

Crossroads Mixed-Use Final Plat Letter of Intent

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER

COLORADO SPRINGS EQUITIES, LLC
90 S. CASCADE AVENUE, SUITE 1500
COLORADO SPRINGS, CO 80903

PLANNING

KIMLEY-HORN & ASSOCIATES
2. NORTH NEVADA AVENUE, SUITE 300
COLORADO SPRINGS, CO 80903

ENGINEERING

M&S CIVIL CONSULTANTS, INC.
212 N. WAHSATCH AVE, STE 305
COLORADO SPRINGS, CO 80903

SURVEYING

CLARK LAND SURVEYING, INC
177 S. TIFFANY DRIVE, UNIT 1
PUEBLO WEST, CO 81007

SITE/BACKGROUND INFORMATION

The Crossroads at Meadowbrook Final Plat (29.049 AC) is located at the northwestern intersection of US Highway 24 and Newt Drive. The plat implements the Crossroads Mixed Use Preliminary Plan (SP2011) for 1 multifamily lot, 10 commercial lots, and 4 tracts for private roads, utility and drainage, open space, and signage. The Final Plat includes a single ±12.703 AC multifamily lot (Lot 1) in the RM-30 zone and 16.436 AC of Tracts for private road access, detention, open space, public utility and improvements, signage and future development (Parcel ID No.: 5408007005).

The BOCC approved a rezoning of the 12.703 AC from CR to RM-30 on April 15, 2021 (Resolution No. 21-181) in support of the mixed-use (multifamily & commercial) development of the site. Approval of the multifamily zoning is subject to approval of a preliminary plan and final plat of the property consistent with the split zoning district boundaries on the property. The property is within the Commercial Aviation District Overlay (CAD-O). All future land use actions will be subject to the restrictions and limitations of the Airport Overlay.

Request & Justification

Colorado Springs Equities, LLC ("The Applicant") requests approval of the Crossroads Mixed Use Final Plat to create one (1) 12.695 AC multifamily residential lot (Lot 1) and four (4) tracts (16.436 AC) for stormwater detention/water quality (Tract "A" and Tract "B"), and private rights-of-way (Tract "C" within a 50' private road easement to provide access to Lot 1 and Tract D, the detention Tract A, and District Tract B). Tract "D" (12.070 AC) is platted for future development of commercial lots approved with the Crossroads Mixed Use Preliminary Plan. Private road waivers and supporting deviations were submitted for approval with the Crossroads Mixed-Use Preliminary Plan (SP2011). A copy of the deviation requests has been included as an attachment to this letter report. the final plat and associated construction drawings conform to the preliminary plan and supporting waivers and deviations.

The Final Plat includes transportation improvements including public and private roadway improvements, pedestrian facilities, utility infrastructure, landscape buffers, and a preliminary roadway landscaping plan. Additional information is provided in the review and approval criteria discussion below.

The preliminary plan, which is pending approval, identifies required landscape buffers along the perimeter of the subdivision, major streets, streetscape locations, typical details, and road cross sections. Roadway landscaping requirements may be collateralized as public subdivision improvements to be owned/maintained by Crossroads Metropolitan District No. 1. Perimeter landscape buffer improvements will be included in overall subdivision improvements. Individual site landscaping will be submitted on a per site basis which shall conform to this overall preliminary landscape plan. Findings of water (and wastewater) sufficiency and conformance with the Master Plan are pending with the Preliminary Plan. The Final Plat conforms to the Preliminary Plan and remains consistent with the applicable findings of sufficiency and Master Plan consistency.

ZONE DISTRICT COMPLIANCE

The final plat includes Lot 1 in the RM-30 zone. Future development of Tract D will conform to the CR zone district requirements. conformance with zoning requirements will be largely demonstrated at future site development plan phases of development for lots and tracts within this final plat area. All proposed Lots are designed to meet the bulk, density, and dimensional requirements of the respective underlying zones, and are able to meet an required landscaping, buffering and screening requirements for the proposed uses and buffering and screening against adjacent and differing uses per Section 6.2.2 of the Code.

REVIEW/APPROVAL CRITERIA & JUSTIFICATION

- ***The proposed subdivision is in conformance with the goals, objectives, and policies of the Master Plan; (see treatment of review criterion below)***
- ***The subdivision is in substantial conformance with the approved preliminary plan***

General conformance with the Master Plan including the County Water Master Plan and Policy Plan are being made with the preliminary plan which is pending approval by the PC and BOCC. the preliminary plan was submitted prior to the adoption of the Your El Paso Master Plan (2021) and is not being reviewed against this updated element of the Master Plan. The final plat is consistent with the findings of Master Plan conformance anticipated with the Preliminary Plan approval.

