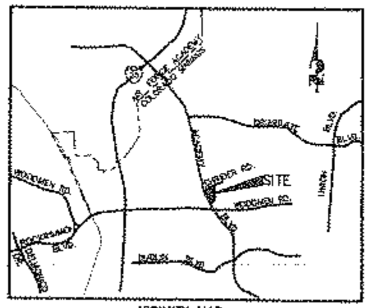
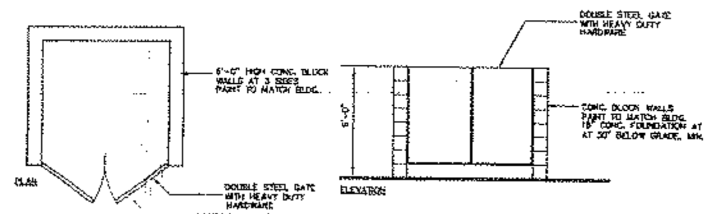
BSK SUBDIVISION FILING NO. 1 (AKA BERGLIND & ACADEMY)

CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO

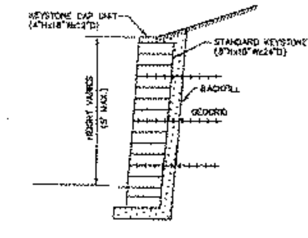
DEVELOPMENT PLAN



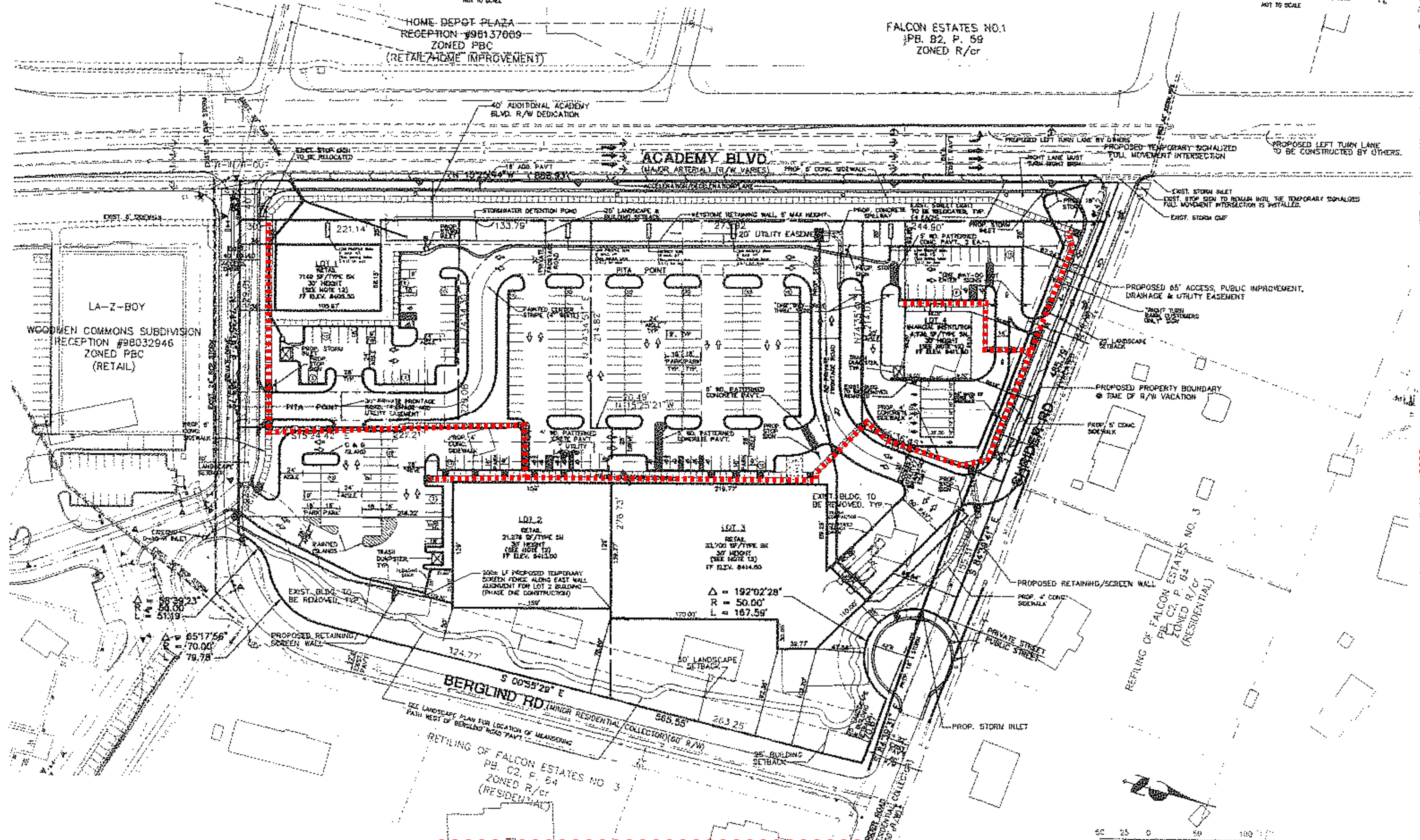
VICINITY MAP
NOT TO SCALE



TYPICAL TRASH ENCLOSURE
NOT TO SCALE



KEYSTONE WALL SECTION
NOT TO SCALE



GENERAL NOTES:

1. COMMON ACCESS & PARKING EASEMENTS SHALL BE PROVIDED FOR THE BENEFIT OF ALL LOT OWNERS & USERS.
2. ALL DUMPSTERS WITHIN THE DEVELOPMENT WILL BE ENCLOSED WITH MASONRY WALLS.
3. LIGHTS UPON THE BUILDINGS SHALL NOT EXCEED 15' IN HEIGHT FROM THE FINISHED GRADE ELEVATION ADJACENT TO THE BUILDING. NO LIGHTS SHALL BE PERMITTED ALONG THE EAST SIDE OF THE BUILDINGS LOCATED ADJACENT TO BERGLIND ROAD. BUILDING SKYLIGHTS SHALL NOT BE PERMITTED. THE HEIGHT OF THE PARKING LOT POLE LIGHTS SHALL BE AS SHOWN ON THE DEVELOPMENT PLANS LIGHTING PLAN, SHEET 10 OF 10, AND SHALL BE LIMITED TO 15' TO 20', DEPENDING UPON THEIR LOCATION, INCLUDING THE CONCRETE PEDESTALS. LIGHT FIXTURES SHALL BE THE SHOE-BOX TYPE WITH FULL CUTOFF FEATURES AND BE LIMITED TO A HIGH PRESSURE SODIUM TYPE. ALL LIGHTING SHALL BE ARRANGED TO REFLECT AWAY FROM ADJOINING PROPERTIES AND PUBLIC RIGHTS-OF-WAY, AND SHALL BE SHIELDED TO CONTAIN ALL DIRECT RAYS OF LIGHT ON THE SITE. LIGHT LEVELS FROM THE PROJECT SHALL NOT EXCEED 1.0 FOOT CANDLE, AS MEASURED ALONG THE COMMON PROPERTY ADJACENT TO RESIDENTIAL USES. MINIMUM LIGHTING WILL EXIST AFTER 10:00 P.M.
4. THE HOURS OF OPERATION FOR LOTS 2, 3 & 4 ARE FROM 7:00 AM TO 10:00 PM. ALL STORES MAY BE OPEN TO 12:00 MIDNIGHT ON AN OCCASIONAL, SPECIAL EVENT BASIS, HOWEVER NOT MORE THAN A TOTAL OF 12 DAYS PER YEAR. THE HOURS OF USE FOR NON-ATTENDED, SELF-SERVICE OR AUTOMATED SERVICE OPERATIONS SHALL NOT BE RESTRICTED, IE; ATM'S, DROP-OFF BOXES, RENTAL RETURN. THE HOURS OF OPERATION FOR LOT 1 ARE FROM 7:00 AM TO 10:00 PM FOR GENERAL RETAIL USES EXCEPT FOR RETAIL REPRODUCTION COMPANIES IE; KINKO'S AND/OR LIKE KIND OPERATIONS, WHICH SHALL BE ALLOWED TO OPERATE 24 HOURS EACH DAY.
   A. ~~NO RESTAURANT SHALL BE PERMITTED TO HAVE AN OPERATING BAR WITHIN THE CONFINES OF THEIR SPACE.~~
   B. FOR RESTAURANTS, BEER AND WINE MAY BE SERVED ONLY TO THE PATRON'S TABLE. WITH NO SALES OF BEER AND WINE FOR CONSUMPTION OFF THE PREMISES.
5. ~~NO TRUCK DELIVERIES, UNLOADING OR TRASH COLLECTION WILL OCCUR~~ BETWEEN THE HOURS OF 9:00 PM AND 7:00 AM.
6. NO TRUCK DIESEL ENGINES SHALL BE LEFT RUNNING FOR MORE THAN 10 MINUTES DURING DELIVERIES.
7. NO LOUDSPEAKER INTERCOM/MUSIC SYSTEMS, WITH THE EXCEPTION OF BANKING TELLER COMMUNICATIONS, WILL BE ALLOWED IN AREAS THAT CAN BE HEARD ON THE ADJACENT RESIDENTIAL PROPERTIES.
