Brad Boland

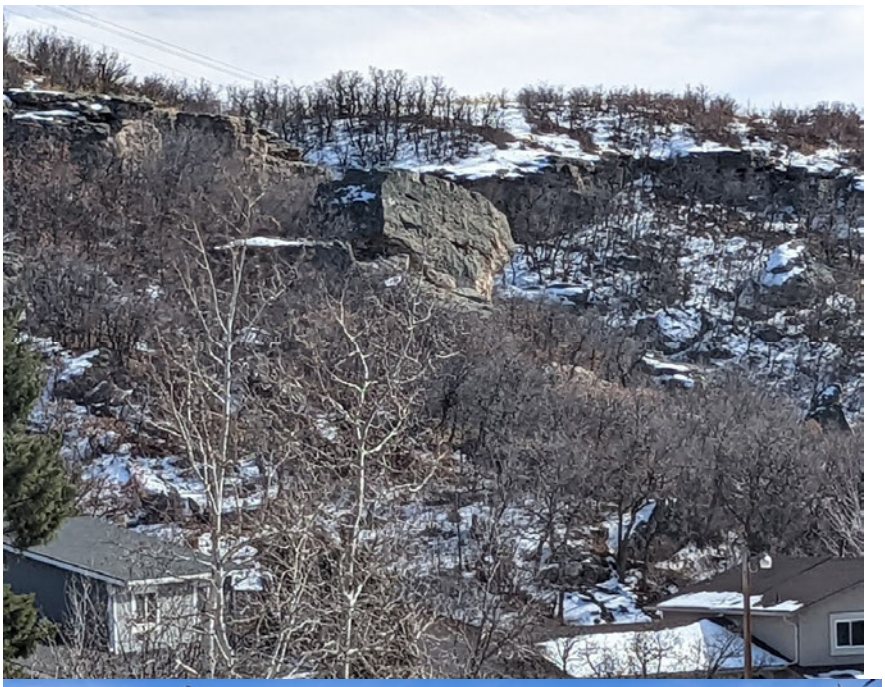
From: [redacted]
Sent: Tuesday, February 1, 2022 4:05 PM
To: [redacted] Brad Boland; Caryn Johnson
Subject: Founders Vista Development
Attachments: DNP_19820112.pdf; DNP_19820113.pdf; DNP_19820114.pdf; DNP_19820115.pdf; DNP_19820127.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Russel, Brad and Caryn

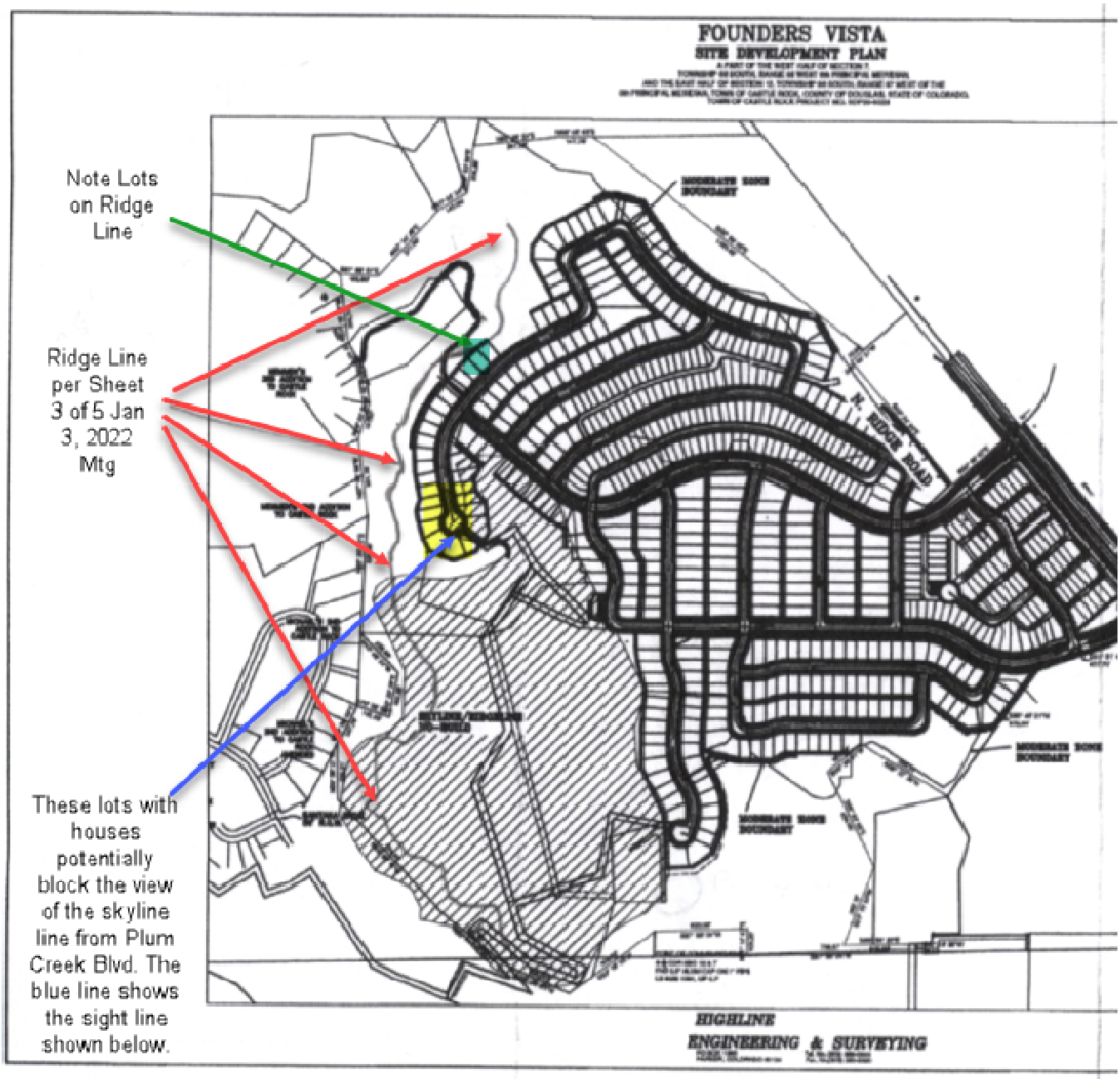
I have three primary concerns with the Founder Vista Development.

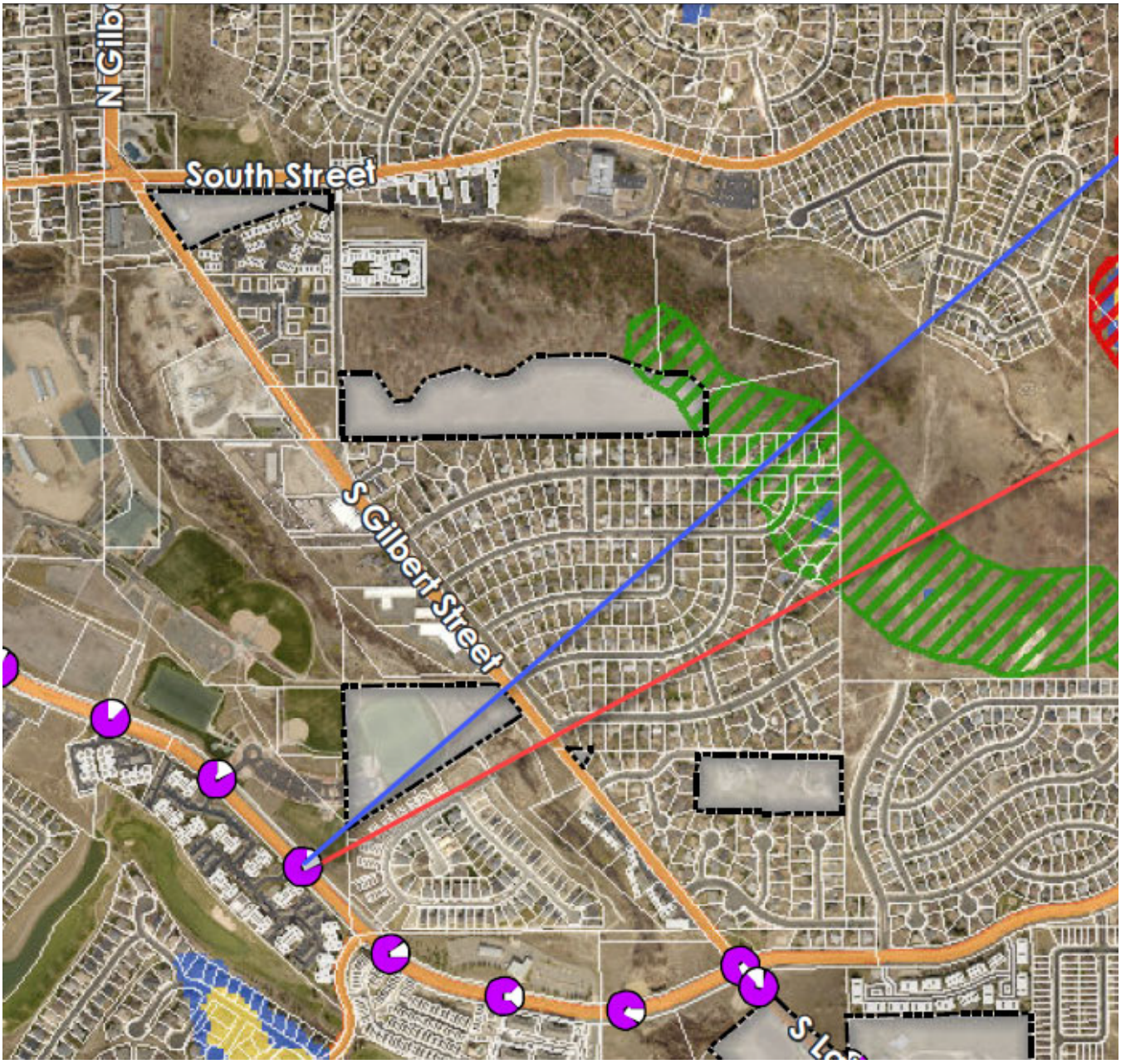
1. **Geologic Risk** - On July 24, 1979 a letter to the Town of Castle Rock from James Soule, Engineering Geologist for the Colorado Geologic Survey indicated that parts of the Memmen's Third Filing (including Gordon Dr, Gordon Lane and Larkspur Dr) have moderate to severe geologic hazards. On January 12, 1982 a boulder split above the homes on Gordon Dr. and forced the evacuation of residents along Gordon Dr. for a couple weeks. I've attached the Douglas County News Press articles. Based on the presentation by the developer's representative Russel Hall on Jan 3, 2022 we were told that excavation for underground utilities and basements would require significant rock removal. Methods to remove the rock could include both blasting and hydraulic splitting. Both of these methods send substantial shock waves thru the ground. My concern is that these shock waves could cause unstable rocks to tumble down the hillside and into the homes below. From the 1982 incident we know this has the potential to occur. In my view, as a degreed Civil Engineer (not registered in the State of Colorado), the reasonable course of action is to undergo a geologic risk assessment of the entire ridge line including all of Gordon Dr, Gordon Lane and Larkspur Dr, by a third party geologic engineering firm. (To my knowledge this has not been done at this time.) Then any discovered hazards should be mitigated before development of the site begins. Mitigation alternatives to be considered should include an appropriate set back from the rock face. Below are some pictures showing some areas of concern.



2. **Access Road from Gordon Dr to detention pond and facilities**. In the past before the town put up fencing around the new wastewater culvert, kids would use the access to the detention pond area and go smoking up there. This area in the Community Wildfire Protection Plan 2022 (https://castlerock-co.legistar.com/View.ashx?M=F&ID=10402603&GUID=2CC1D2A6-790F-47C7-8C22-F93CB9593901) has been designated a Very High fire risk. It is not appropriate to have access to this area from Gordon Dr or to the public in general. Any road access will lead people to use that as a hiking or biking trail no matter the signage, or chained access. I also see no reason for the HOA for Founders Vista to manage this site as the impact of the detention area has little or no consequences to the HOA and significant consequences to the residents of the Gordon Dr area. Once the construction is completed by the developer, it should be turned over to the town to manage and bill the HOA appropriately for maintenance.

3. **Skyline / Ridge variance**: Given the geologic risk above I see no reason to allow the variance of the Skyline / Ridge ordinance which pushes the development and associated rock removal closer to the ridge line rather than helping to mitigate the geologic risk to the homes on Gordon Dr, Gordon Lane and Larkspur Dr. In addition the lots in Yellow with houses will block the view line (blue line) from the view point on Plum Creek Blvd. Also note that the green lots are on the ridge line per the developers map. In my view a reasonable alternative is to remove the cul-de-sac and the lots adjacent to the ridge line to both lower the geologic risk and limit the Skyline encroachment.


FOUNDERS VISTA
SITE DEVELOPMENT PLAN
Note Lots on Ridge Line
Ridge Line per Sheet 3 of 5 Jan 3, 2022 Mtg
These lots with houses potentially block the view of the skyline line from Plum Creek Blvd. The blue line shows the sight line shown below.
HIGHLINE
ENGINEERING & SURVEYING



In 1982 the liability for the problems at that time was murky. The Catholic Church owned the property which was in Douglas County and threatening residents in Castle Rock for a town approved development where the town had been warned that the development was in a moderate to severe geologic hazard area. In this instance all parties should now be aware of some potential geologic risks and take the appropriate action to access those risks.

Thank you,
Jim Cable
[redacted]

DOUGLAS COUNTY
NEWS-PRESS
Tuesday 25¢ per copy

Tuesday, January 12, 1982-90th Year No. 58 Castle Rock, Colorado 80104 USPS 567-060

Boulders crack on hill

Gordon Drive residents evacuated

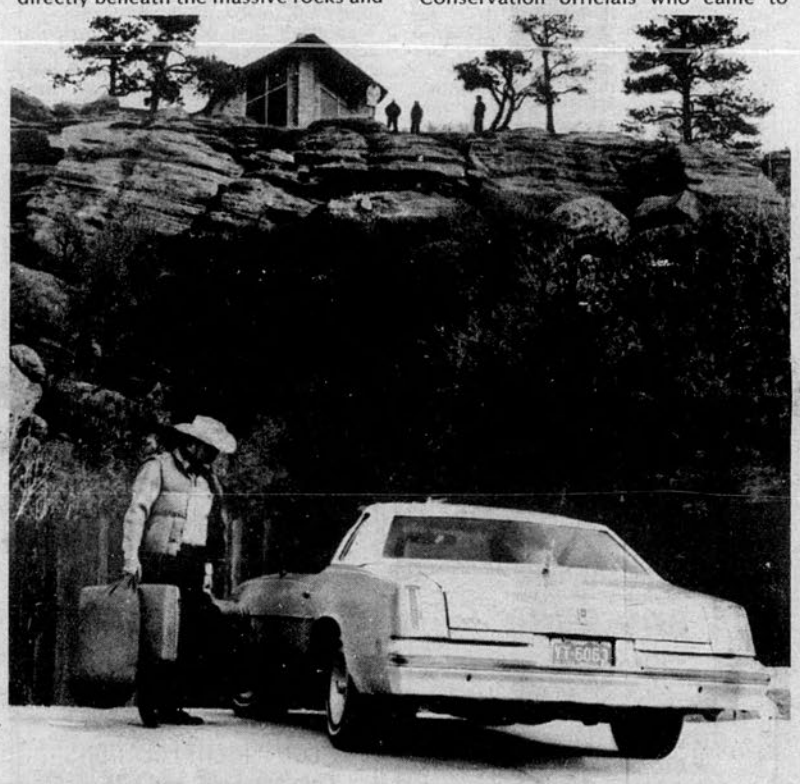
By Sydney Draper
Staff Writer

A huge slab of boulders cracked opened and separated from a mass of rock on the hill behind St. Francis of Assisi Church in Castle Rock Monday morning, posing possible catastrophy to residents living on Gordon Drive below the hill.

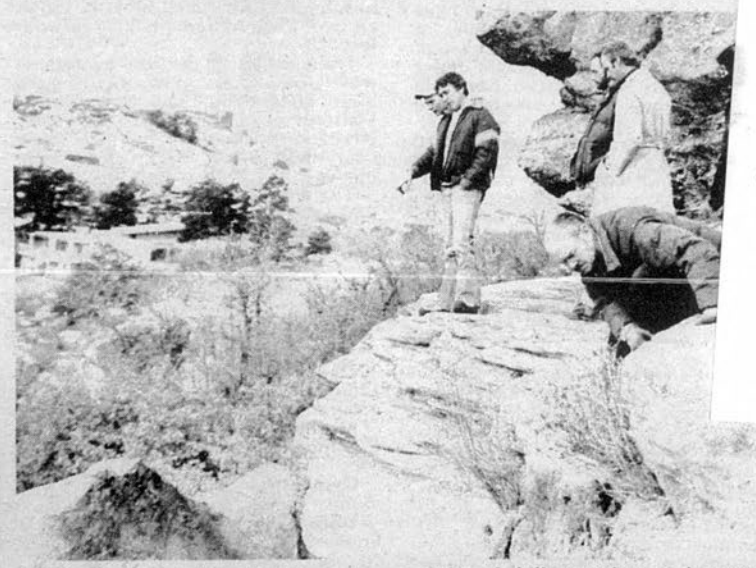
Police evacuated four homes directly beneath the massive rocks and alerted other area residents to the potential danger, suggesting they also evacuate the area.

Geologists with the U. S. Soil Conservation department were called to Castle Rock to try to determine what should be done and what immediate danger might be posed to area residents.

A preliminary report from Soil Conservation officials who came to scene early Monday was that the rock mass was "stable" but they were concerned about the drainage in the area and awaiting further study later in the day.



PREPARING TO EVACUATE – John Bedingfield, who was visiting Shirley and Bill McLaurin, of 466 Gordon Drive, helped get some belongings out of the McLaurins house after police evacuated four homes and asked other residents to leave the area Monday morning. Residents said they heard a rumbling noise and a loud boom and discovered the row of boulders pictured here had separated from the hill. Geologists and police were setting up a monitoring device to see if the boulders were still moving Monday afternoon. (Staff photo by Sydney Draper)



WHAT TO DO – City officials were on top of the hill above Gordon Drive this morning trying to figure out what can be done about the boulders which split away from the side of hill Monday and posed a potential danger to citizens living on Gordon Drive. (Staff photo by Sydney Draper)

Church lot sealed off

For safety measures, police sealed off the driveway leading into the church's parking lot.

Police Chief Butch Brown said a huge crevice created by the movement plus a question of the stability of the boulders could be a potential danger to any curiosity seeker and especially to children known to play around the boulders in the area. The area is located below the church just off Highway 86 and east of Valley View Drive.

Jim Putnam, who lives at 452 Gordon Drive directly beneath the rock mass, told the News-Press that at about 8 a.m. Monday he heard what he thought was an earthquake tremor or a sonic boom. He said he he and his wife Peggy looked out their kitchen window and saw that the boulders on the hill directly above them had "dropped down."

He said he called the sheriff's department. About 15 minutes later, he said he got a call from George Durkop, county Emergency Preparedness director, who told him he had checked with the National Earthquake Center in Golden and they had not recording of any tremors in the area. Putnam said he was told there was a question of whether the area of the rocks was in the town limits or the county limits.

At that point, Putnam said, he called the Castle Rock police department.

The police were there within minutes, he said. Town officials, including Joe Knopinski, Ray Blacker

Continued on Page 16

Geologists say 'toppling mold' needs watching

By Sydney Draper
Staff Writer

Geologists with the Colorado Geological Survey described the giant boulders which split away from the hill above Gordon Drive early Monday morning as in a "toppling mold" and said the area needs to be monitored continually in the next few days to see if the boulders are still moving.

James M. Soule, engineering geologist, said the top portion is leaning forward and the bottom section moving in. However, he added that when the break occurred, "it could have gone ka-bam and wedged in and will be here for another 300 years.

Police and the geologists were working Monday afternoon stringing cable from the bottom of the boulders to the top, rigging up a monitoring device to measure any movement.

While the area affected is in the county, Police Chief Butch Brown said he was not willing to wait around to see who should be in charge of setting up the cable system to monitor any movement.

George Durkop, Emergency Preparedness director, in charge since the breakage is in the county jurisdiction, said barricades have been set up around the church to keep people out of the area.

If the boulders are moving, no one was sure what the next step would be.

Soule said the breakage was probably triggered by natural drainage but the danger is that more wet weather will further weaken the boulders.

Drainage from the paved area of the church has probably further compounded the problem, geologist Bruce Stover added, and said the area should be sandbagged.

"The area has probably been under a natural state of stress for some time," Soule said, explaining that this is a common occurrence and the free standing boulders presently in the area have broken away at some point in time.

"The question is whether this particular section is now stable or continuing a slow state of creep," he said.

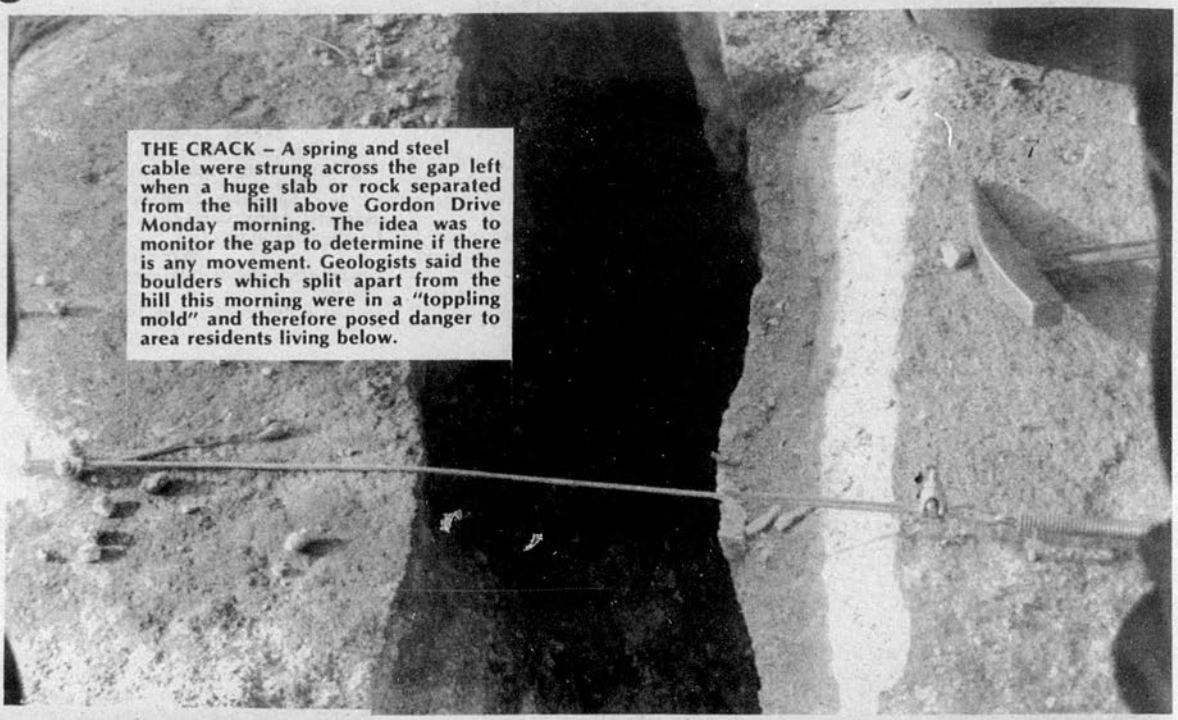
The chances are that if the whole section were to topple, he said, the boulders would be split but the speed at which the fragments would travel down the hill would be cause them to do a lot of damage.

Residents in the area were gathered at the church parking lot wondering Monday afternoon just what they should do now.

News-Press

Crews string cable to monitor rock movements

STRINGING CABLE – This unidentified man gets cable ready to string across the gap left Monday morning when huge boulders split away from the hill above Gordon Drive. Geologists were concerned that the boulders might move more and topple down the hill into homes below.

