
CITY PLANNING COMMISSION AGENDA

ITEM NOS: 5.A-5.C

STAFF: MEGGAN HERINGTON

FILE NO(S):

CPC MP 07-00061-A3MN14 – QUASI-JUDICIAL

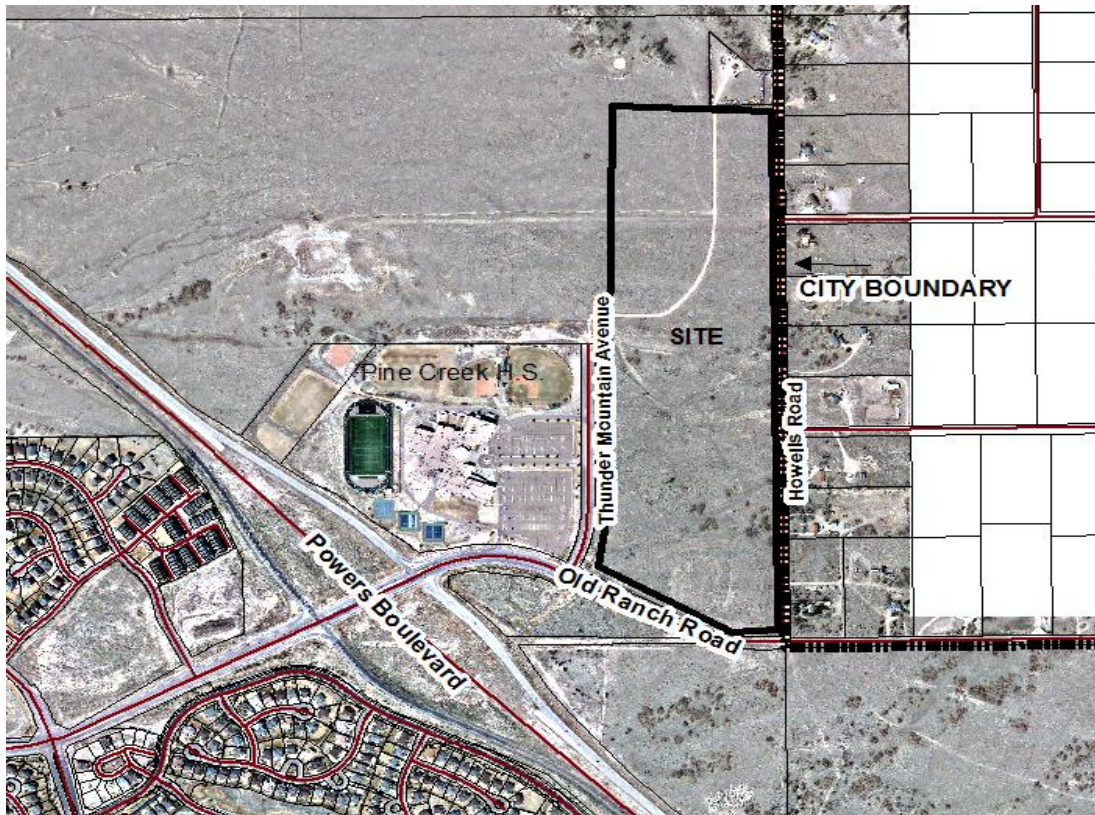
CPC PUZ 14-00024 – QUASI-JUDICIAL

