



**Town of Green Mountain Falls  
Planning Commission Regular Meeting  
Agenda  
December 8, 2020 • 6:30 PM • Virtual Meeting\***

\*[Zoom Meeting Link](#)

Meeting ID: 834 9755 2044

Password: 678034

\*\*Register for public comment by 4:00 PM the day of the meeting [clerk@gmfco.us](mailto:clerk@gmfco.us)

TIME		ITEM	DESIRED OUTCOME
6:30	1.	CALL TO ORDER	
6:32	2.	ADDITIONS, DELETIONS, OR CORRECTION TO THE AGENDA	
		APPROVAL OF MINUTES	
6:33	3.	Draft Minutes of the November 10, 2020 Regularly Scheduled Meeting	Action Recommended
	4.	PUBLIC COMMENT**	
		OLD BUSINESS	
6:45	5.	Planning Commission Draft Bylaws for Consideration and Recommendation to the Board of Trustees. Staff	Action Recommended
		NEW BUSINESS	
6:55	6.	Presentation and Discussion on Red Devil Mountain and Joyland Development Concept Plan. Jesse Stroope on Behalf of Historic Green Mountain Falls Foundation, LLC. and Green Mountain Falls Road, LLC.	Discussion, Staff Direction, and Recommendation
7:10	7.	Red Devil Mountain and Joyland Annexation Petitions. Consideration and Recommendation to Board of Trustees. Staff	Action Recommended
		OTHER BUSINESS	
7:25	8.	Trustee Liaison Report on Board Action and Matters of Comprehensive Plan Implementation. Katharine Guthrie, Board of Trustees Planning Liaison	Information
7:30	9.	Housekeeping and 2021 Schedule – Next Regular Meeting is January 12, 2021	Information



## MEETING MINUTES

### Planning Commission Meeting November 10, 2020 6:30 p.m. Zoom Virtual Meeting

Commissioners Present: Todd Dixon, Sean Ives, Lamar Matthews, Paul Yingling

Commissioners Absent: Gregory Williamson

Ex Oficio Member: Mayor Jane Newberry

Board of Trustees Liaison: Katharine Guthrie

GMF Staff: Julia Simmons

[Link to Zoom Video Recording](#)

Agenda Item	Discussion/ Motion	M/S	TD	SI	LM	GW	PY	JN
1. CALL TO ORDER / ROLL CALL	Chairperson Dixon called the meeting to order at 6:30 PM.							
2. ADDITIONS, DELETIONS, & CORRECTIONS TO THE AGENDA	All aye, motion passes.	PY/LM	Aye	Aye	Aye	-	Aye	-
3. APPROVAL OF MINUTES October 27, 2020 Regular Meeting	<b>Motion to approve minutes as submitted</b> All aye; motion passes.	LM/PY	Aye	Aye	Aye	-	Aye	-
	<ol style="list-style-type: none"> <li><b>Ann Esch, of 6830 Colorado St.</b>, submitted email to Town Staff regarding Black Hills Energy, and asked that it be read into the record. Email, received after agenda posting deadline, is included and comments are reflected on video recording, published on GMF Town Website.</li> <li><b>Dick Bratton, of 111090 Hondo Ave.</b>, comments regarding comprehensive plan implementation and fire mitigation. Comments are reflected on video recording, published on GMF Town Website.</li> </ol>							
4. PUBLIC COMMENT								
5. NEW BUSINESS								
Planning Commission Draft Bylaws for Discussion and Recommendation. Mallory Redmon, Town Staff	Draft bylaws, as submitted, were reviewed for discussion and staff direction to be considered for final review at the December 8, 2020 meeting and forwarded to the Board of Trustees for approval. No formal action taken.							

Agenda Item	Discussion/ Motion	M/S	TD	SI	LM	GW	PY	JN
Planning Commission Operating Norms for Discussion and Recommendations to Staff, Presented by Chair Todd Dixon	Chair Dixon presented version 1 of operating norms, which will continue to be updated. No formal action taken.							
Land Use Code Ordinance Rewrite Update, Presented by Julia Simmons, Town Staff	Ms. Simmons presented an update on Land Use Code Ordinance Rewrite RFP and proposals, as reflected in recorded video, published on Town Website.							
6. ADJOURN								
	Chairperson Dixon adjourned meeting at 7:37 PM.							

From: [gmfmac@aol.com](mailto:gmfmac@aol.com)  
To: Julia Simmons; Angie Sprang; [REDACTED]  
[REDACTED]  
Subject: Annexation  
Date: Tuesday, November 24, 2020 7:46:53 PM

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Hi Julia, I'm writing this out of my concern for the benefit, if any, the Town will have by annexing the parcels proposed by HGMFF.

Please forward my questions and comments to each of the Planning Commissioners. I think I got all the Board members. Of course anyone else you think would be interested is also welcome too.

In most cases annexation benefits both participants. The petitioner obviously feels annexation will be beneficial to him since he initiated the proposal. What exactly is the value of this transaction to Green Mountain Falls? Is there increased tax revenue? I understand the petitioner claims his proposed artwork will attract more tourists and hikers to Town who will stay at summer rental properties thereby increasing lodging fees and sales tax revenue. What if it doesn't? Assuming the artwork is successful, what affect will there be on those who live here year 'round? Congestion? More traffic? Will the Town have to hire more policemen? Will the Fire Department have to put on another full time fireman? Will tax revenues offset any cost increases to the Town? Will there be any tax revenues from the annexation?

I honestly believe that property owners have a right to do pretty much whatever they want on their own land, as long as they don't infringe on their neighbors rights doing so. What is the petitioners responsibility if his project creates a traffic problem? Should the petitioner provide (at his expense) a traffic study before the project begins and then another a year after completion to assess the traffic load? Should he be contractually compelled to mitigate a problem? Certainly the townspeople shouldn't have to pay for the study or the mitigation. Is there an alternative access?

I don't understand the need for the annexation to begin with. The property owner can probably install his artwork even if it's not technically in Green Mountain Falls. Even if that's not the case and he needs to be in GMF to get the permits or whatever then the value to him to be in GMF goes up. But again, ***What's in it for Green Mountain Falls??***

Is Colorado Springs Utilities aware that there will be a building and a trail adjacent or nearly adjacent to their water treatment facility with dozens or hundreds of people per week in such close proximity to their plant? Will that fact cause them to feel the need for higher security causing higher fees for water?

I believe the annexation and zoning should be separated. They propose to annex 2 parcels and then re-zone 6. In the Annexation Agreement, Attachment "F" of the contract refers to water and wastewater service in paragraph 3. The Town has no public utility of any kind. Paragraph 5 refers to Trail Management.. The trails are on private property. Paragraph 6 refers to Road Improvements. The Town has no road improvement responsibility on either proposed annexation parcel. Paragraph 8 refers to Zoning. If the petitioner desires PUD zoning the plan is woefully inadequate. Planned Unit Development is exactly that! No plan, no development. Along with the plat there should be detailed plans for the whole project; buildings, parking, restrooms, even down to colors. There are 2 petitions for annexation the first of 4 pages ID'd Attachment B. The other of 6 pages with no ID with a Statement of Authority for each 1/2. All are notarized in Oklahoma. I don't believe documents notarized in Oklahoma are actually legal in Colorado. Please be careful.

Remember, the annexation agreement is a contract. It will be binding forever. This is all on private property. Other than police protection when needed the Town should have no other responsibility. No public streets or facility of any kind. Frankly, if the Town grants the annexation, I think the Town should vacate the section of High St. that runs between 2 of their parcels They maintain their roads , parking lots, buildings etc. If townspeople want to volunteer to help out here and there they should be welcome to do so.