8. THE DEVELOPMENT PLAN SHOWS AN INTEGRATED PEDESTRIAN ACCESS SYSTEM LINKING THE INDIVIDUAL PAD SITES TO THE PROPOSED SIDEWALKS ALONG ACADEMY BLVD., ALONG THE FRONTAGE ROAD, AND TO SHRIDER ROAD.
9. SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY ZONING CODE PROVISIONS FOR A PBC DISTRICT, EXCEPT AS NOTED: NO WALL SIGNAGE SHALL BE PERMITTED ALONG THE EAST & NORTH SIDES OF BUILDINGS ON LOTS 2 AND 3. FREESTANDING SIGNS SHALL NOT EXCEED 15 FEET IN HEIGHT, INCLUDING CONCRETE PEDESTALS. FREESTANDING LOW PROFILE SIGNS SHALL ONLY BE PERMITTED IN EXTENT AND LOCATION AS SHOWN ON THE DEVELOPMENT PLAN.
10. HOURS OF CONSTRUCTION SHALL BE LIMITED TO MONDAY THROUGH SATURDAY, 7:00 AM TO 7:00 PM.
11. ALL ROOFTOP REFRIGERATION AND HVAC UNITS WILL BE PAINTED TO MATCH THE ROOF COLOR. ALL EFFORTS WILL BE MADE TO MINIMIZE NOISE FROM ROOFTOP REFRIGERATION AND HVAC UNITS. ALL UNITS SHALL BE SCREENED FROM VIEW FROM THE IMMEDIATE ADJOINING RESIDENTIAL PROPERTIES. ALL ROOFING MATERIALS VISIBLE FROM THE IMMEDIATE ADJACENT RESIDENTIAL PROPERTIES SHALL BE OF A FINISHED MATERIAL. MEMBRANE ROOFING MATERIALS SHALL BE COVERED WITH ROCK BALLAST OR SIMILAR MATERIALS. PARAPET WALLS SHALL BE OF FINISHED MATERIALS TO MATCH OR COMPLIMENT THE EXTERIOR OF THE BUILDING.
12. MAXIMUM BUILDING HEIGHT IS 30' AND ONE STORY, EXCEPT PARAPET WALLS AND CORNICES WHICH MAY ONLY EXTEND AN ADDITIONAL 5'. NO WINDOWS SHALL BE PERMITTED ALONG THE EAST SIDE OF BUILDINGS LOCATED ON LOTS 2 AND 3.
13. RESTAURANT ODORS SHALL BE CONTAINED ENTIRELY ON-SITE AND SHALL NOT BE ABLE TO BE DETECTED BEYOND THE PROPERTY. METHODS FOR ODOR CONTROL SHALL BE SPECIFIED ON THE BUILDING PLANS AND BE REVIEWED AND APPROVED BY THE EL PASO COUNTY HEALTH DEPARTMENT PRIOR TO THE ISSUANCE OF A BUILDING PERMIT BY THE CITY.
14. CONDITIONS OF RECORD - ORDINANCE # ____________
    THE FOLLOWING USES SHALL NOT BE PERMITTED WITHIN THE PBC DISTRICT AND APPLICABLE AREA OF THIS CONCEPT PLAN:
    A. SEXUALLY ORIENTED BUSINESS
    B. NIGHT CLUB
    C. MOVIE THEATERS
    D. BARS
    E. AUTOMOTIVE & EQUIPMENT SALES & SERVICE
    F. DRIVE-IN OR FAST FOOD RESTAURANTS
    G. TEEN OR YOUNG ADULT CLUBS
    H. FUNERAL SERVICES
    I. CONVENIENCE FOOD SALES WITH FUEL SALES (GAS STATIONS)
    J. METHADONE CLINIC
15. ~~ANY REQUIRED RELOCATION OF EXISTING, OR INSTALLATION~~ OF NEW WATER/WASTEWATER FACILITIES WILL BE AT THE EXPENSE OF THE OWNER/DEVELOPER.

