



Town of Green Mountain Falls

Regular Board of Trustees Meeting Agenda

P.O. Box 524; 10615 Green Mountain Falls Road

Green Mountain Falls, CO 80819

Tuesday, January 19, 2020 at 7:00 p.m.

Online Meeting ONLY**

Join the Zoom Meeting by clicking on the following link:

<https://us02web.zoom.us/j/81222146600?pwd=bnIzek5jUU11TWNFcVdTYXhQY2U2UT09>

Meeting ID: 812 2214 6600

Passcode: 284332

To make a **public comment** please **pre-register** by 4pm on the day of the meeting via email: clerk@gmfco.us

REGULAR MEETING:

TIME*		ITEM	DESIRED OUTCOME
7:00	1.	CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE	
7:00	2.	ADDITIONS, DELETIONS, OR CORRECTION TO THE AGENDA	
7:00	3.	PERSONS PRESENT NOT ON THE AGENDA: 3 MINUTES PER SPEAKER	
7:05	4.	CONSENT AGENDA a. Bring into record Accounts Payables January 7, 2020 to January 15, 2021 b. BOT Meeting Minutes from 1/5/2020 and 1/7/2020 BOT meetings	BOT Action Desired
7:15	5.	Consideration of Ordinance No. 2021-03, An Ordinance of the Board of Trustees of the Town of Green Mountain Falls Zoning Certain Recently Annexed Property to Business District (Joyland Church Parcel Annexation)	BOT Action Desired
7:30	6.	Consideration of Ordinance No. 2021-04, An Ordinance of the Board of Trustees of the Town of Green Mountain Falls Zoning Certain Recently Annexed Property to Public Lands District (Red Devil Mountain Parcel Annexation)	BOT Action Desired
7:45	7.	Planning Commission 2021 Bylaws	BOT Action Desired
8:00	8.	Consideration of a Special Use Permit for Public Restrooms at 10400 El Paso Avenue	BOT Action Desired
8:05	9.	CORRESPONDENCE a. Letter from Rocco Blasi	Information Only
8:10	10.	REPORTS a. Trustee Reports b. Committee Reports a. Staff Reports	Information Only
8:15	12.	ADJOURN	

*Please note: Times are approximate.

**The Town shall provide reasonable accommodation for those with disabilities on a case by case basis. Please send accommodation requests to clerk@gmfco.us by 4pm on the date of the meeting.

Town of Green Mountain Falls
Vendor Invoices Journal
January 7 -15 2021 Invoices

Date	Reference	Entity Number	Name	Acct Number	Acct Name	Total	Payment Method
08/17/2020	114-10788659	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	717.96	Check
08/20/2020	114-10822361	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	230.75	Check
08/20/2020	114-10822362	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	462.60	Check
09/15/2020	114-10934023	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	140.75	Check
09/15/2020	114-10934024	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	350.28	Check
09/30/2020	114-11022489	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	209.53	Check
10/13/2020	114-11078108	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	140.75	Check
10/13/2020	114-11078109	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	350.28	Check
10/21/2020	114-11124333	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	155.73	Check
10/28/2020	114-11158172	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	209.53	Check
11/10/2020	114-11206885	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	153.70	Check
11/10/2020	114-11206890	unitedsites0000	UnitedSite Service	1-10-02-5999	General-Administration-Operations-CARES Act Expenses	376.18	Check
12/01/2020	2020-11	frommcompanyllc	Fromm & Company, LLC	1-20-02-5113	General-Interdepartmental-Operations-Services - Professional	1,641.00	Check
12/14/2020	174657	springsit	Springs IT	1-20-02-5110	General-Interdepartmental-Operations-Services - IT	562.50	Check
12/14/2020	81800	FlairData	Flair Data Systems DBA	1-10-03-5202	General-Administration-Utilities-Utilities - Telephone/Internet	193.85	Check
12/16/2020	81825	FlairData	Flair Data Systems DBA	1-10-03-5202	General-Administration-Utilities-Utilities - Telephone/Internet	80.00	Check
12/17/2020	94737	wilsoncompany	Wilson & Company	2-10-00-4030	Capital Improvement-Administration-Grants - State - DOLA 2 (Flood Recovery)	1,724.50	Check
12/21/2020	04-12.21.20	COSpringUtil	Colorado Springs Utilities	1-50-03-5204	General-Parks and Recreation-Utilities-Utilities - Electric - Gazebo	170.26	Check
12/21/2020	25-12.21.20	COSpringUtil	Colorado Springs Utilities	1-70-03-5200	General-Public Works-Utilities-Utilities - Electric	232.50	Check
12/21/2020	35-12.21.20	COSpringUtil	Colorado Springs Utilities	1-10-03-5200	General-Administration-Utilities-Utilities - Electric	143.41	Check
12/21/2020	57-12.21.20	COSpringUtil	Colorado Springs Utilities	1-50-03-5203	General-Parks and Recreation-Utilities-Utilities - Electric - Fountain	614.79	Check
12/21/2020	57-12.21.20	COSpringUtil	Colorado Springs Utilities	1-50-03-5203	General-Parks and Recreation-Utilities-Utilities - Electric - Fountain	29.19	Check
12/21/2020	78-12.21.20	COSpringUtil	Colorado Springs Utilities	1-40-03-5200	General-Public Safety-Utilities-Utilities - Electric	21.88	Check
12/21/2020	82-12.21.20	COSpringUtil	Colorado Springs Utilities	1-70-03-5206	General-Public Works-Utilities-Utilities - Electric - Street Lights	391.33	Check
12/22/2020		dougasprice0000	Douglas Price	1-20-02-5113	General-Interdepartmental-Operations-Services - Professional	400.00	Check
12/30/2020	397	LawDebEiland	LAW OFFICES OF DEBRA EILAND	1-20-02-5114	General-Interdepartmental-Operations-Services - Town Attorney	286.40	Check
12/31/2020	48	Hoffman	Hoffman, Parker, Wilson & Carby	1-20-02-5114	General-Interdepartmental-Operations-Services - Town Attorney	1,217.58	Check
12/31/2020	5	Hoffman	Hoffman, Parker, Wilson & Carby	1-20-02-5114	General-Interdepartmental-Operations-Services - Town Attorney	2,496.00	Check
12/31/2020	IN 78590	FlairData	Flair Data Systems DBA	1-20-02-5104	General-Interdepartmental-Operations-Fees - Software	80.00	Check
01/08/2021	0040258	CEBT	CEBT	1-20-02-5107	General-Interdepartmental-Operations-Insurance - Property/Casualty Liability Premium	4,720.00	ACH
01/08/2021	6869 4174 05	blackhills	Black Hills Energy	1-70-03-5201	General-Public Works-Utilities-Utilities - Natural Gas	117.48	ACH
01/13/2021	Gazebo Rental	kristikawak0000	Kristi Kawakami	1-10-00-4401	General-Administration-Gazebo - Rentals	200.00	Check
01/14/2021	2050 Membersh	coloradomun0000	Colorado Municipal League	1-20-02-5101	General-Interdepartmental-Operations-Fees - Annual Dues, Licenses, Memberships	586.00	Check
01/15/2021	01152021	brianbundy0000	Brian Bundy	1-10-01-5002	General-Administration-Labor-Labor - Part Time	800.00	Check

Total For 1-00-00-2000 General-Accounts Payable

20,349.21 

Jane Newberry, Mayor


Angie Sprang, Town Manager

TOWN OF GREEN MOUNTAIN FALLS
Regular Board of Trustee Meeting
January 5, 2020 – 7:00 P.M.
MEETING MINUTES

Board Members Present

Mayor Jane Newberry
Trustee Margaret Peterson
Trustee Katharine Guthrie
Trustee Dyani Loo
Trustee Chris Quinn

Board Members Absent

Town Attorney
Not present

Town Manager

Angie Sprang

Public Works

Not present

Town Clerk

Matt Gordon

Marshal's Dept.

Virgil Hodges

Administrative Assistant

Not present

Planning Director

Julia Simmons

1. Call to Order/Roll Call/Pledge of Allegiance

Mayor Newberry called the meeting to order at 7:01 p.m. The Pledge of Allegiance was recited.

2. Additions, Deletions, or Corrections to the Agenda

Town Manager Sprang noted that accounts payable were not included in this Agenda packet and requested to continue those for the next meeting to be held on 1/19/2021. Mayor Newberry noted that the Agenda packet had two number 9 bullet points. Annexation to 10, correspondence to 11, and reports to 12, and adjournment to 13. Mayor Newberry moved to approve the agenda as amended. Seconded by Trustee Quinn. Motion passed unanimously.

3. Persons Not Present on the Agenda

(3 minutes given per speaker)

Mayor Newberry cited a 4th U.S. Circuit Court of Appeals decision on the case Steinberg vs Chesterfield County Planning in providing guidance to speakers before public comment regarding personal attacks.

Resident Blasi expressed concerns about government responsiveness, organization, and lack of communication with residents. Resident Matthews welcomed Matthew Gordon, the new Town Clerk, expressed concern with receiving the large BOT agenda packet so close to the BOT meeting, voiced concern with Resolution 2020-06 regarding checks and balances for signatories on the government bank accounts, and lastly voiced support for the proposed annexations. Resident Douglas echoed Resident Matthew's concerns regarding the late release of the BOT agenda packet and voiced support for the proposed annexation. Resident Frey voiced support for the proposed annexations and opposition to the idea of paid parking in GMF.

4. Consent Agenda

a. Bring into record Accounts Payable for 12/9/2020 to 01/04/2021

Stricken from the 1.5.2021 BOT agenda.

b. Land Use Code Re-write Project: Attorney Engagement Agreement, Attorney Nina Williams of Murray, Dahl, Berry & Renaud LLP

Town Manager Sprang expanded on the agreement signed between the Town and Attorney Nina Williams of Murray, Dahl, Berry, & Renaud LLP.

c. 2020 Audit Engagement Letter: Logan & Associates, LLC

Video cut out on the Zoom meeting. Trustee Guthrie made a motion to approve the consent agenda, seconded by Trustee Peterson. Motion passed unanimously.

5. Public Hearing: Joyland & Red Devil Mountain Annexations

Mayor Newberry opened the Public Hearing with an informational statement regarding the proposed annexations from Planning Director Simmons that included discussion of the process of annexation and addressed concerns of property owners adjacent to the proposed annexations.

Resident and Petitioner Stroope, representative from the Historic Green Mountain Falls Foundation and Green Mountain Road LLC, addressed concerns made by residents regarding the proposed annexations and outlined the value of annexation of the proposed parcels in completing his project.

Mayor Newberry opened the floor to public comment and questions. Resident Pitrone expressed that he felt many of the questions he has submitted to the Town have went unanswered and asked numerous questions related to the value, benefits, revenues, and dangers of the proposed annexations for the Town. Resident Blasi thanked Planning Director Simmons for her work on the proposed annexations and discussed various topics that included the safety of the water tower near the proposed annexations, highlighted the Historic Green Mountain Falls Foundation's work on soil and trail stability, and lastly expressed his support for the proposed annexations. Resident Matthews acknowledged the work done by Planning Director Simmons and the attorney's involved, the quality of work by Resident and Petitioner Stroope, and expressed support for the proposed annexations. Resident Douglas echoed Resident Matthews thoughts on the quality of work by the Historic Green Mountain Falls Foundation and Resident and Petitioner Stroope, and echoed other Resident's comments acknowledging the amount of work Planning Director Simmons put in for the proposed annexations, and lastly expressed his strong support for the proposed annexations. Resident Frey voiced his full support for the proposed annexations. Resident Ives expressed her full support for the project and stated that she sees the value of Greenbox and its contributions to the community. Resident Peterson expressed that the project will benefit the town. Resident Watson stated that she wrote a letter to the Town Manager and expressed that she is thrilled that the proposed annexations property was not being overdeveloped and voiced her strong support for the proposed annexations. Resident Dixon expressed his support for the proposed annexations with and provided supporting discussion items related to his support. Resident King expressed that her and her neighbors are impacted by the trail and believes that the Town's public works maintenance and upkeep will negatively impact the proposed annexations, and lastly expressed concerns with privacy issues near her property.

Resident and Petitioner Stroope responded to concerns provided by residents, specifically addressing concerns and questions made by Resident Pitrone and Resident King.

Mayor Newberry opened the floor for questions from the BOT. Trustee Guthrie asked Resident and Petitioner Stroope if there have been discussions with Colorado Springs Utilities due to the water treatment plant being close to the proposed annexations. Mayor Newberry answered directing Trustee Guthrie to a letter in the BOT packet that addressed her question. Trustee Guthrie went on to discuss issues related to taxation, parking, her displeasure with the solution to parking that the City of Manitou Springs implemented, the value of community events and places to gather, future business

development on Highway 24, and lastly the erosion issue and shoring related to the trail. Resident Frey outlined how revenue could still be generated for the Town despite the proposed annexations petitioners being a nonprofit organization. Trustee Quinn thanked everyone participating in the Public Hearing and expressed his support for the proposed annexations. Trustee Loo stated her concerns related to parking and traffic and requested that quality communication continue between the current parking and signage plan and consultants.

Mayor Newberry continued the public hearing to Item 10 of the BOT meeting agenda.

6. Consideration of Resolution No. 2021-04, A Resolution of the Town of Green Mountain Falls, Colorado Adopting the Pikes Peak Regional Multi-Hazard Mitigation Plan Update – Presented by Virgil Hodges, Town Marshal

Marshal Hodges presented on the Pikes Peak Regional Multi-Hazard Mitigation Plan 2020 Update. Topics included a short history of previous regional emergency/hazard mitigation plans that culminated in to the Pike Peak Regional Multi-Hazard Mitigation Plan Update in 2020, the geography covered by the plan, the agencies, offices, and organizations who created the plan, the purpose of the plan, an outline of sections specific to the Town of Green Mountain Falls, and lastly a brief discussion of the initiatives for the Town to focus on. Marshal Hodges ended his remarks with a recommendation to the BOT to adopt the plan.

Trustee Guthrie expressed concern with certain verbiage of the plan that left out the Office of the Town Manager. Marshal Hodges addressed these concerns by stating that the Town Manager is the point of contact for the plan. Mayor Newberry requested that Marshal Hodges reach out to the Pikes Peak Office of Emergency Management to correctly include the Town Manager in the plans next update.

Trustee Quinn moved to approve, seconded by Trustee Guthrie. Motion passed unanimously and plan adopted.

7. Consideration of Resolution No. 2021-05 A Resolution of the Town of Green Mountain Falls Colorado, Making Appointment of Town Officials

Mayor Newberry moved to approve; seconded by Trustee Guthrie. Motion passed unanimously.

8. Town Clerk – Treasurer Oath of Office, Matthew Gordon

Mayor Newberry conducted the Oath of Office for new Town Clerk/Treasurer, Matthew Gordon. Town Manager Sprang welcomed Town Clerk/Treasurer Matt Gordon to the community and highlighted that he was nominated for two awards from the Brush Area Chamber of Commerce in Brush, CO.

9. Resolution No. 2020-06 A Resolution of the Town of Green Mountain Falls, Colorado, Designating Authorized Signatories on Town Bank Accounts and Individuals Authorized to Conduct Online Banking on Behalf of Town

Mayor Newberry, after a short background discussion on separation of duties between the Town Manager and Town Clerk/Treasurer, moved to approve. Motion was seconded by Trustee Loo. Motion passed unanimously.

10. Consideration of Joyland & Red Devil Mountain Annexations – Presented by Julia Simmons, Planning Director

Mayor Newberry began the public hearing once again at 8:32 pm.

Planning Director Simmons highlighted memos in the BOT agenda packet that defined staff and Planning Commission recommendations for Resolutions 2021-01,02,03 and Ordinances 2021-01 and 02 and touched on the options available to the BOT in considering the proposed annexations.

Resident and Petitioner Stroope gave remarks on the community value of the proposed annexations.

Mayor Newberry opened the floor for public comment again. Resident Pitrone expressed that the Petitioners should be contractually obligated to complete two traffic studies and to pay for mitigation of traffic issues discovered by the traffic studies and the lack of monetary benefit to the Town. Resident Blasi provided caution about conducting additional studies related to the proposed annexations.

Trustee Guthrie expressed that she was leaning towards a continuance due to the Town receiving public input later than usual, asked questions related to future zoning changes, and stated that the project touches on multiple goals of the BOT. Planning Director Simmons, by request of Mayor Newberry, outlined the broad steps of the annexation process and addressed concerns made by Residents. Trustee Peterson echoed comments made by Trustee Guthrie regarding potential zoning issues related to the Town's zoning map and comprehensive plan. Trustee Quinn expressed that he was comfortable to moved forward with a vote on the proposed annexations. Trustee Loo expressed that the public has had time ask questions and review materials and stated that she would be comfortable to move forward with a vote.

Trustee Quinn moved to approve the five items below, seconded by Trustee Loo. Motion passed unanimously.

Mayor Newberry closed the Public Hearing at 8:53 pm.

- a. Consideration of Resolution No. 2021-01, A Resolution of the Town of Green Mountain Falls, Colorado Making Certain Findings of Fact Regarding the Proposed Annexation of the Real Property Known as a Part of the East 1/2, of Section 8, Township 13 South, Range 68 West of the 6th Parcel**
- b. Consideration of Resolution No. 2021-02, A Resolution of the Town of Green Mountain Falls, Colorado Making Certain Findings of Fact Regarding the Proposed Annexation of the Real Property Known as a Part of the East ½ of the Northeast ¼ Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, Known as the Red Devil Mountain Parcel**
- c. Consideration of Resolution No. 2021-03, A Resolution of the Town of Green Mountain Falls, Colorado Approving the Annexation Agreement for the Annexation of the Real Property at a Part of the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, Known as the Joyland Church Parcel, and the Annexation of the Real Property at a Part of the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Parcel, and the Annexation of the Real Property at Part of the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, Known as the Red Devil Mountain Parcel**
- d. Consideration of Ordinance 2021-01, An Ordinance of the Board of Trustees of the Town of Green Mountain Falls Annexing to the Town Certain Real Property Known as a Part of the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, also Known as the Joyland Church Parcel**
- e. Consideration of Ordinance 2021-02, An Ordinance of the Board of Trustees of the Town of Green Mountain Falls Annexing to the Town Certain Real Property Known as a Part of**

the East ½ of the Northeast ¼ of Section 8, Township 13 South, Range 68 West of the 6th Principal Meridian, also known as the Red Devil Mountain Parcel

11. CORRESPONDENCE

a. DOLA Flood Recovery Project: (1) Change Order (2) Substantial Completion Letter from Project Engineer, Andre Bracken, Wilson & Co.

Town Manager Sprang gave a brief description about the project that included issues with location of water shut off valves, shutting off water to the town, additional engineering, substantial completion level, the status of the project, that the project is overbudget, and that the materials currently at the Olathe staging area will be moved when the project is complete.

b. GMF Signage & Parking Project Correspondence – Nancy Dixon Request

Mayor Newberry highlighted the parking survey hosted on the Green Mountain Falls website and its value in obtaining input from the community.

12. REPORTS

a. Trustee Reports

Mayor Newberry addressed her Facebook usage and her desire to avoid violating open meeting laws, directed residents to the kudos/concerns page on the Town of Green Mountain Falls website for effective communication, apologized about the Olathe public works staging area, and thanked Town Public Works, contractors, and Town Administration for their work.

b. Committee Reports

Mayor Newberry requested that Town Committees stagger their meetings for the month of January 2021 due to many Committee meetings scheduled for the first week of January.

c. Staff Reports

Town Manager expressed her thanks to Planning Director Simmons and the Town Attorney for their work on the recently approved annexations and expressed her gratitude for having a new Town Clerk. Marshal Hodges received a resignation from former Deputy Marshal Felipe Nardo and thanked him for his service to the community. Marshal Hodges also highlighted the addition of Deputy Marshal Sam Yannis and welcomed him to the community. Mayor Newberry requested that Marshal Hodges convey thanks from the BOT to former Deputy Marshal Felipe Nardo for his service.

13. ADJOURNMENT

Mayor Newberry adjourned the meeting at 9:06 PM.

Matt Gordon, Town Clerk/Treasurer

Jane Newberry, Town Mayor

TOWN OF GREEN MOUNTAIN FALLS
Regular Board of Trustee Meeting
January 7, 2020 – 7:00 P.M.
MEETING MINUTES

Board Members Present

Mayor Jane Newberry
Trustee Margaret Peterson
Trustee Katharine Guthrie

Town Manager

Angie Sprang

Town Clerk

Not Present

Administrative Assistant

Not present

Board Members Absent

Trustee Dyani Loo
Trustee Chris Quinn

Town Attorney

Not present

Public Works

Not present

Marshal's Dept.

Not Present

Planning Director

Not Present

1. Call to Order/Roll Call/Pledge of Allegiance

Mayor Newberry called the meeting to order at 7 pm.

2. Additions, Deletions, or Corrections to the Agenda

Mayor Newberry moved to approve the agenda as presented. Seconded by Trustee Peterson. Motion passed unanimously.

3. Persons Not Present on the Agenda

(3 minutes given per speaker)

None present.

4. DOLA Flood Recovery Project Water on Marr's Change Order & Wilson and Co. Project Engineer Substantial Completion Letter

Town Manager Sprang provided a brief overview and answered questions from the BOT on the DOLA Flood Recovery Project Water on Marr's Change Order & Wilson and Co. Project Engineer Substantial Completion Letter. Trustee Peterson asked questions regarding the project being over budget, where the money would come from in terms of Town accounts, and cleanup costs related to the project staging area. Town Manager Sprang provided answers and clarity on Trustee Peterson's questions. Town Manager Sprang requested that the BOT approve the change order. Mayor Newberry moved to approve. Seconded by Trustee Guthrie. Motion passed unanimously.

5. ADJOURNMENT

Mayor Newberry adjourned the meeting at 7:07 PM.

Matt Gordon, Town Clerk/Treasurer

Jane Newberry, Town Mayor



To: Board of Trustees
From: GMF Planning & Land Use
Date: January 13, 2021
Re: Planning Commission Recommendation – Ordinance 2021-03, Zoning Joyland

Background

The Planning Commission considered the subject ordinance and attached packet materials at its January 12, 2021 regular meeting and publicly noticed public hearing.

Discussion

The commission considered Ordinance 2021-03, initially zoning the Joyland parcel, and received public testimony (see attached memo from Dick Bratton, January 12, 2021). The Commission moved and voted unanimously (5-0) to recommend approval of the ordinance to the Board. If approved as it appears in the packet, the Joyland parcel will go through the final administrative steps and become annexed into GMF as Business.

Conclusion

Staff concurs with the commission's recommendation to the Board and recommends approval of the ordinance.

Attachments:

Ordinance 2021-03, Zoning Joyland Parcel Business (B)

Joyland Parcel Annexation Agreement

Joyland and RDM Development Plan

Notice of Public Hearing, Colorado Springs Gazette

Section 16-310 – B Business District



To: Planning Commission
From: GMF Land Use & Planning Staff
Date: January 6, 2021
Re: Ordinance 2021-03, Zoning of Newly Annexed Land, Joyland Parcel

Background

The Applicant is requesting the Planning Commission's consideration and recommendation to the Board of Trustees for Zoning the subject property into the Business designation.

Planning Commission Recommended Actions:

- Public hearing
- Review petition for compliance with GMF Zoning Code
- Recommend approval, approval subject to conditions, or disapproval to Board of Trustees

Discussion

Existing Land Use and Zoning

According to the plat map and the El Paso County Assessor, the land is a 1.05-acre parcel, purchased by Green Mountain Road, LLC. in July 2019. Some information on the EPC site will need to be corrected when the petitioner files with the Clerk and Recorder. The plat map and legal description is attached. The existing zoning in unincorporated El Paso County is RT, Residential Topographic with a land use of Agricultural Grazing.

Sec. 16-304. - Zoning of newly annexed territory.

Any area annexed to the Town after the effective date of this Land Use Code shall be given a zone designation under the provisions of the Zoning Ordinance within ninety (90) days from the effective date of the annexation ordinance. During this period no building permits shall be issued on any portion or all of the newly annexed area until such time as the property is designated on the Zoning Map.

Board of Trustees approved Ordinance 2021-01, Annexing Joyland Parcel into GMF on January 5, 2021 and approved the attached Annexation Agreement by Resolution.

Sec. 16-310. - B Business District.

The proposed parcel sits adjacent to municipal facilities (Marshal, Town Hall, Fire) and a commercial business property (Joyland Church Parcels A&B). Adjacent property to the east is the other parcel for consideration during this public hearing, the Red Devil Mountain parcel, which is proposed for PL Public Lands. A development sketch plan is provided; no development of any type is proposed at this time. Future development will be reviewed to meet the standards

in §16-705. The Petitioner should provide clarification on whether the subject parcel will be replatted with the Joyland Church A and B parcels.

Staff believes the proposed zoning is consistent with the policies, uses, and standards in §16-310.

Sec. 16-711. - Zoning amendments.

GMF Zoning Code full text for this section is attached. The proposed zoning was initiated by petition as part of the annexation of Joyland parcel. Section 16-711(b), submittal requirements, is not applicable; the Petitioner is not proposing any development at this time. Plat map, legal description, and existing conditions was submitted and is included as part of the annexation. Section (c), Procedure, establishes that a publicly notice public hearing, shall be held by the PC and BoT. The affidavit of publication is attached, and the property was physically posted by Public Works.

Further, Section 16-711(c)(2), Criteria, establishes *The Town shall consider whether the rezoning complies with at least one of the following criteria:*

- a. The proposed rezoning furthers the goals and policies of the Comprehensive Plan;*
- b. The rezoning is consistent with the purpose statement of the proposed zoning district;*
- c. There have been significant changes in the area to warrant a zoning change; or*
- d. There was an error in establishing the current zoning.*

Staff believes the rezoning, or initial zoning, is satisfied because the proposal furthers the goals and policies of the Comprehensive Plan, *Plan GMF* approved by the Planning Commission and Board of Trustees in 2019. Additionally, the parcel, adjacent to the Joyland Church and Town Municipal facilities, meets the standard in §16-310 Business District for permitted principal uses (see below). Town Attorney has reviewed the petition and all materials and drafted the Business Zoning Ordinance for PC consideration. The attached Annexation Agreement for Joyland Church Parcel establishes the contractual responsibilities of each party and includes language specific to zoning designation.

Sec. 16-712. - Development plan requirements.

The code establishes twelve items necessary on all development plan proposals. At this time, the subject parcel does not have a development proposal. Standards of management and maintenance are outlined in the annexation agreement, which requires a traffic study, parking plan, trails plan, restrooms, and drainage/ECP for all development. This agreement was reached through many compromises and revisions together with Board, staff, Town Attorney, and the Petitioner. Staff believes the submittals meet the requirements in this section and only asks the developer to submit documentation on the slope of the property to establish whether Hillside Overlay is applicable.

Conclusion

Staff, in consultation with Town Attorney, has reviewed the Petitioner's materials and concludes that the zoning petition for Joyland parcel to be annexed and zoned (B) Business is consistent with GMF Zoning Code. Therefore, Staff recommends the Planning Commission forward a recommendation of approval to the Board for its January 19, 2021 public hearing.

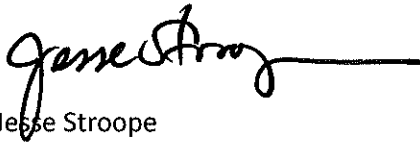
Town of Green Mountain Falls

December 29, 2020

Dear Planning Commissioners and Board of Trustees,

Please find attached an application for a zoning amendment for 10325 W. US Highway 24, Parcel 2. Green Mountain Road, LLC requests consideration in changing zoning from Agriculture zoning to Business zoning if annexation of this property is achieved. Business zoning reflects that of the rest of the Joyland property.

Thank you in advance for your consideration,

A handwritten signature in black ink, appearing to read "Jesse Stroope", followed by a long horizontal line extending to the right.

Jesse Stroope

Project Planner

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2021-03

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS ZONING CERTAIN RECENTLY ANNEXED PROPERTY TO BUSINESS DISTRICT (JOYLAND CHURCH PARCEL ANNEXATION)

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO:

Section 1. Findings of Fact.

a. The Town desires to zone certain property recently annexed to the Town and more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property"), to Business District (B).

b. Public notice has been given as follows and as required by C.R.S. § 31-23-304 and Green Mountain Falls Code Sec. 16-711:

i. One publication in a newspaper of general circulation within the Town at least 15 days before the public hearing of such rezoning; and

ii. Notice of such hearing was posted on the Property.

c. A need exists for zoning the Property to Business District (B) and doing so will meet the following criteria in Green Mountain Falls Code Sec. 16-711:

i. The zoning will promote the public health, safety, and general welfare;

ii. The zoning furthers the goals and policies of the Comprehensive Plan; and

iii. The rezoning is consistent with the purpose statement of the Business District (B) zoning district, which is to:

(1) Encourage the development of and the continued use of the land for retail, service, office and associated business and commercial uses that can be aggregated at low densities without inducing undue hazards to public health and safety;

(2) Permit a concentrated intensive development of the permitted uses while maintaining an adequate relationship between the intensity of land uses and the capacity of supporting utilities and transportation networks; and

(3) Encourage the aesthetic development of buildings and storefronts through construction, landscaping and proper maintenance that is compatible with the historical character of the Town.

Section 2. Based on the foregoing findings, the Property is hereby zoned Business District (B), and the Town's Zoning Map is hereby amended accordingly.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. This Ordinance shall take effect 30 days after publication following adoption.

ADOPTED AND ORDERED PUBLISHED the ____ day of _____, 2021, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado 80819.

Jane Newberry, Mayor

ATTEST:

Matthew Gordon, Town Clerk/Treasurer

Published in the Pike Peaks Courier, December 23, 2020.

EXHIBIT A
Property

Bearing are based on the record bearing of the West line of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., N 01°05'40" E, Monumented as shown on the survey.

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:

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ANNEXATION AGREEMENT

Joyland Church Parcels

THIS ANNEXATION AGREEMENT (the "Agreement") is made and entered into this ____ day of January, 2021 (the "Effective Date") by and between the Town of Green Mountain Falls, a Colorado municipality with an address of 10615 Unit B, Green Mountain Falls Road, Green Mountain Falls, Colorado, 80819 (the "Town"), and Green Mountain Road, LLC with an address of 1001 W. Wilshire Boulevard, Oklahoma City, Oklahoma 73116 ("Owner") (each a "Party" and collectively the "Parties").

WHEREAS, Green Mountain Road, LLC is the owner of certain real property known as the Joyland Church Parcel located in unincorporated El Paso County and more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, Owner desires to have the Property annexed to the Town; and

WHEREAS, the Town wishes to annex the Property into the Town upon the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the foregoing recitals, mutual covenants, and promises set forth below, the receipt and sufficiency of which are mutually acknowledged, the Parties hereby agree as follows:

1. Annexation. The annexation of the Property shall be in accordance with the Colorado Municipal Annexation Act of 1965, as amended.
2. Purpose. The purpose of this Agreement is to set forth the terms, conditions, and fees to be paid by Owner upon annexation and initial development of the Property. Unless otherwise expressly provided to the contrary herein, all conditions contained herein are in addition to any and all requirements of the Green Mountain Falls Municipal Code, as amended, and other applicable law.
3. Water and Sewer Service. The Town does not currently provide water or wastewater services within the Town. If at the time of development of the Property, the Town provides water or wastewater services capable of serving the Property, the Property shall connect to such services in accordance with the Town's regulations in effect at the time at the sole expense of Owner and the construction and extension of any such necessary lines and associated infrastructure shall be constructed in accordance with Town standards and specifications. Owner shall further be required to acquire at its own expense and dedicate to the Town, in a form acceptable to the Town in the Town's sole judgment, easements necessary to provide for the location of water and wastewater distribution, collection and transmission lines and related facilities serving the planned development on the Property.
4. Drainage. Owner is responsible for all erosion control and management of drainage from the Property. Individual drainage plans shall be prepared and submitted by Owner to the Town and approved by the Town Engineer prior to approval of any building permit. The area addressed by each individual drainage plan shall be established by the Town Engineer at the time of building permit application and shall be sufficient to cover the impacts to drainage and erosion, both on and

off-site, if applicable, caused by the development to which the building permit is issued. If determined by the Town Engineer to be necessary, such drainage plans shall include the construction of facilities for the safe discharge of all surface and subsurface water into a drainage conveyance facility. Owner shall be solely responsible for the construction, designs, and costs of all drainage improvements included in the drainage plans. Construction of all drainage improvements in each drainage plan shall be completed as set forth in a separate improvements agreement, which shall be entered into by the Parties prior to issuance of a building permit for any development on the Property. Owner shall incorporate each individual drainage plan into a Master Development Drainage Plan which shall be prepared and submitted by Owner to the Town and approved by the Town Engineer prior to Prior to Owner performing any road mitigation work.

