

**Letter of Intent**  
**Waterview Sketch Plan Amendment**

10/18

**Owners:** CPR Entitlements, LLC  
31 North Tejon St., Suite 500  
Colorado Springs, CO 80903

**Applicant:** CPR Entitlements, LLC  
31 North Tejon St., Suite 500  
Colorado Springs, CO 80903

**Consultant:** Dakota Springs Engineering  
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**Tax Schedule Nos.:** 5500000135

**Site Information:**

The Waterview Sketch Plan was most recently amended in early 2018. That amendment addressed changes in access on Bradley Road east of Powers Boulevard and changes in land use for parcels P-5, P-6, P-17 and P-18. This proposed amendment to the Waterview Sketch Plan is focused specifically to the two parcels at the southeast corner of Bradley Road and Powers Boulevard; Parcels P-17 and P-18.

Parcels P-17 and P-18 are currently proposed and zoned as Commercial and Residential uses respectively. The proposed uses identified in the requested Sketch Plan Amendment are still commercial and Residential uses, however, the acreages have been adjusted primarily due to proposed access locations internal to the development. This application is for changing 1.7 acres of the residential to commercial. This would change the use acreage of the 195.2 acres to 166.91 acres of Residential and 28.34 acres of commercial from the current 168.61 acres of residential and 26.64 acres of commercial. .

The Commercial area of P-17 includes all of the APZ-1 Airport overlay area as commercial with some additional area to the east included to accommodate the full movement access. Review of the proposed commercial area indicated that the southerly most reaches of the commercial area may be limited as actual commercial use due to the distance from access to Bradley Road. This analysis, coupled with discussions with potential residential developers has led to the inclusion on the Sketch Plan, the possible construction of a Recreation Center on the southerly 5-acres of P-17. Based on discussion with PCD staff the applicant recognizes this may require special approval within the boundaries of the APZ-1 overlay area.

The legal description of the parcels is as follows:

LEGAL DESCRIPTION (PARCEL 135B)

A TRACT OF LAND LOCATED IN A PORTION OF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 9; THENCE S00°19'32"E ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 9, A DISTANCE OF 1613.76 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION:

1. THENCE S00°19'32"E CONTINUING ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 9, A DISTANCE OF 3638.37 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 9;
2. THENCE S89°33'35"W ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 9, A DISTANCE OF 2495.44 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF POWERS BOULEVARD AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY;

THE FOLLOWING TWO (2) COURSES FOLLOW SAID EASTERLY RIGHT-OF-WAY LINE:

3. THENCE N00°29'10"W A DISTANCE OF 3037.92 FEET TO A POINT OF CURVE TO THE RIGHT;
4. THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 150.00 FEET, A DELTA ANGLE OF 87°49'03", AN ARC LENGTH OF 229.91 FEET, WHOSE LONG CHORD BEARS N43°25'21"E A DISTANCE OF 208.05 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BRADLEY ROAD AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY;

THE FOLLOWING FIVE (5) COURSES FOLLOW SAID SOUTHERLY RIGHT-OF-WAY LINE:

5. THENCE N87°19'53"E A DISTANCE OF 53.06 FEET TO A POINT OF CURVE TO THE LEFT;
6. THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 2969.79 FEET, A DELTA ANGLE OF 12°59'05", AN ARC LENGTH OF 673.03 FEET, WHOSE LONG CHORD BEARS N80°50'20"E A DISTANCE OF 671.59 FEET;
7. THENCE N74°20'48"E A DISTANCE OF 952.02 FEET TO A POINT OF CURVE TO THE RIGHT;
8. THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 2759.79 FEET, A DELTA ANGLE OF 15°09'41", AN ARC LENGTH OF 730.29 FEET, WHOSE LONG CHORD BEARS N81°55'38"E A DISTANCE OF 728.16 FEET;

9. THENCE N89°30'29"E A DISTANCE OF 3.77 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE TRACT OF LAND CONTAINS 195.25 ACRES, MORE OR LESS.

The proposed Commercial acreage for parcel P-17 has increased due to extending the area east to accommodate a proposed full movement access within the development. Consequently the residential acreage in Parcel P-18 has decreased. The proposed density for parcel P-18 remains the same. The previously approved projected total number of units remains the same on the Sketch Plan without exceeding the overall cap on residential units originally approved for the Waterview Sketch Plan.

**Request and Reason:**

To approve an Amendment to the Waterview Sketch Plan. This approval will allow modification to access to the commercial property internal to the development. This letter serves as a request to receive El Paso County approval of the Sketch Plan Amendment for this site.

