

# KETTLE CREEK CENTER

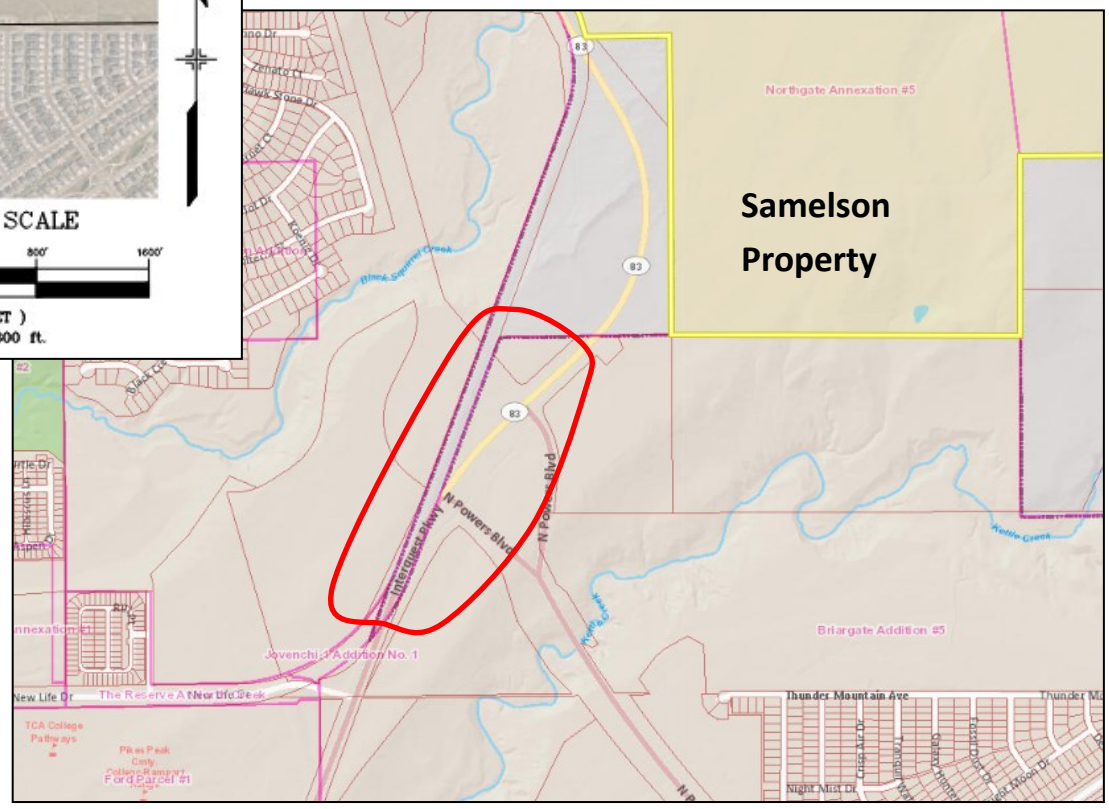
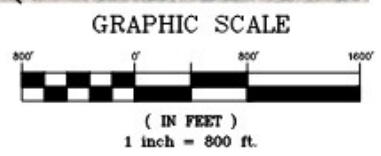
## COLORADO SPRINGS, COLORADO

### LAND USE PLAN



VICINITY MAP:

TOTAL ACREAGE BEING PLANNED IS 40.2 ACRES. THE LAND USE PLAN IS COMMERCIAL ONLY AT THIS POINT



## Fenner, Kyle

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**From:** Pat Orban <patorban2@gmail.com>  
**Sent:** Wednesday, May 8, 2024 9:24 PM  
**To:** Terry Stokka  
**Cc:** Fenner, Kyle  
**Subject:** Re: Question on land use issue

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Good questions. thanks Terry, i did not see this one! pat orban

On Sun, May 5, 2024 at 6:56 PM Terry Stokka <[terry@friendsofblackforest.org](mailto:terry@friendsofblackforest.org)> wrote:  
Kyle,

I am chairman of the Black Forest Land Use Committee. We monitor and comment on land use issues related to the Black Forest to the county.

I noticed this sign on the Samelson property off highway 83 and Shoup Road and wanted to ask some questions about it.

I know the property was about 320 acres until the Samelson's separated 80 acres for their daughter to site a tiny house.

Now this sign talks about mixed use and commercial for the remaining 240 acres.

Are they asking for the entire parcel to be zoned for mixed use and then 40 acres to be rezoned for commercial?

What are the parameters for mixed use in the city?

Terry Stokka

--

**Pat Orban**

"What would life be if we had no courage to attempt anything?"

Vincent Van Gogh

[patorbanpaintings.com](http://patorbanpaintings.com)

[patOjewelrydesigns.com](http://patOjewelrydesigns.com)

719-332-9183

## Fenner, Kyle

---

**From:** Fenner, Kyle  
**Sent:** Thursday, May 9, 2024 7:39 AM  
**To:** Pat Orban; Terry Stokka  
**Subject:** FW: Question on land use issue  
**Attachments:** High Level Overview of Affected Land.pdf

Hi Pat –

I just wanted to share the email that I sent to Terry earlier this week. I believe that it may answer your questions but if not, please feel free to reach out. I will do my best to respond promptly.

