



CITY PLANNING COMMISSION AGENDA

**THURSDAY, MAY 15, 2014
8:30 A.M.**

**CITY HALL COUNCIL CHAMBERS
107 NORTH NEVADA AVENUE
COLORADO SPRINGS, CO 80903**

CITY PLANNING COMMISSION MEETING PROCEDURES

MEETING ORDER:

The City Planning Commission will hold its regular meeting on **Thursday, May 15, 2014 at 8:30 a.m.** in the City Hall Council Chambers at 107 North Nevada Avenue, Colorado Springs, Colorado.

The Consent Calendar will be acted upon as a whole unless a specific item is called up for discussion by a Planning Commissioner, a City staff member, or a citizen wishing to address the Planning Commission.

When an item is presented to the Planning Commission the following order shall be used:

- City staff presents the item with a recommendation;
- The applicant or the representative of the applicant makes a presentation;
- Supporters of the request are heard;
- Opponents of the item will be heard;
- The applicant has the right of rebuttal;
- Questions from the Commission may be directed at any time to the applicant, staff or public to clarify evidence presented in the hearing.

VIEW LIVE MEETINGS:

To inquire of current items being discussed during the meeting, please contact the Planning & Development Team at 719-385-5905, tune into local cable channel 18 or live video stream at www.springsgov.com.

CITY PLANNING COMMISSION COMPREHENSIVE PLAN AND REVIEW CRITERIA

COMPREHENSIVE PLAN:

The City Planning Commission uses the Comprehensive Plan as a guide in all land use matters. The Plan is available for review in the Land Use Review Office, located at 30 S. Nevada Avenue, Suite 105. The following lists the elements of the Comprehensive Plan:

- Introduction and Background
- Land Use
- Neighborhood
- Transportation
- Natural Environment
- Community Character and Appearance
- 2020 Land Use Map
- Implementation

The Comprehensive Plan contains a land use map known as the 2020 Land Use Map. This map represents a framework for future city growth through the year 2020, and is intended to be used with the Comprehensive Plan's goals, policies, objectives and strategies. It illustrates a desired pattern of growth in conformance with Comprehensive Plan policies, and should be used as a guide in city land use decisions. The Comprehensive Plan, including the Land Use Map, may be amended from time to time as an update to city policies.

APPLICATION REVIEW CRITERIA:

Each application that comes before the Planning Commission is reviewed using the applicable criteria located in the *Appendix* of the Planning Commission Agenda.

CITY PLANNING COMMISSION APPEAL INSTRUCTIONS

In accordance with Chapter 7, Article 5, Part 906 (B) (1) of the City Code, “Any person may appeal to the City Council any action of the Planning Commission or an FBZ Review Board or Historic Preservation Board in relation to this Zoning Code, where the action was adverse to the person by filing with the City Clerk a written notice of appeal. The notice of appeal shall be filed with the City Clerk no later than ten (10) days after the action from which appeal is taken, and shall briefly state the grounds upon which the appeal is based.”

Accordingly, any appeal relating to this Planning Commission meeting must be submitted to the City Clerk (located at 30 S. Nevada Avenue, Colorado Springs, CO 80903) by:

Tuesday, May 27, 2014

(Deadline carried over to Tuesday due to Memorial Day Holiday)

A **\$176** application fee and a justification letter specifying your specific grounds of appeal shall be required. The appeal letter should address specific City Code requirements that were not adequately addressed by the Planning Commission. City Council may elect to limit discussion at the appeal hearing to the matters set forth in your appeal letter.

CITY PLANNING COMMISSION MEETING AGENDA THURSDAY, MAY 15, 2014

1. Approval of the Record of Decision (minutes) for the April 17, 2014 City Planning Commission Meeting
2. Communications
 - Reschedule August 2014 meeting date
3. Consent Calendar (Items A.1-B) Page 9
4. New Business Calendar (Items 4.A-9.D)..... Page 23
 Appendix – Review Criteria Page 260

CONSENT CALENDAR		
ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p>ITEM NO.: A.1 CPC ZC 14-00021</p> <p>ITEM NO.: A.2 CPC DP 14-00022 (Quasi-Judicial)</p> <p>PARCEL NO.: 6403418001</p> <p>PLANNER: Steve Tuck</p>	<p>Request by Charles D. Lippincott III on behalf of Patricia F. Griffin for consideration of the following development applications:</p> <ol style="list-style-type: none"> 1. A zone change from R-5 (Multi-Family Residential) to C-5/CR (Intermediate Business with Conditions of Record). 2. A development plan that proposes a change of use for the existing, 3,100 square-foot building from medical office to retail, general office and personal improvement services. <p>The subject property consists of 9,115 square feet and is located at 3775 East La Salle Street.</p>	9
<p>ITEM NO.: B CPC CU 14-00029 (Quasi-Judicial)</p> <p>PARCEL NO.: 7323301007</p> <p>PLANNER: Lonna Thelen</p>	<p>Request by Paulson Architects, PC on behalf of M& J 2150 GG, LLC for a conditional use to allow mini warehouses in the PIP-1 zone district. The property contains 4.5 acres and is located at 2150 Garden of the Gods Road.</p>	14

NEW BUSINESS CALENDAR

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p>ITEM NO.: 4.A CPC A 13-00081 (Legislative)</p> <p>ITEM NO.: 4.B CPC ZC 14-00039 (Legislative)</p> <p>ITEM NO.: 4.C CPC PUZ 14-00042 (Quasi-Judicial)</p> <p>PARCEL NO.: 6200000631</p> <p>PLANNER: Meggan Herington</p>	<p>Request by NES, Inc. on behalf of Pulpit Rock Investments, LLC for consideration of the following development applications:</p> <ul style="list-style-type: none"> A. The Flying Horse Ranch Addition No. 2 Annexation. The 1.67-acre annexation is requested in order to correct a survey error. B. The establishment of an A (Agricultural) zone district for 1.67 acres. C. A rezoning of 2.15 acres from A (Agricultural) and PUD (Planned Unit Development: Single-family residential, 2 – 3.5 dwelling units per acre, 35-foot maximum building height) to PUD (Planned Unit Development: Single-family residential, 2 – 3.5 dwelling units per acre, 35-foot maximum building height). <p>The property is located in the Flying Horse community south Diamond Rock Road and 1,000 feet west of Pride Mountain Drive.</p>	23
<p>ITEM NO.: 5.A CPC MP 07-00061-A3MN14</p> <p>ITEM NO.: 5.B CPC PUZ 14-00024</p> <p>ITEM NO.: 5.C CPC PUD 14-00025 (Quasi-Judicial)</p> <p>PARCEL NO.: 6200000529</p> <p>PLANNER: Meggan Herington</p>	<p>Request by JR Engineering on behalf of High Valley Land Company, Inc. for consideration of the following development applications:</p> <ul style="list-style-type: none"> A. A minor amendment to the Briargate Master Plan to move the 11-acre school site from the current location directly north of Pine Creek High School to a location east of Thunder Mountain Drive, northeast of Pine Creek High School and directly south of the future park. B. A rezoning of 73.54 acres from A (Agricultural) to PUD (Planned Unit Development: Single-family residential, 1.99 dwelling units per acre, 30- foot height maximum for all lots shown as estate lots on the development plan and 36-foot maximum height for all other lots). C. The North Fork at Briargate PUD Development Plan that consists of 141 single family residential lots with open space and public roads on 73.54 acres. <p>The impacted property consists of 84.54 acres and is located north of Old Ranch Road, east of Thunder Mountain Avenue and west of Howells Road.</p>	44

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p>ITEM NO.: 6.A CPC MP 04-00254-A3MJ14 (Legislative)</p> <p>ITEM NO.: 6.B CPC PUZ 14-00026</p> <p>ITEM NO.: 6.C CPC PUD 14-00027 (Quasi-Judicial)</p> <p>PARCEL NO.: 6200000618</p> <p>PLANNER: Meggan Herington</p>	<p>Request by Classic Consulting on behalf of Allison Valley Development Company, LLC for consideration of the following development applications:</p> <ul style="list-style-type: none"> A. A major master plan amendment to the Allison Valley Ranch Master Plan to rename the master plan to The Farm, reduce and reconfigure residential densities, reconfigure major access points, relocate the 15-acre school site, expand the parks, trails and open space, preservation of drainage areas, and illustrate areas of the plan previously implemented. B. A rezoning of 26.03 acres from A (Agricultural) and PUD (Planned Unit Development: Single-family residential, 2.07 dwelling units per acre, 35- foot maximum building height) to PUD (Planned Unit Development: Single-family residential, 2 – 3.49 dwelling units per acre, 36-foot maximum building height). C. The Farm Filing No. 1A, 1B, 1C and 2 Development Plan that consists of 212 single family lots, parks, open space, trails and public roads on 75.65 acres. <p>The property is located east of Interstate 25, west of Voyager Parkway and north of Interquest Parkway.</p>	<p>84</p>
<p>ITEM NO.: 7.A CPC CP 08-00078-A1MJ13</p> <p>ITEM NO.: 7.B CPC CU 13-00116 (Quasi-Judicial)</p> <p>PARCEL NO.: 6318305002</p> <p>PLANNER: Lonna Thelen</p>	<p>Request by NES Inc. on behalf of Pueblo Bank and Trust Company for consideration of the following development applications:</p> <ul style="list-style-type: none"> A. A concept plan amendment to change uses from commercial/office to multi-family. B. A conditional use to allow multi-family in the PBC (Planned Business Center) zone district. <p>The proposal is for 141 multi-family units to be constructed. The units are proposed west of the existing gas station and north of Rockrimmon Boulevard. The subject property is zoned PBC (Planned Business Center) and PUD (Planned Unit Development), consists of 24.08 acres and is located northwest of Delmonico and Rockrimmon.</p>	<p>133</p>

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p>ITEM NO.: 8.A CPC MPA 07-00308-A5MJ14 (Legislative)</p> <p>ITEM NO.: 8.B CPC ZC 14-00031</p> <p>ITEM NO.: 8.C CPC ZC 14-00032</p> <p>ITEM NO.: 8.D CPC ZC 14-00033</p> <p>ITEM NO.: 8.E CPC ZC 14-00034</p> <p>ITEM NO.: 8.F CPC CP 14-00035</p> <p>ITEM NO.: 8.G AR DP 14-00116 (Quasi-Judicial)</p> <p>PARCEL NO.: 7335400008</p> <p>PLANNER: Lonna Thelen</p>	<p>Request by Rockwell Consulting Inc. on behalf of Garden of the Gods LLC for consideration of the following development applications:</p> <ul style="list-style-type: none"> A. A major amendment to the master plan to change single family to a religious institution, a human service facility, single family and multi-family for Sentinel Ridge Phase 1. B. A zone change from PUD/SS/HS (Planned Unit Development with Streamside Overlay and Hillside Overlay) to R1-6/HS/SS (Single-Family Residential with Hillside Overlay and Streamside Overlay) for Sentinel Ridge Phase 1 consisting of 21.8 acres. C. A zone change from PUD/SS/HS (Planned Unit Development with Streamside Overlay and Hillside Overlay) to OC/HS (Office Complex with Hillside Overlay) for Sentinel Ridge Phase 1 consisting of 7.6 acres. D. A zone change from PUD/SS/HS (Planned Unit Development with Streamside Overlay and Hillside Overlay) to OC/HS (Office Complex with Hillside Overlay) for Sentinel Ridge Phase 1 consisting of 8.3 acres. E. A zone change from PUD/SS/HS (Planned Unit Development with Streamside Overlay and Hillside Overlay) to R5/HS (Multi-Family Residential with Hillside Overlay) consisting of 7.7 acres. F. A concept plan for a religious institution, a human service facility, single family and multi-family for Sentinel Ridge Phase 1. G. A development plan for a Human Service Facility (Skilled nursing/assisted living) consisting of 7.7 acres located southwest of Fillmore and Grand Vista Circle. <p>The overall subject property is located at the southeast corner of Fillmore Street and Mesa Road and contains 28 acres.</p>	<p>194</p>
<p>ITEM NOS.: 9.A CPC MP 07-00061-A2MN13</p> <p>ITEM NOS.: 9.B CPC CP 02-00245-A1MN13</p> <p>ITEM NOS.: 9.C CPC PUZ 13-00124</p> <p>ITEM NOS.: 9.D CPC PUD 13-00125 (Quasi-Judicial)</p> <p>PARCEL NO.: 6222300004</p> <p>PLANNER: Rick O'Connor</p>	<p>Request by N.E.S. on behalf of Kettle Creek LLC and the John Venezia Family Trust for consideration of the following development applications:</p> <ul style="list-style-type: none"> A. A minor amendment to the Briargate Master Plan changing approximately 12.7 acres from a Commercial land use designation to a Residential Low-Medium(3.5-7.99 dwelling units/gross acre) designation. B. A minor amendment to the Bison Ridge at Kettle Creek Concept Plan that would change the approved commercial use/plan to a single family use/plan. C. A rezoning from PBC (Planned Business Center) to PUD (Planned Unit Development-single family detached, 35-foot height, 4.4 dwelling units per acre). D. The Bison Ridge at Kettle Creek No. 4 development plan that consists of 50 single-family lots. <p>The property consists of 12.7 acres and is located in the northeast corner of Old Ranch Road and Chapel Ridge Drive, south of Looking Glass Way, approximately 800 feet west of Powers Boulevard.</p>	<p>228</p>

CONSENT CALENDAR

CITY PLANNING COMMISSION AGENDA

ITEM NOS: A.1, A.2

STAFF: STEVE TUCK

FILE NOS:

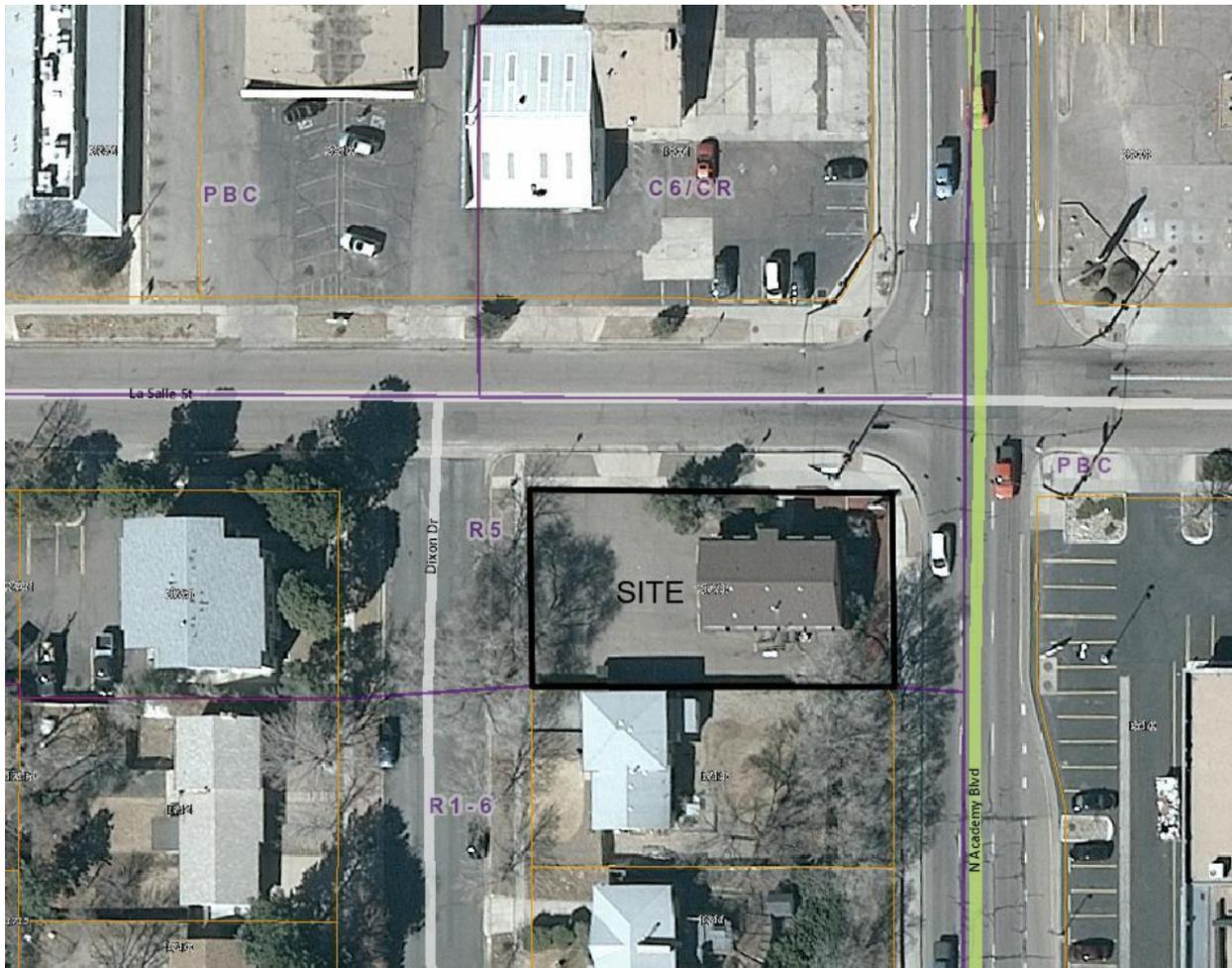
CPC ZC 14-00021 – QUASI-JUDICIAL

CPC DP 14-00022 – QUASI JUDICIAL

PROJECT: 3775 EAST LA SALLE STREET

APPLICANT: CHARLES LIPPINCOTT

OWNER: PATRICIA GRIFFIN



PROJECT SUMMARY:

1. Project Description: The applications propose rezoning a 9,115 square-foot, platted lot from R-5 (Multi-Family Residential) to C-5/CR (Intermediate Business with Condition of Record) and the approval of a development plan (**FIGURE 1**) to permit the conversion of the existing medical office building to retail, office and personal improvement services for the applicant's existing firearms store and training facility. As indicated in the applicant's project description (**FIGURE 2**) the training facility is a simulated gun range and does not use live ammunition.
2. Applicant's Project Statement: **FIGURE 2**
3. Planning & Development Team's Recommendation: Approve both the zone change to C-5/CR and the development plan for 3775 East La Salle Street for office, retail and personal improvement services.

BACKGROUND:

1. Site Address: 3775 East La Salle Street
2. Existing Zoning/Land Use: R-5 (1962, Ordinance No. 2782)/dentist office (currently vacant)
3. Surrounding Zoning/Land Use:
North: C-6/CR/commercial
South: R-1 6000/single-family residence
East: PBC/commercial
West: R-5/multi-family residential
4. Comprehensive Plan/Designated 2020 Land Use: Mature Redevelopment Corridor
5. Annexation: 1959, Austin Bluffs Addition No. 8
6. Master Plan/Designated Master Plan Land Use: The property is not within an area master plan
7. Subdivision: 1961, Palmer Heights Subdivision No. 3
8. Zoning Enforcement Action: None
9. Physical Characteristics: The 9,115 square-foot lot is developed with a two-story, 3,100 square-foot building constructed in 1969 (**FIGURE 1**). The property has been used for both general and medical offices, but primarily as a dental office. Vehicular access to the 12-space parking lot is from La Salle Street. The property is located on the southwest corner of Academy Boulevard and La Salle Street.

STAKEHOLDER PROCESS AND INVOLVEMENT:

Public notification consisting of an on-site poster and 51 postcards mailed to property owners within 500 feet of the property were provided after receipt of the application and prior to the Planning Commission meeting. One email was received from a nearby, long-time property owner. The applicant responded to her questions and concerns, and she replied with a subsequent email in support of the applications.

Agency review comments on the initial development plan were addressed with the submittal of a revised development plan (**FIGURE 1**).

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria/Design & Development Issues:
An office in an R-5 zone is a legal nonconforming use, as the R-5 zone was amended in 1980 to prohibit office uses. The requested C-5/CR zone will eliminate the nonconforming status of the property and recognize the commercial nature of the site. The C-5 zone is also consistent with the commercial zoning and uses to the north and

east. Due to the small size of the property and the building, impacts from the site will be minimal for the residences to the west and south. To further reduce potential impacts due to commercial zoning the proposed condition of record prohibits otherwise permitted uses seen as incompatible for the site (see prohibited uses in Staff Recommendation). Few physical changes are proposed for the property (mostly interior remodeling of the building) as all site improvements are in place.

The change of use from medical office will also eliminate the current nonconforming status for the number of parking spaces provided, as a medical use requires 16 parking spaces for a 3,100 square-foot building. The proposed uses of retail, office and personal improvement services require 11 spaces. Twelve parking stalls are provided on-site.

2. Conformance with the City Comprehensive Plan:

The 2020 Land Use Plan in the Comprehensive Plan shows the property as part of a Mature Redevelopment Corridor that extends along Academy Boulevard. The proposed zone and use are defined as neighborhood commercial in the Comprehensive Plan, a use consistent with designation of Mature Redevelopment Corridor. The applications are consistent with and conform to the Comprehensive Plan.

3. Conformance with the Area's Master Plan:

This property is not located within an area master plan.

STAFF RECOMMENDATION:

Item No: A.1 CPC ZC 14-00021 – Zone Change

Approve the zone change from R-5 to C-5/CR for 3775 East La Salle Street, based on the finding the request complies with the review criteria in City Code Section 7.5.603.B (Establishment or Change of Zone District Boundaries) and is subject to the following condition of record:

Condition of Record:

The following uses are not permitted: medical marijuana facility, sexually oriented business, liquor sales, bar, detention facility, cemetery, or restaurant.

Item No: A.2 CPC DP 14-00022 – Development Plan

Approve the development plan for 3775 East La Salle Street for retail, office and personal improvement services, based on the finding the plan complies with the review criteria in City Code Section 7.5.502.E (Development Plan Review Criteria).

ZONE = PBC
COMMERCIAL BUSINESS

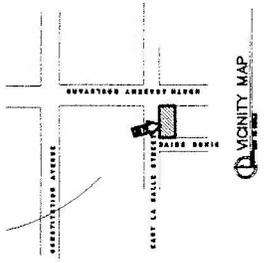
ZONE = C6, CR
COMMERCIAL BUSINESS

29 EAST BLOND STREET, OFFICE #15
COLORADO SPRINGS, COLORADO 80902
719-635-7575
ARCHITECT
GERHARD SCHULTEN

CPC Agenda
May 15, 2014
Page 12

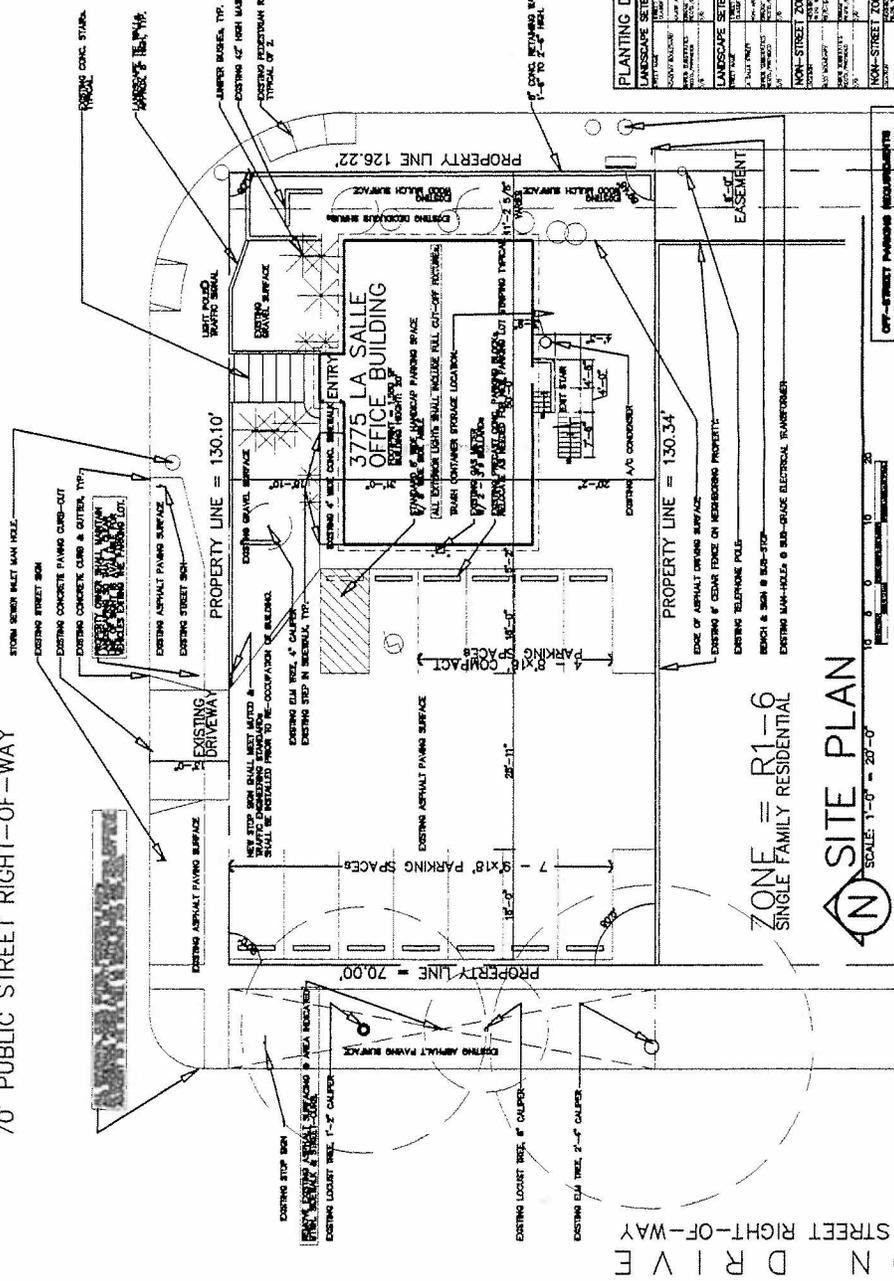
THE GUNSHOP LLC OFFICE BUILDING
3775 EAST LA SALLE STREET
COLORADO SPRINGS, COLORADO

DATE: 03-24-14
JOB: 1402
SD-1
BEST USE OF LAND



ACADEMY BOULEVARD
50' PUBLIC STREET RIGHT-OF-WAY

EAST LA SALLE STREET
70' PUBLIC STREET RIGHT-OF-WAY



ZONE = PBC
COMMERCIAL BUSINESSES

LEGEND/SITE DATA:
APPLICANT: CHARLES LIPKOVITZ #
1471 PATTER DRIVE SUITE 101
COLORADO SPRINGS, CO 80909
719-596-4200 (RESIDENT)
719-596-4200 (BUSINESS)
CHARLES LIPKOVITZ #
THE GUNSHOP LLC
1000 W. PALMER HEIGHTS
COLORADO SPRINGS, CO 80909
719-596-4200 (CELL)
719-596-4210 (BUSINESS)
PROPERTY ADDRESS:
3775 EAST LA SALLE STREET
COLORADO SPRINGS, COLORADO
LOT SIZE: 9,119 SQUARE FEET
FOOTPRINT OF EXISTING STRUCTURES:
1,550 SQ FT
EXISTING LOT COVERAGE: 17%
TAX SCHEDULE NUMBER:
64034-18-001
LEGAL DESCRIPTION:
LOT 26 BLOCK 7 PALMER HEIGHTS
SUBDIVISION 1000 W. PALMER HEIGHTS
COLORADO SPRINGS, EL PASO
COUNTY
EXISTING ZONING: R-5 WITH A
CONDITIONAL USE FOR A MEDICAL
OFFICE
PROPOSED ZONING: C-5 WITH A
CONDITIONAL USE FOR A MEDICAL
OFFICE
THE FOLLOWING USES SHALL NOT BE
ALLOWED: MARIJUANA CULTIVATION,
RETAIL SALES, RESTAURANT, BAR,
LOBBY SALES, BAR, FACILITY,
COURTIER, OR RESTAURANT.

PLANTING DATA

LANDSCAPE SETBACK	LANDSCAPE SETBACK	NON-STREET ZONE BOUNDARY BUFFER	NON-STREET ZONE BOUNDARY BUFFER	INTERNAL LANDSCAPING
MINIMUM SETBACK: 10' FROM STREET				
MINIMUM SETBACK: 10' FROM STREET				
MINIMUM SETBACK: 10' FROM STREET				

RECEIVED
MAR 18 2014
CITY PLANNING
COLORADO SPRINGS

SCALE: 1"=8' = 20'-0"
N

ZONE = R1-6
SINGLE FAMILY RESIDENTIAL

ZONE = R5
MULTI-FAMILY RESIDENTIAL

ZONE = R1-6
SINGLE FAMILY RESIDENTIAL

FIGURE 1

CPC DP 14-00022

Project Statement

City of Colorado Springs
Planning and Development
Land use review
Attn: Steve Tuck
Senior Planner
Re: Charles and Shonda Lippincott
Proposed Zone Change from R5 to C5
Property address: 3775 E. La Salle St. Colorado Springs Co 80909
Known as: Lot 26 Block 7 Palmer Heights subdivision 3 Colorado Springs Co 80909

Our Goal is to obtain a rezoning from R5 to C5. The building was built in 1969 and has always been occupied as a commercial building. The original building permit number 14576 dated 7-7-1969 tag number 8893 states the type of use as an office building, which falls under C5 zoning. Our proposed retail use is consistent with all other business in the direct area. The property is directly on the south west corner of La Salle street and Academy blvd, which is a main through fair in Colorado springs. All of the past tenancy records were established through the polk directories from 1970-2014.

The intended use for our property is to relocate our existing retail store and training facility to gain more exposure. Our current location is on a side street limiting our foot traffic and visibility. Our current location is rented and a total of 1500 square feet. Our new location is 3100 square feet. Ownership of the building comes with many positives, generates income tax for the city, and betters the community with an owner occupied business. We operate a family owned and family orientated business. Our business is a firearms based business, but we are mainly a training facility. We provide an eclectic variation of martial arts and personal stress defense. Our customers consist of local police departments, school district security, local church security teams, bail bondsman, victims of crimes and of course the general public. Please note: Our training facility is a virtual simulation range and not a live fire range.

Our intent for the building is to continue to operate our business out of the location and pass our business onto our children. For the record we are in support of C5 zoning with some restricted use for the following: sexually orientated business, marijuana facilities, bar, liquor store, detention facility, cemetery, restaurants and mining operations. Our goal is to bring positive business and customers to the community and we are not in support of the fore mentioned business's.

We are committed to supporting our community and local small business. In closing I would like to thank you for your consideration in helping us accomplish our business and family goals.

Sincerely,

Charles D. Lippincott III

Shonda A. Lippincott
The Gun Shop LLC

CPC DP 14-00022
1 of 1

CITY PLANNING COMMISSION AGENDA

ITEM NO: B

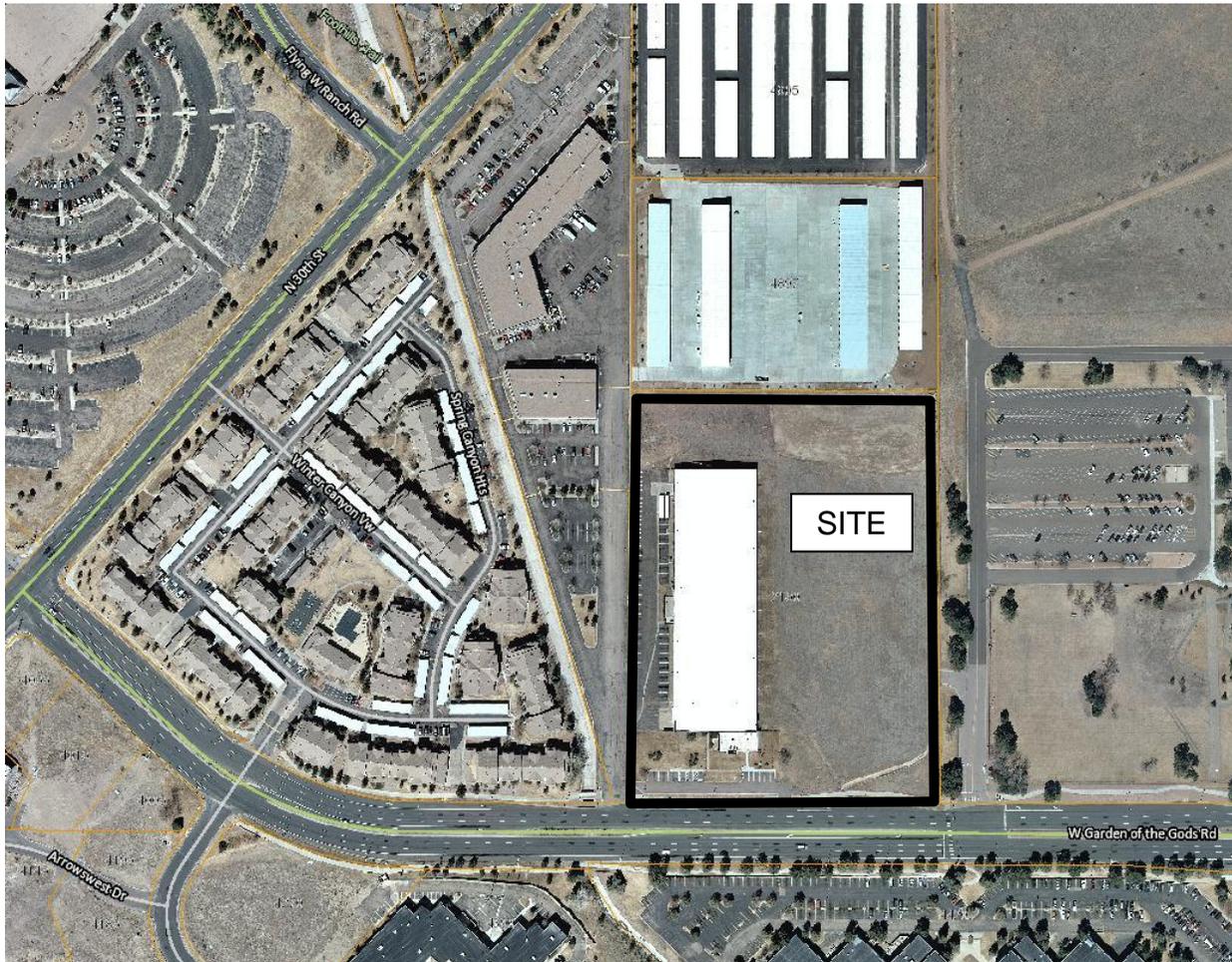
STAFF: LONNA THELEN

FILE NO:
CPC CU 14-00029 – QUASI-JUDICIAL

PROJECT: 2150 W. GARDEN OF THE GODS

APPLICANT: PAULSON ARCHITECTS, PC

OWNER: M&J 2150 GG, LLC



PROJECT SUMMARY:

1. Project Description: This project includes an application for a conditional use to allow a mini warehouse in the PIP-1 (Planned Industrial Park) zone district for a 10-acre site located at 2150 Garden of the Gods Road. **(FIGURE 1)**
2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Approval of the applications, subject to modifications.

BACKGROUND:

1. Site Address: 2150 W Garden of the Gods Road
2. Existing Zoning/Land Use: PIP-1 / office/warehouse
3. Surrounding Zoning/Land Use:
North: PIP-1 / mini-warehouse
South: PIP-1 / office/light industrial
East: PIP-1 / office/light industrial
West: OC / multi-family
4. Comprehensive Plan/Designated 2020 Land Use: Employment Center
5. Annexation: Pope's Bluff Addition, 1965
6. Master Plan/Designated Master Plan Land Use: None.
7. Subdivision: Hotsy Subdivision
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The site is developed with a 73,454 square-foot building for office/warehouse and a parking lot. The remainder of the 10-acre site is undeveloped.

STAKEHOLDER PROCESS AND INVOLVEMENT: The public process involved with the review of these applications included posting of the site and sending of postcards on two separate occasions to 15 property owners within 500 feet. A comment from one neighbor was received; the concern was regarding the access on the west side of the property and whether it was to be emergency access only or public access. The applicant has agreed that the access gate on the west will be limited to emergency access only. **(FIGURE 3)**

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:
The site under review has an existing 73,454 square-foot building that is currently approved for office/warehouse with an accessory retail component for the Antique Mall. The Antique Mall was approved in 2013. The applicant is proposing to expand the site and add 343 mini warehouse units, ranging in size from 5'X5' to 14'X50', and a manager's residence. The mini warehouse units will be partially used as storage space for the tenants of the Antique Mall. The mini warehouse use is a conditional use in the PIP-1 zone district.

The mini warehouse use will be accessed from Garden of the Gods by driving through the parking lot used for the Antique Mall. There are seven mini warehouse buildings and one manager's residence on the site. A secondary emergency access is located on the west side of the site and is used to access the drive on the west side of the building that leads to Garden of the Gods Road and 30th Street. The landscaping on the site has been focused near the entrance from the parking lot on the south side of the mini warehouses and along the west side of the site.

The conditional use criteria for the site have been met. The surrounding neighborhood values and qualities are not injured, the property to the north is a mini warehouse and

RV storage facility as well. The application is consistent with the Zoning Code and Comprehensive Plan.

2. Conformance with the City Comprehensive Plan:

Strategy LU 203b: Concentrate and Mix Uses

Concentrate and mix activities and uses in and around defined centers in order to create more diversity and synergy between uses, combine destinations, support more effective transit service, and provide viable pedestrian and bicycle access and circulation.

Objective LU 4: Encourage Infill and Redevelopment

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

Strategy LU 801g: Support and Encourage the Redevelopment of Obsolete Industrial Areas as Activity Centers

Support the redevelopment of older, obsolete industrial areas with a mix of uses in new activity centers, including residential, employment, commercial, recreational and entertainment uses.

The site for this project is within a light industrial corridor along Garden of the Gods Road. The area is transitioning from what was originally industrial to a combination of commercial, retail, and light industrial users. This use combines office/warehouse with an accessory retail component and mini-warehouses for a combination of mixed uses. The project is also an infill project that is proposed within the boundaries of existing infrastructure.

3. Conformance with the Area's Master Plan:

There is not a master plan for this site.

STAFF RECOMMENDATION:

Item No: B CPC CU 14-00029 – Conditional Use Development Plan

Approve the conditional use for 2150 W Garden of the Gods Road, based upon the finding that the conditional use complies with the review criteria in City Code Section 7.5.704 and 7.5.502.E, subject to compliance with the following conditions and/or significant design, technical and/or informational plan modifications:

Technical and Informational Modifications to the Conditional Use Development Plan:

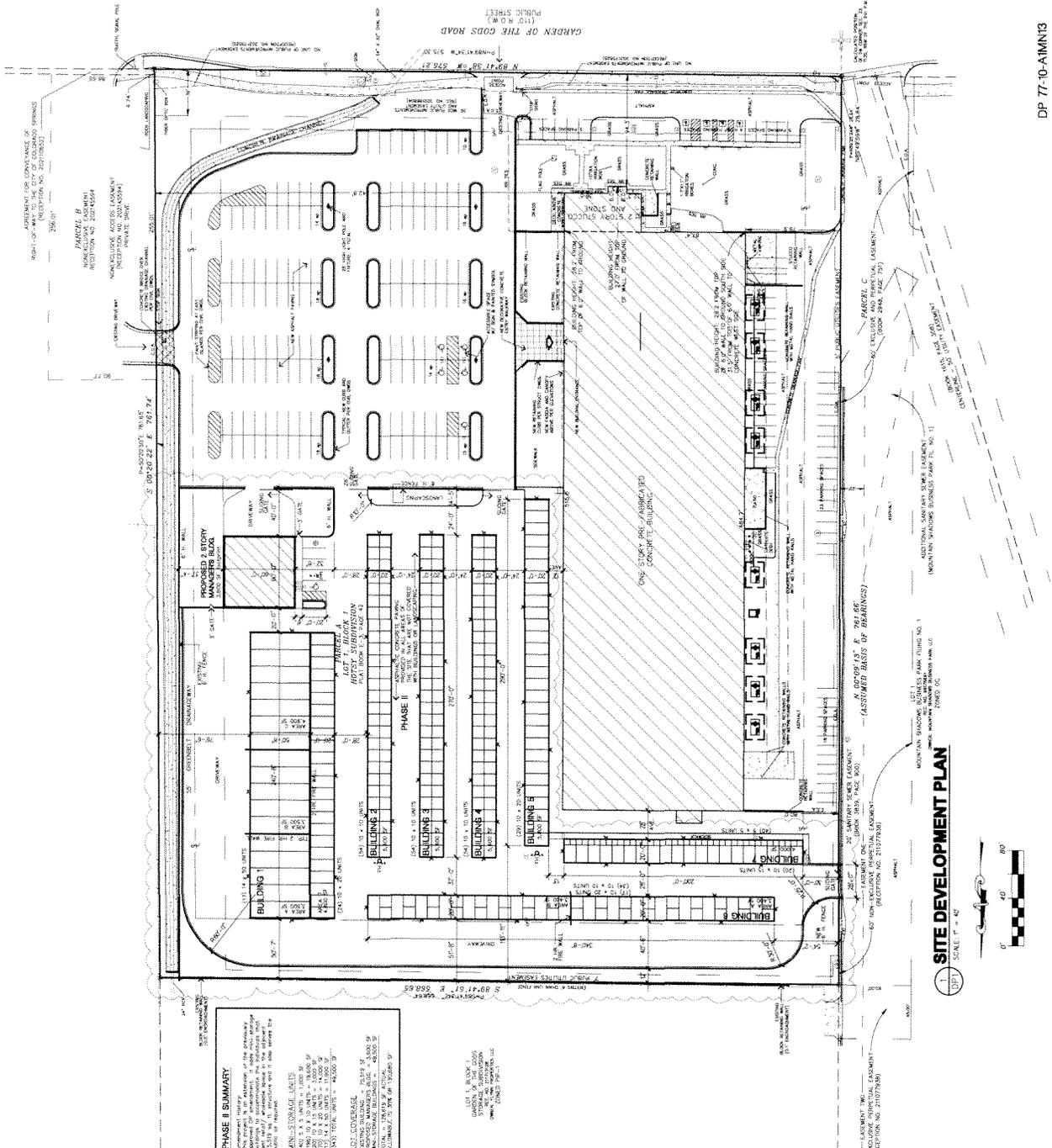
1. Label the water main as private on the utility plan page of the development plan.
 2. Include the file number CPC CU 14-00029 on pages 2, 3, and 4.
 3. Label the west access point as emergency access only.
-
-

REVISIONS:	DATE:
MAJOR AMEND. 3/4/14	

DEVELOPMENT PLAN MAJOR AMENDMENT
 MINI STORAGE FACILITY
 2150 GARDEN OF THE GODS RD.
 COLORADO SPRINGS, COLORADO

PAULSON
 ARCHITECTS, P.C.
 4400 SOUTH WILLOW STREET, SUITE 100
 COLORADO SPRINGS, CO 80906
 (719) 524-7272 OFFICE
 (719) 524-7273 CELL
 paulsonarchitects.com

DRAWN BY: JBP	CHECKED BY: JBP
DATE: 02/26/2014	SCALE: AS NOTED
JOB NUMBER: 2150 MINI STOR	SHEET NUMBER: DP-1
1 OF 10	



PROJECT DATA:
 LEGAL DESCRIPTION: LOT 1, WEST 1/2 SECTION 34, T12N, R10W, S10E, COLORADO SPRINGS, CO
 TAX SCHEDULE: M1
 ZONING: M-1
 ADDRESS: 2150 GARDEN OF THE GODS ROAD, COLORADO SPRINGS, CO 80906
 LOT AREA: 45,426 SQ. FT. (1.03 ACRES)
 PERMITTED USE: MINI STORAGE FACILITY
 PERCENTAGE COVERED WITH BUILdings: 10.5% (4,770 SQ. FT.)
 70,000 SQ. FT. (1.59 ACRES)

LAND USE:
 EXISTING: VACANT
 PROPOSED: MINI STORAGE FACILITY

BUILDING DATA:
 EXISTING: 0 SQ. FT. (0 ACRES)
 PROPOSED: 70,000 SQ. FT. (1.59 ACRES)
 TOTAL: 70,000 SQ. FT. (1.59 ACRES)

SITE LIGHTING:
 EXISTING: 0 LUMENS
 PROPOSED: 100 LUMENS
 TOTAL: 100 LUMENS

PARKING SPACES:
 EXISTING: 0 SPACES
 PROPOSED: 100 SPACES
 TOTAL: 100 SPACES

APPROX. DEVELOPMENT SCHEDULE:
 PHASE 1: 2014
 PHASE 2: 2015
 PHASE 3: 2016

OWNER/DEVELOPER:
 AMEL JEANIT
 4440 SOUTH WILLOW STREET, SUITE 100
 COLORADO SPRINGS, CO 80906
 (719) 524-7272

CIVIL ENGINEER:
 JAMES L. GALL
 2150 GARDEN OF THE GODS ROAD, SUITE 100
 COLORADO SPRINGS, CO 80906
 (719) 524-7272

LANDSCAPE ARCHITECT:
 JON WALTON, LANDSCAPE ARCHITECT
 1000 W. WASHINGTON STREET, SUITE 100
 COLORADO SPRINGS, CO 80904
 (719) 524-7272



SITE DEVELOPMENT PLAN
 SCALE: 1" = 40'

DP 77-10-A1MN13

FIGURE 1



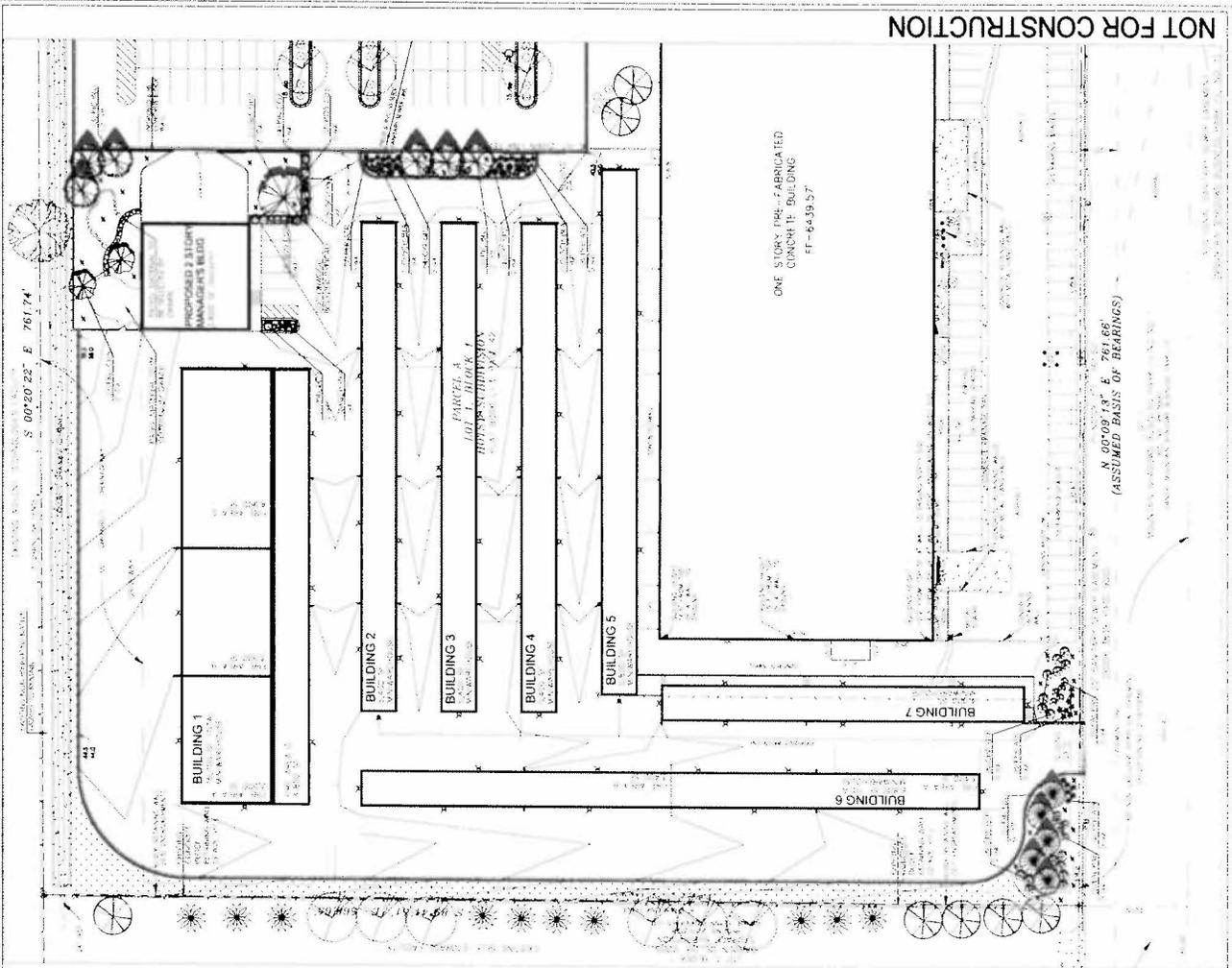
JWILA
 JOHN WILKINSON
 LANDSCAPE ARCHITECT
 P.O. Box 584
 Fort Collins, CO 80533
 (970) 644-9400
 (970) 396-2068 fax
 www.jwilan.com

DEVELOPMENT PLAN MAJOR AMENDMENT FOR
PROPOSED SELF STORAGE FACILITY
 2150 GARDEN OF THE GODS ROAD
 Colorado Springs, CO

FINAL LANDSCAPE PLAN

08 APRIL 2014

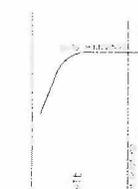
SHEET NO. **7** of 10
 CPC CU 14-00029



VICINITY MAP



GROUND PLANE TREATMENT



GORILLA HAIR WOOD MULCH 3\"/>

NON-IRRIGATED NATIVE GRASS

PLANT SCHEDULE

Symbol	Plant Name	Quantity	Notes
1	Platanus (Platanus occidentalis)	1	Plant in 10\"/>
2	Quercus (Quercus macrocarpa)	1	Plant in 10\"/>
3	Juniperus (Juniperus horizontalis)	1	Plant in 10\"/>
4	Yucca (Yucca filamentosa)	1	Plant in 10\"/>
5	Phlox (Phlox paniculata)	1	Plant in 10\"/>
6	Hydrangea (Hydrangea macrophylla)	1	Plant in 10\"/>
7	Spirea (Spirea alba)	1	Plant in 10\"/>
8	Abutilon (Abutilon hybrid)	1	Plant in 10\"/>
9	Delphinium (Delphinium hybrid)	1	Plant in 10\"/>
10	Verbena (Verbena hybrid)	1	Plant in 10\"/>
11	Salvia (Salvia hybrid)	1	Plant in 10\"/>
12	Coreopsis (Coreopsis hybrid)	1	Plant in 10\"/>
13	Asclepias (Asclepias hybrid)	1	Plant in 10\"/>
14	Monarda (Monarda hybrid)	1	Plant in 10\"/>
15	Chamaenerion (Chamaenerion hybrid)	1	Plant in 10\"/>
16	Thalictrum (Thalictrum hybrid)	1	Plant in 10\"/>
17	Deloselinum (Deloselinum hybrid)	1	Plant in 10\"/>
18	Verbena (Verbena hybrid)	1	Plant in 10\"/>
19	Salvia (Salvia hybrid)	1	Plant in 10\"/>
20	Coreopsis (Coreopsis hybrid)	1	Plant in 10\"/>
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98	Verbena (Verbena hybrid)	1	Plant in 10\"/>
99	Salvia (Salvia hybrid)	1	Plant in 10\"/>
100	Coreopsis (Coreopsis hybrid)	1	Plant in 10\"/>

EXISTING PLANT MATERIAL LEGEND

- RUSSIAN OLIVE (IN CALIBER GOOD CONDITION)
- NYMPHAEA (IN CALIBER GOOD CONDITION)
- MONSIEUR DE CAULIER (GOOD CONDITION)
- PRUNELLA (IN CALIBER GOOD CONDITION)

NOTE: THE PROPOSED LANDSCAPE FOR THIS PHASE IS LIMITED TO THE FACILITY THAT THE PROPOSED SELF STORAGE APPROXIMATELY 3.987 ACRES.

SITE CATEGORY CALCULATIONS:

Category	Area (sq ft)	Req. (sq ft)	Excess (sq ft)	Req. (sq ft)	Excess (sq ft)
Landscape Setbacks	100,000	100,000	0	100,000	0
Motor Vehicle Lots	200,000	200,000	0	200,000	0
Internal Landscaping	500,000	500,000	0	500,000	0
Landscape Buffer & Screens	100,000	100,000	0	100,000	0

FIGURE 1

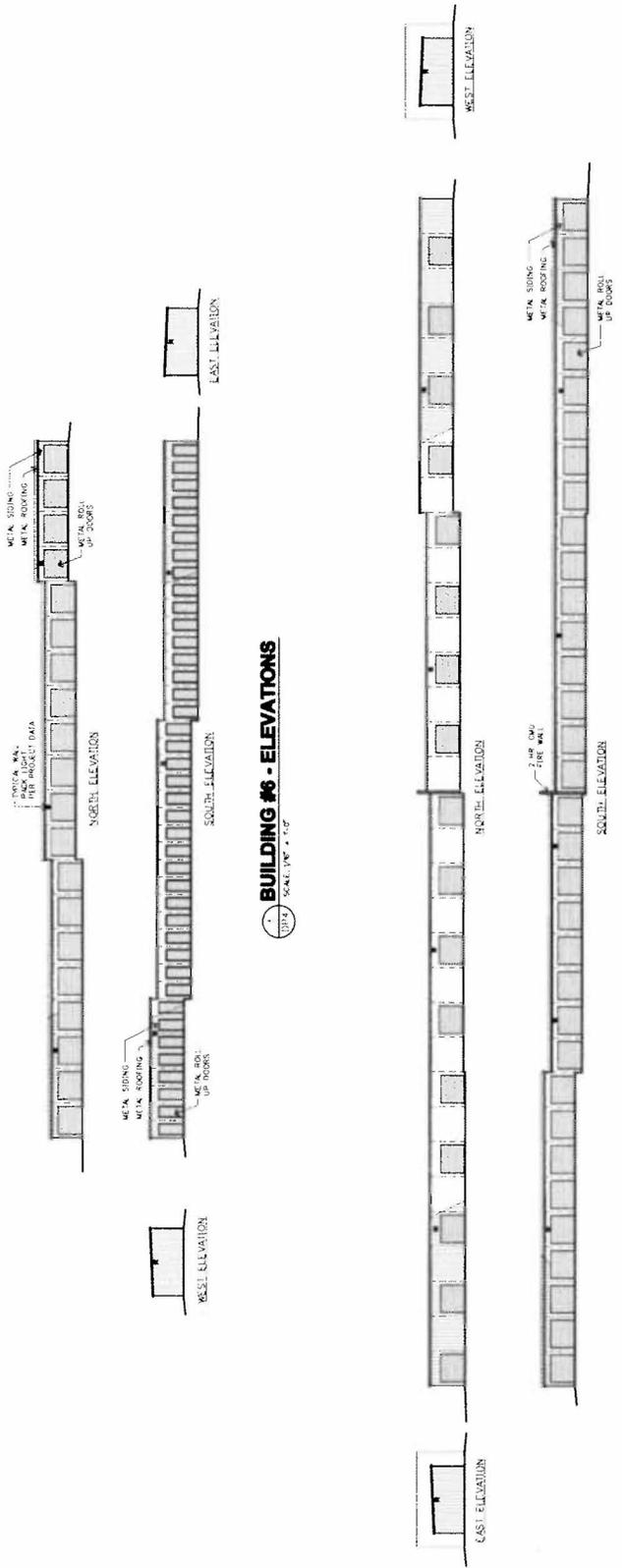
REVISIONS:	DATE:

DEVELOPMENT PLAN MAJOR AMENDMENT
 MINI STORAGE FACILITY
 2150 GARDEN OF THE GODS ROAD
 COLORADO SPRINGS, COLORADO

PAULSON
 architects, P.C.
 1000 North Academy Blvd. Suite 200
 Colorado Springs, Colorado 80906
 (719) 495-0777
 info@paulsonarchitects.com

DRAWN BY: GBP
 CHECKED BY: JBP
 DATE: 03/04/2014
 SCALE: AS NOTED
 JOB NUMBER:
 2150 MINI STOR
 SHEET NUMBER:
DP-4
 4 OF 10

MINI-STORAGE BUILDINGS



BUILDING #6 - ELEVATIONS
 SCALE: 1/8" = 1'-0"

BUILDING #7 - ELEVATIONS
 SCALE: 1/8" = 1'-0"

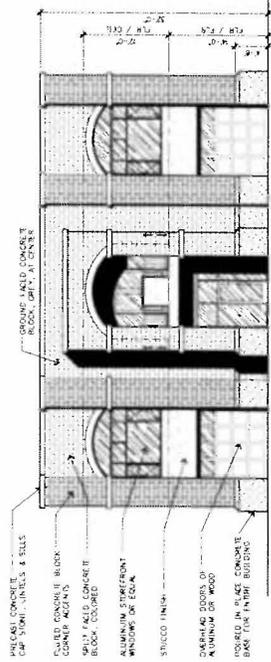
FIGURE 1

REVISIONS:	DATE

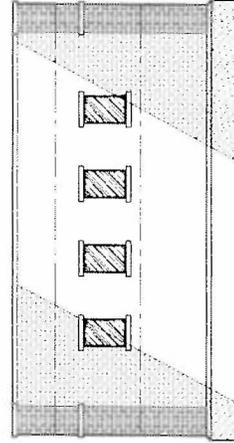
DEVELOPMENT PLAN MAJOR AMENDMENT
 MINI STORAGE FACILITY
 2150 GARDEN OF THE GODS ROAD
 COLORADO SPRINGS, COLORADO

PAULSON
 ARCHITECTS, P.C.
 1616 MARKET STREET, SUITE 200
 COLORADO SPRINGS, COLORADO 80902
 (719) 435-0223 OFFICE
 josh@paulsonarchitects.com

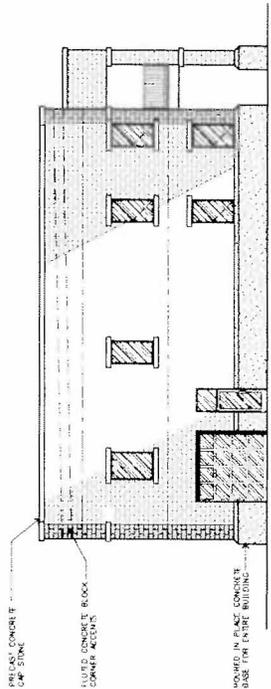
DRAWN BY: JBP
 CHECKED BY: JBP
 DATE: 01/24/2014
 SCALE: AS NOTED
 JOB NUMBER:
 ZED MINI STOR
 SHEET NUMBER:
DP-2
 2 of 10



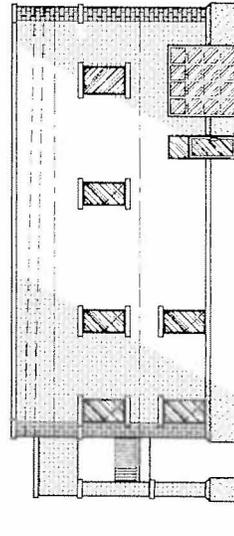
SOUTH ELEVATION
 SCALE: 1/8" = 1'-0"



NORTH ELEVATION
 SCALE: 1/8" = 1'-0"



WEST ELEVATION
 SCALE: 1/8" = 1'-0"



EAST ELEVATION
 SCALE: 1/8" = 1'-0"

MANAGER'S RESIDENCE

FIGURE 1

PROJECT STATEMENT

March 4, 2014

RE: Mini Storage Facility
2150 Garden of the Gods Road
Colorado Springs, CO 80907

Description

The project scope consists of the construction of 343 mini storage units, ranging from 5'x5' to 14'x50', totaling 49,500 SF and a 2-story manager's residence with office and storage totaling 5,900 SF. This scope is an expansion of the approved minor amendment to Development Plan DP 77-10-A1MN13 dated September 18, 2013. Mini Storage is also a conditional use in the PIP-1 zone and must be approved through this application.

Justification

The adjacent property to the north is a similar mini storage facility. The existing antique mall needs a mini storage facility to support the retail/wholesale/resale tenants.

Issues

There are no issues.

Thelen, Lonna

From: William Moerbe <william.moerbe@gmail.com>
Sent: Thursday, March 20, 2014 5:14 PM
To: Thelen, Lonna
Cc: Mark Vonarx; Jim Justus
Subject: Re: 2150 GOG

Hello Lonna,

MSBP owners have reviewed the development plan for the 2150 Garden of the Gods storage space request. The project looks well planned and has no outdoor storage which we are pleased with.

The only request we have is clarification in the development plan that access gate on the west side of the project is limited to emergency access.

Colorado Springs Planning has listed that as clarified that as a requirement in the development plan for the storage added to Garden of the Gods Self Storage done in approximately 2011. That project is adjacent to the new project and their emergency access gate is approximately 45 feet from the proposed new gate. Meggan Herrington was the planner for that project.

Regards,
Bill Moerbe

On Thu, Mar 20, 2014 at 4:31 PM, Thelen, Lonna <Lthelen@springsgov.com> wrote:

Bill,

Please respond to this email per our phone discussion.

Thanks,

Lonna

Lonna Thelen, AICP, LEED AP BD+C

Planner II

Land Use Review

City of Colorado Springs

30 S Nevada, Suite 155

Colorado Springs, CO 80903

(719) 385-5383

NEW BUSINESS CALENDAR

CITY PLANNING COMMISSION AGENDA

ITEM NOS: 4.A-4.C

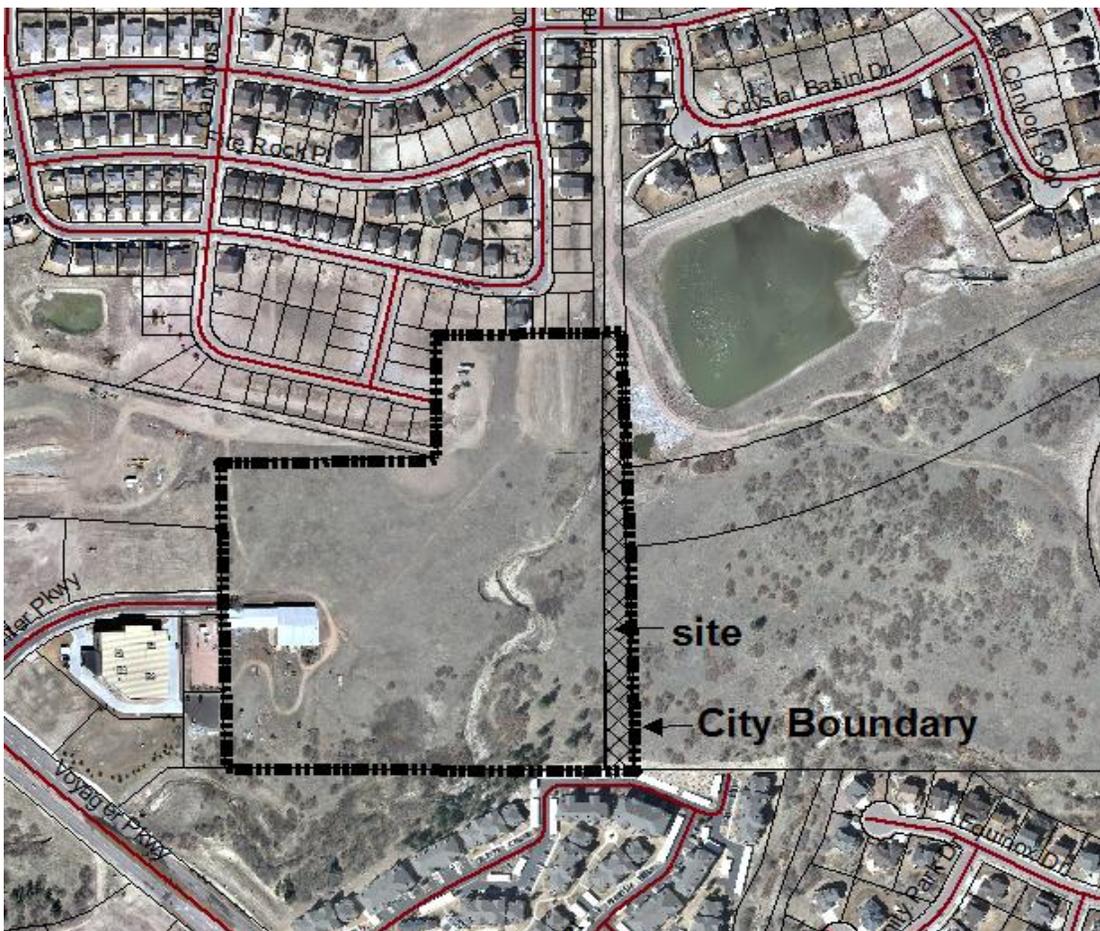
STAFF: MEGGAN HERINGTON

FILE NO(S):
CPC A 13-00081- LEGISLATIVE
CPC ZC 14-00039 - LEGISLATIVE
CPC PUZ 14-00042- QUASI-JUDICIAL

PROJECT: FLYING HORSE RANCH ADDITION NO. 2

APPLICANT: NES, INC.

OWNER: PULPIT ROCK INVESTMENTS, LLC



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for the annexation and establishment of the A (Agricultural) zone district for a 1.67-acre strip of land and the subsequent rezoning of a total of 2.21 acres from A (Agricultural) and PUD (Planned Unit Development; Single-family residential 2 – 3.5 dwelling units/acre, 35-foot maximum building height) to PUD (Planned Unit Development; Single-family residential 2 – 3.5 dwelling units/acre, 35-foot maximum building height). The property is located in the Flying Horse community south of Diamond Rock Road and roughly 1,000 feet west of Pride Mountain Drive.

The 1.67-acre strip is the result of a survey error and was omitted from the original annexation of Flying Horse Ranch in 2004. The proposed annexation is needed to bring the strip into the city so that it can be developed as part of the Flying Horse master development. The subsequent rezoning of the 2.21 acres allows the strip of land to be incorporated into lots planned with Flying Horse Parcel #8.

There is no development plan as part of this submittal because the portion of the land to be developed will be the back halves of lots that are already within the city and approved as part of a previous development plan known as Flying Horse Parcel #8 approved in 2011. **(FIGURE 1)**

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Staff recommends approval of the applications.

BACKGROUND:

1. Site Address: The property is not addressed. It is located south of Diamond Rock Road and roughly 1,000 feet west of Pride Mountain Drive.
2. Existing Zoning/Land Use: The property is vacant
3. Surrounding Zoning/Land Use:
North: PUD/Single-Family Lots
South: PUD/Multi-Family
East: PUD/ Developing Single-Family Lots
West: Unincorporated El Paso County/Western Mining Museum Property
4. Comprehensive Plan/Designated 2020 Land Use: There is no 2020 Land Use designation because it is not yet in the city. The adjacent land to the east which is in the city is designated as General Residential
5. Annexation: The 1.67-acre strip is not yet annexed. The balance of the 2.21 acres to be rezoned PUD was annexed with the original Flying Horse Ranch in 2004.
6. Master Plan/Designated Master Plan Land Use: The current Flying Horse Master Plan designates the property as Residential, 2 – 3.5 Dwelling Units per Acre.
7. Subdivision: The property is not platted.
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is vacant with no significant physical features.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public process included posting the site and sending postcards to property owners within 500 feet noticing them to the public hearing. No additional neighborhood meetings were held because one was held in 2011 with the approval of the development of lots within Flying Horse Parcel #8.

Staff also sent the plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, City Finance, Police and E-911 and the US Air Force Academy.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

The 1.67 acre strip of land is the result of a surveyor error. It was omitted from the original Flying Horse Ranch Annexation. The strip, however, is a part of the Flying Horse Master Plan, and is shown as part of the development layout for the Flying Horse Parcel #8 development plan that was approved in 2011. That development plan approval includes a note that the lots impacted by the survey error could not be developed until the finalization of the annexation. The technical review of the lotting pattern occurred in 2011 and all of the required studies included the evaluation of this piece of land as a part of the larger development area.

The annexation agreement is attached as **FIGURE 3**. This agreement is fairly simple in that it states that this strip will be bound to the same provisions as the main agreement for Flying Horse Ranch. The annexation agreement specifically outlines the sections from the original agreement and references that recorded document.

City Code requires a Fiscal Impact Analysis (FIA) to be completed for all annexation applications. Because this is not a standard annexation, the FIA does not include the depth of analysis it usually would. The FIA considers that this strip was ultimately planned and accounted for with the original studies completed with the approval of the master plan and original annexation in 2004. The FIA simply acknowledges the process as a clean-up of an omitted strip of land and relies on the original documentation.

