Planning and Community Development Department

Craig Dossey, Executive Director

January 6, 2022

Frank W. Howard #2 Limited

118 N. Tejon Street, Suite 305

Colorado Springs, CO 80903

Dakota Springs Engineering

31 N. Tejon Street, Suite 500

Colorado Springs, CO 80903

RE: Waterview East RM-12 – Map Amendment (Rezone) – (P20-002)

This is to inform you that the above-reference request for approval of a map amendment (rezoning) was heard by the El Paso County Planning Commission on January 6, 2022, at which time a recommendation for approval of 4.32-acres from CS (Commercial Service) to RM-12 (Residential Multi-Dwelling) was made. The property is located approximately 500 feet southeast of the intersection of Bradley Road and Legacy Hill Drive, approximately one eighth (1/8) of a mile east of Powers Boulevard, and is within Section 19, Township 15 South, Range 65 West of the 6th P.M. The property is within the CAD-O (Commercial Airport Overlay District) zoning overlay but is not within an airport subzone.

(Parcel No. 55092-00-003)

This recommendation for approval is subject to the following:

**CONDITIONS**

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RM-12 (Residential, Multi-Dwelling) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.
3. A Colorado Department of Transportation (CDOT) access permit will be required with improvements to the Powers Boulevard and Bradley Road intersection. The applicant shall comply with all CDOT access permit requirements.

**NOTATIONS**

1. If a map amendment (rezoning) application has been disapproved by the Board of County Commissioners, resubmittal of the previously denied application will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is an application for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said application. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Map amendment (rezoning) requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

The Planning Commission is advisory to the Board of County Commissioners.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,

John Green, Planner II

File No. P-20-002