

9 March 2020

Katie Carleo, Principal Planner  
City of Colorado Springs  
Planning & Development Department  
Land Use Review  
30 S. Nevada Ave. Suite 701  
Colorado Springs, CO 80903

RE: Sorpresa East Annexation and Development Review; Sorpresa East Filing No. 1  
Files: CPC A 19-00068, CPC PUZ 19-00138, CPC PUP 19-00139.

Dear Ms. Carleo:

The Sorpresa East Annexation and Development Review; Sorpresa East Filing No. 1  
Files: CPC A 19-00068, CPC PUZ 19-00138, and CPC PUP 19-00139 have been  
corrected to address your review comments dated February 18, 2020. We have included  
the following responses.

A separate letter responding to citizens comments received after the second submittal  
and neighborhood meeting is included as part of the re-submittal package.

### 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.

*Response: Acknowledged. A separate response letter addressing citizens comments is  
included in the re-submittal package.*

### 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.

*Response: The notation has been corrected on the Annexation Plat*

#### Annexation Notes:

Information Items:

- The first draft Annexation Agreement will be supplied by staff to the owner after the  
2nd review of the Land Use applications. This will establish further details for  
contributions beyond those identified in this letter.  
*Response: Acknowledged. The Annexation Agreement (edited version) is attached to  
the re-submittal documents*
- Colorado Springs Fire Department will include standard fees as part of this  
annexation agreement. These will be required at time of annexation recordation.  
*Response: Acknowledged.*
- Colorado Springs Police Department will include standard fees as of this  
annexation agreement. These fees are due at time of annexation plat  
recordation.  
*Response: Acknowledged.*
- 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.

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719 578-8689 phone  
d.t.m@lplarch.com

*Response: The inclusion letter from SECWCD, dated 1-14-20, is included in the resubmittal.*

- The Owner is responsible for providing staff with a copy of the Letter of Inclusion from the Southeastern Water Conservatory District once received. This letter will need to be submitted to staff prior to scheduling for City Council hearing on this annexation.

*Response: The inclusion letter from SECWC, dated 1-14-20, is included in the resubmittal. The applicant request further instructions from the planner should additional information be required.*

- 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.

*Response: Acknowledged.*

- The Mineral Estate Owner Notification Certification Affidavit will need to be submitted and notification give to mineral owner of public hearing per this process.

*Response: Mineral estate Owner Notification Certification Affidavit, previously submitted, is included in the re-submittal package. The applicant request further instructions from the planner should additional information be required.*

- 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.

*Response: The applicant requests the status of the FIA. The applicant has not received further instructions from the planner.*

#### **Utilities (Kyle Schelhaas, 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

*Response: Kyle Schelhaas responded on February 25, 2020 (his response is attached with the re-submittal) and accepted the Water Rights letter and has accepted it as sufficient to address the requirement.*

#### **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.

*Response: The reception number has been corrected on the revised/re-submitted preliminary Drainage Report*

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

Please see enclosed updated comment letter.

*Response: See letter attached with responses.*

### **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  
*Response: The proposed zoning label has been corrected.*

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

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

*Response: Acknowledged. Please forward comments to applicant once received from Airport Advisory Commission. As of this date the applicant has not received CSA comments*

**CONCEPT PLAN**

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Land Use Review (Katie Carleo)

- 1. Show and label all ROW (City and County) and easements along Sorpresa Lane.  
*Response: All ROW and easements have been labeled along Sorpresa Lane.*
- 2. File Number – add the file number to each sheet of the plan – Not addressed  
*Response: the file number has been added to the Concept Plan Sheet*
- 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.  
*Response: the CAD notation has been removed.*
- 4. Label street names (Public Safety will have another review once these are added) – Label as private streets  
*Response: Privet street names have been approved by Public Safety and added to the Concept Plan.*
- 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  
*Response: Note 2 has been amended to include the requested notation that all private streets will be dedicated by plat for public use.*
- 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.  
*Response: The notation has been corrected to allow for the recordation number to be added after the document is recorded. Once recorded, a copy of the document will be submitted 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.

