



PUBLIC NOTICE
WOODLAND PARK PLANNING COMMISSION
SPECIAL MEETING
Tuesday, June 21, 2022, 6:30 P.M.
Council Chambers – 220 W. South Avenue
AGENDA

Zoom link from the calendar at the bottom of the front page of the City website (www.city-woodlandpark.org). Public input is important to the Planning Commission and comments are encouraged in writing in advance.

- 1. CALL TO ORDER & ROLL**
- 2. PLEDGE OF ALLEGIANCE**
- 3. APPROVE MINUTES:** None
- 4. PUBLIC HEARINGS**

A. Continued from June 9, 2022:

PUD/SPR2022-01: a request by N.E.S. Inc. (Applicant) on behalf of New Life Holding Corporation (Owner) and its affiliated operating nonprofit corporate entities, Andrew Wommack Ministries, Inc. (AWMI) and Charis Bible Colleges, Inc., to consider a PUD Amendment to 1) revise the dimensional standards to allow a height increase from 35-feet to 45-feet maximum for the student housing and 2) remove a past Condition of Approval that the temporary student housing be privatized through either a lease agreement or some other arrangement so that it can be separately taxed. The subject property is located at 800 Gospel Truth Way with a legal description of Lot 1, The Sanctuary, Woodland Park, Colorado and is zoned Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD). **(QJ)**

[Note: An associated Site Plan Review (SPR) application is concurrently under review and is not subject to public hearing.]

The City Council Public Hearing is currently scheduled for Thursday, July 21, 2022, 7:00 P.M.

- 5. REPORTS**
- 6. ADJOURN**

For more information, please contact the Planning Department 719.687.5283

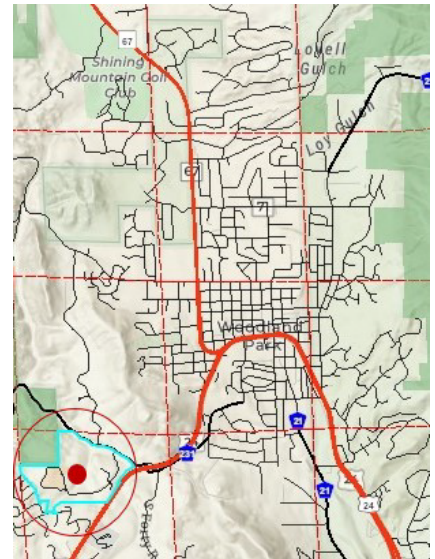


Woodland Park Planning and Building

Planning Commission Special Meeting: June 21, 2022

<u>Agenda Item</u>	<u>Department</u>	<u>Presenter</u>
4.A.	Planning	Karen Schminke, AICP Planning Director

PUD/SPR 2022-01 The Sanctuary (Charis Bible College) PUD AMENDMENT: A request by N.E.S. Inc. (Applicant) on behalf of New Life Holding Corporation (Owner) and its affiliated operating nonprofit corporate entities, Andrew Wommack Ministries, Inc. (AWMI) and Charis Bible Colleges, Inc., to consider a PUD Amendment to 1) revise the dimensional standards to allow a height increase from 35-feet to 45-feet maximum for the student housing and 2) remove a past Condition of Approval that the temporary student housing be privatized through either a lease agreement or some other arrangement so that it can be separately taxed. The subject property is located at 800 Gospel Truth Way with a legal description of Lot 1, The Sanctuary, Woodland Park, Colorado and is zoned Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD). (QJ)



ATTACHMENTS

- A. Application
- B. NETCFD letter dated May 24, 2022
- C. Citizen Comments
- D. Planning Commission Minutes from April 12, 2012
- E. City Council Minutes from June 7, 2012
- F. July 3, 2012 Approval Letter from Planning Director to Applicant
- G. Ordinance No. 1162, Series 2012
- H. 2012 PUD Final Development Plan Sheet 1
- I. 2015 PUD Amended Final Development Plan Sheet 1

BACKGROUND

Reason for Request: The owner/applicant requests that the Planning Commission and City Council consider two amendments to The Sanctuary Planned Unit Development/Planned Business Development. Temporary student housing consisting of up to 500 bedrooms in 300 units has been approved as a part of this PUD/PBD. The two requested changes related to the temporary student housing are:

- 1) Revise the dimensional standards to allow a height increase from 35-feet to 45-feet maximum for the student housing, and
- 2) Remove a past Condition of Approval that the temporary student housing “be privatized through either a lease agreement or some other arrangement so that it can be separately taxed.”

Location & Zoning: The subject property is a 146.87 acre parcel located north of US Highway 24, along the western edge of Woodland Park. The Westwood Lakes Subdivision is located to the south and west sides of the subject property and is developed with single family homes. To the northwest is the Pikes National Forest and to the north is an undeveloped area of the Sturman PUD. Toward the east is Trout Creek Road (CR25) with a few single family homes. Access into the property is from Trout Creek Road (CR 25).

Figure 1 – Aerial Photo (subject property outlined in blue)



On April 12, 2012, the Planning Commission recommended approval of the Preliminary Plat and the PUD/PBD Final Development Plan with 14 conditions and on June 7, 2012 City Council approved the PUD/PBD Final Development Plan, Zoning Ordinance No. 1162, Preliminary Plat and minor text edits to the Annexation Agreement. This changed the zoning designation from Agricultural (AG) to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD) consisting of the Charis Bible College with a religious/educational center, student housing, administration building and associated improvements. It is this Ordinance along with the associated Final Development Plan that established the allowed uses, overall development layout, and dimensional standards for the uses on this property.

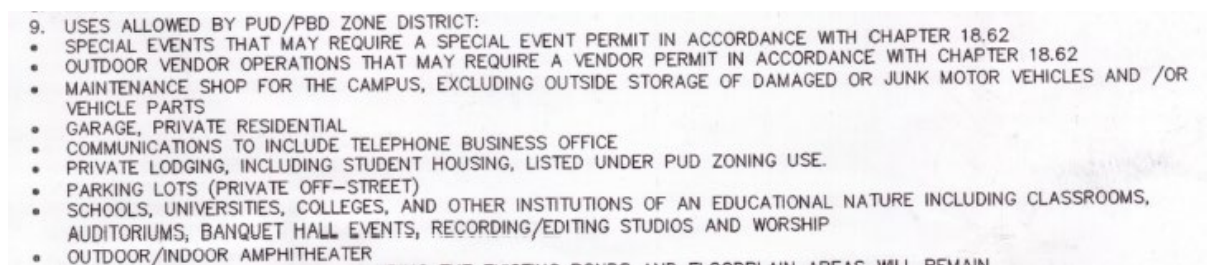
There are fourteen conditions associated with this approval of the PUD/PBD Final Development Plan and Preliminary Plat. Condition #14, as stated in the April 12, 2012 Planning Commission minutes, the June 7, 2012 City Council minutes, and the July 3, 2012 approval letter from the Planning Director to the applicant, reads:

14. The applicant agrees that the housing on the development will be temporary student housing, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed.

The Sanctuary Final Plat was reviewed and approved by City Council on December 5, 2013 and recorded on December 20, 2013. Charis Bible College opened in January 2014 with approximately 600 students attending classes.

On January 8, 2015, the Planning Commission approved The Sanctuary's PUD/PBD Amended Final Development Plan to allow the addition of a five-level parking structure with 1,083 stalls and to increase the auditorium seating from 2,500 seats to 3,185 seats within the 217,000 SF religious and educational center. The other aspects of the initial PUD/PBD remained unchanged. Note #9 on the PUD/PBD Amended Final Development Plan details the uses allowed in this PUD/PBD zone district (see Figure 2 below).

Figure 2 – The Sanctuary PUD/PBD Allowed Uses

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9. USES ALLOWED BY PUD/PBD ZONE DISTRICT:
- SPECIAL EVENTS THAT MAY REQUIRE A SPECIAL EVENT PERMIT IN ACCORDANCE WITH CHAPTER 18.62
 - OUTDOOR VENDOR OPERATIONS THAT MAY REQUIRE A VENDOR PERMIT IN ACCORDANCE WITH CHAPTER 18.62
 - MAINTENANCE SHOP FOR THE CAMPUS, EXCLUDING OUTSIDE STORAGE OF DAMAGED OR JUNK MOTOR VEHICLES AND /OR VEHICLE PARTS
 - GARAGE, PRIVATE RESIDENTIAL
 - COMMUNICATIONS TO INCLUDE TELEPHONE BUSINESS OFFICE
 - PRIVATE LODGING, INCLUDING STUDENT HOUSING, LISTED UNDER PUD ZONING USE.
 - PARKING LOTS (PRIVATE OFF-STREET)
 - SCHOOLS, UNIVERSITIES, COLLEGES, AND OTHER INSTITUTIONS OF AN EDUCATIONAL NATURE INCLUDING CLASSROOMS, AUDITORIUMS, BANQUET HALL EVENTS, RECORDING/EDITING STUDIOS AND WORSHIP
 - OUTDOOR/INDOOR AMPHITHEATER

With these approvals in place, the uses identified on the 2015 PUD/PBD Amended Final Development Plan (including Student Housing consisting of 500 bedrooms in 300 units) are subject to administrative staff reviews for Zoning Development (ZDP) and construction permitting; an additional public hearing review process is not required. However, the Applicant/Owner has asked to revisit two aspects of the PUD/PBD related to the Student Housing use. They would like to change the allowed building height from a maximum of 35-feet to 45-feet

and they would like to have Condition of Approval #14 from the original PUD eliminated. Reviewing and amending these conditions requires public hearings and these two requests will be addressed separately in this report.

NOTICES AND REFERRALS

A notice of public hearings was published in the Pikes Peak Courier at least ten days prior to the hearing and a sign was posted on the property at least ten days prior to the hearing. A courtesy notice of the June 21 Planning Commission public hearing and the July 21 City Council public hearing was sent to adjacent property owners within 150 feet of the site boundary.

The PUD amendment application was referred to various City departments and agencies including Public Works, Utilities, CORE, and NETCFD. Staff received comments from the City Engineer and CORE related to site plan details but not the PUD amendment requests. NETCFD returned a letter expressing concerns about funding, staffing and equipment to properly provide services to this property (copy attached – Appendix B).

CITIZEN COMMENTS

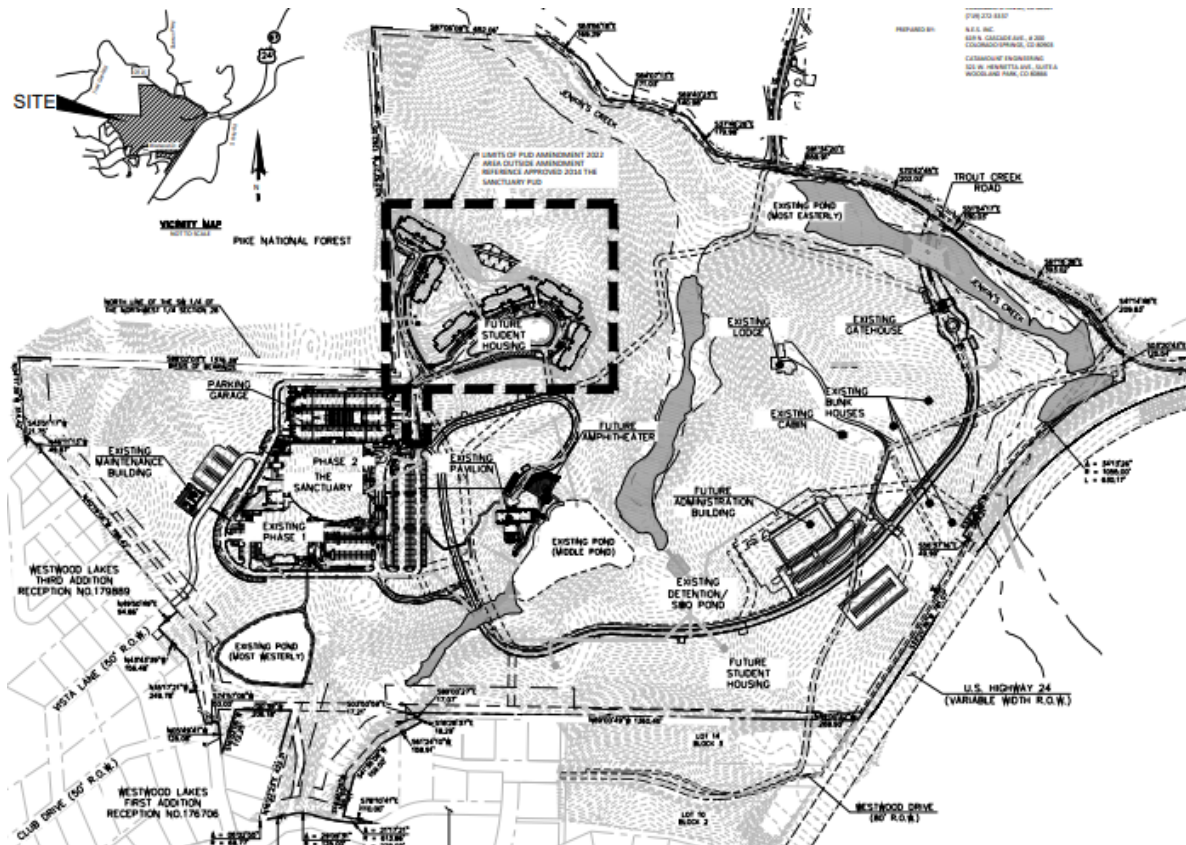
As of June 14, 2022, two written public comments had been received; copies of those are included in Appendix C.

REQUEST #1

1) Revise the dimensional standards to allow a height increase from 35-feet to 45-feet maximum for the student housing.

The PUD/PBD Amended Final Development Plan shows two locations for future student housing: one location is along the south side of the main road through the campus, Gospel Truth Way, and the other location is further north and is northeast of the parking structure.

Figure 3 – The Sanctuary overall site plan



The Applicant/Owner is now wanting to construct six buildings at the northern location that will have a total of 242 bedrooms in 66 units of student housing. This is less than the maximum number allowed (twelve buildings with 500 bedrooms in 300 units) by the PUD/PBD Amended Final Development Plan. The PUD/PBD Amended Final Development Plan also specifies the maximum building height for the various allowed uses with 35 feet and three stories being the maximum for the student housing buildings (see Figure 4).

Figure 4 – The Sanctuary PUD/PBD Land Use Limitations

LAND USE AREAS WITH INFORMATION					
1	2	3	4	5	
NO.	LAND USE	NO. OF BLDG.	MAX. BLDG. HEIGHT	Gross Density for Residential Use OR Max. SQ. FT. for Non- Residential	Parking Ratio (# spaces per BLDG. Sq. Ft.) Parking Formulas based upon City Code of Ordinance 18.39
Phase 1 Construction					
1	The Sanctuary (Junior/Community College)	1	54 ft. bldg. height from mean grade	217,000 s.f.	3,000 students – 1 stall per 5 students includes "Call Center" (general Office Bldg. of 100 employees) 1440 Stalls Provided
2	Student Housing (Apartments)	12	35 ft. (3 story)	5,000 to 8,000 s.f. per story	500 bedrooms in 300 units, 1.5 stalls per unit; 450 stalls
3	Gate House	1	25 ft. (1 story)	400 s.f.	5 visitor stalls provided and 5 employee stalls provided
4	Pavilion Center	1	35 ft. (1 story)	8,550 s.f.	special event use when college not in use, utilizes "The Sanctuary" parking with 6 HC stalls provided at the "Pavillion"
5	Amphitheater	1	25 ft. (1 story)	10,500 s.f.	special event use when college not in use, utilizes "The Sanctuary" parking with 6 HC stalls provided at the "Amphitheater"
6	Auditorium (part of "The Sanctuary")	-	-	-	3,185 seats; included in "The Sanctuary" building
7	Parking Garage	1	54 ft. (5 story)	340,708 s.f.	1,083 Total Parking Stalls with 21 HC stalls
Phase 2 Construction					
1	Administrative Building (Single Tenant Office Building)	1	60 ft. (3 story)	60,000 s.f.	40,000 Usable Floor Area / 200 = 200 Stalls 300 s.f. gross building area per stall = 200 spaces
Existing Buildings to Remain					
1	Lodge	1	30 ft. (1 story)	10,500 s.f.	Overnight lodging for College guests, existing parking and access to remain "as-is" with 6 parking stalls
2	Cabin	1	30 ft. (1 story)	650 s.f.	parking and access to remain "as-is" with 2 parking stalls
3	Maintenance Building	1	25 ft. (1 story)	3,800 s.f.	Maintenance Services for Campus, parking and access to be provided at relocated location w/access from the emergency access road with parking in front of building.
4	Bunk Houses	4		450 s.f./each	buildings are historical in nature and not for occupation

In a PUD zone, maximum building heights are established when the PUD is approved. Within the PUD section of the Municipal Code, Section 18.30.110 Dimensional standards addresses both the establishment of the building height in a PUD as well as changes to what was approved. However, there are no standards specified for determining building heights within a PUD zone or criteria that must be met to modify what was previously approved. Establishing a PUD zone is a mechanism that allows for a greater variety of principle and accessory uses as well as the ability to establish dimensional standards for the buildings that are different from the standard zone districts established by the Municipal Code.

For comparison, the maximum building height specified in the zone districts designated in the City's Municipal Code is limited to either 30 feet (residential zones) or 35 feet (commercial zones), but a PUD zone allows a developer to establish a different maximum height. As noted in Figure 2, the allowed building heights in this PUD/PBD vary depending on use from 25 feet for an existing building up to 60 feet for the proposed Administrative Building. Both the Sanctuary college building and the parking garage have already been constructed with a maximum height of 54 feet.

There are a number of buildings in the City that exceed the allowable height in the zone district where they are located. Two examples where the building height exceeds 35 feet are, Our Lady of the Woods (45 feet high in the Central Business District zone) and Trail Ridge Apartments (45 feet high in the Multi-Family Residential Urban zone). The mechanism for requesting increased building height in a designated zone district is to request a variance to the established standard. The Board of Adjustment is tasked with hearing and deciding these requests. There are specific criteria used for evaluating variance requests, the primary one being there is something unusual with the property (i.e. small lot size, unusual lot shape, topographic issues, etc.) that prevents it being developed in strict conformance with the adopted standards.

Section 18.06.080 of the Municipal Code provides the following definition for **Building, height of**: *“Height of building” means the vertical distance from the finished grade (average finished elevation of the ground around the structure) to the highest point of the roof.* This definition establishes how building height is measured in Woodland Park.

Within Woodland Park, the terrain on a site often consists of hills and sometimes steep slopes. The northern student housing site is situated in a wooded portion of the property along a ridgeline with the grade sloping down toward the north and east. All six proposed buildings are situated so they will be built into the hillside and only two of the three stories are visible from the new road that provides access to the buildings (see Figure 5 – North Student Housing Site). It is the back of the buildings, the side that faces away from the new road, where all three stories are visible. Trout Creek Road, the closest public road to the three-story side of the building, is over 600 feet away from the proposed buildings and is at a lower elevation. The proposal is to retain existing trees between the buildings and Trout Creek Road (see Figure 6 – North Student Housing Site Aerial).

Figure 5 – North Student Housing Site

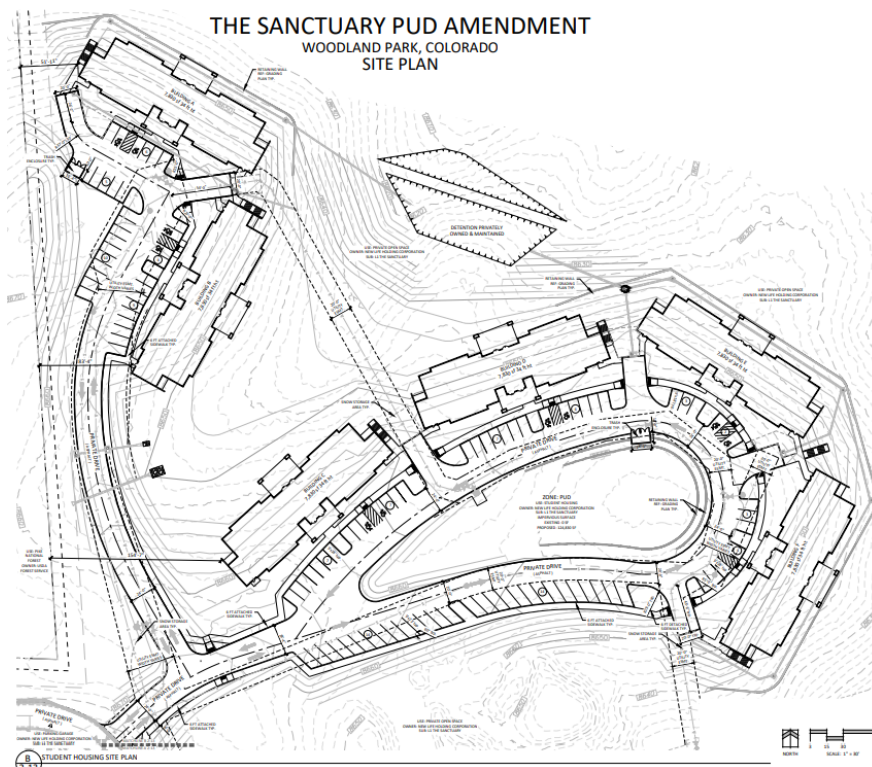


Figure 6 – North Student Housing Site Aerial



Regarding the proposed building elevations, while the City's Architectural Design Guidelines (MC §18.33.180 H.) do not require pitched roofs, these are a typical feature in the City's Mountain Western aesthetic. Proposed building elevations which depict a 5/12 roof pitch, along with the finished grade, are shown on the next page (Figure 7). According to the building elevations, the distance from the finished grade to the eaves of the roof on the road side of the building will be 20' and 31' on the downhill side of the building. As measured on the downhill side of the building, the distance from the finished grade is about 45 feet to the peak of the roof. This use of the existing terrain and vegetation work together to mitigate the impact of the height. Additionally, this proposed maximum building height of 45 feet will not inhibit neighboring properties views of Pikes Peak.

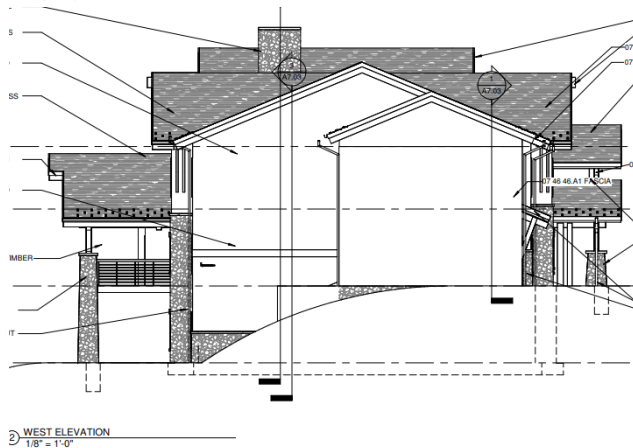
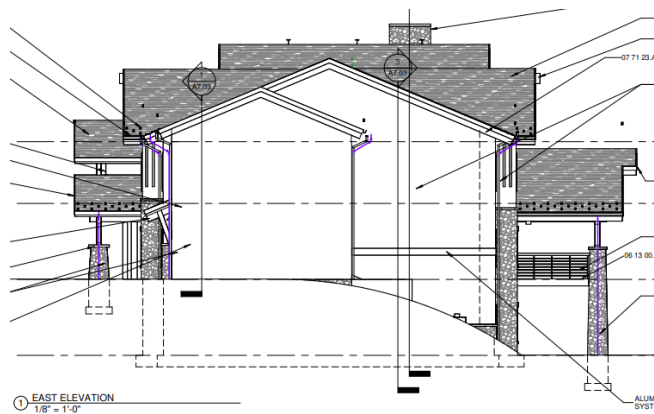
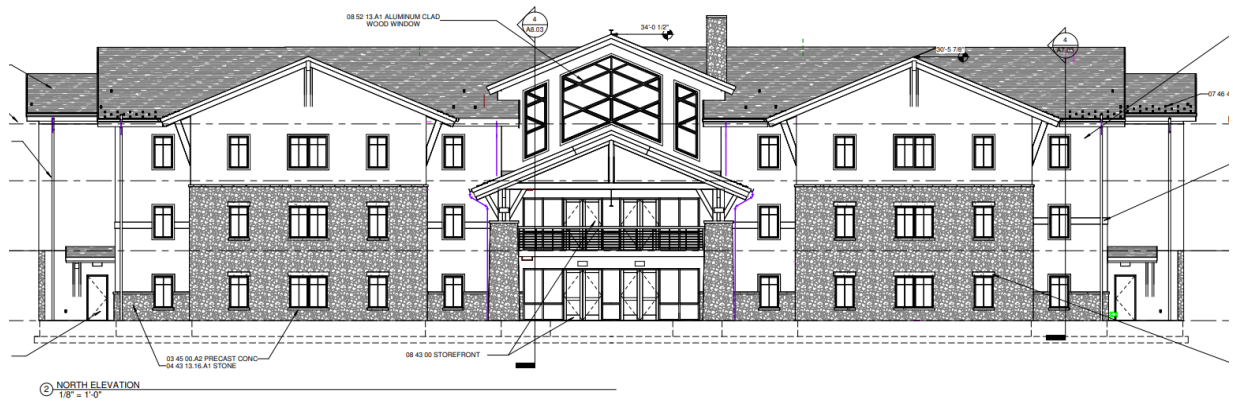
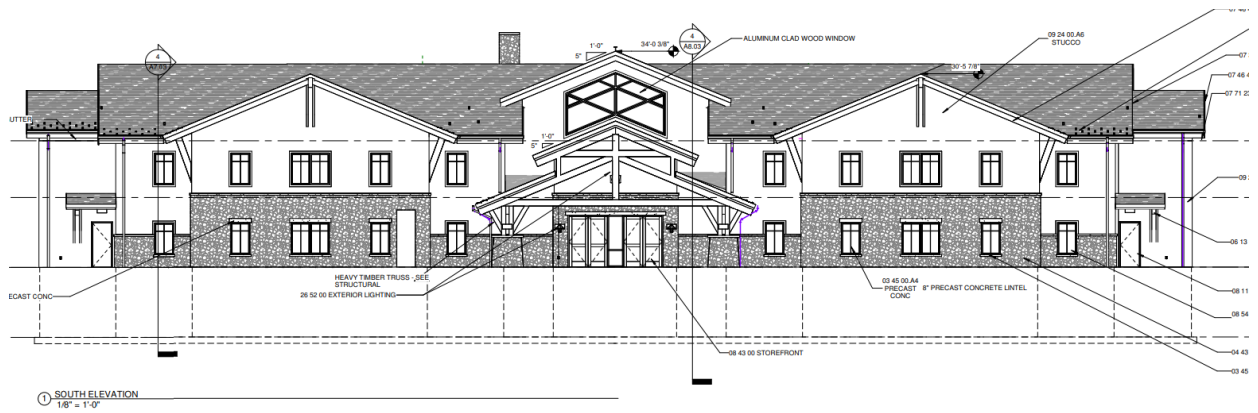


Figure 7 – Building Elevations

Code Compliance – Chapter 18.30 PUD District

(NOTE: The Municipal Code is shown in italics throughout this staff report)

The PUD/PBD Standards in Municipal Code §18.30 were met with the initial approval in 2012. The student housing use is allowed and can be built with an administrative site plan review and building permits. Therefore, this Staff Report will only address the sections of Code §18.30 that are relevant to this requested change in building height for the temporary student housing.

- 18.30.010 Purpose. (Not Applicable. Met when the PUD/PBD Zone District was established with the approval of Ordinance No. 1162, Series 2012.)
- 18.30.020 Where district may be established. (Not Applicable. The PUD/PBD Zone District was established with the approval of Ordinance No. 1162, Series 2012.)
- 18.30.030 Requirements for approval. (Not Applicable. Approval of the PUD/PBD Zone District was granted by City Council on June 7, 2012 and the zone district established with the approval of Ordinance No. 1162, Series 2012.)
- 18.30.040 Application – Preliminary Development Plan. (Not Applicable. This was approved by the Planning Commission on October 13, 2011.)
- 18.30.050 Time limit to begin construction – Extension. (Not Applicable. Construction began within the two-year requirement.)
- 18.30.060 Rules and regulations adoption. (Not applicable.)
- 18.30.070 Modification of subdivision requirements. (Not Applicable. The Sanctuary Final Plat was approved and recorded in December 2013.)
- 18.30.080 Final plan requirements - Approval. (Not Applicable. The PUD/PBD Final Development Plan was approved by City Council on June 7, 2012 and the zone district established with the approval of Ordinance No. 1162, Series 2012. On January 8, 2015 the Planning Commission approved a PUD/PBD Amended Final Development Plan.)
- 18.30.090 Common open space requirements. (Not Applicable.)
- 18.30.100 Permitted uses. (Not Applicable to a request to change dimensional standards. Allowed uses were established by the PUD/PBD Final Development Plan that was approved by City Council on June 7, 2012 and the zone district established with the approval of Ordinance No. 1162, Series 2012. On January 8, 2015 the Planning Commission approved a PUD/PBD Amended Final Development Plan that allowed for the addition of a parking structure.)
- 18.30.110 Dimensional standards. *The lot area per dwelling unit within a planned unit development, exclusive of the area occupied by streets, will be in harmony with the surrounding areas (reference Section 18.30.030), intent and purpose of this chapter and determined by serviceability, recommended by the planning commission and approved by city council. The maximum density permitted within a planned unit development is two dwelling units per gross acre. All other dimensional standards, including the maximum percentage of lot coverage by buildings, structures and impervious surface, the maximum height of buildings and structures, the minimum frontage of lots and the minimum front, side and rear yard building and structural setback requirements, shall be recommended by the Planning Commission and approved, approved with conditions or disapproved by City Council.*

Complies. The discussion above noted how the slope of the building site impacts the measured height of the building and that the existing terrain and vegetation work together

to mitigate the visual impact of the height. Additionally, this proposed maximum building height of 45 feet will not inhibit views of Pikes Peak.

The dimensional standards approved in 2015 are listed above in Figure 4. These appeared on the Cover Sheet of the drawing set associated with that application in the table labeled Land Use Areas with Information. The only requested change to the previously approved dimensional standards is to increase the building height of the temporary student housing from 35 feet to 45 feet; the maximum number of building stories remains at three.

The Cover Sheet of the drawing set for this application also contains a table with dimensional standards, but in a slightly different format (see Figure 8). For consistency with the prior approvals, the tables on the cover sheet (Site Data, Land Use, and Parking) all need to be revised so the information is presented in a format that is consistent with past approvals. The temporary student housing should be listed in two parts to clarify the number of units and bedrooms being constructed in this phase and the number of units/bedrooms for a future phase.

Figure 8 – Proposed Revised Dimensional Standards

LAND USE

Land Use	Max. Bldg Height	Max SQ. FT.	Provided SQ. FT.	Max Units/Density	Provided Units/Density
The Sanctuary	54 FT from mean grade	217,000 SF	217,000 SF		
Auditorium				-	3,185 Seats
Community College				3,000 Students	1,400 Students
Student Housing	45FT (3 story)	8,000 SF per story	7,380 SF per story	500 bedrooms or 300 units	66 Units (242 bedrooms)
Gate House	25 FT	400 SF	400 SF	-	-
Pavilion Center	35 FT	8,550 SF	8,550 SF	-	-
Amphitheater	25 FT	10,500 SF	10,500 SF	-	-
Parking Garage	54 FT	340,708 SF	340,708 SF	-	-
Administrative Building (Future)	60 FT	60,000 SF	-	-	-
Lodge	30 FT	10,500 SF	10,500 SF	-	-
Cabin	30 FT	650 SF	650 SF		
Maintenance Building	25 FT	3,800 SF	3,800 SF	-	-
Bunk Houses Historic Not for Occupation	-	1,800 SF (4-bldg)	1,800 SF	-	-

The minimum lot frontage does not apply because the tract is a single, large lot and has adequate frontage on US Highway 24 and Trout Creek Road. Similarly, the front, side and rear setbacks do not apply; additionally, a perimeter setback of 100-feet adjacent to Westwood Lakes Subdivision and 25-feet along the remaining portion of the property boundary have been established and are maintained with the amendment.

- 18.30.120 Parking. (Not applicable to change in building height. Parking requirements were established with the PUD/PBD Final Development Plan was approved by City Council on June 7, 2012 and the zone district established with the approval of Ordinance No. 1162, Series 2012. On January 8, 2015 the Planning Commission approved a PUD/PBD Amended Final Development Plan that included a parking structure that substantially increased the available parking spaces. The approved parking requirement for

the student housing is 1.5 spaces per unit or 450 spaces for 300 units (500 bedrooms) of student housing. The current application is proposing 101 new parking stalls which exceeds the 99 spaces needed for 66 units (242 bedrooms) of student housing.)

- 18.30.130 Landscaping. While not directly applicable to a request to change dimensional standards, the discussion above noted how the slope of the building site impacts the measured height of the building and that the existing terrain and vegetation work together to mitigate the visual impact of the height. The application includes landscaping plans to further enhance the site.
- 18.30.140 Plan changes. (Not applicable. This section governs when an amendment to a PUD zone is required and if it is processed administratively at a staff level or with a Public Hearing before the Planning Commission. The process for changing dimensional standards is specified in §18.30.110 *Dimensional Standards*.)

REQUEST #1 RECOMMENDATION

That the Planning Commission recommend to City Council:

Approval of an amendment to The Sanctuary's PUD/PBD Final Development Plan to change in the dimensional standard for the Student Housing building height from a maximum height of 35 feet (3 story) to a maximum height of 45 feet (3 story) based on the findings contained in the staff report and as presented at public hearing, subject to the condition that:

1. the tables on the cover sheet (Site Data, Land Use, and Parking) are revised so the information is presented in a format that is consistent with past approvals and the temporary student housing is listed in two parts to clarify the number of units and bedrooms being constructed in this phase and the number of units/bedrooms for a future phase.

REQUEST #2

2) Remove a past Condition of Approval that the temporary student housing “be privatized through either a lease agreement or some other arrangement so that it can be separately taxed.”

Condition #14, as it appears in the October 13, 2011 Planning Commission minutes, the June 7, 2012 City Council minutes, and the July 3, 2012 approval letter from the Planning Director to the applicant, reads:

14. The applicant agrees that the housing on the development will be temporary student housing, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed.

History

On April 12, 2012, the City of Woodland Park Planning Commission heard a request from Andrew Wommack Ministries, Inc. for a Planned Unit Development/Planned Business Development (PUD/PBD) Zone District, Final Plan and Preliminary Plat. The staff report for this item concluded that, the proposed project qualified for a PUD District and recommended approving the rezoning of the property to PUD, and approval of the PUD/PBD Final Development Plan with 13 conditions related to:

1. final landscaping plan
2. final grading/erosion control plan
3. final drainage report and plan
4. final photometric plan
5. flood hazard development permit
6. road and signalization improvements (US 24 & Trout Creek Road)
7. utility construction
8. phase 1 environmental assessment
9. water development fee
10. impact/development fees
11. wildfire protection plan
12. final plat
13. Teller County requirements (Vista Lane emergency access only and a 100-foot “no-build” buffer area).

Page six of the Planning Commission hearing minutes reflects the statement of Andrew Wommack Ministries Incorporated (the applicant’s) representative, Larry Bozeman, as it relates to the housing units and tax revenue, as follows:

Spruce trees to buffer that area. Mr. Bozeman addressed the privatization (potential tax revenue) issue for housing by stating that it is not a requirement that they privatize this housing, but that they intend to hire a private contractor to do that work as an added concession. Mr. Larsen inquired into whether or not the applicant would be opposed to making this a requirement. Mr. Bozeman stated that he wasn’t sure this was a legal precedence, but that he was not opposed to doing that as this was how they planned to proceed either way. Mr. Bozeman also briefed that there was going to be around five

Page eight of the minutes reflect the following discussion between Planning Commission members, the City Attorney, and Mr. Bozeman:

Ms. Mattingly commented that she supported Mr. Larsen's recommendation to require privatization of the housing element of this project. Ms. Smith stated that the record reflects that the applicant did concur with this as a requirement. Mr. Bozeman injected that if this is a legal requirement they would agree with it; further stating that it was the applicant's personal commitment to move forward with privatizing the housing. Mr. Bozeman stated that if the Commission instructs them to make it a condition they would move forward and agree to it. Ms. Smith informed the applicant that voluntarily agreeing to this would answer the issue. Ms. Smith stated that if the Commission requests it and the applicant would voluntarily agree to it then it may be added as a condition. Mr. Bozeman responded that this was fine. Mr. Rollinger stated that he believed what Ms. Mattingly was suggesting was to make it another condition. Ms. Mattingly responded affirmed that this was her intent. Ms. Smith stated that her understanding was that the applicant was agreeable to making this Condition #14.

The language for the conditions was developed, and agreed to as follows:

At this time Ms. Smith stated to the chair that she believed some language for Condition #14 needed to be offered and that she proposed, "the housing on the development will be temporary student housing, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed". She asked the Commission if this was agreeable and received affirmation. She asked Mr. Bozeman if this was agreeable and he replied that this was something they were doing anyway so this was fine.

The Planning Commission moved and voted:

FIRST MOTION: Mr. Larsen made a motion that the Planning Commission approve the project as it qualifies as a PUD as subject to Conditions 1-13 with the addition of the Condition #14, as suggested by the City Attorney. Ms. Mattingly provided a second motion. Motion carried 7-1 with Mr. Rollinger voting no.

This item was next heard by the City Council on June 7, 2012. The staff report dated June 7, 2012 reflects the Planning Commission's recommendation with all fourteen conditions listed. At the end of the hearing the City Attorney obtained the following confirmation from the applicant's representative, Mr. Bozeman:

At this time, City Attorney Smith reminded Council that there are 14 conditions of approval, and asked the applicants if they agree with all 14 conditions. Bozeman stated they do not object to the conditions of approval.

City Council then voted to approve the rezoning of the property to PUD, and approved the PUD/PBD Final Development Plan with the fourteen conditions. They also approved Ordinance 1162 changing the zoning designation from Agricultural to Planned Unit Development (PUD) for

the purpose of developing a Planned Business Development (PBD) in accordance with The Sanctuary's Final Development Plan (PBD) and Preliminary Plat to relocate and operate the Charis Bible College with a religious/educational center, student housing, administrative building and associated uses.

Land Use and Zoning Law

Land use and zoning matters are generally a matter of local concern in the State of Colorado, which allows local governments broad discretion in enacting their land use codes, unless the State Legislature deems the matter one of statewide concern (i.e. the recent changes in regulation of family childcare homes). There are also instances where application of local land use regulations must follow applicable Federal law. The Religious Land Use and Institutionalized Persons Act (RLUIPA), for example, is a federal law that prohibits a local government from imposing or implementing a land use regulation in a manner that imposes a "substantial burden" on the religious exercise of a religious assembly or institution, unless the government demonstrates that the imposition on that assembly or institution (A) is in furtherance of a compelling governmental interest, and (B) is the least restrictive means of furthering that compelling governmental interest. (42 U.S.C. § 2000cc *et seq.*)

At the municipal level in Colorado, per state statutes, the Planning Commission has the authority is to make and adopt plans, and with regard to zoning a municipality can:

CRS 31-21-301 Grant of power

The governing body of each municipality is empowered to regulate and restrict the height, number of stories, and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts, and other open spaces, the density of population, the height and location of trees and other vegetation, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes.

Related to subdivisions, CRS 31-23-215 (2) includes the statement:

The commission has the power to impose use, height, area, or bulk requirements or restrictions governing buildings and premises within the subdivision if such requirements or restrictions do not authorize the violation of the then effective zoning ordinance of the municipality.

Additionally, PUD statutes allow local governments wide discretion and flexibility when establishing a PUD as it relates to regulating uses and mitigating impacts of the use.

Code Compliance – Chapter 18.30 PUD District

(NOTE: The Municipal Code is shown in italics throughout this staff report)

As reflected in the City Council minutes from June 7, 2012, the City Council concluded that the PUD/PBD Standards had been met.

- *18.30.010 Purpose.* (Not Applicable. Met when the PUD/PBD Zone District was established with the approval of Ordinance No. 1162, Series 2012.)
- *18.30.020 Where district may be established.* (Not Applicable. The PUD/PBD Zone District was established with the approval of Ordinance No. 1162, Series 2012.)

- 18.30.030 Requirements for approval. (Not Applicable. Approval of the PUD/PBD Zone District was granted by City Council on June 7, 2012 and the zone district established with the approval of Ordinance No. 1162, Series 2012.)
- 18.30.040 Application – Preliminary Development Plan. (Not Applicable. This was approved by the Planning Commission on October 13, 2011.)
- 18.30.050 Time limit to begin construction – Extension. (Not Applicable. Construction began within the two-year requirement.)
- 18.30.060 Rules and regulations adoption. (Not applicable.)
- 18.30.070 Modification of subdivision requirements. (Not applicable. The Sanctuary Final Plat was approved and recorded in December 2013.)
- 18.30.080 Final plan requirements - Approval. (Not Applicable. The PUD/PBD Final Development Plan was approved by City Council on June 7, 2012 and the zone district established with the approval of Ordinance No. 1162, Series 2012. On January 8, 2015 the Planning Commission approved a PUD/PBD Amended Final Development Plan.)
- 18.30.090 Common open space requirements. (Not applicable.)
- 18.30.100 Permitted uses. (Allowed uses were established by the PUD/PBD Final Development Plan that was approved by City Council on June 7, 2012 and the zone district established with the approval of Ordinance No. 1162, Series 2012.)
- 18.30.110 Dimensional standards. (Not Applicable.)
- 18.30.120 Parking. (Not applicable.)
- 18.30.130 Landscaping. (Not Applicable.)
- 18.30.140 Plan changes. (This governs when an amendment to a PUD zone is required and if it is processed administratively at a staff level or with a Public Hearing before the Planning Commission. Changes to standards are governed by MC §18.30.110.)

REQUEST #2 RECOMMENDATION

The terms detailed in Condition #14 were offered by the applicant's representative, and the applicant's representative agreed to the condition and commitment to the community. Nevertheless, the applicant has raised questions relating to RLUIPA and the First Amendment. Therefore, it is staff's recommendation that Planning Commission make a substantive recommendation solely on Request #1. Regarding Request #2, the removal of condition of approval #14, staff recommends that the Planning Commission make a recommendation that the City Council is the proper body to weigh in on this modification, including a consideration of the application of RLUIPA.

Planning Application Entry Form

[Print Record](#)

[Go To Development Fees Receipt Form](#)


ID

Permit Number 202205119

Project # EXT/Case # PUD/SPR2022-01

Development Case ☒

Date Received 3/22/2022

Date Routed 5/5/2022

Date Initial Permit Approved

*Date Permit Paid 3/22/2022

Open Permit Comments

PUD Amendment for Dimensional Standards (Height of structures) and removal of the student housing privatization.

*NOTE: If Non-profit enter Date Approved in Date Permit Paid field for report

Project Type PUD Amend/SPR

Project Type Number 20 / 4

Project Classification PUD Amendment & S

Non-Profit, Residential or Commercial Commercial

Date CO Requested

Temp CO Auth Approved

Date Temp CO Expires

NOTE: Above Field required only for SINS and TUPs

Project Name Charis Student Housing PUD

Site Address Number 800

Site Address Name Gospel Truth Way

Lot Number 1

Block Number -

Subdivision The Sanctuary

Filing # -

Applicant Business Name N.E.S. Inc.

App First Name John

App Last Name Romero

App Phone Number 719-471-0073

PO Box -

Mailing Address Street # 619

Mailing Address Street Name N. Cascade Avenue

City Colorado Springs

State CO

Zip Code 80903

Owner First Name New Life Holding Cor

Owner Last Name -

Zone Class PUD

Applicant Project Value \$37,800,000.00

UTILITIES SECTION

Tap Allocation Date

Allocation Exp Date

Water Tap #

Sewer Tap #

Tap Paid Date

Tap Exp Date

Taps Refunded ☐

Inside/Outside User

Meter Installed ☐

Filed in Area

Planning Director's Office



2022 GENERAL APPLICATION

(Revised 1/1/2022)

Project # 202205119
Case # PUD/SPR2022-01
Fee(s): See City of Woodland Park
Fees Sheet (Plus publication/recording
fees, as applicable)

Type of Application (Check one or more as applicable)

- | | | |
|--|---|---|
| ☒ Site Plan Review Permitted Use | ☐ Special Use Permit | ☐ Preliminary Plat |
| ☐ Site Plan Review Conditional Use | ☐ Planned Unit Development (PUD) | ☐ Exemption Plat |
| ☐ Conditional Use Permit | ☒ PUD Amendment | ☐ Final Plat |
| ☐ Zoning Change | ☐ Appeal | ☐ Townhouse Plat |
| ☐ Extension of Development | ☐ Variance | ☐ Condominium Plat |

1. Applicant Information

- a. Applicant Name N.E.S. Inc (Jon Romero)
- b. Project Coordinator ☒ Property Owner ☐
- c. Mailing Address 619 N. Cascade Avenue, Colorado Springs, CO 80903
- d. E-mail Address jromero@nescolorado.com
- e. Phone Numbers Home _____ Work 7194710073 Mobile _____

2. Property Owner Information (if different from above)

- a. Name New Life Holding Corporation Project Contact? Yes ☐ No ☒
- b. Mailing Address 1 Innovation Way, STE B Woodland Park, CO 80863
- c. E-mail Address chrissuess@awmcharis.com
- d. Phone Numbers Home _____ Work 7192723330 Mobile _____

3. Site Information

- a. Site Address 800 Gospel Truth Way
- b. Lot 1 Block _____ Subdivision The Sanctuary
- c. Property Zoning PUD Lot Size _____ Acres ☒ Square Feet ☐

4. Is the property subject to covenants? Yes ☐ No ☒ If yes, then submit copy of covenants and current contact for HOA. It is the responsibility of the landowner to submit HOA approval with this application.

5. Project Information

- a. Project Name Charis South Campus Student Housing
- b. Brief Description of Project/Request Proposal for a 66 unit student housing development and amendment to the The Sanctuary PUD.

Project Narrative (On a separate sheet provide additional project details and how the proposal complies with the applicable code requirements, which can be found in Section 8 of this application.)

5. Consultant Information (if applicable)

a. Architect

- i. Project Contact Seth Emerson
- ii. Firm Name Kingdom Design Group, LLC
- iii. Physical Address Woodland Park, CO
- iv. Mailing Address _____
- v. E-mail Address Seth@kdgarchitect.com
- vi. Phone Numbers: Business 7196856627 Mobile _____

b. Engineer

- i. Project Contact David Mijares
- ii. Firm Name Catamount Engineering
- iii. Physical Address 321 W. Henrietta Avenue STE A
- iv. Mailing Address same as above
- v. E-mail Address david@catamounteng.com
- vi. Phone Numbers: Business 7194262124 Mobile _____

c. Planner

- i. Project Contact Jon Romero
- ii. Firm Name N.E.S. Inc
- iii. Physical Address 619 N. Cascade Ave
- iv. Mailing Address same as above
- v. E-mail Address jromero@nescolorado.com
- vi. Phone Numbers: Business 7194710073 Mobile _____

d. Surveyor

- i. Project Contact Eric Simonson
- ii. Firm Name Rampart Surveys, LLC
- iii. Physical Address 1050 Tamarac Parkway, Woodland Park, CO 80863
- iv. Mailing Address same as above
- v. E-mail Address Eric@rampartls.com
- vi. Phone Numbers: Business 7196870920 Mobile _____

e. Other (specify role) _____

- i. Project Contact John Reich
- ii. Firm Name J.H. Reich Construction, LLC
- iii. Physical Address 1357 Cresson Mine Drive
- iv. Mailing Address Colorado Springs, CO 80905
- v. E-mail Address john.reich@JHReichConstruction.com
- vi. Phone Numbers: Business 702-277-2175 Mobile _____

6. Submittal Requirements

The following items must be included at time of submittal (in addition to items on the submittal checklists) or the application will not be processed (additional copies may be requested).

Type of Application	24" x 36" Plan Set	11" x 17" Plan Set	Adobe Acrobat Portable Document Format (.pdf) electronic Plan Set on a flash drive	Warranty Deed or Title Policy	List of adjoining property owners within 150'	Copies of reports (narrative, traffic study, drainage, etc.)
All Types	1	1	1	1	1	1

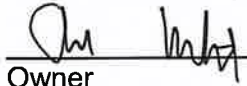
7. Applicable Code Sections

The following are the applicable code sections by type of application and are for assisting applicants in completing the required project narrative. The City of Woodland Park's Municipal Code can be found at www.city-woodlandpark.org/Charter&Code. Subdivision requirements are in Title 17 and Zoning is in Title 18 of the Municipal Code.

Type of Application	Applicable Code Sections
Site Plan Review Permitted Use	Chapters 18.34, 18.33 and 18.39
Site Plan Review Conditional Use	Chapters 18.34, 18.57, 18.33 and 18.39
Conditional Use Permit	Chapter 18.57 plus applicable site plan regulations
Zoning Change	There are no specific standards, but the applicant should provide supporting argument for a zoning change, including how it complies with the Comprehensive Plan
Special Use Permit	Chapter 18.61 plus applicable site plan regulations
Planned Unit Development	Chapters 18.30, 18.33, 18.39, Sections 17.20.070, and 17.20.080
Appeal	Chapter 18.54
Variance	Chapter 18.60
Preliminary Plat	Chapter 17.20 plus applicable subdivision sections
Exemption Plat	Section 17.52.030 plus applicable subdivision sections
Final Plat	Chapter 17.24 plus applicable subdivision sections
Townhouse Plat	Chapter 17.32 plus applicable subdivision sections
Condominium Plat	Chapter 17.32 plus applicable subdivision sections

8. Certification of Ownership

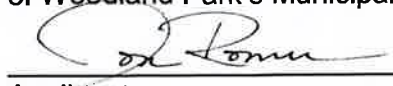
I (We) do hereby declare and affirm that I (we) am (are) the exclusive owner(s) and title holder(s) of the above described property.

➡  Andrew Wertz SVP 2.22.22
Owner Date

➡ _____
Owner Date

9. Certification: The undersigned applicant certifies under oath and under penalties of perjury that the information found in the application is true and accurate to the best of their knowledge.

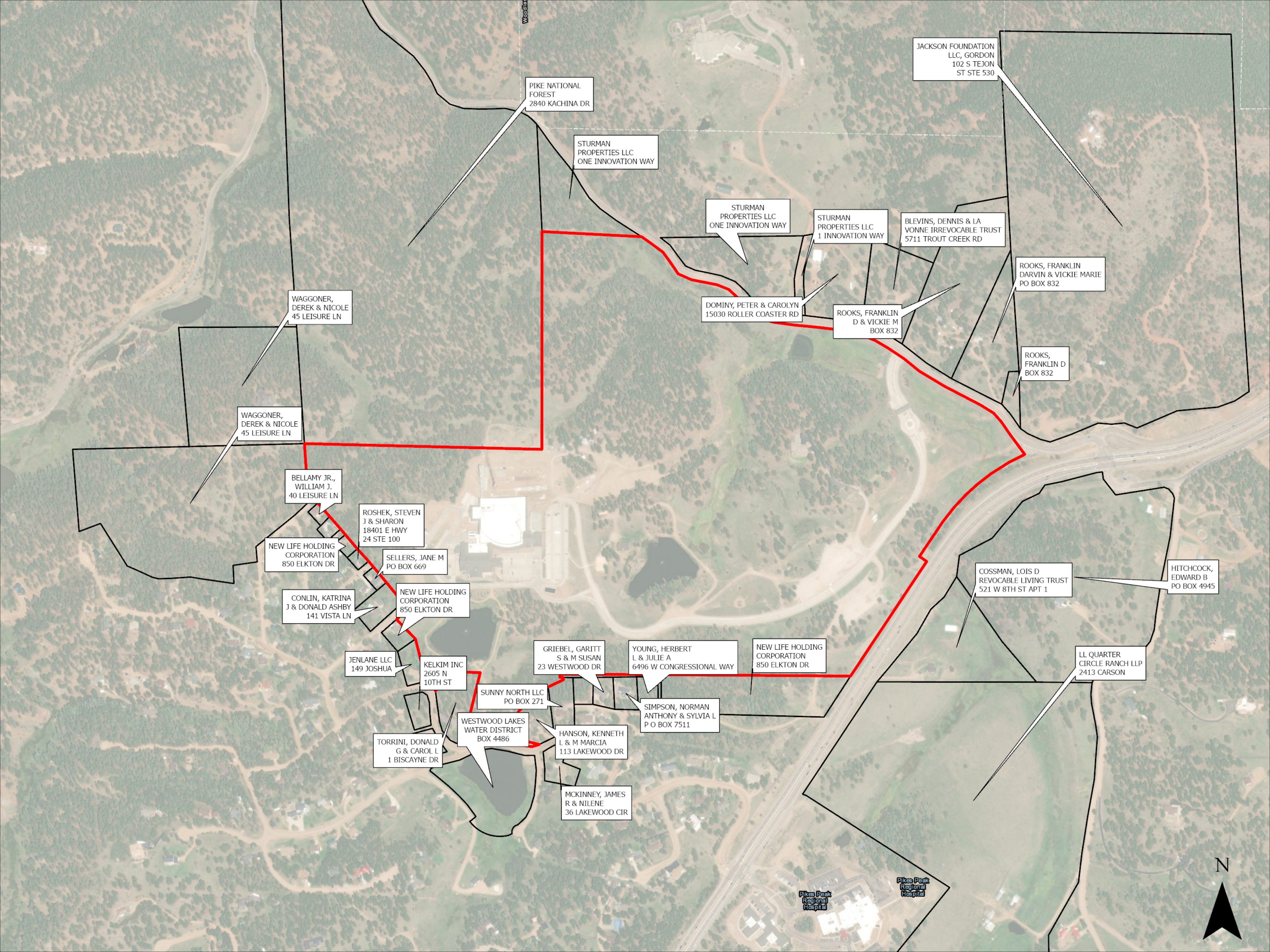
I certify that I understand that the proposed development is in accordance with all provisions of the City of Woodland Park's Municipal Code and other applicable regulations.

➡  2.23.22
Applicant Date

City Use Only

1. Submission _____, 20____, taken by _____
Fee Received _____, 20____, taken by _____
2. Application is deemed complete – OR – deemed incomplete and returned to applicant to complete on ____/____/____.
3. Public Hearing Notice
Published _____, 20____
Posted _____, 20____
Adjacent Property Notification _____, 20____.
4. Planning Commission Public Hearing _____, 20____.
Board of Adjustment Public Hearing (when applicable) _____, 20____.
5. City Council First Reading of Ordinance (if applicable) _____, 20____.
City Council Public Hearing _____, 20____.
Notes _____

6. Letter of Approval/Denial to applicant sent _____, 20____.
7. Additional Information



JACKSON FOUNDATION
LLC, GORDON
102 S TEJON
ST STE 530

PIKE NATIONAL
FOREST
2840 KACHINA DR

STURMAN
PROPERTIES LLC
ONE INNOVATION WAY

STURMAN
PROPERTIES LLC
ONE INNOVATION WAY

STURMAN
PROPERTIES LLC
1 INNOVATION WAY

BLEVINS, DENNIS & LA
VONNE IRREVOCABLE TRUST
5711 TROUT CREEK RD

ROOKS, FRANKLIN
DARVIN & VICKIE MARIE
PO BOX 832

ROOKS,
FRANKLIN D
BOX 832

DOMINY, PETER & CAROLYN
15030 ROLLER COASTER RD

ROOKS, FRANKLIN
D & VICKIE M
BOX 832

WAGGONER,
DEREK & NICOLE
45 LEISURE LN

WAGGONER,
DEREK & NICOLE
45 LEISURE LN

BELLAMY JR.,
WILLIAM J.
40 LEISURE LN

ROSHEK, STEVEN
J & SHARON
18401 E HWY
24 STE 100

NEW LIFE HOLDING
CORPORATION
850 ELKTON DR

SELLERS, JANE M
PO BOX 669

CONLIN, KATRINA
J & DONALD ASHBY
141 VISTA LN

NEW LIFE HOLDING
CORPORATION
850 ELKTON DR

JENLANE LLC
149 JOSHUA

KELKIM INC
2605 N
10TH ST

TORRINI, DONALD
G & CAROL L
1 BISCAYNE DR

WESTWOOD LAKES
WATER DISTRICT
BOX 4486

GRIEBEL, GARITT
S & M SUSAN
23 WESTWOOD DR

YOUNG, HERBERT
L & JULIE A
6496 W CONGRESSIONAL WAY

NEW LIFE HOLDING
CORPORATION
850 ELKTON DR

SIMPSON, NORMAN
ANTHONY & SYLVIA L
P O BOX 7511

HANSON, KENNETH
L & M MARCIA
113 LAKEWOOD DR

MCKINNEY, JAMES
R & NILENE
36 LAKEWOOD CIR

COSSMAN, LOIS D
REVOCABLE LIVING TRUST
521 W 8TH ST APT 1

HITCHCOCK,
EDWARD B
PO BOX 4945

LL QUARTER
CIRCLE RANCH LLP
2413 CARSON

Pike Peak
Regional
Hospital

Pike Peak
Regional
Hospital

N

THE SANCTUARY – PUD AMENDMENT (SOUTH CAMPUS HOUSING)

PROJECT STATEMENT

MARCH 2022

OWNER/APPLICANT:

NEW LIFE HOLDINGS CORPORATION (6029.261010010)
850 ELKTON DRIVE
COLORADO SPRINGS, CO 80907

CONSULTANT:

N.E.S. INC.
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903

REQUEST

N.E.S. Inc on behalf of New Life Holdings and its affiliated operating nonprofit corporate entities, Andrew Wommack Ministries, Inc. (AWMI) and Charis Bible Colleges, Inc. requests approval of the following applications:

1. PUD Plan Amendment to the Sanctuary PUD
2. Request to remove past Conditions of Approval for temporary student housing to be privatized through future arrangements.

LOCATION & DESCRIPTION

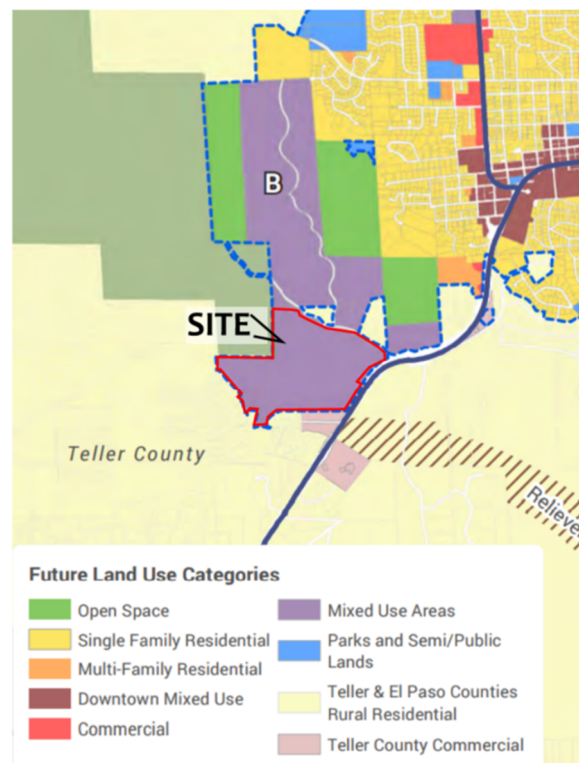
The property is located directly west of the Highway 24 and County Road 25 intersection. The site is located at 800 Gospel Truth Way on a portion of the approximate 143ac site and adjacent to the recent campus parking garage improvements.

The proposal for the PUD Plan Amendment is to address the previously approved Student Housing use on a portion of the 143ac site, northeast of the current Charis building and recently constructed parking garage. These improvements proposed currently sit on a portion of the site that is currently vacant.



CONTEXT

The site currently is framed largely by residential uses to the west and south with R1 and AG zone districts. Pike National Forest abuts the western most boundary. The properties to the north are held by the applicant and part of the past Sturman PUD. Future applications will address a cohesive campus approach and overall PUD consistent with the recently approved Envision Woodland Park Comprehensive Plan. The table below outlines the surrounding zoning and land uses. The noted area is within the City Master plan Future Land Use Area designated as a Mixed Use Area B. These areas are intended to support a diversity of uses with specific uses areas identified. Area B is identified in the Comprehensive plan as “comprised of the approved Sturman PUD and Sanctuary PUD (Charis Bible College). The Sanctuary PUD will have event space, a café, educational facilities, and group quarter housing for students.”



Below is break down of the surrounding zone districts and current uses.

DIRECTION	ZONE	USE
North	PUD	Mixed Used
East	AG	Residential/Vacant
South	R1	Residential
West	N/A	Pike National Forest

PROJECT DESCRIPTION

The proposed application for the PUD Amendment is to build upon the past approved Sanctuary PUD Plans student housing land use areas consistent with the most recent approved PUD plan and City's recently approved Comprehensive Plan. The student housing component implements a past approved use dedication and meets the much needed demand for housing on campus and the early action items identified in the recent AWM/Charis Vision Plan.

The proposal is intended to only add perspective and development detail for the past approved Student Housing Use area identified on the piece of ground northeast of the Campus parking garage. The proposal for the student housing proposes a (6) building development with 66 units (242 bed) on approximately 8acs of the 143 ac site well within the current PUD's maximum bedroom and unit allowances of 500 bedrooms or 300 units. The development will include all necessary parking, landscaping and open space requirements. The proposed development will serve largely as a temporary student housing option for the Charis Bible College to the south. Improved access between the housing and the Bible College is being provided connecting to past improvements. The amendment looks to in addition revise the past PUD's building height from the past 35' to a 45' maximum.

Lastly it is being requested that a past condition of approval from a June 2012 use application be removed. The Approval #1, condition #14 from the July 3, 2012 approvals noted that *"The applicant agrees that the housing on the development will be a temporary student housing, not permanent housing, and the student housing will be privatized through either a lease agreement or some other arrangement so that it can be separately taxed."*

This condition of approval is not seen as a condition that is consistent within the bounds of the Zoning and Subdivision Code for Criteria for Approval or other ordinances as identified in Section 18.30-Planned Unit Development (PUD) District (*see below*).

18.30.080(c) - Final plan requirements—Approval

C. Upon determination by the planning commission that the development plan meets all the requirements of this section, the planning commission will transmit the development plan to the council with their recommendations. If the council finds the plan meets the requirements of this section, it will pass a motion approving the plan. (Ord. 471-1988 § 4; Ord. 7-1971 § 2(part); Ord. 46-1969 § 207.8)

Determination of tax exemption is a matter of state and federal law and not within the jurisdiction of the City to alter, by agreement or otherwise. The PUD, Comprehensive plan and larger governing federal status which identify this use as an educational not for profit entity. The proposed student housing use is a supportive accessory use for the college and meets all past approvals tied to the zoning ordinances for the PUD, City of Woodland Park Municipal Code and Comprehensive Plan under which development is review and approved.

AWMI respectfully requests that the PUD be amended to remove Condition No. 14 because it is illegal, void, and unenforceable for numerous reasons, as explained in detail in correspondence from its General Counsel attached hereto as Exhibit A and as noted below.

1. Condition 14 is Illegal and Void.

Condition No. 14 in Motion for Approval 1 of the PUD (hereinafter, “Condition No. 14”) reads as follows:

The applicant agrees that the housing on the development will be temporary student housing, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed.

2. Even if it is Assumed That Condition 14 were Legal (Which AWMI Maintains, it is Not), The Condition Should Still Be Removed From the PUD Because AWMI’s Operations Are Resulting in Economic Impact to the Local Community That Generates Far More Tax Revenue Than Would Be Generated by Direct Taxation of Student Housing.

In short, applicable law from the United States Constitution all the way down to the Woodland Park Municipal Code require that religious organizations be exempt from taxation. This is a fundamental Constitutional right under the US and Colorado Constitutions and is the official public policy of the State of Colorado. It was illegal for the City of Woodland Park to *even consider* AWMI’s tax exempt status when reviewing its application for PUD in 2012, much less to approve a condition that student housing be made for profit “so that it could be taxed”. AWMI’s tax exemption under the law is mandatory upon the City of Woodland Park and it had no authority to condition the approval of a PUD application on waiver of that status. This is particularly true since AWMI’s 2012 application satisfied all legal and reasonable conditions authorized by law. The condition is a violation of federal law which prohibits government from imposing substantial burdens on religious organizations’ land use.

Further, AWMI respectfully submits that the consent to the condition by its construction supervisor at the time (Mr. Larry Bozeman) was invalid and unenforceable. Agreements that violate official public policy of the state are legally void. Also, the government cannot condition legal privileges (approval of the PUD, for example) on a waiver of constitutional and statutory rights. Condition No. 14 is illegal “contract zoning” and Mr. Bozeman had no legal power to agree to it because it would potentially compel AWMI to violate federal law and its own legally binding Articles of Incorporation as a nonprofit corporation. After adoption of the PUD, AWMI made a good faith effort to comply with the extremely vague condition, but the efforts proved impracticable legally and otherwise. As Mr. Bozeman informed the Planning Commission in 2015, AWMI’s attorneys informed it that partnering with a for profit entity would endanger AWMI’s tax exempt status under the Internal Revenue Code. Even if Mr. Bozeman’s consent were viewed under the lens of contract law, it would be ineffective and void.

As explained in the attached letter from its General Counsel, Condition 14 violates the law of Colorado which expressly forbids government from requiring religious organizations from proving a public benefit before it recognizes tax exempt status.

As explained above, Condition 14 is void and illegal. But, even if it were legal and enforceable, it should still be removed from the PUD. When the Application for the PUD was considered in 2012, economic projections (illegally) cited by the Planning Director to the City Council predicted that direct taxation of student housing would generate \$3.48 million in tax revenue over 11 years (\$316,364 per year). However, the most recent economic impact studies show that AWMI's operations will generate far more tax revenue for local government, even without any form of direct taxation of student housing.

