



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT  
Land Use Review Division

November 22, 2019

February 18, 2020 – Second Review

Land Patterns Inc.  
Dave Morrison  
P.O. Box 60112  
Colorado Springs, CO 80960

Owner: Challenger Communities, Jim Byers

**RE: Sorpresa East Annexation and Development Review**  
**Files: CPC A 19-00068, CPC PUZ 19-00138, CPC PUP 19-00139**

Dear Mr. Morrison,

City Land Use Review staff has completed its review of the above requested application. This letter is to inform you of the following concerns regarding the application and associated documents. Listed below are City Planning Department's review comments along with other departmental and external agency review comments that must be addressed prior to application approval.

**TECHNICAL AND INFORMATIONAL ISSUES**

Address the comments and make corrections which are listed below. **A detailed letter needs to accompany the revisions. The letter must address each comment in this review letter. If necessary, contact the appropriate department directly if clarification is needed.** Be advised that due to necessary changes or proposed revisions to the subject plan, plat or other support documents, that new comments may be added to the review letter. Please resubmit updated documents to the Dropbox shared folder (ensure documents are labeled with appropriate resubmittal name, are flattened and saved no larger than 25MB).

**Supplemental Information**

**Public Notice:** Several comments from surrounding neighbors have been provided through this second review and following the neighborhood meeting. Please review and prepare a separate response letter to the citizen comments. All correspondence that additionally happened with City Staff and neighbors to resolve some questions is also included.

## ANNEXATION

---

### Land Use Review

City Surveyor (Cory Sharp)

Informational correction: Please add "a Colorado Limited Liability Company" following Challenger Communities, LLC under be it known by these presents.

### **Annexation Notes:**

Information Items:

- **The first draft Annexation Agreement will be supplied by staff to the owner after the 2<sup>nd</sup> review of the Land Use applications. This will establish further details for contributions beyond those identified in this letter.**
  - Colorado Springs Fire Department will include standard fees as part of this annexation agreement. These will be required at time of annexation recordation.
  - Colorado Springs Police Department will include standard fees as of this annexation agreement. These fees are due at time of annexation plat recordation.
- The subject property is identified not being part of the Southeastern Colorado Water Conservancy District (SECWCD) at this time. This form was processed through the City to the SECWCD for review and acceptance by the Bureau of Reclamation. Acceptance by the Bureau is required prior to moving items forward to public hearing.
  - The Owner is responsible for providing staff with a copy of the Letter of Inclusion from the Southeastern Water Conservancy District once received. This letter will need to be submitted to staff prior to scheduling for City Council hearing on this annexation.
- In accordance with the Southeastern Colorado Water Conservancy District the owner shall supply the Southeastern District and Bureau of Reclamation the final ordinance from the City of Colorado Springs after approval.
- The Mineral Estate Owner Notification Certification Affidavit will need to be submitted and notification give to mineral owner of public hearing per this process.
- The City will complete a Fiscal Impact Analysis (FIA) as part of the annexation review. This is completed by the City Finance Department and is required to be complete prior to public hearing. These findings will be presented to City Council as part of the annexation.

### Utilities (Kyle Schelhaas, [kschelhaas@csu.org](mailto:kschelhaas@csu.org))

#### **Action Items:**

1. Unless otherwise approved by CSU, the Owner must provide an inventory of well permits and water rights with documentation from the Colorado Division of Water Resources (or other source) identifying all of the Owner's known water rights or deeds associated with the property to be annexed (Property). If the Owner does not have any water rights, then the Owner must provide a letter stating such. – **Not addressed**

### Water Resource Engineering (Anna Bergmark, 719-385-5613)

1. **The Final Drainage Report for this project lists the area labeled as "Ski Lane, no recording information known" as "30' Public ROW (Book 1573, Page 596). This does not affect the review from a drainage standpoint, but the documents should be consistent.**

### El Paso County Development Services (Gabe Sevigny)

Please see enclosed updated comment letter.

