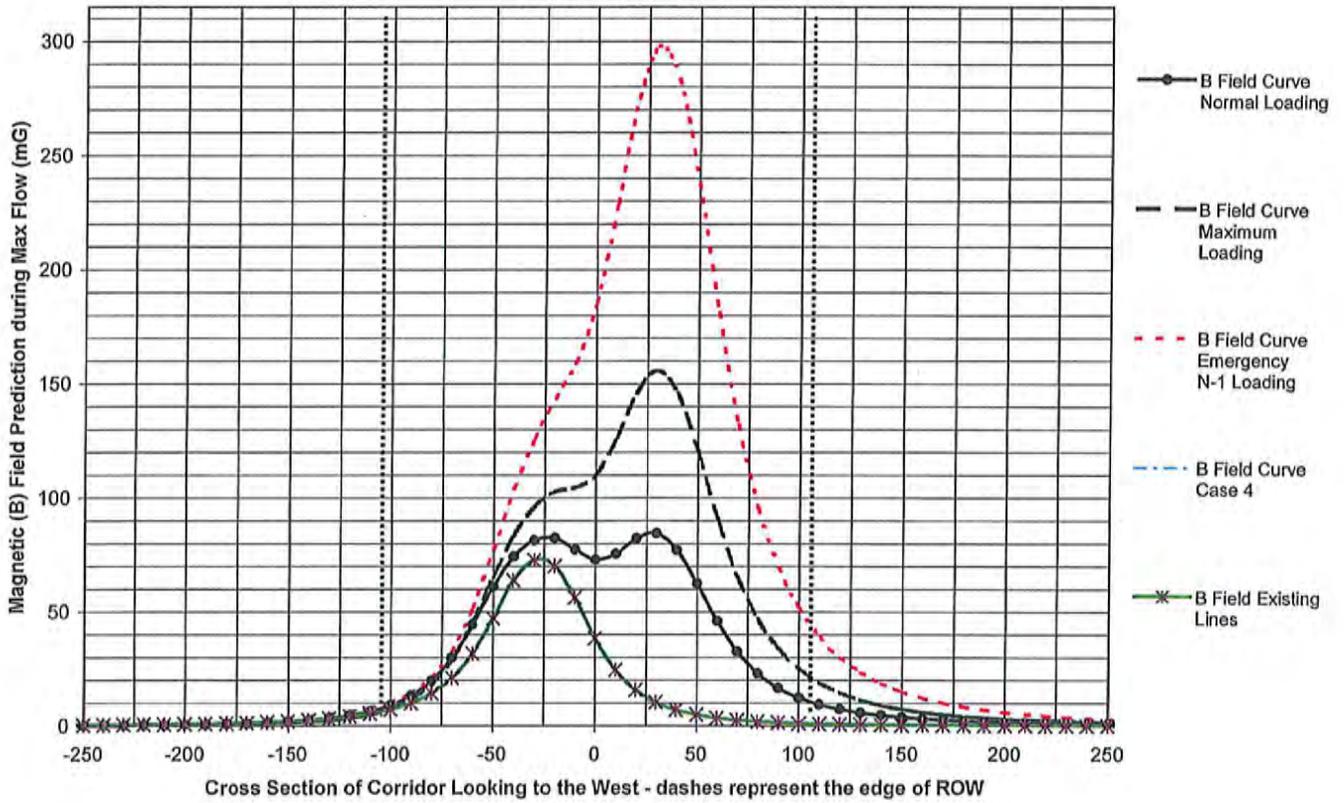
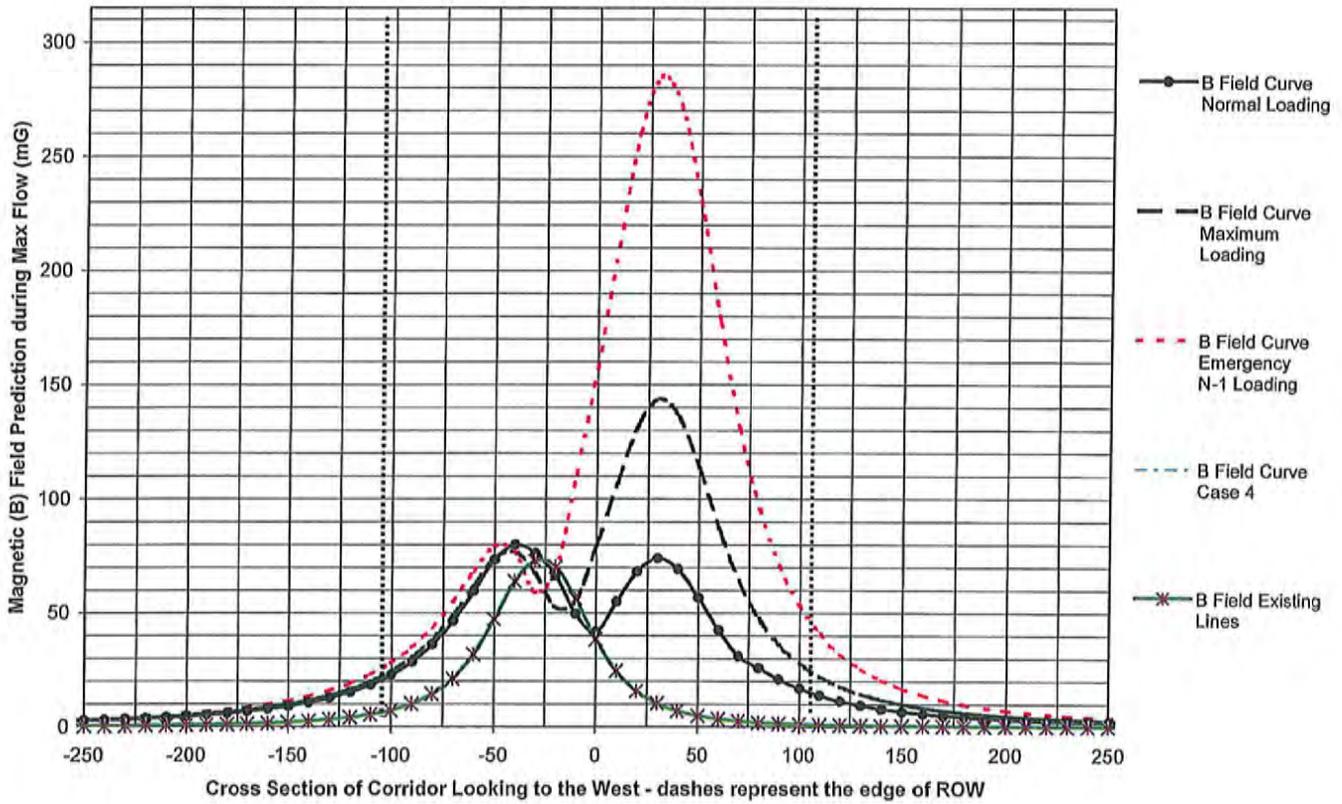


Exhibit No. DJP-S4Aa
Magnetic (B) Field Models for the Pawnee - Daniels Park 345 kV Transmission Corridor
(Section 4A) milligauss





Your kind of place.

