

**GENERAL APPLICATION FORM**

Edited 9/25/18

Tax Schedule Number(s):

Project Name:

Existing Zone:

Acreage:

Site Address:

Direction from
Nearest Street
Intersection:**TYPE OF PLAN(S)** - Check all that apply. Note: MJ=Major Amendment; MN=Minor Amendment; MM=Minor Modification

- | | |
|--|--|
| <input type="checkbox"/> 2020 Land Use Map Amendment | <input type="checkbox"/> Property Boundary Adjustment |
| <input type="checkbox"/> Administrative Relief | <input type="checkbox"/> PUD Concept Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Amendment to Plat Restriction | <input type="checkbox"/> PUD Development Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> PUD Zone Change |
| <input type="checkbox"/> Building Permit to Unplatted Land | <input type="checkbox"/> Street Name Change |
| <input type="checkbox"/> Building Permit Prior to Platting | <input type="checkbox"/> Subdivision Plat <input type="radio"/> Prelim <input type="radio"/> Prelim & Final <input type="radio"/> Final |
| <input type="checkbox"/> CMRS No. <input type="radio"/> 1 <input type="radio"/> 2 <input type="radio"/> 3 | <input type="checkbox"/> Subdivision Waiver <input type="radio"/> Design <input type="radio"/> Process |
| <input type="checkbox"/> Concept Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Use Variance <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Conditional Use <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Vacation of Plat |
| <input type="checkbox"/> Coordinated Sign Plan (CSP) | <input type="checkbox"/> Waiver of Replat |
| <input type="checkbox"/> Development Agreement | <input type="checkbox"/> Zone Change; Proposed Zone: _____ |
| <input type="checkbox"/> Development Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input checked="" type="checkbox"/> Front Yard Carports |
| <input type="checkbox"/> Historic Preservation <input type="radio"/> Re-roof <input type="radio"/> Hearing Request | <input type="checkbox"/> FBZ Development Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Landscape Plan <input type="radio"/> Preliminary <input type="radio"/> Final <input type="radio"/> Irrigation | <input type="checkbox"/> FBZ Conditional Use <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Master Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> FBZ Interim Use Plan |
| <input type="checkbox"/> Nonuse Variance | <input type="checkbox"/> FBZ Minor Improvement Plan |
| <input type="checkbox"/> Preservation Easement Adjustment | <input type="checkbox"/> FBZ Warrant |

PROPERTY OWNER AND/OR APPLICANT/CONSULTANT ACKNOWLEDGEMENT OF RESPONSIBILITIES:

The signature(s) hereby certify that the statements made by myself and constituting part of this application are true and correct. I am fully aware that any misrepresentation of any information on this application may be grounds for denial of this application. I agree that if this request is approved, it is issued on the representations made in this submittal, and any approval or subsequently issued building permit(s) or other type of permit(s) may be revoked without notice if there is a breach of representations or conditions of approval. The applicant/owner by his or her signature understands and agrees that he or she is responsible for the completion of all on-site and off-site improvements as shown and approved on the final plan (including landscaping, paving, lighting, etc.) prior to receiving a Certificate of Occupancy.

Signature of Property Owner

Date

Signature of Consultant

7/25/2022

Date

Signature of Developer

Date

APPLICANT CONTACT INFORMATION (please print or type)

Property Owner:

Contact Name:

E-Mail:

Phone:

Developer:

Contact Name:

E-Mail:

Phone:

Consultant/Main Contact name:

Phone:

Address:

City:

State:

Zip Code:

E-Mail:

PLANNER AUTHORIZATION: (CITY USE ONLY)☒ Checklists ☒ Distribution Form ☒ Project Blurbs ☒ E-mail to Admin. Initial Review Level: ☒ AR ☐ CPC ☐ DRB ☐ HP

Payment \$

Assigned to: **Daniel Besinaiz**Date: **7/26/22**

Receipt No.:

City File No: **AR FP 22-00504**



Final Plat Application Requirements

REVIEW CRITERIA: It is the purpose and intent of this article:

- A. To promote the health, safety, convenience and general welfare of the citizens of the City.
- B. To set forth appropriate standards for subdivision design which will:
 - 1. Encourage the development of sound, economical, stable neighborhoods and create a healthy living environment for the residents of the City, in conformance with the goals and policies of the Comprehensive Plan.
 - 2. Provide for lots of adequate size, configuration and appropriate design for the purpose for which they are to be used and to accommodate the physical features of the site.
 - 3. Promote design flexibility.
 - 4. Provide for streets of adequate capacity and with which appropriate improvements will handle anticipated traffic flow.
 - 5. Preserve the significant natural features and environmental quality of the City.
- C. To set forth appropriate standards for utilities and services which will:
 - 1. Provide an efficient, adequate and economical supply of utilities and services to land proposed for development, in order to assure that governmental costs are minimized to the greatest extent possible.
 - 2. Ensure at the time of subdivision that adequate storm drainage, sewage disposal and other utilities, services and improvements needed as a consequence of subdivision of land are provided.
 - 3. Provide for the undergrounding of all public utilities lines up to thirty thousand (30,000) volts except as otherwise provided in section 7.7.805 of this article.
- D. To assure the provision of adequate and safe circulation which will:
 - 1. Minimize traffic hazards through means of appropriate street design, and provide for safe and convenient vehicular and pedestrian traffic circulation.
 - 2. Provide for adequate vehicular access to abutting properties and the subdivider's remaining holdings.
 - 3. Assure that street rights of way are provided for in accord with the major thoroughfare plan and the City Engineer design manual.
 - 4. Provide for safe and convenient pedestrian access throughout the community.
- E. To assure adequate public facilities are provided which will:
 - 1. Enhance the coordination of subdivision development with the provision of public facilities such as parks, recreation areas, schools and other types of community facilities.
 - 2. Ensure that public facilities are provided in accord with the City's Comprehensive Plan.
 - 3. Provide for adequate law enforcement and fire protection facilities.
- F. To ensure the appropriate development of the community through the implementation of the goals and policies of the Comprehensive Plan. (Ord. 96-44; Ord. 01-42)

SUBMITTAL CHECKLIST: The following items will need to be included in any Final Plat review submittal.

| Applicant | Planner |
|---|--------------------------|
| <input type="checkbox"/> General Development Application Form | <input type="checkbox"/> |
| 1 copy of a Project Statement identifying the following: <ul style="list-style-type: none">1. A clear description of the proposed plat. If public easements dedicated by plat to the City are to be vacated as part of the request, indicate this within the project statement letter;2. A justification based on the review criteria addressing why the proposed plat should be approved; and3. An issue list stating how each of the pre-application issues, as communicated to the applicant/owner by the reviewing planner, has been addressed in the proposed subdivision plat. | <input type="checkbox"/> |
| <input type="checkbox"/> 1 copy of a Final Plat showing all "Plan Contents" below | <input type="checkbox"/> |
| <input type="checkbox"/> All plans, documents, and reports uploaded to Dropbox folder (Planner to send folder invite through email) | <input type="checkbox"/> |
| <input type="checkbox"/> A legal description of the proposed project | <input type="checkbox"/> |

Reports and Studies Requirement for each report is determined at the pre-application meeting or LDTC meeting. All reports to be provided in electronic form via Dropbox link from planner.

N/A [Geologic Hazard Report](#)

x [Drainage Reports](#)

x [Traffic Impact Analysis](#)

x Submittal of the [Hydraulic Grade Line \(HGL\) Request Form](#) to waterplanning@csu.org or fax to 719-668-5651 prior to submittal.

x Submittal of the [Wastewater Facilities Master Report](#) to wwmasterplansubmit@csu.org prior to application submittal.

