



THE PLANNING & DEVELOPMENT DEPARTMENT APPEAL TO CITY COUNCIL

Complete this form if you are appealing City Planning Commission's, Downtown Review Board's or the Historic Preservation Board's decision to City Council.

CITY CLERK'S OFFICE
2018 APR 30 4:53 PM

APPELLANT CONTACT INFORMATION:

Appellants Name: Tin Can Grannies LLC
Goetsch/Peacock LLC, Ross W. Clinger Telephone: 719-359-0034
Address: 8254 Crown Ln. Colo. Spgs City: Colo. Spgs
State: CO Zip Code: 80924 E-mail: peacock.ranch.prop@yahoo.com

PROJECT INFORMATION:

Project Name: West Creek III at Wolf Ranch
Site Address: Old Cowpoke Rd at Tutt Blvd.
Type of Application being appealed: Appeal of Planning Commission Approval
Include all file numbers associated with application: AR PUD 06-00515-A1MN17-ARFP17-00331
Project Planner's Name: Daniel Sexton
Hearing Date: 5/22/18 Item Number on Agenda: TBD

YOUR APPEAL SUBMITTAL SHOULD INCLUDE:

~~22~~ 22 + 23 PAGES

1. Completed Application
2. \$176 check payable to the City of Colorado Springs
3. Appeal Statement
 - See page 2 for appeal statement requirements. Your appeal statement should include the criteria listed under "Option 1" or "Option 2".

Submit all 3 items above to the City Clerk's office (30 S Nevada, Suite 101, Colorado Springs, CO 80903). Appeals are accepted for 10 days after a decision has been made. Submittals must be received no later than 5pm on the due date of the appeal. Incomplete submittals, submittals received after 5pm or outside of the 10 day window will not be accepted.

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

APPELLANT AUTHORIZATION:

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

TIN CAN GRANNIES LLC AND GOETSCH PEACOCK LLC
By Ross W. Clinger OP. Done on April 30th 2018
And Ross W. Clinger individual Done on
Signature of Appellant _____ Date April 30th 2018

THE APPEAL STATEMENT SHOULD INCLUDE THE FOLLOWING

□ **OPTION 1:** If you are appealing a decision made by City Planning Commission, Downtown Review Board, or the Historic Preservation Board that was **originally** an administrative decision the following should be included in your appeal statement:

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

X **OPTION 2:** If the appeal is an appeal of a City Planning Commission, Form Based Zoning Downtown Review Board, or Historic Preservation Board decision that was **not made administratively initially**, the appeal statement must identify the explicit ordinance provision(s) which are in dispute and provide justification to indicate how these sections were not met, see City Code 7.5.906.B. For example if this is an appeal of a development plan, the development plan review criteria must be reviewed.

See attached Exhibits

CITY AUTHORIZATION:

Payment: \$ _____

Date Application Accepted: _____

Receipt No: _____

Appeal Statement: _____

Intake Staff: _____

Completed Form: _____

Assigned to: _____

APPEAL OF CITY PLANNING COMMISSION APPROVALS

April 30, 2018

APPEAL OF PLANNING COMMISSION DECISION

To

City of Colorado Springs City Council

April 30, 2018

City Council of:
City of Colorado Springs
To City Council President, Richard Skorman
30 S. Nevada Ave. Suite 101
Colorado Springs, CO 80903

Regarding: Appeal of Administrative Decision to Approve
AR PUD 06-00515-A1MN17 – Minor Amendments to Westcreek 111 at
Wolf Ranch
AR FP 17-0331 – Final Subdivision Plat

Dear Mr. Skorman, and City Council members,

The following interested parties file this NOTICE OF APPEAL in accordance with The
City of Colorado Springs Municipal Code 7.5.906.B

Goetsch/Peacock LLC, 8254 Crown Ln. Colorado Springs, CO 80924

Tin Can Granny's LLC, Colorado Springs, CO 80924

Ross W. Clinger (individual) 8254 Crown Ln., Colorado Springs, CO 80924

APPEAL OF CITY PLANNING COMMISSION APPROVALS

April 30, 2018

A brief history:

The above named appellants first learned of the 1900 acre Wolf Ranch Community Development on or about 2002. At that time, Nor' wood's Wolf Ranch published a master plan that has been amended numerous times with confusing and conflicting information on different copies or renderings of the various mater plans amendments. We will bring some of those conflicting points up in our presentation.

The Appellant's properties consists of about 91 acres and is surrounded on three sides by the Wolf Ranch projects. Early on and continuously since then, we have voiced our concerns regarding Tutt Blvd. and the disproportionate amount of cost and burden pushed onto the Peacock Ranch.

Tutt Blvd. as we understood, was planned to share our east and north property boundary but later as it evolved we learned that the Peacock Ranch would be required to build more than three fourths of Tutt Blvd, from our northwest corner to our southeast corner. The cost and burden is far greater to the Peacock Ranch, than appropriate. The Peacock Ranch east property line is 2600 ' (feet) and the north boundary is 1320' (feet) which totals 3900' +/- (feet), of which more than $\frac{3}{4}$ of Tutt Blvd. would be required to be placed of its entirety on to the Peacock Ranch. Just last week, Appellant learned at a meeting with city planner Daniel Sexton that the required right of way for Tutt Blvd. per city streets department, would be 180' (feet) wide. This would mean that the required amount of property from Peacock Ranch would have to contribute and build would be far greater than we were originally told. Keeping in mind, Peacock Ranch and Tin Can Granny's properties only total 91 acres. We are now learning that we would be required to put forth 12-15% of our property for Tutt Blvd. alone.

We have recently learned that there is substantial property damage from the Wolf Ranch retention pond called "Abbey Pond" adjacent to our north fence. The damages are the result of ongoing water seepage leaking out of the south side of the "Abbey Pond". This damage is approximately 300-400', east to west and extends out from the fence line to the south approximately 600-800'. The damage consists of uncontrolled ground water that has literally made a bog or marshy area on our property that is not suitable for development of any kind at this time much less a minor city arterial which is a four lane roadway 84' to 100'+ wide and utilities. It is our opinion that this breach in the city owned retention pond is and has been ongoing for sometime. It was brought to the attention of Tim Mitros in 2013 and again in 2014 whereby David Lefbridge, acting public works director and Tim Mitros as designated storm water manager at that time. This notification to the above information was done through a field trip meeting after the August 22, 2014 rain storm that caused "Abbey Pond" to breach over most of its southern bank, flattening 300'+/- (feet) of the Peacock Ranch northern boundary fence lines. The above mentioned breach also did untold damages to other parts of the Peacock Ranch properties to include our stock ponds, etc.

APPEAL OF CITY PLANNING COMMISSION APPROVALS

April 30, 2018

We will bring to your attention some newly discovered evidence and pictures taken by a Wolf Ranch concerned resident, that has nothing to do with the Peacock Ranch other than to enjoy our horses and cattle and open space atmosphere. Mr. Dale Funston who lives at 5915 Abbey Pond Lane. Mr. Funston recently shared a picture that he had taken on or about May 26, 2015 when he notified the Home Owners Association and Wolf Ranch Vice President Ralph Braden and VP Bobby Ingells and their consultants via email of this ongoing seeping water. There will be copies of their email chain and the picture that he took of the bog enclosed within this appeal. It should be noted at this point, that no one from Wolf Ranch even bothered to contact anyone from the Peacock Ranch with respect to the leaking, seeping, ongoing water damages. Although, they did make it well known to Mr. Funston that the pond or anything to do with it was a problem for the City of Colorado Springs, because they now own that pond and the responsibilities for any maintenance etc.

Over time, Wolf Ranch proposed different variations of their various development plans that were approved and not built. In May/June 2017 Nor'wood proposed yet another amendment. On June 23, 2017 Appellant filed our 23 page objections to the Minor Amendments and Final Subdivision Plat for West Creek III (which has never been addressed by Wolf Ranch)(copy enclosed as Appellant exhibit A).

Within that objection, appellant proposed (for the good of the larger community) that Wolf Ranch Developers realign Tutt Blvd. to the east side of West Creek III and proceed over to the new D-20 K-12 school campus where a larger influx in volume of daily to/from school traffic would benefit. This realignment from Cowpoke Rd northeast should be done and would only require Wolf Ranch to build 1300' +/- (feet) of Tutt Blvd, on the West Creek III portion of their subdivisions, and the balance could and should replace the planned major city collector called Wolf Valley Dr. that is planned for according to Wolf Ranch Master Plan to deadend adjacent to the newly built pedestrian bridge over Tributary 4, (four), West Creek III being the subject of this appeal, Tutt Blvd could and should be built solely onto Wolf Ranch property which would better serve the greater need for traffic movement by city and county citizens that would be using the new Colorado Springs regional park planned for next to Wolf Valley Dr. and the D-20 K-12 school campus as well as the balance of Wolf Ranch subdivisions to the north and other surrounding areas.

Administrative and the Planning Commission decisions were incorrect and unreasonable and should be overturned and reversed for the following reasons:

- a.** Because it places a disproportionate and financial burden on to the Peacock Ranch family and properties.
- b.** The current proposed alignment of Tutt Blvd. would put that roadway 10/12 feet higher on Wolf Ranch property making future completion of the remaining roadway on Peacock Ranch impractical and more financially burdensome in the area north of the section lines on Section 31. Starting at the north boundary of Section 6. Additionally because of the newly discovered and ongoing breach of seeping waters out of "Abbey Pond" and

APPEAL OF CITY PLANNING COMMISSION APPROVALS

April 30, 2018

the fact that building a minor arterial roadway through a potentially ongoing compromised by sub surface ground waters out of "Abby Pond" would make building the roadway a construction nightmare. The City of Colorado Springs is well sized of the problems that occur with roadways built or to be built with water problems and the potential of future sink holes. (footnote) One city disasterous sink hole particularly, had a major city street next to I-25 at Filmore and Sinton Rd at the I-25 underpass left a major city street for nearly 2 years. ✓ 105e

- c.** Development of the Peacock Ranch is not likely to happen in the foreseeable future.
- d.** For six plus decades, the Peacock families have had the use of old Cowpoke Rd and bridge/crossing over Cottonwood Creek. Because of the upstream development next to Cottonwood Creek Tributary 4 (four) that is and has been producing developed flow storm waters off of Wolf Ranch subdivision properties, these DFSW's have caused increased deterioration of the abutments under the old Cowpoke bridge #3 that was built in 1974. These bridge abutment repairs were done by the PPRTA in 2009 and again after the August 22, 2014 heavy rain event. The latest repairs have not lasted even 3 years because of the continued DFSW's from Wolf Ranch subdivisions to the north. (footnote) We have to add THAT these developed flow storm waters are in direct violation of the city of Colorado Springs (MS41) (permit No. COS-000004.) Obtained from the State of Colorado for the Waters of Colorado, as per United States of America and the State of Colorado Federal lawsuit as Plaintiffs V. The City of Colorado Springs, CO (as defendants) (case no. 1:16-cv-02745) (footnote) On or about April 23, 2014, David Lefbridge and Tim Mitros along with Ralph Braden brought a resolution before the City Council whereby David Jenkins would donate the remnants of approximately 900' of the Old Cowpoke Rd., to include the old Cowpoke bridge that David Lefbridge and Ralph Braden concluded that those properties belonged to David Jenkins and so by Special Warranty Deed did donate those properties to City of Colorado Springs. We would add along with the liabilities of dealing with the ongoing maintenance and most recently, we learned that the city has to pay for the demolition of the old Cowpoke bridge. It is the belief of the Appellant that David Jenkins did not own the bridge that he was now donating to the City of Colorado Springs to begin with. The misunderstanding was brought about by a Special Warranty Deed dated 8/19/2002, Black Forest Land and Cattle Co., to David Jenkins. The Exhibits along with a copy of the Special Warranty Deed selling Government Lots 1, 2, and 3 will explain the mystery of the ownership of the donation and balance of Old Cowpoke Rd nearly a mile east to Black Forest Rd. Copies will be part of this appeal.
- e.** In the past, Wolf Ranch owners have repeatedly said that they should not have to contribute financially to the future Tutt crossing over Cottonwood Creek, which is a replacement bridge for the current deteriorating old Cowpoke Crossing/bridge. Because Wolf Ranch (DFSW's) is in fact, the major

APPEAL OF CITY PLANNING COMMISSION APPROVALS

April 30, 2018

contributor to the deterioration of the old Cowpoke crossing abutments, they should be required by the City of Colorado Springs to contribute financially on a pro-rata per acre basis like all other subdivisions of undeveloped and or to be redeveloped properties that are required to do.

- f. There may be more newly discovered evidence submitted within this appeal as or if it becomes available to Appellants.

WHEREFORE: The Appellant's pray for the City Council to **reverse the approvals of the Planning Department administrative approval and that of the City Planning Commission;** of the AR PUD 06-00515 Minor Amendments And AR FP 17-00331 Final Subdivision Plat for West Creek III at Wolf Ranch and the current proposed alignment of Tutt Blvd.

