

Letter of Intent
Waterview 2020 Sketch Plan Amendment

6/20

Owners: Rankin Holdings, LP
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Colorado Springs, CO 80903

CPR Entitlements, LLC
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Applicant: CPR Entitlements, LLC
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Tax Schedule Nos.: 5500000332, 5500000413, 5500000414

Site Information:

The Waterview Sketch Plan was most recently amended in late 2018. That amendment addressed changes in land use for parcels P-17 and P-18. This proposed amendment to the Waterview Sketch Plan is focused specifically to the two parcels at the northeast corner of Bradley Road and Powers Boulevard; Parcels P-14 and P-15, and the P-17 parcel on the southeast corner of Bradley Road and Powers Boulevard.

Parcels P-14 and P-15 are currently proposed as Industrial and Commercial uses respectively. The proposed uses identified in the requested Sketch Plan Amendment keep the Industrial and Commercial uses, however, the acreages have been adjusted primarily to include an area of new Single-Family Residential land use under new parcel P-19. This application is for changing 52.9 acres of the Industrial to Single-Family Residential and 16.1 acres of Commercial to Single-Family Residential. This would change the use acreage of the 81.4 acres to 28.5 acres of Industrial and 34.7 acres to 18.6 acres of Commercial, allowing for 69.4 acres of Single-Family Residential.

Parcel P-17 is currently zoned as Commercial use. The proposed use identified in the requested Sketch Plan Amendment changes 5.2 acres from Commercial to Multi-Family Residential land use under new parcel P-21.

The Industrial area of P-14 is wholly contained within the APZ-1 Airport overlay area while the Commercial area of P-15 includes the remaining area of the APZ-1 Airport overlay area

as commercial with some additional area to the east included to accommodate the full movement access.

The Commercial area of P-17 continues to include all of the APZ-1 Airport overlay area as commercial with some additional area to the east included to accommodate the full movement access.

The legal description of the area North of Bradley Road (P-14, P-15 and P-19) is as follows:

LEGAL DESCRIPTION (WATERVIEW NORTH)

A TRACT OF LAND LOCATED IN A PORTION OF SECTION 8 AND SECTION 9, BOTH IN TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH 1/4 CORNER OF SAID SECTION 9;

THENCE S00°19'32"E ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 9, A DISTANCE OF 1404.24 FEET TO A POINT ON THE NORTHERLY 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 SEVEN (7) COURSES ARE ON SAID RIGHT-OF-WAY LINE AND THE NORTHEASTERLY RIGHT-OF-WAY LINE OF POWERS BOULEVARD DESCRIBED IN SAID BOOK 5307 AT PAGE 1472 (NOW HIGHWAY 21):

- 1) THENCE S89°30'29"W A DISTANCE OF 4.29 FEET TO A POINT OF CURVE TO THE LEFT;
- 2) THENCE ON SAID CURVE, HAVING A RADIUS OF 2969.79 FEET, AN ARC LENGTH OF 785.85 FEET, A DELTA ANGLE OF 15°09'41", WHOSE LONG CHORD BEARS S81°55'38"W A DISTANCE OF 783.56 FEET;
- 3) THENCE S74°20'48"W A DISTANCE OF 952.02 FEET TO A POINT OF CURVE TO THE RIGHT;
- 4) THENCE ON SAID CURVE, HAVING A RADIUS OF 2759.79 FEET, AN ARC LENGTH OF 625.43 FEET, A DELTA ANGLE OF 12°59'05", WHOSE LONG CHORD BEARS S80°50'19"W A DISTANCE OF 624.10 FEET;
- 5) THENCE S87°19'53"W A DISTANCE OF 64.33 FEET TO A POINT OF CURVE TO THE RIGHT;
- 6) THENCE ON SAID CURVE, HAVING A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 216.56 FEET, A DELTA ANGLE OF 82°43'14", WHOSE LONG CHORD BEARS N 51°18'28" W A DISTANCE OF 198.24 FEET TO A POINT OF REVERSE CURVE TO THE LEFT;
- 7) THENCE ON SAID CURVE, HAVING A RADIUS OF 2105.00 FEET; AN ARC LENGTH OF 2947.69 FEET, A DELTA ANGLE OF 80°13'57", WHOSE LONG

CHORD BEARS N50°03'51"W A DISTANCE OF 2712.68 FEET TO THE NORTH LINE OF THE NE ¼ OF SAID SECTION 8;