Kind Regards,



**Kyle Fenner** (she/her/hers)

**Senior Planner**

Land Use Review Division

City of Colorado Springs

719.385.5365

Email: [Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)

[Why Pronouns?](#)

*"Courage is what it takes to stand up and speak, it's also what it takes to sit down and listen." --Winston Churchill*

**Links:**

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---

**From:** Fenner, Kyle  
**Sent:** Monday, May 6, 2024 4:17 PM  
**To:** Terry Stokka <[terry@friendsofblackforest.org](mailto:terry@friendsofblackforest.org)>  
**Subject:** RE: Question on land use issue

Hello Terry,

We had the applicant post three signs for the application at three different locations of high traffic to allow it to be widely seen. This project does not affect the Samelson property, nor does it involve any of the land that was contemplated with Kettle Creek North.

The land being affected by this rezone and land use plan is the land that is VERY centered around the intersection of Interquest/CO 83 and Powers/CO 21. It is quite confusing that they used the name "Kettle Creek" with this application. 100% of this application affects only land that is east of Kettle Creek, right up against the roads. This application has no connection to, bearing on or interrelatedness to the Kettle Creek North project that was denied. This does not affect the existing residential development.

The total acreage being planned is 40.2 acres; just a small portion of a larger parcel. The land use plan is for commercial uses only at this point. Because the land use plan is the enabling document for the rezone it too becomes a public hearing document (because of the connectedness to the rezone). If at any time in the future the developer decides he or she wants to add a residential component to the development, that change would need to go through the same public hearing process as it is going through now.

The MX-M zoning ALLOWS for residential uses. The zoning describes everything that is possible. The land use plan explicitly identifies what uses are actually taking place and this application is 100% commercial. I have attached a very general bird's eye view of the land being affected by this rezone and land use plan.

Kind Regards,



**Kyle Fenner** (she/her/hers)

**Senior Planner**

Land Use Review Division

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Email: [Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)

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**From:** Terry Stokka <[terry@friendsofblackforest.org](mailto:terry@friendsofblackforest.org)>  
**Sent:** Monday, May 6, 2024 1:46 PM  
**To:** Fenner, Kyle <[Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)>  
**Subject:** Question on land use issue

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Kyle,

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Further, the TOPS people have published a map that shows some of the proposed rezoned area to be proposed TOPS open space. <https://www.trailsandopenspaces.org/trails/kettle-creek-open-space/>

Also, the map shows the parcel to be the same as the Kettle Creek North parcel that was denied by the city for residential because of emergency access problems.

Would you clarify the location and proposed use for this project?

Terry Stokka, Chairman, Black Forest Land Use Committee

=====

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

**Subject:** Question on land use issue  
**Date:** Sun, 5 May 2024 18:41:14 -0600  
**From:** Terry Stokka <[terry@friendsofblackforest.org](mailto:terry@friendsofblackforest.org)>  
**To:** [kyle.fenner@coloradosprings.gov](mailto:kyle.fenner@coloradosprings.gov)

Kyle,

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I noticed this sign on the Samelson property off highway 83 and Shoup Road and wanted to ask some questions about it.

I know the property was about 320 acres until the Samelson's separated 80 acres for their daughter to site a tiny house.

Now this sign talks about mixed use and commercial for the remaining 240 acres.

Are they asking for the entire parcel to be zoned for mixed use and then 40 acres to be rezoned for commercial?

What are the parameters for mixed use in the city?

Terry Stokka

## Fenner, Kyle

---

**From:** Fenner, Kyle  
**Sent:** Monday, June 10, 2024 2:59 PM  
**To:** Rich Sevcik  
**Subject:** RE: Fwd: Kettle Creek Center  
**Attachments:** High Level Overview of Affected Land.pdf

Hi Rich,

The land being affected by this rezone and land use plan is the land that is VERY centered around the intersection of Interquest/CO 83 and Powers/CO 21. It is quite confusing that they used the name "Kettle Creek" with this application. 100% of this application affects only land that is west of Kettle Creek, right up against the roads. This application has no connection to, bearing on or interrelatedness to the Kettle Creek North project that was denied. So nothing in that regard has changed.

The total acreage being planned is 40.2 acres; just a small portion of a larger parcel. The land use plan is for commercial uses only at this point. Because the land use plan is the enabling document for the rezone it too becomes a public hearing document (because of the connectedness to the rezone). If at any time in the future the developer decides he or she wants to add a residential component to the development, that change would need to go through the same public hearing process as it is going through now.

The land use plan explicitly identifies what uses are actually taking place and this application is 100% commercial. I have attached a very general bird's eye view of the land being affected by this rezone and land use plan.

I can't speak to the history of conversations between the owner, applicant, citizens, CDOT or the City. One small section of this application may have access to Highway 83, but this is only a land use plan at this point. Which essentially is a "concept plan" of sorts. A formal development plan will have to be done for the property to develop. Note that this if an access is granted here by CDOT it will be granted based on the traffic flow projected from that 19.5 acre parcel. It does not contemplate the magnitude of traffic you have been concerned with. I am not sure CDOT would approve that heavy impact potential at this location. This is a small, 39+ acre commercial development that is in all 4 corners of the 83/Powers interchange only.

I may not be able to give you absolute clarity of what is in the minds of others. I can only convey what this application is about and what it is not about. I hope this helps.