Water Master Plan Conformance:

The development area is in REGION 5 as identified on the El Paso County Water Master Plan Planning Regions Map and is within the Cherokee Metropolitan District (CMD) Service Area. Water supplies in Region 5, and specifically from CMD, should be sufficient to meet the current development demand; however, additional resources will be required to meet the full projected development demand within the Region by the 2060 target build out date. Additional water resources are planned through regional collaboration with partner and/or neighboring water providers.

According to the Water Resources Report, the CMD has 4,443.0 AFY of exportable supply and 4,130.4 AFY of commitments, CMD has a water balance of 312.6 AFY remaining for additional commitments.

CMD has provided a water and sewer service commitment Letter whereby the District has committed to allocate 84 AF/YR for the proposed development out of its current supplies. Anticipated Residential demand includes 61.2 AF/YR for Residential Domestic use and 11.7 AF/YR for irrigation within the multifamily use. Commercial commitments include 6.2 AF/YR for domestic use and 4.9 AF/YR for commercial irrigation.

Policy Plan Conformance:

Findings of conformity with the Policy Plan are pending with the Preliminary Plan. The subdivision generally conforms to the goals conformance with the goals, objectives, and policies of the Master Plan.

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.

According to the P-16-006 Staff Report to the BOCC, the CR zone was established in 1985. The burden of achieving compatibility between the residential zoning and the existing commercial zoning was placed upon the residential development. However, the code also requires buffering and screening requirements on the CR zoned property to provide additional landscape and screening buffers and setbacks to enhance and/or otherwise increase compatibility between the adjacent single-family zone and land uses. The proposed multifamily zone and development on Lot 1 is an appropriate land use and density transition between single family housing and commercial development. The multifamily use will be required to provide additional screening and buffering between itself and the single-family zone and land uses located on the opposite side of Meadowbrook Parkway.

The proposed multifamily land uses together with the future planned commercial development in the CR zone are consistent with the existing single-family, commercial, light and heavy industrial land uses within the larger land use planning area. The planned multifamily uses provide a land use transition between the existing uses and the highway corridor and the unplanned properties west of the site to Peterson Road.

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

Necessary urban level services including, but not limited to:

Water/sewer services will be provided service by Cherokee Metropolitan District. Private stormwater facilities will be provided by the developer and managed by the Crossroads Metropolitan District No. 1, public offsite and regional facilities and management by El Paso County Road/Bridge respectively; individual stormwater management on a per lot basis will be the responsibility of the individual property owner(s). Electric and natural gas service will be provided by CSU. Fire protection will be provided by the Falcon Fire Protection District. Police and related public safety services will be provided by the El Paso County Sheriff. Compulsory education services are provided by Colorado Springs School District No. 11.

Private park, recreation, and open spaces will be provided in part by the Developer and managed by the Metropolitan District. Multifamily park and open space amenities will be owned, operated, and managed by the owner of the multifamily community. Public parks, open space, and recreation services are provided by EL Paso County, City of Colorado Springs, and Cherokee Metropolitan District via existing network of regional and urban parks, trails, and open spaces.

Other public facilities and services are currently delivered to residential, commercial, and light industrial properties adjacent to this proposed development. Subsequent subdivision applications will provide detailed reports and plans regarding service availability and delivery infrastructure.

Policy 6.1.10 Ensure that new development will not create a disproportionately high demand on public services and facilities by virtue of its location, design or timing.

Urban services which include, but not necessarily limited to water, wastewater, electric service, natural gas service, fire protection, roadway and transportation, and drainage and stormwater management services are currently available. Additional facilities and services will be extended to or constructed within the planned development in fulfillment of this policy criterion.

- **The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;**

A final drainage, grading and erosion control plan, water/wastewater resource reports, traffic impact analysis, and the preliminary plan have been provided in which meet the applicable plan/report development requirements of the LDC, ECM, and DCM, subject to review and acceptance by the County.

- **A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of this Code**
A commitment to provide water service has been provided by Cherokee Metropolitan District which has adequate water resources to serve the proposed development. Findings of sufficiency are expected to be made during the preliminary plan application review.

- **A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. § 30-28-133(6) (b)] and the requirements of Chapter 8 of this Code;**
The subdivision will connect into an existing public sewage disposal system what has been installed together with other public improvements associated with Crossroads Preliminary Plan and its many development phases and filings. The existing system complies with state and local laws and regulations, statutory requirements, and the requirements of Chapter 8 of the County Land Development Code.