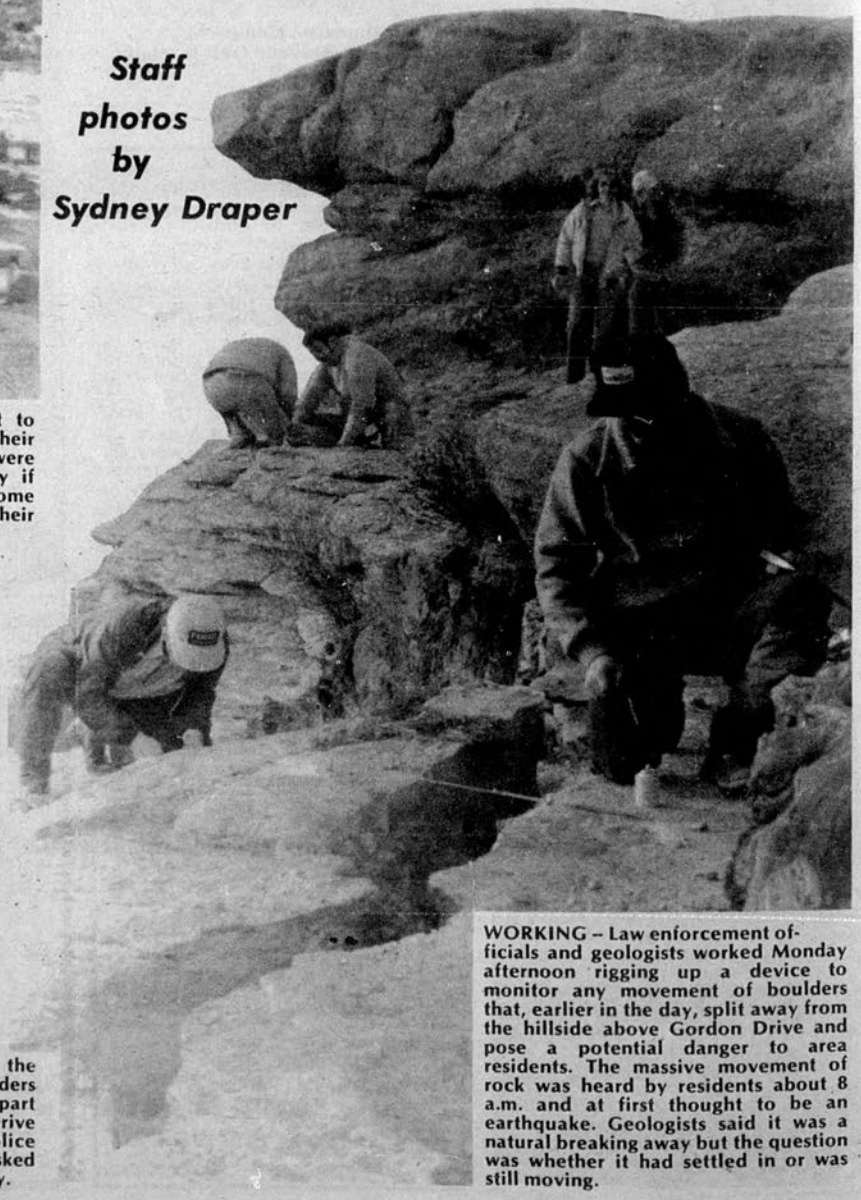


THE CRACK – A spring and steel cable were strung across the gap left when a huge slab or rock separated from the hill above Gordon Drive Monday morning. The idea was to monitor the gap to determine if there is any movement. Geologists said the boulders which split apart from the hill this morning were in a "toppling mold" and therefore posed danger to area residents living below.

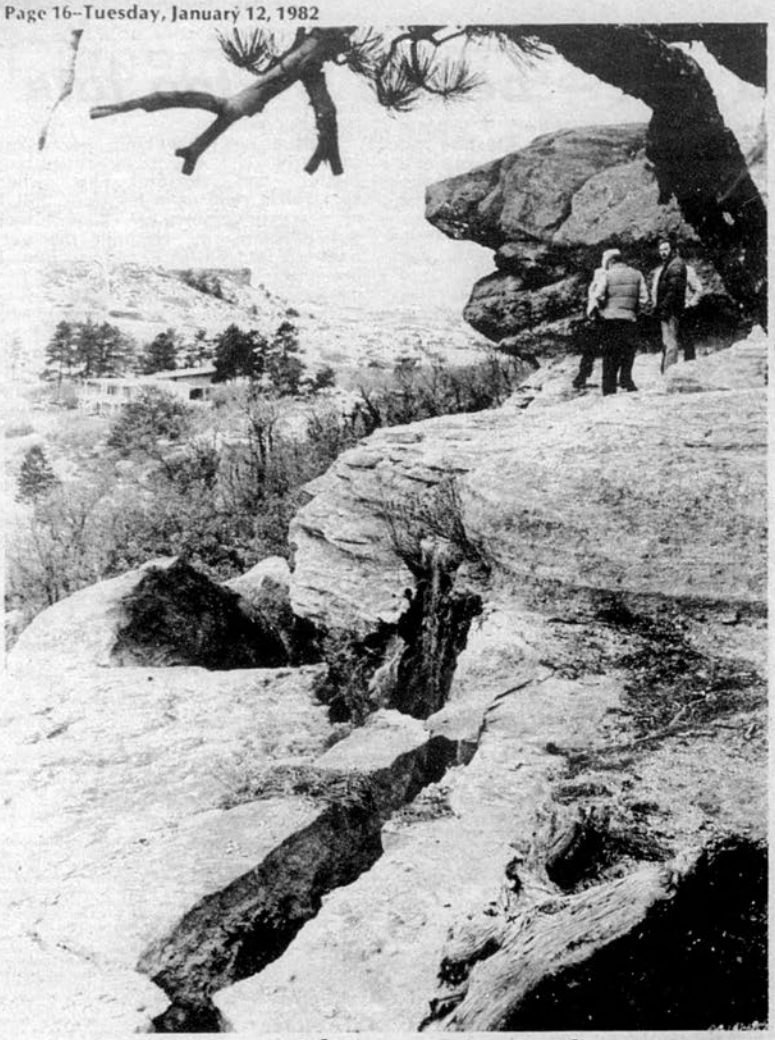
SEALING OFF AREA – The area behind the St. Francis of Assisi Church was sealed off to all but officials after a huge slab of rock broke away from the hill above Gordon Drive early Monday morning. Residents said they heard a rumbling and loud boom and looked out to discover the boulders above their homes had moved. Officials were trying to determine late Monday if the boulders were still moving. Some residents were asked to leave their homes for safety reasons.

Staff photos by Sydney Draper

STUDYING AND MEASURING – Geologists, police and other officials worked rapidly Monday afternoon stringing cable and springs across the gap between the hill and the boulders that split away from it. They spray painted where the springs were originally set and were to monitor the area all night to see it the boulders are moving. The boulders split apart from the hill above Gordon Drive about 8 a.m. Monday. Police evacuated four homes and asked other residents to leave voluntarily.



WORKING – Law enforcement officials and geologists worked Monday afternoon rigging up a device to monitor any movement of boulders that, earlier in the day, split away from the hillside above Gordon Drive and pose a potential danger to area residents. The massive movement of rock was heard by residents about 8 a.m. and at first thought to be an earthquake. Geologists said it was a natural breaking away but the question was whether it had settled in or was still moving.



SPLIT AWAY – This boulders just below the Catholic Church in Castle Rock split away from the hill Monday morning and posed a potential danger to residents living below. (Staff photo by Sydney Draper)

BIG CRACK – Officials and residents discussed what to do Monday morning about the huge rock slabs that split away from the side of the hill above Gordon Drive. Geologists described them as in a "toppling mold." Residents on Gordon Drive said they heard a rumbling and loud boom and looked out to discovered row of boulders had dropped down from the hill. The question now is whether they will move any more. (Staff photo by Sydney Draper)

. . . residents evacuated

Continued from Page 1

and Glenn Smith also were on the scene and trying to decide what to do.

A loud boom, not earthquake

Shirley McLaurin, 466 Gordon Drive and also directly beneath the boulders, said she and her husband Bill had been in Alaska during the major earthquake in 1964 and at first she said she thought she was in another earthquake.

She said they heard a loud boom but added she had learned while living in Alaska that the way you tell if it's an earthquake is to look at chandeliers to see if they were shaking. She said the chandeliers in her house were not.

The McLaurins, the Putnams and neighbors across the street, the George Pascales and Mike Barninghams, were asked by police to leave their homes for safety reasons.

Mrs. McLaurin, obviously shaken by the incident, quickly packed a suitcase and said she and friends who were visiting from Nevada, were going to a local restaurant before deciding what to do.

Joe Mack, who lives next door to the McLaurins, said he was putting garbage outside when he heard what he described as a "big rumble like a freight train" followed by a a "short big boom." He said he looked up and saw that the boulders had moved.

A spokesman for the U. S. Geological Survey in Golden said there had been no recordings of earthquake tremors in the Castle Rock area.

The area of the breakage is just outside the city limits, Knopinski said.

DOUGLAS COUNTY Wednesday 25¢ per copy

NEWS-PRESS

Wednesday, January 13, 1982-90th Year No. 59 Castle Rock, Colorado 80104 USPS 567-060

Castle Rock orders evacuation of homes

By Gail Anderson
Staff Writer

The town of Castle Rock Tuesday afternoon ordered 23 homes evacuated at the base of the hill where part of a cliff rock mass dropped down Monday.

All homes on Gordon and Johnson drive were evacuated, and the town sealed off the area. The town will have 24-hour police surveillance of the area, as well as 24-hour police dispatching. (Police calls are ordinarily dispatched through the sheriff's office after 4:30 p.m.)

The Red Cross is putting up all families affected in local motels.

That action was taken, said Town Administrator Joe Knopinski, because of geologist Jim Soule's finding that the rock's movement since Monday is "very dangerous" and soil engineers Chen and Associates' belief that the rock slab is unstable.

The town had not previously ordered an evacuation, although many residents elected to leave their homes on their own.

Chen and Associates was among the crew of experts the Catholic Archdiocese of Denver retained to help decide what should be done about the 30-foot-high rock slab. The archdiocese owns the St. Francis of Assisi Catholic Church property where the cliff face dropped down and came to rest.

That crew – also made up of contractor Lance Kilgroe, Tri Consultants surveyors and the Colorado Geological Survey – was looking for ways of safely disposing of the slab of rock poised above homes on Gordon and Johnson streets in southeast Castle Rock.

Terry Funderburk, business manager for the archdiocese, said Tuesday that "we've had some assurance that the situation looks a lot worse than it is."

Soule of the Colorado Geological Survey said the slab rock had moved more than half an inch since 3 p.m. Monday, and the west end of the slab has dropped one-tenth of a foot.

To Soule, the movement was "significant" and worthy of immediate action.

Funderburk said no one can say with a high degree of certainty whether the rock will crash to the homes below. A contractor told him the slab may turn over, but probably not go on down the hill. Again, Funderburk said, that's one person's opinion.

"I can see it dragging on for two or three days" before action is taken, Funderburk said.

There doesn't seem to be any stopgap measures that can be employed, so whatever solution that will be tried will be permanent.

A number of relevant suggestions have come out of the study crew, but nothing firm has been arrived at yet.

Funderburk added that he has sympathy for the residents at the base of the hill, and says that he certainly would not be in staying at home if he lived in the area.

A final determination on who or what is to blame for the rock slab dropping probably will be made in court, where questions of that nature always seem to be settled, Funderburk said.

Asked about his response to county emergency preparedness director George Durkop's position that responsibility for correcting the situation rests with the church, Funderburk said he thinks there will have to be "some mutual involvement."

The finger can't be pointed entirely at the church, which was built atop the cliff 15-20 years before the homes were below the cliff. And, the town allowed building too close to the cliff, despite Soule's warning about the danger when the town annexed the property, Funderburk said.

Castle Rock has gotten some contractors to take a look at the slab of rock to make some suggestions on the best way to remove it, but it has not formally hired its own experts, Knopinski added.

Local officials were to meet with representatives of the church Wednesday to discuss what can be done and who should pay for it. The second question will probably take the longest to answer, the town administrator said.

At the Douglas County Board of Commissioners' meeting Monday, Commissioner Carl Winkler said he would prefer waiting to see what the archdiocese's study would say before deciding to go with the town in having an independent study done.

Both the county and the town are involved because the rock slab which dropped down is in the county, but the homes possibly endangered by it are below, in Castle Rock.

POSSIBLY IN DANGER – These houses on Gordon Drive were evacuated early Monday morning after residents heard a loud boom and discovered a huge section of rock slab had split away from the hill above them. Geologists and were rigging up a monitoring device Monday afternoon to see if the boulders were still moving. (Staff photo by Sydney Draper)

Rock slab still moving: Geologists say significant

By Sydney Draper
Staff Writer

By late Tuesday afternoon, the giant rock slab that broke away from a hillside in Castle Rock early Monday morning had moved again – this time more than one-half inch – which according to geologists is a significant amount of movement in such a short time.

Survey engineers who took elevation shots Monday afternoon took more Tuesday and determined that the rock slab was **not** settling in but rather the west end had dropped one-tenth of a foot (also a significant amount in such a short time, geologists said) and the other boulders were moving forward except at the east end of the breakage which appeared to be wedged in.

However, James Soule, geologist with the Colorado State Geological Survey, said if the others were to break away the east end would probably fall also.

Soule said it is his opinion that someone must take charge and arrange to remove the huge rock slab as soon as possible for the safety of the residents and homes below it.

Decide how to remove it

"What the county and city needs to do now is decide how they'll remove the rocks and who will pay for what," Soule said.

He said the problem is basically a construction one of how to remove the rocks safely.

He said there are several ways to do it. One is to break the boulders up with jackhammmers. Another is to use small dynamite charges to blast the rocks out.

Whatever is done, he said, a blasting net will have to be placed below to attempt to catch the fragmented pieces. Otherwise, he said, the speed of the rocks traveling downhill could cause a lot of damage.

Soule described the rock slab as in a "toppling mode" Monday after it split away from the hillside. He said that means the top part is leaning forward and the bottom moving in.

Four families were evacuated from their homes on Gordon Drive shortly after the rocks directly above their homes, with a rumble and loud boom, separated from the hillside.

Police and sheriff's deputies set up a device Monday to monitor the movement of the rocks, and beginning at 10:20 p.m. police began knocking on doors in the area to tell residents that there had been more possible movement. By midnight all residents had been contacted.

Some decided to stay

Police Chief Butch Brown said

Continued on Page 2

Looking for rock amidst plenty: How things get mixed up

It is amazing how stories in the newspaper can get twisted around. There probably isn't anyone who reads a newspaper who wouldn't agree with that.

The reporter who wrote the stories that appeared in the **News-Press** Tuesday about the rock slab breaking away from the hillside above Gordon Drive had her stories dictated almost verbatim over the phone Monday night to Associated Press for use on the statewide wire service Tuesday.

What came out of the AP rewrite on the stories was something else.

First, the lead said a boulder was tumbling down a hillside toward the homes.

Then it said the homes were beneath the "rock that the town gots it's name from."

Neither of these statements was in the **News-Press** stories.

A call was made to the Denver AP bureau and the rewrite man there said the wire stories would be corrected.

Channel 9 television, however, must have gotten hold of the original AP version because Tuesday afternoon, the **News-Press** reporter, geologists, county officials and other news media, on the scene at the hillside behind St. Francis of Assisi Church where the breakage occurred, observed the Channel 9 helicopter flying back and forth over the "Rock" trying to locate the breakage.

If it's possible for a helicopter to "look lost", this one did.

It took the crew a good 30 minutes to figure out the breakage wasn't on the "Rock" and to finally locate it about quarter of a mile away just off Highway 86 and Valley View Drive.

As one observer quipped, "they must be well off to spend that much money on fuel."

News-Press

County, Castle Rock seek solution to unstable rock

By Gail Anderson
Staff Writer

The 30-foot-high, 15-20-foot-long rock slab seemingly poised above some Castle Rock homes is posing problems for local officials.

The rock slab which broke away Monday morning from part of the cliff on which the St. Francis of Assisi Catholic Church is perched is in Douglas County, but the residents of the endangered homes live below the cliff, in Castle Rock.

It's a joint problem necessitating a joint solution.

But just what that solution would be had not been determined by the end of an hour and a half long discussion Monday among the Douglas County Board of Commissioners, city officials and affected residents Monday.

The Catholic Archdiocese of Denver, owner of the property where the rock is located, was to have a soils engineer, a surveying team and a contractor at the site Tuesday morning to determine what should be done, said Terry Funderburk, business manager of the archdiocese.

Commissioner Carl Winkler suggested the commissioners wait to see what the study indicates and whether Tri-County Health determines the unstable rock constitutes "a public nuisance" before deciding whether the county and town should go together on having an independent study done on the best way to remove the hazard.

'A public nuisance?'

Citing state statutes, County Atty. Jim Kreutz said the rock may become a county matter if the health department determines the rock is "a public nuisance." If a nuisance is determined to exist, then the county has the authority to compel residents to respond to an emergency – if they have not so already.

Residents have already responded. The affected residents "have chosen to enjoy a little bit of rest with friends" Monday night, said George Durkop, emergency preparedness director.

Castle Rock Mayor Tim White advocated the town and the county join in having their own study done on the best way of removing the danger. It's best to get a second opinion in any case, and the archdiocese is certainly not obligated to share its information, he said.

However, Funderburk said the archdiocese would willingly work with the town and county through George Durkop, emergency preparedness director.

Having the archdiocese do one study, and the city and the town another, could cause problems, Durkop added.

"The hazard exists on private property. I have a question on the legality of going in and telling a private property owner how he will remove it after he's paid for a study of his own; it raises questions in my mind," Durkop said.

"But the big problem, Mr. Durkop, is that the rock may fall during all these studies," responded W.G. "Doc" Duncan, chairman of the commissioners.

Remove rock or vacate homes

Geologist James M. Soule of the Colorado Geological Survey told the commissioners that the choice comes down to "remove the rock or vacate the houses – how much that will cost versus the value of the (residential) property ... Sooner or later, that rock should be removed – it's that simple."

Continued on Page 3

CONCERNED RESIDENTS – Joe Mack and Jim Putnam, neighbors on Gordon Drive, discussed the situation Monday after they heard a loud boom and realized the huge rock slab above their homes had split away from the hillside. Geologists determined Tuesday the rock slab was still moving and both Mack and Putnam, who evacuated their homes Monday morning, said they would not return until they knew it was absolutely safe. They and other area residents were to meet with the Red Cross Tuesday to discuss temporary housing arrangements. In the meantime officials were still trying to decide who is responsible and what to do about the dangerous situation. (Staff photo by Sydney Draper)

. . . cliff

Continued from Page 1

most of the area residents decided at that time to move out but a few said they would take the risk and remain in their homes throughout the night.

Soule said the slab had moved a half-inch between 3 p.m. Monday and 11 a.m. Tuesday – a "significant" amount." By 1 p.m. parts of it had moved a little more.

Residents who either stayed with friends in Castle Rock or at local motels said Tuesday they didn't know what their plans would be, but all agreed that there was no way they were moving back into their homes until they knew definitely that the rocks would not break away or until the rocks were removed.

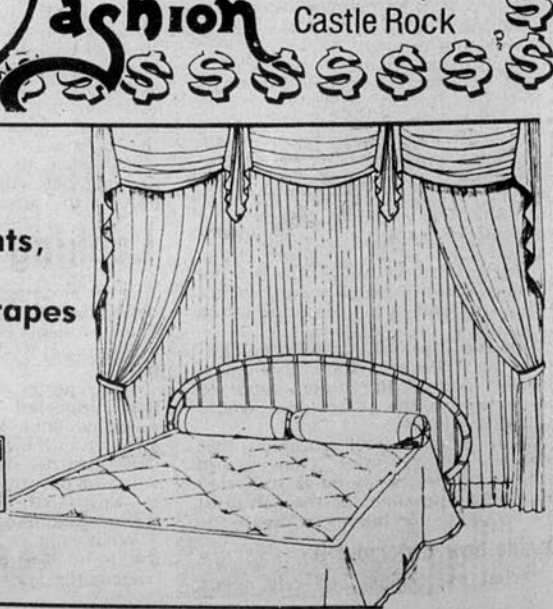
Police have limited access to the area and went to the affected homes and requested that all families meet with the Red Cross at 3 p.m. Tuesday to discuss temporary housing arrangements.

Mack said all he could think of since yesterday was that his 7-year-old son Chris Mack and his friend Eric Barningham used to play in the area all the time. He said there was a cavern in the boulders which split away that the children would crawl around in.

Bill McLaurin, also an area resident, said his family moved into a motel yesterday and won't move back into their house until they're assured it's safe.

Jim Putnam, the area resident who first called police, said he was debating about moving back into his house until Tuesday morning when he heard the slab had moved.

Mack added he was concerned about what would happen to the foundations of the homes if blasting is done to get rid of the rock slab and who would be responsible for paying if the foundations and houses are damaged.



Geologic hazards many in county, Geological Survey has maps

Castle Rock is not the only place in Douglas County facing a potential hazard from falling rock, according to Jim Soule, a geologist for the Colorado Geological Survey.

One of the reasons people are drawn to a place such as Douglas County is because of the scenic beauty. But that scenic beauty is just the reason why the county has so many geological hazards, Soule said.

Douglas County's clay soils, buttes, cliffs, standing rocks, hills, and canyons all pose some dangers to people living on or in them.

He said some parts of the Happy Canyon and Russellville subdivisions are too close for comfort to crumbling cliffs.

Many of the homes in Perry Park are also built close to cliffs, but most of the rock is of a different type and less likely to fall, he said.

The slab of rock that has residents of Gordon and Johnson drives in Castle Rock concerned is of what is called the Castle Rock conglomerate, a weak, poorly cemented rock. It is the type of rock capping many of the mesas and buttes in the Castle Rock area.

Current county planning procedures call for geological hazards to be pointed out during the review of development plans. Soule did much of the mapping of geological hazards in Douglas County.

Those hazards include, but are not limited to, rock slide areas, potential mud slides, clay soil with a high shrink-swell potential, gravel pits and old mines.

Developments in municipalities such as Castle Rock do not have to go through the same planning procedures as in the county. But Mayor Tim White said new developments are examined for their closeness to geological hazards.

However, Soule said, he warned the town there would be a problem building homes so close to the cliff in the Memmen Subdivision where the potentially endangered homes are located.

The Douglas County Planning Office has a county map showing the geological hazards. But it is not detailed enough for people to be able to pinpoint their property exactly and determine if the property contains or is located close to geological hazard.

Those wishing to find out more detailed information can contact the Colorado Geological Survey at 1313 Sherman St. in Denver. The office has the county divided into 16 maps of geological hazards. Copies of each of the plates can be obtained for $1.50 each.

A spokesman for the Colorado Geological Survey said she understood the county had its own copies of the 16 maps. But the planning office has only the one general map.

. . . county

Continued from Page 2

The best way to remove the rock is the question.

Noting that he's no expert on rock demolition, Soule said blasting the rock would not be safe because of the danger of flying fragments. The rock probably would have to be quarried by drills and hauled away. And anchoring the rock with strong cables might not work because of the softness of the sandstone.

Who will pay the expenses of removing the rock is uncertain.

"It's the property owner that has to share that responsibility; it's his property, it's something he has to correct," Commissioner Carl Winkler said.

If the rock is not removed, Soule said, then the monitoring cables on it should be attached to an alarm device that would go off if the rock moves. It will take at least one or two more freeze-thaw cycles to find out if the rock will stay put, Soule said, to audible groans from people in the audience who are not sure when it will be safe to return to their homes.

Inevitably, the question of who was to blame for what has happened came up during the meeting.

Soule confirmed that he warned the town of the danger of building too close beneath the cliff when Castle Rock was considering annexing what is known as Memmen's Subdivision, where the affected homes are located. White said, in response, that town officials prevent construction in geological hazard areas so marked on the maps.

Asked if any entity would assume the financial burden of housing residents in places other than their own until the emergency is over, Duncan said he didn't want to seem hard-nosed, but "when a person builds under a cliff he has a certain amount of responsibility."

Whether the instability of the cliff was aggravated by the church construction and drainage from the church parking lot cannot be known definitely. But the instability would have occurred naturally sooner or later, Soule said.

Who's Who at Parker Health Services

Dr. Gerald F. Splittgerber, M.D.

A native of Oshkosh, Wisconsin, graduated from the University of Wisconsin Medical School. He completed his internship and residency at Presbyterian Hospital and University of Colorado. After a two year tour of duty in the U.S. Army he returned to Colorado and entered private practice in 1976. He was certified by the Board of Internal Medicine in 1974.

DOUGLAS COUNTY Thursday 25¢ per copy

NEWS-PRESS

Thursday, January 14, 1982-90th Year No. 60 Castle Rock, Colorado 80104 USPS 567-060

Residents disgruntled

May be week before rock slab removed from cliff

By Sydney Draper
Staff Writer

Castle Rock Mayor Tim White Wednesday told disbelieving and disgruntled residents whose homes on Gordon and Johnson Drives are below the leaning rock slab that threatens to tumble down and destroy their homes that the slab would be removed by a week from this coming Friday.

Some residents, hoping for immediate action, groaned audibly.

White appeared before homeowners as television cameras rolled and press members frantically took notes.

He, other town officials, county officials and representatives from the Denver Catholic Archdioese had met for an hour and a half to try to figure out what to do about the slab of rock that sits on the church's property, is in the county limits and threatens homes and property in the city limits.

