

**VILLAS AT CLAREMONT RANCH FINAL PLAT**

**LETTER OF INTENT**

**AUGUST 2022**

**OWNER/APPLICANT:**

Phi Real Estate Services, LLC  
200 W. City Center Drive, Suite  
200  
Colorado Springs, CO 810003

**OWNER**

Cherokee Metro District  
6250 Palmer Park Blvd.  
  
Colorado Springs, CO 80915

**CONSULTANT:**

N.E.S. Inc.  
619 N. Cascade Ave. Suite 200  
  
Colorado Springs, CO. 80903

**TSN:** 5404303066 and 5404303062

**CURRENT ZONING:** PUD CAD-O

**REQUEST**

N.E.S. Inc. on behalf of Phi Real Estate Services, LLC request approval of a Final Plat for 83 attached single-family lots, 5 tracts, and public rights-of-way on 10.17 acres.

**LOCATION**



The approximately 10.17-acre project site lies north of Meadowbrook Pkwy and east of Marksheffel Rd. It comprises Tract G of Claremont Ranch Filing No. 7 (9.73 acres) and Tract A of Claremont Ranch Filing No. 7 (0.44 acres). Existing residential development is located to the east. Sand Creek is situated to the north, with single-family residential beyond. To the south of Meadowbrook Pkwy is future commercial land and to the west of Marksheffel Rd is a gas station/convenience store.

## PROJECT DESCRIPTION

The Villas at Claremont Ranch PUD Development/Preliminary Plan for 83 attached single-family lots was approved in June 2022. The proposed final plat is in substantial conformance with the approved PUD Preliminary Development Plan. The Final Plat will replat Tract G of Claremont Ranch Filing No. 7 (9.73 acres) and Tract A of Claremont Ranch Filing No. 7 (0.44 acres) into 83 attached single-family lots, 5 tracts, and public rights-of-way.

If all roads are private, as stated later in the letter, there is no right of way.

**FLOODPLAINS:** A review of El Paso County FEMA FIRM panels indicate no portions of the built project area are within a FEMA flood risk area. The East Fork of Sand Creek, which lies to the north of the parcel, is within a regulatory floodway and the proposed development will avoid this area. The parcel is identified as Zone X – Area of Minimal Flood Hazard within the FEMA Firm Panel 08041C00756G.

**GEOLOGIC & SOIL HAZARDS:** The Soils, Geology and Geologic Hazard Study prepared by Entech Engineers, determined the site to be suitable for the proposed developed and achievable by avoidance or proper mitigation through standard construction methods. Geologic hazards encountered at the site include artificial fill, collapsible soils, expansive soils, areas of erosion, groundwater and floodplain areas, and potentially seasonal shallow groundwater areas. The geologic conditions of the site are relatively common given the site's locality to Sand Creek and mitigation can be accomplished by implementing common engineering and construction practices. None of these conditions are anticipated to preclude the proposed development (Soils, Geology and Geologic Hazard Study, prepared by Entech Engineering Inc. April 2020).

## **DISTRICTS SERVING THE PROPERTY**

The following districts will serve the property:

- Cherokee Metro District will provide water and wastewater services. A will serve letter is provided with this application.
- Mountain View Electric Association will provide electric service. A will serve letter is provided with this application.
- Colorado Springs Utilities will provide natural gas service. A will serve letter is provided with this application.
- Falcon Fire Protection District will provide fire protection and emergency services. A will serve letter is provided with this application.
- School District 49 will serve the property.
- Pikes Peak Library District.
- Central Marksheffel Metropolitan District.

**TRAFFIC:** The Traffic Impact Study completed by LSC in April of 2022 recommended the restriping of Meadowbrook adjacent to the site for a 75- to 100-foot long eastbound left-turn bay into the west access point. A 75- to 100-foot-long reverse curve bay taper would precede this turn bay and this bay taper would be shared with the existing westbound left-turn bay extending back from the Meadowbrook/Marksheffel intersection (resulting in back-to-back turn bays). This left-turn bay would accommodate the projected queuing in to the west site access. Secondly, the study recommends to

stripe the section between the access points for a 120-foot-long left-turn bay preceded by an approximately 70-foot-long bay taper. Redirect taper stripes would be needed east of the east site access to transition the new striping to the existing striping. The taper ratio would need to be at least 20:1. Proposed restriping along Meadowbrook is shown in both the Traffic Impact Study and on the approved PUD Preliminary Plan. All roads and alleys within the development are private road and will be maintained by the HOA.

The site is within the Central Marksheffel Metropolitan District. No additional road impact fees are assessed on future development within the current boundaries of the District.

**RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS:**

The Master Plan for the County comprises the recently adopted El Paso County Master Plan, the Water Master Plan, the 2040 Major Transportation Corridor Plan, and the Parks Master Plan.

