

Letter of Intent
Waterview East Zoning-Commercial

02/18

Owners: Rankin Holdings LP
Eugenia M. & Basil E. Trust
Judy R. Timm
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Colorado Springs, CO 80903

Applicant: CPR Entitlement. LLC
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Consultant: Stantec
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(719) 227-7388

Tax Schedule Nos.: 5500000135

Site Information:

Waterview East is a proposed mixed use development on 195.2 acres; including 713 single family (RS-5000) lots on 168.61 acres and 26.64 acres of commercial (CS) development. The request for Residential Zoning for Parcel P-18 has been previously submitted along with a Preliminary Plan for the residential and commercial development. This application is for Commercial (CS) Zoning for Parcel P-17.

The site lies in Section 9 of Township 15 South, Range 65 West. The proposed commercial development is at the southeast corner of Bradley Road and Powers Boulevard.

The property is presently zoned A-5 and is part of the Waterview Sketch Plan. An Amendment to the Waterview Sketch Plan has been recently submitted and will be processed prior too/or simultaneously with this application. The Sketch Plan amendment proposes access be modified to allow the full movement Bradley Road access to be located closer to Powers Boulevard and the secondary Bradley Road access be located closer to the easterly property boundary. In addition, the commercial acreage has been increased to encompass the full movement access while the residential acreage has been decreased accordingly.

The proposed Zoning area legal description is as follows:

LEGAL DESCRIPTION

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

COMMENCING AT THE NORTH 1/4 CORNER OF SAID SECTION 9; THENCE S00°19'32"E ALONG THE NORTH-SOUTH CENTERLINE OF SAID SECTION 9, A DISTANCE OF 1613.76 FEET TO A POINT ON THE SOUTHERLY R.O.W LINE OF BRADLEY ROAD AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY AND A POINT ON A NONTANGENT CURVE TO THE LEFT;

THE FOLLOWING 3 COURSES ARE ALONG THE SAID SOUTHERLY RIGHT-OF-WAY LINE OF BRADLEY ROAD.

1. THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT, WITH A RADIUS OF 2759.79', A DELTA ANGLE OF 15°09'41", 730.29' FEET ALONG THE SAID SOUTHERLY R.O.W. LINE;
 2. THENCE S74°20'48"W A DISTANCE OF 545.14' ALONG THE SAID SOUTHERLY R.O.W. LINE;
- TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION:

1. THENCE S15°39'12"E A DISTANCE OF 470.00';
 2. THENCE S74°20'48"W A DISTANCE OF 365.87 FEET TO A POINT OF CURVE TO THE LEFT;
 3. THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 410.00 FEET, A DELTA ANGLE OF 52°19'12", 374.39 FEET;
 4. THENCE S22°01'36"W A DISTANCE OF 538.11 FEET TO A POINT OF CURVE TO THE RIGHT;
 5. THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 260.00 FEET, A DELTA ANGLE OF 13°32'40", 61.46 FEET;
 6. THENCE S00°00'00"W A DISTANCE OF 48.76 FEET;
 7. THENCE N00°00'00"W A DISTANCE OF 515.00 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF POWERS BOULEVARD AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY;
- THE FOLLOWING TWO COURSES ARE ALONG SAID EASTERLY RIGHT-OF-WAY LINE OF POWERS BOULEVARD.
8. THENCE N00°29'10"W A DISTANCE OF 1123.40 FEET TO A POINT OF CURVE TO THE RIGHT;
 9. THENCE ALONG THE ARC OF SAID CURVE TO THE RIGHT WITH A RADIUS OF 150.00 FEET, A DELTA ANGLE OF 87°49'03", AN ARC LENGTH OF 229.91 FEET, WHOSE LONG CHORD BEARS N43°25'21"E A DISTANCE OF 208.05 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BRADLEY ROAD

AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY;

THE FOLLOWING 3 COURSES ARE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF BRADLEY ROAD.

10. THENCE N87°19'53"E A DISTANCE OF 53.06 FEET TO A POINT OF CURVE TO THE LEFT;

11. THENCE ALONG THE ARC OF SAID CURVE TO THE LEFT WITH A RADIUS OF 2969.79 FEET, A DELTA ANGLE OF 12°59'05", AN ARC LENGTH OF 673.03 FEET, WHOSE LONG CHORD BEARS N80°50'20"E A DISTANCE OF 671.59 FEET;

12. THENCE N74°20'48"E A DISTANCE OF 406.88 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION.

THE ABOVE TRACT OF LAND CONTAINS 26.64 ACRES, MORE OR LESS.

Request and Reason:

To approve a Zone change for 26.64 acres of commercial (CS) development. This letter serves as a request to receive El Paso County approval of Zoning for this site.

The proposed Zoning is in conformance with the County Policy Plan based on the following Policy analysis:

Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

This application meets this policy by maintaining land use in accordance with the Waterview Sketch Plan and within the parameters of the adjacent proposed residential properties to the east; both in Waterview and Bradley Heights approved in the City of Colorado Springs. Access will be from Bradley Road in accordance with the approved Sketch Plan. Capacity of these roads is addressed in the accompanying TIS.

Policy 6.1.6: Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.

This application meets this policy by taking advantage of existing urban supporting facilities provided by Widefield Water and Sanitation District. Service will be provided based on a recently approved inclusion agreement with this District. Water and Sewer service will be provided by extending water and sewer lines from Fontaine Boulevard north to the property. Easements are being acquired from the State Land Board for installation.

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

The Widefield Water and Sanitation District has indicated the ability to serve the property as well as the State Engineers Office from previous reviews. The proposed project is within the service boundary of the Widefield Water and Sanitation District; an inclusion agreement has recently been approved.

Policy 10.2.2: Carefully consider the availability of water and wastewater services prior to approving new development.

The Widefield Water and Sanitation District has indicated the ability to serve the property as well as the State Engineers Office from previous reviews. The proposed project is within the service boundary of the Widefield Water and Sanitation District; an inclusion agreement has recently been approved. Water and Sewer service will be provided by extending water and sewer lines from Fontaine Boulevard north to the property. Easements are being acquired from the State Land Board for installation.

This request meets the criteria for approval outlined in Section 5.3.5 of the El Paso County Land Development Code by the following:

- The application is in general conformance with the County Master Plan and previous county approvals; in this case the Waterview Sketch Plan with associated residential and commercial land uses.
- The proposed Land Use and Zone District is compatible with the existing and permitted land uses in the area.
- The site is suitable for the intended use.

This request meets the criteria for approval outlined in Section 7.2.1 of the El Paso County Land Development Code by the following:

- The application for Zoning is in conformance with the County Master Plan.
- The subdivision is in conformance with the accompanying Zoning application and the application to amend the Sketch Plan.
- The proposed subdivision is consistent with the adjacent subdivision design.
- The proposed water supply is adequate and will be provided by the Widefield Water and Sanitation District.
- The proposed sewage disposal is to be provided by the Widefield Water and Sanitation District.
- Adequate drainage solutions are provided and follow MDDP and DBPS recommendations.
- Necessary services (fire protection, police, recreation, utilities) have been provided and will continue to be provided by the Widefield Water and Sanitation District, Security Fire Protection District, El Paso County, the City of Colorado Springs (gas) and Mountain View Electric (electric).
- Fire Protection will be provided by the Security Fire Protection District.
- Offsite impacts are minimal and will be mitigated as part of construction.
- Adequate public facilities and infrastructure are provided.
- The subdivision meets all other El Paso County criteria or waivers have been requested in this document.
- No mineral extraction is planned for this site.

Existing and Proposed Facilities:

The site currently is vacant. Proposed services in the development include the following:

- Water-Widefield Water and Sanitation District
- Sewer- Widefield Water and Sanitation District
- Electric Service – Mountain View Electric
- Natural Gas Service – City of Colorado Springs
- Telephone Service – Qwest
- Fire Protection – Security Fire Protection District

Offsite Improvements

- Widefield Water and Sanitation District sewer and water extensions from Fontaine Boulevard north across the State Land Board property to Waterview East.
- Construction of a Potable Water Pump Station in the northerly portion of the property to provide adequate pressure for the northern portion of the site and additional Waterview Sketch Plan property to the north.

Traffic Impact Fees:

The applicant requests that platted lots within Waterview East be included in the county wide Public Improvements District (PID) being formed and implemented as part of the Traffic Impact Fee resolution.

The calculated Traffic Impact Fee for the commercial development will depend on actual uses based on future platting and development.

Impact Identification:

Included with the accompanying Preliminary Plan submittal is a Wildlife Impact report for Parcels P-17 and P-18. This report indicates a potential for minor wildlife impact to the burrowing owl and recommended mitigation.

Waiver Requests:

None anticipated.

Respectfully,

P.A.Koscielski
CPR Entitlements, LLC