

**Highview Drive Vacation of ROW
Letter of Intent (Amended Final Plat)**

August 2026

PCD File TBD

VR266

Applicant: Brian R and Diane E Werner
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Colorado Springs, CO 80908
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Colorado Springs, CO 80908
(719) 354-8017

Engineer/Planner: Terra Nova Engineering, Inc.
721 S. 23rd Street
Colorado Springs, CO 80904
(719) 635-6422

Surveyor: Compass Surveying & Mapping, LLC
3253 West Carefree Circle
Colorado Springs, CO 80917
(719) 354-4120

SITE LOCATION: Highview Drive (Extension) Right-of-Way (ROW)

SIZE: 0.47 acres

ZONING: RR-0.5

TAX SCHEDULE NUMBERS: 6115005014, 6115006001

INTRODUCTION: The owners of Lots 43 and 44 of the Walden III Filing 2 request to have this public Right-of-Way (Highview Drive Extension) vacated and turned private. It has been maintained by these two residents of Walden for the last 30+ years. The residents wish to vacate this ROW so that they have control over its use, and can improve the water flow through their properties. It is not part of any planned/future development in the area. The residents also wish to maintain the rural lifestyle of their 1 acre lots.

PROPOSAL: The application covered by this Letter of Intent includes a Right-of-Way (ROW) Vacation Plat for the properties listed.

Please depict the location of these on the drawing

EXISTING AND PROPOSED FACILITIES: There are existing utilities located within the Highview Drive Right-of-Way (ROW), but no additional utilities or structures are proposed.

Please depict the location of these on the drawing

EASEMENTS: This Right-of-Way (ROW) Vacation will be subject to the following easements:

- An easement for trail access to the Walden Preserve 2 trail system, which is maintained by the Walden Metropolitan District, and is located to the west of the ROW.
- A utility easement to allow access to a water main that runs within this land, and provides water by the Walden Corporation to the Walden Preserve 2 subdivision (PCD File No. [SP185](#)).
- A drainage easement to accommodate a detention pond outfall, located in the southern portion of the ROW.

DEVIATION REQUESTS: A deviation request is not needed for this project.

TRANSPORTATION: All properties involved in this project will achieve access to public roads through Woodhaven Drive, which is adjacent to the east property line of the ROW.

TRAFFIC: A traffic memo is not required for this project.

DRAINAGE: A Final Drainage Report is not required for this project.

UTILITIES: Existing utilities provide services for all lots in this subdivision. No additional utilities are proposed.

GEOLOGY AND SOILS: A soil, geology and geohazard study are not required for this project.

MINERAL DEPOSITS: The El Paso County Master Plan for Mineral Extraction shows no deposits in the general area of Highview Drive.

CRITERIA FOR APPROVAL:

Vacation of a Plat with Rights-of-Way

- ***The plat complies with this Code and the original conditions of approval of the recorded plat.*** All original conditions of approval of the recorded plat are complied with.
- ***No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased.*** No nonconforming lots are created with this Vacation.

- ***The action does not fall within the intent and purpose of the subdivision regulations.*** This plan does not conflict with any subdivision regulations.
- ***The approval will not adversely affect the public health, safety, and welfare.*** Fire access or other safety concerns will not be affected by this plan.
- ***No land is left, by reason of this vacation, without an established public right-of-way or private access easement connecting the land with an established public road.*** All land remains connected to an established public road.
- ***A dedication or intent to dedicate has been established, where necessary.*** Dedications will not be necessary with this Vacation.
- ***Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the vacation of the plat has been resolved.*** No conflicts with CC&Rs or other restrictions are created by this Vacation.

Under the traffic heading, please include that a traffic memo is not required because this applications meets the exemption in ECM B.1.2.D: (1) Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10; (2) there are no additional proposed minor or major roadway intersections on major collectors, arterials, or State Highways; (3) the increase in the number of vehicular trips does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends; (4) the change in the type of traffic to be generated (i.e., the addition of truck traffic) does not adversely affect the traffic currently planned for and accommodated within, and adjacent to, the property; (5) acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained; (6)no roadway or intersection in the immediate vicinity has a history of safety or accident problems; and (7) there is no change of land use with access to a State Highway.

Under the drainage heading, please include that a final drainage report is not required as this application is not creating additional imperviousness and no new lots are proposed.