
CITY PLANNING COMMISSION AGENDA

ITEM NOS: B.1-B.3

STAFF: MEGGAN HERINGTON

FILE NO(S):

CPC MP 87-00381-A13MN14 – QUASI-JUDICIAL

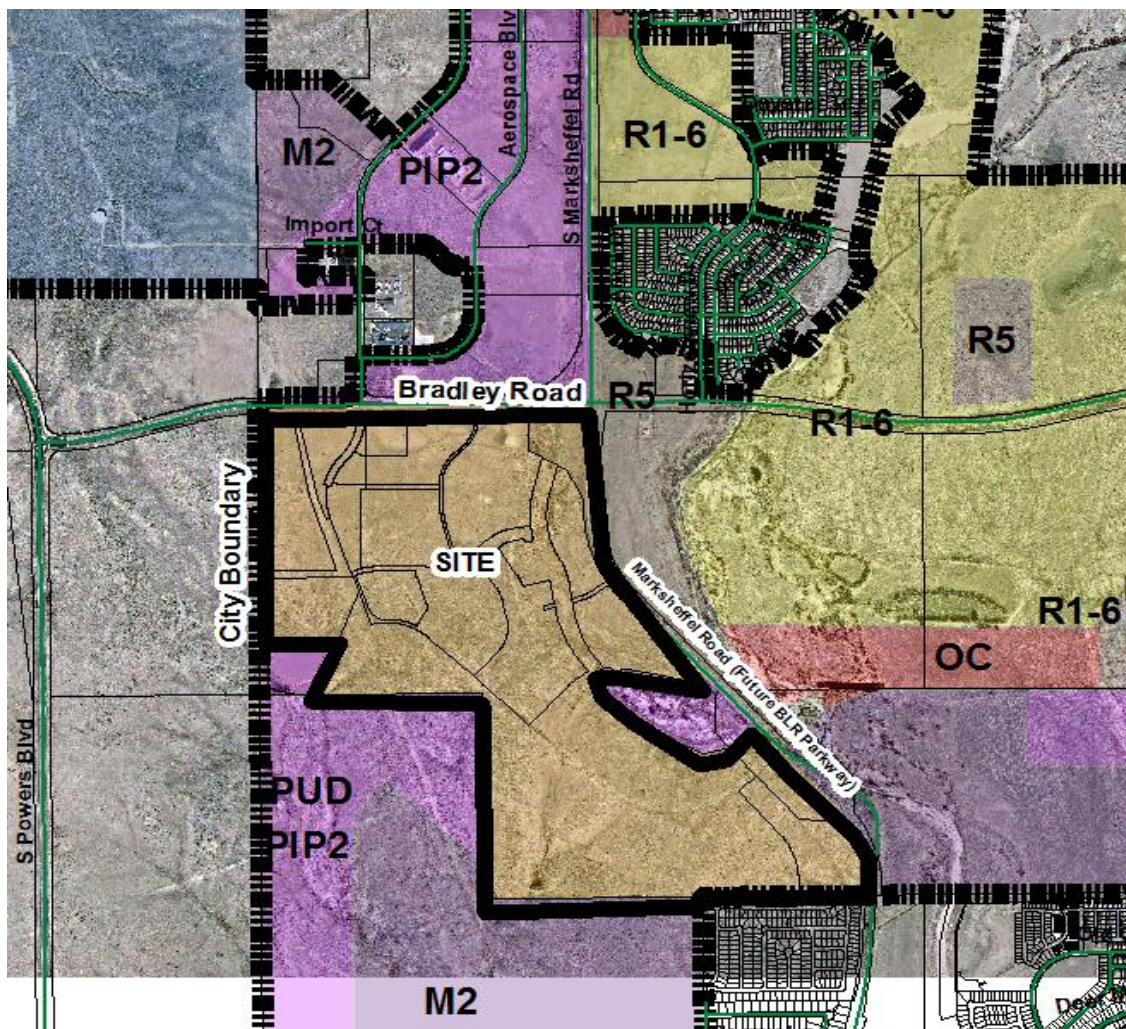
CPC PUZ 14-00101 – QUASI-JUDICIAL

CPC PUP 05-00139-A1MJ14 – QUASI-JUDICIAL

PROJECT: BANNING LEWIS RANCH – BRADLEY HEIGHTS

APPLICANT: NES, INC.

OWNER: MARKSHEFFEL-WOODMEN INVESTMENTS, LLC



PROJECT SUMMARY:

1. Project Description: This project includes concurrent applications for a minor amendment to the Banning Lewis Ranch Master Plan, PUD zone change and PUD concept plan amendment for a 529.45-acre property known as Bradley Heights, located at the southwest corner of the Bradley Road and Marksheffel Road intersection in the southern portion of Banning Lewis Ranch.

The minor master plan amendment proposes to change the land use of approximately 138 acres by eliminating the industrial land uses from the area and reconfiguring the commercial, residential, school and park areas.

Rezoning will change the 529.45 acres from PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlay) to a new PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlay), to allow a mix of residential, commercial and school/park uses, eliminating the previous industrial uses from the PUD zoning.

The PUD concept plan illustrates the development of the 529.45 acres as a mix of multi-family, commercial, single-family residential, school, and park uses. **(FIGURE 1)**

2. Applicant's Project Statement: **(FIGURE 2)**
3. Planning and Development Team's Recommendation: Staff recommends approval of the applications with one condition of approval on the master plan amendment.

BACKGROUND:

1. Site Address: No address is available.
2. Existing Zoning/Land Use: The 529.45 acres is vacant
3. Surrounding Zoning/Land Use:
North: PIP-2/Vacant
South: PIP-2 & M-2/Vacant
East: R-5 & M-2/ Vacant
West: Unincorporated El Paso County/Vacant
4. Comprehensive Plan/Designated 2020 Land Use: The 2020 Land Use Map illustrates several designations for this property. A section of the northwest corner is "Commercial Center", a large middle section of the property is "General Residential" and there is a small section of "Community Activity Center in the southeastern corner. That map will be updated based in the newly proposed master plan uses.
5. Annexation: The property was annexed in 1988 as part of Colorado Center #1 Addition.
6. Master Plan/Designated Master Plan Land Use: The property is part of the Banning Lewis Ranch Master Plan. The land use designations are industrial, residential, multi-family residential, commercial, school, and park. Only the industrial land use is being eliminated from the Master Plan. Other uses are being relocated and reconfigured.
7. Subdivision: The property is not platted
8. Zoning Enforcement Action: None
9. Physical Characteristics: The property is vacant, contains largely native grasses, and has moderate rolling slopes.