5. Trail Easement and Improvements.

a. Owner shall construct and grant a 25-year public trail easement at least 30 feet in width, to the Town, in a form acceptable to the Town in its sole judgment, for a new trail to be known as the Pittman Trail (the "Pittman Trail") to cross the Property from an access point to the east from the Red Devil Mountain Parcel, and terminating at a point near the site of the former Joyland Church. Owner shall consult with the Town Parks, Recreation, and Trails Advisory Committee for the design, layout, and signage of the Pittman Trail prior to dedication of the easement.

b. Owner shall be solely responsible for maintenance of the Pittman Trail. On or before June 1, 2021, Owner shall prepare and submit to the Town, and the Town shall approve, a comprehensive and professionally reviewed Trail Management Plan for all public trails, including without limitation the Pittman Trail. At a minimum, the Trail Management Plan shall specify the maintenance and construction standards and schedules for the trails, trail use policies and safety standards for public users, and policies for reducing the environmental impact of the trails on and near sensitive resources, habitats, riparian areas, and native and special-status plant and animal species. The Trail Management Plan shall also include provisions for parking planning, impacts, and traffic management. The Trail Management Plan shall be updated annually, with Owner providing the Town with qualitative and quantitative user information sufficient to evaluate impacts on the Town caused by the development of the Property. Such information shall be provided to the Town by Owner by January 30 of each year, beginning in 2022. Thereafter, the Trail Management Plan shall be updated to address and mitigate these impacts and any required improvements or management steps under the Plan shall be implemented by June 1 of that same year.

c. The Pittman Trail shall be open to the public at no charge, and shall remain open to the public during hours established in the Trails Management Plan. Owner may temporarily close the Trail for maintenance, unsafe conditions, or for publicly noticed and scheduled private events, with notice provided for closures as established in the Trails Management Plan.

6. Public Restroom Improvements. Owner shall be responsible for the cost of design and construction of all public restroom improvements on the Property, as deemed necessary to meet demand as set forth in the Trail Management Plan, as amended and updated. At a minimum, Owner shall be responsible for the design and construction of at least one restroom on the Property located by the northwestern terminus of the Pittman Trail. The number of stalls shall be suitable

to serve the projected visitors to the Property. A temporary restroom installation is acceptable unless and until a permanent public restroom structure is required by the Trail Management Plan, as amended and updated. Unless otherwise provided by separate agreement of the Parties, restroom maintenance shall be the sole responsibility of Owner.

7. Parking Improvements. As part of the Trail Management Plan, on or before June 1, 2021, Owner shall prepare and submit to the Town, and the Town shall approve, a comprehensive and professionally reviewed Parking Plan to include without limitation maps, signage, and number of spaces at all dedicated locations. Owner shall be responsible for the cost of design and construction of all public and private parking improvements on the Property sufficient to meet demand for usage, as determined necessary by the Trails Management Plan, as amended and updated. All on-site parking shall be incorporated into the Town's paid parking program by a separate parking management agreement, which shall include terms regarding parking rates and revenue sharing. Owner shall not charge a fee for parking except in accordance with the Town's parking program and the applicable parking management agreement. Unless otherwise provided by separate agreement of the Parties, parking lot maintenance, snow removal, and trash removal shall be the responsibility of Owner.

8. Maintenance Plan. As part of the Trail Management Plan, on or before June 1, 2021, Owner shall prepare and submit to the Town, and the Town shall approve, a comprehensive and professionally reviewed Maintenance Plan for all public trails, restrooms, and other public improvements. The Maintenance Plan shall consider the need for public safety and the impacts of the public on the Property for matters such as trash and debris removal and preservation and conservation of nearby open space. The Maintenance Plan shall provide a clear narrative of how Owner shall maintain the Property and the publicly accessible improvements to best serve the public. Once approved, the Maintenance Plan shall be binding upon Owner and shall be enforceable by the Town. The Maintenance Plan is in addition to any other required plan under this Agreement, including without limitation, the Trail Management Plan.

9. Traffic Study. As part of the Trail Management Plan, on or before June 1, 2021, Owner shall prepare and submit to the Town a comprehensive and professionally prepared Traffic Study addressing the anticipated impacts of the proposed development of the Property to traffic safety, congestion, current and proposed levels of service, and access to and from downtown Green Mountain Falls. Owner shall mitigate the negative impacts on traffic congestion caused by development of the Property as identified in the Traffic Study, to the satisfaction of the Town as a condition of the Town's approval of Owner's development plan.

10. Road Improvements. Owner shall be responsible for the cost of design and construction of all public or private access improvements, including without limitation the construction and design of new or improved streets, roads, and driveways, to and from the Property as needed for any such road to comply with the Town's current standards and specifications. At the time any such new or improved public street, road, or driveway is requested by Owner or initiated by the Town to serve the Property, Owner shall reimburse the Town its proportional cost for the extension of such service and conferral of such benefit upon the Property within 90 days of written request from the Town made after the improvements are complete. The decision whether to extend or improve any such public access improvement shall be at the sole discretion of the Town. Any

road improvements dedicated to and accepted by the Town shall be maintained by the Town at the Town's sole expense.

11. Wildfire Mitigation. Owner shall cooperate and consult with the Green Mountain Falls Marshal, the Green Mountain Falls/Chipeta Park Fire Protection District, and the Town Fire Mitigation Advisory Committee to form a Wildfire Mitigation and Prevention Plan for the Property and shall promptly comply with such wildfire mitigation and prevention measures, which shall include the management of vegetation and wildfire fuels on the Property.

12. Zoning and Development.

a. Owner hereby consents to the zoning of the Property as Business District (B), as defined by § 16-310 of the Green Mountain Falls Municipal Code.

b. Owner may only develop the Property in accordance with this Agreement, Town ordinances and regulations and other applicable law.

c. Rezoning shall conform to the Master Plan and the Town's Master Plan in existence at the time of application for rezoning. Rezoning may occur prior to actual development on the site.

13. Vested Rights. Upon annexation, Owner waives any prior vested property rights that may have been acquired in El Paso County and acknowledges that this Agreement creates no new vested rights.

14. Remedies. Owner's remedies against the Town for the Town's breach of this Agreement are limited to breach of contract claims. The Town's remedies under this Agreement include without limitation the following:

a. The refusal to issue any building permit or certificate of occupancy.

b. The revocation of any building permit previously issued under which construction directly related to such building permit has not commenced, except a building permit previously issued to a third party.

c. A demand that the security given for the completion of the public improvements be paid or honored.

d. A demand for reimbursement of the cost of any maintenance work performed by the Town on any of the trails or improvements specified in this Agreement, so long as notice to cure was provided to Owner and Owner failed to cure any such maintenance obligation within 24 hours of receiving such notice.

e. The initiation of an action for public nuisance.

f. Any other remedy available at law.

15. Authority of the Town. Nothing in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abrogation of the Town's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of the Town or its inhabitants.

a. Owner acknowledges that the annexation and subsequent zoning of the Property are subject to the legislative discretion of the Board of Trustees of the Town of Green Mountain Falls. No assurances of annexation or zoning have been made or relied upon by Owner.

b. In the event that the Town of Green Mountain Falls Board of Trustees, in the exercise of its legislative discretion, does not take any action with respect to the Property required herein, then the sole and exclusive remedy for the breach hereof accompanied by the exercise of such discretion shall be the withdrawal of the petition for annexation by Owner, or disconnection from the Town in accordance with state law, as may be appropriate.

16. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the Owner, its successors in interest, or their legal representatives, including all developers, purchasers and subsequent owners of the Property, and shall constitute covenants running with the land. This Agreement shall be recorded with the County Clerk and Recorder of El Paso County, Colorado, at Owner's expense.

17. Indemnification. Owner agrees to indemnify and hold harmless the Town and the Town's officers, employees, agents, and contractors, from and against all liability, claims, and demands, including reasonable attorney's fees and court costs, which arise out of or are in any manner connected with the annexation of the Property, or with any other annexation or other action determined necessary or desirable by the Town in order to effectuate the annexation of the Property, or which are in any manner connected with the Town's enforcement of this Agreement. Owner further agrees to investigate, handle, respond to, and to provide defense for and defend against or at the Town's option to pay the reasonable attorney's fees for defense counsel of the Town's choice for any such liability, claims, or demands, which arise out of or are in any manner connected with the annexation of the Property.

18. Termination. If the zoning as set forth herein is not approved by the Town, or if the annexation of the Property is not completed, then this Agreement shall be null and void and of no force and effect whatsoever.

19. Miscellaneous.

a. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in El Paso County, Colorado.

b. No Waiver. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

c. Integration. This Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

- d. Third Parties. There are no intended third-party beneficiaries to this Agreement.
- e. Notice. Any notice under this Agreement shall be in writing and shall be deemed sufficient when directly presented or sent prepaid, first-class U.S. Mail to the Party at the address set forth on the first page of this Agreement.
- f. Severability. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.
- g. Modification. This Agreement may only be modified upon written agreement of the Parties.
- h. Assignment. Neither this Agreement nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other.
- i. Governmental Immunity. The Town and its officers, attorneys and employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers, attorneys or employees.
- j. Subject to Annual Appropriation. Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

EXHIBIT A
Joyland Church Parcel

Bearing are based on the record bearing of the West line of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., N 01°05'40" E, Monumented as shown on the survey.

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VICINITY MAP

N.T.S.

Owners

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

Christian Keese, 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 99°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

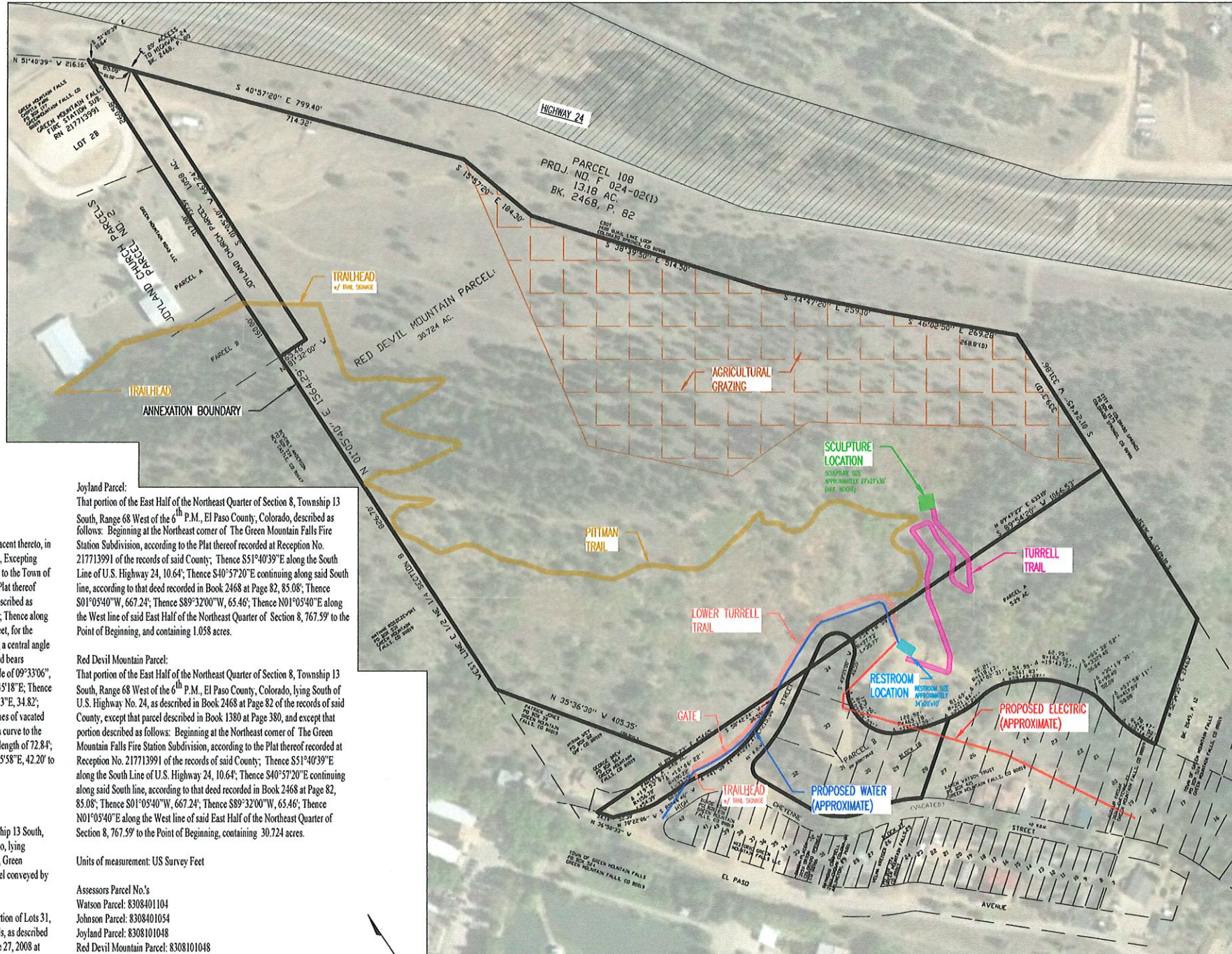
Johnson Parcel A:

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



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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 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.

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: ~~Public~~

Red Devil Mountain - Public Land

Joyland Parcel - Business

CONCEPT PLAN

1" = 100'

REVISIONS	BY

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



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

DRAWN BY: AMH
DESIGNED BY:
CHECKED BY:
DATE: 12/10/2020
SCALE: AS SHOWN
JOB NO.: 201280
SHEET NO.: 1
1 OF 1 SHEETS



VICINITY MAP

N.T.S.

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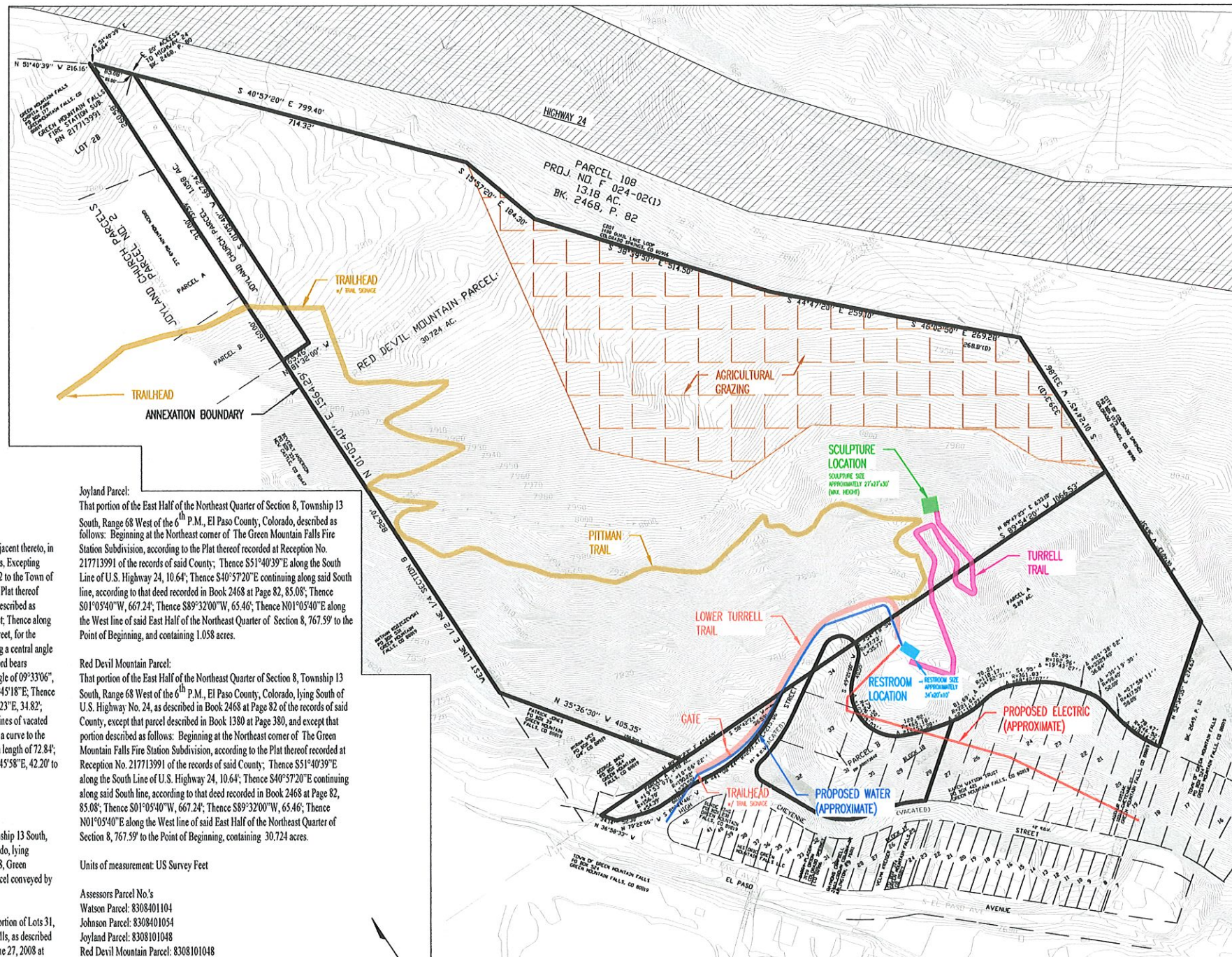
Joyland Parcel: 8308101048

Red Devil Mountain Parcel: 8308101048

Proposed Zone: PUD

Red Devil Mountain - Public Land

Joyland Parcel - Business



SCALE: 1" = 100'

REVISIONS BY

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

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

DRAWN BY: AMW

DESIGNED BY:

CHECKED BY:

DATE: 12/23/2020

SCALE: AS SHOWN

JOB NO.: 201280

SHEET NO.:

2 OF 2 SHEETS

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF Teller

I, Lorre Cosgrove, being first duly sworn, deposes and says that she is the Legal Sales Representative of The Pikes Peak Courier, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of Teller, and the State of Colorado, and which is called Pikes Peak Courier; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper 1 time(s) to wit 12/23/2020

That said newspaper has been published continuously and uninterrupted-ly in said County of Teller for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

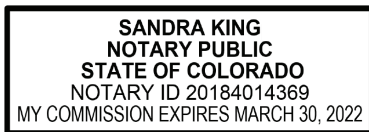


Lorre Cosgrove
Sales Center Agent

Subscribed and sworn to me this 12/28/2020, at said City of Colorado Springs, El Paso County, Colorado.
My commission expires March 30, 2022.



Sandra King
Notary Public
The Gazette



Document Authentication Number
20184014369-209924

TOWN OF GREEN MOUNTAIN FALLS, COLORADO NOTICE OF PUBLIC HEARINGS
<p>NOTICE IS HEREBY GIVEN of a public hearing before the Town of Green Mountain Falls Board of Trustees concerning the initial zoning of presently unincorporated property known as the Jayland Church Parcel as Business District (B). The legal description of the property is as follows: Bearing are based on the record bearing of the West line of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., N 01°05'40"E, Monumented as shown on the survey. 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.</p> <p>NOTICE IS HEREBY GIVEN of a public hearing before the Town of Green Mountain Falls Board of Trustees concerning the initial zoning of presently unincorporated property known as the Red Devil Mountain Parcel as Public Lands District (PL). The legal description of the property is as follows: 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.</p> <p>The public hearings shall be held before the Planning Commission on January 12, 2021, at 6:30 p.m. or as soon as possible thereafter as the agenda of the Board of Trustees permits. The public hearing shall be held via remote video conferencing accessed at the following link: https://us2web.zoom.us/j/84832751421?pwd=M00vaUZZkzB6eUhwEpuRjkrYTBldz09 Meeting ID: 848 3275 1421, Call-in number (346) 2487799. Any interested person may appear and be heard on the application. Further information is available by calling (719) 684-9414.</p> <p>DATED this 23rd day of December, 2021. TOWN OF GREEN MOUNTAIN FALLS, COLORADO Angie Sprang, Town Manager Published in the Pikes Peak Courier December 23, 2020.</p>



-Ad Proof-

This is the proof of your ad scheduled to run on the dates indicated below. Please proof read carefully if changes are needed, please contact us prior to deadline at
Keys and National, (719) 636-0341 ext. or
email at lorre.cosgrove@gazette.com.

Date: 12/18/20

Account #: 12057

Company Name: Town Of Green Mtn Falls

Contact:

Address: P.O. Box 524
Green Mountain Falls

80819

Telephone: (719) 684-9414

Fax: (719) 684-7850

Run Dates:

Pikes Peak Courier 12/30/20

Gazette.com 12/30/20

Ad ID: 104371

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Stop: 12/30/20

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of Inserts: 2

Ad Class: 910

Phone # (719) 636-0341

Email: lorre.cosgrove@gazette.com

Zoom Link Published in the Gazette

Julia Simmons is inviting you to a scheduled Zoom meeting.

Topic: Board of Trustees

Time: Jan 19, 2021 07:00 PM Mountain Time (US and Canada)

Join Zoom Meeting

[https://us02web.zoom.us/j/84832751421?](https://us02web.zoom.us/j/84832751421?pwd=M00vaUZZKzB6eUhWdEpuRjkrYTBldz09)

[pwd=M00vaUZZKzB6eUhWdEpuRjkrYTBldz09](https://us02web.zoom.us/j/84832751421?pwd=M00vaUZZKzB6eUhWdEpuRjkrYTBldz09)

Meeting ID: 848 3275 1421

Passcode: 205428

One tap mobile

+12532158782,,84832751421# US (Tacoma)

+13462487799,,84832751421# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 9128 US (San Jose)

+1 301 715 8592 US (Washington D.C)

+1 312 626 6799 US (Chicago)

+1 646 558 8656 US (New York)

Meeting ID: 848 3275 1421

Find your local number: <https://us02web.zoom.us/u/kyudfA8b4>

**TOWN OF GREEN MOUNTAIN FALLS, COLORADO
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN of a public hearing before the Town of Green Mountain Falls Planning Commission concerning the initial zoning of presently unincorporated property known as the **Joyland Church Parcel** as Business District (B). The legal description of the property is as follows: Bearing are based on the record bearing of the West line of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., N 01°05'40" E, Monumented as shown on the survey. 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.

NOTICE IS HEREBY GIVEN of a public hearing before the Town of Green Mountain Falls Planning Commission concerning the initial zoning of presently unincorporated property known as the **Red Devil Mountain Parcel** as Public Lands District (PL). The legal description of the property is as follows: 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.

The public hearing shall be held before the Board of Trustees on January 19, 2021, at 7:00 p.m. or as soon as possible thereafter as the agenda of the Planning Commission permits. The public hearing shall be held via remote video conferencing accessed at the following link: <https://us02web.zoom.us/j/85757440753?pwd=Qjltbi93eTBnUDRyR3NYVnd6S0o1dz09> Meeting ID: 857 5744 0753, Call-in number: (346) 2487799. Any interested person may appear and be heard on the application. Further information is available by calling (719) 684-9414.

DATED this 16th day of December, 2020.

TOWN OF GREEN MOUNTAIN FALLS, COLORADO

Angie Sprang, Town Manager

Published in the Pikes Peak Courier December 30, 2020.

Sec. 16-310. - B Business District.

- (a) The B Business District is established, in which the principal use of land is for retailing and personal services to the general public. The uses permitted within this District are those that will provide the maximum amount of service to the general public without creating an adverse impact. The specific intent of this Section is to:
 - (1) Encourage the development of and the continued use of the land for retail, service, office and associated business and commercial uses that can be aggregated at low densities without inducing undue hazards to public health and safety;
 - (2) Permit a concentrated intensive development of the permitted uses while maintaining an adequate relationship between the intensity of land uses and the capacity of supporting utilities and transportation networks; and
 - (3) Encourage the aesthetic development of buildings and storefronts through construction, landscaping and proper maintenance that is compatible with the historical character of the Town.
- (b) Permitted principal uses:
 - (1) Business and professional offices, medical and dental clinics;
 - (2) Retail stores such as groceries, clothing, small appliances, jewelry, sporting goods, books, antiques, bakery and candy;
 - (3) Service establishments such as barber shops, beauty parlors, watch and jewelry repair, pharmacies, laundry and dry cleaners, package liquor stores, taverns, lounges, cafes and restaurants;
 - (4) Post office, banks and printing establishments;
 - (5) Hotels, motels and bed and breakfast dwellings;
 - (6) Public buildings, fire station, library, museum and art galleries;
 - (7) Educational institutions;
 - (8) Religious institutions; and
 - (9) Parks and playgrounds.
- (c) Uses requiring special approval (special uses):
 - (1) Multiple dwelling apartments;
 - (2) Commercial garages;
 - (3) Automobile filling stations;
 - (4) Mini-warehouse storage units;
 - (5) Business and commercial uses other than those listed in Paragraphs (b)(1) through (b)(9) above which are determined by the Planning Commission not to be detrimental to the surrounding development of the Town;

(d) Development requirements:

(1) Minimum lot area: ten thousand (10,000) square feet.

(2) Setback requirements:

a. Front, fifteen (15) feet.

b. Side:

1. Where adjoining a residential district, the standards of that district shall apply.

2. If there is no side yard, the side wall of the building shall be constructed of four-hour fire-resistant material.

3. If the side wall material is less than four-hour fire-resistant, the side yard shall not be less than five (5) feet.

c. Rear, fifteen (15) feet.

(e) Accessory uses and buildings: refer to Article VI of this Land Use Code.

(f) Off-street parking: refer to Section 16-604.

(g) Permitted signs: refer to Article IV of this Land Use Code.

(h) Conformance. All buildings, structures and uses shall conform to the requirements of Section 16-705.

(Ord. 97-01)

Sec. 16-314. - PL Public Lands District.

(a) Description and purpose. The Public Lands District is intended to provide appropriate land for the continuation and expansion of public, active, recreational pursuits and passive open space use and preservation. Generally, the active parks include playground equipment, athletic fields, tennis courts, swimming pools and other facilities and programs normally associated with public parks. Passive open space may be reserved for natural or environmental reasons, such as preservation of backdrop views, wildlife habitat, vegetation or significant natural or historic resources. The Public Lands District is also suitable for use and designation of trails and associated activities. The term *public lands* may be used to describe the existing or future use of the land or the character of the ownership of the land.

(b) Where established. Approval for a Public Lands District requires either outright public ownership or a significant public easement or grant of public usage (i.e., long term lease). A determination that a public need exists and the use and location are compatible with adjacent land uses is necessary to establish a Public Lands Zoning District. Conditions regarding setbacks from adjacent uses or property lines, landscaping, screening, access and the placement and size of signs and amount of parking may be approved with the establishment of the Public Lands Zoning

(d) Development requirements:

(1) Minimum lot area: ten thousand (10,000) square feet.

(2) Setback requirements:

a. Front, fifteen (15) feet.

b. Side:

1. Where adjoining a residential district, the standards of that district shall apply.

2. If there is no side yard, the side wall of the building shall be constructed of four-hour fire-resistant material.

3. If the side wall material is less than four-hour fire-resistant, the side yard shall not be less than five (5) feet.

c. Rear, fifteen (15) feet.

(e) Accessory uses and buildings: refer to Article VI of this Land Use Code.

(f) Off-street parking: refer to Section 16-604.

(g) Permitted signs: refer to Article IV of this Land Use Code.

(h) Conformance. All buildings, structures and uses shall conform to the requirements of Section 16-705.

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To: Board of Trustees
From: GMF Planning & Land Use
Date: January 13, 2021
Re: Planning Commission Recommendation – Ordinance 2021-04, Zoning RDM

Background

The Planning Commission considered the subject ordinance and attached packet materials at its January 12, 2021 regular meeting and publicly noticed public hearing.

Discussion

The commission considered Ordinance 2021-04, initially zoning the Red Devil Mountain (RDM) parcel and received public testimony (attached memo from Dick Bratton, January 12, 2021). The Commission moved and voted unanimously (5-0) to recommend approval of the ordinance to the Board. If approved as it appears in the packet, the Red Devil Mountain parcel will go through the final administrative steps and become annexed into GMF as Public Lands, PL.

Conclusion

Staff concurs with the commission's recommendation to the Board and recommends approval of the ordinance.

Attachments:

Ordinance 2021-04, Zoning Red Devil Mountain as Public Lands

RDM Parcel Annexation Agreement

Joyland and RDM Development Plan

Notice of Public Hearing, Colorado Springs Gazette

Section 16-314 – Public Lands PL



To: Planning Commission
From: GMF Land Use & Planning Staff
Date: January 7, 2021
Re: Ordinance 2021-04, Zoning of Newly Annexed Land, Red Devil Mountain Parcel

Background

The Applicant is requesting the Planning Commission's consideration and recommendation to the Board of Trustees for Zoning the subject property into the Public Lands (PL) designation.

Planning Commission Recommended Actions:

- Public hearing
- Review petition and attachments for compliance with Green Mountain Falls Zoning Code
- Recommend approval, approval subject to conditions, or disapproval to Board of Trustees

Discussion

Existing Land Use and Zoning

According to the plat map and the El Paso County Assessor, the land is a 29.27-acre parcel, purchased by Historic Green Mountain Falls Foundation, LLC, in July 2019. Some information on the EPC site will need to be corrected when the petitioner files with the Clerk and Recorder. The plat map and legal description is attached. The existing zoning in unincorporated El Paso County is RT, Residential Topographic

Sec. 16-304. - Zoning of newly annexed territory.

Any area annexed to the Town after the effective date of this Land Use Code shall be given a zone designation under the provisions of the Zoning Ordinance within ninety (90) days from the effective date of the annexation ordinance. During this period no building permits shall be issued on any portion or all of the newly annexed area until such time as the property is designated on the Zoning Map.

Board of Trustees approved Ordinance 2021-02, Annexing Red Devil Mountain Parcel into GMF on January 5, 2021 and approved the attached Annexation Agreement by Resolution.

Sec. 16-314. - PL Public Lands District.

*(a) **Description and purpose.** The Public Lands District is intended to provide appropriate land for the continuation and expansion of public, active, recreational pursuits and passive open space use and preservation. Generally, the active parks include playground equipment, athletic fields, tennis courts, swimming pools and other facilities and programs normally associated with public parks. Passive open space may be reserved for natural or environmental reasons, such as*

preservation of backdrop views, wildlife habitat, vegetation or significant natural or historic resources. The Public Lands District is also suitable for use and designation of trails and associated activities. The term public lands may be used to describe the existing or future use of the land or the character of the ownership of the land.

(b) Where established. *Approval for a Public Lands District requires either outright public ownership or a significant public easement or grant of public usage (i.e., long term lease). A determination that a public need exists and the use and location are compatible with adjacent land uses is necessary to establish a Public Lands Zoning District. Conditions regarding setbacks from adjacent uses or property lines, landscaping, screening, access and the placement and size of signs and amount of parking may be approved with the establishment of the Public Lands Zoning*

(c) Permitted uses. *Uses allowed in this District are limited to those under public ownership or control, such as active recreational pursuits (playground equipment, athletic fields, tennis courts, swimming pools and other facilities and programs normally associated with public parks), passive open space preservation (preservation of backdrop views, wildlife habitat, vegetation or significant natural or historic resources) and for use and designation of trails and associated activities. These uses are not typically listed as permitted or conditional uses in other zoning districts. Development standards, such as lot size, setbacks, height of structures, etc., are determined at the time of zoning or development plan review in accordance with the provisions of Section 16-712.*

The Petitioner is working in a private-public partnership with GMF. Per the 25-year easements established in the agreements, the Petitioner is maintaining the trails, wildland access corridor, passive recreation, and associated public facilities to meet the code requirements in this section. The Board will be considering management plans prior to the Green Box Arts festival this summer, and the Board will continue to assess the progress, partnership, and any unforeseen issues that may arise during the first year of offering this resource to the public.

