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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
Jim Egbert, Chair

FROM: Kari Parsons, PM/Planner II
Jeff Rice, PE Engineer III
Craig Dossey, Executive Director

RE: Project File #: SF-17-012
Project Name: Hannah Ridge at Feathergrass Filing No. 3
Parcel No.: 53324-03-007

OWNER:	REPRESENTATIVE:
Feathergrass Investments, LLC 4715 N. Chestnut Street Colorado Springs Co. 80907	M.V.E. Inc 1903 Lelaray Street, Suite 200 Colorado Springs, CO. 80909

Commissioner District: 2

Planning Commission Hearing Date:	10/3/2017
Board of County Commissioners Hearing Date	10/10/2017

EXECUTIVE SUMMARY

Feathergrass Investments, LLC, request approval of a final plat for the Hannah Ridge at Feathergrass Filing No. 3 subdivision to authorize the development of 39 single-family lots and the creation of rights-of-way. The proposed 8.31 acre plat area is included in the approved Hannah Ridge at Feathergrass PUD development plan and preliminary plan. The final plat area is located north of Constitution Avenue, west of Akers Drive and is within Section 32, Township 13 South, Range 65 West of the 6th P.M.. The final plat area is not located within the boundaries of a small area plan.

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The Hannah Ridge at Feathergrass Filing No. 3 final plat is consistent with the approved Hannah Ridge at Feathergrass PUD development plan and preliminary plan. The final plat application meets the submittal and review criteria for a final plat as well as the general development standards of Chapter 6, the final plat review criteria of Chapter 7, and the subdivision design requirements of Chapter 8 of the El Paso County Land Development Code (2016).

Water and wastewater services will be provided by Cherokee Metropolitan District. A finding of water sufficiency is requested with this application.

A. REQUEST/WAIVERS/AUTHORIZATION

Request: Feathergrass Investments, LLC, request approval of a final plat for the Hannah Ridge at Feathergrass Filing No. 3 subdivision to authorize the development of 39 single-family lots and the creation of rights-of-way. A finding of water sufficiency is requested with this application.

Waiver(s): No waivers are requested with this application.

Authorization to Sign: Final Plat, Subdivision Improvements Agreement, Detention Pond Maintenance Agreement and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a final plat, Section 7.2.1.D.3 states that the BoCC shall find that:

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- 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 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 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;
- 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)];
- 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;
- 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;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this 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;
- 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;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §34-1-302(1), et seq.]

D. LOCATION

North: PUD (Planned Unit Development)	Single-family/Vacant
South: PUD (Planned Unit Development)	Commercial/Vacant
East: PUD (Planned Unit Development)	Single-family/Hannah
Ridge at Feathergrass Filing No. 2	
West: PUD (Planned Unit Development)	Single-family/Proposed
Hannah Ridge at Feathergrass Filing No. 4 (in review)	

E. BACKGROUND

The Hannah Ridge at Feathergrass preliminary plan (SP-07-012) and Planned Unit Development (PUD-07-007) plan were approved by the Board of County Commissioners on January 24, 2008, both of which included the following: 355 single-family lots, three (3) open space tracts to be owned and maintained by the home owners association, multiple trail connections to the regional trail corridor known as the Rock Island Trail, which is owned and maintained by the City of Colorado Springs, four (4) commercial and multi-family future development tracts, rights-of-way, and two hammerhead-style roads to be privately owned and maintained.

The applicant requested a Planned Unit Development amendment (PUD-13-004), to eliminate the private hammerhead-style roads and provided a public cul-de-sac to be built to El Paso County standards, which was administratively approved by the Development Services Director on July 29, 2013.

An amendment to the preliminary plan (SP-13-006) eliminated the private hammerhead roads and included a public cul-de-sac to be built to El Paso County standards to be consistent with the amended PUD plan. The amendment was approved by the Board of County Commissioners on October 8, 2013, and resulted in a reduction of three (3) single-family lots within the subsequently approved and recorded Hannah Ridge at Feathergrass Filing No. 2 subdivision.

The Hannah Ridge at Feathergrass Filing No. 1 subdivision plat (SF-13-013) was approved by the Board of County Commissioners on April 22, 2014, and identified this parcel as Tract FF for future development. The Hannah Ridge at Feathergrass Filing No. 2 subdivision plat (SF-15-013) was approved by the Board of County Commissioners on October 27, 2015. Hannah Ridge at Feathergrass Filing Nos. 1 and 2 are fully built out.

The Hannah Ridge at Feathergrass Filing No. 3 final plat request is in conformance with the amended PUD and preliminary plan. The vacation of the existing Cherokee Metropolitan District sanitary sewer easement will be completed after the newly designed, sanitary sewer infrastructure is installed by the developer and accepted by the District a separate instrument (see Condition of Approval No. 15 below).