STAKEHOLDER PROCESS AND INVOLVEMENT:

The public process included posting the site and sending postcards to 138 property owners within 1,000 feet. A majority of surrounding properties are currently vacant. There are two residential neighborhoods in the area that are within unincorporated El Paso County. Staff did not receive any comments from neighboring property owners.

Staff also sent the plans to the standard internal and external review agencies for comments. All comments received from the review agencies have been addressed. Commenting agencies included Colorado Springs Utilities, City Engineering, City Traffic, City Fire, City Parks, Police, E-911, Airport, and the Widefield School District.

ANALYSIS OF REVIEW CRITERIA/MAJOR ISSUES/COMPREHENSIVE PLAN & MASTER PLAN CONFORMANCE:

1. Review Criteria / Design & Development Issues:

Minor Master Plan Amendment

The property is part of the Banning Lewis Ranch Master plan. The minor amendment removes 44.5 acres of industrial uses and replaces the use with 34.5 acres of residential at 3.5 – 7.99 dwelling units per acre and 10 acres of commercial use. The other changes to the master plan only shift and adjust use types; 28.28 acres of commercial to residential, 30.21 acres of school to residential and 35.18 acres of residential to school. No new uses are introduced. A total of 138.27 acres are impacted by the change. An exhibit outlining the change area is attached as **FIGURE 3**.

PUD (Planned Unit Development) Rezone

The property was previously zoned PUD in 2006. That PUD ordinance called out specific uses and acreage for each use and use related conditions of record. Because the industrial use is being eliminated, the property needs to be rezoned from PUD/SS/AO (Planned Unit Development with Streamside Overlay and Airport Overlay) to a new PUD/SS/AO (Planned Unit Development with Streamside Overlay and Airport Overlay).

The proposed zoning ordinance will allow the following uses, densities and building heights specific to this PUD ordinance:

- Commercial - 436,563 square feet maximum building area, 50 foot maximum building height
- Residential - 3.5 – 7.99 dwelling units per acre, 35 foot maximum building height
- Multi-Family - 12 – 24.99 dwelling units per acre, 45 foot maximum building height
- School
- Parks

PUD Concept Plan

The concept plan looks very similar to the master plan amendment. It illustrates parcels and acreage for each use type along with major points of access. The concept plan's residential maximum is 2,830 units and the commercial maximum building area is 436,563 square feet. The permitted uses are commercial, school, parks, residential (3.5 – 7.99 dwelling units per acre) and multi-family (12 – 24.99 dwelling units per acre).

City Code Section 7.3.605 outlines the requirements and review criteria for a PUD concept plan. The PUD concept plan document is not required to show specific landscaping, screening and buffering, lighting or other site design aspects. That type of detail is specific to a development plan. Any future request for building permits will require the submission of a PUD development plan, which will be reviewed administratively per City Code Section 7.3.606.

Drainage/Platting Issue

There is a note on the concept plan that no lots can be platted until the Jimmy Camp Creek Drainage Basin Planning Study is approved by City Council. This stipulation is part of the Banning Lewis Ranch Annexation Agreement and the subsequent settlement agreement. That study is currently under review by city staff and is moving through a public process and being presented to the Drainage Board at their December meeting. Staff will continue to review development plans and plats while waiting for the study to be approved. Again, no plats will be signed until the study is complete and approved by the City.

Utilities

There are several notes on the concept plan related to the provision of utilities. There is an intergovernmental agreement with Colorado Springs Utilities and Colorado Center Metropolitan District for provision of water and wastewater. Colorado Springs Utilities does not have service lines in the area. Therefore, the intergovernmental agreement will be utilized on an interim basis in order to allow Colorado Center to supply utility services until such a time that Colorado Springs Utility infrastructure is available in the area.

2. Conformance with the City Comprehensive Plan:

Comprehensive Plan 2020 Land Use Map: The 2020 Land Use Map illustrates several designations for this property. A section of the northwest corner is "Commercial Center", a large middle section of the property is "General Residential" and there is a small section of "Community Activity Center in the southeastern corner. That map will be updated based with the newly proposed master plan uses.

Strategy N 203b: Achieve Balanced Mix of Land Uses.

Objective LU 3: Develop a Mix of Interdependent, Compatible, and Mutually Supportive Land Uses.

Policy LU 301: Promote a Mixed Land Use Pattern.

Policy N 302: Promote Development of Mixed-use Neighborhoods – Provide residents the choice of walking, bicycling or driving to parks, schools, work, shopping, places of worship and transit stops in their own and other neighborhoods.

Objective CCA 6: Fit New Development into the Character of the Surrounding Area.

It is the finding of the Land Use Review Division that the minor amendment to the Banning Lewis Ranch Master Plan, the Bradley Heights PUD zone change and PUD Concept Plan will substantially conform to the City Comprehensive Plan 2020 Land Use Map and the Plan's goals and objectives.

3. Conformance with the Area's Master Plan:

The property is part of the Banning Lewis Ranch Master plan. The minor amendment removes 44.5 acres of industrial uses and replaces the use with 34.5 acres of residential at 3.5 – 7.99 dwelling units per acre and 10 additional acres of commercial use. The other changes to the master plan only shift and adjust use types. A total of 138 acres are impacted by the changes. No new uses are introduced.

There is significant industrial zoned property in the immediate area. Eliminating 44.5 acres of industrial uses from the master plan will not have a large impact.

It is the finding of the Land Use Review Division that the proposal is in compliance with the Banning Lewis Ranch Master Plan, as proposed to be amended.

STAFF RECOMMENDATION:

ITEM NO.: B.1 CPC MP 87-00381-A13MN14 – MINOR MASTER PLAN AMENDMENT

Approve the amendment to the Banning Lewis Ranch Master Plan Amendment, based upon the finding that the amendment meets the review criteria for master plan amendments as set forth in City Code Section 7.5.408 with the following condition of approval:

1. The comprehensive document for the Banning Lewis Ranch master plan as a whole must be updated prior to final approval, including an update to the Banning Lewis Ranch Comprehensive Land Use Table.

