

Kristine Lang and Theodore Vaida
6320 Wilson Road
Colorado Springs, CO 80919
303-775-9066

William Gray
City Planner
Colorado Springs, Colorado

Mr. Gray,

We write about the Colorado Springs Utilities (CSU) Wilson Tank Project at 6560 Alabaster Way. We live just across the street from this project. As a neighbor to the new tank, we have quite a number of concerns that we enumerate in this letter. **Given these concerns, we request that you deny the major modification to the Wilson Tank Replacement project (Record number DEPN-23-0157).**

The revised development plan asks you to approve a tank 60 feet high. This is problematic because:

- The currently approved plan height of 40ft was already in excess of the zoning height limit of 35ft that all lots in proximity to the site are subject to, and as such CSU has already exceeded the character of the neighborhood even if the tank was constructed to the approved plan. Furthermore, the site was also subject to Code part 7.2.610 'Hillside Overlay', which requires 'visual impacts upon offsite areas [to be] reduced or mitigated'. Given this, a final construction height of 60 feet is well beyond any previously approved structure in the neighborhood, cannot be mitigated by any proposed mechanism, and cannot reasonably be construed to comply with the Hillside Overlay.
- At 60 feet, the tank towers over neighboring houses, is visible from miles across the city, and is both an embarrassment for our city as a whole and a serious blight on our neighborhood. Frankly, it looks like a UFO landed in our neighbor's yard. **Please see Figure 1 in the attached pdf to see how the massive structure looks from the street.**
- The process leading to the height change arose from incompetence and/or duplicity on the part of CSU, and they should not be allowed to operate from such practices.
 - The process by which the tank was built too high became clear in two meetings with CSU on 7/26/2023 and 8/10/2023. We have extensive notes from those meetings that we would be happy to share with you.
 - From those meetings, here is how this structure came to be so high without a permit. Estimates were submitted to the City and approved for the 40 foot height. CSU then contracted for technical plans from a tank architect. Those plans called for a tank 60 feet high. However, CSU either did not notice the changed height or noticed, but did not notify the neighbors. This is either incompetence or duplicity respectively on the part of CSU.
 - When the first tank wall went up in mid-June 2023, our neighbor Larry Starr contacted CSU about the tank height. Only six weeks after that time did CSU call a meeting of the neighbors. The first meeting with neighbors occurred on 7/26/2023.
 - Despite knowing that the tank was too high and exceeded their permit, CSU did not stop construction at any point, have a meeting with neighbors, or obtain the proper permits. Construction continues outside our home today and the tank is almost complete at the 60 foot non-permitted height.

- **The tank has a serious negative impact on property values for dozens of houses in many blocks around the tank.** This is essentially taking the cost of CSU's flawed and illegal process and placing that cost on those of us who own homes around the tank.

One other item that we'd like to draw your attention to. At the 8/10/2023 meeting, CSU brought renderings of proposed paint and trees aiming to shield the tank from neighborhood view. We include both a photograph of the actual tank and a photograph of the renderings.

Looking at Figures 1 and 2, the renderings show the tank at the originally specified 40 foot height, not at the 60 foot height at which it has been built. You can clearly see this by comparing the roof line of the house to the height of the tank- in the photograph the tank towers over the house and in the rendering the tank is much shorter than the house. As the renderings show, the 40 foot tank can be hidden by trees and paint and blends reasonably into the background, while the 60 foot tank towers over the house and neighborhood.

At the 8/10/23 meeting CSU proposed to plant 30 foot tall trees next to the 60 foot tall water tower, so the trees would be half the height of the tower. At that same meeting, CSU presented a rendering shown here in Figure 3. In this rendering, the trees look taller than the water tower. That means that this rendering is also of the 40 foot tower (and even then it must years in the future for the 30 foot trees to exceed the tower height).

Presenting renderings at the 8/10/23 meeting of a smaller tower than the one currently already built is more either duplicity or incompetence from CSU. In addition, viewing these renderings clearly shows why the proposed 40 foot tower was acceptable, but the new 60 foot tank height is so objectionable to us and harmful to our neighborhood and property values.

Our reading of the law indicates that you could issue a stop work order pursuant to Subsection 7.5.904C. Such an order would allow issues above to be discussed and addressed without ongoing construction continuing to move the 60 foot tower toward completion. At the 8/10/23 meeting, CSU was asked whether they planned to stop work until the review process was complete and they said they would not. When asked what they planned to do if the modification was not approved, they indicated that they had no plan. It seems unlikely to us that any private developer or homeowner would be allowed to continue work on a project with such an egregious violation of their permit. CSU should be subject to the same standards.

In conclusion, we request that you deny the major modification to the Wilson Tank Replacement project (Record number DEPN-23-0157) for all the reasons enumerated above and issue a stop work order for this project.

Sincerely,

Kristine Lang and Theodore Vaida

6320 Wilson Road
Colorado Springs, CO 80919
303-775-9066



Figure 1 photograph. The top of the tank is well above the roof line of the home (marked with red line).



Figure 2 rendering. The top of the tank is wrongly shown as well below the roof line of the home (marked with red line).

