

GENERAL APPLICATION FORM

Edition 9-20-11



Project Name: Patriot Park Commercial

Existing Zone: PUD/AO Acreage: 18.272

Site Address: 0 North Powers Blvd.

Direction from
Nearest Street
Intersection: Southeast of intersection at Galley
Road and Space Center Drive

Tax Schedule Number(s): 6412400018

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 checked="" type="checkbox"/> Concept Plan <input type="radio"/> New <input checked="" 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 checked="" type="checkbox"/> Zone Change; Proposed Zone: PUD/AO |
| <input type="checkbox"/> Development Plan <input type="radio"/> New <input type="radio"/> MJ <input type="radio"/> MN <input type="radio"/> MM | <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"/> Historic Preservation <input type="radio"/> Re-roof <input type="radio"/> Hearing Request | <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"/> Landscape Plan <input type="radio"/> Preliminary <input type="radio"/> Final <input type="radio"/> Irrigation | <input type="checkbox"/> FBZ Interim Use Plan |
| <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 Minor Improvement Plan |
| <input type="checkbox"/> Nonuse Variance | <input type="checkbox"/> FBZ Warrant |
| <input type="checkbox"/> Preservation Easement Adjustment | |

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

Date

Signature of Developer

Date

APPLICANT CONTACT INFORMATION (please print or type)

Property Owner: Patriot Park Investments LLC

Contact Name:

E-Mail:

Phone:

Developer: Springs Land Ventures LLC

Contact Name: Allyn Brown

E-Mail: abrown@allyndevelopment.com

Phone: 719-598-9400

Consultant/Main Contact name: Andrea Barlow

Phone: (719) 471-0073

Address: 619 N. Cascade

City: Colorado Springs

State: CO

Zip Code: 80903

E-Mail: abarlow@nescolorado.com

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

Payment \$ 8,276.00

Assigned to: Daniel Sexton

Date: 10/18/2021

Receipt No.: 40206

City File No: CPC PUZ 21-00167



Zone Change Application Requirements

REVIEW CRITERIA: A proposal for the establishment or change of zone district boundaries may be approved by the City Council only if the following findings are made:

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.
2. The proposal is consistent with the goals and policies of the Comprehensive Plan.
3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended to be considered consistent with a zone change request.

Existing Zone:

Proposed Zone:

SUBMITTAL CHECKLIST: The following items will need to be included in any review submittal for a change of zone.

<u>Applicant</u>	<u>Planner</u>
<input type="checkbox"/> General Development Application Form	<input type="checkbox"/>
1 copy of a Project Statement identifying the following:	
<input type="checkbox"/> 1. A clear description of the proposed zone change;	<input type="checkbox"/>
2. A justification based on the review criteria why the proposed zone change should be approved; and	
3. A description of how each issue, as communicated by the reviewing Planner, has been addressed.	
<input type="checkbox"/> Mineral Estate Owner Notification Certification Affidavit	<input type="checkbox"/>
1 copy of either a Concept Plan or Development Plan showing all "Plan Contents" listed in their respective checklists.	
A Concept Statment may be an acceptable alternative to the above plans if rezoning to either of the following districts: A, R, R1-9000, R1-6000, R-2, PF, or PK.	
<input type="checkbox"/> <i>If rezoning to:</i>	<input type="checkbox"/>
PF: A development plan must be approved prior to the issuance of a building permit	
OR: A development plan is required at the time of the request to establish the zone district	
DFOZ Overlay: A development plan is required at the time of the establishment of the parent zone district	
<input type="checkbox"/> A copy of the Pre-Application Meeting Summary from the assigned City Planner	<input type="checkbox"/>
A legal description and drawing of the property to be rezoned. Subdivision names must be as shown on the recorded plat	
<input type="checkbox"/> and include the Book and Page or Reception Number. Any exceptions must be completely written out in metes and bounds for the entire boundary of the Zone Change. Easements not on the parcel should not be included.	<input type="checkbox"/>
<input type="checkbox"/> All plans, documents, and reports uploaded to Dropbox folder (Planner to send folder invite link through email)	<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.

NA [Geologic Hazard Report](#)

X [Drainage Reports](#)

X [Traffic Impact Analysis](#)

X Submittal of the [Hydraulic Grade Line \(HGL\) Request Form](#) to Colorado Springs Utilities (CSU)

Email completed form and map to waterplanning@csu.org or fax to 719-668-5651 prior to application submittal.