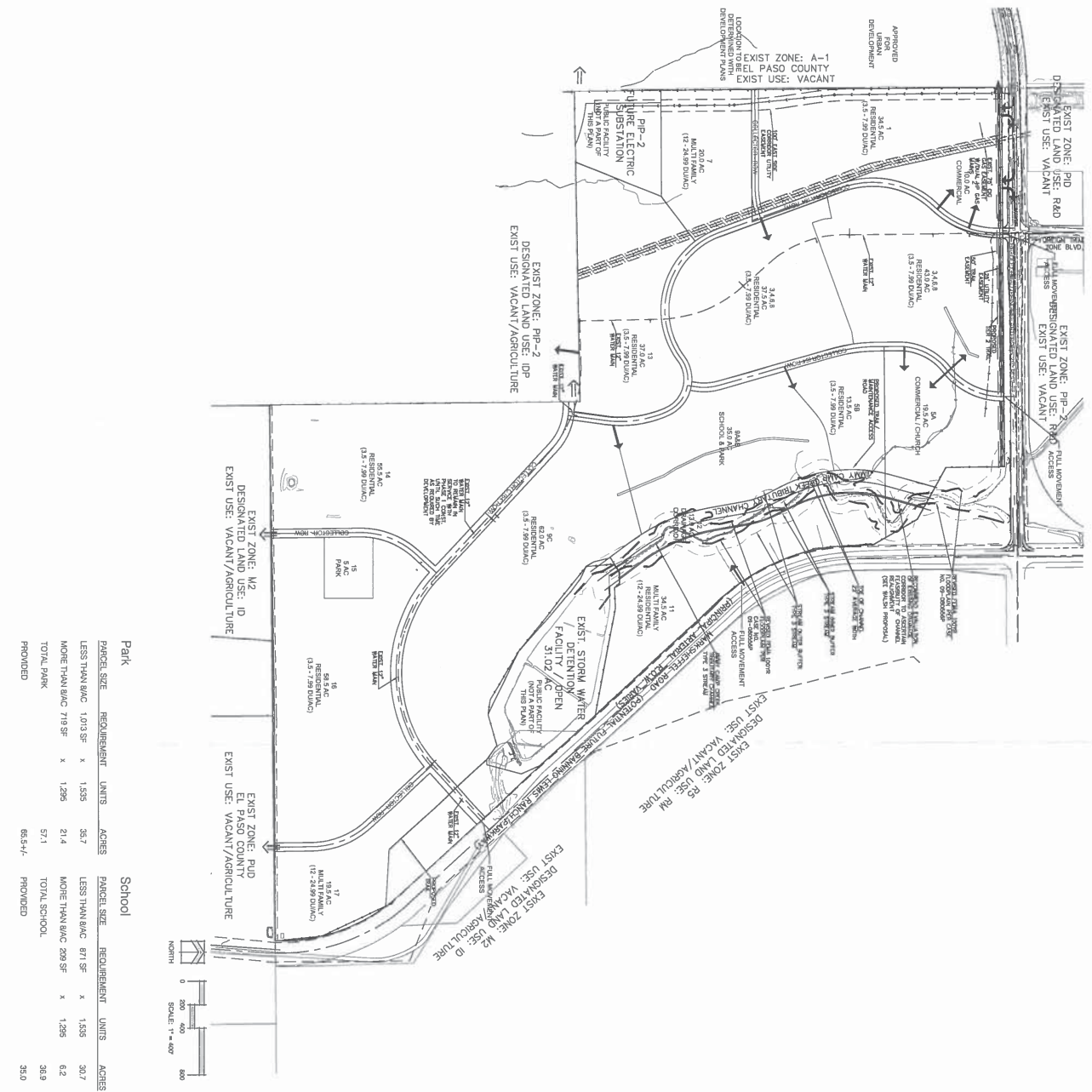
ITEM NO.: B.2 CPC PUZ 14-00101 – CHANGE OF ZONING TO PUD

Approve the zone change from PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlay) to PUD/SS/AO (Planned Unit Development with Streamside and Airport Overlay) based upon the findings that the change of zoning request complies with the three (3) criteria for granting of zone changes as set forth in City Code Section 7.5.603 and the criteria for the establishment and development of a PUD zone as set forth in City Code Section 7.3.603.

ITEM NO. : B.3 CPC PUP 05-00139-A1MJ14 – BRADLEY HEIGHTS PUD CONCEPT PLAN

Approve the Bradley Heights PUD Concept Plan based upon the findings that the PUD concept plan meets the review criteria for PUD concept plans as set forth in City Code Section 7.3.605.

P:\Study Case 5\Bradley Heights\Drawings\Planning\Concept\PIP_02_Master Plan_11-24-14.dwg [24x35] 11/24/2014 11:25:34 AM barthen



SITE DATA

LOT TOTALS 529,448 ACRES
 EXISTING ZONING PUD
 PROPOSED ZONING PUD

GENERAL NOTES

1. OWNERS MARISCHELLE WOODMEN INVESTMENTS, LLC
 RANDIE W. CASE
 LINDSEY A. CASE
 BARR HOLDINGS, LLC
 BRADLEY HEIGHTS / BANNING LEWIS RANCH
 CHUCK DRIVE BAYVIEW COLLEGE

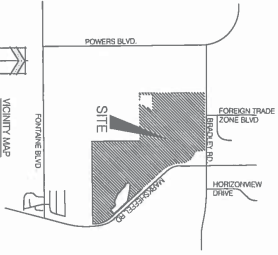
2. MASTER PLAN
 3. INTERIM WATER AND WASTEWATER SERVICE MAY BE OBTAINED FROM THE CITY OF COLORADO SPRINGS. THE APPLICANT AGREES TO PAY FOR THE COST OF SUCH UTILITIES AS SUCH IGA IS AMENDED OR RESISTED FROM THE TO BE REQUIRED.

4. DURING THE DEVELOPMENT PLAN REVIEW PROCESS JUSTIFICATION FOR DIFFERENT LAND USE TYPES:
 5. INTERIM WATER AND WASTEWATER SERVICE MAY BE OBTAINED FROM THE CITY OF COLORADO SPRINGS. THE APPLICANT AGREES TO PAY FOR THE COST OF SUCH UTILITIES AS SUCH IGA IS AMENDED OR RESISTED FROM THE TO BE REQUIRED.

6. AS A CONDITION OF APPROVAL OF AN DEVELOPMENT PLAN AND PRIOR TO THE PROVISION OF UTILITY SERVICE FOR THE SUBJECT PROPERTY, A FACILITIES PARTICIPATION UTILIZATION AND SERVICE MASTER DEVELOPMENT AGREEMENT BETWEEN COLORADO SPRINGS UTILITY SERVICES AND THE APPLICANT SHALL BE REQUIRED. THE APPLICANT SHALL BE RESPONSIBLE FOR THE COST OF SUCH UTILITIES AS SUCH IGA IS AMENDED OR RESISTED FROM THE TO BE REQUIRED.

7. PRIOR TO RECEIPT OF INTERIM SERVICE, THE APPLICANT SHALL PROVIDE THE FOLLOWING NOTICE TO ALL INTERIM CUSTOMERS: "MY CUSTOMER RECEIVING COLORADO SPRINGS METROPOLITAN DISTRICT INTERIM WATER DISTRIBUTION SYSTEM AND/OR THROUGH AN INTERIM WASTEWATER COLLECTION SYSTEM AS DEFINED IN THE IGA, SHALL BE A COLORADO SPRINGS CUSTOMER SUBJECT TO COLORADO SPRINGS STANDARDS AND REGULATIONS. ALL COLORADO SPRINGS CUSTOMERS SHALL BE SERVED BY RESOLUTION. SUCH INTERIM CUSTOMERS SHALL BE ALL COLORADO SPRINGS CUSTOMERS AS DEFINED IN THE IGA. ALL COLORADO SPRINGS CUSTOMERS AS DEFINED IN THE IGA SHALL BE SERVED BY RESOLUTION. SUCH INTERIM CUSTOMERS SHALL BE ALL COLORADO SPRINGS CUSTOMERS AS DEFINED IN THE IGA. ALL COLORADO SPRINGS CUSTOMERS AS DEFINED IN THE IGA SHALL BE SERVED BY RESOLUTION. SUCH INTERIM CUSTOMERS SHALL BE ALL COLORADO SPRINGS CUSTOMERS AS DEFINED IN THE IGA."

8. THE JAWAY CREEK DRAINAGE BASIN PLANNING STUDY MUST BE APPROVED PRIOR TO THE RECOMMENDATION OF ANY PLANS.

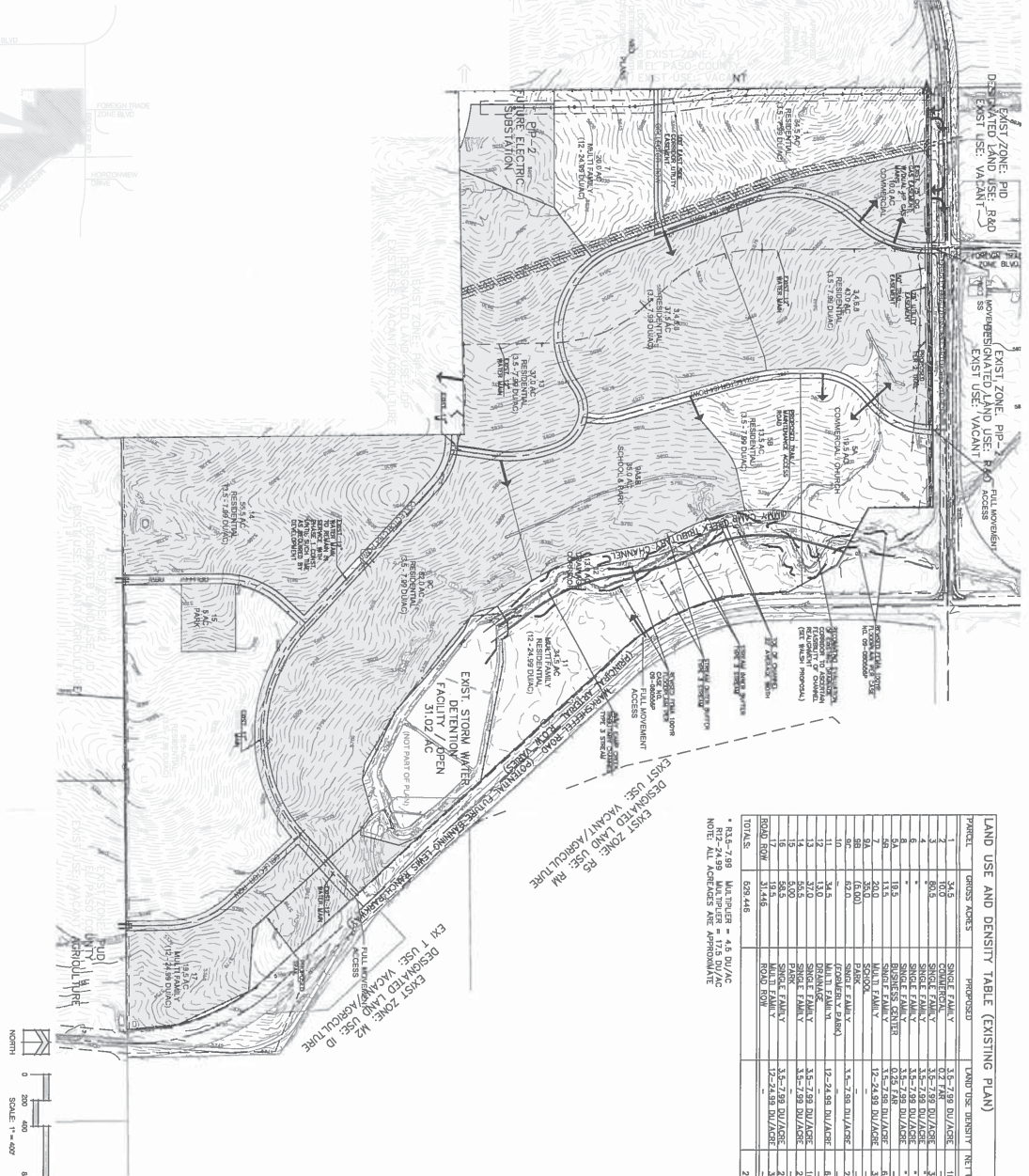


<p>DATE: 11/20/14 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]</p>		<p>PROJECT NO: [Number] SHEET NO: 1 OF 1 SHEET TITLE: PUD CONCEPT PLAN</p>	
<p>DATE: 11/20/14 DRAWN BY: [Name] CHECKED BY: [Name] APPROVED BY: [Name]</p>		<p>PROJECT NO: [Number] SHEET NO: 1 OF 1 SHEET TITLE: PUD CONCEPT PLAN</p>	



FIGURE 1

File: C:\Users\Bradley\Documents\Planning\Concept_PUD_01_Combined with DP_11-24-14.dwg [2403] 11/24/2014 11:24:38 AM bradley



LAND USE AND DENSITY TABLE (EXISTING PLAN)

PARCEL	ACRES	PROPOSED	LAND USE DENSITY	NET DENSITY	MAX ROAD SW	MAX ROAD NW
1	34.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	150	35 FT	35 FT
2	1.07	COMMERCIAL	0.7-7.99 DU/ACRE	70,500	45 FT	45 FT
3	60.8	SINGLE FAMILY	1.5-2.99 DU/ACRE	900	35 FT	35 FT
4	6	SINGLE FAMILY	1.5-2.99 DU/ACRE	35	35 FT	35 FT
5	6	SINGLE FAMILY	1.5-2.99 DU/ACRE	35	35 FT	35 FT
6	1.5	BUSINESS CENTER	0.5-2.99 DU/ACRE	35,000	50 FT	50 FT
7	29	SINGLE FAMILY	1.5-2.99 DU/ACRE	41	35 FT	35 FT
8	20	SINGLE FAMILY	1.5-2.99 DU/ACRE	29	35 FT	35 FT
9	20	SCHOOL	1.5-2.99 DU/ACRE	20	35 FT	35 FT
10	42.0	SINGLE FAMILY	1.5-2.99 DU/ACRE	270	35 FT	35 FT
11	34.6	(RESIDENTIAL + BIRBO)	1.5-2.99 DU/ACRE	150	35 FT	35 FT
12	13.0	PRINNING	1.5-2.99 DU/ACRE	150	35 FT	35 FT
13	2.0	SINGLE FAMILY	1.5-2.99 DU/ACRE	150	35 FT	35 FT
14	2.0	PARCELS	1.5-2.99 DU/ACRE	20	35 FT	35 FT
15	5.00	PARCELS	1.5-2.99 DU/ACRE	20	35 FT	35 FT
16	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
17	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
18	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
19	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
20	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
21	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
22	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
23	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
24	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
25	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
26	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
27	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
28	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
29	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
30	1.5	SINGLE FAMILY	1.5-2.99 DU/ACRE	20	35 FT	35 FT
TOTALS	628.448			2830		

* R30-7-99 MULTIFAMILY = 4.5 DU/AC
 * R12-24-99 MULTIFAMILY = 7.5 DU/AC
 * R12-24-99 MULTIFAMILY = 7.5 DU/AC
 * R12-24-99 MULTIFAMILY = 7.5 DU/AC

- SITE DATA**
- EXISTING ZONING: R30-7-99
 PROPOSED ZONING: PUD
- GENERAL NOTES**
1. OWNER: MARGISERFEL WOODMEN INVESTMENTS, LLC
 2. MASTER PLAN: RANDY W. CASE, BARR HOLDINGS, LLC, CHOLE DINE BAYST CHURCH, BANNING LEWIS BRANCH
 3. DIFFERENT LAND USE TYPES: BANNING LEWIS BRANCH
 4. COMMERCIAL USES ALLOWED ARE THOSE LISTED IN THE ZONING DISTRICT
 5. CONDOMINIUMS AND ACCESSORY DWELLING UNITS ARE NOT PERMITTED
 6. THE STRIPASIS REVIEW CRITERIA, A LAND SURVIVAL ANALYSIS AND CALCULATION OF INTERVENOUS SURFACE WITHIN THE STREAM BUFFER
 7. INTERIM WATER AND WASTEWATER SERVICE MAY BE OBTAINED THROUGH THE COLORADO CENTRE METROPOLITAN DISTRICT (CCMD). THE APPLICANT ACKNOWLEDGES AND AGREES THAT CCMD SHALL CONSIDER THE SERVICE IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE SERVICE AGREEMENT. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING THE SERVICE AGREEMENT FROM CCMD. THE SERVICE AGREEMENT DATED AUGUST 11, 2009, BETWEEN CCMD AND THE UTILITIES BOARD OF COLORADO SPRINGS SHALL BE APPLICABLE TO THE UTILITIES AS SHOWN ON THE SERVICE AREA MAP.
 8. AS A CONDITION OF APPROVAL OF ANY DEVELOPMENT PLAN AND PROJECT TO THE PROVISIONS OF UTILITY SERVICE FROM THE SUBJECT PROPERTY, THE APPLICANT SHALL ENTER INTO A SERVICE AGREEMENT (SERVICE AGREEMENT) WITH THE COLORADO SPRINGS UTILITIES AND WASTEWATER INVESTMENTS, LLC OF THE MASTER DEVELOPMENT TENANT SHALL BE EXCLUDED. THE APPLICANT SHALL BE RESPONSIBLE FOR OBTAINING THE SERVICE AGREEMENT FROM CCMD. THE SERVICE AGREEMENT DATED AUGUST 11, 2009, BETWEEN CCMD AND THE UTILITIES BOARD OF COLORADO SPRINGS SHALL BE APPLICABLE TO THE UTILITIES AS SHOWN ON THE SERVICE AREA MAP.
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BRADLEY HEIGHTS PUD CONCEPT PLAN

A SUBAREA OF THE BANNING LEWIS BRANCH MASTER PLAN

DATE: 12/18/14
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

N.E.S. Inc.
 506 South Tenth Street
 Colorado Springs, CO 80903
 Tel: 719.471.0073
 Fax: 719.471.0257
 www.nesincolorado.com
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INDEX MAP

SHEET 1: PUD CONCEPT PLAN

1 OF 1

FIGURE 1



6385 Corporate Drive, Suite 101 (719)785-0790
Colorado Springs, Colorado 80919 (719)785-0799(Fax)

JOB NO. 2266.00-05
JULY 27, 2009
PAGE 1 OF 2

LEGAL DESCRIPTION: OVERALL

A PARCEL OF LAND BEING A PORTION OF SECTIONS 9, 10 AND 15, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE NORTH-SOUTH CENTERLINE OF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MONUMENTED AT BOTH ENDS BY A 3/4" ALUMINUM CAP STAMPED "PLS 10377", IS ASSUMED TO BEAR S00°19'23"E, A DISTANCE OF 5252.20 FEET.

COMMENCING AT THE SOUTH QUARTER CORNER OF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE N00°19'23"W, ON THE NORTH-SOUTH CENTERLINE OF SAID SECTION 9, A DISTANCE OF 3638.24 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF BRADLEY ROAD FORMERLY KNOWN AS NEW DRENNAN ROAD, AS DESCRIBED IN A DOCUMENT RECORDED IN BOOK 5307 AT PAGE 1472;

THENCE ON SAID SOUTHERLY RIGHT OF WAY LINE, THE FOLLOWING FIVE (5) COURSES:

1. N89°30'18"E, A DISTANCE OF 1015.30 FEET TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 21°02'22", A RADIUS OF 150.00 FEET AND A DISTANCE OF 55.08 FEET TO A POINT ON CURVE;
3. N89°30'18"E, A DISTANCE OF 312.30 FEET TO A POINT ON CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S21°32'04"E, HAVING A DELTA OF 21°02'22", A RADIUS OF 150.00 FEET AND A DISTANCE OF 55.08 FEET TO A POINT OF TANGENT;
5. N89°30'18"E, A DISTANCE OF 1791.76 FEET;

THENCE S00°28'56"E, A DISTANCE OF 500.21 FEET;
THENCE S61°09'32"E, A DISTANCE OF 502.99 FEET;
THENCE S30°00'41"E, A DISTANCE OF 439.21 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF MARKSHEFFEL BOULEVARD AS DESCRIBED IN A DOCUMENT RECORDED IN BOOK 5120 AT PAGE 92;

THENCE ON SAID WESTERLY RIGHT OF WAY LINE, THE FOLLOWING THREE (3) COURSES:

1. S00°30'37"E, A DISTANCE OF 150.61 FEET TO A POINT ON CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N89°31'09"E, HAVING A DELTA OF 42°07'35", A RADIUS OF 1705.00 FEET AND A DISTANCE OF 1253.59 FEET TO A POINT ON CURVE;
3. S42°37'52"E, A DISTANCE OF 1453.45 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF DETENTION POND PHASE I, AS DESCRIBED IN A DOCUMENT RECORDED IN BOOK 5661 AT PAGE 1398;

THENCE ON THE BOUNDARY OF SAID DETENTION POND PHASE I, THE FOLLOWING FIFTEEN (15) COURSES:

1. N79°27'09"W, A DISTANCE OF 921.08 FEET;
2. S87°25'21"W, A DISTANCE OF 172.11 FEET;
3. N33°41'28"W, A DISTANCE OF 54.92 FEET;
4. S89°25'13"W, A DISTANCE OF 100.00 FEET;
5. S57°32'12"W, A DISTANCE OF 149.56 FEET;
6. S13°55'21"E, A DISTANCE OF 144.18 FEET;
7. S31°10'08"E, A DISTANCE OF 76.66 FEET;
8. S65°07'35"E, A DISTANCE OF 116.30 FEET;
9. S53°48'20"E, A DISTANCE OF 133.60 FEET;
10. S48°45'35"E, A DISTANCE OF 677.74 FEET;

11. S63°51'00"E, A DISTANCE OF 586.75 FEET;
12. N74°16'51"E, A DISTANCE OF 279.69 FEET;
13. S54°47'11"E, A DISTANCE OF 150.44 FEET;
14. S42°37'52"E, A DISTANCE OF 1127.04 FEET;
15. S86°36'51"E, A DISTANCE OF 483.94 FEET TO A POINT ON CURVE, SAID POINT BEING ON SAID WESTERLY RIGHT OF WAY LINE OF SAID MARKSHEFFEL BOULEVARD;

THENCE ON SAID WESTERLY RIGHT OF WAY LINE, ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S53°38'33"W, HAVING A DELTA OF 38°23'31", A RADIUS OF 1495.00 FEET AND A DISTANCE OF 1001.75 FEET TO A POINT ON CURVE, SAID POINT BEING ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF SECTION 15, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN;

THENCE S89°21'45"W, ON SAID SOUTH LINE, A DISTANCE OF 1927.46 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 15;

THENCE S89°21'23"W, ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 2633.85 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 15;

THENCE N00°28'36"W, ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 2637.35 FEET TO THE NORTHWEST QUARTER CORNER OF SAID SECTION 15;

THENCE S88°57'55"W, ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9, A DISTANCE OF 2037.41 FEET TO THE SOUTHEASTERLY CORNER OF A PARCEL OF LAND DESCRIBED IN A DOCUMENT RECORDED UNDER RECEPTION NO. 97149924;

THENCE ON THE BOUNDARY OF SAID PARCEL OF LAND, THE FOLLOWING FOUR (4) COURSES:

1. N21°53'06"E, A DISTANCE OF 786.43 FEET;
2. S89°40'36"W, A DISTANCE OF 795.00 FEET;
3. S00°19'24"E, A DISTANCE OF 638.00 FEET TO A POINT ON CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S05°43'53"W HAVING A DELTA OF 17°15'57", A RADIUS OF 1207.50 FEET AND A DISTANCE OF 363.88 FEET TO A POINT ON SAID SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 9;

THENCE S88°57'55"W, ON SAID SOUTH LINE, A DISTANCE OF 458.19 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 529.446 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

DATE

BRADLEY HEIGHTS

PROJECT STATEMENT

September 2014

Revised November 24, 2014

Bradley Heights is a 529 acre parcel located in the southwest portion of the Banning Lewis Ranch Master Plan. The property has been zoned PUD with a mixed use PUD Concept Plan (PUP), but the conditions of approval have not been completely resolved. This series of applications will amend a portion of the PUD Concept Plan (PUP). An “administrative change” to the Master Plan will adjust the land use designations to reflect more closely the City standard classifications as they relate to residential density ranges.

Access and Circulation. Bradley Heights is bounded on the north by Bradley Road (Principal Arterial); on the east by Marksheffel Road (Principal Arterial); on the south by industrially zoned and planned land currently owned by Ultra Resources, Inc.; and on the west by land currently under planning design within the jurisdiction of El Paso County. There are two planned full movement access points to Bradley Road, one of which is the extension south of Foreign Trade Zone Boulevard (proposed Collector A within the project). Two additional accesses to Bradley Road – right in/right out accesses - are planned west of Bradley Heights Drive to serve a commercially designated parcel and a residential parcel. A second Collector road (Collector B) will access Bradley Road; it will generally parallel Bradley Heights Drive. These Collectors will intersect and connect to a third collector (Collector C) in the south central portion of the Plan. This third collector will distribute traffic to Marksheffel Road.

One full movement access, other than the Collector, is planned to Marksheffel Road.

Land Use. The specific land use changes proposed by this amendment are to the north and northwest portions of the Bradley Heights project area. The northwestern corner of the site will change from industrial land use to commercial (10 acres) and to residential with a density of 3.5 – 7.99 units per acre (34.5 Acres). This land use change eliminates industrial use from Bradley Heights and replaces it with viable land uses. Justification for this change is that the general area around Bradley Heights has an over abundance of planned industrial land use for which there is no market, either now or in the reasonable future. The owners of Bradley Heights retain over 150 acres of vacant industrially planned and zoned land north of Bradley Heights.

The change to the northern portion of the Bradley Heights site is from commercial to a mix of commercial and residential. The proposed residential density is 3.5 – 7.99 units per acre. The

revised commercial parcel will be 10 acres in size. The proposed commercial will provide supporting neighborhood services to the Bradley Heights community.

Entry level single family housing product is planned for the two residential parcels that are the subject of this amendment. Existing major utility corridors border the westerly residential parcel providing trail opportunities that will link neighborhoods and the proposed school site to the south. The easterly residential parcel also provides school access via trails. Both of these parcels are designed to minimize land devoted to yards in an effort to minimize water demand and to reflect current market desires. Builder clients have provided market direction. The Development Plan to follow this submittal package will detail the design of these two parcels.

A minor adjustment to the commercial parcel at the northeast portion of the site has been proposed. This parcel is owned by Circle Drive Baptist Church. The Church is actively planning a church facility on this site, therefore the site has been designated Commercial/Church on the Bradley Heights PUP Plan.

Schools and Parks. Bradley Heights is located within Widefield School District #3. This District is unique in the State in that it is both a school district and a park district. The District provides Park services including facilities and programs. The applicant has met with the District #3 staff to discuss both the location and the amount of Park/School dedication. The District is in the process of an overall evaluation of land and facility needs, but has indicated that the amount and location of schools and parks shown on the Bradley Heights PUD generally meets their current needs. A 35 acre school/park site, a 5 acre neighborhood park are shown on the PUD Concept Plan (PUP). Additional District review may indicate a reduction in the size of the 35 acre site.

There are four major trail corridors within the Bradley Heights PUD (PUP).

- A 30 foot Tier One Trail tract is shown parallel to Bradley Road on the south side of the road right-of-way.
- A trail corridor along Jimmy Camp Creek will run north/south through the property. Site specific design at the north end through planned commercial property will connect this trail to the east/west trail along Bradley Road.
- A 50 foot gas line easement runs generally north/south from Bradley Road to the southern end of the PUD. This easement will be developed as a trail connecting to the Bradley Road Trail at the northwest portion of the property.
- A trail will be included in a 100 foot electric easement that generally follows the western property line.

In addition, a future trail connection to the east to the Jimmy Camp Drainage will be located with site specific subdivision design. This connection will provide a looped trail throughout the Bradley Heights project that connects with the proposed school/park and with one of the neighborhood parks.

Utilities. Currently, electric and gas trunk facilities are available at the site. An electric substation (Big Johnson Substation) is one of the land uses in the PUD Concept Plan. City water and sewer service will need to be extended to the site, which will happen over time per agreement with CSU that includes triggers and escrow provisions. In the interim, water and wastewater will be provided by the Colorado Center Metropolitan District. This District has capacity, and has facilities in the immediate vicinity which can serve the property. The details of how water and sewer service will be provided are covered in an IGA between CSU and Colorado Center and the developer.

Drainage. Jimmy Camp Creek flows through the property, generally along the eastern edge of the ownership adjacent to Marksheffel Road. On-site drainage improvements, including a detention pond are currently in place. The Jimmy Camp Creek DBPS is currently under redesign, but since local improvements are in place, the timing of the DBPS should not negatively affect development of Bradley Heights.

Metropolitan District. The Bradley Heights Metropolitan District has been created. The District has the responsibility to construct infrastructure and to provide maintenance.

MASTER PLAN REVIEW CRITERIA

The Bradley Heights Master Plan Amendment to the Banning Lewis Ranch Master Plan conforms to the following review criteria:

- * The proposed land use master plan or the amendment conforms to the policies and strategies of the Comprehensive Plan.
- * The master plan promotes a development pattern characterizing a mix of mutually supportive and integrated residential and nonresidential land uses with a network of interconnected streets and good pedestrian and bicycle connections.
- * The land use pattern is compatible with existing and proposed adjacent land uses and protects residential neighborhoods from excessive noise and traffic infiltration.
- * Housing types are distributed so as to provide a choice of densities and types.
- * Land uses are buffered by buffers or transitions in land use intensity.

- * Land uses conform to the definitions contained in section 7.5.410 of this part.
- * Recreational and educational uses are sited and sized to conveniently service the proposed population of the master plan area and the larger community.
- * The proposed school sites meet the location, function and size needs of the school district.
- * The land use master plan conforms to the adopted plans and policies of Colorado Springs Utilities.
- * The master development drainage plan conforms to the applicable drainage basin planning study and the drainage criteria manual.
- * The land use master plan has a logical hierarchy of the arterial and collector streets with an emphasis on the reduction of through traffic in residential neighborhoods and improves connectivity, mobility choices and access to jobs, shopping and recreation.
- * The design of the streets and multiuse trails minimizes the number of uncontrolled or at grade trail crossings of arterials.
- * Anticipated trip generation does not exceed the capacity of existing or proposed major roads.
- * The land use master plan utilizes floodplains and drainage ways as greenways for multiple uses including conveyance of runoff, wetlands, habitat, trails, recreational uses, utilities and access roads when feasible.
- * The Bradley Heights Metropolitan District has been established and will provide specified services to this area

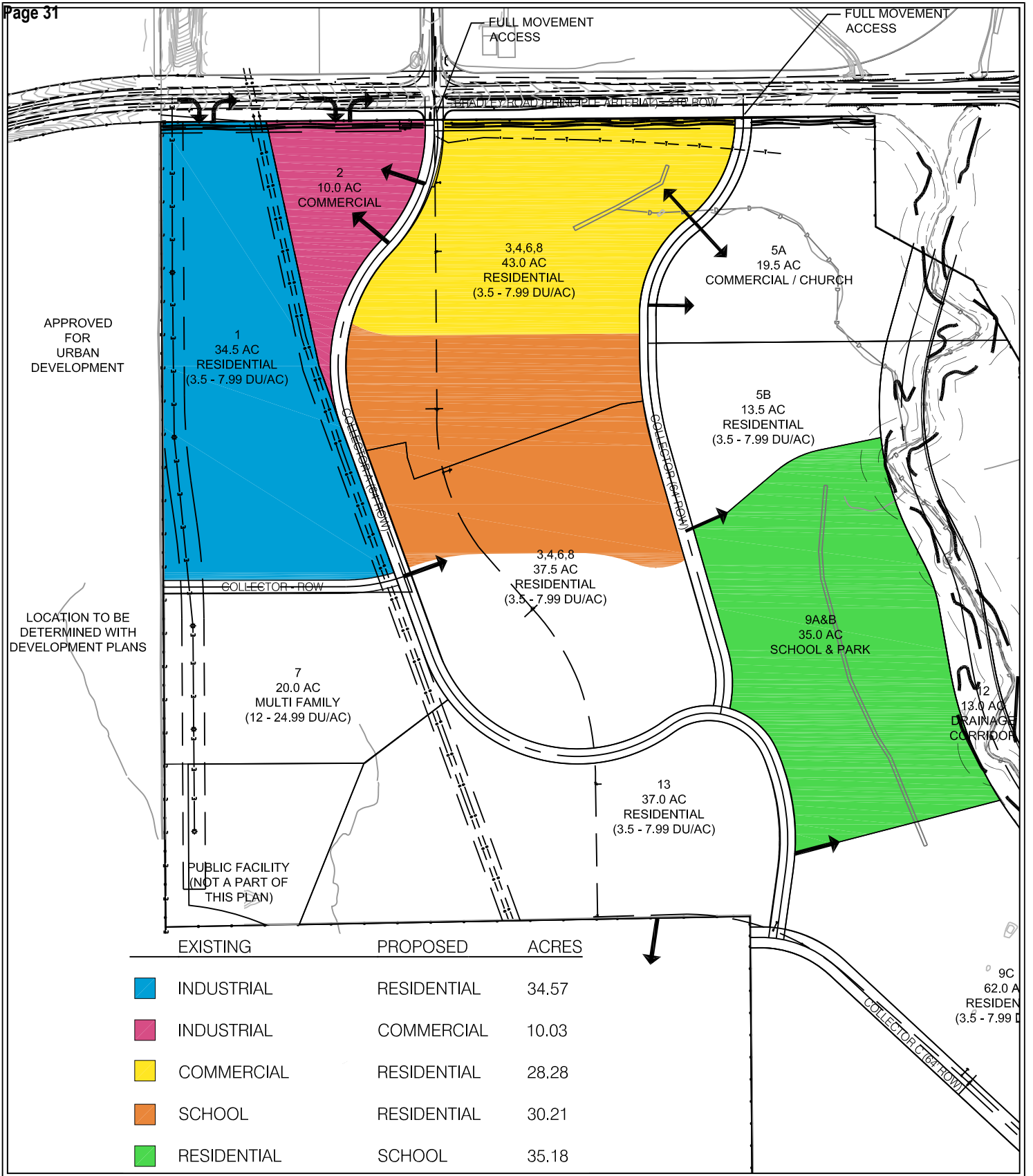
ZONE CHANGE REVIEW CRITERIA

1. The action will not be detrimental to the public interest, health, safety, convenience or general welfare. ***This Zone Change reaffirms an action previously approved for this site. The previous Council approval was based on this finding.***
2. The proposal is consistent with the goals and policies of the Comprehensive Plan. ***This Zone Change implements the Master Plan as proposed to be amended.***
3. Where a master plan exists, the proposal is consistent with such plan or an approved amendment to such plan. ***This Zone Change implements the Master Plan as proposed to be amended.***

CONCEPT PLAN REVIEW CRITERIA (PUP)

The PUD Concept Plan (PUP) is essentially a small area Master Plan for a portion of the larger Banning Lewis Ranch Master Plan. Although the Review Criteria below were not designed for a PUD PUP, responses to the criteria that apply have been provided.

1. Will the proposed development have a detrimental effect upon the general health, welfare and safety or convenience of persons residing or working in the neighborhood of the proposed development? **No.**
2. Will the proposed density, types of land uses and range of square footages permit adequate light and air both on and off site? **Yes. This Concept Plan is for a mix of mutually supportive residential and non-residential land uses. Implementation of this Concept Plan will create a community.**
3. Are the permitted uses, bulk requirements and required landscaping appropriate to the type of development, the neighborhood and the community? **Yes. This criterion is will be addressed in more detail with the PUD Development Plan.**
4. Are the proposed ingress/egress points, traffic circulation, parking areas, loading and service areas and pedestrian areas designed to promote safety, convenience and ease of traffic flow and pedestrian movement both on and off the site? **Yes. Within the context of the PUP, overall circulation is unchanged from the existing Master Plan, with the exception that Bradley Heights Drive has been re-classified as a Collector Street to facilitate economical School District #3 bussing policy.**
5. Will the proposed development overburden the capacities of existing streets, utilities, parks, schools and other public facilities? **No, as evidenced by City department reviews.**
6. Does the proposed development promote the stabilization and preservation of the existing properties in adjacent areas and surrounding residential neighborhoods? **This criterion does not apply- there are no surrounding residential neighborhoods.**
7. Does the concept plan show how any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family homes) will be mitigated? Does the development provide a gradual transition between uses of differing intensities? **Residential land use is proposed adjacent to single family residential land use. Buffering will occur on the Commercial property. Buffering details will be provided on site specific Development Plans.**
8. Is the proposed concept plan in conformance with all requirements of this Zoning Code, the Subdivision Code and with all applicable elements of the Comprehensive Plan? **Yes.**



Bradley Heights - Area of Change

DATE: December 3, 2014

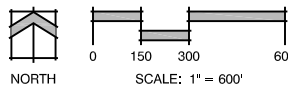
ISSUED FOR: R. Bevans

DRAWN BY: B. Carlson

DWG. REF.:

SCALE: 1" = 600'

DWG. #:



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FIGURE 3