

October 6, 2023

William Gray
City Planner
Planning and Community Development Land Use Review Division
30 South Nevada, Suite 701
Colorado Springs, Colorado 80901-1575

RE: Notice of Appeal of an Administrative Decision to City Planning Commission (APPL-23-0005) related to the Notice of Violation and Order to Abate (ENF23-05324) submitted to Colorado Springs Planning on September 6, 2023 by Colorado Springs Utilities (“DP Applicant” or “CSU” – including employees, representatives, agents, contractors, vendors, and/or consultants).

Dear Mr. Gray,

After careful review of the CSU’s “facts” and case law references in the Appeal, we request the appeal be **rejected** and the Notice of Violation and Order to Abate be enforced based on CSU’s misrepresentation of facts, contrived ignorance, conscious avoidance, and lack of the acceptance of responsibility for their own self-inflicted violations.

Below is reprint of CSU’s appeal notification (in blue). Comments have been embedded in the document highlighting the specific misrepresentations and dereliction on the part of CSU.

[Start of CSU’s Appeal]

This shall serve as the Notice of Appeal required under City Code section 7.5.415(A)(2). This is an appeal of the Notice of Violation and Order to Abate issued on August 30, 2023 (Case # ENF23-05234) to Colorado Springs Utilities (“Utilities”). Utilities is the property owner and the appellant.

This appeal is based on Uniform Development Code (“UDC”) sections 7.1.109 and 7.5.503, as well as well-established Colorado case law. As described below, the Notice of Violation and Order to Abate is erroneous and clearly contrary to law.

Facts:

On June 21, 2022, City Planning administratively approved a Development Plan (“DP”) application (AR DP 21-000526) for the property located at 6560 Alabaster Way, Colorado Springs CO 80919 (TSN 7315200003) (the “Site”). The DP provided for the construction of a 5-million-gallon ground water storage tank (“Wilson Tank” or the “Tank”) on the Site with a maximum height of 45 feet.

Fact Check: The above paragraph is partially true and misleading. The approved structure height shown on the DP was 40 feet (a 36-foot side wall and 4-foot dome roof), thus the DP was approved for a tank height of 40 feet, not 45 feet. When City Planning approved AR DP-21-00526 (Exhibit B) the Planner set maximum height code to no more than 45 feet (UDC 7.2.501B and D). This maximum height limit provided a generous 12.5% variance (i.e., below the 15% minor modification limit [UDC 7.5.516] for the final structural design – see *Note 1 on page 12 of DP). Additionally, the approval of the DP was conditional. The letter entitled “Record of Decision” (Exhibit A) dated June 21, 2022, from Sr. Planner William Gray clearly states (among other conditions):

* Development must conform completely to the approved development plan.

* The building architecture must substantially comply with the elevation drawings.

* If any changes to the approved site or building design become necessary prior to, or during construction, an amended development plan will need to be submitted for City Planning review and approval.

At the time of the DP submission the overall true tank dome height was uncertain as a Tank Vendor providing the structural design had not been contracted yet. Note 1 on page 12 of the DP plan was provided. "All measurements above are estimates. final elevations will be designed by tank manufacturer during structural design phase".

Fact Check: The above paragraph is contrived ignorance. Yes, the dome height dimension shown on page twelve of the submitted drawings was listed to be 4 feet (Exhibit C). This was consistent with the approximate dome height CSU had verbally communicated on many occasions to the Mountain Shadows neighbors when discussing future build plans. It is also the only dome dimension in any drawing of the DP. It is true that the word ‘estimate’ was used as a dimension disclaimer on the final submitted drawings, pending the completion of structural drawing by the vendor (which, was bounded by the maximum code height limit of 45 feet — Exhibit B). However, the actual dome height (Exhibit D) per the vendor drawings dated November 9, 2022, and used for a building permit application, showed the dome height to be 19.8 feet – a 5X difference – bringing a total Tank height to just under 60 feet! The use of the word ‘estimate’ for this type of difference is unconscionable and legally tenuous.

Fact Check: Additionally, the referenced paragraph is conscious avoidance. It is false that the “overall true dome height was uncertain” prior to the DP approval in June 2022. On page 9 of an internal CSU document (obtained through a CORA request), entitled “Preliminary and Final Design of Wilson Tank Replacement; Task Order 202107783, March 2022, Prepared by Kimley Horn” (for CSU) (Exhibit E), details the AWWA D110, Type III Tank Specifications, which specifies the dome would have a rise to span ratio between 1:14 and 1:8. (see Exhibit D for excerpts from the document). Mathematically applying this formula of dome height based on the 164.5-foot tank diameter, the dome height is calculated to fall between 11.8 feet and 20.6 feet. CSU and, more specifically, CSU’s contract engineering agent Kimley-Horn (“KH”) were aware of this dimensional range prior to submitting the last revision of the DP application to City Planning in March 2022. This was 3 months before the DP was approved in June 2022. CSU did NOT adhere to the requirement of the conditions of the Record of Decision letter dated June 21, 2022 to inform City Planning the final design did NOT “substantially comply with the elevation drawing” nor seek a path for “an amended development plan ... to be submitted for City Planning review

and approval.” The onus is clearly laid in the lap of CSU to conform to UDC since CSU is the DP Applicant.

Fact Check: The referenced paragraph is the classic definition of Nelsonian knowledge. In 2016, CSU built a similar tank (5-million-gallon Little Mesa Tank – CPC DP 97-00346-A2MN16) in Colorado Springs at 1388 Manitou Blvd (7 miles south of the Wilson Tank). CSU used the same tank vendor and construction resources to erect both tanks. The development plan for the Little Mesa Tank clearly stated a range of 12 to 20 feet for the dome height of the tank. CSU had direct experience and expertise in building this type of tank and was willfully ignorant to not catch the fact the dimension of 4 feet on the Wilson Tank DP was not at all realistic for a similarly designed tank that was to be in service at even a higher elevation (which requires a structurally enhanced dome; ultimately resulting in a taller finished product).

The Prime Contractor was under contract on August 15, 2022, along with the Tank Vendor as a subcontractor. The Tank Vendor developed the tank structural design based on the project AWWA D110, Type III performance specifications. The result of the structural design put the tank dome at approximately 55 feet with the required Vent at final height at approximately 60 feet.

Fact Check: The above paragraph is true. CSU admits they used the “AWWA D110, Type III Tank Specifications” document (Exhibit E) they received from KH. So, the dome height would be known to them in March of 2022 as an input to the tank vendor to create the structural drawings. The vendor (DN Tanks) appears to have designed the dome to be within the range that was in the Tank specification requirements. The resulting dome height, as calculated, is 19.8 feet and was submitted to PPRBD for the building permit (Exhibit D).

Utilities, through its consultant Kimley Horn, submitted an application for a building permit to Regional Building on February 20, 2023. The building permit application included the DP and construction drawings, which showed a tank height 55 feet and vent at approximately 60 feet. The building permit application was reviewed by City Planning, Development Review Enterprise, and approved on May 5, 2023, by the planner who had approved the DP. This approval came after City Planning disapproved the building permit two times (March 27 and April 3, 2023), because the submittal was incomplete.

Fact Check: The above paragraph is partially true, highly misleading and an admission of contrived ignorance. CSU admits providing erroneous documentation to obtain a building permit and fails to disclose (as the conditions of the Record of Decision requires) the construction drawings are not in compliance with the DP. It appears, CSU is attempting to ignore/deflect CSU’s responsibility in this process, which was to ensure all information was correct. This is required per UDC subordinate document “Pikes Peak Regional Building Code, 2023 Edition” Section RBC106.4.

After receiving the approved building permit, Utilities, through its construction contractor, began work on the Site. Work on the Tank’s structural foundation began the first week of May 2023, and work on the Tank has continued through August 30, 2023.