Town Attorney has reviewed the zoning designation and drafted the attached Annexation Agreement, a contract between HGMFF and GMF, as an understanding for what each entity is responsible for. Any development proposals/ land use approvals will be considered individually, referring back to the agreement and the PL standards.

Sec. 16-711. - Zoning amendments.

GMF Zoning Code full text for this section is attached. The proposed zoning was initiated by petition as part of the annexation of RDM parcel. Plat map, legal description, and existing conditions was submitted and is included as part of the annexation. Section (c), Procedure, establishes that a publicly notice public hearing, shall be held by the PC and BoT. The affidavit of publication is attached, and the property has been physically posted by Public Works.

Section 16-711(c)(2), Criteria:

The Town shall consider whether the rezoning complies with at least one of the following criteria:

- a. The proposed rezoning furthers the goals and policies of the Comprehensive Plan;*
- b. The rezoning is consistent with the purpose statement of the proposed zoning district;*
- c. There have been significant changes in the area to warrant a zoning change; or*
- d. There was an error in establishing the current zoning.*

Staff believes the rezoning, and in this instance, initial zoning, is satisfied because the proposal furthers the goals and policies of the Comprehensive Plan, *Plan GMF* approved by the Planning Commission and Board of Trustees in 2019. Town Attorney has reviewed the petition and all materials and drafted the Public Lands Zoning Ordinance, 2021-04, for PC consideration. The attached Annexation Agreement for RDM establishes the contractual responsibilities of each party and includes the language on zoning designation.

Sec. 16-712. - Development plan requirements.

The following information is required on all development plan proposals:

- (1) The location, height and dimensions of each existing and proposed structure in the development area and the uses to be contained therein.*
- (2) The proper building setbacks and building area with reference to property lines, highways or street rights-of-way;*
- (3) The location and surfaces of all parking areas and the exact number of parking spaces;*
- (4) The location of watercourses and other natural historic features;*
- (5) The location of all pedestrian walks, malls, recreation and other open spaces;*
- (6) The location, number, height and square footage of freestanding identification signs;*
- (7) The location, height, size and orientation of any required light standards;*
- (8) The location of all permanent accesses from publicly dedicated streets, roads or highways;*
- (9) The location, overlain on contours for the area, of all roadways, walkways, bridges, culverts, drainage easements, existing or contemplated, and green belts;*
- (10) The location of all footpaths, traffic islands, traffic devices and driveways, indicating the pedestrian and vehicular movement and control;*
- (11) The stages, if appropriate, in which the project will be developed; and*
- (12) A vicinity map to locate the development in relation to the community.*

Proposed sketch development plan for RDM parcel is provided. Development is being limited to the Skyspace art installation, trails, access road, and large animal grazing. Additional requirements (restrooms, parking, traffic, and maintenance/management) are comprehensively addressed in the contract, which was approved by the Board. Drainage is being addressed at a site plan review level to minimize/prevent erosion and off-site drainage. The Hillside Overlay (HO) will apply to the sections of the parcel that exceed the maximum slope, as designated in Section 16 and may include the entire RDM parcel. The petitioner will be required to provide

this information and the overlay will be applied as an administrative function during the next round of mapping.

Conclusion

Staff, in consultation with Town Attorney, has reviewed the Petitioner's materials and concludes that the zoning petition for Red Devil Mountain parcel to be annexed and zoned (PL) Public Lands is consistent with GMF Zoning Code. Therefore, Staff recommends the Planning Commission forward a recommendation of approval to the Board for its January 19, 2021 public hearing.

Matt Gordon

From: Dick Bratton <trails007@aol.com>
Sent: Monday, January 11, 2021 7:55 PM
To: [REDACTED]
[REDACTED]
[REDACTED]
Cc: Matt Gordon
Subject: PC Meeting Jan 12 Agenda Items 5,6,7

MEMO TO- GMF Planning Commission
SUBJECT PC Meeting 12 Jan- AGENDA Items 5,6,7 Zoning
FROM: Dick Bratton, Architect

Dear Planning Commissioners

I am a Registered Architect with over 70 years of worldwide experience in professional design and land use planning, I have been a licensed Architect in Colorado since 1970. While serving on the GMF Planning Commission for over 20 years, I became very familiar with our GMF Town land Use Code concerning Zoning. I can assure you that the requested zoning is the very best fit for the future land use, especially considering the significant long range benefits to the Town. .

To significantly improve Green Mountain Falls, I strongly urge you to vote to recommend Town Board approval of:

- Agenda Item 5- ORD 2021-03 Zoning Joyland as B Business
- Agenda Item 6- ORD 2021-04 Zoning Red Devil Mtn as PL Public Lands
- Agenda Item 7. Special Use Permit for a Public Rest Room at 10400 El Paso Ave

DICK BRATTON, Architect
11190 Hondo Ave. GMF
trails007@aol.com
(719) 684-9811
PO Box 200
Green Mountain Falls
CO 80819-0200





VICINITY MAP

N.T.S.

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

Christian Keese, 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 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:

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.

Units of measurement: US Survey Feet

Assessors Parcel No's

Watson Parcel: 8308401104

Johnson Parcel: 8308401054

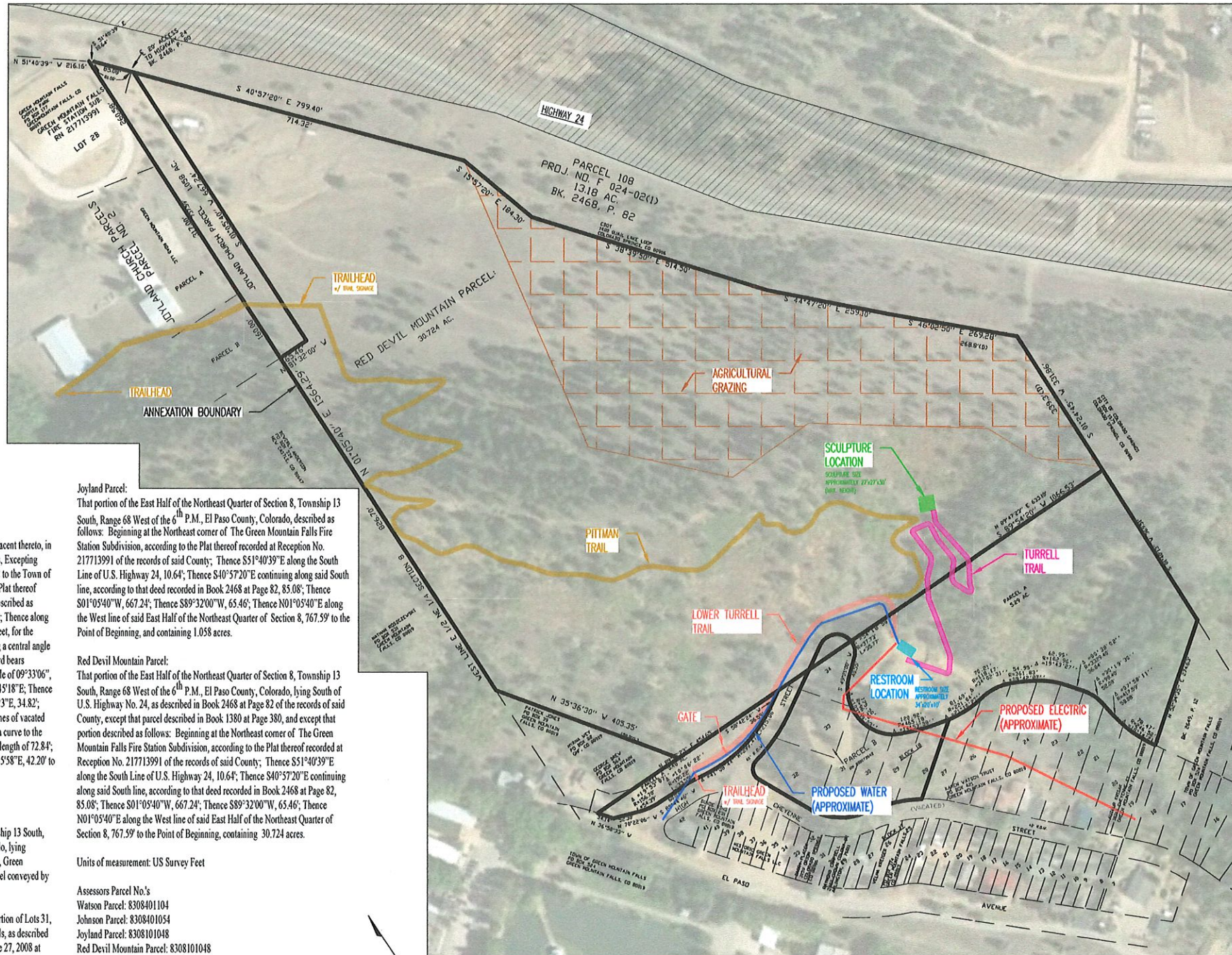
Joyland Parcel: 8308101048

Red Devil Mountain Parcel: 8308101048

Proposed Zone:

Red Devil Mountain - Public Land

Joyland Parcel - Business



CONCEPT PLAN

1" = 100'

REVISIONS	BY

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



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

DRAWN BY: AMH
DESIGNED BY:
CHECKED BY:
DATE: 12/10/2020
SCALE: AS SHOWN
JOB NO.: 201280
SHEET NO.: 1
OF 1 SHEETS



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 1.585 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 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:

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.

Units of measurement: US Survey Feet

Assessors Parcel No.'s

Watson Parcel: 8308401104

Johnson Parcel: 8308401054

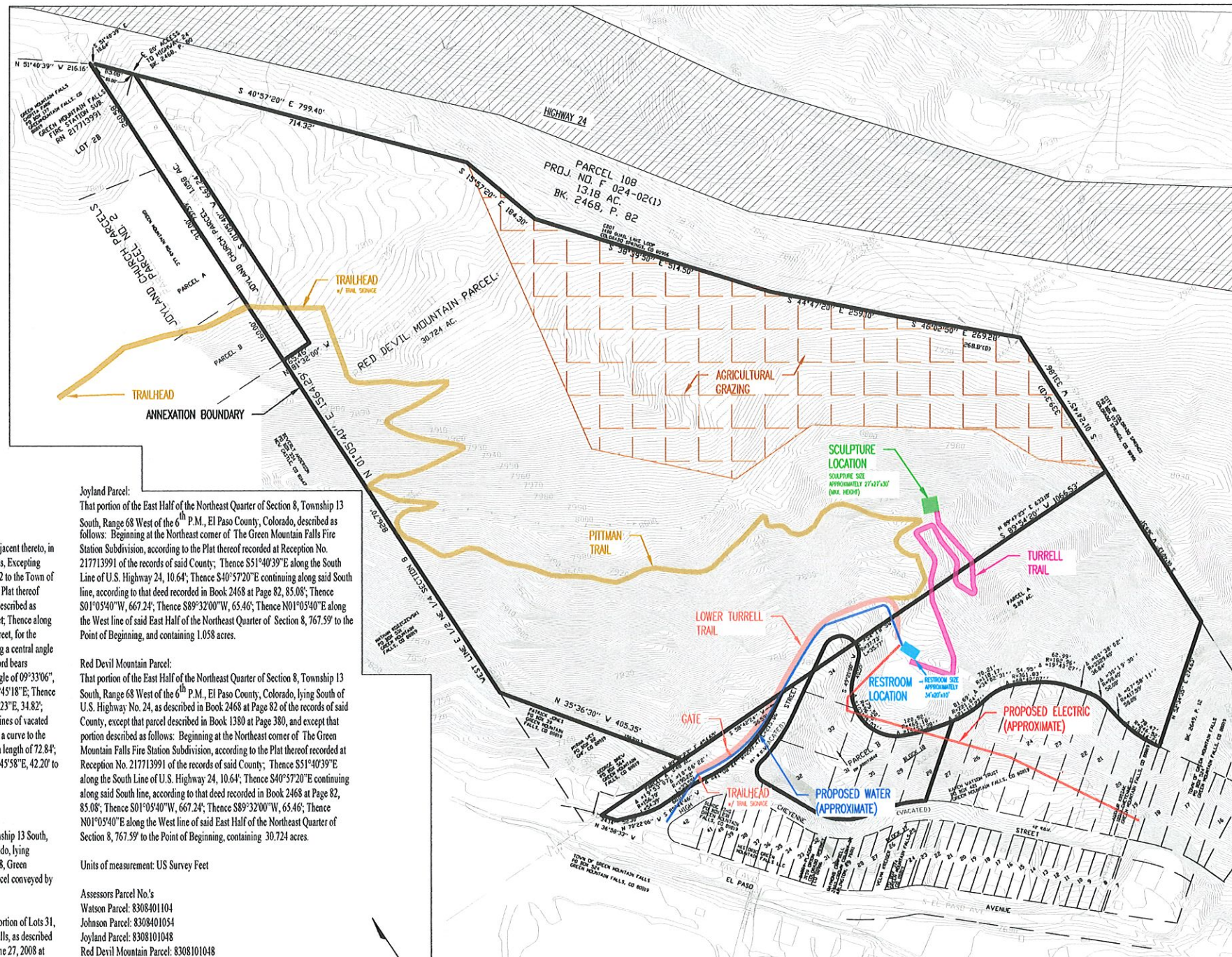
Joyland Parcel: 8308101048

Red Devil Mountain Parcel: 8308101048

Proposed Zone: PUD

Red Devil Mountain - Public Land

Joyland Parcel - Business



SCALE: 1" = 100'

REVISIONS BY

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



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

DRAWN BY: ANH

DESIGNED BY:

CHECKED BY:

DATE: 12/23/2020

SCALE: AS SHOWN

JOB NO.: 201280

SHEET NO.:

2 OF 2 SHEETS

AFFIDAVIT OF PUBLICATION

STATE OF COLORADO
COUNTY OF Teller

I, Lorre Cosgrove, being first duly sworn, deposes and says that she is the Legal Sales Representative of The Pikes Peak Courier, LLC., a corporation, the publishers of a daily/weekly public newspapers, which is printed and published daily/weekly in whole in the County of Teller, and the State of Colorado, and which is called Pikes Peak Courier; that a notice of which the annexed is an exact copy, cut from said newspaper, was published in the regular and entire editions of said newspaper 1 time(s) to wit 12/23/2020

That said newspaper has been published continuously and uninterruptedly in said County of Teller for a period of at least six consecutive months next prior to the first issue thereof containing this notice; that said newspaper has a general circulation and that it has been admitted to the United States mails as second-class matter under the provisions of the Act of March 3, 1879 and any amendment thereof, and is a newspaper duly qualified for the printing of legal notices and advertisement within the meaning of the laws of the State of Colorado.

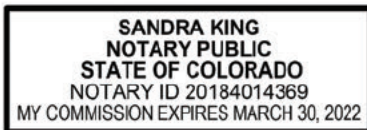


Lorre Cosgrove
Sales Center Agent

Subscribed and sworn to me this 12/28/2020, at said City of Colorado Springs, El Paso County, Colorado.
My commission expires March 30, 2022.



Sandra King
Notary Public
The Gazette



Document Authentication Number
20184014369-209924

TOWN OF GREEN MOUNTAIN FALLS, COLORADO NOTICE OF PUBLIC HEARINGS
<p>NOTICE IS HEREBY GIVEN of a public hearing before the Town of Green Mountain Falls Board of Trustees concerning the initial zoning of presently unincorporated property known as the 109 Land Church Parcel as Business District (B). The legal description of the property is as follows: Bearing are based on the record bearing of the West line of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 6th P.M., N 01°05'40"E, Monumented as shown on the survey. 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 S53°40'29"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.</p> <p>NOTICE IS HEREBY GIVEN of a public hearing before the Town of Green Mountain Falls Board of Trustees concerning the initial zoning of presently unincorporated property known as the Red Devil Mountain Parcel as Public Lands District (PL). The legal description of the property is as follows: 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 S53°40'29"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.</p> <p>The public hearings shall be held before the Planning Commission on January 12, 2021, at 6:30 p.m., or as soon as possible thereafter as the agenda of the Board of Trustees permits. The public hearing shall be held via remote video conferencing accessed at the following link: https://us02web.zoom.us/j/84832751421?pwd=M00vaUZZKzB6UkVWdEpURkRlYTBldz09 Meeting ID: 848 3275 1421, Call in number (346) 248 7795. Any interested person may appear and be heard on the application. Further information is available by calling (719) 684 9414.</p> <p>DATED this 23rd day of December, 2020. TOWN OF GREEN MOUNTAIN FALLS, COLORADO Angie Sprang, Town Manager Published in the Pikes Peak Courier December 23, 2020.</p>

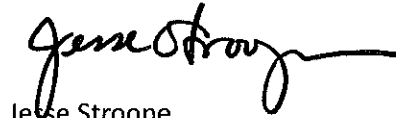
Town of Green Mountain Falls

December 29, 2020

Dear Planning Commissioners and Board of Trustees,

Please find attached an application for a zoning amendment for 10325 W. US Highway 24. Historic Green Mountain Falls Foundation requests consideration in changing zoning from Agriculture zoning to Public Land zoning if annexation of this property is achieved. Public Land zoning most accurately encompasses the planned use of the property as described in the Red Devil Mountain Concept Plan. The property is 30.724 Acres. Approximately 90 percent of the property will be set aside as open space and the developed portions of the property will have a hiking trail and art installation. Further details can be found in the Red Devil Mountain Concept Plan.

Thank you in advance for your consideration,

A handwritten signature in black ink, appearing to read "Jesse Stroope", with a long horizontal flourish extending to the right.

Jesse Stroope

Project Planner

TOWN OF GREEN MOUNTAIN FALLS

ORDINANCE NO. 2021-04

AN ORDINANCE OF THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS ZONING CERTAIN RECENTLY ANNEXED PROPERTY TO PUBLIC LANDS DISTRICT (RED DEVIL MOUNTAIN PARCEL ANNEXATION)

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF GREEN MOUNTAIN FALLS, COLORADO:

Section 1. Findings of Fact.

a. The Town desires to zone certain property recently annexed to the Town and more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property"), to Public Lands District (PL).

b. Public notice has been given as follows and as required by C.R.S. § 31-23-304 and Green Mountain Falls Code Sec. 16-711:

i. One publication in a newspaper of general circulation within the Town at least 15 days before the public hearing of such rezoning; and

ii. Notice of such hearing was posted on the Property.

c. A need exists for zoning the Property to Public Lands District (PL) and doing so will meet the following criteria in Green Mountain Falls Code Sec. 16-711:

i. The zoning will promote the public health, safety, and general welfare;

ii. The zoning furthers the goals and policies of the Comprehensive Plan; and

iii. The rezoning is consistent with the purpose statement of the Public Lands District (PL) zoning district, which is to provide appropriate land for the continuation and expansion of public, active, recreational pursuits and passive open space use and preservation.

Section 2. Based on the foregoing findings, the Property is hereby zoned Public Lands District (PL), and the Town's Zoning Map is hereby amended accordingly.

Section 3. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Board of Trustees hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 4. Safety. The Board of Trustees finds that the adoption of this Ordinance is necessary for the protection of the public health, safety and welfare.

Section 5. Effective Date. This Ordinance shall take effect 30 days after publication following adoption.

ADOPTED AND ORDERED PUBLISHED the day of , 2021, at the Green Mountain Falls Town Hall, 10615 Green Mountain Falls Road, Green Mountain Falls, Colorado 80819.

Jane Newberry, Mayor

ATTEST:

Matthew Gordon, Town Clerk/Treasurer

Published in the Pike Peaks Courier, December 23, 2020.

EXHIBIT A
Property

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°005'40"W, 667.24'; Thence S89°32'00"W, 65.46'; Thence N01°005'40"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.

TOWN OF GREEN MOUNTAIN FALLS

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ANNEXATION AGREEMENT

Red Devil Mountain Parcel

THIS ANNEXATION AGREEMENT (the "Agreement") is made and entered into this ____ day of January, 2021 (the "Effective Date") by and between the Town of Green Mountain Falls, a Colorado municipality with an address of 10615 Unit B, Green Mountain Falls Road, Green Mountain Falls, Colorado, 80819 (the "Town"), and Historic Green Mountain Falls Foundation, LLC of the Kirkpatrick Family Fund, an affiliated fund of the Oklahoma City Community Foundation, with an address of 1001 North Broadway, Oklahoma City, Oklahoma 73102 ("Owner") (each a "Party" and collectively the "Parties").

WHEREAS, Historic Green Mountain Falls Foundation, LLC is the owner of certain real property known as the Red Devil Mountain Parcel located in unincorporated El Paso County and more particularly described in **Exhibit A**, attached hereto and incorporated herein by this reference (the "Property");

WHEREAS, Owner desires to have the Property annexed to the Town; and

WHEREAS, the Town wishes to annex the Property into the Town upon the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the foregoing recitals, mutual covenants, and promises set forth below, the receipt and sufficiency of which are mutually acknowledged, the Parties hereby agree as follows:

1. Annexation. The annexation of the Property shall be in accordance with the Colorado Municipal Annexation Act of 1965, as amended.
2. Purpose. The purpose of this Agreement is to set forth the terms, conditions, and fees to be paid by Owner upon annexation and initial development of the Property. Unless otherwise expressly provided to the contrary herein, all conditions contained herein are in addition to any and all requirements of the Green Mountain Falls Municipal Code, as amended, and other applicable law.
3. Water and Sewer Service. The Town does not currently provide water or wastewater services within the Town. If at the time of development of the Property, the Town provides water or wastewater services capable of serving the Property, the Property shall connect to such services in accordance with the Town's regulations in effect at the time at the sole expense of Owner and the construction and extension of any such necessary lines and associated infrastructure shall be constructed in accordance with Town standards and specifications. Owner shall further be required to acquire at its own expense and dedicate to the Town, in a form acceptable to the Town in the Town's sole judgment, easements necessary to provide for the location of water and wastewater distribution, collection and transmission lines and related facilities serving the planned development on the Property.
4. Drainage. Owner is responsible for all erosion control and management of drainage from the Property. Individual drainage plans shall be prepared and submitted by Owner to the Town and approved by the Town Engineer prior to approval of any building permit. The area addressed

by each individual drainage plan shall be established by the Town Engineer at the time of building permit application and shall be sufficient to cover the impacts to drainage and erosion, both on and off-site, if applicable, caused by the development to which the building permit is issued. If determined by the Town Engineer to be necessary, such drainage plans shall include the construction of facilities for the safe discharge of all surface and subsurface water into a drainage conveyance facility. Owner shall be solely responsible for the construction, designs, and costs of all drainage improvements included in the drainage plans. Construction of all drainage improvements in each drainage plan shall be completed as set forth in a separate improvements agreement, which shall be entered into by the Parties prior to issuance of a building permit for any development on the Property. Owner shall incorporate each individual drainage plan into a Master Development Drainage Plan which shall be prepared and submitted by Owner to the Town and approved by the Town Engineer prior to Owner performing any road mitigation work.

5. Trail Easement and Improvements.

a. Owner shall construct and grant a 25-year public trail easement at least 30 feet in width, to the Town, in a form acceptable to the Town in its sole judgment, for a new trail to be known as the Pittman Trail (the "Pittman Trail") to cross the Property from an access point near Gazebo Lake, over Red Devil Mountain, and down to the site of the former Joyland Church. Owner shall consult with the Town Parks, Recreation, and Trails Advisory Committee for the design, layout, and signage of the Pittman Trail prior to dedication of the easement.

b. Owner shall construct and grant a 25-year public trail easement at least 30 feet in width, to the Town, in a form acceptable to the Town in its sole judgment, for a new access trail (the "access trail") to cross the Property from an access point near El Paso Street to the site of Owner's proposed art installation. Owner shall consult with the Town Parks, Recreation, and Trails Advisory Committee for the design, layout, and signage of the access trail prior to dedication of the easement.

c. Owner shall be solely responsible for maintenance of the Pittman Trail and the access trail. On or before June 1, 2021, Owner shall prepare and submit to the Town, and the Town shall approve, a comprehensive and professionally reviewed Trail Management Plan for all public trails, including without limitation the Pittman Trail and access trail. At a minimum, the Trail Management Plan shall specify the maintenance and construction standards and schedules for the trails, trail use policies and safety standards for public users, and policies for reducing the environmental impact of the trails on and near sensitive resources, habitats, riparian areas, and native and special-status plant and animal species. The Trail Management Plan shall also include provisions for parking planning, impacts, and traffic management. The Trail Management Plan shall be updated annually, with Owner providing the Town with qualitative and quantitative user information sufficient to evaluate impacts on the Town caused by the development of the Property. Such information shall be provided to the Town by Owner by January 30 of each year, beginning in 2022. Thereafter, the Trail Management Plan shall be updated to address and mitigate these impacts and any required improvements or management steps under the Plan shall be implemented by June 1 of that same year.

d. The Pittman Trail and access trail shall be open to the public at no charge, and shall remain open to the public during hours established in the Trails Management Plan. Owner may temporarily close the trails for maintenance, unsafe conditions, or for publicly noticed and scheduled private events, with notice provided for closures as established in the Trails Management Plan.

6. Public Art Improvements. Owner shall be responsible for the cost of design and construction of all public art improvements on the Property. The public art improvements shall be open to the public at no charge.

7. Public Restroom Improvements. Owner shall be responsible for the cost of design and construction of all public restroom improvements on the Property, as deemed necessary to meet demand as set forth in the Trail Management Plan, as amended and updated. At a minimum, Owner shall be responsible for the design and construction of one permanent restrooms on the Property located near the public art installation. The number of stalls shall be suitable to serve the projected visitors to the Property unless additional restrooms are constructed, and the restroom shall comply with the accessibility and construction requirements of the Americans with Disabilities Act, 42 U.S.C. § 12101 (the "ADA") for required accessibility. A temporary restroom installation is acceptable until a permanent public restroom structure is built, however, a permanent public restroom shall be in place no later than May 30, 2022. Notwithstanding the foregoing, the permanent restroom must be functional prior to the public opening of the Pittman Trail or access trail. Unless otherwise provided by separate agreement of the Parties, restroom maintenance shall be the sole responsibility of Owner.

8. Parking Improvements. As part of the Trail Management Plan, on or before June 1, 2021, Owner shall prepare and submit to the Town, and the Town shall approve, a comprehensive and professionally reviewed Parking Plan to include without limitation maps, signage, and number of spaces at all dedicated locations. Owner shall be responsible for the cost of design and construction of all public and private parking improvements on the Property sufficient to meet demand for usage, as determined necessary by the Trails Management Plan, as amended and updated. All on-site parking shall be incorporated into the Town's paid parking program by a separate parking management agreement, which shall include terms regarding parking rates and revenue sharing. Owner shall not charge a fee for parking except in accordance with the Town's parking program and the applicable parking management agreement. Unless otherwise provided by separate agreement of the Parties, parking lot maintenance, snow removal, and trash removal shall be the responsibility of Owner.

9. Maintenance Plan. As part of the Trail Management Plan, on or before June 1, 2021, Owner shall prepare and submit to the Town, and the Town shall approve, a comprehensive and professionally reviewed Maintenance Plan for all public trails, art installations, restrooms, and other public improvements. The Maintenance Plan shall consider the need for public safety and the impacts of the public on the Property for matters such as trash and debris removal and preservation and conservation of open space. The Maintenance Plan shall provide a clear narrative of how Owner shall maintain the Property and the publicly accessible improvements to best serve the public and meet the continuing goals of the Public Lands District for the Red Devil Mountain Parcel. Once approved, the Maintenance Plan shall be binding upon Owner and shall be

enforceable by the Town. The Maintenance Plan is in addition to any other required plan under this Agreement, including without limitation, the Trail Management Plan.

10. Traffic Study. As part of the Trail Management Plan, on or before June 1, 2021, Owner shall prepare and submit to the Town a comprehensive and professionally prepared Traffic Study addressing the anticipated impacts of the proposed development of the Property to traffic safety, congestion, current and proposed levels of service, and access to and from downtown Green Mountain Falls. Owner shall mitigate the negative impacts on traffic congestion caused by development of the Property as identified in the Traffic Study, to the satisfaction of the Town as a condition of the Town's approval of Owner's development plan.

11. Road Improvements. Owner shall be responsible for the cost of design and construction of all public or private access improvements, including without limitation the construction and design of new or improved streets, roads, and driveways, to and from the Property as needed for any such road to comply with the Town's current standards and specifications. At the time any such new or improved public street, road, or driveway is requested by Owner or initiated by the Town to serve the Property, Owner shall reimburse the Town its proportional cost for the extension of such service and conferral of such benefit upon the Property within 90 days of written request from the Town made after the improvements are complete. The decision whether to extend or improve any such public access improvement shall be at the sole discretion of the Town. Any road improvements dedicated to and accepted by the Town shall be maintained by the Town at the Town's sole expense.

12. Wildfire Mitigation. Owner shall cooperate and consult with the Green Mountain Falls Marshal, the Green Mountain Falls/Chipeta Park Fire Protection District, and the Town Fire Mitigation Advisory Committee to form a Wildfire Mitigation and Prevention Plan for the Property and shall promptly comply with such wildfire mitigation and prevention measures, which shall include the management of vegetation and wildfire fuels on the Property.

13. Zoning and Development.

a. Owner hereby consents to the zoning of the Property as Public Lands District (PL), as defined by §16-314 of the Green Mountain Falls Municipal Code. Large animal grazing shall be allowed, which shall preserve open space viewsheds and provide an opportunity for education and rehabilitation.

b. Owner may only develop the Property in accordance with this Agreement, Town ordinances and regulations and other applicable law.

c. Rezoning shall conform to the Master Plan and the Town's Master Plan in existence at the time of application for rezoning. Rezoning may occur prior to actual development on the site.

14. Vested Rights. Upon annexation, Owner waives any prior vested property rights that may have been acquired in El Paso County and acknowledges that this Agreement creates no new vested rights.

15. Remedies. Owner's remedies against the Town for the Town's breach of this Agreement are limited to breach of contract claims. The Town's remedies under this Agreement include without limitation the following:

- a. The refusal to issue any building permit or certificate of occupancy.
- b. The revocation of any building permit previously issued under which construction directly related to such building permit has not commenced, except a building permit previously issued to a third party.
- c. A demand that the security given for the completion of the public improvements be paid or honored.
- d. A demand for reimbursement of the cost of any maintenance work performed by the Town on any of the trails or improvements specified in this Agreement, so long as notice to cure was provided to Owner and Owner failed to cure any such maintenance obligation within 24 hours of receiving such notice.
- e. The initiation of an action for public nuisance.
- f. Any other remedy available at law.

16. Authority of the Town. Nothing in this Agreement shall constitute or be interpreted as a repeal of existing codes or ordinances or as a waiver or abrogation of the Town's legislative, governmental, or police powers to promote and protect the health, safety and general welfare of the Town or its inhabitants.

a. Owner acknowledges that the annexation and subsequent zoning of the Property are subject to the legislative discretion of the Board of Trustees of the Town of Green Mountain Falls. No assurances of annexation or zoning have been made or relied upon by Owner.

b. In the event that the Town of Green Mountain Falls Board of Trustees, in the exercise of its legislative discretion, does not take any action with respect to the Property required herein, then the sole and exclusive remedy for the breach hereof accompanied by the exercise of such discretion shall be the withdrawal of the petition for annexation by Owner, or disconnection from the Town in accordance with state law, as may be appropriate.

17. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the Owner, its successors in interest, or their legal representatives, including all developers, purchasers and subsequent owners of the Property, and shall constitute covenants running with the land. This Agreement shall be recorded with the County Clerk and Recorder of El Paso County, Colorado, at Owner's expense.

