



**Re-Review Buckslip Distribution:**

<input checked="" type="checkbox"/>	Parks, Recreation, and Cultural Services Department (Connie Perry) – MP/ PUP	(Electronic)
<input checked="" type="checkbox"/>	Engineering Development Review Division (Patrick Morris) – A/ MP/ PUP Please see CGS comments and ensure these have been taken into consideration on resubmittal.	(Electronic)
<input checked="" type="checkbox"/>	City Fire Prevention Steve Smith – A/ MP/ PUP	(Electronic)
<input checked="" type="checkbox"/>	Traffic Engineering Division (Zaker Alazzeh) – MP/	(Electronic)
<input checked="" type="checkbox"/>	Colorado Springs Utilities (Kyle Schelhaas) – MP/ PUP	(Electronic)
<input checked="" type="checkbox"/>	City Licensed Surveyor (Cory Sharp) – A/ ZC	(Electronic)
<input checked="" type="checkbox"/>	Floodplain Administrator (Keith Curtis) - PUP	(Electronic)
<input checked="" type="checkbox"/>	Water Resource Engineering (Anna Bergmark) – MP/ PUP	(Electronic)
<input checked="" type="checkbox"/>	Land Use Review (Katie Carleo) – A/ MP/ PUP	(Electronic)
<input checked="" type="checkbox"/>	Woodmen Metro District (Kevin Walker)	(Electronic)
<input checked="" type="checkbox"/>	Falcon Fire District ( <a href="mailto:tharwig@falconfirepd.org">tharwig@falconfirepd.org</a> )	(Electronic)
<input checked="" type="checkbox"/>	City Police Department (Deputy Chief Adrian Vazquez, Nancy McCauley)	(Electronic)
<input checked="" type="checkbox"/>	El Paso County Development Services (Nina Ruiz, Elizabeth Nijkamp, Jennifer Irvine)	(Electronic)
	<b>ANNEXATION AGREEMENT LANGUAGE</b> Each agency below should respond to the annexation agreement sent separately with comments/ additions of language for this annexation agreement.	
	CS Fire Department (Steven Smith, Beth Conklin, Brett Lacey)	
	CS Police Department (Deputy Chief Adrian Vazquez, Nancy McCauley)	
	Colorado Springs Utilities (Bill Davis, Utilities Attorney)	
	Engineering Development Review (Jeff Bailey, Patrick Morris, Anna Bergmark)	
	Traffic Engineering (Todd Frisby, Zaker Alazzeh)	
	Parks and Recreation (Brit Haley, Connie Perry)	

From: (Katie Carleo)

**RE: Banning Lewis Ranch North**

**File: CPC A 19-00022, CPC MP 19-00123, CPC PUZ 19-00124, CPC PUP 19-00125**

**NOTE:** City Planning received the revised plans for the above project. To expedite the review of the plan and to ensure that my follow-up comments are provided to the applicant within two weeks, I request your re-review and revised comments no later than 5:00 P.M. **JANUARY 24, 2020.**

**Please also note that documents are uploaded in date order and attention should be paid to the most recent date for the appropriate document to be reviewed. Updated plan sets will be listed under the 'Drawing' heading.**

**SEVERAL SUPPORTING DOCUMENTS HAVE BEEN PROVIDED FOR OVERALL CLARIFICATION AND FURTHER DETAILS OF THIS PROJECT. THOSE ADDITIONAL DOCUMENTS ARE UPLOADED AS PART OF THE MASTER PLAN FILE, PLEASE REFERENCE THAT LISTING FOR ADDITION DOCUMENTS.**

**ANNEXATION AGREEMENT REVIEW**

Please note that with this second submittal the draft annexation agreement will also be provided to those agencies/reviewers listed above as our standard review for language of the agreement. This will be forwarded in a separate email to those agencies. Please respond for annexation agreement language along with the review of the supporting application.

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



PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT  
Land Use Review Division

October 14, 2019

N.E.S. Inc.  
Andrea Barlow  
619 N. Cascade Avenue, Suite 200  
Colorado Springs, CO 80903

Owner: BLH No 1,2, & 3 LLC

RE: **Banning Lewis Ranch North**  
File: **CPC A 19-00022, CPC MP 19-00123, CPC PUZ 19-00124, CPC PUP 19-00125**

Dear Mrs. Barlow,

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.

**BROAD PROJECT INPUT**

The proposed project is requested by BLH NO 1, 2, & 3 LLC Norwood Development Group, with representation by N.E.S. Inc., for approval of the annexation of property known as Banning Lewis Ranch North consisting of approximately 847.58 to be annexed to the City of Colorado Springs. If approved the proposed would allow for future development within the City. The site is currently zoned PUD/RR-5/CAD-O (Planned Unit Development, Rural Residential with Commercial Airport District) in El Paso County; the property is concurrently proposed for zone change in the City to PUD (Planned Unit Development). The property is located along the north and south side of Woodmen Road between Mohawk Road and Golden Sage Road. Staff finds that the application is largely acceptable; however, the following technical modifications must be completed.

**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

Posting Affidavit: Affidavit to be submitted to Planning pursuant to City Code Section 7.5.902

Public Notice: City staff has received public comment letters from surrounding property owners. Those letters are included with this review letter. Please address in a separate letter the comments and concerns from the enclosed public letters.

**ANNEXATION**

---

Land Use Review

1. It is listed that the Mayor is party to this annexation with a signature block on the annexation plat. Can you please confirm why this would be included, staff believes this would not be needed and should be removed.
2. Per C.R.S. annexation along an established ROW should bring that ROW into the City. With this the City has spoken with El Paso County and Golden Sage Road should be annexed with this annexation to include the intersection. We will need to discuss a logical section at which the annexation will end near this along Woodmen Road.
3. As part of this annexation please include the remaining portion of Woodmen Road west of the subject property that remains in El Paso County, this is to approximately Mustang Road.

City Surveyor

1. Please check the ownership, currently the Assessor shows several different ownerships including BLH No. 1 LLC, BLH No. 2 LLC, BLH No. 3 LLC and 2 parcels Board of County Commissioners of El Paso County. Please review and revise as appropriate.
2. Please revise the City approval to the following:  
City Approval:

On behalf of the City of Colorado Springs, the undersigned hereby approve for filing the accompanying annexation plat of "\_\_\_\_\_".

\_\_\_\_\_  
City Planning Director Date

\_\_\_\_\_  
City Engineer Date

The annexation of the real property shown on this plat is approved pursuant to an ordinance made and adopted by The City of Colorado Springs, El Paso County, Colorado, by actions of The City Council of The City of Colorado Springs at its meeting on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D.

\_\_\_\_\_  
City Clerk Date

3. Please add the City File No. CPC A 19-00022 in the lower right hand corner.
4. Please add "Fee: \_\_\_\_\_ Surcharge: \_\_\_\_\_" below Deputy in the Clerk and Records block.
5. Please check the date of preparation: November 6, 2018. Should it be revised to the latest submittal date?
6. Is the Mayor's signature necessary? If so please revise the dates.

**ANNEXATION INFORMATIONAL NOTES**

- o 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.

- The subject property is identified not being part of the Southeastern Colorado Water Conservancy District (SECWCD) at this time. The applicant/ owner shall complete the NEPA Questionnaire provided by staff and return the completed form to City staff. This form shall be 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.

**MINERAL ESTATE**

- The Mineral Estate Owner Notification Certification Affidavit shall be submitted to staff prior to public hearing.

**Parks and Recreation**

Standard comments shall apply as part of the annexation agreement. There may be the need for added language that may be added when the agreement is drafted after the comments provided below are addressed and reviewed.

**Engineering Development Review (Patrick Morris, 719-385-5075)**

1. Correctly identify the platted subdivisions along the southern boundary of this annexation. Banning Lewis Ranch Filing No. 15, 16A, 16B and 3

**Colorado Springs Fire Department (Steven Smith, 719-385-7362)**

In order to make a determination as to whether a fire station in this annexation is needed and where it might be located, a more detailed proposed road network plan is needed. This would include proposed collector streets and up. No local residential streets needed at this time.

**Colorado Springs Utilities (Kyle Schelhaas, 719-668-8126, kschelhaas@csu.org)**

There may be items with future comments to address or that may affect the annexation agreement.

**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.
2. Owner must confirm that Informational Items listed below have been reviewed, including Informational Items 1 and 2 below.

**Informational Items:**

1. If there are existing wells which are owned by the Owner, within the Property, then the existing wells must be plugged and abandoned at Owner's expense. The Owner shall provide CSU with documentation confirming that the existing wells have been plugged and abandoned in compliance with all applicable regulations, including regulations from the Colorado Division of Water Resources.
2. In order to receive water service from CSU, the Property must be included in the Southeastern Colorado Water Conservancy District (District). If the property is not within the District, then the Owner must receive consent from the Bureau of Reclamation (Bureau) for the Property to be included into District. The Bureau of Reclamation may require the Owner to provide the following confirmations for the subject annexation project.
  - Endangered Species Act - a letter or email from the Fish and Wildlife Department stating there are no Endangered Species within the Annexation Boundary.

- Clean Water Act - a letter or email from the Corp of Engineers stating that there are no wetlands within the Annexation Boundary.
- National Historic Preservation Act - a report that addresses the existence of any Native American Indian relics or buildings of historic significance (the report is to be completed by an Archaeologist that is approved Bureau of Reclamation). Once the Archaeologist is chosen, he/she must contact the Bureau for final instructions.

**Colorado Springs Police Department**

\*Comments pending

**El Paso County Development Services**

\*comments pending

Final comment letter will be issued and included with this review letter after an internal meeting with the agency. Letter included at this time is draft and further comments to follow.

**Woodmen Road Metro District**

\*Comments pending, not yet received

**Falcon Fire District**

\*Comments pending

**MASTER PLAN**

---

**Land Use Review**

1. File Number – add the file number to each sheet of the plan
2. Zoning –
  - a. Establishment of zoning shall include the Airport Overlay. Please reflect this in all places as listed for zoning.
  - b. As the property will be zoned with a single PUD to reflect use types as detailed in the Zoning and Design Standard please add a note with zoning to point to this document as the guiding zoning document
  - c. We will also ask for the zoning language to be added with the zoning information here. The ordinance would read: PUD (Planned Unit Development; Commercial, Industrial, Civic, Single-family Residential, Multi-family, Open Space, and Parks as defined by the Banning Lewis Ranch North Zoning and Design Standards with maximum residential density of 2800 dwelling units).
  - d. Add a place holder to add zoning ordinance number
3. Label Golden Sage Road and those roadways on the eastern side of the plan
4. Please clearly identify that the two parcels owned by the Board of County Commissioners of El Paso County are not part of this project.
5. Staff would ask for some further clarification to the roadway Haygor that is directly east of the subject property and how it is anticipated and entitled to be aligned for development in The Ranch. Staff has had preliminary discussions with El Paso County but City staff wants to ensure if the roadway is intended for a connection to The Ranch there is investigation of whether this roadway connection can be aligned as a connection into Banning Lewis Ranch North.

**Density and Edge Conditions**

6. Along with the zoning listed for properties surrounding the subject property please add the PUD details to include type and density for those parcels.

7. Per City Code 7.7.704.B.8 staff would like to see further investigation and alignment to indicate where the future street system will provide for connections to surrounding subdivisions.
8. Staff recognizes the approach to the densities located around the outer edge of the development. We support the higher densities shown across the southern boarder as this transitions with a similar land use pattern to the southern development occurring now. We also support the general density of the RVL across the northern, eastern, and western portions but here would like to ask that some further investigation and proposals be made to enhance a density transition to the surrounding county residential. Similar approaches to a City/County boarder throughout our jurisdiction include further rear yard setbacks or tracts that maintain a trail/ landscaped area as a relief and buffer to the urban density.

Please add the following general notes, these notes should be reflected on both the master plan and concept plan:

1. Please add notes to identify that the plan is in conformance with the Woodmen Road Access Plan and thus what access points are allowed under these provisions and restrictions.
2. Add a note that the regional trail along Woodmen Frontage Road will be established along the entirety of this roadway as a continued connection to trails establish by El Paso County existing both east and west from this property.
3. Please update the avigation note to read as follows: **THE PROPERTY BEING PLATTED HEREIN IN ITS ENTIRETY IS SUBJECT TO AN AVIGATION EASEMENT FOR PUBLIC AVIGATION PURPOSES. SAID EASEMENT SHALL BE CONSIDERED A PUBLIC EASEMENT AND SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED ON THE INSTRUMENT RECORDED AT RECEPTION NO. 217069667 OF THE RECORDS OF EL PASO COUNTY, COLORADO. ALL OTHER EASEMENTS OR INTERESTS OF RECORD AFFECTING ANY OF THE PLATTED PROPERTY DEPICTED HEREON SHALL NOT BE AFFECTED AND SHALL REMAIN IN FULL FORCE AND EFFECT. AVIGATION STATEMENT OF DEDICATION SHALL BE PRESENTED WITH ANY FUTURE PLAT FOR RECORDATION.**
4. Notes should be added to reflect Traffic Engineering's comments of obligations and triggers for traffic improvements. Some items are still being discussed to have a trigger and timing associated with the improvements and those items will need to be updated once timing is confirmed with Traffic Engineering.
5. Notes should be added to reflect information on the existing 300-foot easement and restrictions to construction allowed within this easement.