Fact Check: The above paragraph is blatantly false and, possibly, actionable. CSU started physically working on the site in November of 2022. The initial work may have been excavation and grading but buildup of a specifically designed gravel/concrete based foundation for the

tank's concrete slab commenced in March 2023 – before a building permit was issued (see PPRBD definition for Construction Start, page 100). This activity included the pouring of concrete at various times (see Exhibit F; Video screen capture and text communications between CSU Community Outreach and Lawrence Starr describing the type of work taking place in March 2023). This indicates construction started with the false reliance on the probability of an issuance of a permit (see above paragraph in which CSU states “City Planning disapproved the building permit two times (March 27 and April 3, 2023), ...” Such construction activity violates RBC101.8, RBC105.1, and UDC 7.5.503B1. Additionally, CSU specifically calls out that the “construction contractor” began work; as if CSU is implying they have no connection to the actions of their contractor.

Fact Check: The reference paragraph is also misleading. CSU fails to mention why the plans were disapproved. According to internal emails obtained through CORA (Exhibit H), they were rejected (among other reasons) by CSU internal permitting department because the construction plans were not attached. The remedy to this was that CSU had to attest through signature that the plans were correct, only then enabling the building permit to be issued. Part of this cross-check would have included looking at both the DP and the structural drawing to confirm they were congruent. Several CSU and KH folks were involved in this confirmation. This is important because CSU has gone on record saying they were unaware of the non-compliance between the approved DP and the plans submitted to regional for the building permit.

It was not until June 13, 2023, that Utilities was alerted that it may be out of compliance with its land use approvals. This was brought to Utilities’ attention when Lawrence Starr, a neighbor of the Site, contacted a Utilities representative to state that the neighbor believed the Tank was too tall. Utilities conducted an internal investigation to determine whether this was, in fact, true. During this investigation, Utilities determined that its building permit was not in compliance with its DP.

Fact Check: The above paragraph is misleading. Lawrence Starr did bring the concern up with CSU community outreach person Margaret Radford on June 8, 2023. Mr. Starr had voiced his concern about the height on several prior occasion (verbally and in writing); but could not really discern final height from looking at the construction scaffolding. CSU continually assured Mr. Starr the height was going to be similar to the existing tank (someone even used the words “twin, just moved to the south”), but would have a slight dome. It was explained to Mr. Starr that the proximity of the tank under construction to his home only made it seem higher than the tank it was replacing (Exhibit G). It wasn’t until the week of June 14, 2023, Margaret Radford called to inform Mr. Starr the tank was indeed 20 feet higher than the approved DP. Ms. Radford expressed frustration about internal CSU communications not informing her before.

Fact Check: The reference paragraph is false. The claim that this was the first time that CSU was made aware of the infidelity between the DP and the structural drawing is false. According to internal CSU emails found in the CORA request, there was an internal confirmation of the tank plans that took place from March 2, 2023 through March 29, 2023 (Exhibit H). This confirmation and assertion of the correct drawings set was required as part of the approval for the PPRBD permit. The events were as followed:

On March 2, 2023 at 3:23 PM, CSU employee Caleb Savage, working as a part of the PPRBD permit review team, rejected the Tank submission packet with the comments “CSU-approved Construction Drawings must be attached to the permit set”

On March 2, 2023 at 3:47 PM, Makenzie Chesak P.E. Civil Engineer of KH, who was the recipient of the disapproval, sent an email back to Caleb Savage that she had worked with CSU's Stefan Manning, Engineer III of the CSU's Utilities Development Services (UDS) department, in August & September of 2022, to get the development plan approved by the city. Ms. Chesak maintained in the email that since she had worked with CSU Project Technical Lead Ron Sanchez, no further review was needed by UDS. Ms. Chesak indicated she was copying Bryan Gimbel, the CSU project manager responsible for all aspects of the Wilson Tank project.

On March 3, 2023 at 2:44 PM, Stefan Manning of UDS responded that, indeed, an additional review through UDS was not needed since a prior review had been done with CSU's Ron Sanchez, PTL. Mr. Manning did, however, request that the construction plans submitted to PPRBD, "...be signed by them or a letter, etc. to ensure the plans attached to the PPRBD plan set are the correct plans". Note – this is a significant (irregular) request as it required CSU to confirm the packet submitted to PPRBD was correct. The failure to confirm that the DP and construction drawings were in sync is gross negligence and conscience avoidance on the part of CSU, after being specifically requested to check the plans.

On March 22, 2023 at 2:17 PM, Makenzie Chesak sent an email to Ron Sanchez, PTL to confirm the most recent IFC (Issued for Construction) Plan Set was attached for review and approval. Bryan Gimbel, the Wilson Tank manager, was copied on this email. The approved IFC Plan Set has the description of a 4-foot dome on page 12 of the DP (Exhibit C) while page 83 of the Structural drawings (Exhibit D) specifies a 19.8-foot dome.

On March 29, 2023 at 5:02 PM, Makenzie Chesak sent an email to Ron Sanchez, CSU PTL requesting signoff of the Plan Set. In the email Ms. Chesak stated that she worked with Bryan Gimbel, CSU Wilson water tank project manager as well as Stefan Manning of CSU UDS to put together the Plan Set for signoff.

From the emails, it is clear that CSU was requested to confirm the construction packet submitted to PPRBD for signoff. Any claim that they were not aware of the DP and structural drawing difference is an admission that CSU did not perform the required confirmation of the Plan Set accuracy and thus were negligent and subject to RBC106.4.

It should be noted from the Pikes Peak Regional Building Code:

RBC106.4 APPROVAL OF DOCUMENTS.

Construction documents complying with the provisions of this Code, and approved by the Building Official, shall be "Released for Permit" and shall bear the "Released for Permit" stamp on each page thereof and each set of specifications.

Approval of construction documents shall not be construed to mean approval of any violation of this Code or any other code, or applicable laws, ordinances, rules, and regulations, if a violation is included in the approved drawings or specifications, and shall not relieve or exonerate any person or entity from the responsibility of complying with the provisions of this Code or any other code, laws, ordinances, rules, and regulations.

On June 29, 2023, City Code Enforcement came to the Site. On June 30, 2023, Utilities met with Code Enforcement onsite and discussed the issue of the building permit and the DP. Code Enforcement left the Site satisfied as Utilities had an approved building permit for what was being constructed. No work stoppage was issued at that time.

Fact Check: This above paragraph is misleading. Lawrence Starr had requested code enforcement to check on compliance on June 29. Code Enforcement revisited the site and to meet with Bryan Gimbel on June 30, 2023. The assertion that they were given a green light to continue is not what Code Enforcement communicated to Lawrence Starr. Code Enforcement reported they did see where the DP and structural drawings were out of sync and were informed of the legally tenuous use of the word 'estimate'. Code Enforcement said they had a responsibility to report this to city planning and thus would be sending a note to Bill Gray about the issue. Code Enforcement indicated that was the limit of their authority in this case.

At approximately the same time, Utilities contacted its land use consultant on this matter and was informed that the City had erroneously issued the building permit and that Utilities was not required to take any remedial actions but that the recommended action was to amend the DP. Utilities, intending to correct the mistake, worked with City Planning and its land use consultant to prepare and file an amendment to the DP, which was filed with City Planning on July 18, 2023.

Fact Check: The above paragraph is misleading. The statement that "the City had erroneously issued the build permit" is willful ignorance. CSU applied for a building permit with a Plan Set that contained errors (refer to RBC106.4). PPRBD issued a Building Permit based on CSU's errors. CSU's timeline is false. Lawrence Starr visited Planning's office on June 23, 2023. Mr. Starr was informed Bill Gray was on vacation. Mr. Starr talked to another planner and was told that CSU would need to submit an amendment to their plan. Mr. Starr was informed to contact Code Enforcement (which he did). When Bill Gray returned from vacation there was a tense call between Mr. Gray and Mr. Starr where Mr. Starr requested that work be stopped at the site until this matter was better understood. In the conversation, Mr. Gray provided to Mr. Starr misleading information about the code height CSU had to meet. He essentially said they could build what they wanted and that it was only a matter of them filing the minor modification paperwork and going through an administrative review to reconcile the difference. Mr. Gray failed to comprehend the scale of the non-compliance as it was above the 15% difference that the UDC afforded the process he described. He said he would contact CSU the following week to see what was going on. CSU claim of their proactivity is misleading since pressure was exerted on CSU from external events (i.e., reactive).