18. Indemnification. Owner agrees to indemnify and hold harmless the Town and the Town's officers, employees, agents, and contractors, from and against all liability, claims, and demands, including reasonable attorney's fees and court costs, which arise out of or are in any manner connected with the annexation of the Property, or with any other annexation or other action determined necessary or desirable by the Town in order to effectuate the annexation of the

Property, or which are in any manner connected with the Town's enforcement of this Agreement. Owner further agrees to investigate, handle, respond to, and to provide defense for and defend against or at the Town's option to pay the reasonable attorney's fees for defense counsel of the Town's choice for any such liability, claims, or demands, which arise out of or are in any manner connected with the annexation of the Property.

19. Termination. If the zoning as set forth herein is not approved by the Town, or if the annexation of the Property is not completed, then this Agreement shall be null and void and of no force and effect whatsoever.

20. Miscellaneous.

a. Governing Law and Venue. This Agreement shall be governed by the laws of the State of Colorado, and any legal action concerning the provisions hereof shall be brought in El Paso County, Colorado.

b. No Waiver. Delays in enforcement or the waiver of any one or more defaults or breaches of this Agreement by the Town shall not constitute a waiver of any of the other terms or obligation of this Agreement.

c. Integration. This Agreement constitutes the entire agreement between the Parties, superseding all prior oral or written communications.

d. Third Parties. There are no intended third-party beneficiaries to this Agreement.

e. Notice. Any notice under this Agreement shall be in writing and shall be deemed sufficient when directly presented or sent prepaid, first-class U.S. Mail to the Party at the address set forth on the first page of this Agreement.

f. Severability. If any provision of this Agreement is found by a court of competent jurisdiction to be unlawful or unenforceable for any reason, the remaining provisions hereof shall remain in full force and effect.

g. Modification. This Agreement may only be modified upon written agreement of the Parties.

h. Assignment. Neither this Agreement nor any of the rights or obligations of the Parties shall be assigned by either Party without the written consent of the other.

i. Governmental Immunity. The Town and its officers, attorneys and employees, are relying on, and do not waive or intend to waive by any provision of this Agreement, the monetary limitations or any other rights, immunities, and protections provided by the Colorado Governmental Immunity Act, C.R.S. § 24-10-101, *et seq.*, as amended, or otherwise available to the Town and its officers, attorneys or employees.

j. Subject to Annual Appropriation. Consistent with Article X, § 20 of the Colorado Constitution, any financial obligation of the Town not performed during the current fiscal year is

subject to annual appropriation, shall extend only to monies currently appropriated, and shall not constitute a mandatory charge, requirement, debt or liability beyond the current fiscal year.

IN WITNESS WHEREOF the Parties have executed this Agreement as of the Effective Date.

**TOWN OF GREEN MOUNTAIN
FALLS, COLORADO**

Jane Newberry, Mayor

ATTEST:

Matthew Gordon, Town Clerk

**HISTORIC GREEN MOUNTAIN
FALLS FOUNDATION, LLC**

By: _____

STATE OF COLORADO)
) ss.
COUNTY OF _____)

The foregoing instrument was subscribed, sworn to, and acknowledged before me this ____ day of _____, 2021, by _____ as _____ of Historic Green Mountain Falls Foundation, LLC.

My commission expires: _____

(SEAL)

Notary Public

EXHIBIT A
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 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°005'40"W, 667.24'; Thence S89°32'00"W, 65.46'; Thence N01°005'40"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.



To: Board of Trustees
From: GMF Planning & Land Use
Date: January 13, 2021
Re: Planning Commission Recommendation – 2021 PC Bylaws

Background

The Planning Commission considered draft bylaws at its November and December regular meetings. At its January 12, 2021 meeting, the Commission finalized the language (attached), with some edits to the draft document originally proposed by Town Attorney.

Discussion

After completing their review, the Planning Commission voted unanimously to forward the Bylaws to the Board of Trustees with a recommendation of approval, with no further amendments. Once the Bylaws have been approved and signed by the Board, the Planning Commission Chair will sign, the document and it will be recorded. These Bylaws are for the purpose of creating an organizational framework for the Planning Commission and should not be construed as diminishing or increasing the authority or the responsibilities of the Planning Commission.

Conclusion

Staff agrees with the commission's findings and recommends the draft bylaws be approved by the Board.

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 will sign, or direct Town Staff to sign, documents as stated in GMF Zoning and Land Use Code. 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 be required to 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 be required to 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: Board of Trustees
From: GMF Planning & Land Use
Date: January 13, 2021
Re: Planning Commission Recommendation – Public Restrooms at 10400 El Paso Avenue

Background

The Planning Commission considered a Special Use Permit for public restrooms at its January 12, 2021 regular meeting. This included a grading and erosion control plan, architectural plan review, and special use in a 5-Acre Hillside Residential (see staff memo to Planning Commission, attached).

Discussion

The commission moved to recommend approval the site plan design to the Board. The conditions of approval were that the applicant work with staff to clarify setback distances to meet the minimum development requirements in Section 16-308.

Conclusion

Staff concurs with the commission's decision and recommends the Board approve the special use permit with conditions that the site plans meet minimum development requirements and that Town Engineer reviews the grading plan for compliance with GMF Code.



To: Planning Commission
From: GMF Land Use & Planning Staff
Date: January 10, 2021
Re: Special Use Permit for Restrooms at 10400 El Paso Avenue

Background

The Applicant, Jesse Stroope on behalf of Historic Green Mountain Falls Foundation, LLC., is requesting the Commission's consideration and recommendation to the Board on a Special Use Permit for the construction of public restroom facility in R-1 5-Acre Hillside Single-Family Residential District at 10400 El Paso Avenue.

In addition, the applicant submitted site plans for Architectural Plan Review and a Grading/Erosion Control Plan. All items can be considered separately if the PC prefers; however, staff has determined that they are dependent and integral to one another and therefor has prepared one staff memo and report.

Planning Commission Recommended Actions:

- Public hearing
- Review proposed project for compliance with all relevant sections of GMF Zoning Code
- Recommend approval, approval subject to conditions, or disapproval to Board of Trustees

Discussion

Sec. 16-308, R-1 5-Acre Hillside Single-Family Residential District

The electronic file maintained by Town Hall, *Official Town Zoning Map 2007*, and the El Paso County Assessor's Office show the parcel is owned by the Applicant, Historic Green Mountain Falls Foundation since April 2020, as 7.14-Acre lot R-1 5-Acre Hillside Single-Family Residential District.

Section 16-308 (a) lists policies of this zoning designation, which are to minimize disturbances to unique natural features, provide safe access to difficult sites, minimize runoff and erosion, provide for appropriate density and development, and prevent undue cost and burden on the town. The proposed restroom facility will be accessed by a road and trail, to be considered during land use approval with a grading and ECP. Staff believes the proposed development is consistent with the policies and that through the additional review by Town Engineer, is compliant.

The permitted principal use (b) is single family dwellings and the reason for the Special Use Permit for restrooms; the proposed facility's special approval falls under educational institutions, public buildings, and parks. Staff is considering this a Special Use under §16-308(c)(3), public buildings, to be developed with trails and passive recreation.

Site plan designs show the proposed structure meets minimum development requirements (§16-308(d)) for lot area and setbacks. At the time of writing this memo, Staff is waiting for clarification that the minimum frontage and lot width is compliant with 16-308(d)(2) and (3).

Sec. 16-312. - HO Hillside Overlay Zone.

The purpose of these regulations is to specify conditions for any type of development in areas where, due to topography, disturbance of the natural environment or for other reasons, problems are created which are detrimental to the public health, safety and welfare.

The parcel is subject to the additional scrutiny, per the zoning designation and Hillside Overlay Zone that sets a more stringent requirements on developers to protect the public health and safety. The requirements are outlined in the grading and erosion control section of this memo, below.

Sec. 16-705. - Building permits; architectural review

The code language of for section 16-705, which is considered by the PC in each instance of land use approval, is attached for review.

As a minimum, the following specific criteria shall be considered by the Planning Commission

- a. Architectural compatibility;*
- b. Bulk of the proposed building or structure in relation to surrounding buildings and land;*
- c. Vehicular access and parking;*
- d. Pedestrian access; and*
- e. Relation to existing and future open space.*

Staff believes the proposed project is consistent with the policies in §16-705 and the site design makes every effort to reduce footprint, utilize the most reasonable location for development, and limit unnecessary viewshed obstructions.

Sec. 16-714. - Hillside Overlay Zone requirements.

Sec. 17-81 - 99. - Grading permit and erosion control plan

The overlay requirements provide an additional layer of scrutiny and allow for conditions or restrictions on the development proposal. The Commission may recommend the Board place mitigation measures or standards, as specified in Code. The robust nature of both sections is intended to minimize or eliminate liability and the potential for future damage on the subject property and unintended off-site runoff. In this instance, due to slopes and location, Staff believes the Commission and Board are best served when relying on a professional engineer, as is the requirement in Sec 17-83, ECP. Town Engineer will be consulted to review the site plans and erosion control measures against all relevant sections of code and coordinate with the Applicant's engineer for consistency and compliance and to ensure public health and safety are considered.

The Commission can review and forward a recommendation to the Board; Conditions of issuance, §17-90, is attached for consideration.

Conclusion

Since this is a Special Use Permit, the Architectural Plan Review, Grading, and Erosion Control will also be forwarded to the Board, for final dis/approval or conditions. Staff has reviewed the Applicant's application and materials and recommends approval of Special Use Permit, Architectural Plan Review, Grading, and ECP, with the condition that Town Engineer review the site plan designs for compliance with relevant sections of Section 16, Hillside Overlay and Section 17, Grading permit and ECP.


Town of Green Mountain Falls

December 29, 2020

Dear Planning Commissioners and Board of Trustees,

Please find attached an application for a special use permit at 10400 El Paso Ave. Requested use of the property is to build a public restroom which is part of the greater Red Devil Mountain Concept Plan. This plan is attached to the submission for reference. Building drawings have also been submitted for set back and architectural review.

Thank you in advance for your consideration,

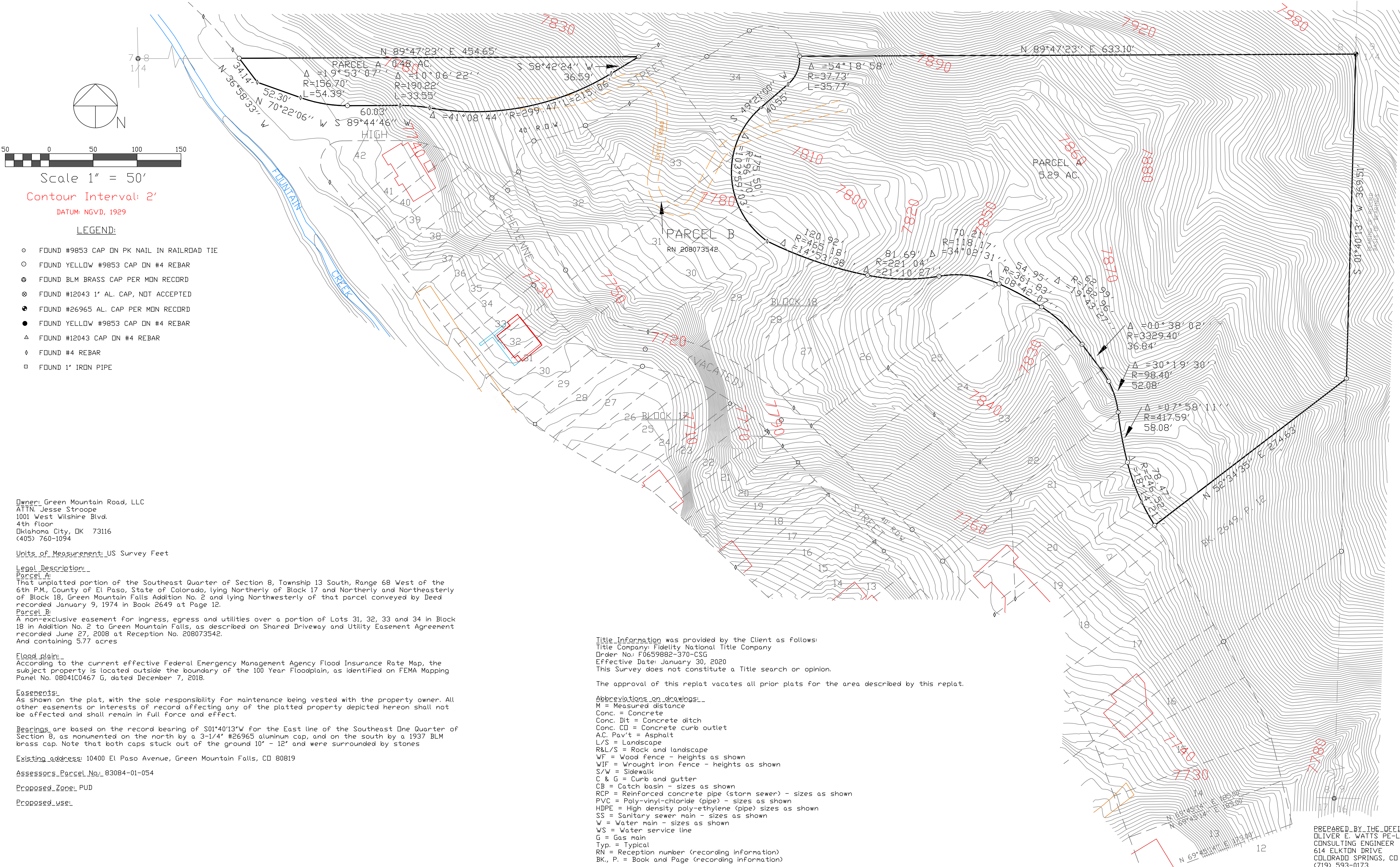
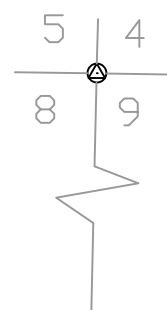
A handwritten signature in black ink, appearing to read "Jesse Stroope", with a long horizontal flourish extending to the right.

Jesse Stroope

Project Planner

SITE PLAN

PART OF SECTION 8, T.13S., R.68W., 6TH P.M.
TO THE TOWN OF GREEN MOUNTAIN FALLS
EL PASO COUNTY, COLORADO



Owner: Green Mountain Road, LLC
ATTN: Jesse Stroope
1001 West Wilshire Blvd.
4th floor
Oklahoma City, OK 73116
(405) 760-1094

Units of Measurement: US Survey Feet

Legal Description:

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.
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

Flood plain:

According to the current effective Federal Emergency Management Agency Flood Insurance Rate Map, the subject property is located outside the boundary of the 100 Year Floodplain, as identified on FEMA Mapping Panel No. 08041C0467 G, dated December 7, 2018.

Easements:

As shown on the plat, with the sole responsibility for maintenance being vested with the property owner. All other easements or interests of record affecting any of the platted property depicted hereon shall not be affected and shall remain in full force and effect.

Bearings are based on the record bearing of S01°40'13"W for the East line of the Southeast One Quarter of Section 8, as monumented on the north by a 3-1/4" #26965 aluminum cap, and on the south by a 1937 BLM brass cap. Note that both caps stuck out of the ground 10" - 12" and were surrounded by stones

Existing address: 10400 El Paso Avenue, Green Mountain Falls, CO 80819

Assessors Parcel No.: 83084-01-054

Proposed Zone: PUD

Proposed use:

Title Information was provided by the Client as follows:
Title Company: Fidelity National Title Company
Order No: F0659882-370-CSG
Effective Date: January 30, 2020
This Survey does not constitute a Title search or opinion.

The approval of this replat vacates all prior plats for the area described by this replat.

Abbreviations on drawings:

M = Measured distance
Conc. = Concrete
Conc. Dlt = Concrete ditch
Conc. CD = Concrete curb outlet
A.C. Pav't = Asphalt
L/S = Landscape
R&L/S = Rock and landscape
WF = Wood fence - heights as shown
WIF = Wrought iron fence - heights as shown
S/W = Sidewalk
C & G = Curb and gutter
CB = Catch basin - sizes as shown
RCP = Reinforced concrete pipe (storm sewer) - sizes as shown
PVC = Poly-vinyl-chloride (pipe) - sizes as shown
HDPE = High density poly-ethylene (pipe) sizes as shown
SS = Sanitary sewer main - sizes as shown
W = Water main - sizes as shown
WS = Water service line
G = Gas main
Typ. = Typical
RN = Reception number (recording information)
BK., P. = Book and Page (recording information)

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 41 years in business

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RED DEVIL MOUNTAIN
SKYSPACE



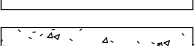
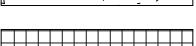
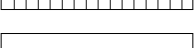
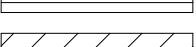


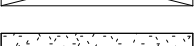
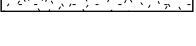
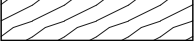
RED DEVIL MOUNTAIN RESTROOM

GREEN MOUNTAIN FALLS, COLORADO



NOTE: THESE PLANS ARE PREPARED WITH CARE; HOWEVER, ANY ERRORS OR AMBIGUITIES THAT ARE DISCOVERED BY THE CONTRACTOR MUST BE REPORTED TO THE ARCHITECT BEFORE WORK IS STARTED. THE CONTRACTOR AND THE CONTRACTOR'S SUBCONTRACTORS' WORK SHALL CONFORM TO FIELD AND BUILT CONDITIONS SO AS TO COMPLY WITH ALL LOCAL, STATE OR FEDERAL LAWS, CODES, ORDINANCES, STANDARDS, RULES AND REGULATIONS INCLUDING WITHOUT LIMITATION LIFE SAFETY CODES AND AMERICANS WITH DISABILITIES ACT, THE SPECIFICATIONS AND ALL OTHER CONTRACT DOCUMENTS SHALL BE OBSERVED IN USE OF THESE PLANS.

PROJECT DATA
PROJECT LOCATION GREEN MOUNTAIN FALLS, COLORADO
PROJECT DESCRIPTION WOOD FRAMED RESTROOM AND STORAGE AREA WITH COVERED OUTDOOR PATIO AREA
OCCUPANCY CLASS U
CONSTRUCTION TYPE TYPE 5
MAX STORIES ABV GRADE 1
BUILDING CODE 2009 INTERNATIONAL BUILDING CODE ICC/ANSI A117.1-2003 2009 IECC
AUTOMATIC FIRE SUPPRESSION SYSTEM NO

MATERIAL LEGEND
 EARTH
 POROUS FILL
 CONCRETE
 RIGID INSULATION
 BOARDFORM CONCRETE
 CAST STONE
 LIMESTONE TILE
 WOOD BLOCKING OR END SECTION
 EIFS FINISH
 PLYWOOD
 BATT INSULATION

SHEET INDEX
GENERAL 2G01 RESTROOM COVER SHEET 2G02 ABBREVIATIONS & SYMBOL LEGEND
STRUCTURAL 1 FOUNDATION / STRUCTURAL PLAN
ARCHITECTURAL 2A01.1 RESTROOM SITE PLAN 2A10.1 RESTROOM FLOOR PLAN 2A20.1 RESTROOM ELEVATIONS & BUILDING SECTIONS 2A50.1 RESTROOM SCHEDULES & DETAILS

PROJECT TEAM
ARCHITECT HSEarchitects 914 N. Broadway Avenue OKLAHOMA CITY, OK 73102 (405) 526-1300
CIVIL & STRUCTURAL ENGINEER: ENTECH ENGINEERING INC. 505 ELKTON DRIVE COLORADO SPRINGS, CO 80907 (719) 531 - 5599
CONTRACTOR MIKE PENMAN CONSTRUCTION PENMANCONSTRUCTION@MSN.COM

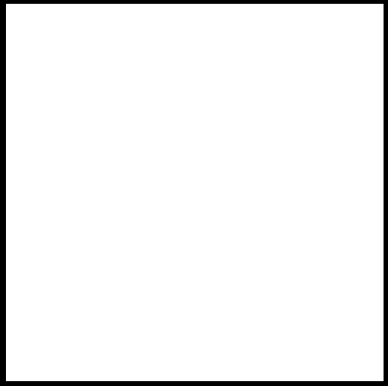
NOT FOR CONSTRUCTION

Revisions	
No.	Date

PROJ. NO. 1950
DATE 10.15.2020
SHEET NO. 2G01

ARCHITECTURE
+
PLANNING
+
INTERIORS
914 N. BROADWAY
SUITE 200
OKLAHOMA CITY, OK 73102
phone: 405.526.1300
fax: 405.526.1305
www.HSEarchitects.com

HSEarchitects



RED DEVIL MOUNTAIN RESTROOM
Green Mountain Falls, Colorado
RESTROOM COVER SHEET

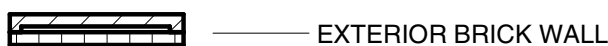
Revisions	
No.	Date

TYPICAL SYMBOLS

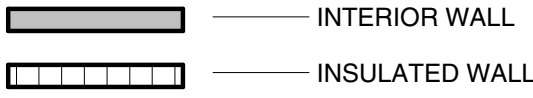
SHEET TITLES



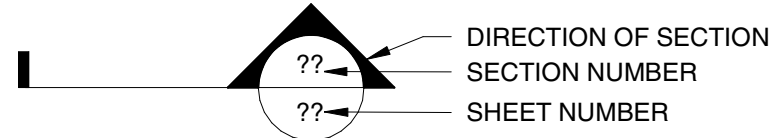
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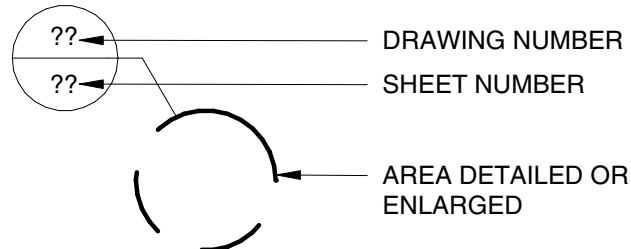
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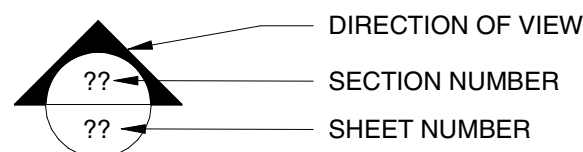
BUILDING / WALL SECTION



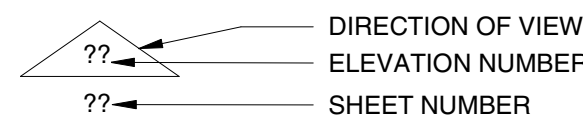
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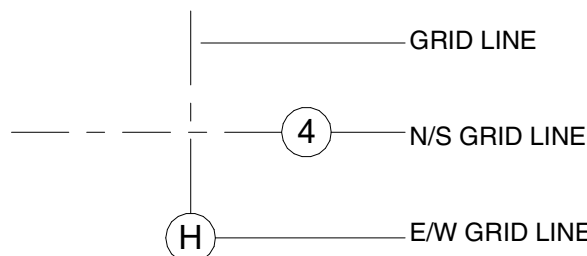
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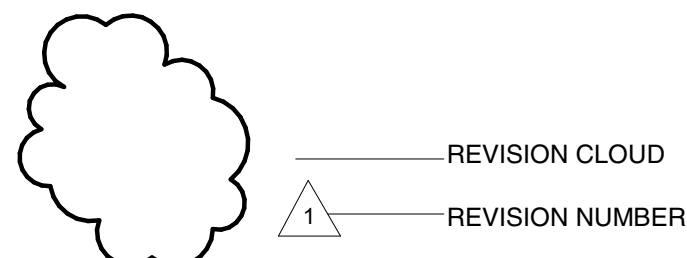
MILLWORK ELEVATION



