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RE: Dwire Storage Yard Fil. No. 1 - Minor Subdivision Final Plat

DL Holdings, LLC 6547 N. Academy Blvd. #523, Colorado Springs, CO 80918

The purpose and request of this application is to subdivide the existing 19.632 ac parcel into (1) single industrial use lot which complies with the current I-3 zoning regulations. This application intends to mitigate and resolve any additional course of action regarding the current use code violation on the property. The subject parcel of land has been identified by El Paso County to be in code violation since 2006 as a use of a contractor's yard. The Dwire Storage Yard Minor Subdivision and Site Development Plan concurrent applications for Lot 1 shall hereby mitigate and resolve the notice of code violation.

The Dwire Storage Yard Filing No. 1 subdivision is located in the SW quarter of Section 28, Township 13 South, Range 65 West of the 6th P.M. in El Paso County, Colorado. The Dwire Storage Yard parcel is bound to the north by the Rock Island Trail, east tributary Sand Creek, and vacant land, to the west by the Transit Mix parcel site, to the south by Lot 7 of the Marksheffel Industrial Park & the existing Capitol Drive roadway, and to the east by the Timberline Storage Yard parcel.

The Dwire parcel in its entirety consists of 19.362 acres and is currently zoned "I-3 CAD-O" Heavy Industrial w/ Commercial Airport District overlay, under TSN: 53000-00-552. This proposal consists of subdividing the existing 19.362 ac into a single industrial lot and three tracts. Lot 1 shall consist of a proposed office and warehouse buildings, with associated parking area, lighting, landscaping, along with utility and drainage facilities.

The three private tract parcels; Tract A in the northwest corner of the site contains the 100 yr floodplain area of Sand Creek as identified in the FEMA Map Number 08041C0543G and shall be designated a “No Build / No Disturbance” area. Tract B along the southern border of the site contains a private Full Spectrum Detention Pond water quality facility for the subdivision. Tract C is anticipated to be replatted in the future, and shall be utilized as a storage yard by the property owner in the interim. All tracts shall be owned and maintained by the property owner, DL Holdings, LLC.

Capital Drive is the legal access to the existing 19.362 ac. A traffic impact study has been prepared by LSC, Transportation Consultants, Inc and shall be submitted with this Minor Subdivision application package along with commitment letters from each utility service provider.

Site Suitability per LDC 7.2.1 (d) (2) & (3)

Conformance to County Planning Areas: The proposed minor subdivision site is located in the Proposed Cimarron Hills Small Area Master Plan area. Although the Proposed Cimarron Hills Master Plan criteria is currently under review, the Dwire Storage Yard project’s proposed use is in conformance with the similar existing zoning “Heavy/Light Industrial” uses along the Capital Drive corridor and the immediate area. Therefore, it is expected that the Dwire project will be in general conformance to the master plan’s future guidelines, goals, and visions, thereby having minimal adverse impacts on the Proposed Cimarron Hills Master Plan.



El Paso County Water Master Plan:

This property lies within the Denver Basin Aquifer and is located in Region 5 of the El Paso Water Master Plan.

Current Water Demand for Region 5 is **4,396** AF per year. The anticipated demand for Region 5 in 2040 is 6,468 AF and in 2060 are 9,608.

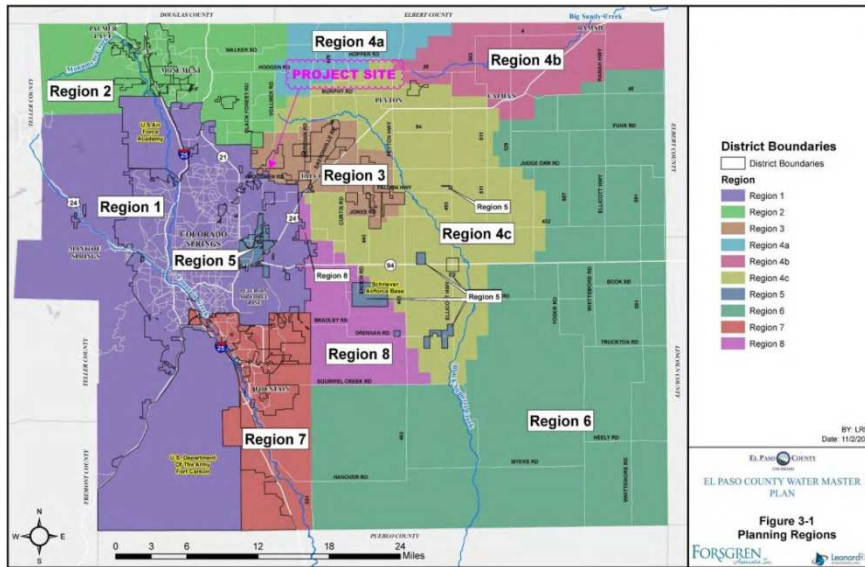
Current Water Supply for Region 5 is **4,849** AF per year. The anticipated supply for Region 5 in 2040 is 6,800 and in 2060 are 10,131.

The applicant has contacted a representative of The Cherokee Metropolitan District and has received a “Will Serve” letter dated November 5, 2020. A Water Resource Supply report has been prepared in which outlines Cherokee Metro District conformity and adequate supply per the County requirement. Anticipated used to include both domestic and irrigation use is 3.52 AF/yr of water demand for the Dwire Storage Yard project site. The additional water demand for the office/warehouse storage yard following this minor subdivision application shall be of relatively minimal impact.

Goals and Policies: The El Paso County Water Supply Master Plan identifies specific goals that promote water supply conservation, quality and sustainability, in which should be upheld and supported by the Dwire minor subdivision development

Goal 4.2 - Support the efficient use of water supplies & Goal 6.1.2 - Promote water

conservation: Per the El Paso County Water Master Plan, the full 2060 build-out water supply is anticipated to have a fair water supply surplus. Through water conservation actions by all Region 5 users could help ensure this surplus is obtained. Water conservation actions could be promoted via low water usage landscaping, such as xeriscape style landscaping with minimal grass lawn areas that require substantially more water to maintain.



Utilities Providers: The Dwire Storage Yard project site shall be served by Colorado Springs utilities for natural gas and Mountain View Electric Association for electric service. The site lies within the Cherokee Metropolitan District for water and wastewater services. All commitment letters have been provided in conjunction with the application for the Minor subdivision. Shall this application be approved, new utility services using for the new office building structure(s) shall be required.

Topographical conditions presenting hazards or requiring special precautions: Tract A is in the northwest corner of the site contains the 100 yr floodplain area of Sand Creek as identified in the FEMA Map Number 08041C0543G and shall be designated a “No Build / No Disturbance” area. A 6’ chain link fence is proposed to ensure storage yard activities shall not encroach into the specified “No Build / No Disturbance” of Tract A.

Drainage Improvements: A Final Drainage Report and Grading and Erosion Control Plans / BMP plans have been prepared to analyze the developed / future and offsite flows contributing to this project site. These flows shall be conveyed to Tract B along the southern border of the site contains a private Full Spectrum Detention Pond water quality facility for the subdivision to ensure conformance while complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM.

Public improvements: Capital Drive shall be the ingress/egress access point for the Dwire Storage Yard project. Capital Drive currently lies within a 40' ROW. In contrast, the east portion of Capital Drive shall require an additional 40' of ROW dedication by the privately-owned east property at the time of development in the future. See Waiver / Deviation Request below for Capital Drive Improvements.

Natural Features and Public Facilities: The site is flanked to the west by Sand Creek and is bound to the north by the Rock Island Trail. It's the applicant intends to keep the north and west property lines adjacent to these features as natural and open and in their current state by limiting any new fencing to allow for natural movement of wildlife across and through the property and to keep the natural appeal of the existing creek and trail. The property is relatively isolated from any significant corridors or thoroughfares; therefore, no design factors were incorporated regarding bike paths or public transportation. However, the existing trail to the north of the site shall continue to serve as an access pathway for public use. Therefore, it is not anticipated that the development of the Dwire Storage Yard minor subdivision shall negatively impact the surrounding properties and or existing public facilities.