In general, CSU did not accept that they were in violation of the UDC and the conditions of the DP plan. On July 7, 2023, Mr. Starr made a direct request to city planning to have the work stopped pending a remedy to the matter. Bill Gray said he would "look into this". One week later he called Mr. Starr back saying that they would not be issuing a stop work order if CSU submitted an amendment by July 16, 2023. When questioned about the risk of the amendment being rejected, he said that it was completely CSU's risk to keep investing in a project where the Construction Plan Set was in violation of an approved DP (refer to UDC 7.5.903).

Utilities continued work on Wilson Tank at the Site in reliance on the building permit, because such work was necessary to secure the Site and to mitigate the risk of cost overruns and destruction of materials that would occur from delaying construction and not completing the work before the change in seasons.

Fact Check: The above paragraph indicates willful ignorance. According to RBC105.1: “Any permit issued in error...shall be null and void.” Any false or incorrect information provided in an application Plan Set, immediately make the “approved” building permit “null and void.” Reliance on a null and void permit is contrary to law and violates UDC requirements – “ignorance of the law excuses not.”

To date, Utilities has completed over 80% of the construction of Wilson Tank in reliance on the building permit. Utilities estimates that it has expended \$3,420,000.00 on construction of Wilson Tank in reliance on the building permit. Of that amount, Utilities estimates that \$2,998,201 was expended on the construction of Wilson Tank prior to having actual knowledge that the building permit was erroneously approved.

Fact Check: The last sentence of the previous paragraph is false. CSU relies on external individuals as the basis of reasoning CSU had a valid permit; while, at the same time, admitting there was erroneous information in the permit application (not to mention, CSU ignored standard operating procedure to ascertain the fidelity of the application to PPRBD). CSU further states that since no Notification of Violation was issued by City Planning, CSU had a right to proceed. This is not a correct interpretation of RBC105.4.

Fact Check: The referenced paragraph is misleading. CSU claims \$3.4M in expenditures in reliance on the erroneously building permit which is null and void.

On August 30, 2023, City Code Enforcement, as a division of City Planning, issued Utilities a Notice of Violation and Order to Abate, which ordered Utilities to stop work on Wilson Tank based on non-compliance with the DP. According to the Notice of Violation, City Code Enforcement had received notice of a concern with the project on June 29, 2023, but it failed to conduct an inspection until August 30, 2023. During this time, Utilities had been in regular communication with City Planning regarding its amendment to the DP and had not been told that it was required to stop work on the project. City Planning initially indicated that the change in height was a minor modification to the DP that could be administratively approved. On July 7, 2023 a preapplication review meeting was held with the city planner where he indicated the amendment would need to be submitted as a major modification. City Planning recently has stated that it intends to refer the decision of whether to approve the amendment to Planning Commission. Utilities has tried to work with City Planning throughout this project, including self-reporting the mistake to City Planning and filing an amendment to the DP with Planning despite having a vested right arising from its reliance on the building permit.

Fact Check: The above paragraph contains many falsehoods, misunderstanding (on the part of CSU), and dangerously misleading statements. No standard of legal authority respects the extremely short nor excessively long span of time between “Notice of Concern” on June 29, 2023 (upon which, authority was provided for the “notice of concern” within specific Code and/or Ordinance) and any consequential/subsequential on-Site inspection (which occurred on August 30, 2023) was suspect. CSU’s self-admission to the “Notice of Concern” in June 2023 should have raised a red-flag to CSU of all ramifications derived from the specious claim of the irrelevant and inconsequential request to stop un-abated continuance of work progress. The statement that CSU self-reported the violation to city planning is false (refer to previous rebuttals). The Building Permit was “null and void” immediately upon supplying elevation dimensions contrary to the DP. Furthermore, CSU’s reliance on any verbal or non-reliable communications with any party as to the validity of compliance to ordinance/code/law conflict

with UDC 7.5.903— suggesting CSU dependency upon verbal or non-verbal communications is neither valid nor lawful.

The existing building permit has not expired or been revoked or forfeited.

Fact Check: This previous sentence is true but grossly in error in its use. The specific Building Permit in-question was “null and void” upon submission based upon the application containing false/non-compliant information. Therefore, the Building Permit could never be “expired [or] been revoked [or] forfeited.” All rights granted to the Applicant (i.e., CSU) were immediately non-existent due to provided false and conflicting specifications with the DP.

Law:

Section 7.1.109(E)(1) of the UDC states that “[a]pproved applications and permits, including building permits and certificates of occupancy, shall remain effective until expired, revoked, or forfeited in accordance with the provisions of this UDC or other relevant codes or laws.” Section 7.5.503 of the UDC states that “[t]he Building Official shall approve an application for a Building Permit only upon determining that the application complies with all applicable requirements.”

Fact Check: The previous paragraph is irrelevant. CSU as the Applicant provided false and incorrect information to fraudulently obtain the Building Permit RBC105.4 renders the permit “null and void.”

Colorado Courts consistently have found that when a building permit or other authorization has been granted by a local government and the recipient has relied on such permit or authorization to the recipient’s detriment, the government cannot later claim the permit or authorization is invalid. “The doctrine of equitable estoppel bars a municipal corporation from enforcing an obligation by taking a position contrary to a previous representation relied upon by defendants to their detriment.” *Crawford v. McLaughlin*, 473 P.2d 725, 730 (Colo. 1970) (citing *Franks v. Aurora*, 362 P.2d 561 (Colo. 1961)). In *City and County of Denver v. Stackhouse*, 310 P.2d 296 (Colo. 1957),

[T]here was substantial reliance on a building permit which had been erroneously issued for the construction of a building which was prohibited by the existing zoning ordinance. The court noted that the landowner had expended substantial funds in the amount of \$18,000, and held that Denver was estopped to contest the validity of the permit.

Crawford, 473 P.2d at 731 (citing *Stackhouse*, 310 P.2d 296); see also *Cline v. City of Boulder*, 450 P.2d 335, 338 (Colo. 1969) (citing 8 *McQuillin, Municipal Corporations* s. 25.156 (3d ed. 1965)); *Piz v. Housing Authority*, 289 P.2d 905 (Colo. 1955) (estoppel may be asserted against a City).

Fact Check: Estoppel is not the issue at hand. Specifically, the prevailing parties in the referenced cases did not provide incorrect or false information upon which any erroneous permit was granted. The issue is fraud and deception on the part of CSU.

Analysis:

Although Utilities willingly accepts that the building permit may have been erroneously approved, Utilities was unaware of the alleged error until after it had expended a substantial amount of funds in reliance on the building permit. Utilities has attempted to update its DP to be in conformance with the building permit by filing an amendment to the DP, which is currently pending with City Planning and is likely to be referred to the City Planning Commission. Regardless of the outcome of the DP amendment, under well-established law, Utilities has a vested right in the building permit based on its reliance thereon. Because Utilities has a vested right in the building permit under Colorado law, City Planning is estopped from contesting the validity of the building permit and Utilities' right to build the Tank in conformance with the building permit. As such, the Notice of Violation and Order to Abate is erroneous and clearly contrary to law.

[end of CSU's Appeal]

Summary:

CSU violated UDC and RBC and refuses to accept responsibility of submitting erroneous and conflicting information to obtain both the DP and the Building Permit. CSU acted unlawfully by starting construction without a Building Permit in March 2023 and attempting to obfuscate this fact. The Building Permit was rendered null and void upon application submission due to CSU's errors and procedural failures. Vested right cannot be based on erroneous application. The Notice of Violation and Order to Abate is valid and clearly lawful.

Therefore, The Appeal (APPL-23-0005) should be **rejected**.