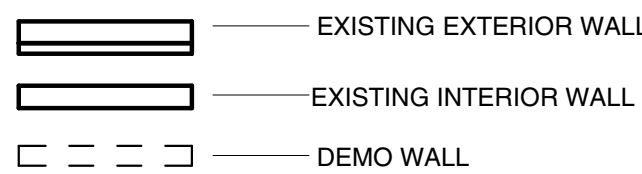
STRUCTURAL GRID



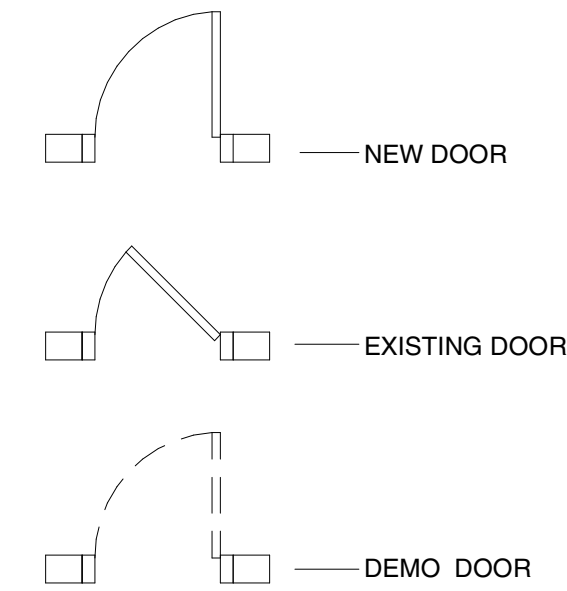
SHEET REVISIONS



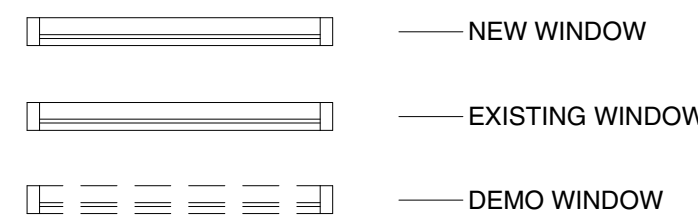
OTHER WALLS



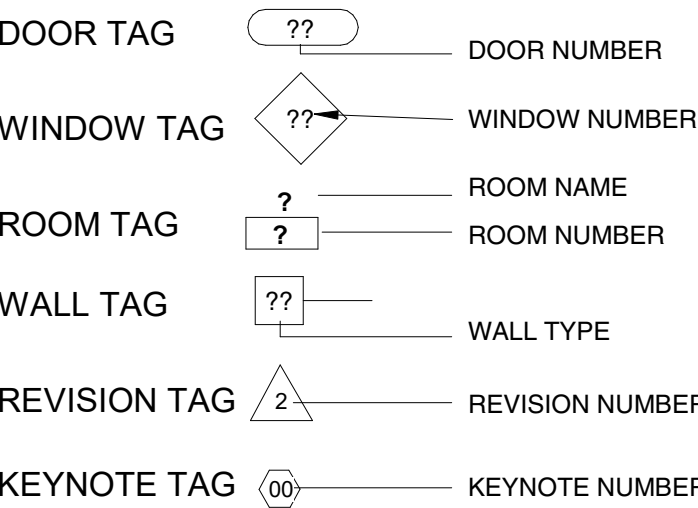
DOORS



WINDOWS



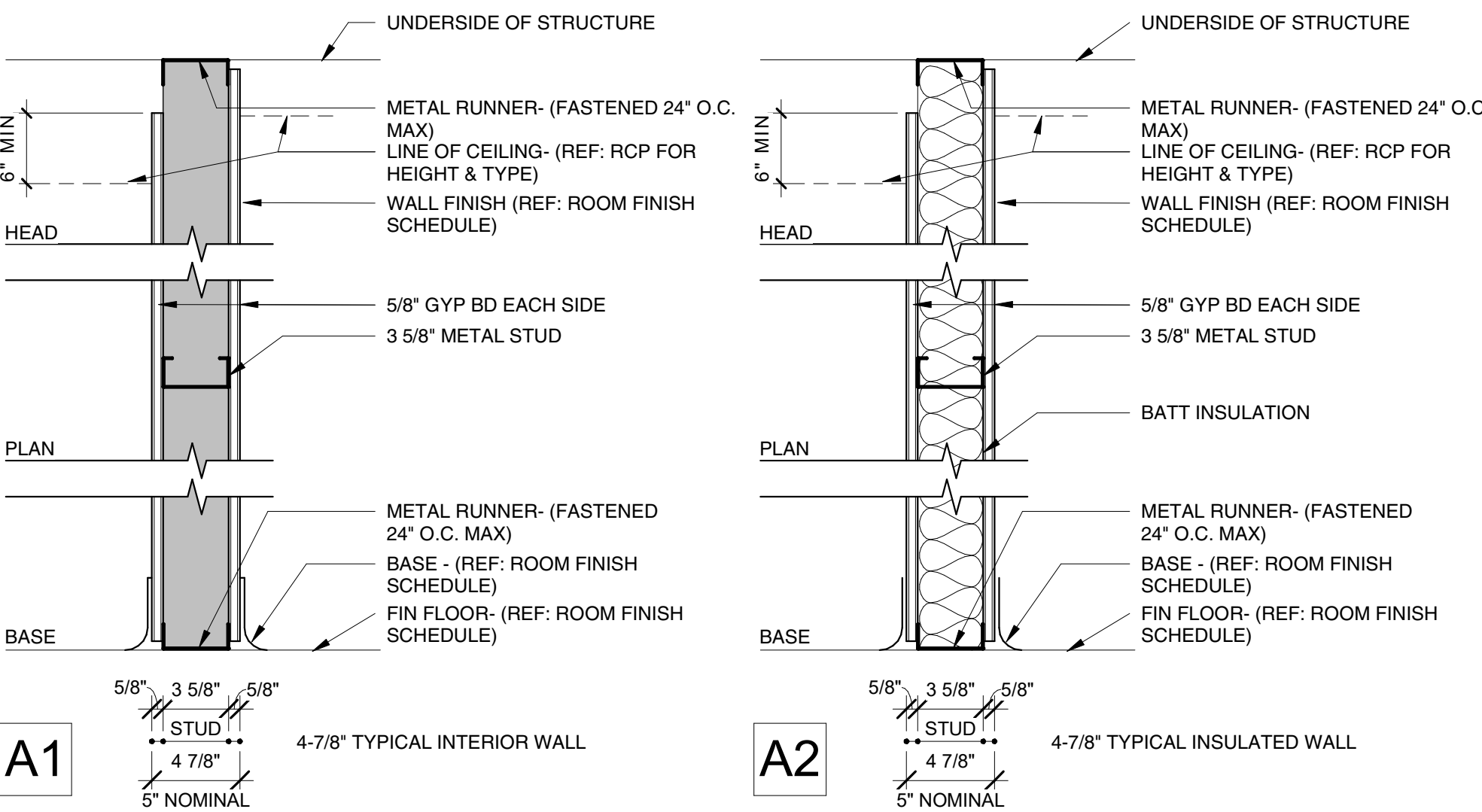
OBJECT TAGS



ABBREVIATIONS

A.F.F. AD ADD. A/C ALT. ALUM. A.B. ANOD. APPROX. BSMT. B.PL. B.M. BEL. BM. BRG. BLK. BD. BO. B.O.H BLKG BRK. BLDG. B.U.R. CAB. CPT. CSMT. CLG. CEM. CER. C.T. C.M.T. CLR. C.O. CL. COL. CO. CONC. C.M.U. CONST. CONT. C.J CORR. CTR. CF. D.L. DTL.F.S. DIAM.RIOR DIM. DR. DN. DS. DWR. DWG. D.F. E E.I.F.S. ELEC. EL ELEV. ELEV. EMER. ENCL. EQ. EXH. EXIST. E.J. EWC. EXP. EXT. F.W.G. F.O.S. FAS. FEC. FHC. FGL. FIN. FL. F.D. FLUOR. F.O.H FT. FTG. FND. FUT. F.R. GA. GALV. G.I. G.C. GL. GR.	ABOVE FINISHED FLOOR ACOUSTIC DIMENSIONS ADDENDUM ADJUSTABLE (MENT) AIR CONDITIONING ALTERNATE ALUMINUM ANCHOR BOLT ANODIZED APPROXIMATE (LY) BASEMENT BEARING PLATE BENCH MARK BELOW BEAM BEARING BLOCK BOARD BOTTOM OF BACK OF HOUSE BLOCKING BRICK BUILDING BUILT UP ROOFING CABINET CARPET CASEMENT CEILING CEMENT CERAMIC CERAMIC TILE CERAMIC MOSAIC TILE CLEAR (ANCE) CLEAN OUT CLOSET COLUMN COMPANY CONCRETE CONCRETE MASONRY UNIT CONSTRUCTION CONTINUOUS CONTROL JOINT CORRUGATED COUNTER CUBIC FOOT DEAD LOAD) DETAIL DIRECT APPLIED DIAMETER DIMENSION SYSTEM DOOR DOWN DOWNSPOUT DRAWER DRAWING DRINKING FOUNTAIN EAST EXTERIOR INSULATED FINISHING SYSTEM ELECTRIC (AL) ELEVATION ELEVATION ELEVATOR EMERGENCY ENCLOSE (URE) EQUAL EXHAUST EXISTING EXPANSION JOINT ELECTRIC WATER COOLER EXPOSED EXTERIOR FABRIC WALL COVERING FACE OF STUDS FASTEN (ER) FIRE EXTINGUISHER CABINET FIRE HOSE CABINET FIBERGLASS FINISH (ED) FLOOR (ING) FLOOR DRAIN FLUORESCENT FRONT OF HOUSE FOOT (FEET) FOOTING FOUNDATION FUTURE FIRE RATED GAGE, GAUGE GALVANIZED GALVANIZED IRON GENERAL CONTRACT (OR) GLASS, GLAZING GRADE	GYP. BD. GWB HC HR. H.D.W. HWD. HDR. HTG. HVAC CONDITION H.O. H.D. HT. H.C. H.M. HOR. H.B. H.W.H. IN. INCH INCL. I.D. INSUL. INT. INV. J.C. JOINT JOIST KIT. KDN. K.O. L.B.L. LAB. LADDER LAM. LAV. L.H. L. LGT. L.T.WT. L.F. L.L. LVR. LUM. MH. MFR. MATL. MAX. MECH. METER (S) RESISTANT MT. MM. MWK. MIN. MISC. MOD. MOV. MULL. NAT. N.R. N.R.C. NOM. N N.I.C. N.T.S. O.C. OFC. OPNG. OPP. O.D. PR. PNL. PAR. PK. PAV. PVMT. PED. PERF. PERIM. P.LAM. PLAM. P.C.F. P.L.F. P.S.F. P.S.I. PREFAB. PREFIN. PT. PTD P.L. QTY. QTR. RAD. RECEP.	GYPSUM WALLBOARD GYPSUM WALLBOARD HANDICAP HOUR HARDWARE HARDWOOD HEADER HEATING HEATING/VENTILATION/AIR HOLD OPEN JOIST HOLLOW CORE HOLLOW METAL HORIZONTAL HOSE BIB HOT WATER HEATER INCH INCLUDE (D), (ING) INSIDE DIAMETER INSULATE (D), (ION) INTERIOR INVERT JANITOR'S CLOSET JOINT JOIST KITCHEN KNOCKDOWN KNOCKOUT LABEL LABORATORY LADDER LAMINATE (D) LAVATORY LEFT HAND LENGTH (LONG) LIGHT LIGHTWEIGHT LINEAR FOOT LIVE LOAD LOUVER LUMINOUS MANHOLE MANUFACTURE (ER) MATERIAL (S)ITY FIBERBOARD MAXIMUM MECHANIC (AL)NING MODULAR MOUNT (ED), (ING) MOVABLE MULLION NATURAL NOISE REDUCTION NOISE REDUCTION COEFFICIENT NOMINAL NORTH NOT IN CONTRACT NOT TO SCALE ON CENTER OFFICE OPENING OPPOSITE OUTSIDE DIAMETER PAIR PANEL PARALLEL PARKING PAVING PAVEMENT PEDESTAL PERFORATE (D) PERIMETER PLASTIC LAMINATE PLASTIC LAMINATE POUNDS PER CUBIC FOOT POUNDS PER LINEAR FOOT POUNDS PER SQUARE FOOT POUNDS PER SQUARE INCH PREFABRICATE (D) PREFINISHED PRESSURE TREATED PAINTED PROPERTY LINE QUANTITY QUARTER (ED) RADIUS RECEPTACLE	REFRIG. REG. REINF. R.C.P. REQD. R.A. R'EV. R.H. R.H.R. R.O.W. R.D. RFG. RM. R.O. SCHED. SECT. SF. SHTH. SIM. S.C. S S.L.L SL SPEC. SQ. SR S.S. STD. STL STOR. S.D. STORM DRAIN STRUCT. SURF. SUSP. SYM. TEL. TV. TER. THK THRESH. T&G TL T.O. T.O.C. T.O.S.L T.O.S. T.O.W. TYP. US VAR. VERT. VEST. V.C.T. WSC.T. W.H. W.C. W.R. WT. W.W.F. W W. W. W/ WIN. WD. YD.	REFRIGERATOR REGISTER REINFORCE (D), (ING) REFLECTED CEILING PLAN REQUIRED RETURN AIR REVISION (S), (ED) RIGHT HAND RIGHT HAND REVERSE RIGHT OF WAY ROOF DRAIN ROOFING ROOM ROUGH OPENING SCHEDULE SECTION STORE FRONT SHEATHING SIMILAR SOLID CORE SOUTH SOUND AND LIGHT LOCK STAGE LEFT SPECIFICATION (S) SQUARE STAGE RIGHT STAINLESS STEEL STANDARD STEEL STORAGE STORM DRAIN STRUCTURAL SURFACE SUSPENDED SYMMETRY (OR SYMBOL) TELEPHONE TELEVISION TERRAZZO THICK (NESS) THRESHOLD TONGUE AND GROOVE THEATRICAL LIGHTING TOP OF TOP OF CURB TOP OF SLAB TOP OF STEEL'S LAB. INC. TOP WALL,OTED OTHERWISE TYPICAL UPSTAGE VARIES VERTICAL VESTIBULE VINYL COMPOSITION TILE WAINSCOT WALL HUNG WATER CLOSET WATER REPELLANT (WATER RESISTANT) WEIGHT WELDED WIRE FABRIC WEST WIDTH, WIDE WIDE FLANGE STEEL SHAPE WITH WINDOW WOOD YARD
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WALL STYLES



- GENERAL FOUNDATION NOTES:
- Use dimensions from the architectural plans, except for foundation components.
 - All miscellaneous details shall be in accordance with instructions from manufacturer or designer.
 - Reinforcing should be continuous around the building, as shown.
 - Minimum top of reinforcing should be 30 bar diameters.
 - All foundation pads must be formed to the proper dimension.
 - Floor slabs must be separated from all structural portions of building with an expansion joint a minimum of 1/2" thickness. All nonbearing partitions above floor slabs must be constructed with a minimum 2" gap at the bottom to permit vertical movement of floor slabs.
 - Stairways should not be constructed as rigid connections between floors, but should allow floor slabs to move vertically.
 - Door jambs should not be built tight to slabs on grade.
 - Mechanically compact all interior backfill to 90% maximum Modified Proctor Dry Density, ASTM D-1557. All exterior backfill should be mechanically compacted to 90% of maximum Modified Proctor Dry Density, ASTM D-1557.
 - Walls having backfill on both the interior and exterior faces should have the backfill on either side brought up approximately together. Otherwise, where possible, no exterior backfill should be placed until the floor slab and floor joists are in place or the wall is otherwise properly braced.
 - Minimum recommended design strength of foundation concrete shall be 3000 psi. See soils report for site specific concrete strength recommendations.
 - Foundation forms should remain in place a minimum of three (3) days.
 - A gravel pad beneath floor slabs is not recommended.
 - Planters, if any, should be well sealed and drained.
 - Slope backfill away from the building a minimum of 5% for the first 10 feet. Carry roof drains across the backfilled areas. Do not allow water to stand or pond near the building. Do not flood the backfill.
 - This design has been completed in accordance with pertinent standards, recommended design soil parameters, and accepted engineering design procedures, and is based on the best information available at the time of completion. The design is intended to minimize differential movement resulting from the heaving of expansive soil induced by seasonal moisture changes. It must be recognized that foundation components, and in particular, floor slabs and other flatwork, will undergo movement. Adherence to those details isolating floor slabs from columns, walls, partitions, or other structural components is extremely important if damage to the superstructure is to be minimized. Any subsequent owners should be apprised of the expansive soil condition, if any, and advised to maintain good practices in the future with regard to surface and subsurface drainage, framing of partitions above floor slabs, drywall and finish work above floor slabs, etc.
 - All reinforcing bars are to consist of #4, grade 60 steel unless otherwise noted.
 - #5, grade 40 reinforcing bars may be used in place of #4, grade 60 reinforcing bars, if desired.

Standard Designation	SI Designation
#4, Grade 60	#13, Grade 420 MPa
#5, Grade 60	#16, Grade 420 MPa

- Reinforcing must remain continuous above all windows and doors, bundle bars as necessary.
- Verify top of foundation elevations and top of wall steps with Builder prior to placing concrete.
- Verify foundation dimension and pad locations with architectural plans prior to setting forms or placing concrete.
- Verify mudsill locations with architectural plans prior to setting forms or placing concrete.
- Eofer ground to be located and installed by others as required by local codes.
- Design loads:

Roof Snow Load 40 psf	Floor Live Load 40 psf	Deck Live Load 40 psf
Roof Dead Load 20 psf	Floor Dead Load 10 psf	Deck Dead Load 15 psf

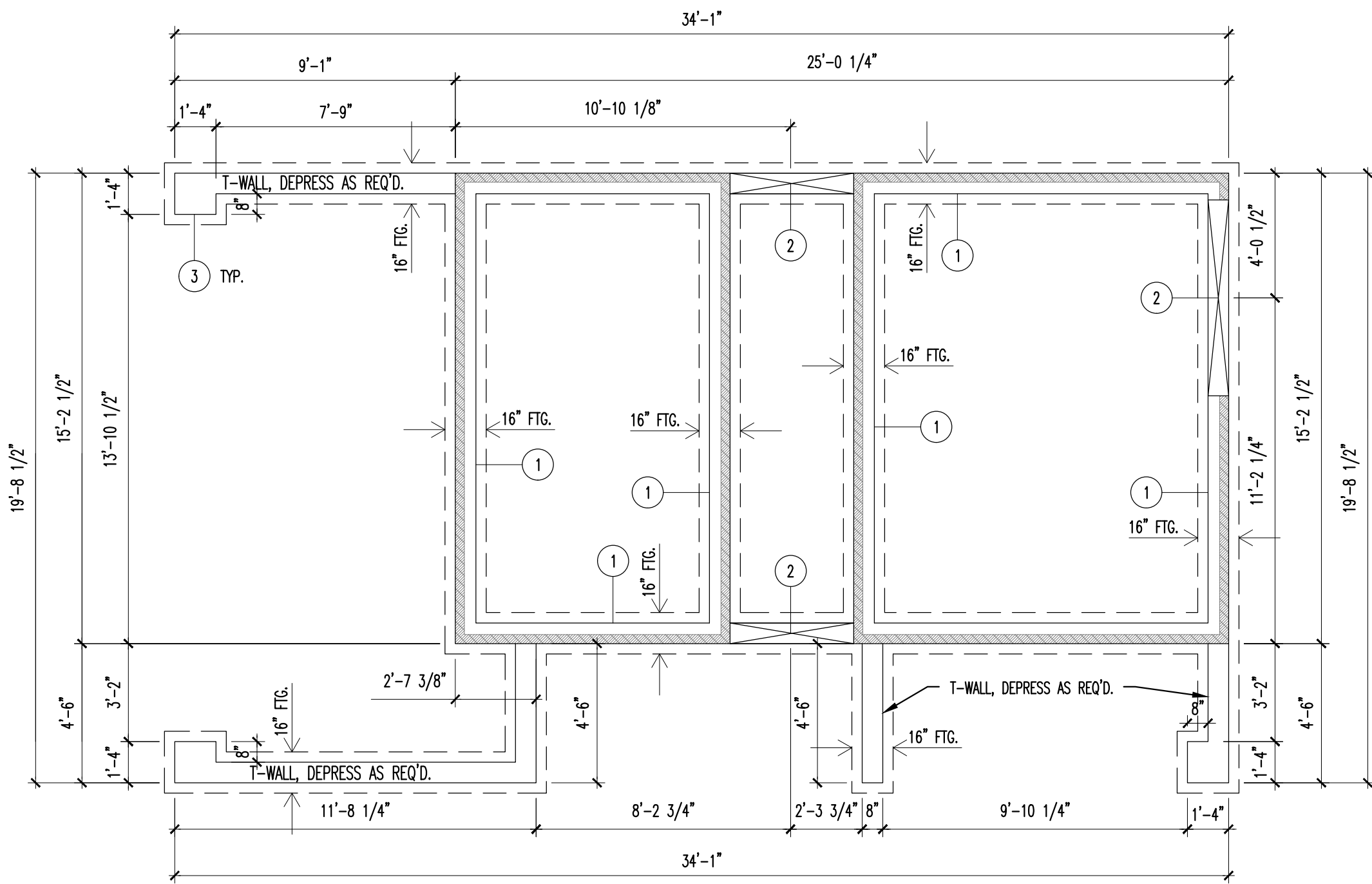
LEGEND	
	FOUNDATION WALL W/ FOOTING & MUD SILL
	BEAM
	CENTER LINE
	DETAIL REFERENCE
	FOUNDATION PAD

SOILS NOTES:

- The foundation excavation must be observed by Entech Engineering, Inc. prior to placing forms or concrete to verify that the design is appropriate for the site.
- The foundation was designed using a minimum soil bearing capacity of 2,000 psf.
- The foundation was designed according to the building plans by HSE Architects, dated XXXX XX, 2020, and the Soils Report by XXXX, job No. 201280, dated XXXX XX, 2020

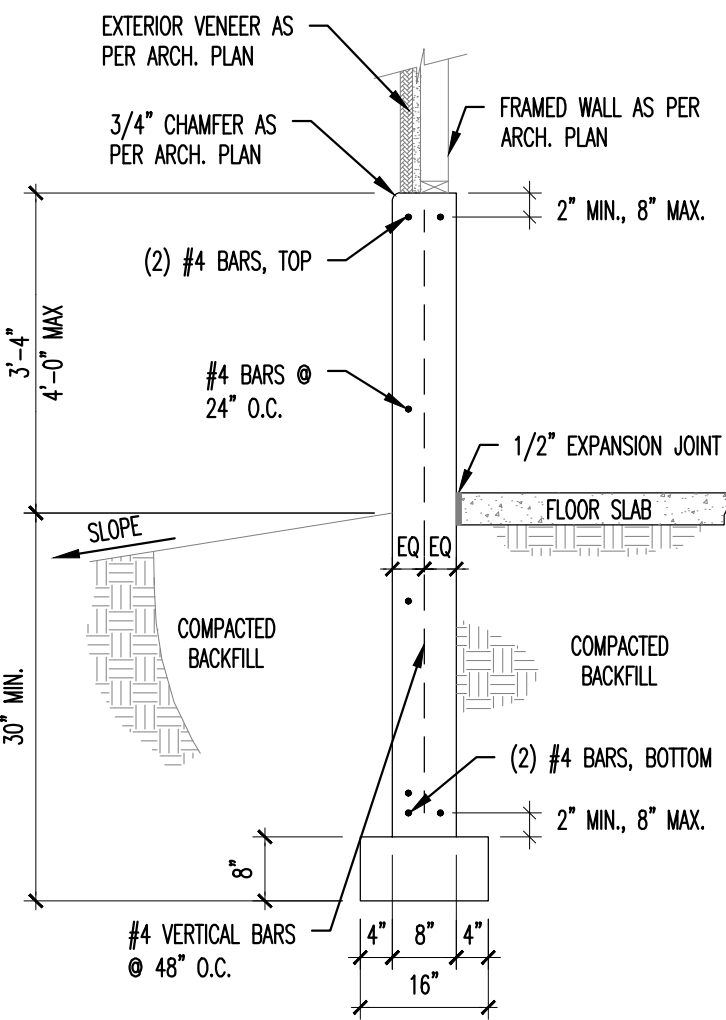
VERIFY ALL DIMENSIONS
WITH ARCHITECTURAL PLANS
PRIOR TO SETTING FORMS
OR PLACING CONCRETE.

MODIFICATIONS TO THIS
DESIGN MAY BE REQUIRED.

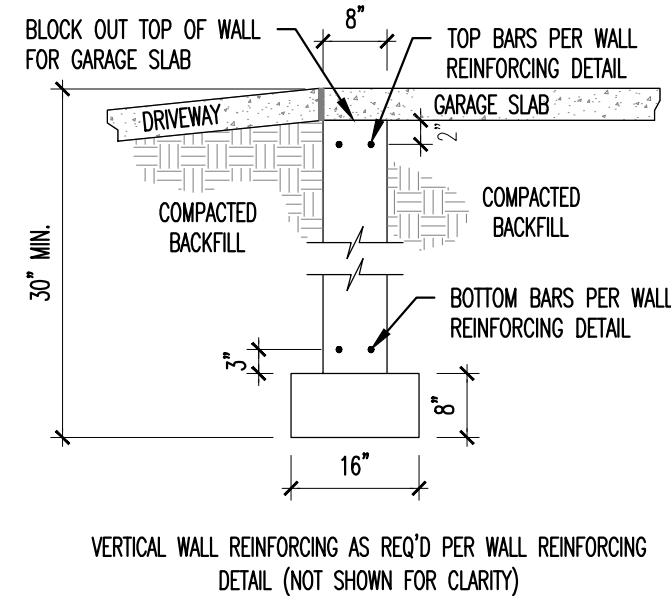


FOUNDATION PLAN

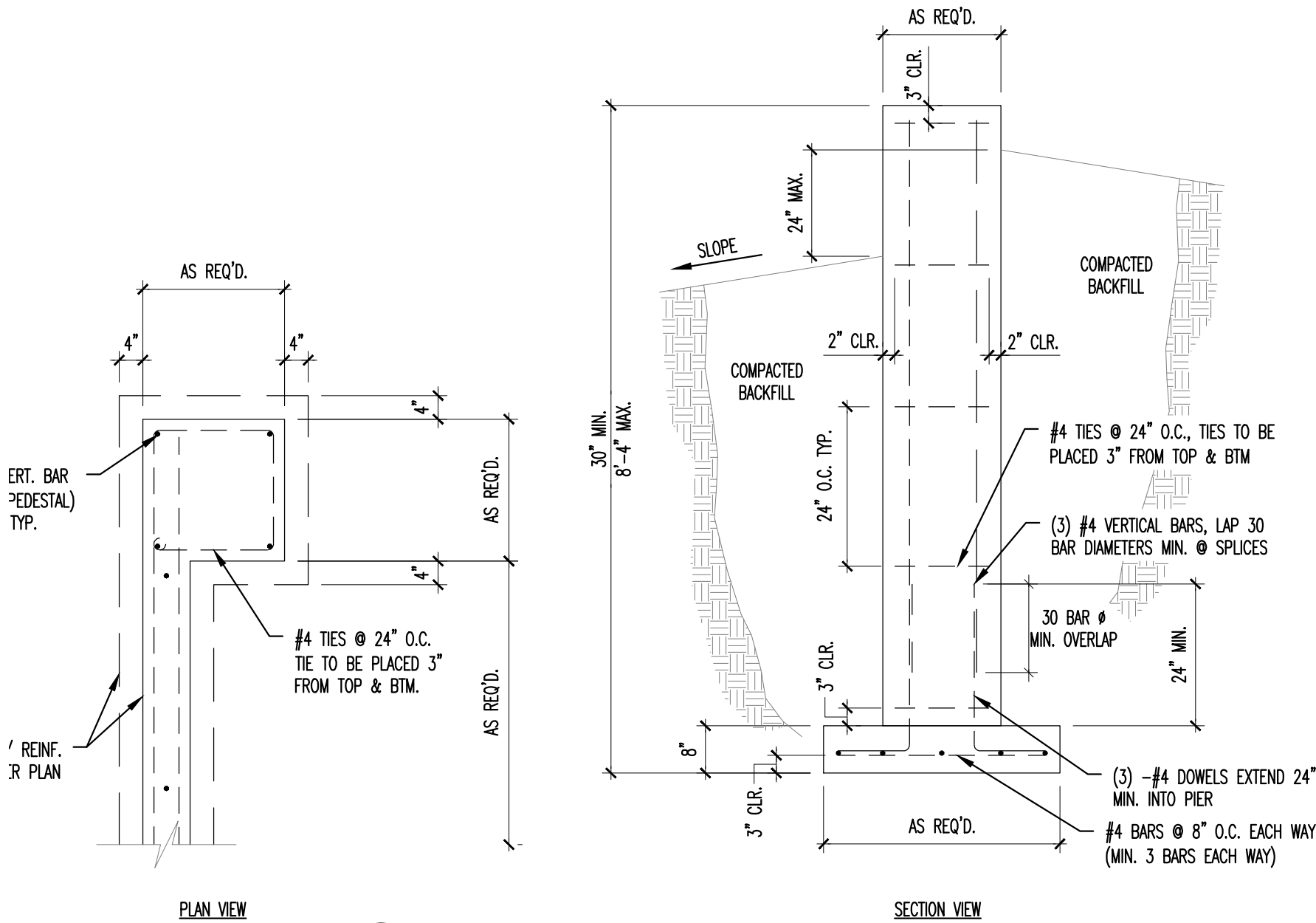
1/4" = 1'-0"



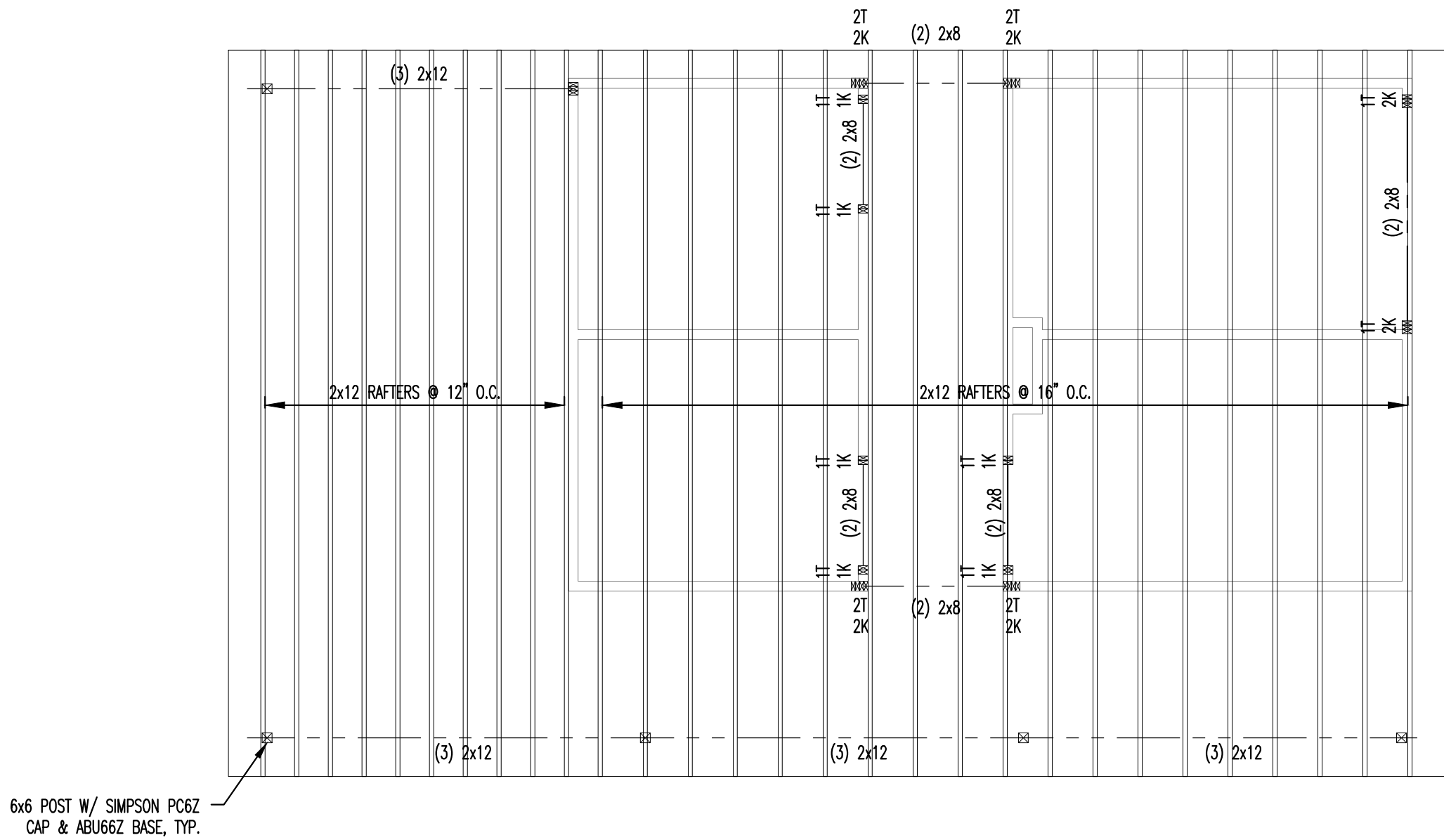
1 WALL DETAIL



2 LOW WALL



3 T-WALL PEDESTAL REINF.



ROOF FRAMING PLAN

1/4" = 1'-0"

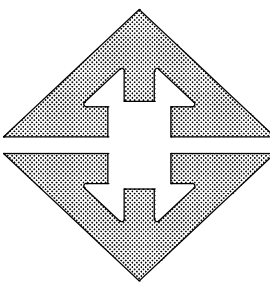
Structural Roof Notes:

1. Roof trusses are to be designed by others and installed per the manufacturer's specifications.
2. The layout and design of permanent bracing of roof trusses are to be provided by others.
3. Install (1) Simpson H2.5T hurricane tie per end of each truss, unless otherwise noted. Install (2) Simpson H2.5T ties as required on opposite sides of double top plate (interior/exterior).
4. All girder trusses are to have (2)-2x post and (2) Simpson H2.5T ties at each bearing location, unless otherwise noted.
5. All overframing is to be 2x6 rafters @ 24" o.c. w/ 2x4 cripples, vertical @ 45° o.c. between overframing & rafters or trusses. Overframing 2x6's shall bear on 2x4's flat on decking @ valleys.
6. Install bearing blocks per truss manufacturer's specifications, U.N.O.
7. Roof sheathing shall consist of 7/16" plywood or O.S.B. Roof sheathing is to be nailed according to the following: 6" O.C. at the sheathing edges and 6" O.C. in the sheathing field w/ 8d nails or 16 gage staples (1 1/2" long, 1/8" min. crown width), unless otherwise noted.

REVISIONS BY:

ENTECH
ENGINEERING, INC.

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



FOUNDATION/STRUCTURAL PLAN
GREEN BOX ARTS 2021
GREEN MOUNTAIN FALLS, CO
FOR: JESSE STROOPE

PRELIMINARY
NOT FOR
CONSTRUCTION

STATE OF COLORADO

DRAWN BY: JAC

DESIGNED BY: HSE ARCH

CHECKED BY: AMN

DATE: 10/22/20

SCALE: AS SHOWN

JOB NO.: 201280

SHEET NO.:

1

3

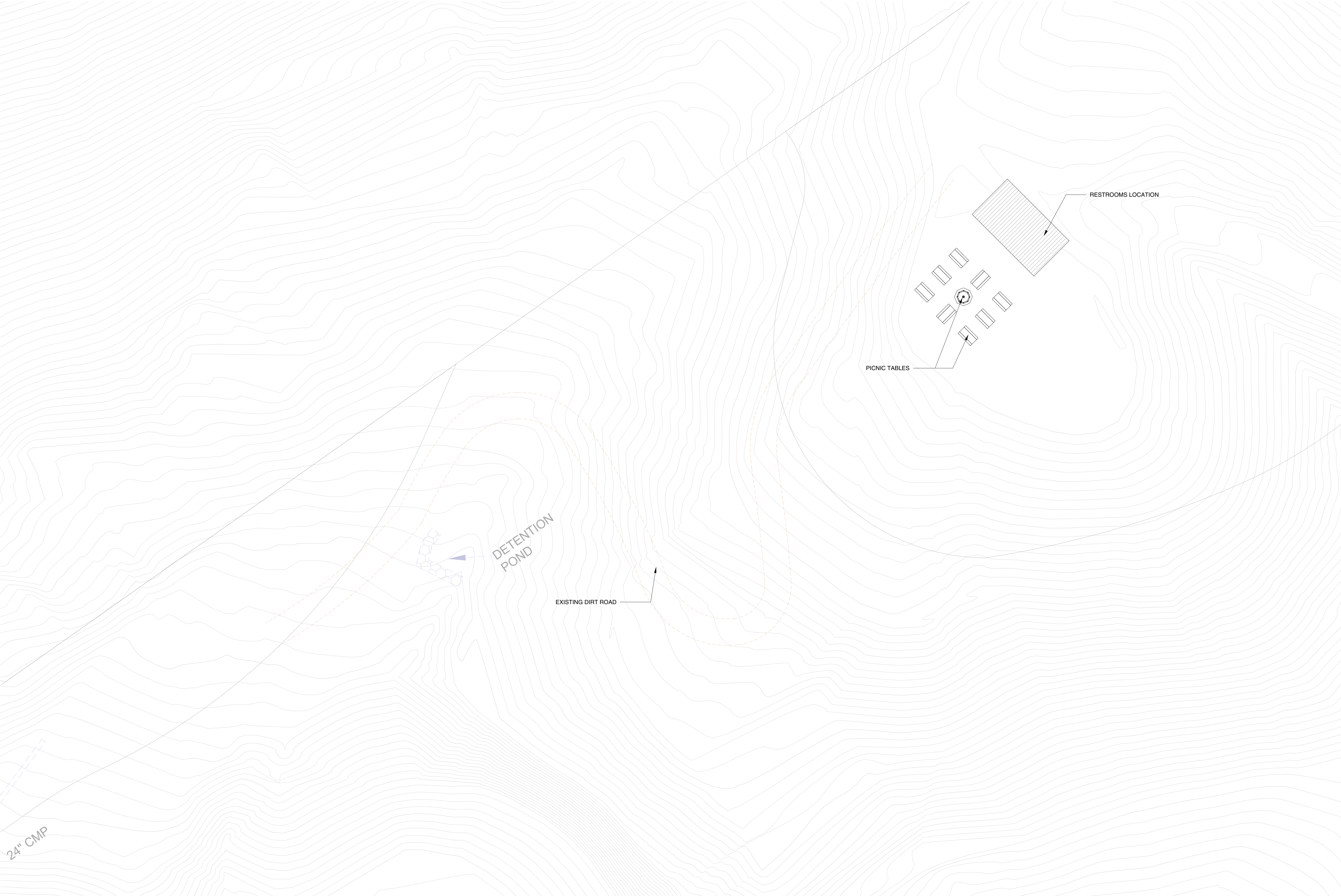
OF SHEETS

RED DEVIL MOUNTAIN SKYSPACE 11/25/2020 9:53:50 AM C:\Users\Adam Edge\Desktop\1950 James Turrell\Revit\1950 - James Turrell - Bar Option #2.rvt

24" CMP

1 RESTROOM SITE PLAN

SCALE: 1" = 20'-0"



NOT FOR CONSTRUCTION

Revisions	
No.	Date

PROJ. NO.	1950
DATE	10.15.2020
SHEET NO.	2A01.1

RED DEVIL MOUNTAIN RESTROOM
Green Mountain Falls, Colorado
RESTROOM SITE PLAN

ARCHITECTURE
+
PLANNING
+
INTERIORS
914 N. BROADWAY
SUITE 200
OKLAHOMA CITY, OK 73102
phone: 405.526.1300
fax: 405.526.1305
www.HSEarchitects.com