The northern 0.75 acres will be zoned A (Agricultural). This portion is part of future Powers Boulevard dedication and an existing drainage and trail tract. Since this 0.75 acres is not being used for development, the A zone district is appropriate.

The southern 0.91 acres is being included in the ordinance to establish the A zone district, but then rezoned PUD (Planned Unit Development; Single-family residential, 2 – 3.5 dwelling units per acre, 35-foot maximum building height). Because this southern piece is being incorporated into a series of single family lots, the larger land area is being rezoned. The 2.21 acres is being rezoned from A and PUD to PUD (Planned Unit Development; Single-family residential, 2 – 3.5 dwelling units per acre, 35-foot maximum building height). This will insure that zoning boundaries created by different ordinances do not bisect lots. There are no land use impacts to this change; merely a paperwork clean-up of zoning boundaries. The rezoning of the larger 2.21 acres to PUD describes the zoning boundaries as following lot lines and street centerlines. A detailed zoning exhibit is attached as **FIGURE 4**.

Staff finds that the annexation, in coordination with the original annexation, complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203.

Staff also finds that the zoning requests comply with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603.

2. Conformance with the City Comprehensive Plan:

Comprehensive Plan 2020 Land Use Map: Since the property is not located within the City, it is not indicated with a land use on the 2020 Land Use Map, However, all of the surrounding property to the north, east and South is designated as General Residential.

Policy CIS 202: Annexation will be a Benefit to the City of Colorado Springs
Evaluate proposed annexations to determine if the request is a benefit to the City.

Policy LUM 213: Potential Annexation Areas

Utilize the Potential Annexation Area designation for areas that are likely to be incorporated by the City.

This property is part of an enclave, an unincorporated area surrounded by city boundaries. Moreover, it is a strip of land that was planned and analyzed as part the Flying Horse Ranch. In this unique situation, there are not many specific policies and goals that apply to the situation. However, the Comprehensive Plan does recommend cohesive and compatible development. That goal will be furthered by this annexation and zoning.

It is the finding of the Land Use Review Division that The Flying Horse Ranch Addition No. 2 annexation and zoning will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

3. Conformance with the Area's Master Plan:

This property is part of the Flying Horse Master Plan and currently shown as Residential, 2 - 3.5 dwelling units per acre. This strip of land will be used as residential, future right-of-way and drainage/detention area.

It is the finding of Staff that the Flying Horse Ranch Addition No. 2 annexation and zoning will be in compliance with the Flying Horse Master Plan.

STAFF RECOMMENDATION:

ITEM NO.: 4.A CPC A 13-00081 – ANNEXATION

Approve the Flying Horse Ranch Addition No. 2 Annexation, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203.

ITEM NO.: 4.B CPC ZC 14-00039 – ESTABLISHMENT OF AN A ZONE DISTRICT

Approve the establishment of the A (Agricultural) zone district, based upon the findings that the zoning request complies with the three (3) criteria for establishing a zone district as set forth in City Code Section 7.5.603.B.

ITEM NO.: 4.C CPC PUZ 14-00042 – REZONE 2.21 ACRES TO PUD

Approve the rezoning of 2.21 acres from A (Agricultural) and PUD (Planned Unit Development; Single-family residential, 2 – 3.5 dwelling units per acre, 35-foot maximum building height) to PUD (Planned Unit Development; Single-family residential, 2 – 3.5 dwelling units per acre, 35-foot maximum building height), based on the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603.

ANNEXATION PLAT FLYING HORSE RANCH ADDITION NO. 2 TO THE CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO

LEGAL DESCRIPTION:
 THAT PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
 A TRACT OF LAND LOCATED IN THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 66 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

BASES OF BEARINGS:
 THE WESTERLY BOUNDARY OF TRACT A AS PLATTED IN FLYING HORSE NO. 26 RECORDED UNDER RECEPTION NO. 200712586, ENDS BY A 1-1/2" ALUMINUM SURVEYORS CAP "COCS LIL 30118" 2011", IS ASSUMED TO BEAR S0114°32'E, A DISTANCE OF 622.69 FEET.

COMMENCING AT THE SOUTHWESTERLY CORNER OF GREY HAWK AT NORTH GATE, PLAT NO. 1 HORSE NO. 26 RECORDED UNDER RECEPTION NO. 200712586, SAID POINT BEING THE NORTHEASTERNLY CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 200712586, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 200712586, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE WESTERLY BOUNDARY OF TRACT A AS PLATTED IN FLYING HORSE NO. 26 RECORDED UNDER RECEPTION NO. 200712586;
 THENCE WEST 74°14'00" ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 200712586, A DISTANCE OF 1144.44 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 66 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE WESTERLY BOUNDARY OF TRACT A AS PLATTED IN FLYING HORSE NO. 26 RECORDED UNDER RECEPTION NO. 200712586;
 THENCE WEST 74°14'00" ON THE SOUTHERLY BOUNDARY AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 1144.44 FEET TO A POINT ON THE SOUTH BOUNDARY OF BELLA SPRINGS PLAT NO. 1, RECORDED UNDER RECEPTION NO. 200701002, THENCE WEST 74°14'00" ON SAID SOUTH LINE AND SAID NORTHERLY BOUNDARY, A DISTANCE OF 1144.44 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 3488 AT PAGES 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 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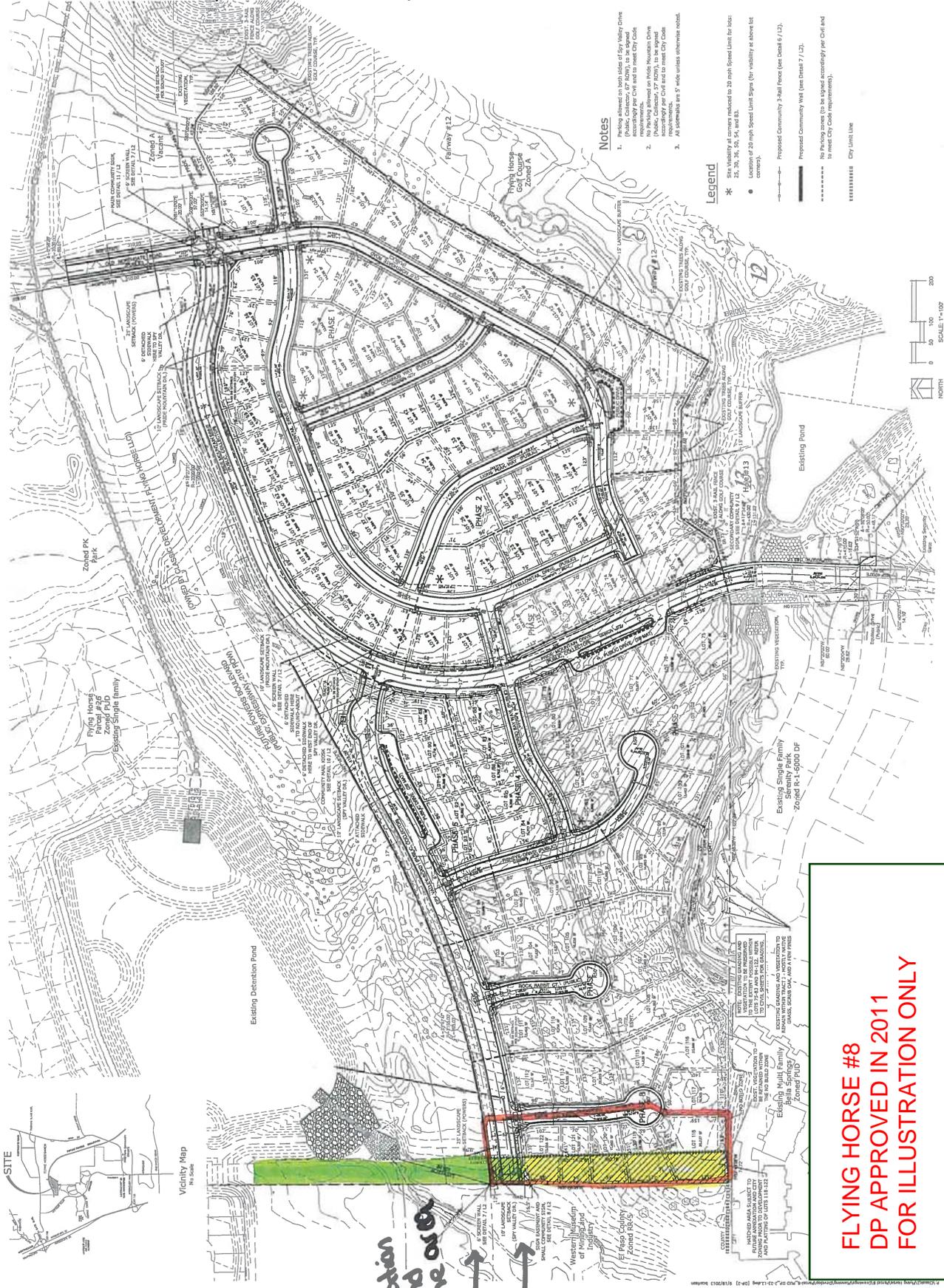
N.E.S. Inc.
 508 South Tejon Street
 Colorado Springs, CO 80903
 TEL: 719.471.0073
 FAX: 719.471.0077
 www.nesinc.com



Flying Horse Parcel No. 8

Classic Communities

DATE: 05/15/14
 PROJECT: FLYING HORSE
 SHEET NO. 8 OF 10



Notes

1. All parking allowed on both sides of Flying Horse Drive (Public Collector, or R200) to be signed accordingly per City and to meet City Code.
2. All parking allowed on Inside Housen Drive (Public Collector, or R200) to be signed accordingly per City and to meet City Code.
3. All easements are 5' wide unless otherwise noted.

Legend

- * Site Visibility at corners reduced to 20' high Speed Limit for lots: 25, 30, 35, 40, 45, 50, 55.
- Visibility at corners reduced to 20' high Speed Limit Sign (for visibility at above lot corners)
- Proposed Community 3-Rail Fence (see Detail # 1/2).
- Proposed Community Wall (see Detail # 1/2).
- No fencing zones to be signed accordingly per City and to meet City Code requirements.
- City Limits Line

PUD Development Plan

2 OF 10

CPC PUD 11-00057

**FLYING HORSE #8
 DP APPROVED IN 2011
 FOR ILLUSTRATION ONLY**

*Amundson
 Reserve area*

FIGURE 1

Project Statement

Flying Horse Ranch Addition No. 2

March 2014

Flying Horse Addition No. 2 consists of a strip of land located generally between the Western Museum of Mining and Industry on the west and Flying Horse Master Plan on the east. It consists of 1.677 acres of land. The strip is the result of a survey error, and therefore was not annexed with the original Flying Horse Annexation. The strip has been planned as a part of Flying Horse, and has been shown on the Flying Horse Parcel #8 Development Plan.

The proposed land use for this strip is, from north to south: for additional land for an existing drainage detention pond; for future Powers Blvd. right-of-way; and for the rear portions of 5 lots. The 5 lots are within the last phase of development of Flying Horse Parcel #8.

Two zone change requests are a part of this application package. The land proposed for use as detention pond and for Powers Blvd. ROW will be zoned to the A (Agricultural) Zone (0.759 acres). The portion of the strip that will be a part of the 5 lots in Flying Horse Parcel #8 will be zoned PUD, consistent with the adjacent zoning (0.917 acres).

The recorded Annexation Agreement for Flying Horse as originally proposed and the Fiscal Impact Analysis will apply to this strip of land. The major obligations of the annexation agreement have previously been met; only fees related to future platting will apply to this parcel of land.

This annexation and associated zoning actions are administrative in nature since they correct a survey error. Justification and findings for all of the original Flying Horse annexation apply to this strip of land. The Flying Horse Master Plan is not of sufficient detail to require amendment to show this strip of land. A community benefit to the annexation is the requirement to dedicate ROW for Powers Blvd. that is associated with Flying Horse annexation agreement obligations. Dedication would not be required without annexation.

Four legal descriptions accompany this application:

- A legal for the overall annexation
- A legal for the land that includes Powers Blvd. future dedication and north, which is the zoning legal for land to be zoned A
- A legal for the land south of proposed Powers Blvd. that is to be annexed

- A zoning legal for land to be zoned PUD, which includes ½ of proposed street Duckhorn Ct. and the entirety of the five lots affected by this action. This zone change insures that one zone district applies to these five lots.

Maps showing the specifics of these legals are included in this submittal package as is the Development Plan for Flying Horse Parcel No. 8.

FLYING HORSE RANCH ADDITION NO. 2 ANNEXATION ANNEXATION AGREEMENT

THIS ANNEXATION AGREEMENT, dated this ____ day of _____, 2014, is between the City of Colorado Springs, a home rule city and Colorado municipal corporation ("City"), and Pulpit Rock Investments, LLC ("Owners" or "Property Owners").

I. INTRODUCTION

The Owners own all of the real property located in El Paso County, Colorado, identified and described on the legal description attached as Exhibit A (the Property).

The growth of the Colorado Springs metropolitan area makes it likely that the Property will experience development in the future. The Owner will be required to expend substantial amounts for installation of infrastructure needed to service the Property and, therefore, desires to clarify Owner's obligations for installation of or payment for any off-site infrastructure or improvements and with regard to the City's agreements with respect to provision of services to the Property and cost recoveries available to Owner. Subject to the terms and conditions set forth in this Agreement, both the City and Owner wish to annex the Property into the City to ensure its orderly development. In consideration of the mutual covenants contained in this Agreement, the receipt and sufficiency of which are acknowledged by each of the parties, the City and Owner agree as follows.

II. ANNEXATION

The Owners have petitioned the City for annexation of the Property as set forth in Exhibit A. The annexation will become effective upon final approval by the City Council and the recording of the annexation plat and annexation ordinance with the El Paso County Clerk and Recorder.

All references to the Property or to the Owners' Property are to the Property described in Exhibit A except as otherwise indicated.

III.
LAND USE

The property is included in the Flying Horse Master Plan. The Owner will comply with this Master Plan or an amended Master Plan approved in accord with applicable provisions of the Code of the City of Colorado Springs 2001, as amended or recodified ("City Code").

IV.
ZONING

A. Zoning. The Planning Department of the City agrees to recommend that the initial zone for the Owners' Property shall be a split zone. The northern portion of the strip described as powers and north is 0.759 acres and to be zoned A (Agricultural) upon annexation. The southern portion of the strip described as powers and south is 0.917 acres and to be zoned PUD (Planned Unit Development; single family residential). Owners acknowledge and understand that the City Council determines what an appropriate zone is for the Property, and this recommendation does not bind the Planning Commission or City Council to adopt an A and PUD zone for the Property.

B. Change of Zoning. A change of zone request shall conform to the Master Plan, as approved or as amended by the City in the future.

C. Phasing. Subject to adjustment as reasonably necessary to respond to market conditions, phasing of development within the Property is anticipated to be in substantial conformance with the phasing plan submitted and approved in conjunction with the Flying Horse Master Plan.

V.
COMPLIANCE WITH FLYING HORSE RANCH ANNEXATION AGREEMENT

Although included within the Flying Horse Master Plan, the Property was not included in the Flying Horse Ranch Annexation Agreement, and the provision contained in this Agreement shall only apply to the Property describe in Exhibit A and not to any of the property described in the 2004 Flying Horse Ranch Annexation Agreement recorded January 22, 2004.

However, upon annexation of the Property, Owner understands and agrees that all the provision of the 2004 Flying Horse Ranch Annexation Agreement will extend to the Property as if it originally had been included in the

2004 Flying Horse Ranch annexation, and the Property will be subject to and included in the 2004 Flying Horse Ranch Annexation Agreement.

Without limitation, but by way of explanation, the Property is subject to the following provision in the Flying Horse Ranch Annexation Agreement:

- Section 5 - Public Facilities
- Section 6 - Utilities
- Section 7 - Groundwater Consent
- Section 8 – Parks
- Section 9 – Public Land Dedication
- Section 11 – Fire Protection
- Section 16 – Special Taxing District

VI.
SPECIAL PROVISIONS

Southeastern Water Conservancy District: Notice is hereby provided that upon annexation the property is subject to subsequent inclusion into the boundaries of the Southeastern Water Conservancy District pursuant to C.R.S. § 37-45-136 (3.6) as may be amended, and the rules and procedures of that district and shall be subject thereafter to a property tax mill levy for the purposes of meeting the financial obligations of that district.

VII.
ORDINANCE COMPLIANCE

Owners will comply with all tariffs, policies, rules, regulations, ordinances, resolutions and codes of the City which now exist or are amended or adopted in the future, including those related to the subdivision and zoning of land, except as expressly modified by this Agreement. This Agreement shall not be construed as a limitation upon the authority of the City to adopt different tariffs, policies, rules, regulations, ordinances, resolutions and codes which change any of the provisions set forth in this Agreement so long as these apply to the City generally.

VIII.
ASSIGNS AND DEED OF TRUST HOLDERS

Where as used in this Agreement, the term "the Owners" or "Property Owners," shall also mean any of the heirs, executors, personal representatives, transferees, or assigns of the Owners and all these parties shall have the right to enforce and be enforced under the terms of this Agreement as if they were the original parties hereto. Rights to specific refunds or payments contained in this Agreement shall always be to the Owners unless specifically assigned to another person.

By executing this Agreement, the deed of trust holder agrees that: (1) should it become owner of the Property through foreclosure or otherwise that it will be bound by the terms and conditions of this Agreement to the same extent as Owner; and (2) should it become owner of the Property, any provisions in its deed of trust or other agreements pertaining to the Property in conflict with this Agreement shall be subordinate to and superseded by the provisions of this Agreement. ***(OR, THE FOLLOWING IS TO BE INSERTED IF THERE ARE NO DEED OF TRUST HOLDERS: Owners affirmatively state that there exist no outstanding deeds of trust or other similar liens or encumbrances against the Property).***

IX.
RECORDING

This Agreement shall be recorded with the Clerk and Recorder of El Paso County, Colorado, and constitute a covenant running with the land. This Agreement shall be binding on future assigns of the Owners and all other persons who may purchase land within the Property from the Owners or any persons later acquiring an interest in the Property. Any refunds made under the terms of this Agreement shall be made to the Owners and not subsequent purchasers or assigns of the Property unless the purchase or assignment specifically provides for payment to the purchaser or assignee and a copy of that document is filed with the City.

X.
AMENDMENTS

This Agreement may be amended by any party, including their respective successors, transferees, or assigns, and the City without the consent of any other party or its successors, transferees, or assigns so long as the amendment applies only to the property owned by the amending party. For the purposes of this article, an amendment shall be deemed to apply only to property owned by the amending

party if this Agreement remains in full force and effect as to property owned by any non-amending party.

Any amendment shall be recorded in the records of El Paso County, shall be a covenant running with the land, and shall be binding on all persons or entities presently possessing or later acquiring an interest in the property subject to the amendment unless otherwise specified in the amendment."

XI.
HEADINGS

The headings set forth in the Agreement for the different sections of the Agreement are for reference only and shall not be construed as an enlargement or abridgement of the language of the Agreement.

XII.
DEFAULT AND REMEDIES

If either Owner or City fails to perform any material obligation under this Agreement, and fails to cure the default within thirty (30) days following notice from the non-defaulting party of that breach, then a breach of this Agreement will be deemed to have occurred and the non-defaulting party will be entitled, at its election, to either cure the default and recover the cost thereof from the defaulting party, or pursue and obtain against the defaulting party an order for specific performance of the obligations under this Agreement and, in either instance, recover any actual damages incurred by the non-defaulting party as a result of that breach, including recovery of its costs and reasonable attorneys' fees incurred in the enforcement of this Agreement, as well as any other remedies provided by law.

XIII.
GENERAL

Except as specifically provided in this Agreement, City agrees to treat Owner and the Property in a non-discriminatory manner relative to the rest of the City. In addition, any consent or approval required in accord with this Agreement from the City shall not be unreasonably withheld, conditioned or delayed. City agrees not to impose any fee, levy or tax or impose any conditions upon the approval of development requests, platting, zoning or issuance of any building permits for the Property, or make any assessment on the Property that is not uniformly applied throughout the City, except as specifically provided in this Agreement or the City Code. If the annexation of the Property or any portion of the Property is challenged by a referendum, all provisions of this Agreement, together with the duties and obligations of each party, shall be suspended, pending the outcome of the referendum election. If the referendum challenge to the annexation results in the disconnection of the Property from the City, then this Agreement and all its provisions shall be null and void and of no further effect. If the referendum challenge fails, then Owner and City shall continue to be bound by all terms and provisions of this Agreement.

XIV.
SEVERABILITY

If any provision of this Agreement is for any reason and to any extent held to be invalid or unenforceable, then neither the remainder of the document nor the application of the provisions to other entities, persons or circumstances shall be affected.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first written above.

CITY OF COLORADO SPRINGS

BY: _____
MAYOR

ATTEST:

BY: _____
CITY CLERK



6385 Corporate Drive, Suite 101
Colorado Springs, Colorado 80919

(719)785-0790
(719) 785-0799(Fax)

JOB NO. 1071.93-03
NOVEMBER 12, 1013
PAGE 1 OF 1

LEGAL DESCRIPTION:

THAT PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH P.M. LYING EAST OF AND ADJACENT TO THAT PARCEL OF LAND DESCRIBED IN DEEDS RECORDED OCTOBER 2, 1981 IN BOOK 3488 AT PAGES 63, 65, AND 67, IN THE CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE WESTERLY BOUNDARY OF TRACT A AS PLATTED IN FLYING HORSE NO. 26 RECORDED UNDER RECEPTION NO. 206712386, RECORDS OF EL PASO COUNTY, COLORADO, MONUMENTED AT BOTH ENDS BY A 1-1/2" ALUMINUM SURVEYORS CAP "CCES LLC PLS 30118", IS ASSUMED TO BEAR S01°14'32"E, A DISTANCE OF 625.69 FEET.

COMMENCING AT THE SOUTHEASTERLY CORNER OF GREY HAWK AT NORTH GATE FILING NO. 1 RECORDED UNDER RECEPTION NO. 206712248, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING THE NORTHEASTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 3488 AT PAGE 63, 65 AND 67, SAID POINT ALSO BEING THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 206152664, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE N88°54'07"E, ON THE SOUTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 206152664, A DISTANCE OF 52.84 FEET TO A POINT ON THE EAST LINE OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 8, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN SAID POINT BEING ON THE WESTERLY BOUNDARY OF TRACT A AS PLATTED IN FLYING HORSE NO. 26 RECORDED UNDER RECEPTION NO. 206712386;

THENCE S01°14'32"E, ON SAID EAST LINE AND SAID WESTERLY BOUNDARY AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 1145.84 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF SAID SECTION 8, SAID POINT BEING ON THE NORTHERLY BOUNDARY OF BELLA SPRINGS FILING NO. 1, RECORDED UNDER RECEPTION NO. 200102105;

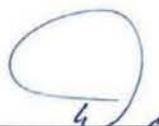
THENCE N89°54'24"W, ON SAID SOUTH LINE AND SAID NORTHERLY BOUNDARY, A DISTANCE OF 74.72 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EASTERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 3488 AT PAGES 63, 65, AND 67;

THENCE N00°08'53"W, ON SAID EASTERLY BOUNDARY AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 1144.44 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1.677 ACRES.

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.




DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 30118
FOR AND ON BEHALF OF CLASSIC CONSULTING,
ENGINEERS AND SURVEYORS, LLC.

Nov 12, 2013
DATE



6385 Corporate Drive, Suite 101
Colorado Springs, Colorado 80919

(719)785-0790
(719) 785-0799(Fax)

JOB NO. 1171.00-08
MARCH 20, 2014
PAGE 1 OF 1

LEGAL DESCRIPTION: WEST PORTION FIL. NO 4

A PARCEL OF LAND LOCATED IN SECTION 8, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE WESTERLY BOUNDARY OF FLYING HORSE NO. 8 FILING NO. 2 AS RECORDED UNDER RECEPTION NO. 213713326, RECORDS OF EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE NORTHWESTERLY CORNER OF TRACT A AS PLATTED IN SAID FLYING HORSE NO. 8 FILING NO. 2 AND THE SOUTHWESTERLY CORNER OF SAID TRACT A BY A 1-1/2" ALUMINUM SURVEYORS CAP STAMPED "CCES LLC PLS 30118" IS ASSUMED TO BEAR S07°25'50"E, A DISTANCE OF 146.00 FEET.

COMMENCING AT THE NORTHWESTERLY CORNER OF FLYING HORSE NO. 8 FILING NO. 3, RECORDED UNDER RECEPTION NO. 214713430, RECORDS OF EL PASO COUNTY, COLORADO;

THENCE S79°09'30"W, A DISTANCE OF 151.04 FEET TO THE POINT OF BEGINNING;

THENCE S08°50'00"E, A DISTANCE OF 102.60 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 09°05'00", A RADIUS OF 500.00 FEET AND A DISTANCE OF 79.27 FEET TO A POINT OF TANGENT;
THENCE S00°15'00"W, A DISTANCE OF 59.21 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 09°45'00", A RADIUS OF 500.00 FEET AND A DISTANCE OF 85.08 FEET TO A POINT OF TANGENT;
THENCE S09°30'00"E, A DISTANCE OF 64.26 FEET;
THENCE S23°45'45"W, A DISTANCE OF 50.00 FEET;
THENCE S00°11'04"W, A DISTANCE OF 158.89 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF BELLA SPRINGS FILING NO. 1, RECORDED UNDER RECEPTION NO. 200102105;

THENCE ON THE NORTHERLY BOUNDARY OF SAID BELLA SPRINGS FILING NO. 1 THE FOLLOWING (2) TWO COURSES;

- 1. N89°48'56"W, A DISTANCE OF 87.87 FEET;
- 2. N89°54'24"W, A DISTANCE OF 74.72 FEET TO A POINT ON THE SOUTHERLY EXTENSION OF THE EASTERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 3488 AT PAGES 63, 65, AND 67;

THENCE N00°08'53"W, ON SAID EASTERLY BOUNDARY AND THE SOUTHERLY EXTENSION THEREOF, A DISTANCE OF 574.09 FEET TO A POINT ON CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N04°55'36"W, HAVING A DELTA OF 03°54'24" A RADIUS OF 2155.00 FEET AND A DISTANCE OF 146.94 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 2.215 ACRES.

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.


DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 30118
FOR AND ON BEHALF OF CLASSIC CONSULTING,
ENGINEERS AND SURVEYORS, LLC.

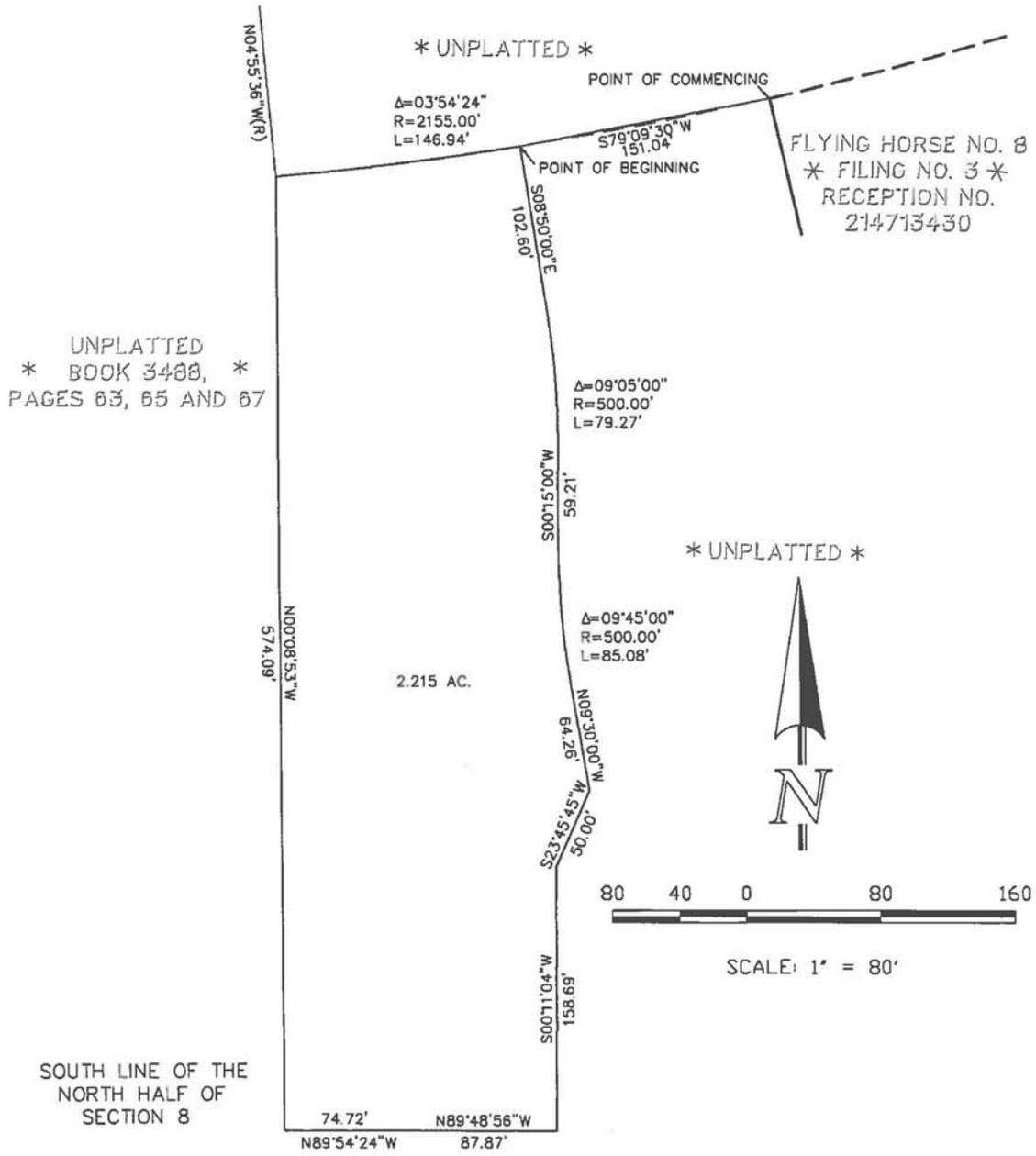


MARCH 20, 2014
DATE



6385 Corporate Drive, Suite 101 (719)785-0790
 Colorado Springs, Colorado 80919 (719)785-0799 (Fax)

FLYING HORSE
 REZONE
 WEST PORTION FILING NO. 4
 JOB NO. 1171.00-08
 SHEET 1 OF 1
 MARCH 19, 2014



* BELLA SPRINGS
 FILING NO. 1 *
 RECEPTION
 NO. 200102105

CCES, LLC DOES NOT EXPRESS NOR IMPLY ANY WARRANTY WITH THE ABOVE WRITTEN LEGAL DESCRIPTION AND EXHIBIT. THE LEGAL DESCRIPTION WAS WRITTEN FOR INFORMATIONAL PURPOSES ONLY AND DOES NOT DEPICT A MONUMENTED LAND SURVEY.

FIGURE 4

CITY PLANNING COMMISSION AGENDA

ITEM NOS: 5.A-5.C

STAFF: MEGGAN HERINGTON

FILE NO(S):

CPC MP 07-00061-A3MN14 – QUASI-JUDICIAL

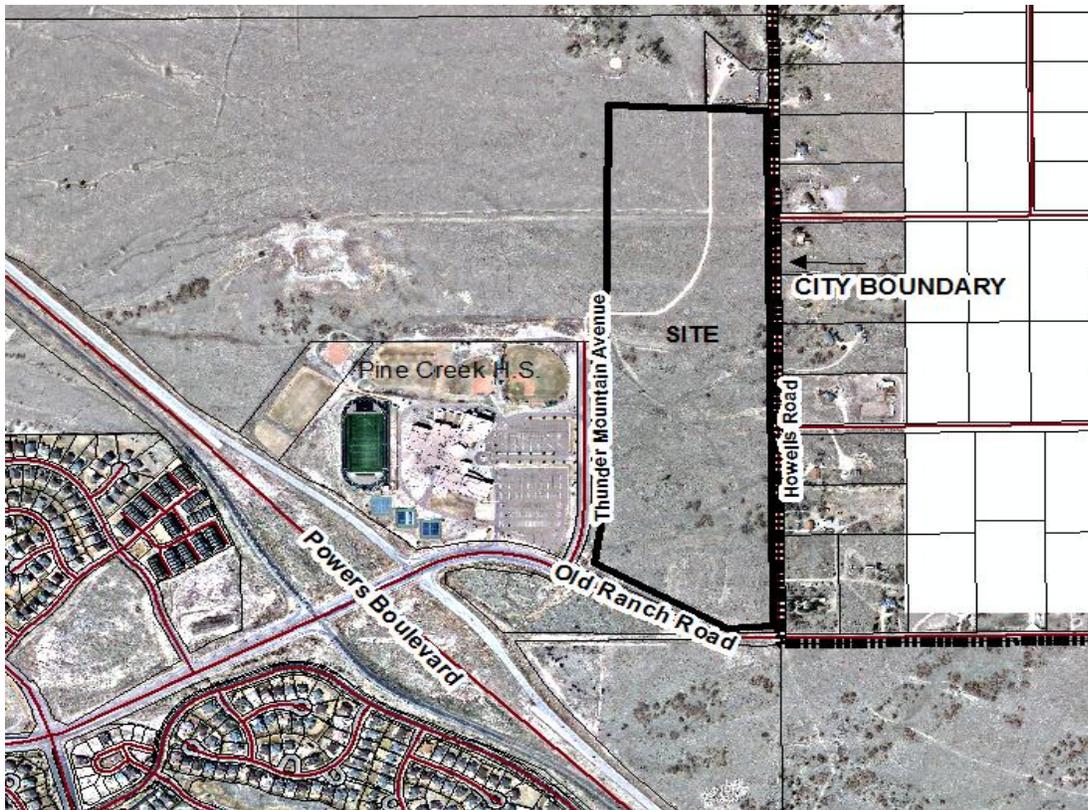
CPC PUZ 14-00024 – QUASI-JUDICIAL

CPC PUD 14-00025 – QUASI-JUDICIAL

PROJECT: NORTH FORK AT BRIARGATE

APPLICANT: JR ENGINEERING

OWNER: HIGH VALLEY LAND COMPANY, INC.



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a minor master plan amendment, PUD zone change and PUD development plan for an 83-acre site located north of Old Ranch Road, east of Pine Creek High School and west of Howells Road.

The minor amendment to the Briargate Master Plan proposes to move the designated 11-acre elementary school site from a location directly north of and adjacent to Pine Creek High School to a location east of Thunder Mountain Avenue, west of Howells Road and south of the future park. The PUD rezone will change 73.54 acres from A (Agricultural) to PUD (Planned Unit Development – Single Family Residential, 1.99 dwelling units per acre, 30-foot height maximum for all lots shown as estate lots on the development plan and 36-foot height maximum for all other lots). The PUD development plan illustrates the layout of 141 lots with open space, detention pond tracts and public roads. The school site is not part of the rezoning or the development plan and is the only change to the master plan. When the school is ready to develop, a site specific development plan will be reviewed by City Staff. **(FIGURE 1)**

Staff is administratively reviewing two final plats that will create the 141 lots, open space tracts, easements and public road rights-of-way.

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Staff recommends approval of the applications with technical modifications.

BACKGROUND:

1. Site Address: The site is not currently addressed. The property is located east of Pine Creek High School and west of Howells Road. The property is directly adjacent to the city boundary.
2. Existing Zoning/Land Use: The property is currently vacant with no significant vegetation.
3. Surrounding Zoning/Land Use:
 - North: A (Agricultural)/Vacant and planned for open space/parks
 - South: A (Agricultural)/Vacant and planned for commercial and single-family residential
 - East: Unincorporated El Paso County/Howells Road and rural residential
 - West: A (Agricultural)/Pine Creek High School and future single-family residential
4. Comprehensive Plan/Designated 2020 Land Use: Low Density Residential
5. Annexation: The property was annexed in September, 1982 as a part of the Briargate Addition #5 Annexation.
6. Master Plan/Designated Master Plan Land Use: The current Briargate Master Plan designates the property as R-VL (Residential Very Low 0-1.99 dwelling units per acre). The proposal will change 11 acres of this designation to an elementary school. With the elementary school move, 11 acres of previously designated school site will be designated as Residential Low-Medium.
7. Subdivision: The property is unplatted.
8. Zoning Enforcement Action: None

9. Physical Characteristics: There are no significant physical or natural features. The property is characterized by grasslands and rolling topography.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public process included posting the site on three occasions and sending postcards to 147 property owners within 1,000 feet.

Three neighborhood meetings were held to discuss the proposal. The first was held on March 6, 2014. There were approximately 50 neighbors in attendance. This initial meeting introduced the process and the overall plan for development. Significant neighborhood concern was voiced at the meeting regarding moving the school site to the location adjacent to Howells Road. Most of the neighboring property owners in unincorporated El Paso County felt the change would create significant negative impacts on their rural neighborhood. Concerns also included residential density, traffic impacts, screening and buffering to the rural residents and disruption of views. Neighbors stated that Pine Creek High School traffic congests the area and that they felt that the roadways system could not handle the additional residential traffic.

The second meeting was held on April 2nd. Neighbors were updated on changes made to the plans in response to their concerns. Neighbors expressed continued opposition to moving the school site as well as traffic.

On May 1st the developer held their own neighborhood meeting to inform residents that the school site had been moved from the originally proposed location. The developer moved the school site to the west 200 feet and created a lot between Howells Road and the future school site; thus creating a private property buffer that will deter future school traffic from accessing Howells Road. Neighbors continue to be upset with the plan for additional residential densities stating that traffic is an issue. The adjacent residents would also prefer a six foot masonry wall as a buffer between them and the new community. Staff does not support the wall, instead recommending a split rail fence requirement along the back of the lots along Howells Road. Larger lots and increased setbacks will serve as an adequate buffer. Written opposition is attached as **FIGURE 3**. Staff input is outlined in the following section of this report.

Staff also sent the plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed or are included as technical modifications to the plans. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, School District 20, Police and E-911, El Paso County Development Services and the US Air Force Academy.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

Minor Master Plan Amendment

The Briargate Master Plan was originally adopted in late 1970 and updated as properties within the Briargate area were annexed. The property now known as North Fork was annexed in 1985 and the Briargate Master Plan was updated to show a variety of residential densities, along with a high school and an elementary school.

This minor master plan amendment would move the 11-acre elementary school from a location directly north of the existing Pine Creek High School to a location north of the first phase of residential development and northeast of the high school. Residential

development at a density of 3.5 – 7.99 dwelling units per acre will replace the school site on the master plan. The elementary school site will replace 11 acres of residential very low density (0 – 1.99 dwelling units per acre) as depicted on the plan. The relocation is not expected to impact the City's infrastructure or facilities. Better traffic flow through the community is the rationale for the change. There is also a benefit to moving the elementary school away from the high school to avoid traffic conflicts and improve circulation. This school site now abuts the future park and creates opportunities for buffers and open space usage between the school and the park. The proposed site also limits the residential neighbors to the school and provides better pick-up and drop-off ability internal to the development.

School District 20 provided comments that they support the new school site. The actual construction of the elementary school could be five to ten years away. At the time that the school is built, Land Use Review will review and comment on a development plan that will better illustrate site layout, building design, and traffic flow.

Neighbors strongly contest moving the elementary school. In the initial master plan amendment submittal, the school site was relocated from its originally master planned location to directly adjacent to Howells Road. While no access is allowed to Howells, neighbors feared that parents would use Howells as a secondary student drop-off, exponentially increasing traffic on Howells. The applicant changed the plans based on that input and shifted the school site westward by approximately 200 feet from Howells. The 200-foot area (between the school site and Howells) is now shown as residential. This will be developed as a portion of a private residential lot.

It is difficult for staff to comment on the overall traffic patterns for the school without a more detailed analysis that would be submitted with a development plan. However, the City Traffic Engineer supports the change to the Master Plan and the proposed residential densities based on review of the traffic studies. School details will be submitted for review of the development plan when construction is planned. Traffic patterns, pick-up and drop-off, building and site design will be evaluated at that stage.

PUD (Planned Unit Development) Rezone

The proposal will rezone 73.54-acres from A (Agricultural) to PUD (Planned Unit Development). The property was zoned A with annexation into the City in 1982. The A zone is considered a holding zone until the property is ready for development. The PUD is a customized zone district that sets the specific use, density and height for the property. Per the allowed density of the master plan, The North Fork at Briargate PUD will allow single-family residential development at a gross density of 1.99 dwelling units per acre and a maximum building height of 30 feet for estate lots and 36 feet for all other lots as shown on the development plan.

The rezone is in conformance with the Master Plan meets City Code standards for a PUD rezone request.

Single Family Residential Development Plan

The development plan is phase one of a large development as depicted on the master plan. This development plan illustrates the layout of 141 single family residential lots of varying size, along with open landscape tracts and storm water detention tracts.

This development is adjacent to rural residential properties in unincorporated El Paso County. As the owner planned for development, the rural neighbors made it clear that a buffer from urban density to rural density was extremely important. That is why the master plan shows this area as very low density residential. To insure a compatible transition between rural and suburban uses, the development plan creates a buffer of 16 estate lots. These estate lots are directly adjacent to the county road named Howells Road. Estate lots range in size from 1.5 acres to 4.8 acres. Access to these lots is by cul-de-sacs internal to the city development. There is no access to existing Howells Road. These estate lots have a maximum building height of 30 feet and minimum rear setbacks of 50 feet; similar to the rural residential directly to the east. There is a requirement for a split rail fence along the rear of the lots which abut Howells Road. This will insure a seamless treatment along Howells. Unique to these lots is the ability for larger accessory structures than typically allowed by City Code. Large accessory structures may be used for personal enclosed RV parking, workshops and large detached garages. The development plan states that these structures can include up to six garage doors, but can be no larger than the principal structure, and must maintain a 50 rear setback from Howells Road.

The balance of the lots within the development will be typical 50-foot and 60-foot wide suburban lots. The homes on these lots will have a height maximum of 36 feet, which is typically the maximum in the large planned communities within the City. The open space and detention pond tracts will be connected by trail and sidewalks for the purposes of pedestrian circulation within the development and to the future parks and open space to be developed in later phases.

The site is accessed by Thunder Mountain Avenue, a collector, and Forest Creek Drive, a residential street. Both Thunder Mountain and Forest Creek intersect at Old Ranch Road. The developer will be responsible for improvements to Old Ranch, including extending the left turn lane at Thunder Mountain and installing a round-about in Old Ranch where it intersects with Cordera Crest, south of the site.

Neighbors are very vocal in the opinion that traffic at Thunder Mountain turning to Pine Creek High School is a huge issue. Overall traffic is a large neighbor concern. Roadway improvements to be constructed with this development should alleviate some of the concerns. The left turn lane from Old Ranch to Thunder Mountain will be elongated. Old Ranch will also be redesigned to include a round-about that will eventually connect Old Ranch and Cordera Crest coming from the south. The full redesign of Old Ranch as shown on the development plan will be a benefit to the roadway system in the area.

Along with the developer responsibility to redesign and construct the improvements to Old Ranch, construction of the Powers Boulevard overpass at Old Ranch should begin this year. This will allow the on and off ramps to function as ramps and not as a signalized intersection. This will insure continued movement of traffic and the reduction of conflict.

Staff finds that the plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605 and the development plan review criteria as set forth in Section 7.5.502.E.

2. Conformance with the City Comprehensive Plan:
Comprehensive Plan 2020 Land Use Map: Low Residential
Comprehensive Plan Goals and Objectives: Low Residential

Objective LU 5: Develop Cohesive Residential Areas

Policy LU 501: Plan Residential Areas to Integrate Neighborhoods into the Wider Subarea and Citywide Pattern

Plan, design, develop, and redevelop residential areas to integrate several neighborhoods into the citywide pattern of activity centers, street networks, environmental constraints, parks and open space, school locations and other public facilities and services.

Objective N 1: Focus On neighborhoods

Objective N3: Vary Neighborhood Patterns

Objective CCA 6: Fit New Development into the Character of the Surrounding Area

Strategy LU 302c: Promote Compatibility between Land Uses of Differing Intensities

Design and develop mixed land uses to ensure compatibility and appropriate transitions between land uses that vary in intensity and scale.

This project is unique in that it is directly adjacent to county rural residential and a large city High School. In this transitional area, the plan takes into account both uses and transitions the lots sizes accordingly. The larger estate lots are adjacent to the five and ten acre rural lots and the smaller suburban sized lots are adjacent to the Pine Creek High School. The Briargate Master Plan allowed up to 700 units in this larger area called out as Kettle Creek on the Master Plan (Now referred to as North Fork). This first development plan in this area allows for vehicular and pedestrian circulation within the development to link the residential to the parks and open space and the school sites. All of these different design elements are supported by the Comprehensive Plan.

It is the finding of Staff that the North Fork development and the amendment to the Briargate Master Plan will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

3. Conformance with the Area's Master Plan:
City Code Chapter 7 Article 5 outlines criteria for administration of and procedures related to the amendment of master plans. This Article recognizes the need for master plan flexibility and that long term planning and consistency must be balanced with the need to amend plans as conditions change. The intent is to permit changes to a master plan that conform to contemporary standards and current codes, policies and plans.

Section 7.5.403(C)(2) guides the master plan amendment process and outlines criteria for when a minor master plan amendment is acceptable. A minor master plan amendment is a request for a change that:

- a. Will have slight impact on the City's infrastructure and facilities,
- b. Is generally less than 50 acres and would not increase trip generation off the parcel by more than ten percent (10%), and
- c. A change from one land use category to another may be considered if the impact of the requested change remained minimal.

This property is part of the Briargate Master Plan and currently shown as Residential Low-Medium and Residential Very Low. All development within this designated area must be single family residential with a density within the designated range.

The request for a rezone and development plan falls within this required density range and will further the development of the property per the approved Master Plan. The minor amendment to move the elementary school does not impact city infrastructure as the new infrastructure will be built with the new school site as planned.

It is the finding of Staff that the amendment to the Briargate Master Plan relocating the elementary school site and the associated North Fork Development Plan substantially conform to, and are in compliance with, the Briargate Master Plan as proposed to be amended.

STAFF RECOMMENDATION:

ITEM NO.: 5.A CPC MP 07-00061-A3MN14 – MINOR MASTER PLAN AMENDMENT

Approve the amendment to the Briargate Master Plan, based upon the finding that the amendment meets the review criteria for master plan amendments as set forth in City Code Section 7.5.408.

ITEM NO.: 5.B CPC PUZ 14-00024 – CHANGE OF ZONING TO PUD

Approve the zone change from A (Agriculture) to PUD (Planned Unit Development: Detached Single-Family Residential, 1.99 Dwelling Units Per Acre and 30-foot Maximum Building Height on Estate Lots and 36 foot Maximum Building Height on all other lots as shown on the PUD development plan), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603.

ITEM NO. : 5.C CPC PUD 14-00025 – PUD DEVELOPMENT PLAN

Approve the PUD Development Plan for North Fork at Briargate, based upon the findings that the development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.606, and the development plan review criteria as set forth in Section 7.5.502.E, subject to compliance with the following technical modifications:

Technical Modifications on PUD Development Plan:

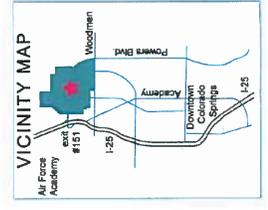
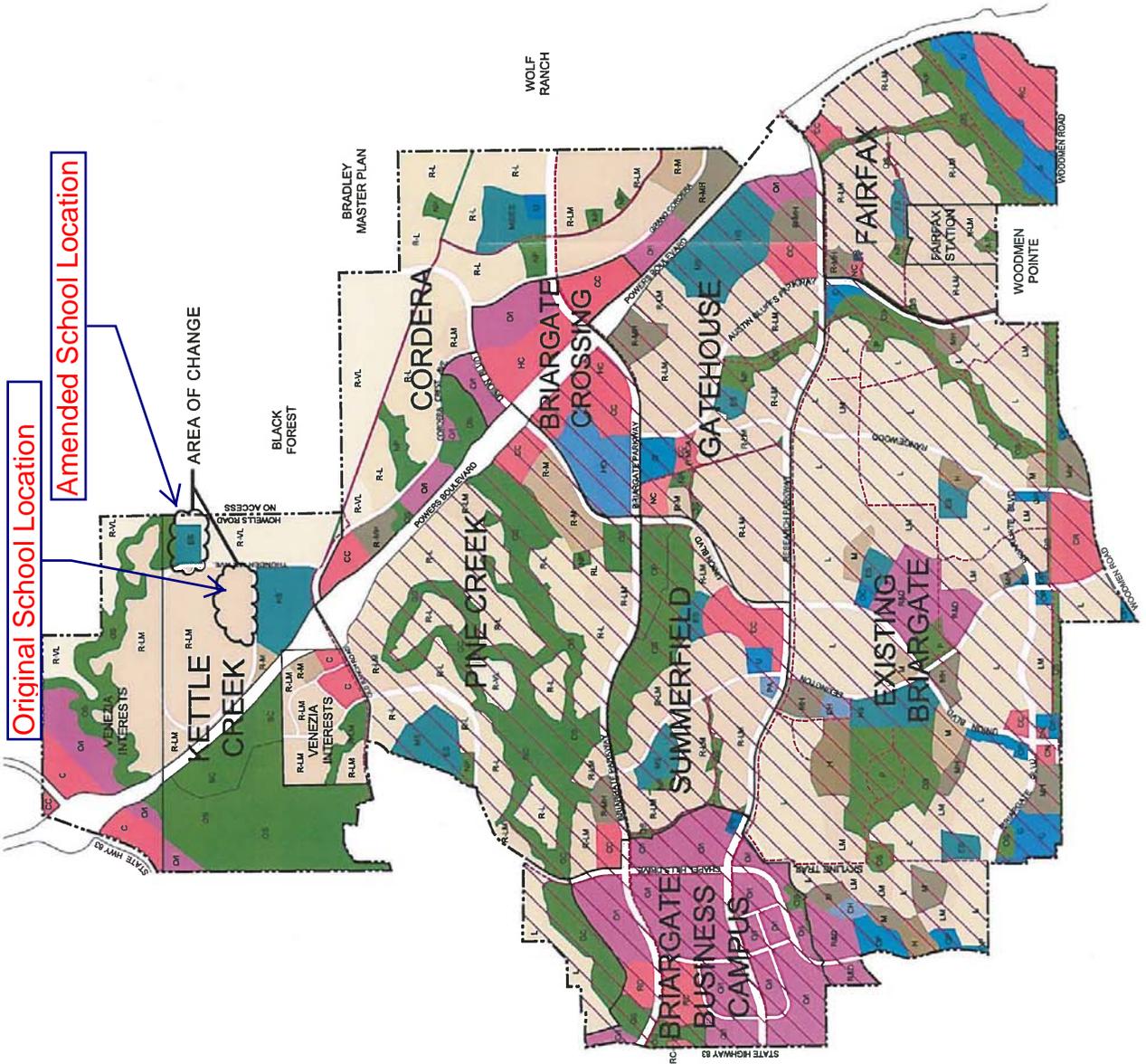
1. Update the legal description on the development plan.
 2. Add the notes to the landscape plan that the landscaping in the future round-about must be reviewed by city staff.
 3. Add to the plan a note that Howells pond will be privately owned and maintained.
-

Briargate

MASTER PLAN

LEGEND

LAND USE	ACREAGE
RESIDENTIAL VERY LOW (R-VL, 0-1.99 DU/gross acre)	208 AC
RESIDENTIAL LOW (R-L, 2-3.49 DU/gross acre)	1542 AC
RESIDENTIAL LOW-MEDIUM (R-LM, 3.5-7.99 DU/gross acre)	1530 AC
RESIDENTIAL MEDIUM (R-M, 8-11.99 DU/gross acre)	159 AC
RESIDENTIAL MEDIUM-HIGH (R-MH, 12-24.99 DU/gross acre)	237 AC
COMMERCIAL (C, CC, RC, HC)	437 AC
OFFICE (O)	70 AC
OFFICE-INDUSTRIAL/RESEARCH & DEVELOPMENT (O/I)	577 AC
GOVERNMENT / UTILITIES (G, U, FS)	83 AC
PUBLIC / INSTITUTIONAL (PA, PUBLIC ASSEMBLY, HO-HOSPITAL)	92 AC
SCHOOL (HS, MS, ES)	327 AC
RIGHT OF WAY	687 AC
OPEN SPACE (OS) / PARK (NP, CP) / GOLF COURSE (GC)	1219 AC
VENEZIA INTEREST	442 AC
IMPLEMENTED MASTER PLAN AREA	
TRAILS	
	7890 AC. TOTAL



LAPLATA
 INVESTMENTS, LLC
 1755 Telear Drive, Suite 450
 Colorado Springs, CO 80920
 main (719) 260-7477
 fax (719) 260-7088
 www.briargate.com
 www.pinecreek.com

ODUM DESIGN
 LANDMARK ARCHITECTURE
 LANDMARK INTERIORS
 LANDMARK DESIGN
 1500 S. W. 10th St., Suite 105
 Denver, CO 80202 | 303.897.5566

CPC MP 07-00061-A3MN14

FIGURE 1

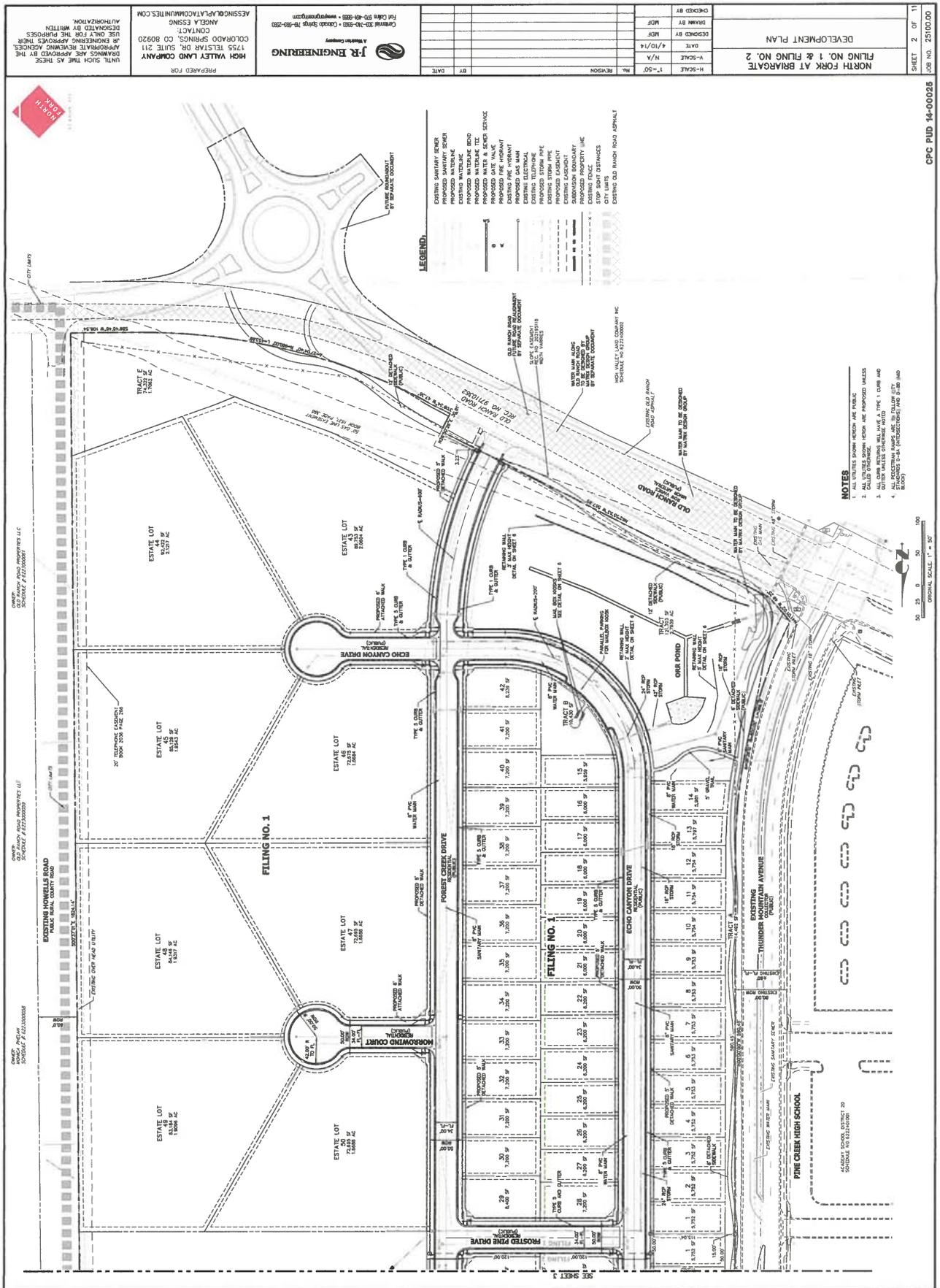


FIGURE 1

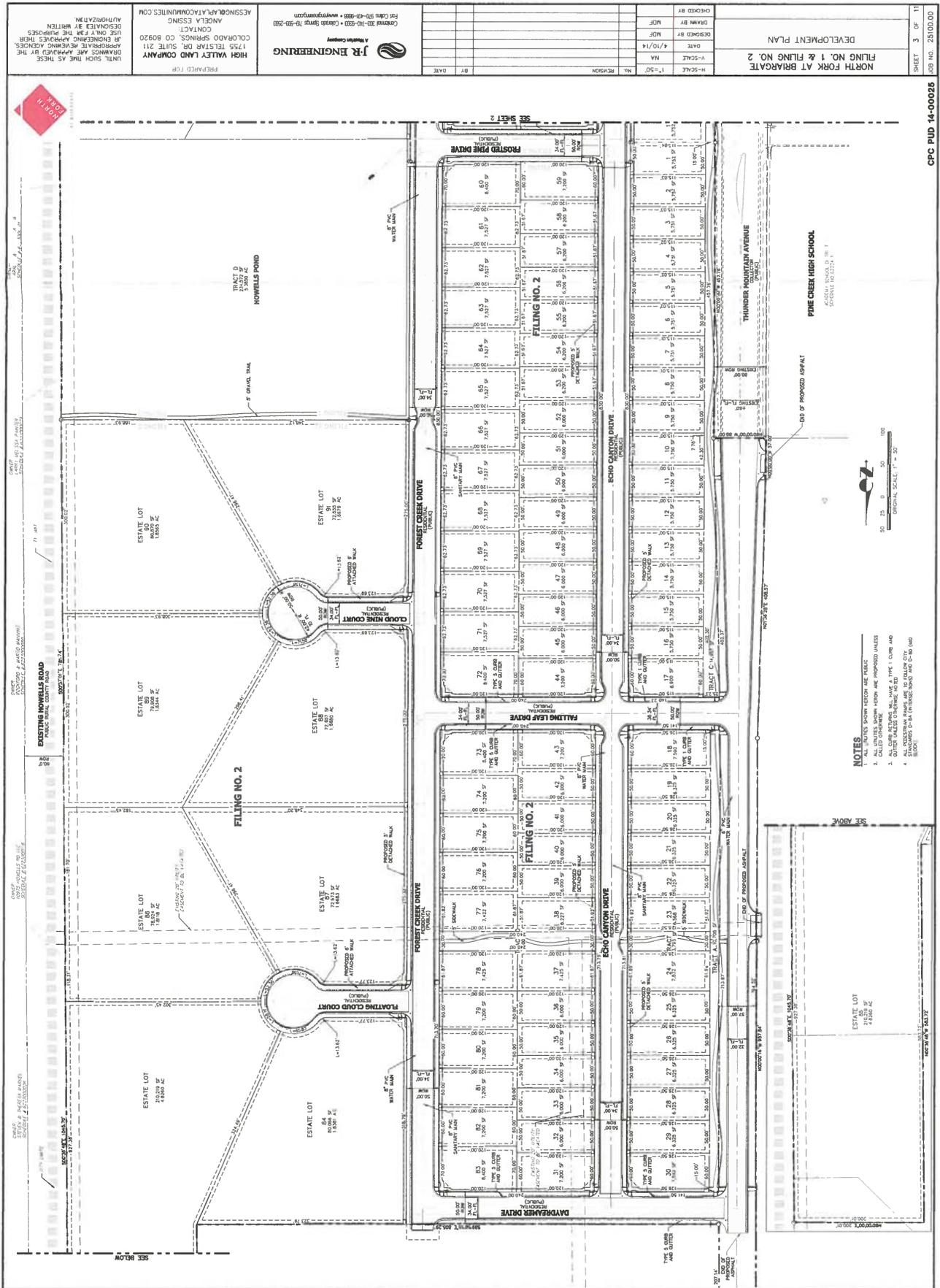
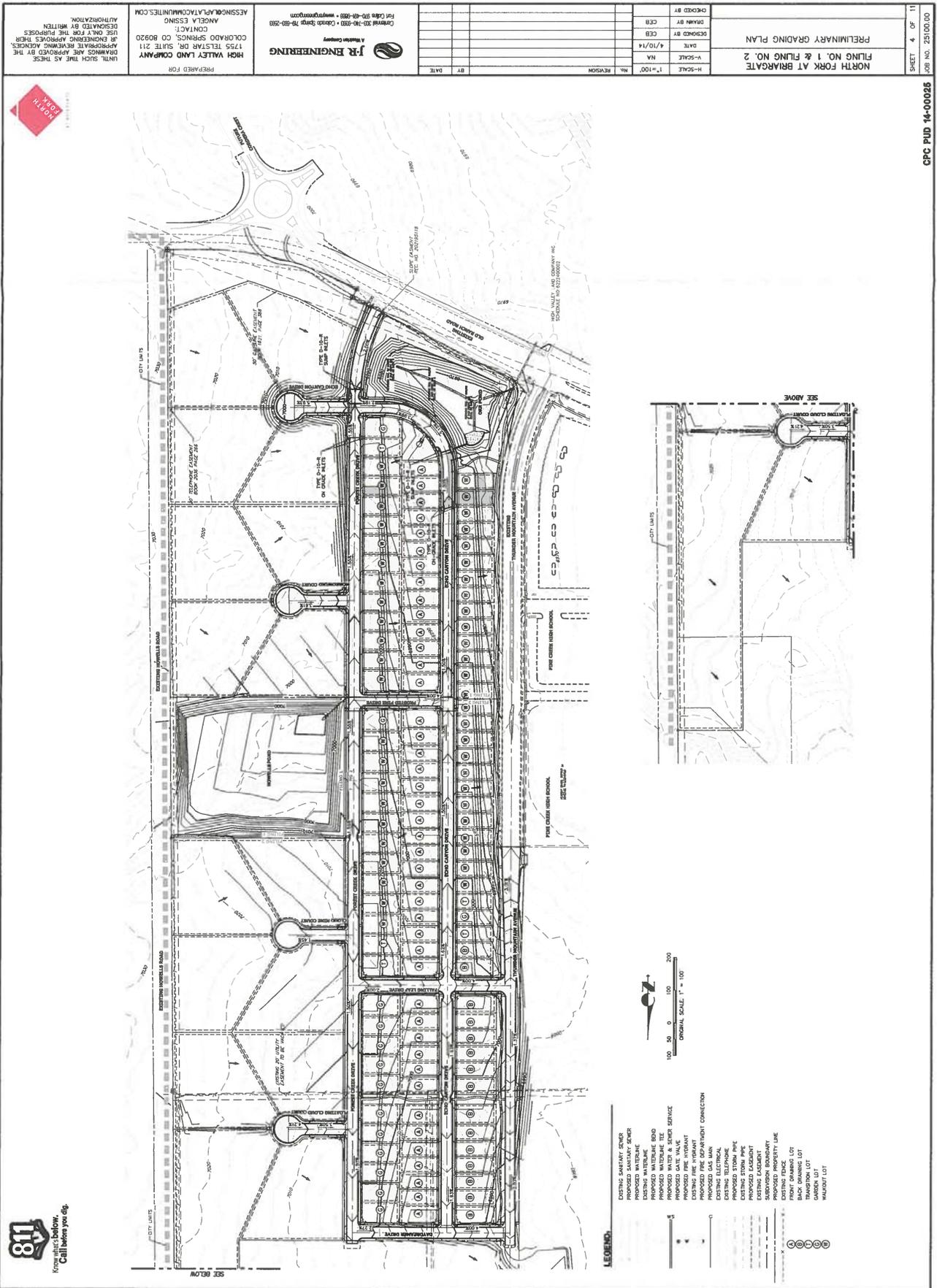


FIGURE 1



UNTIL SUCH TIME AS THESE DRAWINGS ARE APPROVED BY THE APPROPRIATE REVIEWING AGENCIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND AUTHORIZATIONS.