Kind Regards,



**Kyle Fenner** (she/her/hers)  
**Senior Planner**  
Land Use Review Division  
City of Colorado Springs  
719.385.5365



Email: [Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)  
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---

**From:** Rich Sevcik <rs@truevine.net>  
**Sent:** Monday, June 10, 2024 2:09 PM  
**To:** Fenner, Kyle <Kyle.Fenner@coloradosprings.gov>  
**Subject:** Re: Fwd: Kettle Creek Center

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THANKS

On 6/10/2024 10:43 AM, Fenner, Kyle wrote:

Hello Rick -  
I did not see this email. I apologize. I am finishing up a few things this morning and I will respond to you TODAY! I think you will be greatly relieved with the information I am going to send to you.  
Kind Regards,

A handwritten signature in blue ink that reads "Kyle Fenner".

**Kyle Fenner** (she/her/hers)  
**Senior Planner**  
Land Use Review Division  
City of Colorado Springs  
719.385.5365  
Email: [Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)  
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---

**From:** Rich Sevcik <[rs@truevine.net](mailto:rs@truevine.net)>  
**Sent:** Monday, June 10, 2024 10:18 AM  
**To:** Fenner, Kyle <[Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)>  
**Subject:** Re: Fwd: Kettle Creek Center

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Kyle, did you receive my email?

On 5/13/2024 1:00 PM, Rich Sevcik wrote:

Kyle, can you confirm that you received my email?

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

**Subject:** Kettle Creek Center  
**Date:** Wed, 8 May 2024 11:52:59 -0600  
**From:** Rich Sevcik <[rs@truevine.net](mailto:rs@truevine.net)>  
**To:** [kyle.fenner@coloradosprings.gov](mailto:kyle.fenner@coloradosprings.gov)  
**CC:** Sam B. <[samanddarcy@aol.com](mailto:samanddarcy@aol.com)>, Matt Westfall <[mattwestfall64@yahoo.com](mailto:mattwestfall64@yahoo.com)>

Kyle,

We are the North Fork HOA Safety Committee. North Fork 850 homes is just south of the proposed Kettle Creek Center proposed development.

The developer Venezia was also the developer of the proposed Kettle Creek North housing development. For several years the Planning Commission and City Council reviewed that proposal. We opposed because of evacuation safety issues, and we prevailed last year with a 9 to 0 vote at the City Council.

We repeatedly requested a north exit, a 2nd exit, for North Fork to Rte 83. Venezia repeated testified that the State and/or County would NOT allow a connection to Rte 83.

WHAT HAS CHANGED? Did Venezia mislead our City officials for years?

The Kettle Creek Center shows a connection to Rte 83.

PLEASE let us know: what changed?

Regards, Rich Sevcik

## Fenner, Kyle

---

**From:** Karl Kroeker <zzkroeker@gmail.com>  
**Sent:** Tuesday, May 14, 2024 7:17 PM  
**To:** Fenner, Kyle  
**Subject:** proposed zoning change at N. Powers / Hwy 83

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Sir: I was dismayed to spot a tiny sign along Hwy 83 just east of North Powers discussing a proposed zoning change. I am opposed to any zoning change from agricultural to mixed-use.

In recent years, there has been extensive development along Interquest Parkway. Unfortunately, this has mainly manifested as high-density housing and strip malls containing fast-food restaurants. I do not believe that further replicative development is needed. I believe that citizens of the area would be better served by conversion of the area into open space parkland; I would encourage the city of Colorado Springs to pursue purchase of this property for preservation of open space.

Sincerely,  
Karl Kroeker, MD

## Fenner, Kyle

---

**From:** Fenner, Kyle  
**Sent:** Tuesday, May 7, 2024 7:30 AM  
**To:** Terry Stokka  
**Subject:** RE: Question on land use issue

Yes sir, I did mean west! Thank you. Please let me know if there is anything else I can provide you!

Kind Regards,



**Kyle Fenner** (she/her/hers)  
**Senior Planner**  
Land Use Review Division  
City of Colorado Springs  
719.385.5365  
Email: [Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)  
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**From:** Terry Stokka <terry@friendsofblackforest.org>  
**Sent:** Monday, May 6, 2024 5:05 PM  
**To:** Fenner, Kyle <Kyle.Fenner@coloradosprings.gov>  
**Subject:** Re: Question on land use issue

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Thank you very much for the pictures and clarification. I believe you mean only property WEST of kettle creek in paragraph 2.

Terry

=====

On 5/6/2024 4:17 PM, Fenner, Kyle wrote:

Hello Terry,

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The land being affected by this rezone and land use plan is the land that is VERY centered around the intersection of Interquest/CO 83 and Powers/CO 21. It is quite confusing that they used the name "Kettle Creek" with this application. 100% of this application affects only land that is east of Kettle Creek, right up against the roads. This application has no connection to, bearing on or interrelatedness to the Kettle Creek North project that was denied. This does not affect the existing residential development.

The total acreage being planned is 40.2 acres; just a small portion of a larger parcel. The land use plan is for commercial uses only at this point. Because the land use plan is the enabling document for the rezone it too becomes a public hearing document (because of the connectedness to the rezone). If at any time in the future the developer decides he or she wants to add a residential component to the development, that change would need to go through the same public hearing process as it is going through now.