F. ANALYSIS

1. Land Development Code Compliance

This final plat application meets the final plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2016).

2. Zoning Compliance

The Hannah Ridge at Feathergrass Filing No. 3 final plat is consistent with the approved PUD development plan and PUD development guidelines. The Hannah Ridge at Feathergrass Filing No. 3 PUD development plan provides allowed and permitted uses; use, density, and dimensional standards such as setbacks, maximum lot coverages, and maximum building heights; as well as landscaping requirements.

3. Policy Plan Analysis

A finding of consistency with the El Paso County Policy Plan (1998) was made with the previously approved Hannah Ridge at Feathergrass PUD development plan and preliminary plan. The proposed final plat is consistent with the approved PUD development plan and preliminary plan.

4. Small Area Plan Analysis

The proposed Hannah Ridge at Feathergrass Filing No. 3 final plat is not within the boundaries of a small area plan.

5. Other Master Plan Elements

The proposed Hannah Ridge at Feathergrass Filing No. 3 final plat is consistent with or does not create negative impacts to elements depicted on the El Paso County Wildlife Habitat Descriptors Map (1996), the El Paso County Community Services Parks Master Plan (2014), the Master Plan for Mineral Extraction (1996), and the Major Transportation Corridors Plan (2016).

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

A geology, soils, and hazards report was submitted and reviewed with the approved PUD development plan and preliminary plan. The report did not identify any hazards that would preclude development.

2. Wildlife

Potential impacts to wildlife are generally low as depicted in the El Paso County Wildlife Descriptors Map (1996).

3. Floodplain

As indicated on FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0752F, the property is located entirely outside of the current 100-year regulatory floodplain.

4. Drainage and Erosion

The proposed development is located within the Sand Creek Drainage Basin. The basin has been studied and drainage and bridge fees have been adopted; fees due are as listed in the conditions of approval. If the Developer receives credit for basin improvements within the Hannah Ridge at Feathergrass development prior to recording the plat, that credit may be applied toward reducing the drainage fees due with this subdivision, as addressed in the subdivision improvements agreement.

Drainage from the site generally flows from north to south, towards Constitution Avenue, in a combination of storm drains and open channels. Major drainageways and storm drains, excepting water quality facilities, are proposed to be dedicated to and maintained by El Paso County in tracts and easements. Filing No. 3 will add approximately 2,000 linear feet of storm drain to County maintenance. The homeowners association will maintain the Filing No. 3 water quality facilities as documented in the revised maintenance agreement and easement.

Per the Hannah Ridge at Feathergrass (HRAFG) Master Development Drainage Plan (MDDP), Preliminary Drainage Report, and Filing 3 Final Drainage Report, no detention is required with HRAFG Filing Nos. 3 or 4 because the downstream facilities are capable of handling the minor increase in runoff and there is incidental detention storage volume upstream along the north side of the Rock Island Trail (former railroad) embankment. Detention will be required with future filings following Filing No. 4, subject to analyses in the applicable drainage reports.

The existing detention/ponding area, which is located on property owned by El Paso County, is upstream of the former railroad embankment (currently owned by the City of Colorado Springs and designated as a regional trail). El Paso County Department of Public Works' upcoming wetland bank project will provide a public drainage easement to protect the ponding area from future development/infringement to preserve the detention function of the current drainage system. The existing seven-foot by seven-foot box-shaped culvert

under the City's Rock Island Trail will be repaired to City standards by the Developer as part of the Filing No. 3 construction to ensure proper functioning of the drainage system through the HRAFG site. Maintenance of the incidental detention area and seven-foot by seven-foot culvert were specifically addressed in a 2007 amendment to the Sand Creek Drainage Basin Planning Study (DBPS), providing for reduced flowrates and reduced channel improvement costs downstream. The incidental detention area shall be owned and maintained by El Paso County. The regional trail and box culvert shall be owned and maintained by the City of Colorado Springs Parks Department.

The Hannah Ridge at Feathergrass Filing No. 3 Final Drainage Report concludes that stormwater runoff from this project will not "negatively impact the adjacent properties and downstream drainage facilities."

5. Transportation

The Hannah Ridge at Feathergrass development takes access from the County road system at Constitution Avenue (a principal arterial roadway) to the south and Akers Drive (nonresidential collector) to the east. The internal street classifications vary from local low volume (50 foot right-of-way) roadways to collector (80 foot right-of-way) roadways, including Hannah Ridge Drive, Winslow Park Drive and Hunter Jumper Drive. This filing connects to, extends and takes access from Winslow Park Drive and Hunter Jumper Drive, both of which have been planned and designed as local streets within this filing.