SUBMITTAL CHECKLIST: *Continued from previous page.*

| Applicant | Planner |
|---|--------------------------|
| <input type="checkbox"/> Proof of Ownership via title insurance, tax assessor's statement, or a deed. | <input type="checkbox"/> |
| <input type="checkbox"/> Ad Valorem Taxes - proof payment via paid tax receipt, an archive report, or a certificate for ad valorem property taxes. | <input type="checkbox"/> |
| <input type="checkbox"/> A copy of the Pre-Application Meeting Summary letter from the assigned City Planner. | <input type="checkbox"/> |
| <input type="checkbox"/> 1 copy of an approved Preliminary Plat or Concept , or Development Plan for the proposed project. | <input type="checkbox"/> |
| <input type="checkbox"/> Utility Line Locates provided if public easements dedicated by plat to the City are to be vacated, unless waived by Springs Utilities (<i>refer to content requirements</i>). | <input type="checkbox"/> |
| <input type="checkbox"/> Mineral Estate Owner Notification Certification Affidavit (Public Hearing Items ONLY). | <input type="checkbox"/> |

PLAN CONTENT REQUIREMENTS: The content of the final plat must include the following information.

General Information

| | |
|--|--------------------------|
| <input type="checkbox"/> Name of subdivision at the top of the sheet, followed by a subtitle identifying the Section, Township and Range along with City, County and State. | <input type="checkbox"/> |
| <input type="checkbox"/> Sheet Size shall be 24" x 36" including 1/2" border with 'landscape' orientation. | <input type="checkbox"/> |
| <input type="checkbox"/> Indication of standardized scale, both fractional and bar (i.e. 1" = 20') | <input type="checkbox"/> |
| <input type="checkbox"/> North arrow | <input type="checkbox"/> |
| <input type="checkbox"/> Vicinity Map (does not have to be to scale). A vicinity location necessary to locate the tract. | <input type="checkbox"/> |
| <input type="checkbox"/> Date of preparation of the plat | <input type="checkbox"/> |
| <input type="checkbox"/> Legal Description of the overall boundary of the subdivision with acreage. All courses on the legal shall be shown and labeled on the plat drawing. | <input type="checkbox"/> |
| <input type="checkbox"/> Easement statement of standard easements as required on all, side rear and front lots lines. as well as site triangle easements. | <input type="checkbox"/> |
| <input type="checkbox"/> Dedication Statements. Statements of land to be dedicated to the City for parks, playgrounds or other public uses, grants of easements and dedication of public streets and alleys to the City. | <input type="checkbox"/> |

All plats with public easements and/or tracts must have the dedication statement:

| | |
|---|--------------------------|
| <input type="checkbox"/> <i>"The undersigned does hereby dedicate, grant and convey to the City of Colorado Springs those Public Easements (and tracts) as shown on the plat; and further restricts the use of all Public Easement to the City of Colorado Springs and/or its assigns, provided however, that the sole right and authority to release or quitclaim all or any such Public Easements shall remain exclusively vested in the City of Colorado Springs."</i> | <input type="checkbox"/> |
|---|--------------------------|

All plats with public streets shall have the following sentence in the dedication statement:

| | |
|---|--------------------------|
| <i>N/A</i> <i>"All public streets are hereby dedicated to the City of Colorado Springs for public use."</i> | <input type="checkbox"/> |
|---|--------------------------|

All plats with other tracts being dedicated to the City shall have:

| | |
|---|--------------------------|
| <i>N/A</i> (1) A sentence in the dedication statement similar to <i>"Tract X is hereby dedicated to the City of Colorado Springs for public use."</i> | <input type="checkbox"/> |
| (2) A special numbered plat note defining the purpose and perpetual maintenance responsibility for the tract such as <i>"Tract X is for public drainage, landscaping, trail and open space with maintenance of the surface being vested in the (Distract Name) Special Maintenance District."</i> | <input type="checkbox"/> |

| | |
|--|--------------------------|
| <input type="checkbox"/> All plats with private streets shall have the following sentence as a plat note: <i>"All private streets (insert names) are privately owned and maintained by (list owner name, Owner's Association, ect.)."</i> | <input type="checkbox"/> |
| <input type="checkbox"/> Statement of ownership and acknowledgement. The notarized signature of the owner is required. | <input type="checkbox"/> |
| <input type="checkbox"/> Statement of mortgagee and acknowledgement. The signature of the mortgagee, if any, consenting to the dedication is required | <input type="checkbox"/> |

The following statement that the area included in the plat is subject to this Code as such applies to the development of the land:

| | |
|---|--------------------------|
| <input type="checkbox"/> <i>"No building permits shall be issued for building sites within this plat until all required fees have been paid and all required public and private improvements have been installed as specified by the City of Colorado Springs or alternatively until acceptable assurances including but not limited to letters of credit cash subdivision bonds or combinations thereof guaranteeing the completion of all required public improvements including, but not limited to, drainage, street and erosion control have been placed on file with the City of Colorado Springs."</i> | <input type="checkbox"/> |
| <input type="checkbox"/> Notary Statement. Acknowledgement of the execution of the plat before a notary public. | <input type="checkbox"/> |

Access Provisions:

N/A

- a. A Statement Restricting Access. A statement restricting access rights across the right-of-way lines of major highways, parkways, streets or freeways, where required as a provision of approval.
- b. Provision of Adequate Access. Proof of adequate, suitable access must be provided and clearly indicated on the face of the plat. If access is not directly gained from public right-of-way, a separate signed and recorded easement must be provided and referenced on the face of the plat.

☐ Fee block (drainage, bridge, school and park)

Certificates for execution by each of the following or their duly appointed representative(s).

- | | |
|---|--------------------------------------|
| <input type="checkbox"/> a. City Engineer | c. City Clerk |
| b. City Planning Director | d. El Paso County Clerk and Recorder |

☐ Layout. **The exact layout including:**

Boundary Lines

The subdivision boundary will be clearly distinguishable from other maplines by use of a distinct line type and/or thickness. All lines will be labeled with bearing and distance, and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all non-tangent curves. All dimensions to be determined by accurate field survey which must balance and close within a limit of 1 in 5,000. Show adjacent and/or intersecting plat/deed lines and label appropriately to include recording information (Book and Page and/or Reception Number).

Streets

All street right-of-ways defined by the plat will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance, and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all non-tangent curves. Widths shall be labeled from each right-of-way line normal to the corresponding street centerline. All street centerlines defined by the plat will be clearly distinguishable from other map lines by use of distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance and all curves will be labeled with a central angle (delta), radius and arc length. Radial bearings and/or chord bearings will be provided for all non-tangent curves. The plat shall show the right-of-way lines, widths, locations and street names of all existing and proposed public or private streets:

- (1) Within the proposed subdivision, and
- (2) Immediately abutting the proposed subdivision, and
- (3) Any private street shall include the designation "(private)" immediately following street name; any other Private right of way that is not named shall include the designation "(private)" in a manner that clearly conveys such a status.

Easements

All easements as required by City Utilities, the City Engineer and other public and quasi-public agencies. Said easements shall be clearly labeled to include with, use and identification as public or private, if necessary. Tie to property lines and annotate with bearings and distances as necessary. Clearly show and label all existing easements, to include width and recording information, that cross, abut or are located within the subdivision boundary.

Lots and Blocks

All lines of lots, blocks and other parcels of land defined by the plat will be clearly distinguishable from other map lines by use of a distinct line type and/or thickness. All lines will be labeled with a complete bearing and distance and all curves will be labeled with a radius and arc length. Lots must close to 1 in 5,000.