DESIGNED BY: ANGELA ESSING
 CHECKED BY: J.R. ENGINEERING

J.R. ENGINEERING
 A Member Company
 1725 TELSTAR DR. SUITE 211
 COLORADO SPRINGS, CO 80920
 PHONE: 719-593-2883 • FAX: 719-593-2883
 WWW.JRENG.COM

NO.	REVISION	BY	DATE
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

NO.	REVISION	BY	DATE
1			
2			
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10			

PRELIMINARY GRADING PLAN
 NORTH FORK AT BRIARGATE
 PLING NO. 1 & PLING NO. 2

SHEET 4 OF 11
 JOB NO. 25100.000
 CFC PUD 14-00025

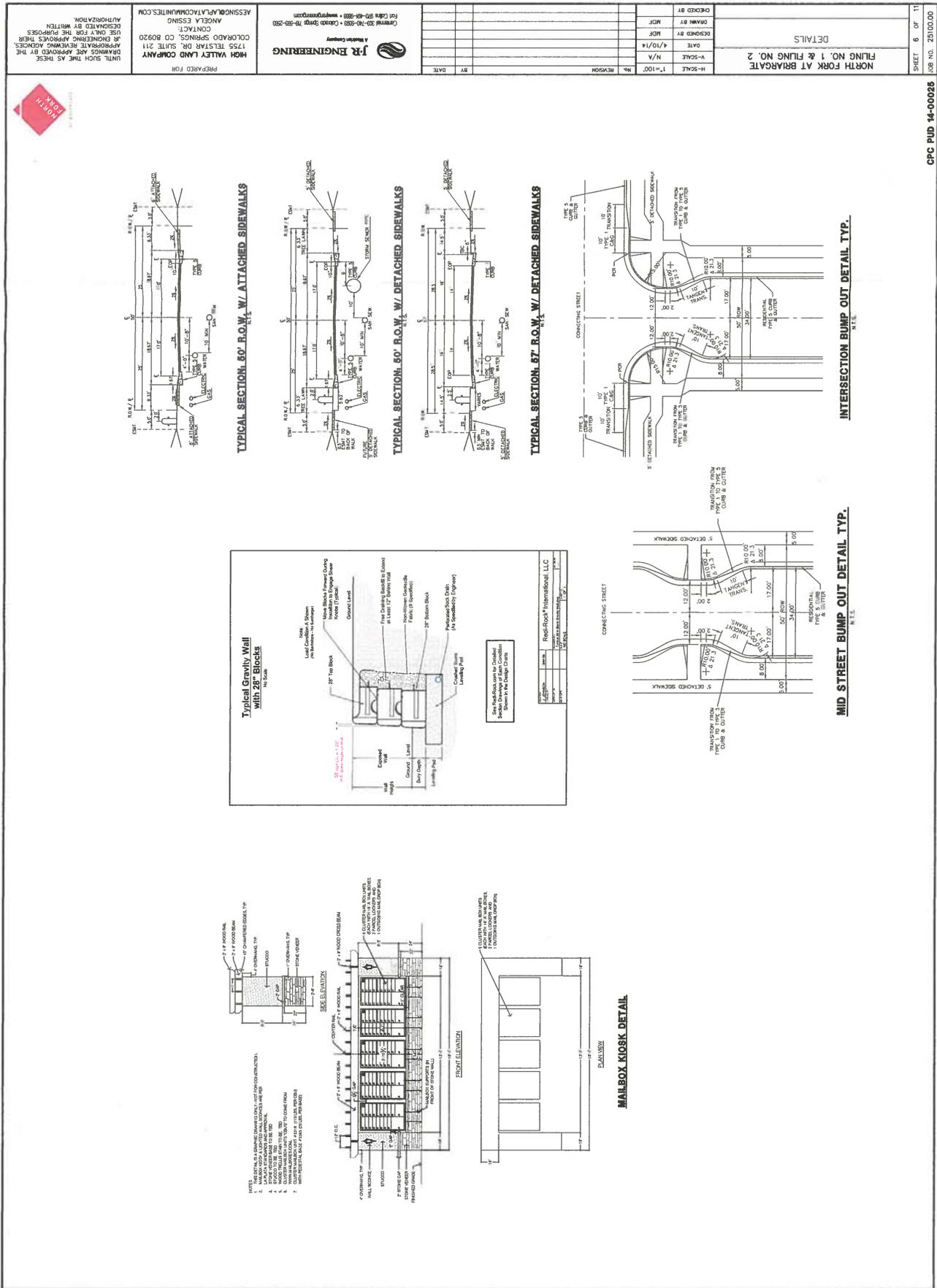


FIGURE 1

Land Planning
 Landscape Architecture
 Urban Design
NES
 N.E.S. Inc.
 650
 Colorado Springs, CO 80903
 Tel. 719.571.6673
 Fax 719.571.6677
 www.nesinc.com

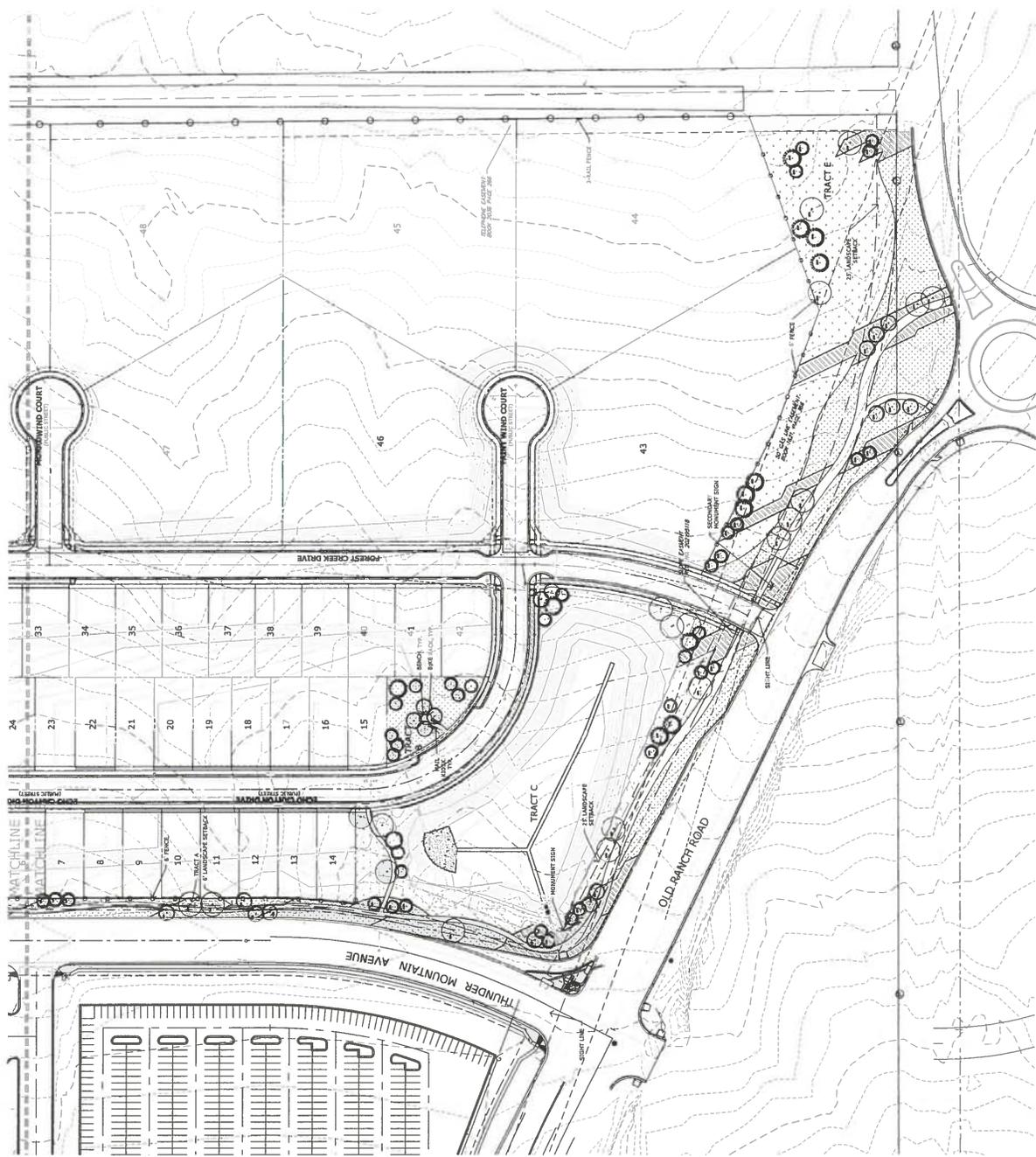


**NORTH FORK
 AT
 BRIARGATE**

DATE	DESCRIPTION

NO.	DATE	DESCRIPTION

**PRELIMINARY
 LANDSCAPE
 PLAN**
8
 8 OF 11
 CPC-PUD-14-00025



LEGEND:

- Enhanced Native Turf
- Rock Mulch & Shrub Beds
- Foothills Native Seed

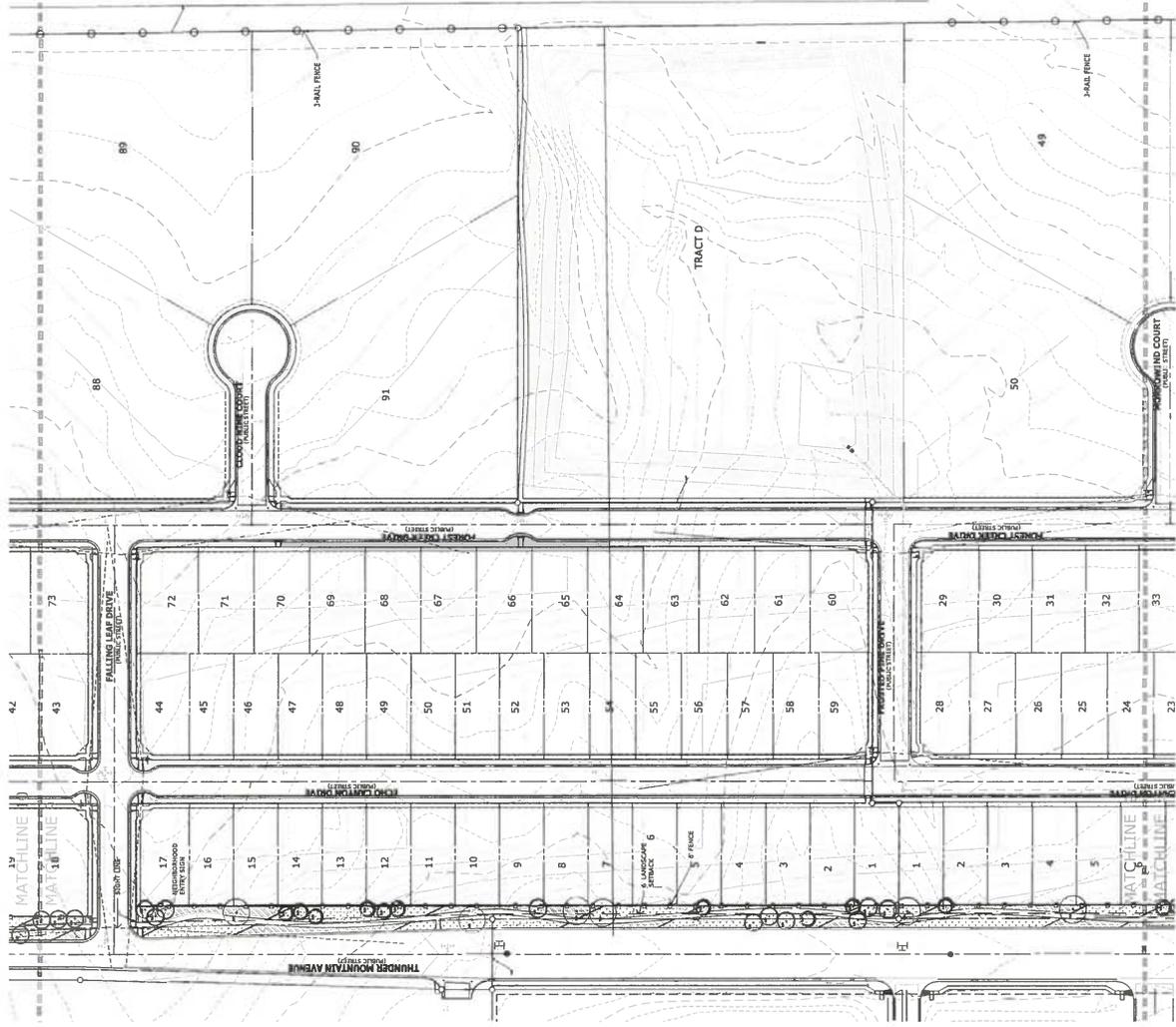
SCALE: 1" = 30'
 NORTH

FIGURE 1



NORTH FORK
 AT
 BRIARGATE

PRELIMINARY
 LANDSCAPE
 PLAN
 9
 9 of 11
 CPC-PUD 14-00025



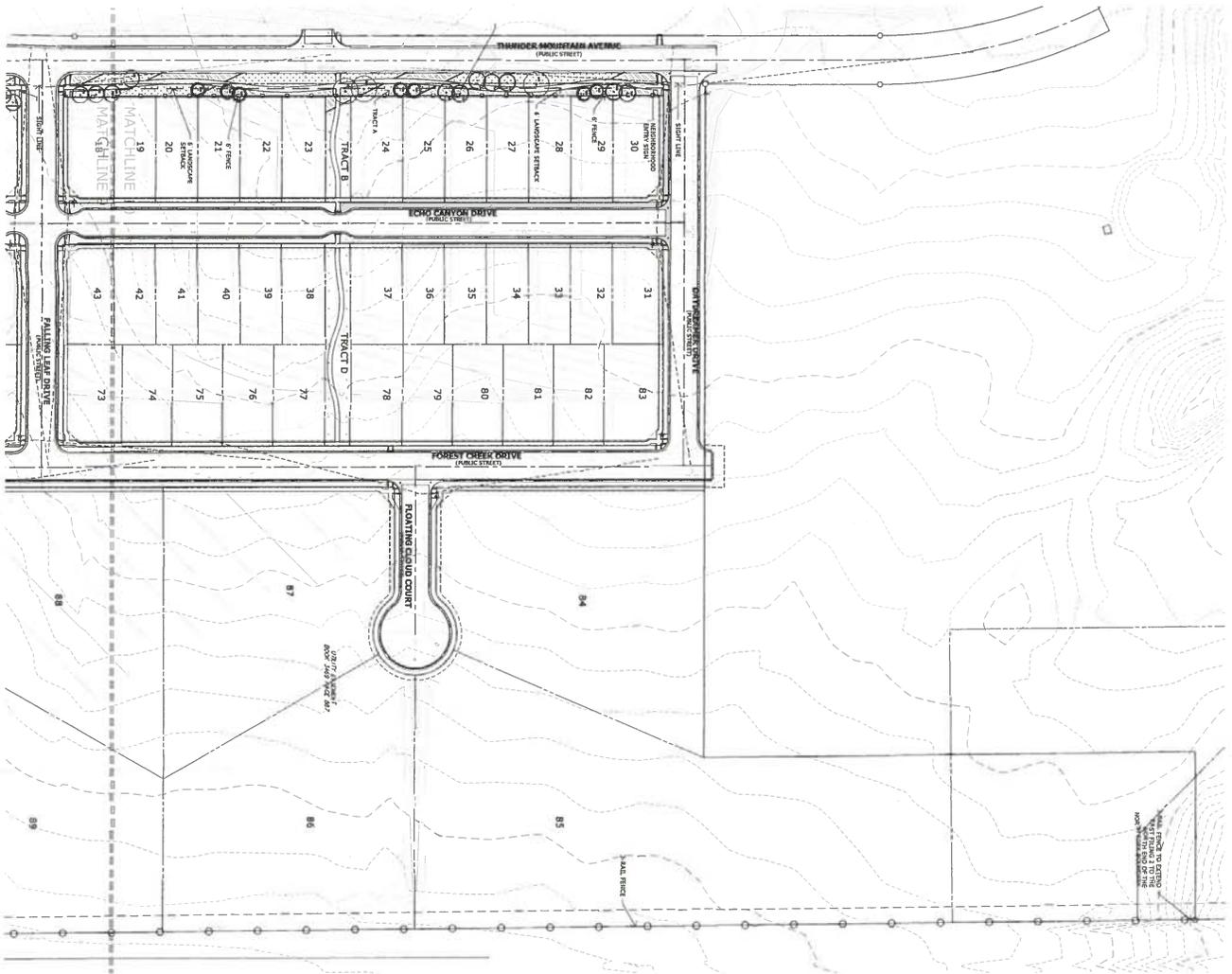
LEGEND:

- Enhanced Native Turf
- Rock Mulch & Shrub Beds
- Foothills Native Seed

SCALE: 1" = 80'

FIGURE 1

F:\3\Projects\North Fork\Design\Planning\Site\Site\Site.dwg (3.8.14) 4/29/2014 4:49:49 PM dlowe



LEGEND:

- Enhanced Native Turf
- Rock Mulch & Shrub Beds
- Foothills Native Seed

SCALE: 1" = 40'

NORTH

<p>PRELIMINARY LANDSCAPE PLAN</p> <p>10</p> <p>10' x 11'</p> <p>CPC PUD 14-00025</p>	<p>NORTH FORK AT BRIARGATE</p>	<p>NES</p> <p>Land Planning Landscape Architecture Urban Design</p> <p>NES Inc. 506 South Tejon Street Colorado Springs, CO 80901 Tel: 719.571.6073 Fax: 719.571.6271 www.neslandscape.com</p>	<p>NORTH FORK AT BRIARGATE</p>
--	---------------------------------------	--	---------------------------------------

FIGURE 1



N.E.S., Inc.
 508 S. Tejon St.
 Colorado Springs, CO 80903
 Tel: 719.471.0373
 Fax: 719.471.0372
 www.nesdesign.com
 © 2014 All Rights Reserved



NORTH FORK
 AT
 BRIARGATE

COORDINATED
 SIGN PLAN

11
 11 OF 11

CPC PID 14-00025

Legal Description:

A TRACT OF LAND LOCATED IN THE EAST ONE-HALF OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 66 WEST, WITH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO, BEGINNING AT THE NORTHEAST CORNER OF ACADEMY HIGH SCHOOL, PLUMBING NO. 5, AS RECORDED UNDER RECEPTION NO. 8710022 IN THE OFFICES OF THE EL PASO COUNTY CLERK AND THENCE ON THE WESTERLY LINE OF SAID ACADEMY HIGH SCHOOL, PLUMBING NO. 5, WESTERLY A DISTANCE OF 80.00 FEET, TO THE NORTHWEST CORNER OF THUNDER MOUNTAIN AVENUE, THENCE THE FOLLOWING EIGHT (8) COURSES:

1. NORTH 90°00'00" A DISTANCE OF 67.69 FEET;
2. NORTH 30°00'00" A DISTANCE OF 40.92 FEET;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 57.150 FEET, A CENTRAL ANGLE OF 29°42'24" AND AN ARC LENGTH OF 28.98 FEET, TO A POINT OF NON-TANGENCY;
4. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 57.150 FEET, A CENTRAL ANGLE OF 29°42'24" AND AN ARC LENGTH OF 28.98 FEET, TO A POINT OF NON-TANGENCY;
5. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S84°19'00" W, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 28°02'47" AND AN ARC LENGTH OF 29.52 FEET, TO A POINT OF TANGENCY;
6. SOUTH 89°57'13" A DISTANCE OF 2.00 FEET;
7. SOUTH 89°57'13" A DISTANCE OF 100.00 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF HOWELL'S ROAD;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, ON A LINE BEING 30.00 FEET WESTERLY OF AND PARALLEL TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID HOWELL'S ROAD, A DISTANCE OF 40.15 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID SECTION 22, SAID POINT BEING MONUMENTED BY A 1-1/4" ALUMINUM CAP STAMPED "LS 10377"; THENCE CONTINUING ON SAID WESTERLY RIGHT-OF-WAY LINE, ON A LINE BEING 30.00 FEET WESTERLY OF AND PARALLEL TO THE WESTERLY RIGHT-OF-WAY LINE OF SAID HOWELL'S ROAD, A DISTANCE OF 26.00 FEET, TO A POINT ON THE NORTHERLY LINE OF SAID SECTION 22, SAID POINT BEING MONUMENTED BY A 1-1/4" ALUMINUM CAP STAMPED "LS 10377";

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:

1. SOUTH 89°57'13" A DISTANCE OF 100.00 FEET, TO A POINT OF TANGENCY;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 28°02'47" AND AN ARC LENGTH OF 29.52 FEET, TO A POINT OF NON-TANGENCY;
3. NORTH 90°00'00" A DISTANCE OF 41.00 FEET, TO A POINT ON THE WESTERLY LINE OF THAT COLORADO DEPARTMENT OF TRANSPORTATION PARCEL DESCRIBED IN THE DEED RECORDED UNDER RECEPTION NO. 2281810;

THENCE IN THE EASTERLY AND NORTHERLY LINES OF SAID DEED, THE FOLLOWING THREE (3) COURSES:

1. NORTH 90°00'00" A DISTANCE OF 30.00 FEET, TO A POINT MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 20894";
2. NORTH 90°00'00" A DISTANCE OF 697.00 FEET;
3. NORTH 10°00'00" A DISTANCE OF 49.25 FEET, TO A POINT OF NON-TANGENT CURVE ON THE EASTERLY LINE OF SAID ACADEMY HIGH SCHOOL, PLUMBING NO. 5.

THENCE ON SAID EASTERLY LINE, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N83°33'46" W, HAVING A RADIUS OF 100.00 FEET, A CENTRAL ANGLE OF 20°28'17" AND AN ARC LENGTH OF 38.17 FEET, TO A POINT OF TANGENCY;
2. NORTH 90°00'00" A DISTANCE OF 1048.20 FEET TO THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 1,084.08 SQUARE FEET OR 10,842 ACRES.

- COORDINATED SIGN PLAN DATA:**
- Tax Schedule Number: 620000529
 - Maximum sign allocation per code: 10 sq. ft.
 - Primary Monument Sign Dimensions: Square Footage: 31 sq. ft., Height: 10'-0"
 - Secondary Monument Sign Dimensions: Square Footage: 31 sq. ft., Height: 10'-0"
 - Neighborhood Entry Sign Dimensions: Square Footage: 10 sq. ft., Height: 10'-0"
 - Proposed Sign Type: Freestanding
 - Neighborhood Entry Sign Dimensions: Square Footage: 10 sq. ft., Height: 10'-0"
 - Proposed Sign Type: Freestanding
 - Neighborhood Entry Sign Dimensions: Square Footage: 10 sq. ft., Height: 10'-0"
 - Proposed Sign Type: Freestanding

OWNER (SUBMITTER):
 High Valley Land Company
 1755 Telesar Drive, Suite 211
 Colorado Springs, CO 80920

PLANNER:
 N.E.S., Inc.
 508 S. Tejon St.
 Colorado Springs, CO 80903
 (719) 471-0373

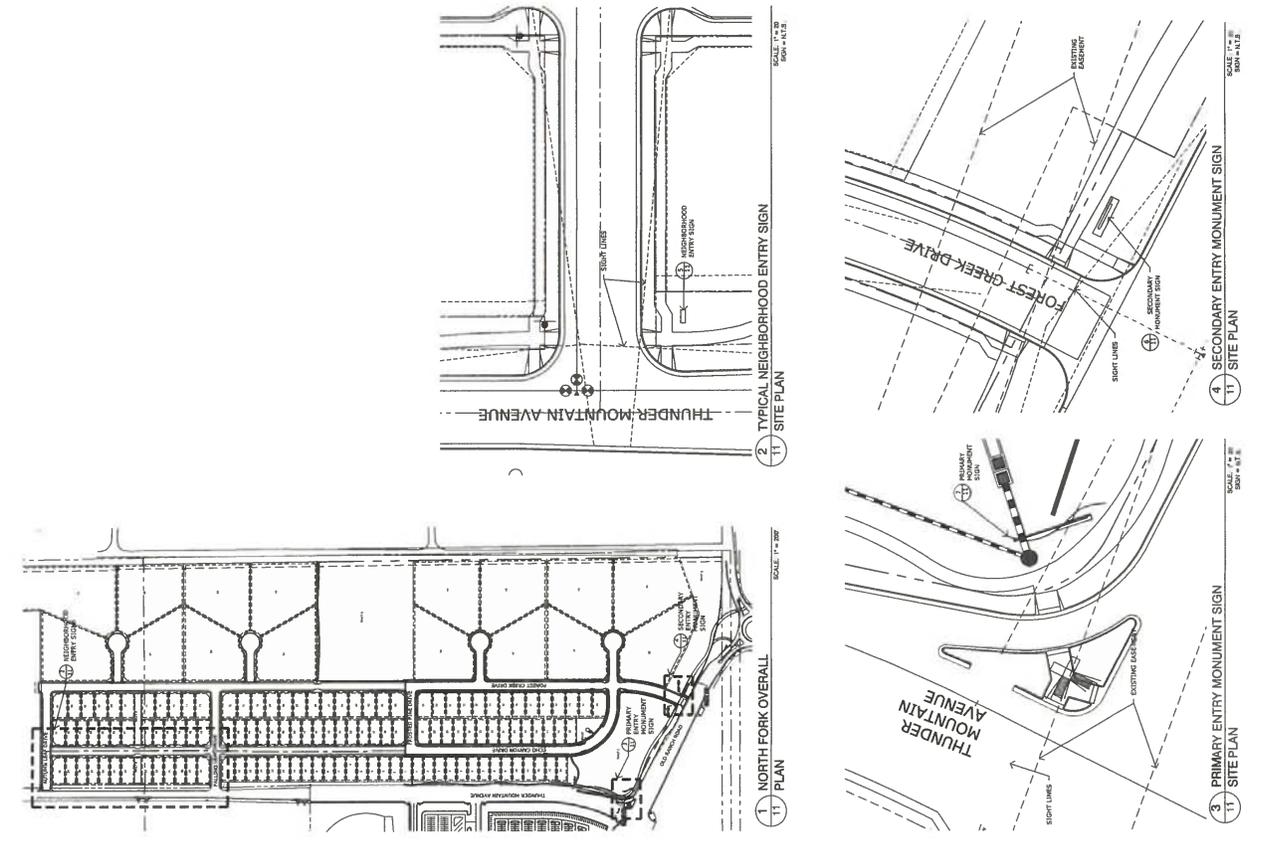


FIGURE 1

NORTHFORK AT BRIARGATE FILING 1 AND 2

A TRACT OF LAND LOCATED IN THE EAST ONE-HALF OF SECTION 22, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO.

BEGINNING AT THE NORTHEASTERLY CORNER OF ACADEMY HIGH SCHOOL FILING NO. 5 AS RECORDED UNDER RECEPTION NO. 97110362 IN THE OFFICES OF THE EL PASO COUNTY CLERK AND RECORDER, SAID POINT BEING MONUMENTED BY A 60D NAIL;

THENCE ON THE NORTHERLY LINE OF SAID ACADEMY HIGH SCHOOL FILING NO. 5, N90°00'00"W A DISTANCE OF 80.00 FEET, TO THE NORTHWESTERLY CORNER OF THUNDER MOUNTAIN AVENUE;

THENCE THE FOLLOWING TEN (10) COURSES:

1. N00°00'00"W A DISTANCE OF 57.00 FEET;
2. N01°36'28"E A DISTANCE OF 408.57 FEET;
3. N00°00'16"W A DISTANCE OF 957.84 FEET, TO A POINT OF TANGENT CURVE;
4. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 571.50 FEET, A CENTRAL ANGLE OF 25°40'24" AND AN ARC LENGTH OF 256.08 FEET, TO A POINT OF NON-TANGENT;
5. N64°19'20"E A DISTANCE OF 57.00 FEET, TO A POINT OF NON-TANGENT CURVE;
6. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S64°19'20"W, HAVING A RADIUS OF 628.50 FEET, A CENTRAL ANGLE OF 25°40'24" AND AN ARC LENGTH OF 281.62 FEET, TO A POINT OF TANGENT;
7. S00°00'16"E A DISTANCE OF 207.14 FEET;
8. S89°58'55"E A DISTANCE OF 805.29 FEET;
9. N00°36'48"W A DISTANCE OF 584.04 FEET;
10. S89°58'55"E A DISTANCE OF 200.01 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF HOWELLS ROAD;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, ON A LINE BEING 30.00 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, S00°36'48"E A DISTANCE OF 1045.95 FEET, TO A POINT ON THE SOUTH LINE OF THE NORTH ONE-HALF OF SAID SECTION 22, SAID POINT BEING MONUMENTED BY A 1-1/4" ALUMINUM CAP STAMPED "LS 10377";

THENCE CONTINUING ON SAID WESTERLY RIGHT-OF-WAY LINE, ON A LINE BEING 30.00 FEET WESTERLY OF AND PARALLEL WITH THE EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SAID SECTION 22, S00°37'01"E A DISTANCE OF 2605.88 FEET, TO A

POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF OLD RANCH ROAD AS DESCRIBED IN SAID ACADEMY HIGH SCHOOL FILING NO. 5, SAID POINT BEING MONUMENTED BY A 1-1/4" ALUMINUM CAP STAMPED "LS 10377";

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:

1. S89°45'46"W A DISTANCE OF 106.54 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 960.00 FEET, A CENTRAL ANGLE OF 27°04'40" AND AN ARC LENGTH OF 453.69 FEET, TO A POINT OF TANGENT;
3. N63°09'34"W A DISTANCE OF 47.36 FEET, TO A POINT ON THE EASTERLY LINE OF THAT COLORADO DEPARTMENT OF TRANSPORTATION PARCEL DESCRIBED IN THE DEED RECORDED UNDER RECEPTION NO. 202195129;

THENCE ON THE EASTERLY AND NORTHERLY LINES OF SAID DEED, THE FOLLOWING THREE (3) COURSES:

1. N26°50'26"E A DISTANCE OF 30.81 FEET, TO A POINT MONUMENTED BY A 3-1/4" ALUMINUM CAP STAMPED "LS 24964";
2. N62°55'53"W A DISTANCE OF 567.95 FEET;
3. N41°01'02"W A DISTANCE OF 49.25 FEET, TO A POINT OF NON-TANGENT CURVE ON THE EASTERLY LINE OF SAID ACADEMY HIGH SCHOOL FILING NO. 5;

THENCE ON SAID EASTERLY LINE, THE FOLLOWING TWO (2) COURSES:

1. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N63°33'48"W, HAVING A RADIUS OF 800.00 FEET, A CENTRAL ANGLE OF 26°26'12" AND AN ARC LENGTH OF 369.13 FEET, TO A POINT OF TANGENT;
2. N00°00'00"W A DISTANCE OF 1048.20 FEET TO THE POINT OF BEGINNING.

**NORTH FORK
(FORMALLY KNOWN AS KETTLE CREEK)
MASTER PLAN MINOR AMENDMENT
ZONE CHANGE
DEVELOPMENT PLAN
NORTH FORK AT BRIARGATE FILING NO. 1
NORTH FORK AT BRIARGATE FILING NO. 2
PROJECT STATEMENT
FEBRUARY 2014**

PROPOSED MINOR AMENDMENT TO THE BRIARGATE MASTER PLAN

Planning for the Briargate Master Plan property dates back to 1965 when El Paso County approved the original Chapel Hills Master Plan. The first Briargate Master Plan for the original 800 acres was approved by El Paso County in 1977 and has since been expanded and updated to the currently approved plan dated July 26, 2013. The Master Plan has been amended on a number of occasions but remains remarkably close to the original vision.

This application requests a minor amendment to the Briargate Master Plan for the purpose of relocating the 11 acre Kettle Creek elementary school site. The relocation results in an 11 acre increase in the Residential Low Medium (R-LM, 3.5-7.99 DU/gross acre) area and thus a decrease in 11 acres of the Residential Very Low (R-VL, 0-1.99 DU/gross acre).

Justification Statement

This change is simply a relocation of the school site and it will have no impact on the City's infrastructure and facilities. Better traffic flow through the community is one of the main reasons for the change. The proposed amendment is consistent with the goals and policies of the City's Comprehensive Plan. The change proposed in this amendment reflects our knowledge and respect for the natural features of the property, as the school will be located next to a park that protects the natural features of the site.

PROPOSED REZONING

We propose to rezone the land identified in the attached rezoning plan from Agriculture to PUD.

Rezone 70.85 acres from A to PUD
0-1.99 DU/Acre, 36' height, Single Family

Justification Statement

The proposed rezoning should be approved since the action will not be detrimental to the public interest, health, safety, convenience or general welfare; the proposal is consistent with the goals and policies of the City's Comprehensive Plan and with the Briargate Master Plan; and the proposed land use adjustments are compatible with the surrounding areas.

PROPOSED DEVELOPMENT PLAN

We propose to develop single family detached homes as defined on the accompanying Development Plan sheets. Lot sizes vary; minimum lot size shall be roughly 5,700 square feet and the largest lot sizes exceed two acres. The development plan contains 141 lots on 70.850 acres of land with a gross density of 1.99 DU/AC.

Justification Statement

1. The proposed Development Plan should be approved since the proposed design will be harmonious with the surrounding land uses. The surrounding land uses are primarily residential uses and the existing Pine Creek High School. The proposed development provides a roadway and trail system that ties to, and complements, the surrounding neighborhoods.
2. The proposed development is composed of single family homes on a variety of lot sizes. It does not overburden existing infrastructure.
3. The entire proposed development is designed to complement and reduce impacts on the adjacent properties. Larger (1.5 to 2.5 acre lots), very low density lots are located along the edge of Howells Road to complement the County residential land use pattern, while smaller lots are located along the edge of the existing Pine Creek High School.
4. Significant landscaping is provided along Old Ranch Road and Thunder Mountain Avenue into the development.
5. A great deal of time has been invested to define a street pattern that is most responsive to the surrounding neighborhood and provides the greatest level of safety and convenience for both school sites. The vehicular circulation takes into account the currently proposed development plan as well as the future developments identified in the master plan.
6. The proposed streets and drives provide logical, safe and convenient access to each of the proposed home sites.
7. Parking will be required for each single family detached lot, as well as allowed on some portions of the street system, to ensure adequate and safe parking for residents and guests. In addition, most sidewalks and portions of the trail system meet or exceed requirements for handicap uses.
8. The streets and drives are designed for maximum efficiency, while at the same time meeting the design criteria of the City.
9. Pedestrian sidewalks and trails are physically separated from vehicular areas by vertical curbs and landscape zones throughout the community to provide safe and enjoyable pedestrian movement.
10. The landscape design complies with the City's landscape code and the City's landscape policy manual. The use of native vegetation and drought resistant species is the foundation of our landscape plan.
11. The development plan is within an area defined as very low residential on the Briargate Master Plan. The Briargate Master Plan identifies an area for a natural park just north of the proposed development. That area will be undeveloped and preserved or enhanced as natural open space with park features.

PROPOSED PLATS

North Fork at Briargate Filing No. 1 consists of 50 single family lots with tracts and easements that support the development plan. The North Fork at Briargate Filing No. 2 Plat consists of 91 single family lots with tracts and easements that support the development plan.

Justification Statement

1. The proposed development will promote the health, safety, convenience and general welfare of the citizens of the City by meeting or exceeding the development code standards.
2. The proposed plats will meet or exceed the standards for subdivision design as defined by the City Development and Subdivision Codes.
3. The proposed plats will meet or exceed the standards for utilities and services as defined by the City Development and Subdivision Codes.
4. The proposed plats will meet or exceed the standards for adequate and safe vehicular and pedestrian circulation as defined by the City Development and Subdivision Codes and the Subdivision Policy, Pavement Design Criteria and Traffic Criteria Manuals.
5. The proposed plats will meet or exceed the standards for adequate public facilities as defined by the City Development and Subdivision Codes and the City's Comprehensive Plan.
6. The proposed development will meet or exceed the goals and policies of the City's Comprehensive Plan to ensure appropriate development of the community.

Black Forest Land Use Committee

13420 Peregrine Way
Colorado Springs, Colorado 80908
719-495-0895

May 5, 2014

Meggan Herington, Senior Planner
City of Colorado Springs
30 South Nevada
Colorado Springs, CO 80901

Dear Meggan,

Thank you for permitting the Black Forest Land Use Committee to be part of the planning process for the North Fork development near Pine Creek High School.

We applaud the City of Colorado Springs, your staff and LaPlata for the efforts that have been extended to satisfy the concerns of the neighbors adjacent to the proposed North Fork development. They bring a great deal of insight and background to the table in helping you avoid future problems in this development and in assisting to make the development better.

The Land Use Committee is in full agreement with the adjacent neighbors that locating the school site directly adjacent to Howells Road would not have been good because parents would use Howells to drop off their children and pick them up to avoid the morning and evening traffic at the front of the school. Placing a residential lot between Howells and the school site will go a long way to avoid this problem. I know there have been problems in Colorado Springs in the past with school children taking a shortcut across private property in order to get to school easier.

We believe that consideration should be given to making the Howells/Old Ranch roundabout two lanes to permit more traffic flow. The roundabout will not solve the problem of students making a U-turn at Howells but will give a more defined lane for turning rather than having them turn across the oncoming traffic lane.

We understand the issues with completing the connection between Milam and Union but would advocate strongly that this should be placed high in the priority list for needed improvements. Significant traffic travels on Burgess Road and Milam Road to and from the city each day. If Milam traffic could be shuttled south on Union, the traffic problems around Pine Creek High School would be reduced significantly. Is the placement of that future road connection decided or are there issues (roundabout vs. 3-way stop) still to be decided? I know that the proposed location for that connection is on property held by a bank after a foreclosure and since the bank is not the developer of the property, the road is not slated for construction any time soon.

Again, thank you for permitting the Land Use Committee to be part of this planning process.

Terrance Stokka, Chairman
Black Forest Land Use Committee

Herington, Meggan

From: judy jaspan <jaspan117@gmail.com>
Sent: Monday, March 10, 2014 7:48 PM
To: Herington, Meggan
Subject: North Fork at Briargate Amendent

Dear Ms Herington,

Our name is Dennis and Judy Jaspan. We were in attendance Thursday evening at Pine Creek HS for the discussion regarding the amendments for change to the development at North Fork. We live in the adjacent neighborhood East of Howells. Our concern, as was that of all the others at the meeting, is the relocation of the school to the location West of Howells Rd. This change is unacceptable to most of us in this community. If not to all of us.

It is our wish that the plan be disapproved. The original location, North of the High School should be upheld and the relocation denied. It is our feeling, after listening to the presentation by La Plata rep. they are doing much taking and very little giving. The community received the letters of "promise" or compromise in 2006, which we were told means nothing in regards to today. In that regard, then the entire plan/development needs much more conversation with our neighborhood and surrounding residents in order to come to some sort of agreement. Moving the school, as stated in the Justification Statement, does not compliment nor reduce impacts on adjacent properties. Nor is it "harmonious" with the surrounding land uses, that being the community just East of Howells and along Old Ranch Rd.

Also we are very disappointed to learn of the 147 notices sent out for "minor amendment" only 10 were sent to our neighborhood while the remaining were sent to the community West of Powers Blvd. Especially since this development directly affects all of us in the adjacent neighborhood.

The idea the development company may move ahead with these changes, and can continue to change the plans and not have our voices heard or taken seriously is very worrisome. We asked for the school to remain in its original location. Its obvious the postage stamp lots are out of our control (tho this also should be allowed a conversation of its own) and we will continue to ask for the denial of the relocation of the school. Howells Rd will be used by those outside our neighborhood. The roads in our entire neighborhood will be accessed by those wanting to avoid heavy school traffic during drop off/pick up hours. This is a absolute given, we have all seen it, in other school locations.

I would hope the city would see that some sort of compromise needs be made by the developer. As I said, there seems to be only taking going on and no sign of giving. There has to be attention and sincerity given to the people who live in our community. We all chose to live up here because it still has the country feel and the perks that go with that, as well as some of the sacrifices. We would like to keep as close to this lifestyle as we can, with the assistance of the powers that be, by your denial of these changes to the development plan.

Herington, Meggan

From: Louellen Welsch <lcwelsch@yahoo.com>
Sent: Monday, March 10, 2014 12:08 PM
To: Krager, Kathleen
Cc: Herington, Meggan
Subject: traffic issues related to North Fork Neighborhood development

Dear Ms. Krager,

I am copying you on a letter I submitted to Meggan Herington on Friday, March 7th, regarding the proposed development amendment to the North Fork neighborhood. In the letter I point out several traffic related problems that this proposal would cause. Please see attachment.

Additionally, I would like to make note to you, of some problems that will arise should this school be moved adjacent to Howells Rd.

If this school goes in along Howells Rd, our local county roads will become cut-thorough streets and pick-up locations for parents getting their children to and from school.

This increase in traffic would occur on roads that are not engineered for a lot of traffic; roads are that not paved; roads that have no sidewalks or street lights.

The roads not being engineered for a lot of traffic, means that cars traveling up and down the roads can not easily see who might be walking, jogging or horseback riding, etc, along the road just over the hill in front of them, resulting in accidents and/or fatalities.

The roads not being paved means that an increase in traffic will generate much more dust, lowering the air quality for local residences and making it unpleasant for walker, joggers, horseback riders, etc, when they are also using the road, and making poorer visibility for those who are driving.

No sidewalk means that there is no place for pedestrians, joggers, etc, to go to get safely out of the way for oncoming traffic.

And no street lights means that traffic increase during dark hours will be traveling along non-lit roads with poor visibility.

Additionally, in the past, other neighborhoods have petitioned the city to change, or not allow development plans as proposed, so that their neighborhoods do not become, "cut-through" streets. We are asking for the same respect for our neighborhood. For example, the neighborhood that borders Chapel Hills Road on the east, Pine Creek Golf Course on the south, near the charter school elementary building, with the streets of Brassie Court and Mulligan; this neighborhood petitioned for the road not to go through as planned, so that they would not become a "cut-through neighborhood" and the city upheld their request and now there is only emergency access off of Chapel Hills Rd into the neighborhood - not a road going through as planned. I hope that our neighborhood will receive as much consideration as they did, and that we will not be disregarded just because we are not a golf course community.

Thank you very much,
Louellen Welsch
719-33-0047
lcwelsch@yahoo.com

Herington, Meggan

From: Sarah Keeker <sarah@unitedfloorco.com>
Sent: Sunday, March 09, 2014 8:00 PM
To: Herington, Meggan
Subject: North fork at Briargate

Meggan,

Thank you for the information at the neighborhood meeting last Thursday.

I only have a few questions/comments that have not already been asked at the meeting:

The building height of 36' for homes and any out buildings on the estate lots appears to be higher than than the allowable max. height of 30' in zoning districts R (Estate Residential) or R1-6000 (Single Family Residential). Is this correct? The height of the homes and the grade have been an ongoing concern for mountain views of homes along Howells Rd.

Clearly the location of the elementary school next to Howells Rd is a major dispute with our neighborhood for valid reasons. An easy compromise for all involved is to relocate it to another site within Kettle Creek away from the high school and away from Howells Rd that will appease everyone, although it is not as financially advantageous for La Plata to put it on the originally planned Residential low Medium Density there would be no change to their original plan.

Is there a regulation concerning the use of a landscape buffer or street trees along the back of a city lot that adjoins a county road like there is if it was a city road? I'm asking if there is another way to encourage La Plata to honor their previous commitment to a 50' setback along Howells Rd with the masonry fence and a 150' building setback.

Thank you for taking the time to read my comments, I look forward to hearing from you.

Sincerely,

Sarah Keeker
4275 Arrowhead Dr
492-4683

Sent from my iPad

Herington, Meggan

From: Dot Williams <dot11555@gmail.com>
Sent: Saturday, March 08, 2014 2:19 PM
To: Herington, Meggan
Subject: North Fork at Briargate

>
> Angela -
> I think you felt somewhat attacked, personally, at the meeting Thursday evening at Pine Creek High School. After all, you were a participant, back in 2002 and 2003, in the La Plata-Howells Road meetings. Then, you worked for the city. Now, you work for La Plata. But you DID know what La Plata promised, and you WERE aware of the city's responsibilities. It seems that somehow, those letters of 2002 and 2003 "never made it to the files" is dishonest. And now that you are representing La Plata, it is YOU that appears to be the one reneging on what we consider a promise. And all of us along the Black Forest/Briargate interface feel that so many promises have been broken, it is hard to be anything but angry.
>
> Angela, Meggan, Kathleen,
>
> My issue is the placement of the elementary school on your plan. It does not matter whether District 20 likes it. The school property must not butt onto Howells. We prefer that land to be the back yards of homes than a school. The school should be much further WEST - the land closer to Powers, perhaps NORTH of the high school's football field.
>
> Look at the congestion of the cars on Lexington and the residential streets near Challenger and Mountain View Elementary. Cars are clogging that entire residential neighborhood, every day. They line up all along the play field, both sides of Lexington, and the driveways into the school property are jammed.
>
> That would be the scenario on Howells and Arrowhead. Parents will drive into our rural neighborhood and wait to pick up their children at the back door, or the edge of the park, or at the fence, no matter what they are "supposed" to do. Howells is NOT in the city, it is a gravel road where we ride horses in safety. Because it is not a city street, and not part of Briargate, it seems you are deliberately ignoring the conflict you would create - a "It's not my property, so I don't care" attitude.
>
> Howells Road is not a safe place for children to be trying to get to their parent's cars. In wet or snowy weather it is muddy, slippery and slushy. Climbing over a fence or slipping through a park is potentially dangerous for little ones.
>
> Your plans for a school must include plenty of access for cars and buses, ALL on YOUR land - all within Briargate's jurisdiction. Moving the school, either back to where it was originally planned, or somewhere else in the plan, far away from Howells, is the correct thing to do. The elementary school does not need to be next to the planned park. It needs an enclosed play area of its own, like Mountain View has. And that can be next to the high school's football field, with the academic buildings further west and north from there.
>
> In a letter from La Plata, dated February 18, 2003, La Plata agreed to provide "a 50' open space setback and a 150' building setback from both Old Ranch and Howells Roads." Plus more specifics about plantings and a dirt trail. "A solid masonry wall, not cedar fence, will be installed at the 50' setback line." If you need a copy of this letter, let me know.
>
> We are asking you to be honorable, do what you said you would do in prior meetings and communications, and put the school elsewhere. Install a stone/masonry wall all along the eastern edge of North Fork, all along Howells, west of our gravel road, at the edge of the 50 foot setback you promised.
>
> Respectfully and sincerely,

To: Meggan Herrington,
City of Colorado Springs Principal Planner –Northeast Team

Dear Ms. Herrington,

3/7/14

Per the information given to us at the meeting last evening at Pine Creek High School, I am writing to you regarding the recently proposed “minor” change in development of the North Fork Neighborhood.

I regret that this letter is so long, and a lot for you to read through, but there are a lot of issues to cover, so please bear with me.

As you could tell by the strong turnout for the meeting, many people showed up to express their severe disapproval of the North Fork Development as presently proposed by La Plata.

I think it was pretty clear from the meeting that our neighborhood requests that the city deny this “minor amendment for zone change” of moving the elementary school.

This plan by La Plata, is not in keeping with the Briargate Master Plan that had provisions requiring developers to preserve the integrity of existing neighborhoods, while developing their own.

To begin with:

In the existing master plan, all and any land adjacent to Howells Rd is designated R-VL. R-VL meaning, as you know, residential, very low density.

An elementary school is neither a Residence nor Very Low Density, nor even Low Density - and La Plata has now placed this nonresidential, non low-density facility adjacent to Howells Road -which is rural residential and very low density. The City development code requires that development be compatible with the surrounding area. Not compatible!

Additionally, below are listed more reasons, a school adjacent to Howells Rd, is not compatible with the existing surrounding neighborhood.

announcements. Band practice at Pine Creek, their bells, and announcements can be heard in our neighborhood now. And they are down the hill and away from us. A school right in the neighborhood would be even louder – too loud!

Traffic Compatibility: Moving the school next to Howells Rd will significantly increase traffic on all the local roads. What are now quiet, rural dirt roads on which people horseback ride, jog, bike, etc; those roads will become cut through streets for parents seeking convenient ways to get their children to and from the school. If the school is along Howells Rd., our neighborhood will no longer be safe, quiet or pleasant to walk or ride. It would be horrible with the constant dust vehicles would generate. There are no sidewalks for us to use to be safely out of the way with the increase in vehicles.

Where a school would be compatible: A school does fit in with a modern La Plata neighborhood: well-lit, busier, dense, paved roads, a neighborhood preplanned for a school on all sides; which is why the elementary school should be positioned in the heart of one of La Plata's many neighborhood development areas, NOT on the west side of our one and only neighborhood. La Plata still has lots and lots of undeveloped land to choose from. If they need help to figure out where to put it, I would gladly volunteer my time. Really.

Overall Improvement

The city asks many things from developers, two of which are: that new developments be compatible with existing ones, and that the end result of a new development be that it is an overall improvement to the area/city.

This school, in La Plata's current requested location, will not be an overall improvement to our community area. It will result in the degradation of our quiet, out of the way neighborhood.

We heard nothing in Angela's presentation, which is an improvement for the life of our neighborhood, or even more, there was nothing in the presentation that tried to accommodate our existing community, beyond the minimum requirement of lot size. Not one thing of significance was presented at the meeting. Even the proposed land for park at the north end, is just going to be set aside as a park site - with

decreasing. And as mentioned last evening, fixing the Powers interchange is not the only problem. Old Ranch east from Powers heading past Thunder Mountain and farther east to Howells, is insufficient as is now, and will not adequately handle the increased amount of traffic this proposed change will generate.

(And traffic circles are NOT the solution. Look at all the places the city has already put them in. The city has been having to reworked/realign/change them, and people continue to have trouble negotiating them. One example, observe the one that is down off of Powers, between Dicks Sporting Goods and World Market. It is chaotic! Again, "traffic studies" may say traffic circles are a good solution, but ask people, and the majority will tell you - traffic circles are a mess.)

In Justification, page 2, Point 3: This "proposed development is designed to ...**reduce impacts on adjacent properties.**" This proposal has nothing in it that shows in any way that it reduces impact on adjacent properties. As a matter of fact, this proposal causes more harmful impact on adjacent properties, than the previous proposal, as you, Meggan, heard expressed by so many people, at the meeting at Pine Creek.

Justification Statement, page 2, Point 6: "Proposed streets and drives will provide... **safe access**...." Again, as stated by so many people last night, Old Ranch Road, Thunder Mountain, and Howells already have a high number of accidents occurring on at least a weekly basis. Simply adding in a road from which hundreds more people pour onto Old Ranch at the same time morning and afternoon, will not fix the problem.

Traffic studies are just that, studies - we who already live in the neighborhood see the daily reality. The roadways are too congested and unsafe right now; major changes need to be made to Old Ranch at Thunder Mountain and Howells in order to fix this problem. No more people should be put in harms way until the road situations are improved/fixed.

Justification Statement, Page 3, Point 1: "The proposed development will promote the health, safety, **convenience and general welfare** of the citizens of the City..." This development as proposed would result in an intensive increase of traffic, which will make it even more difficult for local traffic to exit and enter side roads in a safe and timely manner.

Herington, Meggan

From: prcconsult@aol.com
Sent: Friday, March 07, 2014 9:58 AM
To: Herington, Meggan
Subject: North Fork Development

Meggan,

First I wanted to thank you for attending last nights meeting. I'm sorry you did not get to finish your discussion on the city planning process. I have many concerns with this entire project, but first and foremost is the traffic problems this will create. I really wish the traffic engineer would have been there. From what I heard I do not believe one traffic circle(built by others - what does that mean?) with solve any problems, in fact I think it will create more problems for those folks from Black Forest that use Milam and Old Ranch Road to go to work. I'm a big fan of traffic circles, but not in this case and as you will see in the videos I took this morning. High schools kids drive recklessly and will not understand, or care how traffic circles work. Heck most adults don't understand how they work.

The videos I took this AM are too large to email so I would like to drop them off at your office. Can you please provide where you are located, I would also like to get a copy of the traffic study that was done for this project, how can I get a copy of that?

In addition, I still find it very hard to believe that the one additional, full motion intersection at Forest Creek Drive is sufficient to meet the double access to a community. After the the two recent community level evacuations due to fires its plain to see to this plan would be insufficient. Any bad vehicle accident at Powers and Old Ranch will block off this entire development. A northern ingress/egress must be provided.

I intend to give a copy of these videos to Pine Creek High School Principle, the El Paso County Sheriffs Office and the local news channel. I think it is also time to get the local news involved in this project. Please note while watching the videos that approximately 15 to 20 students saw my video camera and chose to either continue straight on Milam or drove over the hill on Howell to make their u-turn.

It would be of great help if you could scan the attendance roster form last night and send me a copy. We also plan on getting the word out not just to the people in the immediate area, but all of Black Forest, we are a strong community, even more so after the fire.

I am, and have been a military planner for the last 30 years and was a primary planner for the Combat Aviation Brigade at Ft Carson (\$700 million project) so I have a good understanding of basic planning principles. In addition, my colleague is a community planner with a Bachelors and Masters in urban planning. He has reviewed the North Fork plan and is amazed at the high density in both filings and the lack of access.

Paul Clowser
PRC Planning INC
719-641-8130

Herington, Meggan

From: Rachel <want1deal@gmail.com>
Sent: Friday, March 07, 2014 9:34 AM
To: Herington, Meggan
Subject: La Plata development change

Dear Ms. Herington, I attended the community meeting at Pine Creek High School.

First, I'd like to say I am sad for the reception the audience gave. Clearly, there was tension, but that doesn't justify rude behavior toward any speaker.

Second, I attended on behalf of my in-laws, Sheila and David Swasey, who are on an extended trip and sometimes unreachable. They received notification by mail 2 days before the meeting and asked me to information gather. I believe there are likely other residents who could not attend due to short or no notification. I am glad there were others who could represent the resident's perspective, but I believe there is much more interest than was represented last night.

Finally, I think it would be only reasonable for La Plata to adhere to the commitments they made in writing to the residents in 2003. Please consider this in your recommendation to the city council. This includes the 50 foot setback, the native landscaping with trees and the masonry wall to divide the development from Howells Road. Respectfully, Rachel Swasey on behalf of 3975 Ridgeway Lane

Herington, Meggan

From: mkgilliland@gmail.com
Sent: Thursday, March 06, 2014 10:44 PM
To: Herington, Meggan
Subject: Re: LaPlata Letter regarding The North Fork at Briargate

Meggan,

Thank you for looking into the letter and attending the meeting this evening.

I would like to say just for the record so that you are clear where we are coming from that we strongly oppose the school being in our front yards and since there is "no access" no one will be able to produce a study to show how it will impact our streets, but every other school in town seems to show as an example what will happen on Arrowhead and Howells... traffic will increase substantially. We are also very disappointed that LaPlata reneged on their original commitments. we find it disturbing that we have to fight the same fight all over again.

Also, can you please send me the list of homes that were notified as you mentioned? I would like to figure out why we were not notified and try to fix the issue so that it does not happen again.

Thanks very much for all you do!

Mark Gilliland
719-306-3910

Sent from my iPad

On Mar 6, 2014, at 12:11 PM, "Herington, Meggan" <mherington@springsgov.com> wrote:

Thanks for sending me the letter. Meggan

*Meggan Herington, AICP
Principal Planner - Northeast Team
City of Colorado Springs
Land Use Review Division
719-385-5083*

From: Mark Gilliland [<mailto:mkgilliland@gmail.com>]
Sent: Thursday, March 06, 2014 11:11 AM
To: Herington, Meggan
Subject: Re: LaPlata Letter regarding The North Fork at Briargate

Dear Ms.Herington,
Thanks for taking the time to review this and we will see you tonight.

Best Regards,

Herington, Meggan

From: Demetri Rombocos <dtrombocos@yahoo.com>
Sent: Thursday, March 06, 2014 9:44 PM
To: Herington, Meggan; Krager, Kathleen
Subject: North Fork Neighborhood meeting March 6, 2014

Dear Ms. Herington and Ms. Krager:

As I was unable to be in attendance this evening at the North Fork Neighborhood meeting, I wanted to express my displeasure with the prospect of relocating the proposed elementary school to a newly identified location south of the park and next to Howells Rd.

My wife and I purchased our home almost a year and half ago at 11685 Howells Rd. assuming that the undeveloped land to the west of Howells Rd. would one day be developed. We did not however assume that a school would be placed next to Howells Rd. (an unimproved, dirt road) which already has traffic issues with its inadequate signage at most, if not all, intersections on Howells Rd. There are at least two intersections on Howells Rd. that do not even have a Yield sign let alone a Stop sign to indicate who actually has the right-of-way. On several occasions in the short time that we have lived on Howells Rd. both my wife and I (in our respective vehicles) have been nearly run off the road or involved in accidents due to young drivers (presumably from Pine Creek High) speeding through our rural, country neighborhood and failing to yield to oncoming traffic on Howells Rd. In addition to the signage issue, there is a huge problem every morning (school days) with the High School kids encumbering east bound traffic on Old Ranch Rd. to make a left hand turn on Howells Rd. only to make an immediate, illegal U-turn on Howells Rd. so as to avoid the short wait to make a left hand turn on Thunder Mountain where there is a designated double turn lane with appropriate signals.

In any case, it is a fact that when a school is located nearby a more convenient drop-off and pick-up point, Howells Rd. in this case, many parents will use this "alternate location" as a drop-off and pick-up location. This will drastically increase the traffic pressure on Howells Rd. and our neighborhood. While I understand that the City Planner disagreed during the meeting that parents would use Howells Rd. as a drop-off and pick-up point, I have to respectfully disagree with the Planner. In addition to a drop-off and pick-up point, I would go so far as to say that many parents will park their cars on Howells Rd. to attend special school events such as a "Holiday" (formerly Christmas) program.

I will not continue to go on and on but will simply close by saying that I strongly believe that relocating the elementary school from its formerly designated position next to Pine Creek High is a mistake and the wrong choice on many fronts. As far as I can tell the only entity who benefits from this potential change of locations is the developer of the lots as I assume that more high-density lots can be developed where the school was originally designated than in its newly proposed location next to Howells Rd. which calls for larger, residential lots transiting to the historic, 5 acre plus lots on Howells Rd. and to the east into Black Forest.

Thank you for your consideration.

Sincerely,

Demetri Rombocos
11685 Howells Rd.

Herington, Meggan

From: Larsen, Larry
Sent: Thursday, March 06, 2014 3:27 PM
To: Herington, Meggan
Subject: FW: North Fork at Briargate Project CPC PUC 14-00024
Attachments: La Plata Master Plan Letters

From: Sarah Keeker [mailto:sarah@unitedfloorco.com]
Sent: Thursday, March 06, 2014 3:24 PM
To: Larsen, Larry
Subject: North Fork at Briargate Project CPC PUC 14-00024

Larry,

I am writing to you concerning the request to change the Briargate Master Plan for a development of the North Fork At Briargate. I am an adjacent homeowner. I have attended neighborhood meetings concerning the Kettle Creek area since 2002. I have attached a copy of a letter I received from Mark Loeb of La Plata Investments dated February 18, 2003 and a second letter dated November 24, 2003 outlining La Plata's commitment of a Transition Zone/Buffer along Howells Road and the proposed North Fork at Briargate. It also discusses lowering the building height of homes and the overall grade along Howells.

After reviewing the proposed drawings for North Fork at Briargate some concerns/comments come to mind:

1. The requested 36 foot building height appears to be over the allowable maximum height of 30' listed in the City of Colorado Springs Residential Zone Districts for R (Estate Residential) or R1-6000 (Single Family Residential). Would this be a special request to exceed the maximum height?
2. From our meetings over the years with LaPlata it was not our neighborhood's understanding that there would be a cluster of small, less than 6,000sf lots in the North Fork at Briargate area of Residential Very Low density shown on the Master Plan. We were told that it would be an area of large homes on large lots, which is in keeping with the buffer zone noted in the attached letter. Clearly it would be difficult to provide the 50' open space setback and 150' building setback that LaPlata agreed to provide in the letter between their development and Howells Road with such small lots. As noted in their letter " This is the lowest density allowed in the City and we are committed to maintaining it.Most residents at the meeting in December preferred larger lots rather than the cluster alternative that provided more open space." We made a conscious decision on reducing open space in order to have larger lots buffering our neighborhood with Kettle Creek.
3. A masonry wall was committed to be built by La Plata along Howells Road at the 50' setback line per the attached letter, but there is none shown on the development plan.
4. The proposed location of the elementary school would border a county unpaved road instead of in it's approved location protected within a neighborhood of homes and adjacent to the high school.
5. The new proposed elementary building site is an undesirable location with rolling hills, trees and a pond within the building site which will increase the building cost to taxpayers. The approved location is a flat open area that will be cost effective for site grading and construction.
6. Parents will be more likely to try to drop their children off on the county rural road Howells, instead of the new developed roads within the North Fork development to avoid traffic within the development and at Thunder Mountain Road. This will cause increased traffic and congestion within the neighboring County community that is not prepared or constructed for such traffic loads. A recent example of this is the Eagleview Middle School situation in Rockrimmon, where parents were dropping their children off in an adjacent development and were upset with homeowners in the community that did not want their neighborhood used as a drop off point. http://article.wn.com/view/2012/08/30/SIDE_STREETS_Parents_teaching_kids_to_trespass_and_be_inco ns/.
7. District 20 has started clustering schools close together to maximize their support resources such as janitorial staff, kitchen services, maintenance, bus service, security, etc. To move the elementary school to an isolated area of the development makes this difficult for them to do.

Herington, Meggan

From: Cora Michael <cora_michael@hotmail.com>
Sent: Monday, March 10, 2014 10:07 PM
To: Herington, Meggan
Subject: FW: re North Fork Neighborhood Meeting

From: cora_michael@hotmail.com
To: aessing@laplatacommunities.com; mherrington@springsgov.com; kkrager@springsgov.com
Subject: re North Fork Neighborhood Meeting
Date: Mon, 10 Mar 2014 22:00:03 -0600

First of all I want thank you for your patient handling of some very upset neighbors of mine. It occurs to me that a great deal of this traffic problem would be solved if children were required to ride the buses. What a revolution that would cause  It is past time for these sorts of solutions to happen.

I wish there were some way to convey to you the immense joy I have when I see Pronghorn on my way to work. My grief is not over traffic or housing, but for the irreplaceable loss of open space, wildlife, and native grasslands. These are priceless treasures. They are vital to our people's well being, whether they know it or not.

I think that everyone involved in the "development" of land in the 21st Century should read the following:

Water for the Recovery of the Climate a new water paradigm. www.waterparadigm.org M. Kravcik et al.
It is important the we understand how the small water cycle works, and the vital role that trees and native grasslands play in this cycle.

Rainwater Harvesting for Drylands and Beyond Vol 1 and 2 Brad Lancaster.

These books demonstrate simple techniques to keep water in our lands, creating livable microclimates.

I suggest that the 70+ acres in your custody is far more valuable left as it is. It is acting as a carbon sink. It is controlling runoff and protecting Kettle Creek. It is providing habitat for Pronghorn antelope, Red Tail Hawks, Kestrels, Harriers, coyote, weasel, numerous passerine birds, and native pollinators. It is probably excellent habitat for various native dung beetles and other soil organisms (since it has not been sprayed to my knowledge)

Since I doubt that will happen, I suggest the following:

No wall between neighborhoods. People need to create communities. They need to meet each other.

Bicycle and walking paths that GO somewhere. I would love to ride a bike to work and to the grocery store. My son would ride a bike to PPCC. If it were safe to ride, people would ride. (That would help with traffic issues, if bike routes were well planned)

Regarding the La Plata development between Howells Road and Pine Creek High School

I saw the response letter La Plata sent to Meggan Herington addressing the issues our neighborhood brought up at the under-announced meeting last month at the high school. The “solutions” proposed were completely inconsiderate and self-serving.

The masonry wall originally promised would be a considerable help in minimizing the negative effects visually and acoustically, but because ONE PERSON stated a desire not to be cut off from our new neighbors with a wall in the event there was no school on Howells, La Plata “compromised” with a split-rail fence despite the fact that they did not change their plans for the school site. The split rail fence does not even go down Howells past the school (east of the school). I realize that LaPlata “is not responsible for school property OR does not have jurisdiction” over it. but SOMEONE has to take responsibility for the safety of our children on our roads (that do not have sidewalks).

No one (with whom we have had contact) in the city or school system will admit that there will be any impact traffic-wise to our neighborhood. This would be contrary to experience. Without a solid wall (**across the school property and beyond**) commuters will find our neighborhood in order to speed up their picking up and dropping off. We want razor wire if we can't have the solid wall.

We want to retain the safety of our neighborhood for foot traffic (OUR CHILDREN and OUR ANIMALS) and realize that the placement of a school adjacent to Howells will jeopardize all of us. If it is so advantageous to put the school over here, then kindly provide us with the previously promised wall or gates and maintenance thereof for both inlets to our neighborhood, namely, at Howell & Old Ranch and at Arrowhead & Milam in order to keep our level of safety.

It doesn't make sense that in all that acreage there isn't a more appropriate site for the school. I understand that LaPlata and the city and the school board may have taken safety into account and they are concerned, but they seem to only be concerned for the safety of the new neighborhood and not ours. If the school is put where it is planned and there is not a permanent barrier you can bet that someone will get hurt or killed from the extra traffic and there will really be no one to blame except LaPlata.

We moved here to have a quiet life. The people moving into the new development have different expectations. Please consider NOT ruining our neighborhood.

Sincerely,

Mark Gilliland
11155 Forest Edge Drive
Black Forest, Colorado

This is in reference to the plans to place an elementary school adjacent to Howells Road.

The developers of the acreage between Howells and Pine Creek High School are graciously taking a gentle approach to transitioning between the 5-acre lots in our neighborhood and the high-density housing planned for along Powers. They have shared with us the plan to have 1+ acres for each property abutting Howells Road. However, the placement of an elementary school on the same road negates this gentler effect, causing an abrupt interruption of the peaceful nature of our county roads.

This will cause a serious noise increase during the 3 drop-off/pick-up hours of the day, as well as during any outdoor recesses the hundreds of children require.

The fact of hundreds of children being transported to and from the school will cause an excess of traffic on the approved routes to the school, which will incur a sharp increase of traffic to our dirt road neighborhood by escorts seeking a quicker exit.

No longer will it be safe for us and our neighbors to exercise our horses, ride our bikes, and go for walks/runs on these un-improved, sidewalk-less roads. Plus, the noise will cause a potential problem for the horses.

Unfortunately, the developers reneged on their plan to build a solid wall/barrier 50 feet off of the west side of Howells Road, which could help with both the sound and visual issues, though still insufficient to account for the abrupt change between county country lots and hundreds of children just across the street.

This plan does nothing to cooperate with the county side of Howells Road and surrounding neighborhood. It is completely inconsiderate of the lifestyle we moved here to enjoy and I respectfully request that the school be located away from our neighborhood for the stated reasons.

Tracy Gilliland
11155 Forest Edge Drive
Black Forest, Colorado

CITY PLANNING COMMISSION AGENDA

ITEM NOS: 6.A-6.C

STAFF: MEGGAN HERINGTON

FILE NO(S):

A. - CPC MP 04-00254-A3MJ14 – LEGISLATIVE

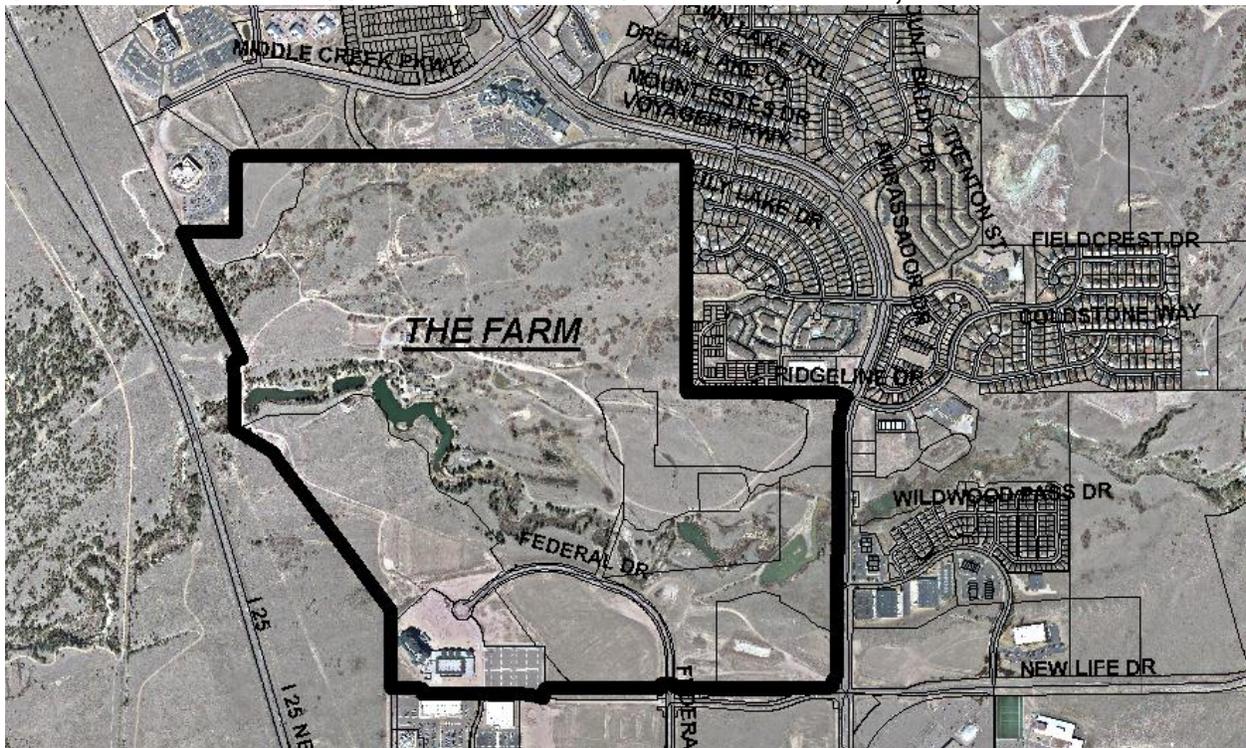
B. - CPC PUZ 14-00026 – QUASI-JUDICIAL

C. - CPC PUD 14-00027 – QUASI-JUDICIAL

PROJECT: THE FARM

APPLICANT: CLASSIC CONSULTING

OWNER: ALLISON VALLEY DEVELOPMENT COMPANY, LLC



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a major master plan amendment to the 475-acre Allison Valley Master Plan (now known as The Farm), a PUD zone change for 26 acres and a 75.65-acre development plan. The property is located east of Interstate 25, west of Voyager Parkway and north of Interquest Parkway.

The master plan amendment modifies the land use of approximately 129 acres; reduces and reconfigures residential densities, reconfigures major access points, relocates the

15-acre school site, expands the parks, trails and open space, preserves drainage areas, and illustrates areas of the plan that have been previously implemented. The zoning request rezones 26.03 acres from A (Agricultural) and PUD (Planned Unit Development: Single-family residential, 2.07 dwelling units per acre, 35-foot maximum building height) to PUD (Planned Unit Development: Single-family residential, 2 – 3.49 dwelling units per acre, 36-foot maximum building height).

The 75.65-acre PUD development plan will allow the construction of 212 single family residential lots along with an 8.9-acre neighborhood park, trail corridors and public roads. **(FIGURE 1)**

Staff is administratively reviewing three final plats that will create the first 145 lots.

2. Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Staff recommends approval of the applications with technical modifications.

BACKGROUND:

1. Site Address: The site is not currently addressed.
2. Existing Zoning/Land Use: A majority of the site is vacant. There is a small farm house on the property with cattle and other grazing animals. The existing zoning is PUD (Planned Unit Development) and A (Agricultural).
3. Surrounding Zoning/Land Use:
North: PIP-1/Compassion International Campus
South: PUD/Commercial (Interquest Marketplace)
East: PUD/ Single-family Residential and Voyager Parkway
West: County/I-25 and the Air Force Academy
4. Comprehensive Plan/Designated 2020 Land Use: The southwestern corner is designated Commercial Center. The stream corridors that bisect the property are designated as Open Space and the balance is designated as General Residential.
5. Annexation: The property was annexed in April, 2006 as the Allison Ranch Addition.
6. Master Plan/Designated Master Plan Land Use: This is a major amendment and changes the designated land use. The general categories are commercial/office, residential, school and open space/parks.
7. Subdivision: The property is not yet platted.
8. Zoning Enforcement Action: None
9. Physical Characteristics: There are two significant drainage channels bisecting the property. The drainage areas include a number of ponds and serve as habitat for the Preble's Meadow Jumping Mouse as well as other species. The property slopes from east to west and there are several significant stands of scrub oak.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The stakeholder process involved posting the property and sending postcards to 346 property owners within 1,000 feet of the 475-acre property boundary. A neighborhood meeting was held on March 4, 2014. There were approximately 30 neighbors in attendance. Concerns included traffic on Voyager Parkway, timing of the installation of the traffic signal at Voyager and Ridgeline, and the impact of the new residential development on property values. The City Traffic Manager was in attendance at the neighborhood meeting to address the traffic concerns. City staff stated that the signal at Voyager and Ridgeline was being planned and should be installed by the end of the summer, 2014. Staff also committed to watch traffic volumes on

Voyager to determine if any other signalization or traffic calming is needed. However, this would not be an immediate outcome, and the only current plan is the Voyager and Ridgeline signal. One letter was received by staff following the meeting. That letter outlines the traffic concerns from the local homeowner's association. **FIGURE 3**

Staff also sent the plans to the standard internal and external review agencies for comments. A majority of the comments received from the review agencies have been addressed or are included as technical modifications to the plans. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, School District 20, Police and E-911, El Paso County Development Services and the Air Force Academy.

