

Crossroads Mixed Use Filing No. 2 Final Plat Letter of Intent July 31, 2023

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER

CROSSROADS DEVELOPMENT COMPANY, LLC
90 S. CASCADE AVENUE, SUITE 1500 COLORADO
SPRINGS, CO 80903

PLANNING

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ENGINEERING

M&S CIVIL CONSULTANTS, INC.
212 N. WAHSATCH AVE, STE 305
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SURVEYING

M&S CIVIL CONSULTANTS, INC.
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SITE/BACKGROUND INFORMATION

The Crossroads Mixed Use Filing No. 2 Final Plat (12.016 ac), a Replat of Tract D, Crossroads Mixed Use Filing No. 1, is located at the northwestern intersection of US Highway 24 and Newt Drive. The plat implements portions of the Crossroads Mixed Use Preliminary Plan (SP2011) for 1 commercial lot, and 1 tract for private roads, and 4 tracts for future development.

The Final Plat includes one (1) commercial lot. Lot 1 CR zone (0.794 ac) and Tract A for private road public utility and improvements (0.896 ac). Furthermore, the Final Plat includes future development of Tract B (2.815 ac), Tract C (5.022 ac), and Tract D (2.489 ac). (Parcel ID No.: 5408305005).

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 was subject to approval of a preliminary plan and final plat of the property consistent with the split zoning district boundaries on the property (approved). 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 Filing No. 2, Final Plat to create one (1) commercial lot, one (1) tract A (0.896 AC) for private rights-of-way (Tract "A" within a 50' private road easement to provide access to Lot 1. Tracts B, C, and D, are 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 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 approved preliminary plan 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 provided and consistent with the applicable findings of sufficiency and Master Plan.

ZONE DISTRICT COMPLIANCE

The final plat includes Lot 1 in the CR zone. Future development of Tract B, C, and 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 the lot and tracts within this final plat area. The proposed Lot is designed to meet the bulk, density, and dimensional requirements of the respective underlying zone, and is able to meet a 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 and with the characteristics of the site according to the El Paso County Master Plan***

General conformance with the Master Plan including the County Water Master Plan and Policy Plan have been made with the preliminary plan (SP-20-11) approval by the BOCC on 10/26/2021 (Resolution No. 21-401). The proposed CR zone application site per the **El Paso County Master Plan** (Adopted May 26, 2021) (**EPC MP**) is located and identified within the **Placetype: Employment Center** Master Plan area. The Employment Center placetype is characterized by predominantly industrial and commercial areas with supporting commercial retail and commercial service. This placetype serves to support large-business expansion by providing quick access to major arterials with connections to regional highways. The Employment Center placetype generally supports accessory sidewalk connections and crosswalks. The proposed site is described as a commercial area and thus, is supportive of and compatible with the overall commercial and business character of the area. Therefore, the proposed site is in conformance with the Employment Center placetype outlined in the **EPC MP**.

The project site is confined within the key area of **“Enclaves or Near Enclaves”** as defined in the **EPC MP**. These areas are typically unincorporated into El Paso County, but are completely surrounded by incorporated sites and are within or surrounded by other municipalities. Most of the sites that fall under this key area require discussions with entities within the other municipalities in order to conform to the surrounding sites. For instance, this project will have utilities that are serviced by external entities, such as the Cherokee Metropolitan District for water and wastewater. Therefore, the development on the site will require constant communication to the various municipalities, as the main feature of this key area requires per the **EPC MP**.

This project site lies within the **10% of "Developing Areas" and within the 1% of "Transition"** as defined in the **EPC MP**. The Transition area types are areas defined as fully developed and expected to undergo a significant change. These areas will experience extensive redevelopment which may transition the existing area to a different type of development. The site has been zoned to CR and will undergo an extensive amount of development as per the definition of the Developing Areas and Transition areas of change. Thus, the final plat is consistent with the placetype, key area, and area of change anticipated from the findings of the El Paso County Master Plan.

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.