THENCE N89°34'04"E ON SAID NORTH LINE, A DISTANCE OF 1967.80 FEET TO THE NE CORNER OF SAID SECTION 8;

THENCE S89°51'23"E ON THE NORTH LINE OF THE NW ¼ OF SAID SECTION 9, A DISTANCE OF 2636.19 FEET TO THE POINT OF BEGINNING.
PARCEL CONTAINS 5,075,954 SQUARE FEET OR 116.528 ACRES MORE OR LESS

The legal description of the area south of Bradley Road (P-21) is as follows:

LEGAL DESCRIPTION:

KNOW ALL MEN BY THESE PRESENTS:

THAT WATERVIEW INVESTMENTS LLC, BEING THE OWNER OF THE FOLLOWING DESCRIBED PARCEL OF LAND:

THAT INCLUDES: A TRACT OF LAND LOCATED IN A PORTION OF SECTION 19, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 65th 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 A POINT ON THE SOUTHERLY R.O.W. LINE OF BRADLEY ROAD AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY AND A POINT ON A NON-TANGENT CURVE TO THE LEFT:

THE FOLLOWING 2 COURSES ARE ALONG THE SAID SOUTHERLY R.O.W. LINE OF BRADLEY ROAD.

THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, WITH A RADIUS OF 2759.79 FEET, A DELTA ANGLE OF 15°09'41", 730.29' ALONG THE SAID SOUTHERLY R.O.W. LINE;

THENCE S74°20'48"W A DISTANCE OF 385.54 FEET ALONG THE SAID SOUTHERLY R.O.W. LINE TO THE POINT OF BEGINNING OF THIS DESCRIPTION:

THENCE S15°39'12"E A DISTANCE OF 470.00 FEET;

THENCE S74°20'48"W A DISTANCE OF 484.60 FEET;

THENCE N15°39'12"W A DISTANCE OF 470.00 FEET TO A POINT ON THE SOUTHERLY R.O.W. LINE OF BRADLEY ROAD AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY;

THENCE N74°20'48"E A DISTANCE OF 484.60 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE TRACT OF LAND CONTAINS 5.23 ACRES, MORE OR LESS.

The proposed Commercial acreage for parcel P-17 has decreased to allow for the creation of Parcel P-21. The proposed density for parcel P-21 is 12 du/ac allowing for a maximum of 120 units. The proposed Industrial and Commercial acreage for parcels P-14 and P-15 has decreased to allow for the creation of Parcel P-19. The proposed density range for parcel P-19 is 6-20 du/ac allowing for a maximum of 850 units; an average density of 12.3 du/ac.

Request and Reason:

To approve an Amendment to the Waterview Sketch Plan. This approval will allow the inclusion of two (2) new parcels with Single- and Multi-Family Residential uses. 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-14, P-15, P-17, P-19 and P-21

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; Parcel P-14, P-15, P-17, P-19 and P-21

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 the development currently underway on Parcel P-18.

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

Bradley and Powers; Parcel P-14, P-15, P-17, P-19 and P-21

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-14, P-15, P-17, P-19 and P-21

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 was approved in 2015. Water and Sewer service will be provided by extending water and sewer lines from the development currently underway on Parcel P-18.

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; Parcel P-14, P-15, P-17, P-19 and P-21

- 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 the development currently underway on Parcel P-18.
- The proposed sewage disposal is to be provided by the Widefield Water and Sanitation District.
- 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:

Bradley and Powers; Parcel P-14, P-15, P-17, P-19 and P-21

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 and City of Colorado Springs
- 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 Preliminary Plan approval.

Offsite Improvements

Extension of Water and Sewer lines from the development currently underway on Parcel P-18.

Impact Identification:

Wildlife

Powers and Bradley; Parcels P-14, P-15 and P-19.

Preexisting wildlife habitats and migration routes are noted for the usual prairie animals. This site has existing Bradley Road to the south and Powers Boulevard to the west. Wildlife impact to the area has already occurred due to these existing roads. 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, the alignment goes through Parcel P-14, is immediately west of Parcel P-15 and approximately 600 ft. west of proposed Parcel P-19. Parcel P-19 is between 15 degrees and 45 degrees out of the alignment of the runway. 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, fencing and landscaping adjacent to the airport boundary on the north and west boundary of Parcel P-19, the proposed residential development. This somewhat 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-19 is 1/3 to 1/2 mile from the end of the runway and east of the runway alignment by 15 to 45 degrees.
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 the hill elevation.

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.