



**BOARD OF COUNTY COMMISSIONERS LAND USE
MEETING/PUBLIC HEARING
TUESDAY, JANUARY 13, 2026
AGENDA**

Tuesday, January 13, 2026

2:30 PM

Hearing Room

2:30 PM

1. Call to Order

- a. Pledge of Allegiance
- b. Attorney Certification of Agenda
- c. Commissioners Disclosure for Items on This Agenda

2. Land Use Meeting Agenda Items

- a. Sterling Ranch Filing 7B - Plat Approval Extension - Project File: XT2025-008.
Brett Thomas, AICP, Chief Planner — *Department of Community Development*

Attachments: [Cover Page](#)
 [Staff Report - XT2025-008](#)

3. Public Hearing Agenda Items

- a. Town of Sedalia, Block 7, Lots 9 through 14 - Use by Special Review - Project File: US2025-009.
Matt Jakubowski, AICP, Chief Planner — *Department of Community Development*

Attachments: [Cover Page](#)
 [Staff Report - US2025-009](#)

- b. Echo Valley Road - Zone Map Change - Project File: DR2025-009.
Trevor Bedford, AICP, Senior Planner — *Department of Community Development*

Attachments: [Cover Page](#)
 [Staff Report - DR2025-009](#)

- c. Second and Final Reading of An Ordinance to Support Law Enforcement and Crime Prevention in Douglas County, Colorado.
Jeff Garcia, Douglas County Attorney — *County Attorney*

Attachments: [Cover Page](#)
 [Ord Report Crimes 12.2.25](#)

To be Continued to a Later Date

4. Adjournment

***The Next Land Use Meeting / Public Hearing Will be Held on Tuesday, January 27, 2026 @ 2:30 p.m. ***

MEETING DATE: January 13, 2026

STAFF PERSON RESPONSIBLE: Brett Thomas, AICP, Chief Planner

DESCRIPTION: Sterling Ranch Filing 7B - Plat Approval Extension - Project File: XT2025-008.

SUMMARY: The request is for an additional one-year extension of the approval of the Sterling Ranch Filing 7B final plat for the purposes of recordation.

STAFF ASSESSMENT: No changes in the neighborhood, the 2040 Comprehensive Master Plan, Douglas County Zoning Resolution, and Douglas County Subdivision Resolution affect the approval or would generate additional conditions. Should the Board approve the recordation extension to January 28, 2027, the 10 conditions of approval would still be in effect.

REVIEW:

Terence T Quinn - FYI	Notified - FYI	12/31/2025
Steven E Koster	Approve	12/31/2025
Jeff Garcia	Approve	1/2/2026
Christie Guthrie	Approve	1/3/2026
Doug DeBord	Approve	1/6/2026
Samantha Hutchison - FYI	Notified - FYI	1/6/2026

ATTACHMENTS:

Cover Page
Staff Report - XT2025-008

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MEETING DATE: January 13, 2026

**STAFF PERSON
RESPONSIBLE:** Brett Thomas, AICP, Chief Planner

DESCRIPTION: Sterling Ranch Filing 7B - Plat Approval Extension - Project File:
XT2025-008.

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Douglas County Zoning Resolution, and Douglas County Subdivision
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the Board approve the recordation extension to January 28, 2027, the 10
conditions of approval would still be in effect.

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Steven E Koster	Approve	12/31/2025
Jeff Garcia	Approve	1/2/2026
Christie Guthrie	Approve	1/3/2026
Doug DeBord	Approve	1/6/2026

ATTACHMENTS:

Staff Report - XT2025-008

Plat Approval Extension Staff Report

Date: December 30, 2025
To: Douglas County Board of County Commissioners
Through: Douglas J. DeBord, County Manager
From: Terence T. Quinn, AICP, Director of Community Development *TQ*
CC: Brett Thomas, AICP, Chief Planner
Jeanette Bare, AICP, Planning Manager
Steven E. Koster, AICP, Assistant Director of Planning Services
Subject: **Sterling Ranch Filing 7B – Approval Extension**
Project File: **XT2025-008**

Board of County Commissioners Meeting:

January 13, 2026 @ 2:30 p.m.

I. EXECUTIVE SUMMARY

The applicant requests an additional one-year extension of the approval of the Sterling Ranch Filing 7B final plat for the purposes of recordation. The applicant requests an approval expiration date of January 28, 2027.

II. APPLICATION INFORMATION

A. Applicant

Sterling Ranch LLC
8155 Piney River Avenue, Suite 200
Littleton, Colorado 80125

B. Applicant's Representative

Kevin Johnk, Entitlement Director
Sterling Ranch Development Company
8155 Piney River Avenue, Suite 200
Littleton, Colorado 80125

C. Location

The site is located east of Roxborough Park Road, west of Middle Fork Street, and south of the PSCo transmission lines. To the south and east of the site is Sterling Ranch Filing 7A. The location is more specifically depicted on the attached maps.

D. Background

The Board of County Commissioners (Board) approved a final plat consisting of 147 residential lots, two superblock lots for future development, 14 tracts, and associated public roads and private alleys on 43.38 acres within the Sterling Ranch Planned Development. The following conditions of approval were placed on the final plat with

the Board's approval on January 28, 2025. Condition No. 1 was met and is no longer applicable:

1. Prior to the Board's action on the final plat, the Subdivision Improvements Agreement-Intergovernmental Agreement (SIA-IGA) for Filing 7B shall be approved by the Board.
2. Prior to recordation of the final plat, the applicant shall provide payment in the amount of \$1,500.00 per single-family dwelling unit to the Douglas County School District for capital mitigation. For multi-family dwelling units within the final plat, the applicant shall provide payment in the amount of \$750.00 per unit to the Douglas County School District for capital mitigation prior to site improvement plan approval.
3. Prior to recordation of the final plat, the applicant shall provide payment to Douglas County for the pro-rata share costs towards improvements to the State Highway System in accordance with the commitments set forth in the Sterling Ranch PD.
4. Prior to recordation of the final plat, the property within Filing 7B shall be included into one or more of the Sterling Ranch Metropolitan Districts.
5. Prior to recordation of the final plat, the private telecommunication easements shall be recorded, and reception numbers noted on the final plat exhibit.
6. Prior to recordation of the final plat, technical corrections to the final plat exhibit shall be made to the satisfaction of Douglas County.
7. Colorado Division of Wildlife literature shall be made available to both prospective homeowners and homebuyers concerning the possible presence of wildlife and shall be available at all times.
8. A burrowing owl survey shall be performed if any earth-moving will begin between March 15 and October 31.
9. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.
10. Prior to the recordation of the final plat, the applicant shall coordinate with Xcel Energy and Douglas County to revise Note 20 to the satisfaction of Douglas County.

Section 509.02 of the Douglas County Subdivision Resolution (DCSR) indicates that within 60 days of approval of the final plat, unless stated otherwise in such approval, the applicant shall submit a mylar original of the approved final plat exhibit ready for recordation, all required documentation, and all mapping and recordation fees to the Planning Office. Section 510.02 of the DCSR indicates that the Director of Community Development (Director) may grant a time extension for plat recordation of up to one year from the date of Board approval, upon a written request by the applicant or staff for good cause being shown. The applicant was granted a one-year time extension from January 28, 2025, to January 28, 2026, by the Director.

Further extensions may be granted by the Board at a public meeting, upon written request by the applicant or staff.

III. **STAFF ASSESSMENT**

No changes in the neighborhood, the 2040 Comprehensive Master Plan, Douglas County Zoning Resolution, and DCSR affect the approval or would generate additional conditions. Should the Board approve the recordation extension to January 28, 2027, the 10 conditions of approval would still be in effect.

<u>ATTACHMENTS</u>	<u>PAGE</u>
Comprehensive Master Plan Land Use Reference Map	4
Zoning Map	5
Aerial Map.....	6
Applicant Request	7

Comprehensive Master Plan Land Use Reference Map

Comprehensive Master Plan Areas

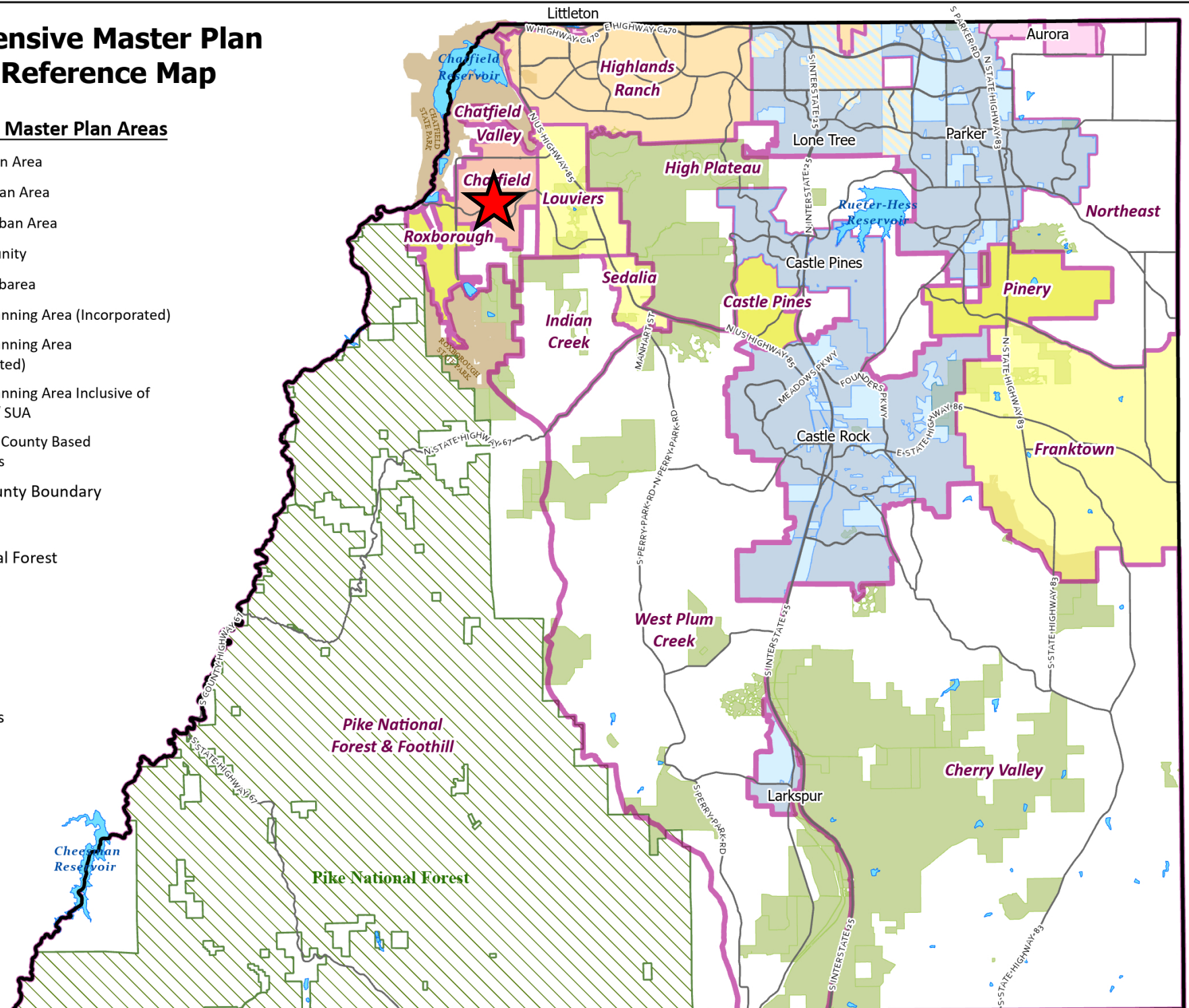
- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

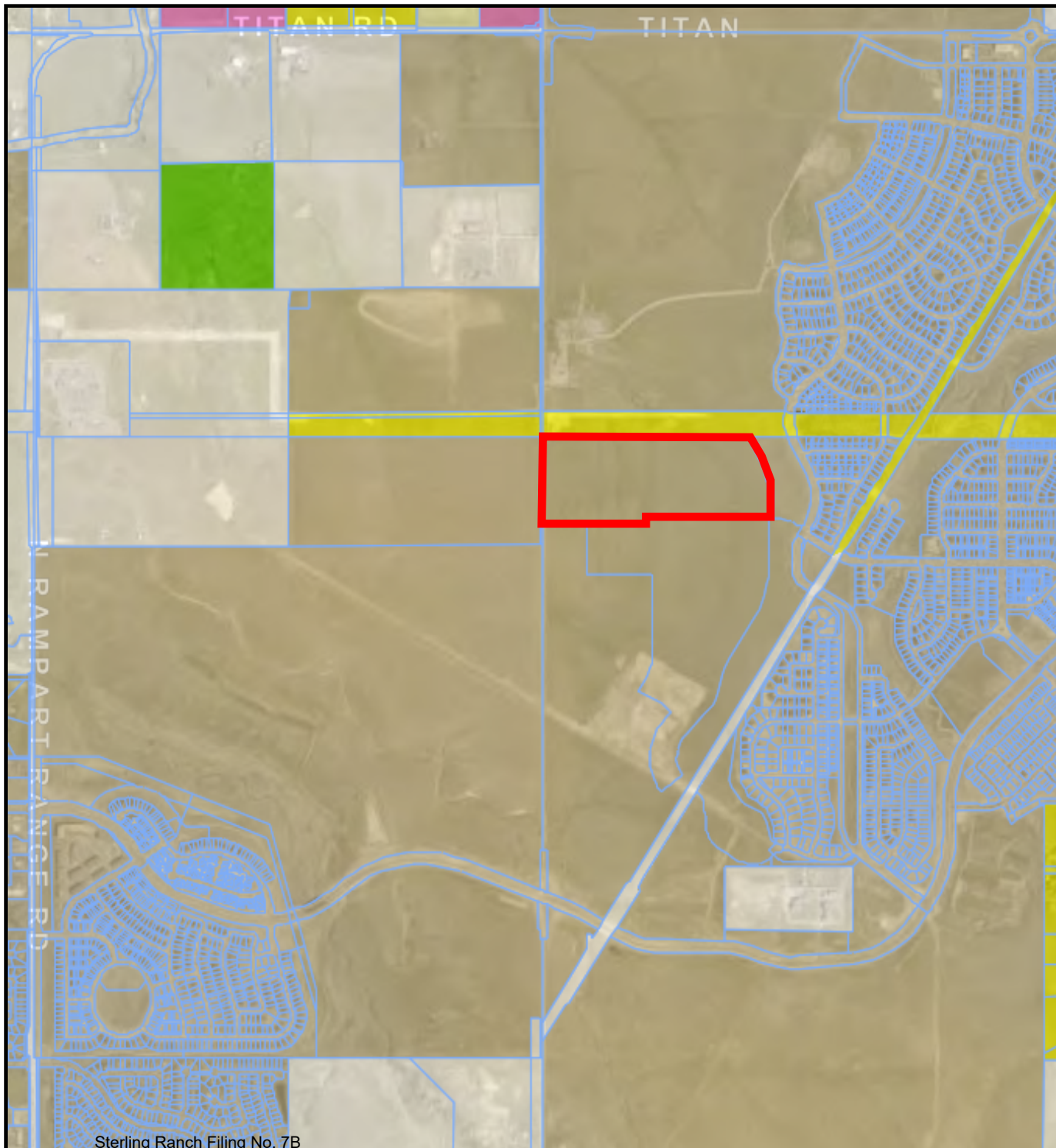
Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads





STERLING RANCH FILING 7B

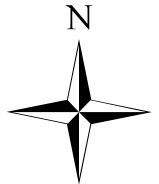
XT2025-008
ZONING MAP

LEGEND

- MAJOR ROADS
- OTHER ROADS
- PROJECT SITE

ZONE DISTRICT

- A1 - AGRICULTURAL ONE
- LRR - LARGE RURAL RESIDENTIAL
- RR - RURAL RESIDENTIAL
- ER - ESTATE RESIDENTIAL
- SR - SUBURBAN RESIDENTIAL
- MF - MULTIFAMILY
- LSB - LIMITED SERVICE BUSINESS
- B - BUSINESS
- C - COMMERCIAL
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- CMTY - SEDALIA COMMUNITY
- D - SEDALIA DOWNTOWN
- HC - SEDALIA HIGHWAY COMMERCIAL
- MI - SEDALIA MIXED INDUSTRIAL
- PD - PLANNED DEVELOPMENT
- OS - OPEN SPACE CONSERVATION
- NF - NATIONAL FOREST
- INCORPORATED AREAS



Sterling Ranch Filing No. 7B

Project File XT2025-008, Approval Extension

Board of County Commissioners Staff Report - Page 5 of 7

DOUGLAS COUNTY
DEPARTMENT OF
COMMUNITY DEVELOPMENT






STERLING RANCH FILING 7B

XT2025-008
AERIAL MAP



LEGEND

-  MAJOR ROADS
-  OTHER ROADS
-  PROJECT SITE

DOUGLAS COUNTY
DEPARTMENT OF
COMMUNITY DEVELOPMENT



**Narrative for Plat Recordation Extension Request Pursuant to Article 5, Section 510 of the Douglas County Subdivision Resolution
Project File: SB2024-052**

Sterling Ranch Development Company is requesting an additional 1-year extension of plat recordation for the Sterling Ranch Filing No. 7B - Final Plat.

The Final Plat was approved unanimously by the Douglas County Board of County Commissioners on January 28, 2025. Sterling Ranch is requesting this extension because of market conditions that have slowed the completion and sale of finished lot inventory across the state, requiring more time.

The Final Plat 7B property is generally located north of Waterton Road, east of Roxborough Park Road, west of Middle Fork Street, and south of the Xcel transmission lines. The property is within a portion of the Villages District and Regional Park planning areas of the Sterling Ranch Planned Development. The Sterling Ranch PD is located in the Chatfield Urban Area as designated in the Douglas County Comprehensive Master Plan.

Since the approval of the 7B Final Plat in January of 2025, there have been no changes to the Neighborhood Plan, County Master Plan, Zoning or Subdivision Resolutions that would potentially alter or in any way affect this final plat.

It is Sterling Ranch's intent to record 7B Final Plat by the end of 2026.

Kevin Johnk
Entitlement Director
Sterling Ranch Development Company

www.douglas.co.us

MEETING DATE: January 13, 2026

STAFF PERSON RESPONSIBLE: Matt Jakubowski, AICP, Chief Planner

DESCRIPTION: Town of Sedalia, Block 7, Lots 9 through 14 - Use by Special Review - Project File: US2025-009.

SUMMARY: The request is for a Use by Special Review for an Event Center.

STAFF ASSESSMENT: Staff has evaluated the Use by Special Review (USR) request in accordance with Section 21 of the Douglas County Zoning Resolution. Should the Board find that the approval standards for the USR are met, the following proposed conditions should be considered for inclusion in the Board motion:

1. Prior to the Board hearing on the USR, the applicant shall obtain a Douglas County Health Department Septic Use Permit.
2. Prior to final approval of the record copy of the USR plan exhibit, any necessary technical corrections shall be made to the satisfaction of Douglas County.
3. All commitments and promises made by the applicant or the applicant's representative during the public hearing and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

REVIEW:

Terence T Quinn - FYI	Notified - FYI	12/29/2025
Steven E Koster	Approve	12/29/2025
Jeff Garcia	Approve	1/2/2026
Christie Guthrie	Approve	1/3/2026
Doug DeBord	Approve	1/6/2026
Samantha Hutchison - FYI	Notified - FYI	1/6/2026

ATTACHMENTS:

Cover Page
Staff Report - US2025-009

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3. All commitments and promises made by the applicant or the applicant's representative during the public hearing and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

REVIEW:

Steven E Koster	Approve	12/29/2025
Jeff Garcia	Approve	1/2/2026
Christie Guthrie	Approve	1/3/2026
Doug DeBord	Approve	1/6/2026

ATTACHMENTS:

Staff Report - US2025-009

Use by Special Review Staff Report

Date: December 31, 2025
To: Douglas County Board of County Commissioners
Through: Douglas J. DeBord, County Manager
From: Terence T. Quinn, AICP, Director of Community Development *SK for TQ*
CC: Matt Jakubowski, AICP, Chief Planner
Jeanette Bare, AICP, Planning Manager
Steven E. Koster, AICP, Assistant Director of Planning Services
Subject: Town of Sedalia, Block 7, Lots 9 through 14 – Use by Special Review
Project File: US2025-009

Planning Commission Hearing:	December 15, 2025 @ 6:00 p.m.
Board of County Commissioners Hearing:	January 13, 2026 @ 2:30 p.m.

