



# **CITY PLANNING COMMISSION AGENDA**

**THURSDAY, DECEMBER 17, 2015  
8:30 A.M.**

**CITY HALL COUNCIL CHAMBERS  
107 NORTH NEVADA AVENUE  
COLORADO SPRINGS, CO 80903**

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# CITY PLANNING COMMISSION MEETING PROCEDURES

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## **MEETING ORDER:**

The City Planning Commission will hold its regular meeting on **Thursday, December 17, 2015 at 8:30 a.m.** in the City Hall Council Chambers at 107 North Nevada Avenue, Colorado Springs, Colorado.

The Consent Calendar will be acted upon as a whole unless a specific item is called up for discussion by a Planning Commissioner, a City staff member, or a citizen wishing to address the Planning Commission.

When an item is presented to the Planning Commission the following order shall be used:

- City staff presents the item with a recommendation;
- The applicant or the representative of the applicant makes a presentation;
- Supporters of the request are heard;
- Opponents of the item will be heard;
- The applicant has the right of rebuttal;
- Questions from the Commission may be directed at any time to the applicant, staff or public to clarify evidence presented in the hearing.

## **VIEW LIVE MEETINGS:**

To inquire of current items being discussed during the meeting, please contact the Planning & Development Team at 719-385-5905, tune into local cable channel 18 or live video stream at [www.springsgov.com](http://www.springsgov.com).

*In accord with the Americans with Disabilities Act of 1990 ("ADA"), the City of Colorado Springs will not discriminate against qualified individuals with disabilities. Should you require an auxiliary aid and/or service to participate in an upcoming Planning Commission meeting, please contact the Land Use Review offices at (719) 385-5905 as soon as possible but no later than 48 hours before the scheduled monthly meeting so that we can do our best to accommodate your needs.*

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# CITY PLANNING COMMISSION COMPREHENSIVE PLAN AND REVIEW CRITERIA

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## **COMPREHENSIVE PLAN:**

The City Planning Commission uses the Comprehensive Plan as a guide in all land use matters. The Plan is available for review in the Land Use Review Office, located at 30 S. Nevada Avenue, Suite 105. The following lists the elements of the Comprehensive Plan:

- Introduction and Background
- Land Use
- Neighborhood
- Transportation
- Natural Environment
- Community Character and Appearance
- 2020 Land Use Map
- Implementation

The Comprehensive Plan contains a land use map known as the 2020 Land Use Map. This map represents a framework for future city growth through the year 2020, and is intended to be used with the Comprehensive Plan's goals, policies, objectives and strategies. It illustrates a desired pattern of growth in conformance with Comprehensive Plan policies, and should be used as a guide in city land use decisions. The Comprehensive Plan, including the Land Use Map, may be amended from time to time as an update to city policies.

## **APPLICATION REVIEW CRITERIA:**

Each application that comes before the Planning Commission is reviewed using the applicable criteria located in the *Appendix* of the Planning Commission Agenda.

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## **CITY PLANNING COMMISSION APPEAL INSTRUCTIONS**

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In accordance with Chapter 7, Article 5, Part 906 (B) (1) of the City Code, "Any person may appeal to the City Council any action of the Planning Commission or an FBZ Review Board or Historic Preservation Board in relation to this Zoning Code, where the action was adverse to the person by filing with the City Clerk a written notice of appeal. The notice of appeal shall be filed with the City Clerk no later than ten (10) days after the action from which appeal is taken, and shall briefly state the grounds upon which the appeal is based."

Accordingly, any appeal relating to this Planning Commission meeting must be submitted to the City Clerk (located at 30 S. Nevada Avenue, Colorado Springs, CO 80903) by:

**Monday, December 28, 2015**

A **\$176** application fee and a justification letter specifying your specific grounds of appeal shall be required. The appeal letter should address specific City Code requirements that were not adequately addressed by the Planning Commission. City Council may elect to limit discussion at the appeal hearing to the matters set forth in your appeal letter.

## CITY PLANNING COMMISSION MEETING AGENDA THURSDAY, December 17, 2015

1. Approval of the Record of Decision (minutes) for the November 15, 2015 City Planning Commission Meetings
2. Communications
3. Consent Calendar (A.1-E).....Page 9
4. New Business Calendar (Item 4.A-9.B) .....Page 141  
 Appendix – Review Criteria.....Page 410

<b>CONSENT CALENDAR</b>		
ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p><b>ITEM NO. A.1-A.2</b>  <b>CPC ZC 15-00120</b>                      (Quasi-Judicial)</p> <p><b>AR CP 08-00639-A1MJ15</b>                      (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>                      6436300015</p> <p><b>PLANNER:</b>                      Lonna Thelen</p>	<p>A request by Aeroplaza Fountain LLC on behalf of Edward Scott representing Andrew Bivins, Teel Bivins, Tom Bivins, Mark Bivins, PK Partners LP, Kelvan Wilson, D E R Investments LP, Bivins Teel Custodian to Minors, Katherine Teel Bivins, William T Bivins, Carolyn Hamly Bivins for the following applications:</p> <ol style="list-style-type: none"> <li>1. A zone change from C6/P/AO (General Business with Planned Provisional and Airport Overlay) to R1-6000/DF/AO (Single Family with design flexibility overlay and airport overlay).</li> <li>2. An amendment to the Soaring Eagles Concept Plan to allow commercial uses and single-family residential.</li> </ol> <p>The property contains 27.8 acres, is zoned C6/P/AO (General Business with Conditions of Record and Airport Overlay) and located at the southwest corner of Hancock Expressway and Powers Boulevard.</p>	9
<p><b>ITEM NOS.: B.1-B.2</b>  <b>CPC ZC 15-00088</b>                      (Quasi-Judicial)</p> <p><b>CPC PUD 13-00048-A2MJ15</b>                      (Quasi-Judicial)</p> <p><b>PARCEL NOS.:</b>                      5317116159–5317116191,                      5317116193</p> <p><b>PLANNER:</b>                      Rachel Teixeira</p>	<p>A request by Classic Consulting Engineers &amp; Surveyors, LLC, on behalf of Rockwood Homes, LLC, for approval of the following applications:</p> <ol style="list-style-type: none"> <li>1. A zone change from PUD/AO single-family detached units (Planned Unit Development with Airport Overlay) to PUD/AO single-family detached and attached units (Planned Unit Development with Airport Overlay).</li> <li>2. A major amendment to the Reserve at Indigo Ranch Filing No. 2 PUD Development Plan.</li> </ol> <p>The property contains 6.53 acres, is zoned PUD/AO (Planned Unit Development with Airport Overlay) and located southeast of Dublin Boulevard and Issaquah Road.</p>	22

<p><b>ITEM NOS.: C.1-C.4</b>  <b>CPC ZC 15-0083</b>          (Quasi-Judicial)</p> <p><b>CPC ZC 15-0084</b>          (Quasi-Judicial)</p> <p><b>CPC CP 08-00142-A3MJ15</b>          (Quasi-Judicial)</p> <p><b>CPC SN 15-00085</b>          (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>          6311204095, 6311204096          6311204089</p> <p><b>PLANNER:</b>          Mike Schultz</p>	<p>A request by JR Engineering on behalf of Cook Communications Ministries for approval of the following applications:</p> <ol style="list-style-type: none"> <li>1. A zone change from OC/AO (Office Complex with Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay)</li> <li>2. A zone change from PIP-1/AO (Planned Industrial Park with Airport Overlay) to OC/AO (Office Complex with Airport Overlay) for 12.99 acres located at the southwest corner of Lee Vance View and Woodmen Road</li> <li>3. A major amendment to the Cook Communications Ministries Concept Plan.</li> <li>4. A street name change from Lee Vance View to Lee Vance Drive.</li> </ol> <p>The amendment modifies zoning and changes a private street to a public street. Two zone change zone requests comprising of 5.84 acres and 12.99 acres. The property is currently zoned OC/AO (Office Complex with Airport Overlay) and PIP-1/AO (Planned Industrial Park with Airport Overlay). The property is located in the southeast of Rangewood Drive and Woodmen Road.</p>	<p>33</p>
<p><b>ITEM NO. D</b>  <b>CPC UV 15-00133</b>          (Quasi-Judicial)</p> <p><b>PARCEL NOS.:</b>          6330200061</p> <p><b>PLANNER:</b>          Hannah Van Nimwegen</p>	<p>A request by Stericycle Inc. on behalf of Merrill Austin, Thunderbolt Mgt. Grp. Inc., for approval of a Use Variance to allow a truck terminal-like use within the Streamside Overlay. The property contains 4.08 acres, is zoned M-1/SS (Light Industrial with a Streamside Overlay) and located at 4120 Mark Dabling Boulevard.</p>	<p>47</p>
<p><b>ITEM NO. E</b>  <b>CPC CU 15-00125</b>          (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>          6301110105</p> <p><b>PLANNER:</b>          Denise Tortorice</p>	<p>Request by Mary Brown, on behalf of KJPC LLC., for the approval of a Conditional Use to allow a dog day care and overnight dog boarding in an existing building use and parked for commercial center uses. The Conditional Use will not allow outdoor exercise or outdoor dog runs. This property is zoned PBC/AO (Planned Business Center with an Airport Overlay), consisting of 1.26 acres, and is located at 5470 Powers Center Point, more particularly described as Lot 12 Powers Center at Research.</p>	<p>84</p>

## NEW BUSINESS CALENDAR

ITEM NO.	PROJECT DESCRIPTION	PAGE NO.
<p><b>ITEM NO. 4</b>  <b>CPC CA 15-00128</b>            (Legislative)</p> <p><b>PLANNER:</b>            Ryan Tefertiller</p>	<p>A request by the City of Colorado Springs for approval of an amendment to Sections 7.2.201 and 7.4.102 of the Code of the City of Colorado Springs, 2001, to address multiple changes in the definitions and standards for fences and accessory structures.</p>	141
<p><b>ITEM NO. 5</b>  <b>CPC PUD 05-00301-A3MN15(AP)</b>            (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>            6312405175</p> <p><b>PLANNER:</b>            Rachel Teixeira</p>	<p>An appeal by Elizabeth Wooley, President of the Dublin Townhome Owners Association, Inc., regarding approval of an administrative decision for an amendment to the Dublin Terrace Townhomes Development Plan. The project is for the build-out of the remaining 73 lots of the 142 residential developments. The property is zoned PUD (Planned Unit Development), consists of 12.78 acres and is situated southwest of Powers and Dublin Boulevards.</p>	148
<p><b>ITEM NO. 6</b>  <b>FILE NO.:</b>  <b>CPC CA 15-00138</b></p> <p><b>PLANNER:</b>            Carl Schueler</p>	<p>An ordinance creating a new Infill and Redevelopment Chapter within the existing City of Colorado Springs Comprehensive Plan in accordance with Section 7.1.107.B of the Code of the City of Colorado Springs, 2001, as amended.</p>	227
<p><b>ITEM NO. 7.A-7.B</b>  <b>CPC PUZ 15-00100</b>            (Quasi-Judicial)</p> <p><b>CPC PUP 15-00101</b>            (Quasi-Judicial)</p> <p><b>PARCEL NOS.:</b>            7413122001;7413122018</p> <p><b>PLANNER:</b>            Michael Turisk</p>	<p>A request by David Morrison of Land Patterns, Inc. on behalf of Challenger Homes, Inc. for approval of the following applications:</p> <ol style="list-style-type: none"> <li>1. A zone change from C-6 (General Business) to PUD (Planned Unit Development).</li> <li>2. A concept plan to develop a 50,000 square foot, four-story, 46 unit apartment building.</li> </ol> <p>The properties are .5 acres in total, are currently zoned C-6 (General Business) and are located at 16 and 22 N. Spruce St.</p>	278

<p><b>ITEM NO. 8</b>  <b>AR DP 15-00434</b>          (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>          5319400016</p> <p><b>PLANNER:</b>          Mike Schultz</p>	<p>A request by Classic Consulting on behalf of Spitting Moose, LLC for approval of a development plan for M.X. Crossing. The development plan proposes 13 single-family lots. The property is located on the West side of Pring Ranch Road between its 2 intersections with Purcell Drive, consists of 4.3 acres and is zoned R-1 6000/CR/SS/AO (Single-family with Conditions of Record and Streamside and Airport Overlays).</p>	<p>310</p>
<p><b>ITEM NO. 9.A-9.B</b>  <b>CPC ZC 15-00107</b>          (Quasi-Judicial)</p> <p><b>CPC CP 15-00108</b>          (Quasi-Judicial)</p> <p><b>PARCEL NO.:</b>          73354000009</p> <p><b>PLANNER:</b>          Mike Schultz</p>	<p>A request by Kimley-Horn &amp; Associates on behalf of Garden of the Gods Club LLC for approval of the following applications:</p> <ol style="list-style-type: none"> <li>1. A change of zone. The proposed change of zone would rezone the subject property from R/HS (Residential Estate with hillside overlay) and R-5/HS (Multi-family with Hillside Overlay) to PUD/HS (Planned Unit Development with Hillside Overlay).</li> <li>2. A PUD concept plan proposes a multi-story facility with a maximum of 266 independent living units, 40 memory care units, 66 assisted living units and 56 skilled nursing units with a maximum building height of 67-ft.</li> </ol> <p>The subject property is located south of Fillmore Street and Grand Vista Circle, is currently zoned R/HS (Residential Estate with hillside overlay) and R-5/HS (Multi-family with hillside overlay) and consists of 25.62 acres.</p>	<p>368</p>



### **PROJECT SUMMARY:**

1. Project Description: This project includes concurrent applications for a zone change and a concept plan for a 28-acre site located South of Hancock Expressway and west of Powers Boulevard.

The applicant is requesting a zone change for half of the 28 acre site, the zoning will change the southern 14.75 acres from C-6 P AO (General Business with a planned provisional overlay and the airport overlay) to R1-6000 DF AO (Single-family residential with design flexibility and the airport overlay) the remaining property will retain the existing C-6 P AO zone. In addition, the applicant is proposing a concept plan for the property. **(FIGURE 1)**

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Approval of the applications, subject to modifications.

### **BACKGROUND:**

1. Site Address: No address assigned
2. Existing Zoning/Land Use: C-6 P AO / vacant
3. Surrounding Zoning/Land Use:  
North: PBC / vacant  
South: R1-6000 / single-family residential  
East: R1-6000 / single-family residential  
West: R1-6000 / single-family residential
4. Comprehensive Plan/Designated 2020 Land Use: Commercial Center
5. Annexation: Drennan Road Site Addition, 1980
6. Master Plan/Designated Master Plan Land Use: Soaring Eagles (implemented) / Community Commercial
7. Subdivision: not platted
8. Zoning Enforcement Action: none
9. Physical Characteristics: The site has never been developed and is relatively flat.

**STAKEHOLDER PROCESS AND INVOLVEMENT:** The public process involved with the review of these applications included posting of the site and sending of postcards on two separate occasions to 190 property owners within a 500 foot buffer from the property. No comments were received.

### **ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

1. Review Criteria / Design & Development Issues:  
In 2005, a proposal was submitted for the entire 28 acre site to be developed as a Walmart. The proposal for the Walmart was met with strong opposition from the neighborhood and never approved. A concept plan proposal with a large retail store and smaller retail and restaurant users was approved June 24, 2009. **(FIGURE 3)** This proposal worked to incorporate the neighborhood concerns. The application under review would replace the existing concept plan.

The proposed applications request to allow a portion of a very large commercial site to change to residential use. This action would allow the southern portion of the site to be more compatible with the single-family uses to the east, south, and west. The remainder of the site, the northern half, retains the commercial concept and supports the comprehensive and master planning for the area for a commercial center to serve the surrounding residential uses.

The proposed single family residential will utilize the design flexibility overlay for the R1-6000 giving the applicant the ability to be flexible with lot sizes while still retaining an average lot size of 6,000 square feet and ensuring at least half of the lots are 6,000 square feet or larger. The design flexibility overlay (DFOZ) was implemented to provide for maximum design flexibility while ensuring the overall character of the development is consistent with the base zone and harmonious with the surrounding area. The DFOZ may be used to increase design flexibility by providing for greater variations in lot sizes, reducing setbacks, narrower lot widths, and increased lot coverages. **FIGURE 4** provides the table from City Code to show the allowances for DFOZ, refer to the R1-600 column of the table. The lot layout and internal road network will be reviewed in accordance with City Code when preliminary and final plats are submitted for review.

The commercial property is proposed to have commercial center, restaurant, retail, and gas/convenience store uses. These uses are appropriate along Hancock which runs on the north side of the property and provides a buffer to the single-family residential. There is also a 15 foot wide landscape buffer between the commercial uses and the residential properties.

Staff has reviewed the zone change and concept plan and has found that the applications are consistent with the review criteria and standards of City Code. Staff recommends approval of both applications.

2. Conformance with the City Comprehensive Plan:

Objective LU 3: *Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses*

*Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.*

Objective LU 5: *Develop Cohesive Residential Area*

*Neighborhoods are the fundamental building block for developing and redeveloping residential areas of the city. Likewise, residential areas provide a structure for bringing together individual neighborhoods to support and benefit from schools, community activity centers, commercial centers, community parks, recreation centers, employment centers, open space networks, and the city's transportation system. Residential areas also form the basis for broader residential land use designations on the citywide land use map. Those designations distinguish general types of residential areas by their average densities, environmental features, diversity of housing types, and mix of uses. Residential areas of the city should be developed, redeveloped and revitalized as cohesive sets of neighborhoods, sharing an interconnected network of streets, schools, parks, trails, open spaces, activity centers, and public facilities and services.*

Policy LUM 203: *Community Activity Center*

*Utilize the Community Activity Center designation for commercial retail and service uses that meet consumer demands for frequently needed goods and services, with an emphasis on serving the surrounding residential areas. Integrate mobility choices by*

*providing transit, pedestrian and bicycle connectivity within the center as well as to adjoining areas.*

**Policy LUM 204: Commercial Center**

*Utilize the Commercial Center designation for large-scale commercial uses serving the wider community. The primary activity is large retail establishments. Integrate mobility choices by providing transit, pedestrian and bicycle connectivity within the center as well as to adjoining areas.*

The Comprehensive Plan designation for this area is Commercial Center. This designation is primarily for a commercial development to support the surrounding neighborhood. There is a large Community Activity Center designation at Hancock and Chelton, less than a quarter mile away that is intended to provide services to the surrounding residential areas. The proposed plan maintains 14 acres of the site as commercial adjacent to Hancock and allows the remainder to become residential. The large amount of undeveloped vacant land proposed for commercial is more than adequate to provide commercial retail and service uses for the consumers in the adjacent residential areas.

3. Conformance with the Area's Master Plan:

The Soaring Eagles Master Plan for this area calls out the site as Community Commercial. **(FIGURE 5)** The plan is considered implemented, so an amendment is not required; however, the master plan document is still used as a guide in reviewing applications. The northern 14 acres of the site, adjacent to Hancock Expressway, will remain a commercial center and staff is in support of rezoning the remaining 14 acres to residential. At the corner of Hancock and Chelton there are approximately 46 acres of property proposed to be used commercially. Across the street from this site to the north there is a seven acre PBC site available for commercial development. With these sites nearby the need for additional commercial property in this area is limited and a change to additional residential is supported by staff.

**STAFF RECOMMENDATION:**

**Item No: A.1 CPC ZC 15-00120 – ZONE CHANGE**

**Approve** the zone change from C-6 P AO (General Business with a planned provisional overlay and the airport overlay) to R1-6000 DF AO (Single-family residential with design flexibility and the airport overlay) for Silver Hawk Village, based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.B.

**Item No: A.2 AR CP 08-00639-A1MJ15 – CONCEPT PLAN**

**Approve** the concept plan for Silver Hawk Village, based upon the finding that the concept plan complies with the review criteria in City Code Section 7.5.501.E, subject to compliance with the following conditions and/or significant design, technical and/or informational plan modifications:

**Technical and Informational Modifications to the Concept Plan Amendment:**

1. Remove the R1-9 and R components of the table for Design Flexibility.
2. Under the commercial table for parking include total required and total provided.

**GENERAL SITE LEGAL DESCRIPTION:**

A PORTION OF LAND BEING A PORTION OF THE SOUTH HALF OF SECTION 36, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING DESCRIBED AS FOLLOWS:

BASES OF BEARINGS: A PORTION OF THE NORTHWESTERLY BOUNDARY OF SOARING EAGLES SUBDIVISION BEING MOST WESTERLY CORNER OF A PARCEL OF LAND OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE EIGHTH END BY A CO-PLANAR BEARING OF 115°57'57" AND A DISTANCE OF 621.36 FEET.

COMMANDING AT THE MOST NORTHERLY CORNER OF SOARING EAGLES SUBDIVISION PLING NO. 6, SAID POINT BEING MOST WESTERLY CORNER OF A PARCEL OF LAND OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE EIGHTH END BY A CO-PLANAR BEARING OF 115°57'57" AND A DISTANCE OF 621.36 FEET.

THESE ON THE NORTHERLY BOUNDARY OF SAID SOARING EAGLES SUBDIVISION PLING NO. 6, THE FOLLOWING (2) TWO COURSES:

1. 529°38'19" W, A DISTANCE OF 61.34 FEET.
2. 527°38'19" W, A DISTANCE OF 115.37 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SILVER HAWK AVENUE AS PLATTED IN SOARING EAGLES SUBDIVISION PLING NO. 2.

THESE ON THE NORTHERLY BOUNDARY OF SAID SOARING EAGLES SUBDIVISION PLING NO. 3, AND THE NORTHERLY RIGHT OF WAY LINE OF SAID SILVER HAWK AVENUE, THE FOLLOWING (2) TWO COURSES:

1. 188°17'39" W, A DISTANCE OF 161.27 FEET TO A POINT OF CURVE.
2. 188°17'39" W, A DISTANCE OF 381.82 FEET TO A POINT ON CURVE SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF SILVER HAWK AVENUE RECEPTION NO. 20101066. SAID POINT ALSO BEING THE POINT OF BEGINNING BOUNDARY OF SAID SOARING EAGLES SUBDIVISION PLING NO. 1.

THESE ON THE EASTERN BOUNDARY OF SAID SOARING EAGLES SUBDIVISION PLING NO. 1, AND THE EASTERN RIGHT OF WAY LINE OF SAID SILVER HAWK AVENUE, THE FOLLOWING (2) TWO COURSES:

1. 233.80 FEET TO A POINT ON CURVE.
2. ON THE ARC OF A CURVE TO THE RIGHT, PROCEED CENTER BEARS 107°59'11" P, HAVING A DELTA OF 17°18'07", A RADIUS OF 483.00 FEET AND A DISTANCE OF 187.70 FEET TO A POINT ON CURVE.
3. ON THE ARC OF A CURVE TO THE LEFT, PROCEED CENTER BEARS 17°18'07" P, HAVING A DELTA OF 17°18'07", A RADIUS OF 483.00 FEET AND A DISTANCE OF 187.70 FEET TO A POINT ON CURVE.
4. ON THE ARC OF A CURVE TO THE RIGHT, PROCEED CENTER BEARS 107°59'11" P, HAVING A DELTA OF 17°18'07", A RADIUS OF 483.00 FEET AND A DISTANCE OF 187.70 FEET TO A POINT ON CURVE.

THESE ON SAID SOUTHERLY RIGHT OF WAY LINE OF HANCOCK EXPRESSWAY, THE FOLLOWING (2) TWO COURSES:

1. N87°07'32" E, A DISTANCE OF 48.80 FEET.
2. S84°28'02" E, A DISTANCE OF 110.72 FEET TO THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND BEING DESCRIBED IN A DOCUMENT RECORDED IN BOOK 9739 IN PAGE 288.

THESE ON THE SOUTHERLY RIGHT OF SAID PARCEL OF LAND RECORDED IN BOOK 9739 IN PAGE 288, THE FOLLOWING (3) THREE COURSES:

1. S88°55'52" E, A DISTANCE OF 262.86 FEET TO A POINT OF CURVE.
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 45°46'17", A RADIUS OF 100.00 FEET AND A DISTANCE OF 77.88 FEET TO A POINT OF RESUME CURVE.
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 134°13'43", A RADIUS OF 187.70 FEET AND A DISTANCE OF 325.81 FEET TO A POINT ON CURVE SAID POINT BEING THE MOST NORTHERLY CORNER OF SAID PARCEL OF LAND BEING DESCRIBED IN A DOCUMENT RECORDED IN BOOK 9739 IN PAGE 288.

THESE COURSES ON THE NORTHERLY BOUNDARY OF SAID PARCEL OF LAND BEING DESCRIBED IN A DOCUMENT RECORDED IN BOOK 9739 IN PAGE 288, THE FOLLOWING (2) TWO COURSES:

1. S88°55'52" E, A DISTANCE OF 262.86 FEET TO A POINT OF CURVE.
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 45°46'17", A RADIUS OF 100.00 FEET AND A DISTANCE OF 77.88 FEET TO A POINT OF RESUME CURVE.

THESE ON SAID SOUTHERLY RIGHT OF WAY LINE OF HANCOCK EXPRESSWAY, THE FOLLOWING (2) TWO COURSES:

1. N87°07'32" E, A DISTANCE OF 48.80 FEET.
2. S84°28'02" E, A DISTANCE OF 110.72 FEET TO THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND BEING DESCRIBED IN A DOCUMENT RECORDED IN BOOK 9739 IN PAGE 288.

**RESIDENTIAL AREA LEGAL DESCRIPTION:**

A PORTION OF THE TRACT OF LAND DISPERSED IN THE BIRD OF TRIST, RECORDED UNDER RECEPTION NO. 20108842 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND BEING DESCRIBED AS FOLLOWS:

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMANDING AT THE NORTHWESTERLY CORNER OF SOARING EAGLES SUBDIVISION PLING NO. 6, SAID POINT BEING MOST WESTERLY CORNER OF A PARCEL OF LAND OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT THE EIGHTH END BY A CO-PLANAR BEARING OF 115°57'57" AND A DISTANCE OF 621.36 FEET.

THESE ALONG THE WESTERLY LINE OF SAID SOARING EAGLES SUBDIVISION PLING NO. 6, THE FOLLOWING (2) TWO COURSES:

1. THESE S29°46'59" W, A DISTANCE OF 621.36 FEET.
2. THESE S29°46'59" W, A DISTANCE OF 115.37 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF SILVER HAWK AVENUE AS PLATTED IN SOARING EAGLES SUBDIVISION PLING NO. 2.

THESE ALONG THE NORTHERLY RIGHT OF WAY LINE OF SAID SILVER HAWK AVENUE, THE FOLLOWING (2) TWO COURSES:

1. THESE N62°21'59" W, A DISTANCE OF 161.27 FEET TO A POINT OF CURVE.
2. THESE N62°21'59" W, A DISTANCE OF 381.82 FEET TO A POINT ON CURVE SAID POINT BEING ON THE NORTHERLY RIGHT OF WAY LINE OF SILVER HAWK AVENUE RECEPTION NO. 20101066. SAID POINT ALSO BEING THE POINT OF BEGINNING BOUNDARY OF SAID SOARING EAGLES SUBDIVISION PLING NO. 1.

THESE ON THE EASTERN BOUNDARY OF SAID SOARING EAGLES SUBDIVISION PLING NO. 1, AND THE EASTERN RIGHT OF WAY LINE OF SAID SILVER HAWK AVENUE, AS PLATTED IN SOARING EAGLES SUBDIVISION PLING NO. 2, THE FOLLOWING (2) TWO COURSES:

1. 233.80 FEET TO A POINT ON CURVE.
2. ON THE ARC OF A CURVE TO THE RIGHT, PROCEED CENTER BEARS 107°59'11" P, HAVING A DELTA OF 17°18'07", A RADIUS OF 483.00 FEET AND A DISTANCE OF 187.70 FEET TO A POINT ON CURVE.

THESE ON SAID SOUTHERLY RIGHT OF WAY LINE OF HANCOCK EXPRESSWAY, THE FOLLOWING (2) TWO COURSES:

1. N87°07'32" E, A DISTANCE OF 48.80 FEET.
2. S84°28'02" E, A DISTANCE OF 110.72 FEET TO THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND BEING DESCRIBED IN A DOCUMENT RECORDED IN BOOK 9739 IN PAGE 288.

THESE ON THE SOUTHERLY RIGHT OF SAID PARCEL OF LAND RECORDED IN BOOK 9739 IN PAGE 288, THE FOLLOWING (3) THREE COURSES:

1. S88°55'52" E, A DISTANCE OF 262.86 FEET TO A POINT OF CURVE.
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 45°46'17", A RADIUS OF 100.00 FEET AND A DISTANCE OF 77.88 FEET TO A POINT OF RESUME CURVE.
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A DELTA OF 134°13'43", A RADIUS OF 187.70 FEET AND A DISTANCE OF 325.81 FEET TO A POINT ON CURVE SAID POINT BEING THE MOST NORTHERLY CORNER OF SAID PARCEL OF LAND BEING DESCRIBED IN A DOCUMENT RECORDED IN BOOK 9739 IN PAGE 288.

THESE COURSES ON THE NORTHERLY BOUNDARY OF SAID PARCEL OF LAND BEING DESCRIBED IN A DOCUMENT RECORDED IN BOOK 9739 IN PAGE 288, THE FOLLOWING (2) TWO COURSES:

1. S88°55'52" E, A DISTANCE OF 262.86 FEET TO A POINT OF CURVE.
2. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A DELTA OF 45°46'17", A RADIUS OF 100.00 FEET AND A DISTANCE OF 77.88 FEET TO A POINT OF RESUME CURVE.

THESE ON SAID SOUTHERLY RIGHT OF WAY LINE OF HANCOCK EXPRESSWAY, THE FOLLOWING (2) TWO COURSES:

1. N87°07'32" E, A DISTANCE OF 48.80 FEET.
2. S84°28'02" E, A DISTANCE OF 110.72 FEET TO THE SOUTHWESTERLY CORNER OF A PARCEL OF LAND BEING DESCRIBED IN A DOCUMENT RECORDED IN BOOK 9739 IN PAGE 288.

**RESIDENTIAL SITE DATA:**

SITE LOCATION:	VACANT LAND, SOUTHEAST CORNER OF HANCOCK EXPRESSWAY AND HANCOCK EXPRESSWAY
TAX SCHEDULE NUMBER:	No. 643830015
SITE ACREAGE:	14.73 AC
EXISTING ZONING:	C6 P AO (GENERAL BUSINESS)
PROPOSED ZONING:	R1-6000 DF AO
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	SINGLE FAMILY DETACHED RESIDENTIAL
PROPOSED DENSITY:	4.6 DU/AC
APPROX. NUMBER OF UNITS:	59-88
SCHEDULE FOR CONSTRUCTION:	2016-2017

**RESIDENTIAL GENERAL NOTES:**

1. THIS SITE IS LIMITED TO SINGLE-FAMILY DETACHED RESIDENTIAL USES PER THE ZONING DESIGNATION.
2. ALL TRACTS, OPEN SPACES, COMMON AREAS, AND PERMANENT STRESCAPE PLANTINGS WITHIN THIS DEVELOPMENT SHALL BE OWNED AND MAINTAINED A HOMEOWNERS ASSOCIATION. THE HOA TO BE COMPLETED BY SEPARATE INSTRUMENT.
3. THEREAS FOUND ON THIS SITE ARE FEATURES SUCH AS VEGETATION, ROCK OUTCROPPINGS OR FEES IN LIEU OF LAND WILL BE PROVIDED FOR SCHOOLS AND PARKS.
4. LOT LAYOUTS, STREETS, LANDSCAPE, SIDEWALKS, ETC. LOCATIONS WILL BE DETERMINED WITH THE FUTURE DEVELOPMENT PLAN SUBMITTALS.
5. LOT LAYOUTS, STREETS, LANDSCAPE, SIDEWALKS, ETC. LOCATIONS WILL BE DETERMINED WITH THE FUTURE DEVELOPMENT PLAN SUBMITTALS.
6. FUTURE DEVELOPMENT PLAN SUBMITTALS RELATED FEATURES WILL BE PROVIDED WITH FUTURE DEVELOPMENT PLAN SUBMITTALS.
7. ALL UTILITY RELATED ELEMENTS WILL BE PROVIDED WITH FUTURE DEVELOPMENT PLAN SUBMITTALS.
8. THIS CONCEPT PLAN SHALL BE USED AS THE PRELIMINARY PLAT AS THE EXISTING PARCEL.
9. THERE IS NO PROPOSED PHASING FOR THE SITE AS IT WILL BE COMPLETED IN ONE PHASE.

**FLOODPLAIN:**

This property is not located within a designated FEMA floodplain as determined by the flood insurance rate map, community map number 08041 C0767 effective date March 17, 1997.

**COMMERCIAL SITE DATA:**

SITE LOCATION:	VACANT LAND, SOUTHEAST CORNER OF HANCOCK EXPRESSWAY AND HANCOCK EXPRESSWAY
TAX SCHEDULE NUMBER:	No. 643830015
SITE ACREAGE:	10.76 +/- AC
EXISTING ZONING TO REMAIN:	C6 P AO (GENERAL BUSINESS)
PROPOSED ZONING:	ORDINANCE NO. 98-112
EXISTING LAND USE:	VACANT
PROPOSED LAND USE:	RETAIL RESTAURANT (FAST FOOD), COMMERCIAL CENTER
PROPOSED BUILDING HEIGHT:	9'

**GENERAL PARKING REQUIREMENTS**

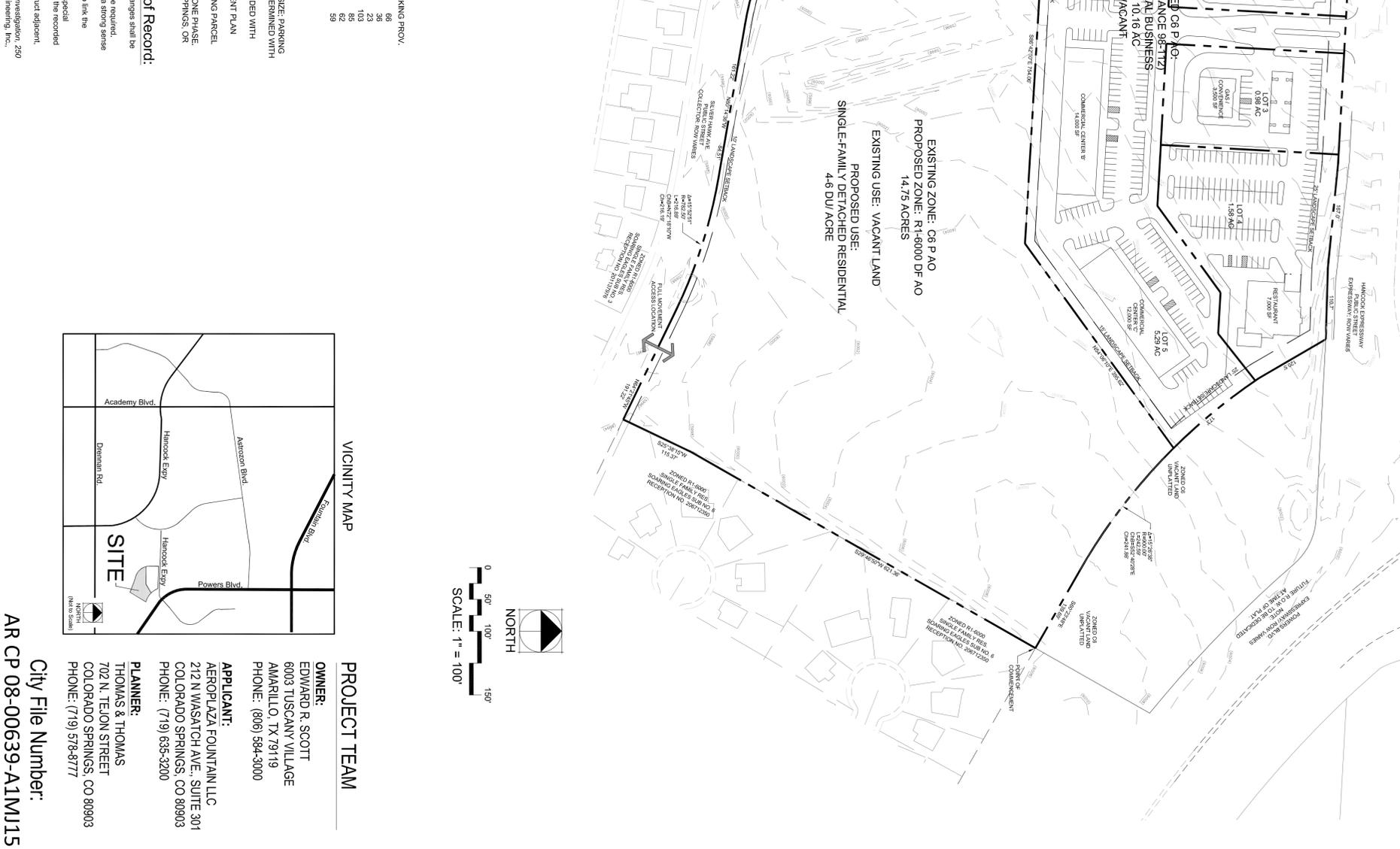
USE	BLDG. SF	PARKING RATIO	PARKING REQ.	PARKING PROV.
RETAIL	14,000 SF	1/1,200	42	66
FAST FOOD	3,500 SF	1/1,100	12	36
CONVENIENCE/ GAS STATION	3,500 SF	1/1,300	12	23
RESTAURANT	7,000 SF	1/1,100	24	103
COMMERCIAL CENTER A	14,000 SF	1/1,250	56	62
COMMERCIAL CENTER B	12,000 SF	1/1,250	48	59

**GENERAL NOTES:**

1. BUILDING LOCATIONS ARE CONCEPTUALLY SHOWN. FINAL BUILDING USE AND SIZE, PARKING LAYOUT, LANDSCAPE REQUIREMENTS, AND SIDEWALK LOCATIONS WILL BE DETERMINED WITH FUTURE DEVELOPMENT PLAN SUBMITTALS.
2. DRAINAGE, GRADING, AND WATER QUALITY RELATED FEATURES WILL BE PROVIDED WITH FUTURE DEVELOPMENT PLAN SUBMITTALS.
3. ALL UTILITY RELATED ELEMENTS WILL BE PROVIDED WITH FUTURE DEVELOPMENT PLAN SUBMITTALS.
4. THIS CONCEPT PLAN SHALL BE USED AS THE PRELIMINARY PLAT AS THE EXISTING PARCEL.
5. THIS CONCEPT PLAN SHALL BE USED AS THE PRELIMINARY PLAT AS THE EXISTING PARCEL.
6. THERE IS NO PROPOSED PHASING FOR THE SITE AS IT WILL BE COMPLETED IN ONE PHASE.
7. THERE IS NO PROPOSED PHASING FOR THE SITE AS IT WILL BE COMPLETED IN ONE PHASE.

**C6 P AO Zoning Ordinance No. 98-112 Conditions of Record:**

1. Uses shall be restricted to those shown on the approved Concept Plan. Major use changes shall be reviewed by the Planning Commission, per Zoning Code Article 4, shall be required.
2. The arterial streetscape shall be coordinated through Development Plan review to create a strong sense of place for Soaring Eagles.
3. A comprehensive set of design standards shall be set forth on the Development Plan to link the arterial streetscape to the surrounding residential neighborhood.
4. A coordinated landscape and green space theme shall be facilitated and maintained by a special improvement maintenance district or property owners association, which shall be noted in the recorded covenants and on all subdivision plats.
5. The owners shall participate in a local improvement district(s) created to fund and construct adjacent, arterial streets.
6. It shall be noted on all development plans and plats that the Preliminary Subdivision Soil Investigation, 250' x 250' grid, dated November 2, 1996, shall be compiled prior to issuance of any building permit.



**DESIGNED:** JRA 10.29.15  
**DRAWN:** JRA 00.00.00  
**CHECKED:** LT 00.00.00  
**PROJECT NUMBER:** 3529.00

**SCALE:** AS NOTED

REV #	REVISIONS	DATE	DRAWN	CHECKED	APPROVED
1	CITY COMMENTS	11/30/15	JRA		
2					
3					
4					
5					
6					

**THOMAS THOMAS**  
Planning  
Urban Design  
Landscape Architecture

702 North Tejon  
Colorado Springs, Colorado 80903  
(719) 578-8777

FIGURE 1



October 29, 2015

Lonna Thelen  
Principal Planner  
Land Use Review Division  
Planning and Development Team  
30 S. Nevada Ave, Suite 105  
Colorado Springs, CO 80903

RE: Silver Hawk Village Rezone and Concept Plan Submittal

**PROJECT DESCRIPTION:**

Thomas & Thomas, on behalf of Aeroplaza Fountain LLC is proposing a Rezone and Concept Plan for the Silver Hawk Village to allow for a detached single-family residential project located along Silver Hawk Ave, south of Hancock Expressway in southeastern Colorado Springs. The proposed development will be approximately 14.75 acres carved out of an existing 27.9 acre site presently zoned C6 General Business. The 14.75 acre residential portion will be rezoned to *R-1 6000 Design Flexibility Overlay Zone (DFOZ)* to allow lot sizes of a minimum 5,000 square feet. The remaining 13 acres will remain zoned as C6 General Business. The site is not within the APZ (Accident Potential Subzone 1 or 2) overlays but lies within the AO CAD (Airport Overlay) zone area. As mentioned, the site is 14.75 Acres and is currently vacant. The project proposes single family lots with a minimum size of 5,000 square feet for an approximate density of 4-6 DU/AC. A 10' landscape setback is being proposed along Silver Hawk Ave. to be consistent with the surrounding neighborhood. There are no proposed commercial, office, or industrial uses being proposed.

The existing surrounding zoning and land uses are as follows:

- **North:** Zoned C6 General Business, vacant land.
- **West:** Zoned R1-6000 DFOZ. Detached single family residential.
- **South:** Zoned R1-6000 DFOZ. Detached single family residential.
- **East:** Powers Blvd. Corridor

The site has been vacant for many years and contains no significant natural features, stands of vegetation, or wildlife habitat. There is currently no sidewalk present along Silver Hawk Ave. however pedestrian sidewalks will be included as required along the site's frontage.

Access into the site will be via two access points off of Silver Hawk Ave. with finalized locations to be provided with future development plan submittals. All access locations will be designed to meet city requirements. All internal streets will be public and will meet current city engineering design standards.

Internal street configurations, sidewalks, drainage, etc. will be completed with future development plan submittals.

**PROJECT JUSTIFICATION:**

The proposed development submittal takes into account the Concept Plan Review Criteria, see below. More detailed information will be provided at the time of Development Plan and Final Plat submittal which shall include detailed lot and street layouts, grading, drainage, traffic, and utility design. While the current zoning for the site is C6 General Business, the proposed R-1 6000 zoning for the 14.75 acre residential portion is a compatible use within this area. The site lies within the Soaring Eagles residential development and will be bordered along the south and west by existing residential units. The 2020 Land Use Plan illustrates this site as a Commercial Center of which 13 acres shall remain as C6 zoning along Hancock Expressway. This 13 acres of commercial along the frontage of Hancock Expy. serves as a better location for commercial development since it lies at a controlled intersection bordered by high volume roadways in Hancock and Powers Blvd. The site being submitted for consideration of a rezone is better served as a residential use due to the adjacent existing homes and inviting heavy commercial traffic into the neighborhood could create safety hazards and traffic concerns.

While this site does not lie within the 2020 Land Use Map's Employment Center designation area, it does lie within the recently expanded and adopted Commercial Aeronautical Zone (CAZ). The site was previously designated as an airport Enterprise Zone which was created to provide incentives for new and established businesses to locate and expand in economically distressed areas. Per the Southern Municipal Airport Enterprise Zone Map, this area has been identified as an effective enterprise zone since 2/20/1991. Even with this enterprise zone designation, the Soaring Eagles development has been approved and nearly completed with single-family and multi-family residential uses. This proposal seeks to continue the residential development pattern while reserving 13 acres for commercial use, a potential site for a CAZ project. In addition, this site is less than ¼ mile walking distance to both Soaring Eagles Park and Soaring Eagles Elementary via Raptor Crest Dr. to the west which are sought after amenities for residential developments.

Recent discussions and approvals regarding the Commercial Aeronautical Zone, and other airport overlay zones, has placed an importance in preserving vacant commercial and industrial zoned parcels for potential development under these incentivized programs. While the planning team for Silver Hawk Village understands the need to preserve these parcels for development, we feel that developing the proposed 14.75 acres as residential would not have a detrimental or lasting effect on these commercial related incentive zones. This development can and will provide much needed, reasonably priced housing for the Sierra Nevada project employees and other future employees working in new aeronautical zone businesses. As discussed above, the proposed 14.75 acre residential site is currently part of a larger 28 acre site currently zoned C6 General Business. The remaining 13 acres will remain zoned C6 as this location is better suited for commercial development.

## CONCEPT PLAN REVIEW CRITERIA:

1. *Will the proposed development have a detrimental effect upon the general health, welfare, and safety or convenience of persons residing or working in the neighborhood of the proposed development?*

The proposed development will not have a detrimental effect on the surrounding neighborhood as the proposed use is in line with current approved and existing residential uses found adjacent to this proposal. There are no out of character uses being proposed for this site.

2. *Will the proposed density, types of land uses and range of square footages permit adequate light and air both on and off site?*

The proposed development will meet the R1- 6000 Zoning requirements with respect to setbacks, lot sizes, roadways, etc. with an approximate density of 4-6 DU/ Acre. The development will provide adequate light and air to meet city requirements.

3. *Are the permitted uses, bulk requirements and required landscaping appropriate to the type of development, the neighborhood and the community?*

The permitted uses, bulk requirements and landscaping are appropriate for the use and will be consistent with existing uses adjacent to this site. A 10' landscape setback is being provided along Silver Hawk Ave. and an appropriate streetscape design will be included with future submittals to meet minimum requirements.

4. *Are the proposed ingress/ egress points, traffic circulation, parking areas, loading and service areas, and pedestrian areas designed to promote safety, convenience and ease of traffic flow and pedestrian movement both on and off the site?*

There is no requested access off of Powers Blvd. with the access points being located off of Silver Hawk Ave. These access points will be designed to meet city engineering requirements depicted on future development plan submittals. There is no existing sidewalk along Silver Hawk Ave. for this site but any required sidewalks will be provided as necessary. As noted on the drawings curb, gutter and sidewalk will be provided where necessary to promote safe pedestrian circulation around and through the site.

5. *Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities?*

The proposed use will not overburden existing public facilities as this area has been planned to accommodate intense commercial uses rather than detached single-family residential uses.

6. *Does the proposed development promote the stabilization and preservation of the existing properties in adjacent areas and surrounding residential neighborhoods?*

The proposed use is permitted within the R-1 6000 Zone with 5,000 SF lot minimums and is in conformity with existing residential uses to the south and west. The proposed use and development standards as illustrated within the R-1 6000 requirements will ensure the site continues to provide stabilization to this area.

7. *Does the concept plan show how any potentially detrimental use to use relationships will be mitigated? Does the development provide a gradual transition between uses of differing intensities?*

The proposed use does not introduce any potentially detrimental use relationships to the area as it will be similar to those uses already existing within Soaring Eagles and along Silver Hawk Ave. This is one of the few remaining vacant sites in this area and the proposed uses fit into the context of the neighborhood, which includes retaining 13 acres for commercial uses.

8. *Is the proposed concept plan in conformance with all requirements of this Zoning Code, the Subdivision Code and with all applicable elements of the comprehensive plan?*

The proposed concept plan is in conformance to applicable city codes, ordinances, and statutes as required.

**ISSUE LIST:**

- Rezone of C6 to R-1 6000 DFOZ within the Commercial Aeronautical Zone
- Eliminating 14.75 acres of existing commercial use



7.3.104

7.3.104

C. Design Flexibility Overlay Zone Development Standards:

DESIGN FLEXIBILITY OVERLAY ZONE DEVELOPMENT STANDARDS

Standards	R	R-1 9000	R-1 6000
Minimum lot size criteria:			
Average of lot sizes	20,000 sq. ft.	9,000 sq. ft.	6,000 sq. ft.
Minimum lot size	10,000 sq. ft.	6,000 sq. ft.	4,000 sq. ft.
Minimum lot size of at least 50 percent of lots	20,000 sq. ft.	9,000 sq. ft.	6,000 sq. ft.
Maximum lot coverage (principal and accessory buildings):			
			Homes more than 18 ft. in height:
	25% for lots less than 20,000 sq. ft.	30% for lots less than 9,000 sq. ft.	40% for lots less than 6,000 sq. ft.
	20% for lots 20,000 sq. ft. or greater	25% for lots 9,000 sq. ft. or greater	30% for lots 6,000 sq. ft. or greater
			Homes less than 18 ft. in height:
			45% for lots less than 6,500 sq. ft.
			40% for lots 6,501 - 7,500 sq. ft.
			35% for lots 7,501 - 8,500 sq. ft.
			30% for lots 8,501 sq. ft. or greater

FIGURE 4

7.3.104

7.3.104

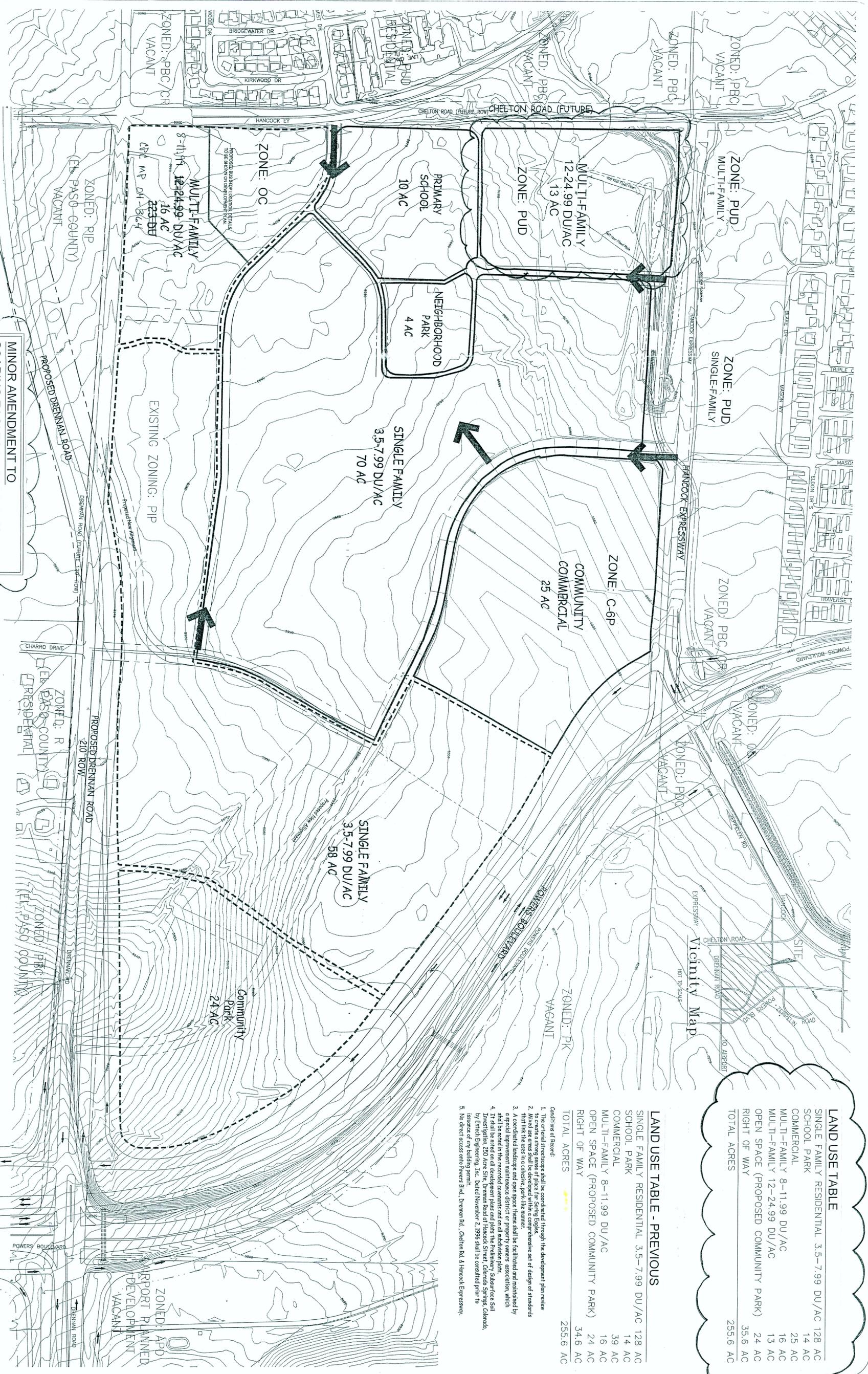
Standards	R	R-1 9000	R-1 6000
Minimum width of lot at front and rear setbacks	75 ft.	50 ft.	40 ft.
Minimum street frontage (except flag stems):	50 ft.	40 ft.	30 ft.
Minimum street frontage of flag stems	20 ft.	20 ft.	20 ft.
Front yard setbacks:			
All unless adjacent to a collector or arterial:			
House	20 ft.	15 ft.	15 ft.
Garage	20 ft.	20 ft.	20 ft.
When adjacent to collector	25 ft.	25 ft.	25 ft.
When adjacent to minor arterial <sup>1</sup>	30 ft.	30 ft.	30 ft.
When adjacent to major arterial <sup>1</sup>	40 ft.	40 ft.	40 ft.
Side yard setbacks:	5 ft.	5 ft.	5 ft.
Sum of side yard setbacks	20 ft.	20 ft.	10 ft.
Rear yard setbacks:	25 ft.	25 ft.	20 ft.
When adjacent to minor arterial <sup>1</sup>	30 ft.	30 ft.	30 ft.
When adjacent to major arterial <sup>1</sup>	40 ft.	40 ft.	40 ft.

Notes:

1. When a development provides a dedicated landscape tract between the right of way of a major or minor arterial and an adjacent lot, the landscape tract may be used to meet the required 40 foot or 30 foot rear/front yard setback amount. However, each lot must continue to maintain the minimum rear yard setback requirement (i.e., 20 feet or 25 feet) for that particular zone. All other nonconflicting minimum standards specified in the base zone shall apply.
2. Lot coverage flexibility is being provided for single level homes compared to two-story (above grade) homes; the intent is to allow additional lot coverage for single level homes while providing a variable architectural mix on similar sized lots.

(Ord. 94-107; Ord. 01-42; Ord. 02-153; Ord. 03-74; Ord. 03-157; Ord. 04-110; Ord. 09-72)

FIGURE 4



**MINOR AMENDMENT TO SOARING EAGLES MASTER PLAN**

- PROPOSED USE: MULTI-FAMILY RESIDENTIAL
- NUMBER OF UNITS: 161 DU
- LAND AREA DEDICATED: 13.30 AC
- DENSITY: 12.36 DU/AC
- EXISTING ZONE: NEIGHBORHOOD COMMERCIAL
- PROPOSED ZONE: PUD

OWNER: FMI SOARING EAGLES, LLC  
130 E. KIOWA STREET, #160  
COLORADO SPRINGS, CO 80903



**LAND USE TABLE**

SINGLE FAMILY RESIDENTIAL	3.5-7.99 DU/AC	128 AC
SCHOOL PARK		14 AC
COMMERCIAL		25 AC
MULTI-FAMILY 8-11.99 DU/AC		16 AC
MULTI-FAMILY 12-24.99 DU/AC		13 AC
OPEN SPACE (PROPOSED COMMUNITY PARK)		24 AC
RIGHT OF WAY		35.6 AC
TOTAL ACRES		255.6 AC

**LAND USE TABLE - PREVIOUS**

SINGLE FAMILY RESIDENTIAL	3.5-7.99 DU/AC	128 AC
SCHOOL PARK		14 AC
COMMERCIAL		39 AC
MULTI-FAMILY 8-11.99 DU/AC		16 AC
OPEN SPACE (PROPOSED COMMUNITY PARK)		24 AC
RIGHT OF WAY		34.6 AC
TOTAL ACRES		255.6 AC

- Conditions of Record:
- The aerial streetcans shall be coordinated through the development plan review to create a strong sense of place for Soaring Eagles.
  - Mixed use areas shall be developed within a comprehensive set of design standards that link the uses in a cohesive, park-like manner.
  - A coordinated landscape and open space theme shall be facilitated and highlighted by a special improvement maintenance district or property owners association, which shall be recited in the recorded covenants and on all subdivision plats.
  - It shall be noted on all development plans and plats the Preliminary Subsurface Soil Investigation (250 Acres Site, Orchard Road at Frisco Street, Colorado Springs, Colorado, by Gifford Engineering, Inc., dated November 2, 1996) shall be considered prior to the record any building permit.
  - No direct access onto Powers Blvd., Brennan Rd., Chelton Rd., & Hancock Expressway.

**HARMONY SPRINGS \* LAND MANAGEMENT CONSULTANTS LLC**  
(719) 593-8885  
4525 NORTH PARK DRIVE, SUITE 100  
COLORADO SPRINGS, CO. 80918

**SOARING EAGLES MASTER PLAN**

PROJECT: **Master Plan Amendment**

DATE: SEPTEMBER 30, 2006  
SCALE: 1"=200'

DRAWN BY: R.GOGA / HSLMC  
CHECKED BY:

REVISIONS:

DATE	BY	REVISIONS
8/2/02	S. Conant	
10-1-07	S. Conant	
10-7-02	S. Conant	
09-30-06	R. GOGA/HSLMC	

PREVIOUS FILES:  
CPC MP 99-00323  
CPC MPA 02-00143  
CPC MP 04-00364

**APPROVED**  
MAR 2 8 2007  
BY CITY PLANNING

CITY OF COLORADO SPRINGS  
SHEET: 1 of 1  
CPC MPA 06-0181

**CITY PLANNING COMMISSION AGENDA**

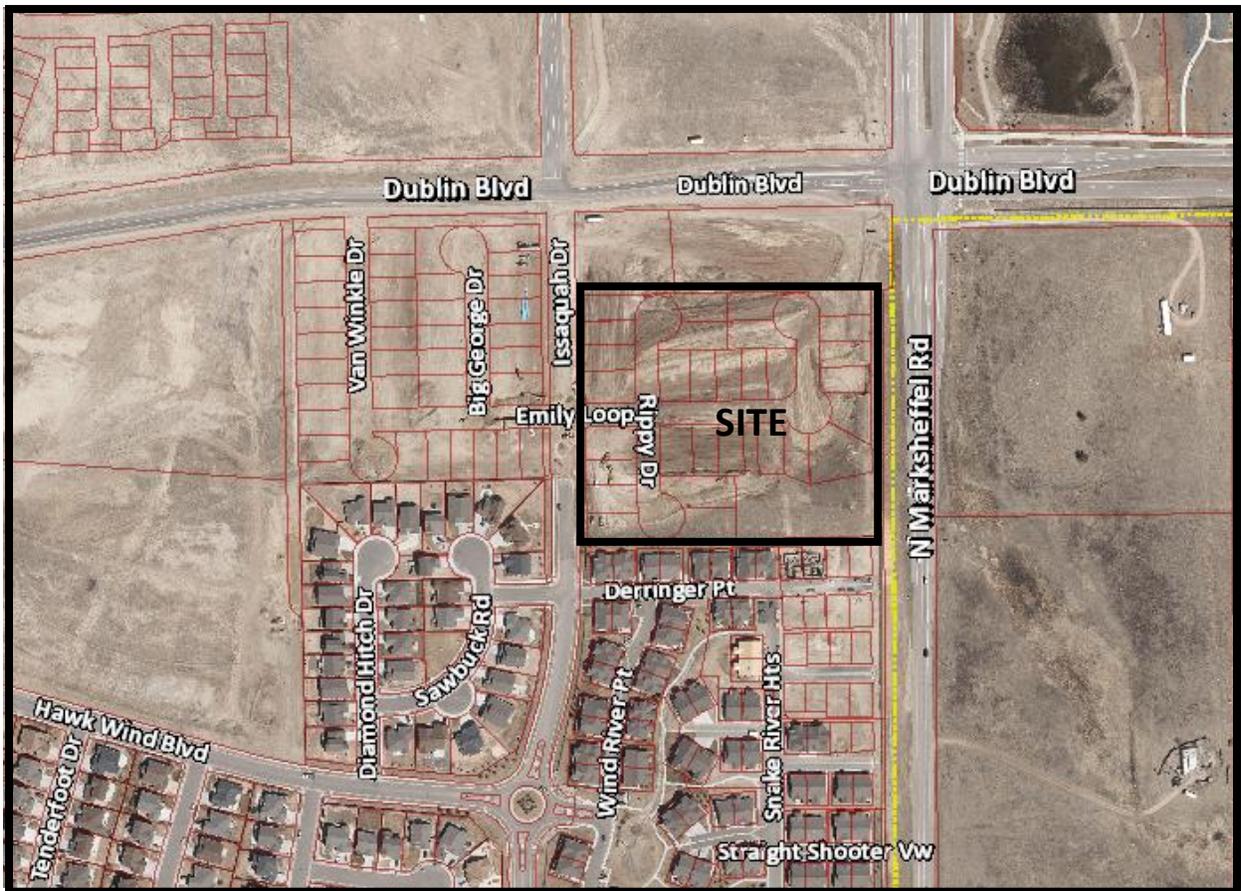
**ITEM NOS.: B.1 – B.2**  
**STAFF: RACHEL TEIXEIRA**

**FILE NOS:**  
**B.1 CPC ZC 15-00088 – QUASI-JUDICIAL**  
**B.2 CPC PUD 13-00048-A2MJ15 – QUASI-JUDICIAL**

**PROJECT: RESERVE AT INDIGO RANCH FILING NO. 2**

**APPLICANT: CLASSIC CONSULTING**

**OWNER: ROCKWOOD HOMES, LLC.**



### **PROJECT SUMMARY:**

1. Project Description: This project includes concurrent applications for a zone change and an amendment to the development plan for a 6.055-acre site situated southwest of Marksheffel Road and Dublin Boulevard.

The applicant is requesting to rezone the site from PUD to PUD to change from single family attached units to single family attached and detached units. The development plan amendment reflects the proposed 49 lots (9 single family detached and 40 single family attached units) and includes three private streets off of Emily Loop. Portions of the public street right-of-ways within this area of amendment that were dedicated in the original Reserve at Indigo Ranch Filing No. 1 subdivision plat have been vacated. **(FIGURE 1)**

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Department's Recommendation: Staff recommends approval of these applications with the technical modifications.

### **BACKGROUND:**

1. Site Address: To be determined.
2. Existing Zoning/Land Use: PUD/AO (Planned Unit Development with Airport Overlay) / vacant lot previously planned for 30 single-family attached units (proposed 49 lots; 9 single family detached and 40 single family attached units).
3. Surrounding Zoning/Land Use:
  - North: PBC/AO / vacant – future commercial
  - South: PUD/AO / single-family residential
  - East: County zoned / low density residential
  - West: PUD/AO / single-family residential
4. Comprehensive Plan/Designated 2020 Land Use: General Residential
5. Annexation: Stetson Ridge Addition Annexation, January 1986
6. Master Plan: Stetson Ridge Master Plan / Residential
7. Subdivision: The Reserve at Indigo Ranch Filing No. 1
8. Zoning Enforcement Action: none
9. Physical Characteristics: The vacant 6.055 site has no existing vegetation or significant natural features.

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

Standard public notification and posting process was used during the internal review. Eighty-seven property owners within a 500 foot buffer distance were notified via postcard and a poster was posted on site. City planning staff received no written correspondence either in support or opposition to the project.

The property will be posted and mailing notification sent again prior to the December 17th City Planning Commission meeting.

### **ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

1. Review Criteria / Design & Development Issues:  
The applicant proposes to modify 'The Reserve at Indigo Ranch Filing No. 1' with the proposed zone change, amendment to the development plan, and final subdivision replat applications. The project is to revise the lot layout to include single family attached units, where the approved zone change, development plan and subdivision plat was for thirty (30)

single family detached units. The proposed 'The Reserve at Indigo Ranch Filing No. 2' includes a total of 49 units, of which nine (9) are single-family detached and forty (40) are single family attached units.

The zone change request includes the proposed single family attached and detached units and the layout now incorporates three private streets that provide access off of Emily Loop. Portions of the public street right-of-ways within this area of amendment that were dedicated in The Reserve at Indigo Ranch Filing No. 1 subdivision plat will be vacated by City Council after the approval of The Reserve at Indigo Ranch Filing No. 2.

The maximum building height still remains at 30 feet, and the front and side yard setbacks also do not change. The proposed lot coverage has been modified from 35%, 40%, and 45% based on the lot size and height of the building to 50% while the rear yard has been changed from a 20 foot setback to a 10 foot setback distance. The general roadway layout is not changing.

Staff finds that the zone change review criteria found in City Code Section 7.5.603.B. and 7.3.603, and the amended PUD Development Plan review criteria found in City Code Sections 7.5.502.E and 7.3.606 have been met.

The project amendments have been reviewed by the City's Transportation Division. It was concluded that the amendments have no impact on the traffic levels of service.

2. Conformance with the City Comprehensive Plan:

Objective LU 5: Develop Cohesive Residential Area

Neighborhoods are the fundamental building block for developing and redeveloping residential areas of the city. Likewise, residential areas provide a structure for bringing together individual neighborhoods to support and benefit from schools, community activity centers, commercial centers, community parks, recreation centers, employment centers, open space networks, and the city's transportation system. Residential areas also form the basis for broader residential land use designations on the citywide land use map. Those designations distinguish general types of residential areas by their average densities, environmental features, diversity of housing types, and mix of uses. Residential areas of the city should be developed, redeveloped and revitalized as cohesive sets of neighborhoods, sharing an interconnected network of streets, schools, parks, trails, open spaces, activity centers, and public facilities and services.

Policy LU 601: Assure Provision of Housing Choices

Distribute housing throughout the City so as to provide households with a choice of densities, types, styles and costs within a neighborhood or residential area.

Strategy LU 601a: Establish Standards to Support Housing Choice

Develop standards to support a range of housing types, styles and costs within individual neighborhoods.

Staff finds that the project is in conformance with the City of Colorado Springs Comprehensive Plan. It includes the residential use as designated by the general residential comprehensive plan designation.

3. Conformance with the Area's Master Plan:

This development is part of the Stetson Ridge Master Plan and is planned for both attached and detached single-family residential uses. This use conforms to the land use designation on the master plan for Stetson Ridge.

**STAFF RECOMMENDATIONS:**

**ITEM NO. B.1 CPC ZC 15-00088 – PUD ZONE CHANGE**

**Approve** the zone change to PUD/AO for The Reserve at Indigo Ranch Filing No. 2, based upon the finding that the zone change complies with the review criteria in City Code Section 7.5.603.B. and 7.5.603.

**ITEM NO. B.2 CPC PUD 13-00048-A2MJ15 – PUD DEVELOPMENT PLAN AMENDMENT**

**Approve** the amendment to The Reserve at Indigo Ranch Filing No. 2 Development Plan, based upon the finding that the project complies with the PUD Development Plan review criteria in City Code Sections 7.5.502.E and 7.3.606, subject to the following technical and informational plan modifications:

Technical and Informational Modification to the PUD Development Plan:

1. Provide the following note to the development plan: "Prior to issuing the building permits, the developer is required to escrow the amount of \$62,500.00 for the future anticipated traffic signal at the intersection of Dublin Boulevard with Issaquah Road."
2. Please add the following note to the development plan, "Prior issuing the building permits, the developer is required to escrow the amount of \$62,500 for the future anticipated traffic signal at the intersection of Dublin Boulevard with Issaquah Drive."





