



STAFF REPORT

TUP 24-009 Venue at Oak Creek

November 12, 2024

PURPOSE

The applicant is requesting a Temporary Use Permit to host private, indoor events such as weddings, reunions, memorials, holiday parties, meetings, celebrations, banquets, birthday parties, classes and art presentations/ showcases.

PERMIT DURATION

Date of approval to January 1, 2025.

HOURS OF OPERATION

Applicant states the events can be held 7 days a week. Events can have a start time of 10am and end at midnight with the exception of 1/1/25, which will end at 1am. The duration of each event is dependent on the type of event.

LOCATION

800 North Frazier Avenue, Florence CO 81226

BACKGROUND / ASSOCIATED CASES

800 North Frazier was formerly a Dairy, this is the first permit request for this parcel since the change of use.

LAND USE AND ZONING

The properties around the event venue are primarily residential and borders the City of Florence on 2 sides.

NORTH: Agricultural Rural/ City of Florence in proximity/ Agricultural.

EAST: Low Density Residential/ City of Florence in proximity/ Residential.

SOUTH: City of Florence / Fremont RE-2 School District

WEST: City of Florence/ Residential



Fremont County
Planning and Zoning Department
615 Macon Avenue, Room 210
Cañon City, CO 81212

DRINKING WATER

Public Water Supply, City of Florence. No concerns from CDPHE

VENDOR:

Food will be catered. CDPHE requests caterers are appropriately licensed.

SANITATION PLAN:

Fremont Sanitation District.

REFUSE

Twin Enviro with weekly and as needed removal

TOILET PLACEMENT:

Restrooms inside of the venue

EMERGENCY PLAN

Florence Fire Station #2 will respond with emergencies.

FIRE PROTECTION

The subject property falls within the service area of the Florence Fire Department Station 2, we have received an approved Fire Protection Plan signed by Chief Bill Ritter.

FLOODPLAIN

The property is partially in a floodplain.

ACCESS:

N. Frazier Avenue

PUBLIC COMMENTS/CONCERNS:

Form letters were signed by 5 residents of the area in support of the project.

[Table of Contents](#)



AGENCY COMMENTS

Staff requested comments from various review agencies including the Fremont County Department of Transportation, Fremont County Project Engineering and Department of Environmental Health, as well as the Fire Department, Sheriff's Department, and Emergency Management. Staff have incorporated comments received to date either in their entirety or in part into this staff report.

- The Clerk had concerns regarding alcohol but alcohol is not a part of this application.

LIABILITY INSURANCE:

ACORD- Property and Casualty Insurance Company of Hartford

Each occurrence: \$1,000,000

Damage: \$1,000,000

Med: \$10,000

General Aggregate: \$2,000,000

Products-COMP/OP AGG: \$2,000,000

CONDITIONS:

None

CONTINGENCIES:

None

WAIVERS:

Surety Bond Waiver

CONCERNS

Staff has concerns regarding the end time of events being midnight in a primarily residential zone. The applicant has explained they will comply with the City of Florence's noise ordinance. Compliance with the City of Florence's requirements is not enforceable by the County. The applicant explained the cutoff time is when the music/entertainment for the event will end but not noise from people.



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Cañon City, CO 81212

RECOMMENDATION

Pending the hours of operation concern, Staff has found the application is in compliance with the requirements of the Fremont County Zoning Resolution, staff recommends **APPROVAL** of the Temporary Use Permit application with the following contingencies/Conditions:

- Approve waiver of surety bond or have applicant submit surety bond.



TEMPORARY USE PERMIT APPLICATION #24-009

Revised application as requested per Department Comments and Submittal Deficiencies

1. Project Name: The Venue at Oak Creek
2. Applicant: Jason & Amy Hilterbran Address: 1328 Kelsey Court
 City: Florence State: CO Zip Code: 81226
 Telephone #: 7194703148 Facsimile # _____
 Email Address: info@venueatoakcreek.com

Please read the entire application form prior to completion of this application

Property owners and other potential applicants are encouraged to meet informally or communicate with Planning and Zoning Department staff to gain familiarity with the application process prior to formal submittal of an application and to continue the communications throughout the application process. For more details on application meetings, see Section 8.3 of the Fremont County Zoning Resolution (FCZR).

A special event which is to be conducted in whole or part within Fremont County (*non-incorporated areas*) such as spectator events, athletic events, carnivals, circuses, concerts, fairs, flea markets, public recreational events, tent meetings, or other similar uses with similar impacts which are for public participation, requires a Temporary Use Permit (TUP).