Respectfully submitted by:

Ross W. Clinger
719-502-5556
719-359-0034

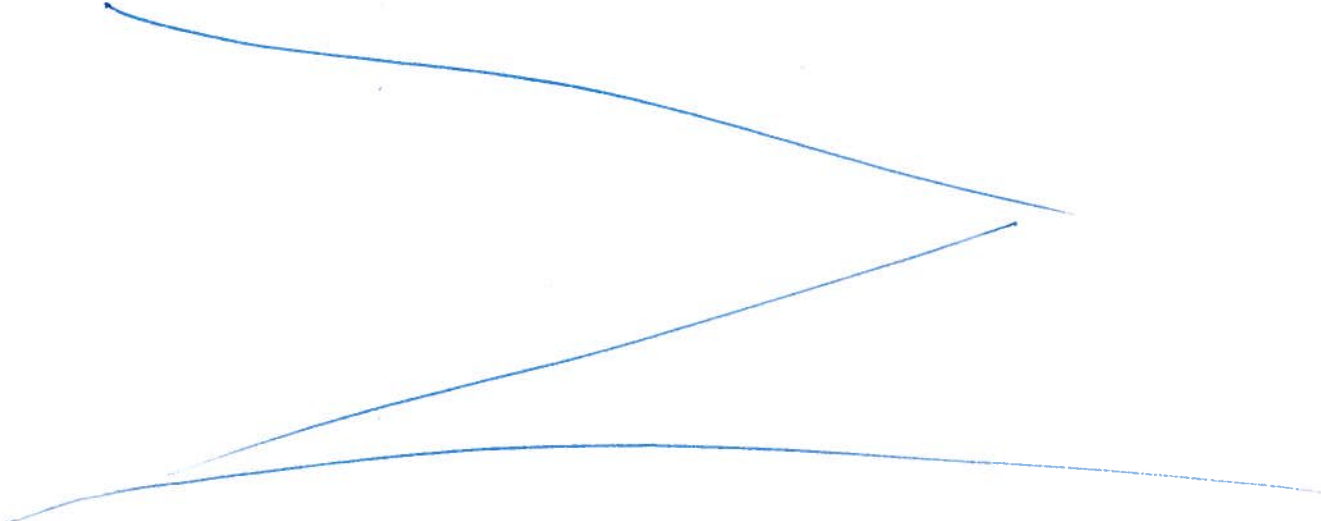
Operations Manager for
Tin Can Granny's LLC

Goetsch/Peacock LLC peacockranchprop@yahoo.com

 AS Operations Manager

And Ross W. Clinger as an individual

 AS Individual



Subject: Fwd: Seeping water near retention pond Abbey Pond lane
From: Dale <dalefunston@hotmail.com>
Date: 05/30/2015 03:38 PM
To: <peacockranchprop@yahoo.com>

Ross,

I live in Wolf Ranch near the retention pond on the north side of your property. I notified Norwood several days ago about water that is seeping onto your property and asked them to investigate, but as far as I know they have not. Perhaps you can come take a look and contact Norwood directly if you think there is an issue. See the forwarded photo and email.

----- Forwarded message -----

From: Dale Funston <dalefunston@hotmail.com>
Date: May 26, 2015 6:35 PM
Subject: Seeping water near retention pond Abbey Pond lane
To: info@WolfRanchOA.org
Cc:

Can you have someone from Warren Management or Norwood check out the source of the water seeping near the retention pond near Abbey Pond Lane? See attached photo. The source appears close to the wastewater manhole cover, and is seeping into the ranch south of the pond. I know we have had a lot of rain over the past month, but I have never seen water accumulate in this area in the 9 years I have lived here. The pond level has dropped to a normal level and the water is still seeping out the hillside. I suspect there is a cracked water or wastewater line or the pond has been compromised.

I'd also like to know if the retention pond will be cleaned out again this summer. With the rain this month, a lot of sand and dirt has settled in the pond, and the concrete drain (that drains toward the ranch) has accumulated a lot of debris.

Thanks,
Dale Funston
5915 Abbey Pond Lane
719-282-3998
dalefunston@hotmail.com

—IMG_20150526_180955121.jpg

Exhibits
seeping water & PAGES



—Attachments: —

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116 KB



—Attachments: —————

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Subject: RE: Seeping water near retention pond Abbey Pond lane
From: Dale <dalefunston@hotmail.com>
Date: 06/10/2015 06:09 PM
To: AL WATSON <al_dsi@hotmail.com>
CC: Krista Baptist <krista@warrenmgmt.com>

Thanks for the updates and taking a look.

On Jun 10, 2015 4:46 PM, AL WATSON <al_dsi@hotmail.com> wrote:
Krista / Dale,

I took a look at this and I'm quite sure it's groundwater. With recent heavy rains I've got similar problems on several other sites.

I mentioned it to our CSU rep (they own the sanitary sewer line) and he agrees that it's nothing to worry about. We'll both keep an eye on it just to be safe.

I'll also notify City engineering that the Pond needs maintenance (they took ownership of the pond some years back, at the end of it's warranty period), but it's not an isolated situation so I wouldn't expect a quick response.

I hope this was helpful, let me know if you need anything else.

Thanks,
Al

Al Watson
Development Services, Inc.
PO Box 50822
Colorado Springs, CO 80919
Ph. (719) 492-0310
al_dsi@hotmail.com

From: krista@warrenmgmt.com
To: al_dsi@hotmail.com
Subject: RE: Seeping water near retention pond Abbey Pond lane
Date: Tue, 9 Jun 2015 20:39:26 +0000

Hi Al,

I've attached the picture I have. I'm going to be out there tomorrow morning to finish my governance inspection so if I can find anything and get different/additional pictures I'll let you know.

If there is anything I will also forward to the city to take a look since I saw Ralph's email that the detention pond is their responsibility. Thanks!

With kind regards,

Krista Baptist

Management Team Assistant

The Warren Management Group, Inc. AAMC

An Accredited Association Management Company

1720 Jet Stream Dr., Ste 200, Colorado Springs, CO 80921

Ph (719) 685-7828 Fax (719) 534-9177

Warren Management



MANAGING DETAILS | SERVING PEOPLE

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From: AL WATSON [mailto:al_dsi@hotmail.com]
Sent: Tuesday, June 09, 2015 12:36 PM
To: Krista Baptist
Subject: RE: Seeping water near retention pond Abbey Pond lane

Hi Krista, could you please forward me the pictures of this? I drove out there yesterday and didn't see anything unusual.

Thanks,
Al

Al Watson
Development Services, Inc.
PO Box 50822
Colorado Springs, CO 80919
Ph. (719) 492-0310
al_dsi@hotmail.com

From: bingels@nor-wood.com
To: krista@warrenmgmt.com; al_dsi@hotmail.com
CC: rbraden@nor-wood.com; brandon@warrenmgmt.com
Subject: RE: Seeping water near retention pond Abbey Pond lane
Date: Mon, 8 Jun 2015 21:54:56 +0000

Krista:

Al will take a look at the water, it looks to me like a direct result of all the rain, that could go on for quite some time. The maintenance he mentions will be the City's responsibility. bi



NORWOOD

Bobby L. Ingels

Vice President

111 South Tejon Street, Suite 222

Colorado Springs, CO 80903

P (719) 593-2619

F (719) 633-0545

bingels@nor-wood.com

www.norwoodinteractive.com

From: Krista Baptist [<mailto:krista@warrenmgmt.com>]
Sent: Monday, June 08, 2015 1:25 PM

To: Bobby Ingels
Cc: Ralph Braden; Brandon Helm
Subject: FW: Seeping water near retention pond Abbey Pond lane

Hi Bobby,

Here's the original email from Mr. Funston with his contact info and also the picture he sent regarding the standing groundwater in question.

With kind regards,

Krista Baptist

Management Team Assistant

The Warren Management Group, Inc. AAMC

An Accredited Association Management Company

1720 Jet Stream Dr., Ste 200, Colorado Springs, CO 80921

Ph (719) 685-7828 Fax (719) 534-9177

Warren Management



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From: Dale Funston [<mailto:dalefunston@hotmail.com>]
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Subject: Seeping water near retention pond Abbey Pond lane

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I'd also like to know if the retention pond will be cleaned out again this summer. With the rain this month, a lot of sand and dirt has settled in the pond, and the concrete drain (that drains toward the ranch) has accumulated a lot of debris.

