

Sexton, Daniel

From: Debbie Anderson <debs4wine@gmail.com>
Sent: Monday, March 20, 2023 1:08 PM
To: Sexton, Daniel; Strand, Tom; Donelson, Dave; Henjum, Nancy; Helms, Randy; OMalley, Mike (Council Member); Suthers, John; Avila, Yolanda; SFortune@springsgov.co; Murray, Bill; Williams, Wayne
Subject: 2424 Garden of the Gods

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dear Mr. Sexton, I am vehemently against the proposed development of 2424 Garden of the Gods Road. Quite frankly I am SICK & tired of all of this OVER infill. Yes I am angry. Who are you & the city to go against the community desires?

I have MANY reasons for this.....

- already congested evacuation routes on the westside
- further encroachment on the bighorn (a "sensitive species" on the federal level and a "species of greatest conservation need" on the state level
- the developer, CPW and city planning have consistently lied about the bighorn's use of the property, ignoring a trove of photos, videos and eyewitness accounts and a USDA-FS study citing the properties surrounding Glenn Eyrie as PRIMARY BIGHORN HABITAT --fragmentation of a wildlife corridor
- the danger of high-density development in the Wildland Urban Interface (WUI). Higher the density = higher the risk of a wildfire becoming a catastrophic urban fire
- loss of the city's majestic view heritage (the development WILL block views of the hogbacks and even Pikes Peak ---- the massive amount of apartments approved for the west side in the last several years are simply excessive --Colorado Springs has a very low rating for neighborhood parks that people can walk to from their homes causing open space parks like Ute Valley Park and Blodgett to become degraded from overuse.

Please rethink and deny this proposal !!

Thank You

Deborah Anderson
2540 Ramsgate Ter
719-660-0532

Sexton, Daniel

From: Dorothy Macnak <dottt1@comcast.net>
Sent: Saturday, March 18, 2023 3:33 PM
To: All Council - DL
Cc: Fontecchio, Candy; Friedman, Samuel; Sexton, Daniel
Subject: 2424 GOTGR (my written citizen comments for the packet and public record)

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dear City Councilmembers:

Regarding the Rocky Mountain Bighorn Sheep, our state mammal and popular tourist draw: They are classified on the state level as a "**species of greatest conservation concern**" and on the federal level as a "**sensitive species**." [1] These classifications are warnings that steps need to be taken now to prevent the species from being listed as endangered in the future. [2] In light of these current conservation classifications, it can be reasonably argued that **all BHS-use areas are critical to their well being**.

City planning and NES both deceptively presented to the planning commission only half of a Colorado Parks and Wildlife (CPW) opinion about further development on 2424 Garden of the Gods Road and the Rampart Range Herd of Rocky Mountain Bighorn Sheep. They presented the half that says development would have "*little to no impact*" on the bighorn. [3] The full opinion was that there would be little to no impact because the bighorn do not use the property. A CPW letter explained the opinion was based on one CPW employee saying he never saw bighorn on the property, and didn't know anyone who had. [4] The opinion was easily discredited by a trove of photos, videos and eyewitness accounts of bighorn utilizing the property regularly and in significant numbers.

Fortunately there is no need to use a discredited *opinion* in your decision-making process as you can use a credible **study** instead. The USDA Forest Service did a comprehensive study of Rocky Mountain bighorn sheep including the Rampart Range Herd. [5] That study recognizes Glenn Eyrie and all areas surrounding Glenn Eyrie as primary bighorn habitat. It tells us "**Sheep are currently found primarily in Queen's Canyon Quarry, Camp Creek, and the areas surrounding Glen Eyrie.**" And the study makes recommendations regarding development in those areas: "**Human recreational activities, especially hikers with dogs, and development are other big factors affecting the future of the Rampart Range Herd. Both are expected to increase as development on private lands within the unit continues (Dreher 2005a). Efforts to funnel recreational activity away from sheep use areas and to curtail development on private lands in critical areas will benefit the Rampart Range bighorns.**"

When considering the bighorn, 2424 GOTGR and city code 7.3.504HS, it's important to know that wildlife migration is: "**...the seasonal movement of animals from one habitat to another in search of food, better conditions, or reproductive needs.**" And wildlife corridors are: "**The routes that wildlife use to move across the landscape between significant habitat areas.**" [6] In winter, BHS from the Rampart Range Herd are frequently seen utilizing the sunny open space on 2424 as winter range habitat -- that's a seasonal connection. In early spring, The open space becomes birthing habitat as well -- another seasonal connection. [7] And groups of bighorn move through 2424 to get to the low-density developed areas of Mountain Shadows, for water, safety, and grazing as do other wildlife -- that's the moving-across-the-landscape connection.