Joe Knopinski, Town Administrator, announced to some 40 to 50 homeowners who gathered at the St. Francis of Assisi Church, under the assumption, they said, of attending the meeting, that it was closed to them.

The homeowners, visibly upset, tried to enter the meeting room anyway but were stopped at the door.

NO TRAFFIC ALLOWED -- Residents on Gordon and Johnson Drives were allowed to return to their homes briefly Tuesday to pick up items before being evacuated by Castle Rock Police after geologists determined the rock slab above their homes was still moving and posed danger to them. Here, Corp. Bart Floyd (left) lets one homeowner into the area while other officers discuss procedures for guarding the unoccupied homes during the night. (Staff photo by Sydney Draper)

Homeowners kept out of meet

Earlier the homeowners had elected Jim Putnam, Joe Mack and Mike Barningham as their representatives with what they said was the understanding that those three would speak for the homeowners but that the residents could be present at the meeting.

Knopinski said that had never been the agreement.

White told the homeowners after the meeting that the church, county and city were going to work out an agreement to determine what action to take to remove the rock slab and had agreed to worry about who would pay for it and who was liable later.

He said meetings would be continuing Wednesday between attorneys for the three groups to work out such an agreement and officials would begin talking to construction representatives and others beginning on Thursday on how best to remove the rock slab.

White said he hoped to have the slab removed by a week from Friday. Personally he said he felt some kind of blasting must be done.

Homeowners lined up outside the meeting room, held in the St. Francis of Assisi Church, complaining about being kept out.

Peg Putnam, whose husband Jim was in the meeting and who first contacted officials about the breakage said she felt the homeowners had a right to attend the meeting.

Marie Moller, 433 Gordon Drive, said, "This is wrong. They should have held it in a larger room and let us in."

Homeowners upset by news

Nancy Vershowski, 491 Dawson, said, "We're very upset about not being in on the meeting. We're going to get everything second hand."

All homeowners interviewed said they were unhappy about the closed meeting.

The homeowners planned to hold a meeting of their own Wednesday at the church.

Bruce Lassman, town attorney, said he was meeting with the catholic church's attorney later Wednesday to begin working out agreements.

One homeowner who walked in late and entered the meeting room undiscovered and not realizing she was not welcome told the **News-Press** a county official stated he felt the church was responsible. She said the county official further said he felt the

Continued on Page 3

Town officials declare moving rock slab 'nuisance'

By Sydney Draper
Staff Writer

The Town of Castle Rock Tuesday night declared the rock slab above Gordon Drive a "dangerous nuisance in need of immediate attention and abatement" and asked the District Attorney for the 18th Judicial District and-or the County Attorney to give the town authority to have the hazard removed.

The rock slab is on private property and in the county limits, not the city limits. However, the Town Board took the action because the danger is to persons and property living in the city below where the rock slab is located.

Members of the Board were to meet Wednesday at 2 p.m. with representatives of the Denver Catholic Archdiocese, owner of the property on which the rock slab sits. The meeting was to be held in St. Francis of Assisi Church.

Homeowners in the threatened area appointed Jim Putnam, Joe Mack and Mike Barningham as their representatives to attend the meeting.

The huge 30-foot-high slab of solid rock broke away Monday morning from a hillside just below St. Francis of Assisi Church and since then has moved enough to pose grave danger to persons living on Gordon Drive and Johnson Drive below it.

Police Tuesday afternoon evacuated 57 persons who live in 23 homes on the two streets and sealed off the area for safety reasons.

The Red Cross put up the families at local motels. Most left their homes with only a few pieces of clothing.

George Durkoup, County emergency preparedness coordinator, said he was ordering the area right above the fissure sealed off to news media and anyone else other than geologists and specialists as of Wednesday morning for safety reasons.

News media from Castle Rock, Colorado Springs and Denver have been swarming over the area since word of the breakage got out. Durkoup said from now on no one will be allowed past the church's parking lot.

In late-breaking developments on the story Wednesday, the Town of Castle Rock, which has been taking some flack because geologist James Soule says the town was warned not to allow building beneath the rocks, was trying to find documents from the Geological Survey that would indicate that was indeed the case.

However, as of presstime, that information had not yet been found. The **News-Press** learned that the town had asked Soule to give them a copy of the letter he reportedly sent to the town indicating the cliff face was a hazard and recommending homes not be built in that location.

The homes are all relatively new, the oldest one was constructed in 1978, according to town officials, and

Continued on Page 3

School board sets bond interest rate election Feb. 23

The Douglas County School District will hold an election Feb. 23 to ask voters to increase the interest rate from seven percent to 15.75 percent on already authorized bonds the district has been unable to sell.

The district has $3 million remaining from a $25.5 million bond issue approved by voters in 1978 with a rate limitation of seven percent. The current interest rate on municipal bonds is 12 percent.

The remaining money from the 1978 bond election will be used to build a new elementary school in Castle Rock.

Mike Vermillion, assistant school superintendent, said while the present interest rate on municipal bonds is currently at 12 percent the rate is continually fluctuating.

Vermillion said the district doesn't think it will have to sell at 15.75 percent but this is a cushion so it can hopefully get the bonds sold and build the school.

The new school will house students currently attending classes in the Wilcox and Cantril buildings in Castle Rock. Both are old and need or major repair and almost at full capacity.

. . . Reagan cuts

Continued from Page 2

for parents of private school children. That would cost the Treasury several billion dollars a year – as much or more than Reagan has tried to cut from the other school programs.

Education lobbyists say that at best they have controlled the damage from budget cuts, not scored real gains. At a time of double-digit inflation, level funding translates to an actual cut, they say.

Steinhilber said, "We're telling school board members, 'Look, you've got a couple of tough years ahead. You're going to have to tighten the belts and absorb all the costs of inflation. But it's not going to be the disaster we saw earlier.'"

NEXT: Creative solutions

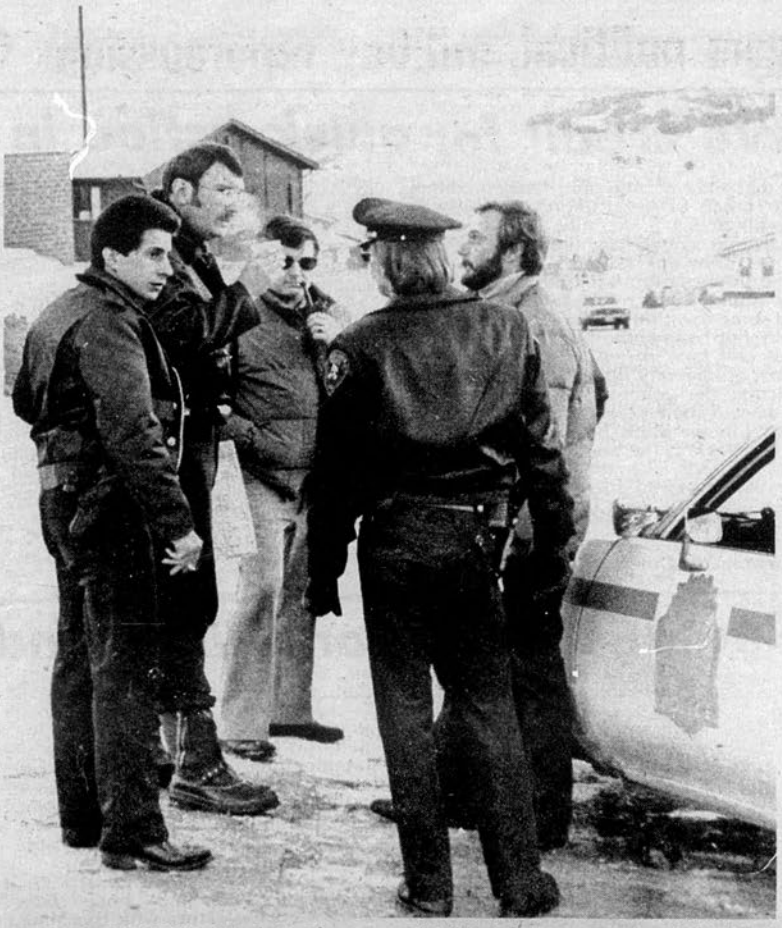
. . . cliff

Continued from Page 1

county should remove the slab and send the bill to the church. She said the church's attorney balked at that and said the church did not feel it had to pay the cost of removing the slab.

In her opinion, the resident said, "It won't be done in a week (removal of the slab). There's too much politics involved."

One resident finally sighed and said, "I've gotten to the point where I wish the thing would just fall and get it over with."



SEALING OFF AREA – Castle Rock Police evacuated homes on Gordon and Johnson Drives Tuesday after geologists determined the rock slab that split away froam the hillside Monday was still moving and could possibly crash down on the residents home. Police were setting procedures for 24-hour surveillance of the area when this picture was taken Tuesday afternoon. Pictured are, from the left, Reserve Officer Bob Pascual, Corp.Bart Floyd, Det. Denny Hemphill, Chief Butch Brown, and with his back to the camera, Officer Phil Jones. (Staff photo by Sydney Draper)

. . . nuisance

Continued from Page 1

the newest home is about a year and a half old.

Most are located in the Memmen Subdivision annexed by the Town of Castle Rock.

Castle Rock police have a 24-hour surveillance in the area and are prohibiting all unauthorized individuals from entering the area that could be affected if the rock slab continues to slip and ultimately crumbles.

Bulletin

The Town of Castle Rock issued this press release to all news media Wednesday afternoon concerning reports that the Colorado Geological Survey had recommended no development be done in the area where the rock slab has split away from the hillside and is endangering homes and properties below it:

"Officials of the Town of Castle Rock are particularly dismayed with reports that the Colorado Geologic Survey recommended that development not take place in the area affected by the rock fissure. No such recommendation has been found in the Town's files nor has the Geologic Survey been able to document that such a recommendation was made.

"The Town of Castle Rock is particularly aware of the problem of developing in areas where geologic hazards exist. A geologic hazards analysis was done with the assistance of the Colorado Geologic Survey that was incorporated into the Town's Master Plan. Policies in that plan address the issue.

"Still the Town is aware that any development is subject to some risk especially in the type of terrain that exists in and around the Town. Just as the Town adopts a 100-year flood plain rather than say a 500-year flood plain, so does it evaluate the relative risks of development in areas where other natural hazards exist. Certainly in the case that evaluation can be questioned but still a perfectly safe development is unattainable.

"In the future the Town will continue to evaluate development proposals with a goal of accomodating growth in a manner which is in harmony with the area's natural environment. All risks will not be precluded, however, if any development is allowed to occur.

Opinion in the News-Press

Police deserve credit for quick action in emergency

The 30-foot-high slab of solid rock that may or may not come tumbling down from the hill atop which sits St. Francis of Assisi Church on Highway 86 has certainly enlivened Castle Rock this week.

There remain many unanswered questions concerning how it happened, who was at fault, if anyone, and what should be done about it.

But one thing that is a definite plus in the situation – the best thing would have been for it to not have happened at all – is the response and actions of the Castle Rock police department and some town officials.

Now, this is not to say the town may not have some liability in allowing the houses to be constructed below the cliff face in the first place. But that probably will be determined in the courts, in the very distant future.

Nonetheless, the town and in particular the police department, deserve praise for quick action in the first few days of the emergency situation.

Town officials and law enforcement officers were on the scene within minutes Monday of the report of the first crack in the boulders. And, they've stayed with it every since.

They've done almost everything one would expect to be done to protect the lives and property of the residents who live on Gordon and Johnson drives.

By that we refer to the decision Monday to evacuate the first of the families, the decision Tuesday after it was learned the rock was still slipping, to evacuate all others who might be endangered, and the efforts to contact the Red Cross to aid the affected homeowners in getting temporary living quarters.

And, the Castle Rock police immediately sealed off the area to all traffic, posting a 24-hour surveillance in the area and making sure the homes were secure.

The police have been constantly monitoring the problem and have acted in a way that does credit to the town board and the taxpayers of the community.

From a law enforcement standpoint, they acted swiftly when orders were given and thought first and foremost of the residents whose lives and property were in danger.

There are not many "emergencies" in Castle Rock of this magnitude and sometimes residents and even the police themselves might have pondered just exactly how the department would handle a situation of this type.

But from all appearances, and all the information we have, the police department has executed its responsibilities quickly, efficiently and with a minimum of fuss.

We think they deserve credit for their actions and efforts in protecting Castle Rock's citizenry.

JA

Probe to examine alleged Labor chief's underworld link

Weekly special

by Jack Anderson and Joe Spear

WASHINGTON -- A special prosecutor has been appointed to look into Labor Secretary Raymond Donovan's possible connections with the underworld. The specific accusation that triggered the probe is that Donovan was present at a luncheon one day in 1977 when an executive of his construction company made a $2,000 payoff to a union official.

Donovan has vehemently denied being present at any such luncheon. *In fact, the Labor secretary has denied that he has ever been in the* restaurant where the meeting supposedly was held.

If the special prosecutor, Leon Silverman, wants to conduct a thorough investigation of that luncheon – or non-luncheon, as the case may be – we have some suggestions for him:

– Track down a waitress who worked at Prudenti's, the Long Island restaurant where the alleged luncheon occurred. She was once the girlfriend of Jerry Liguori, one of Donovan's executives. Ligouri's former lady friend might be able to tell the special prosecutor whether Ray Donovan ever had lunch there. She might even remember seeing him there with the union official and the guy who allegedly made the payoff.

– Turn to page 345 of the Senate transcript of Donovan's confirmation hearings before the Senate Labor Committee. Donovan admitted that he used the Fiddler's Elbow Country Club to entertain union leaders. He told Sen. Orrin Hatch, R-Utah, that he saw nothing wrong with that. But, in fact, there might be something wrong with it. The Fiddler's Elbow Country Club is a wholly owned subsidiary of Donovan's construction company. And labor law experts told us that Section 302 of the Taft-Hartley Act forbids employers from offering anything of value to union officials.

That might include dinner and drinks at a fancy country club.

LOVE STORY: Imee Marcos is the beautiful 26-year-old daughter of Philippine President Ferdinand Marcos. Tommy Manotoc is 32 years old, divorced, and a member of the family of President Marcos' most bitter opponents.

On Dec. 4, 1981, Imee and Tommy eloped. On Dec. 29, Tommy disappeared. The end of the story must still be written, but it's a tale that poets someday will write about.

According to sources close to the Marcos family, Imee is very fond of her father but quarrels with her mother, Imelda. The mother had great ambitions for her daughter. At one point, she wanted Imee to marry Prince Charles of the United Kingdom.

When that didn't work out, Imelda tried to arrange matches with other suitable men, all of them rich and famous. Instead, Imee fell in love with Tommy Manotoc, a handsome but footloose athlete. He was politically and socially unacceptable to the Marcoses.

The lovers were secretly married in Arlingtom, Va., and Imee later confronted her father with the news. Tommy told his family afterwards that the president gave them his blessing. Then Imee asked Ferdinand about Imelda. Tommy quoted the president as saying, "I'll handle her."

On the night of Dec. 28, Tommy noticed that two of Imee's bodyguards remained behind when they parted. He reported to his family that they seemed to be watching him.

The next night, Tommy and Imee dined together. They were the next to the last couple to leave the restaurant. She then departed for the presidential palace. Tommy was never seen again.

At 10:30 the next morning, Imee called Tommy's family to ask where he was and why he hadn't called. Tommy's brother informed her that Tommy had not come home.

There was an exchange of urgent calls between Imee and Tommy's family. Once, president Marcos got on the line and assured Tommy's father that he had ordered a full search.

In later phone calls, Imee was inconsistent. She seemed to be torn between love for her father and love for her husband. It was as if she were suspicious about Tommy's disappearance but wanted to believe her father.

At the time we went to press, Tommy's family was beginning to lose hope they would ever see him alive again.

HEADLINES AND FOOTNOTES: The time is approaching for paying taxes. The Internal Revenue Service has flooded the mails with tax forms, but the agency isn't too optimistic about getting them all back. Uncle Sam's tax men expect that about 95 million households will follow the letter of the law and file their returns. But more and more citizens are choosing to ignore Internal Revenue and evade their taxes. The number of tax dodgers has increased from 8,000 three years ago to 20,000 last year.

– Interior Secretary James Watt doesn't want his employees to steal the limelight, so he warned them not to accept invitations to functions where they would attract a lot of publicity. But Watt himself was the principal attraction at 27 Republican fundraisers since last September.

– White House sources say President Reagan was agitated when his intelligence advisers failed to predict the crackdown by the Polish military. Their excuse: They were too busy watching for a Soviet move into Poland.

Letter to the editor

County regulations on hooved animals criticized

Editor's note: This is an open letter to members of the Douglas County Planning Office, Planning Commission, and Douglas County Commissioners:

To the Editor:

One year ago the Douglas County Rural-Residential Livestock Owners Association was formed (at the request of the Planning Commission) to make recommendations for the proposed new Douglas County zoning regulations pertaining to hoofed livestock.

I was one of the people with this group representing the interests of dairy goat breeders in Douglas County. Last spring the High Plains Dairy Goat Association (41 families are paid members in this organization) was represented by several persons at a Planning Commission meeting with printed materials containing pertinent facts and information pertaining to raising dairy goats.

When we left that meeting it appeared that this proposal met with the satisfaction of the Planning Commission – there certainly were no negative questions or responses to our presentations. I was told by the Planning Commissioner's Office that the proposals on hoofed livestock would be subject to the approval of the Douglas County Commissioners in the fall of 1981.

Recently, I learned that the public hearings were once again being resumed with regard to the 133-page document containing proposed Douglas County Zoning Resolutions. The hoofed livestock section appeared as the Rural-Residential Livestock Owners Association had submitted them to the Planning

Continued on Page 9

On the agenda

Parker Water and Sanitation District
Regular board meeting
6462 E. Parker Road
Downtown Parker
Thursday, Jan. 14

7:30 p.m. – Meeting begins.

Discussion concerning proposed management contract between the town of Parker and the district.

Discussion and possible action concerning financing of second phase of water tank project.

Discussion and possible action on contracts for second phase of water tank project.

DOUGLAS COUNTY NEWS-PRESS

INCORPORATING THE TOWN & COUNTRY SQUIRE

An independent newspaper published Tuesday, Wednesday, Thursday & Friday, except Legal Holidays at Castle Rock, Colorado 80104

Second class postage paid at Castle Rock, Colorado 80104. Annual subscription rate in Colorado, $20 payable it. advance. Outside Colorado, $32 per year. **POSTMASTER:** Send address changes to **DOUGLAS COUNTY NEWS-PRESS, P.O. Box AA, Castle Rock, Colorado 80104.**

Official Newspaper for Douglas County
Co-Publishers ..... Jerry Brock
James Adkins, Sr.
Managing Editor ..... Jeanne Adkins

Member Colorado Press Association and National Newspaper Association

DOUGLAS COUNTY Friday 25¢ per copy

NEWS-PRESS

USPS 567-060

Friday, January 15, 1982-90th Year No. 61 Castle Rock, Colorado 80104

Church, county, town sign agreement for disposing of roc

By Gail Anderson
Staff Writer

The Catholic Archdiocese of Denver, Castle Rock and Douglas County by Thursday afternoon had each signed an agreement allowing the three entities to take steps to remove the rock slab.

The large slab of rock slipped down Monday from the hilltop where St. Francis of Assisi Catholic Church is located off Highway 86 and has been moving slightly ever since. The 35-foot-long, 20-foot-high and 10-foot-wide rock, according to James Soule, geologist for the Colorado Geologic Survey, could topple "in six hours or 600 years," as County Commissioner Carl Winkler quoted him saying.

Although the Catholic Archdiocese of Denver does not regard the rock slab in southeast Castle Rock as a public nuisance nor does it consider the archdiocese liable, it has agreed to sign the agreement as a way of "initiating abatement procedures," County Atty. James Kreutz said.

The portion of the agreement relating to the archdiocese's responsibility states that "The position of the Church is that the situation is the sole and proximate result of an Act of God."

The church's part of the agreement also states that removal of the rock slab may create a new danger by disturbing other areas of the bluff and creating more instability of the rock formations. The archdiocese owns the land where the rock slab is located.

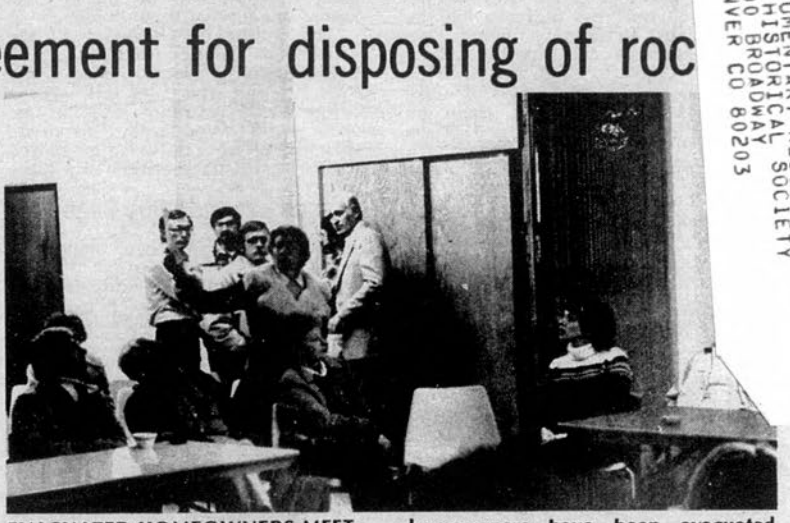
Tri-County Health Department, which serves Douglas County among

See Related Story Page 2

others, also does not consider the rock slab a public nuisance, according to a letter board member Bob Oliver read to the commissioners at a special meeting Thursday.

"We can see no way that this a public health issue under the jurisdiction of this department," wrote Dr. Samuel Johnson, health

Continued on Page 2



EVACUATED HOMEOWNERS MEET – Residents who live on Gordon, Johnson and Dawson Drives in Castle Rock met Wednesday night to hear what happened at an earlier meeting between city, county and church officials who discussed what to do about the rock slab threatening to topple down on residents' homes. The homeowners have been evacuated from their homes and were barred from the meeting. They had appointed representatives to speak for them at the meeting but were angered when they found out they attend it.(Staff photo by Sydney Draper)

Red Cross to continue some assistance

By Sydney Draper
Staff Writer

Red Cross assistance to some of the evacuated families in Castle Rock ends Friday morning at 11 a.m. and since it appears that the soonest residents may be able to move back into their homes is next week, some are concerned about how they will afford to pay motel and restaurant bills between now and then.

A Mile High Chapter of the Red Cross spokesman told the **News-Press** late Thursday afternoon that decision had been revised somewhat after discussions with the national offices in Washington, D.C.

He said three caseworkers will meet with the families affected on Friday at 10 a.m. at the Castle Rock Super 8 Motel and "will continue to provide some assistance to families who need that assistance."

However, the Red Cross will not pay for meals any longer for the affected residents after Thursday evening. The spokesman said the agency feels the homeowners would be providing their own meals anyway without the emergency situation and that the chapter cannot afford the $1,500 per day price tag for the meals and lodging.

Douglas County Commissioners Thursday said they will ask Gov. Richard Lamm to declare the area threatened by the massive rock slab that pulled away from the hillside beneath the St. Francis of Assisi Church a disaster area in hopes the Red Cross will extend it's aid to the evacuated families.

Tuesday, the Red Cross announced it would pay expenses for three days for all families evacuated from their homes.

Bonnie Merchant, Mile High Red Cross Disaster Coordinator, said it is the Red Cross's policy to aid families for only three days.

In ordinary circumstances, she said, the Red Cross comes to the families' assistance after the disaster occurs and feels that three days is time enough for the families to make arrangements and contact their insurance companies.

However, since this situation is unique in that it is "pre-disaster" aid, Merchant said she is not sure what the Red Cross can do now that it is aware the families will be out of their homes for several more days and have no insurance money available.

When told the county will ask Gov. Lamm to declare the area a "disaster area" Merchant said she didn't know how much that would help, but "it will give me one more piece of leverage."

Merchant also said the Red Cross gives aid to disaster victims as a gift and never requests reimbursement for expenses it incurs. She also said she contacted George Durkop, County Emergency Preparedness Coordinator, and offered Red Cross help after reading about the situation in the newspapers.

Caller willing to pay for 'piece of the rock'

There's a lady out there somewhere who wants "a piece of the rock" and she's willing to pay for it.

Cheri Kimble, Castle Rock police dispatcher, said the woman called the police department Thursday afternoon and said she wanted to talk to Police Chief Butch Brown. When asked what she wanted Kimble said she stated, "I want to buy some pieces of that rock."

Kimble said at first she thought the woman was joking but discovered she was serious.

Kimble referred her to Ray Blacker, public works director. Thursday morning, Blacker's employees gave him a "hard hat" with a rock taped to the top, presumably because he's spent so much time worrying about and working at the area where the massive rock slab split away from the hillside.