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Kind Regards,



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**From:** Terry Stokka <[terry@friendsofblackforest.org](mailto:terry@friendsofblackforest.org)>  
**Sent:** Monday, May 6, 2024 1:46 PM  
**To:** Fenner, Kyle <[Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)>  
**Subject:** Question on land use issue

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Kyle,

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Further, the TOPS people have published a map that shows some of the proposed rezoned area to be proposed TOPS open space. <https://www.trailsandopenspaces.org/trails/kettle-creek-open-space/>

Also, the map shows the parcel to be the same as the Kettle Creek North parcel that was denied by the city for residential because of emergency access problems.

Would you clarify the location and proposed use for this project?

Terry Stokka, Chairman, Black Forest Land Use Committee

=====

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

**Subject:** Question on land use issue  
**Date:** Sun, 5 May 2024 18:41:14 -0600  
**From:** Terry Stokka <[terry@friendsofblackforest.org](mailto:terry@friendsofblackforest.org)>  
**To:** [kyle.fenner@coloradosprings.gov](mailto:kyle.fenner@coloradosprings.gov)

Kyle,

I am chairman of the Black Forest Land Use Committee. We monitor and comment on

land use issues related to the Black Forest to the county.

I noticed this sign on the Samelson property off highway 83 and Shoup Road and wanted to ask some questions about it.

I know the property was about 320 acres until the Samelson's separated 80 acres for their daughter to site a tiny house.

Now this sign talks about mixed use and commercial for the remaining 240 acres.

Are they asking for the entire parcel to be zoned for mixed use and then 40 acres to be rezoned for commercial?

What are the parameters for mixed use in the city?

Terry Stokka



## Fenner, Kyle

---

**From:** Karl Kroeker <zzkroeker@gmail.com>  
**Sent:** Wednesday, May 15, 2024 6:11 PM  
**To:** Fenner, Kyle  
**Subject:** Re: proposed zoning change at N. Powers / Hwy 83

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Many thanks for your detailed response. The map was quite helpful in understanding the proposal. I am relieved that the parklands and Samelson property are not involved. Do you have further maps showing parklands in that area?

I remain concerned that the traffic volumes and flow are already oppressive, particularly in the morning work rush and afternoon traffic. For example, at 1715h today, there was a backup of cars stretching over a mile in the lefthand lane of southbound Hwy 83, waiting to turn left for southbound Powers.

I am puzzled why a second left-turn lane / light has not been placed at that intersection, particularly when lane space already exists. I realize, however, that those conditions may not be under your direction.

Overall I remain concerned over the amount of garbage retail development that has occurred along Interquest. None of the developers (retail or commercial) seem to have any obligation to provide space for multi-use (bicycling / walking) trails. I believe Colorado Springs sorely lacks the healthy public trails that Denver and Boulder have in place.

Karl Kroeker, MD

On Wed, May 15, 2024 at 1:21 PM Fenner, Kyle <[Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)> wrote:

Hello Mr. Kroeker,

We had the applicant post three signs for the application at three different locations of high traffic to allow it to be as widely seen as possible. It worked! You saw the sign. This project does not affect the Samelson property, nor does it involve any of the land that was contemplated with Kettle Creek North and certainly doesn't affect any of the parklands.

The land being affected by this rezone and land use plan is the land that is VERY centered around the intersection of Interquest/CO 83 and Powers/CO 21. It is quite confusing that they used the name "Kettle Creek" with this application. 100% of this application affects only land that is east of Kettle Creek, right up against the roads. This application has no connection to, bearing on or interrelatedness to the Kettle Creek North project that was denied. This does not affect the existing residential development.

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Kind Regards,



**Kyle Fenner** (she/her/hers)

**Senior Planner**

Land Use Review Division

City of Colorado Springs

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Email: [Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)

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**Kyle Fenner** (she/her/hers)  
**Senior Planner**  
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City of Colorado Springs  
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**To:** [kyle.fenner@coloradosprings.gov](mailto:kyle.fenner@coloradosprings.gov)

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I know the property was about 320 acres until the Samelson's separated 80 acres for their daughter to site a tiny house.

Now this sign talks about mixed use and commercial for the remaining 240 acres.

Are they asking for the entire parcel to be zoned for mixed use and then 40 acres to be rezoned for commercial?

What are the parameters for mixed use in the city?

Terry Stokka

## Fenner, Kyle

---

**From:** Rich Sevcik <rs@truevine.net>  
**Sent:** Tuesday, June 11, 2024 10:40 AM  
**To:** Fenner, Kyle  
**Cc:** Sam B.; Matt Westfall  
**Subject:** Re: Fwd: Kettle Creek Center

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Kyle,

I've copied the 2 additional members of the North Fork HOA Safety Committee.

We in North Fork sorely need a second exit to the north for evacuation and commute traffic. In the past few years the developer has said that is impossible because no access to Rte 83 would be allowed by the state. Now the developer is proposing access to 83!

When the formal development plan for Kettle Creek Center is submitted to the Planning Commission, we will AGAIN propose the much needed second exit to 83 for North Fork.

THANKS for your update. Regards, Rich

On 6/10/2024 2:59 PM, Fenner, Kyle wrote:

Hi Rich,

The land being affected by this rezone and land use plan is the land that is VERY centered around the intersection of Interquest/CO 83 and Powers/CO 21. It is quite confusing that they used the name "Kettle Creek" with this application. 100% of this application affects only land that is west of Kettle Creek, right up against the roads. This application has no connection to, bearing on or interrelatedness to the Kettle Creek North project that was denied. So nothing in that regard has changed.

