

FIRST AMENDMENT TO COLORADO MOUNTAIN COLLEGE PLANNED UNIT
DEVELOPMENT GUIDELINES

SPRING VALLEY

1. The Board of County Commissioners of Garfield County approved the Colorado Mountain College Planned Unit Development on September 22, 1975 (the "PUD").
2. The PUD included 622 acres owned by Colorado Mountain College a/k/a Colorado Mountain Junior College District ("CMC") to be used for the principal use to support a community college, including but not limited to building of classrooms, laboratories, teaching and administrative offices; student recreation, social and housing; learning center and ancillary buildings for college maintenance. The legal description of the PUD is attached hereto as Exhibit A and incorporated by reference.
3. The PUD also includes five acres sold to a private commercial developer for the construction of apartment buildings.
4. The proposed uses within the PUD were Educational Facilities, Student Apartments and Common Open Space according to the original PUD Application attached hereto as Exhibit B and incorporated by reference ("PUD Application").
5. CMC submitted to Garfield County an application for a Minor Modification to the PUD to allow for a telecommunication facility.
6. On July 13, 2015, the Director of the Community Development Department approved the request for a Minor Modification to the PUD with certain conditions (the "Director's Decision").
7. CMC is amending the existing uses within the PUD consistent the Director's Decision.
8. CMC hereby amends the PUD to include the following permitted use under the Proposed Uses outlined in the PUD Application:

Permitted Use. The construction and installation of one (1) telecommunication tower, not to exceed seventy (70) feet, shall be permitted by right with no further review by Garfield County, subject to the following standards:

A. That the Facility shall be operated in accordance with all applicable Federal, State, and local regulations governing the operation of this type of facility including any FCC and FAA regulations.

B. That the location of the facility shall be subject to County Planning Commission Location and Extent Approval and any representations contained in said application.

EXHIBIT A



Reception#: 867077
08/21/2015 01:59:41 PM Jean Alberico
2 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

LEGAL DESCRIPTION

Parcel 1:

A tract or parcel of land in Lot 5 and Lot 6 of Section 9 and in Lot 6 and in Lot 7 of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian, in Garfield County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point which is the SW corner of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian, from which point the NW corner of said Section 9 bears S. 89°42' W., a distance of 180.8 feet;

Thence N. 89°42' E., along the south line of said Section 4, a distance of 683.1 feet;

Thence N. 0°25'30" W., a distance of 1,444.7 feet, to the northwesterly line of the county road;

Thence N. 61°35'30" E., along the northwesterly line of the county road, a distance of 658.6 feet;

Thence N. 72°45' E., along the northwesterly line of the county road, a distance of 112.7 feet, to the east line of Lot 6 of said Section 4;

Thence S. 0°13'30" E., along the east line of Lot 6 and Lot 7 of said Section 4, a distance of 1,787.8 feet to the south line of said Section 4;

Thence S. 0°07'30" E., along the east line of Lot 5 and Lot 6 of said Section 9, a distance of 1,044.4 feet;

Thence S. 89°42' W., a distance of 1,374.6 feet;

Thence N. 0°20' E., a distance of 1,044.5 feet, more or less, to the point of beginning

Excepting therefrom the strip of land 60 feet in width, which is the county road now situated and in place [December 29, 1966] and which extends along the northerly portion of the above described parcel.

Parcel 2:

A tract or parcel of land in Lot 6 and in Lot 7 of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian, in Garfield County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the West line of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian, from which point the NE corner of Section 8, Township 7 South, Range 88 West, of the Sixth Principal Meridian, bears S. 9°28' W. a distance of 1,139.4 feet;

Thence N. 0°20' E. along the West line of Section 4, a distance of 1,442.7 feet to the North line of Lot 6 of Section 4;

Thence S. 89°55'30" E. along the North line of Lot 6 of said Section 4 a distance of 1,341.5 feet to the East line of Lot 6 of said Section 4;

Thence S. 0°13'30" E. along the East line of Lot 6 and Lot 7 of said Section 4, a distance of 768.8 feet, to the Northwesterly line of the County Road;

Thence S. 72°45' W. along the Northwesterly line of the County road, a distance of 112.7 feet;

Thence S. 61°35'30" W. along the Northwesterly line of the County road a distance of 658.6 feet;

Thence S. 57°46' W. along the Northwesterly line of the County road a distance of 271.8 feet;

Thence S. 61°58'30" W. along the Northwesterly line of the County road, a distance of 214.2 feet;

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Reception#: 867077
08/21/2015 01:59:41 PM Jean Alberico
3 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

