



# THE PLANNING & DEVELOPMENT DEPARTMENT APPEAL TO CITY PLANNING COMMISSION

Complete this form if you are appealing an **Administrative** decision to City Planning Commission.

**APPELLANT CONTACT INFORMATION:** *- See Attached*

Appellants Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_ City: \_\_\_\_\_  
State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ E-mail: \_\_\_\_\_

**PROJECT INFORMATION:**

Project Name: Broadmoor Events Center (Exhibit Hall)  
Site Address: 3 Lake Circle  
Type of Application being appealed: Development Plan - Major Amendment  
Include all file numbers associated with application: CP@ DP 03-00259-AIDM519  
Project Planner's Name: Lonna Thelen  
Hearing Date: \_\_\_\_\_ Item Number on Agenda: \_\_\_\_\_

**YOUR APPEAL SUBMITTAL SHOULD INCLUDE:**

1. Completed Application
2. \$176 check payable to the City of Colorado Springs
3. Appeal Statement.
  - See page 2 for appeal statement requirements.

Submit all 3 items above to the Land Use Review office (30 S Nevada, Suite 105, Colorado Springs, CO 80903). Appeals are accepted for 10 days after a decision has been made. Submittals must be received no later than 5pm on the due date of the appeal. Incomplete submittals and / or submittals received after 5pm or outside of the 10 day window will not be accepted. If the due date for the submittal falls on a weekend or federal holiday, the deadline is extended to the following business day.

If you would like additional assistance with this application or would like to speak with the neighborhood development outreach specialist, contact Katie Sunderlin at [sunderka@springsgov.com](mailto:sunderka@springsgov.com) (719) 385-5773.

**APPELLANT AUTHORIZATION:**

The signature(s) below certifies that I (we) is(are) the authorized appellant and that the information provided on this form is in all respects true and accurate to the best of my (our) knowledge and belief. I(we) familiarized myself(ourselves) with the rules, regulations and procedures with respect to preparing and filing this petition. I agree that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval.

*Candy Kulp*  
*Walter Lawson*

*3/1/2019*  
*3-1-19*

Signature of Appellant  
Last Modified: 5/31/2018

Date

**APPELLANT CONTACT INFORMATION:**

**Appellants Name: Cyndy Kulp**

**Telephone: 719-634-0627**

**Address: 2959 Electra Dr. S., Colorado Springs, CO 80906**

**Email: [kulpc@comcast.net](mailto:kulpc@comcast.net)**

**Appellants Name: Walter Lawson**

**Telephone: 719-632-7320**

**Address: 755 Deerhorn Ridge Grove, Colorado Springs, CO 80906**

**Email: [walrieduson@yahoo.com](mailto:walrieduson@yahoo.com)**

**THE APPEAL STATEMENT SHOULD INCLUDE THE FOLLOWING**

- If you are appealing a decision made Administratively the following should be included in your appeal statement:
  1. Verbiage that includes justification of City Code 7.5.906.A.4
    - i. Identify the explicit ordinance provisions which are in dispute.
    - ii. Show that the administrative decision is incorrect because of one or more of the following:
      1. It was against the express language of this zoning ordinance, or
      2. It was against the express intent of this zoning ordinance, or
      3. It is unreasonable, or
      4. It is erroneous, or
      5. It is clearly contrary to law.
    - iii. Identify the benefits and adverse impacts created by the decision, describe the distribution of the benefits and impacts between the community and the appellant, and show that the burdens placed on the appellant outweigh the benefits accrued by the community.

**CITY AUTHORIZATION:**

Payment: \$ 176.00

Date Application Accepted: \_\_\_\_\_

Receipt No: 33119

Appeal Statement: \_\_\_\_\_

Intake Staff: Kayla Battles

Completed Form: \_\_\_\_\_

Assigned to: \_\_\_\_\_

Appeal Statement

Submitted by Walter Lawson and Cyndy Kulp – 3/1/2019

i. Our appeal of this project is based on the fact that in our judgement it fails to comply with several sections of the City Code and with sections of the Comprehensive Plan (Plan COS).