**COUNTY MASTER PLAN**

The Villas at Claremont Ranch is partially within an “Enclaves or Near Enclaves” and partially in the “Colorado Springs Airport/Peterson Airport Base” Key Area of the County Master Plan. The site is also in an area defined as an “Employment Center” placetype in the Master Plan.

The site is partially within the Cimarron Hills enclave, which is identified as the largest enclave with a population of 18,000 residents. The Master Plan indicates that the character and intensity of new development or redevelopment in these enclaves should match that of the development in the municipality surrounding it. The product is similar in scale and density to the surrounding residential, which is consistent with the enclave designation in the Key Areas Chapter.

The goal of the “Colorado Springs Airport/Peterson Airport Base” Key Area is to prioritize nonresidential growth in this area to help expand the “Employment Center” in unincorporated El Paso County. The characteristics of the Employment Center placetype is described in the Plan as: “Employment Centers comprise land for industrial, office, business park, manufacturing, distribution, warehousing, and other similar business uses. The priority function of this placetype is to provide space for large-scale employers to establish and expand in El Paso County... Uses in this placetype often require large swaths of land and opportunity to expand and grow to meet future needs and demands. Transitional uses, buffering, and screening should be used to mitigate any potential negative impacts to nearby residential and rural areas.”

Although residential is not a primary or supporting land use in the Employment Center designation, it is a more logical use for this property, which is comparatively small and self-contained, being surrounded by established single-family residential to the east, Sand Creek to the north, Marksheffel Road to the west and Meadowbrook Parkway to the south. At 10.17 acres it is not of a sufficient size to accommodate “large-scale employers” or “large swaths of land” with “opportunity to expand and grow to meet future needs and demands”. Conversely, developing this property with attached single-family use is consistent with the Employment Center placetype intent of incorporating “transitional uses,

buffering, and screening” to mitigate any potential negative impacts from the larger Employment center to the west of Marksheffel Road and the single-family residential to the east.

The site also lies within the 2-mile buffer for military installations. The Military Placetype indicates that “land use and development near and immediately adjacent to existing military installations, as well as their ancillary facilities, require additional consideration with regard to the compatibility of development. This is the only placetype that proposes to describe primary and supporting land uses for areas around and near the placetype, which causes overlap with adjacent placetypes.” The proposed Villas at Claremont Ranch community is consistent with the Military placetype as single-family attached residential is identified as a supporting land use.

In the Areas of Change chapter of the County Master Plan, the Villas at Claremont Ranch is located within a “Transition” Area. Transition Areas are fully developed parts of the County that may completely or significantly change in character. In these areas, redevelopment is expected to be intense enough to transition the existing development setting to an entirely new type of development. The proposed single-family attached residential use at 8.16 du/ac achieves this objective as it provides a transition in use intensity between the lower density single-family residential to the east (approx. 4 du/ac) and the more intense uses to the south (proposed multifamily) and to the west (Employment Center).

The Villas at Claremont Ranch is also consistent with Core Principle 2 to the Housing & Communities chapter of the Master Plan, which seeks to “preserve and develop neighborhoods with a mix of housing types”, as well as Goal 2.1 to “promote development of a mix of housing types in identified areas” and Goal 2.3 to “locate attainable housing that provides convenient access to goods, services, and employment”. The proposed medium density single-family attached residential development provides a more attainable housing option in an urbanizing area, which is predominantly single-family detached residential.

#### **WATER MASTER PLAN**

The project is located within Region 5, Cherokee Metropolitan District (CMD) service area. This single growth area is not projected to experience significant growth by 2060. Specifically, the Water Master Plan states that Region 5 consists of areas served by CMD and is not expected to experience significant growth by 2060. CMD has sufficient supply and existing infrastructure in the area to serve this development. Additionally, the District is implementing a water conservation plan to address future development within the District and pursuing conservation measures with current customers. Water quality is good and CMD is in compliance with all regulatory limits. Discussions of water quantity sufficiency and dependability of supply are included in the Water Resources Report. A copy of CMD’s current Drinking Water Quality Report is appended to the Water Resources Report.

The proposed development of 83 single-family attached townhome units will have an anticipated residential water demand of 24.75 acre-feet per year (including irrigation of common open areas). The Villas at Claremont Ranch is to be served by the CMD water system and the District has provided a letter of commitment for water and wastewater service. CMD’s water supply portfolio is comprised of water rights and contractual interests totaling 5,096 acre-feet per year of water. CMD’s peak year total

demand, to date, was 3,040 acre-feet per year in 2011. CMD's 2018 Production rate (baseline year provided) was 3,024 acre-feet per year. Total water rights delineated within the December 2020 Cherokee Metropolitan District Water Resources Report Prepared for the Colorado Division of Water Resources is 4,427 acre-feet per year. Accordingly, CMD has an adequate water supply to meet the 24.75 acre-feet per year demand of the Villas at Claremont Ranch Development on a 300-year basis,

The proposed residential subdivision satisfies the following policies of the Water Master Plan.

*Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability, and quality for existing and future development.*

The development has been incorporated in previous water planning by Cherokee Metropolitan District and service commitment has been provided by the District.

*Goal 3.1 – Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*

*Goal 3.4 – Promote cooperation between water providers to achieve increased efficiencies on storage.*

*Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.*

In order to meet the goals of the County Water Master Plan Section 3 to promote cooperation among water providers to achieve increased efficiencies in infrastructure, treatment, reuse, storage, and interconnection, CMD has been included in the Pikes Peak Regional Water Authority to cooperate on future regional water infrastructure development.

*Goal 4.5 – Plan for water resources in a thoughtful way that recognizes the non-renewable nature of water resources in the area, accommodates existing and historical uses, and allows for sustainable, planned growth.*

CMD is implementing a water conservation plan to address future development within the District and implement conservation measures with current customers. A copy of the Water Conservation Plan is appended to the Water Resources Report.

*Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).*

*Goal 5.2 – Identify regional opportunities and barriers to satisfying water supply needs at full development build-out (2060).*

CMD is currently developing several additional water sources to meet future demand. Six groundwater rights are slated for development or upgrade by the end of 2021. In addition to providing water for new users, these additional wells will provide greater flexibility in meeting peak demands. Full details of these water supply improvements are provided in the Water Resources Report. In addition to these known production improvements CMD also has a pending replacement plan which could enhance the efficiency of CMD's portfolio through recovery and/or reuse of recharge water.

*Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.*

The proposed single-family attached residential is urban level development and is located in an area that is already served by centralized services provided by CMD.

#### **2040 MAJOR TRANSPORTATION CORRIDOR PLAN**

The MTCP shows Marksheffel Road as a Principal Arterial with no improvements proposed to 2040 in the Section adjacent to the site. The 2060 corridor preservation plan identifies the road being expanded to a 6-lane Expressway, which has a right-of-way of 160 feet. Marksheffel road in this section already has a 180-foot Right-of-way, so no additional preservation is required. There are no planned improvements to Meadowbrook Parkway in the MTCP.

#### **EL PASO COUNTY PARKS MASTER PLAN**

The Parks Master Plan does not identify any proposed parks or candidate open space on this site or in the vicinity. The Trails Master Plan identifies a proposed bicycle route on Marksheffel Road to the east of the site. This medium density residential development will be conveniently located to make use of the proposed bicycle route. The development includes a trail connection to Sand Creek, although this section of Sand Creek is not identified as a proposed County trail on the Trails Master Plan.

#### **PROJECT JUSTIFICATION**

**The Final Plat meets the Final Plat review criteria in Chapter 7.2.1.D.3.f of the Land Development Code as follows:**

##### **1. THE SUBDIVISION IS IN GENERAL CONFORMITY WITH THE MASTER PLAN;**

The Villas at Claremont Ranch single-family attached residential community is in general conformity with the following aspects of the Master Plan:

- It is consistent with the Employment Center placetype intent of incorporating “transitional uses, buffering, and screening” to mitigate any potential negative impacts from the larger Employment center to the west of Marksheffel Road and the single-family residential to the east.
- It is consistent with the Military placetype as single-family attached residential is identified as a supporting land use.
- The proposed single-family attached residential use achieves the “Transition” Area objective as it provides a transition in use intensity between the lower density single-family residential to the east and the more intense uses to the south (proposed multifamily) and to the west (Employment Center).

- It is consistent with the goals of the Housing & Communities chapter as it provides a more attainable housing option in an urbanizing area, which is predominantly single-family detached residential.

The proposed subdivision also conforms with the MTCP and Parks Master Plan.

**2. THE SUBDIVISION IS IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED PRELIMINARY PLAN**

The Final Plat confirms to the approved PUD/Preliminary Plan for The Villas at Claremont Ranch. There are no proposed changes to the approved site layout or traffic circulation with the Final Plat.

**3. 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;**

PUD modifications for the use of private streets were approved with the PUD/Preliminary Plan. A deviation has also been approved to allow for 20' paved width plus curb section pans. The subdivision is otherwise consistent with the subdivision design standards and regulations

**4. EITHER 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, OR WITH RESPECT TO APPLICATIONS FOR ADMINISTRATIVE FINAL PLAT APPROVAL, SUCH FINDING WAS PREVIOUSLY MADE BY THE BOCC AT THE TIME OF PRELIMINARY PLAN APPROVAL.**

A sufficient water supply is available and has been demonstrated in the water resources report prepared by Catamount Engineering. Water sufficiency for quantity, quality and reliability was approved with the PUD Preliminary Development Plan.

