



CITIZEN ON CONSTITUTION SDP

LETTER OF INTENT



MAY 24, 2022
KIMLEY-HORN AND ASSOCIATES

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Please include:
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The zoning was approved in May. please revise.

REQUEST

Approval of 11.72-acre 'Citizen on Constitution SDP (hereafter, "SDP")', in the RM-30 Zone (Pending approval by the BOCC – PCD File No. RM30-20-4) on Citizen on Constitution Filing No. 1 (Pending approval – PCD File No. SF-226).

PCD file No. P218

PROJECT DESCRIPTION

Creation of create a single lot (8.927 AC) and tracts for a 226-unit multifamily development in the RM-30 District, 1.352 AC of Right-of-Way dedication, a 0.800 AC tract for stormwater detention, and a 1.185 AC tract for open space. Final development plans include 2 – three (3) story buildings with tuck under, detached garages, and uncovered surface parking, indoor/outdoor recreation amenities, and open spaces.

PROPERTY LOCATION, ACREAGE, PARCEL ID INFO, & ZONING

The properties included in the final plat are located at the southwest corner of the Marksheffel Road and Constitution Avenue intersection. The pending replat includes Parcel No. 5405000051 and Parcel No. 5405000035, which are legally described as Tracts M and N, Urban Collection at Palmer Ridge, respectively. The parcels are currently zoned CR with Commercial Aviation Development Overlay (CAD-O), subject to approval of a map

amendment (rezoning) to the RM-30 CAD-O zone (PCD File No. P-21-8). See vicinity map for location/site details.

RM-30 ZONING COMPLIANCE:

Development of the site will be in conformance with the zoning requirements of the RM-30 zone, including landscape buffering/screening requirements of the Code summarized below:

- Maximum density: 30 DU/AC
- Structural Setbacks (from property boundary):
 - Front 25-feet (Akers Drive)
 - Side/Rear: 15-feet
 - The minimum distance between buildings shall be 10 feet.
- Max Lot Coverage: 60%
- Max Height: 40-feet
- Parking: Refer to SDP Cover Sheet
- Roadway Landscape Buffers:
 - Principal Arterial: 25-foot buffer/landscape setback (1 tree/25 feet of Constitution Ave/Marksheffel Rd frontages)
 - Non-Arterial: 10 feet (1 tree/30 feet of future Akers Drive frontage)
- Buffer Between Non-Residential, Multifamily Residential and Single-Family/Duplex Uses:
 - 15-feet along frontages adjacent to single-family residential uses
 - 15-feet along residential boundary where compatibility is a concern
 - 1 tree/25-feet of common property line
 - A minimum 1/3 trees shall be evergreen
- Internal Landscaping Requirements:
 - A minimum of 15% of the lot or parcel shall be landscaped.
 - A minimum of one tree shall be provided for every 500 square feet of required internal landscape area.

SDP DESCRIPTION

The site development plan application for the proposed platted site includes: two (2) mid-rise, three (3) story multifamily unit buildings, attached and detached garages, uncovered surface parking, office, club house, swimming pool, landscaping, open spaces, active and passive recreational amenities. The development plan also depicts required on and off-site public and private transportation and circulation, stormwater, and/or utility improvements, buffering and screening, final grading and erosion control, and construction plans for on- and off-site improvements.

The developer intends to pay the traffic impact fee in full at or prior to the time of building permit issuance.