Response: A secondary fire access, triggered by the built out of more than 50 lots, will occur at the intersection of Ski Lane and the extension of William Lake View. The tract will serve as a secondary emergency access for fire truck access only and be controlled by 'DO NOT ENTER - EMERGENCY ACCESS ONLY' signs located at the intersection of Lathrop View and William Lake View thus restricting the use by the Sorpresa East NO. 1 residents. William Lake View will be dedicated by plat for public use and therefore the 3 county parcels to the west will have full use of the private drive. See General Note #6 - Concept Plan and plan notes.

**City Surveyor (Cory Sharp)**

1. To the north of the project area are shown open circles and darkened circles which appear to be monuments that can be removed. Not addressed: To the north of the project area are shown open circles and darkened circles which appear to be monuments that can be removed.

*Response: Circles removed from the plans*

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.

*Response:*

*General Note # 1 refers to an access agreement between the developer and the property to the east. The note has been amended to include a recordation number which will be added after the document is recorded. The easement will be depicted on the Development Plan and Final Plat.*

A secondary fire access, triggered by the built out of more than 50 lots, will occur at the intersection of Ski Lane and the extension of William Lake View. The tract will serve as a secondary emergency access for fire truck access only and be controlled by 'DO NOT ENTER - EMERGENCY ACCESS ONLY' signs located at the intersection of Lathrop View and William Lake View thus restricting the use by the Sorpresa East NO. 1 residents. William Lake View will be dedicated by plat for public use and therefore the 3 county parcels to the west will have full use of the private drive. See General Note #6 - Concept Plan

*The county properties have access to Sorpresa Lane (public ROW) via Ski Lane. Ski Lane is an easement allowing cross access for the county parcels including parcel B and C of the Sorpresa East No. 1 development. This easement is owned and controlled by Woodmen Heights Metropolitan District. Therefore, no access agreement is necessary between the county parcels to the west and the developer.*

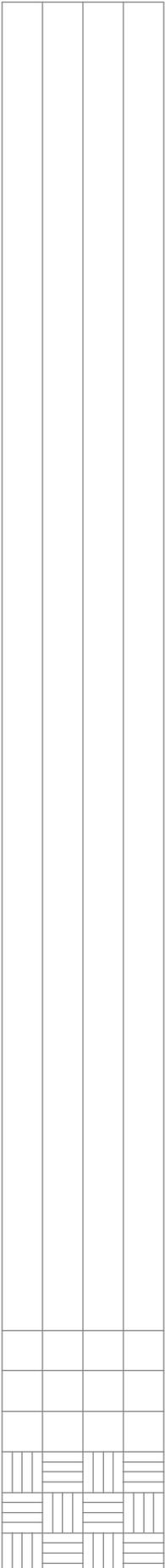
**Engineering Development Review (Joel Dagnillo, 719-385-5412)**

1. Per recent discussions, show Sorpresa Lane with a 36' wide pavement section east of De Anza Trail.

*Response: Sorpresa Lane, between Da Anza Trail and the eastern property has been widened to 36' width. The south curb line, in order to accommodate the 'Sorpresa Ramp', tapers from ramp access to the east property line edge to a full 36' width (See plans).*

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.

*Response: The developer will provide Sorpresa Lane improvements between Da Anza Peak Trail to the east property line including: a 36' pavement width (tapered*



from the Sopresa Ramp access point), curb and gutter and a detached sidewalk along the south side of the improvement. The developers of Cumbre Vista side of the street (north side) should be responsible for their side of the public ROW. These improvements will be illustrated on the forthcoming development plan.

The request that the mailboxes be moved should be at the request of the City and conveyed to the mailbox owners.

**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.

*Response: A 2<sup>nd</sup> revised Preliminary Drainage report (along with the revised concept plan) is being re-submitted directly to WRE and uploaded to the City Dropbox.*

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

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

*Response: As of this date, the applicant has not received AAC comment.*

With the resubmittal of the application, supporting documents and addressing all of City Review comments, per the City review letter dated February 18, 2020, the applicant requests approval of the Sopresa East Annexation CPC A 19-00068, Zone Change CPC PUZ 19-00138, and Concept Plan (CPC PUP 19-00139). Should you require additional information please do not hesitate to contact me at 719.578.8689.

Respectfully Submitted,  
**Land Patterns, Inc.**



David Morrison, MLA, RLA  
President

