

Tefertiller, Ryan

From: Tarah Benner <tarahbenner@gmail.com>
Sent: Saturday, June 09, 2018 3:55 PM
To: Tefertiller, Ryan
Subject: Apartment Project 430 W. Pikes Peak Ave

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

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Dear Mr. Tefertiller,

I live near the corner of Chestnut and Bijou, and I am writing today regarding the proposed apartment project at 430 W. Pikes Peak Avenue (Files numbers CPC CU 18-00029, CPC NV 18-00030, CPC WR 18-00031).

I had originally heard about this project when the proposal was for an eight-unit two-story complex; now, according to the notice, the project is for an 11-unit three-story building.

I am writing to express my strong disapproval for this project due to the height of the building in the revised plan (and its disproportionate size to its neighboring houses) and the precedent this reinforces in a city where predatory development practices have already taken a toll.

First, there is the issue of the new proposal for a three-story complex. When this plan was for a two-story complex, I said nothing. Maybe I should have. But a three-story modern apartment complex will look ridiculously out of place in an historic neighborhood where most of the homes are modest one-stories that are over 100 years old.

I, like many others, bought a home here for the historic charm and character of the neighborhood, which will be destroyed if we allow new developments like this one. They have built similar complexes over on North Walnut, and they stick out like sore thumbs among the older one-story homes. Many people who have lived here for decades will have their sunlight blocked and their neighborhood choked by an influx of traffic and noise. There is another new complex on Pikes Peak close to downtown that looks like a dystopian nightmare from the future. I do not want this sort of development in my neighborhood.

Second, I am forced to voice my opposition for this project due to how the city has handled development projects in the past. Developers have skated by and not been made to play by the rules in terms of stormwater issues, and it has saddled the city with both a lawsuit and a huge environmental burden. Until the city puts a stop to these toxic development practices, I cannot support a major project like this in my area.

Finally, considering development brings to mind two cities I am familiar with: Flagstaff, Arizona, and Columbia, Missouri. You are probably familiar with the former; you may not have heard of the latter. Both of these cities are university towns with charming downtown districts that have seen their historic buildings and charming features drawn into the shadows of looming multistory hotels and apartment complexes. It has completely changed the look of these districts, and there's no going back.

I hope you will weigh these points carefully as you consider this proposal. I will be speaking to my neighbors as well.

Thank you,
Tarah Thornburg

Tefertiller, Ryan

From: Courtney Nohr <cmnohr@gmail.com>
Sent: Thursday, June 21, 2018 11:01 AM
To: Tefertiller, Ryan
Subject: Proposed 430 W Pikes Peak Apartments

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To whom it may concern:

In my first rebuttal to the proposed apartment complex for 430 W. Pikes Peak, I was concerned about several factors that had a negative impact on our own homeownership values, our privacy, and our concerns for safe driving conditions on Walnut Street.

I was sent another blue print that included these addressed concerns and ways to mitigate two of the four main concerns; two concerns included balconies that did not directly overlook my property and moving of the dumpster to the southern end of the property.

Two concerns that were not addressed at this time were timeline of construction and how the construction noise level will or will not affect our newborn baby to be born in November, as well as parking concerns on an already busy street (Walnut). I would like to know what the specific laws are regarding construction noise days and times and how the developers plan to respect this.

It would appear in the 2nd development proposal I received, that the project now wishes to become 3 stories instead of 2. It also appears, after meeting with Ryan, that the developers plan to put in more parking in the back of the building and wish to cut down the tree that divides the 2 lots-430 W. Pikes Peak and my property 9 N. Walnut.

Unfortunately, this apartment complex does not bring anything back to the current West Side Neighborhood. It will not include any small business opportunities on the first floor, such as a cafe, boutique, small grocery store, seen at many squeeze job apartment complexes being built in neighborhoods throughout Denver. It will be an eye sore to a street currently lined with beautiful, historic homes. It will add increased traffic and off street parking to an already congested and dangerous street. It will include added noise and will become a nuisance to an already busy area.

While I am disgusted at the thought of looking out my kitchen window into a 3 story building 25 feet away, I am most disturbed that the developers would want to cut down a beautiful and healthy standing tree that provides shade, privacy, decreased energy costs, noise reduction and most of all environmental benefits for a parking lot!

I have read through the proposal that states this apartment complex will be an upgrade to the existing empty lot. While this may be true in the fact that landscaping would spruce up the sidewalk, I find that to be the only positive. This empty parking lot could instead be small businesses, 2 small town homes, or a small apartment complex, to name a few.

However, I am not an unreasonable person and understand that gentrification is in action and I am not the owner of this lot, nor the owner of the specific tree I am referring to. I would be willing to consider this development and the proposal of 3 stories if the developer left the tree in tact. I would like it to be written in the blue prints that this will be a permanent tree and will not be cut down for any reason. I would like there to be a landscape protection contract to document the protection methods used.