The Air Force Academy continues to have concerns regarding drainage onto their property. The drainage reports and studies have been reviewed by City Engineering and were found to meet the City drainage specifications and standards. City Engineering is working with the Academy to address the drainage impacts to Academy property as these are global in nature.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Background

In 2004, the original owner of the Allison Ranch petitioned the City of Colorado Springs for annexation. That annexation was not recorded and finalized until April, 2006. At the time of annexation, The Allison Valley Master Plan was approved. The original master plan designated land use for the 475-acre ranch and approved a maximum of 2,008 residential dwelling units and 1.1 million square feet of commercial and office uses. The Allison Valley Master Plan illustrates a mix of residential densities north of Black Squirrel Creek with a large area of commercial and office use to the south of the creek. Open space and trail corridors preserve significant natural features.

The master plan was amended several times. In 2006, an amendment reconfigured a portion of the residential density. The school site was eliminated in 2008. The plan was amended twice in 2011; the first amendment changed the use of then Parcel #6 for the Compassion International campus; the second amendment reduced the residential densities to a maximum of 1,868 dwelling units, eliminated a commercial area at Ridgeline Drive, and added a 15-acre school site.

The 131 acres at the northeastern corner was zoned PUD (Planned Unit Development) in 2006 with an accompanying development plan. The zoning and development plan allowed single-family residential development at a density of 2.07 dwelling units per acre. However, no construction commenced and the development plan expired. That PUD zone is still in place on the 131 acres.

The Compassion International campus was approved for the northwestern corner of the site in 2008. The campus ownership is approximately 13 acres and is zoned PIP-1 (Planned Industrial Park). This property is currently vacant, but is intended as a future expansion of the existing campus.

South of Black Squirrel Creek and to the western boundary of the site is zoned PUD (Planned Unit Development) allowing commercial and office uses. This PUD was approved in 2006. Shortly after the zoning was approved, the development plan was approved for the Renaissance Hotel. The Hotel site is 20 acres and has been on hold for a number of years. Staff is unaware of the plans to complete this project.

2. Review Criteria / Design & Development Issues:
Master Plan Amendment

The Allison Valley Master Plan is now being named The Farm. The Farm Master Plan is very similar to what was previously approved for Allison Valley. The master plan amendment impacts 129 acres of the 475-acre property. The changes include:

- A. Residential density reduction
- B. Reconfiguration of major access
- C. Relocation of the 15-acre school site
- D. Expansion of parks, trails and open space
- E. Preservation of drainage areas
- F. Show Compassion International and Renaissance Hotel as implemented areas

A. Residential Density Reduction

The current version of the master plan allows for a maximum residential density allowing a total of 1,868 dwelling units. Based on a property analysis, the owner determined that the property north of the Black Squirrel Creek is better suited for lower density residential land use. The proposed residential density is now capped at 1,446 units. The residential density categories are slightly reconfigured and now align with the density ranges established in City Code. The areas of the master plan that are adjacent to existing single-family residential uses remain unchanged with the shift focusing on densities internal to the project. Page 2 of **Figure 1** is an illustration of the amended master plan area in comparison to the currently approved uses and densities.

B. Reconfiguration of Major Access

Access to the site is gained from Ridgeline Drive, west of Voyager Parkway. Instead of traveling west into the site, Ridgeline will dip south through the property and continue west into the residential community. A secondary access will be provided to the north and connect to Middle Creek Parkway. This access will meander through the community; there will be no direct connection to Voyager Parkway.

C. Relocation of 15-Acre School Site

The school site is currently shown internal to development and adjacent to Black Squirrel Creek. It is being moved to the periphery of the development adjacent to Ridgeline Drive and Voyager Parkway. This relocation will provide better access and traffic circulation. School District 20 is in support of the new site and is working with the developer on site details. The eventual layout of the site and circulation pattern will be determined with a development plan when the school is constructed.

D. Expansion of Parks, Trails and Open Space

The reduction in residential density reduces the required parkland dedication. With the proposed density cap, there is a parkland dedication of 21.83 acres. The currently approved 4-acre neighborhood park is now proposed as a 4.92-acre neighborhood park; 83 acres of open space/wetlands with a pedestrian bridge is now proposed as 79 acres with a pedestrian bridge plus two at-grade crossings; a 50-foot trail corridor along Black Squirrel Creek is still proposed as a 50-foot trail corridor (tract) with new (privately owned) amenity pocket parks open to the public; plus another 1.73-acre neighborhood park. The proposed master plan

amendment is balanced based upon using the average of the land densities while also providing more recreational and trail opportunities to the public than in the prior plan.

The change in parkland dedication and the reconfiguration of parks and trails required approval from the Parks and Recreation Advisory Board. The Board met on March 13, 2014 and recommended approval of the re-appropriated park areas.

The developer is also adding a 4.1-acre Activity Center parcel for a future community center. This is based around the existing barn and ranch house.

E. Preservation of Drainage Areas

There are two significant drainages that transverse the property: Black Squirrel Creek and Middle Tributary. The Black Squirrel Creek Drainage is the main drainage that travels east to west through the site. There are several ponds along this drainage. Both drainage areas are considered habitat for the Preble's Meadow Jumping Mouse and therefore disturbance is limited. The ponds along Black Squirrel Creek will remain in their natural state. The ponds were originally built without the approval of the State of Colorado. The State will allow the ponds to remain under the condition that the embankments are reinforced to reduce the risk of failure and flooding. This work will be completed in phases as the property develops. There are also several creek crossings permitted. These are areas of past disturbance or utility corridors. The crossings are pedestrian only and will be facilitated by building a series of bridges. These areas are shown on the master plan.

F. Show Compassion International and Renaissance Hotel as Implemented

The Compassion campus and the Renaissance Hotel are part of the overall master plan, but they are not within the current developer ownership. These areas are developed and being shown as implemented under separate ownership.

PUD (Planned Unit Development) Rezone

While the PUD Development Plan covers a 75-acre area, only 26 acres are required to be rezoned. The southern-most 23.61 acres is being rezoned from A (Agricultural) to PUD (Planned Unit Development) allowing a single-family residential density of 2 – 3.49 dwelling units per acre as depicted on the master plan. There are 2.41 acres that will be rezoned from the original PUD allowing 2.07 dwelling units per acre to the new PUD zone allowing the 2 – 3.49 dwelling units per acre. The rezoning is graphically depicted as **FIGURE 4**.

PUD Development Plan

The development plan illustrates the layout of 212 single family detached lots with open space, trail corridors and public streets. An 8.9-acre neighborhood park is also depicted on the development plan. The minimum lot size is 5,000 square feet with an average lot size of 10,189 square feet. The smaller lots are at the southern end of the development plan area, with larger lots transitioning to the north. The northern lots are similar in size to those lots in the neighboring Trail Ridge development.

The first phase of the LaForet Trail and a park feature are shown within Tract F between Ridgeline Drive and Voyager Parkway. The LaForet Trail is a Tier 2 trail through The Farm connecting to the Santa Fe Trail to the west and traveling east into El Paso County. This first phase will be constructed with this development plan along with a park amenity.

Access to the development will be from the extension of Ridgeline Drive. Ridgeline Drive is designed to dip to the south through this new community. There is a traffic signal planned at Ridgeline and Voyager that should be installed in the near future. The developer is currently working with the commercial center to the north of Ridgeline on the ultimate roadway design and access to this commercial center.

Staff finds that the plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.605 and the development plan review criteria as set forth in Section 7.5.502.E.

3. Conformance with the City Comprehensive Plan:

Comprehensive Plan 2020 Land Use Map: The southwestern corner is designated Commercial Center. The stream corridors that bisect the property are designated as Open Space and the balance is designated General Residential. The master plan amendment will not change these land uses as depicted on the 2020 Land Use Map.

Policy LU 202: Make Natural and Scenic Areas and Greenways an Integral Part of the Land Use Pattern

Treat the City's significant natural features, scenic areas, trail corridors, and greenways as critically important land uses and infrastructure that represent major public and private investments and are an integral part of the city and its land use pattern.

Policy LU 301: Promote a Mixed Land Use Pattern

Promote development that is characterized by a mix of mutually supportive and integrated residential and non-residential land uses and a network of interconnected streets with good pedestrian and bicycle access and connections to transit.

Strategy LU 302c: Promote Compatibility between Land Uses of Differing Intensities

Design and develop mixed land uses to ensure compatibility and appropriate transitions between land uses that vary in intensity and scale.

Policy N 302: Promote Development of Mixed-use Neighborhoods – Provide residents the choice of walking, bicycling or driving to parks, schools, work, shopping, places of worship and transit stops in their own and other neighborhoods.

Strategy LU 303a: Design Pedestrian Friendly Environments

Plan and design neighborhoods and activity centers as coordinated pedestrian friendly environments.

Strategy LU 502d: Plan Residential Areas to Conserve Natural Features

Plan neighborhoods in areas that contain significant natural features and environmental constraints to conserve those features through lower average densities or clustering of development.

Objective CCA 6: Fit New Development into the Character of the Surrounding Area.

While the majority of The Farm is a planned residential community, the master plan shows some commercial and office uses. Within the residential community there are a variety of residential densities and lot sizes provided. Large portions of the site are protected natural features utilized as open space with outdoor opportunities. Pedestrian and bicycle connectivity are important as illustrated by the internal trail system and trail connections throughout.

It is the finding of the Land Use Review Division that The Farm Master Plan, PUD Zoning and Development Plan will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

4. Conformance with the Area's Master Plan:

This property is part of the Allison Valley Master Plan, now being named The Farm. The biggest change to the master plan with this amendment is the overall decrease in residential densities. The other changes contemplated with this amendment are technical in nature. Staff finds that the amendment is in substantial conformance with the intent of the original master plan approval and keeps with the originally approved land uses.

STAFF RECOMMENDATION:

ITEM NO.: 6.A CPC MP 04-00254-A3MJ14 – MAJOR MASTER PLAN AMENDMENT

Approve the major amendment to The Farm master plan, based upon the finding that the amendment meets the review criteria for master plan amendments as set forth in City Code Section 7.5.408.

ITEM NO.: 6.B CPC PUZ 14-00026 – CHANGE OF ZONING TO PUD

Approve the zone change of 26.03 acres from A (Agricultural) and PUD (Planned Unit Development: Single-family residential, 2.07 dwelling units per acre, 35-foot maximum building height) to PUD (Planned Unit Development: Single-family residential, 2 – 3.49 dwelling units per acre, 36-foot maximum building height), based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603 and the criteria for the establishment of a PUD zone as set forth in City Code Section 7.3.603.

ITEM NO. : 6.C CPC PUD 14-00027 – PUD DEVELOPMENT PLAN

Approve The Farm Filing Nos. 1A, 1B, 1C and 2 PUD Development Plan based upon the findings that the PUD development plan meets the review criteria for PUD development plans as set forth in City Code Section 7.3.606, and the development plan review criteria as set forth in Section 7.5.502.E with technical modifications:

Technical Modifications

1. Show the reconfiguration of the LaForet Trail along Voyager Parkway.
 2. Update the coordinated sign plan to show temporary sign phasing and add standard notes.
 3. Amend the development plan to show a 36 foot building height maximum.
-

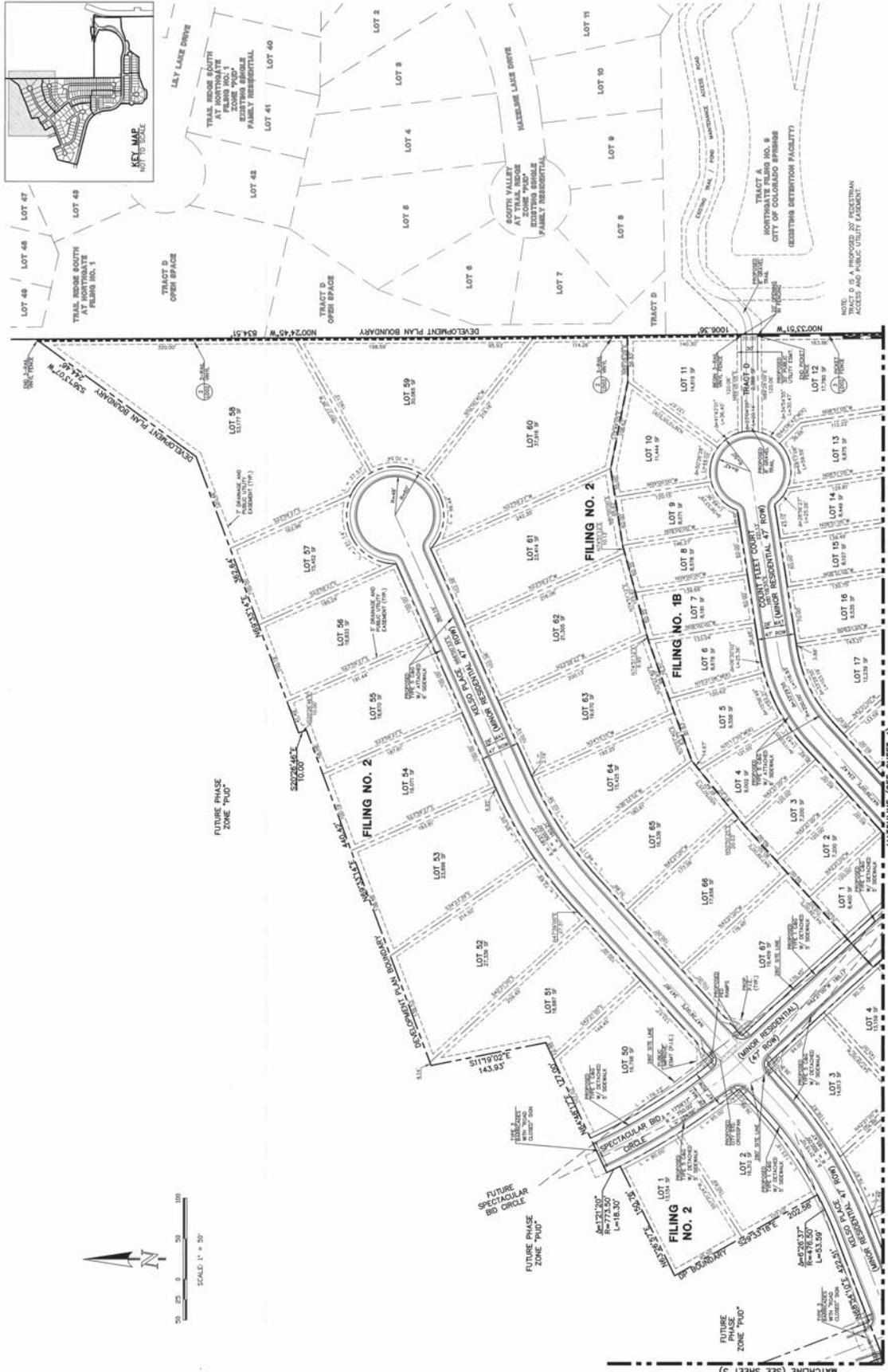


FIGURE 1

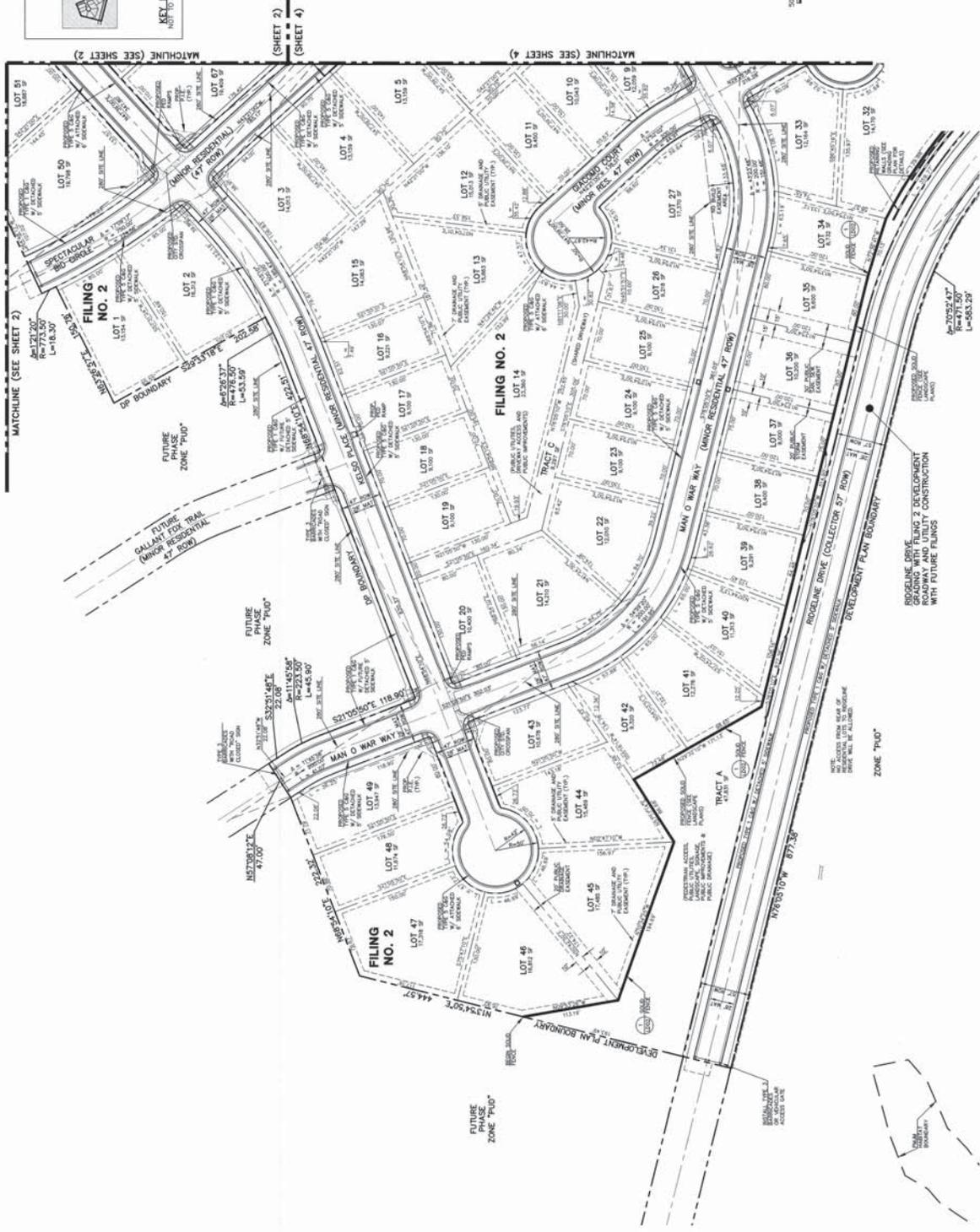
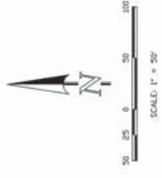


FIGURE 1

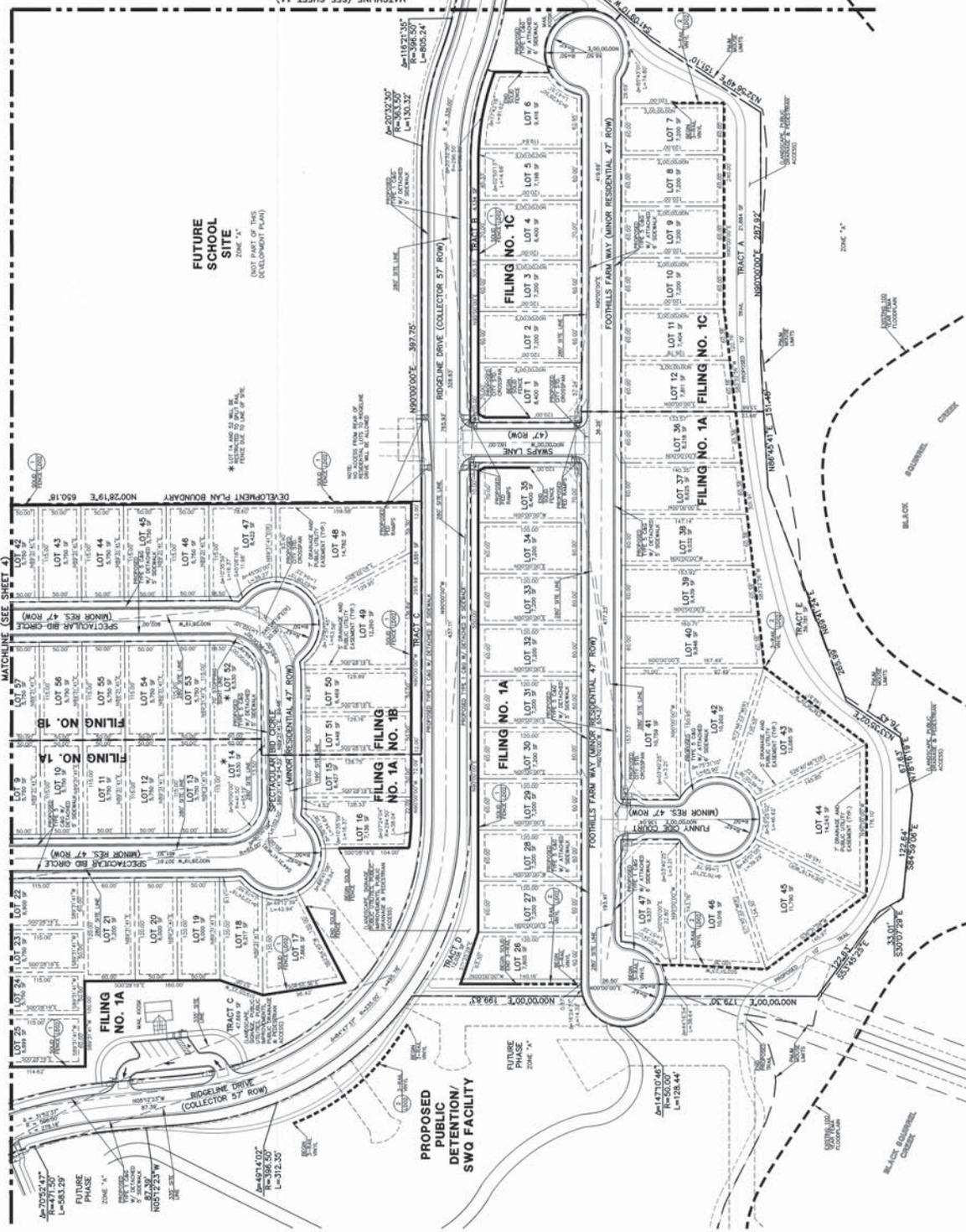


FIGURE 1

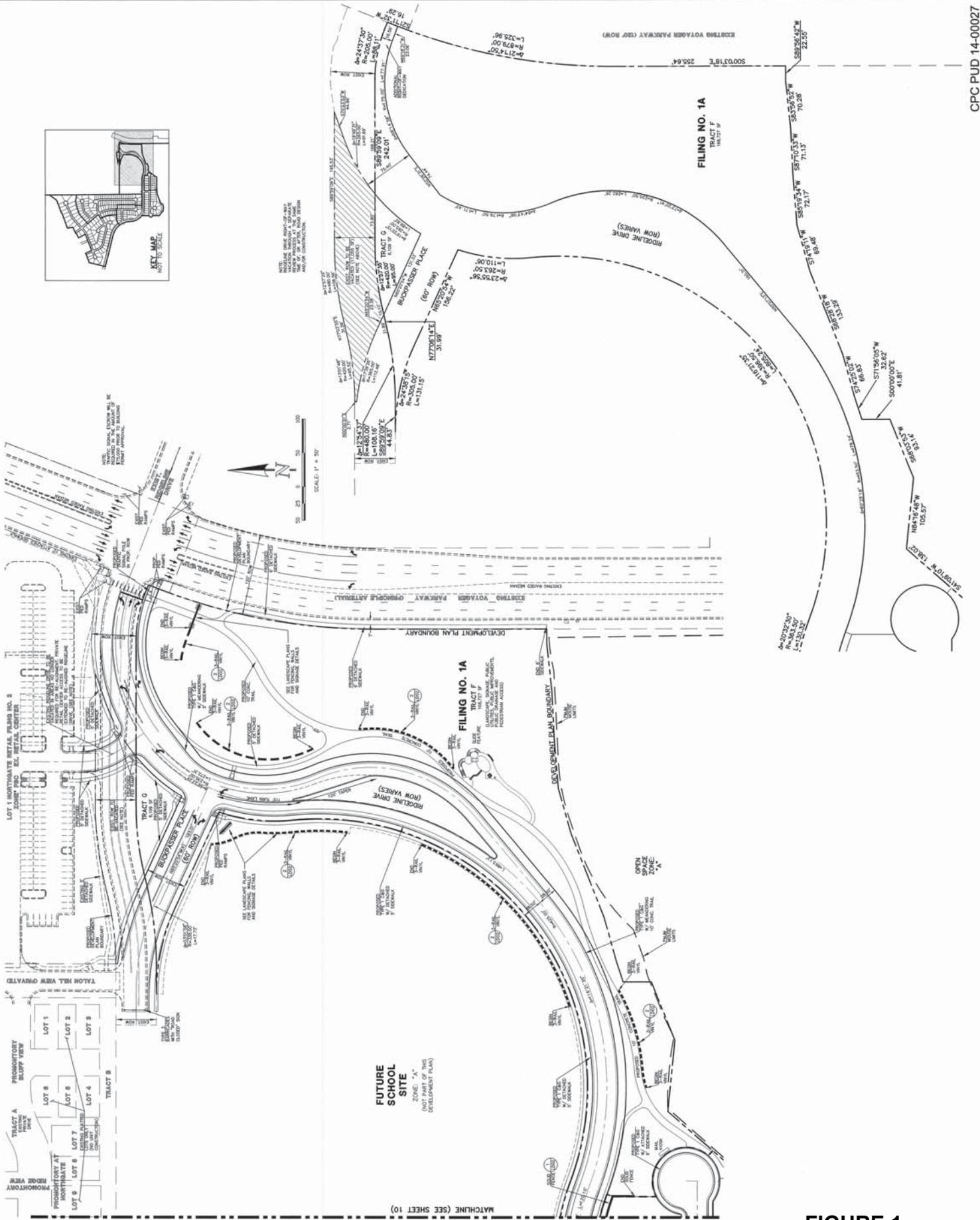


FIGURE 1



- LEGEND**
- (E170) EXISTING CONTOUR
 - (E170) PROPOSED CONTOUR
 - BOUNDARY FILING LINE
 - EXISTING FLOW DIRECTION
 - PROPOSED FLOW
 - EXISTING VEGETATION
 - A LOT
 - B LOT
 - W/ADJUT LOT
 - W/ADJUT LOT
 - GARDEN LOT
 - PROPOSED INLET
 - HP PROPOSED STORM SEWER PIPE
 - LP PROPOSED HIGH POINT
 - LP PROPOSED LOW POINT
 - PROPOSED RETAINING WALL
 - PROPOSED SEDIMENT BASIN
 - S&T FENCE
 - STRAW BALE CHECK DAM
 - STRAW BALE INLET PROTECTION
 - VEHICLE TRACKING CONTROL
- NOTE:**
 ALL RETAINING WALLS TO BE STUCCO BLOCK WALLS
 EXCEPT POINTS INDICATED BY WALL # OF WALLS



NOTE:
 SEE SHEET 11 FOR LOT TEMPLATES
 SEE SHEET 11 FOR EROSION CONTROL DETAILS

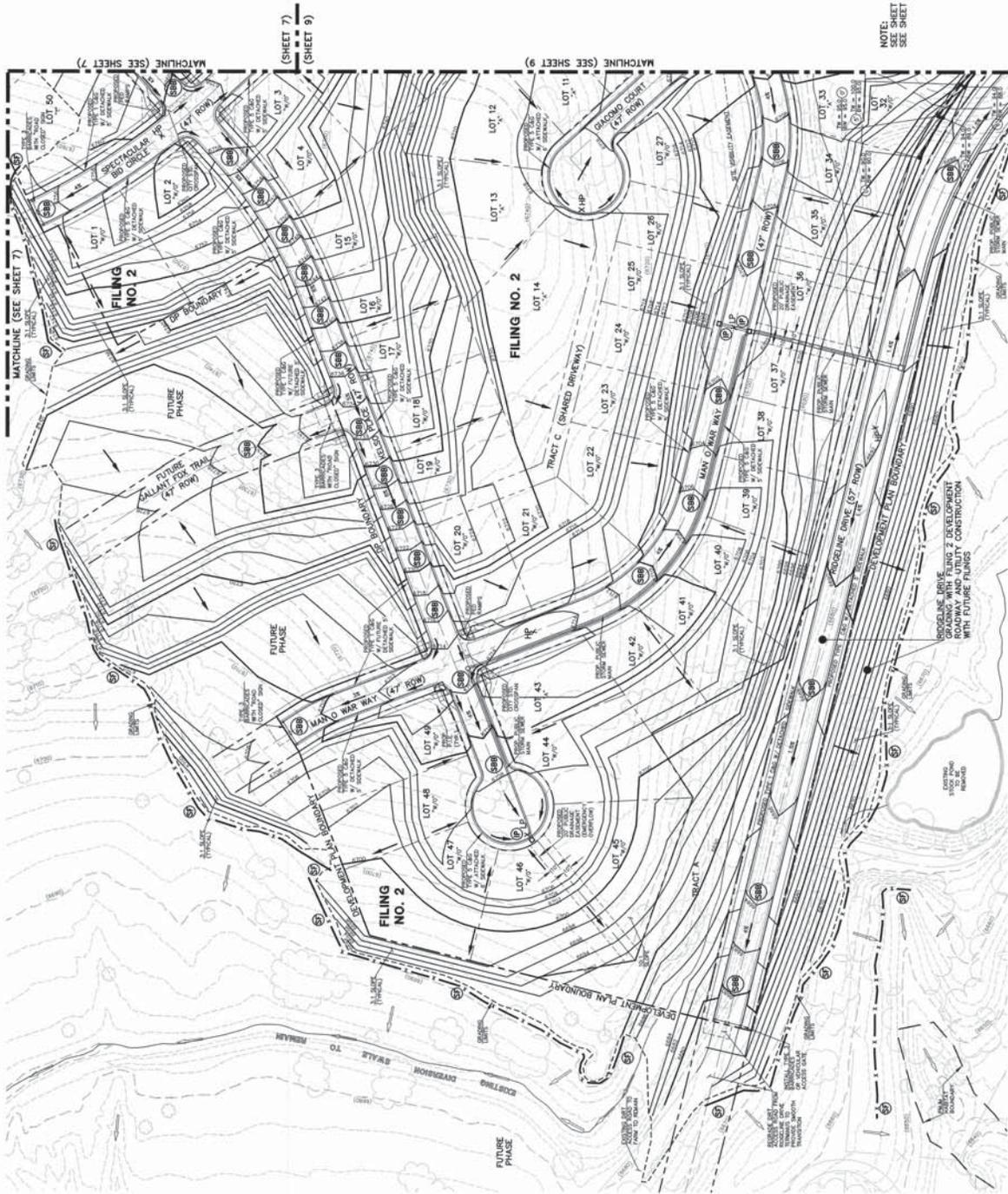
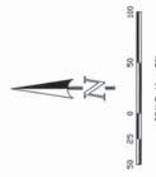


FIGURE 1



- LEGEND**
- (9770) EXISTING CONTOUR
 - PROPOSED CONTOUR
 - BOUNDARY/FILING LINE
 - EXISTING FLOW DIRECTION
 - PROPOSED FLOW
 - EXISTING VEGETATION
 - A LOT
 - B LOT
 - WALKOUT LOT
 - TRANSITION LOT
 - GARDEN LOT
 - PROPOSED INLET
 - PROPOSED STORM SEWER PIPE
 - PROPOSED HIGH POINT
 - PROPOSED LOW POINT
 - PROPOSED RETAINING WALL
 - TEMPORARY SEGMENT BASH
 - SET FENCE
 - STRAW BALE CHECK DAM
 - STRAW BALE INLET PROTECTION
 - VEHICLE TRACKING CONTROL



NOTE:
 SEE SHEET 11 FOR LOT DIMENSIONS
 SEE SHEET 11 FOR CROSS CONTROL DETAILS

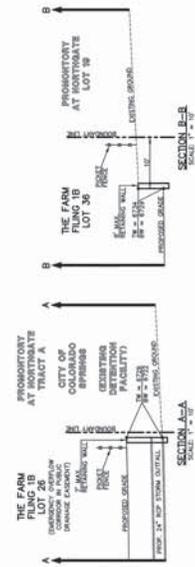
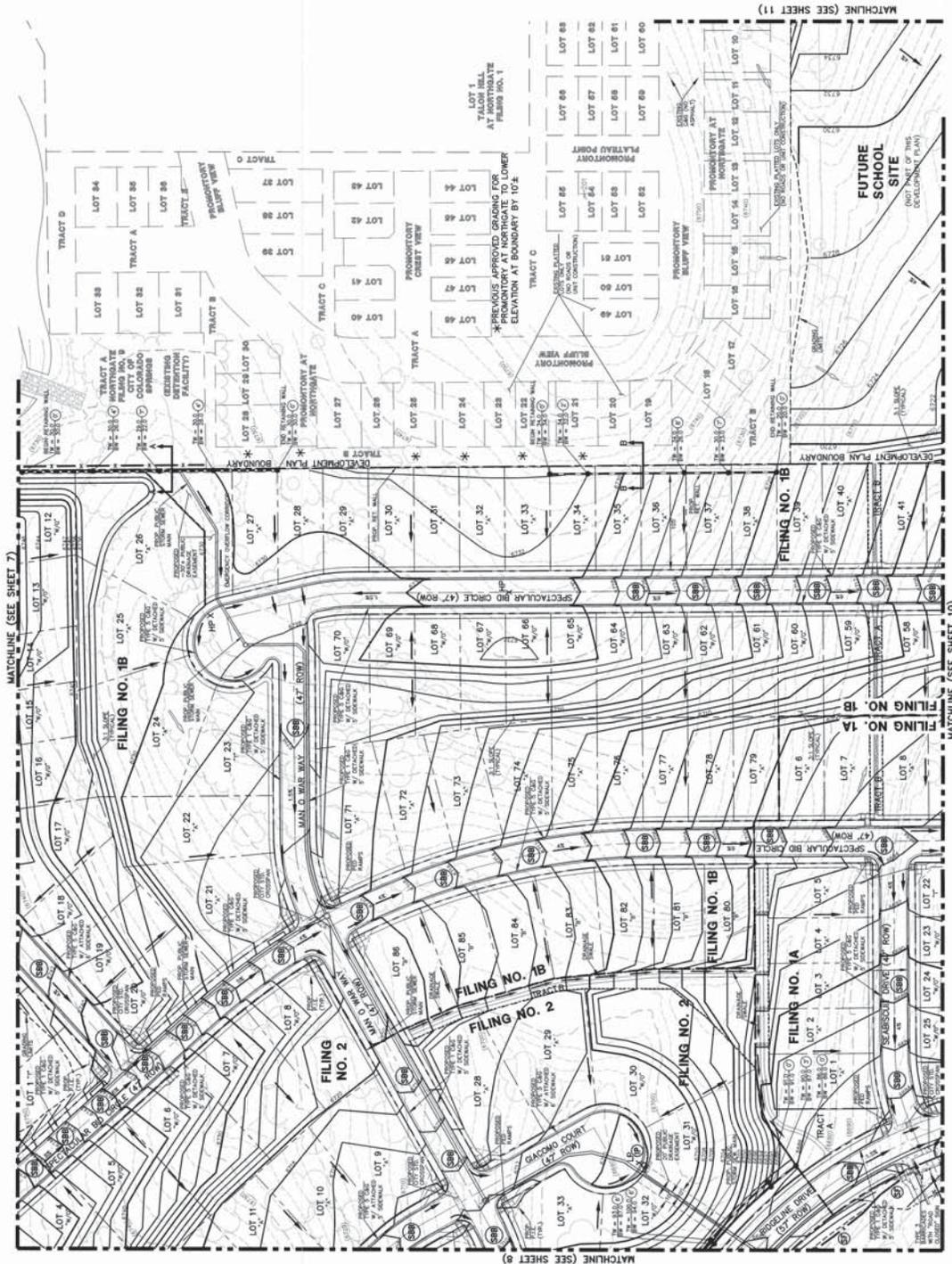


FIGURE 1

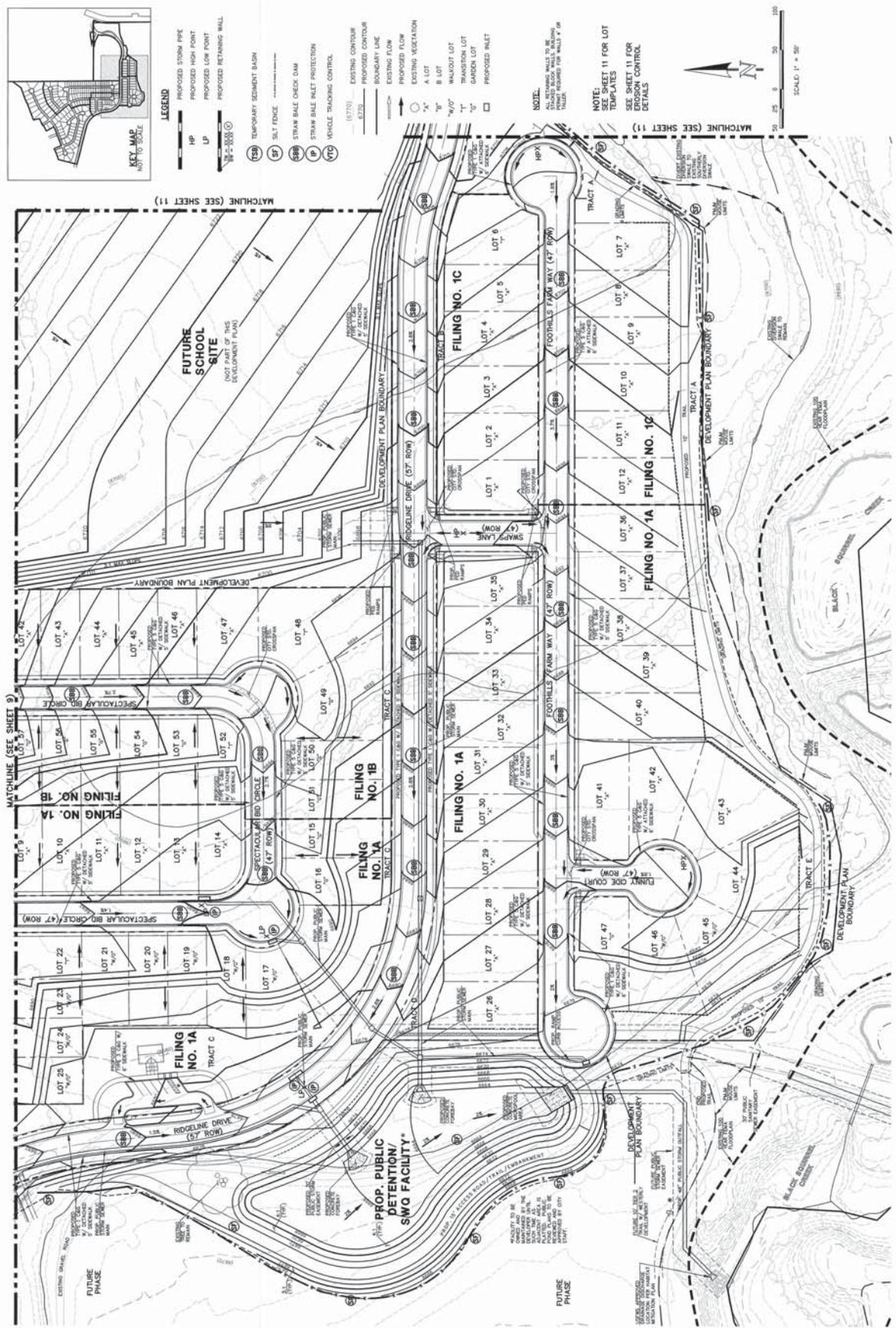


FIGURE 1

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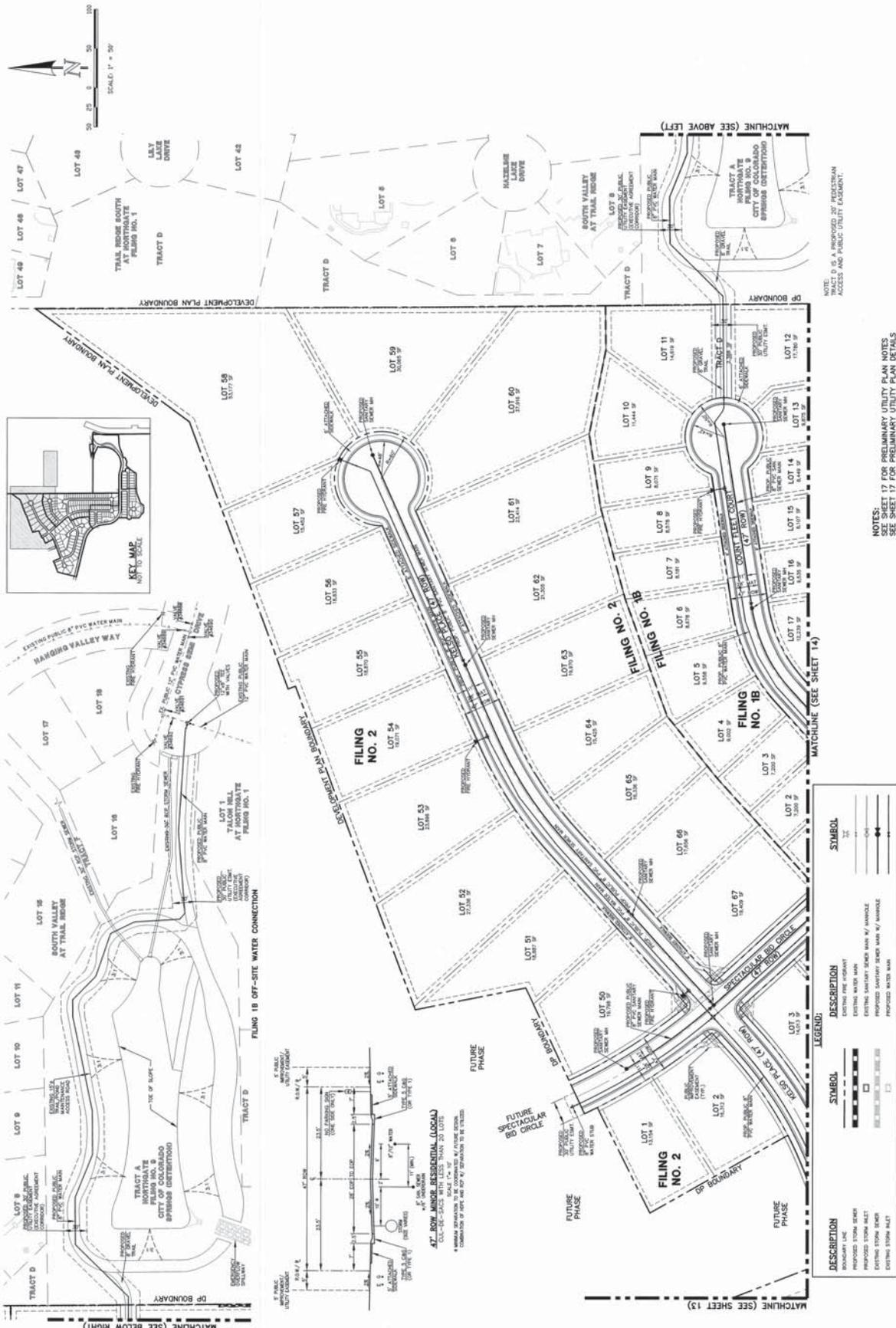


FIGURE 1

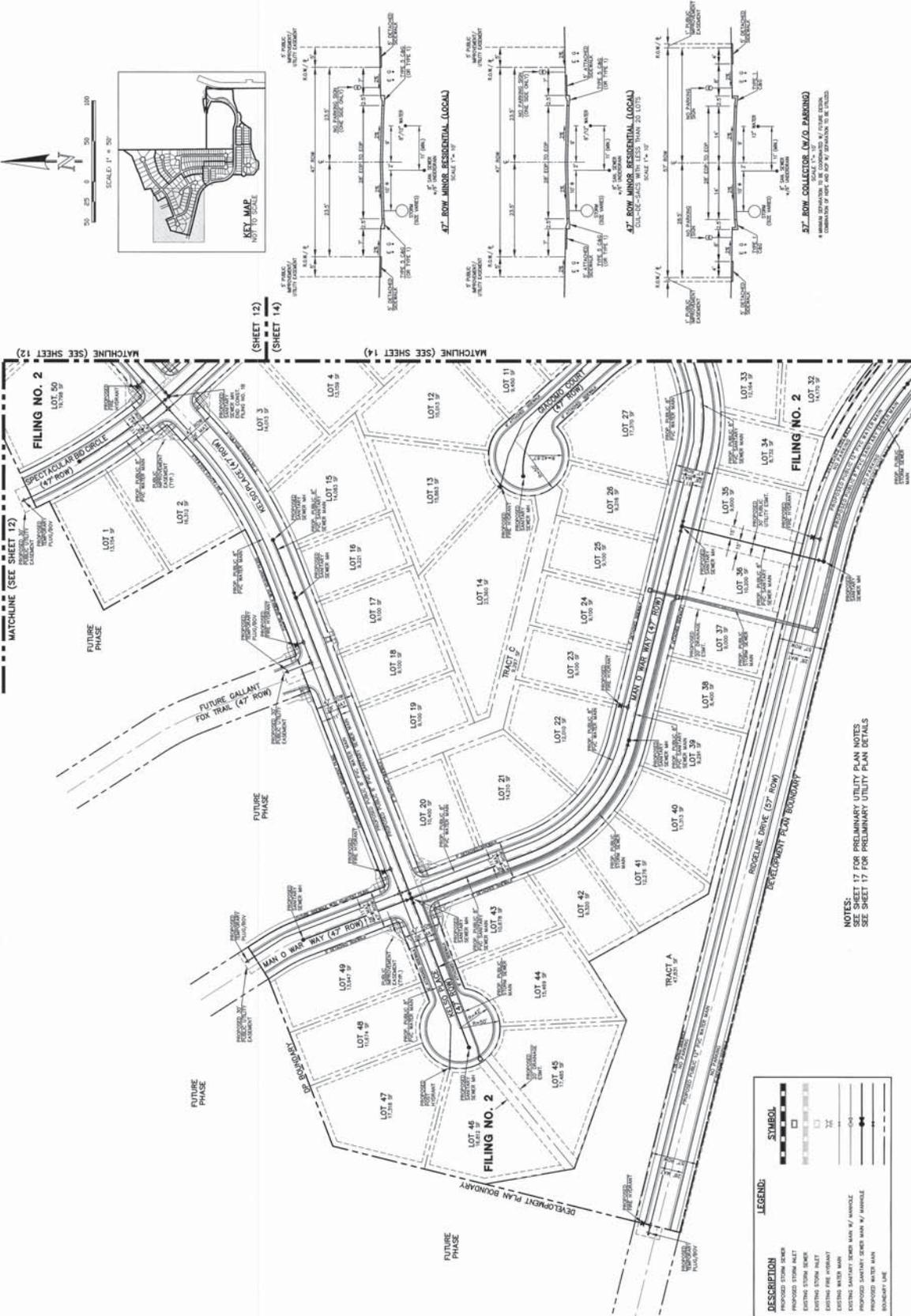
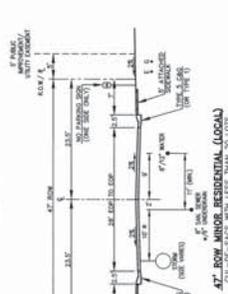
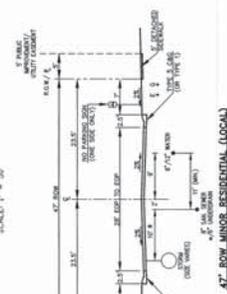
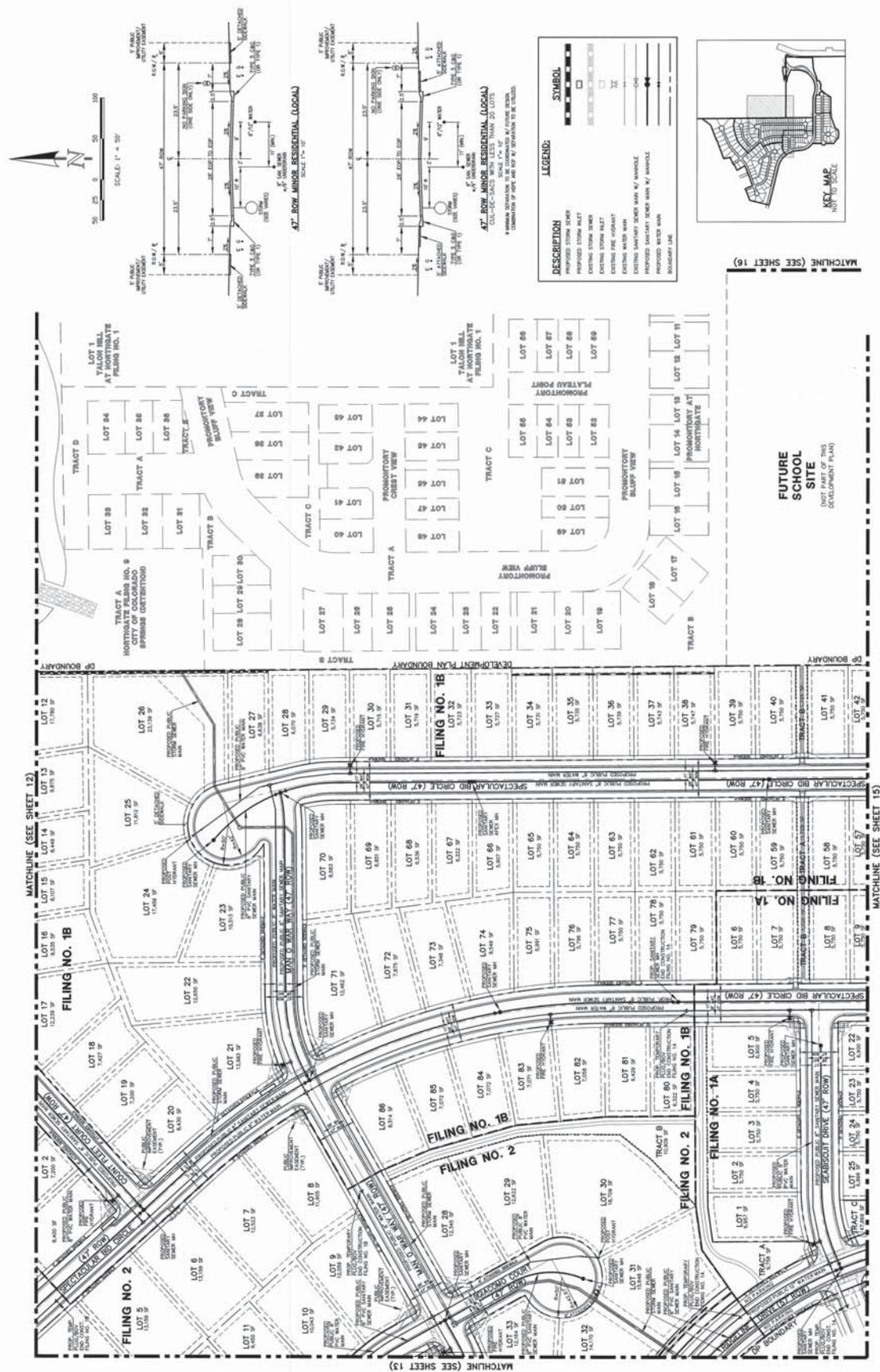


FIGURE 1

117 Thompson Drive, Suite 100, Aurora, Colorado 80014. Phone: 303.822.2556. Fax: 303.822.2557. www.dhmdesign.com



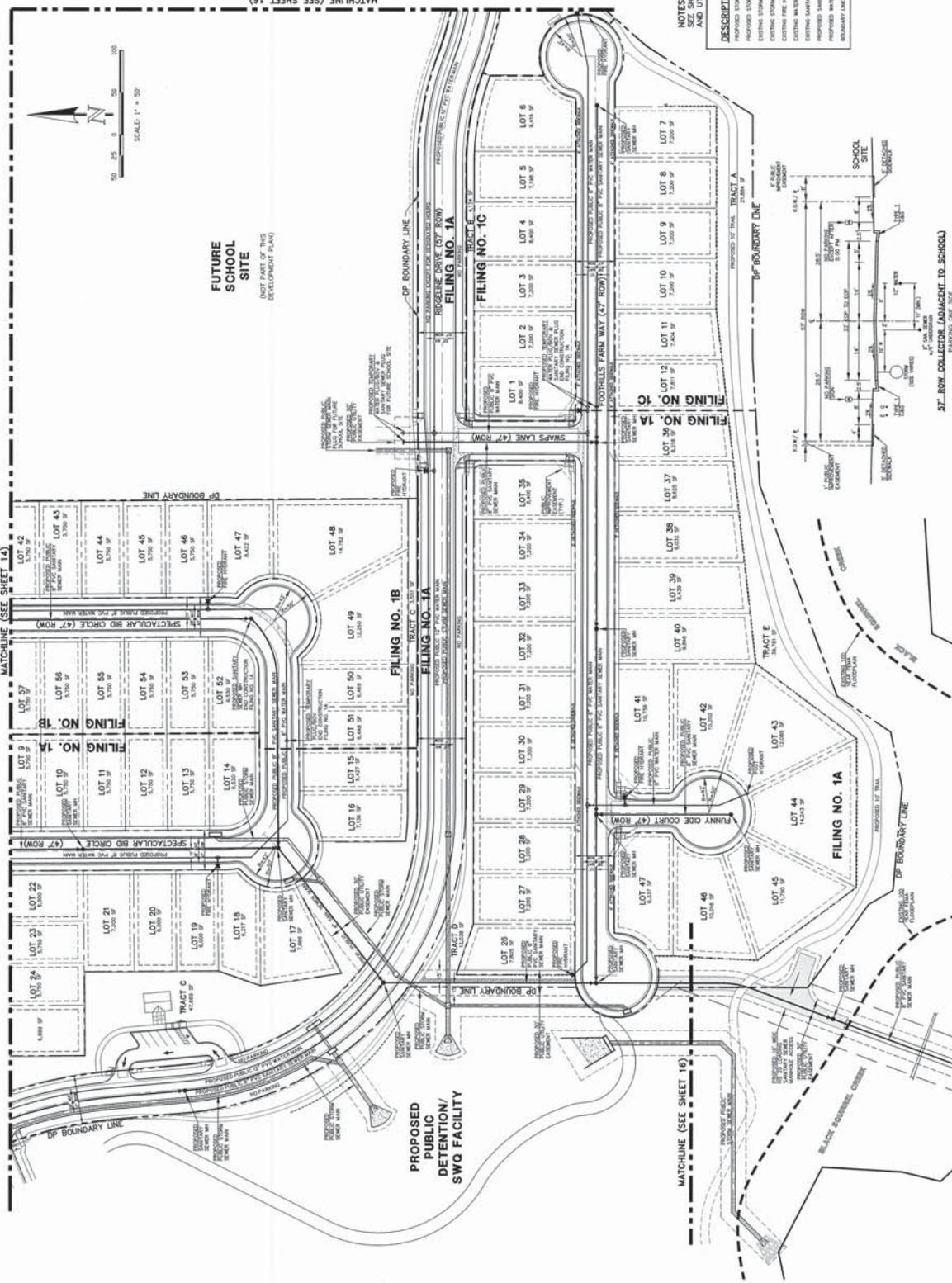
LEGEND:

DESCRIPTION	SYMBOL
PROPOSED WATER MAIN	—
PROPOSED SEWER MAIN	—
EXISTING WATER MAIN	—
EXISTING SEWER MAIN	—
EXISTING FIRE HYDRANT	—
EXISTING WATER MAIN W/ MANHOLE	—
PROPOSED WATER MAIN W/ MANHOLE	—
PROPOSED SEWER MAIN W/ MANHOLE	—
BOUNDARY LINE	—

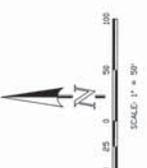


NOTES:
 SEE SHEET 17 FOR PRELIMINARY UTILITY PLAN NOTES
 SEE SHEET 17 FOR PRELIMINARY UTILITY PLAN DETAILS

FIGURE 1



MATCHLINE (SEE SHEET 14)



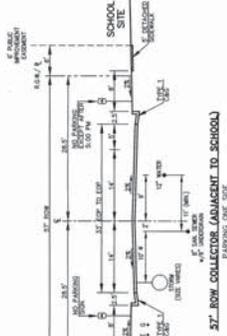
FUTURE SCHOOL SITE
 (NOT PART OF THIS DEVELOPMENT PLAN)

PROPOSED PUBLIC DETENTION/ SWQ FACILITY

MATCHLINE (SEE SHEET 10)

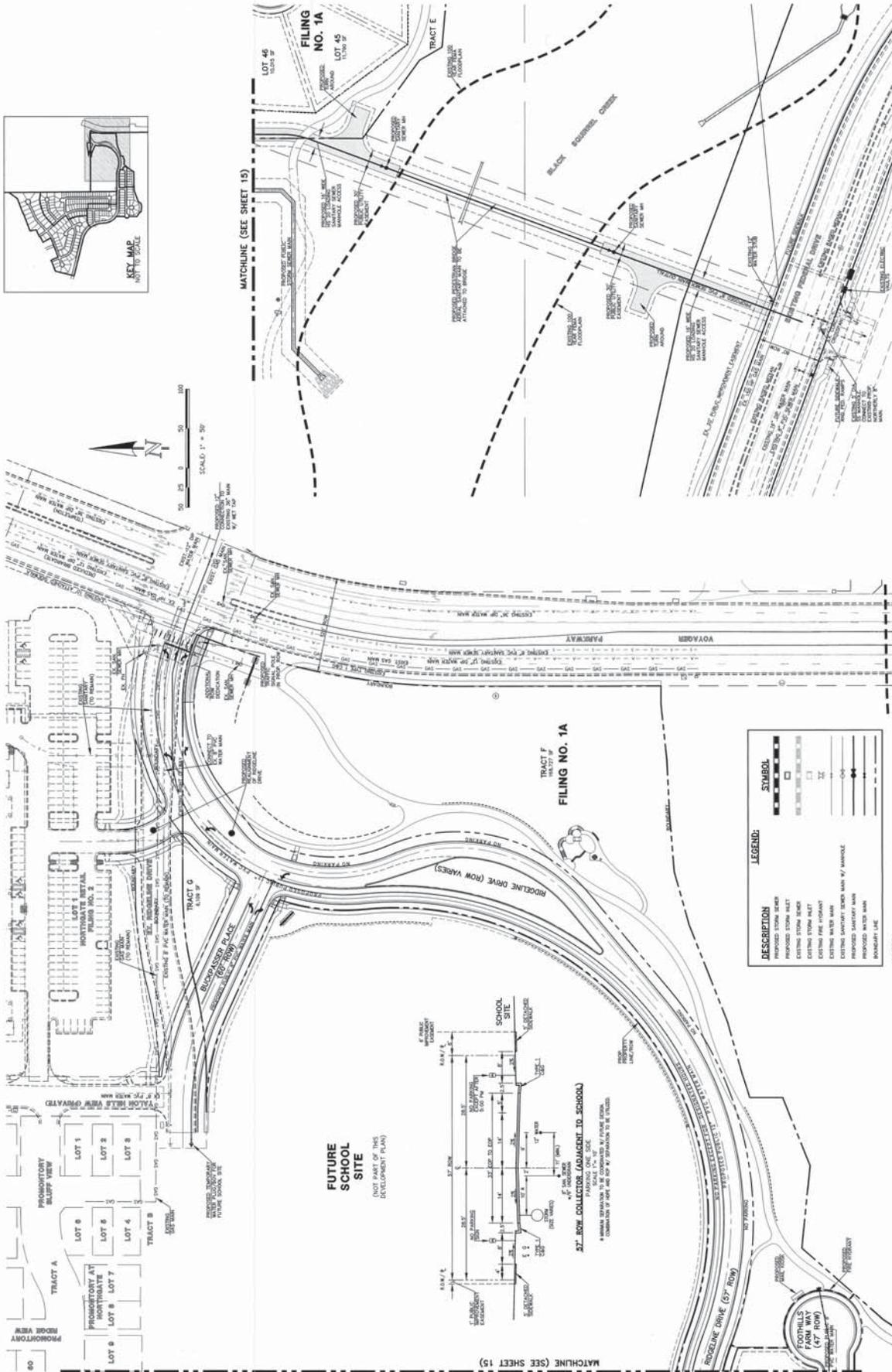
NOTES:
 SEE SHEET 17 FOR PRELIMINARY UTILITY PLAN NOTES AND UTILITY PLAN DETAILS

SYMBOL	DESCRIPTION
[Symbol]	PROPOSED STORM SEWER
[Symbol]	PROPOSED WATER MAIN
[Symbol]	EXISTING STORM SEWER
[Symbol]	EXISTING WATER MAIN
[Symbol]	EXISTING FIRE HYDRANT
[Symbol]	EXISTING SANITARY SEWER MAIN W/ MANHOLE
[Symbol]	PROPOSED SANITARY SEWER MAIN W/ MANHOLE
[Symbol]	PROPOSED WATER MAIN
[Symbol]	BOUNDARY LINE



37' ROW COLLECTOR (ADJACENT TO SCHOOL)
 PARKING ONE SIDE
 * MANHOLE DEPRESSION IS TO BE COORDINATED W/ FUTURE DESIGN
 * CURB AND GUTTER W/ TERMINATION IS TO BE FUTURE

FIGURE 1

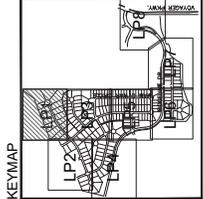


LEGEND:

DESCRIPTION	SYMBOL
PROPOSED STORM SEWER	—
PROPOSED STORM FLEET	—
EXISTING STORM SEWER	—
EXISTING STORM FLEET	—
EXISTING FIRE HYDRANT	—
EXISTING WATER MAIN	—
EXISTING SANITARY SEWER MAIN W/ MANHOLE	—
PROPOSED SANITARY MAIN	—
PROPOSED WATER MAIN	—
BOUNDARY LINE	—

NOTES:
 SEE SHEET 17 FOR PRELIMINARY UTILITY PLAN NOTES
 SEE SHEET 17 FOR PRELIMINARY UTILITY PLAN DETAILS

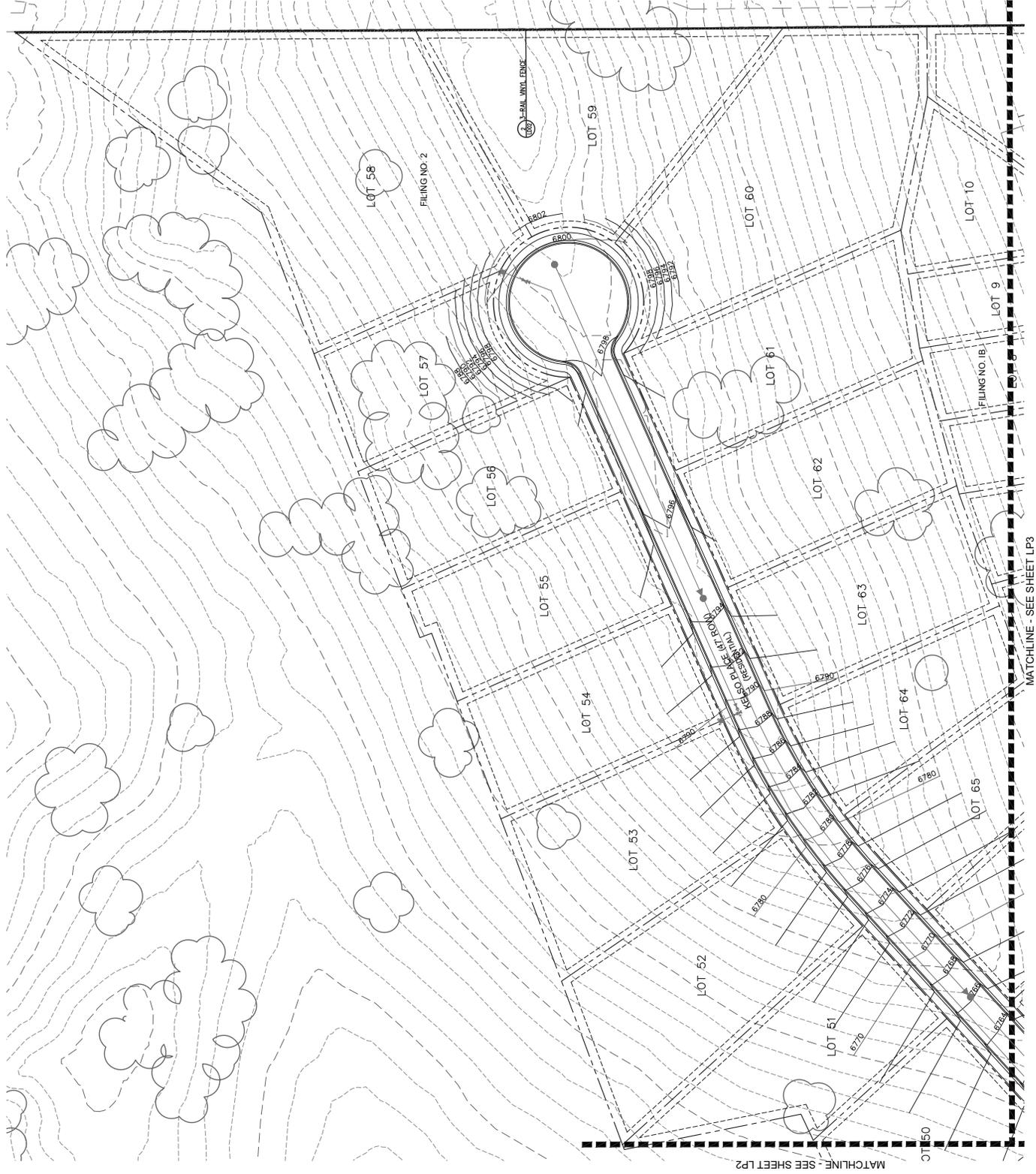
FIGURE 1



LEGEND

	DECIDUOUS TREES
	EVERGREEN TREES
	ORNAMENTAL TREE
	EXISTING TREES AND SHRUBS TO REMAIN
	EXISTING TREES AND SHRUBS TO BE REMOVED
	IRRIGATED NATIVE TURF, SEED PACKS ESTIMATED BY GRADING SHALL BE NON-IRRIGATED
	NATIVE SEED AND SLOPE STABILIZATION NOTES
	MANICURED TURF
	DECIDUOUS SHRUBS
	EVERGREEN SHRUBS
	ORNAMENTAL GRASSES
	LANDSCAPE BOULDERS 3'-5' DIAMETER
	SOLID FENCE
	PICKET FENCE
	3-RAIL VINYL FENCE
	PROPOSED CONTOUR
	RIGHT-OF-WAY LINE

REFER TO SHEET LP0 FOR NATIVE SEED AND SLOPE STABILIZATION NOTES

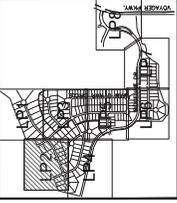


MATCHLINE - SEE SHEET LP2

MATCHLINE - SEE SHEET LP3

FIGURE 1

KEYMAP



LEGEND

	DECIDUOUS TREES
	EVERGREEN TREES
	ORNAMENTAL TREE
	EXISTING TREES AND SHRUBS TO REMAIN
	EXISTING TREES AND SHRUBS TO BE REMOVED
	IRRIGATED NATIVE TURF SEED PACKETS (RETURNED BY GRADING SHALL BE NON-IRRIGATED)
	MANICURED TURF
	DECIDUOUS SHRUBS
	EVERGREEN SHRUBS
	ORNAMENTAL GRASSES
	LANDSCAPE BOULDERS
	SOLID FENCE
	PICKET FENCE
	3-RAIL VINYL FENCE
	PROPOSED CONTOUR
	RIGHT-OF-WAY LINE

REFER TO SHEET LP0 FOR NATIVE SEED AND SLOPE STABILIZATION NOTES

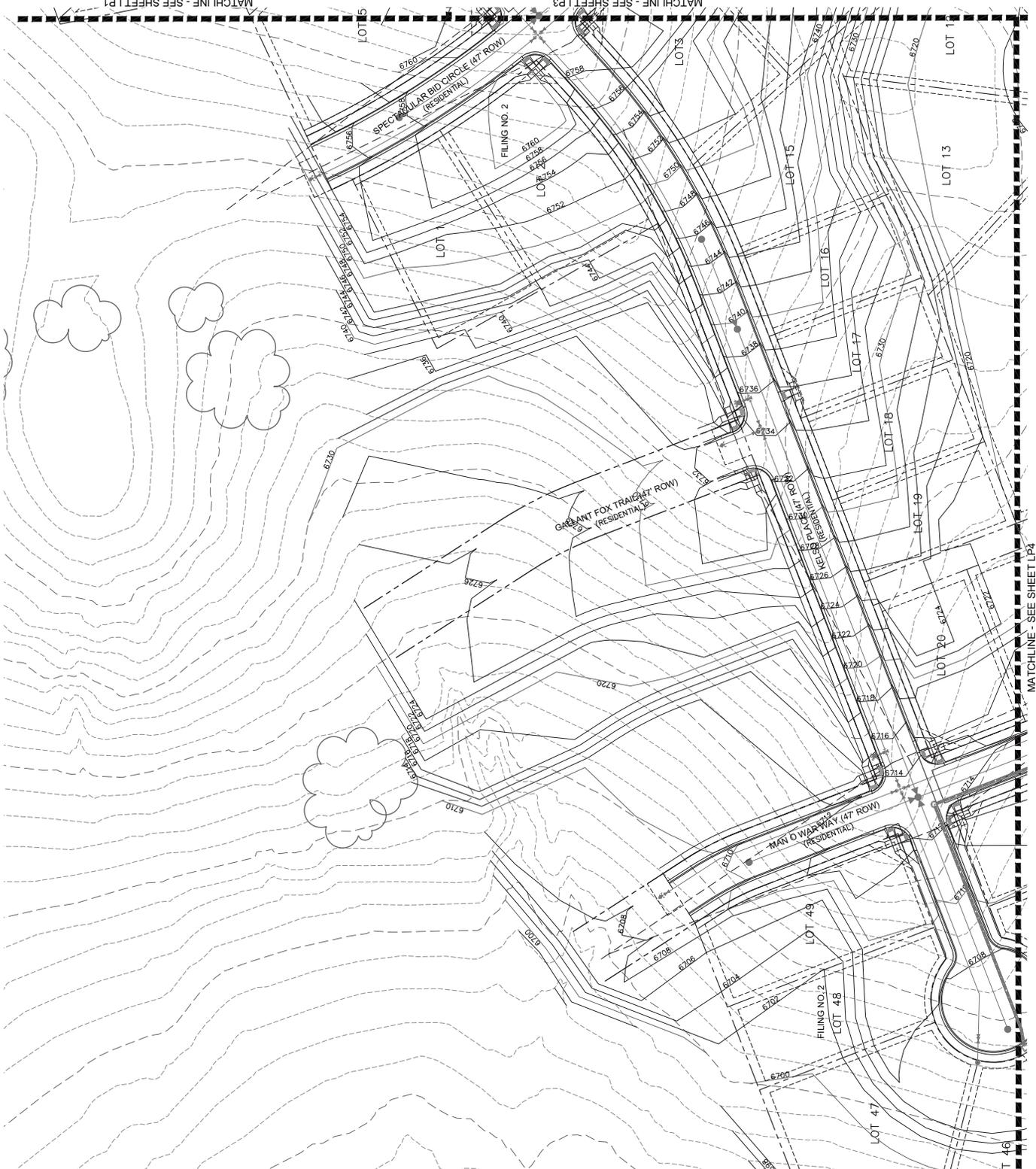


FIGURE 1

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF DHM DESIGN AND CLASSIC CONSULTING. NO PART OF THESE PLANS OR SPECIFICATIONS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF DHM DESIGN AND CLASSIC CONSULTING. THE USER OF THESE PLANS AND SPECIFICATIONS AGREES TO HOLD DHM DESIGN AND CLASSIC CONSULTING HARMLESS FROM AND AGAINST ALL LIABILITY, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM OR OUT OF THE USE OF THESE PLANS AND SPECIFICATIONS. THE USER OF THESE PLANS AND SPECIFICATIONS AGREES TO HOLD DHM DESIGN AND CLASSIC CONSULTING HARMLESS FROM AND AGAINST ALL LIABILITY, INCLUDING REASONABLE ATTORNEY'S FEES, ARISING FROM OR OUT OF THE USE OF THESE PLANS AND SPECIFICATIONS.

