



Meeting Attendance Log

Meeting Topic: MAGNOLIA DEVELOPMENT
 Date: 12/01/2015
 Location: VCCS

Name	Agency (if applicable)	Address	Phone or E-mail (optional)	Did you receive City Notification of Meeting?	
				Yes	No
Nicole GuBrak	Cragmor Neighborhood Assoc.	1701 Newcastle St 80907			<input checked="" type="checkbox"/>
JIM TRAVIS		521 CRAGMOR RD 80907	SCOOTER GIRL 125@Yahoo.com		<input checked="" type="checkbox"/>
Brianne McCarty		1503 Newcastle 80907	640 8857		<input checked="" type="checkbox"/>
Betty Amon		1728 Westmoreland Rd	594-4038		<input checked="" type="checkbox"/>
DAVIA NINES	Cragmor Neighborhood	1171 Westmoreland R	715 310 9330	<input checked="" type="checkbox"/>	
Ed Kellock	Cragmor Resident	1076 Stanton St.	719 360 0839	<input checked="" type="checkbox"/>	
Todd + Michelle Sator	Resident	3803 N. Hancock Ave C/S 80907	719-233-4251	<input checked="" type="checkbox"/>	
Dan Comer	owner	123 Westmoreland Rd / 80907	719-201-8165	<input checked="" type="checkbox"/>	
Emmett Tischmak	Owner	1167 Westmoreland Rd / 80907	701-426-2978	<input checked="" type="checkbox"/>	
David Porter	Owner	1185 Applewood	719 440 9701	<input checked="" type="checkbox"/>	
Michael H. Shipley	Owner	1187 Westmoreland Rd	719-641-8305	<input checked="" type="checkbox"/>	
TRICIA SMITH	OWNER	3916 MAIZIPOSA ST	719 338 6603	<input checked="" type="checkbox"/>	
JEANNE M. MENARD	owner	1201 WESTMORELAND RD	593-1195	<input checked="" type="checkbox"/>	
BOB FALCONE	OWNER	1604 WESTMORELAND R	593-5856	<input checked="" type="checkbox"/>	

FIGURE 3



Meeting Attendance Log

Meeting Topic: _____

Date: _____

Location: _____

Name	Agency (if applicable)	Address	Phone or E-mail (optional)	Did you receive City Notification of Meeting?	
				Yes	No
Carole Waterhouse		1014 Westmoreland Rd	5319496	X	
Chuck & Laura Karas	Owner	3808 Windsor Ave 80907	598-0125		X
Ginger & Terry Bault	owner	1191 Westmoreland	659-2578	✓	
Gordon & Astrid Ohlberg	owner	1163 Westmoreland	238-4386 gohlberg@comcast.net	✓	
BARBARA & MICHAEL MCCAULEY	OWNER	1159 & 1155 WESTMORELAND / NAROUSE BLONNAN MET	388-8644	✓	SENT BY LINK NET
Diane Benninghoff	Owner	3707 Windsor Ave			X
Dow & GERRI PEGLER	Owner	3768 N Hencock	earthlink.net dengerle	X	
JEFF CROOK	HOME OWNER	1175 Westmoreland	635-5941	X	
Tracy Barber	owner	1075 Applewood Dr.	TB0035E gmail.com		X

FIGURE 3

Sign In Sheet - Magnolia Apartments

12/1/2015

Name	Address	Phone	e-mail
Roy DEAN	1211 WESTMORELAND RD	598-3575	
Barbara Ditzig Brian	1211 Westmoreland Rd	598-3575	
Gordon & Astrid Ohlberg	1163 Westmoreland Rd	238-4380	gohlberg@comcast.net
MICHAEL MCCAULEY	1159 WESTMORELAND RD	388-8644	NAPOLÉON BLOWN APART @CENTURYLINK.NET
BJ MCCAULEY	1155 WESTMORELAND RD	339-9787	fizzbombsmother @centurylink.net
Ginger & Terry Boulton	1191 Westmoreland	659-2578	gboulton@comcast.net
GUY TESSIER ELAINE FERGUSON	1135 WESTMORELAND RD	272-0404	eferguson@gmail.com
Shirley CLAUSER	1131 Westmoreland Rd	619 847-8584	Shirley Clauser
Nicole GuBrak	1701 Newcastle ST	359-3369	gubrath5@yahoo.com
Chuck & Laura Kovac	3808 Windsor Ave.	598-0125	LAURASH@ PEOPLEPC.COM
JOANNE M. MEWARD	1201 WESTMORELAND RD	593-1195	joanne.meward@comcast.net
Carole Waterhouse	1014 Westmoreland Rd	531-9496	boukaltorn@comcast.net
David Porter & Liz	1185 Applewood Dr 1167 Westmoreland Rd	719-440-9701	david.porter@smail.com
Emmett & Kristina Tischmak	1183 Westmoreland Rd 80907	701-426-2978	emmett.tischmak@hotmail.com
Don Comer	3803 N. Hancock Ave CISICO 80907	719-201-6165	decomerincos@hotmail.com
Todd & Michelle Sater	3803 N. Hancock Ave CISICO 80907	719-233-4231	Michelle.Sater@hotmail.com
Ed Kellock	1076 Stanton St.	719-360-6839	ed.kellock@gmail.com
DAVID ALVES	1171 Westmoreland Rd	719-315-9330	617624629@comcast.net
ANDY KEEN	410 MAPLEWOOD DR	719-339-3948	akeen2033@gmail.com
Betty Amon	1728 Westmoreland R	594-4038	LBAMON@MSN.COM
Diane McCarty	1503 Newcastle	719-640-8857	dianemccarty@yahoo.com
JILL TRAVIS	521 CHAMBER RD	719-233-8855	SUNNYGIRL125 @YAHOO.COM

FIGURE 3

Teixeira, Rachel

From: Ginger Boulton <gboulton@comcast.net>
Sent: Thursday, December 03, 2015 9:30 AM
To: Teixeira, Rachel; Terry Boulton
Subject: Magnolia apt complex objection
Attachments: Magnolia apt complex objection Boulton.pdf

Rachel,

Thank you for requiring the pre-application meeting for the proposed Magnolia development. It gave us a chance to voice our objections. We attached our formal objection letter.

Sincerely,
Ginger and Terrance Boulton
1191 Westmoreland Rd
719 659 2578

December 3, 2015

City of Colorado Springs / Land Use Review
30 S Nevada, Suite 105
Colorado Springs, CO 80903

Attn: Rachel Teixeira

RE:Pre-Application plan for the "Magnolia Apartment Complex" development by Bahr Holdings on the NW corner of Westmoreland Rd and Hancock Ave.

We are opposed to this project. Thank you for requiring the Pre-Application meeting. We attended and voiced our objections.


We strongly oppose the waiver of replat and plans to develop a massive building directly across from our home. When we considered our property, we researched the empty lots, noted their zoning and realized someone might build small apartment buildings. However, given the lot sizes and orientations, their southern exposure, facing us, would be the end of the unit. R5 allows 40% coverage per lot. The requested replat would allow a single building covering nearly 90% of the area directly across from us. Having reviewed the plans for the Magnolia complex, this building will be towering 3 stories above the street and our house. This property is surrounded by small 1-2 story buildings. This huge building is not consistent with the neighborhood nor with the original platting of the land – the information we used when making the decision to move here.

This is a residential area and the surrounding properties are one and two family homes. The proposed plan is not consistent with surrounding uses, will significantly change the neighborhood feel and degrade property values. We do not want students partying on balconies towering over our home; this will significantly diminish the value of our property. The Lodges had frequent police calls.

Since our house was built in 2003, we cannot obtain mine insurance. A massive building could cause a mine collapse which could impact our property. If the project is allowed to continue, we recommend the City require the builders have \$1million in escrow to be held for at least 5 years after completion of construction for any possible litigation related to mine collapse. A full square block-size building would have greater impact on the geotechnical stability

If it was limited to 2 story buildings on each of the separate plats, it would more be reasonable. **A massive three story building is not consistent with the neighborhood.**

Thank you for your consideration.


Terrance Boulton


Ginger Boulton

1191 Westmoreland Rd, Colorado Springs, CO 80907 719 659 2578

Teixeira, Rachel

From: J.B. Carpenter <jjcarpenter1@centurylink.net>
Sent: Saturday, December 05, 2015 4:22 PM
To: Teixeira, Rachel
Subject: Apartments: Hancock/McArthur

I am still mad as H that my city council could pass a ordinance that allows up to Five last names under one roof as a "Single Family Dwelling" !!!! How America I ever going to be able to trust anything they say after that!

J. B. Carpenter
1595 Columbine Place 80907
jjcarpenter1@centurylink.net
Sent from my iPhone

12/2/15

Rachel Teixeira, Planner II
City of Colorado Springs

Re: Magnolia Development by Challenge Homes

I am very much against building such a large complex with "142 bedrooms & parking spaces" in our well established neighborhood consisting of homes, several smaller apt. units, older people & families with children.

They said in the meeting for young college students to be able to live near the college, but then said rentals would be open to "anyone" who wanted to rent an apartment. That is certainly not going to work out, especially with the many friends, visitors, & parties that will certainly be going on, not counting the noise, trash & ongoing activity.

A very big concern is that some realtors have estimated that our home values can go down by as much as \$20,000 if this complex is built by CHS.