I would like to see this proposal be resubmitted with a way to mitigate this last concern. I understand that the developers also wish to put up a new fence on the south side of our property. If the developers are able to find a way to keep the tree, we would be willing to discuss taking our unsightly, old fence down, if that is what the developers wish to see. If they are unable to keep the tree due to aesthetic purposes or the need for a larger parking lot, I will plan accordingly.

I will plan to go to whatever measures needed to keep the values of our neighborhood intact.

Sincerely,
Courtney Nohr and Tony Yao

Tefertiller, Ryan

From: Courtney <cmnohr@gmail.com>
Sent: Tuesday, April 03, 2018 12:21 PM
To: Tefertiller, Ryan
Subject: Re: Property application at 430 W. Pikes Peak

Follow Up Flag: Follow up
Flag Status: Completed

Ryan, the concern with parking is the addition of cars on either side of my house. Have you ever done a traffic survey on Walnut or driven down it yourself? Cars drive between 45 and 60 mph in front of my house. Pulling out of the driveway is already hazardous. My neighbor to the north has had 3 rear view mirrors knocked off of her car by parking it on the street because of how fast people drive. Is there a way to have a stoplight, stop sign, or speed limit sign posted on this street? Especially if you are adding 8-16 more occupants driving within 100 feet? I'm happy to contact the news as well if you feel that getting the public involved would help the safety of the residents on our street?

Courtney N.

On Apr 3, 2018, at 12:12 PM, Tefertiller, Ryan <RTefertiller@springsgov.com> wrote:

Hi Roland,
Yes, their plan illustrates 9 off-street parking stalls to the east of the building and 4 on-street (on Walnut) immediately adjacent to the site. As I think I said previously, residential projects in the C6 zone must meet the bulk standards for the R5 zone district; R5 has a maximum % lot coverage of 40% - their plan indicates that the proposed lot coverage is at 35%.
Ryan

<image001.png>

Ryan Tefertiller
Planning Manager, AICP
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Email rtefertiller@springsgov.com

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30 S. Nevada Ave, #603
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From: Ronald Nohr [<mailto:rn1841@yahoo.com>]
Sent: Tuesday, April 03, 2018 11:56 AM
To: Tefertiller, Ryan; Courtney
Subject: RE: Fwd: Property application at 430 W. Pikes Peak

Ryan

Thanks for sending the parking requirement info. I assume they can meet 1.5 stalls per unit with on-street ?

We are from Northeast Nebraska, and it is common in our area to restrict the footprint of residential improvements as a percentage of total lot area. Are there any similar regulations that would apply to this project ?

Ron

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On Tue, Apr 3, 2018 at 11:56 AM, Tefertiller, Ryan
<RTefertiller@springsgov.com> wrote:

Hi Ronald,

I think the key section of code you're looking for is found in our "Alternative Parking Options," specifically those allowing use of adjacent on-street parking (see below). The project include 8 1-bedroom apartments which are required to provide 1.5 parking stalls per unit for a total of 12 parking stalls. Use of the on-street credit allows some of those 12 stalls to be provided on the adjacent street.

I hope this helps answer your question,

Ryan

7.4.204.B. On Street Parking Credit: If the conditions of this subsection B are met, the Manager may count certain on street parking spaces as off street parking spaces for purposes of the minimum off street parking requirements in section [7.4.203](#) of this part.

1. Conditions For On Street Parking Credit: The Manager may count immediately adjacent on street parking in determining whether the minimum off street parking requirements for a particular proposed use have been met if all of the following conditions are satisfied:

- a. The City street immediately adjacent to the subject property allows on street parking; and
- b. The subject property has a minimum lot width of thirty feet (30') adjacent to the street containing the on street parking spaces; and
- c. The scope, scale and other characteristics of the proposed use(s) are such that counting on street parking toward the minimum off street parking requirement would not generate significant off site impacts upon neighboring properties.

2. On Street Parking Credit Submittal Requirements: Requests for on street parking credit shall be made as part of the project statement for a submitted new or amended development plan. The request for on street parking credit shall provide the following information:

- a. A written project statement detailing the request addressing how the site meets the applicable conditions; and

b. A parking plan showing the calculations of the required number of parking spaces including the on street parking spaces, dimensions and locations of all on site parking spaces, including drive aisles and abutting alley width, if applicable, and an on street parking analysis that describes local on street demand, the potential off site impacts that would result from granting the on street parking credit request, and the overall appropriateness of the request; and

c. A statement that a formal written parking evaluation would reveal that additional on site parking is not available and/or not feasible.