#### **Parks and Recreation (Connie Perry)**

1. Please provide a PLDO Summary chart outlining the calculated parkland obligation and parkland proposed to be credited to satisfy the obligation. This is commonly done using the Average Density for the residential areas. It might be easier to track if there were parcel numbers.
2. Under the current ordinance, the Master Plan and obligation figures are to go to the PRCS Advisory Board for presentation and approval over a two month schedule. Please respond when you would like to submit to PRCS staff so we can determine which Board meeting schedule will be appropriate.

#### **Engineering Development Review (Patrick Morris, 719-385-5075)**

1. Engineering Development Review initial review found the geological hazard report is acceptable. Add the geologic hazard report application form. The report will have to address any comments CGS may have prior to the approval of the report.
2. The geologic hazard report identified the following hazards: Hydrocompaction, loose soils, erosion, artificial fill, potentially expansive soils, seasonal and potentially seasonal shallow groundwater areas, springs, areas of ponding water. Update General Note 2, the geologic hazard disclosure statement.

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

See comments as part of the Concept Plan review and notes to be added.

#### **Colorado Springs Utilities (Kyle Schelhaas, 719-668-8126, kschelhaas@csu.org)**

### Project Specific Information Items:

1. Please be aware that the existing 300' electric easement does not allow any permanent structures within the easement. Also, if there is any proposed lighting it must be kept under 14' tall.
2. The full extent of the 300' easement is not shown on the concept plan; the easement extends to the East throughout the entire site.

### Information Items:

- Please contact Utilities Development Services (UDS) at 719.668.8111 for an estimate of development charges, fees, Recovery Agreement Charges or other utility related costs that may apply to this development.
  - In instances where metered water and/or wastewater connections existed on the property, please contact UDS to discuss distribution of Water and/or Wastewater Development Charges to eligible lots.
- When new water meters are proposed to serve the project or additional demand added to existing water meters, a Commercial Water Meter Sizing form will be required to be submitted to CSU prior to Service Contract issuance and building permit approval.
- CSU requires an Application for Gas and Electric Line Extension to be submitted along with a Load Data form or an Application for Gas Service Line Approval and/or Application for Elevated Pressure Approval prior to electric and natural gas system design for service to the project. Refer to the CSU Line Extension and Service Standards or contact Field Engineering at 719.668.4985.
- CSU may require an extension contract and payment of contributions-in-aid of construction (or a Revenue Guarantee Contract) for the extension of electric facilities needed to serve the development. Regarding natural gas extensions, CSU may require an extension contract and an advance payment for the estimated cost to construct the necessary gas extensions.
- Improvements, structures and trees must not be located directly over or within 6 feet of any underground gas or electric distribution facilities and shall not violate any provision of the National Electric Safety Code (NESC) or any applicable natural gas regulations or Colorado Springs Utilities' policies.
- Improvements, structures and trees shall not be located under any overhead utility facility, shall not violate NESC clearances, and shall not impair access or the ability to maintain utility facilities.
- Landscaping shall be designed to provide the required clearances for utility facilities, to allow continuous access for utility equipment, and to minimize conflicts with such facilities.
- Colorado Springs Utilities requires wastewater and water construction drawings when new wastewater and water facilities are proposed. Plans can be submitted electronically to Utilities Development Services via [www.csu.org](http://www.csu.org).
- The water distribution system facilities must meet the Colorado Springs Utilities' criteria for fire flow, water quality, service interruption and pressure. To meet service interruption criteria, no more than fifty (50) homes on a dead-end water main line are permitted. The static pressure of the water distribution system shall be a minimum of 60 psi. CSU will assess the need for a Water Quality Plan based on information presented in the Development Plan. CSU may require a new or updated Water Quality Plan where construction phasing or the water system design differ from the approved Development Plan.

### Traffic Engineering (Zaker Alazzeh)

Traffic Engineering agrees with the Traffic Impact Analysis (TIA) findings and recommendations.

1. The developer will be responsible to improve Woodmen Road to a six lanes cross section (three lanes in each direction between Golden Sage Road and the west property line of Parcel # 530000606) during the development of phase I.
2. The developer will be responsible for financial contribution toward the future improvements of Woodmen Road west of Parcel # 530000606. The city will prepare a cost estimate to determine the financial contribution amount required.

3. The developer will be responsible to construct Banning Lewis Parkway to the ultimate condition. The required cross section of Banning Lewis Parkway will be determined by the updated intermodal transportation plan.
4. The developer will be responsible to build the future signal at the intersection of Woodmen Road and Banning Lewis Parkway.
5. The developer will be responsible for any necessary signal improvements within the development vicinity.
6. The developer will be responsible to construct any warranted future turn lanes along Woodmen Road, Woodmen Frontage Road, Mohawk Road, and Golden Sage Road.

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

\*Comments pending

**Colorado Springs Fire Department (Steven Smith, 719-385-7362)**

In order to make a determination as to whether a fire station in this annexation is needed and where it might be located, a more detailed proposed road network plan is needed. This would include proposed collector streets and up. No local residential streets needed at this time.

**Colorado Springs Police Department**

\*Comments pending

**El Paso County Development Services**

\*comments pending

Final comment letter will be issued and included with this review letter after an internal meeting with the agency.

**Woodmen Road Metro District**

\*Comments pending not yet received

**School District 49**

\*Comments pending, not yet received

**Colorado Geological Survey (Jonathan Lovekin)**

Comment letter received by Colorado Geological Survey which is enclosed with this review letter.

**PUD CONCEPT PLAN**

---

**Land Use Review**

1. File Number – add the file number to each sheet of the plan
2. Update the zoning to include the ordinance language (see above in notes) for the PUD
3. Include a section to be filled in with the zoning ordinance number
4. Maximum dwelling units: can you add a note here that states the range but that an overall cap for the entirety of the concept plan area will be the 2800
5. Update the Commercial land use category if the intent is to include office; please list both.
  - a. For the 3.1 acres of possible industrial staff would rather see a note added for that land use segment that industrial is allowed, but still classify as the commercial/ office.

**Parks and Recreation (Connie Perry)**

1. Please show all City public trails on this plan, such as the Woodmen Trail.

**Engineering Development Review (Patrick Morris, 719-385-5075)**

Same comments apply from above Master Plan section.

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

1. The Concept Plan needs to include a note that reflects the requirements for future drainage studies. SWENT suggests the following: "A Master Development Drainage Plan (MDDP) will be required to be submitted with the first development plan. The MDDP will analyze the area within the development plan boundary along with all area outside the boundary that is tributary to the site or any proposed permanent water quality/detention facility."
2. The Concept Plan needs to include the following note: "Full Spectrum Detention will be required for the entire area within the concept plan. All drainage design will be required to meet the current standards at the time of development"

**Informational Comments:**

- A Preliminary Drainage Report has been submitted (10/14/19) to support the Concept Plan. It will be reviewed and returned to the engineer. Should any comments arise that affect the Concept Plan, Planning and the engineer will be notified immediately.
- Previously Submitted Comments (10/2/19), these were modified based on subsequent meetings with the engineer
- As discussed in the March 2019 meeting, a Master Development Drainage Plan will be required to support the Concept Plan and the Master Plan.

**Colorado Springs Utilities (Kyle Schelhaas, 719-668-8126, kschelhaas@csu.org)**

Same comments apply from above Master Plan section.

**Traffic Engineering (Zaker Alazzeh)**

Same comments apply from above Master Plan section.

**Colorado Springs Fire Department (Steven Smith, 719-385-7362)**

Same comments apply from above Master Plan section.

**Floodplain Administrator (Keith Curtis)**

Portions of this property are within FEMA zone A. The following provisions apply:

- FEMA approved base flood elevation data and 100-year floodplain boundaries shall be provided and shown on plat;
- If subdivision proposals are located within three hundred feet (300') of a zone A floodplain, FEMA approved base flood elevations and boundaries are required to be determined and shown on plat, or provide a floodplain certification letter by a professional engineer or architect licensed by the State of Colorado, stating that "Based on field verified characteristics of the property (topography, etc.), the property is reasonably safe from flooding and to the best of the engineer's knowledge if the 100-year floodplain were studied it would not enter the property in question". – Planning staff would ask for this item to be reflected as a note on the Concept Plan general notes.

**Comcast Cable Engineering (Jason Jacobsen)**

1. Comcast has UG Fiber Optic facility on the south side of Woodmen Rd running through the project area.

---

**PUD ZONE CHANGE**

**Land Use Review**

\*pending final confirmation

1. This PUD will be established with an Airport Overlay, please label and reflect this information in all places appropriate for labeling of zoning.
2. PUD (Planned Unit Development; Commercial, Industrial, Civic, Single-family Residential, Multi-family, Open Space, and Parks as defined by the Banning Lewis Ranch North Zoning and Design Standards with maximum residential density of 2800 dwelling units) along with the conditions of record to include
  - a. Land use establishment shall comply with the Banning Lewis Ranch North Master Plan
  - b. All development shall comply with the Banning Lewis Ranch North PUD Concept Plan

#### PUD Zoning and Design Guidelines

3. Staff would suggest that the introduction information as part of this guideline be updated as to read with general information about the project but not as a project statement would so as it does not become dated as soon as it is approved. Can we update to read more factual statements as annexation and applications are approved rather than information on the applications being submitted as the project statement details.
4. Update (page 5) as the Annexation Plan 2006 is not part of the Comprehensive Plan. PlanCOS should be the only mention related to comprehensive plans, and the Annexation Plan is a standalone adopted document.
5. All reference should be to PlanCOS rather than the Comprehensive Plan
6. Staff would suggest removing the concept plan from the guidelines and rather referencing the master plan and concept plan. Since these documents may have alterations in the future staff suggests not having it as part of the zoning guidelines as to not have the zoning need updating.
7. Exhibit C: Standards
  - a. Please label commercial the same across all documents, here it is labeled as community commercial which is not a City use category
  - b. Please give further justification on the parking allocation for guest parking in the RM and RH use categories.
  - c. COMMON OPEN SPACE: Staff would understand the open space note to be reflective of something similar to current small lot PUD guidelines. Staff appreciates and recognizes setting this standard but will need some further clarification and updates to be included:
    - i. There should be a standard set for the common usable open space to be provided. Please define this in reference to minimum lot sizes. Also add a note that this will be calculated on an average of lot size within any one development plan area.
    - ii. Include information that required landscape setbacks and buffers and landscaped front yard areas are not counted in meeting common open space areas.
    - iii. The possible 50% credit should only include public open space if it is of a usable nature to satisfy the intent of the common open space as usable. Update this note to state 'public usable open space'
  - d. LOT STANDARDS: Please see clarifications and edits for the following sets of standards.
    - i. RVL: Please review note 2 for encroachments, setbacks don't seem to be defined correctly.
    - ii. RL: Same as above, Note 3, setback encroachments, please review and revise on all applicable lot standard notes.
    - iii. RM: Side setbacks may need to be revised, waiting for confirmation from CSU (update for Note 4 as well).
    - iv. RM: Note 3 for driveways should be revised on all applicable pages, the allowance would be any driveway that is more than the 8' should be a minimum 20' from BOW regardless of its adjacency to public or private roadways; you may choose to define this more in detail that if a sidewalk exists the driveway must be 20' from BOW to garage, in addition if the driveway is to be counted towards the tandem parking it must also meet this 20' setback. This note may just need further clarification.
    - v. RH: Please define a lot size for this category
  - e. ARCHITECTURAL STANDARDS: Staff would like to see some further development of architectural standards set forth with these PUD standards. Especially related to the higher density developments staff

would encourage notes for architectural diversity. Also please note if it is intended for this development to include any type of architectural review committee.

- f. PEDESTRIAN CONNECTIVITY: Staff recognizes the notes as put forth under the open space section; however, we would ask that further investigation and details be established for the enhancement of pedestrian connectivity throughout the residential areas as well as options for the commercial portions to support a stronger pedestrian connection and thus meet the intent and development plan criteria for connectivity.
8. Exhibit 8: Permitted Land Uses
- a. Under Residential Uses please clarify if the Day Care Center (more than 6 children) is intended for home daycares of this size or for standalone daycare facilities. Please update using the appropriate use language from City code to identify.
  - b. Under Commercial Uses staff would like a further explanation of the intent for the allowance of 'Agricultural Sales and Service'. This is not a category under City code commercial uses and would not fit under this category. Is the intent for the allowance of the small portion of industrial identified on the eastern edge of the master plan?
  - c. Under Human Service Establishments please review and use language for use types as identified in City Code. Further please add a note to the bottom of the use table that states any conditional use identified within this use table will be required to follow City standard process for a conditional use review.

#### Project Statement

9. Please update the project statement under the Annexation portion to discuss how this annexation is in alignment with the Annexation Plan 2006
10. The 'Comprehensive Plan/ and the 2020 Land Use Map are no longer valid with the City's adoption of PlanCOS. All references in the discussion of conformance with the comprehensive plan should only discuss PlanCOS.

#### City Surveyor

1. Legal description: please remove the additional "boundary" in the title and add "exhibit A"
2. Exhibit: please add "B" following boundary exhibit.
3. Please add the City File No. CPC PUZ 19-00124 in the lower right hand corner of the sheets.
4. Please add "exception" to the parcels that are being excepted out or maybe hatch those areas.