- **All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)];**

The Geology/Soils report prepared by RMG Engineers, dated August 18, 2020, identified the presence of hydrocompactive soils as a potential site constraint condition with recommendations that if encountered beneath foundations, mitigation will be required. Per the report, "It is anticipated that if these materials are encountered, they can readily be mitigated with typical construction practices common to this region of El Paso County, Colorado such as applying additional compactive effort to the soil. If appropriate mitigations and/or foundation design adjustments are implemented, the presence of hydrocompactive soil is not considered to pose a risk to the proposed structures".

All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions or will achieve compatibility through compliance with recommendations of corresponding reports

and plans or by conditions of approval by the BOCC..

- **Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;**

Adequate drainage improvements have been provided by the subdivision design, including but not limited to, stormwater, detention, and/or water quality control facilities, all of which meet stormwater requirements established by the state in addition to meeting the requirements of the County Code and ECM. Detention facilities have been designated within Tract A on the Preliminary Plan. Ownership and maintenance of all drainage facilities and improvements shall be provided by the Crossroads Metropolitan District No 1.

- **Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;**

Legal and physical access is and will be provided by planned public and private rights-of-way. The private road will be placed in a tract with the appropriate public access easement which will be recorded with the final plat unless required to be recorded as a separate instrument. The private road tract and improvements will be owned and maintained by the Crossroads Metro District. All access planned is legal and in accordance with the provisions and allowances in the LDC and ECM.

Access to US 24 is from connections to Newt Drive located at the easternmost edge of the property and to Meadowbrook Parkway eastward to Marksheffel Road.

- **Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;**

Necessary services which include, police and fire protection, recreation, utilities, open space and transportation system, are presently available to serve the development as supported by the utility and public service commitments provided in support of the development application. A 3.2 acre park is planned within the subdivision on Tracts A and B. Also, the Highway 94 Trail and the East Fork Sand Creek Trail are located within 0.5 miles of the site. The planned multifamily use on Lot 11 will be required to provide onsite recreation and open space facilities. Required service commitments have been provided in support of the development application.

- **The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and**

The subdivision provides evidence via commitment letters from Cimarron Hills Fire Protection District for emergency and fire service and Cherokee Metropolitan District for water for fire suppression as well as preliminary plan layout and design of access

and utilities demonstrate show that the proposed methods for fire protection comply with Chapter 6 of the County Code.

- **Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8**

Off-site improvements including improvements at the Newt Drive/Meadowbrook Parkway intersection and the extension of Meadowbrook Parkway from Newt Drive westerly adjacent to the property boundary and stormwater detention facilities are included in the associated construction documents and financial assurances.

- **Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;**

Off-site improvements including improvements at the Newt Drive/Meadowbrook Parkway intersection and the extension of Meadowbrook Parkway from Newt Drive westerly adjacent to the property boundary and stormwater detention facilities are included in the associated construction documents and financial assurances.

Planned offsite improvements include a single lane roundabout constructed at the Meadowbrook Parkway and Newt Drive intersection with subdivision improvements associated with the Crossroads Mixed Use Final Plat and included in all associated Subdivision Improvements Agreements (SIA) and Financial Assurance Estimates (FAE) required with the final plat process. The TIS recommends the roundabout have single lane approaches on the eastbound Newt Drive, northbound Meadowbrook Parkway, and southbound Meadowbrook Parkway approaches and a two-lane approach on westbound Newt Drive with a shared left turn/through lane into the roundabout and a separate right turn lane.

Meadowbrook Parkway will be extended westward along the preliminary plan frontage from the existing Newt Drive/Meadowbrook Parkway intersection as an offsite improvement. The TIS recommends that this roadway be designated as a three-lane roadway with a center left turn lane.

All on-site and off-site roadway, signing, striping, and signal improvements shall be incorporated into the Civil Drawings, and conform to El Paso County and/or CDOT standards as applicable, as well as the Manual on Uniform Traffic Control Devices – 2009 Edition (MUTCD).

Bridge, Drainage, Park, School, and Road Impact Fees will be paid at the time of plat recordation and building permit issuance (Road Impact only).

- **The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.**

If the waivers for private road and frontage requirements are approved with the proposed subdivision meets other applicable sections of Chapter 6 and 8 of the



County Code or otherwise approved with conditions imposed by the BOCC.

- **The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]**

The development will not impact any economically viable mineral loads or aggregates.