Thanks, Mac Pitrone



To: Planning Commission

From: GMF Planning & Land Use

Date: December 4, 2020

Re: Draft Planning Commission Bylaws for Review and Recommendation

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### **Background/Discussion**

At the November 10, 2020 Regular PC Meeting, the Commission reviewed and gave direction to staff on Town Attorney's Draft Bylaws document.

Staff has edited the bylaws and is presenting them tonight for final review and recommendation to the Board, which will consider all Boards and Commission bylaws in early-2021 for final adoption.

### **Conclusion**

GMF Town Staff recommends the Planning Commission recommend approval of the draft bylaws.

## **BYLAWS**

### **ARTICLE I** **GENERAL**

SECTION 1. POWERS AND DUTIES. The GREEN MOUNTAIN FALLS PLANNING COMMISSION\_ (the "PLANNING COMMISSION"), acting by and through its appointed members, shall have all the powers granted by the Board of Trustees of Green Mountain Falls (the "Board of Trustees") and the Colorado Revised Statutes and shall perform all duties provided therein.

SECTION 2. OFFICE. The office of the Planning Commission shall be at the Green Mountain Falls Town Hall.

### **ARTICLE II** **DIRECTORS**

SECTION 1. APPOINTMENT AND TERMS. The appointment and the terms of office of the members of the PLANNING COMMISSION shall be as provided by resolution of the Board of Trustees.

SECTION 2. REMOVAL. Members may be removed by the Board of Trustees as provided by resolution of the Board of Trustees.

SECTION 3. CODE OF ETHICS. Each member of the Planning Commission shall comply with the Town's Code of Ethics as set forth in Article XI, Chapter 2, of the Green Mountain Falls Municipal Code, as amended (the "Code"). If any member has a conflict of interest, as defined by the Code, with regard to any matter before the Planning Commission, the member shall follow the disclosure and other requirements of Section 2-62 of the Code, as amended.

SECTION 4. ALTERNATES. By resolution, the Board of Trustees may appoint alternate members of the Planning Commission. At each meeting of the Planning Commission, if a regular member is not present at the time of roll call, an alternate member who is present at the time of roll call shall be seated as a member for that meeting, by motion of the Planning Commission. Alternate members may take part in the discussion of any matter that comes before the Planning Commission, except for quasi-judicial matters, in which they may not participate unless they have been a) appointed in the place of an absent member for the duration of the matter and b) designated to do so by the chair in place of an absent member. Alternate members may not serve as officers of the Planning Commission.

### **ARTICLE III** **OFFICERS**

SECTION 1. ELECTION. The officers of the Planning Commission shall be a Chair, a Vice-Chair and a Secretary, elected annually by the Planning Commission at the first regular meeting of each calendar year, and they shall assume their duties upon election. In the same manner, the Planning Commission shall also elect a secretary who may be a non-member, employee of the Town, whose job description includes secretarial duties.

SECTION 2. CHAIR. The Chair shall preside at all meetings of the Planning Commission. Except as otherwise authorized by resolution of the Planning Commission the Chair shall sign all contracts, deeds and other instruments made by the Planning Commission. The Chair shall appoint such standing sub-committees as authorized by a vote of the Planning Commission.

SECTION 3. VICE-CHAIR. The Vice-Chair shall perform the duties of the Chair in the absence from the Town or incapacity of the Chair; and in case of a vacancy in the office of the Chair, the Vice-Chair shall perform such duties as are imposed on the Chair until such time as the Planning Commission selects a new Chair from among its members.

SECTION 4. SECRETARY. The Secretary shall attest to the signature of the Chair on documents, keep the records of the Planning Commission, shall record all votes, and shall cause to be kept a record of the proceedings of the Planning Commission in a journal of proceedings to be kept for such purposes, and shall perform all other duties incident to this office. The Secretary may be a non-member of the Planning Commission who is employed by the Town.

SECTION 5. ADDITIONAL DUTIES. The officers of the Planning Commission shall perform such other duties and functions as may from time to time be required by the Board of Trustees.

SECTION 6. VACANCIES. Should the office of Chair, Vice-Chair, or Secretary become vacant, the Planning Commission shall select a successor from its membership at the Planning Commission's next regular meeting to serve for the unexpired term of said office.

## **ARTICLE IV** **MEETING**

SECTION 1. REGULAR MEETINGS. A regular meeting shall be held at Town Hall on the second Tuesday of each month with notice as required by Colorado law and the Code. If additional room or facilities are needed, with approval of the Board of Trustees or Town Manager, the Chair may change the site of the meeting to another public location within the Town of Green Mountain Falls that is open and accessible to the general public, provided notice of such change is made not less than 24 hours prior to the scheduled meeting time. Meetings which take place virtually through Online platforms must also provide notice to the general public not less than 24 hours prior to the scheduled meeting time.

SECTION 2. SPECIAL MEETINGS. Special meetings may be called by the Chair, any 3 members, or the Town Manager with at least 24 hours' written notice.

SECTION 3. QUORUM. A majority of the appointed non-vacant seats shall constitute a quorum, but a smaller number may adjourn until a quorum is obtained.

SECTION 4. VOTING. When a quorum is in attendance, action may be taken by the Planning Commission upon an affirmative vote of the majority of the members present. The yeas and nays shall be entered upon the minutes of every meeting, except where there is a unanimous vote.



SECTION 5. ABSENCES. A member who is unable to attend a meeting shall notify the Secretary in advance of the meeting, stating the reason for his or her absence. More than three (3) absences from meetings within any calendar year may constitute the basis for removal. Remote participation pursuant to rules and regulations adopted by the Board of Trustees, as they may be amended, shall not constitute an absence.

SECTION 6. RULES OF PROCEDURE. The meetings of the Planning Commission shall be conducted according to the Planning Commission's adopted Rules of Procedure, which may, in the future, be revised to include procedures for allowing members to participate in meetings through telephonic or digital means.

SECTION 7. OPEN MEETINGS. The Planning Commission shall make all policy decisions, pass resolutions, adopt rules and regulations, and take action only at meetings open to the public. Notices of meetings shall be posted in compliance with the Colorado Open Meetings Law, C.R.S. § 24-6-401, *et seq.*, and the Code.

SECTION 8. EXECUTIVE SESSIONS. The Planning Commission may enter into executive sessions as permitted by the Colorado Open Meetings Law, C.R.S. § 24-6-401, *et seq.* Attendance at executive sessions shall be limited to the members of the Planning Commission and such persons as the Planning Commission may also invite as required for advice and information.

## **ARTICLE V** **MANAGEMENT**

SECTION 1. POLICIES. The Planning Commission may adopt policies as it deems appropriate. All policies shall be reviewed by the Board of Trustees before adoption, and all adopted policies shall be available for public inspection at the Town Clerk's office.

SECTION 2. ANNUAL REPORT AND WORK PLAN. Annually the Planning Commission may present to the Board of Trustees a written report summarizing the work of the Planning Commission during the preceding calendar year. At that time, the Planning Commission may also present for the Board of Trustees review and approval a proposed work plan for the new year.

SECTION 3. RELATIONSHIP WITH THE TOWN OF GREEN MOUNTAIN FALLS. The Planning Commission, its officers and members shall always strive to provide regular and comprehensive communications regarding the Planning Commission's activities with the Mayor, Board of Trustees and Town Manager of the Town of Green Mountain Falls. The Planning Commission shall cooperate with the Town of Green Mountain Falls to further the Town's adopted goals.

## **ARTICLE VI** **BOOKS AND RECORDS**

SECTION 1. RECORDKEEPING. The Planning Commission shall maintain adequate and correct accounts of its meetings, policies, resolutions, and activities. All records shall be open to inspection by the public at any reasonable time.