**Development Plan** – The Broadmoor Events Center expansion fails to comply with section 7.5.502 A of the zoning code:

**“It is necessary to require a development plan in order to review the specific impacts of the proposed land use and site design on the adjacent properties, neighborhood, schools, parks, road systems, and existing and planned infrastructure. The proposed site design can be evaluated against all the circumstances weighing upon this individual case.”**

The approval decision fails to provide specific impact details as to why, what reasons, or what the justification is for the approval of the project. The administrative review office failed to provide any justification to the appellants before starting the appeal submittal period; therefore, our appeal submittal is handicapped by lack of necessary information we should have in basic fairness at the outset.

The development plan did not fully disclose all major impacts resulting from a project so large: larger numbers of event attendees, resulting in greater traffic, more buses, more congestion and added pollution, et al. Therefore, the specific impacts could not be reviewed, nor be evaluated against all the circumstances.

**Criteria for Development Plans** are stated in the City Code Sec. 7.5.502.E. The Broadmoor Event Center fails to meet several of these criteria, some of which are stated below:

“No development Plan shall be approved unless the plan complies with all the requirement 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.....

**1.** The details of the use, site design, building location, orientation and exterior building materials are compatible and harmonious with the surrounding neighborhood, building and uses, including not-yet-developed uses identified in approved development plans.”

This Development Plan did not confront details of the use, location, and not-yet-developed uses in approved development plans. These details were omitted, ignored or reduced.

**“9.** The building location and site design provide for safe, convenient and ADA-accessible pedestrian, vehicular, bicycle and applicable transit facilities and circulation.

12. If necessary to address increased impacts on existing roadways and intersections, the project includes roadway and intersection improvements to provide for safe and efficient movement of multi-modal traffic, pedestrians and emergency vehicles in accordance with the City's Traffic Criteria Manual, public safety needs for ingress and egress and a City accepted traffic impact study, if required, prepared for the project.

13. Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practicable."

ii. The City Planning's Administrative Decision is not correct because it is against the express intent of the ordinances cited above and below, and because it is both erroneous and unreasonable.

**Portions of the City's Parking Codes** are stated below:

**"7.4.201: PURPOSE:**

The purposes of this part are to ensure the provision, location and design of off street parking areas that accommodate motor vehicles, while supporting the objectives and policies of the Comprehensive Plan, including balancing the needs of pedestrian and transit users with use of the automobile. Parking areas are secondary to the primary land uses on a site.

7.4.202.A. Applicability: Off street parking and maneuvering areas which conform to this section shall be provided for a newly constructed building or new use on previously vacant land, for all uses in a building which has been enlarged, and for all uses in a building when any use is changed and the newly approved use requires more parking than the previously approved use....."

We have great concerns and questions about adequate parking for this large facility now and in the future as it fills up its event calendar for the 22 weeks from Oct. to April every year. We have repeatedly requested the Parking Operations Plan, and do so again ask for a hard copy of this plan.

The City Planner told one of our members that the City has a "Special Arrangement" for calculating parking for the Broadmoor. Please disclose this methodology in detail.

**The Comprehensive Plan** -- Plan COS, which was recently adopted to guide the city on future development, recognizes the value to neighborhoods for a prospering city:

"Plan COS provides a vision and framework for enhancing the quality, diversity, and safety of our neighborhoods. It speaks to each neighborhood by addressing the effects of growth and land use changes, as well as attainable housing options..... Creating and recreating resilient neighborhoods will require attention to physical details, connectivity and encouragement of mixed and integrated land uses." (page 24)

**Policy VN—1.B:** “Inform and engage with neighborhoods, neighborhood-based organizations and individual residents during the development review process.....”

**Strategy VN-1.B-1:** “Create and implement state-of-the-art, transparent, clear and cost-effective methods to inform and involve neighborhoods and affected property owners in development applications and planning initiatives.”

The Broadmoor did not fully disclose the sizes of occupancy loads and related impacts. Therefore, we are concerned that the surrounding residential areas are not fully aware of what the Broadmoor has planned and how they will be impacted and diminished by the expansion of Broadmoor Hall. The public review process has not been adequate for community participation and discussion of ways to offset these impacts and reach effective solutions.

The Plan COS also emphasizes the importance of strong connections between transportation systems, promoting multimodal uses throughout the city.

**Policy SC-1.D:** “Establish and maintain convenient multimodal connections between neighborhoods, local destinations, employment and activity centers, and Downtown.”