~~17.~~ 16. THIS PROPERTY IS SUBJECT TO THE FINDINGS SUMMARY AND CONCLUSIONS OF A GEOLOGIC HAZARD STUDY EXEMPTION REQUEST PREPARED BY TERRACON DATED NOV. 18, 1998. A COPY OF SAID REQUEST HAS BEEN APPROVED AND PLACED WITHIN FILE : CPC P 98-009 OF THE CITY OF COLO. SPGS. - DEVELOPMENT SERVICES DIVISION. CONTACT DEVELOPMENT SERVICES DIVISION @ 30 S. NEVADA AVE., STE. 301, COLO. SPGS., CO. IF YOU WOULD LIKE TO REVIEW SAID REPORT

~~25.~~ 17. THIS PROJECT IS LOCATED WITHIN THE PROPOSED WOODMEN AND ACADEMY INTERSECTION PUBLIC IMPROVEMENT CORP. (P.I.C.) DISTRICT. THE DRAFT PIC ORDINANCE REQUIRES THAT ALL NEW NON-RESIDENTIAL LAND USE AND/OR ACTIVITIES LOCATED WITHIN THE BOUNDARIES OF THE PIC TO PARTICIPATE AND CONTRIBUTE TO THE IMPROVEMENTS TO THE WOODMEN AND ACADEMY INTERSECTION ON A FAIR SHARE BASIS. THE DEVELOPMENT INCLUDED WITHIN THIS DEVELOPMENT PLAN MAY BE REQUIRED TO PARTICIPATE IN THE PIC, PENDING FINAL APPROVAL OF A WOODMEN/ACADEMY PIC ORDINANCE BY CITY COUNCIL WHICH INCLUDES THE SUBJECT PROPERTY WITHIN THE BOUNDARIES OF THE PIC.

18. GENERAL NOTES # 16,18-24, 26-34 REFERRING TO SUBMITTAL REQUIREMENTS PRIOR TO DP APPROVAL, SITE CONSTRUCTION REQUIREMENTS, AND REQUIREMENTS PRIOR TO BUILDING PERMIT HAVE BEEN REMOVED FROM THIS DEVELOPMENT PLAN AS THE SITE IS FULLY DEVELOPED AND THESE NOTES ARE NO LONGER RELEVANT. THESE NOTES CAN BE FOUND ON THE ORIGINAL DP (FILE NO. CPC DP 99-215).

ADA NOTE
THE PARTIES RESPONSIBLE FOR THIS PLAN HAVE FAMILIARIZED THEMSELVES WITH ALL CURRENT ACCESSIBILITY CRITERIA AND SPECIFICATIONS AND THE PROPOSED PLAN REFLECTS ALL SITE ELEMENTS REQUIRED BY THE APPLICABLE ADA DESIGN STANDARDS AND GUIDELINES AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF JUSTICE. APPROVAL OF THIS PLAN BY THE CITY OF COLORADO SPRINGS DOES NOT ASSURE COMPLIANCE WITH THE ADA OR ANY OTHER FEDERAL OR STATE ACCESSIBILITY LAWS OR ANY REGULATIONS OR GUIDELINES ENACTED OR PROMULGATED UNDER OR WITH RESPECT TO SUCH LAWS. SOLE RESPONSIBILITY FOR COMPLIANCE WITH FEDERAL AND STATE ACCESSIBILITY LAWS LIES WITH THE PROPERTY OWNER.