Identification System

All lots and blocks in the subdivision shall be numbered, beginning with the numeral "1" and continuing consecutively throughout the tract, with no omissions or duplications. All tracts shall be likewise labeled beginning with the letter 'A'. Lots and tracts shall be labeled with the area of the lot or tract.

Whenever a plat drawing spans multiple sheets, clear and well-labeled match lines and a keymap shall be included on each sheet. Labels will be of the nature "See Sheet ___ of ___". Duplicate street names, widths, lot numbers, tract names, easement labeling or any such labeling when any feature is shown on multiple sheets.

☐ Use leader lines whenever a dimension is not clearly and unmistakably associated with a given line, line segment or arc.

☐ All line annotation and all other text will be easily and clearly readable. No text shall overwrite other text or be overwritten by map lines.

☐ Provide a legend, which designates all, lines and symbols except where called out on plat drawing.

Inundation Mark:

The plat shall clearly show the 100-year flood plain line. Reference the appropriate FEMA Panel by which the location of this line has been determined.

Option 1: Property located completely outside of the 100-year floodplain:

"This property is located within Zone X (Areas determined to be outside of the 500-year floodplain) as established by FEMA per FIRM panel 08041C____ F, effective date 3/17/1997."

Option 2: Property located within the 100-year floodplain:

"A portion of this property is located within Zone AE (area located within a 100-year floodplain, Base flood elevations determined) as established by FEMA per FIRM panel 08041C____ F, effective date 3/17/1997."

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Option 3: Property located within a 100-year floodplain where a LOMR has been processed:

"A portion of this property is located within Zone AE (area located within the 100-year floodplain, Base flood elevations determined) as established by FEMA per FIRM panel 08041C____ F, effective date 3/17/1997 and as modified by LOMR# 0_-08-____ P effective date DD/MM/YYYY."

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Option 4: Property located within 100-year floodplain where a CLOMR has been processed and lot restrictions apply until a LOMR is approved by FEMA:

"A portion of this property is located within Zone AE (area located within the 100-year floodplain, Base flood elevations determined) as established by FEMA per FIRM panel 08041C____ F, effective date 3/17/1997. A CLOMR# 0_-08-____ R effective date DD/MM/YYYY is on record with the Regional Floodplain Administration. The following lots are will not be allowed building permits ("enter lot numbers") until a FEMA approved LOMR removing the properties from the 100-year floodplain is received by the Regional Floodplain Administration."

*All **bold** and "____" require the Applicant to insert the appropriate data for their specific site.

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Book and Page and/or Reception Number for all existing and newly created easements.

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All other information required by Colorado State law.

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Sheet Size shall be 24" x 36" including 1/2" border with 'landscape' orientation.

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☐

Scale Bar

☐
☐

North arrow

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Adjacent Subdivision. Names of adjacent platted areas along with the Reception and/or PlatBook and Page Number shall be shown. If unplatted, so indicate. Existing street right-of-way that intersect the subdivision boundary or are adjacent to said boundary lines shall be clearly labeled with the street name, right-of-way width and appropriate deed or plat recording information where in said right-of-way is defined. Show and label all existing lots and blocks that are immediately adjacent to the subdivision boundary.

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Basis of Bearing. A clearly defined basis of bearings shall be provided, both verbally and graphically. All monumentation defining said line shall be shown and labeled on the plat drawing. When said line is not common with the subdivision boundary, it shall be accurately tied to the boundary with bearings and distances.

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Public Land and/or Land Reserved In Deeds. Location of land intended to be conveyed or reserved for public use or reserved in the deeds for the use of all property owners in the proposed subdivision.

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Monuments. All monuments used to determine and/or describe a boundary (including Basis of Bearings, Point of Beginning and Point of Commencement) shall be shown and clearly labeled on the plat drawing. Monuments for corners defined by the plat, or otherwise found to be missing in the field, shall be placed and set in accord with the requirements of the State of Colorado.

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Not a Part of Subdivision. All areas enclosed within the subdivision boundary, which do not constitute a part of the subdivision shall be labeled 'Not a part of this subdivision.' All lines pertaining to such areas shall be dashed.

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The area in sq.ft. of all Lots and Tracts sought to be platted.

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The following statement in compliance with Section 7.7.303.D.7. "The area included in the plat described herein is subject to the Code of the City of Colorado Springs, 2001 As Amended."

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The final plat shall be clearly and legibly prepared by a registered land surveyor or engineer

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N/A Show all common ingress-egress, parking and access easements required by the development plan.

☐

The proposed subdivision meet all of the requirements of Chapter 7, Section 2 through 9 of the City Code, the Public Works Design Manual and any other applicable City ordinance and resolutions.

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PLAN CONTENT REQUIREMENTS: *Continued from previous pages.*

Applicant

Planner

Surveyor's Statement, which shall read:

- ☐ "The undersigned Professional Land Surveyor licensed in the State of Colorado, hereby states and declares that the accompanying plat was surveyed and drawn under his/her responsible charge and accurately shows the described tract of land, and subdivision thereof, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973, as amended, have been met to the best of his/her knowledge and belief."

- N/A Closure Sheets. One (1) copy of the computer closure sheets for the entire subdivision area. Such sheets shall not be required if not more than five (5) lots in the subdivision are irregular (not rectangular) in shape. ☐

Replat should include the following information:

- N/A The replat shall be identified by its own separate title. The title block of the replat shall further identify the subdivision of record of that portion of the subdivision of record which is being replatted. ☐

- N/A The replat shall contain the following notice: *'The approval of this replat vacates all prior plats for the area described by this replat.'* ☐

- N/A The replat shall show graphically the "as platted" lot(s) separately on the plat drawing. The drawing shall indicate all existing easements. ☐

If any existing lot line is being removed, relocated or re-orientated, any associated Easements dedicated by plat still remain unless vacated separately or as part of this request. If this easement is to be vacated as part of this request, provide the following information With the replat:

- N/A The project description letter needs to indicate that the associated lot line easement(s) or other platted easement(s) are to be vacated. Provide locates from the utility locaters, unless no water or wastewater mains exist adjacent to the area being replatted or unless CSU specifically waives the submission of locates. ☐

- N/A Geologic Hazard Study disclosure statement (not required if waiver has been approved): "This property is subject to the findings summary and conclusions of a Geologic Hazard Report prepared by _____ dated _____, which identified the following specific geologic hazard on the property: _____. A copy of said report has been placed within file # _____ or within the subdivision file _____ of the City of Colorado Springs Planning and Development Team. Contact the Planning and Development Team, 30 South Nevada Avenue, Suite 105, Colorado Springs, CO, if you would like to review said report." ☐

- ☐ If within an airport overlay, the following note must be added: "The aviation easement dedicated herein for public aviation purposes, shall be considered a public easement subject to those terms and conditions as specified on the instrument recorded at reception no. 217069667 of the Records of El Paso County, Colorado. All other easements or interests of record affecting any of the platted property depicted hereon shall not be affected and shall remain in full force and effect." ☐

June 6, 2022

Stone Mesa Flats

7044 Tutt Blvd / TSN: 5307000106

Final Subdivision Plat Project Statement

Project Description

The improvements to the site include a proposed multi-family development consisting of 158 units on a 5.60-acre site with associated infrastructure. The proposed project site is zoned M-1 AO (Light Industrial w/ Airport Overlay) which allows multi-family residential as a conditional use.

The site is located west of Tutt Blvd at its southern intersection with Stone Mesa Pt. The site consists of three apartment buildings, an integrated clubhouse and leasing center, an integrated maintenance room, two detached parking garages, outdoor pool, dog park, and a trash compactor.

Primary vehicle access to the project will be from an access drive at Tutt Blvd and Stone Mesa Pt. An emergency only access drive will be from a new access point on Tutt Blvd at the northern end of the site.