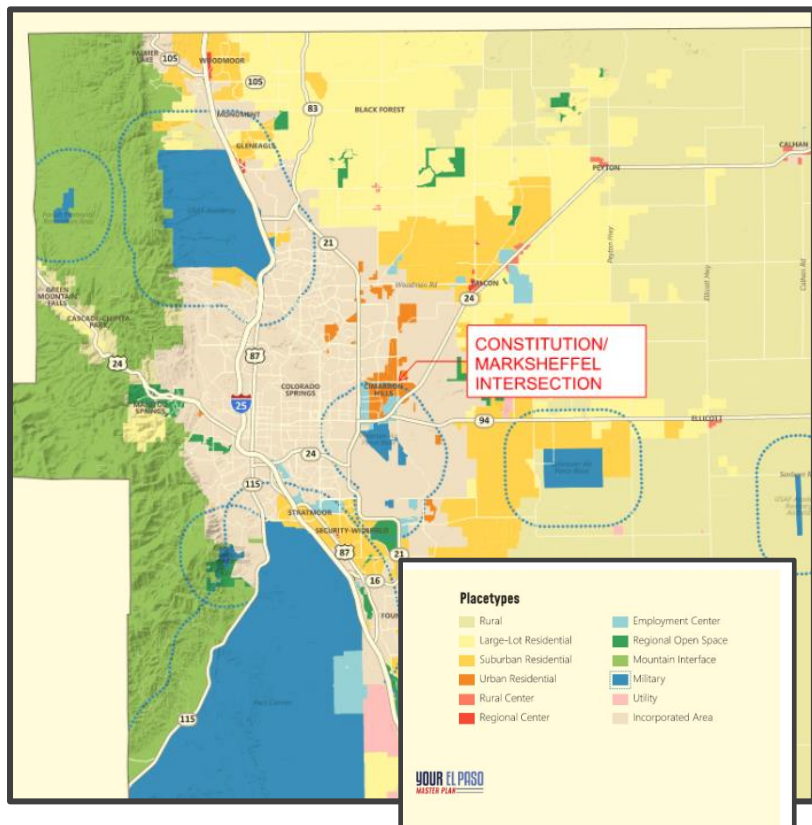
YOUR EL PASO MASTER PLAN CONFORMANCE

The proposed SDP is in general conformance with the EL Paso County Master Plan as discussed in detail below. The proposed subdivision plat implements the proposed RM-30 zone (*PCD File No. P-21-8*) to create a legal zoning lot for proposed multifamily development. Findings of Master Plan conformance are pending with the rezone application. The Plat is also consistent with Master Plan to implement the multifamily land use. Increased market demand for housing is reflected in the recent residential infill developments on property previously zoned or planned for commercial, light industrial, and manufacturing uses.

There has also been a substantial ongoing change in the character of the area’s development and land use patterns creating a mixed land use character that incorporates commercial, industrial, single & multifamily densities centered at Marksheffel/Constitution intersection and adjacent corridor segments. This development pattern is consistent with the location and primary and supporting land uses of the Urban Residential Placetype shown on the Placetypes Map in the Master Plan.

Since the properties were rezoned to the current CS (Commercial Service) zone from M (Industrial) in 2004, the surrounding area has undergone a substantial change in character from primarily industrial/commercial land uses to a mixed use comprised of commercial/retail uses supporting a growing single-family residential market base.

The proposed RM-30 zoning and planned multifamily land uses and densities are consistent with the existing adjacent commercial, industrial, public, and residential land uses which are in various stages of development and redevelopment.



MASTER PLAN CONFORMITY (LAND USE & HOUSING)

Core Principle 1: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

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

Land Use

The Your El Paso Master Plan locates this property within an urban residential placetype where higher density and multifamily residential uses are identified as a primary land use in this area designation.

PLACETYPES	LAND USES																			
	Agriculture	Farm/Homestead	Estate	Single-Family Detached	Single-Family Attached	Multifamily	Mixed Use	Restaurant	Commercial Retail	Commercial Service	Tourism Commercial	Entertainment and Arts	Office	Light Industrial/Business Park	Heavy Industrial	Military Operation	Parks and Open Space	Natural and Paleontological	Institutional	Utility
Rural	●	●	○													●		○		
Large-Lot	○			●				○	○							○				
Suburban				●	○	○		○	○							○		○		
Urban Residential	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●	●
Rural Center				●	○	○		●	●	●									●	
Regional Center					○	●	○	●	●	●		●	○						○	
Employment Center								○	○	○			●	●	●					
Regional Open Space																●	●			
Mountain Interface				○				○	○	○	○					●	●	○		
Military				○	○	●		○	○	○		○	●	●	●	●	○		○	
Utility																○				●

● Primary Land Use: More prominent and play a pivotal role in characterizing that placetype
 ○ Supporting Land Use: Less prevalent and serve to support the primary land use.

Many of the Regional and Employment Center Placetype land uses are located adjacent to or in proximity to the Project which include commercial retail, restaurant, commercial service, and light industrial in the surrounding CR (Commercial Retail), CS (Commercial Service), M (Industrial), I-3 (Heavy Industrial), and City of Colorado Springs PBC (Planned Business Center) zone districts.

The proposed multifamily uses and densities are compatible with the existing and approved residential, commercial, and industrial land use patterns and densities along the Constitution Avenue corridor in both easterly and westerly directions as well as the Marksheffel Rd Corridor in

both northerly and southerly directions. Plat and Site Development Plan approval will implement development consistent with the intent and goals of the Master Plan.