An application fee as adopted by resolution of the Fremont County Board of County Commissioners (Board) shall accompany this application.

The applicant shall provide **one (1) original document and an electronic copy (either CD or flash/thumb drive)** and all of its attachments. After submittal, the Department will review the application and all attachments and prepare a Department Submittal Deficiency and Comment Letter (D & C Letter). The letter will state the submittal deficiencies, Department comments and or questions about the application, which must be addressed by the applicant.

The Fremont County Department of Planning and Zoning (Department) shall be entitled to refuse any application for a temporary use permit which is not made on the form provided by the Department, which is incomplete, or is made later than thirty (30) working days prior to the regularly scheduled Board meeting at which the application is proposed to be heard. The application shall not be considered complete unless all information required in the application is provided at the time it is filed.

Once the Department has determined that the application is complete, the application will be scheduled on an agenda of the Board for their consideration of approval. Prior to issuance of a temporary use permit, the event shall be approved by the Board at a regularly scheduled meeting and all contingencies or requirements shall be met or provided. The Board does have the right to request review and recommendations from the Fremont County Planning Commission (Commission) and/or other pertinent entities, if the Board determines that it is necessary for its review. The Board may require professional review at the applicant's expense if deemed necessary by the Board. The Board may require the applicant to provide various professional studies and/or statements concerning the event in order to fully understand the impact of the proposed event. This could result in a longer review process and require more time to complete.

Under certain circumstances, the Department may have approval authority over an annual event which has been granted TUP approval by the Board consecutively for the three (3) previous years. See Section 8.16.2 of the Fremont County Zoning Resolution for requirements.

Attachments can be made to this application to provide expanded narrative for any application item including supportive documentation or evidence for provided application item answers. Please indicate at the application item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*i.e. the attached document providing evidence in support of the answer given at application item number 12 would be marked - Exhibit 12.1*).

For specific regulatory requirements the applicant should refer to the appropriate sections of the Fremont County Zoning Resolution (FCZR) which can be viewed on the Internet at:

<http://www.fremontco.com/planningandzoning/zoningresolution.pdf>

2. Please provide a general description of the event: Private indoor events not to exceed capacity of 225. Weddings, memorials, reunions, holiday parties, meetings, receptions, small banquets, birthday celebrations.
3. What is the general location and/or street address of the event? 800 N. Frazier Avenue, Florence, CO 81226
4. What are the dates that the proposed event is scheduled to occur? Requesting a TUP October 15 - December 31, 2024 as we go through the Special Review Use application final steps. We have passed all inspections, have Change of Use permit approval and Certificate of Occupancy issued.
5. What are the hours of the day that the proposed event is scheduled to occur? Most events will occur at night or on weekends, during OFF PEAK hours with end times prior to midnight. A New Year's Eve celebration would be granted a late end at 1:00am.
6. Will there be any signs used to advertise the event? _____ If yes, please provide a statement as to the size (*type*), location, and how many: Promotional signage for small events MAY include a sign at HWY 115 and Frazier Avenue (not to exceed 24" x 36") and would be removed after event.(EX: "Smith Reunion" with a directional arrow). We have a 3' x 3' wooden sign with our logo on our fence at the entry.
7. Please provide a statement as to how litter will be disposed and include documentation consisting of agreements and/or contracts with companies providing necessary facilities. _____
Contract with Twin Enviro. Weekly waste disposal and as needed.
8. Address crowd control before, during and after the event. _____
We will place a stop sign and rope across driveway that leads past Event Center so that there is no access to the Southeast corner or property where the big barn needs repaired.
9. What are the anticipated off-site impacts that will be created by the proposed event? _____
We have revised our application and are no longer requesting approval for a large, open to public event during this time. We will adjust any future applications appropriately should we seek to have a large, open to the public event that has expectations of 500-600.
10. Please provide a statement as to a drinking water plan which includes documentation consisting of agreements and signed contracts with companies providing necessary facilities. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.**
Water is provided by City of Florence. We have passed state plumbing inspections and BAC-T test for drinking water at Event Center and have installed ADA accessible drinking fountains.

11. Please provide a statement as to a sanitation plan which includes documentation of agreements and signed contracts with companies providing necessary facilities. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.** _____
 Our property is serviced by Fremont Sanitation District Acct 20796

12. Please provide a statement as to a concession plan, if any, which includes a list of vendor names and required permits. If vendors are used, please provide documentation of sales tax license. **NOTE: This will require review and approval by the Fremont County Environmental Health Officer.** _____
 We will not need a Concession Plan for this time period. All private events will use caterers / licensed professionals at their discretion.