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: Colorado Geological Survey Comment Letter  
El Paso County Comment Letter DRAFT – Not complete.  
Written comments received from stakeholders

DRAFT

**Colorado Springs Airport Advisory Commission Meeting  
To Be Heard October 23, 2019  
Land Use Review Item #07**

<p><b>City of Colorado Springs Buckslip Number(s):</b></p> <p>CPC A 19-00022, CPC MP 19-00123, CPC PUP 19-00125, CPC PUZ 19-00124</p> <p><b><i>RESIDENTIAL/COMMERCIAL ANNEXATION, MASTER PLAN, CONCEPT PLAN AND REZONE</i></b></p>	<p><b>TAX SCHEDULE #(S):</b></p> <p>5300000241, 5300000304, 5300000484, 5300000005-6, 5311100001</p>
--	--

**DESCRIPTION:**

Request by N.E.S Inc., on behalf of BLH NO 1, 2, & 3 LLC and Nor'wood Development Group for approval of the annexation of Banning Lewis Ranch North. The annexation consists of approximately 847.58 acres to allow future development within the City. The site is currently zoned PUD/RR-5/CAD-O (Planned Unit Development, Rural Residential with Commercial Airport Overlay District). The property is located along the north and south side of Woodmen Road between Mohawk Road and Golden Sage Road. **Concurrent Request:** Request for approval of the new Banning Lewis Ranch North master plan. The plan allows for future development of residential, office, commercial, schools, parks and open space. Development of the property includes approximately 807 acres. **Concurrent Request:** Request for approval of the Banning Lewis Ranch North concept plan. **Concurrent Request:** Request for approval of a PUD (Planned Unit Development) zoning district within the City to allow future development.

<p><b>CONSTRUCTION/ALTERATION OF MORE THAN 200 FEET ABOVE GROUND LEVEL?</b></p> <p>No</p>	<p><b>DISTANCE/DIRECTION FROM COS:</b></p> <p>8.5 miles north of Rwy 17L</p>
---	--

<p><b>TOTAL STRUCTURE HEIGHT AT THE ESTIMATED HIGHEST POINT:</b></p> <p>30-45 feet above ground level; 7,038–7,052 feet above mean sea level</p>	<p><b>COMMERCIAL AIRPORT OVERLAY SUBZONES PENETRATED:</b></p> <p>None</p>
--	---

**STAFF RECOMMENDATION/CONDITIONS OF APPROVAL**

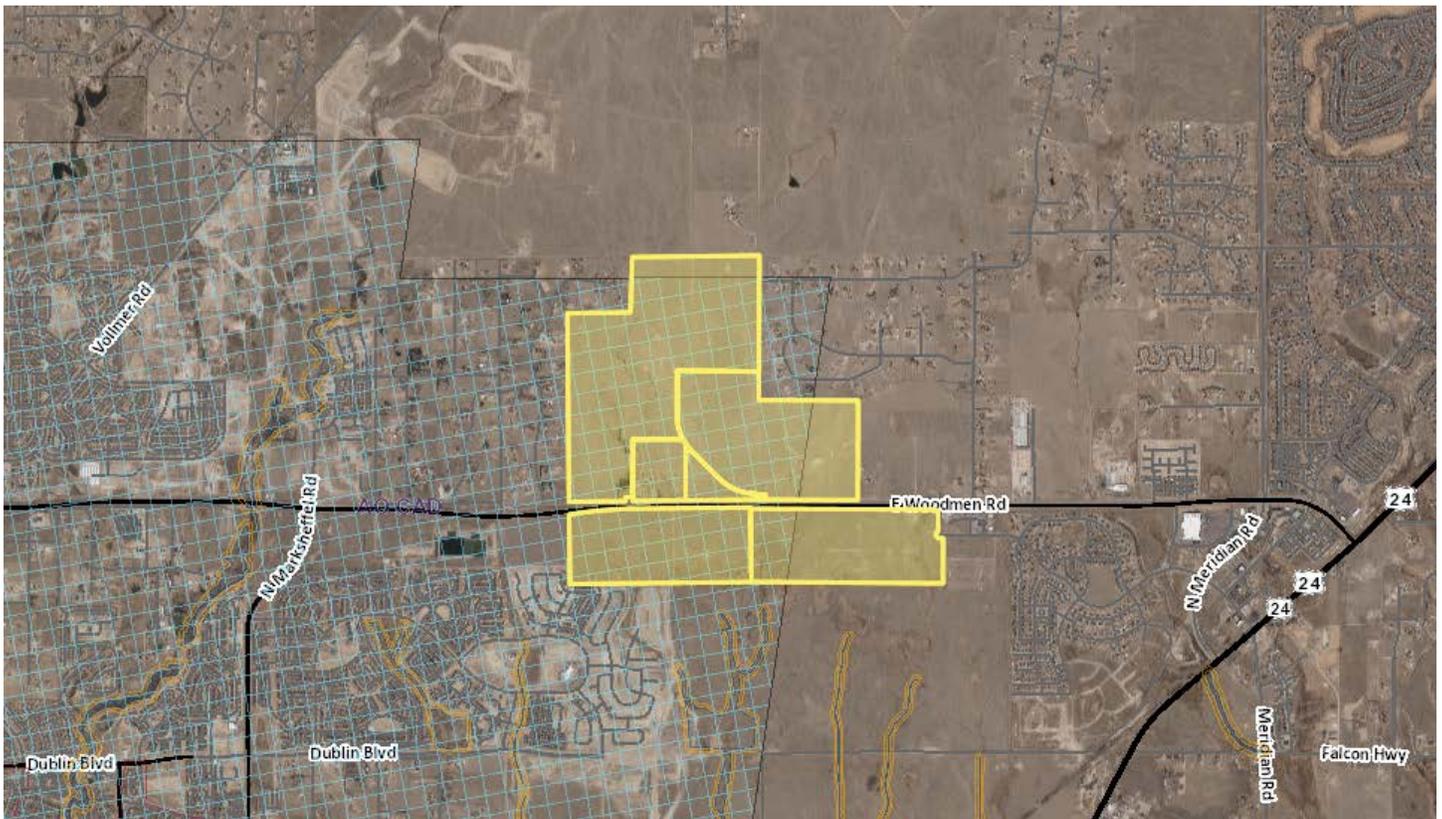
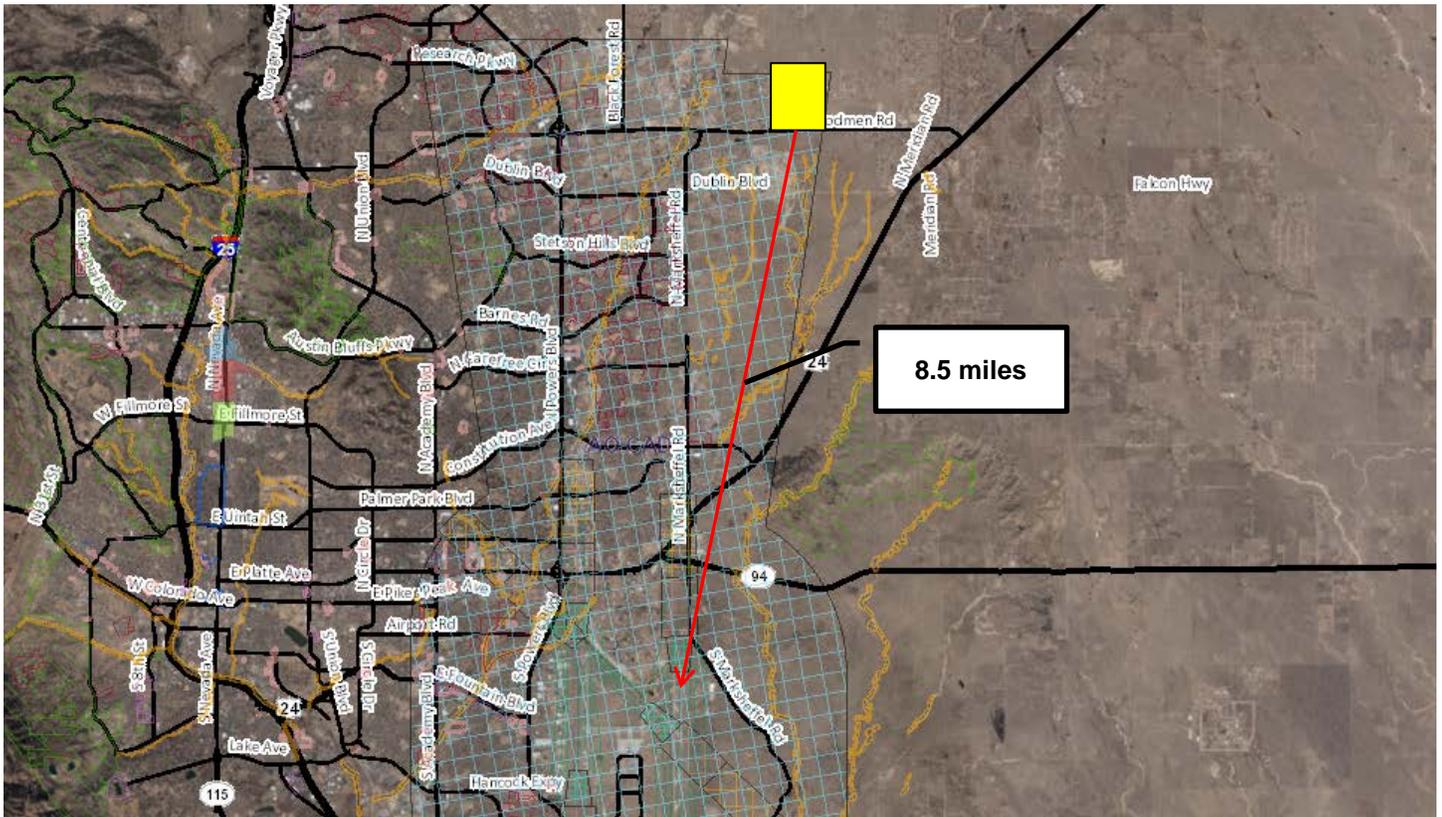
***Subject to Airport Advisory Commission Action***

*Airport staff recommends **no objection** with the following conditions:*

- Avigation Easement note on concept plan: The avigation easement dedicated herein for public avigation purposes shall be considered a public easement subject to those *terms and conditions as specified on the instrument recorded at Reception No. 217069667 of the records of El Paso County, Colorado. All other easements or interests of record affecting any of the platted property depicted hereon shall not be affected and shall remain in full force and effect;* no further action is required.
- Request Airport staff work with developer (Nor'wood) and FAA on any potential airspace impacts.
- The applicant will need to file Federal Aviation Administration (FAA) Form 7460-1 "Notice of Proposed Construction or Alteration" for any new vertical development at this site, including temporary construction equipment, and provide FAA documentation to the Airport before the commencement of construction activities.
- More information about the airspace evaluation submittal process is available on the FAA's Obstruction Evaluation/Airport Airspace Analysis website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>).

# Colorado Springs Airport Advisory Commission Meeting To Be Held October 23, 2019 Land Use Review Item #07

## PROJECT LOCATION EXHIBIT:



# COLORADO GEOLOGICAL SURVEY

1801 19<sup>th</sup> Street  
Golden, Colorado 80401  
303.384.2655



September 4, 2019

Karen Berry  
State Geologist

Kati Carleo  
Planning and Community Development  
30 South Nevada Avenue, Suite 105  
Colorado Springs, CO 80901-1575

**Location:**  
Sec. 3  
T13S, R65W of the 6<sup>th</sup> PM  
38.9469°, -104.6504°

**Subject: Banning Lewis Ranch (BLR) North; Annexation, Master Plan, Concept Plan and Zone Change, Colorado Springs, El Paso County, CO:**  
**City File No's: CPC A 19-00022, CPC MP 19-00123, CPC PUZ 19-00124; CGS Unique No. EP-20-0019**

Dear Katie,

The Colorado Geological Survey (CGS) has reviewed the referral. We understand that the applicant is requesting: annexation into the City of Colorado Springs, a zone change from county to planned unit development (PUD), and approval of; a master plan and concept plan. The proposed development is for residential and commercial uses on about 807 acres and includes open space and parks. For this review we received: Applications, (various dates), Drainage Memo, (Classic, 6.19), Annexation Plat (Classic, 11.6.18), PUD Concept Plan and Master Plan (NES, 7.1.19), Soil, Geology and Geologic Hazard Study (Entech, 617.19), and other supporting documents. We offer the following comments and recommendations.

**Geologic Hazards:** We concur in general with the geologic interpretation and geologic hazard identification and conceptual mitigation for those hazards as provided by Entech. Their report is very good, and their recommendations should be strictly adhered to in the development of Banning Lewis Ranch North. They have identified hydrocompaction, loose soils, potentially expansive soils, erosion, seasonally and potentially seasonal shallow groundwater areas, areas of ponded water, springs, floodplains, and artificial fill. (For clarification, hydrocompaction is a process that can occur in deposits of collapsible soils. In other words, it is a type of collapsible soil as are the loose soils identified by Entech.) They have also identified the potential for radon and the geologic constraint of shallow bedrock. Shallow bedrock can lead to excavation difficulties and, as Entech has indicated (p.19) shallow bedrock can lead to perched groundwater conditions. Where shallow bedrock occurs either naturally or as the result of site grading shallow, perched groundwater should be anticipated. For such conditions Entech recommends subsurface drains and dewatering systems as necessary.

**Geologic Hazard Disclosure Statement:** The general notes on the PUD Concept Plan include the start of a geologic hazard disclosure statement in note 2. As the drawings become finalized, a complete listing of geologic hazards identified by Entech should be added to this statement as required by city ordinance.