Respectively,

Lawrence E. Starr
James Berdon
6315 Wilson RD, Colorado Springs, CO 80919

Cc: Harmon Zuckerman, Esq.
Mr. Bill Wysong

Exhibits

- Exhibit A: Stamped DP Conditional Approval Letter for CSU Wilson Tank Site**
- Exhibit B: Approved/Stamped DP Drawings, Page 1 - code height limit**
- Exhibit C: Approved/Stamped DP Drawing, Page 12 - 4 feet dome height**
- Exhibit D: Approved/Stamped final dome height structural drawing- 19.8 feet**
- Exhibit E: Extract from Contract Documents and Specifications - March 2022**
- Exhibit F: Construction start March 2023 (Concrete pouring and texts), pre-permit**
- Exhibit G: Height discussion Text between CSU outreach and Starr**
- Exhibit H: CORA email pertaining to CSU required drawing approval for permit**



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT
Land Use Review Division

June 21, 2022

Kimley-Horn and Associates, Inc.
Attn: Adam Monchak
2 N. Nevada Ave.
Colorado Springs, CO 80903

RE: Approval Letter for CSU Wilson Tank Site – Development Plan
File Number: AR DP 21-00526

Dear Mr. Monchak:

The City's Land Use Review Division administratively approved the above-mentioned application for the CSU Wilson Tank Site project on June 21, 2022. The development plan allows for the demolition of an existing water storage tank and the construction of a new 5 million-gallon (MGD) water storage tank, and associated site improvements. The plat for this project is Wilson Tank Site. **This approval is subject to the following conditions:**

- 1. Development must conform completely to the approved development plan.**
2. All site grading must substantially comply with the grading illustrated on the preliminary grading plan.
- 3. The building architecture must substantially comply with the elevation drawings.**
4. Utility main and service locations on this plan are illustrative only and are not approved with this development plan.
5. All landscaping must comply with the details of the approved Final Landscape and Irrigation Plans in this application. **No further Landscape or Irrigation Plan applications are necessary** unless significant changes to the approved plans occur prior to Certificate of Occupancy.
6. A sign permit through Development Review Enterprise is required for all signage, prior to installation.

Please attach one copy of the approved development plan set to each set of construction drawings submitted to the Regional Building Department in conjunction with the building permit application. **A Certificate of Occupancy will not be issued for the development until all private and public improvements shown on the plan are completed or financially secured.**

This development plan approval will expire **six (6) years** from the approval date unless a building permit is issued for the construction of the project. **If any changes to the approved site or building design become necessary prior to, or during construction, an amended development plan will need to be submitted for City Planning review and approval.**

The City of Colorado Springs is committed to excellent customer service. We would like to hear your comments about the service you received during the review of this application and your interaction with our department. Please consider sending us a quick comment through City's GoCOS! app located at: <https://coloradosprings.gov/page/citizen-request-gocosprings-app>. Your feedback is completely confidential.

If you have any questions regarding this approval, please contact me at william.gray@coloradosprings.gov or at (719) 385-5090.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Gray", with a horizontal line drawn underneath it.

William Gray
Senior Planner

C: City Planning File Nos. AR DP 21-00526 and AR FP 21-00527
Development Review Enterprise – approval letter via email (drew.foxx@coloradosprings.gov)
Engineering Development Review – approval letter via email (Development.Review@coloradosprings.gov)
Fire Prevention – approval letter via email (Steven.Smith@coloradosprings.gov)
CSU – approval letter via email (buckslips@csu.org)
Ann Odom – (zone change) site plan and approval letter via email (ann.odom@coloradosprings.gov)
Travis Rehder – (master plan/ annexation) approval letter via email (Travis.Rehder@coloradosprings.gov)
Page Saulsbury – approval letter via email (Page.Saulsbury@coloradosprings.gov)

Enclosures (0):

WILSON TANK
DEVELOPMENT PLAN
6560 ALABASTER WAY
CITY OF COLORADO SPRINGS, STATE OF COLORADO
TSN: 7315200003

GENERAL NOTES:

1. THE PARTIES RESPONSIBLE FOR THIS PLAN HAVE FAMILIARIZED THEMSELVES WITH ALL CURRENT ACCESSIBILITY CRITERIA AND SPECIFICATIONS, AND THE PROPOSED PLAN REFLECTS REQUIRED ALL SITE ELEMENTS REQUIRED BY THE APPLICABLE ADA DESIGN STANDARDS AND GUIDELINES AS PUBLISHED BY THE UNITED STATES DEPARTMENT OF JUSTICE. APPROVAL OF THIS PLAN BY THE CITY OF COLORADO SPRINGS DOES NOT ASSURE COMPLIANCE WITH THE ADA OR ANY OTHER FEDERAL OR STATE ACCESSIBILITY LAWS OR ANY REGULATIONS OR GUIDELINES ENACTED OR PROMULGATED UNDER OR WITH RESPECT TO SUCH LAWS. SOLE RESPONSIBILITY FOR COMPLIANCE WITH FEDERAL AND STATE ACCESSIBILITY LAWS LIES WITH THE PROPERTY OWNER.
2. PROPERTY OWNERS ARE RESPONSIBLE FOR THE MAINTENANCE FOR SHARED COMMON TRACTS, ACCESS DRIVES, PRESERVATION AREAS, AND LANDSCAPE AREAS ADJACENT TO THEIR PROPERTY.
3. THE PROPERTY IS SUBJECT TO THE HILLSIDE OVERLAY DISTRICT.
4. TANK STRUCTURAL DESIGN WILL BE PERFORMED AT A LATER DATE BY CONTRACTOR SELECTED DURING BID PROCESS. ALL TANK MEASUREMENTS HEREIN ARE ESTIMATES.
5. UNLESS OTHERWISE NOTED, WORKING HOURS SHALL BE FROM 7:00AM TO 5:30PM, MONDAY THROUGH FRIDAY. NO WEEKEND WORK WILL BE ALLOWED UNLESS APPROVED BY UTILITIES. THIS APPLIES TO THE ENTIRE SITE PLUS THE ENTRANCE AREA OFF OF SCEPTOR WAY.
6. LANDSCAPE IMPROVEMENTS AND MAINTENANCE SHALL BE THE RESPONSIBILITY OF OWNER, AND/OR THEIR ASSIGNS
7. FINAL TANK COLOR IS REQUIRED TO BE AN ENVIRONMENTAL COLOR THAT BLENDS WITH THE DOMINANT LANDSCAPE COLOR. THE DOMINANT LANDSCAPE FOR THIS SITE IS THE FOOTHILLS TO THE WEST OF THE PROJECT SITE. FINAL COLOR SELECTION SHALL BE COORDINATED BETWEEN COLORADO SPRINGS UTILITIES AND CITY PLANNING PRIOR TO OR DURING TANK CONSTRUCTION.

FEMA CLASSIFICATION

THIS PROPERTY IS LOCATED WITHIN ZONE X (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) PER FEMA FLOOD INSURANCE RATE MAP NUMBER 08041C0492G, DATED 12/07/2018.

GEOLOGIC HAZARD DISCLOSURE STATEMENT

THIS PROPERTY IS SUBJECT TO THE FINDINGS, SUMMARY AND CONCLUSIONS OF A GEOLOGIC HAZARD REPORT PREPARED BY TERRACON DATED JULY 29, 2021 (REVISED NOVEMBER 18, 2021), WHICH IDENTIFIED THE FOLLOWING SPECIFIC GEOLOGIC HAZARD ON THE PROPERTY (6570 ALABASTER WAY – TO BE PLATTED AS LOT 1, WILSON TANK SITE, COLORADO SPRINGS, CO.): POTENTIAL TO ENCOUNTER LOCALIZED MAN-MADE SLOPE INSTABILITY AND STEEPING DIPPING BEDROCK WITHIN FOUNDATION BEARING ELEVATIONS. A COPY OF SAID REPORT HAS BEEN PLACED WITHIN FILE # AR DP 21-00526 AND AR FP 21-00527 OF THE CITY OF COLORADO SPRINGS PLANNING AND DEVELOPMENT TEAM. CONTACT THE PLANNING AND DEVELOPMENT TEAM, 30 SOUTH NEVADA AVE., SUITE 105, COLORADO SPRINGS, CO IF YOU WOULD LIKE TO REVIEW SAID REPORT.