Infrastructure Capacity (Utilities and Urban Services)

Necessary urban services to meet the multifamily demands are available and currently serving adjacent and nearby residential, commercial, industrial land uses and densities. Specific services include water/wastewater, fire protection, emergency ambulatory/medical service (EMS), police protection, public schools for compulsory education, public parks and recreation opportunities, and public drainage/transportation facilities and associated infrastructure. Akers Drive will be extended southerly from Constitution Avenue to provide public access to the planned development as well as a secondary emergency access for the Urban Collection at Hannah Ridge residential development.

Public services and utilities are, or will be, provided by the following

- Water & Wastewater Services: Cherokee Metropolitan District (CMD)
- Natural Gas: Colorado Springs Utilities
- Electric Service: Mountain View Electric Association
- Fire Protection: Falcon Fire Protection District
- Public Schools: Colorado Springs District #11
- Library Services: Pikes Peak Library District:
- Roads: El Paso County Road and Bridge
- Police Protection: El Paso County Sheriff’s Department
- Special District Services: Constitution Heights Metro District
- Parks, Trails, Open Spaces: El Paso County, City of Colorado Springs, CMD

Utility and fire protection commitments and use specific service demands and delivery requirements will be provided at future subdivision phases for the multifamily project. The subsequent subdivision and site development plan submittal and review will include detailed reports and analysis of system or service deficiencies. Impacted service providers will outline respective infrastructure and/or operational needs in order to meet projected demands.

Infrastructure Capacity (Transportation and Access – Summarized from TIS)

The project is expected to generate approximately 1,230 weekday daily trips, with 76 of these trips occurring during the morning peak hour and 97 of these trips occurring during the afternoon peak hour.

Regional access to the project will be provided by US Highway 24 (US-24), Powers Boulevard (SH-21), and State Highway 94 (SH-94). Primary access will be provided by Constitution Avenue and Marksheffel Road. Direct access will be provided by a full movement access from the extension of Akers Drive southerly from Constitution Avenue. Constitution Avenue extends eastbound and westbound with two through lanes in each direction with a posted speed limit of 50 miles per hour. Marksheffel Road extends in the north-south direction with two through lanes in each direction and has a posted speed limit of 50 miles per hour.

The access along the new south leg of Akers Drive will be approximately 300 feet south of Constitution Avenue (measured edge line to center). Per the ECM, spacing of intersections along urban local roadways (Akers) from an arterial roadway should be 330 feet from the right-of-way line of the arterial to the centerline of the access roadway. Therefore, the proposed access along the new south leg of Akers Drive does not meet ECM standards. The access along Akers Drive is expected to meet operational, vehicle queue, and sight distance standards.

The following deviations will be provided as part of the final plat submittal for the ECM administrators consideration:

- A deviation will be provided to request full movement access from a future south leg of Akers Drive at Constitution Avenue. The future south leg of Akers Drive along Constitution Avenue will be located approximately 1,050 feet west of Marksheffel Road (measured edge line to center), and approximately 825 feet east of Hannah Ridge Drive. According to the El Paso Engineering Criteria Manual (ECM) section 2.2.5.B, spacing of roads accessing an urban principal arterial that will result in a full movement intersection shall be planned at one-half mile. However, as stated in the ECM, one parcel access shall be granted to each existing lot, if it does not create safety or operational problems. The intersection of Constitution Avenue and Akers Drive is expected to meet operational, vehicle queue, and sight distance standards; therefore, it is believed that a south leg of Akers Drive at Constitution Avenue should be granted to allow for one full movement access to the existing lot.
- A deviation will be provided in support of allowing a right-out only access along Marksheffel Road. The proposed right-out access along Marksheffel Road will be located approximately 400 feet south of Constitution Avenue (measured edge line to center). The proposed right-out only access along Marksheffel Road is expected to meet operational, vehicle queue, and sight distance standards; therefore, it is believed that this access should be granted to only allow right-turn exiting movements.
- The access along the new south leg of Akers Drive will be approximately 300 feet south of Constitution Avenue (measured edge line to center). According to the El Paso County Engineering Criteria Manual section 2.2.5.D, spacing of intersections along urban collector roadways from an arterial roadway should be 330 feet from the right-of-way line of the arterial to the centerline of the access roadway. Therefore, the proposed access along the new south leg of Akers Drive does not meet ECM standards. The access along Akers Drive is expected to meet operational, vehicle queue, and sight distance standards. A deviation will need to be provided to request for this proposed access to remain at the proposed location.
- A northbound left turn lane is warranted at the Constitution Avenue and Akers Drive intersection and based on an El Paso County ECM design speed of 40 miles per hour for an Urban Non-Residential Collector, the deceleration lane length required is 155 feet plus a 160-foot taper. Additionally, 50 feet of storage is required by El Paso County due to the peak hour