A 2021 professional economic impact study shows that AWMI's activity currently supports 912 local jobs in this community and will support 1,599 jobs by 2030. Currently, AWMI's operations produce economic activity that generates nearly \$400,000 in tax revenue annually for local government (*\$318,196 per year in sales and use tax for the City of Woodland Park, and \$76,084 for Teller County*). This revenue production is anticipated to grow by 2030 to \$838,208 annually (*\$674,908 per year for Woodland Park and \$163,300 per year for Teller County*). See Exhibit B, p. 22. **The total projected tax revenue for the City and County generated by AWMI's operations over the next ten is predicted to be \$6.1 million, without direct taxation of student housing.** In summary, AWMI's operations are already generating far more tax revenue for the community through economic activity than was projected to be produced through eleven years of direct taxation on student housing. In fact, AWMI's operations will generate nearly 70% more than what was original forecast in 2012 over the next 9 years, even without illegal direct taxation.

For these reasons, AWMI respectfully requests that Condition No. 14 be removed from the PUD.

Appropriate updated Economic Impact Reports, Traffic Reports, Grading, Utilities and Landscaping has been provided in support of the proposed application. In addition, supportive exhibits relative to the request to remove the noted PUD Conditions of Approval are attached as noted.

All conditions of approval supportive of the application for an amendment to a PUD Development Plan and request are noted below.

The application is compliant with the Criteria for Approval for the Map Amendment as follows:

Chapter 18.30.080 PUD Development District – Criteria for Approval

A planned unit development district shall be approved only on a tract of land proposed to be developed under the PUD concept and may be approved by the planning commission; provided, that one or more of the following conditions exist:

A. The development plan of the PUD district shall meet the requirements of accepted land planning practices; promote public health, safety, and general welfare; provide adequate light, air, privacy and convenience; lessen and avoid congestion of the public streets and highways; conserve the values of surrounding properties; and protect against fire, panic, explosion, noxious fumes, flooding along natural watercourses, and other hazards.

The proposed application is consistent with past approvals and the recent Comprehensive Plans Future Land Use designation which identifies this area as a Mixed Use area for a College and Ministry use. The mixed use areas intent is to provide a variety of uses as this application does. The proposal for the student housing strengthens the land planning practice of mutually supportive uses and provides an additional component to the development for housing that has not yet been implemented. This use application will support the needs for housing while also mitigating the impacts from traffic by providing on campus housing options.

B. The proponents of a PUD shall, after review of the preliminary plan with the planning commission, submit a final plan of development to the planning commission for its consideration, upon which plan the commission shall advertise and hold at least one public hearing. The development plan shall include, but not be limited to, the following information:

1. Location and size of area involved;

Provided on plans as noted.

2. All improvements of surrounding properties lying adjacent to the proposed PUD district;

Provided on plans as noted.

3. The dwelling unit per tract density of residential areas included in the plan;

Provided on plans as noted.

4. Areas proposed to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses;

Not applicable. Common open space provided exceeding the PUD development plan requirements for such.

5. The location and width of proposed streets, public ways, easements and other similar public and private facilities;

All provided on plans as noted.

6. The use, height, bulk and location of all principal and accessory buildings proposed on the development plan;

Provided on plans as noted.

7. Agreements, provisions, or covenants which govern the use, maintenance and continued protection of the planned development and any of its common open space. Said agreements, provisions or covenants must be written so as to be acceptable to the city;

Previously provided.

8. A development schedule indicating the following:

a. The approximate date when construction of the project can be expected to begin,

b. The stages in which the project will be completed and the approximate date when construction of each stage can be expected to begin;

Provided on plans as noted.

9. The feasibility of the proposal for the disposition of sanitary waste and storm water runoff;

Proper site utility and grading and erosion plans provided.

10. The location, number and dimensional plans of proposed off-street parking and loading facilities;

Proper parking and requirements for such provided.

11. A schematic landscaping plan indicating approximate location, number and type of shrubs, conifer, or deciduous trees or other form of landscaping treatment;

Proper landscaping provided as noted.

12. All of information required to be contained upon and the supplemental material to be accompanied with a preliminary subdivision plat in accordance with Sections 17.20.070 and 17.20.080 of the city's subdivision regulations, which has not been previously required;

Site was previously platted and approved for development and use.

13. In addition to the above, planned business development proposal shall include the following:

a. A traffic impact study,

Provided as noted identify the current impacts and current volumes consistent with past approvals.

b. Description, location and extent of fences, earth berms and/or other buffer areas,

Not applicable. Proper grading, erosion control and landscaping improvement plans provided.

c. Description, location and extent of proposed signs,

No additional signage proposed with this application.

d. Lighting standards and heights,

Provided as noted.

e. Location and extent of outside storage areas with proposed methods of concealment from abutting streets and residential areas,

Not outside storage areas proposed.

f. Estimated employment projections,

Not applicable.

g. Public cost/benefit analysis,

Previously provided with past approved PUD application. Overall updated Campus Economic Impact Report provided but not a requirement of this Plan Change application.

h. A statement to be affixed to a final development plan which shall read: "All activities and uses shall be authorized and be operated to meet the Performance Standards set forth in Chapter 18.33, Use Regulations—Performance Standards, of the City of Woodland Park Municipal Code, Zoning Regulation,"

Provided as noted.

i. Any reasonable information specifically requested by the planning commission, city council or city staff relevant to determining if the requested use is appropriate pursuant to these standards.

Project is in conformance with past land use standards per the City Codes and Ordinances as previously approved.

Chapter 18.30.140 Plan Changes - Criteria For Approval

No changes in a plan for a PUD shall be made, nor shall there be any deviation from the plan, without first obtaining approval as follows:

A. Changes in general character or land use shall require approval of the planning commission and such approval may be granted only after a publication of notice of public hearing, and after the public hearing has been conducted as advertised.

Acknowledged and appropriate application items provided for review by Planning Commission.

B. Changes in location of buildings, structures, or exceeding ten feet in lineal distance or changes in the angle of location exceeding fifteen degrees shall require approval of the planning commission to be granted at any regular or special meeting for which the item in question has first appeared on the published agenda for the meeting.

Application is for a detailed development application previously identified and approved on the past PUD Application.

C. Changes in location not exceeding ten feet or changes in angle of location not exceeding fifteen degrees may be approved or denied by the city manager. A denial of change may be appealed to the planning commission. The city manager may refer any change to the planning commission for decision, if he deems it in the best interest of the city; provided, that all changes granted by the city manager shall be reported in writing to the planning commission within fifteen days of the decision rendered by the city manager. (Ord. 12-1973 § 2(part); Ord. 46-1969 § 207.14)

Acknowledged. Application is for a detailed development application previously identified and approved on the past PUD Application.

P:\AWM Charis Bible College\Charis Student Housing South Campus\Admin\Submittals\PUD Amendment\1st Submittal\Project Statement_AWM-Charis South Campus PUD AMEND.docx

EXHIBIT – A



1 Innovation Way, Suite B
Woodland Park, CO 80863
719-635-1111
awmi.net

March 21, 2022

City of Woodland Park Planning Commission
City Hall
220 W. South Avenue
Woodland Park, CO 80863

Re: Andrew Wommack Ministries, Inc.'s Application to Amend PUD/BUD for "The Sanctuary," Ordinance No. #1162, (to remove Motion for Approval No. 1, Condition # 14)

Dear Commissioners:

I am writing on behalf of my clients, New Life Holding Corp., and its affiliated entities, Andrew Wommack Ministries, Inc. and Charis Bible Colleges, Inc., to amend the PUD/BUD Ordinance #1162 originally adopted on June 7, 2012 and amended January 8, 2015. Thank you for your consideration and attention to this matter.

I. FACTUAL SUMMARY

Andrew Wommack Ministries, Inc. and Charis Bible Colleges, Inc., are non-profit corporations under Colorado law recognized by the Internal Revenue Service ("IRS") as religious organizations under 28 U.S.C. Section 501(c)(3). New Life Holding Corporation is a non-profit holding company formed pursuant to 28 U.S.C. Section 501(c)(2) for the purpose of holding title to real property and related assets for the use and benefit of the two 501(c)(3) entities. Andrew Wommack Ministries, Inc. has been formally recognized by the IRS as a church and/or association of churches. All of the organizations are formed for an overriding religious purpose and objective, centered around the propagation of the gospel of the Lord Jesus Christ. I will collectively refer to them herein as "AWMI."

On June 6, 2012, the Woodland Park City Council considered the application of AWMI for a Planned Unit Development / Planned Business Development ("PUD / PBD") for improvement of its 147-acre tract of land (called "The Sanctuary") on Trout Creek Road inside city limits.¹ The construction included, among other things, plans to build student housing facilities to service the operations of Charis Bible College.

The Council received a detailed report and presentation from the City Planning Director, explaining that AWMI's application complied with legally required conditions, and satisfied relevant legal factors under local law, for the issuance of a PUD. She also confirmed that the PUD was consistent with the long-term goals and planning objectives of the City. Multiple City officials expressed findings that AWMI's application met various requirements and legal considerations, including traffic and fire safety considerations, economic

development, and that City services for water and sewage could accommodate the increased loads that would result from the development.

Official records show that a separate governmental entity, the Northeast Teller County Fire Protection District (“NETCO”), recommended that the PUD application be denied. In the June 7, 2012 City Council Meeting, Fire Chief Lambert expressed his concern to City Council that AWMI would not be paying taxes, arguing that his department could not afford the appropriate number of staff to respond to emergencies on its property. Chief Lambert thought it was relevant to mention “there are currently 29 non-profits within the NETCO District boundaries” and requested the City Council consider negotiating impact fees (a payment in lieu of taxes).¹ According to the Minutes of the Planning Commission considering an application to amend the PUD (regarding seating in the Auditorium) in January 2015, the NETCO again “recommended disapproval based on lack of funding to them, since this is a tax-exempt religious institution, but all construction will meet building standards and code compliance so as to not endanger public health and welfare.”² City Attorney Erin Smith informed the Commission, “the Fire Department’s [objection] was not a statement of Fire Code non-compliance, but rather a recommendation for disapproval based on extraneous non-code related issues.” Similarly, Chairman Jon DeVaux “added that the [Fire District’s objection] was concerning funding, not safety concerns.”³

Despite AWMI’s compliance with all legal requirements and considerations, the City inserted a condition into the Ordinance approving the PUD, which required AWMI to surrender its tax-exempt status for the student housing in the development. The Planning Director’s “Staff Report” and presentation to City Council contained projected economic impact data, including an estimate that if the student housing could be subjected to property tax, it would generate \$3.48 million for the City over 11 years, and the Director recommended a Motion to approve the PUD if it included the following condition:

“The applicant agrees that the housing on the development will be temporary student housing, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed.”⁴

The condition that AWMI build only tax-exempt student housing was also included in a letter dated July 3, 2012 from Director Riley to AWMI.⁵

After the approval of the PUD, AWMI fully explored the possibility of using for-profit investors to build student housing so that it could be taxed. The efforts were unsuccessful, and AWMI has concluded that to do so is not feasible legally or practically. In a subsequent meeting of the Planning Commission on January 8, 2015, Commissioner Bollinger asked AWMI’s Construction Manager, Larry Bozeman, about a timeline for the construction of student housing. According to meeting Minutes, Mr. Bozeman “explained the delay for

¹ See, Minutes of Woodland Park City Council, June 7, 2012, p.11. (attached hereto as Exh. A)

² See, Minutes of Woodland Park Planning Commission, Jan. 8, 2015, p. 3 (attached hereto as Exh. B).

³ *Id.* p. 11.

⁴ See, City of Woodland Park City Council Staff Report, June 7, 2012, p. 10-11 (attached hereto as Exh. C).

⁵ See, Letter from Director Riley to Larry Bozeman at AWMI, dated July 3, 2012 (attached hereto as Exh. D).

constructing student housing is due to the tax-exempt status, and that they were planning on partnering with a for-profit organization to build these improvements, so those improvements would then be **taxable**. Their [AWMI's] attorneys have advised them they would then endanger their tax-exempt status under current IRS codes."⁶

II. THE CITY SHOULD REMOVE CONDITION OF APPROVAL #14 BECAUSE IT IS ILLEGAL, AND ANY AGREEMENT TO THE CONDITION IS UNENFORCEABLE.

It is clear that Condition #14 should be removed from the PUD because it is illegal on numerous grounds. Moreover, the agreement by AWMI's construction supervisor to the condition is unenforceable and void as a matter of law.

A. CONDITION # 14 VIOLATES FEDERAL, STATE AND MUNICIPAL LAW, AND WOULD COMPEL AWMI TO VIOLATE FEDERAL LAW AND ITS OWN ARTICLES OF INCORPORATION.

1. Condition #14 is Void as it Violates the First Amendment of the U.S. Constitution, Article X, Section 5 of the Colorado State Constitution, Colorado Revised Statutes §§ 39-3-107; 109 and 116, and the Woodland Park Municipal Code which Requires AWMI and Charis "Shall" be Exempt from Taxation.

The First Amendment prohibits all laws restricting the free exercise of religion without a compelling government interest.⁷ One of the government restrictions on free exercise prohibited by the Constitution is taxation of church activity and property. Chief Justice Marshall famously opined, "the power to tax involves the power to destroy. . . ."⁸ The Supreme Court has explained this nation's long history of exempting churches from taxation prevents government control of church activity through the "tax valuation of church property, tax liens, tax foreclosures, and the direct confrontations and conflicts that follow in the train of those legal process."⁹ The Court found that the "hazards" of taxing churches leads to impermissible entanglement by restricting the church's allocation of resources and impeding the church's enterprises through the government diversion of funds intended for religious purposes.¹⁰

Under Internal Revenue Code (I.R.C.) Sections 509(a)(1) and 170(b)(1)(A)(i), AWMI is recognized as a tax-exempt public charity, more specifically "a church or a convention or association of churches," and is exempt from federal income tax under I.R.C. Section 501(c)(3).

⁶ City of Woodland Park Planning Commission, Meeting Minutes, Jan 8, 2015, p. 8 (attached hereto as Exh. B).

⁷ U.S. Const. amend I, (stating, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof...")

⁸ *McCulloch v. Maryland*, 17 U.S. 316, 430 (1819)(holding state action, e.g. taxing a federal bank, could not impede the valid constitutional exercises by the federal government).

⁹ *Walz v. Tax Commission of New York*, 397 U.S. 664, 675 (1970)(holding that state and federal laws granting tax-exemptions to religious and secular non-profits had an unparalleled history in the United States that benefited communities and reduced the hazards of churches supporting government).

¹⁰ *Walz*, at 675; *See also*, *Walz* concurrence at 692.

Article X, Section 5 of the Colorado Constitution and its statutory counterpart, Colo. Rev. Stat. § 39-3-106, establish that “property, real and personal, that is used solely and exclusively for religious worship, for schools or for strictly charitable purposes” is exempt from taxation.¹¹ Likewise, Colo. Rev. Stat. §§ 39-3-107; 109; and 116 states that property that is not held for private or corporate profit and is exclusively for schools or is a residential property where its buildings are an “integral part of a church,” or where the property is used for any combination of charitable, religious, and educational purposes *shall* be exempt from property tax¹² (emphasis added). The Woodland Park Finance Code states, “property. . . *shall* be exempt if it is owned or acquired by the religious organization solely and exclusively for religious purposes”¹³ (emphasis added).

In short, AWMi is exempt from taxation as a religious, educational and charitable organization under federal, state and municipal law. Charis Bible Colleges, Inc., and affiliated entity of AWMi, is also a tax-exempt religious and educational non-profit corporation.¹⁴

Condition #14 violates federal and state statutes that mandate AWMi be tax-exempt as a result of the religious use and purpose of its property. The City did not have the authority to rescind AWMi’s tax-exempt status. This is the exact type of government control the First Amendment, and federal and state laws were enacted to prevent.

2. Condition #14 is Illegal and Void Because It Imposes a Substantial Burden on the Free Exercise of Religion in Violation of 42 U.S.C. § 2000cc (the Federal Religious Land Use and Institutionalized Persons Act (RLUIPA)).

The Religious Land Use and Institutionalized Persons Act (RLUIPA)¹⁵ protects the religious exercise of individuals and organizations from discrimination in local land use regulations.¹⁶ RLUIPA forbids the government from substantially burdening religious land use unless it imposes that burden with the least restrictive means furthering a compelling government interest. **Courts have found substantial burdens on religious land use when the local government forces a church to “choose between following the precepts of [its]**

¹¹ Colo. Const. Art. X, Section 5 (“Property, real and personal, that is used solely and exclusively for religious worship, for schools or for strictly charitable purposes. . . shall be exempt from taxation, unless otherwise provided by general law”); C.R.S. § 39-3-106(1) (“Property, real and personal, which is owned and used solely and exclusively for religious purposes and not for private gain or corporate profit shall be exempt from the levy and collection of property tax”).

¹² C.R.S. § 39-3-107 (2021) (“Property, real and personal, which is owned and used solely and exclusively for schools which are not held or conducted for private or corporate profit shall be exempt from the levy and collection of property tax. No requirement shall be imposed that use of property which is otherwise exempt pursuant to the provisions of this section shall benefit the people of Colorado in order to qualify for said exemption;”) C.R.S. § 39-3-109(1)(2.5)(2021) (“Property, real and personal, which is owned and used solely and exclusively for strictly charitable purposes and not for private gain or corporate profit shall be exempt from the levy and collection of property tax if such property is residential and the structure and the land upon which such structure is located are used as an integral part of a church. . . a school, or an institution whose property is otherwise exempt from taxation pursuant to the provisions of this part 1 and which is not leased or rented at any time to persons other than: (a) Persons who are attending such school as students; . . . (2.5) No requirement shall be imposed that use of property which is otherwise exempt pursuant to the provisions of this section shall benefit the people of Colorado in order to qualify for said exemption;”) § 39-3-116 (States property used for any combination of charitable, religious, and educational purposes “shall be exempt from the levy and collection of property tax” and “[n]o requirement shall be imposed that use of property which is otherwise exempt pursuant to any of said sections shall benefit the people of Colorado in order to qualify for said exemption”).

¹³ Woodland Park, Colo. Code of Ordinance Regulation § 3.08.060(d)(8) (2021).

¹⁴ C.R.S. § 39-3-107 (2021).

¹⁵ 42 U.S.C. § 2000cc (2000).

¹⁶ A land use regulation is “a zoning or landmarking law, or the application of such a law, that limits or restricts a claimant’s use or development of land (including a structure affixed to land), if the claimant has an ownership, leasehold, easement, servitude, or other property interest in the regulated land or a contract or option to acquire such an interest.” (42 U.S.C. § 2000cc-5(5) (2000)).

religion and forfeiting benefits, on the one hand, and abandoning one of the precepts of [its] religion to [accept benefits], on the other hand.”¹⁷

The City clearly violated the RLUIPA.

Student housing at the bible college is an important component of AWMI’s mission. The City of Woodland Park forced the church to choose between pursuing purely legal activity that would advance that religious mission and forfeiting its tax exempt status, on the one hand, and giving upon the legal activity and advancement of the mission to keep the tax exempt status, on the other. By forcing the church to choose between pursuing it’s mission and paying taxes, on the one hand, and giving up on the mission but keeping tax exempt status, on the other, the City imposed a substantial burden on AWMI’s free exercise of religion .

Abandoning its religious mission entirely (giving up PUD approval to maintain tax exemption) is a substantial burden on AWMI because it would have crippled AWMI’s religious purpose in Woodland Park. AWMI would not have been able to build a bible college, headquarters, host conferences, or expand to any significant degree. On the other hand, for AWMI to abandon its tax-exempt status is a substantial burden on the free exercise of AWMI because it will result in burdensome federal, state, and local tax assessments; could deter a significant amount of people from donating to the ministry (which is primarily supported through donors) and would divert millions in resources away from a religious purpose to government coffers.

This “choice” constitutes coercive government behavior. The Supreme Court has clearly ruled it is unconstitutional for the government to require a church or individual to make such a “choice,” declaring there is no question religious liberty is “infringed by the denial of or placing of conditions upon a benefit or privilege.”¹⁸

In addition, there is no question the City was not pursuing a compelling government interest¹⁹ through the least restrictive means. Under RLUIPA, “compelling interest” means an interest of the “highest order.”²⁰ Revenue generation is not a compelling government interest.²¹

Therefore, the City violated RLUIPA when it placed a substantial burden on the religious exercise of AWMI through a local land use regulation, in the construction of its student-housing, without a compelling government interest with the least restrictive means.

¹⁷ *Rocky Mountain Christian Church v. BOCC*, quoting *Sherbert v. Verner*, 374 U.S. 398 (1963)(finding evidence supporting jury’s finding the board of county commissioners had substantially burdened the free exercise of a church).

¹⁸ *Sherbert v. Verner*, 374 U.S. 398 (1963)(holding government regulations that burden free exercise must be narrowly tailored and serve a compelling government interest).

¹⁹ RLUIPA does not define “compelling governmental interest.” Though, its legislative history, “indicates the phrase was taken directly from [RFRA], and ‘was and is intended to codify the traditional compelling interest test.’” *Elsinore Christian Ctr.*, 291 F. Supp. 2d at 1091 (quoting Statement of Rep. Charles T. Canady, RLUIPA sponsor, 146 Cong. Rec. E 1563 (2000)). One of RFRA’s stated purposes was “to restore the compelling interest test as set forth in *Sherbert* . . . and . . . *Yoder*.” 42 U.S.C. § 2000bb(b)(2000). *Mintz v. Roman Catholic Bishop of Springfield*, 424 F. Supp. 2d 309, 322 (D. Mass. 2006)

²⁰ *Westchester v. Mamaroneck*, 504 F.3d 338, 353 (2d Cir. 2007)(Finding RLUIPA was violated because there was a substantial burden on school).

²¹ *Id.*

3. Condition #14 Is Void Because It Would Compel AWMI to Violate Federal Law and Its Own Legally Binding Articles of Incorporation.

Federal law prohibits AWMI from using any of its net earnings to benefit a private person or interest. Known as the “no private benefit” rule, the Internal Revenue Code states that **“no part of the net earnings”** of an entity that is tax-exempt under 26 U.S.C. Section 501 “may inure to the benefit of any private shareholder or individual.”²² **The I.R.S has interpreted this provision to prohibit “nonincidental benefit conferred on disinterested persons that serve private interests.”**²³ Violation of this rule can result in loss of tax-exempt status. In addition, AWMI’s Articles of Incorporation, filed under Colorado law, state “[n]o part of the net earnings of the corporation shall inure to the benefit ... of any other individual.”²⁴ **As a recognized non-profit, AWMI’s property is held for legally protected uses and purposes that cannot include personal, individual profit.**

AWMI encountered this legal impracticability after exploring the idea of using a for-profit group of investors to finance the student housing project. As Larry Bozeman told the Planning Commission in January 2015, “AWMI was planning on partnering with a for-profit organization to build these improvements, so those improvements would then be **taxable**. Their attorneys have advised them they **would then endanger their tax-exempt status** under current IRS codes.”²⁵

The City’s conditional approval of the PUD requires that AWMI “privatize” its student housing “so that it can be separately taxed.” This apparent requirement that AWMI convert its property to a “for profit” use would force it to violate restrictions of federal law banning the use of AWMI’s assets for private benefit.

It is axiomatic that federal law is supreme. *See* U.S. Const., Art. VI. Therefore, the City’s ordinance compelling AWMI to “privatize” the property and make it taxable (that is, make it for private benefit) is invalid and unenforceable.

4. Condition #14 is Void and Illegal Because it Requires AWMI to Provide a Public Benefit in Order to Qualify for Tax Exemption, in Violation of C.R.S. §§ 39-3-107; 109 and 116.

Colorado statutes expressly prohibit the government from requiring that religious organizations prove a public benefit of any kind in order to qualify (or keep) tax-exempt status. C.R.S. §§ 39-3-107; 109, and 116 each state, “[n]o requirement shall be imposed that use of property which is otherwise exempt pursuant to any of said sections shall benefit the people of Colorado in order to qualify for said [tax] exemption.”

In *Walz v. Tax Commission of New York*, the Supreme Court defended this nation’s long history of exempting religious groups from taxation, explaining exemption is necessary to prevent government control through the “tax valuation of church property, tax liens, tax

²² *Id.*

²³ 2001 EO CPE Text, “Private Benefit Under IRC 501(c)(3)”, accessed at <https://www.irs.gov/pub/irs-tege/eotopich01.pdf>.

²⁴ Andrew Wommack Ministries, Inc., Art. of Inc., art. II, sec. 2.3 (2014)(Amend. and restated).

²⁵ *See*, Exh. B (Emphasis added).

foreclosures, and the direct confrontations and conflicts that follow in the train of those legal process.”²⁶ The Court found that the “hazards” of taxing churches lead to impermissible entanglement by restricting the church’s allocation of resources and impeding the church’s enterprises through the government diversion of funds intended for religious purposes.²⁷

Walz clarified **religious tax exemption does not depend on any proof that the religious organization provided any social or financial benefit on the community. In fact, for the Court to even engage in such an inquiry would violate the tenet of government neutrality toward religion that is a cornerstone of the First Amendment.** The Court stated,

The extent of social services [provided by one religious’ body compared to another] may vary, depending on whether the church serves an urban or rural, a rich or poor constituency. To give emphasis to so variable an aspect of the work of religious bodies would introduce an element of governmental evaluation and standards as to the worth of particular social welfare programs, thus producing a kind of continuing day-to-day relationship which the policy of neutrality seeks to minimize. Hence, **the use of a social welfare yardstick as a significant element to qualify for tax exemption** could conceivably give rise to confrontations that could escalate to constitutional dimensions.²⁸

Similarly, in *General Conference v. Carper*, the Colorado Supreme Court found that the state Board of Adjustment erred when it denied tax-exempt status to the General Conference of the Church of God – 7th Day. The state Board of Adjustment had concluded that the religious organization should not be tax exempt because it provided “insufficient benefit” to the people of Colorado. The court reversed the Board’s ruling, holding that a **“‘social benefit’ analysis . . . has no place in the state’s evaluation of its treatment of bona fide religious groups,”** reasoning that consideration of such factors by the government would “‘introduce an element of governmental evaluation and standards as to worth of particular social welfare programs. . . .”²⁹ “Numbers alone can never serve to evaluate the substance or essence of a religious faith.”³⁰

In this matter, AWMI submitted a thoroughly well documented and justified PUD application. The Planning Director and City Staff found the plan compliant, in all particulars, with a lengthy list of legal requirements and considerations touching on topics ranging from light pollution to traffic flow.

Yet, City officials, as evidenced in the June 7, 2012 City Council meeting minutes, were concerned that AWMI’s tax exempt status would deprive the government (particularly the separate and independent Northeast Teller County Fire Protection District) of property tax revenue it would have otherwise received from a taxable venture.³¹ In essence, the city

²⁶ *Walz v. Tax Commission of New York*, 397 U.S. 664, 675 (1970)(holding that state and federal laws granting tax-exemptions to religious and secular non-profits had an unparalleled history in the United States that benefited communities and reduced the hazards of churches supporting government).

²⁷ *Walz*, at 675; See also, *Walz* concurrence at 692.

²⁸ *Walz*, 397 U.S. at 674 (emphasis added).

²⁹ *General Conference v. Carper*, 192 Colo. 178, 180, 181 (Colo. 1976)(reversing denial of tax exemption on the grounds that only 200 of 5,000 members were Colorado residents and *overruling Young Life v. Chaffee County*, 134 Colo. 15 (Colo. 1956) to the extent it established some requirement of benefit to the people of the state of Colorado as a condition for property tax exemption of religious organizations).

³⁰ *Id.*

³¹ City of Woodland Park, Minutes of City Council Meeting, p. 11, June 7, 2012. (Attached hereto as Exh. A).

withheld PUD approval, to which the church was fully entitled, unless it surrendered its tax-exempt status for student housing. This approach by the City of Woodland Park violated state law which prohibits governments from requiring that tax-exempt organizations prove a public benefit in order to maintain their exempt status.

B. THE CONSENT OF AWMI'S CONSTRUCTION SUPERVISOR (LARRY BOZEMAN) TO CONDITION # 14 WAS INVALID AND UNENFORCEABLE.

1. Mr. Bozemen's Consent is Invalid Because Agreements that Violate Public Policy are Legally Void and Unenforceable.

It is a matter of settled law that a contract that is illegal or which violates public policy is "void and unenforceable."³² Under Colorado Law, "[a] party may not waive objections based on illegality or public policy, and equitable doctrines may not be used to enforce an illegal or void agreement."³³ Furthermore, Colorado courts have recognized, "a contract which is contrary to public policy is void because it is contrary to public policy, and neither party to the contract is estopped from questioning it merely because the other party has parted with a property right or rendered services in reliance upon it."³⁴ In addition, the provision at issue here is not only against public policy, it abrogates AWMI's constitutional rights. Courts will "indulge every reasonable presumption against waiver of fundamental constitutional rights."³⁵

The principle that agreements in contravention of public policy are void and unenforceable is the law not just in Colorado, but across the nation. *See Anchorage School Dist. v. Daily News* (where the state supreme court ruled a confidentiality agreement could not prevent a school district from disclosing settlement terms to the press because state statute declared all public agency records were a matter of public record: "[A] public agency may not circumvent the statutory disclosure requirements by agreeing to keep the terms of a settlement agreement confidential.")³⁶

In a **case nearly identical to the present matter**, *Keystone Montessori Sch. v. Vill. of River Forest*, 2021 IL App (1st) 191992, 73, *appeal denied*, No. 127583, 2021 WL 6500740 (Ill. Nov. 24, 2021), a non-profit school agreed in writing to forego applying for tax-exempt status in exchange for a planned development permit in its village. Over the years, its tax burden became substantial, and after repeated request to amend the agreement (which were denied by the village), Keystone Montessori brought suit. The court ruled, **"While schools are subject to municipal zoning and land use ordinances, a municipality may not bar a school from within its boundaries or a zoning district thereof, nor deny a variance, solely because the tax exemption may be burdensome."**³⁷ The court looked to the state's

³² *Pierce v. St. Vrain Valley Sch. Dist.*, 981 P.2d 600, 604 (Colo. 1999)(holding public policy did not contravene a confidentiality contract agreement).

³³ *Harding v. Heritage Health Products*, 98 P.3d 945, 949 (Colo. App. 2004)(a party may not rely on the doctrines of waiver, estoppel, ratification, or laches, or on the statute of limitations, to enforce an illegal or void agreement).

³⁴ *Id.* quoting *Menzel v. Niles Co.*, 86 Colo. 320, 324, 281 P. 364, 365 (1929).

³⁵ *Johnson v. Zerbst*, 304 U.S. 458, 464 (1938)(holding waiver of constitutional right must be knowing and intelligent) *overruled for other reasons*.

³⁶ *Anchorage School Dist. v. Daily News*, 779 P.2d 1191, 1193 (Alaska 1989)(holding a confidentiality provision is unenforceable because it violates the public records disclosure statutes).

³⁷ *Keystone Montessori Sch. v. Vill. of River Forest*, 2021 IL App (1st) 191992, 73, *appeal denied*, No. 127583, 2021 WL 6500740 (Ill. Nov. 24, 2021)(emphasis added).

constitution and statutes which, like ours in Colorado, showed a clear legislative intent for schools to be tax-exempt. The court found that tax-exemption statutes could not be waived “because it was not only Keystone’s exemption to waive.” Rather, the benefit belongs to all schools, and the public and harm of waiver would extend beyond Keystone. The court declared it was not within the authority of the city to “usurp ... for-itself the power to decide whether Keystone would receive the exemption authorized by the [state] Constitution” and provided for in the tax code.³⁸ For these reasons, the court of appeals found the agreement to forego tax-exemption contrary to public policy and void.

In Colorado, the state Constitution and statutes indicate a clear public policy to exempt churches and other religious institutions from taxes. Tax-exemption for religious institutions has a firm foundation in the federal Constitution as well, as the First Amendment protects against government entanglement and control of religion. **Thus, in Colorado, as in *Keystone Montessori*, religious institutions “are tax free as a matter of paramount [s]tate policy which cannot be thwarted by exclusionary zoning.”**³⁹ Also, tax-exemption of religious organizations and schools is established Constitutional status established by and for the people of the state of Colorado. Therefore, the exemption is not AWMi’s to waive.

Indeed, Colorado courts have ruled time after time, “statutory provisions may not be modified by private agreement if doing so would violate the public policy expressed in the statute”⁴⁰ and public policy is violated by “diluting, conditioning, or unduly limiting statutory coverage.”⁴¹

2. The Government May Not Condition Legal Privileges on the Waiver of Constitutional or Statutory Rights.

Larry Bozeman’s consent to the taxation of student housing is invalid because the City of Woodland Park was not legally permitted to condition the PUD on the waiver of Constitutional and statutory rights. The Supreme Court of the United States has established the doctrine of unconstitutional conditions, which holds that the government cannot offer a discretionary benefit (or threaten to withhold a gratuitous benefit) on the condition that the recipient refrains from future action that the government could not have constitutionally prohibited. *See, e.g., Koontz v. St. Johns River Water Mgmt. Dist.*, 570 U.S. 595 (2013)(holding a court could not condition the grant of land use permits upon the applicant’s funding of offsite mitigation projects on public land). The Supreme Court has stated this doctrine “vindicates the Constitution’s enumerated rights by preventing the government from coercing people into giving them up. . . .”⁴²

This rule forbids governments from withholding even discretionary benefits in exchange for waiver of Constitutional rights. In *Perry v. Sinderman*, the Supreme Court held that a

³⁸ *Id.*

³⁹ *Supra* note 27, *Keystone* citing *Township Comm. Of the Town. Of Denvill v. Bd. of Ed. Of the Vocat. Sch. In the Cty of Morris* 59 NJ 143, (1971)(emphasis added).

⁴⁰ *Redden v. Clear Creek Skiing Corp.*, 490 P.3d 1063 1071 (Colo. App. 2020) citing *Phillips v Monarch Recreation Corp.*, 668 P.2d 982, 987 (Colo. App. 1983)(holding two exculpatory provisions do not violate statute).

⁴¹ *Cummings v Arapahoe Cnty. Sheriff’s Dep’t*, 440 P.3d 1179, 1187 (Colo. App. 2018)(Court held a deputy could not be required to waive his rights to notice and the opportunity to be heard as a condition of public employment because the terms contravene statute and are void as against public policy. Court stated “[p]arties may not contract to abrogate statutory requirements and thereby contravene the public policy of this state. . .).

⁴² *Id.*

state violated the Constitution when it failed to renew a teacher's one-year contract due to the teacher criticizing the school, despite the fact the teacher technically did not have a "right" to renewal.⁴³ While the government may deny discretionary benefits for many valid reasons, there are reasons the government is not entitled to consider. In this case, the City requested that AWMI give up its constitutional right of tax-exemption in exchange for a governmental benefit, PUD zoning approval. This is unconstitutionally coercive behavior and a violation of the doctrine of unconstitutional conditions.

In Colorado, the same principle protects statutory as well as constitutional rights. In *Poudre Sch. Dist. R-1 v. Stancyk*, the Colorado Supreme Court ruled a school district could not mandate that a teacher waive the right to portability of her non-probationary status as a condition of employment because Colorado law required the school district "shall" give teachers the right to assert the portability of their non-probationary status.⁴⁴ The court explained if the district could require a teacher to waive a statutory right, then it could nullify statutes by asking teachers to waive other rights encoded in statute like non-discrimination and firing for-cause requirements.⁴⁵

In the instant case, the Colorado State Constitution *and statutes* mandate that religious organizations and non-profit schools "shall" be exempt from taxation.⁴⁶ The use of "shall," like in *Poudre*, is a strong indication the Colorado General Assembly did not intend that government agencies be able to require contractual waivers as a condition for other benefits, including proper PUD approvals.

Stated plainly, it is not a defense for the government to argue rights were voluntarily waived when the government was not legally permitted to request a waiver of rights in the first place. *In fact, tax-exempt status should have never come up in the proceedings.* The City's Municipal Code allows the City to regulate the subdivision of land through the "attachment of *reasonable* conditions," where the subdivider must comply with those conditions⁴⁷ (emphasis added). Consideration of tax-exempt status is not only an unreasonable condition but has been found by courts to have no relevancy to zoning decisions. "Reasonable conditions" for consideration include those involving landscaping, grading, erosion, and drainage and the like. Tax-exempt status is not authorized as a condition for consideration and falls outside the city's jurisdiction because property tax exemption is the sole purview of the state.

One court has emphatically stated that an agreement to waive tax exempt status by a religious organization in a land-use variance case was void and unenforceable. The court explained:

⁴³ *Perry v. Sinderman*, 408 U.S. 593 (1972) (holding that although a person has no right to a non-contractual government benefit, it is unconstitutional to deny such benefits in a way that interferes with constitutional rights).

⁴⁴ *Poudre Sch. Dist. R-1 v. Stancyk*, 489 P.3d 743 (Colo. 2021) (holding statute provides teachers the choice to assert portability of nonprobationary status and therefore school districts may not require teachers to waive portability as a condition of employment).

⁴⁵ *Id.*

⁴⁶ Colo. Const. Art. X, Section 5 (2020). ("Property, real and personal, that is used solely and exclusively for religious worship, for schools or for strictly charitable purposes. . . shall be exempt from taxation, unless otherwise provided by general law"); C.R.S. § 39-3-106(1) ("Property, real and personal, which is owned and used solely and exclusively for religious purposes and not for private gain or corporate profit shall be exempt from the levy and collection of property tax").

⁴⁷ Woodland Park, Colo. Code of Ord. Reg. § 17.04.030 (2021).

[Z]oning and taxing statutes are separate and distinct, and each is separately administered. A property owner may or may not be entitled to a variance. Many factors have to be considered. **But those relating to the subject of taxation and exemptions have no relevancy. . . [The government] has no right in doing so to attach conditions by contract or otherwise touching the subject of taxes or exemptions. These are matters outside its jurisdiction. Moreover, what property is taxable and what is exempt is a subject covered by laws which are and must be general in their operation. They cannot be varied by a contract between the town and the taxpayer.**⁴⁸

It is also telling, that in the June 7, 2012 City Council Meeting, when discussion of having AWMi pay an “impact fee” came up, City Attorney Smith “noted that the Council cannot deny the application because of an impact fee requirement . . . because impact fees *are not included in the City’s Municipal Code*” (emphasis added). The Council was thus on notice it was not permitted to consider AWMi’s tax-exempt status as a part of its land-use application because the issue of taxation and exemption has no relevance to PUD approval, is not in the City’s Municipal Code and because property tax-exempt status is within the jurisdiction of the state and solely outside municipal purview.⁴⁹ The City was not entitled to make a PUD approval conditional upon AWMi’s fulfillment of an unreasonable condition and AWMi’s waiver of such a condition is void.

3. The Government May Not Engage in Illegal Contract Zoning.

Larry Bozeman’s consent to Condition #14 is also void because the City was engaging in contract zoning, which is illegal. Contract zoning occurs when the government barter zoning approval for collateral agreements or incentives supplied by the property owner, which the owner was not otherwise legally obligated to provide.⁵⁰ The Colorado Supreme Court has recognized contract zoning is “illegal in most states as an *ultra vires* bargaining away of the police power.”⁵¹

The prohibition of contract zoning specifically precludes waivers of tax-exempt status in exchange for land use approval. In *Masters School v. Town of Greenburgh*, a New York court held a contract between a school and a town, where a school forfeited its tax exemption for one property to obtain a tax exemption on another property was illegal and void.⁵²

In the instance case, the City of Woodland Park illegally traded zoning approval for the relinquishment of a tax-exemption, even though AWMi had already fulfilled all the regulatory requirements in its PUD application. Clearly, Bozeman’s stipulation is void because it is illegal contract zoning and against public policy.

⁴⁸ *Assessors of Dover v. Dominican Fathers Province of St. Joseph*, 137 N.E.2d, 225, 228 (Mass. 1956)(tax exempting full property for religious purposes)(emphasis added).

⁴⁹ While the City of Woodland Park is a home rule city it still cannot act in a way that is inconsistent with state or federal law. See e.g., *Speer v. People ex rel. Rush*, 52 Colo. 325, 122 P. 768 (1912). The Colorado Supreme Court has ruled, in relation to home rule cities, the public policy of the state in matters of taxation still prevails. See, *People v. Denver*, 90 Colo. 598, 604 (Colo. 1932)(holding the state had a right to excise taxes from a home rule city).

⁵⁰ *Cederberg v. City of Rockford*, 8 Ill. App. 3d 984, 987 (Ill. App. Ct. 1973).

⁵¹ *Ford Leasing v. County Commissioner*, 186 Colo. 48, 424 (Colo. 1974)(recognizing contract zoning is illegal in most states).

⁵² *Masters School v. Town of Greenburgh*, 206 Misc. 109 (N.Y. Sup Ct. 1954)(noting a waiver of tax-exempt status not mentioning time or duration as a factor in voidability).

4. Even As a Matter of Contract Law, Condition #14 is Unenforceable.

Even if Larry Bozeman's agreement to waive tax exempt status is viewed from a contract law perspective, it remains clear that the Condition is unenforceable.

a. *Condition of Approval #14 is impermissibly vague and indefinite.*

"There is no contract" "if essentials are unsettled, and no method of settlement is agreed upon" and "the agreement of the parties [i]s vague and indefinite."⁵³

Condition of Approval #14 is certainly not "clear and unambiguous." Rather, it is decidedly vague and unclear. Requiring that AWMI "privatize" its student housing through a type of "lease arrangement" or "some other arrangement so that it can be separately taxed" actually makes no sense because AWMI is *already* a private organization. The language also does not specify any essential terms as to what definitive action AWMI must take to make its student housing taxable, referring only to "a lease arrangement" or "some other arrangement." There was also no time or duration mentioned in the nature of the agreement for how long the City expected AWMI to remain tax-exempt.⁵⁴ The terms of Condition of Approval #14 are too vague and indefinite to support a legally enforceable agreement.

b. *Condition of Approval #14 lacked consideration.*

A contract must also have "valuable consideration"⁵⁵ to be enforceable, where consideration requires that "a performance or a return promise must be bargained for."⁵⁶ There is no contract "if one party promises nothing"⁵⁷ or if the consideration is "unlawful."⁵⁸

The records show that AWMI's PUD application already qualified for approval. Throughout the Minutes of the City Council meeting on June 7, 2012, and the Staff Report from Planning Director Riley, City officials declared that AWMI had satisfied the various factors available for consideration under local law. Therefore, the City extended no benefit, performance, nor promise to AWMI that AWMI was not already entitled to receive. Accordingly, the City provided no valuable consideration to AWMI to make Bozeman's agreement contractually binding. In fact, under the terms of Condition #14, AWMI bore all the cost and burden without any benefit or detriment offered by the City rendering the condition void.

⁵³ *Greater Serv. Homebuilders' Inv. Ass'n v. Albright*, 88 Colo. 146, 153-54, 293 P. 345, 348 (1930) (holding written agreement was vague and indefinite to essential terms and therefore no contract was made).

⁵⁴ See for example, *Masters School v. Town of Greenburgh*, 206 Misc. 109 (N.Y. Sup Ct. 1954) (noting a waiver of tax-exempt status not mentioning time or duration as a factor in voidability).

⁵⁵ See e.g., *Mestas v. Martini*, 113 Colo. 108, 122 (Colo. 1944) (holding that for a contract to be enforced it is necessary that all the essential terms of the contract must first be established by competent evidence and shown to be definite, certain, clear, and unambiguous).

⁵⁶ Restatement (Second) of Contracts § 71 (1952).

⁵⁷ *United Press. v. Sent. Pub. Co.*, 166 Colo. 47, 53 (Colo. 1968) (overturned dist. ct. and ruled contract was enforceable because terms were described with sufficient certainty).

⁵⁸ *McCullough v. Virginia*, 172 U.S. 102 (1898) (held that legislation aimed at preventing a taxpayer from collecting a tax refund from VA pursuant to a prior judgment was unenforceable because the legislator could not take away rights which have been once vested by judgement).

For all these reasons we urge the City of Woodland Park to rescind Condition of Approval #14.

Respectfully Submitted,



RICHARD J. HARRIS, ESQ.

General Counsel,
Andrew Wommack Ministries, Inc. and
Charis Bible Colleges, Inc.

EXHIBIT A

WOODLAND PARK CITY COUNCIL REGULAR MEETING MINUTES COUNCIL CHAMBERS - CITY HALL JUNE 7, 2012 - 7:00 P.M.

1. CALL TO ORDER, ROLL CALL: Mayor Turley called the meeting to order at 7:00 P.M. Morse called the roll with the following members of Council present: Dave Turley, Gary Brovetto, Bob Carlsen, Terry Harrison, Carrol Harvey and John Schafer.

2. PLEDGE OF ALLEGIANCE: Mayor Turley led all in the Pledge of Allegiance.

The following Staff Members were also in attendance:

City Manager David Buttery

City Attorney Erin Smith

City Clerk Cindy Morse

Police Chief Robert Larson

Planning Director Sally Riley

City Planner Scott Woodford

Finance Director Kellie Case

Utilities Director Kip Wiley

Public Works Director Bill Alspach

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS: None.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA: None.

5. CONSENT CALENDAR:

A. Approve minutes of May 17, Regular Meeting. **(A)**

B. Approve application from Walmart Supercenter #3805 for renewal of a 3.2% Beer Retail License located at 19600 E. Highway 24, to be effective August 22, 2012. **(QJ)**

Morse noted the items on the Consent Calendar.

MOTION: To approve the Consent Calendar as presented.
Harrison/Brovetto. Motion carried 6-0.

6. UNFINISHED BUSINESS: None.

7. ORDINANCES ON INITIAL POSTING:

A. Consider Ordinance 1164 on initial posting for a Conditional Use Permit for a Wholesale Trade and Distribution Establishment Use for the Paradox Beer Company to produce, package, wholesale and retail barrel aged beer on the property located at 106 E. Village Terrace, Suite 100 in Woodland Park and set the public hearing for June 27, 2012. **(QJ)**

City Planner Woodford presented this item, noting that this Ordinance presents an application for a Conditional Use Permit for a wholesale trade and distribution establishment use to produce, package, wholesale and retail barrel aged beer at 106 E. Village Terrace in the lower level. He noted that a full report will be presented at the public hearing and recommended approval of this Ordinance this evening with the public hearing scheduled for June 27, 2012.

MOTION: To approve Ordinance 1164 initial posting and set the public hearing for June 27, 2012. Harvey/Harrison. Motion carried 6-0.

At this time, Mayor Turley noted that Agenda Item 9A would be heard prior to consideration of Ordinance 1165, and reported that that Resolution 744 would establish findings of fact by the City Council for annexation into the City.

A. Resolution 744 setting forth the findings of fact and conclusions concerning the annexation petition for the 3.736-acre tract of land located at 1100 Rampart Range Road, Woodland Park, as submitted by Gilliam Thunderhead, LLC. (QJ)

Planning Director Riley reviewed the Staff Report and a brief PowerPoint presentation for Council and provided a brief recap of the process to date. She noted that Resolution 744 sets forth findings of fact and conclusions and acknowledges that the City Council conducted a public hearing and agrees that the proposed annexation complies with the requirements of "Eligibility for Annexation" as established by State law, which include:

- A minimum of 1/6th contiguity;
- A community of interest exists;
- The area is urban or can be urbanized in the near future; and
- The area is capable of being integrated with the annexing municipality.

She noted the applicants request that this parcel be annexed and is planning to add a single family residential unit to the site and preserve the existing structures. She reported that all for standards for eligibility for annexation are met with this request, and noted that the parcel is 100% contiguous with the city. She reported that the maximum number of dwelling units for this site will be up to three single-family residential structures. She introduced the applicants, and recommended approval. Councilmember Harrison asked if there is a well on this parcel. Utilities Director Wiley reported that there is a well, and noted that if the applicants choose to connect to the City's water system, the well will be deeded to the City. Councilmember Carlsen asked about impact fees for this request. City Planner Riley reported that those fees are assessed at the time of development. The public hearing was held without comment.

MOTION: To approve Resolution 744 setting forth findings of fact and conditions for the annexation of 1100 Rampart Range Road as submitted by Gilliam Thunderhead, Inc. Harrison/Schafer. Motion carried 6-0.

A. Consider Ordinance 1165 on initial posting annexing a 3.763-acre tract of land located at 1100 Rampart Range Rod, Woodland Park as submitted by Gilliam Thunderhead, LLC. **(QJ)**

City Planner Riley presented Ordinance 1165, noting that this is the initial posting of the Ordinance that will annex the Gilliam Thunderhead parcel located at 1100 Rampart Range Road, and stated that the public hearing will be held on June 27, 2012. She recommended approval.

MOTION: To approve Ordinance 1165 on initial posting and set the public hearing for June 27, 2012. Carlsen/Harrison. Motion carried 6-0.

8. PUBLIC HEARINGS:

B. Approve Ordinance No. 1162 to change the zoning designation from Agricultural to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development in accordance with The Sanctuary's Final Development Plan and Preliminary Plat for a 147-acre tract of land located at 5849 Trout Creek Road (CR25), Woodland Park, Colorado for the purpose of operating the Charis Bible College as submitted by Andrew Wommack Ministries, Inc. **(QJ)**

City Planner Riley read the agenda item title into the record and reviewed a PowerPoint presentation detailing the process to be followed this evening, as follows:

- Applicant presentation.
- Questions from Council.
- Staff presentation.
- Questions from Council.
- Public hearing and comment from the public.
- Applicant rebuttal.
- Public hearing closed.
- Council deliberation.
- Motion and findings.

She reviewed the process to date, noting that the Planning Commission approved this request on April 12, 2012 with 14 conditions, which are contained in Council's materials this evening. She reviewed the four motions requested, as contained in the Staff Report. Applicant Larry Bozeman, Operations Manager for Wommack Ministries, 850 Elkton Drive, Colorado Springs, addressed Council and thanked them for the opportunity to provide his report. He reported that the Charis Bible College is an approved college and noted that the average age of their students is 43. He reported that they currently have a facility in Colorado Springs, and look forward to building a new facility in Woodland Park. He noted that he and his development team are working with the City to address the interests expressed by the community concerning this development in Woodland Park. He introduced Brett Prather, Architectural Innovations, Colorado Springs, and Prather addressed Council and reviewed a PowerPoint presentation of the project. He noted that they are paying critical attention to the details of blending the project with the site location. He discussed the location of parking areas – away from adjacent residents; the dark sky compatible lighting; attention to detail with

landscaping; and discussed the construction and finish materials they will be using to include timbers, natural stone and stucco with a Colorado look and feel. He noted that the building will be phased and described each of the phases. He discussed the west elevation and pointed out that it has been recessed into the parcel to work well with the existing contours of the land. He reviewed the interior visuals for the Conference Center and discussed the finish materials for this phase. Councilmember Harvey asked if the Banquet Hall would provide a cafeteria for students. Prather reported it would not provide a cafeteria, but would be a place for the students to eat, somewhat similar to a large break room. Councilmember Harvey asked how many parking spaces are included. Prather replied 544. Prather continued his presentation describing the amphitheater that would seat 350 to 400 people and noted that it would be oriented toward the Middle Pond with parking behind the structure. He reported that the facility will also be ADA compliant. Councilmember Harvey asked about the sound system for this facility. Prather reported it is a temporary, focused and directional system. Councilmember Harvey asked about phasing for the student residents and housing. Prather noted that this is unknown at this time and reported that the development team is studying this topic, and will likely react to demand for housing. Councilmember Carlsen asked if the 3,000 students anticipated for this Bible College in 2035 are included in the traffic study that Council received. Prather noted that the first two phases of construction include an increase of 1,100 to 1,300 people. Councilmember Brovetto commented that he heard the amphitheater seats 2,500 people and is only providing 500 parking spaces, and felt that there are not enough spaces. Prather reported that meets the City's standards for parking. Councilmember Schafer questioned if a contractor has been selected for this project. Prather reported yes, a single contractor has been selected for the first two phases of the project. Councilmember Schafer asked if the Woodland Park labor pool will be considered. Prather reported that the contractor is a Woodland Park resident and stated that local trades are welcome to bid. Gary Erickson, representing Executive Company, 13570 Meadowgrass Place, Colorado Springs, noted that they hope to draw as many local laborers as possible. Councilmember Harvey asked about the hours of operation for the College. Bozeman reported the school operates Monday through Friday from 8AM to noon and again from 6:30PM to 9:30PM. Councilmember Harrison inquired about the traffic study and questioned the number of trips per day at the intersection of Trout Creek Road and US Highway 24 and wondered if CDOT would accept that. Chris McGranahan, LSC Transportation Consultants, 516 N. Tejon, Colorado Springs, reported that the project very recently received their Access Permit from CDOT. McGranahan reported that signalization improvements will be added as well as land additions. Councilmember Harrison asked when the improvements will be completed. McGranahan reported they have a three year period to complete the required improvements, but will likely do them all early on in the project. Mayor Turley asked Utilities Director Wiley about the water and sewer system impacts of this proposed project. Wiley noted that at total build-out, this project would consume 2.3% of the City's total planned water demand. He stated that currently the water consumption is approximately 55% of the total planned water demand, and noted with total build-out, that number is increased to approximately 57% of the total planned water demand. As to sewer, Wiley reported that the wastewater system is already scheduled for a planned

upgrade, and noted that this project, when completed would increase hydraulic flow by 5%. He reported that the current treatment plant is rated at 1 million gallons per day, and is now treating an estimated 500,000 gallons per day. Larry Bozeman, General Operations Manager for Wommack Ministries, addressed Council and noted that they will also be constructing a looped line for the water system and that provides connection for adjacent facilities. Councilmember Harrison asked where the sewer would connect. Utilities Director Wiley reported it would connect to the southside lift station. Councilmember Harrison inquired where the runoff will flow. Public Works Director Alspach explained that the applicant is providing stormwater detention and meeting the City's existing requirements, describing the proposed runoff path. Councilmember Schafer reported that there are an estimated 66 new jobs expected when this project is completed, and inquired how many of them may be hired from the local Woodland Park workforce. Bozeman reported he is not sure, and noted that depends on the job qualifications of the applicants. Kyle Campbell, Civil Engineer for Classic Consulting Engineering and Surveyors, 6385 Corporate Drive, Colorado Springs, addressed Council and reviewed a PowerPoint presentation detailing the Final Development Plan. He reviewed the 544 parking spaces included and discussed the building for phase 1 of the project and reported that phase 2 will include the auditorium and parking. He reported that the existing barn will be relocated and renovated with a pavilion area and pedestrian routing throughout the site. He discussed the entrance to the campus with a gatehouse and a divided median entrance with a roundabout and detailed the improvements that will be made. Concerning the access road, he reported that three lanes will be built and described the traffic flow for larger events held on the campus – using two lanes to enter prior to the event and two lanes to exit after the event. He also commented that would assist emergency vehicles as well. He reported that the historic bunkhouses located on the property will be preserved. He discussed erosion control for the project, noting that they will be in full compliance with the required standards. He next reviewed the construction timeline, noting that Phase 1 construction for the Charis Bible College will begin in 2012 for infrastructure installation, and is anticipated to be completed in 2013; construction for student housing will begin in 2013 and is scheduled to be completed in 2014 – with construction for housing 150 students per year; Phase 2 construction for the Charis Bible College will begin in 2015 with completion in 2016; and construction of the Administrative Building begins in 2017 and is planned for completion in 2018. Concerning drainage, Campbell reported he is working with the City's Public Works Director to create a design for drainage and will comply with all standards and requirements in our region. He next reviewed the water system, noting that they will work to model a system of 8-inch and 10-inch mains buried close to 7 feet deep that will loop the water distribution system to both Sturman Industries and Pikes Peak Regional Medical Center Hospital. He concluded with review of the Preliminary Plat and discussed easements proposed and dedicated for current and future use.

At this time, Planning Director Riley reviewed the Staff Report for Council. She reviewed the process to date, and the next steps, noting at the conclusion of the public hearing this evening, Council will make a final ruling regarding the establishment of a PUD/PBD zoning district for the 147-acre tract, and approval or denial of the final Development Plan and Preliminary Plat. She noted that should Council grant approval

for the applicant's request, then Wommack Ministries will submit a set of construction drawings encompassing all aspects of the project for Staff review and subsequent issuance of Zoning Development Permits. Once that step is complete, the applicant is then able to obtain Building Permits from Teller County. She then began review of the analysis and findings for the PUD/PBD criteria, the eleven Conditional Use/Special Use Permit criteria and the Preliminary Plat standards. She read from the Staff Report, noting that the purpose of the PUD district is to provide more flexibility and latitude of design to provide for a greater variety of principle and accessory uses in the development of lands; to meet the technological changes in concepts, and to encourage initiative and more efficient allocation and creative development of parks, recreation areas and open space. She reported that this request complies and noted a PUD zone will benefit both the community and the applicant with more flexibility, latitude and creative design approach with the planned college campus and accessory uses to include student housing, an administration building, pavilion and amphitheater and significant open space with interconnected hiking trails. She next described location, and the Code requirement concerning where this zoning district may be established, and noted the Staff finding is that this project complies as it creates an acceptable relationship to the major traffic thoroughfare plan as validated by a traffic analysis from LSC Transportation. She reported that the Staff finds that this proposal has an acceptable relationship to the City's land use plan and noted that former Utilities Director Jim Schultz completed a comprehensive water and wastewater analysis concluding that both systems have the capacity to serve the project as proposed by this plan.

She reviewed Code Section 18.30.030 concerning requirements for approval of a PUD/PBD zoning district and reviewed the four conditions contained in the Code reporting that one or more conditions must be met. She noted that this request meets Condition C – the property is adjacent to or across a street from property which has been developed or redeveloped under a PUD and it is determined that a PUD will contribute to the maintenance or the amenities and values of the neighboring property – that property being Sturman Industries. She also noted that the proposal will preserve the majority of existing floodplain areas, three ponds, wetlands and forested areas within 116 acres of undisturbed open space. She reviewed the requirement that the PBD must maintain or enhance the environmental integrity of the City and the vicinity in which it is to be located, noting that the Staff analysis is that this proposal complies based on the aforementioned preservation of the areas, the drainage plan to control stormwater runoff; a Phase 1 Environmental Assessment prepared by Mountain Shadow Management concluding that no environmental areas of concern were identified within the study area boundary. In addition, Riley noted the requirement that the PBD be determined to be compatible with vicinity existing and proposed uses, noting that the Staff analysis indicates the proposed development of the Charis Bible College and accessory uses are compatible through good design and mitigating potential impacts, as follows:

Architecture: Overall development will have a lodge-style complementary with Woodland Park's mountain landscape and campus buildings will use earth-tone materials including moss rock, peeled logs, wood components and stucco.

Setbacks and Building Heights: A 100-foot buffer (a no-build area except for fences, landscaping and utilities) is provided adjacent to the Westwood Lakes Subdivision and a 25-foot setback is established around the perimeter of the remaining site. The maximum building height is 60-feet for the administration offices located toward the center of the campus. The main building is 54-feet in height and partially built into a hillside to take advantage of the slope. No views of Pikes Peak from existing residents will be affected by the heights of any of the proposed buildings.

Exterior Lighting: A photometric plan and lighting fixture specifications that meet "dark sky" standards with full cutoff shields will be used. In addition, the grading and landscaping plans help to mitigate the potential vehicle headlights on the west side of the building.

Noise: The primary activity center for the College is within an enclosed building containing the classrooms, auditorium, offices, banquet hall, call center and parking garage. Vehicular noise will be reduced due to the posted low speeds within the development. The outdoor pavilion and amphitheater are located in a natural bowl and they are buffered with a thick stand of spruce trees between the pavilion and the Westwood Lakes neighborhood. The student housing areas are located a significant distance away from the Westwood Lakes subdivision.

Traffic and Access: LSC Transportation Consultants have determined that with certain improvements to Trout Creek Road and the Intersection of US Highway 24 the adjacent streets will have the capacity to handle the anticipated increase in traffic for the projected build-out of 3,000 students, faculty and other employees and visitors in 2035. The new private road is designed with an optional use gravel lane to accommodate traffic increases during special events or emergency evacuations. She noted that the applicant is required by Teller County to prohibit access with a locked gate to the site from any of the Westwood Lakes roads abutting the property with the exception of emergency services access from Vista Lane.

Drainage: An on-site drainage system will be designed to carry run-off into a main detention facility, which will detain and release run-off at or below historic rates.

Water and Wastewater Capacity: Former Utilities Director Schultz confirmed that both systems have the capacity to serve the project. The applicant is required to install all the on-site system extensions as well as a waterline loop/connection to Innovation Way near the Sturman's headquarters.

Fire Protection: All buildings will be constructed in accordance with the 2003 International Fire Code. Adequate fire protection with water looping, number and spacing of fire hydrants, etc. has been confirmed by Utilities Director Wiley and NETCO Fire Chief Lambert, and the applicant will be required to provide a Wildfire Protection Plan as a condition of approval.

Wildlife Protection: The Colorado Division of Parks and Wildlife (DPW) reviewed the Preliminary Development Plan and recommends several conditions that can lessen the impact on the wildlife – including interior fencing kept to a minimum and be wildlife-friendly; and, garbage containment be bear proof and bird feeders prohibited from May through October. Riley reported the applicant will adhere to both recommendations.

Riley next addressed the identified economic development opportunities identified with the development of this project and discussed the Staff analysis that this development

complies with this criterion. These are identified by Mike Anderson, Summit Economics, LLC, and details the benefits to include increased sales and use tax revenue projected to be \$122,235 in 2014; increase in the number of new jobs and their salaries (66 jobs in the first year with payroll of \$2.6 million); construction expenditures of more than \$86 million; operating and maintenance expenditures projected to be \$1.6 million in 2014; and property tax revenue collected on the privatized student housing of \$3.48 million over an 11-year period.

Riley then reviewed the Final Development Plan requirements for a PUD District, noting that this plan must meet the requirements of accepted land planning practices; promote public health, safety and general welfare; provide adequate light, air, privacy and convenience; lessen and avoid congestion of public streets and highways; conserve the values of surrounding properties; and protect against fire, panic, explosion, noxious fumes, flooding along natural watercourses, and other hazards. She reported the Staff analysis is that this plan complies through good site planning and aesthetically pleasing buildings; noted the development plan addresses traffic impacts by constructing on-site and off-site improvements to facilitate the flow of vehicles. The development plan conserves surrounding property values via quality design and architecture, and protects against fire or other hazards by meeting the 2003 International Fire Code, local fire protection standards, drainage and flood control specifications and provides an emergency access and widened main access drive for evacuation.

Riley reviewed the required components of the Final Development Plan that was submitted to the City's Planning Commission and discussed the 15 specific items for inclusion as contained in the Staff Report. She noted the Staff Analysis is that this Final Development Plan complies as the applicant has submitted all of the applicable development plan information specified and in addition, the applicant has provided an excellent Final Plan narrative.

Riley reviewed Municipal Code Section 18.30.090 concerning Common Open Space Requirements and discussed the specifics of those requirements as contained in the Staff Report. She noted that the Staff Analysis is that this project complies as the applicant will preserve a significant portion of the property in its natural state with 116 acres remaining undeveloped which is approximately 80% of the total land area. She noted that common open space does not include drainage and utility easements and after subtracting the easements, paved areas, building coverage, ponds, drainage and floodplain, setbacks and other encumbrances totaling 84.51 acres. She noted that the remaining common open space equals 62.36 acres or 42% of the site, with the minimum requirement being 35%.

Concerning Municipal Code Section 18.30.110 – Dimensional Standards, Riley reported that this Plan complies as no permanent dwelling units or residential lots will be proposed. Rather, 300 units of student housing are planned and will be in harmony with the surrounding areas. She described maximum density of 2 units per acre on the 147-acre tract; discussed dimensional standards for maximum percentage of lot coverage by buildings, structures and impervious surface, and noted these are appropriate for the

college campus. She noted that front, side and rear setbacks do not apply, and reminded Council of the proposed 100-foot buffer. She next reviewed Parking Requirements contained in Municipal Code Section 18.30.120, noting that this Plan complies by proposing a custom parking formula for each building, and following Staff review of the applicants proposed parking formulas, agrees with the development plans. Final discussion concerning Landscaping Requirements as detailed in Code Section 18.30.130 indicates that the preliminary Landscaping Plan submitted meets the City's requirements with proposed use of hardy native trees, shrubs and grasses.

Riley next discussed Conditional Use and Special Use Permit Standards. She reviewed Code Section 18.30.100 noting uses in a PUD are Permitted Conditionally which requires that the 11 Conditional Use Standards discussed in Code Section 18.57.040 B apply. She reviewed each of the 11 standards as detailed in the Staff Report and reported that this project meets all standards:

- Demonstrates direct need to be located at the location proposed and provides adequate mitigation measures to lessen all identified impacts.
- Does not endanger the public health and welfare.
- Development and use does not substantially injure the value of vicinity properties.
- Development and use is in harmony with the area in which it is located.
- Development and use conforms to the provisions, objectives and policies of all City Plans adopted and in effect at the time of application, including but not limited to growth management, transportation, utilities and capital improvements and downtown redevelopment.
- Development and use conform to the provisions, standards and requirements of all City regulations adopted and in effect at the time of application, including but not limited to zoning, subdivision, utilities, buildings and construction, business regulations and engineering specifications.
- Development and use is designed, constructed and maintained to accommodate the on-site and off-site traffic generated.
- Development and use is designed, constructed and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and man-made hazards, streams and environmentally significant features.
- Development and use is designed, constructed and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods and surface water drainage.
- Development and use is designed, constructed and maintained to not unduly increase the public danger of fire, explosion and other safety hazards upon the public and persons residing or working on the site and vicinity.
- Development and use may be required to provide architectural design schemes and amenities such as, but not limited to fencing, landscaping, buffer areas and other aesthetic enhancement measures.

Riley next reviewed the Preliminary Plan Subdivision Standards as required in Municipal Code Section 17.04.020 – Policy, noting that standard states that the land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace, and the land shall not be subdivided until provisions have been made for drainage, water, sewer and public improvements such as schools, parks, recreation facilities, open space, trails and trail connections, transportation facilities and improvements. She noted that this proposal meets all required standards and summarized the information regarding compliance contained in the Staff Report. Regarding the Preliminary Plat Standards contained in Chapter 17.20 of the Municipal Code, Riley reported that the Preliminary Plat presented is designed and drawn in conformance with the applicable sections of the Chapter. Last, Riley reviewed the Design Standards contained in Chapter 17.40 of the Municipal Code, reporting that very few of these standards apply to this plat because the roads are private and no residential lots are proposed. She also reminded Council that this parcel will remain as a single lot, and reported that the Preliminary Plat complies with those applicable design standards such as adequate easements and grades for the private road.