Thence S. $72^{\circ}07'30''$ W. along the Northwesterly line of the County road, a distance of 259.5 feet, more or less, the point of beginning

Parcel 3:

Beginning at a point, which point is the SW corner of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian, from which point the NW corner of Section 9, Township 7 South, Range 88 West, of the Sixth Principal Meridian, bears S. $89^{\circ}42'$ W. a distance of 180.8 feet;

Thence N. $0^{\circ}20'$ E., along the west line of said Section 4, a distance of 1123.0 feet, to the northwesterly line of the County road;

Thence N. $72^{\circ}07'30''$ E., along the northwesterly line of the County road, a distance of 259.5 feet;

Thence N. $61^{\circ}58'30''$ E., along the northwesterly line of the County road, a distance of 214.2 feet;

Thence N. $57^{\circ}46'$ E., along the northwesterly line of the County road, a distance of 271.8 feet;

Thence S. $0^{\circ}25'30''$ E., a distance of 1,444.7 feet; to the south line of said Section 4;

Thence S. $89^{\circ}42'$ W., along the south line of said Section 4, a distance of 683.1 feet, more or less, to the Point of Beginning

Parcel 4:

A tract or parcel of land in Lot 1 and in the S1/2NE1/4 of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian, said tract or parcel of land being more particularly described as follows: Beginning at a point in Lot 1 of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian, from which point the NE corner of said Section 4 bears N. $33^{\circ}20'30''$ E., a distance of 995.7 feet;

Thence S. $0^{\circ}30'30''$ E., a distance of 514.4 feet, to the North line of the S1/2NE1/4 of said Section 4;

Thence S. $0^{\circ}30'30''$ E., a distance of 1,346.1 feet, to the South line of the S1/2NE1/4 of said Section 4;

Thence N. $89^{\circ}55'30''$ W., along the South line of the S1/2NE1/4 of said Section 4, a distance of 2,128.3 feet, to the West line of the S1/2NE1/4 of said Section 4;

Thence N. $0^{\circ}30'30''$ W., along the West line of the S1/2NE1/4 of said Section 4, a distance of 1,344.4 feet, to the North line of the S1/2NE1/4 of said Section 4;

Thence S. $89^{\circ}58'$ E., along the North line of the S1/2NE1/4 of said Section 4, a distance of 1,343.3 feet, to the West line of Lot 1 of said Section 4;

Thence N. $0^{\circ}35'$ W., along the West line of Lot 1 of said Section 4, a distance of 514.4 feet;

Thence S. $89^{\circ}58'$ E., a distance of 785.7 feet, more or less, to the point of beginning

Parcel 5:

A tract or parcel of land in the NE1/4SW1/4 and in the NW1/4SE1/4 of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian, in Garfield County, Colorado, said tract or parcel being more particularly described as follows:

Beginning at a point on the north line of the NW1/4SE1/4 of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian, from which point the SE corner of said Section 4 bears S. $30^{\circ}52'30''$ [no recital of E or W], a distance of 2,933.8 feet;

Thence S. $0^{\circ}30'30''$ E., a distance of 1,264.9 feet, to the south line of the NW1/4SE1/4 of said Section 4;

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Reception#: 867077
09/21/2015 01:59:41 PM Jean Alberico
4 of 14 Rec Fee:\$76.00 Doc Fee:0 00 GARFIELD COUNTY CO

Thence S. 89°49' W., along the south line of the NW1/4SE1/4 of said Section 4, a distance of 1,214.1 feet to the west line of the NW1/4SE1/4 of said Section 4;

Thence S. 89°49' W., along the south line of the NE1/4SW1/4 of said Section 4, a distance of 1,360.0 feet, to the west line of the NE1/4SW1/4 of said Section 4;

Thence N. 0°13'30" W., along the west line of the NE1/4SW1/4 of Section 4, a distance of 1,276.6 feet, to the north line of the NE1/4SW1/4 of said Section 4;

Thence S. 89°55'30" E., along the north line of the NE1/4SW1/4 of said Section 4, a distance of 1,353.7 feet, to the east line of the NE1/4SW1/4 of said Section 4;

Thence S. 89°55'30" E., along the north line of the NW1/4SE1/4 of said Section 4, a distance of 1,214.2 feet, more or less, to the point of beginning

Parcel 6:

Lots 4, 5, 6, 7, 8, 10 and 11 of Section 4, Township 7 South, Range 88 West, of the Sixth Principal Meridian

EXCEPTING THEREFROM Lot 10 in the South one-half of said Section 4

Parcel 7:

Beginning at a point on the east line of Section 5, Township 7 South, Range 88 West, 6th Principal Meridian, from which point the NE corner of Section 8, Township 7 South, Range 88 West, 6th Principal Meridian, bears S. 9°28' W., a distance of 1,139.4 feet;