Justification

This project has been submitted for approval because of the growing population along the front range of Colorado. This project will add much needed housing in the northern Colorado Springs area.

Development Plan Review Criteria

1. The details of the use, site design, building location, orientation and exterior building materials are compatible and harmonious with the surrounding neighborhood, buildings and uses, including not-yet-developed uses identified in approved development plans.
RESPONSE: The proposed project is a conditional use within the Light Industrial (M-1) zoning designation. Surrounding land uses include the St Francis Hospital and future medical uses, multi-family residential, the former Templeton Landfill, a CO Springs detention pond, and other commercial/light industrial uses. The proposed use, site design, building location, orientation and exterior building materials are compatible with the surrounding buildings and uses.
2. The development plan substantially complies with any City- adopted plans that are applicable to the site, such as master plans, neighborhood plans, corridor plans, facilities plans, urban renewal plans, or design manuals.
RESPONSE: The City's Comprehensive Plan designates this area as a Newer Developing Neighborhood within the Woodmen Heights / Dublin North area. GOAL VN-2 of the Comprehensive Plans states "Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs." This proposed residential

development will provide needed housing for residents looking to live in a developing area, while having convenient access to an already-established economic region and transportation network.

3. The project meets dimensional standards, such as but not limited to, building setbacks, building height and building area set forth in this chapter, or any applicable FBZ or PUD requirement.

RESPONSE: Yes, the project meets dimensional standards except for building height. A 15% administrative relief is requested with this application.

4. The project grading, drainage, flood protection, stormwater quality and stormwater mitigation comply with the City's Drainage Criteria Manual and the drainage report prepared for the project on file with the City Engineering Department.

RESPONSE: The project grading, drainage, flood protection, stormwater quality and stormwater mitigation will comply with the City's Drainage Criteria Manual and was submitted for review prior to this submittal with minimal comments received.

5. The project provides off-street parking as required by this chapter, or a combination of off-street or on-street parking as permitted by this chapter.

RESPONSE: The project provides the amount of off-street parking as required by code.

6. All parking stalls, drive aisles, loading/unloading areas, and waste removal areas meet the location and dimension standards set forth by this chapter.

RESPONSE: Yes, the proposed parking stalls, drive aisles, loading/unloading areas, and waste removal areas meet the location and dimension standards.

7. The project provides landscaped areas, landscape buffers, and landscape materials as set forth in this chapter and the Landscape Design Manual

RESPONSE: Yes, the proposed landscaping meets code.

8. The project preserves, protects, integrates or mitigates impacts to any identified sensitive or hazardous natural features associated with the site.

RESPONSE: Yes, the property is currently vacant land void of any existing vegetation or drainage channels. There are no significant natural, sensitive, or hazardous features on the property.

9. The building location and site design provide for safe, convenient and ADA-accessible pedestrian, vehicular, bicycle, and applicable transit facilities and circulation.

RESPONSE: Yes, ADA-compliant parking spaces, access and corresponding vehicular and bicycle facilities and circulation have been incorporated into the design. There are no transit facilities in the area. Sidewalks are specifically designed to provide pedestrians a safe and efficient path to travel throughout the property. On the southeast corner of the property, there is a connection to the public sidewalk along the western side of Tutt Blvd which will be constructed with this project.

10. The number, location, dimension and design of driveways to the site substantially comply with the City's Traffic Criteria Manual. To the extent practicable, the project shares driveways and connects to drive aisles of adjoining developments.

RESPONSE: Yes, the number, location, dimension and design of driveways to the site substantially comply with the City's Traffic Criteria Manual. The driveway is accessed from the intersection of Tutt Blvd and Stone Mesa Pt via an existing curb cut/drive.

11. The project connects to or extends adequate public utilities to the site. As required by Colorado Springs Utilities, the project will extend the utilities to connect to surrounding properties.

RESPONSE: Yes, the project connects to adequate existing public utilities in Tutt Blvd adjacent to the site. No utility extensions will be required.

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

RESPONSE: No roadway or intersection improvements will be required. A traffic impact study was not requested during the LDTC meeting. A public sidewalk along the western side of Tutt Blvd will be constructed with this project. A secondary emergency vehicle access drive is proposed at the NE corner of the project.

13. Significant off-site impacts reasonably anticipated as a result of the project are mitigated or offset to the extent proportional and practicable. Impacts may include, but are not limited to light, odor and noise.

RESPONSE: No significant off-site impacts are anticipated.

Conditional Use Review Criteria

- A. Surrounding Neighborhood: That the value and qualities of the neighborhood surrounding the conditional use are not substantially injured.

RESPONSE: The proposed multi-family residential development will complement the existing neighborhood and future regional commercial and multi-family development along the Tutt Blvd corridor. Landscape buffering will be implemented along the property boundaries to provide separation between different uses.

- B. Intent of Zoning Code: That the conditional use is consistent with the intent and purpose of this Zoning Code to promote public health, safety and general welfare.

RESPONSE: The proposed use is allowed as a conditional use within the M-1 zoning district. The proposed residential use will promote the public health, safety, and general welfare of the neighborhood by providing residents convenient access to goods and services, health care, schools and employment.

- C. Comprehensive Plan: That the conditional use is consistent with the Comprehensive Plan of the City.

RESPONSE: The City's Comprehensive Plan designates this area as a Newer Developing Neighborhood within the Woodmen Heights / Dublin North area. GOAL VN-2 of the Comprehensive Plans states "Strive for a diversity of housing types, styles, and price points distributed throughout our city through a combination of supportive development standards, community partnerships, and appropriate zoning and density that is adaptable to market demands and housing needs." This proposed residential

development will provide needed housing for residents looking to live in a developing area, while having convenient access to an already-established economic region and transportation network.

Administrative Relief Review Criteria

The project seeks a 15% administrative relief for maximum building height to 51.75' from 45' for the three apartment buildings as permissible by ordinances established by the City of Colorado Springs. City Code 7.5.1102 lists the requirements to meet administrative relief:

1. The strict application of the regulation in question is unreasonable given the development proposal or the measures proposed by the applicant or that the property has extraordinary or exceptional physical conditions that do not generally exist in nearby properties in the same zoning district and such conditions will not allow a reasonable use of the property in its current zone in the absence of relief.
RESPONSE: The parcel size, shape and excessive topography slope across the property is extraordinary and limits the circulation, access, and configuration of the project. There is currently 35 feet of fall from the north property line to the east property line. This existing topography follows Tutt Boulevard and cannot be substantially altered due to the property's proximity to Tutt Boulevard.
2. The intent of this Zoning Code and the specific regulation in question is preserved.
RESPONSE: All other development standards are preserved, and the intent of the Zoning Code is maintained. The project density would remain 40% lower than the maximum density allowed by code.
3. The granting of the administrative relief will not result in an adverse impact on surrounding properties.
RESPONSE: No adverse impacts would result on surrounding properties (landfill and detention pond to the west and south, Tutt Blvd and commercial properties to the east, and a proposed multifamily residential property to the north). The property is roughly 20-25' below grade from the property to the north. The height increase would increase the visual impact at most from 25' to 31.75'.
4. The granting of the administrative relief will not allow an increase in the number of dwelling units on a parcel.
RESPONSE: Granting of the administrative relief for the height increase maintains a project density 40% lower than the maximum density allowed by code.