SECTION 2. RECORDS TO BE PUBLIC. All resolutions and orders, as soon as practicable after their passage, shall be recorded in a book kept for that purpose and authenticated by the signature of the Chair and attested to by the Secretary. A record shall also be made of all other proceedings of the Planning Commission, with minutes of the meetings and reports entered into the record. Said records shall be public records, shall be open to inspection as required by law, and shall be provided to the Town Clerk.

**ARTICLE VII**  
**APPROVAL, AMENDMENT TO AND SUSPENSION OF BYLAWS**

SECTION 1. These Bylaws shall be reviewed and approved by the Board of Trustees.

SECTION 2. AMENDMENT. Amendments to these Bylaws are subject to Board of Trustee approval after adoption by Planning Commission following first reading at the previous meeting.

SECTION 3. SUSPENSION. Any requirement of these Bylaws may be waived by a written consent signed by all members, except those required by law.

*Adopted [date] \_\_\_\_\_, by Res. No. \_\_\_\_\_*

*Approved by the BOT on \_\_\_\_\_ [date]*



To: Planning Commission  
From: GMF Planning & Land Use  
Date: December 4, 2020  
Re: Red Devil Mountain Annexation and Development Concept Overview

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### **Planning Commission Recommended Action**

Staff recommends the Commission review the Petitioners presentation, materials, and discuss the draft proposal. The Commission may also ask for further information and clarification, to be presented in upcoming scheduled public hearings.

The Chair may entertain a motion for a recommendation to the Board of Trustees, but it is not compulsory.

### **Background/Discussion**

The Board of Trustees reviewed a presentation and concept site plans from Jesse Stroope, on behalf of Historic Green Mountain Falls Foundation and Green Mountain Road, LLC.

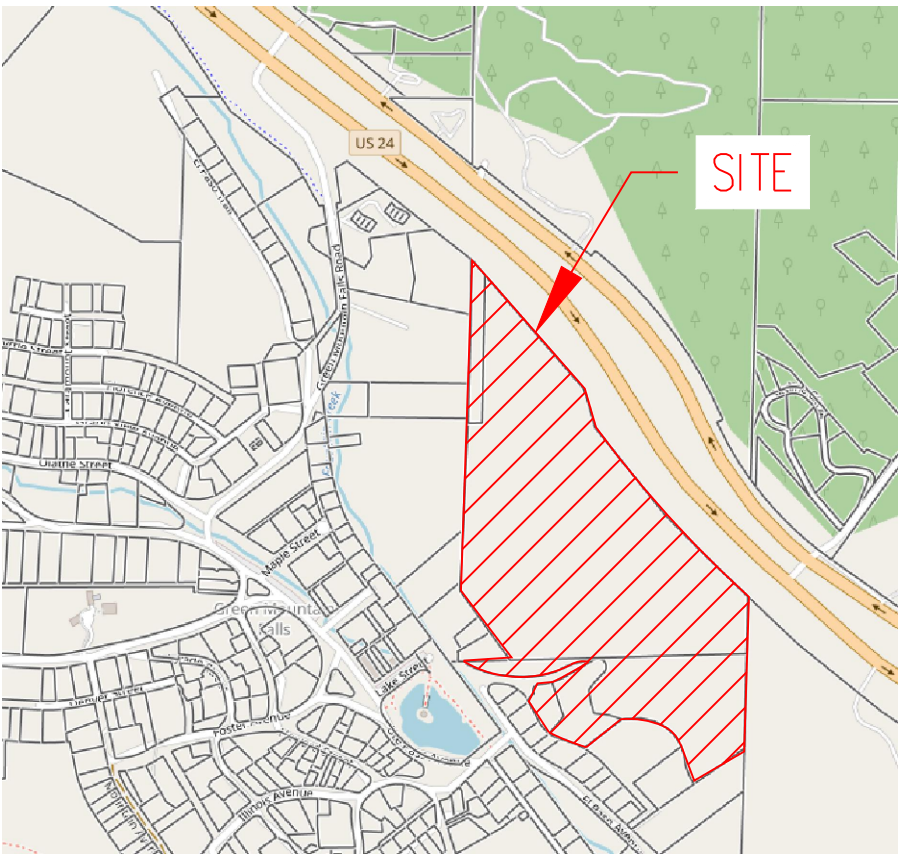
The Planning Commission is being presented the latest updates to previous draft plans and proposals, first reviewed in 2019. This is an opportunity for the Commission to have a dialog with the petitioner and proponent of this development plan as well as make any recommendations to the Board and give input to staff prior to the January 5, 2021 annexation public hearing.

Staff has taken Board comments from the November concept plan presentation to draft an annexation agreement between the Town and the Petitioner, which will be finalized during the public hearing. Items that will be included in the contract agreement include trail management plan with continuous public access, restrooms at Joyland, public parking that may be incorporated into a paid or managed parking program, and any further details on maintenance, lighting, and safety.

### **Conclusion**

The Commission is not holding a formal public hearing nor approving any development or zoning at this meeting. The item is intended as information for the purposes of discussion. Staff recommends the Commission review the materials and ask for any clarification or that additional information be presented in future public hearings. The Chair may decide to entertain a motion for a recommendation to the Board.





VICINITY MAP  
N.T.S.

Owners

Historic Green Mountain Falls Foundation, LLC  
1001 W. Wilshire Blvd, Fourth Floor  
Oklahoma City, OK 73116

Christian Keesee, Sole Member  
Green Mountain Road, LLC  
1001 W. Wilshire Blvd, Fourth Floor  
Oklahoma City, OK 73116

Legal Descriptions

Watson Parcel:  
Lots 28, 29, 30, 31, 32, 33 and 34, and vacated Cheyenne Street adjacent thereto, in Block 18, Addition Number 2 to the Town of Green Mountain Falls, Excepting therefrom That portion of Lots 31 and 32, Block 18, Addition No. 2 to the Town of Green Mountain Falls, El Paso County, Colorado, according to the Plat thereof recorded in Plat Book B at Page 28 of the records of said county, described as follows: Beginning at the Westerly end of vacated Cheyenne Street; Thence along the Westerly line of said Lot 32, being the Easterly line of High Street, for the following two (2) courses; (1) Thence on a curve to the right having a central angle of 104°11'15", a radius of 25.00', a length of 45.46', and whose chord bears N26°26'13"E; (2) Thence on a curve to the left having a central angle of 09°33'06", a radius of 339.47', a length of 56.59', and whose chord bears N73°45'18"E; Thence S19°07'14"E, 66.65'; Thence S19°06'13"E, 64.98'; Thence S22°32'23"E, 34.82'; Thence S39°24'08"W, 104.03'; Thence along the South and West lines of vacated Cheyenne Street for the following three (3) courses; (1) Thence on a curve to the right having a central angle of 25°02'45", a radius of 166.63', and a length of 72.84'; Thence N25°39'24"W tangent to said curve, 110.42'; Thence N45°45'58"E, 42.20' to the Point of Beginning, County of El Paso, State of Colorado And containing 1.588 acres

Johnson Parcel A:  
That unplatted portion of the Southeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., County of El Paso, State of Colorado, lying Northerly of Block 17 and Northerly and Northeasterly of Block 18, Green Mountain Falls Addition No. 2 and lying Northwesterly of that parcel conveyed by Deed recorded January 9, 1974 in Book 2649 at Page 12.  
Johnson Parcel B:  
A non-exclusive easement for ingress, egress and utilities over a portion of Lots 31, 32, 33 and 34 in Block 18 in Addition No. 2 to Green Mountain Falls, as described on Shared Driveway and Utility Easement Agreement recorded June 27, 2008 at Reception No. 208073542.  
And containing 5.77 acres

