



## Legislation Text

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**File #:** AR APR 17-00721, **Version:** 1

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A report on a Certificate of Amendment to Plat Restriction that removes an access limitation from Woodmen Road for Lot 1 of Briargate Subdivision Filing Number 35 located at 7408 Duryea Drive.

(Staff and Appointee Reports)

**Presenter:**

Peter Wysocki, Director Planning and Community Development  
Daniel Sexton, Senior Planner, Planning and Community Development

**Summary:**

Applicant: Classic Consulting Engineers and Surveyors  
Owner: Academy School District 20  
Location: 7408 Duryea Drive

This memo and the attached Certificate of Amendment to Plat Restriction is intended as a report to City Council in accordance with City Code Section 7.7.503 on the administrative approval and recordation of said Certificate of Amendment to Plat Restriction removing an access limitation from Woodmen Road for Lot 1 of Briargate Subdivision Filing Number 35. Pursuant to City Code Section 7.7.503, conditions or restrictions placed on final plats are acted upon administratively.

**Previous Council Action:**

In the 1980's, the Council approved the Briargate Master Plan.

**Background:**

City Code Section 7.7.503 establishes criteria for amending plat restrictions. The Section states "It is recognized that restrictions and conditions, which are placed on recorded plats, may need to be removed because they no longer apply or are unnecessary." Subsection 7.7.503(D)(1) further states that the Planning & Community Development Department, in consultation with the Public Works Department and Colorado Springs Utilities, may approve or disapprove the request for an amendment to plat restriction; an approval must be reported to the City Council. Since no action is required by Council, this report has been placed on a City Council Work Session rather than a Regular Meeting.

The property was annexed into the City on September 28, 1982, per the Briargate Addition Number 5 Annexation Plat (Ord. 82-138). According to the current Briargate Master Plan, the property is identified as RC (Regional Commercial) and was envisioned to be developed with commercial land uses. The site is currently being used as a bus storage and maintenance facility for Academy School District 20.

Academy School District 20 submitted the request to remove a plat note that prohibited access from its bus storage and maintenance facility located at 7408 Duryea Drive to Woodmen Road. The new access for the facility, which is under construction, affords more efficient ingress and egress and queuing for buses and transport vehicles at the facility, while improving passenger vehicle traffic on Duryea Drive and Woodmen Road. On June 14, 2018, staff approved a Certificate of Amendment to Plat Restriction that removed that access limitation for Lot 1 of Briargate Subdivision Filing Number 35, which was subsequently recorded with the Records of the El Paso County Clerk and Recorder's Office. A copy of the recorded certificate is attached.

The project supports the City's Strategic plan by providing a well-designed and functioning transportation system that respects all modes of transportation. As noted above, the access drive will improve bus and transport vehicle circulation to and from the facility and passenger vehicle circulation in the immediate area.

**Financial Implications:**

N/A

**Board/Commission Recommendation:**

N/A

**Stakeholder Process:**

The public process included postcards mailed to 133 property owners within 1,000 feet of the site during the internal review stage. The site was also posted. No comments were received during the public notice period.

Staff sent copies of the request to the standard internal and external review agencies for comments. Commenting agencies included: Colorado Springs Utilities, City Engineering, City Traffic, City Fire Prevention, CONO, School District #20, and Police. All comments received from the review agencies have been addressed.

**Alternatives:**

N/A

**Proposed Motion:**

No action required by Council; this is a report item only.