Memorandum

To: Patrick Mulready, Senior Planner
Date: April 29, 2016
From: Tom Williams, P.E., Director of Engineering
Cc: File

**Subject: Pawnee- Daniels Park 345kV Transmission Line - 1st Engineering Review
Site Plan Application (SP16-010)
UBSR (Z16-008)**

The Engineering Department has reviewed the documents submitted for the Pawnee-Daniels Park 345kV Transmission Line. The submittal consisted of the following documents:

<u>Document</u>	<u>Date</u>
Site Plan	February 26, 2016
Project Narrative	February 2016

The project bisects the Town, starting near the Heirloom Subdivision and ending near the Canterbury Subdivision. The project is entirely located within the existing Public Service Company Right-of-Way or Easement. Based on our review of the aforementioned documents, we have the following comments:

Traffic and Roadway Review Comments

The following comments concern traffic, access, roadway design, and construction standards for the subject property. They are based upon our review of the submittal documents in accordance with the criteria presented in the Town of Parker's Roadway Design and Construction Criteria, as revised, July 2015. Additional regulatory and planning documents may have been utilized in the review, and are referenced in the comments where appropriate.

General Comments

1. The Applicant and their contractor will be required to obtain a Town Right-of-Way permit for any construction activities that will impact adjacent public roadways. These activities include temporary staging of materials or equipment within the roadways. The

applicant will be required to prepare and submit all necessary traffic control plans to ensure that pedestrians and the traveling public are not adversely impacted by the construction activities. The application associated with this permit must be submitted to the Town for review a minimum of 90 days prior to the start of construction.

2. The staging of project equipment and/or materials on Town roadways will generally not be permitted. However, there are likely to be some construction activities within the Town roadways that may be unavoidable (stringing of the power lines). These activities must be approved as part of a Town Right-of-Way Permit. The applicant will be required to repair any street damage associated with the construction activities, in accordance with Town standards.
3. Project construction traffic and access to the Public Service right-of-way should be limited to arterial or collector roadways. Construction traffic on residential local streets will not be permitted unless authorized by the Town, through the associated Town Grading (GESG) and/or Right-of-Way permit.

Stormwater Review Comments

The following comments concern drainage, erosion and sediment control, and non-point source pollution control issues for the subject property. They are based upon our review of the submittal documents against the criteria presented in the Town of Parker's, *Storm Drainage and Environmental Criteria Manual (SDECM)*, as revised, February, 2014. Additional regulatory and planning documents were utilized in the review, and are referenced in the comments where appropriate.

General Comments

1. The applicant will be required to submit a floodplain development permit for any disturbance within regulatory floodplains throughout the Town. This includes permanent impacts as well as temporary construction impacts. The applicant will need to provide an engineering analysis showing the impacts of permanent structures/impacts within the limits of the Cherry Creek floodplain. If the engineering analysis suggests no adverse impact (0.00 ft rise in the base flood elevation), a no-rise certification will need to be prepared by a registered professional engineer and submitted along with the floodplain development permit application. If the activity results in a change to the base flood elevation, the applicant will be required to submit necessary letter of map change

applications to FEMA. The applicant is strongly encouraged to organize construction in a manner that will not cause any impacts (permanent and/or temporary) to all other regulatory floodplain crossings within Town.

2. The applicant and their contractor will be required to obtain a Town Grading (GESC) permit prior to the start of construction. The applicant will be required to prepare, and submit for review all necessary CBMP plans (GESC) and technical information associated with this permit. The application associated with this permit, including all required information, must be submitted to the Town for review a minimum of 90 days prior to the start of construction.
3. Since the proposed improvements (power poles) are isolated, include minimal impervious area and are not changing the existing topography, a drainage report/plan will not be required. However, care should be taken during construction to ensure existing drainage facilities are not adversely impacted or damaged.
4. The proposed pole, located at the northeast corner of Dransfeldt Road and Twenty-Mile Road, is within the inundation area of an existing stormwater retention pond. The pole is not within the permanent pool, but may be inundated (less than 2-3 feet) for short durations after heavy precipitation events. The applicant should evaluate any potential impacts to the associated pole foundation. Technical information pertaining to this detention pond can be provided by the Town upon request.
5. It appears that the proposed poles are outside of the Preble's Meadow Jumping Mouse (riparian conservation zone) along Cherry Creek. However, the applicant should verify and be aware that any permanent or temporary impacts/disturbance to the riparian conservation zone will require authorization from the U.S Fish and Wildlife Service.
6. The applicant will be required to obtain all State and Federal Permits associated with the construction of this project, including Section 404 (Wetlands) permits.
7. A pre-construction meeting shall be held with the Town prior to the release of any permits and the start of construction. This meeting can be scheduled through the Engineering Department.

The submittal is in general conformance with the Town of Parker's *Storm Drainage and Environmental Criteria Manual* and/or the *Roadway Design and Construction Criteria Manual*.

However, the items identified above must be discussed with the Engineering Department and any required revisions must be made to the application documents before the Public Hearing.

If you have any questions regarding the comments please do not hesitate to call Tom Williams at (303) 840-9546.

Project Name: Pawnee-Daniels Park 345kV Transmission Line

Project Number: Z16-008 and SP16-010

Date Received: 2016-04-27 00:00:00

Jurisdiction: Town of Parker

Due Date: 2016-05-03 00:00:00

Addressing Comments:

No Comments

Engineering Comments:

Douglas County is working with the applicant and the other jurisdictions that this line will be running through in regards to the GESC.

Planner Comments:

Thanks for the opportunity to review the external referral. The County will review the portions of the transmission line within the unincorporated areas of the County when they are submitted for review.



URBAN DRAINAGE AND FLOOD CONTROL DISTRICT

Paul A. Hindman, Executive Director
2480 W. 26th Avenue, Suite 156B
Denver, CO 80211-5304

Telephone 303-455-6277
Fax 303-455-7880
www.udfcd.org

April 7, 2016

UDFCD Maintenance Eligibility Program Referral Review Comments

Project: PSCO – Pawnee-Daniels Park Transmission Line
Stream: Multiple Stream Crossings
UDFCD MEP Phase: Design
UD MEP ID: 106107

Dear Patrick,

This letter is in response to the request for our comments concerning the referenced project. We appreciate the opportunity to review this proposal. We have reviewed this proposal only as it relates to major drainage features, in this case:

- All Major Drainageways along Proposed Transmission Line Route

We have the following comments to offer:

1. We emphasize that route planning for the proposed 345kV transmission line should include **siting of transmission towers outside of the 100-year floodplain limits** for the numerous major drainageways along the route. The interactive GIS mapping on the District's web site (www.udfcd.org) provides guidance information for the 100-year floodplain limits along the major drainageways. District staff is also available to meet with the design team staff regarding any questions or issues relating to route planning and/or transmission tower siting as they relate to stream crossings and their respective 100-year floodplains.
2. We would appreciate the opportunity to review detailed designs as they are prepared and submitted. Detailed plans should show the 100-year floodplain for all drainageways that are traversed by the proposed transmission line.

Please feel free to contact me with any questions or concerns.

Sincerely,
Urban Drainage and Flood Control District

John M. Pflaum, P.E., Floodplain Management Program

TRAKiT NOTES

Tom Williams

USE BY SPECIAL REVIEW - PW

SITE PLAN - PW

5/2/2016 9:29:44 AM

Please refer to Engineering Review memo dated April 29, 2016 for comments.

Drayton Sanderson

Parker Water and Sanitation District 20

4/14/2016 10:42:19 AM

PWSD has multiple crossings along Xcels easement. Please get proper locates from PWSD before construction of towers.