13. Please provide an emergency service operation plan addressing what emergency services are proposed for the event. The emergency services shall include any agreements, signed contracts, with appropriate agencies or companies and a specific contact person with contact information. _____
 There are no signed agreements with emergency services. The local fire station is .6 miles away, the local police station is .4 miles away. Property Manager 1 is former firefighter with emergency response experience. Both property managers are trained in CPR + BLS and have training in emergency response, basic medical and crowd control.

14. Will there be any street closures proposed in connection with the special event (*or other provisions deemed appropriate with respect to the provision for safe and adequate vehicular and pedestrian traffic flow and parking associated with the conduct of the special event*)? **Note: If Street closures are proposed, signed approval by the Director of the Fremont County Department of Transportation or Colorado Department of Transportation is required.** _____
 No street closures are proposed.

15. Please provide a statement as to how the proposed event parking will be addressed. Such statement will include how many off-street parking spaces will be provided along with the size of spaces and parking area location. **Note: If on-street parking is proposed, signed approval by the Director of the Fremont County Department of Transportation or Colorado Department of Transportation as may be appropriate is required.**

 Our property has undesignated parking; however, we have submitted parking plans for the 128' x 108' area that immediately surrounds the Event Center which has designated 1 VAN ADA (11') and 3 ADA CAR (9') parking along with space for 56 regular sized vehicles in the primary parking area. In addition, there is 3 acres of designated overflow parking directly across from Event Center on south side of drive. There is NO OFF STREET parking.

16. Please provide a statement as to how vehicular and pedestrian traffic for the proposed event will be handled: _____
 We are not proposing any new or additional walkways. Pedestrian traffic will be guided by existing walkways and signage, vehicular traffic will have parking arrows and cones for direction.

17. **The following items shall be attached to this application and marked appropriately as exhibits:**
- A drawing of the property on which the event will be held locating items such as natural features (waterways, cliffs, etcetera), existing improvements (structures, driveways, septic systems, etcetera) and components of the special event (stages, parking areas, vendor areas, etcetera).
 - Documentation as to acceptance of a fire protection plan, signed by the appropriate agency representative along with a copy of said plan.

- c. Documentation that the Sherriff's Office has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.19.1 for details.
- d. Documentation that the Colorado State Patrol has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.20.1 for details.
- e. Documentation that the Director of the Fremont County Department of Transportation has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.21.1 for details.
- f. If the subject property gains direct access from a roadway under the jurisdiction of Colorado Department of Transportation (CDOT) or if deemed necessary by the Department, documentation that CDOT has been notified of the event and any proposed street closures. There are two (2) options for notification. See FCZR Section 8.16.1.22.1 for details.
- g. Documentation from the Environmental Health Officer as to acceptance and approval of application items number 10, 11 and 12, signed by the appropriate agency representative.
- h. Proof of general liability insurance for the event in amounts deemed appropriate by the Board of County Commissioners.
- i. Cash, surety or other bond deemed necessary and appropriate by the Board of County Commissioners to ensure that the property affected by the special event will be cleaned to the reasonable satisfaction of the County and that damage associated with the conduct of the special event may be repaired or remedied without cost to the County. *If a waiver of this item is requested it shall be in writing, with justification, at the time of application.*

18. Additional Requirements:

- a. The Department of Planning and Zoning shall have the right to require publication, notice to property owners and posting in accordance with Section 8.4.2.1 if it is deemed necessary.
- b. The Board of County Commissioners has the right to:
 - 1) Refer any application for Temporary Use Permit to the Planning Commission requesting its review and recommendations at a regular meeting.
 - 2) Refer any application for Temporary Use Permit to any entity the Board deems could have significant input regarding the potential impacts of the proposed Temporary Use Permit.
 - 3) Right to obtain professional review, at the applicant's expense, for any aspect of the proposed event as deemed necessary by the Board.
 - 4) Require the applicant to submit the following information if in their opinion it is necessary, to fully understand the impacts of the proposed Temporary Use Permit:
 - a) An environmental impact study/statement;
 - b) A roadway impact analysis study;
 - c) A drainage study;
 - d) A socioeconomic impact study/statement;
 - e) Studies, comments, referrals to agencies or professionals whose area or jurisdiction of expertise is applicable and germane to the use being proposed.

By signing this Application, the Applicant, or the representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

Jason Hiltner  10/1/2024
Applicant Printed Name Signature Date

Amy Bourlon Hiltner  10/1/24

April 1, 2024

To whom it may concern:

We would like to request a waiver to NOT carry surety bond insurance. We are NNN leasing the property and will be maintaining and cleaning the property on a regular basis in addition to prior, during and after any events on the property.