Riley then reviewed the four motions included in the Council's materials. Mayor Turley asked Council if they had any questions of the Staff or the Applicant. Councilmember Harrison asked how parking requirements are established for the auditorium. Riley reported the requirement is 1 space for every 5 seats. Councilmember Harrison asked if the auditorium will be used for local events not directly tied to the Bible College. Larry Bozeman replied it would perhaps 3 times per year, depending on the event and the compatibility with the community. Councilmember Harvey inquired how the student housing portion of this project was evaluated for standards. Riley reported group quarters and student housing standards are included in the City's Code. Councilmember Brovetto asked if the Staff evaluated the impact of the estimated 3,000 people that this project will bring to Woodland Park. City Manager Buttery reported yes and noted that this increase in population will happen over a period of time, and noted that the market will adjust as this project comes on line. He reported that the increase in population includes students, staff, and new students in the Woodland Park Re-2 School District. Councilmember Harvey asked about building heights and how they are evaluated for this project. Riley reported that the PUD zoning allows the applicant to propose those heights for staff review and evaluation. Councilmember Schafer asked if the construction timeline for this project is aligned with the economic analysis presented. Paul Rochette, Summit Economics, reviewed the economic analysis submitted for the period 2012 through 2023 and noted it is not directly aligned with the construction timeline. At this time, Mayor Turley accepted Public Comment from the audience. Amy Velimirovich, 232 Illini Drive, read from a prepared statement opposing the project. She noted the project is 3 times the size of Walmart, voiced opposition to the lighting and noise and noted that additional events other than the Bible College will absolutely impact the surrounding neighbors. She noted that the amount of traffic generated from this project will totally impact the community. She reported she disagrees with the water assessment, and noted that the impact on wildlife will also be huge. She encouraged Council to be aware of these impacts, reminding them it could

be a disaster. Cathy Keeler, 94 Harvard Place, spoke in support of this zoning change, and reported she is a recent graduate of the Charis Bible College and supports this project. She noted that the students and the graduates will give back to our community, and thanked Council for the opportunity to speak, noting she appreciates their process. City Attorney Smith reported that comment regarding the character of individuals is not appropriate for this hearing tonight. Bill Page, 627 W. Midland Avenue, reported he sees the economic benefit of the Charis Bible College and discussed the taxes he pays to the State of Colorado for education. He noted that this Bible College is privately funded and the applicants are not asking for support from the taxpayers of Woodland Park. He stated he believes that the Bible College will add some stability to our community and supports their plan. Tyler Lambert, Chief for Northeast Teller County Fire Protection District (NETCO), 1010 Evergreen Heights Drive, and John Eden, 100 Red Clover Court, and NETCO Board of Directors Vice President, reviewed the current ISO rating classification for Woodland Park as a class 5 which means that the Fire District must respond to incidents with 7 personnel. Lambert noted that currently they have a staff of only 3 or 4 to respond to incidents. He reported that the District operates with funding from property tax – 97% of their revenue on an annual basis, and some revenue from license plates. He reported that the District will receive no revenue from this project – and no payment in lieu of taxes (PILT). He noted that the housing will be taxable, and some revenue will be generated when that phase is completed. He noted that there are currently 29 non-profits within the NETCO District boundaries. He suggested that is it time to talk to the City Council about supporting the Fire District. Eden stated that he believes Wommack expects the District to protect their property, and noted that City Council has the ability to ask for public service and emergency medical service operations to be covered by impact fees, and urged the Council to do what is right for the community. Councilmember Carlsen asked if NETCO is required to respond with 7 people now. Chief Lambert replied yes, and noted that some property tax revenue would be received when the housing units are constructed. Mayor Turley asked Chief Lambert what specifically he sees his need to be. Lambert noted he has all the necessary equipment and doesn't have the funding to staff the required number of people. He reported that the sprinkler systems in a large project such as this do help. Mayor Turley asked what NETCO asked the applicants for in terms on payment in lieu of taxes. Chief Lambert noted between \$80,000 and \$100,000 per year based on the same project that is taxable. City Manager Buttery noted that the Fire District relies almost solely on property tax, while the City relies on both property tax and sales tax. Councilmember Harvey reported that this cannot be negotiated this evening. City Attorney Smith noted that the Council cannot deny the application because of an impact fee requirement at this particular time because impact fees are not included in the City's Municipal Code. She noted that the record would have to be very clear that this particular project would have a direct impact on the ability to provide fire protection. Eden stated he disagrees with the Staff's analysis that this project is meeting the fire protection guidelines. He noted he believes that the issue is NETCO being expected to provide services without any revenue to fund those services, noting that the issue is bigger than just this project, and may have much larger unintended consequences. Discussion continued. Larry Bozeman, Operations Manager for Wommack Ministries, reported that they are looking at the possible purchase of a brush fire truck to have on

site. He noted that their income is derived from donations with no other income in the budget to provide payment in lieu of taxes as requested by the Fire District. City Manager Buttery suggested that representatives from the City and the District get together to discuss this issue later. There being no further comment, the public hearing was closed.

Mayor Turley called for rebuttal from the applicant. There was none. Mayor Turley called for questions from the City Council. Councilmember Carlsen noted that he believes the problem of non-profit organizations being in small communities has been around for a long time. Mayor Turley asked Bozeman if they would provide Security on their campus. Bozeman replied yes they would provide their own Security Service from 3AM to 10:30PM when construction begins and will expand to 24-hour service when the project nears completion. Bozeman noted that this will likely lessen any impact to the City's Police Department. Mayor Turley inquired if the property tax from the residential portion of this project is included in the economic development study. Paul Rochette, Summit Economics, reported it is included. Councilmember Harvey inquired about the number of permanent staff at the College. Rochette reported 66 jobs in 2014. Councilmember Harvey asked of those 66 jobs, how many might be expected to purchase a home in Woodland Park. Rochette noted maybe 30, and reported he had not studied that.

At this time, City Attorney Smith reminded Council that there are 14 conditions of approval, and asked the applicants if they agree with all 14 conditions. Bozeman stated they do not object to the conditions of approval.

MOTION: The City Council concludes that the proposed project qualifies for a PUD District and approves the rezoning of the property to PUD, and approves the PUD/PBD Final Development Plan based upon the findings presented this evening and included in the staff report, with the following conditions:

1. A final landscaping plan in accordance with Section 18.33.180 E shall be submitted, reviewed and approved by City Staff for The Sanctuary and all other first phase improvements prior to the issuance of the Zoning Development permit for The Sanctuary.

2. A final grading/erosion control plan in accordance with Chapters 18.40 and 18.41 shall be submitted, reviewed and approved by City Staff for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.

3. A final drainage report and plan shall be submitted, reviewed and approved by the City Engineer for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.

4. A final photometric plan shall be submitted, reviewed and approved by City Staff for The Sanctuary and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for The Sanctuary and associated site improvements within the first phase of development.

5. A Flood Hazard Development Permit application and revised Floor Report shall be submitted and approved by the Planning Commission for the new road crossing of the Jenkins' Creek floodplain prior to the issuance of the Zoning Development Permit for any land disturbing activity within the floodplain. Furthermore, the applicant agrees to obtain the necessary permits from the Army Corp of Engineers prior to any construction within the designated wetlands on the property.

6. The applicant agrees to construct all necessary road and signalization improvements to Trout Creek Road and US24 in accordance with the approved Traffic Impact Analysis prepared by LSC, Inc. dated November 3, 2011 and will obtain all necessary CDOT permits for the construction of said improvements for the first phase of development. Furthermore, the applicant agrees to all CDOT conditions associated with CDOT's Access Permit.

7. The applicant shall submit and receive approval from the City Engineer for utility construction drawings, prior to the issuance of a Zoning Development Permit for any utility construction within the PUD/PBD district and any off-site utility improvements.

8. The applicant shall update the Phase 1 Environmental Assessment to include a larger study area which encompasses (at a minimum) all land area that is encumbered by public utility easements pursuant to the recording of the Final Plat or other instrument.

9. Per City of Woodland Park Ordinance 838 a Water Development Fee of \$2,000 per acre for the commercial development shall be paid prior to recording the Final Plat.

10. The applicant agrees to pay all Impact/Development Fees associated with the development prior to the issuance of the Zoning Development Permit for the first phase of development to include:

- Water and sewer tap fees;
- Stormwater capital fees;
- Transportation capital fees;
- Utility reimbursement fees;
- Use tax for a portion of the taxable construction; and
- Any other applicable fees.

11. A Wildfire Protection Plan shall be submitted, reviewed and approved by City Staff and NETCFPD Fire Chief for the entire 147-acre site prior to the issuance of a Certificate of Occupancy for The Sanctuary. A minimum of 10% of the plan shall be implemented in the first year of occupancy and 10% completion of the plan each year thereafter or as recommended by the plan.

12. A Final Plat shall be approved by the City Council and recorded prior to the City's authorization of a Certificate of Occupancy for The Sanctuary or any occupied structure within the first phase of development.

13. The applicant agrees to the Teller County requirements detailed in the Teller County Community Development Services letter dated March 20, 2012 and

summarized as follows: the use of Vista Lane as a reciprocal cross-access easement for emergency services access only; and no construction of any structures within the 100-foot no build buffer zone; and two specific amendments to the Annexation Agreement regarding the Vista Lane use for emergency services and the use of the 100-foot buffer.

14. The applicant agrees that the housing on the development will be temporary student housing, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed.

Carlsen/Harvey. Motion carried 6-0.

MOTION: To approve Ordinance 1162 changing the zoning designation from Agricultural to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development in accordance with The Sanctuary's Final Development Plan (PBD) and Preliminary Plat to relocate and operate the Charis Bible College with a religious/educational center, student housing, administrative building and associated uses developed on a 147-acre tract of land located at 5849 Trout Creek Road, Woodland Park based upon the findings in the Staff Report. Carlsen/Harvey. Motion carried 6-0.

MOTION: To approve the Preliminary Plat for The Sanctuary based upon the findings in the Staff Report. Schafer/Brovetto. Motion carried 6-0.

MOTION: To approve an amendment to the Annexation Agreement requested by Teller County, as follows:

Page 4, Paragraph 6.b: by removing the following words from b "except access shall be allowed for the caretaker's residence"; and Page 5, Paragraph 9: by removing the words "Notwithstanding the buffer requirement, Annexor shall be allowed to build in the buffer along and next to Lot 24, Westwood Lakes Subdivision, First Addition." Harvey/Harrison. Motion carried 6-0.

Mayor Turley complimented all involved with this process and thanked everyone who provided input – the Planning Commission, residents, Wommack Ministries and the City's staff. He noted NETCO Chief Tyler Lambert brought up some concerns regarding fire issues and tax structure funding, noting that is a tough situation when there is no funding to support increased needs. He asked Chief Lambert to take the lead to bring the best group of folks together to work to make a recommendation about how these needs can be addressed in the future. He asked Lambert assemble the group to find some way to work through this, and noted that he is ready to participate in those discussions.

Mayor Turley called a short break at 10:05 P.M. The meeting was reconvened at 10:15 P.M.

C. Approve Ordinance No. 1160 establishing a tiered single family residential rate schedule for water plant investment fees, sewer plant investment fees,

water rights fees, storm water capital fees, park development fees and transportation capital fees; and amending Ordinance 815, Series 1999 and Municipal Code Titles 13 and 15. (L)

City Manager Buttery reviewed the Staff Report for Council, noting that a Worksession was held to discuss this proposal earlier this year. He reported that Council approved this Ordinance on Initial Posting on May 27, 2012, and noted the intent to include townhouses and condominiums in this tiered system. He reported that in order to avoid confusion and misinterpretation, the phrase INCLUDING TOWNHOUSE AND CONDOMINIUM RESIDENTIAL UNITS has been inserted after every reference to single family residential. He reported that this will assess the impact fees that the residential units really have on the various infrastructure systems within the City. Mayor Turley noted that this proposed Ordinance was also thoroughly reviewed by the City's Utilities Advisory Committee. Mayor Turley opened the Public Hearing. Rick Schafer, 700 Valley View Drive, representing Habitat for Humanity, spoke in support of this Ordinance, noting that the cost of the home matters. He explained Habitat's process and stated he believes this to be fair and equitable. Councilmember Harvey noted that she believes this is one of the ways the City government can assist all economic groups with use of this tiered system. There being no further comment, Mayor Turley closed the Public Hearing.

MOTION: To approve Ordinance 1160. Schafer/Harrison. Motion carried 6-0.

City Manager Buttery reported that this tiered system will be applied to those projects that are currently planned that will save money – and noted there are two.

D. Approve Ordinance No. 1163 repealing Municipal Code Section 9.70.020 concerning Concealed Weapons. (L)

Morse reviewed this Ordinance and noted that the City Attorney also provided review. She noted that approval of this Ordinance will remove a section in the City's Municipal Code that is in direct conflict with current State law. Mayor Turley opened the Public Hearing. There being no comment, the Public Hearing was closed.

MOTION: To approve Ordinance 1163. Brovetto/Harrison. Motion carried 6-0.

9. NEW BUSINESS: None.

10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: None.

11. REPORTS:

A. Mayor's Report: Mayor Turley reminded all of upcoming events including the annual Keep Woodland Park Beautiful Clean-up on June 9th at Memorial Park; the Woodland Music Series concert also on June 9th at the Cultural Center

presenting the Colorado College Festival Orchestra; and the Southern Colorado Tour de Cure Race on June 16th from Meadow Wood Sports Complex. Mayor Turley reported he participated in the awards ceremony at Woodland Park High School on May 23rd.

B. Council Reports: Councilmember Brovetto described funding sources through the Pikes Peak Area Council of Governments and noted that transportation projects are among the largest grants available. City Manager Buttery reported that the City has received grant funding for projects along Highway 24 and Highway 67 as well as sidewalk projects throughout the community, and noted that City Staff participates on a variety of committees at PPACG representing the City's interests for grant funding. Councilmember Brovetto next noted the existing City Code concerning the illegal transfer of snow onto City property and suggested that this be reviewed to see if it is really necessary. He also cited the reference in the Dog at Large Code regarding the possibility of penalty and jail time, and noted that should be reviewed and could possibly be a constitutional issue. Mayor Turley recommended that Council strongly consider one of their stated Goals and Objectives to establish a Charter Review Task Force. Councilmember Harvey reported she attended the DDA Board of Directors meeting and discussed the two projects planned for Tamarac Center adjacent to Country Lodge, and also reported that two appeals have been filed concerning the City's decision for the Woodland Hardware project, and noted the Board of Adjustment will hear those appeals on June 18th at 6:30 P.M.

C. City Attorney's Report: City Attorney Smith requested that Council appoint legal counsel for the Board of Adjustment this evening in connection with the zoning appeals filed last week. She recommended attorney Kristin Brown and distributed her resume. She reported her hourly rate is \$145.00 and expects maybe 20 hours of billable time plus some travel time. Councilmember Harvey inquired about the process if those who appeal are not satisfied. City Attorney Smith reported that the next level for appeal is with the District Court.

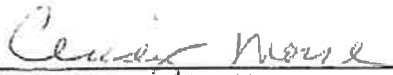
MOTION: To approve retaining attorney Kristin Brown to represent the Board of Adjustment at the June 18, 2012 appeal hearing, as detailed by the City Attorney this evening. Turley/Harrison. Motion carried 6-0.

D. City Manager's and Department Managers' Report: City Manager Buttery reminded Council that the June 21 and July 5 Council meetings have been cancelled, and reported the next meeting will be on Wednesday June 26, 2012. He also reported that Walmart and Waste Management have closed the recycling area at Walmart due to the types of trash, waste, garbage, etc. that have been dumped there. He noted it will be removed tomorrow.

12. COMMENTS ON WRITTEN CORRESPONDENCE: None.

13. ADJOURNMENT: There being no further business before Council, the meeting was adjourned at 10:52 P.M.

Recorded by:


Cindy Morse, City Clerk

APPROVED THIS 17th DAY OF July, 2012.

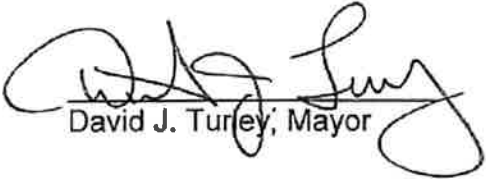

David J. Turley, Mayor

EXHIBIT B

**WOODLAND PARK PLANNING COMMISSION
WOODLAND PARK CITY HALL COUNCIL CHAMBERS
220 W. SOUTH AVENUE, WOODLAND PARK, CO
REGULAR MEETING MINUTES
JANUARY 8, 2015 – 7:00 PM**

I. CALL TO ORDER AND ROLL CALL:

The meeting was called to order at 7:00 p.m. by Chairman Jon DeVaux. Commissioners present: Vice-Chair Geoff Watson, Paula Mattingly, Philip Mella, Gerald (Jerry) Penland, Marti Propes, Tom Rollinger, and Charles Schroeder. Members absent: Steve Stannard. Staff present: Planning Director Sally Riley, City Planner Lisa Parnell, City Attorney Erin Smith and Permit Technician David Burgess.

II. PLEDGE OF ALLEGIANCE: Chairman Jon DeVaux led the audience in the Pledge of Allegiance.

III. ELECTION OF OFFICERS:

Ms. Propes nominated and Mr. Schroeder seconded Mr. DeVaux for Chair and Mr. Watson for Vice-Chair. Motion carried unanimously 8-0.

IV. APPROVAL OF MINUTES OF PREVIOUS MEETING:

Minutes of the regular meeting from December 11, 2014 were unanimously approved 8-0 with no corrections, additions, or deletions.

V. REQUESTS AND/OR PUBLIC HEARINGS:

A. Case ZON14-003 Andrew Wommack Ministries, Inc. Planned Unit Development/Planned Business Development (PUD/PBD) Amendment: Request to consider a PUD/PBD Amendment to the Final Development Plan at 800 Gospel Truth Way with a legal description of Lot 1, The Sanctuary, Woodland Park, Colorado. The purpose of the amendment is to modify the Charis Bible College, Phase 2 facilities to construct a five level parking garage with 1083 stalls and increase the auditorium seating from 2500 seats to 3185 seats within the 217,000 SF religious and educational center. The request is submitted by applicant Andrew Wommack Ministries, Inc.

Commissioner Mella announced that he is on the Board of Directors for the Rampart Library District Foundation, and that they currently have an ongoing capital campaign that is being supported financially in part by Andrew Wommack Ministries, Inc. which presents the potential for conflict of interest. He explained that after consulting with the City Attorney, Erin Smith, he has decided to recuse himself from this meeting. He duly exited the Council Chambers.

Director Riley introduced the applicant's representatives; Larry Bozeman, Bill Tibbitt, Brett Prather, who is the Principal Architect, Keith Meier, who is a local architect, Kyle Campbell, who is the Civil Engineer on this project, and Jeff Hodsdon, who is the Traffic Engineer.

Director Riley explained that this application is to modify the Planned Unit Development / Planned Business Development (PUD/PBD) land use approval that was granted in 2012 for the applicant's Phase 2 construction, to now build a five-level parking structure with 1083 stalls and to increase the auditorium seating from 2500 seats to 3185 seats within the 217,000 square-foot (SF) religious and educational center. She explained that the City's code section 18.30.140 requires that any change to the original PUD requires a public hearing before the Planning Commission based on the eleven criteria that is used for a Conditional Use Permit (CUP), since PUDs are permitted conditionally.

Director Riley reviewed the eleven steps used in the hearing proceedings process, from presentation to voting on the Motion. She next reviewed the background of the original PUD/PBD and its approval process, from the Preliminary Plan until the Charis Bible College opened in January 2014 with approximately 600 students attending classes. She explained that the applicant then continued to the design of the second phase of the campus, comprised of a large auditorium, whereas they decided to expand the size of this facility. In order to accomplish this, they needed to address the additional parking required as well as desiring an increase to the available parking ratio for the students.

Director Riley reviewed the Phase 1 improvements detailing the US Highway 24 and Trout Creek Road signalization, along with intersection and roadway improvements, the Gatehouse entry into the campus, and the drainage facilities with a detention pond. She displayed a slide showing pictures of the main campus facility from various directions as well as the maintenance garage. She exhibited an aerial photo showing the existing facilities which were under construction at the time the photo was taken, and outlining the location of the proposed auditorium and parking garage. She pointed out the location of the proposed access drive which loops around the east, west and north sides of the garage. She specified the nearest proximity to the Westwood Lakes development, which was indicated with a star on the exhibit. She commented on the importance of respecting this residential neighborhood while considering this development. She stated the nearest neighbor is located at the end of Vista Lane. She explained the developers have tried to maintain as much of the natural vegetation on their property as possible between their development and the Westwood Lakes neighborhood to the west-southwest. She showed two photographs taken at the end of Vista Lane viewed looking towards the first phase of the Bible College to the northeast taken on December 12, 2014, demonstrating how the campus is situated below grade from Vista Lane, and showing the general vicinity of the proposed auditorium and garage, and how these structures would be tucked into the north-northeast of the existing buildings.

Director Riley next presented architectural perspective renderings provided by the applicant showing the appearance of the Phase 2 build-out, and demonstrating how only the top three stories of the five-story parking garage is visible from Westwood Lakes looking northeast. She specified that the auditorium as previously approved in the PUD is established at 54-feet high, and that the parking garage would match that height. She pointed out the mansard roof design of the garage with four corner towers as an added feature that cap the garage which contain heated stairwells and pressurized fire suppression standpipes to the garage. She explained the garage is an open design with partial-height walls which will deflect and contain the headlight beams from the vehicles maneuvering inside the structure. She displayed additional renderings which showed the view of the complex as visitors approach from the main east entrance. She explained each level of the garage has almost 220 parking stalls each. She noted that there was a smaller parking garage previously planned and integrated into the northeast corner of the auditorium, which will still be built, but will be slightly smaller than originally planned. She explained that the new larger parking garage will connect to the auditorium, and that there are three driveway entrances into this proposed garage at different levels.

Director Riley next presented the amended Final Development Plan exhibit with the proposed changes. She explained that the original parking plan called for approximately 500 required parking spaces, and with a maximum of 3000 anticipated students and additional seating in the auditorium at build-out, the required parking would be 605 spaces. The applicant is now planning on providing 1440 spaces, which is a significant increase in available parking. She again noted the change in the auditorium seating to 3185 persons. She displayed a parking summary slide showing the original parking ratio of one space for every five students considering the original 2500-seat auditorium, equating to the approved required

505 parking spaces, and that the applicant was planning on providing 544 spaces. The new proposal would require 605 spaces, and with the addition of the parking garage, they will be providing 1440 spaces, which equates to one parking space for every 2.1 students, for a net gain of 896 spaces.

Director Riley next displayed architectural elevation renderings of the sides of the proposed parking structure, demonstrating the entrances at the various levels as a result of the finished grading around the structure. She continued to a plan view slide noting that the footprint of the proposed auditorium has not changed from the original PUD, other than a slight 200 square-foot bump-out for restrooms, explaining that the foundation is currently under construction. She advanced to detailed plan views comparing the originally proposed parking lot of 187 spaces at the same location as the now-proposed garage and service drive, demonstrating the relative slight increase in footprints between the two, resulting in dramatically increased parking capacity, in just 0.71 acres of increased area, while still preserving the 25-foot buffer setback to the National Forest property to the north.

Director Riley proceeded to the revised Preliminary Grading Plan showing the changes as a result of the proposed structure revisions, along with a revised Preliminary Erosion and Sediment Control Plan. She showed the revised Master Utility Plan explaining that the only changes are in relation to the water line that was installed through the originally planned surface parking lot, but due to the change to a parking garage, this will now be relocated around the proposed parking structure, with additional fire hydrants. She continued to the Landscaping – Tree Protection Plan. She commented on the substantial undisturbed open-space with this project, and that the only additional disturbance will be to the previously mentioned 0.71 acre needed for the parking garage and access drive, and that the majority of the property will remain undeveloped. She showed detailed Landscaping Plans demonstrating ample coverage of landscaping and trees. She continued to the Photometric Plan and Photometric and Light Fixture Plan explaining these denote the foot-candles of light output from the exterior lighting. She stressed the importance of lighting to staff considerations in order to limit the impact to the dark skies while still providing for adequate security and safety, and that the applicant had provided lighting specifications. She acknowledged previous lighting concerns with the first phase, particularly with the Gatehouse being very bright, but that after working with the applicant, the lighting was adjusted to acceptable levels. She explained that lighting is a performance-based issue and oftentimes is adjusted to suit after installation.

Director Riley briefly mentioned Chapter 18.30 of the Municipal Code which deals with PUD project review requirements. She explained that this amendment to the PUD is covered in detail in the Staff Report and is still in compliance with the Chapter 18.30 of the Municipal Code, and that for tonight's presentation and purpose, she will focus on the eleven criteria utilized in a Conditional Use Permit (CUP) review which also apply to a PUD, since most of the Chapter 18.30 criteria is technical in nature and was covered in the original PUD, with this amendment still being in compliance with that criteria.

Director Riley carefully reviewed and explained each of the eleven Conditional Use Review Criteria. She went through each facet of these, demonstrating how the applicant's request complies and conforms to all the criteria. During this explanation, she expounded on how the proposed parking garage alleviates the challenges of potential sprawling surface parking, and how the proposed amendment adequately mitigates impacts to and concerning traffic, drainage, noise, lighting, utilities, fire protection, wildlife and public safety concerns. She explained how the Northeast Teller County Fire Protection District (NETCFPD) is recommending disapproval based on lack of funding to them, since this is a tax-exempt religious institution, but that all construction will meet building standards and code compliance so as to not endanger public health and welfare. She stated that impacts to adjoining property values would not be substantially impacted and presented professional analysis and opinion from Sharon Roshek of

Coldwell Banker Realty as evidence. She cited relevant comparative sales statistics for Westwood Lakes both before and after the construction of the Charis Bible College as it exists today, and noted only a slight decrease in median sales prices, clarifying that this is not an exact evaluation due to the variables between sales properties. She said that notices of this proposed amendment were sent to adjoining property owners as required and did not receive any inquiries from them. She noted that Ron Frindt was in the audience, who is a member of the Westwood Lakes Homeowner's Association and that they were provided a packet of the amendment materials so that they would be fully apprised of the proposed amendment. Director Riley stated that it is common for college campuses and religious institutions to be located adjacent to residential neighborhoods, that the buildings are aesthetically pleasing with careful placement and buffers, along with thoughtful lighting and landscaping.

Continuing with her review of the Criteria, Director Riley commented that the Teller County staff had expressed concerns about traffic impacts on the west side of the building in regards to headlights, building heights and massing. She rebutted that the Phase 2 construction is more than 600-feet away from the closest resident in the Westwood Lakes development, that the access drive is on the north side of the auditorium and that the proposed wall heights of the garage are adequate to mitigate the headlights, so that these factors have had been taken into consideration. She added that none of the Teller County staff had visited the site. She stated this proposed amendment conforms to the Comprehensive Plan as "mixed use" and supports its guiding principles to sustain economic diversity and vitality and to promote opportunities for life-long learning, as well as meeting various Land Use Growth Goals and Economic Development Goals, while optimizing the City's existing water resources. She announced that the City's Utilities Director, Kip Wiley, was present in the audience to answer any questions if needed. She stated the development also manages its storm water effectively, and that this proposed amendment complements the education goal of Woodland Park becoming an educational city. Additional Criteria conformance includes adherence to all provisions, standards and requirements in regards to zoning, subdivision, utilities, buildings and construction, business regulations, engineering specifications, and the International Building Codes.

Director Riley explained that the development will accommodate onsite and offsite traffic, stating that in November of 2011, Jeff Hodsdon, Engineer with LSC Transportation Consultants, Inc., compiled a comprehensive Traffic Study that was reviewed and approved by CDOT. This included improvements to the intersection of Trout Creek Road and US Highway 24. The study concluded acceptable levels of service during peak hours through the year 2030. An addendum to this study was submitted on November 26, 2014 with updates to include special events with the increase in size for the 3200-seat auditorium. Special events will be handled through a Traffic Control Plan for each event. A condition was added to this amendment that these Traffic Control Plans are to be submitted prior to the special events for CDOT and City review and approval. She added that CDOT has yet to respond to this addendum, but that she did not expect any additional requirements from them, but if there were, this has also been conditioned into this proposed addendum.

Director Riley stated that the proposed amendment complied with topographic and environmental criteria, clarifying that the City has recently adopted a new Drainage Criteria Manual, which needs to be acknowledged in the applicant's Drainage Plan and Report, and that any future changes would need to comply with this new criteria. She explained that analysis has confirmed the proposed development has adequate water supply and wastewater disposal provided by the City and has adequately addressed solid waste disposal, air quality protection methods and surface water drainage. The applicant will also utilize bear-proof trash enclosures. Director Riley noted that the proposed development shall be designed, constructed and maintained to not unduly increase the public danger of fire, explosion, or

other safety hazards to persons residing or working on the site or the surrounding vicinity, and would be in compliance with the 2009 (latest edition) International Building Code (ICC) and 2003 (latest edition) International Fire Codes (IFC) as well as all City, State and Federal specifications and regulations. She stressed adequate fire protection methods such as optimum fire hydrant spacing, fire flow pressures, looped water supply, sprinkled buildings and ingress/egress standards would be met. She explained there is a three-lane roadway to the property, as was requested by the Fire District initially, for adequate evacuation and emergency access purposes. There is also an additional 20-foot emergency access from the Westwood Lakes neighborhood.

She concluded her criteria review explaining that the proposed development has provided architectural design schemes and other aesthetic amenities and enhancements. The overall development will have lodge styling with earth-tone materials and ample landscaping to purposefully mitigate impacts to adjacent properties.

Director Riley presented staff recommendation for approval for this PUD/PBD Development Plan as submitted, with seven conditions:

1. The **Final Development Plan Amendment** set of plans shall be signed by the applicant and submitted for Phase 2 construction improvements prior to the issuance of the Zoning Development Permit and Building Permits.
2. The **Final Drainage Report and Plan Amendment** shall be stamped by the engineer, submitted, reviewed and approved by City Engineer for Phase 2 improvements and include an acknowledgement that the City does indeed now have a new criteria manual. It was decided to continue to use the original criteria for this particular modification, however, that may not be the case in the future. This shall be accomplished prior to the issuance of the Zoning Development and Building permits.
3. Any new **utility easements** are required to be established via an Ordinance prior to issuance of a Certificate of Occupancy for the Phase 2 development.
4. At least two weeks prior to all special events, Charis Bible College shall submit a special event **Traffic Control Plan** to the City for review and the Traffic Control Plan shall be implemented during the special event.
5. CDOT's final review response is pending at this time. Any comments received from CDOT that are determined by Staff and City Engineer to be appropriate for this project will be added as conditions.
6. The applicant shall submit and receive approval from the City Engineer for utility construction drawings, prior to the issuance of a Zoning Development Permit for any **utility construction** within the Phase 2 development.
7. The applicant agrees to pay all **Impact/development Fees** associated with the development prior to the issuance of the Zoning Development Permit for the Phase 2 development to include if applicable: Water and sewer tap fees; Stormwater capital fees; Transportation capital fees; Water development fee; Utility reimbursement fees; and any other applicable fees.

Director Riley solicited questions from the Commissioners. Commissioner Propes asked if the lighting would be similar to what Walmart currently has, to which Director Riley responded that they are different fixtures that are full-cutoffs which meet criteria. Commissioner Propes stated she had heard complaints about the existing lighting. Chairman DeVaux asked if the lighting would be the same as the existing fixtures that currently exist at the property's entrance. Director Riley confirmed they would be. Chairman DeVaux commented that last he had seen, the lighting seemed to be adequate and acceptable. Director Riley assured that the City would scrutinize the quantity and intensity of the lighting closely. Commissioner Propes asked if Charis would be paying for the special events traffic control and needed personnel, which Director Riley confirmed. Commissioner Propes stated she was concerned about the scope of this expansion considering that the Fire District was not going to receive additional funding, and asked what could be done to offset the cost for the Fire District. Director Riley deferred this issue to the applicant for details on this coordination effort, and noted they would be opening an emergency operations center to help augment the Fire District's needs. She reiterated the project meets current fire codes and standards.

Vice-Chair Watson asked if the Fire District had raised their same concerns during the initial PUD proposal. Director Riley responded that during the annexation process, they had not, but confirmed they did during the Final Development Plan. Vice-Chair Watson next asked if they had supplied any specific data or analysis for additional personnel and equipment needed to compensate for the increased seating capacity. Director Riley stated that Fire Marshal Vernon Champlin normally does provide this data, but did not in this case. Commissioner Propes asked about ramifications to this proposal if the Fire Department did not "sign off" on it. Commissioner Penland asked that if they did not "sign-off" on the plan, and the City approves it, would the City have any liability? Chairman DeVaux explained that these are questions that should be directed towards the applicant. Commissioner Mattingly asked if the applicant had met landscaping requirements for Phase 1, as the picture presented from Vista Lane appears to be somewhat bare. Director Riley responded that the area in question was not landscaped and was to remain with natural vegetation. She added that they did landscape the hillside where construction activity occurred and that they did meet the criteria. Commissioner Mattingly asked if the first floor of the garage was entirely underground. Director Riley responded it was not entirely underground, but that a portion of it is. Director Riley clarified that the roof constitutes the fifth level.

Commissioner Rollinger inquired if Director Riley had visited the site recently, which she confirmed she had. He asked if she believed that expectations had been met for the first phase, to which she responded she felt it had, and asserted that the first building is integrated nicely into the property, and that the improvements had blended into the environment. She reiterated how the second phase is "tucked in" to the north and east of the first phase.

Chairman DeVaux invited the applicant's presentation. Kyle Campbell with Classic Consulting Engineers and Surveyors identified himself and stated that this is his third or fourth time presenting to this commission in regards to this particular project, and thanked Director Riley for consistently providing comprehensive information for the items he intends to discuss. Mr. Campbell displayed an Overview Plan and pointed out the existing detention facility on the north side of the access roadway, as well as the site to the west and north of that, explaining that the drainage for the entire site is piped underground to this existing detention facility, and would continue to be for the proposed development. He elaborated that this amendment does not change the anticipated total student population of 3000 that was previously approved, but that the intent is to amend the amount of available parking to those students. He stated that while they previously exceeded the parking

requirements, they will far exceed that requirement with this proposed amendment. He next displayed a side-by-side comparison slide demonstrating the difference in the footprints between the previously planned surface parking lot and the newly proposed parking garage, stating that it was Andrew Wommack Ministries' desire to provide additional parking to their students, and rather than build sprawling surface parking, they opted for this parking garage facility, thus alleviating the impacts to the property that surface parking would have created. He reiterated that the available parking as proposed is a dramatic increase from one parking stall for every 4.6 students to one parking stall for every 2.1 students.

Mr. Campbell displayed an enlarged detail of the previously approved surface parking lot explaining that at the time Phase 1 was being planned, the parking garage was not being considered, so the looped water main that was constructed currently aligns through this parking area. With the proposed parking structure, this water main is now being proposed to be relocated along the northern access drive around the proposed parking garage, the existing easement would be vacated and a new easement would be dedicated as a condition to the proposed amendment. He stated that there was close coordination with Fire Marshal Champlin during the planning for this parking structure and that all fire hydrant placement, setback and width requirements had been met and approved.

Mr. Campbell explained that with the proposed parking structure, the amount of impervious surface increased by only 4% and that drainage analysis had determined that the existing detention facility had the capacity for this increase. He said that after talking with the City Engineer, the request and the goal was to provide low-impact development, and that one aspect of that would be to treat the storm water at the closest point of generation as is practical. As a result, the entire upper exposed level of the parking garage is draining out toward the north where there will be a storm water collection system that is collecting the water into a pipe and discharging into a storm water quality facility at the northeast corner of the structure where the water would be treated prior to discharge into the pipe towards the existing detention facility, where it would be treated again. This has all been incorporated into the plan and the Drainage Report submitted to the City. At this time, Mr. Campbell turned the presentation over to Brett Prather.

Brett Prather with Architectural Innovations introduced himself and his affiliation. He displayed a slide depicting the proposed parking garage elevations stating that his client (the applicant) is very concerned about maintaining undisturbed open space, and therefore the intent and purpose of the parking structure is to contain and conceal the automotive parking and has been designed to be integrated with the grading. A substantial portion of the lowest floor is below grade, and that indigenous materials such as stone and logs have been incorporated into the design to match the existing facility. He displayed and reviewed each level of the proposed parking structure explaining each in detail. During which, he stated that they had engaged Fire Marshal Champlin significantly through numerous design meetings which he attended. As a result of Fire Marshal Champlin's consultation, it was decided to set up a Command Center near the entrance as part of the security system along with a Public Address system with quick access to all building plans if needed during an emergency, in addition to communication boards for communication with other emergency personnel, as well as an audible alarm system. He stated hose racks were offered to be installed, but was told this was not necessary due to the fire protection that was planned to be provided. He explained that the parking facility was originally planned for a dry fire protection system in the corner tower areas, but Fire Marshal Champlin requested they opt for a more expensive wet system, which would better assist any firefighting efforts requiring less equipment and personnel. They agreed to construct the wet system per the Fire Marshal's request. This also required that the towers now be heated. He stated that

the campus performs routine fire drills that is managed and evaluated by a Safety Committee. Mr. Prather stated that the college has offered to the Sheriff's office and the Police Department to perform joint training exercises, such as evacuation drills. They have offered the same to the Fire Department as well. In regards to the auditorium, Mr. Prather clarified that the bathroom expansion as previously described was only 0.2% of the total building footprint.

Mr. Campbell delineated two additional minor changes included in this amendment, being that the initial PUD approval for the auditorium included one snack counter and that this amendment expands that to four snack counters (two on each level) providing pre-packaged and prepared snacks and drinks. There is also the addition of a small residential suite added to accommodate Andrew Wommack and his wife for overnight stays. Mr. Campbell solicited questions from the Commissioners.

Commissioner Schroeder asked if there would be "bleed over" into the neighborhood from the headlights inside of the parking facility, primarily on the west side of the garage. Mr. Campbell explained that the parking levels are flat and that the lower wall portion of each level is higher than the headlight heights which would shield the headlight beams. Commissioner Schroeder reiterated his concern about spillover light pollution from the headlights asking specifically if the low walls would indeed block the headlights. Mr. Campbell responded that the design is per industry standards and that the vertical barrier of the low walls provide adequate shielding based off the analysis included in the overall photometric study. Mr. Prather clarified that the low walls are four feet in height and any light that would escape would be ambient and not direct, which diminishes quickly with distance, adding that the garage will be 600-feet from the Westwood Lakes neighborhood, so that the light would only be seen in the distance while looking directly at the structure.

Vice-Chair Watson asked if landscaping would be planted on the ground above the lower level of the garage. Mr. Prather replied there would be a mixture of Blue Spruce, Cedar and other species of trees planted which would be high enough to help conceal portions of the parking structure. Vice-Chair Watson inquired if the elevational differences and the existing trees between Westwood Lakes and the proposed structures had been analyzed as a blocking mechanism for the lights, to which Mr. Prather replied would have some buffering effect.

Commissioner Propes asked how snow removal would be accomplished. Mr. Prather replied that the current plan is to direct the snow on the upper level to the east to a designated snow zone. Commissioner Propes asked if any chemicals would be used, which Mr. Prather answered that no chemicals are being used now or would be used in the future. Commissioner Propes asked if the existing parking lot to the south would remain, which Mr. Prather said it would stay as-is. Commissioner Propes stated she had observed a lot of people walking from the lot along the roadway and she felt that was dangerous. Mr. Prather stated the proposed parking garage would help alleviate this with the increase in available parking. After additional discussion, it was determined that Commissioner Propes was actually referring to the temporary parking lot further to the south, which will be abandoned.

Commissioner Rollinger asked where staff would park and how many staff are usually present. Larry Bozeman identified himself and stated he resides in Colorado Springs, and that he is the supervisor of construction projects for Andrew Wommack Ministries. He said the college currently has about 100 full and part-time staff, so that there are approximately 55-60 persons present at any given time. He said they park to the west of the existing building where there are 80 parking spaces available and that this is not full on a daily basis. Commissioner Rollinger asked about the proposed timeline for

construction of the student residential housing. Mr. Bozeman responded the intent is to complete this Phase 2 of the project in summer of 2016. He explained the delay for constructing student housing is due to the tax-exempt status, and that they were planning on partnering with a for-profit organization to build these improvements, so those improvements would then be taxable. Their attorneys have advised them they would then endanger their tax-exempt status under current IRS codes. He stated there are changes planned in regards to this, and that he hopes student housing could be addressed in five or six years.

Commissioner Penland asked if additional surface parking was also being built with Phase 2. Mr. Campbell replied there was not any additional surface parking other than the few stalls on the westerly side that were previously approved. Vice-Chair Watson asked when they expect the full complement of 3000 students at the campus. Mr. Bozeman answered he was unsure, and that there are currently about 700 students, which is an increase of about 100 over a one-year period, so it is likely it would take several years to reach the 3000-student level. Vice-Chair Watson asked how they would manage a special event when they have 3000 students and 2000 additional attendees. Mr. Bozeman responded that the auditorium is limited to 3185 seats, so that would be the maximum number of attendees, and he felt the 1440 parking spaces should be adequate, and that not all students would be attending all events. Vice-Chair Watson asked if there would be additional parking planned with the student residences, which Mr. Bozeman confirmed there would be service lots at the housing units.

Chairman DeVaux asked for audience sign-ups, which was provided to him. He called Brooke Smith who identified himself and his residence at 1324 Longs Point in Woodland Park. He stated he is not impacted by this facility, but did read the Staff Report and had a number of comments, most of which were already answered. He stated his biggest concern was the disapproval by the Fire Department, and pointed out that much of the discussion indicates there was good communication during the design process with the Fire Department, so he wondered where this dichotomy now exists, and is hoping for resolution between the applicant and the Fire Department to alleviate the current disapproval. Steve Roshek next identified himself and his residence at 45 Leisure Lane which adjoins the subject property. He asked for clarification if the student housing would proceed, to which Mr. Bozeman responded that is the intent at this time. Mr. Roshek asked if there would be additional parking associated with the proposed student residences that would impact the terrain, and recalled there were nine or ten proposed residences. Mr. Bozeman confirmed parking would be required, clarifying there were only two housing sites.

City Attorney Erin Smith clarified that for the public record, each speaker and respondent needs to identify themselves each time they speak and suggested that all questions be presented and compiled for the respondent to reply. Mr. Roshek reiterated he recalled there were nine or ten proposed residences, which was the nature of his question. He stated he was having difficulty visualizing the finished grade for the third level around the parking structure and asked if the headlights from the cars entering and exiting the parking garage on that level would be directed into the Westwood Lakes development. Mr. Roshek next asked for clarification as to the exact number of parking spaces being proposed in conjunction with the existing parking. He added that the college has been a good neighbor and that the lighting has not been an issue so far, saying that he is immediately adjacent to them.

Mr. Bozeman again identified himself and his residence. He said there are two proposed student housing sites, one on the north side of the property and the other on the south side, and that each would have their own surface parking. Chairman DeVaux relayed Mr. Roshek's second question regarding the headlights for the third parking level. Mr. Bozeman deferred the question to Mr. Campbell, who

responded by stating the existing elevation at the Westwood Lakes boundary is at approximately 8700 (feet above sea-level) and the elevation at the third level of the parking garage is at 8698, being two-feet lower, but that there is an additional high point on the roadway on the south side of the structure that is four feet higher, creating a grade barrier with the cars entering the structure. Chairman DeVaux repeated Mr. Roshek's third question regarding total number of parking spaces, to which Mr. Campbell responded there are 1440 total parking spaces which includes all of the surface parking along with the proposed garage. He said this total did not include the approximately 20 spaces that were in the original building, which will still be constructed, and did not include the parking around the future student residences.

Chairman DeVaux invited additional questions from the audience. Jim Hitt identified himself and his residence at 167 Aspen Drive in the Rosewood Hills development. He stated the college is affecting the traffic flow on Trout Creek Road, when at times there are 40-50 cars backed up at the traffic signal at the intersection of Trout Creek Road and US Highway 24, and that it can take three signal cycles to get through the intersection, which is about four and one-half minutes. Directing his question to the Traffic Engineer, he asked if there were plans for better traffic flow as the college increases its enrollment.

Jeff Hodsdon identified himself as the Traffic Engineer with LSC Transportation Consultants. He stated he was unaware of the existing signal timing which CDOT has currently programmed into the subject signalization, and that this was under their purview. There was discussion amongst the Commissioners that this is a problem with other signals as well. Director Riley explained that Woodland Park is involved in a pilot program for a new system involving observation cameras where the timing could be remotely adjusted, and that Mr. Alspach (the City Engineer) was working with CDOT on this program. Vice-Chair Watson asked if this particular intersection could be looked at, and Director Riley said it could. Mr. Hodsdon elaborated that for special events, this would be addressed with each Traffic Control Plan.

Chairman DeVaux closed the public comment period. He asked if there were plans for the college to provide their own emergency services. While the consultant team discretely discussed the question amongst themselves, Commissioner Propes asked City Attorney Smith if the Fire Department did not approve of this plan, what liability would the City have. Chairman DeVaux suggested the consulting team answer the emergency services question first. Mr. Prather responded that it is common during an emergency event to evacuate the premises to allow the designated professionals to manage the emergency response efforts. The facilities are designed with ample egress and signage to evacuate the structures, and that this has been closely coordinated during design with the Pikes Peak Regional Building Department as well as the Fire District.

Vice-Chair Watson asked if there would be headlights shining into Westwood Lakes as cars were traveling westbound around the north side of the access drive to the parking structure. Mr. Campbell described that grading along with existing vegetation and planned landscaping as providing adequate screening. Mr. Prather elaborated that the proposed amendment is a substantial improvement over the previously approved surface parking as the garage is now designed.

Commissioner Propes restated her question to City Attorney Erin Smith what liability the City would have since the Fire Department recommended against approval of the amendment. Ms. Smith stated the Fire Department is a referral agency and does not have veto authority over land use approvals.

Ms. Smith said the Fire Department's letter was not a statement of any Fire Code non-compliance, but rather a recommendation for disapproval based on extraneous non-code related issues. She stated she was unaware of basis for any liability in connection with the Fire District's letter. Chairman DeVaux added that the letter was concerning funding and not safety concerns. He further stated some of the confusion is a result of this letter being dated nine days prior to this meeting, and that all previous coordination efforts were successfully accomplished, adding that they were not currently present at this meeting to elaborate on their concerns.

MOTION: To approve ZON14-003 for Andrew Wommack Ministries, Inc. Planned Unit Development/Planned Business Development (PUD/PBD) Amendment to the Final Development Plan at 800 Gospel Truth Way with a legal description of Lot 1, The Sanctuary, Woodland Park, Colorado, is to modify the Charis Bible College, Phase 2 facilities to construct a five level parking garage with 1083 stalls and increase the auditorium seating from 2500 seats to 3185 seats within the 217,000 SF religious and educational center, and subject to the following conditions:

1. The **Final Development Plan Amendment** set of plans shall be signed by the applicant and submitted for Phase 2 construction improvements prior to the issuance of the Zoning Development Permit and Building Permits.
2. The **Final Drainage Report and Plan Amendment** shall be stamped by the engineer, submitted, reviewed and approved by City Engineer for Phase 2 improvements and include an acknowledgement that the City does indeed now have a new criteria manual. It was decided to continue to use the original criteria for this particular modification, however, that may not be the case in the future. This shall be accomplished prior to the issuance of the Zoning Development and Building permits.
3. Any new **utility easements** are required to be established via an Ordinance prior to issuance of a Certificate of Occupancy for the Phase 2 development.
4. At least two weeks prior to all special events, Charis Bible College shall submit a special event **Traffic Control Plan** to the City for review and the Traffic Control Plan shall be implemented during the special event.
5. CDOT's final review response is pending at this time. Any comments received from CDOT that are determined by Staff and City Engineer to be appropriate for this project will be added as conditions.
6. The applicant shall submit and receive approval from the City Engineer for utility construction drawings, prior to the issuance of a Zoning Development Permit for any **utility construction** within the Phase 2 development.
7. The applicant agrees to pay all **Impact/development Fees** associated with the development prior to the issuance of the Zoning Development Permit for the Phase 2 development to include if applicable: Water and sewer tap fees; Stormwater capital fees; Transportation capital fees; Water development fee; Utility reimbursement fees; and any other applicable fees.

Motion made by Vice-Chair Watson and seconded by Commissioner Mattingly. Motion approved unanimously 7-0.

V. REPORTS:

A. Chairman's Report: No report.

B. Commissioners' Reports: No reports.

C. Planning Director's Report: Planning Director Riley stated that the City is currently advertising for a City Planner, since current City Planner Lisa Parnell is resigning her position due to relocation. She expressed her appreciation for Lisa's contributions. Director Riley referenced the Monthly Report that was issued to the Commissioners which highlighted the opening of the new Arby's restaurant. She stated that total building valuation for the 2014 was over 51-million dollars with 25-million being the first phase of the Charis Bible College. The Building Department issued close to 600 Building Permits, there were over 2100 building inspections and 108 plan reviews, saying it has been a benefit of adding the Building Department to the Planning Department, providing a "one-stop shop" for builders, homeowners and developers in Woodland Park with the City's partnership with the Pikes Peak Regional Building Department. She concluded by stating there would not be a January 22, 2015 Planning Commission meeting. She pointed out that the Commissioner's attendance records for 2014 were distributed to them, and that this is an important aspect to City Council for the Commissioners' appointments.

VI. DISCUSSION AND COMMENT: No further discussion and comment.

VII. ADJOURNMENT: The meeting was adjourned at 9:12 p.m.

Recorded by:

David J. Burgess
Planning Dept. Permit Technician

Approved this ____ day of _____, 2014

Jon DeVaux, Chairman

EXHIBIT C

City Council
Agenda Item 9. B.
June 7, 2012

CITY OF WOODLAND PARK CITY COUNCIL STAFF REPORT

PROJECT: Andrew Wommack Ministries, Inc., Charis Bible College
PUD/PBD Zone District, Final Plan and Preliminary Plat
5849 Trout Creek Road, Woodland Park, Colorado

FROM: Sally Riley, AICP Planning Director

REQUEST: To consider Ordinance #1162 to change the zoning designation from Agricultural to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD) in accordance with The Sanctuary's Final Development Plan and Preliminary Plat to relocate and operate the Charis Bible College with a religious/educational center, student housing, administrative building and associated uses developed on a 147-acre tract of land located at 5849 Trout Creek Road (CR25), Woodland Park, Colorado.

ATTACHMENTS: Previously distributed on May 3, 2012 were the PUD/PBD Final Plan and Preliminary Plat (3-ring binder) and minutes from the April 12, 2012 Planning Commission Meeting. Also previously distributed for the May 17, 2012 Council meeting and not contained in this packet were attachments:

- B. Water and Wastewater Memo from Jim Schultz
- C. Written Comments from Teller County
- D. Written Comments from Other Agencies; CDOT & CPW
- E. Written Comments from Neighbors/Citizens

Attachment to this Report is:

- A. Ordinance #1162, Series 2012

I. PROCESS: On October 13, 2011, the Planning Commission voted unanimously to accept the PUD/PBD Preliminary Plan in accordance with Section 18.30.040 A. through E. of the Municipal Code. Subsequently, the applicant prepared and submitted the PUD/PBD Final Plan and Preliminary Plat which was thoroughly reviewed by the staff and appropriate agencies. On April 12, 2012, the Planning Commission recommended approval the PUD/PBD Final Plan with 14 conditions and the Preliminary Plat.

Council's action on May 17, 2012 approved the Zoning Ordinance #1162 on initial posting and set the public hearing for June 7, 2012.

II. NEXT STEPS: The applicant has submitted a Flood Hazard Development Permit (FHDP) application which shall be approved prior to the construction of new entrance road. The Planning Commission is scheduled to hear the FHDP request on May 24, 2012. The Planning Commission is the final reviewing body for the FHDP and will consider it contingent upon the Council's action on the PUD/PBD zoning application.

At the conclusion of the June 7th Public Hearing, the City Council will make a final ruling regarding the establishment of a PUD/PBD Zone District for the 147-acre tract, and approval or denial of the Final Development Plan and Preliminary Plat. Should Council grant approval for the applicant's request, then Wommack Ministries will submit a set construction drawings encompassing all aspects of the project for staff review and subsequent issuance of Zoning Development Permit(s). The applicant is then able to obtain Building Permit(s) from Teller County for the construction of various structures.

To assist you in your decision-making process, the staff report provides you with analysis and findings for the PUD/PBD criteria, the 11 Conditional Use/Special Use Permits criteria and the Preliminary Plat standards. The staff's recommendation and a list of conditions of approval are contained at the end of the staff report for your consideration.

III. THE PROPOSAL: Please review the contents of the 3-ring binder submitted by the applicant and distributed to you on May 3, 2012. The binder provides you with a thorough description of the proposal. The binder begins with a cover letter from Project Manager, Brian Polaski, and includes:

1. Purpose Statement
 2. Legal Description
 3. Final Development Plan Narrative
- Exhibit A – Site Photos (aerials)
Exhibit B – Final Development Plan (23 sheets)
Exhibit C – Building Plans and Elevations (11 sheets)
Exhibit D – Updated Traffic Impact Analysis (summary letter Nov. 3, 2011)
Exhibit E – Phase I Environmental Site Assessment (dated Oct. 7, 2011)
Exhibit F – Utilities Report (Summary and Maps)
Exhibit G – Final Drainage Report (Summary and Maps)
Exhibit H – Access Road Flood Study (revised February 2012)
Exhibit I – Estimate of Economic Benefits (dated October 2012)
Exhibit J – Annexation Agreement (approved Sept. 1, 2011)
Exhibit K – The Sanctuary Preliminary Plat
Exhibit L – The Sanctuary Phasing Plan

IV. COMPLIANCE WITH THE CODE: After you have reviewed the materials in the 3-ring binder, you will be ready to read the staff analysis and findings that correspond to the PUD/PBD criteria, Conditional Use/Special Use Permit criteria, and the

Preliminary Plat standards. (*NOTE: The City's Municipal Code is shown in italics throughout the staff report.*)

A. Planned Unit Development/Planned Business Development Zoning Application

Section 18.30.010 Purpose. *The purpose of the PUD district is to provide more flexibility and latitude of design to, provide for a greater variety of principle and accessory uses in the development or redevelopment of lands, to meet the technological changes in concepts and to encourage initiative and more efficient allocation and creative development of parks, recreation areas and open space.*

- **Staff Analysis:** Complies. The planning and design of the proposed mixed use development as a PUD zone will benefit both the community and the applicant with more flexibility, latitude and creative design approach. The development is planned for a college campus with a large principal building, accessory uses (i.e., student housing, administration building, pavilion and amphitheater) and significant open space with interconnected hiking trails. Due to the variety of uses and uniqueness of the proposed development, the proposal meets the general purpose of a PUD zone.

Section 18.30.020 Where district may be established. *A planned unit development zone may be established upon any tract of land held by a single owner or under unified control; provided that all provisions of this title are accomplished in compliance with of provisions of this chapter, and provided that from the plan submitted, the Planning Commission finds that the proposed planned unit development district has an acceptable relationship to the major traffic thoroughfare plan and land use plan of the area. Further, great care and discretion should be given to the proper size and spacing of planned unit development districts to keep from over-capacitating utility lines.*

- **Staff Analysis:** Complies. The Wornnack property is held in common ownership and meets all the provisions of the PUD submittal requirements for approval of the Final Plan. An "acceptable relationship to the major traffic thoroughfare plan" was determined and validated by a traffic analysis completed early in the process and updated on September 9, 2011, by LSC Transportation Consultants, Inc. Colorado Department of Transportation (CDOT) and the City have reviewed LSC's study and agree with their conclusions. The report concludes that all vehicular movements at the analyzed intersections are projected to operate at acceptable levels of service during peak hours through the year 2030 with the completion of the recommended improvements to Trout Creek Road and the US Hwy 24 signalized intersection. (See Exhibit D - 6 page letter from Christopher McGranahan, P.E. of LSC, and Attachment D - CDOT letter dated July 21, 2011).

In addition, the staff finds that the proposal has an acceptable relationship to the City's land use plan. The 111.83-acre tract that was annexed into the City in 2001 and the 2010 Comprehensive Plan Map designates this tract as Mixed-Use. The

35.042-acre tract would have been included in the 2001 annexation; however, it was within the Westwood Lakes Water District and the owners decided not to pursue an exclusion from the Westwood Lakes Water District. Because the smaller tract was outside the City limits in 2010, it is identified on the City's Comprehensive Plan Map as Rural Residential and it will be amended if Wommack's PUD/PBD request is granted. The Mixed-Use designation for the majority of the Wommack's property is intended to support proposals for PUDs where both commercial and/or residential uses are desirable and is consistent with Wommack's PUD/PBD request.

With respect to the possibility that a PUD may over-capacitate utility lines, former Utilities Director, Jim Schultz, completed a comprehensive water and wastewater analysis (See Attachment B). He concluded that the City's water and wastewater services/systems have the capacity to serve the project as proposed by Wommack's PUD/PBD Development Plan. Furthermore, the applicant has made contact with the electric and natural gas service providers, who have indicated that they too have the capacity to serve the project. Therefore, the PUD/PBD Final Plan meets the criteria of where a PUD district may be established.

18.30.030 Requirements for Approval – A planned unit development district shall be approved only on a tract of land proposed to be developed under the PUD concept and may be approved by the Planning Commission; provided, that one or more of the following conditions exist:

- A. Because of unusual physical features of the property itself or of the neighborhood in which it is located, a substantial deviation from the regulations otherwise applicable is necessary or appropriate in order to conserve a physical or topographic feature of importance to the City;*
- B. The property or its neighborhood has an historical character or economic or cultural importance to the community that will be protected by the use of a PUD;*
- C. The property is adjacent to or across a street from property which has been developed or redeveloped under a PUD and it is determine that a PUD will contribute to the maintenance or the amenities and values of the neighboring property;*
- D. The design of the PUD illustrates a unique urban design concept that properly relates to adjoining properties.*

- **Staff Analysis:** The proposal complies primarily with the Condition C. Wommack's PUD/PBD request is located across the street from the Sturman's property, which is developed under a PUD zone. Sturman Industries, located to the north and east of the subject property, was originally zoned PUD in 1995 for the purpose of developing a mixed-use, research and development campus whose amenities and values will be maintained with the Wommack PUD/PBD zone district.

Secondarily, the proposal will preserve the majority of existing floodplain, three ponds, wetlands and forested areas within 116 acres of undisturbed open space in compliance with Condition A. Also the historic cabin and 4 bunk houses will be

preserved on the site which adheres to Condition B's goal to protect the historic character of the property. Lastly, the design of the college campus illustrates a unique urban design and properly relates to the adjoining properties by: locating the main entrances and parking lots for The Sanctuary opposite the adjoining neighborhood; selecting full cut-off exterior lighting with High Pressure Sodium fixtures; and providing a 100-foot, no build buffer adjacent to Westwood Lakes subdivision in compliance with Condition D. These unique design concepts are elaborated upon more fully under PUD requirement E.2.

E. Planned business development proposal shall meet one or more of the above conditions, in addition to the following:

1. The planned business development maintains or enhances the environmental integrity of the City and the vicinity in which it is to be located.

- **Staff Analysis:** Complies. The PUD/PBD will maintain the environmental integrity of the site by preserving the 3 existing ponds, floodplain, forested areas, rolling hills and 42% of the site (62.36 acres) as private, common open space. The drainage plan is designed to control the stormwater runoff with minimal impact to the environment and surrounding properties while protecting water quality. A Phase 1 Environmental Assessment (EA) was prepared by Mountain Shadow Management (Exhibit E) for the purpose of obtaining a professional opinion regarding whether Recognized Environmental Conditions (RECs) exist within the study area including potential impacts from surrounding properties. RECs are the presence or likely presence of any hazardous substances or petroleum products on a property. (See page 1 of the report for the complete definition of RECs.) The EA findings state, "No environmental areas of concern were identified within the study area boundary." The protection of the natural environment has been stated as a high priority by the applicant.

2. The planned business development shall be determined to be compatible with vicinity existing and proposed uses.

- **Staff Analysis:** Complies. The proposed development of the Charis Bible College and accessory uses are compatible with vicinity existing and proposed uses through good design and mitigating potential impacts. The methods and approaches used to enhance compatibility are described as follows:

Architecture: The overall development will have a lodge-style complementary with Woodland Park's mountain landscape. The campus buildings will use earth-tone materials including moss rock, peeled logs, wood components and stucco. The design characteristics and materials were purposely selected to mitigate the impacts on the adjacent properties.

Setbacks and Building Heights: A 100-foot buffer (no-build area except for fences, landscaping and utilities) is provided adjacent to the Westwood Lakes

Subdivision and a 25-foot setback is established around the perimeter of the remaining site. The maximum building height is 60-feet for the administration offices located toward the center of the campus. The main building has a 54-foot height which is partially built into a hillside to take advantage of the slopes. No views of Pikes Peak from existing residents will be affected by the heights of any of the proposed buildings. It is important to understand that the City's design standards encourage the preservation of view corridors to the extent reasonable possible. (See Exhibit B - Site Plan and Exhibit C - Building Plans).

Exterior Lighting: The applicant has submitted a site lighting photometric plan and lighting fixture specifications that meet "dark sky" standards with full cutoff shields. The grading and landscaping plans help to mitigate the potential vehicle head lights on the west side of the building. (See Exhibit B, Sheets ESDO.1 through 5 and Sheet LP-01 through LP-08)

Noise: The primary activity center for the college is within an enclosed building containing the classrooms, auditorium, offices, banquet hall, call center and parking garage. Vehicular noise will be reduced due to the posted low speeds to the primary parking area on the east side or interior side of the main building. The outdoor pavilion and amphitheater is located in a natural bowl, toward the center of the property and is buffered with a thick stand of spruce trees between the pavilion and the Westwood Lakes neighborhood. The student housing areas are located a significant distance away from the Westwood Lakes subdivision. The City's noise ordinance will be enforced by the Police Department should it be necessary.

Traffic and Access: As mentioned previously, a traffic analysis has been completed by LSC Transportation Consultants, Inc. who have determined that with certain improvements to Trout Creek Road and the intersection of US Hwy 24, the adjacent streets will have the capacity to handle the anticipated increase in traffic for the projected build-out of 3,000 students, faculty and other employees and visitors in 2035. The new private road is designed with an optional use gravel lane, to accommodate traffic increases during special events or emergency evacuations. The applicant is required by Teller County to prohibit access with a locked gate to the site from any of the Westwood Lakes roads abutting the property with the exception of emergency services access from Vista Lane.

Drainage: An on-site drainage system will be designed to carry run-off into a main detention facility, which will detain and release run-off at or below historic rates. Low impact development (LID) techniques will be encouraged and water quality measures will be incorporated to protect ground water.

Water and Wastewater Capacity: Former Utilities Director, Jim Schultz, confirmed that the City's water and wastewater services/systems have the capacity to serve the project. The applicant is required to install all the on-site

water and wastewater extensions, as well as a waterline loop/connection to Innovation Way near the Sturman's headquarters.

Fire Protection: All buildings will be constructed in accordance with the 2003 International Fire Code. Adequate fire protection with water looping, number and spacing of fire hydrants, etc. has been confirmed by Mr. Schultz, new Utilities Director, Kip Wiley, and the Fire Chief. The applicant is required to prepare a Wildfire Protection Plan (WPP) and implement the WPP within a certain period of time. (See condition #11 on page 18.)

Wildlife Protection: The Colorado Division of Parks and Wildlife (DPW) reviewed the Preliminary Development Plan and recommend several conditions that can lessen the impact on the wildlife. First, DPW recommended that interior fencing be kept to a minimum or preferably non-existent, but if fencing is needed then it needs to be wildlife friendly fencing. The applicant is planning to adhere to this recommendation. Next, in order to minimize disturbance during elk calving in the critical habitat areas, DPW recommends that no outside construction occur between May 15 and June 30. This will be difficult to adhere to since the construction season is already limited in Woodland Park. Lastly, to reduce the potential of conflict between humans and bears, it is "imperative" that garbage containment be bear proof and bird feeders be prohibited from May through October. The applicant is planning adhere to this DPW recommendation.

3. *The planned business development provides identified economic development opportunities, while successfully mitigating impacts.*

- **Staff Analysis:** Complies. The economic development opportunities are identified by Mike Anderson, Summit Economics, LLC study titled, "*Estimate of Economic Benefits to the City of Woodland Park Resulting from Construction and Operation of: The Sanctuary*" and found in Exhibit I. The study details the economic benefits as follows: increased sales and use tax revenue is projected to be \$122,235 in 2014; increase in the number of new jobs and their salaries (66 jobs in first year with payroll of \$2.6 million); construction expenditures of more than \$86 million; operating and maintenance expenditures project to be \$1.6 million in 2014; and property tax revenue collected on the privatized student housing of \$3.48 million over an 11-year period. There are other tangible economic benefits that are not so easily quantified such as helping to diversify the local economy with the introduction of higher education industry that is a year-round operation. The college will host a several conferences that will attract visitors who will be exposed to the community as a desirable place to live and work.

18.30.080 - Final plan requirements—Approval.

- A. *The development plan of the PUD district shall meet the requirements of accepted land planning practices; promote public health, safety, and general welfare; provide adequate light, air, privacy and convenience; lessen and avoid congestion*

of the public streets and highways; conserve the values of surrounding properties; and protect against fire, panic, explosion, noxious fumes, flooding along natural watercourses, and other hazards.

- **Staff Analysis:** Complies. The project meets the requirements of “acceptable land planning practices” and “promotes public health, safety and general welfare” through good site planning and aesthetically pleasing buildings. The development plan addresses traffic impacts by constructing on-site and off-site improvements to facilitate the flow of vehicles. The development plan conserves surrounding property values as an educational/religious institution that has quality design and architecture. It protects against fire or other hazards by meeting the 2003 International Fire Code, local fire protection standards, drainage and flood control specifications and provides an emergency access and widened main access drive for evacuation.