Another grave concern is doing so much removal & displacing of the earth, especially since it is over old mine shafts. If cave-ins or damage occurs, our insurance will not cover the damages.

I strongly oppose this building project.

Shirley Clauser
1131 Westwood Level Rd
Col. Sprs, CO 80907

FIGURE 3

Teixeira, Rachel

From: JEFFREY <crook5@comcast.net>
Sent: Wednesday, December 02, 2015 12:27 PM
To: Teixeira, Rachel
Subject: Proposed Apartment at Westmoreland and Hancock
Attachments: Letter to City Planners.docx

My chief concern for the proposed apartment building at Westmoreland Road and Hancock Avenue is the large impact that it will have on the surrounding residents. This project has a residential occupancy density that is 3 to 4 times higher than the neighboring residential properties. Its proposed height and size will create a rather abrupt transition of neighborhood esthetics. This project will bring typical single family residences (suburban homes) into direct contact with urban style residences. This project will directly impact the market value of the existing residences in a negative way. I recommend that a lower density residential project be constructed. A project that is a more consistent transition from the 2 and 4 unit homes located on the western and northern sides of the proposed property and the single family residences on the southern and eastern borders of the proposed property. Town homes or duplex residences would be the obvious type of homes to be built on this site.

Nowhere in the Cragmor neighborhood is there an apartment building adjacent to single family residences. There are commercial businesses located next to single family residences, but these are located at the perimeter of the neighborhood and only backing to the rear of these homes. This proposed apartment project will be located directly in the middle of the of a residential neighborhood, next to home owners who have children, owners who are empty nesters and people who are retired and have expectations of living out their lives in a typical suburban setting.

This project will increase road traffic, it will create parking issues, it will increase noise and it will increase the level of social interaction between two different types of residence. It will change the residential make-up (the fabric) of the surrounding neighborhood.

My wife and I have been residents of Cragmor for 14 years, we are located across the street from this project, and we were planning to stay here for many more years. The proposed project gives us a great deal of apprehension. Because there is a demand for student housing in a particular area of Colorado Springs should not be the reason for disregarding commonsense urban and sub-urban planning. Please think about the whole community when you are considering the future of our city. Developers are people too, I understand that, but I would venture to guess they won't be living next to this apartment building when they have finished it.

Thank you

Jeffrey and Agnes Crook
1175 Westmoreland Road
Colorado Springs, CO 80907

Colorado Springs Planners and Council Members

My chief concern for the proposed apartment building at Westmoreland Road and Hancock Avenue is the large impact that it will have on the nearby surrounding residents. This project has a residential occupancy density that is 3 to 4 times higher than the neighboring residential properties. Its proposed height and size will create a rather abrupt transition of neighborhood esthetics. This project will bring typical single family residences (suburban homes) into direct contact with urban style residences. This project will directly impact the market value of the existing residences in a negative way. I recommend that a lower density residential project be constructed. A project that is a more consistent transition from the 2 and 4 unit homes located on the western and northern sides of the proposed property and the single family residences on the southern and eastern borders of the proposed property. Town homes or duplex residences would be the obvious type of homes to be built on this site.

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Thank you

Jeffrey and Agnes Crook
1175 Westmoreland Road
Colorado Springs, CO 80907

Teixeira, Rachel

From: JEFFREY <crook5@comcast.net>
Sent: Wednesday, December 02, 2015 1:35 PM
To: DAVID P CIV USAF AFSPC AFSPC NUNES/A5MC
Cc: Teixeira, Rachel; Council Members; Thelen, Lonna; b17b24b29@comcast.net; reply@rs.email.nextdoor.com; Sutton Spanton; gordon ohlberg; bjjones111 (bjjones111@msn.com); toddsharley1@msn.com; Dr. Terrance Boulton CEO/CTO
Subject: Re: Magnolia Apartments

Rachel

And David

This is a very real concern as residence directly impacted by possible connecting underground mines. Any disruption to the ground on adjacent property (and these mines) could cause property damage to our homes. This is something that should be considered when determining if any construction be made on these adjacent lots. We need to have insurance against possible damages from the developer.

Jeffrey Crook
1175 Westmoreland Road
719-635-5941

From: "DAVID P CIV USAF AFSPC AFSPC NUNES/A5MC" <david.nunes@us.af.mil>
To: rteixeira@springsgov.com, allCouncil@springsgov.com
Cc: "Lonna Thelen" <Lthelen@springsgov.com>, b17b24b29@comcast.net, reply@rs.email.nextdoor.com, "Sutton Spanton" <sutton.spanton@hotmail.com>, "gordon ohlberg" <gordon.ohlberg@oracle.com>, "bjjones111 (bjjones111@msn.com)" <bjjones111@msn.com>, toddsharley1@msn.com, "Jeffrey Crook" <crook5@comcast.net>, "Dr. Terrance Boulton CEO/CTO" <tboulton@securics.com>
Sent: Wednesday, December 2, 2015 1:17:15 PM
Subject: Magnolia Apartments

Rachel,

I think there are great Geological concerns, (a landfill built over mines,) are profound for this project. Below is information I got off of the Colorado Mine Subsidence Protection Program for Homeowners. You will note that the newer houses built along the south part of Westmorland and West part of Hancock are not eligible for this Subsidence Program because they were built after 1989. Most of these houses sit high on the bluff and are walkout basements with quite a bit of drop off. The area proposed for this development has mines and mind shafts and was used as a landfill for years and is upslope from these newer homes. Homeowner insurance does not cover any earth shifting due to mine cave-ins. So what are going to be the mitigation actions taken by the city and the contractor to address this and if the home owners have earth movements problems such collapsed/flooding basements what options would we have. This is of great concern.

The attached picture (need to rotate) shows some of the homes in question on the right and the vacant proposed property on the right.

Mine Subsidence Information for Homeowners

Mine Subsidence Protection Program

Call 1-800-44-MINES

What is the Mine Subsidence Protection Program?

The Mine Subsidence Protection Program (MSPP) was established to pay for damage to Colorado homes that results from coal mine subsidence. The federal government, which shares reclamation fees levied on current coal production with the states, has given Colorado a \$3 million grant to establish the Program. The money, invested in a trust fund, is designed to provide a self-sustaining fund to cover claims and help offset administrative costs. Over 1,000 participants are currently enrolled in the program.

What are the eligibility requirements for the Program?

Participation in the Program is limited to privately owned residential structures of one to ten units which have been constructed in an area of historic coal mining before February 22, 1989. A historic coal mine is defined as one that ceased operations prior to 1977.

<http://www.mining.state.co.us/SiteCollectionDocuments/Cragmoor%20Area%20Map.pdf>

Very Respectively

David P Nunes
1171 Westmoreland rd
Colorado Springs CO 80907
719-310-9330

December 4, 2015

City of Colorado Springs
Land Use Review
30 S. Nevada, Suite 105
Colorado Springs, CO 80901

Attention: Rachel M. Teixeira, Planner II

RE: Proposed Magnolia development to be held by Challenger Homes on behalf of Bahr Holdings LLC

A 3-story apartment building mainly for UCCS students is being proposed. We have numerous objections and concerns which are stated below:

1. The complex is to be 54 units of 2-3 bedroom apartments with a total of 142 bedrooms and 1 parking space allowed for each bedroom. This is a huge apartment building right in the middle of an old established neighborhood of single family and low-density dwellings. It will be unsightly by its mere size.
2. While it is being touted as housing for students, it was stated in the meeting held Dec. 1, 2015 at the UCCS building on 4863 N. Nevada, that the rentals would be open to the public. It was also stated that UCCS has not requested the complex be built nor will they have a financial interest or jurisdiction over operation of the building. This is an endeavor of a corporation intent on the best profits it can create.
3. There will be a 142 car parking lot almost directly across the street from my townhome. It will be unsightly whether it is visible or behind a wall.
4. We have been told by several realtors that our property values will plummet by \$10K-\$20K. Some say even more.
5. College students are notorious for drunken parties with resulting brawls, loud music, trash, and detecating on other properties and in the streets. Many times the police have to be called by concerned neighbors. This is not appropriate for a residential neighborhood.
6. 1 ½ blocks from the apartment building is Portal Park and Swimming Pool. Children of all ages (including preschools and daycares) use this park, especially in the summer. It would not be appropriate for children to be exposed to rowdy college students using the park.
7. This entire neighborhood sits on numerous old mines. There is fear that the construction required for this complex will destabilize the ground causing possible cave-ins and damage to the surrounding homes. With an LLC in place, the homeowners will have no legal recourse for damage to their homes. LLCs can quickly bankrupt the project and disappear.
8. Homes north and east of the 3-story building will lose their beautiful view of the Front Range that influenced their purchases.
9. The additional traffic will overwhelm our current streets and create dangerous situations with neighborhood residents and their children.

Unless drastically cut back to more match other homes in the neighborhood, I totally oppose the construction of this complex.

Respectfully,


Elaine Ferguson

1135 Westmoreland Road
Colorado Springs, CO 80907

FIGURE 3

Teixeira, Rachel

From: NATE and LISA HATHAWAY <fivehathaways@msn.com>
Sent: Friday, December 04, 2015 1:10 PM
To: Teixeira, Rachel
Subject: Concerns: Magnolia Apts.
Attachments: City of Colorado Springs.docx

Please see attached for my concerns about the plan for Magnolia Apartments on Westmoreland. Thank you!