volume. Therefore, this left turn lane is recommended to provide a length of 205 feet plus a 160-foot taper. The proposed spacing between Constitution Avenue and the access intersection is not sufficient to allow for a 205-foot northbound left turn lane plus 160-foot taper at the Constitution Avenue and Akers Drive intersection. It should be noted a 165-foot northbound left turn lane plus a 120-foot taper based on a design speed of 30 mph is expected to be accommodated with the proposed location of the project access along Akers Drive. A deviation will be requested to allow for the northbound left turn lane at the Constitution Avenue and Akers Drive intersection be constructed with a design speed of 30 miles per hour.

A traffic signal is warranted with 2045 traffic volume projections at the intersection of Constitution Avenue and Akers Drive. It is recommended that El Paso County monitor traffic volumes at this intersection in the future to determine if signalization is the appropriate control. It should be noted the north leg of this intersection is the controlling approach that triggers the need for signal control and project traffic is only expected to utilize the south leg of this intersection.

The project access intersections are anticipated to have all movements operating with acceptable LOS C or better during the peak hours in both the buildout year 2023 and the 2045 long term horizons. It should be noted that the access along Akers Drive will not have any conflicting movements in the short-term; therefore, vehicle delays are not reported at this access intersection.

Goal 1.3 - *Encourage a range of development types to support a variety of land uses. (Addressed together with core principle and goals below)*

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.*

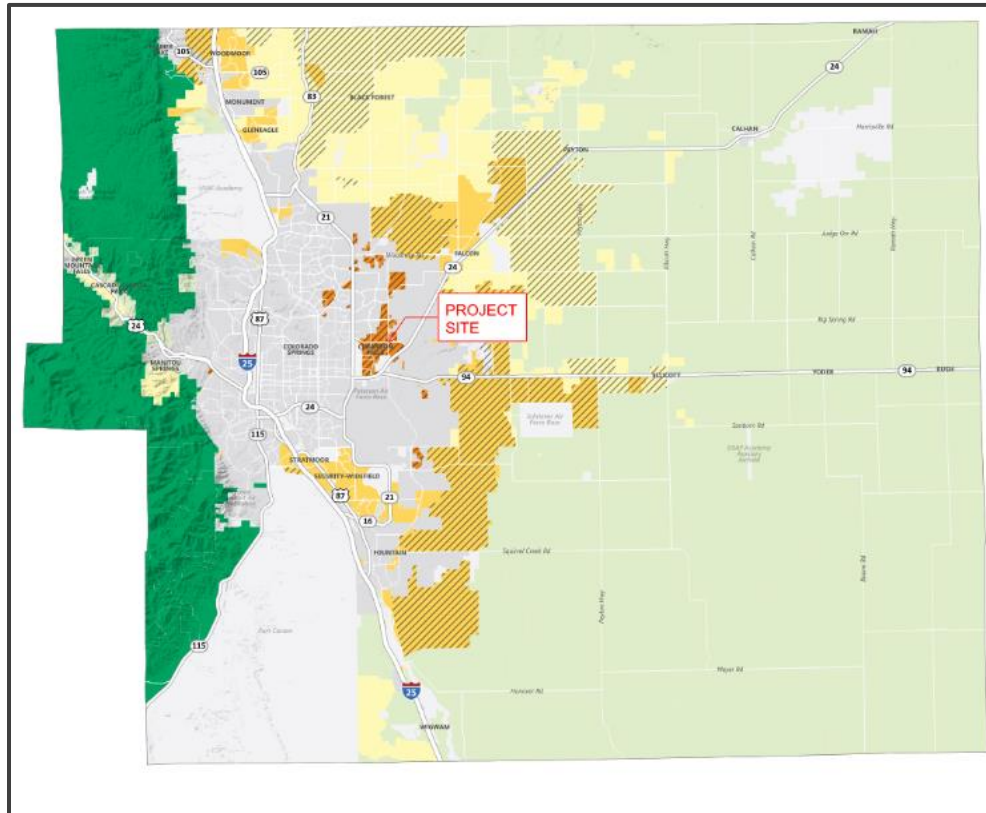
The housing type in the area is characterized by higher urban residential densities including but not limited to single family detached & attached, townhome, and apartment densities and supporting commercial retail uses surrounding the Marksheffel/Constitution intersection. (e.g., Claremont Ranch 9, The Sands, Midtown Collection at Hannah Ridge, Urban Collection at Hannah Ridge, various Hannah Ridge Filings, Upland Flats by Watermark).