3. Use Of On Street Parking: On street parking spaces shall be used for vehicular parking only. No sales, rental, storage, repair, servicing of vehicles, equipment or materials, dismantling, or other activities shall be conducted or located in such areas. On street spaces cannot be designated as private or reserved for the adjacent use.

<image001.png>

Ryan Tefertiller

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From: Ronald Nohr [<mailto:rn1841@yahoo.com>]

Sent: Monday, April 02, 2018 4:16 PM

To: Courtney; Tefertiller, Ryan

Subject: Re: Fwd: Property application at 430 W. Pikes Peak

Ryan

Thank you for your response to my email. Your directions were very helpful and a time saver for me.

Could you send me your interpretation of parking requirements for the proposed 8 units.

We are anxious to see the proposed new location of the trash dumpster and details of screen walls.

Your time and efforts are appreciated.

Ronald W. Nohr, P.E.

Mobile 712-259-2040

rn1841@yahoo.com

Begin forwarded message:

From: "Tefertiller, Ryan" <RTefertiller@springsgov.com>
Date: April 2, 2018 at 2:19:01 PM MDT
To: Ronald Nohr <rn1841@yahoo.com>
Cc: "Sunderlin, Katie" <sunderka@springsgov.com>, Courtney Nohr <cmnohr@gmail.com>
Subject: RE: Fwd: Property application at 430 W. Pikes Peak

Hello Ronald,

Thanks for your email. I've been hoping to sit down with Courtney to discuss the concerns she included in her original email a few weeks ago, but we haven't been able to

make that happen. I'd be happy to sit down with you as well to talk more about the review/approval process, as well as the relevant criteria and standards for the application. Short of that, I can provide a few resources for your review.

- Review Process – check out this page, in particular the CPC Process side, for a flow chart and narrative about our process:

<https://coloradosprings.gov/planning/page/development-application-processing-information>

- Conditional Use and Development Plan criteria – follow this link to access the check list for the submittal of a Conditional Use Development plan.

https://coloradosprings.gov/sites/default/files/dp_cu_uv-8.2017.pdf Pay particular attention to the last page which lists the required criteria for the development plan and the conditional use.

- City Code – use this link to access the City Code:

http://www.sterlingcodifiers.com/codebook/index.php?book_id=855

- o Once on the Sterling Codifier site, use the folders on the left hand side to navigate to Chapter 7 (the zoning code), Article 3 (zone districts), Part 2 (commercial districts), specifically section 7.3.203 which is a table of uses that are permitted (shown with a “P”) or conditional (shown with a “C”) in the C6 zone. You’ll see that there a number of uses that are way more intense than the proposed 8 unit apartment building that are permitted in the zone (e.g. auto repair, bar, gas station, fast food, medical marijuana retail center, liquor store, etc.). Any of those permitted uses could be reviewed/approved without a hearing at the Planning Commission like the proposed apartment building needs.

- o You should also look at section 7.3.104 to find the bulk standards for the proposed project. City Code indicates that a multi-family residential project in the C6 zone requires implementation of the R5 zone district standards; those standards are found in this table. Specifically, you’ll see that the R5 zone allows 45’ tall buildings and you only need 900 square feet of lot space per dwelling unit for a three story project. This means that the subject property could have supported more than the 8 dwelling units that are proposed.

- Lastly, you should know that the applicant is aware of your concerns and is working to mitigate what he can. Specifically, I’m expecting the revised plans to be submitted in the next few weeks that include an extended patio wall along the north building edge preventing future residents from looking north into your daughter’s rear yard. I’ve attached a rendering that illustrates the plans as they will likely be resubmitted. You’ll also notice that the rendering appears to show that the trash enclosure has been moved southward (another concern of Courtney’s). Once I get the full resubmittal I will provide it to you both along with a resubmittal narrative that describes how each issue was (or wasn’t) addressed and why.

I hope this is helpful... please feel free to suggest a day/time to sit down and discuss further.

Thanks,

Ryan

Ryan Tefertiller

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From: Ronald Nohr [<mailto:rn1841@yahoo.com>]
Sent: Sunday, April 01, 2018 10:03 PM
To: Tefertiller, Ryan
Cc: Sunderlin, Katie; Courtney Nohr
Subject: Re: Fwd: Property application at 430 W. Pikes Peak

Mr. Tefertiller

My daughter Courtney currently resides at 9 N. Walnut. She has been in communication with you regarding her concerns of a proposed 8 unit apartment to be constructed next door to her.

This proposed project (8 housing units) is obviously oversized for this small lot and will significantly reduce the value of the home my daughter lives in.

Could you please send me the Colorado Springs zoning information relative to the proposed Conditional Use Permit process including notifications and public meetings. Please include the list of conditional uses for the current Gen. Business Zoning.