X Submittal of the [Wastewater Facilities Master Report](#) to Colorado Springs Utilities (CSU)

Email completed form and map to wwmasterplansubmit@csu.org prior to application submittal.

PATRIOT PARK COMMERCIAL

PROJECT STATEMENT

OCTOBER 2021

REQUEST

N.E.S. Inc. on behalf of Patriot Park Investments LLC requests approval of the following applications:

1. A Rezone of 18.27 acres from PUD/AO-CAD/SS office and commercial to Planned Unit Development with Airport Overlay (PUD/AO) for multifamily development and non-residential development, with a maximum residential density of 35 du/ac, and non-residential development, both with a maximum height of 65 feet.
2. A Concept Plan for 10.19-acres of multifamily residential and 6.78 acres of non-residential development.

LOCATION

Patriot Park lies northwest of the intersection of Powers Boulevard and Platte Avenue. The subject site is the undeveloped portion of Patriot Park, located between Space Center Drive and Powers Boulevard. To the north and south of the property are five substantial office buildings. To the west of Space Center Drive is newly constructed single-family and multifamily residential development and a large open space are adjacent to Sand Creek.



PROJECT DESCRIPTION

The site is part of a larger 100-acre property which was rezoned from Planned Industrial Park with Airport Overlay – Commercial Airport District and Streamside Overlay (PIP-1/AO-CAD/SS) to Planned Unit Development with Airport Overlay – Commercial Airport District and Streamside Overlay (PUD/AO-CAD/SS) in 2009 by zoning ordinance 09-24. Although the ordinance did not specify the type of use for the PUD zone, the Concept Plan (CPC PUP 08-00157) that was approved concurrently identified a wide range of non-residential uses as permitted uses, with a maximum height of 98 feet. The original concept plan was divided into various zones and some of the permitted uses were restricted to certain zones. The 2009 Concept Plan depicts one 5-story office building and one 4-story office building totaling 297,000 sf with 1,157 parking spaces in the area of this current application.

In 2017 a PUD rezone and Concept Plan were approved for the part of the 2009 Concept Plan area lying between Sand Creek and Space Center Drive for 14.38 acres of single-family residential and 8.84 acres of multifamily residential, with 19.86 acres converted to open space under the existing zoning. Subsequent Development Plans were approved for the residential development in 2018, which has now been constructed.

In 2018 the Patriot Park Metropolitan District was formed to fund public improvements and to provide for ongoing ownership and maintenance of common facilities (detention, open space, landscaping). The Metropolitan District includes the residential development and open space included in the 2017 Concept Plan and the remaining undeveloped area subject to the current applications.

The current proposal is to rezone 18.27 acres of this property to Planned Unit Development with Airport Overlay (PUD/AO) for multifamily development and non-residential development. The CAD zoning is deleted as this is now obsolete. The SS zoning is removed as this parcel is not within the streamside buffer. Multifamily residential has been added to the list of permitted uses for this Concept Plan amendment and the range of non-residential uses allowable in this part of the Concept Plan has been expanded to include all of the originally permitted uses.

The Concept Plan divides the 18.27-acre parcel into a 10.19-acre parcel for multifamily residential and 6.78 acres for non-residential (industrial/commercial flex space). The multifamily is proposed as apartments and will have a density of 25-35 dwelling units per acre. Both uses will have a maximum height of 65 feet.

The Concept Plan identifies three points of access from Space Center Drive. There are two existing curb cuts on Space Center Drive on the property and these will provide access to the proposed multifamily residential development. An additional access is proposed to the south for the non-residential development area, opposite an existing street serving the new residential development to the west.

The site includes several easements, many of which are redundant and are to be vacated by separate instrument. These relate primarily to the former alignment of Space Center Drive and temporary turnarounds associated with the phasing of the previously proposed development. A 16-foot public

improvement easement will remain along Space Center Drive and this area is required to be landscaped and will act as the landscape setback for this street frontage.