Your El Paso Master Plan Conformance:

The Final Plat subdivision generally conforms to the goals conformance with the goals, objectives, and policies of the Your El Paso Master Plan.

- ***Goal 1.1 - Ensure compatibility with established character and infrastructure capacity.***

As described in the previous portion of this document, the proposed development is compatible with the **EPC MP's** established character of the site. In addition, the BOCC made two separate findings of compatibility with the established character of the area by their approval (Resolution 21-181) for the rezone from CR to RM-30 (P-20-8) for the adjacent multi-family parcel and preliminary plan (SP-20-11) on 10/26/2021 (Resolution No. 21-401) for the commercial use. The final plat is in conformance with the preliminary plan, and as previously described, the final plat submittal demonstrates infrastructure capacity for public drainage, roadways, utilities, and other public services (parks, schools, and fire and police protection). Public improvements are proposed that are roughly proportionate to the impact to or demands for services and/or infrastructure generated by the planned uses within the final plat area.

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 to enhance and/or otherwise increase compatibility between the adjacent single- family zone and land uses.

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.

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.

The Private park, recreation, and open spaces will be planned and provided by the Developer and managed by the Metropolitan District. 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 outside of this project area.

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.

- ***Goal 1.2 - Coordinate context-sensitive annexation and growth strategies with municipalities.***

The City of Colorado Springs has not indicated any desire to annex the development area.

- ***Goal 1.3 - Encourage a range of development types to support a variety of land uses.***

The previous final plat implemented the multifamily residential phase of the Crossroads Mixed Use Preliminary Plan on Lot 1 in the RM-30 zone (previously approved) and CR zone will be platted to support permitted commercial uses in This mixed-use district.

- ***Goal 1.4 - Continue to encourage policies that ensure “development pays for itself”.***

The developer is bearing the costs of providing necessary improvements to support the proposed development. The final plat includes a complete financial assurance estimate for required improvements and construction activities and will be bound by the terms and conditions of a Subdivision Improvements Agreement. The developer will also be responsible for the payment of all subdivision exactions and road impact fees.

- ***Core Principle 2: Preserve and develop neighborhoods with a mix of housing types.***

- ***Goal 2.1 - Promote development of a mix of housing types in identified areas.***

- ***Goal 2.3 - Locate attainable housing that provides convenient access to goods, services, and employment.***

The housing type in the area is characterized by higher urban residential densities including but not limited to single family detached and attached, townhome supporting commercial retail uses along the Meadowbrook Parkway corridor. Specifically, the adjacent Meadowbrook Crossing single-family detached housing and Claremont Ranch residential development east of the Marksheffel/Meadowbrook Parkway intersection.

The existing and approved land use mix within the adjacent area includes residential (single-family attached, single-family detached, and multifamily) land uses, together with commercial and retail uses, service oriented, light, and heavy industrial land uses along and adjacent to the Meadowbrook Parkway and Marksheffel Corridors.

The proposed commercial lots are conveniently located near two major transportation thoroughfares (SH 24, & SH 94) which can connect them to other employment centers, commercial/retail corridors and nodes throughout the El Paso County region. The increased residential densities provide additional customer base in support of the existing and planned commercial at the Constitution/ Marksheffel intersection, Powers Blvd corridor, and at the SH 24/SH 94 commercial node (pending Crossroads North and Crossroads at Meadowbrook developments, See PCD File Nos SP-20-7 & SP-21-29, respectively).

- **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 were made with the BOCC 10/26/2021 approval of the preliminary plan (SP-20-11; Resolution No. 21-401).

- **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 March 22, 2023, 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 Filing 1, Tract A. Also, the Highway 94 Trail and the East Fork Sand Creek Trail are located within 0.5 miles of the site. In addition, the planned multifamily use on Lot 1 (Filing No. 1) 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 were included in the associated construction documents and financial assurances with Filing 1.
- **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 have been included in the associated construction documents and financial assurances with Filing 1.

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.**
Waivers for private road and frontage requirements have been approved with the preliminary plan and 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.