**Strategy SC1.D.5:** “Pay particular attention to addressing and reasonably mitigating the impacts of multimodal transportation decisions have on traditional, historic, and established neighborhoods.....”

**Strategy SC-1.D-6:** “Continue to coordinate bicycle and pedestrian planning, design, and implementation with other infrastructure projects and land use decisions.”

A private busing system that uses multiple 14-passenger shuttle vans or 55-passenger buses like that proposed by the Broadmoor will have substantial impact on neighborhood streets and increase danger to residents riding bikes or walking.

### iii. Benefits and Adverse Impacts Created by the Decision

This expansion will help the Broadmoor Hotel and its partners grow and become more profitable. Obviously, the Broadmoor, the Space Symposium and the tourism industry in Colorado Springs are important economic drivers that bring people to the area, generate sales tax revenue, and create employment. Large events like the Annual Space Symposium are very prestigious gatherings for the hotel and for the defense industry.

However, the economic benefits of this proposed project, which relies on hosting an increasing number of similar large events to the Space Symposium, do not address, offset or mitigate the impacts that a project of this size and scale will have on its surrounding communities, which are primarily residential.

The location of the Broadmoor is such that its location necessitates reliance on motorized travel to get the public to the hotel, traversing residential areas in the process. A large convention center set in a neighborhood setting has the potential to overwhelm the surrounding residential community, if the impacts are not fully stated, and effectively and satisfactorily resolved before hand. To date, they have not been.

In addition, private busing operations are not a solution to the lack of parking, and they have their own negative impacts on surrounding areas in terms of large, slow commercial vehicles emitting pollutants and overwhelming narrow streets, contributing to traffic congestion. The adoption of an expanded busing service to get people to large events at the Broadmoor will have much impact on Lake Ave., depending on the frequency of such events and the number of buses required to get the public there.

Residents of Skyway/Cheyenne Canon have already been experiencing negative impacts from the Broadmoor's existing shuttle bus operation to 7 Falls, based at Norris Penrose Events Center since June of 2018. These effects have not been mitigated by the Broadmoor at all. Local residents now have to cope with a high volume of commercial shuttle buses, travelling neighborhood streets as frequently as every 3-5 minutes in peak seasons, emitting carbon dioxide, causing traffic congestion, and lessening the "peaceful enjoyment" of their properties. These negative impacts from the Broadmoor's current busing operation show how important it is to thoroughly plan for such private busing operations, including mapping out the route in advance, establishing schedules and travelling on proper roads that can handle commercial traffic without endangering pedestrians and bike riders.

The Plan COS recognizes that "Vibrant Neighborhoods" are an important component to our quality of life. Commercial operations can overwhelm and negatively affect neighborhoods, if not properly monitored, and that is what is at stake with the Broadmoor's proposed expansion of Broadmoor Hall.

This plan is too one-sided in terms of valuing the economic contributions of the parties involved, but not giving equal weight to valid neighborhood concerns or protecting the investments that people make in their homes. Due to its location, it is necessary for the Broadmoor to co-exist with surrounding communities, and not take actions detrimental to its neighbors. Commercial operations need to be placed in the right location, so that the benefits of them are shared both by the economic actors who gain and the surrounding community.

We need a FAIR PROCESS to reach fail-safe solutions, so that while the Broadmoor succeeds, the neighborhood also wins, and is not crushed or slummed by impacts. We had time for SUCH A PROCESS before the existing Broadmoor Hall approval 15 years ago, and reached policy and performance agreements. Some worked, and some failed for 15 years. In this current review, little citizen time was allowed to even define impacts much less reach effective solutions.



**City of Colorado Springs  
Planning Department  
Fee Receipt**

[Return to Fee Calculator](#)

<u>Application</u>	<u>Department</u>	<u>Amount</u>	<u>Applicant</u>	<u>AnnexDisc</u>
Appeal of Administrative Decision	Land Use Review	\$176.00		
<b>Total Fees</b>		<b>\$176.00</b>		

<b>Intake Staff:</b>	Kayla Battles
<b>Date:</b>	3/1/2019
<b>Planner:</b>	Lonna Thelen
<b>Receipt Number:</b>	33119
<b>Check Number:</b>	6532
<b>Amount:</b>	\$176.00
<b>Received From:</b>	Jeffrey T Kulp & Cynthia P Kulp - Broadmoor Events Center (Exhibit Hall)