Please view the linked-to videos, video stills and photos (below) showing the bighorn as they graze and rest on 2424 and move through that landscape to reach other areas of habitat. And please note the final photo that shows the wildlife corridor of which 2424 GOTGR is an integral part.[7-17]

Sincerely.

Dorothy Macnak
35-year Pinecliff neighborhood resident (westside of Colorado Springs)
B.A. Geography/Environmental Studies UCCS
1135 Point of the Pines Drive
Colorado Springs, CO 80919-8148
(719)332-3195

References:

1.
state wildlife classification
https://cpw.state.co.us/Documents/WildlifeSpecies/SWAP/CO_SWAP_Chapter2.pdf p. 11
2.
federal wildlife classification
file:///C:/Users/DOT/Downloads/FWS-R4-ES-2016-0121-0069_content.pdf
3.
deceptive use of CPW opinion
3:29:14 / 8:36:45
https://coloradosprings.granicus.com/player/clip/1901?view_id=1&redirect=true&h=fe8abe0a8739881a4a0103873a8d37f9

Wildlife Impacts

City Code

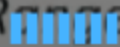
- City Code does not contain review criteria to directly evaluate wildlife impacts
- Per City Code, The HS overlay may be applied with any zone district in the City which is needed to meet certain objectives.
 - City Code Section 7.3.504(3)(g) states: *"To preserve wildlife habitat and wetland areas which provide wildlife migration corridors."*

Colorado Parks & Wildlife

- No recent coordinate
- December 2020 letter comment: *"It is CPW's professional opinion that the new development at the proposed project site at 2424 W Garden of the Gods Parkway will have little to no impact on the Rampart Range Bighorn Sheep herd."*



3:29:29 / 8:36:45



CPW letter to city planning with discredited opinion



COLORADO
Parks and Wildlife
Department of Natural Resources
Southeast Regional Office
4255 Sinton Rd.
Colorado Springs, CO 80907
P 719.227.5200 | F 719.227.5223

December 16, 2020

Land Use Review Division
City of Colorado Springs
c/o Katelynn Wintz - Senior Planner
30 S Nevada Avenue, Suite 701
Colorado Springs, CO 80903

Re: Project Proposal for 2424 W Garden of the Gods Rd.

Dear Ms. Wintz,

Colorado Parks and Wildlife (CPW) has analyzed the project proposal for 2424 W Garden of the Gods Rd. which includes a review of a master plan amendment, zone change and a concept plan for future site development. CPW is very familiar with the project site that borders the intersection of W. Garden of the Gods Rd. and N. 30th St. to its southeast and borders Flying W Ranch Rd. to its east.

CPW is also aware that there is local community concern that the change in zoning and the new development in the project area could have a negative impact on the local Rampart Range Bighorn Sheep herd that lives nearby. CPW appreciates the communities concern for the Bighorn Sheep and we would like to share our professional opinion on the project.

District Wildlife Manager (DWM) Corey Adler is assigned to the district that incorporates this proposed project location. DWM Adler has worked with the Rampart Range Bighorn Sheep herd intensively through counts, observations, trappings, and hunting activities. DWM Adler's work with these sheep mainly occurs on their primary habitat and favored location of the old mining scar and the steep hillsides nearby. These habitats lie roughly west and up the hill from the proposed project site.

The Glen Eyrie and The Navigators, properties closer to the proposed project area, are places where DWM Adler has also consistently seen the sheep from the Rampart Range Bighorn sheep herd grazing, resting and moving through. In addition to the before mentioned areas the Rampart Range sheep are also seen using and moving through the property of the Flying W Ranch. The sheep will move north through the Flying W Ranch to areas along Lanagan St. and then farther north to the Castle Concrete rock quarry west of Allegheny Dr.

