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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

August 24, 2021

Meadowbrook Crossing, LLC
Colorado Springs Equities, LLC Meadowbrook Development, LLC
90 S. Cascade Avenue, Suite 1500
Colorado Springs, CO 80903

Kimley-Horn and Associates
2 N. Nevada Avenue, Suite 300
Colorado Springs, CO 80903

RE: Meadowbrook Park -- (PUDSP-20-008)

This is to inform you that the above-reference request for approval of a map amendment (rezoning) from CR (Commercial Regional), I-2 (Industrial), and RR-5 (Residential Rural) to a site specific PUD (Planned Unit Development) to develop 67 single-family residential lots was heard by El Paso County Board of County Commissioners on August 24, 2021, at which time an approval was made. (Parcel Nos. 54080-00-053, 54080-08-002, and 54084-03-001)

This approval is subject to the following:

Modification of Existing Land Development Code (LDC) or Engineering Criteria Manual (ECM) Standard:

For approval of a modification of a general development standard in the LDC or standard of the ECM, the BoCC shall find that the proposal provides for the general health, safety, and welfare of the citizens and at least one of the following benefits:

- Preservation of natural features;
- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
- Provision of a more efficient pedestrian system;
- Provision of additional open space;
- Provision of other public amenities not otherwise required by the Code; or

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- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.
1. The applicants are requesting a PUD modification of Sections 8.4.4.C. and 8.4.4.E.3 of the Code to allow for private roads that are not proposed to be built to public road standards.
- Section 8.4.4.C, *Public Roads Required*, of the Code states: “Divisions of land, lots and tracts shall be served by public roads.”
 - Section 8.4.4.E.3, *Private Road Allowances*, of the Code states: “Generally, private roads shall be constructed and maintained to ECM standards except as may be otherwise determined in the waiver. Private road waivers may include design standards for the following:
 - Right-of-way width where suitable alternative provisions are made for pedestrian walkways and utilities;
 - Design speed where it is unlikely the road will be needed for use by the general public;
 - Standard section thickness minimums and pavement type where suitable and perpetual maintenance provisions are made;
 - Maximum and minimum block lengths;
 - Maximum grade.”

PCD Executive Director Recommendation:

The PCD Executive Director recommends approval of the requested PUD modifications. Per the proposed PUD/preliminary plan, adequate lot accessibility can be provided via the proposed private roadway. The applicants have depicted a sidewalk design and layout that accommodates pedestrians throughout the proposed PUD/preliminary plan and allows for connections to the adjacent existing sidewalks and trail corridor.

As summarized in the applicants’ letter of intent, reducing the requirement of constructing private roads to public road standards to a lesser standard is proposed to provide for a more livable environment and provision of more efficient pedestrian spaces. The applicants have obtained written endorsement from Cimarron Hills Fire Protection District and the maintenance for the private roads is proposed to be provided by the Meadowbrook Crossing Metropolitan District No. 1.

ECM Administrator Recommendation: The ECM Administrator recommends approval of the requested PUD modifications since the applicants have obtained written endorsement from the Cimarron Hills Fire Protection District regarding the private roadways.

2. The applicants are requesting PUD modification to Section 8.4.5.G.4.b to allow for a reduction in the side yard drainage easements to one (1) foot, within the alternating side yard building setbacks of one (1) foot and 5-feet for the individual lots.

Section 8.4.5.G.4.b, *Standard Drainage Easement Widths and Locations*, of the Code states: Drainage easements may be coincident with the required utility easements unless requested otherwise by the review engineer. The standard drainage easements for urban and rural lots shall be provided as follows:

Urban Density

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

3. The applicants are requesting a PUD modification to Section 8.4.6.C.1.g of the Code to allow for blanket utility easements within the proposed tracts and a reduced side yard utility easement of 1-foot, because of the small lot size (no less than 2,085 square feet).