Thank you for your consideration.

Jason & Amy Hilterbran

The Venue at Oak Creek

Ex. 17.i.1

[Table of Contents](#)



FREMONT COUNTY FIRE PROTECTION PLAN AND DISTRICT COMMENT FORM

The Fremont County Subdivision Regulations and Fremont County Zoning Resolution require a fire protection plan be submitted with many different types of applications, at the time of application submittal. In order to provide consistency in the information received, it shall be required that these plans be submitted on this form.

The Fremont County Department of Planning and Zoning (Department), Fremont County Planning Commission (Commission) and Fremont County Board of County Commissioners (Board) take into consideration the responses of the Applicant and the District during their respective review process.

Attachments can be made to this form to provide expanded narrative for any application item including supportive documentation or evidence for provided form item answers. Please indicate at the form item that there is an attachment and label it as an exhibit with the application item number, a period and the number of the attachment for that item (*as an example, the first attached document providing evidence in support of the answer given at application item number 4 would be marked - Exhibit 4.1, the fifth attached document supporting the narrative provided for application item 4 would be marked - Exhibit 4.5*). Exhibit numbers should be placed in either the lower right hand area or the upper right hand area of the exhibit.

If the subject property is not in a fire protection district, only applicants' information and map are required. A copy of the Colorado State Forest Service Wildfire Hazard Area Map with the subject property clearly and accurately located, shall be attached and marked as Exhibit A.

APPLICANT INFORMATION

1. Project Name The Venue at Oak Creek

2. Type of application:

- | | |
|--|--|
| <input type="checkbox"/> Zone Change #1 | <input type="checkbox"/> Special Review Use Permit |
| <input type="checkbox"/> Zone Change #2 – Use Designation Plan | <input type="checkbox"/> Conditional Use Permit |
| <input type="checkbox"/> Zone Change #2 – Final Development Plan | <input checked="" type="checkbox"/> Temporary Use Permit |
| <input type="checkbox"/> Commercial Development Plan | <input type="checkbox"/> Change of Use of Property |
| <input type="checkbox"/> Commercial Development Modification | <input type="checkbox"/> Subdivision Preliminary Plan |
| <input type="checkbox"/> Expansion of an existing Business or Industrial Use | <input type="checkbox"/> Minor Subdivision |

3. The subject property is located at:

800 N. Frazier St Florence, Co

Address and or General Location (If general location only is used, it will be required that a legal description of the subject property be attached Marked as Exhibit 3.1) An exhibit is attached.

4. Fire protection will be provided in what manner and with what resources? _____

5. The source of water for fire protection is:

--- Water District – Name of District: City of Florence

--- Well -- Colorado Division of Water Resources Well Permit Number: _____
Is the well approved for fire protection? Yes --- No Please explain: _____

---Cistern -- What is the cistern capacity? _____ Gallons -- What is the water source for filling the cistern? _____

6. What is the distance from the subject property to the nearest fire hydrant? _____
390 Feet

7. What public roadways provide access to the subject property? Frazier Ave

8. How many accesses to public roadways will the subject property have? One

9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? Yes --- No Please explain by providing right-of-way and surface widths, length of roadway, surface types for all interior existing and proposed roadways and turning radii for cul-de-sacs. _____

10. What are the existing and or proposed interior roadway names? Frazier Ave
Private Drive

11. Is the subject property located within a fire protection district? Yes --- No
If yes, please provide the district name: Florence Fire Protection District

If the subject property is not located within a fire protection district please answer the following questions and the form will be considered completed for submittal. If the subject property is located within a fire protection district then answers to the following will not be required, however the remainder of the form shall be addressed by a representative of the fire protection district in which the subject property is located.

a. What is the name of the fire protection district closest to the subject property? _____

b. What is the distance from the subject property to the nearest fire protection district boundary? _____

c. Is it logical and feasible to annex the subject property to a fire protection district?
 Yes ----- No Please explain: _____

d. What types of fire protection improvements are proposed for the subject property and or structures to be housed on the property? Please explain: _____

By signing this Application, the Applicant, or the agent/representative acting with due authorization on behalf of the Applicant, hereby certifies that all information contained in the application and any attachments to the Application, is true and correct to the best of Applicant's knowledge and belief.

Applicant understands that any required private or public improvements imposed as a contingency for approval of the application may be required as a part of the approval process.