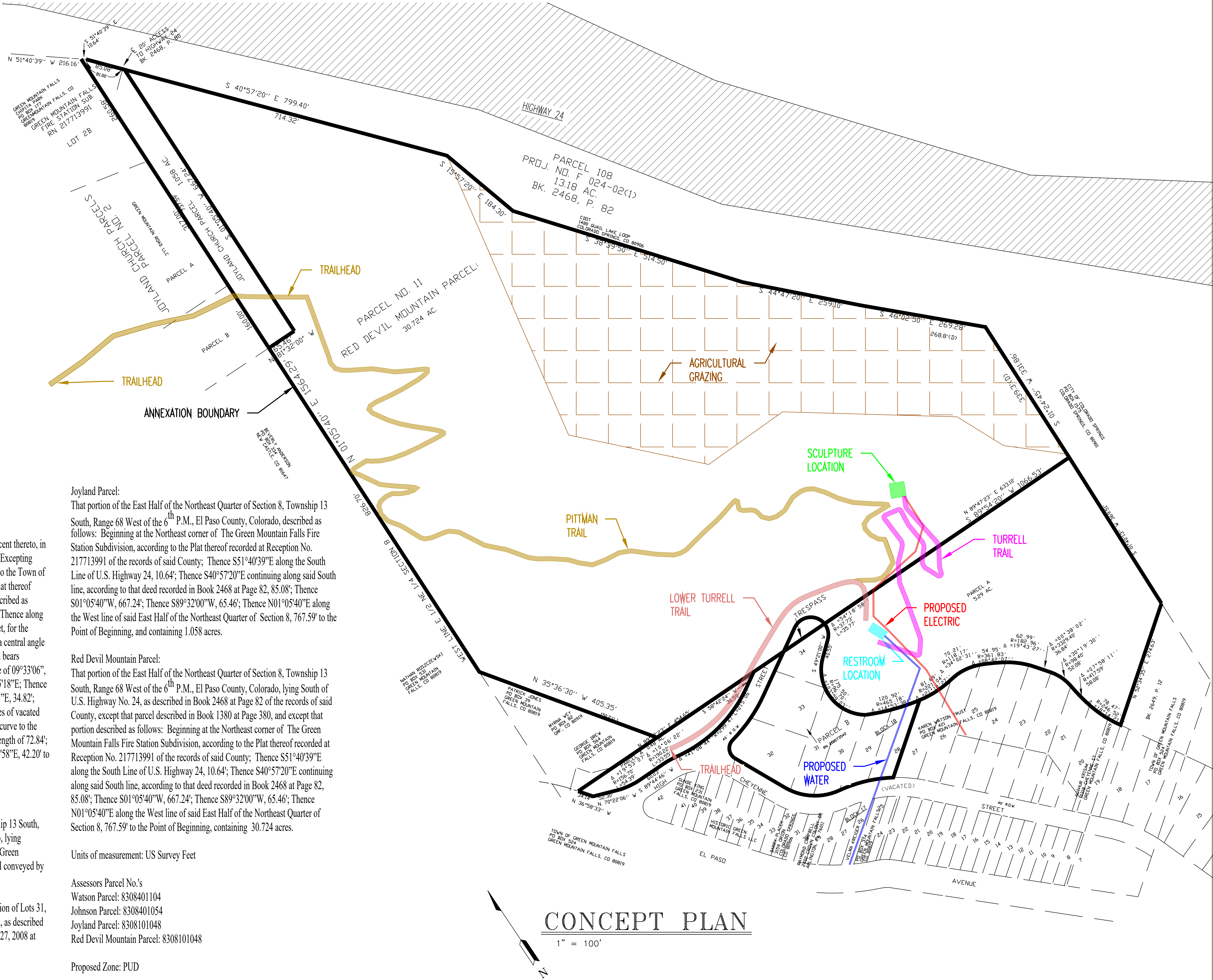
Joyland Parcel:  
That portion of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6<sup>th</sup> P.M., El Paso County, Colorado, described as follows: Beginning at the Northeast corner of The Green Mountain Falls Fire Station Subdivision, according to the Plat thereof recorded at Reception No. 217713991 of the records of said County; Thence S51°40'39"E along the South Line of U.S. Highway 24, 10.64'; Thence S40°57'20"E continuing along said South line, according to that deed recorded in Book 2468 at Page 82, 85.08'; Thence S01°05'40"W, 667.24'; Thence S89°32'00"W, 65.46'; Thence N01°05'40"E along the West line of said East Half of the Northeast Quarter of Section 8, 767.59' to the Point of Beginning, and containing 1.058 acres.

Red Devil Mountain Parcel:  
That portion of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6<sup>th</sup> P.M., El Paso County, Colorado, lying South of U.S. Highway No. 24, as described in Book 2468 at Page 82 of the records of said County, except that parcel described in Book 1380 at Page 380, and except that portion described as follows: Beginning at the Northeast corner of The Green Mountain Falls Fire Station Subdivision, according to the Plat thereof recorded at Reception No. 217713991 of the records of said County; Thence S51°40'39"E along the South Line of U.S. Highway 24, 10.64'; Thence S40°57'20"E continuing along said South line, according to that deed recorded in Book 2468 at Page 82, 85.08'; Thence S01°05'40"W, 667.24'; Thence S89°32'00"W, 65.46'; Thence N01°05'40"E along the West line of said East Half of the Northeast Quarter of Section 8, 767.59' to the Point of Beginning, containing 30.724 acres.

Units of measurement: US Survey Feet

Assessors Parcel No.'s  
Watson Parcel: 8308401104  
Johnson Parcel: 8308401054  
Joyland Parcel: 8308101048  
Red Devil Mountain Parcel: 8308101048

Proposed Zone: PUD



CONCEPT PLAN  
1" = 100'

