

Teixeira, Rachel

From: Abe s. <shirazi55@msn.com>
Sent: Thursday, January 28, 2016 4:38 PM
To: Teixeira, Rachel
Subject: Cpc Dp 15-00142 & ar war 15-00823

Hi Rachel,
Happy New Year.

This is Abe Shirazi a four plex owner at 1170 westmoreland rd. Colorado Springs co.
Sorry, we have been missing each other. John stone (property mgr for 4 plex) right behind us and other owners on westmoreland rd. requesting to locate all the entrances and exits for this new project on Hancock avenue. This is only a common sense approach to this issue. Because, there is no apt complexes on Hancock avenue. However, there are plenty of 4plexes and apt complexes that already exists on westmoreland just adjacent to our properties. And by locating an entrance on westmoreland, will multiply the problems for home owners on that street.

There is no doubt that once these apt complexes get built would increase traffic for all living in that neighborhood and perhaps more than 70% would be traveling through westmoreland rd.

At least by locating the entrances and exits on Hancock Ave. that will alleviate some of the heavy traffic and provide an alternate routing options for future tenants of those apt complexes to travel through different street than westmoreland rd.

Respectfully submitted,

Abe Shirazi

719-235-7325

Teixeira, Rachel

From: barbaraortiz1211@comcast.net
Sent: Tuesday, January 12, 2016 7:11 PM
To: Teixeira, Rachel
Subject: Magnolia Apartment Complex Development Plan

I am writing in regard to a request by Magnolia Apartment Complex Development Plan to allow for a 54-unit student housing complex at the corner of Westmoreland Road and Hancock Avenue. I have lived in my house at 1211 Westmoreland Rd. for 50 years.

There have been many changes to this area in that time. Some of the changes I have not been excited about but have adjusted. The building of this complex is not one that residents will be able to accept. A 54 - unit will mean well over 100 students and about that many cars. This area is not designed for that. With the growth of UCCS the traffic is already bad and would be awful with that addition. The city has already approved a new student complex in the former Bates school area. This will cause enough problems. Adding another one to this area would be disastrous.

One of the adjustments we have had to make is more students living in houses in this area. This has caused more noise, trash being put in neighbors' yards, more traffic and students parking anywhere they want to. When I have called the city about some of the problems, I am told that the city is not checking on the parking but UCCS is doing that. When I called UCCS they said the city is doing that. When I told them what the city said they said they will check if they have time. They asked if I could tell them where a car was parked that had no tag to park. I gave them what they asked for. That was about six months ago and the car still parks there and still has no tag. The city put up signs around the park in Cragmor limiting parking to two hours during the weekdays. But after the money and time to put signs up, the city said they don't have a way to mark the cars so that can't be enforced. They didn't think of this before it was done? I say these things because I know if the complex is approved there will be many problems but no one to take care of them.

I understand the city may want growth and I am not against that. But it should not be at the expense of the present residents. At a meeting that was held for the residents here and someone from Magnolia Apartment Complex I asked why they chose that area to build a student housing complex. There is vacant land around here that would be a better location. They said it was cost. May be true, but a poor answer.

If you are a person considering this plan, please think about this. Would you like for someone to build a 54 - unit complex

for students in front of your house (this one would do that), or even several blocks from your house?
When I moved here 50 years ago
we were in the county and on a dead end street. It was a wonderful place to live. I know change
happens, but this would be an awful
change.

Please do not approve this plan.

Barbara Ortiz
1211 Westmoreland Rd
Colorado Springs, CO 80907
719-598-3575

Teixeira, Rachel

From: BJ McCauley <fizzbombsmother@centurylink.net>
Sent: Tuesday, January 05, 2016 5:54 PM
To: Teixeira, Rachel
Subject: Magnolia complex

We do not want a big complex with balconies and young students throwing beer cans on our yards, parking on our streets with all their friends --- when WE have a party, elderly people will have to walk 5 blocks to our house because there will be no place to park. We live on Westmoreland across from the now vacant lot and Westmoreland Road is just not equipped for student driving. There are children and animals, a bad curve with parked cars on each side, there will be a death on this Road if the new complex is to go in. Westmoreland Road can barely handle the traffic from the residents on it. We realize it is zoned for duplexes but this area simply cannot safely handle hundreds of students and their friends driving back and forth on it. It will make it dangerous!