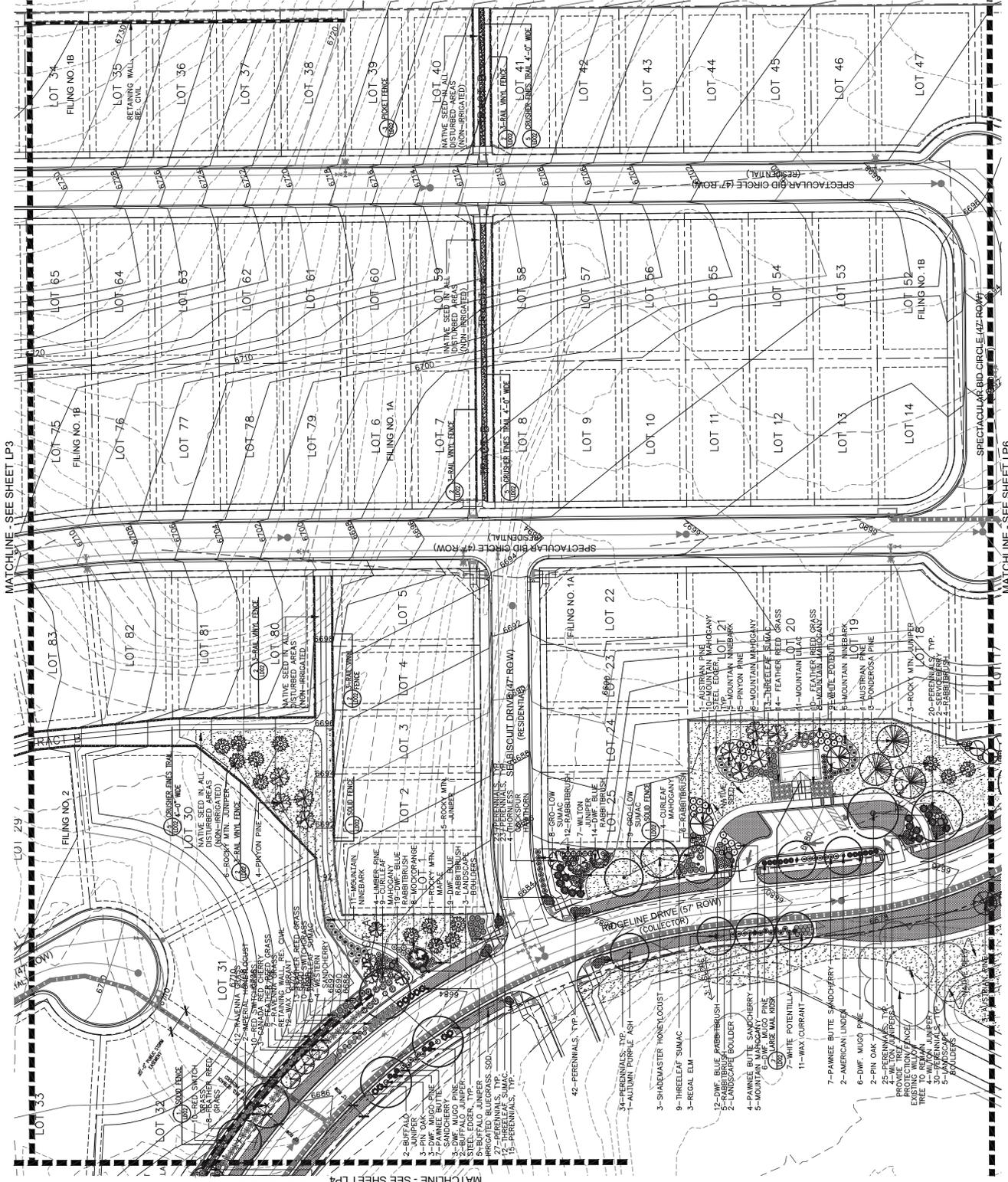
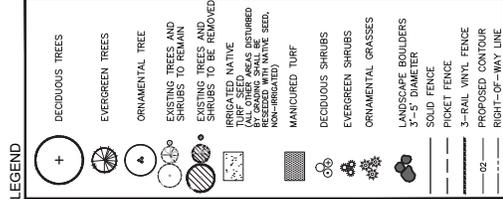
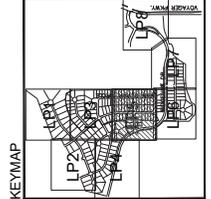


FIGURE 1

KEYMAP

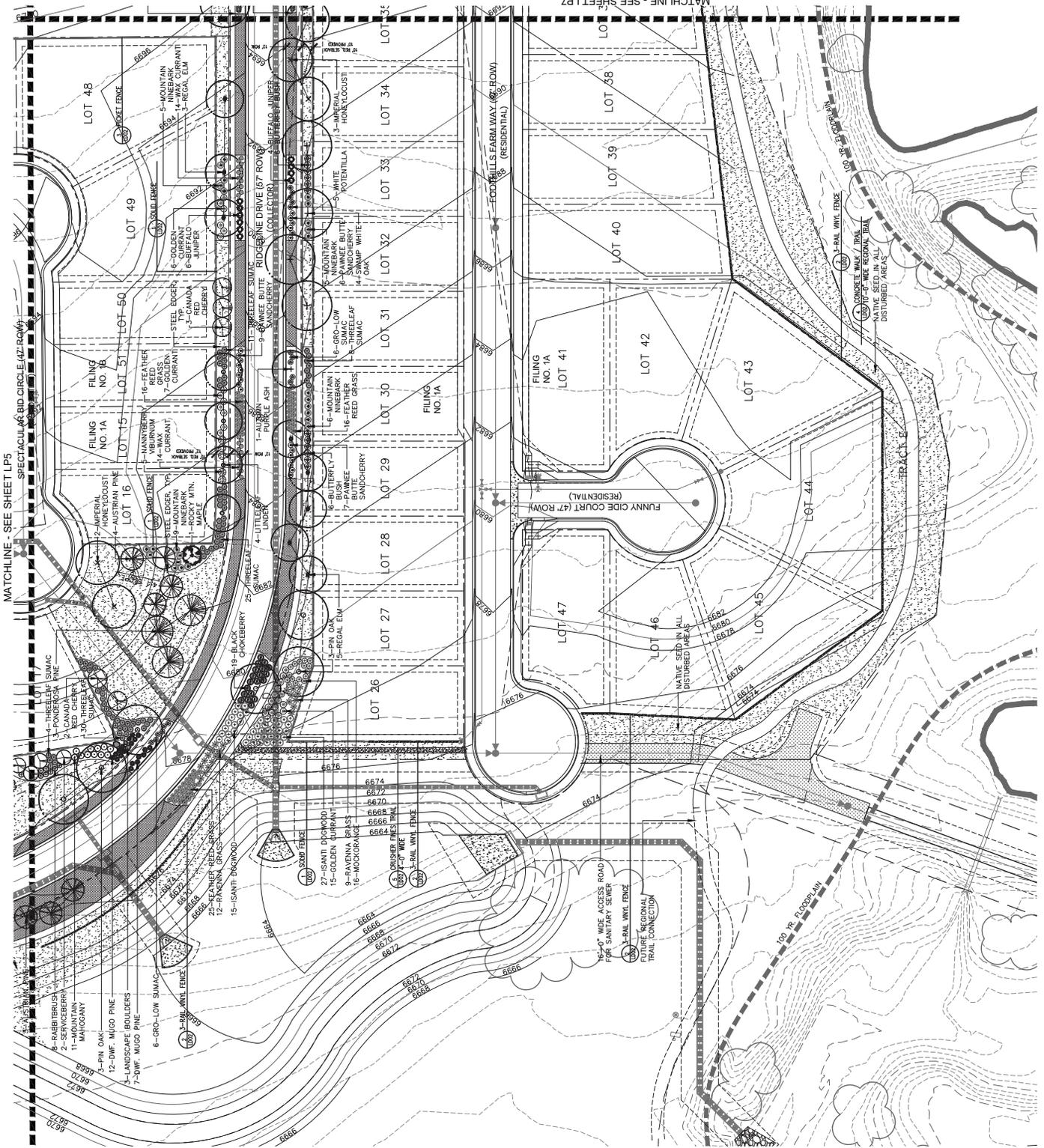
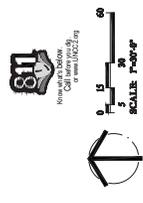
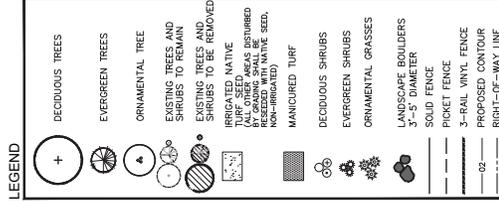
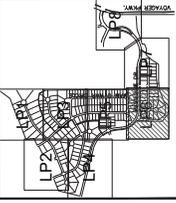


FIGURE 1

THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF DHM DESIGN AND CLASSIC CONSULTING. NO PART OF THESE PLANS OR SPECIFICATIONS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DHM DESIGN AND CLASSIC CONSULTING. THE USER OF THESE PLANS AND SPECIFICATIONS AGREES TO HOLD DHM DESIGN AND CLASSIC CONSULTING HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST OR INCURRED BY DHM DESIGN AND CLASSIC CONSULTING AS A RESULT OF THE USER'S USE OF THESE PLANS AND SPECIFICATIONS. THE USER OF THESE PLANS AND SPECIFICATIONS AGREES TO HOLD DHM DESIGN AND CLASSIC CONSULTING HARMLESS FROM AND AGAINST ALL CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING REASONABLE ATTORNEY'S FEES, THAT MAY BE ASSERTED AGAINST OR INCURRED BY DHM DESIGN AND CLASSIC CONSULTING AS A RESULT OF THE USER'S USE OF THESE PLANS AND SPECIFICATIONS.

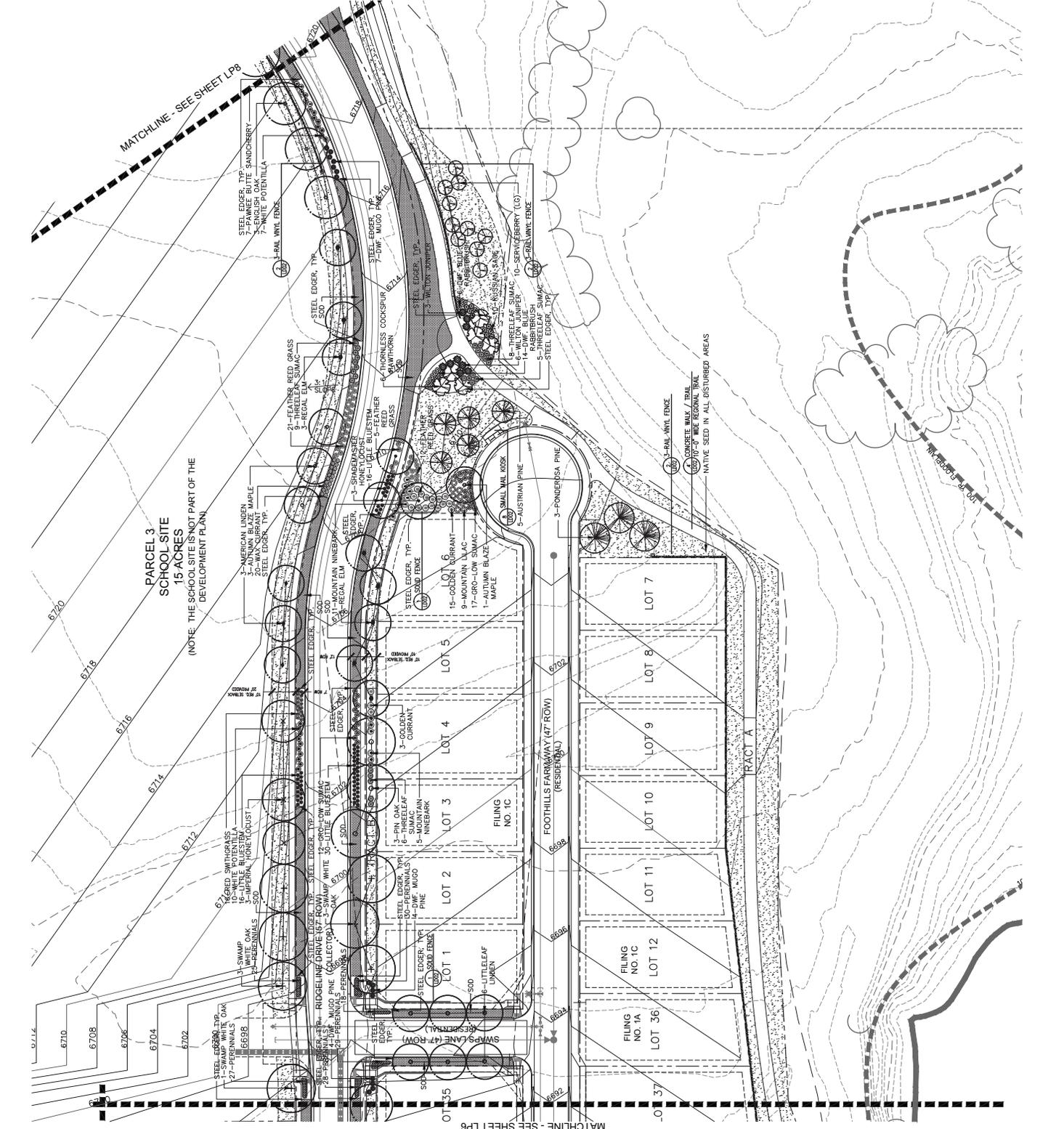
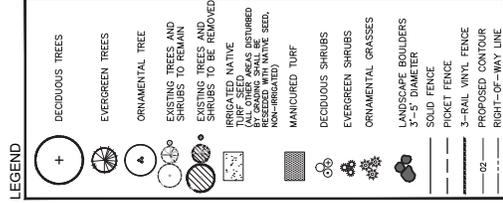
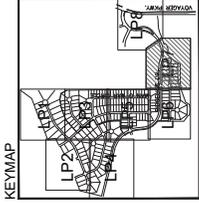
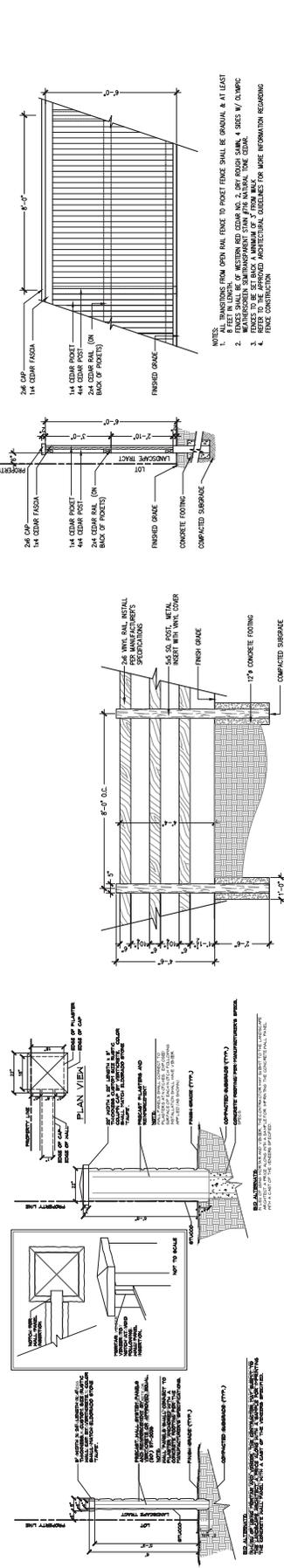
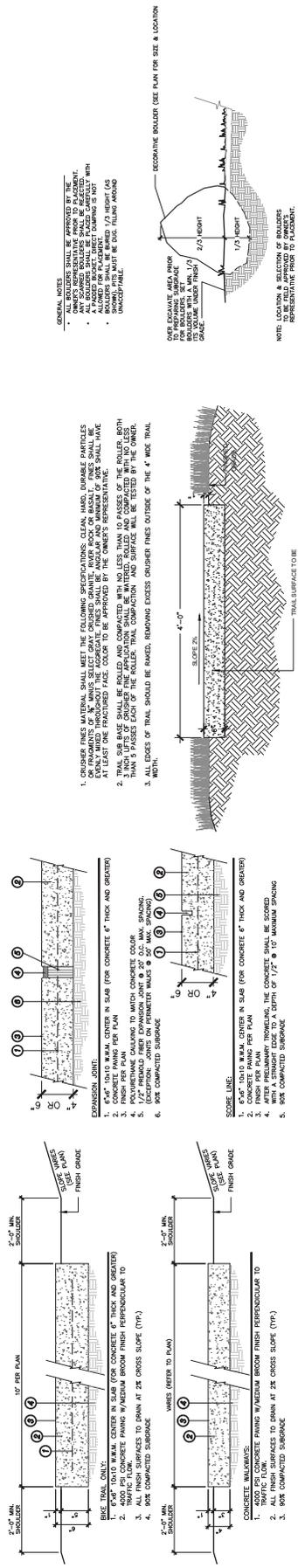


FIGURE 1

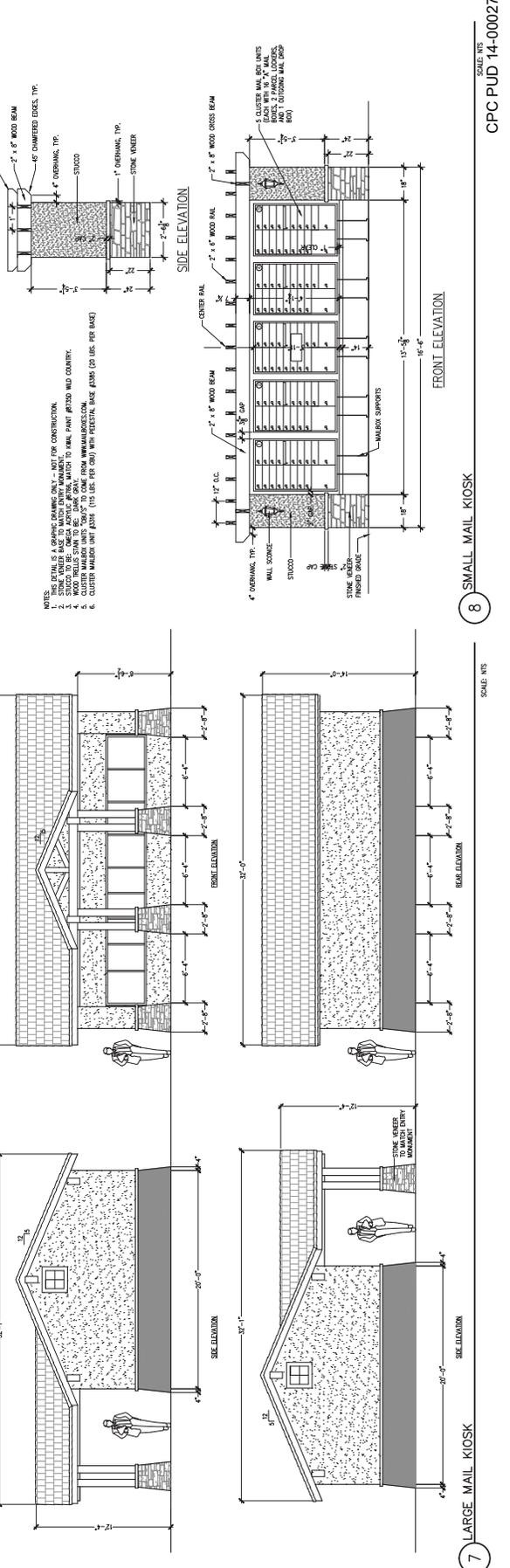
THESE PLANS AND SPECIFICATIONS ARE THE PROPERTY OF THE ARCHITECT AND SHALL BE KEPT IN THE ARCHITECT'S OFFICE. NO PART OF THESE PLANS OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY DAMAGE TO PERSONS OR PROPERTY ARISING FROM THE USE OF THESE PLANS OR SPECIFICATIONS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ARCHITECT. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ARCHITECT. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS.



1 SOLID FENCE SCALE: NTS
 2 3-RAIL VINYL FENCING SCALE: NTS
 3 PICKET FENCE SCALE: NTS

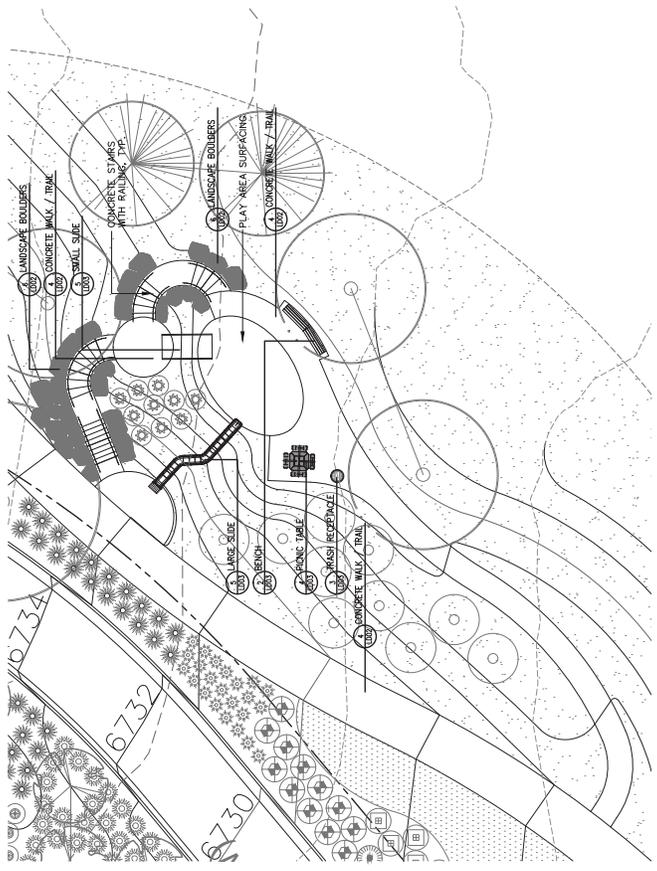


4 CONCRETE WALK / TRAIL SCALE: NTS
 5 CRUSHER FINES TRAIL SCALE: NTS
 6 LANDSCAPE BOULDER SCALE: NTS

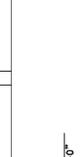
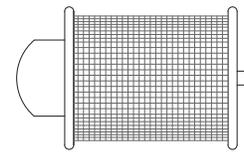
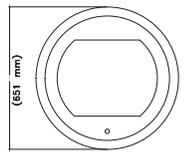


7 LARGE MAIL KIOSK SCALE: NTS
 8 SMALL MAIL KIOSK SCALE: NTS

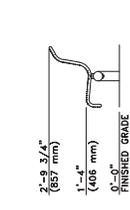
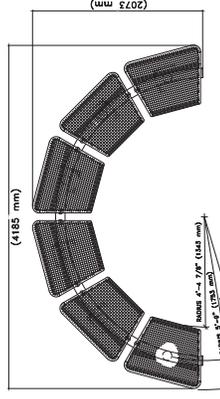
FIGURE 1



1 PLAY AREA
 SCALE: NTS



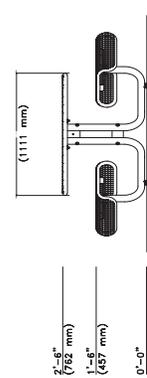
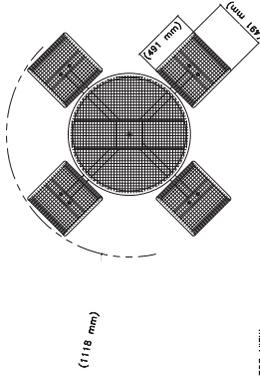
3 TRASH RECEPTACLE
 MANUFACTURER: TIMBERFORM
 COLOR: BROWN
 MOUNTING: PEDESTAL MOUNT
 INCLUDES 32-GALLON RECYCLED PLASTIC LINER.
 SCALE: NTS



2 BENCH
 MANUFACTURER: TIMBERFORM
 COLOR: BROWN
 MOUNTING: PEDESTAL MOUNT
 OPTIONS: RADIUS AND NUMBER OF SECTIONS (AVAILABLE UPON REQUEST).
 SCALE: NTS



5 LARGE SLIDE
 MANUFACTURER: COLUMBIA CASCADE (OR EQUAL)
 MODEL: SH-1C-LHB
 LENGTH: 14'-0"
 SCALE: NTS



4 PICNIC TABLE
 MANUFACTURER: TIMBERFORM (OR EQUAL)
 MODEL: SH-1C-LHB
 MOUNTING: PEDESTAL MOUNT
 SCALE: NTS



6 SMALL SLIDE
 MANUFACTURER: COLUMBIA CASCADE (OR EQUAL)
 MODEL: SH-1C-SMB
 LENGTH: 10'-0"
 SCALE: NTS

FIGURE 1

**THE FARM
(FORMALLY KNOWN AS ALLISON VALLEY)
MASTER PLAN MAJOR AMENDMENT
ZONE CHANGE
DEVELOPMENT PLAN
THE FARM FILING NO. 1A
THE FARM FILING NO. 1B
THE FARM FILING NO. 1C
PROJECT STATEMENT
FEBRUARY 2014**

BACKGROUND

The Farm Master Plan, formally known as Allison Valley Master Plan, consists of approximately 475 acres of land located between 1-25 and Voyager Parkway, north of InterQuest Parkway. The Master Plan was originally approved in 2004 in conjunction with the annexation of the property. The Master Plan has since been amended to facilitate sale of a portion of the property to Compassion International. The parcel that was being developed as the Renaissance Hotel was also sold. The Master Plan was further amended in 2011 to change the land use of the Compassion International site and increase the amount of open space. The Master Plan was amended again in 2011 to make adjustments to the Master Plan that reflect a concern for the treatment of the Black Squirrel Creek drainage through the property, reduced density for residential dwellings, and to eliminate the collector street crossing of Black Squirrel Creek. That Master Plan amendment provided a more environmentally sensitive treatment of the Black Squirrel Creek drainage. The open space associated with the Black Squirrel Creek drainage did not change significantly in size or shape, however the treatment of the drainage way allowed the existing ponds to remain with recommended repairs and reinforcements. The 2011 Master Plan Amendment also included a 15 acre school site (eliminated in 2008) that is larger than the normal Elementary School site to accommodate the specific needs of the Air Academy School District No. 20.

The northeastern corner of the Allison Valley Master Plan was rezoned, in September of 2006, from Agriculture to PUD with a density of 2.07, a height of 35' and a single family use. The zoning in this area remains unchanged with our submittal.

The Farm Development Plan replaces a portion of The Mill at Allison Valley Development Plan approved in September 2006.

PROPOSED MAJOR AMENDMENT TO THE ALLISON VALLEY MASTER PLAN

We propose to amend the Master Plan to facilitate the following changes:

- 1) Change in name from Allison Valley Master Plan to The Farm Master Plan.
- 2) Reconfiguration and density reduction of the residential use areas, north of Black Squirrel Creek. Based on more detailed access and lot studies, we have determined that the land is best suited for somewhat lower densities. Maximum density allowed has been reduced by over 100 units.
- 3) Reconfiguration of the access road (Ridgeline Drive) from Voyager Parkway. The primary access road will curve to the south providing sweeping views of the wetlands

- and ponds along Black Squirrel Creek before curving west into the residential community. In order to minimize short-cutting through the community, Ridgeline Drive will no longer provide uninterrupted thru-access to Middle Creek Parkway.
- 4) Relocate the 15 acre school site to the east for better access from Voyager Parkway and better traffic circulation for the school and community.
 - 5) Significant expansion of the proposed trail system and associated trail corridors. Additional trails are proposed to fully connect the LaForet Trail along Voyager Parkway to the existing trail below Interstate 25 that ties to the Santa Fe Trail. Additional trails also connect north, to the trail from the existing Compassion International facility, and south through the commercial area to form a loop around Black Squirrel Creek. The trail corridors will contain park amenities such as benches, overlooks, play areas, interpretive areas, wildlife viewing areas and picnic areas.
 - 6) A 4.1 acre Activity Center parcel has been added at the existing ranch house/barn complex for a community center. We believe that improving much of the existing 'farm center' will provide not only an important amenity for the community, but also celebrate the important historical aspect of the property.
 - 7) Density ranges within each parcel have been revised to coincide with the City's standard land use densities.
 - 8) The Compassion International site and the Renaissance Hotel site have been shown as implemented areas.

The historic owners of The Farm property have partnered with La Plata Communities to envision and realize a new and unique community in Colorado Springs. The Master Plan Amendment is the first step in achieving this vision. The amendment proposes relatively minor changes and reduces overall density. The changes proposed in this amendment reflect our knowledge and respect for the natural features of the property.

JUSTIFICATION STATEMENT FOR THE MASTER PLAN AMENDMENT

The original Master Plan for Allison Valley addressed the Review Criteria for Master Plan approval. No changes proposed by this amendment alter the relationship of the Plan to the City Review Criteria; therefore, the proposed amendment continues to be in conformance with the Comprehensive Plan and the 2020 Land Use Map.

The proposed (The) Farm Master Plan Amendment should be approved since the proposal is consistent with the goals and policies of the City's Comprehensive Plan and the proposed land use adjustments are compatible with the Citywide perspective presented by the 2020 Land Use Map.

Our land use relationships are a mix of mutually supportive and integrated residential and nonresidential land uses with a network of interconnected streets and exceptional trail networks which connect to the region's largest and most popular trails. Our activity center is designed to be compatible with, accessible from and serve as a benefit to the surrounding neighborhood. The land use pattern is compatible with existing and proposed adjacent land uses and protects the residential neighborhood from excessive noise and traffic infiltration. The transportation system takes into account such issues and neighborhood cut-through traffic, residential traffic speeds, pedestrian safety and accessibility, trails, parks and open space. We are providing a mix of housing types from patio homes to custom lots and from single family 50' frontage lots to 80' lots. We also have areas identified for higher density

urban product and large scale apartment homes. All of our land use types are located based on the physical characteristics of the land.

We have respected and enhanced the public facilities throughout the Master Plan. This has been done by showing trail connections, including the LaForet Tier 2 Trail, consistent with the City of Colorado Springs Parks, Recreation and Trails Master Plan. We have worked closely with School District 20 to provide a school site that is located and sized to conveniently service the proposed population of the master plan area and the larger community. The Farm Master Plan conforms to the adopted plans and policies of Colorado Springs Utilities and the public facilities are consistent with the strategic network of long range plans.

The Farm Master Plan has a logical hierarchy of collector and residential streets with an emphasis on the reduction of through traffic within The Farm neighborhood. The design of the streets and trails eliminates uncontrolled crossings and allows LaForet Trail users and students, heading to school, the safest routes. Our lower anticipated trip generation decreases the capacity of existing and proposed roads and allows us to create a safer environment for the school site and all neighborhood residents.

The Farm Master Plan has made no changes to the preservation areas of the Preble's Meadow Jumping Mouse Habitat. These areas are shown on The Farm Master Plan as open space and wetland areas. This is consistent with the Colorado Springs Open Space Plan.

We are prepared to bear the cost of on-site master plan impacts on public facilities and services. The Farm Master Plan impacts do not exceed the capacity of existing public facilities, including the surrounding roadways, and we will assume the obligation of all new on-site utility and drainage construction. Mitigation of other on-site and off site costs and special agreements for public improvements and maintenance will be consistent with the Allison Valley Annexation Agreement, the service plan for the existing Allison Valley Metropolitan District No 1 and No. 2 and the City of Colorado Springs Code. The following are the estimated fees that will be paid to the City to complete The Farm Master Plan either via cash payments, dedication of land, through the construction of facilities, or the combination of any of the above.

Black Squirrel Creek Basin Drainage and Pond Land \$3,371,000
Middle Tributary Basin \$66,000
Black Squirrel Creek Basin Bridge Fees \$390,000
School Fees \$1,333,000
Park Fees \$2,132,000
Off-Site Transportation Improvement Fees \$3,517,000
Fire Protection Fee \$210,000

PROPOSED REZONING

We propose to rezone two areas of land identified in the attached rezoning plans from Agriculture to PUD and from PUD to PUD.

Rezone 23.558 acres from A to PUD
2-3.49 DU/Acre, 36' height, Single Family

Rezone 2.417 acres from PUD 2.07 DU/Acre, 35' height, Single Family to PUD 2-3.49 DU/Acre,

36' height, Single Family.

JUSTIFICATION STATEMENT

The proposed rezoning should be approved since the action will not be detrimental to the public interest, health, safety, convenience or general welfare; the proposal is consistent with the goals and policies of the City's Comprehensive Plan and with The Farm Master Plan; and the proposed land use adjustments are compatible with the surrounding areas.

PROPOSED DEVELOPMENT PLAN

We propose to develop single family detached homes as defined on the accompanying Development Plan sheets. Lot sizes vary; minimum lot size shall be roughly 5,700 square feet. The development plan contains 212 lots on 75.650 acres of land. 8.90 acres of neighborhood park and trail corridor are included within the development plan.

JUSTIFICATION STATEMENT

1. The proposed Development Plan should be approved since the proposed design will be harmonious with the surrounding land uses and fit well into the neighborhood. The surrounding land uses are primarily a mixture of residential uses, with pockets of commercial and office uses. The proposed development provides a roadway and trail system that ties to, and complements, the surrounding neighborhood.
2. The proposed development is composed of single family homes on a variety of lot sizes with roadway and trail systems that tie to, and complement, the surrounding neighborhood. The proposed development does not overburden existing infrastructure, and in fact complements the surroundings with additional parks and trails. The master plan for the development also defines a new school site and large areas of natural open space.
3. The entire proposed development is designed to complement and reduce impacts on the adjacent properties. Smaller, somewhat higher density lots are located along the edge of land zoned for multifamily residential uses while larger lots are located along the edge of the existing single family detached neighborhood.
4. Significant landscaping is provided along the primary collector street into the development. Additional buffering of the surrounding neighborhood is not necessary since the uses are compatible.
5. A great deal of time has been invested to define a street pattern that is most responsive to the surrounding neighborhood and provides the greatest level of safety and convenience. The reconfigured Ridgeline Drive from Voyager Parkway provides a shared entrance for The Farm, the future school site and the existing commercial and multifamily residential properties to the north. The vehicular circulation takes into account the currently proposed development plan as well as the future developments identified in the master plan.
6. The proposed streets and drives provide logical, safe and convenient access to each of the proposed home sites. The streets and drives are designed for maximum efficiency, while at the same time meeting the design criteria of the City.
7. Parking will be required for each single family detached lot as well as allowed on some portions of the street system to ensure adequate and safe parking for residents and guests. Handicap parking can be provided in these areas. In addition, most sidewalks and portions of the trail system meet or exceed requirements for handicap uses.

8. Pedestrian sidewalks and trails are physically separated from vehicular areas by vertical curbs and landscape zones throughout the community to provide safe and enjoyable pedestrian movement.
9. The landscape design complies with the City's landscape code and the City's landscape policy manual. The use of native vegetation and drought resistant species is the foundation of our landscape plan.
10. The development plan is within an area defined within the master plan for residential uses. Within the master plan there are significant areas that will be undeveloped and preserved or enhanced as natural open space. This open space is one of the defining characteristics of the proposed development.

PROPOSED PLATS

The Farm Filing No. 1A consists of 47 single family lots with tracts and easements that support the development plan. The Farm Filing No. 1B consists of 86 single family lots with tracts and easements that support the development plan. The Farm Filing No. 1C consists of 12 single family lots with tracts and easements that support the development plan.

JUSTIFICATION STATEMENT

1. The proposed development will promote the health, safety, convenience and general welfare of the citizens of the City by meeting or exceeding the development code standards.
2. The proposed plats will meet or exceed the standards for subdivision design as defined by the City Development and Subdivision Codes.
3. The proposed plats will meet or exceed the standards for utilities and services as defined by the City Development and Subdivision Codes.
4. The proposed plats will meet or exceed the standards for adequate and safe vehicular and pedestrian circulation as defined by the City Development and Subdivision Codes and the Subdivision Policy, Pavement Design Criteria and Traffic Criteria Manuals.
5. The proposed plats will meet or exceed the standards for adequate public facilities as defined by the City Development and Subdivision Codes and the City's Comprehensive Plan.
6. The proposed development will meet or exceed the goals and policies of the City's Comprehensive Plan to ensure appropriate development of the community.

TRAIL RIDGE SOUTH HOMEOWNERS ASSOCIATION, INC.

1488 Lily Lake Drive
Colorado Springs, CO 80921
(719) 522-0920
president@trailridgesouth.com

M E M O R A N D U M

DATE: January 7, 2014
TO: Colorado Springs Traffic Management Division
FROM: Jeff Horton, Trail Ridge South HOA President
RE: Voyager Traffic Congestion

The residents of Trail Ridge South and Trail ridge, located northeast of I-25 and Voyager are very concerned about the increase in vehicle traffic on Voyager parkway, between Cypress Semi and Longs Peak Trl. The residences request the city of Colorado Springs to perform traffic analysis, especially during busy morning and after work hours and address the problems with the addition of a traffic signal at one of these intersections.

The bulk of the problem is experienced when trying to enter Voyager parkway, crossing the median to get to the schools and businesses in the surrounding areas. Those families that attempt to turn North on Voyager to take children to the many schools including Discovery Canyon, The Classical Academy, or Davinci face a harrowing adventure to make it across the busy thoroughfare without a light. Those trying to head south to go to work in town are also challenged with trying to beat traffic without a light.

The Voyager corridor here has also experienced a number of recent residential and business developments. New housing has completed in Trail Ridge, Stone Creek, and Trail Ridge South, and additional stores such as Loaf-N-Jug, Bunz, Bass Pro complex, have all contributed to the increase in traffic in the area. In addition, companies like Compassion International have added staff that have increased commuter traffic along Voyager. Although widening of I-25 is winding down we are not expecting a significant positive improvement to the situation.

For 2013 the Colorado Springs Police Department CSPD reported five traffic accidents since Jan 1. One at each Cypress Semi/Voyager, Mt. Baldy/Voyager, and three at Longs Peak/Voyager. Ridgeline/Voyager has two at their intersection as well. We want to avoid having these numbers increase and alleviate real traffic problems for the future

Thank you for your consideration.



6385 Corporate Drive
Colorado Springs, Colorado 80919
(719)785-0790 (719)785-0799(fax)

JOB NO. 2399.00-13R
JANUARY 2, 2014
REV. FEBRUARY 6, 2014
PAGE 1 OF 3

LEGAL DESCRIPTION: REZONE

TWO (2) PARCELS OF LAND BEING A PORTION OF SECTION 17 AND SECTION 20 TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE WESTERLY BOUNDARY OF TRAIL RIDGE SOUTH AT NORTHGATE FILING NO. 1 RECORDED UNDER RECEPTION NO. 201027215 RECORDS OF EL PASO COUNTY, COLORADO, AND A PORTION OF THE WESTERLY BOUNDARY OF SOUTH VALLEY AT TRAIL RIDGE RECORDED UNDER RECEPTION NO. 201085370, BEING A PORTION OF THE NORTH/SOUTH CENTERLINE OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE NORTHERLY END BY A NO. 5 REBAR WITH ALUMINUM CAP STAMPED "RLS 32820" AND AT THE SOUTHERLY END (CENTER QUARTER OF SECTION 17) BY 3 ¼ INCH ALUMINUM CAP STAMPED "PLS 22573" IS ASSUMED TO BEAR S00°19'12"E A DISTANCE OF 803.70 FEET.

PARCEL 1 (PUD-PUD)

COMMENCING AT THE CENTER QUARTER CORNER OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE WESTERLY BOUNDARY OF SOUTH VALLEY AT TRAIL RIDGE RECORDED UNDER RECEPTION NO. 201085370, RECORDS OF EL PASO COUNTY, COLORADO.

THENCE S00°33'51"E, ON THE NORTH/SOUTH CENTER LINE OF SAID SECTION 17, THE WESTERLY BOUNDARY OF SOUTH VALLEY AT TRAIL RIDGE RECORDED UNDER RECEPTION NO. 20108537, THE WESTERLY BOUNDARY OF NORTHGATE FILING NO. 9, RECORDED UNDER RECEPTION NO. 201155466 AND THE WESTERLY BOUNDARY OF PROMONTORY AT NORTHGATE RECORDED UNDER RECEPTION NO. 207712533, A DISTANCE OF 1322.28 FEET TO THE SOUTHWESTERLY CORNER OF SAID PROMONTORY AT NORTHGATE;
THENCE S00°28'19"E, A DISTANCE OF 87.49 FEET TO A POINT ON CURVE, SAID POINT BEING THE POINT OF BEGINNING;

THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S20°49'45"E, HAVING A DELTA OF 08°25'09", A RADIUS OF 420.00 FEET AND A DISTANCE OF 61.71 FEET TO A POINT OF TANGENT;
THENCE S60°45'06"W, A DISTANCE OF 132.98 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 32°26'10", A RADIUS OF 770.00 FEET AND A DISTANCE OF 435.91 FEET TO A POINT ON CURVE;
THENCE N61°41'03"W, A DISTANCE OF 60.00 FEET TO A POINT ON CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S61°41'03"E, HAVING A DELTA OF 03°27'06", A RADIUS OF 830.00 FEET AND A DISTANCE OF 50.00 FEET TO A POINT ON CURVE;
THENCE N57°15'11"W, A DISTANCE OF 291.86 FEET;
THENCE N89°31'41"E, A DISTANCE OF 356.16 FEET;
THENCE N00°28'19"W, A DISTANCE OF 214.39 FEET;
THENCE N89°31'41"E, A DISTANCE OF 392.00 FEET;
THENCE S00°28'19"E, A DISTANCE OF 52.49 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 2.417 ACRES

PARCEL 2 (AG-PUD)

COMMENCING AT THE CENTER QUARTER CORNER OF SECTION 17, TOWNSHIP 12 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE WESTERLY BOUNDARY OF SOUTH VALLEY AT TRAIL RIDGE RECORDED UNDER RECEPTION NO. 201085370, RECORDS OF EL PASO COUNTY, COLORADO.

THENCE S00°33'51"E, ON THE NORTH/SOUTH CENTER LINE OF SAID SECTION 17, THE WESTERLY BOUNDARY OF SOUTH VALLEY AT TRAIL RIDGE RECORDED UNDER RECEPTION NO. 20108537, THE WESTERLY BOUNDARY OF NORTHGATE FILING NO. 9, RECORDED UNDER RECEPTION NO. 201155466 AND THE WESTERLY BOUNDARY OF PROMONTORY AT NORTHGATE RECORDED UNDER RECEPTION NO. 207712533, A DISTANCE OF 1322.28 FEET TO THE SOUTHWESTERLY CORNER OF SAID PROMONTORY AT NORTHGATE;
THENCE S00°28'19"E, A DISTANCE OF 87.49 FEET TO THE POINT OF BEGINNING;

THENCE S00°28'19"E, A DISTANCE OF 562.69 FEET
THENCE N90°00'00"E, A DISTANCE OF 397.75 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 20°32'30", A RADIUS OF 363.50 FEET AND A DISTANCE OF 130.32 FEET TO A POINT OF REVERSE CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 116°21'35", A RADIUS OF 396.50 FEET AND A DISTANCE OF 805.24 FEET TO A POINT OF REVERSE CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 23°55'56", A RADIUS OF 263.50 FEET AND A DISTANCE OF 110.06 FEET TO A POINT ON CURVE;
THENCE N65°20'54"W, A DISTANCE OF 156.22 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 24°38'15", A RADIUS OF 305.00 FEET AND A DISTANCE OF 131.15 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE SOUTHERLY RIGHT OF WAY LINE RIDGELINE DRIVE AS PLATTED IN NORTHGATE RETAIL FILING NO. 2 RECORDED UNDER RECEPTION NO. 208712826;

THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE THE FOLLOWING (6) SIX COURSES;

1. S89°59'09"E, A DISTANCE OF 44.83 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 12°54'37", A RADIUS OF 480.00 FEET AND A DISTANCE OF 108.16 FEET TO A POINT OF TANGENT;
3. N77°06'14"E, A DISTANCE OF 31.99 FEET TO A POINT OF CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 12°57'35", A RADIUS OF 420.00 FEET AND A DISTANCE OF 95.00 FEET TO A POINT OF TANGENT;
5. S89°59'09"E, A DISTANCE OF 242.01 FEET TO A POINT OF CURVE;
6. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 24°37'30", A RADIUS OF 205.00 FEET AND A DISTANCE OF 88.11 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE WESTERLY RIGHT OF WAY LINE VOYAGER PARKWAY AS PLATTED IN NORTHGATE FILING NO. 1, RECORDED IN PLAT BOOK C-4 AT PAGE 3;

THENCE ON SAID WESTERLY RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES;

1. S21°11'32"W, A DISTANCE OF 16.29 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 21°14'50", A RADIUS OF 879.00 FEET AND A DISTANCE OF 325.96 FEET TO A POINT OF TANGENT;
3. S00°03'18"E, A DISTANCE OF 255.64;

THENCE S89°56'42"W, A DISTANCE OF 22.55 FEET;
THENCE S83°56'52"W, A DISTANCE OF 70.28 FEET;
THENCE S87°10'33"W, A DISTANCE OF 71.13 FEET;
THENCE S85°19'34"W, A DISTANCE OF 72.17 FEET
THENCE S74°19'11"W, A DISTANCE OF 69.48 FEET;
THENCE S68°28'18"W, A DISTANCE OF 133.29 FEET;
THENCE S74°25'02"W, A DISTANCE OF 66.83 FEET;
THENCE S71°56'05"W, A DISTANCE OF 32.62 FEET;
THENCE S00°00'00"E, A DISTANCE OF 41.81 FEET;
THENCE S68°03'53"W, A DISTANCE OF 93.14 FEET;
THENCE N84°16'48"W, A DISTANCE OF 105.57 FEET;
THENCE S41°09'10"W, A DISTANCE OF 138.02 FEET;
THENCE S32°56'49"W, A DISTANCE OF 151.10 FEET;

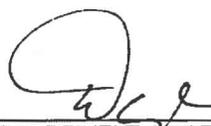
THENCE N90°00'00"W, A DISTANCE OF 287.92 FEET;
THENCE S86°45'41"W, A DISTANCE OF 151.45 FEET;
THENCE S69°41'24"W, A DISTANCE OF 265.99 FEET;
THENCE S33°35'02"W, A DISTANCE OF 76.43 FEET
THENCE S78°16'19"W, A DISTANCE OF 67.63 FEET;
THENCE N84°59'06"W, A DISTANCE OF 122.64 FEET;
THENCE N30°07'29"W, A DISTANCE OF 33.01 FEET;
THENCE N53°45'25"W, A DISTANCE OF 122.63 FEET;
THENCE N00°00'00"E, A DISTANCE OF 179.30 FEET TO A POINT ON CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N16°24'37"E,
HAVING A DELTA OF 147°10'46", A RADIUS OF 50.00 FEET AND A DISTANCE OF 128.44 FEET TO
A POINT ON CURVE;
THENCE N00°00'00"E, A DISTANCE OF 199.83 FEET TO A POINT ON CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N35°33'35"E,
HAVING A DELTA OF 49°14'02", A RADIUS OF 363.50 FEET AND A DISTANCE OF 312.35 FEET TO
A POINT OF TANGENT;
THENCE N05°12'23"W, A DISTANCE OF 87.39 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 03°23'06", RADIUS OF
471.50 FEET AND A DISTANCE OF 27.86 FEET TO A POINT ON CURVE;
THENCE S57°15'11"E, A DISTANCE OF 279.99 FEET TO A POINT ON CURVE;
THENCE ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S58°13'58"E, HAVING
A DELTA OF 03°27'06", A RADIUS OF 830.00 FEET AND A DISTANCE OF 50.00 FEET TO A POINT
ON CURVE;
THENCE S61°41'03"E, A DISTANCE OF 60.00 FEET TO A POINT ON CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT, WHOSE CENTER BEARS S61°41'03"E,
HAVING A DELTA OF 32°26'10", A RADIUS OF 770.00 FEET AND A DISTANCE OF 435.91 FEET TO
A POINT OF TANGENT;
THENCE N60°45'06"E, A DISTANCE OF 132.98 FEET TO A POINT OF CURVE;
THENCE ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 08°25'09", A RADIUS OF
420.00 FEET AND A DISTANCE OF 61.71 FEET TO THE POINT OF BEGINNING;

CONTAINING A CALCULATED AREA OF 23.616 ACRES.

CONTAINING A TOTAL CALCULATED AREA OF 26.033 ACRES

LEGAL DESCRIPTION STATEMENT:

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.




DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR
COLORADO P.L.S. NO. 30118
FOR AND ON BEHALF OF CLASSIC CONSULTING
ENGINEERS AND SURVEYORS

FEB 07, 2014
DATE

CITY PLANNING COMMISSION AGENDA

ITEM NO: 7.A, 7. B

STAFF: LONNA THELEN

FILE NO(S):

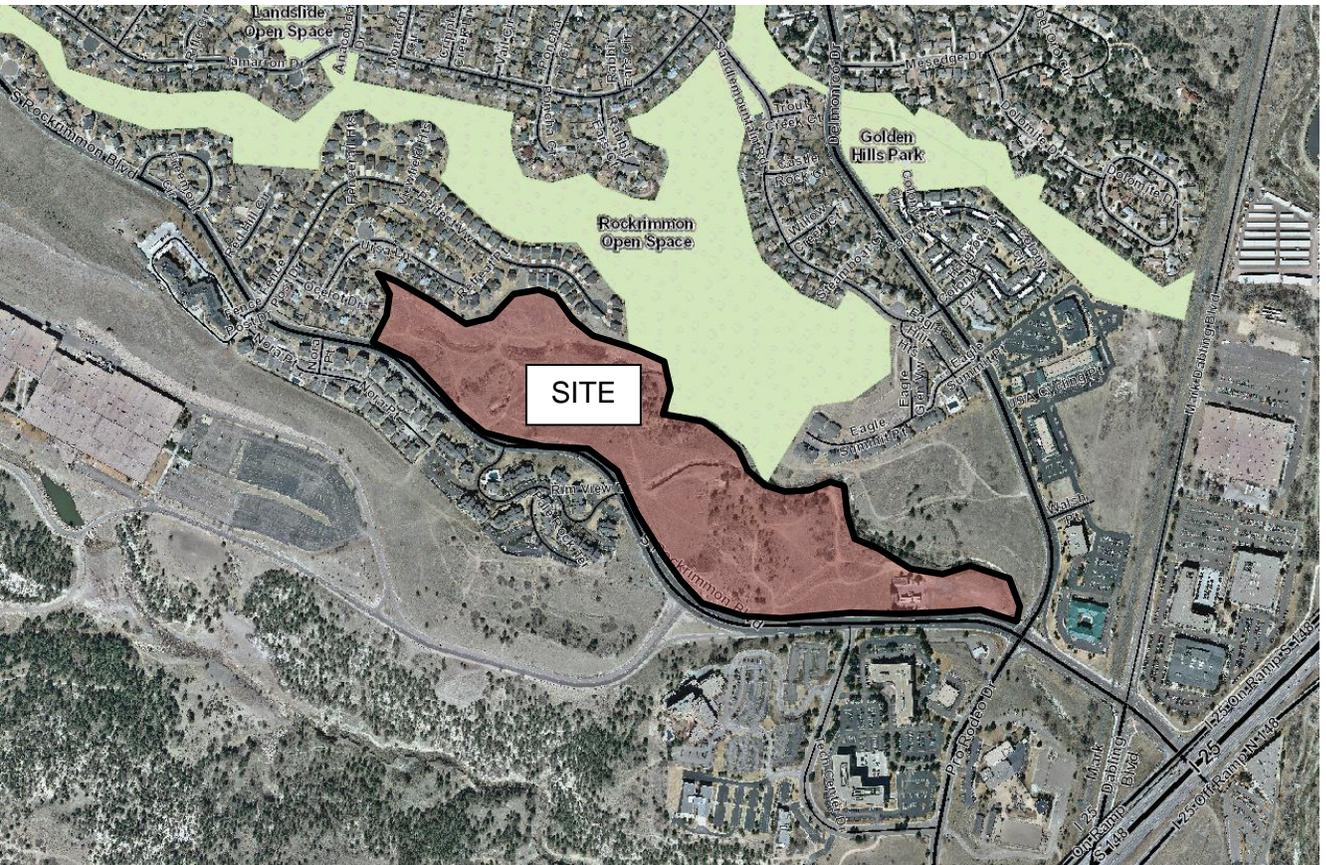
A. CPC CP 08-00078-A1MJ13 – QUASI-JUDICIAL

B. CPC CU 13-00116 – QUASI-JUDICIAL

PROJECT: CREEKSIDE AT ROCKRIMMON

APPLICANT: N.E.S. INC

OWNER: PUEBLO BANK AND TRUST COMPANY



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a conditional use and a concept plan amendment for a 24.08-acre site located north of Rockrimmon Boulevard and west of Delmonico Drive.

The applicant is requesting a conditional use for multi-family in a PBC (Planned Business Center) zone district. The conditional use is only for Lots 1-4 (5 acres). In addition, the applicant is requesting a concept plan amendment to change 5 acres of commercial/office land use to multi-family. The concept plan covers the entire 24.08 acres. **(FIGURE 1)**

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Approval of the applications, subject to modifications.

BACKGROUND:

1. Site Address: No address has been given to this site.
2. Existing Zoning/Land Use: PBC/HS/SS / vacant
3. Surrounding Zoning/Land Use:
North: PUD / single family residential
South: PBC and OC / commercial
East: PUD / single family residential and Rockrimmon open space
West: R-5 / multi-family residential
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation: Golden Cycle Addition #1, 1966
6. Master Plan/Designated Master Plan Land Use: Rockrimmon Master Plan / office/support/multifamily/lake
7. Subdivision: Creekside at Rockrimmon Filing No. 1
8. Zoning Enforcement Action: none
9. Physical Characteristics: The site contains hillside and streamside characteristics (steep slopes and significant vegetation) throughout the property. North Rockrimmon Creek runs on the northeast side of the property. The site is currently undeveloped.

STAKEHOLDER PROCESS AND INVOLVEMENT: The public process involved with the review of these applications included posting of the site and sending of postcards on two separate occasions to property owners within 1000 feet of the site.. A neighborhood meeting was held on October 29, 2013. Forty-five people attended the meeting. Comments from multiple neighbors were received after the neighborhood meeting. **(FIGURE 3)** The main concerns heard from the neighborhood were traffic, wildfire evacuations with additional housing units, multiple apartment complexes in one area, and crime.

Staff also sent the plans to the standard internal and external review agencies for comments. All comments received from the review agencies are addressed or are included as technical modifications to the plans.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:
In 2008, the southeast portion of the property was rezoned to PBC/HS/SS/cr (Planned Business Center with hillside and streamside overlays and conditions of record) and the northwest portion of the property was rezoned to PUD/HS/SS/cr (Planned Unit

Development with hillside and streamside overlay and conditions of record). The condition of record for both zone districts required that all development plans be brought before City Planning Commission. The PUD zoning allowed single-family and multi-family residential with a density of up to 7.61 dwelling units per acre. The 2008 approval also approved a concept plan showing office, retail, multi-family, and single-family uses. The PBC zoned property contained 13.9 acres and proposed two fast food restaurants, a sit down restaurant, two office pad sites and a retail pad site. The PUD zoned property contained 30.2 acres and allowed 168 multi-family units and 62 single-family units.

The applicant is proposing a concept plan amendment to allow the PBC zoned property to be developed for multi-family use. The PUD zoned property would be developed as was proposed previously, with multi-family and single-family uses. The single-family lot layout would not change and the number of single-family units would still be 62. The total area developed for multi-family under the new concept plan would include 141 townhome units. Each unit would have 4 bedrooms which may be leased individually, and one common space and kitchen for all four residents to share.

The project includes a conditional use development plan to allow multi-family use in the PBC zone district for Phase I (37 of the 141 units on lots 1-4), which is located near the eastern end of the site. The future development of the remaining multi-family units will require a conditional use development plan approval for the units in the PBC zone district and a PUD development plan approval for the units in the PUD zone district.

The existing site contains significant natural features and steep slopes as would be expected on a hillside property. The concept plan in 2008 thoroughly evaluated the areas of significant vegetation and steep slopes that should be preserved. The proposed concept plan has preserved the same tracts as open space. In addition, trails have been conceptually designed to allow access from the development to the property adjacent to the creek. Multi-family development adjacent to the creek is supported by the streamside ordinance.

The site has three access points onto Rockrimmon Boulevard. The main access point is at Red Ash Point, the second access point is east of the existing gas station, and the third access point is further north on Rockrimmon at Menzer Heights. A major concern raised by the neighborhood was traffic. The concerns from the neighborhood noted an increased delay at the Rockrimmon and Delmonico intersection, as well as the Rockrimmon and Mark Dabling intersection and the I-25 and Rockrimmon intersection, the number of additional vehicles created from the student housing units, and concern about the potential evacuation delays if another wildfire event were to happen in the Rockrimmon area. The City Traffic Engineer required a traffic report for the site that was reviewed during the internal review. An evaluation of the other apartment complexes in the neighborhood and the conditions at the intersections of Rockrimmon and Delmonico, Rockrimmon and Mark Dabling, and I-25 and Rockrimmon was a part of the review. The City Traffic Engineer is in support of the proposed project.

A geologic hazard report was required to be submitted and reviewed by the City Engineering Department, as well as, by the Colorado Geological Survey (CGS) for the conditional use submittal. The review by CGS took into consideration undermining, expansive soils and bedrock, seasonally shallow groundwater, water-bearing sand layers, perched water above the claystone/sandstone bedrock surface, areas of uncontrolled fill, and downslope creep. CGS did not find any area of the site exposed to

mine subsidence hazard and is in support of the plans as they are presented. **(FIGURE 4)**

Staff has determined that the conditional use development plan is in conformance with the review criteria for this site. The development is proposed on a site that has been planned for development since it was originally master planned. The townhomes and single-family homes proposed in the concept plan decrease the number of multi-family units by 27 and eliminate the commercial uses previously planned; thereby, decreasing the traffic demand on Rockrimmon Boulevard.

2. Conformance with the City Comprehensive Plan:

Objective LU 4: Encourage Infill and Redevelopment

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

Strategy LU 502e: Locate Higher Density Housing as a Transition and Buffer to Residential Areas

Locate higher density housing in relation to activity centers and gradually decrease the density of that housing as a transition and buffer to the surrounding residential areas.

Objective LU 6: Meet the Housing Needs of All Segments of the Community

Planning and development activities, both in the public and private sector, shall include measures intended to ensure the sufficient provision of housing to meet the needs of the entire community, including housing affordable to lower-income households.

This property is designated as general residential by the Comprehensive Plan. The general residential designation allows single-family and multi-family residential development. The Comprehensive Plan also recommends higher density housing as a transition to lower density housing. This project is buffering the single-family residential within Rockrimmon. In addition, this development is providing housing for the student segment of our community. Lastly, it is an infill project that uses already existing road and utility infrastructure and is served by police and fire without extending the area of service.

3. Conformance with the Area's Master Plan:

This development is part of the Rockrimmon Master Plan and is permitted to have multi-family. The Rockrimmon Master Plan has been implemented.

STAFF RECOMMENDATION:

Item No: 7.A CPC CP 08-00078-A1MJ13 – CONCEPT PLAN AMENDMENT

Approve the concept plan amendment to the Creekside at Rockrimmon Plan, based upon the finding that the concept plan complies with the review criteria in City Code Section 7.5.501.E. subject to compliance with the following technical and/or informational plan modifications:

Technical and Informational Modifications to the Concept Plan:

1. Note that a development agreement which is specific to the project phasing of the entire concept plan area is required with the timing of each item in note 20 and when financial assurances must be posted prior to the approval of the first development plan.
2. Note 6 on sheet 1 should only reference downslope creep as a geologic hazard (not underground mining and potentially unstable slopes).
3. The ownership and maintenance of Tract B in the Tract Table needs to be determined and noted.
4. Revise the drainage channel improvements shown in the development plan to match what is shown in the current Preliminary Final Drainage Report for the Creekside at Rockrimmon by Drexel Barrell, which is currently under review by City Engineering Development Review.

Item No: 7.B CPC CU 13-00116 – CONDITIONAL USE

Approve the conditional use development plan for Creekside at Rockrimmon, based upon the finding that the conditional use complies with the review criteria in City Code Section 7.5.704 and Section 7.5.502.E, subject to compliance with the following technical and/or informational plan modifications:

Technical and Informational Modifications to the Conditional Use:

1. Show the light details on page 6 as full cutoff light fixtures.
 2. Mark both sides of the drive at the northwest side of the site as a fire lane.
 3. Provide a development agreement with the timing of each item in Note 12 on the Conditional Use Sheet 1. Include the traffic signal at Rockrimmon and Red Ash Point.
 4. Add "traffic signal" to the list of items on Note 12 on the Conditional Use Sheet 1.
 5. Revise the drainage channel improvements shown in the development plan to match what is shown in the current Preliminary Final Drainage Report for the Creekside at Rockrimmon by Drexel Barrell, which is currently under review by City Engineering Development Review.
-
-

Creekside at Rockrimmon

Project Statement/Justification Statement

Creekside at Rockrimmon is located on the north side of South Rockrimmon Blvd., west of the Pro Rodeo Drive/Delmonico Drive intersection. The property is zoned PBC and PUD; is platted into lots and tracts; and has a Concept Plan approval for commercial/office and residential uses of varying densities. This application proposes to change the Concept Plan to allow multi-family development on both the commercial/office and the non-single family portions of the property. A Conditional Use for multi-family land use in the PBC Zone for Phase One is also being requested.

The proposed multi-family units will be designed for and restricted to student housing, primarily in support of the needs of UCCS. The proposed units will be of a "townhouse design" with one and two story elements. Each unit will have 2, 3, or 4 bedrooms and a common area and kitchen. Each bedroom will have its own bath. All units will be completely furnished and provided with internet access. Rentals will be by individual bedroom. 142 units are proposed at a density of approximately 6 units per acre.

The current lotting and zoning pattern will not be changed with this request. Past entitlement actions created open space tracts, which are to remain unchanged. The platted lot lines will be respected; buildings will be placed within the lots as platted. These applications are for an amendment to the PUD Concept Plan for a change in density to lower the density; a Conditional Use in the PBC Zone for the proposed use; and a Development Plan Phase One on lots 1, 2, and 3.

Access to the platted lots will be via previously approved access points to South Rockrimmon Blvd. The internal private street system, which has also been platted, will remain essentially unchanged in terms of location and ROW/easement width. However, parking on the private streets will change in order to provide on-street parking. "Speed Tables" will also be used to control speed and to facilitate pedestrian access at internal intersections. A speed table will replace the roundabout on Heavy Stone Point.

The project developer, Premier Homes, has constructed similar projects in Pueblo and Grand Junction. Based on experience in these locations, several unique design and management practices will be employed to serve this resident population. Parking will be provided at a much higher ratio than required by the City. The higher parking standard is dictated by the user population. Trash will be collected daily. Construction methods will be employed to minimize noise between units. The project will also have a club house/pool area on a separate lot, where

management services will be provided along with additional parking. Visually, this project will look like a low density townhome project, since each unit is individually detailed.