Fremont County hereby advises Applicant that if any material information contained herein is determined to be misleading, inaccurate or false, the Board of Commissioners may take any and all reasonable and appropriate steps to declare actions of the Board regarding the Application to be null and void.

Signing this Application is a declaration by the Applicant to conform to all plans, drawings, and commitments submitted with or contained within this Application, provided that the same is in conformance with the Fremont County Zoning Resolution.

Stacy LeBlanc
Applicant Printed Name

Stacy LeBlanc
Signature

July 20, 2023
Date

Owner Printed Name

Signature

Date

manager - Stacy LeBlanc

FIRE PROTECTION AUTHORITY INFORMATION

1. The name of the fire protection authority is: Florence Fire Protection District

2. Name of contact person: Bill Ritter
Title: Chief Telephone: 719-280-3811

3. The name and address of the responding fire station is:
Florence Fire Protection District Station 1
300 West Main Street Florence, CO. 81226

4. The distance from the subject property, by public roadway, to the responding fire station is: 0.67 miles

5. The estimated response time to the subject property is: 2 minutes

6. The location of the closest fire hydrant to the subject property is: Seventh Street and North Fraiser Ave.

7. Is the existing hydrant size and location adequate for the existing neighborhood and the proposed development? Yes --- No Please explain: _____

8. Are the existing public roadways accessing the subject property adequate for fire vehicle access? Yes --- No Please explain: _____

9. Are the interior roadways existing and or proposed for the subject property adequate for fire vehicle access? Yes --- No Please explain: _____

10. Are the proposed fire protection measures adequate for any existing or proposed structures to be housed on the subject property? Yes --- No Please explain: _____

11. What are the wildfire hazard classifications for the subject property, as prepared by the Colorado State Forest Service? Contact BLM Office Canon City

12. Recommendations concerning fire protection in general, fire protection improvements, suggested road names, for this project are as follows: **NOTE:** Be sure to list type, size and location of improvements recommended (*i.e.*; hydrants, water lines, cisterns, dry hydrants, roadway improvements, etc.). **Please indicate whether recommendations or requirements are the result of codes or regulations, and provide supporting information which will assist the Planning Commission and the Board of County Commissioners to determine whether to adopt any or all of the recommendations as requirements of the permit.**

We have discussed fire extinguisher placement by exit doors and exit signs over the doors leaving the building.

Bill Ritter
Signature and title of Authorized Fire Protection Representative

7/20/2023
Date



Twin Landfill Corporation of Fremont County
P.O. Box 367, Florence CO 81226

May 17, 2024

Twin Landfill Corp of Fremont County, DBA: Twin Enviro Services

To Whom it may concern:

Twin Enviro provides services at 800 N. Frazier in Florence, Colorado 81226. The account was established by Amy Hilterbran on 9/18/2023, with a 3 yd container serviced weekly on Tuesdays.

We at Twin value our relationship with our customers.

Twin Enviro Services
Chris Brochu
General Manager
2500 C.R. 67
Penrose, Colorado, 81240
719-372-6671-Office
719-371-0914-24/7- Cell
cbrochu@twinenviro.com

Phantom Landfill • 2500 Fremont County Road 67 • Penrose, CO 81240
phone 719/372-6671 • fax 1-815-377-2495 • cbrochu@twinenviro.com

Ex. 7.1
09.2/2
Table of Contents

Make Check Payable To:

Fremont Sanitation District

107 Berry Parkway, Canon City, CO 81212-3900
E-Mail: mybill@fsd.co Website: www.fsd.co
(719) 269-9050

UTILITY BILL

Return this portion with your payment

Account Number: 20796
Customer Number: 9222
Bill Number: 575080
Pay By: 07/25/2024
Total Due: 91.92

800 FRAZIER LLC
PO BOX 38245
COLORADO SPRINGS, CO 80937

Service Location
800 N FRAZIER AVE
FLORENCE

Fremont Sanitation District

107 Berry Parkway, Canon City, CO 81212-3900
E-Mail: mybill@fsd.co
(719) 269-9050

Hours
Monday-Thursday
7:00 a.m to 4:30 p.m.
www.fsd.co

UTILITY BILL

Customer Copy
Keep this portion for your records

CUSTOMER NAME		SERVICE LOCATION					
800 FRAZIER LLC		800 N FRAZIER AVE FLORENCE					
BILL NUMBER	BILL DATE	ACCOUNT #	CUSTOMER #	DUE DATE			
575080	06/26/2024	20796	9222	07/25/2024			
CHARGE DESCRIPTION	METER NUMBER	PENALTY DUE DATE	SERVICE FROM DATE	SERVICE TO DATE	ACCOUNT TYPE	USAGE	CHARGE AMOUNT
Quarterly Flat Rate Sewer		08/05/2024	06/26/2024	09/25/2024	RE-Residential		\$91.92

Total Current Billing	\$91.92
Previous Balance	\$0.00
Adjustments	\$0.00
Less Payments Received	\$0.00
Total Amount Due	\$91.92

A 1.5% penalty will be charged if payment is not received by the penalty due date printed on this bill.
AutoPay by Card or Bank account is available as well as Paperless Billing! Go to www.fsd.co and click "Pay My Bill".