I. EXECUTIVE SUMMARY

The applicant is requesting approval of a Use by Special Review (USR) to convert a portion of an existing restaurant into an Event Center in the Sedalia Downtown (D) zone district. The property is located at the intersection of Manhart Street and Plum Avenue. The applicant proposes a maximum of 250 public or private events per year with a maximum occupancy of 90 persons per event. The applicant also proposes to continue a limited restaurant operation when no events are occurring. No exterior building improvements or physical improvements to the property and parking lot are proposed via the USR. Access to the existing off-street parking lot occurs from Plum Avenue or an alley off Manhart Street. The parcel is served with central water by the Sedalia Water and Sanitation District (Sedalia Water) and will utilize an upgraded onsite wastewater treatment system for sanitation services.

The Planning Commission heard the USR application at its December 15, 2025 public hearing and recommended approval of the proposal by a vote of 8-0.

II. APPLICATION INFORMATION

A. Owner and Applicant

Carol Massie-Givan and Joe Givan
3721 Starflower Road
Castle Rock, Colorado 80109

B. Request

Approval of a USR for an Event Center.

C. Process

A USR application is processed pursuant to Douglas County Zoning Resolution (DCZR) Section 21. Section 21 states the intent of the USR process is “to provide for uses in specific zone districts that shall require a public notice and hearing and the approval of the Board of County Commissioners subject to such conditions and safeguards as may be imposed by the Board.”

Per Section 2109.09 of the DCZR, the Board “shall evaluate the use by special review request, staff report, referral agency comments, applicant responses, the Planning Commission recommendation, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, remand to the Planning Commission, or deny the use by special review request. The Board’s action shall be based on the evidence presented, compliance with the adopted County standards, regulations, policies, and other guidelines.”

D. Location

The site is located in Sedalia at the intersection of Manhart Street and Plum Avenue. A Vicinity Map, Zoning Map, and Aerial Map highlight site location and existing conditions and are within the staff report attachments.

E. Project Description

The applicant is requesting approval of a USR for conversion of a portion of an existing restaurant (the former Gabriel’s Restaurant) into an Event Center. The site is located within the Sedalia Downtown zone district. The parcel is just over one acre in size and contains an existing approximately 6,600 square-foot structure and a 61-space off-street parking lot. The applicant proposes no changes to the building exterior, the parking lot, or existing site landscaping.

The Event Center is proposed to stage public and private events with a maximum occupancy of 90 persons per event, and a maximum of 250 events per year. Proposed events include live performances of magic and illusion, music, comedy and the arts, youth camps, specialized classes, team building, private events, film festivals, farmer’s markets, and arts and crafts shows. Events are proposed primarily indoors, but could also occur within outdoor deck areas adjacent to the building or other outdoor areas on the property. The existing kitchen would be used for food and beverage catering during events. The applicant also proposes to continue limited restaurant operations within the building when an event or class is not occurring. Public live performances are anticipated several times per month Wednesday through Sunday between 5 p.m. and 10 p.m., and are to be ticketed. Private events are anticipated Monday and Tuesday evenings, or during daytime or weekends the facility is not being used for a public event. Weekend daytime events could include live music, arts and craft shows, agricultural product sales, and similar activities.

A management plan is required as part of the USR plan exhibit. The management plan addresses the total number of events, event capacity, hours of operation, number of

employees, proposed parking, and method of fire protection. The management plan element of the USR is described in detail within Section III.C of the staff report.

III. CONTEXT

A. Background

The property has been utilized as a restaurant since the early 1980s. Site Improvement Plan (SIP) approvals in 1988 and 1990 and a SIP modification in 1993 captured building expansions and site improvements on the property. Most recently as Gabriel's Restaurant, the structure was utilized not only as a restaurant, but also for accessory gatherings and events.

The parcel was zoned Business and Light Industrial prior to the establishment of the parcel's current zoning designation in the Sedalia Downtown Zone District in 2010.

Prior to its use as a restaurant, the parcel was the site of a late 1800s general store and community gathering place. A portion of the current structure dates to 1909, and was constructed as a residence for the store operator and family. In 2014, the site was designated as a Douglas County Landmark.

B. Adjacent Land Uses and Zoning

The site is located in a developed area of Sedalia and surrounded by a mix of residential, commercial and industrial land uses.

Zoning and Land Use

Direction	Zoning	Land Use
North	Sedalia Downtown and Sedalia Community	Single-family residential; light-industrial; commercial
South	Sedalia Downtown and Sedalia Community	Railroad right-of-way; light-industrial
East	Sedalia Community	Storage yard
West	Sedalia Downtown	Commercial

C. Management Plan

Section 2112.02 of the DCZR requires a management plan for USR applications. The specific management plan elements are listed on Sheet 1 of the USR exhibit and are briefly summarized below:

1. Maximum 250 events.
2. Maximum 5 full-time staff.
3. 8:00 a.m. to 12:00 a.m., 7 days per week. Restaurant operation allowed during non-event times.
4. Off-street parking (61 spaces total).
5. Fire protection is provided by West Douglas Fire Protection District.
6. Liquor license, food license and septic permit required.

IV. PHYSICAL SITE CHARACTERISTICS

A. Site Characteristics and Constraints

The site is developed. No physical constraints to the proposal exist on site.

B. Access

Existing parking lot access occurs from Plum Avenue. A secondary alley access is also accessible from Manhart Street.

C. Soils and Geology

No hazardous geologic or soil conditions are present onsite.

D. Drainage and Erosion

As the applicant is proposing use of an existing building without proposed physical improvements to the site, County Engineering has not required any review of drainage or grading and provided a no comment response to the referral request for the proposal.

E. Floodplain

No floodplain is present on the site.

F. Wildlife

The 2040 Douglas County Comprehensive Master Plan (CMP) Wildlife Resources map identifies the site as moderate habitat value. However, the site is developed and no additional site improvements are proposed that would impact wildlife.

G. Noise

Noise from events is contained within the building. During warmer months, some live music may occur on the patio deck or in the parking area during the late afternoon or early evening. A noise study was not required given the nature of the events proposed and location within the Sedalia downtown core.

V. PROVISION OF SERVICES

A. Schools

The proposed use does not generate additional students.

B. Fire Protection

West Douglas Fire Protection District provides fire and emergency services protection in the area. West Douglas provided technical comments related to building and fire code issues that will need to be addressed following review of the USR. The applicant will comply with all applicable requirements of the fire and building codes.

C. Sheriff Services

The Douglas County Sheriff's Office (DCSO) provides police protection to the property. The DCSO and DCSO E911 provided no response to the referral request. The DCSO Office of Emergency Management provided a no comment response.

D. Water

Water service is provided by Sedalia Water. The applicant has indicated that water demand is not increased, and the proposed use does not exceed the water demand of the existing restaurant use. In a May 1, 2025 will serve letter, Sedalia Water acknowledged the prior use of the property as a daily-operating restaurant. Assuming less water demand, Sedalia Water indicated it has sufficient capacity to serve the proposal. The District indicated that it would provide an updated letter to the applicant if further water demand information is provided. If an updated letter is received, it will be added to the staff report. The applicant has also agreed to placement of a new Sedalia Water easement within the northeast corner of the property. The Colorado Division of Water Resources was provided a referral response request and has no objection to the proposal.

E. Sanitation

No central sewer service is currently available to customers in the Sedalia Water and Sanitation District. The site is currently served by an onsite wastewater treatment system (OWTS) in the parking lot. The Douglas County Health Department has identified required upgrades to the OWTS. The applicant is in the process of completing these improvements. It is anticipated that the final septic use permit will be issued prior to the Board of County Commissioners hearing (proposed condition of approval number one).

F. Utilities

Utility service providers are CORE Electric, Xcel (natural gas), AT&T, CenturyLink, and Comcast (phone and data services). AT&T and Comcast provided no response to the referral request, and CORE provided no comment. CenturyLink has no objection to the proposal. Xcel's referral comments indicated no apparent conflicts with its facilities along Manhart Street and Plum Avenue.

VI. PUBLIC NOTICE AND INPUT

In accordance with DCZR Section 2113, public notice is required to be published in the Douglas County News-Press, posted on site by the applicant, and mailed to abutting property owners.

Courtesy notices of an application in process were also sent to adjacent property owners as part of the two referral periods for the proposal. Staff received no comments from adjacent property owners or members of the public during these referral periods.

All referral agency comments are outlined in the Referral Agency Response Report attached to the staff report. The Sedalia Property Owners Coalition community group expressed support for the proposal. The applicant has provided responses to referral comments within the staff report appendix.

VII. PLANNING COMMISSION HEARING

The Planning Commission heard the proposal at a public hearing on December 15, 2025, and recommended approval of the request by a vote of 8 to 0 with two conditions. No members of the public provided comments on the application. The Planning Commissioners asked the applicant general questions related to the management and operation of events, whether multiple events would occur at once, and if the number of off-street parking spaces will be adequate for events. The applicant indicated that all events will be a maximum of 90 persons, which can be adequately accommodated by the existing structure and parking area.

VIII. STAFF ANALYSIS

Per Section 21 of the DCZR, a USR may be approved upon the finding by the Board of County Commissioners that the following standards have been met:

2102.01: Complies with the minimum zoning requirements of the zone district in which the special use is to be located, as set forth in this Resolution.

Staff Comment: An Event Center is a use allowed by special review in the Sedalia Downtown zone district. The previous restaurant use was approved via a Site Improvement Plan compliant with the Downtown district's development standards. The applicant is proposing no building expansion or landscape improvements from what already exists, and the proposal will not impact noise levels. Off-street parking is sufficient for the proposed use.

2102.02: Complies with the requirements of this Section 21.

Staff Comment: The application was processed in accordance with the procedural provisions in Section 21, USR.

2102.03: Complies with the Douglas County Subdivision Resolution.

Staff Comment: The property has been previously subdivided in compliance with the Subdivision Resolution.

2102.04: Will be in harmony and compatible with the character of the surrounding areas and neighborhood.

Staff Comment: The proposal is complimentary to and in harmony with the surrounding mix of land uses in the Sedalia Village. The proposed use does not intensify the site.

2102.05: Will be consistent with the Douglas County Comprehensive Master Plan, as amended.

Staff Comment: The 2040 Douglas County Comprehensive Master Plan (CMP) establishes goals and objectives applicable to development in the County. Section 4 of the CMP identifies the property as within the Sedalia Village area of the Sedalia Rural Community. The CMP states that while approval criteria for land use applications requires a finding of compliance with the CMP, "...the competing values of the Plan must be balanced through the public review process to achieve the larger vision of the community." As such, the CMP acknowledges its own competing values, and that implementation can only be achieved through the balancing of community values during the review process.

Objectives and policies specific to Sedalia are found under Goal 4-3 of CMP Rural Communities, Section 4. In general, this goal, and its accompanying objectives and policies, support proposals that balance the economic growth and development of the Village with the preservation of Sedalia's character and small-town atmosphere. The proposed event center replaces an existing restaurant use that preserves the existing historic structure and adds a complimentary, yet active land use to the center of the Village. No exterior modification to the structure, or modification to the parking lot or landscaping are proposed. The use will bring visitors and activity to Sedalia without compromising the balance expressed in the CMP. In particular, the proposal supports CMP Goal 4-3, Objectives 4-3A, 4-3B, and 4-3I, as well as Policies 4-3A.1, 4-3A.2, 4-3A.3, 4-3B.1, 4-3D.5, 4-3I.1, and 4-3I.2.

2102.06: Will not result in an over-intensive use of land.

Staff Comment: The proposal is located within an already developed site, which is consistent with adjoining land uses in the middle of Sedalia. No additional onsite improvements are proposed.

2102.07: Will provide roadway capacity necessary to maintain the adopted roadway level-of-service for the proposed development concurrently with the impacts of such development.

Staff Comment: Site access is available via the existing roadway network, and Public Works Engineering had no comment on the proposal and required no traffic review.

2102.08: Will provide public facilities and services necessary to accommodate the proposed development concurrently with the impacts of such development.

Staff Comment: The Douglas County Sheriff's Office provided no response on the proposal. West Douglas Fire provides fire and emergency services to the site. The applicant will comply with all applicable requirements of the fire code and comply with any required West Douglas Fire permits. The proposal provides no impact on parks or schools.

2102.09: Will not cause significant air, water, or noise pollution.

Staff Comment: The proposal will not cause significant air, water, or noise pollution. The proposed use provides no impacts to air and water. Noise generated from events will be

contained primarily within the building or otherwise is anticipated to have a minimal impact on properties within the Sedalia downtown area.

2102.10: Will be adequately landscaped, buffered, and screened.

Staff Comment: The site currently includes mature trees that screen the edges of the rear parking area from adjoining properties. Additionally, the Plum Avenue and Manhart Street frontages contain a mix of trees and other plantings that provide some greenery along these frontages. The applicant propose no changes to this existing onsite landscaping.

2102.11.3: Complies with the standards regarding water supply, specifically the applicant shall demonstrate conformance with Section 18A, Water Supply Overlay District, herein.

Staff Comment: DCZR Section 1803A establishes approval standards to be used in the evaluation of land use applications reviewed under Section 18A. Sedalia Water has indicated it has sufficient capacity to serve the site. Colorado Division of Water Resources has no objection to the proposal.

1803A.01: The applicant has demonstrated that the water rights can be used for the proposed uses.

Staff Comment: Water is provided by Sedalia Water, and the District has indicated it has sufficient capacity serve the proposal. No increase in water demands is anticipated with this use.

1803A.02: The reliability of a renewable water right has been analyzed and is deemed sufficient by the County based on its priority date within the Colorado System of Water Rights Administration.

Staff Comment: No new renewable water rights are being used to serve this project.

1803A.03: The Water Plan is deemed adequate and feasible by the County to ensure that water supply shortages will not occur due to variations in the hydrologic cycle.

Staff Comment: A water plan is not required when water is provided by a District.

1803A.04: The Water Plan is sufficient to meet the demand applicable to the project based on the minimum water demand standards in Section 1805A herein.

Staff Comment: A water plan is not required when water is provided by a District.

2102.12: Will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of the County.

Staff Comment: The onsite activities are not a detriment to health, safety, or welfare, and are compatible with uses already existing on adjacent properties.

IX. STAFF ASSESSMENT

Staff has evaluated the USR request in accordance with Section 21 of the DCZR. The applicant is required to adhere to the USR plan exhibit and operational limits of the management plan. Per Section 21, all approved USRs are subject to annual inspection to ensure compliance with the management plan. Should the Board find that the approval standards for the USR are met, the following proposed conditions should be considered for inclusion in the Board motion:

1. Prior to the Board hearing on the USR, the applicant shall obtain a Douglas County Health Department Septic Use Permit.
2. Prior to final approval of the record copy of the USR plan exhibit, any necessary technical corrections shall be made to the satisfaction of Douglas County.
3. All commitments and promises made by the applicant or the applicant's representative during the public hearing and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

<u>ATTACHMENTS</u>	<u>PAGE</u>
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LAND USE APPLICATION

Please complete, sign, and date this application. Return it with the required items listed on the Submittal Checklist to planningsubmittals@douglas.co.us. Submittals may also be mailed or submitted in person to Planning Services. **NOTE: The Planning Commission or the Board of County Commissioners should not be contacted regarding an open application.**

OFFICE USE ONLY**PROJECT TITLE:** Theatre of Dreams at Gabriels**PROJECT NUMBER:** PS-2025-012**PROJECT TYPE:** formerly Gabriels Restaurant, now will be an event center with shows & classes**MARKETING NAME:** The Magic Manor**PRESUBMITTAL REVIEW PROJECT NUMBER:** PS-2025-012**PROJECT SITE:**

Address: 5450 Manhart Ave, Sedalia, CO. 80135

State Parcel Number(s): 2353-144-08-012

Subdivision/Block#/Lot# (if platted): Lots 9,10,11,12,13,& 14, Blk 7 and W1/2 of vacated karcher St.
adjacent to lot 9, Town of Sedalia 1.085 AM/L and Lot 5 Blk 7
Sedalia 5th AMD 0.12 AM/L**PROPERTY OWNER(S):**

Name(s): Carol Massie-Givan and Joe Givan

Address: 3721 Starflower Road Castle Rock CO 80109

Phone:

Email:

AUTHORIZED REPRESENTATIVE: (Notarized Letter of Authorization is required from the property owner, unless the owner is acting as the representative)

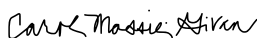
Name:

Address:

Phone:

Email:

To the best of my knowledge, the information contained on this application is true and correct. I have received the County's information sheet regarding the *Preble's Meadow Jumping Mouse*.



Applicant Signature

March 24, 2025

Date



September 22, 2025

Mr. Matt Jakubowski
Douglas County Community Planning
100 3rd St.
Castle Rock, CO 80104

REGARDING Theater of Dreams (Gabriels) – Sedalia, CO
THE PROJECT DPGA Project No. 11.023.00

Dear Mr. Jakubowski:

Mr. Joe Givan and Ms. Carol Massie Givan and David P Goode Architecture are pleased to submit the Use by Special Review package for the County's review and comment. The subject property is located at 5450 Manhart St., Sedalia, CO, in the former Gabriel's Restaurant.

The property owner intends to convert the existing restaurant to an entertainment and events center. The exterior of the building and site will remain as it is today.

The proposed uses are permitted under the Sedalia Downtown Overlay District, and as a result, provides little to no impact to the surrounding properties

Theatre of Dreams has operated for over 22 years in Castle Rock as one of the very few venues in the world that specialize in live mystery entertainment. They have featured world renowned mystery entertainers from around the world, all of them "famous" in the magic and mentalism industry who have headlined Las Vegas shows and performed on international television. The quality of sophisticated entertainment has kept our venue successful through a loyal following and group of patrons along the front range.

The former Gabriel's property offers the opportunity for us to expand and create the vision we embarked upon in 2003. It allows us to provide sophisticated experiences that go beyond the restrictions of our current small venue, which seats 72 people. This property allows us to host larger public and private events that can feature world class entertainment including music, comedy, and other variety arts. The space also allows us to continue our success of "Wizard Camp" and host other specialized classes in the performing arts, both in and out of doors.

Although we have no intention of operating solely as a restaurant, we may incorporate a limited restaurant partner to lease food and beverage operations at other times when we are not presenting shows, holding classes, or hosting private events. Private event food and beverage service would be handled on a case-by-case basis according to the desires of the event client, using in-house service or outside caterers. We see this as a huge benefit in being able to properly host high-class events featuring the best caterers in the area.

To further detail the proposal, we offer the following project narrative:

Site Access

The existing site is accessed from N. Plum Ave, which will remain. There is secondary alley access, although its use is discouraged as it is not paved.

Site Features

The site slopes gently from the north to the south which allows for an outdoor raised deck area at the building entrance. The site is currently heavily landscaped with old-growth trees, shrubs, flowers, and

558 CASTLE PINES PARKWAY, UNIT B4-174, CASTLE PINES, COLORADO 80108

303.246.4943 WWW.DAVIDPGOODE.COM

Town of Sedalia, Block 7, Lots 9 through 14 - Use by Special Review

Project File: US2025-009

Planning Commission Staff Report - Page 11 of 63

groundcovers. The existing landscaping will remain. It appears as though all storm water is surface drained to the city stormwater system, and this will remain.

Parking/Traffic

The site includes parking for approximately 61 vehicles, including two accessible parking spaces. There is a guest drop-off circle in northwest corner of the parking lot. The parking area and driveways will remain.

Being that this venue will not be a full-time operating restaurant, and with limited hours of operation, the new use will not exceed the amount of traffic as experienced while Gabriel's was functioning. With a maximum capacity of approximately 90 seats/customers at each event or show, we would anticipate approximately 40 cars parking at the venue at any given time. Employee parking will generally occupy five spaces or less.

Utilities

The property is currently served with electric, gas, and water from the local utility companies. Sanitary waste utilizes a septic system, and the change in use will reduce the demand on the system. No changes to the utilities are proposed.

Building

The existing building has been expanded over the course of its history, and no new changes are proposed. The raised deck area on the southwest façade of the structure will be used as outdoor seating, intermission areas, and occasionally outdoor events.

The interior dining and kitchen spaces will remain, although cosmetic alterations, such as carpet and paint, are proposed. The large dining area on the southeast corner of the building will become the primary event space and will include a removeable raised platform for performances and presentations. The smaller dining spaces will be utilized for close-up presentations to smaller groups.

