

**CITY OF COLORADO SPRINGS PLANNING COMMISSION
RECORD-OF-DECISION**

NEW BUSINESS CALENDAR

DATE: November 20, 2014
ITEM: 5.A-5.C
STAFF: Meggan Herington
FILE NO.: CPC A 13-00112, CPC PUZ 14-00063, CPC PUP 14-00064
PROJECT: Dusty Hills Addition

STAFF PRESENTATION

Ms. Meggan Herington, City Principal Planner, presented PowerPoint slides (Exhibit A).

Mr. Brett Lacey, City Fire Marshal, stated it is critically important to provide more than one way out for hillside developments. After review of the mid-1990s conversations during the previous development review, the Fire Dept. is supporting through access instead of a cul-de-sac desired by the surrounding neighbors.

Commissioner Donley inquired of train track risks. Mr. Lacey mentioned there is always the risk of crude oil and other combustible materials that could potentially be transported along the rails. Commissioner Donley stated his greatest concern is a gas plume. Mr. Lacey stated this residential area is not that far remote, but egress and ingress is of importance.

APPLICANT PRESENTATION

Mr. Dave Gorman, Monument Valley Engineers, stated two of the property owners are present to answer questions. The West family purchased the property in 1962 and wish to join the city that has grown around them. The railroad is in a 100-foot right-of-way with a 50-foot tract of land between residential lots as well as a buffering noise wall. The property owners wish to continue the style of homes to the north of this site. The West family are not developers and would desire a developer install the roads and infrastructure. He requested approval of the applications.

CITIZENS IN FAVOR

None

CITIZENS IN OPPOSITION

1. Mr. Bob Garner addressed density and stated he was not opposed to the annexation or zoning. He displayed a copy of the revised plan whereby the developer proposed a cul-de-sac design that the neighbors supported. Until 10 days ago, the City Fire Dept. supported this design, and then changed their recommendation (Exhibit B also contains other neighborhood letters).
2. Ms. Candace Seaton had to change her response quickly based upon the Fire Dept.'s change in recommendation. She read into the record the email from Jane Slenkovich. She requested postponement of any decision for a solution to make all happy.

CITY OF COLORADO SPRINGS PLANNING COMMISSION

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3. Mr. Gordon Mohrman stated Woodmen Court has been planned to connect since the start of the Woodmen Oaks development and they expect that connection.
4. Mr. Frank Tuck stated the lots should be of similar size to adjoining developments.
5. Mr. James Singleton concurred with Mr. Garner's comments.
6. Ms. Sheila Parkin stated there are only two accesses into the subdivision and felt another access should be provided from Woodmen Road, possibly from Chapel Lane. Connecting Woodmen Court was not discussed or planned when the Woodmen Oaks development was planned.
7. Mr. Mike Thomas felt that the neighbors' comments were listened to until 10 days ago when the Fire Dept. changed their recommendation. He requested postponement for the developer and neighbors to continue their dialogue.
8. Mr. Mel Downs agreed with the previous comments. He was concerned that his grandchildren won't be able to play or ride bicycles in the street due to increased traffic. He supported the cul-de-sac design prior to Fire Dept.'s change of recommendation.
9. Ms. Cathy van Diemen was concerned with children's safety and requested postponement.

STAFF REQUESTED TO SPEAK

Commissioner Smith inquired of Fire Dept.'s change of recommendation. Mr. Lacey explained until approximately 10 days ago a neighbor in Woodmen Oaks questioned if the mid-1990s promise of road connection would be honored. Fire Dept. staff recently found that documentation, and that is the reason the Fire Dept. is honoring that promise with their changed recommendation.

Commissioner Shonkwiler requested traffic volumes clarified. Ms. Kathleen Krager, City Transportation Planning, stated average daily traffic to use Woodmen Court Drive is estimated at 800 (400 going north and 400 going south) with approximately 400 from the existing neighborhood from the north, 200 from existing neighborhood, 200 from new Dusty Hills neighborhood. That could be verified by the applicant's traffic engineer's study. A local street should have no more than 1,000 vehicles per day. This is still within local street standards.

APPLICANT REBUTTAL

Mr. Gorman stated a road connection to Chapel Lane was mentioned. It's not physically or financially feasible to get through the 26-foot high open space to the east, and the church has not consented to access through their site due to their parking needs. He requested approval of the plan that the City Fire Dept. is recommending.

Mr. Chris McGranaham, with LSC, clarified the traffic study estimated the count at 200 vehicles for existing neighborhood and 290-300 for the new site with a total of up to 720 trips per day.

Mr. Robert West, owner of the five-acre tract at Woodmen Court, stated the plat map was presented as part of the initial development showing Woodmen Court as a through street. His family are not the developers. There are two diametrically opposed neighborhoods with different concerns. He felt the proposed plan meets all requirements.

DECISION OF THE PLANNING COMMISSION

CITY OF COLORADO SPRINGS PLANNING COMMISSION RECORD-OF-DECISION

Commissioner Donley was concerned about the process and would've preferred this project delayed for the community benefit to further discuss the road connection. He stated the road connection would provide for better evacuation and safety. The lot size is consistent with the neighborhood as a whole.

Commissioner Henninger found the neighborhood is filled with cul-de-sacs and preferred the road connection. He supported the applications.

Commissioner Smith agreed with Commissioner Donley's comments with road connections joining all subdivisions. He felt the sound wall will not accomplish noise reduction due to its lower elevation location. Traffic calming devices would be effective in this area. He supported the applications.

Commissioner Phillips agreed with the need for connectivity. He also would've preferred that this project be postponed to further discuss the plan change.

Commissioner Markewich found these applications comply with the review criteria. He supports the road connection.

Commissioner McDonald found that there was not a bait-and-switch by the Fire Dept. The road stubs show that a road connection was meant to be constructed at a later date. She sympathized with the neighbors who may not have been aware of this planned connection. She was in support of the applications.

Commissioner Shonkwiler supported the applications.

Moved by Commissioner Markewich, seconded by Commissioner Smith, to approve **Item No. 5.A-File No. CPC A 13-00112**, the Dusty Hills Annexation, based upon the findings that the annexation complies with all of the Conditions for Annexation Criteria as set forth in City Code Section 7.6.203 with the following condition of approval:

- The final annexation agreement signed by the owners must be submitted to staff prior to scheduling the City Council Hearing.

Motion passed 7-0 (Commissioner Walkowski recused).

Moved by Commissioner Markewich, seconded by Commissioner Smith, to approve **Item No. 5.B-File No. CPC PUZ 14-00063**, the establishment of the PUD/HS (Planned Unit Development: Detached Single-Family Residential, 0.83 Dwelling Units Per Acre, 35 Foot Maximum Building Height) zone district, based upon the findings that the zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603(B) and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603. Motion passed 7-0 (Commissioner Walkowski recused).

Moved by Commissioner Markewich, seconded by Commissioner Smith, to approve **Item No. 5.C-File No. CPC PUP 14-00064**, the Dusty Hills PUD Concept Plan, based upon the findings that the PUD concept

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plan meets the review criteria for PUD concept plans as set forth in City Code Section 7.3.605 with the following conditions:

1. Prior to the approval of a future Hillside Development Plan, the City-approved Engineering Geologic Hazards Study shall be reviewed and approved by the Colorado Geologic Survey (CGS). Any costs associated with that State review will be the responsibility of the developer/property owner.
2. Update the overall density as shown on page one to read 0.83 dwelling units per acre.
3. Update Note #3 to remove the statement that the future HOA will maintain the pedestrian connection at the northeast corner of the site.

Motion passed 7-0 (Commissioner Walkowski recused).

November 20, 2014

Date of Decision

Planning Commission Chair

DRAFT

Dusty Hills Addition

Annexation, Zoning, Concept Plan

City File Numbers

CPC A 13-00112 - LEGISLATIVE

CPC PUZ 14-00063 - LEGISLATIVE

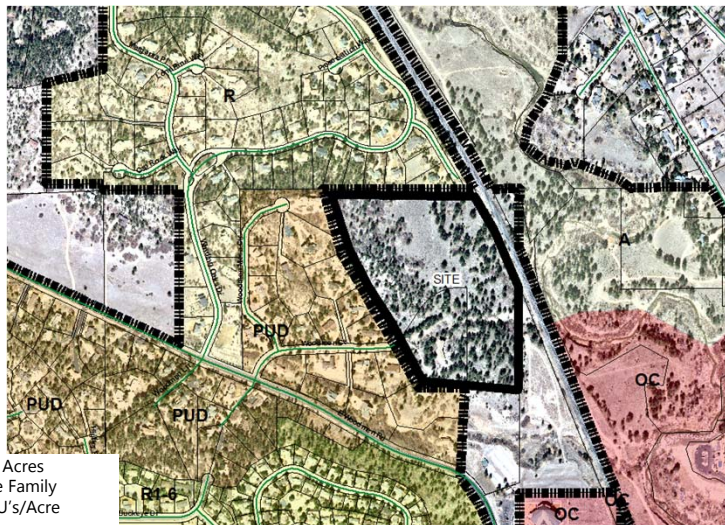
CPC PUP 14-00064 - QUASI-JUDICIAL

City Planning Commission, November 20, 2014

Meggan Herington, AICP

Principal Planner

Vicinity Map



27.75 Acres
Single Family
.83 DU's/Acre

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Annexation

- Annex 27.75 acres into the City of Colorado Springs
- Develop property on City Services
- In Woodmen Valley Fire Protection District
- Fiscal Impact Analysis
- Annexation Agreement
 - Pay police and fire fees with platting
 - No off-site road or drainage improvements
 - Signage on existing Woodmen Court for "Share the Road"
 - Utilities allowing SFR to use existing well
 - Agreement finalized and executed by owner prior to Council

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Jobs → Transforming Government → Building Community



Establish Zoning

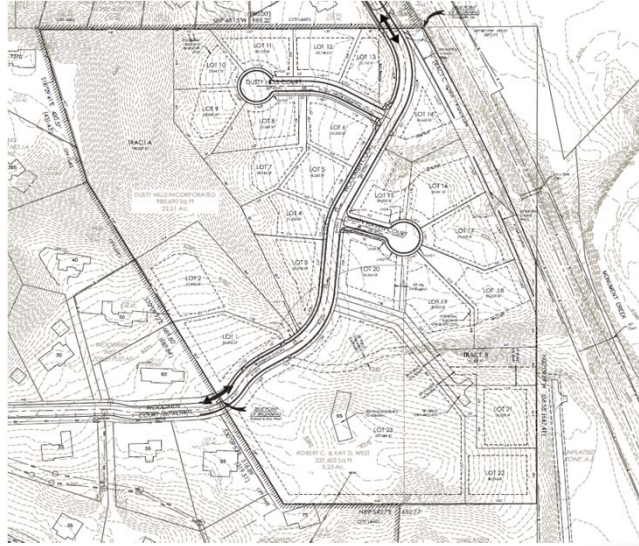
- Establish the PUD/HS Zone
- PUD
 - Single-Family Residential
 - .83 Dwelling Units per Acre
 - 35 Foot Height Maximum
- Hillside Overlay
 - Will require future hillside development plan
 - Hillside site plans for each individual lot

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Concept Plan

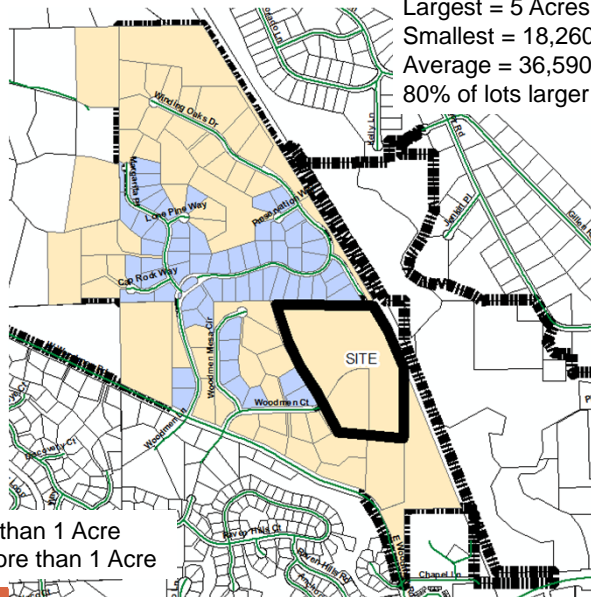


CPC Packet
Figure 1

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Land Compatibility

Dusty Hills Lot Sizes
Largest = 5 Acres
Smallest = 18,260 SF
Average = 36,590 SF
80% of lots larger than ½ acre



Blue = Less than 1 Acre
Orange = More than 1 Acre

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Stakeholder Process

- Noticed 49 neighbors within 500 feet
- Posted property
- Pre-application neighborhood meeting held February 20, 2014
- Formal applications submitted in June
 - Not all neighbors received the notice
- Second neighborhood meeting held July 17
 - Neighbors expressed strong opposition to Woodmen Court connection