Chris Boyd

Douglas County Planning Services Division 20

5/11/2016 10:56:05 AM

See Attached Letter

Carol LeMaire

Douglas County Engineering Division 20

5/11/2016 10:55:40 AM

See Attached Letter

Marilyn Cross

Colorado Dept of Transportation, Region 1 20

4/7/2016 2:54:29 PM

There appears to be no connection to a State Highway in the area. If this is incorrect any proposed construction, utility, survey, or landscaping work within CDOT right-of-way will require a Utility or Special Use Permit issued by the Colorado Department of Transportation. Please contact Steve Loeffler for the requirements for those permits. Steve's contact information is 303.757.9891

Patrick Dunakey

Magellan Pipeline 20

4/20/2016 2:40:15 PM

Please have Xcel provide answers to the questions listed in the attached Electric Utility Data Requirements for Electromagnetic Interference Evaluation. Please submit the completed questionnaire to Patrick Dunakey with Magellan Pipeline Company at patrick.dunakey@magellanlp.com. Our corrosion control department will need to review these answers to determine whether or not an AC study and/or mitigation will be necessary to protect our 6" high pressure refined petroleum products pipeline. If you have any questions you can call me at (918) 574-7872.

Turtle Creek Homeowner's Association 15
6/6/2016 5:24:38 PM

The Turtle Creek Board would like to comment on this application.

As a board, Turtle Creek does not want to see more lines going through the middle of our neighborhood. This is due to aesthetic reasons and the immense power and noise that comes with lines of this size. We would like to see them redirected using an alternative route that has been proposed. We can not imagine the health consequences of having that much electricity so close to families with newborns, infants and toddlers. We also feel as a board that the resale values of our homes and the community as a whole will be negatively impacted if the new transmission lines are approved. Thank you for your time.

Thank you,
Marie Price
HOA President

RESOLUTION NO. 16-051, Series of 2016

TITLE: A RESOLUTION TO APPROVE THE PUBLIC SERVICE COMPANY OF COLORADO APPLICATION FOR A USE BY SPECIAL REVIEW FOR THAT PORTION OF THE PAWNEE-DANIELS PARK 345kV TRANSMISSION LINE PROJECT WITHIN THE JURISDICTIONAL BOUNDARIES OF THE TOWN OF PARKER

WHEREAS, on April 3, 2014, the Public Service Company of Colorado (the “Company”), pursuant to C.R.S. § 29-20-108, notified the Town that it planned to construct a 345 kV transmission project referred to as the Pawnee to Daniels Park transmission project (“the Project”);

WHEREAS, the Project will consist of approximately 115 miles of new transmission, including approximately 5.42 miles located within the Town of Parker within the existing utility corridor that is owned by the Company (the “Site”);

WHEREAS, concurrent with the submittal of notice to the Town, the Company filed an application for a Certificate of Public Convenience and Necessity (the “CPCN”) with the Public Utilities Commission of the State of Colorado (the “CPUC”) seeking approval of the Project and specific findings that the noise and electromagnetic field levels resulting from the Project are reasonable;

WHEREAS, on July 14, 2014, the Town entered into an agreement with Exponential Engineering Company, to provide technical support for fiscal years 2014 and 2015 to Town staff regarding the Project, including the application that was submitted to the CPUC for the CPCN, which agreement was amended in 2016, to include further technical support related to the land use applications submitted by the Company to the Town related to the Project;

WHEREAS, on March 11, 2015, the CPUC granted the CPCN sought by the Company (CPUC Decision No. C15-0316), and the decision approving the CPCN makes findings that the Project is just and reasonable and the noise and electromagnetic field levels resulting from the Project are reasonable;

WHEREAS, the CPUC, as a part of the decision, conditioned approval of the Project on a requirement that the Company not begin construction of the Project until May 1, 2020, in order to avoid premature rate impacts of the Project;

WHEREAS, the CPUC, as a part of its decision, also recognized that “the specific siting concerns expressed by the public are outside of the scope of this proceeding and should be addressed to the governing land use permitting authorities;”

WHEREAS, on February 24, 2016, the Company submitted a land use application consisting of a Site Plan Application to the Town pursuant to Section 13.06.030 of the Parker Municipal Code (“Site Plan Application”);

WHEREAS, on February 24, 2016, the Company submitted an application for Use by Special Review-Public Utility (“Special Review Application”) pursuant to Section 13.04.205 of the Parker Municipal Code;

WHEREAS, on March 10, 2016, the Town Attorney retained Ken Fellman, Esq, a partner in the law firm of Kissinger & Fellman, P.C., who works with local governments in connection with utility related litigation and administrative proceedings before the CPUC, to provide the Town Attorney with legal support related to the Site Plan Application and Special Review Application;

WHEREAS, on March 24, 2016, the Town and the Company entered into an agreement for the purpose of waiving the requirements of C.R.S. § 29-20-108(2), which provides that final local government action is required on any application of a public utility for construction, or improvement of major electrical or natural gas facilities within ninety (90) days after submission of a final application (the “Agreement”);

WHEREAS, the Agreement waived the 90-day requirement contained in C.R.S. § 29-20-108(2) and provided for an alternate review timeline that included dates for referrals, review of referral comments, review by the Town Development Review Team, as well as deadlines for public notice and public hearings before the Town Planning Commission and Town Council;

WHEREAS, the Agreement also provided for mitigation meetings to be held between the Town staff and the Company “to discuss impacts associated with the proposal and measures the Company can take in order to address Town concerns and mitigate impacts of the Project or provide a public benefit;”

WHEREAS, mitigation meetings were held between Town staff and the Company on May 19, 2016, June 3, 2016 and June 16, 2016;

WHEREAS, the mitigation meetings concluded with an agreement that was approved by the Company and is attached hereto as **Exhibit A** and incorporated by this reference (the “Mitigation Agreement”);

WHEREAS, the Site Plan Application was subject to an administrative review process by the Planning Director and Town staff as provided by Section 13.06.040(f) of the Parker Municipal Code;

WHEREAS, public notice for the public hearing before the Planning Commission concerning the Special Review Application was published for the June 23, 2016, which public hearing was continued to June 30, 2016, in the manner provided by the Parker Municipal Code and as specified in the Agreement;

WHEREAS, on June 30, 2016, the Planning Commission, following the public hearing on the Special Review Application, recommended that the Town Council _____;

WHEREAS, public notice for the public hearing before the Town Council concerning the Special Review Application was published for the July 5, 2016, Town Council meeting in the manner provided by the Parker Municipal Code and as specified in the Agreement; and

WHEREAS, on July 5, 2016, the Town Council, following the public hearing on the Special Review Application, made the final decision described below.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PARKER, COLORADO, AS FOLLOWS:

Section 1. The Town Council, following proper notice and hearing and considering the competent evidence contained in the public hearing record for the Special Use Application, finds, pursuant to Section 13.14.205(d) of the Parker Municipal Code, that the Company has fully demonstrated by clear and convincing evidence that: (1) there is a compelling need for the Project to be located on the Site described in the Special Use Application that is owned by, operated by, and held in the name of the Company, subject to Sections 3 and 4 of this Resolution; and (2) the Company cannot adequately perform its utility functions on another site which is zoned to permit such a use, either by right or by special review, whether within or without the Town, including the alternate sites described in the Special Use Application, subject to Sections 3 and 4 of this Resolution. The specific findings of the Town Council are attached as **Exhibit B** and incorporated by this reference.

Section 2. The Town Council, following proper notice and hearing, considered the criteria contained in Section 13.04.205(h) of the Parker Municipal Code together with the competent evidence contained in the public hearing record for the Special Use Application, and after considering such criteria determines to approve the Special Use Application, subject to Sections 3 and 4 of this Resolution. The specific findings of the Town Council are attached as **Exhibit C** and incorporated by this reference.

