

DATE: November 11, 2025

TO: Glen Smith, Erica Romero, Scott Krob

FROM: John B. Chavez

CC: Mark Morton, Barbara Cole

RE: Illumination Point Update

This memo serves as an update on compliance with the Conditions of Use approved by the Town Board of Trustees for Common Grounds located at 640 and 650 Illumination Point and Tanglewood Trailers located at 630 Illumination Point.

Tanglewood Trailers, 630 Illumination Point Conditions of Use (Resolution No. 37-2021)

Include landscaping (outdoor screening) meeting code 17.37.080, with a fifty percent emphasis on landscaping (vs. fencing), referencing Master Plan guidelines and when a site plan is developed, it is to be reviewed by the Planning Commission, within two years. The resolution was adopted on August 12, 2021.

Background

Since 2021, several meetings to discuss development requirements of the site were held between the Town and owners of 630, 640 and 650 Illumination Point. On November 5, 2021 the Town received a submittal from the engineer working for the owner of lots 3 and 4 (i.e., 630 and 640 Illumination Point) of the Illumination Point project. On November 22, 2021, the following documents were reviewed:

1. 626 ILLUMINATION POINT GESC FINAL estamped 11-16-21 jd
2. Agreement Drainage 36 Pipe - Lots 2, 3 & 4 - Signed – Final
3. Agreement Drainage of Water Lot2 Lot3 - signed 102621 – Final
4. HydraflowExpressExtension - Final 102221
5. HydroCAD Summary - Final – 102221

The submitted drainage agreement for the 36” pipe was agreed to and signed by the owners of lots 1, 2, 3 and 4 of the Illumination Point Subdivision. Comments were provided to the applicants on December 6, 2021. There were several deficiencies with the content of the grading and erosion control plan that was submitted and comments were also provided on the design of a proposed pond for lot 2.

On February 24, 2022, Mr. Thompson provided a “second submittal regarding the Site Plan for Lot 2 of the Illumination Point Subdivision.” There were twelve (12) attachments. The first was



a Memorandum dated February 24, 2022 outlining this 2nd Submittal. “This submittal addresses/responds the comments generated by Chavez Consulting and GMS to the original (1st) submittal.”

On March 8, 2022, comments on the “second submittal” were provided to Mr. Thompson. Issues remained with the grading and erosion control plan and the language used in the agreements.

On June 2, 2022, an online Zoom meeting was held with Mr. Tucker, Mr. Ferranti, Mr. Thompson, Matt Krob, Ryan Cramer (GMS), Dawn Collins, and me. I recall that there was some contention regarding the drainage between lots 2, 3 and 4. And there were issues regarding a building set back between lots 2 and 3.

In November of 2023, I received phone call complaint that Mr. Thompson had disturbed land without any stormwater control. On November 16, 2023, I visited the site and spoke with Mr. Thompson and Mr. Tucker about obvious land disturbing activities occurring on their properties without any approvals. At that visit I also notice that lot 3 and 4 had been graded flat and had several trucks parked on the lot. I was informed that Ferranti had sold his lots and the new disturbance on lots 3 and 4 was done by the new owner, Greater Grounds.

In December of 2023, Dawn Collins received an email from the Clean Water Compliance Unit of the Water Quality Control Division. The state had received a complaint regarding construction activity at 650 and 630 Illumination Point without a permit. The state representative asked for contact information for the owners of the lots.

On June 30, 2025, an online Teams meeting was held with Mr. Tucker, Mr. Thompson, Mr. Whitely, Adam Lancaster (CDOT), Scott Krob, Dawn Collins and me. During this meeting we informed the property owners that the development of the lots is a common plan of development as defined by the MS4 permit. Discussion about the change of use was the focus of the CDOT participation. At this meeting Mr. Whitely agreed to work with the Town to resolve the MS4 requirements and the CDOT requirements for an updated access permit.

Current Status of Conditions

I have no record of any additional submittals received from Mr. Thompson since March of 2022. I do not believe a final site plan was ever approved by the Town Board.

During a site visit of Tanglewood Trailers no new drainage infrastructure has been constructed. Currently drainage from lot 2 runs down the private driveway, bypassing the existing extended detention basin and discharging along the east property line.

There is no screening or landscaping installed meeting code 17.37.080, with a fifty percent emphasis on landscaping (vs. fencing). See attached photos.