**BJ McCauley
1159 Westmoreland Road**

Teixeira, Rachel

From: Clara Sulcer <clara.sulcer@gmail.com>
Sent: Wednesday, January 13, 2016 7:02 PM
To: Teixeira, Rachel
Subject: Ref. File No.: CPC DP 15-00142 & AR WR 15-00823

Rachel Teixeira

rteixeira@springsgov.com

Ref. File No.: CPC DP 15-00142 & AR WR 15-00823

Dear Rachel,

I have several concerns concerning the Magnolia Apartment Complex Development Plan to allow for a 54-unit student housing complex. I recently purchased a Townhome that is protected by Covenants and a HOA and is only 1 block away from where the projected 54-unit student housing complex. Having lived here for approximately 6 months now and traveling on Westmoreland almost daily, I can confidently say that Westmoreland is already a mess and can only imagine what adding a 54-unit student housing complex would do to it and the neighborhood.

Westmoreland has many 4-plex and multiple family housing situations on it. The result is overflowing garbage containers, broken down cars, unattended children darting into the street and college students using the street as a sidewalk instead of the walks provided. There is a constant flow of students moving in and out of complexes leaving behind mattresses, couches and book shelves that won't fit into the trash containers. I'm not sure who thought it would be a good idea to add housing for an additional 108 students in an area that is not zoned for that kind of capacity and not require the property to be Replatted. Evidently no one from the City of Colorado Springs Planning and Development Department has taken the time to drive down Westmoreland and assess the situation. Not only would such action devalue properties in the area, but it would provoke neighbors to be constantly calling the City with complaints.

I strongly feel that the Development Plan should be outright rejected. My vote, at this point, would be against a Zoning Variance.

Regards,

Clara Sulcer

3763 Scott Lane
Colorado Springs, CO 80907

719-337-0771

This email and attachments contain information that may be confidential or privileged. If you are not the intended recipient, notify the sender at once and delete this message completely from your information system. Further use, disclosure, or copying of information contained in this email is not authorized, and any such action should not be construed as a waiver of privilege or other confidentiality protections.

Teixeira, Rachel

From: Deana Williams <deana@authenticintimacy.com>
Sent: Tuesday, January 05, 2016 3:40 PM
To: Teixeira, Rachel
Subject: Fwd: Delivery Status Notification (Failure)

Ms. Teixeira,

I object to the plans as submitted for a 54 unit student housing complex to be built in this quiet residential neighborhood. I have lived here 16 years and this type of building is not suited for this area.

Parking for such a development will bleed into the streets, not to mention the noise that such a development will bring.

The neighborhood is predominantly SFR. Further multi-family buildings and zoning of R-5 will destroy land and property value, plus cause dangerous conditions for the many, many children that live in the area.

Rezone this land to single family residential!

-Deana

Deana M. Williams
Executive Producer
719-459-7598 call/text

<<https://www.facebook.com/AuthenticIntimacy>>
<<https://twitter.com/AuthenticIntmcy>>

Teixeira, Rachel

From: Elaine Ferguson <eferguso@gmail.com>
Sent: Thursday, January 14, 2016 4:51 PM
To: Teixeira, Rachel
Subject: Proposed Apartment Building on Westmoreland Road

Rachel,

I live at 1135 Westmoreland Road and am president of the Scenic View Townhomes Owner Association. I have lived in my home for nearly thirteen years. For the most part our neighborhood is quiet and fairly safe in spite of the four-plexes and apartment buildings surrounding us. However, the influx of students attending UCCS, occupying our neighborhoods and over loading our streets with parked vehicles, is becoming a big problem.

Now there is a proposed apartment building across the street and I highly object to any rezoning to accommodate the construction needed for that project. Our neighborhood density is already maxed out and the addition of this complex would completely overwhelm our infrastructure including streets, parking, and sewers.

This is a family neighborhood with Portal Park within one block. Children and college students do not mix!!

Most of our homes are precariously built on a series of coal mines beneath us. We have not had problems with unstable land issues but fully recognize that the mass excavation this building will require will possibly destabilize the land.

Thank you for sending the cards, having the neighborhood meeting, and all the other things you are doing to keep us apprised. Please advise me if there is anything else we can do to further register our concerns.

Thank you for your time.

Respectfully,
Elaine C. Ferguson

Sent from [Mail](#) for Windows 10

1/11/2016

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 wouldn't 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. The additional traffic will overwhelm our current streets and create dangerous situations with neighborhood residents and their children.

FIGURE 4

8. Homes north and east of the 3-story building will lose their beautiful view of the Front Range that influenced their purchases. 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: Geri <cybergeri@earthlink.net>
Sent: Wednesday, January 13, 2016 10:31 PM
To: Teixeira, Rachel
Subject: proposed Magnolia apartments

As a resident who lives within 100 feet of this proposed structure I have two main objections to student apartments at that location:

One: It does not fit this neighborhood at all. Mixed family or senior citizen apartments or separate houses would be more appropriate. The former Bates location will have plenty of student apartments.