The total acreage being planned is 40.2 acres; just a small portion of a larger parcel. The land use plan is for commercial uses only at this point. Because the land use plan is the enabling document for the rezone it too becomes a public hearing document (because of the connectedness to the rezone). If at any time in the future the developer decides he or she wants to add a residential component to the development, that change would need to go through the same public hearing process as it is going through now.

The land use plan explicitly identifies what uses are actually taking place and this application is 100% commercial. I have attached a very general bird's eye view of the land being affected by this rezone and land use plan.



I can't speak to the history of conversations between the owner, applicant, citizens, CDOT or the City. One small section of this application may have access to Highway 83, but this is only a land use plan at this point. Which essentially is a "concept plan" of sorts. A formal development plan will have to be done for the property to develop. Note that this if an access is granted here by CDOT it will be granted based on the traffic flow projected from that 19.5 acre parcel. It does not contemplate the magnitude of traffic you have been concerned with. I am not sure CDOT would approve that heavy impact potential at this location. This is a small, 39+ acre commercial development that is in all 4 corners of the 83/Powers interchange only.

I may not be able to give you absolute clarity of what is in the minds of others. I can only convey what this application is about and what it is not about. I hope this helps.

Kind Regards,



**Kyle Fenner** (she/her/hers)  
**Senior Planner**  
Land Use Review Division  
City of Colorado Springs  
719.385.5365  
Email: [Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)  
[Why Pronouns?](#)

*"Courage is what it takes to stand up and speak, it's also what it takes to sit down and listen." -- Winston Churchill*

**Links:**

[Planning & Community Development Home](#)  
[Look at Applications Online \(LDRS\)](#)

 *Please consider the environment before printing this e-mail.*



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**From:** Rich Sevcik <[rs@truevine.net](mailto:rs@truevine.net)>  
**Sent:** Monday, June 10, 2024 2:09 PM  
**To:** Fenner, Kyle <[Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)>  
**Subject:** Re: Fwd: Kettle Creek Center

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

THANKS

On 6/10/2024 10:43 AM, Fenner, Kyle wrote:

Hello Rick -

I did not see this email. I apologize. I am finishing up a few things this morning and I will respond to you TODAY! I think you will be greatly relieved with the information I am going to send to you.

Kind Regards,



**Kyle Fenner** (she/her/hers)

**Senior Planner**

Land Use Review Division

City of Colorado Springs

719.385.5365

Email: [Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)

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*"Courage is what it takes to stand up and speak, it's also what it takes to sit down and listen." --Winston Churchill*

**Links:**

[Planning & Community Development Home](#)

[Look at Applications Online \(LDRS\)](#)

 *Please consider the environment before printing this e-mail.*



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**From:** Rich Sevcik <[rs@truevine.net](mailto:rs@truevine.net)>

**Sent:** Monday, June 10, 2024 10:18 AM

**To:** Fenner, Kyle <[Kyle.Fenner@coloradosprings.gov](mailto:Kyle.Fenner@coloradosprings.gov)>

**Subject:** Re: Fwd: Kettle Creek Center

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Kyle, did you receive my email?

On 5/13/2024 1:00 PM, Rich Sevcik wrote:

Kyle, can you confirm that you received my email?

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

**Subject:**Kettle Creek Center

**Date:**Wed, 8 May 2024 11:52:59 -0600

**From:** Rich Sevcik <[rs@truevine.net](mailto:rs@truevine.net)>

**To:** [kyle.fenner@coloradosprings.gov](mailto:kyle.fenner@coloradosprings.gov)

**CC:** Sam B. <[samanddarcy@aol.com](mailto:samanddarcy@aol.com)>, Matt Westfall <[mattwestfall64@yahoo.com](mailto:mattwestfall64@yahoo.com)>

Kyle,

We are the North Fork HOA Safety Committee. North Fork 850 homes is just south of the proposed Kettle Creek Center proposed development.

The developer Venezia was also the developer of the proposed Kettle Creek North housing development. For several years the Planning Commission and City Council reviewed that proposal. We opposed because of evacuation safety issues, and we prevailed last year with a 9 to 0 vote at the City Council.

We repeatedly requested a north exit, a 2nd exit, for North Fork to Rte 83. Venezia repeated testified that the State and/or County would NOT allow a connection to Rte 83.

WHAT HAS CHANGED? Did Venezia mislead our City officials for years? The Kettle Creek Center shows a connection to Rte 83.

PLEASE let us know: what changed?

Regards, Rich Sevcik

## Fenner, Kyle

---

**From:** Jeannie Cox <jeannie@contrarianholdings.com>  
**Sent:** Monday, May 13, 2024 12:31 PM  
**To:** Fenner, Kyle  
**Cc:** dean@vintagedev.com; Lindsey Samelson  
**Subject:** Kettle Creek Center

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Dear Ms. Fenner,

We write regarding the proposed Kettle Creek Center (KCC).

Our family's real estate companies have controlled the adjacent, approximately 400 acres since 1996.

The Venezias have been good neighbors and we respect their family's contribution to Colorado Springs.