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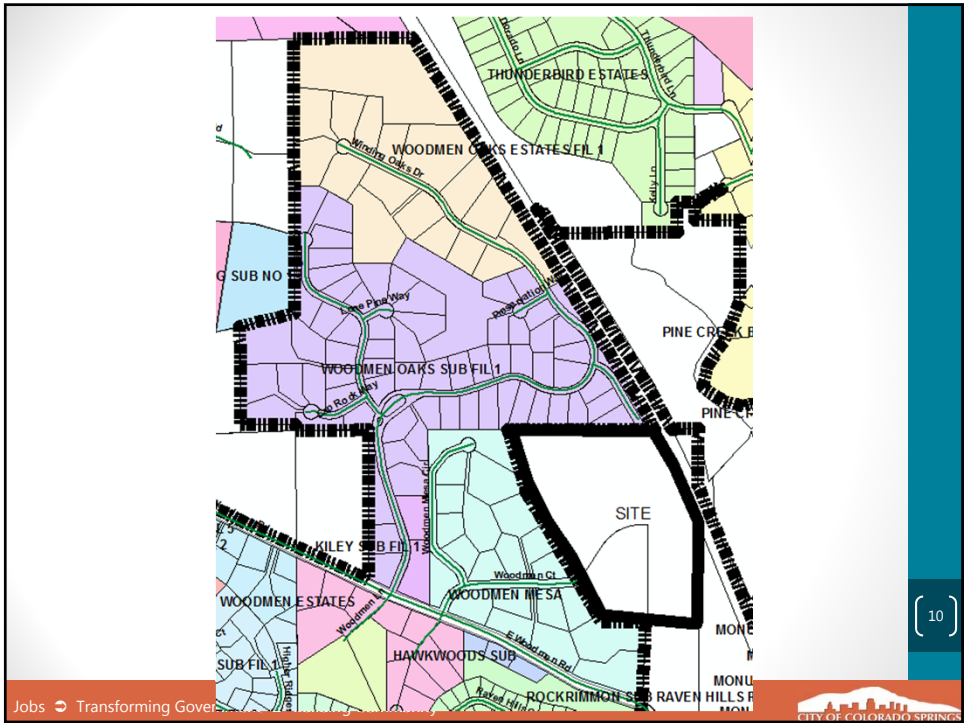
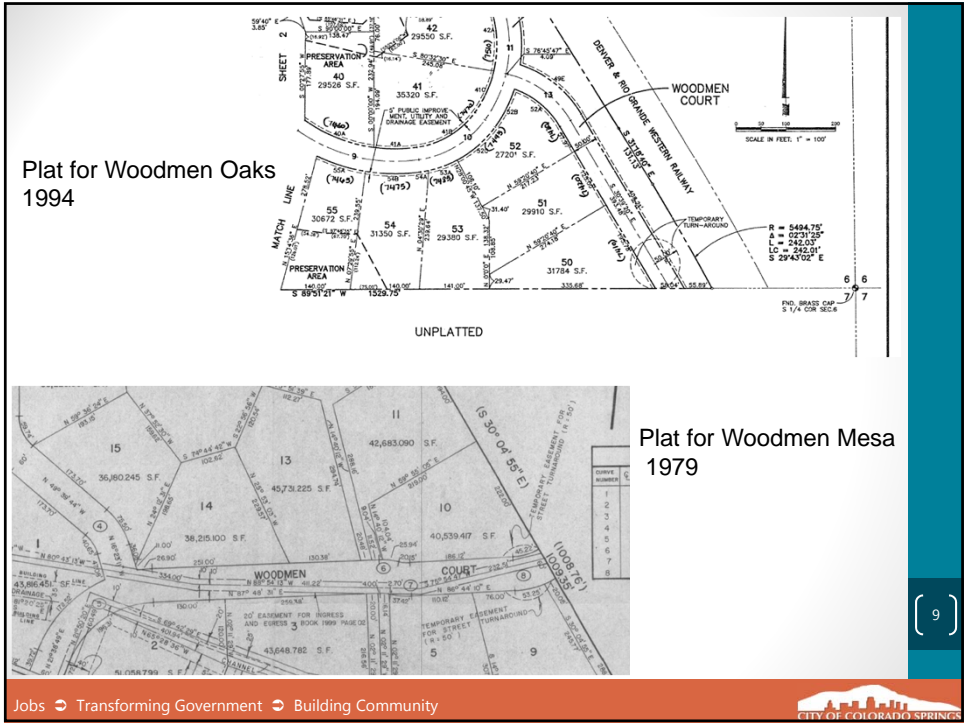
Stakeholder Process/Issues

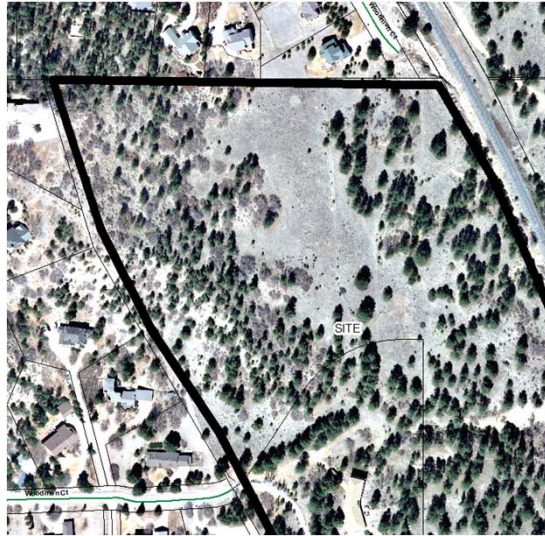
- Woodmen Court
 - Applicant submitted a revised plan with a cul-de-sac
 - Initially City staff supported the cul-de-sac design
 - After additional research, City Fire commented that Woodmen Court should connect
 - Public safety issue
 - 73 lots in Woodmen Oaks have 1 access
 - Secondary access for Woodmen Oaks as discussed in 1994

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Stakeholder Process/Issues

- Connection of Woodmen Court
 - Traffic study shows 500 additional trips
 - Roads will function
 - Intersections at Woodmen Road will function
 - Woodmen Mesa neighbors are against the connection
 - Woodmen Oaks HOA appears to support connection
- Private Gated Community??
 - Concept plan that was submitted does not propose a private, gated roadway
 - Changes could be made with future development plan
 - Not under consideration by City staff at this time

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Recommendation

Staff recommends approval of the applications, finding that they are in conformance with City Code and the elements of the City Comprehensive Plan, with conditions of approval:

Annexation Condition:

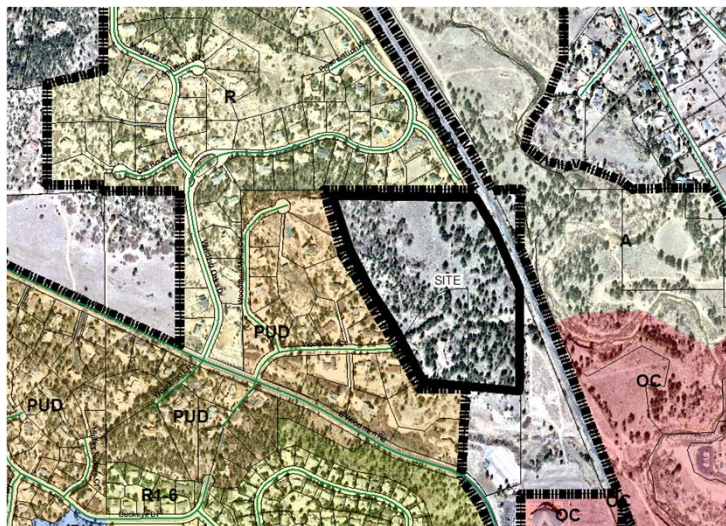
- The final annexation agreement signed by the owners must be submitted to staff prior to scheduling the City Council Hearing.

Concept Plan Conditions:

- Geologic Hazards Study shall be reviewed and approved by the Colorado Geologic Survey (CGS).
- Update the overall density as shown on page
- Update Note #3

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Questions?



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Koehn, Alayna

From: Herington, Meggan
Sent: Tuesday, November 18, 2014 10:19 AM
To: Koehn, Alayna
Subject: FW: Dusty Hills Subdivision, Land Use Review Division

Alayna, here is another one to be forwarded to CPC. Can you forward this and include in the record. Thanks, Meggan

From: Mike Hergott [mailto:mike.hergott@avagotech.com]
Sent: Tuesday, November 18, 2014 9:50 AM
To: Herington, Meggan
Cc: mike.hergott@avagotech.com
Subject: Dusty Hills Subdivision, Land Use Review Division

Meggan Herington, AICP
Principal Planner - Northeast Team
City of Colorado Springs
Land Use Review Division

Hi,

My name is Mike Hergott and I'm a resident of Woodmen Oaks subdivision. I've seen some pretty outrageous claims concerning issues caused by connecting the Woodmen Ct street from Woodmen Mesa, through Dusty Hills to Woodmen Oaks.

I'm not sure anyone driving out of the Woodmen Oaks neighborhood down Winding Oaks would slow down and make a left hand turn on Woodmen Ct to drive through both Dusty Hills and Woodmen Mesa neighborhoods. Likewise I can't see cars from Dusty Hills coming through Woodmen Oaks. Even if a few cars do drive through those neighborhoods, it can't be that big of an impact and seems more like a wash.

As to the suggestion of a fence/gate, my thoughts pretty much lean the same as the reason for connecting Woodmen Ct. I believe the purpose of providing egress and ingress to all the neighbors of the three neighborhood is beneficial for many reasons, most noted is safety in case of fire, but there are many more numerous reasons that neighbors could benefit. Let's just take a few that come to mine, perhaps a broken water line, wildlife or street repair that could prevent easy ingress or egress. A fence or gate makes the choice of egress and ingress a must less convenient daily activity.

I guess I like the argument that the streets were both named Woodmen Ct when we moved into the neighborhood, so most knew they were intended to be connected someday.

I am in favor of connecting Woodmen Ct for numerous reasons of safety, convenience and practicality.

Thanks,
Mike Hergott
7420 Margarita Pl
Colorado Springs, CO 80919
(719) 528-1191

Herington, Meggan

From: Sheila Parkin <tyrolean80919@yahoo.com>
Sent: Monday, November 17, 2014 9:59 PM
To: carnal5@aol.com; sthomas108@hotmail.com; Herington, Meggan
Cc: garner@highlandcommercial.com; megamel77@gmail.com; jbwhitleyjr@centurylink.net; jick45@gmail.com; jefertig@gmail.com; jsingle419@aol.com; rculley@comcast.net; dlniedringhaus@msn.com; bryan.shannon@comcast.net; RochelleShannon@Comcast.net; njhons@msn.com; mthomas160@msn.com; whwest451@gmail.com; wrctest@msn.com; mwest@m-west-assoc.com; daveg@mvecivil.com; cseaton@quantumcommercial.com
Subject: Re: Dusty Hills

Dear Neighbors of Woodmen Court:

I totally agree with all the discussions about safety, fire issues, street issues, gated community, ect.

If the planning committee isn't listening, I would like to know why.
Its seems like a game.

Why the sudden interest by the fire department for having through streets? Wouldn't this have been an issue for years even without Dusty Hills?

And why are they not concerned about the increased traffic which will cause even further delays in getting in and out of our area?

My opinion all along is that there needs to be another access into and out of our subdivisions for safety reasons. If the city is really concerned about our safety, then why have they not pressed for better traffic access for this whole area? We pay our property taxes, but I am wondering where they are putting their money, especially now that they do not actually pay for developer roads.

It seems to me like the city just wants to be done, appeasing their utopian idea of through streets. Might look good on paper, but the realities are not going to be in our best interest.

When there's a will there's a way.