In general, the former dining spaces will have a reduced "actual" occupant load but will still be calculated for the Assembly seating areas.

Operation

Public shows/events are somewhat random but, typically, operations will occur Wednesday through Sunday. Mondays and Tuesdays are available for private bookings. Public shows take place on Friday and Saturday evenings. For indoor events, doors open as early as 5 PM and the shows end as late as 10:00 PM. All guests must depart the premises by 11:59 PM for both public and private events. Typical timing for most shows run between 7 PM and 9:30 PM.

The primary functions of the new use are magic shows, music performances, classes and team building events, and mystery dinners. Other events may include private parties such as birthdays, bachelor/bachelorette, holidays, ice cream or tea socials, and film "festivals" or other performance art.

Public shows occur one to three days per month and are by reservation only. Shows are primarily in the evenings typically from 6:30 - 9:30 PM, with possible weekend daytime events. Private events may be scheduled and reserved in advance, and may occur during evenings or weekend days.

Regarding Wizard Camp/Magic Classes, we have only offered this in summers, but have adults interested, so a possible random magic class may be offered. Our summer Magic Class/ Wizard Camp are consecutive half-day classes culminating in a recital show on the 4th day for family. An evening class for adults would be no more than three hours, once per week based on demand and interest. Class sizes are limited to no more than 20 participants.

We intend to include live music on the patio/deck as weather permits or indoors during late afternoons and early evenings. Weekend daytime events in the parking lot could include live music, farmer's market, and possible arts and crafts shows. These types of events would comply with town regulations and necessary permits.

The existing kitchen and bar areas will remain, but food and beverages will be provided by catering professionals. Very little food preparation will occur on site.

* * *

In our eyes, the name "Gabriel's" represents the history of the building as well as the class and atmosphere that matches our vision we have created at the Magic Manor. It also is a recognized landmark and would be valuable when citing the destination. People would know where we are; a battle we've fought since opening our theater in Castle Rock as it's not in a visible location. Our space is restricting, and the Gabriel's property gives us the ability to provide world-class, unique experiences in a venue to match.

As members of the Castle Rock Arts Alliance, we will continue to host the Castle Rock Film Festival for the Castle Rock Arts Alliance. This would take place in the Theatre of Dreams showroom as we have in the past three years.

Thank you for your time and consideration of our proposal. Should you have any questions or comments, please do not hesitate to contact me.

Respectfully,
DAVID P GOODE ARCHITECTURE



David P Goode, NCARB Architect
Owner / Principal
Colorado Lic. 400636

Cc: Joe Givan, Theatre of Dreams
Carol Massie Givan, Theatre of Dreams
Rebecca McDermott
Jeanette Bare, Douglas County

Comprehensive Master Plan Land Use Reference Map

Comprehensive Master Plan Areas

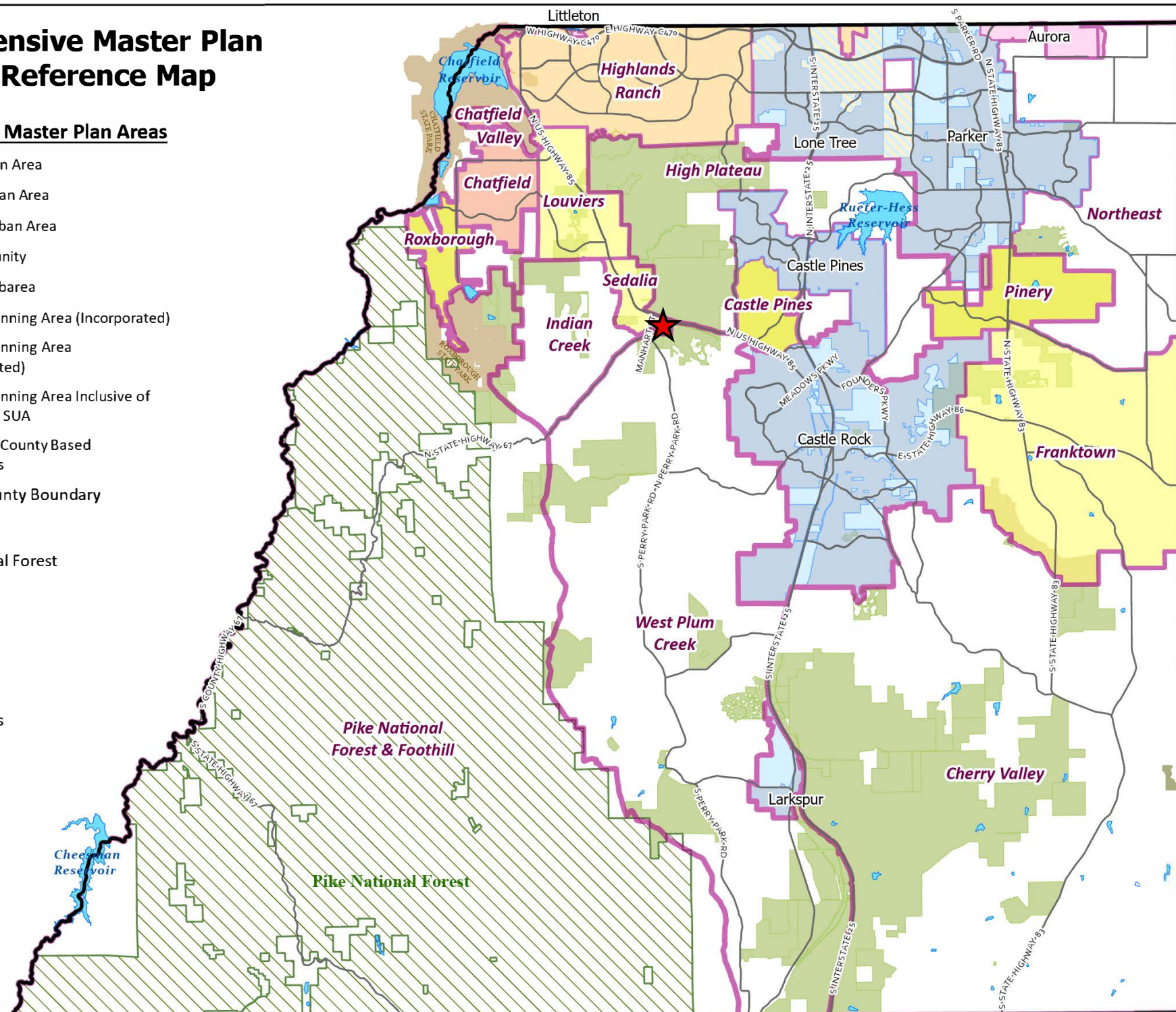
- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

Roadways

- Major Roads



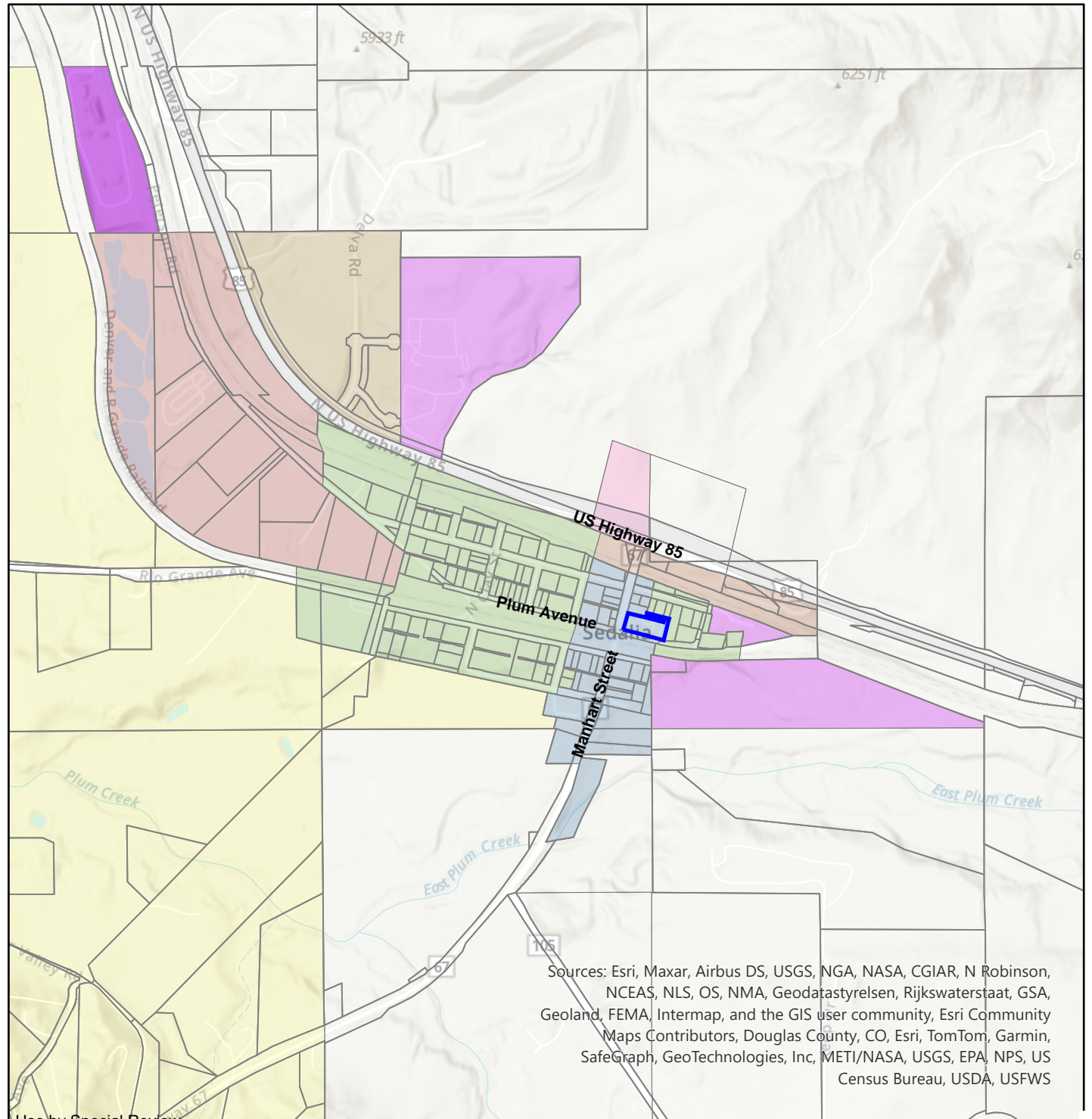
Town of Sedalia, Block 7, Lots 9-14 Use by Special Review

US2025-009
Zoning Map



LEGEND

- Parcels - PARCELS
- A1 - AGRICULTURAL ONE
- RR - RURAL RESIDENTIAL
- B - BUSINESS
- LI - LIGHT INDUSTRIAL
- GI - GENERAL INDUSTRIAL
- CMTY - SEDALIA COMMUNITY
- D - SEDALIA DOWNTOWN
- HC - SEDALIA HIGHWAY COMMERCIAL
- MI - SEDALIA MIXED INDUSTRIAL
- PD - PLANNED DEVELOPMENT
- PROJECT AREA



Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community, Esri Community Maps Contributors, Douglas County, CO, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS

Town of Sedalia, Block 7, Lots 9-14 Use by Special Review

US2025-009
Aerial Map



LEGEND

PROJECT AREA



Esri Community Maps Contributors, Douglas County, CO, ©
OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph,
GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau,
USDA, USFWS, Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA,
CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen,
Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user
community

2nd Referral Agency Response Report**Page 1 of 7****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	08/05/2025; 09/25/2025	No Comment.	No action necessary.
AT&T Long Distance - ROW		No Response Received.	No action necessary.
Bear's Den HOA		No Response Received.	No action necessary.
Black Hills Energy	08/20/2025; 9/25/2025	No Comment.	No action necessary.
Building Services	08/08/2025; 10/09/2025	Received (verbatim response): Permit is required. Please submit a complete set of Construction documents prepared and stamped by Colorado registered design professionals for review of plans. Please visit Douglas County's web site for requirements and contact 303-660-7497 if you have any questions	Applicant will meet all building code and permit requirements as required by the County Building Department.
CenturyLink	08/16/2025	Received (verbatim response): Qwest Corporation, Inc. d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject encroachment and has determined that it has no objections with respect to the areas proposed for encroachment as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference. It is the intent and understanding of CenturyLink that this Encroachment shall not reduce our rights to any other existing easement or rights we have on this site or in the area. This encroachment response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the areas as described, the Applicant will bear the cost of relocation and repair of said facilities. If you have any questions or would like to discuss this action further, please contact Tom Hoopes at Tom.Hoopes@lumen.com .	No action necessary.
Chatfield Watershed Authority		No Response Received.	No action necessary.

2nd Referral Agency Response Report**Page 2 of 7****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Agency	Date Received	Agency Response	Response Resolution
Colorado Department of Transportation CDOT-Region # 1	07/31/2025; 9/25/2025	<p>Received (verbatim response):</p> <p>It appears that this referral is not showing any work within CDOT ROW. Please note that we looked at this review at the end of July, our comments still stand for this proposed project.</p> <p>---</p> <p>I have reviewed the referral for Lots 9-14 (Magic Manor Theater), Project number US2025-009 and have the following comments.</p> <ul style="list-style-type: none"> Working from or within CDOT ROW will require a utility/special use permit. This includes, but is not limited to survey, landscaping, signal or utility work. Application is made online at the following link: https://socgov.my.site.com/portal/s/login/?ec=302&startURL=%2Fportal%2Fs%2F Any signing must be on premise and cannot be either partly or wholly in CDOT ROW. Signing must be compliant with CDOT rules governing outdoor advertising per 2 CCR 601-3. Thank you for the opportunity to review this referral. 	No action necessary. No work within the CDOT ROW is proposed.
Colorado Division of Water Resources	08/20/2025; 10/10/2025	<p>Received:</p> <p>Following is a summary of referral comments received from the Colorado Division of Water Resources (CDWR). See the full letter for detail.</p> <p>The proposal is not a subdivision. Therefore, CDWR's comments are informal, do not address availability or adequacy water, the ability of water supply to satisfy County requirements, and do not guarantee a physical availability of water or issuance of a well permit. No water supply or source demands were included in the application documents, but the property is located within the Sedalia Water and Sanitation District. CDWR has no comments regarding the District's ability to provide water for the property.</p>	No action necessary.
Comcast		No Response Received.	No action necessary.
CORE Electric Cooperative	08/19/2025	No Comment.	No action necessary.

2nd Referral Agency Response Report**Page 3 of 7****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Douglas County Health Department	08/18/2025; 09/29/2025	<p>Received: Following is a summary of the referral comments received from Douglas County Health Department (DCHD). See the full letter for detail.</p> <p><u>On-Site Wastewater Treatment System (OWTS) - Use Permit</u> Use permit required at the sale of a property. According to DCHD records, a use permit application was submitted on 2-12-25 at the sale of the subject property. The application and inspection report came back with several deficiencies that need to be addressed before issuance of a Use Permit. A repair verification must be required before issuing the Use Permit.</p> <p><u>Other issues to address:</u> Location of Parking in Disturbance of Onsite Wastewater Treatment System (OWTS) The site plan shows parking over the soil treatment area. DCHD encourages the applicant consider parking and activities away from the soil absorption area of the OWTS.</p> <p><u>Plan Review - Retail Food</u> New or remodeled retail food establishments must be reviewed by DCHD for compliance with State regulations and must be approved by DCHD. DCHD recommends that contact and review of plans be completed prior to Building Permits.</p> <p><u>Plan Review - Child Care</u> General comments were made regarding child care facilities and State requirements for such facilities. Contact DCHD to confirm comments.</p> <p><u>Food Vendors - Special Event</u> General comments were made regarding requirements for food vendors that may serve events. Contact DCHD to confirm comments.</p> <p><u>Wastewater - Portable Toilets for Special Events</u> General comments regarding portable toilets for events. Contact DCHD to confirm comments.</p> <p><u>Wastewater - Disposal for Special Events</u> General comments regarding wastewater at special events. Contact DCHD to confirm comments.</p> <p><u>Solid Waste</u> General comments regarding solid waste receptacles at events. Contact DCHD to confirm comments.</p>	<p>Applicant has communicated with DCHD. The repairs highlighted in the septic inspection report are completed. A septic use permit will be obtained following verification of these repairs.</p> <p>Existing septic system has been in use for over two decades. Applicant proposes to keep the septic system in the same location.</p> <p>Applicant will meet all requirements regarding food handling, food preparation, and sanitation.</p> <p>The applicant will comply with all health code requirements during events. However, in general, applicant is not proposing temporary events that would include food truck vendors, portable toilets, or open trash containers.</p>
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2nd Referral Agency Response Report**Page 4 of 7****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Agency	Date Received	Agency Response	Response Resolution
Douglas County Water Commission	08/27/2025	Following is a summary of the referral comments received from the Douglas County Water Commission (Commission). The Commission provided no consensus comment. One commissioner provided separate comment, that in cases of rezoning, inspection of the septic system should occur to protect the aluvium flowing into Chatfield Reservoir.	No action necessary.
Elk Ridge Estates HOA		No Response Received.	No action necessary.
Engineering Services	08/14/2025; 10/07/2025	No Comment.	No action necessary.
Indian Creek Ranch Improvement Association		No Response Received.	No action necessary.
Mile High Flood District		No Response Received.	No action necessary.
Office of Emergency Management	07/31/2025; 9/24/2025	No Comment.	No action necessary.
Ranch at Coyote Ridge HOA		No Response Received.	No action necessary.
Sedalia Property Owners Coalition	10/03/2025	Received (verbatim response): Sedalia Property Owners Coalition supports this project and feels it will be a great addition to Sedalia downtown.	No action necessary.

2nd Referral Agency Response Report**Page 5 of 7****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Agency	Date Received	Agency Response	Response Resolution
Sedalia Water & Sanitation District	10/02/2025	Will serve letter provided with application materials. Received (verbatim response): SWSD has requested that the applicant provide water usage data for the proposed use in order to evaluate the project and issue a will-serve letter. To date, the District has not received this information. Once it is submitted, SWSD will be able to evaluate the water demand.	Applicant indicates that proposed water demand is not increased and does not exceed the water demand of the previous restaurant use. Sedalia Water provided a will serve letter with the application indicating it has sufficient capacity to serve the proposal, assuming the proposed use generates less water demand. The District indicated an updated letter would be issued if new detail on the project's use and water demand is provided. If an updated letter is issued by the District, it will be added to the staff report.
Sheriff's Office		No Response Received.	No action necessary.
Sheriff's Office E911		No Response Received.	No action necessary.

2nd Referral Agency Response Report**Page 6 of 7****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

West Douglas County FD	07/31/2025; 10/06/2025	<p>Received (verbatim response): We find the narrative to be short of some critical information, for the proposed change of use we would like to see the following.</p> <p>Please help us better understand and provide the following information along with any additional information you may have before we can submit our final comments.</p> <p><u>1. Occupant Load and Egress</u></p> <ul style="list-style-type: none">• Estimated maximum occupant load (based on square footage and function)• Comparison of old vs. new occupant loads• Description of egress routes, number of exits, and compliance with current codes• Any changes to doors, exit signs, or lighting <p><u>2. Fire Protection Systems</u></p> <ul style="list-style-type: none">• Existing systems:<ul style="list-style-type: none">o Fire alarm system (type, coverage)o Sprinkler system (status, coverage)o Kitchen suppression system (if applicable)• Proposed changes or upgrades:<ul style="list-style-type: none">o Plans to add, upgrade, or remove fire protection systemso Impact of use change on sprinkler/occupancy thresholds <p><u>3. Building Construction and Modifications</u></p> <ul style="list-style-type: none">• Description of any renovations or remodeling• Changes to interior finishes, furnishings, or decorations (especially combustible materials)• Confirmation of fire-rated walls, doors, and ceiling assemblies where applicable <p><u>4. Life Safety Considerations</u></p> <ul style="list-style-type: none">• Accessibility for emergency responders (fire lanes, Knox Box, etc.)• Fire department access and staging areas• Emergency lighting, exit signage, occupant notification systems• Fire extinguisher locations and spacing <p><u>5. Hazard Assessment</u></p> <ul style="list-style-type: none">• Will any hazardous materials be stored or used?• Are there cooking or open flame uses planned during events? (e.g., caterers, candles)• Will there be temporary structures, stages, pyrotechnics, or special amusements? <p><u>7. Code References</u></p> <ul style="list-style-type: none">• Confirm that change in use complies with:<ul style="list-style-type: none">o Occupancy classification requirements	Applicant will meet all fire and building code requirements per West Douglas Fire.
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2nd Referral Agency Response Report**Page 7 of 7****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Agency	Date Received	Agency Response	Response Resolution
		<ul style="list-style-type: none">o Means of egress and life safety provisionso Fire protection system requirements <p><u>8. Conclusion / Summary</u></p> <ul style="list-style-type: none">• Summary statement confirming compliance with IFC 2018:o Life safety systems are in place or will be upgraded as requiredo The facility will comply with applicable codeso Fire department access and safety will not be compromised	
Xcel Energy- Right of Way & Permits	08/13/2025; 10/01/2025	<p>Received: Following is a summary of the referral response received from Xcel Energy. See letter for full detail.</p> <p>No apparent conflict. However, Xcel owns and operates existing natural gas distribution facilities along North State Highway 67 and Plum Avenue.</p> <p>Owner must apply for any new or modified natural gas service. Owner responsible to contact the Xcel Designer for approval of design details.</p> <p>If additional easements are necessary, these should be recorded by separate Xcel document, and a Right-of-Way Agent will need to be contacted.</p> <p>Please call for utility locates prior to any construction.</p>	No action necessary.