The proposed Sketch Plan Amendment is in conformance with the County Policy Plan based on the following Policy analysis:

**Policy 6.1.3:** Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

**Bradley and Powers; Parcel P-17 and P-18**

This application meets this policy by maintaining density and land use within the parameters of the adjacent proposed residential properties approved; the accompanying applications proposes similar densities as previously approved and similar commercial uses while matching the adjacent residential properties to the east approved by the City of Colorado Springs. Access will be from Bradley Road via Powers Boulevard. Capacity of these roads is addressed in the accompanying TIS.

**Policy 6.1.6:** Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.

**Bradley and Powers; Parcels P-17 and P-18**

This application meets this policy by taking advantage of existing urban supporting facilities provided by Widefield Water and Sanitation District. Service will be provided based on a recently approved inclusion agreement with this District. Water and Sewer service will be provided by extending water and sewer lines from Fontaine Boulevard north to the property. Easements are being acquired from the State Land Board for installation.

**Policy 10.1.2:** Carefully consider the impacts that proposed new developments will have on the viability of existing and proposed water and wastewater systems.

Bradley and Powers; Parcel P-17 and P-18

The Widefield Water and Sanitation District has indicated the ability to serve the property as well as the State Engineers Office from previous reviews. The proposed project is within the service boundary of the Widefield Water and Sanitation District; an inclusion agreement has recently been approved.

**Policy 10.2.2:** Carefully consider the availability of water and wastewater services prior to approving new development.

Bradley and Powers; Parcel P-17 and P-18

The Widefield Water and Sanitation District has indicated the ability to serve the property as well as the State Engineers Office from previous reviews. The proposed project is within the service boundary of the Widefield Water and Sanitation District; an inclusion agreement has recently been approved. Water and Sewer service will be provided by extending water and sewer lines from Fontaine Boulevard north to the property. Easements are being acquired from the State Land Board for installation.

This request meets the criteria for approval outlined in Section 5.3.5 of the El Paso County Land Development Code by the following:

- The application is in general conformance with the County Master Plan and previous county approvals; in this case residential land uses.
- The proposed Land Use and Zone District is compatible with the existing and permitted land uses in the area.
- The site is suitable for the intended use.

This request meets the criteria for approval outlined in Section 7.2.1 of the El Paso County Land Development Code by the following:

Bradley and Powers; Parcels P-17 and P-18

- The application for Sketch Plan Amendment is in conformance with the County Master Plan.
- The Sketch Plan Amendment is in conformance with the proposed land use for these parcels.
- The proposed subdivision is on vacant land and surrounded by vacant land, however, the proposed subdivision is consistent with the adjacent proposed Bradley Heights as approved by the City of Colorado Springs.
- The proposed water supply is adequate and will be provided by the Widefield Water and Sanitation District. Water lines will be extended from Fontaine Boulevard to the property for service.
- The proposed sewage disposal is to be provided by the Widefield Water and Sanitation District. Sewer lines will be extended from Fontaine Boulevard to the property for service

- Adequate drainage solutions are provided and follow MDDP and DBPS recommendations.
- Necessary services (fire protection, police, recreation, utilities) have been provided and will continue to be provided by Widefield Water and Sanitation District, El Paso County, City of Colorado Springs (gas) and Mountain View Electric (electricity).
- Fire Protection will be provided by the Security Fire Protection District. The property is within the Security Fire Protection District response area and a petition is in process to include the property within the actual boundaries of the Security Fire Protection District.
- Offsite impacts are minimal and will be mitigated as part of construction.
- Adequate public facilities and infrastructure are provided or will be extended.
- The proposed Amendment meets all other El Paso County criteria.
- No mineral extraction is planned for this site.

### **Existing and Proposed Facilities:**

#### **Powers and Bradley; Parcels P-17 and P-18**

The site currently is vacant. Proposed services in the development include the following:

- Water/Sewer-Widefield Water and Sanitation District
- Electric Service-Mountain View Electric
- Natural Gas Service – City of Colorado Springs
- Telephone Service – Century Link
- Fire Protection – Security Fire Protection District

The applicant anticipates county approval of Water Quality and Sufficiency at Final Plat approval.

#### **Offsite Improvements**

Extension of Water and Sewer lines from Fontaine Boulevard north and construction of a Potable Water Booster Pump station on Parcel P-18 to boost water pressure to serve the upper elevation zones of Phases II, III and IV.

#### ***Trails:***

The applicant has met with El Paso County Parks Department to discuss proposed trails. Since the last Sketch Plan Amendment, the Parks Department has adopted a trail Masterplan.