Section 3. Section 13.04.205(a) of the Parker Municipal Code authorizes the Town Council to approve the Special Review Application “subject to such conditions and safeguards as may be imposed by the Town Council.” The Town Council hereby imposes the conditions and safeguards described in **Exhibit D**, which is attached hereto and incorporated by this reference.

Section 4. The Town Council hereby approves the Mitigation Agreement that is attached as Exhibit A to this Resolution.

Section 5. Section 13.01.140(b) of the Parker Municipal Code provides that the “[a]pproval by the Town Council ... of any ... use by special review shall remain in effect for a period of six (6) months. Any approval of an application for which a grading permit or building permit has not been issued or for which the use by special review has not commenced within six (6) months after approval of the ... use by special review shall be null and void.” The CPUC as a part of the CPCN decision conditioned approval of the Project on a requirement that the Company not begin construction of the Project until May 1, 2020, in order to avoid premature rate impacts of the Project. Section 13.01.100 of the Parker Municipal Code authorizes waivers from the Parker Land Development Ordinance “if it is deemed by Town Council to be in the public interest and does not impair the intent and purposes of this Title.” For the reason that the

Company cannot begin construction of the Project until May 1, 2020, the Town Council determines that it is in the public interest and does not impair the intent and purposes of the Parker Land Development Ordinance to partially waive is Section 13.01.140(b) of the Parker Municipal Code, and further determines that the Special Use Application approval described herein shall remain in effect until January 31, 2019.

Section 6. The Recitals of this Resolution are incorporated herein by this reference.

RESOLVED AND PASSED this _____ day of _____, 2016.

TOWN OF PARKER, COLORADO

Mike Waid, Mayor

ATTEST:

Carol Baumgartner, Town Clerk

Exhibit A

MITIGATION AGREEMENT

This Mitigation Agreement (“Agreement”) is made and entered into this __ day of July, 2016, by and between the Town of Parker, Colorado (the “Town”) and Public Service Company of Colorado (the “Company” or “PSCo”) addresses the terms and conditions of the mitigation required by the Town for approval of the Company’s Proposed Pawnee to Daniels Park Transmission Project (“the Project”) within the jurisdictional boundaries of the Town.

WHEREAS, on April 3, 2014, the Company, pursuant to C.R.S. § 29-20-108, notified the Town of its plans to construct the Project; and

WHEREAS, on February 24, 2016, the Company submitted an application for Use by Special Review-Public Utility (“Special Review Application”) pursuant to Section 13.04.205 of the Parker Municipal Code (“Code”) for the Project;

WHEREAS, on March 24, 2016, the Town and the Company entered into an agreement for the purpose of waiving the requirements of C.R.S. § 29-20-108(2), which provides that final local government action is required on any application of a public utility for construction, or improvement of major electrical or natural gas facilities within ninety (90) days after submission of a final application (the “Waiver Agreement”);

WHEREAS, the Waiver Agreement provided in part for meetings to be held between the Town staff and the Company”...“to discuss impacts associated with the proposal and measures the Company can take in order to address Town concerns and mitigate impacts of the Project or provide a public benefit”;

WHEREAS, such meetings were held between Town staff and the Company on May 19, 2016, June 3, 2016 and June 16, 2016 (the “Mitigation Meetings”);

WHEREAS, specific mitigation requests were presented to the Company during the Mitigation Meetings that addressed the impacts of the Project identified by the Town (the “Mitigation Measures”);

WHEREAS, the Company desires to mitigate impacts to the Town related to the Project;

WHEREAS, Section 13.04.205(a) of the Code provides that public utility uses “...may be permitted in the Town upon approval by the Town Council ... subject to such conditions and safeguards as may be imposed by the Town Council.”;

WHEREAS, the Town Council desires to approve the Special Review Application, subject in part to the Mitigation Measures as a part of the Project;

WHEREAS, the Company desires to address impacts to the Town from the Project, and fund related Mitigation Measures; and

WHEREAS, the Town Council in reliance upon the Company's agreement to fund the Mitigation Measures described herein, as a condition to the Project's approval, approved the Special Review Application, pursuant to Resolution No. 16-051, Series of 2016.

NOW, THEREFORE, THE TOWN OF PARKER, COLORADO AND PUBLIC SERVICE COMPANY OF COLORADO AGREE AS FOLLOWS:

SECTION 1: The Company shall make a lump sum payment to the Town due upon the Town's issuance of the Company's first grading permit for the Project. The payment to the Town shall provide funding for the Mitigation Measures described herein to mitigate the impacts the Town has identified as resulting from the Company's use of the R.O.W. as an electric transmission corridor in a dense residential area. These impacts include, but are not limited too, visual, neighborhood segmentation/separation, and connectivity.

SECTION 2: The Company's lump sum payment shall be in an amount sufficient to fund the following Mitigation Measures:

- a. Rowley Downs Trail Connection to Reata North – This trail addition will run from the central open space within Rowley Downs southeast within the PSCo R.O.W and connecting with the existing trail running north/south within the Willow Park Community. There will also be an at grade crossing of Seibert Circle. The trail will be 10' wide 6" thick concrete construction and approximately 1,700' in length. The new trail will connect to the existing Willow Park Trail which will eventually connect to the trail system being developed within the Reata North development. (Exhibit A)
- b. Olde Town Mid-block Trail Connection – Olde Town filing 1A established several open space tracts between East NeuTowne Parkway and the southerly boundary of Olde Town at Parker. Olde Town at Parker Filing 1B will locate a trail within these open space tracts. The mitigation trail connection will run from the terminus of Olde Town trail at the south boundary of the property, and align south through the existing PSCo R.O.W to connect with the existing East/West Regional Trail adjacent to Todd Drive. The trail will be 10' wide, 6" thick concrete construction and approximately 225' in length. (Exhibit B)
- c. Completion of Bradbury Hills Community Park – Bradbury Park was constructed approximately 12 years ago in cooperation with Ryland Homes, the community builder at that time. The Bradbury Park land plan included a centrally located 11 acre community park. The current park is separated by an unimproved strip of land within PSCo R.O.W. dividing the improved northern and southern park sections. This Mitigation Measure will include irrigated sod and planter/shrub beds as well as walking paths, resulting in an integrated 11 acre community

park. (Exhibit B). The Company agrees to allow these park improvements within its R.O.W. under a license agreement with the Town in the form attached to the Memorandum of Understanding between the Town and the Company dated February 22, 2009.

- d. East/West Regional Trail Grade Separated Under Crossing At Jordan Road – There currently exists at this location an at-grade crossing with a pedestrian activated flasher. With completion of this trail within the next several years, including under crossings at Chambers Road and I-25, a grade separated under crossing at Jordan Road would provide a safer and more convenient route for pedestrians and cyclists. This trail is ultimately planned to run from the Cherry Creek Trail on the east within Parker, to Chatfield State Park on the west within Douglas County. Because of the regional nature of this trail we anticipate significant use by not only Town of Parker residents but also county residents. Based upon anticipated usage, this trail will be 10' wide, 6" thick concrete construction. (Exhibit B)
- e. Public Service Company Right-of-Way Vegetation Enhancement Program – Within the PSCo R.O.W. are a number of native species grasses which lends to the open space feel of the corridor. However, along the expanse of the corridor, threatening these native, xeric plantings, are an invasive species which uses the PSCo R.O.W. as a migration corridor. The vegetation enhancement program is targeted to increase the viability of the plant materials native to the 5.4 mile PSCo R.O.W. corridor within Parker by managing the invasive species so as to neutralize their deleterious effect on the landscaping.
- f. Tree/Landscape Grant Program – This Mitigation Measure will create a grant program for the owners of single family residential lots which are located within 100 feet of the PSCo right of way. The program will provide qualified lot owners with a maximum \$500 reimbursement as determined by the Town for the installation of new trees or landscaping to help create ground-level screening of the PSCo R.O.W. All new trees and landscaping materials funded under this program shall be compatible with the adjacent utility facilities located in the R.O.W., and conform with the Company's vegetation management policies.