11/17/15 5:51:09 PM

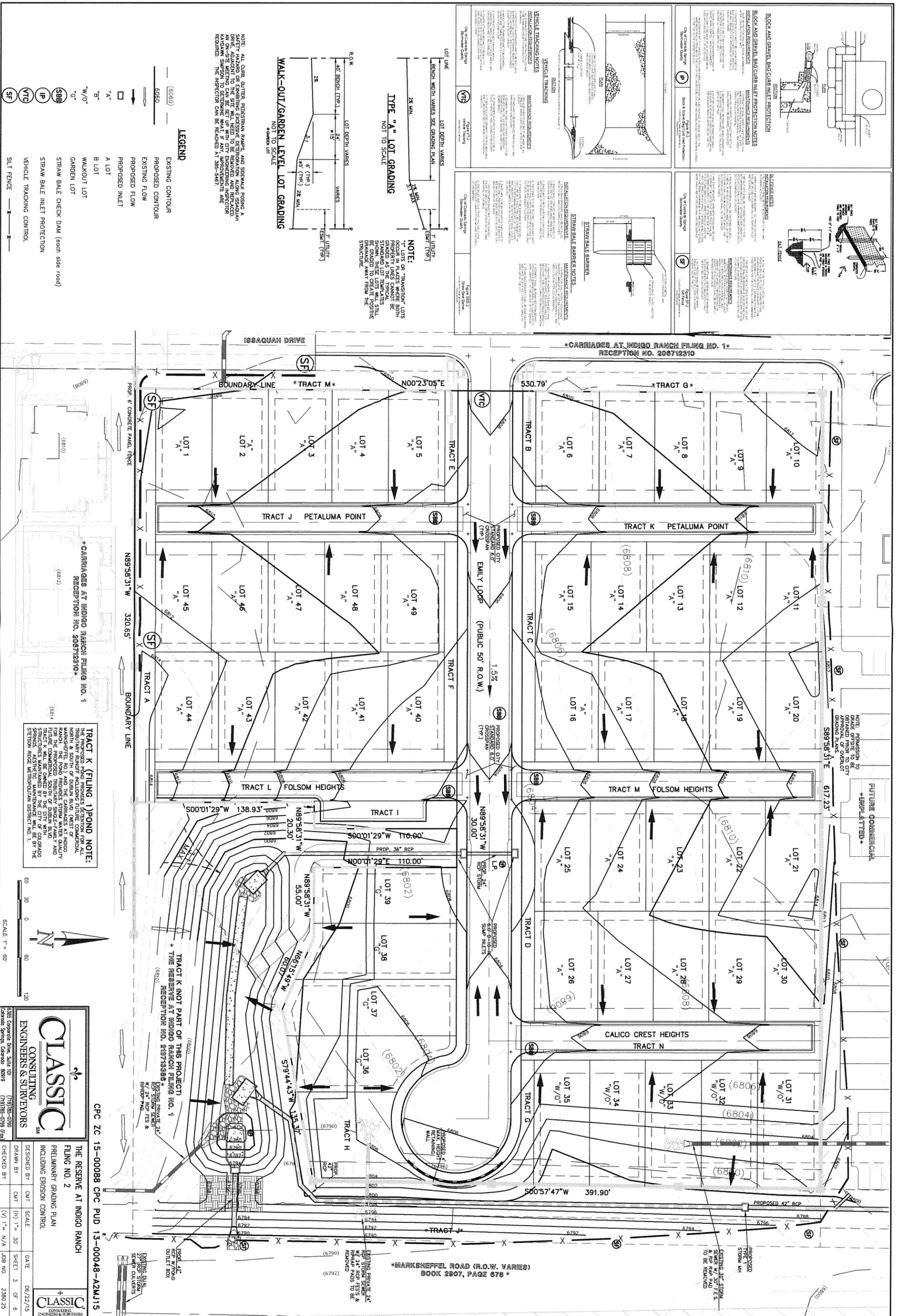


FIGURE 1



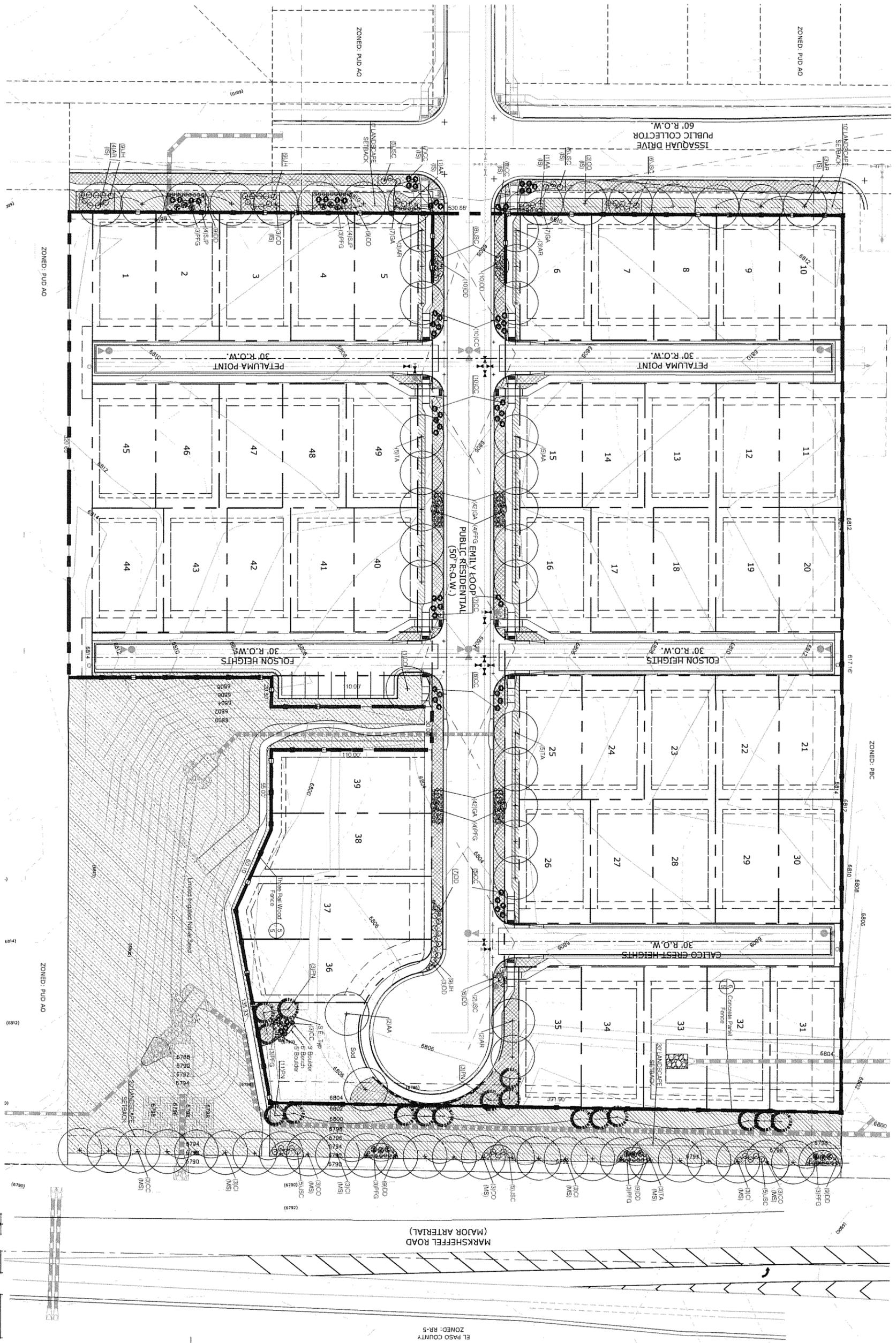


P:\CCES\The Reserve at Indigo Ranch\Drawings\Planning\Final\Hand\NES\_Reserve\Indigo\_FLIP\_11-09-15.dwg (6-Plan) 11/9/2015 5:25:28 PM stym

**LEGEND:**

-  Stamped Concrete
-  Irrigated Native Seed
-  Limited Irrigated Native Seed
-  Rock Mulch
-  Sod

-  4' Wood Rail Fence
-  6' Concrete Fence Panel

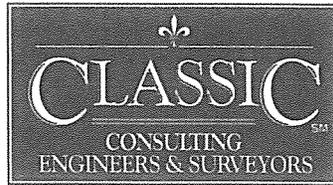


<p><b>THE RESERVE</b>                  PHASE 2</p>	<p>DATE: 7/27/15                  PREPARED BY: SF</p>	<p>DATE: 10-20-2015 SF                  DESCRIPTION: PER CITY COMMENTS</p>	<p><b>FINAL LANDSCAPE PLAN</b></p> <p style="font-size: 2em; font-weight: bold; text-align: center;">6</p> <p style="text-align: center;">6 OF 6</p> <p>CPC ZC 15-00088                  CPC PUD 13-00048-A2M15</p>
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N.E.S. Inc.  
 619 N. Cascade Avenue, Suite 200  
 Colorado Springs, CO 80903  
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 Fax. 719.471.0267  
[www.nesdesign.com](http://www.nesdesign.com)  
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**FIGURE 1**



## The Reserve at Indigo Ranch Filing No. 2

### Project Statement

August 2015

The Reserve at Indigo Ranch Filing No. 2 is a proposed 6.055 acre single family attached and detached subdivision located south of Dublin Blvd. on the east side of Issaquah Drive. The subject site is a replat of Lots 38-64, Tracts H, I, & L, and portions of Emily Loop and Rippy Drive of The Reserve at Indigo Ranch Filing No. 1. This is a Major Amendment to the previously approved Development Plan (CPC PUD 13-00048 & CPC PUD 13-0048-A1MN14 (shown as Phase 2)). The most recent amendment approval was dated September 2014.

The proposed Development Plan Major Amendment is being completed to revise the lot layout to include single family attached units, where 30 single family detached lots had previously been approved. The proposed Filing No. 2 subdivision now includes 49 lots (9 single family detached and 40 single family attached units).

A Zone Change is being requested with this application to include single family attached units, since only single family detached units were indicated in the original property zoning.

In addition, the proposed layout includes three private streets that will provide access to the homes off of Emily Loop. Portions of public street right-of-ways within this area of amendment that were dedicated in the Reserve at Indigo Ranch Filing No. 1 plat will be vacated. This right-of-way vacation includes a portion of Emily Loop and Rippy Drive.

All utilities serving The Reserve at Indigo Ranch Filing No. 2 will be public, with public utility easements. Utility stubs (with appropriate public easements) will be provided to the north for the future commercial property. Existing lot utility easements for The Reserve at Indigo Ranch Filing No. 1 Lots 38-64 will be vacated, along with unused portions of recorded public utility easements as shown on the proposed plat.

**CITY PLANNING COMMISSION AGENDA**

**ITEM NOS: C.1- C.4**

**STAFF: MIKE SCHULTZ**

**FILE NOS:**

**C.1 CPC ZC 15-00083 – QUASI-JUDICIAL**

**C.2 CPC ZC 15-00084 – QUASI-JUDICIAL**

**C.3 CPC CP 08-00142-A3MJ15 – QUASI-JUDICIAL**

**C.4 CPC SN 15-00085 – QUASI-JUDICIAL**

**PROJECT: COOK COMMUNICATIONS**

**APPLICANT: JR ENGINEERING**

**OWNER: COOK COMMUNICATION MINISTRIES**



### **PROJECT SUMMARY:**

1. **Project Description:** There are four (4) applications as part of this project: two (2) zone change requests, a major amendment to a concept plan and a street name change. The first zone change request is to change the zoning from OC (Office Complex) and PBC (Planned Business Center) to PBC consisting of 5.84 acres. The second request for change of zone is from PIP-1 (Planned Industrial Park) and OC to OC and consists of 12.99 acres. Both zone changes include the Airport Overlay. (**FIGURE 1**)

The major amendment to the concept plan shows the proposal to change Lee Vance View, a privately owned and maintained road, to a public street; other changes to the plan include reorientation of the lots and relocation of the future access onto Woodmen Road. The entire concept plan area consists of 93.67 acres. (**FIGURE 2**)

The request for the street name change is required to change the street suffix from a private designation ("View") to a public suffix designation ("Drive").

2. **Applicant's Project Statement:** **FIGURE 3**
3. **Planning and Development Team's Recommendation:** Approve both zone change requests (first zone change request from OC and PBC to PBC consisting of 5.84 acres; the second request from PIP-1 and OC to OC consisting of 12.99 acres), the major amendment to the concept plan and street name change subject to technical modifications to the plan.

### **BACKGROUND:**

1. **Site Address:** Multiple Addresses (Cook Communications – 4050 Lee Vance View)
2. **Existing Zoning/Land Use:** OC, PBC and PIP-1 – the entire site includes the AO overlay and the southern portion of the concept plan includes the SS overlay / church and office building located on two of the platted lots, remainder of the site is vacant.
3. **Surrounding Zoning/Land Use:**
  - North: PUD / apartments and OC / office building
  - South: R-1 6000 and PUD / single-family residential
  - East: PBC / gas station and R-5 / apartments
  - West: C-6 / commercial and PUD / single-family residential
4. **Comprehensive Plan/Designated 2020 Land Use:** Employment Center
5. **Annexation:** Four separate annexations (Vee Bee Addition #1, Briargate Addition #5 and Pring Ranch Addition #3, Pring Ranch Addition #5)
6. **Master Plan/Designated Master Plan Land Use:** Woodland Hills Village / Research & Development
7. **Subdivision:** Cook Communications Filing No. 2
8. **Zoning Enforcement Action:** None
9. **Physical Characteristics:** The site slopes to the south from Woodmen Road toward Cottonwood Creek. Two of the lots are currently developed, the others have no significant natural features.

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

Public notice was provided to 43 property owners within 500 feet of the property on two occasions, during the internal review (after the submittal of the applications) and prior to the

Planning Commission meeting. Staff received a few inquiries regarding the requests but received no opposition to any of the applications.

**ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

1. Review Criteria/Design & Development Issues:

The overall concept plan area contains a total of 93.67 acres and is located southeast of E. Woodmen Road and Rangewood Drive; Lee Vance View bisects the property and connects at Woodmen Rd. and Rangewood Dr. The purpose of the zone changes, concept plan amendment and street name change stemmed from a proposal to convert Lee Vance View from a private drive to a public street. The two zone change requests involve two proposed lots as shown on the concept plan, labeled as Lots 'D' (5.84 acres to PBC) and Lot 'E' (12.99 acres to OC); Cook Communications is located on Lot 'E' and preferred an Office Complex (OC) zone district over the remaining Planned Industrial Park (PIP-1) zone district (the majority of the area along Woodmen Road was zoned PIP-1 until 2008 when a number of rezonings occurred changing as opposed to both OC and PBC districts).

The request to dedicate Lee Vance View over to the City has been vetted through both Traffic Engineering and City Streets; the City is requiring Cook Communications to provide street improvements, including drainage improvements and a paving overlay, to bring the road up to City standards before the City will accept the road. The City will also restrict use of the road from heavy trucks since even with the road improvements it will not meet the City's design standards for an industrial collector roadway.

The concept plan shows the right-of-way for Lee Vance will be platted with a 40-foot right-of-way width along the internal portions of the site and up to 75-foot right-of-way widths where the road connects to both Woodmen Rd. and Rangewood Dr. Along the 40-foot section the City is also requiring an 11-foot drainage and public improvement easement along both sides of the right-of-way; this would allow for public sidewalks to be constructed when development occurs on the vacant parcels.

Additionally the applicant also proposes that Cook Campus Point, the private street called out on the concept plan connecting Woodmen Road to Lee Vance, would also become a public street as part of the proposed amendment. This request differs with the Lee Vance request in that Cook Campus Pt. has not yet been constructed; in addition the applicant is suggesting a new street name, Cook Commons Drive, which is enough of a variation that does not trigger the street name change process.

Street name change

The request for the street name change is necessary due to the proposed conversion of Lee Vance View from a private road to a public street and changing the suffix from "View" to "Drive". Only one other existing property is impacted by the street name change, Rock Family Church, which has no objections to the proposed name change. **(FIGURE 4)**

City Code includes the following procedures and criteria for review of a street name change:

*7.7.704.D.7 Street Name Changes: All applications for street name changes, for both public and private streets, or rights of way, shall be submitted to the Community*

*Development Department in accord with the requirements of the Community Development Department and are subject to the jurisdiction of the Planning Commission.*

*In reviewing an application for a street name change, the Planning Commission shall grant the street name change only upon determination that all of the following criteria are met:*

- a. No Adverse Impact: That the efficient, timely and convenient delivery of services and goods, public and private, to the people and their property will not be adversely affected.*
- b. Requirements Of This Section: That the requirements of this section have been met.*
- c. Purpose Of Part: That the street name change comes within the purpose of this part, that is, to promote the health, safety, convenience and general welfare of the citizens.*

City staff has no objection to the street name change subject to approval and acceptance of Lee Vance View as a public street by City Council.

#### Other applications

Staff is also administratively reviewing two additional Land Use applications along with the above requests. The proposed Cook Communications Filing No. 3 is a re-subdivision of the lots and tracts within the three existing subdivisions (Cook Subd., Cook Communications Filing No. 1 and Cook Communications Filing No. 2); the plat includes the proposed dedication of right-of-way for Lee Vance Drive. Staff is also reviewing a minor amendment to the Cook Communications development plan which involves the removal of the existing guest parking located on Lee Vance and locating a new on-site parking lot just north of the current stalls.

Staff has reviewed the two zone change requests, the major amendment to the concept plan and the street name change and finds that the applications are consistent with the review criteria and standards of the City Code. Staff recommends approval of all four applications.

#### 2. Conformance with the City Comprehensive Plan:

##### *Policy LU 301: Promote a Mixed Land Use Pattern*

Promote development that is characterized by a mix of mutually supportive and integrated residential and non-residential land uses, and a network of interconnected streets with good pedestrian and bicycle access and connections to transit.

##### *Strategy LU 302e: Incorporate Mixed-use Activity Center Principles into the Design of New and Redeveloping Employment and Commercial Centers*

Design and develop commercial and employment centers as activity centers that include a range of integrated uses, such as retail, concentrated office, research and development, institutional, entertainment, and civic activities.

##### *Objective LU 4: Encourage Infill and Redevelopment*

Encourage infill and redevelopment projects that are in character and context with existing, surrounding development. Infill and redevelopment projects in existing neighborhoods make good use of the City's infrastructure. If properly designed, these

projects can serve an important role in achieving quality, mixed-use neighborhoods. In some instances, sensitively designed, high quality infill and redevelopment projects can help stabilize and revitalize existing older neighborhoods.

*Strategy LU 701a: Locate New Commercial Uses in Activity Centers*

Locate new commercial (retail, office, services etc.) development in identified regional centers, commercial centers, and community, or neighborhood activity centers. Prohibit strip commercial development along new major roadways.

*Strategy LU 701e: Combine Commercial and Employment Uses in Regional Centers Designed to Serve Residents throughout the City and the Region*

Combine commercial center with employment center uses so that they are mutually supportive in a single, integrated regional destination. Include the full range of mixed uses from regional mall anchor stores and corporate headquarters to specialty retail and higher density housing. Design commercial uses in regional centers with good external access from limited access freeways and good internal circulation via a system of commercial streets, pedestrian paths, and well designed parking.

It is the finding of the Land Use Review Division that the two zone change requests and concept plan will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

3. Conformance with the Area's Master Plan:

The applicant is requesting an amendment to the Hill Properties Master Plan to allow the site to be used for a hospital facility with supporting uses of office/medical office and commercial. The previously approved plan allowed for office, neighborhood commercial, and general industrial. The general industrial use was compatible with the properties to the east, but generally not compatible with the office and neighborhood commercial uses proposed to the west. The change to a hospital use is more compatible with proposed uses to the east and the comprehensive plan designation of Commercial Center.

**STAFF RECOMMENDATION:**

**Item No: C.1                   CPC ZC 15-00083 – Zone Change**

**Approve** the zone change from OC/AO (Office Complex with Airport Overlay) to PBC/AO (Planned Business Center with Airport Overlay) for 5.84 acres located approximately 1,000 feet east of the intersection of Rangewood Drive and Woodmen Road based on the finding the request complies with the review criteria in City Code Section 7.5.603.B (Establishment or Change of Zone District Boundaries).

**Item No: C.2                   CPC ZC 15-00084 – Zone Change**

**Approve** the zone change from PIP-1/AO (Planned Industrial Park with Airport Overlay) to OC/AO (Office Complex with Airport Overlay) for 12.99 acres located at the southeast corner of Rangewood Drive and Woodmen Road; based on the finding the request complies with the review criteria in City Code Section 7.5.603.B (Establishment or Change of Zone District Boundaries).

**Item No: C.3                    CPC CP 08-00142-A3MJ15 – Major Amendment to Concept Plan**

**Approve** the major amendment to the Cook Communications Ministries Concept Plan where the amendments propose modifying the zoning for two (2) parcels, the conversion of Lee Vance View from a private street to a public street, reconfiguration of lot lines and relocation of a proposed access off Woodmen Road based upon the findings that the concept plan meets the review criteria as set forth in City Code Section City Code Section 7.5.501.E.

**Technical and Informational Modifications to the Concept Plan:**

1. Change Cook Campus Point to Cook Commons Drive
2. Show the required 30' PUE for the water main in Lot E that runs north through the parking lot.

**Item No: C.4                    CPC SN 15-00085 – Street Name Change**

**Approve** the request for street name change from Lee Vance View, a private street name to Lee Vance Drive, a public street name; based on the finding the request complies with the review criteria in City Code Section 7.7.704.D (Street Names).

# Zoning Map

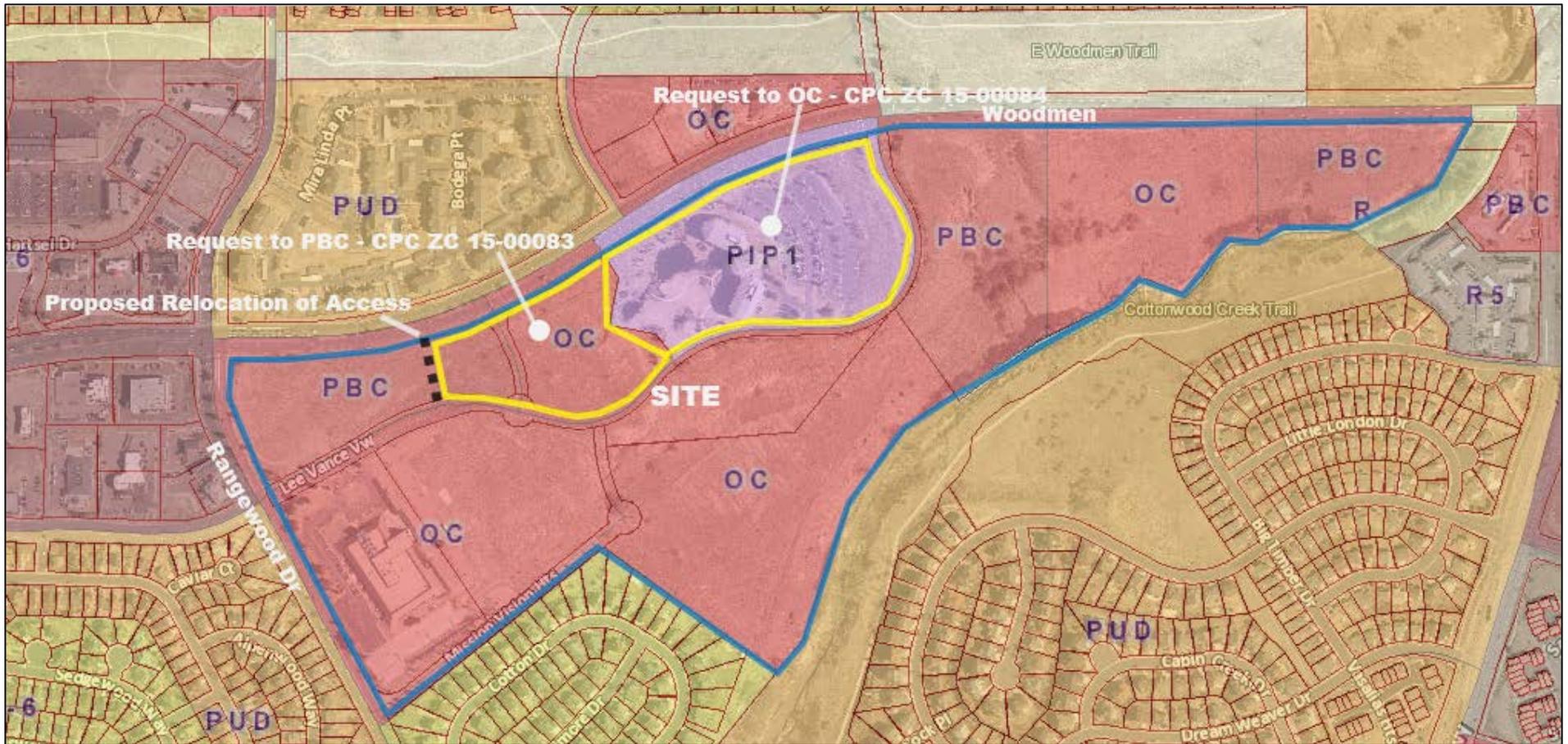


FIGURE 1





**FIGURE 1, LEFT**

ANALYSIS OF LOT 11 AND A PORTION OF THE NORTH END OF SECTION 11, TOWNSHIP 35N, RANGE 101E, COUNTY OF COLORADO, SHOWS PROPOSED LOTS 1 THROUGH 11, AND THE EXISTING LOT 11. THE PROPOSED LOTS 1 THROUGH 11 ARE SHOWN WITH DIMENSIONS AND AREAS. THE EXISTING LOT 11 IS SHOWN WITH DIMENSIONS AND AREA. THE PROPOSED LOTS 1 THROUGH 11 ARE SHOWN WITH DIMENSIONS AND AREAS. THE EXISTING LOT 11 IS SHOWN WITH DIMENSIONS AND AREA.

**FIGURE 1, RIGHT**

ANALYSIS OF LOT 11 AND A PORTION OF THE NORTH END OF SECTION 11, TOWNSHIP 35N, RANGE 101E, COUNTY OF COLORADO, SHOWS PROPOSED LOTS 1 THROUGH 11, AND THE EXISTING LOT 11. THE PROPOSED LOTS 1 THROUGH 11 ARE SHOWN WITH DIMENSIONS AND AREAS. THE EXISTING LOT 11 IS SHOWN WITH DIMENSIONS AND AREA. THE PROPOSED LOTS 1 THROUGH 11 ARE SHOWN WITH DIMENSIONS AND AREAS. THE EXISTING LOT 11 IS SHOWN WITH DIMENSIONS AND AREA.

**COOK COMMUNICATIONS MINISTRIES**  
 4050 Lee Vance View - Colorado Springs, Colorado

**CONCEPT PLAN**  
 MAJOR AMENDMENT

REVISION NUMBER	REVISION DESCRIPTION	DATE	DRAWN	CHECKED	APPROVED
1					
2					
3					
4					
5					

**THOMAS THOMAS**  
 Landscape Architecture  
 1000 North Academy Avenue  
 Colorado Springs, CO 80903  
 Phone: 719-575-2777

**JR ENGINEERING**  
 A Member Company  
 1000 North Academy Avenue  
 Colorado Springs, CO 80903  
 Phone: 719-575-2777

**CITY PLANNING & ENGINEERING**  
 1000 North Academy Avenue  
 Colorado Springs, CO 80903  
 Phone: 719-575-2777

CPC ZC 15-00003, CPC ZC 15-00004

**FIGURE 2**

\\0203141\p1010205\Drawings\Sheet Design\Plan\Grading\Concept Grading Planning\_11/17/15 12:19:46 PM\_PDF\Concept Landscape.plt



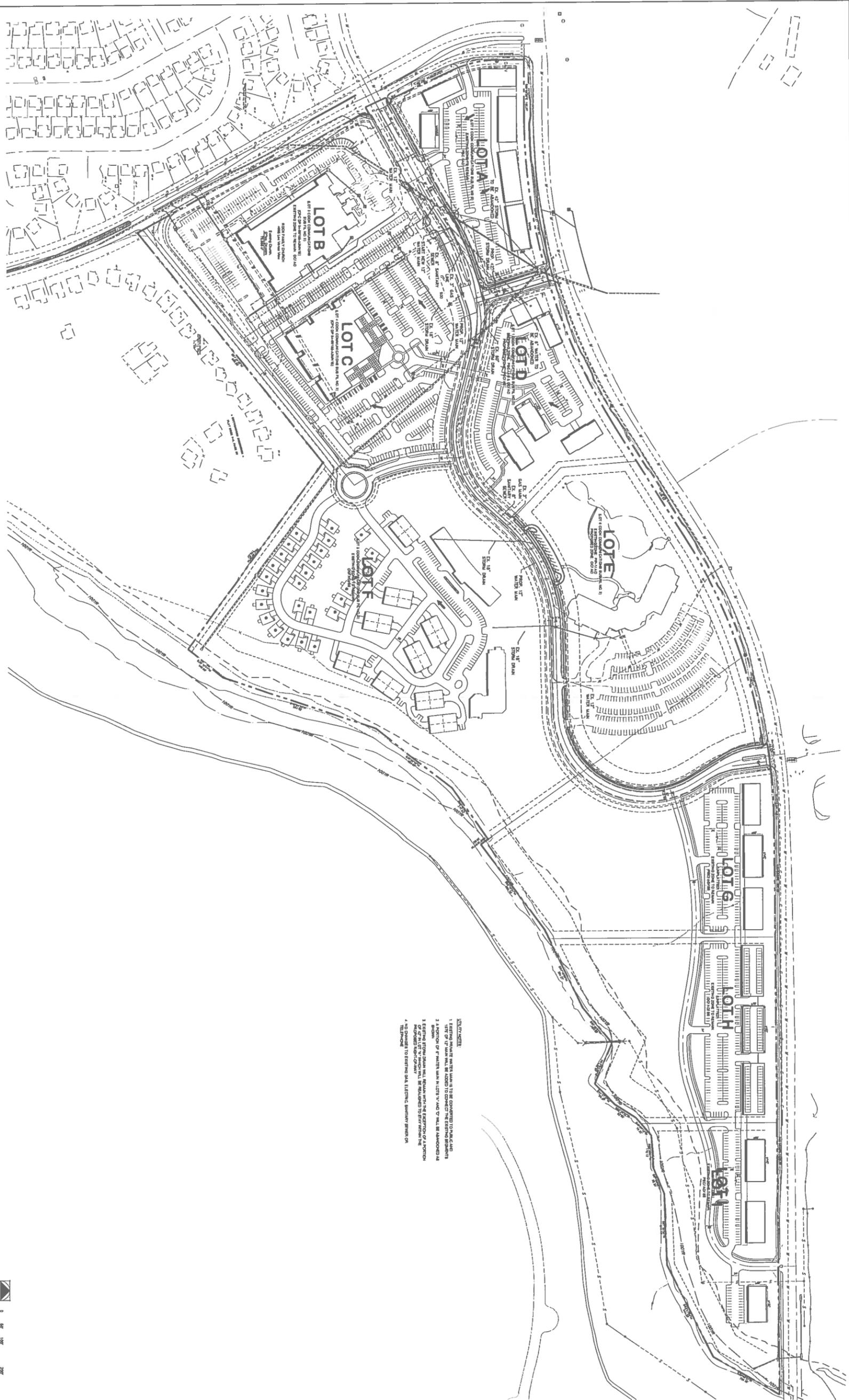
**COOK COMMUNICATIONS MINISTRIES**  
 4050 Lee Vance View - Colorado Springs, Colorado

**CONCEPT PLAN  
 MAJOR AMENDMENT**  
 ALIGNMENT 2A 3/15

REVISION NUMBER	REVISION DESCRIPTION	DATE	DRAWN	CHECKED	APPROVED
1					
2					
3					
4					

**THOMAS THOMAS**  
 Landscape Architecture  
 202 West 33rd Street  
 Colorado Springs, Colorado 80904

**J.R. ENGINEERING**  
 A Member Company  
 1000 North Academy Blvd.  
 Colorado Springs, CO 80906  
 Phone: 719-594-8888  
 Fax: 719-594-8889  
 Email: info@jr-engineering.com



- NOTES:**
1. EXISTING GRADE AND THE GRADE TO BE CONSIDERED FOR THE SITE.
  2. EXISTING GRADE SHALL BE MAINTAINED TO THE MAXIMUM EXTENT POSSIBLE.
  3. A PORTION OF 8' WIDERS WITH IN LOTS B, C AND D WILL BE LAMPWORKED AS SHOWN.
  4. EXISTING STORM DRAIN WILL REMAIN WITH IN THE EXISTING OF A PORTION REQUIRED FOR LOT C AND D. BE RELOCATED TO THE EXISTING LINE.
  5. NO CHANGES TO EXISTING SATELLITE AND ELECTRIC MAINLINE SWER OR TELEPHONE.

**FIGURE 2**



**August 27, 2015**

**Steve Tuck**  
**Senior Planner**  
**Land Use Review Division**  
**Planning and Development Team**  
**30 S. Nevada Ave, Suite 105**  
**Colorado Springs, CO 80903**

**RE: Cook Communications Ministries Concept Plan Amendment, Rezone, and Development Plan Minor Modification**

**PROJECT DESCRIPTION:**

JR Engineering and Thomas & Thomas on behalf of Cook Communications Ministries is submitting a request for a Concept Plan Amendment, Rezone, and Development Plan Minor Modification. The project is located at the southeastern corner of Rangewood Dr. and E Woodmen Rd. and is 94.85 total acres. The site currently contains several zoning districts including PBC/ AO, PBC/ AO/ SS, OC/ AO, OC/ AO/ SS, and PIP-1/AO. The majority of the property remains unimproved with the exception of the Rock Family Church facility located in the southwest corner of the property along Rangewood Drive and the Cook Communications Ministries offices located at the intersection of Lee Vance View and Woodmen Rd in the north central portion of the site. Portions of the site are located within a designated FEMA floodplain and also within the Hillside and Streamside Overlay Districts. However, the property is exempt from district requirements due to the Cottonwood Creek improvements. The proposed uses as originally illustrated on the approved Concept Plan in 2011 will remain. There are no industrial uses being proposed nor will industrial uses be permitted.

*Concept Plan Amendment:*

The concept plan amendment encompasses the entire 93.67 acre site. The primary changes to the concept plan include upgrading Lee Vance View from a private street to a *57' ROW Minor Collector No-Parking Public Street*; and redesigning Lots A, D and E due to relocation of the Cook Campus Pt access street off of Woodmen Rd. As required, the street names will be renamed to eliminate the private street Pt and View designations to public domains such as Street and Drive. The correct right-of-way width for the Minor Collector is shown on the drawings. In addition, the proposed Cook Campus Dr. site access is moving approximately 250' to the west. A secondary Right-In/ Right-Out access is also being proposed into Lot A via Rangewood Rd. As a result of these changes, there was minor redesign of both Lots A and D on

the concept plan. Finally, in continued response to the street changing from private to public, the Cook Communications Ministries guest parking shown along Lee Vance Dr. will be eliminated to meet current city codes. This guest parking has been relocated within the same general area but has been moved from the public right-of-way to sit entirely within Lot E. The remaining lots (Lots B, C, F, G, H and I) within the concept plan boundaries will remain as previously approved.

*Rezone Plan:*

In conjunction with the concept plan amendment, Lots E and a portion of Lot D are proposing a change in zone designations. The Cook Communications Ministries offices, located on Lot E, is currently zoned PIP-1/ AO and is proposing to rezone to OC/ AO. The PIP-1 zoning designation was originally desired to allow Cook Communications the potential of doing on-site printing and light industrial work. However, this use is no longer desired as this site will continue to house their offices with no manufacturing. In addition, rezoning the site from PIP-1 to OC would eliminate the need for any conditions of record or prohibitive use notes restricting the site from allowing any industrial related uses. The prohibition of industrial related uses is a condition of approval for the upgrade of Lee Vance from private to public.

Lot D is also seeking a request for rezone to make Lot D one continuous zoning district. The original location of Cook Campus off of Woodmen Rd. created the zoning boundary for Lot A (PBC) and Lot D (OC). Since this access drive has been moved to the west, Lot D contains both PBC and OC zoning districts. The proposed rezone will zone the entire Lot D parcel to OC/ AO.

*Development Plan Minor Modification:*

As mentioned above, the Cook Communications Ministries guest parking shown along Lee Vance Dr. will be relocated out of the public right-of-way as required by city code. The parking has been redesigned to meet current design standards and will be constructed in the same general area as the existing guest parking. A Development Plan Minor Modification is being submitted concurrently with the concept plan and rezone. Any landscape design related revisions will follow the existing landscape theme found throughout the Cook Communications campus.

**PROJECT JUSTIFICATION:**

The proposed applications for a Concept Plan Amendment, Rezone and Development Plan Minor Modification remain in general conformity with the approved concept plan on file CPC CP 08-00142-A1MN11 dated November 29, 2011. The overall intent of the project remains the same with predominant zoning of OC and PBC, indicating a future mixed-use project of office campuses and business/ retail centers. The applications being submitted are required in order

to enact the proposed actions as described above. These proposed actions include reassigning zone districts per updated boundary lines; eliminate industrial uses; upgrade the road system from private to public; and update the concept plan to reflect minor design revisions.

**ISSUE LIST:**

- Increase ROW to 57' for Public Road from 45' Private Road ROW
- Update zoning districts per plan revisions
- Replatting of lots per update boundary lines and public road ROW

Please let me know of any questions or concerns. Thank you.

Sincerely,

Jason Alwine, RLA

October 21, 2015

**Mike Schultz**  
**Senior Planner**  
**Land Use Review Division**  
**Planning and Development Team**  
**30 S. Nevada Ave, Suite 105**  
**Colorado Springs, CO 80903**

**RE: Cook Communications Ministries Concept Plan Amendment and Final Plat**

Dear Mr. Schultz,

We hereby authorize Cook Communications Ministries to submit on behalf of Rock Family Church, owners of 4005 and 4020 Lee Vance Way, to act as agent in the submittal, processing and representation of the Concept Plan Amendment and Final Plat for the above described properties.

Please contact us with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Kears", written over a horizontal line.

Rock Family Church  
4005 Lee Vance Way  
Colorado Springs, CO 80918

**CITY PLANNING COMMISSION AGENDA**

**ITEM NO: D**

**FILE NO:**  
**CPC UV 15-00133 – QUASI-JUDICIAL**

**STAFF: HANNAH VAN NIMWEGEN**

**PROJECT: STERICYCLE MEDICAL WASTE TRANSFER FACILITY**

**APPLICANT: STERICYCLE, INC.; BRIDGET KELLY**

**OWNER: THUNDERBOLT MANAGEMENT GROUP, INC.; MERRILL AUSTIN**



### **PROJECT SUMMARY:**

1. **Project Description:** This project is a Use Variance to allow a medical waste temporary storage and transfer facility on a portion of a 4.08 acre property located at 4120 Mark Dabling Boulevard that is zoned M-1/SS (Light Industrial with a Streamside Overlay). Transfer facilities are a conditional land use within the M-1 zone district, but are a prohibited land use within the Streamside Overlay. Use Variances are the more restrictive application type and therefore supersede the requirement for a conditional use.

The accompanying Site Plan illustrates an approximately 18,000 square foot existing office/warehouse building. Stericycle, Inc. will occupy a small corner office in the northwestern portion of this building, and will utilize three truck bays in this same corner. Stericycle, Inc. will also occupy three trailer parking spaces in the northwest corner of the site for storage. No alterations are proposed to the building or site. **(FIGURE 1)**

2. **Applicant's Project Statement:** **(FIGURE 2)**
3. **Planning and Development Team's Recommendation:** Staff recommends approval of the Use Variance subject to technical modifications.

### **BACKGROUND:**

1. **Site Address:** 4120 Mark Dabling Boulevard
2. **Existing Zoning/Land Use:** M-1/SS (Light Industrial with a Streamside Overlay) / Light trucking and distribution with ancillary offices
3. **Surrounding Zoning/Land Use:** **(FIGURE 3)**  
North: M-1 / construction supply and distribution  
South: M-1/SS / various supply and equipment storage and distribution yards  
East: M-1/SS / Mark Dabling Boulevard, then Pikes Peak Greenway Trail, Monument Creek, and various supply and equipment storage and distribution yards  
West: M-1/SS / Douglas Creek, Denver & Rio Grande Western RR, then construction supply and distribution
4. **Comprehensive Plan/Designated 2020 Land Use:** Employment Center
5. **Annexation:** Pate's Addition / 1966
6. **Master Plan/Designated Master Plan Land Use:** None.
7. **Subdivision:** Graves Subdivision Filing No. 1
8. **Zoning Enforcement Action:** None.
9. **Physical Characteristics:** The site is paved and developed. No significant changes in grade for majority of the site then slopes downward towards the creek bed along the southwestern corner of the site.

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

Public notice was provided to 11 property owners within 500 feet of the site on two occasions: 1) after the submittal of the applications, 2) prior to the Planning Commission meeting. The site was also posted on those two occasions. No public comments were received.

### **ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

1. **Review Criteria / Design & Development Issues:**  
This project requires a Use Variance to allow a medical waste short-term storage and transfer facility on a portion of a 4.08 acre property located at 4120 Mark Dabling Boulevard. This site is zoned M-1/SS (Light Industrial with a Streamside Overlay).

Transfer facilities are a conditional land use within the M-1 zone district, but are a prohibited land use within the Streamside Overlay. Therefore, a Use Variance is required to allow a transfer facility within the Streamside Overlay. Use Variances are the more restrictive application type and supersede the requirement for a Conditional Use. However, the Conditional Use, Development Plan, and Streamside Overlay review criteria have also been considered.

As an overview, Stericycle Inc. collects medical waste from hospitals, urgent care facilities, doctor's offices, etc., sterilizes, and ultimately disposes of the waste within a designated disposal site. Currently, Stericycle Inc. utilizes a disposal site in Dacono, Colorado. The operations at 4120 Mark Dabling Boulevard, however, will not include any disposal, sterilization, or processing of the materials collected. This site shall operate entirely, as the Zoning Ordinance defines, as a transfer station. Drivers collect the medical waste from various sites; travel to the transfer location; load the material onto refrigerated trailers located on site where the material is stored for a short time; and finally transfer the material to the processing site in Dacono, Colorado. The raw material collected and brought to this site will not be consolidated, processed, or removed from their containers in any way. See applicant's project narrative for a more detailed explanation of the proposed business operations (**FIGURE 2**).

Whereas this use is considered a "transfer station" according to the City of Colorado Springs Zoning Ordinance, Stericycle Inc.'s proposed operation at the subject site is considered a "medical waste storage facility" according to the Colorado Department of Public Health and Environment (CDPHE). This is due to the onsite short-term storage of medical waste containers within the refrigerated trailers. All medical waste storage facilities are required to receive a Certificate of Designation from the site's governing jurisdiction. Chapter six, Article three of the City of Colorado Springs City Code requires Certificates of Designation be granted by the City Planning Commission (**FIGURE 4**). A Certificate of Designation is not requested with this application and is not currently being reviewed by staff. According to CDPHE, necessary zoning approvals may be sought prior to an application for a Certificate of Designation. Stericycle Inc. has elected to seek zoning approval—Use Variance approval—prior to submitting an application for a Certificate of Designation. As discussed above, the Certificate of Designation will be required to come back before the City Planning Commission for approval at a later date. Please see the Conditional of Approval for this application for more information on this issue.

The surrounding area has developed into a light industrial corridor largely as a result of the proximity to the Denver and Rio Grande Western Railroad which runs adjacent to the subject site. The surrounding area contains many similar light industrial land uses including equipment storage yards, construction material storage and distribution, and truck terminals. Much of this area was developed prior to the inception and adoption of the Streamside Overlay in 2002 which largely prohibits many industrial land uses. Due to the character and general use of the area having been cultivated prior to the constraining zoning overlay, the proposed use will not be out of character for the area, nor will it be detrimental to other owners of property. Essentially, the value and qualities of the surrounding area will not substantially be injured by the proposed use.

The subject site was developed in 1994, and was constructed to house light trucking and distribution services with ancillary office needs. Two additional businesses currently operate out of 4120 Mark Dabling Boulevard. Colorado Air Cargo is a trucking company

providing freight and package transportation services. Colorado Air Cargo is the main lessee of the property and utilizes the majority of the truck bays and site area. The operations of Colorado Air Cargo are consistent with the definition of a “truck terminal” which is a permitted land use within the M-1 zoning district, but is a prohibited land use within the Streamside Overlay. Colorado Air Cargo operated from the site prior to the Streamside Overlay adoption. Because of the existing businesses and the intention for the property to accommodate such industrial related land uses, the granting of this Use Variance is necessary for the preservation, use, and enjoyment of the property. The implementation of the Streamside Overlay creates an extraordinary condition applicable to the property not generally experienced by others in the same zone district.

While this is an application for a Use Variance, the Conditional Use, Development Plan, and Streamside Overlay review criteria were also considered during the review of this application. Regarding the Conditional Use review criteria, the proposal will not significantly impact the surrounding properties. Many of the surrounding businesses operate in a similar way as Stericycle, Inc. proposes to use this site. The intent of the Zoning Code to promote the health, safety, and welfare of the general public is also met. Regarding the Development Plan review criteria, the proposal would be harmonious and compatible with the character of the area, and would not overburden the existing infrastructure. Due to the lack of changes to site, building, proposed use, and the context of the adjacent stream and area, compliance with the site design standards for properties within the Streamside Overlay will not be required at this time. If any alterations to the building or site are proposed at a later date, these design standards will be required to be implemented.

2. Conformance with the City Comprehensive Plan:

The 2020 Land Use Plan within the Comprehensive Plan indicates the site is within an Employment Center. It is the finding of the Land Use Review Division that the Stericycle Inc. Use Variance will substantially align with the City Comprehensive Plan 2020 Land Use Map and the Plan’s goals and objectives.

**Objective LU 8: Integrate Employment Centers into the Wider City Land Use Pattern**

Colorado Springs has been successful at attracting and retaining major employers and growing small businesses, which has led to a healthy, thriving economy. However, the needs of employers, such as land requirements, location considerations, and availability of housing, must be balanced with overall quality of life issues. Employment activities that are not integrated into the community lead to higher infrastructure costs, increase traffic and congestion, and create a sense of separation from the community. Employment centers should be developed so they meet the needs of the employers, while at the same time contributing to the quality of life in Colorado Springs. The City's efforts should focus on creating opportunities for quality employment at various economic levels for its residents, and on environmentally responsible industries that make a positive contribution to the community.

3. Conformance with the Area’s Master Plan: No Master Plan exists for this site.

**STAFF RECOMMENDATION:**

**Item No: D CPC UV 15-00133 – USE VARIANCE**

**Approve** the Use Variance to allow a transfer station within the Streamside Overlay at 4120 Mark Dabling Boulevard, based upon the finding that the request complies with the Use Variance review criteria in City Code Section 7.5.803.B, subject to compliance with the following condition and technical modifications:

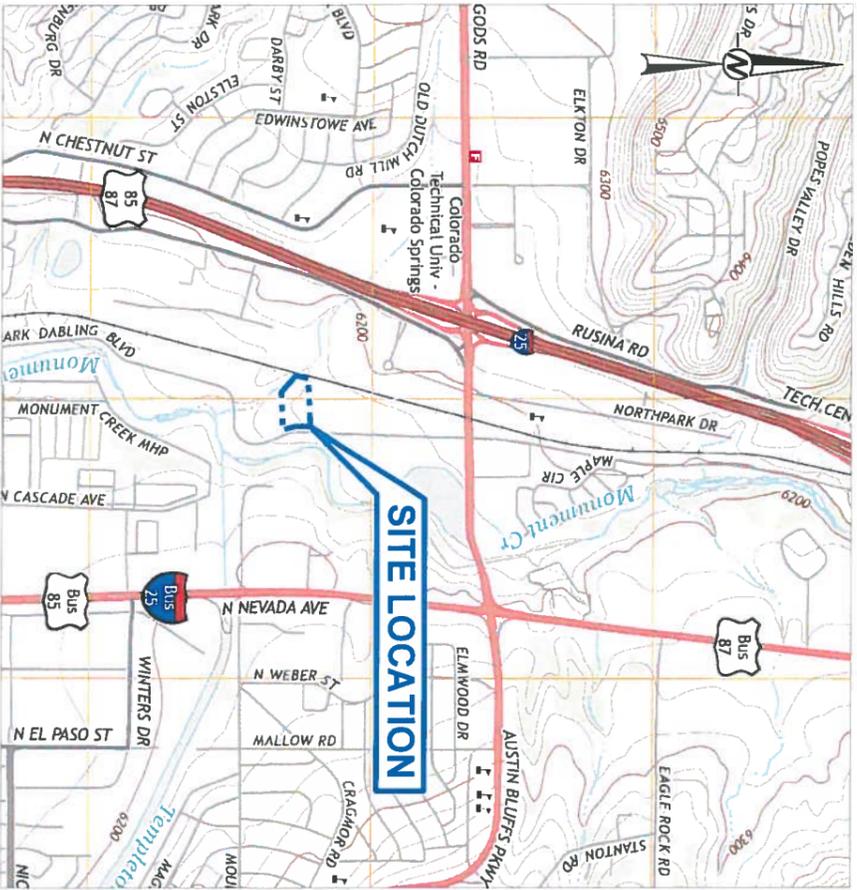
**Condition of Approval**

1. An application to Land Use Review for a Certificate of Designation as required under Chapter 6 of the City Code shall be made no later than June 30, 2016. The Certificate of Designation must be finally approved by the City of Colorado Springs no later than December 31, 2016. If these actions are not fully completed by December 31, 2016, the City may take any applicable enforcement action permitted under the City Code.

**Technical and Informational Modifications to the Master Plan Amendment:**

1. Provide a note on sheet three stating “An application to Land Use Review for a Certificate of Designation as required under Chapter 6 of the City Code shall be made no later than June 30, 2016. The Certificate of Designation must be finally approved by the City of Colorado Springs no later than December 31, 2016. If these actions are not fully completed by December 31, 2016, the City may take any applicable enforcement action permitted under the City Code.”
2. Provide a note on sheet three stating “All gates onsite shall utilize Knox padlocks for Fire Department access.”

# USE VARIANCE APPLICATION FOR EXISTING MEDICAL WASTE TRUCK TERMINAL STERICYCLE, INC. 4120 MARK DABLING BLVD., COLORADO SPRINGS, CO.



REFERENCES)  
 BASE MAP TAKEN FROM PIKEVIEW, COLORADO DATED 2013.



- FIGURE LIST**
1. COVER SHEET
  2. SITE LOCATION MAP
  3. SITE DEVELOPMENT PLAN
  4. AERIAL VIEW OF FACILITY

**OWNER:** THUNDERBOLT MANAGEMENT GROUP INC.  
**APPLICANT:** STERICYCLE INC.  
**TOTAL DEVELOPMENT PLAN AREA:** 4.08 ACRES  
**LEGAL DESCRIPTION:** LOT 1 BLK 1 GRAVES SUB FIL  
 NO COLO SPGS, TOG WITH THAT PART OF VAC  
 CASCADE AVE ADJ  
 TSN 63302-00-061



PROJECT NO. 1539178

NOVEMBER 2015

**FIGURE 1**

**FIGURE 1**

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REFERENCES:  
 1. AERIAL IMAGE COURTESY OF USGS EARTHSTAR GEOGRAPHICS SIO © 2015 MICROSOFT CORPORATION © 2015 HERE © AND BING



CLIENT  
**STERICYCLE, INC.**

CONSULTANT



PROJECT  
**4120 MARK DABLING BLVD,  
 COLORADO SPRINGS, CO**  
 TSN 63302-00-061

TITLE  
**SITE LOCATION MAP**

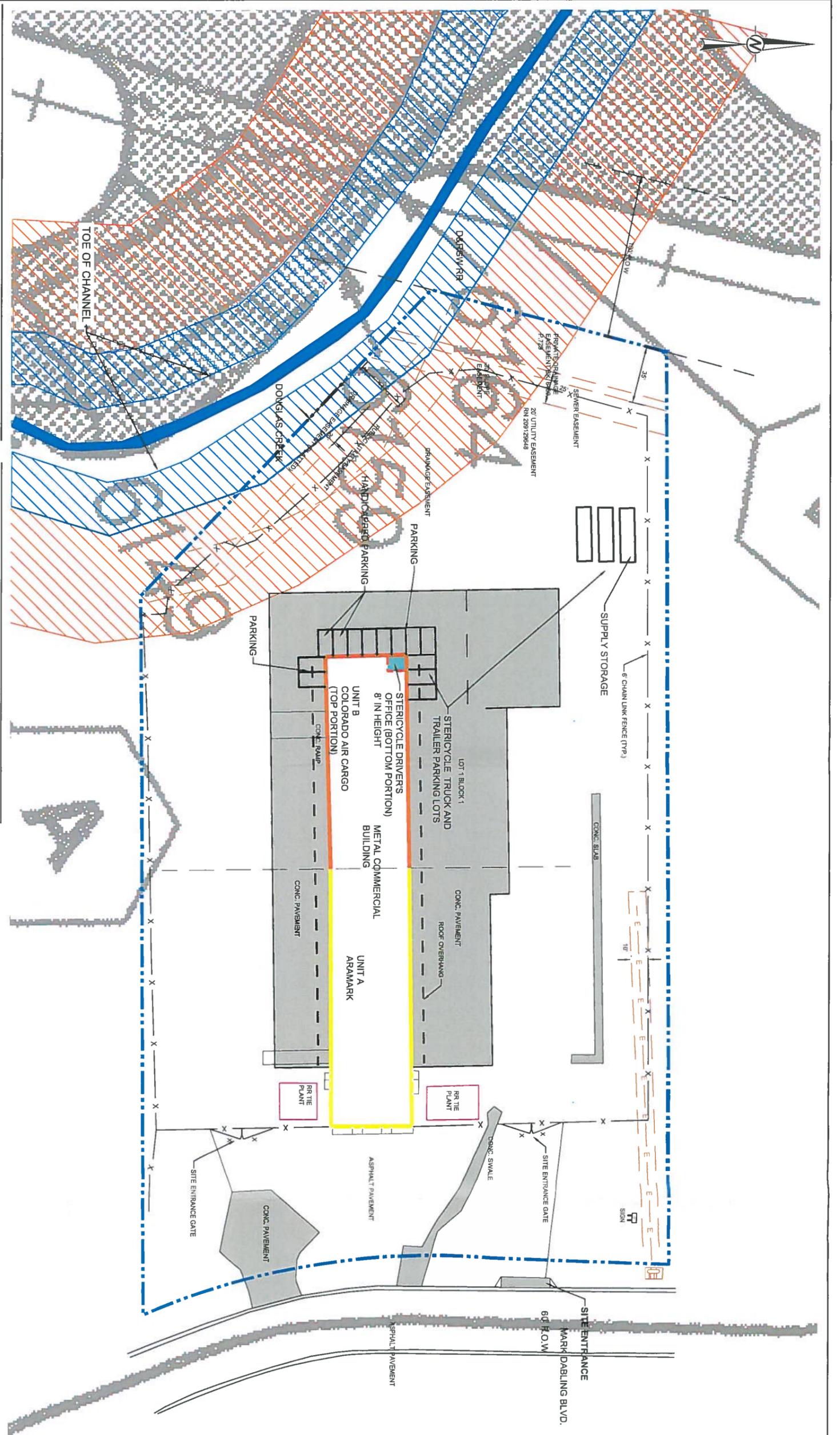
YYYYMMDD	2015-11-13
DESIGNED	RK
PREPARED	CW
REVIEWED	MY
APPROVED	RK

PROJECT NO	1539178	CONTROL	1539178A001	REV	1	FIGURE	2
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**FIGURE 1**

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MOVED FROM ANSI D

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**LEGEND**

	APPROXIMATE PROPERTY BOUNDARY		ROOF OVERHANG
	FENCE LINE		ELEC. EASEMENT
	CONCRETE (CONC.)		UTILITY EASEMENT
	RR TIE PLANT		STERICYCLE OFFICE
	2-STORY METAL COMMERCIAL BUILDING		SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100 YEAR FLOOD
	1-STORY METAL COMMERCIAL BUILDING		OUTER BUFFER
			INNER BUFFER

- NOTES**
1. THE STERICYCLE OFFICE OCCUPIES THE SMALL AREA IN BLUE ON THE GROUND FLOOR.
  2. MARK DABLING BOULEVARD IS A PUBLIC ROADWAY.
  3. DOUGLAS CREEK IS A TYPE II CREEK.
  4. THE AREA WITHIN THE STREAMSIDE OVERLAY ON THE SITE IS CURRENTLY OVER IMPROVUS ALLOWANCES FOR THE TOTAL FACILITY (INCLUDING STERICYCLE AND AIR CARGO). THIS APPLICATION DOES NOT CHANGE THE IMPROVUS SURFACE ON THE SITE. IF THE SITE REDEVELOPS IN THE FUTURE, STREAMSIDE OVERLAY REVIEW CRITERIA WILL APPLY AT THIS TIME.

CLIENT  
**STERICYCLE, INC.**

CONSULTANT	YYYY-MM-DD	2015-11-13
DESIGNED	RK	
PREPARED	CW	
REVIEWED	MY	
APPROVED	RK	

PROJECT  
 4120 MARK DABLING BLVD.  
 COLORADO SPRINGS, CO.  
 TSN 63302-00-61

**SITE DEVELOPMENT PLAN**

TITLE	PROJECT NO	CONTROL	FIGURE
	1539178	1539178A003	3

**FIGURE 1**

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM ANSI B

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REFERENCES:  
 1.) AERIAL PHOTO LICENSED FROM GOOGLE EARTH PRO.

CLIENT  
 STERICYCLE, INC.

CONSULTANT



YYYYMMDD 2015-11-13

DESIGNED RK

PREPARED CW

REVIEWED MY

APPROVED RK

PROJECT  
 4120 MARK DABLING BLVD,  
 COLORADO SPRINGS, CO  
 TSN 63302-00-061

TITLE  
 AERIAL VIEW OF FACILITY

PROJECT NO 1539178

CONTROL 1539178A002

REV 0

FIGURE 4

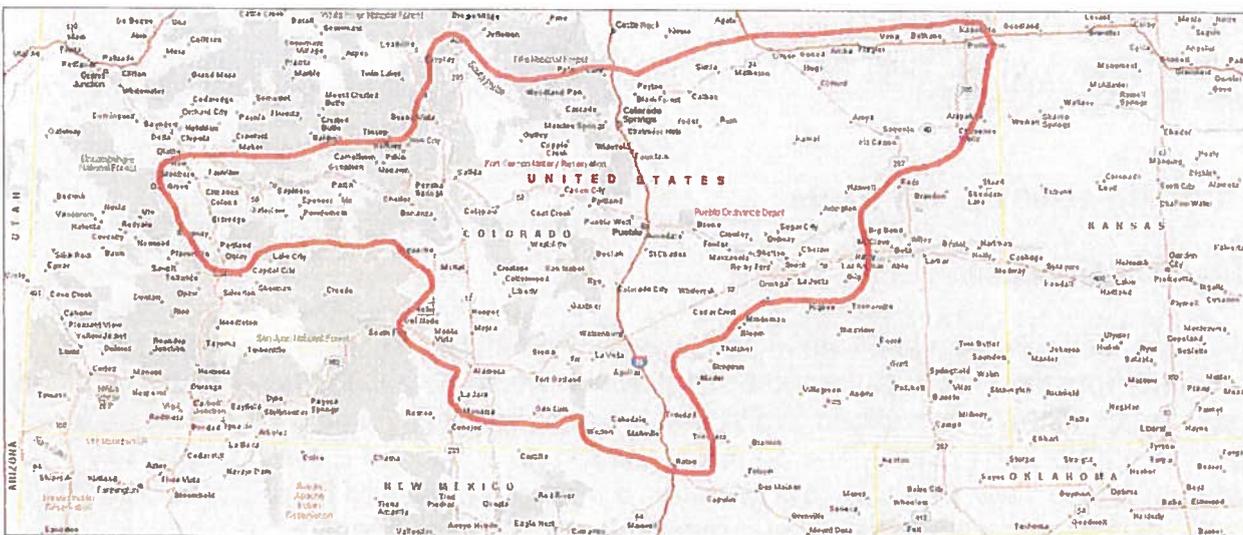
FIGURE 1

IF THIS MEASUREMENT DOES NOT MATCH WHAT IS SHOWN, THE SHEET SIZE HAS BEEN MODIFIED FROM ANGLE B

Stericycle is providing the following narrative to give the planning commission more detailed information regarding the actual operation of the facility.

Stericycle is one of the leading providers of medical waste disposal services. Stericycle specializes in proper pickup, treatment, and disposal of biohazards, such as “Red Bag” Regulated Medical Waste (RMW) and sharps containers. Hundreds of thousands of customers trust Stericycle to manage their biohazardous waste disposal.

The existing Colorado Springs location services hospital, clinics, nursing homes, labs and doctor’s offices throughout Colorado. Route map is included below.



Stericycle has such locations all over the US. The drivers at these locations pick up RMW from customers in outlying communities and combine the containers at the transfer location for more efficient transport to the Stericycle processing facilities. At the end of the day the driver transfers closed RMW containers directly into an enclosed, refrigerated 53ft trailer.

Each driver will run a designated route, leaving in the morning to return in the afternoon. Each driver will travel from site to site collecting full RMW containers replacing with an empty RMW container. Upon completion of route, drivers will then return to the waste transfer site to unload into a refrigerated transport trailer. Empty containers are then reloaded onto trucks for next day routes. When the trailer is full, load is strapped down and RMW paperwork is then placed with the trailer.

The refrigerated transport trailers from Colorado Springs are shuttled to the Dacono Autoclave facility daily (Mon – Fri) for processing.

To provide these services the following vehicles will be staged at the Colorado Springs site:

There are **three 26ft enclosed route trucks** that park in proximity to the main building. Inside the building is a small office area for drivers to keep and print paperwork.

There are up to three 53ft trailers staged in the parking area located in the NW corner of the property. One is used exclusively for storage of empty containers and supplies. The other two are for short term storage of RMW and transport to Dacono.

The trailers are hauled 1x per day Monday thru Friday - 8:00 AM to 4:30 pm

Route trucks will leave and return 99% of the time 1x a day. Exceptions are when extra empty RMW containers are needed to be delivered to a customer site due to increased waste levels. Normal daily use is as follows:

Monday – 3 vehicles exit and enter (2 route trucks, 1 trailer transfer)

Tuesday – 3 vehicles exit and enter (2 route trucks, 1 trailer transfer)

Wednesday – 4 vehicles exit and enter (3 route trucks, 1 trailer transfer)

Thursday – 4 vehicles exit and enter (3 route trucks, 1 trailer transfer)

Friday – 3 vehicles exit and enter (2 route trucks, 1 trailer transfer)

#### **Effect upon other properties in the surrounding area**

The day to day operations of this site are similar to the operations of nearby properties, including the existing air cargo freight business located at the same site as Stericycle. That business is the main lessee and occupies the majority of the property and the building.

#### **Effect on development and improvement of surrounding properties**

The area is already developed for light industrial use. This is considered a low volume low hazard operation and has no impact on the future use or value of surrounding properties.

#### **Utilities, roads, drainage and other necessary facilities.**

All necessary facilities and utilities are already located at this industrial site. Site is paved. Public road is easily accessible.

#### **Off street parking and loading facilities**

The site has ample parking for staff. One handicap parking space is located near the main entrance to the building. Vehicles are parked on hard surfaces. Loading is confined to the property and is by hand directly from route truck to trailer with no use of loading docks or other equipment such as forklifts. No containers are staged on the ground at any time.

Stericycle utilizes three parking spaces for the route trucks, three parking slots for the transport trailers. A small office space on the bottom floor is occupied only when the drivers require some administrative paperwork. This space is indicated in blue on the site plan.

### **Measures to control offensive odor, fumes, dust, noise, vibration and lighting that may cause a nuisance**

Stericycle is required to package the RMW in a manner that prevents leaking and maintains the integrity of the packaging. No waste containers are opened, treated or consolidated on site. Trucks carry spill response kits with disinfectant if required. No offensive nuisances – odor, fumes, dust, noise, vibration are expected. The day to day operation will have a minimal effect on the health, safety and general welfare of the public, as stringent packaging and transportation rules are followed. Medical waste transportation and storage is regulated by Federal and State agencies. State, county and local safety officials will be allowed unrestricted entry upon demand during regular business hours for inspections.

Trailers are refrigerated and leave the facility within 48 hrs. Refrigeration units are checked daily by drivers for proper operation. No processing or consolidation of waste takes place. No containers are stored on the ground or in the building. Trucks and trailers remain locked and sealed except during active load/unload. Waste has no dust component. Travel is across paved surfaces. Trained personnel are always present during transfer operations.

Drivers check areas around trailers daily for any litter. Unauthorized persons are not allowed in areas used to store waste. Due to the nature of the wastes, fires and explosions would not occur.

Operations occur normally during daylight hours. The property has existing security lighting and industrial lighting.

The facility has minimal risk of impacting groundwater or surface water because waste is packaged in sealed containers, is transferred by hand and is never placed on the ground.

### **Fire Marshal Review**

Stericycle is in the process of obtaining Knox padlocks from the Fire Marshall's office to fulfill that requirement. The one trailer used for storage of empty containers and small supplies has been indicated on the site plans.

In summary:

- The waste is never removed from its required packaging
- The waste is stored in a secure refrigerated container to minimize odor and hazard
- The waste is removed from the site and transported to a permitted treatment facility within 72 hrs.
- The volume of traffic is low, no more than normal use by other area businesses
- There is minimal impact to an existing facility with trucking activity

If additional information is required, please feel free to contact me at (206) 510-0867 or via email at [bridget.kelly@stericycle.com](mailto:bridget.kelly@stericycle.com).

Sincerely,

Bridget Kelly  
Regional Environmental Quality Manager - Stericycle, Inc.



**CO Springs, Colorado MEDICAL WASTE  
EMERGENCY RESPONSE CONTINGENCY PLAN**

**EMERGENCY PROCEDURES:**

**A. Fire or Explosion:**

1. Call CO Springs Fire Department - **911** or Main Number: **719-385-7204**
2. Make announcement over public address system to evacuate building.
3. Non-fire-fighting employees gather at the Rally Point, on the North East side of the building, indicated on the evacuation maps, and get a head count.
4. Employees trained in first aid will provide first aid to any injured person.
5. All employees trained in fire safety procedures are authorized to fight fires with appropriate fire fighting equipment.
6. Notify Emergency Coordinator(s) immediately. (see page 2).

**B. Tornado, Earthquake or Natural Disaster:**

1. Find cover or a safe place to avoid falling or flying objects, and remain there until the situation has subsided.
2. Provide first aid to any injured persons.
3. Notify Emergency Coordinator(s) immediately (see page 2).

**C. Personal Injury:**

1. Determine the nature and extent of the injury.
2. Call emergency medical technicians if necessary: **911**
3. Administer first aid as necessary or, if not trained, notify first aid trained co-worker.
4. Notify supervisor or Emergency Coordinator(s) immediately (see page 2).

**D. Major Medical Waste Spill (not including in-facility spills):**

1. Determine, and write down, the location and severity of incident.
2. If there are any injuries refer to *Personal Injury* section.
3. Notify Emergency Coordinator(s) immediately (see page 2).
4. The Emergency Coordinator should notify the State Hazardous Material & Waste Management, Environmental Emergency Response Department **877-518-5608**; provide necessary information.
5. If the spill is manageable, in the opinion of the Emergency Coordinator, respond with a truck to the spill with the following spill supplies:

Vermiculite	25% Bleach	Tub liners
Spray bottles	Water	Respirators
Tyvec coveralls	Gloves	Rubber overboots
Barricade Tape	Duct Tape	Cellular Telephone.
Shovels	Empty Regulated Medical Waste tubs	

Spills determined to be unmanageable should be cleaned up by the State Emergency Response Department.