We will review the requested information and will be in communication with you. I appreciate the correspondence and professional assistance you have provided my daughter.

Ronald W. Nohr, P.E.

Mobile 712-259-2040

841@yahoo.com

On Saturday, March 31, 2018 10:21:26 PM CDT, Courtney Nohr <cmnohr@gmail.com> wrote:

----- Forwarded message -----
From: **Tefertiller, Ryan** <RTefertiller@springsgov.com>
Date: Wed, Mar 21, 2018 at 3:52 PM
Subject: RE: Property application at 430 W. Pikes Peak
To: Courtney Nohr <cmnohr@gmail.com>
Cc: "Sunderlin, Katie" <sunderka@springsgov.com>

Hello again Courtney,

While I haven't heard from you since your original email, I thought you may still find value in reviewing a copy of my official review letter for this project (attached). Feel free to contact Katie or I if you have questions about the process going forward.

Thanks,

Ryan

Ryan Tefertiller

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From: Tefertiller, Ryan
Sent: Thursday, March 08, 2018 9:17 AM
To: 'Courtney Nohr'
Cc: Sunderlin, Katie
Subject: RE: Property application at 430 W. Pikes Peak

Hello Courtney,

Thank you for your email. I will add your comments to the project file and I will forward them to the applicant for their consideration. There may be opportunities to modify the plan to mitigate some of your concerns. Please give me an opportunity to talk with the applicant and complete my own review. In the coming weeks I think it would be helpful if we could sit down and talk through your concerns and make sure you understand the process that this application is going through.

Thanks again,

Ryan

Ryan Tefertiller

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From: Courtney Nohr [<mailto:cmnohr@gmail.com>]

Sent: Wednesday, March 07, 2018 2:23 PM

To: Tefertiller, Ryan

Cc: Sunderlin, Katie

Subject: Property application at 430 W. Pikes Peak

Hello, I am writing in regards to the property being considered for 430 W Pikes Peak-file number CPC CU 18-00029.

While our family is very excited about the prospect of building on the empty lot, we are also very concerned about some of the blue print plan ideas.

The half owner of our residential home is also the owner of City Rock Climbing Gym in downtown Colorado Springs. We understand the importance of renovating run down areas and helping up and coming areas flourish. In this renovation process, we feel care and consideration has to be given to the homeowners who have worked hard to care for their homes and who already give back to the neighborhood daily.

My concerns include:

1. The patios on each end of the building are to be built 6 feet from the fence surrounding my backyard. Tenants that live in these 2nd level apartments will be able to see directly into my backyard and directly into the living room and bedroom windows. This is a huge privacy concern. Can the apartment be built without having this enormous burden of privacy? Such as set about an additional 10-15 feet? I will have a newborn baby due in November, will noise from such a close proximity be an issue? Will our family look out our dining room window up into the faces of our neighbors who are sitting 20 feet away, feeling like we are on display? Is this fair to us? I find it hard to believe anyone building this property would be excited about people looking into their bedroom and living room windows from such a close proximity.

2. The dumpster is set to be located along the back of the parking lot, up against the fence. On the other side of that fence is my backyard, in particular our garden. Will we have to smell rotting garbage while we work in our garden this summer? Again I ask the developers, would they like to have a large 8 unit apartment dumpster located on the other side of their garden, where their kids play in the backyard?

3. I am also very concerned about the allotment of parkings spots on Walnut street in front of the building. When I talked to Katie Sunderlin, she seemed to be under the assumption people park on this part of the street currently. They do not, except the occasional Sunday Church Group. Walnut street is 4 lanes. More often than not, cars drive 45-60 mph between the light at Colorado and the intersection of Bijou. As a homeowner, it is already scary to pull my car out of the driveway because of the oncoming traffic. Will I have to also worry about my vision being blocked because there are cars parked on both sides of my driveway? It seems like a better idea to have the apartment parking on Pikes Peak instead of Walnut.

4. Lastly, what is the timeline for building and what can we expect in the way of construction noise? We have a newborn baby due in November. Will we have to worry about the burden construction will cause on him or her, in regards to noise and privacy? If so, for how long? The babies window will be 20 feet from where the apartment will be built.

Again, we are very excited about the development of this lot but also have very, serious concerns about such a large property being placed on such a small lot. It feels like a "squeeze job" and the burden will lie on us as the property next door.

A 4 unit property would seem more appropriate, or 2 sets of town homes. An 8 unit apartment complex seems unjust and in poor taste of the developers, considering our home is so close in proximity.

I hope to have a discussion out of this and our perspective to be taken into consideration. If it is not, I am fully prepared to go to whatever legal means necessary to be heard.

Thank you again for you time,

The residents of 9 N. Walnut