SECTION 3: The Town shall assume sole responsibility for management of the design and construction for all Mitigation Measures required pursuant to this Agreement, except when delegated to the applicable homeowners association.

SECTION 4: The Company shall provide the Town with all permits, and other approvals, including separate license agreements in the form attached to the Memorandum of Understanding between the Town and the Company dated February 22, 2009, necessary for the completion of the Mitigation Measures required pursuant to

this Agreement.

SECTION 5: The lump sum payment for the Mitigation Measures required pursuant to this Agreement shall be the total mitigation obligation required from the Company by the Town to address impacts arising out of the nature and character of the Company's use of the land which Mitigation Measures will be a condition for the approval of the Special Review Application. No further dedications of real property, payment of monies or provision of services will be required from the Company by the Town related to the approval, construction and use of the land as an electric transmission corridor.

AGREED TO THIS ____ day of July, 2016, after which this Agreement becomes effective.

TOWN OF PARKER

By: _____
Mike Waid, Mayor

ATTEST:

By: _____
Carol Baumgartner, Town Clerk

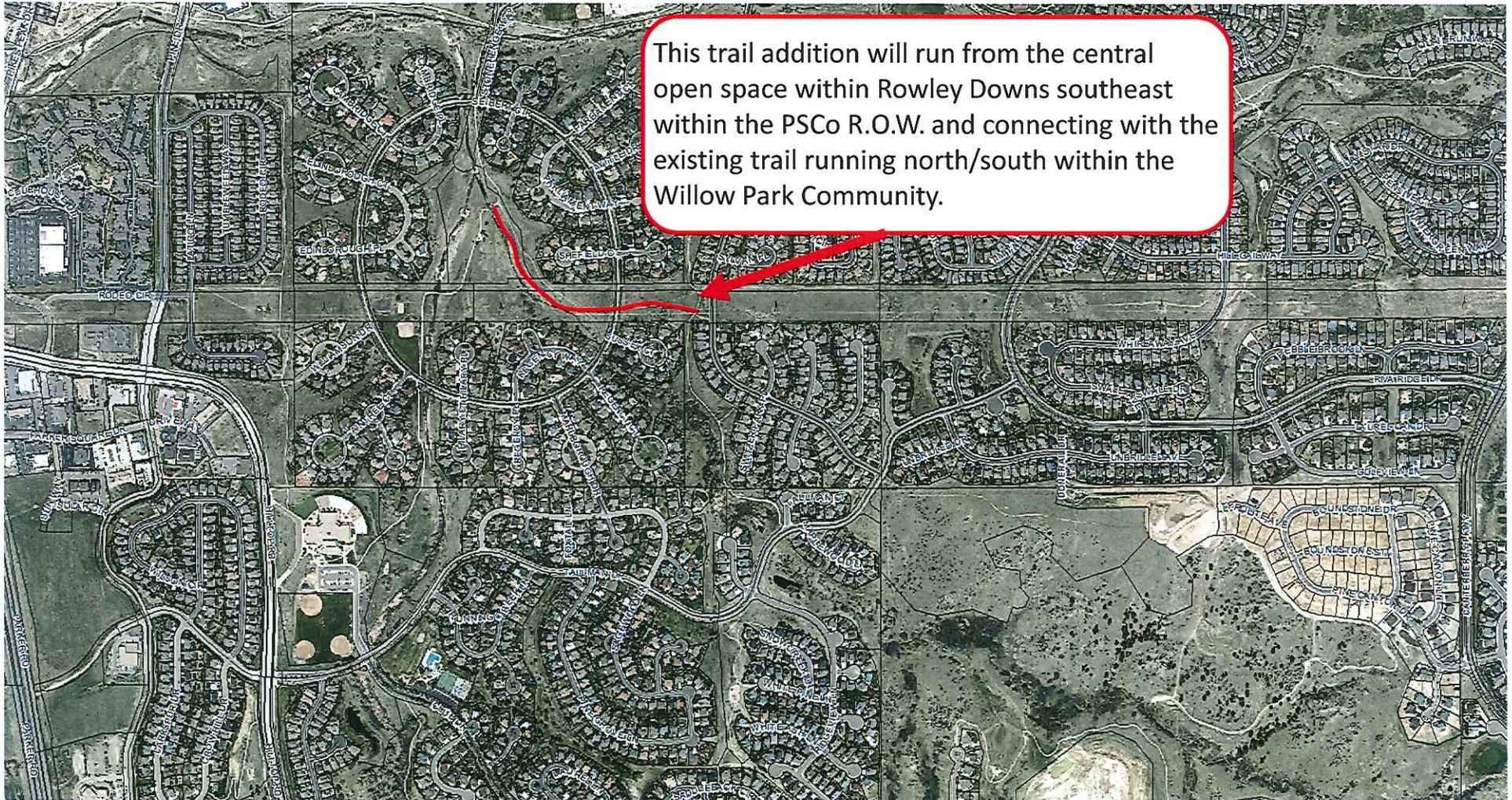
PUBLIC SERVICE COMPANY OF COLORADO

By: _____
Title: _____

Exhibit A

Vicinity Map:

CONCEPT ONLY. Draft of the Rowley Downs Trail Connection to Reata North
Referenced in Section 2(a)