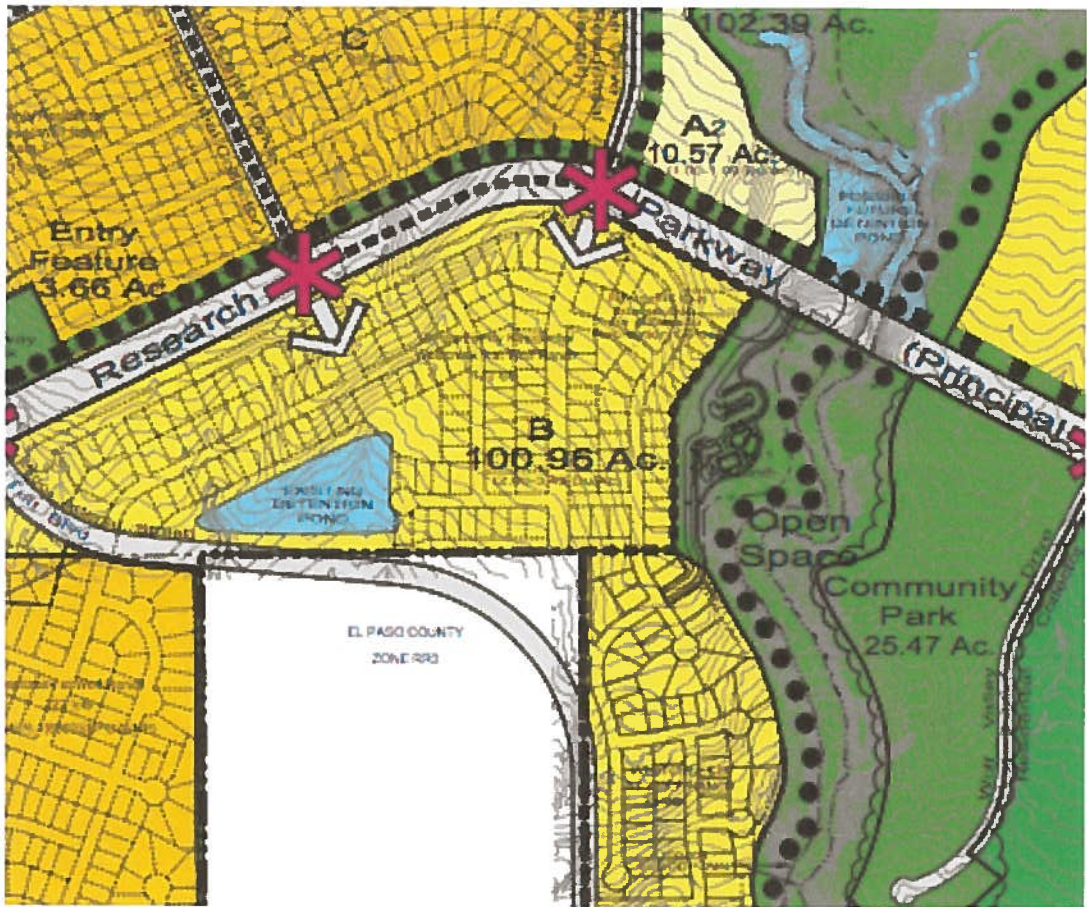
Thanks,

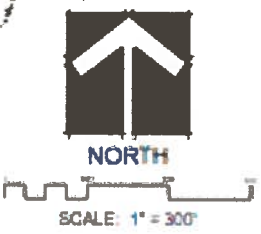
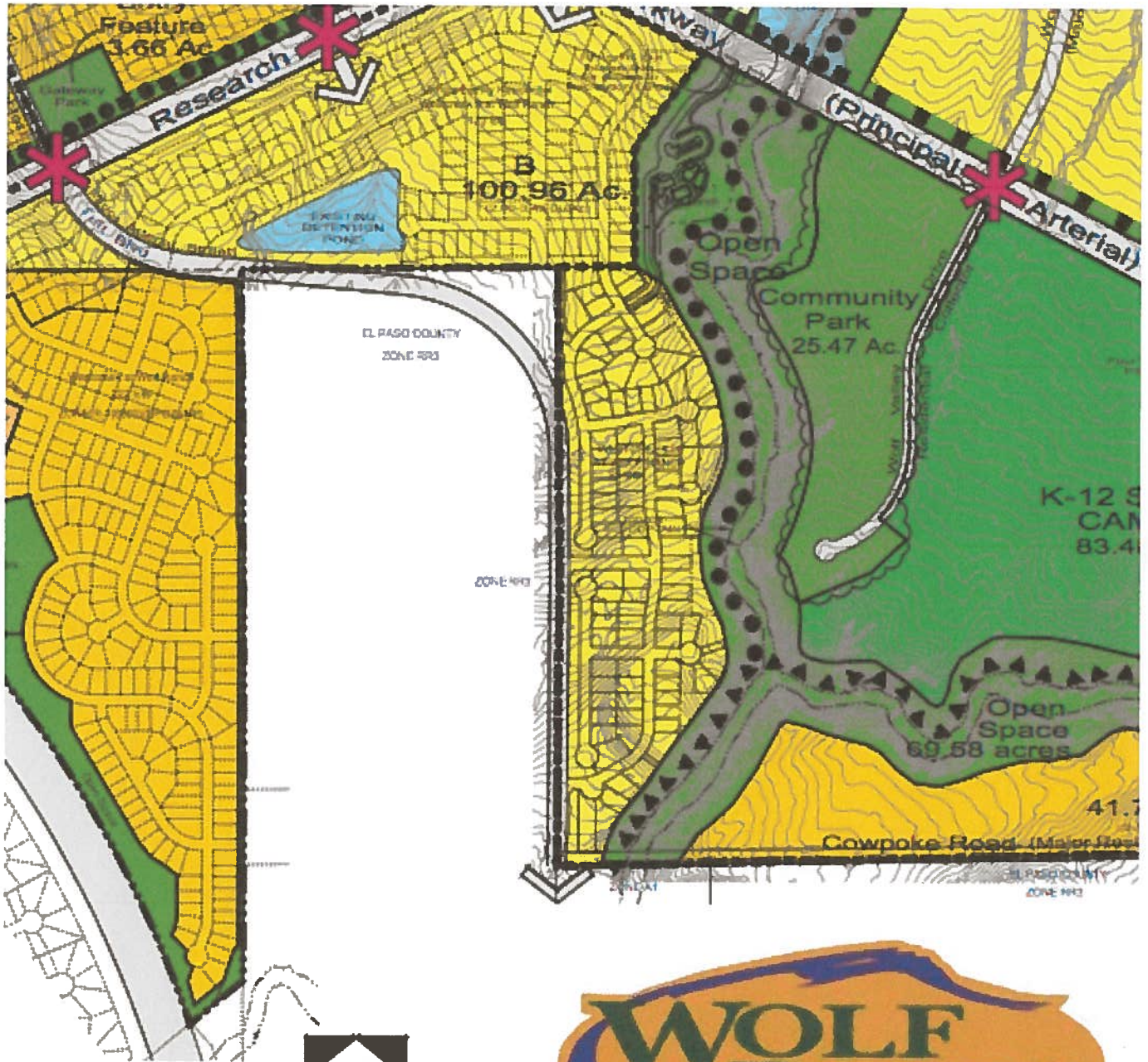
Dale Funston

5915 Abbey Pond Lane

719-282-3998

dalefunston@hotmail.com







Exhibits 3 pages
Cowpoke Road/Caland
Easements

See Exhibit B.
#3
Grant of Easement

J. Patrick Kelly El Paso Cty, CO 202137367
08/19/2002 11:09
Doc \$256.30 Page
Rec \$15.00 1 of 3



SPECIAL WARRANTY DEED

BLACK FOREST ROAD LAND CO., LLC, a Colorado limited liability company, of the County of El Paso and State of Colorado, for the consideration of TEN DOLLARS (\$10.00) in hand paid, hereby sell and convey to DAVID D. JENKINS, whose address is P.O. Box 792, Manitou Springs, Colorado 80829, in the County of El Paso and State of Colorado, the real property in the County of El Paso and State of Colorado as described on Exhibit A attached hereto, with all its appurtenances, and warrant the title against all persons claiming under them, subject to the matters indicated on Exhibit B attached hereto.

Dated this 14th day of August, 2002.

DF
25630

BLACK FOREST ROAD LAND CO.,
LLC, a Colorado limited liability company

By David W. Francis
David W. Francis, Manager

STATE OF COLORADO)
) ss.
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this 14th day of August, 2002 by David W. Francis as Manager of Black Forest Road Land Co., LLC, a Colorado limited liability company.

Witness my hand and official seal.

J. Patrick Kelly	El Paso Cty, CO	202137367
08/19/2002	11:09	
Doc	\$256.30	Page
Fee	\$15.00	2 of 3

Exhibit A

A tract of land being the South One-Half of the Southeast One-Quarter of Section 31, Township 12 South, Range 65 West of the Sixth Principal Meridian, except the Easterly 30.00 feet thereof, together with the Southeast One-Quarter of the Southwest One-Quarter of said Section 31 and together with Government Lots 1, 2 and 3 of Section 6, Township 13 South, Range 65 West of the Sixth Principal Meridian, except the Easterly 30.00 feet of said Government Lot 1, County of El Paso, State of Colorado, being additionally described as follows:

Basis of bearings: The South line of the Southeast One-Quarter of said Section 31, Township 12 South, Range 65 West of the Sixth Principal Meridian, the Southeast corner being monumented by a recovered illegible pin and cap and at the South Quarter corner of said Section 31 by a recovered 3/4" O D. iron pipe replaced with 3-1/4" aluminum cap stamped LS 10377 with appropriate markings, being considered to bear N89°16'35"E, a distance of 2619.69 feet.

Commencing at the Southeast corner of said Section 31, also being the Northeast corner of said Section 6; thence S89°16'35"W along the South line of the Southeast One-Quarter of said Section 31, a distance of 30.01 feet to the point of beginning; thence S00°44'53"W along a line 30.00 feet Westerly of and parallel with the East line of the Northeast One-Quarter of said Section 6, a distance of 1257.90 feet to a point on the South line of Government Lot 1; thence S88°37'54"W along the South line of Government Lots 1, 2 and 3, a distance of 3891.13 feet to the Southwest corner of Government Lot 3; thence N00°26'25"E along the West line of Government Lot 3, a distance of 1301.83 feet to the Southwest corner of the Southeast One-Quarter of the Southwest One-Quarter of said Section 31; thence N00°29'22"W along the West line of the Southeast One-Quarter of the Southwest One-Quarter of said Section 31, a distance of 1320.41 feet to the Northwest corner of the Southeast One-Quarter of the Southwest One-Quarter of said Section 31; thence N89°18'13"E along the North line of the Southeast One-Quarter of the Southwest One-Quarter of said Section 31, a distance of 1310.34 feet to the Northwest corner of the South One-half of the Southeast One-Quarter of said Section 31; thence N89°17'13"E along the North line of the South One-Half of the Southeast One-Quarter of said Section 31, a distance of 2593.23 feet; thence S00°11'34"E

J. Patricia Kelly El Paso City, CO 202137367
08/19/2002 11:09
Doc \$256.30 Page
Rec \$15.00, 3 of 3

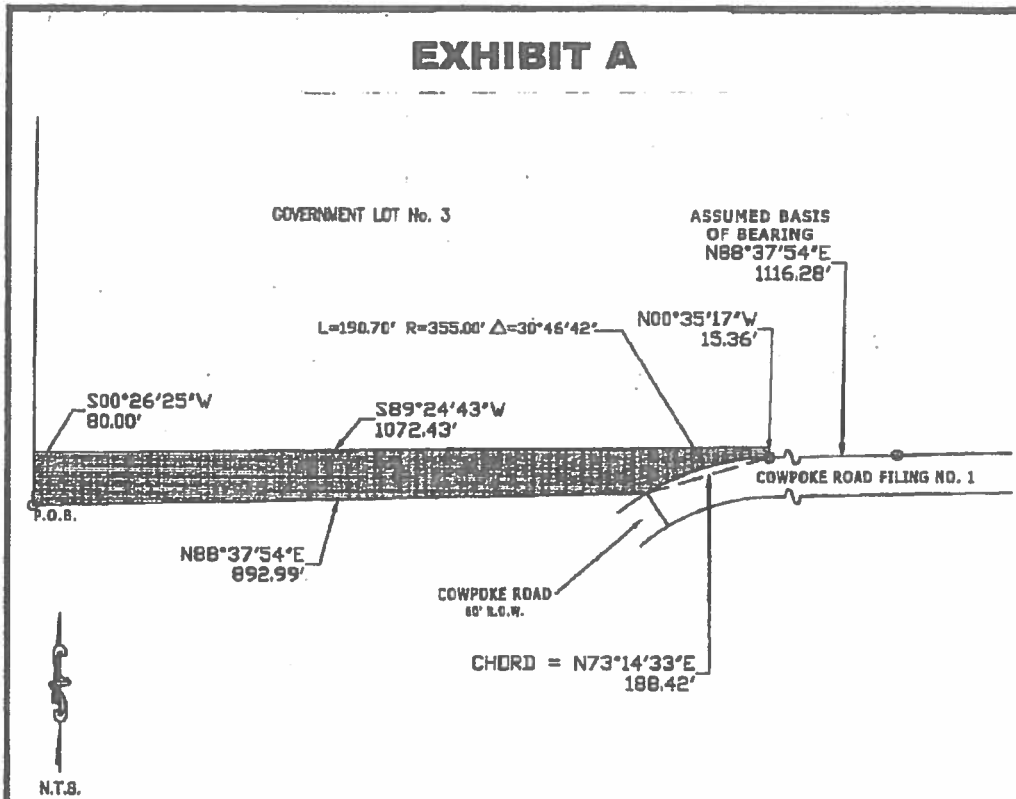
Exhibit B

1. Right of the proprietor of a vein or lode to extract and remove his ore therefrom should the same be found to penetrate or intersect the premises as reserved in United States Patents recorded May 20, 1880 in Book 32 at Page 340 and recorded June 8, 1881 in Book 35 at Page 110, records of El Paso County, Colorado.
2. Terms and conditions contained in Ordinance recorded October 7, 1982 in Book 3619 at Page 807 and in Annexation Agreement recorded December 10, 1982 in Book 3646 at Page 206, records of El Paso County, Colorado.
3. Grant of Easement to U S West, Inc., Mountain View Electric Association, Inc. and the County of El Paso, recorded February 8, 1995 in Book 6602 at Page 245, records of El Paso County, Colorado.
4. Terms, conditions and provisions of Resolution No. 98-288 recorded August 17, 1998 under Reception No. 98116541, records of El Paso County, Colorado, concerning the repair and maintenance of Black Forest Road Bridge at Cottonwood Creek.
5. Terms, conditions and provision of Construction Easement Agreement between LP47, LLC, a Colorado limited liability company, and El Paso County as recorded August 17, 1998 under Reception No. 98116542, records of El Paso County, Colorado.
6. Permanent Easement granted to El Paso County for the purpose of maintaining a bridge and its abutments recorded August 17, 1998 under Reception No. 98116543, records of El Paso County, Colorado.
7. Sixty-foot right-of-way to El Paso County along all Section lines, being 30 feet on each side of each Section line in Resolution No. 245329 recorded June 20, 1917 in Book 571 at Page 55, records of El Paso County, Colorado.

LP47.DRISM.DED



EXHIBIT A

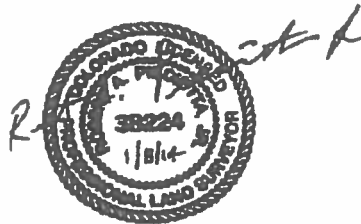


A parcel of land in the South 1/2 of Government lot 3 in Section 6, Township 13 South, Range 65 West of the 6th P.M., in El Paso County, Colorado, more particularly described as follows:

Beginning at the Southwest corner of government lot 3 in said section 6 ; Thence N88°37'54"E (all bearings in this legal description are relative to the North line of the westerly portion of Cowpoke Road Filing No. 1 a subdivision recorded at reception no. 209712921 of the records filed in the office of the County Clerk and Recorder, El Paso County, Colorado, said line as monumented at each end with a found 1 1/2" aluminum cap stamped "MATRIX P.L.S. 34977" is assumed to bear N88°37'54"E) on the South line of said lot 3 a distance of 892.99 feet to the most westerly corner of said Cowpoke Road Filing No. 1; thence northeasterly on a non tangent curve to the right and coincident with the north line of said Cowpoke Road Filing No. 1 said curve having a radius of 355.00 feet, a central angle of 30°46'42" an arc distance of 190.70 feet, the chord bearing N73°14'33"E a distance of 188.42 feet; thence N00°35'17"W a distance of 15.36 feet; thence S89°24'43"W a distance of 1072.43 feet to a point on the west boundary line of said lot 3; thence S00°26'25"W and coincident with said west line a distance of 80.00 feet to the point of beginning.

Said parcel containing an area of 71,858 square feet, more or less.

This legal description was prepared for and on behalf of The City of Colorado Springs by Robert A. Pisclotta Jr., Colorado P.L.S. 38224
 Suite 402
 30 S. Nevada Ave.
 Colorado Springs, CO.
 719-385-5545



 CITY OF COLORADO SPRINGS	
Northwest 1/4 of Section 6, Township 13 South, Range 65 West of the 6th P.M.	
By: <u>R. K. Nelson</u>	Date: <u>JANUARY 7, 2014</u>
Job Number: <u>2015057</u>	

This map does not represent a monumented survey and is only intended to illustrate the attached parcel description.