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 Constitution Corridor from Peterson Road to the west to the easternmost terminus of Constitution Avenue to the east at State Highway 24, along the Marksheffel Corridor from North Carefree to the north southerly to the intersection of Marksheffel Road and State Highway 94 to the south (see surrounding land use map exhibit/not vicinity map).

The proposed multifamily housing development will provide an additional 226 apartment units to the available rental housing market supply. This housing will create opportunities for individuals and families to find attainable and affordable housing near conveniently located to major transportation thoroughfares (Marksheffel Rd, Constitution Ave, Powers Blvd, SH 24, & SH 94) which can connect them to employment centers, commercial/retail corridors and nodes, and recreational opportunities throughout the El Paso County region. The increased residential densities provide additional customer base in support of 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).

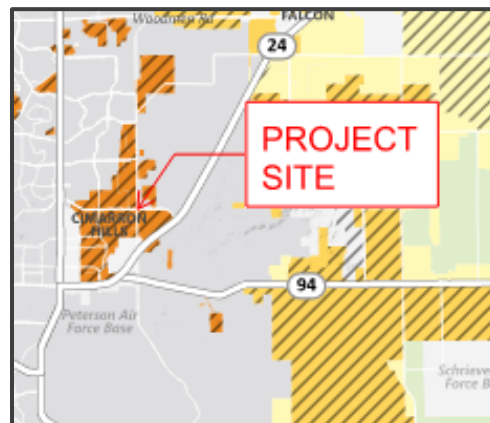
The proposed rezone and development of multi-family housing will provide additional housing choices to meet the current regional demand for workforce, affordable, and attainable housing. The proposed rezone provides opportunity to create market rate affordable and attainable housing within a multifamily context. Rental/leasing prices will be market rate which are comparable to rent rates for similarly aged communities in El Paso County that provide comparable unit and community amenities. The proposed infill multifamily development provides a balancing and complementary land use mix that supports nearby commercial/retail uses and workforce housing demands.

According to the Priority Development Areas Map in the Master Plan, the site is located within an Urban Residential Priority Development Area where “new residential development should be prioritized first for new residential development to accommodate growth” in the County.



Housing and Communities Framework

Mountain Interface	Suburban Residential
Rural	Urban Residential
Large-Lot Residential	Priority Development Areas

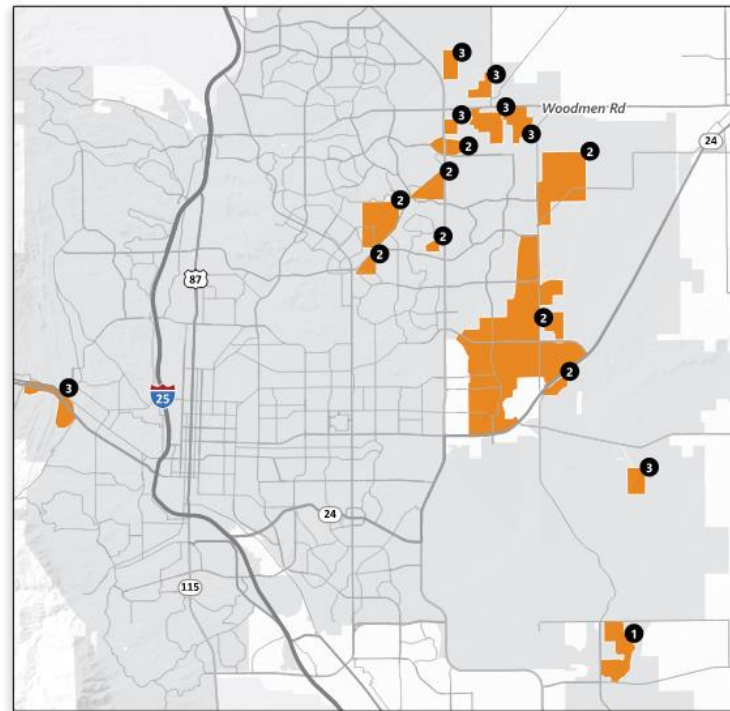


Urban Residential Priority Development (Areas Larger Enclaves) According to the Your El Paso Master Plan, “Larger enclaves, including Cimarron Hills, currently exhibit the Urban Residential place-types characteristics. They have denser housing clustered together with a wide variety of commercial and employment businesses to create a complete community. However, some have only one or two uses due to their size. All of them have been designated as transition areas within the Areas of Change because all or part of them could be redeveloped to better support the establishment of complete communities. “