**5. 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.**

Sewage disposal will be provided by Cherokee Metropolitan District. System adequacy and compliance is demonstrated in the approved Waste Water Disposal Report prepared by Catamount Engineering and approved with the PUD Preliminary Development Plan in June of 2022.

**6. ALL AREAS OF THE PROPOSED SUBDIVISION WHICH MAY INVOLVE SOIL OR TOPOGRAPHIC CONDITIONS PRESENTING HAZARDS OR REQUIRING SPECIAL PRECAUTIONS HAVE BEEN IDENTIFIED AND THAT THE PROPOSED SUBDIVISION IS COMPATIBLE WITH SUCH CONDITIONS (C.R.S. 30-28-133(6)(C)).**

A soils and geology report prepared by Entech Engineering, Inc. on September 22, 2017 (Revised April 16, 2020) identified all areas of hazardous soils and/or topographic conditions. On site geologic hazards include: Artificial fill, Collapsible Soils, Expansive Soils, Areas of Erosion, Groundwater and Potentially Seasonally High Groundwater in the Northwestern portion of the site. Mitigation for areas impacted by geologic hazards have been identified in the approved PUD Preliminary

Development Plan and approved 'Geology and Soils Study'. Entech Engineering Inc. concludes in their report that development of the site can be achieved with mitigation through proper design and construction of through avoidance. Investigation on each lot is recommended prior to construction.

**7. ADEQUATE DRAINAGE IMPROVEMENTS ARE PROPOSED THAT COMPLY WITH STATE STATUTE (C.R.S. 30-28-133(3)(C)(VIII)) AND THE REQUIREMENTS OF THIS CODE AND THE ECM**

Compliance with drainage requirements are demonstrated in the submitted Final Drainage Report and grading and erosion control plan prepared by Catamount Engineering in July 2022.

**8. LEGAL AND PHYSICAL ACCESS IS PROVIDED TO ALL PARCELS BY PUBLIC RIGHTS-OF-WAY OR RECORDED EASEMENT, ACCEPTABLE TO THE COUNTY IN COMPLIANCE WITH THIS CODE AND THE ECM**

Private asphalt roadways and alleys provide access to all 83 units with pedestrian access provided by a 5' concrete sidewalk. A deviation has been approved to allow for 20' paved width plus curb section pans. The proposed width has been verified to meet fire equipment access requirements throughout the proposed development and is similar typical of private access drives in similar high density residential and commercial developments. Utility corridors will be created within easements meeting widths required by utility providers.

The proposed roadway section would provide a 20' paved width for the private PUD roadways and allow for no on-street parking.

**9. NECESSARY SERVICES, INCLUDING POLICE AND FIRE PROTECTION, RECREATION, UTILITIES, AND TRANSPORTATION SYSTEMS, ARE OR WILL BE MADE AVAILABLE TO SERVE THE PROPOSED SUBDIVISION.**

Commitment letters for water, wastewater, electric, fire and natural gas have been included and approved with the Final Plat. Transportation and connectivity is provided with sidewalks and private roadways. Deviations for roadway width and a traffic impact study were both included and approved with the PUD/Preliminary Plan. This traffic impact study has been included with this application. 44% of the overall development plan is open space providing continuous and interconnected network of sidewalks trails. There is a trail that provides access to the proposed Sand Creek trail to the north. All open space will be maintained by the HOA.

**10. THE FINAL PLANS PROVIDE EVIDENCE TO SHOW THAT THE PROPOSED METHODS FOR FIRE PROTECTIONS COMPLY WITH CHAPTER 6 OF THIS CODE.**

The proposed development is within the Falcon Fire Protection District. A Fire Protection Report and Fire Commitment Letter were approved with the PUD/Preliminary Plan and have been included with this submittal.

**11. 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**

Appropriate improvements to Meadowbrook Parkway are proposed to address off-site traffic impacts. The compatibility of the project with adjacent land uses was assessed and determined



acceptable with the PUD/Preliminary Plan. The project incorporates Tract A of Claremont Ranch Filing No. 7 as a 30-foot buffer tract between the proposed single-family attached residential and the existing single-family detached residential neighborhood to the east. This was originally intended to buffer the previously proposed commercial use from the single-family to the east. The single-family attached residential now proposed is a less intense land use than commercial and the 30-foot tract will provide more than adequate separation and buffering.

**12. 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.**

A Subdivision Improvement Agreement (SIA) has been included with this application.

**13. THE SUBDIVISION MEETS OTHER APPLICABLE SECTION OF CHAPTER 6 AND 8**

The proposed final plat meets the applicable sections of Chapter 6 & 8.

**14. THE EXTRACTION OF ANY KNOWN COMMERCIAL MINING DEPOSIT SHALL NOT BE IMPEDED BY THIS SUBDIVISION (C.R.S. 34-1-302(1))**

No commercial mining deposits are associated or impacted with this development.

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