Two: Since the current owners of the property consistently break the law concerning leaving weeds over 9 inches all over the property causing a fire hazard how do we know they will not break other laws in construction of apartments for students? There are many ways they can do this including water runoff, lighting, parking lot requirements and set-back requirements. Since the city consistently lets them leave the weeds in spite of many residents calling code enforcement I am not convinced that they will be required to comply with anything else concerning the building. Sincerely, Cragmor resident Geri Pegler

Teixeira, Rachel

From: Gordon Ohlberg <gordon.ohlberg@oracle.com>
Sent: Monday, January 04, 2016 10:04 PM
To: Teixeira, Rachel; Council Members
Cc: Thelen, Lonna; NUNES, DAVID P CIV USAF AFSPC AFSPC/A5MC
Subject: Magnolia Apartments (File No.: CPC DP 15-00142 and AR WR 15-00823)

Hello Ms Teixeira,

After reviewing the responses from Land Patterns, Inc. in the document found at: <https://eoc.springsgov.com/LDRSDocs%5CLUISPlanner%5CDocuments%5CApp%5C86997.pdf> I would like to submit the following in regards to their responses to:

- Item's 1-2: Only a terse answer that it falls under R-5 Zoning. The Public Notice I received mentions that R-5 Zoning is designated as 'Multi-Family Residential.' I'm not sure what part of 'Student Housing' falls under the 'Family designation. Please explain. The introduction of young students into our environment is not harmonious and will undoubtedly be 'incompatible' with the well being of the surrounding neighborhood.
- Item 5: A 'yes' answer from the developer is inadequate. It does not cover any on-site security/management team which will be needed for a prompt response and swift action to address unruly student behavior on and around the property. The way I see it, the only adequate 'buffering' from the undesirable influences would be a sound-proof dome entirely enclosing the facility, which is of course, impractical.
- Item 7: Logical safe and convenient vehicular access. They only address meeting ROW and pavement mat criteria. What about a traffic survey to support the impact of 140+ vehicles traveling in and about an area where families with small children reside? We already see a number of young drivers exceeding the 25 mph speed limit by an average of +20 mph over and would hate to see a fatality resulting from increased traffic flow in this area.
- Item 14: (Drainage Channels) I cannot see how they mark this as 'Not applicable to this site' since it was already discussed in the previous meeting by the developers that the increased rainfall/drainage from the asphalt in the parking area will be handled by the existing storm drain system (storm drain at the corner of Scott Lane and Westmoreland Rd.). I am more than certain this will not adequately address the flood waters that will undoubtedly surge across the street to the yards and homes on the south-side of Westmoreland Rd. down-slope from the property, where I reside.

Thank you for hearing our voice and hope you will come to see that this project is not a good match for our neighborhood.

Respectfully yours,
Gordon Ohlberg
Family Man and Cragmoor Resident

Teixeira, Rachel

From: gwen1931@comcast.net
Sent: Wednesday, January 13, 2016 3:44 PM
To: Teixeira, Rachel
Subject: Development plan in Cragmor area

I believe if this plan is approved , it will cause a repeat of some or all of the problems that we have had in the past . This issue was resolved about a year ago with the involvement of the city, college, police department, Cragmor community residents, and others. I was informed that the college had provided student housing, parking on the campus site to eliminate the problems in this neighborhood. If you want more details: contact Tim Roberts @ 385-5481. He spearheaded all of the meetings, etc.

Also I believe this plan involves some vacant land. If this is true, this property was not developed because there are open mines on it.

Thanks for listening:

A concerned Cragmor resident.

Teixeira, Rachel

From: J.B. Carpenter <jjcarpenter1@centurylink.net>
Sent: Wednesday, January 06, 2016 11:06 AM
To: Teixeira, Rachel
Subject: Magnolia Complex

We as a community spend our whole lives paying TAXES for a quiet, respectable, SAFE neighborhood of SINGLE FAMILY dwellings. Then our city council changes up the rules and allows INVESTORS to trample our investments so they can make more in TAXES. Makes me sorry I chose to live in Colorado Springs!!!

J. B. Carpenter 80907-4755

Sent from my iPhone

Teixeira, Rachel

From: Janet Gardner <heyjanetg@gmail.com>
Sent: Wednesday, January 06, 2016 10:19 PM
To: Teixeira, Rachel
Subject: Colorado Springs

The nice town we used to live in is now a congested city where planners cannot keep up with all the people they are bringing in. (2 lane interstate) and 1 person in this city tipped the scale against all the neighbors who live near Bates and DON'T WANT A 6 STORY APARTMENT. Of course, there is the real possibility that the ground there will create all the big problems we have in the area with shifting, sinking homes! Now...another apartment building - Magnolia Student Apartment Complex. We make our desires very clear that we don't want this dense housing in what was a quiet Cragmoor neighborhood, but you just don't listen. There must be places north of the college where you can build a huge highrise apartment that won't be in our faces, not to mention all the neighborhood noise issues that come from college students living in the area.