PROJECT JUSTIFICATION

A. Zone Change

The proposed rezoning of this property meets the requirements of Section 7.5.603 of the Zoning Code as follows:

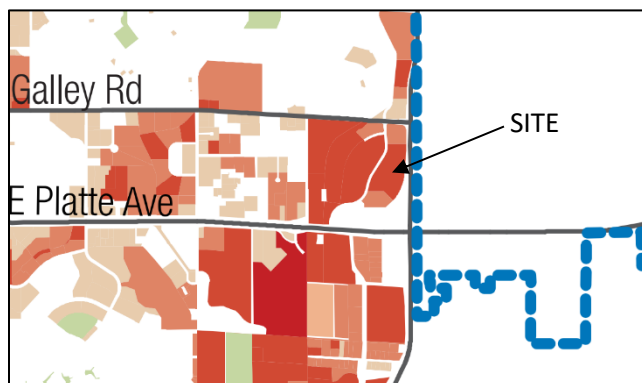
1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare.

The proposed rezone to allow multifamily residential use and a broader range of non-residential uses will better serve the public interest and general welfare as it will introduce complementary uses to the existing and proposed office/commercial uses and the recently constructed residential uses on the west side of Space Center Drive. The proposed multifamily use will also provide additional housing choice in the area.

2. The proposal is consistent with the goals and policies of the Comprehensive Plan.

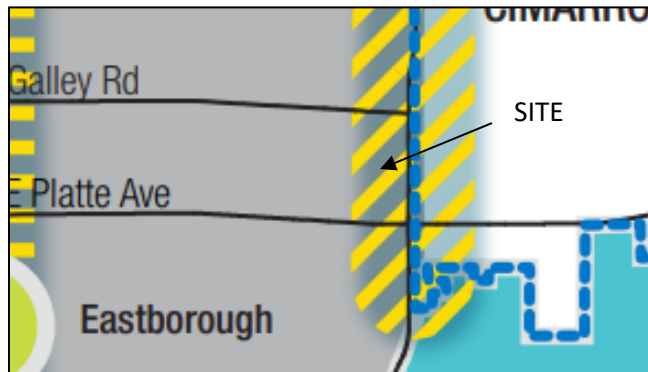
The Comprehensive Plan for the City is PlanCOS, adopted in January 2019. The following goals and policies are applicable to this site and the proposed development.

Areas of Change



The Areas of Change Map in PlanCOS highlights areas expected to have the most potential for land use change. It includes all potentially developable vacant lands throughout the city, along with assumptions for those areas with a higher relative potential for land use change and redevelopment. The site is located within an area identified as having a high capacity for change

Unique Places



The site is located within a New/Developing Corridor on the Unique Places framework map. The goal of this place typology is to take advantage of the capacity and potential of these corridors to create unified, vital, connected, and more transit supportive urban places. The mixed residential and non-residential zoning proposed will help to unify this area and create a sense of place for the surrounding development. The proposed

rezoning is consistent with Policy UP-2.A which encourages support for infill and land use investment throughout the mature and developed areas of the city.

Thriving Economy



The northwest quadrant of the Powers Boulevard and Platte Avenue intersection is identified as a location for Spin-offs and Start-ups. The goal of this typology is to support the creation of environments that attract medium and high-wage jobs and allows them to thrive. Strategy TE-1.C-2 encourages support for projects with mixed uses, transit supported and walkable attributes to attract and retain a

skilled workforce and business investment. Strategy TE-1.C-3 seeks to ensure an adequate supply of attainable housing for the workforce across all industries, and that it is conveniently located near hubs of employment and/or public transportation. The proposed mixed-use rezone will support the existing office development in the area and provide services for the surrounding community.

Strong Connections



Both Powers Boulevard and Platte Avenue are identified as Smart Corridors and Platte Avenue is identified as a Multi-Modal corridor on the Strong Connections framework plan. The goal of these designations is to support the economic development of the city and region, and transform these corridors into transit-supportive areas of focus for development, redevelopment, and community life. The

proposed mixed-use development adjacent to these corridors will support these goals.

Commercial Aeronautical Zone (CAZ)

The site lies within the CAZ, which is an economic development tool that incentivizes new businesses that support the aeronautical zone. The CAZ Ordinance states: "WHEREAS, the City will endeavor to negotiate and implement a community benefit agreement with all new businesses locating within the CAZ, to promote transit opportunities and the implementation of other components of the City's Comprehensive Plan." The CAZ is not a land use zoning overlay, is not intended to regulate land use, and does not identify permitted or prohibited uses within its boundaries. It is intended to provide tax incentives to new businesses in the area. Residential supports the surrounding businesses in the CAZ and provides attainable workforce housing in the area, reducing commute times and promoting sustainability as encouraged by PlanCOS. Attainable housing is a key component of economic development and can be a catalyst for commercial development in an area. As discussed in PlanCOS, housing is encouraged as a supporting use for cornerstone institutions such as the Airport.