City of Colorado Springs

Land Use Review

30 S. Nevada, Suite 301

Colorado Springs, CO 80901

Attn: Rachel Teixeira

Re: Magnolia Apartments. Plan to develop 54-unit student living apartments on Westmoreland Rd.

I have a number of concerns about this development plan.

Structural.

This particular plot of land has not been developed all these years because it is located over an old mine. The homes built south of the plot were only able to be built by driving in pylons, which made a racket all day long for months. It is unbelievable to me that a building of this magnitude could be responsibly built on this location, given the possibility of mine subsidence, especially under such a heavy load. Even if there was no subsidence under this project, it would disturb the area and possibly cause subsidence for the homes around it. I found out from one of the homeowners who lives south of the project that they cannot get insurance coverage for subsidence because the homes are too new. Subsidence has occurred in this area. I remember as a child when Portal Pool caved in. The home that I live in (which is just up the hill from the development) has clay soil and has settled quite a bit. With all of the rain this last spring I have noticed new cracks in the drywall and a gap developed between the foundation and the slab, which caused flooding.

Zoning

This type of massive building is essentially a dorm and belongs on campus or commercially zoned property, not in a residential neighborhood. It would stick out like a very large sore thumb, two stories higher than anything else around it. There are families who live around the complex and I would suggest that balconies be faced inward around a courtyard to avoid putting the various lifestyle choices on display for all, including young children, to see.

I turned over your business card and part of the mission statement is to "enhance the quality of life". My quality of life will not be enhanced. I live in the Cragmor neighborhood, right up the hill from the proposed building. I stand to lose my view of the mountains and downtown. If I find that living in my home is intolerable after this building is built, I will likely lose \$10-20K from the selling price of my home. We already have enough issues with loud partying and coming and going at all hours from college students. We don't need more of them or their cars. If the area is to be developed, I would be more in favor of single family homes or a 55+ complex.

FIGURE 3

Drainage

Are homes south of this development going to be flooded as a result of all of this impermeable area?

Park Overuse

With 150 more people in addition to the extra people from the Bates Complex there won't be enough open space for everyone.

Traffic

There are 150+ parking spaces for vehicles but there has been no traffic study yet. I drive down Hancock to Westmoreland every day. There is a four way stop and there have been times when other drivers don't stop and have almost caused an accident. It is usually a car coming from the west where the apartment complex is. Younger drivers are more impetuous and inexperienced. Are we about to get 150+ more of them? I am not a traffic expert, but I can tell you that there have been two car accidents along my property line along Hancock alone in the last couple years. One of the cars came over the sidewalk and damaged my greenhouse. This incident was due to drunk driving. Cars race up and down Hancock between Applewood and Westmoreland at all hours. Students park along Hancock from Applewood south because that is where the "Permit Parking" signs end. The road curves and it is hard to see around the parked cars when pulling out of Stanton onto Hancock. It is an accident waiting to happen. A neighbor of mine had pulled out a little past the stop sign in order to see and came close to getting into an accident with a car that was going too fast down the hill. The other driver stopped and got out of his car to threaten her. I propose "No Parking" signs on Hancock between Applewood and Stanton and pylons installed in the road to make parking impossible since the no parking zone will not be enforced otherwise. It would also help to calm traffic. There will be a lot of students walking to UCCS but there is no sidewalk along Hancock between Magnolia and Stanton. There are other streets including part of Mount View on the way to UCCS that don't have sidewalks. There is not a crosswalk on Acacia just east of Hancock where students cross to take a shortcut trail up to UCCS, nor is there a crosswalk at Acacia and Meadow. There should be flashing crosswalk signs like CC students have on Cascade.

I can safely say that none of the neighbors are in favor of this plan, but not all of them have the time to write to you as I have

Lisa Hathaway

1198 Stanton St.

Colorado Springs, CO 80907

Phone: 719-210-5715

Homeowner

Teixeira, Rachel

From: NATE and LISA HATHAWAY <fivehathaways@msn.com>
Sent: Friday, December 04, 2015 3:06 PM
To: Teixeira, Rachel
Subject: UCCS Magnolia complex
Attachments: 2015-12-04 City of Colorado Springs Magnolia Appartments.docx

Please see attached Word document regarding the UCCS Magnolia complex.

thank you.

Nate Hathaway

City of Colorado Springs

Land Use Review

30 S. Nevada, Suite 301

Colorado Springs, CO 80901

Attn: Rachel Teixeira

Re: Magnolia Apartments. Plan to develop 54-unit student living apartments on Westmoreland Rd.

As a homeowner in the area of 18 years I am not in favor of a housing complex a block from our house. We moved the Cragmor area to be centrally located and live in a quiet residential area. We now see many houses on our street as rental properties with students that typically are loud after dark in the summer, foul mouthed, partying late into the night, leave trash in my yard in the past, slamming car doors all hours of the night even during week nights. They don't care that there are working class people that get up early to go to work like myself.

Our residence is situated on adjacent to Hancock Ave. between the proposed building site and UCCS. Hancock Ave. a major direct route to Danville Park and UCCS. It is also a hill with a curve at the top of the hill. We have been awakened in the night several times from accidents over the years. Cars crest the top of the hill on Hancock Ave. and misjudge the road crashing into parked cars along our property, our neighbors properties. Adding a housing complex down the hill will increase the traffic and accidents in the future and cause more noise from cars racing up and down the hill at late hours. UCCS has changed the dynamics of the neighborhood for the worse for our family and neighborhood.

I would not favor a 3 story structure to be built on the property below us. A building of that size is not need is our residential neighborhood. I do not know of anyone on our street that would be for such a large structure. At the expense of our neighborhood some developer makes his money and moves on. I have to ask, how is this good planning and community deelopment?

At the expense of our neighborhood some developer make his money and moves on.

Nate Hathaway

1198 Stanton St.

Colorado Springs, CO 80907

Phone:719-310-5315

Homeowner

Teixeira, Rachel

From: laura kovac <laurajh@peoplepc.com>
Sent: Monday, December 07, 2015 2:17 PM
To: Teixeira, Rachel
Subject: Fw: Cragmor additional apartments

I know this is now late, but still would like the question answered. I obviously typed your address incorrectly.
laura kovac

-----Forwarded Message-----

>From: laura kovac <laurajh@peoplepc.com>

>Sent: Dec 3, 2015 4:19 PM

>To: rteixeria@springsgov.com

>Subject: Cragmor additional apartments

>

>Rachael,

>

>We are Chuck and Laura Kovac at 3808 Windsor Ave. We attended the meeting about the newest proposal of the apartments to be built on Magnolia. I have lived about 4 blocks from there since 1976. I also have received both my BS and MBA in accounting from UCCS during that time. I understand the neighborhood and also the students.

>

>I was concerned when I found that the Bates land was to be turned into student housing. This new apartment is just going to add to the safety problem for both the homeowners and the students.

>

>The safety problem that I see is of the pedestrians and traffic on Austin Bluffs. As we all know, Austin Bluffs is not an easy street in bad weather (this is not Colorado College where students can easily cross Cascade). Students will be students - especially when they are late for class. They do tend to cross Austin Bluffs in random areas - what ever route is quickest. Yes, there are lights with crosswalks and some students do use them.

>

>Is the city planning on an underpass or overhead walkway for the approximately 1000 students coming from basically the same area? They will be crossing on the east side of Bates toward the university.

>

>Thank you for your response.

>

>Laura and Chuck Kovac

>719-291-1482 (Laura cell)

>laurajh@peoplepc.com

City of Colorado Springs

Land Use Review

30 S. Nevada, Suite 105

Colorado Springs, CO 80901

Attention: Rachel M. Teixeira, Planner II

RE: Proposed Magnolia development to be held by Challenger Homes on behalf of Bahr Holdings LLC

My wife and I are extremely opposed to the current plan. We split our time between Colorado Springs and Troy, Michigan and rely on great neighbors and a safe neighborhood to assist on looking out for our property. We are currently in Michigan and could not attend the development review. Our neighbors and particularly Elaine Ferguson have kept us informed about the development plan. We have close relatives in the area and in Castle Rock and would not like to have to consider relocating.

We completely agree with the following:

A 3-story apartment building mainly for UCCS students is being proposed. We have numerous objections and concerns which are stated below:

1. The complex is to be 54 units of 2-3 bedroom apartments with a total of 142 bedrooms and 1 parking space allowed for each bedroom. This is a huge apartment building right in the middle of an old established neighborhood of single family and low-density dwellings. It will be unsightly by its mere size.
2. While it is being touted as housing for students, it was stated in the meeting held Dec. 1, 2015 at the UCCS building on 4863 N. Nevada, that the rentals would be open to the public. It was also stated that UCCS has not requested the complex be built nor will they have a financial interest or jurisdiction over operation of the building. This is an endeavor of a corporation intent on the best profits it can create.
3. There will be a 142 car parking lot almost directly across the street from my townhome. It will be unsightly whether it is visible or behind a wall.
4. We have been told by several realtors that our property values will plummet by \$10K-\$20K. Some say even more.
5. College students are notorious for drunken parties with resulting brawls, loud music, trash, and defecating on other properties and in the streets. Many times the police have to be called by concerned neighbors. This is not appropriate for a residential neighborhood.
6. 1 ½ blocks from the apartment building is Portal Park and Swimming Pool. Children of all ages (including preschools and daycares) use this park, especially in the summer. It would not be appropriate for children to be exposed to rowdy college students using the park.
7. This entire neighborhood sits on numerous old mines. There is fear that the construction required for this complex will destabilize the ground causing possible cave-ins and damage to the surrounding homes. With an LLC in place, the homeowners will have no legal recourse for damage to their homes. LLCs can quickly bankrupt the project and disappear.
8. Homes north and east of the 3-story building will lose their beautiful view of the Front Range that influenced their purchases.
9. The additional traffic will overwhelm our current streets and create dangerous situations with neighborhood residents and their children.