## ZONE CHANGE

---

### Land Use Review (Katie Carleo)

1. As a PUD zone district the height, type and density needs to be defined. As a PUD ordinance this would read as (ex.) Planned Unit Development (PUD); single-family detached, xx DU/AC, 35-foot maximum height with Airport Overlay. Please clarify density so this can be included in zoning.
  - a. Add zoning description, Planned Unit Development (PUD); etc. to this exhibit. – Partially addressed, please remove anything with CAD; this should only read as PUD-AO

### Airport Overlay, Colorado Springs Airport (Kris Andrews)

Pending comments from review with the Airport Advisory Commission which will be held February 26, 2020

## CONCEPT PLAN

---

### Land Use Review (Katie Carleo)

1. Show and label all ROW (City and County) and easements along Sorpresa Lane.
2. File Number – add the file number to each sheet of the plan – Not addressed
3. Site Data – add or correct the following to the site data on sheet one of the plan:
  - a. Detail a PUD zone district height/type/density note – Partially addressed, remove any CAD notation
4. Label street names (Public Safety will have another review once these are added) – Label as private streets
5. Staff understands streets are intended to all be private, the streets should be shown in tracts identified and noted as private roads. – Add to Note 2 that the private streets will be dedicated by plat for public use in addition to what you have stated for O&M
6. General Notes
  - a. Further notes on access may be needed. An agreement to be established with property owner to the east and west will be required to be recorded and agreement note should be updated with recordation information. Provide staff with a copy of this access agreement. City Planning Staff is also engaged with the City Attorney's Office to ensure the appropriate approach for the access granted.- Not addressed, should include recordation number to private access agreement that is recorded. Please also provide a copy of the recorded agreement to staff.
  - b. Please add/revise a plan note to read as follows:

“NO DIRECT VEHICULAR ACCESS SHALL BE ALLOWED ONTO SKI LANE FROM THE PARCEL(S) WITHIN THIS DEVELOPMENT.” – Staff recognizes the resolution proposed with the addition of Note 5, however; please clarify how the restriction of access noted is intended to be executed. Will there be a gate/lockbox; has this been discussed with CSFD? Or is the intent for this to be managed with signs at this location and enforced by the HOA? Please update note to what will be installed at this location.

    - i. In addition please modify the access arrow at this location and made a call out on the site plan referencing note 5.

### City Surveyor (Cory Sharp)

1. To the north of the project area are shown open circles and darken circles which appear to be monuments that can be removed. Not addressed: To the north of the project area are shown open circles and darken circles which appear to be monuments that can be removed.
2. In regards to the note for "access easements and agreements": do the easements need to be depicted and noted on the development plan and final plat? (See Planning comment above) Partially addressed: the access agreement

to be established for the western property owners as well as the eastern property owner (General Note 1) should include the recordation number to the private access easements to be established.

**Engineering Development Review (Joel Dagnillo, 719-385-5412)**

1. Per recent discussions, show Sorpresa Lane with a 36' wide pavement section east of De Anza Trail.
2. Call out specific design and public improvement details along Sorpresa on the forthcoming development plan. EDR will ask for curb and gutter and 5' attached or detached sidewalks on each side of the section of Sorpresa that is to be built. In addition, the mailbox just to the west of the hairpin turn on the south of Sorpresa will have to be moved back a few feet so it is not hanging in the street.

**Water Resource Engineering (Anna Bergmark, 719-385-5613)**

A final Drainage Report was reviewed and returned to the engineer. Comments on the Final Drainage Report should not affect the Concept Plan. The Concept Plan is still showing the proposed water quality/detention pond being located on the west side within parcel B. Based on conversations with the applicant and responses to review comments, this pond will be removed and the entire site drained to the northern pond. The concept plan needs to be updated to reflect this change and the drainage report resubmitted. A Concept Plan requires, at a minimum, a preliminary drainage report that supports what is being proposed.

**Airport Overlay, Colorado Springs Airport (Kris Andrews)**

Pending comments from review with the Airport Advisory Commission on February 26, 2020

Please note that failure to submit revised plans/reports/information within 180 days will result in your application being formally withdrawn from consideration. Once withdrawn, any subsequent re-submittal will require the filing of a new application and payment of application fees.

If you have any questions please contact me at [katie.carleo@coloradosprings.gov](mailto:katie.carleo@coloradosprings.gov) or by phone at 719-385-5060.



Catherine Carleo, AICP  
Principal Planner  
p: 719.385.5060  
e: [katie.carleo@coloradosprings.gov](mailto:katie.carleo@coloradosprings.gov)

C: File  
Property Owner

Enclosure: Written comments received from neighbors  
El Paso County Comment Letter