Tutt and Stone Mesa Subdivision

Legal Description

That LWM C Springs Self Storage LLC., a Delaware limited liability company, being the owner of the following described tract of land to wit:

A Parcel of land being a portion of the Northwest One-Quarter of Section 7, Township 13 South, Range 65 West of the 6th P.M., also being a portion of that tract described by document (Book 2326, Page 69, El Paso County, Colorado Records), situate in the City of Colorado Springs, El Paso County, Colorado, described as follows:

Commencing at the Intersection of the Northwesterly Right-of-Way line of Tutt Boulevard (97' R.O.W.) as platted within Tutt Boulevard Filing No. 5 (Reception No. 205202791, said El Paso County, Records) and the Southwesterly line of said Tract (all bearings in this description are relative to said Tract's Southwesterly line, which bears N 75 Degrees 41 Minutes 18 Seconds W "assumed"); Thence N 16 Degrees 36 Minutes 26 Seconds E along said Tutt Boulevard's Northwesterly Right-of-Way line, 188.05 feet to the Point of Beginning of the parcel herein described; Thence continue N 16 Degrees 36 Minutes 26 Seconds E along said Tutt Boulevard's Northwesterly Right-of-Way line, 540.25 feet; Thence S 89 Degrees 05 Minutes 08 Seconds W, 602.49 feet to a point on the Easterly line of that exception tract described by document (Book 5295, Page 1367, said Records); Thence S 00 Degrees 55 Minutes 56 Seconds E along said exception tract's Easterly line, 403.71 feet; Thence S 76 Degrees 41 Minutes 18 Seconds E, 453.63 feet to the Point of Beginning, County of El Paso, State of Colorado.

El Paso County, Colorado Property Tax Details

Property Taxes for 2021 Due 2022

[Display Tax Statement](#)

This information reflects current year status of tax liability, assessments due, fees, interest, and current payments received. This information is not to be used in place of a certificate of taxes due.

Parcel Information

Schedule Number: 5307000106

Owner Information

Name: LWM C SPRINGS SELF STORAGE LLC
Mailing Address: 460 N MAIN ST STE 304
GLEN ELLYN IL 60137

Property Information

Property Address: TEMPLETON GAP RD
Property Type: Real

Legal Description

TR IN NW4 SEC 7-13-65 DESC AS FOLS: COM AT THE INTERSEC OF NWLY R/W LN OF TUTT BLVD AS PLATTED W/IN TUTT BLVD FIL NO 5, TH N 16<36'26" E SD TUTT BLVD, NWLY R/W LN 188.05 FT FOR POB, TH CONT N 16<36'26" E 540.25 FT, S 89<05'08" W 602.49 FT, S 00<55'56" E 403.71 FT, S 76<41'18" E 453.63 FT TO POB

Property Valuation

Total Assessed Land: \$353,710
Total Assessed Improvements: \$0
Total Assessed: \$353,710

[Assessment questions? Click here](#)

Value

Total Market Value: \$1,219,680

Taxes Billed

Base Tax Amount: \$20,891.88
Special Assessment Amount: \$0.00
Improvement District Amount: \$0.00
Total Current Year Taxes: \$20,891.88

Total Current Year Taxes do not reflect outstanding tax liens and delinquencies, if any.
See Alerts.

Alerts

N/A

Current Year Payments Due as of 7/26/2022

Option 1:

| Payment Type | Due Date | Taxes & Fees Due | Interest Due | Total Amount | | |
|--------------|----------|------------------|--------------|--------------|-------|------------------------------------|
| First Half: | March 07 | \$0.00 | \$0.00 | \$0.00 | False | <input type="button" value="Pay"/> |
| Second Half: | June 15 | \$0.00 | \$0.00 | \$0.00 | False | <input type="button" value="Pay"/> |

OR

Option 2:

| Payment Type | Due Date | Taxes & Fees Due | Interest Due | Total Amount | | |
|--------------|----------|------------------|--------------|--------------|-------|------------------------------------|
| Full Amount: | May 02 | \$0.00 | \$0.00 | \$0.00 | False | <input type="button" value="Pay"/> |

Current Year Payments Received

| Date | Amount |
|------------|-------------|
| 06/10/2022 | \$10,445.94 |
| 02/25/2022 | \$10,445.94 |

Prior Year(s) Transaction History

| Date | Amount |
|------------|-------------|
| 02/17/2021 | \$16,918.49 |
| 06/17/2020 | \$8,366.85 |
| 03/03/2020 | \$8,366.86 |
| 06/17/2019 | \$7,575.97 |
| 03/05/2019 | \$7,575.97 |
| 06/14/2018 | \$7,614.64 |
| 03/01/2018 | \$7,614.65 |

Note: Prior years transaction history data is for a maximum of 4 years.

 Print This Page

Please Note: This web page is best viewed in Compatability View.

Disclaimer: We have made a good-faith effort to provide you with the most recent and most accurate information available. However, if you need to use this information in any legal or official venue, you will need to obtain official copies from the Treasurer's Office. Do be aware that this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please contact the Treasurer's office.

For any questions, please contact the Treasurer's Office at: **(719) 520-7900** or email to: trsweb@elpasoco.com



First American

Commitment

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1112323-INDY

COMMITMENT FOR TITLE INSURANCE

Issued By

FIRST AMERICAN TITLE INSURANCE COMPANY

NOTICE

IMPORTANT-READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions; and the Commitment Conditions, ***First American Title Insurance Company***, a Nebraska Corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I-Requirements have not been met within six months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

First American Title Insurance Company

Kenneth D. DeGiorgio, President

Greg L. Smith, Secretary

If this jacket was created electronically, it constitutes an original document.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions.

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COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I—Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I—Requirements; and
- (f) Schedule B, Part II—Exceptions.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I—Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II—Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I—Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; Schedule B, Part II—Exceptions.

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6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II—Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

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First American

Schedule A

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1112323-INDY

Transaction Identification Data for reference only:

Issuing Agent: First American Title Insurance Company National Commercial Services

Commitment No.: NCS-1112323-INDY

Property Address: Templeton Gap Road, Colorado Springs, CO

Revision No.: Rev. 05/13/2022: del. exc. 10 13-15 & 20; JLS

Rev. 05/17/2022 - update - no new records

Rev. 06/01/2022: del. exc. 11; JLS

Rev. 07/25/2022: del. exc. 21; JLS

Issuing Office: 211 N. Pennsylvania Street, Suite 1250, Indianapolis, IN 46204

Phone Number: (317)829-6720

Issuing Office File No.: NCS-1112323-INDY

SCHEDULE A

1. Commitment Date: May 11, 2022 at 5:00 PM
2. Policy or Policies to be issued:
 - (a) ☒ ALTA® Owner's Policy (6-17-06)
Proposed Insured: Garret Acquisitions, LLC, an Indiana limited liability company
Proposed Policy Amount: [REDACTED]
 - (b) ☐ ALTA® Loan Policy (6-17-06)
Proposed Insured:
Proposed Policy Amount: \$0.00
3. The estate or interest in the Land described or referred to in this Commitment is Fee Simple.
4. The Title is, at the Commitment Date, vested in:

LWM C Springs Self Storage, LLC, a Delaware limited liability company
5. The Land is described as follows:

See Exhibit "A" attached hereto and made a part hereof

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions.