LAND AREA:

3.63 AC OR 157,984 SQ FT

SITE DATA

SITE AREA:	3.63± AC (157,984 SF)
ZONING CLASSIFICATION:	PF HS (PUBLIC FACILITY, HILLSIDE OVERLAY)
LAND USE:	PUBLIC FACILITY
JURISDICTION:	CITY OF COLORADO SPRINGS
SITE ADDRESS:	6570 ALABASTER WAY
TAX SCHEDULE NO.:	7315200003
BUILDING SETBACKS:	0' FRONT SETBACK 0' SIDE SETBACK 0' REAR SETBACK
MAXIMUM LOT COVERAGE:	N/A
PROPOSED EASEMENTS:	NONE
LANDSCAPE SETBACKS:	15' ALONG EAST PROPERTY LINE ADJACENT TO EXISTING SINGLE FAMILY HOMES
SITE COVERAGE:	BUILDING 25%±
DRAINAGE BASIN:	DOUGLAS CREEK
EXISTING CITY FILE NUMBER:	N/A

DISTURBANCE AREA

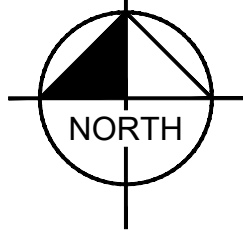
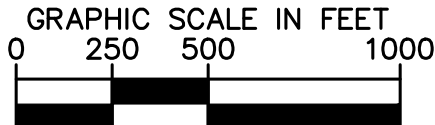
THE DISTURBANCE AREA OF THE PROJECT IS 2.5 ACRES.



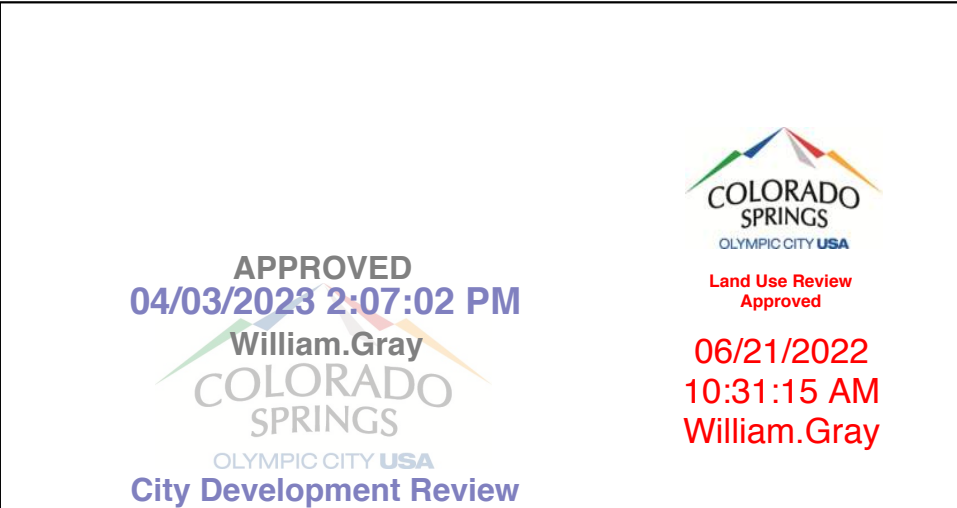
Sheet List Table

Sheet Number	Sheet Title
1 OF 12	COVER AND TITLE SHEET
2 OF 12	DEMOLITION AND SITE PLAN
3 OF 12	CONSTRUCTION ACCESS PLAN
4 OF 12	GRADING AND DRAINAGE PLAN
5 OF 12	PRELIMINARY UTILITY AND PUBLIC FACILITY PLAN
6 OF 12	FINAL LANDSCAPE PLAN
7 OF 12	LANDSCAPE NOTES AND DETAILS
8 OF 12	TREE PROTECTION DETAILS
9 OF 12	IRRIGATION PLAN
10 OF 12	IRRIGATION NOTES AND DETAILS
11 OF 12	HILLSIDE OVERLAY SITE PLAN
12 OF 12	TANK ELEVATION

VICINITY MAP



CITY APPROVAL:



AGENCY CONTACTS:

COLORADO SPRINGS UTILITIES:
1521 HANCOCK EXPRESSWAY, MAIL CODE 1812
COLORADO SPRINGS, CO 80903
PHONE: 719.668.8769

CITY OF COLORADO SPRINGS ENGINEERING:
30 SOUTH NEVADA AVENUE, SUITE 401
COLORADO SPRINGS, CO 80901
PHONE: 719.385.5918

DESIGN TEAM CONTACTS:

COLORADO SPRINGS UTILITIES PROJECT MANAGER
BRYAN GIMBEL, PMP
COLORADO SPRINGS UTILITIES
1521 HANCOCK EXPRESSWAY, MAIL CODE 1812
COLORADO SPRINGS, CO 80903

ENGINEER
KIMLEY-HORN AND ASSOCIATES, INC.
2 NORTH NEVADA AVENUE, SUITE 300
COLORADO SPRINGS, CO 80903
TEL: (719) 453-0180
CONTACT: ADAM MONCHAK, P.E., PMP

BENCHMARK:

ELEVATIONS ARE BASED UPON COLORADO SPRINGS UTILITIES FIMS VERTICAL COLORADO SPRINGS UTILITIES FIMS VERTICAL CONTROL POINT "MS09", DESCRIBED AS 2" DIAMETER ALUMINUM CAP STAMPED "CSU FIMS CONTROL MS09" ON THE TOP OF THE CURB ON THE EAST SIDE OF ROSSMERE STREET, APPROX. 35' NORTH OF THE CENTERLINE OF BROGAN BLUFF DR. AND LOCATED APPROX. 1350' EAST OF THE SUBJECT PARCEL. THE ELEVATION OF SAID CONTROL POINT IS 6999.61, NVGD 29 VERTICAL DATUM.

LEGAL DESCRIPTION:

A PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 15, TOWNSHIP 13 SOUTH, RANGE 67 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS:
BEGINNING AT A POINT WHENCE THE NORTHWEST CORNER OF SAID SECTION 15 BEARS NORTH 27°39' WEST A DISTANCE OF 1422.4 FEET; THENCE SOUTH 480 FEET; THENCE WEST 330 FEET; THENCE NORTH 480 FEET; THENCE EAST 330 FEET TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO.
(PER THE WARRANTY DEED RECORDED UNDER BOOK 1833 PAGE 46, RECORDS OF EL PASO COUNTY)
CONTAINING A CALCULATED AREA OF 157,984 SQUARE FEET (3.63 ACRES) OF LAND, MORE OR LESS.

BASIS OF BEARING:

BEARINGS ARE BASED UPON THE WEST LINE OF THE SUBJECT PARCEL MONUMENTED AT BOTH ENDS WITH A 5/8" REBAR, AND IS ASSUMED TO BEAR N 00°24'28" W, A FIELD MEASURED DISTANCE OF 479.40 FEET.

BUILDING DATA

EXISTING TOTAL GROSS BUILDING AREA: 21,253 S.F.