Unless drastically cut back to more match other homes in the neighborhood, we totally oppose the construction of this complex.

Sincerely,

Ted and Elaine Kruse
1143 Westmoreland Road

tedk1143@gmail.com,

Teixeira, Rachel

From: Josmilemaker@aol.com
Sent: Wednesday, December 02, 2015 2:22 PM
To: Teixeira, Rachel
Subject: Re:Magnolia development

I attended the meeting regarding this planned project. It will present many issues for our neighborhood. The number of additional cars alone will be a congestion and a very dangerous safety concern. These streets are not designed to support an additional 142 plus cars. Add to that the number of students walking in the street to go to the university and that increases the safety problem. Then there is the increase in noise, with approximately 142 young people I can only guess how much noise this will produce. The trash that is already being thrown in yards is also going to increase. I don't feel that a student "dorm" belongs in an established, quiet residential neighborhood. Thank you, Joanne M. Menard

City of Colorado Springs
Land Use Review
30 S. Nevada, Suite 105
Colorado Springs, CO 80901

Attn: Rachel M. Teixeira, Planner II

RE: Proposed Magnolia development to be held by Challenger Homes on Behalf of Bahr Holdings LLC.

The proposed development is a 3-story apartment building to be used "mainly" for UCCS students. I am the owner of a townhome located at 1127 Westmoreland Rd. I and the other owners in the Scenic View Townhomes Owner's Association, have multiple objections to this proposed development:

1. As proposed, the apartment complex is to consist of 54 multiple bedroom apartments with a total of 142 Bedrooms. One parking space is to be allocated for each bedroom. This complex will be located in the middle of an old established neighborhood of single family and low-density dwellings. This proposed apartment complex is incompatible with the existing neighborhood.
2. At the Dec. 1, 2015 meeting the developers indicated that the proposed apartment complex is intended for university housing. However the documents and answered questions show that the apartments would be available to the public. It is clear that UCCS did not request that the complex be built, that UCCS will have no financial interest in the complex, and that UCCS will have no control over the building or its occupants. The proposed complex is strictly a private commercial venture.
3. The proposed 142-car parking lot for the complex will be directly across from the seven Scenic View family owned Townhomes. Even if the parking lot is somewhat sheltered (fence or wall), it will be an eyesore and will create noise and traffic problems with the apartment renters coming and going. The Scenic View townhome owners have already been informed by several realtors that their townhomes will lose thousands of dollars in value because of the proposed complex.
4. College students are known for their loud music and drunken parties. The activities often involve ear-splitting music, beer cans and other trash, as well as inappropriate behavior (urinating or vomiting) outside the parties. Sometimes police have become involved because of the disturbances.
5. The proposed complex is less than two blocks from the Portal Park swimming pool and surrounding ballpark and picnic area. Families with elementary-age children (T-ball, little league, and gymnastic groups) use these facilities especially in the summertime. Drunken college parties at the park or pool would be disruptive for our whole community.

6. The additional traffic on Westmoreland Rd. will be a nightmare. This is a residential area. The streets are not plowed or sanded during the winter months. Ice on the road is a real problem for individual cars and school busses. The danger to local families and children will be greatly increased.

7. The area involved sits on numerous abandoned old mine shafts. The proposed large complex could unsettle the already-existing buildings and possibly cause sinkholes or cave-ins. The proposed development "*to be held by Challenger Homes on behalf of Bahr Holdings LLC*" is a contrived legal status designed to limit the developer's liability for any harm caused to others.

8: Totally **unanswered** at the Dec. 2, 2015 meeting were the questions regarding water runoff from the proposed apartment complex. Initially, the developers proposed to let all runoff go down Westmoreland Rd., Magnolia, or even curve around onto Scott Lane. This would vastly compound the ice problem on Westmoreland Rd., possibly flood the homes on Scott Lane, and perhaps create a new ice rink at the cul-de-sac where Magnolia dead-ends at the edge of Portal Park. Colorado Springs already has multiple problems with flash flooding and water runoff. Why create more problems and dangerous conditions in an already-existing residential neighborhood?

Finally, as you can probably tell, I am opposed the large apartment complex being proposed. I am a senior citizen. I stand to loose my investment in my townhome, loose my peace of mind because of the commotion from 142 college students (including their multiple visitors and parties), and experience greater danger because of the increased traffic. I ask you to please deny the proposed Magnolia development.

Respectfully,

A handwritten signature in cursive script that reads "Sally Munroe".

Rev. Sally Munroe
1127 Westmoreland Rd.
Colorado Springs, CO 80907

Teixeira, Rachel

From: NUNES, DAVID P CIV USAF AFSPC AFSPC/A5MC <david.nunes@us.af.mil>
Sent: Monday, November 23, 2015 2:04 PM
To: Teixeira, Rachel
Cc: Thelen, Lonna; b17b24b29@comcast.net; reply@rs.email.nextdoor.com; Sutton Spanton; gordon ohlberg; bjones111 (bjones111@msn.com); toddsharley1@msn.com; Jeffrey Crook; Dr. Terrance Boulton CEO/CTO
Subject: RE: Student housing pre-planning meeting

Ms Teixeira

Below is a (Green Card) notice I got in the mail for a Pre-application meeting for project in Craigmore. I've attached an e-mail thread (Lonna Thelen was project lead) for a project that was proposed last year but was dropped by the developer for unknown reasons. On the surface this looks like the same developer and project. If it is, there were several comments objecting to the project that was sent to the city (Lonna Thelen). All those comments still apply unless the project is going to be drastically altered and the concerns are identical to the Bates student housing project being worked

right now by Lonna. Traffic, parking, noise nuisances, police calls, inappropriate for the neighborhood (taller than all existing family dwellings), drop in home values, mine shafts and the list goes on.

*****From the Pre-Application/Neighborhood Meeting Notice: You are invited to attend a neighborhood meeting regarding the proposed Magnolia development to

be held by Challenger Homes on behalf of Bahr Holdings LLC., to discuss the preliminary proposal and to obtain neighborhood comments and concerns. The

site is located northwest of Westmoreland Road and N. Hancock Avenue, consisting of 1.34 acres and zoned R5 (Multi-Family Residential.) The required development applications to be submitted to the City Planning and Development Department to include a development plan and a waiver of replat. Meeting Date: Tuesday, December 1, 2015 Meeting Time: 6:00P.M (to 7:30P.M.) Location: University of Colorado at Colorado Springs (UCCS)- Lane Center (Room 120 Address: 4863 N. Nevada Avenue (UCCS Building and parking to the left.)*****

Basically, is this the same project? If so, you already have quite a bit of

history/inputs from the neighborhood last go around (over 50 concern letters were sent to the city objecting to this project) .

Thank you

David P Nunes
1171 Westmoreland Rd
Colorado Springs ,CO 80907
Cell 719-310-9330

Teixeira, Rachel

From: NUNES, DAVID P CIV USAF AFSPC AFSPC/A5MC <david.nunes@us.af.mil>
Sent: Wednesday, December 02, 2015 9:55 AM
To: Teixeira, Rachel; Council Members
Cc: Thelen, Lonna; b17b24b29@comcast.net; reply@rs.email.nextdoor.com; Sutton Spanton; gordon ohlberg; bjones111 (bjones111@msn.com); toddsharley1@msn.com; Jeffrey Crook; Dr. Terrance Boulton CEO/CTO
Subject: RE: Student housing pre-planning meeting
Attachments: New Magnolia Appartments.pdf

Ms Teixeira, All City Council

I was present at the "pre-application" meeting held last night at the UCCS Lane Center. There were approximately 50-60 people present that had real questions about this new project. I understand this is not an actual project until the contractor files for an application but just wanted to bring to your attention how close this project is to the Bates project that just got approved. Attached is a google map of the area where I highlighted in black at the top of the map the Bates area and below on the map the new proposed Magnolia Apartments. They are literally about 5 blocks away from each other and a believe within a half mile.

With the huge Bates project already approved I would think this project would overwhelm a neighborhood already saturated with student rentals in Cragmor. All the issues listed in my previous e-mail below still apply and where posed to the contractor last night.

Very respectfully

David P Nunes
1171 Westmoreland rd
Colorado Springs CO 80907

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

From: NUNES, DAVID P CIV USAF AFSPC AFSPC/A5MC
Sent: Monday, November 23, 2015 2:31 PM
To: 'rteixeira@springsgov.com'; 'allCouncil@springsgov.com'
Cc: 'Thelen, Lonna'; b17b24b29@comcast.net; 'reply@rs.email.nextdoor.com'; 'Sutton Spanton'; 'gordon ohlberg'; bjones111 (bjones111@msn.com); 'toddsharley1@msn.com'; 'Jeffrey Crook'; 'Dr. Terrance Boulton CEO/CTO'
Subject: RE: Student housing pre-planning meeting

Resending to include city council

Ms Teixeira, All City Council

Below is a (Green Card) notice I got in the mail for a Pre-application meeting for project in Craigmore. I've attached an e-mail thread (Lonna Thelen was project lead) for a project that was proposed last year but was

dropped by the developer for unknown reasons. On the surface this looks like the same developer and project. If it is, there were over 50 comments objecting to the project that was sent to the city (Lonna Thelen). All those comments still apply unless the project is going to be drastically altered and the concerns are identical to the Bates student housing project which is only about a mile away being worked right now by Lonna. Traffic, parking, noise nuisances, police calls, inappropriate for the neighborhood (taller than all existing family dwellings), drop in home values, mine shafts and the list goes on.