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

DTM DESIGN
 LANDMARK ARCHITECTURE
 1400 W. WASHINGTON
 COLORADO SPRINGS, CO 80904
 (719) 597-5566

CPC MP 07-00061-A3MN14

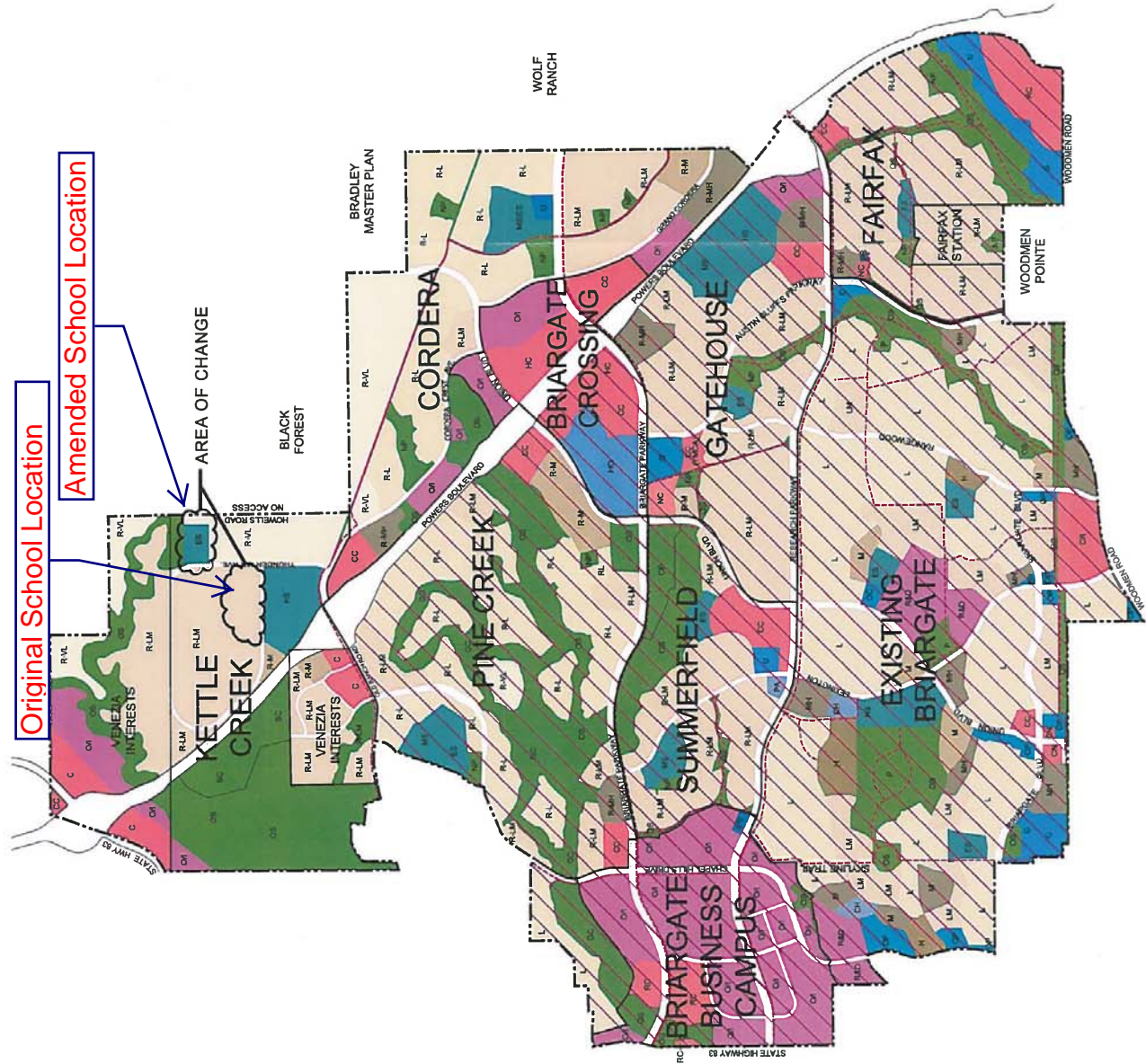
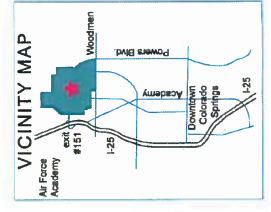