BUILDING HEIGHT:
BUILDING: 35'-45'
MAXIMUM BY CODE: 45.0'

PROPOSED LOT COVERAGE: 25% ±

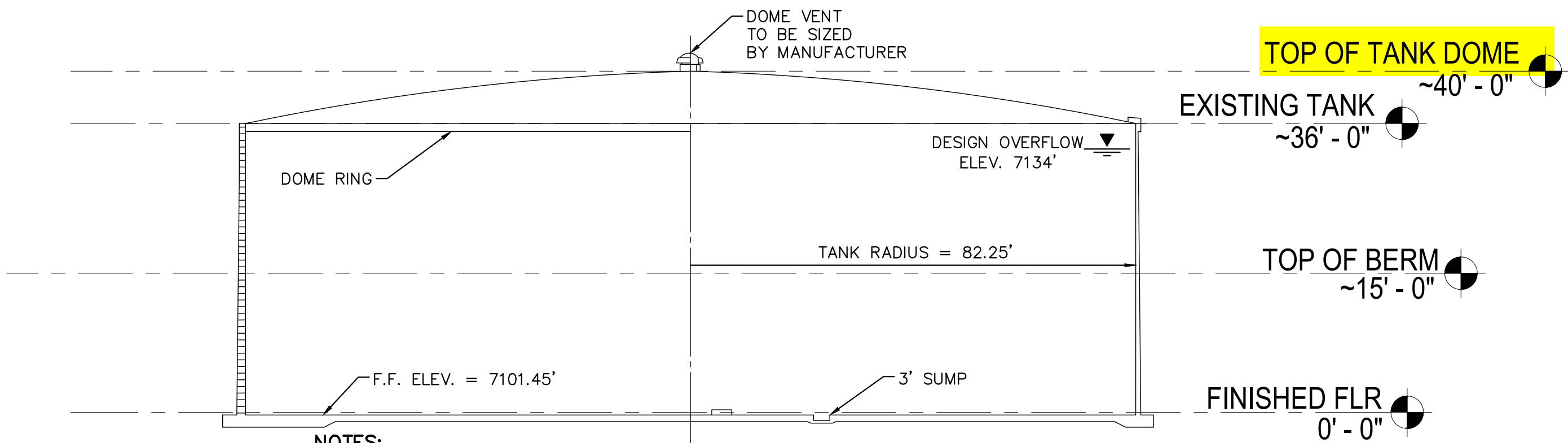
APPROXIMATE SCHEDULE OF DEVELOPMENT

TANK CONSTRUCTION WILL TAKE PLACE IN 2023



© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
2 NORTH NEVADA AVENUE, SUITE 300
COLORADO SPRINGS, COLORADO 80903 (719) 284-7297

APPROVED
04/03/2023 2:06:31 PM
William.Gray
COLORADO
SPRINGS
OLYMPIC CITY USA
City Development Review



NOTES:
1. ALL MEASUREMENTS ABOVE ARE ESTIMATES. FINAL ELEVATIONS WILL BE DESIGNED BY TANK MANUFACTURER DURING STRUCTURAL DESIGN PHASE.

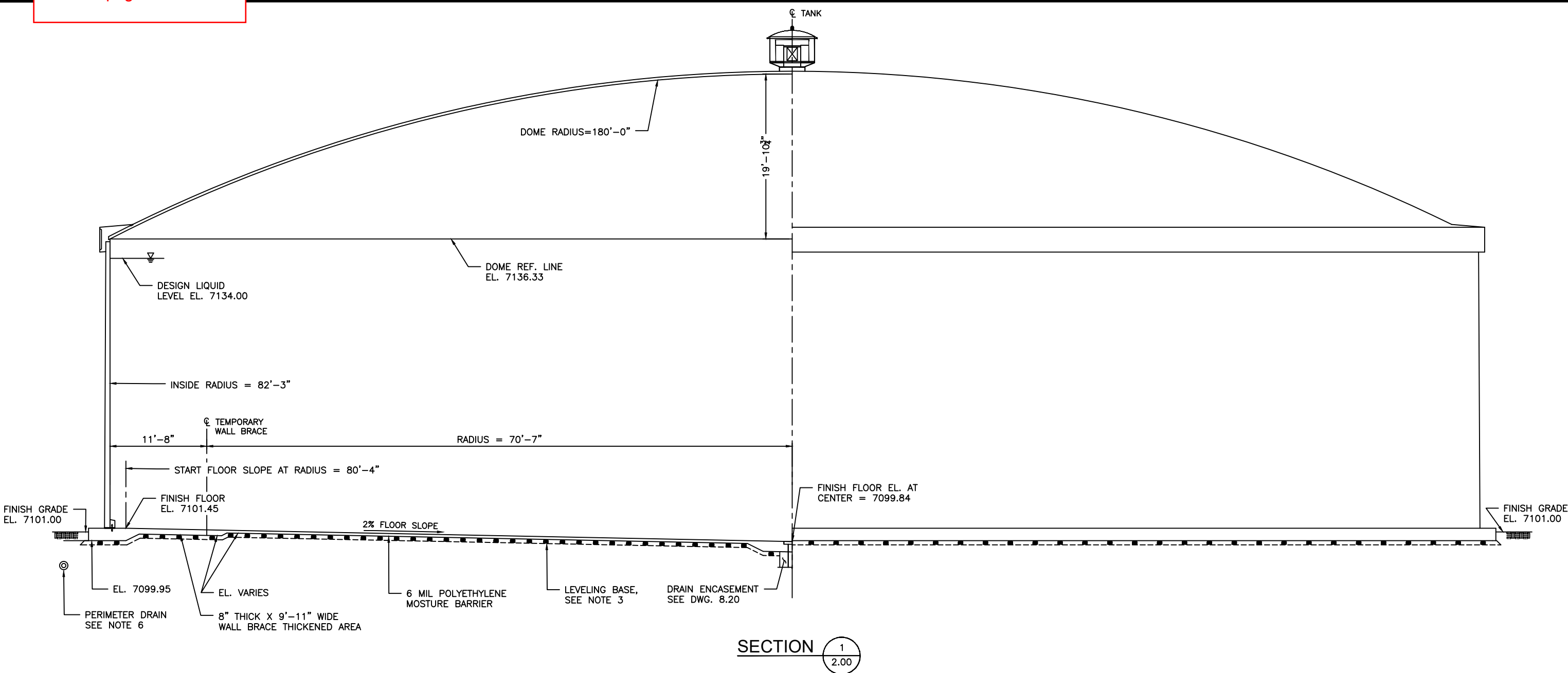
1
C2.00 AWWA D110, TYPE III TANK
ELEVATION
SCALE: 1" = 20'

CITY APPROVAL:

APPROVED
04/03/2023 2:07:11 PM
William.Gray
COLORADO
SPRINGS
OLYMPIC CITY USA
City Development Review