*****From the Pre-Application/Neighborhood Meeting Notice: You are invited to attend a neighborhood meeting regarding the proposed Magnolia development to be held by Challenger Homes on behalf of Bahr Holdings LLC., to discuss the preliminary proposal and to obtain neighborhood comments and concerns. The site is located northwest of Westmoreland Road and N. Hancock Avenue, consisting of 1.34 acres and zoned R5 (Multi-Family Residential.) The required development applications to be submitted to the City Planning and Development Department to include a development plan and a waiver of replat. Meeting
Date: Tuesday, December 1, 2015 Meeting Time: 6:00P.M (to 7:30P.M.)
Location: University of Colorado at Colorado Springs (UCCS)- Lane Center (Room 120 Address: 4863 N. Nevada Avenue (UCCS Building and parking to the left.)*****

Last go around over 50 concern letters were sent to the city objecting to this project (I attached an example). What really worries us is that it's only a mile or so from the "Bates Mega Student Complex"

Thank you

David P Nunes
1171 Westmoreland Rd
Colorado Springs ,CO 80907
Cell 719-310-9330



Teixeira, Rachel

From: NUNES, DAVID P CIV USAF AFSPC AFSPC/A5MC <david.nunes@us.af.mil>
Sent: Wednesday, December 02, 2015 1:17 PM
To: Teixeira, Rachel; Council Members
Cc: Thelen, Lonna; b17b24b29@comcast.net; reply@rs.email.nextdoor.com; Sutton Spanton; gordon ohlberg; bjones111 (bjones111@msn.com); toddsharley1@msn.com; Jeffrey Crook; Dr. Terrance Boulton CEO/CTO
Subject: Magnolia Apartments
Attachments: view westmoreland street.pdf

Rachel,

I think there are great Geological concerns, (a landfill built over mines,) are profound for this project. Below is information I got off of the Colorado Mine Subsidence Protection Program for Homeowners. You will note that the newer houses built along the south part of Westmorland and West part of Hancock are not eligible for this Subsidence Program because they were built after 1989. Most of these houses sit high on the bluff and are walkout basements with quite a bit of drop off. The area proposed for this development has mines and mind shafts and was used as a landfill for years and is upslope from these newer homes. Homeowner insurance does not cover any earth shifting due to mine cave-ins. So what are going to be the mitigation actions taken by the city and the contractor to address this and if the home owners have earth movements problems such collapsed/flooding basements what options would we have. This is of great concern.

The attached picture (need to rotate) shows some of the homes in question on the right and the vacant proposed property on the right.

Mine Subsidence Information for Homeowners

Mine Subsidence Protection Program

Call 1-800-44-MINES

What is the Mine Subsidence Protection Program?

The Mine Subsidence Protection Program (MSPP) was established to pay for damage to Colorado homes that results from coal mine subsidence. The federal government, which shares reclamation fees levied on current coal production with the states, has given Colorado a \$3 million grant to establish the Program. The money, invested in a trust fund, is designed to provide a self-sustaining fund to cover claims and help offset administrative costs. Over 1,000 participants are currently enrolled in the program.

What are the eligibility requirements for the Program?

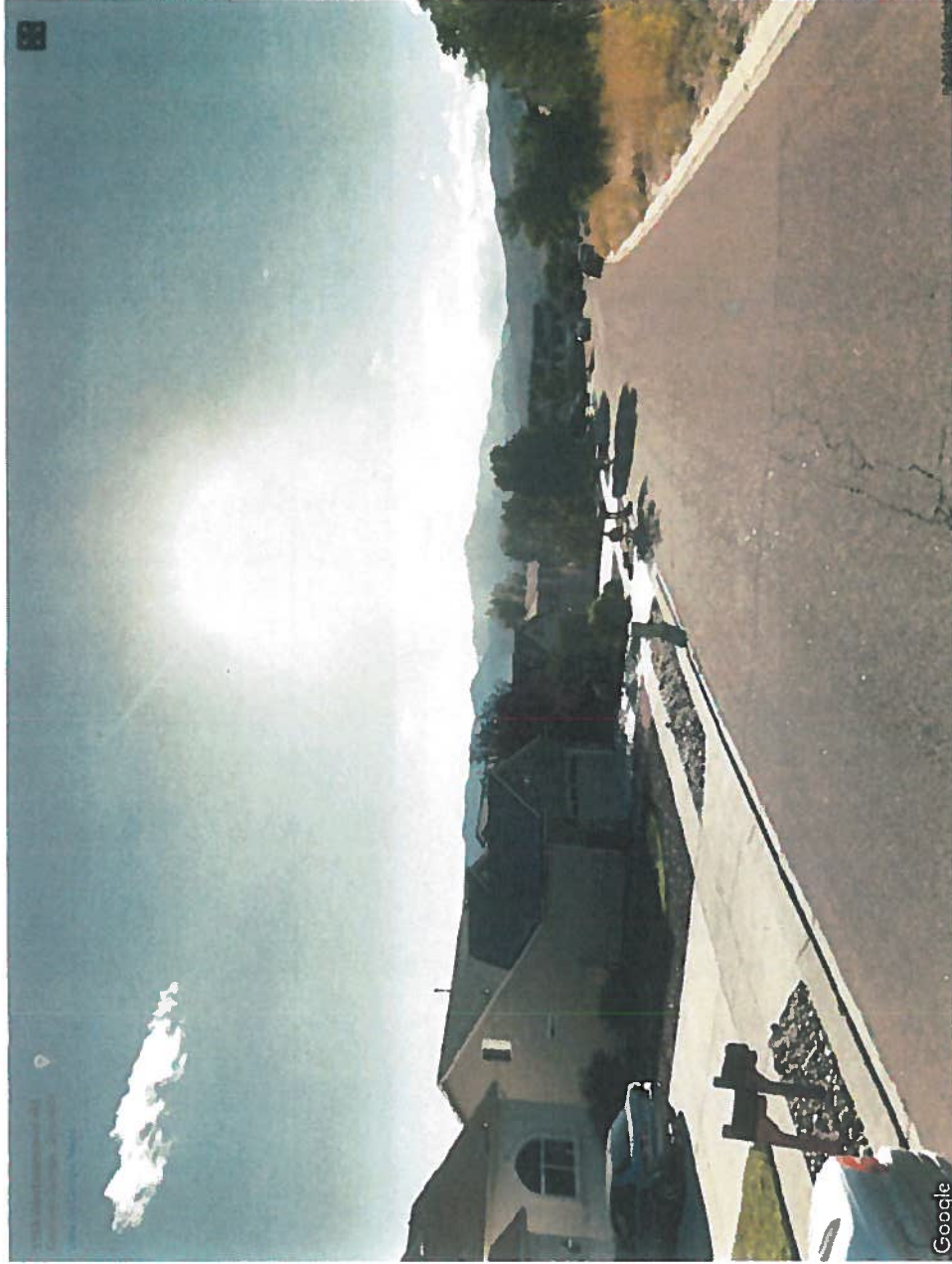
Participation in the Program is limited to privately owned residential structures of one to ten units which have been constructed in an area of historic coal mining before February 22, 1989. A historic coal mine is defined as one that ceased operations prior to 1977.

<http://www.mining.state.co.us/SiteCollectionDocuments/Cragmoor%20Area%20Map.pdf>

Very Respectively

David P Nunes
1171 Westmoreland rd
Colorado Springs CO 80907
719-310-9330

< BACK



Get Earth Maps for Colorado Springs

1171 Westmoreland Road
Search

FIGURE 3

Teixeira, Rachel

From: NUNES, DAVID P CIV USAF AFSPC AFSPC/A5MC <david.nunes@us.af.mil>
Sent: Thursday, December 03, 2015 2:38 PM
To: Teixeira, Rachel; Council Members
Cc: b17b24b29@comcast.net
Subject: Magnolia Student Appartment.
Attachments: New Magnolia Student Apartments.pdf

Rachel,

Here is my letter to accompany my e-mails on my objection to this project that is less than one half mile from the approved Bates project. It would totally overwhelm this neighborhood.

Thank you

David P Nunes
1171 Westmorland rd
Colorado Spring CO
80907
719-310-9330

Dec 3, 2015

City of Colorado Springs
30 S. Nevada. Ste. 105
Colorado Springs. CO 80901
ATTN: Rachel Teixeira

I am writing to object to new proposed Magnolia Student Apartment Complex at the N/E corner of Westmorland road and Hancock. This project is totally inappropriate for the neighborhood where it is proposed and is completely unnecessary considering all the new housing facilities recently added on and around the UCCS Campus to include the newly approved huge Bates project which is less than one half mile away. Not only will people who live N/E of this building lose their view of Pikes Peak, it will most assuredly lower the value of all of the homes as well. A three-story high-rise here is out of place for a family-based community. Housing like this for young UCCS college students will increase traffic congestion, parking, and noise. A thorough traffic, parking and congestion study needs to be completed. A huge parking lot that encompasses four lots poses a rain run-off (flooding) issue. A drainage study needs to be completed for entire project and any issues mitigated. From what I got from the contractor during the 1 December meeting was that the current drainage on Westmorland and Hancock is sufficient, it is not.