KCC proposes an access corridor that would come from Highway 83 onto our property, which would become our future egress/ingress. Thus, the size, quality, and character of this access is extremely important - it will likely determine whether we can pursue something of legacy quality that would benefit the City and its residents or whether we have to default to something ordinary.

We hope the City will approach this critical corridor with the careful consideration and sensitivity we believe it deserves.

We stand ready to assist in what ways we can to ensure that the nature of this access protects our "front door" and preserves our property's unique potential.

Ms. Fenner, if it would help you, the commissioners, or anyone else in your deliberations, we would be happy to arrange onsite visits.

Thank you for considering our comments.

Respectfully,

The Samelsons (sent by Jeannie Cox)



# COLORADO

## Department of Transportation

Region 2 Permits  
5615 Wills Blvd, Suite A  
Pueblo, CO 81008-2349

May 23, 2024

SH 83 / SH21B-Powers Blvd.  
City of COS

**Kyle Fenner**, Project Manager/Planner  
City of Colorado Springs Planning and Development  
30 S. Nevada Ave., Suite 701  
Colorado Springs, CO

RE: Kettle Creek Center (LUPL24-0007) (Rezone 24-0009)

Dear Kyle,

I am in receipt of a planning referral request for comments in regard to the proposed Four development zones for rezone and land use plan proposes of 40.2-acres from A to 310.69-acres of MX-M for commercial use. This area includes all of TSN: 6200000478, and parts of: 6200000698, 6200000516 and 6200000089 all remaining portions of the parcels will remain agricultural. Two segments are located north of N. Powers Blvd., with a Parcel 2 on approximately 19.5-acres on the East side of Highway 83 and one Parcel 1 on 3.3-acre piece of land located on the west side of Highway 83. The remaining two pieces are located south of N. Powers Blvd., with Parcel 4 on 14.3-acre piece of land in the SE corner of Highway 83 and N. Powers Blvd. The remaining Parcel 3 on 3.1-acres is located on the west side of Highway 83 and south of N. Powers Blvd. The development is located on the east and west of the SH83/SH21-Powers Blvd. Interchange in El Paso County under the City of Colorado Springs Jurisdiction. CDOT staff has the following comments:

**CDOT Staff does not have any comments regarding the rezone and land use plan for the redevelopment of the four parcel zones of the Colorado State Highway System. However, CDOT staff has made comments for the following.**

### Traffic

The Traffic Impact Study dated April 16, 2024, by Matrix has been received and is being reviewed by a CDOT Traffic and their comments will be forthcoming. Please provide a Master Traffic Impact Study for review if this development is planned to be a phased development.

### Hydraulics

- No Hydraulic or Drainage Study was provided for this development at this time. Please provide a Master Drainage Study for review.

### ROW

- No Comments

### Environmental

- No Comments



#### Access

This development impacts CDOT infrastructure. My comment are as follows:


- A CDOT Access Permits are required for this development due to the close proximity of the development to the State Highway.
  - SH-83/ SH-21 (Powers Boulevard) north ramp
  - SH-83/ SH-21 (Powers Boulevard) south ramp
  - Sh-83/CDOT Access
- Escrow break down may be required and need to be provided for the Fair Share Escrow Amount of the developments contributions to intersection improvments at SH83/CDOT Access for the proposed signalized intersection.
- Escrow break down may be required and need to be provided for the Fair Share Escrow Amount of the developments contributions to intersection improvments at SH83 / SH21- Powers Blvd. Interchange northbound off ramp to SH83.
- Escrow break down may be required and need to be provided for the Fair Share Escrow Amount of the developments contributions to intersection improvments at SH83 / SH21- Powers Blvd. Interchange southbound on ramp to SH21.
- Roadway improvements are likely to be required for these developments and will be detailed in the Access Permit Terms and Conditions.
- Section 1.4(1) of the State Highway Access Code, states in part that no person, shall construct any access providing direct vehicular movement to or from any state highway from or to property in close proximity or abutting a state highway without an access permit issued by the designated issuing authority with the written approval of the Department.
- Under Section 2.6 (Change in Land Use and Access Use) of the State Highway Access Code, states the requirements of a new access permit. It states in part that if any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume increases by 20% and or vehicle type, the permittee or property owner will coordinates with the local authority and the Department to determine if a new access permit and modifications to the access are required.

Additionally,

- On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act, sections 43-1-401 to 421, C.R.S., and all rules and regulations pertaining to outdoor advertising. Please contact Mr. Gabe Martinez at (719) 251-7830 for any questions regarding advertising devices.
- Any utility work within the state highway right of way will require a utility permit from the CDOT. Information for obtaining a utility permit can also be obtained by contacting Mr. Martinez.

Please contact me in Pueblo at (719) 546-5732 or by email [arthur.gonzales@state.co.us](mailto:arthur.gonzales@state.co.us) with any questions.