**E. Natural & Man-Made Disasters**

Stericycle maintains the necessary supplies on-site to service our customers in the event of a natural or man-made disaster. Extra equipment, containers and supplies are stored on-site for use in the event of an emergency.

In addition, Stericycle is a nation-wide company capable of calling in equipment and personnel from across the nation to provide assistance as needed. Our ability to respond in such a manner makes it unlikely that Stericycle customers would suffer lengthy interruption of service due to natural or man-made disasters.



*Insert Facility Name Here* **MEDICAL WASTE  
EMERGENCY RESPONSE CONTINGENCY PLAN**

One of the following Emergency Coordinators will always be available:

**Ron Grannis**, Transportation Supervisor  
Cell: 303-868-7109 or 303-720-4596

**Doug Nix**, Transportation Supervisor  
Cell: 303-901-3617

**Alan Inkley**, Area Safety Manager:  
Cell: 801-503-5985

Medical arrangements can be accommodated by the Emergency Coordinator at the following facilities:

*For non-urgent weekday care*

**Concentra**  
5320 Mark Dabling Blvd,  
Bldg 7, Ste 100  
CO Springs, CO 80918  
**719-592-1584**

*For urgent night and weekend care (24 hrs):*

**Penrose Hospital**  
2222 N. Nevada Ave.  
CO Springs, CO 80907  
**719-776-5000**

**IN THE EVENT OF MAJOR FIRE, NATURAL DISASTER, FATALITY OR MAJOR SPILL:**

Emergency Coordinator will notify the following individuals immediately:

**Chris Stromerson**, Area Director – Safety & Health **425-338-5249**

**IN THE EVENT OF A DISCHARGE OF UNTREATED PROCESS WASTE WATER INTO THE SANITARY SEWER:**

Emergency Coordinator will notify the following individuals immediately:

**Ron Grannis**, Transportation Supervisor: Cell: 303-868-7109 or 303-720-4596

**Doug Nix**, Transportation Supervisor: Cell: 303-901-3617

# PACKAGING PROCEDURES

FOR MEDICAL WASTE DISPOSAL • Reusable Containers\* and Corrugated Boxes

Waste2Green4Healthcare™

## REGULATORY REQUIREMENTS

### GENERAL

- Generators are responsible for packaging their wastes.
- Each bag must be hand tied by gathering and twisting the neck of the bag and using a tie or hand knot to secure the bag, and each container must be securely closed.
- Closed bags must not be visible once secondary container is closed.
- Improperly packaged containers or damaged containers will be denied pick-up or returned to the generator.
- Only Regulated Medical Waste can be placed in Stericycle containers.

### SHARPS

- Sharp materials ("sharps") must be placed in a puncture-resistant container designed for "sharps" waste. "Sharps" include needles, syringes, broken glass, scalpels, culture slides, culture dishes, broken capillary tubes, broken rigid plastic and exposed ends of dental wires.
- All sharps containers should be properly closed before being placed into secondary containers.
- No loose sharps are permitted outside of sharps containers.

For more information, contact  
 Stericycle at (866) 338-5120



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### STEP 1

**LINE CONTAINER OR BOX WITH RED BAG\*\***

### STEP 2

**TIE BAG WHEN BOX OR CONTAINER IS FULL**

### STEP 3

**CORRUGATED BOXES:**

- Seal top of box with tape
- Auto-locking boxes, engage top flaps

**REUSABLE CONTAINERS:**

- Secure lid on container
- Ensure all closure and/or locking mechanisms are engaged

### STEP 4

**CHECK MARKINGS**

- Federal markings (see picture above)
- Additional state and local regulations may apply
- Apply bar code label where available

### UNACCEPTABLE

All containers pictured here have a maximum weight limit of 50 pounds.  
 The information on the poster is based on current federal laws and regulations. Additional state specific regulations may apply. Please be advised that regulations are subject to change.

\* Instructions not applicable for reusable sharps containers.  
 \*\* For large or bulk reusable containers (greater than 119 gallons), bag must meet and be marked per current ASTM requirements, limited to a maximum 46 gallons and 22 lbs.

FIGURE 2



4120 Mark Dabling Blvd.  
Colorado Springs, CO 80905

# OPERATING PLAN

**November 2015**

## 1.0 INTRODUCTION

Stericycle, Inc. would like to operate a regulated medical waste transportation facility located at 4120 Mark Dabling Blvd, Colorado Springs, CO.

Facility Information: Stericycle, Inc.  
Doug Nix, Transportation Manager  
4120 Mark Dabling Blvd.  
Colorado Springs, Colorado 80905  
Office Phone: 303-371-8170 ext. 11  
Mobile: 303-901-3617  
**Emergency 24 Hour Contact # Doug Nix 303-901-3617**  
Alan Inkley (Safety and Health) 801-503-5985

Contact Information: Bridget Kelly  
Stericycle, Inc.  
Regional Environmental Compliance Manager  
5355 Colorado Blvd., Dacono CO 80514  
Phone: 206-510-0867  
eFax: 800 568-6142  
[bridgetkelly@stericycle.com](mailto:bridgetkelly@stericycle.com)

Landowner Information: Merrill Austin, V.P. - Thunderbolt Management Group.  
1309 E.Cheyenne Road  
Colorado Springs, CO 80905  
719-391-0196 phone

## 2.0 OPERATIONAL PROCEDURES

Operations at the Colorado Springs facility will include:

- Regulated medical waste storage and transfer;
- Non-hazardous waste pharmaceutical collection for transfer to an incineration facility for destruction;
- Regulated Garbage/APHIS

### 2.1 Waste Receipt and Transportation

Regulated medical waste and non-hazardous pharmaceuticals is picked up from generators on a scheduled or on-call basis in South Dakota, Wyoming and Nebraska.

It is the responsibility of the waste generator to properly package their waste in accordance with all state and federal guidelines. Stericycle does not transport, or accept for transport, waste that is improperly packaged or classified.

Stericycle does not accept waste for pick-up or treatment if the package is:

- leaking,
- packaged incorrectly,
- not labeled or labeled incorrectly,
- structurally compromised,
- visibly contaminated,
- non-compliant, or
- non-conforming waste.

Prevention programs require proper notification and training about wastes not acceptable for treatment via autoclaving and/or incineration. Stericycle's Waste Acceptance Protocol is included as Appendix A.

Stericycle transports all wastes under the following policies:

- Transporters shall not accept waste that is improperly packaged.
- Regulated medical waste shall be transported in a manner that prevents leakage of the contents of the package.
- The integrity of the package shall be maintained at all times.
- The labeling and marking of the package shall be maintained at all times.
- All loads containing regulated medical waste shall be covered during transportation.
- A contingency plan shall be prepared and maintained in each vehicle used in the transporting of regulated medical waste. The operator of each vehicle shall be knowledgeable of the plan.
- Vehicles used for the transportation of regulated medical waste shall be thoroughly cleaned and disinfected before being used for any other purpose and in the event of leakage from packages.

Stericycle's BioTrack system tracks all waste containers from the point of generation, through transportation, to treatment at the processing facility.

## **2.2 Container Unloading and Handling**

The waste is handled in the following steps once it arrives at the Colorado Springs transfer facility:

1. Containers are removed from the route truck and transported to tractor trailer via a two-wheeled dolly.

2. Racks of reusable sharps containers are rolled off the route truck and immediately loaded onto a trailer.

Stericycle, Inc. employs its own proprietary bar code identification and tracking system, *SteriWorks*, in which each container is labeled with the generator's unique code. At the time of collection, the driver scans the containers to be collected with a handheld computer which prints a receipt indicating the date and time of collection. The receipt is given to the generator. The *SteriWorks* document provides the generator with verification of collection and provides Stericycle, Inc. one of the means to track the waste from collection to treatment. Each month customers are sent an invoice, which summarizes their collections for the month.

## TRACKING DOCUMENTS FOR MEDICAL WASTE

### STERICYCLE, INC. "SteriWorks™" System for Tracking Waste:

All waste collected by a medical waste transporter from the generating facility/person for treatment must be accompanied by a tracking document.

STERICYCLE, INC. has a unique approach to the tracking process known as "SteriWorks™". Barcodes and optical scanners or "readers" record pertinent data required for tracking and billing.

The tracking document must meet US DOT and State requirements, which include, but are not limited to:

Name, address, telephone number of medical waste hauler

Type and quantity of medical waste transported

Generator name, addresses and phone number

Name, address, telephone number of permitted medical waste treatment facility

Authorized signature at the permitted treatment facility receiving the waste (treatment facility copy only)

A signed copy of the tracking document(s) will be provided to the customer at the time of waste collection or acceptance.

The tracking document(s) will be in the custody of the STERICYCLE, INC. driver hauling the medical waste to its treatment destination at all times.

Once the waste is treated copies of the completed manifest is scanned and customers are available to view online and print.

STERICYCLE, INC. will maintain signed copies of all tracking documents for a minimum of 3 years.

### 2.3 Unacceptable Waste

Waste not accepted for transfer at the Colorado Springs facility includes:

- Radioactive waste
- Hazardous waste as defined by the US EPA
- Explosive materials, including aerosol cans.

### 2.4 Waste Treatment

Waste that is received at the facility that is packaged by the generator in cardboard or plastic containers and is labeled with a bar code. Waste accepted by the Stericycle Colorado Springs facility will be transported to an autoclave, primarily:

Stericycle – Dacono, CO  
5255 Colorado Blvd  
Dacono, CO 80514

### 2.5 Storage

Regulated medical waste and non-hazardous waste pharmaceuticals are stored in a manner that prevents leakage and maintains the integrity of the packaging at all times.

Waste that is collected for transfer in Colorado Springs is transported in closed, secured trucks/trailers. The doors to the storage area of each collection truck/trailer are locked during all times except during loading. Trucks and trailers are labeled to alert the public regarding the type of waste being transported or handled. Once a trailer is filled it is normally hauled to a treatment facility within 48 hours. On the weekends trailers may be swapped out. Trained personnel are always present during transfer operations. Unauthorized persons are not allowed in areas used to store waste. All trailers and vehicles are locked and sealed when the facility is vacated. No waste materials will be stored outside of the trailers.

### 2.6 Record Keeping

All containers must be labeled at the generating location before being accepted for transportation. SteriWorks optical scanners record when a container is picked up. Each container is scanned again at the Colorado Springs facility prior to transfer. This process not only provides a typed manifest for tracking purposes, but it produces verifiable documentation of the waste trail for each container the company handles.

Records of waste are maintained for each shipment of and include the following:

- Name and address of generator,
- Date received,
- Amount of waste received by container number from each generator,
- Date treated,
- Name and address of ultimate disposal facility.

## **2.7 Vector Control**

The Colorado Springs facility is maintained and cleaned to minimize odors and vectors, and to provide a safe working environment and protect the safety and health of the public. The systematic waste process, which includes storage and handling specifications and policies, inhibits vector exposure to the waste materials. No waste materials will be stored outside of the locked and sealed trailers. Refrigerated trailers are utilized and waste is transported from the facility to the processing facility when full. Due to the nature of the wastes stored, explosions and fires will not occur.

## **3.0 HOURS OF OPERATION**

The Stericycle Colorado Springs facility can operate 24 hours a day, 7 days a week for transfer. Normal operational days are Mon-Fri. Office hours for Regional Transportation Management are Monday through Friday from 8:00 a.m. to 4:30 p.m. Emergency contact information is provided.

## **4.0 FACILITY EQUIPMENT**

At present, equipment used for the storage operation will be limited to van trucks, enclosed trailers and a small office.

Because this facility will be limited to only storage and transfer of medical waste, operations and maintenance activities will be minimal.

## **5.0 STORAGE AND CAPACITY LIMITS**

All untreated waste is stored in enclosed, locked 48 or 53 ft trailers located within the secure area of the premises pending transfer. Once a trailer is filled it is normally hauled to a treatment facility within 48 hours.

## **6.0 BYPASS AND RESIDUAL PLAN**

The Stericycle facilities listed below act as backup treatment facilities in the event the primary treatment facilities are down for an extended periods of time.

**North Salt Lake, Utah**

Incinerator  
90 North Foxboro  
North Salt Lake, UT 85054

**Butte, MT**

Autoclave Facility  
107 S. Parkmont  
Butte, MT 59701

**Lincoln, NE**

Autoclave Facility  
6100 N. 60<sup>th</sup> Street  
Lincoln, NE 68507

Additional transportation capabilities are available in a contingency, if needed, from these and other Stericycle facilities in the region.

**7.0 EMPLOYEE TRAINING PROGRAM**

Employees receive the following training upon hire and annually:

- OSHA Bloodborne Pathogens (29 CFR 1910.1030)
- Bloodborne Diseases
- Hepatitis B Vaccination Program
- Exposure Protocol
- Personal Protective Equipment
- Hazard Communication (29 CFR 1910.1200)
- Lock-Out/Tag Out Policy & Procedures
- Radiation Safety and Monitoring
- First Aid and CPR
- Emergency Response Procedures
- Fire Safety
- Spill Response
- Driver training programs, including DOT Hazardous Materials Training and other DOT required training
- Waste Acceptance Protocol
- Additional function-specific training (Welding Safety, Forklift Safety, etc.) is completed as required.
- All equipment operators will receive training and will become knowledgeable of the procedures, equipment and sterilization process. Training programs are oriented towards maintenance and safe operation of the facility.



# **APPENDIX A**

## **WASTE ACCEPTANCE PROTOCOL**

Stericycle Health Care Services route truck. Regulated Medical Waste, non-hazardous pharmaceuticals and Regulated Garbage (USDA) is collected from generators on a scheduled or on-call basis



FIGURE 2

# A Route Truck backs up to the transport trailer

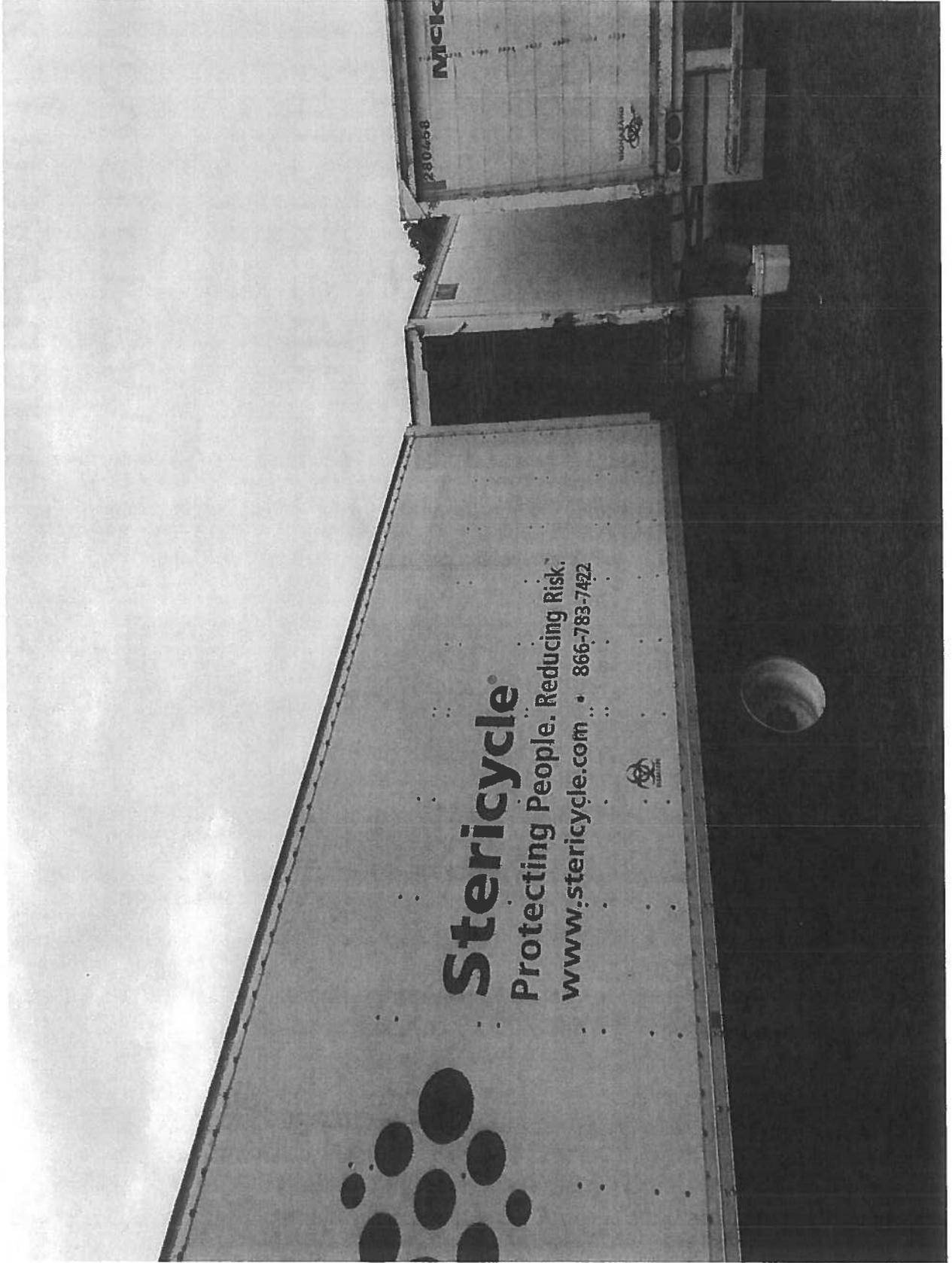


FIGURE 2

Truck to trailer  
transload.

No containers  
are placed on  
the ground.

Waste is never  
removed from  
containers



FIGURE 2

All waste is containerized. Stericycle does not accept for transport containers that are: leaking, not labeled, incorrectly labeled, visibly contaminated, non-compliant or contains non-conforming waste.



FIGURE 2

Containers  
are properly  
stacked and  
secured for  
transport.



FIGURE 2

All vehicles have an adequate supply of disinfectant chemical and spill control supplies.

VIRKON-S is both EPA and USDA registered as an effective disinfectant, the only disinfectant Stericycle will use in our APHIS Spill control kits.



FIGURE 2

All trailers  
are  
padlocked  
when not  
being  
actively  
loaded.



FIGURE 2

Route trucks are equipped with a padlock and a roll-up door lock enforcer or “slam lock” that locks without a key. When door is closed, the door is securely locked.

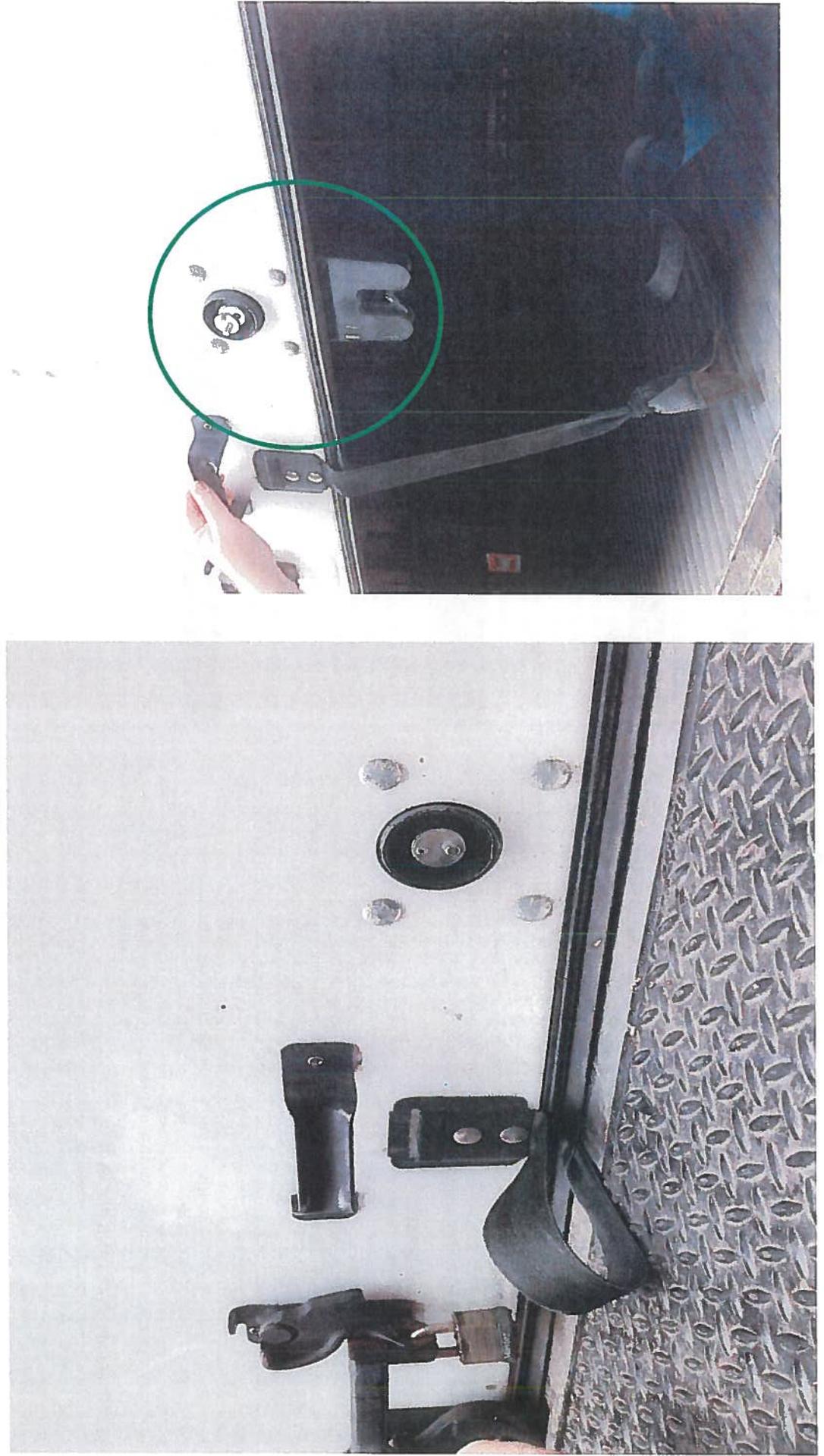


FIGURE 2



# REGULATED MEDICAL WASTE ACCEPTANCE POLICY

## STERICYCLE REGULATED MEDICAL WASTE ACCEPTANCE POLICY CHECKLIST

Stericycle policy requires compliance with all applicable regulations regarding the collection, transportation and treatment of regulated medical waste. Federal Department of Transportation (DOT) Regulations require the generator of regulated medical waste to certify that the packaging and documentation of transported regulated medical waste complies with DOT regulations regarding waste classification, packaging, labeling and shipping documentation. To ensure that neither Stericycle nor the generator of regulated medical waste violates applicable regulations, it is imperative that all parties understand the rules regarding proper identification, classification, segregation and packaging of regulated medical waste. The purpose of this policy is to summarize the minimum requirements for preparing your medical waste for collection, transportation and treatment. Additional facility or state-specific waste acceptance policies may apply based on permit specifications. Please contact your local representative for further information. You may also call (866) 338-5120.

### REGULATED MEDICAL WASTE

Stericycle accepts medical waste generated in a broad range of medical, diagnostic, therapeutic and research activities. The term "medical waste" includes biohazardous, biomedical, infectious or regulated medical waste as defined under federal, state or local laws, rules, regulations and guidelines. Except as defined by specific state regulations, this **excludes** RCRA hazardous waste pharmaceuticals, all DEA scheduled drugs including controlled substances, bulk chemotherapy, waste containing mercury or other heavy metals, batteries of any type, cauterizers, non-infectious dental waste, chemicals such as solvents, reagents, corrosives or ignitable materials classified as hazardous waste under Federal and State EPA Regulations. In addition, Stericycle **cannot accept** bulk liquids, radioactive materials, or complete human remains (including heads, full torsos and fetuses). Stericycle **cannot accept** these excluded materials packaged as regulated medical waste. All lab wastes or materials which contain or have the potential to contain infectious substances arising from those agents listed under 42 CFR 72.3 are strictly prohibited from medical waste by federal law and must be pretreated prior to disposal. Separate protocol and packaging requirements apply for the disposal of non-hazardous pharmaceuticals. Hazardous waste transportation services may be offered in certain geographical locations, under separate contract. Please contact your local representative for details and packaging specifications.

\* *Un-dispensed from DEA Registrant*

### WASTE SEGREGATION AND PACKAGING

The generator is solely responsible for properly segregating, packaging and labeling of regulated medical waste. Proper segregation and packaging reduces the potential for accidental release of the contents and exposure to employees and the general public. DOT regulations require (49 CFR 173.197) that all packages of regulated medical waste be prepared for transport in containers meeting the following requirements: 1) rigid; 2) leak resistant; 3) impervious to moisture; 4) of sufficient strength to prevent tearing or bursting under normal conditions of use and handling; 5) sealed to prevent leakage during transport; and 6) puncture resistant for sharps. All regulated medical waste must be accompanied by a properly completed shipping document (See 49 CFR 172.202).

### MANAGEMENT OF NON-CONFORMING WASTE

As required by regulation and company policy, Stericycle employees may refuse containers that are non-conforming because of their contents or are improperly packaged, leaking, damaged or likely to create a risk of exposure to employees or the general public. Any waste found to be non-conforming to this Waste Acceptance Policy identified in route to, or at a Stericycle location, may be returned to the generator for proper packaging and disposal, or may be rerouted for appropriate destruction; this may include improperly marked regulated medical waste which should have been identified for incineration (i.e. pathological, chemotherapy or non-hazardous pharmaceuticals). Proper segregation and packaging is essential to ensure compliant and safe handling, collection, transportation and treatment of regulated medical waste.

### ACCEPTED REGULATED MEDICAL WASTE

- Sharps - Means any object contaminated with a pathogen or that may become contaminated with a pathogen through handling or during transportation and also capable of cutting or penetrating skin or a packaging material. Sharps includes needles, syringes, scalpels, broken glass, culture slides, culture dishes, broken capillary tubes, broken rigid plastic, and exposed ends of dental wires.
- Regulated Medical Waste or Clinical Waste or (Bio) Medical Waste - Means a waste or reusable material derived from the medical treatment of an animal or human, which includes diagnosis and immunization, or from biomedical research, which includes the production and testing of biological products.

### ACCEPTED REGULATED MEDICAL WASTE WHICH MUST BE IDENTIFIED AND SEGREGATED FOR INCINERATION

- Trace Chemotherapy Contaminated Waste - RCRA Empty drug vials, syringes and needles, spill kits, IV tubing and bags, contaminated gloves and gowns, and related materials as defined in applicable laws, rules, regulations or guidelines
- Pathological Waste - Human or animal body parts, organs, tissues and surgical specimen (decanted or formaldehyde, formalin or other preservatives as required per hazardous waste rules).
- Non-RCRA Pharmaceuticals - Must be characterized and certified as non-RCRA hazardous material by the generator. Excludes all DEA scheduled drugs, including controlled substances\*
- **California Only** - Solidified Suction Canisters - Suction canisters that have been injected with solidifier materials to control liquids or suction canisters made of high heat resistant plastics such as polysulfone

### REGULATED MEDICAL WASTE NOT ACCEPTED BY STERICYCLE

- Untreated Category A Infectious Substances
- Complete Human Remains (including heads, full torsos, and fetuses)
- Bulk Chemotherapy Waste
- Mercury-Containing Dental Waste - Non-contact and contact amalgam and products, chairside traps, amalgam sludge or vacuum pump filters, extracted teeth with mercury fillings and empty amalgam capsules
- Any Mercury Containing Material or Devices - Any mercury thermometers, Sphygmomanometers, lab or medical devices
- RCRA Hazardous Pharmaceutical Waste and all DEA Federal and State controlled substances\*
- Chemicals - Formaldehyde, formalin, acids, alcohol, waste oil, solvents, reagents, fixer developer, fluorescein
- Compressed Gas Cylinders, Canisters, Inhalers and Aerosol Cans
- Hazardous or Universal Waste - any other waste determined by Federal or State EPA regulations including but not limited to batteries, bulbs, heavy metals, etc.
- Radioactive Waste - Any container with a radioactivity level that exceeds regulatory or permitted limits; lead-containing materials

\* Consult Stericycle Representative for specific requirements

Additional waste acceptance policies may apply based on state or permit specific requirements. Hazardous waste transportation services may be offered in certain geographical locations, under separate contract. Please refer to your local Stericycle Representative for additional information and options for possible hazardous waste handling. For additional information on container and labeling requirements contact our Stericycle Customer Service Department at (866) 338-5120.

FIGURE 2

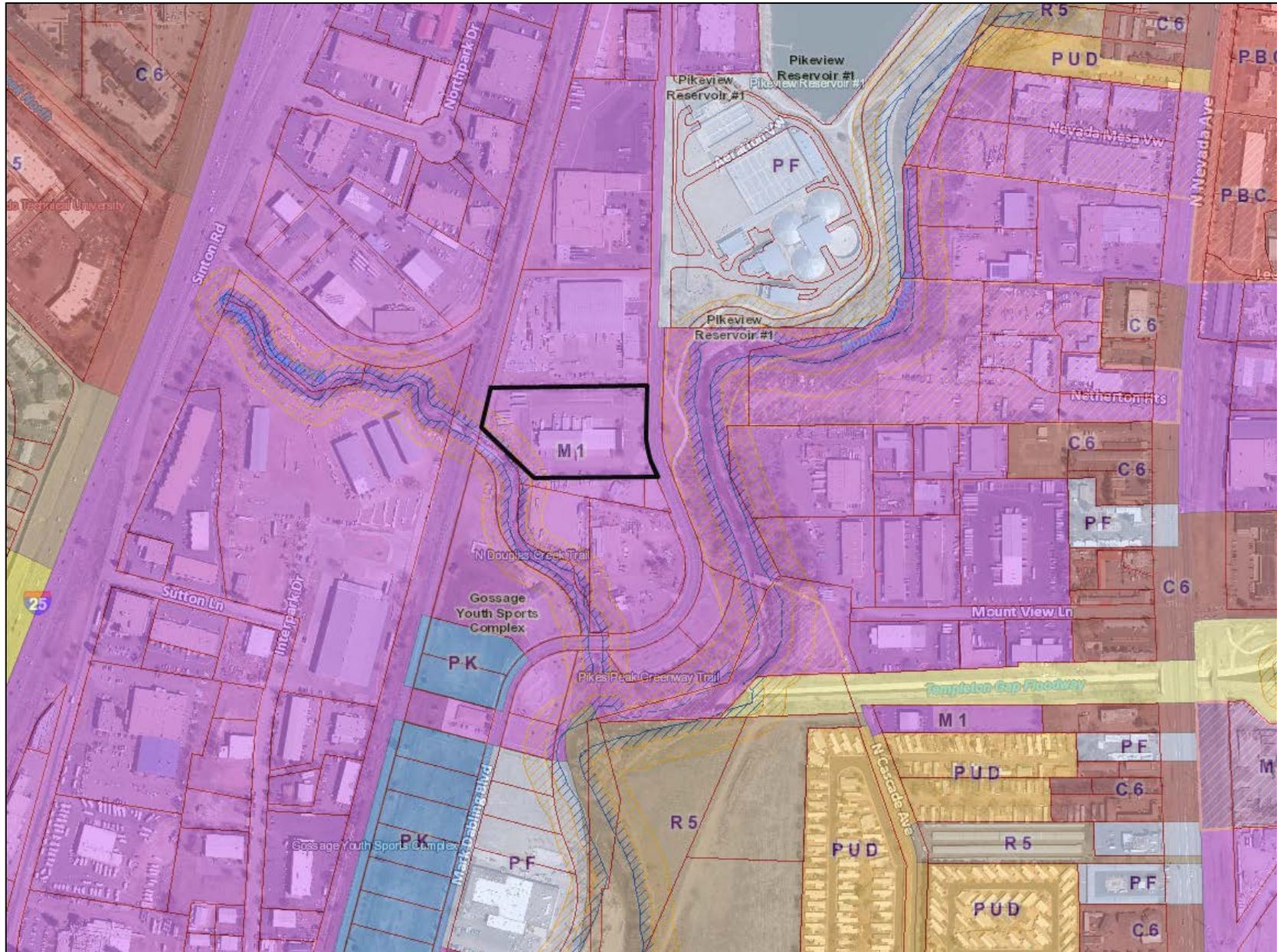


FIGURE 3

### **6.3.104: CERTIFICATE OF DESIGNATION; APPLICATION FOR:**

- A. Any person who proposes to own, operate, construct, or modify a solid waste disposal site or disposal facility or combination thereof shall make application or amended application to City Planning. The application or amended application shall be presented on a form approved by the City Planning. The application or amended application shall be accompanied by a nonrefundable fee of three hundred dollars (\$300.00), and shall set forth at minimum the location and type of site or facility; the type of processing to be used, such as sanitary landfill, composting or incineration; the hours of operation; the method of supervision; the rates to be charged, if any; and other information as may be requested of the applicant by the City for purposes of evaluating compliance with the rules and regulations pertaining to the approval of an application or amended application for a certificate of designation. The application or amended application shall also include an engineering design and operations report which includes, but is not limited to, geological, hydrological, engineering, and operational data for the design, operation, closure, and postclosure of the facility. This information shall be prepared in accord with Colorado Department of Public Health and Environment regulations and all requirements of this article.
- B. City Planning shall refer the applications or amended applications to the Colorado Department of Public Health and Environment within five (5) working days for review and for recommendation as to approval or disapproval. Review by the City and the Colorado Department of Public Health and Environment shall be concurrent.
- C. City Planning shall review the application or amended application for certificate of designation, and after receiving comments from various other City departments, the City Planning shall recommend approval or denial or request additional information relating to the application or amended application based upon applicable laws, rules, and regulations. (Ord. 94-21; Ord. 01-42)

### **6.3.105: CERTIFICATE OF DESIGNATION; REFERRAL TO PLANNING COMMISSION:**

Upon recommendation of approval by the Colorado Department of Public Health and Environment, City Planning shall refer the application or amended application to the Planning Commission. The Planning Commission, after giving public notice, shall hold a public hearing relating to the application or amended application. The Planning Commission shall comply with the notice and hearing requirements of sections 104(3)(a) and (b) of article 20 of title 30 Colorado Revised Statutes. The Planning Commission shall render its decision

**FIGURE 4**

on the application or amended application and either approve, deny, or modify the recommendation made to it by City Planning. (Ord. 94-21; Ord. 01-42)

**CITY PLANNING COMMISSION AGENDA**

**ITEM NO: E**

**STAFF: DENISE TORTORICE**

**FILE NO(S):**

**A. CPC CU 15-00125 – QUASI-JUDICIAL**

**PROJECT: INDOOR DOG DAY CARE/OVERNIGHT BOARDING**

**APPLICANT: MARY BROWN**

**OWNER: KJPC LLC**



## **PROJECT SUMMARY:**

1. **Project Description:** This project request is to obtain a Conditional Use to allow an indoor dog day care and overnight dog boarding, specifically described as a Kennel, in an existing building currently used as a commercial center. The Conditional Use will not allow outdoor exercise or outdoor dog runs, as outdoor kennels are not a permissible use in the PBC (Planned Business Center) zone. The proposed use will utilize approximately 3,700 square feet of the existing commercial building which totals 11,010 square feet in size and sits on a 1.26 acre parcel. This property is located at 5470 Powers Center Point, more particularly described as Lot 12 Powers Center at Research. In addition, the applicant is required to obtain approval of the Conditional Use Development Plan. **(FIGURE 1)**
2. **Applicant's Project Statement:** **(FIGURE 2)**
3. **Planning and Development Department's Recommendation:** Approval of the application, subject to development plan modifications. Certificate of Occupancy is conditional on the completion of the Pet Animal Care Facilities Act (PACFA) Boarding and Training License.

## **BACKGROUND:**

1. **Site Address:** 5470 Powers Center Point
2. **Existing Zoning/Land Use:** PBC AO (Planned Business Center with an Airport Overlay) / Commercial Center Building with three tenants.
3. **Surrounding Zoning/Land Use:**
  - North: N Powers Boulevard Right-of-Way
  - South: R1-6000 DF AO (single-family residential with Design Flexibility and Airport Overlays) / Single-family homes
  - East: N Powers Boulevard Right-of-Way
  - West: PBC AO (Planned Business Center with an Airport Overlay) / commercial and office uses
4. **Comprehensive Plan/Designated 2020 Land Use:** Community Activity Center
5. **Annexation:** Briargate Addition #5, 1982
6. **Master Plan/Designated Master Plan Land Use:** Briargate / Commercial
7. **Subdivision:** Lot 12 Powers Center at Research
8. **Zoning Enforcement Action:** none
9. **Physical Characteristics:** The site consists of a fairly flat parcel with one, one-story 11,010 square foot commercial building, complete with exiting parking and landscaping, adjacent to a major thoroughfare.

**STAKEHOLDER PROCESS AND INVOLVEMENT:** The public process involved with the review of this application included posting of the site and sending postcards on two separate occasions to 247 property owners within a 1,000 foot buffer from the property. One commercial comment from the adjoining commercial development provided support for the project in the initial notification. **(FIGURE 3)** The site will be posted and postcards sent again prior to the Planning Commission's public hearing.

## **ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:**

1. **Review Criteria / Design & Development Issues:**

Development Plan AR DP 07-00570 established this site in 2007. The site is parked as a commercial center with 1 off-street parking space per every 250 square feet of gross floor area requiring forty-four (44) off-street parking spaces where fifty-five (55) off-street parking spaces are provided. The parking requirement for kennels is 1 space / 400 square feet of office space (no stalls are specifically required for the dog kennel portion of the use), substantially less than the requirement for a commercial center.

Recent ordinances adopted in 2012, 12-65 and 12-66, modified the definition of Kennels, both indoor and outdoor and modified which zones the uses are permitted in. **(FIGURES 4 and 5)**

The subject property is composed of one building with two existing tenants consisting of a veterinarian clinic and a swim school. The proposed indoor dog kennel will be housed in the three lease spaces to the east end of the building. As represented on the project statement, the clientele will consist of dogs only. Dog supplies will be available as retail on site. The hours of operation will be from 7:00AM to 7:00PM. Waste disposal cans will be mounted outside with disposal bags for clients to utilize upon arrival and departure from facility. This use is compatible with other surrounding commercial buildings. The parcel this building sits on is separated from residential to the North and East by a major thoroughfare, Powers Boulevard. This property is adjacent to residential on the south. There is a screen fence and numerous trees at the rear of the parcel, which provides a buffer to the single-family residential. Towards the west are other commercial buildings which are part of the same subdivision this parcel sits within.

The value and qualities of the neighborhood surrounding the Conditional Use are not substantially injured.

The Conditional Use is consistent with the Intent and Purpose of the Zoning Code

The Conditional Use is consistent with the Comprehensive Plan of the City.

Staff has reviewed the Conditional Use proposal and finds that the application is consistent with the review criteria and conditional use review criteria and standards of City Code. Staff recommends approval of this application.

2. Conformance with the City Comprehensive Plan:

**Objective LU 3: Develop A Mix of Interdependent, Compatible, and Mutually Supportive Land Uses**

*Over the past several decades, the location and design of development have created a pattern of isolated, disconnected, single-purpose land uses. An alternative to this type of land use pattern is one that integrates multiple uses, shortens and reduces automobile trips, promotes pedestrian and bicycling accessibility, decreases infrastructure and housing costs, and in general, can be provided with urban services in a more cost-effective manner.*

**Policy LU 302: Encourage Development of Mixed-use Activity Centers**

*Encourage the development of activity centers designed to include a mix of uses that compliment and support each other, such as commercial, employment-related, institutional, civic, and residential. A walkable, pedestrian friendly environment will tie the mix of uses in activity centers together. Activity centers will vary in size, intensity, scale, and types of uses depending on their function, location, and surroundings. Activity*

*centers will be designed so they are compatible with, accessible from, and serve as a benefit to the surrounding neighborhood or business area.*

**Strategy LU 302c: Promote Compatibility between Land Uses of Differing Intensities**

*Design and develop mixed land uses to ensure compatibility and appropriate transitions between land uses that vary in intensity and scale.*

**Objective LU 7: Develop Shopping and Service Areas to be Convenient to Use and Compatible with Their Surroundings**

*Colorado Springs has numerous commercial areas that provide the necessary goods and services for visitors and regional, community, and neighborhood residents. The location and design of these areas not only has a profound effect on the financial success of commercial businesses, but also on the quality of life for the residents. Regardless of whether a commercial development is intended to serve neighborhood, community, citywide, or regional functions, it must be located and designed to balance pedestrian, bicycle, automobile, and, in many cases, transit access. In addition, the location and design of commercial uses must be integrated into surrounding areas, rather than altering the character of surrounding land uses and neighborhoods. Incorporating a mix of uses will increase the diversity and vitality of commercial areas.*

**Strategy LU 701a: Locate New Commercial Uses in Activity Centers**

*Locate new commercial (retail, office, services etc.) development in identified regional centers, commercial centers, and community, or neighborhood activity centers.*

The Comprehensive Plan designation for this area is Commercial Activity Center. Activity centers serve the day-to-day needs of the surrounding neighborhoods and residential area. These areas are typically anchored by a grocery store, with supporting establishments including, but not limited to, variety, drug, and hardware stores; and personal service establishments, such as medical offices, beauty shops, and restaurants.

**STAFF RECOMMENDATION:**

**Item No: E CPC CU 15-00125 CONDITIONAL USE**

**Approve** the conditional use development plan for the indoor dog day care/overnight boarding facility based upon the finding that the proposal complies with the review criteria in City Code Section 7.5.704 conditional upon the development plan modifications being completed.

**Technical and Informational Modifications to the Conditional Use Development Plan:**

1. Replace the development plan number AR DP 07-00570, in the lower right corner on both sheets, with this new conditional use development number: CPC CU 15-000125
2. Modify the cover sheet title, at the top of the page to read: "Conditional Use Development Plan, Indoor Dog Day Care/Overnight Boarding"
3. Add a more detailed note describing the proposal, clarifying the proposal and the details of the proposal to include that this facility will only cater to dogs, the standard hours of operation and the retail aspect.

4. Add a note indicating that this development plan allows for the Conditional Use for the Indoor Dog Day Care/Overnight Boarding and that the existing commercial tenants are hereby unaffected by this proposal and, that the this project is parked as a commercial center and the uses listed herein the conditional use development plan does not restrict the uses and businesses approved with AR DP 07-00570 and its amendments.

# RETAIL/OFFICE BUILDING

## POWERS CENTER AT RESEARCH, LOTS 11 AND 12

### ARCHITECT

JOHN P. NELSON ASSOCIATES  
 1626 EAST PIKES PEAK  
 COLORADO SPRINGS, CO. 80909  
 PHONE: 719-632-3364  
 FAX: 719-632-1181  
 E-MAIL: john@jpnarch.com

### CIVIL ENGINEER

JPS ENGINEERING  
 19 E. WILLAMETTE  
 COLORADO SPRINGS, CO. 80903  
 PHONE: 719-471-9429  
 FAX: 719-471-0766  
 john@jpsengr.com

### LANDSCAPE ARCHITECT

HIGHER GROUND DESIGN  
 1525 AEROPOLAZA DRIVE  
 COLORADO SPRINGS, CO. 80916  
 PHONE: 719-471-1646  
 FAX: 719-266-1822

### SURVEYOR

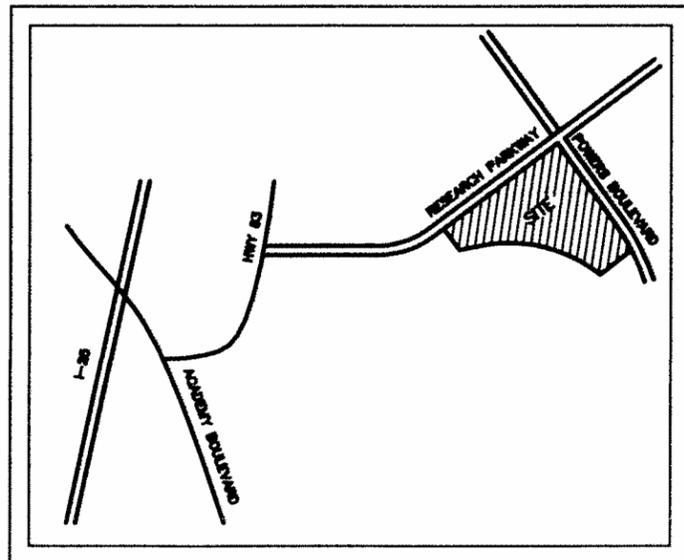
CLARK LAND SURVEYING, INC.  
 832 S. WEBER STREET  
 COLORADO SPRINGS, CO. 80905  
 PHONE: 719-633-6833  
 FAX: 719-633-6822

### OWNER

COLORADO COMMERCIAL BUILDERS INC.  
 5410 POWER CENTER POINT  
 COLORADO SPRINGS, CO. 80920  
 PHONE: 719-264-6985  
 FAX: 719-264-1555

### DRAWING INDEX

- SD-1 COVER SHEET WITH SITE DEVELOPMENT DATA
- SD-2 SITE DETAILS
- SD-3 CONDITIONAL USE DEVELOPMENT PLAN
- SD-4 BUILDING ELEVATIONS



**VICINITY MAP**  
 NOT TO SCALE

MAJOR AMENDMENT TO DEVELOPMENT PLAN PROJECT:  
 TO AMEND THE PREVIOUS APPROVED DEVELOPMENT PLAN  
 (CPC DP 00-00139) BY ELIMINATING THE BUILDING FROM LOT  
 11 AND ENLARGE BUILDING ON LOT 12. LOTS 11 AND 12 TO  
 BE COMBINED INTO ONE LOT VIA A WAIVER OF REPLAT (AR  
 WR 07-00571).  
 PREVIOUS APPROVED DEVELOPMENT PLAN: CPC DP  
 00-00139 APPROVED ON MARCH 5, 2002

#### MASTER PLAN: BRINGDATE MASTER PLAN

#### BUILDING AND SITE DATA

EXISTING ZONE: PBC/AD  
 MAX. BUILDING HEIGHT: 36 FT  
 LOTS 11 & 12 AREA: 1.66 ACRES, (72121 SF)

#### GEOLOGIC HAZARD REPORT FILE NO. NOT APPLICABLE

#### BUILDING CODE REVIEW UNDER 2003 I.B.C.

#### RETAIL BUILDING

MIXED OCCUPANCY B,M/S-1 NON-SEPARATED USES  
 PER IBC TABLE 3-A

CONSTRUCTION TYPE: TYPE II-B  
 SINGLE STORY BUILDING (36 FT HT)

ALLOWABLE FLOOR AREA: 12,000 SF  
 ACTUAL FLOOR AREA: 11,000 SF

PAVEMENT COVERAGE: 26,308 SF (36%)

BUILDING COVERAGE: 11,000 SF (15.2%)

#### LEGAL DESCRIPTION:

LOTS 11 & 12, POWERS CENTER AT RESEARCH

TAX SCHEDULE NUMBERS:  
 6301-10-113, 6304-01-004

#### PROPOSED EXTERIOR LIGHTING

BUILDING MOUNTED LUMINAIRES TO BE HID  
 WALL-PAD FULL CUT-OFF TYPE FIXTURES.

PARKING LOT LIGHTING SHALL BE 250 WATT  
 FULL CUTOFF POLE MOUNTED FIXTURES AND  
 L.E.S. TYPE-V DISTRIBUTION AT 18' MAX.  
 ABOVE GRADE. SEE DETAIL.

#### LOT 11 & 12 PARKING DESIGN DATA

##### PARKING DESIGN DATA AND REQUIREMENTS:

COMMERCIAL CENTER (1/200) REQUIRED PARKING  
 LOT NO. 11/12 (11,000 SF) COMMERCIAL/RETAIL  
 (11,000 SF) (1/200) = 44 PARKING SPACES

REQUIRED PARKING = 44 PARKING SPACES

PARKING PROVIDED: 82 STANDARD SPACES &  
 3 HANDICAP SPACES  
 TOTAL PROVIDED: 85 SPACES

### NOTES

#### COLORADO SPRINGS MUNICIPAL AIRPORT:

- ENSURING THAT THE PETITIONER HAS GRANTED AN AVIGATION EASEMENT AND THAT SAME IS RECORDED WITH THE EL PASO COUNTY CLERK SO AS TO BE A BURDEN ON THE TITLE TO THE PROPERTY INCLUDED IN THIS REQUEST.
- NO MAN-MADE OR NON-MAN-MADE OBSTRUCTIONS BE ALLOWED TO PENETRATE THE 1:40 APPROACH SURFACE.
- ALL EXTERIOR LIGHTING PLANS BE APPROVED BY THE DIRECTOR OF AVIGATION TO PREVENT A HAZARD TO AIRCRAFT.
- NO ELECTROMAGNETIC, LIGHT, OR ANY PHYSICAL EMISSIONS WHICH MAY INTERFERE WITH THE AIRCRAFT, AVIGATION, COMMUNICATIONS OR NAVIGATIONAL AIDS BE ALLOWED.
- WHILE NOT A REQUIREMENT, A RECOMMENDATION IS MADE THAT A 25dB REDUCTION IN INTERIOR NOISE (IN THE OFFICES AND/OR ANY OTHER INHABITED WORK AREAS SUSCEPTIBLE TO AIRCRAFT NOISE) BE OBTAINED BY SOUNDPROOFING USING FAA-RECOMMENDED CONSTRUCTION TECHNIQUES AND PERFORMED BY A CERTIFIED ACOUSTICAL ENGINEER.
- IF A CRANE IS TO BE USED DURING THE CONSTRUCTION PERIOD, AN FAA FORM 7460-1 WILL NEED TO BE FILED THROUGH THE AIRPORT ADMINISTRATION OFFICE AND APPROVED BY THE FEDERAL AVIATION ADMINISTRATION BEFORE ANY BUILDING PERMIT IS ISSUED BY THE CITY OR COUNTY. NORMAL TIME REQUIRED FOR APPROVAL IS 30 - 60 WORKING DAYS.
- A STATEMENT SHALL BE INCLUDED IN THE AVIGATION EASEMENT AND RECORDED ON THE PLAN AND DEED REQUIRING DISCLOSURE BY THE DEVELOPERS/REALTORS TO PROSPECTIVE PURCHASERS. THIS STATEMENT SHOULD BE CLEAR AND IN BOLD PRINT TO READ:

**\*NOTICE: THIS PROPERTY MAY BE IMPACTED BY NOISE CAUSED BY AIRCRAFT OPERATING INTO AND OUT OF THE COLORADO SPRINGS AIRPORT. THE BUYER SHOULD FAMILIARIZE HIMSELF/HERSELF WITH THIS POTENTIALITY AND THE RAMIFICATIONS THEREOF.\***

NO SIGNIFICANT NATURAL FEATURES ARE LOCATED WITHIN THIS SITE.

HOURS OF OPERATION SHALL BE LIMITED TO 7:00 AM TO 10:00 PM, EXCEPT RESTAURANTS WHICH MAY BE OPEN UNTIL 12:00 MIDNIGHT, AND POSSIBLE 24 HOUR OPERATION ON LOT 1. DELIVERIES SHALL TAKE PLACE OUTSIDE OF NORMAL OPERATING HOURS.

HOURS OF CONSTRUCTION SHALL BE LIMITED TO 7:00 AM TO 7:00 PM, MONDAY THROUGH SATURDAY ONLY.

#### FOR PROPOSED DOG DAY CARE AND OVERNIGHT BOARDING:

- ALL PETS ARE TO BE SUPERVISED AND MAINTAINED PER CURRENT USDA STANDARDS.
- NO OUTDOOR EXERCISE OR OUTDOOR RUNS PERMITTED WITH THIS USE.

FLOOD PLAIN STATEMENT: THIS SITE IS NOT WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN, AS DETERMINED BY THE FLOOD INSURANCE RATE MAP FOR EL PASO COUNTY, COLORADO, COMMUNITY PANEL NUMBER 0841C528F, EFFECTIVE DATE MARCH 17, 1997 ACCORDING TO THE ALTAACSM LAND TITLE SURVEY'S GENERAL NOTE NO. 6, PREPARED BY J.R. ENGINEERING, LLC DATED JANUARY 20, 2000.

UNIFIED CONTROL STATEMENT - ALL ACCESS DRIVEWAYS, DRIVES, AISLEWAYS, MANEUVERING AND PARKING AREAS SHALL BE FOR THE COMMON USE AND MAINTENANCE OF ALL USERS, PUBLIC OR PRIVATE, AND OWNERS OF THIS DEVELOPMENT. FREE AND UNIMPEDED VEHICULAR AND PEDESTRIAN MOVEMENTS SHALL BE MAINTAINED AND PERMITTED ACROSS ALL PROPERTY LINES AT ALL TIMES REGARDLESS OF FUTURE OWNERSHIP OR PLATTING ACTIONS.

FIGURE 1

CITY PLANNING FILE NUMBER  
 AR DP 07-00570

**NELSON ASSOCIATES**  
 1626 E. PIKES PEAK, COLORADO SPRINGS, COLORADO 80909  
 PHONE: 719-632-3364 FAX: 719-632-1181

RETAIL/OFFICE BUILDING  
 POWERS CENTER AT RESEARCH - LOTS 11 & 12  
 COLORADO SPRINGS, COLORADO 80920

PROJECT NO.
DRAWN BY:
REVISIONS:
10-2-2007
10-2-2007

ISSUE DATE: 8-10-2007  
 SHEET:  
SD-1  
 1 OF 3

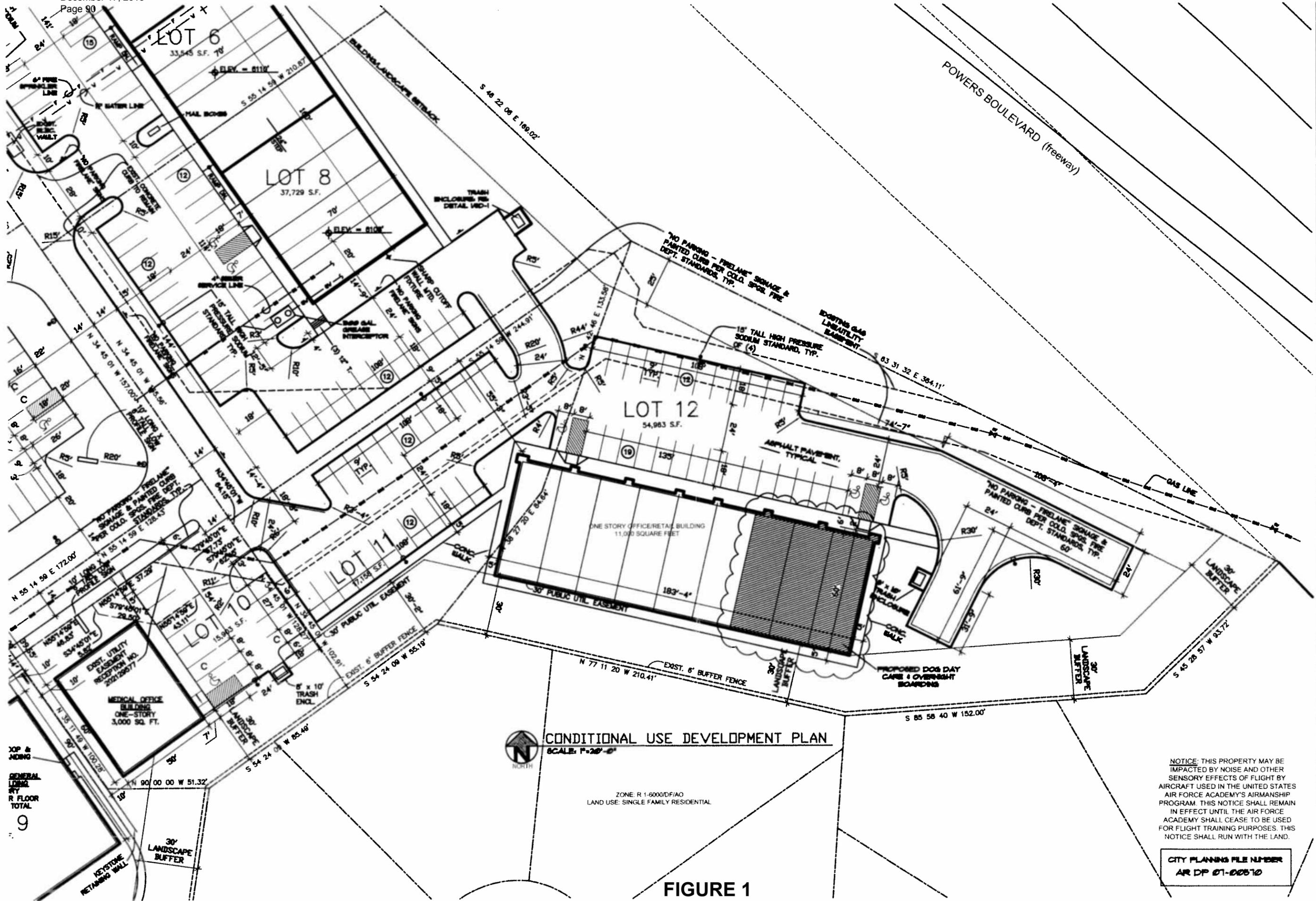


FIGURE 1

**NELSON ASSOCIATES**

1414 E. Platte Park, Colorado Springs, Colorado 80905  
 Phone: 719-533-3364 Fax: 719-533-1781

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RETAIL/OFFICE BUILDING  
 POWERS CENTER AT RESEARCH - LOTS 11 & 12  
 COLORADO SPRINGS, COLORADO 80920

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PROJECT NO.	#488
DRN. BY:	TB
REVISIONS:	10-3-2007
	11-3-2007
	11-30-2007

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ISSUE DATE: 8-10-2007  
 SHEET:

**SD-3**  
 2 OF 2

NOTICE: THIS PROPERTY MAY BE IMPACTED BY NOISE AND OTHER SENSORY EFFECTS OF FLIGHT BY AIRCRAFT USED IN THE UNITED STATES AIR FORCE ACADEMY'S AIRMANSHIP PROGRAM. THIS NOTICE SHALL REMAIN IN EFFECT UNTIL THE AIR FORCE ACADEMY SHALL CEASE TO BE USED FOR FLIGHT TRAINING PURPOSES. THIS NOTICE SHALL RUN WITH THE LAND.

CITY PLANNING FILE NUMBER  
**AR DP 01-00510**

## REVISED PROJECT STATEMENT

### 1. Description:

5470 Powers Center is a commercial center located directly off Powers Boulevard and Research. The proposed project is a dog daycare and overnight boarding business.

- a) Clientele will consist of dogs only. Rodents, reptiles, and/or exotic animals are not accepted.
- b) Dogs will be assessed prior to admission to determine social skill level for proper placement and supervision. Special needs and geriatric dogs are accepted and will be placed in a separate area that caters to their lifestyle.
- c) Retail sales will consist of premium dog collars, leashes, toys, clothing, beds, accessories, food, treats, shampoos, conditioners, combs, brushes.
- d) Hours of operation are 7 a.m. to 7 p.m. This window of time gives clients great flexibility for drop off and pick up of their furry friends. This allows for a smooth flow of clients and their dogs.
- e) Waste disposal cans will be mounted outside with disposal bags for clients to use when entering or exiting the facility. The waste disposal cans will be similar to what is used in parks for cleanup. Additionally, an employee will clean the area, empty the cans and resupply the disposal bags.
- f) We do not foresee noise to be an issue. However, if there are overstimulated dogs, they will receive rest time separated from the play or training areas in order to establish calmness. Additionally, play and training areas will have supervision by trained and caring staff.
- g) The tenants in this commercial mall are a swim school and veterinarian. Our business is highly compatible and highly conducive for the commercial center immediately located off Powers Boulevard.

### 2. Justification:

- A. The proposed business will enhance the values and qualities of the neighborhood as it will provide a necessary and highly desirable service. The increased occupancy rate of the Commercial Center is a great attribute as it will maintain the value of the neighborhood.
- B. The proposed business is consistent with the State of Colorado rules and inspection requirements.
- C. The proposed business is consistent with the Comprehensive Plan of the City. The other tenants in the Commercial Center are a swim school and veterinarian. The proposed business is highly conducive use for the neighborhood and the region. This is a business that is favorable to the community.

### 3. Notes:

This Commercial Center is proximally adjacent to the Powers Boulevard and Research corridor.

Planner: Denise Tortorice  
Submitted by: Mary Brown  
Date: 12-1-2015

## **Elliott, Alenna**

---

**From:** Luther Green <vincennesg@gmail.com>  
**Sent:** Thursday, November 26, 2015 9:02 AM  
**To:** Tortorice, Denise  
**Subject:** Animal Kennel at Research Plaza

11/26/2015

Denise,

After reviewing your notice for an Animal Boarding Facility and our numerous correspondence, I find that I have not had enough time to find all the facts that I need to make a factual decision on this matter. I received your notice, by mail, November 24th and final date of reply is November 30th. Due to this being Thanksgiving week, I have had only 3 days to evaluate the circumstances surrounding this endeavor.

All my fears concerning this matter are based on supposition, and not facts. In due respect to you and your efforts to be informative, I find that I must change my position since there are no facts to back them up and APPROVE THE ANIMAL BOARDING FACILITY.

Respectfully,

Luther Green, Trustee Barbara Green Marital Trust

CITY ATTY'S OFFICE  
CODE CHANGE REVIEW  
ATTY INIT CSM  
DATE 8/21/12

Ordinance No. 12- 65

AN ORDINANCE AMENDING SECTION 201 (DEFINITIONS ENUMERATED) OF PART 2 (DEFINITIONS) AND SECTION 302 (DEFINITIONS OF USE TYPES) OF PART 3 (LAND USE TYPES AND CLASSIFICATIONS) OF ARTICLE 2 (BASIC PROVISIONS, DEFINITIONS, AND LAND USE TYPES AND CLASSIFICATIONS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO DEFINITIONS

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. That Section 201 (Definitions Enumerated) of Part 2 (Definitions) of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

**7.2.201: DEFINITIONS ENUMERATED**

Except where specifically defined below and/or in following parts, all words used in this Zoning Code shall carry their customary meanings, when not inconsistent with the context. Words used in the present tense include the future, and the plural includes the singular and the singular also includes the plural; the word "structure" includes the word "building"; the word "shall" is intended to be mandatory; and "occupied" or "used" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied".

\* \* \*

Accessory Dwelling Unit: A dwelling unit allowed in specific zones that is subordinate to the principal residential dwelling on the lot and which is located upon the same lot as the principal unit. An accessory dwelling unit is under the same ownership as the

principal unit and it may be used for either residential or home occupation uses, subject to standard City regulations related to home occupations.

\* \* \*

~~ACTIVITY CENTER: A general term for an MU development that integrates a range of complementary and mutually supporting uses and activities. Typically, an activity center includes a predominant type of use, such as commercial or employment related, that is then supported by a mix of one or more other uses, such as residential, civic, or institutional. Activity centers may vary in size, intensity, scale, and their mix of supportive uses, depending on their purpose, location, and context. In each case, activity centers are intended to be mixed use and pedestrian oriented with good connections and transitions to surrounding areas. Residences are a component of all activity centers, whether on site or immediately adjacent. The activity center should support a range of housing types and densities within the individual neighborhoods. There are three (3) distinct types of activity centers:~~

~~Commercial Activity Center: Commercial centers are activity centers that vary in size and service area. Smaller commercial centers typically serve the daily needs of multiple residential neighborhoods and are anchored by a grocery store. Larger commercial centers typically accommodate large retail establishments, provide major durable goods shopping, and serve a number of residential areas over a significant portion of the City. Commercial centers contain a mix of supporting uses, including multi-family dwellings, office, entertainment and retail uses, medical offices and clinics, and civic uses. The mix enables combined trip destinations and supports more effective transit service, and provides viable pedestrian and bicycle access and circulation.~~

~~Neighborhood Activity Center: Neighborhood centers are small, low impact, limited activity centers intended to primarily service the needs of immediately adjacent neighborhoods, in a service area typically ranging from one-half (1/2) to two (2) miles. Principal uses contribute to the efficient functioning and attractiveness of neighborhoods, relate to and accommodate walk-up pedestrian traffic, and do not generate noxious fumes, excessive light or noise. The mix of uses may include neighborhood serving retail, convenience or specialty food sales, restaurants, dwelling units above the first floor, live/work units, single-family attached dwellings, general offices, or medical offices.~~

~~Regional/Employment Activity Center: A regional/employment center is a large (50 or more acres), intensive activity center that combines the uses of commercial centers and employment centers and that serves the City and region as a whole. A regional activity center may be a regional shopping mall, corporate office headquarters, or a major concentration of employment supported by a mix of uses that meets the needs of employees, visitors and residents. Primary uses include major commercial and/or employment uses, supported by a full range~~

~~and mix of uses, including large and small retail establishments, general offices and office complexes, governmental and civic uses, business services, research and development, major service uses, restaurants, lodging, childcare, personal services, and higher density housing, as well as warehousing and industrial uses or educational facilities. These centers are generally located at the intersection of or along major arterials, or in close proximity to limited access freeways and interstate highways.~~

\* \* \*

~~CONTEXTUAL AREA: A mapped part of the City, as established in section 7.3.706 of this chapter, that is characterized by a general similarity of development age, street types and patterns, and block sizes. There are two (2) contextual areas in the City: a) the "older/established" contextual area, and b) the "newer/developing" contextual area.~~

\* \* \*

~~CORRAL: A pen or enclosure for confining hooved animals. See **Refer to Section 7.3.105 of this Chapter and Chapter 6 of this the City Code** for more information **additional requirements.**~~

\* \* \*

~~ENHANCED DRIVE AISLE: An element of a parking area in an MU zone district intended to provide access to parking areas, and connections for vehicles and pedestrians. It serves to define a block structure in parking areas.~~

\* \* \*

~~FLOOR AREA: The total horizontal area of the floors of a building measured from the exterior walls, or from the centerline of a wall separating two (2) buildings, but not including interior parking spaces and maneuvering areas, or any space where the floor to ceiling height is less than six feet (6') **seven and one half feet (7 ½')**.~~

\* \* \*

~~LARGE FORMAT BUILDING: A building in an MU zone district characterized by a footprint equal to or greater than one hundred sixty thousand (160,000) square feet, or by a continuous building frontage equal to or greater than four hundred (400) linear feet.~~

\* \* \*

~~LOT LINES: The property lines bounding a lot as further defined below:~~

Front: The property lines bounding a lot as further defined below: Front: Any property line separating a lot from any public street or private street ~~that serves two or more homes,~~ but not including alleys.

\* \* \*

~~MIXED USE DEVELOPMENT: Development that combines and integrates two (2) or more principal land uses, such as commercial, office, civic, industrial, or residential uses with a strong pedestrian orientation. The mix of uses may be combined in a vertical MU building(s) or combined in separate buildings located on one property and/or under unified control.~~

~~MIXED USE ZONE DISTRICT: Any or all of the following zone districts: MU-NC, MU-GC, MU-R/EC.~~

\* \* \*

**OVERLAY DISTRICT** (i.e., **Navigation Preservation Airport Overlay**, High Rise, Hillside, Etc.): A district established by this Zoning Code to prescribe special regulations to be applied to a site only in combination with a base zone district.

\* \* \*

Section 2. That Section 302 (Definitions of Use Types) of Part 3 (Land Use Types and Classifications) of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

#### **7.2.302: DEFINITIONS OF USE TYPES:**

A. Residential Use Types: Residential use types include uses providing wholly or primarily permanent living accommodations. ~~They include institutional living arrangements providing twenty-four (24) hour skilled nursing or medical care or therapeutic settings.~~

\* \* \*

3. **BOARDING HOUSE, DORMITORY, FRATERNITY OR SORORITY HOUSE:**  
A building which may have the residential capacity for more than five (5) adults where meals and lodging are provided.