THE PLANNING & DEVELOPMENT DEPARTMENT APPEAL TO CITY PLANNING COMMISSION

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

Steve Rossell

APPELLANT CONTACT INFORMATION:

Appellants Name: Tin Can Granny's LLC, Ross W. Goetsch/Peacock LLC, Clinger Telephone: 719-359-0034
Address: 8254 Crown Ln. City: Colorado Springs
State: CO Zip Code: 80924 E-mail: peacockranchprop@yahoo.com

PROJECT INFORMATION:

Project Name: West Creek III at Wolf Ranch
Site Address: Old Cowpoke Rd at Tutt Blvd.
Type of Application being appealed: Administrative Decision of Approval
Include all file numbers associated with application: AR PUD 06-00515 - AIMN17, AR FP 17-00331
Project Planner's Name: Daniel Sexton
Hearing Date: _____ Item Number on Agenda: _____

RECEIVED

MAR 05 2018

LAND USE REVIEW

YOUR APPEAL SUBMITTAL SHOULD INCLUDE:

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

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

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

APPELLANT AUTHORIZATION:

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

Ross W. Clinger operation for Tin Can Granny's LLC
1414 Goetsch Peacock LLC. Crown Ln
Ross W. Clinger AS
Signature of Appellant: *[Signature]* Date: March 5th 2018



THE PLANNING & DEVELOPMENT DEPARTMENT APPEAL TO CITY PLANNING COMMISSION

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

APPELLANT CONTACT INFORMATION:

Appellants Name: Tin Can Granny's LLC, Ross W. Goetsch/Peacock LLC, Clinger Telephone: 719-359-0034
Address: 8254 Crown Ln. City: Colorado Springs
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Type of Application being appealed: Administrative Decision of Approval
Include all file numbers associated with application: AR PUD 06-00515-AIMN17, AR FP 17-00331
Project Planner's Name: Daniel Sexton

Hearing Date

YOUR APPEAL

- 1. Complete
- 2. \$176
- 3. Appeal

Submit all Appeals and due date accepted.

If you would outreach

Check Gallery 1-800-297-9204 www.checkgallery.com

CHRISTINE GOETSCH
8254 CROWN LANE
COLORADO SPRINGS, CO 80924
719-495-4915

82-7000-3070
EStar® 24x7 Check Book
Features & Benefits

4021

Date 3/5/18

Pay to the order of City of Colorado Springs \$ 176.00
One hundred seventy six and 00/100 Dollars

ENT FEDERAL CREDIT UNION
800-525-9623 - ENT.COM

Memo Appeal Christine Goetsch MP

⑆ 307070005⑆ 1006202151108⑈0402⑆

©2003 DUSTY PERIN PRINTED ON RECYCLED PAPER USING VEGETABLE-BASED INKS

APPELLANT AUTHORIZATION:

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

Ross W. Clinger operation for TIN CAN GRANNY'S LLC
AND BOETSCH PEACOCK LLC. Crown Ave
Ross W. Clinger AS
Signature of Appellant [Signature] Date March 5th 2018

(1) CPC APPEAL OF ADMINISTRATIVE DECISION

March 5, 2018

APPEAL OF ADMINISTRATIVE DECISION
To
City of Colorado Springs Planning Commission

March 5, 2018

Planning Commission
City of Colorado Springs
C/O Daniel Sexton
Planning and Community Development Land Use Review
30 S. Nevada Ave Suite 301
Colorado Springs, CO 80903

Regarding: Appeal of Administrative Decision to Approve
AR PUD 06-00515-A1MN17 - Minor Amendments to Westcreek 111 at
Wolf Ranch
AR FP 17-0331 - Final Subdivision Plat

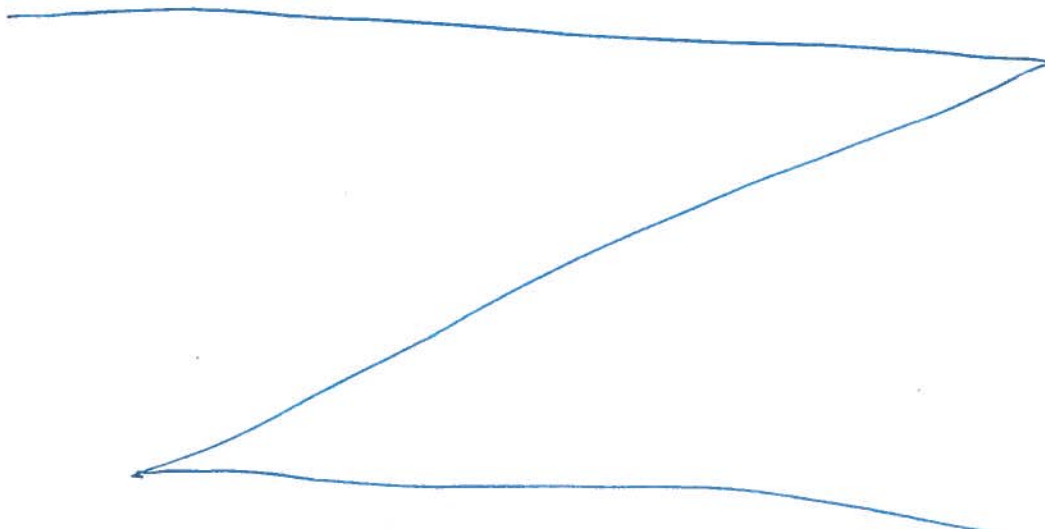
Dear Mr. Sexton,

The following interested parties file this NOTICE OF APPEAL in accordance with The
City of Colorado Springs Municipal Code 7.5.906.

Goetsch/Peacock LLC, 8254 Crown Ln. Colorado Springs, CO 80924

Tin Can Granny's LLC, Colorado Springs, CO 80924

Ross W. Clinger (individual) 8254 Crown Ln., Colorado Springs, CO 80924



A brief history:

The above named appellants first learned of the 1900 acre Wolf Ranch Community Development on or about 2002. At that time, Nor' wood's Wolf Ranch published a master plan that has been amended numerous times.

The Appellant's properties consists of about 91 acres and is surrounded on three sides by the Wolf Ranch projects. Early on and continuously since then, we have voiced our concerns regarding Tutt Blvd. and the disproportionate amount of cost and burden pushed onto the Peacock Ranch.

Tutt Blvd. as we understood, was planned to share our east and north property boundary but later as it evolved we learned that the Peacock Ranch would be required to build more than three fourths of Tutt Blvd, from our northwest corner to our southeast corner. The cost and burden is far greater to the Peacock Ranch, than appropriate. The Peacock Ranch east property line is 2600' (feet) and the north boundary is 1320' (feet) which totals 3900' +/- (feet), of which more than $\frac{3}{4}$ of Tutt Blvd. would be required to be placed of its entirety on to the Peacock Ranch. Just last week, Appellant learned at a meeting with city planner Daniel Sexton that the required right of way for Tutt Blvd. per city streets department, would be 180' (feet) wide. This would mean that the required amount of property from Peacock Ranch would have to contribute and build would be far greater than we were originally told. Keeping in mind, Peacock Ranch and Tin Can Granny's properties only total 91 acres. We are now learning that we would be required to put forth 12-15% of our property for Tutt Blvd. alone.

Over time, Wolf Ranch proposed different variations of their various development plans that were approved and not built. In May/June 2017 Nor' wood proposed yet another amendment. On June 23, 2017 Appelleant filed our 23 page objections to the Minor Amendments and Final Subdivision Plat for West Creek III (which has never been addressed by Wolf Ranch)(copy enclosed as Appellant exhibit A). Within that objection, appellant proposed (for the good of the larger community) that Wolf Ranch Developers realign Tutt Blvd. to the east side of West Creek III and proceed over to the new D-20 K-12 school campus where a larger influx in volume of daily to/from school traffic would benefit. This realignment from Cowpoke Rd northeast should be done and would only require Wolf Ranch to build 1300' +/- (feet) of Tutt Blvd, soley onto their property which would to better serve the Wolf Ranch subdivision and surrounding areas.

Administrative decision is incorrect and unreasonable and should be over turned and reversed for the following reasons

- a.** because it places a disproportionate and financial burden on to the Peacock Ranch family and properties.
- b.** The current proposed alignment of Tutt Blvd. would put that roadway 10/12 feet higher on Wolf Ranch property making future completion of the

CPC APPEAL OF ADMINISTRATIVE DECISION

March 5, 2018

remaining roadway on Peacock Ranch impractical and more financially burdensome.

- c. Development of the Peacock Ranch is not likely to happen in the foreseeable future.
- d. For six plus decades, the Peacock families have had the use of old Cowpoke Rd and bridge/crossing over Cottonwood Creek. Because of the upstream development that is and has been producing developed flow storm waters off of Wolf Ranch subdivision properties, these DFSW's have caused increased deterioration of the abutments under the old Cowpoke bridge #3 that was built in 1974. These bridge abutment repairs were done by the PPRTA in 2009 and again after the August 22, 2014 heavy rain event. The latest repairs have not lasted even 3 years because of the continued DFSW's from Wolf Ranch subdivisions to the north. (footnote) We have to add THAT these developed flow storm waters are in direct violation of the city of Colorado Springs (MS41) (permit No. COS-000004.) Obtained from the State of Colorado for the Waters of Colorado, as per United States of America and the State of Colorado Federal lawsuit as Plaintiffs V. The City of Colorado Springs, CO (as defendants) (case no. 1:16-cv-02745)
- e. In the past, Wolf Ranch owners have repeatedly said that they should not have to contribute financially to the future Tutt crossing over Cottonwood Creek, which is a replacement bridge for the current deteriorating old Cowpoke Crossing. Because Wolf Ranch (DFSW's) is in fact, the major contributor to the deterioration of the old Cowpoke crossing abutments, they should be required by the City of Colorado Springs to contribute financially on a pro-rata per acre basis like all other subdivisions of undeveloped and or to be redeveloped properties are required to do.

WHEREFORE: The Appellant's pray for the Planning Commission to **reverse administrative approval** of the AR PUD 06-00515 Minor Amendments And AR FP 17-00331 Final Subdivision Plat for West Creek III at Wolf Ranch and the current proposed alignment of Tutt Blvd.

Respectfully submitted by:

Ross W. Clinger
719-502-5556
719-359-0034

Operations Manager for
Tin Can Granny's LLC

Goetsch/Peacock LLC peacockranchprop@yahoo.com

Ross W. Clinger As Individual March 5th 2018

MARCH 5th
2018

June 23rd 2017
Goetsch Peacock LLC
Historic Peacock Ranch (HPR)
And
Tin Can Granny's LLC (TCG's)
8254 Crown Lane
Colorado Springs CO. 80924

RECEIVED

JUN 23 2017

LAND USE REVIEW

Subject: City Planning File #'s in Review Seen below,
(File No's: AR PUD 06-00515-A1MN17:) Minor Amendments
And (AR FP 17-00331:) Final Subdivision Plat

(GOETSCH PEACOCK LLC) AND (TIN CAN GRANNY'S LLC)
HERE BY FILE OUR OBJECTIONS To; Approvals of File #'s listed above
Minor PUD Development Plan Amendments For the West Creek 111 at Wolf Ranch
File No. AR PUD 06-00515-A1MN17:
And Our OBJECTIONS To Final Plat Approvals File No. AR FP 17-00331:

To: Colorado Springs City Planning Department
Attention: Mr. Daniel Sexton, reviewing Planner,

Greetings Mr. Sexton,

The above named companies here by (OBJECT to the approvals) of the above named
projects, referred to in Files No. (AR PUD 06-00515-A1MN17: and AR FP 17-00331:)
As also seen in subject line,

For the following reasons:

Tutt Blvd. and Tutt Crossing Should be Built Now, rather than later:

The Tutt Blvd. Crossing over Cotton Wood Creek (CWC) starting on the South side
of (CWC) at the Completed New Cowpoke Rd. and the, **DEAD END of the currently
Built Tutt Blvd.** (TB) and extended north/easterly (NE) through City of Colorado
Springs properties, some of which is already set aside By Warranty Deed from Dave
Keller's (KF-103), then (NE) across newly Gifted/deeded (re,# 214045953) Road
Way via Special Warranty Deed; David D. Jenkins to City of Colorado Springs (24th
April 2014) The OLD COWPOKE Rd. then entering and crossing David Jenkins
Properties AKA West Creek 111 at Wolf Ranch to A point where the newly proposed
aerial Pedestrian bridge and New south/west bound down hill (12" waste water
line) are Proposed/planned to both service the nearly 100 acre (K-12, D-20 School
Campus) AND other Properties to the North about A mile or more, of the Newly
Proposed Eastern Extension of Research Park Way also Proposed to Accommodate
the New (K-12, D-20 School Campus) This proposed (CWC) crossing is currently
located in the narrowest portion of (CWC) and could be completed via A Box Culvert
wide enough to take care of any utilities, Pedestrian and or other trial/bike traffic
etc. after crossing (CWC) The Newly Aligned Tutt Blvd, would have A number of
accesses to the D-20 School Campus, then on ward to Research Park Way taking the

23 Total Pages
Inote

place of Proposed City Collector Wolf Valley Dr. where it connects with Newly Proposed easterly extension of Research Park Way,

Research Parkway eastern extension to Black Forest doesn't, But could provide for adequate design that would accommodate the event of the much needed Tutt Blvd. Extension from The New Cowpoke Rd through the undeveloped Jenkins West Creek (111) Subdivision to Research Park Way, to help handle the influx in traffic from several daily round trips to and from the New K-12 D-20 School Campus, and all the other traffic coming from the north and east as suggested by Mr. Daniel Sexton ie (5,000) new single family homes east of Vollmer Rd. expected to be schooling at New D-20 School campus, (foot note), parents coming to this New School for kids also will be headed in to town for other shopping needs; New Research Pk Way nor Black Forest could handle this new influx of traffic.