Please go somewhere else to build your apartments - the city doesn't want to see any open space in neighborhoods anymore - but we who live here like our breathing space.

Janet

--

Make it a good day.

Janet

Teixeira, Rachel

From: JEFFREY <crook5@comcast.net>
Sent: Thursday, January 14, 2016 4:36 PM
To: Teixeira, Rachel
Subject: File No CPC DP 15-00142 and AR WR 15-00823

I respectfully request that the City of Colorado Springs deny the request by Land Patterns Inc., File Numbers CPC DP 15-00142 and AR WR 15-00823 to combine 8 lots so as to build a 125 bedroom apartment project located on Westmoreland Road. The intended project design consists of three 3-story buildings which is not harmonious with the surrounding neighborhood which consists mainly of single and 2 family homes. The proposed development will overshadow the neighborhood, causing loss of view, privacy and sense of community. The large increase in the number of temporary residents in my neighborhood will increase the level of noise, littering, traffic, street parking and decrease security. I do not believe the proposed land use is compatible with the surrounding neighborhood. The family oriented single family homes located adjacent to this project on Westmoreland Road and Hancock Avenue will incur significant devaluation in property value due to this type of project. A town home project or single family homes would be more appropriate use of the land. Also a large project like this built over and next to abandoned coal mines could possibly cause shifting soils and subsidence to occur in surrounding land that could create great harm to roads and neighboring homes.

I ask you this simple question, would you like a large 3 story apartment building to be placed across the street from your home?

Thank you

Jeffrey Crook
Agnes Crook

Teixeira, Rachel

From: Josmilemaker@aol.com
Sent: Tuesday, January 05, 2016 10:28 AM
To: Teixeira, Rachel
Subject: Re:cpc dp 15-00142 & ar wr 15-00823

I sent a pervious e-mail regarding this project, after a neighborhood meeting showing their plans. The initial reasons still apply. This is a residential community it will not safely support 142 cars that are planned for the students. Neither will the addition of guest cars with no parking provided. The trash and noise level will increase to none tolerable levels. The number of students on our streets will be unsafe for them and for the residents, this is already an issue because of the students who choose to park here. The only individuals to profit from this invasion of the neighborhood are these developers. Not one positive comment was offered at the meeting. The major issues are traffic, trash, noise and safety. Thank you, Joanne M. Menard

Teixeira, Rachel

From: JP Scott <jp1scott@comcast.net>
Sent: Sunday, January 10, 2016 2:36 PM
To: Teixeira, Rachel
Subject: Opposition

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 also want to express my opposition to any rezoning of these lots to allow this project. Please don't allow this project to proceed.

Sincerely,

Jeff Scott

1139 Westmoreland Rd
Colorado Springs, CO 80907

Teixeira, Rachel

From: Margie Schaefer <margieschaefer@comcast.net>
Sent: Tuesday, January 12, 2016 6:31 PM
To: Teixeira, Rachel
Subject: Magnolia apartments

Ms. Teixeira:

I am writing in opposition to the proposed “student” apartment building at the intersection of Hancock 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. The commonly used sales pitch that the property will be surrounded by a fence with trees so will be compatible with existing properties, simply is not true.**
- 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 is likely to 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? Numerous vehicles 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. When students occupy a property, the surrounding properties become undesirable for anything other than more student housing. Large apartment buildings do not make good neighbors. High density housing projects make the surrounding residential properties undesirable to couples and families. High density student housing is a double disaster to a residential neighborhood. 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 little or 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 for their own profit.**

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

Thank you for your consideration,

Jerry and Margie Schaefer
3822 Panorama Rd
598-5862

Jo Anne Clark
1155 Westmoreland Rd
Colorado Springs, CO 80907
(719) 598-9415

City of Colorado Springs
Planning and Community Development
Land Use Review
30 S Nevada Suite 105 ATTN: Rachel Tiexeira
PO Box 1575 MC 155
Colorado Springs, CO 80901-1575

Reference: File Number CPC DP 15-00142 and AR WR 15-00823. A plan to develop a 54 unit, multistory student living complex.

Short synopsis: I am opposed to the creation of a three-story (from the Westmoreland Road side) university student housing development consisting of 54 apartment units. Ours is a residential neighborhood and a project of this size destroys the character and peace of our neighborhood.