Don Prosser - Director, Colorado Parks and Wildlife • Parks and Wildlife Commissioners: Michelle Zimmerman, Chair • Marvin McDowell, Vice-Chair
Kris Yagel, Secretary • Tashya Adams • Betsy Bloch • Robert W. Bray • Charles Garcia • Marie Heikert • Carrie Beckett Hauser • Luke S. Schaller • Eden Yandy



During the times DWM Adler has dealt with the Rampart Range Bighorn Sheep herd he has never seen or heard of the sheep being on or using the proposed project area. The Rampart Range Bighorn sheep's main habitat lies uphill in elevation on the old mining scar and in and around the precariously steep walls of Queen's Canyon and any of the other steep hillsides and rock faces of the Rampart Range.

Included with this proposed project is a 55.43 acres open space that will lie west of any new development and between the development and any possible sheep use or movement. This open space will buffer any impact into areas where the sheep may pass through to get to more suitable habitat.

It is DWM Adler and CPW's professional opinion that any new development at the proposed project site at 2424 W Garden of the God's Rd. will have little to no impact on the Rampart Range Bighorn Sheep herd.

We appreciate being given the opportunity to comment. Please feel free to contact District Wildlife Manager, Corey Adler, should you have any questions or require additional information at 719-439-9637 or via email at corey.adler@state.co.us.

Sincerely,



Frank McGee
Area Wildlife Manager

Cc: Corey Adler, DWM
SE Regional File
Area 14 File

5.
USDAFS study -- Beginning on page
43: https://www.fs.usda.gov/Internet/FSE_DOCUMENTS/stelprdb5181936.pdf

6.
Definitions:
<https://education.nationalgeographic.org/resource/migration/>
and <https://storymaps.arcgis.com/stories/6a61744cd61e4a629a475efc5c7fd031>

7.
In this first video, you can see the bighorn grazing in the open space of 2424 GOTGR. Notice how close they are to 30th Street, and how the parking lot / project area is directly next to the open space - there is no buffer between the sheep-use area and the proposed-development area.



<https://www.dropbox.com/s/ocaxhem5of3b0d3/2022-01-03.0012.1%20Bighorn%20%26%202424.mp4?dl=0>

8.

In this video, you can see the facility in the upper righthand corner and you can see a radio tracking collar on a bighorn. The CPW's own radio tracking data would contradict the opinion they gave to city planning.



<https://www.dropbox.com/s/q6lv10t6lgr0ggz/2022-01-03.0023.2%20Bighorn%20behind%20tree%2C%202424%20in%20background%2C%20%26%20Female%20%23N3%20%28SHORT%29.mp4?dl=0>

9.

This photo (and reference photo) shows the bighorn winter grazing on the sunny open space and utilizing 2424's segment of the wildlife migration corridor as they head further into Mountain Shadows. The blue building in the distance is Chipeta School.





10-14.

The next photos (except for reference photo) show the bighorn as they rest, graze and move through the property. Again, some with tracking collars. When the bighorn graze they are performing an important service for free. One bighorn consumes at least 3 pounds of vegetation in a day. There have been over 40 sheep at a time regularly grazing on and crossing through 2424. In winter, they increase nibbling of highly-flammable mountain mahogany.

<https://ielc.libguides.com/sdzq/factsheets/bighornsheep/diet>

<https://www.nps.gov/bica/learn/education/upload/Level%20Life%20Science.pdf>
<https://www.fs.usda.gov/database/feis/plants/shrub/cermon/all.html>











15, 16.

These next two photos show bighorn resting in a low-density residential area of Mountain Shadows after having crossed through 2424 (note the facility in the background of the first photo). This is the street where I take people visiting me from out of town. They always want to see the bighorn! Please keep in mind, that the BHS have adapted to *low-density* development over *decades* while always having the non-residential areas of 2424GOTGR, Glenn Eyrie and Garden of the Gods to retreat to via the wildlife migration corridor of which 2424 is an integral part.





17.
This final photo, taken at Chipeta School, looks towards 2424 GOTGR, Glenn Eyrie and the Garden of the Gods park. It shows the **continuity** of the wildlife migration corridor as well as the majestic landscape that the Hillside Overlay demands preservation of.



Please protect what is unique about Colorado Springs. VOTE NO. Thank you.