Frustrated,
Sheila Parkin

On Monday, November 17, 2014 9:43 PM, "carnal5@aol.com" <carnal5@aol.com> wrote:

All,
We waited for 3+ hours in our home waiting for a break in the traffic traveling eastbound on Woodmen during the fire. It was parking lot. It would not have mattered one bit how many egress or feeder streets were in place. I hope the City, developers, and prospective homeowners are aware of the dangers involved. Thanks, Michael Carnel

-----Original Message-----

From: susan thomas <sthomas108@hotmail.com>
To: mherington <mherington@springsgov.com>
Cc: Bob Garner <garner@highlandcommercial.com>; Mel and Sandie Downs <megamel77@gmail.com>; John Whitley <jbwhitleyjr@centurylink.net>; Bryan and Catherine Vandiemmen <jick45@gmail.com>; John and Alyce Fertig <jefertig@gmail.com>; Make and Dawn Carnel <carnal5@aol.com>; James Singleton <jsingle419@aol.com>; Rose

Culley <rculley@comcast.net>; John Whitley <dlniedringhaus@msn.com>; Bryan Shannon <bryan.shannon@comcast.net>; Rochelle Shannon <RochelleShannon@Comcast.net>; Simon and June Jhon <njhons@msn.com>; michael <mthomas160@msn.com>; sue thomas <sthomas108@hotmail.com>; whwest451 <whwest451@gmail.com>; wrctest <wrctest@msn.com>; mwest <mwest@m-west-assoc.com>; daveg <daveg@mvecivil.com>; Ralph and Sheila Parkin <Tyrolean80919@yahoo.com>; Candace Seaton <cseaton@quantumcommercial.com>
Sent: Mon, Nov 17, 2014 8:59 pm
Subject: Dusty Hills

Dear Ms. Herrington,

At our neighborhood meeting on Sunday evening, November 9th, Mr. Michael West proposed a compromise solution regarding traffic concerns resulting from the development of Dusty Hills. His proposal is to create a gated community for Dusty Hills with transponder access for the residents and breakaway wooden gates for fire access and Woodmen Oaks neighborhood emergency egress. This proposal was supported by the Woodmen Mesa residents, the fire marshal, and Mr. Gorman. We have also heard from the Woodmen Oaks residents and the overwhelming majority is in support of this solution as well. We are hopeful that this will be the adopted solution to the problem of potential significant increase in traffic volume and the jeopardized safety of those living in Woodmen Mesa should a through road be seen as the only solution. We are very concerned about preserving our "rural" way of life, the safety of our neighbors, preserving our wildlife corridor, and limiting access to unneeded visitors.

As an important aside, the fire marshal said that his concern is evacuation of residents out of these communities onto Woodmen Road via a secondary exit. Our experience with our first evacuation resulted in traffic on Woodmen Road coming out of the valley from the west at a standstill, given that it is a single lane each way and the westbound lane had to be kept open to evacuate residents of Mt. St. Francis by ambulances. I don't see that this through road proposal will solve the basic problem of fire evacuation for all Woodmen Valley residents. We are willing to preclude the "fire safety" immediacy issue which doesn't really solve the basic problem for the long term day-to-day safety and volume issue affecting our neighborhood which would restrict access through the Woodmen Mesa neighborhood except in case of an emergency.

Sincerely,
Sue Thomas
20 Woodmen Court

Herington, Meggan

From: Rochelle Shannon <RochelleShannon@Comcast.net>
Sent: Monday, November 17, 2014 9:56 PM
To: 'susan thomas'; Herington, Meggan
Cc: 'Bob Garner'; 'Mel and Sandie Downs'; 'John Whitley'; 'Bryan and Catherine Vandiemer'; 'John and Alyce Fertig'; 'Make and Dawn Carnel'; 'James Singleton'; 'Rose Culley'; 'John Whitley'; 'Bryan Shannon'; 'Simon and June Jhon'; 'michael'; whwest451@gmail.com; wrctest@msn.com; mwest@m-west-assoc.com; daveg@mvecivil.com; 'Ralph and Sheila Parkin'; 'Candace Seaton'
Subject: Dusty Hills

To the Wests: Robert, Kaye, Michael, and the other brother (I'm sorry I've forgotten your name),

Have you ever considered making a complete cul-de-sac on our part of Woodmen Court, and then access to Dusty Hills would only be made through Woodmen Oaks? I realize their access to Woodmen Road would be longer this way, but hear me out. I think we could all win, and the new residents may even be glad we did it this way. And for those of us already living here, it would solve many issues that seem to be foremost on people's minds. I think it would work really nicely for you, too, by keeping the privacy and quiet that you've enjoyed for so many years on this little street.

1. The southern part of Woodmen Court would end in a true and final cul-de-sac with your driveway continuing through the end as it always has.
2. The new Dusty Hills development would have a cul-de-sac on the northwest corner of your property. That means its only access would be from Winding Oaks Drive in Woodmen Oaks. That would keep your property free of the extra traffic and noise that we've been talking so much about. Your five acres would be nearly undisturbed even in the midst of developing the rest of your property.
3. A fire gate would be installed on your property so that it remains a private road that can be blocked off, but in order to preserve the quiet of your neighborhood, it would be your responsibility to maintain the path/driveway as you always have, which would be used by the fire department in the event that they need to get to the fire quicker than Winding Oaks Drive would permit. And likewise, in the event of a fire, Dusty Hills residents, and perhaps Woodmen Oaks residents as well, could use this access to evacuate more quickly. Woodmen Oaks does not want a through street, but they DO want access to get out more quickly if the need were to arise. And then we're not pitting ourselves against a knowledgeable and wise recommendation by the fire department to have one more point of access. As much as we wish it weren't so, fire is a real and obvious danger that we cannot simply ignore. But I believe this is a solution besides just opening up the road.
4. This would solve the issue of increased traffic that we all, and you also, have continued to be against. This would put the traffic increase into an already trafficked neighborhood that is built for and used to larger amounts of traffic rather than placing the full brunt of new traffic (and traffic that was until recently content to use Winding Oaks Dr.) right onto a fairly rural and quiet neighborhood street. It seems crazy to radically change one street when the effect of that same number of cars in a slightly different direction would hardly be noticed by the neighboring street.
5. The two proposed lots that are adjacent to 60 Woodmen Court would need to be reconfigured if the road doesn't go by their lots anymore, or you could decide if you want them to have access to our part of Woodmen Court since they are so close to it while the others are not.
6. This, I think, would make a lot of us happy:
 - a. Fire marshal: the fire gate would be maintained by one person and would essentially be an extension of a driveway that wouldn't be blocked, overgrown, or degraded because it is part of your own property.
 - b. Your neighbors: the traffic would not change for our quiet and fairly rural street, which would keep children, wildlife, and our on-street walkers SAFE.
 - c. You: there wouldn't be the traffic just off your deck, as you so honestly lamented when we spoke last about it.

- d. Woodmen Mesa, Woodmen Estates, and Woodmen Oaks: the cars would be contained to a neighborhood already designed to handle them, the "end of the road" status of Dusty Hills would mean quiet and exclusivity much like Woodmen Estates, and the inability of troublemakers to drive through and scout out new targets will bring safety and security

That seems a win-win-win! Of course it would need to be redrawn if you were to propose this on Thursday, but I know you would have the enthusiasm of all of Woodmen Mesa and I believe even Woodmen Oaks!

Thank you for your consideration. I realize things are coming down to the wire, but we are all hopeful that a solution can be found that makes everyone as happy as possible.

Sincerely,

Rochelle Shannon

Herington, Meggan

From: Mel Downs <megamel77@gmail.com>
Sent: Monday, November 17, 2014 1:35 PM
To: Herington, Meggan
Subject: Mel Downs - Dusty Hills development inputs

Hi,

I live at 7310 Woodmen Mesa Circle. I'm on the corner of Woodman Court and Woodmen Mesa Circle. My wife and I have lived at that address for about 27 years. It has been a wonderful experience, like living in the country with great neighbors, and almost no traffic. The following are my thoughts on the proposed Dusty Hills Development.

I am adamantly opposed to allowing traffic from Woodman Oaks to pass through the Dusty Hills development and down Woodmont Court to get to Woodmen Road. Woodmen Court is somewhat narrow and does not have sidewalks. We have several grandchildren starting from one year old that play on Woodman Court with their bicycles. Certainly we can live with the increased traffic flow from Dusty Hills but the increase from Woodmen Oaks is unacceptable.

I understand that the Fire Department wants to have access to Woodman Oaks for emergency purposes. This makes sense but should be accomplished via a cul-de-sac at the end of Dusty Hills with a break away or locked gate for emergency purposes. A precedent has been set many, many times around town using that principle.

Prioritized alternatives:

1. Cul-de-sac with breakaway gate.
2. Gated community
3. Through street with existing Woodmen Court stubs connected.

Thanks for your consideration, Mel

Herington, Meggan

From: carnel5@aol.com
Sent: Friday, November 14, 2014 10:22 AM
To: sjmor6@comcast.net; Herington, Meggan
Cc: daveg@mvecivil.com; cseaton@quantumcommercial.com; gwmohrman@comcast.net; nkengel@yahoo.com; garner@highlandcommercial.com; mmg514@yahoo.com; markhuff80919@gmail.com; mhsports2000@aol.com; jslenk@gmail.com; bryan.shannon@comcast.net; jick45@gmail.com; jsingle419@aol.com; jefertig@gmail.com; jbwhitleyjr@centurylink.net; dlniedringhaus@msn.com; lizzie.leitz@yahoo.com; megamel77@gmail.com; mthomas160@msn.com; Tyrolean80919@yahoo.com; rochelleshannon@comcast.net; rculley1@comcast.net; njhons@msn.com; sthomas108@hotmail.com
Subject: Re: Dusty Hills Subdivision

All,

My name is Michael Carnel.

My wife Dawn and I have lived here on Woodmen Court for 17 years. I cant imagine what it be like to have the kind of traffic that is being projected for our quiet area.

Our 3 children have grown up here. Riding bikes, taking walks, playing ball, and learning to drive on this little stretch of street. We now have Grand Children that come to visit, I don't think they will have the same quiet, safe area. I also don't think we would have purchased this house if there was a subdivision in place, or a proposed subdivision in planning stages. Its disappointing to have invested in something that is now changing. It dosent seem its for the better. I have not been able to attend the meetings, but one thing I know for sure, is that the intersection of Woodmen Court (WC) and Woodmen Road (WR) is a flawed design and extremely dangerous. Especially when turning east onto Woodmen road, and there are cars turning onto Woodmen court. The incline of WC does not allow for a clear and definite view of cars going west on WR, (usually speeding). The view is blocked by any cars in the turning lane turning onto WC. With the current traffic count its not a problem to wait on the cars to make the turn, but using the new traffic projections it seems problematic. I would like to propose that we request that the City do some more studies on this intersection using the inflated traffic numbers. Also, Dawn and I say want to say Thank You to those of you that have been carrying the ball on this very important issue. Happy and safe Holidays to all, Michael Carnel

-----Original Message-----

From: sjmor6 <sjmor6@comcast.net>
To: Herington, Megan <mherington@springsgov.com>
Cc: David Gorman <daveg@mvecivil.com>; Candace Seaton <cseaton@quantumcommercial.com>; Gordon Mohrman (gwmohrman@comcast.net) <gwmohrman@comcast.net>; Nancy Engel (nkengel@yahoo.com)"Cc <nkengel@yahoo.com>; Bob Garner <garner@highlandcommercial.com>; mmg514 <mmg514@yahoo.com>; markhuff80919 <markhuff80919@gmail.com>; mhsports2000 <mhsports2000@aol.com>; jslenk <jslenk@gmail.com>; Bryan Shannon <bryan.shannon@comcast.net>; Cathy van Diemen <jick45@gmail.com>; James Singleton <jsingle419@aol.com>; John and Alyce Fertig <jefertig@gmail.com>; Morse, John & Sunny <sjmor6@comcast.net>; John Whitley <jbwhitleyjr@centurylink.net>; John Whitley <dlniedringhaus@msn.com>; Lizzie Leitz <lizzie.leitz@yahoo.com>; Make and Dawn Carnel <carnel5@aol.com>; Mel and Sandy Downs <megamel77@gmail.com>; Mike Thomas <mthomas160@msn.com>; Ralph and Sheila Parkin <Tyrolean80919@yahoo.com>; Rochelle Shannon <rochelleshannon@comcast.net>; Rose Culley <rculley1@comcast.net>; Simon and June Jhon <njhons@msn.com>; Sue Thomas <sthomas108@hotmail.com>
Sent: Thu, Nov 13, 2014 10:38 pm
Subject: Re: Dusty Hills Subdivision

Megan: Although I wasn't at the Sunday evening at the Seaton's where the discussion was centered around the Fire Dept's requirement for egress; I did hear about the proposal for making the proposed Dusty Hills sub-division a "Gated Community".

My wife and I are totally for this proposal as an alternative to the total opening of Woodmen Court through to the Woodmen Oaks sub-division which we feel would for the sake of a possible fire emergency escape route subject our present "Woodmen Court" community to a continual and

constant extreme traffic hazard on a small neighborhood road, without sidewalks; that is now a quiet road that has only a minimum of auto traffic that is shared by walking neighbors and children.