HSE architects



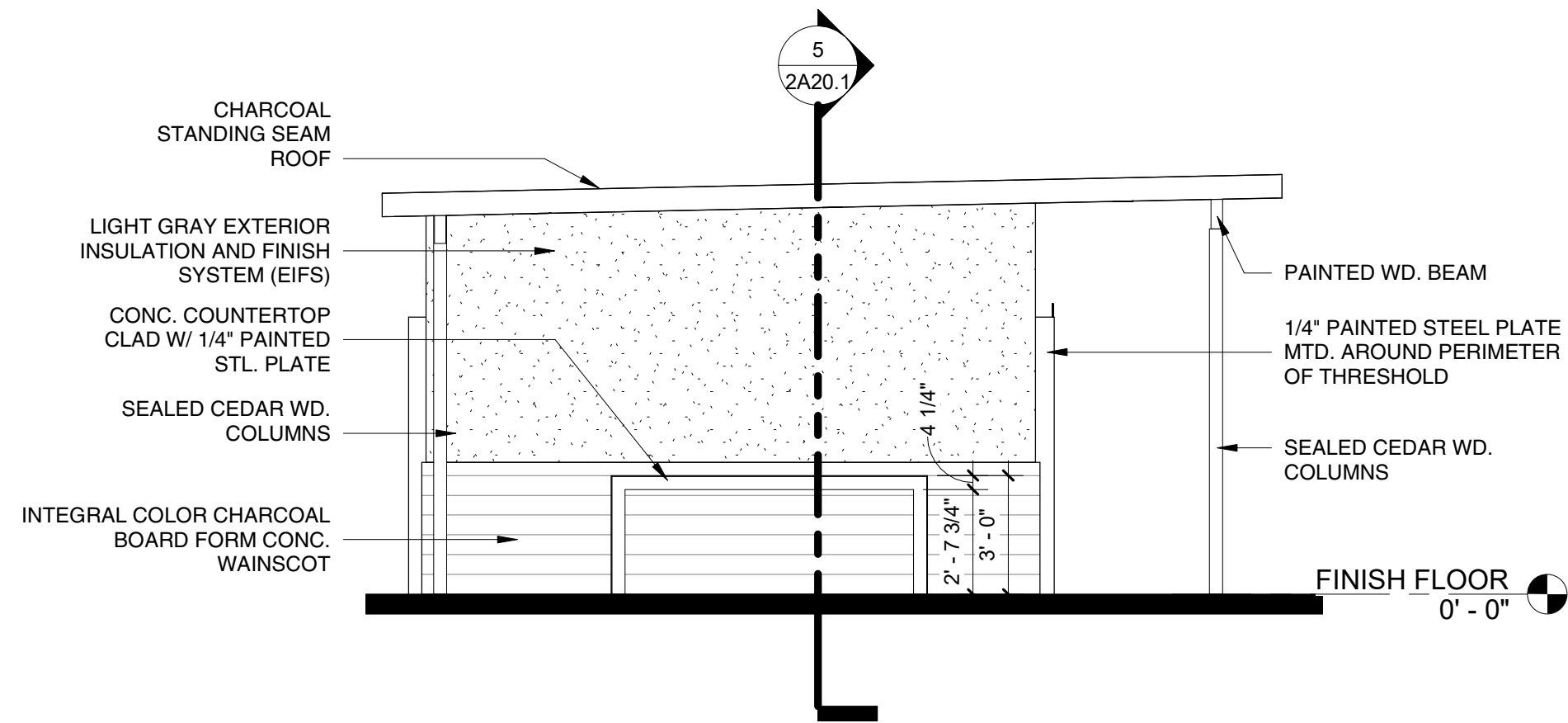


RED DEVIL MOUNTAIN RESTROOM
Green Mountain Falls, Colorado
RESTROOM ELEVATIONS & BUILDING SECTIONS

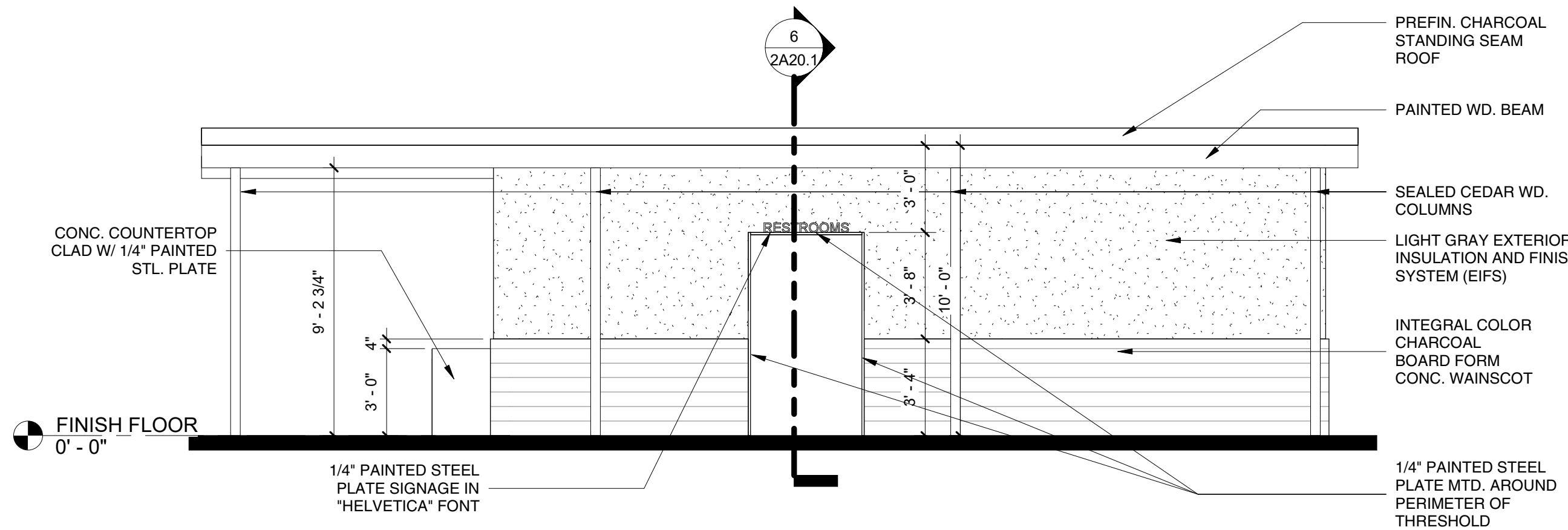
Revisions	
No.	Date

PROJ. NO.	1950
DATE	10.15.2020
SHEET NO.	2A20.1

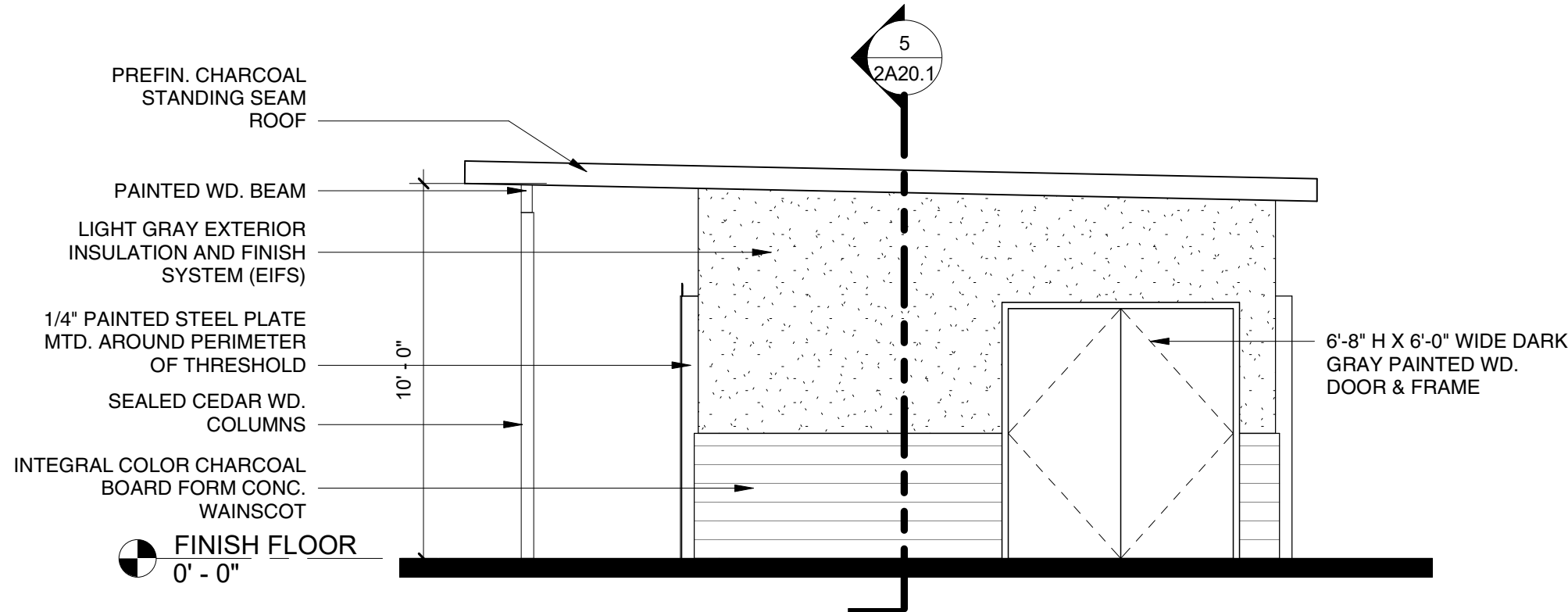
NOT FOR CONSTRUCTION



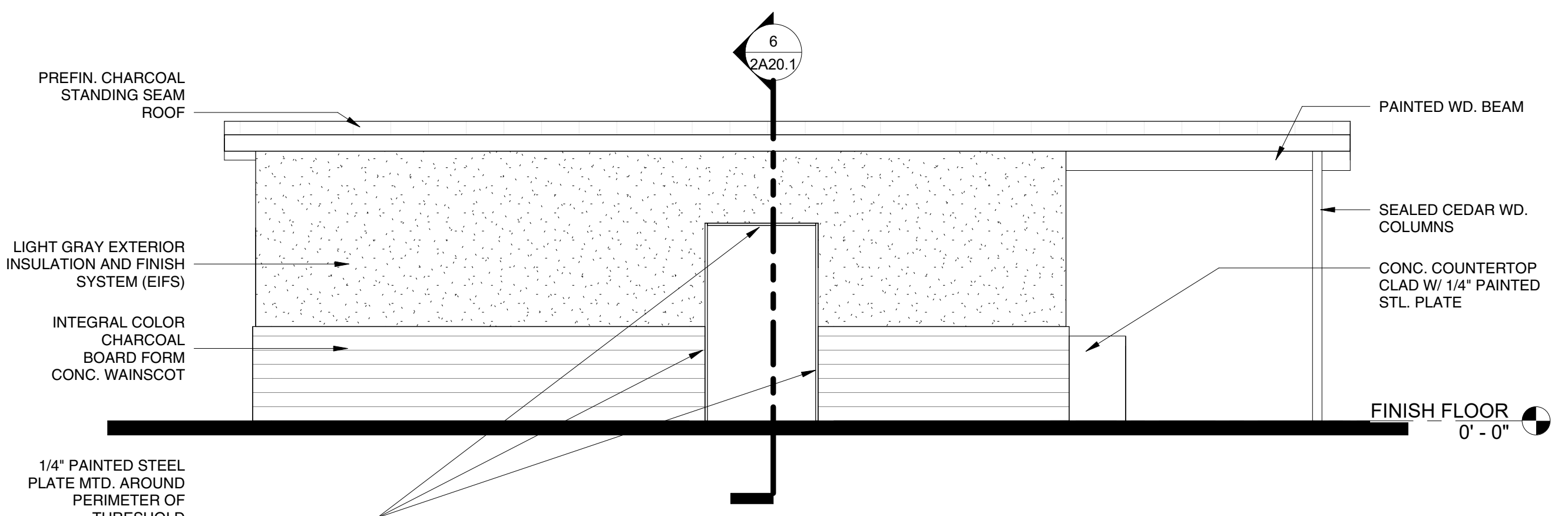
2 WEST RESTROOM ELEVATION
SCALE: 1/4" = 1'-0"



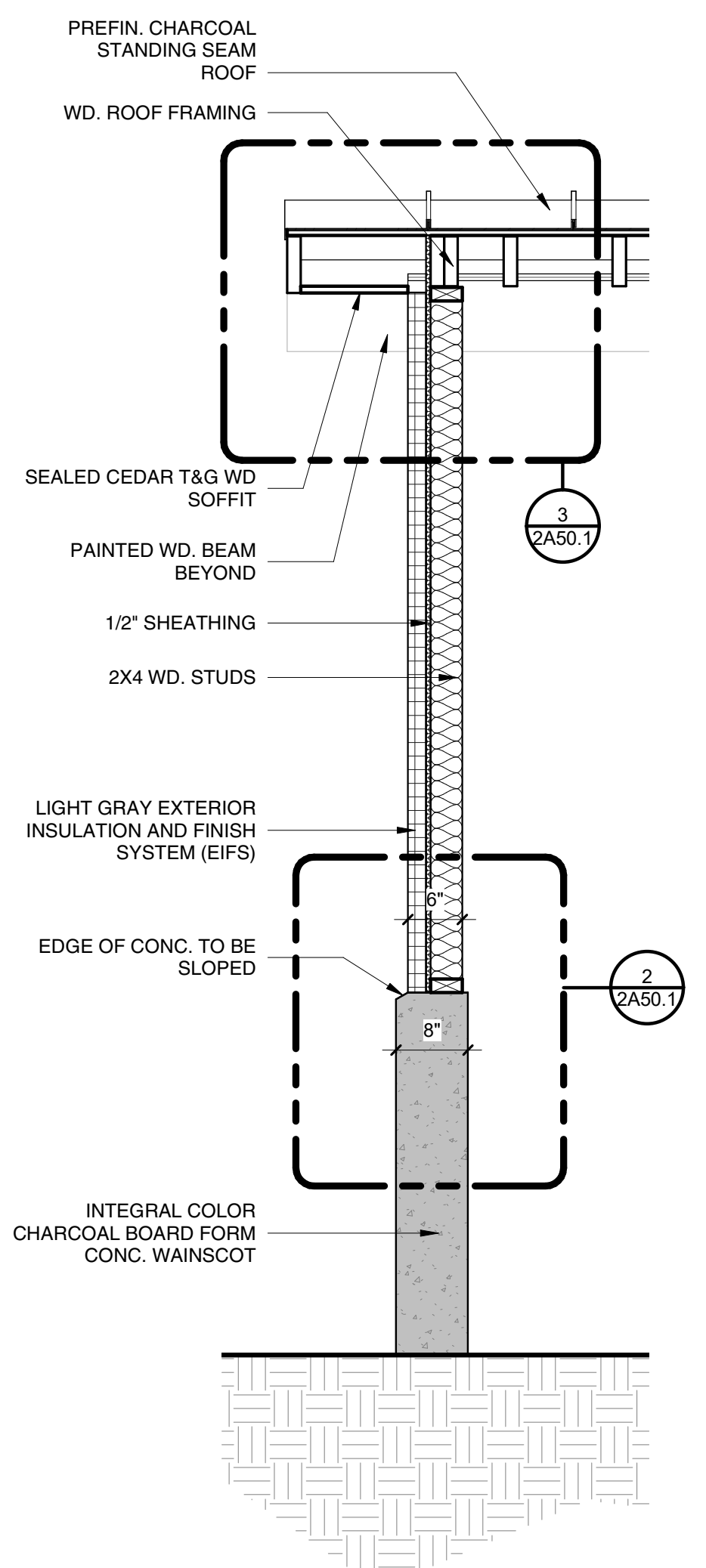
1 SOUTH RESTROOM ELEVATION
SCALE: 1/4" = 1'-0"



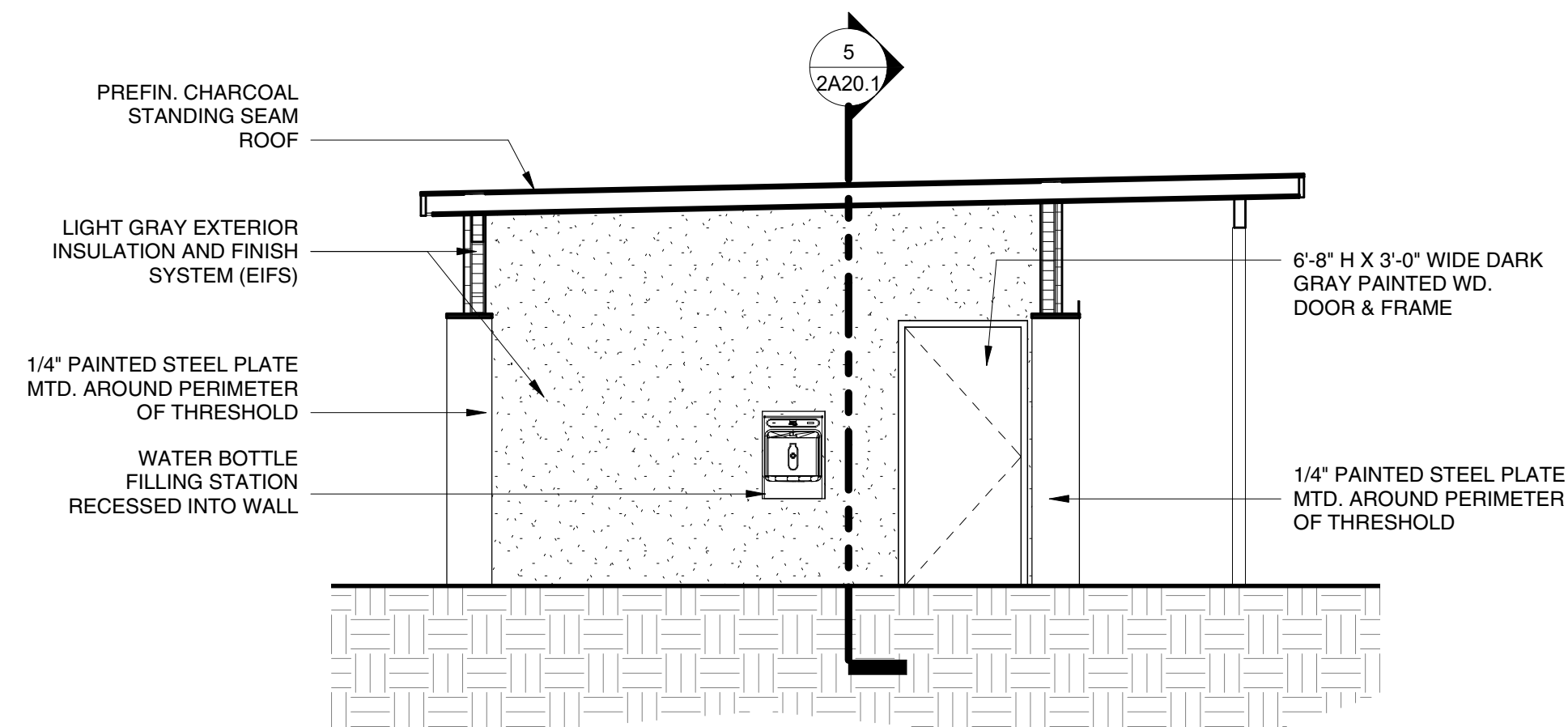
4 EAST RESTROOM ELEVATION
SCALE: 1/4" = 1'-0"



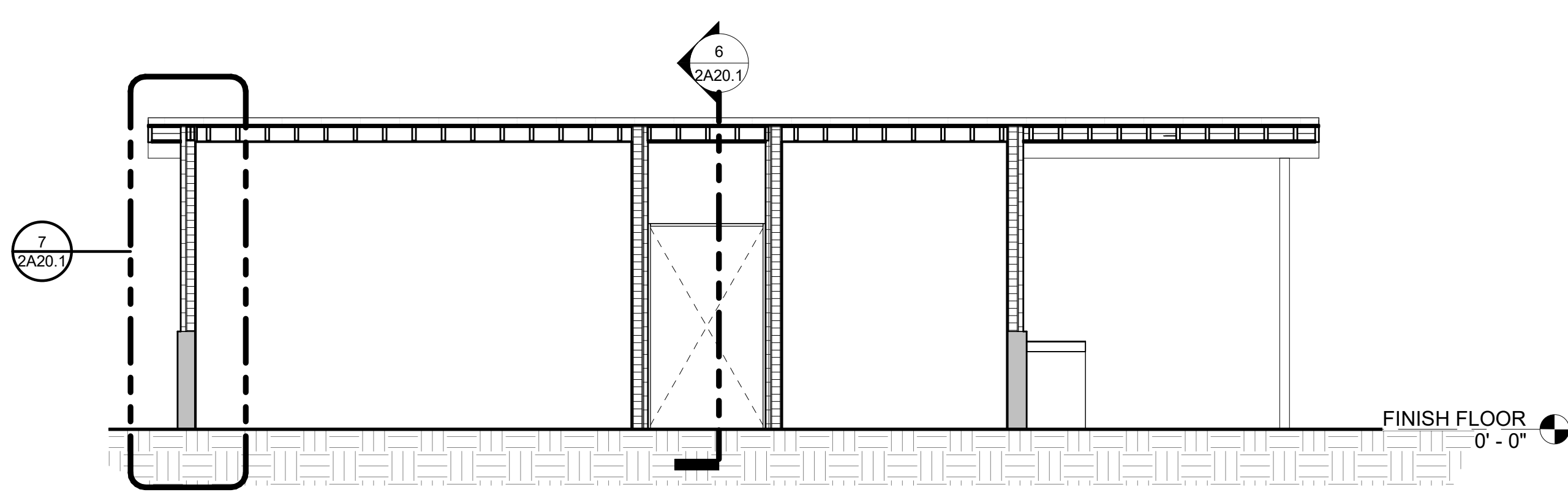
3 NORTH RESTROOM ELEVATION
SCALE: 1/4" = 1'-0"



7 WALL SECTION
SCALE: 3/4" = 1'-0"



6 BUILDING SECTION
SCALE: 1/4" = 1'-0"

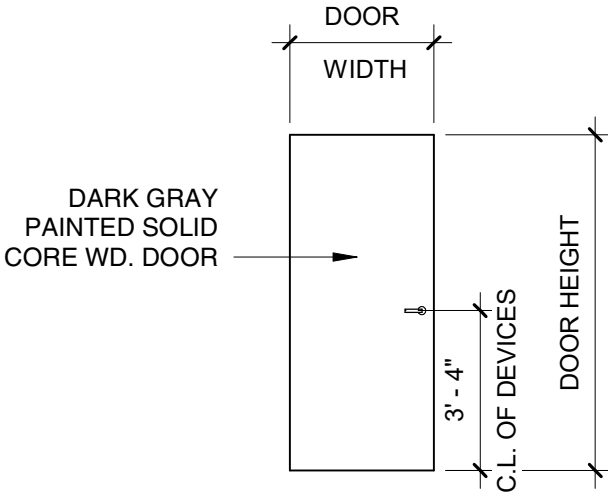


5 BUILDING SECTION
SCALE: 1/4" = 1'-0"

ROOM FINISH SCHEDULE Copy 1									
NUMBER	NAME	FLOOR FINISH	BASE FINISH	N WALL FINISH	S WALL FINISH	E WALL FINISH	W WALL FINISH	CEILING FINISH	CEILING HEIGHT
101	PATIO	SEALED CONCRETE	N/A	N/A	N/A	EIFS / BOARDFORM CONC.	N/A	T&G CEDAR SOFFIT	VARIES
102	MENS	SEALED CONCRETE	WOOD	T&G CEDAR	T&G CEDAR	T&G CEDAR	T&G CEDAR	T&G CEDAR SOFFIT	VARIES
103	WOMENS	SEALED CONCRETE	WOOD	T&G CEDAR	T&G CEDAR	T&G CEDAR	T&G CEDAR	T&G CEDAR SOFFIT	VARIES
104	JANITOR	SEALED CONCRETE	N/A	EXPOSED	EXPOSED	EXPOSED	EXPOSED	EXPOSED	VARIES
105	STORAGE	SEALED CONCRETE	N/A	EXPOSED	EXPOSED	EXPOSED	EXPOSED	EXPOSED	VARIES

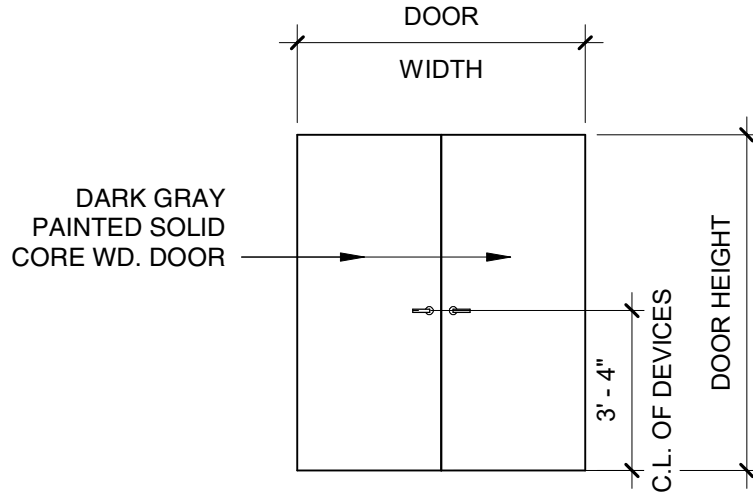
DOOR SCHEDULE Copy 1						
NO.	DOOR TYPE	DOOR			FRAME TYPE	HARDWARE GROUP
		WIDTH	HEIGHT	THICKNESS		
102A	AA	3' - 0"	6' - 8"	0' - 1 3/4"	WOOD	GROUP B
103A	AA	3' - 0"	6' - 8"	0' - 1 3/4"	WOOD	GROUP B
104A	AA	3' - 0"	6' - 8"	0' - 1 3/4"	WOOD	GROUP A
105A	BB	6' - 0"	6' - 8"	0' - 1 3/4"	WOOD	GROUP A

DOOR TYPES



AA

WOOD DOOR



BB

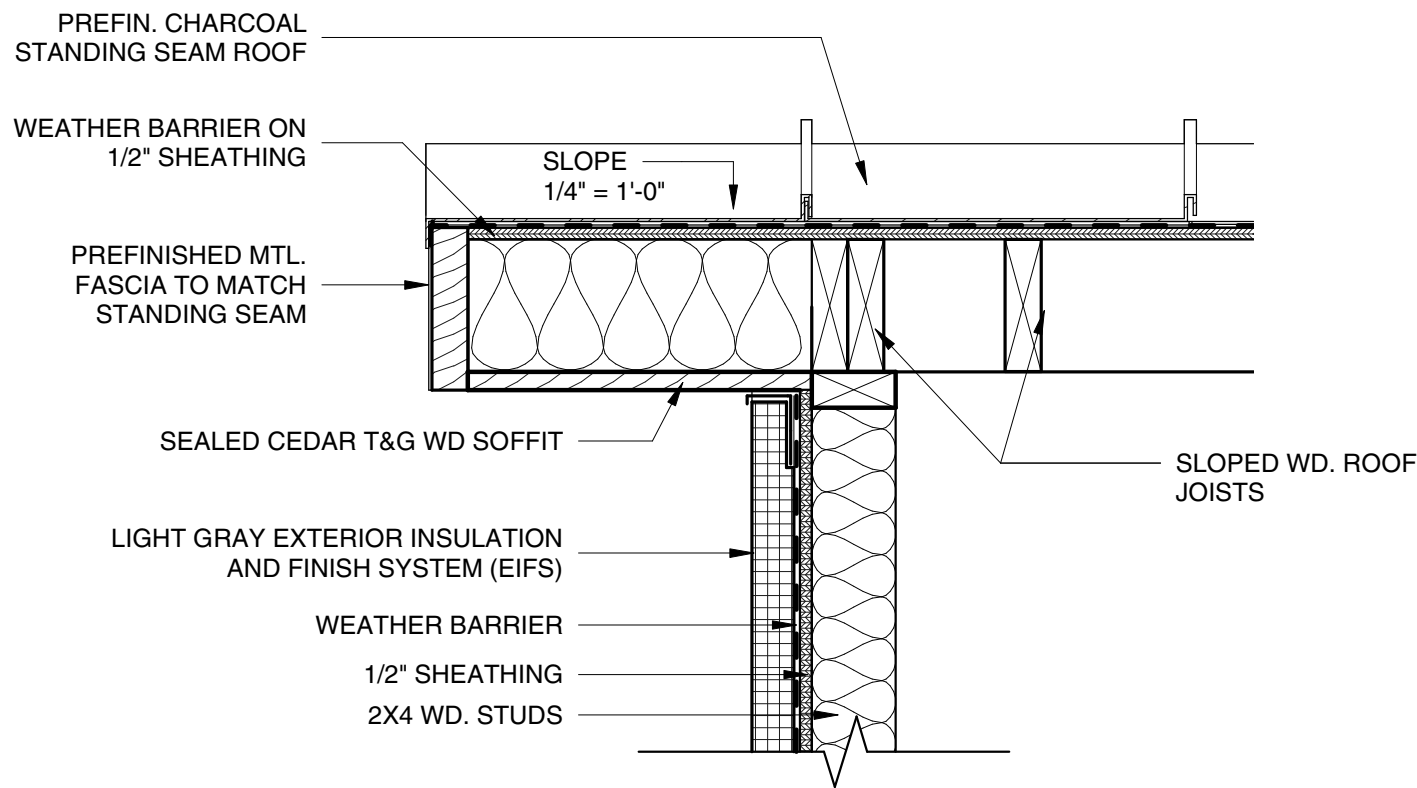
DOUBLE WOOD DOOR

DOOR HARDWARE GROUPS

GROUP A: SARGENT 11 LINE BORED LOCK / F86 STOREROOM OR CLOSET / BLACK SUEDE POWDER COAT FINISH / LJ - L ROSE J LEVER

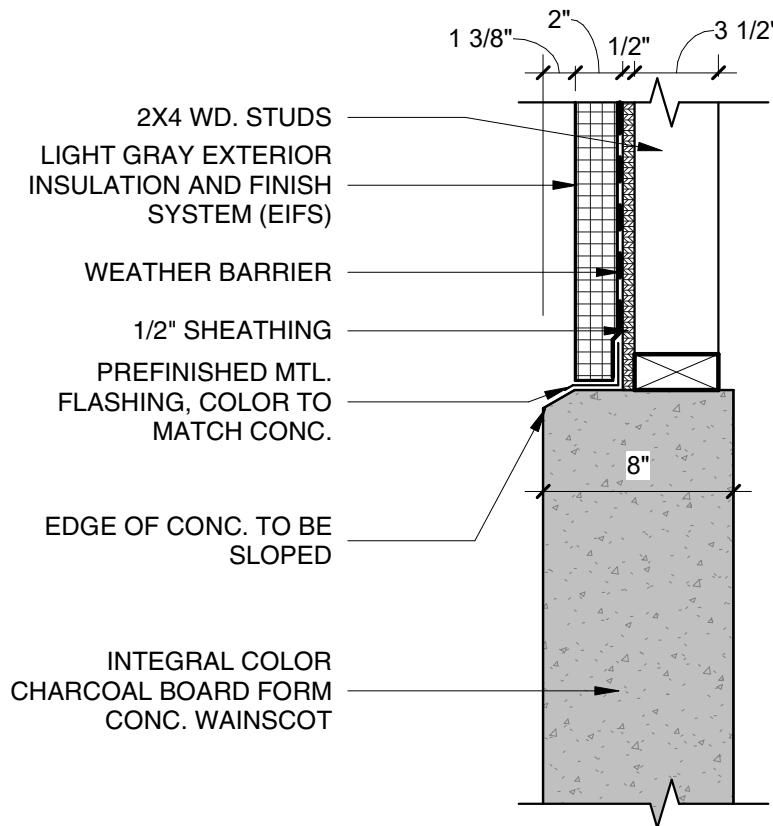
GROUP B: SARGENT 11 LINE BORED LOCK / F76 PRIVACY- BATHROOM / BLACK SUEDE POWDER COAT FINISH / LJ - L ROSE J LEVER