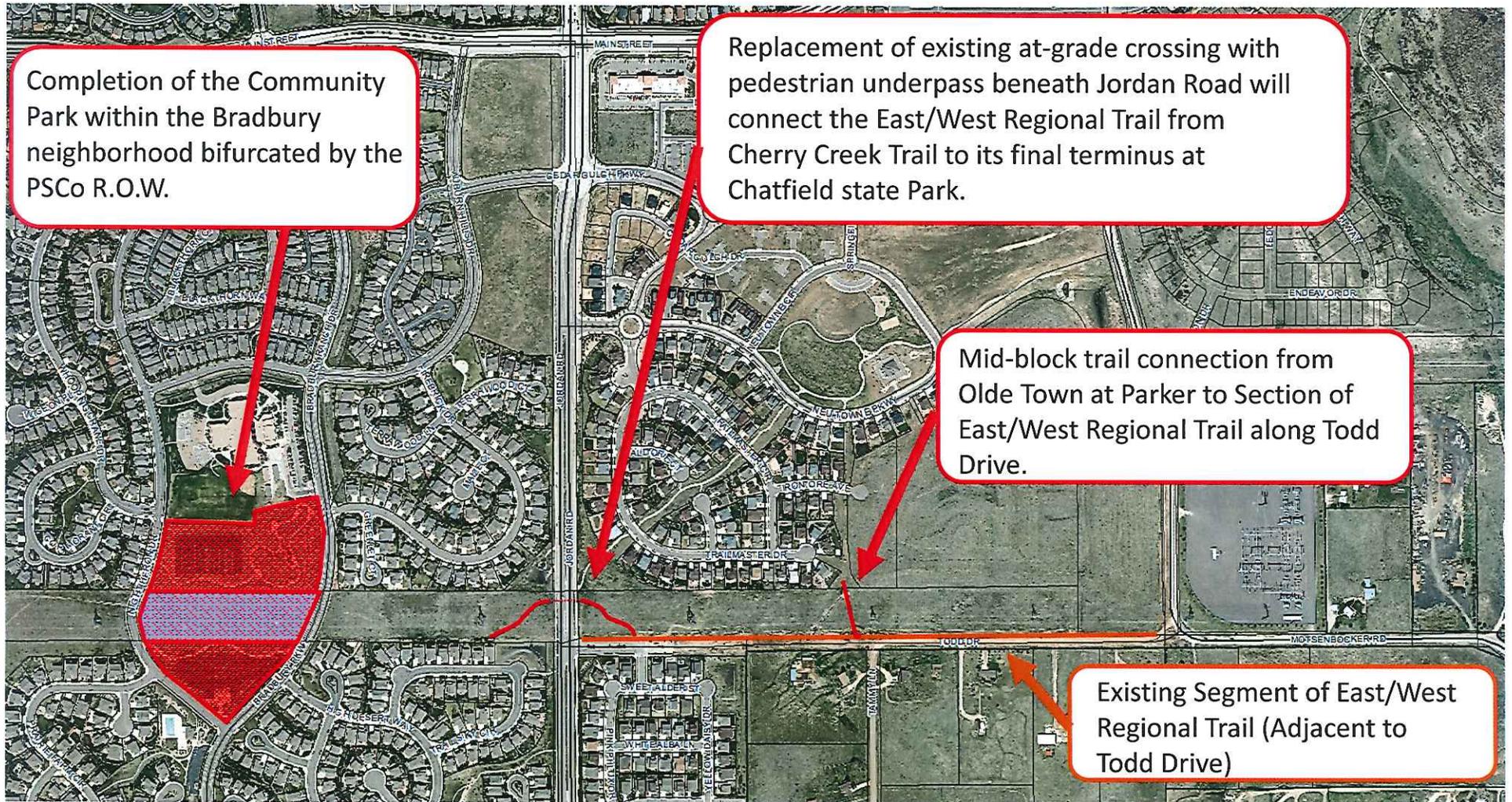


Note: the improvements shown hereon are conceptual only for illustrative purposes.

Exhibit B

Vicinity Map:

CONCEPTUAL ONLY. Draft of the Olde Town Mid-block Trail Connection, Completion of Bradbury Hills Community Park and East/West Regional Grade Separated Crossing at Jordan Road Referenced in Sections 2(b), (c) and (d)



Note: the improvements shown hereon are conceptual only for illustrative purposes.

EXHIBIT B

Under Section 13.04.205(d) of the Parker Municipal Code “a public utility shall not be permitted as a use by special review in any residential zone district unless the applicant shall have first demonstrated to the Town Council, by clear and convincing evidence, the following:

- (1) There is a compelling need for such public utility to be located on the proposed site; and
- (2) The applicant cannot adequately perform its utility functions on a site which is zoned to permit such a use, either by right or by special review, whether within or without the Town.”

There is a compelling need for such public utility to be located on the proposed Site, based upon the following specific findings of fact:

- (1) The Site for the Project consists of approximately 5.42 miles of right-of-way that was purchased by the Company and is located in the Town (the “Company ROW”).
- (2) The Company ROW is currently occupied by a 230kV transmission line that is supported by lattice towers that were constructed in the 1960s.
- (3) The Company ROW is approximately 210 feet in width and was purchased in the 1960s to accommodate two transmission lines.
- (4) The Company constructed the existing 230kV transmission line on one side of the Company ROW, leaving room on one side of the Company ROW for a second transmission line.
- (5) The Special Review Application provides that the Site is an appropriate location for a second 345kV transmission line.
- (6) The Project will include monopoles instead of lattice towers to be located adjacent to the existing transmission line.
- (7) The new transmission line will be offset by approximately 65 feet from the existing transmission line and will introduce approximately 35 new monopole structures within the Site.
- (8) The monopole structures will range in height from 100 feet to 150 feet.
- (9) The scope of the Project is not limited to the Town of Parker, but is part of a larger project which includes the construction of a 345 kV transmission system to connect the Company’s Pawnee Substation near Brush, Colorado, to the Company’s Daniels Park Substation, which is approximately 125 miles in length.
- (10) On March 11, 2015, the Colorado Public Utilities Commission approved a Certificate of Public Convenience and Necessity finding that the Project is just and reasonable.

- (11) The Company researched and evaluated reasonably available and economically feasible routes for the Project consistent with its statutory mandate to provide safe, reliable and economical service to the public.
- (12) The Company reviewed alternate routes, but due to the presence of many land use and environmental constraints, as well as the absence of a continuous path of open land of sufficient width, was not able to identify contiguous alternative routes.
- (13) Constructing the Project within the Company ROW would eliminate the need to acquire new right-of-way, which is a significant cost savings to the overall project budget, and would eliminate the need to condemn a landowner for the necessary right-of-way.
- (14) Constructing the Project within the Company ROW will avoid shifting the impact to other residential areas that do not have an existing utility corridor in place, such as the Company ROW.
- (15) Based upon these findings of fact and competent evidence contained in the public hearing record for the Special Use Application, the Company has demonstrated to the Town Council, by clear and convincing evidence, that there is a compelling reason to locate the Project on the Site.

The applicant cannot adequately perform its utility functions on a site which is zoned to permit such a use, either by right or by special review, whether within or without the Town, based upon the following specific findings of fact:

- (1) The specific findings of fact contained under Section 13.04.205(d)(1) above are incorporated herein by this reference as if fully stated herein.
- (2) Based upon these findings of fact and competent evidence contained in the public hearing record for the Special Use Application, the Company has demonstrated to the Town Council, by clear and convincing evidence, that the Company cannot adequately perform its utility functions on a site which is zoned to permit such a use, either by right or by special review, whether within or without the Town, except for the Site that is the subject of the Special Use Application.

EXHIBIT C

Under Section 13.04.205(h) of the Parker Municipal Code, the Planning Commission and the Town Council shall consider the following criteria in determining whether to approve or deny an application for a public utility use by special review:

- (1) Whether the public utility is compatible with the surrounding area;
- (2) Whether the public utility is in harmony with the character of the surrounding area;
- (3) The effect of the public utility upon the immediate area;
- (4) The effect of the public utility upon future development of the area;
- (5) Whether the proposed height limitations, setbacks, lot area and open space are sufficient to mitigate the impacts of the proposed use by special review on the surrounding area;
- (6) Whether land surrounding the public utility can be planned in coordination with the public utility;
- (7) Whether the public utility is in conformity with the master plan;
- (8) Whether the existing and proposed streets are adequate to carry anticipated traffic in the vicinity of the public utility;
- (9) Whether adequate open space and visual corridors are preserved;
- (10) Whether the public utility fosters a desirable and stable environment;
- (11) Whether the public utility makes possible the innovative and efficient use of the subject property;
- (12) Whether the public utility would exacerbate a natural hazard; and
- (13) Whether there are reasonably available and economically feasible alternatives for the public utility.

Town Council, in considering the criteria set forth above in determining whether to approve or deny the application submitted by the Company, makes the following specific findings of fact:

- (1) **Whether the public utility is compatible with the surrounding area.**

The existing 230kV transmission line on the Site was constructed in the 1960s prior to the incorporation of the Town. Since the construction of the existing 230kV transmission line, the Town was incorporated and has a current population of approximately 50,000. The Site is now located adjacent to several residential subdivisions that contain thousands of homes. By way of example, there are approximately 560 single-family homes located within 200 feet of the Site. The Site is also located adjacent to sensitive uses such as schools, open space and

neighborhood parks. The construction of the second transmission on the Site will double the current large-scale industrial use of the Site and will introduce significant impacts and land use conflicts with the surrounding area, which will negatively effect homes, neighborhoods, schools, parks and open space. The Project is being undertaken without the benefit of adequate mitigation to address the new impacts created by the second transmission line. As a result, the Project will not be compatible with the surrounding area, unless these impacts are mitigated in the manner described in Exhibits A and D of this Resolution.