3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. Master plans that have been classified as implemented do not have to be amended in order to be considered consistent with a zone change request.

There is no Master Plan for this area. The only approved plan that exists is the Patriot Park PUD Plan (CPC PUP 08-00157) and the zone change is accompanied by a Concept Plan amendment.

4. For MU zone districts the proposal is consistent with any locational criteria for the establishment of the zone district, as stated in article 3, "Land Use Zoning Districts", of this chapter. (Ord. 94-107; Ord. 97-111; Ord. 01-42; Ord. 03-157; Ord. 12-76).

The proposal is not in an MU zone district.

B. Concept Plan

The Concept Plan satisfies the review criteria set out in Section 7.3.605 of the Zoning Code as follows:

- 1. Is the proposed development pattern consistent with the Comprehensive Plan and all applicable elements of the Comprehensive Plan (including the intermodal transportation plan and the parks, recreation and trails master plan)?**

See response to A.2 above.

- 2. Are the proposed uses consistent with the Comprehensive Plan, as amended?**

See response to A.2 above.

- 3. Is the proposed development consistent with any City approved master plan that applies to the site?**

See response to A.3 above.

4. Is the proposed development consistent with the intent and purposes of this Zoning Code?

See response to A.1 above.

5. Does the development pattern proposed within the PUD concept plan promote the stabilization and preservation of the existing or planned land uses in adjacent areas and surrounding residential neighborhoods?

The existing land use in the immediate area includes offices, single-family residential and multifamily residential and open space/trails. The proposed multifamily and non-residential uses will add to the mix of uses in this area, which will help to unify and stabilize the mixed-use character of the neighborhood and will add further housing choice to the area.

6. Does the development pattern proposed within the PUD concept plan provide an appropriate transition or buffering between uses of differing intensities both on site and off site?

A buffer is identified along the north boundary of the parcel, between the existing office use and the proposed multifamily residential. There will also be an internal buffer between the proposed residential and non-residential uses. 25-foot building setbacks are included along Powers Boulevard and Space Center Drive, which is consistent with the existing development in the area. The Concept Plan incorporates the existing 16-foot public improvement easement for landscaping along Space Center Drive.

7. Does the nonresidential development pattern proposed within the PUD concept plan promote integrated activity centers and avoid linear configurations along roadways?

The proposed non-residential development is consistent with the land use configuration of the originally approved Concept Plan and will help to unify the uses in this area to create an integrated mixed-use activity center.

8. Are the permitted uses, bulk requirements and required landscaping appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community?

The proposed multifamily residential is a new use proposed for this part of the original Concept Plan. This use will add to the mix of uses in the area and will offer additional housing choice. It is also compatible with the more recently constructed residential development on the west side of Space Center Drive. The amendment to the Concept Plan introduces additional non-residential uses to this part of the original Concept Plan area, which allows for a greater variety and flexibility of commercial/industrial use to meet the changing needs of the market. These uses will also service the existing office development and the expanding residential neighborhood in this location. The adjacent office buildings are much greater in height and bulk than the development proposed by this Concept Plan and the maximum permitted height is reduced from 98-feet to 65-feet with this Concept Plan amendment.

9. Does the PUD concept plan provide adequate mitigation for any potentially detrimental use to use relationships (e.g., commercial use adjacent to single-family homes)?

Landscape buffers are proposed internally on the north and south sides of the proposed multifamily development to mitigate any effects from the existing office building to the north and the proposed non-residential uses to the south. Noise mitigation measures will be included adjacent to Powers Boulevard in future development plans to provide an acceptable living environment for the residents of the proposed multifamily development. The development on this site will also help to buffer the recently constructed residential development on the west side of Space Center Drive from traffic noise on Powers Boulevard. The 16-foot landscape easements on both sides of Space Center Drive will buffer the proposed new development on this site from the residential development to the west.

10. Does the PUD concept plan accommodate automobile, pedestrian, bicycle and transit modes of transportation as appropriate, taking into consideration the development's primary function, scale, size and location?

The development provides adequate ingress, egress and parking for automobiles. Space Center Drive has an existing sidewalk that will provide pedestrian connection to the site and future development will include internal pedestrian connections as well as bicycle parking facilities. There are no transit routes on Space Center Drive, but the site has easy access to Platte Avenue, which is a multimodal transportation corridor.