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First American

Exhibit A

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1112323-INDY

Commitment No.: NCS-1112323-INDY

The Land referred to herein below is situated in the County of El Paso, State of Colorado, and is described as follows:

A Parcel of land being a portion of the Northwest One-Quarter of Section 7, Township 13 South, Range 65 West of the 6th P.M., also being a portion of that tract described by document (Book 2326, Page 69, El Paso County, Colorado Records), situate in the City of Colorado Springs, El Paso County, Colorado, described as follows:

Commencing at the Intersection of the Northwestern Right-of-Way line of Tutt Boulevard (97' R.O.W.) as platted within Tutt Boulevard Filing No. 5 (Reception No. 205202791, said El Paso County, Records) and the Southwesterly line of said Tract (all bearings in this description are relative to said Tract's Southwesterly line, which bears N 75 Degrees 41 Minutes 18 Seconds W "assumed"); Thence N 16 Degrees 36 Minutes 26 Seconds E along said Tutt Boulevard's Northwestern Right-of-Way line, 188.05 feet to the Point of Beginning of the parcel herein described; Thence continue N 16 Degrees 36 Minutes 26 Seconds E along said Tutt Boulevard's Northwestern Right-of-Way line, 540.25 feet; Thence S 89 Degrees 05 Minutes 08 Seconds W, 602.49 feet to a point on the Easterly line of that exception tract described by document (Book 5295, Page 1367, said Records); Thence S 00 Degrees 55 Minutes 56 Seconds E along said exception tract's Easterly line, 403.71 feet; Thence S 76 Degrees 41 Minutes 18 Seconds E, 453.63 feet to the Point of Beginning, County of El Paso, State of Colorado.

For informational purposes only: APN: 5307000106

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First American

Schedule BI & BII

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1112323-INDY

Commitment No.: NCS-1112323-INDY

SCHEDULE B, PART I

Requirements

All of the following Requirements must be met:

1. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.
5. Payment of all taxes and assessments now due and payable as shown on a certificate of taxes due from the County Treasurer or the County Treasurer's Authorized Agent.

NOTE: Tax certificate(s) must be ordered by or provided to the Company at least one week prior to closing.

6. Local ordinances may impose inchoate liens on the Land for unpaid water, sewer, stormwater drainage, or other utilities charges. If this transaction includes a sale of the Land, a Utilities Agreement and/or escrow is required.
7. Evidence that all assessments for common expenses, if any, have been paid.
8. Receipt by the Company of an ALTA/NSPS Land Title Survey, certified to First American Title Insurance Company, and in form and content satisfactory to the Company. The Company reserves the right to make further requirements and/or exceptions upon review of this survey.
9. Receipt by the Company of the following documentation for LWM C Springs Self Storage, LLC, a Delaware limited liability company:

Operating Agreement, and all amendments thereto, if any.

Certificate of Good Standing issued by the Delaware Secretary of State.

NOTE: The Company reserves the right to make further requirements and/or exceptions upon review of the above item(s).

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10. Receipt by the Company of the following documentation for Garret Acquisitions, LLC, a Indiana limited liability company:

Operating Agreement, and all amendments thereto, if any.

Certificate of Good Standing issued by the Indiana Secretary of State.

NOTE: The Company reserves the right to make further requirements and/or exceptions upon review of the above item(s).

11. Receipt by the Company of a satisfactory Final Affidavit and Indemnity, executed by LWM C Springs Self Storage, LLC, a Delaware limited liability company.
12. Receipt by the Company of a satisfactory Final Affidavit and Indemnity, executed by Garret Acquisitions, LLC, an Indiana limited liability company.
13. Prior to closing, the Company must confirm whether the county recording office in which the Land is located has changed its access policies due to the COVID-19 outbreak. If recording has been restricted, specific underwriting approval is required; and, additional requirements or exceptions may be made.

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First American

Schedule BI & BII (Cont.)

ALTA Commitment for Title Insurance

ISSUED BY

First American Title Insurance Company

File No: NCS-1112323-INDY

Commitment No.: NCS-1112323-INDY

SCHEDULE B, PART II

Exceptions

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
2. Easements, or claims of easements, not shown by the Public Records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct land survey and inspection of the Land would disclose, and which are not shown by the Public Records.
4. Any lien or right to a lien for services, labor, material or equipment, unless such lien is shown by the Public Records at Date of Policy and not otherwise excepted from coverage herein.
5. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I-Requirements are met.

Note: Exception number 5 will be removed from the policy provided the Company conducts the closing and settlement service for the transaction identified in the commitment.

6. Any and all unpaid taxes, assessments and unredeemed tax sales.
7. Any water rights, claims of title to water, in, on or under the Land.
8. Any existing leases or tenancies.
9. Right of way for ditches and canals as constructed by the authority of the United States, as reserved in United States Patent recorded April 29, 1893 at BLM Document No. 2945.
10. This item has been intentionally deleted after survey review.

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11. This item has been intentionally deleted after underwriting review.
12. Effect of Release From Liability recorded November 7, 1986 in Book 5267 at Page 851.
13. This item has been intentionally deleted.
14. This item has been intentionally deleted.
15. This item has been intentionally deleted.
16. Ordinance No. 03-90, for Annexation, recorded August 1, 2003 at Reception No. 203177845.
17. Terms, conditions, provisions, obligations and agreements as set forth in the Greebriar No. 2 Annexation Agreement recorded August 1, 2003 at Reception No. 203177846.

Annexation Plat of Greebriar Annexation No. 2 recorded August 1, 2003 at Reception No. 203177847.
18. Terms, conditions, provisions, obligations and agreements as set forth in the Agreement recorded March 5, 2007 at Reception No. 207029841.
19. Terms, conditions, provisions, obligations and agreements as set forth in the Resolution No. 07-119 (Airport Overlay Rezoning) recorded July 18, 2007 at Reception No. 207095753.
20. This item has been intentionally deleted after survey review.
21. This item has been intentionally deleted, terminated by Instrument No. 22097571.
22. Any tax, lien, fee or assessment by reason of inclusion of subject property in the Southeaster Colorado Water Conservancy District, as evidenced by instrument recorded December 31, 2019 at Reception No. 219165863.

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DISCLOSURE STATEMENT

Pursuant to C.R.S. 30-10-406(3)(a) all documents received for recording or filing in the Clerk and Recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half of an inch. The Clerk and Recorder will refuse to record or file any document that does not conform to the requirements of this section.

NOTE: If this transaction includes a sale of the property and the price exceeds \$100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. 39-22-604.5 (Nonresident withholding).

NOTE: Colorado Division of Insurance Regulations 8-1-2 requires that "Every title insurance company shall be responsible to the proposed insured(s) subject to the terms and conditions of the title commitment, other than the effective date of the title commitment, for all matters which appear of record prior to the time of recording whenever the title insurance company, or its agent, conducts the closing and settlement service that is in conjunction with its issuance of an owner's policy of title insurance and is responsible for the recording and filing of legal documents resulting from the transaction which was closed.

Pursuant to C.R.S. 10-11-122, the company will not issue its owner's policy or owner's policies of title insurance contemplated by this commitment until it has been provided a Certificate of Taxes due or other equivalent documentation from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed Insured has notified or instructed the company in writing to the contrary.

The subject property may be located in a special taxing district. A Certificate of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent. Information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

C.R.S. 10-11-122 (4), Colorado Notaries may remotely notarize real estate deeds and other documents using real-time audio-video communication technology. You may choose not to use remote notarization for any document.

NOTE: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

- A. **That there is recorded evidence that a mineral estate has been severed, leased, or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and**
- B. **That such mineral estate may include the right to enter and use the property without the surface owner's permission.**

NOTE: Pursuant to Colorado Division of Insurance Regulations 8-1-1, Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. **The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.**
- B. **No labor or materials have been furnished by mechanics or material-men for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.**

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I-Requirements; Schedule B, Part II-Exceptions.

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- C. **The Company must receive an appropriate affidavit indemnifying the Company against un-filed mechanic's and material-men's liens.**
- D. **The Company must receive payment of the appropriate premium.**
- E. **If there has been construction, improvements or major repairs undertaken on the property to be purchased within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and or the contractor; payment of the appropriate premium, fully executed Indemnity Agreements satisfactory to the company, and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.**

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

NOTE: Pursuant to C.R.S. 38-35-125(2) no person or entity that provides closing and settlement services for a real estate transaction shall disburse funds as a part of such services until those funds have been received and are available for immediate withdrawal as a matter of right.