4. **HUMAN SERVICE ESTABLISHMENTS:** Establishments that provide temporary or permanent lodging, care or treatment to persons who may be unrelated to each other, not including domestic, supervisory or medical staff providing services on the premises and intended to provide the residents an opportunity to live in as normal a residential environment as possible. ~~A residential establishment providing twenty four (24) hour lodging, care and/or treatment to six (6) or more persons who may be unrelated to each other, not including domestic, supervisory or medical staff providing services on the premises, on either a permanent or temporary basis, and intended to provide the residents an opportunity to live in as normal a residential environment as possible. Lodging, care and/or treatment may be provided as a consequence of physical, emotional or mental disability or impaired capacity for independent living.~~

**The definitions of developmentally disabled, mental illness and elderly are those established by C.R.S. § 31-23-303. The definition of physically disabled as a physical handicap as established by 42 U.S.C. 3602 § 501. The definition of autism and drug and alcohol treatment as a physical or mental impairment as established by 42 U.S.C. §§ 3601 - 3619.**

~~There are six (6) types of human service establishments: human service establishments not requiring a Colorado Springs human service establishment permit, human service homes, human service residences, human service facilities, and human service shelters and detoxification centers which are defined herein. See article 3, part 1 of this chapter for human service establishment permit requirements~~

a. **Human Service Establishment Not Requiring A Colorado Springs Human Service Establishment Permit:** A Colorado state licensed human service establishment composed of **three (3) to five (5) or less persons**, not including domestic, supervisory or medical staff **which provide providing services on premises, providing twenty-four (24) hour lodging, care and treatment services on the premises**, on either a permanent or temporary basis. ~~and intended to provide the residents an opportunity to live in as normal a residential environment as possible. The lodging, care and/or treatment may be provided~~ **The establishment may provide for persons who may have a as a consequence of developmental, physical, emotional or mental disability or impaired capacity for independent living, youth with emotional, behavioral or social problems, elderly or persons who are terminally ill with a life expectancy of less than six (6) months.** This type of establishment is classified as a "family" ~~in~~ **in** according to ~~with~~ **with** the definition provided in this

chapter and is regulated as a single-family home. ~~An establishment composed of a total of five (5) individuals, related or unrelated, can include: a hospice, a youth home, a family care home or foster adopt home.~~

b. Human Service Home: A Colorado state licensed establishment composed of six (6) to eight (8) persons, not including domestic, supervisory or medical staff **which provides** ~~providing~~ services on premises, **providing** ~~which provides~~ twenty-four (24) hour lodging, care and/or treatment to children or adults, or both, on either a permanent or temporary basis. ~~and intended to provide the residents an opportunity to live in as normal a residential environment as possible. A human service home may provide for six (6) to eight (8) persons who are~~ **A human service home may provide for persons** who are developmentally and/or physically disabled, mentally ill people or elderly **or terminally ill with a life expectancy of less than six (6) months.** A human service home is treated as a 'family' single family residence in the zoning classification districts and generally **and** meets the definition of a **single family home 'family'**. Definitions of developmentally disabled, mental illness and elderly are those established by Colorado Revised Statutes section 31-23-303. The definition of physically disabled is a physical handicap as established by 42 USC 3602 section 501.

c. Human Service Residence: A Colorado state licensed human service establishment composed of six (6) to eight (8) persons, not including domestic, supervisory or medical staff, providing services on premises, which provides twenty four (24) hour lodging, care and/or treatment ~~to~~ **for persons under the age of eighteen (18) years of age or Court appointed up to the age of twenty-one (21) years of age with emotional, behavioral or social problems who are determined to be dependent or neglected** ~~to children or adults, or both,~~ on either a permanent or temporary basis. ~~and intended to provide the residents an opportunity to live in as normal a residential environment as possible. A human service residence must have development plan approval prior to operating in single-family residential zones.~~

~~(1) Hospice: A human service establishment which is a Colorado State licensed residence composed of six (6) to eight (8) terminally ill persons, not including domestic, supervisory or medical staff which provide interdisciplinary team services of physical, psychological, spiritual and sociological care for terminally ill individuals, with a life expectancy of less than six (6) months, and their families within a continuum of inpatient care available on a twenty four (24) hour basis.~~

~~(2) Youth Home: A human service establishment which is a Colorado State licensed residential operation composed of six (6) to eight (8) persons under the age of eighteen (18) years, not including domestic, supervisory or medical staff which provide lodging, meals, and supportive services. The primary concern of the youth home is to protect and promote the person's health, safety, and welfare, and to preserve family relationships whenever possible.~~

~~(3) Family Care Home/Foster Adopt Home: A family care or foster adopt home composed of six (6) to eight (8) children related or unrelated under the age of eighteen (18) years, which accepts children for regular full time care on a twenty four (24) hour basis.~~

**d. Family Care Home: A Colorado state licensed establishment composed of a minimum of two (2) to a maximum of four (4) foster children, under the age of eighteen (18) years of age, for regular full-time care on a twenty-four (24)-hour basis in addition to any and all existing family members.**

**e. Large Family Care Home: A Colorado state licensed establishment composed of a minimum of five (5) but not more than eleven (11) foster children, under the age of eighteen (18) years of age, for regular full-time care on a twenty-four (24) hour basis in addition to any and all existing family members.**

**f. Hospice: A Colorado state licensed establishment composed of nine (9) or more terminally ill persons with a life expectancy of less than six (6) months, not including domestic, supervisory or medical staff, which provides a centrally administered program of pallative, supportive and interdisciplinary team which provides services of physical, psychological, spiritual and sociological care for terminally ill individuals with a continuum of inpatient care available on a twenty-four (24) hour basis.**

**g. Residential Child Care Facility: In accord with C.R.S. 26.6.102 (8), a Colorado state licensed establishment that provides twenty four (24) hour care and treatment for five (5) or more children, up to the age of eighteen (18) years of age or Court appointed up to the age of twenty-one (21) years of age and operated under private, public, or nonprofit sponsorship. A Residential child care facility may include community-based residential child care facilities, shelter facilities, and therapeutic residential child care facilities as defined by the State of Colorado and psychiatric residential treatment facilities as defined in C.R.S. 25.5-4-103 (19.5).**

**h. Domestic Violence Safehouse:** A residential operation whose primary function is the provision of a confidential residence that provides a safe haven for persons who have been victimized by physical, emotional or mental abuse for purposes of rehabilitation or special care. The safehouse may permit housing for both single persons as well as individuals with children.

**i. Family Support Residence:** A residential operation where lodging, meals, and counseling services are provided to six (6) or more persons who are members of families that have other family members that have been diagnosed with a terminal illness or an illness requiring long term hospital care. The primary concern of the facility is to provide support to family members (i.e. Ronald McDonald House).

**jd. Human Service Facility:** A Colorado State licensed human service establishment composed of nine (9) or more persons, not including domestic, supervisory or medical staff, providing twenty four (24) hour lodging, care and/or treatment to children or adults, or both, on either a permanent or temporary basis, and intended to provide the residents an opportunity to live in as normal a residential environment as possible. Human service facilities are ~~may provide for residences of nine (9) or more persons who are physically and/or developmentally disabled, mentally ill, elderly, or members of a hospice or youth facility or individuals in assisted living, short-term convalescence, rehabilitative or long term care.~~

~~Definitions of developmentally disabled, mental illness and elderly are those established by Colorado Revised Statutes section 31-23-303. The definition of physically disabled is a physical handicap as established by 42 USC 3602 section 501.~~

~~(1) Hospice: A human service establishment which is a Colorado State licensed residence composed of nine (9) terminally ill persons or more, not including domestic, supervisory or medical staff which provide interdisciplinary team services of physical, psychological, spiritual and sociological care for terminally ill individuals, with a life expectancy of less than six (6) months, and their families within a continuum of inpatient care available on a twenty four (24) hour basis.~~

~~(2) Nursing Home: A human service establishment which is a Colorado State licensed healthcare facility composed of nine (9) or more persons, not including domestic, supervisory or medical staff which provide essential care on a twenty four (24) hour basis by medical professionals to provide short term convalescent or~~

~~rehabilitative care or long term care to individuals who by reason of advanced age, chronic illness or infirmity are unable to care for themselves.~~

~~(3) Youth Home: A human service establishment which is a Colorado State licensed residential operation composed of nine (9) or more persons under the age of eighteen (18) years, not including domestic, supervisory or medical staff which provides lodging, meals, and supportive services. The primary concern of the youth home is to protect and promote the person's health, safety, and welfare, and to preserve family relationships whenever possible.~~

~~(4) Residential Childcare Facility: In accord with Colorado Revised Statutes section 26-6-102(8), a Colorado State licensed establishment that provides twenty four (24) hour care and treatment for five (5) or more children, up to the age of eighteen (18) years of age, or court appointed up to the age of twenty one (21) years of age and operated under private, public, or nonprofit sponsorship. A residential childcare facility may include community based residential childcare facilities, shelter facilities, and therapeutic residential childcare facilities as defined by the State of Colorado and psychiatric residential treatment facilities as defined in Colorado Revised Statutes section 25-5-4-103(19.5).~~

**k. Drug and Alcohol Treatment Facility: An establishment that may be Colorado State licensed or certified by the appropriate State agency that provides twenty four (24) hour care, treatment, rehabilitation and counseling for persons with alcohol, narcotic or substance abuse or a combination thereof and operated under private, public or nonprofit sponsorship.**

**le. Human Service Shelter: A human service establishment which is a residential operation which provides temporary group lodging and supportive services to persons individuals and/or families in need due to family medical circumstances, economic circumstances or social difficulties. A human service shelter is generally not licensed by the State of Colorado. A shelter may include accessory support services i.e. medical, dental or psychological care, distribution of food or clothing and hot meals to the clients of the facility. A temporary shelter operated by a religious institution within its principal facility is considered an accessory use of the principal religious institution. and will generally need conditional use approval prior to operating in residential zones.**

~~(1) Healthcare Support Facility: A human service establishment which is a residential operation where lodging, meals, and~~

~~counseling services are provided to six (6) or more persons who are members of families with other family members diagnosed with a terminal illness or an illness requiring long term hospital care. The primary concern of the facility is to provide support to family members.~~

~~(2) **Drug Or Alcohol Treatment Facility:** An establishment that may be Colorado State licensed or certified by the appropriate State agency that provides twenty four (24) hour care, treatment, rehabilitation and counseling for persons with alcohol, narcotic or substance abuse or a combination thereof and operated under private, public or nonprofit sponsorship.~~

**mf. Detoxification Center:** A convalescent establishment which provides twenty four (24) hour medical supervision, lodging, and meals to individuals who need help to remove the effects of alcohol or drugs.

\* \* \*

**9. ROOMING OR BOARDING HOUSE:** A residential dwelling, other than a hotel, where, for compensation, lodging and meals are provided for longer than a temporary period of time for not more than fifteen (15) roomers in addition to members of the family. No continuous medical or personal care is provided by the operators of the home. This land use type does not include the term bed and breakfast inn.

\* \* \*

**B. Office Use Types:** Office use types consist of uses providing for administration, professional services, and accessory activities excluding manufacturing and research facilities.

**1. CALL CENTER:** An establishment whose primary purpose is to provide individual work stations for employees engaged in calling persons that may provide technical or product support, solicit retail or service related sales.

**2. FINANCIAL SERVICES:** Provision of financial and banking services to consumers or clients and drive-in services to consumers are provided on the site. Typical uses include banks, savings and loan associations, savings banks, credit unions and loan companies.

**32. GENERAL OFFICES:** Use of a site for business, professional, or administrative offices excluding medical offices. General offices are characterized by a low proportion of vehicle trips attributable to visitors or clients

in relation to employees. Typical uses include real estate, insurance, management, travel, or other similar business offices; organization and association offices; law, architectural, engineering, accounting, telemarketing or other professional offices.

**43. MEDICAL OFFICES, MEDICAL LABS AND CLINICS:** Use of a site for facilities which provide medical, psychiatric or surgical service for sick or injured persons exclusively on an outpatient basis including emergency treatment, diagnostic services, training, administration and services to outpatients, employees or visitors. Medical offices, labs and clinics are operated by doctors, dentists, or other physical or mental healthcare practitioners licensed for practice by the State of Colorado and are characterized by a high proportion of vehicle trips attributable to visitors or clients in relation to employees.

C. Commercial Use Types: Commercial uses include the sale, rental, service, and distribution of goods; and the provision of services other than those classified under other use types.

\* \* \*

**2. AUTOMOTIVE AND EQUIPMENT SERVICES:** Establishments primarily engaged in sales and/or service of automobiles, trucks, or heavy equipment. The following are considered automotive and equipment use types:

a. Automotive Rentals: An establishment consisting of buildings and yards used for display and rental of automobiles, motorcycles, **non-commercial** trucks with a GVWR of ten thousand (10,000) pounds or less, and or trailers **with a GVWR of fifteen thousand (15,000) pounds or less**, including incidental parking and servicing of vehicles available for rent or lease. Typical uses include auto rental agencies, trailer rental agencies, and taxicab parking and dispatching.

b. Automotive Repair Garage: An establishment for repair of automobiles, **non-commercial** trucks with a GVWR of ten thousand (10,000) pounds or less and or motorcycles **with a GVWR of fifteen thousand pounds or less**, including the sale, installation, maintenance and servicing of equipment and parts and the accessory storage or parking of vehicles which are awaiting service or pick up, but excluding the storage of junk vehicles. Typical uses include auto repair garages in which major auto repair and similar repair and service activities are performed, but exclude dismantling, salvage, or body and fender repair services.

c. Automotive Sales: An establishment consisting of buildings and yards used for display and sale or rental of automobiles, **non-commercial**

trucks ~~with a GVWR of ten thousand (10,000) pounds or less,~~ motorcycles, recreational vehicles or boats **with a GVWR of fifteen thousand (15,000) pounds or less**, including incidental storage, maintenance, and servicing. Typical uses include new and used car dealerships and motorcycle dealerships.

\* \* \*

i. Equipment Rental And Sales: An establishment consisting of buildings and yards used for the display, sales ~~and/or~~ rental of trucks, recreational vehicles, boats, trailers, tractors, construction equipment, agricultural implements, mobile homes, ~~and or~~ similar heavy equipment **with a GVWR of fifteen thousand one (15,001) pounds or more** including incidental storage, maintenance, and servicing. Typical uses include recreational, boat and trailer dealerships, truck dealerships, construction equipment dealerships, and mobile home sale establishments.

j. Equipment Repair Services: An establishment for the repair of trucks, recreational vehicles, boats, tractors, construction equipment, agricultural implements, ~~and or~~ similar heavy equipment **with a GVWR of fifteen thousand one (15,001) pounds or more**, including the sale, installation, maintenance and servicing of equipment and parts and the accessory storage or parking of vehicles which are awaiting service or pick up, but excluding the storage of junk vehicles. Typical uses include truck repair garages, recreational vehicle and boat repair garages, tractor and farm implement repair services, machine shops, and tire recapping facilities, but exclude dismantling, salvage, or body and fender repair services.

k. Equipment Storage Yard: Any lot, plot, parcel of land or contiguous parcels of land used for the purpose of storing operable or impounded trucks, tractors, construction equipment, agricultural implements, ~~and or~~ similar heavy equipment **with a GVWR of fifteen thousand one (15,001) pounds or more**. This use shall not include vehicle dismantling or junkyards.

\* \* \*

10. COMMUNICATION SERVICES: Establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic ~~and telephonic~~ mechanisms but excludes those classified as major utility services. **Facilities that broadcast exclusively over the internet and have no live broadcasts are not included within this definition.** Typical uses include television studios, radio stations,

telecommunication service centers, ~~telegraph service offices~~, cable television facilities, or film and sound recording facilities.

\* \* \*

**14. DATA CENTER:** A facility that houses large capacity data storage servers which may contain minimal office space necessary for employees to maintain and operate the facility.

**15. EXTERMINATING SERVICES:** Services related to the eradication and control of rodents, insects, and other pests with incidental enclosed storage.

**1615. FOOD SALES:** Establishments or places of business primarily engaged in the retail sale of food or household products for home consumption. Typical uses include groceries, delicatessens, meat markets, retail bakeries, and candy shops.

a. ~~Convenience Food Sales: A food and fuel sales establishment~~ **An establishment generally** occupying facilities of ten thousand (10,000) square feet or less ~~and operating in excess of fourteen (14) hours per day~~ **which sells everyday goods and services and may include ready to eat food products, groceries, over-the-counter drugs, sundries; the use may or may not include the retail dispensing or sale of gasoline or other fuel products.** Typical uses include convenience grocery stores.

\* \* \*

**1716. FUNERAL SERVICES:** Establishments engaged in undertaking services such as preparing the human dead for burial and arranging and managing funerals. **A crematory may be allowed as an accessory use in accord with section 7.3.203 of this chapter.** Typical uses include funeral homes or mortuaries.

**18. HOOKAH BAR:** An establishment providing for the sale of on-site consumption of smoked flavored tobacco or herbs.

**1917. HOTEL/MOTEL:** An establishment which provides guestrooms or suites for the temporary occupancy of more than fifteen (15) individuals. Accessory uses can include a restaurant and meeting facilities.

**2018. KENNELS:** ~~Boarding and care services for dogs, cats and similar small animals or any premises on which more than four (4) dogs and/or cats over four (4) months of age are kept and maintained with or without charge. Typical uses include boarding kennels, pet motels, or dog training centers.~~ **The primary uses of this category are dog daycare facilities and kennels. Other uses include**

**veterinary service, retail sales, grooming, training, boarding, breeding and care services for dogs, cats and similar small animals on the premises on which more than four (4) dogs and cats over four (4) months of age are kept and maintained with or without charge. Typical uses may include boarding kennels, pet motels and dog daycares.**

**a. Indoor only: Services are completely contained within a building.**

**b. Indoor and outdoor: Services provided include outdoor exercise space.**

**c. Animal shelters: Buildings or structures in which animals may be boarded, impounded, cared for or sold as pets and may include on site outdoor exercise space and facilities for disposing of lost, stray, unwanted, dead or injured animals.**

~~19. LAUNDRY SERVICES: Establishments primarily engaged in the provision of laundering, cleaning or dyeing services other than those classified as personal services. Typical uses include bulk laundry, and cleaning plants, diaper services, or linen supply services.~~

**2120. LIQUOR SALES:** Establishments engaged in retail sale for off premises consumption of alcoholic liquors as defined in chapter 2, article 5, part 1 of this Code. Typical uses include liquor stores, bottle shops, or any licensed sales of liquor, beer or wine for off site consumption.

**2224. MEDICAL MARIJUANA FACILITY (MMJ Facility):** An establishment licensed by the City of Colorado Springs and the State of Colorado for the growth, cultivation, acquisition, manufacture, storage, dispensing and/or sale of medical marijuana or medical marijuana infused products. The following are considered medical marijuana facility use types:

\* \* \*

~~**2322. MINIWAREHOUSES:** Buildings designed primarily for the storage of household items and inventory of small commercial businesses where storage units are individually leased or rented, where access to storage units is infrequent and where no utilities are provided except for the service of a manager's apartment and for lighting of individual storage units.~~

~~**2423. MIXED COMMERCIAL-RESIDENTIAL USES:** A combination of commercial and residential uses on one property in a non-MU zone district.~~

**25. MIXED OFFICE - RESIDENTIAL USE: A combination of office and residential uses on one property or within one building in a non MU zone district.**

**2624. PERSONAL IMPROVEMENT SERVICES:** Establishments primarily engaged in the provision of informational, instructional, personal improvements and similar services of a nonprofessional nature. Typical uses include driving schools, health or physical fitness studios, reducing salons, dance studios, handicraft and hobby instruction.

**2725. PERSONAL CONSUMER SERVICES:** Establishments primarily engaged in the provision of frequently or recurrently needed services of a personal nature. Typical uses include beauty and barber shops; seamstress, tailor, or shoe repair shops; photography studios; or dry cleaning stations serving individuals and households.

**2826. PET SERVICES:** ~~Veterinary services, retail sales, incidental pet health services, and grooming and boarding of dogs, cats, birds, fish and similar small animals customarily used as household pets when located totally within a building. Typical uses include pet stores, veterinary services, dog bathing and clipping salons, and pet grooming shops but exclude uses for livestock and large animals.~~ **Primary use of this category is sales and grooming of animals which includes veterinary service, retail sales, incidental pet health services, training and grooming of dogs, cats, birds, fish and similar small animals customarily used as household pets. All operations must be located totally within a building. Typical uses include pet stores, veterinary services, dog bathing and clipping salons, pet grooming shops, but exclude uses for dog daycares, kennels, livestock and large animals.**

**2927. PHARMACY:** An establishment where medicines, drugs and other items incidental to the science of the pharmaceutical profession are ~~sold at retail dispensed.~~

**3028. RECREATION, COMMERCIAL:** Private businesses or organizations, which may or may not be commercial in nature, primarily engaged in the provision of sports, recreation or entertainment for participants or spectators. The following are commercial recreation use types:

\* \* \*

**3129. RETAIL SERVICES (General):** Sale, or rental with incidental service, of commonly used goods and merchandise for personal or household use but excludes those classified more specifically by these use type classifications. Typical uses include department stores, apparel stores, furniture stores, or

establishments providing the following products or services: household cleaning and maintenance products; drugs, cards, stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, and handcrafted items; apparel, jewelry, fabrics and like items; cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, hardware, carpeting and floor covering; interior decorating services; office supplies; mail order or catalog sales; bicycles; and automotive parts and accessories (excluding service and installation).

\* \* \*

**3230. RESTAURANT:** An establishment where food and drink is prepared, served and consumed either on premises (inside or outside), taken out, or delivered. It may include the sale of alcoholic beverages when conducted as a secondary feature of the use and producing less than fifty percent (50%) of the establishment's gross income. The bar area is an area of the restaurant where the primary business is the sale and consumption of alcohol.

\* \* \*

**3334. SURPLUS SALES:** Businesses engaged in the sale of used or new items, sometimes involving regular, periodic outdoor display of merchandise for sale. Typical uses include **either indoor or outdoor** flea markets and factory outlets or discount businesses with outdoor display.

**3432. TEEN CLUB:** Any club, business or establishment whose primary purpose is to provide an ongoing place of entertainment, to include, but not limited to, nightclubs, discotheques or such similar establishments, either with or without payment for persons between the ages of thirteen (13) and seventeen (17) on a full time or occasional basis.

**3533. VETERINARY SERVICES:** ~~Two (2) types: a) veterinary services and clinics for dogs, cats, and small animals which in many zone districts are required to be in completely enclosed buildings; and b) veterinary hospitals for livestock and large animals.~~ **An establishment for the medical treatment and care of animals. There are two (2) types of Veterinary Service; both allow overnight boarding of animals if directly related to a veterinarian procedure:**

- a. **Veterinary services and clinics for dogs, cats, and small animals which are required to be in completely enclosed buildings; and**
- b. **Veterinary hospitals for livestock and large animals.**

**3634. YOUNG ADULT CLUB:** Any club, business or establishment whose primary purpose is to provide an ongoing place of entertainment, to include, but not be limited to, discotheques, nightclubs or such similar establishments, either with or without payment for persons seventeen (17) years of age or older on a full time or occasional basis.

D. Civic Use Types: Civic use types include the performance of educational, recreational, cultural, medical, protective, utility, governmental, and other uses which are strongly vested with public social importance.

\* \* \*

4. **CREMATORY SERVICES:** An establishment exclusively providing services facility for the incineration of human or animal corpses and which may be associated with a funeral parlor or cemetery.

5. **CULTURAL SERVICES:** A library, museum, planetarium, performing art venue or similar registered nonprofit organizational use displaying, preserving and exhibiting objects of community and cultural interest in one or more of the arts and sciences.

6. **DAYCARE SERVICES:** A Colorado State licensed facility which provides care to persons, children or adults, who may or may are not be related to the owner, operator, or manager, and such facility is operated with or without a stated educational purpose or compensation for the care of those persons.

a. **A daycare for children may include** ~~The term shall include any facility commonly known as a daycare home, large daycare home, daycare center, day nursery, nursery school, kindergarten, preschool, play group, daycare center for handicapped children or handicapped adults, daycare center for the elderly, or daycare center for the~~ and mentally or emotionally disordered individuals. The term shall not include any facility known as a family care home or a large family care home. Occasional twenty four (24) hour emergency care may be provided in daycare centers, but on an emergency basis only.

b. **A daycare for adults (age twenty one (21) and above) may include a day care home, large day care home, day care center or day care center for handicapped or mentally or emotionally disordered individuals. Occasional twenty four (24) hour emergency care may be provided.**

\* \* \*

12. **PUBLIC ASSEMBLY:** Facilities which accommodate major public assembly for recreation, sports, amusement, or entertainment purposes. Typical uses include civic or community auditoriums, sports stadiums, convention facilities, fairgrounds, **event centers**, incidental and exhibition facilities.

\* \* \*

15. **SEMIPUBLIC COMMUNITY RECREATION:** A recreational facility for use by residents and guests of a specific residential development or neighborhood, ~~church, or private primary or secondary educational facility.~~ This includes both indoor and outdoor facilities, and facilities must be located within or adjacent to such development.

\* \* \*

17. **UTILITY FACILITIES—UTILITIES:** Electric generating plants, electrical switching facilities and primary substations, ~~refuse collection or disposal facilities,~~ water and wastewater **storage and** treatment plants, and similar facilities.

E. **Industrial Use Types:** Industrial use types include the on site extraction or production of goods by nonagricultural methods, and the storage and distribution of products.

\* \* \*

6. **ACCESSORY RETAIL SALES GENERAL RETAIL SERVICES (Limited):** ~~Accessory r~~**Accessory** retail sales as described in this part which are operated on the same property and in conjunction with other, nonretail uses specifically allowed in the zone district. ~~Limited retail services are typically located within industrial zones in conjunction with permitted industrial zone uses.~~

7. **INDUSTRIAL LAUNDRY SERVICES:** Establishments primarily engaged in the provision of bulk industrial laundering, dry cleaning or dyeing services other than those classified as personal services. Typical uses include bulk laundry services, and cleaning plants, diaper services, or linen supply services.

8. **JUNKYARD:** The use of any lot, plat, parcel or contiguous groups of the same for the sale, storage, display, dismantling, demolition, abandonment or discarding of "junk" as defined in this article.

98. **MANUFACTURING:** Establishments engaged in the mechanical or chemical transformation of materials or substances into new products including the assembling of component parts, the manufacturing of products, and the blending of materials such as lubricating oils, plastics, resins or liquors.

**109. MEATPACKING AND RELATED INDUSTRIES:** The processing of meat products and byproducts directly from live animals or off of live animals.

**1140. MINING OPERATIONS:** Activities conducted on the surface or underground for the exploration for, development of, or extraction of natural products including, but not limited to, sand, gravel, topsoil, limestone and coal from their natural occurrences and the cleaning, concentrating, refining or other processing or preparation and loading for transit of crude natural products at or near the mine site. The different classifications of mining operations are as follows:

\* \* \*

**1244. RECYCLING:** The series of activities by which recyclable materials are collected, sorted, processed and converted into raw materials to be used in the production of new products. There are three (3) types of recycling uses: small recycling collection centers, large recycling collection centers and recycling processing centers.

\* \* \*

**1342. RESEARCH AND DEVELOPMENT SERVICES:** Establishments primarily engaged in research and development of prototypes of an industrial or scientific nature. Typical uses include electronic research laboratories, space research and development firms, testing laboratories, or pharmaceutical research labs. A research and development park usually contains open space and low rise buildings in a campus type setting.

**1443. STOCKYARDS:** Uses involving temporary keeping of livestock for slaughter, market, or shipping. Typical uses are stockyards and animal auction yards.

**1544. TRANSFER STATION:** A permanent collection and transportation facility used to deposit solid waste collected off site into larger transfer vehicles for transport to disposal site. Transfer stations may also include recycling facilities.

**1645. TRUCK TERMINAL:** Any parcel of land and/or building where truck freight is transferred from collection vehicles and/or railroad cars to distribution vehicles or freight haulers, and vice versa. Routine daily service and maintenance may be provided to trucks as an accessory use. This service and maintenance includes, but is not limited to, gasoline filling, oil changes, tune ups, engine lubrication, tire changing and repair and muffler repair but does not include removing engines or transmissions, painting or bodywork.

**1746. VEHICLE DISMANTLING YARD:** Any lot, plot, parcel of land, or contiguous parcels of land used for the purpose of dismantling used vehicles and the salvage and resale of used parts. This use shall not include vehicle storage yards, scrap metal processing yards, or junkyards.

**1847. WAREHOUSE:** An enclosed building used primarily for the storage of goods and materials.

**1948. WAREHOUSING AND DISTRIBUTION:** An enclosed building used primarily for the storage and dispatching of goods and materials. Typical uses include wholesale distributors, storage warehouses, moving and storage firms.

\* \* \*

H. **Agricultural Use Types:** Agricultural use types include the on site production of plant and animal products by agricultural methods.

\* \* \*

5. **STABLE, COMMERCIAL:** A structure for the keeping of horses, mules, ponies, **donkeys, goats, sheep, llamas, alpacas or similar animals or any combination thereof** ~~or other hooved animals~~ which are hired, bred, boarded or shown on a commercial basis.

6. **STABLE, PRIVATE:** An accessory structure, shelter or fenced corral enclosure for the keeping of not more than a total of four (4) horses, mules, ponies, donkeys, llamas, ~~alpacas,~~ goats, sheep, **llamas, alpacas, potbellied pigs** or other similar animals or any combination thereof for the use of the occupant(s) of the principal residential structure, and not kept for remuneration, hire, or sale.

7. **COMMUNITY GARDENS:** A managed common parcel or plot managed and used by non-owners for growing plants, vegetables or fruit for individuals or groups for non-retail purposes.

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 11th day of September, 2012.

Finally passed: September 25, 2012

  
\_\_\_\_\_  
Scott Hente, Council President

**Mayor's Action:**

Approved:  \_\_\_\_\_

Disapproved: \_\_\_\_\_, based on the following objections:

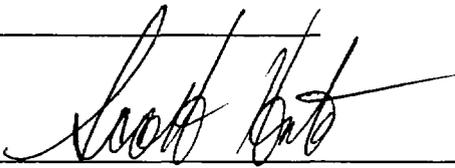
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\_\_\_\_\_  
Steve Bach, Mayor

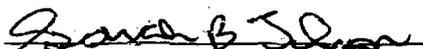
**Council Action:**

Finally adopted on a vote of 9 to 0, on October 1, 2012

Amended and resubmitted \_\_\_\_\_

  
\_\_\_\_\_  
Scott Hente, Council President

ATTEST:

  
\_\_\_\_\_  
Sarah B. Johnson, City Clerk

I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE AMENDING SECTION 201 (DEFINITIONS ENUMERATED) OF PART 2 (DEFINITIONS) AND SECTION 302 (DEFINITIONS OF USE TYPES) OF PART 3 (LAND USE TYPES AND CLASSIFICATIONS) OF ARTICLE 2 (BASIC PROVISIONS, DEFINITIONS, AND LAND USE TYPES AND CLASSIFICATIONS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO DEFINITIONS”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on September 11, 2012; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 25th day of September, 2012, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 1st day of October, 2012.

  
\_\_\_\_\_  
City Clerk

CODE CHANGE REVIEW  
ATTY INIT CSM  
DATE 8 12 12

Ordinance No. 12- 66

AN ORDINANCE AMENDING SECTIONS 103 (PERMITTED, CONDITIONAL AND ACCESSORY USES) OF PART 1 (RESIDENTIAL DISTRICTS), SECTIONS 203 (PERMITTED, CONDITIONAL AND ACCESSORY USES) AND 204 (OFFICE, COMMERCIAL, INDUSTRIAL AND SPECIAL PURPOSE ZONE DISTRICT DEVELOPMENT STANDARDS) OF PART 2 (COMMERCIAL DISTRICTS) OF ARTICLE 3 (LAND USE ZONE DISTRICTS) AND SECTION 203 (PARKING SPACE REQUIREMENTS BY USE) OF PART 2 (OFF STREET PARKING STANDARDS) OF ARTICLE 4 (SITE DEVELOPMENT STANDARDS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PERMITTED, CONDITIONAL AND ACCESSORY USE TABLES, OFFICE, COMMERCIAL AND INDUSTRIAL DEVELOPMENT STANDARDS AND THE PARKING USE TABLES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 103 (Permitted, Conditional and Accessory Uses) of Part 1 (Residential Districts) of Article 3 (Land Use Zone Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

**7.3.103: PERMITTED, CONDITIONAL AND ACCESSORY USES:**

The following table shows the land uses allowed in the residential zone districts. Principal permitted uses are shown as P, conditional uses are shown as C and accessory uses are shown as A. All uses allowed in a specific PUD or FBZ<sup>5</sup> zone district and related development standards shall be determined at the time of zone district establishment or change. The uses allowed in these districts are subject to the standards in this part (residential districts), the applicable parking, landscaping, sign, and other general site development standards listed in article 4 of this chapter and the applicable administrative and procedural regulations listed in article 5

of this chapter. Any similar use not listed in the table may be allowed as a principal, conditional, or accessory use in any district where similar uses are allowed in conformance with this Zoning Code.

**PERMITTED, CONDITIONAL AND ACCESSORY USES**

**AGRICULTURAL, RESIDENTIAL, SPECIAL USE TRADITIONAL NEIGHBORHOOD & FORM-BASED<sup>5</sup> DEVELOPMENT ZONE DISTRICTS**

Use Types	A	R	R-19	R-16	R2	R4	R5	SU	TND
<b>Residential Use Types:</b>									
Single-family detached dwelling on an individual lot	P	P	P	P	P	P	P	P	P (DP)
<b>Two family dwelling duplex</b> on an individual lot					P	P	P	P	P (DP)
Multiple <b>detached</b> single-family dwellings on an individual lot						P	P	P	P
Multiple <b>two-family duplexes</b> on an individual lot						P	P	P	P
<del>One</del> <b>Accessory dwelling unit</b> <sup>3</sup>	P				P	P	P	P	P (DP)
Manufactured home	P	P	P	P	P	P	P	P	P (DP)
Mobile home <sup>1</sup>									
Multi-family dwelling						P (DP)	P (DP)	P (DP)	P (DP)
Rooming or Boarding house						P	P (DP)	P (DP)	P (DP)
<b>Studio or Efficiency</b>						P	P	P	P

<b>Dormitory, Fraternity or Sorority house</b>						P (DP)	P (DP)	P (DP)	P (DP)
<b>Dormitories</b>								P	
<b>Retirement home</b>						P (DP)	P (DP)	P (DP)	P (DP)
<b>Human service establishments:</b>									
<b>Human service home</b>	P	P	P	P	P	P	P	P	P
<b>Human service residence:</b>	P	P	P	P (DP)	P	P	P	P	P (DP)
<b>Hospice</b>	P	P	P	P	P	P	P	P	P (DP)
<b>Youth home</b>	P	P	P	P	P	P	P	P	P (DP)
<b>Family care or family adopt home</b>	P	P	P	P	P	P	P	P	P (DP)
<b>Large family care home</b>	C	C	C	C	C	P	P	P	P
<b>Domestic violence safehouse</b>	P	P	P	P	P	P	P	P	P
<b>Family support residence</b>	P	P	P	P	P	P	P	P	P
<b>Human service facility:</b>	C (DP)	P (DP)	P (DP)	P (DP)	P (DP)				
<b>Hospice</b>	C (DP)	P (DP)	P (DP)	P (DP)	P (DP)				
<b>Nursing home</b>	C (DP)	C (DP)				P (DP)	P (DP)	P (DP)	P (DP)
<b>Youth home</b>	C (DP)	P (DP)	P (DP)	P (DP)	P				

									(DP)
Residential child care facility	C (DP)	P (DP)	P (DP)	P	P (DP)				
Human service shelter:	C (DP)								
Drug or alcohol treatment facility	C (DP)								
Healthcare support facility	G (DP)								
Detoxification center	C (DP)								
GMRS facility <sup>2</sup>									
Agricultural/Equestrian Use Types:									
Agricultural sales and service	C (DP)								
Animal production	G (DP)								
<b>Grazing / Pasture</b>	<b>P</b>								
<b>Confinement / Feedlot</b>	<b>C</b>								
<b>Community Gardens</b>	<b>P</b>								
<b>Crop Production</b>	<b>P</b>								
Raising livestock/poultry	G (DP)								
Commercial greenhouse	C (DP)	C (DP)							
<b>Stable, private and corral<sup>4</sup></b>	<b>P</b>	<b>A</b>							
<b>Stable, commercial and riding academy<sup>5</sup></b>	<b>P</b>								
Equestrian Use Types									

Stable, private and corral <sup>4</sup>	P	A	A	A	A	A	A	A	A
Stable, commercial and riding academy <sup>5</sup>	P								
<b>Commercial Use Types</b>									
Bed and breakfast inn							P	P	P
Campground	C								
Golf course/related facilities	P						C	C	P
Hospital							C		P
Kennel									
Indoor	P								
Indoor and Outdoor	P								
Outdoor entertainment	C								
Outdoor sports and recreation	C								
Veterinary service									
Large animal hospitals	C								
Small animal clinics	C								
<b>Office Use Types</b>									
General offices								P	P
Medical clinic or dental office								P	P
Off campus college administration offices								P	P
<b>Civic Use Types</b>									

<b>Cemetery</b>	C	C							
<b>Cultural services</b>								P	P
<b>Daycare services</b>									
<b>Daycare home</b>	P	P	P	P	P	P	P	P	P
<b>Daycare home, large</b>	C	C	C	C	C	P	P	P	P
<b>Daycare center</b>	C						P	P	C
<b>Membership club (social and recreational)</b>	P	C					C	C	P
<b>Educational institutions</b>									
<b>Charter school</b>	P	C	C	C	C	P	P	P	P
<b>College and university</b>	P							P	P
<b>Non-public school</b>	P	C	C	C	C	P	P	P	P
<b>Proprietary school</b>								C	P
<b>Public school</b>	P	C	C	C	C	GP	P	P	P
<b>Semi-public Community Recreational facility (i.e., private parks, pools, etc.)</b>	P	P	P	P	P	P	P		P
<b>Public parks and recreation services</b>	P	P	P	P	P	P	P	P	P
<b>Religious institutions</b>	P	C	C	C	C	P	P	P	P
<b>Industrial Use Types</b>									
<b>Mining operations</b>									
<b>Open Pit</b>	C								
<b>Surface</b>	C								
<b>Underground</b>	C								

<b>Temporary Surface &amp; Open Pit</b>	<b>C</b>								
Miscellaneous Use Types:									
<b>CMRS facility <sup>2</sup></b>									
— Art gallery								G (DP)	P (DP)
— Campground	G (DP)								
— Cemetery	G (DP)	G (DP)							
— Columbarium	G (DP)								
— Mausoleum	C (DP)								
— College, accredited	P							P	P (DP)
— Daycare home	P	P	P	P	P	P	P	P	P
— Daycare home, large	G (DP)	G (DP)	G (DP)	G (DP)	G (DP)	P (DP)	P (DP)	P (DP)	P (DP)
— Daycare center	G (DP)							P (DP)	P (DP)
— Educational and eleemosynary institute								G (DP)	P (DP)
— Funeral services									P (DP)
— General offices									P (DP)
— Golf course/related facilities	P							G (DP)	G (DP)
— Hospital								G (DP)	
— Hotel									P (DP)
— Kennel	P							G (DP)	P (DP)
— Library								G (DP)	P (DP)
— Medical clinic or dental office								P (DP)	P (DP)
— Membership club (social and recreational)	P	G (DP)						G (DP)	G (DP)

— Mining operations	C (DP)								
— Museum								G (DP)	P (DP)
— Neighborhood recreational facility (i.e. private parks, pools, etc.)	P (DP)		P (DP)						
— Off-campus college administration offices								P	P (DP)
— Outdoor entertainment	C (DP)								
— Outdoor sports and recreation	C (DP)								
— Public and private parks	P	P	P	P	P	P	P	P	P
— Planetariums and theaters								C (DP)	P (DP)
— Religious institution	P (DP)	C (DP)	C (DP)	C (DP)	C (DP)	P (DP)	P (DP)	P (DP)	P (DP)
— Schools, private									
— Schools, public	P (DP)	C (DP)	P (DP)	P (DP)	P (DP)				
— Veterinary service									
— Large animal hospitals	C (DP)								
— Small animal clinics	C (DP)								
— Cultural, recreational, commercial uses designed to serve residents of a specific development project									P (DP)

Notes:

(DP) indicates that a development plan is required to be approved prior to issuance of a building permit for the use.

1. Mobile homes are only allowed in a mobile home park in a PUD zone district. See subsection 7.3.105Q of this part for additional information.

2. See section 7.4.603 of this chapter for **CMRS** additional information.

\*\*\*

Section 2. Section 203 (Permitted, Conditional and Accessory Uses) of Part 2 (Commercial Districts) of Article 3 (Land Use Zone Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

**7.3.203: PERMITTED, CONDITIONAL AND ACCESSORY USES:**

The following table designates uses allowed in the office, commercial, industrial, traditional neighborhood development and special purpose districts. Principal permitted uses are shown as P, conditional uses are shown as C (see also footnote 3 of table) and accessory uses are shown as A. All uses allowed in a specific PUD<sup>1</sup> or FBZ<sup>4</sup> zone district and related development standards shall be determined at the time of zone district establishment or change. The use and development of an individual site are subject to the standards of its determined zone, the applicable landscaping, parking, sign, and general site development standards listed in this Zoning Code. Uses not listed in the table may be allowed as principal permitted, conditional and accessory uses in any district where similar uses are allowed in conformance with this Zoning Code. The description of land use types listed in article 2, part 3 of this chapter shall be used to assist with the determination of land uses and categories.

**PERMITTED, CONDITIONAL AND ACCESSORY USES**

**OFFICE, COMMERCIAL, INDUSTRIAL, TRADITIONAL NEIGHBORHOOD DEVELOPMENT AND SPECIAL PURPOSE AND FORM-BASED ZONE DISTRICTS**

Use Types	OR	OC	PBC	C-5	C-6	PIP-1	PIP-2	M-1	M-2	PF	PK	PCR	APD	TND
Residential Use Types:														
Accessory dwelling unit				P										P (DP)
Dormitory, Fraternity or Sorority House Dormitories		P	C	P	C			C				P		P (DP)

***														
Multi-family dwelling	C	P	C	P	C			C						P (DP)
***														
Rooming or Boarding house		P	C	P	P			C	C			P		P
***														
Two-family dwelling duplex on an individual lot	P	P	C	P	C			C						P (DP)
Human service establishments:														
***														
Family care/foster-adopt home	P	P	C	P	C			C						P
Human service residence	P	P	C	P	C			C						P (DP)
Hospice	P	P	C	P	C			C						P (DP)
Youth Home	P	P	C	P	C			C						P (DP)
Large Family Care Home	C	P	C	P	C			C						C
***														
Domestic Violence Safehouse	P	P	P	P	P			C						P
Family Support Residence	P	P	C	P	C			C						P
Human service facility:	P	P	C	P	C			C						P

														(DP)
Hospice	P	P	C	P	C			C						P (DP)
Nursing home	P	P	G	P	G			G						P (DP)
Youth home	P	P	G	P	G			G						P (DP)
***														
Human service shelter	C	P	C	P	C	C	C	C						C (DP)
Healthcare support facility	G	P	G	P	G	G	G	G						G
***														
Office Use Types:														
Call center	P	P	P	P	P	P	P	P	P				P	P
Financial services		P	P	P	P	P	P	P	P				P	P (DP)
General offices	P	P	P	P	P	P	P	P	P				P	P (DP)
Medical offices, labs and/or clinics	P	P	P	P	P	P	P	P	P				P	P (DP)
Mixed office/residential use	P	P	C	P	C			C	C					
Commercial Use Types:														
Agricultural sales and service			P	P	P			C	C					P
Automotive and equipment services:														

Automotive service <sup>4</sup>			P	P	P			P	P					C (DP)
Automotive rentals <sup>4</sup>		P	P	C	P			C	C				P	
Automotive repair garage <sup>4</sup>			C	C	P	P	P	P	P				C	C
Automotive sales <sup>4</sup>			C	C	P			C	C					
***														
Bar			P	P	P			C	C			P	P	P (DP)
Bed and breakfast inn	C	P	P	P	P			C	C					P (DP)
***														
Business office support services		P	P	P	P	P	P	P	P				P	P (DP)
Business park		C	P	P	P	P	P	P	P				P	CP (DP)
Campground		P	P	P	P					P	P	P		P (DP)
Commercial center			P	P	P			C	C				P	P (DP)
***														
Construction sales and services			P	P	P			P	P					P
<del>Completely enclosed</del>			P	P	P			P	P					P
<del>Includes outside activities</del>					P			P	P					P
Consumer convenience services			P	P	P			C	C					P

Consumer repair services			P	P	P			C	C						P
<b>Crematory services</b>				C	C			P	P						
<b>Data Center</b>			P	P	P	P	P	P	P						
***															
Food sales:															P
***															
Specialty food sales		C	P	P	P		C	C						P	P
Funeral services	P	P	P	P	P		G	G							P
<b>Crematory services (as an accessory use)</b>			C	C	C										C
<del>General Retail</del>			P	P	P			G	G				P	P	P (DP)
<b>Hookah Bar</b>			C	C	C			C	C						C
***															
Kennels					G			P	P						
<b>Indoor</b>			C	C	P			P	P						
<b>Indoor and Outdoor</b>				C	C			P	P						
<b>Animal Shelters</b>					C					P					
<del>Laundry services (large scale activity)</del>					P			G	G						P
***															
Mixed commercial-residential	G	C	P	P	P			G							P

<b>Mixed office-residential</b>		C	P	P	P									P
***														
<b>Personal consumer services barber and beauty shops, photo studios, etc.</b>		P	P	P	P			C	C				P	P
***														
<b>Recreation, commercial:</b>														P
***														
<b>Sit down – served at table</b>		P	P	P	P	C	C	C	C		P	P	P	P (DP)
<b>Outdoor seating</b>		P	P	P	P	G	G	G	G		P	P		P (DP)
<b>Retail, general</b>			P	P	P			C	C			P	P	P
<b>Large retail establishment</b>			P	P	P			C	C			C	P	P
<b>Neighborhood serving retail</b>		C	P	P	P							P	P	P
<b>Sexually oriented business</b>			P	P	P				P					P (DP)
<b>Surplus sales</b>					P			C	C					P (DP)
<b>Teen club/young adult club</b>			C	C	C			C	C					P (DP)
<b>Veterinary service:</b>														
***														

Small animal clinics			P	P	GP			P	P					P (DP)
Civic Use Types:														
***														
Columbarium	G	G	G	G	G	G	G	G	G	P				P
Mausoleum	G	G	G	G	G	G	G	G	G	P				P
Club (membership, social and recreational)			P	P	P	P	P	C	C				C	P
Community gardens	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Crematory				P	P			P	P					P
Cultural services	C	C	P	P	P			C	C	P	P	C	P	P
***														
Detention facilities/halfway houses										P				P
Educational institutions:														
Charter school	C	C	P	P	P	C	C	C		P				P
College and university	C	C	P	P	P	GP	GP	C					C	P
Nonpublic schools	C	C	P	P	P	C	C	C						P
Proprietary schools	P	P	P	P	P	GP	GP	GP					P	P
Public schools	C	C	P	P	P	C	C	C						P
***														
Medical clinic		P	P	P	P	P	P	P	P				G	P
Public assembly			P	P	P			C	C	P				P

***														
Religious institution	P	P	P	P	P	C	C	C						P(DP)
***														
Utility services facilities										P				
Industrial Use Types:														
Accessory general retail sales (accessory to principal use) <sup>4</sup>						A	A	A	A			A	A	A
***														
General retail service (accessory to principal use)						P	P	P	P				P	P
Industrial Laundry Services (large scale activity)					C	C	P	P	P					C
***														
Manufacturing						P	P	P	P				P	PC
***														
Agricultural Use Types														
Commercial greenhouse			P	P	P	P	P	P	P					P
***														

Notes:

\*\*\*

2. See section 7.4.603 of this chapter for additional **CMRS** information.

\* \* \*

**4. See section 7.3.205 for additional standards for specific land uses.**

**5.** Unless otherwise permitted by this Zoning Code, all uses permitted in a specific FBZ zone district shall be determined at the time of zoning and described in the zone-specific regulating plan.

**65.** In accord with subsection 7.3.205C, 'Accessory Retail Sales and Services' of this part.

**76.** Refer to subsection 7.3.205L6 of this part for additional standards for MMJ facilities located within the OR and OC zone districts.

Section 3. That Section 204 (Office, Commercial, Industrial and Special Purpose Zone District Development Standards) of Part 2 (Commercial Districts) of Article 3 (Land Use Zone Districts) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

**7.3.204: OFFICE, COMMERCIAL, INDUSTRIAL AND SPECIAL PURPOSE ZONE DISTRICT DEVELOPMENT STANDARDS:**

The following table lists the development standards for the office, commercial, industrial, and special purpose districts. These standards include the minimum and maximum district size, minimum lot area, minimum lot width, maximum building height, minimum building setbacks, maximum lot coverage and landscaping setbacks. Other site development standards relating to items such as landscaping, parking, signs, fences, lighting, and preservation areas and exceptions relating to building height, lot area and width, and setback requirements are listed in article 4 of this chapter and apply to development in these zone districts.

**DEVELOPMENT STANDARDS  
OFFICE, COMMERCIAL, INDUSTRIAL AND SPECIAL PURPOSE ZONE DISTRICTS**

\* \* \*

Notes:

\* \* \*

17

5. Noted side and rear setbacks apply only to the side and/or rear property lines on the periphery of the development. Side and rear setbacks for lots contained within a unified office development shall be determined in conjunction with review of the development plan.

\* \* \*

Section 4. That Section 203 (Parking Space Requirements by Use) of Part 2 (Off Street Parking Standards) of Article 4 (Site Development Standards) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

**7.4.203: PARKING SPACE REQUIREMENTS BY USE:**

A. Minimum Number of Off Street Parking Spaces: The minimum number of off street parking spaces to be provided for a use is listed in the following table. All parking ratios are based upon the gross floor area contained within the building. When the computation of the required off street parking spaces results in a fraction, the requirement shall be rounded to the nearest whole interval. Fractions of 0.5 or less shall be rounded to the next lowest whole number. Fractions greater than 0.5 shall be rounded to the next highest whole number. Parking amounts required for uses in MU zone districts are subject to the supplemental parking requirements and standards in subsection 7.3.712(B) of this chapter. Alternative parking requirements may be established as a part of an FBZ regulating plan.

The required off street parking spaces for a use which is not specifically listed, shall be determined by the Manager based upon the requirements of other listed similar uses.

**MINIMUM OFF STREET PARKING REQUIREMENTS FOR SPECIFIC USES**

Use Types	Minimum Required Off Street Parking Spaces In All Zone Districts, Except As Allowed In Subsection 7.3.712(A) Of This Chapter
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**Residential Use Types:**

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<del>Boarding house, Dormitory, fraternity or sorority house or other communal living arrangement where common kitchen facilities service the occupants</del>	0.5 space per bed
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**Human service establishment:**

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<b>Domestic violence safehouse</b>	<b>1 space per 8 beds</b>
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<b>Drug and alcohol treatment facility</b>	<b>1 space per 8 beds</b>
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<b>Family Care Home</b>	<b>1 space per dwelling unit</b>
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<b>Family support residence</b>	<b>1 space per 8 beds</b>
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Hospice	1 space plus 1 per 8 beds
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Nursing home	1 space per 5 beds
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Youth home	1 space plus 1 per 8 beds
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\*\*\*

Hospice	1 space per dwelling unit
---------	---------------------------

Human service shelter:	1 space plus 1 per 8 beds
<b>Large family care home</b>	<b>1 space plus 1 per 8 beds</b>
<b>Residential child care facility</b>	<b>1 space per 8 beds</b>
<del>Healthcare support facility</del>	<del>1 space plus 1 per 8 beds</del>
***	
Rooming or boarding house	0.5 space per bed
***	
Office Use Types:	
<b>Call center</b>	<b>1 space per 200 square feet <sup>1</sup></b>
***	
Commercial Use Types:	
***	
<b>Data center</b>	<b>1 space per 400 square feet of office space <sup>1</sup></b>
***	
<del>Funeral services home or mortuary</del>	<del>1 space per 4 seats</del>
<b>Hookah Bar</b>	<b>1 space per 100 square feet <sup>1</sup></b>

	* * *	
<del>Laundry services (large scale activity)</del>		<del>1 space per 750 square feet<sup>1</sup></del>
	* * *	
<b>Mixed office-residential</b>		<b>See the specific requirements for the commercial and residential uses</b>
Personal improvement services		1 space per <del>150</del> <b>250</b> square feet <sup>1</sup>
Personal <b>consumer</b> services; <del>barber and beauty shops, photo studios, etc.:</del>		1 space per 400 square feet <sup>1</sup>
Barber		1.5 spaces per chair
Beauty salon		1.5 spaces per chair
	* * *	
Recreation, commercial:		
Commercial stables, riding academies and/or corrals		1 space per 5 stalls
	* * *	
Civic Use Types:		
	* * *	

<b>Crematory services</b>	1 space per 400 square feet of office space <sup>1</sup>
<b>Cultural services:</b>	<b>1 space per 750 square feet<sup>1</sup></b>
Library	<del>1 space per 600 square feet<sup>1</sup></del>
Museum	1 space per 1,000 square feet <sup>1</sup>
	***
<del>Mausoleum/columbarium</del>	<del>1 space per 400 square feet of office space<sup>1</sup></del>
	***
<del>Utility services- facilities</del>	Per development plan
<b>Industrial Use Types:</b>	
	***
<del>General retail services (limited)-</del> <b>Accessory retail sales</b>	1 space per 300 square feet <sup>1</sup>
<b>Industrial Laundry</b>	<b>1 space per 750 square feet<sup>1</sup></b>
	***
<b>Mining operations:</b>	<b>1 space per 400 square feet of office space</b>

<del>Temporary surface and open pit</del>	<del>1 space per 400 square feet of office space<sup>1</sup></del>
<del>Underground (activities above)</del>	<del>1 space per 400 square feet of office space<sup>1</sup></del>
<del>Underground (activities under)</del>	<del>1 space per 400 square feet of office space<sup>1</sup></del>
* * *	
<b>Agricultural Use Types</b>	
<b>Community gardens</b>	<b>None</b>

Note:

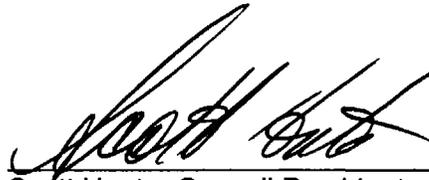
1. Square footage is based off the gross floor area within a particular business.

Section 5. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 6. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance shall be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this 11th day of September, 2012.

**Finally passed:** September 25, 2012

  
\_\_\_\_\_  
Scott Hente, Council President

**Mayor's Action:**

Approved:  \_\_\_\_\_

Disapproved: \_\_\_\_\_, based on the following objections:

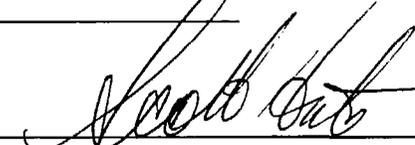
\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Steve Bach, Mayor

**Council Action:**

Finally adopted on a vote of 9 to 0, on October 1, 2012

Amended and resubmitted \_\_\_\_\_

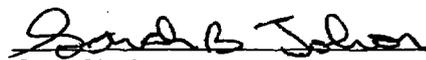
  
\_\_\_\_\_  
Scott Hente, Council President

ATTEST:

  
\_\_\_\_\_  
Sarah B. Johnson, City Clerk

I HEREBY CERTIFY, that the foregoing ordinance entitled **“AN ORDINANCE AMENDING SECTIONS 103 (PERMITTED, CONDITIONAL AND ACCESSORY USES) OF PART 1 (RESIDENTIAL DISTRICTS), SECTIONS 203 (PERMITTED, CONDITIONAL AND ACCESSORY USES) AND 204 (OFFICE, COMMERCIAL, INDUSTRIAL AND SPECIAL PURPOSE ZONE DISTRICT DEVELOPMENT STANDARDS) OF PART 2 (COMMERCIAL DISTRICTS) OF ARTICLE 3 (LAND USE ZONE DISTRICTS) AND SECTION 203 (PARKING SPACE REQUIREMENTS BY USE) OF PART 2 (OFF STREET PARKING STANDARDS) OF ARTICLE 4 (SITE DEVELOPMENT STANDARDS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO PERMITTED, CONDITIONAL ACCESSORY USE TABLES, OFFICE, COMMERCIAL AND INDUSTRIAL DEVELOPMENT STANDARDS AND THE PARKING USE TABLES”** was introduced and read at a regular meeting of the City Council of the City of Colorado Springs, held on September 11, 2012; that said ordinance was finally passed at a regular meeting of the City Council of said City, held on the 25th day of September, 2012, and that the same was published by title and summary, in accordance with Section 3-80 of Article III of the Charter, in the Transcript, a newspaper published and in general circulation in said City, at least ten days before its passage.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City, this 1st day of October, 2012.

  
\_\_\_\_\_  
City Clerk

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# NEW BUSINESS CALENDAR

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## PLANNING COMMISSION AGENDA

ITEM NO: 4

STAFF: RYAN TEFERTILLER

FILE NO:  
CPC CA 15-00128 – LEGISLATIVE

**PROJECT: FENCE AND ACCESSORY STRUCTURE CODE CHANGE**

**APPLICANT: CITY OF COLORADO SPRINGS – PLANNING AND DEVELOPMENT**

### **PROJECT SUMMARY:**

1. Project Description: This proposal is to amend City Code to clarify zoning code regulations pertaining to fence height and accessory structures. While the proposed code sections were known to lack clarity, and Staff had plans to improve the language, the proposed changes were expedited due to an active code enforcement case where a property owner disagreed with the City's implementation of existing code. As a result, Staff agreed to clarify the code.
2. Planning & Development Team's Recommendation: **Approval of the proposed code changes.**

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

Standard notification is not utilized for legislative code changes, as the proposed application affects all City residents and property owners. However, adequate public outreach and input was achieved by circulating the proposed changes to the Colorado Springs Housing and Building Association (HBA), the Council of Neighbors and Organizations (CONO), the Colorado Springs Code Scrub Committee, and the specific property owner and neighbor who initiated Staff's work on this change. Minor comments were received and incorporated into the final draft of the proposed text.

### **ANALYSIS OF REVIEW CRITERIA AND MAJOR ISSUES**

The proposed ordinance amends existing code relative to two separate issues: fence height and accessory structure standards. See **FIGURE 1** for the proposed code changes using bold for new text and strikethrough for deleted text.

The proposed code changes improve the clarity of how the City regulates fences, fence height, and how fences on top of retaining walls are measured. Firstly, the definition for “fence” is improved to clarify that walls, both freestanding and retaining, are treated similar to fences, and numerous additional materials are added to the definition that previously listed only “wood or other material” as the makeup of typical fences.

The second part of the proposed change affecting fence regulations is found in Section 7.4.102 – General Standards. First, the language in Part A. is modified to clarify that the standards apply to both fences and walls. Second, the existing code includes language regulating how the height of a fence that differs on either side of the fence; this section is clarified. The new code language clarifies how fences which are in close proximity to the top of a retaining wall are regulated: if the fence is within three feet of the wall, then the height is measured from the base of the wall to the top of the fence; if the fence is more than three feet from the wall, then the height of the fence and wall are measured independently. A new provision allows fence posts, poles, or finials to extend above the maximum height of the fence as long as they are spaced at least eight feet apart.

Staff supports the proposed changes as they provide numerous community benefits. Current City Code allows fences up to six feet in height to be located within residential setback areas, effectively on the property line of the lot. Fences which are placed on top of retaining walls in close proximity to a property line can have negative impacts on the down slope property owner. From the down slope side, a six foot fence sitting on top of a 6 foot retaining wall has the same impact as a twelve foot high structure with no physical separation from the down slope property. If the down slope property owner’s home is located just within the required five foot setback typical on most residential lots, the wall/fence will have significant impacts on the amount of light, air, and openness that is expected in residential areas.

However, allowing the wall and fence in the example above to be as close as three feet from each other allows the up slope property owner to utilize a standard fence height for privacy, security, and enclosure without giving up the use of the full five foot setback area. It should be noted that accessory structures in residential zones may be up to twenty feet in height and principal structures may be up to thirty feet in height (with sloped roofs), may be as close as five feet from a side or rear lot line, and therefore could have much more significant impact on the neighboring properties.

Lastly, the provision to allow additional height for fence posts, poles, or finials was added to encourage higher quality fences that create architectural and visual interest without penalizing the property owner by requiring the bulk of the fence to be less than six feet.

The second portion of the proposed code change clarifies two minor provisions for how accessory structures are regulated. Firstly, the definition is improved by adding a number of additional typical accessory structures. Secondly, a definition for “detached” is added to code to help clarify a common challenge for review planners. Setbacks for principal structures in residential zones differ from setbacks for accessory structures; specifically principal structures must maintain a 25 to 25 foot rear yard setback whereas accessory structures may be as close as five feet from the rear lot line. Given that an accessory structure is “detached and separate from the principal building” property owners would sometimes “detach” a proposed garage from the principal structure by a matter of inches in order to take advantage of more liberal setback requirements. While the two structures may indeed be “detached,” the form, appearance, and bulk of the two structures are essentially identical to that of one principal structure.

Conversely, some property owners on larger lots may take steps to attached two otherwise detached structures to take advantage of additional height allowances for principal structures. If the property in question is large and setbacks aren't an issue, and when the property owners desires to have a detached structure for purposes of site design or separation, the height of the large detached (i.e. accessory) structure is limited to 16 feet for roof slopes with a pitch less than six to twelve, and 20 feet for roof slopes with a pitch of six to twelve or great. These regulations can limit the ability to accommodate a second story within the accessory structure. However, some property owners have proposed to artificially "attach" the two structures with fencing, trellis, or even an unenclosed breezeway to allow them to utilize the additional height provisions awarded to principal structures.

While internal policies have been in place to guide staff in these instances, existing code was unclear, leaving property owners, architects, and contractors with little guidance on this issue. The proposed code language clarifies that at least three feet of separation are needed for two structures to qualify as detached, and only breezeways that are greater than 12 feet in height and six feet in width can be used to formally attach to structures.

While no formal criteria exist for the review of a proposed change to the text of the City's zoning code, Staff has worked diligently on these issues. Research was compiled on how other communities regulated these issues, draft text was circulated internally and feedback from review planners considered, and the proposed standards were circulated to major stakeholder groups like the Housing and Building Association (HBA) and the Council of Neighbors and Organizations (CONO). The current language is supported by these key internal and external stakeholders.

**STAFF RECOMMENDATION:**

**ITEM NO: 4 CPC CA 15-00128 – Fence and Accessory Structure Code Change**

**Approve** the proposed code change based on the fact that the procedures described in Section 7.5.602 have been met.

ORDINANCE NO. 15-\_\_\_\_\_

AN ORDINANCE AMENDING SECTION 201 (DEFINITIONS ENUMERATED) OF PART 2 (DEFINITIONS) OF ARTICLE 2 (BASIC PROVISIONS, DEFINITIONS AND LAND USE TYPES AND CLASSIFICATIONS) OF CHAPTER 7 (PLANNING, DEVELOPMENT AND BUILDING) OF THE CODE OF THE CITY OF COLORADO SPRINGS 2001, AS AMENDED, PERTAINING TO FENCES AND ACCESSORY STRUCTURES

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLORADO SPRINGS:

Section 1. Section 201 (Definitions Enumerated) of Part 2 (Definitions) of Article 2 (Basic Provisions, Definitions and Land Use Types and Classifications) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.2.201: Definitions Enumerated

\* \* \*

**ACCESSORY STRUCTURE:** A structure that is located on the same lot and detached and separate from the principal building. Accessory structures shall be incidental to the principal structure and devoted exclusively to an accessory use. **Examples of accessory structures may include, but are not limited to: garages, carports, sheds, storage buildings, play structures, gazebos, arbors, greenhouses, barns, saunas, and other similar buildings and fences and walls that exceed six feet (6') in width.**

\* \* \*

**DETACHED:** Not attached and having no wall in common and separated by three feet or more; structures that are connected by a covered, unenclosed breezeway shall be considered detached if the breezeway is less than 12 feet (12') in height and less than six feet (6') in width.

\* \* \*

**FENCE or WALL:** A structure made of wood, brick, stone, stucco, concrete,

**wrought iron, chain link** or other **similar** material that provides screening or encloses an area, most often a front or back yard. **Walls include both freestanding walls and retaining walls.**

Section 2. Section 102 (General Standards) of Part 1 (General Standards) of Article 4 (Site Development Standards) of Chapter 7 (Planning, Development and Building) of the Code of the City of Colorado Springs 2001, as amended, is amended to read as follows:

7.4.102: General Standards

\* \* \*

A. **Fences or Walls:** Except in a TND and HS overlay zone, fences or walls six feet (6') or under in height may be placed anywhere on the property except within established preservation areas. Fences within preservation areas are subject to development plan approval to establish appropriate locations. All fences must comply with the corner visibility regulations described in this section. Fences or walls over six feet (6') are considered accessory structures and must meet accessory structure setback **and height** requirements **identified in Section 7.3.105.A** and receive a building permit for construction. Fence height shall be measured from the top of the fence **including fence poles, posts, and finials** to the ~~natural~~ **finished** grade on both sides **of the fence**; ~~if the height on the two (2) sides varies then the higher of the two (2) measurements shall be used in determining the height of the fence. See article 3, part 9 of this chapter for fence heights in front yard setback areas in the TND zone. Alternate requirements for fencing may be included as a part of an FBZ regulating plan.~~

1. **If the the height of the two (2) sides varies, then the larger of the two (2) measurements shall be used in determining the height of the fence.**
2. **If the fence is located within three feet (3') of the face of a retaining wall, the height of the fence is measured from the top of the fence to the finished grade at the bottom of the retaining wall.**
3. **The finished grade of the fence area shall not be altered to artificially comply with these regulations.**
4. **An additional 12 inches (12") of height is permitted for fence posts, poles, and finials when spaced 8 feet (8') or more from each other.**

\* \* \*

Section 3. This ordinance shall be in full force and effect from and after its final adoption and publication as provided by Charter.

Section 4. Council deems it appropriate that this ordinance be published by title and summary prepared by the City Clerk and that this ordinance be available for inspection and acquisition in the office of the City Clerk.

Introduced, read, passed on first reading and ordered published this \_\_\_\_ day of \_\_\_\_\_, 2015.

**Finally passed:** \_\_\_\_\_  
\_\_\_\_\_ Council President

Delivered to Mayor on \_\_\_\_\_.

**Mayor's Action:**

- Approved on \_\_\_\_\_.
- Disapproved on \_\_\_\_\_, based on the following objections:

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\_\_\_\_\_  
Mayor

**Council Action After Disapproval:**

- Council did not act to override the Mayor's veto.
- Finally adopted on a vote of \_\_\_\_\_, on \_\_\_\_\_.

- Council action on \_\_\_\_\_ failed to override the Mayor's veto.

