



COLORADO SPRINGS PLANNING

Land Use Review

Appeal of a City Planning Commission Decision to City Council

Appeal of a City Planning Commission Decision to City Council

Complete this form if you are appealing a **City Planning Commission, Historic Preservation Board or Downtown Review Board Decision** to City Council.

Appellant Contact Information

Jeremy Hoffman

Name of Appellant

763-587-1421

Phone Number

3817 Tee shot Dr. Colorado Springs, CO 80922

Address (Include City, State, ZIP)

Kandohoffmana@yahoo.com

Email

Project Information

Flats at Sand Creek

Project Name

TSN (Corner of North carefree + Peterson)

Site Address (TSN if not yet addressed)

Subdivision development plan

Type of Application Being Appealed

DEPN-24-0133, ADRF-24-0073

All File Numbers Associated with the Application

Austin Cooper

Project Planner's Name

Hearing Date

Item Number on Agenda

Appellant Authorization

The signature(s) below certifies that I (we) is(are) the authorized appellant and that the information provided on this form is in all respects true and accurate to the best of my (our) knowledge and belief. I(we) familiarized myself(ourselves) with the rules, regulations and procedures with respect to preparing and filing this petition. I agree that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval.

Signature of Appellant

Date



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Appeal Submittal Should Include:

All Items Are Required

- ☒ Completed Appeal Form (this document).
- ☒ Evidence of "Affected Party" Status – check the box below and provide justification for the chosen box.
- ☒ Notice of Appeal Statement (see requirements on page 3 of this document).
- ☒ \$176 fee payable to the City of Colorado Springs.

Submit all 4 items above to into the City Clerk's Office at **30 South Nevada, Colorado Springs, Colorado**. Appeals are accepted for 10 days after a decision has been made. Submittals must be received no later than 5pm MST on the due date of the appeal. Incomplete submittals and / or submittals received after 5pm or outside of the 10-day window will not be accepted. If the due date for the submittal falls on a weekend or federal holiday, the deadline is extended to the following business day no later than 5 pm MST.

If you need additional assistance with this application, please call the Land Use Review front desk at (719) 385-5905.

Affected Party Status

Please indicate, per UDC Subsection 7.5.415.A(1)(a) (Right to Appeal), which of the definitions of "Affected Party" that applies to the Appellant.

- ☐ (1) The applicant for the decision being appealed;
- ☒ (2) The owner or tenant of a lot or parcel of land located within one thousand (1,000) feet of the subject lot; or
- ☐ (3) Any owner or tenant of a lot or parcel of land located within three (3) miles of the subject property who has preserved standing by:
 - ☐ (a) Testifying at the public hearing on the application;
 - ☐ (b) Submitting written comments prior to the public hearing on the application; or
 - ☐ (c) In the case of applications approved by the Manager or an administrative official, submitting written comments to the Manager or administrative official during the comment period before the Manager or administrative official's action.



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Notice of Appeal

UDC 7.5.415.A.2 (Notice of Appeal):

- (1) The specific provision(s) of this UDC that is the basis of the appeal;
- (2) Which of the following criteria for reversal or modification of the decision is applicable to the appeal:
 - (a) The decision is contrary to the express language of this UDC;
 - (b) The decision is erroneous; or
 - (c) The decision is clearly contrary to law; and
- (3) Describe how the criteria for the relevant application have or have not been met.

We appeal this development for the broad reasons below to the stated UDC articles. This proposed development plan is not conducive to the best interest of the adults and children residing in current neighborhood or the future residents of the proposed development.

Provisions serving as basis of neighborhood appeal:

C. The details of the site design, building location, orientation, and exterior building materials are compatible and harmonious with the surrounding neighborhood, buildings, and uses, including not-yet-developed uses identified in approved Development Plans;

D. Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practicable;

H. The project complies with all the development standards of Article 7.4 (Development Standards and Incentives), including access and connectivity requirements in Part 7.4.4 (Access and Connectivity), the landscaping and green space requirements in Part 7.4.9 (Landscaping and Green Space), and the parking and loading requirements in Part 7.4.10 (Parking and Loading);

L. If necessary to address increased impacts on existing roadways and intersections, the project includes roadway and intersection improvements to provide for safe and efficient movement of multi-modal traffic, pedestrians, and emergency vehicles in accordance with the Engineering Criteria, public safety needs for ingress and egress, and a City accepted traffic impact study, if required, prepared for the project.

Neighborhood Justification for Appeal:

- Proposed site design is not harmonious or compatible with the surrounding neighborhood in design, location, size, community, proposed building / parking structure, and designated use.
- Proposed development plan does not provide adequate and realistic number of parking lot spaces located directly on the site premises, relying too heavily on street parking which will result in overcrowded parking along neighborhood streets and traffic issues
- Access designed for residents of proposed development site to enter and leave premises increases risk of traffic related incidents, issues, congestion, and safety
- Increases risk of pedestrian safety on dangerous intersection
- Increases impact to neighborhood water system and storm water mitigation
- Proposed development plan at designated location creates significant off-site impacts to surrounding neighborhoods by:
 - increasing risk of traffic related incidents, issues, congestion, and pedestrian safety
 - increasing safety risk of Sand Creek high school students
 - increasing noise levels that may disrupt quality of living
 - decreasing surrounding home values while site under construction and permanently for homes within radius of mountain views
- Businesses within 500 feet already enforce limitations on patrons entering establishments during certain time frames



City of Colorado Springs

30 S Nevada
Suite 204
Colorado Springs, CO

Ph: 719-385-2367

Receipt # 152299
Date Issued: 4/18/2025

Receipt

Record Information

Record ID: 10FDD-00000-#0001

Record Type:

Project Name

Site Address

Payor

JEREMY J HOFFMAN

Fee Information

| Fee Item | Notes | Amount |
|---------------------|---------------------|-----------|
| Planning Appeal Fee | FLATS AT SANDCREEK. | \$ 176.00 |
| Total Fee Amount: | | \$ 176.00 |

Payment Information

| Method | Reference No | Comments | Transaction Amount |
|--------------------|--------------|--|--------------------|
| Check | 1064 | PLANNING APPEAL FOR FLATS AT SANDCREEK DEPN-24-0133, ADRF-24-0073 | \$ 176.00 |
| Total Amount Paid: | | | \$ 176.00 |