11. Does the PUD concept plan include a logical hierarchy of perimeter and internal arterial, collector and local streets that will disperse development generated vehicular traffic to a variety of access points and ways, reduce through traffic in adjacent residential neighborhoods and improve resident access to jobs, transit, shopping and recreation?

The three proposed access points will distribute site generated traffic directly onto Space Center Drive, which will distribute traffic north to Galley Road or south to Platte Avenue. The development will not generate through traffic in adjacent residential areas and new residents will have excellent access to nearby jobs, transit, shopping, and recreation.

12. Will streets and drives within the project area be connected to streets outside the project area in a way that minimizes significant through traffic impacts on adjacent residential neighborhoods, but still improves connectivity, mobility choices and access to jobs, shopping and recreation?

The three proposed access points will connect directly to Space Center Drive, which will distribute traffic north to Galley Road or south to Platte Avenue. The development will not generate through traffic in adjacent residential areas.

13. Does the PUD concept plan provide safe and convenient vehicle and pedestrian connections between uses located within the zone district, and to uses located adjacent to the zone district or development?

Space Center Drive has an existing sidewalk that will provide pedestrian connection to the site and future development will include internal pedestrian connections as well as bicycle parking facilities.

14. Will adequately sized parking areas be located to provide safe and convenient access, to avoid excessive parking ratios and avoid excessive expanses of pavement?

The parking ratios identified on the Concept Plan are based on assumed mix of unit size and non-residential uses. Parking will be identified with future development plans per the applicable City Code requirements.

15. Are open spaces integrated into the PUD concept plan to serve both as amenities to residents/users and as a means for alternative transportation modes, such as walking and biking?

The proposed multifamily residential development will include amenities to serve residents. A 19-acre open space was included adjacent to Sand Creek as part of the residential development to the west of Space Center Drive. This area is included within the Patriot Park Metropolitan District and will be available for use by residents and employees of the proposed development. This open space includes amenities and trail connections to the Sand Creek Regional Trail.

16. Will the proposed development overburden the capacities of existing or planned streets, utilities and other public facilities?

According to the Traffic Generation Analysis prepared by SM Rocha Traffic and Transportation Consultants, while the proposed development will exceed the total traffic generated by the office uses proposed on the previous concept plan, it will not exceed the traffic that could be generated from the uses allowed under the current PUD zoning. In either scenario, the proposed development will not create negative impacts to traffic operations of the surrounding road network, nor at the Space Center Drive intersections with Galley Road and Platte Avenue, as the peak hour traffic generation will be less. The City will soon be constructing a full movement signalized intersection at Space Center Drive and Platte Avenue and are in the process of widening the Platte Avenue bridge over Sand Creek to three lanes in each direction. Existing utilities serve this property, as these were planned and installed for the approved, more intense, office/commercial development of the site. The residential development will help to support local schools and other public facilities.

17. Are the areas with unique or significant natural features preserved and incorporated into the design of the project?

There are no unique or significant natural features the site.

** Sent via email – Daniel.Sexton@coloradosprings.gov**

October 6, 2021

Ms. Daniel Sexton, Planning Supervisor
Land Use Review Division
City of Colorado Springs
30 S. Nevada, Suite 701
Colorado Springs, CO 80903

Re: Letter of Authorization

Dear Mr. Sexton,

I, Kevin Butcher, as Manager of Patriot Park Investments, LLC, a Colorado limited liability company, owner of the "Property" (TSN #64124-00-018 containing 18.272 acres of vacant land) located at 800 Space Center Drive., Colorado Springs, CO 80915, authorize Springs Land Ventures, LLC along with Powers Management 2.0, LLC and their representatives to apply and make decisions regarding the Re-zoning and Concept Plan Amendment (collectively "City Approvals") in order to allow multifamily residential uses and additional commercial uses to the existing PUD Zone.