Inanimate rock slab uproots lives, routines of residents

By Sydney Draper
Staff Writer

What do you take? Where do you go? Who do you call?

Those questions and others crossed the minds of the families in Castle Rock told to evacuate their homes this week when a giant slab of rock that may or may not come crashing down atop their homes, destroying everything in its path, started to crack.

Most residents whose homes are threatened on Gordon, Johnson and Dawson Drives elected to evacuate their homes. A few decided to stay and take a chance.

All agreed that the past four days have been a nightmare and those on the fringe area who have not evacuated because their homes are not considered in danger said they, too, wake up in the middle of the night when the smallest noise occurs.

"If the house creaks at night, I'm instantly awake and up," one said.

"At night you don't sleep," said another. "The longer this thing goes on the more paranoid you become."

Residents who have evacuated and are staying in local motels or with friends aren't sleeping either.

As one put it: "I figure I've lost everything even if the slab doesn't fall," explaining that he had put everything into his home and if it wasn't destroyed the property values would be so bad after this that he probably could never sell it.

Jim Putnam, whose home is directly beneath the huge slab of rock which broke away from the hillside above Gordon Drive Monday morning, said his family moved into a local motel Monday and he has gotten almost no sleep. "I lie down at night and the next thing you know it's morning and I haven't slept."

Putnam said his family took only a few clothes with them and boarded their pets with friends.

Some of the residents left their pets at home and Castle Rock police have been feeding them. Others boarded them in kennels or took them to the motels.

Diane Black, also a Gordon Drive resident, said the first thing she thought when told to evacuate was, "What shall I take?"

She said the family took some clothing and all the pictures off the walls.

"You take those special things you can't replace," she said.

Most said while they didn't want to lose their furniture and other possessions their greatest concern was for the family's safety. The rest didn't really matter, they said.

Continued on Page 10

Town, church, county agree to split rock removal cost

By Sydney Draper
Staff Writer

Evacuated homeowners, visibly upset Wednesday afternoon when they couldn't attend a meeting between town, county and church officials, felt much better Wednesday night after they learned the three groups have agreed to split by one-third each the cost of removing the rock slab threatening homes on Gordon, Johnson and Dawson Drives.

Police Chief Butch Brown told the group, meeting at St. Francis of Assisi Church, the town will then be responsible for how to get rid of the rock slab.

"Do you realize this is a major step," he told the homeowners.

The groups worked out the agreement late Wednesday afternoon and Brown told the homeowners the town would hold a public meeting at 12:15 p.m. Thursday to brief everyone on what is happening. The county commissioners were to hold an open meeting at 1 p.m. also.

Ray Blacker, Castle Rock public works director, told the **News-Press** Thursday he would be taking proposals over the phone from contractors on getting rid of the slab. He said he hoped to have all the bids in by noon Friday.

He said whatever damage might occur to the homes when removal occurs will be paid for by the contractors insurance company. He estimated that because of the publicity and the location of the homes the contractor who gets the job will need at least $2 million worth of coocoverage.

gblackerdded that two people told him over the phone that the price for doing the job will be higher than normal because of the publicity.

"The publicity hasn't helped the price of this thing one bit," he said.

Homeowners were disgruntled Wednesday at what they felt was the slowness of any action and became more upset Wednesday afternoon when they were physically barred from the meeting between the three

See Related Story Page 1

groups. They had been under the impression they could attend.

Joe Knopinski, Town Administrator, explained to them that because of the size of the homeowners group and the number of news media present, he felt more could be accomplished with the meeting closed. Four representatives from the homeowners group were allowed to attend.

Wednesday night, tempers had cooled and the homeowners were briefed by the representatives on what took place at the meeting, as well as events after that.

Chief Brown also explained the evacuation procedures and why some residents were asked to leave and some were not. He said he based his decision on which homes on which streets to evacuate because of what the geologist told him.

Should the slab fall before it is removed, most homeowners have been advised by their insurance agencies that their policies will cover the damage.

ANGRY HOMEOWNERS – Residents whose homes on Gordon Drive and Johnson Drive are in danger of being destroyed or damaged by a massive rock slab that pulled loose from the hillside above them, were stopped from entering a meeting between city, county and Catholic church officials Wednesday afternoon. The residents, who said they thought the meeting was open to them, were angered by being stopped at the door. They milled around in the hall outside the meeting room for one and one-half hours trying to find out what was going on. TV cameras from NBC, CBS and ABC filmed them and news media members interviewed them as they waited. (Staff photo by Sydney Draper)

. . . rock

Continued from Page 1

department director. "... Nothing in Public Health Law gives us the authority for such geologoical matters ... We have no professional competence whatsoever to judge the current status of the rock or what is the degree of hazard."

In order to remove or otherwise dispose of the rock slab, which is located in the county, the county must have it declared a public nuisance, normally the responsibility of the health department.

But the commissioners got around that by withdrawing from Tri-County Health long enough to declare the fractured area a public hazard, the Memmens Third filing reapprove the agreement both the Castle Rock Town Board and the Denver Archdiocese had signed, appropriate whatever funds from the contingency fund that might be necessary to pay for one-third the cost of removing the rock slab, and ask the governor's office to declare the area a disaster area.

It then voted to rejoin the health department.

Jim Putnam, one of the Castle Rock residents who testified about the danger of the rock slab moving further and possibly endangering lives and property of the 8-10 homes below, complimented the actions of officials in the matter.

"It could not have done in a more professional way or a better way .. I'm proud of you," he told the commissioners.

Compliments also came from Ron Hughes, president of the Douglas County Fire Chiefs Association. He said the county commissioners have taken "extremely commendable" action in taking part of the responsibility for removing the rock.

A court reporter was on hand, taking down all that was said at the county commissioners' meeting. A court reporter's presence at a public meeting is often an indication that further legal action is anticipated.

Although the archdiocese, the county and the town each agree to pay one-third the cost of removing the rock slab, the agreement states that it is made "solely for the purpose of cooperation and prevention of harm or injury to innocent parties and that, as such, no party hereto may use this Agreement against the other in determining liability in a Court of law, except for the enforcement of the within Agreement."

Letter of warning came 2 years after subdivision platted

By Gail Anderson
Staff Writer

If Castle Rock was warned about building homes too close to the hillside where the unstable rock slab is poised, the warning came two years after the area was platted.

James M. Soule, a geologist with the Colorado Geologic Survey, claims Castle Rock was notified about the danger of building in that particular location.

Joe Knopinski, town administrator, could find so such notification in the town files.

On Thursday, however, the Colorado Geologic Survey found a letter in its files pertaining to the general area where the 25 homes possibly endangered by the large rock slab are located. But the letter was dated July 24, 1979. That was about two years after the Memmen's Third Filing, where the homes are located, was platted Oct. 27, 1977.

Soule said he recalls writing an earlier letter about the subdivision, but the Colorado Geologic Survey has no record of such a letter either.

In any case, Soule added, information about geologic hazards in the county was available as early as 1976, when his office so advised the Land Use Advisory Commission, an adjunct of the Douglas County Planning Commission.

Whether making that information available to the county constitutes advising the town is another question. But the information was available when Memmen's Third Filing was platted, he said.

Knopinski said the general area is described as Township 9 South, Range 67 West, Section 12, which was annexed to the town in 1974 or 1975. The letter could have been in reference to the North Memmen annexation and rezoning, which has not yet been approved, or another subdivision in the same general area, Knopinski said.

This is the letter:

"July 24, 1979
Town of Castle Rock
Castle Rock, CO 80104

Dear Responsible Official:
Re: Major activity notice. Chapman Young, Jr., and Michael Young, dba Young Partnership, P.O. Box N, Castle Rock, CO 80104 (TWP. 8 S, R. 67. W., Sec. 12)

We have received a notice of intent to rezone the above referenced property from agricultural to rural-residential. You are advised that parts of this section have been mapped by the Colorado Geologic Survey (maps available from the Douglas County Planning Dept.) as having moderate to severe potential geologic hazard areas. We strongly recommend that geologic conditions in the area be considered when approving development plans and designing and engineering structures.

Sincerely,
James M. Soule
Engineering Geologist"

1Asked for a response to the letter, Mayor Tim White said, "When we rezoned the subject property, we took (geologic hazard) maps that were provided by the Colorado Geologic Survey people into consideration. The areas in the town are not in a severely hazardous area."

The town's master plan, approved in 1980, includes a map of geologic hazards such as rock slides, mud slides and old clay mines and landfills. That map was compiled by James Bowers, who was retained to help with the master plan, from more specific maps from the Geologic Survey.

Knopinski, who has been town administrator since 1979, said he can't be sure when the town started considering developments in light of geologic hazard maps.

Map shows homes outside area

The map included in the master plan shows the homes located outside a geologic hazard area. Soule, however, said the whole row of homes along Gordon Drive is in the geologic hazard area. He said he can't say whether the map the town used for its master plan had been compiled correctly.

Knopinski said the geologic hazard map is intended as a guide only, to describe general areas where there might be some problem with building. Those intending to build on or near such areas are then required to perform their own geologic surveys to determine where it is safe to build.

As far as he knows, Mike and Chapman Young were not required to do a geologic survey of that area when they were platting the area.

"I don't think we were that sophisticated with our planning in 1977," Knopinski said. ". . . Maybe we didn't do as good a job as we could have back then, but a least we considered it; at least we're more aware of the hazards now."

Blacker: Determination subjective

And, as Ray Blacker, town public works superintendent said, it is a very subjective thing to be able to pinpoint exactly how far down a hill a disintegrating rock slab might roll. The town's boundary in the Memmen area almost exactly follows the boundary of the geologic hazards area as detailed on the master plan's map.

Blaming the building of homes in or near geologic hazard areas on the greed of developers is "so far-fetched," White added. Many people are willing to pay a premium price for land in rough terrain. In fact, the hillsides were about the only safe place when the lower part of Castle Rock was under water during the floods of 1965, he said.

"In any type of development there are risks . . . The most obvious in Castle Rock were the floods of 1965. You have to evaluate the relative risks . . . and make a decision . . . Maybe we shouldn't have permitted development where it is," Knopinski said.

He later noted that "everybody's trying to absolve themselves of responsibility, but there's some level of shared responsibility."

Some people have suggested that drainage off the parking lot of St. Francis of Assisi Catholic Church atop the cliff hastened the disintegration of the rock slab as the water drained, froze and thawed.

Building of the church, which is outside the town, came under the jurisdiction of the Douglas County Building Department. Kelsey Pottenger, chief building inspector, said he wasn't working in the department when the church was built some 15-20 years ago.

The county ordinarily does not require drainage plans for individual structures such as St. Francis of Assisi Catholic Church, although the county now requires drainage plans for county subdivisions, Pottenger said.

Church seals off property, sites liability risks

The St. Francis of Assisi Church has set up a 24-hour patrol of its property to prevent any curiosity seekers from entering the premises and to protect itself from any liability should someone get hurt.

Gil Lindeman, president of the parish council, told residents whose homes are threatened by a massive rock slab that has split away from the hillside on church property, that the church wants sightseers kept out and wants to know exactly who is on the property and what their business is.

The residents were gathered at the church Wednesday night for a homeowners meeting.

Lindeman pointed out that property on which the rock slab slippage sits is private and the church feels it has to protect itself.

He said the area above the breakage has been roped off and members of the news media, who have been swarming over the place the past two days, have been told they enter the area at their own risk.

Lindeman said he also wanted to assure parishioners that despite what has been going on, masses will continue to be held at their normal times.

Feb. 5 deadline set for comments on plan

DENVER (AP) – The Colorado Supreme Court announced Wednesday that critics of the proposed legislative reapportionment plan have until Feb. 5 to file objections or alternate plans.

The announcement came after the court received the reapportionment proposal drafted by the bi-partisan Colorado Reapportionment Commission following a series of public hearings across the state.

Who's Who at Parker Health Services

Dr. Gerald F. Splittgerber, M.D.

A native of Oshkosh, Wisconsin, graduated from the University of Wisconsin Medical School. He completed his internship and residency at Presbyterian Hospital and University of Colorado. After a two year tour of duty in the U.S. Army he returned to Colorado and entered private practice in 1976. He was certified by the Board of Internal Medicine in 1974.

DOUGLAS COUNTY SCHOOL MENUS

January 18 thru January 22
(Circumstances may change menu)

Monday, January 18
Pig in a Blanket; French Fries; Chilled Fruit; Chocolate Pudding; ½ pt. Chilled 2% Milk

Tuesday, January 19
Spahgetti w/meat sauce;Tossed Green Salad w/dressing; Buttered Garlic Bread; ½ pt. Chilled 2% Milk

Wednesday, January 20
Baked Cheese Sandwiches; Dill Pickes; Buttered Vegetables; Orange Wedges; ½ pt. Chilled 2% Milk.

Thursday, January 21
1st Grade Choice or Turkey Chunks in Gravy, Mashed Potatoes; Jellied Cranberry & Orange Juice Salad; Hot Yeast Biscuit w/Butter; ½ pt. Chilled 2% Milk.

Friday, January 22
Sanchos w/shredded Lettuce & Cheese; Rice w/Hot Sauce; Chilled Fruit; ½ pt. Chilled 2% Milk

. . . inanimate rock

Continued from Page 1

Ruth Milhoan, who lives on Johnson Drive, said her family evacuated Tuesday afternoon and is staying with her oldest son who "was paranoid about the thing Monday."

She said she took clothing and some pictures and all the dogs and cats.

No one felt they had the time to bring vans in to move furniture.

"Where would we put the furniture anyway?" Milhoan asked.

All said staying at motels and living out of suitcases was a real nuisance.

One resident on Johnson Drive elected to stay. Jan VanGruenigen said she and her husband decided to risk it because geologists felt their house was not in the "high danger" zone. VanGruenigen said she had two small babies and she didn't want to be couped up in a motel room with them.

She also said other residents have been allowed back into their homes during the day and "the slab could fall during the day as well as at night so I figure they're in as much danger as I am."

Most of the residents have lived in the area anywhere from one to three years. The first house built was in 1978 and is presently owned by Jim and Peg Putnam.

Another common "nuisance" many of the residents commented on was the conglomeration of television cameras and microphones that were being pushed into their faces at the group meetings. The notoriety brought on by an inanimate piece of rock was frustrating to the people affected by its precarious position.

All the residents interviewed said they never even considered that there might be a danger living beneath the boulders when they bought or built their houses.

Police have told residents still in the area that should the slab begin to crumble they would be in the area with sirens going and loud speakers to warn the residents to get out. Police Chief Butch Brown guaranteed residents that if it was in the middle of the night and they were sound asleep, the noise would awaken them.

Workshops planned for seedling tree program participants

A workshop is planned to explain procedures in selecting, ordering and planting of seedling tres from the Colorado State Forest Service. It will be in Colorado Springs on Tuesday, Jan. 19, at the Sheraton Inn, 8110 N. Academy Blvd. (I-25 and Academy). The workshop is free of charge and will run from 7-9 p.m.

Each year the Colorado State Forest Service mades seedlings available to the public. Seedlings may be used only for conservations plantings and are not intended for ornamental plantings.

A variety of species of trees and shrubs are available to landowners with at least two acres of property. Cost of the trees this year is $24 per 100 bareroot, and $19 per 30 potted stock.

Seedling applications can be obtained from local offices of the CSU Extension Service, Soil Conservation Service, and Colorado State Forest Service.

For additional information on the seedlings and workshops, contact the Woodland Park District office, 687-2921.

DOUGLAS COUNTY WEDNESDAY 25¢ per copy

NEWS-PRESS

Wednesday, January 27, 1982-90th Year No. 67 Castle Rock, Colorado 80104 USPS 567-060

Rock slab breaks as workers start drilling Tuesday

A huge hunk of the rock slab above Gordon Drive cracked open while a workman was drilling on it Tuesday morning and started sliding down the hill but was stopped by the wire fence that has been erected beneath it.

The workman, who was wearing a safety rope, slid down with the rock but was uninjured.

Reserve Police Officer Kelsey Clark, who was watching the crew from COICO Construction from below on Gordon Drive, said he saw the slab crack open and drove up to the site where construction crews have been dismantling the huge slab to see if anyone needed help.

He said he was told the workman had been shaken by the incident but was not hurt. He said it was obvious the breakage on an area where the construction crew was working scared everyone there.

The incident happened about 11 a.m. It was the first time since crews began drilling Saturday that a large section of the slab has fallen.

The crew continued to drill on the slab afterward but all workers and persons in the area are now required to wear hard hats and anyone out on the rock slab is now wearing a safety rope.

Workers were chipping off huge chunks of the rock while fighting strong, gusty winds and flying debris and dust. A spokesman said work would continue throughout the day despite the winds.

PART OF ROCK SLAB SPLITS – This section of the massive rock slab above Gordon Drive split open while a worker was drilling on it Tuesday morning. It dropped down and was stopped by a wire fence beneath it. Witnesses said the worker on the section was wearing a safety rope and was unhurt when the rock fell. But, according to witnesses, it was obvious the breakage of this huge of a piece of the rock scared everyone. All persons in the area are now required to wear hard hats and anyone out on the rock slab must wear a safety rope. (Staff photo by Sydney Draper)

County intends to recoup cost from church of removing rock

By Gail Anderson
Staff Writer

The county intends to recoup its share of the cost of removing the unstable rock slab from the hillside overlooking Castle Rock homes from the Catholic Archdiocese of Denver.

That's what the Douglas County commissioners told Russ Daughenbaugh of Parker, who said he thought the county was setting a precedent by using public money to correct a problem on private land.

Lack of a voucher for expenditures prevented the commissioners from appropriating contingency funds for its one-third share of the cost of removing the rock slab above Castle Rock.

But that didn't keep Daughenbaugh from scolding the commissioners Monday for even considering paying part of the cost.

"I personally think you're getting in an area here where you're asking for a lot of trouble. You're setting a precedent in helping out other organizations. The Catholic Church owns the property, and they should be responsible for that property as should any organization of that type," Daughenbaugh said. "The county should not come in and rescue them when something like this happens. The church doesn't pay taxes, but you're using the taxpayers' money to help them out."

County Atty. Jim Kreutz said the agreement between the Catholic Archdiocese of Denver, the county and the town of Castle Rock providing for each to pay one-third the cost, "was nothing more than we agree to sue them (the church) later rather than now" for the county's expenditures in removing the rock.

The slab of rock which dropped down from a cliff face was on St. Francis of Assisi Catholic Church property in the county. The homes threatened if the rock slab fell, however, were in the town of Castle Rock.

"Our intent is to recoup so that there is not a precedent set," Commissioner Carl Winkler said, adding a lawsuit is a possibility.

Chairman W.G. "Doc" Duncan noted the county couldn't just tell the worried occupants of the homes below "to go fly a kite; the property owner was told his responsibility."

It is not the government's responsibility to go in and correct problems on private property. But since the archdiocese did not acknowledge that the rock posed any real danger to the residents below, the county had to declare the rock a public nuisance in order to take action, Winkler said.

Daughenbaugh added that he thought the developer of the subdivision below also had some responsibility for what had happened

Continued on Page 2

Cheese giveaway expected to benefit 70 families in DC

By Gail Anderson
Staff Writer

An estimated 70 needy Douglas County families by late February or early March will be able to pick up free American processed cheese at the Senior Citizen's Center at 803 Third St. in Castle Rock.

Joyce Jorgensen, director of the Douglas County Department of Social Services, said she has ordered 10 cases of processed cheese from the Food Assistance Division of the Colorado Department of Social Services, the agency responsible for distributiColorado. A case of cheese includes six to eight 5-pound blocks of cheese.

Ten cases of cheese is what Jorgensen figured Douglas County residents receiving some form of public assistance – food stamps, aid to families of dependent children and old age pensions – could use.

Jorgensen said the free cheese could supplement the diets of about 70 Douglas County families. She discounted the figures of needy people a bit because some older people have difficulty digesting cheese easily.

Because Douglas County is so close to where some of the cheese is being stored in Denver, staff will have to drive to Denver and pick up the cheese.

The cheese will be stored at the Senior Citizen's Center in Castle Rock because there is no storage room at the Department of Social Services' present offices.

If qualify, contact office

Those people who think they might qualify for the cheese – they must be "needy" according to a Colorado Department of Social Services directive – should call the Douglas County Department of Social Services at 688-4825 or stop by the offices at 216 Wilcox, Castle Rock, Jorgensen said.

The processed cheese that will be distributed in Douglas County is but a small part of the 560 million pounds of processed American cheese stored by the federal government because of federal farm laws.

Those laws assure dairy farmers a minimum price for their products. Many producers found they could get more money for their products by selling to the government than in the marketplace, so the cheese was stored.

Under pressure from groups

Continued on Page 2

No revenue sharing money allowed in '82 for equipment

Any Douglas County offices expecting to get money from the revenue sharing fund for more equipment will be disappointed.

Darrel Schafer, director of the Douglas County Extension Office, said his office is going to need about $1,394 to pay for another typewriter and a couple of new desks for a part-time secretary, a summer intern and an inspector the office intends to hire.

Schafer said his budget included $1,700 for capital outlay last year, but that amount was cut to $300 this budget year. His office was told that if more equipment was needed, representatives could apply through the commissioners for federal revenue sharing money.

Use of federal revenue sharing money for that purpose is not allowed in 1982, however.

The commissioners allocated $402,659 in revenue sharing money for 1982, but none of that money was for equipment.

Douglas County usually gets about $200,000 in federal revenue sharing money, but there was quite a bit of carryover from the previous year.

The allocation included $167,000 in debt service for the Douglas County Justice Center; $143,536 for the road and bridge fund; $20,000 for building maintenance; $23,319 for the juvenile diversion program; $12,365 to the Douglas County Council on Aging; $5,000 for the U.S. Geological Survey study on water; $18,711 for the 4-H coordinator-intern for the extension office; $7,728 to Arapahoe-Douglas Mental Health Center; and $5,000 for dam maintenance.

Schafer is to be notifed by letter that there is no money in the revenue sharing budget for equipment either.

He had left earlier in the meeting because the commissioners and their secretaries were unable to immediately locate any information on how the revenue sharing money was allocated by the Nov. 3, 1981, resolution.

Tony Sanfratello, the county's finance director, had the information in his files.

DC historical society elect officer tonight

The Douglas County Historical Society will meet tonight, Jan. 27, at 7:30 p.m. at the Philip S. Miller branch of the Douglas County Library.

Election if officers is on the agenda. Nominees include Linda Bell, president; Judy Mikelson, vice president; Sue Meyer, secretary; Karen Sprout, treasurer; Bob Lowenburg, historian, and Ruby Meyer, membership chairman.

All interested persons are invited to attend the meeting.

. . . removing rock

Continued from Page 1

for building the homes so close to an apparent rock slide area. The developer has not come forward nor has any entity asked him to do so, Daughenbaugh said.

Chap and Mike Young of Castle Rock were the developers of the Memmen's Subdivision Third Filing, where the threatened homes are located.

The county had nothing to do with approval of the development, which is in Castle Rock, added W.G. "Doc" Duncan, chairman of the commissioners.

"The position we got into was in helping people to protect their health, safety and welfare. We realize that this could be precedent-setting incident. Hopefully, we can sue the church and recover the funds spent for abatement of this problem," Duncan said, adding the church hasn't been too eager about paying the county's share.

Daughenbaugh said he was glad to learn the county intended to recoup its share of the expense. Earlier, he had asked rhetorically if the commissioners also planned to do something about Parker Water and Sanitation's water storage tank, which blew in under strong winds Sunday.

The commissioners decided to delay appropriating funds from the county's contingency fund for abatement of the rock hazard until the town of Castle Rock presents the county with a voucher for the expense.

The contractor's bid for removing the rock is $18,359.88. The county's share therefore would be about $5,919.

. . . cheese

Continued from Page 1

representing consumers, the poor and the elderly, President Ronald Reagan Dec. 22 authorized the release of 30 million pounds of cheese nationwide.

One third of Colorado's share of the 30 million pounds of cheese is to go to the Colorado Food Clearinghouse, while two-thirds is to go to individual counties. The Colorado Food Clearinghouse is a nonprofit organization which solicits edible, but not saleable, food from the food industry for distribution to counties needing food for emergency cases.

State got 1 percent of cheese

Ron Mikesell, director of the food assistance programs for the Colorado Department of Social Services, said Colorado's total allotment of cheese will be 383,200 pounds, approximately 1 percent of the total surplus cheese released.

The U.S. Department of Agriculture will pay for shipment of cheese in minimum loads of 33,500 pounds to the first distribution points of Denver, Colorado Springs and Pueblo. Groups who would like to volunteer to pick up the cheese at the central distributing points are being asked to contact their local county officials, Mikesell said.