B. *The proponents of a PUD shall, after review of the preliminary plan with the Planning Commission, submit a final plan of development to the Planning Commission for its consideration, upon which plan the Commission shall advertise and hold at least one public hearing. The development plan shall include, but not be limited to, the following information:*

1. *Location and size of area involved;*
2. *All improvements of surrounding properties lying adjacent to the proposed PUD district;*
3. *The dwelling unit per tract density of residential areas included in the plan;*
4. *Areas proposed to be conveyed, dedicated, or reserved for parks, parkways, playgrounds, school sites, public buildings and similar public and semi-public uses;*
5. *The location and width of proposed streets, public ways, easements and other similar public and private facilities;*
6. *The use, height, bulk and location of all principal and accessory buildings proposed on the development plan;*
7. *Agreements, provisions, or covenants which govern the use, maintenance and continued protection of the planned development and any of its common open space. Said agreements, provisions or covenants must be written so as to be acceptable to the city;*
8. *A development schedule indicating the following:*
 - a. *The approximate date when construction of the project can be expected to begin,*
 - b. *The stages in which the project will be completed and the approximate date when construction of each stage can be expected to begin;*
9. *The feasibility of the proposal for the disposition of sanitary waste and storm water runoff;*
10. *The location, number and dimensional plans of proposed off-street parking and loading facilities;*
11. *A schematic landscaping plan indicating approximate location, number and type of shrubs, conifer, or deciduous trees or other form of landscaping*

- treatment;*
12. *All of information required to be contained upon and the supplemental material to be accompanied with a preliminary subdivision plat in accordance with Sections 17.20.070 and 17.20.080 of the city's subdivision regulations, which has not been previously required;*
 13. *In addition to the above, planned business development proposal shall include the following:*
 - a. *A traffic impact study,*
 - b. *Description, location and extent of fences, earth berms and/or other buffer areas,*
 - c. *Description, location and extent of proposed signs,*
 - d. *Lighting standards and heights,*
 - e. *Location and extent of outside storage areas with proposed methods of concealment from abutting streets and residential areas,*
 - f. *Estimated employment projections,*
 - g. *Public cost/benefit analysis,*
 14. *A statement to be affixed to a final development plan which shall read: "All activities and uses shall be authorized and be operated to meet the Performance Standards set forth in Chapter 18.33, Use Regulations—Performance Standards, of the City of Woodland Park Municipal Code, Zoning Regulation,"*
 15. *Any reasonable information specifically requested by the planning commission, city council or city staff relevant to determining if the requested use is appropriate pursuant to these standards.*

➤ **Staff Analysis:** Complies. Applicant has submitted all of the applicable development plan information specified above. In addition, the applicant has provided an excellent Final Plan Narrative for each subsection under 18.30 in Section 3 of the binder.

18.30.090 Common Open Space Requirements

- A. The character and quality of the common open space is acceptable with respect to the size and character of the dwellings to be constructed within the planned development.*
- B. The character and quality of the common open space is acceptable with respect to the character of surrounding development.*
- C. The character and quality of the common open space is acceptable with respect to the topography and existing amenities of the open area, including existing trees, groundcover and other natural features.*
- D. The character and quality of the common open space is acceptable with respect to the manner in which the open area is to be improved and maintained for recreational or amenity purposes.*
- E. The character and quality of the common open space is acceptable with respect to the existence of public parks or other public recreational facilities in the vicinity.*
- F. The character and quality of the common open space is acceptable with respect to the relationship of the area in open space to the number of dwelling units.*

G. The open space meets the gross land acreage requirement, exclusive of roadways, associated drainage, utility easements and other infrastructure areas incidental to the project unless a specific public good has been demonstrated with benefits the community at large.

H. Open space requirement determined by gross land acreage:

<i>10--20</i>	<i>acres requires 10% open space</i>
<i>20.1--40</i>	<i>acres requires 15% open space</i>
<i>40.1--60</i>	<i>acres requires 20% open space</i>
<i>60.1--80</i>	<i>acres requires 25% open space</i>
<i>80.1--100</i>	<i>acres requires 30% open space</i>
<i>100.1--200</i>	<i>acres requires 35% open space</i>
<i>200.1--500</i>	<i>acres requires 40% open space</i>
<i>500.1</i>	<i>acres and greater requires 50% open space</i>

Open space requirements shall not include roadways, associated drainage, utility easements and other infrastructure areas incidental to the project unless a specific public good can be demonstrated which benefits the community at large. Open space may include park land dedication areas, trail networks, and/or other public/private recreational areas and/or other facilities as determined by the Woodland Park city council.

- **Staff Analysis:** Complies. The applicant will preserve a significant portion of the property in its natural state. One hundred and sixteen acres will remain undeveloped which is approximately 80% of the total land area. However, as required by the code above, the common open space requirement shall not include associated drainage and utility easements which are extensive within the site. After subtracting the easements, paved areas, building coverage, ponds, drainage and floodplain, setbacks and other encumbrances totaling 84.51 acres, the remaining common open space equals 62.36 acres or 42% of the site. The minimum common open space requirement for a 100 to 200 acres tract is 35%. The proposal exceeds this requirement and is acceptable in quality and character.

18.30.110 Dimensional Standards. *The lot area per dwelling unit within a planned unit development, exclusive of the area occupied by streets, will be in harmony with the surrounding areas (reference Section 18.30.030), intent and purpose of this chapter and determined by serviceability, recommended by the planning commission and approved by city council. The maximum density permitted within a planned unit development is two dwelling units per gross acre. All other dimensional standards, including the maximum percentage of lot coverage by buildings, structures and impervious surface, the maximum height of buildings and structures, the minimum frontage of lots and the minimum front, side and rear yard building and structural setback requirements, shall be recommended by the Planning Commission and approved, approved with conditions or disapproved by City Council.*

- **Staff Analysis:** Complies. Permanent dwelling units and residential lots are not proposed among the uses of the PUD/PBD development plan. Rather, 300 units of student housing (group quarters) is planned and will be in harmony with the

surrounding areas, intent and purpose of this chapter, and serviceability. The maximum density of 300 student housing units is in line with the maximum density of 2 units per acre on the 147-acre tract. The dimensional standards proposed by the applicant for maximum percentage of lot coverage by buildings, structures and impervious surface (14.8%) is appropriate for the college campus, student housing, administration building and accessory uses. The maximum height of buildings and structures vary depending upon the use and are appropriate since the heights of the various buildings are not excessive and do not inhibit views of Pikes Peak. The minimum frontage does not apply because the tract will remain as single, large lot and has adequate frontage on US24 and Trout Creek Road. Similarly, the front, side and rear setbacks do not apply, however, a perimeter setback of 100-feet adjacent to Westwood Lakes Subdivision and 25-feet along the remaining portion of the property boundary have been established.

18.30.120 Parking. *Off-street parking requirements in a PUD district shall be as follows:*

- A. *For residential uses, as provided in Chapter 18.39 of this title;*
- B. *For nonresidential uses, off-street parking and loading shall be as provided in accord with the requirements of Chapter 18.39.*

- **Staff Analysis:** Complies. The parking formulas applied to the various uses are detailed on Sheet FDP-1, Exhibit B, Land Use Table. Due to the unique mix of uses within the main building, student housing and accessory uses, the applicant has proposed a custom parking formula for each building. The City recognizes that the table for the number of parking spaces required in Section 18.39.030 cannot and does not cover every possible situation that may arise. Therefore, in cases not specifically covered, the Planning Department is authorized to recommend the parking requirements using the table of parking requirements as a guide. The staff has evaluated the applicant's proposed parking formulas and agrees with development plans.

18.30.130 Landscaping. *Landscaping shall be adequate to provide a park-like appearance for the land, buildings and structures located within the boundaries of the planned unit development district.*

- **Staff Analysis:** Complies. The applicant has submitted a preliminary Landscaping Plan (Exhibit B, Sheets LP-1 through LP-8) that meets the City's design standards for parking lots and site landscaping. The plan proposes use of hardy native trees, shrubs and grasses to accent the buildings, parking lots and roadways. Plantings have been included and strategically located to minimize and soften the development from the adjacent property owners.

B. Conditional Use/Special Use Permit Standards

18.30.100 Permitted Uses. Uses in a PUD are Permitted Conditional, which requires that the 11 Conditional Use Standards (18.57.040 B.) shall apply to the PUD review. Note

that “schools, universities, colleges, and other institutions of an educational nature” are considered a “special use” under Section 18.61.020 in which the City’s Code applies the same 11 standards to evaluate the proposed educational/college use.

1. The proposed development and use shall have demonstrated direct need to be located at the location proposed and provide adequate mitigation measures to lessen all identified impacts.

- **Staff Analysis:** Complies. The Charis Bible College provides a unique educational and religious institution on the western edge of Woodland Park. The Sanctuary and its associated uses are situated on a 147-acre tract that has ample land area, serviceability and design to complement the community’s managed growth goals and objectives. There is a demonstrated economic benefit to the development and build-out with 2,500 college students and annual conferences. The potential impacts to the environment and surrounding neighborhood of traffic, drainage, noise, lighting, utilities, fire protection and wildlife have been adequately mitigated.

2. The proposed development shall not endanger the public health and welfare.

- **Staff Analysis:** Complies. The proposed development protects against fire or other hazards by meeting the 2003 International Fire Code, local fire protection standards and drainage criteria. A Wildfire Protection Plan is required to be developed and implemented with a reasonable period of time.

3. The proposed development and use shall not substantially injure the value of vicinity properties.

- **Staff Analysis:** Complies. The development plan conserves surrounding property values as an educational/religious institution that has quality design and architecture. Potential development impacts have been mitigated.

4. The proposed development and use shall be in harmony with the area in which it is located.

- **Staff Analysis:** Complies. It is quite common for college campuses and religious institution to be located adjacent to residential neighborhoods in both urban and rural communities. The student housing is planned in a clustered approach to give a village feel and a significant distance from the Westwood Lakes Subdivision. The main building is designed to be aesthetically pleasing with the structure built into a hillside and takes advantage of the slopes. The 100’ buffer will protect the trees on the southern boundary line and provides a no-build area adjacent to Westwood Lakes Subdivision. Careful selection and placement of the full, cutoff, exterior, light fixtures has been addressed in the photometric plans.

5. *The proposed development and use shall conform to the provisions, objectives and policies of all City plans, adopted and in effect at the time of application, including but not limited to growth management, transportation, utilities and capital improvements and downtown redevelopment.*

- **Staff Analysis:** Complies. The PUD/PBD proposal conforms to the City's 2010 Comprehensive Plan beginning with two guiding principles: to sustain Woodland Park's economic diversity and vitality and promote opportunities for life-long learning. Furthermore, the project is compatible with several of the Comprehensive Plan's overarching goals including:
- Land Use and Growth Goal 1: Provide opportunities for growth and development, while preserving community and environmental quality.
 - Community Character and Design Goal 1: Promote design efforts that enhance Woodland Park's small town atmosphere and provide present day conveniences while protecting the mountain environment, wildlife and scenic beauty that surround the community.
 - Economic Development Goal 1: Provide enhanced job opportunities in the area, expand the availability of products, services and amenities in the community, and facilitate the export of products, services and experiences to import new dollars.
 - Sustainable Environment Goal 1: Protect and enhance the health and livability of Woodland Park's natural and human environments.
 - Water Goal 2: Optimize the City's existing water resources to make water available to support the City's highest priority land uses/housing needs.
 - Transportation Goal 1: Promote a multi-modal transportation network that facilitates safe and efficient movement throughout the community.
 - Drainage Goal 1: Woodland Park will manage stormwater to prevent erosion and flooding and to protect water quality and downstream users.
 - PTOS Goal 1: Develop and enhance Woodland Park's sense of place and quality of life by continuing to enhance the City's parks, trails and open space system.
 - Education Goal 1: Woodland Park will become an educational City.
 - Community Heritage Goal 1: Woodland Park community members embrace and become part of the local history and understand the importance of protecting and preserving it.

The proposed project also complies with the Comprehensive Plan Map. The 111.83-acre tract that was annexed into the City in 2001 is designated as Mixed-Use on the Comp Plan Map. The 35.042-acre tract would have been included in the 2001 annexation; however, it was within the Westwood Lakes Water District and the owners decided not to pursue an exclusion from the Westwood Lakes Water District. Because this smaller parcel was outside the City limits in 2010, it is identified on the City's Comprehensive Plan Map as Rural Residential and this small portion of the Comp Plan Map will be amended if Wommack's PUD/PBD request is granted. The Mixed-Use designation for the majority of the Wommack's property is intended to support proposals for PUDs where both

commercial and/or residential uses are desirable and is consistent with Wommack's PUD/PBD request.

6. *The proposed development and use conform to the provisions, standards and requirements of all City regulations, adopted and in effect at the time of application, including but not limited to zoning, subdivision, utilities, buildings and construction, business regulations and engineering specifications.*

- **Staff Analysis:** Complies. The development will be constructed in accordance with the City regulations including the zoning and subdivision regulations, engineering specifications for roads, utilities, and drainage, and 2003 International Building Codes.

7. *The proposed development and use shall be designed, constructed and maintained to accommodate the on-site and off-site traffic generated.*

- **Staff Analysis:** Complies. A traffic analysis was completed early in the process and updated on September 9, 2011 by LSC Transportation Consultants, Inc. CDOT and the City have reviewed LSC's study and agree with their conclusions that all vehicular movements at the analyzed intersections are projected to operate at acceptable levels of service during peak hours through the year 2030 with the completion of the recommended improvements to Trout Creek Road and the US Hwy 24 signalized intersection. (See Exhibit D - 6 page, letter from Christopher McGranahan, P.E. of LSC, and Attachment D - CDOT letter dated July 21, 2011).

8. *The proposed development and use shall be designed, constructed and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and man-made hazards, streams and environmentally significant features.*

- **Staff Analysis:** Complies. A Drainage Report, The Access Road Flood Study and Phase I Environmental Assessment have all been completed and reviewed by the staff to ensure that the development is designed and constructed in regard to topography, surface drainage, soil potentials, natural and man-made hazards, streams and environmentally significant features.

9. *The proposed development and use shall be designed, constructed and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods and surface water drainage.*

Staff Analysis: Complies. The analysis completed by former Utilities Director, Jim Schultz, concluded that the City's water and wastewater services have the capacity to serve the project as proposed. The applicant plans to utilize bear proof dumpsters that are enclosed and hidden from sight with aesthetically pleasing structures. Air quality should not be significantly impacted with the proposed uses. Surface water drainage has been addressed adequately with the Drainage Report and Access Road Flood Study.

10. The proposed development and use shall be designed, constructed and maintained to not unduly increase the public, danger of fire, explosion and other safety hazards upon the public and persons residing or working on the site and vicinity.

- **Staff Analysis:** Complies. The public safety is protected with compliance to the International Building and Fire Codes, all City regulations and engineering specifications and any other State or Federal safety regulations.

11. The development and use may be required to provide architectural design schemes and amenities such as, but not limited to, fencing, landscaping, buffer areas and other aesthetic enhancement measures.

- **Staff Findings:** Complies. As described previously, the overall development will have a lodge-style complementary with Woodland Park's mountain landscape. The campus buildings will use earth-tone materials including moss rock, peeled logs, wood components and stucco. Ample landscaping is proposed to buffer the main building and soften the parking lots. The design characteristics and materials were purposely selected to mitigate the impacts on the adjacent properties.

C. Preliminary Plat – Subdivision Standards

17.04.020 Policy. Land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace. The land shall not be subdivided until provision has been made for drainage, water, sewage and public improvements such as schools, parks, recreation facilities, open space, trails and trail connections, transportation facilities and improvements.

- **Staff Analysis:** The Preliminary Plat shows one lot for the entire 147-tract and will be developed in such a manner that will meet the City's standards for health, safety and welfare of the subdivision's occupants. The NETCo Fire Protection District is in contact with the applicant's design team to ensure that the development is designed in accordance with the 2003 International Fire Code and the fire flow and duration requirements. To improve ingress/egress within the development, NETCo Fire Protection District has required that a three-lane roadway be constructed from Trout Creek Road to "The Sanctuary" and an 20-foot wide emergency access road be provided from the west side of "The Sanctuary" to Vista Lane in the Westwood Lakes Subdivision. In addition to proper fire protection methods (i.e., fire hydrants, sprinkled buildings, ingress/egress and other construction standards), the applicant is required to create a Wildfire Protection Plan to be approved by the Fire Chief prior to issuance of a Certificate of Occupancy and begin to implement the mitigation plan during the first year of occupancy. (See Condition #11)

An Access Road Flood Study and Drainage Plan was submitted, reviewed and approved by the City in accordance with the City's collection, conveyance, detention, and release of rainwater run-off criteria and flood prevention codes. A Flood Hazard Development Permit will be required to be reviewed and approved by the Planning Commission prior to the construction of the new road across the Jenkins's Creek Floodplain.

Other menaces (i.e., earth quakes, wind and snow storms) are addressed by designing and constructing all the buildings and site improvements to meet the minimum engineering specifications and International Building Codes for wind loads, snow loads, snow storage and structural integrity. Provisions for drainage, water, sewage and other public improvements have already been discussed. Improvements for public schools, parks, and recreation facilities are not applicable. Open space, trails and trail connections, transportation facilities have been previously described under the PUD/PBD criteria.

The Preliminary Plat - Chapter 17.20

- **Staff Analysis:** Chapter 17.20 provides the technical processing, hearing, information, supplemental information and general preliminary plat regulations. The attached Plat (Exhibit K) is designed and drawn in conformance with the applicable sections of this chapter.

The Preliminary Plat - Design Standards Chapter 17.40

- **Staff Analysis:** Chapter 17.40 provides the subdivision design standards such as easements, lots, blocks and street design for grades, widths and rights-of-way. Very few of these standards apply to plat due to the private roads, no residential lots are proposed and that the site will remain as a single lot. The plat complies with the applicable design standards such as adequate easements and grades for the private road. *(Note: Specifications for width and surfacing of streets; public parks, playgrounds, school sites, storm drainage, water supply & distribution, sanitary sewers and sewage collection & treatment shall be subject to modification and may be waived pursuant to the PUD Criteria pursuant to 18-30-070.)*

V. RECOMMENDATION:

1st Motion: The City Council concludes that the proposed project qualifies for a PUD District and approves the rezoning of the property to PUD, and approves the PUD/PBD Final Development Plan based upon the findings in the staff report with the following conditions:

1. A final landscaping plan in accordance with Section 18.33.180 E. shall be submitted, reviewed and approved by City Staff for The Sanctuary and all other first

phase improvements prior to the issuance of the Zoning Development Permit for The Sanctuary.

2. A **final grading/erosion control plan** in accordance with Chapters 18.40 and 18.41 shall be submitted, reviewed and approved by City Staff for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.
3. A **final drainage report and plan** shall be submitted, reviewed and approved by City Engineer for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.
4. A **final photometric plan** shall be submitted, reviewed and approved by City Staff for The Sanctuary and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for The Sanctuary and associated site improvements within the 1st phase of development.
5. A **Flood Hazard Development Permit Application** and revised Flood Report shall be submitted and approved by the Planning Commission for the new road crossing of the Jenkins's Creek floodplain prior to the issuance of the Zoning Development Permit for any land disturbing activity within the floodplain. Furthermore, the applicant agrees to obtain the necessary permits from the Army Corp of Engineers prior to any construction within the designated wetlands on the property.
6. The applicant agrees to construct all necessary **road and signalization improvements** to Trout Creek Road and US24 in accordance with the approved Traffic Impact Analysis prepared by LSC, Inc. dated November 3, 2011 and will obtain all necessary CDOT permits for the construction of said improvements for the 1st phase of development. Furthermore, the applicant agrees to all CDOT conditions associated with CDOT's Access Permit.
7. The applicant shall submit and receive approval from the City Engineer for utility construction drawings, prior to the issuance of a Zoning Development Permit for any **utility construction** within the PUD/PBD district and any off-site utility improvements.
8. The applicant shall update the **Phase 1 Environmental Assessment** to include a larger study area which encompasses (at a minimum) all land area that is encumbered by public utility easements pursuant to the recording of the Final Plat or other instrument.
9. Per City of Woodland Park Ordinance #838 a **Water Development Fee** of \$2,000 per acre for the commercial development shall be paid prior to recording the Final Plat.

10. The applicant agrees to pay all **Impact/development Fees** associated with the development prior to the issuance of the Zoning Development Permit for the 1st phase of development to include:
- Water and sewer tap fees;
 - Stormwater capital fees;
 - Transportation capital fees;
 - Utility reimbursement fees;
 - Use tax for a portion of the taxable construction; and
 - Any other applicable fees.
11. A **Wildfire Protection Plan** shall be submitted, reviewed and approved by City staff and NETCFPD Fire Chief for the entire 147-acre site prior to the issuance of a Certificate of Occupancy for "The Sanctuary". A minimum of 10% of the plan shall be implemented in the 1st year of occupancy and 10% completion of the plan each year thereafter or as recommended by the plan.
12. A **Final Plat** shall be approved by the City Council and recorded prior to the City's authorization of a Certificate of Occupancy for The Sanctuary or any occupied structure within the 1st phase of development.
13. The applicant agrees to the **Teller County requirements** detailed in the Teller County Community Development Services letter dated March 20, 2012 and summarized as follows: the use of Vista Lane as an reciprocal cross-access easement for emergency services access only; and no construction of any structures within the 100-foot "No-build" buffer zone; and two specific amendments to the Annexation Agreement regarding the Vista Lane use for emergency services and the use of the 100-foot buffer. (See motion #4.)
14. The applicant agrees that the housing on the development will be **temporary student housing**, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed.
- 2nd Motion:** The City Council approves of Ordinance #1162 to change the zoning designation from Agricultural to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development in accordance with The Sanctuary's Final Development Plan (PBD) and Preliminary Plat to relocate and operate the Charis Bible College with a religious/educational center, student housing, administrative building and associated uses developed on a 147-acre tract of land located at 5849 Trout Creek Road (CR25), Woodland Park, Colorado based upon the findings in the staff report.
- 3rd Motion:** The City Council approves of the Preliminary Plat for "The Sanctuary" based upon the findings in the staff report.

4th Motion: The City Council approves an amendment to the Annexation Agreement requested by Teller County as follows:

Page 4, Paragraph 6.b.:

b. Annexor shall gate, berm or otherwise obstruct these road stubs to prevent vehicular public or private access to and from the Property: Leisure Lane, Sleepy Hollow, Loafers Lane, Vista Lane, ~~(except access shall be allowed for the caretakers residence)~~ Club Drive and Lakewood Drive. Notwithstanding, the restrictions on these road stubs, Annexor shall provide for adequate access to some or all of these roads for emergency service providers as required by the City or the County.

Page 5, Paragraph 9.:

Buffer. Annexor shall preserve an open space/no buildings 100 foot (fences, landscaping, utilities are allowed) buffer immediately parallel to any adjacent boundary shared with Westwood Lakes Subdivision, as it exists as of the effective date of the annexation. ~~Notwithstanding the buffer requirement, Annexor shall be allowed to build in the buffer along and next to Lot 24, Westwood Lakes Subdivision, First Addition.~~ The PUD/PBD shall show this area of buffer exception.

**CITY OF WOODLAND PARK
ORDINANCE NO. 1162, SERIES 2012**

AN ORDINANCE AMENDING ORDINANCE NO. 46, SERIES 1969, AS AMENDED, ALSO KNOWN AS THE "CITY OF WOODLAND PARK ZONING REGULATION" AND CHANGING THE ZONING DESIGNATION FROM AGRICULTURAL (AG) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE PURPOSE OF DEVELOPING A PLANNED BUSINESS DEVELOPMENT (PBD) CONSISTING OF THE CHARIS BIBLE COLLEGE CAMPUS KNOWN AS "THE SANCTUARY" WITH A RELIGIOUS/EDUCATIONAL CENTER, STUDENT HOUSING, ADMINISTRATION BUILDING AND ASSOCIATED IMPROVEMENTS ON A 146.871-ACRE TRACT OF LAND LOCATED WITHIN A PORTION OF THE WEST HALF OF SECTION 26, RANGE 69 OF THE 6TH P.M., TELLER COUNTY, COLORADO, WITH A PHYSICAL ADDRESS OF 5849 TROUT CREEK ROAD (CR25), WOODLAND PARK, COLORADO AS SUBMITTED BY THE OWNER/APPLICANT, ANDREW WOMMACK MINISTRIES, INC.

WHEREAS, the City of Woodland Park has received an application requesting rezoning approval of a tract of land being a portion of the west half of Section 26, Range 69 of the 6th P.M. Teller County Colorado with a legal description attached hereto as Exhibit A from Agricultural (AG) to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD) consisting of a Bible College campus known as "The Sanctuary" with a religious/educational center, student housing, administration building and associated improvements on a 146.872-Acre tract of land with a physical address of 5849 Trout Creek Road (CR25), Woodland Park, Colorado as requested by the owner/applicant Andrew Wommack Ministries, Inc.; and

WHEREAS, on February 16, 2012, the City Council approved Resolution 739, Series 2012 to acknowledge that the recently annexed Wommack property containing 35.042-acres has been brought under the City zoning code and that the zoning of the entire 146.871-acre tract is underway and proceeding in accordance with the applicable law; and

WHEREAS, public notice has been published, signs have been posted, and public hearings have been held by the City Planning Commission on April 12, 2012, and City Council on June 7, 2012; and

WHEREAS, after public hearing, the City Council deems it to be in the City's best interest to zone said parcel Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD) in accordance with the approved Wommack Ministries, Inc. Final Development Plan for "The Sanctuary".

NOW, THEREFORE, THIS ORDINANCE:

THE CITY OF WOODLAND PARK ORDAINS in accordance with the approved Wommack Ministries Final Development Plan for "The Sanctuary":

That an Ordinance entitled "AN ORDINANCE AMENDING ORDINANCE NO. 46, SERIES 1969, AS AMENDED, ALSO KNOWN AS THE "CITY OF WOODLAND PARK ZONING REGULATION" AND CHANGING THE ZONING DESIGNATION FROM AGRICULTURAL (AG) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE PURPOSE OF DEVELOPING A PLANNED BUSINESS DEVELOPMENT (PBD) CONSISTING OF THE CHARIS BIBLE COLLEGE CAMPUS KNOWN AS "THE SANCTURARY" WITH A RELIGIOUS/EDUCATIONAL CENTER, STUDENT HOUSING, ADMINISTRATION BUILDING AND ASSOCIATED IMPROVMENTS ON A 146.871-ACRE TRACT OF LAND LOCATED WITHIN A PORTION OF THE WEST HALF OF SECTION 26, RANGE 69 OF THE 6TH P.M., TELLER COUNTY, COLORADO, WITH A PHYSICAL ADDRESS OF 5849 TROUT CREEK ROAD (CR25), WOODLAND PARK, COLORADO AS SUBMITTED BY THE OWNER/APPLICANT, ANDREW WOMMACK MINISTRIES, INC.", be and the same is hereby adopted as follows:

Section 1. Property Description. The legal description of said tract of land is hereby attached as Exhibit A.

Section 2. Zoning. The property is hereby zoned Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD) in accordance with the approved Wommack Ministries Final Development Plan for "The Sanctuary" incorporated herein by this reference, and the City Official Zoning Map is hereby amended to reflect such determination.

Section 3. Comprehensive Plan Map. The 2010 Comprehensive Plan Map is hereby amended to depict the subject property as "mixed-use".

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its publication as required.

PASSED BY THE CITY COUNCIL ON SECOND AND FINAL READING, FOLLOWING PUBLIC HEARING THIS ____ DAY OF _____, 2012.

David J. Turley, Mayor

ATTEST:

Cindy Morse, City Clerk

APPROVED AS TO FORM:

Erin Smith, City Attorney

EXHIBIT A

PROPERTY DESCRIPTION

A PORTION OF THE WEST HALF OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF TELLER, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, BEING MONUMENTED ON THE WEST END BY A 2-1/2" ALUMINUM CAP STAMPED "N 1/16 PLS 23511" AND THE EAST END BY A 2-1/2" ALUMINUM CAP STAMPED "NW 1/16 PLS 23511", ASSUMED TO BEAR S88°02'03"E A DISTANCE OF 1376.38 FEET.

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 26; THENCE N03°22'27"W ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 26 A DISTANCE OF 1262.55 FEET; THENCE S87°06'08"E ON THE NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 26 A DISTANCE OF 652.06 FEET; THENCE ON TROUT CREEK ROAD THE FOLLOWING TEN (10) COURSES:

1. S53°16'18"E A DISTANCE OF 169.29 FEET;
2. S28°29'23"E A DISTANCE OF 150.01 FEET;
3. S84°07'13"E A DISTANCE OF 171.03 FEET;
4. S69°40'23"E A DISTANCE OF 140.98 FEET;
5. S37°46'26"E A DISTANCE OF 179.98 FEET;
6. S81°34'20"E A DISTANCE OF 559.91 FEET;
7. S70°42'45"E A DISTANCE OF 202.03 FEET;
8. S51°54'17"E A DISTANCE OF 330.03 FEET;
9. S61°16'38"E A DISTANCE OF 393.02 FEET;
10. S41°14'48"E A DISTANCE OF 209.83 FEET;

THENCE S03°20'43"E A DISTANCE OF 125.54 FEET TO A POINT ON A CURVE ON THE NORTHWESTERLY RIGHT-OF-WAY OF US HIGHWAY 24; THENCE ON SAID RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 1055.00 FEET AND A DELTA ANGLE OF 34°13'26", A DISTANCE OF 630.17 FEET;
2. S33°21'04"W A DISTANCE OF 209.31 FEET;
3. S56°37'16"E A DISTANCE OF 49.99 FEET;
4. S33°20'36"W A DISTANCE OF 781.07 FEET TO THE NORTHEAST CORNER OF LOT 14, BLOCK 3 OF THE WESTWOOD LAKE ADDITION AS RECORDED UNDER RECEPTION NO. 170034 OF THE RECORDS OF TELLER COUNTY;

THENCE ON THE SOUTHERLY BOUNDARY OF THE NORTH HALF OF SAID SECTION 26, THE FOLLOWING TWO (2) COURSES:

1. N89°00'42"W TO THE CENTER OF SAID SECTION 26 A DISTANCE OF 268.93 FEET;
2. N89°00'49"W ON THE WEST 1/16 CORNER OF SAID SECTION 26 A DISTANCE OF 1360.45 FEET;

THENCE ON THE BOUNDARY OF SAID WESTWOOD LAKES ADDITION THE FOLLOWING THREE (3) COURSES:

1. N89°00'49"W A DISTANCE OF 561.30 FEET;
2. S03°50'59"E A DISTANCE OF 17.21 FEET;

3. S89°00'27"E A DISTANCE OF 17.07 FEET;

THENCE ON THE BOUNDARY OF WESTWOOD LAKES ADDITION, A RESUBDIVISION OF A PORTION OF BLOCKS 3 AND 4 AS RECORDED UNDER RECEPTION NO. 186201 OF THE RECORDS OF TELLER COUNTY THE FOLLOWING NINE (9) COURSES:

1. S18°28'37"E A DISTANCE OF 18.29 FEET;
2. S61°24'10"W A DISTANCE OF 158.91 FEET;
3. S41°36'08"W A DISTANCE OF 159.00 FEET;
4. S14°45'25"W A DISTANCE OF 156.72 FEET;
5. S78°10'41"E A DISTANCE OF 110.00 FEET TO A POINT ON A CURVE;
6. ON THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 613.86 FEET AND A DELTA ANGLE OF 21°17'21", A DISTANCE OF 228.09 FEET TO A POINT OF REVERSE CURVE;
7. ON THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 125.00 FEET AND A DELTA ANGLE OF 29°09'31", A DISTANCE OF 63.61 FEET TO A POINT OF TANGENT;
8. S78°15'28"W A DISTANCE OF 124.61 FEET TO A POINT ON A CURVE;
9. ON THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 68.77 FEET AND A DELTA ANGLE OF 06°02'55", A DISTANCE OF 7.26 FEET TO A POINT ON A EASTERLY LINE OF SAID WESTWOOD LAKE ADDITION AS RECORDED UNDER RECEPTION NO. 170034 OF THE RECORDS OF TELLER COUNTY;

THENCE ON THE SAID LINE THE FOLLOWING THREE (3) COURSES:

1. N16°22'23"E A DISTANCE OF 422.31 FEET;
2. N89°00'39"W A DISTANCE OF 206.18 FEET;
3. S16°52'06"W A DISTANCE OF 172.25 FEET TO A POINT ON THE NORTHWESTERLY LINE OF WESTWOOD LAKES FIRST ADDITION AS RECORDED UNDER RECEPTION NO. 176706 OF THE RECORDS OF TELLER COUNTY;

THENCE ON THE NORTHEASTERLY BOUNDARY OF SAID WESTWOOD LAKES FIRST ADDITION THE FOLLOWING FOUR (4) COURSES:

1. N05°49'41"W A DISTANCE OF 125.08 FEET;
2. S74°57'06"W A DISTANCE OF 50.00 FEET;
3. N15°17'21"W A DISTANCE OF 249.78 FEET;
4. N43°43'39"W A DISTANCE OF 156.48 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF WESTWOOD LAKES SECOND ADDITION AS RECORDED UNDER RECEPTION NO. 178414 OF THE RECORDS OF TELLER COUNTY;

THENCE ON THE BOUNDARY OF SAID WESTWOOD LAKES SECOND ADDITION AND WESTWOOD LAKES THIRD ADDITION AS RECORDED UNDER RECEPTION NO. 179889 OF THE RECORDS OF TELLER COUNTY, THE FOLLOWING FOUR (4) COURSES;

1. N49°50'49"E A DISTANCE OF 94.86 FEET;
2. N40°19'06"W A DISTANCE OF 788.42 FEET;
3. N46°11'13"W A DISTANCE OF 49.87 FEET;
4. S43°51'17"W A DISTANCE OF 21.75 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26;

THENCE N04°11'39"W ON SAID LINE A DISTANCE OF 314.42 FEET TO THE NORTH 1/16 CORNER OF SAID SECTION 26; THENCE S88°02'03"E ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26 A DISTANCE OF 1376.38 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 146.871 ACRES.

EXHIBIT D



July 3, 2012

Mr. Larry Bozeman
Operations Manager
Andrew Wommack Ministries, Inc.
850 Elkton Drive
Colorado Springs, CO 80907

Dear Mr. Bozeman:

The purpose of this letter is to provide official notice that your request for approval of the Planned Unit Development/Planned Business Development (PUD/PBD) Final Development Plan, Ordinance #1162 designating the 147-acre tract PUD/PBD Zone District, Preliminary Plat and an amendment to the Annexation Agreement for Wommack Ministries were approved by the City Council on June 7, 2012. There were four motions of approval by the Council as follows:

Approval #1: The City Council concludes that the proposed project qualifies for a PUD District and approves the rezoning of the property to PUD, and approves the PUD/PBD Final Development Plan based upon the findings in the staff report with the following conditions:

1. A **final landscaping plan** in accordance with Section 18.33.180 E. shall be submitted, reviewed and approved by City Staff for The Sanctuary and all other first phase improvements prior to the issuance of the Zoning Development Permit for The Sanctuary.
2. A **final grading/erosion control plan** in accordance with Chapters 18.40 and 18.41 shall be submitted, reviewed and approved by City Staff for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.
3. A **final drainage report and plan** shall be submitted, reviewed and approved by City Engineer for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.

4. A **final photometric plan** shall be submitted, reviewed and approved by City Staff for The Sanctuary and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for The Sanctuary and associated site improvements within the 1st phase of development.
5. A **Flood Hazard Development Permit** Application and revised Flood Report shall be submitted and approved by the Planning Commission for the new road crossing of the Jenkins's Creek floodplain prior to the issuance of the Zoning Development Permit for any land disturbing activity within the floodplain. Furthermore, the applicant agrees to obtain the necessary permits from the Army Corp of Engineers prior to any construction within the designated wetlands on the property.
6. The applicant agrees to construct all necessary **road and signalization improvements** to Trout Creek Road and US24 in accordance with the approved Traffic Impact Analysis prepared by LSC, Inc. dated November 3, 2011 and will obtain all necessary CDOT permits for the construction of said improvements for the 1st phase of development. Furthermore, the applicant agrees to all CDOT conditions associated with CDOT's Access Permit.
7. The applicant shall submit and receive approval from the City Engineer for utility construction drawings, prior to the issuance of a Zoning Development Permit for any **utility construction** within the PUD/PBD district and any off-site utility improvements.
8. The applicant shall update the **Phase 1 Environmental Assessment** to include a larger study area which encompasses (at a minimum) all land area that is encumbered by public utility easements pursuant to the recording of the Final Plat or other instrument.
9. Per City of Woodland Park Ordinance #838 a **Water Development Fee** of \$2,000 per acre for the commercial development shall be paid prior to recording the Final Plat.
10. The applicant agrees to pay all **Impact/development Fees** associated with the development prior to the issuance of the Zoning Development Permit for the 1st phase of development to include:
 - Water and sewer tap fees;
 - Stormwater capital fees;
 - Transportation capital fees;
 - Utility reimbursement fees;
 - Use tax for a portion of the taxable construction; and
 - Any other applicable fees.
11. A **Wildfire Protection Plan** shall be submitted, reviewed and approved by City staff and NETCFPD Fire Chief for the entire 147-acre site prior to the issuance of a Certificate of Occupancy for "The Sanctuary". A minimum of 10% of the plan shall be implemented in the 1st year of occupancy and 10% completion of the plan each year thereafter or as recommended by the plan.

12. A **Final Plat** shall be approved by the City Council and recorded prior to the City's authorization of a Certificate of Occupancy for The Sanctuary or any occupied structure within the 1st phase of development.

13. The applicant agrees to the **Teller County requirements** detailed in the Teller County Community Development Services letter dated March 20, 2012 and summarized as follows: the use of Vista Lane as an reciprocal cross-access easement for emergency services access only; and no construction of any structures within the 100-foot "No-build" buffer zone; and two specific amendments to the Annexation Agreement regarding the Vista Lane use for emergency services and the use of the 100-foot buffer. (See motion #4.)

14. The applicant agrees that the housing on the development will be **temporary student housing**, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed.

Approval #2: The City Council approves of Ordinance #1162 to change the zoning designation from Agricultural to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development in accordance with The Sanctuary's Final Development Plan (PBD) and Preliminary Plat to relocate and operate the Charis Bible College with a religious/educational center, student housing, administrative building and associated uses developed on a 147-acre tract of land located at 5849 Trout Creek Road (CR25), Woodland Park, Colorado based upon the findings in the staff report.

Approval #3: The City Council approves of the Preliminary Plat for "The Sanctuary" based upon the findings in the staff report.

Approval #4: The City Council approves an amendment to the Annexation Agreement requested by Teller County as follows:

Page 4, Paragraph 6.b.:

b. Annexor shall gate, berm or otherwise obstruct these road stubs to prevent vehicular public or private access to and from the Property: Leisure Lane, Sleepy Hollow, Loafers Lane, Vista Lane, ~~(except access shall be allowed for the caretakers residence)~~ Club Drive and Lakewood Drive. Notwithstanding, the restrictions on these road stubs, Annexor shall provide for adequate access to some or all of these roads for emergency service providers as required by the City or the County.

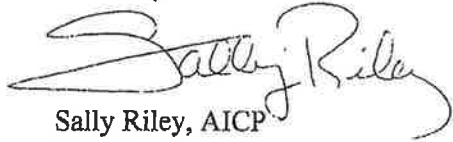
Page 5, Paragraph 9.:

Buffer. Annexor shall preserve an open space/no buildings 100 foot (fences, landscaping, utilities are allowed) buffer immediately parallel to any adjacent boundary shared with Westwood Lakes Subdivision, as it exists as of the effective date of

the annexation. ~~Notwithstanding the buffer requirement, Annexor shall be allowed to build in the buffer along and next to Lot 24, Westwood Lakes Subdivision, First Addition.~~ The PUD/PBD shall show this area of buffer exception.

Should you have any questions, please contact the Planning Department at 687-5283.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sally Riley".

Sally Riley, AICP
Planning Director
City of Woodland Park

cc: Project File
Brian Polaski, AIA Architect/Project Manager, Architectural Innovations, LLC

EXHIBIT - B

ECONOMIC AND FISCAL IMPACTS OF

CHARIS BIBLE COLLEGE AND ANDREW WOMMACK
MINISTRIES HEADQUARTERS

October 2021



OUTLINE

Overview

Methodology

Components of Economic Impact

Projected Economic & Fiscal Impacts

OVERVIEW

- This study estimates the economic and fiscal impacts of Charis Bible College (Charis) and Andrew Wommack Ministries (AWM) Headquarters to Teller County and the City of Woodland Park until the year 2030.
- Charis and AWM are both located in the southwest portion of Woodland Park, 20 miles west of Colorado Springs.
- While distinct, the two organizations are inextricably linked and are analyzed as a single entity in this study.

OVERVIEW

- Charis is a Christian college founded in Colorado Springs in 1994.
- Today, a typical program is two years with a curriculum designed to prepare students for the ministry. A third year is offered to students interested in specific ministry training through the Business School, Media School, Ministry School, Missions School, or Worship Arts School.

OVERVIEW

- Student enrollment at Charis was 207 in 2007. By 2019, enrollment grew to 802.
- Charis started operating in Woodland Park in January 2014. The campus sits on 157 acres and Charis has invested \$99 million in campus facilities, including:
 - 220,000 sq feet of classroom, auditorium, and office space
 - 320,950 sq feet of parking garage (1,100 parking spaces)

OVERVIEW

- In 2017, AWM began leasing a 60,000 sq foot office building in Woodland Park.
- After extensive renovation, AWM relocated most of its HQ operation from Colorado Springs to Woodland Park in October 2018.
- In November 2019, AWM purchased the office building and 336 acres in Woodland Park, adjacent to Charis Bible College.

OUTLINE

Overview

Methodology

Components of Economic Impact

Projected Economic & Fiscal Impacts

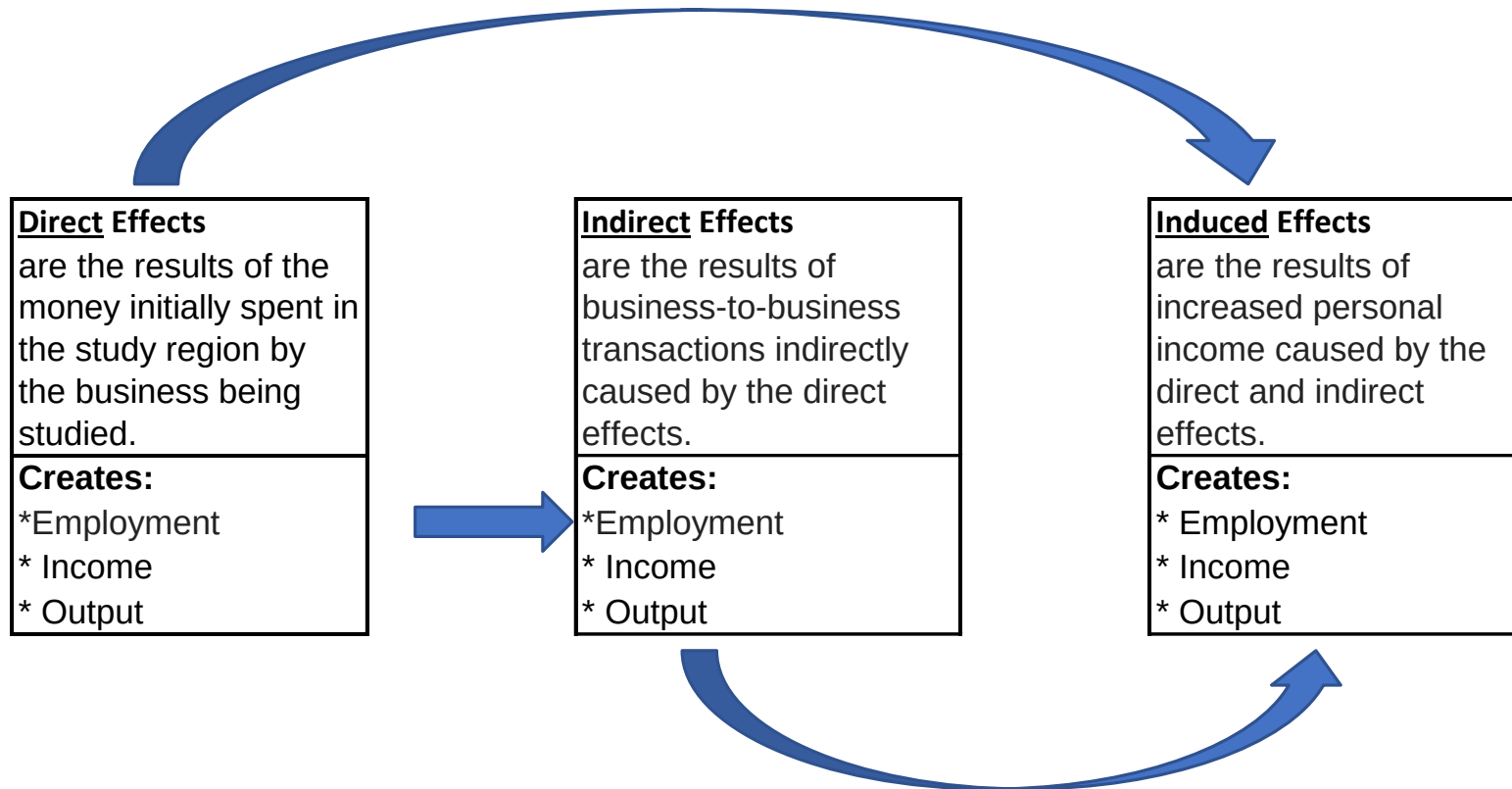
METHODOLOGY

- Economic impact analysis measures increased sales, employment, earnings, and tax revenues resulting from a business or organization.
- New businesses bring in additional income and spending to a region that helps to support local businesses, employees, residents, and local governments.
- Additional income and spending from a new organization encourages businesses to invest and spend, creating further economic activity. This is known as the multiplier effect.

METHODOLOGY

- Economic impacts are usually categorized into one of three types effects:
 - **Direct effect:** impact generated by spending that occurs as a direct result of an organization's operations or capital investments
 - **Indirect effect:** impacts created by business-to-business transactions that are indirectly caused by the direct effects
 - **Induced effect:** impact created by spending that is caused by increased personal incomes created by the direct and indirect effects

METHODOLOGY



METHODOLOGY

- The total effect is just the sum of the individual effects:
 - **Direct effect:** Charis purchases \$100 of printing services and office supplies from businesses in Woodland Park
 - **Indirect effect:** Printing and office supply businesses purchase \$30 of goods or services from other businesses
 - **Induced effect:** Increased incomes and spending of the printing and office supply owners and employees at other businesses supports an additional \$10 of economic activity.
 - **Total effect:** \$140

OUTLINE

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PREVIOUS IMPACT STUDY

- In 2020, Charis finalized an impact study which analyzed the direct and indirect/induced impacts generated from 2012 through 2019 for each impact component (e.g., construction, O&M, etc.)
- Key findings from that study were:
 - In 2019, Charis/AWM supported **555 direct jobs** and **229 indirect/induced jobs** in the Woodland Park area.
 - **Total payroll** paid to workers in the Woodland Park/Teller County area in 2019 is **estimated at \$28.4 million**, \$17.3 million as wages paid to direct employees and \$11.1 million as wages paid to indirect/induced jobholders.
 - Total **sales & use tax revenues to the City of Woodland Park and Teller County** generated from Charis/AWM activity are **estimated at \$1.1 million over the 2012-2019 period**.
- The current impact study uses similar analyses to project the direct and indirect/induced impacts for each component from 2021 to 2030.

COMPONENTS OF ECONOMIC IMPACT

- Charis and AWM current operations bring new dollars to the Woodland Park/Teller County regional economy through five main activities:
 - **Construction** of the new Charis campus
 - **Operations and maintenance (O&M)**
expenditures of Charis/AWM HQ
 - **Salaries** paid to Charis/AWM HQ employees
 - **Charis students'** local expenditures
 - **Events** held at Charis that generate lodging, restaurant, and retail expenditures by attendees

COMPONENTS OF ECONOMIC IMPACT

- Charis and AWM's five main activities are projected to generate the following annual spending flows:
 - **Construction:** \$10 - \$12 million per year for 10 years
 - **Operations and maintenance (O&M):** \$10 - \$20 million per year over 10 years
 - **Salaries:** \$60 - \$75 million per year
 - **Charis students' local expenditures:** \$10 - \$19 million per year
 - **Events:** \$2 - \$5 million per year

OUTLINE

Overview

Methodology

Components of Economic Impact

Projected Economic & Fiscal Impacts

SUMMARY OF PROJECTED ECONOMIC IMPACTS

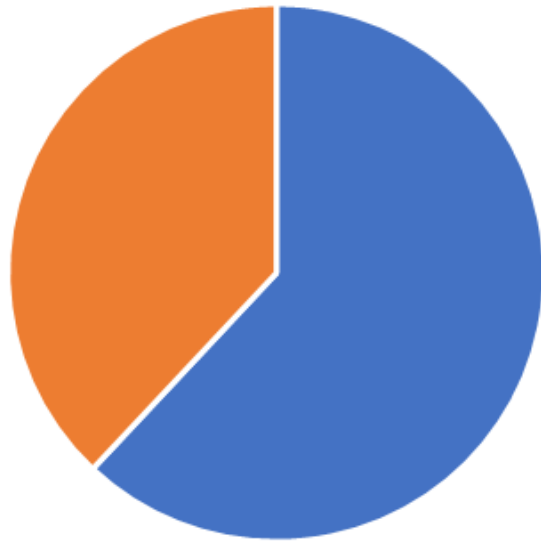
	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
TOTAL EMPLOYMENT IMPACT	912	1168	1212	1262	1317	1373	1434	1488	1543	1599
Direct employment	563	757	779	803	827	852	881	907	935	963
Indirect/Induced employment	349	411	433	459	491	521	553	581	609	636
TOTAL EARNINGS IMPACT (\$, Millions)	\$39.25	\$52.55	\$56.59	\$61.03	\$65.96	\$71.17	\$76.85	\$82.67	\$88.89	\$95.50
Direct earnings	\$24.34	\$34.22	\$36.89	\$39.77	\$42.88	\$46.24	\$50.00	\$53.92	\$58.14	\$62.71
Indirect/Induced earnings	\$14.90	\$18.32	\$19.70	\$21.26	\$23.08	\$24.93	\$26.85	\$28.75	\$30.74	\$32.80

*All dollar figures in this analysis are in 2021 dollars

- Charis/AWM support 912 jobs in the Woodland Park/Teller County economy and that is expected to grow to 1,599 by 2030
- Charis/AWM support \$39.25 million in total earnings and that is expected to grow to \$95.50 million by 2030

SUMMARY OF PROJECTED ECONOMIC IMPACTS

Total employment impact

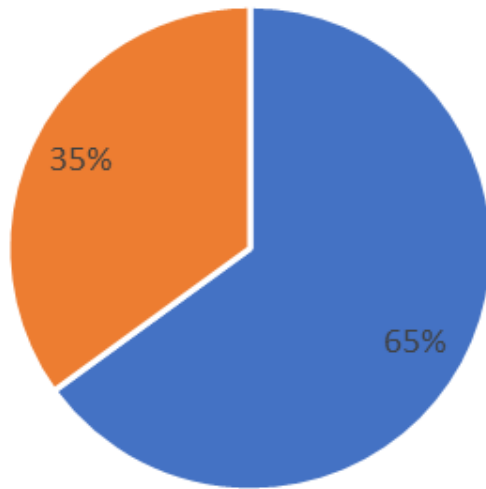


■ Direct employment ■ Indirect/Induced jobs

- Charis/AWM is projected to support **1,168** Woodland Park/Teller County jobs in 2022, growing to **1,599 jobs** in 2030.
 - Just over 60% of these are direct employment, while the remainder are indirect/induced jobs.

SUMMARY OF PROJECTED ECONOMIC IMPACTS

Total earnings impact



■ Direct payroll ■ Indirect/Induced earnings

- Charis/AWM is projected to generate **\$52 million** in Woodland Park/Teller County earnings in 2022, growing to **\$96 million** in 2030.
 - 65% of earnings arise from direct employment with Charis/AWM, while the remainder are indirect/induced earnings.

SUMMARY OF PROJECTED ECONOMIC IMPACTS

- Of the total impacts created by Charis/AWM:
 - **Construction expenditures** support approximately **2% of jobs** and **1-2% of earnings**.
 - **O&M expenditures** support **8-10% of jobs** and **earnings**.
 - **Employment with Charis/AWM** accounts for **67-73% of jobs** and **73-79% of earnings**.
 - **Students' expenditures** support **14-17% of jobs** and **9-12% of earnings**.
 - **Event attendees' expenditures** support **4% of jobs** and **3% of earnings**.

2021 IMPACTS: DETAILED BREAKDOWN

	2021
TOTAL EMPLOYMENT IMPACT	912
Direct employment	563
Employment (Charis/AWM/O&M)	523
Events	27
Construction (local)	13
Indirect/Induced employment	349
Induced employment	106
Operations & maintenance expenditures	83
Student expenditures	143
Events expenditures	4
Construction (local)	13
TOTAL EARNINGS IMPACT	\$39,245,956
Direct earnings	\$24,341,794
Employment earnings (Charis/AWM/O&M)	\$22,765,353
Events	\$895,321
Construction (local)	\$681,120
Indirect/Induced earnings	\$14,904,162
Induced earnings	\$5,987,288
Operations & maintenance expenditures	\$3,823,872
Student expenditures	\$4,742,214
Events expenditures	\$180,508
Construction (local)	\$170,280

- Direct employment at Charis/AWM accounts for the majority of employment impacts
- Student expenditures account for the second largest source of employment impacts after direct employment
- Total earnings from employment at Charis/AWM are primarily driven by direct earnings from Charis/AWM
- Student expenditures and O&M expenditures are also responsible for a large share of earnings impacts Woodland Park/Teller County

SUMMARY OF PROJECTED TAX REVENUES

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Woodland Park Total Sales & Use Tax Collections	\$318,196	\$405,789	\$433,922	\$465,149	\$483,197	\$518,396	\$557,104	\$594,486	\$633,832	\$674,908
From new construction building materials (use tax)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
From local construction employment	\$11,491	\$11,491	\$11,491	\$11,491	\$11,491	\$11,491	\$13,790	\$13,790	\$13,790	\$13,790
From operations & maintenance expenditures	\$25,805	\$27,870	\$30,099	\$32,507	\$35,108	\$37,917	\$40,950	\$44,226	\$47,764	\$51,585
From Charis/AWM employee expenditures	\$97,019	\$137,857	\$148,886	\$160,797	\$156,295	\$168,798	\$182,302	\$196,886	\$212,637	\$229,648
From student expenditures	\$64,006	\$71,213	\$75,964	\$82,049	\$90,411	\$97,897	\$104,505	\$109,833	\$114,705	\$118,699
From event attendee expenditures	\$119,875	\$157,357	\$167,481	\$178,304	\$189,892	\$202,293	\$215,558	\$229,751	\$244,937	\$261,186
Teller County Total Sales & Use Tax Collections	\$76,084	\$97,501	\$104,379	\$112,014	\$116,427	\$125,033	\$134,497	\$143,637	\$153,257	\$163,300
From new construction building materials (use tax)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
From local construction employment	\$2,810	\$2,810	\$2,810	\$2,810	\$2,810	\$2,810	\$3,372	\$3,372	\$3,372	\$3,372
From operations & maintenance expenditures	\$6,309	\$6,814	\$7,359	\$7,948	\$8,584	\$9,271	\$10,012	\$10,813	\$11,678	\$12,612
From Charis/AWM employee expenditures	\$23,721	\$33,706	\$36,402	\$39,315	\$38,214	\$41,271	\$44,573	\$48,138	\$51,990	\$56,149
From student expenditures	\$15,649	\$17,412	\$18,573	\$20,061	\$22,105	\$23,936	\$25,551	\$26,854	\$28,045	\$29,022
From event attendee expenditures	\$27,595	\$36,760	\$39,235	\$41,881	\$44,714	\$47,746	\$50,990	\$54,460	\$58,173	\$62,146

*All dollar figures in this analysis are in 2021 dollars

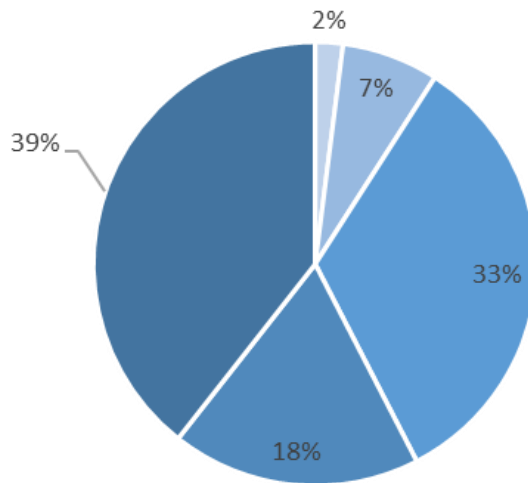
- Charis/AWM generates \$318,196 sales and use tax revenues in the Woodland Park and \$76,084 in Teller County
- Sales and use tax is projected to grow to \$674,908 in Woodland Park and \$163,300 in Teller County by 2030

SUMMARY OF PROJECTED TAX REVENUES

- While expenditures made by Charis /AWM are tax exempt, they do generate local jobs and earnings, which in turn generate tax revenue.
- Charis/AWM is projected to generate a total of \$6.3 million in local sales & use taxes over the 10-year period from 2021 through 2030.
 - \$5.1 million for the City of Woodland Park
 - \$1.2 million for Teller County

SUMMARY OF PROJECTED TAX REVENUES

Total Woodland Park/Teller County sales & use tax collections



- Each component of impact is projected to contribute to the total \$6.3 million in tax collections as shown.

■ Construction ■ O&M ■ Payroll ■ Student spending ■ Event attendee spending

OUTLINE

Overview

Methodology

Components of Economic Impact

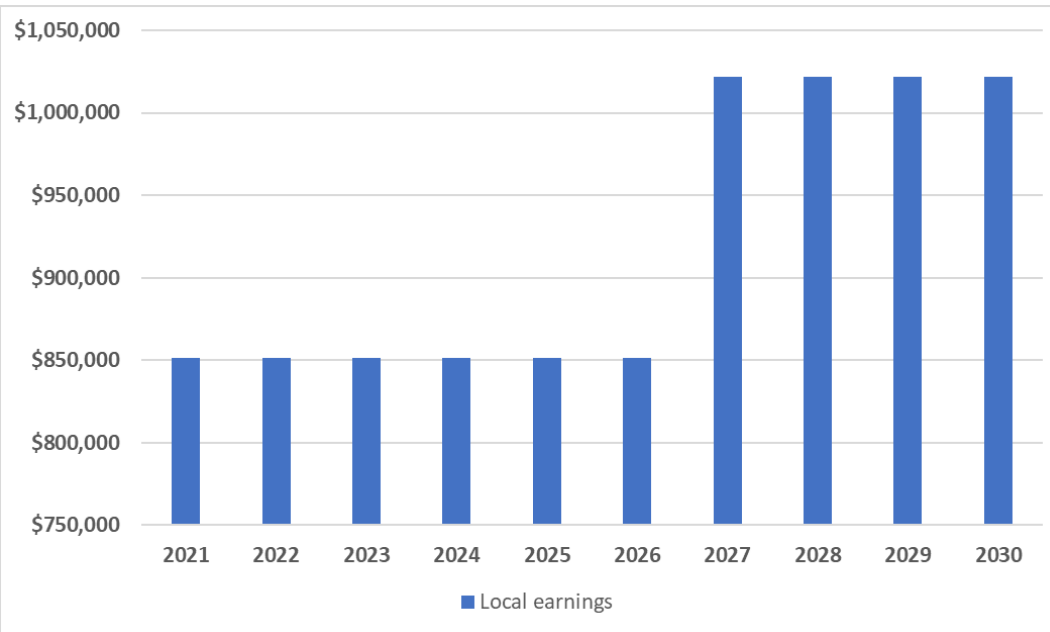
Projected Economic & Fiscal Impacts

- **Construction**
- **Operations & Maintenance**
- **Employment & Payroll**
- **Student Spending**
- **Event Attendee Spending**

CONSTRUCTION – PROJECTED IMPACTS

- To grow their ministry, Charis aims to increase student enrollment and provide on-campus housing for more than 1,000 students by 2030.
- Charis plans to build student housing at a rate of approximately 120 beds per year through 2030.
- Charis estimates that annual expenditure on student housing construction will be:
 - \$10 million/year through 2027
 - \$12 million/year between 2027 and 2030

CONSTRUCTION – PROJECTED IMPACTS



- Between 2021 and 2030, the projected annual **\$10-12** million in construction expenditures will result in more than **\$0.8 million** in annual local earnings impact.
- Local employees will spend this income and this spending is projected to support **26** local jobs each year.
- Construction spending is also projected to generate between **\$14,000 and \$17,000** in combined Woodland Park/Teller County **annual sales tax** revenues.

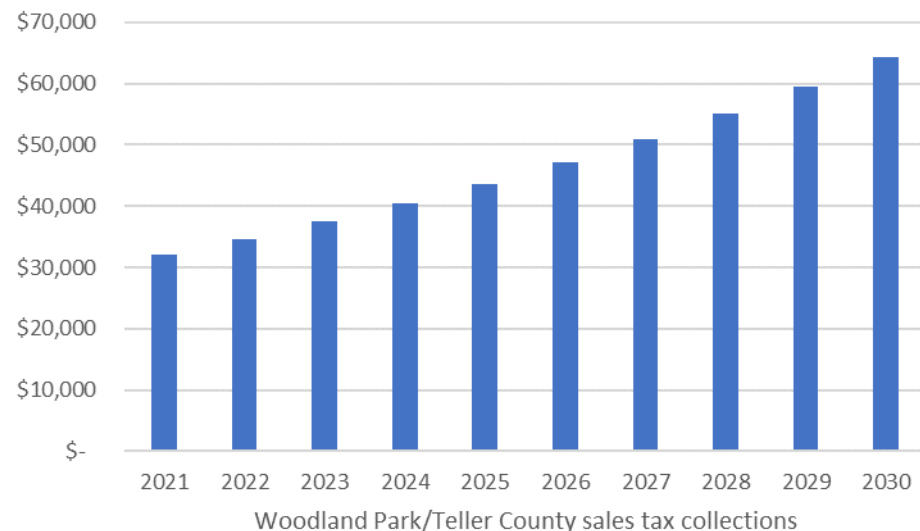
O&M – PROJECTED IMPACTS

- Charis/AWM forecasts that the combined Support and Revenues for both organizations will increase substantially at 8% year-over-year between 2021 and 2030.
- O&M expenditures for the campus and the ministry will increase in proportion, creating local economic and fiscal impacts, as approximately 12% of O&M expenses occur locally.

O&M – PROJECTED IMPACTS



O&M Local Earnings Impact

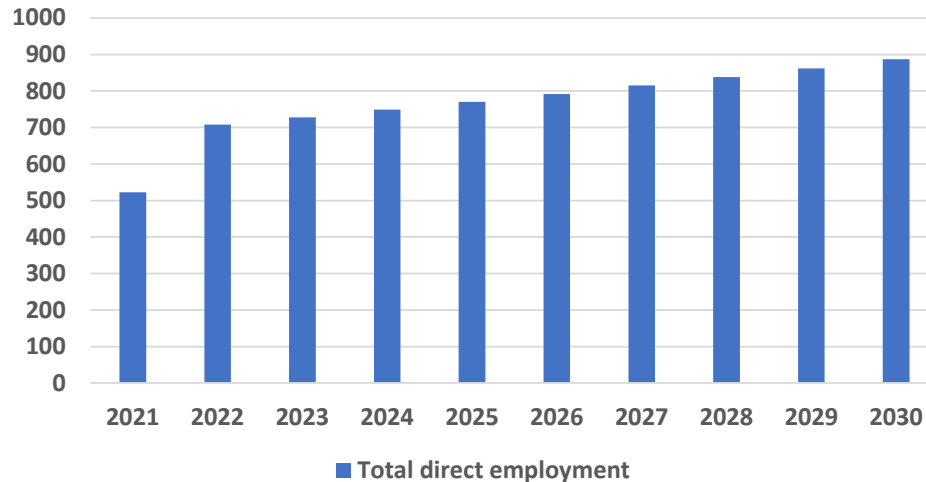


- Between 2021 and 2030, the projected **\$10-20** million in local annual O&M expenditures will result in **\$2-4 million** in local annual labor earnings.
- These expenditures are projected to support between **83 and 165 local jobs each year** (50% direct, 50% indirect/induced).
- O&M expenditures are projected to generate between **\$32,000 and \$64,000** in combined Woodland Park/Teller County **annual sales tax** revenues.

EMPLOYMENT & PAYROLL – PROJECTED IMPACTS

- To grow the ministry and serve a growing student enrollment, Charis and AWM plan to recruit an increasing number of staff over the coming years, with a projected employment (FTE) of 887 living in Woodland Park and Teller County 2030.
- Charis and AWM project an increase in average staff wages, as total direct payroll is 36% of their total Support and Revenues (which has an 8% YoY growth forecast).