Sincerely,



Kevin Butcher
For Patriot Park Investments, LLC, Space Center Drive, LLC and T17, LLC,
as Manager

cc: Allyn Brown, Springs Land Ventures, LLC - abrown@allyndevelopment.com
Andrea Barlow, NES, Inc. - abarlow@nescolorado.com
Sam Cameron, Thrive Commercial Partners- sam@thrivecommercialpartners.com
Stuart Sloat, T17, LLC – stuartsloat@olivereg.com



LAND USE REVIEW DIVISION
COMMUNITY DEVELOPMENT DEPARTMENT

MINERAL ESTATE OWNER NOTIFICATION CERTIFICATION AFFIDAVIT

APPLICANT: Patriot Park Investments, LLC

PROJECT: Patriot Park Commercial Concept Plan/Rezone

CITY PLANNING FILE NUMBER(S): CPC PUP 08-00157-A2-MJ21

The Applicant certifies that he has complied with the applicable provisions of the City of Colorado Springs Mineral Estate Owner Notification process. The Applicant certifies that the records, including filed requests for surface development notification forms, of the El Paso County Tax Assessor and the Clerk and Recorder were examined. The Applicant further certifies the following:

☐ Yes, a separate mineral estate owner(s) was identified and the Applicant certifies that 1.) the mineral estate owner(s) was notified by certified mail, return receipt requested, or by a nationally recognized overnight courier of the initial City Planning Commission public hearing not less than thirty (30) days prior to the hearing; 2.) he has attached a listing of the Mineral Estate Owner(s) with mailing addresses, and 3.) has attached a copy of the notice that was mailed. Said notice contained the time and place of the public hearing, the nature and subject of the hearing, legal description of the property and the name of the applicant.

☐ Yes a separate mineral estate owner(s) was identified, but the Applicant certifies that 1.) no mailing addresses of record(s) are known; 2.) he has attached a listing of the Mineral Estate Owner(s); and 3.) no further action was taken.

☒ No separate mineral estate owner(s) were identified and no further action was taken.

Pursuant to 24-65.5-103(4), C.R.S., I certify that above is true and accurate and that I have acted in good faith to comply with the applicable provisions of the City of Colorado Springs Mineral Estate Owner Notification process.

Dated this 14 day of Oct., 2021.

J. Brooks Swenson

Signature

Notary Certificate:

STATE OF COLORADO)
) sis
COUNTY OF EL PASO)

The foregoing certification was acknowledged before me this 14 day of Oct, 2021, by
J. Brooks Swenson

Witness my hand and official seal.

My commission Expires: 6/17/2022

Carol E. Smith

Notary Public

CAROL E SMITH
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19874188481
MY COMMISSION EXPIRES JUNE 17, 2022

Exhibit A

Legal Descriptions

PROPERTY DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 14 SOUTH, RANGE 66 WEST OF THE 6TH P.M., CITY OF COLORADO SPRINGS, EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS:

BEARINGS ARE BASED ON A PORTION OF THE NORTH RIGHT-OF-WAY LINE OF EAST PLATTE AVENUE, MONUMENTED ON THE WEST END BY A FOUND CDOT RIGHT-OF-WAY 3 1/4" ALUMINUM CAP STAMPED PLS 28276, AND ON THE EAST END BY A FOUND 1 1/4" ALUMINUM CAP, STAMPED MATRIX PLS 32822, AND IS ASSUMED TO BEAR S89°58'10"E.:

COMMENCING AT THE SAID 3 1/4" CDOT MONUMENT, THENCE N42°48'56"E A DISTANCE OF 1099.39 FEET TO A POINT THE EAST RIGHT OF WAY LINE OF SPACE CENTER DRIVE AND A NON-TANGENT POINT OF CURVATURE AND BEING THE **POINT OF BEGINNING**;

THENCE ALONG SAID EAST RIGHT OF WAY LINE THE FOLLOWING FIVE (5) COURSES:

1. THENCE ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 482.50 FEET, A CENTRAL ANGLE OF 03°27'50", A DISTANCE OF 29.17, A CHORD BEARING OF N16°03'29"E WITH A CHORD DISTANCE OF 29.17 FEET;
2. THENCE N14°19'34"E, A DISTANCE OF 261.87 FEET TO A POINT OF CURVATURE;
3. THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 417.50 FEET, A CENTRAL ANGLE OF 17°25'13", A DISTANCE OF 126.94, A CHORD BEARING OF N23°02'10"E WITH A CHORD DISTANCE OF 126.45 FEET;
4. THENCE N31°44'47"E, A DISTANCE OF 542.48 FEET TO A POINT OF CURVATURE;
5. THENCE ALONG SAID CURVE TO THE LEFT, HAVING A RADIUS OF 482.50 FEET, A CENTRAL ANGLE OF 37°27'07", A DISTANCE OF 315.39, A CHORD BEARING OF N13°01'14"E WITH A CHORD DISTANCE OF 309.81 FEET TO A POINT ON THE SOUTH LINE OF SCIENCE PARK SUBDIVISION NO. 1 FILING NO. 1, PHASE 2, RECORDED IN THE EL PASO COUNTY CLERK AND RECORDER OFFICE AT BOOK E-5, PAGE 21 AND RECEPTION NO. 2078454;