Additionally, there are great Geological concerns, (a landfill built over mines,) that are profound for this project. Information I got off of the Colorado Mine Subsidence Protection Program for Homeowners shows that newer houses built along the south part of Westmorland and West part of Hancock are not eligible for this Mine Subsidence Program because they were built after 1989. Most of these houses sit high on the bluff and are walkout basements with quite a bit of drop off. The area proposed for this development has mines and mind shafts and was used as a landfill for years and is upslope from these newer homes. Homeowner insurance does not cover any earth shifting due to mine cave-ins. So what are going to be the mitigation actions taken by the city and the contractor to address this? If the home owners have earth movement problems such collapsed/flooding basements what options would we have? This is of great concern. If the project is allowed to continue recommend the city require the builders to have \$2 million in escrow to be held for at least 7 years after completion of project for possible litigation related to mine collapse. A project this size would have much greater impact on the geotechnical stability of this area than a smaller one.

I know the city has a challenge right now with a program known as "infill" which the city is going after to complete neighborhoods that have empty lots which I support, but this project is not the correct "in-fill" for this neighborhood.

Thank you for your time and consideration.

Sincerely



David P. Nunes

1171 Westmoreland Rd
Colorado Springs CO. 80907
Phone: 719-310-9330

Teixeira, Rachel

From: dongeri@earthlink.net
Sent: Friday, December 04, 2015 11:17 AM
To: Teixeira, Rachel
Subject: Student Apartments Proposal
Attachments: New Proposed Westmorland Development.pdf

Attached find my objections to the proposed student apartments at Westmoeland and Hancock.
Donald Pegler

TO: Rachel Teixeira

RE: Proposed Westmoreland/Hancock Student Apartment Development

My property is located at 3768 N Hancock Ave in Colorado Springs and we have lived here over 15 years. My property is less than 150 feet from the proposed development. I attended the presentation of the developer on December 1. I will write based on what I remember hearing.

First, the only advantage I can see to the proposed development is that it will remove the junk Siberian Elms, tumbleweed and ragweed from the property. Every year seeds from these weeds (and others) blow into my yard from that very large vacant property initiating a profusion of weeds that I have to remove by hand since, instead of lawn, I have non-grass plants that would be killed by the available herbicidal sprays.

Second, I OPPOSE the development for the following reasons.

A. Magnolia and especially Hancock are steep hills in the area of the development. After a heavy rain or snow melt considerable water rushes down Hancock and in front of our house and sometimes it rushes curb to curb (even over the curb). I looked at the development plans and saw concrete and roofs along Hancock and Magnolia which will doubtless add to the runoff down Hancock. If there was any mitigation plan of containing or slowing that added runoff, I was not able to discern it. Runoff from the parking area was addressed.

Whenever we have a downpour considerable sand and gravel are deposited in the intersection of Westmoreland and Hancock. Snow melt causes similar problems although it is fast moving water, snow and ice instead of gravel and the problem is on my block but originates uphill.

B. We have had two houses in the neighborhood, one on Hancock (it still has students) and one on Westmoreland (now a family living there), that were owned by and housed students attending UCCS. I was unable to sleep many Friday or Saturday nights because of their parties that lasted to 12 a.m. and sometimes to 4 a.m. with lots of loud talking, laughing, and even shouting. I called the police one time when some drunken students built a large fire almost under the deck endangering that house and mine just two doors away. Many times late at night they tossed firecrackers from the deck of the Westmoreland house into the empty lot below and set off aerial fireworks. When they had a party nearby street parking was taken by their friends. The proposed development is for UCCS students and I see a probability of the past problems of noise and illegal activities multiplied by the increased number of students and their friends. I see balconies on the proposed apartments adding to the opportunity for students to have their parties very public and disturbing to the neighborhood.

C. Traffic on Westmoreland between Mountview and Scott Lane is very congested because of the apartments on both sides of the street. I see in the proposed plan that the parking lot will empty onto Westmoreland and Magnolia. Congestion would then exist on Westmoreland from Mountview to Hancock. I expect that their friends (and possibly the occupants) will park on the streets when the parking lots are full (or when it is more convenient). That will add to the existing street congestion. We are already having UCCS students parking on Hancock from Acacia/Mountview to Stanton, especially since removing them from farther up on Mountview and the surrounding streets by requiring permits. Each year the parked cars creep closer to our property. Parking spaces along Mountview and Hancock adjoining Danville Park are constantly filled with students' cars, even though there is a 2 hour parking limit (NOT ENFORCED). In a very few years we will have UCCS students taking the street parking in our area without having the proposed development add to that steadily encroaching problem. (Maybe

we, the present residents, could encourage them to park in the proposed development parking lot instead of parking on our streets.)

D. Marijuana is now legal in Colorado. University students have been known for many decades for their use of the drug. Now that they can more readily and legally obtain it I expect the consumption by that population is increasing. Many university students are able to obtain and consume alcoholic beverages. That can only result in students driving in our neighborhood (as they are reported to be doing in Colorado and greater Colorado Springs) who are high and even drunk and as I have pointed out there is already traffic congestion in the area. The area on Westmoreland with many apartments has many small children playing on the sidewalk. They sometimes dart into the street to retrieve a wayward ball, kitten or something else. I predict increased traffic accidents. Where there is consumption of drugs there is often increased crime as well. I fully expect crime to increase if the development moves forward.

E. We are a long established neighborhood. Students are a transient population. The students living on Hancock are strangers to the neighborhood. They come and go and ignore us. We value our neighbors and their friendships. Students will not have time to nor even want to meet their surrounding neighbors. We will have an island of strangers surrounded by true neighbors. Please don't do that to us.

F. The proposed apartments are too tall on Westmoreland and would completely overpower the existing homes, townhouses and apartments, especially as they are uphill which adds to their perceived height.

G. In light of my objections stated above, I believe that the planned development that is close to my property can only DECREASE the value of the investment I have in it. Is the developer willing to reimburse me when it happens? I am sure reimbursement would not happen without a lawsuit and the developer has more money to fight a lawsuit than I have to initiate one.

Again, I OPPOSE THE PROPOSED DEVELOPMENT!!

If the developer were to put housing for senior citizens on the property, at least 90% of my objections would go away. There would be little noise and traffic from these residents. It was apparent at the meeting that the developer had not thought of alternatives to student housing. Even townhouses for PERMANENT residents would be better than student housing. Better still would be single-family houses as we have in much of the area.

In the event the development should move ahead, I would recommend the developer rethink the design of the buildings. Wrap the apartments around a central courtyard with ALL balconies facing the courtyard. That would give the neighborhood more protection from noise and the manager more exposure to what was going on and ability to correct it. Reduce the size of the parking lot with under the apartments parking. Reduce the height of the buildings.

Finally, there is still space available in the North Nevada urban renewal area that would be closer to the campus, to the existing university bus service, and to shopping. Please consider building student apartments there but not that close to my property.

My phone number is: 719-963-4320 (business hours please). My address is 3768 N Hancock Ave / Colorado Springs CO 80907.

Sincerely,

Donald Pegler

Teixeira, Rachel

From: Geri <cybergeri@earthlink.net>
Sent: Thursday, December 03, 2015 6:50 PM
To: Teixeira, Rachel
Subject: Magnolia student apartments

Rachel Teixeira:

I live within viewing distance from the proposed apartments. Although I have nothing against students in general I believe the hubbub of that many active young people in one place in this community is ill advised. A senior center or other types of housing would be more appropriate. Student apartments would also add to traffic problems already in existence as well as parking issues for residents close by. I did not find the drainage explanation fully addressed that issue either. Even though the water would be treated it would still be dumped on the street to add to the lake we have at that intersection every time we have a heavy rain. The property is on a steep slope that will add to rushing water toward Westmoreland. This all also compounds storm water issues. My vote is against the proposal as it was put forth at the meeting on December 1, 2015.

Thank you for this consideration. Geraldine Y. Pegler Hancock Avenue

City of Colorado Springs
 Land Use Review
 30 S. Nevada, Suite 105
 Colorado Springs, CO 80901

Attention: Rachel M. Teixeira, Planner II

RE: Proposed Magnolia development to be held by Challenger Homes on behalf of Bahr Holdings LLC

A 3-story apartment building mainly for UCCS students is being proposed. We have numerous objections and concerns which are stated below:

1. The complex is to be 54 units of 2-3 bedroom apartments with a total of 142 bedrooms and 1 parking space allowed for each bedroom. This is a huge apartment building right in the middle of an old established neighborhood of single family and low-density dwellings. It will be unsightly by its mere size.
2. While it is being touted as housing for students, it was stated in the meeting held Dec. 1, 2015 at the UCCS building on 4863 N. Nevada, that the rentals would be open to the public. It was also stated that UCCS has not requested the complex be built nor will they have a financial interest or jurisdiction over operation of the building. This is an endeavor of a corporation intent on the best profits it can create.
3. There will be a 142 car parking lot almost directly across the street from my townhome. It will be unsightly whether it is visible or behind a wall.
4. We have been told by several realtors that our property values will plummet by \$10K-\$20K. Some say even more.
5. College students are notorious for drunken parties with resulting brawls, loud music, trash, and defecating on other properties and in the streets. Many times the police have to be called by concerned neighbors. This is not appropriate for a residential neighborhood.
6. 1 ½ blocks from the apartment building is Portal Park and Swimming Pool. Children of all ages (including preschools and daycares) use this park, especially in the summer. It would not be appropriate for children to be exposed to rowdy college students using the park.
7. This entire neighborhood sits on numerous old mines. There is fear that the construction required for this complex will destabilize the ground causing possible cave-ins and damage to the surrounding homes. With an LLC in place, the homeowners will have no legal recourse for damage to their homes. LLCs can quickly bankrupt the project and disappear.
8. Homes north and east of the 3-story building will lose their beautiful view of the Front Range that influenced their purchases.
9. The additional traffic will overwhelm our current streets and create dangerous situations with neighborhood residents and their children.