1. Thence S. 72°07'30" W., along the northwesterly line of the County road, a distance of 195.8 feet;
2. Thence N. 0°12' W., a distance of 4,187.5 feet, to the north line of said Section 5;
3. Thence N. 0°12' W., into Section 32, Township 6 South, Range 88 West, 6th Principal Meridian, a distance of 823.5 feet;
4. Thence S. 89°57' E., a distance of 201.0 feet, to the east line of said Section 32;
5. Thence S. 89°57' E., a distance of 177.4 feet, to the east line of Lot 18, Section 33, Township 6 South, Range 88 West, 6th Principal Meridian
6. Thence S. 0°07'30" E., along the east line of Lots 18 and 19 of said Section 33, a distance of 823.5 feet, to the South line of said Section 33;
7. Thence N. 89°57' W., along the South line of said Section 33, a distance of 177.4 feet to the corner common to said Sections 32 and 33, and Sections 4 and 5 of Township 7 South, Range 88 West, 6th Principal Meridian;
8. Thence S. 0°12' E., along the East line of said Section 5, a distance of 2,684.6 feet, to the East ¼ corner of said Section 5;
9. Thence S. 0°20' W., along the East line of said Section 5, a distance of 1,442.7 feet, more or less, to the point of beginning

Parcel 10:

Lot 12 in Section 4, Township 7 South, Range 88 West of the 6th Principal Meridian

Parcel 11:

Parts of Lots 6 and 7 of Section 4, part of Lot 11 of Section 5, all of Lot 8 and part of Lots 3 and 4 of Section 8 and all of Lots 4, 5, 6, and 7 of Section 9, all in Township 7 South, Range 88 West of the 6th Principal Meridian, Garfield County, Colorado, lying Southeasterly of a County road as constructed and in place [April 21, 1972], described as follows:

When recorded, please return to:
BEATTIE, CHADWICK & HOUP, LLP
ATTORNEYS AND COUNSELORS AT LAW
932 COOPER AVENUE
GLENWOOD SPRINGS, CO 81601

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Reception#: 867077
08/21/2015 01:59:41 PM Jean Alberico
5 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

Beginning at the Southwest corner of Lot 3 of said Section 8, being the same as the Southeast corner of Lot 4 of said Section 8, whence the Northeast corner of said Section 8 bears N. 52°35'14" E. 1572.97 feet;

Thence S. 88°43'38" W. 426.39 feet along the Southerly line of said Lot 4 to a point on the Westerly line of said road;

Thence N. 03°12'18" E. 242.69 feet along the Westerly line of said road;

Thence N. 14°58'08" E. 144.01 feet along the Westerly line of said road;

Thence N. 32°07'00" E. 1473.78 feet along the Westerly line of said road;

Thence N. 43°58'38" E. 132.65 feet along the Westerly line of said road;

Thence N. 64°10'20" E. 392.30 feet along the Northwesternly line of said road;

Thence N. 72°07'36" E. 885.11 feet along the Northwesternly line of said road;

Thence N. 61°58'39" E. 214.19 feet along the Northwesternly line of said road;

Thence N. 57°45'47" E. 271.83 feet along the Northwesternly line of said road;

Thence N. 61°35'17" E. 658.56 feet along the Northwesternly line of said road;

Thence N. 72°45'00" E. 112.70 feet along the Northwesternly line of said road to a point on the Easterly line of Lot 6 of said Section 4;

Thence S. 00°09'39" W. 1787.80 feet along the Easterly lines of Lots 6 and 7 of said Section 4 to the Northeast corner of Lot 5 of said Section 9, being the same as the Northwest corner of Lot 4 of said Section 9;

Thence N. 89°41'57" E. 1366.29 feet along the Northerly line of said Lot 4 to the Northeast corner of said Lot 4;

Thence S. 00°38'41" W. 2198.27 feet along the Easterly lines of Lots 4 and 7 of said Section 9 to the Southeast corner of said Lot 7;

Thence S. 88°42'41" W. 361.02 feet along the Southerly line of said Lot 7;

Thence North 317.99 feet along the Southerly line of said Lot 7;

Thence S. 69°57' W. 988.46 feet along the Southerly line of said Lot 7;

Thence S. 88°42'41" W. 1601.16 feet along the Southerly lines of Lots 7 and 6 of said Section 9 to the Southwest corner of said Lot 6, being the same as the Southeast corner of Lot 8 of said Section 8;

Thence S. 88°46'10" W. 1245.83 feet along the Southerly line of said Lot 8 to the Southwest corner of said Lot 8;