The primary issue to be resolved with these applications is the treatment of the adjacent creek. By retaining the development areas previously identified by the Creekside at Rockrimmon Concept Plan, and by also retaining the open space tracts represented on that Concept Plan, the development intent of past approvals as been retained. The conflict to be resolved is one of appropriate drainage treatment within the drainage way as it applies to the preservation of existing riparian vegetation along the existing channel. The accompanying Drainage Report addresses this issue with a more sensitive solution than previously approved.

141 Units are proposed on the 24 acres of this site, resulting in a density of approximately 6 units per acre. Parking is provided at a ratio of 4.5 spaces per unit with a total of 638 spaces provided. The proposed land use is less intense than the currently entitled land use, and will provide a needed residential opportunity for college student housing. The project will be developed in phases as indicated on the Concept Plan.

Phase one consists of Platted Lots 1, 2 and 3, the area covered by the Development Plan submittal. The clubhouse/pool/management office is on Lot 1. Lots 2 and 3 will have 38 units and associated parking. Phase one also includes the adjacent platted private streets (Heavy Stone Point and Red Ash Point).

Conditional Use Review Criteria

A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured. ***The proposed use is less intensive than the currently approved use for this site. The use is consistent with the mixed use character of this area. The change from commercial use to residential use moves the residential component of the neighborhood eastward to the existing Gas Station/Convenience Store that borders this use on the east.***

B. Intent of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare. ***The proposed use is consistent with the intent and purpose of the Code. All zoning requirement are met with this application, including height, parking and setbacks. The use is needed, as evidenced by a recent article in the Gazette identifying a need for student housing for UCCS.***

C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City. ***The Comprehensive Plan 2020 Map shows this area of the City as General Residential, a land use category that includes the proposed use. The proposed use is therefore consistent with the Comprehensive Plan.***

Development Plan Review Criteria

1. Will the project design be harmonious with the surrounding land uses and neighborhood? **Yes. The proposed use is a part of the overall Concept Plan, which shows a transition of land use from single-family residential to the west to commercial land use to the east. Environmental issues were addressed with the previously approved Concept Plan and Plat.**
2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities? **This land use is less intense than the previously approved land use. It is a supporting land use to an existing major community use - UCCS.**
3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties? **Height and bulk of proposed structures are residential in character, and significantly less than allowed in the PBC Zone.**
4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development? **The site design and general relationship to surrounding properties addresses this criterion.**
5. Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption? **Vehicle access has been established with the previously approved Concept Plan and Plat for this area.**
6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project? **Yes. Streets have been platted to serve the platted lots in this project.**
7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic? **Yes. In addition to the existing plat configuration of streets, actual street construction of the private street (Heavy Stone View) will include "Speed Tables" which are designed to reduce speeding and promote safe pedestrian access.**
8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities? **Yes. Parking is being provided based on specific resident needs. The amount of parking is well above that required by Code.**
9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design? **Yes. Three units will be designed for handicapped persons and accessible parking will be provided for these units as well.**
10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt? **The streets in this Development have been planned and platted. Parking areas are designed to meet the needs of a unique population, and are provided in a quantity that will minimize impact to public streets.**
11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles? **Pedestrian circulation will be provided to the Clubhouse on the eastern portion of this Development Plan. Access to the north to the proposed trail system will be provided and implemented in future phases of this development.**

12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design? *There are two natural features in the vicinity of this Development Plan area, but both are off-site. They are currently platted as open space and drainage tracts, and are therefore preserved, but are not a part of this Development Plan.*

Thelen, Lonna

From: Tim Fromm <frommtg@gmail.com>
Sent: Saturday, November 02, 2013 10:10 PM
To: Thelen, Lonna
Subject: Proposed Student Housing on Rockrimmon Blvd

Lonna Thelen, City Planner
30 South Nevada, Ste 105
Colorado Springs, CO 80901

Dear Ms. Thelen,

My wife Anita and I weren't able to make the public meeting on Oct 29th, but we have several concerns about the proposed new UCCS student housing development on Rockrimmon Blvd. We use the Delmonico S. Rockrimmon intersection nearly every day, and believe adding even more traffic to this intersection on top of the additional traffic that will be using it will create a congested, dangerous traffic zone.

- The traffic volume this student housing complex would add to the daily flow through the Delmonico/Rockrimmon/I-25/North Nevada intersections is significant. 141 quadruple units would put as many as 564 additional cars on the road. This is further compounded by the additional traffic contributed by the almost-completed apartment complex on Delmonico just north of the former UMB Bank will soon create: 270 units, each with two working adults, is estimated to add nearly 500 more cars to the traffic load.
- Almost all the traffic in that area passes east and flows onto I-25, and it's one of only two entrances to I-25 for many thousands of residents who now live between I-25 on the east and Centennial Blvd on the west. The traffic generated by both these complexes would go through a complex of roads, passing through two traffic lights controlling busy intersections and going under the elevated railroad tracks before passing underneath I-25 and through an intersection controlling the NB entrance-exit ramps.
- These apartments would be located within the very large Wildland Urban Interface, or WUI, area where we live. It contains many thousands of people ranging from Woodmen Valley on the north to the large apartments and assisted living facilities on the South, and west to Centennial Blvd. This is a huge WUI area, and the people here were the majority of the evacuees during the Waldo Canyon fire. There are only three ways out, and only two during Waldo Canyon. It could be only one exit the next time. During the public meeting, the traffic engineer talked a lot about how much was learned during Waldo Canyon, and how the next time the pre-evac effort would come sooner and be more effective, but the fact remains that there are severe limits on ingress and egress, fires do not behave as predictably as our officials may envision and it's not likely that another access point can be added at any reasonable cost.
- The apartments are not convenient to campus. They would be more than two miles from the nearest campus transit point, the parking lot access across the street from University Village Shopping Center. The nature of student traffic, especially with the inexperience of under-25 drivers, multiplies the traffic risks for everyone.
- Rockrimmon Blvd has other problems, including the bad drainage and oddly banked curves/bends and at least one intersection at Fencepost with a severe visibility problem (requests have been submitted to put a traffic light there, but no action was ever taken). This is on the way west to the shopping complex anchored by Safeway, the only close supermarket, and thus a route where the student traffic will increase the total traffic load significantly.
- The first public announcement that we know of was a single article in the October 10th issue of the Gazette. The public meeting was on October 29th, and the Planning Commission meeting at which it is scheduled for vote is this

Friday, November 8th. This is far too little time to allow a fair public hearing for such an impactful development, and far too few residents who would be impacted by adding traffic to a choke point were notified.

We urge the planning commission to reject the application or postpone the decision until the residents of the area are given more opportunity to understand the proposed development and assess its impacts on the surrounding neighborhoods.

Sincerely,

Tim and Anita Fromm
6471 Hawkeye Cir
(719) 465-6006

Thelen, Lonna

From: MAGAD@aol.com
Sent: Sunday, November 03, 2013 9:39 PM
To: president@goldenhillshoa.org; Thelen, Lonna
Subject: Re: Proposed Student Housing on Rockrimmon Blvd - contact City Planner before...

To: Colo. Springs Planning Commission,

This is a residential area and already has problems with traffic. Large numbers of cars coming from west of Rockrimmon and going to Briargate and other residential areas east of I25 blocks traffic almost daily. Additional traffic caused by over 500 students will make the area of Rockrimmon an undesirable, if not impossible, place to drive and live in. Please do not approve the Multi-Dwelling housing project referred to below.

Thank you, William Abourezk (39 year resident of Rockrimmon)

In a message dated 11/2/2013 9:51:28 A.M. Mountain Standard Time, webmaster@goldenhillshoa.org writes:

Fellow Golden Hills Homeowners,

There is a multi-dwelling apartment housing project being proposed for South Rockrimmon Blvd just west of the existing Shell gas station which will house up to 564 UCCS students, offering housing on a month-to-month basis. Attached is the recent public announcement regarding filings CPC CP 08-00078-A1MJ13 and CPC CU 13-00116. The Golden Hills HOA Board members attended the public information meeting on this project, and came away with several significant concerns. This project would impact all of us in several ways. We invite you to learn about it, and we urge you to send an email or letter to the cognizant city planner, describing any of your own concerns about the project. **YOUR EMAIL OR LETTER MUST ARRIVE BEFORE THE PLANNING COMMISSION MEETING ON FRIDAY, NOVEMBER 8TH.** Send your communication to:

EMAIL - lthelen@springsgov.com

POSTAL MAIL - Lonna Thelen, City Planner
30 South Nevada, Ste 105
Colorado Springs, CO 80901

We believe the significant issues include:

-- The traffic volume this student housing complex would add to the daily flow through the Delmonico/Rockrimmon/I-25/North Nevada intersections is significant. 141 quadruple units would put as many as 564 additional cars on the road. This is further compounded by the additional traffic contributed by the almost-completed apartment complex on Delmonico just north of the former UMB Bank will soon create: 270 units, each with two working adults, is estimated to add nearly 500 more cars to the traffic load.

--- Almost all the traffic in that area passes east and flows onto I-25, and it's one of only two entrances to I-25 for many thousands of residents who now live between I-25 on the east and Centennial Blvd on the west. The traffic generated by both these complexes would go through a complex of roads, passing through two traffic lights controlling busy intersections and going under the elevated railroad tracks before passing underneath I-25 and through an intersection controlling the NB entrance-exit ramps.

--- These apartments would be located within the very large Wildland Urban Interface, or WUI, area where we live. It contains many thousands of people ranging from Woodmen Valley on the north to the large apartments and assisted living facilities on the South, and west to Centennial Blvd. This is a huge WUI area, and the people here were the majority of the evacuees during the Waldo Canyon fire. There are only three ways out, and only two during Waldo Canyon. It could be only one exit the next time. During the public meeting, the traffic engineer talked a lot about how much was learned during Waldo Canyon, and how the next time the pre-evac effort would come sooner and be more effective, but the fact remains that there are severe limits on ingress and egress, fires do not behave as predictably as our officials may envision and it's not likely that another access point can be added at any reasonable cost.

--- The apartments are not convenient to campus. They would be more than two miles from the nearest campus transit point, the parking lot access across the street from University Village Shopping Center. The nature of student traffic, especially with the inexperience of under-25 drivers, multiplies the traffic risks for everyone.

--- Rockrimmon Blvd has other problems, including the bad drainage and oddly banked curves/bends and at least one intersection at Fencepost with a severe visibility problem (requests have been submitted to put a traffic light there, but no action was ever taken). This is on the way west to the shopping complex anchored by Safeway, the only close supermarket, and thus a route where the student traffic will increase the total traffic load significantly.

--- The first public announcement that we know of was a single article in the October 10th issue of the Gazette. The public meeting was on October 29th, and the Planning Commission meeting at which it is scheduled for vote is this Friday, November 8th. This is far too little time to allow a fair public hearing for such an impactful development, and far too few residents who would be impacted by adding traffic to a choke point were notified.

Sincerely,

Golden Hills Homeowners Association Board Members

mail2web.com – Enhanced email for the mobile individual based on Microsoft® Exchange - <http://link.mail2web.com/Personal/EnhancedEmail>

Thelen, Lonna

From: Cuneo-Hefner John and Terri <cuneo-hefner@live.com>
Sent: Monday, November 04, 2013 2:09 PM
To: Thelen, Lonna
Cc: president@goldenhillshoa.org
Subject: FILE NO.: CPC CP 08-00078-A1MJ13

Dear Lonna Thelen, City Planner;

We have reviewed our homeowners concerns and agree that building a dorm for uccs at this location is not a good idea. As someone who has lived within a 2 mile or less area of a college. The students don't give a darn about the citizens or their property around them. People can say that's just one college, no it's not, look at the parking issue over the years just outside the campus of uccs, that's enough to say no. Will it be any different here "No" it would be just the beginning. UCCS has enough property on the other side of Nevada to build another dorm. Keep it on campus and give back to Colorado Springs by creating long term jobs. This will also increase their value as a college that cares about their student body because they are adding a new housing area to their campus at a reasonable price. This should increase student enrollment because the students can live on campus.

By building such a place in our geographical area will drive our property values down and we would have to deal with other things that come along with colleges as they relate to intermixing with the local neighbors, some will be positive, but as things go most will be negative and disrupting to what has been acceptable and comforting in this area for years. It puts over 1000 more vehicles on our neighborhood's roads, thus increasing the need of repairs thus increasing our cost of living in this area due to the cost of repairs [this is just one aspect]. In the grand scheme of things it will change the whole geographic and demographic area of our neighborhood. Because someone who does not live here will come up with an idea that they feel would better suit the college then our neighbors and businesses that have been here for years.

Think back on the Waldo Canyon fire, the neighborhood's used Garden of the gods road, vindicator, centennial, and woodmen to get out, they became bottled necked preventing the surrounding neighborhoods away out. We received a call from our daughter indicating the firer was right behind her and she was stuck in traffic trying to get out. I really don't want that to happen here, Do you? Adjustments are already needed due to the new apartment complex behind the old UMB/office building. The entrance for the apartment complex is the same entrance as the hotel and office building [bottleneck waiting to happen]. Then we have the new town homes/condominiums across the street from this office building, The amount of buildings that have been added stretch as far west as possible without cutting a road through someones property to get to rockrimmon by Safeway. I have not seen a secondary entrance/exit for this complex as well. Has anyone looked at the mining maps, does UCCS really want to put the kids in that kind of danger? There is a reason why no one has built in that area. As we journey up Rockrimmon we see additional apartment complexes and neighborhoods and bad road conditions. Do you really want to add to this? Enough is enough, let this neighborhood have a place that we can walk through and enjoy the outdoors without having to drive to a park or walk down a street. If UCCS really needs a place, have them look at the abandoned hotel on Interquest. UCCS has a shuttle they can use to get back and forth from the campus. The college can outfit the amenities with in the hotel building to accommodate the college life. Once again, they would be giving back to the community by creating long term jobs. The building is already there, rooms already laid out, parking lot is there, all in all the revenue would be pretty good for the college.

Think about it, which makes better business sense. Build something that is not there or capitalize on something that is already available and will work for all concerned.

Thank You for your time and listening to our thoughts on this matter.

**Golden Hills Residents
Mr and Mrs Hefner**

Thelen, Lonna

From: donna weeks <dbw272@yahoo.com>
Sent: Thursday, November 07, 2013 9:51 AM
To: Thelen, Lonna
Subject: Fw: Proposed apartments on Rockrimmon Blvd.

On Thursday, November 7, 2013 9:50 AM, donna weeks <dbw272@yahoo.com> wrote:

On Thursday, November 7, 2013 9:49 AM, donna weeks <dbw272@yahoo.com> wrote:

I am writing this email to express my "vote" against building of more apartments on Rockrimmon Blvd. My concerns are as follows:

1. The traffic pattern from the Delmonico/Pro Rodeo to N and S 25 is a problematic one. There are multiple lane merges and changes and stoplights in a small distance. I have seen numerous accidents at all three intersections. I drive through this corridor daily for work and hardly a day goes by that I don't see a "near miss" as drivers change lanes to make needed turns. Adding a large volume which, if residents are UCCS students, might travel at similar times could create increased risks. Also the distance between stoplights is insufficient to handle larger volume. I have seen the impact on GOG road after the county offices moved. These close interchanges, unlike GOG road, could not handle back ups created by excess traffic.
2. I am sure you are aware of the problems that occurred in the evacuation during Waldo Canyon fire. I live on Delmonico Drive and sat in line for almost an hour just to get to the Rockrimmon stoplight. I was impressed that neighbors along the way were working with each other to help get all residents out by allowing cars in from neighborhood streets. My co-worker lives off of Vindicator and spent close to 2 hours to evacuate down Rockrimmon in the area of the proposed apartments. Thankfully I saw no accidents and everyone was able to evacuate. But the quickness and unpredictability of fire has certainly shown us the risks. Adding multi-unit, high density residences in this corridor, seems as if we didn't learn from that horrific event. The loss of 2 lives was terrible, but do we want to risk more? I certainly hope not.
3. One of my reasons to move to Colorado Springs was the city's forethought to have large open spaces. Many cities have lots of parks, but few have devoted the acreage that Colorado Springs has to green spaces. I have deer in my yard daily and am impressed that we as a community are trying to live together with the nature which was here before us. The large open space behind this proposed complex is home not only to deer, but rabbits, snakes, ducks, and yearly bobcat and bear visits. Aside from losing their habitat, if the apartments house college students, I have heightened concern of interaction between wildlife that has deadly potential and young, non-local people who are unaware of these risks.
4. Better choices exist. I was impressed when Freedom Financial refurbished a long vacant building on Nevada Ave to make an eyesore into a positive for the city. There are vacant land and buildings still on Nevada Ave which could be turned into multi unit housing for UCCS students. Not only

is this "recycling" but would also improve the appearance along this corridor, both of which would be positives for Colorado Springs. Also from a traffic viewpoint, driving Nevada Ave to UCCS would be safer and easier than any way from Rockrimmon Blvd.

I realize growth is part of all cities. The growth of UCCS is definitely a benefit to Colorado Springs and I hope the city can find ways to support growth there and in the city as a whole, while using good judgment about where and how to accommodate the growth. Thank you for this opportunity to share my concerns with you.

D.M. Blackburn

Thelen, Lonna

From: Cairney William <wjcairney@gmail.com>
Sent: Thursday, November 07, 2013 3:46 PM
To: Thelen, Lonna
Subject: Re: Proposed Apartments at Rockrimmon Blvd and Delmonico Drive

Lonna

Thank you so much for your quick response, but also for the opportunity for this side to be heard. I know our surrounding neighbors share our view, but may be less inclined to speak out.

Best to the Planning Commission for a good meeting and a sound outcome.

Bill Cairney

On Nov 7, 2013, at 11:55 AM, Thelen, Lonna wrote:

William and Linnea,

Thanks for your comments. I will provide your comments to the applicant and use your comments during my review.
Lonna

Lonna Thelen, AICP, LEED AP
Planner II
P 719-335-5333

From: Cairney William [mailto:wjcairney@gmail.com]
Sent: Thursday, November 07, 2013 11:50 AM
To: Thelen, Lonna
Cc: webmaster@goldenhillshoa.org
Subject: Proposed Apartments at Rockrimmon Blvd and Delmonico Drive

Dear Ms. Thelen

We are concerned homeowners living in the Golden Hills section of Rockrimmon. We have been made aware of the proposal to construct high density apartment housing at the corner of Rockrimmon Blvd and Delmonico Drive. We want to voice our strongest objection to this project. Our concern is based largely on safety and potential neighborhood evacuation issues should we encounter future fire scenarios. During the Waldo Canyon fire, our neighborhood was in mandatory evacuation. Given the suddenness of the evacuation notice, the congestion was monumental as people tried to use the limited exits from Rockrimmon...and this with ash falling on the cars attempting to vacate. With apartment housing already under construction across the street from the proposed new complex, it would be irresponsible of the city to approve a plan that would only add to even *more* people trying to exit the area in the face of a rapidly advancing fire.

Short of fire danger, I would invite members of the Planning Commission to view the congestion at Woodmen and I-25 and Rockrimmon/Delmonico and I-25 during commuter traffic hours. Then ask...we have approved cars for an additional 500+ units already under construction. Do we want to add several hundred more? With all due respect to the developer, approval of this project would be *a very bad idea*.

Thank you for including our input in your decision process.

William and Linnea Cairney
140 Arequa Ridge Drive
Colorado Springs, CO 80919

Nov 8, 2013

Lonna Thelen, Reviewing Planner
30 South Nevada Ste 105
Colorado Springs, CO 80901
Email lthelen@springsgov.com

Land Use Review:

Housing Project proposed for South Rockrimmon Blvd.

Dear Ms. Thelen,

I am a homeowner living in the Retreat at Rockrimmon HOA area where Fence Post intersects South Rockrimmon Blvd. at the top of the hill. The Viewpointe Assisted and Independent Living residence shares the same Fence Post exit/entrance. In the past, homeowners in the Retreat HOA and Ursa Lane areas have opposed future development along Rockrimmon. City traffic engineers have told us that there is not enough traffic to warrant a stoplight at the Rockrimmon Blvd./Fence Post intersection. Since their decision several years ago, the volume and speed of traffic on South Rockrimmon Blvd. has continued to increase — making the one-mile drive from the I-25 exit to the top of the hill at Fence Post a veritable race track. There's no slowing down until the Vindicator intersection.

I believe that more development along Rockrimmon South would create traffic problems at the I-25 exit and especially along Mark Dabling which intersects Garden of the Gods road leading to UCCS. Mark Dabling should be a part of this study since UCCS traffic would be continual.

The neighborhood directly across from UCCS was a student parking lot for over 40 years until the recent restrictions this year. I fear the same would happen in my neighborhood. Along Rockrimmon South there are many apartment dwellers who exit and enter Rockrimmon at great risk. I hope the city would communicate with traffic engineers as soon as possible. I would like to know what their plans would be to accommodate more traffic.

If this area would be advertised as campus housing, what does UCCS think? They must have more parking plans for the future considering their partnership with Memorial Hospital. What are they?

My Retreat HOA home, along with many other neighborhoods, sits atop the ravine beginning at Rockrimmon down to Delmonico — the project area. Another danger we have faced recently is the erosion along the sides of the ravine. City engineers have already spoken to some of our Board members and homeowners. Storm drainage is already a huge problem in this area. We were also evacuated during the Waldo Canyon fire

Thanks for continuing your investigation of this project. The Retreat at Rockrimmon Homeowners Association has many concerns which they plan to address. Please advise all HOAs, apartment builders, hotels, assisted living homes, and businesses of this project, inviting them to your next planning meeting open to the community.

Sincerely,

Judy Sekera, a concerned citizen

Judy Sekera
6225 Viewfield Heights
Colorado Springs, CO 80919

Phone 719-268-1589
E-mail j.sekera@mac.com



Golden Hills Homeowners' Association
PO Box 49111
Colorado Springs, CO 80949
Web site: goldenhillshoa.org

November 3, 2013

Lonna Thelen, City Planner
30 South Nevada, Ste 105
Colorado Springs, CO 80901

Dear Ms. Thelen:

We are the board of the Golden Hills HOA, a 301-home community in Rockrimmon. As you know from the discussions at the community meeting held on October 29th, we are concerned about the proposed multi-dwelling housing project on South Rockrimmon Blvd; reference filings CPC CP 08-00078-A1MJ13 and CPC CU 13-00116. The meeting did essentially nothing to allay these worries. We have received many comments expressing similar concerns from our residents. Per your direction, we are sending this letter to the Planning Commission to your attention for consideration at the November 8th meeting. We ask that (1) the project be studied further, in line with the concerns described below; (2) at least one more, better publicized community meeting be held that includes the wider area that depends on that intersection; and (3) any vote by the Planning Commission on it be postponed pending this further study and airing. Please know that we are not against the responsible, well-discussed growth and development of land in the NW area. We certainly support the growth of UCCS as an important part of the economy, a source of academic excellence, and a contributor to the quality of life in the Pikes Peak region. We simply want a voice in the responsible development of our city and neighborhood, something we feel has been lacking in this and other developments.

Our biggest concern is the traffic volume this complex would create. 141 quadruple units would put as many as 564 additional cars on the road. Compounding this is the additional traffic the apartment complex on Delmonico just north of the former UMB Bank will soon create: 270 units, each with two working adults, is estimated to add nearly 500 more cars to the traffic load.

We heard and understood the points made by the city's senior traffic engineer, but basic auto counts do not tell the whole story. Almost all the traffic in that area passes east and flows onto I-25, and it's one of only two entrances to I-25 for many thousands of residents living between I-25 on the east and Centennial Blvd on the west. The traffic generated by both these complexes would go through a complex of roads, passing through two traffic lights controlling busy intersections and going under the elevated railroad tracks before passing underneath I-25 and through an intersection controlling the NB entrance-exit ramps.

A major element of concern is the fact that these apartments would be located within a very large Wildland Urban Interface, or WUI, area that contains many thousands of people ranging from Woodmen Valley on the north to the large apartments and assisted living facilities on the South, and west to Centennial Blvd. This is a huge WUI area, and the people here were the majority of the evacuees during the Waldo Canyon fire. There are only three ways out, and only two during Waldo Canyon. It could be only one exit the next time. The traffic engineer talked a lot about how much was learned during Waldo Canyon, and how the next time the pre-evac effort would come sooner and be more effective, but the fact remains that there are severe limits on ingress and egress, fires do not behave as predictably as our officials may envision and it's not likely that another access point can be added at any reasonable cost.

Furthermore, the proposed property is not convenient to the campus. It would be more than two miles from the nearest campus transit point, the parking lot access across the street from University Village Shopping Center. The nature of student traffic, especially with the inexperience of under-25 drivers, multiplies the traffic risks.

The developer, Mr. Broussard, stated that the distance to the campus is only about a half a mile, a plain indication that no serious traffic study has been done. He also said that it was not likely that a shuttle would be offered, because in his experience almost all students prefer to drive their cars. Another point briefly discussed at the meeting concerned bicycles. It is hard to believe anyone would consider riding a bicycle on an interstate highway's ramp access. We question whether it's even legal to do so, and the whole complex of intersections involved would make that especially hazardous.

There are other traffic- and road-related considerations, including the bad drainage and oddly banked bends on Rockrimmon and at least one intersection at Fencepost with a severe visibility problem (requests have been submitted to put a traffic light there, but no action was ever taken). This is on the way west to the shopping complex anchored by Safeway, the only close supermarket.

We are also very concerned about the lack of real publicity for this project. There was only one article describing the project, in the October 10th Gazette, and it implied some affiliation with, or endorsement of the apartments by, UCCS:

"Surging enrollment at the University of Colorado at Colorado Springs has attracted the attention of a couple of real estate developers, who plan two multifamily projects to provide off-campus housing for non-first-year students. The projects are being embraced by the university..."

In fact, it is not affiliated. UCCS is actively building additional campus housing on its own property, and another private housing project is planned on North Nevada, much closer to campus than the Rockrimmon project, that has much more open ingress and egress and is not within a wildland area. It is deceptive to imply such linkage. Responsible, controlled development is always welcome, but we are alarmed that this fully-conceived project has not been disclosed until now. One newspaper article on October 10th, one neighborhood meeting on October 29th advertised only by some postcards and in emails to HOA officers of record, and a Planning Commission meeting ten days later on November 8th is not enough time for the parties affected to digest the information and respond. The 1,000 foot limit that you repeatedly cited as a requirement is, frankly, sorely inadequate. Adding traffic at that point affects the entire area

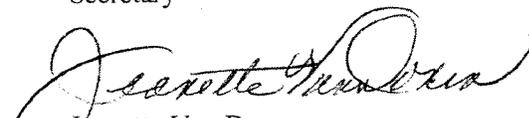
All these considerations should be addressed in a comprehensive study before any vote authorizing this project, and the entire Wildland Urban Interface area described above should be notified and given ample opportunity to comment.

Sincerely,


Elaine Knight
President, Golden Hills HOA


Edmond Van Doren
Vice-President


Diana Bender
Secretary


Jeanette Van Doren
Treasurer

Thelen, Lonna

From: Bill Vogeney <vogeygolf@aol.com>
Sent: Sunday, November 10, 2013 9:30 AM
To: Thelen, Lonna
Subject: Student housing project at Rockrimmon and Demonico

I just wanted to express my severe concerns over this potential project. As a nearly 13-year resident of the Golden Hills subdivision, I have a strong appreciation for the area and the many wonders of the neighborhood-tremendous wildlife, spectacular views, small town feel, etc.

However, this project-student housing, with a high concentration, threatens to ruin our neighborhood with additional traffic (that can't be supported by the existing roads), higher crime associated with marginal student residents (marginal from the standpoint that I think it will eventually attract part-time, economically disadvantaged students) and increased death of wildlife from students driving too fast for the area.

Of top of the current apartment construction going on in the northeast corner of Rockrimmon and Delmonico, I think this project will have a severe, detrimental impact on our community including quality of life and home values.

I urge city planning to reject this change in zoning.

Bill Vogeney
6480 Mesedge Drive
Colorado Springs CO

Sent from my iPad

Thelen, Lonna

From: Betsy Tuma <betsy.tuma@gmail.com>
Sent: Friday, November 08, 2013 4:48 PM
To: Thelen, Lonna
Subject: Rockrimmon Student Housing Proposal

To whom it may concern:

As residents of Golden Hills, we have some serious concerns about the proposed student housing project on Rockrimmon Blvd.

One of my primary concerns is the additional traffic. I understand that the project proposes to build 141 units that would house up to 4 times that number of students. This would mean the addition of over 500 cars through the Rockrimmon & I-25 corridor. This area is already taxing at times, especially in times of high traffic. I am also concerned about adding that many people in case of another evacuation. The intersection at Rockrimmon and Delmonico was a parking lot when we evacuated during the Waldo Canyon fire. I can not fathom attempting to do that again with nearly double the amount of cars when you take into account the addition of the student housing complex and the Encore apartments being built on Delmonico. The students who do not have cars will need some form of transportation. There is not public bus service in the area. The intersection would be extremely dangerous for bicycle traffic. The intersection is as wide as it can be made. There is no way to alter it due to the interstate and rail overpasses. This needs to be considered before any decision is made.

Another concern is more long term. The buildings, as I understand them are very student specific and not structures that can be easily re-purposed for standard multi-family housing. They are, and will always be, student housing. As our population ages, and declines (the baby boomers won't live forever) we will find ourselves with more residential properties than we have people. This is inevitable. Rental housing will become readily available. This student housing complex will be one of the first to be abandoned as students move into houses rather than apartments leaving this strange configuration to be re-purposed or vacant.

Finally, we do have some concerns about the increase in crime that student housing brings to a community. This is one of the safer neighborhoods in the Colorado Springs area. We'd really like to keep it that way.

Thank you for your time and consideration.

--

John & Betsy Tuma
280 Dolomite Dr.
Colorado Springs, CO 80919
719-602-4848

Thelen, Lonna

From: Harry Ness <hracness@earthlink.net>
Sent: Friday, November 08, 2013 12:38 PM
To: Thelen, Lonna
Subject: Proposed Multi-dwelling apartment at South Rockrimmon Blvd

City of Colorado Springs
City Planning Commission:

We disagree with the proposed apartment complex on south Rockrimmon Blvd for the following reasons:

Too much traffic volume -- Another multi-dwelling apartment complex is being built on Delmonico, just east and north of the proposed development. With a possibility of 514 cars in the Delmonico complex and 564 cars in the proposed complex, there will be a strong possibility of over a 1,000 more cars per day largely using the Delmonico/South Rockrimmon intersection.

Insufficient exits to Rockrimmon and insufficient traffic lights -- The intersections at I-25 and Rockrimmon and South Rock Rockrimmon and the Frontage Road are not currently built to receive such a large amount of traffic.

Far from the UCCS Campus --This location is relatively far from the UCCS campus and should be built closer to the campus so the students will not have to use cars to go to the campus.

Sincerely,

Harry and Rosemary Ness
Rockrimmon/Golden Hills Residents

Thelen, Lonna

From: LAURA CATON <lauraluvskids@msn.com>
Sent: Friday, November 08, 2013 11:15 AM
To: Thelen, Lonna
Subject: Proposed Student Housing on Rockrimmon Blvd

Good morning,

I would like to express my deepest concerns with the proposed student housing project on Rockrimmon Blvd. There are several concerns:

Traffic congestion on South Rockrimmon Blvd coming in/out of the complex. Even with a stop light, this light would be on a hill and that hill would be icy in the winter months making it hard for traffic stopping coming down the hill east on Rockrimmon.

Crime, I feel that having the potential of an additional 564 young adults in the neighborhood, would definitely invite crime to happen thus the crime rate would increase. Most college students drink and make poor decisions. I understand the complex would have 24 hours security. However, students could use the common area behind the complex for about anything, and go into the surrounding neighborhoods to cause problems.

The traffic would be a nightmare in any direction during an evacuation or even during working hours for most working individuals. We also have a multi family complex almost completed on Delmonico Drive that we don't know how this will affect our traffic in/out of Rockrimmon or the issues facing us with additional families/cars in the neighborhood.

What about poor drainage, oddly banked curves/bends in several areas of Rockrimmon Blvd S and the possibility of shifting ground?

I do not feel that the individuals involved in this project really care about the neighborhood and their thoughts. I was at the public meeting and the builder, traffic lady, and city planner did not make it clear to attendees that they would take any concerns into account before starting this project. I felt that the meeting was only one of information that this was happening and they just wanted us to know about it. The comment was, as long as we can answer the questions, we can do it.

I also understand that UCCS is NOT supporting this project and then again, I feel that was misleading. The project manager is using UCCS as advertising to make us think it is supported by them. Not so. I'm very disappointed in the way decisions are made without the consideration of homeowners.

I would hope that the concerns of the neighbors would be listened to and possibly give more time to look at the project and see if this is really the best place for this kind of project. I do know that a recent article in the Gazette, UCCS is building a large campus housing project on N. Nevada Avenue. Where do you think all these student will come from.

Laura Caton 719-659-2100

Thelen, Lonna

From: Lannette Abbey <abbeyranch@gmail.com>
Sent: Thursday, November 07, 2013 10:54 PM
To: Thelen, Lonna
Subject: Proposed Student Housing on Rockrimmon Blvd

Dear Ms. Thelen,

After attending the Neighborhood meeting on October 29th regarding the above referenced student housing project, I have tremendous concerns about the impact of the traffic that another 564 students would add to the already burdened intersections along Rockrimmon Blvd. Not only am I concerned about the addition of these students, but also, the addition of the 260 apartment units on the NorthEast corner of the Delmonico/Rockrimmon intersection, all of which will enter onto Delmonico. I know a traffic impact study was completed for the Encore Apartment project, but that was before the Waldo Canyon evacuation occurred.

The city traffic engineer spoke to a group of residents from the area and stated that the developers of the College Student housing project being considered now conducted a traffic study that showed there are currently 800 vehicles through the Rockrimmon/Delmonico intersection during the morning peak hour and 900 vehicles during the evening peak hour. There are three intersections along Rockrimmon within a short distance, Delmonico, Mark Dabling, and I25. Just imagine what adding a minimum of another 260 vehicles if each apartment only has one car associated with it. The reality of the Encore apartments will be much more than one car per unit.

I sat on Delmonico during the Waldo Canyon evacuation in the midst of grid locked traffic while watching the fire race over the mountain into the Mountain Shadows neighborhood and wondered if we would all get out before the fire raced into our neighborhood and caught all of us in our "parked" cars. What would it be like to see the fire coming when there were so many people trying to flee the area that you couldn't move more than a few inches at a time.. This sounds extreme and melodramatic, but if you didn't experience the 45 minute drive to go 1/4 mile, then you have no mental concept of the stress and trauma that this caused many of us trying to evacuate.

I am very concerned that the city planning community will not have a clear picture of the reality of the traffic impact that the Encore apartment project will have on the neighborhood, let alone adding 564 college students.

I strongly believe that we need to experience the full impact of the current additional residents before approving an even higher density traffic use of the intersections in question.

Respectfully submitted,
Lannette Abbey
280 Dolomite Dr.
719-510-6667

Thelen, Lonna

From: Trish Wrightsman <trish31750w@hotmail.com>
Sent: Thursday, November 07, 2013 2:55 PM
To: Thelen, Lonna
Subject: Rockrimmon filing CPC CP 08-00078-A1MJ13.....

To Whom it May Concern:

My husband and I are residents of the Golden Hills Subdivision, Rockrimmon. I am writing this regarding filings CPC CP 08-00078-A1MJ13 and CPC CU 13-00116.

We were not aware of any announcements regarding the aforementioned filings until several weeks. It is our opinion from what we have read that 1) the zoning would need to accommodate the request of the contractor/builder which I don't believe it does at this time, 2) if it is indeed to be student housing for UCCS, which is 2 miles away, why is UCCS not involved in this issue? Or is UCCS involved? 3) we would like to know what the contractor/builder thinks the impact on increased traffic, on increased use of utilities and water will be, and would there be another road built to accommodate more traffic? How would this affect local taxes for the residents already living here?

We both think that if this proposal is to go further, it needs to address the above and many issues I am sure that we have missed.

And we need to know where UCCS stands on this.

Sincerely,

Trish Wrightsman

Thelen, Lonna

From: mike oroszi <oroszimd@yahoo.com>
Sent: Thursday, November 07, 2013 1:26 PM
To: Thelen, Lonna
Subject: Proposed Development on Rockrimmon

Hello Lonna-

I am writing to express my concern about the multi-dwelling apartment housing project being proposed for South Rockrimmon Blvd just west of the existing Shell gas station.

I have 3 primary concerns:

1. Bicycle Traffic

As a cyclist, I am concerned about the lack of a current bicycle-designated lane in this area. The increase in traffic this project will bring significantly increases the potential safety risks of traveling on Rockrimmon.

2. New Complex on Delmonico

We do not fully understand the impacts on traffic from the newly created Delmonico complex. Until we have a strong understanding if our existing roadways can handle this traffic, I am hesitant to support another development that would share the same roadways.

3. Wildland Urban Interface (WUI)

As you are aware, the Rockrimmon area was under mandatory evacuations during the Waldo Canyon fire. During that evacuation, I personally sat in traffic for over 30 minutes as cars crawled toward the Pro Rodeo/Rockrimmon stoplight. During that time, there was heavy smoke limiting visibility on the road. Compounding traffic on emergency roadways is very concerning. I feel that the risk of fire in this area will only continue to grow in the coming years (as demonstrated in the rise of home insurance rates) and this proposed development could endanger lives.

Please let me know if you would like to discuss in more detail.

Thanks,
Mike Oroszi
719-351-0103

November 7, 2013

City of Colorado Springs
Land Use Review Division
Reviewing Planner: Lonna Thelen
Via: lthelen@springsgov.com

RE: Public Notice CPC CP 08-00078-A1MJ13
CPC CU 13-00116

Ms Thelen:

I was in attendance at the October 29, 2013 public meeting regarding proposed construction northwest of Delmonico and Rockrimmon Blvd. I listened intently, took notes and became more and more concerned and the meeting progressed.

The Rockrimmon neighborhood traffic, which also includes Peregrine neighborhood ingress and egress traffic, is made up of busy streets carrying Garden of the Gods employees, as well. The Rockrimmon neighborhood has an ongoing construction currently on Delmonico, which intersects with Rockrimmon Blvd (the street in questions) in only a few blocks. What an absolutely dangerous bottleneck.

These streets carried the jam packed 4 lanes of exiting vehicles during the Waldo Canyon evacuation. The area is in high potential for similar circumstances. With a proposed high residency impact of 564 people, undoubtedly all with cars and wanting to leave with them, meeting the newly established town house residents from Delmonico (141 units equals 282 cars to me) plus our current residency, we have what? Chaos, certainly, and law suits against any public authority that might have agreed to such lunacy.

This area will be certainly be marked as a dangerous one in which to reside, due to the traffic problem on these streets.

Property values falling? That will be another part of the story.

Please enter my abject objection to allowing such a project in this very narrow, constricted, hilly part of Colorado Springs. Be concerned about the residents living here. This land can be used for other projects that do not bring such a congested, potential dangerous element to this area of the city.

Respectfully,

Gini Springmeyer
6515 Arequa Ridge Lane
Colorado Springs, CO 80919
(719) 599-8444
gini@springmeyer.com

Thelen, Lonna

From: hwp2011@aol.com
Sent: Thursday, November 07, 2013 9:20 AM
To: Thelen, Lonna
Cc: webmaster@goldenhillshoa.org
Subject: UCCS development on Rockrimmon Delmonico

I am a proponent of property rights and believe that whatever use the proposed development property has been approved for, it is the right of the owner to develop accordingly. that being said my thoughts summarized by points are as follows:

1. If this is truthfully a UCCS development then transportation issues including busing, cars, bikes and walking must be included in the discussion and development provisions.
2. The stoplight intersection now is overloaded in peak traffic hours now. You cannot add this many people and vehicles and expect that intersection to function at any level of acceptability.
3. This entire area in general opposes this additional congestion and reduction of our open green-space, and think that with some effort alternative locations may be just as well or better suited.
4. There certainly appears to be an abundance of land and building locations surrounding the UCCS campus, which would make so much more sense if indeed student housing is the objective.
5. The developer should certainly be burdened with any fees for improvements that will be necessary from the impact of this development and not my tax dollars.

Thank you for considering my views.

Sincerely Harold W. Pearman
6485 Mesedge Drive
Col Springs, Co. 80919
hwp2011@aol.com

Thelen, Lonna

From: Chebuhar@aol.com
Sent: Thursday, November 07, 2013 10:00 AM
To: Thelen, Lonna
Subject: student housing project

Dear Ms. Thelen,

I am opposed to the proposed "student" housing project that would be located near the intersection of Delmonico and Rockrimmon.

I have found out that the project is not associated with UCCS, but frankly I am opposed to it anyway.....due to the LARGE condo complex being built right across the street.

The traffic is already going to increase greatly, which does not please those of us who use that intersection daily.

I also fear that we will see an increase in fender benders as people get impatient with the waiting that will most likely occur.

A concerned citizen,
Catherine E. Chebuhar
6510 Mesedge Drive, 80919

Thelen, Lonna

From: Sandy Winn NP <sandywinn.np@gmail.com>
Sent: Thursday, November 07, 2013 10:20 AM
To: Thelen, Lonna
Subject: Need your help! Another concerned Rockrimmon resident

We have lived in Golden Hills neighborhood since 1984. It is a wonderful area and one where property values have not declined. This is thanks to common areas, mature landscaping, a great school district and reasonable traffic patterns. It is not reasonable to build yet another multi-housing complex at Rockrimmon and Delmonico.

As you know, the apartment complex by Mateos is nearing completion and it remains to be seen what level of congestion it will create for an already busy area. We really question the approval process for this development.

Who thinks these things through, and is there no logarithm to follow?!

Colorado Springs ought to know better by now, developers are not in the business of making Rockrimmon a better place to live. Please re-think the granting of this permit.

Sincerely,

Sandy and Frank Winn

Best regards,

Sandy Winn, NP-C
6011 E. Woodmen, Ste 320
Colorado Springs, CO 80923
719-591-6666

Thelen, Lonna

From: Chebuhar@aol.com
Sent: Thursday, November 07, 2013 10:46 AM
To: Thelen, Lonna
Subject: "UCCS" Dorm in Rockrimmon area

Ms. Thelen,

I am concerned with the proposed construction of a dormitory structure Northwest of the intersection of Lower Rockrimmon and Delmonico streets for the following reasons.

. **CONGESTION** : Currently under construction is a large apartment facility North East of the above mentioned intersection. Still to be realized is the impact on traffic from that facility. It seems unreasonable to me that additional traffic (and congestion) would be permitted until impact of current construction is determined.

SECURITY ; I was very disappointed to learn that the proposed Dorm was not a UCCS facility. Lacking UCCS ownership and governance, the proposed Dorm would be reliant upon the Colorado Springs Police Department for policing and/or protection . I anticipate the average age of the facilities ' residents will be in the low to mid 20's and I just don't believe that the CSPD has the time or talent to protect the residents of the facility nor the existing Rockrimmon residents. If it were a UCCS facility , its residents would be subjected to UCCS rules and regulations, which in turn would be monitored by UCCS employed Dorm proctors(or whatever they are called today) and UCCS police

Yours Truly,

Mike Chebuhar
6510 Mesedge Drive
80919

719-598-5006

Thelen, Lonna

From: Cairney William <wjcairney@gmail.com>
Sent: Thursday, November 07, 2013 11:50 AM
To: Thelen, Lonna
Cc: webmaster@goldenhillshoa.org
Subject: Proposed Apartments at Rockrimmon Blvd and Delmonico Drive

Dear Ms. Thelen

We are concerned homeowners living in the Golden Hills section of Rockrimmon. We have been made aware of the proposal to construct high density apartment housing at the corner of Rockrimmon Blvd and Delmonico Drive. We want to voice our strongest objection to this project. Our concern is based largely on safety and potential neighborhood evacuation issues should we encounter future fire scenarios. During the Waldo Canyon fire, our neighborhood was in mandatory evacuation. Given the suddenness of the evacuation notice, the congestion was monumental as people tried to use the limited exits from Rockrimmon...and this with ash falling on the cars attempting to vacate. With apartment housing already under construction across the street from the proposed new complex, it would be irresponsible of the city to approve a plan that would only add to even *more* people trying to exit the area in the face of a rapidly advancing fire.

Short of fire danger, I would invite members of the Planning Commission to view the congestion at Woodmen and I-25 and Rockrimmon/Delmonico and I-25 during commuter traffic hours. Then ask...we have approved cars for an additional 500+ units already under construction. Do we want to add several hundred more? With all due respect to the developer, approval of this project would be *a very bad idea*.

Thank you for including our input in your decision process.

William and Linnea Cairney
140 Arequa Ridge Drive
Colorado Springs, CO 80919

Thelen, Lonna

From: rwilfling <rwilfling@msn.com>
Sent: Wednesday, November 06, 2013 8:41 PM
To: Thelen, Lonna

To whom it may concern, if this project at Delmonico/Rockrimmon is approved it will create a traffic nightmare , especially during morning and evening rush hours. Also, as I experienced during the Waldo Canyon fire evacuations, there are really only 3 evacuation routes out of Rockrimmon. It was a scary scene during the evacuations, even before these new developments existed. Lord forbid another need to evacuate with the proposed increase in density that would occur if this new project is built in the future. Really a scary scenario. Area/streets/infrastructure never designed to accomodate this type of growth. This is definitely putting "the cart before the horse. Please think this though before making a decision we all will regret. Thank you for you consideration. Bob Wilfling

Sent via the Samsung Galaxy STMIII, an AT&T 4G LTE smartphone

Thelen, Lonna

From: Lisa Woodard <lisalwo@gmail.com>
Sent: Wednesday, November 06, 2013 8:25 PM
To: Thelen, Lonna
Subject: AGAINST Student housing on Rockrimmon Blvd.

Dear Lonna Thelen,

I am a homeowner in the Rockrimmon area and am writing to voice my opposition to the proposed student housing project for South Rockrimmon Blvd just west of the existing Shell gas station. The public announcement filings: CPC CP 08-00078-A1MJ13 and CPC CU 13-00116.

Thank you for your consideration of my opinion.

Lisa Woodard
6531 Hawkeye Circle
80919

Thelen, Lonna

From: Clarice Shockley <cdshockley@msn.com>
Sent: Tuesday, November 05, 2013 3:02 PM
To: Thelen, Lonna
Subject: Building Student Housing

I am in complete agreement with you, to have a Student Housing building would make getting out of Rockrimmon, etc nearly impossible.

Sincerely,
Clarice D.Shockley
CDSockley@msn.com

Thelen, Lonna

From: nick <nwerle@gmail.com>
Sent: Tuesday, November 05, 2013 4:22 PM
To: Thelen, Lonna
Cc: Martin, Jan; nwerle@gmail.com; Snider, Val; Bennett, Merv; Knight, Don
Subject: creekside rezoning
Attachments: waldoe36.JPG

L Thelen and Council members

Comments on use variance for a PUD of 142 units in city district 1 - called " Creekside at Rockrimmon" - file cpc cu 13-00116, city planner for filing is L Thelen.

Existing Zoning is PUD and PBC and this will removes commercial use. Home buyers in Rockrimmon, over the last 30 years, were shown that parcel as commercial/office and residential, which contributed to the value of neighborhood due to convenience and lower density in the area.

Comments:

City form asks "will development overburden streets, utilities, parks, schools,etc "

Traffic - the plan talks about access to the units. That is not the problem. During the Waldo canyon fire, the intersection of south Rockrimmon and Delmonico was backed up so much the fire chief thought people would die in their cars. I have photograph attached. This rezoning adds more traffic at that intersection which is already at capacity, and would increase the danger that can occur during such a disaster and make the situation even worse. In addition the almost completed apartment development near UMB bank will add even more traffic. Parking is to be provided at higher rate than required, proof that the intersection will have more traffic.

Utilities – has city utilities been consulted re increased capacity needs of waste water, water piping and stormwater (hmm a problem affecting whole city)?

Schools – the idea is that this housing is restricted to UCCS students. A bright spot would be UCCS student would not generally have children attending District 20. But how can developer guarantee resident to be UCCS students. A down side to having high density of students is the increased noise and rowdiness. A house in the neighborhood on Willow Creek that was rented to college students, already required multiple police responses. Student housing with Resident advisors (RA) such as UCCS student housing controls such problems. This housing will not be monitored by RAs.

nick werle
86 saddlemountain rd
co springs, co 80919
719-210-1113

Thelen, Lonna

From: Jeff and Darragh Gott <jeffgott@ontherock.com>
Sent: Tuesday, November 05, 2013 9:57 PM
To: Thelen, Lonna
Subject: Rockrimmon Blvd re-zoning

Dear Ms. Thelan,

We wanted to write and raise our concerns about re-zoning the property at the corner of Delmonico and Rockrimmon Blvd to accomodate UCCS housing development. We go through the intersection of those two roads several times daily and already have difficulty with the traffic flow toward the interstate, and that is without the new apartments on Delmonico even being occupied yet! The additional burden of several hundred **more** cars would be more than is tenable. In addition, the property is not safely convenient to the UCCS campus and is not a logical choice. We beg of you, as residents of the area, to deny this re-zoning request.

Sincerely,

Thelen, Lonna

From: wreck129@q.com
Sent: Tuesday, November 05, 2013 3:39 PM
To: Thelen, Lonna
Cc: webmaster@goldenhillshoa.org
Subject: College housing

A housing complex for UCCS students in a zone that was designated commercial is off the wall . There is large apartment complex now under construction in the same area that will add more traffic to this mainly single family housing area. There is plenty open space east of north Nevada Ave. closer to school if this Developer is so inclined .

Thelen, Lonna

From: Anita Fromm <trailprincess5@yahoo.com>
Sent: Monday, November 04, 2013 4:05 PM
To: Thelen, Lonna
Subject: Student housing on Rockrimmon/concerns

Dear Ms. Thelen,

My husband and I currently live in the Rockrimmon area. Since we've moved to this area in 2009, I have noticed an increase in the volume of traffic, and crime. Having a new apartment complex on our area brings the following concerns to mind:

1. Our neighborhood isn't well suited for a large volume of college students. There are numerous elderly people who like to walk outdoors, and often have to cross streets, and there are a lot of school aged children who walk to and from school. We also have USA Cycling in our neighborhood, and lots of cyclists. Do they all need additional traffic to contend with?
2. A lot of the roads in the area are curved, and slanted. There are no dividers between them to help prevent head-ons, nor places to safely pull over alongside the road to get out of danger or get out of the way if an ambulance needs to get through. When it gets icy, even the best of drivers find it challenging to drive. A lot of the main roads also go east and west, making the sun an issue as it limits visibility in the morning and evening. Do we need more young, inexperienced drivers on roads that are unsafe to begin with? That is what having more student housing will do to our community. In this litigious society, I would hate for the city to be sued if someone were hurt due to unsafe, crowded driving conditions from the city's decision to allow an apartment complex that would make our current roads even more crowded. The ugly new apartments on Rockrimmon are bad enough!
3. Will the tax payers of Colorado Springs be forced to pay for any road improvements? I certainly think that the company building the apartments should be responsible for that expense, and all safety measures be in place before people move in. Additional sidewalks and bike paths must be included, as the current crowded, curving roads in which drivers often struggle with visibility from the sun make it unsafe.
4. I find it disturbing that there was such little notification given to the public about these potential apartments. How would you like it if someone did that in your neighborhood,? My husband and I weren't able to make the meeting on the 29th. There simply wasn't adequate time to rearrange things in our busy life to make it. Those type of actions erode credibility towards our city officials.
5. I hope there will be a public meeting about these proposed apartments, and that there will be adequate notice. It was a huge disservice to notify everyone in such a short amount of time before.

thank you for reading this and passing it on,

Anita Fromm

Thelen, Lonna

From: RICK GORHAM <rickgorham@me.com>
Sent: Monday, November 04, 2013 3:00 PM
To: Thelen, Lonna
Subject: Multi Family Zoning change for Delmonico and Rockrimmon

Lonna,

I attended the meeting on October 29th. Is the traffic impact study completed yet?
With only four more days before the cutoff date for proving feedback, I felt the process is moving forward without adequate information.

However, based on my notes from the meeting, the increased traffic flow cannot be supported by the limited infrastructure available. As the traffic engineer stated, there are no funds available for infrastructure improvements.

The increase in traffic will result from the proposed development's 140 unit, 4 bedroom per unit, for a total of 560 possible cars. Encore at Rockrimmon, being developed on Delmonico, will have 13 buildings with 200 units. There will be 200-400 cars leaving that development as well. Both developments will bring into the area an additional 960 cars.

If just half of the possible cars leave the developments, (a reasonable assumption based on the traffic engineer's studies) that will be an additional 480 cars leaving on Rockrimmon every morning. Currently, there are approximately 900 (data supplied by the traffic engineer) cars heading eastbound during morning rush hour. Simple math shows that with no infrastructure improvements possible, the Rockrimmon/Delmonico intersection area cannot handle a 53% increase in traffic.

The other commercial lot in the corner of Rockrimmon/Delmonico, will only more traffic to an already limited road system.

The development needs to be built in an area that has infrastructure to support the large volume of road traffic.

Thank you.

Rick Gorham
Sent from my iPad

Thelen, Lonna

From: marilynne moose <mooseml@msn.com>
Sent: Sunday, November 03, 2013 7:51 PM
To: Thelen, Lonna
Cc: MariLynne Moose

Dear Lonna Thelen,

I want to express my deep concerns for the UCCS student housing project projected for the the Rockrimmon and Delmonico area.

1. There is already traffic congestion at this intersection and the apartments have not opened let alone the impact from the proposed student housing. In an emergency, many facilities including a senior home, a large apartment complex, and a hotel would be impacted to the west of Delmonico.
2. An evacuation of Rockrimmon including the above mentioned high density areas would become a serious if not deadly issue with the significantly higher number of cars now proposed in addition to the higher number of cars now included with the new apartments on the east side of Delmonico.
3. Traffic egress for Rockrimmon is limited to two roads to the east (both ends of Rockrimmon Boulevard) and 2 to the west (Vindicator and Allegany to Centennial). This is not sufficient for the number of homes and now soon to add apartment and now proposed student housing. This will be tragedy when we have another Waldo Canyon or even a fire with in the Rockrimmon boundaries. There is much grassland and scrub oak in the Rockrimmon area--all fodder for another wildfire. That will be enough of a tragedy. Do not add overcrowded roads preventing egress. Please!
4. During the Waldo Canyon fire, the evacuation time was several hours! Fortunately it was not a situation of "fire on the heels" as it could be if a fire started in Rockrimmon itself. There would not be time to evacuate the large numbers of people in Rockrimmon. Please Do not add more. Please.

Respectfully submitted,

MariLynne Moose
6456 Hawkeye Circle
Colorado Springs, CO 80919

Thelen, Lonna

From: Mark Janssen <mjanssen719@gmail.com>
Sent: Sunday, November 03, 2013 11:01 AM
To: Thelen, Lonna; mjanssen719
Subject: Rockrimmon

Hi Lonna,

I must say that I detest the not in my backyard attitude of people. Due diligence would have shown the complainers what is developable land, what is deeded open space, and most importantly, what they own and can control.

They say "we" way too much. I for one disagree with their narrow mindedness and all for one and one for me.

GO FOR IT !

Mark Janssen
6560 Arequa Ridge Ln.

Thelen, Lonna

From: Laurie Hochmuth <lhochmuth@msn.com>
Sent: Saturday, November 02, 2013 9:38 PM
To: Thelen, Lonna
Subject: Student Housing in Rockrimmon

We oppose the student housing in Rockrimmon. It should be somewhere close to the college. It poses a safety concern when evacuating or just everyday going to work. We are already getting a 270 new apartment complex off of Delmonico by UMB Bank. That is going to increase traffic significantly.
Please do not approve this.

Thank you,

Laurie & Doug Hochmuth
2065 Austrian Way
C/S, CO 80919

Homeowner at this address for 17 years.

PUBLIC NOTICE

The City of Colorado Springs, Land Use Review Division has received a request by N.E.S. Inc. on behalf of Pueblo Bank and Trust Company for consideration of the following development applications:
FILE NO.: CPC CP 08-00078-A1MJ13 – A concept plan amendment to change uses from commercial/office to multifamily;
FILE NO.: CPC CU 13-00116– A conditional use to allow multi-family in the PBC zone district.
The proposal is for 141 multi-family units to be constructed. The units are proposed west of the existing gas station and north of Rockrimmon Boulevard. The subject property is zoned PBC (Planned Business Center) and PUD (Planned Unit Development), consists of 24.08 acres and is located northwest of Delmonico and Rockrimmon.

Thelen, Lonna

From: B BULLARD <bullard967@msn.com>
Sent: Saturday, November 02, 2013 3:01 PM
To: Thelen, Lonna
Subject: Student housing on Delmonico Dr.

I am opposed to the proposed student housing complex on Delmonico Dr. at Rockrimmon. We have enough problems without adding 500+ cars and people in the area

Betty Bullard
6348 Delmonico Dr.
Col. Sp. CO 80919

Thelen, Lonna

From: Kelly Benthem <jkbenthem@hotmail.com>
Sent: Saturday, November 02, 2013 2:54 PM
To: Thelen, Lonna
Subject: South Rockrimmon Development

I would like to express my concern regarding the proposed South Rockrimmon UCCS Student Housing development.

- 1) I am concerned about the possibility of further wildfires, and lack of good exit points from the neighborhoods west of I-25. Adding to the traffic problem will only compound existing issues.
- 2) I am concerned about the heavy traffic load this will created on relatively small neighborhood roads.
- 3) I am concerned about how little debate and discussion there has been. I would love to see more time for leaders to determine the best course of action regarding this development.

Thank you for your consideration.

Kelly Benthem
162 Tamarron Dr.
Colorado Springs, CO 80919

Thelen, Lonna

From: ALFRED HOCHMUTH <hoch77@hotmail.com>
Sent: Saturday, November 02, 2013 12:40 PM
To: Thelen, Lonna
Cc: LAURIE HOCHMUTH
Subject: STUDENT HOUSING IN ROCKRIMMON

We have lived in Rockrimmon for 28 years and **STRONGLY** oppose the student housing in the Rockrimmon area for many reasons. First, the traffic problems will be very dangerous for everyone in the area. Do not allow this plan. The results will be very important to many ROCKRIMMON residents.
AL HOCHMUTH 265 DOLOMITE DR 80919 HOCH77@HOTMAIL.COM

Thelen, Lonna

From: jessebob1@aol.com
Sent: Thursday, November 07, 2013 9:56 AM
To: Thelen, Lonna
Subject: "student housing"

I'm writing to express my serious concern and reservations regarding the proposed high density housing near the intersection of Rockrimmon and Delmonico boulevards. The traffic consequences while not clear now would likely be immense especially since a lot of high density housing is being developed nearby now without any new routes of egress or ingress to Rockrimmon. This intersection is already a bottleneck every day and was a potentially disastrous bottleneck during the evacuations from the Waldo canyon fire. This needs careful consideration- please.

Thank you.

Jesse Hofflin, MD

Thelen, Lonna

From: bjorgmapstone@comcast.net
Sent: Tuesday, November 05, 2013 5:41 PM
To: Thelen, Lonna
Cc: bjorgmapstone@comcast.net
Subject: Planning Commission Meeting 8 Nov

I was just informed that a planning meeting regarding filings CPC CP 08-00078-A1MJ13 and CPC CU 13-00116 which will permit apartments for up to 564 UCCS students at South Rockrimmon Blvd just west of the existing Shell gas station will be conducted 8 Nov 13. As a resident at 6408 Mesedge Drive I am deeply concerned that an additional housing complex, given the new complex being built at Delmonico, will adversely impact the limited access/exit we already have in this area. At a minimum no future complexes should be approved pending an assessment of the traffic generated by the apartment complex currently being built.

Bjorg and Terry Mapstone
6408 Mesedge Drive
Colorado Springs Colorado
719-264-0955

Thelen, Lonna

From: Ben Fallin <benfallin@live.com>
Sent: Tuesday, November 05, 2013 11:22 AM
To: Thelen, Lonna
Subject: Proposed Rezoning

This concerns CPC CP 08-00078-A1MJ13 and CPC CU13-00116. My wife and I live at 6481 Mesedge Lane within the Golden Hills area. We are strongly against the proposed rezoning and plans for multi-unit housing on South Rockrimmon. The traffic is bad enough currently and the huge apartment area on Delmonico isn't even finished. The proposal would be untenable for daily traffic and most likely dangerous. During the evacuation concerning the Waldo Canyon fire, the intersection at Delmonico/Rockrimmon (south) was exceptionally bad/slow/dangerous trying to get to safety. Furthermore, one must consider the investment people have in their home and bought in our area because of current amenities and peacefulness. I am greatly concerned the value of houses would plummet, which would be greatly unfair based , also, on the reasons we all bought homes in the area. Request disapproval of the plans and rezoning. Thanks for your consideration. Ben and Julie Fallin

COLORADO GEOLOGICAL SURVEY

1500 Illinois Street
Golden, Colorado 80401
303-384-2655



Karen Berry
Acting State Geologist

December 16, 2013

Lonna Thelen, AICP, LEED AP
Planning & Development, Land Use Review Div.
City of Colorado Springs
P.O. Box 1575
Colorado Springs, CO 80903

Location:
SW¹/₄ Section 18,
T13S, R66W of the 6th P.M.

Subject: Creekside at Rockrimmon
City of Colorado Springs, El Paso County, CO; CGS Unique No. EP-14-0006

Dear Ms. Thelen:

Colorado Geological Survey has completed its site visit and review of the above-referenced development plan referral. I understand the applicant proposes 38 multifamily/student housing units in six buildings, plus a clubhouse and pool, on approximately 5.1 acres located on the north side of South Rockrimmon Blvd., west of Delmonico Drive. With this referral, I received a Geologic Hazard Study, Creekside at Rockrimmon (Entech Engineering, Inc., September 27, 2013), an Amendment to the Final Drainage Report for Creekside at Rockrimmon Filing No. 1 (JR Engineering, LLC, November 2013), and a set of six Development Plan drawings (N.E.S., Inc., November 13, 2013, and JR Engineering, September 25, 2013 and November 12, 2013).

According to available historic mine maps, the site does not appear to be undermined. Pikeview Mine workings within this area are located north of North Rockrimmon Creek, except for one room which appears to terminate approximately beneath the creek. **I agree with Entech that the site is not exposed to a mine subsidence hazard.**

Entech's geologic hazard study contains appropriate recommendations for mitigating the site's potential hazards and development constraints, which include expansive soils and bedrock, seasonally shallow groundwater, water-bearing sand layers and perched water above the claystone/sandstone bedrock surface, areas of uncontrolled fill, and downslope creep. **Provided Entech's recommendations are adhered to, and lot-specific investigations and analyses are conducted for use in design of retaining walls and foundations, I agree that the site appears to be suitable for the proposed use and density.**

Thank you for the opportunity to review and comment on this project. If you have questions, need clarification of issues identified during this review, or require additional review, please call me at (303) 384-2643, or e-mail carlson@mines.edu.

Sincerely,

Jill Carlson, C.E.G.
Engineering Geologist

CITY PLANNING COMMISSION AGENDA

ITEM NO: 8.A-8.G

STAFF: LONNA THELEN

FILE NO(S):

A. - CPC MPA 07-00308-A5MJ14 - LEGISLATIVE

B. - CPC ZC 14-00031 - QUASI-JUDICIAL

C. - CPC ZC 14-00032 - QUASI-JUDICIAL

D. - CPC ZC 14-00033 - QUASI-JUDICIAL

E. - CPC ZC 14-00034 - QUASI-JUDICIAL

F. - CPC CP 14-00035 - QUASI-JUDICIAL

G. - AR DP 14-00116 - QUASI-JUDICIAL

PROJECT: SENTINEL RIDGE PHASE I AND MAINSTREET

APPLICANT: ROCKWELL CONSULTING

OWNER: GARDEN OF THE GODS, LLC



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a master plan amendment, four zone changes, a concept plan, and a development plan for the 45.5-acre site located east of Mesa Road and south of Fillmore Street

The applicant is requesting a master plan amendment to change from single-family residential to public institution, single-family residential, and multi-family residential. The applicant is also requesting four zone changes: (1) a zone change from PUD/SS (Planned Unit Development with the streamside overlay) to OC/cr (Office complex with conditions of record), (2) PUD/SS (Planned Unit Development with the streamside overlay) to R1-6000/SS (single-family residential with streamside overlay), (3) PUD/SS (Planned Unit Development with the streamside overlay) to OC/cr (Office Complex with conditions of record), and (4) PUD/SS (Planned Unit Development with the streamside overlay) to R-5 (multi-family residential). In addition, the applicant is proposing a concept plan for the property and a 7.6-acre development plan for a human service establishment. **(FIGURE 1)**

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Approval of the applications, subject to modifications.

BACKGROUND:

1. Site Address: no addresses assigned
2. Existing Zoning/Land Use: PUD/SS / vacant
3. Surrounding Zoning/Land Use: North: R and PUD / Coronado High School and multi-family
South: R / Holmes Middle School
East: R / vacant and public open space
West: PF and R1-9 / Mesa Water Treatment Plan and single-family homes
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation: Mesa Addition #2, 1971
6. Master Plan/Designated Master Plan Land Use: Garden of the Gods Club / Residential 2-3.49
7. Subdivision: The site is unplatted
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The site is currently vacant and contains varied terrain. There are steep slopes, significant natural vegetation, and relatively flat areas.

STAKEHOLDER PROCESS AND INVOLVEMENT: The public process involved with the review of these applications included posting of the site and sending of postcards on two separate occasions. The first mailing of postcards was sent to 134 property owners within 1,000 feet. The postcards notified the neighborhood of the internal review and a neighborhood meeting on March 31, 2014. Seventy-five people attended the neighborhood meeting. The second mailing of postcards was sent to 155 property owners prior to the City Planning Commission meeting. Comments from nine neighbors were received. **(FIGURE 3)** The concern of this neighborhood centered around the traffic along Mesa Road, limiting the uses in the OC zone district, the use for the area between the church and the human service facility, and maintaining access to public parks and open space.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

In 2009, the Sentinel Ridge development plan (file number CPC PUD 07-00367) was approved for this site and allowed for 88 single-family lots. The 45-acre property was divided into two sections, 28 acres for single-family residential development and the remainder for private open space. The total area for private open space, open space tracts, and private parks totaled 19.6 acres out of the 45 acre site; see **FIGURE 4** for the previous layout of the site.

The current proposal amends the previously approved plan to allow the following uses and zone districts:

- 7.6 acres for a human service facility (assisted living / skilled nursing use). Rezone to OC with conditions of record.
- 8.3 acres for a religious institution. Rezone to OC with conditions of record.
- 7.7 acres of multi-family residential. Rezone to R-5.
- 9.8 acres of single-family residential and 12 acres of open space. Rezone to R1-6000.

A master plan amendment and concept plan for the entire 45 acres are being processed concurrently with the proposed zone changes. Additionally, a development plan for the 7.6 acre human service facility site is being processed with this application while a final plat is being processed administratively. See **FIGURE 5** for the location of the proposed uses.

During the internal review and the neighborhood meeting, comments were raised concerning traffic, the intermittent stream between the church and the human service facility, the OC zone district and access to trails and open space. Below is a discussion of those concerns and the staff recommendation for each concern.

Traffic

The previous plan allowed 88 single-family residential units. During the review of the previous plan City Traffic Engineering required the Sentinel Ridge site to share an access point to Mesa Road with Holmes Middles School; the access point was approved directly across from Friendship Lane. During that review the school and the property owner worked together for a solution that followed City Traffic Engineering's requirements. The previous plan also had one access point on Grand Vista Circle.

The current plan has one access point on Mesa Road, one access point on Fillmore, and multiple access points onto Grand Vista Circle. The access point on Mesa is only for the Church and does not line up with Friendship, nor is it combined with the school access point on Mesa. City Traffic Engineering has evaluated the anticipated trip generation from the Church and the access to Mesa and supports the proposal as it is shown on the concept plan. The hours that the school generates the most traffic will be Monday through Friday during pickup and drop off hours. The hours that the church generates the most traffic will be Sunday morning. The offset of traffic peaks helps make the school and the church uses compatible. The concept plan also illustrates a full movement access point along Fillmore to mitigate the church's traffic impacts on Mesa. The remaining uses will gain access from Grand Vista Circle.

Intermittent Stream

A 2.5-acre area on the south side of Fillmore Street between the proposed church and the human service facility (**FIGURE 6**) was previously designated as Streamside Overlay. During the review of the previous plan for Sentinel Ridge, the streamside overlay was removed from this area and the intermittent stream was proposed to be filled to allow the construction of a street connecting Mesa Road across the stream to Grand Vista Circle. An area near Grand Vista Circle, see **FIGURE 6**, was added to the streamside overlay to offset the streamside overlay that was removed. As mentioned before the total open space area in the previous plan was 19.6 acres. A 48" pipe daylights just south of Fillmore Street with the water draining from across the street; the stream carries this water to the wetland area and eventually to Mesa Creek to the southeast.

