

**EL PASO**  **COUNTY**  
**COLORADO**

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

December 8, 2020

Hammers Construction  
1411 Woolsey Heights  
Colorado Springs, CO 80915

Lena Case  
102 E Pikes Peak Avenue, Suite 200  
Colorado Springs, CO 80903

Nancy Starr  
5001 S. Clinton Street  
Englewood, CO 80111

Case L G  
2432 Parkview Lane  
Colorado Springs, CO 80906

RE: Claremont Business Park 2 – Preliminary Plan – (SP-19-007)

This is to inform you that the above-reference request for approval of preliminary plan was heard and approved by the El Paso County Board of County Commissioners on December 8, 2020, at which time an approval was made to create ten (10) commercial lots. The 13.66 acre property is zoned CS (Commercial Service) and is located at the southwest corner of the Marksheffel Road and Meadowbrook Parkway intersection and is within Sections 5 and 8, Township 14, and Range 65 West of the 6th P.M. The parcels are not located within the boundaries of a small area plan. The applicants also request the Board of County Commissioners make a finding of water sufficiency in terms of quality, quantity and dependability. Approval by the Board of County Commissioners of the preliminary plan with a finding of sufficiency for water quality, quantity, and dependability authorizes the Planning and Community Development Department Director to administratively approve all subsequent final plat(s).

2880 INTERNATIONAL CIRCLE, SUITE 110  
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127  
FAX: (719) 520-6695

[www.ELPASOCO.COM](http://www.ELPASOCO.COM)

**Parcel Nos.: 54054-12-001, 54054-12-004, 54054-12-002, 54054-12-003, and 54081-01-057**

This approval is subject to the following:

**WAIVER(S):**

1. The applicants have requested approval of a waiver of the standard drainage easement widths that are required for side lot lines for urban density lots as depicted on the preliminary plan for Lots 1-6. Section 8.4.5.G.4.b. of the Code specifies:

“Drainage Easements may be coincident with the required utility easements unless otherwise requested by the review engineer. The standard drainage easements for urban... lots shall be provided as follows:

- Side Lot Lines: 5 feet
- Rear Lot Lines: 7 feet”

For the lots specified above, the applicants have proposed 2-foot combined drainage and utility easements rather than providing the required 5-feet for one or both of the side property lines. The Planning and Community Development Department Engineering Division has approved the drainage report for the development confirming that the lots with the reduced drainage easements will maintain adequate and functional drainage through the site. The utility providers were sent a referral for the preliminary plan and did not object to the reduced easements as depicted on the plan.

2. The applicants have requested approval of a waiver to allow a private street where a public road would otherwise be required. Section 8.4.4.E.2 of the Code specifies:

“The use of private roads is limited and allowed only by waiver. In granting a waiver to allow private roads, the BoCC shall make written findings supporting the use of private roads and may require the owner to enter into a Private Road Maintenance Agreement or create covenants whereby the lot owners are required to maintain the private roads.”

The adjacent Claremont Business Park 1 Subdivision was approved with private internal streets connecting to Meadowbrook Parkway, which is a public street maintained by the County. The existing private streets within the Claremont Business Park 1 are maintained by the Claremont Owner’s Association. The applicants have provided a note on the preliminary plan

stating that the proposed private streets for this development will also be maintained by the Claremont Owner's Association. Staff recommends that a condition of approval be added to the final plat requiring that the proposed covenants state that private roads will be maintained by the Claremont Owner's Association.

3. The applicants have requested approval of a waiver for the private street described. If approved, the waiver would allow the street to be constructed so as to not meet County standards. Section 8.4.4.E.3. of the Code specifies:

“Generally, private roads shall be constructed and maintained to ECM standards except as otherwise determined in the waiver.”

If built to the specifications of a County road, the street would need to include five-foot wide pedestrian sidewalk along both sides of the proposed private road. The applicants are proposing to provide a 4 foot wide sidewalk from Meadowbrook Parkway along the north side of Gary Watson Point that would terminate in the cul-de-sac rather than it being provided on both sides of the private street. The existing Claremont Business Park 1 Subdivision, adjacent to the subject property, did not provide any sidewalks along the internal private streets. The applicants are proposing the sidewalk along one side of the street as a compromise between meeting the County standards and matching the existing development pattern for Claremont Business Park.

## **CONDITIONS**

1. Applicable drainage and bridge fees shall be paid with each final plat.
2. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of 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 species.
3. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.

## **NOTATIONS**

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the preliminary plan will expire after twenty-four (24) months unless a final plat has been approved and recorded or a time extension has been granted.
3. Preliminary plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.

This represents the Planning and Community Development Department's understanding of the action taken by 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,

A handwritten signature in cursive script that reads "Lindsay Darden".

Lindsay Darden, Planner II

File No. SP-19-007