EMPLOYMENT & PAYROLL – PROJECTED IMPACTS

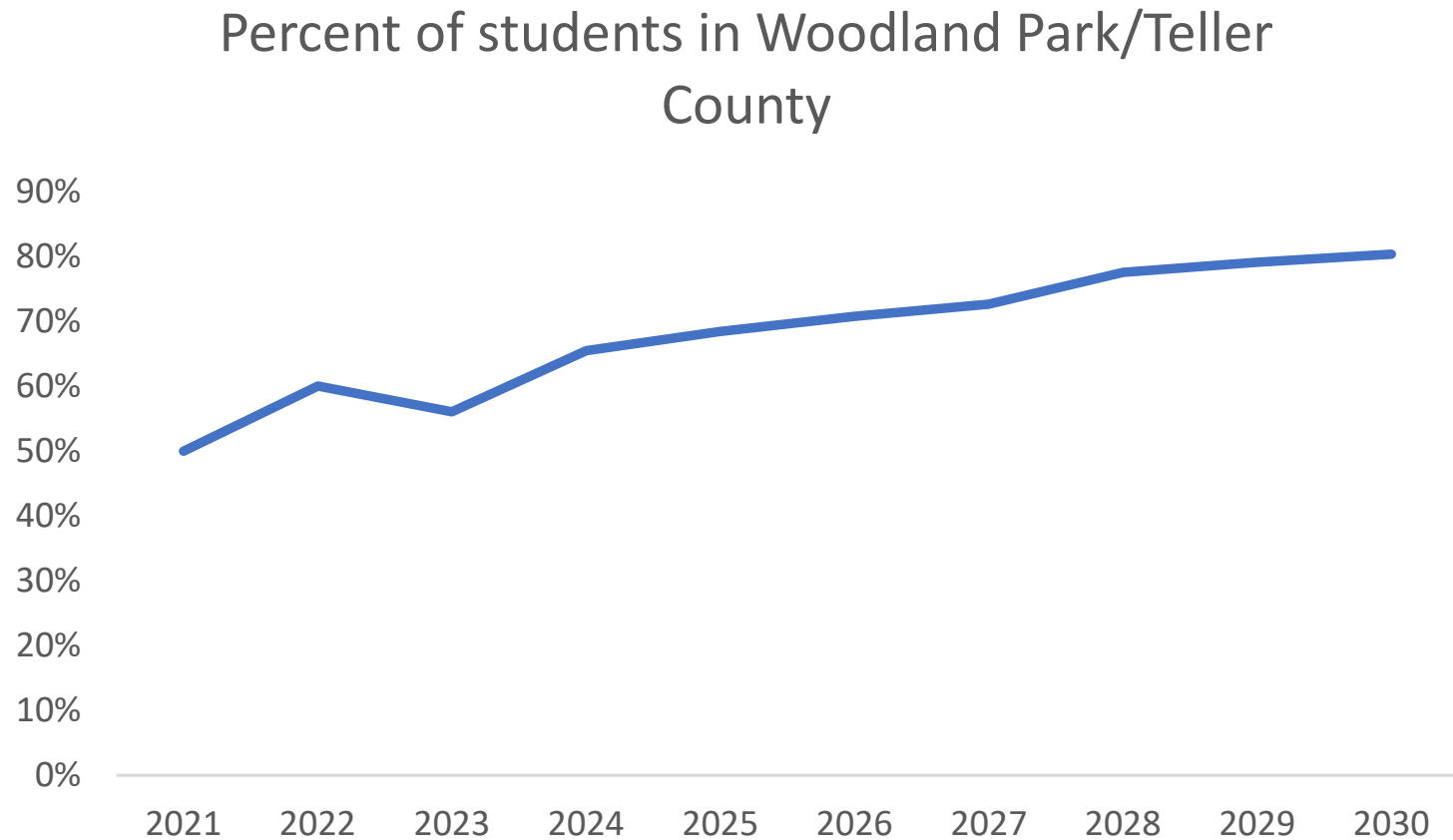


- Between 2021 and 2030, total direct local employment is projected to grow from **523** to **887** staff.
- In 2030, the projected annual **\$60 million** in direct payroll will result in more than **\$14 - \$34 million** in local earnings impact.
- The resulting Woodland Park/Teller County **sales tax collections** from this activity are projected to total **\$2.1 million** over the 10-year period between 2021 and 2030 (ranging from \$121,000 to 286,000 per year).

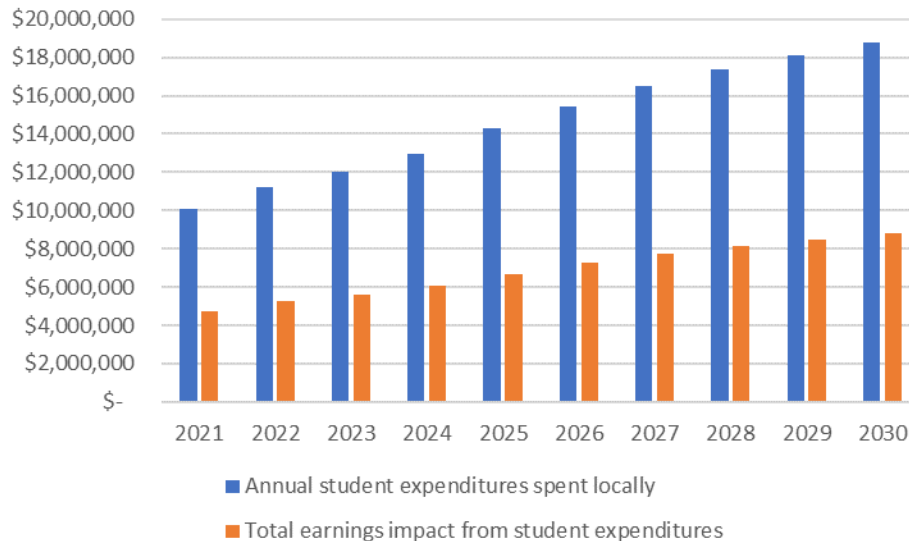
STUDENT EXPENDITURES – PROJECTED IMPACTS

- Student enrollment at Charis is projected to grow to 2,450 by 2030.
- Charis plans to build campus housing for up to 1,200 students over the next ten years, at a rate of about 120 beds per year.
- As more student housing is developed, a larger percentage of students will live in Woodland Park/Teller County.
- Students living in the community will spend a portion of their income within the local economy, thereby generating economic impacts from changes to employment, earnings, output, and tax revenues.

STUDENT EXPENDITURES – PROJECTED IMPACTS



STUDENT EXPENDITURES – PROJECTED IMPACTS

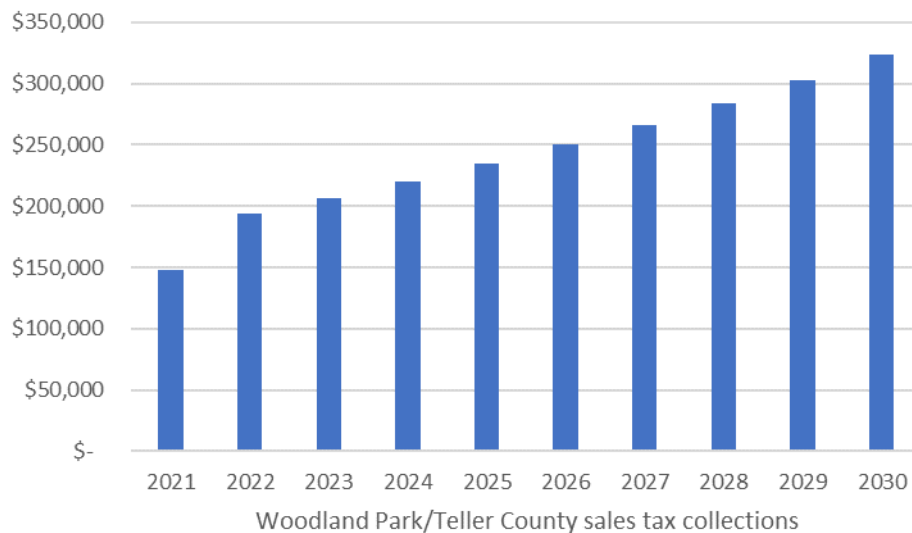
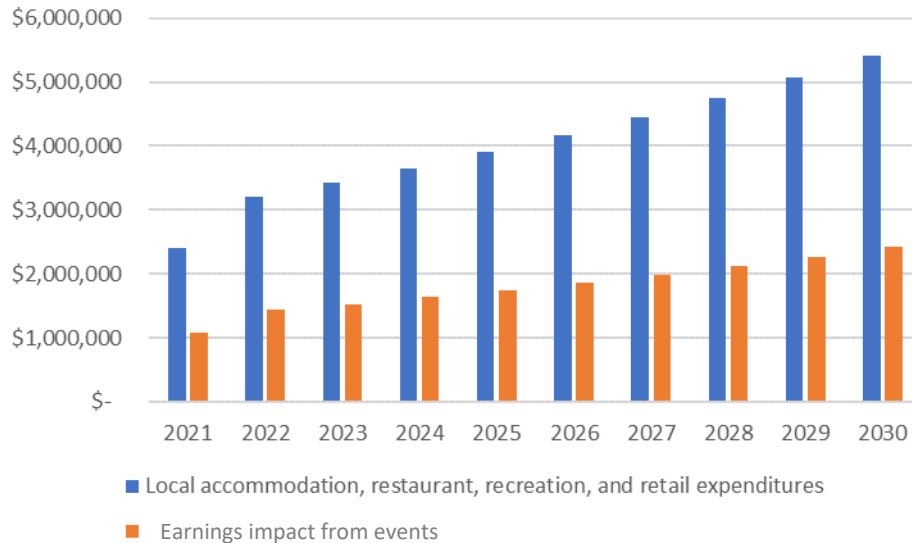


- Between 2021 and 2030, the projected annual **\$10-19** million in students' local expenditures will result in **\$5-9 million** in total earnings impact.
- These expenditures will support local jobs each year, growing from **143 jobs** in 2021 to **266 jobs** in 2030 (all indirect/induced).
- Student expenditures are projected to generate Woodland Park/Teller County combined **sales tax revenues**, growing from **\$80,000** in 2021 to **\$148,000** in 2030.

EVENT ATTENDEE EXPENDITURES – PROJECTED IMPACTS

- Charis and AWM host many large events throughout the year, attracting visitors and attendees from outside Woodland Park and Colorado.
- Annual event attendance is projected to grow from an historic high of 23,471 (2019) to 34,793 (2030).
- Accommodation constraints mean that Woodland Park will not see a large percent of these visitors' hotel expenditures, but will capture a large portion of restaurant, retail, and recreation spending.

EVENT ATTENDEE EXPENDITURES – PROJECTED IMPACTS



- Between 2021 and 2030, the projected annual **\$2-5** million in event attendees' expenditures will result in **\$1-2 million** in total earnings impact.
- These expenditures are projected to support local jobs each year, from **31 jobs** in 2021 to **70 jobs** in 2030 (89% direct, 11% indirect/induced).
- Together, the projected Woodland Park and Teller County **sales tax collections** from event visitors' expenditures will total **\$2.4 million** over the 10-year period between 2021 and 2030.

ATTACHMENTS

Detailed Calculations

ATTACHMENTS – SUMMARY OF PROJECTED ECONOMIC IMPACTS

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
TOTAL EMPLOYMENT IMPACT	912	1168	1212	1262	1317	1373	1434	1488	1543	1599
Direct employment	563	757	779	803	827	852	881	907	935	963
Employment (Charis/AWM/O&M)	523	708	728	749	770	792	815	838	862	887
Events	27	36	38	41	44	47	50	53	57	61
Construction (local)	13	13	13	13	13	13	16	16	16	16
Indirect/Induced employment	349	411	433	459	491	521	553	581	609	636
Indirect employment	106	144	148	152	156	161	165	170	175	180
Operations & maintenance expenditures	83	89	96	104	112	121	131	142	153	165
Student expenditures	143	159	170	184	202	219	234	246	257	266
Events expenditures	4	5	6	6	7	7	8	8	9	9
Construction (local)	13	13	13	13	13	13	16	16	16	16
TOTAL EARNINGS IMPACT	\$39,245,956	\$52,546,280	\$56,593,604	\$61,034,355	\$65,962,067	\$71,168,375	\$76,850,900	\$82,668,817	\$88,885,437	\$95,504,091
Direct earnings	\$24,341,794	\$34,221,949	\$36,890,115	\$39,770,859	\$42,881,253	\$46,239,582	\$50,001,784	\$53,916,784	\$58,143,851	\$62,707,884
Employment earnings (Charis/AWM/O&M)	\$22,765,353	\$32,348,160	\$34,936,013	\$37,730,894	\$40,749,365	\$44,009,315	\$47,530,060	\$51,332,464	\$55,439,062	\$59,874,187
Events	\$895,321	\$1,192,669	\$1,272,982	\$1,358,845	\$1,450,768	\$1,549,147	\$1,654,380	\$1,766,976	\$1,887,445	\$2,016,353
Construction (local)	\$681,120	\$681,120	\$681,120	\$681,120	\$681,120	\$681,120	\$817,344	\$817,344	\$817,344	\$817,344
Indirect/Induced earnings	\$14,904,162	\$18,324,330	\$19,703,489	\$21,263,496	\$23,080,814	\$24,928,793	\$26,849,115	\$28,752,032	\$30,741,586	\$32,796,207
Indirect employment	\$5,987,288	\$8,507,566	\$9,188,171	\$9,923,225	\$10,717,083	\$11,574,450	\$12,500,406	\$13,500,438	\$14,580,473	\$15,746,911
Operations & maintenance expenditures	\$3,823,872	\$4,129,782	\$4,460,164	\$4,816,977	\$5,202,336	\$5,618,522	\$6,068,004	\$6,553,445	\$7,077,720	\$7,643,938
Student expenditures	\$4,742,214	\$5,276,245	\$5,628,224	\$6,079,053	\$6,698,622	\$7,253,212	\$7,742,825	\$8,137,568	\$8,498,523	\$8,794,500
Events expenditures	\$180,508	\$240,458	\$256,650	\$273,961	\$292,493	\$312,328	\$333,544	\$356,245	\$380,533	\$406,523
Construction (local)	\$170,280	\$170,280	\$170,280	\$170,280	\$170,280	\$170,280	\$204,336	\$204,336	\$204,336	\$204,336

*All dollar figures in this analysis are in 2021 dollars

ATTACHMENTS – SUMMARY OF PROJECTED TAX REVENUES

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Woodland Park Total Sales & Use Tax Collections	\$318,196	\$405,789	\$433,922	\$465,149	\$483,197	\$518,396	\$557,104	\$594,486	\$633,832	\$674,908
From new construction building materials (use tax)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
From local construction employment	\$11,491	\$11,491	\$11,491	\$11,491	\$11,491	\$11,491	\$13,790	\$13,790	\$13,790	\$13,790
From operations & maintenance expenditures	\$25,805	\$27,870	\$30,099	\$32,507	\$35,108	\$37,917	\$40,950	\$44,226	\$47,764	\$51,585
From Charis/AWM employee expenditures	\$97,019	\$137,857	\$148,886	\$160,797	\$156,295	\$168,798	\$182,302	\$196,886	\$212,637	\$229,648
From student expenditures	\$64,006	\$71,213	\$75,964	\$82,049	\$90,411	\$97,897	\$104,505	\$109,833	\$114,705	\$118,699
From event attendee expenditures	\$119,875	\$157,357	\$167,481	\$178,304	\$189,892	\$202,293	\$215,558	\$229,751	\$244,937	\$261,186
Teller County Total Sales & Use Tax Collections	\$76,084	\$97,501	\$104,379	\$112,014	\$116,427	\$125,033	\$134,497	\$143,637	\$153,257	\$163,300
From new construction building materials (use tax)	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
From local construction employment	\$2,810	\$2,810	\$2,810	\$2,810	\$2,810	\$2,810	\$3,372	\$3,372	\$3,372	\$3,372
From operations & maintenance expenditures	\$6,309	\$6,814	\$7,359	\$7,948	\$8,584	\$9,271	\$10,012	\$10,813	\$11,678	\$12,612
From Charis/AWM employee expenditures	\$23,721	\$33,706	\$36,402	\$39,315	\$38,214	\$41,271	\$44,573	\$48,138	\$51,990	\$56,149
From student expenditures	\$15,649	\$17,412	\$18,573	\$20,061	\$22,105	\$23,936	\$25,551	\$26,854	\$28,045	\$29,022
From event attendee expenditures	\$27,595	\$36,760	\$39,235	\$41,881	\$44,714	\$47,746	\$50,990	\$54,460	\$58,173	\$62,146

*All dollar figures in this analysis are in 2021 dollars

ATTACHMENTS – SUMMARY OF PROJECTED CONSTRUCTION EXPENDITURE IMPACTS

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Projected construction expenditures	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$10,000,000	\$12,000,000	\$12,000,000	\$12,000,000	\$12,000,000
Total earnings per \$ of sales to final demand	0.4257	0.4257	0.4257	0.4257	0.4257	0.4257	0.4257	0.4257	0.4257	0.4257
Total earnings impact	\$4,257,000	\$4,257,000	\$4,257,000	\$4,257,000	\$4,257,000	\$4,257,000	\$5,108,400	\$5,108,400	\$5,108,400	\$5,108,400
Percent local employment	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20	0.20
Local earnings	\$851,400	\$851,400	\$851,400	\$851,400	\$851,400	\$851,400	\$1,021,680	\$1,021,680	\$1,021,680	\$1,021,680
Percent spent on taxable goods	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33
Amount spent on taxable consumption	\$280,962	\$280,962	\$280,962	\$280,962	\$280,962	\$280,962	\$337,154	\$337,154	\$337,154	\$337,154
Woodland Park sales tax rate	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409
Teller County sales tax rate	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Woodland Park sales tax collections	\$11,491	\$11,491	\$11,491	\$11,491	\$11,491	\$11,491	\$13,790	\$13,790	\$13,790	\$13,790
Teller County sales tax collections	\$2,810	\$2,810	\$2,810	\$2,810	\$2,810	\$2,810	\$3,372	\$3,372	\$3,372	\$3,372
Amount of taxable new construction expenditures	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Portion of construction expenditures for taxable building materials	0.50	0.00	0.50	0.00	0.50	0.00	0.50	0.00	0.50	0.00
Woodland Park city use tax rate	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Teller County use tax rate	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Woodland Park use tax collections	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Teller County use tax collections	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total employment per \$ million of sales to final demand	12.941	12.941	12.941	12.941	12.941	12.941	12.941	12.941	12.941	12.941
Total employment impact	129	129	129	129	129	129	155	155	155	155
Total local employment	26	26	26	26	26	26	31	31	31	31

*All dollar figures in this analysis are in 2021 dollars

ATTACHMENTS – SUMMARY OF PROJECTED O&M EXPENDITURE IMPACTS

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Total operations and maintenance expenditures	\$9,984,000	\$10,782,720	\$11,645,338	\$12,576,965	\$13,583,122	\$14,669,772	\$15,843,353	\$17,110,821	\$18,479,687	\$19,958,062
Total earnings per \$ of sales to final demand	0.383	0.383	0.383	0.383	0.383	0.383	0.383	0.383	0.383	0.383
Total earnings impact	\$3,823,872	\$4,129,782	\$4,460,164	\$4,816,977	\$5,202,336	\$5,618,522	\$6,068,004	\$6,553,445	\$7,077,720	\$7,643,938
Portion local	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Total local earnings	\$1,911,936	\$2,064,891	\$2,230,082	\$2,408,489	\$2,601,168	\$2,809,261	\$3,034,002	\$3,276,722	\$3,538,860	\$3,821,969
Percent spent of taxable consumption from expenditures	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33
Amount spent on taxable consumption	\$630,939	\$681,414	\$735,927	\$794,801	\$858,385	\$927,056	\$1,001,221	\$1,081,318	\$1,167,824	\$1,261,250
Woodland Park city sales tax rate	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409
Teller County sales tax rate	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Woodland Park sales tax collections	\$25,805	\$27,870	\$30,099	\$32,507	\$35,108	\$37,917	\$40,950	\$44,226	\$47,764	\$51,585
Teller County sales tax collections	\$6,309	\$6,814	\$7,359	\$7,948	\$8,584	\$9,271	\$10,012	\$10,813	\$11,678	\$12,612
Total employment per \$ million of sales to final demand	16.559	16.559	16.559	16.559	16.559	16.559	16.559	16.559	16.559	16.559
Total employment impact	165	179	193	208	225	243	262	283	306	330
Total local employment	83	89	96	104	112	121	131	142	153	165

*All dollar figures in this analysis are in 2021 dollars

ATTACHMENTS – SUMMARY OF PROJECTED EMPLOYMENT & PAYROLL IMPACTS

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Total direct payroll	\$22,765,353	\$32,348,160	\$34,936,013	\$37,730,894	\$40,749,365	\$44,009,315	\$47,530,060	\$51,332,464	\$55,439,062	\$59,874,187
Total employment (FTE)	523	708	728	749	770	792	815	838	862	887
Earnings multiplier	1.263	1.263	1.263	1.263	1.263	1.263	1.263	1.263	1.263	1.263
Total earnings impact	\$28,752,641	\$40,855,726	\$44,124,184	\$47,654,119	\$51,466,448	\$55,583,765	\$60,030,466	\$64,832,902	\$70,019,535	\$75,621,098
Portion local	0.5	0.5	0.5	0.5	0.45	0.45	0.45	0.45	0.45	0.45
Total local earnings	\$14,376,320	\$20,427,863	\$22,062,092	\$23,827,060	\$23,159,902	\$25,012,694	\$27,013,710	\$29,174,806	\$31,508,791	\$34,029,494
Percent spent of taxable consumption from expenditures	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33
Amount spent on taxable consumption	\$4,744,186	\$6,741,195	\$7,280,490	\$7,862,930	\$7,642,768	\$8,254,189	\$8,914,524	\$9,627,686	\$10,397,901	\$11,229,733
Portion spent locally	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5	0.5
Local taxable spending	\$2,372,093	\$3,370,597	\$3,640,245	\$3,931,465	\$3,821,384	\$4,127,095	\$4,457,262	\$4,813,843	\$5,198,950	\$5,614,867
Woodland Park city sales tax rate	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409
Teller County sales tax rate	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Woodland Park sales tax collections	\$97,019	\$137,857	\$148,886	\$160,797	\$156,295	\$168,798	\$182,302	\$196,886	\$212,637	\$229,648
Teller County sales tax collections	\$23,721	\$33,706	\$36,402	\$39,315	\$38,214	\$41,271	\$44,573	\$48,138	\$51,990	\$56,149
Total direct employment	523	708	728	749	770	792	815	838	862	887
Employment multiplier	1.2027	1.2027	1.2027	1.2027	1.2027	1.2027	1.2027	1.2027	1.2027	1.2027
Total employment impact	629	852	876	901	926	953	980	1008	1037	1067

*All dollar figures in this analysis are in 2021 dollars

ATTACHMENTS – SUMMARY OF PROJECTED STUDENT EXPENDITURE IMPACTS

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Direct annual expenditures	\$20,222,661	\$23,275,840	\$25,715,310	\$28,803,852	\$32,960,252	\$37,116,652	\$41,273,052	\$45,263,196	\$49,419,596	\$53,575,996
Percent spent locally	0.50	0.48	0.47	0.45	0.43	0.42	0.40	0.38	0.37	0.35
Amount spent locally	\$10,111,330	\$11,249,989	\$12,000,478	\$12,961,733	\$14,282,776	\$15,465,272	\$16,509,221	\$17,350,892	\$18,120,519	\$18,751,599
Employment and Earnings Impacts of Student Expenditures										
Total average employment multiplier: All student expenditures	14.173	14.173	14.173	14.173	14.173	14.173	14.173	14.173	14.173	14.173
Total employment impact from student expenditures	143	159	170	184	202	219	234	246	257	266
Total average earnings multiplier: All student expenditures	0.469	0.469	0.469	0.469	0.469	0.469	0.469	0.469	0.469	0.469
Total earnings impact from student expenditures	\$4,742,214	\$5,276,245	\$5,628,224	\$6,079,053	\$6,698,622	\$7,253,212	\$7,742,825	\$8,137,568	\$8,498,523	\$8,794,500
Portion spent of taxable consumption	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33
Amount spent of taxable consumption	\$1,564,931	\$1,741,161	\$1,857,314	\$2,006,087	\$2,210,545	\$2,393,560	\$2,555,132	\$2,685,398	\$2,804,513	\$2,902,185
Woodland Park city sales tax rate	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409
Teller County sales tax rate	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Woodland Park sales tax collections	\$64,006	\$71,213	\$75,964	\$82,049	\$90,411	\$97,897	\$104,505	\$109,833	\$114,705	\$118,699
Teller County sales tax collections	\$15,649	\$17,412	\$18,573	\$20,061	\$22,105	\$23,936	\$25,551	\$26,854	\$28,045	\$29,022

*All dollar figures in this analysis are in 2021 dollars

ATTACHMENTS – SUMMARY OF PROJECTED EVENTS EXPENDITURE IMPACTS

	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Lodging, restaurant, recreation, and retail expenditures	\$2,406,777	\$3,206,100	\$3,421,994	\$3,652,808	\$3,899,913	\$4,164,375	\$4,447,259	\$4,749,937	\$5,073,777	\$5,420,303
Avg direct employment multiplier of Lodging, etc	11.245	11.245	11.245	11.245	11.245	11.245	11.245	11.245	11.245	11.245
Direct employment impact	27	36	38	41	44	47	50	53	57	61
Total avg employment multiplier of Lodging, etc	12.953	12.953	12.953	12.953	12.953	12.953	12.953	12.953	12.953	12.953
Total employment impact	31	42	44	47	51	54	58	62	66	70
Direct avg earnings multiplier of Lodging, etc	0.372	0.372	0.372	0.372	0.372	0.372	0.372	0.372	0.372	0.372
Direct earnings impact	\$895,321	\$1,192,669	\$1,272,982	\$1,358,845	\$1,450,768	\$1,549,147	\$1,654,380	\$1,766,976	\$1,887,445	\$2,016,353
Total avg earnings multiplier of Lodging, etc	0.447	0.447	0.447	0.447	0.447	0.447	0.447	0.447	0.447	0.447
Total earnings impact	\$1,075,829	\$1,433,127	\$1,529,631	\$1,632,805	\$1,743,261	\$1,861,476	\$1,987,925	\$2,123,222	\$2,267,978	\$2,422,875
Percent of earnings spent on taxable items	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33	0.33
Woodland Park city sales tax rate	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409
Teller County sales tax rate	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Woodland Park sales tax collections	\$14,520	\$19,343	\$20,645	\$22,038	\$23,529	\$25,124	\$26,831	\$28,657	\$30,611	\$32,702
Teller County sales tax collections	\$3,550	\$4,729	\$5,048	\$5,388	\$5,753	\$6,143	\$6,560	\$7,007	\$7,484	\$7,995
Tax impacts of attendee retail and restaurant expenditures	\$2,281,500	\$3,080,025	\$3,295,703	\$3,526,286	\$3,773,145	\$4,037,342	\$4,319,944	\$4,622,319	\$4,945,836	\$5,292,015
Woodland Park city sales tax rate	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409	0.0409
Teller County sales tax rate	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Woodland Park sales tax collections	\$93,313	\$125,973	\$134,794	\$144,225	\$154,322	\$165,127	\$176,686	\$189,053	\$202,285	\$216,443
Teller County sales tax collections	\$22,815	\$30,800	\$32,957	\$35,263	\$37,731	\$40,373	\$43,199	\$46,223	\$49,458	\$52,920
Tax impacts of lodging expenditures (current lodging capacity)	\$122,995	\$122,995	\$122,995	\$122,995	\$122,995	\$122,995	\$122,995	\$122,995	\$122,995	\$122,995
Woodland Park city sales and lodging tax rate (combined)	0.0979	0.0979	0.0979	0.0979	0.0979	0.0979	0.0979	0.0979	0.0979	0.0979
Teller County sales tax rate	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01	0.01
Woodland Park sales tax collections	\$12,041	\$12,041	\$12,041	\$12,041	\$12,041	\$12,041	\$12,041	\$12,041	\$12,041	\$12,041
Teller County sales tax collections	\$1,230	\$1,230	\$1,230	\$1,230	\$1,230	\$1,230	\$1,230	\$1,230	\$1,230	\$1,230

*All dollar figures in this analysis are in 2021 dollars

LEGAL DESCRIPTION

L1 THE SANCTUARY CONTAINING APPROXIMATELY 146.871 ACRES MORE OR LESS

SITE DATA

TAX ID NUMBER: 6029.261010010
TOTAL AREA: 146.871 ACRES
DEVELOPMENT SCHEDULE: 2022
ZONING: 2022
BUILDING COVERAGE: 230,365 S.F. (15.6%)
THE SANCTUARY
GATE HOUSE 400 S.F.
PAVILION/AMPHITHEATER 18,550 S.F.
CABIN (FACILITY MANAGER) 650 S.F.
MAINTENANCE BUILDING 3,800 S.F.
BUNK HOUSES (450 S.F. EA.) 1,800 S.F.
STUDENT HOUSING 46,980 S.F.
ADMINISTRATIVE BUILDING 28,000 S.F.
OPEN SPACE: 3.5 ACRES
EXISTING PONDS 19.5 ACRES
FLOODPLAIN 19.5 ACRES
SETBACKS AND SETBACKS 107,760 S.F.
OTHER TRACTS 54 ACRES
TOTAL UNDISTURBED AREA: 117 ACRES

AMENDMENT HISTORY

Name	Date	Description
The Sanctuary PUD	2012	Original PUD Approval
The Sanctuary PUD Amendment 1	2014	Amendment 1 Approval
The Sanctuary PUD Amendment 2	Current	Modified Student Housing Site Plan

GENERAL NOTES

- THIS PUD/PBD FINAL PLAN ILLUSTRATES PROPOSED LAND USES AND SITE DATA.
- THE MINIMUM BUILDING SETBACKS ARE: 25 FT AROUND OUTER BOUNDARY PROPERTY LINES WITH EXCEPTION OF 100 FT. BUFFER SETBACK (NO BUILD AREA) ADJACENT TO WESTWOOD LAKES SUBDIVISION.
- THE PORTION OF THE PROPERTY INCLUDES ZONE "A", AREAS DETERMINED TO BE INSIDE THE 100-YEAR FLOODPLAIN, PER FLOOD INSURANCE RATE MAP NO. 08130020D, EFFECTIVE DATE SEPTEMBER 25, 2009.
- HANDICAPPED PARKING SHALL MEET CITY OF WOODLAND PARK STANDARDS AND REGULATIONS AND ALL OTHER APPLICABLE CITY AND ADA CODE REQUIREMENTS.
- NON-MOTORIZED TRAIL ACCESS WILL BE PROVIDED FROM THE MAIN ENTRANCE OFF TROUT CREEK ROAD TO THE EXISTING NON-MOTORIZED TRAIL CONNECTION POINT AT HIGHWAY 24/TROUT CREEK ROAD. PRIVATE PEDESTRIAN INTER CONNECTIVITY WILL BE PROVIDED BETWEEN THE BUILDING SITES AND PARKING AREAS (SIDEWALKS AND PEDESTRIAN RAMPS WILL BE SHOWN ON FINAL CONSTRUCTION DOCUMENTS FOR THE PROPOSED BUILDING SITES).
- FULL CUTOFF SHIELDING SHALL BE PROVIDED ON ALL LIGHT FIXTURES TO REDUCE OFF-SITE LIGHT IMPACTS.
- ARCHITECTURAL CONCEPT, ARCHITECTURAL STYLE OR DESIGNS ARE SUBMITTED WITH THIS FINAL PLAN.
- USES ALLOWED BY PUD/PBD ZONE DISTRICT:
 - SPECIAL EVENTS THAT MAY REQUIRE A SPECIAL EVENT PERMIT IN ACCORDANCE WITH CHAPTER 18.62
 - OUTDOOR VENDOR OPERATIONS THAT MAY REQUIRE A VENDOR PERMIT IN ACCORDANCE WITH CHAPTER 18.62
 - MAINTENANCE SHOP FOR THE CAMPUS, EXCLUDING OUTSIDE STORAGE OF DAMAGED OR JUNK MOTOR VEHICLES AND/OR VEHICLE PARTS
 - GARAGE, PRIVATE RESIDENTIAL
 - COMMUNICATIONS TO INCLUDE TELEPHONE BUSINESS OFFICE
 - PRIVATE LODGING, INCLUDING STUDENT HOUSING, LISTED UNDER PUD ZONING USE.
 - PARKING LOTS (PRIVATE OFF-STREET)
 - SCHOOLS, UNIVERSITIES, COLLEGES, AND OTHER INSTITUTIONS OF AN EDUCATIONAL NATURE INCLUDING CLASSROOMS, AUDITORIUMS, BANQUET HALL EVENTS, RECORDING/EDITING STUDIOS AND WORSHIP
 - OUTDOOR/INDOOR AMPHITHEATER
- OPEN SPACES OF THE SITE, INCLUDING THE EXISTING PONDS AND FLOODPLAIN AREAS WILL REMAIN UNDISTURBED IN ORDER TO LEAVE THEM AS NATURAL AS POSSIBLE WITH THE EXCEPTION OF CONSTRUCTION OF THE MAIN ENTRANCE FOR THE SANCTUARY OFF TROUT CREEK ROAD.
- THE SITE WILL HAVE ONE PROPERTY OWNERSHIP FOR ALL ANTICIPATED USES UNDER ANDREW WOMMACK MINISTRIES, INC. AND/OR AFFILIATED ENTITIES. THEREFORE, NO OTHER FORM OF HOMEOWNERS ASSOCIATION IS INTENDED.
- ALL TRACTS SHOWN TO BE USED AS OPEN SPACE OR BUFFERS ARE TO BE MAINTAINED BY ANDREW WOMMACK MINISTRIES, INC. AND/OR AFFILIATED ENTITIES.
- ALL PRIVATE STREETS ARE OWNED AND MAINTAINED BY THE ANDREW WOMMACK MINISTRIES, INC. AND/OR AFFILIATE ENTITIES.
- ONE EXISTING MONUMENT SIGN SHALL REMAIN IN PLACE, AND ANY FUTURE SIGNS SHALL MEET CITY CODE REQUIREMENTS.
- PRIVATE DIRECTIONAL SIGNS SHALL BE ALLOWED IN THE PROJECT AS AN OPTION OF THE OWNER.
- ALL ACTIVITIES AND USES SHALL BE AUTHORIZED AND BE OPERATED TO MEET THE PERFORMANCE STANDARDS SET FORTH IN CHAPTER 18.33, USED REGULATIONS - PERFORMANCE STANDARDS, OF THE CITY OF WOODLAND PARK MUNICIPAL CODE, ZONING REGULATION.

LAND USE

Land Use	Max. Bldg Height	Max SQ. FT.	Provided SQ. FT.	Max Units/Density	Provided Units/Density
The Sanctuary	54 FT from mean grade	217,000 SF	217,000 SF	-	-
Auditorium	-	-	-	3,185 Seats	3,185 Seats
Community College	-	-	-	3,000 Students	1,400 Students
Student Housing	45FT (3 story)	8,000 SF per story	7,380 SF per story	500 bedrooms or 300 units	66 Units (242 bedrooms)
Gate House	25 FT	400 SF	400 SF	-	-
Pavilion Center	35 FT	8,550 SF	8,550 SF	-	-
Amphitheater	25 FT	10,500 SF	10,500 SF	-	-
Parking Garage	54 FT	340,708 SF	340,708 SF	-	-
Administrative Building (Future)	60 FT	60,000 SF	-	-	-
Lodge	30 FT	10,500 SF	10,500 SF	-	-
Cabin	30 FT	650 SF	650 SF	-	-
Maintenance Building	25 FT	3,800 SF	3,800 SF	-	-
Bunk Houses Historic	-	1,800 SF (4-bldg)	1,800 SF	-	-
Not for Occupation	-	-	-	-	-

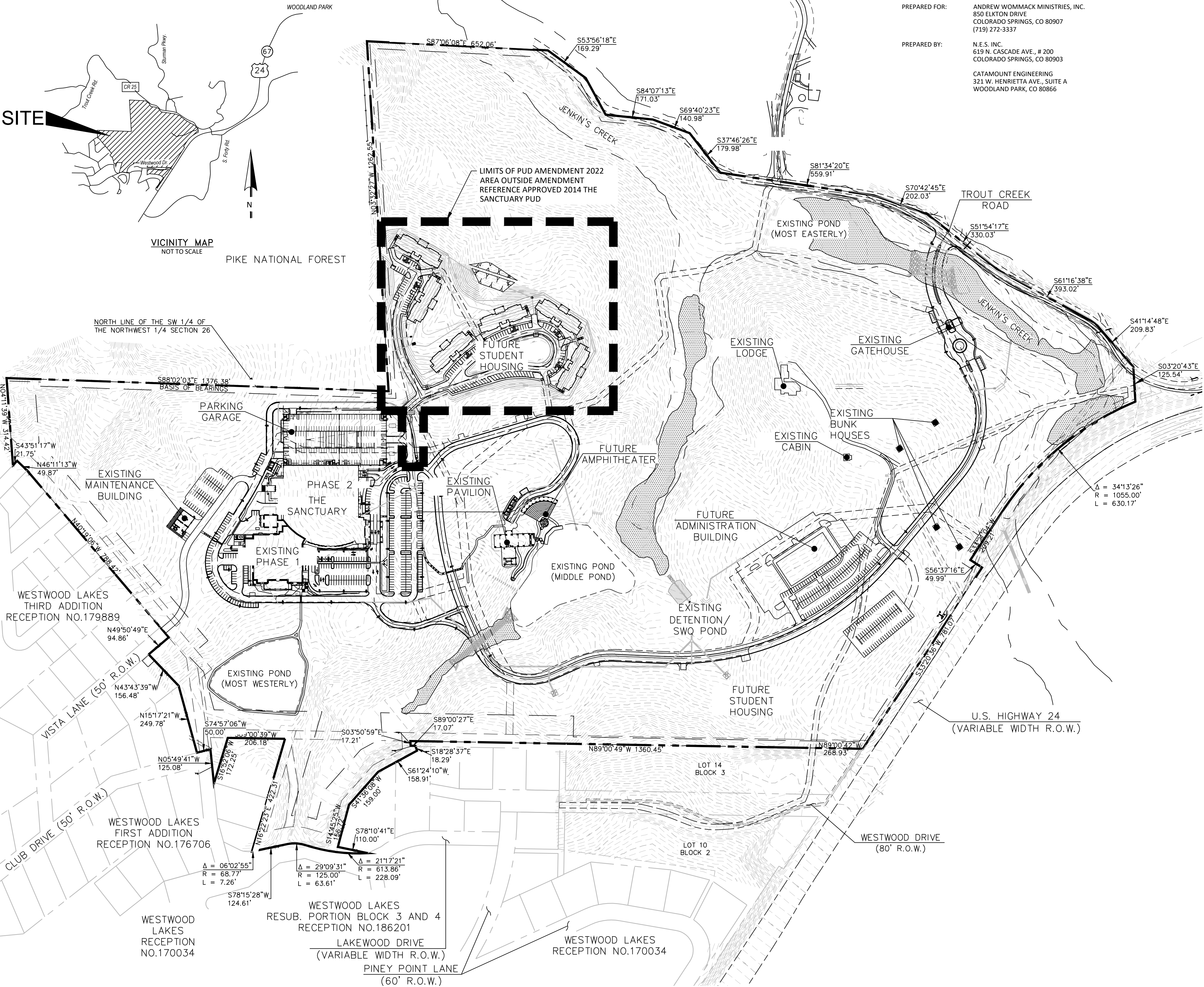
PARKING

Land Use	Provided Units/Density	Parking Formula	Req.	Prov.	Notes/Exceptions
The Sanctuary					
Auditorium	3,185 Seats	1 stall / 3 seats	1062	See notes	special event use when college not in use, utilizes "The Sanctuary" parking with 6 HC stalls provided at the "Pavillion"
Community College	3000 Students	1 stall/5 students	600	327	837 Current 2021 enrollment. Requirement accounts for future max capacity.
Student Housing	66 Units (242 bedrooms)	1.5 Stalls/Unit	99	101	5 visitor stalls provided and 5 employee stalls provided
Gate House	-	N/A	0	10	special event use when college not in use, utilizes "The Sanctuary" parking with 6 HC stalls provided at the "Pavillion"
Pavilion Center	-	N/A	0	6	special event use when college not in use, utilizes "The Sanctuary" parking with 6 HC stalls provided at the "Amphitheater"
Amphitheater	-	N/A	0	6	
Parking Garage	-	N/A	0	1,083	
Administrative Building (Future)	-	1/200 SF			
Lodge	-	6 Existing	6	6	
Cabin	-	2 Existing	2	2	
Maintenance Building	-	3 Existing	3	3	Parking in front of building.
Bunk Houses Historic	-	-	-	-	buildings are historical in nature and not for occupation
Not for Occupation	-	-	-	-	
Total w/ Community College			710	1,544	See Note 2
Total w/ Auditorium			1172	1544	See Note 2

NOTES:

- Parking Requirements based on approved 2014 PUD
- Required parking shown to reflect both special events parking and college parking because two uses are not intended to occur simultaneously

THE SANCTUARY
WOODLAND PARK, COLORADO
PUD AMENDMENT



OVERALL PUD SITE PLAN

CITY OF WOODLAND PARK - APPROVAL BLOCK AMENDMENT TO THE PLANNED UNIT DEVELOPMENT/PLANNED BUSINESS DEVELOPMENT (PUD/PBD)

I HEREBY CERTIFY THAT I AM THE OWNER OF THIS PROPERTY AND THAT I SHALL ABIDE BY THE PROVISIONS AS SPECIFIED UPON THIS SITE PLAN, AS PRESENTED, AND ANY CONDITIONS AND REQUIREMENTS THAT ARE SPECIFIED BY THE CITY OF WOODLAND PARK IN RENDERING ITS APPROVAL.

DATE: _____ OWNER: _____

I HEREBY CERTIFY THAT I AM THE CITY PLANNER FOR THE CITY OF WOODLAND PARK, COLORADO, AND THAT I ATTEST THAT THIS SITE PLAN WAS APPROVED, SUBJECT TO CONDITIONS, AS CONTAINED HEREIN, CITY OF WOODLAND PARK, PLANNING DEPARTMENT, BY THE CITY OF WOODLAND PARK PLANNING COMMISSION ON _____, 20____, AFTER A PROPERLY CONDUCTED PUBLIC HEARING BY THE CITY COUNCIL HELD ON _____, 20____.

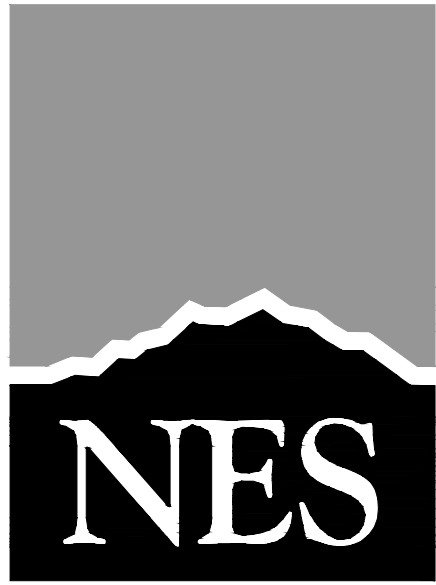
DATE: _____ CITY PLANNER, CITY OF WOODLAND PARK: _____

PROJECT TEAM

PREPARED FOR: ANDREW WOMMACK MINISTRIES, INC.
850 ELKTON DRIVE
COLORADO SPRINGS, CO 80907
(719) 272-3337

PREPARED BY: N.E.S. INC.
619 N. CASCADE AVE., # 200
COLORADO SPRINGS, CO 80903

CATAMOUNT ENGINEERING
321 W. HENRIETTA AVE., SUITE A
WOODLAND PARK, CO 80866



N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Tel. 719.471.0073
Fax 719.471.0267

www.nescolorado.com

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CHARIS
STUDENT
HOUSING
SOUTH CAMPUS

5849 TROUT CREEK RD,
WOODLAND PARK, CO 80863

DATE: 03.22.2022
PROJECT MGR: J. ROMERO
PREPARED BY: B. ITEN

ENTITLEMENT

DATE: BY: DESCRIPTION:

COVER SHEET

1

1 OF 13

THE SANCTUARY PUD AMENDMENT
WOODLAND PARK, COLORADO
SITE PLAN



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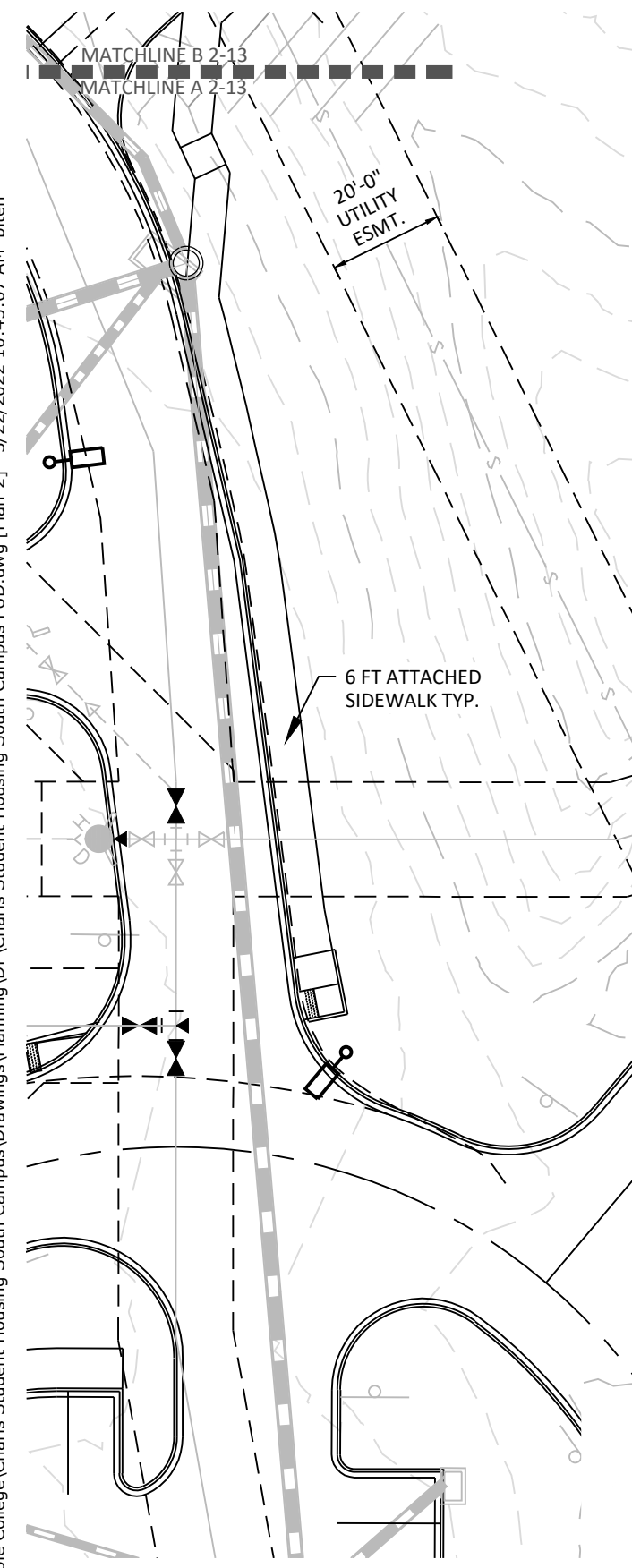
ENTITLEMENT

DATE: BY: DESCRIPTION:

2022 AMENDMENT SITE
PLAN

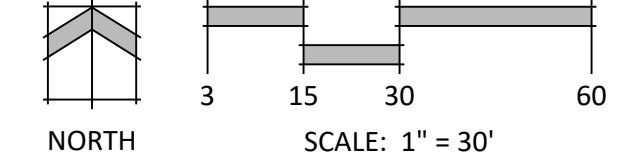
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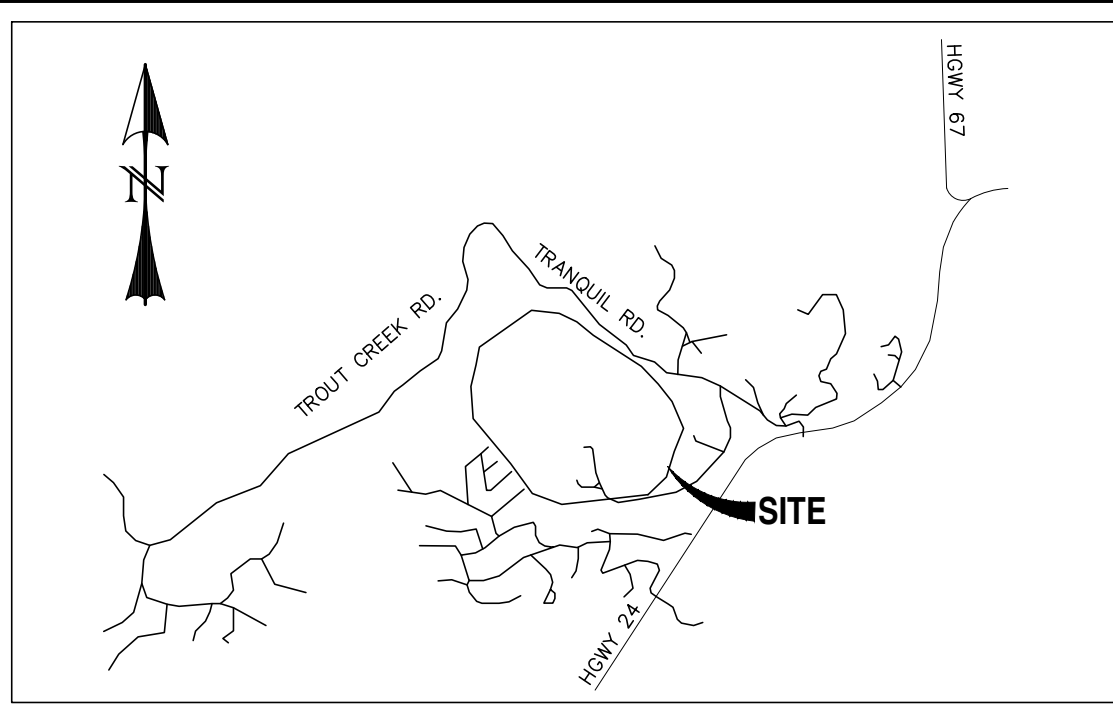
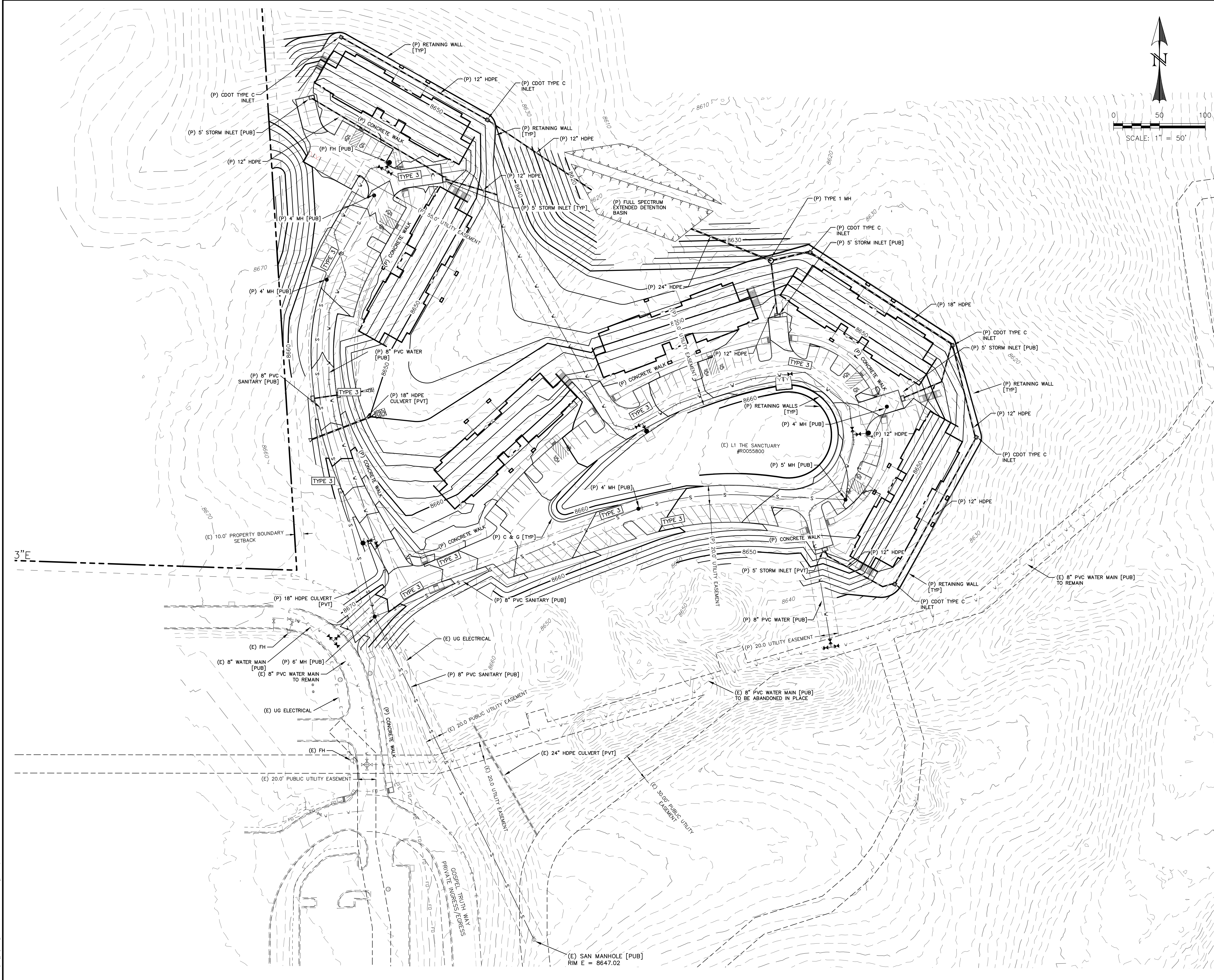
2 OF 13



A SOUTHERN CAMPUS CONNECTION

B STUDENT HOUSING SITE PLAN





VICINITY MAP
SCALE: N.T.S.

PLAN NOTES:

1. TOTAL SITE AREA = ##### SF
EXISTING IMPERVIOUS AREA = ##### SF
PROPOSED IMPERVIOUS AREA = ##### SF

BENCH MARK:

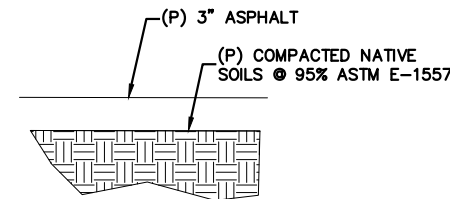
ALL ELEVATIONS ARE BASED UPON
NGS DESIGNATION B 174, NAVD88
VERTICAL DATUM.

LEGAL DESCRIPTION:

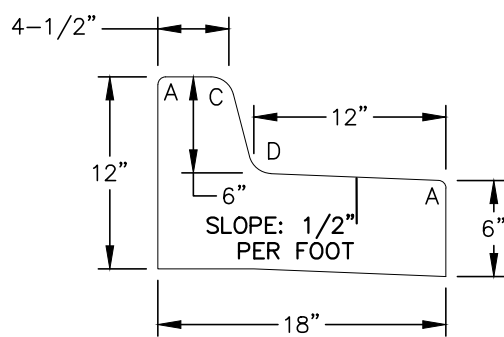
L1 THE SANCTUARY

AGENCY CONTACTS:

OWNER: ANDREW WOMACK MINISTRIES, INC.
ENGINEER: CATAMOUNT ENGINEERING
321 W. HENRIETTA AVE SUITE A
WOODLAND PARK, CO 80866
DAVID L. MUALES, PE (719) 337-8351
WATER/SEWER: CITY OF WOODLAND PARK
UTILITY DEPARTMENT
220 W. SOUTH AVENUE
WOODLAND PARK, CO 80866
KIP WILEY (719) 687-5208
ELECTRIC: IREA/CORE
DAVID COKER
(720) 733-5486
GAS: BLACK HILLS ENERGY
(719) 546-5812
BAJA BROADBAND
WILLIAM TRUJILLO
William.Trujillo@dstelecom.com
TELEPHONE: CENTURY LINK
BILL GATTI
(719) 502-1019



TYPICAL PAVEMENT SECTION
N.T.S.



TYPE 3
MEDIAN CURB & GUTTER
SCALE: N.T.S.

(I, WE) HEREBY CERTIFY THAT (I, AM, WE, ARE) THE OWNER/S
OF THIS PROPERTY AND THAT (I, WE) SHALL ABIDE BY THE
PROVISIONS AS SPECIFIED UPON THIS SITE PLAN, AS
PRESENTED, AND ANY CONDITIONS AND REQUIREMENTS THAT
ARE SPECIFIED BY THE CITY OF WOODLAND PARK IN RENDERING
ITS APPROVAL.

DATE _____ OWNER(S) _____

I HEREBY CERTIFY THAT I AM THE CITY PLANNER FOR THE CITY
OF WOODLAND PARK, COLORADO, AND THAT I ATTEST THAT
THIS SITE PLAN WAS APPROVED AFTER A PROPERLY CONDUCTED
ADMINISTRATIVE REVIEW, SUBJECT TO CONDITIONS, AS
CONTAINED HEREIN.

DATE _____ CITY PLANNER
CITY OF WOODLAND PARK

APPROVAL CONDITIONS & RESTRICTIONS

EXISTING (E)
PROPOSED (P)
BOUNDARY
RIGHT-OF-WAY
(E) CONTOUR, INDEX
(E) CONTOUR
(P) CONTOUR, INDEX
(P) CONTOUR
PARKING SPACE COUNT

REV.	DESCRIPTION	DATE

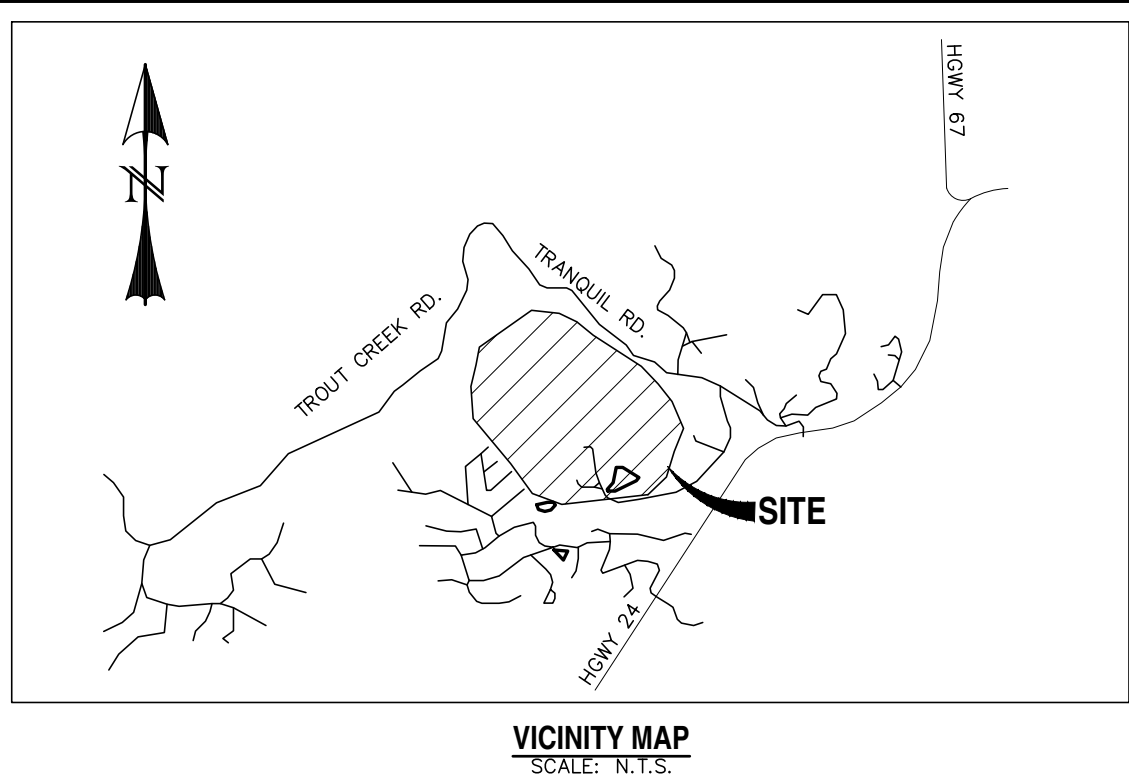
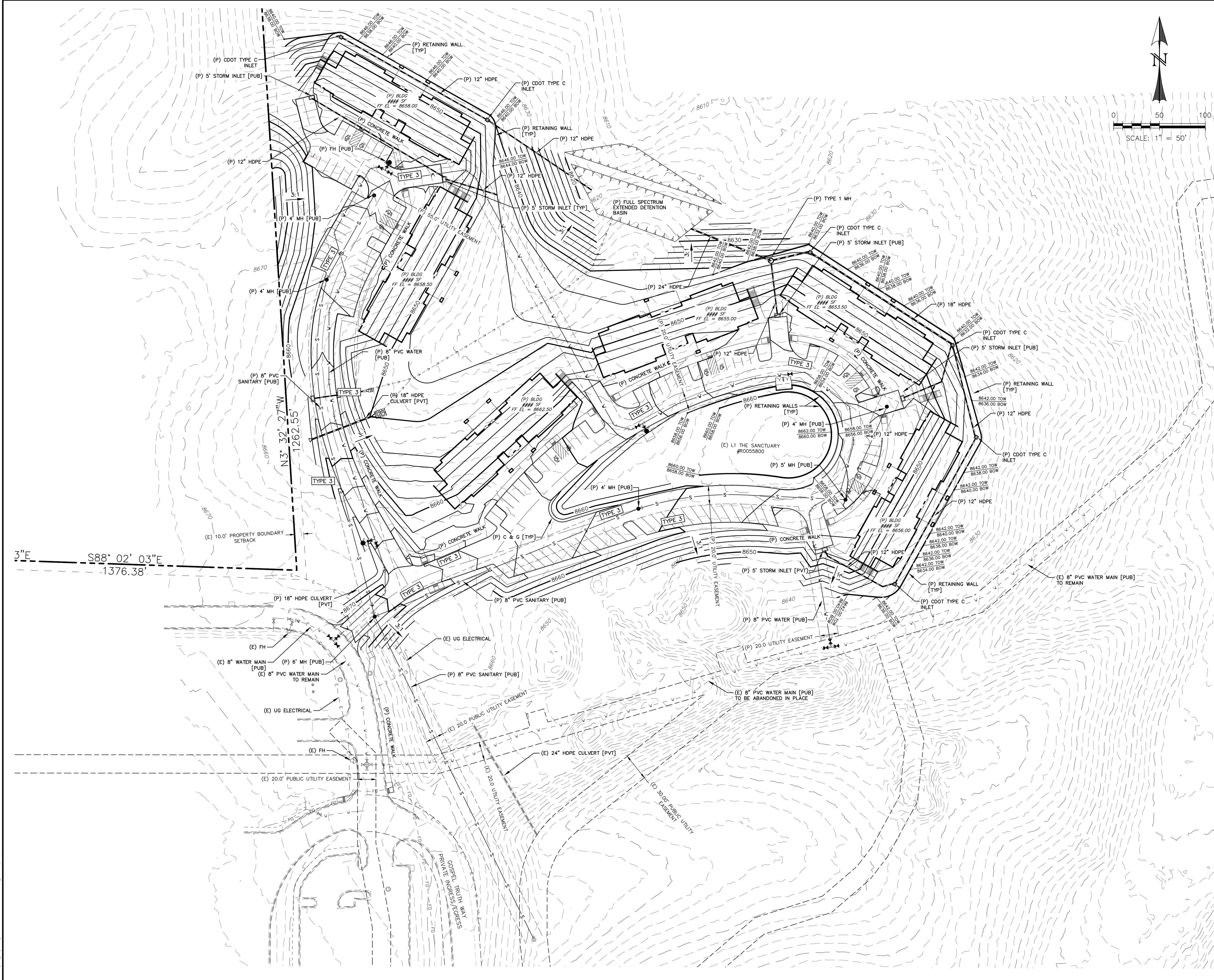


PREPARED FOR:
ANDREW WOMACK MINISTRIES, INC.
850 ELKTON DRIVE
COLORADO SPRINGS, CO 80907



CBC - STUDENT HOUSING SOUTH
PRELIMINARY UTILITY &
PUBLIC FACILITIES PLAN

DESIGNED BY: DLM	DRAWN BY: SLP
SCALE: 1"=50'	DATE: 02/21/22
JOB NUMBER	SHEET
21-334	3 OF 13



PLAN NOTES:

1. TOTAL SITE AREA = ##### SF
EXISTING IMPERVIOUS AREA = ##### SF
PROPOSED IMPERVIOUS AREA = ##### SF

BENCH MARK:

ALL ELEVATIONS ARE BASED UPON
NGS DESIGNATION B 174, NAVD88
VERTICAL DATUM.

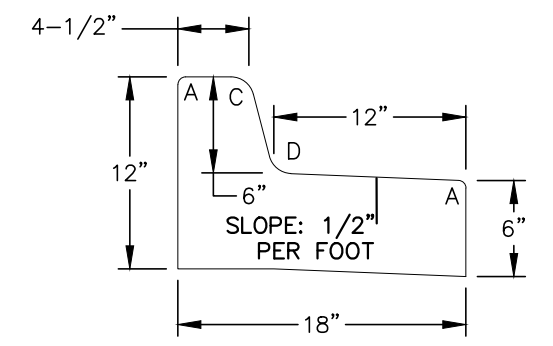
LEGAL DESCRIPTION:

L1 THE SANCTUARY

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WILLIAM TRUJILLO
William.Trujillo@dstelecom.com
TELEPHONE: CENTURY LINK
BILL GATTI
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TYPICAL PAVEMENT SECTION
N.T.S.



TYPE 3
MEDIAN CURB & GUTTER
SCALE: N.T.S.