**ALL HARDWARE TO BE AS SPECIFIED OR APPROVED EQUAL



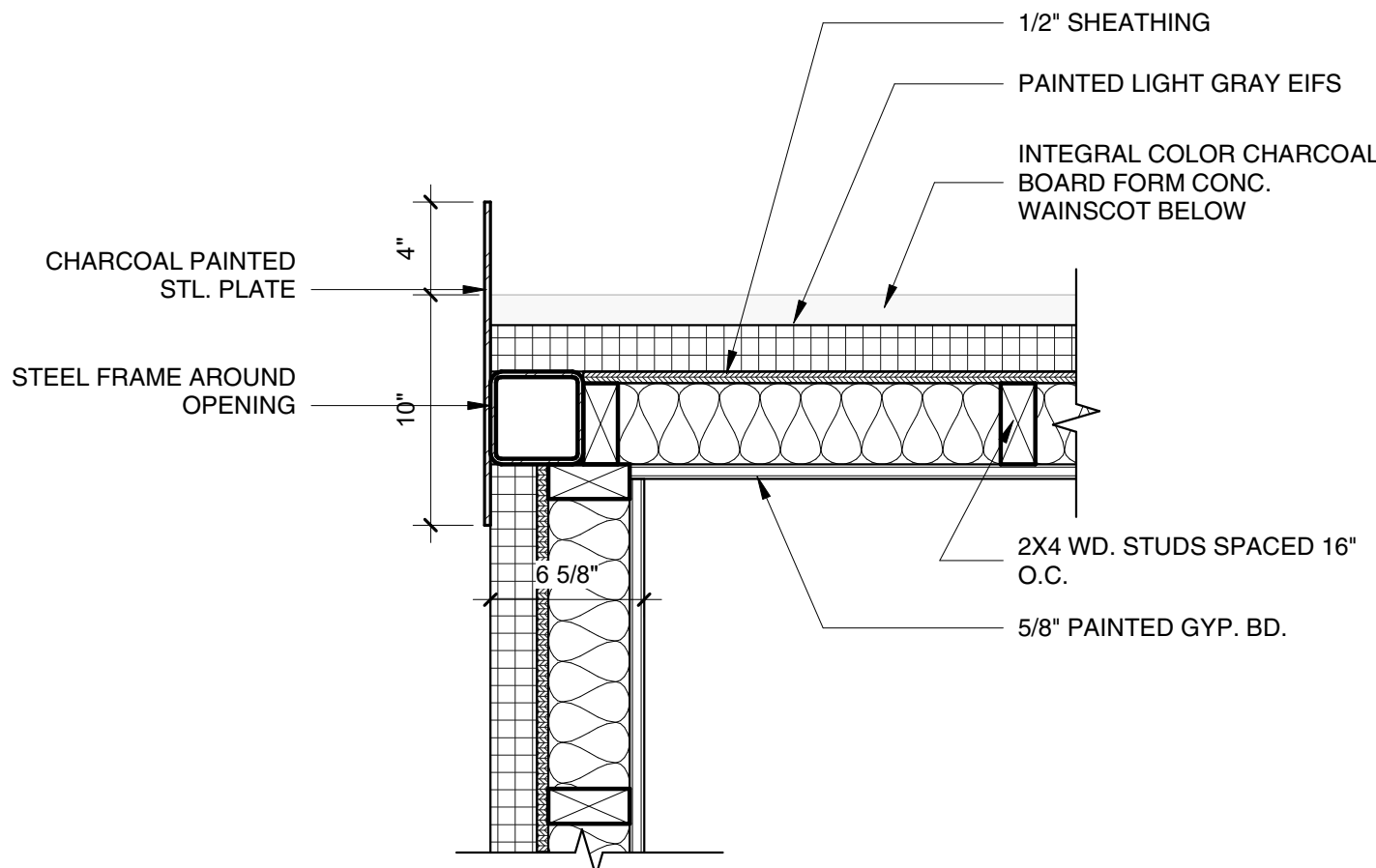
3 RESTROOM EAVE DETAIL

SCALE: 1 1/2" = 1'-0"



2 RESTROOM SILL DETAIL

SCALE: 1 1/2" = 1'-0"



1 PLAN DETAIL - RESTROOM THRESHOLD

SCALE: 1 1/2" = 1'-0"

NOT FOR CONSTRUCTION

RED DEVIL MOUNTAIN RESTROOM

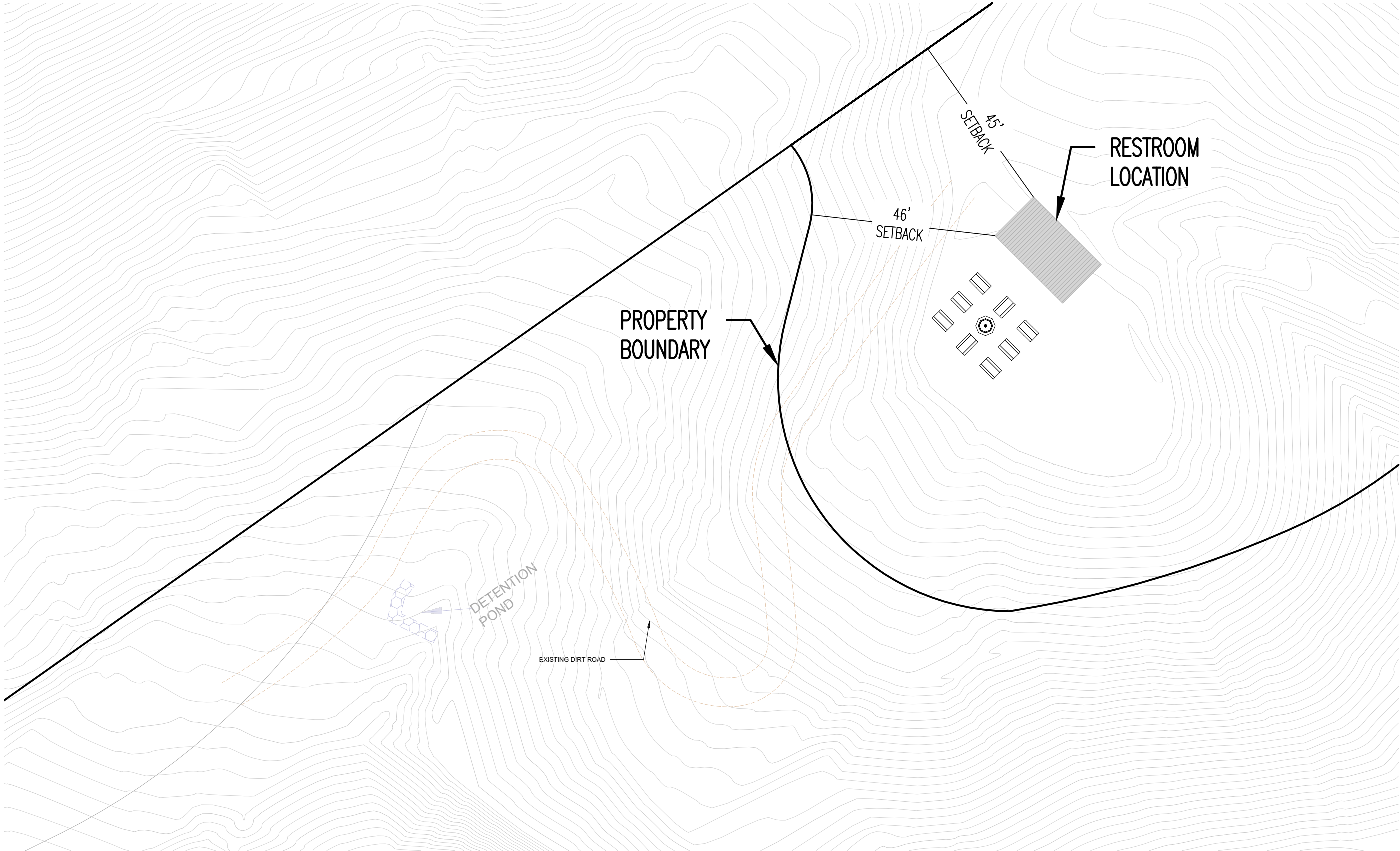
Green Mountain Falls, Colorado

RESTROOM SCHEDULES & DETAILS

Revisions	
No.	Date

PROJ. NO.
1950
DATE
10.15.2020

SHEET NO.
2A50.1



S I T E P L A N
1/2" = 1'-0"

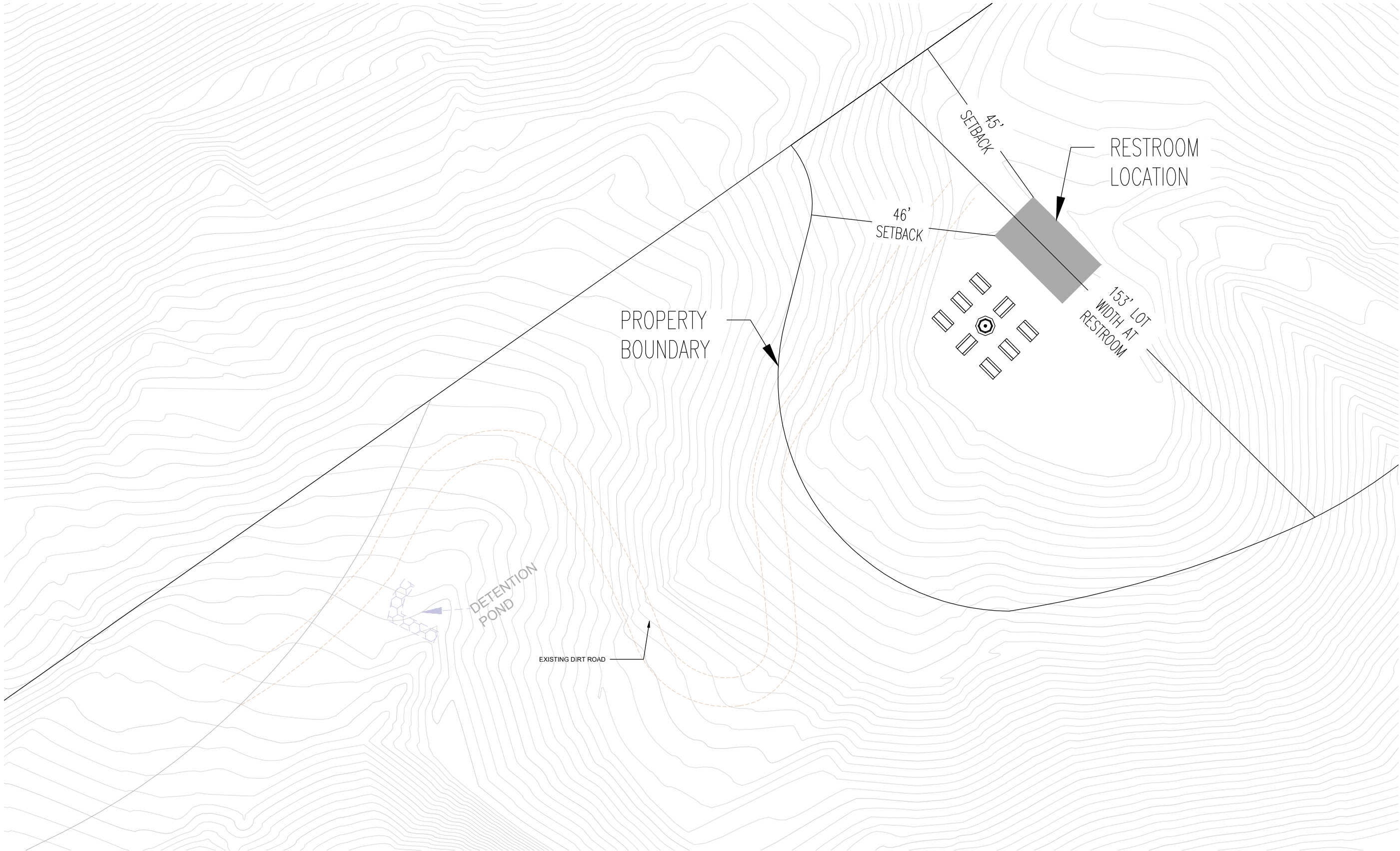
REVISIONS	BY



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

SITE PLAN
RED DEVIL MOUNTAIN RESTROOMS
GREEN MOUNTAIN FALLS, CO
FOR: JESSE STROOPE

DRAWN BY: AMN
DESIGNED BY: AMN
CHECKED BY:
DATE: 12/29/2020
SCALE: AS SHOWN
JOB NO.: 201280
SHEET NO:
1
OF SHEETS



S I T E P L A N
1/2" = 1'-0"

REVISIONS	BY



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

SITE PLAN
RED DEVIL MOUNTAIN RESTROOMS
GREEN MOUNTAIN FALLS, CO
FOR: JESSE STROOPE

DRAWN BY: AMN
DESIGNED BY: AMN
CHECKED BY:
DATE: 01/12/2021
SCALE: AS SHOWN
JOB NO.: 201280
SHEET NO.: 1 OF SHEETS



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

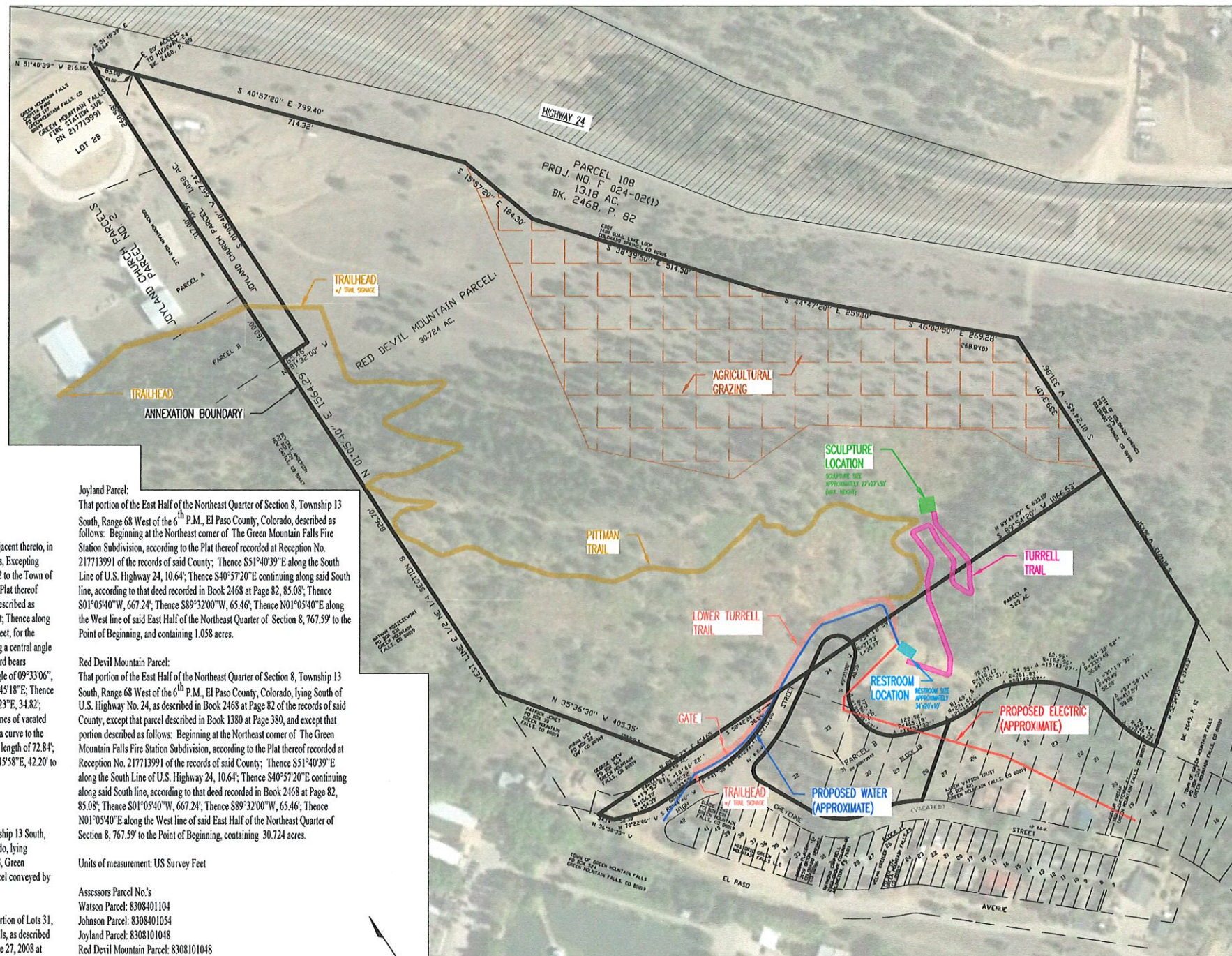
Watson Parcel:

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 Northwesternly of that parcel conveyed by
Deed recorded January 9, 1974 in Book 2649 at Page 12.

That portion of the East Half of the Northeast Quarter of Section 8, Township 13 South, Range 68 West of the 1st 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 S48°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.

Units of measurement: US Survey Feet

Proposed Zone: PUD
Red Devil Mountain - Public Land
Joyland Parcel - Business


$$1'' = 100'$$
[illegible]

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

DRAWN BY: AMN
DESIGNED BY:
CHECKED BY:
DATE: 12/10/2020
SCALE: AS SHOWN
JOB NO.: 201280
SHEET NO.:
1 OF 1 SHEETS



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 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:

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.

Units of measurement: US Survey Feet

Assessors Parcel No.'s

Watson Parcel: 8308401104

Johnson Parcel: 8308401054

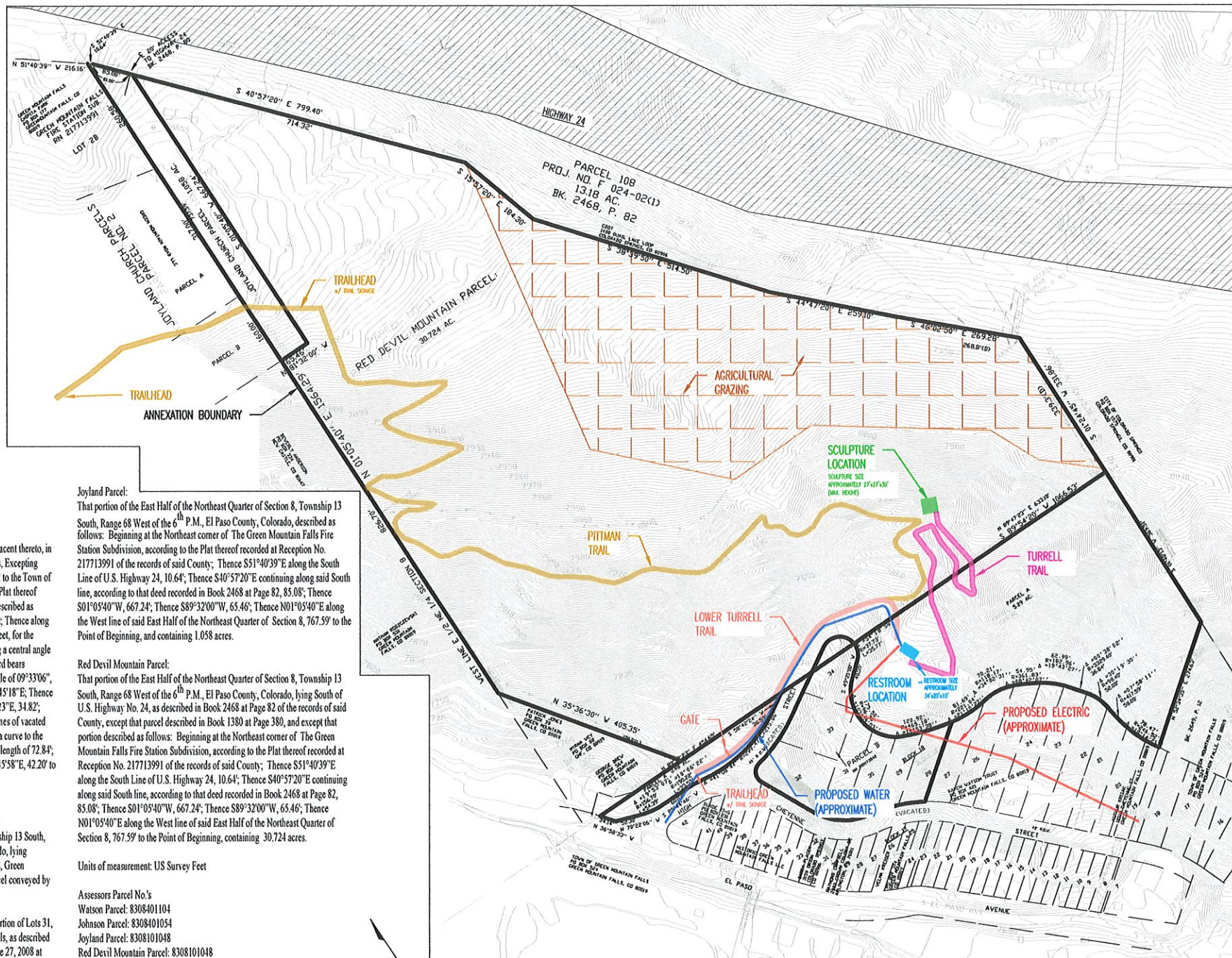
Joyland Parcel: 8308101048

Red Devil Mountain Parcel: 8308101048

Proposed Zone: PUD

Red Devil Mountain - Public Land

Joyland Parcel - Business



SCALE: 1" = 100'

REVISIONS BY

ENTECH
ENGINEERING, INC.

505 ELKTON DRIVE
COLORADO SPRINGS, CO 80907 (719) 531-5599



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

DRAWN BY: AMW

DESIGNED BY:

CHECKED BY:

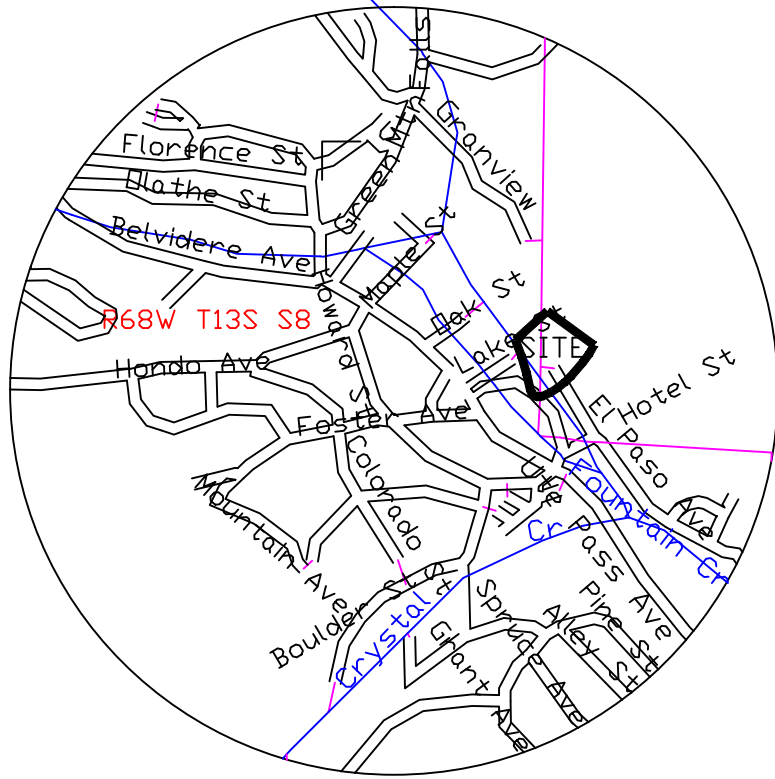
DATE: 12/23/2020

SCALE: AS SHOWN

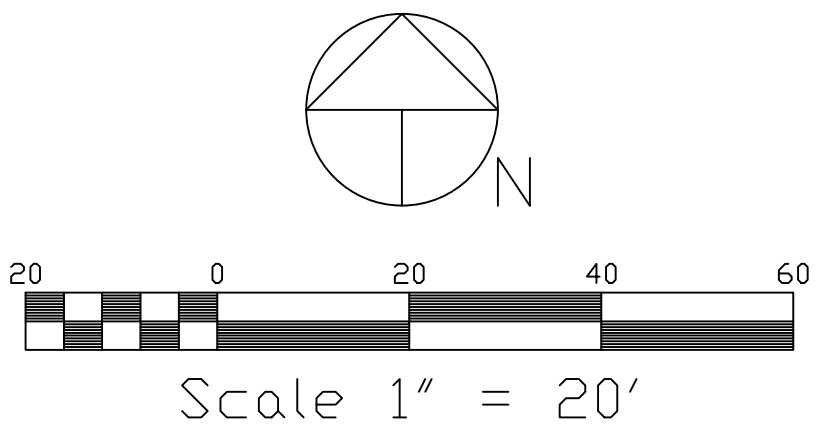
JOB NO.: 201280

SHEET NO.:

2 OF 2 SHEETS

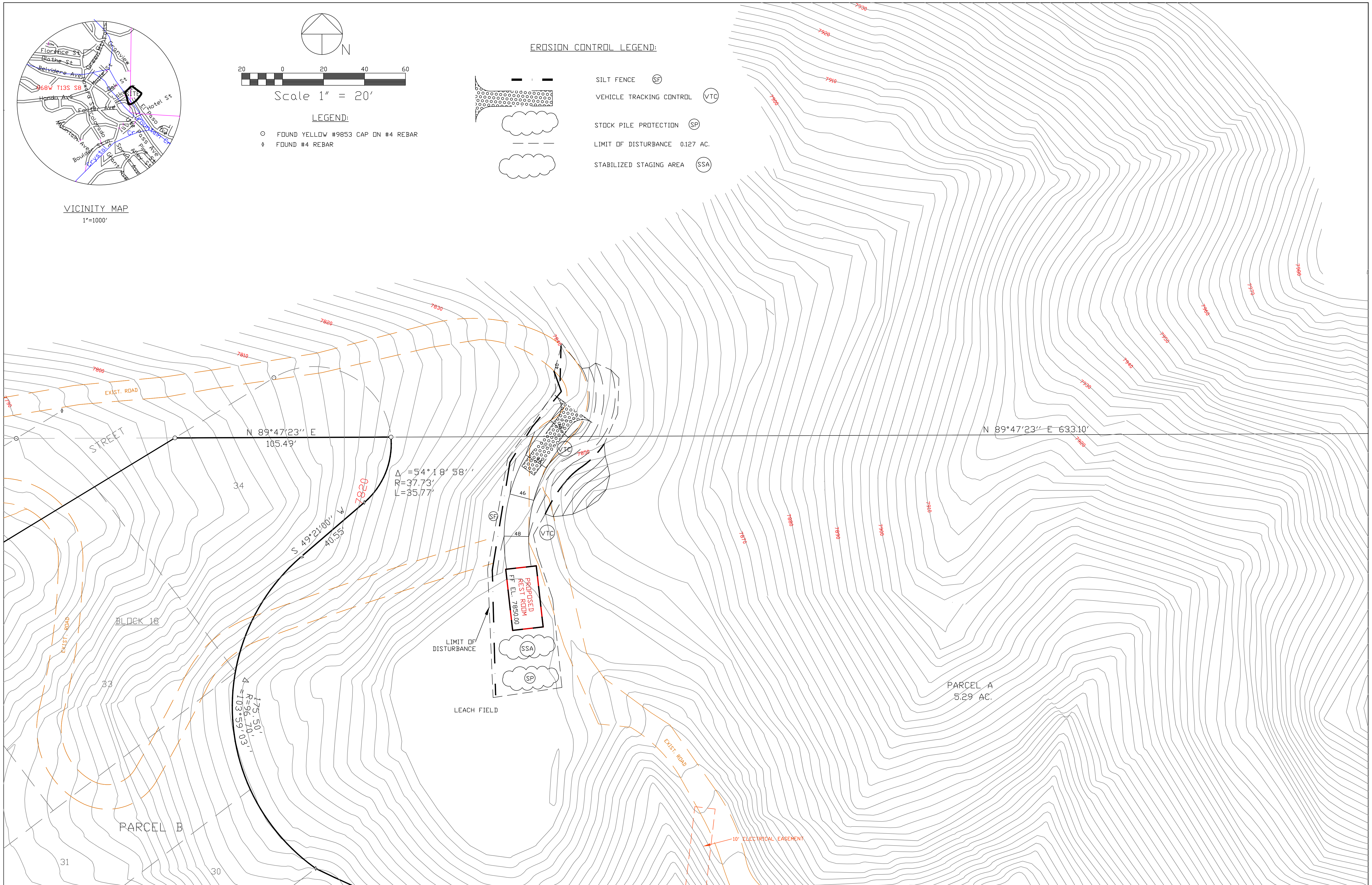


VICINITY MAP
1"=1000'



- LEGEND:
- FOUND YELLOW #9853 CAP ON #4 REBAR
 - ◊ FOUND #4 REBAR

- EROSION CONTROL LEGEND:
- SILT FENCE (SF)
 - VEHICLE TRACKING CONTROL (VTC)
 - STOCK PILE PROTECTION (SP)
 - LIMIT OF DISTURBANCE 0.127 AC.
 - STABILIZED STAGING AREA (SSA)



<p>DRAWN BY: D.E. WATTS</p> <p>DATE: 1-4-21</p> <p>DWG. NO.: 20-5462-05</p> <p>SURVEYED BY: DEW, ESW, DEV V THRU 9-21-20</p>	<p>APPROVED BY:</p> <p>PROJ. NO.</p> <p>DWG.</p>	<p>REVISIONS</p>	<p>OLIVER E. WATTS CONSULTING ENGINEER COLORADO SPRINGS</p>	<p>PROJECT</p> <p>10400 EL PASO AVE. ADD. NO. 2 TO GREEN MOUNTAIN FALLS EL PASO COUNTY, COLORADO</p>	<p>SHT. NAME</p> <p>GRADING AND EROSION CONTROL PLAN</p>	<p>SHT. NO.</p> <p>1 OF 2</p>
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EROSION CONTROL COST ESTIMATE			
ITEM	QUANTITY	UNIT COST	COST
SILT FENCE	166 LF	\$ 2.50	\$ 415.00
VEHICLE TR CONTROL	1 EA	1325.00	1325.00
RESEEDING	5500 SF	0.03	165.00
SUBTOTAL CONSTRUCTION COST			\$ 1905.00
MAINTENANCE AND REPLACEMENT	40%		762.00
TOTAL ESTIMATED COST			\$ 2667.00

Standard Grading, Erosion And Stormwater Quality Control Plan Notes

- Any land disturbance by any owner, developer, builder, contractor, or other person shall comply with the Basic Grading, Erosion and Stormwater Quality Control Requirements and General Prohibitions noted in the Drainage Criteria Manual Volume II.
- No clearing, grading, excavation, filling, or other land disturbing activities shall be permitted until signoff and acceptance of the Grading Plan and Erosion and Stormwater Quality Control Plan is received from EDRD.
- The installation of the first level of temporary erosion control facilities and BMP's shall be installed and inspected prior to any earth disturbance operations taking place. Call City Stormwater Inspections, 385-5980, 48 hours prior to construction.
- Sediment (mud and dirt) transported onto a public road, regardless of the size of the site, shall be cleaned immediately.
- Concrete wash water shall not be discharged to or allowed to runoff to State Waters, including any surface or subsurface storm drainage system or facilities.
- Soil erosion control measures for all slopes, channels, ditches, or any disturbed land area shall be completed within twenty-one (21) calendar days after final grading or final earth disturbance has been completed. Disturbed areas and stockpiles which are not at final grade but will remain dormant for longer than thirty (30) days shall also be mulched within twenty-one (21) days after interim grading. An area that is going to remain in an interim state for more than sixty (60) days shall also be seeded. All temporary soil erosion control measures and BMP's shall be maintained until permanent soil erosion control measures are implemented.
- The grading and erosion control plan will be subject to re-review and re-acceptance by EDRD should any of the following occur: grading does not commence within twelve (12) months of the City Engineer's acceptance of the plan, a change in property ownership, proposed development changes, or proposed grading revisions.
- The Plan shall not substantially change the depth of cover, or access existing utility lines. Acceptance of this plan does not constitute approval to grade in any utility easement or right-of-way. Approvals to grade within utility easements must be obtained from the appropriate utility company. It is not permissible for any person to modify the grade of the earth on any Colorado Springs Utilities easement or Utility right-of-way without their written approval. The plan shall not increase or divert water towards utility facilities. Any changes to existing utility facilities to accommodate the plan must be approved by the affected utility owner prior to implementing the plan. The cost to relocate or protect existing utilities or to provide interim access is the applicant's expense.
- Applicant represents and warrants that they have the legal authority top grade and/or construct improvements on adjacent property. The City has not reviewed the developer's authority to modify adjacent property.
- All utility installations within the limits of disturbance shown on this plan are covered under this plan. Locations of utilities within the limits of disturbance may be modified after plan approval as a field change. Utility installations related to the private development that extend beyond the limits of disturbance shown on this plan are considered to be part of the larger development, and therefore require a plan modification or separate plan for the additional disturbance area.