Thank you for your interest; Mr. & Mrs. John Morse

From: "Herington, Megan" <mherington@springsgov.com>
To: "David Gorman" <daveg@mvecivil.com>, "Candace Seaton" <cseaton@quantumcommercial.com>, "Gordon Mohrman (gwmohrman@comcast.net)" <gwmohrman@comcast.net>, "Nancy Engel (nkengel@yahoo.com)" <nkengel@yahoo.com>
Cc: "Beverly singleton" <bsingle419@aol.com>, "Bob Garner" <garner@highlandcommercial.com>, mmg514@yahoo.com, markhuff80919@gmail.com, mhsports2000@aol.com, jslenk@gmail.com, "Bryan Shannon" <bryan.shannon@comcast.net>, "Cathy van Diemen" <jick45@gmail.com>, "James Singleton" <jsingle419@aol.com>, "John and Alyce Fertig" <jefertig@gmail.com>, "Morse, John & Sunny" <simor6@comcast.net>, "John Whitley" <jbwhitleyjr@centurylink.net>, "John Whitley" <dniedringhaus@msn.com>, "Lizzie Leitz" <lizzie.leitz@yahoo.com>, "Make and Dawn Carnel" <carnel5@aol.com>, "Mel and Sandy Downs" <megamel77@gmail.com>, "Mike Thomas" <mthomas160@msn.com>, "Ralph and Sheila Parkin" <Tyrolean80919@yahoo.com>, "Rochelle Shannon" <rochelleshannon@comcast.net>, "Rose Culley" <rculley1@comcast.net>, "Simon and June Jhon" <njhons@msn.com>, "Sue Thomas" <sthomas108@hotmail.com>
Sent: Wednesday, November 12, 2014 7:35:01 AM
Subject: RE: Dusty Hills Subdivision

All,

As promised, I'm communicating with those who have provided me an email, or have emailed me directly. As I'm sure most of you have heard, the Fire Department has updated their comments related to Dusty Hills. After a discussion with Fire Marshall Lacey, they have decided that Woodmen Court does need to connect through Dusty Hills. There are a number of neighbors aggrieved by this decision that will be voicing opposition to the connection at the City Planning Commission hearing on November 20th.

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Thank You, Meggan

Meggan Herington, AICP
Principal Planner - Northeast Team
City of Colorado Springs
Land Use Review Division
719-385-5083

Herington, Meggan

From: Candace Seaton <cseaton@quantumcommercial.com>
Sent: Friday, November 14, 2014 7:17 AM
To: Krager, Kathleen
Cc: Bob Garner; Mel Downs; Rochelle Shannon; Rose Culley; Herington, Meggan; Wysocki, Peter; Tefertiller, Ryan
Subject: Meeting on Dusty Hills

Kathleen,

I have been copying you on emails regarding a change in the Dusty Hills Concept Plan that was suggested by Michael West, one of the owners, at a meeting at our home Sunday night which included Brett Lacy and Steven Smith. This plan of the new development, Dusty Hills, being a gated community, is supported by our neighborhood as addressing the life safety issue we fear the most on our country road. Those copied on this email are meeting at Planning this afternoon in Suite 105, 30 S. Nevada, at 2:30. We would so love it if you would be able to attend that meeting.

If you cannot, what is another time we could meet to discuss this?

Candace Seaton

Candace Seaton
Senior Broker Associate
Quantum Commercial Group

719.228.3624 Direct
719.332.0233 Mobile/MMS

Herington, Meggan

From: sjmor6@comcast.net
Sent: Thursday, November 13, 2014 10:38 PM
To: Herington, Meggan
Cc: David Gorman; Candace Seaton; Gordon Mohrman (gwmohrman@comcast.net); Nancy Engel (nkengel@yahoo.com)"Cc; Bob Garner; mmg514@yahoo.com; markhuff80919@gmail.com; mhsports2000@aol.com; jslenk@gmail.com; Bryan Shannon; Cathy van Diemen; James Singleton; John and Alyce Fertig; Morse, John & Sunny; John Whitley; John Whitley; Lizzie Leitz; Make and Dawn Carnel; Mel and Sandy Downs; Mike Thomas; Ralph and Sheila Parkin; Rochelle Shannon; Rose Culley; Simon and June Jhon; Sue Thomas
Subject: Re: Dusty Hills Subdivision

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To: "David Gorman" <daveg@mvecivil.com>, "Candace Seaton" <cseaton@quantumcommercial.com>, "Gordon Mohrman (gwmohrman@comcast.net)" <gwmohrman@comcast.net>, "Nancy Engel (nkengel@yahoo.com)" <nkengel@yahoo.com>
Cc: "Beverly singleton" <bsingle419@aol.com>, "Bob Garner" <garner@highlandcommercial.com>, mmg514@yahoo.com, markhuff80919@gmail.com, mhsports2000@aol.com, jslenk@gmail.com, "Bryan Shannon" <bryan.shannon@comcast.net>, "Cathy van Diemen" <jick45@gmail.com>, "James Singleton" <jsingle419@aol.com>, "John and Alyce Fertig" <jefertig@gmail.com>, "Morse, John & Sunny" <sjmor6@comcast.net>, "John Whitley" <jbwhitleyjr@centurylink.net>, "John Whitley" <dniedringhaus@msn.com>, "Lizzie Leitz" <lizzie.leitz@yahoo.com>, "Make and Dawn Carnel" <carnel5@aol.com>, "Mel and Sandy Downs" <megamel77@gmail.com>, "Mike Thomas" <mthomas160@msn.com>, "Ralph and Sheila Parkin" <Tyrolean80919@yahoo.com>, "Rochelle Shannon" <rochelleshannon@comcast.net>, "Rose Culley" <rculley1@comcast.net>, "Simon and June Jhon" <njhons@msn.com>, "Sue Thomas" <sthomas108@hotmail.com>
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Thank You, Meggan

*Meggan Herington, AICP
Principal Planner - Northeast Team
City of Colorado Springs
Land Use Review Division
719-385-5083*

Herington, Meggan

From: Candace Seaton <cseaton@quantumcommercial.com>
Sent: Thursday, November 13, 2014 6:10 PM
To: Herington, Meggan; David Gorman; Krager, Kathleen
Cc: Rose Culley
Subject: Dusty Hills

From: <rculley1@comcast.net>
Date: November 13, 2014 at 5:55:12 PM MST
To: Candace Seaton <cseaton@quantumcommercial.com>
Cc: Beverly singleton <bsingle419@aol.com>, Bob Garner <garner@highlandcommercial.com>, Bryan Shannon <bryan.shannon@comcast.net>, Cathy van Diemen <jick45@gmail.com>, James Singleton <jsingle419@aol.com>, John and Alyce Fertig <jefertig@gmail.com>, John Morse <sjmor6@comcast.net>, John Whitley <jbwhitleyjr@centurylink.net>, John Whitley <dlniedringhaus@msn.com>, <linda@lindaleitz.com>, Make and Dawn Carnel <carnel5@aol.com>, Mel and Sandy Downs <megamel77@gmail.com>, Mike Thomas <mthomas160@msn.com>, Ralph and Sheila Parkin <Tyrolean80919@yahoo.com>, Rochelle Shannon <rochelleshannon@comcast.net>, Simon and June Jhon <njhons@msn.com>, Sue Thomas <sthomas108@hotmail.com>
Subject: Re: CPC Agenda Link

I support the

GATED NEIGHBORHOOD, WE WOULD RATHER HAVE A CUL-DE-SAC FOR SECURITY AND SAFETY REASONS!

Rose Culley

Herington, Meggan

From: Rochelle Shannon <RochelleShannon@Comcast.net>
Sent: Thursday, November 13, 2014 2:06 PM
To: Herington, Meggan
Subject: Dusty Hills proposal

Meggan,

I'm writing again just to make sure our voices are heard.

We have been impressed with the cooperation up to this point with the developer/owner, ourselves as neighbors, and you as our planning coordinator. However, as of late, it is making me nervous to hear more and more conversations that are reversing previous decisions. We had a meeting last week with the fire marshal, and while his points are valid, I maintain that it is no more necessary to put a road through this development than it ever was. The safety concerns that will present themselves every single day (increased crime, higher traffic that endangers our pedestrian street, and the wildlife that will invariably be hit from time to time or driven off) FAR OUTWEIGH the possibility/probability of a fire one day. I understand that in a perfect world they would like the roads to connect, but in reality, it is not a necessity for two neighborhoods that are quite opposed to a road that connects them.

We like the idea of a gated community because it would greatly slow down the traffic on our street as they are decelerating to approach the gate or just beginning to accelerate from going through it. And it would keep through traffic from utilizing our street to connect to Woodmen Oaks. It would completely stop those who do not belong in either development from snooping around because if the car gets through the gate, then they belong there. And if I don't recognize the car as being one of my neighbor's, then I'll know it does not belong here. We watch out for each other, and when a car doesn't belong, we watch to make sure they turn around and leave and aren't scoping out their next target for theft or violence.

The other option that is preferred by our home as well as the neighbors on our street is a cul-de-sac that completely avoids through traffic to Woodmen Oaks. While the proposal to this point has talked about Dusty Hills ending in a cul-de-sac on its northern border, I wish to reiterate an option that I had mentioned several weeks ago. I believe that Dusty Hills should be accessible from the north only. This means that the southern Woodmen Court would end exactly where it is in a true cul-de-sac, and Dusty Hills would be open on the north end, from Winding Oaks Drive. The southern Woodmen Ct. has been a pedestrian and "country-like" street for nearly 40 years, so to change our street versus Winding Oaks Dr. hardly makes sense. They have sidewalks in place and do not have walkers, pets, and wildlife that freely walk on the road. Secondly, when we purchased our homes, we bought with the belief that our street ended where it seems to end! It is a private area that has low crime, natural landscape, and very little traffic to alter that. Winding Oaks Drive was built to access 8 times as many cars as Woodmen Court! Residents of Woodmen Oaks are not averse to traffic or they would not have bought a home there! To add 22 new homes is not a big deal considering they currently have consistent traffic! Adding upwards of 250 new car-trips per day will make their roads busier, but not to the dramatic effect that those same trips would make on our little street! As a side note, you can see why the option of a through street and adding 600 or more car trips to our little street is a terrible option to all of us in Woodmen Mesa.

So our preferred option is for the Wests keep their driveway as an extension of the southern Woodmen Court. And then the entrance to Dusty Hills would be from Woodmen Oaks, and the development would have a cul-de-sac on the southern end of it (on the northwest corner of the West's property) rather than the northern end of Dusty Hills. Then the Wests will not experience the enormous increase of traffic by their house either. Their five acres will be virtually undisturbed, their peace and quiet will remain, and the traffic will be routed through an already well trafficked neighborhood. They will benefit and we will benefit, and Woodmen Oaks will hardly notice a change.

Thank you for your time.

Herington, Meggan

From: Jsingle419@aol.com
Sent: Thursday, November 13, 2014 1:44 PM
To: Herington, Meggan
Subject: Dusty Hills Development

Meggan,

We very much believe that the plan of extending Woodmen Court through Dusty Hills and into Woodmen Oaks will bring great harm to our neighborhood in Woodmen Mesa. There will have to be large improvements to Woodmen Court and the traffic at the corner with Woodmen Road will change drastically. I believe the plan to stop Woodmen Court before the Woodmen Oaks area is the best. It seems to me that the fire protection will be just as good as it is now. Certainly a gated community for Dusty Hills would be a viable alternative. We plan to be at the November 20 meeting.

Please include my letter in the presentation. Thank you for all you have done.

Jim and Bev Singleton
35 Woodmen Court
719-598-9622
jsingle419@aol.com

Herington, Meggan

From: Sheila Parkin <tyrolean80919@yahoo.com>
Sent: Wednesday, November 12, 2014 10:04 PM
To: Herington, Meggan
Subject: Dusty Hills

Dear Meghan,

I am writing again to voice my concerns over the following as a result of the new Dusty Hills subdivision:

1. Traffic. Has anyone from the city planning commission actually come to Woodmen Court and watched traffic for a reasonable period of time on several different days? Or, has the concept of a total of 600-800 more cars per day as a result of opening all exits and entrances only been seen from an aerial view on a plot map?

Our small street was built over 30 years ago when this area was sparsely populated, and it was never meant to handle this huge increase. Several new subdivisions 30 years later off of Woodmen Road have increased traffic significantly on Woodmen Road. Over those 30 years, the only way out of the area is just one main road, which has been only recently widened, but still not sufficient for additional increases in housing developments. Currently, our Woodmen Court may have as many as 30-40 car trips per day. One car at the stop sign on Woodmen Court and Woodmen Road can currently and occasionally take up to 3-4 minutes to get onto Woodmen Road. Let's add 600 cars to that per day. I foresee a traffic light to accommodate this kind of increase. I see that this as a safety issue because there's only one way out if all access is open. If there's a fire? We are all doomed. I totally understand the fire department argument that they want through streets for the safety of all. Why hasn't this been thought of before now? I have no problem with the Dusty Hills development, but to have them *and* Woodmen Oaks using our little street for access is insane. And to me, unacceptable. Ideally, I feel other options should be conceived and carried out as for traffic in and out of Dusty Hills, thus relieving the burden for all of us who built our custom homes on our Woodmen Court, with no idea that we would someday no longer be a "court" but a thoroughfare.

2. Home sizes, types of homes, and property values. At our recent neighborhood meeting, Mr. West presented an idea of making Dusty Hills a gated community. I totally support that! In addition, there should NOT be access into Dusty Hills from Woodmen Oaks. A gated community would be set up better for traffic control and speed. The homes would be custom and higher end, preserving our property values. I think this is an excellent idea! Traffic would also be considerably less on our Woodmen Court.

3. For security reasons, I support Dusty Hills as a gated community and a cul-de-sac, and *not* an open access into Woodmen Oaks.