Greater Grounds, 640 and 650 Illumination Point Conditions of Use (Resolution No. 40-2024)

The Conditional Use Permit was approved only for lot 4, 650 Illumination Point. Both lots 3 and 4 are in use. The Conditional Use Permit was approved on July 25, 2024.

- a. At all times the Applicant must maintain dust control in a manner presented by the applicant with a dedicated pickup truck mounted water truck and applying Dust-R/X Hydro as needed. Such dust control shall be performed when the applicant or the Town Administrator deems it to be needed;
- b. Screening to be completed within 90 days of the date of this resolution. Fencing will include an 8 ft opaque fence (not wire wildlife) at the north and east lot lines and evergreens outside the fence a minimum of 4 ft high and 20 ft on center at the north and east lot lines;
- c. All dumpsters and other storage must remain behind the screening;
- d. No retail sales shall be conducted at the site;
- e. Applicant shall meet all required CDOT regulations pertaining to the access permit and town regulations pertaining to the land development within 90 days of the date of this resolution or on such date as may be specifically agreed to by CDOT and the Town Administrator.

Background

On October 5, 2023, Jared Whitely emailed the Town Administrator and informed her that he had recently purchased 650 Illumination Point. His stated purpose for the property was for a location to park his trucks. A second reason stated was that he intended to sell landscaping materials from the site starting in Spring of 2024. After over a month of communication about the site and proposed uses, Mr. Whitely submitted a Land Use Application, a Conditional Use Application and a "Landscaping Yard Setup."

On Thursday November 16, 2023, I noticed construction activity had occurred in the Illumination Point Subdivision. I stopped and visited 630 -650 Illumination Pointe. I spoke with Mark Thompson and Jeremy Ferranti. Mr. Ferranti was upset because Mr. Thompson had excavated several trenches through his lot without any stormwater controls. Ferranti and Thompson both agreed that the work was done by Greater Grounds. It was at this time that Mr. Ferranti informed me that he had sold his lots to Mr. Whitely the owner of Greater Grounds.

On February 28, 2024, the Town Administrator reminded Mr. Whitely that he needed to submit the Conditional Use item for consideration at the March Planning Commission meeting. On March 12, 2024, Mr. Whitely submitted the following documents

- 1) GG Grading-Site Plan (1).pdf
- 2) Greater Grounds Landscape Material – Site Plan.pdf
- 3) 2024_DustRX_Hydro Brochure Sheet.pdf



- 4) GG Reference – 01.pdf
- 5) GG Reference – 02.pdf
- 6) GG Reference – 03.0df

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Current Status of Conditions

- a. It is uncertain whether dust control has ever been applied. Recent observation of the site did not identify a pickup truck mounted water truck located on site. No dust complaints have been received by the Town.
- b. An 8ft chain link fence surrounds the site. There is no opaque screening present. Along the east property line there are three trees planted. No trees are planted along the north property line.
- c. All dumpsters and storage of materials are located behind the fence.
- d. It does not appear that any retail sales are occurring at the site.
- e. Greater Grounds submitted a Traffic Study, which includes Tanglewood Trailers traffic, to the Colorado Department of Transportation. On November 7, 2025, the Town received notice from CDOT that the updated Traffic Assessment has been reviewed and approved. The updated traffic volumes do not trigger any highway improvements. CDOT will move forward with updating the existing state highway access permit to include new traffic data and all current uses in the subdivision. The Town will be notified when the new permit is executed.

Regarding the site drainage and stormwater quality considerations, the civil engineer working on the issues for Greater Grounds submitted two MS4 applicability forms for review on November 3, 2025. The site is an applicable construction activity, and an applicable development site as defined in the MS4 permit. No permanent drainage infrastructure is constructed for the site. The south property line does have erosion control blanket installed along the slope.



Figure 1. Tanglewood Trailers (looking south from entrance). No screening.



Figure 2. Tanglewood Trailers (looking southwest from driveway): no screening; junk vehicles present.



Chavez Consulting Inc., Llc
November 10, 2025 10:46 AM

Figure 3. Greater Grounds (north property line): no screening.



Figure 4. Greater Grounds (east lot line): incomplete screening.



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November 10, 2025 10:47 AM

Figure 5. Greater Ground (east property line): area screened with trees.



Figure 6. Greater Grounds (south property line): erosion control blanket installed.



Figure 7. Site Drainage: runoff is bypassing existing extended detention basin.