Staff is recommending that the 2.5-acre intermittent stream area be included in the private open space area making the total open space area within the proposed plan 14.5 acres, which is slightly less than the previously approved plan. The continuation of open space from private open space area with streamside overlay to the intermittent stream between the church and the human service facility will allow a buffer between uses, will provide a buffer for the proposed single family uses, and will recognize and protect an area which contains significant vegetation, including large trees, steep slopes, and is a natural and logical extension of the adjacent open space to the south. The applicant's proposed plan illustrates this area for single-family use. Development of single-family homes would require filling in the intermittent stream and removing any vegetation in the stream area. A utility corridor, if necessary, could cross the intermittent stream and open space area and still allow the open space to function as part of the overall open space system for the site.

Conditions of Record

Churches and human service facilities are allowed in more than one zone district. Staff worked with the applicant to choose a zone district that would meet the needs of both users while also be compatible with the surrounding properties. One option for the church was to zone the property R-1-6000 and require the church to go through a conditional use process. The church wanted to be able to achieve entitlement with a concept plan but a church in the R-1-6000 zone requires the submittal of a conditional use development plan. The OR (Office Residential) zone district was another option. However, to establish an OR zone district, a development plan is necessary. Again, the church is not ready for the development plan level and wants entitlement with a concept plan. The OC zone district can be established with a concept plan and allows religious institutions as a permitted use; a development plan is required prior to building permit. The neighbors raised concerns with the OC zone district at the neighborhood meeting due to the fact that it permits uses that may not be compatible with the adjacent residential neighborhood. Staff agrees with the neighbors and understands the concerns of the church and has therefore proposed an OC zone with conditions of record prohibiting the uses in the OC zone district that are commercial in nature or are not compatible with the adjacent single-family residential. The same OC zone district and conditions of record are also proposed for the human service facility to the east; while a separate zone district, it shares the same proximity to single-family residential uses.

The proposed condition of record prohibits the following uses:

- 1) Auto rentals
- 2) Restaurants
- 3) Business office support
- 4) Business park
- 5) Food sales
- 6) Hotel
- 7) Mini-warehouse
- 8) Mixed commercial/residential
- 9) Personal consumer services
- 10) Pharmacy
- 11) Neighborhood serving retail
- 12) Education institutions
- 13) Hospital

Trails and Open Space

During the neighborhood meeting concern was raised over the use of the open space proposed for this site and the trail connections from the Mesa Valley Open Space to the existing homes in the neighborhood. The applicant is proposing that the open space area for the project to remain private. However, a connection from Grand Vista Circle to the Mesa Valley Open space will be dedicated as a public trail easement. At time of development plan for this property, staff will work with the developer and City Parks staff to determine the best location for a public trail easement and ensure that trails from the proposed R-1-6000 single family development provide adequate access to the private open space.

2. Conformance with the City Comprehensive Plan:

Objective LU 3: Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses.

Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.

Objective LU 4: Encourage Infill and Redevelopment

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

Objective LU 6: Meet the Housing Needs of All Segments of the Community

Planning and development activities, both in the public and private sector, shall include measures intended to ensure the sufficient provision of housing to meet the needs of the entire community, including housing affordable to lower-income households.

This site is within the General Residential category of the comprehensive plan. The primary uses within general residential include residential development. Secondary uses in general residential include religious institution, parks, and assisted living centers. The uses proposed for this site are allowed within the General Residential category. The proposed project integrates a mix of land uses that are supportive to each other. Development of this property does not require extension of utilities or infrastructure and is considered an infill property because it has never been developed. The project has a mix of single-family and multi-family housing choices to meet multiple segments of the population.

3. Conformance with the Area's Master Plan:

The approved Garden of the Gods Master Plan shows the area under review as Residential with a density of 2-3.49 dwelling units per acre and open space. The proposed master plan amendment shows public institution, residential with a density 2-3.5 dwelling units per acre, open space, and residential with a density 12-24.99 dwelling units per acre. The changes to the master plan are in conformance with the comprehensive plan for this area and the review criteria for a master plan.

STAFF RECOMMENDATION:

Item No: 8.A CPC MPA 07-00308-A5MJ14 – MASTER PLAN AMENDMENT

Approve the master plan amendment for the Sentinel Ridge Phase I Plan, based upon the finding that the amendment complies with the review criteria in City Code Section 7.5.408, subject to compliance with the following significant, technical and/or informational plan modifications:

Significant plan modifications:

Show the 2.5-acre intermittent stream area as open space.

Technical and Informational Modifications to the Master Plan Amendment:

1. Change the file number from CPC MPA 07-00308-A4MJ14 to CPC MPA 07-00308-A5MJ14.
2. Remove the word "proposed" from the labels public/institution use on the drawing.
3. Show the trail alignment more clearly from Grand Vista Circle to the Mesa Valley Open Space in the private open space area. Include a note that states "Final trail alignment to be determined at time of development plan. Trail alignments will be granted by a public trail easement."

Item No: 8.B CPC ZC 14-00031 – ZONE CHANGE

Approve the 21.8-acre zone change for the Sentinel Ridge Phase I Plan from PUD/HS/SS (Planned Unit Development with Hillside and Streamside Overlays) to R1-6/HS/SS (Single-family Residential with Hillside and Streamside Overlays), based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.

Item No: 8.C CPC ZC 14-00032 – ZONE CHANGE

Approve the 7.6-acre zone change for the Sentinel Ridge Phase I Plan from PUD/HS/SS (Planned Unit Development with Hillside and Streamside Overlays) to OC/HS (Office Complex with Hillside Overlay), based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603. The ordinance shall include a condition of record prohibiting the following uses:

- 1) Auto rentals
- 2) Restaurants
- 3) Business office support
- 4) Business park
- 5) Food sales
- 6) Hotel
- 7) Mini-warehouse
- 8) Mixed commercial/residential
- 9) Personal consumer services
- 10) Pharmacy
- 11) Neighborhood serving retail
- 12) Education institutions
- 13) Hospital

Item No: 8.D CPC ZC 14-00033 – ZONE CHANGE

Approve the 8.3-acre zone change for the Sentinel Ridge Phase I Plan from PUD/HS/SS (Planned Unit Development with Hillside and Streamside Overlays) to OC/HS (Office Complex with Hillside Overlay), based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603. The ordinance shall include a condition of record prohibiting the following uses:

- 1) Auto rentals
- 2) Restaurants
- 3) Business office support
- 4) Business park
- 5) Food sales
- 6) Hotel
- 7) Mini-warehouse
- 8) Mixed commercial/residential
- 9) Personal consumer services
- 10) Pharmacy
- 11) Neighborhood serving retail
- 12) Education institutions
- 13) Hospital

Item No: 8.E CPC ZC 14-00034 – ZONE CHANGE

Approve the 7.7-acre zone change for the Sentinel Ridge Phase I Plan from PUD/HS/SS Planned Unit Development with Hillside and Streamside Overlays) to R-5/HS (Multi-Family Residential with Hillside Overlay), based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.

Item No: 8.F CPC CP 14-00035 – CONCEPT PLAN

Approve the concept plan for the Sentinel Ridge Phase I Plan, based upon the finding that the concept plan complies with the review criteria in City Code Section 7.5.501.E, subject to compliance with the following significant, technical and/or informational plan modifications:

Significant plan modifications:

1. Show the 2.5-acre intermittent stream area as open space.
2. Include the conditions of record prohibiting uses for the two OC zone districts.

Technical and Informational Modifications to the Concept Plan:

1. Add the wording "Ordinance No. _____" next to each zone change. The ordinance number will be filled in after council decision.
2. Label each multi-family building as multi-family on the drawing.
3. Remove the word "proposed" in front of the labels for the new uses on the drawings.
4. Show the trail alignment more clearly from Grand Vista Circle to the Mesa Valley Open Space in the private open space area. Include a note that states "Final trail alignment to be determined at time of development plan. Trail alignments will be granted by a public trail easement."
5. Show the public water main extension co-located with the wastewater main across the R-1-6000 parcel.
6. Identify the utility corridor through the stream area which is necessary for future wastewater service to the church parcel.

Item No: 8.G AR DP 14-00116 – DEVELOPMENT PLAN

Approve the development plan for the Sentinel Ridge Phase I Plan, based upon the finding that the development plan complies with the review criteria in City Code Section 7.5.502.E, subject to compliance with the following technical and/or informational plan modifications:

Technical and Informational Modifications to the Development Plan:

1. Include the ordinance number for the zone change after final council decision.
2. Label the elevations of the trash enclosure North, South, East and West.
3. Include the sidewalk connection to the main entrance of the building from the street. Stairs can be included in the connection.
4. Include the reception number for the public improvement easement.
5. The guardrail and public sidewalk are merging together; please fix the issue and resubmit. If the guardrail will be relocated please add the following note: "The contractor will need to contact Traffic Engineering to assist with guardrail relocation". If the guardrail is to be relocated a separate plan will need to be provided.
6. Please contact Traffic Engineering prior to plans being approved for the public improvement easement for the sidewalk.
7. Please state the proposed platted subdivision name on Sheet 1 (Lot 1 Mainstreet Health and Wellness Suites Subdivision).
8. Please provide 6' wide public sidewalk, whether attached or detached.
9. Please ensure that the proposed storm sewer and outfall structures in the stormwater quality pond are shown as designed per the drainage report on the grading plan.
10. The easterly boundary adjacent to the pending R-1 requires trees at 1/20', 50% evergreen and a 15' horizontal buffer area. Additionally, a screen fence is required on the inside edge of the landscaping so that the adjoining property is benefitted by the landscaping and it is not hidden by the screen (see City Code Sections 7.4.323 C., E.1., F. 1 & 2, G.). As proposed, there is an almost 10' retaining wall with a 6' fence on top of that.

11. The water main needs to be located parallel to wastewater main just east of the site. All on-site water mains must be labeled private. Coordinate this with the concept plan alignments.
-



FIGURE 1

Concept Plan

CPC 14-00025
 SHEET 2 OF 10
 PREPARED BY: [Logo]
 SCALE: 1" = 60'
 DATE: 4/11/14
 PROJECT: [Logo]
 TITLE: [Logo]
 SHEET NO.: 07-018



FIGURE 1

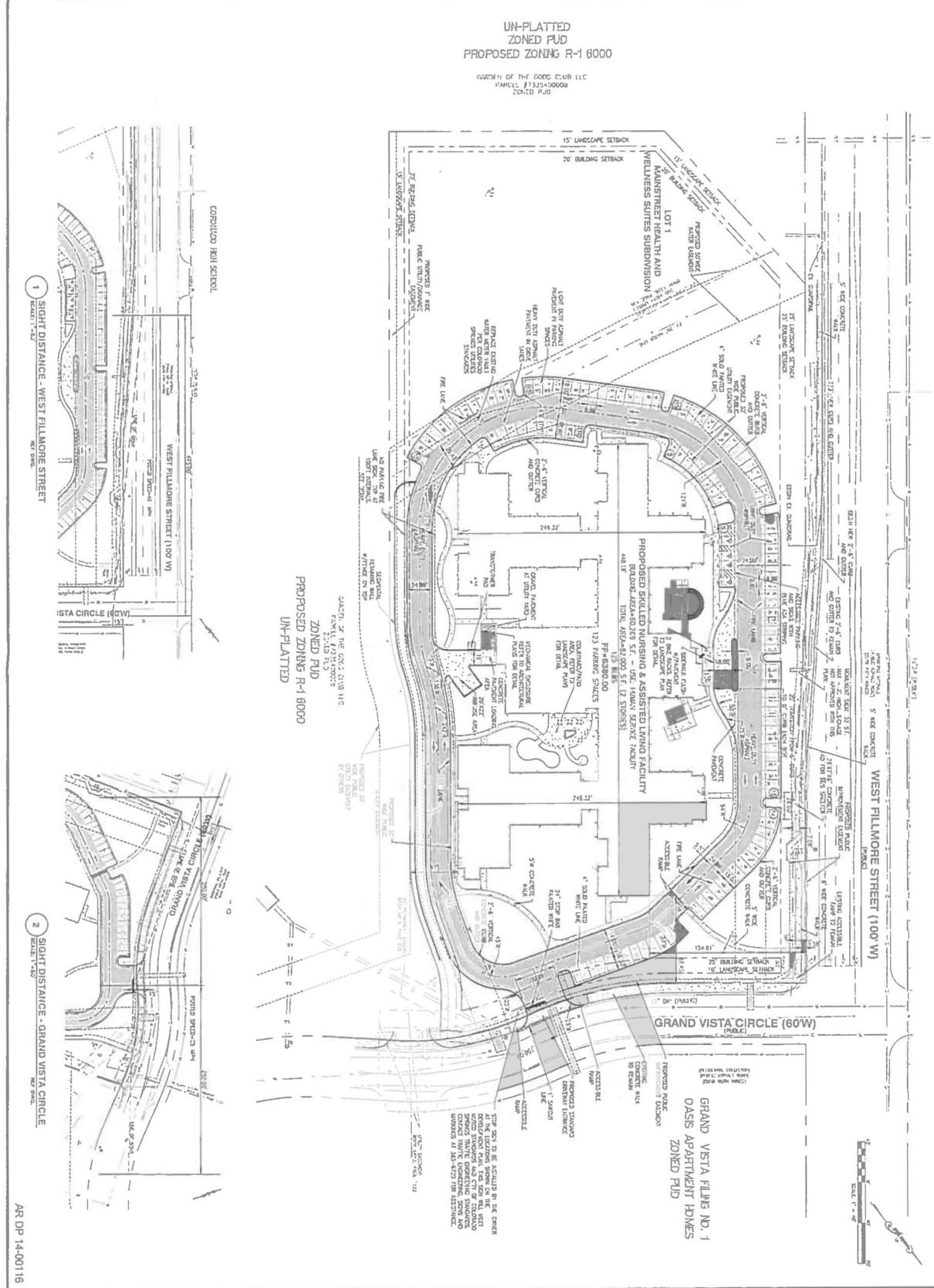
Concept Plan

CPC CP 14-00035 SHEET 3 OF 10
 THE ENGINEERS' OFFICE

ROCKWELL CONSULTING INC.
 10000 W. 16th Ave., Suite 100
 Denver, CO 80202
 TEL: 303.751.1000
 FAX: 303.751.1001
 WWW.ROCKWELLCONSULTING.COM

PROJECT NAME:
 SPRING ROCK AT GARDEN OF THE GODS CLUB-PHASE 1
 TITLE:
 CONCEPT PLAN
 SCALE:
 1" = 50'
 DATE:
 4/15/14
 DRAWN BY:
 JCS
 CHECKED BY:
 JCS
 07-018
 1/29/10

UN-PLATTED ZONED PUD
 PROPOSED ZONING R-1 8000



<p>AR DP 14-00116</p> <p>2 OF 11</p>	<p>cole CIVIL ENGINEERING / SURVEYING / PLANNING / LANDSCAPE ARCHITECTURE 491 S. 10th Street St. Louis, MO 63102 (314) 433-8800</p>	<p>MAINSTREET PROPERTY GROUP SKILLED NURSING & ASSISTED LIVING FACILITY WEST FILLMORE AND GRAND VISTA CIRCLE COLONIA SPRING, CO 80109</p>	<p>mainstreet INVESTING THROUGH CARE</p>
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FIGURE 1

Mainstreet - Development Plan

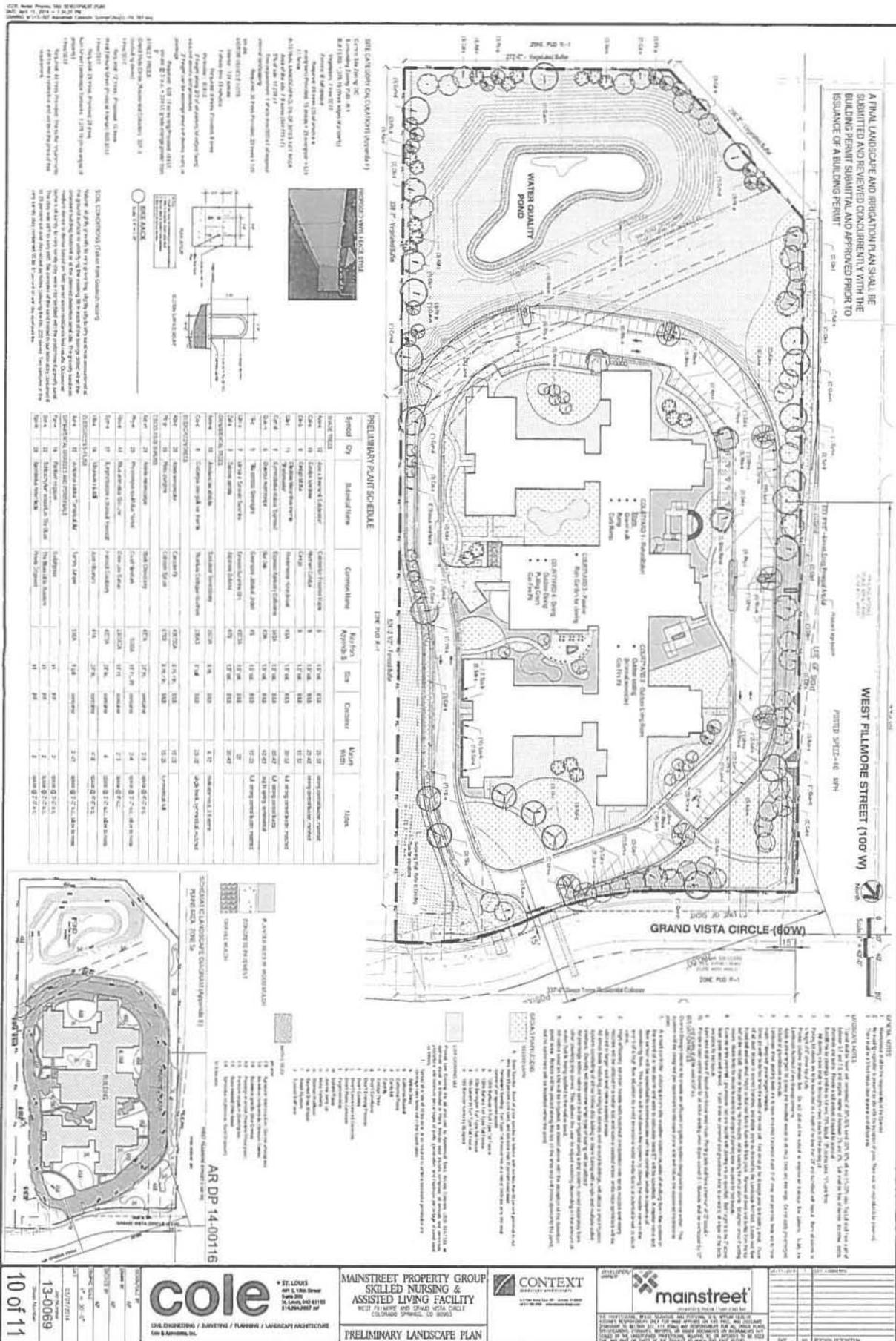


FIGURE 1

Mainstreet - Development Plan

10 of 11

13-0069

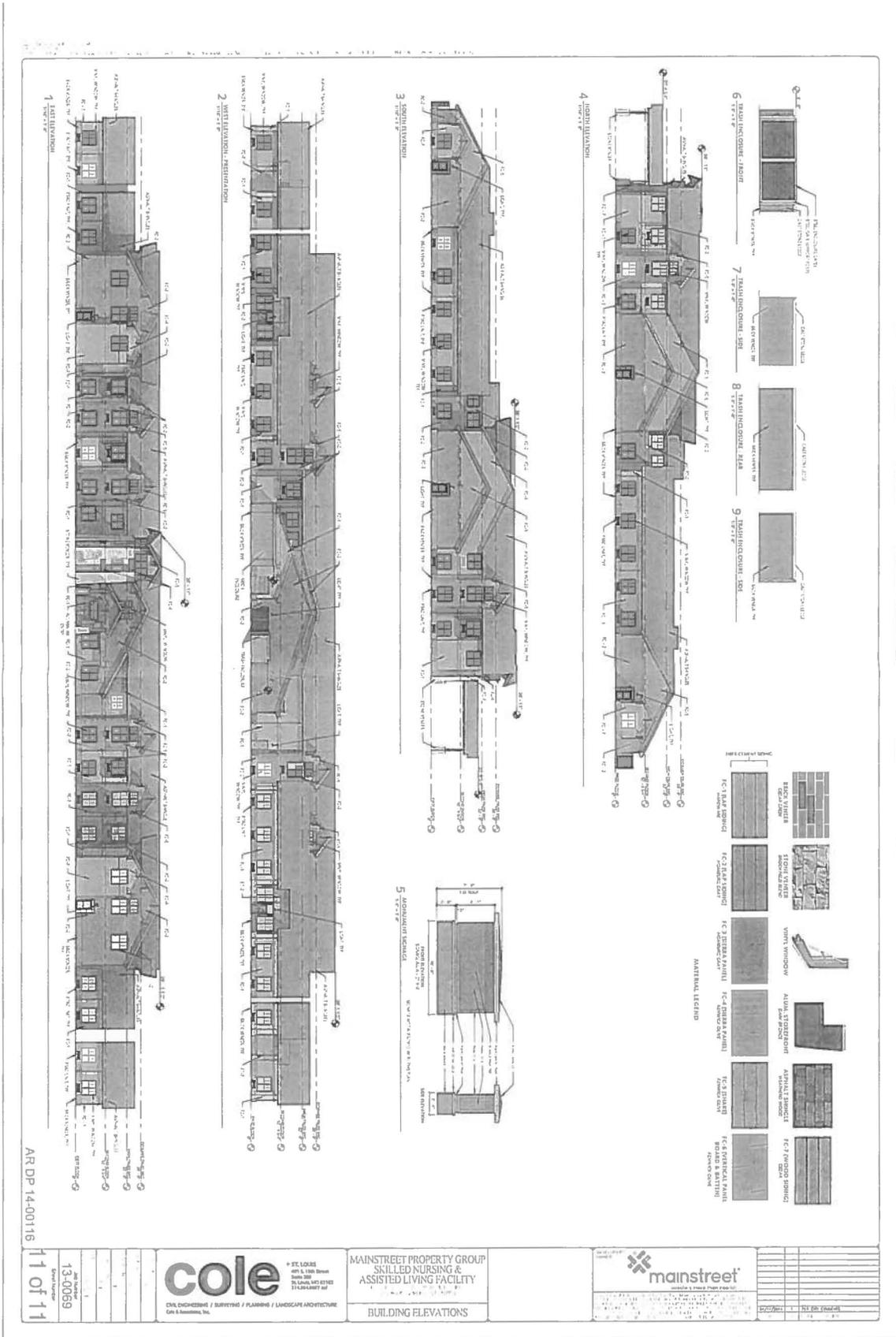
cole
 CIVIL ENGINEERING / SURVEYING / PLANNING / LANDSCAPE ARCHITECTURE
 400 S. 10th Street
 ST. LOUIS, MO 63102
 TEL: 314.241.1000
 FAX: 314.241.1001
 WWW.COLECONSULTANTS.COM

MAINSTREET PROPERTY GROUP
 SKILLED NURSING & ASSISTED LIVING FACILITY
 WEST FILLMORE STREET & GRAND VISTA CIRCLE
 ST. LOUIS, MO 63102

CONTEXT
 ARCHITECTS

mainstreet
 SKILLED NURSING & ASSISTED LIVING FACILITY
 WEST FILLMORE STREET & GRAND VISTA CIRCLE
 ST. LOUIS, MO 63102

AR DP 14-00116



AR DP 14-00116

11 of 11



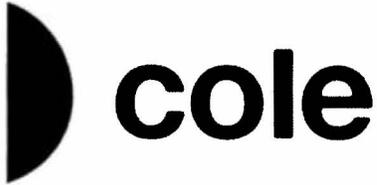
MAINSTREET PROPERTY GROUP
 SKILLED NURSING &
 ASSISTED LIVING FACILITY

BUILDING ELEVATIONS



mainstreet

Mainstreet - Development Plan
FIGURE 1



ST. LOUIS
Power House at Union Station
401 S. 18th Street, Suite 200
St. Louis, MO 63103
314.984.9887 tel

ST. CHARLES
1520 S. Fifth Street
Suite 307
St. Charles, MO 63303
636.978.7508 tel

DALLAS
6175 Main Street
Suite 367
Frisco, TX 75034
972.624.6000 tel

Mainstreet Health and Wellness Suites

Project Statement

Mainstreet Property Group, one of the country's largest and most innovative developers of seniors housing and care properties, proposes the construction of a new Health Care Resort™ skilled nursing / assisted living facility located at the southwest corner of West Fillmore Street and Grand Vista Circle. Mainstreet's exclusive Health Care Resorts™ offer high-end, hotel-like designs with amazing function. Combining input from the Baby Boomer generation, architects and engineers, interior designers, and other key industry professionals, they have identified the specific qualities that make these Healthcare Resort™ senior living facilities work their best. Their aesthetically-appealing Health Care Resorts™ create an approachability that is unmatched in the market place. The result is a hospitality-centered product incorporating concierge-based services to specifically cater to the evolving demands of the growing senior population.

The proposed facility is a two-story building with 81,636 square feet of interior area and includes a total of 125 beds (97 skilled nursing and 28 assisted living). In addition, the development will include 124 parking spaces, drive aisles and associated appurtenances.

The site poses several issues that have been addressed or mitigated through engineering design. The concept plan integrates a site layout coordinated with the adjacent property owner's future development plans. Furthermore, the plan has been designed to provide for connection to existing utility services based on review and input from the authorities having jurisdiction.

The subject property is to be subdivided from a larger existing parcel. The current land owner or the larger existing parcel has separately submitted for a Zone Change, Master Plan Amendment, and Concept Plan. A Drainage Report was prepared that specifically addresses this development, and it was included with the current land owner's submittal. In addition, a Wastewater Facilities Master Report which addresses this development was also included with the land owner's submittal.



SENTINEL WEST AT THE GARDEN OF THE GODS CLUB CONCEPT PLAN and MASTER PLAN AMENDMENT

PROJECT DESCRIPTION

Sentinel West at the Garden of the Gods Club – Phase 1 is a 45 acre parcel at the southeast corner of Mesa Road and Fillmore Street. The site is bound on the northwest by Fillmore Street and Grand Vista Circle, on the west by Mesa Road, on the southwest by Holmes Middle School and on the southeast by vacant land consisting of open space and future multi-family zoned parcels. The site slopes from north to south at grades ranging from 3% to 40%. Two existing drainage ways cross the site from north to south and from northeast to southwest intersecting at an existing detention pond along the southerly boundary line of the site.

The site was previously zoned PUD and was approved for 88 single family residential lots. Previous zoning and planning actions removed the streamside overlay zone along approximately 600 feet of the westerly drainage way from Fillmore Street south.

The proposed Concept Plan for the 45 acres includes approximately 16 acres of OC zone split into 2 parcels, approximately 10 acres of R1-6000 zone, approximately 12 acres of open space and approximately 8 acres of multi-family zoned property. The proposed zoning is to provide for the development of the parcels more consistent with the current economic market. The proposed zone changes are consistent with the surrounding areas and provide an opportunity for use of the land with natural features acting as buffers between the various parcels.

The proposed R1-6000 zone area and multi-family zone areas at this time are unplanned. The proposed multi-family zone along the easterly side of the 45 acre parcel is contiguous to the existing multi-family zone area currently approved on the Master Plan. In fact, this area was previously zoned multi-family prior to it be revised to its current PUD zone in 2007. The multi-family zone is just reverting back to its original zone.

The land use on the two OC zone parcels include human services (Mainstreet) at the southwest corner of Grand Vista Circle and Fillmore Street and a church at the southeast corner of Mesa Road and Fillmore Street. Access to the Mainstreet parcel will be off of Grand Vista Circle. Two access points will be constructed for the OC-West parcel. One access will be off of Mesa Road and the second access will be along Fillmore Street.

Planning of the Mainstreet parcel has progressed to a Development Plan stage which will be submitted shortly after the submittal of this Concept Plan. Mainstreet Property Group, one of the country's largest and most innovative developers of seniors housing and care properties, proposes the construction of a new Health Care Resort™ skilled nursing / assisted living facility located at the southwest corner of West Fillmore Street and Grand Vista Circle.

Mainstreet's exclusive Health Care Resorts™ offer high-end, hotel-like designs with amazing function. Combining input from the Baby Boomer generation, architects and engineers, interior designers, and other key industry professionals, they have identified the specific qualities that make these Healthcare Resort™ senior living facilities work their best. Their aesthetically-appealing Health Care Resorts™ create an approachability that is unmatched in the market place. The result is a hospitality-centered product incorporating concierge-based services to specifically cater to the evolving demands of the growing senior population.

The proposed facility is a two-story building with 81,636 square feet of interior area and includes a total of 125 beds (97 skilled nursing and 28 assisted living). In addition, the development will include 124 parking spaces, drive aisles and associated appurtenances.

The site poses several issues that have been addressed or mitigated through engineering design. The concept plan integrates a site layout coordinated with the adjacent property owner's future development plans. Furthermore, the plan has been designed to provide for connection to existing utility services based on review and input from the authorities having jurisdiction.

Plans for the OC-West parcel are not as formulated at this time, but the anticipated development of the site will consist of a church with a building footprint of approximately 50,000 square feet and a total building area of approximately 80,000 square feet. Parking will be provided in accordance with City of Colorado Springs parking requirements.

The proposed internal circulation and parking areas is generally depicted on the Concept Site Plan. Access from public roadways consists of a full movement entry from and onto W. Fillmore Street with a deceleration lane for the east bound traffic on Fillmore and a full movement entry from and onto Mesa Road

Approximately 10 acres of open space will be provided along the existing drainage ways and existing pond.

Issues

Utilities

Providing waste water and water lines to the OC-West parcel will be a challenge due to several existing larger diameter water mains within Mesa Road and the deep ditch east of the OC-West parcel. Water connections into Mesa Road will be investigated as will the possibility of crossing the ditch to connect to the Grand Vista Circle water main.

A waste water alignment along the southerly side of the OC-West and the Open Space has been discussed with Colorado Springs Utilities. This option will continue to be pursued as the solution to provide wastewater service to the OC-West parcel. This proposed line will connect to the existing outfall system extending southerly from the 45 acre parcels. Both the water and waste waster solutions have been discuss with CSU and discussions will continue with CSU.

Water Quality

Water quality ponds will be provided on each of the separate OC zone and the Multi-family zone. The existing detention pond will provide water quality measures for the R1-6000 area. Water quality measures for the proposed multi-family zone will be provided as part of the development of the 8 acre multi-family parcel.

George Sawaya
2330 Mesa RD
Colorado Springs CO 80904

Subject: Sentinel Ridge Meeting 31 March 2014

Ms Lonna Thelen
30 S Nevada AV
Colorado Springs CO 80901

Several items were discussed during the meeting last night, I would like to highlight some items of interest.

1. A general item, there must be a strong requirement that during any construction activity the company must contain all dust from blowing. We have terrible winds on the mesa and when the dirt is disturbed it blows excessively. Gold Hill was an example of a company that cared and did all possible to stop the dirt flying.
2. Referring to OC-West where the church may be built: (I understand these are conceptual plans but restrictions need to be written into the approval to ensure the reality is not as bad as many fear.)
 - a. There should be a light at Friendship lane shared with Holmes School and the church. The proposed location is unacceptable and dangerous. Having three opportunities for accidents is not necessary.
 - b. Restrictions should preclude office buildings, gas stations, convenience stores and the like.
 - c. The church should be encouraged to work with Holmes School to make available their parking lot for school pickup and drop off. Holmes previously agreed to give up some of their land for a joint exit. This would go a long way toward making the local residents more comfortable with this arrangement.
3. Please define "a private open space", it is either open or not. If the area shown on the maps is fenced off it will preclude access to the mesa from Holmes School. Is that the intent? I understand at some time the entire mesa will be developed but fencing this area before there is any really planning to develop seems to be unnecessary.

I much prefer this plan to the previous one. Maybe Sunrise can be coerced into helping to pay for the completion of Centennial...

Thank you,


George Sawaya
George@sawayas.com

CC: Rob Utter, Principal, Holmes Middle School

Thelen, Lonna

From: Bill Hochman (R) <BHochman@ColoradoCollege.edu>
Sent: Friday, April 04, 2014 8:42 AM
To: Thelen, Lonna
Subject: Mesa Proposal

Lonna Thelan, City Planner,
Dear Ms Thelan,

We are alarmed by the proposal to change the zoning designation for the property at the corner of Mesa Road and Fillmore Street. For many years we have successfully resisted commercial development on the Mesa. The Mesa has been maintained as a prime single – family residential area, not commercial and not multifamily. I have lived on the Mesa for 57 years. My wife and I have always been delighted with the Mesa’s unique beauty and residential nature. The residential, non-commercial status is not only desirable for the people who live along Mesa Road, but also for the thousands of tourists who use the road as a prime access route to the Garden of the Gods.

We are particularly concerned about the proposed commercial zoning for a church that is not to be built for some time. If the church should not be built, the commercial zoning would permit an actual commercial enterprise to be situated at that site. If you you approve the proposal for a church, please specify that a change in zone is for a church only, and the property is not to be used for some other purpose.

I certainly hope that you will not approve any new proposal that departs from the long-established residential nature of the Mesa.. The city has a kind of informal contract with people who have established homes and developed their properties in a neighborhood, expecting the nature of the area will be maintained. For more than fifty years, a number of proposals have been made for commercial and high density development on the Mesa. The Planning Commission and the City Council have always supported residents of the Mesa in their devotion to preserving the quality and nature of the neighborhood. As citizens of Colorado Springs, we have relied on our public officials for that kind of protection.

Public officials need to protect the interests of existing property owners. It would be a shame to reconfigure this beautiful area, and depart from the long-established understanding between Mesa homeowners and the City.

Bill Hochman, 1237 Terrace Rd. (Just off Mesa Road)

Thelen, Lonna

From: Marilyn Sconzo <marilyn-sconzo@prodigy.net>
Sent: Monday, April 07, 2014 3:45 PM
To: Thelen, Lonna
Subject: Fw: 28 acre rezoning request southeast of Fillmore St. and Mesa Rd.

corrected e-mail address...

----- Forwarded Message -----

From: Marilyn Sconzo <marilyn-sconzo@prodigy.net>
To: "lthelen@springsgov.com" <lthelen@springsgov.com>
Cc: "DKnight@springsgov.com" <DKnight@springsgov.com>; "Kcking@springsgov.com" <Kcking@springsgov.com>
Sent: Sunday, April 6, 2014 7:10 AM
Subject: 28 acre rezoning request southeast of Fillmore St. and Mesa Rd.

Dear Lonna:

Thank you for your attendance at the Public Meeting on March 31 at Coronado High School regarding the rezoning requests presented by the Rockwell Consulting Inc. on behalf of the Garden of the Gods LLC.

As a long term resident of the La Posada Community opposite the parcel in question, I have several concerns:

- 1) **TRAFFIC** on Fillmore Street - We currently don't know the impact of the traffic that will be generated by the VA hospital on the corner of Fillmore and Centennial to an already busy Fillmore corridor. The proposed assisted living/nursing facility opposite Coronado High School, as well as the increase in multi family units entering Fillmore from Grand Vista Circle will also add more congestion (and accidents) at the corner of Fillmore and Grand Vista Circle. Adding more traffic around a High School is a bad idea.
- 2) **TRAFFIC** on Mesa Rd. - Mesa Rd. is a residential street and should not be considered for widening to handle the increased traffic flow to reach this area. We have a lot of wildlife on the Mesa, as well as young school children attending Holmes Middle School. We have a nice walking path along Mesa, used by residents, that needs to be retained. Adding more traffic around a Middle School is unacceptable.
- 3) **WILDLIFE** - The area around the stream should be **PERMANENTLY** protected for the many wildlife that reside there. Having wildlife present is one of the things that makes the Mesa a nice place to live.
- 4) **REZONING** for the **CHURCH** on the corner of Mesa and Fillmore - I believe a church on the corner would make a good neighbor. Most of the traffic would be on Sundays, outside of school hours. However, if the church decides not to move forward with it's plans, the proposed zoning change will leave that corner open to the potential for a multitude of different businesses that would not necessarily fit into a residential neighborhood. I propose this corner automatically revert back to existing zoning if the church does not move forward.

In conclusion, please keep the current zoning and make sure that any access into the development of this area is from Grand Vista Circle and/or the extension of Centennial blvd. scheduled for 2016.

Please inform me of the next review.

Regards,
Marilyn Sconzo

Thelen, Lonna

From: Gary Bradley <garybradley@qwestoffice.net>
Sent: Monday, March 31, 2014 4:44 PM
To: Thelen, Lonna
Subject: File No CPC CP 14-00035...

Good Afternoon. I am writing in reference to the above File Number CPC CP 14-00035. I live at 3760 Camels View and travel West Fillmore Street and Mesa Road on a daily basis. I have reviewed the zone change requests and believe they are reasonable. I think the concept plan for a skilled nursing/assisted living is an excellent plan and recommend its approval. **Regarding the religious institution concept plan I have the following concerns:** 1. The church needs to have an abundance of on site parking (greater than typical zone requirements) and be prohibited from having any member park on the streets surrounding the subject property. 2. I am opposed to the full turning radius drive way on West Fillmore Street. This is an arterial thoroughfare and allowing left turns into west bound traffic would create a critical safety issue. I think a "right in right out" with a deceleration and acceleration lane must be considered for all drivers' safety if there is to be access onto Fillmore. Thank you for your consideration.

Gary L. Bradley
3760 Camels View
Colorado Springs, CO 80904
719 338 0170 CELL

April 6, 2014

Ms. Lonna Thelen
Planner II, Planning and Development
Land Use Review

Ms. Thelen,

Thank you for hosting the neighborhood meeting at Coronado High School on Monday, March 31, 2014. The church is presenting this letter to you as our formal response. Thank you for considering our perspective as you evaluate neighborhood input.

The developer of the parcel designated as OC-West in the re-zoning application, Sunrise GGC Management LLC, has submitted an application to re-zone the parcel as OC. Sunrise has also submitted a concept plan for the parcel consistent with the proposed use by the First Evangelical Free Church of Colorado Springs, which is currently under contract to purchase OC-West. It desires to develop the property as a church and to include recreational facilities and other church-related uses allowed under the OC designation. The OC zoning designation also allows other non-church uses that may be compatible with the existing surrounding uses. We observe that on 3 of the 4 sides of the property, current uses include a water treatment plant, a proposed health care facility, and a middle school.

In listening to the comments, we perceived that the neighborhood considers a church as a good use of the land. We whole-heartedly agree. But we believe concerns regarding adverse impact on traffic congestion at Holmes Middle School do not pertain to our proposed use, since our church's peak traffic patterns are largely counter-cyclical to those of the school.

By relocating our church approximately one mile east of our present location to Mesa and Fillmore, we will enhance our hundred-year record of benefitting the community by offering hope and help to those in need, both physically and spiritually. The Ethics and Religious Liberties Commission states "Churches provide valuable contributions to communities in the areas of direct economic contributions, social services and community volunteering, education and civic skills training, and reduced levels of deviance. These benefits positively improve communities in direct and indirect manners, and they enhance political stability and the long-term health of communities".

We look forward to the City's approval of the submitted zoning request and associated concept plan.

Sincerely,

Don Wilkin
Chairman, First Evangelical Free Church of Colorado Springs

Thelen, Lonna

From: Lee Edelmaier <lrecos@yahoo.com>
Sent: Sunday, April 06, 2014 7:09 PM
To: Thelen, Lonna
Subject: Sentinel West at the Garden of the Gods Club

Lonna,

Thanks so much for meeting with me last week to discuss open space trail link possibilities for the Sentinel West at Garden of the Gods Club Concept Plan.

As I mentioned, a few years ago a previous planner had mentioned to me that the developers had talked about allowing public trail access in some of the open space areas of this parcel. At a recent meeting I don't believe there was any mention of this possibility.

Presently, there is a trail running from Holmes middle school north-east corner down through the Mesa Springs Open Space (following the creek) eventually connecting to Sonderman Park. The Parks Department should investigate whether there are some beautiful loop possibilities with only a couple of trail links through the Sentinel West open spaces. These links could all be far removed from the developments being considered along Filmore.

Various means would be available to acquire these links, including donation, trail easements, sale to city, etc. All of these could involve tax incentives. The Palmer Foundation would probably be more than willing to provide information on ways of doing this.

There is also an example of doing this while the property remains in private hands. Just south of Homes School is the Mesa Pointe development. Mesa Crest Grove is a private street serving this development. But they allow trail access to the Mesa Springs Open Space. Where the trail crosses private property is a sign that states "Trail Crosses Private Property : Please stay on Trail". This was very generous of them, and seems to be working well.

It seems there is a tremendous opportunity to enhance the existing Mesa Springs Open Space with some loop opportunities through the Sentinel West open spaces that remain far from the proposed developments. I will try to pass this on to Connie Perry, the Park Representative for this parcel.

Thanks for your consideration and interest.

Lee Edelmaier
lrecos@yahoo.com
719-471-4735

Thelen, Lonna

From: Lee Edelmaier <lrecos@yahoo.com>
Sent: Tuesday, April 08, 2014 4:08 PM
To: Thelen, Lonna
Subject: Sentinel West letter

Lonna,
In the e-mail I sent you Sunday, I incorrectly called the Mesa Valley Open Space the Mesa Springs Open Space. Sorry I had the names mixed up.
Lee Edelmaier

April 6, 2014

Ms. Lonna Thelen
Planner II, Planning and Development
Land Use Review

Ms. Thelen,

Thank you for hosting the neighborhood meeting at Coronado High School on Monday, March 31, 2014. The church is presenting this letter to you as our formal response. Thank you for considering our perspective as you evaluate neighborhood input.

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In listening to the comments, we perceived that the neighborhood considers a church as a good use of the land. We whole-heartedly agree. But we believe concerns regarding adverse impact on traffic congestion at Holmes Middle School do not pertain to our proposed use, since our church's peak traffic patterns are largely counter-cyclical to those of the school.

By relocating our church approximately one mile east to Mesa and Fillmore, we will enhance our hundred-year record of benefitting the community by offering hope and help to those in need, both physically and spiritually. The Ethics and Religious Liberties Commission states "Churches provide valuable contributions to communities in the areas of direct economic contributions, social services and community volunteering, education and civic skills training, and reduced levels of deviance. These benefits positively improve communities in direct and indirect manners, and they enhance political stability and the long-term health of communities".

We look forward to the City's approval of the submitted zoning request and associated concept plan.

Sincerely,

Don Wilkin
Chairman, First Evangelical Free Church of Colorado Springs

Thelen, Lonna

From: Richard Karsh <docrbk@hotmail.com>
Sent: Wednesday, April 02, 2014 2:45 PM
To: Thelen, Lonna
Subject: Mesa/Filmore

Hi-I've been asked to reiterate my comment at the Monday evening discussion. Although the developer has a strong record, in my opinion, rezoning to OR or OC is not necessary for a church (precedent down the street for Unity church) and would serve primarily to afford the developer additional options (besides residential development) should the current church interest not pan out. I would expect the developer to be able to come to terms with the currently interested church with the caveat that the deal can be rescinded if the exception cannot be granted. The only onus upon the church would be relatively rapid promulgation of a building/site plan for approval for exemption. If the deal did not go through, the developer can still continue with additional residential development (rather than have the option for office/commercial development). Somewhat cynically, I might note that the city will forfeit a good \$25k/yr in property tax income from the site with a church rather than residential development on that part of the acreage. RB Karsh MD

Thelen, Lonna

From: George Maentz <mesaroad@comcast.net>
Sent: Wednesday, April 02, 2014 1:57 PM
To: Thelen, Lonna
Subject: CPC ZC 14-00031, CPC ZC 14-00032, CPC ZC 14-00033, CPC ZC 14-00034

Comments regarding:

- CPC ZC 14-00031 – a zone change from PUD/SS/HS to R1-6/HS/SS.
- CPC ZC 14-00032 – a zone change from PUD/SS/HS to OC/HS.
- CPC ZC 14-00033 – a zone change from PUD/SS/HS to OC/HS.
- CPC ZC 14-00034 – a zone change from PUD/SS/HS to R5/HS.

Many concerns were raised by neighbors at the March 31st public presentation of the zone change requests by Rockwell Consulting for the Garden of the Gods LLC's Sentinel Ridge West development. With few details offered about how three of the four new parcels would be developed, the neighborhood has been asked to evaluate and accept a change in the residential zoning that has defined our area for decades. Rockwell Consulting stated in their Project Description that "the current economic market" prompted the amendments. From a neighborhood perspective it feels like a cut and run exit strategy that throws at least three decades of public planning, including the 1982 Hill Master Plan, the 1986 Mesa Springs Community Plan, the existing City Land Use Plan, the 2020 City Land Use Plan, and until last night the Garden of the Gods Master Plan, in the trash bin. All of these plans affirmed the current and future desirability of residential use in this area. I think that people are willing to consider other visions and uses for this property, but those discussions need to be based on more details and assurances than were provided at this meeting.

Several issues need clarification before the city acts on these changes.

1. Regarding the "West OC" zone now proposed for use by a church: The approved Sentinel West Phase 1 PUD plan shows that unexpected outcomes may sabotage the most confident projections. Neighbors may accept the concept of a religious institution on this parcel, but the repeated concerns expressed last night focused on what happens in the OC zone if circumstances change for the currently interested party. I feel certain that the neighborhood would have very serious objections to the 34 other currently listed uses for an OC zone.

One solution could be the placement of conditional restrictions on the property's OC rezoning, limiting its use to religious institutions only. The Unity Church in the Rockies on Mesa Road provides another approach. The current owner could request a return to Residential zoning, R/HS/SS and condition its sale to the church on their joint successful application with neighborhood support for a Conditional Use permit. These approaches would protect and involve the neighborhood while shifting the responsibilities to the benefitting parties where they belong.

After all the hours of traffic meetings and discussions associated with the previously approved Sentinel Ridge PUD plan, it appears naive or disingenuous to simply draft an access road to a proposed commercial property on that section of Mesa Road and suggest that the details and implications will be addressed later. That is unacceptable.

2. Regarding the proposed 10-acre R1-6000 parcel: The approved PUD plan for 88 houses on 45 acres removed 600' of existing Streamside Overlay from protected status. The rationale provided at the time referenced the essential need for internal infrastructure connectivity of roads and utilities crossing that section of drainage within the site. The new plan describes four, distinct development parcels. At Monday's meeting we were told that the church "OC West" land would not have road access to the east. The Project Description states that the existing landscape features on the 48 acres would act as natural buffers between the new parcels. With this new context, to fill in the 600' of stream corridor would not only remove the natural buffer between three of the projects, it would also destroy a community asset that deserves the open space protection that it was originally

given in the City Streamside Ordinance. Protecting the native stream corridor all the way to Fillmore should be a requirement for rezoning this parcel.

3. Regarding the “OC North” Mainstreet Human Services Proposal: If this parcel becomes commercial, an “OR” rather than “OC” designation seems more appropriate to minimize the transitional tensions between commercial and adjacent residential uses and to insure its future compatibility. The project representative said at the meeting that the detention pond in their plan would not have permanent standing water. Nothing on the plan indicates a vegetative covering for the excavation, without which it will certainly become another contributor to our blowing dust and tumbleweed problems. Similar to my comments above, I think that giving up on the residential use of this property is short sighted. The Mainstreet project is more appropriately suited to the already commercially zoned Garden of the Gods Master Plan parcel on Fillmore northeast of the Grand Vista Apartments.

George Maentz
1815 Mesa Road
475-7624

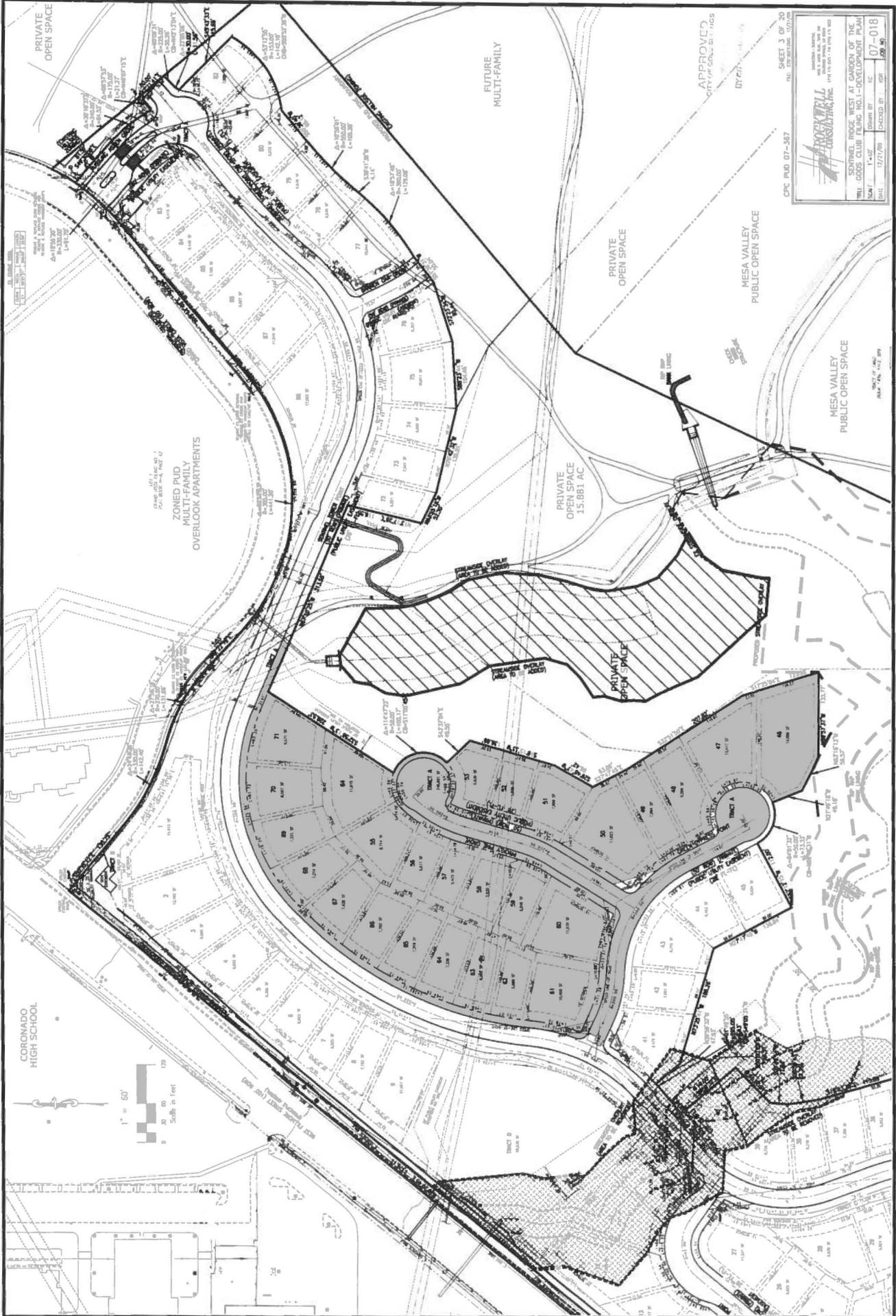
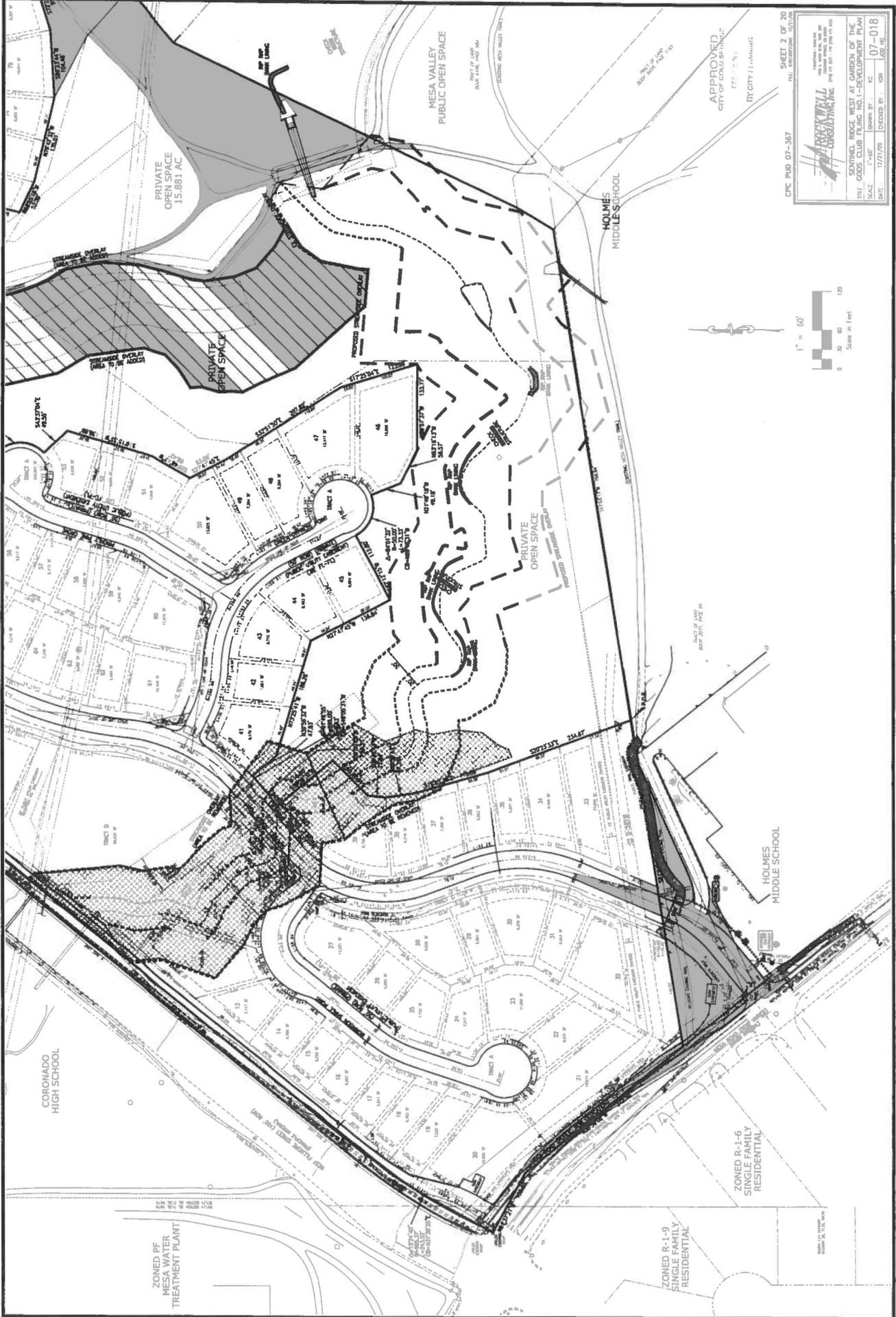


FIGURE 4



CPC PWD 07-367
SHEET 2 OF 20
DATE: 12/21/09
DESIGNED BY: JAC
CHECKED BY: JAC
DATE: 12/21/09

APPROVED
CITY OF COLORADO SPRINGS
TEVA 12-10
BY CITY 11-18-09

PROFESSIONAL SEAL
MESA VALLEY CONSULTING, INC.
1500 W. WYOMING ST., SUITE 100
COLORADO SPRINGS, CO 80904
PHONE: 719.575.1100
FAX: 719.575.1101
WWW.MESAVALLEYCONSULTING.COM

DESIGNED BY: JAC
CHECKED BY: JAC
DATE: 12/21/09

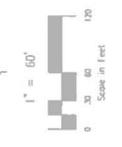


FIGURE 4

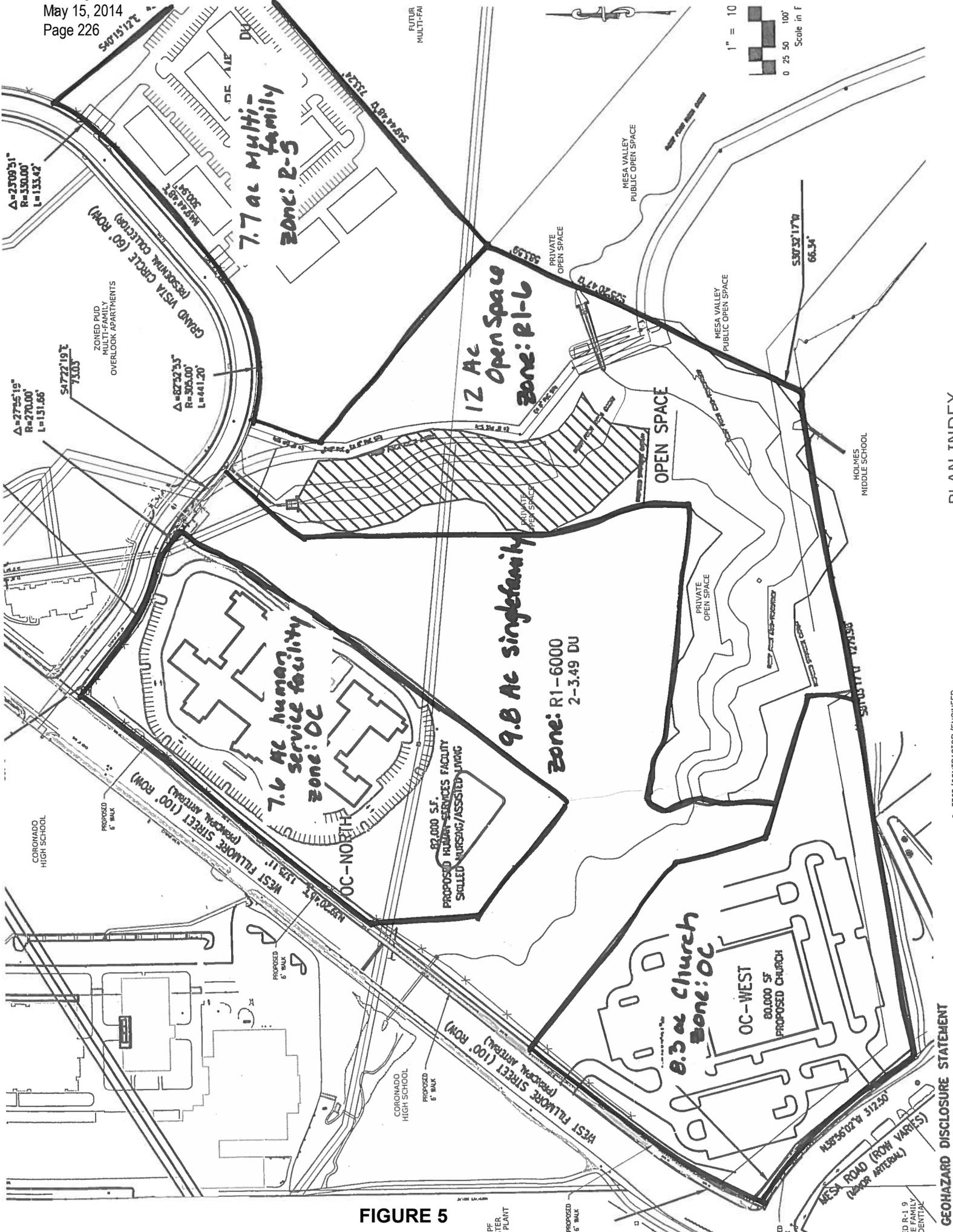


FIGURE 5

GEOHAZARD DISCLOSURE STATEMENT

VED R-1 9
 3LE FAMILY
 IDENTIFIC

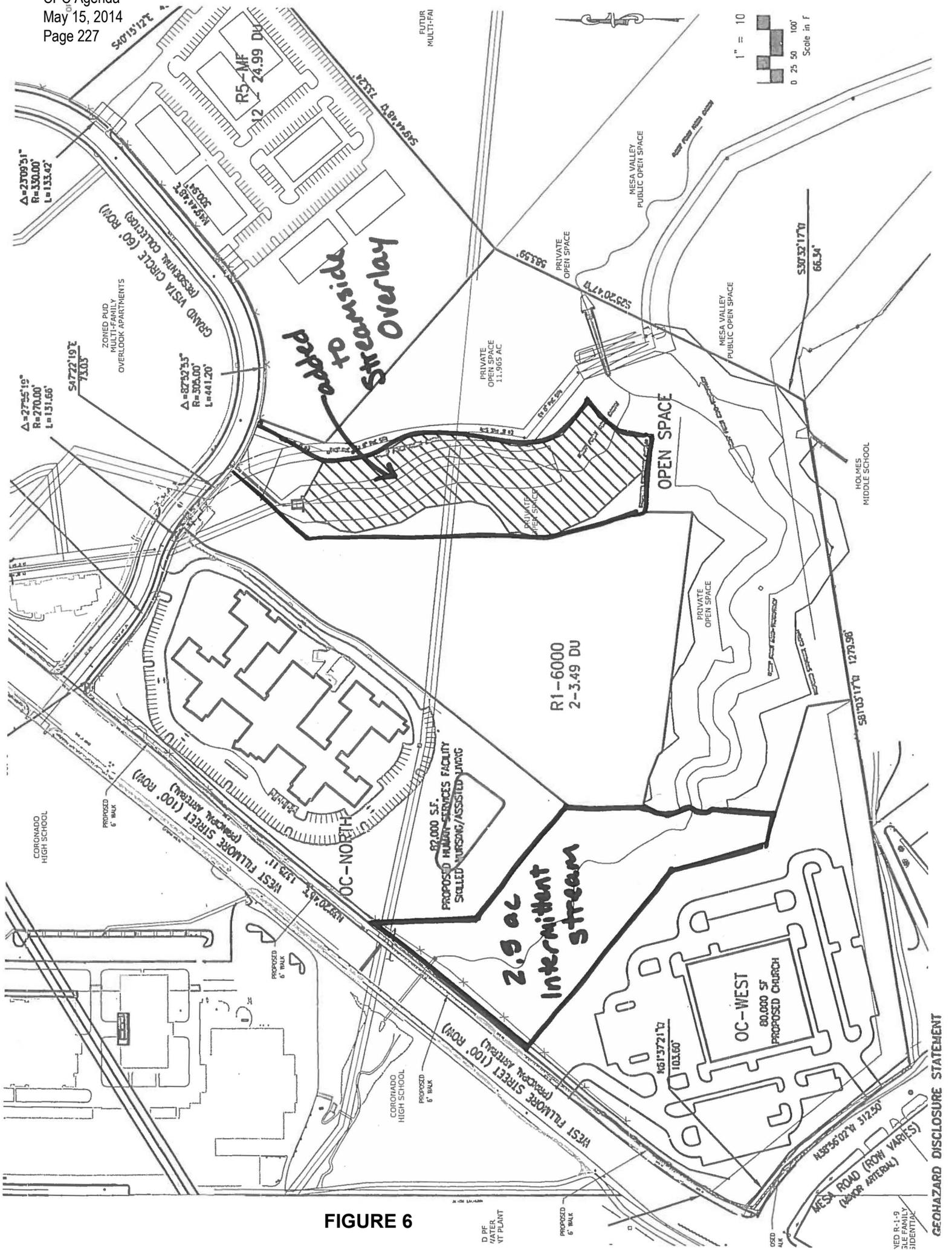


FIGURE 6

GEONAZARD DISCLOSURE STATEMENT

VED R-1-9
 3LE FAMILY
 SIDENTIAL

CITY PLANNING COMMISSION AGENDA

ITEM NOS: 9.A-9.D

STAFF: O'CONNOR

FILE NO(S):

A. - CPC MP 07-00061-A2MN13 – QUASI-JUDICIAL

B. - CPC CP 02-00245-A1MN13 -- QUASI-JUDICIAL

C. - CPC PUZ 13-00124 – QUASI-JUDICIAL

D. - CPC PUD 13-00125 – QUASI-JUDICIAL

PROJECT: BISON RIDGE AT KETTLE CREEK FILING NO. 4

APPLICANT: N.E.S. INC

OWNER: KETTLE CREEK, LLC AND JOHN VENEZA FAMILY TRUST



PROJECT SUMMARY:

1. Project Description: This project consists of four applications:
 - a. An amendment to the Briargate Master Plan which changes 12.7 acres of commercial to 12.7 acres of residential 3.5-7.99 dwelling units per acre (du/ac) **(FIGURE 1)**;
 - b. A concept plan showing the proposed change from commercial to residential as well as the adjoining commercial **(FIGURE 2)**;
 - c. A rezoning of 12.7 acres from PBC (Planned Business Center) to PUD (Planned Unit Development, single family detached, 35-foot max height, 4.4 du/ac) for a single family residential development; and
 - d. A development plan for a 50-lot single family development. **(FIGURE 3)**
2. Applicant's Project Statement: **(FIGURE 4)**
3. Planning and Development Team's Recommendation: Approval of the four applications

BACKGROUND:

1. Site Address: Not applicable
2. Existing Zoning/Land Use: PBC (Planned Business Center)/vacant-undeveloped
3. Surrounding Zoning/Land Use:
 - North: PUD (Planned Unit Development) and R5 (Multi-Family Residential)/single family and townhomes
 - South: PUD (Planned Unit Development)/single family
 - East: PBC (Planned Business Center)/vacant
 - West: PUD/detention pond
4. Comprehensive Plan/Designated 2020 Land Use: The land use map indicates Community Activity Center at the intersection of Old Ranch/Powers and General Residential to the west of the intersection.
5. Annexation: The property was annexed as part of the Briargate Addition No. 5 Annexation in 1982.
6. Master Plan/Designated Master Plan Land Use: A portion of the master plan is being amended as part of this request.
7. Subdivision: Final plat is pending for the first phase of the residential. The final plat is reviewed administratively.
8. Zoning Enforcement Action: None.
9. Physical Characteristics: The property has native grasses with minor overlot grading. There are no significant features on the site.

STAKEHOLDER PROCESS AND INVOLVEMENT: The public process involved the mailing of postcards to 154 properties within 500 feet of the property and the posting of the site during the internal review period. Prior to the Planning Commission meeting, the property will again be posted and a second mailing will be completed.

There are two HOA's located within this area; the Kettle Creek HOA (primarily to the north) and the Townes at Kettle Creek (townhome HOA to the northeast). Staff met twice with representatives of the two HOA's to discuss issues/concerns associated with the requests. The comments from the HOA's are included **(FIGURE 5)**. Issues indicated are drainage concerns, density, lack of adequate park area for the children of this development, and the need for this development to be a part of the existing HOA.

One letter was provided in favor of the request, one with a signal concern, and four comments were received in opposition to the request (**FIGURE 6**). Objections were as follows: Too dense; not compatible with the adjoining neighborhood; too small of lots; 35-foot maximum height is too high—views will be negatively impacted; drainage issues/concerns along Looking Glass.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

There are no issues with the master plan amendment or the concept plan for the remaining five (5) acres of commercial. However, School District 20 has indicated they do not support the change from commercial to residential (**FIGURE 7**).

Specific Project Overview/Summary

The development plan application includes the following:

- 50 single family detached homes;
- Lot sizes ranging from 6,202 square feet to 18,057 square feet; average lot size is 9,016 square feet.
- All streets are public;
- Three landscape tracts are being created along the perimeter that will be the responsibility of a HOA. The tract along Old Ranch includes a six foot high concrete noise wall; and
- Development is proposed to be constructed in two phases; a westerly phase I and an easterly phase II.

1. **Review Criteria / Design & Development Issues:**

The two HOA's have raised issues/concerns with this development.

Townes at Kettle Creek has raised concerns with the lack of parkland to support this development and drainage issues. The development does not contain any specific "play" areas for its residents. This development is not a small lot PUD; therefore, the individual lots are larger, and surpass many of the traditional R1-6 lots in actual size. Approximately 1,500 feet to the north is the proposed Larry Ochs Community Park which is identified within the Briargate Master Plan and is owned by the City. Once constructed, this park will satisfy local park needs for this area. Comments from the Parks Department indicate this development has satisfied its park obligations through land dedication.

Both HOA's have indicated drainage concerns/issues along Looking Glass, which is the north boundary of the project. City Engineering has reviewed the drainage report and found it acceptable without requiring additional improvements along Looking Glass. Some flows that currently drain to the north will be intercepted mid site and diverted in the new roadway toward the west to new inlets.

The number/density of units has been noted as a concern with the Kettle Creek HOA (KCHOA). They suggest that the lots be larger in size and have wider frontages, especially those that will front onto Looking Glass across from the existing development. They have provided information (**FIGURE 8**) which shows that the lots within the existing development are larger than those proposed as part of this request. The average lot size for the proposed project is 9,016 square feet and the frontage is generally at least 60'

wide (except on cul-de-sacs); the lots within the existing development have an average lot size of 11,843 square feet.