Table of Contents

Ex. 11-1
Pg 3/3

SPECIAL WARRANTY DEED

For Ten Dollars and other valuable consideration, **800 Frazier LLC**, a Colorado limited liability company ("Grantor"), do hereby grant, sell and convey unto **J. MICHAEL TURLEY AND KAREN A. TURLEY**, whose address is 2820 Mesa Ridge Hts., Colorado Springs, CO 80926 ("Grantee"), the following described real property located in Fremont County, Colorado:

See Exhibit A attached hereto and made a part hereof

also known by street and number as **800 North Frazier Avenue, Florence, CO 81226** (the "Property"),

TOGETHER WITH all and singular the hereditaments and appurtenances thereunto belonging or in anywise appertaining thereto, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title and interest, claim and demand whatsoever of Grantor, either in law or equity of, in and to the above-bargained Property with the hereditaments and appurtenances.

SUBJECT only to the lien of taxes and assessments for the current year and all subsequent years, and all other matters of record.

Grantor hereby covenants to and with the Grantee that Grantor is the owner in fee simple of the Property, and Grantor warrants the title to the Property against all person claiming under Grantor, but none other.

IN WITNESS WHEREOF, Grantor has executed this Special Warranty Deed on the date evidenced below.

800 Frazier LLC

By: *Tyler J. Varriano*
Tyler J. Varriano, Manager

State of Colorado)
) ss.
County of El Paso)

The foregoing instrument was acknowledged before me this 5 day of January, 2022, by Tyler J. Varriano, Manager of 800 Frazier LLC, a Colorado limited liability company.

ESTHER M AH YO
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19974016760
MY COMMISSION EXPIRES 10-13-2024

NOTARY SEAL

Esther M. Ah Yo
NOTARY SIGNATURE

My commission expires: 10/13/24

Ex. 18.16.1.6.2

NO DOC FEE

Exhibit A

Parcel A:

Beginning at a point on the North line of Section 16, Township 19 South, Range 69 West of the 6th P.M., whence the Northwest corner of said Section 16 bears West 984.06 Feet; thence East and along said Section line to the right-of-way of the Florence and Cripple Creek Railroad Company; thence Southerly along the West line of said right-of-way to the North line of the Jesse Frazer Addition to the City, formerly Town, of Florence, according to the plat of said Addition on file in the office of the Recorder of said County; thence Westerly along the North line of said Addition, (being also the North line of West Fifth Street) to the Northwest corner of said Addition and to the East line of Frazer Avenue; thence Northerly and along the East line of said Avenue to the North end thereof, thence Westerly to the Southeast Corner of land owned by Edwin Lobach, Jr.; thence Northerly to a point 594 Feet East of the Southwest Corner of the NW¹/₄ NW¹/₄ of said Section Sixteen 16; thence Northerly to the place of beginning.

Parcel A1

Also, a strip or parcel of land 50 feet wide, being 25 feet wide on each side of the center line of the main track of The Florence and Cripple Creek Railroad Company as said main tract was formerly constructed and operated over and across the W¹/₂ NW¹/₄ and the NW¹/₄ SW¹/₄ of Section 16, Township 19 South, Range 69 West of the 6th P.M.; Beginning at the Southerly right of way line of The Atchison, Topeka and Santa Fe Railway Company and extending thence Southerly a distance of about 1720 feet to the Southwesterly line of Fifth Street produced Westerly in Florence.

Excepting from Parcels A and A1A a tract of land conveyed to Edwin Lobach by Deed recorded in the office of the Recorder of said Fremont County in Book 73, at Page 472; and, also excepting a tract conveyed to M. M. Hamma by Deed recorded in Book 99, Page 525, in the office of said Recorder and a tract of land conveyed to School District No. Re 2 by deeds recorded February 9, 1960 in Book 412 at Page 327 and March 8, 1960 in Book 413 at Page 163 and excepting any portion thereof lying within the right of way of the Atchison, Topeka and Santa Fe Railway Company.