This Newly Proposed Alignment of Future Tutt Blvd., Yes we know that Tutt Blvd. is not on the Wolf Ranch proposed plans but it should be. To handle the influx in traffic to all other road ways in the vicinity of the corresponding and currently proposed nearly (100acre) D-20 K-12 School Campus that has indeed perpetuated the immediate need for the eastern extension of Research Pk Way to Black Forest Rd. (Under Review in City Planning Now,) The Future D-20 K-12 school campus round trip traffic has not been accounted for and once the area is built out with other comments it will be way to late to consider changes after these areas are already built out.

There are No known Traffic studies that take into consideration All the Projects that are being considered in the Wolf Ranch and surrounding areas effected By the New K-12 D-20 School Campus.

As review process goes on we may have other Objections to add;
Our Objections are:
Respectfully Submitted

Ross W. Clinger
719-502-5556
719-359-0034

Operations Manager
for

Tin Can Granny's LLC (TCG's)
and

Goetsch Peacock LLC

Historic Peacock Ranch (HPR)

peacockranchprop@yahoo.com

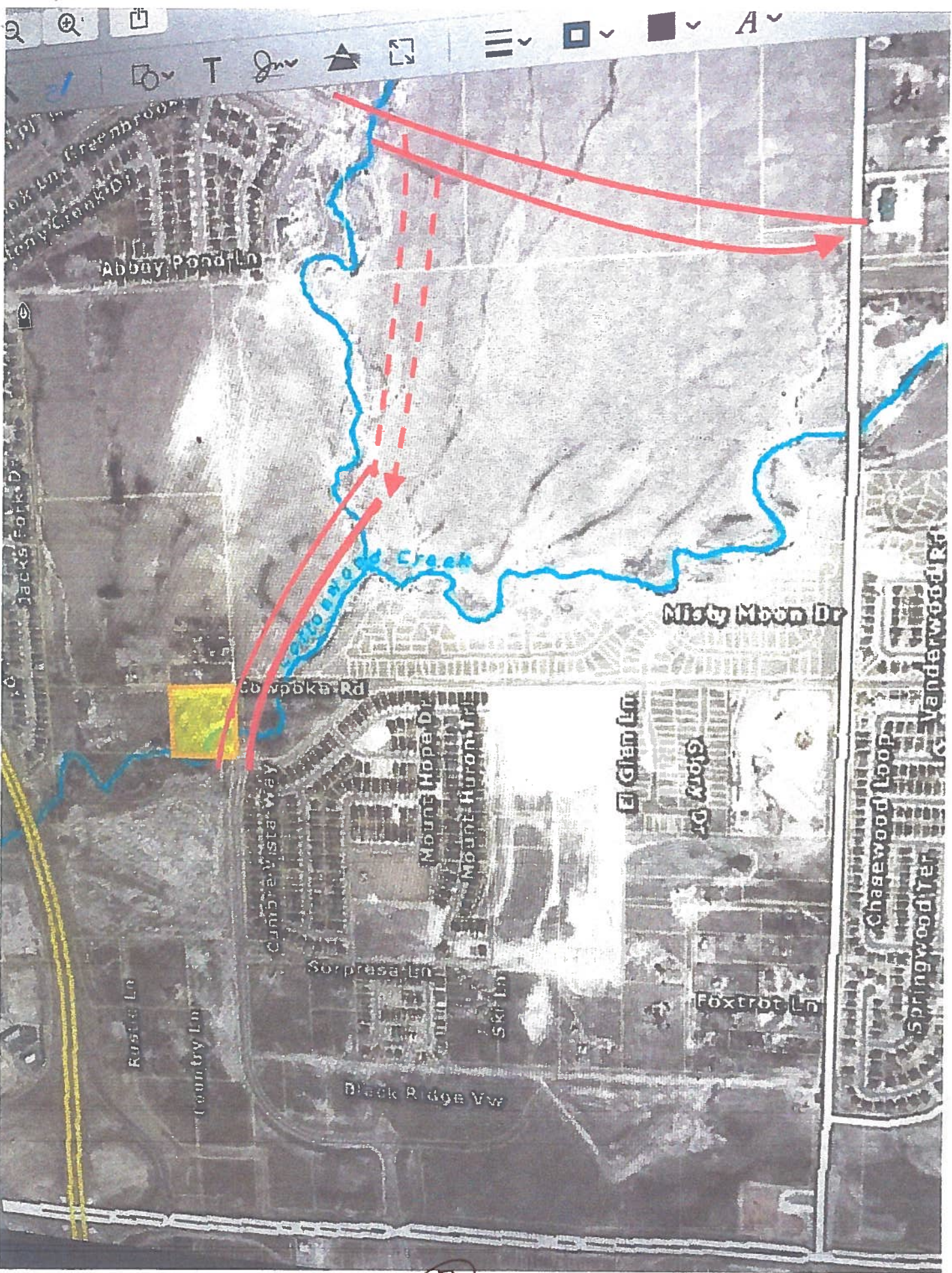
Tin Can Granny's LLC (TCG's)

Goetsch Peacock LLC

Historic Peacock Ranch (HPR)

Additional inner twined Enclosures added/ here from May 23rd and May 30th

2



2

COLORADO SPRINGS

Planning and Community Development
Land Use Review
30 S Nevada Suite 105
PO Box 1575, MC 155
Colorado Springs, CO 80901-1575

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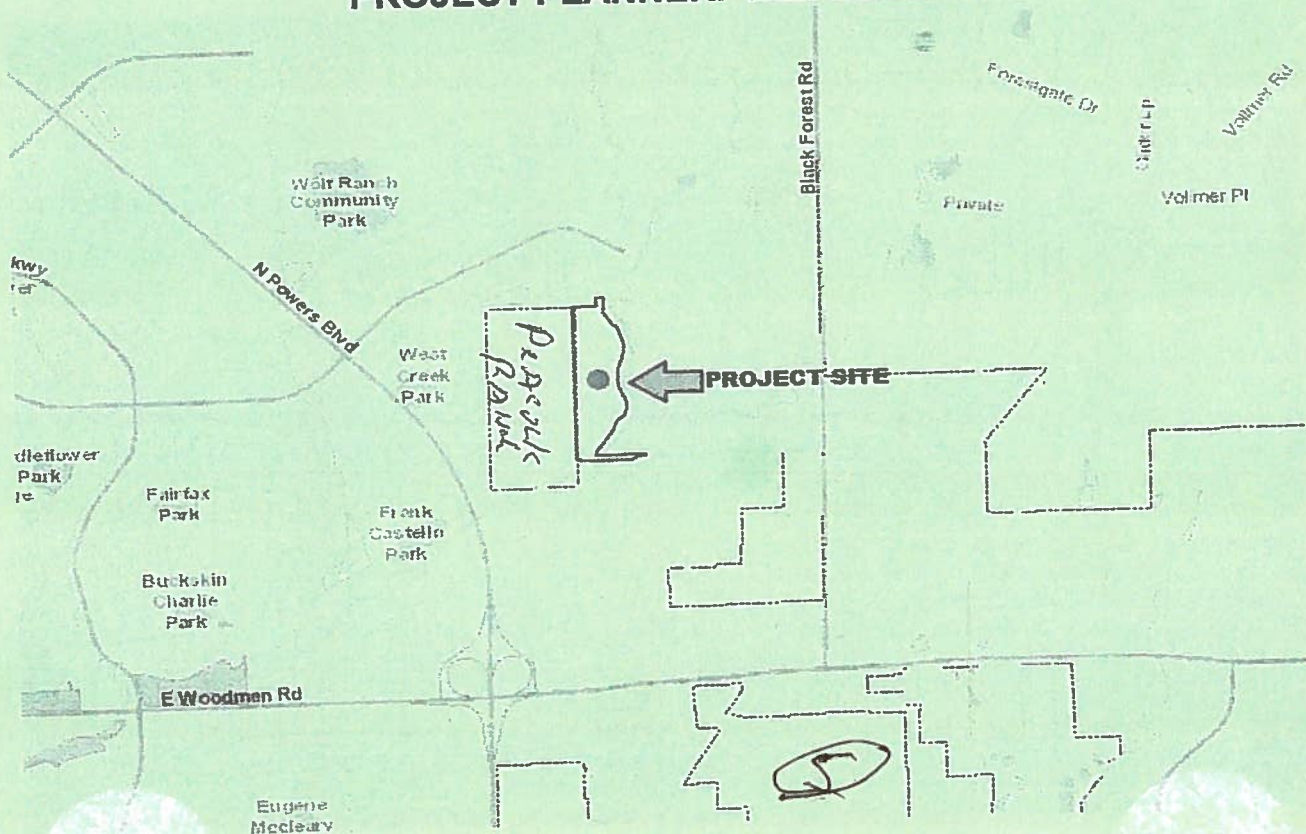
ZIP 80908
044112202774

GOETSCH PEACOCK LLC
8254 CROWN LN
COLORADO SPRINGS, CO 80924

8092485208 R098



Vicinity Map for Westcreek III at Wolf Ranch PROJECT PLANNER: Dan Sexton





PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
Land Use Review Division

Reviewing Planner: Daniel Sexton (719) 385-5366 dsexton@springsgov.com	Plans can be reviewed at: 30 S. Nevada, Suite 105 Colorado Springs, CO 719-385-5905	Hours of Operation: Monday – Friday 8am-5pm
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PUBLIC NOTICE

The Land Use Review Division of the City of Colorado Springs has received a request from Nass Design Associates, on behalf of Westcreek at Wolf Ranch, LLC, for consideration of the following land development applications:

FILE NO.: AR PUD 06-00515-A1MN17: A Minor PUD Development Plan Amendment for the Westcreek III at Wolf Ranch project. The amended plan rephrases the buildout of the project, reconfigures the layout of Lots 80-84 and 64-69 to accommodate the development of a new water quality pond, the realignment of a sanitary sewer line and trail segment; incorporates a new pedestrian across Tributary Four of Cottonwood Creek; updates certain public and private facilities (e.g. roadways, trails, etc.) to comply with current design standards and specifications; and modifies the language of certain notes. The property is located north of the Cowpoke Road and Tutt Boulevard intersection, zoned PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays), and consists of 32.84 acres of land.

FILE NO.: AR FP 17-00331: A Final Subdivision Plat for Westcreek at Wolf Ranch Filing No. 13. This plat will create 52 single family detached residential lots, five (5) tracts, public streets and utility easements from previously unplatted lands consisted with the amended PUD development plan being concurrently reviewed. The subject property is located north of the Cowpoke Road and Tutt Boulevard intersection, zoned PUD/AO/SS (Planned Unit Development with Airport and Streamside Overlays), and consists of 18.42 acres of land.

If you would like to review the plans for this project bring this postcard to the address listed above. **If you wish to provide comments regarding this application you may do so until Friday, June 23, 2017.** All comments received are public record and will be made available to the applicant. If you have questions contact the planner listed above.

To view this application and related documents, type <http://eoc.springsgov.com/ldrs/> into your Internet Browser. Type the entire file number: **AR PUD 06-00515-A1MN17** or **AR FP 17-00331**, within the "Enter the File Number" field and click on the "Run Query" button. PDF documents may be viewed by clicking on the links that appear on the left-hand side of the resulting page. Contact the planner, Daniel Sexton, listed above for assistance viewing the applications.

In accord with the Americans with Disabilities Act of 1990 ("ADA"), the City of Colorado Springs will not discriminate against qualified individuals with disabilities. Anyone requiring an auxiliary aid or service to participate in this process should make the request as soon as possible but no later than 48 hours before the hearing. Citizens who are deaf and hard of hearing may dial 711 or 1-800-659-3656 Relay Colorado (voice) or 1-800-659-2656 (TTY).

APPEAL INSTRUCTIONS



In accordance with Chapter 7, Article 5, of the City Code, any person may appeal to the City Planning Commission in relation to the Zoning Code, where the above approved application was adverse to that person once a final decision has been approved. Once the decision has been approved and a person decides to appeal that decision the notice of appeal, and a \$176 fee, shall be filed with the City Clerk no later than 10 days after the date of approval. The appeal letter should address specific Zoning Code requirements that were not adequately addressed by the approved administrative decision.