Sincerely,

  
Arthur Gonzales  
CDOT R2 - Access Manager

Xc: /file





# COLORADO

## Department of Transportation

Region 2 Permits  
5615 Wills Blvd, Suite A  
Pueblo, CO 81008-2349

June 13, 2024

SH 83 / SH21B-Powers Blvd.  
City of COS

**Kyle Fenner**, Project Manager/Planner  
City of Colorado Springs Planning and Development  
30 S. Nevada Ave., Suite 701  
Colorado Springs, CO

RE: Kettle Creek Center (LUPL24-0007) (Rezone 24-0009)

Dear Kyle,

I am in receipt of a planning referral request for comments in regard to the proposed Four development zones for rezone and land use plan proposes of 40.2-acres from A to 310.69-acres of MX-M for commercial use. This area includes all of TSN: 6200000478, and parts of: 6200000698, 6200000516 and 6200000089 all remaining portions of the parcels will remain agricultural. Two segments are located north of N. Powers Blvd., with a Parcel 2 on approximately 19.5-acres on the East side of Highway 83 and one Parcel 1 on 3.3-acre piece of land located on the west side of Highway 83. The remaining two pieces are located south of N. Powers Blvd., with Parcel 4 on 14.3-acre piece of land in the SE corner of Highway 83 and N. Powers Blvd. The remaining Parcel 3 on 3.1-acres is located on the west side of Highway 83 and south of N. Powers Blvd. The development is located on the east and west of the SH83/SH21-Powers Blvd. Interchange in El Paso County under the City of Colorado Springs Jurisdiction. CDOT staff has the following comments:

### **CDOT UPDATED PLANNING COMMENTS BELOW HIGHLIGHTED:**

**CDOT Staff does not have any comments regarding the rezone and land use plan for the redevelopment of the four parcel zones of the Colorado State Highway System. However, CDOT staff has made comments for the following.**

#### Traffic

The Traffic Impact Study dated April 16, 2024, by Matrix has been received and is being reviewed by a CDOT Traffic and their comments are listed below. Please provide a Master Traffic Impact Study for review if this development is planned to be a phased development.

- PE: The seal of a Colorado registered professional engineer is required on the plans and the traffic study.
- Horizon year: The study uses the horizon year 2045. The 20th year projections after the buildout should be used in the analysis. So, if the full buildout is in 2030, horizon year will be 2050.
- Trip generation: The study states that “pass-by trips were deducted from the through traffic”. Figures will need to show separately 1) newly generated and 2) pass-by/ diverted





- trips with through traffic deductions. Table 4 (Trip Generation) will need to show the pass-by trip reduction used.
- Signal timings: The existing signal timings should be used for the existing conditions and attached in the appendix. Future signal timings can be optimized, but clearance intervals should remain the same.
  - Clearance intervals: Amber duration used is 3s, while all-red used is 1s, which is not reasonable for speeds at SH-83. Use the existing clearance at all signals and all approaches. The newly proposed signal should have calculated clearance times based on approach speeds, grades, etc.
  - Heavy vehicles: 2% of HV was used. Instead, use CDOT OTIS data (5.5%).
  - Speeds and grades: 30 mph and 0% was consistently used. Adjust speeds and grades to match reality.
  - Queue lengths: Graphically show queue lengths (95th percentile and max) on the map for each lane.
  - Background operations: Figure 15 (2030 Background LOS) shows EB and WB LOS E (F), although there is no traffic demand. Correct this.
  - Proposed improvements: Show all proposed improvements for buildout and horizon on a map, clearly stating the responsibility.
  - Fairshare escrow calculation- Table 18: Figure 13 (Background 2030) shows no minor road traffic. So, the signal would be installed only due to the development. So, fair share escrow would be the full signal cost, not the portion of it.

#### Hydraulics

- No Hydraulic or Drainage Study was provided for this development at this time. Please provide a Master Drainage Study for review.

#### ROW

- No Comments

#### Environmental

- No Comments

#### Access

This development impacts CDOT infrastructure. My comment are as follows:

- CDOT does recognize the previous agreement for the Jovenchi Agreement whereas access will be taken from a joint access road to be constructed in conjunction with the future construction of the State Highway 21 and State Highway 83 Interchange. City Resolution 183-02
- A CDOT Access Permits are required for this development due to the close proximity of the development to the State Highway.
  - SH-83/ SH-21 (Powers Boulevard) north ramp
  - SH-83/ SH-21 (Powers Boulevard) south ramp
  - Sh-83/CDOT Access
- Escrow break down may be required and need to be provided for the Fair Share Escrow Amount of the developments contributions to intersection improvments at SH83/CDOT Access for the proposed signalized intersection.
- Escrow break down may be required and need to be provided for the Fair Share Escrow Amount of the developments contributions to intersection improvments at SH83 / SH21-Powers Blvd. Interchange northbound off ramp to SH83.




- Escrow break down may be required and need to be provided for the Fair Share Escrow Amount of the developments contributions to intersection improvements at SH83 / SH21-Powers Blvd. Interchange southbound on ramp to SH21.
- Roadway improvements are likely to be required for these developments and will be detailed in the Access Permit Terms and Conditions.
- Section 1.4(1) of the State Highway Access Code, states in part that no person, shall construct any access providing direct vehicular movement to or from any state highway from or to property in close proximity or abutting a state highway without an access permit issued by the designated issuing authority with the written approval of the Department.
- Under Section 2.6 (Change in Land Use and Access Use) of the State Highway Access Code, states the requirements of a new access permit. It states in part that if any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume increases by 20% and or vehicle type, the permittee or property owner will coordinates with the local authority and the Department to determine if a new access permit and modifications to the access are required.