Description of construction activities:
Anticipated starting and completion time period of site grading: January, 2021 -June
Expected date on which the final stabilization will be completed: June 1, 2021
Areas - Total area of the site to be cleared, excavated, or graded: 0.127 ac.
Receiving Waters - Name of receiving waters: Fountain Creek
Soils Information: Sphinx series, hydrologic group "D"

Signature Blocks

Engineer's Statement

This Erosion and Stormwater Quality Control/Grading Plan was prepared under my direction and supervision and is correct to the best of my knowledge and belief. If such work is performed in accordance with the grading and erosion control plan, the work will not become a hazard to life and limb, endanger property, or adversely affect the safety, use, or stability of a public way, drainage channel, or other property.

Signature: _____ Seal: _____ Date: _____

Oliver E. Watts, Colorado PELS#9853
For and on behalf of
Oliver E Watts Consulting Engineer, inc
614 Elkton Drive Colorado Springs, CO 80907
719-593-0173
olleewatts@aol.com

Developer's/Owner's Statement

The owner will comply with the requirements of the Erosion and Stormwater Quality Control Plan including temporary BMP inspection requirements and final stabilization requirements. I acknowledge the responsibility to determine whether the construction activities on these plans require Colorado Discharge Permit System (CDPS) permitting for Stormwater discharges associated with Construction Activity.

Developer/Owner Signature:

Name of Developer/Owner: Jesse Stroope _____ Date: _____

DBA: Kirkpatrick Oil Company _____ Phone: (719) 465-3065 _____

Title: Project Manager _____ Email: JesseStroope@yahoo.com _____

Address: 1001 West Willshire Blvd, Oklahoma City, OK 73116

Town of Green Mountain Falls Grading and Erosion Control Review

This grading plan is filed in accordance with section 7.7.1503 (enacted as ord. 82-56) of the code of the City of Colorado Springs, 2001, as amended. Erosion control is reviewed in accordance with the Drainage Criteria Manual, Vol. I (May 2014) and Vol. 2 (May 2014); latest revisions

Date:

Notes: No construction activities shall commence prior to approval of the Hillside Site / Grading Plan.
If the unapproved geological hazard study/waiver ultimately results in significant site changes then a new grading plan will have to be reviewed and approved.

	DRAWN BY: O.E. WATTS	APPROVED BY:	REVISIONS	OLIVER E. WATTS CONSULTING ENGINEER COLORADO SPRINGS	10400 EL PASO AVE. ADD. NO. 2 TO GREEN MOUNTAIN FALLS EL PASO COUNTY, COLORADO	SHT. NAME GRADING AND EROSION CONTROL PLAN	2 OF 2	
	DATE: 1-4-21	PROJ. NO.						
	DWG. NO.: 20-5462-02	DWG.						
	SURVEYED BY: DEV, ESW, DEV V THRU 9-21-20							

Sec. 16-308. - R-1 5-Acre Hillside Single-Family Residential District.

- (a) The R-1 5-Acre Single-Family Residential District is the largest-lot residential zoning category for residential land which may exhibit one (1) or more of the following conditions: (1) has severe topographic or geological conditions; (2) is subject to special requirements imposed by the HO Hillside Overlay Zone; and (3) is not suitable for typical subdivision design development, but which must be subdivided with special care to avoid physical damage to public or private property or both. Disposing of sewage from buildings at high elevations may endanger the health of residents living at lower elevations; providing fire protection may be difficult given the road access and possibility that fire will be fanned by high winds; and extremes of weather can endanger buildings, structures, vehicles and persons. The specific intent of this Section is to:
- (1) Minimize disturbances to the unique natural features and aesthetic qualities of the Town backdrop areas;
 - (2) Provide safe and convenient access to difficult building sites;
 - (3) Minimize water runoff and soil erosion problems incurred in adjustment of the natural terrain;
 - (4) Assure type, distribution and densities of development which are compatible with the natural systems and terrain of the backdrop areas; and
 - (5) Assure that the taxpayers of the Town are not burdened by extraordinary costs for services attributable solely to the development of hillside areas.
- (b) Permitted principal uses: single-family dwellings.
- (c) Uses requiring special approval (special uses):
- (1) Educational institutions;
 - (2) Religious institutions;
 - (3) Public buildings; and
 - (4) Parks and playgrounds.
- (d) Development requirements:
- (1) Minimum lot area: five (5) acres.
 - (2) Minimum frontage: two hundred (200) feet.
 - (3) Minimum lot width: two hundred (200) feet at front building setback line.
 - (4) Setback requirements:
 - a. front, fifty (50) feet;
 - b. side, twenty-five (25) feet; and
 - c. rear, fifty (50) feet.
 - (5) Maximum building height:
 - a. For building lots with an average slope of less than fifteen percent (15%), thirty-five (35)

feet; and

- b. For building lots with an average slope of fifteen percent (15%) or greater, twenty-five (25) feet.

(e) Accessory uses and buildings: refer to Article VI of this Land Use Code.

(f) Off-street parking: refer to Section 16-604.

(g) Permitted signs: refer to Article IV of this Land Use Code.

(h) All buildings, structures and uses shall conform to the requirements of Section 16-705.

(Ord. 97-01)

Sec. 16-705. - Building permits; architectural review.

- (a) Purpose. The purpose of architectural review is to ensure that high standards of design are maintained for all residential, business and commercial buildings and uses in development and construction in the Town. Anyone seeking to renovate the exterior of, add to or construct a new building shall be subject to Planning Commission approval anywhere within the Town. In promoting the general purposes of this Land Use Code, the specific intent of this Section is to:
- (1) Protect the historic and architectural qualities of the Town's building stock;
 - (2) Promote development and building consistent with the policies of the Comprehensive Plan;
 - (3) Promote a consistent standard in architectural design and the construction of aesthetically pleasing structures;
 - (4) Improve the general quality of the environment and promote conservation of natural and manmade resources of the Town;
 - (5) Encourage land uses which are orderly, functionally efficient, healthful, convenient to the public and aesthetically pleasing;
 - (6) Encourage development of safe and attractive residential areas that are compatible with existing historical development in a variety of housing styles;
 - (7) Encourage the construction of safe, convenient and attractive commercial facilities and residences;
 - (8) Promote neighborhood integrity by congruity in architecture and cohesiveness in style;
 - (9) Encourage the preservation of the Town's early styles of architecture; and
 - (10) Promote visual relief throughout the community by preservation of mountain vistas, creation of open space and variation of styles of architecture.
- (b) Design review policies. There are two (2) areas of policy in which the Planning Commission directs its review. The guidelines for each of these policy areas are intended to provide general direction to an applicant coming before the Planning Commission. The policies are:
- (1) Building design and function.
 - a. Building design. Buildings should demonstrate compatibility in materials and consistency in style throughout all exterior elevations. Building components, such as windows, doors, arches and parapets, should have proportions appropriate to the architecture of the structure.
 - b. Additions. All additions should relate to the existing building in design, details, colors and materials.
 - c. Energy efficiency. Buildings should be designed and oriented to maximize energy efficiency and conservation.
 - d. Color. Building color should complement architectural details and blend with surrounding buildings or dominant structures and should be appropriate to the architectural style proposed.
 - e. Historical significance. Plans should show consideration for historical elements, if any, of significance existing on the site.
 - (2) Site and neighborhood compatibility.
 - a. Relation to site. Buildings should be designed to relate to the existing landforms and the contours of the site and present an integrated appearance.
 - b. Neighborhood compatibility. Buildings should have a harmonious relationship with the surrounding neighborhood. Significant factors in establishing this relationship are a sense of scale, roof-lines, colors and materials.
- (c) Requirements.
- (1) Materials.

- a. The use of natural materials (wood and stone) for the exterior surfaces of all buildings and other structures is encouraged. Corrugated metal, plastic and fiberglass are prohibited.
 - b. Vinyl and aluminum siding that meet the requirements of the Uniform Building Code are allowed, provided that the installation results in a uniform appearance absent of buckling and drooping.
 - c. Exterior nontextured concrete block and concrete walls (nontextured) must be covered with a veneer, stucco or other surfacing. Paint is not an acceptable cover.
 - d. All roof surfaces shall meet the requirements of the Uniform Building Code. Corrugated metal, plastic and fiberglass are not permitted. Class A roof coverings are recommended for fire resistance. Color selection to be approved prior to permit issuance.
- (2) Colors. Natural wood or earth tones (i.e., dark shades of brown or green) for exterior surfaces are encouraged.
- (3) Trees shall not be removed on any lot except as follows:
 - a. Actual land occupied for buildings plus a fifteen-foot clearance strip adjacent to the perimeter thereof;
 - b. On off-street parking areas and driveways providing access thereto; or
 - c. Diseased trees, trees damaged by natural causes and other trees which interfere with utility lines.
- (d) Procedure.
 - (1) The Town Clerk shall forward plans and drawings for the proposed construction of all residential, business, commercial, public and semi-public structures, including its accessory uses and structures, to the Planning Commission for its review.
 - (2) The Planning Commission shall review plans and exterior design of all proposed residential, business, commercial, public and semi-public structures. Before approving any new residential, business, commercial, public or semi-public principal building and its accessory uses and structures, the Planning Commission shall find that the character of the proposed construction is in harmony with the established exterior architectural appeal of structures already located in the neighborhood and with approved public plans for the surrounding area so that existing and future land values within the Town will not be depreciated. The Planning Commission shall restrict its consideration in each case to the effect of the proposed construction on the health, safety, morals, and general welfare of the Town, keeping particularly in mind the unique characteristics of certain existing structures in the Town and that the prosperity of the entire Town is involved in the preservation of established sections of the Town. As a minimum, the following specific criteria shall be considered by the Planning Commission:
 - a. Architectural compatibility;
 - b. Bulk of the proposed building or structure in relation to surrounding buildings and land;
 - c. Vehicular access and parking;
 - d. Pedestrian access; and
 - e. Relation to existing and future open space.
 - (3) The Board of Trustees, after review and recommendation by the Planning Commission, may vary the requirements of this Section if the same may be granted without substantial detriment to the compatibility with surrounding uses and natural land features.

(Ord. 97-01)

Sec. 16-714. - Hillside Overlay Zone requirements.**(a) Applicability.**

- (1) No building or structure may be erected, reconstructed or structurally altered on land which is designated on the Official Zoning Map of the Town as a Hillside Overlay Zone, nor shall such land be subdivided, graded or otherwise disturbed for purposes of development, subdivision or any other purpose unless such construction, subdivision, disturbance or development is undertaken in accordance with the requirements set forth in this Article and all other laws of the Town.
- (2) Upon written request from a landowner or authorized representative, the Town may exempt certain property from all or part of the requirements of this Article if the subject property is not a characteristic hillside area as described in Subsection 16-312(a). The request shall clearly state the rationale for any exemptions and list all exemptions being sought. The Town shall respond in writing to the applicant within fifteen (15) working days of receiving an exemption request.
- (3) As part of any approval, the Board of Trustees may incorporate conditions, restrictions or other mitigation measures deemed necessary to assure that the development criteria specified herein are adequately satisfied.

(b) Land suitability analysis.

- (1) A land suitability analysis, prepared by a professional engineer or geologist, shall be required as part of the justification for the proposed development of a hillside area. A site-specific professional engineer's report satisfactorily addressing, at a minimum, geology, soils, drainage and erosion control of the proposed site shall be submitted. The soils and geology information shall be reviewed by a civil engineer retained by the Town, and said engineer's fee shall be paid by the applicant. Any review expenses associated with the request shall be borne by the applicant. The soils and geology information shall be required if any portion of a structure is proposed within the Hillside Overlay Zone. The analysis shall consist of an evaluation of all physical and environmental factors on the site so that type, density and distribution of development may be established in the most environmentally compatible manner that will minimize land disturbance, protect natural plant and animal communities and minimize costs and liability to the Town. The suitability analysis shall be prepared in conjunction with the Master Plan, and the Master Plan shall be clearly reflective of the analysis. Should any land in a designated hillside area not be master planned, the suitability analysis shall be prepared in conjunction with the development plan. The development plan shall be clearly reflective of that analysis in terms of type, density and distribution of proposed development.
- (2) Components of land suitability analysis.
 - a. Slope analysis. Identification of slope ranges for parcels in order to assess the potential of sites for intensity of development and difficulty in provision of infrastructure and emergency services. Slope analysis shall be provided in the following increments and use a contour interval of five (5) feet:
 1. Zero percent (0%) to eight percent (8%), generally suitable for development;
 2. Eight percent (8%) to twelve percent (12%), increased potential for engineering difficulties and moderate potential for activating site hazards;
 3. Twelve percent (12%) to fifteen percent (15%), increased potential for engineering difficulties and moderately high potential for activating site hazards;
 4. Fifteen percent (15%) to twenty-five percent (25%), high potential for engineering difficulties and

- for activating hazard potential;
- 5. Twenty-five percent or more (25%+), very high potential for development difficulty and severe hazard potential.
- b. Vegetation and wildlife. Grasslands, scrub oak and similar shrubs and coniferous tree cover are major components of hillside areas. Analysis shall show the physical location of vegetation and the following items:
 - 1. Ecosystems defined by the Colorado Forest Service;
 - 2. Assessment of wildfire hazard potential;
 - 3. Wildlife habitat and migration corridors.
- c. Geologic analysis. Identification of significant natural features and geologic hazards and constraints which require unusual mitigation during design and construction of structures and/or infrastructure (e.g., downslope creep, debris flow, flood hazards, rockfall hazards, etc.)
- d. Soils analysis. Identification of soil types shall be reviewed by a civil engineer retained by the Town, and said engineer's fee shall be paid by the applicant.
- e. Natural and manmade features. Identification of significant site features, such as streambeds and other drainage, ridgelines and existing land uses.
- f. Topographic map, using a five-foot-contour interval.
- g. Analysis package:
 - 1. Composite map. The various components of the suitability analysis shall be overlaid and as a result a composite opportunities and constraints map shall be prepared to support any proposed land uses.
 - 2. Written text. A summary of the existing site features and constraints and how the development of the site will occur in a manner which considers both the opportunities and constraint and addresses mitigative measures for the site's physical constraints and hazards.
- (c) Development plan.
 - (1) No subdivision plat shall be submitted until such time as a detailed development plan has been approved as set forth in Paragraph (2) below. An Erosion Control Plan as outlined in Chapter 17, Article V of the Municipal Code shall be prepared for all land-disturbing activities of three hundred (300) square feet or fifty (50) cubic yards. The development plan shall be prepared in compliance with this Land Use Code and shall contain all information required therein unless specifically exempted under Paragraph (a)(2) above.
 - (2) Review and approval procedures. The development plan shall be processed in conformance with procedures set forth in this Land Use Code.
 - (3) Development criteria. In addition to the development plan submittal requirements listed in this Land Use Code, the following information is required to accompany a development plan in a designated Hillside Overlay Zone; except that, in meeting requirements a. and d. below, the applicant shall not be required to depict actual construction on individual lots in a single-family detached residential development. These exceptions shall not apply to zero-lot-line or to single-family attached developments.
 - a. Building height.
 - 1. For building lots with an average slope of less than fifteen percent (15%), no portion of a building, including additions to an existing building, shall exceed thirty-five (35) feet in height as measured

- from the lowest elevation of the finished grade adjoining the building to the highest point of the roof.
2. For building lots with an average slope of fifteen percent (15%) or greater, no portion of a building, including additions to an existing building, shall exceed twenty-five (25) feet in height as measured from the lowest elevation of the finished grade adjoining the building to the highest point of the roof.
 3. For the above two (2) Subparagraphs, average slope of lots is calculated by the formula: one hundred (100) times the contour interval in feet times the sum of all contour lines in feet divided by the area of the lot in square feet times one hundred (100) equals average percent of slope.
- b. Setback. No building shall be closer than one hundred (100) feet from any building on an adjoining lot.
 - c. No structure shall be closer than twenty-five (25) feet from any major drainageway.
 - d. Development shall follow the natural contours of the site to minimize disruption of existing topography.
 1. Locate buildings to minimize grading; each lot shall indicate the location of a building.
 2. Buildings shall not be located on ridgelines, hereby defined as the elongated crest or series of crests at the apex or uppermost point of intersection between two (2) opposite slopes or sides of a mountain (mount) (hill), and includes all land within one hundred (100) feet below the elevation of any portion of such ridgeline or surface along the crest. *Crest* means the uppermost line of a mountain (mount) (hill) or chain of mountains (mounts) (hills) from which the land falls away on at least two (2) sides to a lower elevation or elevations.
 3. Locate buildings to avoid primary natural drainage systems.
 4. Avoid traditional building method of flattening large pad sites with cut and fill.
 5. Locate building pad and foundation excavation so as to minimize disruption of existing trees and plants.
 - e. Show location and species of vegetation (common names are acceptable), an indication of vegetation to be removed and an indication of defensible spaces around structures and/or use of fire retardant materials to reduce wildfire hazards.
 - f. Show location of rock outcroppings.
 - g. Proposed road alignments shall follow the natural contours and avoid long, straight approaches. Road alignments shall identify segments at grades of zero percent (0%) to four percent (4%), four percent (4%) to eight percent (8%) and eight percent (8%) and above. Centerline profiles shall be required for all road segments which exceed a grade of eight percent (8%). Profiles may be required for segments with grades of less than eight percent (8%) if deemed necessary by the Town. Impervious materials should be kept to a minimum. Garages and parking should be located closest to the access road.
 - h. Where grading is to occur, plans showing the relationship of all cuts and fills to the existing topography and plans for the stabilization, restoration and control of erosion for disturbed areas as required by Subsection (e) below. The applicant shall be required to file with the Town an improvement security in the form of an escrow account surety bond, irrevocable letter of credit or other undertaking satisfactory to the Town, for one hundred twenty-five percent (125%) of the actual

costs of the project to cover all costs of protection or other improvements required to establish protective cover on the site in conformity with this Land Use Code. Such security shall remain in force until the improvements are completed in accordance with the approved plan and said improvements are finally inspected and approved. Upon completion of the improvements as required in this Land Use Code, written notice thereof shall be given by the applicant to the Board of Trustees. The Board of Trustees shall cause an inspection for the improvements to be made and, if approved, shall within thirty (30) days of notice authorize in writing the release of the security given.

- i. Show the manner in which access will be provided or restricted due to topographic and other physical constraints, from the access road to each lot.
 - j. Where deviations from those standards contained in Chapter 17 of the Municipal Code are being proposed, a master facilities plan shall be required in accordance with Subsection (d) below.
- (4) Criteria for review. In addition to development plan review criteria, criteria for review of a development plan in a designated hillside area shall also be as follows:
- a. Is terrain disturbance minimized?
 - b. Is natural vegetation preserved and incorporated into the project design to the maximum possible extent?
 - c. Have visual impacts upon off-site areas been avoided or reasonably mitigated? Mitigation measures which may be demonstrated on the development plan may include, but are not limited to:
 - 1. Alternate siting of structures so that there is a mountain or hillside backdrop to the structure from areas where the structure is visible.
 - 2. Use of existing vegetation to soften structural mass when building sites are located in highly visible areas.
 - 3. Use of supplementary native landscaping to soften structural mass when building sites are located in highly visible areas.
 - 4. Designation of special height restrictions for highly visible areas.
 - 5. Use of visually compatible stabilization measures for cuts and fills.
- (5) Amendments. All amendments to an approved development plan shall be processed in conformance with requirements and procedures set forth in this Land Use Code.
- (d) Master facilities plan. In order to allow for design flexibility, a master facilities plan shall be required concurrent with the detailed development plan when deviations from Town development standards are being proposed. Due to the unique and often fragile nature of hillside environs, certain variances from the hillside standards may be allowed if they will result in superior and more environmentally compatible design. The master facilities plan shall be used to demonstrate that the proposed deviations will not adversely affect the public health, safety or welfare, and shall specify how the unique natural features of the site will be protected through the careful placement of services. The plan shall be presented by the applicant in lieu of individual waivers and shall contain as much information as necessary to justify any deviations from standards contained in Chapter 17 of the Municipal Code. A master facilities plan shall be deemed approved by the Planning Commission and the Board of Trustees when the development plan is approved. Should an applicant wish to submit a master facilities plan prior to submitting a development plan, it shall be processed as a waiver.
- (e) Grading plan, erosion control and reclamation.

- (1) The primary objective of the grading/ erosion control/reclamation plan is to minimize terrain disturbance and to restore and stabilize those areas which are disturbed. Plans for grading and control of erosion shall be submitted by the applicant with the development plan, development plan amendment or replat, whichever is applicable, in any designated hillside area. No land so designated shall be subdivided, graded or otherwise disturbed for purposes of development or any other purpose until the plan for grading and erosion control is approved by the Town. The grading plan shall meet all the requirements of Chapter 17, Article V of the Municipal Code. In addition, the grading plan shall show all areas to be disturbed by grading and fill and shall show proposed final contours for these areas. The contour interval shall be five (5) feet (steeper slopes may require a lesser interval; i.e., two [2] feet) and the horizontal scale 1" = 40' unless otherwise approved by the Planning Commission. The erosion control/reclamation plan or program shall state in detail how each type of restoration situation will be dealt with, recognizing that different combinations of slope and material may require varied stabilization methods. No cleared, graded or otherwise disturbed land may be left without temporary protective stabilizing cover longer than thirty (30) days or without permanent cover as described in the erosion control plan longer than one (1) year from the date of disturbance. All grading plans prepared and submitted under this Section shall include measures for drainage and erosion control to be employed during construction. Such measures shall remain in place after construction has been completed until such time as temporary or permanent protective cover is applied. Whenever possible and wherever appropriate, erosion control and restoration shall incorporate the use of live native plant materials. Criteria for treatment shall include visual compatibility with the surrounding landscape, sustained survivability under arid conditions and effectiveness in prevention of soil erosion and slope failure.
 - (2) All grading plans prepared and submitted under this Section shall include plans for limiting ecological damage through restrictions on the use of construction equipment and placement of supply and equipment storage areas.
 - (3) Revisions of any approved grading plan shall be submitted to the Town for review and shall be acted upon by the Town within ten (10) working days of receipt.
 - (4) The applicant shall be required to file with the Town an improvement security in the form of an escrow account surety bond, irrevocable letter of credit or other undertaking satisfactory to the Town for one hundred twenty-five percent (125%) of the actual costs of the project to cover all costs of protection or other improvements required to establish protective cover on the site in conformity with this Land Use Code. Such security shall remain in force until the improvements are completed in accordance with the approved plan and said improvements are finally inspected and approved. Upon completion of the improvements as required in this Chapter, written notice thereof shall be given by the applicant to the Board of Trustees. The Board of Trustees shall cause an inspection for the improvements to be made and, if approved, shall within thirty (30) days of notice authorize in writing the release of the security given.
- (f) Issuance of building permits. No building permits shall be issued in any designated hillside area until such time as:
- (1) The final plat is recorded;
 - (2) The applicant shall be required to file with the Town an improvement security in the form of an escrow account surety bond or irrevocable letter of credit, in accordance with Paragraph (e)(4) above; and
 - (3) The plan for grading and erosion control, as outlined in Chapter 17, Article V of the Municipal Code, for

the individual lot, is approved by the Town. In addition, this plan shall consist of the following:

- a. Plot plan drawn to scale.
- b. Five-foot contour (existing and proposed).
- c. All existing vegetation and rock outcroppings.
- d. All areas of cut, fill or both, including driveway.
- e. Erosion control/stabilization methods for cuts and fills.
- f. Restrictions on equipment use and supply storage areas so that disturbances and ecological damage are minimized.

The Town shall respond to this plan within thirty (30) working days of receipt.

(g) Restoration and maintenance.

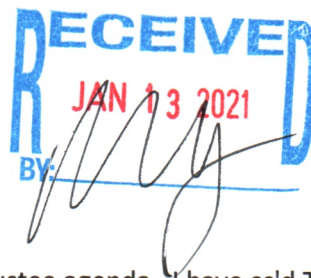
- (1) If any land disturbance or alteration, including but not limited to grading or otherwise disturbing natural ground cover, occurs in a hillside overlay zone which is not in accordance with the properly approved plans as required by this Article, a stop order may be issued prohibiting all further activity until all required plans have been submitted and properly approved. The landowner shall have forty-five (45) days after such a stop order is issued to submit a plan pursuant to Subsections (c) and (e) above. The Town may extend this time period for an additional forty-five (45) days for good cause shown. The Town may also condition its approval of any restoration measures upon the landowner supplying a satisfactory bond, letter of credit or other suitable guarantee for the performance of any proposed restoration. Such plan shall require that restoration commence within thirty (30) days after the plan approval and proceed with due diligence to completion.
- (2) Maintenance.
 - a. Obligation to maintain. All facilities, vegetation and other items required by the approved grading erosion control and reclamation plan shall be properly maintained by the owners of the property. Such maintenance shall include, but not be limited to, keeping all erosion control facilities in good order and functional, repairing any erosion damage that occurs, keeping all vegetation healthy and in growing condition and replacing any dead vegetation as soon as practicable. This obligation to maintain shall not apply to individual lots except as the individual lots may be subject to maintenance obligations incurred under the approved grading, erosion control and reclamation plan and except for obligations incurred under this Section.
 - b. Failure to maintain. If the Town determines that the maintenance required under subparagraph (1) above has not been performed in the manner required under this Subsection, the Town may extend this forty-five-day period if, because of other factors, the required maintenance cannot reasonably be performed within forty-five (45) days, for an additional forty-five-day period. If the maintenance specified in such notice is not satisfactorily performed within forty-five (45) days, or an additional forty-five-day extension after delivery of this notice, the Town may proceed with a formal notice and order to correct as hereinafter set forth.
- (3) Formal notice and order to correct; Town performance of restoration and maintenance work. If the approval as required by Paragraph (1) above has not been obtained within the time required, if work is not commenced within the time required or if maintenance required under Paragraph (2) above has not been commenced or concluded within the time required, or at any time prior to approval or

commencement of such work that the Town determined there is either imminent or existing erosion damage, drainage damage, dust pollution or other hazardous condition for which immediate action is necessary, the Town may cause corrective proceedings to be undertaken and shall submit a notice and order to correct.

(Ord. 97-01; Ord. 03-2011 §1)

Matt Gordon

From: Rocco Blasi <rocblasi@gmail.com>
Sent: Wednesday, January 13, 2021 12:15 PM
To: Matt Gordon
Cc: Dyani Loo
Subject: For Jan 19th GMF Trustees "Correspondence"



Hello Matt,

I wonder if you can please add the following "correspondence" to the Jan 19th Trustee agenda. I have cc'd Trustee Loo and we welcome your response. Kindly,
Rocco Blasi

TO: Town of Green Mountain Falls Trustees

SUBJECT: Rebuttal from Dec 1st Trustee Minutes, December 15th Trustee meeting management, and Management Recommendations

I write this at the request of Mayor Newberry in response to my request for a "point of order" at the December 15th 2020 Green Mountain Falls Trustee meeting to amend the meeting minutes from December 1st. The minutes mischaracterized my public comment. I requested Town staff correct the draft minutes via email on December 8th (see below), one full week prior to your meeting.

Nothing was done to correct the misrepresentation of my remarks. This lack of responsiveness points to the issue of ineffectiveness of our Town administration. The municipal code on the Town website sets out requirements for agendas and meeting materials. Specifically, Section 2-30 states: " All reports, communications... or other matters to be submitted to the Board of Trustees for discussion shall be delivered to the Town Clerk no later than 4:30 p.m. on the Thursday prior to the regular Town Board of Trustees meeting." Why was my submission ONE WEEK prior to the meeting not included in your discussion? Section 2-30 also stipulates "The Town Clerk shall post copies of the agenda and the Board packet...to the Town's website no later than the close of business on the Friday preceding the meeting." Has this requirement changed? If not, why is it being regularly ignored?

The Town staff's ineffectiveness was further amplified by the Mayor's unwillingness to entertain my point of order to correct my remarks being misrepresented. Ultimately, it should not be this hard to set the public record straight. I call on the Trustees to reflect on their fiduciary duties and to correct the lack of responsiveness and unsatisfactory customer service of Town staff. Why are citizens' comments being misrepresented in the Trustee meeting minutes? Why are the minutes not corrected when ample time and justification are provided?

MEETING MANAGEMENT

Also troubling is the moderator's failure at the December 15th Trustees meeting to enable the Zoom chat feature. Consequently there was no way for a resident to get your attention when you failed to call on her after she applied for public comment prior to the deadline. Why does the Town Manager feel it necessary to disable the chat feature? This amounts to unsatisfactory meeting management.

MANAGEMENT RECOMMENDATIONS

Mayor Newberry and Trustee Peterson have recently mentioned what they consider an inadequate Town personnel budget. Specifically, during the November 17th meeting (video 1:56:57) Trustee Peterson mentions "Our salaries are in no way competitive to the market right now and we are struggling to have quality employees that are going to stay for

the amount that we pay them." Such sentiment was echoed by Mayor Newberry during the December 15th meeting. Rather than bemoan the perceived lack of budget for personnel, may I offer the following recommendations:

- Continuity. Since you may expect high employee turnover, please consider requiring continuity records for each paid staff position. Continuity records serve to capture essential job knowledge and ease the way for incoming employees. Make establishing continuity part of each paid job description. Ensure Trustees review continuity records for each paid staff position at least quarterly and use these reviews as job performance benchmarks. More here: https://strategicks.com/wp-content/uploads/2013/08/Collaboration-Corner-Job-Continuity-Books_Prevou.pdf

- Targeted bonuses. Budget a targeted bonus for each new hire at certain longevity points. For example: 5% salary bonus at the 18 month and 36 month points. Yes, this would cost money, but so does training new Town staff.

- Exit interviews. Any organization benefits from targeted dialogue with outgoing employees. An exit interview done by anyone other than a direct supervisor should be explored as a best practice. Trustees should be involved in evaluating the responses. More here: <https://getsling.com/blog/exit-interview-questions/>

Other examples include:

- What could Management or BOT have done to help you do your job better?
- What, if anything, prevented you from doing your best work?

- Kudos / Concerns Reporting. A perceived lack of transparency is inherent with the kudos / concerns process as currently administered and many citizens are dissatisfied. If this process continues, please add a "Kudos/Concerns Tracker" to the Trustees agendas to provide insights to the Trustees and citizens on the status of citizens' issues. If one person identifies an issue, it's probably on the minds of others and Trustees can gain deeper insights into positive trends and areas of improvement.

These are just a few ideas to help address what is perceived as an issue by at least two Trustees. Our Town relies on your resourcefulness to address problems. Please find a constructive way to address this. With appreciation,

Rocco Blasi

10955 Belvidere Ave

Rocco Blasi <rocblasi@gmail.com>

to Nathan, Dyani



Hi Mallory,

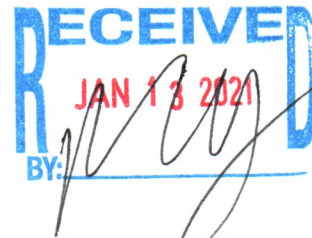
Thanks for posting the Dec 15th Trustee agenda packet, it's good to have time to prepare. Can you please correct item Item 3A in the Dec 1 Trustee minutes to:

Mr. Blasi is excited to learn more about the CUSP Fire Mitigation grant proposal. He suggested that the \$15,000 proposed funding for Fire Mitigation be split evenly between the money allocated specifically for fire mitigation and the money allocated for "grant match" in the GMF 2021 budget. This would allow the Town to pursue additional fire mitigation opportunities in 2021.

Thanks for what you do, kindly,

Rocco Blasi

10955 Belvidere Ave



Tue,