Parcel B:

Also, a tract of land in Section 16, Township 19 South, Range 69 West of the 6th P.M. described as follows: Beginning at a point South 61°34' East, 2559.44 feet East of Cyanide Avenue on the Southerly line of A. T. & S.F. railroad right of way; thence South 19°53'30" West, 71.10 feet; thence South 33°39' West, 115.92 feet to a point on the East bank of Oak Creek the point of beginning; thence South 77°59'15" West along the East bank of Oak Creek, 160 feet, more or less; thence South 57°12' West along the East bank of said Oak Creek a distance of 233.65 feet, more or less, to a point on the East bank of Oak Creek; thence East 170 feet, more or less; thence North 16°31' East 60 feet to a point on the South line of the NW¹/₄ NW¹/₄ of Section 16, Township 19 South, Range 69 West of the 6th P.M.; thence North 46°38' East 86.35 feet, more or less; thence North 33°39' East 51.56 feet to the point of beginning. Except any portion thereof lying within the tract of land conveyed to Edwin Lobach Jr. by Deed recorded March 6, 1902 in Book 119 at Page 266.

Parcel C:

Also, a tract of land in the SW¹/₄ NW¹/₄ Section 16, Township 19 South, Range 69 West of the 6th P.M., described as follows: Commencing at the Southwest corner of said SW¹/₄ NW¹/₄, thence North 39 rods and 9 links (649.44 feet) along the West line of said SW¹/₄ NW¹/₄; thence North 28° East along the East line of lands deeded to Edwin Lobach by Stephen Frazier recorded in Book C, Page 179, 32 rods and 10 links (534.6 feet) to the point of beginning for this tract; thence South 69°40'00" East 264 feet along the lands deeded to Edwin Lobach by Stephen and Anna Frazier; thence North 14°48'00" East 30 feet; thence North 69°02'00" West along the Southwesterly line of land deeded to Edwin Lobach Jr. by Deed recorded March 6, 1902 in Book 119 at Page 266 a distance of 256.4 feet; thence Southwesterly 30 feet, more or less, to the point of beginning.

County of Fremont
State of Colorado

Ex. 18.16.1.6.2

Table of Contents

July 1, 2024

To whom it may concern:

I, J. Michael Turley, hereby give Jason Hilterbran and Amy Dawn Bourlon-Hilterbran permission to request any and all waivers for bonds required for requested permits for the property located to 800 N. Frazier, Florence, Colorado 81226. Jason Hilterbran and Amy Dawn Bourlon-Hilterbran, under my lease with them, has the authority to apply for permits as well as any and all needed compliance documentation.

I also hereby give permission in accordance with their lease to apply for such permits to be in compliance with necessary permissions needed for any and all events requested by Jason Hilterbran or Amy Dawn Bourlon-Hilterbran for said property and to hold such events as they see fit.

Jason Hilterbran and Amy Dawn Bourlon-Hilterbran keep me informed and I give them my support and permission.

Thank you.



J. Michael Turley
PO Box 38036
Colorado Springs, CO 80937



Fremont County Department of Transportation

1170 Red Canyon Road • Cañon City, Colorado 81212
Phone: 719-276-7430 • Fax: 719-275-2120

7.24.2024

TO: Fremont County Planning & Zoning
615 Macon Avenue, Room 210
Cañon City, CO 81212

RE: TUP 24-009 Venue at Oak Creek

Dear Mr. Victoria,

We have reviewed the above-referenced application information from the applicant, and do not have any comments at this time. The venue is accessing from a road within the City of Florence jurisdiction.

Should you have any questions, feel free to contact our office.

Sincerely,

Michael Whitt

Michael Whitt
FCDOT Director

Certificate of Occupancy

Fremont County Building Department

Wyatt Sanders, Building Official

Date of Issue September 26, 2024 Building Permit Number 24-478

This certifies that the entire structure located at
800 Frazier Ave, Florence, Colorado 81226

has been inspected for compliance with the requirements of the International Building code and/or International Residential Code, and the International Energy Conservation Code 2018 Editions. It is therefore permitted that the described portion of this structure may be used and occupied as: A2 – Event Center

Type of Construction	<u>5B</u>
Design Occupant Load	<u>225</u>
Sprinkler System Installed	<u>NO Required NO</u>

J Michael Turley and Karen A Turley

Property Owner's Name

2820 Mesa Ridge Hts., Colorado Springs, CO 80926

Owner's Mailing Address

Interior finish of existing building

Conditions

Wyatt Sanders
Authorized Signature

[Table of Contents](#)

Exhibit 15.1

Joanne Kohl

From: Mykel Kroll
Sent: Tuesday, July 23, 2024 7:48 AM
To: Joanne Kohl
Subject: RE: TUP 24-009 Venue at Oak Creek

Good morning,

After reviewing this lengthy and complete document I don't see any issues with it. Hopefully this is successful for them.