Additionally,

- On-premise and off-premise signing shall comply with the current Colorado Outdoor Advertising Act, sections 43-1-401 to 421, C.R.S., and all rules and regulations pertaining to outdoor advertising. Please contact Mr. Gabe Martinez at (719) 251-7830 for any questions regarding advertising devices.
- Any utility work within the state highway right of way will require a utility permit from the CDOT. Information for obtaining a utility permit can also be obtained by contacting Mr. Martinez.

Please contact me in Pueblo at (719) 546-5732 or by email [arthur.gonzales@state.co.us](mailto:arthur.gonzales@state.co.us) with any questions.

Sincerely,

  
Arthur Gonzales  
CDOT R2 - Access Manager

Xc: /file





# COLORADO

## Department of Transportation

Region 2 Permits  
5615 Wills Blvd, Suite A  
Pueblo, CO 81008-2349

July 25, 2024

SH 83 / SH21B-Powers Blvd.  
City of COS

**Kyle Fenner**, Project Manager/Planner  
City of Colorado Springs Planning and Development  
30 S. Nevada Ave., Suite 701  
Colorado Springs, CO

RE: Kettle Creek Center (LUPL24-0007) (Rezone 24-0009)

Dear Kyle,

I am in receipt of a planning referral request for comments in regard to the proposed Four development zones for rezone and land use plan proposes of 40.2-acres from A to 310.69-acres of MX-M for commercial use. This area includes all of TSN: 6200000478, and parts of: 6200000698, 6200000516 and 6200000089 all remaining portions of the parcels will remain agricultural. Two segments are located north of N. Powers Blvd., with a Parcel 2 on approximately 19.5-acres on the East side of Highway 83 and one Parcel 1 on 3.3-acre piece of land located on the west side of Highway 83. The remaining two pieces are located south of N. Powers Blvd., with Parcel 4 on 14.3-acre piece of land in the SE corner of Highway 83 and N. Powers Blvd. The remaining Parcel 3 on 3.1-acres is located on the west side of Highway 83 and south of N. Powers Blvd. The development is located on the east and west of the SH83/SH21-Powers Blvd. Interchange in El Paso County under the City of Colorado Springs Jurisdiction. CDOT staff has the following comments:

**CDOT Staff does not have any comments regarding the rezone and land use plan for the redevelopment of the four parcel zones of the Colorado State Highway System. However, CDOT staff has made comments for the following.**

### Traffic

The Traffic Impact Study dated July 10, 2024, by Matrix has been received and is being reviewed by a CDOT Traffic and their comments are listed below. Please provide a Master Traffic Impact Study for review if this development is planned to be a phased development.

- Provide a separate figure for Pass-by trips only. This figure will show for example
- 10 trips from NBT, and these same 10 trips added to the NBR traffic. So, NBR will have +10 written next to it. Background Buildout Trips + New Trips + Pass-by Trips should match the trips on the Total Buildout Figure. New trips and pass-by trip values will be informed from Table 4 and the distribution. Similar for the Horizon year.
- AM and PM trips can be combined in each of the scenarios, so the total number of figures can be halved.
- Table 4 (repeated comment)- Separately present the total number of trips generated, separately show the percent and number of pass-by trip reduction, and separately show



calculation of new trips by subtracting the two. If the values changed, the LOS, queue and deceleration lane length analysis will need to be updated.

- Any LOS worse than LOS D, is unacceptable and must be mitigated. If the existing LOS is unacceptable then no additional traffic should be added regardless of significance. Intersections #4, #60 and #80 have movements with subpar LOS (Tables 8, 9, 14 and 15) and this will need to be mitigated by redesigning or removing access points at buildout.
- Fair share escrow (CDOT 6/13/2024): Table 18: Figure 13 (Background 2030) shows no minor road traffic at intersection #4 (SH-83/North Access Points). So, the signal would be installed only due to the development. So, fair share escrow would be the full signal cost, not the portion of it.
- The consultant's comment #11 (7/10/2024): "We agree that background minor traffic is zero and the development produces all of the minor road traffic volume increase. However, there is still non-development traffic growth along SH-83 that contributes to the need for a traffic signal. Therefore, our calculation for the project's fair share is 90.3%."
- Response (repeated comment): When a segment (such as SH-83) has increased traffic volumes and there is no side-street traffic, CDOT doesn't generally address it by putting a traffic signal along a segment. The reason for this is that traffic signals reduce the available capacity (instead of increasing it) and are generally placed at locations with conflicting movements. So, the assumption that CDOT would place a signal here is not reasonable. Therefore, the signal would be installed only due to the development and the minor road traffic it generates (see Traffic signal warrants in the MUTCD). Consequently, the fair share escrow would be the full signal cost, not the portion of it.

#### Hydraulics

- No Hydraulic or Drainage Study was provided for this development at this time. Please provide a Master Drainage Study for review.

#### ROW

- No Comments

#### Environmental

- No Comments

#### Access

This development impacts CDOT infrastructure. My comment are as follows:

- CDOT does recognize the previous agreement for the Jovenchi Agreement whereas access will be taken from a joint access road to be constructed in conjunction with the future construction of the State Highway 21 and State Highway 83 Interchange. City Resolution 183-02
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Please contact me in Pueblo at (719) 546-5732 or by email [arthur.gonzales@state.co.us](mailto:arthur.gonzales@state.co.us) with any questions.

Sincerely,

  
Arthur Gonzales  
CDOT R2 - Access Manager

Xc: /file