May 30th 2017
Goetsch Peacock LLC
Historic Peacock Ranch (HPR)
And
Tin Can Granny's LLC (TCG's)
8254 Crown Lane
Colorado Springs CO. 80924

RECEIVED

MAY 30 2017

LAND USE REVIEW

Subject: City Planning File #'s below,
(File No. AR FP 17-00273:) Wolf Ranch Filling No. (5) Research Parkway:
(HPR) & (TCG's) OBJECTION To Plat Approvals see below;

To: Colorado Springs City Planning Department
Attention: Catherine Carleo reviewing Planner,

Greetings,

The above named companies here by (OBJECT to the approvals) of the above named project, referred to in File number (AR FP 17-00273) also seen in subject line,

For the following reasons:

1. Research Parkway eastern extension to Black Forest doesn't provide for adequate design that would accommodate the event of the Much needed Tutt Blvd. Extension from The New Cowpoke Rd through the undeveloped Jenkins West Creek (111) Subdivision to Research Pk Way in the currently propose location on Wolf Ranch Master Plan (Copy enclosed) as Exhibits (A. & B.) that shows un built City residential collector as proposed Wolf Valley Drive, that shows A roundabout for two lane City collector in stead of A (4) four lane minor arterial as the Future Tutt Blvd. is intended to be.
2. Yes we know that Tutt Blvd. is not on the Wolf Ranch proposed plans But it should be. To handle the influx in traffic to all other road ways in the vicinity of the corresponding and Currently proposed nearly (100acre) D-20 K-12 School Campus that has indeed perpetuated the immediate need for the eastern extension of Research Pk Way to Black Forest Rd.
3. The Future D-20 K-12 school campus round trip traffic has not been accounted for and once the area is built out with other comments it will be way to late to the go back and redesign road ways, Like the built in (IMPOSSIBLE ROAD WAY) connection at Black Forest Rd, and Cowpoke Rd.
4. That said We would now like to incorporate in to our current objections our recently filed objections that were filed on May 23rd 2017 on the corresponding D-20 K-12 school campus there by incorporating that two page letter Copy enclosed, marked as Exhibit (C.) in to our current objections of the approval of the eastern extension of Research Pk Way.

Enclosures:

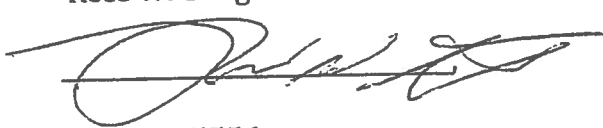
Copy of: Wolf Ranch Master Plan Exhibits (A. & B.) Two page letter Exhibit (C.)

P.I

Our Objections to Research Pk Way File No. AR FP 17-00273 Plat filling No. (5)

Are Respectfully Submitted
This 30th day of May 2017

By
Ross W. Clinger

 5-30-17

719-502-5556

719-359-0034

peacockranchprop@yahoo.com

Operations Manager

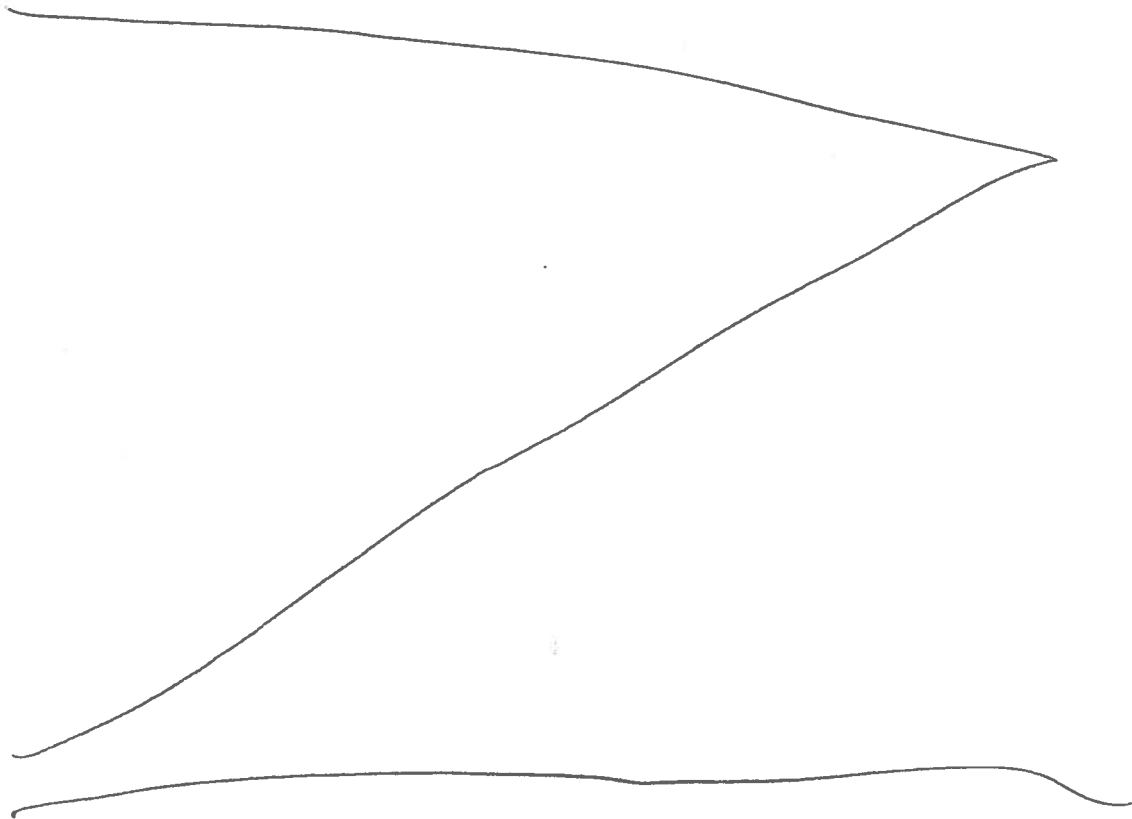
For

Tin Can Granny's LLC (TCG's)

And

Goetsch Peacock LLC

Historic Peacock Ranch (HPR)



P. 2

Open Space

Community Park
25.47 Ac.

WESTCREEK III
AT WOLF RANCH
95 lots

100-YR
FLOODPLAIN

Wolf Valley Residential

ZONE RR3

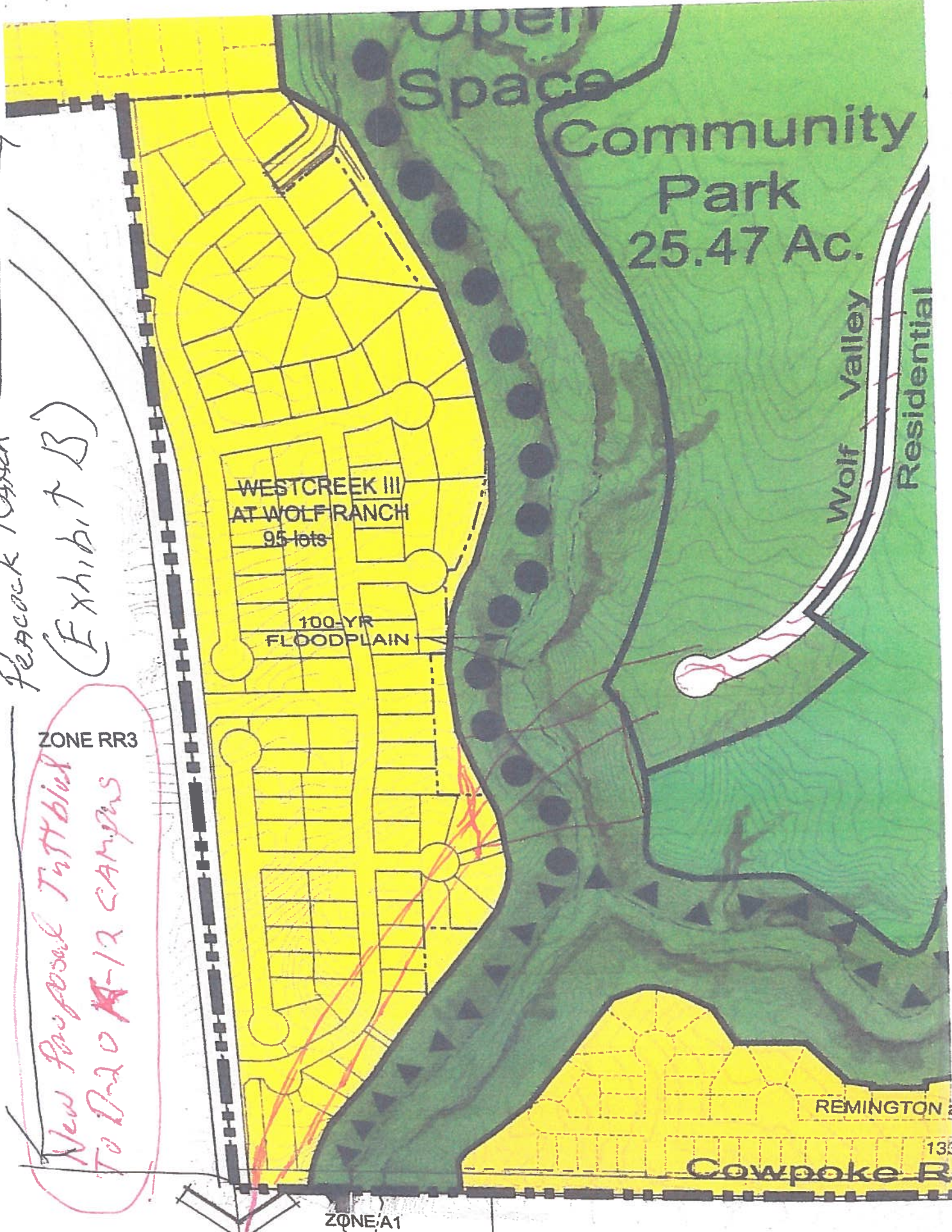
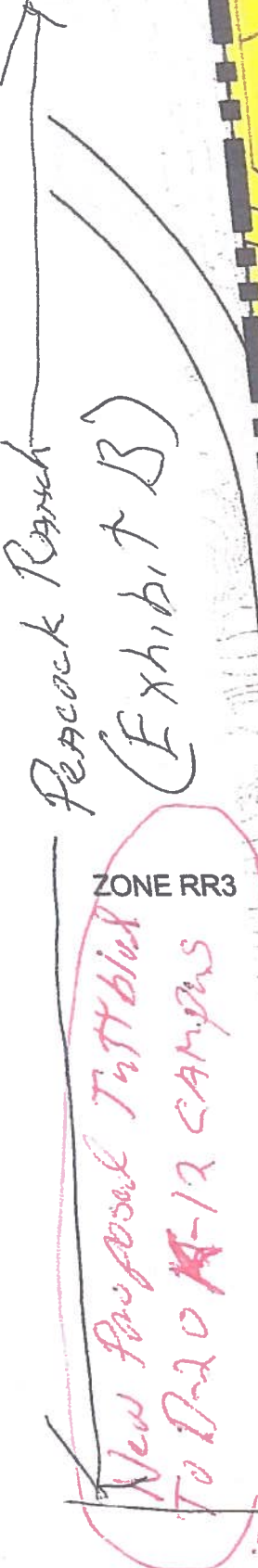
REMINGTON

Cowpoke R

ZONE A1

*Peacock Ranch
(Exhibit B)*

*New proposal Tuttlebird
To Do 10 A-12 Campus*



COLORADO SPRINGS

Planning and Community Development
Land Use Review
30 S Nevada Suite 105
PO Box 1575, MC 155
Colorado Springs, CO 80901-1575

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FEB 17 2017
US POSTAGE \$000.46



ZIP 80901
CITY COLORADO SPRINGS

GOETSCH PEACOCK LLC
8254 CROWN LN
COLORADO SPRINGS, CO 80924

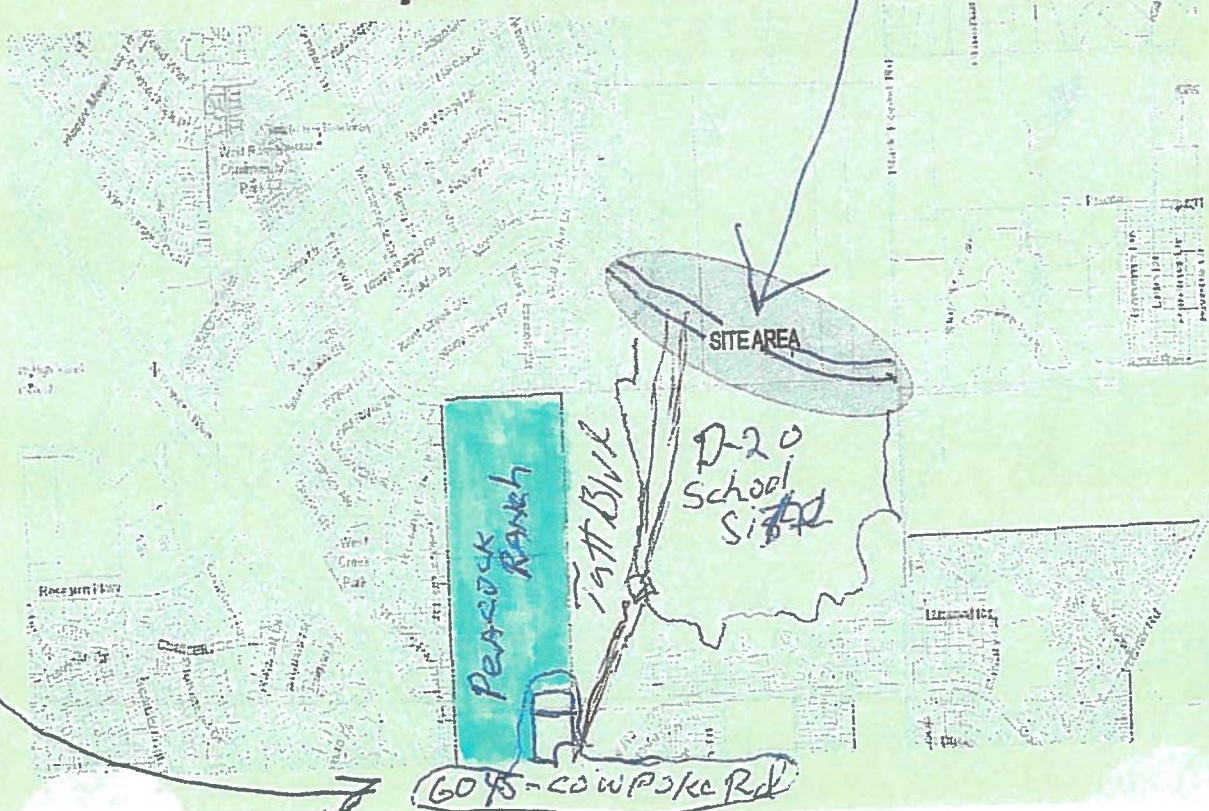
8092495208 R098



Vicinity Map for Research Parkway at Wolf Ranch Filing No. 5

Project Planner: Katie Carleo

Eddihoper Propts



GOYS-COWPOKE Rd



**PLANNING & COMMUNITY DEVELOPMENT
DEPARTMENT**
Land Use Review Division

Reviewing Planner: Catherine Carleo (719) 385-5060 kcarleo@springsgov.com	Plans can be reviewed at: 30 S. Nevada, Suite 105 Colorado Springs, CO 719-385-5905	Hours of Operation: Mon – Fri 8am-5pm
---	--	---