Height concerns have been raised. The proposed maximum height is 35 feet. The maximum height for the existing single family is 30 feet whereas the height of the townhomes approaches 42 feet based on the approved elevations (actual height). The commercial (as currently zoned) has a height maximum of 45 feet. Grading on the site will lower the existing grade adjacent to Looking Glass but the grade will be raised along the west half of the site. The grade will increase up to 14 feet in some places; most of the grade differential is made where the rear yards join each other and in the middle of the lot to allow for a walkout on the rear of the dwelling.

The Existing Kettle Creek HOA board would like for this development to be a part of their existing HOA and be subject to the same covenants, controls and restrictions. The developer is not opposed to that concept. However, since this property was zoned commercial and was not envisioned as residential at the time the initial covenants were established, it is not subject to the automatic inclusion provision that is typical in adding in future phases of development. It appears that it may take an election of all members of the existing HOA which is a daunting task. This developer has indicated that while they would like to join, at this time it is their intension to form their own HOA.

Revisions have been made to the drawings to address all previous technical changes.

2. Conformance with the City Comprehensive Plan:

Policy LU 601: Assure Provision of Housing Choices

Distribute housing throughout the City so as to provide households with a choice of densities, types, styles and costs within a neighborhood or residential area

Strategy LU 501a: Link Neighborhood Layout and Design to a Larger Residential Area

In master plans and in community planning areas, layout and design individual neighborhoods to form a coherent residential area.

Strategy NE 404b: Use Noise Mitigation Techniques

Utilize, develop and implement noise mitigation strategies including quiet paving materials, landscaping and other means to ensure all city communities, neighborhoods, and parks are desirable places to live, work and play.

3. Conformance with the Area's Master Plan: The applicable area master plan is the Briargate Master Plan which is undergoing an amendment; if the amendment is approved, the residential component will be consistent with the plan.

STAFF RECOMMENDATION:

Item No: 9.A CPC MP 07-00061-A2MN13 - Master Plan Amendment

Approve the amendment to the Briargate Master Plan, based upon the finding that the master plan complies with the master plan review criteria in City Code Section 7.5.408.

Item No: 9.B CPC CP 02-00245-A1MN13 – Concept Plan

Approve the Bison Ridge at Kettle Creek Filing No. 4 Concept Plan, based upon the finding that the plan complies with the concept plan review criteria in City Code Section 7.5.501 E.

Item No: 9.C CPC PUZ 13-00124-Rezoning to PUD

Approve the Bison Ridge at Kettle Creek Filing No. 4 PUD rezoning (single family residential detached, 35-foot maximum height, 4.4 dwelling units per acre), based upon the finding that the rezoning complies with the three review criteria in City Code Section 7.5.603.E.

Item No: 9.D CPC PUD 13-00125-Development Plan

Approve the Bison Ridge at Kettle Creek Filing No. 4, based upon the finding that the development plan complies with the development plan review criteria in City Code Section 7.5.502.E. and with the PUD development plan review criteria in City Code Section 7.3.606.

BISON RIDGE AT KETTLE CREEK CONCEPT PLAN

CITY OF COLORADO SPRINGS
 DATE: OCTOBER 17, 2002
 REV. JUNE 27, 2003
 REV. NOVEMBER 14, 2003
 REV. DECEMBER 4, 2003

A. DEVELOPMENT BY:
 VINTAGE COMMUNITIES
 COLORADO SPRINGS, COLORADO 80903
 719-538-5000

LAND PLANNING BY:
 DMH DESIGN CORPORATION
 10000 W. WOODS DRIVE, SUITE 100
 COLORADO SPRINGS, COLORADO 80924
 (303) 862-8666

ENGINEERING BY:
 JR. ENGINEERING
 1000 W. WOODS DRIVE, SUITE 100
 COLORADO SPRINGS, COLORADO 80907
 (719) 593-2583

SYMBOL LEGEND
 --- MIN. BUILDING SETBACK
 - - - - - SITE BOUNDARY
 - - - - - RIGHT-OF-WAY

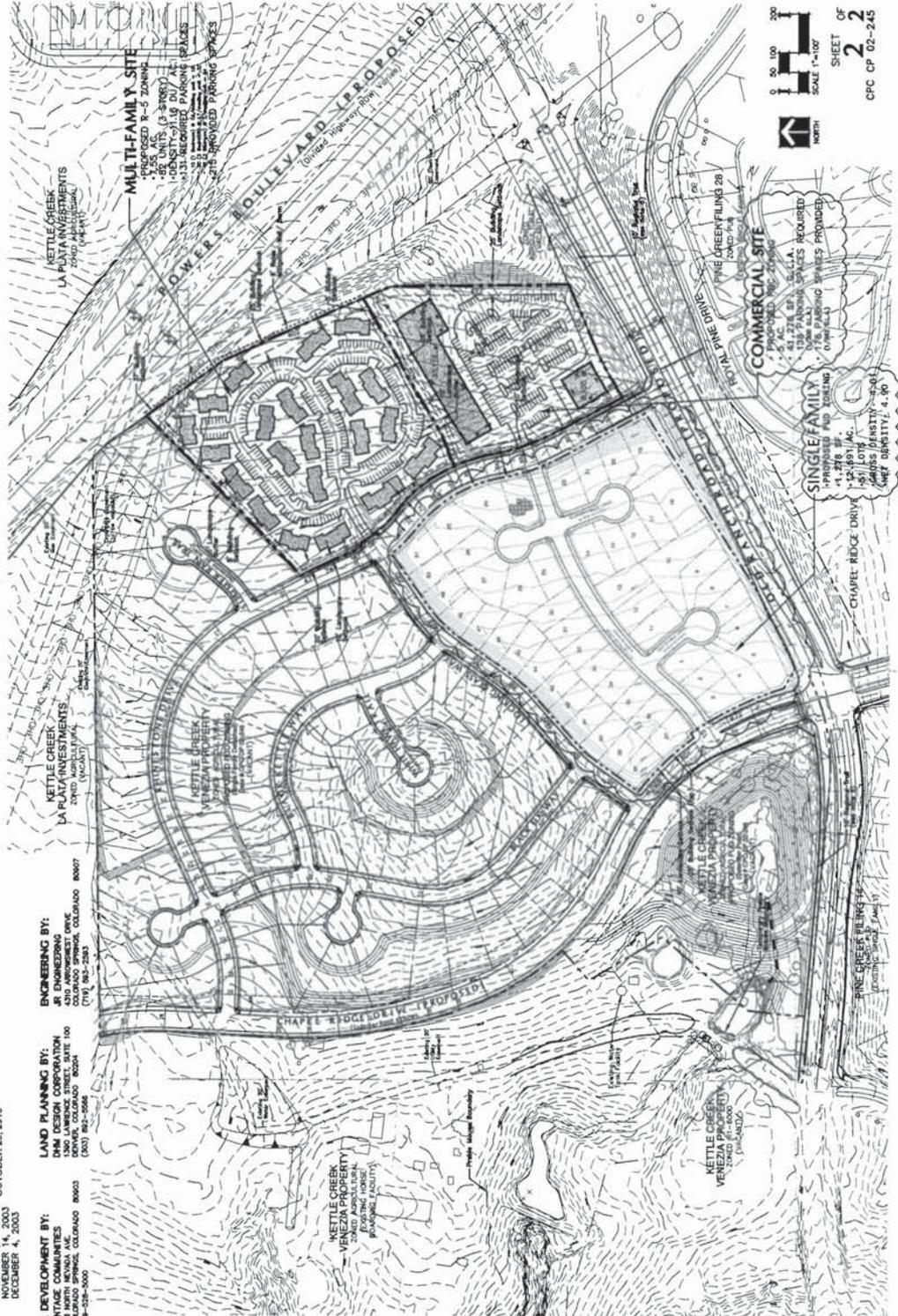


FIGURE 2



N.E.S., Inc.
 506 South Tejon Street
 Colorado Springs, CO 80903
 TEL: 719.421.0073
 FAX: 719.421.0077
 www.neslandscape.com
 © 2013, all rights reserved.

**Bison Ridge at
 Kettle Creek No. 4
 Development Plan**

DATE: 05/01/13
 PROJECT: PRELIMINARY
 DRAWN BY: [blank]
 CHECKED BY: [blank]
 APPROVED BY: [blank]

Preliminary Landscape Plan

2
 2 of 5
 CPC-PUD 13-00126

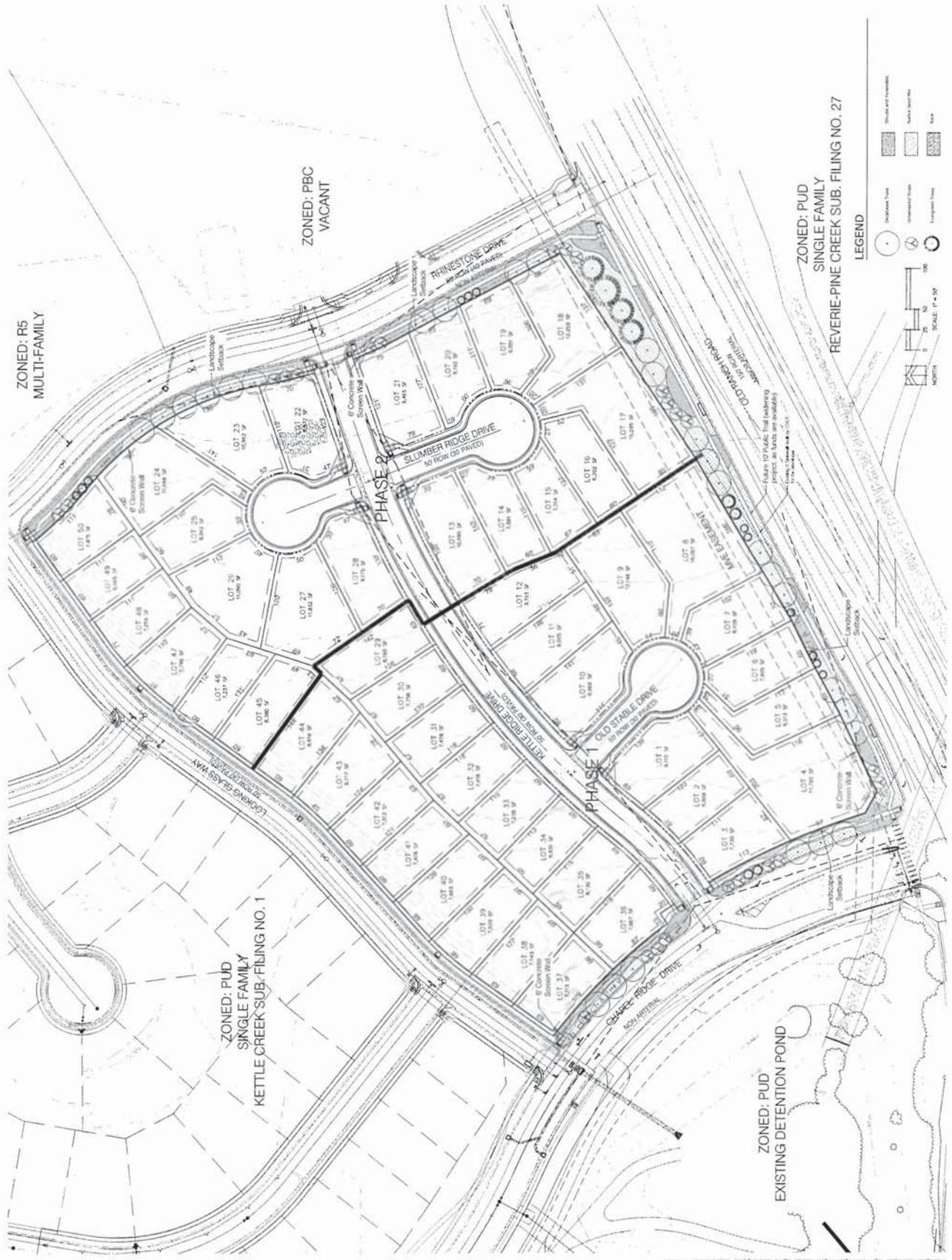


FIGURE 3

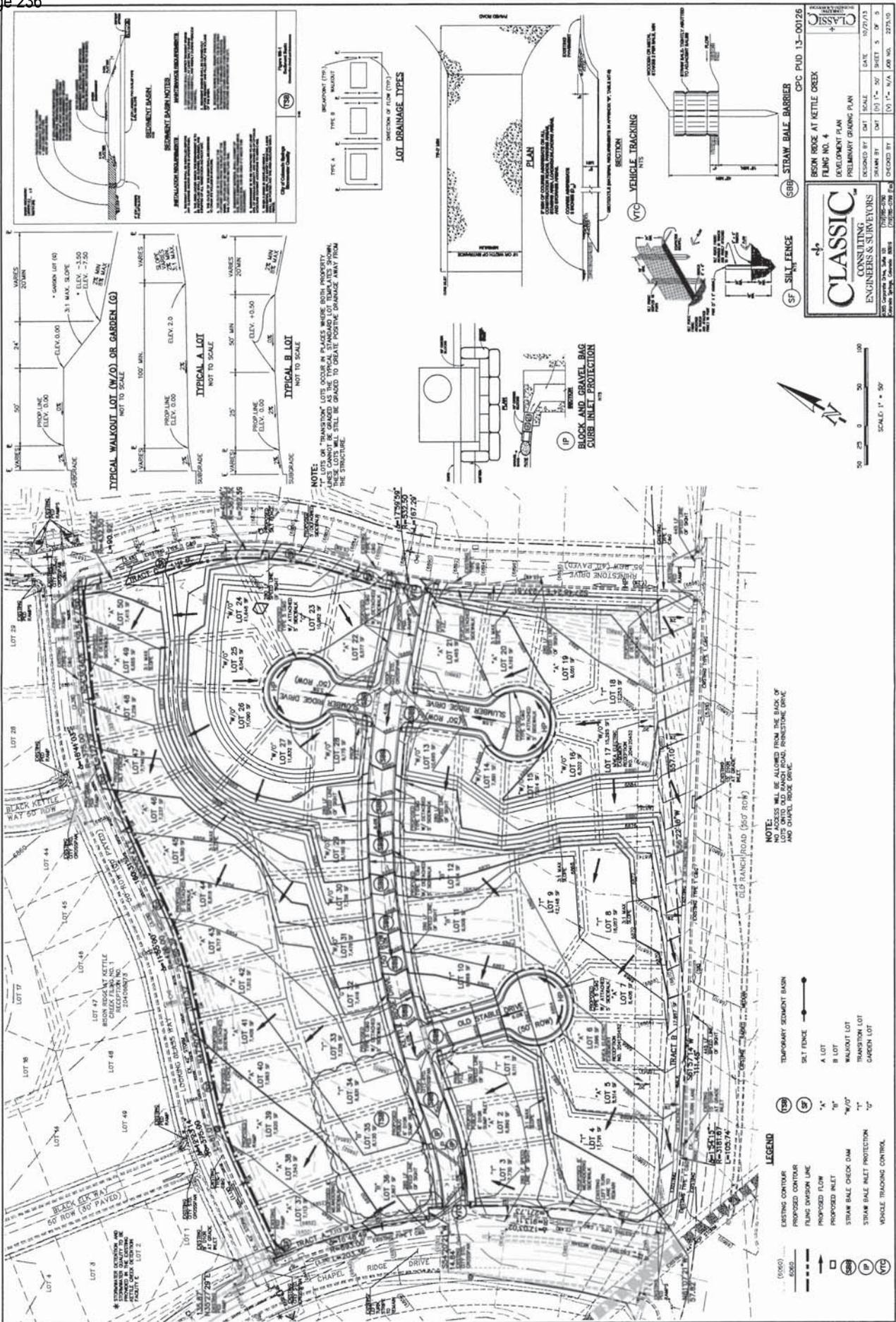


FIGURE 3

**Project Statement
Bison Ridge Filing No. 4
October 2013**

Bison Ridge Filing #4 is a portion of the Bison Ridge at Kettle Creek Concept Plan located west of Powers Boulevard and north of Old Ranch Road within the Briargate Master Plan. The portion of Bison Ridge that is the subject of these applications is located between Chapel Ridge Drive and Rhinestone Drive. The parcel is bounded on the north by Looking Glass Way. Vacant land and multi-family housing are across Rhinestone drive to the east. Single-family homes are to the north across Looking Glass Way. A detention pond on otherwise vacant land is across Chapel Ridge Drive to the west. Single-family homes are across Old Ranch road to the south.

These applications propose to change this commercially designated and zoned parcel to a single family subdivision. There are four applications in this package: a minor amendment to the Briargate Master Plan; an amendment to the Bison Ridge Concept Plan; a zone change to PUD; and a subdivision plat for the single-family subdivision. 51 single family lots are proposed with a design width of 60 feet. Lots will front Looking Glass Way where homes to the north also front this local street. The remainder of the lots will be served by a new local road, Kettle Ridge Drive, which will traverse the site from Chapel Ridge Drive to Rhinestone Drive. An internal cul-de-sac is also shown on the plans.

The change in land use and zoning are supported by changes to the Kettle Creek area primarily dictated by the designation of the Preble's Meadow Jumping Mouse as an endangered species. The proposed land use and density of Kettle Creek has been reduced because a significant amount of land proposed for development has been impacted. In addition, a land use change to create Larry Ochs Park has further reduced density. These changes have caused the service area of the commercial land use originally proposed for this site to diminish. The proposed use of single-family residential is now the most appropriate use of the land, and is compatible with existing uses.

Zone Change Review Criteria

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare. ***The proposed land use is compatible with adjacent residential uses and, therefore, will not be detrimental to the public interest, health, safety and welfare.***
2. The proposal is consistent with the goals and policies of the Comprehensive Plan. ***The amendment to the Briargate Master Plan that accompanies this application addresses this criterion.***
3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended to be considered consistent with a zone change request. ***The proposed use will be consistent with the Briargate Master Plan as proposed to be amended.***

Development Plan Review Criteria

1. Will the project design be harmonious with the surrounding land uses and neighborhood? **Yes. The subdivision design is similar to the single-family subdivision design to the north. Lots in both subdivisions front Looking Glass Way, making a good neighborhood street presence.**
2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities? **Single-family is compatible with the residential land use that borders this subdivision.**
3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties? **Yes.**
4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development? **The landscape treatment of this subdivision is consistent with the existing subdivision to the north. Lots back to the other three boundaries where buffering is provided due to adjacent existing and proposed uses.**
5. Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption? **Access points to this subdivision are consistent with the currently approved Concept Plan.**
6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project? **Yes.**
7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic? **Internal access connects two approved (via the Concept Plan) access points to adjacent streets.**
8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities? **This review criterion does not apply to this subdivision.**
9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design? **Single-family builders will build appropriate handicap facilities to suit handicap clients.**
10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt? **Yes.**
11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles? **Sidewalks will be provided on all streets per City Code.**
12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design? **There are no significant natural features on this site.**

VETTLER CREEK HOA

O'Connor, Rick

From: Mike Cather <mikecather@mac.com>
Sent: Friday, April 25, 2014 12:11 PM
To: O'Connor, Rick
Cc: Barry & Michele McCann; Ken & Brenda Anderson; David & Donna Joyal; Ronnie Ford
Monica Lohf; April Smith
Subject: Re: Bison Ridge

Rick, hello. Here is the latest on our efforts regarding an HOA for Bison Ridge Filing 4 and Mr. Venezia.

In regards to the KCHOA annexing the 50 new homes in the Venezia filing, we now have a legal opinion that the property to be rezoned was not part of the original set of KCHOA covenants thus an annexation process is required to include a favorable vote of 67% of our current 94 homeowners.

Towards that end, our legal counsel will contact Mr. Dean Venezia to set up a discussion on how to pursue this course of action as both Venezia and the KCHOA are desirous of annexation.

At this time it is not possible to state with certainty that an annexation will or will not be pursued. As soon as we know more we will advise you.

Will this matter go before the Planning Commission in the near future?

Thank you.

s/Mike Cather
Secretary
KCHOA

O'Connor, Rick

From: Mike Cather <mikecather@mac.com>
Sent: Tuesday, December 17, 2013 9:19 PM
To: O'Connor, Rick
Cc: Barry & Michele McCann; David & Donna Joyal; Ken & Brenda Anderson; Ronnie Ford
Monica Lohf; April Smith; Darren Burns
Subject: Submitting Proposed Comments on Zoning Change
Attachments: Lot Sizes.pdf

Mr. O'Connor: Good evening.
Here are our comments in the matter referenced below.
Thank you for hosting us and the Townes HOA earlier this month, we look forward to meeting again with yourself, Mr. Venezia, et al.

s/Mike Cather
Secretary
Kettle Creek HOA

Kettle Creek Home Owners Association (KCHOA)

December 17, 2013

City of Colorado Springs
Planning and Development
Land Use Review
Attn: Mr. Rick O'Connor
30 S. Nevada, Suite 105
Colorado Springs, CO 80903

References:

File No.: CPC MP 07-00061-A2MN13 - Amendment to Briargate Master Plan changing the approved land use from commercial to residential low-medium (3.5-7.99 du/ac);

File No.: CPC CP 02-00245 - Amendment to Bison Ridge at Kettle Creek Concept Plan changing the use from commercial to residential;

File No.: CPC PUZ 13-124 - Rezoning from PBC (Planned Business Center) to PUD (single family detached residential, 35' maximum height, 4.4 du/ac);

File No.: CPC PUD 13-00125 - Development plan to create 51 single family lots;

File No.: CPC FP 13-00126 - Final plat entitled Bison Ridge at Kettle Creek Filing No. 4 to create a 51 lot subdivision.

Dear Mr. O'Connor

1. In response to your call for comments in the above referenced matters, this is the input of the Kettle Ridge HOA consisting of 94 single family homeowners in Bison Ridge Filings 1 and 2 which are located adjacent to the lot where rezoning is being sought.
2. It is our desire to partner with the city and the developer to achieve an outcome that is beneficial to the interests of all parties. We appreciate the opportunity to meet with you and submit our concerns and suggested improvements. We view additional homes more favorably than commercial development and are hopeful we can secure a win-win outcome.

3. We have public safety concerns resultant of existing storm water runoff on Looking Glass Way with water and debris flows at street level. By regrading this land it appears even more storm runoff from roofs, driveways and roads will add to flows on Looking Glass. We believe two new additional storm drains are needed, one at SW corner of Rhinestone and Looking Glass, and another midway on Looking Glass, both with underground drainage to the detention pond on the west side of Chapel Ridge Drive. Two storm drains are in the proposal for Kettle Ridge Drive, and given the overall slope of this and another adjacent lot further upslope on Rhinestone Drive, we feel it is imperative for two new storm drains on Looking Glass Way to safely remove storm runoff. A photo is attached of current runoff problems that are a common occurrence.
4. Housing Density of the zoning change is a key concern of our residents who feel the proposed smaller lots are not compatible with larger lots in Bison Ridge (BR) Filings 1&2 and that smaller homes negatively influence property values of existing home owners. Special concern is felt over placing 14 homes on the south side of Looking Glass Way whereas the north side of this street contains just 9 homes. Fewer homes on Looking Glass would maintain compatibility with lot sizes in the existing BR neighborhood. Average lot size for the 94 homes in BR 1&2 is 11,843 sq ft (data from the El Paso County Assessor's website, spreadsheet attached). To be fair about it, we removed the data for 5 oversized lots in our HOA and for the remaining 89 homes the average lot size is 10,984 sq ft. Average lot size for the 51 homes in the BR-4 filing is 8,717 sq feet or a 30% reduction in lot size which is a markedly greater density that will contrast negatively on the existing BR 1&2 development.
5. To maintain compatibility with the existing Bison Ridge, our expectation is for new homes to comply with the already established Kettle Creek HOA covenants for Bison Ridge to cover design, finishes, colors, size, placement, etc. Further expect that the new homes will be a part of the extant KCHOA at the current rate of annual dues.
6. Developer installs common area landscape at their cost, including comparable fencing and signage that closely complements existing common area landscaping and signage. Plans should be reviewed/approved by Kettle Creek HOA Architectural Review Committee (the Board).
7. Home buyers must pay into capital reserves (50% of current HOA dues) plus prorated first year HOA dues to Kettle Creek HOA upon closing their purchase.
8. Developer pays water and landscape maintenance costs (including insurance) for new common areas until 50% of lots are built/closed. If common areas are finished in phased approach, then the developers are responsible for upkeep until 50% of each phase is built/closed. Kettle Creek HOA would prefer to manage all maintenance and invoice developers for its direct costs related to new common areas.
9. Request KCHOA landscape maintenance contractor(s) be consulted during installation of landscape and irrigation systems in order to plan for a water-efficient and maintainable landscape. Extensive use of rock mulch is highly desirable.
10. Safety at the intersection of Rhinestone Drive and Looking Glass Way is a concern of both HOAs. There is a limited sight distance here and will be made worse with added homes and concrete screen walls. Added visibility would improve safety if no-parking zones could be created for 125 feet in all directions from this corner. Also at this intersection is a junction with Gladstone Creek Point for the Townes at Kettle Creek. This road slopes down to Rhinestone Drive and when icy in the winter cars will slide through the stop sign and out into Rhinestone; better visibility here will improve winter driving safety at the corner.

Respectfully submitted.

Kettle Creek Home Owners Association (KCHOA)

Barry McCann, President
Brenda Anderson, Vice President
David Joyal, Treasurer
Mike Cather, Secretary
Ronnie Ford, Director-at-Large

2 encl (Spreadsheet, Photo)

Photo of storm water runoff and debris at the northeast corner of Chapel Ridge Drive and Looking Glass Way, looking northeast.

O'Connor, Rick

TOWNS @ KETTLE CREEK HOA

From: Debra J. Oppenheimer <DOppenheimer@hindmansanchez.com>
Sent: Monday, March 17, 2014 2:03 PM
To: O'Connor, Rick
Cc: Dolan, Kathy; arlenechumley@gmail.com; konradkahle@hotmail.com; Derek Patterson (Derek@zandrmgmt.com)
Subject: Revised Application for zoning change / CPC PUD 13-00125

Rick

I have received the revisions sent over, Thanks.

After review and discussion with the Board of Directors it appears that none of the concerns we listed below have been addressed. The Developer has not changed anything from their original plans in regards to the Association's requests. At the meeting they simply advised us they do not believe drainage is an issue and they don't have to consider any area for a green space or park.

In addition, the plans submitted have changed the numbering of the lots on some of the new plans but not others so there is not a consistent numbering of the lots.

Also the Developer has asserted that landscape maintenance will be taken on by the Bison Ridge (which is Towns Master Association) even though legally Bison cannot take this on without amending their plat map and their Declaration. I am unaware of any work to accomplish this at this time but Towns would only be privy to that if Bison sends out notice to owners. However it is certainly not a given that the master association will agree and obtain the needed consent of the homeowners to amend their governing documents.

Debra

O'Connor, Rick

Townes @ KETTLE CREEK HOA

From: Debra J. Oppenheimer <DOppenheimer@hindmansanchez.com>
Sent: Friday, December 06, 2013 2:27 PM
To: O'Connor, Rick
Cc: Dolan, Kathy; arlenechumley@gmail.com; konradkahle@hotmail.com; Darren Burns (Darren@zandrmgmt.com)
Subject: RE: Application for zoning change / CPC PUD 13-00125

Rick

Thank you so much for taking the time to meet with us yesterday. We greatly appreciated your time and explanations. As we discussed with you, the Townes at Kettle Creek have two main concerns about the change from commercial to residential. The one concern is the grading of the new development and the drainage and the other is the addition of more children with no place to play.

1. First the drainage concerns. As we explained to you the water flows quite heavily to the north down Rhinestone Drive and pools at the corner of Looking Glass Way and Rhinestone Drive. We are aware that a large amount of water comes from the vacant land just to the north of Old Ranch, South of the Townes community and East of Rhinestone. We see that there are proposed changes to the grading of the land within the zoning change but given the slight cost to add a storm drain (that you explained) we believe it would be the safest and cheapest in the long run for a storm drain to be added at the corner of Rhinestone and Looking Glass. The same owner owns the vacant land and the land with the proposed change and it is in the interest of all to stop the pooling of water and thus stop ice dams in the winter and other issue which create a safety issue for all the residents in that area.
2. Right now there is no park in the area of the Townes at Kettle Creek nor Bison Ridge. You advised that long term there is a park planned North of the two developments but there is no way to determine when that park will be built. The Townes was not built as originally designed as the City required that one building be removed to provide a common area within the community. That small area of land is being utilized by all the children in the Bison Ridge and the Townes. If the City does not require the new development to do the same thing, remove one building to create some great space, all the children from this new development will then try to utilize the small area of grass at the Townes as a play area. That is a grave safety issue. You will be having children cross a street next to a commercial area to go play in an area not designed for nor meant as a park. It is also overcrowding the area. The Association believes it is only fair that the new development be treated the same as the Townes was treated by the City and be required to remove one building and create a green space within their own community. It will be safer for the children and in the interest of all owners of both communities.

We really look forward to your proposed sit down with the developer as we believe that they will not want to overload the townhome community that they developed with this new area.

Thanks for the time and we look forward to working with the City and the developer to create workable solutions to these concerns.

Debra

Debra J. Oppenheimer ::

Partner

Arvada Office:

5610 Ward Road, Suite 300, Arvada,
CO 80002

303.991.2020 Direct :: 303.432.9999

Main :: 303.432.0999 Fax

Colorado Springs Office:

7660 Goddard Street, Suite 226,
Colorado Springs, CO 80920

719.634.8333 Main

doppenheimer@hindmansanchez.com ::

www.hindmansanchez.com



HindmanSanchez

O'Connor, Rick

From: Mark Finzel <mark@finzel.net>
Sent: Sunday, November 24, 2013 9:30 AM
To: O'Connor, Rick
Subject: Land Use Review CPC PUD 13-00125

Hi Rick,

I wanted to submit comments related to this Land Use Review at Old Ranch Road and Chapel Ridge Drive (CPC PUD 13-00125). I live in Pine Creek on the southwest corner of Old Ranch and Chapel Hills Drive. So we can actually see the proposed area from our house.

I would like to say that I support this re-zoning and believe it supports the goals stated of enhancing quality of life and design of the community (more so than a commercial zoning would). A residential community would better fit with the current look & feel and community already in place in this immediate area.

If there is somewhere else I should make these comments please let me know, otherwise, please consider this my public comments on the issue.

Thank you,

Mark & Danielle Finzel
2958 Wild Cherry Lane
Colorado Springs, CO 80920
(719) 661-9442

O'Connor, Rick

From: ksk36@juno.com
Sent: Thursday, December 05, 2013 12:49 PM
To: O'Connor, Rick
Subject: Kettlecreek Comments on New Plan

Dear Mr. O'Connor,

My husband and I are very concerned about the 51 houses that are in the plan to be built in front of our home. It seems like the houses will be very small and packed into this space.

We are afraid these small homes will bring our values down. The average home in our neighborhood is approximately 2,600 square feet and the houses you are going to build are half that size. We already are having problems with the Townhomes with their parking, they do not use their garages for their cars. If we understand it properly there will be 2 homes in front of our home, so that is 2 garages, will they be able to get their cars in every night, that is part of our covenant. We would also like to see the homes that they plan to build, 1200 sq. ft. is very small, is there a neighborhood that has some models that we can go look at? Our neighborhood already got the Town Homes to satisfy the single family home concern of the City, now we are going to have these tiny homes in our neighborhood also. Perhaps we are not fully understanding the plan, so feel free to clear up any of our misunderstandings. Hopefully you will understand our concerns.

Thank you.

Sincerely,

Ed & Karen Knowles

[Fast, Secure, NetZero 4G Mobile Broadband. Try it.](#)

O'Connor, Rick

From: Patrick Braker <brakerpj@gmail.com>
Sent: Tuesday, December 03, 2013 12:54 PM
To: O'Connor, Rick
Cc: Darren@zandrmgmt.com
Subject: New home development near Old Ranch and Powers

I am writing with regards to the housing development plan "Bison Ridge at Kettle Creek No. 4." I am a homeowner at the adjacent "Townes at Kettle Creek," and own one of the properties at the front of the development, for which I paid a premium for the view that other properties in the development do not enjoy.

The housing development plan referred to above lists houses with a maximum height of 35 ft. The ground directly across from my home is already raised 12-15 ft or more above street level. A 35 ft home on top of the present grading will obscure any view from my property. There are several other spots as well with raised soil above the street level.

I would like to know if the plans call for grading the lot to the current street level, or to build the homes onto the raised land that currently exists. Thank you.

sincerely - Patrick Braker

6 December 2013

Mr. Rick O'Connor
Reviewing Planner
Planning & Community Development
30 S. Nevada Suite 105
P.O. Box 1575, MC 155
Colorado Springs, CO 80901-1575

Sir,

I write this letter in response to the proposed 51-house development (Bison Ridge Filing No. 4) and the accompanying request to change the zoning for that parcel of land from commercial to residential. My wife and I own the townhouse located at 10616 Silverton Creek Point—a home located directly East of Rhinestone Drive and the parcel of land in question. We stand in firm opposition to the proposed zoning change and the accompanying planned housing development.

By way of background, I am an active duty Air Force member and my wife is a reserve Air Force pilot. When we found out we were moving to Colorado Springs in 2007 (just before the crash of the housing market), we bought our townhouse in large part due to its location and sweeping view of the majestic Front Range. As I recall, we even paid a premium for the view.

In researching the property, I came across a Briargate Master Plan map indicating that the parcel of land due West of our townhouse was zoned “commercial.” (According to the map, this plan was apparently approved on January 20, 2006.) However, as we understood at the time, the likelihood of a view-blocking commercial development was minimal due to setback and height requirements, as well as market dynamics.

With undeveloped land across the street to the West, the view from that house is simply stunning. Every morning I'd wake up and gaze out my master bedroom window on Pikes Peak and the rest of the Front Range as the first rays of light lit up the Garden of the Gods and the Air Force Academy Chapel (landmarks both visible from the second floor). I've attached several pictures of the view to provide proper appreciation for the unobstructed nature of it.

We lived in the house and enjoyed the view for four years before once again we were required to move due to military orders. Despite our move, we intend to return to Colorado one day, making it our home in retirement. When we moved, we decided not sell our house because the value of the house was assessed at approximately \$35,000 less than the balance of our mortgage. We now rent our house out, hoping to sell it at some point in the future and not take a loss on the property. A key factor that gives us hope that the property will ultimately be able to sell at a premium is the beautiful view; it is what most dramatically sets our townhouse apart from most other townhouses in the neighborhood, and indeed, a lot of residential properties in the Pine Creek and Briargate areas of Colorado Springs. However, if this land is rezoned to residential, and a 51 family housing development with 35' tall houses is built thereon, I'm afraid that our view will become partially obstructed, resulting in loss of property value. One might no longer be able to see Garden of the Gods from the master bedroom window, and the view of Pikes Peak may become obstructed from the first floor.

FIGURE 6

Also, with an influx of 51 houses to the neighborhood, I am concerned that the value of existing houses in our community would overall be decreased due to the local market's increased housing supply. We relied on that zoning plan in originally buying our house, knowing that other houses would not be built in the neighborhood; I hope the City does not change its mind in this regard.

Moreover, I am somewhat confused by the developer's justification for asking for a zoning change. In its application, the developer says that the changes to the zoning are justified due to the changes in the Kettle Creek area resulting from the listing of the Preble's Meadow Jumping Mouse as an endangered species. According to the developer, because certain areas could no longer be developed, having the Preble's Meadow Jumping Mouse listed reduced the density of the Kettle Creek area, and the corresponding demand for commercial areas to support the population. However, I note that the Preble's Meadow Jumping Mouse had been listed as threatened since 1995 (*see* <http://www.fws.gov/mountain-prairie/species/mammals/preble/>), the zoning was apparently approved in 2006, and that the parcel of land in question sits firmly within Preble's Meadow Jumping Mouse territory as identified by Colorado Springs's own map. *See* <http://www.springsgov.com/Files/citymouse.pdf>. If this piece of land sits within critical habitat, why should this property be allowed for development of houses unlike other properties within the habitat that cannot be developed? Doesn't any development within the habitat pose a risk to this threatened species?

In short, in the interest of preserving home values and the unobstructed mountain views of those of us with townhouses lining Rhinestone Drive, as well as critical Preble's Meadow Jumping Mouse habitat, I respectfully request that the City find that the proposed development is not in the public interest and not harmonious with the adjacent neighborhood. Accordingly I ask the City to deny the proposed development and re-zone application.

In the alternative, I ask that the City approve the housing development subject to a reduction in scale (fewer houses), and require additional buffers, open space, and setbacks in the areas currently identified on the developer's map as Lots 24, 25, and 51, so as to preserve the unobstructed Front Range views of the townhouses located along Rhinestone Drive.

Although I would very much like to attend a public hearing on the matter, this is not possible due to my current military assignment. I trust that this letter will serve as an adequate substitute. Thank you for your careful consideration of these matters. Please contact me at 719-439-1932 if you have any questions.

Respectfully Submitted,

//SIGNED//

DUSTIN C. LANE

10616 Silverton Creek Point

Attachments:

4 photographs of the view from 10616 Silverton Creek Point

November 29, 2013

City of Colorado Springs
Planning and Community Development
30 S Nevada, Suite 105
P.O. Box 1575, MC 155
Colorado Springs, CO 80901-1575

SUBJECT: Comments on Development Plan Application File No.: CPC PUD 13-00125

To Whom It May Concern:

I have no objection to the development application which has been submitted on behalf of Kettle Creek LLC and the John Venezia Family Trust which would amend the Briargate Master Plan and allow the rezoning of the property from PBC to PUD resulting in the construction of 51 single family homes.

Construction on this property will result in a permanent increase in traffic, particularly at the intersection of Old Ranch Road and Chapel Ridge Drive. This increase in traffic will occur as soon as construction begins. Furthermore, Chapel Ridge Drive will likely be the primary route to/from the planned Lawrence Ochs Sports Complex, which I understand could be constructed at any time (based on the fact that the land survey for the complex has been completed and engineering/construction plans for the complex are underway).

The intersection at Old Ranch Road and Chapel Ridge Drive already experiences high traffic volumes for extended periods Monday through Friday not only due to standard rush hour from working individuals, but also from the Mountain View Elementary and Challenger Middle schools which each have a different start and end time. Additionally, it is difficult to see oncoming traffic (traveling east on Old Ranch Road) when trying to cross or turn left onto Old Ranch Road from Chapel Ridge Drive (going south out of the Kettle Creek/Bison Ridge neighborhood).

In light of these circumstances, I request that the City of Colorado Springs strongly consider installing a traffic control light at this intersection prior to the start of construction. It is my understanding that \$40,000 was put into an escrow account in 2007 for this very purpose – so I would not expect funding for a new traffic control light to be an issue.

Thank you for your consideration and for giving us the opportunity to participate in this process.



Linda Ashe
10514 Black Elk Way
Colorado Springs, CO 80908

O'Connor, Rick

From: MarlonYankee@aol.com
Sent: Monday, November 25, 2013 5:06 PM
To: O'Connor, Rick
Subject: Comment on Application (CPC PUD 13-00125 & CPC FP 13-00126)

Mr O'Connor,

As a homeowners in the Bison Ridge at Kettle Creek community, we received a Public Notice of proposed changes to the land use for property associated with this community. We wish to comment on this proposal:

While we are not opposed to changing this adjacent parcel of land from commercial use to residential use, we are opposed to the proposed density of the houses in the planned development (CPC PUD 13-00125 & CPC FP 13-00126). It is entirely **too dense**.

Although the developer's Initial Filing indicates the proposed development is compatible with the housing to the north, **the proposed design width of 60 Ft is not compatible!** The proposed 51 houses on this acreage is entirely too many and would result in housing that would degrade the value of the single family properties to the north. We urge you to only approve the proposed development if the developer **reduces the housing density to the same as the current single family residential property to the north.**

Please notify us of the date and time this proposal will be part of a public hearing.

Respectfully,

MARLON W. & BRENDA L. YANKEE
10643 Black Kettle Way
Colorado Springs, CO 80908-5202
Home Phone: 719-266-6123
Cell Phone: 719-661-1751

O'Connor, Rick

From: Donald Smith <donald.smith@asd20.org>
Sent: Monday, November 25, 2013 8:02 AM
To: O'Connor, Rick
Subject: Bison Ridge at Kettle Creek Filing No. 4
Attachments: Vintage Land Dedication Credits--Briargate Reconciliation.xlsx

Academy School District Twenty

Dr. Mark Hatchell, *Superintendent of Schools*

*Education and Administration
Center*

1110 Chapel Hills Drive, Colorado Springs, CO 80920-3923

Website: www.d20.co.edu

Phone: 719-234-1200

Fax: 719-234-1299

November 24, 2013

Rick O'Connor
Development Services
City of Colorado Springs

RE: CPC PUD 13-00125
CPC FP 13-00126
Bison Ridge Filing No. 4
Minor Amendment to the Briargate Master Plan
Amendment to the Bison Ridge Concept Plan
Zone Change to PUD
Subdivision Plat

Dear Mr. O'Connor,

Academy District 20 is in receipt of the files referenced above for the approval of a Minor Amendment to the Briargate Master Plan, an Amendment to the Bison Ridge Concept Plan, a Zone change to PUD and the Subdivision Plat for Bison Ridge Filing No. 4.

Academy School District 20 is opposed to the zone change for the referenced property from commercial to residential as our planning was based upon the original Bison Ridge Concept Plan.

If the request for a zoning change and the subsequent approval of the Subdivision Plat for Bison Ridge Filing No. 4 are approved, the district is requesting school land dedication in lieu of fees for Bison Ridge Filing No. 4. Vintage Properties had school land dedication credits of 8.700 acres available when La Plata purchased Briargate. Previous filings by Vintage used a portion of those school land credits and Bison Ridge Filing No. 4 will require the use of 1.0200 acres of school land credits. Vintage Properties will have a balance of 1.4768 acres of school land dedication credits available for future projects. I have attached a copy of our school land dedication credits balance sheet for Vintage Properties.

If you have questions need additional information, please contact me.

Don Smith

Planning Consultant
Academy School District 20
Office: 719-234-1222
Cell: 719-492-4972

Attachment: Vintage Land Dedication Credits

Original Briargate Master Plan---Vintage Properties Land Dedication Credits When La Plata Purchased Briargate

Vintage Allocation--November 1995 - Removed From Calculations 8.7000

Contractual Claim on School Credits at LaPlata Inception

Credits Used:	Residential Units	Dedication Factor	Land Dedication Due
Pine Creek Filing #1	20	0.02	0.4000
Pine Creek Filing #2	22	0.02	0.4400
Charter Greens #1	54	0.02	1.0800
Charter Greens #2	55	0.02	1.1000
Carter Greens #3	51	0.02	1.0200
Bison Ridge #1	43	0.02	0.8600
Bison Ridge #2	45	0.02	0.9000
Townes @ Bison Ridge	84	0.0048	0.4032
Bison Ridge at Kettle Creek Filing No. 4	51	0.02	1.0200

Total Used to Date

7.2232

Balance Available

1.4768

Sales Prior to LaPlata--Fees Should Have Been Collected

Carriages at Parliament	64	0.0048	0.3072
Harvest Springs	30	0.0200	0.6000
Preserve at Briargate	56	0.0200	1.1200
Scottsdale 1 & 2(country walk # 1)1981	160	0.0048	0.7680
Meadow Ridge 4A	6	0.0200	0.1200
Creekside Estates #1	36	0.0200	0.7200
Creekside Estates #2	65	0.0200	1.3000
Creekside Estates #3	49	0.0200	0.9800
Creekside Estates #4	66	0.0200	1.3200

7.2352

FIGURE 7

Street Address in Bison Ridge (BR)	Lot Size in Square Feet	BR Filing No.	Lot No.	Lot Size in Square Feet, Minus 5 Very Large Lots
Black Elk Way (27)				
10504	8334	1	1	8334
10514	7718	1	2	7718
10524	7846	1	3	7846
10525	8420	1	14	8420
10534	8410	1	4	8410
10535	8379	1	13	8379
10544	9379	1	5	9379
10545	9894	1	12	9894
10554	10188	1	6	10188
10564	10779	1	7	10779
10565	13938	1	11	13938
10574	13571	1	8	13571
10575	10300	1	10	10300
10584	15670	1	9	15670
10585	8190	2	45	8190
10594	14443	2	1	14443
10595	8829	2	44	8829
10604	21124	2	2	0
10614	17983	2	3	17983
10624	14729	2	4	14729
10634	14156	2	5	14156
10704	15745	2	9	15745
10705	14456	2	14	14456
10714	13147	2	10	13147
10715	14277	2	13	14277
10724	16690	2	11	16690
10725	13391	2	12	13391

FIGURE 8

1/6

Black Kettle Way (16)

10603	10199	1	28	10199
10613	10115	1	27	10115
10623	7980	1	26	7980
10633	7840	1	25	7840
10643	9521	1	24	9521
10653	10011	2	39	10011
10662	9598	2	40	9598
10663	10480	2	38	10480
10673	10627	2	37	10627
10683	10118	2	36	10118
10692	11417	2	41	11417
10693	9653	2	35	9653
10702	10331	2	42	10331
10703	8428	2	34	8428
10712	14395	2	43	14395
10713	9829	2	33	9829

White Hawk Trail (9)

3010	13164	1	19	13164
3011	16121	1	18	16121
3020	15197	1	20	15197
3021	12963	1	17	12963
3030	10077	1	21	10077
3031	9053	1	16	9053
3040	10665	1	22	10665
3050	11211	1	23	11211
3051	10354	1	15	10354

Summer Rain Trail (9)

3102	14732	1	35	14732
3103	11635	1	43	11635
3121	8609	1	42	8609
3138	9258	1	36	9258
3139	8301	1	41	8301
3156	21188	1	37	0
3157	11297	1	40	11297
3174	32478	1	38	0
3175	40359	1	39	0

Rhinestone Drive (27)

10604	10369	1	29	10369
10614	8350	1	30	8350
10624	8861	1	31	8861
10634	8854	1	32	8854
10644	8062	1	33	8062
10654	9700	1	34	9700
10664	10128	2	24	10128
10665	16143	2	23	16143
10674	11474	2	25	11474
10675	20469	2	22	0
10684	11025	2	26	11025
10685	15621	2	21	15621
10695	13627	2	20	13627
10704	10416	2	27	10416
10705	10550	2	19	10550
10714	10656	2	28	10656
10715	10117	2	18	10117
10725	10654	2	17	10654
10734	10382	2	29	10382
10735	12248	2	16	12248
10744	8456	2	30	8456

FIGURE 8

10745	13200	2	15	13200
10754	8722	2	31	8722
10764	9066	2	32	9066
10804	10707	2	6	10707
10814	10785	2	7	10785
10824	10264	2	8	10264
Looking Glass Way (6)				
3002	12129	1	49	12129
3014	8394	1	48	8394
3026	8842	1	47	8842
3038	9716	1	46	9716
3050	7820	1	45	7820
3062	10216	1	44	10216
Total Square Footage	1113213			977595
Avg Sq Ft per Lot	11843			10984

FIGURE 8

NEW BR FILING #4
(No street numbers yet)
Looking Glass Way (14)

7113	4	38
7543	4	39
7920	4	40
7983	4	41
7406	4	42
7512	4	43
8717	4	44
8818	4	45
8380	4	46
7237	4	47
7746	4	48
7259	4	49
6665	4	50
7415	4	51

Kettle Ridge Drive (14)

7867	4	37
8130	4	36
6831	4	35
7238	4	34
7416	4	33
7478	4	32
7756	4	31
8160	4	30
5360	4	3
4753	4	2
6370	4	1
9260	4	11
9156	4	12
10101	4	13

FIGURE 8

516

Old Stage Drive (7)	10216	4	4
	13382	4	5
	6771	4	6
	6767	4	7
	7643	4	8
	9690	4	9
	19121	4	10
Slumber Ridge Dr (16)	10695	4	14
	7891	4	15
	7014	4	16
	6202	4	17
	15295	4	18
	12253	4	19
	9051	4	20
	8192	4	21
	9465	4	22
	8577	4	23
	10962	4	24
	11648	4	25
	8042	4	26
	11090	4	27
	11832	4	28
	9175	4	29
Total Square Footage	444564		
Avg Sq Ft per Lot	8717		

FIGURE 8

APPENDIX

Development Application Review Criteria

DEVELOPMENT PLAN IN A HILLSIDE OVERLAY ZONE:

7.3.504 (D) (3): HILLSIDE DEVELOPMENT PLAN REVIEW CRITERIA:

In addition to the development plan review criteria listed in section 7.5.502 of this chapter, criteria for review of a development plan in a designated hillside area shall include the following:

- a. Does the plan meet the spirit and intent of the hillside design manual?
- b. How will the streetscape retain a hillside character after the street is constructed? Is terrain disturbance minimized?

The streetscape should reflect the natural setting of the development. The natural elements such as vegetation and rock features should be a major part of the streetscape. Removal of significant vegetation will be discouraged for construction of the streets, installation of utilities and construction of houses. It is, however, recognized that some amount of vegetation will be removed for development in hillside areas.

- c. Have visual impacts upon off site areas been reduced or reasonably mitigated? Significant ridgelines and other prominent sites within the City should be given special consideration when a development plan is being prepared. Additional mitigation measures are necessary in these highly visible areas.

Mitigation measures that may be demonstrated on the development plan may include, but are not limited to:

- (1) Alternate siting of structures to include increased setbacks from ridgelines;
 - (2) Use of significant vegetation to soften structural mass when building sites are located in highly visible areas;
 - (3) Designation of special height restrictions;
 - (4) Use of native vegetative cover and retaining walls faced with stone or earth colored materials as stabilization measures for cuts and fills;
and
 - (5) Alternate street placement to reduce visibility of structures.
- d. Have the significant natural features and the significant vegetation been placed in preservation area easements?

Because of the terrain in hillside areas it is recognized that utilities and some drainage improvements may have to be located within an easement. The review will consider the necessity of locating these facilities within the preservation area easement.

- e. Have geologic, soil and other natural hazards been identified and evidence of mitigation techniques been provided?

Various natural hazards are encountered when developing in the hillside terrain. It is important to identify and begin the process of addressing the various mitigation techniques. A geologic hazards study shall be provided as required by article 4, part 5, "Geological Hazard Study And Mitigation," of this chapter.

DEVELOPMENT PLAN IN A STREAMSIDE OVERLAY ZONE

7.3.508 (C): DEVELOPMENT PLAN REVIEW CRITERIA:

C. Development Plan Review Criteria: The purpose of this section is to prescribe criteria to be used to review and evaluate development projects located within streamside overlay areas. In addition to the development plan review criteria as set forth in article 5, part 5, section 502 of this chapter, all development plans submitted for review for property wholly or partially contained within the streamside overlay zone shall be consistent with the recommendations of the 1) streamside design guidelines manual, 2) the development project's land suitability analysis and 3) shall conform with the following streamside development plan review criteria:

1. Has natural landform been maintained within the overlay area and does grading conform to the specific grading limitations of the streamside ordinance as well as all other City grading and filling regulations?
2. Does the development incorporate the stream ecosystem into the project design and complement the natural streamside setting? Has the project been designed to link and integrate adjacent properties with the stream corridor using access ways, creek front plazas, employee recreational areas or other site planning and landscaping techniques which include the stream corridor as an amenity?
3. Has the project been designed to minimize impact upon wildlife habitat and the riparian ecosystem which exists on or adjacent to the site? Does the project design protect established habitat or any known populations of any threatened or endangered species or species of special concern?
4. Have existing or potential community trail networks and other recreational opportunities been identified and incorporated into the project design?
5. Has the project been designed to protect the subject property from potential flood damage and to accommodate flood storage and conveyance needs?
6. Have all significant natural features within the project streamside area been identified, and has the project been designed to minimize the impact on these features?
7. Does the project identify and implement the recommendations of any approved subarea plans (such as the City Greenway master plan, City open space plan or a specific drainage basin planning study) and of any approved public works projects and habitat conservation plans?
8. Does the project design:
 - a. Implement a riparian buffer of specified width between the developed portions of the site and the adjacent waterway to assist

in preventing point and non-point source pollutants and sediment from entering the waterway?

- b. Exclude impervious surfaces from the inner buffer zone and meet imperviousness restrictions across the entire overlay?
 - c. Incorporate all stormwater best management practices required by City Engineering throughout the developed site and adjacent to the buffer to encourage onsite filtration of stormwater and protect water quality?
 - d. Incorporate visual buffer opportunities of the stream between identified existing and/or proposed projects on opposing sides of the stream?
9. Are inner and outer buffer zone landscaping standards met? Have disturbed areas been revegetated to minimize erosion and stabilize landscape areas and does the project landscaping design specify plants selected from the riparian plant communities as set forth in appendix A of the landscape policy manual? Does the proposal meet all other requirements of the City's Landscape Code?
10. Have stream bank and slope areas been identified (particularly those over fifteen percent (15%) slope)? Has the disturbance to these areas and any protective or stabilizing vegetative cover been minimized? Does the plan provide for the suitable revegetation and stabilization of any disturbed areas?
11. Have opportunities to reclaim the drainageway been identified and implemented where practical? For this criterion, reclamation constitutes any action that improves the quality of that drainageway visually, functionally or recreationally, and brings that drainageway into a more natural condition.

Judgment of the above criteria shall be made using the project justification statement submitted with streamside development plan applications which shall include a narrative discussion of how each of the streamside development plan review criteria have been considered and applied in the design of the project and should demonstrate consistency with the opportunities and constraints identified in the project's land suitability analysis. This requirement may be satisfied by the written summary submitted with the land suitability analysis if that summary has been broadened to include analysis of the streamside development plan review criteria. (Ord. 07-179)

PUD ZONE CHANGE REVIEW CRITERIA:

7.3.603: ESTABLISHMENT AND DEVELOPMENT OF A PUD ZONE:

- A. A PUD zone district may be established upon any tract of land held under a single ownership or under unified control, provided the application for the establishment of the zone district is accompanied by a PUD concept plan or PUD development plan covering the entire zone district which conforms to the provisions of this part.
- B. An approved PUD development plan is required before any building permits may be issued within a PUD zone district. The PUD development plan may be for all or a portion of the entire district. The review criteria for approval of the PUD concept plan and approval of a PUD development plan are intended to be flexible to allow for innovative, efficient, and compatible land uses. (Ord. 03-110, Ord. 12-68)

7.3.606: REVIEW CRITERIA FOR DEVELOPMENT PLAN:

A PUD development plan for land within a PUD zone shall be approved if it substantially conforms to the approved PUD concept plan and the PUD development plan review criteria listed below. An application for a development plan shall be submitted in accord with requirements outlined in article 5, parts 2 and 5 of this chapter. Unless otherwise specified by a development agreement, the project shall be vested by the PUD development plan in accord with section 7.9.101 and subsection 7.5.504(C)(2) of this chapter.

- A. Consistency with City Plans: Is the proposed development consistent with the Comprehensive Plan or any City approved master plan that applies to the site?
- B. Consistency with Zoning Code: Is the proposed development consistent with the intent and purposes of this Zoning Code?
- C. Compatibility Of The Site Design With The Surrounding Area:
 - 1. Does the circulation plan minimize traffic impact on the adjacent neighborhood?
 - 2. Do the design elements reduce the impact of the project's density/intensity?
 - 3. Is placement of buildings compatible with the surrounding area?
 - 4. Are landscaping and fences/walls provided to buffer adjoining properties from undesirable negative influences that may be created by the proposed development?
 - 5. Are residential units buffered from arterial traffic by the provision of adequate setbacks, grade separation, walls, landscaping and building orientation?
- D. Traffic Circulation:
 - 1. Is the circulation system designed to be safe and functional and encourage both on and off site connectivity?
 - 2. Will the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?
 - 3. Will adequately sized parking areas be located to provide safe and convenient access, avoid excessive parking ratios and avoid expanses of pavement?
 - 4. Are access and movement of handicapped persons and parking of vehicles for the handicapped appropriately accommodated in the project design?
 - 5. As appropriate are provisions for transit incorporated?
- E. Overburdening Of Public Facilities: Will the proposed development overburden the capacities of existing and planned streets, utilities, parks, and other public facilities?
- F. Privacy: Is privacy provided, where appropriate, for residential units by means of staggered setbacks, courtyards, private patios, grade separation, landscaping, building orientation or other means?
- G. Pedestrian Circulation:
 - 1. Are pedestrian facilities provided, particularly those giving access to open space and recreation facilities?
 - 2. Will pedestrian walkways be functionally separated from vehicular ways and located in areas that are not used by motor vehicles?
- H. Landscaping:
 - 1. Does the landscape design comply with the City's landscape code and the City's landscape policy manual?
 - 2. The use of native vegetation or drought resistant species including grasses is encouraged. The City's landscape policy manual or City Planning's landscape architect can be consulted for assistance.
- I. Open Space:
 - 1. Residential Area:
 - A. Open Space: The provision of adequate open space shall be required to provide light, air and privacy; to buffer adjacent properties; and to

provide active and passive recreation opportunities. All residential units shall include well designed private outdoor living space featuring adequate light, air and privacy where appropriate. Common open space may be used to reduce the park dedication requirements if the open space provides enough area and recreational facilities to reduce the residents' need for neighborhood parks. Recreational facilities shall reflect the needs of the type of residents and proximity to public facilities.

B. Natural Features: Significant and unique natural features, such as trees, drainage channels, slopes, and rock outcroppings, should be preserved and incorporated into the design of the open space. The Parks and Recreation Advisory Board shall have the discretion to grant park land credit for open space within a PUD development that preserves significant natural features and meets all other criteria for granting park land credit.

2. Nonresidential And Mixed Use; Natural Features: The significant natural features of the site, such as trees, drainage channels, slopes, rock outcroppings, etc., should be preserved and are to be incorporated into the design of the open space.

J. Mobile Home Parks: Does a proposed mobile home park meet the minimum standards set forth in the mobile home park development standards table in section 7.3.104 of this article? (Ord. 03-110; Ord. 03-190, Ord. 12-68)

MASTER PLAN REVIEW CRITERIA:

7.5.408: REVIEW CRITERIA:

Master plans and major and minor amendments to approved master plans shall be reviewed for substantial conformance with the criteria listed below. Minor amendments are not subject to review criteria in subsection F of this section.

- A. Comprehensive Plan: The Comprehensive Plan and the 2020 Land Use Map are the context and the benchmark for the assessment of individual land use master plans. The proposed land use master plan or the amendment conforms to the policies and strategies of the Comprehensive Plan. The proposed land use pattern is consistent with the Citywide perspective presented by the 2020 Land Use Map.
- B. Land Use Relationships:
 - 1. The master plan promotes a development pattern characterizing a mix of mutually supportive and integrated residential and nonresidential land uses with a network of interconnected streets and good pedestrian and bicycle connections.
 - 2. Activity centers are designed so they are compatible with, accessible from and serve as a benefit to the surrounding neighborhood or business area. Activity centers also vary in size, intensity, scale and types of uses depending on their function, location and surroundings.
 - 3. The land use pattern is compatible with existing and proposed adjacent land uses and protects residential neighborhoods from excessive noise and traffic infiltration.
 - 4. Housing types are distributed so as to provide a choice of densities, types and affordability.
 - 5. Land use types and location reflect the findings of the environmental analysis pertaining to physical characteristics which may preclude or limit development opportunities.
 - 6. Land uses are buffered, where needed, by open space and/or transitions in land use intensity.
 - 7. Land uses conform to the definitions contained in article 2, part 2 of this Zoning Code.
- C. Public Facilities:
 - 1. The land use master plan conforms to the most recently adopted Colorado Springs parks, recreation and trails master plan.
 - 2. Recreational and educational uses are sited and sized to conveniently service the proposed population of the master plan area and the larger community.
 - 3. The proposed school sites meet the location, function and size needs of the school district.

4. The land use master plan conforms to the adopted plans and policies of Colorado Springs Utilities.
5. Proposed public facilities are consistent with the strategic network of long range plans.
6. The master development drainage plan conforms to the applicable drainage basin planning study and the drainage criteria manual.

D. Transportation:

1. The land use master plan is consistent with the adopted intermodal transportation plan. Conformity with the intermodal transportation plan is evidence of compliance with State and local air quality implementation and maintenance plans.
2. The land use master plan has a logical hierarchy of arterial and collector streets with an emphasis on the reduction of through traffic in residential neighborhoods and improves connectivity, mobility choices and access to jobs, shopping and recreation.
3. The design of the streets and multiuse trails minimizes the number of uncontrolled or at grade trail crossings of arterials and collectors.
4. The transportation system is compatible with transit routes and allows for the extension of these routes.
5. The land use master plan provides opportunities or alternate transportation modes and cost effective provision of transit services to residents and businesses.
6. Anticipated trip generation does not exceed the capacity of existing or proposed major roads. If capacity is expected to be exceeded, necessary improvements will be identified, as will responsibility, if any, of the master plan for the construction and timing for its share of improvements.

E. Environment:

1. The land use master plan preserves significant natural site features and view corridors. The Colorado Springs open space plan shall be consulted in identifying these features.
2. The land use master plan minimizes noise impacts on existing and proposed adjacent areas.
3. The land use master plan utilizes floodplains and drainageways as greenways for multiple uses including conveyance of runoff, wetlands, habitat, trails, recreational uses, utilities and access roads when feasible.
4. The land use master plan reflects the findings of a preliminary geologic hazard study and provides a range of mitigation techniques for the identified geologic, soil and other constrained natural hazard areas.

F. Fiscal:

1. A fiscal impact analysis and existing infrastructure capacity and service levels are used as a basis for determining impacts attributable to the master plan. City costs

related to infrastructure and service levels shall be determined for a ten (10) year time horizon for only the appropriate municipal funds.

2. The fiscal impact analysis demonstrates no adverse impact upon the general community and the phasing of the master plan is consistent with the adopted strategic network of long range plans that identify the infrastructure and service needs for public works, parks, police and fire services.
3. The cost of on site and off site master plan impacts on public facilities and services is not borne by the general community. In those situations where the master plan impacts are shown to exceed the capacity of existing public facilities and services, the applicant will demonstrate a means of increasing the capacity of the public facilities and services proportionate to the impact generated by the proposed master plan. Mitigation of on site and off site costs may include, but is not limited to, planned expansions to the facilities, amendments to the master plan, phasing of the master plan and/or special agreements related to construction and/or maintenance of infrastructure upgrades and/or service expansions. Any special agreements for mitigation of on site and off site impacts for public improvements, services and maintenance are shown to be workable and supported by financial assurances. Preexisting and/or anticipated capacity problems not attributable to the master plan shall be identified as part of the master plan review.
4. Special agreements for public improvements and maintenance are shown to be workable and are based on proportional need generated by the master plan.
5. Any proposed special districts are consistent with policies established by the City Council. (Ord. 84-221; Ord. 87-38; Ord. 91-30; Ord. 94-107; Ord. 97-109; Ord. 01-42; Ord. 02-51)

7.5.501 (E): CONCEPT PLAN REVIEW CRITERIA:

- D. Concept Plan Review Criteria: A concept plan shall be reviewed using the criteria listed below. No concept plan shall be approved unless the plan complies with all the requirements of the zone district in which it is located, is consistent with the intent and purpose of this Zoning Code and is compatible with the existing and proposed land uses surrounding the site.
1. Will the proposed development have a detrimental effect upon the general health, welfare and safety or convenience of persons residing or working in the neighborhood of the proposed development?
 2. Will the proposed density, types of land uses and range of square footages permit adequate light and air both on and off the site?
 3. Are the permitted uses, bulk requirements and required landscaping appropriate to the type of development, the neighborhood and the community?
 4. Are the proposed ingress/egress points, traffic circulation, parking areas, loading and service areas and pedestrian areas designed to promote safety, convenience and ease of traffic flow and pedestrian movement both on and off the site?
 5. Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?
 6. Does the proposed development promote the stabilization and preservation of the existing properties in adjacent areas and surrounding residential neighborhoods?
 7. Does the concept plan show how any potentially detrimental use-to-use relationships (e.g., commercial use adjacent to single-family homes) will be mitigated? Does the development provide a gradual transition between uses of differing intensities?
 8. Is the proposed concept plan in conformance with all requirements of this Zoning Code, the Subdivision Code and with all applicable elements of the Comprehensive Plan? (Ord. 94-107; Ord. 01-42; Ord. 03-157; Ord. 09-78)

7.5.502 (E): DEVELOPMENT PLAN REVIEW CRITERIA:

E. Development Plan Review Criteria: A development plan shall be reviewed using the criteria listed below. No development plan shall be approved unless the plan complies with all the requirements of the zone district in which it is located, is consistent with the intent and purpose of this Zoning Code and is compatible with the land uses surrounding the site. Alternate and/or additional development plan criteria may be included as a part of an FBZ regulating plan.

1. Will the project design be harmonious with the surrounding land uses and neighborhood?
2. Will the proposed land uses be compatible with the surrounding neighborhood? Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?
3. Will the structures be located to minimize the impact of their use and bulk on adjacent properties?
4. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off site negative influences and to buffer adjacent properties from negative influences that may be created by the proposed development?
5. Will vehicular access from the project to streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption?
6. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project?
7. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic?
8. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities?
9. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design?
10. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt?
11. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles?
12. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? Are these significant natural features incorporated into the project design? (Ord. 94-107; Ord. 95-125; Ord. 01-42; Ord. 02-64; Ord. 03-74; Ord. 03-157; Ord. 09-50; Ord. 09-78)

7.5.603 (B): ESTABLISHMENT OR CHANGE OF ZONE DISTRICT BOUNDARIES:

B: A proposal for the establishment or change of zone district boundaries may be approved by the City Council only if the following findings are made:

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.
2. The proposal is consistent with the goals and policies of the Comprehensive Plan.
3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request.
4. For MU zone districts the proposal is consistent with any locational criteria for the establishment of the zone district, as stated in article 3, "Land Use Zoning Districts", of this Zoning Code. (Ord. 94-107; Ord. 97-111; Ord. 01-42; Ord. 03-157)

CONDITIONAL USE REVIEW CRITERIA:
7.5.704: AUTHORIZATION AND FINDINGS:

The Planning Commission may approve and/or modify a conditional use application in whole or in part, with or without conditions, only if all three (3) of the following findings are made:

- A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.
- B. Intent Of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.
- C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.

The approved conditional use and development plan shall be binding on the property until an amendment is approved changing the use of the property. Except as otherwise recommended by the Planning Commission, the development of a conditional use shall conform to the applicable regulations of the district in which it is to be located. (Ord. 80-131; Ord. 82-247; Ord. 91-30; Ord. 94-107; Ord. 01-42)

7.6.203: CONDITIONS FOR ANNEXATION:

To assist the City Council in its decision, each proposal for annexation shall be studied to determine whether:

- A. The area proposed to be annexed is a logical extension of the City's boundary;
- B. The development of the area proposed to be annexed will be beneficial to the City. Financial considerations, although important, are not the only criteria and shall not be the sole measure of benefit to the City;
- C. There is a projected available water surplus at the time of request;
- D. The existing and projected water facilities and/or wastewater facilities of the City are expected to be sufficient for the present and projected needs for the foreseeable future to serve all present users whether within or outside the corporate limits of the City;
- E. The annexation can be effected at the time the utilities are extended or at some time in the future;
- F. The City shall require as a condition of annexation the transfer of title to all groundwater underlying the land proposed to be annexed. Should such groundwater be separated from the land or otherwise be unavailable for transfer to the City, the City, at its discretion, may either refuse annexation or require payment commensurate with the value of such groundwater as a condition of annexation. The value of such groundwater shall be determined by the Utilities based on market conditions as presently exist;
- G. All rights of way or easements required by the Utilities necessary to serve the proposed annexation, to serve beyond the annexation, and for system integrity, shall be granted to the Utilities. Utilities, at the time of utility system development, shall determine such rights of way and easements;
- H. If the proposed annexation to the City overlaps an existing service area of another utility, the applicant shall petition the PUC (Public Utilities Commission) or other governing authority to

revise the service area such that the new service area will be contiguous to the new corporate boundary of the City.

After the foregoing have been studied in such depth as the City Council shall require, the City Council in its discretion may annex or not annex the proposed area. In the event the City Council chooses to annex, it may require a contemporary annexation agreement specifying the installation and the time of installation of certain public and utility improvements, both on site and off site, that are required or not required under this Subdivision Code. City Council may specify such other requirements, as it deems necessary. In the event the City Council chooses not to annex, utilities shall not be extended unless Council is assured that an agreement for annexation can be enforced, and that the remaining provisions of this section for annexation subsequent to extension of utilities have been met. (Ord. 96-44; Ord. 01-42)