FIGURE 1

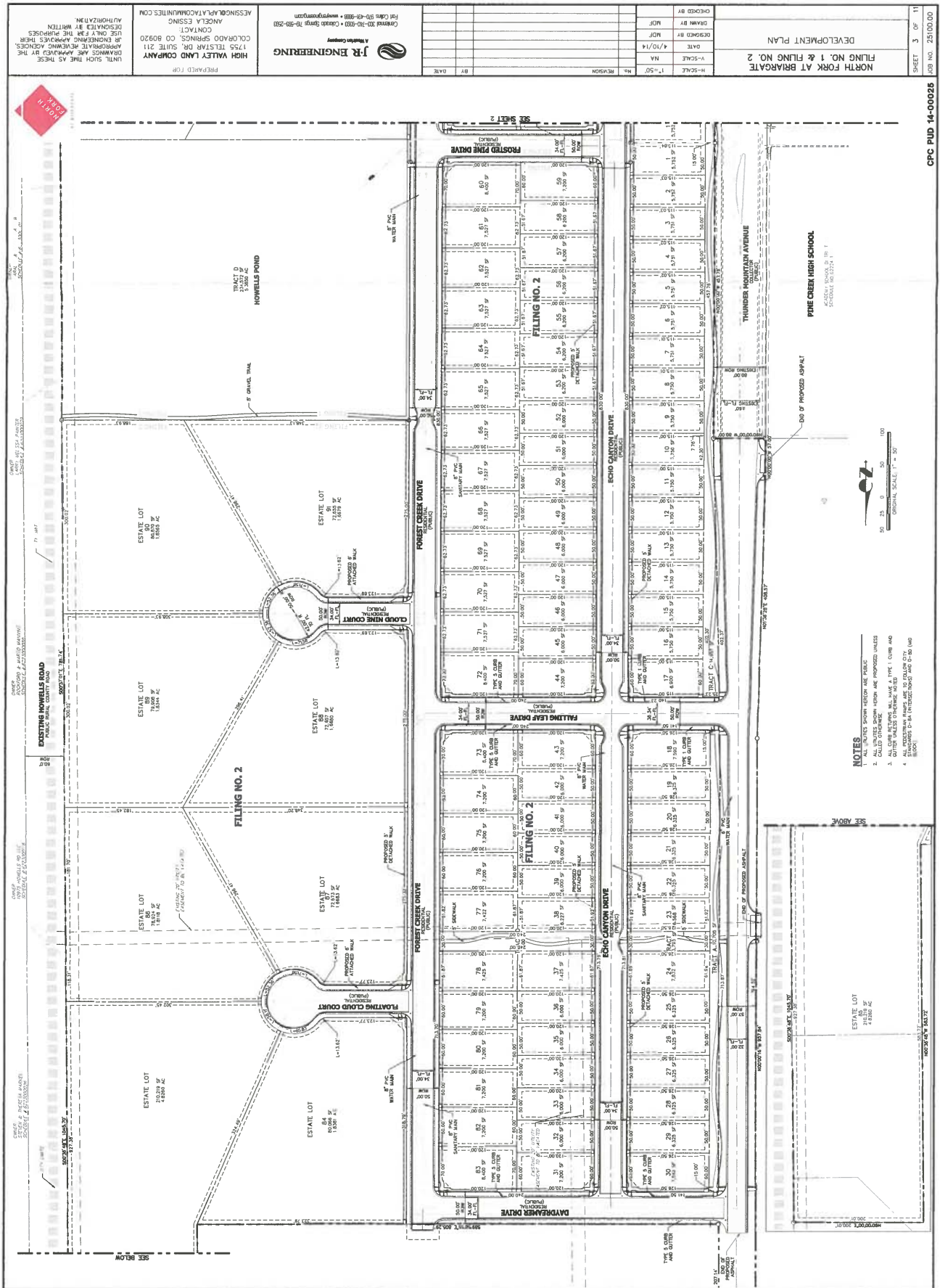


FIGURE 1

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

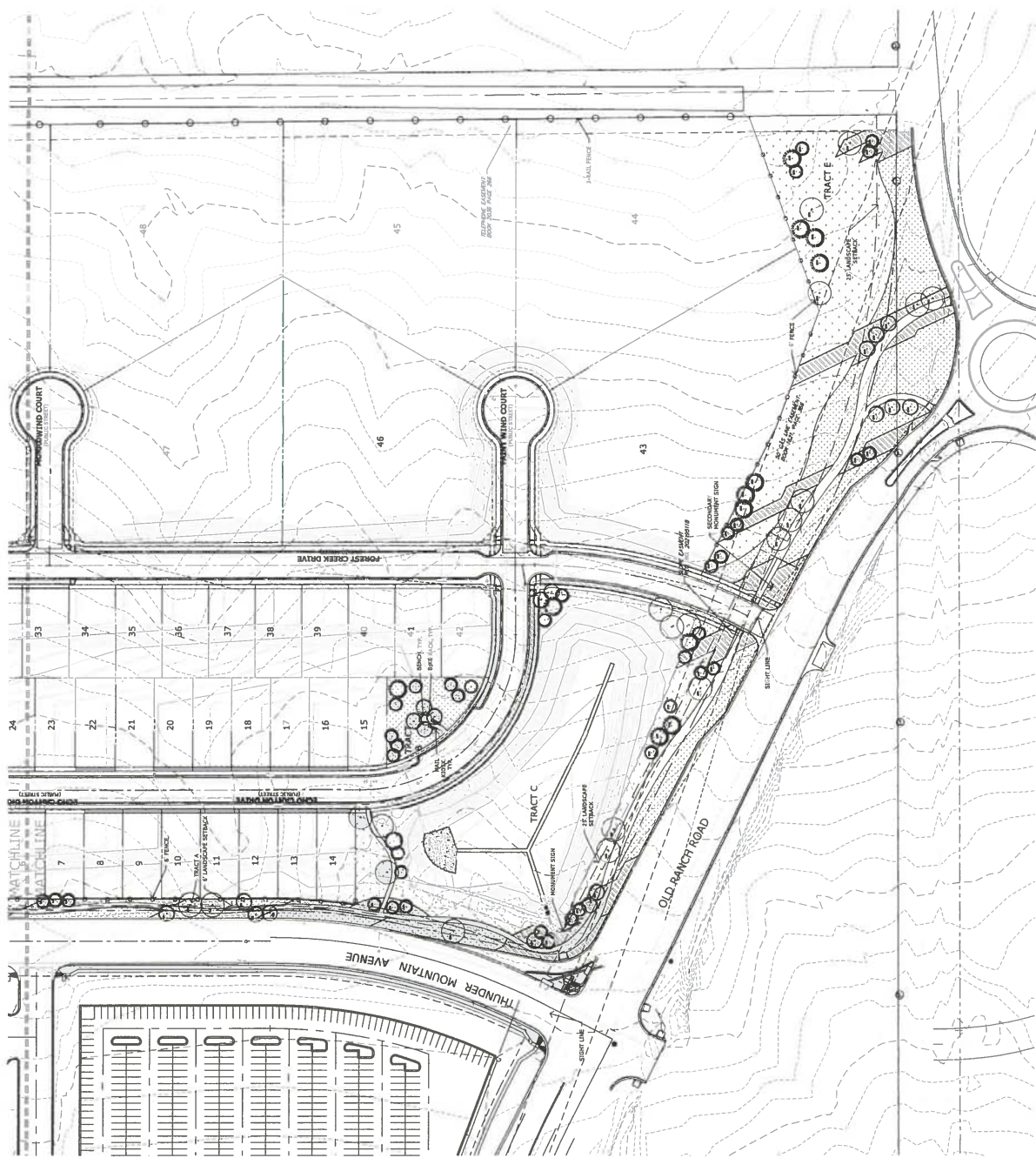


**NORTH FORK
 AT
 BRIARGATE**

| | |
|------|-------------|
| DATE | DESCRIPTION |
| | |
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| | | |
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| 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
 NORTH
 SCALE: 1" = 30'
 0 30 60 90 120