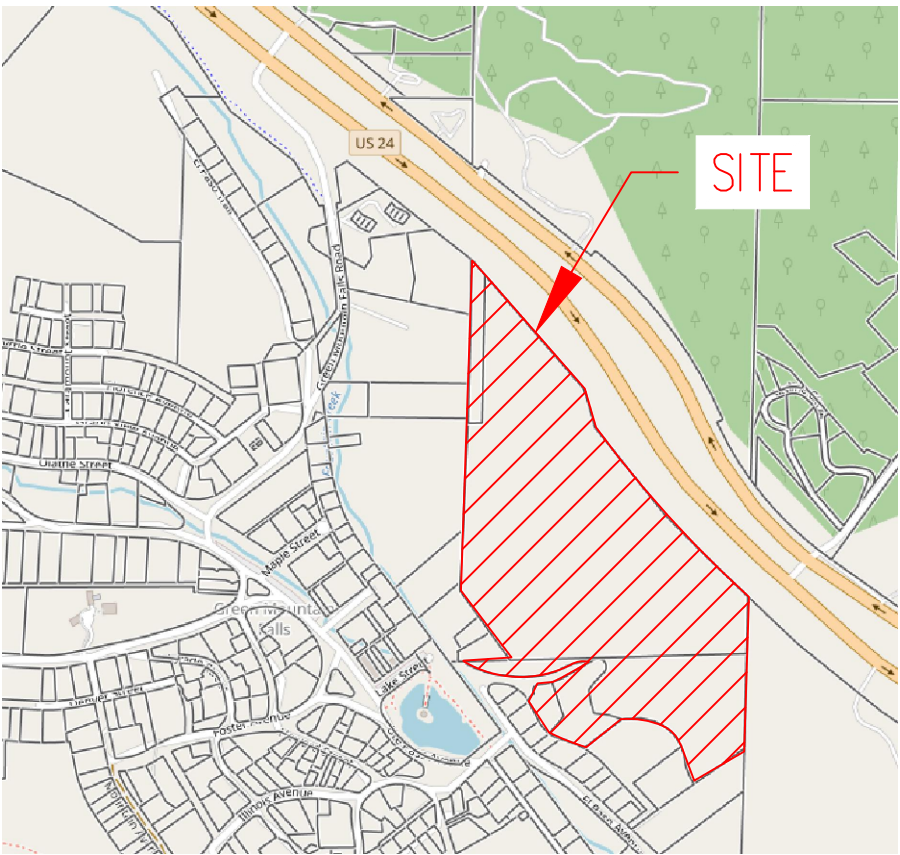
REVISIONS	BY

ENTECH  
ENGINEERING, INC.  
505 ELKTON DRIVE  
COLORADO SPRINGS, CO 80907  
(719) 531-5599

CONCEPT PLAN  
RED DEVIL MOUNTAIN DEVELOPMENT  
GREEN MOUNTAIN FALLS, CO  
FOR: GREEN MOUNTAIN ROAD, LLC

DRAWN BY: AMN
DESIGNED BY:
CHECKED BY:
DATE: 10/30/2020
SCALE: AS SHOWN
JOB NO.: 201280
SHEET NO.: 1 OF 1 SHEETS





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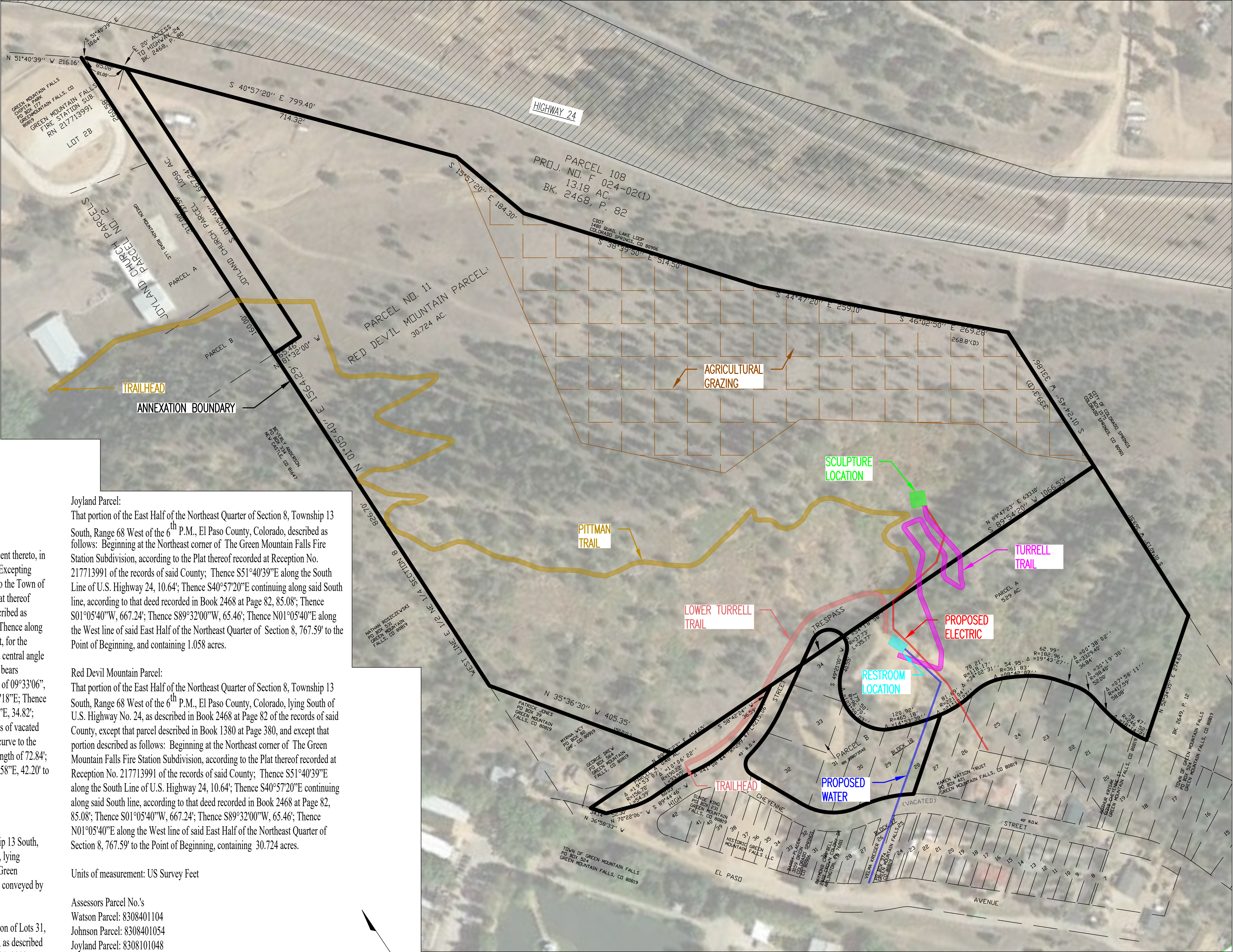
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Proposed Zone: PUD



CONCEPT PLAN

1" = 100'

REVISIONS	BY

ENTECH  
ENGINEERING, INC.  
505 ELKTON DRIVE  
COLORADO SPRINGS, CO 80907  
(719) 531-5599

CONCEPT PLAN  
RED DEVIL MOUNTAIN DEVELOPMENT  
GREEN MOUNTAIN FALLS, CO  
FOR: GREEN MOUNTAIN ROAD, LLC

DRAWN BY: AMN
DESIGNED BY:
CHECKED BY:
DATE: 10/30/2020
SCALE: AS SHOWN
JOB NO.: 201280
SHEET NO.: 1 OF 1 SHEETS





To: Planning Commission  
From: GMF Planning & Land Use  
Date: December 4, 2020  
Re: Red Devil Mountain and Joyland Annexation Petition

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### **Recommended Planning Commission Action**

Staff recommends the Planning Commission review the packet materials, hold a public hearing to receive oral comments from proponents, opponents, and Town Staff, and make a recommendation for approval or disapproval to the Board of Trustees.

### **Background/Discussion**

GMF Town Attorney has reviewed the Petitioners' annexation application for conformity with the legal requirements. The Board of Trustees, at its November 17, 2020 regular meeting, passed Resolutions 2020-15 and 2020-16 (see [BoT Agenda Packet](#)), finding the petitions for annexation in substantial compliance with the Municipal Annexation Act of 1965: at least 1/6 contiguity and that a community interest exists. With this finding of substantial compliance, the Resolutions established a public hearing on January 5, 2021 at 7:00 PM via Zoom, which will be publicly noticed. The Board of Trustees has referred this application to the Planning Commission for its recommendations.

### **Conclusion**

GMF Town Staff, in consultation with Town Attorney, believes the petitions meet the statutory requirements for substantial compliance and recommends the Planning Commission recommend approval of the Red Devil Mountain and Joyland Annexation Petitions.

PETITION FOR ANNEXATION

TO: THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO

From: PROPERTY KNOWN AS: \_\_\_\_\_ Joyland Church Parcel \_\_\_\_\_

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We, the undersigned petitioners, in compliance with the "Municipal Annexation Act of 1967" as set forth in Article 12, Title 31, Colorado Revised Statutes, as amended, hereby petition and request the Board of Trustees of the Town of Green Mountain Falls, Colorado, to approve the annexation to the Town of Green Mountain Falls the following described unincorporated territory located in the Counties of El Paso County, State of Colorado, to wit:

Land to be annexed is described as: Joyland Church Parcel as shown on the attached certified survey by Oliver Watts, Licensed Surveyor, dated July 15, 2019.