Unless drastically cut back to more match other homes in the neighborhood, I totally oppose the construction of this complex.

Respectfully,



 Rachel Bahr
 1123 Westmoreland Rd
 709-555-5557

FIGURE 3

Teixeira, Rachel

From: SHARON SANDERS <godskidz99@msn.com>
Sent: Wednesday, December 02, 2015 9:50 AM
To: Teixeira, Rachel
Subject: FW: Proposed 4-Story Bldg in Cragmor

Attention Rachel Teixeira:

I am forwarding a letter we sent to Ms. Thelen in August of 2014 relating to this proposed building project. Our concerns remain the same, even more so due to the travesty being build at the site of Bates Elementary. Please take our concerns and feelings to heart! This will ruin our neighborhood and our property values, not to mention blocking the magnificent view enjoyed by property owners on our street (Stanton Street).

Craig and Sharon Sanders
719/209-2486

From: godskidz99@msn.com
To: ithelen@springsgov.com
Subject: Proposed 4-Story Bldg in Cragmor
Date: Wed, 13 Aug 2014 15:33:45 -0600

Dear Ms. Thelen:

I also reside in the Cragmor area, and have done so since 1995. We have raised our three kids, and now have grandchildren who stay with us on a regular basis. I read the letter written to you by Todd Valdois (copy below) and really could not have put it any more clearly or concisely. We have watched our neighborhood grow over the years and develop into a fine, family-oriented community. We have also seen the type of behavior exhibited by some of the college kids living in rental houses in our midst. To think that the city would allow a developer to now put what amounts to a dorm or frat house in the middle of our neighborhood is absolutely nuts. If the developer wishes to develop the property, consider townhomes such as exist already on Westmoreland. My husband and I, along with most of our neighbors, are TOTALLY against this proposed development.

Letter from Todd Valdois

I was provided with your email address and phone number to express concerns regarding a proposed four story building being considered for construction in the Cragmor area near Hancock and Westmoreland. I apologize that I do not know the exact location. I also apologize if this is not the appropriate forum to express these concerns.

I am not opposed to the development of vacant land for useful purposes, but the concern I have with this specific development is that it is likely, if not intended, to be targeted as student housing for UCCS near that

area. Why else would such a large facility be needed so near a college. That would mean that the new student housing complex would be located very near Portal Park and Portal Pool. My very young children ages 4 to 12 frequent Portal Park and Portal Pool.

For as much as we would all like to deny it, we are not blind to what happens when young college student gather together. There can be illegal drugs and it is almost certain that there will be alcohol and recently legalized drug use as well as inappropriate sexual behavior. There does not seem to be an enforceable way to keep those activities within the walls of that building. It is almost certain that it will leak out into surrounding areas. We have already endured sexual predation of our young daughters and abusive behavior from the already established rental student houses. Please do not increase our risk.

Parks seem to be a target for these kinds of activities. I speak for many others when I say that If this housing development is approved, I fear that Portal Park and Portal Pool will become unsafe for my children, especially my 12 year old daughter. Perhaps my own front yard may not even be safe enough.

Please, Lonna, be compassionate to the many young families already established in the Cragmor area and deny the application for the development of this housing complex. Surely there are better locations for such a structure but not in the heart of a community of families with young children.

Thank you for your time and please consider this seriously,

Sharon and Craig Sanders

Teixeira, Rachel

From: Margie Schaefer <margieschaefer@comcast.net>
Sent: Friday, December 04, 2015 2:21 PM
To: Teixeira, Rachel
Cc: Council Members; Suthers, John
Subject: Magnolia apartments

Ms. Teixeira:

I am writing in opposition to the proposed “student” apartment building at the intersection of Magnolia and Westmorland Streets. Why is this called Student housing? It can’t be limited to students and at the recent neighborhood meeting it was brought out that the developer does not know who would manage the building so we have no idea how it would be marketed and managed. It is a widely held belief that city officials will approve any project that has “student” in the title or that pretends to be associated with UCCS. This is simply a large apartment building that would not be an appropriate addition to that neighborhood and that presents many concerns:

- 1. The proposed complex is not compatible with the surrounding neighborhood. While the property is zoned for multi-family use, there are single family homes on two sides of the property and the other surrounding buildings are duplexes and one four-plex. About a block away is a small apartment building with 29 units. This complex would dwarf the existing buildings and the high density of residents, student or not, would not fit with the existing neighborhood. I do not believe that many students choose to live in the existing multi-family buildings in that part of Cragmor and I doubt that a huge building would change that.**
- 2. The only way to reach this property is by neighborhood streets. A large number of residents – I think we are talking about 100-200- would cause a huge increase in traffic on residential streets that were never meant to support that much traffic. Heavy traffic is not compatible with the residential area of homes and duplexes.**
- 3. This area of Cragmor has experienced a number of subsidence issues in the past, both in Portal Park and on private property. A large building on the proposed site could cause many problems for surrounding properties.**

- 4. The site is in close proximity to both Danville Park and Portal Park – neighborhood parks that are used by families and children. Residents are already noticing drug and alcohol use at Portal Park and a high density project would be sure to increase illicit use of the parks.**
- 5. If the building were actually occupied by UCCS students, they would be likely to walk to class, which means that they would join all the students who park illegally around Danville Park and walk through the alleys to reach Austin Bluffs. That amount of foot traffic is not acceptable in a residential area. How could parents allow their children to play in a back yard with hundreds of people in the adjacent alley?**
- 6. You have already approved the huge Bates project which will add more than 600 people to the Cragmor neighborhood. Concern was expressed at the City Council meeting with the large number of students who will be crossing Austin Bluffs Parkway. The Magnolia project would potentially add 100-200 more students to cross the Parkway. I already find it difficult to turn onto Austin Bluffs because Students don't obey the crossing lights. Hundreds more? Everyone will be using the neighborhood streets to avoid driving on Austin Bluffs. Many already do that, including the UCCS shuttle busses.**
- 7. Generally speaking, college students do not make good neighbors. Large apartment buildings do not make good neighbors. You need to consider the effect on Colorado Springs when all the homeowners have been driven from Cragmor and you have an entire neighborhood of college aged people with no supervision. It is long past time for the city to show concern for homeowners. We have many years of hard work invested in modest homes and so far you have been willing to flush us down the drain in favor of those who would destroy our neighborhood.**

Please do not allow the Magnolia apartments to further degrade Cragmor.

Teixeira, Rachel

From: Margie Schaefer <margieschaefer@comcast.net>
Sent: Friday, December 04, 2015 5:33 PM
To: Teixeira, Rachel
Cc: Council Members; Suthers, John
Subject: Magnolia apartments

Ms. Teixeira:

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Please do not allow the Magnolia apartments to further degrade Cragmor.

Teixeira, Rachel

From: JP Scott <jp1scott@comcast.net>
Sent: Thursday, December 03, 2015 5:34 PM
To: Teixeira, Rachel
Subject: Against

City of Colorado Springs
Land Use Review
30 S. Nevada, Suite 105
Colorado Springs, CO 80901

Attention: Rachel M. Teixeira, Planner II

RE: Proposed Magnolia development to be held by Challenger Homes on behalf of Bahr Holdings LLC
On Westmoreland Rd 80907

I want to express my opposition to this development. I sent a letter to you earlier this year expressing my disagreement. I haven't changed my mind. Please don't allow this project to proceed.

Sincerely,

Jeff Scott

1139 Westmoreland Rd
Colorado Springs, CO 80907

Teixeira, Rachel

From: Grant Smith <grantmckeesmith@gmail.com>
Sent: Thursday, December 03, 2015 4:13 PM
To: Teixeira, Rachel
Subject: Proposed Magnolia Development - Westmoreland Rd. and Hancock Ave.

Rachel,

As President of the Cragmor Neighborhood Association and a homeowner in the Cragmor neighborhood I am concerned about this newest high-density housing project. The city's review criteria should include the following:

1 Geo-technical drilling and down hole geophysical surveys that cover the entire re-platted parcel should be completed by the developer. It is common neighborhood knowledge that these lots were used as a dumping area for many decades because the mine collapse features on the site were attractive dumping pits. The results of these studies should be submitted to the Colorado Geologic Survey for review before any plan or building permit approvals are given by the City.

2 A traffic report should be completed by the developer to determine what affects this project has on the surrounding area.

3 Any surface parking should be surrounded by a wall and secured with a gate so that only residents can park there. Lighting for the parking area should not disturb the surrounding neighbors. On street parking should be discouraged as this leads to increased risk of car break-ins.