PUBLIC NOTICE

The Land Use Review Division of the City of Colorado Springs has received request by Rockwell Consulting Inc., on behalf of David D. Jenkins, for consideration of the following land development application:

FILE NO.: AR FP 17-00273: Approval of the Research Parkway at Wolf Ranch Filing No. 5 Subdivision Plat. If approved the plat would establish the plat for the eastern extension of Research Parkway to its connection with Black Forest Road. The site is located east of Wolf Lake Drive and Research Parkway and extends east to the connection of Black Forest Road; site consists of 10.345 acres.

If you would like to review the plans for this project bring this postcard to the address listed above. **If you wish to provide comments regarding this application you may do so until May 30, 2017.** All comments received are public record and will be made available to the applicant. If you have questions contact the planner listed above.

To view this application and related documents, type <http://eoc.springsgov.com/ldrs/> into your Internet Browser. Type the entire file number as seen above within the "Enter the File Number" field and click on the "Run Query" button. PDF documents may be viewed by clicking on the links that appear on the left-hand side of the resulting page. Contact the planner listed above for assistance viewing the applications.

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APPEAL INSTRUCTIONS

In accordance with Chapter 7, Article 5, of the City Code, any person may appeal to the City Planning Commission in relation to the Zoning Code, where the above approved application was adverse to that person. The notice of appeal, and a \$176 fee, shall be filed with the City Clerk no later than 10 days after the date of approval. The appeal letter should address specific Zoning Code requirements that were not adequately addressed by the approved administrative decision.

May 23rd. 2017
Goetsch Peacock LLL
Historic Peacock Ranch
And
Tin Can Granny's LLC
8254 Crown Lane
Colorado Springs CO 80924

(Exhibit C)

RECEIVED

MAY 23 2017

LAND USE REVIEW

Subject: City Planning File #'s below
(File No. AR PUP 17-00265:)
(File No. AR PUP 17-00267:)
(File No. AR FP 17-00268:)
Objection To Approvals

To: Colorado Springs City Planning Department
Attention; Catherine Carleo reviewing planner

Greetings,

The above named companies here by (object to the approval) of the above Projects referred to in File Numbers listed in Subject Line

For the following reasons:

1. No adequate Road Ways in the vicinity of this project that would handle the Future influx of Added daily round trips to and from the Wolf Ranch D-20, K through 12 School Campus as it is proposed today.
2. Even with Research Parkway extended to Black Forest Rd. that limited two lane Rd. is not presently equipped to handle the extra influx in traffic.
3. Tutt Blvd. is not likely to be extended through the Historic Peacock Ranch any time in the foreseeable future.
4. One Solution could be: Tutt Blvd. could be extended from New Cowpoke Rd. Via Tutt Crossing over Cottonwood Creek City owned Properties East of Mr. Eddie Lopez's at 6045 Cowpoke Rd. then heading north easterly through the property owned by the owner of Wolf Ranch Development Mr. David Jenkins's undeveloped land west of Cottonwood Creek, (CWC) then crossing CWC just north of the fork in that creek, where Wolf Ranch Development has discussed crossing in the past if the City required the current Subject property be connected to Tutt and Cowpoke and the same location where this present is likely to cross (CWC) with an Areal Waist Water line headed south/west to Cowpoke Rd. and the existing (12inch) Waist Water Line in the existing (CSU) Easement built in June of 2006 By Wolf Ranch. in conjunction with Mr. James T. Morley & his Woodmen Heights Metro District (WHMD)
5. The West Corner of Black Forest Rd. and Cowpoke Rd. (ARE UNSAFE) at this time it was built in 2006 By Mr. Jim T. Morley's (WHMD) they built mostly the south side, leaving the north side to be completed By the Developer on the north side which is customary and excepted by the City of Colorado Springs:

P. I

only problem is there is now A New Subdivision Called Remington At Wolf Ranch Yes Approved by the city not requiring Odvious Changes to the North West side of that (VARY DANGEROUS) Intersection, Busses Can't Cars Can't Make A safe Right turn on to Cowpoke Rd. Nor Can they make A Safe North bound turn on to Black Forest Rd. (YES IT'S THE KILLING ZONE)

Our Objection remains Not Adiquite Safe Roadways.

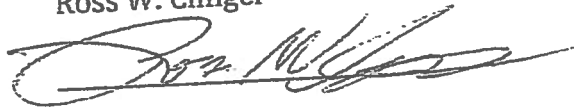
There are some elements available to make changes and do this right;

Respectfully Submitted

This 23rd of May 2017

By

Ross W. Clinger



719-502-5556

719-359-0034

peacockranchprop@yahoo.com

Operations Manager

For

Tin Can Granny's LLC (TCG)

And

Goetsch Peacock LLC

Historic Peacock Ranch



COLORADO SPRINGS
 Planning and Community Development
 Land Use Review
 30 S Nevada Suite 105
 PO Box 1575, MC 155
 Colorado Springs, CO 80901-1575

neopost
 05/11/2017
US POSTAGE \$000.46



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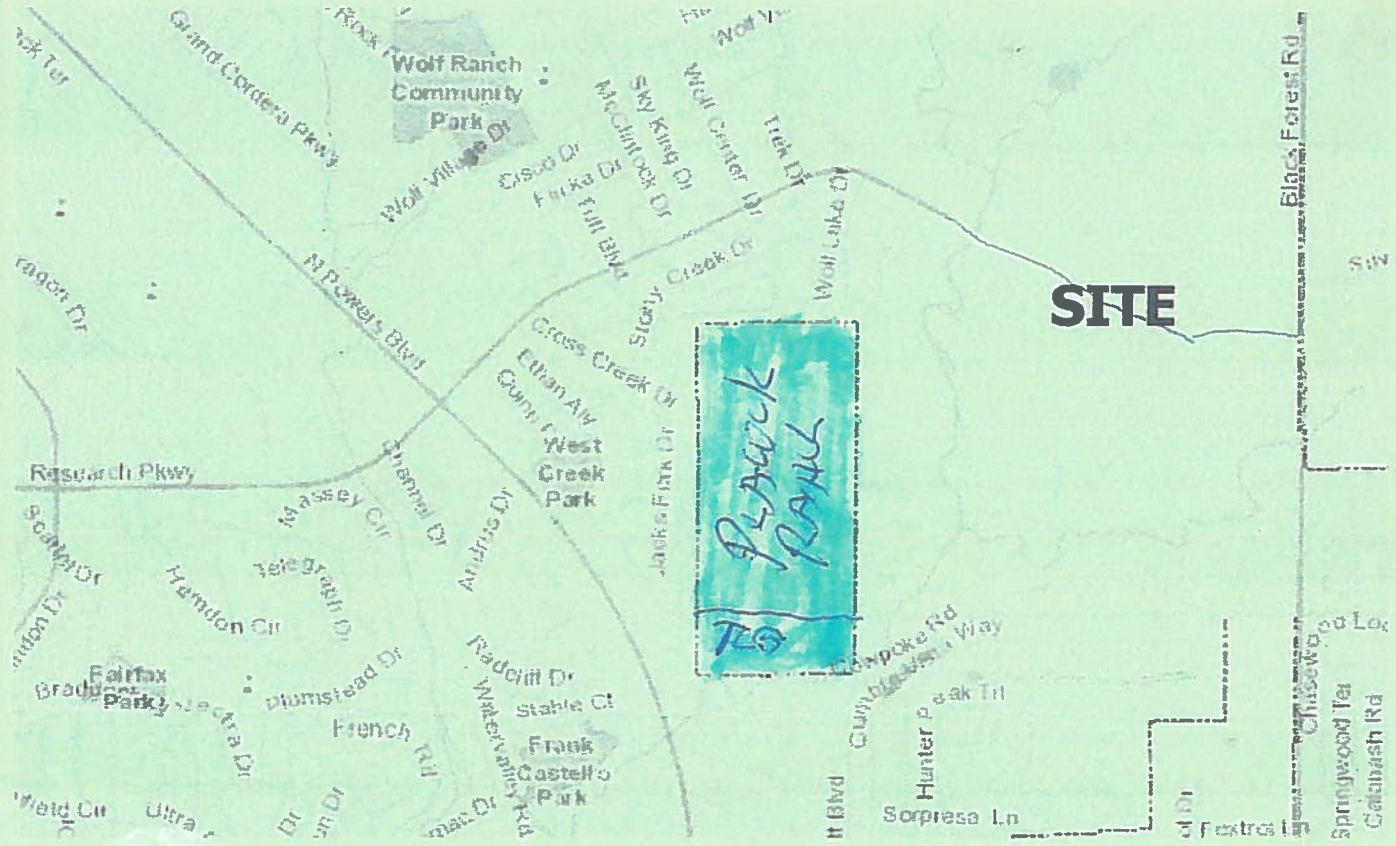
5

TIN CAN GRANNYS LLC
 8254 CROWN LN
 COLORADO SPRINGS, CO 80924

8092485208 R098



Vicinity Map for D20 Elementary School at Wolf Ranch





PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
Land Use Review Division

Reviewing Planner:

Catherine Carleo
kcarleo@springsgov.com
719.385.5060

Plans can be reviewed at:

30 S. Nevada, Suite 105
Colorado Springs, CO
719-385-5905

Hours of Operation:

Monday – Friday 8am-5pm

PUBLIC NOTICE

The Land Use Review Division of the City of Colorado Springs has received request by Matrix Design Group Inc., on behalf of NorWood Development, for consideration of the following land development applications:

FILE NO.: AR PUP 17-00265: Approval of the new Academy District 20 Wolf Ranch School Campus Concept Plan. This proposal identifies conceptual design for the Academy District 20 school campus in Wolf Ranch. The proposal identifies a Kindergarten through High School campus with associated sports fields and courts. The project is proposed to be constructed in phases. The school site is located within the Wolf Ranch neighborhood; south of Research Parkway, north of Cottonwood Creek and west of Black Forest Road. The property is zoned PUD (Planned Unit Development; identified on the associated Wolf Ranch Master Plan for a school). The overall site consists of 81.71 acres. (An associated separate application will include the final subdivision plat for the extension of Research Parkway from its current terminus to Black Forest Road.)

FILE NO.: AR PUD 17-00267: Approval of the new Academy District 20 Elementary School #20 at Wolf Ranch Development Plan. This proposal identifies overall design for the Academy District 20 Elementary school in Wolf Ranch. The elementary school development includes an Innovation Learning Center and a Challenger Learning Center, along with associated parking and outdoor space. The school site is located within the Wolf Ranch neighborhood; south of Research Parkway, north of Cottonwood Creek and west of Black Forest Road. The property is zoned PUD (Planned Unit Development; identified on the associated Wolf Ranch Master Plan for a school). The overall site consists of 17.54 acres.

FILE NO.: AR FP 17-00268: Approval of the Academy District 20 Elementary School #20 at Wolf Ranch Filing No. 1 Subdivision Plat. This proposal identifies the site to be platted as phase one of the District 20 Wolf Ranch School Campus for the construction of the elementary school.