Jim Baldwin, president of King Soopers, has volunteered King Soopers' trucks to transport some of the cheese to the Western Slope.

Asked when he expects the cheese to be available for pickup at the central distributing points, Mikesell said, "The last week in February or the first week in March."

This is the first time since the 1960s that his division, which usually distributes food to schools, child care centers and other institutions, has been involved in the distribution of food for needy families, Mikesell said.

Surplus food used to be distributed to families under the old "needy families program," but that program was dropped in favor of an expanded food stamp program, he added.

Proposed - Founders Vista Subdivision

Neighborhood Meeting – May 21st 2019

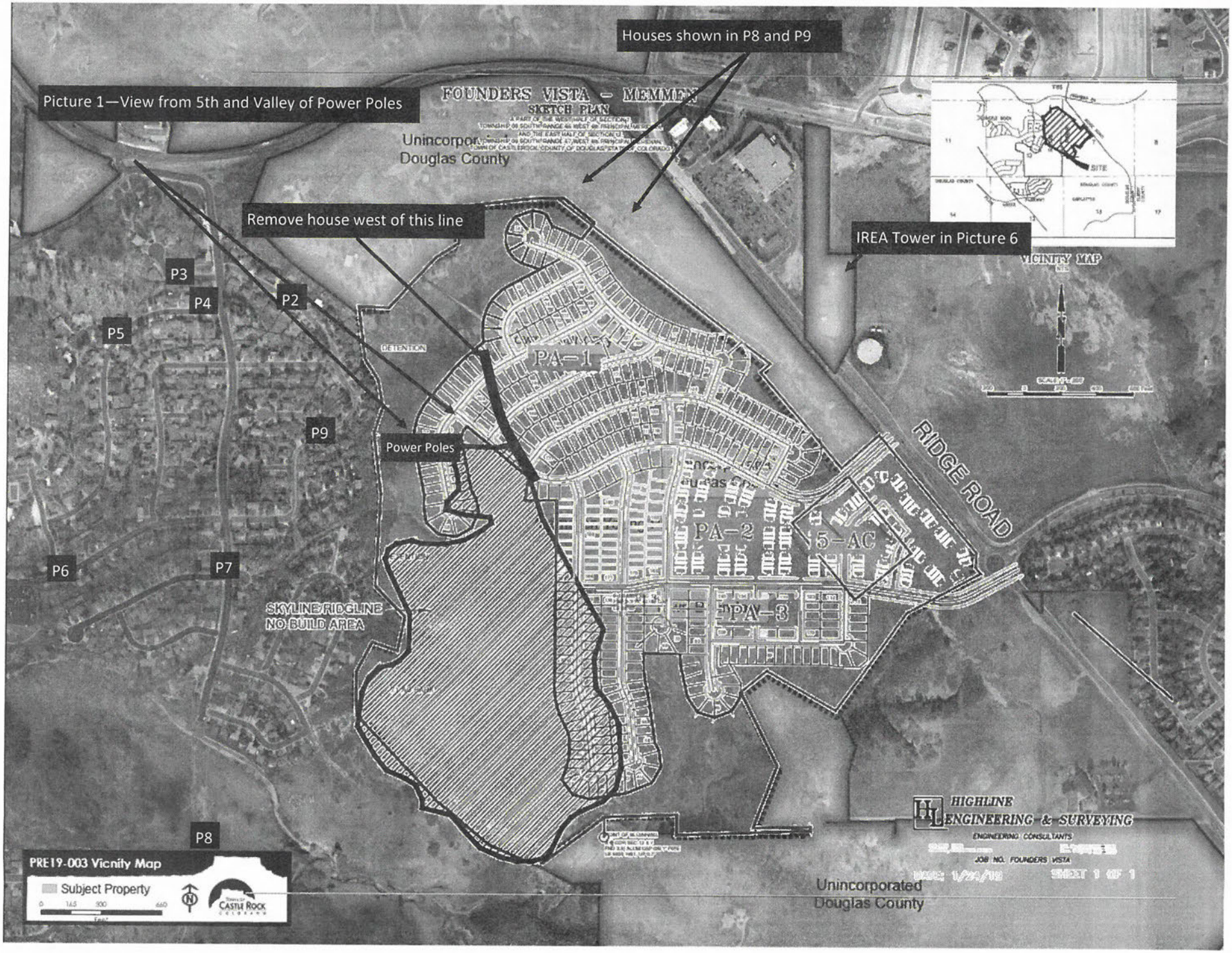
Our primary concerns with the proposed Founders Vista Subdivision are the following:

1. The first concern is the visual impact of the project with regards to the Skyline / Ridgeline Protection Regulations and the Memmen 2nd Addition neighborhood. The attached map shows an overlay of the Founders Vista Sketch Plan and the satellite image from the Preliminary Project Application submitted to the town. There are two areas of encroachment into the designated Major Ridgeline protected area. In the southwest part of the protected area 40-50 homes sites are planned. In the northwest portion of the subdivision approximately 10 home sites are in the protected area. Another ±30 home sites block the view of a portion of the northern part of the Major Ridgeline area and would be built very close to the ridgeline as shown on the map. The pictures attached show two electric poles on the ridge. Picture 1 shows the view from the intersection of 5th Street and Valley Dr. The remainder of the pictures show the electric poles, and thus the northwestern part of the subdivision at various locations in our neighborhood. Assuming these are standard electric poles which are generally 40 ft in length with 6 ft buried, the top of the pole would represent 34 ft. above the ground level. This gives you a good idea of what will be seen at different locations. Given the visual impacts, the Major Ridgeline in its entirety should be respected. In addition, the view of the Major Ridgeline should not be impeded by surrounding it with houses in the northern protected area. These two changes would remove the houses from the southwest portion of the project as well as the northwestern arm of the project.

2. The second concern is the storm water runoff from the project. The town is currently reconfiguring the storm water system on Gordon Dr. In the past the impact of large storms have made a mess of that area. With additional runoff from paved areas this needs to be addressed so that flooding of streets and homes does not occur below the proposed project.

3. The third area of concern is the additional traffic on 5th Street. While the merge lane has helped at the intersection of 5th Street and Valley, it can still be quite challenging to turn left during morning and evening rush hours.

Debbie and Jim Cable
[redacted] Gordon Dr.
[redacted]


Houses shown in P8 and P9
Picture 1—View from 5th and Valley of Power Poles
FOUNDERS VISTA – MEMMEN
SKETCH PLAN
Unincorporated
Douglas County
Remove house west of this line
IREA Tower in Picture 6
VICINITY MAP
SITE
P3
P4
P2
P5
DETENTION
PA–1
P9
Power Poles
RIDGE ROAD
PA–2
5–AC
P6
P7
PA–3
SKYLINE/RIDGLINE
NO BUILD AREA
HIGHLINE
ENGINEERING & SURVEYING
ENGINEERING CONSULTANTS
JOB NO. FOUNDERS VISTA
P8
PRE19-003 Vicnity Map
Subject Property
CASTLE ROCK
Unincorporated
Douglas County

Picture 1 - 5th and Valley

Picture 2 - 449 Gordon Drive

Info

Add a description

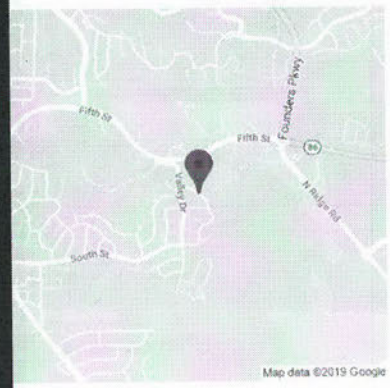
DETAILS

May 20
Today, 3:09 PM

IMG_20190520_150949.jpg
12.2MP 4032 × 3024 2.5 MB

Google Pixel 2
f/1.8 1/1799 4.442mm ISO66

Castle Rock



Picture 3 - 2280 Peak Vista Ct

Info

Add a description

DETAILS

May 20
Today, 3:20 PM

IMG_20190520_152028.jpg
12.2MP 4032 × 3024 3.4 MB

Google Pixel 2
ƒ/1.8 1/1232 4.442mm ISO59

Castle Rock

Picture 4 - Valley Dr and Dawson Dr

Info

Add a description

DETAILS

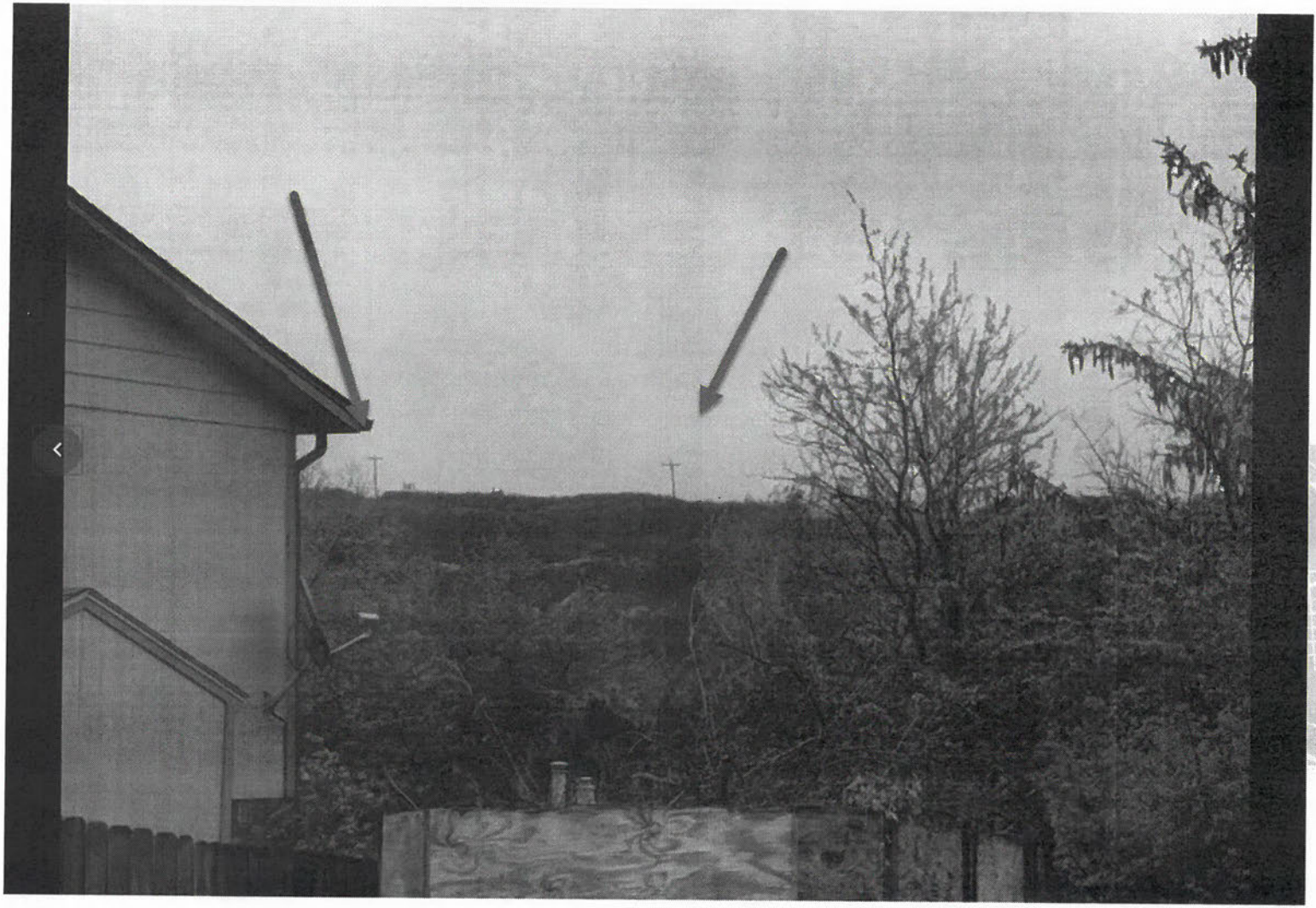
May 20
Today, 3:22 PM

IMG_20190520_152258.jpg
12.2MP 4032 × 3024 2.4 MB

Google Pixel 2
ƒ/1.8 1/1300 4.442mm ISO69

Castle Rock

Picture 5 - Dawson Dr and Dawson Ct



Info

Add a description

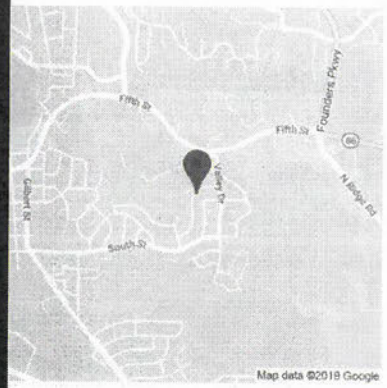
DETAILS

May 20
Today, 3:26 PM

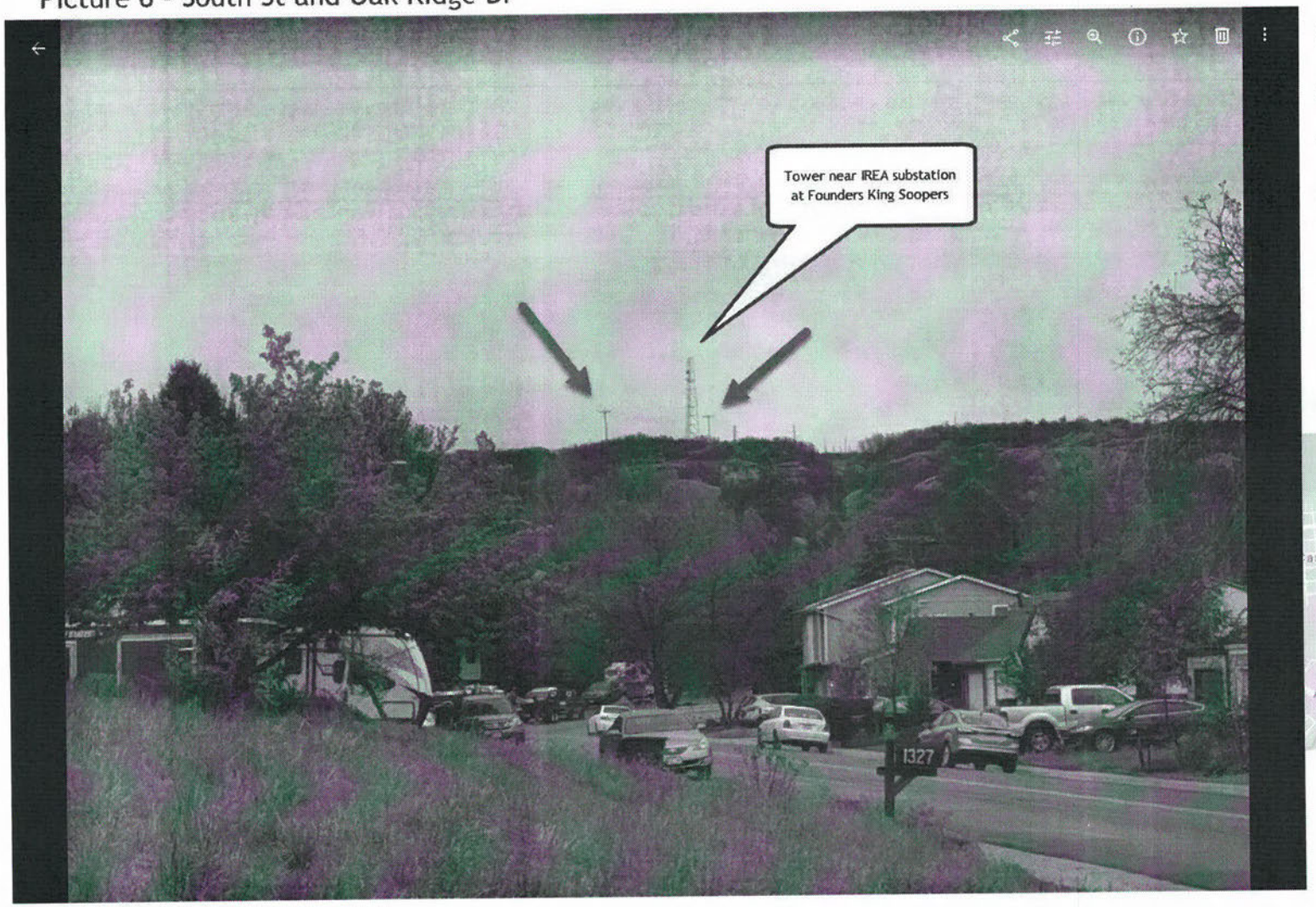
IMG_20190520_152622.jpg
12.2MP 4032 × 3024 2.2 MB

Google Pixel 2
ƒ/1.8 1/1560 4.442mm ISO77

Castle Rock



Picture 6 - South St and Oak Ridge Dr



Info

Add a description

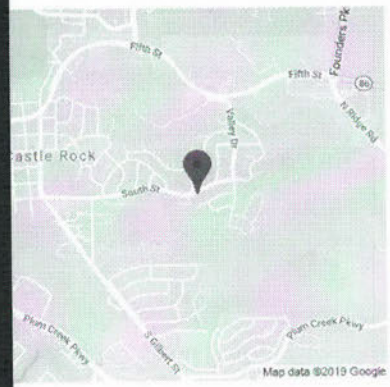
DETAILS

May 20
Today, 3:31 PM

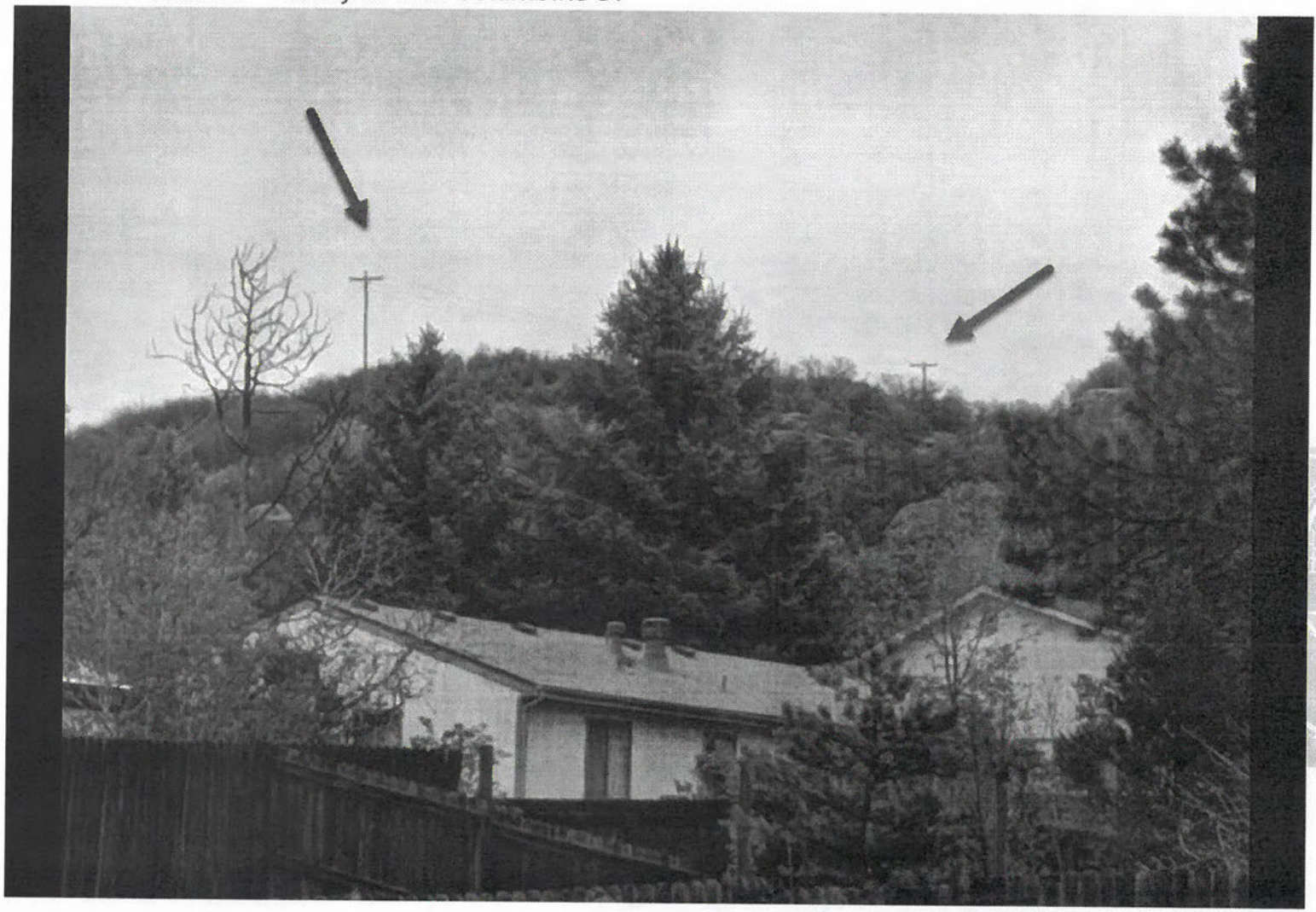
IMG_20190520_153158.jpg
12.2MP 4032 × 3024 2.5 MB