**Shallow groundwater and Site Grading:** The identification of shallow groundwater, seasonally shallow groundwater, areas of springs and ponded water and floodplains all indicate that knowledge of yearly groundwater fluctuations is an important component in the planning and development of this property. Entech states (p.11): *"The majority of the areas mapped with this designation (Seasonal and Potentially Seasonal Shallow Groundwater) lie within drainages designated as open space and will be avoided by development."* Yet the Master Plan indicates numerous locations with planned development mapped with seasonally shallow groundwater (sw) and potentially seasonally shallow groundwater (psw) as mapped by Entech on their Figure 6, Geology and Engineering Geology Map. Entech states (p. 3): *"A grading plan was not available at the time of this report."* Once site grading has been established Entech should be provided an opportunity to evaluate its mitigating effect on shallow and potentially shallow groundwater areas. Where site grading infills the tributary drainages mapped by Entech, drain systems may be necessary as such drainages tend to remain conduits for subsurface flow even after being filled, truncated or relocated.

Katie Carleo  
October 4, 2019  
Page 2 of 2

Entech states (p. 18): “Where structures encroach on areas of potential shallow groundwater or construction or regrading is proposed, drains may be necessary.” If basement or below grade construction is anticipated or desired in such areas and planned grading does not mitigate the potential for shallow groundwater CGS recommends monitoring of groundwater in these areas to determine basement feasibility. To be effective, this monitoring should include observations through fall, winter, and spring.

Soil engineering properties and foundation design: As recommended by Entech, lot-specific geotechnical investigation, testing, and analysis will be needed, once building locations are determined, to characterize soil engineering properties such as expansion/consolidation (collapse) potential, strength, water content, and allowable bearing pressures. This information, along with more specific information about depths to bedrock and seasonal depths to groundwater, will be needed to determine if removing and replacing loose or expansive soils is necessary, or if overexcavation is needed to provide a separation distance between potentially expansive claystone bedrock and foundation elements, to design individual foundations, floor systems, and subsurface drainage, and to determine each lot’s suitability for a full-depth basement, if planned.

**CGS has no objection to approval of the plans provided all Entech’s recommendations are strictly adhered to in the planning and development of this parcel.**

Thank you for the opportunity to review and comment on this project. If you have questions or require further review, please call at 303-384-2654, or e-mail [jlovekin@mines.edu](mailto:jlovekin@mines.edu).

Sincerely,



Jonathan R. Lovekin, P.G.  
Senior Engineering Geologist

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

October 15, 2019

From: Nina Ruiz, Planner III

County File: OAR-19-048

Re: Banning Lewis Ranch North PUD Zone Change - CPC PUZ 19-00124 Banning Lewis Ranch North Master Plan - CPC MP 19-00123 Banning Lewis Ranch North PUD Concept Plan - CPC PUP 19-00125

**Planning Division**

1. Please review the approved Sterling Ranch Sketch Plan to the north for compatibility of uses and densities.
2. The sketch plan depicts the Banning Lewis Parkway alignment and does not appear to match the alignment shown on the proposed Master Plan.
3. The surrounding unincorporated areas are within Rural Residential zoning districts. The Master Plan shows densities of 1-3.5 DU/Ac which greatly exceeds the densities of the surround area. Please include additional buffers/transitions such as an additional setback or decreased densities along these common boundaries.
4. Comments by the County Engineer will be forthcoming following a meeting with the City of Colorado Springs.

**El Paso County Planning and Community Development Engineering staff has the following comments:**

Comments provided by Elizabeth Nijkamp, 719-520-7852.

Please note that there is a meeting scheduled for October 16 pertaining to this site and the limits of Annexation with respect to County owned roads adjacent to this site.

Per the El Paso County Engineering Criteria Manual, chapter 2, an overview of all impacts to adjacent roads should be analyzed along with proposed mitigation techniques required to maintain acceptable levels of service, meet transportation goals, and implement the El Paso County Major Transportation Corridors Plan.

EPC may have comments during and after that meeting.

Nina Ruiz, Planner III  
El Paso County Development Services  
2880 International Circle, Colorado Springs, CO. 80910  
(719) 520-6313

## Carleo, Katie

---

**From:** Jeff Williams <jeff.williams19@yahoo.com>  
**Sent:** Wednesday, October 02, 2019 8:18 PM  
**To:** Carleo, Katie  
**Subject:** file numbers CPC A 19-00022, CPC MP 19-00123,CPC PUZ 19-00124, CPC PUP 19-00125

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Hi Katie

We are disappointed to receive this information of a possible new development going in right behind our house. While we understand things change in the name of progress, it is disheartening to see all of our local rural property being devoured by housing. We do have some concerns that we would like to share with you.

First is the water situation. We are on well water as are all of our neighbors, and we are concerned what a new subdivision is going to do to affect that. Is there going to be enough water for all of us? Will we be forced to go on city water someday? We have all heard about new subdivisions taking water away from pre existing rural communities. What is the cities stance on this?

Second, is losing our rural lifestyle, when our home and those around us purchased our homes we were buying a rural lifestyle, we didn't buy homes that were part of a developing subdivision on small lots, we purchased homes on 5 acre lots that are not allowed by zoning laws to be subdivided any smaller. Therefore as property owners whose property backs up to the proposed new development we would like to see a minimum of a 5 acre barrier between our property and the new development and that the new development includes 5 acre lots and open space.

Thank you Katie for sending us the notification of what is happening around us and are hoping you will be able to take our concerns into consideration.

Sincerely

Jeff and Camiesue Williams  
7915 Brule Rd.  
Colorado Springs Co 80908

**Carleo, Katie**

---

**From:** John Tompkins <dbldwn02@gmail.com>  
**Sent:** Tuesday, September 24, 2019 9:12 PM  
**To:** Carleo, Katie  
**Subject:** Woodmen Banning Lewis North Land Use Review

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Ms. Carleo,

Please stop adding homes until Marksheffel is widened. This road is already way past due for it's widening. BLR is still growing with NO plan for Marksheffel's widening.

From Mike Chaves (Manager of Capital Projects Division) a year ago (Sept 11, 2018)  
"The expansion of Marksheffel is 2-3 years out. We are currently still securing all of the funding and working with various divisions on the final design so there isn't any type of rendering or even any official plan."

Does this mean Marksheffel is going to get it's expansion in 1-2 years now? If not, then this Land Use Review needs to be delayed until there's a firm plan.

Thank you,  
John Tompkins  
6716 Silver Star Ln, Colorado Springs, CO 80923  
719-357-5843

## Carleo, Katie

---

**From:** JAMES and AMY HAGERMAN <belldorf@msn.com>  
**Sent:** Monday, September 23, 2019 10:30 PM  
**To:** Carleo, Katie  
**Subject:** Annexation of Banning Lewis North Feedback

CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!

Ms Carleo,

My family and I live at 9037 Pacific Crest Dr in Banning Lewis. I work at Schriever AFB, and we have lived In Colorado Springs for over 22 years. We have lived in BLR for just over 14 months. I am responding to the request for feedback about the Banning Lewis Annexation along Woodmen Rd.

Our house directly faces the open space where the annexation would take place.

We are definitely not in favor of any further development around Banning Lewis until the traffic situation in and around Banning Lewis is significantly improved. Trying to get out of the development in the morning and afternoon is exceptionally painful. We feel that needs to be worked by the city and county before any further development should take place.

Also, in all honesty, we also like seeing the wide open space along Woodmen. It keeps this part of town looking like open space. We don't need more development out here. They're are other places that the city can, and should, develop before this area.

Thank you for your time!

James Hagerman

Sent from my iPhone

## Carleo, Katie

---

**From:** Justin Alexander <jaxstriker6769@yahoo.com>  
**Sent:** Monday, September 23, 2019 7:40 PM  
**To:** Carleo, Katie  
**Subject:** Banning lewis north

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Hi Katie, we just received the development proposal for banning lewis north and I'm ok with it as long as the banning lewis way is completed before hand. And if some mark sheffle get some much need updates. That road will take the majority of the traffic as it does now. Being a one lane road and being in bad condition will make this area more congested.

[Sent from Yahoo Mail on Android](#)

## Carleo, Katie

---

**From:** mary kruse <marymk2010@hotmail.com>  
**Sent:** Monday, September 23, 2019 3:20 PM  
**To:** Carleo, Katie  
**Subject:** Annexation of Banning Lewis Ranch North and Water Resources

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Hi,

We are Eric and Mary Kruse, we live at 8175 Mohawk Road, CS 80908 and have read the documents on file for the proposed Banning Lewis Ranch North.

I can't find any mention of where the water will be drawn from for this new area of development. Our neighborhood and also the one east of Golden Sage Road all have water from our wells (Denver Basin) so we would not want an issue with this new neighborhood that also includes commercial space and parks pulling water from our Pawnee Rancheros wells. This is a major concern for us considering we are reading that over time the aquifers have already been reduced and with a new development going in directly north of us we will be surrounded by the city of Colorado Springs that will have a large need for water resources.

Please let us know how Banning Lewis Ranch North will get drinkable water for this new development asap and where that is in writing, on file with the planning and community development department.

Sincerely,

Mary and Eric Kruse  
(719) 495-6045

Sent from [Mail](#) for Windows 10

## Carleo, Katie

---

**From:** bwheelz05@aol.com  
**Sent:** Monday, September 23, 2019 2:58 PM  
**To:** Carleo, Katie  
**Subject:** Opposition to development File # CPC A 19-0022, CPC MP 19-00123, CPC PUZ 19-00124, CPS PUP 19-00125

**CAUTION! - External Email. Malware is most commonly spread through unknown email attachments and links. DO NOT open attachments or click links from unknown senders or unexpected email!**

Good Afternoon-

I am writing in brief to express my opposing of the Banning Lewis Ranch annexation / expansion.

Already the Banning Lewis development has too large of a 'grip hold' on the area land. Here in Peyton, Falcon we enjoy our more 'open' and 'rural' environment. Already there are too many people and too much development taking away from the atmosphere here.

The Banning Lewis developers have already illegally blocked access to the now unused, Tamlin Road where many have enjoyed bicycling , hiking , walking etc... They do not own the Road and surrounding undeveloped property and prairie but have erected man-made obstacles and fencing with razor wire to prevent its usage.

We are opposed to further development near our neighborhoods as the Banning Lewis development has most certainly profited from the previous and current sales of their extensive development. Those of us who enjoy recreational,unobtrusive and safe riding of UTVs and similar vehicles in the open area would also be severely prohibited from doing so. Also we are worried about additional annexation from the City of Colorado Springs into the Peyton, Falcon area where we enjoy the unhindered, **LEGAL** and **SAFE** recreational use of firearms within the El Paso county boundaries.. I.E lawful use in accordance with county statutes and state law.

I am certain this concern will not mean squat to the developers. The 'smell' of money far outweighs the concern(s) of one citizen.

Thank you though for receiving this email.

Best Regards

Bryan Wheeler

January 10, 2020

Katie Carleo, AICP  
Principal Planner  
Land Use Review Division  
City of Colorado Springs  
30 S. Nevada Avenue  
Colorado Springs, CO 80901

**RE: Banning Lewis Ranch North - 1<sup>st</sup> Response Letter**  
**File: CPC A 19-00022, CPC MP 19-00123, CPC PUZ 19-00124, CPC PUP 19-00125**

Dear Ms. Carleo,

This letter responds to your review letter dated October 14<sup>th</sup>, 2019. Our response to the review comments are provided in **Red** below.

#### Supplemental Information

Posting Affidavit: Affidavit to be submitted to Planning pursuant to City Code Section 7.5.902.

**RESPONSE: Attached.**

Public Notice: City staff has received public comment letters from surrounding property owners. Those letters are included with this review letter. Please address in a separate letter the comments and concerns from the enclosed public letters.

**RESPONSE: Separate response letter attached.**

#### **ANNEXATION**

---

##### Land Use Review

1. It is listed that the Mayor is party to this annexation with a signature block on the annexation plat. Can you please confirm why this would be included, staff believes this would not be needed and should be removed.  
**RESPONSE: Removed.**
2. Per C.R.S. annexation along an established ROW should bring that ROW into the City. With this the City has spoken with El Paso County and Golden Sage Road should be annexed with this annexation to include the intersection. We will need to discuss a logical section at which the annexation will end near this along Woodmen Road.  
**RESPONSE: Revised per discussion with City and County.**
3. As part of this annexation please include the remaining portion of Woodmen Road west of the subject property that remains in El Paso County, this is to approximately Mustang Road.  
**RESPONSE: Added**

City Surveyor

1. Please check the ownership, currently the Assessor shows several different ownerships including BLH No. 1 LLC, BLH No. 2 LLC, BLH No. 3 LLC and 2 parcels Board of County Commissioners of El Paso County. Please review and revise as appropriate.

**RESPONSE: Revised.**

2. Please revise the City approval to the following: City Approval:

On behalf of the City of Colorado Springs, the undersigned hereby approve for filing the accompanying annexation plat of "\_\_\_\_\_".

\_\_\_\_\_  
City Planning Director Date

\_\_\_\_\_  
City Engineer Date

The annexation of the real property shown on this plat is approved pursuant to an ordinance made and adopted by The City of Colorado Springs, El Paso County, Colorado, by actions of The City Council of The City of Colorado Springs at its meeting on \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ A.D.