4. I do not support the idea of taking down existing trees and plants close to the road on Woodmen Court. I do support the idea of keeping it the way it is.

5. I do support a low unobtrusive speed limit sign as you enter Woodmen Court from Dusty Hills, and as you enter Woodmen Court from Woodmen Road.

To sum it all up: Decrease our traffic on Woodmen Court! Our little street is NOT set up for a major thoroughfare of the proposed traffic increase, which is significant. This idea saddens me. In addition, please approve Dusty Hills as a gated community which will decrease traffic, add to our property values, and add to security, making our neighborhood as desirable as it is currently. I do not support opening up Woodmen Court into the Woodmen Oaks subdivision. I do support closing off Dusty Hills as a cul-de-sac. If possible, I would ideally and most happily support an additional entrance into Dusty Hills from Woodmen Road via Chapel Lane.

Thank you.
Sheila Parkin

Herington, Meggan

From: Candace Seaton <cseaton@quantumcommercial.com>
Sent: Wednesday, November 12, 2014 3:22 PM
To: Herington, Meggan; David Gorman (daveg@mvecivil.com)
Cc: whwest451@gmail.com; wrwest@msn.com; mwest@m-west-assoc.com; Beverly singleton; Bob Garner; Bryan Shannon; Candace Seaton; Cathy van Diemen; James Singleton; John and Alyce Fertig; John Morse; John Whitley; John Whitley; linda@lindaleitz.com; Make and Dawn Carnel; Mel and Sandy Downs; Mike Thomas; Ralph and Sheila Parkin; Rochelle Shannon; Rose Culley; Simon and June Jhon; Sue Thomas
Subject: FW: Dusty Hills Subdivision
Attachments: Woodmen Oaks Notes_1994 DP.PDF; Traffic study_Connect Woodmen Ct.pdf; Traffic Study_no connection of woodmen ct.pdf; Woodmen Oaks Notes.pdf

To All Whom this Concerns,

I am writing to say that we held a neighborhood meeting last Sunday evening in Woodmen Mesa with the Fire Marshall, Brett Lacey, his engineer, Steve Smith, and Bob and Mike West as well as Kevin Walker, the original developer of Woodmen Oaks and Woodmen Estates.

At that meeting the Fire Marshall as well as the West brothers agreed with us that our concerns regarding the everyday huge increase in traffic loads on our existing south end of Woodmen Court would be a safety concern from several perspectives, including the likelihood of someone being hit by a car as we have no sidewalks, the likelihood of teenagers who now race down Woodmen Road racing in our streets as well, and also the likelihood of potential theft increasing as now all of our neighborhoods could easily be driven by prospective thieves "casing" our homes. The decrease in lifestyle and home valuation with the loss of the country atmosphere all who live here built their custom homes for were also agreed upon.

Bob West came up with an idea at that meeting that all present liked and supported. He suggested Dusty Hills be made into a gated community, with just wooden gates at either end. These could be driven through in an emergency, but for everyday traffic, the residents of Dusty Hills would have a transponder on their windshields for entry and egress such as he has in his neighborhood in Denver. He said he would ask his home owners association the agreements they have in place for fire. All present liked the idea very much and felt it solved all issues on the table. Bob West and the Fire Marshall said they would speak up about this concept at the Planning Commission Meeting on the 20th which is for annexation, not final approval of the concept plan.

I support this idea fully and believe the residents of Woodmen Mesa do as well as they voiced on Sunday night.

Candace Seaton

Candace Seaton

Senior Broker Associate Retail & Investments
Quantum Commercial Group
101 N Cascade Avenue, Suite 200
Colorado Springs, CO 80903
Direct: 719.228.3624 Cell: 719.332.0233
cseaton@quantumcommercial.com
www.quantumcommercial.com
Commercial Real Estate Solutions



From: Herington, Meggan [<mailto:mherington@springsgov.com>]
Sent: Wednesday, November 12, 2014 12:27 PM
To: Bob Garner
Cc: Candace Seaton
Subject: RE: Dusty Hills Subdivision

The two documents titled Woodmen Oaks Notes are copies of the files from 1994 when that approval went forward. I also attached the two recent traffic studies that were done with Dusty Hills. These are all of the notes I found in the woodmen oaks files.

From: Bob Garner [<mailto:garner@highlandcommercial.com>]
Sent: Wednesday, November 12, 2014 12:17 PM
To: Herington, Meggan
Cc: Candy Seaton (cseaton@quantumcommercial.com)
Subject: RE: Dusty Hills Subdivision

Meggan,

Dave Gorman said in our Sunday meeting you were instrumental in digging up the historical record that shows the promise of a road connection between the 2 subdivisions.

Please send that document to us.

Regards

Bob Garner
Principal, Commercial Broker
garner@highlandcommercial.com

NAI Highland, LLC
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Colorado Springs, CO 80903
www.highlandcommercial.com

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Mobile +1 719 650 1333
Main +1 719 577 0044
Fax +1 719 577 0048



From: Herington, Meggan [<mailto:mherington@springsgov.com>]
Sent: Wednesday, November 12, 2014 7:35 AM
To: David Gorman; 'Candace Seaton'; Gordon Mohrman (gwmohrman@comcast.net); Nancy Engel (nkengel@yahoo.com)
Cc: 'Beverly singleton'; Bob Garner; mmg514@yahoo.com; markhuff80919@gmail.com; mhsports2000@aol.com; jslenk@gmail.com; 'Bryan Shannon'; 'Cathy van Diemen'; 'James Singleton'; 'John and Alyce Fertig'; 'John Morse'; 'John Whitley'; 'John Whitley'; 'Lizzie Leitz'; 'Make and Dawn Carnel'; 'Mel and Sandy Downs'; 'Mike Thomas'; 'Ralph and Sheila Parkin'; 'Rochelle Shannon'; 'Rose Culley'; 'Simon and June Jhon'; 'Sue Thomas'
Subject: RE: Dusty Hills Subdivision

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Thank You, Meggan

*Meggan Herington, AICP
Principal Planner - Northeast Team
City of Colorado Springs
Land Use Review Division
719-385-5083*

Herrington, Meggan

From: Bob Garner <garner@highlandcommercial.com>
Sent: Wednesday, November 12, 2014 1:46 PM
To: Herrington, Meggan
Cc: Candy Seaton (cseaton@quantumcommercial.com)
Subject: Subdivision

Frank, Have Kathy cut and paste in her email and send to mherrington@springsgov.com

Dear Ms. Herrington:

We live at 7630 Winding Oaks Drive, in the Woodmen Oaks Estates neighborhood. We have been made aware of the new proposed Duty Hills Subdivision.

I am writing you to oppose the connection of the road between our subdivision and the Dusty Hills subdivision. We do not want to have the additional traffic come through our neighborhood that will result from having a circuitous route through our subdivision.

Bob Garner

Principal, Commercial Broker
garner@highlandcommercial.com

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Fax +1 719 577 0048



Herington, Meggan

From: Bob Garner <garner@highlandcommercial.com>
Sent: Monday, November 10, 2014 9:02 AM
To: Lacey, Brett; Herington, Meggan; Krager, Kathleen
Cc: Candy Seaton (cseaton@quantumcommercial.com)
Subject: Dusty Hills

Brett,

I would like to thank you and Steve for taking time out of your Sunday evening to discuss our neighborhood concerns about the Dusty Hills proposed development. Our position all through the process has been to work with common sense solutions that accommodate the needs of all concerned. As you heard, Fire has been the most problematic issue to overcome. When Concept 2 was approved by Fire, we, as a neighborhood and the developer, were pleased that we had arrived at the common sense solution. The Concept 1 design created a situation whereby Fire could be accommodated more but only on a "black swan" basis and without a quantifiable value. Concept 1 detrimentally impacts Wood Mesa on a daily, consistent and quantifiable basis regarding safety.

I appreciate your input and insight and look forward to a mutually agreeable solution.

Bob Garner

Principal, Commercial Broker
garner@highlandcommercial.com

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Fax +1 719 577 0048



Herrington, Meggan

From: Bob Garner <garner@highlandcommercial.com>
Sent: Friday, November 07, 2014 3:34 PM
To: Steve Bach
Cc: David Gorman; Candace Seaton; Herrington, Meggan
Subject: RE: Dusty Hills Subdivision
Attachments: Dusty Hills Resubmittal Drawings.pdf; Dusty Hills Resubmittal.pdf

Steve,

Thanks for your input and concern about this issue.

The issue is how Fire had approved a concept plan (Dusty Hills, see attached) that is a new subdivision adjacent to our subdivision (Woodmen Mesa).

The original plan was not acceptable to Woodmen Mesa and we, as a neighborhood, worked with the developer, traffic (Kathleen Krager) and planning (Meggan Herrington) to arrive at an acceptable design that worked with all parties.

The plan was approved by planning with input and considerations by Fire.

All was good and were looking forward to an uneventful hearing at Planning on 11/20.

We just got the news today that Fire had changed their mind and will not approve what they had approved.

Needless to say, it seems unprofessional and unacceptable how Fire has addressed this situation.

Again,

Thanks for your interest in this situation.

Please call with further questions.

Bob Garner

Principal, Commercial Broker
garner@highlandcommercial.com

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Fax +1 719 577 0048



From: Steve Bach [mailto:stephenbach@comcast.net]
Sent: Friday, November 7, 2014 3:09 PM

To: Bob Garner
Cc: David Gorman; Candace Seaton; Meggan Herington (mherington@springsgov.com)
Subject: Re: Dusty Hills Subdivision

Bob, Pls call me (258.0442).

Sent from my iPhone

On Nov 7, 2014, at 1:05 PM, Bob Garner <garner@highlandcommercial.com> wrote:

Steve,

Can you call me about this.

This is another instance of Fire we have discussed.

As you know, I would not bother you with such an issue if it were not important.

Bob Garner

Principal, Commercial Broker
garner@highlandcommercial.com

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Colorado Springs, CO 80903
www.highlandcommercial.com

Direct +1 719 667 6866

Mobile +1 719 650 1333

Main +1 719 577 0044

Fax +1 719 577 0048

<image001.jpg>

From: David Gorman [<mailto:daveg@mvecivil.com>]

Sent: Friday, November 7, 2014 12:31 PM

To: 'Candace Seaton'

Cc: 'Beverly singleton'; Bob Garner; mmg514@yahoo.com; markhuff80919@gmail.com; mhsports2000@aol.com; jslenk@gmail.com; 'Bryan Shannon'; 'Herington, Meggan'; 'Cathy van Diemen'; 'James Singleton'; 'John and Alyce Fertig'; 'John Morse'; 'John Whitley'; 'John Whitley'; 'Lizzie Leitz'; 'Make and Dawn Carnel'; 'Mel and Sandy Downs'; 'Mike Thomas'; 'Ralph and Sheila Parkin'; 'Rochelle Shannon'; 'Rose Culley'; 'Simon and June Jhon'; 'Sue Thomas'; 'Chuck C. Crum (MVE)'; Michael W. West; William West; ROBERT WEST

Subject: RE: Dusty Hills Subdivision

Candace,

As you know, Dusty Hills revised the Concept Plan for the development to eliminate the Woodmen Court connection at the Dusty Hills northern boundary with the prior acceptance of both City Traffic Engineering Department and Colorado Springs Fire Department. We recently received the surprising and disappointing news that the Fire Department has changed their position and is now requiring the road connection. We are revising the Concept Plan to show the connection in order to comply with the Fire Department requirements.

The Wests' intentions were to respond to the expressed neighborhood concerns regarding the road connection. We hope you understand that we would not have presented the no-connection plan without prior consent of the City Departments. The position of the Fire Department seems to be a Public Safety issue and our conversations with them indicate that they are resolute on the point. We are informing you of this condition as soon as possible after meeting with Fire Department staff. We are still looking forward to being heard at Planning Commission as scheduled on November 20 with the revised plan. Meggan Herington may contact you with further information.

Dave

David R. Gorman, P.E.
M.V.E., Inc.
1903 Lelaray Street, Suite 200
Colorado Springs, CO 80909
Ph 719.635.5736
Fx 719.635.5450
www.mvecivil.com

From: Candace Seaton [<mailto:cseaton@quantumcommercial.com>]
Sent: Thursday, October 30, 2014 11:35 AM
To: Herington, Meggan; jslenk@gmail.com; mhsports2000@aol.com; markhuff80919@gmail.com; mmg514@yahoo.com
Cc: David Gorman (daveg@mvecivil.com); Beverly singleton; Bob Garner; Bryan Shannon; Cathy van Diemen; James Singleton; John and Alyce Fertig; John Morse; John Whitley; John Whitley; Lizzie Leitz; Make and Dawn Carnel; Mel and Sandy Downs; Mike Thomas; Ralph and Sheila Parkin; Rochelle Shannon; Rose Culley; Simon and June Jhon; Sue Thomas
Subject: RE: Dusty Hills Subdivision

Meggan,

Thank you very much for keeping us up to date. I do hope more neighbors take the time out of their busy day to express the thoughts agreed to at our last neighborhood meeting this month. I know you have no control over the HOA established for Dusty Hills, but the sentiment ran strong at that meeting that the current owners should live up to their promises at two neighborhood meetings of writing them and at the minimum having the same standards as currently exist in Woodmen Hills and Woodmen Oaks.