Section 8.4.6.C.1.g, *Blanket Utility Easement Prohibited*, of the Code states: "Blanket utility easements shall be prohibited."

4. The applicants are requesting a PUD modification to Section 8.4.6.C.2.d of the Code to not designate standard easements because they have requested a modification to allow for blanket utility easements as stated above.

Section 8.4.6.C.2.d, *Standard Easement Widths and Location*, of the Code states:

"Unless otherwise required by the utility provider, the standard utility easements for urban lots shall be provided as follows:

- Side Lot Lines: 5-feet;
- Rear Lot Lines: 7-feet."

PCD Executive Director Recommendation:

The PCD Executive Director recommends approval of the requested PUD modifications. Per the proposed PUD/preliminary plan, adequate utility and drainage easements can be provided as depicted on the PUD/preliminary plan.

The development proposes urban detached single-family lots which are a minimum of 2,085 square feet, with a minimum lot width of 27.5 feet. Standard side-yard utility and drainage easements are not practical with this urban single-family development because structures are not allowed to be erected with the easements. Each lot is proposed to have one side yard building setback of one (1) foot and one side yard building setback of five (5) foot.

As summarized in the applicants' letter of intent, allowing blanket utility and drainage easements are proposed to provide more flexibility for the utility providers to install the infrastructure. There has been no objection from any utility provider to the requested modification.

ECM Administrator Recommendation: The ECM Administrator recommends approval of the requested PUD modifications since the applicants have obtained written endorsement from the Cimarron Hills Fire Protection District regarding the private roadways.

Modifications from the Engineering Criteria Manual (2019) (ECM) which do not qualify as a PUD modification as identified in Section 4.2.6.F.2 of the Land Development Code are required to be requested as deviations of the ECM. The applicants are requesting the following deviations(s) from the ECM:

1. The applicants are requesting a deviation of Sections 2.1.3 and 2.3 of the ECM to allow a modified cross-section from the County standards for their roadways to include reduced pavement widths of 29 feet and 20 feet for their urban local and urban local low volume roadways, a reduced center line radius of 41 feet, and a reduced lane width of 10 feet. Additionally, the applicants are requesting superelevated roadways.

The ECM identifies in Table 2-7 a paved width of 30 feet for urban local roadways and 24 feet for urban local low volume roadways with a 12-foot lane width. The centerline radius for the urban local low volume roadway is indicated as 100 feet. Additionally, superelevated roadways are not permitted on roadways with design speeds of less than 50 mph.

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the requested PUD modification as the proposed private roads, in essence, will provide direct lot access as prescribed in the ECM, Section 2.2.4.B.7, which states that "Local (low volume) roadways provide direct access and deliver lot-generated trips to collector roadways," and the anticipated traffic volumes meet the average daily

traffic (ADT) thresholds indicated in the ECM for urban local and urban local low volume roadways. The applicants are also proposing to not allow any parking along their private roadways as dedicated parking spaces throughout the development will be provided. The superelevated roadway is necessary to capture developed runoff from the roadways to treat for water quality. Additionally, the applicants have obtained written endorsement from the Cimarron Hills Fire Protection District regarding the proposed private roadway designs as the roadway widths, turning radius and access are within the District's apparatus specifications.

Staff recommends that the deviation requests associated with the PUD (Planned Unit Development) modifications and deviations from the ECM as prepared are acceptable contingent upon the approval of the PUD modifications by the Board of County Commissioners.

CONDITIONS

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. The 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 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.

6. Applicable park, school, drainage, and bridge fees shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
7. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
8. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
9. All engineering reports and plans associated with this PUD Development Plan/Preliminary Plan application shall be approved by the Planning and Community Development Department prior to the Board of County Commissioners hearing.

NOTATIONS

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director.
2. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition 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 petition. 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.
3. 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.

4. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
5. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

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 blue ink that reads "Kari Parsons". The signature is written in a cursive, flowing style.

Kari Parsons, Planner III
File No. PUDSP-20-008