Thence N. 00°05'49" W. 1319.90 feet along the Westerly line of said Lot 8 to the Northwest corner of said Lot 8, being the same as the Southwest corner of Lot 3 of said Section 8, the point of beginning

Excepting therefrom a strip of land sixty (60) feet in width which is the County road as now situate and in place [April 21, 1972] and which extends along the entire Northwesternly portion thereof in said Lots 3 and 4, Section 8; Lot 11, Section 5; and Lots 6 and 7, Section 4

Parcel 12:

The N1/2SW1/4, SE1/4SW1/4, Section 34, Township 6 South, Range 88 West of the 6th Principal Meridian

ALL PARCELS BEING IN THE COUNTY OF GARFIELD, STATE OF COLORADO

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Reception#: 867077
08/21/2015 01:59:41 PM Jean Alberico
6 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

P. U. D. APPLICATION COLORADO MOUNTAIN COLLEGE SPRING VALLEY

The following narrative and supporting documents are in accordance with the Planned Unit Development Amendment to the Garfield County Zoning Resolution dated November 11, 1974. The proposed P. U. D. is in conformity with the County's general plan.

Ownership - All the property included in the proposed P. U. D. is solely owned or in the process of ownership by the Colorado Mountain Junior College District with the exception of a five (5) acre tract owned by David and James Watts who purchased the property, built and operate a student apartment complex. The Watts Brothers have given the College written consent for this P. U. D. application.

Plan - The planning concepts supporting the request are for the purpose of allowing the College to develop in accordance with our Master Plan which was completed September, 1972 by a firm called "Inter Plan" and recent revisions to this plan by the architectural firm of Caudill Associates.

There are 622 acres to be included in the proposed P. U. D. The principal use for this property is to support a two year community college. The buildings now on the property and those to be built would be: classrooms, laboratories, teaching and administrative offices; student recreation, social and housing; learning center and ancillary buildings for college maintenance.

Dwelling Units - The term dwelling units in this application is intended to mean student apartments. The college has previously sold five (5) acres to a private commercial developer who built and rents apartments to our students. It is the intention of the college to continue this practice. The

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EXHIBIT B

Reception#: 867077
08/21/2015 01:59:41 PM Jean Alberico
7 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

present apartment complex called the Pinon Alps is composed of two apartment buildings and a supporting recreation center. It has forty-four (44) one bedroom units and twenty-nine (29) two bedroom apartments with a total student capacity of one hundred ninety-six (196) students. Our planning projects a need for apartments to house an additional one hundred-twenty (120) students for the 1975-76 academic year, another one hundred-twenty (120) students by 1980-81, and an additional one hundred-forty-seven (147) for our maximum capacity during the year 2000. This will give us student housing for 583 students and will require construction of 193 new apartment units. Our student housing is projected on housing one-third of our full time students on campus.

Common Open Space - The twenty-five per cent minimum will be greatly exceeded.

	Acres	%
<u>Proposed Uses</u> - Educational Facilities	80	13
Student Apartments	20	03
Common Open Space	522	84
	622	100

Internal Circulation Systems - See Map # Three.

School Sites - This is not applicable to our request.

Commercial-Industrial Uses - Not applicable with the exception of student apartments owned and managed by private enterprise.

Utilities - The present utilities are now in existence and in use:

Water - four wells, with a combined capacity of 940 gpm exist of which two are being used to serve our present operation. A 600,000 gallon storage tank, booster pumps, chlorination equipment as well as a 25,000 gallon back-up storage tank.

Sewer - The system is comprised of 8" trunk mains falling into two sewage lagoons. The primary lagoon has aeration equipment

EXHIBIT B

Reception#: 857077
08/21/2015 01:59:41 PM Jean Alberico
8 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

for use when future, increased loads require. Presently only one lagoon is in use with evaporative disposing of all waters.

Gas - Supplied by Rocky Mountain Gas Company through high pressure mains.

Electricity - Supplied by Holy Cross R. E. A. 480/217V-3 phase service.

Telephone - Mountain Bell

Other Restrictions - Architectural Review Committee

The purpose of the committee is to ensure that future buildings constructed in the P. U. D. conform to the objectives set forth in the college is Master Plan.

The Committee will be composed of college staff members and representatives of the college architectural firm.

The Committee will require approval for:

- a. Schematic plans
- b. Preliminary design plans
- c. Final design plans

The Committee will be concerned with the following considerations in any building projects:

- a. Location and site exposure
- b. Setting on property
- c. Parking
- d. Exterior lighting
- e. Underground utilities
- f. Animal restrictions (no pets)
- g. Encourage the use of solar energy
- h. Acoustical treatment
- i. Exterior finish
- j. Fire alarm system

The college has final authority for approving all plans and specifications for any building.