\_\_\_\_\_  
Council President

ATTEST:

\_\_\_\_\_  
City Clerk

**CITY PLANNING COMMISSION AGENDA**

**ITEM NO.: 5**

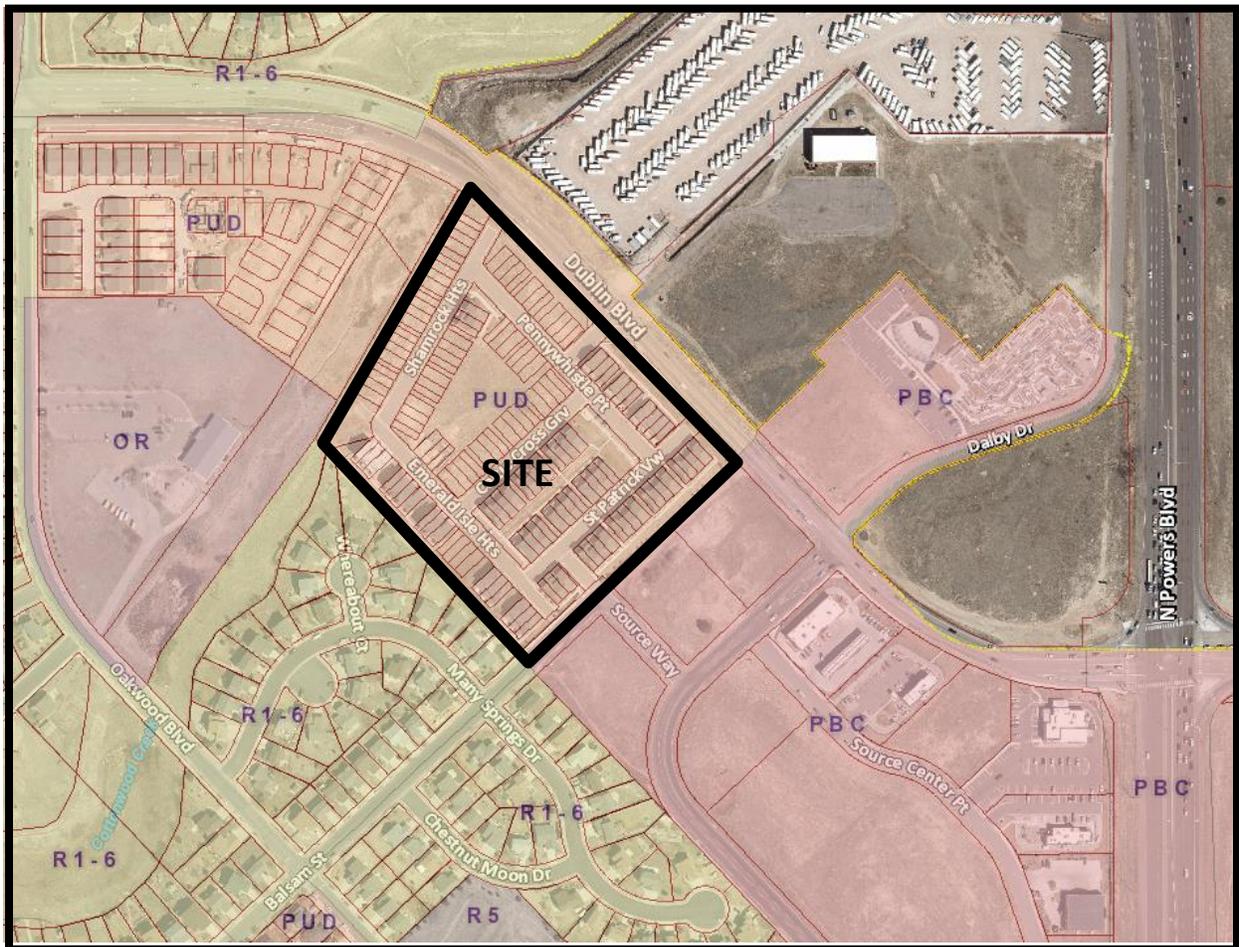
**STAFF: RACHEL TEIXEIRA**

**FILE NO:**  
**CPC PUD 05-00301-A3MN15 (AP) – QUASI-JUDICIAL**

**PROJECT: DUBLIN TERRACE TOWNHOMES**

**APPLICANT/OWNER: CHALLENGER HOMES, INC.**

**APPELLANT: ELIZABETH WOOLEY/DUBLIN TERRACE TOWNHOME HOA**



### **PROJECT SUMMARY:**

1. **Project Description:** This request represents an appeal by Elizabeth Wooley, President of the Dublin Terrace Townhome HOA and property owner of 5612 Saint Patrick View, regarding the administrative approval for an amendment to the Dublin Terrace Townhomes development plan. **(FIGURE 1)** The application approved the construction for the remaining 73 lots out of the 142 residential townhouse development. The plan was approved on October 20, 2015, **(FIGURE 2)** and the appeal was filed within the requisite ten days. The appeal is based on several issues raised in the documentation submitted by the appellant. The site consists of 12.78 acres and is situated southwest of Powers and Dublin Boulevards.
2. **Applicant's Project Statement:** **(FIGURE 3)**
3. **Planning & Development Department's Recommendation:** Reaffirm the administrative approval of the amendment to the development plan.

### **BACKGROUND:**

1. **Existing Zoning/Land Use:** PUD/AO (Planned Unit Development with Airport Overlay)/ 69 developed residential townhome lots.
2. **Surrounding Zoning/Land Use:**  
North: A-1 (Agricultural-County)/Storage lot and church.  
South: R-1 9000/DF/AO (Single Family Residential with Design Flexibility and Airport Overlays)/ Single Family Residence.  
East: vacant/PBC/AO (Planned Business Center with Airport Overlay).  
West: PUD/AO (Planned Unit Development with Airport Overlay)/ Townhomes.
3. **Comprehensive Plan/Designated 2020 Land Use:** General Residential.
4. **Annexation:** Dublin Terrace Annexation (November 6, 2006).
5. **Master Plan:** n/a.
6. **Subdivision:** Dublin Terrace Subdivision.
7. **Zoning Enforcement Action:** n/a.
8. **Physical Characteristics:** The 12.78-acre site is near the southwest corner of Dublin and Powers Boulevards and has 73 undeveloped lots out of 142 residential townhome lots.

### **STAKEHOLDER PROCESS AND INVOLVEMENT:**

The Dublin Terrace Townhome Homeowners Association Board (Appellant) was contacted during the internal review for this amendment. Copies of the proposed plans and the review letter **(FIGURE 4)** were provided to them. City Planning Staff met with the HOA Board members twice during the review of this project to discuss their concerns including landscaping, parking, fencing, and drainage. These concerns were communicated to the applicant. The appellant and applicant also were in communication and met on-site to discuss the project.

The property will be posted and mailing notification sent to only the property owners within the Dublin Terrace Townhomes neighborhood prior to the December 17th City Planning Commission meeting.

### **ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES:**

The request is to appeal the approval of an amendment to the development plan for the construction of 73 undeveloped residential townhome lots which are located within the Dublin Terrace Townhomes site. The amendment for this project consists of additional landscaping buffering along the southwest boundary per the 'General Release and Settlement Agreement' Court Order (Case No. 2012CV3256) conditions **(FIGURE 5)** and a revised residential footprint with a lowered building height. The property is zoned PUD/AO (Planned Unit Development) with an Airport Overlay designation.

The site was approved for 142 townhome lots by the City Council in 2006, however during 2012 the buildings on the site were found to be noncompliant based on the approved development plan per File No. CPC PUD 05-00301. **(FIGURE 6)** After numerous local hearings, the court ordered a rehearing of a previous City Council decision based on permitting the noncompliant townhomes to remain; soon after an agreement was made between the Plaintiffs and City Defendants. **(FIGURE 5)**

The amendment to the Dublin Terrace Townhome development plan was approved on October 20, 2015 and copies were submitted to the five-member Dublin Terrace Townhome HOA Board. During the appeal period, the HOA contacted City Planning Staff to discuss the fence height and rock mulch which was agreed upon by the applicant and missing from the site plans. The amended site plan was corrected to reflect: a 6 ft. high composite fence (brown – to match existing fence color) along the western boundary property line instead of the original 4 foot tall white vinyl split rail fence; granite rock mulch for landscaping instead of the original wood mulch landscaping; and the removal of the five on-street parking spaces along Emerald Isle Heights (private). The correct sheets, TS01, SP01, LS01, and LS02, were stamped and the old sheets removed from the set of approved site plan for Dublin Terrace Townhomes on November 26, 2015. **(FIGURE 7)**

The appeal statement **(FIGURE 1)** provides a list of seven items.

The first is the 'General Release and Settlement Agreement' which was heard and approved by the City Council on March 26, 2013. At that time property owners within and adjacent to the neighborhood had the opportunity to address their concerns with this agreement.

The next is the fence along the western boundary property line. The approved amended site plan **(FIGURE 2)** was corrected to reflect the 6 ft. high composite fence (brown – to match existing fence color) instead of the original 4 foot tall white vinyl split rail fence. (See Sheet SP01 from **FIGURE 7**.) Appellant requests that Sheet LS01 reflects the fence change to be consistent.

The third item listed is the on-street parking spaces along Emerald Isle Heights to be removed. This has also been completed when the approved amended site plan was corrected. (See Sheet SP01 from **FIGURE 7**.)

Next is Note #9 on Sheet SP01 and states: "ALL OPEN SPACE, TREES & EASEMENTS WILL BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION." The appellant requests that the note read: "ALL OPEN SPACE, TREES & EASEMENTS WILL BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION AFTER COMPLETION BY THE BUILDER PER THE LANDSCAPING PLAN." The developer is responsible for completing the remaining portion of the undeveloped development of the project including the landscaping. Financial assurances for landscaping and required site improvements are required up-front prior to the issuance of residential building permits for the remaining undeveloped 73 townhome lots.

The fifth item pertains to the detention basin located in the southwest corner of the Dublin Terrace Townhome site. This area originally had fourteen guest parking spaces however during the internal review for this amendment, City Engineering required the installation of a detention basin in the location of the guest parking area, since the original drainage report from 2005 did not address and provide adequate stormwater quality and swale for the site. **(FIGURE 8)** In addition, the appellant requested that all on-street parking, a total of thirteen spaces, be

removed from the site plan since the property owners find it difficult to back-out of their garage and driveway spaces into the private streets. Three additional off-street parking spaces were provided by the applicant, to alleviate the reduction of parking on site, and these spaces are located at the north end of Shamrock Heights, adjacent to Lot 84. Fire Department has no issues with the width of the private street since this development has the required 28 ft. wide dimension and does allow for on-street parking on only one side.

Item six is for the replacement of wood mulch to rock at the request of the HOA. Again, the approved amended site plan (**FIGURE 2**) was corrected to reflect the change to granite rock mulch instead of the original wood mulch landscaping. (See Sheets LS01 and LS02 from **FIGURE 7.**)

The last item pertains to the effects upon the existing homeowners and the Association; it is unreasonable to fail to address issues with the Association, especially due to past problems and litigation regarding this development. The approved amended development plan for Dublin Terrace Townhome is for the construction for the remaining 73 lots out of the 142 residential townhouse development. Previous amendments were withdrawn due to litigation and finally a court ordered agreement document, the 'General Release and Settlement Agreement' Court Order (Case No. 2012CV3256) with conditions which was before the City Council on March 26, 2013. There is also concern pertaining to the outstanding financial assurances fee which is a separate matter between the MLP Receivership and the Dublin Terrace Townhome HOA. In addition, financial assurances for the remaining undeveloped 73 townhome lots are required prior to the issuance of residential building permits for landscaping and required site improvements.

#### Appeal Provisions

Section 7.5.906.A.4 of the Code indicates:

Criteria for Review of an Appeal of an Administrative Decision: In the written notice, **the appellant must substantiate the following:**

- a. Identify the explicit ordinance provisions which are in dispute.
- b. Show that the administrative decision is incorrect because of one or more of the following:
  - 1) It was against the express language of this zoning ordinance, or
  - 2) It was against the express intent of this zoning ordinance, or
  - 3) It is unreasonable, or
  - 4) It is erroneous, or
  - 5) It is clearly contrary to law.
- c. Identify the benefits and adverse impacts created by the decision, describe the distribution of the benefits and impacts between the community and the appellant, and show that the burdens placed on the appellant outweigh the benefits accrued by the community.

The appellant's justification for the appeal is found within **FIGURE 1.**

After substantial analysis, Planning Staff has concluded that the appellant failed to substantiate the required appeal criteria.

**STAFF RECOMMENDATION:**

**ITEM NO.: 5      CPC PUD 05-00301A3MN15 (AP) – APPEAL OF ADMINISTRATIVE DECISION**

**Deny the Appeal and reaffirm the administrative approval** of the amendment to the Dublin Terrace Townhomes development site plan, based upon the findings that the site plan complies with City Code Section 7.5.502.B, and that the Appellant has failed to substantiate the appeal criteria found in Section 7.5.906.A.4 of City Code.

**ANDERSON, DUDE & LEBEL, P.C.**

ATTORNEYS AT LAW  
111 SOUTH TEJON STREET, SUITE 400  
COLORADO SPRINGS, COLORADO 80903  
TELEPHONE: (719) 632-3545  
TELEFAX: (719) 632-5452  
Email: bmeighan@adllaw.com

W. KELLY DUDE  
STEPHEN J. LEBEL  
LENARD RIOTH

ADDRESS CORRESPONDENCE TO:  
P.O. BOX 1206  
COLORADO SPRINGS, CO 80901-1206

*OF COUNSEL:*  
CYNTHIA MACE DUDE

LAWRENCE HECOX (*Retired*)  
GREGORY L. JOHNSON (*Retired*)

C.B. HORN (1963)  
ROBERT E. ANDERSON (1993)

BRYCE F. MEIGHAN

*Hand Delivered*

October 30, 2015

Rachel Teixeira  
Planning & Development Department  
Land Use Review Division  
City Administration Building, Suite 105  
Colorado Springs, CO 80903

**APPEAL STATEMENT**

Re: City File No. CPC PUD 05-00301-A3MN15

Dear Ms. Teixeira,

As you know, my law firm represents Dublin Terrace Townhome Owners Association, Inc. (the "Association"), and I am writing to you on its behalf to appeal the approval by City Planning of City File No. CPC PUD 05-00301-A3MN15, which is the Amended Development Plan submitted by Challenger Homes, Inc. for Dublin Terrace Townhomes that was approved on October 20, 2015 (the "Plan").

Please be advised that the Association is appealing the Plan; attached is the "Application Form for Appeal of Administrative Decision" and the required check for \$176.00. The Association submits that approval of the Plan is unreasonable and/or erroneous because it will adversely impact the Association and all of the homeowners within it. Some, but not all, of the issues that the Association is appealing are as follows:

1. Sheet 1 (TSO1) – The "General Release and Settlement Agreement" for Case No. 2012CV3256 mentioned on the page does not bind the Association in any way as it was not a party to that action and the reference to said "General Release and Settlement Agreement" should contain language to that effect.
2. Sheet 2 (SPO1) – The proposed composite split rail fence 4-feet tall on the west side of the development should be 6-feet tall composite brown.
3. Sheet 2 (SPO1) – The OSP (2) and OSP (3) on Emerald Isle Heights need to be removed as Challenger Homes, Inc. is not the owner of the street and has no authority to alter it; further,

the street is too narrow and the parking of vehicles at those locations would create a safety hazard.

4. Sheet 2 (SPO1) – Note # 9 should read “All open space, trees & easements will be owned and maintained by the home owners association after completion by the builder per the landscaping plan.”
5. Sheet 3 (GPO1) – The proposed detention basin should be removed from the Plan and the 18 parking spots left in place as per the previously approved plans, because imposing current requirements on an already approved plan is contrary to public practice and/or existing law.
6. Sheet 5 (LSO1) – 4 inch wood mulch in the Legend should be changed to rock because the Association has or is in the process of removing some or all of the mulch in the Association with rock and it would be less burdensome to have Challenger Homes, Inc. install rocks instead of mulch that will then cost the Association money to replace.
7. All Sheets do not discuss the effects upon existing homeowners and the Association; it is unreasonable to fail to address issues with the Association, especially due to past problems and litigation regarding this Development.

This appeal is being submitted on behalf of the Association. The Association reserves the right to supplement this appeal by testimony and arguments before the Planning Commission

Sincerely,

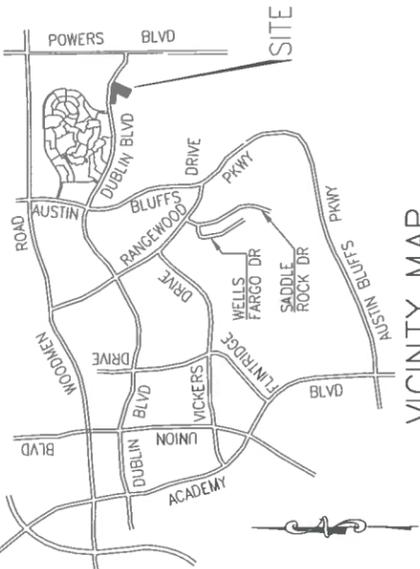
ANDERSON, DUDE & LEBEL, P.C.



Bryce Meighan

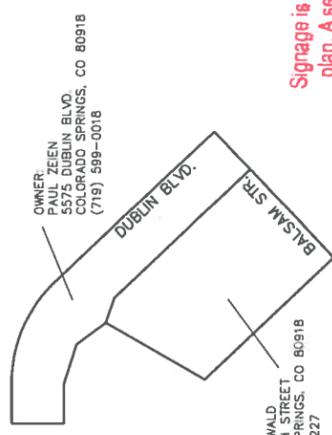
Cc: The Board of Directors for Dublin Terrace Townhome Owners Association, Inc.

# DUBLIN TERRACE TOWNHOMES CITY OF COLORADO SPRINGS AMENDED DEVELOPMENT PLAN JULY 2015



### VICINITY MAP

**LEGAL DESCRIPTION:**  
DUBLIN TERRACE FILING NO. 1A  
LOT 2 DUBLIN TERRACE  
LOT 23 IN TEMPLETON GAP HEIGHTS FILING NO. 3, EL PASO COUNTY, COLORADO, AND  
LOT 4 IN TEMPLETON GAP HEIGHTS FILING NO. 2, EL PASO COUNTY, COLORADO.  
ADDITIONAL PROPERTY FROM VACATION OF BALSAM STREET AS SHOWN AS PART OF THE  
REPLATED LOT #2.  
CONTAINING: 12.78 +/- ACRES, MORE OR LESS.



**OWNER:**  
CANDY RODEWALD  
5560 BALSAM STREET  
COLORADO SPRINGS, CO 80918  
(719) 564-2227

**OWNER:**  
EVERETT  
5575 DUBLIN BLVD.  
COLORADO SPRINGS, CO 80918  
(719) 599-0018

### EXISTING OWNERSHIP EXHIBIT:

**SITE DATA:**  
AS DETERMINED BY THE FLOOD INSURANCE RATE MAP  
COMMUNITY PANEL #0804100336 F REVISED DATE MARCH  
17, 1997. THIS SITE IS NOT WITHIN A DESIGNATED  
F.E.M.A. FLOODPLAIN AS SHOWN.

**EXISTING ZONE:** A1 (COUNTY)  
**PROPOSED ZONE:** PUD

**GROSS LOT COVERAGE:**  
(INCLUDES ROW & DRAINAGE WAY)  
BUILDING= 169,240 SF 34%  
LANDSCAPING= 237,216 SF 49%  
(USEABLE OPEN SPACE= 110,274 SF 22%)  
STREETS/PARKING= 84,270 SF 17%  
DENSITY = 12.69 DU/ACRE

**NET LOT COVERAGE:**  
(MINUS ROW & DRAINAGE WAY)  
LOT #2= 461,445 SF  
BUILDING= 169,240 SF 36%  
LANDSCAPING= 207,935 SF 45%  
(USEABLE OPEN SPACE= 80,992 SF 18%)  
STREETS/PARKING= 84,270 SF 18%  
DENSITY = 13.40 DU/ACRE

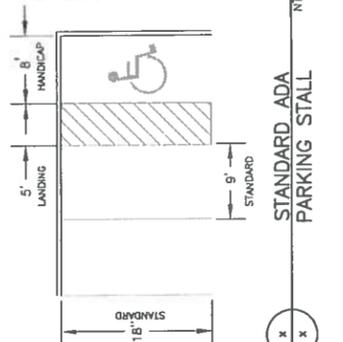
**PARKING CALCULATIONS:**  
TOTAL UNITS = 142  
PARKING SPACES REQUIRED: 1.7 PER UNIT x 68 = 116  
PARKING SPACES PROVIDED: 142  
PARKING SPACES REQUIRED TO ACCOMMODATE PARKING SPACES  
ADA ACCESSIBLE SPACES REQUIRED: 26.7  
PARKING PROVIDED:  
GARAGE A, D, G, J, & M: 39 x 1 = 39  
GARAGE B, C, E, F, H, I, K, L, N, O: 103 x 2 = 206  
ON-STREET PARKING: 48  
COURTYARD PARKING: 48  
TOTAL PARKING SPACES PROVIDED: 114

ADA ACCESSIBLE SPACES PROVIDED:  
DESIGNATED PARKING LOT ACCESSIBLE SPACES: 3  
DESIGNATED UNITS W/ ADA ACCESSIBILITY: 82  
TOTAL ACCESSIBLE SPACES: 85  
TOTAL PARKING PROVIDED: 167

### UNIT SUMMARY:

BLDG.	SQUARE FEET	NO. OF BLDG.	NO. OF BEDROOMS/ BLDG.
A	1,421	12	2
B	1,513	21	2
C	1,882	12	3
D	1,388	5	2
E	1,626	8	3
F	1,785	5	3
G	1,388	2	2
H	1,626	2	3
I	1,785	2	3
J	1,421	7	2
K	1,531	11	3
L	1,882	7	3
M	1,388	13	2
N	1,626	22	2
O	1,785	13	3
TOTAL	226,862	142	344

**PARKING SIGNS:** EACH ACCESSIBLE PARKING SPACE SHALL BE DESIGNATED AS RESERVED BY A SIGN SHOWING THE SYMBOL OF ACCESSIBILITY (A WHEELCHAIR). EACH SIGN SHALL BE NO. SMALLER THAN ONE FOOT BY ONE FOOT (1' X 1'). SIGNS SHALL BE LOCATED BETWEEN 5' AND 15' FROM THE CURB AND 15' FROM THE SIDEWALK. THE SIGN MAY EITHER BE WALL MOUNTED OR FREESTANDING.



### SHEET INDEX

1	TS01	COVER SHEET/NOTES
2	SP01	SITE PLAN
3	GD01	GRADING PLAN
4	UT01	UTILITY PLAN
5	LS01	LANDSCAPE PLAN
6	LS02	LANDSCAPE NOTES & DETAILS
7	LS03	LANDSCAPE PLAN
8	SD1	ELEVATIONS A, B & C
9	SD2	ELEVATIONS D, E & F
10	SD3	ELEVATIONS G, H & I
11	SD4	ELEVATIONS J, K & L
12	SD5	ELEVATIONS M, N & O
13	IR1	IRRIGATION PLAN
14	IR2	IRRIGATION NOTES & DETAILS
15	IR3	IRRIGATION NOTES & DETAILS

### GENERAL NOTES

- COMMON ACCESS AND PARKING AGREEMENTS SHALL BE PROVIDED FOR THE BENEFIT OF ALL OWNERS AND USERS.
- SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY ZONING CODE PROVISIONS.
- A MASTER TRAFFIC STUDY HAS BEEN SUBMITTED FOR THIS SITE.
- A SITE SPECIFIC GEOLOGIC HAZARD REPORT HAS BEEN SUBMITTED FOR THIS SITE.
- THE FINAL DRAINAGE REPORT HAS BEEN SUBMITTED FOR THIS SITE.
- THIS SITE SHALL MEET ALL CITY REQUIREMENTS FOR LANDSCAPING.
- THIS SITE DOES NOT CONTAIN ANY SIGNIFICANT NATURAL FEATURES.
- ALL FIRE LANES WILL BE A MINIMUM OF 28 FEET IN WIDTH AND WILL MEET THE DEPARTMENT VEHICLE ACCESS.
- A VACATION PLAT FOR 60-FEET OF BALSAM STREET SHALL BE RECORDED PRIOR TO PLATING. DOCUMENT HAS BEEN PROVIDED TO CITY PLANNING WITH THIS SUBMITAL.
- CONSTRUCTION TO BEGIN IN SPRING/SUMMER 2008.
- MAXIMUM HEIGHT OF PROPOSED BUILDINGS = 35-FEET.
- \$28,000.00 WILL BE COMMITTED TO AN ESCROW ACCOUNT FOR THE TRAFFIC SIGNAL AT TEMPLETON GAP/DUBLIN BLVD. INTERSECTION PRIOR TO A BUILDING PERMIT APPROVAL.

**AMENDMENT HISTORY:**

CPC PUD 05-00301:	APPROVED: NOV. 13, 2006
CPC PUD 05-00301-A1MJ2	NOT APPROVED
CPC PUD 05-00301-A2MJ2	NOT APPROVED
CPC PUD 05-00301-MN01	APPROVED AUGUST 17, 2010. PROJECT TO ILLUSTRATE THE NEW BUILDING FOOTPRINTS FOR 5621, 5625, 5626 AND 5633 ST. PATRICK VIEW
CPC PUD 05-00301-A3MN15	UNDER REVIEW

### AMENDMENT HISTORY:

CPC PUD 05-00301:	APPROVED: NOV. 13, 2006
CPC PUD 05-00301-A1MJ2	NOT APPROVED
CPC PUD 05-00301-A2MJ2	NOT APPROVED
CPC PUD 05-00301-MN01	APPROVED AUGUST 17, 2010. PROJECT TO ILLUSTRATE THE NEW BUILDING FOOTPRINTS FOR 5621, 5625, 5626 AND 5633 ST. PATRICK VIEW
CPC PUD 05-00301-A3MN15	UNDER REVIEW

- COPY OF THE GENERAL RELEASE AND SETTLEMENT AGREEMENT FOR CASE NO. 2012CV2356 IS LOCATED IN THE FILE.
- CONDITIONS PERTAINING TO PROPERTIES LOCATED AT 6588 (LOT 71), 6592 (LOT 72) AND 6596 (LOT 73) EMERALD ISLE HEIGHTS:
    - THAT THE PROPERTIES BE DEVELOPMENT PER FILE NO. CC PUD 05-00301, AND
    - THAT THE GRADE OF THE PROPERTIES SHALL BE LOWERED TO BE COMPLIANT WITH THE APPROVED 2006 DEVELOPMENT PLAN TO THE EXTENT POSSIBLE.
  - CONDITIONS PERTAINING TO PROPERTIES LOCATED AT 6520 (LOT 57), 6524 (LOT 58), 6528 (LOT 59), 6552 (LOT 64), 6556 (LOT 65), 6560 (LOT 66), 6568 (LOT 67), 6572 (LOT 68), 6576 (LOT 69), AND 6580 (LOT 70) EMERALD ISLE HEIGHTS (COLLECTIVELY, THE "RECEIVER'S TOWNHOMES"):
    - A 6-FOOT HIGH WHITE VINYL FENCE SHALL BE CONSTRUCTED ALONG THE SOUTH SIDE (THE SIDE WITH THE FRONT DOORS) OF EACH OF THE THREE TOWNHOME BUILDINGS COMPRISING THE RECEIVER'S TOWNHOMES THE WIDTH OF THE FENCE SHALL BE THE SAME WIDTH AS THE ADJACENT BUILDING LOT. THE FENCE SHALL BE CONSTRUCTED BETWEEN THE RECEIVING WALLS OF THE TOWNHOMES. THE FENCE SHALL BE CONSISTENT WITH THE EXISTING WHITE VINYL PERIMETER FENCE AROUND THE DUBLIN TERRACE TOWNHOME NEIGHBORHOOD.
    - LANDSCAPING AND IRRIGATION ALONG THE SOUTH PROPERTY LINE SHALL BE INSTALLED IN COMPLIANCE WITH THE LANDSCAPE PLAN APPROVED BY THE CITY OF COLORADO ON NOVEMBER 12, 2006 ADJACENT TO THE RECEIVER'S TOWNHOMES.
    - TWO (2) LOW LEVEL SHRUBS SHALL BE INSTALLED ON TOP OF THE SLOPE ALONG THE FENCE. FACING EACH INDIVIDUAL TOWNHOME UNIT BETWEEN THE FENCE AND THE SIDEWALK.
    - TWO (2) EVERGREEN TREES SHALL BE PLANTED BETWEEN THE FENCES CONSTRUCTED ADJACENT TO THE TOWNHOME BUILDINGS (BETWEEN LOTS 63 AND 64, LOTS 66 AND 67, LOTS 68 AND 69, AND LOTS 59 AND 60). THE EVERGREEN TREES SHALL BE APPROXIMATELY 8 FEET TALL AND 18 INCHES IN DIAMETER AT ANY PARTICULAR STEM CALIPER. THE FINAL LANDSCAPE PLAN SHALL BE APPROVED BY THE CITY PRIOR TO INSTALLATION.

**811** **APPROVED**  
OCT 20 2015  
Know what's below.  
Call before you dig. **CITY PLANNING**  
CITY APPROVAL STAMP  
CITY FILE NO. CPC PUD- 05-00301-A3MN15

**Land Patterns, Inc.**  
Landscapes Architecture & Planning  
14100 E. WILLOW AVE. SUITE 100  
DENVER, CO 80231  
TEL: 303.755.8888  
WWW.LANDPATTERNS.COM

PREPARED BY:  
**Challenger Homes, Inc.**  
13570 Northgate Estates Dr.  
Colorado Springs, CO 80921

CLIENT/OWNER:  
**CHALLENGER HOMES**

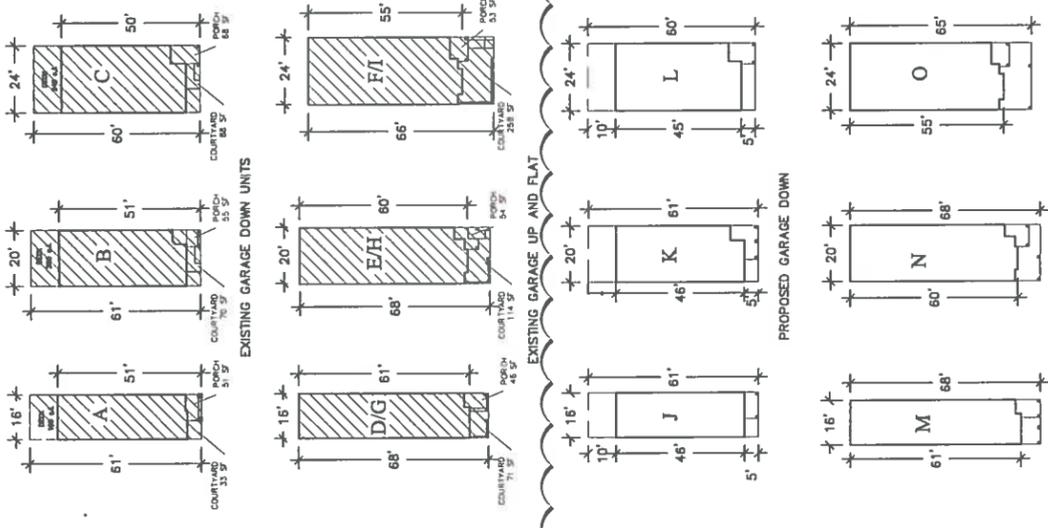
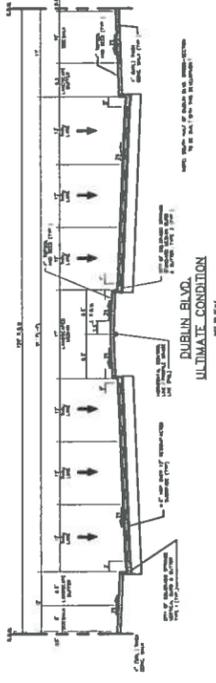
NO.	DATE	DESCRIPTION	BY
1	9-18-15	LOIS 71-72, 73, 108, 107 & 108 IDENTIFIED AS NEW UNIT TYPES (SEE CHART). ADD. 8 PARKING SPACES. MODIFIED LANDSCAPE & IRRIGATION TO ACCOMMODATE PARKING SPACES	

REVISIONS

BENCHMARK DATA(ELEV.)  
(DATUM)  
(DESCRIPTION/LOCATION)

NAME: B:\Clients\2015\15012 - Dublin Terrace\Active\ACAD\15012-ADP.dwg (D:\TUM)  
PCP: Matrincb  
PLOT DATE: Mon Oct 19, 2015 11:45am

FIGURE 2

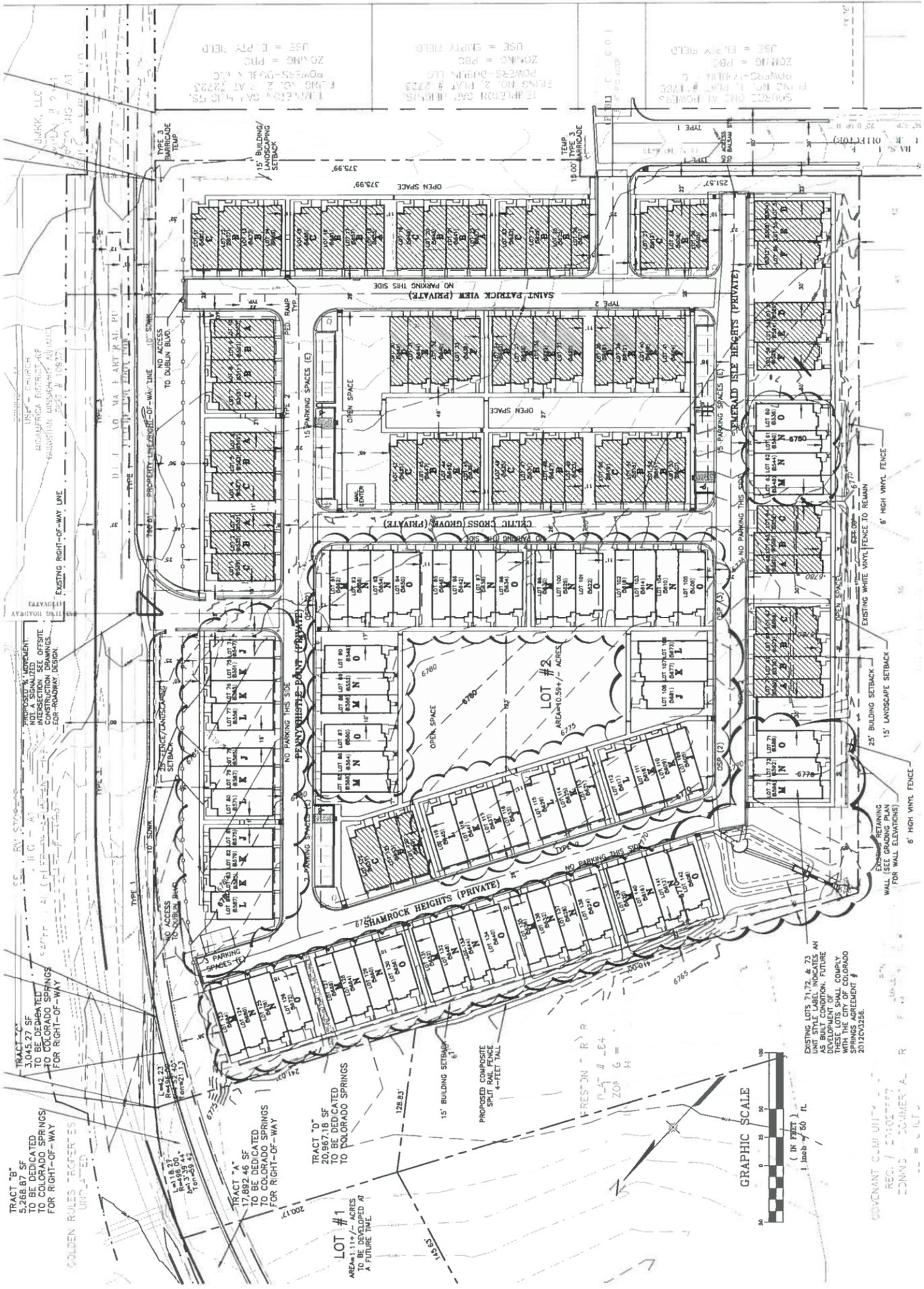


PROPOSED GARAGE UP AND FLATS  
**APPROVED**  
 CITY OF COLO SPRINGS  
 OCT 20 2015  
 SCALE: 1"=30'

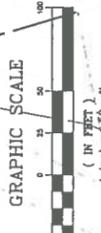
BY CITY PLANNING



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- NOTES:
- ONLY ELEVATION "B" CAN BE USED ADJACENT TO THE SINGLE FAMILY HOMES ALONG THE SOUTHERN BOUNDARY.
  - OSP (3) = ON STREET PARKING FOR 3 CARS.
  - US POSTAL SERVICE TO BE DELIVERED TO A CENTRAL LOCATION.
  - EACH UNIT WILL BE RESPONSIBLE FOR THEIR OWN GARBAGE.
  - ALL ONSITE SIDEWALKS SHALL BE 4'-FOOT WIDE.
  - RIGHT-OF-WAY ALONG BALSAM STREET NORTH OF SOURCE WAY SHALL BE VACATED BY SEPARATE INSTRUMENT.
  - EXISTING RIGHT-OF-WAY ALONG THE SOUTH SIDE OF DUBLIN BLVD. TO REMAIN AS FUTURE SOUTH RIGHT-OF-WAY FOR THE ULTIMATE BUILD-OUT OF THE 120-FOOT CROSS SECTION, EXCEPT WHERE SHOWN NEAR THE GREENBELT.
  - A 6-FOOT SOUND FENCE SHALL BE BUILT 25'-FEET OFF THE SOUTHERN RIGHT-OF-WAY LINE OF D B N BLVD AND SHALL MATCH THE NORWOOD CONCRETE FENCE TO THE WEST WITH THE ROCK FINISH.
  - ALL OPEN SPACE, TREES & EASEMENTS WILL BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION
  - ALL ONSITE CURB AND GUTTER WILL BE A TYPE 2. ALL ONSITE FEATURES ARE PROPOSED. ALL CURB AND GUTTER ON THE SOUTH HALF OF DUBLIN BLVD. ARE PROPOSED WITH THE EXISTING ASPHALT TO REMAIN UNLESS AN ASPHALT OVERLAY IS REQUIRED BY THE GEOTECHNICAL ENGINEERING. CURB AND GUTTER ON BALSAM STR. IS PROPOSED FOR BOTH SIDES OF THE STREET ALONG THE FRONTAGE OF THIS PROJECT ONLY.
  - LOT #1 WILL BE REQUIRED TO REZONE PRIOR TO ANY DEVELOPMENT.
  - ONLY ELEVATION "B" CAN BE USED ALONG THE SINGLE FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.



NO.	DATE	DESCRIPTION	BY
1	8-18-15	REVISION: FENCE ADDED, LANDSCAPE AND VINYL FENCE ADDED ALONG SOUTH PROPERTY LINE (LOTS 44-73)	
2	9-18-15	REVISION: LOT 71, 72, 73, 106, 107 & 108 IDENTIFIED AS NEW UNIT TYPES (SEE CHART), ADD 8 PARKING SPACES, MODIFIED LANDSCAPE & IRRIGATION TO ACCOMMODATE PARKING SPACES	

NO.	DATE	DESCRIPTION	BY
		BENCHMARK DATA(ELEV.)	
		(DATUM)	
		(DESCRIPTION/LOCATION)	

CLIENT/OWNER:  
**CHALLENGER HOMES**  
 Challenger Homes, Inc.  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

PREPARED BY:

Land Patterns, Inc.  
 Landscape Architecture & Planning

DESIGNED BY:	SCALE:	AS SHOWN:	DATE ISSUED:	JULY 6, 2015
DRAWN BY:	HORIZ:	VERT:	CHECKED BY:	D.T.M. / V.E.T.
SHEET NO. 2 OF 15 SHEETS				

DUBLIN TERRACE TOWNHOMES  
 AMENDED DEVELOPMENT PLAN  
 SITE PLAN  
 CITY FILE NO. CPC PUD- 05-00301-A3M115  
 CITY APPROVAL STAMP

FIGURE 2

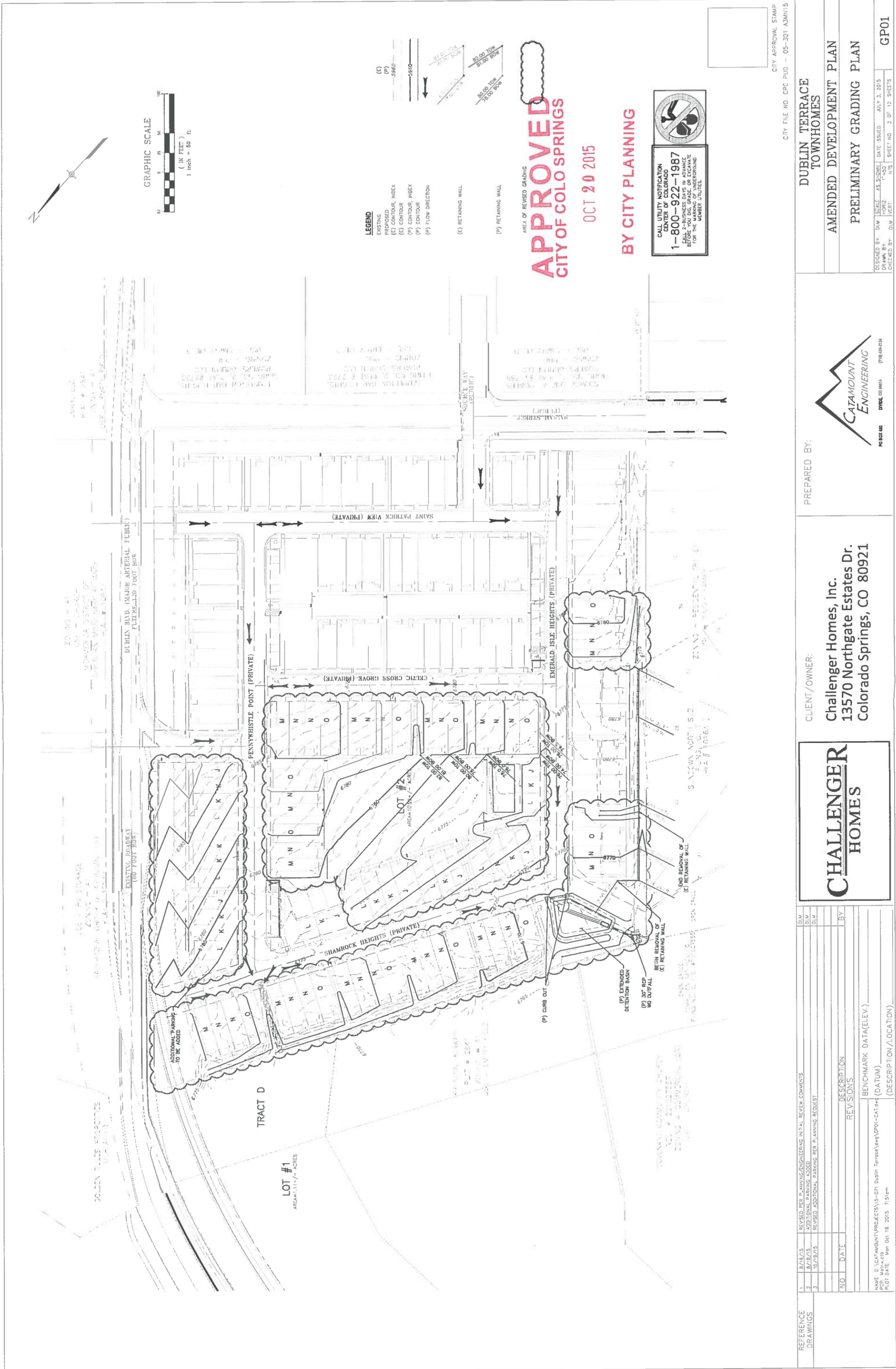
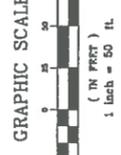
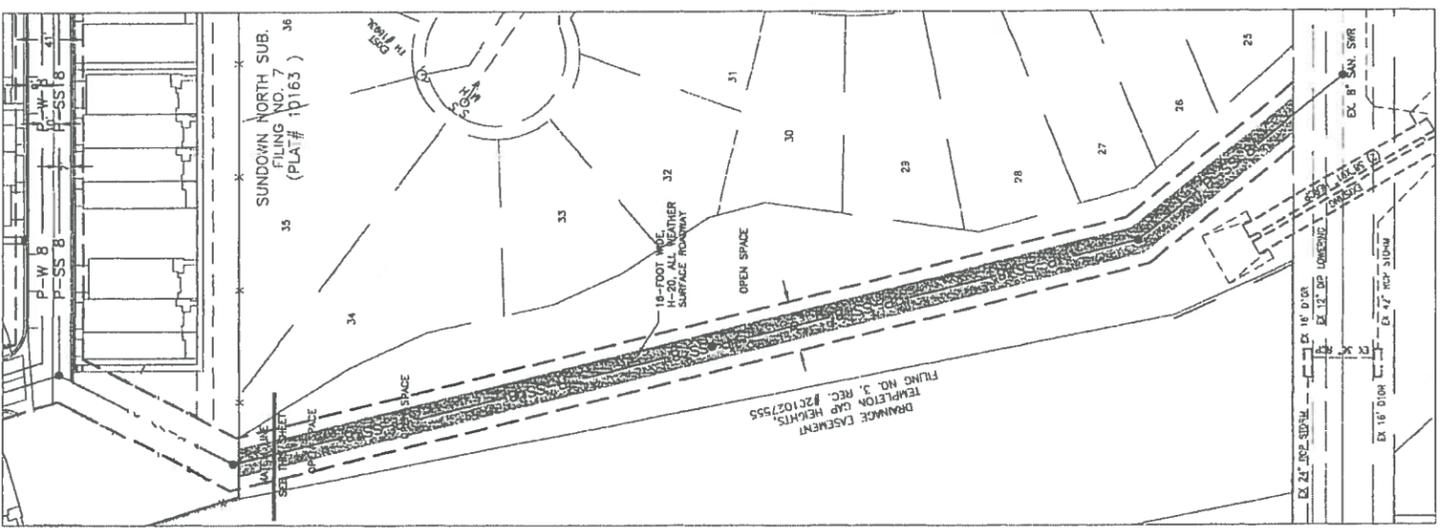
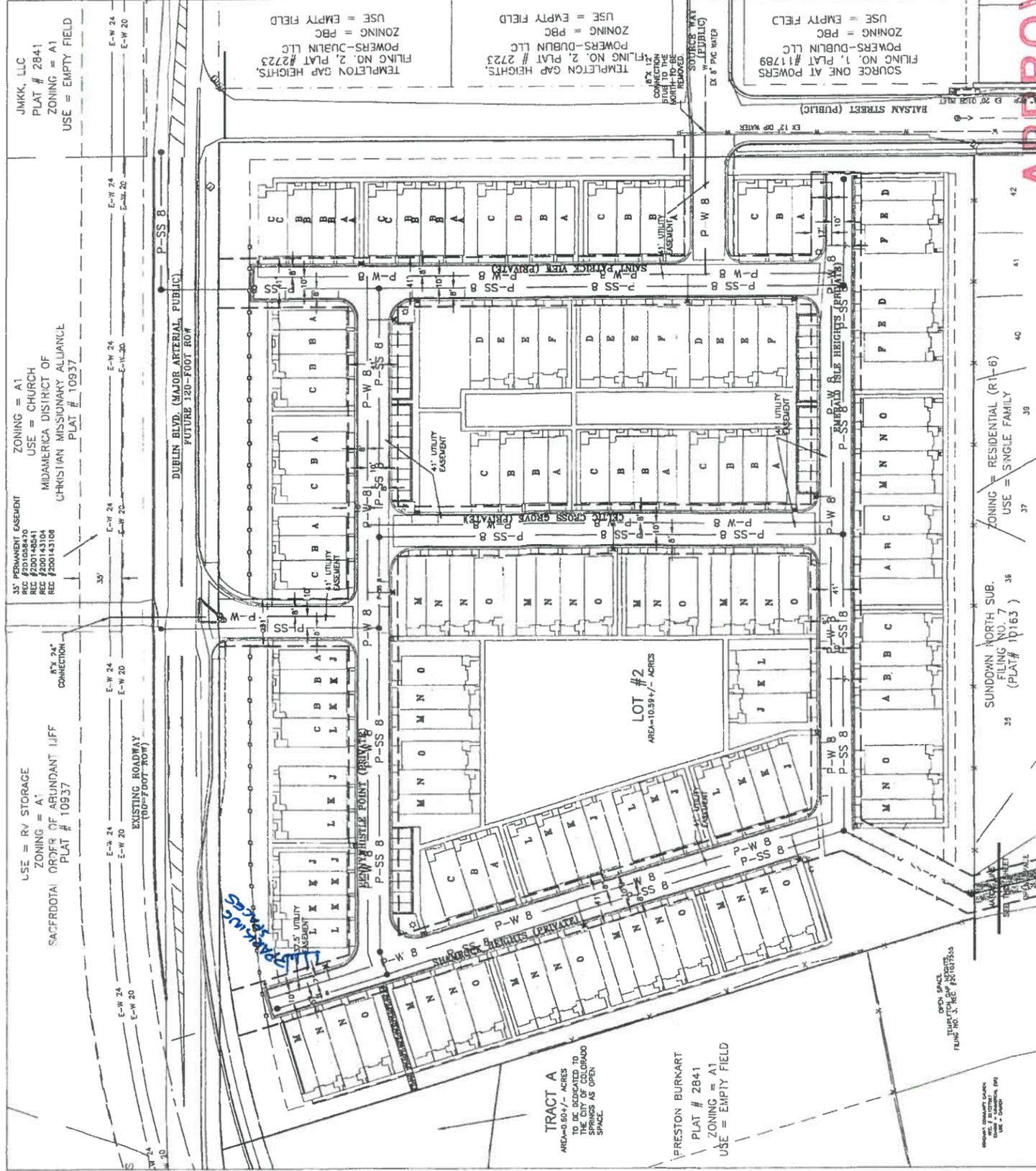


FIGURE 2

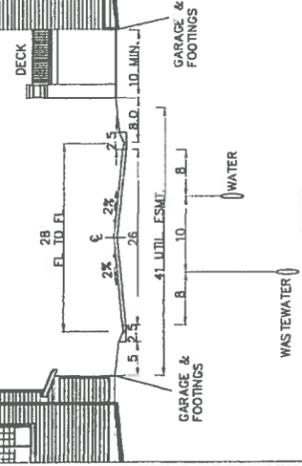
SHEET NO. 4



- NOTES:
- 1) ONLY ELEVATION "B" CAN BE USED ALONG THE SING F FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.
  - 2) ALL UTILITIES WILL BE PUBLIC.
  - 3) ROCK SIDING WILL BE REQUIRED WHERE ELECTRIC FAULTS ARE WITHIN 10-FEET OF THE BUILDING AND THE ROCK SIDING WILL MEET CSU STANDARDS FOR HEIGHT AND WIDTH ON BUILDING FACE.

- LEGEND
- PROPOSED 8" PVC WATER
  - PROPOSED 8" PVC SAN. SEWER
  - PROPOSED SANITARY SEWER MANHOLE
  - EXISTING WATER

PRIVATE ROADWAY & PUBLIC UTILITY TYPICAL CROSS-SECTION



**APPROVED**  
 CITY OF COLO SPRINGS  
 OCT 20 2015

CITY APPROVAL STAMP  
 CITY FILE NO. CPC PUD- 05-00301-A3M15

BY CITY PLANNING  
 Land Patterns, Inc.  
 Landscape Architecture & Planning

PREPARED BY:  
 Challenger Homes, Inc.  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

CLIENT/OWNER:  
 Challenger Homes, Inc.  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

CHALLENGER HOMES

DUBLIN TERRACE TOWNHOMES  
 AMENDED DEVELOPMENT PLAN  
 UTILITY PLAN

NO.	DATE	DESCRIPTION	BY
1	8-18-15	DEVELOPMENT PLAN	
2	9-18-15	LANDSCAPE & IRRIGATION TO ACCOMMODATE PARKING SPACES	

NO.	DATE	DESCRIPTION	BY
1	8-18-15	DEVELOPMENT PLAN	
2	9-18-15	LANDSCAPE & IRRIGATION TO ACCOMMODATE PARKING SPACES	

NO.	DATE	DESCRIPTION	BY
1	8-18-15	DEVELOPMENT PLAN	
2	9-18-15	LANDSCAPE & IRRIGATION TO ACCOMMODATE PARKING SPACES	

FIGURE 2

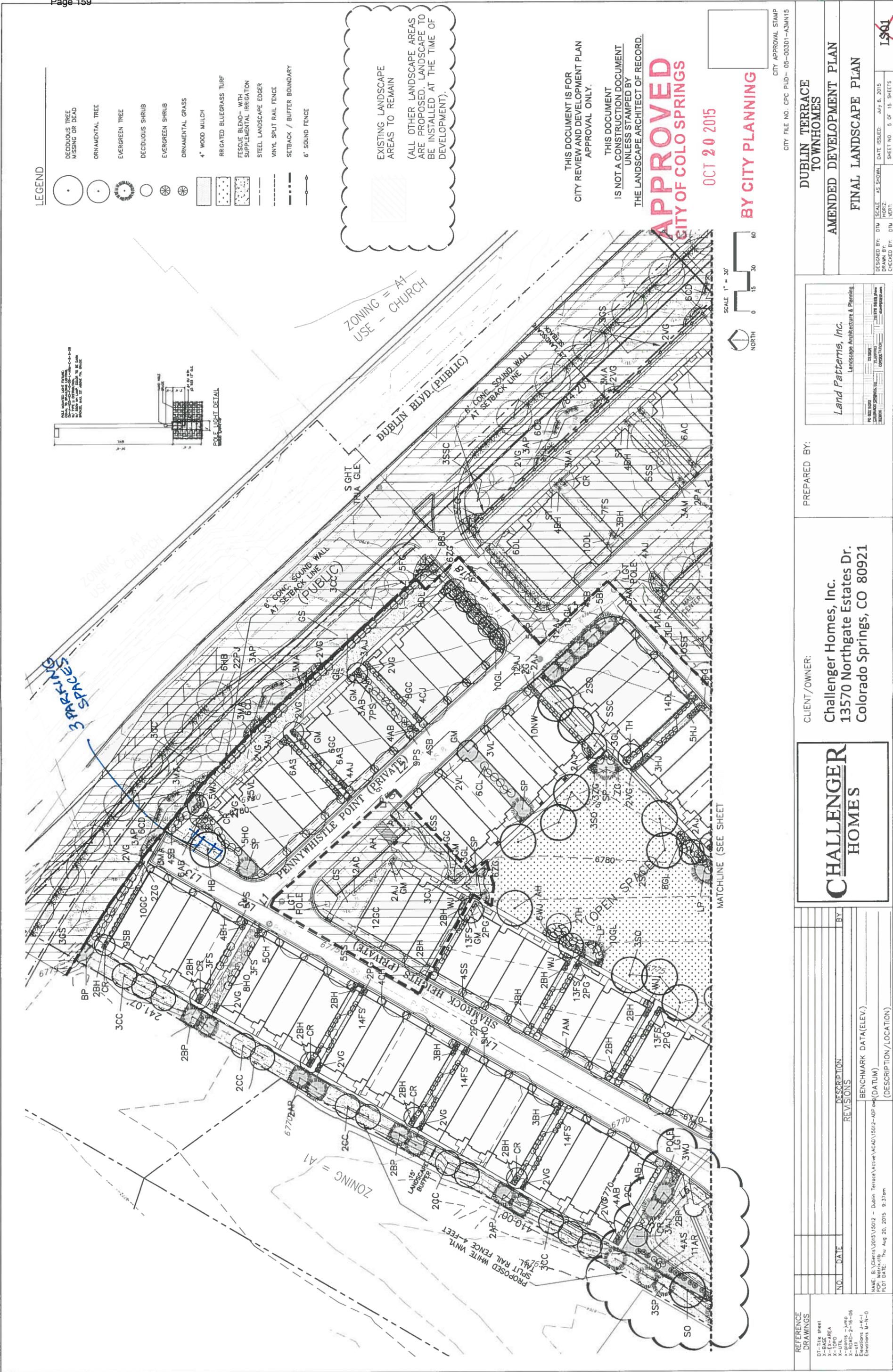


FIGURE 2



SITE CATEGORY CALCULATION

STREET NAME OR ZONE BOUNDARY (ELEV)	STREET CLASSIFICATION	WIDTH (IN FT.) REQ./PROV.	LINEAR FOOTAGE	TREE/FEET REQUIRED	NO. OF TREES REQ./PROV.	% GRD PLANE REQ. / PROV.
DUBLIN BOULEVARD	ARTERIAL (MAJOR)	25' / 25'	825	1/20'	41 / 43	75 / 96

NO. OF VEHICLE SPACES PROVIDED	VEHICLE LOT FRONTAGES	LENGTH OF FRONT EX. DRIVEWAYS	2/3 LENGTH OF FRONTAGE
46 (EXTERIOR)	NA	NA	NA

MIN. 3' SCREENING PLANTS REQ. / PROV.	VEHICLE LOT PLANT ABBR. ON PLAN	% GROUND PLANE EG. REQ. / PROV.
136 LF / 67% = 81.12 LF	NA	75 / 77

30 SHRUBS REQ. / 30 PROV.	VEHICLE LOT FRONTAGES	LENGTH OF FRONT EX. DRIVEWAYS	2/3 LENGTH OF FRONTAGE
15 / 15	NA	NA	75 / 77

PERCENT MINIMUM INTERNAL AREA (%)	INTERNAL AREA (SF)	INTERNAL TREES (1/500SF)	INTERNAL AREA (SF)	PERCENT MINIMUM INTERNAL AREA (%)
15%	69,217 / 207,935	138 / 152	69,217 / 207,935	15%

SHRUB SUBSTITUTES REQUIRED / PROVIDED	ORN. GRASS SUBSTITUTES REQUIRED / PROVIDED	% GROUND PLANE VEG. REQUIRED / PROVIDED
NA	51 / 97	75 / 78

STREET NAME OR PROPERTY LINE (ELEV)	WIDTH (IN FEET) REQ./PROV.	LINEAR FOOTAGE	EVERGREEN TREES REQ./PROV.	LENGTH OF 6" SPAGNE FENCE REQ./PROV.	BUFFER TREE ABBR. NOTED ON PLAN	% GRD PLANE REQ. / PROV.
SOUTH PROP. LINE	15' / 15'	634.08	(1/20) 138 / 152	138 / 152	SEE CAT. CHART	75 / 83
SOUTHWEST PROP. LINE	15' / 15'	624.45	(1/20) 31.2 / 75	15.6 / 61	SEE CAT. CHART	75 / 89
NORTHWEST PROP. LINE	15' / 15'	615.39	(1/25) 4.6 / 36	12.3 / 13	SEE CAT. CHART	75 / 91

LANDSCAPE SETBACKS

NET SITE AREA (SF) LESS PUBLIC ROW	PERCENT MINIMUM INTERNAL AREA (%)	INTERNAL AREA (SF)	INTERNAL TREES (1/500SF)
461,445	15%	69,217 / 207,935	138 / 152

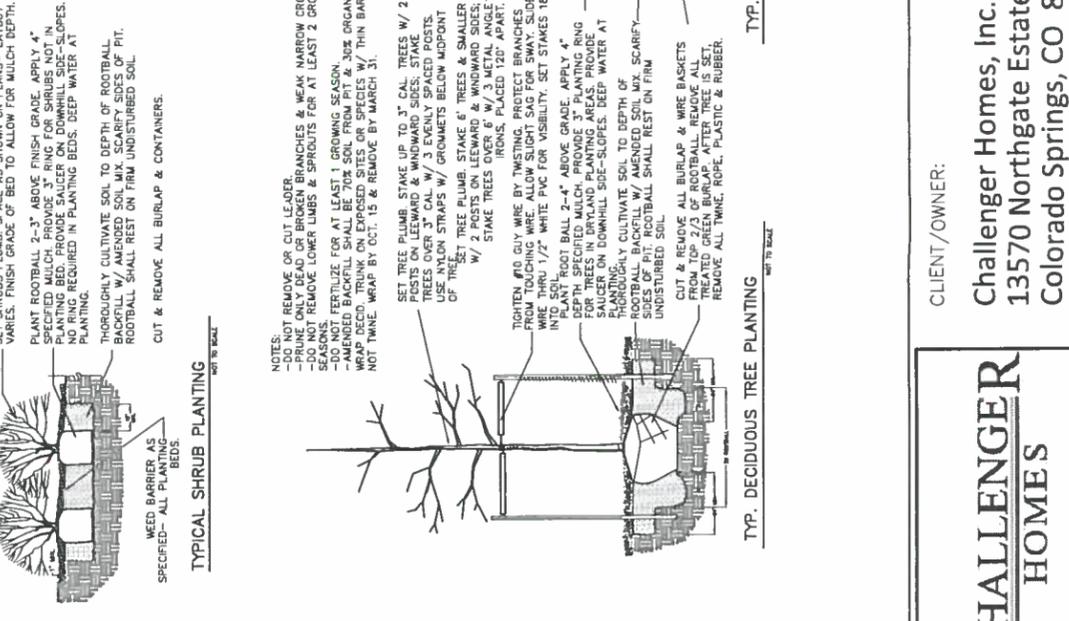
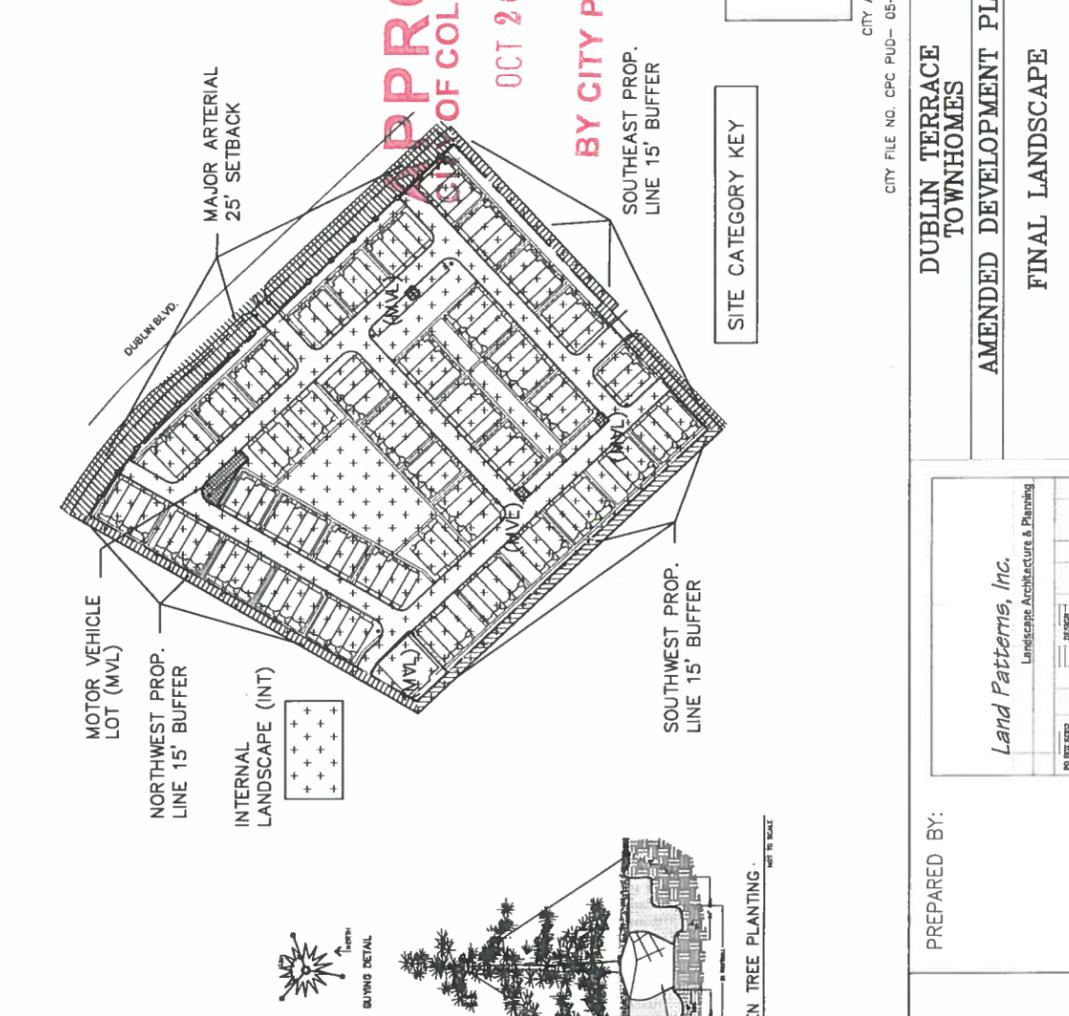
SHRUB SUBSTITUTES REQUIRED / PROVIDED	ORN. GRASS SUBSTITUTES REQUIRED / PROVIDED	% GROUND PLANE VEG. REQUIRED / PROVIDED
NA	51 / 97	75 / 78

STREET NAME OR PROPERTY LINE (ELEV)	WIDTH (IN FEET) REQ./PROV.	LINEAR FOOTAGE	EVERGREEN TREES REQ./PROV.	LENGTH OF 6" SPAGNE FENCE REQ./PROV.	BUFFER TREE ABBR. NOTED ON PLAN	% GRD PLANE REQ. / PROV.
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LANDSCAPE BUFFERS

STREET NAME OR PROPERTY LINE (ELEV)	WIDTH (IN FEET) REQ./PROV.	LINEAR FOOTAGE	EVERGREEN TREES REQ./PROV.	LENGTH OF 6" SPAGNE FENCE REQ./PROV.	BUFFER TREE ABBR. NOTED ON PLAN	% GRD PLANE REQ. / PROV.
SOUTH PROP. LINE	15' / 15'	634.08	(1/20) 138 / 152	138 / 152	SEE CAT. CHART	75 / 83
SOUTHWEST PROP. LINE	15' / 15'	624.45	(1/20) 31.2 / 75	15.6 / 61	SEE CAT. CHART	75 / 89
NORTHWEST PROP. LINE	15' / 15'	615.39	(1/25) 4.6 / 36	12.3 / 13	SEE CAT. CHART	75 / 91



NOTES:

- DO NOT REMOVE OR CUT LEADER
- PRUNE ONLY DEAD OR BROKEN BRANCHES & WEAK NARROW CROTCHES
- DO NOT REMOVE LOWER LIMBS & SPROUTS FOR AT LEAST 2 GROWING SEASONS
- DO NOT FERTILIZE FOR AT LEAST 1 GROWING SEASON
- AMENDED BACKFILL SHALL BE 70% SOIL FROM PIT & 30% ORGANIC MATERIAL
- WRAP DECID. TRUNK ON EXPOSED SITES OR SPECIES W/ THIN BARK. USE TAPE NOT TWINE. WRAP BY OCT. 15 & REMOVE BY MARCH 31
- SET TREE PLUMB STAKE UP TO 3" CAL TREES W/ 2 PISTS ON LEWARD & WINDWARD SIDES. STAKE TREES OVER 3" CAL W/ 3 EVENLY SPACED PISTS. USE NYLON STRAPS W/ GROMMETS BELOW W/ POINT OF TREE SET PLUMB STAKE 6" TREES & SMALLER W/ 2 PISTS ON LEWARD & WINDWARD SIDES; W/ 3 STAKE TREES OVER 6" W/ 3 METAL ANGLE IRONS, PLACED 120° APART.
- TIGHTEN #10 GALV. WIRE BY TWISTING. PROTECT BRANCHES FROM DAMAGE BY TRUCKS OR OTHER EQUIPMENT. WIRE THRU 1/2" WHITE PVC FOR VISIBILITY. SET STAKES 18" INTO SOIL.
- DEPTN. SPREAD MULCH TO 2" ABOVE GRADE. APPLY 4" RING FOR TREES IN DRYLAND PLANTING AREAS. PROVIDE SAUCER ON DOWNHILL SIDE-SLOPES. KEEP WATER AT THOROUGHLY CULTIVATE SOIL TO DEPTH OF ROOTBALL. BACKFILL W/ AMENDED SOIL MIX. SCARIFY SIDES OF PIT. ROOTBALL SHALL REST ON FIRM UNDISTURBED SOIL.
- CUT & REMOVE ALL BURLAP & WIRE BASKETS FROM TOP 2/3 OF ROOTBALL. REMOVE ALL PLANTS, SOIL, MULCH, & RUBBER. REMOVE ALL TWINE, ROPE, PLASTIC & RUBBER.