In support of their Petition, Petitioners state as follows:

1. It is desirable and necessary that the above-described territory be annexed to the Town of Green Mountain Falls, Colorado.
2. That the area sought to be annexed meets the requirements of C.R.S. §§ 31-12-104 and 105.
3. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the Town of Green Mountain Falls.
4. A community of interest exists between the Town and the territory proposed to be annexed to the Town of Green Mountain Falls.
5. The territory proposed to be annexed is urban or will be urbanized in the near future.
6. The territory proposed to be annexed is integrated or is capable of being integrated with the Town of Green Mountain Falls.
7. The undersigned are owners of 100% of the real property included in the territory to be annexed and hereby consent to the establishment of the boundaries of the territory as described above.
8. The territory proposed for annexation is not presently a part of any unincorporated city, city and county, or town, nor have annexation proceedings been commenced for the annexation of part or all such territory to another municipality.
9. Annexation of the above described territory will not result in the detachment of any territory from any school district.
10. The requirements of Sections 31-12-104 Eligibility for Annexation and 31-12-105 Limitations of the Colorado Revised Statutes, as amended, exist and have been satisfied.
11. That the Town of Green Mountain Falls shall not be required to assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets

WHEREFORE, the undersigned petitioners request that the Board of Trustees of the Town of Green Mountain Falls (1) take the appropriate action to entertain this petition, fix a date for public hearing, cause notice to be published and posted which specifies the time and place of such hearing, and invite all persons interested to appear and voice approval or disapproval of the proposed annexation; and (2) following the hearing determine by ordinance that the annexation shall be made, annexing the above territory or area, and declaring a date whereon the annexation shall be effective; and that the territory or area so annexed shall become a part of the Town of Green Mountain Falls, Colorado, subject to its law and ordinances then and thereafter in force.

Signed this 31 day of July, 2020.

Christian Keese

Christian Keese, Sole Member

Green Mountain Road, LLC

1001 W> Wilshire Blvd, Fourth Floor

Oklahoma City, OK 73116

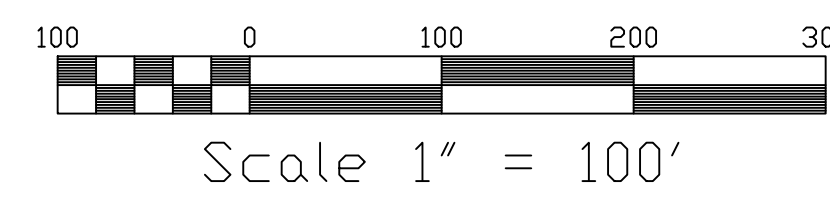
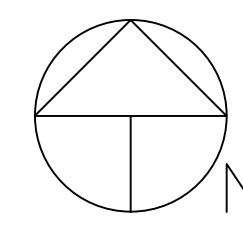


STATE OF OKLAHOMA Signed by Kathy McCord COUNTY OF Oklahoma  
Printed Name Kathy McCord Subscribed and sworn before me this Mailing Address  
1001 W. Wilshire Blvd. 31 day of July 2020  
My commission expires: August 3 Date 2020

STATE OF COLORADO Signed by \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
Printed Name \_\_\_\_\_ Subscribed and sworn before me this  
Mailing Address \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_  
My commission expires: \_\_\_\_\_ Date \_\_\_\_\_



ANNEXATION PLAT  
JOYLAND PARCEL  
TO THE TOWN OF GREEN MOUNTAIN FALLS  
PART OF THE E1/2 NE 1/4 SECTION 8, T.13S., R .68W. OF THE 6TH P.M.  
EL PASO COUNTY, COLORADO



LEGEND:

- SET YELLOW #9853 CAP ON #4 REBAR
- FOUND BLM BRASS CAP PER MON RECORD 1937
- ⊗ FOUND 2" AL. CAP, #26962, 2002
- ⊕ FOUND BENT 1" PIPE - NOT ACCEPTED
- ◇ FOUND CDDT 1-1/4" AL. CAP, ILLEGIBLE
- ◁ FOUND RED #26965 CAP ON #4 REBAR
- FOUND YELLOW #9853 CAP ON #4 REBAR
- ◇ FOUND #4 REBAR

Notes:

- The percentage of property contiguous to the town limits of Green Mountain Falls is 48.1 %.
- As shown hereon, at least one-sixth (1/6th) of the boundary of the property is contiguous with the boundary of the Town limits of the Town of Green Mountain Falls.
- Ownership information was provided by: Warranty Deed, This Plat does not constitute a title search or opinion.
- Note: according to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event, may any action based upon any defect in this survey be commenced more than ten years from the date of the certification shown hereon.

Surveyor's certification:

The undersigned registered land surveyor in the state of Colorado hereby certifies that the accompanying plat was surveyed and drawn under his supervision and accurately shows the described tract of land, and subdivision thereof, and that the requirements of title 38 of the Colorado Revised Statutes, 1973, as amended, have been met to the best of his knowledge and belief.

OLIVER E. WATTS "COLO. PE-LS 9853" \_\_\_\_\_ date  
For and on behalf of OLIVER E. WATTS, CONSULTING ENGINEER, INC.

State of Colorado )  
County of El Paso ) SS

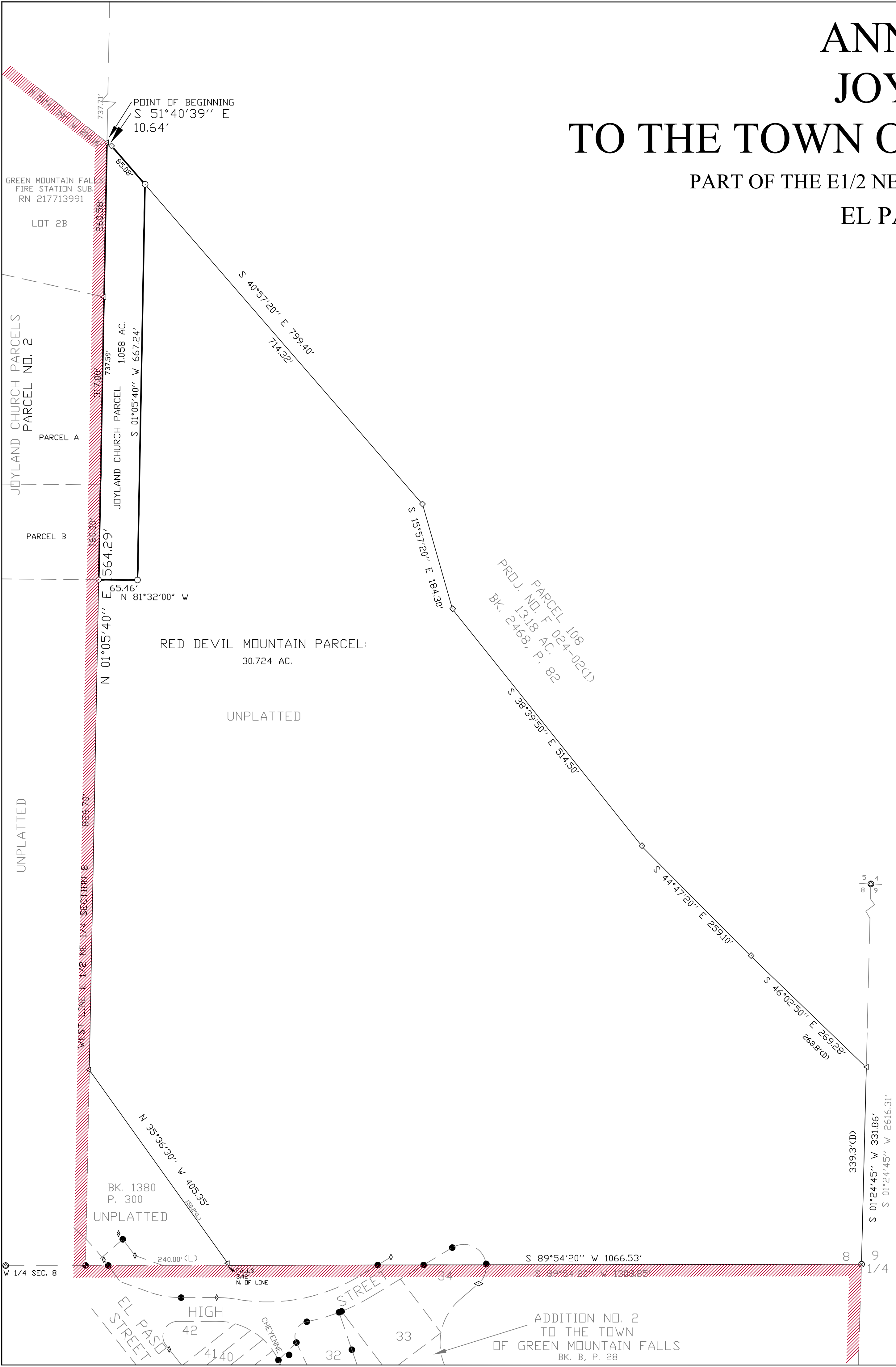
I hereby certify that this instrument was filed for recorded in my office at \_\_\_\_ o'clock \_\_\_\_m, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and is duly recorded at Reception no. \_\_\_\_\_ of the Records of El Paso County, Colorado.