Land Use Review
Approved
06/21/2022
10:33:22 AM
William.Gray

SHEET TITLE	
TANK ELEVATION	
SHEET NUMBER	
12 OF 12	



- NOTES:
1. REFER TO CONTRACT DOCUMENTS FOR DETAILS AND INFORMATION CONCERNING TANK BASE PREPARATION, BACKFILLING, AND SITE GRADING.
 2. THE EXTERIOR DOME CONCRETE SURFACES SHALL RECEIVE ONE COAT OF TAMOSEAL W/AKKRO-7T AND ONE COAT OF TAMMSCOAT SMOOTH. THE EXPOSED EXTERIOR WALL CONCRETE SURFACES SHALL RECEIVE TWO COATS OF TAMMSCOAT SMOOTH. COLOR SHALL BE SELECTED BY OWNER
 3. REFER TO GEOTECHNICAL ENGINEERING REPORT PREPARED BY TERRACON CONSULTANTS, INC DATED 07/29/2021 FOR LEVELING BASE SPECIFICATION, COMPACTION REQUIREMENTS, AND FOUNDATION PREPARATION. LEVELING BASE MATERIAL SHALL BE PROVIDED BENEATH THE TANK FLOOR, FOOTING AND BOTTOM OF PIPE ENCASMENTS
 4. THE GEOTECHNICAL ENGINEER SHALL EVALUATE THE SUBGRADE PRIOR TO PLACEMENT OF THE LEVELING BASE TO CONFIRM MINIMUM DESIGN CRITERIA DEFINED BELOW HAS BEEN MET.
4.1.ALLOWABLE NET BEARING CAPACITY: 3,500 PSF
4.2.MAXIMUM TOTAL SETTLEMENT: 3.0 INCH
4.3.MAXIMUM DIFFERENTIAL SETTLEMENT: 1 1/4" INCH
 5. THE TANK FOUNDATION HAS NOT BEEN DESIGNED FOR UPLIFT PRESSURES PER THE INFORMATION PROVIDED IN THE GEOTECH REPORT. IF GROUNDWATER EXISTS AND RISES WHEN THE TANK IS NOT AT FULL CAPACITY, EXTENSIVE DAMAGE TO AND FAILURE OF THE TANK MAY OCCUR.
 6. 6" PERFORATED SDR 35 PVC PERIMETER DRAINS SHALL BE INSTALLED OUTSIDE THE TANK FOOTING, SLOPED AT -0.4% FROM THE SOUTH SIDE TO THE NORTH CONNECTION POINT. PERIMETER DRAIN SHALL CONNECT TO PROPOSED MANHOLE AT THE PROPOSED OVERFLOW CONNECTION TO EXISTING. FLAPPER VALVES SHALL BE INSTALLED, ONE EACH DRAIN LINE IN THE MANHOLE TO PREVENT BACKFLOW. SEE CONTRACR DOCUMENTS (BY OTHERS)
 7. THE NON FROST SUSCEPTIBLE SOILS OR FLOWABLE FILL/LEAN CONCRETE SHOULD EXTEND Laterally ONE FOOT FOR EVERY ONE FOOT OF EXCAVATION DEPTH, OR A MINIMUM OF THREE FEET, WHICHEVER IS GREATER, AND SHOULD BE PROVIDED ACROSS THE ENTIRE TANK FOOT PRINT. SEE CONTRACT DOCUMENTS.



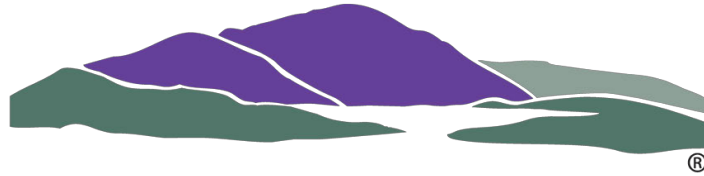
REV	DATE	DESCRIPTION

TANK SECTION
AND ELEVATION

DATE:
11/09/22
DWN.:
J.ZARRINPOUR
CHKD.:
J.AUGUSTEN

5.00 MG WATER STORAGE TANK
COLORADO SPRINGS, CO (WILSON)
ENG.:KIMLEY-HORN & ASSOCIATES, INC.
COLORADO SPRINGS, CO

DRAWING NUMBER
2.00



Colorado Springs Utilities

It's how we're all connected

**CONTRACT DOCUMENTS
AND SPECIFICATIONS**

FOR

**PRELIMINARY AND FINAL DESIGN
OF WILSON TANK REPLACEMENT**

TASK ORDER 202107783

March 2022

Prepared by:

Kimley»Horn

Expect More. Experience Better.

- c. Slope floor to the drain.

12. The dome roof shall have a rise to span ratio within the range of 1:8 to 1:14.

- a. Minimum dome thickness shall be governed by buckling resistance, practical construction or corrosion protection of the reinforcement.
- b. Columns or interior supports will not be allowed.
- c. Dome design shall be based on elastic spherical shell analysis.

C. Performance / Design Criteria

1. Capacities

- a. Storage Capacity – 5.0 million gallons

b. Diameter – 164.5 ft x 32.5 ft liquid depth

- 1) Additional wall height above overflow elevation:

- a) Minimum 2' measured to lowest (elevation):

- (1) Dome spring line
- (2) Dome reference line or
- (3) Top of prestressed wall

- b) Additional wall height above overflow is required such that full flow of overflow weir can be achieved with a minimum of 12" of freeboard from the dome springline, dome reference line, or the top of the prestressed wall.

- c. Total Roof Live Load – According to City's Building Code

- d. Backfill Pressure – Earth load shall be determined by rational methods of soils mechanics. Backfill pressure shall not be used to reduce the amount of required prestressing.

- e. Vent Capacity

- 1) Maximum fill rate – 14.5 MGD
- 2) Maximum Draw Rate – 14.5 MGD
- 3) Overflow Design Capacity – 14.5 MGD

- a) Maximum water height above overflow weir 12-inches

2. Floor

- a. Minimum floor reinforcing steel:

- 1) Floor Diameter <100'
 - a) #4 rebar at 10" on center each way
- 2) Floor diameter < 150'
 - a) #4 rebar at 8" on center each way

now have to wait until the light of morning. Hope they stay safe and are done by then. Thank you for the updates...

Of course.you have 2 service lines?

From both original houses

Yes- exactly-- we use the second one mostly for irrigation and outside faucets but can use either for the full house.

Smart

OK. The water is back on but the line Needs to fill. I would wait a while say 15 minutes and then see if you can turn on the cold and look for water quality in terms of appearance is it clear for example, do not turn on the hot until the cold runs clear. Be safe and talk to you in the morning.

Thank you!

3/8/23, 4:06 PM

Hi, good afternoon. How are you? I hope you're doing fine. I have some news for you. Looks like Saturday between 10 and two. Gordon needs to have a couple of concrete trucks come into the deep depression where the tank will be and pour concrete it's only about a 19 yard pour that day, so that's about two trucks. They'll be down in the depression where the tanks going to be so there's a lot of buffer between you and them. Just wanted you to know. Then starting in April the company that forms the tank will come in and they will probably be working Saturdays since they're from out of town Monday you know all week including Saturdays. I don't really know what to expect from that activity, so I will find out soon, but it can't be worse than the concussive sound of the compaction. Talk to you soon and here I am out of town the week of the 13th visiting my in-laws in Kansas City but I will have my phone with me.

Thank you. We understand-safe travels Margaret!

(I just got done writing a much more extensive response (rant) but decided to delete it. Not about what you just reported but the project in general. It

03-13-2023 Mon 14:06:08





6/8/23, 6:03 PM



Can now see the foot print of the tank. Sure not looking like the same height as the other tank (as was told to me). Very disappointed in the mis-information.

Makes me now wonder how the color will really end up.

Hope you are well...

Let's talk about this tomorrow. Have a good evening.

6/9/23, 2:20 PM

Hi again. I'm gathering information for you about the

size of the water tank but my understanding is because it has a domed roof and the other old one had a flat roof that there is apparently a difference in its height. I'm trying to get exact dimensions for you I would also point out that the new one is much closer to you, so it may be a matter of perspective, but I promise I will get you you know like scientific information. On a related matter the contractors need to work tomorrow for perhaps half a day is my understanding with a forklift. I think there may be removing forms from the Newly cast of concrete walls but I'm checking.

I understand...What was said to me by both a few CSU folks and by the contractor early on was it was going to be 30 to 32 feet high (same as other tank) with a 3ft dome that would make it 35ft at the top (this height is actually the max in "Hillside Property" codes that regular people have had to follow when building here.)

It now looks (according to on line drawings at time

of decision approval) that is is 36ft high with a five foot dome. That difference coupled with the closer perspective makes it feel like we are going to be living under (or in the shadow of a water tank.

My disappointment is that the design team certainly did not give much (if even any) concern with how this would affect us. Especially building in a fire burned area. Seems like the fees were all paid to planning so they approved what was put in front of them.

I am trying to work through my anger and frustration over this, but do appreciate your kind response and information. But in the end we both know what I think doesn't really matter. The die is cast.

We are fine with SA schedule plans. We want to see it completed as soon as feasible.