LANDSCAPE SETBACKS

KEY	QTY.	BOTANICAL NAME	COMMON NAME	KEY: APPENDIX B	SIZE	NOTES/REMARKS
RE	3	Carpinus caroliniana	American Hornbeam	3457DA	2.5' cal.	B&B, single stem, full head
HR	20	Celtis occidentalis 'Prarie Pride'	Prarie Pride Hackberry	344S	2.5' cal.	B&B, single stem, full head
MS	12	Ammodendron elaeagnifolium	Kentucky Coffeetree	2457AD	2.5' cal.	B&B, single stem, full head
PA	6	Fraxinus penn. lanceolata 'Marshalls'	Morshalls Green Ash	45	2.5' cal.	B&B, single stem, full head
SO	19	Quercus bicolor	Swamp White Oak	467S	2.5' cal.	B&B, single stem, full head
OR	23	Malus 'Centurion'	Centurion Crabapple	12345678SA	2.5' cal.	B&B, single stem, full head
CR	12	Prunus virginiana 'Shubert'	Canada Red Cherry	A	2.5' cal.	B&B, single stem, full head
CP	9	Pyrus calleryana 'Chanticleer'	Chanticleer Pear	45678S	2.5' cal.	B&B, multi-stem, full head
GM	12	Acer glabrum	Smooth Red Maple	467S	2.5' cal.	B&B, single stem, full head
SSC	14	Melus 'Spring Snow'	Spring Snow Crabapple	235AD	2.5' cal.	B&B, single stem, full head
TH	15	Crataegus crus-galli 'Inermis'	Thornless Hawthorn	25678A	6-8' HT.	B&B, full & bushy
EV	40	Nyssa nigra	Austrian Pine	678S	8' HT.	B&B, full & bushy
BBE	8	Picea pungens 'Baby Blue Eyes'	Baby Blue Eyes Spruce	56AD	6-8' HT.	B&B, full & bushy
GS	15	Picea pungens	Green Spruce	25678A	6-8' HT.	B&B, full & bushy
LP	12	Prunus fraxilis	Limber Pine	W	8' HT.	B&B, full & bushy
SP	22	Juniperus scopulorum	Scotch Pine	5678A	6-8' HT.	B&B, full & bushy
JSM	12	Juniperus scopulorum	Juniper, moonglow	5678A	6-8' HT.	B&B, full & bushy
PN	8	Picea glauca 'north star'	Spruce, Contact White	235AD	6-8' HT.	B&B, full & bushy
PL	6	Prunus laurocerasus	Pine, Emerald Arrow	5678A	6-8' HT.	B&B, full & bushy
AC	33	Ribes alpinum	Alpine Currant	5678A	5 gal.	Container
AM	45	Potentilla 'Abbotswood'	Abbotswood Potentilla	4567S	5 gal.	Container
AB	19	Acer glabrum	Glabra Maple	4567S	5 gal.	Container
AS	81	Spiraea japonica 'Anthony Waterer'	Anthony Waterer Spiraea	5A	5 gal.	Container
NW	22	Rosa 'Neary Wild'	Rose 'Neary Wild'	457A	5 gal.	Container
CL	17	Syringa x chinensis	Chinese Lilac	478A	5 gal.	Container
CH	29	Prunus virginiana melanocarpa	Chokecherry	12345678SA	5 gal.	Container
CD	53	Daphne x burkwoodii 'Carol Mookie'	Carol Mookie Daphne	D	5 gal.	Container
DL	123	Syringa patula 'Miss Kim'	Miss Kim Dwarf Lilac	568A	5 gal.	Container
FS	94	Spiraea 'Trobelt'	Frobel Spiraea	5A	5 gal.	Container
GC	71	Ribes alpinum 'Green Mound'	Green Mound Currant	5678A	5 gal.	Container
HO	30	Lonicera tatarica 'Arnold's Red'	Arnold's Red Honeysuckle	567A	5 gal.	Container
SS	34	Amancaesler anifolia	Siberian Peashrub	23456A	5 gal.	Container
PS	26	Caragana aborsensis	Siberian Peashrub	450	5 gal.	Container
ST	19	Cotinus coggygria	Purple Smoke-tree	450	5 gal.	Container
TB	78	Rhamnus frangula 'Columnaris'	Tallhedge Buckthorn	456D	5 gal.	Container
VL	86	Viburnum lentago	Nannyberry Viburnum	1345A	5 gal.	Container
WS	31	Prunus besseyi	Western Sandcherry	2568A	5 gal.	Container
AR	19	Juniperus chinensis 'Armstrongii'	Armstrong Juniper	2568DA	5 gal.	Container
BH	63	Juniperus horizontalis 'Bar Harbor'	Bar Harbor Juniper	2568DA	5 gal.	Container
CU	64	Juniperus chinensis 'Catalpa Copse'	Catalpa Juniper	2568A	5 gal.	Container
HJ	45	Juniperus horizontalis 'Plumage'	Plumage Juniper	2568A	5 gal.	Container
LJ	22	Juniperus chinensis 'Hobert'	Hobert Juniper	2568A	5 gal.	Container
MA	24	Mohonia aquifolium	Oregon Grapeholly	1256	5 gal.	Container
PJ	53	Juniperus horizontalis 'Prince of Wales'	Prince of Wales Juniper	2568A	5 gal.	Container
SG	3	Cytisus purgans 'Spanish Gold'	Spanish Gold Broomrape	D	5 gal.	Container
WJ	31	Juniperus horizontalis 'Wiltonii'	Blue Rug Juniper	2568A	5 gal.	Container
FG	13	Colanagrostis acutiflora 'K. Feerster'	Feather Reed Grass	A	5 gal.	Container
PG	37	Miscanthus sinensis 'purpurascens'	Purple Maiden Grass	DA	5 gal.	Container
VG	45	Miscanthus sinensis 'Variegatus'	Variegated Maiden Grass	DA	5 gal.	Container
ZG	33	Miscanthus sinensis 'Zebrinus'	Zebra Grass	DA	5 gal.	Container

FESCUE BLEND TURF MIX:  
35% CREEPING RED FESCUE  
25% SR3100 HARD FESCUE  
12.5% RELBENS CANADIAN BLUE  
12.5% SR1500 CHEWINGS OR HARD FESCUE

APPROVED  
BY CITY PLANNING  
OCT 20 2015  
SOUTHWEST PROP. LINE 15' BUFFER  
SOUTH WEST PROP. LINE 15' BUFFER  
MAJOR ARTERIAL 25' SETBACK

LANDSCAPE SETBACKS

LANDSCAPE BUFFERS

CLIENT/OWNER:  
Challenger Homes, Inc.  
13570 Northgate Estates Dr.  
Colorado Springs, CO 80921

PREPARED BY:  
Land Patterns, Inc.  
Landscape Architecture & Planning

CITY APPROVAL STAMP  
CITY FILE NO. CPC PUD-05-00301-A3MNY15

DUBLIN TERRACE TOWNHOMES  
AMENDED DEVELOPMENT PLAN  
FINAL LANDSCAPE

DESIGNED BY: DTM SCALE: AS SHOWN DATE ISSUED: JUNE 24, 2015  
DRAWN BY: DTM SHEET NO. 7 OF 15 SHEETS  
CHECKED BY: DTM

IS03

FIGURE 2

BUILDING ELEVATIONS A, B, C

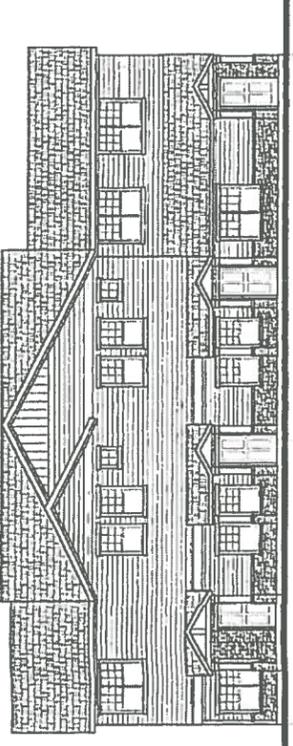
- NOTES:  
 1) NO VINYL SIDING WILL BE USED.  
 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SIDING.  
 3) BOTTOM HALF OF BUILDING REARS WILL BE COVERED WITH ROCK SIDING.  
 4) ALL EXTERIOR WALLS WILL BE COVERED WITH ROCK SIDING.  
 5) ALL EXTERIOR WALLS WILL BE COVERED WITH ROCK SIDING.  
 6) ALL EXTERIOR WALLS WILL BE COVERED WITH ROCK SIDING.  
 7) ALL EXTERIOR WALLS WILL BE COVERED WITH ROCK SIDING.  
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 18) ALL EXTERIOR WALLS WILL BE COVERED WITH ROCK SIDING.  
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 20) ALL EXTERIOR WALLS WILL BE COVERED WITH ROCK SIDING.



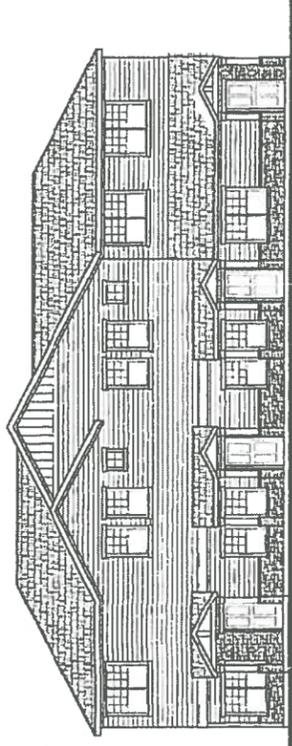
**APPROVED**  
 CITY OF COLO SPRINGS

OCT 20 2015

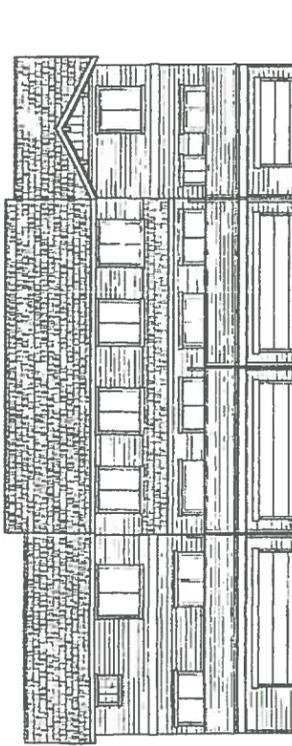
BY CITY PLANNING



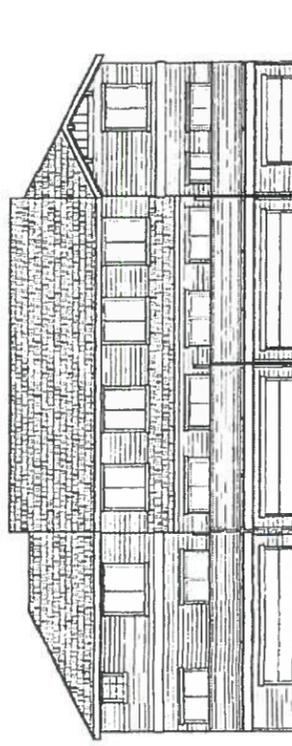
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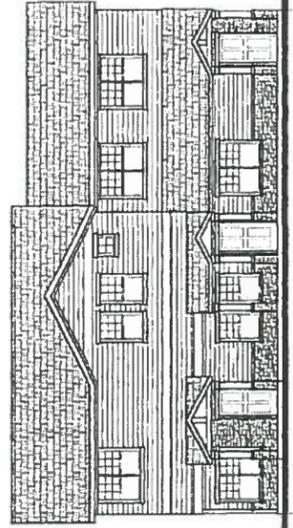
4-Plex-Garage Down Front Elevation 'B'



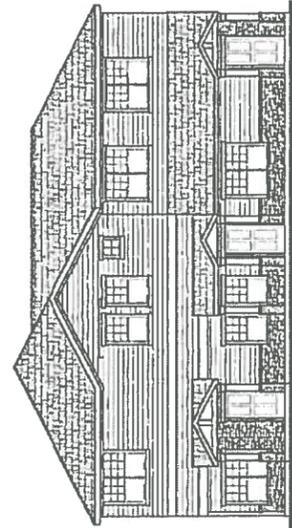
4-Plex-Garage Down Rear Elevation 'A'



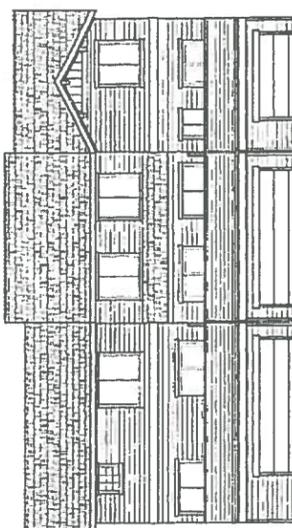
4-Plex-Garage Down Rear Elevation 'B'



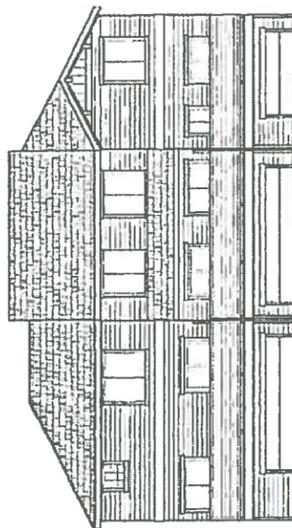
3-Plex-Garage Down Front Elevation 'A'



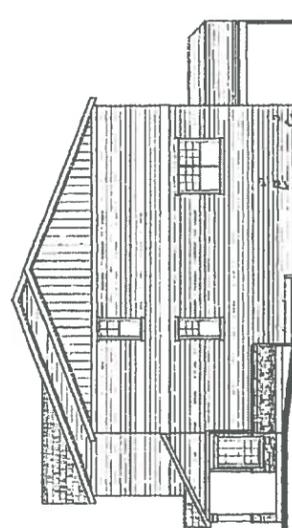
3-Plex-Garage Down Front Elevation 'B'



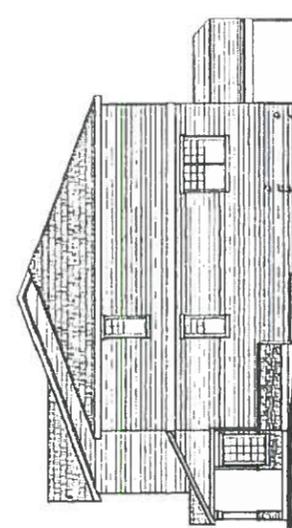
3-Plex-Garage Down Rear Elevation 'A'



3-Plex-Garage Down Rear Elevation 'B'



Garage Down Side Elevation 'A'



Garage Down Side Elevation 'B'

PREPARED BY: **Challenger Homes, Inc.**  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

CLIENT/OWNER: **Challenger Homes, Inc.**  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

DESIGNED BY: DTM SCALE AS SHOWN DATE ISSUED: July 6, 2015  
 DRAWN BY: DTM SCALE AS SHOWN DATE ISSUED: July 6, 2015  
 CHECKED BY: DTM SCALE AS SHOWN DATE ISSUED: July 6, 2015

CITY APPROVAL STAMP  
 CITY FILE NO. CPC PUD- 05-00301-A3MN15

DUBLIN TERRACE TOWNHOMES  
 AMENDED DEVELOPMENT PLAN  
 BUILDING ELEVATIONS A, B, C

DESIGNED BY: DTM SCALE AS SHOWN DATE ISSUED: July 6, 2015  
 DRAWN BY: DTM SCALE AS SHOWN DATE ISSUED: July 6, 2015  
 CHECKED BY: DTM SCALE AS SHOWN DATE ISSUED: July 6, 2015

REFERENCE DRAWINGS  
 DT-Title sheet  
 X-BASE  
 X-EX-AREA  
 X-PLAN  
 X-UTIL  
 X-PLANTS - Jmp  
 X-ROADS-16-06  
 Elevations M-N-O  
 J-K-L

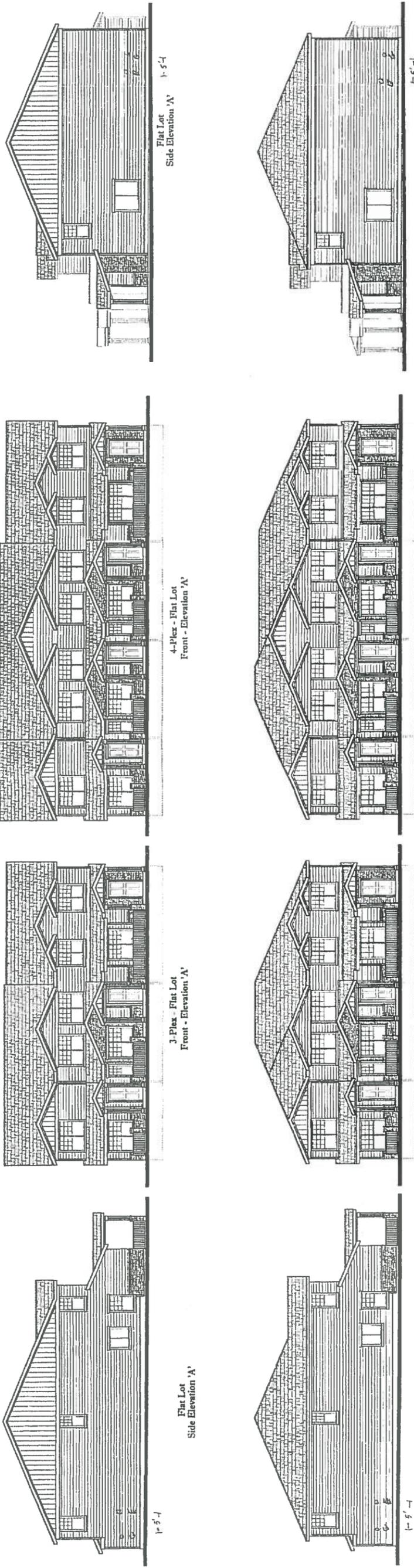
REVISIONS  
 NO. DATE DESCRIPTION  
 BENCHMARK DATA(ELEV.)  
 DATUM  
 (DESCRIPTION/LOCATION)

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 PLOT DATE: Thu Aug 20, 2015 9:43am

SDI

FIGURE 2



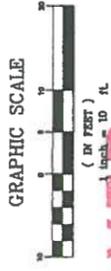


Flat Lot Side Elevation 'A'

Flat Lot Side Elevation 'B'

**BUILDING ELEVATIONS G, H, I**

- NOTES:**
- 1) NO WHYL SONGING WILL BE USED.
  - 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SONGING.
  - 3) ROCK SONGING WILL BE REQUIRED WHERE ELECTRIC FAULTS ARE WITHIN 10- FEET OF THE BUILDING AND THE ROCK SONGING WILL MEET CSU STANDARDS FOR HEIGHT AND WIDTH ON BUILDING FACE.
  - 4) A HOMEOWNERS ASSOCIATION WILL BE ORGANIZED AND WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.
  - 5) ONLY ELEVATION 'B' CAN BE USED ALONG THE SINGLE FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.



**APPROVED**  
 CITY OF COLO SPRINGS

OCT 20 2015

**BY CITY PLANNING**

CITY APPROVAL STAMP  
 CITY FILE NO. CPC PUD- 05-00301-A3M15

PREPARED BY:

**Challenger Homes, Inc.**  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

CLIENT/OWNER:

**Challenger Homes, Inc.**  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

PREPARED BY:

**Land Patterns, Inc.**  
 Landscape Architecture & Planning

CLIENT/OWNER:

**Challenger Homes, Inc.**  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

**CHALLENGER HOMES**

NO	DATE	DESCRIPTION	REVISIONS

DATE: B:\Clients\2015\15012 - Dublin Terrace\Active\ACAD\15012-ADP.dwg (DATUM)  
 PLOT DATE: Thu Aug 20, 2015 9:46am  
 (DESCRIPTION/LOCATION)

REFERENCE DRAWINGS

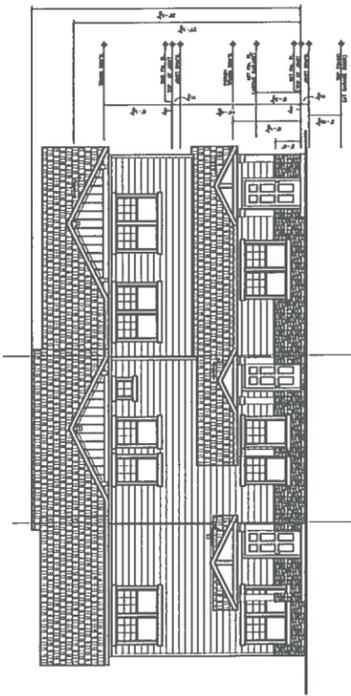
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 X-BASE AREA  
 X-EX-0  
 X-UL  
 X-plants - kmp  
 X-R010-2-16-06  
 Elevations J-K-I  
 Elevations M-N-O

DUBLIN TERRACE TOWNHOMES  
 AMENDED DEVELOPMENT PLAN  
 BUILDING ELEVATIONS G, H, I

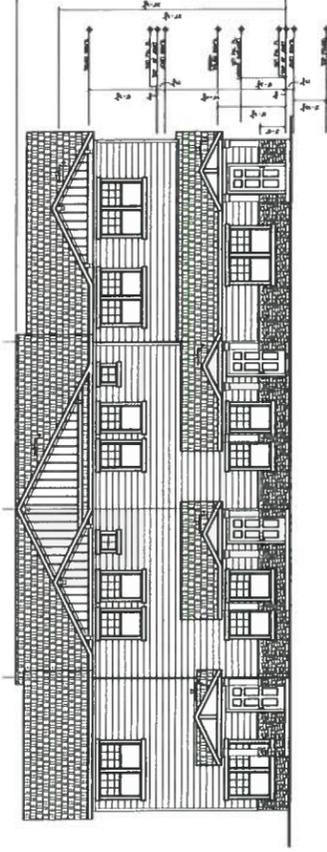
DESIGNED BY: DTM SCALE: AS SHOWN DATE ISSUED: July 8, 2015  
 DRAWN BY: JTM  
 CHECKED BY: JTM VERT. SHEET NO. 10 OF 15 SHEETS

SD3

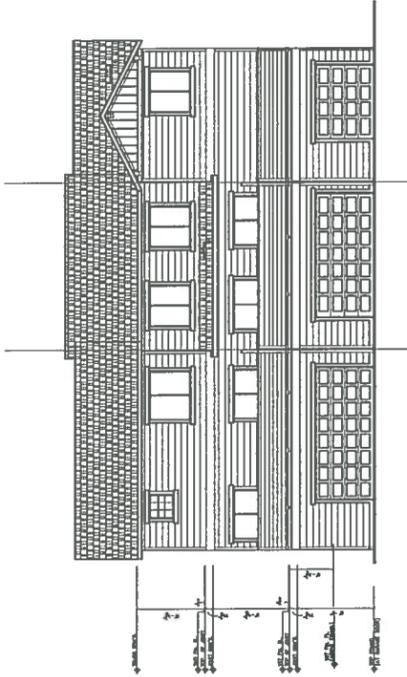
**FIGURE 2**



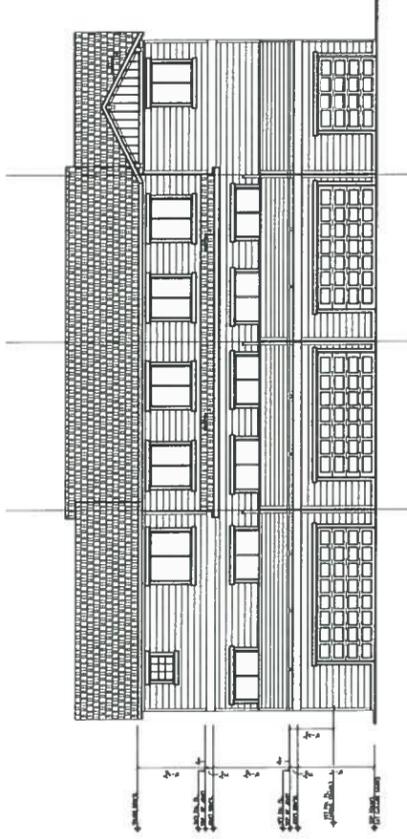
3-PLEX FRONT



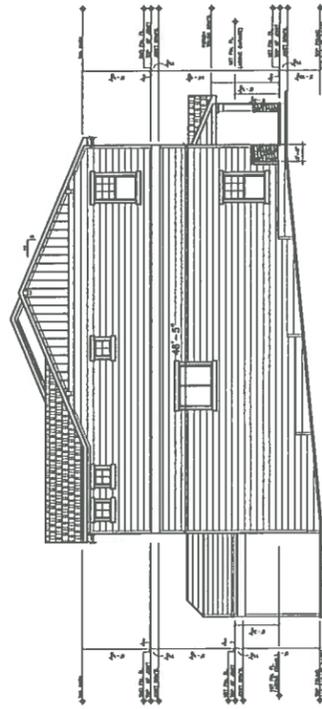
4-PLEX FRONT



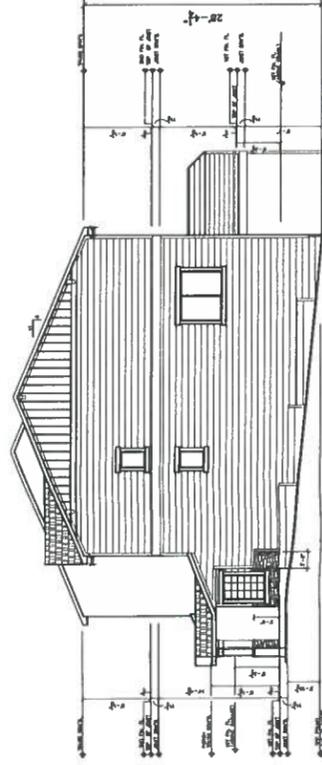
3-PLEX REAR



4-PLEX REAR



RIGHT SIDE



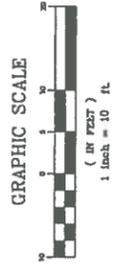
LEFT SIDE

**APPROVED**  
 CITY OF COLO SPRINGS

OCT 20 2015

**BY CITY PLANNING**  
 BUILDING ELEVATIONS J, K, L

- NOTES:
- 1) NO VINYL SIDING WILL BE USED.
  - 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SIDING.
  - 3) ROCK SIDING WILL BE REQUIRED WHERE ELECTRICAL PANELS ARE WITHIN 10 FEET OF THE BUILDING AND THE BUILDING WILL MEET CSU STANDARDS FOR HEIGHT AND WIDTH ON BUILDING FACE.
  - 4) A HOMEOWNERS ASSOCIATION WILL BE ORGANIZED AND WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.
- ALL UTILITIES SHALL BE LOCATED ALONG THE SINGLE FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.



CITY APPROVAL STAMP  
 CITY FILE NO. CPC PUD- 05-00301-A3M15

DUBLIN TERRACE TOWNHOMES	
AMENDED DEVELOPMENT PLAN	
BUILDING ELEVATIONS J, K, L	
DESIGNED BY: DTM	SCALE: AS SHOWN
DRAWN BY: J-K-L	DATE ISSUED: July 6, 2015
CHECKED BY: DTM	VERT. SHEET NO. 11 OF 15 SHEETS
	SD4

PREPARED BY:

**Challenger Homes, Inc.**  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

CLIENT/OWNER:

**CHALLENGER HOMES**

Land Patterns, Inc.  
 Landscape Architecture & Planning

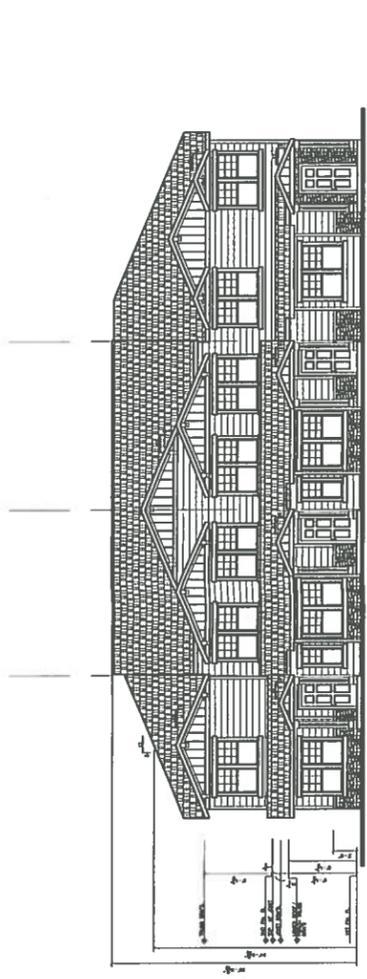
NO.	DATE	DESCRIPTION	REVISIONS
		BENCHMARK DATA(ELEV.)	
		(DATUM)	
		(DESCRIPTION/LOCATION)	

NAME: B:\Clients\2015\15012 - Dublin Terrace\Active\AC-00\15012-ADP.dwg  
 PLOT DATE: Thu Aug 20, 2015 9:47am

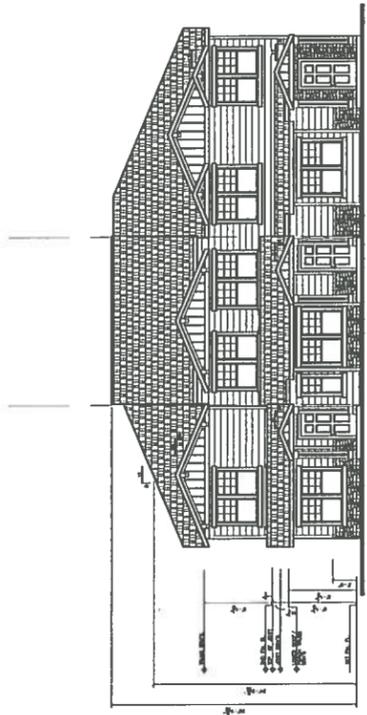
REFERENCE DRAWINGS:

- DT-Title sheet
- X-BASE
- X-EC-AREA
- X-GEN
- X-UTIL
- X-PLANIS - .jpg
- X-ROAD-2-16-06
- Elevations J-K-L
- Elevations M-N-O

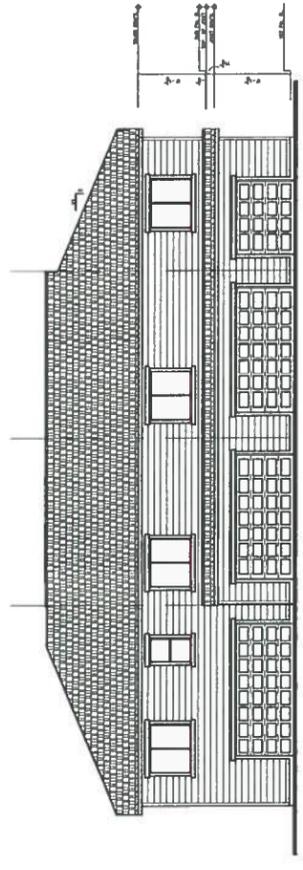
FIGURE 2



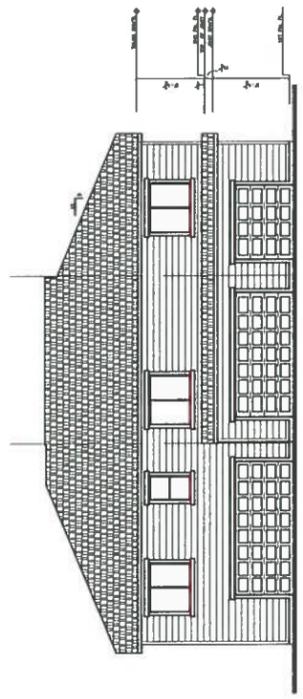
3-PLEX FRONT



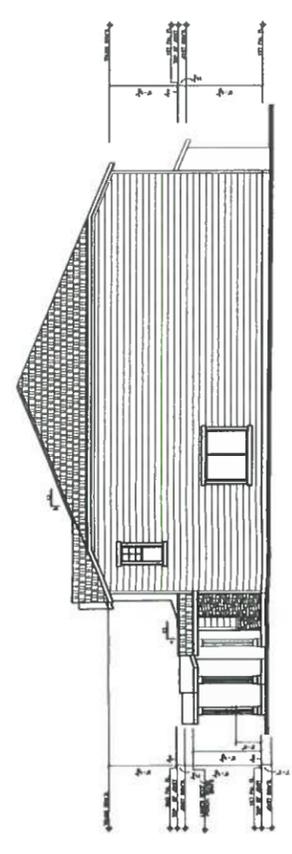
4-PLEX FRONT



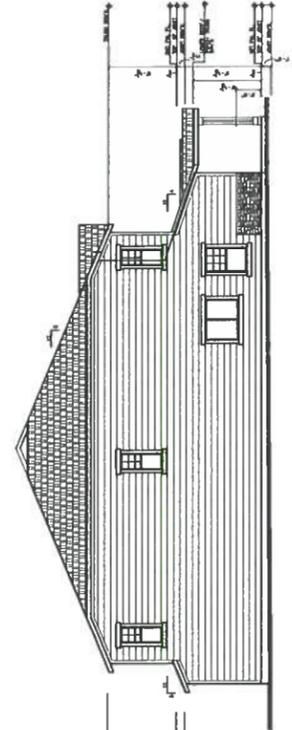
3-PLEX REAR



4-PLEX REAR



LEFT SIDE



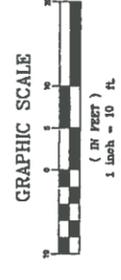
RIGHT SIDE

BUILDING ELEVATIONS M, N, O

NOTES:  
 1) NO VINYL SIDING WILL BE USED.  
 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SIDING.  
 3) ROCK SIDING TO BE REQUIRED WHERE ELECTRIC FAULTS ARE WITHIN 10 FEET OF THE BUILDING FACE.  
 4) A HOMEOWNERS ASSOCIATION WILL BE ORGANIZED AND WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.  
 5) ALL UTILITIES TO BE USED ALONG THE SINGLE FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.

**APPROVED**  
 CITY OF COLO SPRINGS  
 OCT 20 2015

BY CITY PLANNING



NO.	DATE	DESCRIPTION	BY

BENCHMARK DATA(ELEV.) \_\_\_\_\_  
 (DATUM)  
 (DESCRIPTION/LOCATION) \_\_\_\_\_

NAME: B:\Genesis\2015\15012 - Dublin Terrace\Active\ACAD\15012-ADP.dwg  
 PLOT DATE: Thu Aug 20, 2015 9:48am

**CHALLENGER HOMES**

CLIENT/OWNER:  
 Challenger Homes, Inc.  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

PREPARED BY:

*Land Patterns, Inc.*  
 Landscape Architecture & Planning

PROJECT NO. \_\_\_\_\_  
 DRAWING NO. \_\_\_\_\_  
 DATE: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_

CITY APPROVAL STAMP	
CITY FILE NO. CPC PUD- 05-00301-A3MN15	
DUBLIN TERRACE TOWNHOMES	
AMENDED DEVELOPMENT PLAN	
BUILDING ELEVATIONS M, N, O	
DESIGNED BY: DTM	SCALE AS SHOWN
DRAWN BY: _____	DATE ISSUED: July 3, 2015
CHECKED BY: DTM	HORZ: _____
	VERT: _____
	SHEET NO. 12 OF 15 SHEETS
	SD xl

FIGURE 2







6, July 2015

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

Re: Dublin Terrace Townhomes proposed minor amendment to the development plan CPC-PUD 05-301 - Project Statement.

Dear Ms. Teixeira:

On behalf of Challenger Homes, Inc., Land Patterns, Inc., is requesting approval of the Dublin Terrace Townhome – Amended Development Plan (existing approved development plan CPC PUD 05-310). The following is a Project Statement outlining our request for the approval.

**Description:**

Dublin Terrace Townhome is a 12.78 acre residential development, zoned PUD and consisting of 142 lots (currently 73 of the 42 lots are undeveloped). The development is bounded to the north by Dublin Blvd., open space tract and the Village Oaks Residential Development to the west (zoned PUD), residential development to the south (zoned R-6), and Powers-Dublin LLC commercial property to the east (zoned PBC – not developed).

**Proposed Project:**

A request for a Minor Amendment to Dublin Terrace Townhome Development Plan (CPC PUD 05-301) that includes the build-out of the remaining 73 lots of the 142 residential development. The amended plan proposes additional landscape buffering along the southwest boundary and a revised residential unit footprint with a lowered building height.

We respectfully request approval of the Dublin Terrace Townhome Amended Development Plan. 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



PLANNING & DEVELOPMENT DEPARTMENT  
Land Use Review Division

July 21, 2015

David T. Morrison  
Land Patterns  
P.O. Box 60112  
Colorado Springs, CO 80960

Re: Dublin Terrace Townhomes (CPC PUD 05-00301-A3MN15)

Dear Mr. Morrison,

The initial review for the amended Dublin Terrace Townhomes Development Plan has been completed by the Land Use Review Division. Following the review there are action items that require additional information. These action items will need to be addressed prior to the decision on the minor amendment to the development plan and the nonuse variance. Once these items have been successfully resolved, and the submitted materials are found to be complete, I will contact you for additional copies for final approval.

Please note that failure to submit revised plans/reports/information within 180 days will result in your application being formally withdrawn from consideration. Once withdrawn, any subsequent re-submittal will require the filing of a new application and payment of application fees.

Please submit five (5) copies of the site plans (folded to no larger than 8½" x 14", with the lower right hand corner exposed) and a copy of a Black Line (reduced to 11" x 17" size) to Land Use Review with the following changes.

Note that new comments may be added to future review letters in response to any necessary or proposed revisions to the site plans or other support documents.

**Amendment to the Development Plan (AR PUD 05-00301-A3MN15)**  
**Land Use Review Comments**

Action Items

General Modifications to Amended Development Plan

1. Replace the text from "CITY FILE NO. CPC PUD 05-301 AXXXX" to "CITY FILE NO. CPC PUD 05-00301-A3MN15" in the lower right corner of the site plan on all submitted sheets.
2. Modify the text noted under 'AMENDMENT HISTORY' to read as follows:  
"CPC PUD 05-00301 APPROVED NOVEMBER 13, 2006.  
CPC PUD 05-00301-A1MJ12 NOT APPROVED.  
CPC PUD 05-00301-A2MJ12 NOT APPROVED."

CPC PUD 05-00301-MM01 APPROVED ON AUGUST 17, 2010. PROJECT TO ILLUSTRATE THE NEW BUILDING FOOTPRINTS FOR 5621, 5625, 5629, AND 5633 ST. PATRICK VIEW.

CPC PUD 05-00301-A3MN15 UNDER REVIEW.

**COPY OF THE 'GENERAL RELEASE AND SETTLEMENT AGREEMENT' FOR CASE NO. 2012CV3256 IS LOCATED IN THE FILE.**

1. CONDITIONS PERTAINING TO PROPERTIES LOCATED AT 6588 (LOT 71), 6592 (LOT 72) AND 6596 (LOT 73) EMERALD ISLE HEIGHTS:
  - THAT THE PROPERTIES BE DEVELOPMENT PER FILE NO. CPC PUD 05-00301, AND
  - THAT THE GRADE OF THE PROPERTIES SHALL BE LOWERED TO BE COMPLIANT WITH THE APPROVED 2006 DEVELOPMENT PLAN TO THE EXTENT POSSIBLE.
2. CONDITIONS PERTAINING TO PROPERTIES LOCATED AT 6520 (LOT 57), 6524 (LOT 58), 6528 (LOT 59), 6552 (LOT 64), 6556 (LOT 65), 6560 (LOT 66), 6568 (LOT 67), 6572 (LOT 68), 6576 (LOT 69), AND 6580 (LOT 70) EMERALD ISLE HEIGHTS (COLLECTIVELY, THE 'RECEIVER'S TOWNHOMES'):
  - A 6-FOOT HIGH WHITE VINYL FENCE SHALL BE CONSTRUCTED ALONG THE SOUTH SIDE (THE SIDE WITH THE FRONT DOORS) OF EACH OF THE THREE TOWNHOME BUILDINGS COMPRISING THE RECEIVER'S TOWNHOMES. THE WIDTH OF THE FENCE SHALL BE THE SAME WIDTH AS THE ADJACENT BUILDING. THERE WILL BE A GAP IN THE FENCE BETWEEN THE TOWNHOME BUILDINGS. THE FENCE SHALL BE LOCATED BETWEEN THE SIDEWALK AND THE TOP OF THE RETAINING WALL. THE FENCE MATERIALS SHALL BE CONSISTENT WITH THE EXISTING WHITE VINYL PERIMETER FENCE AROUND THE DUBLIN TERRACE TOWNHOME NEIGHBORHOOD.
3. LANDSCAPING AND IRRIGATION ALONG THE SOUTH PROPERTY LINE SHALL BE INSTALLED IN COMPLIANCE WITH THE LANDSCAPE PLAN APPROVED BY THE CITY OF COLORADO ON NOVEMBER 12, 2006 ADJACENT TO THE RECEIVER'S TOWNHOMES.
  - TWO (2) LOW LEVEL SHRUBS SHALL BE INSTALLED ON TOP OF THE SLOPE ALONG THE FENCE, FACING EACH INDIVIDUAL TOWNHOME UNIT BETWEEN THE FENCE AND THE SIDEWALK.
  - TWO (2) EVERGREEN TREES SHALL BE PLANTED BETWEEN THE FENCES CONSTRUCTED ADJACENT TO THE TOWNHOME BUILDINGS (BETWEEN LOTS 63 AND 64; LOTS 66 AND 67; LOTS 70 AND 71; AND LOTS 59 AND 60). THE EVERGREEN TREES SHALL BE APPROXIMATELY 8 FEET IN HEIGHT AND NOT SUBJECT TO ANY PARTICULAR STEM CALIPER. THE FINAL LANDSCAPE PLAN SHALL BE APPROVED BY THE CITY PRIOR TO INSTALLATION."
3. Add the handicapped parking spaces, striping and signage and also verify the numbers of standard parking spaces to reflect the existing conditions of the site to all of the submitted sheets.
4. Modify the parking calculations accordingly to reflect the handicapped spaces on the Title Sheet.
5. Uncloud Lots 106, 107, and 108 on Sheet SP01.

6. Attached is a color diagram 'Exhibit A' copy from the 'GENERAL RELEASE AND SETTLEMENT AGREEMENT' for Case No. 2012CV3256. Add the following items to all sheets pertaining to the southern side of the site:
  - a. The 6-foot high white vinyl fence. (Pertaining to properties located at 6520 (Lot 57), 6524 (Lot 58), 6528 (Lot 59), 6552 (Lot 64), 6556 (Lot 65), 6560 (Lot 66), 6568 (Lot 67), 6572 (Lot 68), 6576 (Lot 69), and 6580 (Lot 70) Emerald Isle Heights. Also, refer to Exhibit A).
  - b. The two (2) evergreen trees planted between the fences adjacent to the townhome buildings. (Between Lots 63 and 64; Lots 66 and 67; Lots 70 and 71; and Lots 59 and 60. Also, refer to Exhibit A).
  - c. The two (2) low level shrubs. (Refer to the original approved landscaping plan from File No. CPC PUD 05-00301).
7. Note the comments received from Enumerations, Fire Prevention and Flood Plain in the 'Other City Department(s)'.
8. Noted below under 'Other City Department(s)' are the comments provided by the City Engineering, Colorado Springs Utilities and the Landscape Architect. Please address all the comments and modify the site plans accordingly.
  - a. City Engineering:
    - i. Add the platted subdivision name under the 'LEGAL DESCRIPTION' on the Title Sheet:  
"DUBLIN TERRACE FILING NO. 1A  
LOT 2 DUBLIN TERRACE."
    - ii. Provide a drainage letter that addresses the Stormwater Quality requirements for the site and provide a current City Design Criteria Manual Vol. 1 Stormwater Quality Facility and an Inspection and Maintenance Plan.
  - b. Colorado Springs Utilities:
    - i. Comments have not been received. Planning will forward CSU's comments upon receipt.
  - c. Landscape Architect:
    1. Please confirm whether the proposed design follows suit with the existing site landscape design.
    2. Please confirm whether the site inspection done by Land Patterns for Challenger can confirm general compliance with the last approved plan?
    3. Please confirm if a meeting with the HOA Board will be set and when.
    4. Please confirm if there will be any active play ground or other open space amenity in the center project park area. If applicable, illustrate the area of for the active play ground or other open space amenity in the center project park on the site plan.

Other City Department(s): Listed below are the comments received from various City Departments, or other review agencies regarding the development of this site. The comments listed below are for informational purposes.

**City Engineering (Lydia Maring #385-5546)**

**Reviewer Comments:**

1. Please note the platted subdivision name under legal description as "Dublin Terrace Filing No. 1A."
2. Please provide a drainage letter that addresses the Stormwater Quality requirements for the site and provide a current City Design Criteria Manual Vol. 1 Stormwater Quality Facility and an Inspection and Maintenance Plan. The SWQ facility is to be maintained by the HOA or owner. This facility should be located on the owners property and should provide SWQ and if possible quantity detention for the entire site.

**Colorado Springs Utilities (Matthew Williams #668-7211/Ann Werner #668-8262)**

Will forward comments from CSU once received in a separate review letter.

**Enumerations (Amy Vanderbeek #327-2930)**

Enumerations has the following comments:

The configuration of the area has not changed. Therefore the addressing will not change.

Tract addressing was not assigned when the addresses were originally assigned on 2007. If tract addressing is now needed please clarify by placing (xxxx) in the exact location the addresses are needed.

Buck slip states that 73 are remaining to be built. [Assuming that the areas in gray are to show the townhomes that have been built.] 6573, 6577 & 6581 Emerald Isle Heights have not been built. 6520, 6524 & 6528 Emerald Isle Heights permits are administratively closed.

On the master plan showing the entire community, include the following for enumerations plan review for approval on plans:

Label all townhomes with addresses, all tax schedule numbers and legal description-Cloud area of work for each and every submittal.

**Fire Prevention (Steven D. Smith #385-7362)**

NO 'DISAPPROVED' COMMENTS. ATTENTION COMMENTS:

NO EXCEPTIONS: CSFD does not have any exceptions with the amended development plan as submitted.

**Flood Plain - PPRBD (Michael Augenstein #799-2869)**

Floodplain Administration has no comment or objection to this submittal.

**Landscape Architect (Connie Perry #385-5375)**

2. Submittal Criteria

- a. A Final Landscape Plan has been submitted with this application.
- b. Provide a response letter how each comment is addressed.

3. Plan Criteria

- a. Please confirm whether the proposed design follows suit with the existing site landscape design.
- b. Please confirm whether the site inspection done by Land Patterns for Challenger can confirm general compliance with the last approved plan?
- c. Please confirm if a meeting with the HOA Board will be set and when.
- d. Please confirm if there will be any active play ground or other open space amenity in the center project park area.

4. Site Standards & Categories:

- a. No Comment.

If you have any questions/comments, please contact me at 719-385-5368.

Sincerely,



Rachel Teixeira  
Planner II

cc: File No(s): CPC PUD 05-00301-A3MN15 (Dublin Terrace Townhomes)



FIGURE 4

## GENERAL RELEASE AND SETTLEMENT AGREEMENT

### RECITALS

1. MLP RECEIVERSHIP, LLC, as receiver in El Paso County, District Court, Case No. 2012CV3256 (the "Receiver"), ProBuild Company LLC ("PROBUILD"), and PNC BANK, N.A. ("PNC"), and any and all of their current or former entities, officials, officers, employers, successors, assigns, attorneys, employees, agents, servants, insurers and reinsurers, are hereinafter collectively referred to as "**PLAINTIFFS**."

2. The CITY OF COLORADO SPRINGS and CITY COUNCIL OF COLORADO SPRINGS ("CITY"), including any of their current or former entities, officials, officers, employers, successors, assigns, attorneys, employees, agents, servants, insurers and reinsurers, are hereinafter referred to as "**CITY DEFENDANTS**."

3. **PLAINTIFFS** and **CITY DEFENDANTS** are collectively referred to as "the Parties."

4. On or about May 14, 2013, **PLAINTIFFS** filed a civil action in the El Paso County District Court against the **CITY DEFENDANTS**, civil action number 13-CV-1973 (the "Civil Action"). The Civil Action arose out of the **CITY DEFENDANTS'** denial of MLP Receivership, LLC's, proposed amendment to the 2006 Dublin Terrace Townhome Approved Development Plan.

5. **PLAINTIFFS** decided to enter into this General Release and Settlement Agreement (the "Agreement") on the terms set out in these recitals and agreement below and to reach a complete resolution of any claims arising out of the Civil Action as well as any and all claims of any kind **PLAINTIFFS** may have against **CITY DEFENDANTS** and for any damages and/or injuries of any kind, known and unknown, foreseen and unforeseen. For the purpose of this Agreement, all of the claims asserted in the Civil Action whether remaining or dismissed and all other actual or potential claims or disputes among the Parties shall be referred to hereafter collectively as the "Claims."

6. In entering into this Agreement, it is acknowledged that **PLAINTIFFS** and **CITY DEFENDANTS** have incurred and expect to incur considerable costs and fees in pursuing and defending the Civil Action and enter into this Agreement, in part, to avoid the cost of further litigation.

### RELEASE

7. Upon approval by City Council and the Court's approval in in case number 2012CV3256, **PLAINTIFFS** agree irrevocably and unconditionally to discharge and do release and forever discharge **CITY DEFENDANTS** from any and all claims and any and all damages and/or injuries pursuant to any federal or state statute, constitution, common law, contract or otherwise, known and unknown, foreseen and unforeseen, including but not limited to those which may now or hereafter arise out of, or result in

any way from the matters giving rise to or described in the recitals and the Civil Action, and/or which have or could have been made, as well as any and all matters relating thereto, and any and consequences thereof arising prior to the date of this Agreement.

7.1. This Agreement and the amendment to the 2006 Dublin Terrace Townhome Project Development shall be null and void if the El Paso County District Court in case number 2012CV3256 does not approve the amendment, inclusive of all conditions provided in the Consideration section, paragraph 15 (I-IV). This Agreement and any obligations of the Receiver set forth herein shall be subject to Court approval in Case No. 2012CV3256.

7.2. Upon approval by City Council and the Court's approval in in case number 2012CV3256, **CITY DEFENDANTS** agree irrevocably and unconditionally to discharge and do release and forever discharge **PLAINTIFFS** from any and all claims and any and all damages and/or injuries pursuant to any federal or state statute, constitution, common law, contract or otherwise, known and unknown, foreseen and unforeseen, including but not limited to those which may now or hereafter arise out of, or result in any way from the matters giving rise to or described in the recitals and the Civil Action, and/or which have or could have been made, as well as any and all matters relating thereto, and any and consequences thereof arising prior to the date of this Agreement.

8. **PLAINTIFFS** understand and agree that this Agreement prevents any appeal of any of dismissals, stipulated or otherwise, against any of Parties or for any of the Claims made in the Civil Action.

9. **PNC** and **PROBUILD** hereby declare and represent that they are not aware of any other person, firm, or corporation that has received any assignment, subrogation, lien, including but not limited to attorney lien, or other right of substitution to the claim or claims made or which could have been asserted, or that to the extent such assignment, subrogation, lien, or other right of substitution exists, the same has been waived, resolved, or otherwise disclosed; provided, however, that nothing in this Agreement shall preclude or restrict PNC's right to sell or assign the Promissory Notes and other Loan Documents (as defined and described in the Complaint filed by PNC on June 29, 2012 in the District Court of El Paso County, Colorado, Case No. 2012CV3256), along with any and all rights that PNC possesses under such Promissory Notes and other Loan Documents.

10. The Receiver will seek a Court order declaring that that no other person, firm, or corporation has received any assignment, subrogation, lien, including but not limited to attorney lien, or other right of substitution to the claim or claims made or which could have been asserted in the Civil Action, or that to the extent such assignment, subrogation, lien, or other right of substitution exists, the same has been waived, resolved, or otherwise disclosed. A failure by the Court to grant such relief shall not relieve any of the Parties from any of their obligations under this Agreement and shall not impact the enforceability of this Agreement.

11. **PNC** and **PROBUILD** further warrant that they fully realize that they may have sustained unknown and unforeseen losses; fees; costs; expenses; damages; liabilities; claims; injuries; damage to property; business losses; employment losses, wage losses, or rights of restitution, and the consequences thereof which may be at this time, heretofore, and hereafter unknown, unrecognized, unawarded, and not contemplated by **PNC** or **PROBUILD**, which resulted or may result from the above-mentioned Civil Action and all matters incident or related thereto, and that no promise or inducement has been offered except as herein set forth and that all agreements and understandings between the Parties are expressed herein and that this Agreement was executed without reliance upon any statement or representation by **CITY DEFENDANTS**, and that **PNC** and **PROBUILD** are legally competent to execute this Agreement. **PNC** and **PROBUILD** accept full responsibility and assume the risk of any mistake of fact or law as to any damages, losses, or injuries, whether disclosed or undisclosed, known or unknown, sustained as a result of the above-mentioned Civil Action and all matters incident and related thereto applicable to the Claims and any potential claims they have or may have against **CITY DEFENDANTS**.

12. The Receiver will ask the Court to advise all beneficiaries of the Receivership estate and enter an order in connection with the Court's approval of this Agreement and any related agreements that they are waiving their right to any other form of recovery against the **CITY DEFENDANTS**.

#### CONSIDERATION

13. Upon executing this Agreement and fulfillment of the conditions in paragraph 15 (I-IV) and as part of the consideration for this Agreement, **PLAINTIFFS** have authorized and instructed their attorneys to execute and file a stipulated motion to dismiss, with prejudice, the Civil Action, with the Parties each to pay their own costs and fees. The Parties agree and acknowledge that the City of Colorado Springs' prior approval of the units located at 6573, 6577 and 6581 Emerald Isle Heights (Lot Nos. 106, 107, and 108) shall be re-affirmed to the extent approved by City Council. Foundations have been constructed on these lots consistent with the building permits issued by the Pikes Peak Regional Building Department which are different than the unit approved on the original Development Plan.

14. The Parties agree that the terms provided in the Consideration section, paragraphs 13 and 15 (I-IV) below, are the sole consideration provided for settling the Civil Action. The parties further agree that the **CITY DEFENDANTS** shall not pay any damages or other monetary loss alleged in the Civil Action.

15. **CITY DEFENDANTS** shall agree to support **PLAINTIFFS** in seeking City Council's approval of the proposed amendment to the 2006 Dublin Terrace Townhome Project Development Plan that is currently pending before City Council on remand from the El Paso County District Court (Order dated March 27, 2014). The Parties agree that approval of the pending amendment shall require inclusion of each of following

conditions (see diagram attached as **Exhibit A**, for convenience and ease understanding):

- I. Conditions pertaining to properties located at 6588 (Lot 71), 6592 (Lot 72) and 6596 (Lot 73) Emerald Isle Heights:
  - a. The building consisting of the three townhomes ("Properties") shall be demolished by no later than December 31, 2015. All debris, including the foundation, shall be removed from the site and utility connections shall be appropriately capped.
  - b. Within 30 days of the demolition and removal of the debris, the site shall be rough graded and seeded to stabilize the soils. The deadline for seeding, however, may be extended based on weather conditions and the time of year that the building is demolished.
  - c. The Properties may be developed pursuant to the Dublin Townhome Development Plan approved by the City of Colorado Springs on November 13, 2006. To the extent possible, the grade of the Properties shall be lowered to be compliant with the approved 2006 Development Plan.
- II. Conditions pertaining to properties located at 6520 (Lot 57), 6524 (Lot 58), 6528 (Lot 59), 6552 (Lot 64), 6556 (Lot 65), 6560 (Lot 66), 6568 (Lot 67), 6572 (Lot 68), 6576 (Lot 69), and 6580 (Lot 70) Emerald Isle Heights (collectively, the "Receiver's Townhomes"):
  - a. A 6-foot high white vinyl fence shall be constructed along the south side (the side with the front doors) of each of the three townhome buildings comprising the Receiver's Townhomes. The width of the fence shall be the same width as the adjacent building. There will be a gap in the fence between the townhome buildings. The fence shall be located between the sidewalk and the top of the retaining wall. The fence materials shall be consistent with the existing white vinyl perimeter fence around the Dublin Terrace Townhome neighborhood.
- III. Landscaping and irrigation along the south property line shall be installed in compliance with the landscape plan approved by City of Colorado Springs on November 12, 2006 adjacent to the Receiver's Townhomes. Two low level shrubs shall be installed on top of the slope along the fence, facing each individual townhome unit between the fence the sidewalk. Two evergreen trees shall be planted between the fences constructed adjacent to the townhome buildings (between Lots 63 and 64; 66 and 67; 70 and 71; and 59 and 60). See **Exhibit A**. The evergreen trees shall be approximately 8 feet in height and not subject to

any particular stem caliper. The final landscape plan shall be approved by the City prior to installation.

- IV. Certificates of Occupancy for the residences located 6552 (Lot 64), 6556 (Lot 65), 6560 (Lot 66), 6568 (lot 67), 6572 (Lot 68), 6576 (Lot 69), and 6580 (Lot 70) Emerald Isle Heights will not be issued until conditions I, II, and III above are met, including the fencing described in condition II. The fence and landscaping described in conditions II and III for residences located at 6536 (Lot 60), 6540 (Lot 61), 6544 (Lot 62), 6548 (Lot 63), 6588 (Lot 71), 6592 (Lot 72), and 6596 (Lot 73) shall be constructed when the lots are developed. For example, before a Certificate of Occupancy for the townhome building located at 6568 (Lot 67), 6572 (Lot 68), 6576 (Lot 69), and 6580 (Lot 70) Emerald Isle Heights will be issued only the fence adjacent to the townhome building and the tree on each side of the fence will be required to be constructed. The Parties understand that re-inspection of the residences located at 6552 (Lot 64), 6556 (Lot 65), 6560 (Lot 66), 6568 (Lot 67), 6572 (Lot 68), 6576 (Lot 69), and 6580 (Lot 70) Emerald Isle Heights may be necessary. The City shall work with Pikes Peak Regional Building Department to facilitate inspections of the Receiver's Townhomes and issuance of Certificates of Occupancy. Only issuance of Certificates of Occupancy for the residences located at 6552, 6556, 6560, 6568, 6572, 6576, and 6580 Emerald Isle Heights shall be contingent upon the fulfillment of the conditions I, II, and III above. Conditions in Sections I and II that relate to a specific building or unit shall not be a condition precedent to the issuance of a Certificate of Occupancy on other units or buildings. Certificates of Occupancy will be issued for the remaining residences if they comply with the 2006 Development Plan and all amendments thereto.

#### **VOLUNTARINESS, DENIAL OF LIABILITY, ENTIRE AGREEMENT**

16. **PLAINTIFFS** have carefully read the above and foregoing Agreement and know and understand the contents thereof and have signed the same as their free and voluntary act for the purpose of making a full and final settlement of any and all claims, disputed or otherwise, known and unknown, and after having the opportunity to have the same explained by counsel. **PLAINTIFFS** expressly state that they have been advised of their right to consult additional professionals of their choice, including lawyers, and accountants, regarding any and all known and unknown, foreseen and unforeseen, damages, losses, injuries, costs, losses of services, expenses, liabilities, claims, and the consequences thereof, of whatsoever kind and nature, which **PLAINTIFFS** may have or will incur, whether suspected or unsuspected. **PLAINTIFFS** further expressly understand and agree that the signing of this Agreement shall be forever binding and no rescission, modification, or release of **PLAINTIFFS** from the terms of this Agreement will be made for any mistake.

17. It is expressly understood and agreed that the acceptance of the above-mentioned consideration is in full accord and satisfaction of a disputed claim and that payment of consideration is not to be construed in any way as an admission of liability on the part of **CITY DEFENDANTS**, but, on the contrary, **CITY DEFENDANTS** specifically deny any wrongdoing, misconduct, or liability on account of the matters giving rise to the Civil Action or any matters related or incidental hereto, or otherwise. It is further understood and agreed that all agreements and understandings between the Parties are embodied and expressed herein and that the terms of this Agreement are contractual and not mere recitals.

18. This Agreement is not intended to be an admission of any fact or issue alleged by any party relating to the matters giving rise to the Civil Action or the Claims in the Civil Action and, with the exception of a claim related to breach or enforcement of this agreement, this Agreement is not intended to be evidence in any other matter.

### MISCELLANEOUS

19. The Agreement shall be governed by the State of Colorado and any enforcement action shall be brought exclusively via motion practice in the Receivership action (Case No. 2012CV3256) if it is still pending; if the Receivership action is no longer pending, exclusive jurisdiction and venue for enforcement will be in a new action filed in El Paso County, Colorado, District Court.

20. The parties mutually agree not to disparage each other in any manner, whatsoever.

21. **PLAINTIFFS** and the **CITY DEFENDANTS** certify that they have fully read and understand the foregoing Agreement and hereby affix their signatures this 10<sup>th</sup> day of March, 2015, as their own free and voluntary act.

22. **PLAINTIFFS** agree that this Agreement has been entered into at arm's length and each term negotiated and agreed to. Therefore, **PLAINTIFFS** agree that neither Party shall be construed as the drafter of this Agreement.

23. Words used in this Agreement, such as it, they, and their, regardless of the term specifically used, shall be deemed and construed to include any singular or plural of the Parties hereto, as the context requires.

24. Each Party represents and warrants that the person who signs below on behalf of that Party has been duly authorized to execute this Agreement on behalf of that Party. The Parties note that the Receiver must obtain approval from the Court before this Agreement can be binding upon the Parties. If the Court does not approve the Agreement, then the Agreement and amendment to the 2006 Development Plan shall be null and void.

25. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which taken together shall constitute a single









Approved as to Form:

---

Gregory M. O'Boyle, Esq.  
Counsel for MLP Receivership, LLC

---

Jean C. Arnold, Esq.  
Counsel for ProBuild, LLC

---

Stephen K. Dexter, Esq.  
Counsel for PNC Bank, N.A.











PROBUILD, LLC,  
a Delaware limited liability company

By: Margaret Merist  
Name: Margaret M Crist  
Title: Credit Manager

STATE OF Colorado )  
COUNTY OF Douglas ) ss

SWORN TO AND SUBSCRIBED this 10<sup>th</sup> day of March, 2015, by  
Margaret M. Crist, Credit Manager of ProBuild, LLC, a  
Delaware limited liability company.

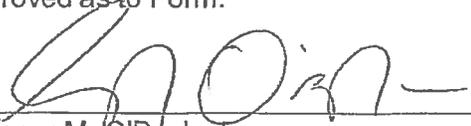
WITNESS my hand and official seal.

My commission expires: Nov. 24, 2018

JEAN C ARNOLD  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 19944014278  
MY COMMISSION EXPIRES NOVEMBER 24, 2018

[Signature]  
Notary Public

Approved as to Form:



---

Gregory M. O'Boyle, Esq.  
Counsel for MLP Receivership, LLC

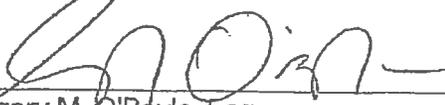
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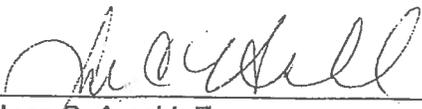
Jean C. Arnold, Esq.  
Counsel for ProBuild, LLC

---

Stephen K. Dexter, Esq.  
Counsel for PNC Bank, N.A.

Approved as to Form:

  
\_\_\_\_\_  
Gregory M. O'Boyle, Esq.  
Counsel for MLP Receivership, LLC

  
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Jean C. Arnold, Esq.  
Counsel for ProBuild, LLC

\_\_\_\_\_  
Stephen K. Dexter, Esq.  
Counsel for PNC Bank, N.A.

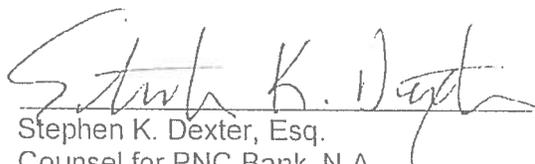
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Gregory M. O'Boyle, Esq.  
Counsel for MLP Receivership, LLC

---

Jean C. Arnold, Esq.  
Counsel for ProBuild, LLC



---

Stephen K. Dexter, Esq.  
Counsel for PNC Bank, N.A.

# EXHIBIT A

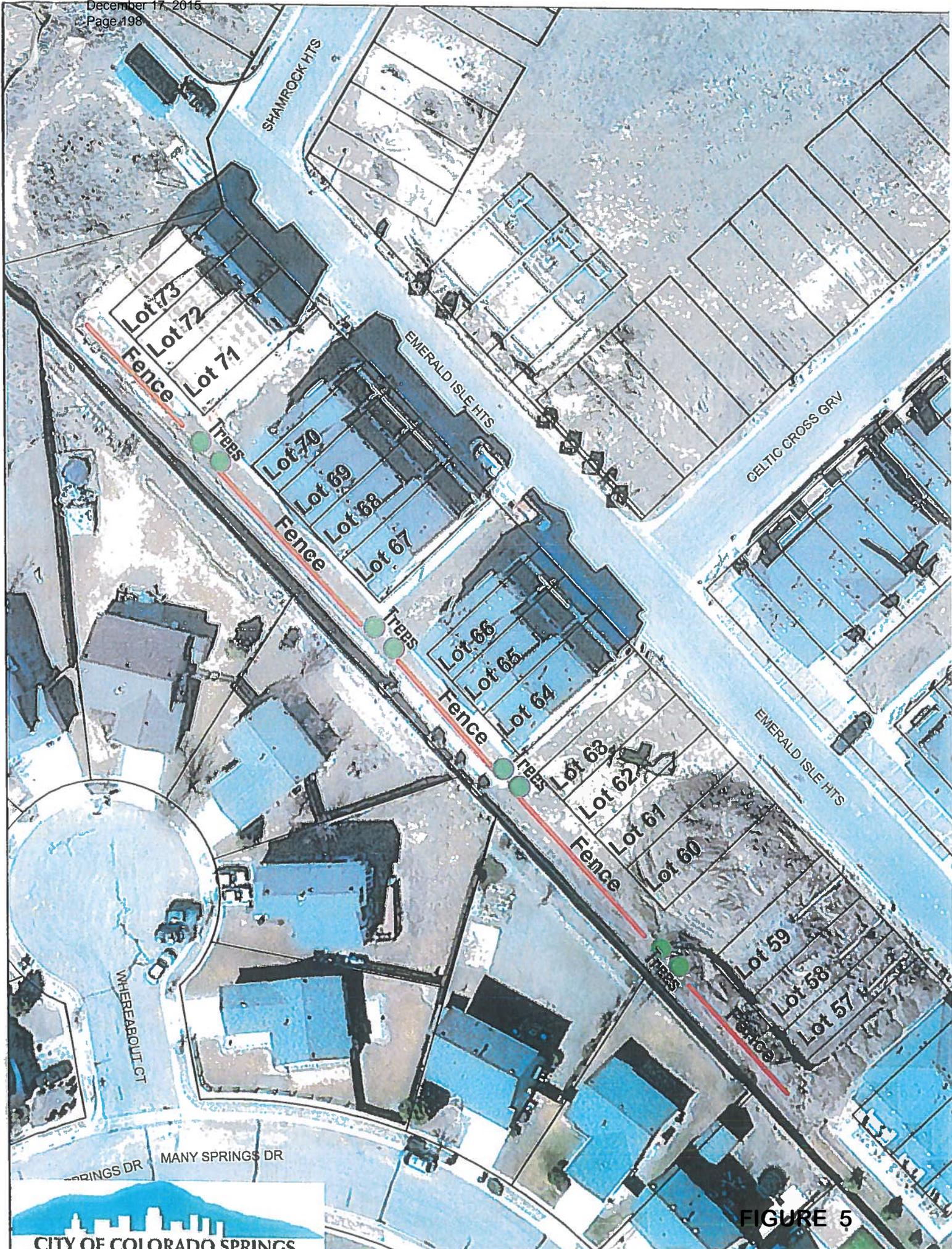


FIGURE 5

SHEET NO. 1

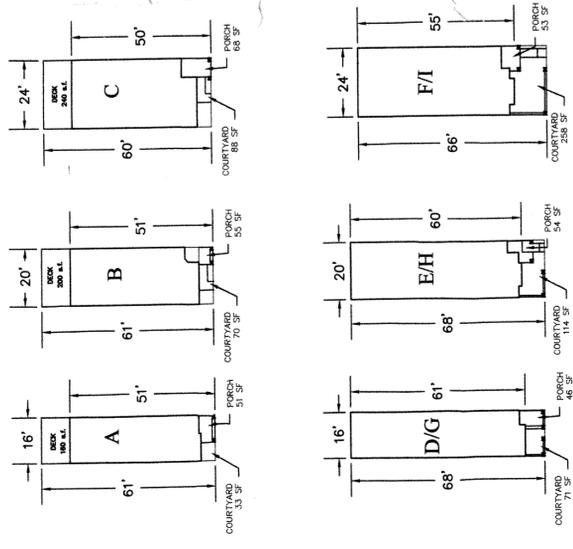
# DUBLIN TERRACE TOWNHOMES

## CITY OF COLORADO SPRINGS

### DEVELOPMENT PLAN

AUGUST, 2006

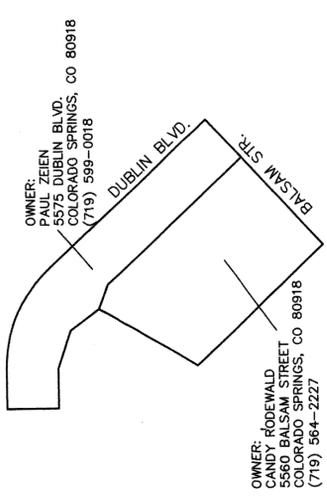
**GARAGE DOWN UNITS**



**GARAGE UP AND FLAT UNITS**

**LEGAL DESCRIPTION:**  
 LOT 23 IN TEMPLETON GAP HEIGHTS FILING NO. 3, EL PASO COUNTY, COLORADO.  
 LOT 4 IN TEMPLETON GAP HEIGHTS FILING NO. 2, EL PASO COUNTY, COLORADO.  
 ADDITIONAL PROPERTY FROM VACATION OF BALSAM STREET AS SHOWN AS PART OF THE REPLATED LOT #2.  
 CONTAINING: 12.78 +/- ACRES, MORE OR LESS.