FEMA FLOODPLAIN NOTE
THIS SITE, LOCATED AT 7165, 7149, 7133, 7207, 7239 N. ACADEMY BOULEVARD, IS NOT WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP NUMBER 08041C0516 G, COMMUNITY PANEL NUMBER 516 OF 1300, EFFECTIVE DECEMBER 7, 2018.

AVIGATION EASEMENT NOTE
THE AVIGATION EASEMENT DEDICATED HEREIN FOR PUBLIC AVIGATION PURPOSES, SHALL BE CONSIDERED A PUBLIC EASEMENT SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED ON THE INSTRUMENT RECORDED AT RECEPTION NO. 217069667 OF THE RECORDS OF EL PASO COUNTY, COLORADO. ALL OTHER EASEMENTS OR INTERESTS OF RECORD AFFECTING ANY OF THE PLATTED PROPERTY DEPICTED HEREON SHALL NOT BE AFFECTED AND SHALL REMAIN IN FULL FORCE AND EFFECT.

AN AVIGATION EASEMENT STATING THE ABOVE WILL BE RECORDED PRIOR TO THE ISSUANCE OF ANY CERTIFICATE OF OCCUPANCY FOR THE COMMERCIAL BUILDING WITHIN THE DEVELOPMENT.

USAFA NOTICE
THIS PROPERTY MAY BE IMPACTED BY NOISE AND OTHER SIMILAR INCIDENTAL SENSORY EFFECTS OF FLIGHT CAUSED BY AIRCRAFT USED IN THE UNITED STATES AIR FORCE ACADEMY'S AIRMANSHIP PROGRAM. THIS NOTICE SHALL REMAIN IN EFFECT UNTIL THE ACADEMY SHALL CEASE TO BE ACTIVELY USED. THIS NOTICE SHALL RUN WITH THE LAND.

SITE DATA

Owners:
Shooting Star Enterprises
2007 W. Evening Star Road
Post Falls, ID. 82854

TCF National Bank
1405 Xenium Ln. N.
Minneapolis, MN. 55441

Charles M. Ostro Trust
1111 California St.
Imperial Beach, CA. 91932

Applicant: Shooting Star Enterprises

Tax ID - Address:
6308015010 - 7207 N. Academy Blvd.
6308015013 - 7169 N. Academy Blvd.
6308015014 - 7149 N. Academy Blvd.
6308015009 - 7239 N. Academy Blvd.
6308015012 - 7133 N. Academy Blvd.

Existing Zoning: PBC/cr (Planned Business Center with Conditions of Record)(City File #CPC ZC 99-00009, Ordinance #99-36)

Proposed Zoning: PBC/CR

Lot Area:
ROW Dedication = 35, 254 SF (.809 AC)
Lot 1 = 47,503 SF (1.09 AC)
Lot 2 = 112,425 SF (2.58 AC)
Lot 3 = 159,070 SF (3.65 AC)
Lot 4 = 48,242 SF (1.107 AC)
Total = 402,494 SF (9.24 AC)

Total excluding ROW = 367,240 SF (8.43 AC)

Building Size	Building Use
Lot 1 = 7,149 SF	Commercial Center
Lot 2 = 21,276 SF	Commercial Center
Lot 3 = 33,700 SF	Commercial Center
Lot 4 = 4,736 SF	Commercial Center
Total Building SF = 66,861 SF	

Parking Calculations
Commercial Center = 1 Space per 250 SF
Required Parking: 268 spaces (7 handicap / 2 van accessible)
Provided Parking: 284 spaces (15 handicap / 2 van accessible)

IMPERVIOUS AREA: 66,861 SF BLDGS (1.53 AC)
+ 194,183 SF PAVT. (4.46 AC)
251,044 SQ.FT. (5.99 AC) OR 64.83% OF SITE

NON-IMPERVIOUS AREA: 141, 795 SQ.FT. (3.25 AC) OR 35.17% OF SITE

BUILDING HEIGHT: 45' MAXIMUM ALLOWABLE HEIGHT
30' PROPOSED HEIGHT
~~(SEE NOTE NO. 12)~~

OWNER: ~~[struck-through text]~~

LOT AREA: ~~8.43 AC~~
PLAT AREA: 8.24 AC (0.81 AC R/W DEDICATION)

MASTER PLAN: FCY MASTER PLAN(CPC MP 94-14-A1(95). CPC MPA 99-00002)

ADA ROUTE

AMENDMENT HISTORY			
FILE NUMBER	AMENDMENT	DATE	DESCRIPTION
	1		
CPC DP 99-215-A2000	2	2/3/2001	
CPC DP 99-215-A3	3	3/10/2005	AMENDMENT TO LOT 2
CPC DP 99-00215-A5MJ18	4	12/28/2018	AMENDMENT TO CONDITIONS OF RECORD TO REMOVE RESTRICTED USES (AUTOMOTIVE & EQUIPMENT SALES AND SERVICE, GENERAL FOOD AND CONVENIENCE FOOD SALES, LIQUOR SALES), REMOVED NOTES THAT ARE NO LONGER RELEVANT DUE TO THE FULLY DEVELOPED SITE.

LEGAL DESCRIPTION:

A TRACT OF LAND BEING BLOCK 4 , AND A PORTION OF VACATED BERGLIN AND SCHRIDER ROADS, AS PLATTED IN REFILING OF FALCON ESTATES FILING NO. 3, RECORDED IN PLAT BOOK C-2 AT PAGE 64, CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS

BASIS OF BEARINGS: THE NORTHERLY LINE OF LOTS 2 AND 3 AS PLATTED IN WOODMEN COMMONS SUBDIVISION, RECORDED UNDER RECEPTION NO. 98032946, EL PASO COUNTY, COLORADO BEING MONUMENTED AT THE WESTERLY END BY A 1 1/2" STEEL WASHER AND NAIL STAMPED "JR ENG RLS 17663" AND THE EASTERLY END WITH A #5 REBAR AND 1 1/2" ALUMINUM SURVEYOR'S CAP STAMPED "JR ENG LS 31161" IS ASSUMED TO BEAR N74°35'18"E, A DISTANCE OF 363.72 FEET

BEGINNING AT THE NORTHWESTERLY CORNER OF WOODMEN COMMONS SUBDIVISION AS RECORDED UNDER RECEPTION NO. 98032946, EL PASO COUNTY, COLORADO, THENCE N15°25'44"W, ON THE WESTERLY RIGHT OF WAY LINE OF ACADEMY BOULEVARD, A DISTANCE OF 883.83 FEET TO A POINT ON THE CENTERLINE OF VACATED SCHRIDER ROAD; THENCE S64°39'41"E, ON SAID CENTERLINE, A DISTANCE OF 485.79 FEET TO A POINT ON CURVE; THENCE ON THE ARC OF A CURVE TO THE LEFT, WHOSE CENTER BEARS S6°05'00"E, HAVING A DELTA OF 192°02'28", A RADIUS OF 50.00 FEET, A DISTANCE OF 167.59 FEET; THENCE S84°39'41"E, ON THE SOUTHERLY RIGHT OF WAY OF SHRIDER ROAD, A DISTANCE OF 70.07 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE FOR BERGLIND ROAD; THENCE S00°55'29"E, ON SAID WESTERLY ROW, A DISTANCE OF 553.40 FEET TO POINT OF CURVE; THENCE ON THE ARC OF CURVE TO THE RIGHT, HAVING A DELTA OF 65°17'56", A RADIUS OF 70.00 FEET, A DISTANCE OF 79.78 FEET TO A POINT OF REVERSE CURVATURE; THENCE ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 58°39'23", A RADIUS OF 50.00 FEET, A DISTANCE OF 51.19 FEET, TO A POINT ON THE CENTERLINE OF SAID VACATED BERGLIND ROAD; THENCE S74°35'18"W ON SAID CENTERLINE, A DISTANCE OF 363.72 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 9.240 ACRES.

BSK SUBDIVISION FILING NO. 1 (AKA BERGLIND @ ACADEMY)
DEVELOPMENT PLAN
SITE PLAN

SCALE	DATE	DES. BY	CHK. BY	DWN. BY

SHEET 1 OF 1

CPC DP 99-00215-A5MJ18

BSK SUBD. DEVELOPMENT PLAN CPC DP 99-215

FIGURE 2