\_\_\_\_\_  
City Clerk Date

**RESPONSE: Revised.**

3. Please add the City File No. CPC A 19-00022 in the lower right-hand corner.  
**RESPONSE: Not added. This is not a checklist requirement.**
4. Please add "Fee: \_\_\_\_\_ Surcharge: \_\_\_\_\_" below Deputy in the Clerk and Records block.  
**RESPONSE: Revised**
5. Please check the date of preparation: November 6, 2018. Should it be revised to the latest submittal date?  
**RESPONSE: Revised**
6. Is the Mayor's signature necessary? If so please revise the dates.  
**RESPONSE: Removed**

**ANNEXATION INFORMATIONAL NOTES**

- **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.**  
**RESPONSE: We look forward to receiving the draft agreement from staff.**
- The subject property is identified not being part of the Southeastern Colorado Water Conservancy District (SECWCD) at this time. The applicant/ owner shall complete the NEPA Questionnaire provided by staff and return the completed form to City staff. This form shall be 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.  
**RESPONSE: The NEPA questionnaire was returned to City Staff on 1.8.20.**

- 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: Noted. The letter of inclusion will be provided once received.**
- 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: Noted. The letter of inclusion will be provided once received.**

**MINERAL ESTATE**

- The Mineral Estate Owner Notification Certification Affidavit shall be submitted to staff prior to public hearing.  
**RESPONSE: Noted.**

**Parks and Recreation**

Standard comments shall apply as part of the annexation agreement. There may be the need for added language that may be added when the agreement is drafted after the comments provided below are addressed and reviewed.

**RESPONSE: We look forward to receiving the draft agreement from staff.**

**Engineering Development Review (Patrick Morris, 719-385-5075)**

1. Correctly identify the platted subdivisions along the southern boundary of this annexation. Banning Lewis Ranch Filing No. 15, 16A, 16B and 3

**RESPONSE: Added.**

**Colorado Springs Fire Department (Steven Smith, 719-385-7362)**

In order to make a determination as to whether a fire station in this annexation is needed and where it might be located, a more detailed proposed road network plan is needed. This would include proposed collector streets and up. No local residential streets needed at this time.

**RESPONSE: Collector and up streets are now identified and additional information has been provided on phasing, as requested at meeting on 10.14.19.**

**Colorado Springs Utilities (Kyle Schelhaas, 719-668-8126, kschelhaas@csu.org)**

There may be items with future comments to address or that may affect the annexation agreement.

**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.  
**RESPONSE: We are compiling the complete list of rights and wells for this property and will set a meeting with CSU to discuss next steps.**
2. Owner must confirm that Informational Items listed below have been reviewed, including Informational Items 1 and 2 below.  
**RESPONSE: See below responses.**

Informational Items:

1. If there are existing wells which are owned by the Owner, within the Property, then the existing wells must be plugged and abandoned at Owner's expense. The Owner shall provide CSU with documentation confirming that the existing wells have been plugged and abandoned in compliance with all applicable regulations, including regulations from the Colorado Division of Water Resources.

**RESPONSE:** The site is currently being used for agricultural purposes and utilizes some exiting wells. We are compiling the complete list of rights and wells for this property and will discuss status with CSU at a separate meeting.

2. In order to receive water service from CSU, the Property must be included in the Southeastern Colorado Water Conservatory District (District). If the property is not within the District, then the Owner must receive consent from the Bureau of Reclamation (Bureau) for the Property to be included into District. The Bureau of Reclamation may require the Owner to provide the following confirmations for the subject annexation project.
  - Endangered Species Act - a letter or email from the Fish and Wildlife Department stating there are no Endangered Species within the Annexation Boundary.
  - Clean Water Act - a letter or email from the Corp of Engineers stating that there are no wetlands within the Annexation Boundary.
  - National Historic Preservation Act - a report that addresses the existence of any Native American Indian relics or buildings of historic significance (the report is to be completed by an Archaeologist that is approved Bureau of Reclamation). Once the Archaeologist is chosen, he/she must contact the Bureau for final instructions.

**RESPONSE:** Noted. The NEPA questionnaire was returned to City Staff on 1.8.20. Additional information will be provided to the Bureau if requested.

**Colorado Springs Police Department**

\*Comments pending

**RESPONSE:** Collector and up streets are now identified and additional information has been provided on phasing, as requested at meeting on 10.14.19.

**El Paso County Development Services**

\*comments pending

Final comment letter will be issued and included with this review letter after an internal meeting with the agency. Letter included at this time is draft and further comments to follow.

**Planning Division**

1. Please review the approved Sterling Ranch Sketch Plan to the north for compatibility of uses and densities.

**RESPONSE:** The Sterling Ranch Sketch Plan shows a buffer/open space corridor adjacent to a 60' collector road. Beyond that the land use designation is for single family residential at a density of 3-5 du/ac. The BLR North Master Plan shows single family residential at a similar density adjacent to the common boundary, which is a compatible use and density.
2. The sketch plan depicts the Banning Lewis Parkway alignment and does not appear to match the alignment shown on the proposed Master Plan.

**RESPONSE:** The alignment of Banning Lewis Parkway is consistent with the alignment on the Sterling Ranch Sketch Plan. Please note that the northern boundary of BLR North abuts both Sterling Ranch and the adjacent 40-acre parcel to the west (9750 Terrel

- Drive).
3. The surrounding unincorporated areas are within Rural Residential zoning districts. The Master Plan shows densities of 1-3.5 DU/Ac which greatly exceeds the densities of the surround area. Please include additional buffers/transitions such as an additional setback or decreased densities along these common boundaries.  
**RESPONSE:** The existing County 5-acre properties adjacent to the north west boundary of the site have the benefit of a 100' drainage and open space buffer, which will provide those properties with an adequate transition.  
 Elsewhere where BLR North abuts 5-acre County Subdivisions, the proposal is to include a 50' transitional area that will take the form of either a buffer/trail corridor, where this makes sense for the connectivity of the trail network for the community, or a rear yard setback/no build area within lots in other areas.
  4. Comments by the County Engineer will be forthcoming following a meeting with the City of Colorado Springs.  
**RESPONSE:** No additional comments received.

**Engineering Divisions:**

Comments provided by Elizabeth Nijkamp, 719-520-7852.

Per the El Paso County Engineering Criteria Manual, chapter 2, an overview of all impacts to adjacent roads should be analyzed along with proposed mitigation techniques required to maintain acceptable levels of service, meet transportation goals, and implement the El Paso County Major Transportation Corridors Plan.

**RESPONSE:** A draft version of the TIS was mistakenly submitted with the development application. The final version of the prepared Traffic Impact Study dated August 2019 adequately addresses review comments as a master planning document. It is noted that additional more detailed analyses may be performed as specific land uses are further defined.

Please note that there is a meeting scheduled for October 16 pertaining to this site and the limits of Annexation with respect to County owned roads adjacent to this site.

\*Additional Comments provided via email following meeting:

- Woodmen Gap, annex all of Woodmen from proposed annexation west, to current end of City control. County (Jennifer) to provide additional information about the real property that the assessors shows (deeded to the county by Woodmen Road Metro District) as County owned.  
**RESPONSE:** Revised.
- Golden Sage, annex all of Golden Sage adjacent to the site, to include the intersection (State statue).  
**RESPONSE:** Revised.
- There are currently easements to the County for facilities extending under Woodmen (Jennifer to get exhibit for the City) that require attention.  
**RESPONSE:** Annexations do not show or change easements. Easement to the County will remain.
- TIS submitted is low in estimate of 10% traffic to go east toward Falcon.  
**RESPONSE:** Comment acknowledged; however, it is noted that the study is prepared as a master planning document and distributions are general, subject to change, and likely will be

further refined as specific land uses are defined. Given that the August 2019 version of the traffic impact study is understood to require no further revision from the City, no changes to assumed distributions have been made. As additional analyses are performed, distributions may be adjusted as needed.

- There is currently a half road section (1813' running N-S) dedicated by plat to the County that is adjacent to the northeasterly property line of the proposed annexing property. This should be addressed as to if there will be a road proposed there or shall that be vacated back to the subdivision (plat no 5746, The Meadows filing no. 1).  
**RESPONSE:** Per discussion with County staff, this ROW has been added to the annexation. No road is proposed there; the 30' half section of ROW will form part of the buffer along the eastern edge of the property.
- Trail connection to Falcon on north side of Woodmen should include ped and bike. (I think they showed where this is on the north side and should be adequate for the connection to the County).  
**RESPONSE:** The proposed trail on the north side of Woodmen Road will meet the City's standards for an urban trail, consistent with the existing City Trail to the west. This will accommodate both pedestrians and bicycles.
- Possible work outside of proposed annexed property, Woodmen frontage where it goes north at the Federally owned property. Jenn to check paperwork to see if City can take over established easement.  
**RESPONSE:** The part of the Woodmen Road Frontage that is within ROW west of the eastern edge of the annexation has been included within the annexation boundary. The areas that are partial ROW/parcels owned by BoCC/easements will need to be addressed between the County and City.
- Utilities for signals, apply to MVEA for City to pay the bill. (I believe City to do this?)  
**RESPONSE:** This is not an issue for this applicant resolve.

### **Woodmen Road Metro District**

Walker Schooler District Managers is the Manager of the Woodmen Road Metropolitan District. Please accept the following comments on the Banning Lewis Ranch Annexation request:

1. The property is within the established Service Area of the Woodmen Road Metropolitan District
2. Per the District, City and County IGA (see attached), development approvals need to address participation in the District to pay back the bonds used to expand Woodmen Road.
3. There are two options for this to be satisfied:
  - a. Annex the property through the inclusion process and pay the mill levy (2019 property tax mill levy set at 11.657), platting and building permit fees established by the District (See attached fees in 2019)
  - b. Pay an "opt out fee that is currently calculated at \$131 per trip based on a traffic study for this development.

**RESPONSE:** Noted.

### **Falcon Fire District**

\*Comments pending

**RESPONSE:** No comments received.

## MASTER PLAN

---

### Land Use Review

1. File Number – add the file number to each sheet of the plan.  
**RESPONSE: Added.**
2. Zoning –
  - a. Establishment of zoning shall include the Airport Overlay. Please reflect this in all places as listed for zoning.  
**RESPONSE: Proposed Zoning is not shown on the Master Plan as it is not a Master Plan checklist requirement. This information has been added to the Concept Plan.**
  - b. As the property will be zoned with a single PUD to reflect use types as detailed in the Zoning and Design Standard please add a note with zoning to point to this document as the guiding zoning document.  
**RESPONSE: Proposed Zoning is not shown on the Master Plan as it is not a Master Plan checklist requirement. The Zoning and Development Standards document accompanies the Zoning and Concept Plan, not the Master Plan. This information has been added to the Concept Plan.**
  - c. We will also ask for the zoning language to be added with the zoning information here. The ordinance would read: PUD (Planned Unit Development; Commercial, Industrial, Civic, Single-family Residential, Multi-family, Open Space, and Parks as defined by the Banning Lewis Ranch North Zoning and Design Standards with maximum residential density of 2800 dwelling units).  
**RESPONSE: Proposed Zoning is not shown on the Master Plan as it is not a Master Plan checklist requirement. This information has been added to the Concept Plan.**
  - d. Add a place holder to add zoning ordinance number.  
**RESPONSE: Proposed Zoning is not shown on the Master Plan as it is not a Master Plan checklist requirement. This information has been added to the Concept Plan.**
  - e. Label Golden Sage Road and those roadways on the eastern side of the plan.  
**RESPONSE: Added.**
3. Please clearly identify that the two parcels owned by the Board of County Commissioners of El Paso County are not part of this project.  
**RESPONSE: The properties owned by BoCC are used as right of way and are included in the annexation but are excluded from the Master Plan.**
4. Staff would ask for some further clarification to the roadway Haygor that is directly east of the subject property and how it is anticipated and entitled to be aligned for development in The Ranch. Staff has had preliminary discussions with El Paso County but City staff wants to ensure if the roadway is intended for a connection to The Ranch there is investigation of whether this roadway connection can be aligned as a connection into Banning Lewis Ranch North.  
**RESPONSE: A 30' Right-of way for future Raygor Road adjacent to the sites eastern boundary was dedicated to the County in 1981 with the platting of Falcon Meadows Filing No. 1 (aka The Meadows), which terminates at the south boundary line of that subdivision. This section of Raygor Road is not constructed and the adjacent lots in The Meadows do not use Raygor Road for access. The recently approved Sketch Plan for The Ranch to the north does not propose any extension of or connection to this section of Raygor Road. Raygor Road is proposed to divert into The Ranch development and terminate within that property. Per the County's direction, this section of unused right-of way is proposed to be annexed with BLR North, and will form part of the buffer between BLR North and The Meadows.**

## Density and Edge Conditions

5. Along with the zoning listed for properties surrounding the subject property please add the PUD details to include type and density for those parcels.

**RESPONSE: Added.**

6. Per City Code 7.7.704.B.8 staff would like to see further investigation and alignment to indicate where the future street system will provide for connections to surrounding subdivisions.

**RESPONSE: Added. Please note that the existing Banning Lewis Ranch development to the south provides no opportunity for connection to the north to this property. It is anticipated that the City will require such connections as that development extends eastward.**

7. Staff recognizes the approach to the densities located around the outer edge of the development. We support the higher densities shown across the southern border as this transitions with a similar land use pattern to the southern development occurring now. We also support the general density of the RVL across the northern, eastern, and western portions but here would like to ask that some further investigation and proposals be made to enhance a density transition to the surrounding county residential. Similar approaches to a City/County border throughout our jurisdiction include further rear yard setbacks or tracts that maintain a trail/ landscaped area as a relief and buffer to the urban density.