The EPC Master Plan shows a trail extension along the east side of Powers Boulevard south of Bradley Road and along the south side of Bradley Road east from Powers

Boulevard in Parcels P-17 and P-18. During the meeting El Paso County staff indicated that their intent was to incorporate those trails as part of sidewalk improvements within or adjacent to r.o.w. with no additional trail corridor dedication required.

The applicant is not opposed to trails within the development and sees them as a community enhancement. The applicant intends to provide a trail corridor adjacent to the r.o.w. for both of these trails and if necessary, with cooperation of the Parks Department, provide Maintenance through the Waterview II Metropolitan District. As development moves forward these trails will be incorporated into Preliminary plans and Final Plats

### **Impact Identification:**

#### Wildlife

##### *Powers and Bradley; Parcels P-17 and P-18*

Preexisting wildlife habitats and migration routes are noted for Pronghorn and the usual prairie animals. This site has existing Bradley Road to the north and Powers Boulevard to the west. Wildlife impact to the area has already occurred due to these existing roads. However, development is limited to the south and to the east of the proposed development in these parcels. Based on this limited development, county staff has requested more extensive wildlife study of these Parcels. A wildlife study was commissioned and completed and has been submitted as part of the Preliminary Plan submittal and can be reviewed as part of that land use application.

#### Colorado Springs Airport

The applicant has met with Colorado Springs Airport staff to discuss the Waterview Sketch Plan Amendment particularly concerning the east half of the application. The primary discussion point concerning the application had to do with the Airports plans to upgrade their landing lights for the east runway; the east runway is roughly in line with Powers Boulevard immediately west of Parcels P-17 and P-18. The new lighting system will be more powerful than the existing system and the airport is concerned that the strobe function of the lighting system could be detected in the development.

The airport indicated that the following steps could be taken to mitigate any effects from the strobe runway lighting:

1. Installation of landscaping (evergreen) and/or other barriers (berming/fencing) perpendicular to the runway.
2. Orientation of housing to account for runway lights.
3. Addition of plat notes indicating proximity to the airport.

The applicant notes the following in coordination with airport concerns.

1. The applicant will be installing berming, fencing and landscaping adjacent to Bradley Road on the north boundary of Parcel P-18, the proposed residential development. This

happens to be perpendicular to the runway, at the higher elevations of the development, and in coordination with El Paso County, will emphasis evergreen trees.

2. The applicant will continue to consider the airport concerns as development progresses particularly in reducing the potential effects of the runway lighting by placement of landscaping and house orientation internal to the residential development.

3. The following language, suggested by the Airport Staff, will be incorporated on the plat in coordination with El Paso County review and approval:

*The development and its occupants may be impacted by air illumination or approach lighting systems that use medium and high-intensity lights to guide aircraft to the runway centerline used for navigation or flight in air.*

In addition to the above the applicant would like to state the following concerning mitigation of the runway lighting:

1. The proposed residential development in Parcel P-18 is in excess of a mile from the runway and east of the runway alignment.

2. The existing terrain works in favor of the development in that north of Bradley Road, between the development and the airport, is a hill in excess of 60 ft. that can help mitigate any effect of the runway lighting. In addition, the residential development slopes away from the airport and drops an additional 70 to 120 ft. below Bradley Road elevations.

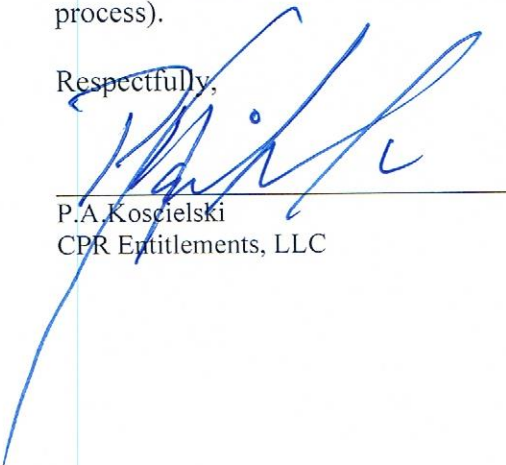
In addition to the runway lighting, the airport staff indicated that they had concern over locating a Recreation facility within the APZ-1 Zone. The applicant has removed that facility from the Sketch Plan Amendment.

The final thoughts passed on by the airport staff included support of the Waterview development, particularly the residential development, in that the airport is implementing commercial development on the southern reaches of the airport property just north of Powers Boulevard and believed simultaneous residential development in Waterview would bring synergy to south central El Paso County.

**Waiver/Deviation Requests:**

Parcels P-17 and P-18; Access points/locations internal to development (approval in process).

Respectfully,



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P.A. Koscielski  
CPR Entitlements, LLC