EXHIBIT B

Reception#: 867077
 08/21/2015 01:59:41 PM Jean Alberico
 9 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

PARKING

The College presently has parking spaces for approximately 350 automobiles. Our master plan projects a need for around 900 parking spaces to accommodate the needs of the school which include parking around the student apartments.

The following schedule is from the original master plan, modified to be more realistic to known student enrollment projections:

1. Spaces required for 1975-76

<u>Group</u>	<u>Number</u>	<u>Demand Factor</u>	<u>Total</u>
Students	685	.5	342
Faculty/Staff	65	1.0	65
Visitors	10	1.0	<u>10</u>
			417

2. Spaces required for 1980-81

Students	841	.5	420
Faculty/Staff	92	1.0	92
Visitors	10	1.0	<u>10</u>
			522

3. Spaces required for maximum size

Students	1,450	.5	725
Faculty/Staff	134	1.0	134
Visitors	10	1.0	<u>10</u>
			869

The present parking requirements are satisfied as follows:

Lot #1	80 spaces
Lot #2	50
Lot #3	35
Lot #4	60
Lot #5	<u>50</u>
	275
Apartment site #1 - Pinon Alps	<u>75</u>
Total available	350

EXHIBIT B



Reception#: 867077
 08/21/2015 01:59:41 PM Jean Alberico
 10 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

Master plan projections:

Lot #1	80
Lot #2	80
Lot #3	80
Lot #4	100
Lot #5	105
Lot #6	60
Lot #7	75
Lot #8	20
	<u>600</u>

Apartment site #1 - Pinon Alps	75
#2	75
#3	75
#4	75
	<u>300</u>

Total parking for proposed P. U. D. 900

10x20 canopy spaces

Note: Parking space is calculated at 9 x 18 feet

EXHIBIT B

Reception#: 867077
08/21/2015 01:59:41 PM Jean Alberico
11 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

Regional Location Map - See Map # One .

Site Map - See Map # Two .

Site Topographic Map - See Map # Two .

Legal Description - See Attachment # One .

Written Statement - Objectives: Through a voluntary decision to comply with County Zoning Ordinances Colorado Mountain College is applying for a Planned Unit Development to permit the orderly development of the West Campus.

EXHIBIT B

Reception#: 867077
08/21/2015 01:59:41 PM Jean Alberico
12 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

DEVELOPMENT SCHEDULE--COLLEGE FACILITIES

Existing Structures:

Academic Buildings	48,479 sq. ft.	
Dormitory Building	18,672	
Student Center	4,080	
Animal Health Tech. Building	960	
Natural Resources Building	<u>2,400</u>	
Total Existing		74,591 sq. ft.

Phase I, 1975-1976:

Existing Space	74,591	
Learning Center Building	12,500	
Photo Studio Addition	2,400	
College Center Building	<u>6,270</u>	
Total Phase I		95,761 sq. ft.

Phase II, 1980-1981:

Existing Plus Phase I	95,761	
General Academic Building	31,160	
Less Dormitory Building	<u>< 18,672 ></u>	
Total Phase II		108,249 sq. ft.

Maximum Phase, 2000-2001:

Existing Plus Phase I and II	108,249	
General Academic Building	<u>82,460</u>	
Total		190,709
Replace Academic Building	<u>-48,479</u>	
		142,230
New Academic Building	<u>75,430</u>	
Total Maximum Phase		<u><u>217,660</u></u>

EXHIBIT B

Reception#: 867077
08/21/2015 01:59:41 PM Jean Alberico
13 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

DEVELOPMENT SCHEDULE--APARTMENTS

<u>Existing</u>	<u>Units</u>	<u>Students</u>
Pinon Alps	73	196
Phase I, 1975-1976	60	120
Phase 2, 1980-1981	60	120
Maximum Phase, 2000-2001	<u>73</u>	<u>147</u>
Totals	<u>266</u>	<u>583</u>

EXHIBIT B

Reception#: 867077
08/21/2015 01:59:41 PM Jean Alberico
14 of 14 Rec Fee:\$76.00 Doc Fee:0.00 GARFIELD COUNTY CO

SPECIAL COVENANTS - CONDITIONS

The information presented on page three of this application is intended to satisfy the requirement for this section.

The purpose of the architectural review committee is to ensure that future buildings constructed in the P. U. D. are in agreement with the objectives of the College. The architectural review committee will be concerned with building setbacks, height limits, access requirements, and grade or slope restrictions for future construction within the P. U. D.