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DATE _____ CITY PLANNER
CITY OF WOODLAND PARK

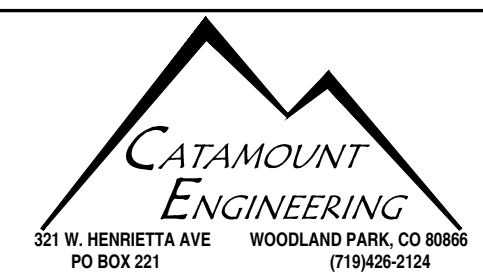
APPROVAL CONDITIONS & RESTRICTIONS

- EXISTING (E)
PROPOSED (P)
BOUNDARY
RIGHT-OF-WAY
(E) CONTOUR, INDEX
(E) CONTOUR
(P) CONTOUR, INDEX
(P) CONTOUR
PARKING SPACE COUNT

REV.	DESCRIPTION	DATE

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Call 72 hours before you dig.
For more details visit:
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PREPARED FOR:
ANDREW WOMACK MINISTRIES, INC.
850 ELKTON DRIVE
COLORADO SPRINGS, CO 80907



CBC - STUDENT HOUSING SOUTH

PRELIMINARY GRADING PLAN

DESIGNED BY: DLM	DRAWN BY: SLP
SCALE: 1"=50'	DATE: 02/21/22
JOB NUMBER	SHEET
21-334	4 OF 13

THE SANCTUARY PUD AMENDMENT

WOODLAND PARK, COLORADO

SITE PLAN

LANDSCAPE NOTES

- SOIL AMENDMENT - INCORPORATE 3 CUBIC YARDS/1000 SF AREA OF "PREMIUM 3 ORGANIC COMPOST", OR APPROVED EQUAL, ON BLUEGRASS TURF AREAS. INCORPORATE 2 CUBIC YARDS/1000 SF AREA OF ORGANIC COMPOST (DECOMPOSED MANURE) TO ALL NATIVE SEED AREAS. TILL INTO TOP 8" OF SOIL. FOR PLANTING PIT AMENDMENTS, SEE LANDSCAPE DETAILS.
RECOMMENDED SOIL AMENDMENT FOR PLANTING PITS:
TRI-MIX III as supplied by C&C Sand
-To be applied as backfill in planting pits
- CONTRACTOR TO UTILIZE STOCKPILED TOPSOIL FROM GRADING OPERATION AS AVAIL. TILL INTO TOP 8" OF SOIL.
- FOR GRADING PLAN, REFER TO CIVIL ENGINEER'S DRAWINGS.
- FOR STANDARD LIGHTING AND LOCATIONS, REFER TO PHOTOMETRIC PLAN.
- ALL PRESERVATION AREAS CONTAINING VEGETATION DESIGNATED TO BE PRESERVED, SHALL BE FENCED OFF DURING CONSTRUCTION TO MINIMIZE DISTURBANCE IN THESE AREAS. ALL FENCING SHALL BE INSTALLED AROUND PRESERVED VEGETATION PRIOR TO ANY GRADING ON THE PROPERTY. A 4-FOOT ORANGE CONSTRUCTION SAFETY FENCE SHOULD BE USED IN THIS APPLICATION. SUBMIT PRODUCT INFO TO L.A. FOR APPROVAL PRIOR TO INSTALLATION.
- A FULLY AUTOMATED SPRINKLER IRRIGATION SYSTEM WILL DRIP IRRIGATE ALL TREE, SHRUB, AND GROUND COVER PLANTING AREAS AND SPRAY ANY TURF. IRRIGATION PLAN WILL INCLUDE AN IRRIGATION SCHEDULE THAT NOTES APPLICATION RATES BASED ON TURF TYPE, AND NOTES RATES FOR NEWLY PLANTED PLANTS VS. ESTABLISHED PLANTS AND GENERAL RECOMMENDATIONS REGARDING SEASONAL ADJUSTMENTS (SPRING AND FALL).
- A 3' CLEAR SPACE SHALL BE MAINTAINED AROUND THE CIRCUMFERENCE OF FIRE HYDRANTS. ALL FIRE HYDRANTS WILL NOT BE OBSTRUCTED VISUALLY OR PHYSICALLY DUE TO VEGETATION.
- ALL FIRE DEPARTMENT CONNECTIONS (FDC) SHALL NOT BE VISUALLY OR PHYSICALLY OBSTRUCTED BY LANDSCAPING.
- NATIVE SEED AREAS TO USE SEED MIX SPECIFIED. ALL SEED AREAS SHALL BE IRRIGATED UNTIL ESTABLISHMENT. SUBMIT SEED MIX PRODUCT INFORMATION TO L.A. FOR APPROVAL PRIOR TO INSTALLATION.
- EROSION CONTROL BLANKET TO BE APPLIED ON ALL SEED AREAS WITH GREATER THAN 3:1 SLOPES.
- ALL PLANTS AND TREES NOT INSTALLED IN PLANTING BEDS TO RECEIVE 3 INCH DEPTH WOOD MULCH RING UNLESS OTHERWISE SPECIFIED. MULCH RINGS TO BE SIZED PER PLANTING DETAILS.
- ALL SOD/TURF, ROCK, & SHRUB BEDS TO BE SEPARATED BY SOLID STEEL EDGING. ALL SHRUB BEDS TO BE ENCLOSED BY STEEL EDGING. SEPARATION BETWEEN SOD AND NATIVE SEED, AND BETWEEN ALTERNATIVE TURF AND NATIVE SEED SHALL BE A MOWED STRIP, WITHOUT STEEL EDGING. USE SOLID STEEL EDGING EXCEPT WHERE NOTED ON THE PLANS.
- ALL TREES TO BE STAKED WITH WOOD STAKES. FOR 3" CAL. DECIDUOUS TREES AND EVERGREEN TREES OVER 8' USE 3 WOOD STAKES (STAKE TO GROUND LEVEL). SUBMIT STAKING MATERIALS PRODUCT INFO TO L.A. FOR APPROVAL PRIOR TO INSTALLATION.
- ALL TREES TO BE STAKED FOR A MINIMUM OF 18 MONTHS. REMOVE STAKING MATERIALS ONCE TREE IS ESTABLISHED, WHICH MAY DEPEND ON TREE SPECIES, MATURITY AND SITE CONDITIONS.
- ROCK MULCH: 3/4" DIAMETER ANGULAR COMANCHE TAN, 4-8" GREY ROSE COBBLE, AND 2-4" GREY ROSE COBBLE. INSTALL GEOTEXTILE FABRIC UNDER ALL ROCK AREAS.
- ALL LANDSCAPE BOULDERS SHOWN ON PLAN ARE TO BE 2-3 CUBIC FEET MINIMUM, SILOAM STONE BULK BOULDERS UNLESS OTHERWISE SPECIFIED.
- ANY FIELD CHANGES OR DEVIATIONS TO THESE PLANS WITHOUT PRIOR CITY APPROVAL OF AN AMENDED DEVELOPMENT PLAN MAY RESULT IN A DELAY OF FINAL APPROVAL AND ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- THESE PLANS ARE FOR CITY APPROVALS ONLY AND ARE NOT TO BE UTILIZED FOR CONSTRUCTION.

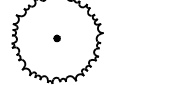
LANDSCAPE REQUIREMENTS

Motor Vehicle Lots

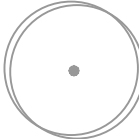
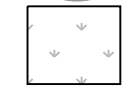
See Code Section/Policy 18.33.180

No. of Vehicles Spaces Provided	Shade Trees (1/10 spaces) Required / Provided	Plant Abbr. on Plan
101	11 / 14	MV

PLANT SCHEDULE

DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE
	Sm	16	Sorbus aucuparia 'Michred' TM / Cardinal Royal Mountain Ash	35'	20'	2.5" Cal.
EVERGREEN TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE
	Pf	12	Picea pungens 'Fat Albert' / Fat Albert Colorado Spruce	15'	10'	6' HT
	Pp	17	Pinus ponderosa / Ponderosa Pine	60'	30'	6' HT
ORNAMENTAL TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE
	As	12	Acer grandidentatum 'Schmidt' TM / Rocky Mountain Glow Maple	25'	15'	1.5" Cal.
	As2	3	Acer negundo 'Sensation' / Sensation Box Elder	30'	25'	1.5" Cal.
DECIDUOUS SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE
	Ap	4	Amelanchier x grandiflora Autumn Brilliance / Autumn Brilliance	25'	20'	5 GAL
	Cf	52	Cornus stolonifera 'Farrow' TM / Arctic Fire Red Twig Dogwood	4'	4'	5 GAL
	Cf2	22	Cornus stolonifera 'Flaviramea' / Yellow Twig Dogwood	6'	6'	5 GAL
	Pm	23	Potentilla fruticosa 'McKay's White' / McKay's White Bush Cinquefoil	3'	3'	5 GAL
	Pp2	15	Prunus besseyi 'P011S' TM / Pawnee Buttes Sand Cherry	1.5'	5'	5 GAL
	Rg	8	Ribes aureum / Golden Currant	7'	6'	5 GAL
	Ri	7	Ribes inerme / Whitestem Gooseberry	10'	10'	5 GAL
	Se	7	Salix exigua / Coyote Willow	12'	12'	5 GAL
	Sm2	24	Symphoricarpos oreophilus / Mountain Snowberry	5'	6'	5 GAL
PERENNIALS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE
	Am	85	Achillea millefolium / Common Yarrow	3'	3'	1 GAL
	Af	34	Anthemis marschalliana / Filligree Daisy	1'	2'	1 GAL
	Ad	40	Aquilegia chrysantha 'Denver Gold' / Denver Gold Columbine	3'	2'	1 GAL
	Ax	36	Aquilegia x 'Swan Violet & White' TM / Remembrance Swan Violet & White Columbine	3'	2'	1 GAL
	Dj	226	Delosperma x 'John Proffitt' / Table Mountain Ice Plant	0.5'	2'	1 GAL
	Pm2	278	Penstemon mensarum / Grand Mesa Beardtongue	3'	2'	1 GAL
	Rh	170	Rudbeckia hirta / Black-eyed Susan	2'	3.5'	1 GAL

PLANT SCHEDULE

	<u>EXISTING TREES TO REMAIN</u>
	<u>UPLAND GRASS MIX</u> Sheep Fescue Canby Bluegrass Thickspike Wheatgrass Blue Grama Switchgrass Side-Oats Grama
	<u>ROCK MULCH - 2-4"</u> Grey Rose
	<u>BREEZE PATHWAY</u>
	<u>ROCK MULCH - 3/4"</u> 3/4" Comanche Tan
	<u>DRY CREEK BED</u> 4-8" GREY ROSE COBBLE
	<u>DECORATIVE BOULDERS</u> Siloam Stone Bulk Boulders



N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Tel. 719.471.0073
Fax 719.471.0267

www.nescolorado.com

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PLANNER / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH

CHARIS STUDENT HOUSING SOUTH CAMPUS

PROJECT ADDRESS

PROJECT INFO

DATE: 03.22.22
PROJECT MGR: J. ROMERO
PREPARED BY: B. ITEN

STAMP

ENTITLEMENT

ISSUE INFO

DATE: BY: DESCRIPTION:

ISSUE / REVISION

LANDSCAPE NOTES

SHEET TITLE

5

5 OF 13

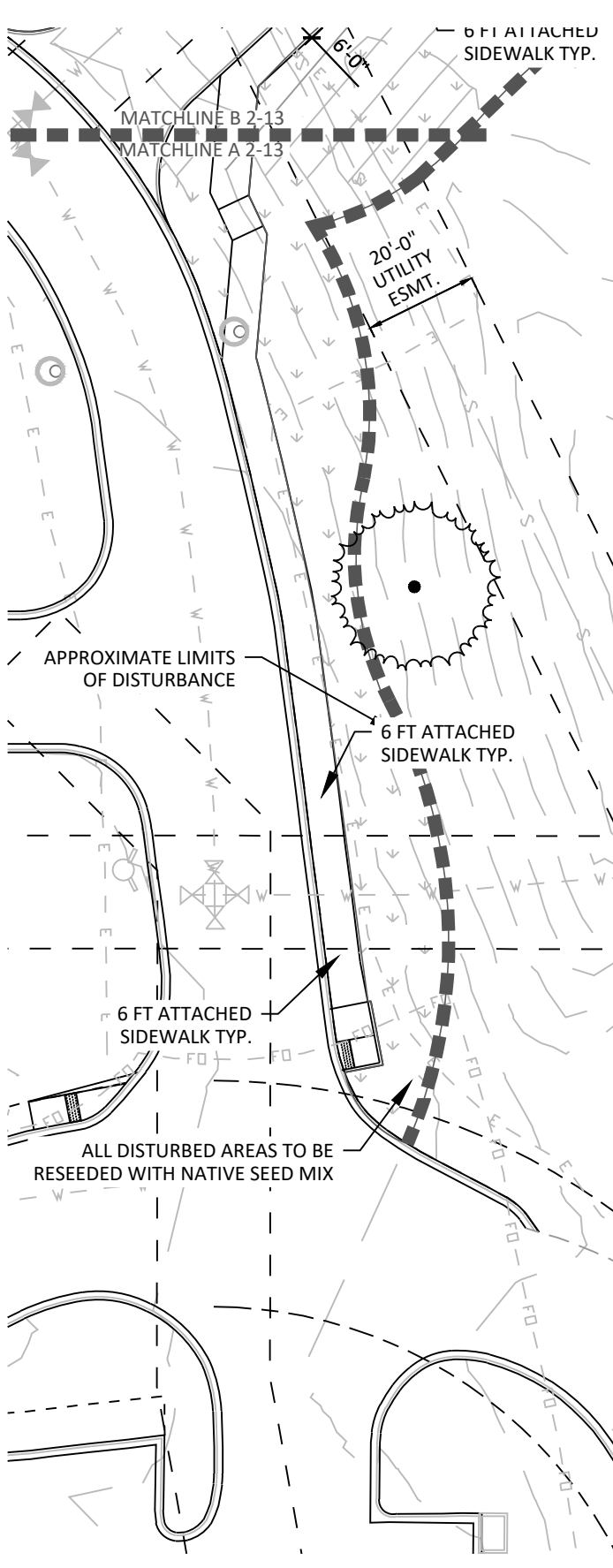
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PLAN FILE #

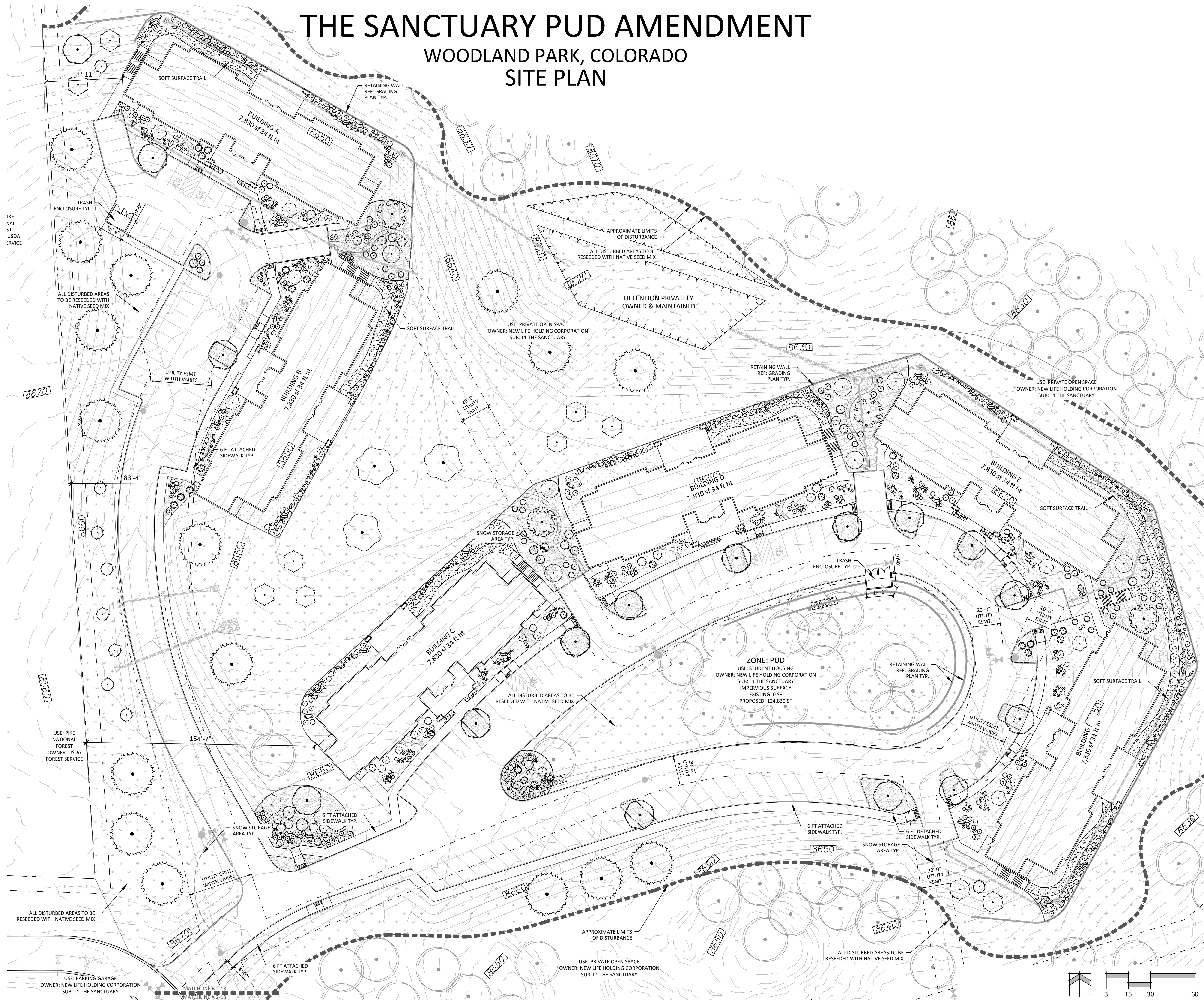
THE SANCTUARY PUD AMENDMENT
WOODLAND PARK, COLORADO
SITE PLAN

GROUND COVER LEGEND

- EXISTING TREES TO REMAIN
- UPLAND GRASS MIX
Sheep Fescue
Canby Bluegrass
Thickspike Wheatgrass
Blue Grama
Switchgrass
Side-Oats Grama
- ROCK MULCH - 2-4"
Grey Rose
- BREEZE PATHWAY
- ROCK MULCH - 3/4"
3/4" Comanche Tan
- DRY CREEK BED
4-8" GREY ROSE COBBLE
- DECORATIVE BOULDERS
Siloam Stone Bulk Boulders



SOUTHERN CAMPUS CONNECTION



STUDENT HOUSING SITE PLAN



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CHARIS
STUDENT
HOUSING
SOUTH CAMPUS

PROJECT ADDRESS

DATE: 03.22.22
PROJECT MGR: J. ROMERO
PREPARED BY: B. ITEN

ENTITLEMENT

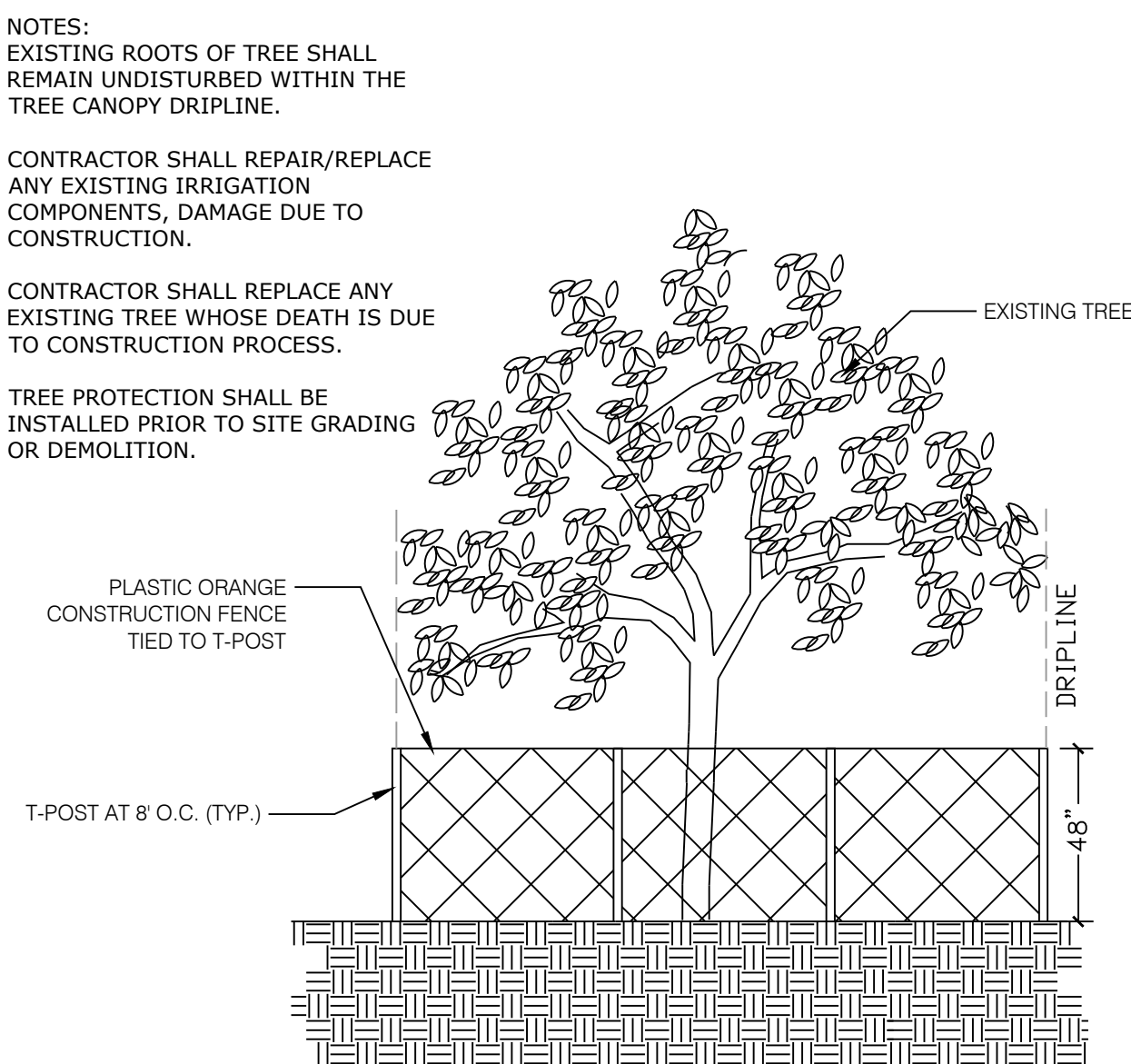
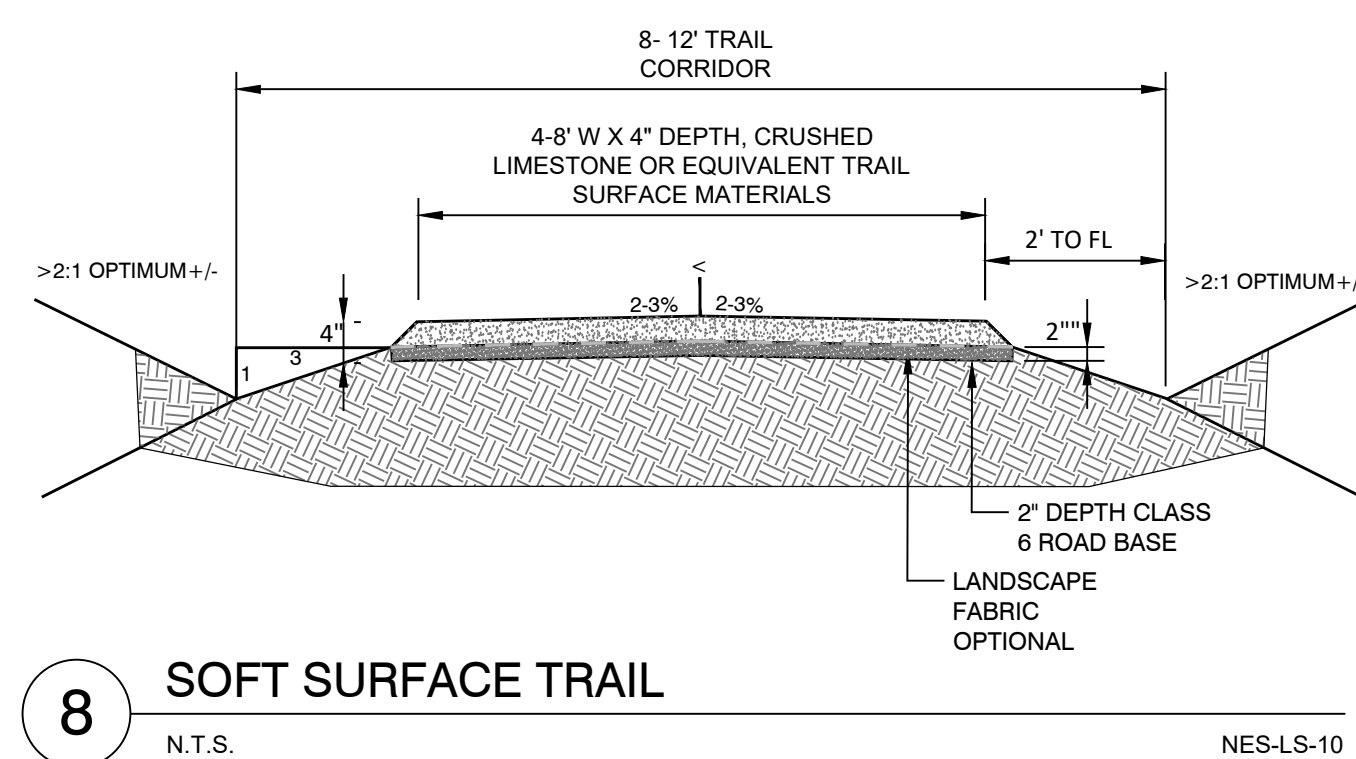
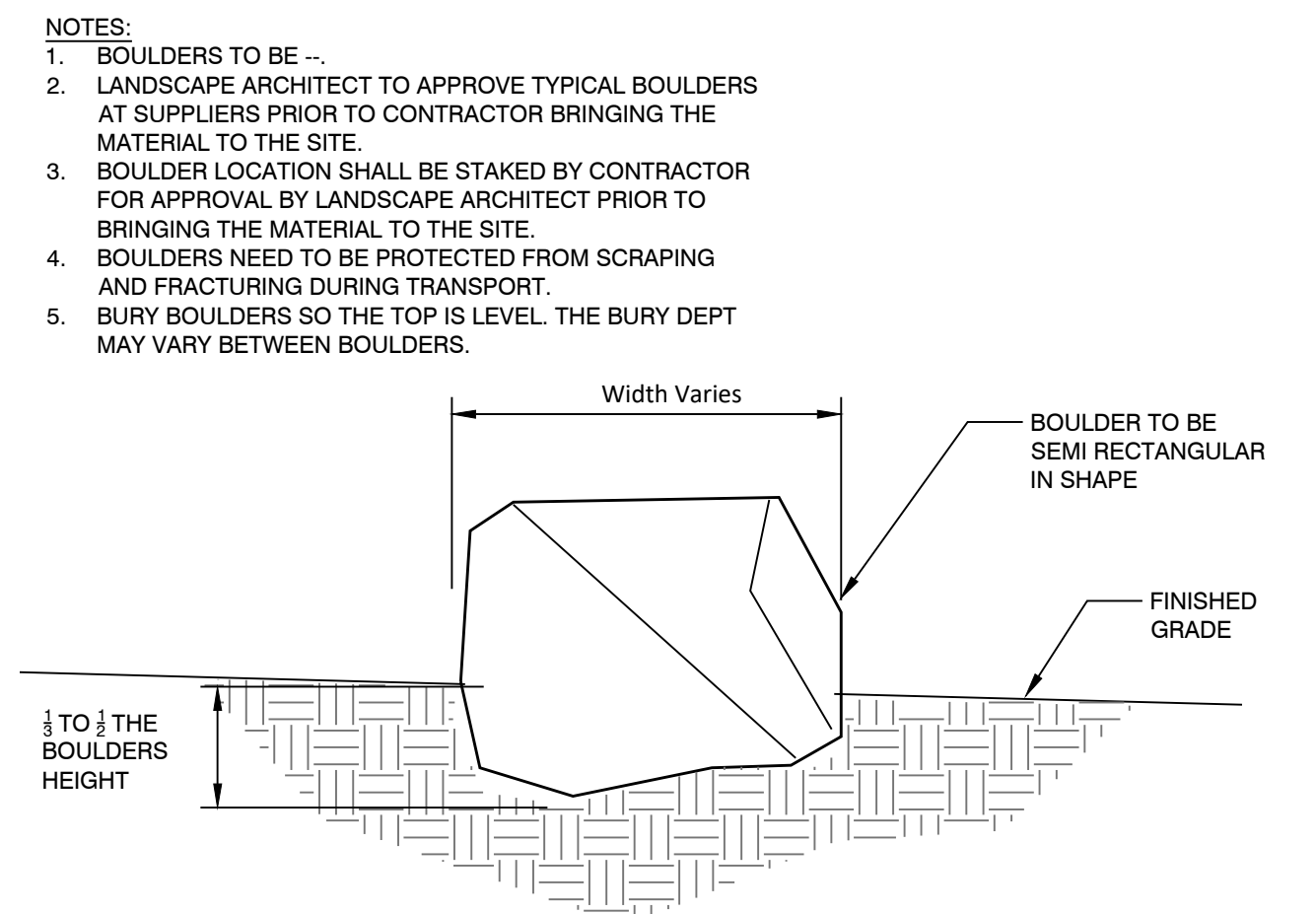
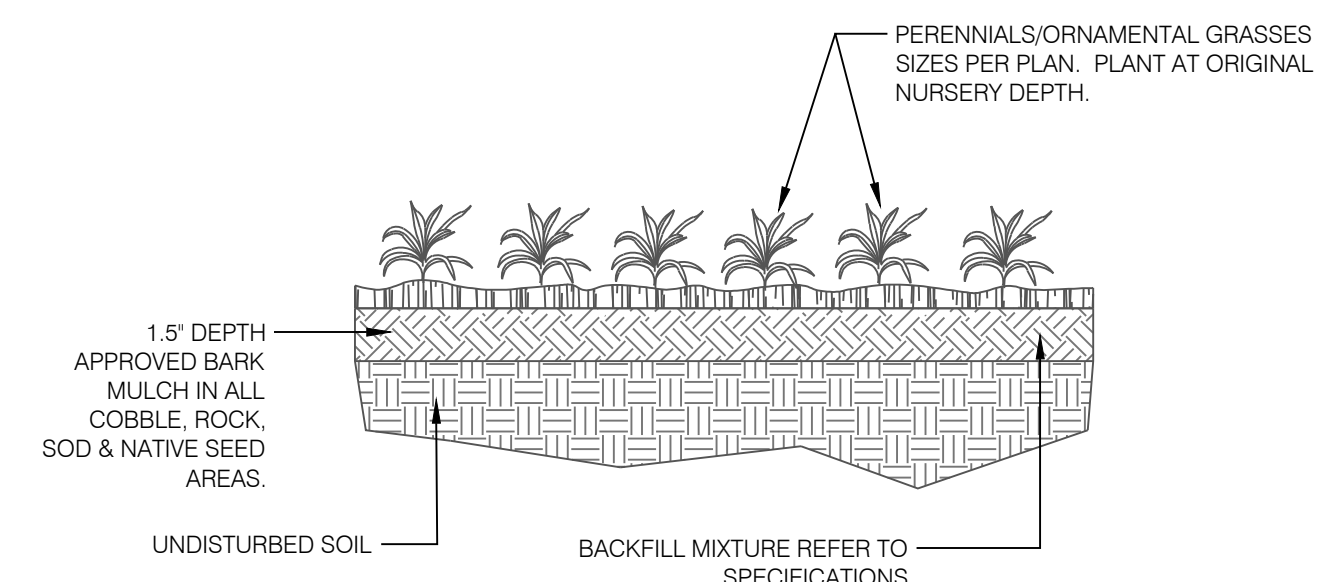
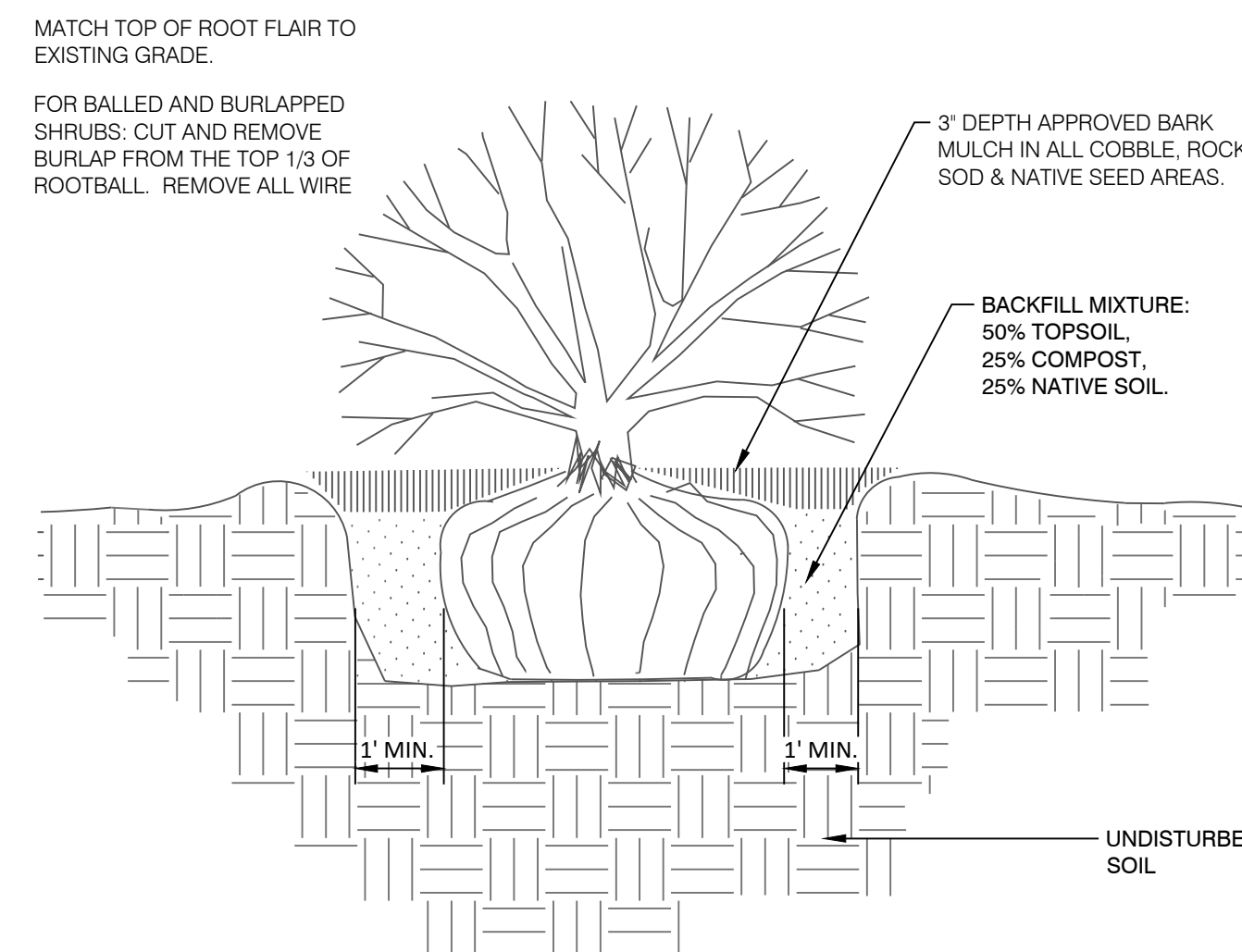
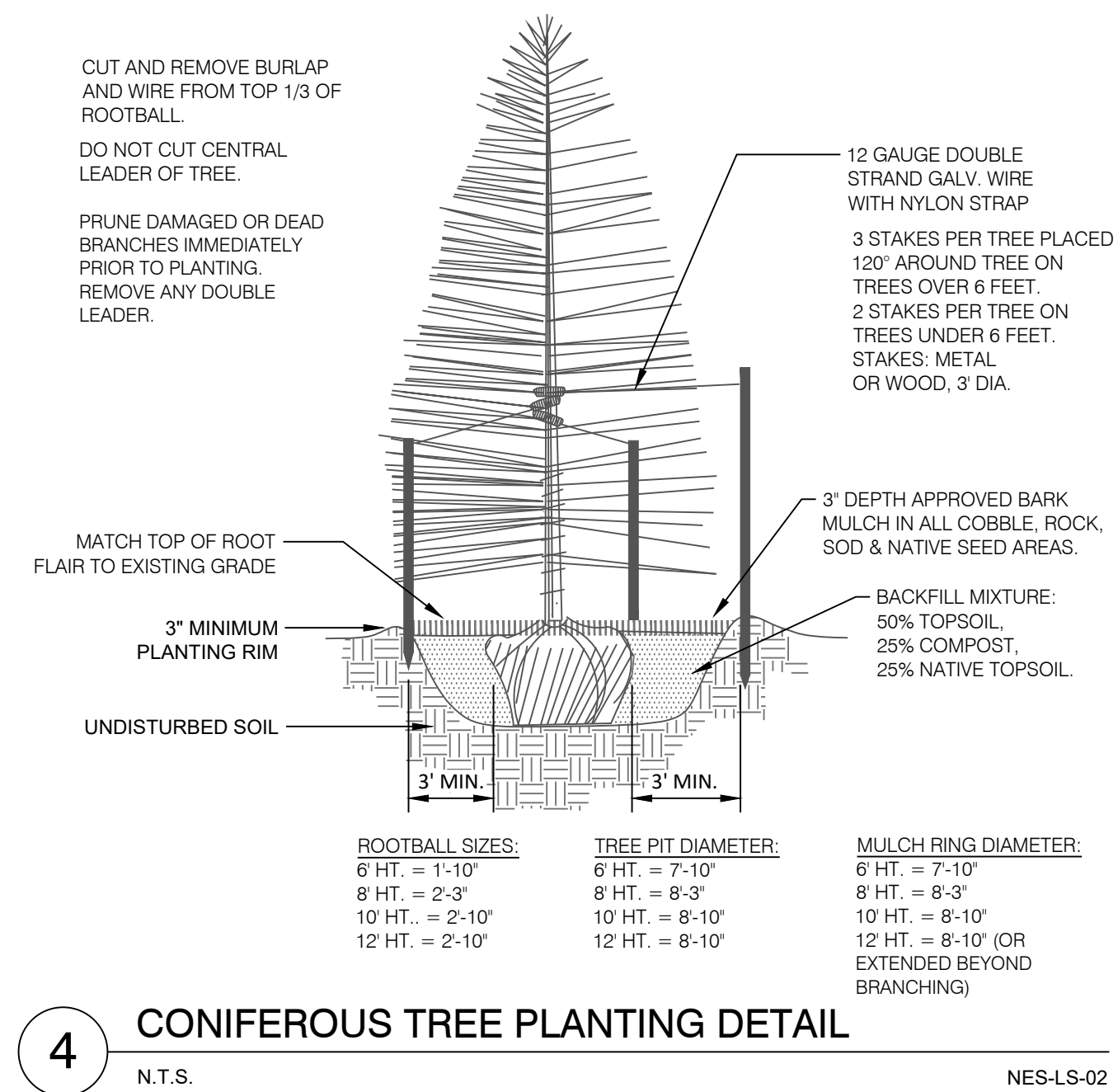
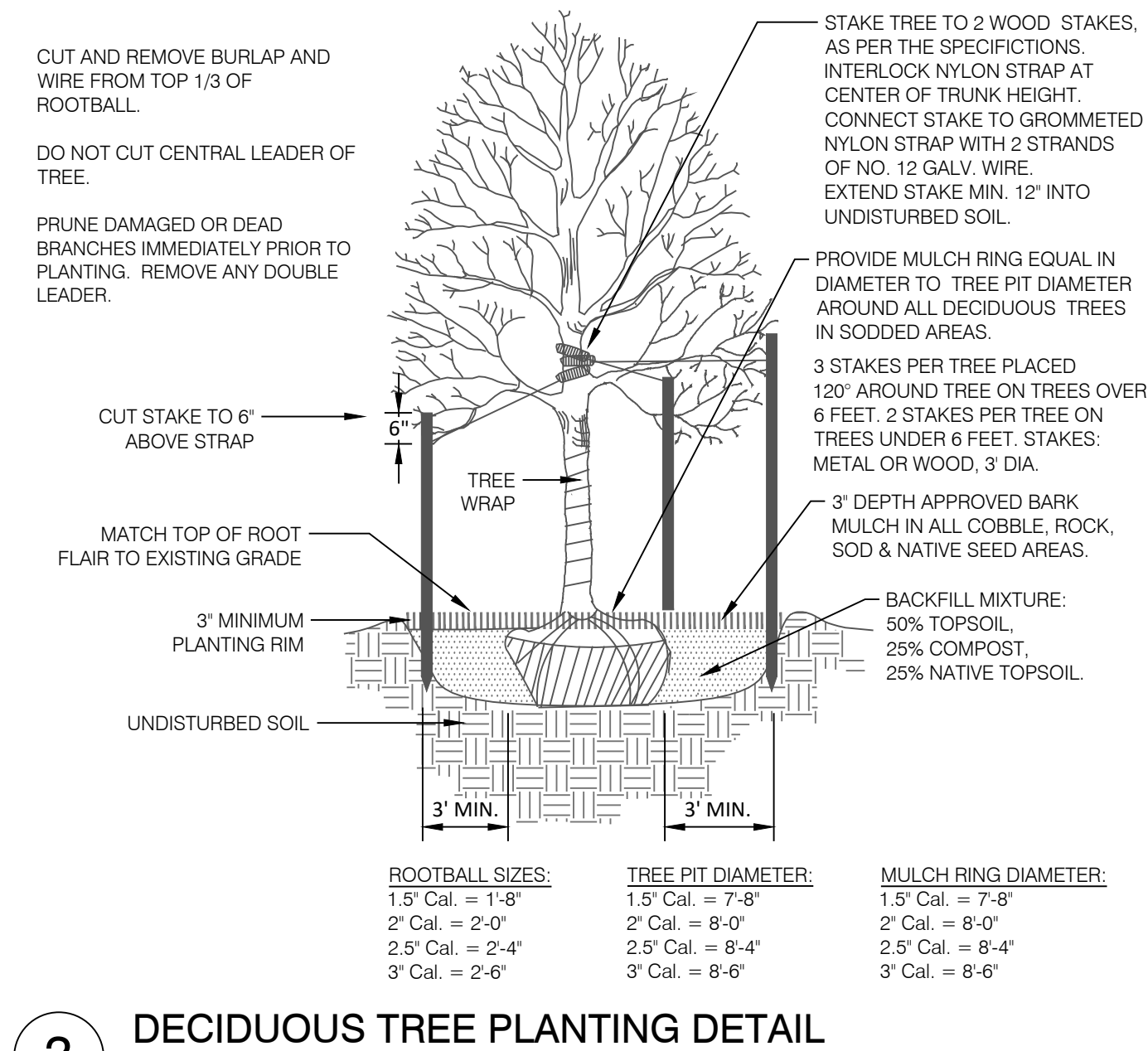
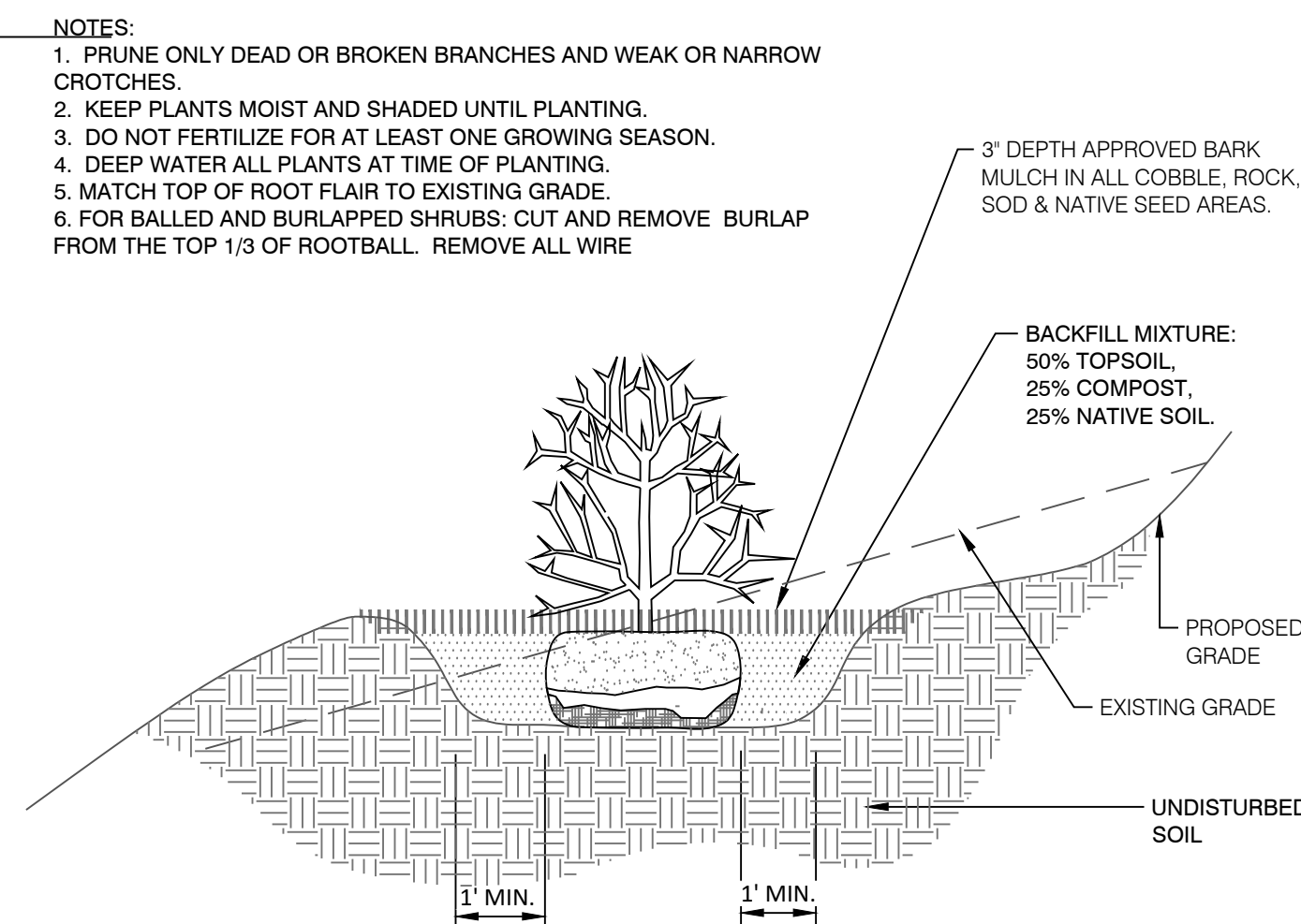
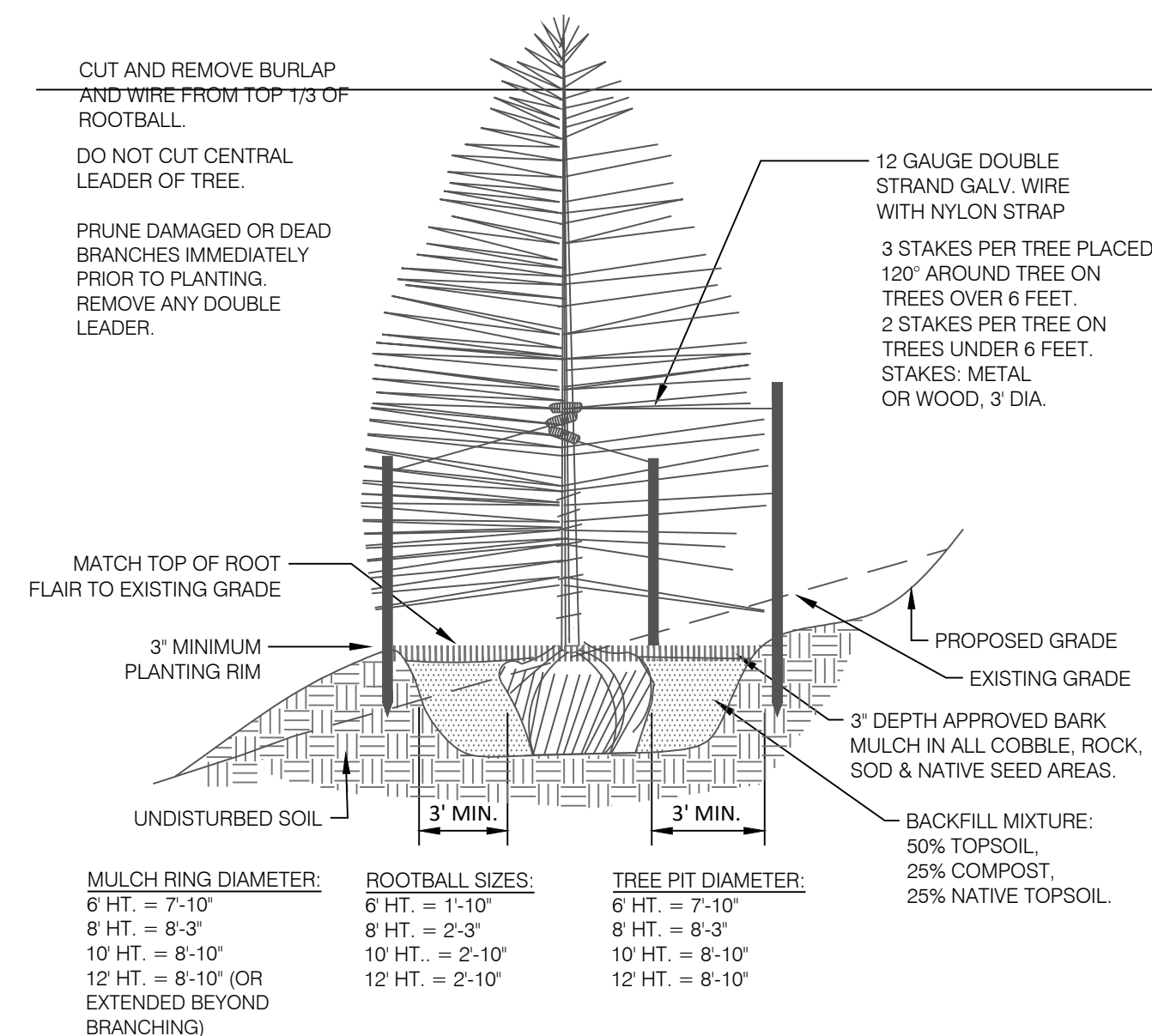
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LANDSCAPE PLAN

6

6 OF 13

P:\XMM Charis Bible College\Charis Student Housing\South Campus Drawings\1-Arch\B\Charis Student Housing South Campus ELP.dwg [PLT - 6] 3/22/2022 10:40:54 AM bnbab



CHARIS
STUDENT
HOUSING
SOUTH CAMPUS

PROJECT ADDRESS

STAMP	PROJECT INFO
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ENTITLEMENT

DATE:	BY:	DESCRIPTION
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ISSUE / REVISION

SHEET TITLE F

PLAN FILE #	SHEET NUMBER
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LANDSCAPE DETAILS

7

7 OF 13

KEYNOTES

PRELIMINARY
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CONSTRUCTION



PLAN LEGEND

- 100 DOOR TYPE - SEE SHEET A10.01
- W WALL ASSEMBLY TYPE - SEE SHEET G2.01
- HATCH AREA DESIGNATES FLOOR WITH FUL DEPTH INSULATION
- A WINDOW TYPE - SEE SHEET A10.02

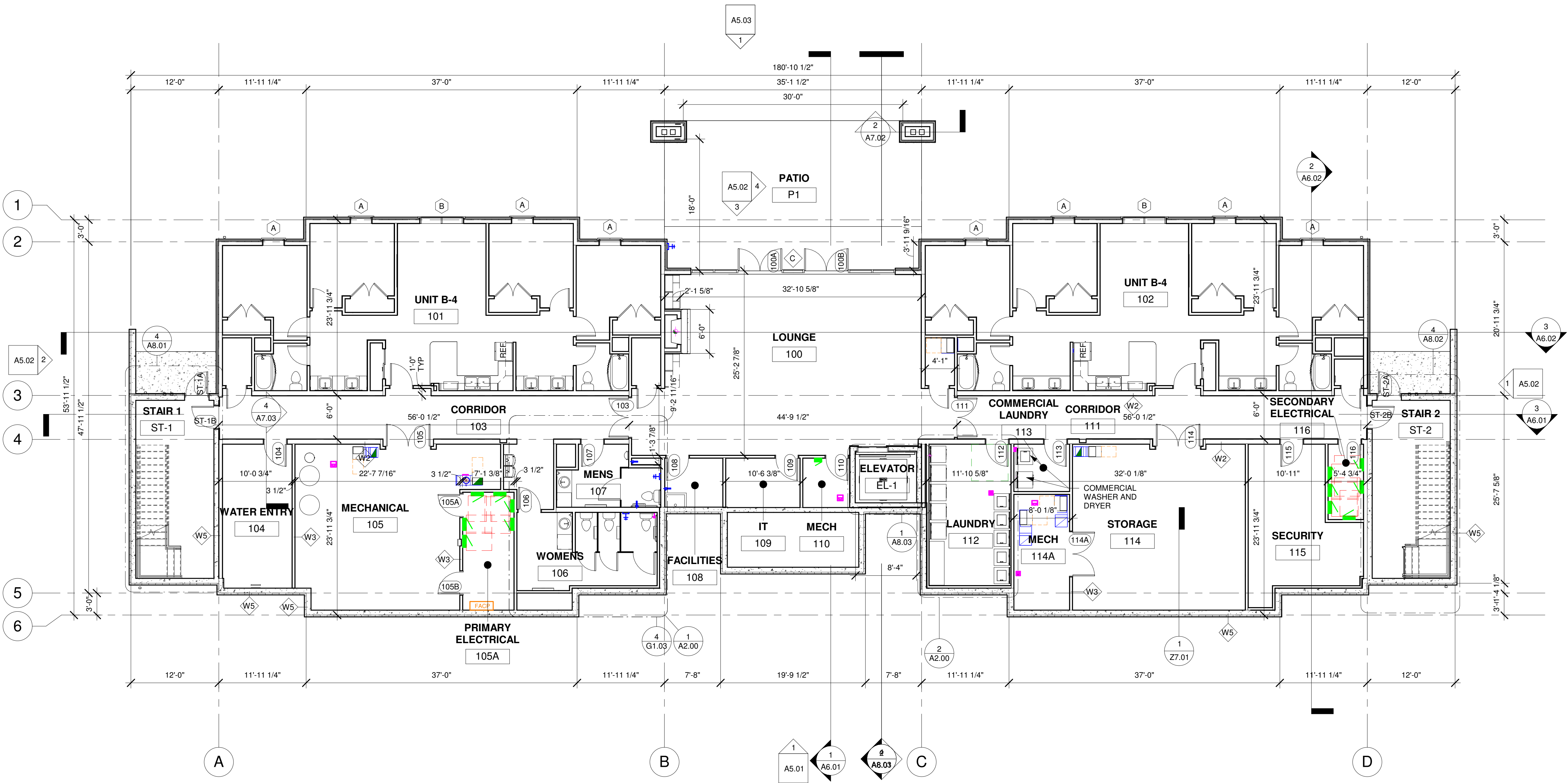
PLAN NOTES

- DIMENSIONS ARE TO EXTERIOR FACE OF STUD. STUD IS IN LINE WITH FOUNDATION WALL BELOW.
- ALL UNIT PLANS MAY BE BUILT AS OPPOSITE HAND DEPENDING ON THE LOCATION IN THE BUILDING. REFER TO OVERALL PLANS.
- 1ST AND 3RD FLOORS ARE SIMILAR IN ALL BUILDINGS.
- BUILDING EXTERIOR DIMENSIONS ARE SYMMETRICAL ABOUT THE Y AXIS.
- UNLESS OTHERWISE NOTED ALL INTERIOR WALLS WILL BE TYPE W3

21-004 01/21/22

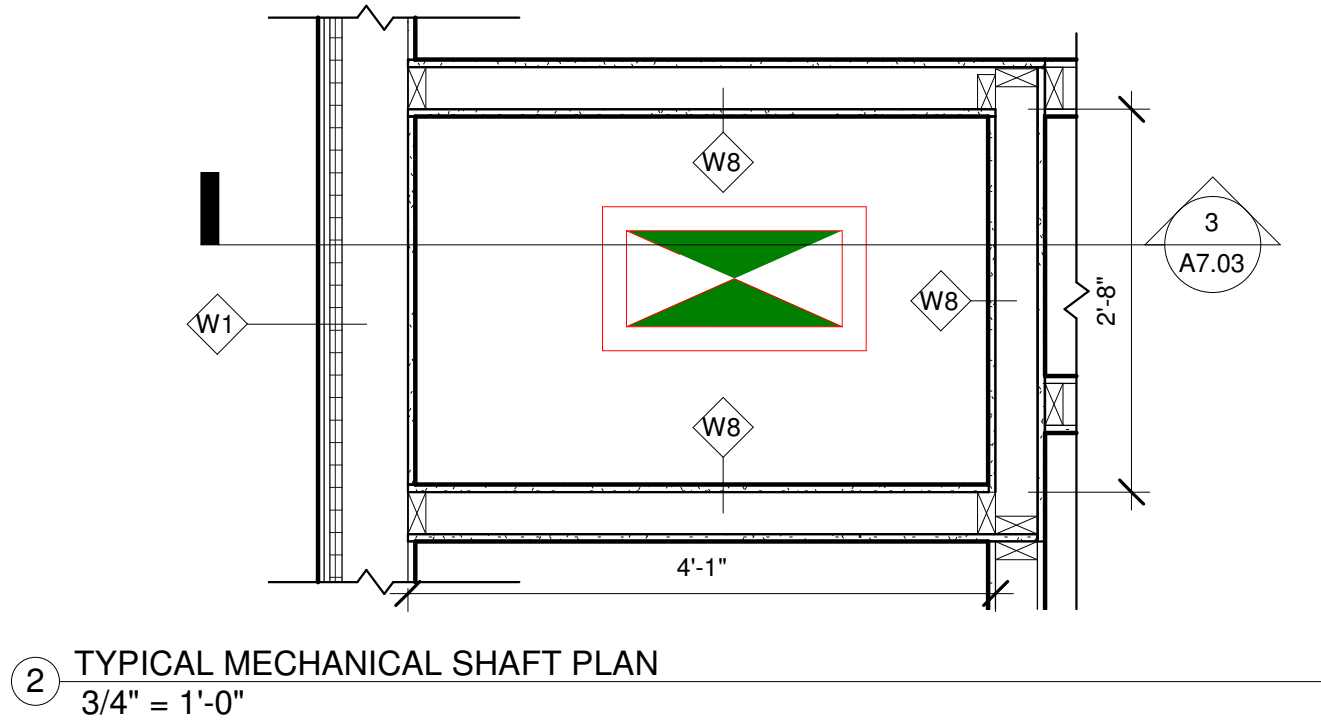
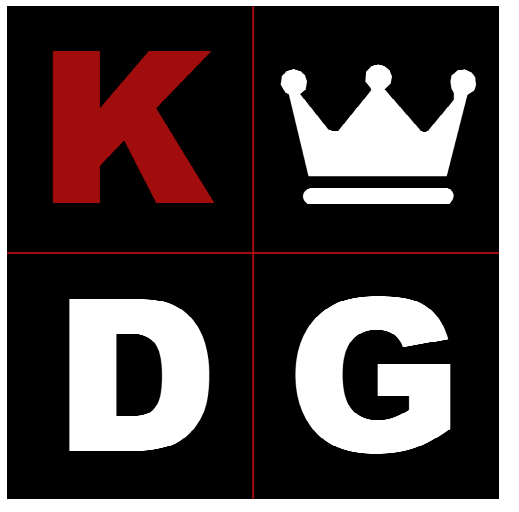
PATIO LEVEL
PLAN

A1.00

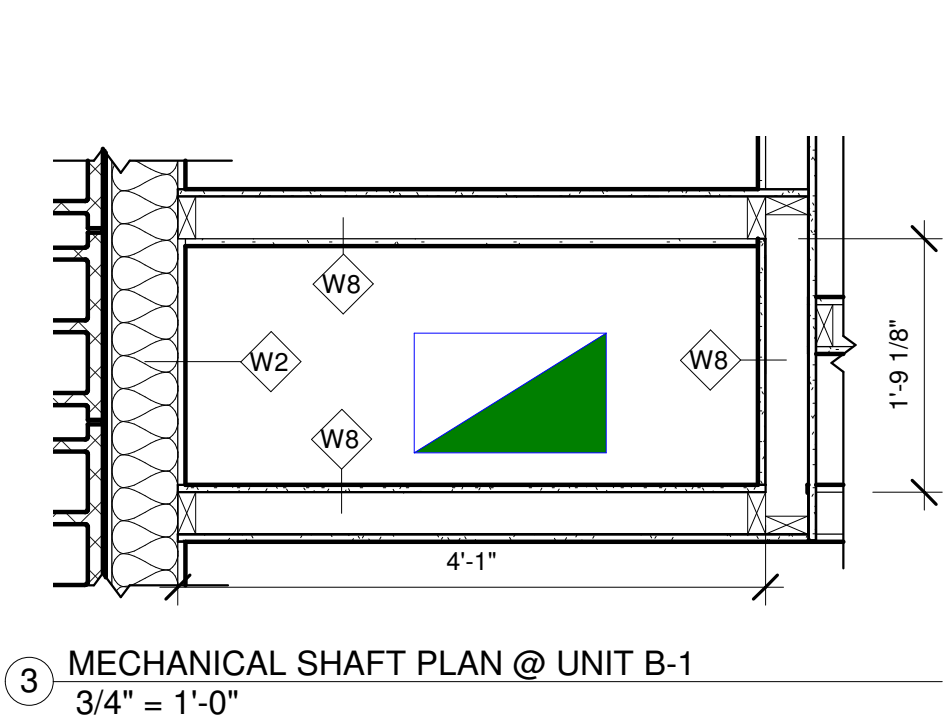


KEYNOTES

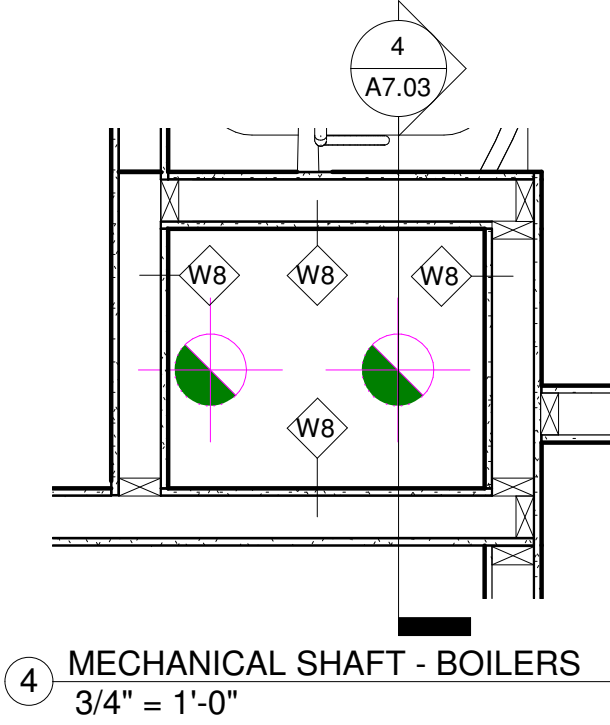
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NOT FOR
CONSTRUCTION



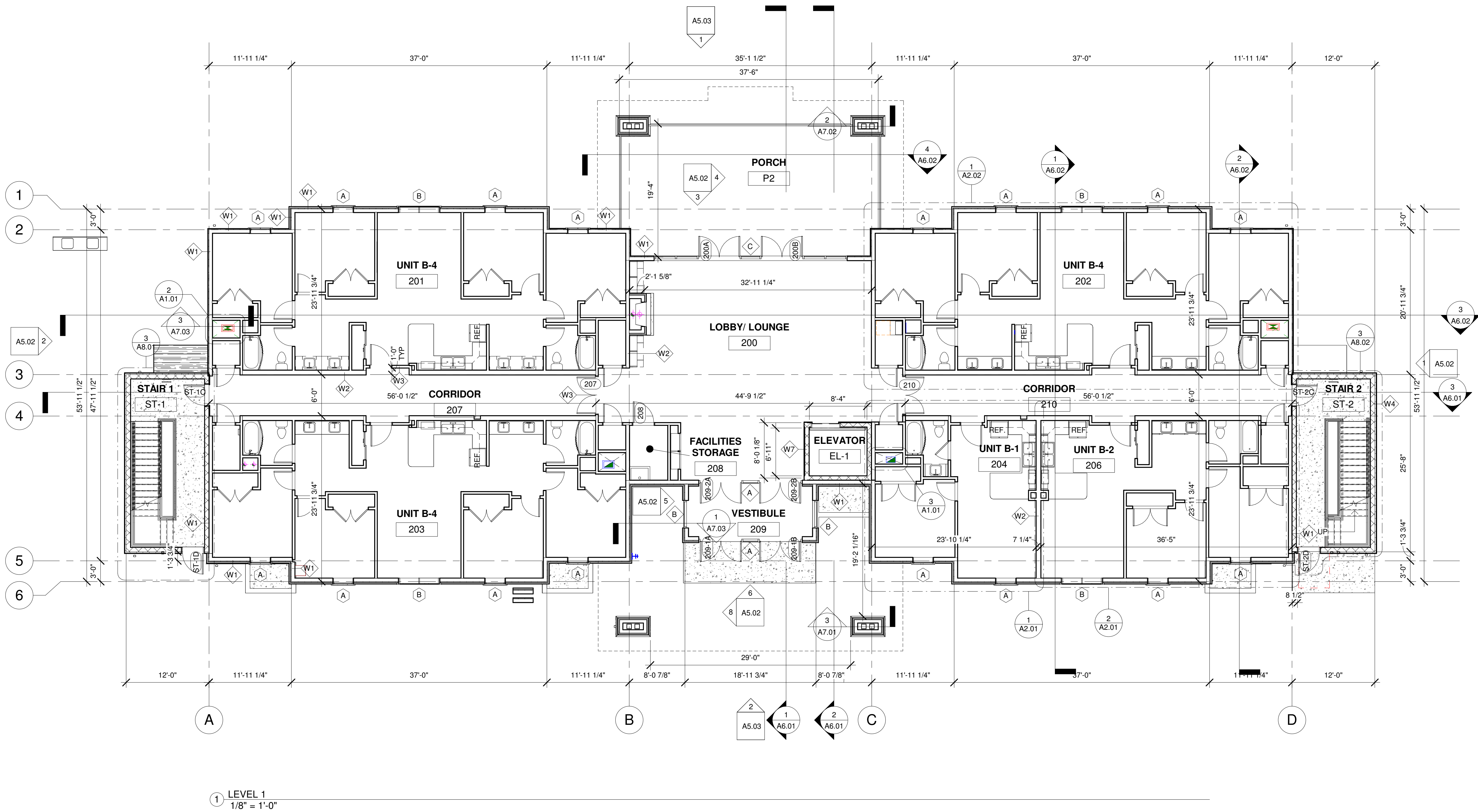
2 TYPICAL MECHANICAL SHAFT PLAN
3/4" = 1'-0"