NOTE: C.R.S. 39-14-102 requires that a real property transfer declaration accompany any conveyance document presented for recordation in the State of Colorado. Said declaration shall be completed and signed by either the grantor or grantee.

NOTE: Pursuant to CRS 10-1-128(6)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of insurance within the department of regulatory agencies.

Nothing herein contained will be deemed to obligate the company to provide any of the coverages referred to herein unless the above conditions are fully satisfied.

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PRE-APPLICATION MEETING SUMMARY

Area: _____ Date: _____

Pre-Application No.: _____

Lot Size: _____

TSN: _____

Zone: _____

Applicant(s) Present: _____

Site Location: _____

Project Description: _____

APPLICATION(S) REQUIRED: ☐ No application to the Planning Department required

- | | | |
|---|--|---|
| <input type="checkbox"/> 2020 Land Use Map Amendment | <input type="checkbox"/> Development Agreement (PUD Zone) | <input type="checkbox"/> Street Name Change |
| <input type="checkbox"/> Administrative Relief | <input type="checkbox"/> Development Plan <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Subdivision Plat <input type="radio"/> PP <input type="radio"/> FP <input type="radio"/> PFP |
| <input type="checkbox"/> Amendment to Plat Restriction | <input type="checkbox"/> Historic Preservation Board | <input type="checkbox"/> Subdivision Waiver <input type="radio"/> Design <input type="radio"/> Process |
| <input type="checkbox"/> Annexation | <input type="checkbox"/> Master Plan <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Use Variance <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM |
| <input type="checkbox"/> Building Permit to Unplatted Land | <input type="checkbox"/> Minor Improvement Plan | <input type="checkbox"/> Vacation of Plat |
| <input type="checkbox"/> CMRS No. <input type="checkbox"/> | <input type="checkbox"/> Nonuse Variance / Warrant | <input type="checkbox"/> Vacation of Public Right-of-Way |
| <input type="checkbox"/> Concept Plan <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Preservation Easement Adjustment | <input type="checkbox"/> Waiver of Replat |
| <input type="checkbox"/> Conditional Use <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <input type="checkbox"/> Property Boundary Adjustment | <input type="checkbox"/> Zone Change |

Visit the Land Use Review Division website at www.coloradosprings.gov/planninginfo for application forms and checklists

MJ = Major Amendment, MN = Minor Amendment, and MM = Minor Modification

NEIGHBORHOOD ORGANIZATION:

Neighborhood Association/Contact: _____ ☐ Neighborhood Meeting

PUBLIC NOTIFICATION REQUIREMENTS:

Note: Applicant will be required to pay for postage at time of poster pick-up.

- | | | |
|---|--|--|
| <input type="checkbox"/> Pre-Application Stage | <input type="checkbox"/> Internal Review Stage | <input type="checkbox"/> Public Hearing Stage |
| <input type="checkbox"/> Postcard | <input type="checkbox"/> Poster | <input type="checkbox"/> No Public Notice Required |
| Buffer Distance: <input type="checkbox"/> 150 ft. | <input type="checkbox"/> 500 ft. | <input type="checkbox"/> 1,000 ft. |
| <input type="checkbox"/> Custom distance: _____ | | |

ADDITIONAL STUDIES/MATERIALS TO BE SUBMITTED WITH APPLICATION:

- | | | |
|---|--|--|
| <input type="checkbox"/> Geo-Hazard Report | <input type="checkbox"/> Traffic Impact Analysis | <input type="checkbox"/> Drainage Report |
| Contact: _____ | Contact: _____ | Contact: _____ |
| <input type="checkbox"/> Hydraulic Grade Line | <input type="checkbox"/> Wastewater Master Facility Report | <input type="checkbox"/> Land Suitability Analysis |
| <input type="checkbox"/> Elevation Drawings | <input type="checkbox"/> Mineral Estate Owner Notification | <input type="checkbox"/> Other: _____ |

LDTC MEETING: ☐ Yes ☐ No

Date: _____ **Time:** _____

COMMENTS: (This is a preliminary listing of issues and attention items; additional issues will likely surface as the application proceeds through the review process):

NOTE: The above information is intended to assist in the preparation of an application. This sheet is not a complete list of submittal requirements. Refer to the Zoning and Subdivision Ordinances and the appropriate application checklists for further information and details.

This form and the information contained herein is valid for 6 months.

Fee Estimate: _____

Number of Plans: _____

Chelsea Stromberg

Senior Planner
Land Use Review
Planning & Community Development

30 S. Nevada Avenue, Suite 701 Phone: (719) 385-2227
P.O. Box 1575, MC 715 Fax: (719) 385-5167
Colorado Springs, CO 80901-1575 chelsea.stromberg@coloradosprings.gov

PLANNING & DEVELOPMENT DEPARTMENT
Project Notification Information

Date: July 26, 2022
Planner: Daniel Besinaiz
Planner email: daniel.besinaiz@coloradosprings.gov
Planner phone number: (719) 385-2227
Applicant Email: john.heiberger@kimley-horn.com
Applicant Name: John Heiberger
TSN: 530-70-00106
Site Address (to be used on postcard): 7044 Tutt Blvd.

PROJECT: Tutt and Stone Mesa Subdivision

| | | | |
|--------------------------|---|-------------------------------------|---|
| <input type="checkbox"/> | Pre-application Notice | <input checked="" type="checkbox"/> | Standard Notification |
| <input type="checkbox"/> | Pre-application Neighborhood Meeting Notice | <input type="checkbox"/> | Standard with Neighborhood Meeting Notice |
| <input type="checkbox"/> | No notice | <input type="checkbox"/> | Poster only |

PUBLIC NOTICE:

☐ 150 feet ☐ 500 feet ☒ 1,000 feet ☐ Modified (attach modified buffer) ☐ No public notice

PROJECT BLURB

Provide a project blurb for each application type, adjust language as needed. Note code sections where applicable for variances.

Final Plat

Request by LWN C Springs Self Storage, LLC, with representation by Kimley-Horn – John Heiberger, P.E., for approval of Tutt and Stone Mesa Subdivision Final Plat. If approved the proposed application would allow for the future development of a 158-unit multi-family residential development. The site is zoned M-1/AO (Light Industrial with Airport Overlay), is 5.6 acres in size, and located at 7044 Tutt Boulevard.

POSTCARD

Include 3-5 highlighted points to best describe the project.

- This project proposes a 158-unit multi-family residential development on 5.6 acres

POSTER

Fill out applicable information below:

What type of project is proposed? (large bold letters on poster, approx. 35 characters):

Final Plat for 158-unit multi-family residential development

Planning and Development Distribution Form
Preliminary Plat, **Final Plat**, Preliminary & Final Plat

Directions: Planners select **at least one** check box under each section to determine the application distribution.