Please include the below points as my primary objections to this development:

1. The homes directly across from this project on two sides are NOT multi-family homes, they are ALL detached single-family houses.
2. A four-story building in this neighborhood will be the TALLEST building within many blocks IN ANY DIRECTION.
3. The 54 units will not be for a single student each. I anticipate up to 100 students will be living in this building during the school year. Most students will own an automobile. That means up to 100 more student drivers traveling through our SPEED LIMIT 25 local roads.
4. The location of this building is NOT close to the University. It is located several blocks UPHILL and ACROSS a MAJOR HIGHWAY from the university. After making the walk a time or two, most students would choose to drive.
5. For the students to cross the major highway, (Austin Bluffs Blvd), there is no pedestrian over or underpass to go onto the university campus. There is a STOPLIGHT. The pedestrians (students) must wait for oncoming cars on Austin Bluffs Blvd to stop, then carefully cross, while watching for cars turning onto and off of Austin Bluffs Blvd from Meadow Lane. This intersection (and two other similar intersections nearby) are VERY dangerous. Two years ago, our neighbors were broadsided in this intersection by a speeder running a red light. If there had been students in the intersection at that time, they would have been killed or injured.
6. Houses to the North or East of this property will lose their views of the city and the mountains. I anticipate that this will lower those houses resale values by many thousands of dollars.
7. People living in the single family detached houses along Westmoreland Road near the development will also see their property values diminished, due to attempting to live under (across the road from) a student complex.
8. This is a very sleepy, peaceful residential neighborhood. Up to one hundred students will SURELY change the character of the neighborhood. As property values decline, local residents will move away.
9. Many months of construction, trucks and heavy equipment traveling up and down our residential streets will be very stressful for current residents. I would anticipate up to a year of construction dust, noise, mud, debris.
10. Our neighborhood is honeycombed with **abandoned coal mines** directly under our homes. That is the reason that the property on which the development is planned is rough, uneven and rolling. The mines

FIGURE 4

underneath have collapsed locally and the land has slumped downwards in places. The most modern houses in our neighborhood have been required to be constructed on PILES that have been drilled down to bedrock! Will this new apartment building be required to be constructed on piling also? If not, is there a chance the whole building may collapse into a sinkhole? If the driving of piles into bedrock causes shifting or sinking of OUR properties, will there be insurance in place to repair our houses?

11. I suggest a better alternative to this planned development is to relocate it to a better location. By that I mean closer to the University. I strongly object to both of these applications. Thank you for your consideration.

<Signed>

Jo Anne Clark Jan 13, 2016

Teixeira, Rachel

From: Mike Sheffield <spikeymike2008@yahoo.com>
Sent: Thursday, January 07, 2016 3:42 PM
To: Teixeira, Rachel
Subject: Magnolia Student Apartments westmorland and Hancock

I am a home owner in the area and that area where the apartments are going to be is one of the last green ways that we have in the Cragmor neighborhood. Not only that but college kids partying in the area and vandalizing the area has been an issue for as long as I have been here. Though I do enjoy having the college so close, I do appreciate my peace and quiet. I have also noticed a lot of drunk college students driving recklessly around the neighborhood. I have a child so, naturally, this makes me mad. I believe this apartment complex would be a catalyst to these actions and only make them happen more often. Thank you for accepting our feedback but I really don't want these apartments here.

Thank you,
Mike Sheffield
1197 Stanton st.
Colorado Springs, CO
80907

Sent from my iPhone

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 neighbor's 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 delelopment?

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

Nate Hathaway

1198 Stanton St.

Colorado Springs, CO 80907

Phone:719-310-5315

Homeowner

Teixeira, Rachel

From: NATE and LISA HATHAWAY <fivehathaways@msn.com>
Sent: Monday, January 11, 2016 11:35 AM
To: Teixeira, Rachel
Subject: Anti- Magnolia Apartments
Attachments: City of Colorado Springs.docx

Dear Ms. Teixeira,

I live within 1,000 feet of the proposed Magnolia Apartments. I have a lot of objections, as detailed in the attachment.

Sincerely,
Lisa 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.

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.

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: NUNES, DAVID P CIV USAF AFSPC AFSPC/A5MC <david.nunes@us.af.mil>
Sent: Tuesday, January 05, 2016 7:14 AM
To: Teixeira, Rachel; Council Members
Cc: Thelen, Lonna; Gordon Ohlberg
Subject: RE: Magnolia Apartments (File No.: CPC DP 15-00142 and AR WR 15-00823)

Ms. Teixeira,

Although I'll be forming my own input on this project, I totally agree with Mr. Ohlberg's comments below. The developer cannot simply say yes or not-applicable to the items below like traffic flow, noise and drainage. They must be forthright in explaining "why" they came up with their answers. I too, live downslope from this proposed development and worry about the impact especially that it would be built over old mine shafts.