“Overall, the County should prioritize higher-quality redevelopment of any primary or supporting land use for the Urban Residential place type as opportunities arise.”

The proposed multifamily densities are an appropriate transition at the Constitution Ave/Marksheffel Rd intersection which has an existing/approved land use mix of retail and service oriented commercial, light to heavy industrial, light manufacturing, single-family detached, medium to high density multifamily uses.

The functionality of the site with respect to access, design, and building orientation. This site will be consistent and compatible with existing conditions such as location and massing of buildings relative to adjacent rights of way and view corridors. The location of community/resident amenities and recreation areas, site design which respects the location as a County/City gateway, as well as, enhancing the overall visual character attractiveness of the area through contemporary building facades and private architectural design standards.



Urban Residential Priority Development Areas

WATER MASTER PLAN CONFORMANCE & CONSIDERATIONS

- **Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.**
- **Goal 6.0 – Require adequate water availability for proposed development.**
- **Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.**
- **Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.**

The development area is located 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. Region 5 consists of areas served by CMD and is not expected to experience significant growth by 2060. However, the District may expand water and sewer service to growth areas outside of Region 5. Cherokee Metro District has sufficient supply and existing infrastructure in the area to serve this infill development. Water quality is good and Cherokee is in compliance with all regulatory limits.

CMD currently serves approximately 7,500 residential and 500 commercial taps. CMD also provides services outside District boundaries to Schriever AFB and the Woodmen Hills Development. System/infrastructure interconnections exist between CMD, CSU, Meridian Service MD, and Woodmen Hills MD. CMD is developing owned water supplies to increase available water and improve flexibility in provision of summer flows. By the end of 2021, these new wells will contribute 458 AFY of capacity to the CMD system (Table 2) for a total of 4,443.0 AFY. Since 2011, actual demand from CMD customers has fallen 30-35% below commitments, partially due to some committed developments being incomplete but largely due to water saving measures undertaken by CMD customers.

CMD water supplies are drawn entirely from groundwater supplies from 21 wells (Well Nos. 1-21) in the eastern portion of the County and from two (2) wells in the “Sundance Ranch” property located in the northern portion of the County. According to the District, water from Well Nos. 1-8 provide a maximum of 653 AFY to a fixed customer base. This water is unavailable to other users and is tracked separately from CMD’s general exportable supply portfolio. Water supplies from the remaining wells (Well Nos 9-21) in the amount of 3,985 AFY is available for export outside the Basin. See Water Providers Report for Proposed Watermark at Constitution Apartments, dated January 29, 2021 for specific details provided by the District in support of this application and to address Water Master Plan Criteria.

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 **50.6 AF/YR** for the proposed development out of its current supplies. Anticipated Residential demand includes 45.2 AF/YR for Residential Domestic use and 5.4 AF/YR for irrigation within the multifamily use.

Letter of Intent_v1.pdf Markup Summary

PCD file No. P218 (1)

JP (hereafter, "SDP"), in the RM-30 Zone (M30-30-4) on Citizen on Constitution -226)

PCD file No. P218

is for a 226-unit multifamily development addition, a 0.800 AC tract for stormwater final development plans include 2 - three use and associated surface parking.

Page Label: 3
Author: Daniel Torres

PCD file No. P218

Please include: -property address (1)

Please include:
-property address

APPLICANT-OWNER/CO

Page Label: 3
Author: ashmathy

Please include:
-property address

The zoning was approved in May. please revise. (1)

CONSULTANT

The zoning was approved in May. please revise.

ATTN: 719-241-2100
2. NK COLU

REQUEST

Approval of 1.72-acre Citizen on Const (Pending approval by the BOCC - PCD Filing No. 1 (Pending approval - PCD Filing No. 1)

Page Label: 3
Author: Daniel Torres

The zoning was approved in May. please revise.