

From: [Schott, Kerri](#)
To: [Johnson, Sarah B.](#); [Lozano, Dena](#)
Cc: [Lobato, Elena](#); [Wysocki, Peter](#); [Sexton, Daniel](#); [Thelen, Lonna](#); [Carleo, Katie](#); [Tassi, Michael](#)
Subject: FW: File No. CPC PUD 20-00109 - Creekside at Rockrimmon City Council appeal - postponement
Date: Tuesday, January 4, 2022 2:15:57 PM
Attachments: [image003.png](#)
[image007.png](#)
[image008.png](#)

Good afternoon,

Please see the email below from the appellant's attorney regarding the appeal to City Council for the Creekside at Rockrimmon PUD. The hearing was set for January 11th but they are requesting postponement to January 25th.

Let me know if you have questions and/or if you need anything other information from me.

Thanks,



Kerri Schott
Planner II
Phone (719) 385-5602
Email kerri.schott@coloradosprings.gov

Development Review Enterprise
City of Colorado Springs
2880 International Cir Ste 200-7
Colorado Springs, CO 80910

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In office hours: Monday through Thursday 7:30-4:30pm
Remote from home hours: Friday 7:30-4:30pm

From: Steven Nagy <smn@ablawcolorado.com>
Sent: Tuesday, January 4, 2022 1:47 PM
To: Schott, Kerri <Kerri.Schott@coloradosprings.gov>; Josh Mangiagli <jtm@ablawcolorado.com>; Paul Broussard <pbroussard@premierhomesinc.com>
Cc: tmconnell@drexelbarrell.com; Sexton, Daniel <Daniel.Sexton@coloradosprings.gov>
Subject: RE: File No. CPC PUD 20-00109 - Creekside at Rockrimmon

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Kerri, Thanks for reiterating this information. At this time, we will request extension to 1/25. Does this email suffice, or should we submit a formal request to the City Clerk?

We remain interested in visiting with both City staff and the applicant to explore if we can find an amicable solution that avoids appeal, litigation, etc. If you and the applicant would kindly suggest a few times next week I believe we can make ourselves available.

Thank you,

STEVEN M. NAGY
ALDERMAN BERNSTEIN
101 University Blvd., Ste. 350
Denver, CO 80206
smn@ablawcolorado.com
720-460-4204



From: Schott, Kerri <Kerri.Schott@coloradosprings.gov>
Sent: Monday, January 3, 2022 2:44 PM
To: Steven Nagy <smn@ablawcolorado.com>; Josh Mangiagli <jtm@ablawcolorado.com>; Paul Broussard

<pbroussard@premierhomesinc.com>

Cc: tmcconnell@drexelbarrell.com; Sexton, Daniel <Daniel.Sexton@coloradosprings.gov>

Subject: RE: File No. CPC PUD 20-00109 - Creekside at Rockrimmon

Hi Steven,

Thank you for the email. As mentioned in my email below, per City Code, if there is a request for postponement, the item automatically will get postponed to the next *regularly scheduled meeting*. The next regularly scheduled City Council meeting is January 25th. Any further postponement (to February 8th) requires good cause/reasons as to why further postponement is necessary (emailed to me) and would be delivered to Council on January 11th. For your information, you can be present remotely if needed.

Let me know how you want to proceed and then I can inform Sarah and Dena with City Clerk's office.



Kerri Schott
Planner II
Phone (719) 385-5602
Email kerri.schott@coloradosprings.gov

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In office hours: Monday through Thursday 7:30-4:30pm
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From: Steven Nagy <smn@ablawcolorado.com>

Sent: Monday, January 3, 2022 2:28 PM

To: Schott, Kerri <Kerri.Schott@coloradosprings.gov>; Josh Mangiagli <jtm@ablawcolorado.com>; Paul Broussard <pbroussard@premierhomesinc.com>

Cc: tmcconnell@drexelbarrell.com; Sexton, Daniel <Daniel.Sexton@coloradosprings.gov>

Subject: RE: File No. CPC PUD 20-00109 - Creekside at Rockrimmon

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Kerri, thank you for this information. I spoke with Josh and we will be requesting continuance to the February 8 Council meeting. Would you kindly provide email addresses for Sarah J and Dena L so we can submit that request? Thank you,

STEVEN M. NAGY
ALDERMAN BERNSTEIN
101 University Blvd., Ste. 350
Denver, CO 80206
smn@ablawcolorado.com
720-460-4204



From: Schott, Kerri <Kerri.Schott@coloradosprings.gov>

Sent: Monday, January 3, 2022 11:06 AM

To: Josh Mangiagli <jtm@ablawcolorado.com>; Paul Broussard <pbroussard@premierhomesinc.com>

Cc: tmcconnell@drexelbarrell.com; Steven Nagy <smn@ablawcolorado.com>; Sexton, Daniel <Daniel.Sexton@coloradosprings.gov>

Subject: RE: File No. CPC PUD 20-00109 - Creekside at Rockrimmon

Hi Josh,

I was out last week but so sorry to hear about your grandmother.