(2) Whether the public utility is in harmony with the character of the surrounding area.

The findings contained in Paragraph 1 above are included by this reference as if stated fully herein. The Project will result in the conveyance of electrical power via a visually prominent conveyance system. The 5.42-mile span of this conveyance system through the Company's right-of-way, will traverse a number of neighborhoods, parks, open space corridors, schools and commercial areas. Based on these findings, the Project will not be in harmony with the character of the surrounding area and the uses of that area, unless the impacts created by the Project are mitigated in the manner described in Exhibits A and D of this Resolution.

(3) The effect of the public utility on the immediate area.

On March 11, 2015, the CPUC granted the CPCN sought by the Company (CPUC Decision No. C15-0316), and the decision approving the CPCN makes findings that the Project is just and reasonable and the noise and electromagnetic field levels resulting from the Project are reasonable. As a result, the Town's review of this criteria does not include noise and electromagnetic field levels resulting from the Project.

The existence of the Company's ROW corridor through the Town of Parker has historically bifurcated the community. The right of way proceeds through the middle of parks, open space and whole neighborhoods and has a proximity to two schools within the Town. A second transmission line, absent adequate mitigation to heal the existing division within the Town, will only exacerbate an impact upon the whole community.

The findings contained in Paragraph 1 above are included by this reference as if stated fully herein. Based on these findings, the Project will have a significant negative effect on the immediate area, unless the impacts created by the Project are mitigated in the manner described in Exhibits A and D of this Resolution.

(4) The effect of the public utility upon future development of the area.

The findings contained in Paragraph 1 above are included by this reference as if stated fully herein. Based on these findings, the Project will have a negative effect upon the future development of the area, unless the impacts created by the Project are mitigated in the manner described in Exhibits A and D of this Resolution.

(5) Whether the proposed height limitations, setbacks, lot area and open space are sufficient to mitigate the impacts of the proposed use by special review on the surrounding area.

The height of the new monopoles will range between 100 feet to 150 feet and will be similar in height to the existing lattice structures currently located on the Site. This effectively doubles the existing visual impact without any off-setting mitigation. This height is determined by the National Electrical Safety Code (“NESC”), which takes into account the required line-to-ground clearances. The distance between the centerline of the existing lattice structures and the new monopole structures is approximately 65 feet. The distance from the centerline of the existing lattice structures to the nearest edge of the Company right-of-way is approximately 75 feet and the distance from the centerline of the new monopoles to the nearest edge of the Company right-of-way will be approximately 70 feet. The footprint of the Project will consist of the new monopole structure foundations (approximately 5 feet in diameter). Although some of the Site may be available for other uses such as parks, bike paths and trails (the “Site Mitigation Areas”), there is no agreement with the Company to allow for the use of the Site Mitigation Areas or to pay for the improvements that will be necessary to develop Site Mitigation Areas. Based on these findings, to the extent that their are Site Mitigation Areas, these areas are not sufficient to mitigate the impacts of the Project on the surrounding area and will have a negative effect upon the future development of the area, unless the impacts created by the Project are mitigated in the manner described in Exhibits A and D of this Resolution.

(6) Whether the land surrounding the public utility can be planned in coordination with the public utility.

The land immediately adjacent to the existing utility corridor is predominantly built out with residential, recreational, school and commercial uses. A second transmission line within the Company ROW will bring with it significant visual impacts, nuisance conditions, sensitive area intrusion and construction impacts. It will result in an intensification of the industrial character of the existing transmission line, a character incompatible with the residential, recreational, school and commercial uses abutting the Company ROW. This will result in further segmentation and fragmentation of neighborhoods along the entire right of way corridor. As a result, the construction of the Project will have significant negative impact on the land, streets and uses surrounding the Site, eliminating the ability to coordinate the Project with current and future uses and continuing development of the surrounding land, unless the impacts created by the Project are mitigated in the manner described in Exhibits A and D of this Resolution.

(7) Whether the public utility is in conformity with the Master Plan.

The Town's Master Plan recommends that the Town minimize the aesthetic and environmental impacts of transmission and distribution systems and facilities. The Town's Master Plan also provides that those areas, through which the existing transmission line traverses, are to be maintained and even enhanced in the residential and downtown commercial character of the existing zoning districts. The Project will not be in conformity with the Master Plan, unless the impacts created by the Project are mitigated in the manner described in Exhibits A and D of this Resolution.

(8) Whether the existing and proposed streets are adequate to carry anticipated traffic in the vicinity of the public utility.

The existing streets are not adequate to carry anticipated construction traffic during the construction of the Project by the Company, unless the impacts created by the Project are mitigated in the manner described in D of this Resolution.

(9) Whether adequate open space and visual corridors are preserved.

The height of the new monopoles will range between 100 feet to 150 feet and will be similar in height to the existing lattice structures currently located on the Site. This height is determined by the NESC, which takes into account the required line-to-ground clearances. The footprint of the Project will consist of the new monopole structure foundations (approximately 5 feet in diameter).

The findings contained in Paragraph 1 above are included by this reference as if stated fully herein. The Project will result in two parallel transmission facilities occupying the Site in a manner that is visually prominent throughout the Town, which will significantly impact the existing visual corridors on the Site and across the Site. The 5.42-mile span of this prominent conveyance system through the Company's right-of-way will also negatively impact the open space that is adjacent to the Site. Based on these findings, the Project will not preserve open space and visual corridors, unless the impacts created by the Project are mitigated in the manner described in Exhibits A and D of this Resolution.

(10) Whether the public utility fosters a desirable and stable environment.

The specific findings of fact concerning Section 13.04.205(d)(1) as contained in Exhibit B and in Paragraph 1 above are included by this reference as if stated fully herein. Based on these findings, the Project will help foster a desirable and stable environment relative to reliable electricity supply and the addition of capacity for renewable energy. The Project will provide a significant transmission path for the additional resources and reduce the existing load on the 230kV transmission line serving the Intermountain Rural electric Association (the "IREA"), which provides electricity to the Town, improving the overall reliability to Company and IREA customers. On the other hand, the Project will result in segmentation and fragmentation of existing neighborhoods, which does not contribute to a stable environment, unless the impacts created by the Project are mitigated in the manner described in Exhibits A and D of this Resolution.

(11) Whether the public utility makes possible the innovative and efficient use of the subject property;

When the land was purchased for the existing utility corridor in the early 1960s, the Company planned for the installation of two parallel transmission lines on the Site. One transmission line was built in 1968, leaving room for an additional transmission line at some point in the future. The Project will make use of the additional room left on the Site, keeping the public utility uses combined in one single location instead of constructing the Project at another location.

(12) **Whether the public utility would exacerbate a natural hazard.**

There are no known natural hazards on the Site that will be exacerbated by a natural hazard.

(13) **Whether there are reasonably available and economically feasible alternatives for the public utility.**

The specific findings of fact concerning Section 13.04.205(d)(1) as contained in Exhibit B are included by this reference as if stated fully herein. The analysis presented by the Company provides that there are no reasonably available and economically feasible alternatives for the Company and that the Site is reasonably available for the Project and the Project is the most economically feasible alternative for the Company.