FIGURE 1



NORTH FORK
 AT
 BRIARGATE

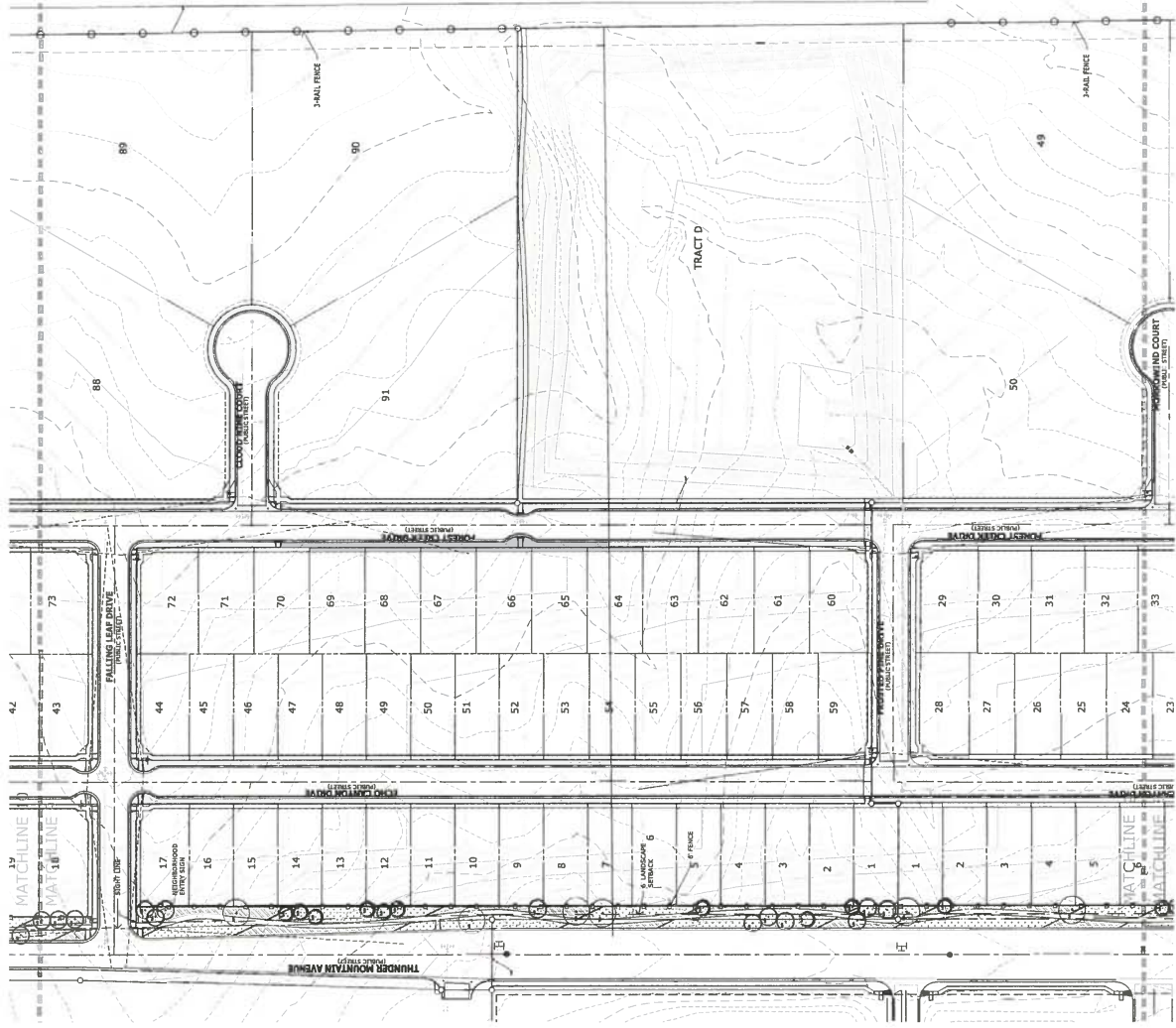
Scale: 1" = 40'

| NO. | DATE | DESCRIPTION |
|-----|----------|------------------|
| 1 | 05/15/14 | PRELIMINARY PLAN |

PRELIMINARY
 LANDSCAPE
 PLAN

9
 of 11

CPC-PUD 14-00025



LEGEND:

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

Scale: 1" = 40'

FIGURE 1



N.E.S., Inc.
 508 S. Tejon St.
 Colorado Springs, CO 80903
 Tel: 719.471.0373
 Fax: 719.471.0377
 www.nesdesign.com
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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 100.00 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 30.00 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;
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 29°42'24" AND AN ARC LENGTH OF 67.69 FEET;
3. NORTH 90°00'00" A DISTANCE OF 49.25 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 49.25 FEET;
3. NORTH 90°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 160.00 FEET, A CENTRAL ANGLE OF 29°42'24" AND AN ARC LENGTH OF 38.17 FEET, TO A POINT OF TANGENCY;
2. NORTH 90°00'00" A DISTANCE OF 1048.29 FEET TO THE POINT OF BEGINNING,