3 MECHANICAL SHAFT PLAN @ UNIT B-1
3/4" = 1'-0"



4 MECHANICAL SHAFT - BOILERS
3/4" = 1'-0"



1 LEVEL 1
1/8" = 1'-0"

PLAN LEGEND

- 100 DOOR TYPE - SEE SHEET A10.01
- W1 WALL ASSEMBLY TYPE - SEE SHEET G2.01
- HATCH AREA DESIGNATES FLOOR WITH FULL DEPTH INSULATION
- A WINDOW TYPE - SEE SHEET A10.02

PLAN NOTES

- DIMENSIONS ARE TO EXTERIOR FACE OF STUD. STUD IS IN LINE WITH FOUNDATION WALL BELOW.
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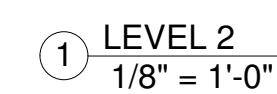
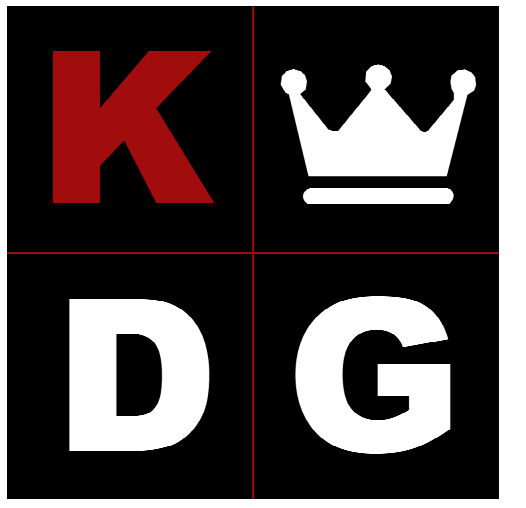
CHARIS
BIBLE COLLEGE
ANDREW WOMACK
MINISTRIES
STUDENT HOUSING - PHASE I

NO.	DESCRIPTION	DATE
1	50% CD SET	2/25/22

21-004 01/21/22
MAIN LEVEL
PLAN

A1.01

PRELIMINARY
NOT FOR
CONSTRUCTION



	DOOR TYPE - SEE SHEET A10.01
	WALL ASSEMBLY TYPE - SEE SHEET G2.01
	HATCH AREA DESIGNATES FLOOR WITH FULL DEPTH INSULATION
	WINDOW TYPE - SEE SHEET A10.02

1. DIMENSIONS ARE TO EXTERIOR FACE OF STUD. STUD IS IN LINE WITH FOUNDATION WALL BELOW.
2. ALL UNIT PLANS MAY BE BUILT AS OPPOSITE HAND DEPENDING ON THE LOCATION IN THE BUILDING. REFER TO OVERALL PLANS.
3. 1ST AND 3RD FLOORS ARE SIMILAR IN ALL BUILDINGS.
4. BUILDING EXTERIOR DIMENSIONS ARE SYMMETRICAL ABOUT THE Y AXIS.
5. UNLESS OTHERWISE NOTED ALL INTERIOR WALLS WILL BE TYPE W3



**ANDREW
WOMACK**
MINISTRIES



CHARIS
BIBLE COLLEGE

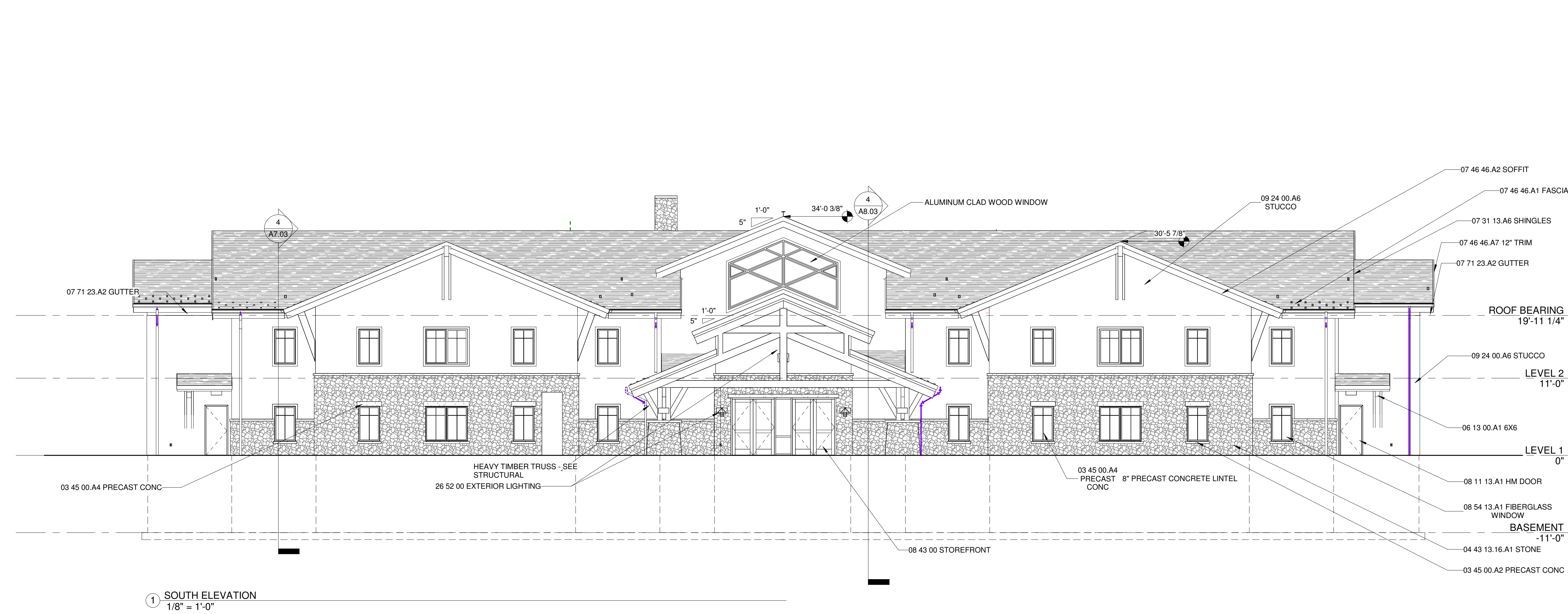
STUDENT HOUSING - PHASE I

NO.	DESCRIPTION	DATE
1	50% CD SET	2/25/22

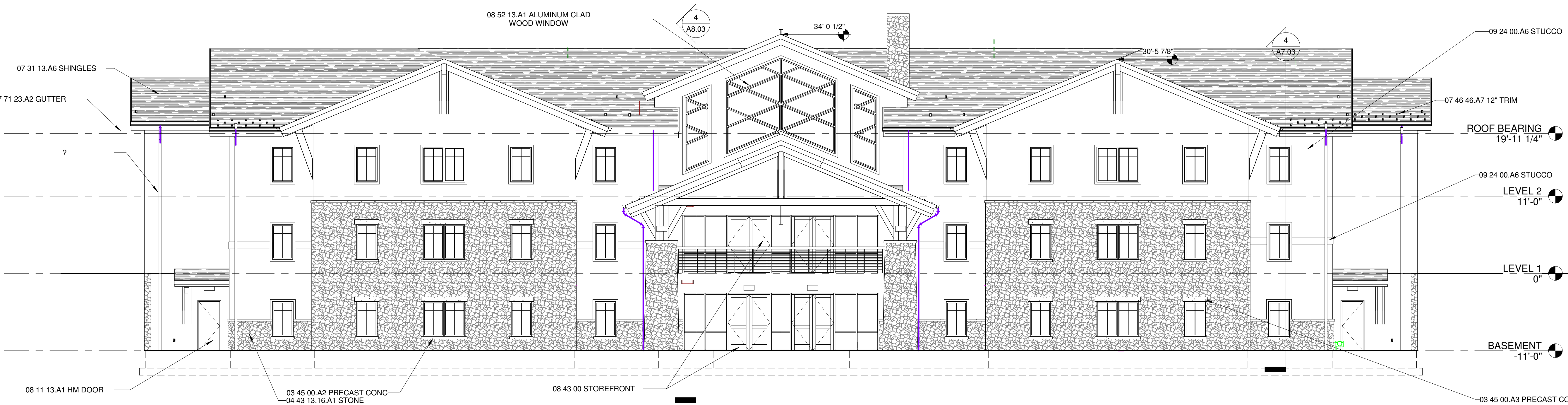
21-004 01/21/22

UPPER LEVEL PLAN

A1.02



1 SOUTH ELEVATION
1/8" = 1'-0"



2 NORTH ELEVATION
1/8" = 1'-0"

KEYNOTES

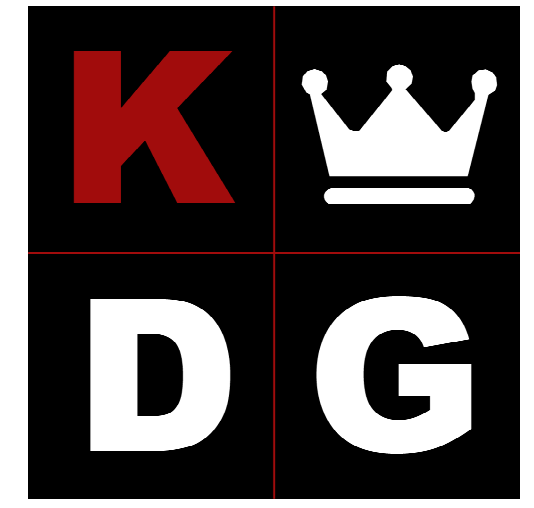
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- 03 45 00.A3 PRECAST CONC 4" PRECAST CONCRETE LINTEL
- 03 45 00.A4 PRECAST CONC 8" PRECAST CONCRETE LINTEL
- 04 43 13.16.A1 STONE ADHERED STONE MASONRY VENEER
- 06 13 00.A1 6X6 6X6 HEAVY TIMBER
- 06 13 00.A4 HEAVY TIMBER TRUSS - SEE STRUCTURAL
- 07 31 13.A6 SHINGLES ASPHALT SHINGLES OVER ASPHALT-SATURATED FELT OVER 1/2" MIN. EXTERIOR GRADE ROOF SHEATHING
- 07 46 46.A1 FASCIA 1X8 FIBER CEMENT FASCIA
- 07 46 46.A2 SOFFIT FIBER CEMENT VENTED SOFFIT
- 07 46 46.A7 12" TRIM CONTINUOUS 5/4" X 11-1/4" FIBER CEMENT TRIM WITH 9 1/2" REVEAL
- 07 71 23.A2 GUTTER 6" DIAMETER HALF ROUND GUTTER
- 08 11 13.A1 HM DOOR HOLLOW METAL DOOR AND FRAME
- 08 43 00 STOREFRONT ALUMINUM STOREFRONT ENTRY SYSTEM
- 08 52 13.A1 ALUMINUM CLAD WOOD WINDOW ALUMINUM CLAD WOOD WINDOW
- 08 54 13.A1 FIBERGLASS WINDOW FIBERGLASS WINDOW
- 09 24 00.A6 STUCCO STUCCO BASE COAT AND FINISH COAT
- 26 52 00 EXTERIOR LIGHTING - SEE ELECTRICAL

EXTERIOR FINISH LEGEND

ELEVATION NOTES

- ALL COLORS AND MATERIALS SHALL BE VERIFIED BY ARCHITECT.
- VERIFY COLORS AND MATERIAL SELECTION PRIOR TO INSTALLATION.

PRELIMINARY
NOT FOR
CONSTRUCTION



CHARIS
BIBLE COLLEGE

ANDREW WOMMACK
MINISTRIES

STUDENT HOUSING - PHASE I

NO.	DESCRIPTION	DATE
1	50% CD SET	2/25/22

21-004 01/21/22

EXTERIOR
ELEVATIONS

A5.01

PRELIMINARY
NOT FOR
CONSTRUCTION



KEYNOTES

03 45 00.A1 PRECAST CONC	4" PRECAST CONCRETE WATERTABLE
03 45 00.A2 PRECAST CONC	4" PRECAST CONCRETE SILL
03 45 00.A4 PRECAST CONC	8" PRECAST CONCRETE LINTEL
04 43 13.16.A1 STONE	ADHERED STONE MASONRY VENEER
04 43 13.16.A2 STONE	ADHERED STONE MASONRY VENEER ON METAL LATH ON WRB LAYER
05 73 00.A1 DECOR RAIL	ALUMINUM DECORATIVE RAILING
06 13 00.A1 6X6	6X6 HEAVY TIMBER
06 13 00.A3 6X12	6X12 HEAVY TIMBER
06 13 00.A4 HEAVY TIMBER	HEAVY TIMBER TRUSS - SEE STRUCTURAL
06 17 53.A1 ROOF TRUSS	PRE-ENGINEERED WOOD ROOF TRUSS @ 24" O.C.
07 31 13.A6 SHINGLES	ASPHALT SHINGLES OVER ASPHALT-SATURATED FELT OVER 1/2" MIN. EXTERIOR GRADE ROOF SHEATHING
07 46 46.A1 FASCIA	1X8 FIBER CEMENT FASCIA
07 46 46.A7 12" TRIM	CONTINUOUS 5/4" X 11-1/4" FIBER CEMENT TRIM WITH 9 1/2" REVEAL
07 71 23.A2 GUTTER	6" DIAMETER HALF ROUND GUTTER
07 71 23.A5 DOWNSPOU T	DOWNSPOUT
07 71 23.A6 DOWNSPOU T	DOWNSPOUT
07 72 53.A1 SNOWGUAR D	PAD-TYPE, FLAT-MOUNTED SNOW GUARDS
08 43 00 STOREFRON T	ALUMINUM STOREFRONT ENTRY SYSTEM
09 24 00.A6 STUCCO	STUCCO BASE COAT AND FINISH COAT
09 54 26.A1 LINEAR WOOD	SOLID WOOD LINEAR CEILING
26 52 00 EXTERIOR LIGHTING	EXTERIOR LIGHTING - SEE ELECTRICAL
<varies>	<varies>

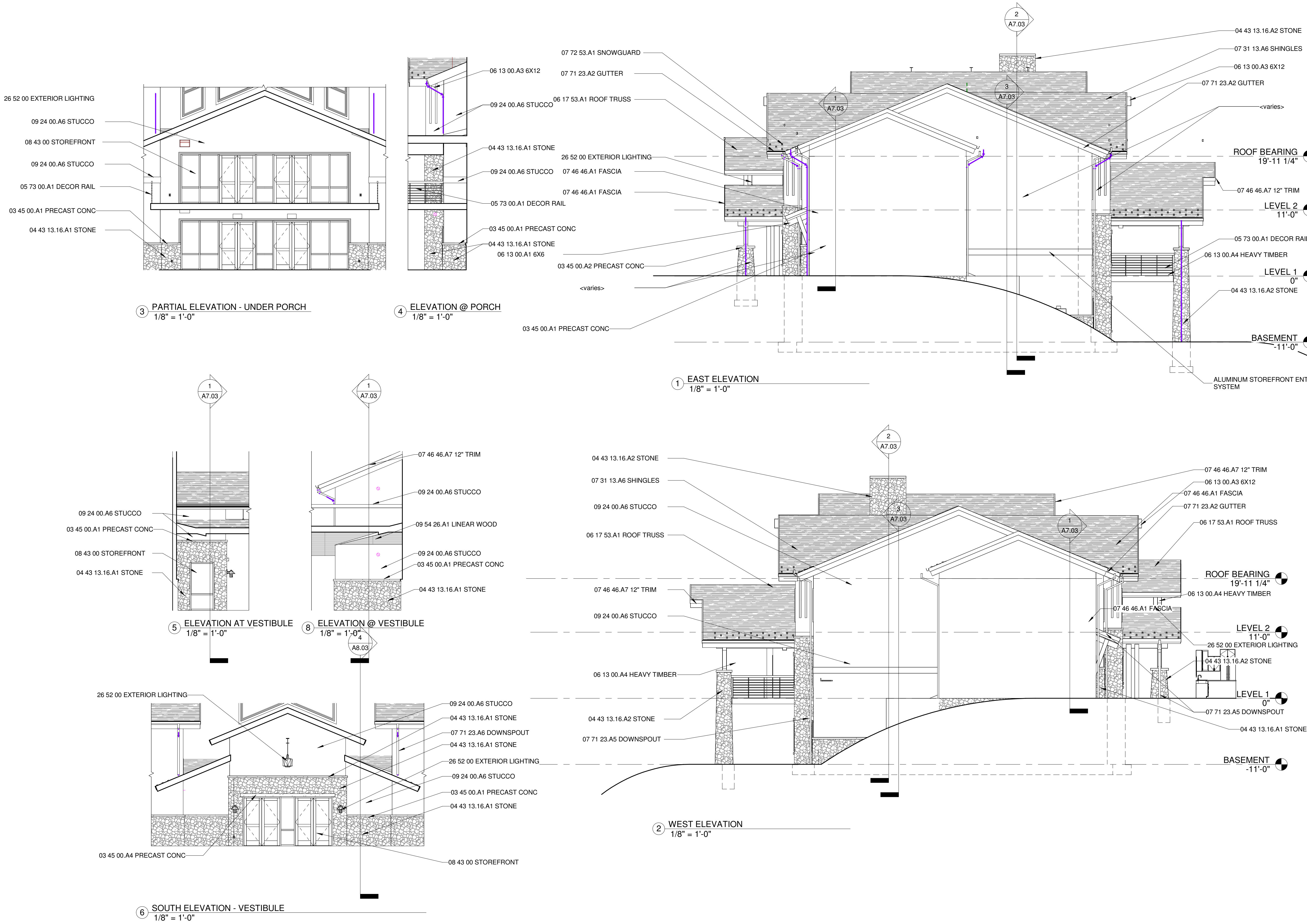
EXTERIOR FINISH LEGEND

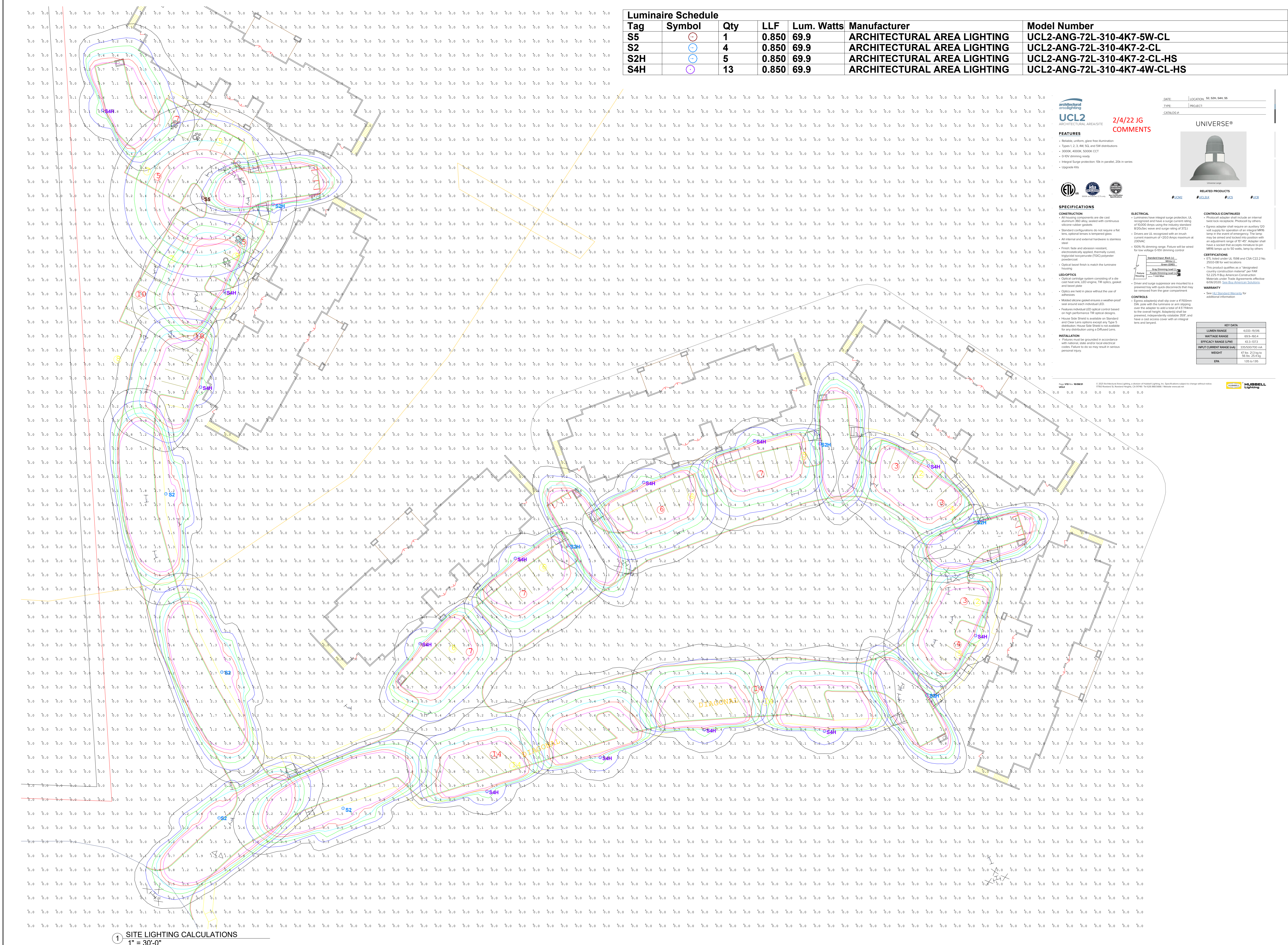
ELEVATION NOTES

- ALL COLORS AND MATERIALS SHALL BE
VERIFIED BY ARCHITECT.
- VERIFY COLORS AND MATERIAL
SELECTION PRIOR TO INSTALLATION.

EXTERIOR ELEVATIONS

A5.02





REVISIONS:

CHARIS STUDENT HOUSING

M-E Engineers, Inc.
1125 Kelly Johnson Blvd, Ste 301
Cape Canaveral, FL 32909
Tel: 321.938.0037 / 321.938.0037
www.me-engineers.com

meengineers

DRAWN BY: ELE

CHECKED BY: DER

DATE: 02/14/2022

SCALE: 1" = 30'-0"

JOB NUMBER: CS20000

SHEET INFORMATION:

SITE LIGHTING CALCULATIONS

SHEET NUMBER:

ES1.0

13 of 13



LSC TRANSPORTATION CONSULTANTS, INC.
2504 East Pikes Peak Avenue, Suite 304
Colorado Springs, CO 80909
(719) 633-2868
FAX (719) 633-5430
E-mail: lsc@lsctrans.com
Website: <http://www.lsctrans.com>

February 22, 2022

New Life Holding Corporation
850 Elkton Drive
Colorado Springs, CO 80907-3521

ATTN: Mr. John Reich
J.H. Reich Construction, LLC
<Via email>

RE: Charis Bible College
Addendum Letter No. 2
LSC #S224010

Dear Mr. Reich:

In response to your request, LSC Transportation Consultants, Inc. has prepared this addendum memo No. 2 for the student housing project at Andrew Wommack Ministries (AWM) and Charis Bible College. This letter is the second addendum to the November 3, 2011 traffic impact analysis (TIA) for the college. The first addendum was dated November 26, 2014. That first addendum letter was not related to student housing, rather the number of seats in the auditorium.

This addendum letter No.2 addresses the currently-proposed addition of student housing at the college. The November 2011 traffic report included student housing in the land use and trip generation estimate. Therefore, the land-use plan remains in conformance with the original plan. This letter presents the status of land uses presented in Table 1 of the November 3, 2011 report, an update to the uses included in "Phase 1," and updates to the trip-generation estimate based on current (11th Edition) ITE Trip Generation rates.

CAMPUS LAND USES

Existing

The College: the current college enrollment is approximately 837 students. This level is not expected to increase significantly in the short term/with the addition of phase 1 of student housing.

Auditorium: A 3,200-seat auditorium exists on the campus. This is used for special events, which are limited to 4 to 6 per year (occurring every two to three months). Generally, half of these are

Monday-Friday events and half are shorter, partial-week events. This auditorium was included in the original 2011 TIS, but a 2014 addendum memo was prepared as part of an application for a larger, 3,200-seat capacity, which exists today. The college has indicated that to-date, the 3,200-seat capacity has not been needed as larger-size events only up to about 2,500 to 2,700 people have occurred.

Note: The Original TIS report showed a “Distribution Center (Warehousing)” use as part of this project. This is not part of the Charis Bible College campus. Rather it is part of the Wommack Ministries Headquarters, which is located north of Trout Creek Road.

Currently Proposed

Student Housing (Phase 1): The current application is for the first phase of student housing with 234 bedrooms for 234 students.

Future

College: Enrollment of up to 3,000 students was originally approved. However, enrollment up to this level is not expected to occur in the short or intermediate term. This level may be reached within the 10-20-year horizon.

Student Housing (future phase): The master plan shows a future phase of 266 additional bedrooms, which would bring the total to 500 bedrooms

Call Center (office building): This future land use includes a planned call center to support AWM and is likely to employ about 100 people. This was originally envisioned for Phase 1 of the campus (in the original TIS) but has not yet been developed and is not proposed with this current application for student housing. The morning shift is planned to begin at 4:00 a.m. and the evening shift is planned to end at 10:00 p.m. Most trips generated will be off-peak.

Administration Building (office building): This future 60,000-square-foot building was shown as a future buildout use on the campus master plan (and in the original TIS). This building has not yet been developed and is not proposed with this current application for student housing.

Access

No changes are proposed for access to the campus.

TRIP GENERATION ESTIMATE

The attached Table 1 presents an updated version of the table included in the 2014 addendum memo, which was a revision to the one in the original November 2011 TIS. The current update shows the revised ITE-rate-based trip-generation estimate for the land uses except the

auditorium. The estimate for the 3,200-seat auditorium (see note above in the land-use section regarding utilization to-date) remains the same.

The table has been revised using the current ITE trip-generation rates from ITE *Trip Generation*, 11th Edition, 2021.

The Phase 1 estimates have been updated to reflect current land uses, enrollment, and the planned phase 1 of student housing. The buildout estimate includes all future uses. The buildout levels of students, employees, and square footage of the administration building have not changed since the original TIS. The number of seats in the auditorium is the same as reflected in the 2014 addendum.

The table shows the updated trips generated based on the current ITE rates. The 11th Edition of *Trip Generation* includes a land-use category 225 “Off-Campus Student Housing (Low-Rise)” with rates specific to housing “adjacent to Campus.” These rates have been used for this update instead of the prior Land Use 220 – “Apartments.” ITE does not provide “On Campus Student Housing” rates, which would match the proposed use. The table includes a revised estimate of internal trip-reduction factor for use with the estimate based on Land Use 225.

The table presents updated total trips generated for Phase 1 and buildout.

SUMMARY AND FINDINGS

Land Use

Phase 1

The current Phase 1 land uses reflect current enrollment of approximately 837 rather than Phase 1 in the original TIS, which assumed the buildout level of 3,000 students. The current Phase 1 also reflects only the currently-proposed Phase 1 of student housing.

The Original TIS report showed a “Distribution Center (Warehousing)” use as part of this project. This is not part of the Charis Bible College campus. Rather it is part of the Wommack Ministries Headquarters, which is located north of Trout Creek Road.

Buildout

The buildout estimate includes all future uses. The buildout levels of students, employees, and square footage of the administration building have not changed since the original TIS. The number of seats in the auditorium is the same as reflected in the 2014 addendum.

Trip generation

Phase 1

Phase 1 trip generation is significantly lower than the original Phase 1 estimate, largely due to the update reflecting the current levels of enrollment and only half the student housing (matching the current land-use application with the City).

Buildout

Buildout trip generation has changed – not due to the change in land-use quantities or types (as these have remained the same), rather due to new/updated ITE rates. The daily trip-generation estimate is about eight percent higher than the original, but most importantly, the peak-hour trip-generation estimates are lower than the original. The afternoon peak-hour estimate is fifteen percent lower than the original estimate.

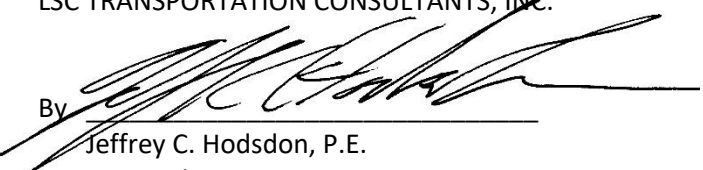
* * * * *

Please contact me with any questions regarding this report.

Respectfully Submitted:

LSC TRANSPORTATION CONSULTANTS, INC.

By


Jeffrey C. Hodsdon, P.E.
Principal

JCH:jas

Enclosure: Table 1

Table 1

NORTHEAST TELLER COUNTY



FIRE PROTECTION DISTRICT

OFFICE OF THE CHIEF
Tyler Lambert

5-24-2022

RE: Charis Student housing PUD amendment

Karen Schminke- City Planner

City of Woodland Park, CO (719)687-5383

The NE Teller Fire District receive your request for comments regarding the Charis student housing PUD change of the past:

Conditions on taxable student housing.

Overall height of 35 feet to 45 feet.

The Following item need to be addressed prior to the Fire Department supporting the continuation of this project.

- 1) The fire district is concerned about changing the taxing of the student housing to non-taxing. This puts a larger strain on our funding to support the district residents. We are concerned about the ever-increasing demand for fire and emergency services on this property without receiving funding to properly provide those services and to include staffing for an aerial apparatus required due to the increased height of the building. Please consider alternative methods of payment in lieu of tax.

The NETCo Fire Department **(Recommends Disapproval)** of this PUD change request at this time.

Sincerely,

Tyler Lambert, Fire Chief

Charis/Wommack PUD

Jeralee Gonzalez <taz0746@msn.com>

Fri 6/10/2022 4:05 PM

To: David Burgess <dburgess@city-woodlandpark.org>

[EXTERNAL]

I will be out of state so won't be able to attend the meeting regarding Charis/Wommack pud.

I am against the height increase. The lighting from Charis already interferes with residents on South Forty. It is not possible to sit out on decks without the blue glow every night from the Christmas lights that are on every night. The light pollution requires blinds & drapes to be kept closed because it comes into homes. Will the city be required to buy another Fire truck to accommodate the height increase? Charis should have to follow the regulations every other property owner has to in Teller County and Woodland Park.

I am most definitely NOT supporting Charis/Wommack to get out of the original agreement they made with the city to pay taxes on their student housing. We all have to pay property taxes, we all have to pay taxes on ADU's etc. Charis/Wommack made this agreement & the City accepted in good faith. Thank you.

Sincerely,

Jeralee Gonzalez

Sent from my iPad

2762 Woody Creek CT
Woodland Park, CO 80863

June 12, 2022

Woodland Park Mayor and City Council
Woodland Park Planning Commission

Honorable Mayor, Councilors, and Commissioners:

I am writing to you in advance of the upcoming hearings and discussions on PUD Amendment SPR 2022-01 to provide an input for your consideration. As a reminder, I was the Mayor of Woodland Park when the PUD for The Sanctuary, Andrew Wommack Ministries, Inc (AWMI), and Charis Bible Colleges, Inc was approved.

- **On item 1, the height increase:** I have no comment for consideration.
- **On item 2, Remove a Condition of Approval: I strongly recommend that you not approve the removal of this condition.**
 - Great and detailed research, analysis and debate by AWMI and City Staff, Planning Commission, City Council, and other organizations went into the approval of the PUD at that time. As you can imagine, there were pros and cons for the approval, but after careful consideration the PUD was approved.
 - The Condition of Approval that is being considered now was a key part of the approval of the agreement. I cannot speak for the other members of City Council at that time, but this condition being included was a crucial consideration for my voting for approval. It was still a close decision for me, but without the inclusion of this condition concerning taxation of the student housing I would have voted to disapprove the PUD.
 - Many of us on city council at the time of the approval were concerned about the increased demands and potential negative impact of such a large development and organization on our small town and community. There were many such concerns, but one of the largest was the “greatly-increased demands on public safety,” in-particular on highways, traffic, and emergency services (Northeast Teller County Fire Protection District [NETCFPD], Woodland Park Police Department, and Ute Pass Regional Ambulance District), especially since the AWMI development would not be contributing funding (taxation) to these public safety organizations and departments.
 - This “public safety” concern and the potential increased costs to local taxpayers was also recognized by AWMI, thus there was a mutual agreement, included as a condition of the approval, that the student housing would be taxed, thus the AWMI development would contribute to the increased demands on “public safety” through this taxation

condition/agreement. I believe that without this condition/agreement the PUD might not have been approved. Someone has to pay for these services! If AWMI does not contribute through taxation, then the citizens of Woodland Park and the greater community must foot the bill by paying additional costs in taxation and/or increases in homeowner's insurance (due to changes in fire ratings as a result of the greater demand placed upon NETCFPD).

- We have already seen the above impacts of the AWMI, etc at the current growth level, and the increased demands with the student housing at The Sanctuary will place even greater demands upon the public safety of our community. Again, someone has to pay for these services! AWMI agreed to the condition of taxation of the student housing and their organizations should be contributing to the funding of these public safety services through the already-agreed upon taxation. To ask the citizens of Woodland Park and the rest of the community to cover the increased costs as a result of the AWMI development is unacceptable. I am sure that specific information on the additional public safety demands and costs are available in the city staff documentation when the PUD was approved, and undoubtedly the city staff is updating those figures, to now include the current costs and projected costs with the additional of the student housing.

I strongly recommend that you not approve this change.

Respectfully submitted for your consideration,



David J. Turley
Former Mayor, Woodland Park

CC: Woodland Park City Manager
Woodland Park City Clerk
Woodland Park Planning Department
NETCFPD, Chief Tyler Lambert

WOODLAND PARK PLANNING COMMISSION
WOODLAND PARK CITY HALL COUNCIL CHAMBERS
220 W. SOUTH AVENUE, WOODLAND PARK, CO
REGULAR MEETING MINUTES
APRIL 12, 2012, 6:00PM

I. CALL TO ORDER AND ROLL CALL: The meeting was called to order at 6:00 PM by the Chair, Mr. Mark Stackhouse. Commissioners present were: Mr. Mark Stackhouse, Ms. Catherine Everett, Mr. Larry Larsen, Ms. Dianne Majoue, Ms. Paula Mattingly, Mr. Tom Rollinger, Mr. Charles Schroeder and Mr. Geoff Watson. Staff present were: Planning Director, Ms. Sally Riley; City Planner, Mr. Scott Woodford; City Attorney, Ms. Erin Smith; Public Works Director, Mr. William (Bill) Alspach; Utilities Director, Mr. Kip Wiley; and Planning Administrative Assistant, Ms. Lisa Parnell.

II. PLEDGE OF ALLEGIANCE

III. APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. Stackhouse started the meeting by asking the Commission for comments and/or potential changes to the Minutes of the regular meeting which took place on March 22, 2012. There was no response so Mr. Stackhouse stated that the minutes would be accepted as written.

IV. REQUESTS AND/OR PUBLIC HEARINGS

Mr. Stackhouse began to read to the forum the summary of the case items to be discussed on the agenda.

A. ZON-11-001 Andrew Wommack Ministries, Inc. Planned Unit Development/Planned Business Development (PUD/PBD) Zone District, Final Plan and Preliminary Plat: Request to consider approval of a PUD/PBD Zone District, Final Plan and Preliminary Plat for a 147-acre tract of land located at 5849 Trout Creek Road (CR25), Woodland Park, Colorado, for the purpose of developing "The Sanctuary" for the Charis Bible College to be relocated to the site as requested by the applicant Andrew Wommack Ministries, Inc. (This case was previously tabled on November 10, 2011; December 8, 2011; January 12, 2012; and March 8, 2012.)

Before Ms. Riley started her presentation on the Wommack case, Mr. Larsen stated that he had a short disclosure to share with the forum before they got started. Mr. Larsen then stated that he has worked with several consultants that worked on this plan and in particular the one that prepared the final development plan and that this individual will be his new interim boss as of Monday. Mr. Larsen stated that he felt that he would still be able to make a fair and impartial decision. Ms. Smith, City Attorney, asked Mr. Larsen to clarify that the work that he had done with this individual, did not involve the matter at hand. Mr. Larsen confirmed it had not.

Ms. Riley explained to the forum how she intended to arrange her presentation of the Wommack Staff Report over the next part of the meeting. Ms. Riley summarized the steps that have already taken place towards this project and then pointed out that the Commission's recommendation would next go to the City Council. At this time

Ms. Riley introduced Mr. Larry Bozeman, The Sanctuary applicant. Mr. Bozeman, in turn, introduced his team. Mr. Brett Prather of Architectural Innovations presented an overview PowerPoint depicting the build out and other design parameters of the application. This was followed by a second presentation made by Mr. Kyle Campbell of Classic Consulting. Mr. Campbell reviewed the project design elements.

Ms. Riley reviewed Wommack Planned Unit Development (PUD) and Planned Business Development (PBD) Final Plan and Preliminary Plat Staff Report, highlighting relevant sections of the PUD/PBD code requirements, relevant conditional use and special use permit standards, as well as the preliminary plat subdivision standards. She also reviewed the City Planning department's analysis of how this PUD/PBD Final Plan and Preliminary Plat application met and/or exceeded those requirements. Lastly, Ms. Riley presented the overall staff recommendations of approval for the PUD/PBD based on the following summarized 13 conditions:

- 1) Submittal, review and approval by City Staff of a Final Landscape Plan.
- 2) Submittal, review and approval by City Staff of Final Grading/Erosion Control Plan.
- 3) Submittal, review and approval by Engineer of a Final Drainage Report and Plan.
- 4) Submittal, review and approval by City Staff of a Final Photometric Plan.
- 5) Submittal, review and approval by Planning Commission of a Flood Hazard Development Permit and revised Flood Report, along with agreement from the applicant to attain any necessary Army Corp of Engineers' permits.
- 6) Agreement from applicant to construct all road and signalization improvements to Trout Creek Road and US24 in accordance with the approved Traffic Analysis from LSC and obtainment of an agreement to all conditions as set forth by any Colorado Department of Transportation (CDOT) permits.
- 7) Submittal, review and approval by City Utilities for any utility construction drawings.
- 8) Agreement to update the Phase 1 Environmental Assessment.
- 9) Adherence to the City of Woodland Park Ordinance #838, Water Development Fee.
- 10) Adherence to the City of Woodland Park impact and development fees.
- 11) Submittal, review and approval by City Staff of a Wildfire Protection Plan.
- 12) Submittal, review and approval by City Council of a Final Plat.
- 13) Agreement from the applicant to the Teller County requirements as outlined in the letter dated March 20, 2012.

Ms. Riley ended her PowerPoint presentation and handed the meeting back over to Mr. Stackhouse, who (in turn) opened up the Commission for questions.

Mr. Larsen inquired whether or not the annexation parcel had been officially annexed by the City. Ms. Riley affirmed. Mr. Rollinger directed his first question to staff, directing their attention to Page 3 and the vehicular dialog concerning peak hours establishing 2030 as an end threshold. Mr. Rollinger inquired into what was to happen in the year 2030. Ms. Riley stated that she would let the traffic consultant answer this later, but stated that 2030 is a standard lookout period used in CDOT studies. Mr. Rollinger then directed staffs' attention to Page 5 and the 100-foot buffer, asking for the value of this and for a standard comparison. Ms. Riley responded that the standard was 25-foot and that this was 4 times the norm and an ample buffer for the development. Next Mr. Rollinger turned to Page 6, Paragraph 2; the discussion on Noise, where he asked whether or not we could expect the local Police Department to enforce this ordinance. Ms. Riley affirmed. Mr. Rollinger moved on to inquire with a question on the

traffic/access and the listed 4-6 events per year and whether or not the increased event traffic was considered in this area. He added to this that he recalled the increase of vehicles stated during a study for the recent Tamarac Center project and was curious how Wommack's increase would also affect the traffic in the area. Mr. Rollinger stated that he also had questions that he would hold for the applicant to answer regarding the economic assumptions (particularly as it pertained to revenue) and the accreditation factor for higher education, as well as a question more directed to the staff regarding their recommendation in the first motion.

Mr. Schroeder inquired into the maximum building height for the City at this time. Ms. Riley responded that it was 35 feet for most commercial zoned properties in the City. Mr. Schroeder stated that he would like the views from Rampart Range also noted in the Staff Report.

Ms. Mattingly inquired into whether or not there was a timeline established for having the Wildfire Plan 100% complete; the report talks to it being currently 10% complete in the first year. Ms. Riley responded that the Fire Chief wants the plan 10% complete by the end of the first year and completed within 4-5 years; that the criteria he presented was to be flexible and allow the applicant to propose a plan for his review. Ms. Mattingly also directed everyone's attention to Page 7, which indicated 66 jobs would be added to the economy in the first year. Ms. Mattingly asked whether this number included an existing workforce relocating to the community or new jobs. Ms. Riley responded that she would consider this a question for the applicant to address later.

Ms. Everett directed her question to the applicant, asking about the buffer treatment for existing parameter housing along the Highway 24 corridor. Mr. Stackhouse asked Mr. Campbell to address this question and Mr. Campbell responded that at this time they were working at a broader overview level, but stated that he did make a note of this comment and stated that they (the applicant team) would address this comment with the Final Plan. Ms. Riley added that staff would also be sensitive to the housing's landscape plan when it is submitted for administrative review.

Mr. Rollinger injected that he also had a question about which student housing bubble would first be developed. The applicant stated that they are currently depicted in same phase and that there has not yet been a determination as to which will be developed first. He further stated that there would be a number of factors (e.g., visibility, orientation) that will play into the decision of which one to develop first, but that the preference would probably be that both would not be constructed at the same time.

Mr. Watson inquired into the surrounding traffic and the 500 projected parking spaces, particularly with regard to special events. Mr. Chris McGanahan, LSC Consultant, responded to these inquiries by explaining the Traffic Study was done to analyze 3-phases of build-out and traffic impacts. Mr. McGanahan stated that though there was a need to for a way to handle special events, these events were not going to be frequent enough to justify a long-term traffic concept. CDOT, the City and the applicant have worked together to develop a Special Event Traffic Control Plan to use during these infrequent events. He explained the various options that the plan might include as well as a potential to formalized a shuttle system. He also talked about the CDOT requirement to project traffic in the area over the next 20 years with or without the project to determine the needs. He described the plan to add a very long left turning lane and turn signal, for

which CDOT has approved. An access permit is ready for the City to sign and submit to CDOT to allow for the improvements to be completed. Mr. Rollinger inquired into whether or not the additional costs for traffic control for special events would be placed on the applicant and Mr. McGanahan stated that such costs are typically the burden of the applicant.

Mr. Stackhouse addressed Mr. Wiley, Utilities Director, and Mr. Alspach, Public Works Director, asking if they were satisfied with this project. Mr. Alspach confirmed that he was pleased with it in terms of traffic control and drainage standards, stating that it actually exceeds the detention and water quality standards. Mr. Wiley expressed satisfaction with the water system and stated there were only minor adjustments needed to the sanitary system, and that these items would be addressed during final review of the construction drawings.

Mr. Rollinger and Mr. Wiley discussed the significance of the loop to the water line. Mr. Wiley provided explanation that tying into the hospital line would have been a dead end, but tying into the Sturman line with a loop provides better flow; meaning more water.

Mr. Watson inquired into potential buffer enhancements. Ms. Riley pointed out that there is discussion of potential fencing on the west side.

Mr. Rollinger asked additional questions regarding the college programs, accreditation, policies (i.e., curriculum type, licensing), the staff and services that would be necessary and available (i.e., childcare, on-campus housing, speed limits/security, dining capabilities, medical needs) and the projected constitution of the student population (i.e., enrollment numbers, professionals versus high school graduates, married/single). Mr. Bozeman approached the podium and answered all these questions in detail, providing statistics from their existing campus to base his projections on. This discussion spawned much interest among the rest of the Commission, leading to additional inquiries/questions regarding the college population and the services it would bring with it. The following information was provided in response to these questions:

- Program is 2 years in duration; predominantly text book oriented.
- Students are licensed at completion.
- Average age is 42, with a mixture of both professionals and high school graduates normally in attendance.
- Around 50% of the students are married and approximately 20% have children.
- Enrollment is projected at approximately 450 in the first year.
- Program enrolls in November and completes in June, with a Spring Break in between.
- Seventy-seven (77) percent of students are projected to live on campus.
- Roughly half of population is also employed (27% fulltime and 26% part-time).
- There is a 10-mile speed limit on their existing campus, which is enforced by campus Security. Citations are given to both students and employees and enforced by potential suspension to ensure safety standards are met.
- There will be on-campus snack bars with grills and coffee.

- No on-campus medical services are being considered, but a reminder was provided that this campus is across the highway from the hospital should medical needs arise.
- There will be no on-campus childcare provided; the applicant plans to rely on the community for those needs.
- The 66 employees would include current employees.

At this time Mr. Stackhouse asked if there were additional questions for the applicant and staff. Mr. Rollinger reminded Mr. Stackhouse that he still had some questions on the economic factors to the project. At this time Mr. Mike Anderson, partner with firm Summit Economics, LLC, whom prepared the economic analysis, approached and offered his response to any questions regarding the economic study. Mr. Rollinger expressed that his primary interest was in the area of property taxes. Mr. Anderson stated that due to the fact that this was going to be a non-profit institution that these were estimated at zero. Mr. Anderson did mention, however, that the analysis included an estimate of property taxes from the on-campus housing because it would be provided by a for-profit entity. Due to this factor, it was estimated that by the year 2015 there would be approximately \$61,000.00 in related property tax revenue. Mr. Rollinger asked if the study had also factored in incremental costs for City services or special taxes services (e.g., school, library, emergency services) that would be utilized along side with the increase in area population. Mr. Anderson responded that this was not a full impact analysis that would take those factors into consideration, but that this was something that could be done. He opined that a full impact analysis is a more extensive survey and more appropriate to an annexation as opposed to a land-use determination.

Mr. Larsen asked an additional question regarding the fact that this was one lot and inquired into how this would be proportioned to the student housing aspect. Mr. Anderson responded that in this case only the improvements would be taxable as the land was owned by the college and thus would be considered tax exempt due to its non-profit status. Mr. Anderson stated that this process is typically an assessor's responsibility.

Mr. Stackhouse asked if there were any further questions and then (in reaction to non-response) opened up the forum to public comment, mentioning that this would be done in order of sign up to the sheet that placed in the back of the room and that he would like to keep these comments to a 5-minute limit.

First on list was Mr. Steve Roshek, an adjacent property owner whose office is located at 18401 Highway 24. Mr. Roshek had multiple questions. He raised them all at once and then it was determined the staff would respond to them all at the end. The first question was whether or not Trout Creek Road is owned by the City or the County. He also had questions about the wetlands and whether or not the appropriate authorities had reviewed those areas. Mr. Roshek raised additional questions about the administrative building being relocated toward the center of property and the appropriateness of the size of the administrative building. Additional concerns were also raised with regards to the number of egresses and emergency access and whether the open space referenced in the site plans was public or applicant-owned open space. Mr. Roshek also remarked on whether or not there was still going to be a campsite (which was shown in early plans); inquired into the rationale for the retention pond; and expressed concerns for the removal of the Aspen grove (requesting that the applicant consider relocating some of the grove). Ms. Riley

and Mr. Alspach responded that Trout Creek Road is owned by the City and will remain a City road. Ms. Riley explained that the wetlands fall into the responsibility of the Army Corp of Engineers and that there is a requirement that they receive a nation-wide permit prior to any disturbance of these areas. Ms. Riley went on to explain that there would be two egresses (one main road and one emergency access-only road), that the open space was going to be private and for benefit of the applicant, and that the campsite was no longer a part of the plan. Mr. Alspach tackled the explanation of the detention pond and the rationale for locating it where it is depicted; explaining that this is achieved through a system of storm water pipes and gravity principles. Ms. Riley stated that the bulk of the local residents should not have their views of Rampart Range hindered, but that this will be a considered. Ms. Riley also stated that the majority of the Aspen groves were also going to be preserved and that there is a group of trees near the maintenance building that will also be preserved to serve as an additional buffer. Mr. Larsen inquired into whether or not there were standards or regulations that would better dictate potential hindrances to views for the local residents. Ms. Riley responded that the City's code is written to preserve view corridors to the extent reasonably possible. Mr. Bozeman explained that the administrative building is for the Andrew Wommack Administrative staff, a different administrative staff than the college.

Next, Mr. Bob Edmonston of 42 Stillforest Lane talked to five issues/concerns (i.e., potential square footage of the student housing; the road proximity from lots 11, 12 & 13 in Westwood Lakes subdivision; privatization of housing units and the creation of tax revenue; the magnitude of people and traffic in the area for special events; and the math for the commercial water development fee). Ms. Riley, in conjunction with the applicant, confirmed the density requirements for the student housing per the regulation and then responded that the square footage listed at the top of the Site Plan was for the building footprint coverage not the total square footage of the student housing. The applicant responded to the road proximity concern, stating that there is approximately 230 feet from the existing lots to the road. Ms. Riley added that there was also a thick stand of Spruce trees to buffer that area. Mr. Bozeman addressed the privatization (potential tax revenue) issue for housing by stating that it is not a requirement that they privatize this housing, but that they intend to hire a private contractor to do that work as an added concession. Mr. Larsen inquired into whether or not the applicant would be opposed to making this a requirement. Mr. Bozeman stated that he wasn't sure this was a legal precedence, but that he was not opposed to doing that as this was how they planned to proceed either way. Mr. Bozeman also briefed that there was going to be around five local events, with the largest one projected to accommodate around 2500 people and that this number is considered in the plans. Ms. Riley explained that the water development fee was not based on the entire 147 acres. It was for only the commercially-developed portion of this project; the sanctuary area and its accessory usage or building coverage (about 14 acres).

Mr. Sam Marsh of 105 Still Forest Lane asked for clarification to Mr. Rollinger's earlier question regarding whether or not the program gives accreditation and/or licensing and an explanation of the differences. Mr. Bozeman responded that after two years not all students are ordained other than a selective few, but that most are licensed to conduct affairs such as marriages and burials. Mr. Bozeman stated that this is not an accredited college.

Ms. Linda Pierce, of 227 Illini Drive, brought forward several concerns for the following: big bubble and traffic plans being accomplished prior to approval; the amount of public exposure to the project; the feasibility of placing the college in the small town of Woodland Park as opposed to the bigger town of Colorado Springs; the lack of on-campus medical resources as a concern; and she also expressed disbelief that more people are not concerned with the increased traffic issues this project would bring with it. Mr. Alspach explained that each special event would be looked at (just as all local events have been in the past) and that each one would have its own unique parameters and conditions to consider on a case-by-case basis. Mr. McGranahan spoke to the fact that this site was considered for multiple mixed uses, but that though this development will require a few special events a year, which will increase traffic at minimal times, the norm will actually be much less than that due to the fact that most students will live and reside mostly on campus, utilizing walking as a basic mode of transportation. Mr. McGranahan also mentioned the proposed use of the traffic signal to better adjust any additional traffic and explained that CDOT has looked into this issue with extensive detail and that the fact that CDOT has approved the plan with a permit should be seen as a positive with regard to any traffic concerns. Ms. Riley added to this that the current design standards presented by the applicant do support the bubbled areas and that if there are changes to the design it will have to go back through review for an amendment to the PUD.

The next four speakers from the public (Mr. Norm Stein; Mr. Bill Page; Mr. Kerry Ahlstrom and Mr. Mark Rabaut) all spoke in favor of this project and listed many favorable factors in support of this development from positive economic growth to bringing in quality people.

Mr. Stackhouse asked if there were any additional comments or concerns and upon non-response initiated a 10-minute break for the forum. The break time reconvened at 8:56 P.M.

Ms. Smith reminded the Commission that character of the constituency should not be considered relevant to land use discussions. Mr. Stackhouse asked the applicant if they had anything to add as follow-up discussion and the applicant responded no.

At this time Mr. Stackhouse revisited each commissioner asking if there were any further questions necessary. Mr. Larsen inquired into the adjacent loss of buffer by 25 feet to several properties and the highway. Ms. Riley responded that the adjacent property surrounding the area is also owned by Wommack and zoned commercial outside the City limits. Residents would never live in these areas unless they went through the County and had it re-zoned from commercial to residential. Mr. Larsen asked Mr. Wiley, City Utilities Director where the water was collected and treated. Mr. Wiley stated that it is collected from multiple sources and is part of the Gold Hill system. Mr. Larsen asked for a detailed explanation on the precise traffic improvements that could be expected to Highway 24 and Trout Creek Road. Mr. Campbell described the left turn lane through Highway 24 and a widening improvement to Trout Creek Road to the entrance to the Wommack College. Mr. Alspach also added that there would be signal improvements as well that would be worked out in the final details. Mr. Larsen also asked if the barn had been considered for a move north of the Sanctuary, stating that it would have less of an impact to the neighboring locations. The applicant responded that they had not considered doing this as a course of action but that they would take a look at this as a

potential idea. Mr. Larsen also asked questions about the grading to the parking lot and seemed satisfied with the response by staff and applicant.

Mr. Larsen stated and summarized the many significant impacts (both positive and negative) that this development was going to have on the community and then requested (not required) that the applicant strongly consider making the privatization of the housing element a formal requirement or condition to approval. Mr. Larsen also asked Ms. Riley whether or not it was too late to amend the annexation agreement as required by Condition #13. Ms. Riley responded that it was not and stated the process for a changing the annexation agreement was with City Council approval. Mr. Larsen concluded that an amendment wouldn't be needed as it was adequately covered in the plan.

Ms. Mattingly commented that she supported Mr. Larsen's recommendation to require privatization of the housing element of this project. Ms. Smith stated that the record reflects that the applicant did concur with this as a requirement. Mr. Bozeman injected that if this is a legal requirement they would agree with it; further stating that it was the applicant's personal commitment to move forward with privatizing the housing. Mr. Bozeman stated that if the Commission instructs them to make it a condition they would move forward and agree to it. Ms. Smith informed the applicant that voluntarily agreeing to this would answer the issue. Ms. Smith stated that if the Commission requests it and the applicant would voluntarily agree to it then it may be added as a condition. Mr. Bozeman responded that this was fine. Mr. Rollinger stated that he believed what Ms. Mattingly was suggesting was to make it another condition. Ms. Mattingly responded affirmed that this was her intent. Ms. Smith stated that her understanding was that the applicant was agreeable to making this Condition #14.

Mr. Stackhouse asked for further comment. Mr. Rollinger stated that the public should not overplay or assume that this bringing in the development will make Woodland Park a college town; stating that, "we are not Boulder". Mr. Rollinger remarked to the positive aspects of growth that it would bring as well. Mr. Rollinger also expressed his lingering concerns as to whether or not the property and sales taxes (due to the increase population and privatization of housing) would be enough to offset the additional costs for which the various taxing districts would be faced. Mr. Rollinger asked Ms. Riley if the Commission approved the project if they would see it again. Ms. Riley responded that the Commission would see it as a Final Plat and with regards to the Flood Hazard Development Permit, as well as if the PUD/PBD Final Plan was amended and that the next step for this action was for it to go to City Council.

At this time Ms. Smith stated to the chair that she believed some language for Condition #14 needed to be offered and that she proposed, "the housing on the development will be temporary student housing, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed". She asked the Commission if this was agreeable and received affirmation. She asked Mr. Bozeman if this was agreeable and he replied that this was something they were doing anyway so this was fine.

FIRST MOTION: Mr. Larsen made a motion that the Planning Commission approve the project as it qualifies as a PUD as subject to Conditions 1-13 with the addition of the Condition #14, as suggested by the City Attorney. Ms. Mattingly provided a second motion. Motion carried 7-1 with Mr. Rollinger voting no.

SECOND MOTION: Mr. Stackhouse asked if there was a motion for the Preliminary Plat. Mr. Larsen made the motion to approve with the condition previously discussed to adjust the Trout Creek Road right of way on the Final Plat and Ms. Majoue provided a second to that motion. The motion carried 7-1 with Mr. Rollinger voting no.

V. REPORTS

A. Chairman's Report: No report.

B. Planning Director's Report: Ms. Riley informed the Commission that there would be a case for the April 26, 2012 meeting and that the packet would be distributed. She stated that she would be passing out the monthly reports after adjournment.

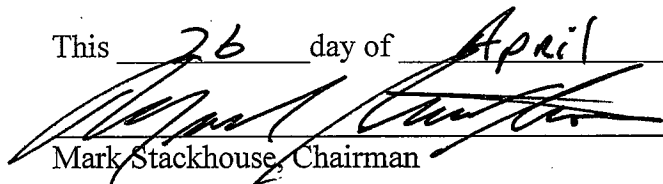
VI. DISCUSSION AND COMMENT: No report.

VII. ADJOURNMENT: Mr. Stackhouse adjourned the meeting at 9:25 PM.



Lisa Parnell
Planning Dept. Administrative
Assistant

This 26 day of April 2012


Mark Stackhouse, Chairman

**WOODLAND PARK CITY COUNCIL
REGULAR MEETING MINUTES
COUNCIL CHAMBERS - CITY HALL
JUNE 7, 2012 - 7:00 P.M.**

1. CALL TO ORDER, ROLL CALL: Mayor Turley called the meeting to order at 7:00 P.M. Morse called the roll with the following members of Council present: Dave Turley, Gary Brovetto, Bob Carlsen, Terry Harrison, Carrol Harvey and John Schafer.

2. PLEDGE OF ALLEGIANCE: Mayor Turley led all in the Pledge of Allegiance.

The following Staff Members were also in attendance:

City Manager David Buttery

City Attorney Erin Smith

City Clerk Cindy Morse

Police Chief Robert Larson

Planning Director Sally Riley

City Planner Scott Woodford

Finance Director Kellie Case

Utilities Director Kip Wiley

Public Works Director Bill Alspach

3. CEREMONIES, PRESENTATIONS AND APPOINTMENTS: None.

4. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA: None.

5. CONSENT CALENDAR:

A. Approve minutes of May 17, Regular Meeting. **(A)**

B. Approve application from Walmart Supercenter #3805 for renewal of a 3.2% Beer Retail License located at 19600 E. Highway 24, to be effective August 22, 2012. **(QJ)**

Morse noted the items on the Consent Calendar.

MOTION: To approve the Consent Calendar as presented.
Harrison/Brovetto. Motion carried 6-0.

6. UNFINISHED BUSINESS: None.

7. ORDINANCES ON INITIAL POSTING:

A. Consider Ordinance 1164 on initial posting for a Conditional Use Permit for a Wholesale Trade and Distribution Establishment Use for the Paradox Beer Company to produce, package, wholesale and retail barrel aged beer on the property located at 106 E. Village Terrace, Suite 100 in Woodland Park and set the public hearing for June 27, 2012. **(QJ)**

City Planner Woodford presented this item, noting that this Ordinance presents an application for a Conditional Use Permit for a wholesale trade and distribution establishment use to produce, package, wholesale and retail barrel aged beer at 106 E. Village Terrace in the lower level. He noted that a full report will be presented at the public hearing and recommended approval of this Ordinance this evening with the public hearing scheduled for June 27, 2012.

MOTION: To approve Ordinance 1164 initial posting and set the public hearing for June 27, 2012. Harvey/Harrison. Motion carried 6-0.

At this time, Mayor Turley noted that Agenda Item 9A would be heard prior to consideration of Ordinance 1165, and reported that that Resolution 744 would establish findings of fact by the City Council for annexation into the City.

A. Resolution 744 setting forth the findings of fact and conclusions concerning the annexation petition for the 3.736-acre tract of land located at 1100 Rampart Range Road, Woodland Park, as submitted by Gilliam Thunderhead, LLC. (QJ)

Planning Director Riley reviewed the Staff Report and a brief PowerPoint presentation for Council and provided a brief recap of the process to date. She noted that Resolution 744 sets forth findings of fact and conclusions and acknowledges that the City Council conducted a public hearing and agrees that the proposed annexation complies with the requirements of "Eligibility for Annexation" as established by State law, which include:

- A minimum of 1/6th contiguity;
- A community of interest exists;
- The area is urban or can be urbanized in the near future; and
- The area is capable of being integrated with the annexing municipality.

She noted the applicants request that this parcel be annexed and is planning to add a single family residential unit to the site and preserve the existing structures. She reported that all for standards for eligibility for annexation are met with this request, and noted that the parcel is 100% contiguous with the city. She reported that the maximum number of dwelling units for this site will be up to three single-family residential structures. She introduced the applicants, and recommended approval. Councilmember Harrison asked if there is a well on this parcel. Utilities Director Wiley reported that there is a well, and noted that if the applicants choose to connect to the City's water system, the well will be deeded to the City. Councilmember Carlsen asked about impact fees for this request. City Planner Riley reported that those fees are assessed at the time of development. The public hearing was held without comment.

MOTION: To approve Resolution 744 setting forth findings or fact and conditions for the annexation of 1100 Rampart Range Road as submitted by Gilliam Thunderhead, Inc. Harrison/Schafer. Motion carried 6-0.

A. Consider Ordinance 1165 on initial posting annexing a 3.763-acre tract of land located at 1100 Rampart Range Rod, Woodland Park as submitted by Gilliam Thunderhead, LLC. **(QJ)**

City Planner Riley presented Ordinance 1165, noting that this is the initial posting of the Ordinance that will annex the Gilliam Thunderhead parcel located at 1100 Rampart Range Road, and stated that the public hearing will be held on June 27, 2012. She recommended approval.

MOTION: To approve Ordinance 1165 on initial posting and set the public hearing for June 27, 2012. Carlsen/Harrison. Motion carried 6-0.

8. PUBLIC HEARINGS:

B. Approve Ordinance No. 1162 to change the zoning designation from Agricultural to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development in accordance with The Sanctuary's Final Development Plan and Preliminary Plat for a 147-acre tract of land located at 5849 Trout Creek Road (CR25), Woodland Park, Colorado for the purpose of operating the Charis Bible College as submitted by Andrew Wommack Ministries, Inc. **(QJ)**

City Planner Riley read the agenda item title into the record and reviewed a PowerPoint presentation detailing the process to be followed this evening, as follows:

- Applicant presentation.
- Questions from Council.
- Staff presentation.
- Questions from Council.
- Public hearing and comment from the public.
- Applicant rebuttal.
- Public hearing closed.
- Council deliberation.
- Motion and findings.