EXHIBIT D

CONDITIONS AND SAFEGUARDS

1. The monopoles used by the Company for the Project will be grey steel poles. If a lattice tower is removed as a part of the Project, it will be replaced by the Company with a monopole of a type similar to the monopoles being installed as a part of the Project. The Company will also provide the Town with an estimate of the cost to replace all of lattice structures within the Company ROW with monopoles within 90 days of the date of this Resolution.

2. Noise and electromagnetic field levels will not exceed those levels provided in the CPCN.

3. The Company will restore any disturbance to the Site, including the removal of all soil that is displaced on the Site as a result of the installation of the new monopoles, as a part of the Project.

4. The Company will reconstruct to Town Standards any recreational trails disturbed by the Project, including any recreational trails that cross the Site or are located within the Site, including, but not limited to, the Town of Parker East-West Trail.

5. The installation of monopoles by the Company as a part of the Project will not reduce the number of parking spaces that currently exist in the commercial areas of the Town.

6. The Company, in lieu of a two-track access through the Site, will construct as approved by the Town, a fixed permanent access made of soft surface materials that allows for recreational use, as well as access for the Company.

7. The Company will provide to the Town a construction access plan (the "Construction Access Plan") based upon Town Standards, at least six (6) months prior to the issuance of any permits by the Town for the Project. No permits will be issued until the Construction Access Plan is approved by the Town. The Construction Access Plan will describe where the Company and its designated contractors can access the Site from Town streets with large construction vehicles. The Town will not permit access to the Site from residential local streets, except as provided in the Town-approved Construction Access Plan and the associated right-of-way permit.

8. The Company will provide a Construction BMP (GESC) Plan to the Town based upon Town and/or County standards, at least six (6) months prior to the issuance of any permits by the Town for the Project. No permits will be issued until the Construction BMP (GESC) Plan is approved by the Town. This plan will ensure that construction activities do not create erosion/sediment impacts as a result of the Project and associated construction access to the Project. This plan will also identify all existing drainage facilities to ensure that they are not adversely impacted by the proposed improvements and construction activities.

9. The Company will be required to obtain a Town grading (GESC) permit prior to the start of construction. The Company will be required to prepare and submit for review all

necessary CBMP plans (GESC) and technical information associated with this permit. The application associated with this permit, including all required information, must be submitted to the Town for review a minimum of ninety (90) days prior to the start of construction.

10. The Company will provide a construction mitigation plan (the “Construction Mitigation Plan”) to the Town based upon Town standards, at least six (6) months prior to the issuance of any permits by the Town for the Project. No permits will be issued until the Construction Mitigation Plan is approved by the Town. The Company will address in this plan how the Company will prevent the generation of dust, fumes, vibration, displacement to residential properties of animals/vermin/rodents and construction-related noise, or, if generated, how the Company will mitigate impacts to adjacent neighborhoods. The Company will provide to the Town a single point of contact for public communication with the Company. The Company will provide for public outreach prior to and during the construction of the Project, such as a newsletter, open house and hotline.

11. The Company will provide to the Town a pre-construction visual survey of the Town streets, sidewalks, trails and landscaping adjacent to the Site prior to the issuance of any permits for the Project to establish a base line of the existing conditions of these streets prior to the start of construction.

12. The Company will provide to the Town a post-construction visual survey of the Town streets, sidewalks, trails and landscaping adjacent to the Site upon completion of the Project to determine that any damage has been properly repaired, including the restoration of any landscaping that is damaged. The Company will repair all damage to Town roadways and adjacent landscaping.

13. The Company will meet with each of the board of directors of the homeowners’ associations that represent the neighborhoods adjacent to the Site at least six (6) months prior to the issuance of any permits for the Project. The purpose of these meetings is to brief the directors concerning the pertinent construction details associated with the Project.

14. The Company will obtain a Town right-of-way permit for any construction activities that will impact adjacent public roadways. These activities include temporary staging of materials or equipment within the roadways. The Company will submit an application for this permit at least ninety (90) days prior to the issuance of any permits for the Project. The application will include the preparation and submission of all necessary traffic control plans to ensure that pedestrians and the traveling public are not adversely impacted by the construction activities associated with the Project.

15. The staging of Project equipment and/or materials on Town roadways will generally not be permitted. However, there are likely to be some construction activities within the Town roadways that may be unavoidable (stringing of power lines). These activities must be approved as part of a Town right-of-way permit. The Company will be required to repair any street damage associated with the construction activities, in accordance with Town standards.

16. Project construction traffic and access to the Company’s right-of-way should be limited to arterial or collector roadways. Construction traffic on residential local streets will not

be permitted, unless authorized by the Town through the associated Town grading (GESC) and/or right-of-way permit.

17. The Company will be required to submit an application for a Town floodplain development permit for any disturbance within regulatory floodplains within the Town at least ninety (90) days prior to the issuance of any permits for the Project. This includes permanent impacts as well as temporary construction impacts. The Company will need to provide an engineering analysis showing the impacts of permanent structures/impacts within the limits of the Cherry Creek floodplain. If the engineering analysis suggests no adverse impact (0.00 ft. rise in the base flood elevation), a no-rise certification will need to be prepared by a registered professional engineer and submitted along with the floodplain development permit application. If the activity results in a change to the base flood elevation, the Company will be required to submit necessary letter of map change applications to FEMA. The Company is strongly encouraged to organize construction in a manner that will not cause any impacts (permanent and/or temporary) to all other regulatory floodplain crossings within Town.

18. Since the proposed improvements (monopoles) are isolated, including minimal impervious area, and are not changing the existing topography, a drainage report/plan will not be required. However, care should be taken by the Company during construction to ensure existing drainage facilities are not adversely impacted or damaged.

19. The proposed pole located at the northeast corner of Dransfeldt Road and Twenty-Mile Road is within the inundation area of an existing stormwater retention pond. The pole is not within the permanent pool, but may be inundated (less than 2-3 feet) for short durations after heavy precipitation events. The Company should evaluate any potential impacts to the associated pole foundation. Technical information pertaining to this detention pond can be provided by the Town upon request.

20. It appears that the proposed poles are outside of the Preble's Meadow Jumping Mouse (riparian conservation zone) along Cherry Creek. However, the Company should verify and be aware that any permanent or temporary impacts/disturbance to the riparian conservation zone will require authorization from the U.S. Fish and Wildlife Service.

21. The Company will obtain all state and federal permits associated with the construction of this project, including Section 404 (Wetlands) permits.

22. The Company will hold a pre-construction meeting with the Town prior to the release of any permits and the start of construction. This meeting can be scheduled through the Town's Engineering Department. The Company will also hold regular progress meetings between the Town, the Company and the contractor(s) used by the Company, based on a schedule provided by the Town.

23. The Company will ensure that construction activities related to the Project will not interfere with the following events and races that are held in the Town, including Parker Days (second weekend in June); Parker Farmer's Market (Sundays May through October; Trick or Treat on Mainstreet (Oct. 31); Let Freedom Sing (July 4); Valentine's Day Race (second weekend in February); So Long to Summer Race (first or second weekend in August); Arbor

Day Race (Last Saturday in April); as well as other events and races that take place along the Company ROW during construction. The Company will contact the Town at least six (6) months prior to the issuance of any permits for the Project to determine the events and races that will be subject to this condition.

24. The Company will comply with the Parker Municipal Code and all applicable state and federal laws during the construction of the Project.

25. The Department of Community Development is authorized to make minor changes to the conditions/safeguards contained herein to the extent provided in Section 13.03.030 of the Parker Municipal Code.