4 Outdoor balconies should not be allowed in the design of this project.

5 The storm water detention pond for this site should be contained completely on the site and screened in such a way that it does not visually disturb the surrounding neighbors.

6 Is this project harmonious and compatible with the Cragmor neighborhood?

Regards,
Grant

Grant McKee Smith
3916 Mariposa St.

Teixeira, Rachel

From: John Stone <buddhastone@hotmail.com>
Sent: Friday, December 04, 2015 2:17 PM
To: Teixeira, Rachel; John Stone
Subject: FW: Challenger Homes pre-application concerns...

Rachel trying a second time to get you our comments from Mondays Meeting, thank you

From: buddhastone@hotmail.com
To: ryeixeira@springsgov.com; buddhastone@hotmail.com; agolden@aol.com
Subject: Challenger Homes pre-application concerns...
Date: Fri, 4 Dec 2015 14:13:57 -0700

To: Rachel Teixiera,

I am the property manager for Ventura Holdings for our property at 1183 Magnolia Street. My owners and I have grave concerns about this proposed plan presented by Challenger Homes on behalf of Bahr Holdings LLC. We attended the pre-application meeting.

1. The high density housing (40 to 50 3 bedroom apartments with parking) combined with Challenger Homes business model which is directed specifically toward undergraduate students at U.C.C.S. is a lethal combination and one we know from personal experience will cost our tenants havoc. This model will create a congested and non-governed population directly effecting our rental property, along with all of the others in the Sherer Subdivision.

We have found that the proposed rental manger,has fostered the same problems in and around Colorado College for years, creating complaints about student behaviors both reckless and dangerous to others. Many of our tenants come to us with these complaints looking for peaceful and safe housing with NO students. I have personally experienced young adults of this age and background in our properties and the destructive nature these people exhibit when unattended by adult supervision has cost us thousands of dollars in repair bills.

I asked specifically what the policies i.e. background check, sex offender, criminal and credit checks would be in effect.

I asked if there would be any supervision of the property other than collecting rent.

I asked if the parking lot would be monitored for illicit drug deals, crime, theft.

The Challenger Homes representatives were attentive and had many good answers about the physical plant management but little or no information about the most crucial element, the proposed tenant population.

We are directly adjoining this property, we will be directly effected by parking within feet of our tenants front doors.

2. The high density housing proposed will pose an immediate issue with potential problems to our four plex at 1183 Magnolia, and our tenants. a.) High density parking within proposed set backs will cause noise and light pollution b.) proposed egress entering or exiting from Magnolia within 15 feet of our tenants front doors will

cause traffic congestion and issues for the present tenants at our property and other properties lining the street, pollution, trash, bottles, etc.

c.) Security of said parking lot if self governed by the proposed tenant base, will be a nightmare for our tenants.

We have young families, young professionals, and working class tenants, and all are hard working tax paying citizens. They deserve a peaceful home.

We submit that this housing development has a right to exist within a common framework the entire neighborhood can experience.

We suggest:

Changing the business model to target an older even senior age tenant base.

Perhaps less dense building, enclosed garages, more landscaping, especially in the corner they propose to place parking and an entrance next to our property and a sound barrier or solid wall between this parking lot and our property. One that will ensure safety and no light pollution for our property.

Twenty four/seven on site management to ensure safety and lease enforcement, including parking lot security.

Strict leasing rules: Our experience over a 20 year period in our apartments always has been that, collage age tenants have, torn up and out fixtures or carpets were stained and ruined, smoking damage to walls windows and ceilings, parties with loud music and complaints from other non-student age tenants, you will perhaps know why we are concerned.

While we interview all prospective tenants and perform exhaustive background checks and do not permit smoking in our buildings we have chosen to wait for the best tenant. You would find less friction with the neighborhood if you could promise us a well rounded tenant base to co-inhabit this neighborhood.

Sincerely, John Stone
Ventura Holdings Property Manager
719-232-6618 with any questions or answers.
December 4, 2015

Teixeira, Rachel

From: Emmett Tischmak <emmett.tischmak@hotmail.com>
Sent: Monday, December 07, 2015 10:29 PM
To: Teixeira, Rachel
Subject: Resident Concerns regarding Magnolia Development by Bahr Holdings LLC

To Whom It May Concern,

My name is Emmett Tischmak. I am the proud homeowner and resident of 1167 Westmoreland Road in Colorado Springs. I am an active duty Army Officer with a wife and 4 year old daughter. I am writing today to communicate my concerns regarding the proposal by BAHR HOLDINGS to build a 54 unit, 142 bedroom apartment complex northwest of Westmoreland Rd and N Hancock Ave in Colorado Springs. I attended the neighborhood meeting held by the developer and the City Planner on 1 Dec 2015 and I believe there were many valid concerns brought up regarding the initial draft of the proposal presented by the developer.

I strongly disapprove of the proposed development in its current form. I believe it will have a huge negative impact on the neighborhood in terms of infrastructure, community, property values, and safety. Though I strongly disagree with the current proposal, I am not opposed to the development of the empty lots completely and realize that in their current form they are not being utilized to improve the community or neighborhood.

The biggest problem with the proposed plan is the size of the project. First, a 142 bedroom complex will likely house between 142-250 people when rented at maximum capacity. A complex that housed this many people on this small plot of land would have a population density that is anywhere from 200-600% higher than any other area in the neighborhood. Doubling the population density of an area will not only raise a whole host of infrastructure and safety issues such as traffic, parking, crime, and water drainage, but it will also cause the value of all of the SINGLE FAMILY homes that are adjacent to this area to plummet.

My other concern with this project is the physical size of the structure. I understand that there is a 45 ft height allowance with the zoning. However, in its current form this structure will tower an entire story above every single building on its south and west sides. Because this proposed building is so much larger than the rest of the surrounding buildings it will again cause surrounding property values to decrease because of decreased visual appeal. Though there are numerous multi-family structures near the this proposed building site and every single one of them is dramatically smaller than what is being proposed by Bahr Holdings.

Additionally, I am concerned with the financial stability of the developer. The proposed area to be developed sits over abandoned mine shafts and if a shaft collapses or causes a substantial shift it is likely that my house, which is right across the street, could be affected. I am not able to purchase mine shaft insurance because my house is too new. I think it should be required that whoever develops that area be bonded and insured to a high enough amount so that they could cover major damage to numerous adjacent houses if there was an accident due to a mine shaft collapse or shift.

I understand there is a need for student housing for UCCS, however, I do not believe that using this land is a "good fit" for this type of housing when the surrounding neighborhood is taken into consideration. This 142 bedroom complex will not "fix" UCCS' student housing shortage, but it will definitely destroy an established

and long-standing neighborhood. I think it is great that UCSS is expanding, however I do not believe that they should do so in a non-community conscious way. UCCS should have some responsibility for making it cost effective for developers to build student housing that is next to or a part of the campus. Part of growth and expansion is the responsibility to do it in a way that doesn't alienate the surrounding community that is filled with the people that support the institution.

Finally, though the developer claims to pursuing the development to alleviate the student housing shortage, by my calculations they are using that to mask the fact that they are likely to make a very fast return on investment, based on the size of the project they are proposing. By my estimates they will receive a full return on investment in less than ten years based on the size of the proposed project. That is an incredibly quick amount of time to receive a complete return on a real estate investment, especially in a neighborhood where the vast majority of the residents have 15 and 30 year mortgages.

I ask that you do your duty and ensure that this parcel of land is developed in a community conscious way that does not alienate and destroy an entire neighborhood. I also realize that there will always be someone who is unhappy with any proposal, but based on the community meeting I think it was pretty clear that there is widespread and unanimous disapproval of the current proposed plan by Bahr Holdings LLC. I ask that you deny any proposals or plans that replat the 8 lots into one single lot (whihc would be the largest single lot in the entire neighborhood). I also ask that you deny any proposals or plans that would create a structure that would have a population density that is insanely higher than the average population density of the surrounding area.

Thank you for your time and consideration of this matter.

Emmett Tischmak

Teixeira, Rachel

From: Jill Travis <scootergirl125@yahoo.com>
Sent: Wednesday, December 02, 2015 12:33 PM
To: Teixeira, Rachel
Subject: Proposed student housing apartment complex at Westmoreland Road and Hancock Ave

Dear Ms. Rachel Teixeira,

I am writing to you about the proposed student housing apartment complex at Westmoreland Road and Hancock Ave.

I don't believe that more students with all the issues that large groups of young, unsupervised students bring would be compatible with the surrounding neighborhood. There are already problems caused by the students in more and more rental houses in the area including large parties, noise, parking, and trash. Adding this large number will only increase all of these negative impacts.

Traffic is another concern. We already have UCCS students racing around our neighborhood. We really don't need any more. I have a 7 year old son, I would like to keep our streets quiet and safe for him.

Thank you for considering my position,

Jill Travis

[521 Cragmor Road](#)
[Colorado Springs, CO 80907](#)
[\(719\) 238-8855](#)

Teixeira, Rachel

From: wolverine32889@gmail.com
Sent: Sunday, December 06, 2015 3:09 PM
To: Teixeira, Rachel
Subject: Speed bump

Hi, I live in the ranch community and since I have moved here I have noticed an increase of people speeding through the neighborhood. What do I need to do to have a speed bump in place?

Respectfully Joey.