Planner Intake Date: 7/26/22 Admin Receive Date: **[7/26/22]**

Project Name: **Tutt and Stone Mesa Subdivision Final Plat**

1. PUBLIC NOTICE: (see Project Blurb to establish noticing parameters)

2. Date buckslip comments are due (21 calendar days after submittal): 8/16/22

3. HOA: # N/A

4. STANDARD DISTRIBUTION:

☒ Include all standard distribution recipients shown below (or individually check boxes below)

| ID# | Division Name | Email/Distribution Notes |
|-----|---|--|
| 3 | <input type="checkbox"/> CONO | landusenotice@cscono.org |
| 85 | <input type="checkbox"/> Utilities Development Services | Buckslips@csu.org |
| 9 | <input type="checkbox"/> Fire Department | CSFDDDevelopmentSMB@coloradosprings.gov |
| 24 | <input type="checkbox"/> SWENT / EDRD | development.review@coloradosprings.gov |
| 17 | <input type="checkbox"/> Cory Sharp, Land Surveyor | Cory.Sharp@coloradosprings.gov |
| 66 | <input type="checkbox"/> Real Estate Services | Barbara.Reinardy@coloradosprings.gov |
| 14 | <input type="checkbox"/> Lois Ruggera Candy Fontecchio | Lois.Ruggera@coloradosprings.gov Candy.Fontecchio@coloradosprings.gov |
| 19 | <input type="checkbox"/> Century Link | Patti.Moore@CenturyLink.com Bea.Romero@centurylink.com Melissa.Spencer@centurylink.com |
| 77 | <input type="checkbox"/> CSU Customer Contract Administration | Buckslips@csu.org |
| 11 | <input type="checkbox"/> IT GIS | Bootsy.Jones@coloradosprings.gov |
| 13 | <input type="checkbox"/> Parks & Recreation | Britt.Haley@coloradosprings.gov Constance.Schmeisser@coloradosprings.gov Emily.Duncan@coloradosprings.gov Melody.Horbach@coloradosprings.gov |
| 23 | <input type="checkbox"/> Enumerations | addressing@pprbd.org |

| | | |
|----|--|--|
| 29 | <input type="checkbox"/> Flood Plain | Keith@pprbd.org |
| 45 | <input type="checkbox"/> Zaker Alazzeah, Traffic – School Safety | development.review@coloradosprings.gov |
| 65 | <input type="checkbox"/> Zaker Alazzeah, Traffic Eng | development.review@coloradosprings.gov |
| 48 | <input type="checkbox"/> Street Division | Corey.Rivera@coloradosprings.gov Cole.Platt@coloradosprings.gov Michael.Hensley@coloradosprings.gov Chris.Howard@coloradosprings.gov Shaun.Lucero@coloradosprings.gov |
| 98 | <input type="checkbox"/> USPS | Elaine.f.kelly@usps.gov Oreta.j.minnard@usps.gov |
| 60 | <input type="checkbox"/> Transit | Roger.Austin@coloradosprings.gov |
| 25 | <input type="checkbox"/> County Health Department | catherinemcgarvy@elpasoco.com |
| 30 | <input type="checkbox"/> Comcast | Jason_Jacobsen@comcast.com Justins_Fejeran@comcast.com WSTMWR_MDSUBMISSIONS@comcast.com |
| 92 | <input type="checkbox"/> Forestry | Jeff.Cooper@coloradosprings.gov Alison.Munroe@coloradosprings.gov |
| 56 | <input type="checkbox"/> PlanCOS | PlanCOS@coloradosprings.gov |

5. SCHOOL DISTRICT:

| ID# | Division Name | Email/Distribution Notes |
|-----|--|--|
| | <input type="checkbox"/> None | |
| 36 | <input type="checkbox"/> School District # 2 | sbecker@hsd2.org lschroder@hsd2.org |
| 68 | <input type="checkbox"/> School District # 3 | gishd@wsd3.org |
| 37 | <input type="checkbox"/> School District # 11 | TERRY.SEAMAN@d11.org |
| 38 | <input type="checkbox"/> School District # 12 | dpeak@cmsd12.org |
| 39 | <input type="checkbox"/> School District # 20 | tom.gregory@asd20.org |
| 69 | <input type="checkbox"/> School District # 22 | chrissmith@esd22.org |
| 41 | <input checked="" type="checkbox"/> School District # 49 | mandrews@d49.org |

6. MILITARY INSTALLATION (if within 2 mile buffer):

| ID# | Division Name | Email/Distribution Notes |
|-----|--|--|
| | <input checked="" type="checkbox"/> None | |
| 84 | <input type="checkbox"/> Fort Carson | john.j.sanders71.civ@mail.mil thomas.j.wiersma.civ@mail.mil |
| 46 | <input type="checkbox"/> NORAD | Michael.kozak.2@us.af.mil Kim.van_Treadway@us.af.mil 21CES.CENB.BaseDevelopments@us.af.mil |
| 26 | <input type="checkbox"/> USAFA | corine.weiss@us.af.mil craig.johnson.35.ctr@us.af.mil steven.westbay.ctr@us.af.mil elizabeth.dukes.3.ctr@us.af.mil 10CES.CENP.USAFDEVREVIEWGRP@us.af.mil |
| 75 | <input type="checkbox"/> Peterson | PAEK, AYOKA B GS-12 USSF AFSPC 21 CES/CENB ayoka.paek@spaceforce.mil POPPERT, PAUL E GS-11 USSF SPOC 21 CES/CENB <paul.poppert@spaceforce.mil> 21CES.CENB.BaseDevelopment@us.af.mil |

7. OPTIONAL DISTRIBUTION (Depending on Location of Site):

| ID# | Division Name | Email/Distribution Notes |
|-----|---|--|
| | <input type="checkbox"/> None | |
| 59 | <input type="checkbox"/> StratusIQ – AKA Falcon Broadband | jlandis@stratusiq.com tking@stratusiq.com cotrin@stratusiq.com BLR & Flying Horse (ONLY) |
| 27 | <input type="checkbox"/> CDOT (adjacent to CDOT ROW) | Valerie.vigil@state.co.us |
| 34 | <input type="checkbox"/> Colorado Geological Survey | cgs_lur@mines.edu |
| 33 | <input type="checkbox"/> SECWCD, Garrett Markus | garrett@secwcd.com |
| 18 | <input type="checkbox"/> Streamside Area Overlay | Tasha.Brackin@coloradosprings.gov |
| 15 | <input type="checkbox"/> Hillside Overlay | Kerri.Schott@coloradosprings.gov |

| | | |
|----|---|--|
| 20 | <input checked="" type="checkbox"/> Airport | Kandrews@coloradosprings.gov Patrick.Bowman@coloradosprings.gov |
| 63 | <input checked="" type="checkbox"/> El Paso County Dev. Services Division | KariParsons@elpasoco.com Review of Plans within ½ mile of a County/City Border |
| 43 | <input type="checkbox"/> Wescott Fire District (adjacent only) | admin@wescottfire.org |
| 71 | <input type="checkbox"/> Falcon Fire Protection District | falconfire@falconfire.org |
| 72 | <input type="checkbox"/> Black Forest Fire Protection District | chief@bffire.org |
| 81 | <input type="checkbox"/> Broadmoor Fire Protection District | chief@broadmoorfire.com noalsperran@gmail.com |
| 80 | <input type="checkbox"/> CSURA – Urban Renewal | Jariah.Walker@coloradosprings.gov |
| 5 | <input type="checkbox"/> Metro District | Metro District Email |
| 65 | <input type="checkbox"/> Kate Brady, Bike Planning, Traffic | Kate.Brady@coloradosprings.gov |
| 53 | <input type="checkbox"/> UCCS Review – North Nevada Overlay zone | mwood@uccs.edu |
| 49 | <input type="checkbox"/> Bob Cope & Sherry Hoffman, Shawna Lippert – Economic Development | Bob.Cope@coloradosprings.gov Sherry.Hoffman@coloradosprings.gov Shawna.Lippert@coloradosprings.gov |

8. LAND USE REVIEW:

Hard Copy Full sized plans

| | |
|---|--|
| <input checked="" type="checkbox"/> Planner | Traffic Report, Drainage Report, Geo-Hazard Report |
|---|--|

Special notes or instructions: