

Commercial Development
SEC Marksheffel Rd. & Constitution Ave., Lot 2 of Claremont Ranch Filing 9B
El Paso County, CO

LETTER OF INTENT – PCD File No. VR-18-011

PROPERTY OWNERSHIP / DEVELOPMENT / CONTACT INFORMATION:

Property Ownership:
Evergreen-Constitution & Marksheffel, L.L.C.
2390 East Camelback Road, #410
Phoenix, AZ 85016
602-808-8600

Applicant:
Evergreen Devco, Inc.
Attn: Zach Lauterbach
2390 East Camelback Road, #410
Phoenix, AZ 85016
602-808-8600

Consultant:
Galloway & Company, Inc.
6162 South Willow Drive, Suite 320
Greenwood Village, CO 80111
303-770-8884

SITE LOCATION, SIZE AND CURRENT ZONING:

The subject property is approximately 1.596 acres in size and is located on the southeast corner of Marksheffel Road and Constitution Avenue in unincorporated El Paso County, Colorado. The site is vacant but previously subdivided. The current zoning of the property is Commercial Regional (CR) zone district, which allows for the proposed land uses listed below.

REQUEST AND JUSTIFICATION:

The applicant proposes to adjust the size of an existing lot and create a new lot for potential buyers.

The proposed subdivision/ replat, conforms to the following requirements, per the Land Development Code of El Paso County, Colorado:

Land Development Code of El Paso County, Colorado Requirements	Subdivision Code Conformance
The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;	The proposed lot is in conformance with goals, objectives, and policies of the Master Plan;
The proposed subdivision is in conformance with the requirements of this Code;	The proposed lot is in conformance with the requirements of the Land Development Code;
The proposed subdivision is compatible with existing and proposed land uses within and adjacent to the sketch plan area;	The proposed lot is compatible with existing retail uses within and adjacent to the subdivision;

The water supply report provides sufficient information to identify probable compliance with the water supply standards and identifies any need for additional water supplies;	Cherokee Metro has reviewed the proposed subdivision and uses associated therewith and has determined that the water supply is sufficient and complies with water supply standards. No additional water supplies have been deemed necessary;
Services are or will be available to meet the needs of the subdivision including, roads, police and fire protection, schools, recreation facilities, and utility service facilities;	The subject site is located within the service boundaries of the Cherokee Metropolitan District, of which is already providing both public water and sanitation to serve the development. Fire and Emergency services will be provided by the Falcon Fire Protection District. Commitments by Cherokee Metro and Falcon Fire have been obtained and are included with this submittal;
The soil is suitable for the subdivision;	As detailed in the Geotechnical Subsurface Exploration Program, conducted and prepared by Ground Engineering Consultants, Inc., the soils were found to be suitable for the proposed development and no geologic hazards were found;
The geologic hazards do not prohibit the subdivision, or can be mitigated;	
The subdivision will not interfere with the extraction of any known commercial mining deposit [C.R.S. §§34-1-302(1), et seq.];	The proposed new lot and development will in no way interfere with any commercial mining deposits. Mineral Rights Affidavit recorded with El Paso County on April 20, 2015.
The design of the subdivision protects the natural resources or unique landforms;	The proposed new lot does not have any natural resources or unique landforms in need of protection;
The proposed methods for fire protection are adequate to serve the subdivision; and	As detailed in the Wildfire Report and Fire Protections Report, the proposed subdivision contains adequate fire protection. Falcon Fire Department has issued a statement of commitment to protect the subdivision.
The subdivision is appropriate, and the design is based on mitigating the constraints of topography, soil types, geologic hazards, aggregate resources, environmental resources, floodplain, airplane flight overlays, or other constraints.	Appropriate studies have been conducted to ensure that the subdivision is designed to mitigate any constraints of topography, soil types, geologic hazards, aggregate resources, environmental resources, floodplain, airplane flight overlays, or other constraints;
The subdivision is in substantial conformance with the approved preliminary plan;	The subdivision is in conformance with the preliminary plan approved by El Paso County;

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;	The subdivision has considered all design standard and regulations and has met all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
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;	Per the commitment letter dated August 13, 2018 from Cherokee Metropolitan District, there is sufficient water supply to be provided to the new lot and complies with water supply standards.
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;	Per the commitment letter dated August 13, 2018 from Cherokee Metropolitan District, the District's Water Reclamation Facility has the required capacity to meet the sewer demands of the new lot.
All areas of the proposed subdivision which may involve soil or topographical 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)];	According to the Geotechnical Subsurface Exploration Program, conducted and prepared by Ground Engineering Consultants, Inc., the soil and topographical conditions do not present any hazardous or special precautions.
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;	The subdivision has been designed to meet all drainage requirements;
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;	The development access points are along both Marksheffel Road and Constitution Avenue. There is a right-in/right-out/left-in access at the southern end (western portion) and a right-in access that separates Lots 2 & 3, of Filing 9B, of the commercial center along Marksheffel Road. There is a right-in/right-out access, as well as a full motion, signalized access onto Constitution Avenue.
Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;	The subject site is located within the service boundaries of the Cherokee Metropolitan District, of which is already providing both public water and sanitation to serve the development. Fire and Emergency services will be provided by the Falcon Fire Protection District. Commitments by Cherokee Metro and Falcon Fire have been obtained and are included with this resubmittal.

The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;	Final plans will be submitted to El Paso County for review and conformance.
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;	The off-site impacts and improvements will not be significantly affected by this subdivision;
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 SIA was previously agreed to and all work completed as required by the County for Claremont Ranch Marketplace.

The proposed pad sites' approximate sizes are as follows:

Proposed Lots	Proposed Land Area (acres)
Lot 2A	0.776
Lot 2B	0.820
Total Site	1.596