She reviewed the process to date, noting that the Planning Commission approved this request on April 12, 2012 with 14 conditions, which are contained in Council's materials this evening. She reviewed the four motions requested, as contained in the Staff Report. Applicant Larry Bozeman, Operations Manager for Wommack Ministries, 850 Elkton Drive, Colorado Springs, addressed Council and thanked them for the opportunity to provide his report. He reported that the Charis Bible College is an approved college and noted that the average age of their students is 43. He reported that they currently have a facility in Colorado Springs, and look forward to building a new facility in Woodland Park. He noted that he and his development team are working with the City to address the interests expressed by the community concerning this development in Woodland Park. He introduced Brett Prather, Architectural Innovations, Colorado Springs, and Prather addressed Council and reviewed a PowerPoint presentation of the project. He noted that they are paying critical attention to the details of blending the project with the site location. He discussed the location of parking areas – away from adjacent residents; the dark sky compatible lighting; attention to detail with

landscaping; and discussed the construction and finish materials they will be using to include timbers, natural stone and stucco with a Colorado look and feel. He noted that the building will be phased and described each of the phases. He discussed the west elevation and pointed out that it has been recessed into the parcel to work well with the existing contours of the land. He reviewed the interior visuals for the Conference Center and discussed the finish materials for this phase. Councilmember Harvey asked if the Banquet Hall would provide a cafeteria for students. Prather reported it would not provide a cafeteria, but would be a place for the students to eat, somewhat similar to a large break room. Councilmember Harvey asked how many parking spaces are included. Prather replied 544. Prather continued his presentation describing the amphitheater that would seat 350 to 400 people and noted that it would be oriented toward the Middle Pond with parking behind the structure. He reported that the facility will also be ADA compliant. Councilmember Harvey asked about the sound system for this facility. Prather reported it is a temporary, focused and directional system. Councilmember Harvey asked about phasing for the student residents and housing. Prather noted that this is unknown as this time and reported that the development team is studying this topic, and will likely react to demand for housing. Councilmember Carlsen asked if the 3,000 students anticipated for this Bible College in 2035 are included in the traffic study that Council received. Prather noted that the first two phases of construction include an increase of 1,100 to 1,300 people. Councilmember Brovetto commented that he heard the amphitheater seats 2,500 people and is only providing 500 parking spaces, and felt that there are not enough spaces. Prather reported that meets the City's standards for parking. Councilmember Schafer questioned if a contractor has been selected for this project. Prather reported yes, a single contractor has been selected for the first two phases of the project. Councilmember Schafer asked if the Woodland Park labor pool will be considered. Prather reported that the contractor is a Woodland Park resident and stated that local trades are welcome to bid. Gary Erickson, representing Executive Company, 13570 Meadowgrass Place, Colorado Springs, noted that they hope to draw as many local laborers as possible. Councilmember Harvey asked about the hours of operation for the College. Bozeman reported the school operates Monday through Friday from 8AM to noon and again from 6:30PM to 9:30PM. Councilmember Harrison inquired about the traffic study and questioned the number of trips per day at the intersection of Trout Creek Road and US Highway 24 and wondered if CDOT would accept that. Chris McGranahan, LSC Transportation Consultants, 516 N. Tejon, Colorado Springs, reported that the project very recently received their Access Permit from CDOT. McGranahan reported that signalization improvements will be added as well as land additions. Councilmember Harrison asked when the improvements will be completed. McGranahan reported they have a three year period to complete the required improvements, but will likely do them all early on in the project. Mayor Turley asked Utilities Director Wiley about the water and sewer system impacts of this proposed project. Wiley noted that at total build-out, this project would consume 2.3% of the City's total planned water demand. He stated that currently the water consumption is approximately 55% of the total planned water demand, and noted with total build-out, that number is increased to approximately 57% of the total planned water demand. As to sewer, Wiley reported that the wastewater system is already scheduled for a planned

upgrade, and noted that this project, when completed would increase hydraulic flow by 5%. He reported that the current treatment plant is rated at 1 million gallons per day, and is now treating an estimated 500,000 gallons per day. Larry Bozeman, General Operations Manager for Wommack Ministries, addressed Council and noted that they will also be constructing a looped line for the water system and that provides connection for adjacent facilities. Councilmember Harrison asked where the sewer would connect. Utilities Director Wiley reported it would connect to the southside lift station. Councilmember Harrison inquired where the runoff will flow. Public Works Director Alspach explained that the applicant is providing stormwater detention and meeting the City's existing requirements, describing the proposed runoff path. Councilmember Schafer reported that there are an estimated 66 new jobs expected when this project is completed, and inquired how many of them may be hired from the local Woodland Park workforce. Bozeman reported he is not sure, and noted that depends on the job qualifications of the applicants. Kyle Campbell, Civil Engineer for Classic Consulting Engineering and Surveyors, 6385 Corporate Drive, Colorado Springs, addressed Council and reviewed a PowerPoint presentation detailing the Final Development Plan. He reviewed the 544 parking spaces included and discussed the building for phase 1 of the project and reported that phase 2 will include the auditorium and parking. He reported that the existing barn will be relocated and renovated with a pavilion area and pedestrian routing throughout the site. He discussed the entrance to the campus with a gatehouse and a divided median entrance with a roundabout and detailed the improvements that will be made. Concerning the access road, he reported that three lanes will be built and described the traffic flow for larger events held on the campus – using two lanes to enter prior to the event and two lanes to exit after the event. He also commented that would assist emergency vehicles as well. He reported that the historic bunkhouses located on the property will be preserved. He discussed erosion control for the project, noting that they will be in full compliance with the required standards. He next reviewed the construction timeline, noting that Phase 1 construction for the Charis Bible College will begin in 2012 for infrastructure installation, and is anticipated to be completed in 2013; construction for student housing will begin in 2013 and is scheduled to be completed in 2014 – with construction for housing 150 students per year; Phase 2 construction for the Charis Bible College will begin in 2015 with completion in 2016; and construction of the Administrative Building begins in 2017 and is planned for completion in 2018. Concerning drainage, Campbell reported he is working with the City's Public Works Director to create a design for drainage and will comply with all standards and requirements in our region. He next reviewed the water system, noting that they will work to model a system of 8-inch and 10-inch mains buried close to 7 feet deep that will loop the water distribution system to both Sturman Industries and Pikes Peak Regional Medical Center Hospital. He concluded with review of the Preliminary Plat and discussed easements proposed and dedicated for current and future use.

At this time, Planning Director Riley reviewed the Staff Report for Council. She reviewed the process to date, and the next steps, noting at the conclusion of the public hearing this evening, Council will make a final ruling regarding the establishment of a PUD/PBD zoning district for the 147-acre tract, and approval or denial of the final Development Plan and Preliminary Plat. She noted that should Council grant approval

for the applicant's request, then Wommack Ministries will submit a set of construction drawings encompassing all aspects of the project for Staff review and subsequent issuance of Zoning Development Permits. Once that step is complete, the applicant is then able to obtain Building Permits from Teller County. She then began review of the analysis and findings for the PUD/PBD criteria, the eleven Conditional Use/Special Use Permit criteria and the Preliminary Plat standards. She read from the Staff Report, noting that the purpose of the PUD district is to provide more flexibility and latitude of design to provide for a greater variety of principle and accessory uses in the development of lands; to meet the technological changes in concepts, and to encourage initiative and more efficient allocation and creative development of parks, recreation areas and open space. She reported that this request complies and noted a PUD zone will benefit both the community and the applicant with more flexibility, latitude and creative design approach with the planned college campus and accessory uses to include student housing, an administration building, pavilion and amphitheater and significant open space with interconnected hiking trails. She next described location, and the Code requirement concerning where this zoning district may be established, and noted the Staff finding is that this project complies as it creates an acceptable relationship to the major traffic thoroughfare plan as validated by a traffic analysis from LSC Transportation. She reported that the Staff finds that this proposal has an acceptable relationship to the City's land use plan and noted that former Utilities Director Jim Schultz completed a comprehensive water and wastewater analysis concluding that both systems have the capacity to serve the project as proposed by this plan.

She reviewed Code Section 18.30.030 concerning requirements for approval of a PUD/PBD zoning district and reviewed the four conditions contained in the Code reporting that one or more conditions must be met. She noted that this request meets Condition C – the property is adjacent to or across a street from property which has been developed or redeveloped under a PUD and it is determined that a PUD will contribute to the maintenance or the amenities and values of the neighboring property – that property being Sturman Industries. She also noted that the proposal will preserve the majority of existing floodplain areas, three ponds, wetlands and forested areas within 116 acres of undisturbed open space. She reviewed the requirement that the PBD must maintain or enhance the environmental integrity of the City and the vicinity in which it is to be located, noting that the Staff analysis is that this proposal complies based on the aforementioned preservation of the areas, the drainage plan to control stormwater runoff; a Phase 1 Environmental Assessment prepared by Mountain Shadow Management concluding that no environmental areas of concern were identified within the study area boundary. In addition, Riley noted the requirement that the PBD be determined to be compatible with vicinity existing and proposed uses, noting that the Staff analysis indicates the proposed development of the Charis Bible College and accessory uses are compatible through good design and mitigating potential impacts, as follows:

Architecture: Overall development will have a lodge-style complementary with Woodland Park's mountain landscape and campus buildings will use earth-tone materials including moss rock, peeled logs, wood components and stucco.

Setbacks and Building Heights: A 100-foot buffer (a no-build area except for fences, landscaping and utilities) is provided adjacent to the Westwood Lakes Subdivision and a 25-foot setback is established around the perimeter of the remaining site. The maximum building height is 60-feet for the administration offices located toward the center of the campus. The main building is 54-feet in height and partially built into a hillside to take advantage of the slope. No views of Pikes Peak from existing residents will be affected by the heights of any of the proposed buildings.

Exterior Lighting: A photometric plan and lighting fixture specifications that meet “dark sky” standards with full cutoff shields will be used. In addition, the grading and landscaping plans help to mitigate the potential vehicle headlights on the west side of the building.

Noise: The primary activity center for the College is within an enclosed building containing the classrooms, auditorium, offices, banquet hall, call center and parking garage. Vehicular noise will be reduced due to the posted low speeds within the development. The outdoor pavilion and amphitheater are located in a natural bowl and they are buffered with a thick stand of spruce trees between the pavilion and the Westwood Lakes neighborhood. The student housing areas are located a significant distance away from the Westwood Lakes subdivision.

Traffic and Access: LSC Transportation Consultants have determined that with certain improvements to Trout Creek Road and the Intersection of US Highway 24 the adjacent streets will have the capacity to handle the anticipated increase in traffic for the projected build-out of 3,000 students, faculty and other employees and visitors in 2035. The new private road is designed with an optional use gravel lane to accommodate traffic increases during special events or emergency evacuations. She noted that the applicant is required by Teller County to prohibit access with a locked gate to the site from any of the Westwood Lakes roads abutting the property with the exception of emergency services access from Vista Lane.

Drainage: An on-site drainage system will be designed to carry run-off into a main detention facility, which will detain and release run-off at or below historic rates.

Water and Wastewater Capacity: Former Utilities Director Schultz confirmed that both systems have the capacity to serve the project. The applicant is required to install all the on-site system extensions as well as a waterline loop/connection to Innovation Way near the Sturman’s headquarters.

Fire Protection: All buildings will be constructed in accordance with the 2003 International Fire Code. Adequate fire protection with water looping, number and spacing of fire hydrants, etc. has been confirmed by Utilities Director Wiley and NETCO Fire Chief Lambert, and the applicant will be required to provide a Wildfire Protection Plan as a condition of approval.

Wildlife Protection: The Colorado Division of Parks and Wildlife (DPW) reviewed the Preliminary Development Plan and recommends several conditions that can lessen the impact on the wildlife – including interior fencing kept to a minimum and be wildlife-friendly; and, garbage containment be bear proof and bird feeders prohibited from May through October. Riley reported the applicant will adhere to both recommendations.

Riley next addressed the identified economic development opportunities identified with the development of this project and discussed the Staff analysis that this development

complies with this criterion. These are identified by Mike Anderson, Summit Economics, LLC, and details the benefits to include increased sales and use tax revenue projected to be \$122,235 in 2014; increase in the number of new jobs and their salaries (66 jobs in the first year with payroll of \$2.6 million); construction expenditures of more than \$86 million; operating and maintenance expenditures projected to be \$1.6 million in 2014; and property tax revenue collected on the privatized student housing of \$3.48 million over an 11-year period.

Riley then reviewed the Final Development Plan requirements for a PUD District, noting that this plan must meet the requirements of accepted land planning practices; promote public health, safety and general welfare; provide adequate light, air, privacy and convenience; lessen and avoid congestion of public streets and highways; conserve the values of surrounding properties; and protect against fire, panic, explosion, noxious fumes, flooding along natural watercourses, and other hazards. She reported the Staff analysis is that this plan complies through good site planning and aesthetically pleasing buildings; noted the development plan addresses traffic impacts by constructing on-site and off-site improvements to facilitate the flow of vehicles. The development plan conserves surrounding property values via quality design and architecture, and protects against fire or other hazards by meeting the 2003 International Fire Code, local fire protection standards, drainage and flood control specifications and provides an emergency access and widened main access drive for evacuation.

Riley reviewed the required components of the Final Development Plan that was submitted to the City's Planning Commission and discussed the 15 specific items for inclusion as contained in the Staff Report. She noted the Staff Analysis is that this Final Development Plan complies as the applicant has submitted all of the applicable development plan information specified and in addition, the applicant has provided an excellent Final Plan narrative.

Riley reviewed Municipal Code Section 18.30.090 concerning Common Open Space Requirements and discussed the specifics of those requirements as contained in the Staff Report. She noted that the Staff Analysis is that this project complies as the applicant will preserve a significant portion of the property in its natural state with 116 acres remaining undeveloped which is approximately 80% of the total land area. She noted that common open space does not include drainage and utility easements and after subtracting the easements, paved areas, building coverage, ponds, drainage and floodplain, setbacks and other encumbrances totaling 84.51 acres. She noted that the remaining common open space equals 62.36 acres or 42% of the site, with the minimum requirement being 35%.

Concerning Municipal Code Section 18.30.110 – Dimensional Standards, Riley reported that this Plan complies as no permanent dwelling units or residential lots will be proposed. Rather, 300 units of student housing are planned and will be in harmony with the surrounding areas. She described maximum density of 2 units per acre on the 147-acre tract; discussed dimensional standards for maximum percentage of lot coverage by buildings, structures and impervious surface, and noted these are appropriate for the

college campus. She noted that front, side and rear setbacks do not apply, and reminded Council of the proposed 100-foot buffer. She next reviewed Parking Requirements contained in Municipal Code Section 18.30.120, noting that this Plan complies by proposing a custom parking formula for each building, and following Staff review of the applicants proposed parking formulas, agrees with the development plans. Final discussion concerning Landscaping Requirements as detailed in Code Section 18.30.130 indicates that the preliminary Landscaping Plan submitted meets the City's requirements with proposed use of hardy native trees, shrubs and grasses.

Riley next discussed Conditional Use and Special Use Permit Standards. She reviewed Code Section 18.30.100 noting uses in a PUD are Permitted Conditionally which requires that the 11 Conditional Use Standards discussed in Code Section 18.57.040 B apply. She reviewed each of the 11 standards as detailed in the Staff Report and reported that this project meets all standards:

- Demonstrates direct need to be located at the location proposed and provides adequate mitigation measures to lessen all identified impacts.
- Does not endanger the public health and welfare.
- Development and use does not substantially injure the value of vicinity properties.
- Development and use is in harmony with the area in which it is located.
- Development and use conforms to the provisions, objectives and policies of all City Plans adopted and in effect at the time of application, including but not limited to growth management, transportation, utilities and capital improvements and downtown redevelopment.
- Development and use conform to the provisions, standards and requirements of all City regulations adopted and in effect at the time of application, including but not limited to zoning, subdivision, utilities, buildings and construction, business regulations and engineering specifications.
- Development and use is designed, constructed and maintained to accommodate the on-site and off-site traffic generated.
- Development and use is designed, constructed and maintained with appropriate regard to topography, surface drainage, soil potentials, natural and man-made hazards, streams and environmentally significant features.
- Development and use is designed, constructed and maintained with adequate water supply, wastewater disposal, solid waste disposal, air quality protection methods and surface water drainage.
- Development and use is designed, constructed and maintained to not unduly increase the public danger of fire, explosion and other safety hazards upon the public and persons residing or working on the site and vicinity.
- Development and use may be required to provide architectural design schemes and amenities such as, but not limited to fencing, landscaping, buffer areas and other aesthetic enhancement measures.

Riley next reviewed the Preliminary Plan Subdivision Standards as required in Municipal Code Section 17.04.020 – Policy, noting that standard states that the land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood or other menace, and the land shall not be subdivided until provisions have been made for drainage, water, sewer and public improvements such as schools, parks, recreation facilities, open space, trails and trail connections, transportation facilities and improvements. She noted that this proposal meets all required standards and summarized the information regarding compliance contained in the Staff Report. Regarding the Preliminary Plat Standards contained in Chapter 17.20 of the Municipal Code, Riley reported that the Preliminary Plat presented is designed and drawn in conformance with the applicable sections of the Chapter. Last, Riley reviewed the Design Standards contained in Chapter 17.40 of the Municipal Code, reporting that very few of these standards apply to this plat because the roads are private and no residential lots are proposed. She also reminded Council that this parcel will remain as a single lot, and reported that the Preliminary Plat complies with those applicable design standards such as adequate easements and grades for the private road.

Riley then reviewed the four motions included in the Council's materials. Mayor Turley asked Council if they had any questions of the Staff or the Applicant. Councilmember Harrison asked how parking requirements are established for the auditorium. Riley reported the requirement is 1 space for every 5 seats. Councilmember Harrison asked if the auditorium will be used for local events not directly tied to the Bible College. Larry Bozeman replied it would perhaps 3 times per year, depending on the event and the compatibility with the community. Councilmember Harvey inquired how the student housing portion of this project was evaluated for standards. Riley reported group quarters and student housing standards are included in the City's Code. Councilmember Brovetto asked if the Staff evaluated the impact of the estimated 3,000 people that this project will bring to Woodland Park. City Manager Buttery reported yes and noted that this increase in population will happen over a period of time, and noted that the market will adjust as this project comes on line. He reported that the increase in population includes students, staff, and new students in the Woodland Park Re-2 School District. Councilmember Harvey asked about building heights and how they are evaluated for this project. Riley reported that the PUD zoning allows the applicant to propose those heights for staff review and evaluation. Councilmember Schafer asked if the construction timeline for this project is aligned with the economic analysis presented. Paul Rochette, Summit Economics, reviewed the economic analysis submitted for the period 2012 through 2023 and noted it is not directly aligned with the construction timeline. At this time, Mayor Turley accepted Public Comment from the audience. Amy Velimirovich, 232 Illini Drive, read from a prepared statement opposing the project. She noted the project is 3 times the size of Walmart, voiced opposition to the lighting and noise and noted that additional events other than the Bible College will absolutely impact the surrounding neighbors. She noted that the amount of traffic generated from this project will totally impact the community. She reported she disagrees with the water assessment, and noted that the impact on wildlife will also be huge. She encouraged Council to be aware of these impacts, reminding them it could

be a disaster. Cathy Keeler, 94 Harvard Place, spoke in support of this zoning change, and reported she is a recent graduate of the Charis Bible College and supports this project. She noted that the students and the graduates will give back to our community, and thanked Council for the opportunity to speak, noting she appreciates their process. City Attorney Smith reported that comment regarding the character of individuals is not appropriate for this hearing tonight. Bill Page, 627 W. Midland Avenue, reported he sees the economic benefit of the Charis Bible College and discussed the taxes he pays to the State of Colorado for education. He noted that this Bible College is privately funded and the applicants are not asking for support from the taxpayers of Woodland Park. He stated he believes that the Bible College will add some stability to our community and supports their plan. Tyler Lambert, Chief for Northeast Teller County Fire Protection District (NETCO), 1010 Evergreen Heights Drive, and John Eden, 100 Red Clover Court, and NETCO Board of Directors Vice President, reviewed the current ISO rating classification for Woodland Park as a class 5 which means that the Fire District must respond to incidents with 7 personnel. Lambert noted that currently they have a staff of only 3 or 4 to respond to incidents. He reported that the District operates with funding from property tax – 97% of their revenue on an annual basis, and some revenue from license plates. He reported that the District will receive no revenue from this project – and no payment in lieu of taxes (PILT). He noted that the housing will be taxable, and some revenue will be generated when that phase is completed. He noted that there are currently 29 non-profits within the NETCO District boundaries. He suggested that is it time to talk to the City Council about supporting the Fire District. Eden stated that he believes Wommack expects the District to protect their property, and noted that City Council has the ability to ask for public service and emergency medical service operations to be covered by impact fees, and urged the Council to do what is right for the community. Councilmember Carlsen asked if NETCO is required to respond with 7 people now. Chief Lambert replied yes, and noted that some property tax revenue would be received when the housing units are constructed. Mayor Turley asked Chief Lambert what specifically he sees his need to be. Lambert noted he has all the necessary equipment and doesn't have the funding to staff the required number of people. He reported that the sprinkler systems in a large project such as this do help. Mayor Turley asked what NETCO asked the applicants for in terms on payment in lieu of taxes. Chief Lambert noted between \$80,000 and \$100,000 per year based on the same project that is taxable. City Manager Buttery noted that the Fire District relies almost solely on property tax, while the City relies on both property tax and sales tax. Councilmember Harvey reported that this cannot be negotiated this evening. City Attorney Smith noted that the Council cannot deny the application because of an impact fee requirement at this particular time because impact fees are not included in the City's Municipal Code. She noted that the record would have to be very clear that this particular project would have a direct impact on the ability to provide fire protection. Eden stated he disagrees with the Staff's analysis that this project is meeting the fire protection guidelines. He noted he believes that the issue is NETCO being expected to provide services without any revenue to fund those services, noting that the issue is bigger than just this project, and may have much larger unintended consequences. Discussion continued. Larry Bozeman, Operations Manager for Wommack Ministries, reported that they are looking at the possible purchase of a brush fire truck to have on

site. He noted that their income is derived from donations with no other income in the budget to provide payment in lieu of taxes as requested by the Fire District. City Manager Buttery suggested that representatives from the City and the District get together to discuss this issue later. There being no further comment, the public hearing was closed.

Mayor Turley called for rebuttal from the applicant. There was none. Mayor Turley called for questions from the City Council. Councilmember Carlsen noted that he believes the problem of non-profit organizations being in small communities has been around for a long time. Mayor Turley asked Bozeman if they would provide Security on their campus. Bozeman replied yes they would provide their own Security Service from 3AM to 10:30PM when construction begins and will expand to 24-hour service when the project nears completion. Bozeman noted that this will likely lessen any impact to the City's Police Department. Mayor Turley inquired if the property tax from the residential portion of this project is included in the economic development study. Paul Rochette, Summit Economics, reported it is included. Councilmember Harvey inquired about the number of permanent staff at the College. Rochette reported 66 jobs in 2014. Councilmember Harvey asked of those 66 jobs, how many might be expected to purchase a home in Woodland Park. Rochette noted maybe 30, and reported he had not studied that.

At this time, City Attorney Smith reminded Council that there are 14 conditions of approval, and asked the applicants if they agree with all 14 conditions. Bozeman stated they do not object to the conditions of approval.

MOTION: The City Council concludes that the proposed project qualifies for a PUD District and approves the rezoning of the property to PUD, and approves the PUD/PBD Final Development Plan based upon the findings presented this evening and included in the staff report, with the following conditions:

1. A final landscaping plan in accordance with Section 18.33.180 E shall be submitted, reviewed and approved by City Staff for The Sanctuary and all other first phase improvements prior to the issuance of the Zoning Development permit for The Sanctuary.
2. A final grading/erosion control plan in accordance with Chapters 18.40 and 18.41 shall be submitted, reviewed and approved by City Staff for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.
3. A final drainage report and plan shall be submitted, reviewed and approved by the City Engineer for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.

4. A final photometric plan shall be submitted, reviewed and approved by City Staff for The Sanctuary and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for The Sanctuary and associated site improvements within the first phase of development.

5. A Flood Hazard Development Permit application and revised Floor Report shall be submitted and approved by the Planning Commission for the new road crossing of the Jenkins' Creek floodplain prior to the issuance of the Zoning Development Permit for any land disturbing activity within the floodplain. Furthermore, the applicant agrees to obtain the necessary permits from the Army Corp of Engineers prior to any construction within the designated wetlands on the property.

6. The applicant agrees to construct all necessary road and signalization improvements to Trout Creek Road and US24 in accordance with the approved Traffic Impact Analysis prepared by LSC, Inc. dated November 3, 2011 and will obtain all necessary CDOT permits for the construction of said improvements for the first phase of development. Furthermore, the applicant agrees to all CDOT conditions associated with CDOT's Access Permit.

7. The applicant shall submit and receive approval from the City Engineer for utility construction drawings, prior to the issuance of a Zoning Development Permit for any utility construction within the PUD/PBD district and any off-site utility improvements.

8. The applicant shall update the Phase 1 Environmental Assessment to include a larger study area which encompasses (at a minimum) all land area that is encumbered by public utility easements pursuant to the recording of the Final Plat or other instrument.

9. Per City of Woodland Park Ordinance 838 a Water Development Fee of \$2,000 per acre for the commercial development shall be paid prior to recording the Final Plat.

10. The applicant agrees to pay all Impact/Development Fees associated with the development prior to the issuance of the Zoning Development Permit for the first phase of development to include:

- Water and sewer tap fees;
- Stormwater capital fees;
- Transportation capital fees;
- Utility reimbursement fees;
- Use tax for a portion of the taxable construction; and
- Any other applicable fees.

11. A Wildfire Protection Plan shall be submitted, reviewed and approved by City Staff and NETCFPD Fire Chief for the entire 147-acre site prior to the issuance of a Certificate of Occupancy for The Sanctuary. A minimum of 10% of the plan shall be implemented in the first year of occupancy and 10% completion of the plan each year thereafter or as recommended by the plan.

12. A Final Plat shall be approved by the City Council and recorded prior to the City's authorization of a Certificate of Occupancy for The Sanctuary or any occupied structure within the first phase of development.

13. The applicant agrees to the Teller County requirements detailed in the Teller County Community Development Services letter dated March 20, 2012 and

summarized as follows: the use of Vista Lane as a reciprocal cross-access easement for emergency services access only; and no construction of any structures within the 100-foot no build buffer zone; and two specific amendments to the Annexation Agreement regarding the Vista Lane use for emergency services and the use of the 100-foot buffer.

14. The applicant agrees that the housing on the development will be temporary student housing, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed.

Carlsen/Harvey. Motion carried 6-0.

MOTION: To approve Ordinance 1162 changing the zoning designation from Agricultural to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development in accordance with The Sanctuary's Final Development Plan (PBD) and Preliminary Plat to relocate and operate the Charis Bible College with a religious/educational center, student housing, administrative building and associated uses developed on a 147-acre tract of land located at 5849 Trout Creek Road, Woodland Park based upon the findings in the Staff Report. Carlsen/Harvey. Motion carried 6-0.

MOTION: To approve the Preliminary Plat for The Sanctuary based upon the findings in the Staff Report. Schafer/Brovetto. Motion carried 6-0.

MOTION: To approve an amendment to the Annexation Agreement requested by Teller County, as follows:

Page 4, Paragraph 6.b: by removing the following words from b "except access shall be allowed for the caretaker's residence"; and Page 5, Paragraph 9: by removing the words "Notwithstanding the buffer requirement, Annexor shall be allowed to build in the buffer along and next to Lot 24, Westwood Lakes Subdivision, First Addition." Harvey/Harrison. Motion carried 6-0.

Mayor Turley complimented all involved with this process and thanked everyone who provided input – the Planning Commission, residents, Wommack Ministries and the City's staff. He noted NETCO Chief Tyler Lambert brought up some concerns regarding fire issues and tax structure funding, noting that is a tough situation when there is no funding to support increased needs. He asked Chief Lambert to take the lead to bring the best group of folks together to work to make a recommendation about how these needs can be addressed in the future. He asked Lambert assemble the group to find some way to work through this, and noted that he is ready to participate in those discussions.

Mayor Turley called a short break at 10:05 P.M. The meeting was reconvened at 10:15 P.M.

C. Approve Ordinance No. 1160 establishing a tiered single family residential rate schedule for water plant investment fees, sewer plant investment fees,

water rights fees, storm water capital fees, park development fees and transportation capital fees; and amending Ordinance 815, Series 1999 and Municipal Code Titles 13 and 15. (L)

City Manager Buttery reviewed the Staff Report for Council, noting that a Worksession was held to discuss this proposal earlier this year. He reported that Council approved this Ordinance on Initial Posting on May 27, 2012, and noted the intent to include townhouses and condominiums in this tiered system. He reported that in order to avoid confusion and misinterpretation, the phrase INCLUDING TOWNHOUSE AND CONDOMINIUM RESIDENTIAL UNITS has been inserted after every reference to single family residential. He reported that this will assess the impact fees that the residential units really have on the various infrastructure systems within the City. Mayor Turley noted that this proposed Ordinance was also thoroughly reviewed by the City's Utilities Advisory Committee. Mayor Turley opened the Public Hearing. Rick Schafer, 700 Valley View Drive, representing Habitat for Humanity, spoke in support of this Ordinance, noting that the cost of the home matters. He explained Habitat's process and stated he believes this to be fair and equitable. Councilmember Harvey noted that she believes this is one of the ways the City government can assist all economic groups with use of this tiered system. There being no further comment, Mayor Turley closed the Public Hearing.

MOTION: To approve Ordinance 1160. Schafer/Harrison. Motion carried 6-0.

City Manager Buttery reported that this tiered system will be applied to those projects that are currently planned that will save money – and noted there are two.

D. Approve Ordinance No. 1163 repealing Municipal Code Section 9.70.020 concerning Concealed Weapons. (L)

Morse reviewed this Ordinance and noted that the City Attorney also provided review. She noted that approval of this Ordinance will remove a section in the City's Municipal Code that is in direct conflict with current State law. Mayor Turley opened the Public Hearing. There being no comment, the Public Hearing was closed.

MOTION: To approve Ordinance 1163. Brovetto/Harrison. Motion carried 6-0.

9. NEW BUSINESS: None.

10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA: None.

11. REPORTS:

A. Mayor's Report: Mayor Turley reminded all of upcoming events including the annual Keep Woodland Park Beautiful Clean-up on June 9th at Memorial Park; the Woodland Music Series concert also on June 9th at the Cultural Center

presenting the Colorado College Festival Orchestra; and the Southern Colorado Tour de Cure Race on June 16th from Meadow Wood Sports Complex. Mayor Turley reported he participated in the awards ceremony at Woodland Park High School on May 23rd.

B. Council Reports: Councilmember Brovetto described funding sources through the Pikes Peak Area Council of Governments and noted that transportation projects are among the largest grants available. City Manager Buttery reported that the City has received grant funding for projects along Highway 24 and Highway 67 as well as sidewalk projects throughout the community, and noted that City Staff participates on a variety of committees at PPACG representing the City's interests for grant funding. Councilmember Brovetto next noted the existing City Code concerning the illegal transfer of snow onto City property and suggested that this be reviewed to see if it is really necessary. He also cited the reference in the Dog at Large Code regarding the possibility of penalty and jail time, and noted that should be reviewed and could possibly be a constitutional issue. Mayor Turley recommended that Council strongly consider one of their stated Goals and Objectives to establish a Charter Review Task Force. Councilmember Harvey reported she attended the DDA Board of Directors meeting and discussed the two projects planned for Tamarac Center adjacent to Country Lodge, and also reported that two appeals have been filed concerning the City's decision for the Woodland Hardware project, and noted the Board of Adjustment will hear those appeals on June 18th at 6:30 P.M.

C. City Attorney's Report: City Attorney Smith requested that Council appoint legal counsel for the Board of Adjustment this evening in connection with the zoning appeals filed last week. She recommended attorney Kristin Brown and distributed her resume. She reported her hourly rate is \$145.00 and expects maybe 20 hours of billable time plus some travel time. Councilmember Harvey inquired about the process if those who appeal are not satisfied. City Attorney Smith reported that the next level for appeal is with the District Court.

MOTION: To approve retaining attorney Kristin Brown to represent the Board of Adjustment at the June 18, 2012 appeal hearing, as detailed by the City Attorney this evening. Turley/Harrison. Motion carried 6-0.

D. City Manager's and Department Managers' Report: City Manager Buttery reminded Council that the June 21 and July 5 Council meetings have been cancelled, and reported the next meeting will be on Wednesday June 26, 2012. He also reported that Walmart and Waste Management have closed the recycling area at Walmart due to the types of trash, waste, garbage, etc. that have been dumped there. He noted it will be removed tomorrow.

12. COMMENTS ON WRITTEN CORRESPONDENCE: None.

13. ADJOURNMENT: There being no further business before Council, the meeting was adjourned at 10:52 P.M.

Recorded by:

Cindy Morse
Cindy Morse, City Clerk

APPROVED THIS 17th DAY OF July, 2012.

David J. Turley
David J. Turley, Mayor



WOODLAND PARK
CITY ABOVE THE CLOUDS

July 3, 2012

Mr. Larry Bozeman
Operations Manager
Andrew Wommack Ministries, Inc.
850 Elkton Drive
Colorado Springs, CO 80907

Dear Mr. Bozeman:

The purpose of this letter is to provide official notice that your request for approval of the Planned Unit Development/Planned Business Development (PUD/PBD) Final Development Plan, Ordinance #1162 designating the 147-acre tract PUD/PBD Zone District, Preliminary Plat and an amendment to the Annexation Agreement for Wommack Ministries were approved by the City Council on June 7, 2012. There were four motions of approval by the Council as follows:

Approval #1: The City Council concludes that the proposed project qualifies for a PUD District and approves the rezoning of the property to PUD, and approves the PUD/PBD Final Development Plan based upon the findings in the staff report with the following conditions:

1. A **final landscaping plan** in accordance with Section 18.33.180 E. shall be submitted, reviewed and approved by City Staff for The Sanctuary and all other first phase improvements prior to the issuance of the Zoning Development Permit for The Sanctuary.
2. A **final grading/erosion control plan** in accordance with Chapters 18.40 and 18.41 shall be submitted, reviewed and approved by City Staff for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.
3. A **final drainage report and plan** shall be submitted, reviewed and approved by City Engineer for The Sanctuary, all other first phase and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for any land disturbing activity for The Sanctuary and associated site improvements within the 1st phase of development.

4. A **final photometric plan** shall be submitted, reviewed and approved by City Staff for The Sanctuary and associated site improvements. This shall be accomplished prior to the issuance of the Zoning Development Permit for The Sanctuary and associated site improvements within the 1st phase of development.
5. A **Flood Hazard Development Permit** Application and revised Flood Report shall be submitted and approved by the Planning Commission for the new road crossing of the Jenkins's Creek floodplain prior to the issuance of the Zoning Development Permit for any land disturbing activity within the floodplain. Furthermore, the applicant agrees to obtain the necessary permits from the Army Corp of Engineers prior to any construction within the designated wetlands on the property.
6. The applicant agrees to construct all necessary **road and signalization improvements** to Trout Creek Road and US24 in accordance with the approved Traffic Impact Analysis prepared by LSC, Inc. dated November 3, 2011 and will obtain all necessary CDOT permits for the construction of said improvements for the 1st phase of development. Furthermore, the applicant agrees to all CDOT conditions associated with CDOT's Access Permit.
7. The applicant shall submit and receive approval from the City Engineer for utility construction drawings, prior to the issuance of a Zoning Development Permit for any **utility construction** within the PUD/PBD district and any off-site utility improvements.
8. The applicant shall update the **Phase 1 Environmental Assessment** to include a larger study area which encompasses (at a minimum) all land area that is encumbered by public utility easements pursuant to the recording of the Final Plat or other instrument.
9. Per City of Woodland Park Ordinance #838 a **Water Development Fee** of \$2,000 per acre for the commercial development shall be paid prior to recording the Final Plat.
10. The applicant agrees to pay all **Impact/development Fees** associated with the development prior to the issuance of the Zoning Development Permit for the 1st phase of development to include:
 - Water and sewer tap fees;
 - Stormwater capital fees;
 - Transportation capital fees;
 - Utility reimbursement fees;
 - Use tax for a portion of the taxable construction; and
 - Any other applicable fees.
11. A **Wildfire Protection Plan** shall be submitted, reviewed and approved by City staff and NETCFPD Fire Chief for the entire 147-acre site prior to the issuance of a Certificate of Occupancy for "The Sanctuary". A minimum of 10% of the plan shall be implemented in the 1st year of occupancy and 10% completion of the plan each year thereafter or as recommended by the plan.

12. A **Final Plat** shall be approved by the City Council and recorded prior to the City's authorization of a Certificate of Occupancy for The Sanctuary or any occupied structure within the 1st phase of development.
13. The applicant agrees to the **Teller County requirements** detailed in the Teller County Community Development Services letter dated March 20, 2012 and summarized as follows: the use of Vista Lane as an reciprocal cross-access easement for emergency services access only; and no construction of any structures within the 100-foot "No-build" buffer zone; and two specific amendments to the Annexation Agreement regarding the Vista Lane use for emergency services and the use of the 100-foot buffer. (See motion #4.)
14. The applicant agrees that the housing on the development will be **temporary student housing**, not permanent housing, and the student housing will be privatized through either a lease arrangement or some other arrangement so that it can be separately taxed.

Approval #2: The City Council approves of Ordinance #1162 to change the zoning designation from Agricultural to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development in accordance with The Sanctuary's Final Development Plan (PBD) and Preliminary Plat to relocate and operate the Charis Bible College with a religious/educational center, student housing, administrative building and associated uses developed on a 147-acre tract of land located at 5849 Trout Creek Road (CR25), Woodland Park, Colorado based upon the findings in the staff report.

Approval #3: The City Council approves of the Preliminary Plat for "The Sanctuary" based upon the findings in the staff report.

Approval #4: The City Council approves an amendment to the Annexation Agreement requested by Teller County as follows:

Page 4, Paragraph 6.b.:

b. Annexor shall gate, berm or otherwise obstruct these road stubs to prevent vehicular public or private access to and from the Property: Leisure Lane, Sleepy Hollow, Loafers Lane, Vista Lane, ~~(except access shall be allowed for the caretakers residence)~~ Club Drive and Lakewood Drive. Notwithstanding, the restrictions on these road stubs, Annexor shall provide for adequate access to some or all of these roads for emergency service providers as required by the City or the County.

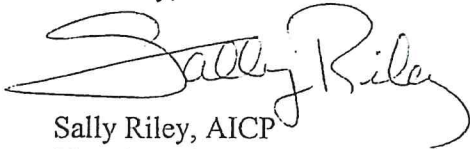
Page 5, Paragraph 9.:

Buffer. Annexor shall preserve an open space/no buildings 100 foot (fences, landscaping, utilities are allowed) buffer immediately parallel to any adjacent boundary shared with Westwood Lakes Subdivision, as it exists as of the effective date of

the annexation. ~~Notwithstanding the buffer requirement, Annexor shall be allowed to build in the buffer along and next to Lot 24, Westwood Lakes Subdivision, First Addition.~~ The PUD/PBD shall show this area of buffer exception.

Should you have any questions, please contact the Planning Department at 687-5283.

Sincerely,

A handwritten signature in black ink that reads "Sally Riley". The signature is fluid and cursive, with the first name "Sally" and last name "Riley" clearly distinguishable.

Sally Riley, AICP
Planning Director
City of Woodland Park

cc: **Project File**
Brian Polaski, AIA Architect/Project Manager, Architectural Innovations, LLC

**CITY OF WOODLAND PARK
ORDINANCE NO. 1162, SERIES 2012**

AN ORDINANCE AMENDING ORDINANCE NO. 46, SERIES 1969, AS AMENDED, ALSO KNOWN AS THE "CITY OF WOODLAND PARK ZONING REGULATION" AND CHANGING THE ZONING DESIGNATION FROM AGRICULTURAL (AG) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE PURPOSE OF DEVELOPING A PLANNED BUSINESS DEVELOPMENT (PBD) CONSISTING OF THE CHARIS BIBLE COLLEGE CAMPUS KNOWN AS "THE SANCTUARY" WITH A RELIGIOUS/EDUCATIONAL CENTER, STUDENT HOUSING, ADMINISTRATION BUILDING AND ASSOCIATED IMPROVMENTS ON A 146.871-ACRE TRACT OF LAND LOCATED WITHIN A PORTION OF THE WEST HALF OF SECTION 26, RANGE 69 OF THE 6TH P.M., TELLER COUNTY, COLORADO, WITH A PHYSICAL ADDRESS OF 5849 TROUT CREEK ROAD (CR25), WOODLAND PARK, COLORADO AS SUBMITTED BY THE OWNER/APPLICANT, ANDREW WOMMACK MINISTRIES, INC.

WHEREAS, the City of Woodland Park has receive an application requesting rezoning approval of a tract of land being a portion of the west half of Section 26, Range 69 of the 6th P.M. Teller County Colorado with a legal description attached hereto as Exhibit A from Agricultural (AG) to Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD) consisting of a Bible College campus known as "The Sanctuary" with a religious/educational center, student housing, administration building and associated improvements on a 146.872-Acre tract of land with a physical address of 5849 Trout Creek Road (CR25), Woodland Park, Colorado as requested by the owner/applicant Andrew Wommack Ministries, Inc.; and

WHEREAS, on February 16, 2012, the City Council approved Resolution 739, Series 2012 to acknowledge that the recently annexed Wommack property containing 35.042-acres has been brought under the City zoning code and that the zoning of the entire 146.871-acre tract is underway and proceeding in accordance with the applicable law; and

WHEREAS, public notice has been published, signs have been posted, and public hearings have been held by the City Planning Commission on April 12, 2012, and City Council on June 7, 2012; and

WHEREAS, after public hearing, the City Council deems it to be in the City's best interest to zone said parcel Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD) in accordance with the approved Wommack Ministries, Inc. Final Development Plan for "The Sanctuary".

NOW, THEREFORE, THIS ORDINANCE:

THE CITY OF WOODLAND PARK ORDAINS in accordance with the approved Wommack Ministries Final Development Plan for "The Sanctuary":

That an Ordinance entitled "AN ORDINANCE AMENDING ORDINANCE NO. 46, SERIES 1969, AS AMENDED, ALSO KNOWN AS THE "CITY OF WOODLAND PARK ZONING REGULATION" AND CHANGING THE ZONING DESIGNATION FROM AGRICULTURAL (AG) TO PLANNED UNIT DEVELOPMENT (PUD) FOR THE PURPOSE OF DEVELOPING A PLANNED BUSINESS DEVELOPMENT (PBD) CONSISTING OF THE CHARIS BIBLE COLLEGE CAMPUS KNOWN AS "THE SANCTUARY" WITH A RELIGIOUS/EDUCATIONAL CENTER, STUDENT HOUSING, ADMINISTRATION BUILDING AND ASSOCIATED IMPROVMENTS ON A 146.871-ACRE TRACT OF LAND LOCATED WITHIN A PORTION OF THE WEST HALF OF SECTION 26, RANGE 69 OF THE 6TH P.M., TELLER COUNTY, COLORADO, WITH A PHYSICAL ADDRESS OF 5849 TROUT CREEK ROAD (CR25), WOODLAND PARK, COLORADO AS SUBMITTED BY THE OWNER/APPLICANT, ANDREW WOMMACK MINISTRIES, INC.", be and the same is hereby adopted as follows:

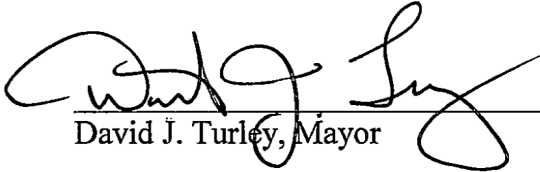
Section 1. Property Description. The legal description of said tract of land is hereby attached as Exhibit A.

Section 2. Zoning. The property is hereby zoned Planned Unit Development (PUD) for the purpose of developing a Planned Business Development (PBD) in accordance with the approved Wommack Ministries Final Development Plan for "The Sanctuary" incorporated herein by this reference, and the City Official Zoning Map is hereby amended to reflect such determination.

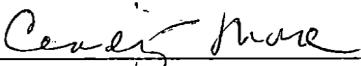
Section 3. Comprehensive Plan Map. The 2010 Comprehensive Plan Map is hereby amended to depict the subject property as "mixed-use".

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after its publication as required.

PASSED BY THE CITY COUNCIL ON SECOND AND FINAL READING, FOLLOWING PUBLIC HEARING THIS 7th DAY OF June, 2012.


David J. Turley, Mayor

ATTEST:


Cindy Morse, City Clerk

APPROVED AS TO FORM:


Erin Smith, City Attorney

EXHIBIT A**PROPERTY DESCRIPTION**

A PORTION OF THE WEST HALF OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 69 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF TELLER, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, BEING MONUMENTED ON THE WEST END BY A 2-1/2" ALUMINUM CAP STAMPED "N 1/16 PLS 23511" AND THE EAST END BY A 2-1/2" ALUMINUM CAP STAMPED "NW 1/16, PLS 23511", ASSUMED TO BEAR S88°02'03"E A DISTANCE OF 1376.38 FEET.

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 26; THENCE N03°22'27"W ON THE EAST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 26 A DISTANCE OF 1262.55 FEET; THENCE S87°06'08"E ON THE NORTH LINE OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 26 A DISTANCE OF 652.06 FEET; THENCE ON TROUT CREEK ROAD THE FOLLOWING TEN (10) COURSES:

1. S53°16'18"E A DISTANCE OF 169.29 FEET;
2. S28°29'23"E A DISTANCE OF 150.01 FEET;
3. S84°07'13"E A DISTANCE OF 171.03 FEET;
4. S69°40'23"E A DISTANCE OF 140.98 FEET;
5. S37°46'26"E A DISTANCE OF 179.98 FEET;
6. S81°34'20"E A DISTANCE OF 559.91 FEET;
7. S70°42'45"E A DISTANCE OF 202.03 FEET;
8. S51°54'17"E A DISTANCE OF 330.03 FEET;
9. S61°16'38"E A DISTANCE OF 393.02 FEET;
10. S41°14'48"E A DISTANCE OF 209.83 FEET;

THENCE S03°20'43"E A DISTANCE OF 125.54 FEET TO A POINT ON A CURVE ON THE NORTHWESTERLY RIGHT-OF-WAY OF US HIGHWAY 24; THENCE ON SAID RIGHT-OF-WAY THE FOLLOWING FOUR (4) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 1055.00 FEET AND A DELTA ANGLE OF 34°13'26", A DISTANCE OF 630.17 FEET;
2. S33°21'04"W A DISTANCE OF 209.21 FEET;
3. S56°37'16"E A DISTANCE OF 49.99 FEET;
4. S33°20'36"W A DISTANCE OF 781.07 FEET TO THE NORTHEAST CORNER OF LOT 14, BLOCK 3 OF THE WESTWOOD LAKE ADDITION AS RECORDED UNDER RECEPTION NO. 170034 OF THE RECORDS OF TELLER COUNTY;

THENCE ON THE SOUTHERLY BOUNDARY OF THE NORTH HALF OF SAID SECTION 26, THE FOLLOWING TWO (2) COURSES:

1. N89°00'42"W TO THE CENTER OF SAID SECTION 26 A DISTANCE OF 268.93 FEET;
2. N89°00'49"W ON THE WEST 1/16 CORNER OF SAID SECTION 26 A DISTANCE OF 1360.45 FEET;

THENCE ON THE BOUNDARY OF SAID WESTWOOD LAKES ADDITION THE FOLLOWING THREE (3) COURSES:

1. N89°00'49"W A DISTANCE OF 561.30 FEET;
2. S03°50'59"E A DISTANCE OF 17.21 FEET;

3. S89°00'27"E A DISTANCE OF 17.07 FEET;

THENCE ON THE BOUNDARY OF WESTWOOD LAKES ADDITION, A RESUBDIVISION OF A PORTION OF BLOCKS 3 AND 4 AS RECORDED UNDER RECEPTION NO. 186201 OF THE RECORDS OF TELLER COUNTY THE FOLLOWING NINE (9) COURSES:

1. S18°28'37"E A DISTANCE OF 18.29 FEET;
2. S61°24'10"W A DISTANCE OF 158.91 FEET;
3. S41°36'08"W A DISTANCE OF 159.00 FEET;
4. S14°45'25"W A DISTANCE OF 156.72 FEET;
5. S78°10'41"E A DISTANCE OF 110.00 FEET TO A POINT ON A CURVE;
6. ON THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 613.86 FEET AND A DELTA ANGLE OF 21°17'21", A DISTANCE OF 228.09 FEET TO A POINT OF REVERSE CURVE;
7. ON THE ARC OF A CURVE TO THE LEFT WITH A RADIUS OF 125.00 FEET AND A DELTA ANGLE OF 29°09'31", A DISTANCE OF 63.61 FEET TO A POINT OF TANGENT;
8. S78°15'28"W A DISTANCE OF 124.61 FEET TO A POINT ON A CURVE;
9. ON THE ARC OF A CURVE TO THE RIGHT WITH A RADIUS OF 68.77 FEET AND A DELTA ANGLE OF 06°02'55", A DISTANCE OF 7.26 FEET TO A POINT ON A EASTERLY LINE OF SAID WESTWOOD LAKE ADDITION AS RECORDED UNDER RECEPTION NO. 170034 OF THE RECORDS OF TELLER COUNTY;

THENCE ON THE SAID LINE THE FOLLOWING THREE (3) COURSES:

1. N16°22'23"E A DISTANCE OF 422.31 FEET;
2. N89°00'39"W A DISTANCE OF 206.18 FEET;
3. S16°52'06"W A DISTANCE OF 172.25 FEET TO A POINT ON THE NORTHWESTERLY LINE OF WESTWOOD LAKES FIRST ADDITION AS RECORDED UNDER RECEPTION NO. 176706 OF THE RECORDS OF TELLER COUNTY;

THENCE ON THE NORTHEASTERLY BOUNDARY OF SAID WESTWOOD LAKES FIRST ADDITION THE FOLLOWING FOUR (4) COURSES:

1. N05°49'41"W A DISTANCE OF 125.08 FEET;
2. S74°57'06"W A DISTANCE OF 50.00 FEET;
3. N15°17'21"W A DISTANCE OF 249.78 FEET;
4. N43°43'39"W A DISTANCE OF 156.48 FEET TO A POINT ON THE SOUTHEASTERLY BOUNDARY OF WESTWOOD LAKES SECOND ADDITION AS RECORDED UNDER RECEPTION NO. 178414 OF THE RECORDS OF TELLER COUNTY;

THENCE ON THE BOUNDARY OF SAID WESTWOOD LAKES SECOND ADDITION AND WESTWOOD LAKES THIRD ADDITION AS RECORDED UNDER RECEPTION NO. 179889 OF THE RECORDS OF TELLER COUNTY, THE FOLLOWING FOUR (4) COURSES;

1. N49°50'49"E A DISTANCE OF 94.86 FEET;
2. N40°19'06"W A DISTANCE OF 788.42 FEET;
3. N46°11'13"W A DISTANCE OF 49.87 FEET;
4. S43°51'17"W A DISTANCE OF 21.75 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26;

THENCE N04°11'39"W ON SAID LINE A DISTANCE OF 314.42 FEET TO THE NORTH 1/16 CORNER OF SAID SECTION 26; THENCE S88°02'03"E ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26 A DISTANCE OF 1376.38 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 146.871 ACRES.

CITY OF WOODLAND PARK, COLORADO

ORDINANCE NO. 1163,^A SERIES 2012

**AN ORDINANCE REPEALING MUNICIPAL CODE SECTION 9.70.020
CONCERNING CONCEALED WEAPONS.**

WHEREAS, Municipal Code Section 9.70.020 concerning Concealed Weapons was adopted in Section 2.07 B of Ordinance 43, Series 1976; and,

WHEREAS, Municipal Code Section 9.70.020 prohibits the carrying of a concealed weapon on any person; and,

WHEREAS, approximately eight years ago, the Colorado State Legislature passed legislation that permits the carrying of concealed weapons with a valid written permit issued pursuant to CRS Section 18-12-105.1, and is in direct conflict with Municipal Code Section 9.70.020; and,

WHEREAS, the City Council of the City of Woodland Park has determined it to be in the best interests of the citizens of the City to repeal Municipal Code Section 9.70.020.

NOW, THEREFORE, THIS ORDINANCE:

THE CITY OF WOODLAND PARK ORDAINS:

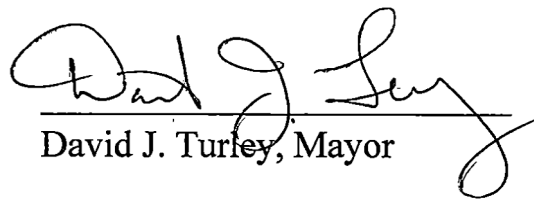
That an Ordinance entitled "AN ORDINANCE REPEALING MUNICIPAL CODE SECTION 9.70.020 CONCERNING CONCEALED WEAPONS" is hereby repealed, as follows:

Section 1. Repeal of Ordinance. Section 2.07 B of Ordinance No. 43, Series 1976 is hereby repealed in its entirety.

Section 2. Enforceability. Should any provision of this Ordinance be deemed by a Court of competent jurisdiction to be ineffective, inoperable, unconstitutional or in any way not binding upon the parties hereto, such provision shall be stricken from the Ordinance with the remaining provisions continuing in full force and effect.

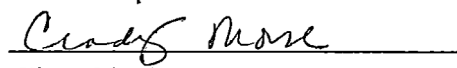
Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its publication as required by law.

PASSED BY CITY COUNCIL ON SECOND AND FINAL READING
FOLLOWING PUBLIC HEARING THIS 7th DAY OF June,
2012.



David J. Turley, Mayor

ATTEST:



Cindy Moore
City Clerk

SITE INFORMATION:	
SITE AREA:	146.871 ACRES
LAND USE:	(SEE NOTE 9)
EXISTING ZONING:	AG/PUD
PROPOSED ZONING:	PUD/PBD
DRAINAGE BASIN:	TROUT CREEK
SCHEDULE FOR CONSTRUCTION:	SUMMER 2012
BUILDING COVERAGE:	279,385 S.F. (4.4%)
THE SANCTUARY	133,000 S.F.
GATE HOUSE	400 S.F.
PAVILION/AMPHITHEATER	18,550 S.F.
CABIN (FACILITY MANAGER)	650 S.F.
MAINTENANCE BUILDING	3,800 S.F.
BUNK HOUSES (450 S.F. EA.)	1,800 S.F.
LODGE	5,185 S.F.
STUDENT HOUSING	96,000 S.F.
ADMINISTRATION BLDG	20,000 S.F.
ASPHALT COVERAGE:	653,430 S.F. (10.2%)
OPEN SPACE:	3.5 ACRES
EXISTING PONDS	19.5 ACRES
FLOODPLAIN	40 ACRES
SETBACKS AND EASEMENTS	53 ACRES
OTHER TRACTS	116.0 ACRES
TOTAL (UNDISTURBED AREA):	
MAXIMUM BUILDING HEIGHT:	60' SPACES
PARKING REQUIRED:	1,440 SPACES
PARKING PROVIDED:	
(REFER TO TABLE BELOW FOR PARKING SUMMARY)	

- GENERAL NOTES:**
- THIS PUD/PBD FINAL PLAN ILLUSTRATES PROPOSED LAND USES AND SITE DATA.
 - THE MINIMUM BUILDING SETBACKS ARE: 25 FT AROUND OUTER BOUNDARY PROPERTY LINES WITH EXCEPTION OF 100 FT. BUFFER SETBACK (NO BUILD AREA) ADJACENT TO WESTWOOD LAKES SUBDIVISION.
 - THE PORTION OF THE PROPERTY INCLUDING ZONE "A", AREAS DETERMINED TO BE INSIDE THE 100-YEAR FLOODPLAIN, PER FLOOD INSURANCE RATE MAP NO. 08190C0202D, EFFECTIVE DATE SEPTEMBER 25, 2009.
 - THIS DEVELOPMENT WILL INCLUDE THE CONSTRUCTION OF THE MAIN DRIVE OFF TROUT CREEK ROAD TO THE SANCTUARY BUILDING. THE APPROXIMATE START OF THE CONSTRUCTION IS SUMMER OF 2012, WITH THE EXPECTED COMPLETION IN FALL OF 2013.
 - HANDICAPPED PARKING SHALL MEET CITY OF WOODLAND PARK STANDARDS AND REGULATIONS AND ALL OTHER APPLICABLE CITY AND ADA CODE REQUIREMENTS.
 - NON-MOTORIZED TRAIL ACCESS WILL BE PROVIDED FROM THE MAIN ENTRANCE OFF TROUT CREEK ROAD TO THE EXISTING NON-MOTORIZED TRAIL CONNECTION POINT AT HIGHWAY 24/TROUT CREEK ROAD. PRIVATE PEDESTRIAN INTER CONNECTIVITY WILL BE PROVIDED BETWEEN THE BUILDING SITES AND PARKING AREAS (SIDEWALKS AND PEDESTRIAN RAMPS WILL BE SHOWN ON FINAL CONSTRUCTION DOCUMENTS FOR THE PROPOSED BUILDING SITES).
 - FULL CUTOFF SHIELDING SHALL BE PROVIDED ON ALL LIGHT FIXTURES TO REDUCE OFF-SITE LIGHT IMPACTS.
 - ARCHITECTURAL CONCEPT, ARCHITECTURAL STYLE OR DESIGNS ARE SUBMITTED WITH THIS FINAL PLAN.
 - USES ALLOWED BY PUD/PBD ZONE DISTRICT:
 - SPECIAL EVENTS THAT MAY REQUIRE A SPECIAL EVENT PERMIT IN ACCORDANCE WITH CHAPTER 18.62
 - OUTDOOR VENDOR OPERATIONS THAT MAY REQUIRE A VENDOR PERMIT IN ACCORDANCE WITH CHAPTER 18.62
 - MAINTENANCE SHOP FOR THE CAMPUS, EXCLUDING OUTSIDE STORAGE OF DAMAGED OR JUNK MOTOR VEHICLES AND /OR VEHICLE PARTS
 - GARAGE, PRIVATE RESIDENTIAL
 - COMMUNICATIONS TO INCLUDE TELEPHONE BUSINESS OFFICE
 - PRIVATE LODGING, INCLUDING STUDENT HOUSING, LISTED UNDER PUD ZONING USE.
 - PARKING LOTS (PRIVATE OFF-STREET)
 - SCHOOLS, UNIVERSITIES, COLLEGES, AND OTHER INSTITUTIONS OF AN EDUCATIONAL NATURE INCLUDING CLASSROOMS, AUDITORIUMS, BANQUET HALL EVENTS, RECORDING/EDITING STUDIOS AND WORSHIP
 - OUTDOOR/INDOOR AMPHITHEATER
 - OPEN SPACES OF THE SITE, INCLUDING THE EXISTING PONDS AND FLOODPLAIN AREAS WILL REMAIN UNDISTURBED IN ORDER TO LEAVE THEM AS NATURAL AS POSSIBLE WITH THE EXCEPTION OF CONSTRUCTION OF THE MAIN ENTRANCE FOR THE SANCTUARY OFF TROUT CREEK ROAD.
 - THE SITE WILL HAVE ONE PROPERTY OWNERSHIP FOR ALL ANTICIPATED USES UNDER ANDREW WOMMACK MINISTRIES, INC. AND/OR AFFILIATED ENTITIES. THEREFORE, NO OTHER FORM OF HOMEOWNERS ASSOCIATION IS INTENDED.
 - ALL TRACTS SHOWN TO BE USED AS OPEN SPACE OR BUFFERS ARE TO BE MAINTAINED BY ANDREW WOMMACK MINISTRIES, INC. AND/OR AFFILIATED ENTITIES.
 - ALL PRIVATE STREETS ARE OWNED AND MAINTAINED BY THE ANDREW WOMMACK MINISTRIES, INC. AND/OR AFFILIATE ENTITIES.
 - ONE EXISTING MONUMENT SIGN SHALL REMAIN IN PLACE, AND ANY FUTURE SIGNS SHALL MEET CITY CODE REQUIREMENTS.
 - PRIVATE DIRECTIONAL SIGNS SHALL BE ALLOWED IN THE PROJECT AS AN OPTION OF THE OWNER.
 - "ALL ACTIVITIES AND USES SHALL BE AUTHORIZED AND BE OPERATED TO MEET THE PERFORMANCE STANDARDS SET FORTH IN CHAPTER 18.33, USED REGULATIONS - PERFORMANCE STANDARDS, OF THE CITY OF WOODLAND PARK MUNICIPAL CODE, ZONING REGULATION".

LAND USE AREAS WITH INFORMATION

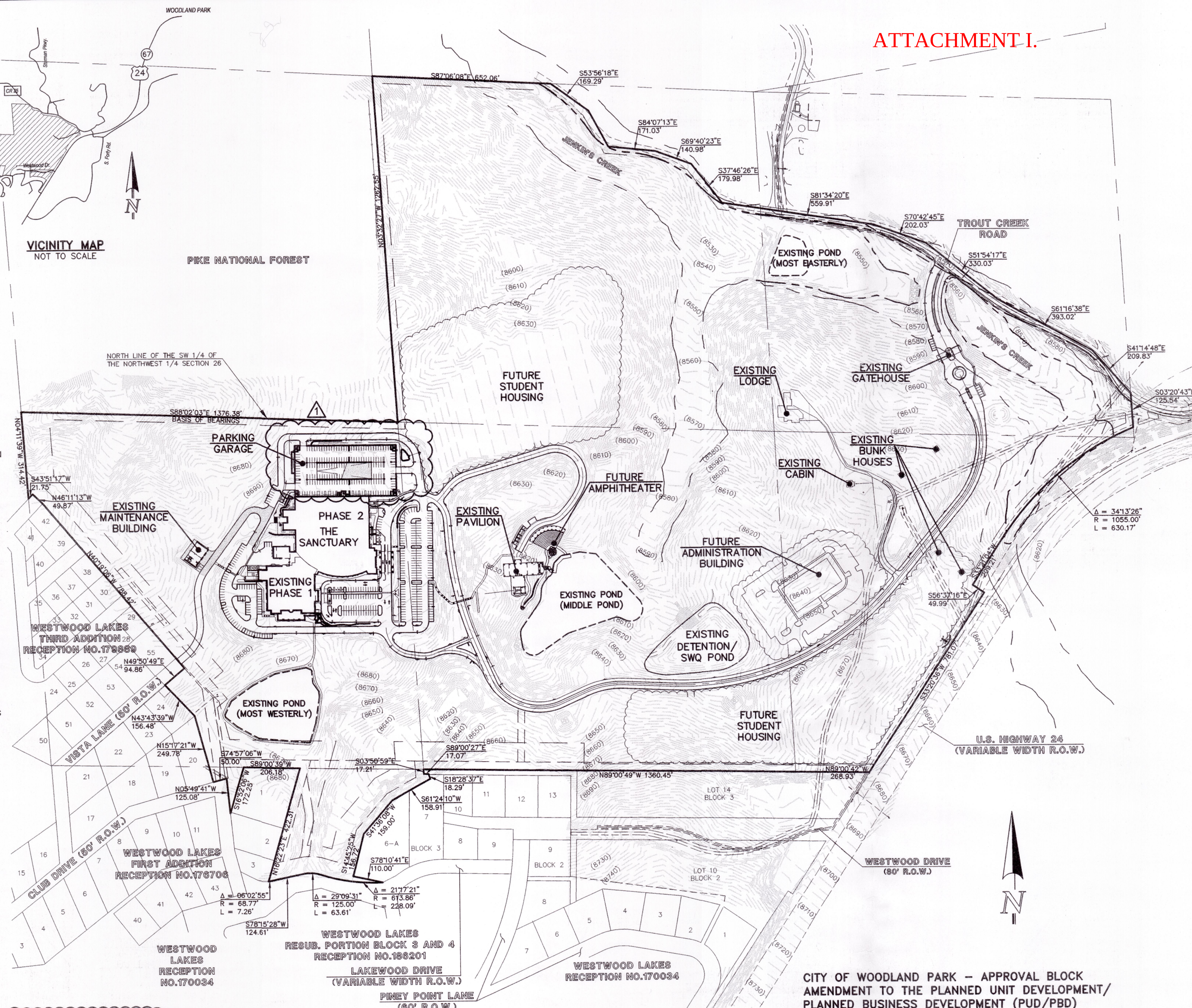
1	2	3	4	5
NO.	LAND USE	NO. OF BLDG.	MAX. BLDG. HEIGHT	Gross Density for Residential Use OR Max. SQ. FT. for Non- Residential
1	The Sanctuary (Junior/Community College)	1	54 ft. bldg. height from mean grade	217,000 s.f.
2	Student Housing (Apartments)	12	35 ft. (3 story)	5,000 to 8,000 s.f. per story
3	Gate House	1	25 ft. (1 story)	400 s.f.
4	Pavilion Center	1	35 ft. (1 story)	8,550 s.f.
5	Amphitheater	1	25 ft. (1 story)	10,500 s.f.
6	Auditorium (part of "The Sanctuary")	-	-	-
7	Parking Garage	1	54 ft. (5 story)	340,708 s.f.

Phase 2 Construction

1	Administrative Building (Single Tenant Office Building)	1	60 ft. (3 story)	60,000 s.f.	40,000 Usable Floor Area / 200 = 200 Stalls 300 s.f. gross building area per stall = 200 spaces
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Existing Buildings to Remain

1	Lodge	1	30 ft. (1 story)	10,500 s.f.	Overnight lodging for College guests, existing parking and access to remain "as-is" with 6 parking stalls
2	Cabin	1	30 ft. (1 story)	650 s.f.	parking and access to remain "as-is" with 2 parking stalls
3	Maintenance Building	1	25 ft. (1 story)	3,800 s.f.	Maintenance Services for Campus, parking and access to be provided at relocated location w/access from the emergency access road with parking in front of building.
4	Bunk Houses	4		450 s.f./each	buildings are historical in nature and not for occupation



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Prepared For:
ANDREW WOMMACK MINISTRIES, INC.
850 ELKTON DRIVE
COLORADO SPRINGS, CO 80907
(719) 272-3337

Prepared By:
CLASSIC CONSULTING ENGINEERS & SURVEYORS, LLC
6385 CORPORATE DRIVE, SUITE 101
COLORADO SPRINGS, CO 80919
(719) 785-0790

CITY OF WOODLAND PARK - APPROVAL BLOCK AMENDMENT TO THE PLANNED UNIT DEVELOPMENT/ PLANNED BUSINESS DEVELOPMENT (PUD/PBD)

THE UNDERSIGNED HEREBY CERTIFY THAT WOMMACK MINISTRIES, INC. IS THE OWNER OF THE SUBJECT PROPERTY AND THAT THE UNDERSIGNED SHALL ABIDE BY THE CONDITIONS AND REQUIREMENTS AS SPECIFIED BY THE PLANNED UNIT DEVELOPMENT/PLANNED BUSINESS DEVELOPMENT (PUD/PBD) ORIGINALLY APPROVED BY THE WOODLAND PARK CITY COUNCIL ON JUNE 7, 2012 AND AS AMENDED BY THE WOODLAND PARK PLANNING COMMISSION ON JANUARY 8, 2015.

DATE: 2/25/15 OWNERS REPRESENTATIVE: *Lawry Buzema*

I HEREBY CERTIFY THAT I AM THE PLANNING DIRECTOR FOR THE CITY OF WOODLAND PARK, COLORADO, AND THAT I ATTEST THAT THIS FINAL DEVELOPMENT PLAN REPRESENTS THE ORIGINAL PUD/PBD AND THE AMENDMENT TO THE PUD/PBD AS APPROVED SUBJECT TO CONDITIONS CONTAINED HEREIN BY THE CITY OF WOODLAND PARK PLANNING COMMISSION ON JANUARY 8, 2015.

DATE: 2/26/15 PLANNING DIRECTOR: *Shirley Riley*
CITY OF WOODLAND PARK

NO.	DATE	REVISION DESCRIPTION
1	KRC 11/07/14	PUD AMENDMENT
2	KRC 12/05/14	SUBMITTAL

CLIENT INFORMATION:
ANDREW WOMMACK MINISTRIES, INC.
850 ELKTON DRIVE
COLORADO SPRINGS, CO 80907
(719) 272-3337

THE SANCTUARY
CITY OF WOODLAND PARK, COLORADO
PUD DEVELOPMENT PLAN AMENDMENT
COVER SHEET - EXHIBIT B

PROJECT NAME	H-Scale: AS SHOWN
DRAWING TITLE	V-Scale: N/A
PUD DEVELOPMENT PLAN AMENDMENT	Date: 11/07/14
COVER SHEET - EXHIBIT B	Project No.: 2360.01
	Drawn by: KC
	Designed by: KRC
	Approved by:
	SHEET: PUD-1
	SHEET 1 OF 22