**EXISTING OWNERSHIP EXHIBIT:**



**SITE DATA:**

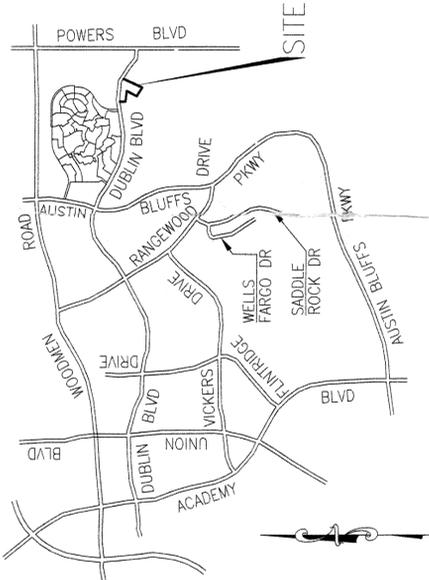
AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #08041C0536 F REVISED DATE MARCH 17, 1997. THIS SITE IS NOT WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN AS SHOWN.  
 EXISTING ZONE: A1 (COUNTY)  
 PROPOSED ZONE: PUD  
 PARKING CALCULATIONS:  
 TOTAL UNITS = 142  
 PARKING SPACES REQUIRED: 1.7 PER UNIT x 69 = 117  
 PARKING SPACES PROVIDED: 2.0 PER UNIT x 73 = 146  
 GARAGE A, D & G: 39 x 1 = 39  
 GARAGE C, D, E, F, H & I: 103 x 2 = 206  
 ON STREET PARKING: 13  
 PARKING LOTS: 54  
 DRIVEWAY PARKING A, B & C: 114  
 TOTAL VISITOR PARKING PROVIDED: 181  
 SPACES PROVIDED: 426

**GROSS LOT COVERAGE:**  
 (INCLUDES ROW & DRAINAGE WAY)  
 LOT #2 = 490,726 SF  
 BUILDING = 169,240 SF  
 LANDSCAPING = 237,216 SF  
 (USEABLE OPEN SPACE = 110,274 SF 22%)  
 STREETS/PARKING = 84,270 SF  
 DENSITY = 12.69 DU/ACRE

**NET LOT COVERAGE:**  
 (MINUS ROW & DRAINAGE WAY)  
 LOT #2 = 461,445 SF  
 BUILDING = 169,240 SF  
 LANDSCAPING = 207,935 SF  
 (USEABLE OPEN SPACE = 80,992 SF 18%)  
 STREETS/PARKING = 84,270 SF  
 DENSITY = 13.40 DU/ACRE

**SHEET INDEX**

NO.	COVER SHEET/NOTES	BLDG.	SQUARE FEET	NO. OF BLDG.	NO. OF BEDROOMS/ BLDG.
1	TS01	A	1,421	18	2
2	SP01	B	1,513	30	2
3	GD01	C	1,882	18	3
4	UT01	D	1,388	10	2
5	LS01	E	1,626	17	3
6	LS02	F	1,785	10	3
7	LS03	G	1,388	11	2
8	SD1	H	1,626	17	3
9	SD2	I	1,785	11	3
10	SD3	TOTAL	226,761	142	357



**VICINITY MAP**  
NTS

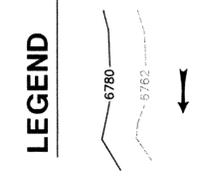
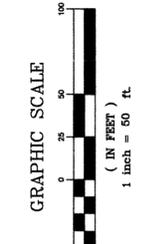
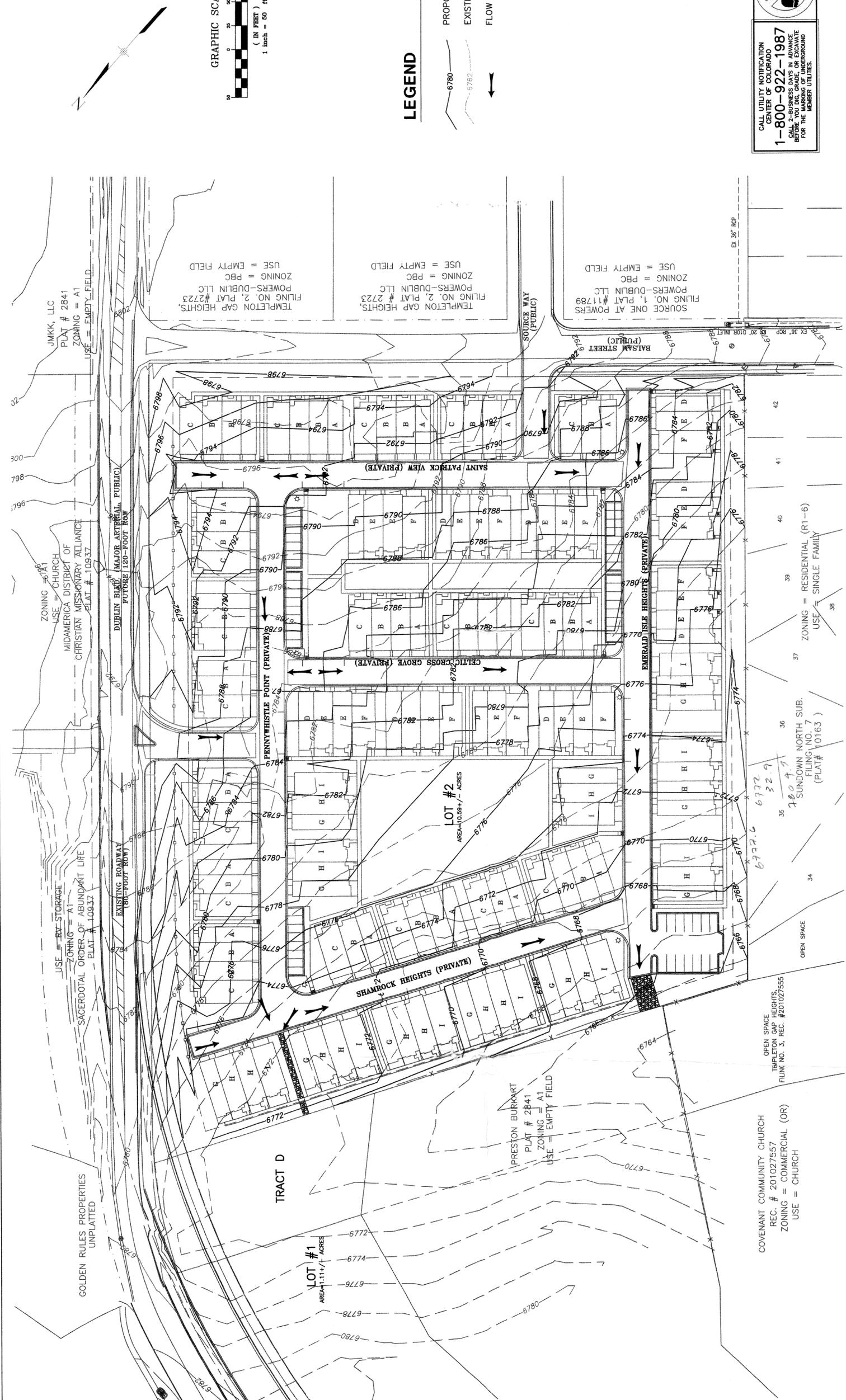


CPC PUZ 05-300  
 CPC PUD 05-301-

DESIGNED BY: JCM	SCALE: N/A	DATE ISSUED: AUG, 2006	SHEET NO. 1 OF 10 SHEETS	TS01
CHECKED BY: JCM	DATE: N/A			
<b>DUBLIN TERRACE TOWNHOMES</b>				
<b>DEVELOPMENT PLAN</b>				
<b>TITLE SHEET</b>				
<b>CTR ENGINEERING, INC.</b>				
6451 SAULETA DRIVE COLORADO SPRINGS, CO 80922 (719) 964-6654				
FOR AND ON BEHALF OF CTR ENGINEERING, INC.				
OWNER: PAUL ZEIEN 5575 DUBLIN BLVD. COLORADO SPRINGS, CO 80918 (719) 599-0018				
OWNER: CANDY RODEWALD 5560 BALSAM STREET COLORADO SPRINGS, CO 80918 (719) 594-2227				
NO.	DATE	DESCRIPTION	BY	
REVISIONS				
BENCHMARK DATA(ELEV.) (DA')				
(DESCRIPTION/LOCATION)				
NAME: S:\05-900.001\04\MP\04\DEV PLANS\TS01.dwg				
PLOT DATE: Sat Aug 19, 2006 6:11pm				



SHEET NO. 3



CALL UTILITY NOTIFICATION  
CENTER OF COLORADO  
**1-800-922-1987**  
CALL 2-BUSINESS DAYS IN ADVANCE  
BEFORE ANY EXCAVATION WORK  
FOR THE MARKING OF UNDERGROUND  
FOR THE MEMBER UTILITIES.

<b>REFERENCE DRAWINGS</b> X-TITLE X-TOPSO X-BASE X-PLAN X-EX-AREA X-ROAD-2-16-06	<b>REVISIONS</b> NO. DATE DESCRIPTION BENCHMARK DATA(ELEV.) (DATUM) (DESCRIPTION/LOCATION)	OWNER: EILEEN 5475 E. ELLEN BLVD. COLORADO SPRINGS, CO 80918 (719) 599-0018  OWNER: CANDY RODEWALD 5560 BALSAM STREET COLORADO SPRINGS, CO 80918 (719) 594-2227	FOR AND ON BEHALF OF CTR ENGINEERING, INC.	<b>CTR ENGINEERING, INC.</b> 6451 CALETA DRIVE COLORADO SPRINGS, CO 80922 (719) 964-6654	DUBLIN TERRACE TOWNHOMES DEVELOPMENT PLAN GRADING PLAN	DESIGNED BY: JCM DRAWN BY: JCM CHECKED BY: JCM	SCALE: 1"=50' DATE ISSUED: AUG. 2006 SHEET NO. 3 OF 10 SHEETS	GP01
						APPROVED CITY OF COLO SPRINGS NOV. 13 2006 BY CITY PLANNING		

FIGURE 6







PLANT LIST

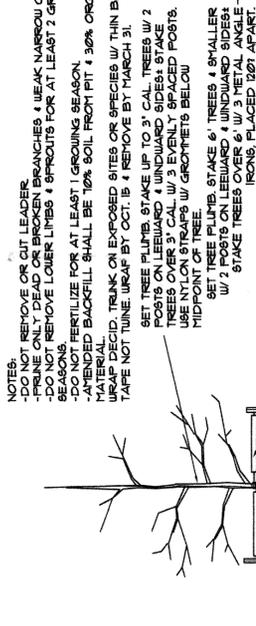
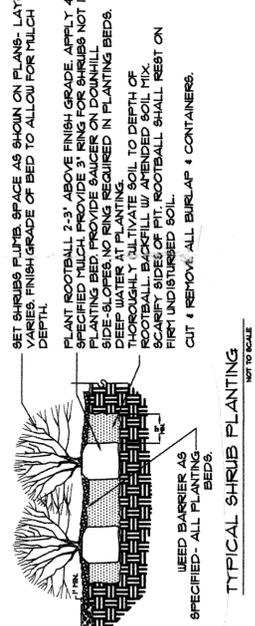
KEY	QTY.	BOTANICAL NAME	COMMON NAME	KEY: APPENDIX B	MATURE WIDTH	SIZE	NOTES/REMARKS
<b>DECIDUOUS TREES</b>							
AH	3	Carpinus caroliniana	American Hornbeam		20'-25'	2.5' cal.	B1B, single stem, full head
HB	26	Celtis occidentalis 'Marie Pride'	Marie Pride Hackberry	34B7DA	50'-60'	2.5' cal.	B1B, single stem, full head
KC	1	Gymnocladia dioica	Kentucky Coffeetree	34AAS	30'-40'	2.5' cal.	B1B, single stem, full head
M8	6	Fraxinus pennsylvanica 'Minnehaha'	Minnehaha Green Ash	24B7AD	50'-60'	2.5' cal.	B1B, single stem, full head
PA	6	Fraxinus pennsylvanica 'Palmore'	Autumn Purple Ash	24B7AD	50'-60'	2.5' cal.	B1B, single stem, full head
SO	18	Quercus bicolor	Swamp White Oak	4S	40'-50'	2.5' cal.	B1B, single stem, full head
<b>ORNAMENTAL TREES</b>							
CC	23	Milvus 'Cemurion'	Cemurion Crabapple	467B	20'-25'	2.5' cal.	B1B, single stem, full head
CR	12	Pinus virginiana 'Shubert'	Canada Red Cherry	12486188A	15'-20'	2.5' cal.	B1B, single stem, full head
CP	12	Pinus calliginea 'Chanticleer'	Chanticleer Pear	A	20'-30'	2.5' cal.	B1B, single stem, full head
GH	3	Acer glabrum	Smooth Maple	456788	15'-20'	2.5' cal.	B1B, multi-stem, full head
88C	14	Milvus 'Spring Snow'	Spring Snow Crabapple	467B	20'-25'	2.5' cal.	B1B, single stem, full head
TH	15	Crataegus crua-galli 'Inermis'	Thornless Hawthorn	239AD	15'-20'	2.5' cal.	B1B, single stem, full head
<b>EVERGREEN TREES</b>							
AP	32	Pinus nigra	Austrian Pine	25678A	20'-30'	6-9' HT.	B1B, full 4 bushy
BP	11	Pinus aristata	Bristlecone Pine	45678C	10'-20'	6-9' HT.	B1B, full 4 bushy
GS	15	Picea canadensis	Green Spruce	678D	20'-25'	6-9' HT.	B1B, full 4 bushy
LP	12	Pinus rigida	Linar Pine	56AD	40'-50'	6-9' HT.	B1B, full 4 bushy
8P	20	Pinus sylvestris	Scotch Pine	25678A	20'-30'	6-9' HT.	B1B, full 4 bushy
<b>DECIDUOUS SHRUBS</b>							
AC	33	Ribes alpinum	Alpine Currant	5678A	3'-4'	5 gal.	Container
AB	45	Potentilla 'Abbotswood'	Abbotswood Potentilla	4567B	2'-3'	5 gal.	Container
AT	15	Acer glabrum	Smooth Maple	45678C	15'-20'	5 gal.	Container
AS	81	Spiraea japonica 'Anthony Waterer'	Anthony Waterer Spirea	5A	3'-4'	5 gal.	Container
NU	22	Rosa 'Newly Wined'	Rosa 'Newly Wined'	487A	3'-5'	5 gal.	Container
CL	17	Syringa x chinensis	Chinese Lilac	478A	8'-15'	5 gal.	Container
CH	23	Pinus virginiana melanocarpa	Chokcherry	12486188A	15'-20'	5 gal.	Container
CD	53	Daphne x burwoodii 'Carol Mackie'	Carol Mackie Daphne	D	3'-5'	5 gal.	Container
DL	123	Syringa patula 'Miss Kim'	Miss Kim Dwarf Lilac	568A	3'-5'	5 gal.	Container
FR	94	Spiraea 'Probel'	Probel Spirea	5A	4'-5'	5 gal.	Container
GL	94	Rhus aromatica 'Gro-Low'	Gro-Low Sumac	567D	6'-8'	5 gal.	Container
GC	59	Ribes alpinum 'Green Mound'	Green Mound Currant	5678A	3'-4'	5 gal.	Container
HO	30	Lonicera 'Asteroid's Red'	Asteroid's Red Honeysuckle	567A	10'-12'	5 gal.	Container
FB	26	Caragana aborescens	Siberian Peashrub	23486A	10'-12'	5 gal.	Container
98	31	Hibiscus syriacus 'Triumph'	Rose of Sharon	4867A	6'-8'	5 gal.	Container
66	34	Aesculus hippocastanum	Saskatoon Serviceberry	257DA	6'-8'	5 gal.	Container
9T	19	Cotinus coccinea	Purple Smokebush	A	10'-15'	5 gal.	Container
TB	16	Rhamnus frangula 'Columaris'	Tall Hedge Blackthorn	48D	3'-4'	5 gal.	Container
VL	86	Viburnum lentago	Nannyberry Viburnum	486D	6'-8'	5 gal.	Container
US	31	Prunus besseyi	Western Sandcherry	1345A	3'-5'	5 gal.	Container
<b>EVERGREEN SHRUBS</b>							
AJ	61	Juniperus sibirica 'Arcadia'	Arcadia Juniper	2568DA	3'-4'	5 gal.	Container
AR	19	Juniperus chinensis 'Armstrongii'	Armstrong Juniper	2568DA	3'-4'	5 gal.	Container
BH	63	Juniperus horizontalis 'Bar Harbor'	Bar Harbor Juniper	2568DA	3'-4'	5 gal.	Container
BU	29	Juniperus horizontalis 'Icee Blue'	Icee Blue Juniper	2568A	6'-8'	5 gal.	Container
CJ	39	Juniperus sibirica 'Calgary Carpet'	Calgary Carpet Juniper	2568A	6'-8'	5 gal.	Container
HJ	49	Juniperus horizontalis 'Hughes'	Hughes Juniper	2568A	4'-6'	5 gal.	Container
LJ	22	Juniperus chinensis 'Hobert'	Hobert Juniper	2568A	6'-8'	5 gal.	Container
MA	24	Mehonia aquifolium	Oregon Grapeholly	1286	3'-4'	5 gal.	Container
PJ	93	Juniperus horizontalis 'Prince of Wales'	Prince of Wales Juniper	2568A	6'-8'	5 gal.	Container
8G	3	Cyathus pargana 'Spanish Gold'	Spanish Gold Broom	D	4'-6'	5 gal.	Container
WJ	31	Juniperus horizontalis 'Willowii'	Blue Rug Juniper	2568A	6'-8'	5 gal.	Container
<b>GRASSES</b>							
FG	19	Calamagrostis acutiflora 'K. Forester'	Feather Reed Grass	A	2'-3'	5 gal.	Container
PG	31	Miscanthus sinensis purpureus	Purple Maiden Grass	DA	3'-5'	5 gal.	Container
VG	48	Miscanthus sinensis 'variegatus'	Variiegated Maiden Grass	DA	3'-5'	5 gal.	Container
ZG	33	Miscanthus sinensis 'Zabrinus'	Zabrin Grass	DA	5'-7'	5 gal.	Container
FESCUE BLEND TURF MIX: 35% CREEPING RED FESCUE 25% SEEDING HARD FESCUE 15% REBELS CANADIAN BLUE 12.5% 985/00 CHEWINGS OR HARD FESCUE							

PLAN NOTES

- IRRIGATED FESCUE TURF SHALL BE 800 OR SEEDED (TOTAL 15 LBS. PER AC.)  
35% CREEPING RED FESCUE  
25% SEEDING HARD FESCUE  
12.5% REBELS CANADIAN BLUE  
12.5% 985/00 CHEWINGS OR HARD FESCUE
- ALL SHRUBS, TREES AND FESCUE BLEND TURF SHALL BE IRRIGATED BY UNDERGROUND, AUTOMATIC IRRIGATION SYSTEM. TURF SHALL BE WATERED WITH ROTOR 4 SPRAY HEADS. SHRUBS WILL BE WATERED WITH LOW-GALLONAGE EMITTERS.
- THE TOP 4" OF ALL LANDSCAPED AREAS SHALL BE TOPSOIL EXISTING TOPSOIL WILL BE STOCKPILED AND RE-JOINED. THE STOCKPILE WILL BE SUPPLEMENTED WITH IMPORTED TOPSOIL TO MEET THE SPECIFIED DEPTH.
- SOIL AMENDMENTS WILL BE BASED ON THE RESULTS OF THE CSU LANDSCAPE SOILS ANALYSIS. YET TO BE COMPLETED. LANDSCAPE AREAS SHALL RECEIVE 9 CY. OF COMPOSTED ORGANIC MATTER, 15 LBS. OF TREBLE-SUPER PHOSPHATE (0-46-20) + 1/2 LB. OF IRON PER 1000 SF. FILLED WITH TOPSOIL TO MIN. 6" DEPTH INTO THE SUBGRADE.
- ALL SHRUB BEDS SHALL RECEIVE WATER. PERMEABLE WEED BARRIER FABRIC AND FINISH GRADE SHALL BE SLOPED AWAY FROM ALL BUILDING FOUNDATIONS TO ENSURE POSITIVE DRAINAGE (2% MIN. FALL).

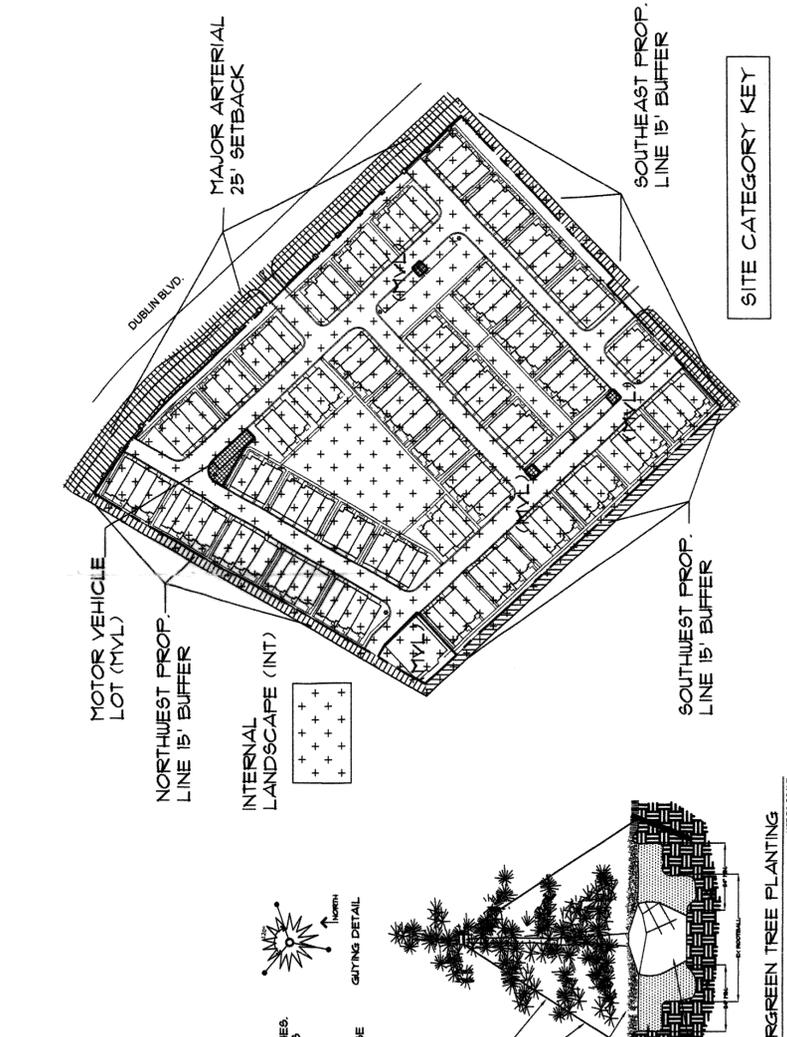
**AN IRRIGATION PLAN MUST BE SUBMITTED FOR REVIEW WITHIN 90 DAYS SUBSEQUENT TO RECEIVING A BUILDING PERMIT. THE PLAN MUST BE APPROVED PRIOR TO THE INSTALLATION OF ANY IRRIGATION COMPONENTS AND/OR ISSUANCE OF A CERTIFICATE OF OCCUPANCY.**

- NOTES:
- PRUNE ONLY DEAD OR BROKEN BRANCHES
  - KEEP PLANTS MOIST & SHADED UNTIL PLANTING SEASON
  - DO NOT FERTILIZE FOR AT LEAST 1 GROWING SEASON
  - ATTENDED BACKFILL SHALL BE 10% SOIL FROM PIT + 30% ORGANIC MULCH DECID. TRUNK ON EXPOSED SITES OR SPECIES W/ THIN BARK USE TAPE NOT TUINE. UNRAFF BY OCT. 15 + REMOVE BY MARCH 31.
  - SET TREE PLUMBS STAKE UP TO 3" CAL. TREES W/ 2 POSTS OVER 3" CAL. W/ 3 EVENLY SPACED POSTS. USE NYLON STRAPS W/ GROOVETS BELOW
  - SET TREE PLUMBS STAKE 6" TREES + SMALLER W/ 2 POSTS ON LEeward + UNWARD SIDES + STAKE TREES OVER 6" W/ 3 METAL ANGLE IRONS PLACED 120° APART.
  - TIGHTEN #2 GUY WIRE BY TWISTING. PROTECT BRANCHES FROM TOUCHING WIRE. ALLOW SLIGHT SAG FOR SNAY. SLIDE WIRE THRU 1/2" WHITE PVC FOR VISIBILITY. BET STAKE W/ ROOTBALL 2'-4" ABOVE GRADE. APPLY 4" DEPTH SPECIFIED MULCH. PROVIDE 3" PLANTING RING FOR TREES IN DRYLAND PLANTING AREAS. PROVIDE SAUCER ON DOWNHILL SIDE SLOPES. TUCK MULCH UNDER SOIL TO DEPTH OF ROOTBALL. BACKFILL W/ ATTENDED SOIL MIX. SCARIFY SIDES OF PIT. ROOTBALL SHALL REST ON FIRST UNDISTURBED SOIL.
  - CUT + REMOVE ALL BURLAP + WIRE BASKETS FROM TOP 2/3 OF ROOTBALL. REMOVE ALL TREATED GREEN BURLAP AFTER TREE IS SET. REMOVE ALL TUINE, ROPE, PLASTIC + RUBBER.



SITE CATEGORY CALCULATION

LANDSCAPE SETBACKS	STREET CLASSIFICATION	WIDTH (IN FT.) REQ./PROV.	TREE/FEET REQUIRED	LINEAR FOOTAGE	NO. OF TREES REQ./PROV.	% GRD PLANE REG./PROV.
STREET NAME OR ZONE BOUNDARY (ELEV.)	ARTERIAL (MAJOR)	25' / 25'	1/20'	825	41 / 43	15 / 86
DUBLIN BOULEVARD						
<b>MOTOR VEHICLE LOTS</b>						
NO. OF VEHICLE SPACES PROVIDED	SHADE TREES (1/15)	VEHICLE LOT FRONTAGES	LENGTH OF FRONT EX. DRIVEWAYS	2/3 LENGTH OF FRONTAGE		
46 (EXTERIOR)	3.0 / 3	NA	NA	NA		
MIN. 3' SCREENING PLANTS REQ. / PROV.	EVERGREEN PLANTS REQUIRED/PROV.	LENGTH OF SCREENING WALL OR BERT. PROV.	VEHICLE LOT PLANT ABBR. ON PLAN	% GROUND PLANE REQ. / PROV.		
156 LF / 6.1% = 912 LF	15 / 15	NA	NA	15 / 11		
30 SHRUBS REQ. / 30 PROV.						
<b>INTERNAL LANDSCAPING</b>						
NET SITE AREA (SF) LESS PUBLIC ROU	PERCENT MINIMUM INTERNAL AREA (%)	INTERNAL AREA (SF) REQ./PROV.	INTERNAL TREES (1/5000SF) REQ./PROV.			
461445	15%	69211 / 2071335	136 / 152			
SHRUB SUBSTITUTES REQUIRED / PROVIDED	ORN. GRASS SUBSTITUTES REQUIRED / PROVIDED	INTERNAL PLANT AREA DENOTED ON PLAN	% GROUND PLANE REQ. / PROVIDED			
NA	91 / 91	SEE CAT. CHART	15 / 18			
<b>LANDSCAPE BUFFERS</b>						
STREET NAME OR PROPERTY LINE (ELEV.)	WIDTH (IN FEET)	LINEAR FOOTAGE	LANDSCAPE BUFFERS	LENGTH OF 6' BUFFER REQ./PROV.	EVERGREEN TREES REQ./PROV.	VEHICLE LOT PLANT ABBR. NOTED ON PLAN
SOUTH PROP. LINE	15' / 15'	634.08	(1/20)' 317 / 33	15.9 / 17	15.9 / 17	15 / 83
SOUTHEAST PROP. LINE	15' / 15'	624.48	(1/20)' 312 / 31	15.6 / 17	15.6 / 17	15 / 83
NORTHEAST PROP. LINE	15' / 15'	619.38	(1/20)' 24.6 / 26	12.3 / 13	12.3 / 13	15 / 91



DUBLIN TERRACE TOWNHOMES

CTR ENGINEERING, INC.

6451 GALETA DRIVE  
COLORADO SPRINGS, CO 80922  
(719) 964-6654

FOR AND ON BEHALF OF  
CTR ENGINEERING, INC.

DESIGNED BY: JDC INC. SCALE: AS SHOWN DATE ISSUED: MARCH, 2006  
DRAWN BY: HS HORIZ. SHEET NO. T OF 10 SHEETS  
CHECKED BY: TJ VERT. VS

FINAL LANDSCAPE PLAN

LS03

APPROVED  
CITY OF COLO SPRINGS  
NOV 13 2006  
BY CITY PLANNING

JDC

Jump Design Company  
planning & landscape architecture  
1233 S. Clinton Street  
Denver, Colorado 80210  
303.733.0460 fax: 303.733.0473

REFERENCE DRAWINGS

- X-UTIL
- X-ROAD-2-16-06
- X-EX-AREA

NO. DATE DESCRIPTION REVISIONS BY

BENCHMARK DATA(ELEV.) (DATUM)

(DESCRIPTION)/LOCATION

NAME: S:\05.000.001(Dublf)\dwg\DP\PLANS\LS01-03.dwg  
PLOT DATE: Sat Aug 15, 2006 6:08pm

**DJA**  
DAVIS/JONES ARCHITECTURE, INC.

9896 ROSEMONT AVE.  
SUITE 102, CO. 80124  
LOFTNER, CO. (303) 441-1100  
303.926.0321 (FACSIMILE)  
WWW.DAVISJONESARCH.COM

**Dublin Terrace Townhomes**  
Colorado Springs

ISSUE DATE: 3.06

ISSUE DESCRIPTION:

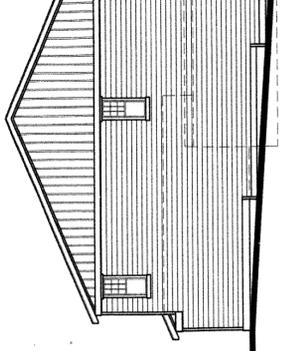
REVISIONS:

PROJECT NUMBER: 05-900.001

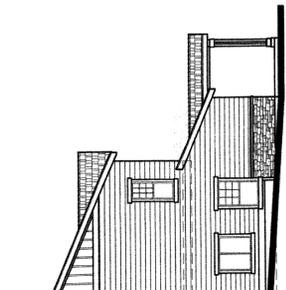
SHEET: SD2

OF: 9 OF 10

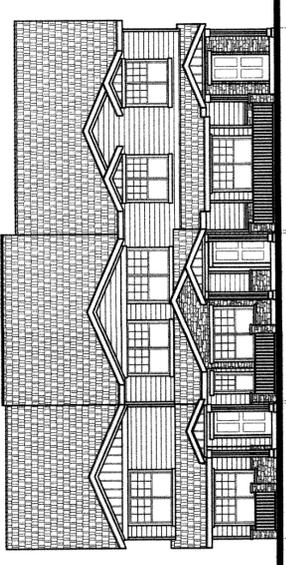
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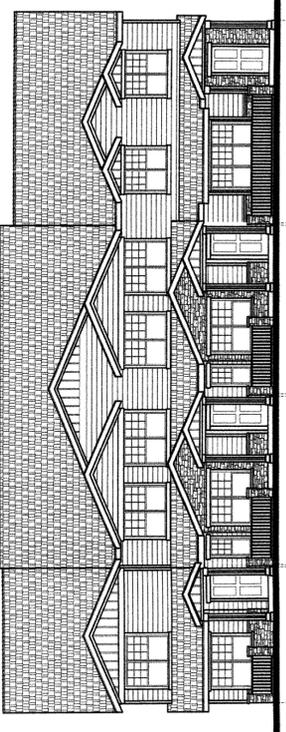
Garage Up Side Elevation 'A'



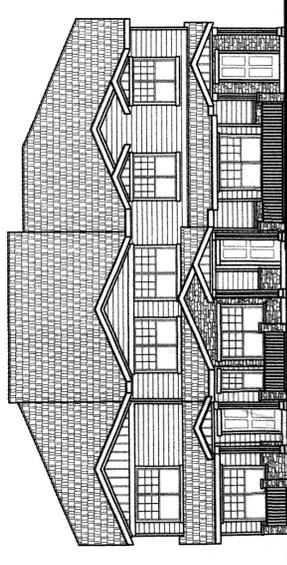
3-Plex - Garage Up Front - Elevation 'A'



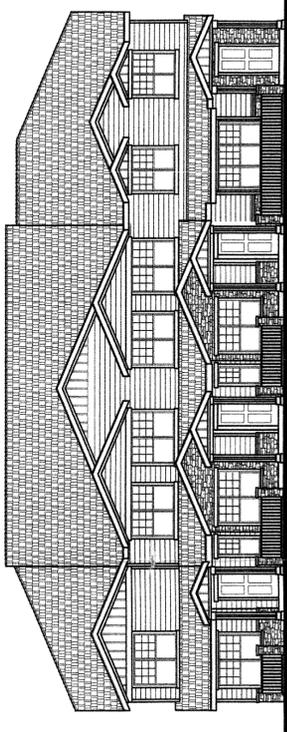
4-Plex - Garage Up Front - Elevation 'A'



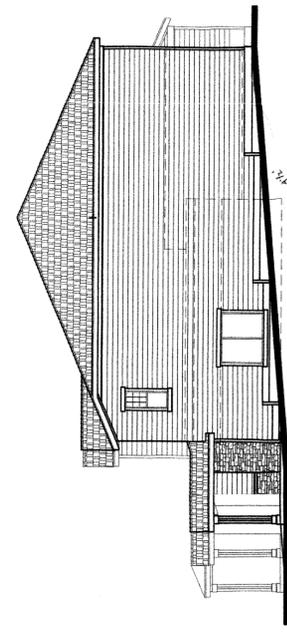
3-Plex - Garage Up Front Elevation 'B'



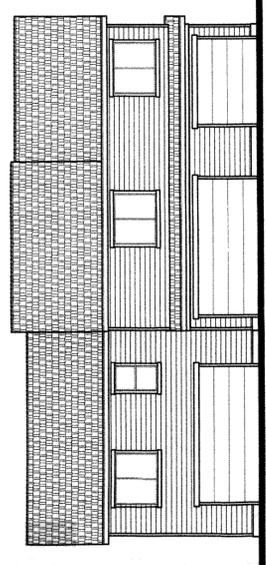
4-Plex - Garage Up Front Elevation 'B'



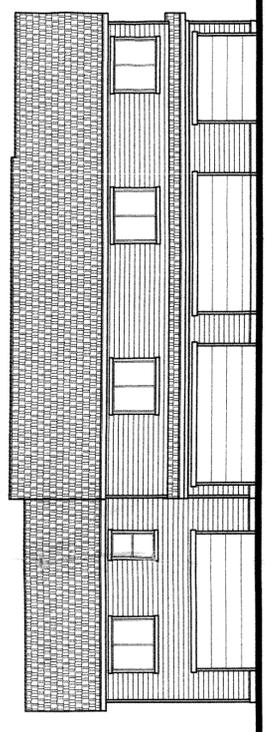
Garage Up Side Elevation 'B'



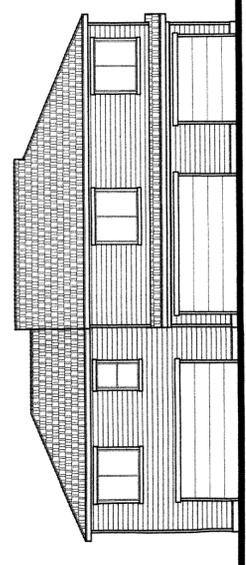
Garage Up Side Elevation 'B'



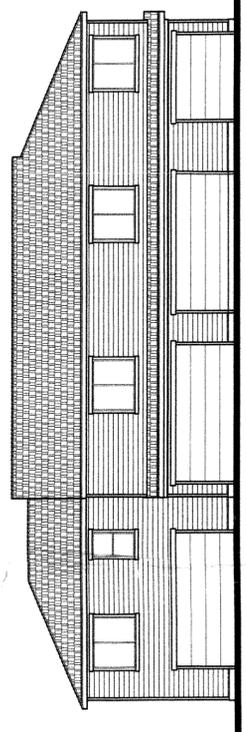
3-Plex - Garage Up Rear - Elevation 'A'



4-Plex - Garage Up Rear - Elevation 'A'

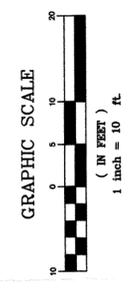


3-Plex - Garage Up Rear Elevation 'B'



4-Plex - Garage Up Rear Elevation 'B'

- NOTES:
- 1) NO VINYL SIDING WILL BE USED.
  - 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SIDING.
  - 3) ROCK SIDING WILL BE REQUIRED WHERE ELECTRIC FAULTS ARE WITHIN 10- FEET OF THE BUILDING AND THE ROCK SIDING WILL MEET CSU STANDARDS FOR HEIGHT AND WIDTH ON BUILDING FACE.
  - 4) A HOMEOWNERS ASSOCIATION WILL BE ORGANIZED AND WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.
  - 5) ONLY ELEVATION 'B' CAN BE USED ALONG THE SINGLE FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.

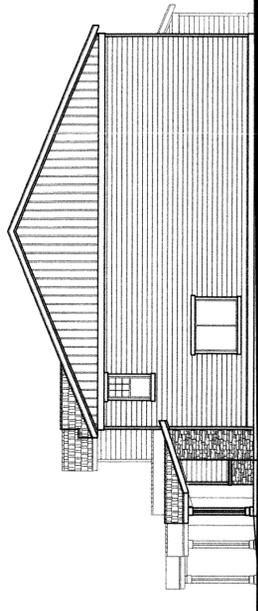


# BUILDINGS D, E, & F

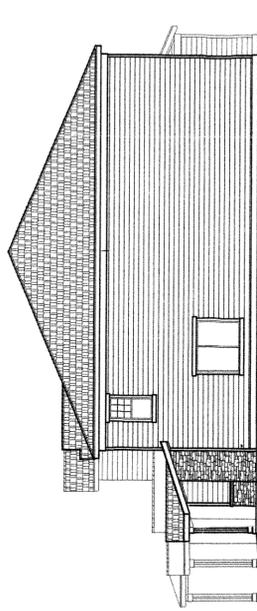
APPROVED  
CITY OF COLORADO SPRINGS  
NOV 13 2006  
BY CITY PLANNING

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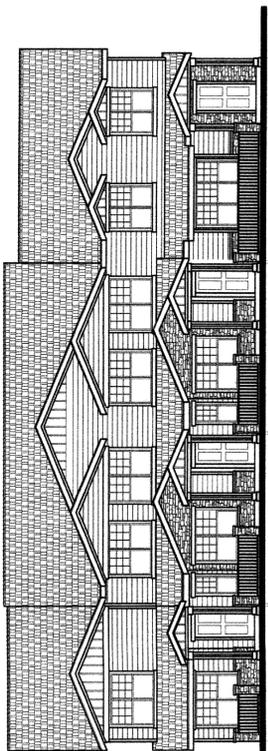


Flat Lot  
Side Elevation 'A'

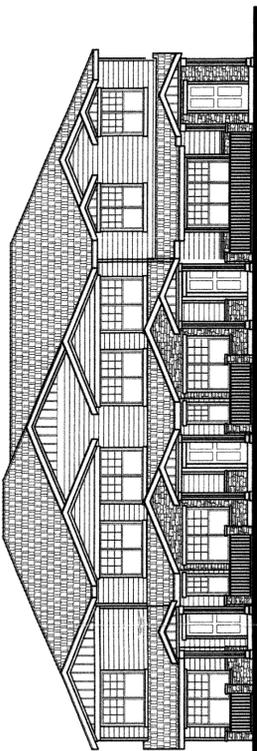


Flat Lot  
Side Elevation 'B'

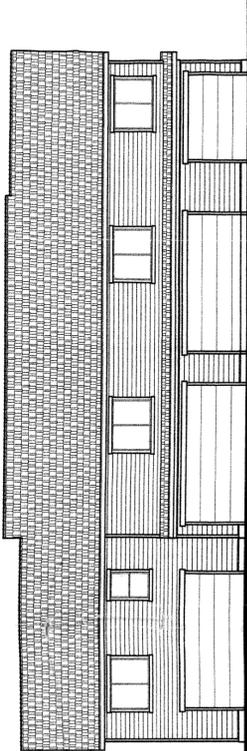
- NOTES:
- 1) NO VINYL SIDING WILL BE USED.
  - 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SIDING.
  - 3) ROCK SIDING WILL BE REQUIRED WHERE ELECTRIC FAULTS ARE WITHIN 10-FEET OF THE BUILDING AND THE ROCK SIDING WILL MEET CSU REQUIREMENTS.
  - 4) A HOMEOWNERS ASSOCIATION WILL BE ORGANIZED AND WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.
  - 5) ONLY ELEVATION "B" CAN BE USED ALONG THE SINGLE FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.



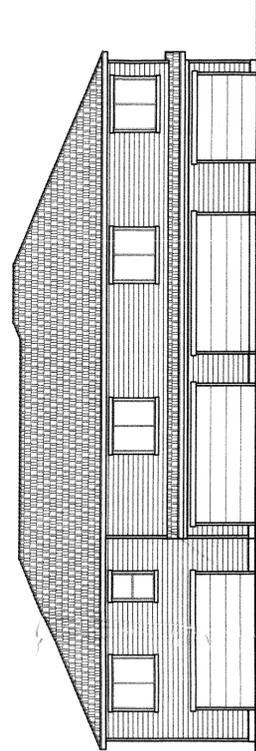
4-Plex - Flat Lot  
Front - Elevation 'A'



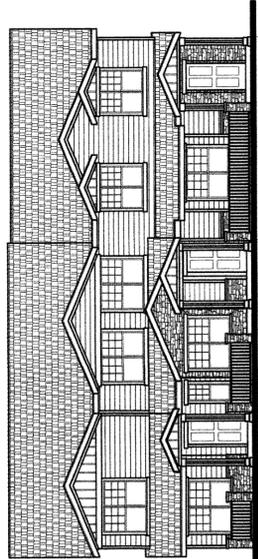
4-Plex - Flat Lot  
Front Elevation 'B'



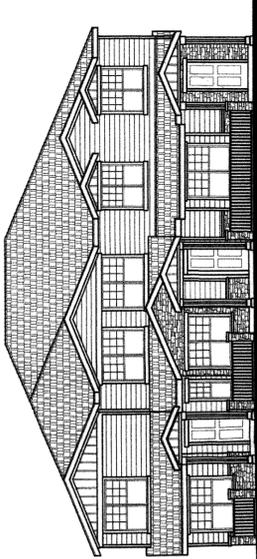
4-Plex - Flat Lot  
Rear - Elevation 'A'



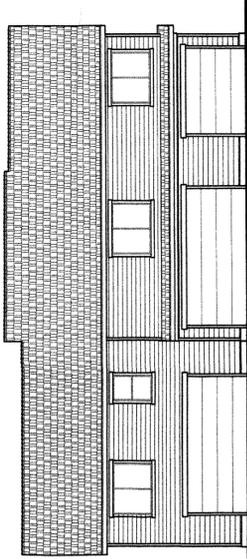
4-Plex - Flat Lot  
Rear Elevation 'B'



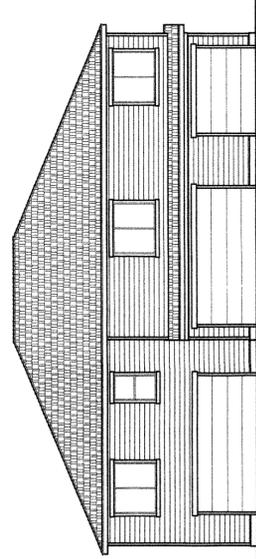
3-Plex - Flat Lot  
Front - Elevation 'A'



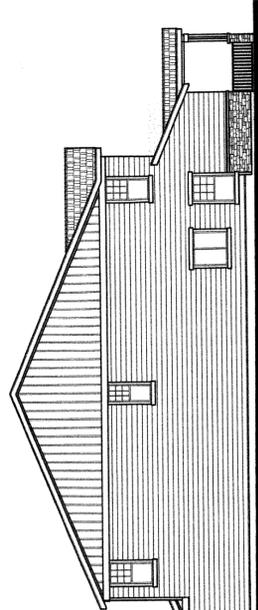
3-Plex - Flat Lot  
Front Elevation 'B'



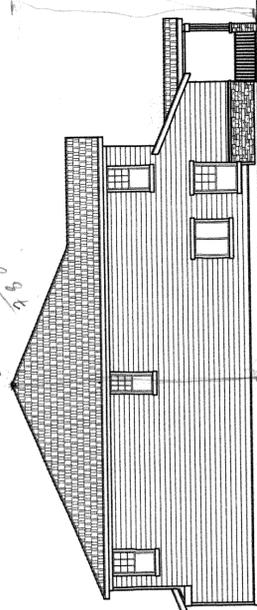
3-Plex - Flat Lot  
Rear - Elevation 'A'



3-Plex - Flat Lot  
Rear Elevation 'B'



Flat Lot  
Side Elevation 'A'



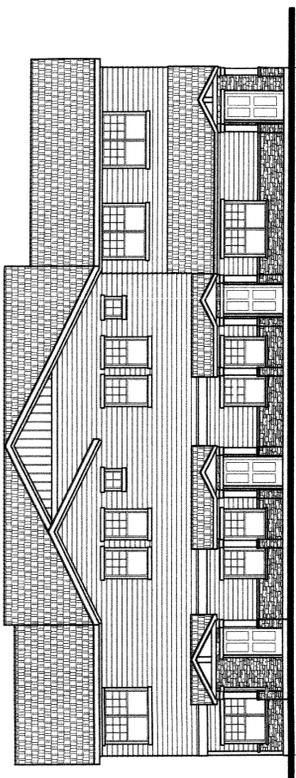
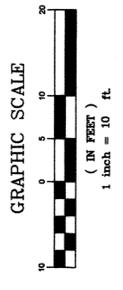
Flat Lot  
Side Elevation 'B'

3  
6722  
29  
5801

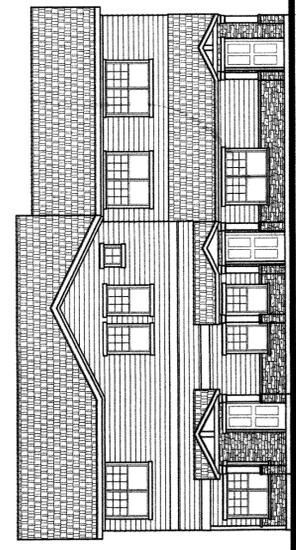
**BUILDINGS G, H, & I**

APPROVED  
CITY OF COLO SPRINGS  
NOV 1 3 2006  
BY CITY PLANNING

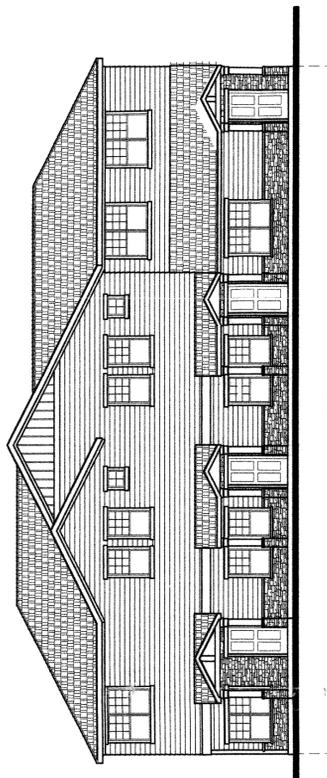
NOTES:  
1) NO VINYL SIDING WILL BE USED.  
2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SIDING.  
3) ROCK SIDING WILL BE REQUIRED WHERE ELECTRIC PANELS ARE WITHIN 10- FEET OF THE BUILDING AND THE ROCK SIDING WILL MEET CSU STANDARDS FOR HEIGHT AND WIDTH ON BUILDING FACE.  
4) A HOMEOWNERS ASSOCIATION WILL BE ORGANIZED AND WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.



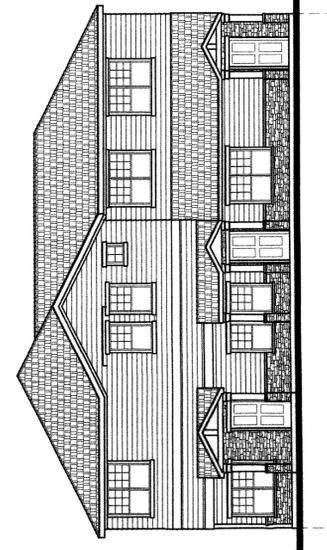
3-Plex - Garage Down  
Front - Elevation 'A'



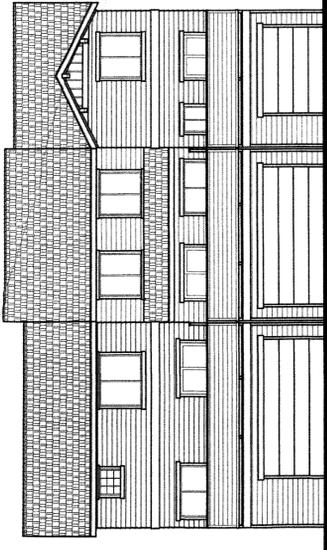
4-Plex - Garage Down  
Front - Elevation 'A'



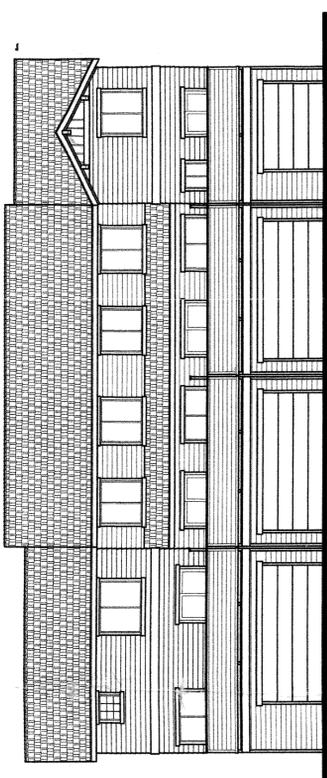
3-Plex - Garage Down  
Front - Elevation 'B'



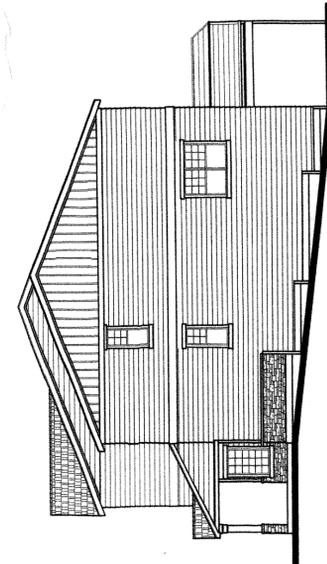
4-Plex - Garage Down  
Front - Elevation 'B'



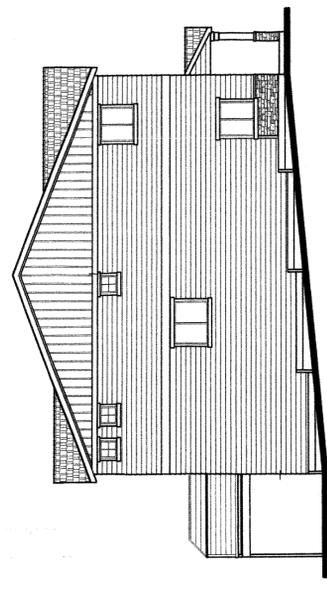
3-Plex - Garage Down  
Rear - Elevation 'A'



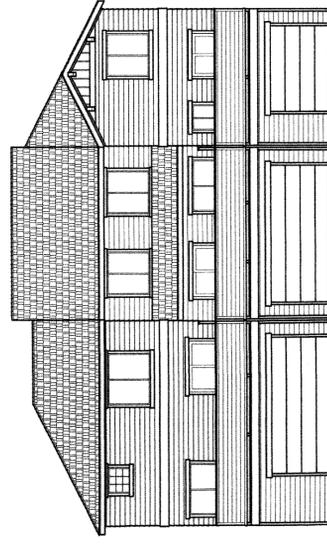
4-Plex - Garage Down  
Rear - Elevation 'A'



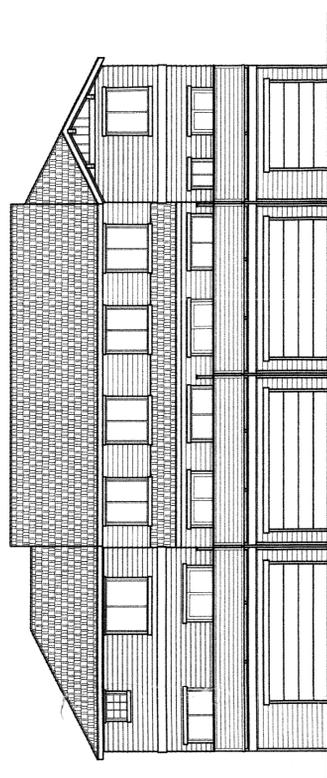
3-Plex - Garage Down  
Side Elevation 'A'



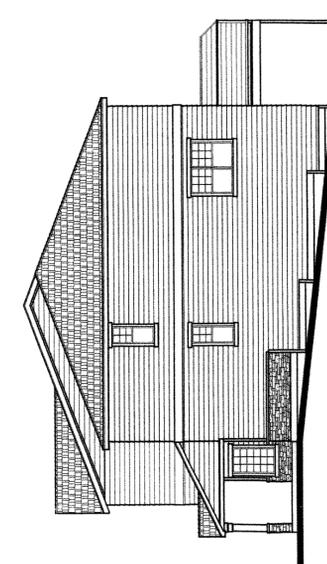
4-Plex - Garage Down  
Side Elevation 'A'



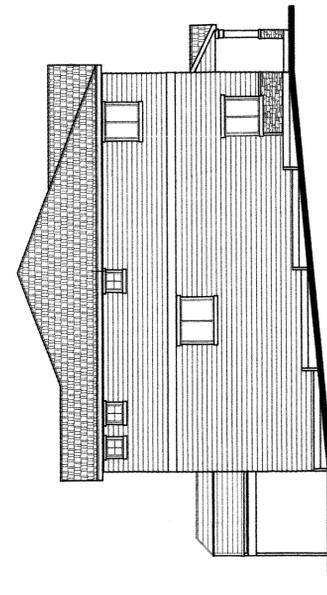
3-Plex - Garage Down  
Rear - Elevation 'B'



4-Plex - Garage Down  
Rear - Elevation 'B'



3-Plex - Garage Down  
Side Elevation 'B'



4-Plex - Garage Down  
Side Elevation 'B'

**BUILDINGS A, B, & C**

APPROVED  
CITY OF COLO SPRINGS  
NOV 13 2006  
BY CITY PLANNING

**SHEET INDEX**

- 1 TS01 COVER SHEET/NOTES
- 2 SP01 SITE PLAN
- 3 GD01 GRADING PLAN
- 4 UT01 UTILITY PLAN
- 5 LS01 LANDSCAPE PLAN
- 6 LS02 LANDSCAPE NOTES & DETAILS
- 7 LS03 ELEVATIONS A, B & C
- 8 SD1 ELEVATIONS D, E & F
- 9 SD2 ELEVATIONS G, H & I
- 10 SD3 ELEVATIONS J, K & L
- 11 SD4 ELEVATIONS M, N & O
- 12 IR1 IRRIGATION PLAN
- 13 IR2 IRRIGATION NOTES & DETAILS
- 14 IR3
- 15

# DUBLIN TERRACE TOWNHOMES

## CITY OF COLORADO SPRINGS

# AMENDED DEVELOPMENT PLAN

JULY 2015

**If an appeal is filed on this item  
Within 10 (ten) days of the date  
Data**

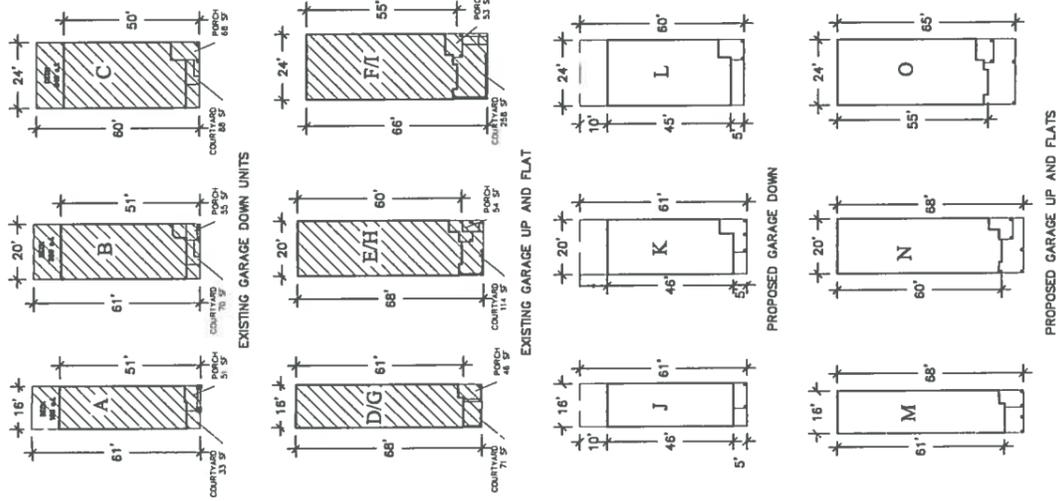
**This approval shall be suspended until  
Appeal process is finalized.**

**GENERAL NOTES**

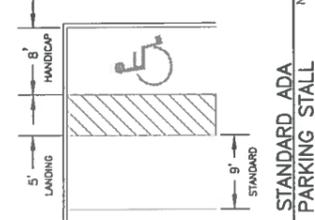
1. COMMON ACCESS AND PARKING AGREEMENTS SHALL BE PROVIDED FOR THE BENEFIT OF ALL OWNERS AND USERS.
2. SIGNAGE SHALL BE IN ACCORDANCE WITH THE CITY ZONING CODE PROVISIONS.
3. A MASTER TRAFFIC STUDY HAS BEEN SUBMITTED FOR THIS SITE.
4. A SITE SPECIFIC GEOLOGIC HAZARD REPORT HAS BEEN SUBMITTED FOR THIS SITE.
5. THE FINAL DRAINAGE REPORT HAS BEEN SUBMITTED FOR THIS SITE.
6. THE SITE SHALL MEET ALL CITY REQUIREMENTS FOR LANDSCAPING.
7. THIS SITE DOES NOT CONTAIN ANY SIGNIFICANT NATURAL FEATURES.
8. ALL FIRE LINES WILL BE A MINIMUM OF 28 FEET IN WIDTH AND WILL MEET ALL THE REQUIREMENTS FOR FIRE DEPARTMENT VEHICLE ACCESS.
9. A VACATION PLAT FOR 60-FOOT OF BALSAM STREET SHALL BE RECORDED PRIOR TO PLATTING. DOCUMENT HAS BEEN PROVIDED TO CITY PLANNING WITH THIS SUBMITTAL.
11. CONSTRUCTION TO BEGIN IN SPRING/SUMMER 2006.
12. MAXIMUM HEIGHT OF PROPOSED BUILDINGS = 35'-FEET.
13. \$28,000.00 WILL BE COMMITTED TO AN ESCROW ACCOUNT FOR THE TRAFFIC SIGNAL AT TEMPLETON GAP/DUBLIN BLVD. INTERSECTION PRIOR TO A BUILDING PERMIT APPROVAL.

**UNIT SUMMARY:**

BLDG.	SQUARE FEET	NO. OF BLDG.	NO. OF BEDROOMS/ BLDG.
A	1,421	12	2
B	1,513	21	2
C	1,882	12	3
D	1,388	5	2
E	1,626	8	3
F	1,785	5	3
G	1,388	2	2
H	1,626	2	3
I	1,785	2	3
J	1,421	7	2
K	1,531	11	3
L	1,882	7	3
M	1,388	13	2
N	1,626	22	2
O	1,785	13	3
TOTAL	226,862	142	344



SCALE: 1"=30'



**Signage is not approved with this plan. A separate sign permit is required. Contact Development Review Enterprise at 2880 International Circle for sign plan applications.**

**EXISTING OWNERSHIP EXHIBIT**

**SITE DATA:**

AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL #080400536 F REVISED DATE MARCH 17, 1997, THIS SITE IS NOT WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN AS SHOWN.

PROPOSED ZONE: PUD

**GROSS LOT COVERAGE:**  
(INCLUDES ROW & DRAINAGE WAY)  
LOT #2 = 490,726 SF 100%  
BUILDING = 166,240 SF 34%  
LANDSCAPING = 237,216 SF 48%  
(USEABLE OPEN SPACE = 110,274 SF 22%)  
STREETS/PARKING = 84,270 SF 17%  
DENSITY = 12.69 DU/ACRE

**NET LOT COVERAGE:**  
(MINUS ROW & DRAINAGE WAY)  
LOT #2 = 461,445 SF 92%  
BUILDING = 207,835 SF 45%  
LANDSCAPING = 80,992 SF 18%  
(USEABLE OPEN SPACE = 84,270 SF 18%)  
STREETS/PARKING = 84,270 SF 18%  
DENSITY = 13.40 DU/ACRE

**PARKING CALCULATIONS:**  
TOTAL UNITS = 142  
PARKING SPACES REQUIRED: 1.7 PER UNIT x 68 = 116  
TOTAL PARKING SPACES PROVIDED: 148  
TOTAL PARKING SPACES REQUIRED: 2.0 PER UNIT x 74 = 264  
ADA ACCESSIBLE SPACES REQUIRED: 26  
EARTH ACCESSIBLE SPACES PROVIDED: 39  
GARAGE A, D, G, J, K, M, 39 x 1 = 39  
GARAGE B, C, E, F, H, I, L, N, O, 103 x 2 = 206  
DEVELOPER PROVIDED PARKING A, B & C: 48  
TOTAL PARKING SPACES PROVIDED: 114  
ADA ACCESSIBLE SPACES PROVIDED: 114  
DESIGNATED UNITS W/ ADA ACCESSIBILITY: 78  
TOTAL ACCESSIBLE SPACES: 82  
TOTAL PARKING PROVIDED: 162

**PARKING SIGNS:** EACH ACCESSIBLE PARKING SPACE SHALL BE IDENTIFIED BY A SIGN SHOWING THE SYMBOL OF ACCESSIBILITY (A WHEELCHAIR). EACH SIGN SHALL BE NO SMALLER THAN ONE FOOT BY ONE FOOT (1' x 1') AND SHALL BE LOCATED AT THE END OF THE SPACE AT A HEIGHT BETWEEN FOUR FEET (4') AND SEVEN FEET (7'). THE SIGN MAY EITHER BE WALL MOUNTED OR FREESTANDING.

**AMENDMENT HISTORY:**

CPC PUD 05-00301:	APPROVED: NOV. 13, 2006
CPC PUD 05-00301-A1M1J2	NOT APPROVED
CPC PUD 05-00301-A2M1J2	NOT APPROVED
CPC PUD 05-00301-MN01	APPROVED AUGUST 17, 2010. PROJECT TO ILLUSTRATE THE NEW BUILDING FOOTPRINTS FOR 5621, 5623, 5629 AND 5633 ST. PATRICK VIEW
CPC PUD 05-00301-A3M1N15	UNDER REVIEW

COPY OF THE 'GENERAL RELEASE AND SETTLEMENT AGREEMENT' FOR CASE NO. 2012CV3256 IS LOCATED IN THE FILE.