THENCE N89°36'41"E ALONG SAID SOUTH LINE, A DISTANCE OF 459.45 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF NORTH POWERS BOULEVARD;

THENCE ALONG SAID WEST RIGHT OF WAY LINE THE FOLLOWING THREE (3) COURSES:

1. THENCE S00°20'33"E, A DISTANCE OF 174.98 FEET;

2. THENCE S04°25'18"W, A DISTANCE OF 598.82 FEET TO A NON-TANGENT POINT OF CURVATURE;

3. THENCE ALONG SAID CURVE TO THE RIGHT, HAVING A RADIUS OF 1057.12 FEET, A CENTRAL ANGLE OF 36°38'23", A DISTANCE OF 676.01, A CHORD BEARING OF S24°55'19"W WITH A CHORD DISTANCE OF 664.55 FEET TO A POINT ON THE NORTH LINE OF PATRIOT PARK SUBDIVISION FILING NO. 2 RECORDED IN THE EL PASO COUNTY CLERK AND RECORDER OFFICE AT RECEPTION NO. 206712430;

THENCE N45°52'23"W ALONG THE SAID NORTH LINE, A DISTANCE OF 307.80 FEET AND S89°24'46"W, A DISTANCE OF 390.94 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 795,909 SQUARE FEET OR 18.272 ACRES, MORE OR LESS.



PRE-APPLICATION MEETING SUMMARY

Area: Central Date: 9/7/2021

Pre-Application No.: _____

Lot Size: _____

TSN: 6412400018

Zone: PUD/APZI/AO

Applicant(s) Present: Andrea Barlow and Allen Brown

Site Location: Patriot Park

Project Description: New MF residential and commercial concept

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

ADDITIONAL STUDIES/MATERIALS TO BE SUBMITTED WITH APPLICATION:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> Geo-Hazard Report | <input checked="" type="checkbox"/> Traffic Impact Analysis | <input checked="" type="checkbox"/> Drainage Report |
| Contact: <u>Patrick Morris, 719-385-5075</u> | Contact: <u>Zaker Alazzeah, 719-385-5468</u> | Contact: <u>Erin Powers, 719-385-5852</u> |
| <input checked="" type="checkbox"/> Hydraulic Grade Line | <input checked="" type="checkbox"/> Wastewater Master Facility Report | <input type="checkbox"/> Land Suitability Analysis |
| <input type="checkbox"/> Elevation Drawings | <input checked="" 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):

- The proposed changes to the entitled Patriot Park development will require approval of a major PUD concept plan amendment and zone change. The application sequence is expected to last 4-6 months and will conclude with hearings before City Council.
- The amended concept plan set should include the previous cover page with clouding and all subsequent plan sheets should focus on the planned area being change. A bubble diagram approach can be used to the envisioned access points, land uses and drainage facility.
- Early coordination with the City's Airport and Economic Development Department will be necessary as the site is located with the CAZ.
- An addendum to the approved MDDP will be necessary to speak to site specific changes concerning stormwater.
- A trip generation study may be required to understanding how the new land uses will impact the current roadway infrastructure. Coordinate earlier with City Traffic to understand any project specific analysis items.
- A new coordinated sign plan may be submitted with the amended concept plan. If provided, Planning's sign inspector will review the proposed signage package.
- Consideration should be given to updated other information and parcels within the concept planned area.

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: TBD

Number of Plans: 1 digital and 1 hard copy of plans and supporting docs

Daniel Sexton, AICP

Senior Planner
Land Use Review
Planning & Community Development

30 S. Nevada Avenue, Suite 105
P.O. Box 1575, MC 155
Colorado Springs, CO 80901-1575

Phone: (719) 385-5366
Fax: (719) 385-5167
ds Sexton@springsgov.com

PLANNING & DEVELOPMENT DEPARTMENT
Project Notification Information

Date: October 15, 2021

Planner: Daniel Sexton

Planner email: Daniel.Sexton@coloradosprings.gov

Planner phone number: (719) 385-5366

Applicant Email: abarlow@nescolorado.com

Applicant Name: Andrea Barlow

TSN: 6412400018

Site Address (to be used on postcard): Between Space Center Drive and North Powers Boulevard

PROJECT: Patriot Park Commercial

<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: Poster and Postcard

☐ 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.