Regarding a potential postponement: either the appellant, appellant's representative or Paul, may request as a matter of course a

postponement of any appeal item to be heard by CC, see City Code Section 7.5.906(B)(3) *Postponement Of Items On Appeal To The City Council*. Whomever is requesting the postponement should either appear in-person or submit a correspondence stating the request. All parties should, however, understand that the first postponement is automatic but all subsequent requests must be individually considered by CC and must show good cause. The postponement request should be send to Sarah J. or Dena L. in the City Clerk's office.

Otherwise, we are set for City Council hearing on January 11th.

Let me know if there is a meeting between the applicant and appellant and if anything changes.

Thanks,



Kerri Schott
Planner II
Phone (719) 385-5602
Email kerri.schott@coloradosprings.gov

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City of Colorado Springs
2880 International Cir Ste 200-7
Colorado Springs, CO 80910

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In office hours: Monday through Thursday 7:30-4:30pm
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From: Josh Mangiagli <jtm@ablawcolorado.com>
Sent: Thursday, December 30, 2021 2:27 PM
To: Paul Broussard <pbroussard@premierhomesinc.com>
Cc: tmccconnell@drexelbarrell.com; Steven Nagy <smn@ablawcolorado.com>; Schott, Kerri <Kerri.Schott@coloradosprings.gov>
Subject: RE: File No. CPC PUD 20-00109 - Creekside at Rockrimmon

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Hi – I am writing to let you know that I will be out of town next week due to a family emergency. My grandma is hospitalized with COVID, and her condition took a fairly serious turn yesterday. I plan on working remotely next week but will have limited availability. Since the parties involved in the appeal have not yet had an opportunity to discuss potential resolutions, I request that the January 11 hearing be postponed (perhaps until January 25 – the next regular city council meeting) to allow the parties adequate time to discuss the issues raised in the appeal.

Kerri, is postponing the hearing something you are able/willing to do? I do not want to delay the hearing unnecessarily but would like to see if some dialogue allows this matter to be resolved before the hearing.

Thanks,

JOSH MANGIAGLI
ALDERMAN BERNSTEIN
Attorney
101 University Blvd., Suite 350, Denver, CO 80206
jtm@ablawcolorado.com
720.460.4202



From: Paul Broussard <pbroussard@premierhomesinc.com>
Sent: Wednesday, December 29, 2021 1:32 PM
To: Josh Mangiagli <jtm@ablawcolorado.com>
Cc: tmccconnell@drexelbarrell.com; Steven Nagy <smn@ablawcolorado.com>; kerri.schott@coloradosprings.gov
Subject: RE: File No. CPC PUD 20-00109 - Creekside at Rockrimmon

Yes, I believe Lenard will be calling you. I think we are waiting on a detail but should have today or tomorrow.

From: Josh Mangiagli <jtm@ablawcolorado.com>
Sent: Wednesday, December 29, 2021 1:30 PM
To: Paul Broussard <pbroussard@premierhomesinc.com>

Cc: tmconnell@drexelbarrell.com; Steven Nagy <smn@ablawcolorado.com>; kerri.schott@coloradosprings.gov

Subject: RE: File No. CPC PUD 20-00109 - Creekside at Rockrimmon

Hi Paul – I hope you are having a great holiday season. I just got back into town last night and wanted to circle back on your email below. Are you available to talk this week?

Thanks,

JOSH MANGIAGLI

ALDERMANBERNSTEIN

Attorney

101 University Blvd., Suite 350, Denver, CO 80206

jtm@ablawcolorado.com

720.460.4202



From: Paul Broussard <pbroussard@premierhomesinc.com>

Sent: Wednesday, December 22, 2021 5:20 PM

To: Josh Mangiagli <jtm@ablawcolorado.com>

Cc: tmconnell@drexelbarrell.com; Steven Nagy <smn@ablawcolorado.com>; kerri.schott@coloradosprings.gov

Subject: Re: File No. CPC PUD 20-00109 - Creekside at Rockrimmon

Josh, I received your email. Let me run this through the team. I'll get back to you first of the week.

Paul Broussard
Director of Operation
Premier Homes Inc.

On Dec 21, 2021, at 5:04 PM, Josh Mangiagli <jtm@ablawcolorado.com> wrote:

Hi Paul and Tim – I hope this email finds you well. My firm represents Bruce and Mary Taylor and David Ingle. I recently submitted a supplemental appeal on behalf of our clients challenging the Planning Commission's approval of the Creekside at Rockrimmon Project. I have attached a copy of the original appeal and supplement for your reference.

Given the tight timeline for the appeal to be heard by City Council (the hearing is set for January 11), I was hoping we could start a dialogue regarding potential solutions to the problems outlined in the appeal. If you are amenable to discussions, are you available early next week for a phone conversation? Let me know what dates and times work best for you.

Thank you,