Mykel Kroll
Fremont County Director of Emergency Management & Fremont County PIO
1901 East Main Street
Canon City, CO 81212
O- 719-276-7422
C- 719-240-1608
mykel.kroll@fremontco.com

Follow Fremont County Emergency Management Facebook (Fremont County Emergency Management)

Twitter (Fremont County Emergency Management @countyfremont)

Instagram (fremontcountyoem)

Website: www.fremontcountyco.gov

From: Joanne Kohl <joanne.kohl@fremontco.com>
Sent: Monday, July 22, 2024 3:33 PM
To: TUP <none@fremontco.com>
Cc: Dan Victoria <dan.victoria@fremontco.com>; Mike Fowler <mike.fowler@fremontco.com>
Subject: TUP 24-009 Venue at Oak Creek

Good afternoon,

Attached is the application for TUP 24-009 Venue at Oak Creek for your review. Please provide any comments by August 5, 2024. Please contact our office if you have any questions or if we can be of further assistance.

Thank You,
Joanne



FREMONT COUNTY
Project Engineer
615 Macon Avenue
Canon City, Colorado 81212
Office (719) 276-7367 Cell (719) 792-9372
Email: j.bunderson@fremontco.com

August 8, 2024

Daniel Victoria, Director
Fremont County Department of Planning and Zoning
615 Macon Avenue, Room 210
Canon City, CO 81212

Subject: Venue at Oak Creek TUP 24-009

I have reviewed the subject application and have no comments. If you have questions or need further assistance, please don't hesitate to contact me.
Thank you.

J Bunderson

J K Bunderson
Fremont County Engineer

[Table of Contents](#)

Joanne Kohl

From: Lancaster - CDOT, Adam <adam.lancaster@state.co.us>
Sent: Wednesday, October 2, 2024 3:27 PM
To: Joanne Kohl
Subject: Re: Resubmittal TUP 24-009 Venue at Oak Creek

CAUTION: This sender is located outside of your organization.

Joanne

After review of the resubmittal for the Venue at Oak Creek TUP 24-009, CDOT has the following comment:

Private event or advertising signs will not be permitted at the intersection of SH115 and Frazier Ave as proposed in Item #6.

6. Will there be any signs used to advertise the event? _____ If yes, please provide a statement as to the size (type), location, and how many: Promotional signage for small events MAY include a sign at HWY 115 and Frazier Avenue (not to exceed 24" x 36") and would be removed after event.(EX: "Smith Reunion" with a directional arrow). We have a 3' x 3' wooden sign with our logo on our fence at the entry.

On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act, sections 43-1-401 to 421, C.R.S., and all rules and regulations pertaining to outdoor advertising. Please contact Gabe Martinez at (719) 251-7830 for any questions regarding advertising devices.

Thank you

On Wed, Oct 2, 2024 at 1:13 PM Joanne Kohl <joanne.kohl@fremontco.com> wrote:

Good afternoon,

Attached is the resubmittal application for TUP 24-009 Venue at Oak Creek for your review. Please provide any comments by October 16, 2024. Please contact our office if you have any questions or if we can be of further assistance.

Thank You,

Joanne



Planning and Zoning Department

615 Macon Avenue Room 210, Canon City, Colorado 81212

Telephone (719) 276-7360 / Facsimile (719) 276-7374

Email planning@fremontco.com

Inspection Checklist

Date **8/6/2024**

Project Name: **TUP 24-009 Venue at Oak Creek**

Any Current Permits? Yes or No

Any Past Permits? Yes or No

Current Violation? Yes or No

Past Violations Yes or No

VISUAL OBSERVATIONS CHECK LIST

of buildings: **4**

Types: **Dwelling, Office, Venue Building, Barn.**

SMM on site? **No**

Does the site plan match site conditions? **Yes**

Structures Code/Zoning Compliant: **Yes**

Land Use Compliant: **Yes**

Notes/Concerns

At the time of this inspection the property met all land compliance codes.

Kyle Yarberry	8/6/2024
Allen Zadroga	8/6/2024
John Shore	8/6/2024

[Table of Contents](#)