Public Services: The Dwire Storage Yard site currently lies within the jurisdictions of all public services such as fire and police protection by the Falcon Fire Department and the City of Colorado Springs Police and or El Paso County Sheriff Departments.

El Paso County Land Development Code Compliancy: The Dwire Storage Yard Facility minor subdivision has been designed in adherence and compliance with all standards and details outlined in Chapter 6 and Chapter 8 of the El Paso County Land Development Code, except for the waivers requested on the following pages.

Capital Drive - Waiver and Deviation Requests

We respectfully request a waiver to deviate from the El Paso County *LDC Chapter 8: 8.6.2 Responsibility for Road Construction Sections: (A&C) and ECM 2.3 - Roadway Design Criteria* for the Capital Drive roadway.

This deviation request is specifically for the improvements to the (East Side) of the existing Capital Drive road. This road provides direct access to the Dwire project site, and the east side improvements are unable to be constructed at this time as the required 40' ROW has not been dedicated.

Capital Drive is classified as an "*Urban Nonresidential Collector*," which extends from approximately 500 feet south of the Capital Drive/Industry Drive intersection to about 500 feet north of the Capital Drive/Industry Drive intersection to the entry points of the Dwire and Timberline Landscaping parking lots. The west side of Capital Drive was constructed as part of the original commercial subdivision, "Marksheffel Industrial Park." The west side of Capital Drive is currently paved with (22-24 foot-wide) half-section completed within a 40-foot-wide half-ROW dedication. The 40-foot-wide east half-ROW has not been dedicated at this time and remains as private property in the City of Colorado Springs. The east half-ROW dedication is required to complete the roadway improvements to the EPC standards for the "*Urban Nonresidential Collector Roadway*." "The future improvements would include 40-foot ROW dedication, sidewalk, curb, and gutter along with an additional pavement of approx (24-26 foot wide), totaling a 48-foot wide pavement mat width per the *ECM 2.3 - Roadway Design Criteria*. The owner has agreed to provide the requested \$75,000 in escrow for the Capital Drive future improvements as detailed below. It's the owners understanding that the escrow shall be returned to the owner if the roadway improvements are not completed within the required timeframe of the escrow agreement, or provided to the City or to adjacent owner that will construct the improvements, whichever comes first.

The applicant has contacted a TruGreen Lawn Care representative at 3460 Capital Drive (directly south of the Dwire project site) to request that their employees and patrons refrain from parking along the west side of Capital Drive. If Capital Drive is kept clear from parked cars, it will allow

using Capital Drive as an active roadway rather than a parking lane. Although the applicant has encouraged a “No Parking” use along the west side, the applicant does not have legal means to enforce the request. Therefore, the applicant respectfully requests El Paso County staff to review the current parking regulations along the west side of Capital Drive. It would be beneficial for the county to impose a “No Parking” requirement to include signage and or striping along the west side of Capital Drive. Once the Capital Drive future improvements have been completed, to a full build-out of an **“Urban Nonresidential Collector Roadway,”** then the parking restrictions could be reevaluated at that time.

Per the County Fee Program standard unit costs, County Staff calculates a price of at least \$75,000 to complete 600 LF of Capital Drive (half-section) from the intersection with Industry Road north to the Dwire/Timberline joint access point. The Dwire site owner has agreed to provide the requested \$75,000 in escrow for the East-half Capital Drive future improvements. It’s the owners understanding that the escrow shall be returned to the owner if the roadway improvements are not completed within the required timeframe of the escrow agreement, or provided to the City or to adjacent owner that will construct the improvements, whichever comes first. The currently vacant east property has been annexed into the City and very unlikely to revert to County jurisdiction. The applicant's understanding is that El Paso County is now in negotiations with the City of Colorado Springs to transfer the Capital Drive roadway to City jurisdiction. Furthermore, the applicant understands that upon the transfer of Capital Drive to the City of Colorado Springs, the applicant's escrow funds shall be returned fully to the owner if it's been determined that the escrow funds are not required to be held under the City of Colorado Springs jurisdiction.

Should you require any additional information, please contact me at 719-491-0818.

Respectfully,

Virgil A. Sanchez, P.E.
M&S Civil Consultants, Inc.