David P Nunes
1171 Westmoreland rd
Colorado Springs CO. 80907

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

From: Gordon Ohlberg [mailto:gordon.ohlberg@oracle.com]
Sent: Monday, January 04, 2016 10:04 PM
To: rteixeira@springsgov.com; allCouncil@springsgov.com
Cc: Thelen, Lonna; NUNES, DAVID P CIV USAF AFSPC AFSPC/A5MC
Subject: Magnolia Apartments (File No.: CPC DP 15-00142 and AR WR 15-00823)

Hello Ms Teixeira,

After reviewing the responses from Land Patterns, Inc. in the document found at:
<https://eoc.springsgov.com/LDRSDocs%5CLUISplanner%5CDocuments%5CApp%5C86997.pdf> I would like to submit the following in regards to their responses to:

* Item's 1-2: Only a terse answer that it falls under R-5 Zoning. The Public Notice I received mentions that R-5 Zoning is designated as 'Multi-Family Residential.' I'm not sure what part of 'Student Housing' falls under the 'Family designation. Please explain. The introduction of young students into our environment is not harmonious and will undoubtedly be 'incompatible' with the well being of the surrounding neighborhood.

* Item 5: A 'yes' answer from the developer is inadequate. It does not cover any on-site security/management team which will be needed for a prompt response and swift action to address unruly student behavior on and around the property. The way I see it, the only adequate 'buffering' from the undesirable influences would be a sound-proof dome entirely enclosing the facility, which is of course, impractical.

* Item 7: Logical safe and convenient vehicular access. They only address meeting ROW and pavement mat criteria. What about a traffic survey to support the impact of 140+ vehicles traveling in and about an area where families with small children reside? We already see a number of young drivers exceeding the 25 mph speed limit by an average of +20 mph over and would hate to see a fatality resulting from increased traffic flow in this area.

* Item 14: (Drainage Channels) I cannot see how they mark this as 'Not applicable to this site' since it was already discussed in the previous meeting by the developers that the increased rainfall/drainage from the asphalt in the parking area will be handled by the existing storm drain system (storm drain at the corner of Scott Lane and Westmoreland Rd.). I am more than certain this will not adequately address the flood waters that will undoubtedly surge across the street to the yards and homes on the south-side of Westmoreland Rd. down-slope from the property, where I reside.

Thank you for hearing our voice and hope you will come to see that this project is not a good match for our neighborhood.

Respectfully yours,

Gordon Ohlberg

Family Man and Cragmoor Resident

January 5, 2016

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

Regarding File Numbers: CPC DP 15-00142 and AR WR 15-00823

I am writing to comment on the new proposed Magnolia Student Apartment Complex at the N/E corner of Westmorland road and Hancock Ave.

I have the following specific issues with the developer's answers to their justification letter dated 12 December 2015 (attached):

1. Will the project design be harmonious with the surrounding land uses and neighborhood?
Developer's answer: Yes. The project follows the existing master-plan and compliance with the current R5 zoning.

Neighborhood response: How does a three story 54 unit student complex fit within R5 zoning which is multifamily standards? It does not. Are 200 18-22 year olds living in one complex considered multifamily?

2. Will the proposed land uses be compatible with surrounding neighborhood?
Developer answer: Yes. The proposed land use of multifamily homes is in concert with R5 zoning.

Neighborhood response: Again, how does a three story 54 unit nearly 200 students towering over single level homes in some cases directly across the street meet the criteria and is in concert with multifamily uses? It does not.

3. Will the proposed development overburden the capabilities of existing street utilities, parks schools and other facilities.
Developer answer: No. The proposed density fall within the approved allowable density levels for R5 zoning.

Neighborhood response: How can the developer simply state "No" to over burdening when they plan to construct such a large structure three stories high which is exponentially larger than surrounding structures? It "will" certainly overburden this family neighborhood. The developer needs to be more detailed on how it "won't" overburden the streets, utilities, parks schools and other public facilities. Simply stating "No" is totally inadequate.

4. Will the structure be located to minimize the impact of their use and bulk to adjacent properties?
Developer answer: Yes.

Neighborhood response: A simple Yes? See 1-3, Yes answer is totally inadequate. They need to explain just how it's located to minimize the impact.

5. Will landscaping, berms, fences, and/or walls buffer the site from undesirable views, noise, lighting and other off site negative influences and to buffer adjacent properties from negative influences that may be created by the proposed development?
Developer answer: Yes.

Neighborhood response: Simply yes again? The development will certainly affect negatively on the neighborhood. Views will be negatively affected with even some home owners losing complete view of front range because the complex has such a large

footprint three stories high. How are they to buffer noise? There is no mention of mitigation of almost 200 students making noise. No mention of a noise abatement fence (i.e. like Bates)

6. Will Vehicular access from this project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas as conveniently and safely and in such a manner which minimizes traffic friction, noise and promotes free traffic flow without excessive interruption?

Developer answer: Yes. Follows standards of Colorado Springs Policies, guides etc.