I so appreciate your having made yourself so available to all of us. You set a great example for City Planners.

Best,
Candace

Candace Seaton
Senior Broker Associate Retail & Investments
Quantum Commercial Group
101 N Cascade Avenue, Suite 200
Colorado Springs, CO 80903
Direct: 719.228.3624 Cell: 719.332.0233
cseaton@quantumcommercial.com
www.quantumcommercial.com
Commercial Real Estate Solutions

<image004.jpg>

From: Herington, Meggan [<mailto:mherington@springsgov.com>]

Sent: Thursday, October 30, 2014 11:01 AM

To: Candace Seaton; jslenk@gmail.com; mhsports2000@aol.com; markhuff80919@gmail.com; mmg514@yahoo.com

Cc: David Gorman (daveg@mvecivil.com); Beverly singleton; Bob Garner; Bryan Shannon; Cathy van Diemen; James Singleton; John and Alyce Fertig; John Morse; John Whitley; John Whitley; Lizzie Leitz; Make and Dawn Carnel; Mel and Sandy Downs; Mike Thomas; Ralph and Sheila Parkin; Rochelle Shannon; Rose Culley; Simon and June Jhon; Sue Thomas

Subject: RE: Dusty Hills Subdivision

All, this is just a reminder that this project is being prepared to go before the City Planning Commission on November 20, 2014. I'm preparing a staff report that includes neighbor comments that I have received since the redesign of the project (re-design as now showing the cul-de-sac and not a thru-street). I've attached the current plan as a reminder of what is moving forward.

If you would like to provide any additional written comments to the City Planning Commission, please provide those to me via email by November 4th. Any comments I receive after the 4th can be distributed the day of the hearing.

Thank You, Meggan

*Meggan Herington, AICP
Principal Planner - Northeast Team
City of Colorado Springs
Land Use Review Division
719-385-5083*

From: Candace Seaton [<mailto:cseaton@quantumcommercial.com>]

Sent: Wednesday, October 15, 2014 9:46 AM

To: Herington, Meggan

Cc: David Gorman (daveg@mvecivil.com); Beverly singleton; Bob Garner; Bryan Shannon; Candace Seaton; Cathy van Diemen; James Singleton; John and Alyce Fertig; John Morse; John Whitley; John Whitley; Lizzie Leitz; Make and Dawn Carnel; Mel and Sandy Downs; Mike Thomas; Ralph and Sheila Parkin; Rochelle Shannon; Rose Culley; Simon and June Jhon; Sue Thomas

Subject: Dusty Hills Subdivision

Hi Meggan and Dave,

First of all I would like to say how much we appreciate the City and the owners for listening to our concerns and making changes that will ultimately be for the betterment of the new and existing neighborhoods. One of our greatest concerns along with the preservation of original habitat for the abundant wildlife and thus a country like environment is of course, security. Being a low crime area, we are very much entrenched in how to keep it that way as I'm sure the West's are. We look forward to continuing to be neighbors in this very special neighborhood.

One concern is that at both Neighborhood Meetings,(February for Woodmen Oaks and August 5th for us) the West's and Dave Gorman promised to complete an HOA for the homes of Dusty Hills in line with existing HOAs in Woodmen Oaks and Woodmen Mesa. They have copies of CC&Rs for both neighborhoods. We would like to see these new CC&Rs fully written and the HOA established and recorded before the new zoning change and annexation to the City of Colorado Springs. There will be a pedestrian walk for interconnecting Woodmen Oaks and Woodmen Estates, and of course the street will go through to the southern existing portion of Woodmen Court, so we truly feel that all the neighborhoods would benefit from having the same building requirements etc. The excelling use of foot power and bicycles will clearly serve to also connect all of these neighborhoods in the future even more so than today. We think the new neighbors in Dusty Hills will appreciate having similar homes to those already in the area and will appreciate the sense of community that will bring. We understand that the City cannot enforce this request, but as it has been promised twice, we feel very strongly that in order to continue a relationship of trust and respect, this promise absolutely needs to be fulfilled prior to the project receiving approval of zoning change and annexation.

My best,

Candace Seaton

Candace Seaton

Senior Broker Associate Retail & Investments
Quantum Commercial Group
101 N Cascade Avenue, Suite 200
Colorado Springs, CO 80903
Direct: 719.228.3624 Cell: 719.332.0233
cseaton@quantumcommercial.com
www.quantumcommercial.com
Commercial Real Estate Solutions

<image004.jpg>

Candace Seaton

From: Jane Slenk <jslenk@gmail.com>
Sent: Monday, November 17, 2014 3:00 PM
To: Candace Seaton
Subject: Dusty Hills Project; street joining the two Woodman Courts

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Candace,
Could you please present this to the Planning Commission for me?

The number one concern of all parties involved -- Woodman Mesa, Dusty Hills, and Woodman Oaks (WO) -- is SAFETY. There are also concerns about congestion, noise, and joy riding or dragging the circle between the two Woodman exits.

WO families, as well as Dusty Hills families, need to have the two Woodman Courts joined to make a through-way in case of emergency.

That said, mindlessly joining the two Woodman Courts without consideration of the SAFETY of the families who live in the three areas (Mesa, Dusty Hill, WO) could be fatal.

We all have a number of little children in our areas. More traffic, faster traffic, more intense traffic (as in talking on a cell phone while rushing to work) constitutes a danger for every home along the streets involved. Making the Woodman courts a through-way would constitute a needless danger for every person who lives in these areas.

- The danger of drag-racing and joy-riding the circle which would be created by making a through-way concerns some of our families
- The danger of unwanted "visitors" bringing crime to our neighborhoods, and the resultant increase in the use of weapons, concerns many of our families.
- The danger of one of our *many little children* who stray into the streets is increased, hideous.
- In addition, the danger of hitting one of our "old folks" who "hike" these streets is increased, as well as the many folks who run the Margarita hill for exercise.
- Undoubtedly, traffic from WO will pour onto the through-way.
- Likewise, traffic from the northern third of Dusty Hills will pour into Woodman Oaks (it will be faster, less congested for those folks living there to use WO streets).

In light of the need for an emergency exit for families living in both Dusty Hills and Woodman Oaks areas, and in light of the very real inherent dangers of making a through-way through Dusty Hills . . .

. . . very simply, the best solution would be appear to be to have a locked wooden gate with, say, 3 homes on either side having transponders with the responsibility to open the unlock in case of emergency. The 3 associations could bear the cost. (Alternatively, since the gate would be wood most cars could blast through it in case of emergency.)

Note that no one is looking for a "locked community." We are simply looking for a practical solution to keep our communities safe.

Jane Slenkovich

Candace Seaton

From: Candace Seaton
Sent: Friday, November 14, 2014 1:13 PM
To: Candace Seaton
Subject: Fwd: Dusty Hills
Attachments: image001.png; image002.jpg

Candace Seaton
Senior Broker Associate
Quantum Commercial Group

719.228.3624 Direct
719.332.0233 Mobile/MMS

Begin forwarded message:

From: "Lacey, Brett" <BLacey@springsgov.com>
Date: November 12, 2014 at 3:06:29 PM MST
To: Bob Garner <garner@highlandcommercial.com>, "Herington, Meggan" <mherington@springsgov.com>, "Krager, Kathleen" <kkrager@springsgov.com>
Cc: "Candy Seaton (cseaton@quantumcommercial.com)" <cseaton@quantumcommercial.com>, "Smith, Steven D. (CSFD)" <sdsmith@springsgov.com>, "Riley, Christopher" <criley@springsgov.com>
Subject: RE: Dusty Hills

Bob,
I apologize for the delay in getting this back to you. Your email was trapped in SPAM.... And I just got it out.

Thank you and Candice (I hope I spelled her name right) for hosting the meeting. It was a wonderful turnout and you have a great group of neighbors.

I certainly appreciate your concerns as they are valid, however, I cannot in good conscience omit the ever present risk to wildfire and evacuation/egress needs for all of our citizens who reside in the Wildland Urban Interface. As I echoed, I have no problem expressing my support for your neighborhood's concerns regarding pedestrian safety and traffic flow. But as the fire marshal, it is also important that I share our department's professional position on fire safety issues during public discussion and input.

Again, we are not requiring anything. We are simply making a professional recommendation based on our knowledge and expertise in fire safety issues.

→ We are continuing to work on this issue and I think the idea that Mr. West had regarding a gated community has some very significant potential and merit for solving both our concerns. We will keep you and your neighborhood informed of any progress we achieve. Thank you again for the opportunity to continue dialoging with you and your group.

Respectfully,

Herington, Meggan

From: Nancy Engel <nkengel@yahoo.com>
Sent: Tuesday, November 18, 2014 5:35 PM
To: Herington, Meggan; Mike McTigue; Mike Hergott; Jane Slenk; Maureen Juran
Subject: Dusty Hills neighborhood connection

Hi Meggan,

Thank you so much for keeping us informed on the process for the Dusty Hills neighborhood planning. Unfortunately, I am unable to attend the Thursday morning meeting as I have just started a new job and cannot take the time off.

I have been reading, with interest, the comments about whether Woodmen Court should go through or become a cul-de-sac. I live in the Woodmen Oaks side of that debate. I believe it is in the best interest of everyone for the road to be a through road. When I bought my lot back in 1996 I was told that the fire marshal at the time required that the road go through some day for fire safety reasons. It would give our neighborhood a second egress, as now there is only one exit. In the event of a fire, it may be very beneficial and even save lives to have two options, especially if the fire is blocking one of the exits.

Not only fire, but other events could make a second egress necessary. What if a water main breaks through the street, or a car accident occurs that blocks a street temporarily? There are many scenarios that can be imagined where a second exit would be necessary, or at least helpful to law enforcement or maintenance workers.

One of the comments I read stated that the egress from Woodmen Mesa has poor visibility and is a hazard. I wouldn't think people in Woodmen Oaks would go out that way often, so there would be little additional traffic to the Woodmen Mesa roads. I imagine most people would continue to exit as they always have. I do not imagine there is much, if any, time savings to either route and if visibility is poor from the Woodmen Mesa exit, they may choose to come through our neighborhood to exit.

I have a problem with the gate idea. What if someone looking for an address at night is driving without paying enough attention ahead and hits the gate? Who is liable for that? Who controls the gate and when and if it opens?

Finally, I think a gate idea just seems unfriendly. Who wants to move into a neighborhood with a gate in the middle of it? Which side is the haves and which the have-nots? Who is trying to keep out who? I imagine prospective buyers would ask these questions and be reluctant to purchase in either neighborhood. We don't want our property values to decrease just to keep a few cars out.

These are not large neighborhoods. Woodmen Oaks has 65 total homes with many of those fairly far from the area in question. Woodmen Oaks Estates adds an additional 12 homes. Woodmen Mesa likely has about 20 homes. The new neighborhood adds 23 homes. We aren't talking a whole lot of traffic anyway.

I feel the safety of having a second egress from all neighborhoods far outweighs the traffic issue and kindly request that the area be designed with a through road.

Respectfully,

Nancy Engel

Herington, Meggan

From: trinity.peaks.inv@gmail.com on behalf of Jeffrey Johnson <jeffreyjohnson@remax.net>
Sent: Wednesday, November 19, 2014 4:44 PM
To: Herington, Meggan
Subject: Hi Meggan... Concerns in regards to Dusty Hills subdivision

Hi Meggan,

I was told that you were the contact person. I cannot make it to the meeting tomorrow morning. But I have serious concerns about connecting the 2 subdivisions.

Aside from what it will do to property values, my main concern is the safety of my kids. I live on 7330 Winding Oaks Dr. My children range from 18 months to 16yrs old. My kids ride their bikes on the sidewalk all the time. I'm obviously not worried about my 16yr old, but my younger kids 1.5, 5,6, and 9 years old. Sure we tell them to stay on the sidewalk, and they do for the most part. But my little 5 year old girl has crashed going down the hill and fallen into the street, and my oblivious 6 year old son has not paid attention while going down our driveway and gone into the street.

Even with the limited traffic we already have people speed over the hill and our driveway is just over the top of the hill. Our neighbors dog was run over and killed recently because somebody was going to fast down this street. The # of cars using Winding Oaks will increase drastically if they connect because it is the more direct route to Woodmen Rd. It's going to become a highway in front of my house and that's not what we signed up for when we bought and I'm genuinely worried for my children's safety even more so since our neighbor's dog was killed.

I know that no one in this subdivision wants these roads to connect. If we do have to do that then we need to put one speed bump at the top of the hill so people don't fly down doing 40mph in a 25. We've already addressed this through the HOA and have gotten nowhere with it.

Please confirm that you received this and let me know your thoughts.

Jeff Johnson
RE/MAX Real Estate Group
215 W Rockrimmon
Colorado Springs, CO 80919
jeffjohnsonworks.com
Direct (719) 930-5169

Check out what others thought of my service..... [My Reviews.....](#)

noise wall and construction methods that reduce noise levels within the structures. **Response:** The existing topographic conditions of the site, coupled with requirements of the Hillside Overlay zone prevent the effective use a noise wall on the site. The majority of the proposed lots are elevated well above the top of any reasonably sized wall and the presence of significant drainages along the eastern boundary would require breaks in any constructed wall. These conditions severely reduce the effectiveness of a noise wall, which would constitute funds not well spent. However, proposed Tract B is a 50' Railroad Buffer and will contain additional tree plantings as mitigation.

5. *Please note that Type 5 ramp curb is preferable to Type 2 ramp curb.* **Response:** The Typical Street sections have been revised to indicate Type 5 curb.

Traffic

Annexation Plat -

Language will be added to the annexation agreement with the resubmittal. **Response:** Comment noted.

Concept Plan –

The traffic division has reviewed the Traffic Impact and Access Analysis for Dusty Hills, LSC, Inc., June 10, 2014 and find it to be in conformance with the City Traffic Impact Study Standards. The development will generate additional traffic on Woodmen Court, but the projected traffic volumes are within the recommended volumes of a local residential street. Cut-through, or non-site specific traffic is not expected to use this route because of the circuitous nature of the street system. The developer should work with the Woodmen Court neighbors to install City-approved traffic calming techniques that will encourage appropriate operating speeds. **Response:** A change in the plan layout has eliminated the connection of Woodmen Court in coordination with City Planning, Traffic and Fire Department staff. A revised Traffic Impact and Access Analysis is provided with this resubmittal.

Fire

Annexation –

This annexation will be required to provide compensation for future fire suppression resources, which may not be directly brought upon by this specific annexation, but future annexations that will require these resources. **Response:** Expected compensation should be communicated to the property owner and any agreed upon compensation contained in the Annexation Agreement.

Zoning and Concept Plan -

No comments on the drawing as shown.

Woodmen Oaks
 City Planning Commission Meeting
 December 9, 1993

Secondary Access Issue

1. Distance From Woodmen Oaks Dr.
 - On Woodmen Oaks - 2800'
 - On Woodmen Court - 2700'
 - Difference - 100'
2. Woodmen Ct. is 36' pavement mat
3. 39 lots in Current Woodmen Oaks plan will save 100' if using Woodmen Ct.
 Have to make at least one turn
4. Average Daily Traffic on Woodmen Ct. would project as:

	ADT	AM Peak	PM Peak
13 lots on Woodmen Ct.	135	8	9
13 lots on Woodmen Mesa	135	8	9
25 lots on West Property	258	15	18
TOTAL	528	31	35
Add 38 Woodmen Oaks lots @ 100%	403	23	27
TOTAL	931	54	62

Woodmen Oaks at worst case would cause 76% increase in traffic but still below capacity

PRO's

- Fire Safety Increased
- Does not overload Woodmen Ct.
- Can be designed to minimize traffic
- City wants it

CONS

- Sense of neighborhood reduced
- Emergency access available
- Long Cul-de-sac increases sense of security
- Not necessary for road capacity
- Neighborhood is opposed

Recommendation: Develop alternative concepts for access through West property with neighborhoods that can employ restricted access, indirect access, etc.



Exhibit: B
Items: 5.A-5.C

CPC Meeting: November 20, 2014

Commissioner Hjelkrem asked Mr. Colvin, City Attorney, if he is in agreement with the request to refer this item back to Development Services. He said he was in agreement as this needed to be reviewed under the criteria of the PUD ordinance.

It was moved by Commissioner Gruen, seconded by Commissioner Esmiol, that this item be referred back to Development Services for additional review.

The motion passed unanimously.

ITEMS 19, 20, 21 AND 22 WERE DISCUSSED TOGETHER.

19. CPC A 93-293

Request by Tudor Land Company, Inc. and Frederick T. and Audrey J. Kiley for approval of the annexation of Woodmen Valley Addition No. 3, consisting of 121.56 acres located northwest of Woodmen Road and the Denver and Rio Grande Western Railway

20. CPC MP 93-298

Request by Kevin J. Walker and Associates for El Paso County Retirement Plan, on behalf of Tudor Land Company, for approval of the Woodmen Oaks Master Plan, consisting of 113.85 acres located northwest of Woodmen Road and Woodmen Court.

21. CPC P 93-299

Request by Kevin J. Walker and Associates for El Paso County Retirement Plan, on behalf of Tudor Land Company, for approval of the establishment of R(HS/DFOZ) (Single Family Residential with Hillside and Design Flexibility Overlays) zone, consisting of 113.85 acres located northwest of Woodmen Road and Woodmen Court.

22. CPC DP 93-299-A1

Request by Kevin J. Walker and Associates for El Paso County Retirement Plan, on behalf of Tudor Land Company, for approval of a development plan for Woodmen Oaks, consisting of 113.85 acres located northwest of Woodmen Road and Woodmen Court.

Dave Litzelman, Development Services Division, began his review of this item by stating that this is an annexation of 121 acres and development plan of 113 acres, the difference between the annexed property and development plan is the railroad property. There are three parties in the annexation, two of which have agreed to the annexation and they have agreed to bring in the railroad as well. Most of the development cannot be viewed from Woodmen Road. The site has incredible topography with rock outcroppings. There is a ridge that will be open space or preservation area, and all the significant geological features will be preserved. The one issue that remains to be discussed is the contribution to the improvements to Woodmen Road, and the applicant has agreed to contribute. Mr. Litzelman states that the traffic generated by the project will not overburden Woodmen Road when it is improved. Another issue is that Woodmen Court extends and dead ends into property owned by the West family, which is undeveloped property. Bob West does not have any plans to develop his property. Mr. Litzelman is concerned that Woodmen Court should connect through the West Property when it is developed and provisions in the plan should be made to connect to Woodmen Court. Mr. Litzelman then commented on the list of changes recommended by the City on Page 142 of the Agenda. He would like to remove the second change, "Combine Lots 1 and 2 on the Kiley property into one lot," as he misread the map. He does not feel the lots create a problem visually.

Speaking for:

Kevin Walker, representing the myriad of people involved in the four proposals, began by saying that they are in support of the Planning Commission's recommendations. The Tudor Land Company owns approximately 103 acres in the northern portion of the property, Frederick and Audrey Kiley own 10 acres that extend to Woodmen Road from the section line, and the El Paso County Retirement Plan is the contract purchaser for the 103 acre Tudor parcel, and approximately 5 acres of the Kiley parcel, and everything west of the proposed road. Mr. Walker stated that one of the reasons for annexation is water, wastewater and efficient delivery of municipal services, i.e., police and fire. For land use, the surrounding area is single-family development, and they feel their request is consistent. The majority of the lots have some preservation area.

They did a traffic survey and feel there will not be an overload on Woodmen Road if it were to be expanded and they agree to pay their fair share of that. He stated that it has recently been decided that it will be a three-lane road. Utilities were all acceptable, and the water system will be enhanced for the Woodmen Valley District by providing a location to loop the water main. The ordinances and building requirements by the Fire Department work very well for this particular site, but they still have some concerns about secondary access. The development would not be overloading Woodmen Court in terms of its capacity to carry. Mr. Walker suggested that they could continue to work with the Fire Department.

Mr. Walker stated that they received a letter requesting removal of the DFOZ zone from the area to the south of the ridgeline, where no hillside characteristics are exhibited, and they are amiable to that request. They agree with all the changes recommended by the City on Page 142 of the Agenda.

Commissioner Hjelkrem asked Mr. Walker what plans he has for the safety of people crossing the railroad track to get close to the creek and/or a future City park. Mr. Walker said they will build a barrier so that children cannot get on the railroad tracks. Commissioner Hjelkrem then asked how common areas will be maintained and Mr. Walker responded that there will be a homeowners association. Commissioner Hjelkrem also asked if there will be fire access to Hidden Valley. Mr. Walker stated that they will provide access.

Opposed:

Linda Leitz, a resident of Woodmen Court, recently bought their home there and just found out about this development. They thought they were buying on a cul de sac and now find out it has been proposed to be a major thoroughfare. She is requesting a continuance as they have contacted professional council to help them find options, and the council has not had time to do any research yet. Her concerns include the density in some of the specific lots and how it is going to change the overall neighborhood in terms of general setting and wildlife. She and her husband bought their house because they liked the fact that they have deer come into their backyard.

Robert West told the Commission that his family owns the 27 1/2 acres that lie directly to the south of the proposed Woodmen Oaks development. They have been in the area for over 30 years. While he hates to see the development go in, he feels it is inevitable. He feels this development could be far worse and Mr. Walker should be commended for his plan. He stated that the report in the agenda inaccurately implies that Woodmen Court is to be extended now as part of the Woodmen Oaks development. This should be amended in the agenda and any development plans. The requirement as it stands today is to provide a stub access off the southeastern edge of the Woodmen Oaks property. Mr. West also went on record to state that his family is looking at the pros and cons of voluntary annexation at this time but have no short term plans for development of their property, but this is not to say they will never develop their property. They have no objections to emergency access through their property in the event of fire. They do object to any current plan for physical extension of Woodmen Court through their property to connect to the Woodmen Oaks development.

Commissioner Bradley asked that it be put into the record that Mr. West will not be responsible for extending Woodmen Court until the time when his property is annexed into the City.

Mr. West went on to say that other concerns he has addressed with Mr. Walker and Mr. Litzelman are first, concerns about effects on their water table, and he wants to go on record to say he will be closely monitoring their water supply situation. Second, they are concerned about trespassing with public access to their property, and they do not want to be unofficially designated a City park. He feels also that there will be an impact of wildlife coming on his property, and he is willing to accept the wildlife for refuge. Mr. West wished that the Colorado Springs Fire Department would have contacted him personally about secondary access, which would have caused less confusion about the discussion of extending Woodmen Court or have fire access go back to Woodmen Oaks.

Frederica Atkinson, residing at 15 Woodmen Court, will be directly facing the new strip of 8 houses up to the subdivision. She shows concern about overcrowded schools and the impact on the wildlife. She also feels that the lots will be too small to blend in with the surrounding area.

B. Leitz expressed his concern about the impact on the wildlife situation.

Cliff Potter, residing at 55 Woodmen Court, stated his concerns about the danger of children getting to their schools due to the current volume of traffic on Woodmen Road. He is also concerned about the overcrowding in the schools. He feels they should have the services of schools and roads first before a developer creates more of a problem.

John Quest, residing at 150 E. Woodmen, stated that his access is directly onto Woodmen Road and is concerned about the traffic problems on Woodmen. He would like to get the improvements for Woodmen Road from the developer up front.

Rebuttal:

Mr. Walker responded to the school situation by stating that the Woodmen Roberts School is not overcrowded. He feels the problems the schools are facing are not related strictly to single homes or subdivisions being constructed, but other complex issues. Mr. Walker also stated that there is no proposal to construct Woodmen Court on Mr. West's property. Regarding the wildlife issue, Mr. Walker feels his plan will do a better job of maintaining habitat for wildlife than other subdivisions with the same number of lots. They will have 37 acres that will not have any fencing or disturbance. The traffic problem on Woodmen Road, according to Mr. Walker, is speeding and not congestion. He would also like to have his investment in Woodmen Road used immediately in order to improve it. Mr. Walker does not foresee any water problem from the development to Mr. West's water supply.

Commissioner Hjelkrem asked Larry Lane, Traffic Engineering, about the time frame for improving Woodmen Road. Mr. Lane explained the funding process and went on to say that they need to get on to this project. Commissioner Bradley asked Mr. Lane at what capacity Woodmen Road is at now, and Mr. Lane answered 65%-70% capacity.

Dave Linebaugh, Fire Department, clarified that at this point, they are not requiring that a secondary access be built nor are they requiring Mr. West to come up with a street design.

Item 19 - CPC A 93-293 - Annexation

It was moved by Commissioner Hjelkrem, seconded by Commissioner Jones, to approve the annexation request for Woodmen Valley Addition No. 3.

A discussion between the Commissioners ensued regarding adding a time frame in the motion as to when the improvements to Woodmen Road will be done. Commissioner Hjelkrem stated that he is leaving this

open in his motion because of the participation between the City and the developer has agreed on, and he feels it is inappropriate to add this requirement.

Commissioner Gruen is voting in favor of this motion as he feels the justification of this proposal is substantial and compelling.

The motion passed unanimously.

Item 20 - CPC MP 93-298 - Master Plan

It was moved by Commissioner Hjelkrem, seconded by Commissioner Jones, for approval of the Woodmen Oaks Master Plan.

The motion passed unanimously.

Item 21 - CPC P 93-299 - Zone Change

It was moved by Commissioner Hjelkrem, seconded by Commissioner Jones, for approval of the establishment of R(HS/DFOZ) (Single Family Residential with Hillside and Design Flexibility Overlays) zone.