Chuck Broerman  
Clerk and Recorder

By: \_\_\_\_\_  
Deputy

Fee: \_\_\_\_\_

PREPARED BY THE OFFICE OF:  
OLIVER E. WATTS PE-LS  
CONSULTING ENGINEER  
614 ELKTON DRIVE  
COLORADO SPRINGS, CO 80907  
(719) 593-0173  
oliewatts@aol.com  
Celebrating over 40 years in business



PETITION FOR ANNEXATION

TO: THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO

From: PROPERTY KNOWN AS: \_\_\_\_\_ Red Devil Mountain Parcel \_\_\_\_\_

---

We, the undersigned petitioners, in compliance with the "Municipal Annexation Act of 1967" as set forth in Article 12, Title 31, Colorado Revised Statutes, as amended, hereby petition and request the Board of Trustees of the Town of Green Mountain Falls, Colorado, to approve the annexation to the Town of Green Mountain Falls the following described unincorporated territory located in the Counties of El Paso County, State of Colorado, to wit:

Land to be annexed is described as: Red Devil Mountain Parcel as shown on the attached certified survey by Oliver Watts, Licensed Surveyor, dated July 15, 2019.

In support of their Petition, Petitioners state as follows:

1. It is desirable and necessary that the above-described territory be annexed to the Town of Green Mountain Falls, Colorado.
2. That the area sought to be annexed meets the requirements of C.R.S. §§ 31-12-104 and 105.
3. Not less than one-sixth (1/6) of the perimeter of the area proposed to be annexed is contiguous with the Town of Green Mountain Falls.
4. A community of interest exists between the Town and the territory proposed to be annexed to the Town of Green Mountain Falls.
5. The territory proposed to be annexed is urban or will be urbanized in the near future.
6. The territory proposed to be annexed is integrated or is capable of being integrated with the Town of Green Mountain Falls.
7. The undersigned are owners of 100% of the real property included in the territory to be annexed and hereby consent to the establishment of the boundaries of the territory as described above.
8. The territory proposed for annexation is not presently a part of any unincorporated city, city and county, or town, nor have annexation proceedings been commenced for the annexation of part or all such territory to another municipality.
9. Annexation of the above described territory will not result in the detachment of any territory from any school district.
10. The requirements of Sections 31-12-104 Eligibility for Annexation and 31-12-105 Limitations of the Colorado Revised Statutes, as amended, exist and have been satisfied.
11. That the Town of Green Mountain Falls shall not be required to assume any obligation respecting the construction of water mains, sewer lines, gas mains, electric service lines, streets

WHEREFORE, the undersigned petitioners request that the Board of Trustees of the Town of Green Mountain Falls (1) take the appropriate action to entertain this petition, fix a date for public hearing, cause notice to be published and posted which specifies the time and place of such hearing, and invite all persons interested to appear and voice approval or disapproval of the proposed annexation; and (2) following the hearing determine by ordinance that the annexation shall be made, annexing the above territory or area, and declaring a date whereon the annexation shall be effective; and that the territory or area so annexed shall become a part of the Town of Green Mountain Falls, Colorado, subject to its law and ordinances then and thereafter in force.

Signed this 31 day of July, 2020.

  
Elizabeth Eickman, Director

Historic Green Mountain Falls Foundation, LLC

1001 W> Wilshire Blvd, Fourth Floor

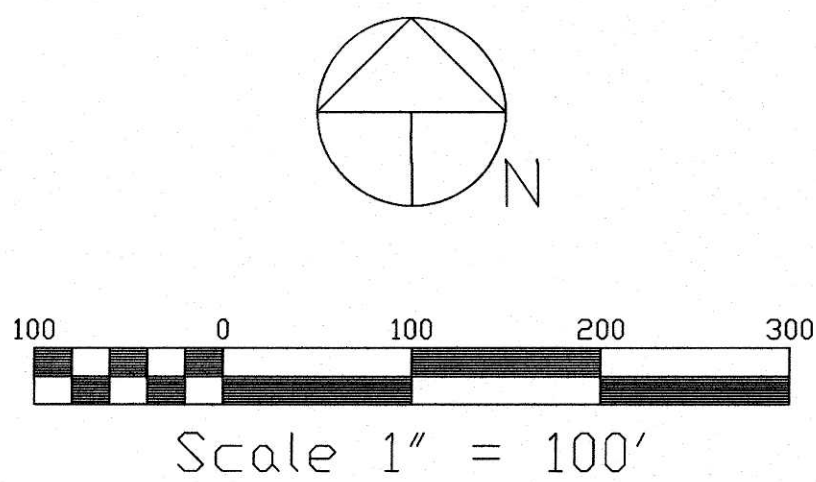
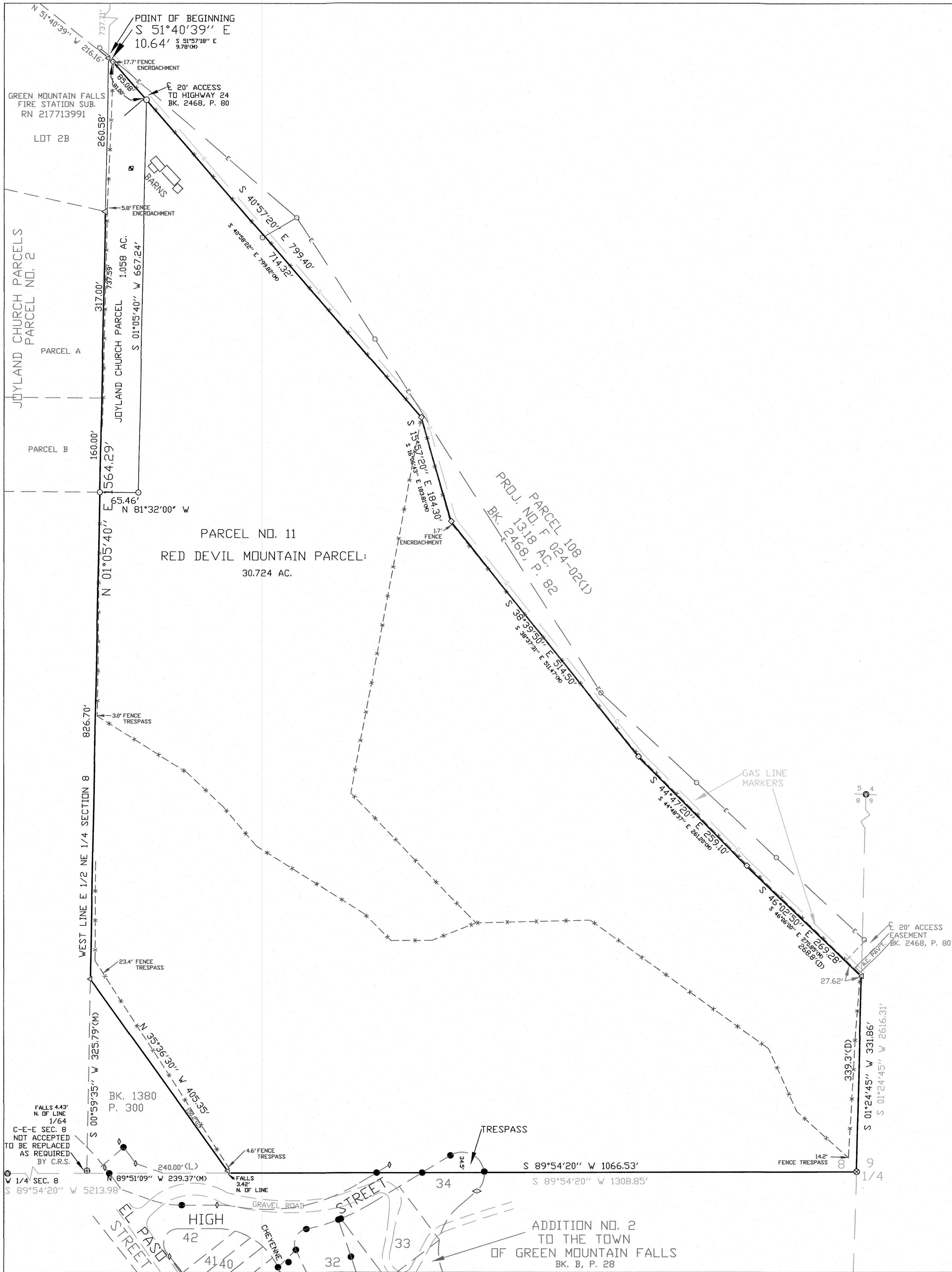
Oklahoma City, OK 73116