Neighborhood response: Are they really saying that nothing will need to be done to mitigate traffic concerns, safety, noise traffic flow because the current street layout will suffice. 180 new vehicles in a parking lot in a residential neighborhood will have no impact? This is in addition to the Bates Student project a half mile away? Traffic study and parking/traffic mitigation needs to be addressed.

- 7- 11. Questions are basically the same as number 6, dealing with traffic, parking accommodation, noise, safety etc. Is the city really going to take the developers quick "yes" answer to these questions followed by vague substantiation, meets city policies, codes, guides etc.? Don't they need to prove there will be no or low impact to this neighborhood or they need to take mitigation actions? This is a totally different project than the Bates development which has Austin Bluffs Blvd on the total north end of the property with much needed space to mitigate issues such as building a noise abatement fence and separate vehicle entrance etc. This is a much smaller footprint.

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 mine 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 as 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. The developer letter dated 12 December 2015; states that a geotechnical report dated 7/1/15 addresses potential geological hazards were submitted. Can the public get a copy of this?

I know the city will be implementing a new charter known as "infill" that will be signed in March 2016. The city is encouraging developers to propose projects that "infill" lots in older neighborhoods 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

12 December 2015

Ms. Rachel Teixeira
City of Colorado Springs
Development Review and Zoning
City Administration Bldg. 301
30 S. Nevada Ave.
Colorado Springs, CO 80903

Re: Magnolia Apartment Complex

Dear Ms. Teixeira:

On behalf of Challenger Homes, Land Patterns, Inc is requesting a Development Plan and Waiver of Replat approval for the Magnolia Apartment Complex. The following is a Project Statement outlining our request for the approval.

Description: This Development Plan is for the Magnolia Apartment complex, which sits on an approximately 2.756 site in the Cragmoor area, zoned R5 and proposing to utilize Multi-family standards. The area is located at the Southeast intersection of Magnolia St and Hancock Ave. It is bound by Westmoreland Road on the south and the Crestmoor Park subdivision to the west.

The proposed general use will be 54 units (142 bedrooms) primarily for student housing. The site will be parked 1 space per bedroom. The proposed density will be 19.59 DU/AC.

Justification:

1. Will the project design be harmonious with the surrounding land uses and neighborhood? *Yes. This project follows the existing masterplan and is in compliance with the current R5 zoning.*
2. Will the proposed land uses be compatible with the surrounding neighborhood? *Yes. The proposed land use of multi-family homes is in concert with R5 zoning criteria.*
3. Will the proposed development overburden the capacities of existing street, utilities, parks, schools and other public facilities? *No. The proposed density falls within the approved allowable density levels for R5 zoning*
4. Will the structures be located to minimize the impact of their use and bulk to the adjacent properties? *Yes.*
5. Will landscaping, berms, fences and/or walls be provided to buffer the site from undesirable views, noise, lighting or other off-site negative influences and to buffer adjacent properties from the negative influences that may be created by the proposed development? *Yes.*
6. Will vehicular access from the project to the streets outside the project be combined, limited, located, designed and controlled to channel traffic to and from such areas conveniently and safely and in such a manner which minimizes traffic friction, noise and pollution and promotes free traffic flow without excessive interruption? *Yes. This project follows the standards of the Colorado Springs Policies, Standards and Guidelines for the public ROW layout and street design.*
7. Will all the streets and drives provide logical, safe and convenient vehicular access to the facilities within the project? *Yes. This project follows the standards of the Colorado Springs Policies, Standards and Guidelines for street ROW and pavement mat criteria.*

Land Patterns,
Inc.

PO Box 60112
Colorado Springs,
CO
80960-112

719-578-8689

phone

8. Will streets and drives within the project area be connected to streets outside the project area in such a way that discourages their use by through traffic? *All streets are existing*
9. Will adequately sized parking areas be located throughout the project to provide safe and convenient access to specific facilities? *Yes. All proposed units will be parked per bedroom.*
10. Will safe and convenient provision for the access and movement of handicapped persons and parking of vehicles for the handicapped be accommodated in the project design? *Yes, sidewalk ramp crossings and driveway ramps will be built to City standards.*
11. Will the design of streets, drives and parking areas within the project result in a minimum of area devoted to asphalt? *Yes. Asphalt has been broken up by landscape planting areas.*
12. Will pedestrian walkways be functionally separated from vehicular traffic and landscaped to accomplish this? *Yes.*
13. Will pedestrian walkways be designed and located in combination with other easements that are not used by motor vehicles? *Yes.*
14. Does the design encourage the preservation of significant natural features such as healthy vegetation, drainage channels, steep slopes and rock outcroppings? *Not applicable to this site.*
15. Are these significant natural features incorporated into the project design? *Not applicable to this site.*

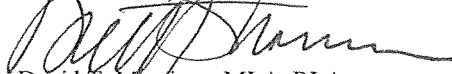
Issue List:

A geotechnical report dated 7/15/15 addresses the potential geological hazards of this site and has been submitted as a part of the Development Plan package.