Sexton, Daniel

From: kathydbq <kathydbq@aol.com>
Sent: Tuesday, March 14, 2023 5:08 PM
To: Sexton, Daniel
Subject: 2424 Garden of the Gods Road

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Mr. Sexton, due to traffic and fire evacuation concerns, please don't allow any new construction or buildings at 2424 GOG Road. Traffic is already too congested at this location and a no vote would be appreciated. Thank you, Kathryn Fuhs
719-375-0735

[Sent from the all new AOL app for iOS](#)

Sexton, Daniel

From: Laura Canini <lauracanini@icloud.com>
Sent: Thursday, March 16, 2023 7:15 PM
To: Sexton, Daniel
Subject: 2424

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Please do not allow developers to move forward with 2424 as residential. This is not an urban part of town and it will be destroyed with crowding.
Laura Canini

Sent from my iPhone

Sexton, Daniel

From: Matt Coleman <matt@knightheads.com>
Sent: Wednesday, March 8, 2023 2:10 PM
To: Sexton, Daniel
Cc: EB; Steve Durham; Diane Hampson
Subject: 2424 Garden of the Gods

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dan...

You and I have spoken about and exchanged email regarding this project before, so my purpose here is to reaffirm the concerns I have for our Kissing Camels Community.

The majority of residents in our area, well over 1,000, have had to evacuate at least once...some twice...and several lost their homes to wildfire in Mountain Shadows. Having attended community meetings, talked with the Wildfire prevention folks at CSFD, talked with the PPROEM folks, and discussed this with other sister HOA group, **our #1 issue is that Colorado Springs has no fully developed and stress tested evacuation plan.** What we have is a software program that carves the geography into manageable sizes for emergency communication via the PeakAlerts system, on the assumption folks sign up. I identified this at a public meeting and the response from the speaker was, "Don't worry; we'll get you out." This is completely unacceptable. A solid Disaster/Evaluation Plan would vet various high probability scenarios and contingencies, model worst case scenarios (time of day, weather, traffic, comms, construction etc.) and chart out how and where people would be evacuated. To my knowledge none of this exists and, until it does, City Council should put the brakes on new development on the West Side. Do the hard work BEFORE new developments are considered. The City owes this to the residents who are already here, and it is not delivering.

I and others of like mind have been painted with the NIMBY brush. Not so. Personally, I invested four years of volunteer service as Chair of the EDC, and the Chamber & EDC. My personal involvement in and commitment to thoughtful economic development in our community has a long history. We need more affordable housing. We need alternatives, from vertical development to redevelopment of older neighborhoods. We need a legislative effort to push back on construction defect laws and start building affordable condos again. We cannot just stick our heads in the sand. I totally get it. But **doing the hard work called for in evacuation planning, specifically for wildfires, must come first.** Not to do so simply puts even more citizens at risk. As the CSFD says, "It's not a question of 'if' we will have another wildfire; it's a question of 'when'."

Again, we've talked. You know my position. And you were even gracious enough to speak to our Association a few months ago. (Tonight we are hosting CSFD for a community town hall on Wildfire Risk... that's how seriously we take this.) I appreciate your acumen and hard work – please ensure my communication on this topic is widely distributed, particularly to those who will make the decision.

THANK YOU.

Matt A. Coleman
President / KCPOA Executive Board

For KCPOA matters please use: matt.coleman@kc-poa.com

Sexton, Daniel

From: Nick Zavatti <NZavatti@msn.com>
Sent: Thursday, March 9, 2023 1:34 PM
To: Sexton, Daniel
Subject: Letter of Opposition to proposed development at 2424 GOG

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Dear Mr. Sexton:

I am writing to express my opposition to the proposed development of 2424 Garden of the Gods Road. As we all know, the Garden of the Gods is one of the Jewels and Best Tourist's Attractions of Colorado Springs. I was born and raised in Colorado Springs and it would be a travesty to destroy one of our natural beauties. In addition, our opposition is also based on these potential/probable negative effects:

- The loss of neighborhood and community character
- A decrease in the market value of our homes
- Increased traffic congestion adding to an already dangerous situation at Garden of the Gods and 30th Street. This area was dangerously congested during the Waldo Canyon Fire. I live in this area and I know firsthand on the incredible amount of traffic during the evacuation.
- The destruction of green space and mature trees as well as driving animals out of their natural habitat. More development in this area will only destroy the natural and unbelievable beauty of the Garden of the Gods.
- This apartment complex does not belong in this neighborhood and park. The developer can change the original concept move it to a different area.

Please do not allow the development of this area or any where near this spectacular park. Please use common sense and care about the best interest of the community instead of the bank account of the developer.

Thank you so much and please feel free to contact me.