CONTAINING A CALCULATED AREA OF 1,084.08 SQUARE FEET OR 0.2442 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

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

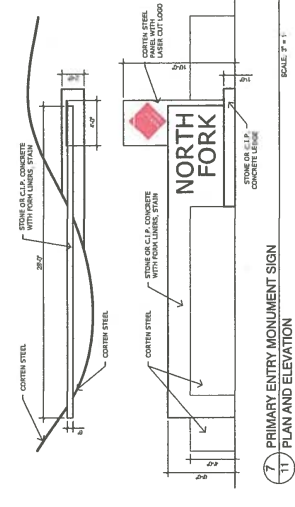
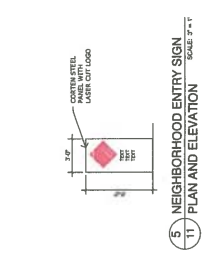
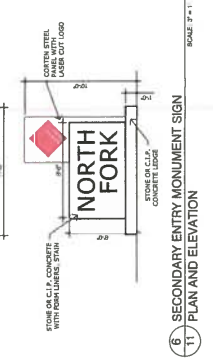
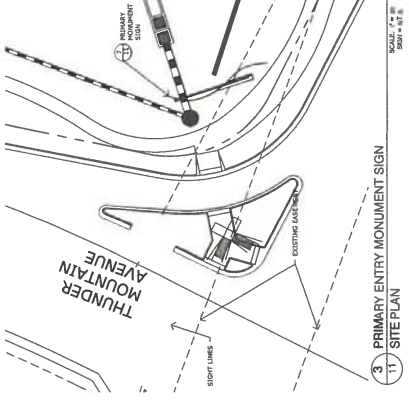
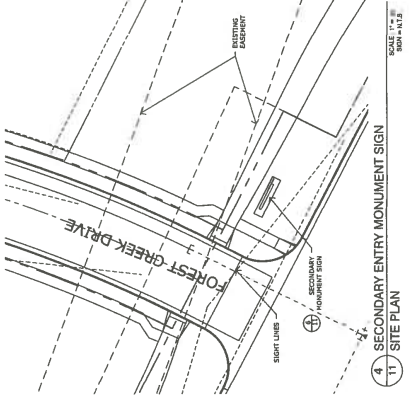
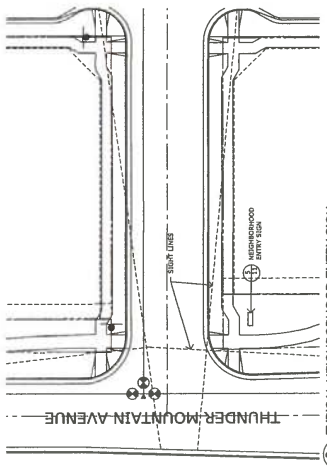
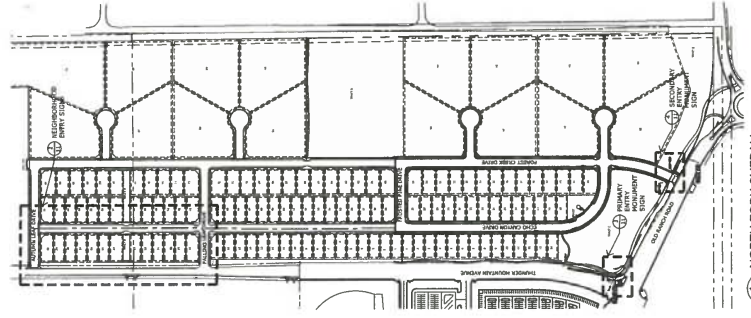


FIGURE 1

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.

Herrington, Meggan

From: Cora Michael <cora_michael@hotmail.com>
Sent: Monday, March 10, 2014 10:07 PM
To: Herrington, 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