For these reasons we respectfully request approval of the Development Plan and Waiver of Replat approval for the Magnolia Apartment Complex. Should you require additional information do not hesitate to contact me at 719-578-8689.

Respectfully submitted

Land Patterns, Inc.



David T. Morrison, MLA, RLA
President

Teixeira, Rachel

From: Patricia Ziemer <patziemer@gmail.com>
Sent: Friday, January 15, 2016 8:16 AM
To: Teixeira, Rachel
Subject: File No. CPC DP 15-00142

I am concerned about the Development Plan to build a 54 unit student housing complex on 2,756 acres located northwest of Westmoreland Road and North Hancock Ave. My reasons are:

1. This property is zoned multi-family residential. The houses on the south side of Westmoreland are nice houses, and these residents don't want a five story building in their front yards. Besides being an eyesore, a complex this size adds more residents to the area, more traffic, more noise and more crime to an otherwise quiet area known as Cragmor.

2. This area has been the home for wildlife such as birds, rabbits, toads etc.

3. Another complex for students is being built where Bates Elementary was built. I don't understand why the university is moving to the south side of Austin Bluffs Parkway. Why can't they build student housing on their own land where the students can be responsible directly to the university. A neighbor told me he had students from the university living next to him, and these students had very disruptive behavior. For example, these students played loud music late at night, and they held loud parties, not caring about disturbing their neighbors.

4. Also, I am concerned about the future of my own property. If a builder can get land rezoned to fill their need, who is stop the university or a builder from buying my property? I have lived at my house for 36 years, and I want to continue to live here in a peaceful environment. When I bought my house, one of the things I liked about the Cragmor neighborhood was that it didn't have a lot of traffic. It was very peaceful. I cringe when I think that this nice Cragmor community would change so much that I might have to move.

Thank you for your consideration in this matter.

PATRICIA ZIEMER

Teixeira, Rachel

From: todd sater <toddsharley1@outlook.com>
Sent: Wednesday, January 13, 2016 9:09 PM
To: Teixeira, Rachel
Subject: Magnolia Apartment Complex

Todd and Michelle Sater
3803 N. Hancock Ave.
Colorado Springs CO 80907
719-233-4230
toddsharley1@msn.com

January 13, 2016

To Whom it may concern:

I would like to start out by telling you that my family bought and built our family home in 1966 literally brick by brick by hand. They chose this location purely on the fact that it had an amazing view of our beautiful mountains and of Pikes Peak. However if you build this monstrosity of a building as you are proposing that view will simply be GONE!!

Many home owners showed up for the initial meeting regarding the proposal of this complex, but what none of the others were able to say is this: if you build this complex, our home will be the single most home that will be effected the most by the building of this complex as this will be directly in front of our home!! Effecting our view, NO ONE HAS THE VIEW THAT WE HAVE!! Ultimately effecting our property value greatly.

We already have many people in our neighborhood that do not observe the 4 way stop at the corner of Hancock and Westmoreland. I can watch at least 3 out of 5 cars run the stop signs now and at a high rate of speed with no care or concern of any ones safety. We also have a apartment complex directly west of the proposed property with children as well as many other multi family homes down Westmoreland, and you want to add approximately 100 more residents with possibly just as many cars, honestly I believe this is asking for a tragedy to happen to one of those children.

Also with the well known fact that there is many mine shafts running through this property some starting as shallow as 50-100 feet deep, this is asking for problems not only with the proposed property but to the properties around causing sink holes and foundations to shift on existing properties.

We just do not believe this is what this quiet quaint neighborhood wants or needs!! We already have our beloved elementary school Bates being torn down for housing of the UCCS students. We don't want any more of our neighborhood that many families came to this neighborhood to build homes and raise families and now are being forced into selling our homes and moving because of what this has started to become. Not to mention there is still a lot of open space on the North side of Austin Bluffs directly West of UCCS, can't this property be considered for more housing? It does not effect local neighborhoods and won't look nearly as unsightly as putting a huge complex in a quiet family neighborhood.

Please reconsider your proposal of this unwanted, over sized building that no one wants in our neighborhood. I'm certain that if any of the builders lived in our neighborhood or was in our shoes they would be feeling the same as many of the rest of us, however, it doesn't personally effect any of them, therefore, it is of no consequence to them, it's only about the money and the bottom dollar to them. Not their parents heritage or their family's homes.

Thank you for your time and consideration in this sensitive matter.