2nd REFERRAL RESPONSE REQUEST – USE BY SPECIAL REVIEW

 Date sent: September 24, 2025

 Comments due by: **October 8, 2025**

Fax: 303.660.9550

Project Name: 2nd Referral Request
 Town of Sedalia, Block 7, Lots 9-14 (Magic Manor Theater)

Project File #: US2025-009

Project Summary:

Applicant requests a Use by Special Review (USR) to convert an existing restaurant into an Event Center for public and private events with a maximum occupancy of 90 persons/event. Maximum 250 events/year proposed, including live performances of magic/illusion, music, comedy, and the arts, youth camps, specialized classes, team building, private events, film festivals, farmer's markets, and arts & crafts shows. Events are indoors, but could include outdoor deck areas adjacent to the building or other outdoor areas onsite. The existing kitchen is proposed for food and beverage catering during events. The applicant also proposes a limited restaurant operation with a partner when an event or class is not occurring. Live performances are ticketed. The site is within the Sedalia Downtown zone district at 5450 Manhart St. (Manhart St. and Plum Ave. intersection). No exterior building improvements or physical improvements to the property and parking lot are proposed via the USR.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

<input type="checkbox"/>	No Comment
<input type="checkbox"/>	Please be advised of the following concerns: Permit is required. Please submit a complete set of Construction documents prepared and stamped by Colorado registered design professionals for review of plans. Please visit Douglas County's web site for requirements and contact 303-660-7497 if you have any questions.
<input type="checkbox"/>	See letter attached for detail.
Agency: Douglas County Building Division Phone #: 303-660-7497	
Your Name: Rana Rasteh Your Signature: Rana Rasteh	
(please print) Date: 10/09/2025	

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,


 Matthew Jakubowski, AICP, Chief Planner

From: Varner - CDOT, Jessica
Sent: Thursday, July 31, 2025 11:25 AM
To: Matt Jakubowski
CC: Steven Loeffler - CDOT; Joseph Tripple - CDOT
Subject: Town of Sedalia, Block 7, Lots 9-14 (Magic Manor Theater), Project number US2025-009

Hi Matt,

I have reviewed the referral for Lots 9-14 (Magic Manor Theater), Project number US2025-009 and have the following comments.

- Working from or within CDOT ROW will require a utility/special use permit. This includes, but is not limited to survey, landscaping, signal or utility work. Application is made online at the following link:
<https://socgov.my.site.com/portal/s/login/?ec=302&startURL=%2Fportal%2Fs%2F>
- Any signing must be on premise and cannot be either partly or wholly in CDOT ROW. Signing must be compliant with CDOT rules governing outdoor advertising per 2 CCR 601-3.

Thank you for the opportunity to review this referral.

Thank you,

Jessica Varner
Permits Unit- Region 1



P 720.541.0441 | F 303.757.9053
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
Jessica.varner@state.co.us | www.codot.gov | www.cotrip.org

From: Varner - CDOT, Jessica
Sent: Thursday, September 25, 2025 8:52 AM
To: Matt Jakubowski
CC: Steven Loeffler - CDOT
Subject: 2nd Referral Request Town of Sedalia, Block 7, Lots 9-14 (Magic Manor Theater) Project Number(US2025-009)

Hi Matt,

It appears that this referral is not showing any work within CDOT ROW. Please note that we looked at this review at the end of July, our comments still stand for this proposed project.

Thank you for the opportunity to review this referral.

--

Thank you,

Jessica Varner
Permits Unit- Region 1



P [720.541.0441](tel:720.541.0441) | F 303.757.9053
2829 W. Howard Pl. 2nd Floor, Denver, CO 80204
Jessica.varner@state.co.us | www.codot.gov | www.cotrip.org

8/16/25



**Matt Jakubowski, AICP | Chief Planner
Douglas County Department of Community Development
Planning Services Division
100 Third St.
Castle Rock, CO 80104**

SUBJECT: APPROVAL TO PROCEED WITH ENCROACHMENT – P867264

Project Name & Location: US2025-009 / 5450 Manhart St, Sedalia CO

To Whom It May Concern:

Qwest Corporation, Inc. d/b/a CENTURYLINK (“CenturyLink”) has reviewed the request for the subject encroachment and has determined that it has no objections with respect to the areas proposed for encroachment as shown and/or described on Exhibit “A”, said Exhibit “A” attached hereto and incorporated by this reference. It is the intent and understanding of CenturyLink that this Encroachment shall not reduce our rights to any other existing easement or rights we have on this site or in the area.

This encroachment response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the areas as described, the Applicant will bear the cost of relocation and repair of said facilities.

If you have any questions or would like to discuss this action further, please contact Tom Hoopes at Tom.Hoopes@lumen.com.

Sincerely yours,

/s/

CenturyLink Right of Way Team



August 20, 2025

Matt Jakubowski, Chief Planner
Douglas County Planning Services

Transmission via email: mjakubow@douglas.co.us

**Re: Case No.: US2025-009, Use by Special Review - Town of Sedalia, Block 7,
Lots 9-14 (Magic Manor Theater)**

The SW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. 13 and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14, Twp.
7S, Rng. 68W, 6th P.M., Douglas County
Water Division 1, Water District 8

Dear Matt Jakubowski:

We have received your July 30, 2025 submittal concerning the above-mentioned proposal for a Use by Special Review to convert an existing restaurant into a theater and event venue specializing in performances of illusion and magic. The property is located within the Sedalia Downtown zone district at 5450 Manhart Street.

This referral does not appear to qualify as a “subdivision” as defined in Section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.



No water supply source or water supply demands were provided in the application documents. Our records indicate that the subject property is inside the Sedalia Water & Sanitation District ("District"). We have no comments regarding the District's ability to provide water for the property.

Please contact me at 303-866-3581 x8246 or at ioana.comaniciu@state.co.us with any questions.

Sincerely,



Ioana Comaniciu, P.E.

Water Resources Engineer

Ec: Referral no. 34359

From: Comaniciu - DNR, Ioana
Sent: Friday, October 10, 2025 3:39 PM
To: Matt Jakubowski
Subject: Re: 2nd Douglas County eReferral (US2025-009) Is Ready For Review

Good Afternoon,

We have no comments on this second referral for US2025-009 referral since again no water related matters were provided. In addition no information was provided whether Sedalia Water & Sanitation District is the entity that will provide the water and whether it is committed to supply the new theater and event venue.

Sincerely,

Ioana Comaniciu, P. E.

Water Resource Engineer

P 303-866-3581 x 8246

1313 Sherman St., Suite 821 Denver CO 80203

ioana.comaniciu@state.co.us | <https://dwr.colorado.gov>

On Wed, Sep 24, 2025 at 12:09 PM <mjakubow@douglas.co.us> wrote:

There is an eReferral for your review. Please use the following link to log on to your account:

[https://urldefense.com/v3/_https://apps.douglas.co.us/planning/projects/Login.aspx_!!PUG2raq7KiCZwBk!ZObqwSvJMLx4jNqS3GKRyc8MWzHeKuuUxNlwdIwxxGDQBVl0uEq2iT88uNo-cp38J9qT56nxHdx859-54s1ZE-oR\\$](https://urldefense.com/v3/_https://apps.douglas.co.us/planning/projects/Login.aspx_!!PUG2raq7KiCZwBk!ZObqwSvJMLx4jNqS3GKRyc8MWzHeKuuUxNlwdIwxxGDQBVl0uEq2iT88uNo-cp38J9qT56nxHdx859-54s1ZE-oR$)

Project Name: 2nd Referral Request Town of Sedalia, Block 7, Lots 9-14 (Magic Manor Theater)

Project File #: US2025-009

Project Summary: Applicant requests a Use by Special Review (USR) to convert an existing restaurant into an Event Center for public and private events with a maximum occupancy of 90 persons/event. Maximum 250 events/year proposed, including live performances of magic/illusion, music, comedy, and the arts, youth camps, specialized classes, team building, private events, film festivals, farmer's markets, and arts & crafts shows. Events are indoors, but could include outdoor deck areas adjacent to the building or other outdoor areas onsite. The existing kitchen is proposed for food and beverage catering during events. The applicant also proposes a limited restaurant operation with a partner when an event or class is not occurring. Live performances are ticketed. The site is within the Sedalia Downtown zone district at 5450 Manhart St. (Manhart St. and Plum Ave. intersection). No exterior building improvements or physical improvements to the property

and parking lot are proposed via the
USR.

This referral will close on Wednesday, October 8, 2025.

If you have any questions, please contact me.

Sincerely,

Matt Jakubowski, AICP | Chief Planner
Douglas County Department of Community Development
Planning Services Division
Address | 100 Third St., Castle Rock, CO 80104
Phone | 303-660-7460
Email | mjakubow@douglas.co.us

Memorandum

Date: August 27, 2025

To: Matt Jakubowski, AICP, Chief Planner

From: DJ Beckwith, Principal Planner
Lauren Pulver, Planning Supervisor
Kati Carter, AICP, Assistant Director of Planning Resources
Chris Pratt, Managing County Attorney

CC: Terence T. Quinn, AICP, Director of Community Development

Subject: **Water Commission Member Referral Comments**
US2025-009 - Town of Sedalia, Block 7, Lots 9-14

The Douglas County Water Commission (Commission) met on August 25, 2025 and provided comment on US2025-009 - Town of Sedalia, Block 7, Lots 9-14 (Project). There was no consensus comment from the Commission, only an individual comment was provided. All other members had no comment. The following is a summary of the comments from the Commission member that provided comments on the Project. This Project was pulled from the agenda for discussion by Commission Member Harold Smethills.

Harold Smethills: Member Smethills commented that whenever there is a project that is being rezoned that there should be an inspection of the septic system to ensure it is functioning properly. Member Smethills emphasized the need to protect the alluvium flowing into the Chatfield Reservoir to ensure safe drinking water.

REFERRAL RESPONSE REQUEST – USE BY SPECIAL REVIEW

Date sent: July 30, 2025

Comments due by: **August 20, 2025**

Fax: 303.660.9550

Project Name: Town of Sedalia, Block 7, Lots 9-14 (Magic Manor Theater)

Project File #: US2025-009

Project Summary:

Applicant requests a Use by Special Review (USR) to convert an existing restaurant into a theater and event venue specializing in performances of illusion and magic. Public performances are ticketed. Youth camps, specialized classes, and private events are proposed during non-performance hours. The existing kitchen is proposed for use on a limited basis primarily for private events. No operation of the existing restaurant is proposed. The property is located within the Sedalia Downtown zone district at 5450 Manhart Street (intersection of Manhart Street and Plum Avenue). No exterior building improvements or physical improvements to the property and parking lot are proposed via the USR.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

<input checked="" type="checkbox"/>	No Comment
<input type="checkbox"/>	Please be advised of the following concerns: _____ _____
<input type="checkbox"/>	See letter attached for detail.
Agency: <u>ENGINEERING</u>	Phone #: <u>9318</u>
Your Name: <u>AL PETERSON</u> (please print)	Your Signature: <u>Al Peterson</u>
	Date: <u>8/14/25</u>

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,


Matthew Jakubowski, AICP, Chief Planner
Enclosure

2nd REFERRAL RESPONSE REQUEST – USE BY SPECIAL REVIEW

 Date sent: September 24, 2025

 Comments due by: **October 8, 2025**

Fax: 303.660.9550

Project Name: 2nd Referral Request
Town of Sedalia, Block 7, Lots 9-14 (Magic Manor Theater)

Project File #: US2025-009

Project Summary:

Applicant requests a Use by Special Review (USR) to convert an existing restaurant into an Event Center for public and private events with a maximum occupancy of 90 persons/event. Maximum 250 events/year proposed, including live performances of magic/illusion, music, comedy, and the arts, youth camps, specialized classes, team building, private events, film festivals, farmer's markets, and arts & crafts shows. Events are indoors, but could include outdoor deck areas adjacent to the building or other outdoor areas onsite. The existing kitchen is proposed for food and beverage catering during events. The applicant also proposes a limited restaurant operation with a partner when an event or class is not occurring. Live performances are ticketed. The site is within the Sedalia Downtown zone district at 5450 Manhart St. (Manhart St. and Plum Ave. intersection). **No exterior building improvements or physical improvements to the property and parking lot are proposed via the USR.**

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

<input checked="" type="checkbox"/>	No Comment
<input type="checkbox"/>	Please be advised of the following concerns:
<hr/> <hr/>	
<input type="checkbox"/>	See letter attached for detail.
Agency: <u>ENGINEERING</u>	Phone #: <u>4318</u>
Your Name: <u>AL PETERSON</u> (please print)	Your Signature: <u>[Signature]</u>
	Date: <u>10/7/2025</u>

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,

[Signature]
 Matthew Jakubowski, AICP, Chief Planner

100 Third Street, Castle Rock, Colorado 80104 • 303.660.7460

August 18th, 2025

Matt Jakubowski
100 Third St.
Castle Rock, CO 80104

RE: US2025-009

Dear Mr. Jakubowski

Thank you for the opportunity to review and comment on the Town of Sedalia, Block 7, LOTS9-14 project. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has the following comments:

On-Site Wastewater Treatment System (OWTS) – Use Permit

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. Douglas County Health Department Regulation Number 22-01, Section 4.2 requires a Use Permit be obtained when a property has a change of Use or the sale of a property

To obtain a Use Permit, the OWTS will need to be inspected by a National Association of Wastewater Technicians (NAWT) Certified Use Permit Inspector. A list of Certified Inspectors is available here <http://www.nawt.org/search.html>. If it is determined by the inspector that the system has deficiencies that require repair, these repairs must be completed prior to DCHD issuing a Use Permit.

In order to obtain a Use Permit, the applicant may contact Douglas County Health Department or the local health department with authority over the site at the time of development. More information is available at <https://www.douglas.co.us/health-department/environmental-health/> under the Use Permit section.

According to our records a Use Permit Application was submitted to us on 2/12/2025 for the sale of the property located at 5450 Manhart St. Sedalia CO 80135.

The application and inspection report from us property came back with several deficiencies that need to be fixed before we could issue a Use Permit.

This Use Permit was never finalized and is still Pending. DCHD would require the deficiencies to be fixed by a licensed OWTS contractor and provide a repair verification form before issuing the Use Permit.

Please see attached documents that support these comments.

Please feel free to contact me at 720-643-2490 or cthompson@douglas.co.us if you have any questions about our comments.

Sincerely,

Caden Thompson
Environmental Health Specialist I
Douglas County Health Department

Permit # _____

USE PERMIT APPLICATION FOR AN ON-SITE WASTEWATER TREATMENT SYSTEM (OWTS)

IMPORTANT NOTE: All items listed below **MUST** be completed and submitted at the same time:

- Tri-County Health Department Use Permit Application form AND Application fee.
- Tri-County Health Department Inspection Report completed by a CERTIFIED inspector (an inspection report completed by an uncertified inspector will NOT be accepted). If multiple OWTS systems serve the property, then a separate inspection report and fee for each OWTS system must be submitted.
- Copy of the most recent septic tank pumper's receipt (if available).
- If the OWTS system needs to be repaired, then a Minor or Major Repair Permit Fee may be applicable.

(PERMIT FEE IS NON-REFUNDABLE)

Submit electronically to eh@douglas.co.us

Completion of All Fields is Required

Application Date: _____

PROPERTY FOR WHICH PERMIT IS REQUESTED

Address: _____

City: _____ State: _____ Zip: _____

Parcel Number (APN): _____ Lot Size in Acres: _____

Current Property Owner Name: _____

Owner Phone: _____ Owner Email: _____

County: Douglas

Name of Applicant: Colorado Septic Maintenance & Repair

Address: P.O. Box 934

City: Sedalia State: Colorado Zip: 80135

Applicant Phone: 720-289-9736 Email: Info@CoSepticMR.com

Dwelling Type: ☐ Single Family ☐ Multi-Family ☐ Commercial ☐ Other _____

Number of Bedrooms (existing): _____

Water Supply: ☐ Public Community ☐ Private Well ☐ Public Non-Community ☐ Unknown
☐ Other

Is more than one building connected to the one OWTS system? ☐ Yes ☐ No

Are multiple OWTS serving the property? ☐ Yes ☐ No *(Complete a separate inspection form and fee for each OWTS)*

Reason for Use Permit (Check One): ☐ Sale ☐ Bedrooms Added (# Added _____)

☐ Change in Use (Commercial or Business) ☐ Addition of Mobile Home

☐ Other (explain): _____

Use Permit Inspector

Name: Josiah Todd Phone: 720-289-9736 Email: Info@CoSepticMR.com

National Association of Wastewater Technicians (NAWT) Certification Number: 11415-ITC

Use Permit Inspection Form

Date of Inspection: _____

Use Permit Inspection Information

IMPORTANT NOTE: This Douglas County Health Department (DCHD) Inspection Form must be completed by a **CERTIFIED** inspector. An Inspection report completed by an **UNCERTIFIED** inspector(s) will **NOT** be accepted.

Name: Josiah Todd Phone: 720-289-9736 Email: Info@CoSepticMR.com

National Association of Wastewater Technicians (NAWT) (or other approved) Certification

Number: 11415-ITC If Other, certifying entity: _____

Owner and Property Information

Owners Name: _____ Phone: 303-949-0625 Email: Briggs.Chuck@gmail.com

Address: _____

City: _____ State: _____ Zip: _____ County: _____

Address of Property for which Use Permit is requested (if different from above):

City: _____ Colorado Zip: _____

Section 1: Tanks

Tank 1

Tank Size (gallons): _____

Does this match DCHD records? ☐ Yes ☐ No

Type: ☐ Concrete ☐ Polyethylene ☐ Fiberglass ☐ Other

Was tank pumped? ☐ Yes ☐ No

If yes: Date Pumped: _____ Pumped by: _____

Attach copy of pump receipt

N/A Yes No

- ☐ ☐ Is the tank in good condition such that the tank functions are not compromised?
- ☐ ☐ Is the tank a two compartment tank?
☐ Tees ☐ Baffles (check one)
- ☐ ☐ If Tees or Baffles, are they in good condition?
- ☐ ☐ Is top of tank or riser to grade?
- ☐ ☐ Are the risers in good condition such that their function is not compromised?
- ☐ ☐ Is the lid (riser or manhole) in good condition?
- ☐ ☐ Does lid have a secure closing mechanism or sufficient weight to prevent unauthorized access?

(Tank 1 information continued on next page)

Tank 2

☐ Check if Not Applicable (N/A)

Tank Size (gallons): _____

Does this match DCHD records? ☐ Yes ☐ No

Type: ☐ Concrete ☐ Polyethylene ☐ Fiberglass ☐ Other

Was tank pumped? ☐ Yes ☐ No

If yes: Date Pumped: _____ Pumped by: _____

Attach copy of pump receipt

N/A Yes No

- ☐ ☐ Is the tank in good condition such that the tank functions are not compromised?
- ☐ ☐ Is the tank a two compartment tank?
☐ Tees ☐ Baffles (check one)
- ☐ ☐ If Tees or Baffles, are they in good condition?
- ☐ ☐ Is top of tank or riser to grade?
- ☐ ☐ Are the risers in good condition such that their function is not compromised?
- ☐ ☐ Is the lid (riser or manhole) in good condition?
- ☐ ☐ Does lid have a secure closing mechanism or sufficient weight to prevent unauthorized access?

(Tank 2 information continued on next page)

Property Address: _____

Tank 1 (continued)

- | N/A | Yes | No | |
|-----|--------------------------|--------------------------|--|
| | <input type="checkbox"/> | <input type="checkbox"/> | Was tank water level above the outlet invert? |
| | <input type="checkbox"/> | <input type="checkbox"/> | Was tank water level below the outlet invert? |
| | <input type="checkbox"/> | <input type="checkbox"/> | Does tank have an effluent filter(s)? |
| | <input type="checkbox"/> | <input type="checkbox"/> | If YES, is the filter accessible for cleaning? |
| | <input type="checkbox"/> | <input type="checkbox"/> | If YES, is the filter clean and in good condition? |

Comments:

Tank 2 (continued)

- | N/A | Yes | No | |
|-----|--------------------------|--------------------------|--|
| | <input type="checkbox"/> | <input type="checkbox"/> | Was tank water level above the outlet invert? |
| | <input type="checkbox"/> | <input type="checkbox"/> | Was tank water level below the outlet invert? |
| | <input type="checkbox"/> | <input type="checkbox"/> | Does tank have an effluent filter(s)? |
| | <input type="checkbox"/> | <input type="checkbox"/> | If YES, is the filter accessible for cleaning? |
| | <input type="checkbox"/> | <input type="checkbox"/> | If YES, is the filter clean and in good condition? |

◆◆◆Are additional tanks installed? ☐ Yes ☐ No - If YES, complete another use permit inspection form for the additional tanks. ◆◆◆

Is system equipped with a Siphon, Pumps & Floats or Controls?

Yes ☐ No ☐
(If "Yes" complete Section 2)

Section 2: Dosing Systems

Dosing Unit: ☐ Siphon ☐ Pump

Note: N/A answers apply to a siphon only

- | N/A | Yes | No | |
|--------------------------|--------------------------|--------------------------|---|
| | <input type="checkbox"/> | <input type="checkbox"/> | Is siphon or pump operational? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are floats properly tethered and operational? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the junction box (J-Box) approved for use? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, are J-Box and wiring properly installed and functional? |

- | N/A | Yes | No | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is there an audio visual alarm? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If alarm, is alarm operational? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is pump in a screened vault? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, is the vault in acceptable condition and screen clean? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is there a means to disconnect house power supply to junction box or control panel? |

Comments:

System Utilizes Uniform or Pressure Dosing, or is a Low Pressure Pipe or Drip Irrigation

Yes ☐ No ☐
(If "Yes" complete Section 2A)

Section 2A: Pressure Dosed, Non-Pressurized Drip Dispersal System (NDDS) or Drip Irrigation Systems

- | N/A | Yes | No | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Are the distribution valves in a box or vault? |
| | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, is the box or vault in acceptable condition? |
| | <input type="checkbox"/> | <input type="checkbox"/> | Are the distribution valves operational? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Pressure dosed, NDDS, or Drip Irrigation, are risers at ends of zones in good condition? |

- | N/A | Yes | No | |
|--------------------------|--------------------------|--------------------------|---|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is there an automatic distribution valve (ADV)? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, is the ADV working properly? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | Is the system equipped with flushing valves? |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | If Yes, are the flushing valves accessible and operational? |

Comments:

Section 1: Tanks

Tank 3

Tank Size (gallons): _____

Does this match DCHD records? ☐ Yes ☐ No

Type: ☐ Concrete ☐ Polyethylene ☐ Fiberglass ☐ Other

Was tank pumped? ☐ Yes ☐ No

If yes: Date Pumped: _____ Pumped by: _____

Attach copy of pump receipt

N/A **Yes** **No**

- ☐ ☐ Is the tank in good condition such that the tank functions are not compromised?
- ☐ ☐ Is the tank a two compartment tank?

☐ Tees ☐ Baffles (check one)
- ☐ ☐ If Tees or Baffles, are they in good condition?
- ☐ ☐ Is top of tank or riser to grade?
- ☐ ☐ Are the risers in good condition such that their function is not compromised?
- ☐ ☐ Is the lid (riser or manhole) in good condition?
- ☐ ☐ Does lid have a secure closing mechanism or sufficient weight to prevent unauthorized access?

N/A **Yes** **No**

- ☐ ☐ Was tank water level **above** the outlet invert?
- ☐ ☐ Was tank water level **below** the outlet invert?
- ☐ ☐ Does tank have an effluent filter(s)?
- ☐ ☐ If YES, is the filter accessible for cleaning?
- ☐ ☐ If YES, is the filter clean and in good condition?

Comments:

Tank 4

☐ Check if Not Applicable (N/A)

Tank Size (gallons): _____

Does this match DCHD records? ☐ Yes ☐ No

Type: ☐ Concrete ☐ Polyethylene ☐ Fiberglass ☐ Other

Was tank pumped? ☐ Yes ☐ No

If yes: Date Pumped: _____ Pumped by: _____

Attach copy of pump receipt

N/A **Yes** **No**

- ☐ ☐ Is the tank in good condition such that the tank functions are not compromised?
- ☐ ☐ Is the tank a two compartment tank?

☐ Tees ☐ Baffles (check one)
- ☐ ☐ If Tees or Baffles, are they in good condition?
- ☐ ☐ Is top of tank or riser to grade?
- ☐ ☐ Are the risers in good condition such that their function is not compromised?
- ☐ ☐ Is the lid (riser or manhole) in good condition?
- ☐ ☐ Does lid have a secure closing mechanism or sufficient weight to prevent unauthorized access?

N/A **Yes** **No**

- ☐ ☐ Was tank water level **above** the outlet invert?
- ☐ ☐ Was tank water level **below** the outlet invert?
- ☐ ☐ Does tank have an effluent filter(s)?
- ☐ ☐ If YES, is the filter accessible for cleaning?
- ☐ ☐ If YES, is the filter clean and in good condition?

Property Address: _____

Is System Equipped with a Secondary Treatment Unit?

Yes ☐

No ☐

(If "Yes" complete Section 3)

Section 3: Secondary Treatment

Type of Unit:

Yes No

☐ ATU ☐ RSF ☐ ISF ☐ Textile Fiber ☐ Peat Filter ☐ Other

If other, indicate type: _____

Yes No

☐ ☐ Is secondary treatment unit operating properly?

☐ ☐ Is there a current operation and maintenance (O&M) contract?

If Yes, when was system last inspected?

_____/_____/_____

Comments:

Section 4: Absorption Area (Required for all Systems)

N/A Yes No

☐ ☐ Is absorption area covered with snow?

☐ ☐ Are there odors?

☐ ☐ Are there wet areas on ground surface?

☐ ☐ Is irrigated landscaping planted over absorption area?

☐ ☐ Is surface drainage adequate to protect absorption area?

☐ ☐ Is vegetative cover adequate to protect absorption area from excessive erosion?

☐ ☐ Is vegetative cover excessive?

Comments:

N/A Yes No

☐ ☐ Are driveways, horse corrals, patios, or pools constructed over the septic tank or absorption area?

☐ ☐ Are there observation pipes in the absorption area?
If Yes, how many? _____

☐ ☐ If observation pipes, is there standing effluent in observation pipes?

☐ ☐ Is system equipped with a distribution box?

☐ ☐ If there is a distribution box, is it to grade?

☐ ☐ If distribution box is accessible, is it in good condition and are the outlets level?

Section 5: Building Sewer (Required for all Systems)

Yes No

☐ ☐ Is there a cleanout(s) on the building sewer from house to septic tank?

If Yes, state location of cleanouts or show on system diagram _____

☐ ☐ Is there any evidence of damage, plugging or settlement of the building sewer from house to first septic tank?

☐ ☐ Is there any evidence of damage, plugging or settlement of the building sewer from the septic tank to the absorption area?

Comments:

N/A Yes No

☐ ☐ If system is equipped with a pump, is there any evidence of damage, plugging or settlement of the pump line (force main) from the septic tank to the absorption area?

If Yes, explain what was noted:

☐ ☐ If system has more than one tank, is there any evidence of damage, plugging or settlement of the building sewer between the tanks?

Property Address: _____

Section 6: General Questions and Inspector Comments (Required for All Systems)

Is the property ☐ Vacant ☐ Occupied If vacant, how long? _____

Yes No

☐ ☐ Is property served by a well? **Personal Well** **City Water** **Community Well**

☐ ☐ Is there a system diagram (as-built diagram)?

☐ ☐ If Yes, is diagram accurate?
If No diagram exists or if the diagram is inaccurate, please provide a system diagram on the System Record Drawing form.

☐ ☐ Is the public sewer within 400 feet of the property?

☐ ☐ Does the entire system meet all required set-backs in Table 5 of DCHD Regulation 22-01 On-site Wastewater Treatment Systems (OWTS)?
(If No, provide detailed information in Comments and indicate on diagram)

Comments:

Yes No

☐ ☐ In my opinion, at the time of the inspection, the OWTS has deficiencies that require repairs.

IMPORTANT NOTE:

All non-permitted repairs must be documented on a Repair Verification Form

Yes No

☐ ☐ In my opinion, at the time of the inspection, the OWTS is functioning adequately.



Inspector Signature

Date

AB 22' 6" 01/25/2010 05:50 30 13344

GABRIELS

PAGE 05

GABRIEL'S RESTAURANT
5450 NORTH HIGHWAY 67
LOTS 5, 9 AND 10, BLOCK 7, SEDALIA
DOUGLAS COUNTY, COLORADO



SCALE
1" = 20'

AB 22' 6"
BC 12' 1"
CD 26' 3"
AE 90'
AF 95' 9"
AG 82' 3"
AH 98'
AI 91'
AJ 100'
AK 103' 2"
AL 104' 2"
CE 79'
CF 85'
CG 75'
CH 85' 4"
CI 76'
CJ 85' 6"
CK 86' 10"
CL 89' 9"

INFILTRATOR IM 1530 ONE OR TWO
COMPARTMENT POLYPROPYLENE SEPTIC TANK

4 INCH SCH 40 PVC SEWER LINE

30 X 42 = 1260 SF STA FIELD

30 X 42 = 1260 SF STA FIELD

30 X 69 = 2070 SF STA FIELD

New tanks will be
over 50' from any
wells

2 INCH PVC
PUMP LINE

CONCRETE TANK WITH
ACCESS LID FOR FAST 3.0
TREATMENT UNIT (SEE DETAIL
IN APPENDIX A)

INFILTRATOR IM 1080
SINGLE COMPARTMENT
POLYPROPYLENE LIFT
STATION

3 DISTRIBUTION VALVES WITHIN VALVE BOX

KORDZIEL

SCALE: 1" = 20'
DATE: 3-30-16
REV. DATE:
DES. BY: JCK
DRAWN BY: JCK

ENGINEERING, INC.

LOCATION OF TANK REPLACEMENT
(FOR FUTURE FAST 3.0 TREATMENT UNIT INSTALLATION)

PROJECT NO. 1779

FIGURE 2A

JT pumping, LLC

P.O. Box 207
Sedalia, CO 80135 US
(303) 910-7323
diana@jtpumpingllc.com

BILL TO
Charles Briggs
Gabriel's Restaurant
5450 Manhart Avenue
Sedalia, CO 80135

SHIP TO
Charles Briggs
Gabriel's Restaurant
5450 Manhart Avenue
Sedalia, CO 80135

INVOICE 3095
DATE 02/06/2025
TERMS Due on receipt
DUE DATE 02/06/2025

CC AUTHORIZATION NUMBER
71802E

DATE	ACTIVITY	DESCRIPTION	QTY	RATE	AMOUNT
02/06/2025	Septic System Pumping	For Septic System pumping, the initial charge is \$408.50 for any amount of waste pumped up to 1000 gallons. A \$40.85 charge will then incur for every additional 100 gallons pumped.	6	408.50	2,451.00
02/06/2025	Waste Disposal Fee - Septic	Cost of collection, processing, and recycling/deposition of the waste materials. Current waste disposal fee for septic services is \$0.12/gallon pumped.	6,000	0.12	720.00
02/06/2025	Effluent Filter	Cleaning	1	107.50	107.50
02/06/2025	Fuel Surcharge	Mileage from JT pumping, LLC's yard to jobsite address and finally, to waste disposal site.	1	72.66	72.66
02/06/2025		TRIP NO. 1: Service Start Time: (11:04AM) Gallons Pumped: (2500) Compartments: (MULTI) Hose(s) Used: (2) Lids: (Exposed) Condition of Tee's: (OK) Service Completion Time: (11:30AM)			
		TRIP NO. 2: Service Start Time: (12:01PM) Gallons Pumped: (2500) Compartments: (MULTI) Hose(s) Used: (2) Lids: (Exposed) Condition of Tee's: (OK) Service Completion Time: (12:25PM)			
		TRIP NO. 3: Service Start Time: (12:55PM) Gallons Pumped: (1000) Compartments: (2) Hose(s) Used: (2) Lids: (Exposed)			

Condition of Tee's: (OK)
Service Completion Time: (1:20PM)

Thank you for choosing JT pumping,
LLC. Have a blessed day!

PAYMENT	3,351.16
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BALANCE DUE	\$0.00
-------------	---------------

PAID

Property Address: _____

Section 1: Tanks

Tank 5

Tank Size (gallons): _____

Does this match DCHD records? ☐ Yes ☐ No

Type: ☐ Concrete ☐ Polyethylene ☐ Fiberglass ☐ Other

Was tank pumped? ☐ Yes ☐ No

If yes: Date Pumped: _____ Pumped by: _____

Attach copy of pump receipt

N/A Yes No

- ☐ ☐ Is the tank in good condition such that the tank functions are not compromised?
- ☐ ☐ Is the tank a two compartment tank?
☐ Tees ☐ Baffles (check one)
- ☐ ☐ If Tees or Baffles, are they in good condition?
- ☐ ☐ Is top of tank or riser to grade?
- ☐ ☐ Are the risers in good condition such that their function is not compromised?
- ☐ ☐ Is the lid (riser or manhole) in good condition?
- ☐ ☐ Does lid have a secure closing mechanism or sufficient weight to prevent unauthorized access?

N/A Yes No

- ☐ ☐ Was tank water level **above** the outlet invert?
- ☐ ☐ Was tank water level **below** the outlet invert?
- ☐ ☐ Does tank have an effluent filter(s)?
- ☐ ☐ If YES, is the filter accessible for cleaning?
- ☐ ☐ If YES, is the filter clean and in good condition?

Comments:

Tank 6

☐ Check if Not Applicable (N/A)

Tank Size (gallons): _____

Does this match DCHD records? ☐ Yes ☐ No

Type: ☐ Concrete ☐ Polyethylene ☐ Fiberglass ☐ Other

Was tank pumped? ☐ Yes ☐ No

If yes: Date Pumped: _____ Pumped by: _____

Attach copy of pump receipt

N/A Yes No

- ☐ ☐ Is the tank in good condition such that the tank functions are not compromised?
- ☐ ☐ Is the tank a two compartment tank?
☐ Tees ☐ Baffles (check one)
- ☐ ☐ If Tees or Baffles, are they in good condition?
- ☐ ☐ Is top of tank or riser to grade?
- ☐ ☐ Are the risers in good condition such that their function is not compromised?
- ☐ ☐ Is the lid (riser or manhole) in good condition?
- ☐ ☐ Does lid have a secure closing mechanism or sufficient weight to prevent unauthorized access?

N/A Yes No

- ☐ ☐ Was tank water level **above** the outlet invert?
- ☐ ☐ Was tank water level **below** the outlet invert?
- ☐ ☐ Does tank have an effluent filter(s)?
- ☐ ☐ If YES, is the filter accessible for cleaning?
- ☐ ☐ If YES, is the filter clean and in good condition?

◆◆◆Are additional tanks installed? ☐ Yes ☐ No - If YES, complete another use permit inspection form for the additional tanks. ◆◆◆

September 29, 2025

Mathew Jakubowski
100 Third St.
Castle Rock, CO 80104

RE: US2025-009

Dear Matt Jakubowski,

Thank you for the opportunity to review and comment on the second referral request with the referenced Magic Manor Theater application. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has the following comment(s):

On-Site Wastewater Treatment System (OWTS) – Use Permit

Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. Douglas County Health Department Regulation Number 22-01, Section 4.2 requires a Use Permit be obtained when a property has a change of use or the sale of a property

To obtain a Use Permit, the OWTS will need to be inspected by a National Association of Wastewater Technicians (NAWT) Certified Use Permit Inspector. A list of Certified Inspectors is available here <http://www.nawt.org/search.html>. If it is determined by the inspector that the system has deficiencies that require repair, these repairs must be completed prior to DCHD issuing a Use Permit.

In order to obtain a Use Permit, the applicant may contact Douglas County Health Department or the local health department with authority over the site at the time of development. More information is available at <https://www.douglas.co.us/health-department/environmental-health/> under the Use Permit section.

According to our records a Use Permit Application was submitted to us on 2/12/2025 for the sale of the property located at 5450 Manhart St. Sedalia CO 80135.

The application and inspection report from us property came back with several deficiencies that need to be fixed before we could issue a Use Permit.

This Use Permit was never finalized and is still Pending. DCHD would require the deficiencies to be fixed by a licensed OWTS contractor and provide a repair verification form before issuing the Use Permit.

Please see attached documents that support these comments.

Location of Parking in Disturbance of Onsite Wastewater Treatment System (OWTS)

Parking, driving, or heavy foot traffic on a leach field will compact the ground, shortening the life of the OWTS, and may collapse the system leading to costly damage. The site plan indicates parking for the event will be located over the Soil Treatment Area. In order to protect the property's OWTS from destruction, DCHD encourages the applicant to determine where parking and the event are in relation to the OWTS and not allow for parking or heavy foot traffic on the soil absorption area of the OWTS.

Plan Review – Retail Food

Plans for all new and remodeled retail food establishments must be reviewed by DCHD for compliance with Colorado Retail Food Establishment Rules and Regulations and approved by the Department before the start of construction. The applicant shall submit plans for the proposed food establishment to our office at 11045 E. Lansing Cir, Englewood , along with the [Plan Review Specification Packet](#). We recommend a review of the plans by DCHD be completed before the City or County issues a building permit for the construction.

The applicant may call DCHD at our office at (720) 907-4886, regarding requirements for, and scheduling a plan review. Instructions for opening a retail food establishment can be found online at DCHD's website at <https://www.douglas.co.us/health-department/environmental-health/>.

Plan Review - Child Care

Illness-causing organisms are spread easily in child care settings. In order to ensure the health of students, child care facilities must meet applicable state sanitation and food safety requirements. Applicants planning to open a new child care facility or extensively remodel an existing facility are required to submit plans to DCHD for review and approval before construction begins. The applicant should submit plans early in the design or development process so required revisions can be made prior to construction. Plans should be submitted to our 11045 E. Lansing Cir, Englewood. We recommend a review of the plans by DCHD be completed before the City or County issues a building permit for the construction. The applicant may obtain a plan review packet online at: <https://www.douglas.co.us/health-department/environmental-health/>.

The applicant shall obtain the required license to operate from the Colorado Department of Human Services Division of Child Care, 1575 Sherman St., Denver, CO 80203, (303) 866-5958. More information is available here <https://cdec.colorado.gov/>.

Food Vendors – Special Event

Illness-causing organisms are spread easily to the public through food and beverages. The event coordinator shall contact Douglas County Health Department prior to hosting any special event to discuss the event. Environmental Health can be reached at 720-907-4886 or

EH@douglas.co.us. The applicant shall provide information on all food vendors that plan to attend any event. This includes mobile units, special event vendors, and caterers. The review process for food vendors will depend on the type of food vendor and the level of licensure of the proposed food vendors. All vendors planning to attend the event must provide their Colorado Retail Food Establishment license as well as a Colorado Sales Tax License. More information is available here <https://www.douglas.co.us/health-department/environmental-health/>.

Wastewater – Portable Toilets for Special Events

Sewage has the potential to carry illness-causing organisms and must be handled properly to avoid spreading disease. The applicant is proposing to use a portable restroom for onsite personnel. DCHD has no objection to the use of portable toilets, provided the units are properly cleaned and maintained. DCHD recommends that a portable hand sink be provided near the restrooms.

Wastewater – Disposal for Special Events

All wastewater from hand sinks, mobile units or other sources must be disposed of in a utility sink or any other sink that drains into the municipal sewer system. Wastewater must not be allowed in the storm drains located on site or disposed of directly on the ground.

Solid Waste

In order to avoid nuisance, odors, and pest attraction, DCHD recommends the applicant provide solid waste collection receptacles at any event. Trash receptacles should have lids and be placed in areas that are accessible to attendees but placed in a manner to ensure food safety. Trash receptacles and dumpsters shall be emptied frequently in order to prevent trash from overflowing. We encourage recycling of materials where possible.

Please feel free to contact me at 720-643-2488 or ssicard@douglas.co.us if you have any questions about our comments.

Sincerely,
Skyler Sicard
Assistant Director of Environmental Health
Douglas County Health Department



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

August 13, 2025

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104

Attn: Matt Jakubowski

**Re: Town of Sedalia, Block 7, Lots 9-14 (Magic Manor Theater)
Case # US2025-009**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documents for the above-mentioned project and currently has no apparent conflict. Please be aware PSCo owns and operates existing natural gas distribution facilities along North State Highway 67 and Plum Avenue.

The property owner/developer/contractor must complete the application process for any new natural gas service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Xcel Designer assigned to the project for approval of design details.

If additional easements need to be acquired by separate PSCo document, a Right-of-Way Agent will need to be contacted by the Designer.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

October 1, 2025

Douglas County Planning Services
100 Third Street
Castle Rock, CO 80104

Attn: Matt Jakubowski

**Re: Town of Sedalia, Block 7, Lots 9-14 (Magic Manor Theater)
Case # US2025-009 – 2nd Submittal**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documents for the above-mentioned project and currently has no apparent conflict. Please be aware PSCo owns and operates existing natural gas distribution facilities along North State Highway 67 and Plum Avenue.

The property owner/developer/contractor must complete the application process for any new natural gas service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Xcel Designer assigned to the project for approval of design details.

If additional easements need to be acquired by separate PSCo document, a Right-of-Way Agent will need to be contacted by the Designer.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com

2nd Referral Agency Response Report**Page 1 of 6****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	08/05/2025; 09/25/2025	No Comment.	No action necessary.
AT&T Long Distance - ROW		No Response Received.	No action necessary.
Bear's Den HOA		No Response Received.	No action necessary.
Black Hills Energy	08/20/2025; 9/25/2025	No Comment.	No action necessary.
Building Services	08/08/2025; 10/09/2025	Received: Permit is required. Please submit a complete set of Construction documents prepared and stamped by Colorado registered design professionals for review of plans. Please visit Douglas County's web site for requirements and contact 303-660-7497 if you have any questions	Understood. Plans will be submitted to building, fire, and health for permit review.
CenturyLink	08/16/2025	Received (verbatim response): Qwest Corporation, Inc. d/b/a CENTURYLINK ("CenturyLink") has reviewed the request for the subject encroachment and has determined that it has no objections with respect to the areas proposed for encroachment as shown and/or described on Exhibit "A", said Exhibit "A" attached hereto and incorporated by this reference. It is the intent and understanding of CenturyLink that this Encroachment shall not reduce our rights to any other existing easement or rights we have on this site or in the area. This encroachment response is submitted WITH THE STIPULATION that if CenturyLink facilities are found and/or damaged within the areas as described, the Applicant will bear the cost of relocation and repair of said facilities. If you have any questions or would like to discuss this action further, please contact Tom Hoopes at Tom.Hoopes@lumen.com .	No action necessary.
Chatfield Watershed Authority		No Response Received.	No action necessary.

2nd Referral Agency Response Report**Page 2 of 6****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Agency	Date Received	Agency Response	Response Resolution
Colorado Department of Transportation CDOT-Region # 1	07/31/2025; 9/25/2025	<p>Received (verbatim response):</p> <p>It appears that this referral is not showing any work within CDOT ROW. Please note that we looked at this review at the end of July, our comments still stand for this proposed project.</p> <p>---</p> <p>I have reviewed the referral for Lots 9-14 (Magic Manor Theater), Project number US2025-009 and have the following comments.</p> <ul style="list-style-type: none">Working from or within CDOT ROW will require a utility/special use permit. This includes, but is not limited to survey, landscaping, signal or utility work. Application is made online at the following link: https://socgov.my.site.com/portal/s/login/?ec=302&startURL=%2Fportal%2Fs%2FAny signing must be on premise and cannot be either partly or wholly in CDOT ROW. Signing must be compliant with CDOT rules governing outdoor advertising per 2 CCR 601-3. <p>Thank you for the opportunity to review this referral.</p>	No action necessary.
Colorado Division of Water Resources	08/20/2025; 10/10/2025	<p>Received:</p> <p>Following is a summary of referral comments received from the Colorado Division of Water Resources (CDWR). See the full letter for detail.</p> <p>The proposal is not a subdivision. Therefore, CDWR's comments are informal, do not address availability or adequacy water, the ability of water supply to satisfy County requirements, and do not guarantee a physical availability of water or issuance of a well permit. No water supply or source demands were included in the application documents, but the property is located within the Sedalia Water and Sanitation District. CDWR has no comments regarding the District's ability to provide water for the property.</p>	No action necessary.
Comcast		No Response Received.	No action necessary.
CORE Electric Cooperative	08/19/2025	No Comment.	No action necessary.

2nd Referral Agency Response Report**Page 3 of 6****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Douglas County Health Department	08/18/2025; 09/29/2025	<p>Received: Following is a summary of the referral comments received from Douglas County Health Department (DCHD). See the full letter for detail.</p> <p>On-Site Wastewater Treatment System (OWTS) - Use Permit Use permit required at the sale of a property. According to DCHD records, a use permit application was submitted on 2-12-25 at the sale of the subject property. The application and inspection report came back with several deficiencies that need to be addressed before issuance of a Use Permit. A repair verification must be required before issuing the Use Permit.</p> <p>Other issues to address: Location of Parking in Disturbance of Onsite Wastewater Treatment System (OWTS) The site plan shows parking over the soil treatment area. DCHD encourages the applicant consider parking and activities away from the soil absorption area of the OWTS.</p> <p>Plan Review - Retail Food New or remodeled retail food establishments must be reviewed by DCHD for compliance with State regulations and must be approved by DCHD. DCHD recommends that contact and review of plans be completed prior to Building Permits.</p> <p>Plan Review - Child Care General comments were made regarding child care facilities and State requirements for such facilities. Contact DCHD to confirm comments.</p> <p>Food Vendors - Special Event General comments were made regarding requirements for food vendors that may serve events. Contact DCHD to confirm comments.</p> <p>Wastewater - Portable Toilets for Special Events General comments regarding portable toilets for events. Contact DCHD to confirm comments.</p> <p>Wastewater - Disposal for Special Events General comments regarding wastewater at special events. Contact DCHD to confirm comments.</p> <p>Solid Waste General comments regarding solid waste receptacles at events. Contact DCHD to confirm comments.</p>	<p>Understood. Plans will be submitted to building, fire, and health for permit review.</p> <p>Refer to the attached owner receipts for the repairs completed on the septic system.</p> <p>Regarding the septic location, the system has been in place for over two decades and there is no intent to relocate the septic system.</p>
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2nd Referral Agency Response Report**Page 4 of 6****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Agency	Date Received	Agency Response	Response Resolution
Douglas County Water Commission	08/27/2025	Following is a summary of the referral comments received from the Douglas County Water Commission (Commission). The Commission provided no consensus comment. One commissioner provided separate comment, that in cases of rezoning, inspection of the septic system should occur to protect the aluvium flowing into Chatfield Reservoir.	No action necessary.
Elk Ridge Estates HOA		No Response Received.	No action necessary.
Engineering Services	08/14/2025; 10/07/2025	No Comment.	No action necessary.
Indian Creek Ranch Improvement Association		No Response Received.	No action necessary.
Mile High Flood District		No Response Received.	No action necessary.
Office of Emergency Management	07/31/2025; 9/24/2025	No Comment.	No action necessary.
Ranch at Coyote Ridge HOA		No Response Received.	No action necessary.
Sedalia Property Owners Coalition	10/03/2025	Received (verbatim response): Sedalia Property Owners Coalition supports this project and feels it will be a great addition to Sedalia downtown.	No action necessary.
Sedalia Water & Sanitation District	10/02/2025	Received (verbatim response): SWSD has requested that the applicant provide water usage data for the proposed use in order to evaluate the project and issue a will-serve letter. To date, the District has not received this information. Once it is submitted, SWSD will be able to evaluate the water demand.	Refer to the attached will serve letter received after owner and district coordination earlier this year.
Sheriff's Office		No Response Received.	No action necessary.
Sheriff's Office E911		No Response Received.	No action necessary.

2nd Referral Agency Response Report

Page 5 of 6

Project Name: Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

West Douglas County FD	07/31/2025; 10/06/2025	<p>Received:</p> <p>We find the narrative to be short of some critical information, for the proposed change of use we would like to see the following.</p> <p>Please help us better understand and provide the following information along with any additional information you may have before we can submit our final comments.</p> <p><u>1. Occupant Load and Egress</u></p> <ul style="list-style-type: none">• Estimated maximum occupant load (based on square footage and function)• Comparison of old vs. new occupant loads• Description of egress routes, number of exits, and compliance with current codes• Any changes to doors, exit signs, or lighting <p><u>2. Fire Protection Systems</u></p> <ul style="list-style-type: none">• Existing systems:<ul style="list-style-type: none">o Fire alarm system (type, coverage)o Sprinkler system (status, coverage)o Kitchen suppression system (if applicable)• Proposed changes or upgrades:<ul style="list-style-type: none">o Plans to add, upgrade, or remove fire protection systemso Impact of use change on sprinkler/occupancy thresholds <p><u>3. Building Construction and Modifications</u></p> <ul style="list-style-type: none">• Description of any renovations or remodeling• Changes to interior finishes, furnishings, or decorations (especially combustible materials)• Confirmation of fire-rated walls, doors, and ceiling assemblies where applicable <p><u>4. Life Safety Considerations</u></p> <ul style="list-style-type: none">• Accessibility for emergency responders (fire lanes, Knox Box, etc.)• Fire department access and staging areas• Emergency lighting, exit signage, occupant notification systems• Fire extinguisher locations and spacing <p><u>5. Hazard Assessment</u></p> <ul style="list-style-type: none">• Will any hazardous materials be stored or used?• Are there cooking or open flame uses planned during events? (e.g., caterers, candles)• Will there be temporary structures, stages, pyrotechnics, or special amusements? <p><u>7. Code References</u></p> <ul style="list-style-type: none">• Confirm that change in use complies with:<ul style="list-style-type: none">o Occupancy classification requirements	Understood. Plans will be submitted to building, fire, and health for permit review.
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2nd Referral Agency Response Report**Page 6 of 6****Project Name:** Town of Sedalia, Block 7, Lots 9-14**Project File #:** US2025-009**Date Sent:** 09/24/2025**Date Due:** 10/08/2025

Agency	Date Received	Agency Response	Response Resolution
		<ul style="list-style-type: none">o Means of egress and life safety provisionso Fire protection system requirements <p>8. Conclusion / Summary</p> <ul style="list-style-type: none">• Summary statement confirming compliance with IFC 2018:o Life safety systems are in place or will be upgraded as requiredo The facility will comply with applicable codeso Fire department access and safety will not be compromised	
Xcel Energy- Right of Way & Permits	08/13/2025; 10/01/2025	<p>Received: Following is a summary of the referral response received from Xcel Energy. See letter for full detail.</p> <p>No apparent conflict. However, Xcel owns and operates existing natural gas distribution facilities along North State Highway 67 and Plum Avenue.</p> <p>Owner must apply for any new or modified natural gas service. Owner responsible to contact the Xcel Designer for approval of design details.</p> <p>If additional easements are necessary, these should be recorded by separate Xcel document, and a Right-of-Way Agent will need to be contacted.</p> <p>Please call for utility locates prior to any construction.</p>	No action necessary.



May 1, 2025

Douglas County Planning Division
10 Third Street
Castle Rock, CO 80104

Re: State Parcel No. 2353-144-08-012 - Commitment Letter

To Whom It May Concern:

On behalf of the Sedalia Water and Sanitation District ("District"), I am writing to inform you that the Property Owner ("Owner") of State Parcel Number 2353-144-08-012 has contacted the District regarding a potential change of use on the property, located in Sedalia, Colorado. The Owner has expressed intent to pursue a Use by Special Review through Douglas County to convert the current restaurant use to a venue known as "Amazing Shows" which would host live performances four to six days per month along with occasional special events.

This parcel is located within the District's service area. Based on the prior use of the property as a full-service restaurant operating daily and the new Property Owner indicating much less water use for this proposed development, the District has sufficient capacity to serve the proposed use as described. The District will require review of any formal applications to the County associated with the new use, in case that assumption changes.

Additionally, the District is currently engaged in a districtwide infrastructure improvement project. As part of this effort, the Owner has agreed to formalize an easement for District infrastructure located within the parcel's parking lot. This includes proposed water main lines, service lines, and meters, with the easement aligning with the location of existing water infrastructure. This will not have an impact on the use of this property as identified by the Property Owner. The District Board has also been informed of the Owner's intent to pursue the proposed change of use.

Please note that the District has not received a formal referral from Douglas County for review. This letter does not constitute approval or support for the Use by Special Review application or any related site improvements.

Respectfully Submitted,

K2 CIVIL CONSULTANTS, INC.

Mary Kasal, P.E.
K2 Civil Consultants, Inc.
Sedalia Water and Sanitation District Engineer

K2 Civil Consultants Inc.

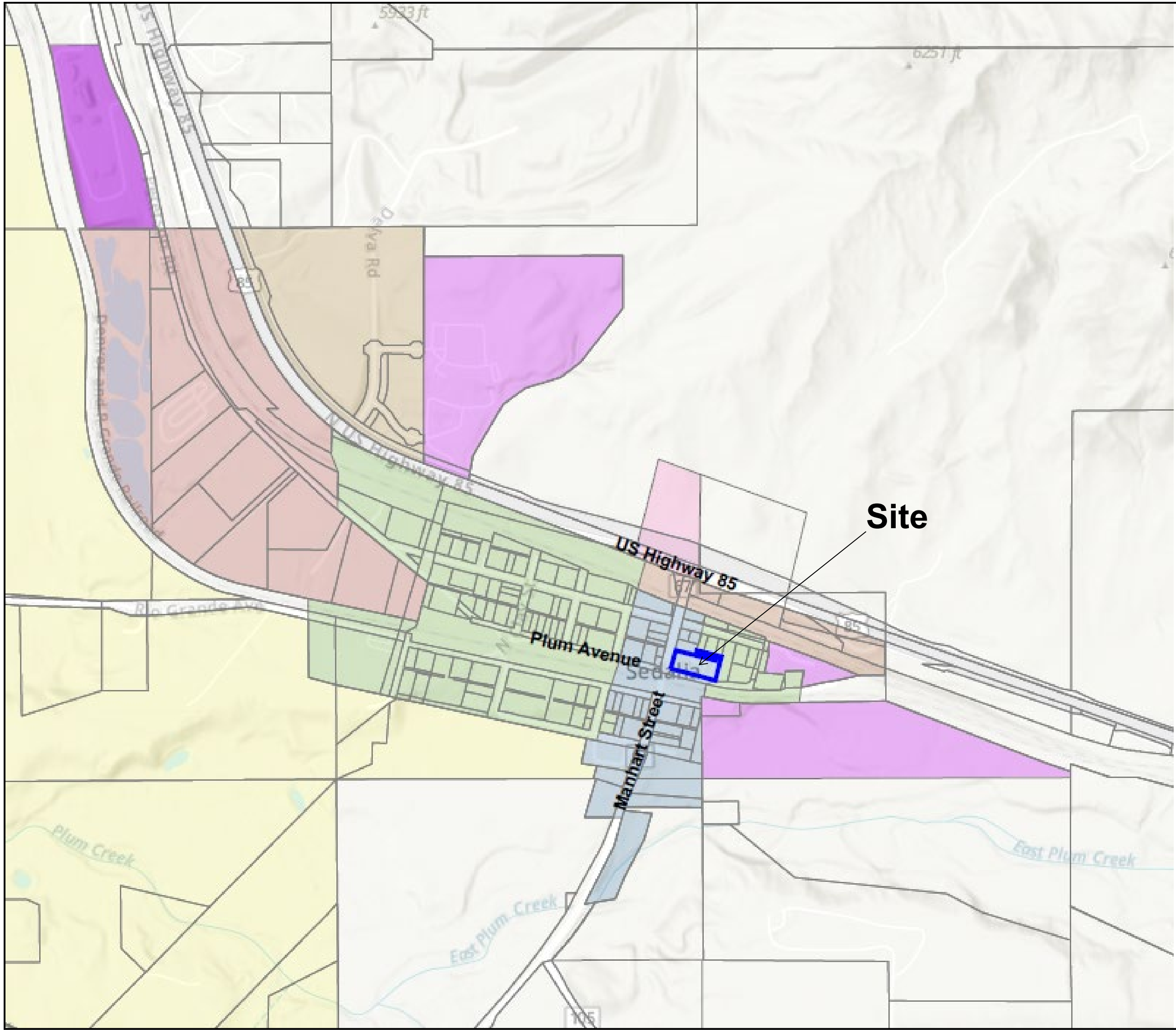
3801 E. Florida Ave., Suite 425, Denver, CO 80210

Town of Sedalia, Block 7, Lots 9 - 14

SW¼ of Section 13, T7S, R68W and the SE¼ of Section 14, T7S, R68W

Permit Area – 1.1 acres; Total Area – 1.2 acres

USR Plan Exhibit - US2025-009



VICINITY MAP (NTS)

Notes:

1. If any transformers, ground-mounted HVAC units, utility pedestals, and similar features are not shown on the SIP, additional landscaping and screening may be required based upon field conditions during the site inspection prior to issuance of the certificate of occupancy, or final inspection, as applicable.
2. Landscaping shall be planted and maintained by the owner, successor, and/or assigns. Should any plant material die, it shall be replaced with similar plant material within one planting season.

USR Management Plan

1. Number of events and patrons

- 250 public or private events / performances, classes, camps
- Maximum 90 patrons per public or private event / performance, class, or camp

2. Hours of operation

- 8:00 a.m. to 12:00 a.m.
- 7 days per week
- Food and beverage service allowed for public or private events / performances, class, or camp
- Restaurant operation allowed all other times

3. Number of employees

- 5 full-time

4. Required off-street parking

- Existing 61-space off-street parking lot

5. Method of providing fire protection

- West Douglas Fire Protection District

6. Permit requirements from other state, federal, or local agencies

- Liquor license
- Food service license for any restaurant, caterer, or other food and beverage operator
- Douglas County Health Septic Permit

Site Data Table		
Item	Square footage	% Gross Site
Gross Site Area (Parcel A and Parcel B)	52,707	100
Building Footprint		
- Main Structure	6,610	13
- Shed	332	0.6
Parking and Paved Areas	26,694	50.4
HARDSCAPE TOTAL	33,636	64
Existing Vegetation and Native Grass Areas	18,974	36
LANDSCAPED TOTAL	18,974	36
Item	Description	
Parking: Provided	61 spaces (2 accessible) in existing parking lot	
Note: Maximum Event Capacity proposed is 90 persons. The applicant estimates a parking demand of 40 parking spaces per event, when 61 spaces are provided. No minimum parking standard for an Event Center use is identified in Douglas County Zoning Resolution (DCZR) Section 2807. Per DCZR Section 2806.01 – Uses Not Specified, the applicant's parking demand estimate is adequate to address parking demand.		

APPROVAL CERTIFICATE
THE USE BY SPECIAL REVIEW AS DEPICTED HEREON WAS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON _____, 2026.

Director of Community Development

- The use by special review is subject to yearly review, or as otherwise defined by the Board of County Commissioners as part of its approval of the use by special review, to ensure compliance with the approval standards and conditions of approval.
- Construction shall commence pursuant to the use by special review within 3 years from the date of approval, or within the extended effective approval period, or the use by special review shall terminate.
- The use by special review shall terminate when the use of the land changes or when the time period established by the Board of County Commissioners through the approval process expires. The owner shall notify the Zoning Division of a termination of the use. When the Zoning Division is notified of a termination of use or observes that the use has been terminated during the annual review, a written notice of termination shall be sent to the landowner.
- Acceptance of site construction drawings by Douglas County Engineering shall be required (as applicable) prior to issuance of building permits. Acceptance of site construction drawings expires three (3) years after the date of signature.
- Signs shown hereon are NOT approved. All signs require approval of a sign permit in accordance with the Sign Standards section of the Douglas County Zoning Resolution.

The undersigned as the owner or owner's representative of the lands described herein hereby agree on behalf of itself, its successors and assigns to develop and maintain the property described hereon in accordance and compliance with this approved Plan Exhibit and the Douglas County Zoning Resolution.

(for Corporate or LLC owner, print corporation or LLC name)

By: _____

Title: _____

Date: _____

ATTEST:

Secretary/Treasurer

STATE OF COLORADO)
)ss.
COUNTY OF _____)

Acknowledged before me this _____ day of _____, 20____,

by _____ as _____

of _____.

My Commission expires: _____

Witness my hand and official seal.

Notary Public

Sheet Index:

- Sheet 1: Cover Sheet
- Sheet 2: USR Plan
- Sheet 3: Building Elevations – Main Structure
- Sheet 4: Building Elevations – Main Structure
- Sheet 5: Building Elevations – Shed

Owner/Applicant:
Joe Givan and Carol-Massie Givan
Dream Masterz Productions Inc.
5450 Manhart Street
Sedalia, CO 80135

SHEET 1 of 5

Town of Sedalia, Block 7, Lots 9 - 14
 SW¼ of Section 13, T7S, R68W and the SE¼ of Section 14, T7S, R68W
 Permit Area – 1.1 acres; Total Area – 1.2 acres
 USR Plan Exhibit - US2025-009



LEGEND
1 Parking Spaces / Row

Approval Certificate
 Planning _____
 Owner _____
 Lessee _____
 (if applicable)

SHEET
2 of 5

Town of Sedalia, Block 7, Lots 9 - 14
 SW¼ of Section 13, T7S, R68W and the SE¼ of Section 14, T7S, R68W
 Permit Area – 1.1 acres; Total Area – 1.2 acres
 USR Plan Exhibit - US2025-009

Notes:

1. The building elevations shown and approved hereon are intended to demonstrate how all HVAC shall be screened according to Douglas County Zoning Resolution requirements. It is the applicant's responsibility to ensure that screening occurs in the field as demonstrated by these plans, regardless of curb requirements, mechanical plan changes, or other circumstances. Failure to provide screening may result in delay of final inspections and/or issuance of a certificate of occupancy.



NORTH ELEVATION NTS



SOUTH ELEVATION NTS

Approval Certificate
 Planning _____
 Owner _____
 Lessee _____
 (if applicable)

SHEET
3 of 5

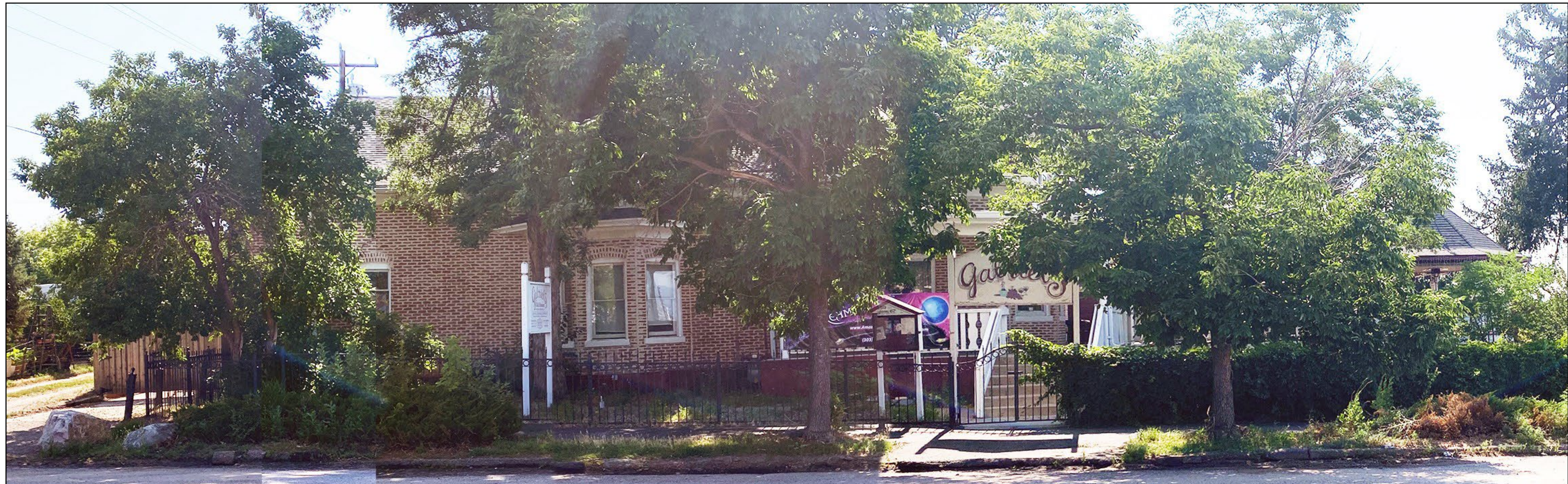
Town of Sedalia, Block 7, Lots 9 - 14
 SW¼ of Section 13, T7S, R68W and the SE¼ of Section 14, T7S, R68W
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 USR Plan Exhibit - US2025-009

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EAST ELEVATION NTS



WEST ELEVATION NTS

Approval Certificate
 Planning _____
 Owner _____
 Lessee _____
 (if applicable)

SHEET
4 of 5

Town of Sedalia, Block 7, Lots 9 - 14
 SW¼ of Section 13, T7S, R68W and the SE¼ of Section 14, T7S, R68W
 Permit Area – 1.1 acres; Total Area – 1.2 acres
 USR Plan Exhibit - US2025-009



EAST ELEVATION NTS



NORTH ELEVATION NTS



SOUTH ELEVATION NTS

WEST ELEVATION NTS

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Approval Certificate

Planning _____
 Owner _____
 Lessee _____
 (if applicable)

SHEET
5 of 5

www.douglas.co.us

MEETING DATE: January 13, 2026

**STAFF PERSON
RESPONSIBLE:** Trevor Bedford, AICP, Senior Planner

DESCRIPTION: Echo Valley Road - Zone Map Change - Project File: DR2025-009.

SUMMARY: The request is for approval of a zone map change consisting of approximately 106 acres from Estate Residential to Agricultural One for consistency with the Comprehensive Master Plan and agricultural uses on the property.

**STAFF
ASSESSMENT:** Staff has evaluated the zone map change request. The map change rezones property to Agricultural One to bring the property into more compliance with the Comprehensive Master Plan and agricultural uses on site. In staff's assessment, the request meets the eligibility criteria. After consideration, the Board of County Commissioners may approve the zone map change resolution.

REVIEW:

Terence T Quinn - FYI	Notified - FYI	12/29/2025
Steven E Koster	Approve	12/29/2025
Jeff Garcia	Approve	1/2/2026
Christie Guthrie	Approve	1/3/2026
Doug DeBord	Approve	1/6/2026
Samantha Hutchison - FYI	Notified - FYI	1/6/2026

ATTACHMENTS:

Cover Page
Staff Report - DR2025-009

www.douglas.co.us

MEETING DATE: January 13, 2026

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Steven E Koster	Approve	12/29/2025
Jeff Garcia	Approve	1/2/2026
Christie Guthrie	Approve	1/3/2026
Doug DeBord	Approve	1/6/2026

ATTACHMENTS:

Staff Report - DR2025-009

Zone Map Change Staff Report

Date: December 31, 2025
To: Douglas County Board of County Commissioners
Through: Douglas J. DeBord, County Manager
From: Terence T. Quinn, AICP, Director of Community Development *SK for TQ*
CC: Trevor Bedford, AICP, Senior Planner
Curtis J. Weitkunat, AICP, Long Range Planning Manager
Steven E. Koster, AICP, Assistant Director of Planning Services
Subject: Echo Valley Road Zone Map Change
Project File: DR2025-009

Planning Commission Hearing:	January 12, 2025 @ 6:00 p.m.
Board of County Commissioners Hearing:	January 13, 2025 @ 2:30 p.m.

I. EXECUTIVE SUMMARY

The request is for approval of a zone map change to rezone approximately 106 acres from Estate Residential (ER) to Agricultural One (A-1) in accordance with the Douglas County Zoning Resolution (DCZR) Section 112, Zone Map Changes, under the procedure for “Rezoning of land, when requested by the landowner, to bring it into compliance with the Master Plan.”

The proposed zone map change is located on the east side of Perry Park Boulevard, at its intersection with Echo Valley Road. The project is located within the West Plum Creek Nonurban Subarea as identified by the 2040 Comprehensive Master Plan (CMP).

The Planning Commission is scheduled to hear the application at its January 12, 2025 public hearing. Staff will provide an update on the outcome of the Planning Commission hearing at the Board of County Commissioners’ public hearing.

II. APPLICATION INFORMATION

A. Applicant

Matt Flavin
Cisco Land Company LLC
3900 S Colorado Blvd
Englewood, CO 80113

C. Request

The applicant requests approval of a zone map change consisting of approximately 106 acres from ER to A-1 for consistency with the CMP and agricultural uses on the property.

D. Process

A zone map change application is processed pursuant to Section 112 of the DCZR.

Per Section 112.04 of the DCZR “The Planning Commission shall evaluate the proposed amendment, staff report, referral agency comments, public testimony, and make a recommendation to the Board of County Commissioners to approve, approve with modifications, table for further study, or deny the proposed map amendment.”

E. Location

The project is located on the east side of Perry Park Boulevard at its intersection with Echo Valley Road. The attached vicinity map, zoning map, and aerial map highlight site location and existing conditions.

F. Project Description

The zone map change application is to rezone approximately 106 acres from Estate Residential (ER) to Agricultural One (A-1). The intent is to ensure consistency with the Comprehensive Master Plan and to be consistent with agricultural uses on the property.

III. CONTEXT

A. Background

The applicant owns three parcels along Echo Valley Road as a part of Perry Park Ranch’s breeding operations. The applicant wishes to preserve the properties for agricultural uses in perpetuity and is working with the Douglas Land Conservancy to place them in a conservation easement.

B. Adjacent Land Uses and Zoning

The zone map change request is adjacent to agricultural and residential properties.

Zoning and Land Use

Direction	Zoning	Land Use
North	Agricultural One and Suburban Residential	Agricultural and Vacant
South	Suburban Residential and Large Rural Residential	Vacant and Single-family Residential
East	Multifamily, Agricultural One, Rural Residential, Suburban Residential	Townhomes, Agriculture, Single-family Residential, Vacant
West	Agricultural One and Suburban Residential	Single-family Residential, Vacant, and Golf Course

IV. ZONE MAP CHANGE ELIGIBILITY

Section 112 of the DCZR allows for changes to the zoning map. The procedure is utilized for the following:

- Zoning of land disconnected from an incorporated area.
- Rezoning of land purchased with open space funds or dedicated to the County for open space.
- Correction of zoning map errors.
- Rezone of land to Open Space Conservation district.
- Rezoning of land, when requested by the landowner, to bring it into compliance with the Master Plan.

In this case, the property owners requested to rezone a property to bring it into greater compliance with the Master Plan. The subject property is within the West Plum Creek Subarea of the CMP. The CMP includes the following goals and policies that support the zone map change request.

- Goal 3-1: Project and conserve the natural and rural character of the nonurban area.
- Objective 3-1A: Preserve land that is characterized by ranching, farming, significant wildlife habitat, important biotic systems, or important scenic views, in perpetuity.
- Objective 3-1B: Support opportunities for owners of rural lands to continue ranching and farming.
- Policy 3-1B.2: Encourage opportunities for the expansion of agricultural operations in the nonurban area.
- Goal 3-2: Ensure land use and design is compatible with the natural and rural character of the nonurban area.
- Goal 3-3: Maintain the unique rural character of the Chatfield Valley (nonurban area), Cherry Valley, High Plateau, Indian Creek, Northeast, West Plum Creek, and Pike National Forest and Foothills Subareas.
- Policy 3-3F.1: Low-intensity rural development is supported in the West Plum Creek Subarea.

V. REFERRALS

This zone map change was distributed to applicable referral agencies. No concerns were received from referral agencies. Courtesy notices of an application in progress were sent to abutting landowners. No responses from the public were received.

VI. PLANNING COMMISSION

The Planning Commission is scheduled to hear the application at its January 12, 2025 public hearing. Staff will provide an update on the outcome of the Planning Commission hearing at the Board of County Commissioners' public hearing.

VII. STAFF ASSESSMENT

Staff has evaluated the zone map change request. The map change rezones property to A-1 to bring the property into more compliance with the Comprehensive Master Plan and agricultural uses on site. In staff's assessment, the request meets the eligibility criteria. After consideration, the Board of County Commissioners may approve the zone map change resolution.

<u>ATTACHMENTS</u>	<u>PAGE</u>
Douglas County Land Use Application	5
Applicant's Narrative	7
Comprehensive Plan Vicinity Map	8
Zoning Map	9
Aerial Map	10
Referral Agency Response Summary	11
Referral Agency Response Letter	12



Land Use Application

Please complete, sign, and date this application. Return it with the required items on the Submittal Checklist to planningsubmittals@douglas.co.us. Submittals may also be mailed or submitted in person to Planning Resources.

PROJECT INFORMATION

Project Type: Zone Map Change

Marketing Name: _____

Presubmittal Review Project Number: PS2025-223

PROJECT SITE

Address: None

State Parcel Number(s): 260922100015, 260923200024, 260923200023 290923200012

Subdivision/Block#/Lot# (if platted): NA

PROPERTY OWNER(S)

Name(s): CISCO LAND COMPANY LLC

Address: 3900 S COLORADO BLVD ENGLEWOOD, CO 80113

Phone: 303-886-9261

Email: _____

AUTHORIZED REPRESENTATIVE

Name: Matt Flavin

Company: CISCO LAND COMPANY LLC

Address: 3900 S COLORADO BLVD ENGLEWOOD, CO 80113

Phone: 303-886-9261

Email: _____

A notarized Letter of Authorization is required from the property owner, unless the owner is acting as the representative.

ACKNOWLEDGMENT

To the best of my knowledge, the information contained on this application is true and correct. I have received the County's information sheet regarding the *Preble's Meadow Jumping Mouse*.

Applicant's Signature _____

Date 10/3/25

NOTICE: Douglas County Planning does not charge "Approval" fees. Douglas County communicates through our official email accounts ending in @douglas.co.us; beware of phishing scams using similar addresses. If you have questions or concerns about the validity of an email or invoice, please call our public outreach and assistance team at 303-660-7460 or email planning@douglas.co.us.

Project Number (Office Use Only): _____

PREBLE’S MEADOW JUMPING MOUSE

What is the Preble’s Meadow Jumping Mouse?

The Preble’s Meadow Jumping Mouse is a rare mouse designated by the United States Fish and Wildlife Service as a “threatened species” under the Endangered Species Act. The federal threatened species designation prohibits the unlawful “take” of the Preble’s Meadow Jumping Mouse or its habitat.

Where does the mouse live?

The Preble’s Meadow Jumping Mouse lives primarily in heavily vegetated riparian habitats. In Douglas County, the mouse has been located in or near many drainages, including tributaries and the mainstream reaches of East and West Plum Creek. However, any stream reach or potential habitat within Douglas County may be subject to the requirements of the Endangered Species Act. The mouse has also been found in Boulder, Elbert, El Paso, Jefferson, and Larimer counties and in parts of Wyoming.

What activities may be considered a violation of the Endangered Species Act?

In its listing decision, the United States Fish and Wildlife Service identified activities that may result in violation of the Endangered Species Act to include:

- Unauthorized or unpermitted collection, handling, harassing, or taking of the species;
- Activities that directly or indirectly result in the actual death or injury death of the mouse, or that modify the known habitat of the species, thereby significantly modifying essential behavioral patterns (e.g., plowing, mowing, or cutting; conversion of wet meadow or riparian habitats to residential, commercial, industrial, recreational areas, or cropland; overgrazing; road and trail construction; water development or impoundment; mineral extraction or processing; off-highway vehicle use; and, hazardous material cleanup or bioremediation); and;
- The application or discharge of agrichemicals or other pollutants and pesticides onto plants, soil, ground water, or other surfaces in violation of label directions or any use following Service notification that such use, application or discharge is likely to harm the species; would be evidence of unauthorized use, application or discharge.

How to determine if a proposed activity would violate the Endangered Species Act.

Any questions regarding whether an activity will impact the Preble’s Meadow Jumping Mouse or its habitat should be directed to:

Field Office Supervisor
 USFWS Colorado ES Field Office (MS 65412)
 Denver Federal Center
 PO Box 25486
 Denver, CO 80225-0486
 303-236-4773
ColoradoES@fws.gov

Where to find more information on the Preble's Meadow Jumping Mouse.

More information from the US Fish and Wildlife Service can be found at: <https://ecos.fws.gov/ecp/species/4090>

Any approval given by Douglas County does not obviate the need to comply with applicable federal, state, or local laws and/or regulations.

Cisco Land Co. Narrative

October 3, 2025

Zone Map Changes may be requested per Douglas County Zoning Resolution Section 112 “when requested by the landowner, to bring it into compliance with the Master Plan.”

As the landowner, Cisco Land Company (owned by Matt and Brooke Flavin) is requesting to have three parcels, totaling approximately 106 acres, in Perry Park rezoned from Estate Residential (ER) to Agricultural One (A-1) to bring them into compliance with the West Plum Creek subarea of the Master Plan. The three parcels mentioned are an important part of Perry Park Ranch’s breeding operations and will continue to home broodmares and foals. Matt Flavin and his wife Brooke plan to preserve the properties for agricultural use in perpetuity and are currently working with Douglas Land Conservancy on a conservation easement.

The Comprehensive Master Plan (CMP) provides for the preservation of the rural landscape, natural habitats, critical viewsheds, and community separators."











CMP Objectives 3-1A and 3-1B specifically note "Preserve land that is characterized by ranching, farming, significant wildlife habitat, important biotic systems, or important scenic views, in perpetuity." and "Support opportunities for owners of rural lands to continue ranching and farming." The zone map change will allow for the parcel to have ranching and grazing as principal uses as supported in the Master Plan.

CMP Policy 3-3F.1 notes that low-intensity rural development is supported in the West Plum Creek Subarea. The zone map change to A-1 promotes the low-intensity rural development of ranching envisioned in the Master Plan.





CMP Policy 3-1B.2 encourages opportunities for the expansion of agricultural operations in the nonurban area. The zone map change will allow for the expansion of the agricultural uses in Perry Park.