6/21/23, 2:38 PM

I have to inquire (I think you were going to look into the actual height spec)--is the tank being built higher than was shown on the plans? I ask this as it

really is not at all what was verbally communicated at the beginning of the project by Trevor, site supv and some other CSU folks to me. Was told it would be pretty much same height as the old tank (1-2 feet different) and then a 3 foot higher dome lid. The zoning approval was based on plans 9 feet higher (36 ft wall and 5ft dome). What I see now towering over my home when looking seems even higher than that. I am concerned as the city hill side construction ordinance limits structure to 32 feet for a reason. I suspect planning allowed a deviation, but this looks much higher(?) Please help me understand...

conversations, we agreed that since this project was designed with a Utilities Project Technical Lead (Ron Sanchez), there was no further review needed by the UDS department.

I've included Bryan Gimbel on this thread as well, he is the Utilities project manager.

Let me know if you have a few minutes to discuss or if you need any additional information.

Thank you,

-Makenzie (She/Her)

Email 1

Makenzie Chesak (Darby), P.E. | Civil Engineer

Kimley-Horn | 2 North Nevada Avenue, Suite 900 Colorado Springs, CO 80903

Direct: 719 299 2480 | www.kimley-horn.com

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Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For

From: PPRBD Notifications <notifications@pprbd.org>

Sent: Thursday, March 2, 2023 3:23 PM

To: Chesak, Makenzie (Darby) <Makenzie.Chesak@kimley-horn.com>

Subject: PPRBD Plan C172620 Disapproved by CSU Water



Pikes Peak Regional Building Department

Ensuring life safety and welfare of our community through efficient and consistent application of adopted codes and standards.

Plan C172620 was just reviewed by the CSU Water department.

Plan #: [C172620](#)

Address: 6560 ALABASTER WAY, COLORADO SPRINGS, CO 80919

Project: NEW COMMERCIAL BUILDING (UNCONDITIONED) (325)

Department: CSU Water

Reviewer: Caleb Savage cjsavage@csu.org

New Status: **Disapproved**

Date: 3/2/2023 3:22:45 PM

Comment: CSU-approved Construction Drawings must be attached to the permit set.

Contact Utilities Development Services at 719-668-8259 with any questions. CJS

Current Status of all Departments:

City Engr

Pending

Email 3

From: Stefan Manning
To: Chesak, Makenzie (Darby); Caleb Savage
Cc: Bryan Gimbel; Monchak, Adam; Ronald Sanchez
Subject: RE: PPRBD Plan C172620 Disapproved by CSU Water
Date: Friday, March 3, 2023 2:44:53 PM
Attachments: 2022-W141 SMG Wilson Tank Replacement 20220817_RJS.pdf

Hi Makenzie,

Sorry for the bit of confusion; you're right that we don't necessarily need a review through Utility Development Services as we've worked with the PTL on this project (at the time it was Ron Sanchez) to provide our comments and feedback. I think if this project has the go ahead from the PTL or other authorized person at Utilities, then we would just want the construction plans attached to be signed by them or a letter, etc. to ensure the plans attached to the PPRBD plan set are the correct plans.

Ron, I think you were the PTL on this project when I sent my comments in – I just want to confirm that the comments I provided were discussed and incorporated into the plans as applicable.

Stefan Manning | Engineer III

Utilities Development Services | Colorado Springs Utilities

1521 South Hancock Expressway | Colorado Springs, CO 80903

O: 719-668-1854 | Main: 719-668-8259

smanning@csu.org | www.csu.org

Email 2

From: Chesak, Makenzie (Darby) <Makenzie.Chesak@kimley-horn.com>
Sent: Thursday, March 2, 2023 3:47 PM
To: Caleb Savage <cjsavage@csu.org>
Cc: Bryan Gimbel <bgimbel@csu.org>; Stefan Manning <smanning@csu.org>; Monchak, Adam <adam.monchak@kimley-horn.com>
Subject: FW: PPRBD Plan C172620 Disapproved by CSU Water

[External Email - Be careful! DO NOT open attachments or click links from unknown senders or unexpected email.]

Hello Caleb,

I received the notification below noting disapproval by the water and wastewater departments for this PPRBD application. Did you have any additional comments other than including the utility review?

As far as the utility review goes, in August & September of 2022 I worked with Stefan Manning (CC'd here) on the CSU review to get the development plan approved by the city. After some

From: Chesak, Makenzie (Darby)
To: Ronald Sanchez; Bryan Gimbel
Cc: Monchak, Adam
Subject: RE: PPRBD Plan C172620 Disapproved by CSU Water
Date: Wednesday, March 22, 2023 2:17:45 PM
Attachments: [image001.png](#)
[Attachments.html](#)

Great! Thanks for the confirmation.

See the link below for the most recent IFC planset for your signature.

[Click here](#) to download attachments.

Signature blocks are on the first two pages, let me know if I should add them to any other sheets.

Thanks,

-Makenzie (She/Her)

Makenzie Chesak (Darby), P.E. | Civil Engineer
Kimley-Horn | 2 North Nevada Avenue, Suite 900 Colorado Springs, CO 80903
Direct: 719 299 2480 | www.kimley-horn.com
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Celebrating 14 years as one of FORTUNE's 100 Best Companies to Work For

Upcoming PTO: Thursday March 9 & Friday March 10

From: Ronald Sanchez <rjsanchez@csu.org>
Sent: Wednesday, March 22, 2023 1:28 PM
To: Chesak, Makenzie (Darby) <Makenzie.Chesak@kimley-horn.com>; Bryan Gimbel <bgimbel@csu.org>
Cc: Monchak, Adam <Adam.Monchak@kimley-horn.com>
Subject: RE: PPRBD Plan C172620 Disapproved by CSU Water

You don't often get email from rjsanchez@csu.org. [Learn why this is important](#)

The project is city owned parcel.

- No easements to record, unless new easements were acquired.
- No UDCF file required. This is not a new development being entered into our GIS system. As-Builts will be imported based on Control Point data referencing FIMS Control MS09

From: Chesak, Makenzie (Darby) <Makenzie.Chesak@kimley-horn.com>
Sent: Wednesday, March 22, 2023 11:01 AM
To: Ronald Sanchez <rjsanchez@csu.org>; Bryan Gimbel <bgimbel@csu.org>
Cc: Monchak, Adam <adam.monchak@kimley-horn.com>
Subject: RE: PPRBD Plan C172620 Disapproved by CSU Water

[External Email - Be careful! DO NOT open attachments or click links from

Email 5

From: Chesak, Makenzie (Darby)
To: Ronald Sanchez; Bryan Gimbel
Cc: Monchak, Adam
Subject: RE: PPRBD Plan C172620 Disapproved by CSU Water
Date: Wednesday, March 29, 2023 5:02:23 PM
Attachments: [image001.png](#)
[2023-0329-Wilson Tank Cover.pdf](#)

[External Email - Be careful! DO NOT open attachments or click links from unknown senders or unexpected email.]

Ron,

Bryan and I spoke this afternoon and I updated the signature block, added the project number, and confirmed with Stefan that we do not need a UAP file number.

I have attached the cover sheet for your signature! I also confirmed that having you sign just the cover is sufficient for UDS since this project when through design with Utilities.

Thanks,

-Makenzie (She/Her)

Makenzie Chesak (Darby), P.E. | Civil Engineer
Kimley-Horn | 2 North Nevada Avenue, Suite 900 Colorado Springs, CO 80903
Direct: 719 299 2480 | www.kimley-horn.com
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From: Chesak, Makenzie (Darby)
Sent: Tuesday, March 28, 2023 2:08 PM
To: 'Ronald Sanchez' <rjsanchez@csu.org>; 'Bryan Gimbel' <bgimbel@csu.org>
Cc: Monchak, Adam <Adam.Monchak@kimley-horn.com>
Subject: RE: PPRBD Plan C172620 Disapproved by CSU Water

Ron,

Wanted to follow up on getting your signature on this planset. Let me know if we need to discuss.

Thanks!

-Makenzie (She/Her)

Makenzie Chesak (Darby), P.E. | Civil Engineer
Kimley-Horn | 2 North Nevada Avenue, Suite 900 Colorado Springs, CO 80903
Direct: 719 299 2480 | www.kimley-horn.com
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