STATE OF OKLAHOMA Signed by Kathy McCord COUNTY OF Oklahoma  
Printed Name Kathy McCord Subscribed and sworn before me this Mailing Address  
1001 W. Wilshire Blvd. 31 day of July 2020  
My commission expires: August 3 Date 2020

STATE OF COLORADO Signed by \_\_\_\_\_ COUNTY OF \_\_\_\_\_  
Printed Name \_\_\_\_\_ Subscribed and sworn before me this  
Mailing Address \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_  
My commission expires: \_\_\_\_\_ Date \_\_\_\_\_





LEGEND:

- SET YELLOW #9853 CAP ON #4 REBAR
- ⊙ FOUND BLM BRASS CAP PER MDN RECORD
- ⊗ FOUND 2" AL. CAP, #26962, 2002 1937
- ⊕ FOUND BENT 1" PIPE - NOT ACCEPTED SEE NOTE
- ◇ FOUND CDDT 1-1/4" AL. CAP, ILLEGIBLE
- ◁ FOUND RED #26965 CAP ON #4 REBAR
- FOUND YELLOW #9853 CAP ON #4 REBAR
- ◊ FOUND #4 REBAR
- ⊠ WELL
- POWER POLE
- - - - - BARBED WIRE FENCE
- - - - - BURIED GAS LINE
- - - - - OVERHEAD ELECTRIC LINE

Bearings are based on the Record Bearing of S01°05'40"W for the West property line, monumented as shown on the survey

Title Information was provided by the Client as follows:  
Parcel 2 Highway 24, Green Mountain Falls, CO 80919, Green Mountain Road, LLC  
Title Company: Fidelity National Title Company  
File Number: 570-F0642964-370-CSG  
Effective Date: July 8, 2019  
This Survey does not constitute a Title search or opinion.

Title Information was provided by the Client as follows:  
Parcel 1 Highway 24, Green Mountain Falls, CO 80819  
Historic Green Mountain Falls Foundation, LLC, an Oklahoma limited liability company  
Title Company: Fidelity National Title Company  
File Number: 570-F0639528-370-CSG, Amendment No. 1  
Effective Date: July 8, 2019  
This Survey does not constitute a Title search or opinion.

Notice: According to Colorado Law you must commence any legal action based upon any defect in this Survey within three years after you first discover such defect. In no event may any action based upon any defect in this Survey be commenced more than ten years from the date of the Certification shown hereon.


Flood Plain: This Parcel is not within the limits of the 100 Year Flood Plain as identified on FEMA Mapping Panels No.'s 08041C0459 G and 08041C0467 G, both dated December 7, 2018.

Units of Measurement: US Survey Feet

Legal Description:  
Joyland Church Parcel (Parcel 2):  
That portion of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., El Paso County, Colorado, described as follows: Beginning at the Northeast corner of The Green Mountain Falls Fire Station Subdivision, according to the Plat thereof recorded at Reception No. 217713991 of the records of said County; Thence S51°40'39"E along the South Line of U.S. Highway 24, 10.64'; Thence S40°57'20"E continuing along said South line, according to that deed recorded in Book 2468 at Page 82, 85.08'; Thence S01°05'40"W, 667.24'; Thence S89°32'00"W, 65.46'; Thence N01°05'40"E along the West line of said East Half of the Northeast Quarter of Section 8, 767.59' to the Point of Beginning, and containing 1.058 acres.

Red Devil Mountain Parcel (Parcel 1):  
That portion of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., El Paso County, Colorado, lying South of U.S. Highway No. 24, as described in Book 2468 at Page 82 of the records of said County, except that parcel described in Book 1380 at Page 380, and except that portion described as follows: Beginning at the Northeast corner of The Green Mountain Falls Fire Station Subdivision, according to the Plat thereof recorded at Reception No. 217713991 of the records of said County; Thence S51°40'39"E along the South Line of U.S. Highway 24, 10.64'; Thence S40°57'20"E continuing along said South line, according to that deed recorded in Book 2468 at Page 82, 85.08'; Thence S01°05'40"W, 667.24'; Thence S89°32'00"W, 65.46'; Thence N01°05'40"E along the West line of said East Half of the Northeast Quarter of Section 8, 767.59' to the Point of Beginning, containing 30.724 acres.

Certification:  
I, Oliver E. Watts, A Registered Land Surveyor in the State Of Colorado, hereby certify that this Survey of the above described Tract Of Land was performed under my direction, supervision, and checking, and that the requirements of Title 38, C.R.S., have been complied with, to the best of my knowledge and belief.

  
Oliver E. Watts, Colorado PE-LS # 9853 Date 7/15/19  
For and on behalf of Oliver E. Watts Consulting Engineer, Inc  
614 Elkton Drive, Colorado Springs, Co 80907  
(719) 593-0173  
oliewatts@aol.com  
Celebrating over 40 years in business

Depositing Information:  
Deposited this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ O'clock \_\_\_\_M. in Book Depst of the County Surveyor's Land Survey Plats/Right-Of-Way Surveys at  
Pages \_\_\_\_\_  
Deposit Number \_\_\_\_\_

Chuck Broerman  
Clerk and Recorder

By: \_\_\_\_\_  
Deputy

PROJECT ANDREW PITTMAN PROPERTY  
E1/2 NE1/4 S8, T.13S., R.68W. S OF US24  
EL PASO COUNTY

SHT. NAME  
**CERTIFIED SURVEY**

SHT. NO.  
1  
OF  
1

DRAWN BY: O.E. WATTS  
DATE: 7-10-19  
DWG. NO.: 18-5126-07  
SURVEYED BY: OEW, ESU, DEW V 7-19-95 THRU 7-3-19

REVISIONS

OLIVER E. WATTS  
CONSULTING ENGINEER  
COLORADO SPRINGS