Traffic generated from this filing will be approximately 371 average daily trips (ADT). This traffic will contribute to the need for a traffic signal at the intersection of Hannah Ridge Drive and Constitution Avenue, requiring the applicant to escrow funds toward the cost of signal construction as addressed in the conditions of approval. (Transportation impact fees do not apply to intersection signalization.) The development has requested inclusion into the 10 mil PID of the County Road Impact Fee Program.

Filing No. 3 will add approximately 2,200 linear feet of local roads to County maintenance.

H. SERVICES

1. Water

Sufficiency: Cherokee Metropolitan District has committed to serve the development.

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The County Attorney's Office makes a favorable recommendation for a finding of sufficiency with regard to water quantity and dependability. El Paso County Public Health has made a favorable recommendation regarding water quality. The Board of County Commissioners is anticipated to make a finding for water sufficiency, including quality, quantity, and dependability, with approval of this final plat.

2. Sanitation

The Cherokee Metropolitan District provides wastewater service and has committed to serve the property. El Paso County Public Health has made a favorable recommendation regarding wastewater disposal.

3. Emergency Services

The property is within in two overlapping districts that provide emergency services. Both the Falcon Fire Protection District and the Cimarron Hills Fire Department have committed to serve the proposed subdivision. The future lot owners will be taxed by one district only.

4. Utilities

Mountain View Electric Association will provide electrical service and Black Hills Energy will provide natural gas service to the development. Public utility easements have been depicted on the final plat.

5. Metropolitan Districts and Other Special Districts

The site lies within the Cherokee Metropolitan District which provides water and wastewater services to the proposed development. The property is also within the Constitution Heights Metropolitan District which was established to construct public infrastructure.

The applicant is requesting inclusion into the Public Improvement District No. 2.

6. Parks/Trails

Regional park fees (Region 2) of \$15,873 and urban park fees (Urban Area 3) of \$10,023.00 in lieu of land dedication shall be paid at the time of final plat recordation.

7. Schools

School fees in the amount of \$9,360.00 in lieu of land dedication shall be paid at the time of final plat recordation for the benefit of Falcon School District No. 49.

I. APPLICABLE RESOLUTIONS

Approval Page 19

Disapproval Page 20

J. STATUS OF MAJOR ISSUES

There are no outstanding issues with this request.

K. CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2016) staff recommends the following conditions and notation:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.

6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the ECM Administrator, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 16-454), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
10. Developer has opted to be included in the Public Improvement District (PID) #2 at 10 mils. Additionally, it is subject to the 2009 Intergovernmental Agreement between the Constitution Height's Metropolitan District and the County, Resolution Number 09-342. A fee of \$923.00 per unit (lot) shall be due at time of building permit application. The final plat shall not be recorded until the plat has been reviewed and approved by the El Paso County Assessor.
11. Park fees in lieu of land dedication for regional parks (Area 2) and urban park (Area 3) fees shall be paid at time of plat recordation.
12. Fees in lieu of school land dedication shall be paid to El Paso County for the benefit of Falcon School District No. 49 at time of plat recording.
13. The developer shall participate in a fair and equitable manner in the design and future construction of traffic signalization improvements at Constitution Avenue and Hannah Ridge Drive. The fair share attributed to Hannah Ridge at Feathergrass Filing No. 3, as identified in the applicant's traffic study, is escrow to be deposited in the amount of \$8,513.00. Documentation that this amount has been deposited in the existing escrow account for the signal improvements shall be provided prior to recording the final plat.

14. Drainage and bridge fees, for the Sand Creek Basin, in the amounts of \$68,953.89 and \$20,889.59, respectively, shall be paid at the time of final plat recording. If credits are established prior to recordation of the final plat, the credits may be used towards the drainage fees due upon final plat recordation.
15. Developer shall provide evidence of vacation/extinguishment of the portions of the utility easements recorded at Book 6916, Page 68 and Book 3896, Page 66 within this subdivision prior to preliminary acceptance of the roads within this subdivision by El Paso County.
16. Offsite sidewalk/trail improvements within the Rock Island Trail corridor shall be completed by the developer with the construction of the subdivision improvements in order to connect the sidewalk along Hunter Juniper Drive to the existing sidewalk along the north side of Constitution Avenue adjacent to the James Irwin Charter Academy School as agreed to by the developer and the successor (builder).

NOTATIONS

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified three (3) adjoining property owners on September 13, 2017, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Plat Drawing
State Engineer's Letter
County Attorney's Letter