1. CONDITIONS PERTAINING TO PROPERTIES LOCATED AT 6588 (LOT 71), 6592 (LOT 72) AND 6586 (LOT 73) EMERALD ISLE HEIGHTS:
  - THAT THE PROPERTIES BE DEVELOPMENT PER FILE NO. CC PUD 05-00301, AND
  - THAT THE GRADE OF THE PROPERTIES SHALL BE LOWERED TO BE COMPLIANT WITH THE APPROVED 2006 DEVELOPMENT PLAN TO THE EXTENT POSSIBLE.
2. CONDITIONS PERTAINING TO PROPERTIES LOCATED AT 6520 (LOT 57), 6524 (LOT 58), 6528 (LOT 59), 6552 (LOT 64), 6556 (LOT 65), 6560 (LOT 66), 6568 (LOT 67), 6572 (LOT 68), 6576 (LOT 69), AND 6580 (LOT 70) EMERALD ISLE HEIGHTS (COLLECTIVELY, 'THE RECEIVER'S TOWNHOMES'):
  - A 6-FOOT HIGH WHITE VINYL FENCE SHALL BE CONSTRUCTED ALONG THE SOUTH SIDE (THE SIDE WITH THE FRONT DOORS) OF EACH OF THE THREE TOWNHOME BUILDINGS COMPRISING THE RECEIVER'S TOWNHOMES. THE FENCE SHALL BE CAP IN THE FENCE BETWEEN THE TOWNHOME BUILDINGS. THE FENCE SHALL BE LOCATED BETWEEN THE SIDEWALK AND THE TOP OF THE RETAINING WALL. THE FENCE MATERIALS SHALL BE CONSISTENT WITH THE EXISTING WHITE VINYL PERIMETER FENCE AROUND THE DUBLIN TERRACE TOWNHOME NEIGHBORHOOD.
  - LANDSCAPING AND IRRIGATION ALONG THE SOUTH PROPERTY LINE SHALL BE INSTALLED IN COMPLIANCE WITH THE LANDSCAPE PLAN APPROVED BY THE CITY OF COLORADO ON NOVEMBER 12, 2006 ADJACENT TO THE RECEIVER'S TOWNHOMES.
  - TWO (2) LOW LEVEL SHRUBS SHALL BE INSTALLED ON TOP OF THE SLOPE ALONG THE FENCE, FACING EACH (2) TOWNHOME BUILDING. THE SHRUBS SHALL BE INSTALLED BETWEEN THE FENCES CONSTRUCTED ADJACENT TO THE (2) TOWNHOME BUILDINGS BETWEEN LOTS 66 AND 67, AND LOTS 68 AND 69.
  - THE (2) TOWNHOME BUILDINGS BETWEEN LOTS 66 AND 67, AND LOTS 68 AND 69, SHALL BE APPROVED AS IS, PROVIDED THAT THE EVERGREEN TREES SHALL BE PROTECTED AND NOT SUBJECT TO ANY PARTICULAR STEAM CALIPER. THE FINAL LANDSCAPE PLAN SHALL BE APPROVED BY THE CITY PRIOR TO INSTALLATION.
3. WITH THE LANDSCAPE PLAN APPROVED BY THE CITY OF COLORADO ON NOVEMBER 12, 2006 ADJACENT TO THE RECEIVER'S TOWNHOMES:
  - EACH (2) LOW LEVEL SHRUBS SHALL BE INSTALLED ON TOP OF THE SLOPE ALONG THE FENCE, FACING EACH (2) TOWNHOME BUILDING. THE SHRUBS SHALL BE INSTALLED BETWEEN THE FENCES CONSTRUCTED ADJACENT TO THE (2) TOWNHOME BUILDINGS BETWEEN LOTS 66 AND 67, AND LOTS 68 AND 69.
  - THE (2) TOWNHOME BUILDINGS BETWEEN LOTS 66 AND 67, AND LOTS 68 AND 69, SHALL BE APPROVED AS IS, PROVIDED THAT THE EVERGREEN TREES SHALL BE PROTECTED AND NOT SUBJECT TO ANY PARTICULAR STEAM CALIPER. THE FINAL LANDSCAPE PLAN SHALL BE APPROVED BY THE CITY PRIOR TO INSTALLATION.

Know what's below.  
Call before you dig.  
**BY CITY PLANNING**



PREPARED BY:

CLIENT/OWNER:

**CHALLENGER HOMES**  
Challenger Homes, Inc.  
13570 Northgate Estates Dr.  
Colorado Springs, CO 80921

REFERENCE DRAWINGS: 1 9-18-15 LOTS 71, 72, 73, 76, 107 & 108, SCHEDULED AS NEW UNIT TYPES (SEE CHART) AND 8 PARKING STALLS, MODIFIED LANDSCAPE & IRRIGATION TO ACCOMMODATE PARKING SPACES

NO.	DATE	DESCRIPTION	BY
REVISIONS			
		BENCHMARK DATA(ELEV.)	
		(DATUM)	
NAME: B:\Clients\2015\15012 - Dublin Terrace\Active\ACAD\15012-ADP-06.dwg			
PLOT DATE: Tue Oct 27, 2015 8:37pm			

**CHALLENGER HOMES**

**Land Patterns, Inc.**  
Landscape Architecture & Planning  
10000 W. WOODEN BLVD. SUITE 100  
DUBLIN, CO 80121  
TEL: 719.261.1111  
WWW.LANDPATTERNS.COM

DUBLIN TERRACE TOWNHOMES

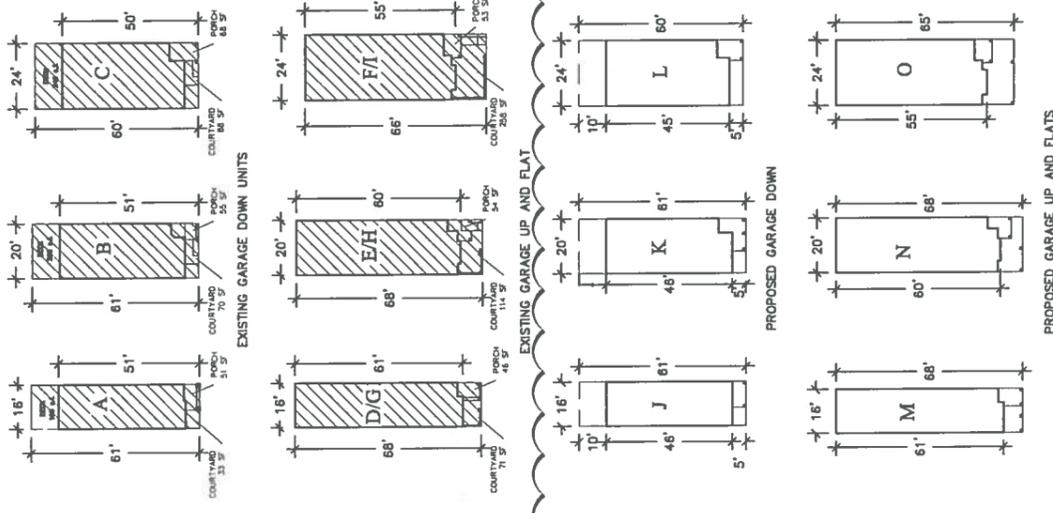
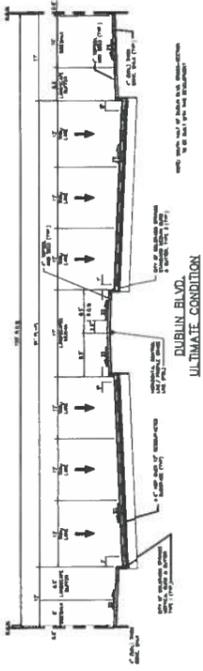
AMENDED DEVELOPMENT PLAN

TITLE SHEET

DESIGNED BY: DTM SCALE: AS SHOWN DATE ISSUED: JULY 6, 2015  
DRAWN BY: HORRZ SHEET NO.: 1 OF 16 SHEETS  
CHECKED BY: DTM VERRI

TS01

FIGURE 7



**APPROVED**  
 SCALE: 1/8" = 1'-0"  
 CITY OF COLORADO SPRINGS

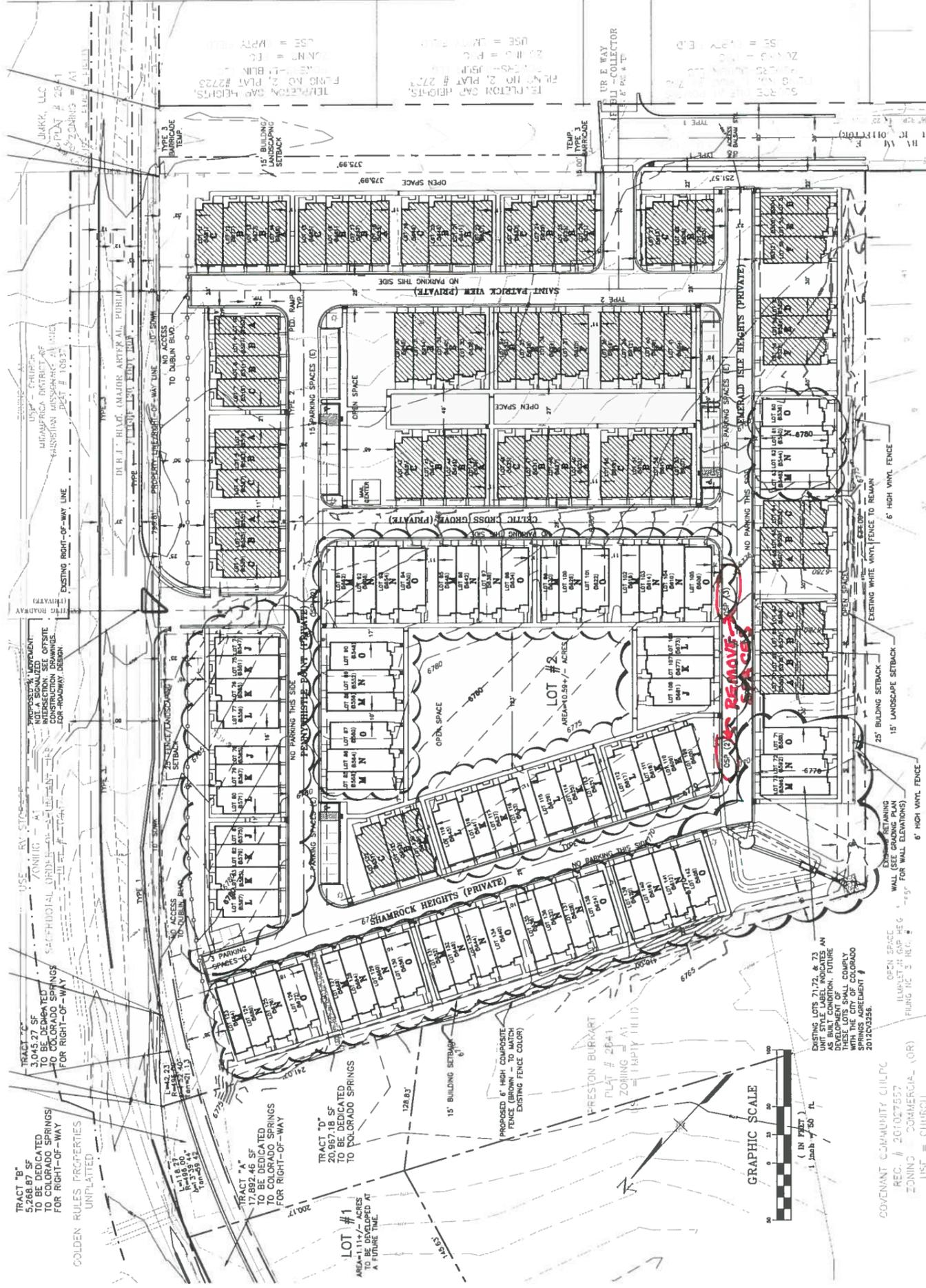
OCT 20 2015

**BY CITY PLANNING**  
 CITY FILE NO. CPC PUD-05-00301-ASMM1

DUBLIN TERRACE  
 TOWNHOMES  
 AMENDED DEVELOPMENT PLAN  
 SITE PLAN

Land Patterns, Inc.  
 Landscape Architecture & Planning

DESIGNED BY: DTM SCALE: AS SHOWN DATE ISSUED: JULY 6, 2015  
 DRAWN BY: MFC HORIZ: SHEET NO. 2 OF 15 SHEETS  
 CHECKED BY: DTM VERT:



- 1) ONLY ELEVATION "B" CAN BE USED ADJACENT TO THE SOUTHERN BOUNDARY.
- 2) OSP (3) = ON STREET PARKING FOR 3 CARS.
- 3) US POSTAL SERVICE TO BE DELIVERED TO A CENTRAL LOCATION.
- 4) EACH UNIT WILL BE RESPONSIBLE FOR THEIR OWN GARBAGE.
- 5) ALL ONSITE SIDEWALKS SHALL BE 4-FOOT WIDE.
- 6) RIGHT-OF-WAY ALONG BALSAM STREET NORTH OF SOURCE WAY SHALL BE VACATED BY SEPARATE INSTRUMENT.
- 7) EXISTING RIGHT-OF-WAY ALONG THE SOUTH SIDE OF DUBLIN BLVD. TO REMAIN AS FUTURE SOUTH RIGHT-OF-WAY FOR THE ULTIMATE BUILD-OUT OF THE 120-FOOT CROSS SECTION, EXCEPT WHERE SHOWN NEAR THE GREENBELT.
- 8) A 6-FOOT SOUND FENCE SHALL BE BUILT 25-FOET OFF THE SOUTHERN RIGHT-OF-WAY LINE OF DUBLIN BLVD. AND SHALL MATCH THE NORWOOD CONCRETE FENCE TO THE WEST WITH THE ROCK FINISH.
- 9) ALL OPEN SPACE, TREES & EASEMENTS WILL BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.
- 10) ALL ONSITE CURB AND GUTTER WILL BE A TYPE 2. ALL ONSITE FEATURES ARE PROPOSED. ALL CURB AND GUTTER ON THE SOUTH HALF OF DUBLIN BLVD. ARE PROPOSED WITH THE EXISTING ASPHALT TO REMAIN UNLESS AN ASPHALT OVERLAY IS REQUIRED BY THE GEOTECHNICAL ENGINEERING. CURB AND GUTTER ON BALSAM STR. IS PROPOSED FOR BOTH SIDES OF THE STREET ALONG THE FRONTAGE OF THIS PROJECT ONLY.
- 11) LOT #1 WILL BE REQUIRED TO REZONE PRIOR TO ANY DEVELOPMENT.
- 12) ONLY ELEVATION "B" CAN BE USED ALONG THE SINGLE FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.

PREPARED BY:

CLIENT/OWNER:  
 Challenger Homes, Inc.  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

**CHALLENGER**  
 HOMES

NO.	DATE	DESCRIPTION	BY
1	6-18-15	DEFINITION POND, ASBESTOS, LANDSCAPE AND VINYL FENCE ADDED ALONG SOUTH PROPERTY LINE (LOTS 64-73)	
2	9-18-15	REVISIONS TO ACCOMMODATE PARKING SPACES	

NO.	DATE	DESCRIPTION	BY
		BENCHMARK DATA(ELEV.)	
		(DATUM)	
		(DESCRIPTION/LOCATION)	

NAME: B:\Chal\15\2015\15012-ADP.dwg - Dublin Terrace\Active\15012-ADP.dwg  
 PLOT DATE: Tue Oct 27, 2015 8:33am

FIGURE 7



FIGURE 7



**LEGEND**

	DECIDUOUS TREE
	ORNAMENTAL TREE
	EVERGREEN TREE
	DECIDUOUS SHRUB
	EVERGREEN SHRUB
	ORNAMENTAL GRASS
	3-4" 3/4" Granite Rock Mulch
	IRRIGATED BLUEGRASS TURF
	FESCUE BLEND WITH SUPPLEMENTAL IRRIGATION
	STEEL LANDSCAPE EDGER
	VINYL SPLIT RAIL FENCE
	SETBACK / BUFFER BOUNDARY
	6" SOUND FENCE

EXISTING LANDSCAPE AREAS TO REMAIN  
 (ALL OTHER LANDSCAPE AREAS ARE PROPOSED. LANDSCAPE TO BE INSTALLED AT THE TIME OF DEVELOPMENT).

THIS DOCUMENT IS FOR CITY REVIEW AND DEVELOPMENT PLAN APPROVAL ONLY.

THIS DOCUMENT IS NOT A CONSTRUCTION DOCUMENT UNLESS STAMPED BY THE LANDSCAPE ARCHITECT OF RECORD.

**APPROVED**  
 CITY OF COLO SPRINGS

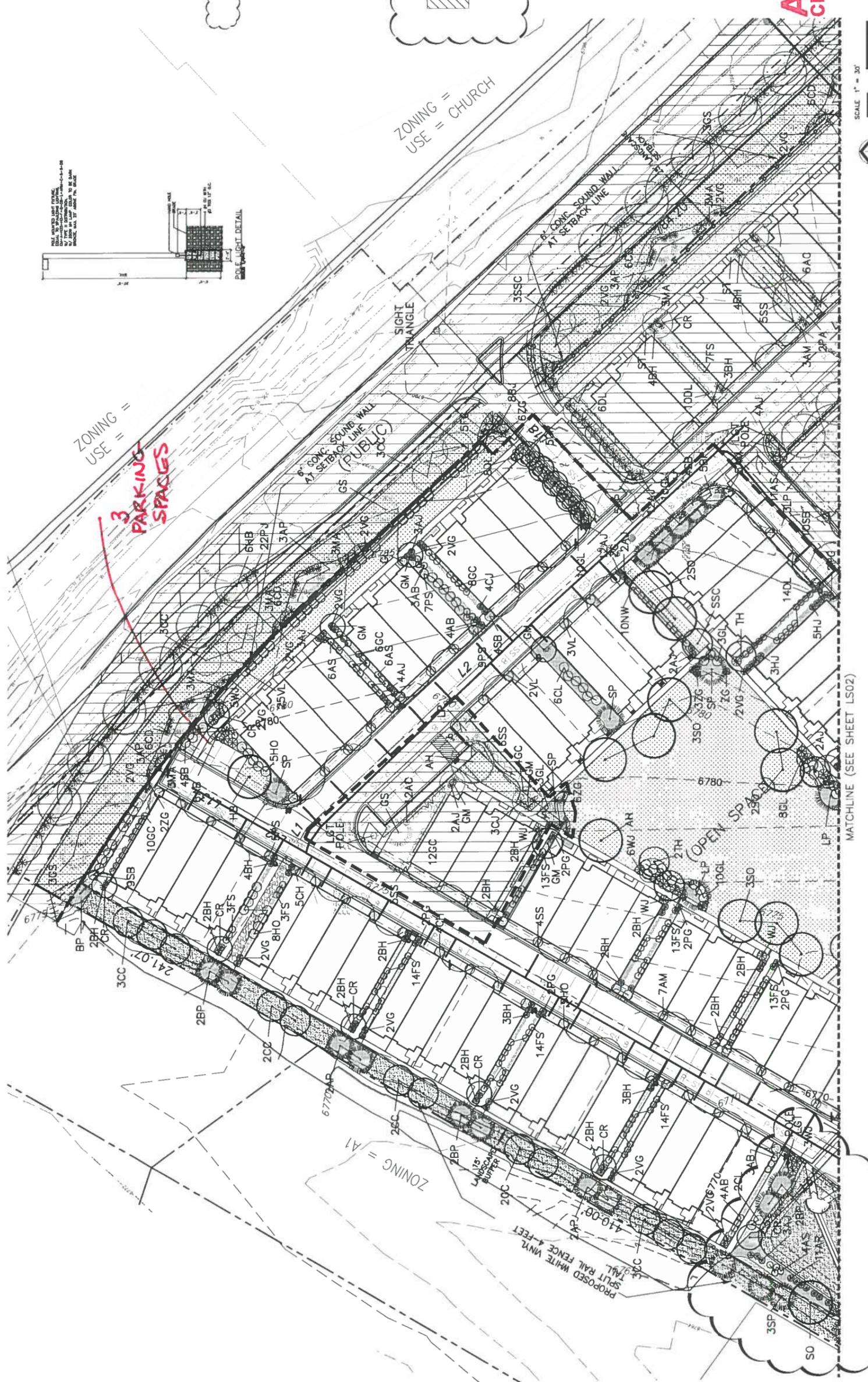
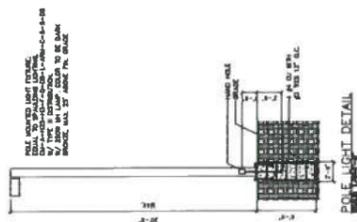
OCT 20 2015

**BY CITY PLANNING**

CITY APPROVAL STAMP  
 CITY FILE NO. CPC PUD- 05-00301-A3MN1

DUBLIN TERRACE TOWNHOMES  
 AMENDED DEVELOPMENT PLAN  
 FINAL LANDSCAPE PLAN

DESIGNED BY: DTW SCALE: AS SHOWN DATE ISSUED: July 6, 2015  
 DRAWN BY: HORIZ: SHEET NO. 5 OF 15 SHEETS  
 CHECKED BY: DTW VERT: LS01



CLIENT/OWNER:  
**Challenger Homes, Inc.**  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

PREPARED BY:  
**Land Patterns, Inc.**  
 Landscape Architecture & Planning

**CHALLENGER HOMES**

NO.	DATE	DESCRIPTION	BY
1	8-18-15	RETENTION POND, ADOBE, LANDSCAPE AND VINYL FENCE ADDED ALONG SOUTH PROPERTY LINE (LOTS 84-23)	
2	9-18-15	REVISIONS TO ADOBE, LANDSCAPE AND VINYL FENCE (SEE CHART) AND 8 PARKING SPACES ADDED. LANDSCAPE & IRRIGATION TO ACCOMMODATE PARKING SPACES.	

BENCHMARK DATA (ELEV.)  
 (DATUM)  
 (DESCRIPTION / LOCATION)

NAME: B:\CIVIL\2015\15012 - Dublin Terrace\Active\15012-ADP.dwg (DATUM)  
 PCP: Miroslav  
 PLOT DATE: Wed Oct 28, 2015 8:48am

FIGURE 7

**APPROVED**  
 CITY OF COLO SPRINGS

OCT 20 2015

BY CITY PLANNING

CITY APPROVAL STAMP  
 CITY FILE NO. CPC PUD- 05-003301-A33M1

AMEND VELO

DESIGNED BY: DTM SCALE: AS SHOWN DATE ISSUED: July 6, 2015  
 DRAWN BY: HORZ.  
 CHECKED BY: DTM VERT. SHEET NO. 6 OF 15 SHEETS

PREPARED BY:  
**Land Patterns, Inc.**  
 Landscape Architecture & Planning  
 1000 S. W. 10th St., Suite 100  
 Colorado Springs, CO 80904  
 TEL: 719.575.1111  
 FAX: 719.575.1112  
 WWW: www.landpatterns.com

PREPARED BY:

CLIENT/OWNER:

**CHALLENGER HOME**  
 HOME

NO.	DATE	DESCRIPTION	BY
1	8-18-15	DEFINITION, POND, ADOBEZ, LANDSCAPE AND VINYL FENCE ALONG SOUTH PROPERTY LINE, LOTS 64-73	
2	9-18-15	USE OF MATERIALS AND FINISHES (SEE CHART) AND 8 PARKING SPACES MODIFIED. LANDSCAPE & IRRIGATION TO ACCOMMODATE PARKING SPACES	

NO.	DATE	DESCRIPTION	BY
		BENCHMARK DATA(ELEV.)	
		(DATUM)	
		(DESCRIPTION/LOCATION)	

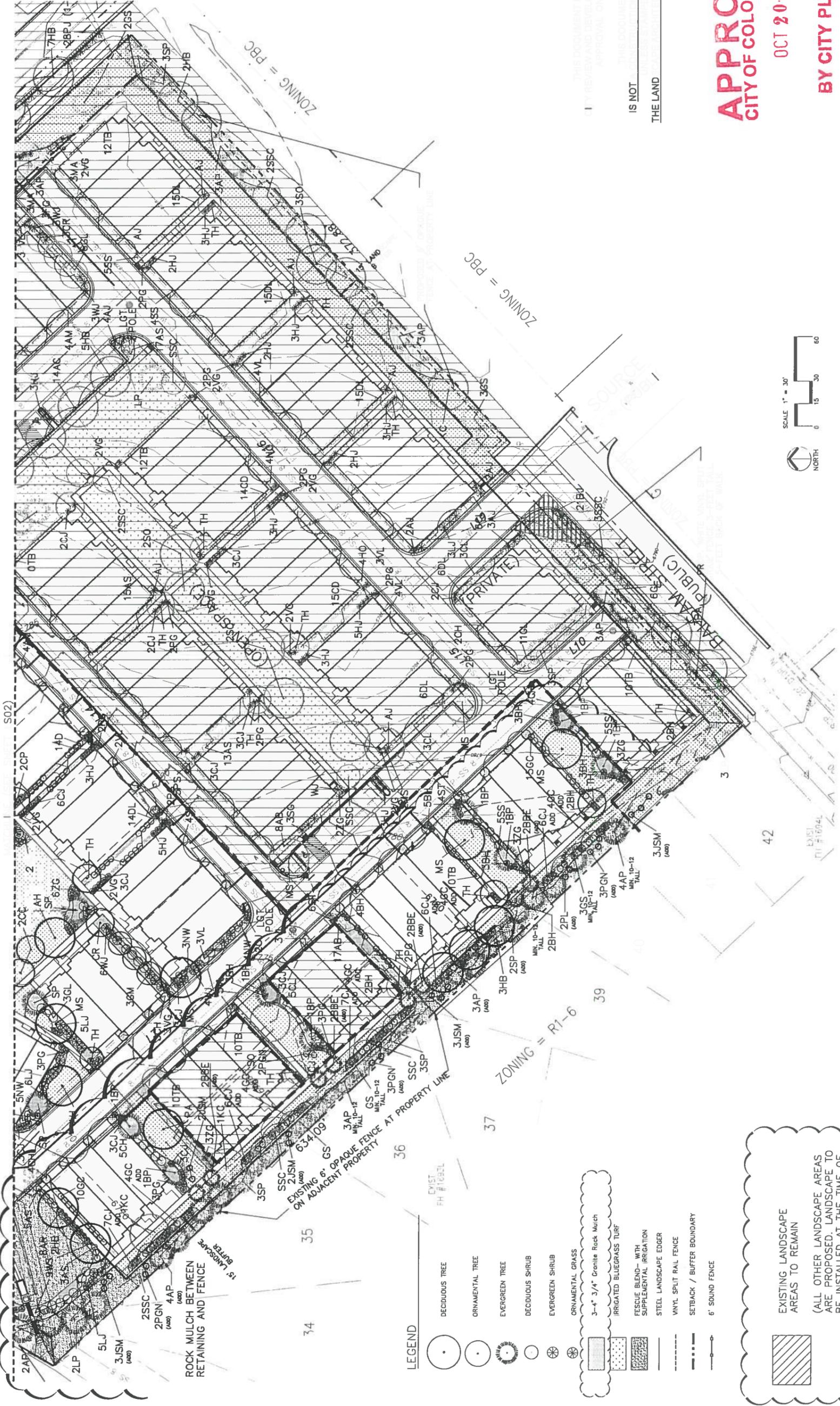


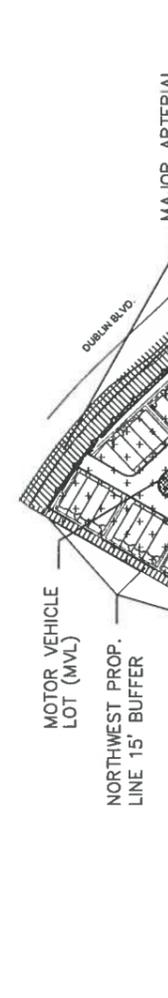
FIGURE 7

SITE CATEGORY CALCULATION

LANDSCAPE SETBACKS	STREET CLASSIFICATION	LINEAR FOOTAGE	TREE/FEET REQUIRED	NO. OF TREES REQ. / PROV.	% GRD PLANE REQ. / PROV.
DUBLIN BOULEVARD	ARTERIAL (MAJOR)	825	1/20'	41 / 43	75 / 86
MOTOR VEHICLE LOTS	SHADE TREES (1/15')	VEHICLE LOT FRONTAGES	LENGTH OF FRONT EX. DRIVEWAYS	2/3 LENGTH OF FRONTAGE	
NO. OF VEHICLE SPACES PROVIDED	3.0 / 3	NA	NA	NA	
46 (EXTERIOR)	MIN. 3" SCREENING EVERGREEN PLANTS REQUIRED / PROV.	LENGTH OF SCREENING WALL OR BERM PROV. ABBR. ON PLAN	VEHICLE LOT PLANT ABBR. ON PLAN	% GROUND PLANE EG. REQ. / PROV.	
	1.36 LF / 67% = 91.12 LF	15 / 15	NA	75 / 77	
	30 SHRUBS REQ. / 30 PROV.	SEE CAT. CHART	75 / 78		
INTERNAL LANDSCAPING					
NET SITE AREA (SF) LESS PUBLIC ROW	PERCENT MINIMUM INTERNAL AREA (%)	INTERNAL AREA (SF)	INTERNAL TREES (1/500SF)		
461,445	15%	69,217 / 207,935	138 / 152		
SHRUB SUBSTITUTES REQUIRED / PROVIDED	ORN. GRASS SUBSTITUTES REQUIRED / PROVIDED	INTERNAL PLANT AREA DENOTED ON PLAN	% GROUND PLANE VEG. REQUIRED / PROVIDED		
NA	51 / 97	SEE CAT. CHART	75 / 78		

LANDSCAPE BUFFERS	STREET NAME OR PROPERTY LINE (ELEV)	WIDTH (IN FEET) REQ. / PROV.	LINEAR FOOTAGE	EVERGREEN TREES REQ. / PROV.	SHADE TREES (1/20')	VEHICLE LOT PLANT ABBR. ON PLAN	INTERNAL TREES (1/500SF)	% GRD PLANE REQ. / PROV.
SOUTH PROP. LINE		15' / 15'	634.08	15.6 / 17	SEE CAT. CHART			75 / 83
SOUTHWEST PROP. LINE		15' / 15'	624.45	15.6 / 17	SEE CAT. CHART			75 / 89
NORTHWEST PROP. LINE		15' / 15'	615.39	15.6 / 17	SEE CAT. CHART			75 / 91

NOTES:  
- ONLY DEAD OR BROKEN BRANCHES TO BE REMOVED.  
- KEEP PLANTS MOST, & SHAPED UNTIL PLANTING.  
- DO NOT FERTILIZE FOR AT LEAST 1 GROWING SEASON.  
- AMENDED BACKFILL SHALL BE 70% SOIL FROM PIT & 30% COMPOSTED MULCH.  
- ANY BROKEN OR CRUMBING ROOTBALLS WILL BE REJECTED, REMOVING THE CONTAINERS WILL NOT BE AN EXCUSE FOR DAMAGED ROOTBALLS.  
- SET SHRUBS PLUMB, SPACE AS SHOWN ON PLANS- LAYOUT VARIES FINISH GRADE OF BED TO ALLOW FOR MULCH DEPTH.  
- PLANT ROOTBALL 2-3" ABOVE FINISH GRADE, APPLY 4" SPECIFIED MULCH, PROVIDE 3" RING FOR SHRUBS NOT IN PLANTING BED, PROVIDE SAUCER ON DOWNHILL SIDE-SLOPES, NO RING REQUIRED IN PLANTING BEDS, DEEP WATER AT PLANTING.  
- THOROUGHLY CULTIVATE SOIL TO DEPTH OF ROOTBALL, REMOVE ALL MULCH, REMOVE SIDES OF PIT, ROOTBALL SHALL REST ON FIRM UNDISTURBED SOIL.  
- CUT & REMOVE ALL BURLAP & CONTAINERS.  
- WEED BARRIER AS SPECIFIED- ALL PLANTING BEDS.- TYPICAL SHRUB PLANTING



BY CITY PLANN  
OCT 20 2015

DUBLIN TERRACE TOWNHOMES  
AMENDED DEVELOPMENT PLAN  
FINAL LANDSCAPE

DESIGNED BY: DTM SCALE: AS SHOWN DATE ISSUED: JUNE 24, 2015  
DRAWN BY: HURZ  
CHECKED BY: DTM VERT.

CITY APPROVAL STAMP  
CITY FILE NO. CPC PUD- 05-00301-A3MKT1

LANDSCAPE ARCHITECTURE & PLANNING  
Land Patterns, Inc.

PREPARED BY:  
CLIENT/OWNER:  
Challenger Homes, Inc.  
13570 Northgate Estates Dr.  
Colorado Springs, CO 80921

REFERENCE DRAWINGS

NO. DATE DESCRIPTION

REVISIONS

BENCHMARK DATA(ELEV.) (DATE)

(DESCRIPTION/LOCATION)

BY

FEESCUE BLEND TURF M.X.  
35% CREEPING RED FESCUE  
25% SR3200 BLUE FESCUE  
15% REUBENS CANADIAN BLUE  
12.5% SR5100 CHEWINGS OR HARD FESCUE

Signature Trees- 83%  
Signature Shrubs- 86%

FEESCUE BLEND TURF M.X.  
35% CREEPING RED FESCUE  
25% SR3200 BLUE FESCUE  
15% REUBENS CANADIAN BLUE  
12.5% SR5100 CHEWINGS OR HARD FESCUE

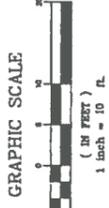
PLANT LIST

KEY	QTY.	BOTANICAL NAME	COMMON NAME	KEY APPENDIX B	MATURE WIDTH	SIZE	NOTES/REMARKS
<b>DECIDUOUS TREES</b>							
AH	3	Carpinus coralliflora	American Hornbeam		20-25'	2.5' cal.	B&B, single stem, full head
HB	20	Celtis occidentalis 'Prarie Pride'	Prarie Pride Hackberry	3457DA	50-60'	2.5' cal.	B&B, single stem, full head
MS	12	Amelanchier alnifolia	Kentucky Coffee-tree	34AS	30-40'	2.5' cal.	B&B, single stem, full head
PA	6	Fraxinus penn. lanceolata 'Marshall's'	Marshall's Green Ash	2457AD	50-60'	2.5' cal.	B&B, single stem, full head
SO	19	Quercus bicolor	Swamp White Oak	2457AD	40-50'	2.5' cal.	B&B, single stem, full head
<b>ORNDAMENTAL TREES</b>							
CC	23	Malus 'Centurion'	Centurion Crabapple	4675	20-25'	2.5' cal.	B&B, single stem, full head
CR	12	Prunus virginiana 'Shubert'	Canada Red Cherry	123456785A	15-20'	2.5' cal.	B&B, single stem, full head
CP	12	Pyrus calleryana 'Chionicleer'	Chionicleer Pear	A	20-30'	2.5' cal.	B&B, multi-stem, full head
GM	4	Acer glabro	Green Maple	45678S	15-20'	2.5' cal.	B&B, multi-stem, full head
SSC	14	Malus 'Spring Snow'	Spring Snow Crabapple	4675	20-25'	2.5' cal.	B&B, single stem, full head
TH	15	Crataegus crus-galli 'hermis'	Thornless Hawthorn	235AD	15-20'	2.5' cal.	B&B, single stem, full head
<b>EVERGREEN TREES</b>							
AR	40	Pinus nigra	Austrian Pine	2557BA	20-30'	5-8' HT.	B&B, full & bushy
BBC	8	Picea pungens 'Baby Blue Eyes'	Baby Blue Eyes Spruce	678S	10-15'	8' HT.	B&B, full & bushy
GS	15	Picea pungens	Green Spruce	678S	20-25'	6-8' HT.	B&B, full & bushy
LP	12	Pinus feellii	Limer Pine	56AD	40-50'	6-8' HT.	B&B, full & bushy
SP	22	Pinus sylvestris	Scotch Pine	2557BA	20-30'	6-8' HT.	B&B, full & bushy
JSU	12	Juniperus scopulorum	Juniper, moongow	12567BD	12-15'	6' HT.	B&B, full & bushy
PEN	8	Picea glauca 'north star'	Spruce, Compact White	W	6-8' HT.	6' HT.	B&B, full & bushy
PL	6	Pinus leucodermis	Pine, Emerald Arrow		15-25'	6-8' HT.	B&B, full & bushy
<b>EVERGREEN SHRUBS</b>							
AC	33	Ribes alpinum	Alpine Currant	557BA	3-4'	5 gal.	Container
AM	45	Abutilon 'Abbotwood'	Abbotwood Potentilla	4567S	2-3'	5 gal.	Container
AB	19	Acer glabro	Green Maple	4567S	15-20'	5 gal.	Container
AS	81	Spiraea japonica 'Anthony Waterer'	Anthony Waterer Spirea	5A	3-4'	5 gal.	Container
NW	22	Rosa 'Hearty Wild'	Rosa 'Hearty Wild'	457A	3-5'	5 gal.	Container
CL	17	Syringa x chinensis	Chinese Lilac	478A	8-15'	5 gal.	Container
CH	29	Prunus virginiana melanocarpa	Chokecherry	123456785A	15-20'	5 gal.	Container
CD	53	Daphne x burkwoodii 'Carol Mackie'	Carol Mackie Daphne	D	5-9'	5 gal.	Container
DL	123	Syringa patula 'Miss Kim'	Miss Kim Dwarf Lilac	568A	3-5'	5 gal.	Container
FS	94	Spiraea 'Froebel'	Froebel Spirea	5A	4-5'	5 gal.	Container
GC	71	Ribes alpinum 'Green Mound'	Green Mound Currant	5678A	3-4'	5 gal.	Container
GR	3	Rosa 'Blaze of Sharon'	Rosa 'Blaze of Sharon'	5678A	3-4'	5 gal.	Container
HO	30	Lonicera tatarica 'Arnold's Red'	Arnold's Red Honeysuckle	557A	10-12'	5 gal.	Container
SS	34	Ameiancher anifolia	Saskatoon Serviceberry	257DA	6-8'	5 gal.	Container
PS	26	Coronaria oborascens	Siberian Peashrub	23456A	10-12'	5 gal.	Container
ST	19	Celtis coccinea	Purple Smoke-tree	A	10-15'	5 gal.	Container
VB	76	Rhamnus frangula 'Columbiana'	Tanibeege Buckthorn	45D	3-4'	5 gal.	Container
WB	86	Viburnum lentago	Nonyberry Viburnum	458D	6-8'	5 gal.	Container
WS	31	Prunus besseyi	Western Sandcherry	1345A	3-5'	5 gal.	Container
<b>EVERGREEN SHRUBS</b>							
AJ	61	Juniperus sabinia 'Arcadia'	Arcadia Juniper	2568DA	3-4'	5 gal.	Container
AR	19	Juniperus chinensis 'Armstrongii'	Armstrong Juniper	2568DA	3-4'	5 gal.	Container
BH	63	Juniperus horizontalis 'Bar Harbor'	Bar Harbor Juniper	2568DA	3-4'	5 gal.	Container
BJ	64	Juniperus horizontalis 'Blue Star'	Blue Star Juniper	2568DA	3-4'	5 gal.	Container
CJ	65	Juniperus sabinia 'Colony Carpet'	Colony Carpet Juniper	2568DA	6-8'	5 gal.	Container
HJ	66	Juniperus horizontalis 'Highgate'	Highgate Juniper	2568DA	3-4'	5 gal.	Container
LJ	22	Juniperus chinensis 'Hobert'	Hobert Juniper	2568A	6-8'	5 gal.	Container
MA	24	Monicus aquilifolia	Prince of Wales Juniper	1256	3-4'	5 gal.	Container
PJ	53	Juniperus horizontalis 'Prince of Wales'	Prince of Wales Juniper	2566A	6-8'	5 gal.	Container
SG	3	Cytisus purgans 'Spanish Gold'	Spanish Gold Broomrape	D	4-6'	5 gal.	Container
WJ	31	Juniperus horizontalis 'Wilsoni'	Blue Rug Juniper	2568A	6-8'	5 gal.	Container
<b>GRASSES</b>							
FG	13	Coelocostis acutiflora 'X. Forester'	Feather Reed Grass	A	2-3'	5 gal.	Container
PG	37	Miscanthus sinensis purpurascens	Purple Maiden Grass	DA	3-5'	5 gal.	Container
VG	45	Miscanthus sinensis 'Variegatus'	Variegated Maiden Grass	DA	3-5'	5 gal.	Container
ZG	33	Miscanthus sinensis 'Zebrainus'	Zebra Grass	DA	5-7'	5 gal.	Container

FIGURE 7

**BUILDING ELEVATIONS A, B, C**

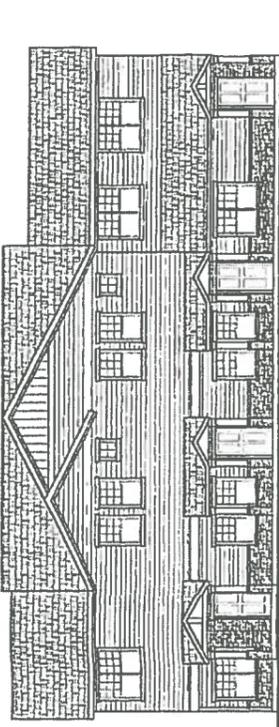
- NOTES:  
 1) NO VINYL SIDING TO BE USED.  
 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SIDING.  
 3) ROCK SIDING WILL BE REQUIRED WHERE ELECTRIC PANELS ARE WITHIN 10- FEET OF THE BUILDING AND THE ROCK SIDING WILL MEET CSU STANDARDS FOR HEIGHT AND WIDTH ON BUILDING FACE.  
 4) A HOMEOWNERS ASSOCIATION WILL BE ORGANIZED AND WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.



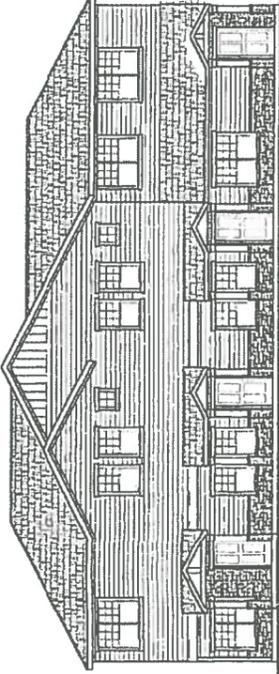
**APPROVED**  
 CITY OF COLO SPRINGS

OCT 20 2015

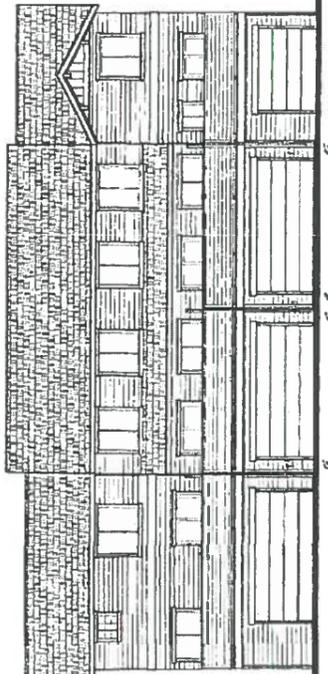
BY CITY PLANNING



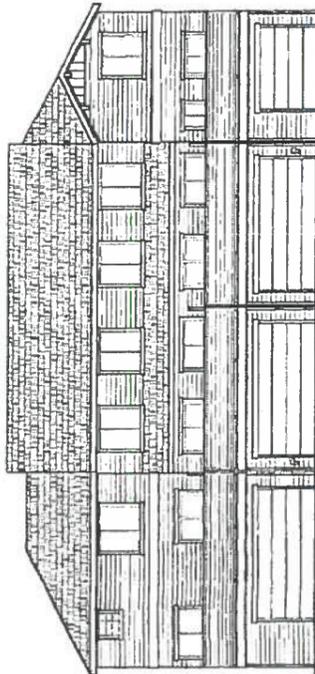
4-Plex - Garage Down Front Elevation 'A'



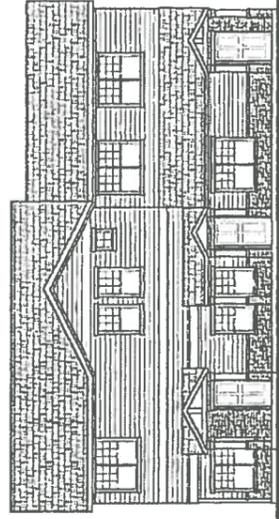
4-Plex - Garage Down Front Elevation 'B'



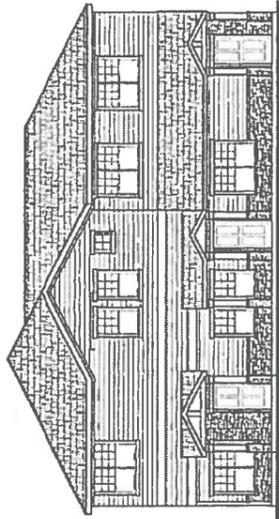
4-Plex - Garage Down Rear - Elevation 'A'



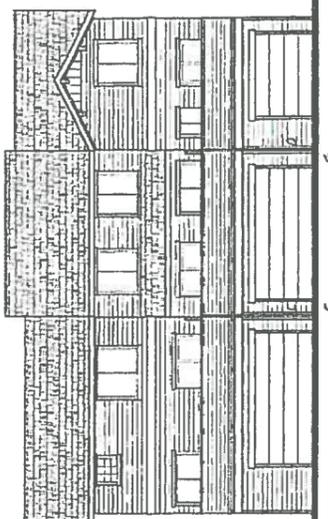
4-Plex - Garage Down Rear - Elevation 'B'



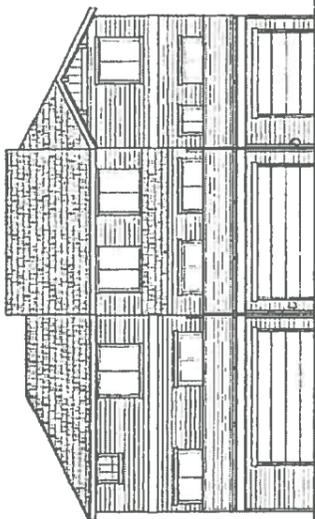
3-Plex - Garage Down Front Elevation 'A'



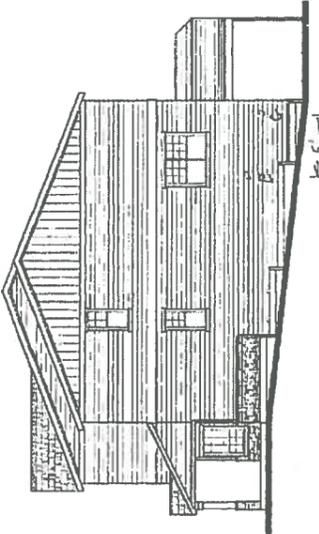
3-Plex - Garage Down Front Elevation 'B'



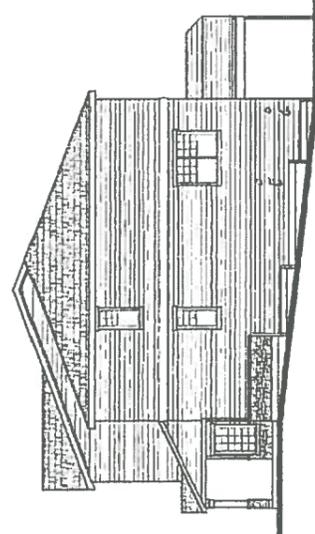
3-Plex - Garage Down Rear - Elevation 'A'



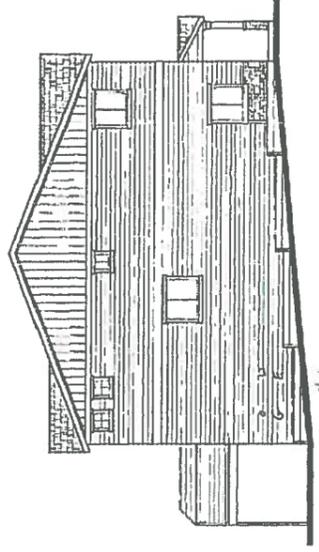
3-Plex - Garage Down Rear - Elevation 'B'



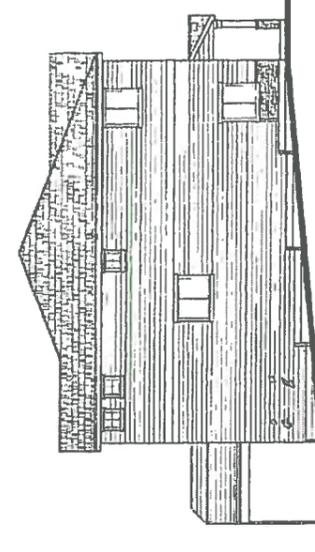
Garage Down Side Elevation 'A'



Garage Down Side Elevation 'B'



Garage Down Side Elevation 'A'



Garage Down Side Elevation 'B'

REFERENCE DRAWINGS

- DT - Title sheet
- X - BASE AREA
- X - EX - AREA
- X - UTG
- X - PLANTS - LUMP
- X - PLANTS - 2-16-06
- X - PLANTS - 11-11-0
- Elevations 11-11-0

NO.	DATE	DESCRIPTION	BY

BENCHMARK DATA(ELEV.) \_\_\_\_\_  
 (DATUM)  
 (DESCRIPTION/LOCATION)

NAME: B:\C:\DATA\2015\15012 - Dublin Terrace\Active\ACD\15012-ADP.dwg  
 PCP: MBO/cfb  
 PLOT DATE: Thu Aug 20, 2015 9:43am

CLIENT/OWNER:  
**CHALLENGER HOMES**  
 Challenger Homes, Inc.  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

PREPARED BY:  
**Land Patterns, Inc.**  
 Landscape Architecture & Planning

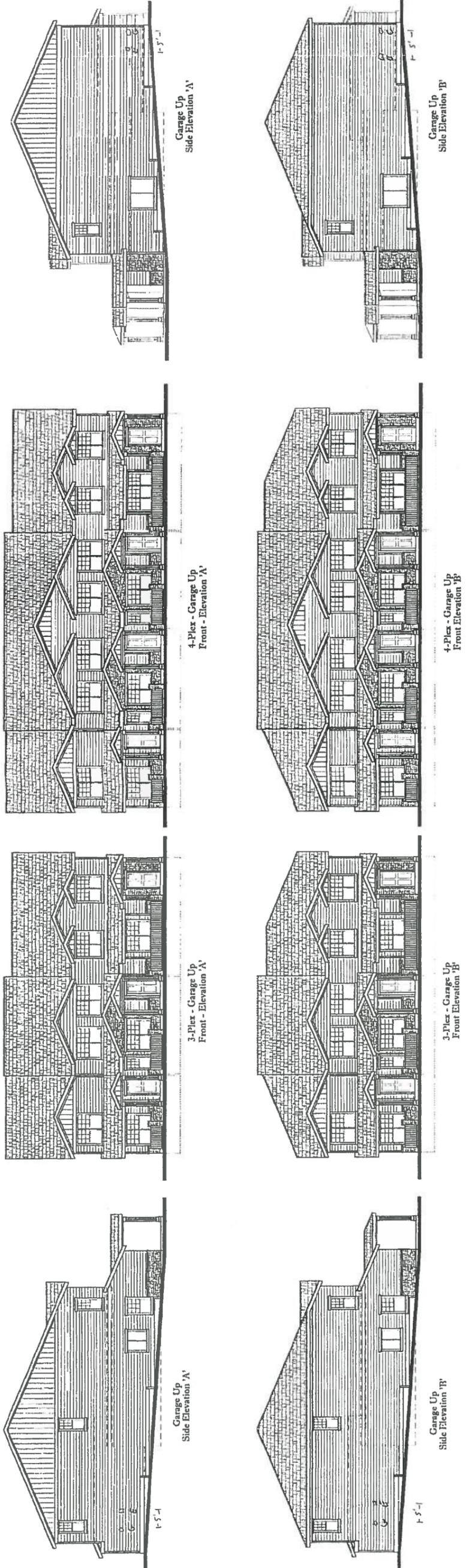
CITY APPROVAL STAMP  
 CITY FILE NO. CPC PUD-05-00301-A3M4

DUBLIN TERRACE TOWNHOMES  
 AMENDED DEVELOPMENT PLAN  
 BUILDING ELEVATIONS A, B, C

DESIGNED BY: DTM SCALE: AS SHOWN DATE ISSUED: July 6, 2015  
 DRAWN BY: DTM  
 CHECKED BY: DTM

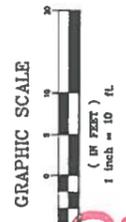
SHEET NO. 8 OF 15 SHEETS SD1

FIGURE 7



**BUILDING ELEVATIONS D, E, F**

- NOTES:
- 1) NO VINYL SIDING WILL BE USED.
  - 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SIDING.
  - 3) ROCK SIDING WILL BE REQUIRED WHERE ELECTRIC FAULTS ARE WITHIN THE FRONTAL HALF OF THE BUILDING AND THE ROCK SIDING WILL MEET CSU STANDARDS FOR INTERIOR FINISHES.
  - 4) A HOMEOWNERS ASSOCIATION WILL BE ORGANIZED AND WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.
  - 5) ONLY ELEVATION 'B' CAN BE USED ALONG THE SINGLE FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.



**APPROVED**  
 CITY OF COLO SPRINGS

OCT 20 2015

**BY CITY PLANNING**

CITY APPROVAL STAMP  
 CITY FILE NO. CPC PLUD- 05-00301-A3MKT

DUBLIN TERRACE TOWNHOMES	
AMENDED DEVELOPMENT PLAN	
BUILDING ELEVATIONS D, E, F	
DESIGNED BY: DTM	SCALE: AS SHOWN
DRAWN BY: DTM	DATE ISSUED: July 6, 2015
CHECKED BY: DTM	VERT. SHEET NO. 9 OF 15 SHEETS
	SD2

Prepared by: **Land Patterns, Inc.**  
 Landscape Architecture & Planning  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921  
 Phone: 719.575.1111  
 Website: www.landpatterns.com

PREPARED BY:

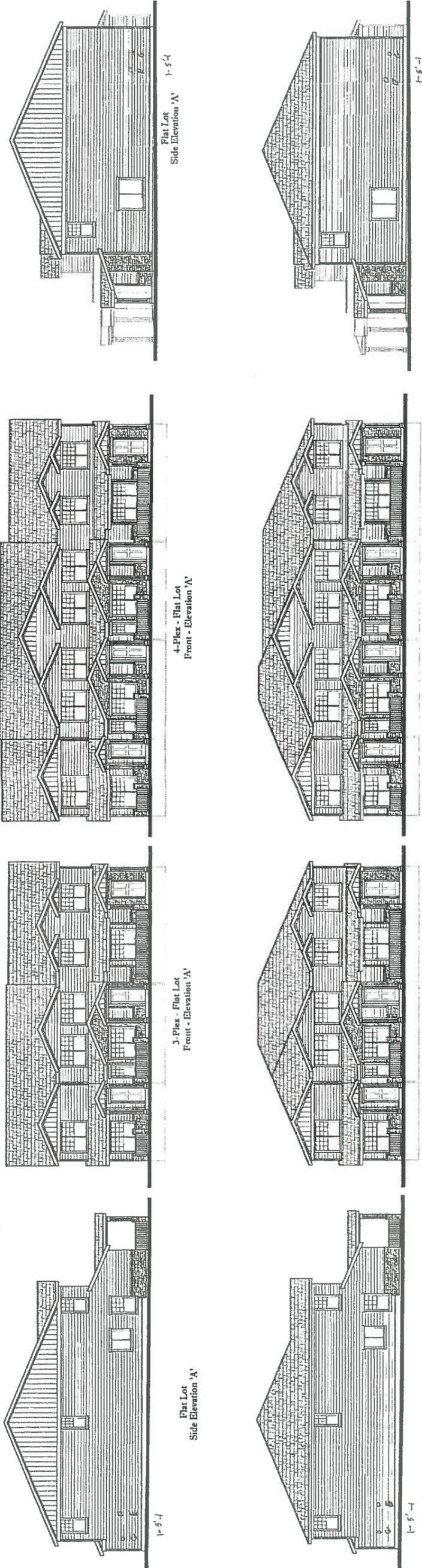
CLIENT/OWNER:  
**Challenger Homes, Inc.**  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921



NO.	DATE	DESCRIPTION	BY
		BENCHMARK DATA(ELEV.)	
		(DATUM)	
		(DESCRIPTION/LOCATION)	

NAME: B:\Client\2015\15012 - Dublin Terrace\Active\ACAD\15012-ADP.dwg  
 PLOT DATE: Thu Aug 20, 2015 9:45am

**FIGURE 7**



Flat Lot Side Elevation 'A'

Flat Lot Side Elevation 'B'

3-Plex - Flat Lot Front Elevation 'A'

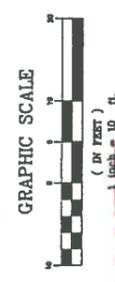
3-Plex - Flat Lot Front Elevation 'B'

4-Plex - Flat Lot Front Elevation 'A'

4-Plex - Flat Lot Front Elevation 'B'

**BUILDING ELEVATIONS G, H, I**

- NOTES:
- 1) NO VINYL SIDING WILL BE USED.
  - 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SIDING.
  - 3) ROCK SIDING WILL BE REQUIRED WHERE ELECTRIC FAULTS ARE WITHIN THE BUILDING AND THE ROCK SIDING WILL MEET CSU STANDARDS FOR ELECTRICAL SAFETY.
  - 4) HOMEOWNERS ASSOCIATION WILL BE ORGANIZED AND WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.
  - 5) ONLY ELEVATION 'B' CAN BE USED ALONG THE SINGLE FAMILY RESIDING BOUNDARY ON THE SOUTHERN PROPERTY LINE.



**APPROVED**  
 CITY OF COLO SPRINGS

OCT 20 2015

**BY CITY PLANNING**

CITY APPROVAL STAMP  
 CITY FILE NO. CPC PUD-05-00301-A3M

DUBLIN TERRACE TOWNHOMES	
AMENDED DEVELOPMENT PLAN	
BUILDING ELEVATIONS G, H, I	
DESIGNED BY: DTM	SCALE: AS SHOWN
DRAWN BY: DTM	DATE ISSUED: July 6, 2015
CHECKED BY: DTM	SHEET NO. 10 OF 15 SHEETS
	SD3

Prepared by: **Land Patterns, Inc.**  
 Landscape Architecture & Planning

PROJECT: DUBLIN TERRACE TOWNHOMES  
 ADDRESS: 13570 NORTHGATE ESTATES DR., COLO SPRINGS, CO 80921  
 DATE: OCT 20 2015

CLIENT/OWNER:  
**Challenger Homes, Inc.**  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921



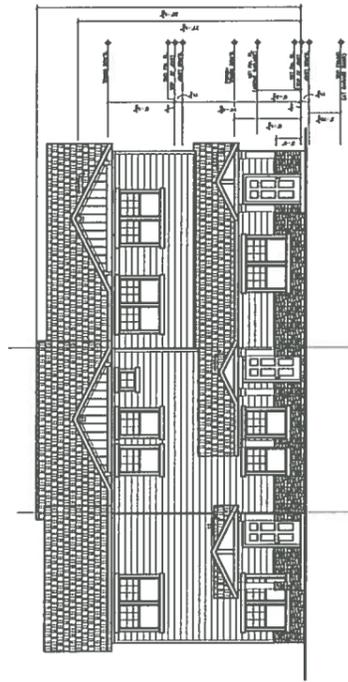
NO.	DATE	DESCRIPTION	BY
		BENCHMARK DATA(ELEV.)	
		(DA TUM)	
		(DESCRIPTION/LOCATION)	

NAME: B:\C1015\15012 - Dublin Terrace\Active\ACD\15012-ADP.dwg (DA TUM)  
 PCP: MVR/cib  
 PLOT DATE: Thu Aug 20, 2015 9:46am

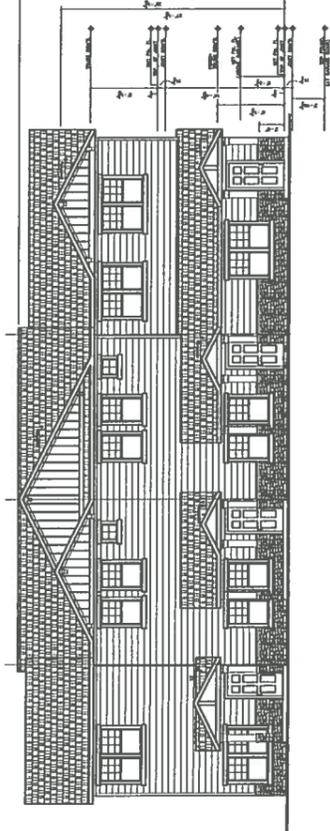
**FIGURE 7**

**APPROVED**  
 CITY OF COLO SPRINGS  
 OCT 20 2015

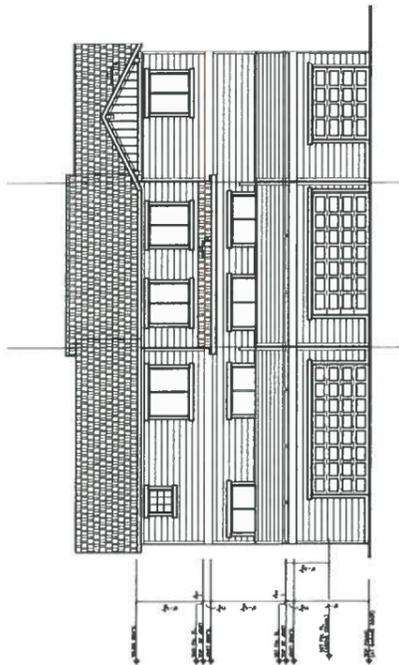
**BY CITY PLANNING**  
 BUILDING ELEVATIONS J, K, L



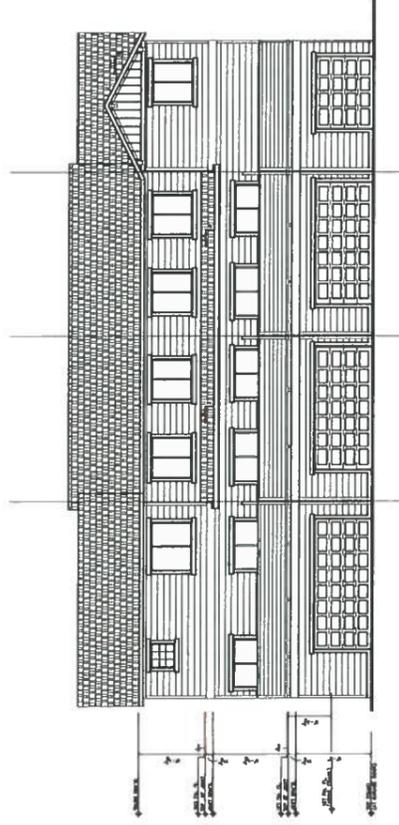
3-PLEX FRONT



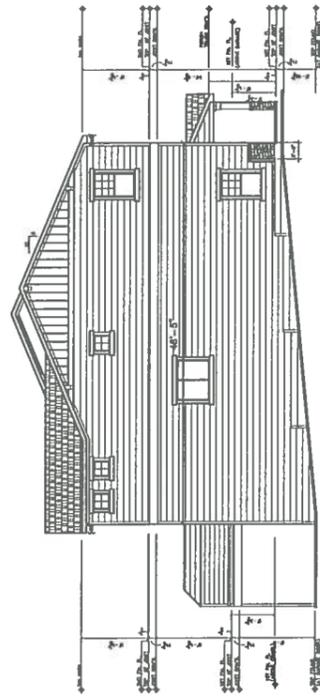
4-PLEX FRONT



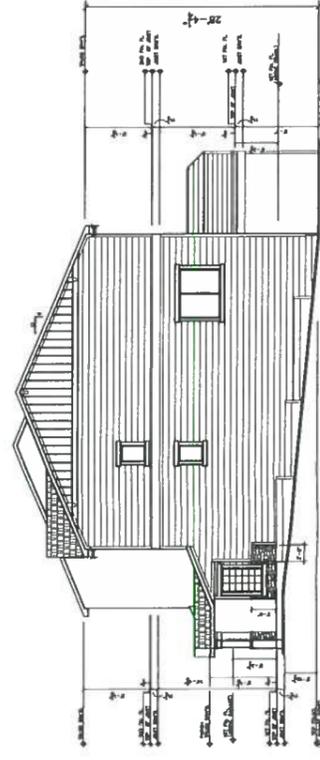
3-PLEX REAR



4-PLEX REAR



RIGHT SIDE



LEFT SIDE

- NOTES:
- 1) NO VENT SOING WILL BE USED.
  - 2) BOTTOM HALF OF BUILDING FRONTS WILL BE COVERED WITH ROCK SOING.
  - 3) ROCK SOING WILL BE REQUIRED WHERE ELECTRIC FAULTS ARE WITHIN 10- FEET OF THE BUILDING AND THE ROCK SOING WILL MEET CSU STANDARDS FOR HEIGHT AND WIDTH ON BUILDING FACE.
  - 4) ROOFING SHALL BE AS SHOWN AND APPROVED. CONTRACTOR WILL BE RESPONSIBLE FOR MAINTENANCE OF EXTERIOR OF ALL BUILDINGS AS WELL AS ALL LANDSCAPING REQUIREMENTS.
  - 5) ONLY ELEVATION "B" CAN BE USED ALONG THE SINGLE FAMILY RESIDENTIAL BOUNDARY ON THE SOUTHERN PROPERTY LINE.



REFERENCE DRAWINGS

DT- Title sheet
X- BASE AREA
X- TOP
X- UTIL
X- ELEVATIONS
X- PLANS
X- SECTION
Elevations 4-1-0

NO.	DATE	DESCRIPTION	BY

BENCHMARK DATA(ELEV.)  
 (DATUM)  
 (DESCRIPTION/LOCATION)

NAME: B:\CHRTA\2015\15012 - 4DP.dwg  
 PCP: Mtrr,cb  
 PLOT DATE: Thu Aug 20, 2015 9:47am

**CHALLENGER HOMES**

CLIENT/OWNER:  
 Challenger Homes, Inc.  
 13570 Northgate Estates Dr.  
 Colorado Springs, CO 80921

PREPARED BY:  
 Land Patterns, Inc.  
 Landscape Architecture & Planning

DUBLIN TERRACE TOWNHOMES  
 AMENDED DEVELOPMENT PLAN  
 BUILDING ELEVATIONS J, K, L

CITY APPROVAL STAMP  
 CITY FILE NO. CPC PLUD- 05-00301-A3MKT  
 DESIGNED BY: DTW SCALE: AS SHOWN DATE ISSUED: July 6, 2015  
 DRAWN BY: DTW  
 CHECKED BY: DTW VERT. SHEET NO. 11 OF 15 SHEETS SD4

FIGURE 7









## Teixeira, Rachel

---

**From:** Maring, Lydia  
**Sent:** Monday, July 20, 2015 11:36 AM  
**To:** Teixeira, Rachel  
**Cc:** Mitros, Tim; Kuehster, Steve  
**Subject:** CPC PUD 05-00301-a3mn15 - Dublin Terrace Townhomes, Dublin Terrace Filing No. 1A  
- Engineering Development Review

### Review Item - Engineering Development Review

**Project-Review Number:** 19732-5  
**Buckslip:** CPC PUD 05-00301-a3mn15  
**Subdivision or Project Name:** Dublin Terrace Townhomes, Dublin Terrace Filing No. 1A  
**Planner:** Rachel Teixeira  
**Responsible Engineer:** Lydia Maring

**Reviewer:** Lydia Maring

---

#### Description:

**Item Type:** (PUD) Development Plan

**Submittal:** 1st

**Date Received:** 07/08/2015

**Date Due:** 07/20/2015

**Date Reviewed:** 7/20/2015

**Firm:** None

**Review Fees:** None: 0.0000 @ \$0 per none, Total Fee: \$0.00

**Review Fees are Paid?:** False

#### Reviewer Comments:

1. Please note the platted subdivision name under legal description as "Dublin Terrace Filing No. 1A."
  2. Please provide a drainage letter that addresses the stormwater quality requirements for the site and provide a current City Design Criteria Manual Vol. 1 stormwater quality facility and an Inspection and Maintenance Plan. The SWQ facility is to be maintained by the HOA or owner. This facility should be located on the owners property and should provide SWQ and if possible quantity detention for the entire site.
-

## Teixeira, Rachel

---

**From:** Maring, Lydia  
**Sent:** Wednesday, December 02, 2015 3:49 PM  
**To:** Teixeira, Rachel  
**Subject:** Stormwater Quality for Grass Swales

Rachel,

The original drainage report stated that grass swales, planted swales and riprap at outlet points were the proposed water quality features. Current regulations for stormwater quality state that grass swales provide some volume reduction, but do not provide the full water quality capture volume (WQCV) required for the 2 year storm. Let me know if you need anything else. Thanks.

Lydia

## Teixeira, Rachel

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**From:** Smith, Steven D. (CSFD)  
**Sent:** Friday, November 20, 2015 10:13 AM  
**To:** Teixeira, Rachel  
**Subject:** CPC PUD 13-048-A2MJ15 - ACC 1 comment

NO 'DISAPPROVED' COMMENTS.

ATTENTION COMMENTS:

NO EXCEPTIONS: CSFD does not have any exceptions with the revised development plan as submitted.