Google Pixel 2
ƒ/1.8 1/1232 4.442mm ISO71

Castle Rock



Picture 7 - Valley Dr and Columbine Dr



Info

Add a description

DETAILS

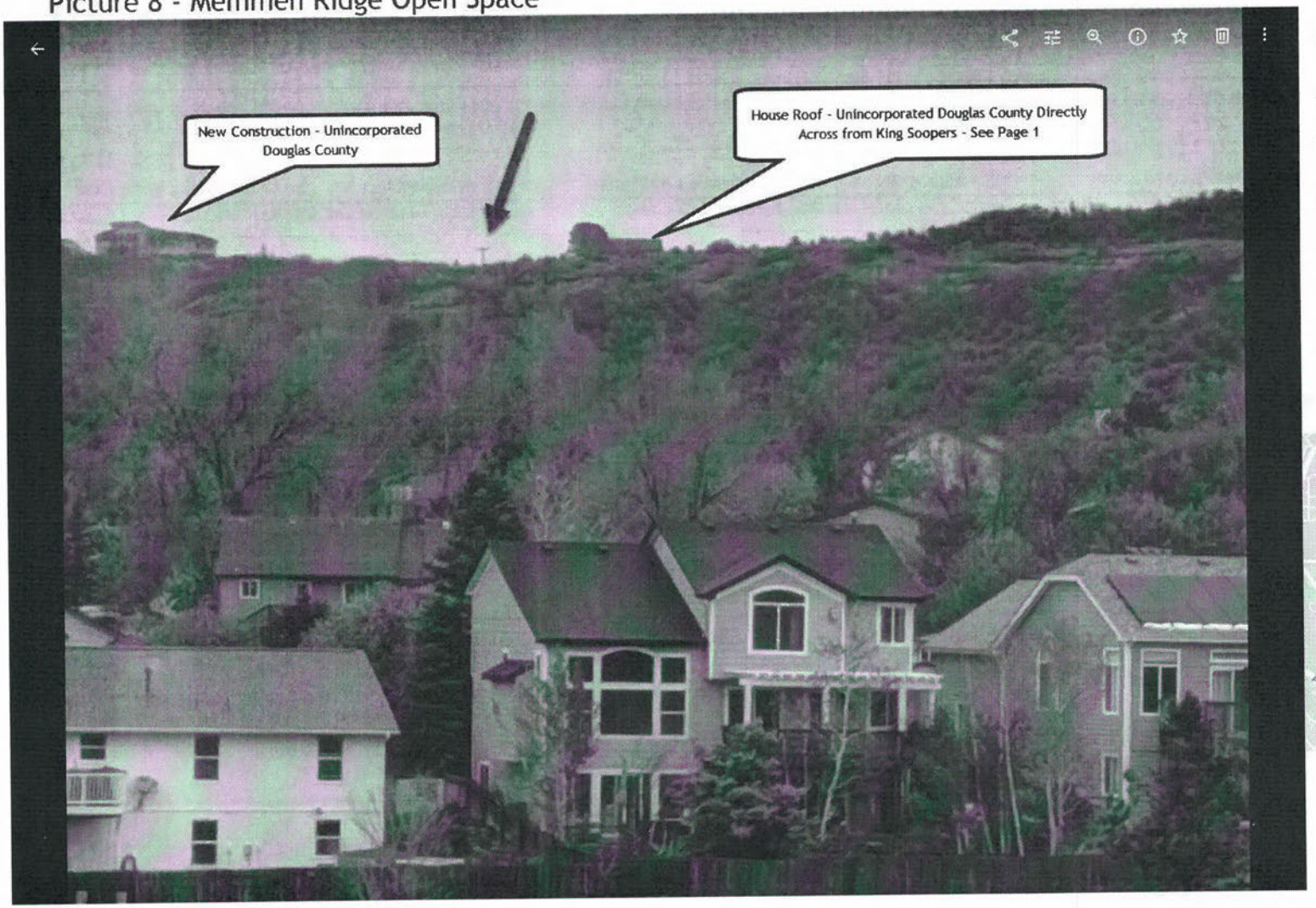
May 20
Today, 3:36 PM

IMG_20190520_153653.jpg
12.2MP 4032 x 3024 2.3 MB

Google Pixel 2
f/1.8 1/1462 4.442mm ISO75

Castle Rock

Picture 8 - Memmen Ridge Open Space



Info

Add a description

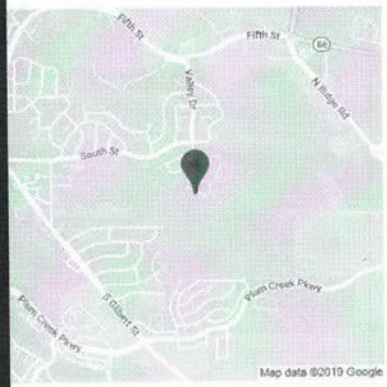
DETAILS

May 20
Today, 3:51 PM

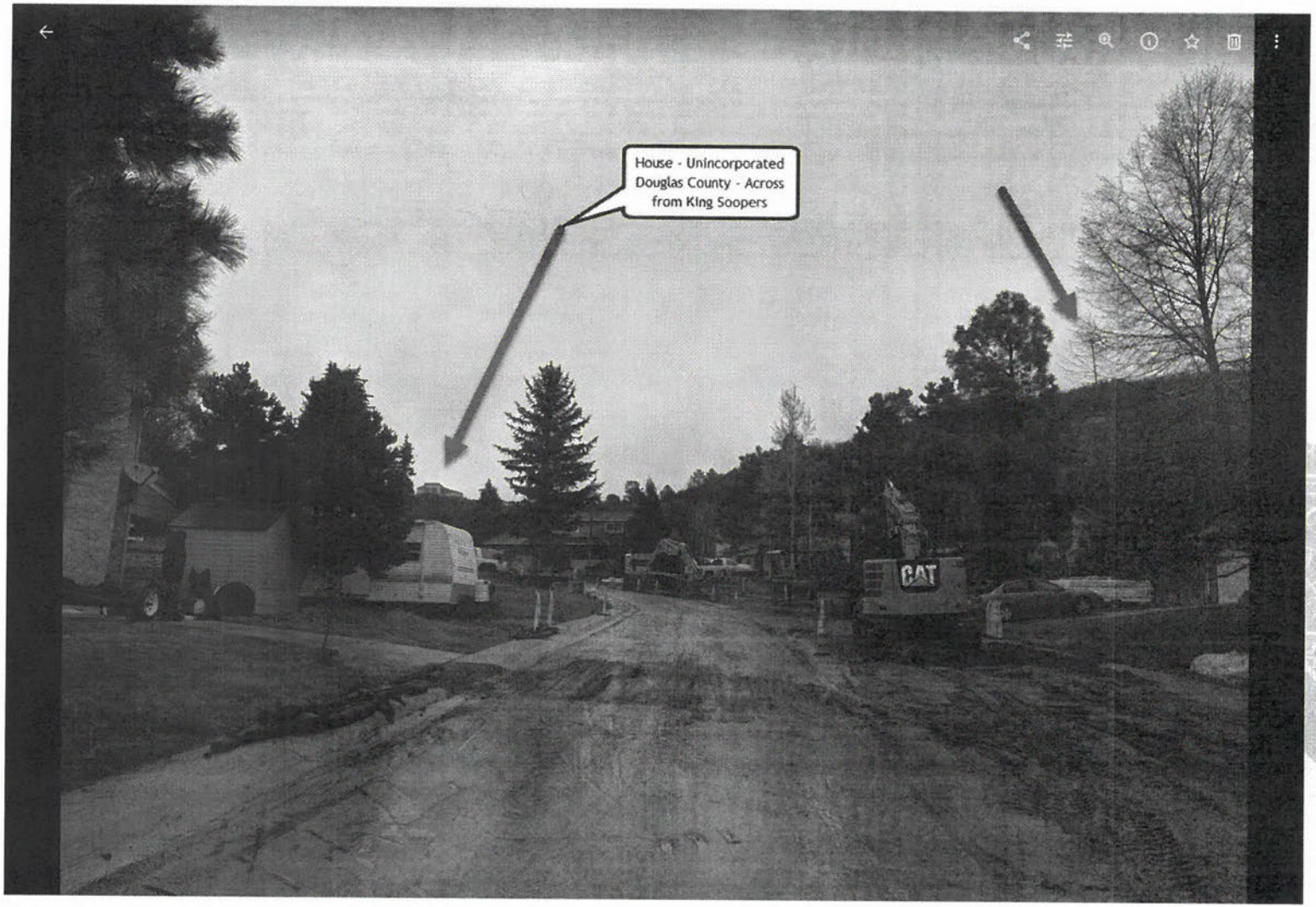
IMG_20190520_155141.jpg
12.2MP 4032 × 3024 2.1 MB

Google Pixel 2
ƒ/1.8 1/570 4.442mm ISO56

Castle Rock



Picture 9 - Gordon Dr and Gordon Ct



Info

Add a description

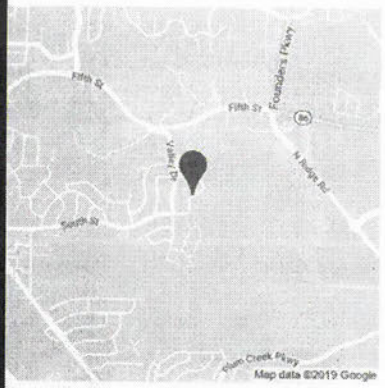
DETAILS

May 20
Today, 4:01 PM

IMG_20190520_160153.jpg
12.2MP 4032 x 3024 4.5 MB

Google Pixel 2
f/1.8 1/1672 4.442mm ISO80

Castle Rock



Brad Boland

From: [redacted]
Sent: Wednesday, January 5, 2022 9:59 AM
To: Brad Boland
Subject: Founders Vista meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Boland,

I received the letter regarding the meeting about Founders Vista and have concerns about the proposed project.

I oppose the Ridgeline variance for Founder's Vista. There is a reason for the Castle Rock Skyline/Ridgeline ordinance and no variances should be allowed by the town. This would set a bad precedent for other developers.

I would like to know what traffic studies have been done by the town of the impact this development would have for my neighborhood, Memmon's second addition. I live on Gordon Drive and currently the only major access to leave my area is Valley Drive to 5th Street. During heavy traffic times it is extremely difficult to exit from Valley onto 5th Street when turning left. My other concern is if the Chateau Valley development is approved and Valley Drive is connected at both ends, this will become even a more heavily travelled road, making it even more difficult to exit my neighborhood.

I would also like to know what water studies have been done to support this growth. I have lived in Castle Rock since 1975 and there have always been water restrictions since then due to the limited supply water in the aquifers that the town relies on. The aquifers are easy to drain but very slow to refill.

I will be at the meeting tonight and would appreciate you addressing the concerns that I have mentioned.

Sincerely,

Debbie Cable
[redacted] Gordon Drive
Castle Rock, CO

Brad Boland

From: Anthony Dalla <[redacted]
Sent: Thursday, January 6, 2022 2:12 PM
To: Brad Boland
Subject: Founders Vista Proposed Development

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Boland,

I am very concerned about the proposed Founders Vista development and the requested variance to the skyline/ridgeline encroachment. Unfortunately, I was unable to attend the meeting last night.

I have lived here long enough to remember when the developer of Diamond Ridge Estates assured the residents of Castle Rock that their proposed development would not obscure the skyline from below. As you know, those homes are now easily seen from below and the ridgeline will forever be broken up by their existence.

Castle Rock is a beautiful town and the ridges and hills that make up our skyline are part of our charm, and I respectfully urge you to deny the skyline variance for the Founders Vista project to preserve the identity of our town.

Thank you,

Anthony Dalla
[redacted] Gordon Dr

Brad Boland

From: Daniel Boone <[redacted]
Sent: Tuesday, October 20, 2020 12:50 PM
To: Brad Boland; TownCouncil Mailbox; Tara Vargish
Cc: Becky Dertz
Subject: Citizen Input on Active Land Use Projects PDP19-0002, SDP20-0026 and Associated Skyline/Ridgeline Variance

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Boland, Planning Commissioners, and Town Council,

We are longtime residents of Douglas County and Castle Rock and would like to take this opportunity to provide citizen input on the Memmen Young Infill PD (Project PDP-0002), Founders Vista Site Development Plan (Project SDP20-0026), and the associated Ridgeline/Skyline Variance request.

We attended the initial neighborhood meeting held by the applicant on May 21, 2019 and provided feedback at that time. At the initial meeting there were quite a few concerns from those in attendance regarding the proposed plan to build within the Skyline/Ridgeline area, along with other concerns with the proposed layout of the development. Citizens who attended the meeting suggested pushing the development off the ridgeline altogether and creating an opportunity for a natural transition between the ridgeline and the proposed development. Suggestions to use that area for a trail or open space were provided. This appeared to fall on empty ears with the applicants. We are very concerned about the proposed developments impacts to this ridgeline and how it could potentially damage the existing community below. While St. Francis Catholic Church was under construction, a major rock-slide disrupted many of the residents lives in the homes below. The ridgeline that slide during the St. Francis construction is on the same street as the ridge that is directly behind our residences and directly below where these applicants would like to build upon. Many of us residents do not trust any type of heavy construction or blasting anywhere near this ridge. There are large deposits of rock that could potentially break off this ridgeline due to heavy construction and blasting that could cause significant damage to the properties below. Any rockfall would cause serious injury, or possibly result in death of those below. We understand that a study has been completed which may indicate that there could be opportunities for mitigation; however we believe that any mitigation would still impact the adjacent neighbors quality of the life, and is still risky.

The area in which the applicants are seeking a variance has been identified as a Major Ridgeline on the Development Constraints Map (as provided on the Town's website). This identification appears to me to be a very significant constraint and we see no reason why the Town would want that ridgeline disturbed. The request for a variance to the Skyline/Ridgeline ordinance does not appear to meet any of the criteria listed in Section 17.48.090 C.1 of the Castle Rock Charter and therefore should not be approved per 17.48.090 D of the Charter.

We are certainly not opposed to development, but would like to see it done respectfully. We understand that this proposal includes a reduction of units. At the neighborhood meeting the applicants consultants stated that under the current PD they are allowed to develop many more units. They implied that the decrease of units was justification for a variance to the Skyline/Ridgeline ordinance and that the reduction of units would be less on an impact to our community. We would like to suggest that this is simply not true. There is much more to consider when developing this property. Traffic, water and sewer, along with the ridgeline issues should be fully taken into account. The applicants threat of developing the property to the maximum units allocated within the original PD should not be used for justification for a variance to the Skyline/Ridgeline area. Furthermore, the Town has an opportunity to work with these applicants to create a unique transition area between existing and new homeowners which should take into account the sensitive topography in this area. This could be achieved by simply moving planning areas away from the ridge. The "thumb" area where approximately 26 lots would be created on the SDP does not make sense. This cul-de-sac sticks out like a "sore thumb" and would not blend into the natural topography.

As we stated in the paragraph above, traffic is a huge concern in this area. The applicants initial traffic study does not take in account any impacts to Wilcox/5th Street. As new development continues to occur in the Terrain and Founders area the road network has seen a tremendous increase in traffic. The intersection of Valley (our primary access point to our neighborhood) and 5th Street has been significantly impacted by new development. The current speed limit at this

intersection is 45 miles per hour, which appears to be rarely followed. Due to the newest road striping design on the road, vehicles can be seen racing each other up the hill often at speeds far greater than the posted speed limit. This will continue to increase with more development in this area. The Town should seriously consider these impacts. This intersection has become extremely dangerous, especially under adverse weather conditions. Improvements to 5th Street should be considered as part of this proposed development as it is highly likely that any new units will cause an increase in the number of vehicles.

We were unable to attend the applicants second neighborhood meeting held on February 23, 2020. It is our understanding from several of my neighbors that there have been very little changes made by the applicant from the initial submittal and that they intend to move forward with this plan. We are discouraged by the applicants blatant disregard for the community input provided by us neighbors. We hope that Town staff, Planning Commissioners, and Council can work with these applicants to create a plan that will benefit the entire community.

Thank you for your consideration.

Very Respectfully,

Dan and Becky Dertz
[redacted] Gordon Drive
Castle Rock, CO

Brad Boland

From: [redacted]
Sent: Wednesday, January 19, 2022 9:59 PM
To: Brad Boland
Subject: Founders Vista - Feedback

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Mr. Boland,
I attended the meeting on 1/5/22 about the Founders Vista. I attended via zoom and wanted to provide feedback as I don't know if my feedback was received due to the difficulty of participating via zoom. The audio was poor and it was difficult to hear and to participate.

I would like to say I feel I did not get an answer or acknowledgement to my question about why there is a request for a "skyline/ridge line variance to allow 14 units to encroach into the major ridge line no build area."

I think that' it is certainly permissible for a developer to request a variance but I don't see how it is justified. I don't think my question about why it is being asked for or why it should be considered was answered. I thought you might be able to explain the justification, if there is an intention for the Town to approve it. The constraints are there for a reason, whether to protect wildlife areas or to protect the views and skyline. I don't think a precedent should be set where developers ask for and receive variances without a reasonable justification for it.

Based on my experience on the Oaks Filing, Phase I of a project nearby, it appears as though the developer was given permission to significantly change the topography and the homes were raised way up above the existing grade. Those homes in the Oaks filing Phase 1 blocked the views and skyline of many of the homes surrounding. I don't know if a variance was granted, but it sure looks that way. The negative impact to surrounding homes is the reason why I'm opposed to these types of exceptions being made for Founders Vista or any other new development. What would be the justification to approve such a variance? A no build area should remain a no build area, in my opinion.

And, lastly, I want to raise a concern about the wildlife paths around that area. Based on what I heard (and I couldn't hear everything due to the zoom audio) I don't think this particular developer is taking the wildlife seriously. It sounded like no concessions or suggestions were offered. There is a similar concern with the Oaks Phase II that is currently also under discussion. It's getting very crowded in this area around Plum Creek and Ridge Road and I think the wildlife deserve a little more consideration to protect this aspect of our community.

Thank you for your time and I look forward to your thoughts or any feedback you can offer.

Regards,
Barbara Kubereit
Castle Ridge East

Brad Boland

From: James Mcgue <[redacted]
Sent: Wednesday, January 27, 2021 12:56 PM
To: Brad Boland
Subject: Proposed variance for Skyline/Ridgeline, Founders Vista Subdivision.

Follow Up Flag: Flag for follow up
Flag Status: Flagged

To Brad Boland, and whom else this may concern,

Please consider my concerns in this matter.

From the back yard of my house on the corner of Gordon Drive and Gordon Court, I look directly up at the ridge where the proposed houses might be built. It has been a pleasure to to look up at the ridge from my back yard in the day time and see blue sky and Hawkes flying, and when it is dark to see the abundance of stars. It is a beautiful view day or night. If homes are allowed to be built near the edge of the ridge, that would all be lost. It is not right for all the people that have homes below that have a view of that ridgeline.

My biggest concern, that by allowing building along the edge of this ridge, could cause a chance of dislodging some of the large rocks/boulders above to tumble on houses below. I have heard my neighbors voice this concern. I have also heard rumors that this has happened during the building of Saint Francis Assisi Church. That is a very scary thought!

I am asking you to consider all these pre-existing residents concerns in your decision of the proposed variance for home lots along the edge of the ridge.

Thanks for your considerations in this important matter.

Sincerely,

James McGue
[redacted] Gordon Court
Castle Rock, Colorado 80104
[redacted]

Brad Boland

From: Doug <[redacted]
Sent: Wednesday, January 26, 2022 11:11 AM
To: Brad Boland
Subject: Re: Founders Vista - Memmen Young Links

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Brad,

I want to take this opportunity to thank you for taking the time to talk with me on January 19th regarding the Founders Vista planned development amendment. Events seem to be moving rapidly on this project, and I wanted to be sure that you, the developer, and Planning Commission members are aware of some of the aspects of development that seem likely to produce negative impacts on surrounding neighborhoods, including my residence on Gordon Drive. I believe that most of these can most easily be addressed/mitigated by relatively minor plan adjustments during these initial planning stages.

My most urgent concerns with the proposed Founders Vista involve: 1. The detention pond and related facilities directly behind my property at 350 Gordon Drive and 2. The access road planned for the area next to my house that extends to the new residential development at the top of the ridgeline to the east.

Detention Pond: I understand the need for a detention pond east of my house, at or near its presently planned location. However, the exact location, manner of construction, appearance, visibility, and ongoing responsibility for this pond and related facilities are all concerns.

1. In the January 5th neighborhood meeting and in my subsequent phone conversation with you I learned the polygon area mapped directly adjacent to my property was to be designated as the area of the detention pond AND that the area was to be operated and owned by the HOA for Founders Vista, NOT by the Town of Castle Rock. This information was only revealed only in answers to questions from the stakeholders present, not as part of the developer's presentation. The road and HOA detention area were shown on the map, but neither was labeled. This area abuts private properties on Gordon Drive, including mine, and is otherwise surround by area proposed to be designated as public open space. This detention pond area is no contiguous with the residential areas and appears as an orphan parcel. The road leading to the detention pond is about half within the parcel and half in the open space surrounding it. The pond will discharge into a channel (sewer?) directly flowing into the new sewer pipe and system that has been newly constructed by the Town and feeds into the sewer under Gordon Drive. Designation of this area to be managed by the HOA would necessitate coordination between the Town of Castle Rock and the HOA for construction and maintenance, whereas Town ownership and responsibility for the planned access road, detention pond, and connecting facilities to the newly constructed Gordon Drive sewer would provide continuity and management efficiency, consistent with good planning practices. Inserting an HOA-managed pond into the Town's water management system would create unnecessary complications, particularly with respect to responsibility and liability for any future management and operation issues.

2. The exact location and appearance of the detention pond dam could have substantial negative visual and environmental impacts. With advance planning, dam construction while maintaining the existing screen of oak brush could not only mask the dam's visual impact but provide wildlife cover for a corridor between the dam

and residential properties on Gordon Drive. If construction activities are conducted throughout the polygonal parcel now designated for the HOA management, impacts would appear to be unnecessarily significant.

Access Road: I also understand that an access road to the detention pond site is also necessary, at least for initial construction and maintenance. However, extending the road from the detention pond down to connect with Gordon Drive would create problems, all of which appear to be avoidable.

First potential problem: This extension provides ready access from my neighborhood to the Founder Vista development, and vice versa. Access to this area behind my house has been an ongoing concern during the 28+ years I have lived here. People (mostly teenagers) have routinely tramped next to my house to "have a smoke" in the oak brush on the property behind my mine, creating a fire hazard. Security of my property and residence due to this additional access is also a concern. The construction of a fence around the recent sewer project between my house and my neighbor's property has limited much, but not all, of this access. As a planner, I'm sure that you know that any such connector road will facilitate access, authorized or not, to this area.

Second potential problem, under current and anticipated future drought conditions, increased access would increase the possibility of accidental (or intentional) fires that could devastate this entire area of Castle Rock much as the recent fires in Boulder County have done. *This is a potentially catastrophic and mitigatable impact and should be viewed as an unacceptable risk* to the Town. The second access point (Gordon Drive) appears to fall into to the "it would be nice" category, but not critical. There also does not seem to be enough room on the town's right-of-way next to my house for this road without impinging on adjacent private properties. This would not be the case at the Founders Vista end of the road, as the area is still in the planning stages. Construction of a road between the detention pond and Gordon Drive could additionally impede the move of wildlife along the strip of open space.

There are other issues and questions on this plan which should be addressed sooner rather than later, such as: 1. Is there adequate provisions for pedestrian sidewalks and paths within residential areas? 2. Are there going to be safe street crossings for pedestrian access to other parts of town? 3. What are the provisions for neighborhood parks and playgrounds?

I also suggest that the developer provide a tour for members of the CR Planning Commission and stakeholders from surrounding neighborhoods to visit relevant parts of the planned subdivision before these plans progress beyond initial planning stages. This was routinely done in the past when I served as member and sometimes chairperson of the Castle Rock Planning Commission in the late 1980s and early 1990s and was very effective.

As I mentioned to you when we spoke, my background is in environmental assessment and planning at the local, national, and international levels, and I have been certified in environmental dispute resolution. I have based my career on finding win-win solutions to environmental problems through consensus and cooperation and understand that most potential problems can most effectively be addressed in the early stages of planning. Transparency of process and involvement of all stakeholders is key.

Thanks again for your willingness to talk with me. Please pass this message along to the developers and their representative (Rusty?) and appropriate Town personnel (e.g., Water Department, engineers, Planning Commission members, etc.) so that they are aware of these potential issues in time to address them in a timely manner.

Regards,

Doug Reagan

On Jan 17, 2022, at 3:46 PM, Brad Boland <BBoland@crgov.com> wrote:

I can call you.

Thanks.

Brad Boland, AICP

Planner II
Town of Castle Rock
720-733-3538
<image001.png>

Your feedback is important to us, please let us know how we are doing by taking our Customer Service survey.
https://www.surveymonkey.com/r/LR35C27

From: Doug <[redacted]
Sent: Monday, January 17, 2022 3:43 PM
To: Brad Boland <BBoland@crgov.com>
Subject: Re: Founders Vista - Memmen Young Links

Brad,
That time works for me. Should I call you or you call me [redacted]
Doug

> On Jan 17, 2022, at 3:40 PM, Brad Boland <BBoland@crgov.com> wrote:
>
> Doug,
>
> How about 10 am on Wednesday?
>
> Thanks,
>
>
> ## Brad Boland, AICP
>
> Planner II
> Town of Castle Rock
> 720-733-3538
> <image001.png>
>
> **Your feedback is important to us, please let us know how we are doing by taking our Customer Service survey.**
> https://www.surveymonkey.com/r/LR35C27
>
> ---
>
> **From:** Doug <[redacted]
> **Sent:** Monday, January 17, 2022 1:42 PM
> **To:** Brad Boland <BBoland@crgov.com>
> **Subject:** Re: Founders Vista - Memmen Young Links

Thanks for the link.
I'm free for a phone call anytime tomorrow except from 12:30 to 3:00 p.m., and I'm available for a call anytime (8 - 5) Wednesday through Friday this week. Webex is an option, but not necessary. I'll leave it up to you.
Doug

On Jan 17, 2022, at 1:35 PM, Brad Boland <BBoland@crgov.com> wrote:

Doug,

The original Planned Development Plan, which is still in effect today, can be found at the following link.

https://maps.crgov.com/hyperlinks/external/zoning/Memmen_Young_PD_22.pdf

In regards to meetings, I think I would like to first speak with you to see if I can address your questions and then we can schedule something with Rusty Hall if there are any outstanding items.

When were you thinking? Please note that they have us working remotely and doing meetings over the phone or webex.

If you have any further questions please let me know.

Brad Boland, AICP
Planner II
Town of Castle Rock
720-733-3538
<image001.png>

Your feedback is important to us, please let us know how we are doing by taking our Customer Service survey.
https://www.surveymonkey.com/r/LR35C27

From: Doug <[redacted]
Sent: Monday, January 17, 2022 1:22 PM
To: Brad Boland <BBoland@crgov.com>
Subject: Fwd: Founders Vista - Memmen Young Links

Hi Brad,
It's been a week since I sent the attached message and wanted to be sure you got it. Let me know if there is a problem with send the link and if there is anything I should do to help arrange a meeting.
Doug

Begin forwarded message:

From: Doug <[redacted]
Subject: Re: Founders Vista - Memmen Young Links
Date: January 10, 2022 at 10:40:19 AM MST
To: Brad Boland <BBoland@crgov.com>

Hi Brad,
Thanks for sending the links. They were helpful.
Can you also send me a link to the currently existing plan, the one developed and accepted in 1985 that is being amended?
I would like to meet with you and/or Rusty sometime in the near future to discuss some specifics of the proposal amendment, particularly the detention pond area directly behind (to the east of) my house at 350 Gordon Drive.
Regards,
Doug Reagan

> On Jan 4, 2022, at 11:36 PM, Brad Boland <BBoland@crgov.com> wrote:
>
> Douglas,
>
> Thank you for your patience. Please see the two links below for the rezoning and site development plan for the Founders Vista – Memmen Young project.
>
> https://maps.crgov.com/hyperlinks/External/IYBY/HTML/PDP19-0002/index.html
>
> https://maps.crgov.com/hyperlinks/External/IYBY/HTML/SDP20-0026/index.html
>
> Please let me know if you have any questions.
>
> Thanks,
>
> Brad Boland, AICP

Planner II
Development Services
Town of Castle Rock
720-733-3538

Your feedback is important to us, please let us know how we are doing by taking our Customer Service survey: https://www.surveymonkey.com/r/LR35C27

COVID-19 UPDATES: Find the latest COVID-19 updates from the Town and its government partners, including available community resources and information on how to Work With Us Online, at CRgov.com/COVID.

Brad Boland

From: aisybear <[redacted]
Sent: Tuesday, May 9, 2023 11:22 AM
To: Brad Boland
Subject: Slow down housing development

We can't take the traffic in our small town. Isn't this also getting a bit too close to the protected member open space? We have been here for over 30 years (my husband and i) with our childhood homes, first apartment, both of our homes... we haven't left. Both of our parents were DCHS graduates in the early 80s and were also raised in Castle Rock. As a Castle Rock generational family, we are disgusted by the amount of housing development with lack of road updates, lack of commercial development, and increase in homeless arrivals to our once beautiful, peaceful and safe town. Slow the housing down. Our taxes just increased exponentially, aren't you getting enough money from the town citizens already? Why add more people. This is awful.

Sent from my Verizon, Samsung Galaxy smartphone

Brad Boland

From: STAN JANICE PETERSON <[redacted]
Sent: Friday, February 11, 2022 11:27 AM
To: [redacted]
Cc: TownCouncil Mailbox; Brad Boland; Cara Reed; Camden Bender; Tony Felts; Jason Gray; Desiree LaFleur; Caryn Johnson; Brad Boland; [redacted]
Subject: Re: Founders Vista Development and Skyline/Ridgeline Variance Concerns

Follow Up Flag: Follow up
Flag Status: Flagged

Thank you, Mr. Hall for the speedy response. In your response you referenced "any view platforms identified by the Town." Could you please explain what view platforms those are? Also, could you please erect some temporary poles that will accurately represent the allowed roofline peaks facing the west on the western most street and cul-de-sac of the proposed development?

I'm confident that the other Gordon Drive homeowners would appreciate these actions.

Thank you,

Stanley Peterson
[redacted]

From: [redacted] <[redacted]
Sent: Friday, February 4, 2022 1:22 PM
To: [redacted] <[redacted] towncouncil@crgov.com <towncouncil@crgov.com>; bboland@CRgov.com <bboland@CRgov.com>; creed@crgov.com <creed@crgov.com>; [redacted] <cbender@crgov.com>; tfelts@crgov.com <tfelts@crgov.com>; jgray@crgov.com <jgray@crgov.com>; dlafleur@crgov.com <dlafleur@crgov.com>; cjohnson@crgov.com <cjohnson@crgov.com>
Cc: bboland@crgov.com <bboland@crgov.com>
Subject: Re: Founders Vista Development and Skyline/Ridgeline Variance Concerns

Mr. Peterson,

Thank you for taking the tine to voice your opinion on this matter.

Highline Engineering is currently making changes to the proposed site development plan to incorporate suggestions made at our last neighborhood meeting and written comments made by the Town of Castle Rock.

I would restate that the additional homes within the variance request are not visible from any view platform identified by the Town, and will not have any impact on the Skyline/Ridgeline.

We will have one more neighborhood meeting this spring or early summer to present our final design.

Thank you,

Rusty Hall
Highline Engineering

303-889-0044

-----Original Message-----
From: STAN JANICE PETERSON <[redacted]
To: towncouncil@crgov.com <towncouncil@crgov.com>; [redacted] <[redacted]
bboland@CRgov.com <bboland@CRgov.com>; creed@crgov.com <creed@crgov.com>; cbender@crgov.com <cbender@crgov.com>; tfelts@crgov.com <tfelts@crgov.com>; jgray@crgov.com <jgray@crgov.com>; dlafleur@crgov.com <dlafleur@crgov.com>; cjohnson@crgov.com <cjohnson@crgov.com>
Sent: Fri, Feb 4, 2022 10:29 am
Subject: Founders Vista Development and Skyline/Ridgeline Variance Concerns

My name is Stanley Peterson and I have resided at [redacted] Gordon Drive in Castle Rock for nearly 25 years. I was in the commercial and residential construction industry for 30 years and am very familiar with property development. I am writing regarding the proposed development on the Memmen Ridge Area that includes Skyline Ridgeline No Build Area. The original intent of the long time existing Skyline/Ridgeline No Build area was to keep structures from being built right on the ridgeline in order to keep it as natural and beautiful as possible. My intentions are to stand up for the protection of the original Skyline/Ridgeline Area intent. I am respectfully requesting the Castle Rock Town reject the development as proposed and therefore request the developer protect the Skyline/Ridgeline No Build Area as originally intended.

It is understandable that land owners with large parcels of property in and around the town of Castle Rock sometimes decide to sell their properties and of course, want the highest profit return possible. The main way to maximize profit is to maximize the return for the seller. By far the biggest way to maximize the return is to maximize the number of individual lots sold. And you do that by squeezing in as many lots onto the property as possible, including ways that bypass or change existing zoning or ordinance rules.

In the development proposal they are asking for variance to allow 14 lots to encroach into the no build area and I believe that is misleading. In total there are 26 lot or street encroachments, 22 of them are home lot encroachments as shown on the attached diagram which are highlighted in red. The most egregious abandonment of the intent of Skyline/Ridgeline No Build area are the proposed western most street and cul-de-sac that in places sits directly on the escarpment.

I am suggesting these lots be eliminated from the proposed development. That would allow for a proper wildlife access corridor to and from the north canyon area to the south plateau of the escarpment. Im requesting an analysis be done of the existing wildlife movement in this area. Included with this letter is personal documentation of substantial wildlife at my home. I also am requesting that an analysis be done of the possible massive additional rainwater runoff into the canyon behind many existing homes on Gordon Drive.

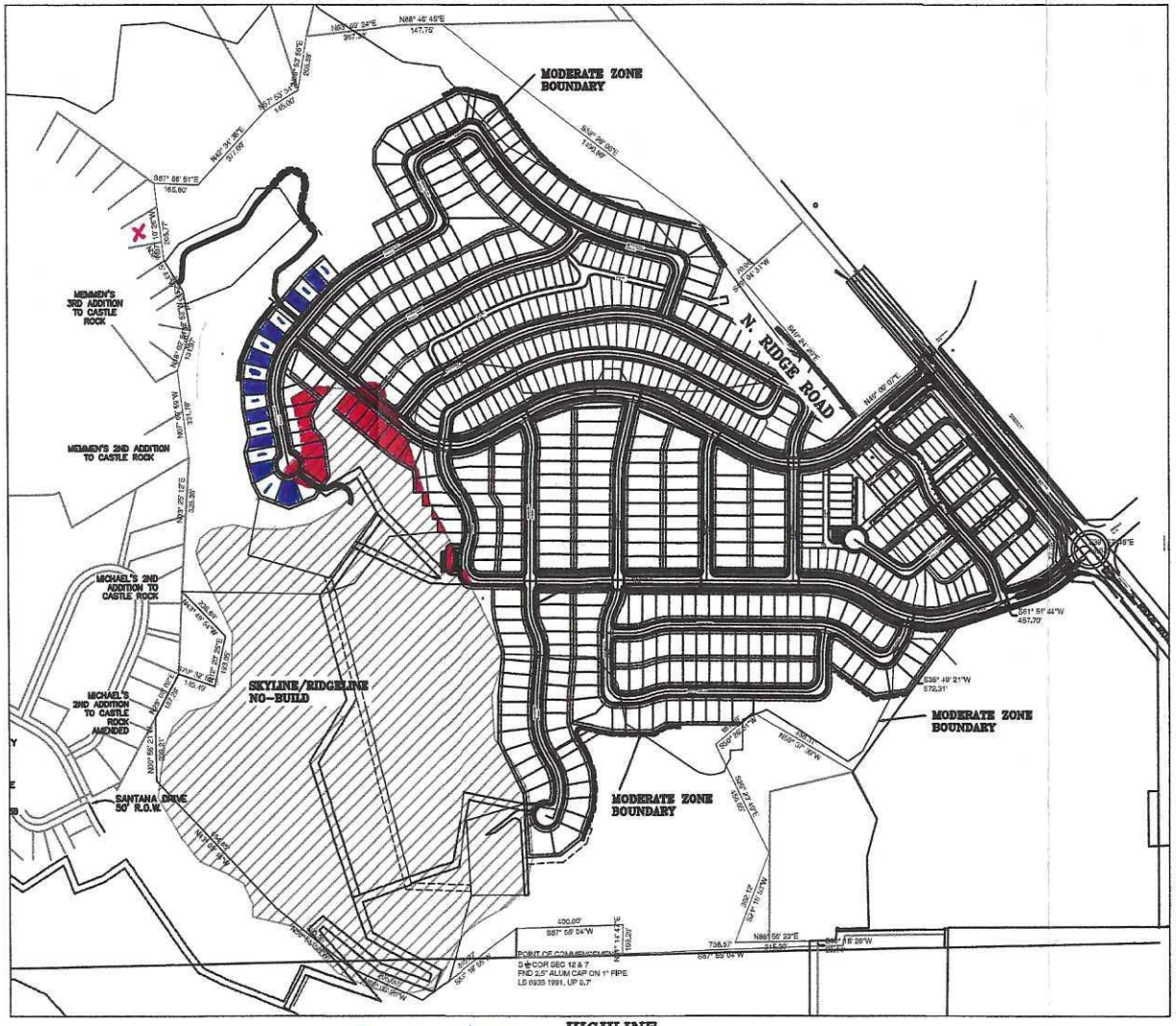
It's also critical to mention that this area is rated by The Castle Rock Fire Department to be of severe fire hazard because of the degree of rugged terrain and inaccessibility. The Town of Castle Rock Fire and Rescue Department 2021 Fire Master Plan makes clear that it is very concerned with the rate at which the town is growing. In the 2019 survey, the community was concerned that the Town is growing too fast, growth is unmanaged, and that the current infrastructure is unable to keep pace. The community is also concerned with the ability of the Fire Department to maintain current levels of service with current/projected growth.

Reasons for eliminating homes along escarpment would be to retain natural area beauty, retain wildlife corridor, and allow Fire Department access to the very rugged area with dense scrub oak. I am respectfully requesting the Town of Castle Rock reject the development as proposed and therefore request the developer protect the Skyline/Ridgeline No Build Area as originally intended. My suggestion is to leave the area bordering the escarpment face as a park-like setting with access for Fire Department.

FOUNDERS VISTA

SITE DEVELOPMENT PLAN

A PART OF THE WEST HALF OF SECTION 7,
TOWNSHIP 08 SOUTH, RANGE 68 WEST 6th PRINCIPAL MERIDIAN,
AND THE EAST HALF OF SECTION 12, TOWNSHIP 08 SOUTH, RANGE 67 WEST OF THE
6th PRINCIPAL MERIDIAN, TOWN OF CASTLE ROCK, COUNTY OF DOUGLAS, STATE OF COLORADO.
TOWN OF CASTLE ROCK PROJECT NO. SDP20-0026



LEGEND

- MATCH LINE
- PROPERTY BOUNDARY
- NO BUILD AREA SKYLINE/RIDGELINE
- MODERATE ZONE SKYLINE/RIDGELINE
- UTILITY EASEMENT

~~22~~ ~~28~~ Home lot encroachments
1 Other structure encroachment
3 Street + sidewalk encroachments

Delete or remove 18 western most homesites

SCALE: 1" = 200'
200 0 200 400 600 Feet

Rusty Hall

HIGHLINE ENGINEERING & SURVEYING
PO BOX 1295
PARKER, COLORADO 80134
Tel. No.(303) 858-0044
Fax. No.(303) 380-3320

SITE PLAN
SHEET 1 OF 1

Brad Boland

From: Cozy Swickard <[redacted]
Sent: Friday, February 11, 2022 9:50 AM
To: Camden Bender
Cc: Caryn Johnson; Brad Boland
Subject: Re: Your Feb 3, 2022 email

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Camden: thank you for your response. I think you may have missed the point: the land that is unbuildable in this project due to terrain may be 'dedicated' to open space but to categorize it as 'park' means that it is usable for park-like activities. It is inaccurate to attribute anything about these rocky outcroppings of the native ridge as 'park-like.'

The concern expressed by adjacent neighbors about opening these vertical, unbuildable acreages to 'park-like' activities is that they are dangerous, rocky areas. If the Town is concerned about having "the benefit near ridges and other land features … (to) make Castle Rock special" its management program should truly protect those areas, not open them for park like activities that ruin the habitat and invite injury and over-use.

Further, in over-stating the amount of land 'dedication' (another name for unbuildable land), the applicant uses the idea of a generous dedication as a rationale for further encroaching on Ridgeline Protections in order to add more density on its highest point, sacrificing even more special Castle Rock features you claim the Town wishes to maintain. The applicant is shaving the rules at every turn to its advantage and to the detriment of the terrain.

Since the time the Memmen land was entitled in 1985, much of what makes Castle Rock special has been lost. Surely this project provides an opportunity to learn and improve upon past experience - to preserve what needs preserving and to encourage developers to improve not reduce our area's quality of life.

Thanks again for your attention, appreciate your efforts,

Cozy Swickard

> On Feb 10, 2022, at 4:01 PM, Camden Bender <CBender@crgov.com> wrote:
>
> Hi Cozy,
>
> Thank you for reaching out. I understand your concern about the 48% of property being deemed as open space. While some of that space may be determined to be unbuildable, the dedication of that land to the Town is what makes it an allowed use for parks and/or open space. Additionally, the Town views it as a benefit to have the areas near the ridges and other land features that make Castle Rock special dedicated as Town-managed land. We will encourage the applicant to share topographic maps to better show the area during any future meetings to help limit any confusion.
>
> In regards to the meeting format, hybrid meetings are new to some applicants and something they are still

navigating through. These meetings are setup and ran by the applicants. However, the Town is working on guidelines and tips for applicants to help improve meeting experiences - especially the virtual component. We hope this will improve the experience for attendees and make meetings more consistent across various applicants and projects moving forward.
>
> Thank you,
>
> Camden Bender
> Development Services Community Outreach Program Manager
> 100 N. Wilcox Street | Castle Rock, CO 80104
> 720-733-3533 | cbender@crgov.com
>
> Your feedback is important to us, please let us know how we are doing by taking our Customer Service survey: https://www.surveymonkey.com/r/LR35C27
>
>
>
> -----Original Message-----
> From: Cozy Swickard <[redacted]
> Sent: Wednesday, February 9, 2022 10:41 AM
> To: Camden Bender <CBender@crgov.com>
> Cc: Caryn Johnson <CJohnson@crgov.com>
> Subject: Your Feb 3, 2022 email
>
> Hi Camden:
>
> Thank you for the recent email recap of issues from the January 5th, 2022 Founders Vista meeting.
>
> You have incorrectly represented the 'open space' issue on page two of your document. The developers do not show topographical maps on their submissions and plats. If they did, most of the "48% of the property…as open space and park land" you mention would be revealed as unbuildable due to geography. Your letter makes it sound like the developers are heroic whereas in reality they are jamming as many building sites as they can onto the remaining 52% of the property. They cannot build on vertical terrain which is what most of their park / open space dedication exists.
>
> That is the reason the developers are asking for the variance on the building in the Protected Ridgeline Area where the current Memmen house exists; they want to squeeze even more lots in places that are meant to be preserved for views. As I stated in an earlier email, if the additional lots they are requesting a variance for on the Ridgeline make or break their profitability calculus, perhaps their project isn't viable.
>
> Please be more transparent in your representations to the public and require that the developers do the same in their submissions for public review. Topo maps would reveal a more realistic picture of any project's development strategy. It is the first consideration in determining proposed densities and should be required in all materials.
>
> Also, a topic you did not raise is the total inadequacy of allowing the petitioner to handle the communications. The Jan 5th Zoom call was awful; there was, in effect, no audible. Fifty percent of the attendees couldn't hear what was going on or comment if there were comments or questions. In future please conduct these meetings in a location with proven technical reliability such as the town offices, public library or professional meeting locations available for rent.
>

> Thank you for your attention.
>
> Cozy Swickard
> [redacted] N Ridge Road
> Castle Rock, CO 80104
[redacted]
>
>
>

Cozy Swickard
[redacted]

Brad Boland

From: Cozy Swickard <[redacted]
Sent: Wednesday, January 5, 2022 6:47 PM
To: Brad Boland
Subject: Founders Vista comments

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Brad: The sound coming across from the Zoom version of tonight's meeting was horrible. It was impossible to follow the presentation much less the comments and questions from the room and fellow Zoomers. Not good.

The idea of providing a variance to enable more homes to occupy the area officially designated as Major Ridgeline No Build area is ludicrous. Why bother having an officially designated 'no build' zone - enacted to preserve the VIEWS in our fabulous landscape - only to cede variances to developers? This is crazy and should be denied, adamantly. If fourteen houses makes or breaks this developer, they have no business attempting to undertake this project.

I hopped out of the Zoom meeting when the question of water came up. The engineer said there are 160 acre feet of water available in this property, all of which will be handed over to the Town. How much of this water is in usable aquifers? It was disingenuous of the Hall speaker to imply that all of it is usable. Water shortage is a very real concern. The response by this group was, again, misleading and unconscionable.

I urge you and the town to pull this developer in line with the rigorous planning efforts Castle Rock has undertaken to preserve our landscape and our resources.

Please deny this variance request.

Thank you, C.

Cozy Swickard
[redacted] N Ridge Road
Castle Rock, CO 80104
[redacted]

Brad Boland

From: Cozy Swickard <[redacted]
Sent: Friday, February 21, 2020 11:49 AM
To: Brad Boland; Sandy Vossler
Cc: Kevin Wrede; Mike Morley
Subject: Memmen Property Development, 667 N Ridge Road, Castle Rock (180 acres proposed residential)

Dear Bob: Here are a few comments regarding last night's meeting:

1) No introductions and no handouts. Unless attendees checked the town website in advance, no support materials were available at this public meeting.

2) The meeting seemed to focus only on 18-20 of the proposed 567 residences not being visible from downtown Castle Rock. The reason for seeking the variance from the Town's Skyline / Ridgeline ordinance (mentioned in their letter to several attendees) was never fully explained. The presenters consistently referred to the rooftop area as 'the top of the canyon' and seemed unfamiliar with local terminology of 'ridgeline' or 'arroyo' but rather repeatedly calling the areas 'top of cliff' and 'top of canyon'. Local knowledge is not their strong suit and while not a requirement, it did detract from their credibility. By focussing so much on the rooftops, larger questions went unaddressed, as below.

3) Explaining the annexation of a 5-acre piece in the middle of the design - the current Memmen residence - was anything but straightforward. Referring to it as a streamlined process - as a mere technicality based on its 'infill' standing - was a bombshell. As you may know, last year the owners of the 30+ acres at 271 N Ridge Road went around unsuccessfully several times with the Town over the issue of annexation because their property has 'infill' standing as well. The projects have different uses - residential vs school - but fast tracking annexation based on 'infill' standing cannot be granted in one case and denied in the other. Legally, it's problematic if Town policies are not implemented fairly, equitably and consistently.

4) No discussion of traffic impact, geologic studies, environmental impact or any of the data required to substantiate the proposed addition of almost 600 homes, 2600 daily trips or traffic management on existing roadways. The presenters mention of 'cash-in-lieu' contribution towards the eventual widening of Ridge Road sounded vague. One utility - water detention - was highlighted along with an environmentally-unsound solution of piping runoff into an arroyo south of their project. Really? Have the Engineering Staff signed off on this? Where are all the environmental impact studies needed to support any development project? The presenters inability to address these questions affected their credibility.

5) Presenters expressed no appreciation of the potential liability of bringing people into this rough, vertical terrain. "The Metro District will deal with that," was their response. Adjacent property owners west of the project recount Fire and Rescue teams having to be called to help (trespassing) climbers down from rocks that were too steep to descend on their own. The terrain surrounding this project on all sides is steep and rocky, too steep to build on and too steep to allow safe hiking and climbing. The idea of putting parking places at the lower reaches of the development (bringing even more people into difficult terrain outside of the development) is unsafe. Whoever 'The Metro District' is, they will have some liabilities to deal with as will Fire and Rescue by the sound of it.

6) All the focus last night was Skyline / Ridgeline criteria. The elephant in the room is the impact of 600 residences in what is one of the last open spaces, the last Front Range vistas, in the Castle Rock city limits. Instead of counting the tips of rooftops visible from downtown, why not focus on the impact of all those rooftops and traffic on the residences that have built up on the east side of Castle Rock in the last ten years? This development will light up the night sky and obliterate view of the Front Range for thousands of residents east of Town. Ten years ago the Town discussed re-

shooting the viewing platforms for the Skyline / Ridgeline Ordinance to take growth and development into account. So much has changed, was the thinking, it's time to re-evaluate what the ordinance is trying to protect. It would seem logical after all the growth and change, to consider protecting views and space rather than just ridges.

7) The presenters' stated that ground will be broken this Fall. This estimate seems very unlikely given the lack of available studies and timelines. Can you confirm?

Growth and change never gets any easier, we all know that. We will continue to feel the pinch of unwanted growth affecting the peace and beauty that brings everyone to Castle Rock. But given that change is constant, don't we need to ask ourselves if this is the best we can do to keep what is best about the beautiful place we love? From meeting planning to policy implementation, this project, at this point, hardly represents the spirit of that effort.

Thank you for your interest and I look forward to discussing any of these matters at your convenience.

Cozy Swickard
[redacted] N Ridge Road
Castle Rock, CO 80104
[redacted]

Brad Boland

From: Eugene Tolini <[redacted]
Sent: Tuesday, June 25, 2019 12:30 PM
To: Brad Boland
Subject: RE: Memmen Property

Thanks,

Gene

On June 25, 2019 at 11:03 AM Brad Boland <BBoland@crgov.com> wrote:

Eugene,

Sandy's explanation was spot on. If you have any further questions please don't hesitate to reach out to me. Thanks.

Brad Boland, AICP

Planner II

Town of Castle Rock

720-733-3538

From: Sandy Vossler <SVossler@crgov.com>
Sent: Monday, June 17, 2019 9:25 AM
To: Eugene Tolini <[redacted]
Cc: Brad Boland <BBoland@crgov.com>
Subject: RE: Memmen Property

Good Morning Eugene,

Brad Boland is the Project Manager for this potential project. I am forwarding your inquiry to him, however he is out of the office this week, so I will answer what questions I can in the interim. The property owner has not submitted a formal application for the rezoning yet. If and when we do receive a submittal, the Town's Development Activity map on the website will be updated with a fact sheet summarizing the project. A rezoning application must include preliminary utility and drainage reports and master traffic study that are analyzed by Town engineers to determine the existing conditions and capacities of the infrastructure systems in terms of its ability to accommodate the proposed development. Those reports will be available to the public.

Before any property is developed, a site development plan and construction documents, including final utility, drainage and traffic analyses must be submitted, reviewed and approved. It is at that stage of development that Town engineers analyze the infrastructure needs of a project and, specific to your concern, determine what improvements are necessary to capture and contain storm run-off. As with the proposed rezoning, a neighborhood meeting is required with the submittal of a site development plan. The site plan documents will be available to the public, as well.

Both a rezoning and site development plan require public hearings before the Planning Commission and Town Council, with the Council having final approval authority. I hope this is helpful for the time being. Brad will be back in the office a week from today. Thank you, Sandy

Sandy Vossler, Senior Planner

Town of Castle Rock

Development Services Department

720-733-3556

From: Eugene Tolini <[redacted]
Sent: Sunday, June 16, 2019 2:03 PM
To: Sandy Vossler <[redacted]
Cc: Eugene Tolini <[redacted]
Subject: Memmen Property

There was a meeting held on May 21, 2019 at 6:00 P.M. regarding this property. The subject property is addressed/located/described as 667 N. Ridge Road located approximately one-half mile East of Highway 86 on the south side of Ridge Road, Town of Castle Rock, Colorado . The

neighborhood meeting was held to discuss a Major Zoning Amendment to change the land use and density of approximately 175 acres and request a variance for the Skyline/Ridgeline Ordinance. The proposed amendment will allow for approximately 650 single family detached homes.

As a home owner on Larkspur Drive below this property. I am concerned about water runoff from this proposed property during a torrential rain as we commonly get here in Castle Rock. This properties natural grade is sloping downhill to the homes below the rock ledges. The grade would require the storm sewer water be re-routed back up the grade or around the homes below to avoid direct runoff to the properties below. In addition a set back of some distance should be required from the rock ledges to protect the property below from water run off.

Please advise of the current status of this Major Zoning Amendment.

Sincerely,
Eugene Tolini
[redacted] S Larkspur Drive
Castle Rock, CO

Brad Boland

From: LARRY BANISTER <[redacted]
Sent: Thursday, May 18, 2023 12:36 PM
To: [redacted] Brad Boland; Sharon Chavez
Subject: Re: Founders Vista Development

Hello,
Thank you very much, I really appreciate your service to our town.
One concern outstanding:
* In the email that Brad responded to - public access to walk the land with plots, boundaries, and detention ponds marked out.

* From your email Rusty, and Brad's, I am still concerned these types of responses are not 'advertised' at all to the meeting attendees as part of the invitation letter. Because I took the time to ask I am privy to them, but the general public needs to be clearly informed of where this information resides at the time of meeting invitation. Also, I looked for meeting notes on the Town Development Activity Map. I do see the studies, but not meeting notes.

Brad wrote:
* E-mails received over the course of the project will be included in the staff report that is prepared for Planning Commission and Town Council
* Minutes are not something that are sent as part of a noticing packet. I have attached my notes to this e-mail and they can also be found on the Town's Development Activity Map. The notes will be included in the staff report to PC and TC.
---
* The general public does not know about studies such as Rusty's Drainage Study, and the Geotechnical Investigation unless the invitation letter points directly to them.

* Here is an example from the GI report that the public needs to be clearly informed as to where it resides.
Overlot grading into cemented or very hard sandstone using scrapers will probably not be possible or efficient. Utility trench excavations using backhoes may also be precluded. Nearby developments such as Founders Village, Castlewood Ranch and
Terrain have similar conditions. It has proven difficult and expensive to excavate these materials, and once they are removed, they have to be mechanically broken down to use as backfill. These layers will likely require rock excavation methods using heavy rippers, blasting, rock saws, and/or pneumatic hammers and stingers. In order to reuse the excavated rock, it would need to be broken down to pieces no larger than 3 inches in diameter, then blended with soil fill.

Excavations in cemented sandstone, and perhaps very hard sandstone (50/5 and harder), will be challenging and will require additional effort for efficient excavation. Hard rock excavation techniques typically include combinations of heavy ripping, pneumatic hammers, rock saws and/or controlled blasting. Heavy ripping and slower than normal excavating should be anticipated.

* We need a great deal of discussion on Drainage detention ponds (3). A big concern and very controversial, and your study should be advertised.

My grandson has a Star Wars trumpet solo tonight and I cannot attend the meeting.
Thanks for your time,
Best Regards,
Larry Banister

On 05/18/2023 10:43 AM MDT [redacted] < [redacted] wrote:

Mr. Banister,

Below, please find our responses to comments received in your email dated 5/15/23

Thank you for your comments and interest in Founders Vista.

Rusty Hall
Highline Engineering
303-889-0044

On Monday, May 15, 2023 at 12:48:01 PM MDT, LARRY BANISTER < [redacted] wrote:

Hello Brad, Russel, and Sharon,

I've attached Jim Cable's email and will forward one from Jim Peterson as examples of many emails resulting from the 1st, 2nd and 3rd meetings. I cannot find anything that was published by CR documenting these or the numerous concerns raised from the meetings - no minutes, no Action Items listed or followed up on. We need this documentation in order to have focused and meaningful discussions on May 18th.

I think you all know that some living in this locale on Gordon Drive built their houses here in the 70's. They have lived long lives here and have very wise counsel on what is good for the area, and no one else knows better. I've lived in CR since 1985, and on Gordon Drive since 1997. I framed houses here in the 80's for Youngs 2nd and 3rd addition to CR.

In fairness to the time, leg work, and very professional communications our neighbors expended to raise concerns in the past 3 neighborhood meetings, I hope CR will document and publish all of the issues and concerns you have received about water, drainage, blasting, wildlife impact, traffic, etc. The public deserves and needs to know everything that has transpired going into this 4th meeting on May 18th.

Thank you. I will try to send my personal concerns about the re-zoning in separate email.
Larry Banister
433 Gordon Drive

---------- Original Message ----------
From: [redacted]

To: [redacted] Larry Banister
<[redacted]
Cc: [redacted]
Date: 02/01/2022 4:28 PM MST
Subject: FW: Founders Vista Development

Hi All,

Below is what I sent to Russel Hall (Developer), Brad Boland (Town Planner) and Caryn Johnson (Town Councilmember - Dist 5) regarding the Founders Vista Subdivision.

Thanks,

Jim Cable

[redacted] <mailto[redacted]

[redacted]

[redacted]

From: [redacted] <[redacted]
Sent: Tuesday, February 1, 2022 4:05 PM
To: [redacted] <[redacted] 'bboland@crgov.com' <bboland@crgov.com>; 'cjohnson@crgov.com' <cjohnson@crgov.com>
Subject: Founders Vista Development

Russel, Brad and Caryn

I have three primary concerns with the Founder Vista Development.

1. Geologic Risk - On July 24, 1979 a letter to the Town of Castle Rock from James Soule, Engineering Geologist for the Colorado Geologic Survey indicated that parts of the Memmen's Third Filing (including Gordon Dr, Gordon Lane and Larkspur Dr) have moderate to severe geologic hazards. On January 12, 1982 a boulder split above the homes on Gordon Dr. and forced the evacuation of residents along Gordon Dr. for a couple weeks. I've attached the Douglas County News Press articles. Based on the presentation by the developer's representative Russel Hall on Jan 3, 2022 we were told that excavation for underground utilities and basements would require significant rock removal. Methods to remove the rock could include both blasting and hydraulic splitting. Both of these methods send substantial shock waves thru the ground. My concern is that these shock waves could cause unstable rocks to tumble down the hillside and into the homes below. From the 1982 incident we know this has the potential to occur. In my view, as a degreed Civil Engineer (not registered in the State of Colorado), the reasonable course of action is to undergo a geologic risk assessment of the

entire ridge line including all of Gordon Dr, Gordon Lane and Larkspur Dr, by a third party geologic engineering firm. (To my knowledge this has not been done at this time.) Then any discovered hazards should be mitigated before development of the site begins. Mitigation alternatives to be considered should include an appropriate set back from the rock face. Below are some pictures showing some areas of concern.

Response:

A. The owner/builder will have a third party Geologic "Rock Fall" Risk Assessment completed by an engineering firm with this scope of expertise.
B. Assessment should include safe distances (setback distance) to blast in proximity to the ridge line and set a Peak Particle Velocity (PPV) blasting vibration threshold for the ridge line.
C. Rock fall hazards should be mitigated prior to the start of the development and as an option install crack gauges to monitor movement of rock features on the ridgeline rock outcrops during the development.

2. Access Road from Gordon Dr to detention pond and facilities. In the past before the town put up fencing around the new wastewater culvert, kids would use the access to the detention pond area and go smoking up there. This area in the Community Wildfire Protection Plan 2022 (https://castlerock-co.legistar.com/View.ashx?M=F <https://castlerock-co.legistar.com/View.ashx?M=F&ID=10402603&GUID=2CC1D2A6-790F-47C7-8C22-F93CB9593901> &ID=10402603&GUID=2CC1D2A6-790F-47C7-8C22-F93CB9593901) has been designated
a Very High fire risk. It is not appropriate to have access to this area from Gordon Dr or to the public in general. Any road access will lead people to use that as a hiking or biking trail no matter the signage, or chained access. I also see no reason for the HOA for Founders Vista to manage this site as the impact of the detention area has little or no consequences to the HOA and significant consequences to the residents of the Gordon Dr area. Once the construction is completed by the developer, it should be turned over to the town to manage and bill the HOA appropriately for maintenance.

RESPONSE: Storm sewer is proposed to convey developed runoff from the upper plateau to the proposed detention pond below.

Access to the pond and storm sewer is required for maintenance by the Town.

Also, the land surrounding the detention pond will be dedicated to the Town of Castle Rock. After which, the Town will

have the right to enforce trespassing and control access to the pond and open space.

3. Skyline / Ridge variance: Given the geologic risk above I see no reason to allow the variance of the Skyline / Ridge ordinance which pushes the development and associated rock removal closer to the ridge line rather than helping to mitigate the geologic risk to the homes on Gordon Dr, Gordon Lane and Larkspur Dr. In addition the lots in Yellow with houses will block the view line (blue line) from the view point on Plum Creek Blvd. Also note that the green lots are on the ridge line per the developers map. In my view a reasonable alternative is to remove the cul-de-sac and the lots adjacent to the ridge line to both lower the geologic risk and limit the Skyline

encroachment.

RESPONSE: In an effort to provide more separation between the Cliff edge and proposed homes,

the cul-de-sac identified as Aryshire Court on the Site Development Plan for Founders Vista has been

relocated approximately 250 feet east of Birrcastle Way, (it's original location).

As stated in the previous neighborhood meetings, the area seeking relief from the No-Build area of the

Skyline-Ridgeline ordinance is completely surrounded by homes outside the No-build area. As a result, the proposed lots

are not visible from any Town Viewing platform.

In 1982 the liability for the problems at that time was murky. The Catholic Church owned the property which was in Douglas County and threatening residents in Castle Rock for a town approved development where the town had been warned that the development was in a moderate to severe geologic hazard area. In this instance all parties should now be aware of some potential geologic risks and take the appropriate action to access those risks.

Thank you,

Jim Cable

[redacted] <mailto [redacted]

[redacted]

Brad Boland

From: Cozy Swickard <[redacted]
Sent: Monday, May 22, 2023 5:40 PM
To: Brad Boland
Cc: George Teal
Subject: Memmen Young Project meeting 5/18/23

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Brad: following last week's meeting, here are some comments:

1) Mr Hall's submittal still doesn't illustrate the topographical features of the proposed development. This has a negative impact on the claim that the project dedicates '48%' of its land to open space. The truth is that 48% of the property is unbuildable due to terrain. This is the fourth request: add topographical features to the submission to show the property accurately.

2) Along the same lines, it would be helpful to show the adjoining property owner's names on the submission so that the public can accurately identify those who will be most seriously affected by the proposed development. This is the first step in undertaking a serious effort to address the serious concerns of existing property owners regarding this project.

3) Mr Hall stated that there would be little or no traffic impact, 'something along the lines of 560 trips per day.' This is obviously not true. Rocha's 2019 traffic report updated in 2022 clearly states that the volumes at buildout will be in the area of 4800 trips per day, i.e. by the end of 2024. Rocha's report also predicts that p.m. traffic conditions at the corner of North Ridge Road and Plum Creek Parkway will be LOS F, i.e. 'constant traffic jam' for eastbound drivers turning right onto North Ridge Road. This obviously means that 562 dwelling units is too much even for the expanded infrastructure of North Ridge Road and Plum Creek Parkway (each comprising four lanes.) In order to arrive at a LOS C or even LOS D, math would dictate the optimum number of dwelling units; 400? 300?

4) Rocha's report states that 55% of the new 4800 trips would route through the Ridge Road / Plum Creek Parkway roundabout. That's 2600 southbound trips on North Ridge Road past our driveway. We have had tremendous problems with Castle Rock Public Works recognizing the difficulties accessing and leaving our driveway - located within 100' of the Plum Creek / Ridge Road roundabout - safely. With this much more traffic whizzing past our driveway which is now right-in / right-out, our ability to enter and exit safely is becoming a potential liability for the Town.

5) Rocha's traffic report also concluded that the enormous trip volumes would necessitate 200+ feet deceleration lates for turning into the proposed development entrances. This means more land given over to pavement, a feature that is not included in Mr Hill's proposal. This affects land use and could further reduce the number of dwelling units.

6) Even though the Rocha report was updated in 2022, there is no mention of the current northbound traffic backup on North Ridge Road at the Highway 86 traffic light. It is a two-light delay for northbound drivers turning left onto Highway 86 (Fifth Street) on weekday mornings. In the evening, traffic turning left onto Highway 86 southbound from Founder's Parkway also suffers a two-light delay. This is a function of volume, not construction. Though Rocha mentions a fancy new roundabout on that corner, 562 new dwelling units will produce unimaginable traffic backup.

7) The Skyline variance should be denied. The whole reason for creating the ordinance was to preserve views. No matter how Mr Hill tries to slice it, Skyline views will be lost to rooftops which negates the ordinance's intent. Mr Hill attempts to rationalize the variance with imagined viewing platform figures that are simply functional. By the time building elevations are finalized, the Ridgeline will be visible from all the surrounding residences. The ordinance was

implemented in an effort to preserve Castle Rock's natural beauty. Adding 17 more houses is not a significant reason to override the ordinance's intent. Preservation is needed more today than ever.

Thank you for your attention, C.

Cozy Swickard
[redacted] N Ridge Road
Castle Rock, CO 80104
[redacted]

Brad Boland

From: Jill Holland <[redacted]
Sent: Thursday, May 25, 2023 8:25 AM
To: Brad Boland
Subject: Memmen-Young development

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Boland,

We cannot attend tonight's meeting, either in person or hybrid, as we have out-of-town company arriving this evening. My husband and I have attended 2 of the 3 neighborhood meetings, including last week's.

I'd like to weigh in with my vehement opposition to this development, primarily because of water issues and traffic issues. I know that ON PAPER, the Town and the developer say that neither of these will be a problem. I disagree. Maybe water availability will remain stable for the next 10 years, but what about after that? What about all of the people that already have wells, that now have to share this non-rechargeable water source with 562 new households?

From day one on this project, (and also on the Chateau Valley development, whose east boundary is our west property line), my goal has been to have the density significantly reduced. The developer touts that density has been reduced from what was originally approved in the 80s, but further reductions in DUs have been minuscule, and nothing more than lip service, in my opinion.

I have asked this question of Laurie Van Court (via a response to her comment on NextDoor), and have received no answer. So I'm asking you the same:

Can the Town significantly reduced the current number of dwelling units requested (currently 562) as a condition of approval? 300 DUs seems much more reasonable and sustainable.

I eagerly await your answer, and I thank you for your time.

Sincerely,
Jill Holland
[redacted] Plum Creek Pkwy, Castle Rock, CO 80104

Brad Boland

From: Desiree LaFleur
Sent: Thursday, May 25, 2023 10:43 AM
To: Tara Vargish; Brad Boland
Cc: Dave Corliss
Subject: Fwd: Memmen Young/Founders Vista Plan Development Plan Amendment and Annexation

Good morning guys,
Please see the residents email below.
Unfortunately I will not have time to meet Mr. Reagan before tonight's Planning Commission meeting but I will try to call him.
Any advice is welcomed!

Thanks,
Desi

Desiree A. LaFleur
Town of Castle Rock
Councilmember District 4
dlafleur@crgov.com
303.660.1384
www.CRgov.com

Begin forwarded message:

> **From:** Doug Reagan <[redacted]
> **Date:** May 24, 2023 at 2:24:35 PM MDT
> **To:** Desiree LaFleur <DLaFleur@crgov.com>
> **Subject: Memmen Young/Founders Vista Plan Development Plan Amendment and Annexation**
>
> Dear Desiree LaFleur,
>
> I am writing to communicate some concerns with the Memmen Young/Founders Vista Planned Development Plan Amendment and Annexation as currently proposed. I have resided in Castle Rock since 1978 and have lived in District 4 (350 Gordon Drive) for more than 25 years. I served on the CR Planning Commission from 1984-1988 and was on the Commission when the original plan for this property was approved. Last Thursday, May 18, 2023, I attended the third and last neighborhood meeting on this project and will be attending the Planning Commission hearing on this project at the CR Planning Commission meeting tomorrow, Thursday, May 25th.
>
> I would like to meet with you in advance of this meeting, or at least have an opportunity to speak with you by phone (cell: 303-881-0983), to discuss some of the significant concerns that have been voiced at neighborhood meetings that directly affect the residents of District 4 and in the area proposed for

development. I and others believe that these concerns have not been sufficiently addressed in neighborhood meetings.

Case in point: After the neighborhood meeting of January 5th 2022, I contacted Brad Boland of Development Services to discuss some of these issues, in particular the detention pond and related facilities to be constructed directly behind my house. I subsequently sent Brad a lengthy email message on January 26, 2022 elaborating on my concerns and suggesting some possible solutions. On January 28th, Brad responded, thanking me for my patience and input, stating that my message would be included in the official project record, and that he would reach out to CR Water and forward my message to the applicant. At this time, Brad indicated that he would try to arrange a meeting involving him, me, and representatives of the applicant and CR Water. I had asked for such a meeting to try and resolve issues with the detention pond planned behind my house so that the matter could be resolved cooperatively, rather than by confrontation. My experience with environmental conflict resolution (I have been certified by the U.S. Institute for Environmental Conflict Resolution [IECR]), and I have participated in numerous such negotiations. I received no further information on the subject until I visited Brad at his office last Monday, May 15th, over 15 months since I had initial requested a meeting. As of today, I have heard nothing further about this meeting.

The third (and last) neighborhood meeting for this project was held on May 18, 2023. The public hearing in front of the CR Planning Commission has been scheduled for one week later, May 25th. If there were no substantive issues, this would be acceptable, but several significant issues raised by residents at these meetings do not appear to have been adequately addressed by the applicant.

I have spent my professional career as an environmental scientist and planner, conducting numerous projects throughout the United States and in a dozen countries. I am not, nor have I ever been opposed to this proposed project, but I'm alarmed by the lack of relevant supporting information or unbiased data I have seen that has apparently been used to justify key elements of this project "amendment," which appears to be an entirely new proposal rather than an amendment to the existing one. Among the concerns voiced at neighborhood meetings are the following:

- The area proposed for this development has complex topography and underlying geology which present significant challenges to development. I have not seen a topographic map of the area that shows the cliffs and drainages. At the neighborhood meeting last week, the request was again made for such a map. The response was that it would make the map "cluttered." A topographic map at the relevant scale and with the appropriate contour intervals should be a minimum requirement, especially for a property with the challenges presented for development on caprock/bedrock, such as is the case for this property.

    - The applicant's representative acknowledged that the layout of houses and infrastructure could change, based on the results of geotechnical surveys. My experience has been that the planned infrastructure and residential lots (that involve blasting of bedrock) should follow, not precede appropriate geotechnical surveys of the bedrock and escarpment by independent experts prior to designating development infrastructure (houses, roads, pipelines, etc.) to determine project layout and project feasibility. Geotechnical surveys are also necessary to evaluate potential impacts, particularly to existing residences, such as those along Gordon Dr., that are located at the base of the escarpment directly below room-sized boulder as cliffs. As was pointed out in at least one neighborhood meeting, the consequences of development that result from insufficient geotechnical assessment could potentially result in catastrophic property damage and even to loss of life.
    - The underlying assumptions used in conducting the traffic study: Information presented in neighborhood meetings suggests that the traffic study may not cover adequately cover all potentially affected roads (e.g., Fifth St.). Are these assumptions reasonable and sufficiently

comprehensive? Discussion at the neighborhood meetings I attended cast doubt on the adequacy of the current assessment.

- Development of the detention pond and access road connecting to Gordon Drive in PL 2.1: These was shown on a map provided at the first Neighborhood meeting, but not shown on the planned development plan (sheet 3 of 5) of the maps that were presented at the May 18th Neighborhood meeting, which we were told were those that would be submitted to the Planning Commission on May 25th. When I met Brad at his office on May 15th, he indicated that both were still planned and that they had been reviewed by CR Water. Both pond and road present significant potential risks (e.g., flooding, public access to areas identified as posing extreme fire danger) to the Gordon Drive neighborhood, including my property and that of my immediate neighbors. More information should be provided, reviewed carefully, and adjustments made to protect the Town of Castle Rock and its residents from avoidable hazards and associated liability.
- Erosion potential and mitigation: The map (sheet 5) shows large areas designated for regrading. Our last neighborhood meeting was cut short by the applicant before I had the opportunity to ask if regrading might also include blasting. Even without topographic lines, it appears that regrading would be done on a slope, creating potential for large amounts of soil to be transported downhill in the event of rainfall events. This could adversely impact the detention pond in PL 2.1 and residents on Gordon Drive, of which I am one. An evaluation of erosion potential and any proposed mitigation should be made prior to acceptance of this amendment to avoid.

- Visual impact assessment: The visual assessment we were told had been conducted, does not appear to address all relevant areas, based on discussion at neighborhood meetings. This information should be carefully reviewed for adequacy.

As one who has been involved in numerous planning activities, I hope that the Planning Commission considers these issues, is able to perform adequate and careful reviews of the proposed plan, and is able to evaluate the adequacy of the data used to justify the changes proposed in the amendment and annexation document.

At the conclusion of the neighborhood meeting last week, I asked for copies of the minutes of the neighborhood meetings. I had been unable to attend one of those meetings. Brad responded that there were no minutes, only "summaries of what I heard." I responded that I understood the purpose of these neighborhood meetings was to inform stakeholders of what was being proposed in order to try and resolve issues before bringing matters to CR Planning Commission hearings. He replied that this neighborhood meeting was to let attendees see what would be presented to the Planning Commission.

The lack of minutes would seem to be a serious omission in the records of this project, hence the detail I'm providing here for the benefit of the Planning Commission and eventually, of the Town Council. As an environmental scientist and planner, I strongly recommend that Planning Commission and Town Council Members conduct a tour of this proposed area to obtain a better grasp of the many areas of concern before acting on this proposal. If potentially affect members of the public could be included, all the better.

I apologize for the short notice, but I was not expecting that this proposal would be presented to the CR Planning Commission only a week after the last neighborhood meeting, particularly in view of the number of serious but unresolved issues remaining.

I look forward to connecting with you and to hopefully seeing you at the public hearing before the CR Planning Commission tomorrow evening.

Respectfully,

Douglas Reagan, Ph.D.

[redacted] Gordon Drive, Castle Rock, CO

Brad Boland

From: Laurie MacLeod <[redacted]
Sent: Thursday, May 25, 2023 1:49 PM
To: Brad Boland
Subject: Memmen/Founders Vista Proposed Planned Development

Follow Up Flag: Follow up
Flag Status: Flagged

Hello,

I would like to submit my concerns regarding this development. I have lived on Johnson Drive in Castle Rock for almost 35 years. During this time, I have witnessed significant growth. I understand that growth is inevitable and desirable for many, but believe that the town is growing too fast and there is not appropriate infrastructure in place to support it.

This particular development, and many others in the area, have me quite concerned. The Town of Castle Rock is allowing developers to build many homes, duplexes and condos in the area. There have been little changes to infrastructure of the town to handle all these additional people. I have heard that Hwy 86 is being widened to accommodate the additional traffic, but it won't be enough.

In addition, we have a lack of water tables/aquifers in this area. How are we going to sustain the needs of the people of this town when we continue to let builders build? According to the Town of Castle Rock's website "Nearly 75% of all water consumption is used by residents."

In the area that is slated for development just east of my home is currently home to a great deal of wildlife, in particular bears. In the early 90's, we frequently saw deer. It has been several years since I have seen any in the area. The bears are still present, but after this development goes in, where will they go?

Also, when I purchased the home, it was my understanding that the Memmen Ridge and the 'subject property' would not be developed. We are losing our small town feel and the views in this valley, which is why we moved here along with many others.

Concerned citizen,
Laurie MacLeod
[redacted] Johnson Dr.
Castle Rock, CO 80104

Brad Boland

From: Celene Swiftshadow <[redacted]
Sent: Friday, May 26, 2023 10:50 AM
To: Brad Boland
Subject: Memmen Young/Founders Vista Proposed Planned Development Plan Amendment and Annexation

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning,

I hope this email finds you well. I would like to express my concern as a homeowner in the Memmen area about this development. I am located on South Street and have already been impacted by the amount of road construction throughout the area. My driveway sits on a curve and even with a mirror to help me back out I have almost been in several accidents due to citizens rushing through my neighborhood to bypass construction, or due to detours caused by this construction. The road ways surrounding this area are not built for such a population that we have already and yet we look to develop more and increase the population surrounding downtown Castle Rock. I have reached out to suggest more stop signs in my local neighborhood and have been told I need others in the neighborhood to sign off on this. For stop signs. With this development we look at increased traffic through these little roadways and I understand ridge road is getting widened as I type this out however, have we asked ourselves if this is enough for the flow of traffic we have already? Have we looked at the environmental impact this development will have on our local wildlife? I have bears and coyotes in my yard as it is, mountain lions are sighted by that church this development is down hill of. We are not just increasing our population but also taking away from the wildlife we have here, not to mention the beautiful natural land we have. Instead of driving down 5th and seeing lush trees, we'll be looking at cookie cutter housing. and lastly, I know Castle Rock water insists that they are working on securing more water for us but I have been here owning a home for three years and yet we've always been in a drought. My yard is mostly weeds and dirt due to not wanting to use water for non-native grasses.

1. increased traffic with lack of traffic flow
2.local wildlife and views being pushed out and destroyed
3.where is our water going to come from with increase to the population

I am sadly against this development going in, I believe this area should be turned into a park or open space much like Rhyolite or Memmen Open Space. We need to preserve our land, not continue to develop it.

Thank you for reading,
Vanessa Epperson