**RESPONSE: We have changed the RVL designation along the northern boundary to RL as this is more compatible with Sterling Ranch Sketch Plan. That plan shows a buffer/open space corridor adjacent to a 60' collector road along the common boundary between the two areas and single family residential at a density of 3-5 du/ac beyond. The proposed RL density of 3.5-4.99 du/ac is compatible in terms of use and density.**

**The existing County 5-acre properties adjacent to the north west boundary of the site have the benefit of a 100' drainage and open space buffer, which will provide those properties with an adequate transition.**

**Elsewhere, where BLR North abuts 5-acre County Subdivisions, the proposal is to include a 50' transitional area that will take the form of either a buffer/trail corridor, where this makes sense for the connectivity of the trail network for the community, or a rear yard setback/no build area within lots in other areas.**

Please add the following general notes, these notes should be reflected on both the master plan and concept plan:

1. Please add notes to identify that the plan is in conformance with the Woodmen Road Access Plan and thus what access points are allowed under these provisions and restrictions.

**RESPONSE: Added.**

2. Add a note that the regional trail along Woodmen Frontage Road will be established along the entirety of this roadway as a continued connection to trails establish by El Paso County existing both east and west from this property.

**RESPONSE: Added.**

3. Please update the avigation note to read as follows: THE PROPERTY BEING PLATTED HEREIN IN ITS ENTIRETY IS SUBJECT TO AN AVIGATION EASEMENT FOR PUBLIC AVIGATION PURPOSES. SAID EASEMENT SHALL BE CONSIDERED A PUBLIC EASEMENT AND SUBJECT TO THOSE TERMS AND CONDITIONS AS SPECIFIED ON THE INSTRUMENT RECORDED AT RECEPTION NO. 217069667 OF THE RECORDS OF EL PASO COUNTY, COLORADO. ALL OTHER EASEMENTS OR INTERESTS OF RECORD AFFECTING ANY OF THE PLATTED PROPERTY DEPICTED HEREON SHALL NOT BE AFFECTED AND SHALL REMAIN IN FULL FORCE AND EFFECT. AVIGATION STATEMENT OF DEDICATION SHALL BE PRESENTED WITH ANY FUTURE PLAT FOR RECORDATION.

**RESPONSE: Amended. Please note that this is different to the avigation easement note**

suggested by the Airport and we have deferred to Planning staff's requested note.

4. Notes should be added to reflect Traffic Engineering's comments of obligations and triggers for traffic improvements. Some items are still being discussed to have a trigger and timing associated with the improvements and those items will need to be updated once timing is confirmed with Traffic Engineering.

RESPONSE: Acknowledged. Pursuant to further discussions with City Traffic Engineering (via phone conversation with Zaker Alazzeh on 10/8/19), the August 2019 final version of the traffic impact study is believed to adequately address City review comments. The August 2019 TIS is included with this resubmittal.

5. Notes should be added to reflect information on the existing 300-foot easement and restrictions to construction allowed within this easement.

RESPONSE: Added but please note that the 300' easement does not extend the entire width of the property. The easement is correct as shown on the Master Plan.

#### **Parks and Recreation (Connie Perry)**

1. Please provide a PLDO Summary chart outlining the calculated parkland obligation and parkland proposed to be credited to satisfy the obligation. This is commonly done using the Average Density for the residential areas. It might be easier to track if there were parcel numbers.

RESPONSE: PLDO Summary chart attached.

2. Under the current ordinance, the Master Plan and obligation figures are to go to the PRCS Advisory Board for presentation and approval over a two month schedule. Please respond when you would like to submit to PRCS staff so we can determine which Board meeting schedule will be appropriate.

RESPONSE: Once second comments are received, we will discuss with staff about scheduling for the Parks Advisory Board presentation.

#### **Engineering Development Review (Patrick Morris, 719-385-5075)**

1. Engineering Development Review initial review found the geological hazard report is acceptable. Add the geologic hazard report application form. The report will have to address any comments CGS may have prior to the approval of the report.

RESPONSE: Added and resubmitted. CGS has no objections or comments.

2. The geologic hazard report identified the following hazards: Hydrocompaction, loose soils, erosion, artificial fill, potentially expansive soils, seasonal and potentially seasonal shallow groundwater areas, springs, areas of ponding water. Update General Note 2, the geologic hazard disclosure statement.

RESPONSE: Note 2 updated as requested.

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

See comments as part of the Concept Plan review and notes to be added.

#### **Colorado Springs Utilities (Kyle Schelhaas, 719-668-8126, kschelhaas@csu.org)**

##### Project Specific Information Items:

1. Please be aware that the existing 300' electric easement does not allow any permanent structures within the easement. Also, if there is any proposed lighting it must be kept under 14' tall.

RESPONSE: This is understood.

2. The full extent of the 300' easement is not shown on the concept plan; the easement extends to the East throughout the entire site.

RESPONSE: Per our review of the recorded documents (as provided by Kyle Schelhaas via email on October 14, 2019), the easternmost portion of the property does not have the expanded easement. The 115' easement extends across the entire property, but the additional 185' easement to make up the total 300' easement terminates midway. The easement is correct as shown on the Master Plan. If you have evidence that shows the additional 185 feet, please provide for our review.

Information Items:

- Please contact Utilities Development Services (UDS) at 719.668.8111 for an estimate of development charges, fees, Recovery Agreement Charges or other utility related costs that may apply to this development.
  - In instances where metered water and/or wastewater connections existed on the property, please contact UDS to discuss distribution of Water and/or Wastewater Development Charges to eligible lots.
- When new water meters are proposed to serve the project or additional demand added to existing water meters, a Commercial Water Meter Sizing form will be required to be submitted to CSU prior to Service Contract issuance and building permit approval.
- CSU requires an Application for Gas and Electric Line Extension to be submitted along with a Load Data form or an Application for Gas Service Line Approval and/or Application for Elevated Pressure Approval prior to electric and natural gas system design for service to the project. Refer to the CSU Line Extension and Service Standards or contact Field Engineering at 719.668.4985.
- CSU may require an extension contract and payment of contributions-in-aid of construction (or a Revenue Guarantee Contract) for the extension of electric facilities needed to serve the development. Regarding natural gas extensions, CSU may require an extension contract and an advance payment for the estimated cost to construct the necessary gas extensions.
- Improvements, structures and trees must not be located directly over or within 6 feet of any underground gas or electric distribution facilities and shall not violate any provision of the National Electric Safety Code (NESC) or any applicable natural gas regulations or Colorado Springs Utilities' policies.
- Improvements, structures and trees shall not be located under any overhead utility facility, shall not violate NESC clearances, and shall not impair access or the ability to maintain utility facilities.
- Landscaping shall be designed to provide the required clearances for utility facilities, to allow continuous access for utility equipment, and to minimize conflicts with such facilities.
- Colorado Springs Utilities requires wastewater and water construction drawings when new wastewater and water facilities are proposed. Plans can be submitted electronically to Utilities Development Services via [www.csu.org](http://www.csu.org).
- The water distribution system facilities must meet the Colorado Springs Utilities' criteria for fire flow, water quality, service interruption and pressure. To meet service interruption criteria, no more than fifty (50) homes on a dead-end water main line are permitted. The static pressure of the water distribution system shall be a minimum of 60 psi. CSU will assess the need for a Water Quality Plan based on information presented in the Development Plan. CSU may require a new or updated Water Quality Plan where construction phasing or the water system design differ from the approved Development Plan.

RESPONSE: Noted.

### **Traffic Engineering (Zaker Alazzeh)**

Traffic Engineering agrees with the Traffic Impact Analysis (TIA) findings and recommendations.

1. The developer will be responsible to improve Woodmen Road to a six lanes cross section (three lanes in each direction between Golden Sage Road and the west property line of Parcel # 5300000606) during the development of phase I.
2. The developer will be responsible for financial contribution toward the future improvements of Woodmen Road west of Parcel # 5300000606. The city will prepare a cost estimate to determine the financial contribution amount required.
3. The developer will be responsible to construct Banning Lewis Parkway to the ultimate condition. The required cross section of Banning Lewis Parkway will be determined by the updated intermodal transportation plan.
4. The developer will be responsible to build the future signal at the intersection of Woodmen Road and Banning Lewis Parkway.
5. The developer will be responsible for any necessary signal improvements within the development vicinity.
6. The developer will be responsible to construct any warranted future turn lanes along Woodmen Road, Woodmen Frontage Road, Mohawk Road, and Golden Sage Road.

**RESPONSE: Acknowledged. Per discussion with City Traffic (Zaker Alazzeh), the August 2019 traffic study provides acceptable phasing of improvements. This study is included with this resubmittal. The details are to be defined within improvement agreements for the development.**

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

Airport staff recommends **no objection** with the following conditions:

- Avigation Easement note on concept plan: The avigation easement dedicated herein for public avigation purposes shall be considered a public easement subject to those terms and conditions as specified on the instrument recorded at Reception No. 217069667 of the records of El Paso County, Colorado. All other easements or interests of record affecting any of the platted property depicted hereon shall not be affected and shall remain in full force and effect; no further action is required.  
**RESPONSE: Noted. Avigation Easement note amended per Planning Staff direction.**
- Request Airport staff work with developer (Nor'wood) and FAA on any potential airspace impacts.  
**RESPONSE: Noted.**
- The applicant will need to file Federal Aviation Administration (FAA) Form 7460-1 "Notice of Proposed Construction or Alteration" for any new vertical development at this site, including temporary construction equipment, and provide FAA documentation to the Airport before the commencement of construction activities.  
**RESPONSE: Noted.**
- More information about the airspace evaluation submittal process is available on the FAA's Obstruction Evaluation/Airport Airspace Analysis website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>).  
**RESPONSE: Noted.**

**Colorado Springs Fire Department (Steven Smith, 719-385-7362)**

In order to make a determination as to whether a fire station in this annexation is needed and where it might be located, a more detailed proposed road network plan is needed. This would include proposed collector streets and up. No local residential streets needed at this time.

RESPONSE: Collector and up streets are now identified and additional information has been provided on phasing, as requested at meeting on 10.14.19.

**Colorado Springs Police Department**

\*Comments pending

RESPONSE: Collector and up streets are now identified and additional information has been provided on phasing, as requested at meeting on 10.14.19.

**El Paso County Development Services**

\*comments pending

Final comment letter will be issued and included with this review letter after an internal meeting with the agency.

RESPONSE: See above responses under Annexation.

**Woodmen Road Metro District**

RESPONSE: See above responses under Annexation.

**School District 49**

\*Comments pending, not yet received

RESPONSE: The Applicant had extensive pre-submittal discussions with School District 49 regarding their needs for this area. The school land provision on the Master Plan is consistent with the outcome of these discussions.

**Colorado Geological Survey (Jonathan Lovekin)**

Comment letter received by Colorado Geological Survey which is enclosed with this review letter.

RESPONSE: The CGS letter, dated October 4 2019, indicates that “CGS has no objection to approval of the plans provided all Entech’s recommendations are strictly adhered to in the planning and development of this parcel.” The Developer will adhere to Entech’s recommendations.

**PUD CONCEPT PLAN**

---

**Land Use Review**

1. File Number – add the file number to each sheet of the plan.  
RESPONSE: Added.
2. Update the zoning to include the ordinance language (see above in notes) for the PUD.  
RESPONSE: Added.
3. Include a section to be filled in with the zoning ordinance number.  
RESPONSE: Added.
4. Maximum dwelling units: can you add a note here that states the range but that an overall cap for the entirety of the concept plan area will be the 2800.  
RESPONSE: Added but with revised cap of 2900.
5. Update the Commercial land use category if the intent is to include office; please list both.

- a. For the 3.1 acres of possible industrial staff would rather see a note added for that land use segment that industrial is allowed, but still classify as the commercial/ office.

**RESPONSE:** Updated as requested.

#### **Parks and Recreation (Connie Perry)**

1. Please show all City public trails on this plan, such as the Woodmen Trail.

**RESPONSE:** The proposed City trail is already depicted on the Master Plan as a proposed regional trail. The legend has been amended to specifically reference Woodmen Trail. No other City public trails are proposed.

#### **Engineering Development Review (Patrick Morris, 719-385-5075)**

Same comments apply from above Master Plan section.

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

1. The Concept Plan needs to include a note that reflects the requirements for future drainage studies. SWENT suggests the following: "A Master Development Drainage Plan (MDDP) will be required to be submitted with the first development plan. The MDDP will analyze the area within the development plan boundary along with all area outside the boundary that is tributary to the site or any proposed permanent water quality/detention facility."

**RESPONSE:** Note added.

2. The Concept Plan needs to include the following note: "Full Spectrum Detention will be required for the entire area within the concept plan. All drainage design will be required to meet the current standards at the time of development".

**RESPONSE:** Note added.

#### **Informational Comments:**

- A Preliminary Drainage Report has been submitted (10/14/19) to support the Concept Plan. It will be reviewed and returned to the engineer. Should any comments arise that affect the Concept Plan, Planning and the engineer will be notified immediately.
- Previously Submitted Comments (10/2/19), these were modified based on subsequent meetings with the engineer
- As discussed in the March 2019 meeting, a Master Development Drainage Plan will be required to support the Concept Plan and the Master Plan.

**RESPONSE:** Preliminary Drainage Report has now been reviewed and accepted by SWENT.

#### **Colorado Springs Utilities (Kyle Schelhaas, 719-668-8126, kschelhaas@csu.org)**

Same comments apply from above Master Plan section.

#### **Traffic Engineering (Zaker Alazzeh)**

Same comments apply from above Master Plan section.