The motion passed unanimously.

Item 22 - CPC DP 93-299A1 - Development Plan

It was moved by Commissioner Hjelkrem, seconded by Commissioner Jones for approval of the development plan for Woodmen Oaks, have the development plan approved administratively, and with the following changes:

- 1. Show Woodmen Court connecting to Woodmen Oaks Drive as a possibility for planning in the future.**
- 2. Rearrange Lots 7 and 8 on the Tudor property so they access a dedicated City street.**
- 3. Make the 20' easement at the end of Woodmen Oaks Drive and combine utility and emergency access easement and extend the sewer line to the west edge of the property.**
- 4. Show the location and design of the noise barrier adjacent to the railroad.**
- 5. Resolve the issues with Traffic and Engineering concerning road alignments, drainage and street sections.**
- 6. Show the easement for the buried electric line.**

Commissioner Hjelkrem commented that the plan as presented is the best of all possible worlds in connection with preserving wildlife and the quality of life in that area. Regarding schools, Commissioner Hjelkrem thinks School District 20 should support the voucher system which will help with the overcrowding of schools. He is concerned about the fire situation but hopes it will take care of itself down the road.

Commissioner Friesen will be voting against the motion as he feels strongly about proceeding with the project and not having the road in place. He is also disappointed that there is not more transition in lot size from the R Estate to the west as it moves eastward into this development. He feels it is too abrupt of a line from large lots immediately to small lots.

Commissioner Gruen feels the El Paso County Retirement Plan should be commended in the investment they have made in this community.

The motion passed 7-1 (Commissioner Friesen opposing).

ITEMS 23 AND 24 WERE POSTPONED INDEFINITELY.

ITEM 19. CPC A 93-293 - Litzelman - Legislative

Request by Tudor Land Company, Inc. and Frederick T. and Audrey J. Kiley for approval of the annexation of Woodmen Valley Addition No. 3, consisting of 121.56 acres located northwest of Woodmen Road and the Denver and Rio Grande Western Railway

ITEM 20. CPC MP 93-298 - Litzelman - Legislative

Request by Kevin J. Walker and Associates for El Paso County Retirement Plan, on behalf of Tudor Land Company, for approval of the Woodmen Oaks Master Plan, consisting of 113.85 acres located northwest of Woodmen Road and Woodmen Court.

ITEM 21. CPC P 93-299 - Litzelman - Quasi-Judicial

Request by Kevin J. Walker and Associates for El Paso County Retirement Plan, on behalf of Tudor Land Company, for approval of the establishment of R(HS/DFOZ) (Single Family Residential with Hillside and Design Flexibility Overlays) zone, consisting of 113.85 acres located northwest of Woodmen Road and Woodmen Court.

ITEM 22. ~~CPC DP 93-298-A1 - Litzelman - Quasi-Judicial~~

Request by Kevin J. Walker and Associates for El Paso County Retirement Plan, on behalf of Tudor Land Company, for approval of a development plan for Woodmen Oaks, consisting of 113.85 acres located northwest of Woodmen Road and Woodmen Court.

SITUATION AND FACTS:

Existing Zoning/Land Use - R-2 El Paso County/One house; Remainder Vacant

Surrounding Zoning/Land Use - North - County/Residential
South - PUD (Planned Unit Development)/Residential
East - PUD (Planned Unit Development) and A
(Agriculture)/Residential and Vacant
West - County/Residential

Proposal - There are four requests:

- Annexation of 121 acres
- Master Plan 113 acres
- Establish zoning R HS DFOZ
- Development Plan

The reason only 113 acres is being master planned and zoned is that the remainder is owned by the Denver and Rio Grande Western Railway.

Physical Characteristics - The site is located in Woodmen Valley north of Woodmen Road and west of the railroad right-of-way and is characterized by ridge lines, valleys and steep slopes. The bulk of the property lies north of a ridge which separates it from the main valley floor (FIGURE 1).

Comprehensive Plan - Policies concerning annexation, land development and natural environment.

SUMMARY OF FINDINGS:

These requests meet the appropriate criteria for approval.

DEPARTMENTAL REPORTS:

City Engineering - Additional right-of-way should be shown and dedicated at the time of platting. The street classifications and widths listed in Note #2 on Sheet 2 of 3 do not match current standards and should be clarified. The following street sections are acceptable for public streets:

- Hillside Minor Residential street, 28' wide in a 50' right-of-way.
- Residential Street, 34' wide in a 50' right-of-way with 5' public improvement easements on each side.

By Code, sidewalk width and location are functions of curb type and street classification. Curb type is determined in the final drainage report. Sidewalks are allowed on only one side of a residential street when the density is less than 2 du/acre. Otherwise, sidewalks are required on both sides. Any locations

where sidewalk is proposed on one side only, the plan needs to show which side to avoid confusion at the time of street plan approval. The City Engineer does not consider approval of a development plan to be a waiver of any street standards. The sub-standard centerline radii and the non-typical street sections (islands) will be considered at the time of final design plans/profiles and will be subject to approval by both the City Engineer and the Traffic Engineer. Any street grades in excess of 10% will also be subject to approval at the time of final street design. Prior to any platting of non-typical right-of-way dimensions, detailed street design plans will be required. As noted on the development plan, a Master Development Drainage Plan will be required and approved prior to platting.

Traffic Engineering - This owner should be required to contribute to the widening of the Woodmen Road project from Peregrine to Rockrimmon Blvd. Additional right-of-way dedication may be required for Woodmen Road from this property.

Park and Recreation - The Parks and Recreation Advisory Board approved the Master Plan for the Woodmen Oaks Subdivision. The Board also approved credit for the open space equal to the dedication requirement of 2.26 acres.

- Wastewater mainline in cul-de-sac on Margarita Place shall be extended within 30' utility easement to east property line of Lot 7.
- Wastewater mainline in Woodmen Oaks Dr. shall be extended within easement between Lots 78 and 79 to west subdivision boundary.

Electric - Standard Comments. Need an additional 10' electric easement behind curb to bury the existing overhead line. Developer has been notified of the location for these easements.

Gas - This area is included in the service area of the Gas Department of the City of Colorado Springs. If the owner wishes to use natural gas, the owner must contact the Gas Department regarding line extension policies.

Fire - No objections to this annexation. Standard comments 1, 2, 3, 4, 5, 8, 9, 10 and 11.

Initial discussions have reflected the desire to have an extremely large dead end cul-de-sac condition within an area that meets Hillside criteria and features in accordance with the Fire Department guidelines. Our position reflects a need to classify this as a hillside area subject to all conditions and terms enforced in other parts of town. If extensions are proposed to be accessed beyond a 10% grade on a single access and/or beyond 1000' in length, then automatic fire sprinkler systems or monitored fire alarm systems should be installed. It should be noted that this office is always in favor of, and strongly recommends two points of access/egress from any area or development. We would appreciate any participation by the developer to serve this access. We also strongly recommend that these access points be constructed in accordance with City street standards. We are discouraging "emergency access" points as they are nearly impossible for us to monitor and maintain. Fire hydrant and street construction/installation shall conform to City Standards with the hydrant capable of applying 1500 gpm at 20 psi residual at the most demanding point. We encourage the developer to contact us regarding any questions of problems he/she may have concerning this development.

School District 20 - The proposed 92 lots would generate approximately 74 school age children. At this time, District 20 schools are near or above capacity. Therefore, we believe that the district would be unable to serve the additional students who would be generated by this development without adversely affecting the quality of education for current students as well as for students who will be generated by previously approved plats. We recommend that approval of this development plan be deferred until such time that the district can assure adequate delivery of services to these anticipated students.

All Other Reporting Departments - Standard or no comment.

PETITIONER'S JUSTIFICATION: FIGURE 2

DEVELOPMENT SERVICES DIVISION ANALYSIS:

There are four parts to this request. Each will be analyzed separately so that a recommendation can be given for each.

Annexation

There are several policies in the Comprehensive Plan that guide the annexation decision. Policy 2.1.1 states that the request must meet four conditions.

The area to be annexed is a logical extension of the City's boundary. This property is within the Potential Urban Growth Area and the preferred method of planning and guiding growth within this area is annexation (please see the *General Land Use and Public Facility Plan, Phase I: Annexation Guide*). This condition is met.

Exhibit: B

Items: 5.A-5.C

CPC Meeting: November 20, 2014

A master plan is proposed for the property. The only land use is single-family detached homes on lots greater than 25,000 square feet. This condition is met.

The area to be annexed will be a benefit to the City. This property has some very significant natural features. These features, ridge lines and mushroom rocks, are identified in the *Colorado Springs Urban Growth Area Inventory of Significant Natural Features*. Annexation will give the City an opportunity to preserve the view on this property from the primary travel routes. Annexation will also reduce the size of the enclave in Woodmen Valley. This condition is met.

Water service is available for this site. The final condition is met.

A major issue associated with this annexation is improvements to Woodmen Road. The City plans to widen Woodmen Road in the future to accommodate the increase in traffic due to the growth in the valley. The traffic Engineering Division is proposing a three lane cross-section. This is two through lanes and a center turn lane. The timing of this improvement has not been determined. The applicant will participate in this improvement. The details of this participation will be worked out with the annexation agreement. Please see **FIGURE 3** which is a summary of the applicants traffic study.

Master Plan

The master plan submitted proposes only one land use; low density residential. Information submitted includes:

- Slope Analysis
- Soils Analysis
- Vegetation Analysis
- View Analysis
- Master Facilities Plan
- Lot Layout
- Grading Plan

The proposed master plan is in conformance with the applicable goals and policies of the Comprehensive Plan. As mentioned earlier in this report, the request is in compliance with the annexation policies of the Comprehensive Plan. Goal 9.2 calls for the preservation and enhancement of the significant natural features. Policy 9.2.1 encourages the preservation through private ownership and protection with a development plan. The proposed development meets this policy.

The proposed land use fits very well with the neighboring land uses. The density in Woodmen Mesa, the subdivision to the south which is in the City, has a density of .7 dus/ac and the proposal for Woodmen Oaks is .85 dus/ac. The lot pattern and the preliminary building locations reflect the findings of the environmental analysis. No building will be done on slopes which exceed 30%. The streets have been sited to minimize disturbance and vegetation removal. There will be a significant noise buffer between the railroad and the lots that are close to the railroad tracks.

As proposed this development will only be served by one access point on Woodmen Road. The adjacent subdivision, Woodmen Mesa, has a street, Woodmen Court, which stubs into a piece of property, approximately 25 acres, located south of this proposed development. Woodmen Court should continue through this property and connect with the Woodmen Oaks development. A provision should be made to connect these two properties. Currently the proposal is for emergency access only. The Fire Department in their comments state they prefer full access via a public street and not just emergency access. Good planning principles call for the connection via a public street. The Woodmen Oaks plan should be amended to show a public street connection allowing for the continuation of Woodmen Court onto this site.

The anticipated new traffic generated by this project will not exceed the capacity of the improved Woodmen Road.

The proposal meets the applicable master plan criteria relating to environmental issues. The significant natural features, ridges and the mushroom rocks, will be preserved. Views onto the site from I-25 will reflect the preservation of the sites most significant features.

The applicable criteria for review and approval for a Master Plan have been met.

Establishment of a Zone District

Comprehensive Plan Policies 5.1.1 and 5.1.3 apply. A master plan has been prepared which satisfies policy 5.1.1. The establishment of the R zone with the Hillside and DFOZ overlays complies with policy 5.1.3. A community benefit has been demonstrated because the requests conform with the City's Comprehensive Plan.

Development Plan

The development plan which has been submitted is the result of a lot of planning and engineering work. There are a few changes that need to be done as a result of this initial review and there will be other changes as this project moves forward toward the final plat. The Development Services Division suggests the final approval of the development plan be done administratively. There are, however, a number of issues that the Planning Commission can settle prior to moving into a more technical review.

The following is a list of changes recommended by the City:

- Show Woodmen Court connecting to Woodmen Oaks Drive.
- Combine Lots 1 and 2 on the Kiley property into one lot.
- Rearrange Lots 7 and 8 on the Tudor property so they access a dedicated City street.
- Make the 20' easement at the end of Woodmen Oaks Drive and combine utility and emergency access easement and extend the sewer line to the west edge of the property.
- Show the location and design of the noise barrier adjacent to the railroad.
- Resolve the issues with Traffic and Engineering concerning road alignments, drainage and street sections.
- Show the easement for the buried electric line.

DEVELOPMENT SERVICES DIVISION RECOMMENDATION:

Item 19 - CPC A93-293 - Annexation: Approve the annexation request.

Item 20 - CPC MP 93-298 - Master Plan: Approve the master plan for Woodmen Oaks.

Item 21 - CPC P 93-299 - Zone Change: Approve the request for a R (HS/DFOZ) zone.

Item 22 - CPC DP 93-299A1 - Development Plan: Have the development plan approved administratively with the seven changes recommended in the analysis section of this report.