PUD Zone Change

Request by Patriot Park Investment, LLC, with representation by NES, Inc., for approval of PUD zone change for the Patriot Park Commercial project. If approved, the proposed application would allow for a change of zone from PUD/AO to PUD/AO. The site is zoned PUD/AO (Planned Unit Development with Airport Overlay, is 18.272 acres in size, and is located Between Space Center Drive and North Powers Boulevard.

Major PUD Concept Plan Amendment

Request by Patriot Park Investment, LLC, with representation by NES, Inc., for approval of Major PUD Concept Plan Amendment for the Patriot Park Commercial project. If approved, the proposed amendment would change the envisioned land uses for the site from office/commercial to multi-family residential and non-residential uses. The site is zoned PUD/AO (Planned Unit Development with Airport Overlay, is 18.272 acres in size, and is located Between Space Center Drive and North Powers Boulevard.

POSTCARD

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

- This project proposes a rezone from PUD/AO to PUD/AO
- Change the envisioned land uses from office/commercial to multi-family residential and non-residential

POSTER

Fill out applicable information below:

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

Change of zone and concept plan for multi-family residential and non-residential uses

Planning and Development Distribution Form

Zone Change –PUZ

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

Planner Intake Date: **Daniel Sexton, 10/15/2021**

Admin Receive Date: **[10/18/21]**

Project Name: **Patriot Park Commercial**

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

2. Date buckslip comments are due (21 calendar days after submittal): **11/8/2021**

3. HOA: (N/A)

4. STANDARD DISTRIBUTION:

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

ID#	Division Name	Email/Distribution Notes
	<input type="checkbox"/> None	
3	<input type="checkbox"/> CONO	rdavis@cscono.org landusenotice@cscono.org
24	<input type="checkbox"/> SWENT	development.review@coloradosprings.gov
13	<input type="checkbox"/> Parks and Recreation	Britt.Haley@coloradosprings.gov Constance.Schmeisser@coloradosprings.gov Emily.Duncan@coloradosprings.gov
65	<input type="checkbox"/> Zaker Alazzeah, Traffic Eng (MC 460)	development.review@coloradosprings.gov
88	<input type="checkbox"/> Parking Enterprise	Lee.Scott@coloradosprings.gov
92	<input type="checkbox"/> Forestry	Jeff.Cooper@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
68	<input type="checkbox"/> School District # 3	gishd@wsd3.org
37	<input checked="" 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 type="checkbox"/> School District # 49	mandrews@d49.org

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

ID#	Division Name	Email/Distribution Notes
	<input 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 Michael.Shafer.4@us.af.mil joseph.elms@us.af.mil 21CES.CENB.BaseDevelopment@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.USAFADDEVREVIEWGRP@us.af.mil
75	<input checked="" type="checkbox"/> Peterson	PAEK, AYOKA B GS-12 USSF AFSPC 21 CES/CENB <ayoka.paek@spaceforce.mil> joseph.elms@us.af.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	
27	<input checked="" type="checkbox"/> CDOT (adjacent to CDOT ROW)	Valerie.vigil@state.co.us
34	<input type="checkbox"/> Colorado Geological Survey	cgs_lur@mines.edu
18	<input type="checkbox"/> Streamside Area Overlay	Tasha.Brackin@coloradosprings.gov
15	<input type="checkbox"/> Hillside Overlay	Kerri.Schott@coloradosprings.gov
42	<input type="checkbox"/> Historic Preservation Area Overlay	Daniel.Sexton@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	NinaRuiz@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

5	<input type="checkbox"/> Metro District	Metro District Email
71	<input type="checkbox"/> Falcon Fire Protection District	tharwig@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
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 checked="" type="checkbox"/> Bob Cope & Sherry Hoffman, Economic Development	Bob.Cope@coloradosprings.gov Sherry.Hoffman@coloradosprings.gov

8. LAND USE REVIEW:

Hard Copy Full sized plans

<input checked="" type="checkbox"/> Planner	
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Special notes or instructions: