

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

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**

SK for TQ

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

AUSR application is processed pursuant to Douglas County Zoning Resolution (DCZR) Section 21. Section 21 states the intent of the AUSR 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 an AUSR 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 AUSR 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 no 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.

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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*.

Carol Massie-Givan

Applicant Signature



March 24, 2025

Date

100 Third Street, Castle Rock, Colorado 80104 • 303.660.7460

Revised 6/2024



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

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303.246.4943 WWW.DAVIDPGOODE.COM**

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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.

Theater of Dreams (Gabriels) - Sedalia, CO
September 22, 2025

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

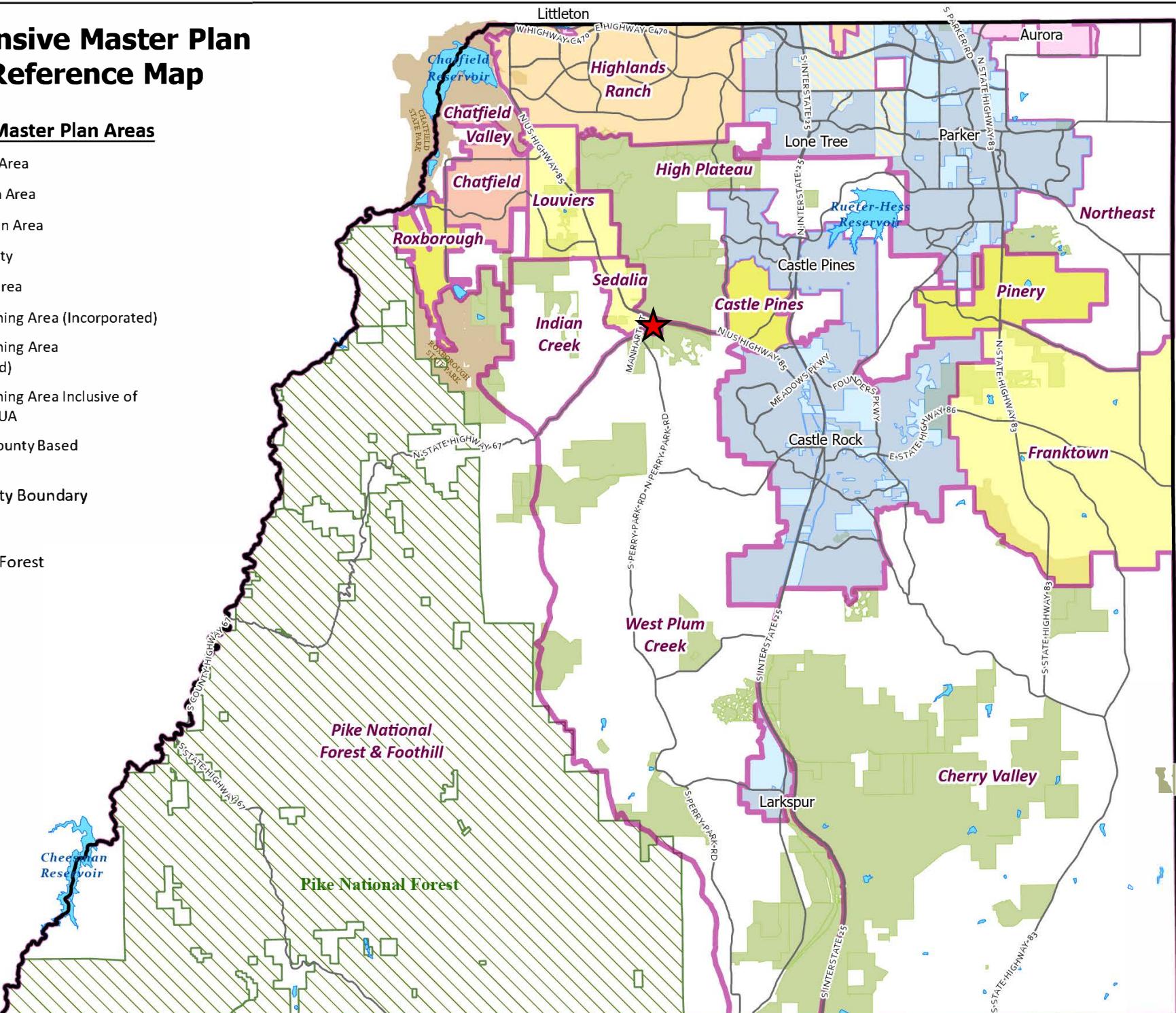
- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County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

Parks

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

Roadways

- Major Roads



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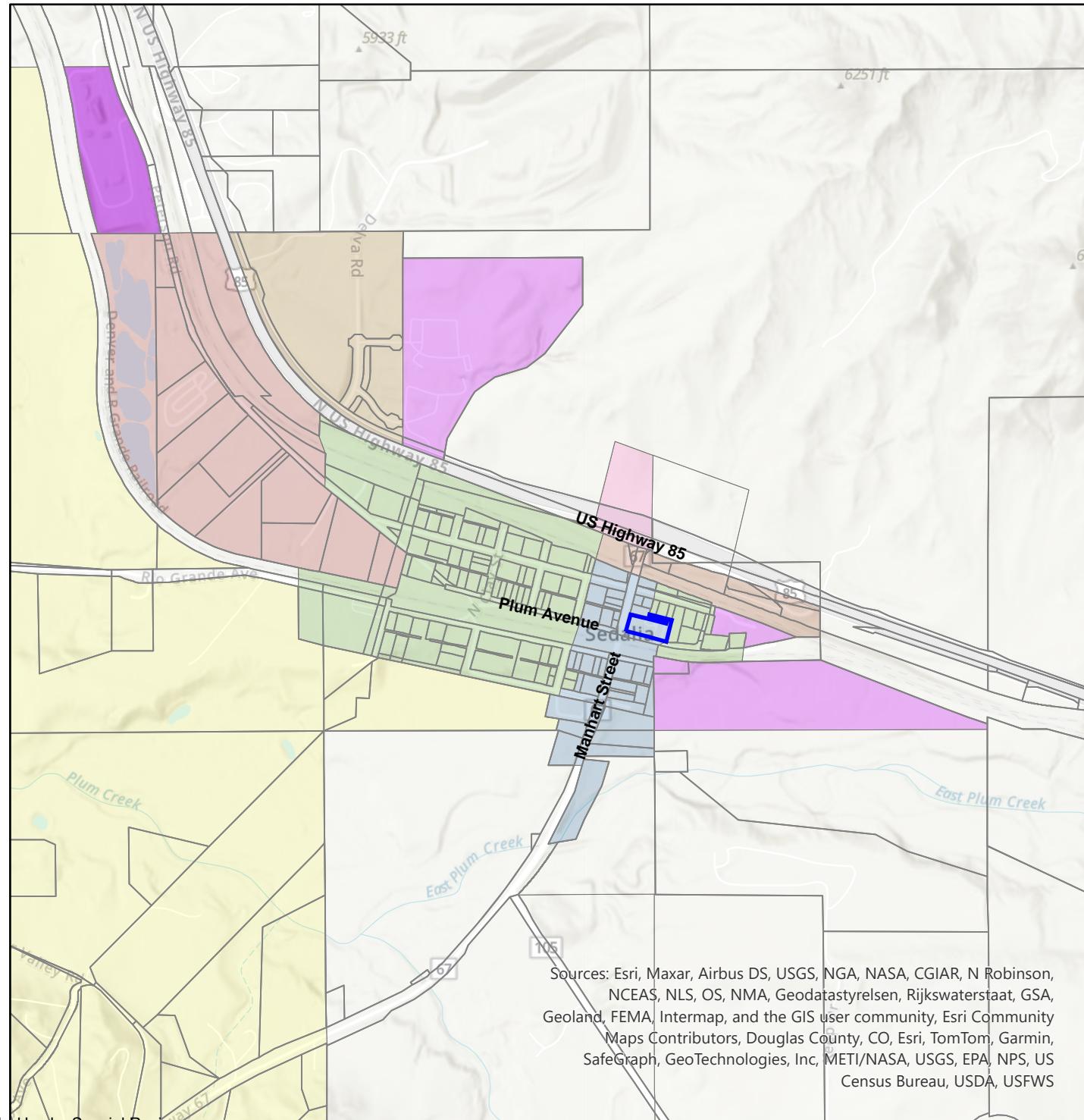
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US2025-009
Zoning Map



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**



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US2025-009
Aerial Map

LEGEND

 PROJECT AREA



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%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. 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.

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	<p>Will serve letter provided with application materials.</p> <p>Received (verbatim response):</p> <p>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.</p>	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.

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):</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"> ◦ Fire alarm system (type, coverage) ◦ Sprinkler system (status, coverage) ◦ Kitchen suppression system (if applicable) • Proposed changes or upgrades: <ul style="list-style-type: none"> ◦ Plans to add, upgrade, or remove fire protection systems ◦ 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"> ◦ 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:

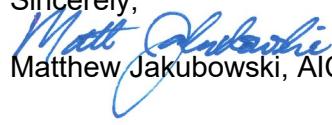
Applicant requests a Use by Special Review (USR) to convert an existing restaurant into an Event Center for public and private events with a maximum occupancy of 90 persons/event. Maximum 250 events/year proposed, including live performances of magic/illusion, music, comedy, and the arts, youth camps, 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 (please print)	Your Signature: Rana Rasteh
	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](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

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

CenturyLink

**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_)

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

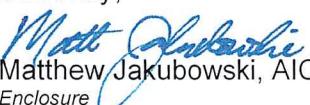
Project Name:	Town of Sedalia, Block 7, Lots 9-14 (Magic Manor Theater)
Project File #:	US2025-009
Applicant requests a Use by Special Review (USR) to convert an existing restaurant into a theater and event venue specializing in performances of illusion and magic. Public performances are ticketed. Youth 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.	
Project Summary:	

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/> <hr/>	
<input type="checkbox"/> See letter attached for detail.	
Agency: <i>Engineering</i>	Phone #: <i>4318</i>
Your Name: <i>Al Peterson</i> (please print)	Your Signature: <i>Al Pttr</i>
	Date: <i>8/14/25</i>

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

100 Third Street, Castle Rock, Colorado 80104 • 303.660.7460

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

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.**

Project Summary:

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/> <hr/>	
<input type="checkbox"/> See letter attached for detail.	
Agency: <i>Engineering</i>	Phone #: <i>4318</i>
Your Name: <i>Al Peterson</i> (please print)	Your Signature: <i>Al Peterson</i>
	Date: <i>10/7/2025</i>

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

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

- 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?

Tank 2 *(continued)*

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:

◆◆◆ 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

- Is siphon or pump operational?
- Are floats properly tethered and operational?
- Is the junction box (J-Box) approved for use?
- If Yes, are J-Box and wiring properly installed and functional?

N/A Yes No

- Is there an audio visual alarm?
- If alarm, is alarm operational?
- Is pump in a screened vault?
- If Yes, is the vault in acceptable condition and screen clean?
- 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

- Are the distribution valves in a box or vault?
- If Yes, is the box or vault in acceptable condition?
- Are the distribution valves operational?
- If Pressure dosed, NDDS, or Drip Irrigation, are risers at ends of zones in good condition?

N/A Yes No

- Is there an automatic distribution valve (ADV)?
- If Yes, is the ADV working properly?
- Is the system equipped with flushing valves?
- If Yes, are the flushing valves accessible and operational?

Comments:

Property Address: _____

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?

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:

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

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

Project File: US2025-009

Planning Commission Staff Report - Page 40 of 63

Property Address: _____

Is System Equipped with a Secondary Treatment Unit?

Yes

No

(If "Yes" complete Section 3)

Section 3: Secondary Treatment

Type of Unit:

ATU RSF ISF Textile Fiber Peat Filter Other

If other, indicate type: _____

Yes No

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

If Yes, when was system last inspected? _____ / _____ / _____

Yes No

Is secondary treatment unit operating properly?

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

<input type="checkbox"/> <input type="checkbox"/> 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

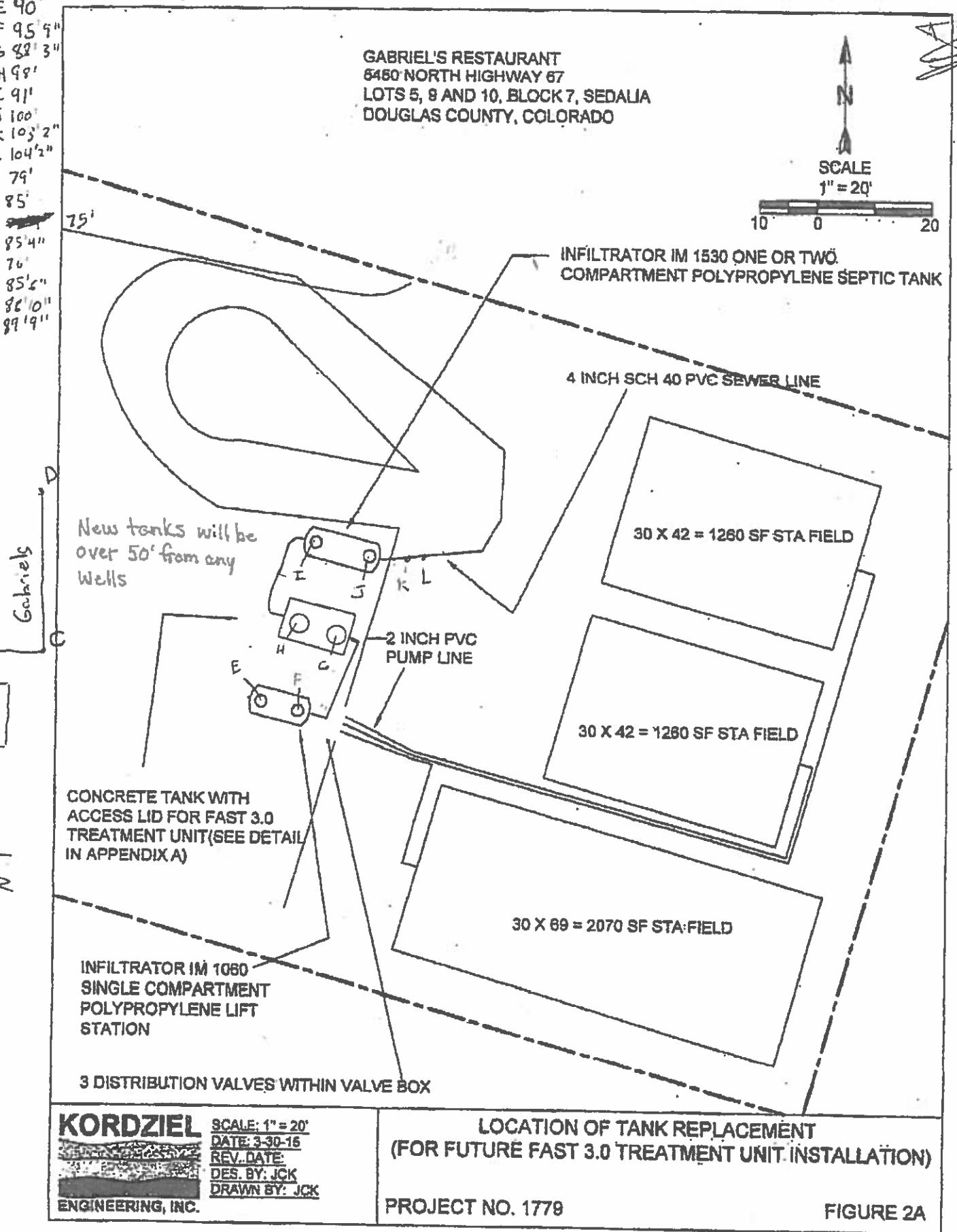
Yes No

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



Inspector Signature

Date



JT pumping, LLC

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

BILL TO	SHIP TO	INVOICE	3095
Charles Briggs Gabriel's Restaurant 5450 Manhart Avenue Sedalia, CO 80135	Charles Briggs Gabriel's Restaurant 5450 Manhart Avenue Sedalia, CO 80135	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

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?

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?

Comments:

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

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

Project File: US2025-009

Planning Commission Staff Report - Page 46 of 63

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.

Project Name: Town of Sedalia, Block 7, Lots 9-14

Project File #: US2025-009

Date Sent: 09/24/2025

Date Due: 10/08/2025

<p>Douglas County Health Department</p>	<p>08/18/2025; 09/29/2025</p>	<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.

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>1. Occupant Load and Egress</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>2. Fire Protection Systems</p> <ul style="list-style-type: none"> • Existing systems: <ul style="list-style-type: none"> ◦ Fire alarm system (type, coverage) ◦ Sprinkler system (status, coverage) ◦ Kitchen suppression system (if applicable) • Proposed changes or upgrades: <ul style="list-style-type: none"> ◦ Plans to add, upgrade, or remove fire protection systems ◦ Impact of use change on sprinkler/occupancy thresholds <p>3. Building Construction and Modifications</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>4. Life Safety Considerations</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>5. Hazard Assessment</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>7. Code References</p> <ul style="list-style-type: none"> • Confirm that change in use complies with: <ul style="list-style-type: none"> ◦ 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><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.



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,

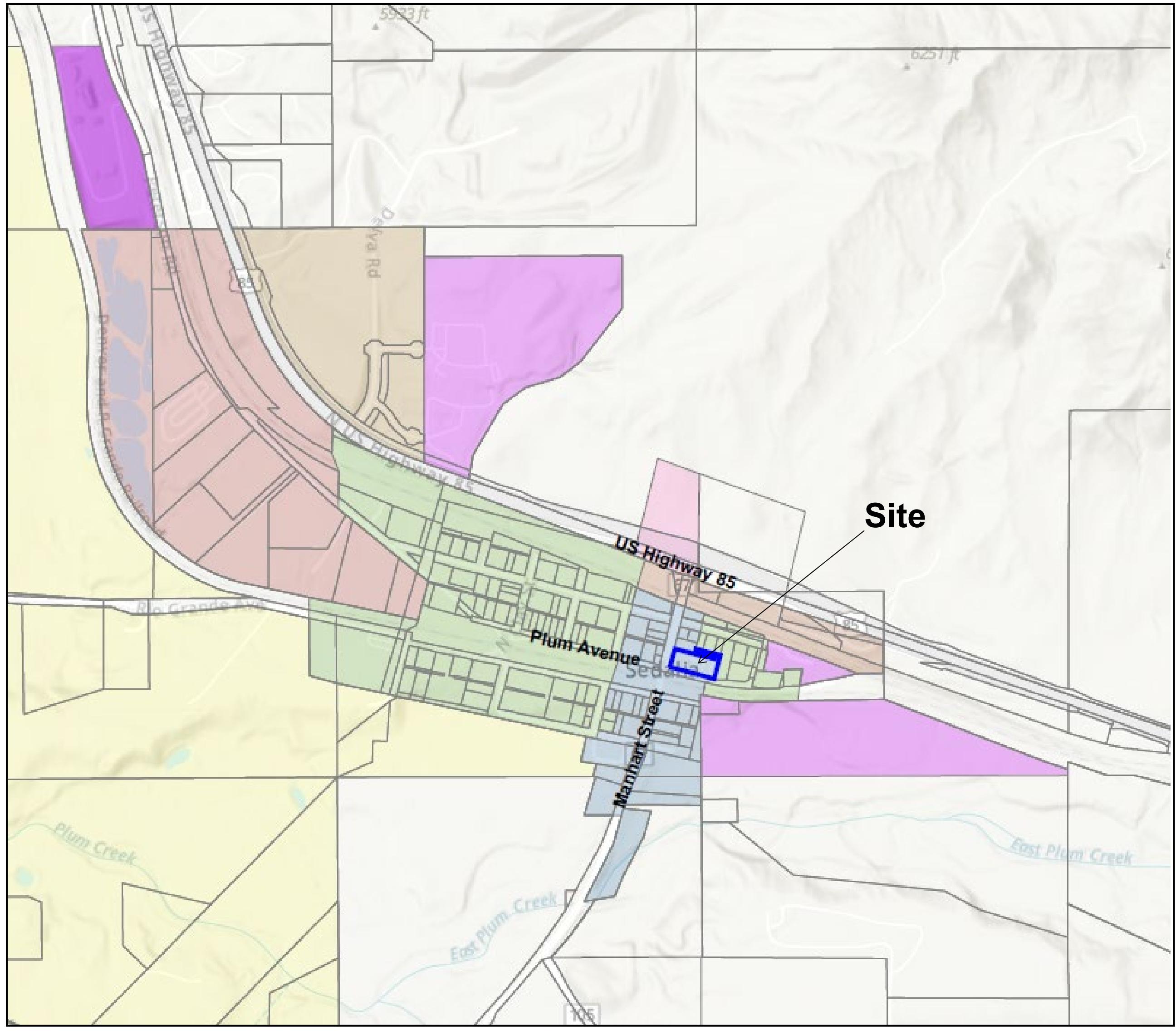
K2 CIVIL CONSULTANTS, INC.

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
SW $\frac{1}{4}$ of Section 13, T7S, R68W and the SE $\frac{1}{4}$ of Section 14, T7S, R68W
Permit Area – 1.1 acres; Total Area – 1.2 acres
USR Plan Exhibit - US2025-009



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 herein 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
 SW $\frac{1}{4}$ of Section 13, T7S, R68W and the SE $\frac{1}{4}$ of Section 14, T7S, R68W
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NORTH ELEVATION NTS



SOUTH ELEVATION NTS

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

**SHEET
3 of 5**

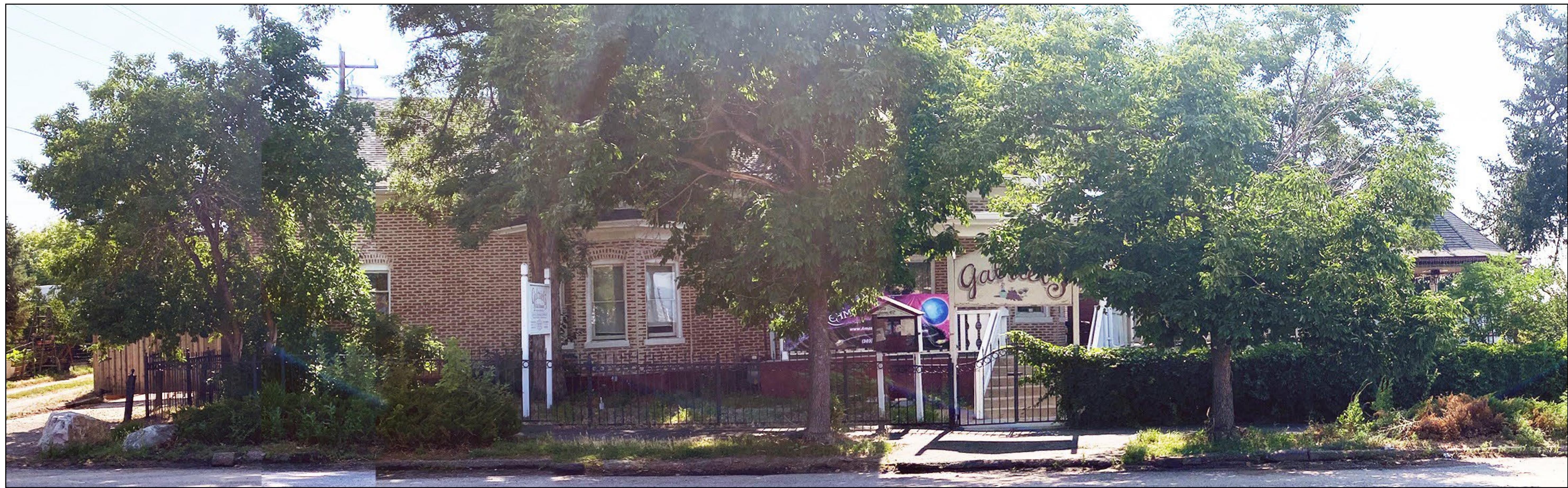
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Notes:

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.

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
SW $\frac{1}{4}$ of Section 13, T7S, R68W and the SE $\frac{1}{4}$ of Section 14, T7S, R68W
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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**