Comprehensive Master Plan Land Use Reference Map

Comprehensive Master Plan Areas

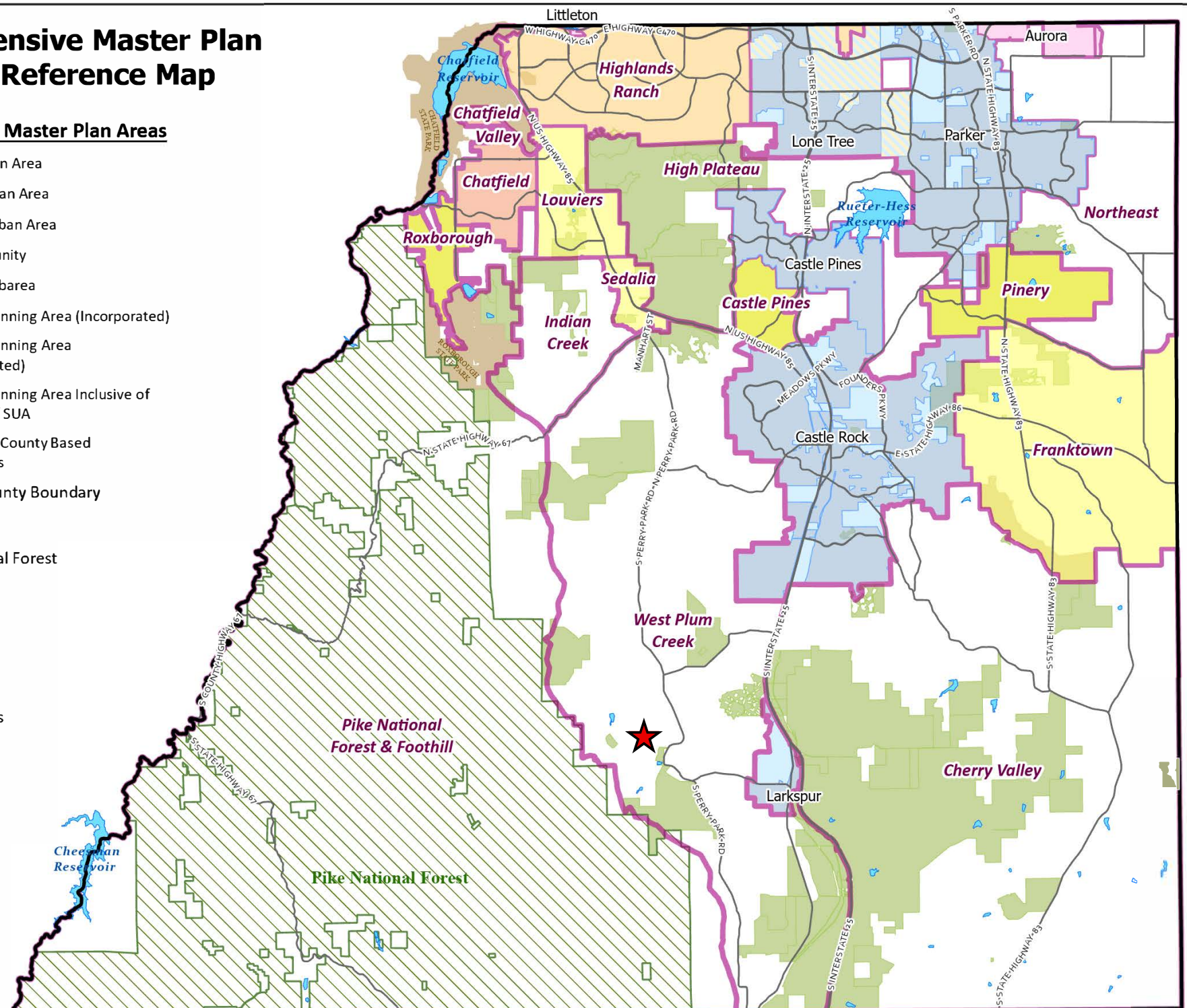
-  Primary Urban Area
-  Chatfield Urban Area
-  Separated Urban Area
-  Rural Community
-  Nonurban Subarea
-  Municipal Planning Area (Incorporated)
-  Municipal Planning Area (Unincorporated)
-  Municipal Planning Area Inclusive of County PUA / SUA
-  Non-Douglas County Based Municipalities
-  Douglas County Boundary

Parks

-  Pike National Forest
-  State Parks
-  Open Space
-  Lakes

Roadways

-  Major Roads

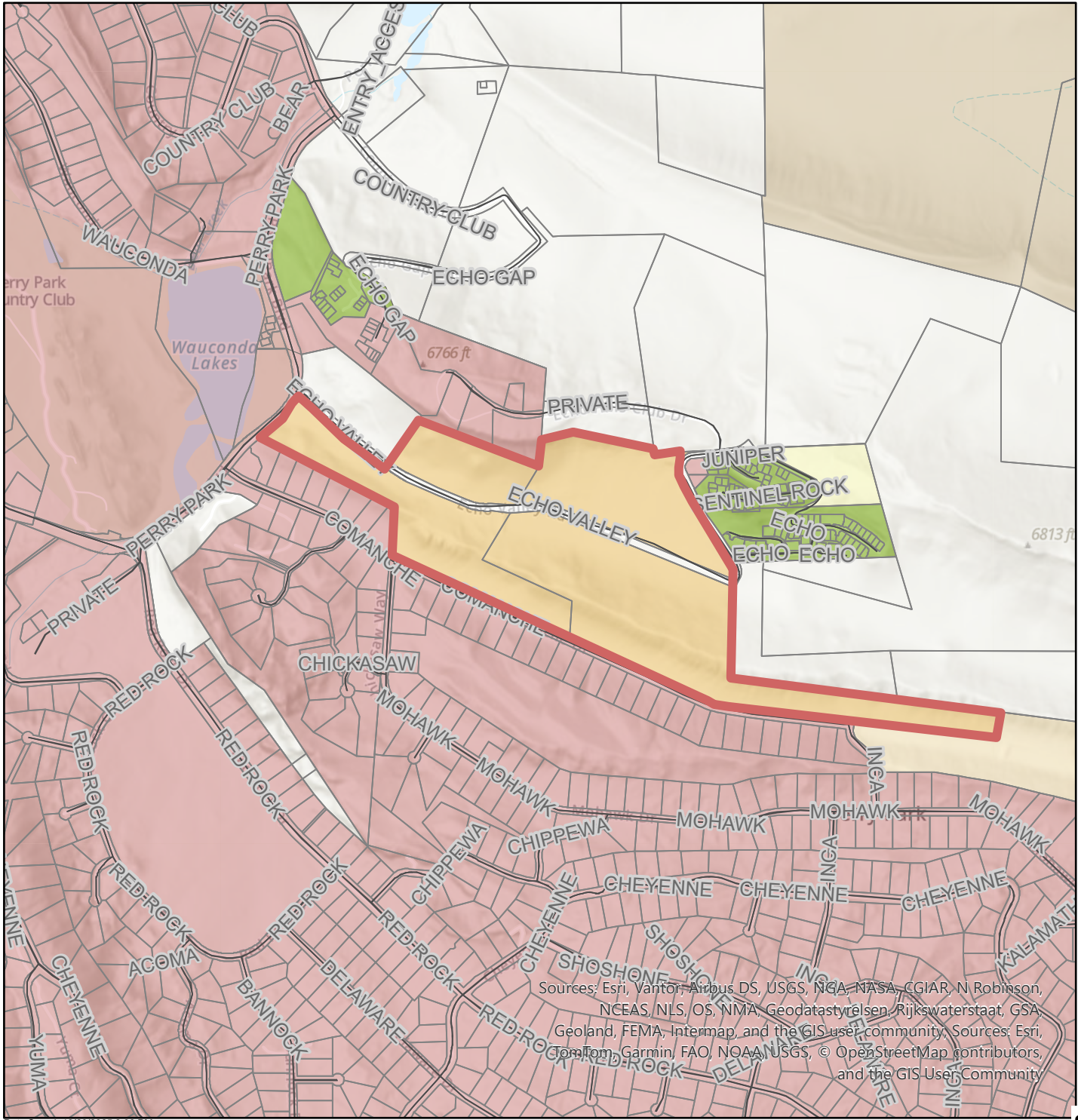


Echo Valley Road Zone Map Change

DR2025-009
Zoning Map



- LEGEND
- Roads
 - Major Roads
 - ▭ Parcels - PARCELS
 - ▭ A1 - AGRICULTURAL ONE
 - ▭ LRR - LARGE RURAL RESIDENTIAL
 - ▭ RR - RURAL RESIDENTIAL
 - ▭ ER - ESTATE RESIDENTIAL
 - ▭ SR - SUBURBAN RESIDENTIAL
 - ▭ MF - MULTIFAMILY
 - ▭ PD - PLANNED DEVELOPMENT



Echo Valley Road Zone Map Change

DR2025-009
Aerial Map



- LEGEND
- Roads
 - Major Roads
 - Parcels - PARCELS



Referral Agency Response Report**Page 1 of 1****Project Name:** Echo Valley Road Zone Map Change**Project File #:** DR2025-009**Date Sent:** 10/08/2025**Date Due:** 10/29/2025

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	10/08/2025	No Comment:	No response necessary
Assessor	10/28/2025	Received: None	No response necessary
Douglas County Conservation District		No Response Received:	No response necessary
Echo Hills Townhouse Association No. 1		No Response Received:	No response necessary
Engineering Services	12/23/2025	No Comment:	No response necessary
Larkspur FD		No Response Received:	No response necessary
Office of Emergency Management	10/21/2025	No Comment:	No response necessary
Perry Park ACC		No Response Received:	No response necessary
Retreat in Perry Park		No Response Received:	No response necessary
Sheriff's Office		No Response Received:	No response necessary
Sheriff's Office E911		No Response Received:	No response necessary
Wildfire Mitigation	10/27/2025	Received: Wildfire Mitigation has no objections or further requirements at this time due to the low relative fire hazard currently present on the parcels in question. Any future development will be subject to the standard building permit process and applicable defensible space requirements.	Information provided to applicant

REFERRAL RESPONSE REQUEST

 Date Sent: October 8 2025

 Comments due by: **October 29, 2025**
Project Name: Echo Valley Road Zone Map Change

Project File #: DR2025-009

Project Summary: The applicant is requesting a Zone Map Change from Estate Residential (ER) to Agricultural One (A-1) for approximately 106 acres to bring the property into compliance with the Douglas County Comprehensive Master Plan.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

<input checked="" type="checkbox"/> No Comment	
<input type="checkbox"/> Please be advised of the following concerns: 	
<input type="checkbox"/> See letter attached for detail.	
Agency: <u>ENGINEERING</u>	Phone #: <u>4318</u>
Your Name: <u>AL PETERSON</u> (please print)	Your Signature: <u><i>Al Peterson</i></u>
	Date: <u>12/23/25</u>

Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,

Trevor Bedford, AICP, Project Planner

Enclosure

www.douglas.co.us

MEETING DATE: January 13, 2026

STAFF PERSON RESPONSIBLE: Jeff Garcia, Douglas County Attorney

DESCRIPTION: Second and Final Reading of An Ordinance to Support Law Enforcement and Crime Prevention in Douglas County, Colorado.

SUMMARY: A second and final reading of an ordinance requiring the mandatory reporting of retail theft in Douglas County

RECOMMENDED ACTION: Approve Ordinance.

REVIEW:

Jeff Garcia	Approve	1/2/2026
Christie Guthrie	Approve	1/3/2026
Doug DeBord	Approve	1/6/2026

ATTACHMENTS:

Cover Page
Ord Report Crimes 12.2.25

www.douglas.co.us

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Doug DeBord	Approve	1/6/2026

ATTACHMENTS:

Ord Report Crimes 12.2.25

ORDINANCE NO. O-025-XXX

**THE BOARD OF COUNTY COMMISSIONERS
OF THE COUNTY OF DOUGLAS, COLORADO**

**AN ORDINANCE TO SUPPORT LAW ENFORCEMENT AND CRIME PREVENTION
IN DOUGLAS COUNTY, COLORADO**

WHEREAS, the Board of County Commissioners of the County of Douglas, Colorado, (“Board”) is authorized to enact this Ordinance pursuant to C.R.S. § 30-11-101(2), to provide for public health, safety, and welfare.

WHEREAS, the Board recognizes Douglas County is proud to be an inviting community. However, Douglas County’s welcoming nature makes the County an ideal target for criminals.

WHEREAS, the Board recognizes property crimes, including shoplifting and theft are regularly linked to more serious offenses, including: gang activity; organized crime; auto theft; drug and firearm related crimes; and violent crimes. As a result, retail theft endangers the safety and welfare of Douglas County consumers and residents, and the Douglas County business community. Crime prevention is the goal and responsibility of everyone in Douglas County. Significant crime prevention is only possible when government, law enforcement, the business community, and residents work together.

WHEREAS, it is not the intent of the Board or the County to unnecessarily regulate businesses or impede victims of crime from seeking support; however, in balancing these concerns, the Board recognizes the need to prevent corporate conduct that facilitates or promotes crime in Douglas County.

WHEREAS, in 1979, the Colorado General Assembly passed House Bill 1110, which created C.R.S. § 18-8-115, which states:

It is the duty of every corporation or person who has reasonable grounds to believe that a crime has been committed to report promptly the suspected crime to law enforcement authorities.

Notwithstanding any other provision of the law to the contrary, a corporation or person may disclose information concerning a suspected crime to other persons or corporations for the purpose of giving notice of the possibility that other such criminal conduct may be attempted which may affect the persons or corporations notified. When acting in good faith, such corporation or person shall be immune from any civil liability for such reporting or disclosure. This duty shall exist notwithstanding any other provision of the law to the contrary; except that this section shall not require disclosure of any communication privileged by law.

WHEREAS, in 1996, the Court in *Lunsford v. W. States Life Ins.*, 919 P.2d 899 (Colo. App. 1996) applied the plain language of the statute to hold, under C.R.S. §18-8-115, “It is the duty of every corporation or person who has reasonable grounds to believe that a crime has been committed to report promptly the suspected crime to law enforcement authorities”.

WHEREAS, C.R.S. §18-8-115 is silent in defining “prompt reporting” under the statute and prescribing a penalty for violating the statute.

WHEREAS, through this Ordinance, the Board honors the intent of the General Assembly and the Court in the enactment and application of C.R.S. §18-8-115 by defining “prompt reporting” and prescribing a penalty for violating C.R.S. §18-8-115 related to retail theft in Douglas County.

THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, COLORADO, THAT:

PART I: Violation of this Ordinance

Section 1. Failure to Promptly Report Theft

- (A.) A corporate entity violates this Ordinance if the corporate entity, through an employee or representative:
 - 1. Knowingly fails to promptly report the theft of its property to law enforcement where the corporation through an employee or representative has reasonable grounds to believe that theft has been committed.
 - (a) For the purpose of this Ordinance, “promptly” means within ninety-six (96) hours of reasonably becoming aware of the theft;
 - (b) For the purpose of this Ordinance, “reasonable grounds” require an honest belief that a theft has been committed, supported by facts sufficiently strong to warrant that belief in a cautious person.
 - (c) For the purpose of this Section, “report” means to inform any law enforcement agency of applicable jurisdiction of the theft by a means that the law enforcement agency has adopted for accepting reports of crime.
 - (d) Pursuant to C.R.S. § 18-8-115, when acting in good faith, such corporation, employee, or representative shall be immune from any civil liability for such reporting or disclosure.

Section 2. Failure to Retain and Provide Photographic or Video Evidence

- (A.) A corporate entity violates this Ordinance if the corporate entity, through an employee or representative:

1. Knowingly fails to retain, conceals, removes, alters, damages or destroys any photographic or video evidence of a crime subject to and reported under Section 1 of this Ordinance, or
 2. Knowingly fails to provide to law enforcement any photographic or video evidence of a crime subject to and reported under Section 1 of this Ordinance.
- (B.) A corporation is relieved of any duty to retain photographic or video evidence created under this Ordinance when all such evidence has been provided to law enforcement.

Section 3. Retaliation against Reporting Party

- (A.) A corporate entity violates this Ordinance if the corporate entity, through an employee or representative takes adverse employment action against an employee for complying with Part I, Sections 1 and 2 of this Ordinance, including the reporting of a crime to law enforcement or preserving, retaining, or providing law enforcement evidence of a crime.
- (B.) This Ordinance does not relieve any party violating Part I, Sections 3(A.) of this Ordinance from additional criminal or civil liability.
- (C.) Should the County become reasonably aware of a violation of Part I, Sections 3(A.) of this Ordinance, the County shall report such violation to appropriate law enforcement.

Section 4. Corporate Policy Violating C.R.S. § 18-8-115

- (A.) A corporate entity violates this Ordinance if the corporate entity adopts a written policy prohibiting employees of the corporation from reporting theft to law enforcement.
- (B.) This Ordinance does not relieve any party violating Part I, Sections 4(A.) of this Ordinance from additional criminal or civil liability.

Section 5. Exceptions

- (A.) A corporation or person has not violated this Ordinance if the reporting of a crime subject to this Ordinance requires the corporation or person to violate any other Colorado or Federal Law.
- (B.) This Ordinance does not require any person to incriminate themselves.
- (C.) This Ordinance does not require any person to report the observation of a crime believed to have been committed by their spouse.

- (D.) This Ordinance exempts a corporate entity that proactively communicates with law enforcement within ninety-six (96) hours that the corporate entity is pursuing an investigation through their own agents in a good faith attempt to gather information to report to law enforcement for filing of charges at a later time.

PART II: ADOPTION AND ENFORCEMENT

Section 1. Douglas County Enforcement

- (A.) It is the intent of the County that enforcement of this Ordinance be limited to corporate entities, not natural persons.
- (B.) The Douglas County Sheriff shall be responsible for the enforcement of this Ordinance.
- (C.) The District Attorney for the 23rd Judicial District may participate in the enforcement and resolution of violations of this Ordinance to the extent permitted by Colorado law.
- (D.) Douglas County Attorney's Office shall represent the County in the enforcement, prosecution, and resolution of violations of this Ordinance.
- (E.) This Ordinance creates no independent civil right of action.
- (F.) This Ordinance may be enforced concurrently with any other criminal, civil, or administrative law or regulation.
- (G.) This Ordinance does not relieve any person, party, or business of any other lawful duty to report.

Section 2. Fine for Violation

- (A.) Any corporation who violates Part I, Sections 1 and 2 of this Ordinance commits a civil infraction as defined under C.R.S. §30-15-402(1) and upon conviction thereof, may be punished by a fine of not more than fifty dollars (\$50.00) for every 24 hours after the required time for reporting an incident of retail theft has lapsed. The fine for each separate violation of this Ordinance shall not exceed \$1,000, plus a surcharge of \$10 under C.R.S. §30-15-402(2).
- (B.) Any corporation who violates Part I, Sections 3 or 4 of this Ordinance commits a civil infraction as defined under C.R.S. §30-15-402(1) and upon conviction thereof, may be punished by a fine of not to exceed \$1,000, plus a surcharge of \$10 under C.R.S. §30-15-402(2).

PART III: ADMINISTRATION

Section 1. Severability

Should any section, clause, sentence, or part of this Ordinance be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, the same shall not affect, impair, or invalidate the Ordinance as a whole or any part thereof other than the part so declared to be invalid.

Section 2. Safety Clause

The Board of County Commissioners hereby finds, determines, and declares that this Ordinance is necessary for the preservation of public welfare, health and safety.

Section 3. Repeal

This Ordinance is intended to be applied in conjunction with other applicable laws, not repeal or supersede other applicable laws. This Ordinance repeals and supersedes only those parts of any other Douglas County ordinance that expressly contradicts and directly prohibits the application and enforcement of this Ordinance. In application of this Section, this Ordinance and all related ordinances shall be narrowly construed in their application.

Section 4. Adoption and Passage of this Ordinance

Pursuant to C.R.S. §§ 30-15-405 and 406, County ordinances are typically presented for review and comment on First Reading at a Board of County Commissioners Business Meeting. Subsequently, after notice has been provided in the newspaper, the Board of County Commissioners will adopt an ordinance at Second and Final Reading, which is conducted at a public hearing. If adopted as an “emergency ordinance,” the ordinance will take effect immediately. Otherwise, all ordinances go into effect 30 days after publication after Second and Final Reading.

CERTIFICATION

The Douglas County Clerk shall certify the passage of this ordinance and shall have on file copies of this ordinance available for inspection by the public during regular business hours.

INTRODUCED AND READ ON FIRST READING on December 9, 2025, and ordered published in the DOUGLAS COUNTY NEWS-PRESS.

THE BOARD OF COMMISSIONERS OF THE COUNTY OF DOUGLAS, COLORADO

By: _____
Abe Laydon, Chair

ATTEST:

Deputy Clerk

ADOPTED ON SECOND AND FINAL READING on January 13, 2026, and ordered published by reference to title only in the DOUGLAS COUNTY NEWS-PRESS.

THE BOARD OF COMMISSIONERS OF THE COUNTY OF DOUGLAS, COLORADO

By: _____
Abe Laydon, Chair

ATTEST:

Deputy Clerk

CERTIFICATE

I hereby certify that the foregoing Ordinance No. O-025-XXX was introduced and read on First Reading at the regular meeting of the Board of County Commissions of the County of Douglas on December 9, 2025, and the same was published in full in the Douglas County News-Press, a newspaper of general circulation published in Douglas County, on December 30, 2025, and thereafter was adopted on Second and Final Reading at a regular public hearing of the Board of County Commissioners of the County of Douglas on January 13, 2026. Said ordinance was published by reference to title only on January 31, 2026. Said ordinance shall become effective as of March 1, 2026.

Deputy Clerk

State of Colorado)
)ss.
County of Douglas)

Subscribed and sworn to before me this ____ day of _____, 2025, by
_____, Deputy Clerk.

Notary Public

My commission expires: _____

CERTIFICATION

I, _____, Douglas County Deputy Clerk, do hereby certify that the foregoing Ordinance No. O-025-XXX, entitled, **AN ORDINANCE FOR THE ASSISTANCE OF LAW ENFORCEMENT AND CRIME PREVENTION DOUGLAS COUNTY, COLORADO**, is a true, correct and complete copy from the records in my office, that said ordinance was duly adopted by the Board of County Commissioners of Douglas County and is in full force and effect.

Deputy Clerk