#### **Colorado Springs Fire Department (Steven Smith, 719-385-7362)**

Same comments apply from above Master Plan section.

#### **Floodplain Administrator (Keith Curtis)**

Portions of this property are within FEMA zone A. The following provisions apply:

- FEMA approved base flood elevation data and 100-year floodplain boundaries shall be provided and shown on plat;

- If subdivision proposals are located within three hundred feet (300') of a zone A floodplain, FEMA approved base flood elevations and boundaries are required to be determined and shown on plat, or provide a floodplain certification letter by a professional engineer or architect licensed by the State of Colorado, stating that "Based on field verified characteristics of the property (topography, etc.), the property is reasonably safe from flooding and to the best of the engineer's knowledge if the 100-year floodplain were studied it would not enter the property in question". – Planning staff would ask for this item to be reflected as a note on the Concept Plan general notes.  
**RESPONSE: Noted. Floodplain depicted on Master and Concept Plans. Appropriate action, if necessary, will be taken at subdivision stage.**

**Comcast Cable Engineering (Jason Jacobsen)**

1. Comcast has UG Fiber Optic facility on the south side of Woodmen Rd running through the project area.  
**RESPONSE: Noted.**

**PUD ZONE CHANGE**

---

**Land Use Review**

\*pending final confirmation

1. This PUD will be established with an Airport Overlay, please label and reflect this information in all places appropriate for labeling of zoning.  
**RESPONSE: Added.**
2. PUD (Planned Unit Development; Commercial, Industrial, Civic, Single-family Residential, Multi-family, Open Space, and Parks as defined by the Banning Lewis Ranch North Zoning and Design Standards with maximum residential density of 2800 dwelling units) along with the conditions of record to include
  - a. Land use establishment shall comply with the Banning Lewis Ranch North Master Plan
  - b. All development shall comply with the Banning Lewis Ranch North PUD Concept Plan**RESPONSE: Added.**

**PUD Zoning and Design Guidelines**

3. Staff would suggest that the introduction information as part of this guideline be updated as to read with general information about the project but not as a project statement would so as it does not become dated as soon as it is approved. Can we update to read more factual statements as annexation and applications are approved rather than information on the applications being submitted as the project statement details.  
**RESPONSE: Amended.**
4. Update (page 5) as the Annexation Plan 2006 is not part of the Comprehensive Plan. PlanCOS should be the only mention related to comprehensive plans, and the Annexation Plan is a standalone adopted document.  
**RESPONSE: Amended.**
5. All reference should be to PlanCOS rather than the Comprehensive Plan.  
**RESPONSE: Amended.**
6. Staff would suggest removing the concept plan from the guidelines and rather referencing the master plan and concept plan. Since these documents may have alterations in the future staff suggests not having it as part of the zoning guidelines as to not have the zoning need updating.

RESPONSE: Amended.

7. Exhibit C: Standards

- a. Please label commercial the same across all documents, here it is labeled as community commercial which is not a City use category.

RESPONSE: Amended.

- b. Please give further justification on the parking allocation for guest parking in the RM and RH use categories.

RESPONSE: Further justification added. Based upon comparison of other local jurisdictions. (Comparables can be provided upon request).

- c. COMMON OPEN SPACE: Staff would understand the open space note to be reflective of something similar to current small lot PUD guidelines. Staff appreciates and recognizes setting this standard but will need some further clarification and updates to be included:

- i. There should be a standard set for the common usable open space to be provided. Please define this in reference to minimum lot sizes. Also add a note that this will be calculated on an average of lot size within any one development plan area.

RESPONSE: Amended.

- ii. Include information that required landscape setbacks and buffers and landscaped front yard areas are not counted in meeting common open space areas.

RESPONSE: Added.

- iii. The possible 50% credit should only include public open space if it is of a usable nature to satisfy the intent of the common open space as usable. Update this note to state 'public usable open space'.

RESPONSE: Amended.

- d. LOT STANDARDS: Please see clarifications and edits for the following sets of standards.

- i. RVL: Please review note 2 for encroachments, setbacks don't seem to be defined correctly.

RESPONSE: Amended.

- ii. RL: Same as above, Note 3, setback encroachments, please review and revise on all applicable lot standard notes.

RESPONSE: Amended.

- iii. RM: Side setbacks may need to be revised, waiting for confirmation from CSU (update for Note 4 as well).

RESPONSE: Amended.

- iv. RM: Note 3 for driveways should be revised on all applicable pages, the allowance would be any driveway that is more than the 8' should be a minimum 20' from BOW regardless of its adjacency to public or private roadways; you may choose to define this more in detail that if a sidewalk exists the driveway must be 20' from BOW to garage, in addition if the driveway is to be counted towards the tandem parking it must also meet this 20' setback. This note may just need further clarification.

RESPONSE: Amended.

- v. RH: Please define a lot size for this category.

RESPONSE: Amended.

- e. ARCHITECTURAL STANDARDS: Staff would like to see some further development of architectural standards set forth with these PUD standards. Especially related to the higher density developments staff would encourage notes for architectural diversity.

Also please note if it is intended for this development to include any type of architectural review committee.

**RESPONSE: Added for high density residential and commercial.**

- f. PEDESTRIAN CONNECTIVITY: Staff recognizes the notes as put forth under the open space section; however, we would ask that further investigation and details be established for the enhancement of pedestrian connectivity throughout the residential areas as well as options for the commercial portions to support a stronger pedestrian connection and thus meet the intent and development plan criteria for connectivity.

**RESPONSE: Amended.**

8. Exhibit 8: Permitted Land Uses

- a. Under Residential Uses please clarify if the Day Care Center (more than 6 children) is intended for home daycares of this size or for standalone daycare facilities. Please update using the appropriate use language from City code to identify.

**RESPONSE: Amended.**

- b. Under Commercial Uses staff would like a further explanation of the intent for the allowance of 'Agricultural Sales and Service'. This is not a category under City code commercial uses and would not fit under this category. Is the intent for the allowance of the small portion of industrial identified on the eastern edge of the master plan?

**RESPONSE: 'Agricultural Sales and Service' is a category under City Code but falls under the overall Commercial Use category so has been deleted. Industrial added to allowed uses for 3.1-acre parcel in SE corner.**

Commercial use types:										
Agricultural sales and service			P	P	P			C	C	
Automotive and equipment services:										

- c. Under Human Service Establishments please review and use language for use types as identified in City Code. Further please add a note to the bottom of the use table that states any conditional use identified within this use table will be required to follow City standard process for a conditional use review.

**RESPONSE: Amended.**

Project Statement

- 9. Please update the project statement under the Annexation portion to discuss how this annexation is in alignment with the Annexation Plan 2006.

**RESPONSE: Amended.**

- 10. The 'Comprehensive Plan/ and the 2020 Land Use Map are no longer valid with the City's adoption of PlanCOS. All references in the discussion of conformance with the comprehensive plan should only discuss PlanCOS.

**RESPONSE: Amended.**

City Surveyor

- 1. Legal description: please remove the additional "boundary" in the title and add "exhibit A".

**RESPONSE: Revised.**

- 2. Exhibit: please add "B" following boundary exhibit.

**RESPONSE: Revised.**

- 3. Please add the City File No. CPC PUZ 19-00124 in the lower right-hand corner of the sheets.

**RESPONSE: Not added to Exhibit B as not a checklist requirement (Added to NES Zoning Exhibit).**

- 4. Please add "exception" to the parcels that are being excepted out or maybe hatch those areas.

**RESPONSE: No parcels are being excepted out. The two BoCC parcels are included in the annexation and zone change (but not the Master Plan or Concept Plan).**

Resubmittal documents have been uploaded to the Dropbox shared folder. If you need more copies or have any questions please contact me at 719.471.0073 or [abarlow@nescolorado.com](mailto:abarlow@nescolorado.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea Barlow". The signature is fluid and cursive, with the first name "Andrea" written in a larger, more prominent script than the last name "Barlow".

**Andrea Barlow, AICP  
Principal  
N.E.S. Inc.**

January 10, 2020

Katie Carleo, AICP  
Principal Planner  
Land Use Review Division  
City of Colorado Springs  
30 S. Nevada Avenue  
Colorado Springs, CO 80901

**RE: Banning Lewis Ranch North – 1<sup>st</sup> Response Letter**  
**File Nos: CPC A 19-00022, CPC MP 19-00123, CPC PUZ 19-00124, CPC PUP 19-00125**

Dear Ms. Carleo,

This letter responds to the request in your review letter dated October 14<sup>th</sup> 2019 to address in a separate letter the comments and concerns from the enclosed public letters to the proposed annexation and rezoning of this property.

Notices were sent to neighbors within 1000 feet of the property boundary and the property was posted per City Zoning requirements. In response, the City received six (6) letters expressing some concerns about the proposed development. The concerns are summarized below with our responses:

- **Impact on well water** – if annexed into the City, the property will receive water from Colorado Springs Utilities, which gets its water from the Southern Delivery System, not the shallow Dawson Aquifers used by the rural County lots in this area.
- **Loss of rural lifestyle** – The rural lifestyle in this part of El Paso County has already been affected by urban density development in progress and/or approved to the north (Sterling Ranch), to the east (The Ranch and Falcon Highlands), to the south (Banning Lewis Ranch) and to the west (Shiloh Mesa). Lower residential densities, buffers and/or setbacks are provided on the periphery of the proposed development where adjacent to 5-acre County properties to provide an appropriate transition between existing rural and proposed urban densities.
- **Impact on traffic, particularly on Marksheffel** – the project will not connect directly to Marksheffel and will not generate significant additional traffic on this road. The development of BLR North will allow for the extension of Banning Lewis Parkway from the south to Woodmen Road, which will relieve some of the existing traffic using Marksheffel Road. The development will also eventually connect Banning Lewis Parkway northwards to the extension of Briargate Parkway through Sterling Ranch. This will provide an additional east-west connection to I-25, which will relieve traffic on Woodmen Road.
- **Loss of wide-open space along Woodmen** – this property is privately owned and is not “open-space”. It’s current zoning in the County allows for 5-acre lot development. The resident that expressed this concern lives adjacent to the southwest corner of the site within one of the newest subdivisions in Banning Lewis Ranch. The Master Plan shows a detention pond/open

space/park in this southwest corner of the property, so this resident will still enjoy views of open space.

- **Developers have illegally blocked Tamlin Road where many have enjoyed bicycling, hiking, walking etc.** – Tamlin Road does not pass through this property; it is within that part of Banning Lewis Ranch owned by Oakwood Homes, not this developer.
- **Impact on recreational use of UTVs and similar vehicles in the open area** – the property is privately owned and any past or current use of the property by neighboring residents for recreational UTV use is unauthorized and illegal.
- **Impact on legal recreational use of firearms within the El Paso County boundaries** – the proximity of urban residential to rural residential does not alter the fact that any legal recreational use of fire arms in the County is also required to be safe.

If you have any questions please contact me at 719.471.0073 or abarlow@nescolorado.com.

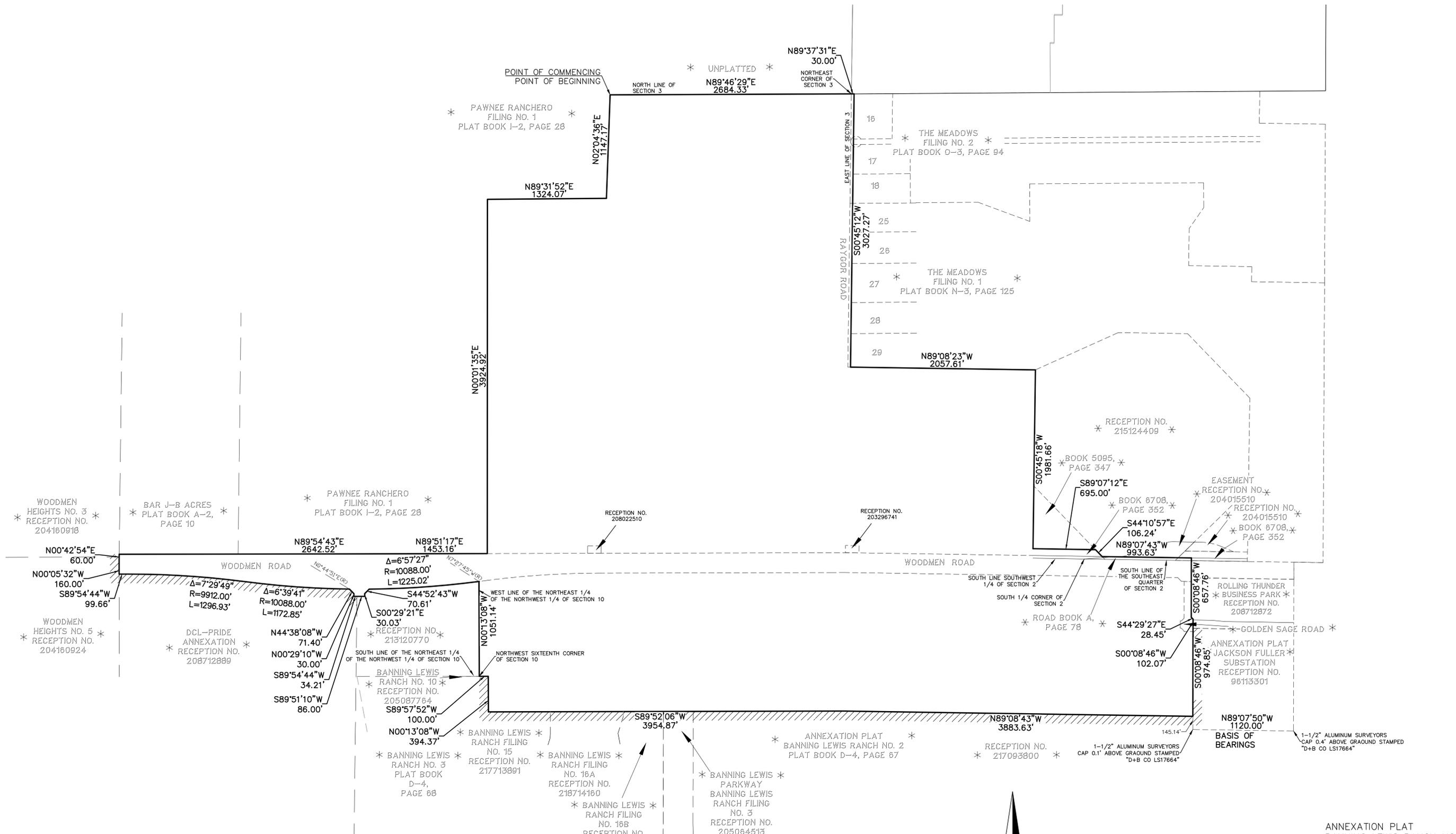
Sincerely,

A handwritten signature in black ink that reads "Andrea Barlow". The signature is written in a cursive, flowing style.

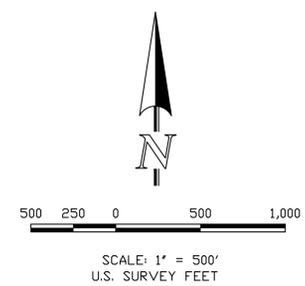
**Andrea Barlow, AICP  
Principal  
N.E.S. Inc.**



# ANNEXATION PLAT BANNING LEWIS RANCH NORTH



**LEGEND**  
 \* NOT PART OF THIS ANNEXATION  
 //// CITY LIMITS

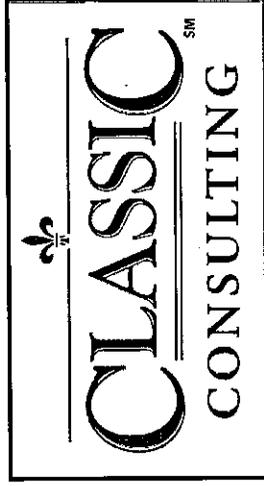


**PRELIMINARY**  
 THIS DOCUMENT HAS NOT BEEN  
 PLAT CHECKED

ANNEXATION PLAT  
 BANNING LEWIS RANCH NORTH  
 JOB NO. 2505.01  
 NOVEMBER 6, 2018  
 REVISED JANUARY 2, 2020  
 SHEET 2 OF 2



N:\250501\DRAWINGS\BANNING LEWIS ANNEXATION\250501\ANNEX-1.dwg, 1/2/2020 11:29:35 AM, ARCH exported D (36.00 x 24.00 inches), 1:1



619 N. Cascade Avenue, Suite 200 (719)785-0790  
Colorado Springs, Colorado 80903 (719)785-0799(Fax)

JOB NO. 2505.01-01R2  
NOVEMBER 5, 2018  
REVISED AUGUST 28, 2019  
REVISED DECEMBER 17, 2019  
PAGE 1 of 3

**LEGAL DESCRIPTION: ANNEXATION BOUNDARY BANNING LEWIS RANCH  
NORTH**

A PARCEL OF LAND BEING A PORTION OF SECTIONS 2, 3, 10 AND 11, ALL IN TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASIS OF BEARINGS:** THE SOUTHERLY BOUNDARY OF ANNEXATION PLAT – JACKSON FULLER SUBSTATION RECORDED UNDER RECEPTION NO. 096113301, RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT BOTH ENDS BY A 1-½" ALUMINUM SURVEYORS CAP STAMPED "D & B CO LS 17664" IS ASSUMED TO BEAR S89°07'50"E, A DISTANCE OF 1120.00 FEET.

COMMENCING AT THE NORTHEASTERLY CORNER OF PAWNEE RANCHEROS, FILING NO. 1 RECORDED IN PLAT BOOK I-2 AT PAGE 28, RECORDS OF EL PASO COUNTY, COLORADO SAID POINT BEING ON THE NORTH LINE OF SECTION 3, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE N89°46'29"E, ON SAID NORTH LINE OF SECTION 3, A DISTANCE OF 2684.33 FEET TO THE NORTHEAST CORNER OF SAID SECTION 3, SAID POINT BEING THE NORTHWESTERLY CORNER OF THE MEADOWS FILING NO. 2 RECORDED IN PLAT BOOK O-3 AT PAGE 94;

THENCE N89°37'31"E, ON THE NORTHERLY BOUNDARY OF SAID THE MEADOWS FILING NO. 2, A DISTANCE OF 30.00 FEET TO THE NORTHEASTERLY CORNER OF RAYGOR ROAD AS PLATTED IN SAID THE MEADOWS FILING NO. 2;

THENCE S00°45'12"W, ON A LINE 30.00 EASTERLY AND PARALLEL TO THE EAST LINE OF SAID SECTION 3, ON THE EASTERLY RIGHT OF WAY OF SAID RAYGOR ROAD AND THE EASTERLY RIGHT OF WAY OF RAYGOR ROAD AS PLATTED IN THE MEADOWS FILING NO. 1 RECORDED IN PLAT BOOK N-3 AT PAGE 125, A DISTANCE OF 3027.27 FEET TO A POINT ON THE SOUTHERLY BOUNDARY OF SAID THE MEADOWS FILING NO. 1;

THENCE S89°08'23"E, ON THE SOUTHERLY BOUNDARY OF SAID THE MEADOWS FILING NO. 1, A DISTANCE OF 2057.61 FEET TO THE NORTHWESTERLY CORNER OF A PARCEL OF AND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 215124409;

THENCE S00°45'18"W, ON THE WESTERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 215124409, THE WESTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 5095 AT PAGE 347, A DISTANCE OF 1981.66 FEET TO THE NORTHWESTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED IN BOOK 6708 AT PAGE 352;

THENCE S89°07'12"E, ON THE NORTHERLY LINE OF SAID PARCEL OF LAND RECORDED IN BOOK 6708 AT PAGE 352, A DISTANCE OF 695.00 FEET TO A POINT ON THE WESTERLY BOUNDARY OF SAID PARCEL OF LAND RECORDED UNDER RECEPTION NO. 215124409;

THENCE S44°10'57"E, ON SAID WESTERLY BOUNDARY OF SAID PARCEL OF LAND RECORDED UNDER RECEPTION NO. 215124409 AND THE EASTERLY BOUNDARY OF SAID PARCEL OF LAND RECORDED IN BOOK 6708 AT PAGE 352, A DISTANCE OF 106.24 TO A POINT ON THE NORTHERLY RIGHT OF WAY OF WOODMEN ROAD AS DESCRIBED IN RESERVATION RECORDED IN ROAD BOOK A AT PAGE 78;

THENCE S89°07'43"E, ON SAID NORTHERLY RIGHT OF WAY OF WOODMEN ROAD, A DISTANCE OF 993.63 FEET TO A POINT ON THE NORTHERLY EXTENSION OF THE EASTERLY RIGHT OF WAY LINE OF GOLDEN SAGE ROAD AS PLATTED IN ROLLING THUNDER BUSINESS PARK AS RECORDED UNDER RECEPTION NO. 208712872;

THENCE ON SAID EASTERLY RIGHT OF WAY LINE OF GOLDEN SAGE ROAD AND THE NORTHERLY EXTENSION THEREOF, THE FOLLOWING (3) THREE COURSES:

1. S00°08'46"W, A DISTANCE OF 657.76 FEET;
2. S44°29'27"E, A DISTANCE OF 28.45 FEET;
3. S00°08'46"W, A DISTANCE OF 102.07 FEET TO THE NORTHWESTERLY CORNER OF ANNEXATION PLAT - JACKSON FULLER SUBSTATION RECORDED UNDER RECEPTION NO. 096113301;

THENCE S00°08'52"W, ON THE WESTERLY BOUNDARY OF SAID ANNEXATION PLAT - JACKSON FULLER SUBSTATION, A DISTANCE OF 974.85 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF ANNEXATION PLAT - BANNING-LEWIS RANCH NO. 2 RECORDED IN PLAT BOOK D-4 AT PAGE 67;

THENCE ON SAID NORTHERLY BOUNDARY THE FOLLOWING (2) COURSES:

1. N89°08'43"W, A DISTANCE OF 3883.63 FEET;
2. S89°52'06"W, A DISTANCE OF 3954.87 FEET;

THENCE N00°13'08"W, ON THE EASTERLY BOUNDARY OF SAID ANNEXATION PLAT-BANNING-LEWIS RANCH NO. 2, A DISTANCE OF 394.37 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10 TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

THENCE S89°57'52"W, ON SAID SOUTH LINE, A DISTANCE OF 100.00 FEET TO THE NORTHWEST SIXTEENTH CORNER OF SAID SECTION 10, SAID POINT BEING THE NORTHEASTERLY CORNER OF ANNEXATION PLAT-BANNING-LEWIS RANCH NO. 10;

THENCE N00°13'08"W, ON THE EASTERLY BOUNDARY OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 213120770 AND ON THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, A DISTANCE OF 1015.15 FEET TO THE NORTHEASTERLY CORNER OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 213120770;

THENCE ON THE NORTHERLY BOUNDARY OF SAID PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 213120770, THE FOLLOWING (4) FOUR COURSES:

1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N07°27'45"W, HAVING A DELTA OF 06°57'27", A RADIUS OF 10,088.00 FEET AND A DISTANCE OF 1225.02 FEET TO A POINT ON CURVE;
2. S44°52'43"W, A DISTANCE OF 70.61 FEET;
3. S00°29'21"E, A DISTANCE OF 30.03 FEET;
4. S89°51'10"W, A DISTANCE OF 86.00 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF DCL-PRIDE ANNEXATION RECORDED UNDER RECEPTION NO. 208712889;

THENCE ON THE NORTHERLY BOUNDARY OF SAID DCL-PRIDE ANNEXATION, THE FOLLOWING (6) SIX COURSES:

1. S89°54'44"W, A DISTANCE OF 34.21 FEET;
2. N00°29'10"W, A DISTANCE OF 30.00 FEET;
3. N44°38'08"W, A DISTANCE OF 71.40 FEET TO A POINT ON CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS N00°44'51"E, HAVING A DELTA OF 06°39'41", A RADIUS OF 10,088.00 FEET AND A DISTANCE OF 1172.85 FEET TO A POINT OF REVERSE CURVE;
5. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 07°29'49", A RADIUS OF 9912.00 FEET AND A DISTANCE OF 1296.93 FEET TO A POINT OF TANGENT;
6. S89°54'44"W, A DISTANCE OF 99.66 FEET TO A POINT ON THE EASTERLY BOUNDARY OF WOODMEN HEIGHTS NO. 5 RECORDED UNDER RECEPTION NO. 204160924;

THENCE N00°05'32"W, ON THE EASTERLY BOUNDARY OF SAID WOODMEN HEIGHTS NO. 5, A DISTANCE OF 160.00 FEET TO THE SOUTHEASTERLY CORNER OF WOODMEN HEIGHTS NO. 3 RECORDED UNDER RECEPTION NO. 204160918;

THENCE N00°42'54"E, ON THE EASTERLY BOUNDARY OF SAID WOODMEN HEIGHTS FILING NO.3, A DISTANCE OF 60.00 FEET TO THE SOUTHWESTERLY CORNER OF BAR J-B ACRES RECORDED IN PLAT BOOK A-2 AT PAGE 10;

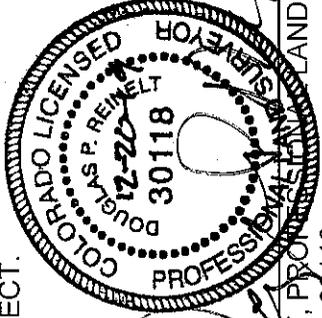
THENCE ON THE SOUTHERLY BOUNDARY OF SAID BAR J-B ACRES AND THE SOUTHERLY AND EASTERLY BOUNDARY OF PAWNEE RANCHERO FILING NO. 1 RECORDED IN PLAT BOOK I-2 AT PAGE 28, THE FOLLOWING (5) FIVE COURSES:

1. N89°54'43"E, A DISTANCE OF 2642.52 FEET;
2. N89°51'17"E, A DISTANCE OF 1453.16 FEET TO THE SOUTHEASTERLY CORNER OF SAID PAWNEE RANCHEROS, FILING NO. 1;
3. N00°01'35"E, A DISTANCE OF 3924.92 FEET;
4. N89°31'52"E, A DISTANCE OF 1324.07 FEET;
5. N02°04'36"E, A DISTANCE OF 1147.17 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 883.663 ACRES.

**LEGAL DESCRIPTION STATEMENT:**

I, DOUGLAS P. REINELT, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND ON THE BASIS OF MY KNOWLEDGE, INFORMATION AND BELIEF, IS CORRECT.



DOUGLAS P. REINELT, PROFESSIONAL LAND SURVEYOR  
COLORADO P.L.S. NO. 30118  
FOR AND ON BEHALF OF CLASSIC CONSULTING,  
ENGINEERS AND SURVEYORS, LLC.

DEC 20, 2019  
DATE