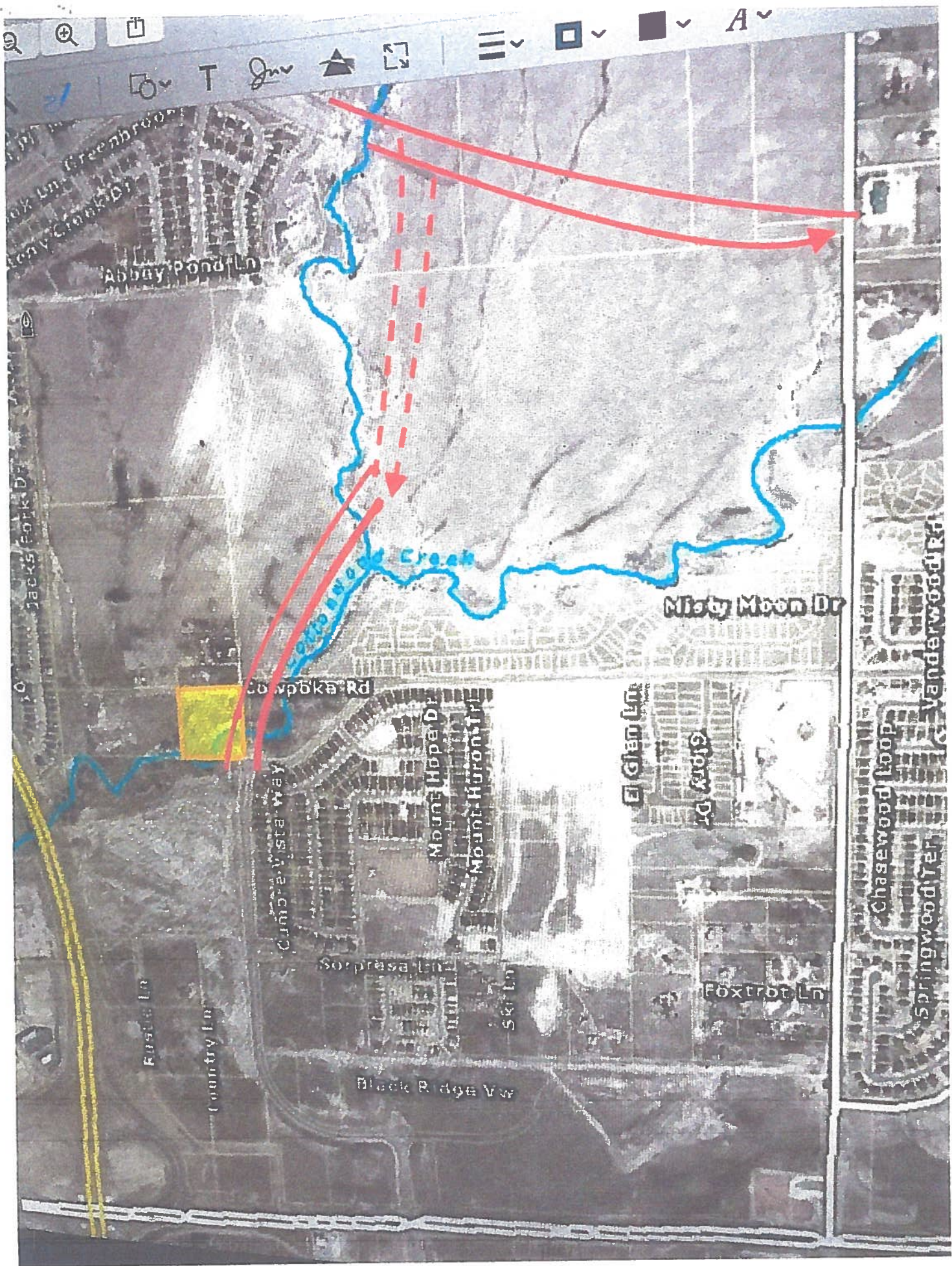
If you would like to review the plans for this project bring this postcard to the address listed above. **If you wish to provide comments regarding this application you may do so until May 23, 2017**, after which the items will be scheduled for public hearing. All comments received are public record and will be made available to the applicant. If you have questions contact the planner listed above.

To view this application and related documents, type <http://eoc.springsgov.com/ldrs/> into your Internet Browser. Type the entire file number within the "Enter the File Number" field and click on the "Run Query" button. PDF documents may be viewed by clicking on the links that appear on the left-hand side of the resulting page. Contact the planner listed above for assistance viewing the applications.

In accord with the Americans with Disabilities Act of 1990 ("ADA"), the City of Colorado Springs will not discriminate against qualified individuals with disabilities. Anyone requiring an auxiliary air or service to participate in this process should make the request as soon as possible but no later than 48 hours before the hearing. Citizens who are deaf and hard of hearing may dial 711 or 1-800-659-3656 Relay Colorado (voice) or 1-800-659-2656 (TTY).

APPEAL INSTRUCTIONS

In accordance with Chapter 7, Article 5, of the City Code, any person may appeal to the City Planning Commission in relation to the Zoning Code, where the above approved application was adverse to that person. The notice of appeal, and a \$176 fee, shall be filed with the City Clerk no later than 10 days after the date of approval. The appeal letter should address specific Zoning Code requirements that were not adequately addressed by the approved administrative decision.



Abbey Pond Ln

Chalino Creek

Nifty Moon Dr

Sumpoka Rd

Cumbe Vista Way

Mount Hope Dr

Mount Huron Tr

El Glen Ln

10 Steps

Rustic Ln

Country Ln

Sorpassa Ln

Ski Ln

Foxtrot Ln

Black Ridge Vw

Chasewood Loop

Springwood Ter

Vanderwood Rd



Internal Review Poster

CITY PLANNING - PUBLIC NOTICE

AN APPLICATION FOR A DEVELOPMENT PROJECT HAS BEEN MADE FOR THIS PROPERTY. THE FOLLOWING SPECIFIC DEVELOPMENT APPLICATIONS HAVE BEEN FILED AND ARE UNDER CONSIDERATION:

- ANNEXATION
- MASTER PLAN
- ZONE CHANGE
- CONCEPT PLAN
- DEVELOPMENT PLAN
- CONDITIONAL USE
- SUBDIVISION PLAT
- SUBDIVISION WAIVER
- VARIANCE
- CMRS FACILITY
- RIGHT OF WAY VACATION
- OTHER: _____

FOR FURTHER INFORMATION REGARDING THIS DEVELOPMENT PROPOSAL, PLEASE CONTACT THE REVIEWING PLANNER:

KATIE CARLEO AT 385- 5060

IN DISCUSSING THIS PROJECT WITH THE REVIEWING PLANNER PLEASE REFER TO THE FOLLOWING CITY PLANNING FILE NUMBERS:

ARFP 17-00273

PLEASE FORWARD YOUR COMMENTS TO THE CITY PLANNER NO LATER THAN: 5-30-17 YOUR INPUT IS AN IMPORTANT ELEMENT OF THE CITY'S LAND USE REVIEW PROCESS.

POSTING TIME PERIOD: 5-20-17 TO: 5-30-17





N. Row Research



Open Space
Community Park
25.47 Ac.

Wolf Valley Residential

WESTCREEK III
AT WOLF RANCH
95 lots

100-YR
FLOODPLAIN

ZONE RR3

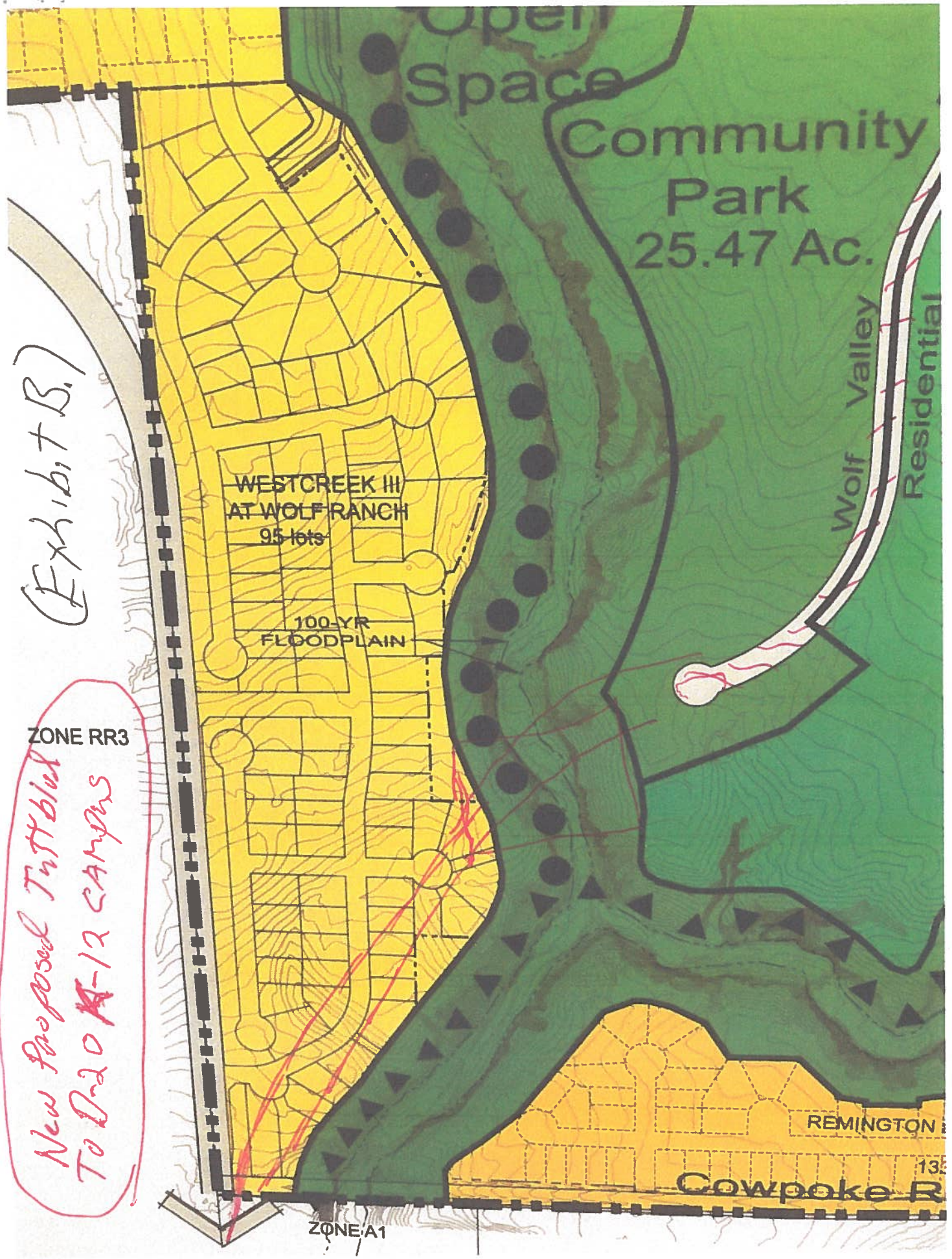
*New Proposed Tract to be added
To D-20 A-12 Campers*

ZONE A1

Cowpoke R

REMINGTON

135



June 23rd 2017
Goetsch Peacock LLC
Historic Peacock Ranch (HPR)
And
Tin Can Granny's LLC (TCG's)
8254 Crown Lane
Colorado Springs CO. 80924

(Appellant Exhibit A) RECEIVED

JUN 23 2017

LAND USE REVIEW

Subject: City Planning File #'s in Review Seen below,
(File No's: AR PUD 06-00515-A1MN17:) Minor Amendments
And (AR FP 17-00331:) Final Subdivision Plat

(GOETSCH PEACOCK LLC) AND (TIN CAN GRANNY'S LLC)
HERE BY FILE OUR OBJECTIONS To; Approvals of File #'s listed above
Minor PUD Development Plan Amendments For the West Creek 111 at Wolf Ranch
File No. AR PUD 06-00515-A1MN17:
And Our OBJECTIONS To Final Plat Approvals File No. AR FP 17-00331:

To: Colorado Springs City Planning Department
Attention: Mr. Daniel Sexton, reviewing Planner,

Greetings Mr. Sexton,
The above named companies here by (OBJECT to the approvals) of the above named
projects, referred to in Files No. (AR PUD 06-00515-A1MN17: and AR FP 17-00331:)
As also seen in subject line,

For the following reasons:

Tutt Blvd. and Tutt Crossing Should be Built Now; rather than later:

The Tutt Blvd. Crossing over Cotton Wood Creek (CWC) starting on the South side of (CWC) at the Completed New Cowpoke Rd. and the, DEAD END of the currently Built Tutt Blvd. (TB) and extended north/easterly (NE) through City of Colorado Springs properties, some of which is already set aside By Warranty Deed from Dave Keller's (KF-103), then (NE) across newly Gifted/deeded (re,# 214045953) Road Way via Special Warranty Deed; David D. Jenkins to City of Colorado Springs (24th April 2014) The OLD COWPOKE Rd. then entering and crossing David Jenkins Properties AKA West Creek 111 at Wolf Ranch to A point where the newly proposed aerial Pedestrian bridge and New south/west bound down hill (12" waste water line) are Proposed/planned to both service the nearly 100 acre (K-12, D-20 School Campus) AND other Properties to the North about A mile or more, of the Newly Proposed Eastern Extension of Research Park Way also Proposed to Accommodate the New (K-12, D-20 School Campus) This proposed (CWC) crossing is currently located in the narrowest portion of (CWC) and could be completed via A Box Culvert wide enough to take care of any utilities, Pedestrian and or other trial/bike traffic etc. after crossing (CWC) The Newly Aligned Tutt Blvd, would have A number of accesses to the D-20 School Campus, then on ward to Research Park Way taking the

23 TOTAL PAGES
2-07-17