Nick Zavatti
719-321-3609
Concerned Colorado Springs Resident

Sexton, Daniel

From: pasandy (null) <pasandy@aol.com>
Sent: Friday, March 17, 2023 11:12 AM
To: Sexton, Daniel
Cc: All Council - DL
Subject: 2424 GOTGR comments for public record

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Daniel Sexton & City Council members:

I am writing because I am concerned about the 2424 GOG project that has been kept in the public eye for more than a year now. As I know you were aware city council voted amending the developers land usage zoning. It was struck down for a number of reasons the least not being the big horn sheep population that goes through this property. In 2012, the Waldo Canon fire occurred in the Mountain Shadows area. We watched the fire grow for a number of days before Fire officials decided to call a full on evacuation. I wish for the council to know that my husband and I have lived in our home for over 22 years now. Never in a million years would I have thought about the possibilities of fire in the area. I thought the fire officials could read the situation and protect us from it. I was wrong.

I think what people fail to recognize is that it look most of us several hours and a few new grey hairs to get out of the area when we were evacuating. And it was frightening. Ms. Barlow at every turn seems to discount the residents of this area for that and seems to feel entitled to a zone change. When the developer purchased the property they knew what the zoning was yet they completed the purchase. You don't buy a salad hoping that when you bite into it that is suddenly chocolates.

Furthermore, the Big Horn sheep in this area I believe is vital to our tourism. At the turn of the century the animal was pretty close to extinction. The state worked with North American model of Wildlife Conservation to bring the sheep population back up in this state. And given there is a big horn birthing area that is super close to this project you would think that conservationists, politicians, tourism board, and citizens would be more apt to make sure that this animal thrives in this area. Who wants to come vacation in Colorado Springs to go to one of the most beautiful parks in the nation to be confronted by countless apartment buildings that block the beautiful bluffs and none of the wildlife that you'd expect in this area.

Since I have lived in this area we have had countless friends and family come from other states and other countries to see us and enjoy the beauty of where we live. They have been captivated by how the wildlife is so closely connected to our parks and our residential areas. I do not understand why the city wants to destroy that. Everything that Colorado Springs once was is slowly disappearing. It is a crying shame. It truly is.

Council, please step up and make sure we are safe and that our wildlife is safe. I implore you.

Sincerely,

Paula Wyatt
6170 Moorfield Ave
Colorado Springs, CO 80919

Sexton, Daniel

From: Tim McMahon <mcmahontj@comcast.net>
Sent: Thursday, March 9, 2023 11:28 AM
To: Donelson, Dave; Sexton, Daniel
Subject: 2424 GoG

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Gentleman,

I'm writing to express my strong opposition to the proposed 2424 GoG development.

My wife and I moved into Mountain Shadows in 2003 when we retired from 32 years of Air Force active duty. We had been stationed here twice and decided to retire here for many reasons. Key among them were the views, parks and trails, cost of living, and the *general warmth of the people*. There was little concern for our's, or broader public safety. My wife taught in both D-11 and D-20. As a VP with Northrop Grumman, I sought to involve our company in meaningful ways with the city and its future. I led the construction of our building on the airport complex. We committed heavily to United Way, Home Front Cares and other public service non-profits, and I served a term on the then Chamber of Commerce. I felt at home and optimistic for our city's future. When I traveled for business (extensively) or for pleasure, I enjoyed speaking to folks about the Springs and why it was such a great place to live. My position on that now is far less positive. It is far more cautionary and conditional....sadly, for a growing list of reasons. **Over development**, traffic, crime and associated public safety concerns are key among them. ***They have become prevalent, negative conditions and 2024 GoG will arguably compound all of them.***

I know you are very familiar with voiced public concerns regarding 2024 GoG's impact on traffic density and emergency evacuation. I add my voice to these concerns and objections! My wife barely made it out of Mountain Shadows before our home was damaged; the home next to us was incinerated; and, two of our neighbors eight houses away were killed. While the City has acted to address those continued risks, I have little confidence that our current plans and readiness have been sufficiently tested. Are YOU prepared to bet a citizen's life on them? Are you convinced that 2424 GoG would have acceptable risk on the public's interest?

I understand we have a housing shortage. There is substantial, established argument for residential housing development of varying kinds; but, that should not, in my opinion, outweigh the objections you are hearing from current residents.

This part of town is packed, and it's getting worse (Centennial & Fillmore). There may be one good reason for 2424. There are many reasons for refusing to allow this development to proceed.

Hear our voices. The courtesy of a reply would be appreciated.

Tim McMahon
4210 Reserve Point