

## **MAYBERRY, COLORADO SPRINGS FILING NO. 1 PLAT EXTENSION**

### **(F.K.A. ELlicOTT TOWN CENTER FILING NO.1)**

#### **LETTER OF INTENT**

**OCTOBER, 2019**

**OWNER/APPLICANT:**

Colorado Springs Mayberry, LLC  
32823 Temecula Parkway  
Temecula, CA 92592

**CONSULTANT:**

N.E.S. Inc.  
619 North Cascade Avenue  
Colorado Springs, Colorado 80903

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#### **REQUEST**

Colorado Springs Mayberry, LLC requests approval of an additional one (1) year extension to the time to record the Final Plat for Ellicott Town Center Filing No. 1. The Developer is renaming the project Mayberry, Colorado Springs and, moving forward, the Final Plat will be processed as Mayberry, Colorado Springs Filing No. 1.

#### **JUSTIFICATION**

Ellicott Town Center Filing No. 1 Final Plat (PCD File No. SF-06-012) was approved by the Board of County Commissioners (BoCC) on April 12, 2007 (Resolution No. 07-132). Final plats are required to be recorded within one (1) year from the date of BoCC approval. The BoCC granted a two-year extension of time to record the plat on April 22, 2010 (Resolution 10-139). The extension required the plat to be recorded by April 23, 2012. The Ellicott Town Center Final Plat was not recorded within the approved extension period.

On April 28, 2011, the BoCC adopted a Resolution Extending the Expiration Period of Previously Approved Preliminary Plans and/or Final Plats (referred to as the Extension Resolution; Resolution No. 11-146). The resolution granted an extension to the time to record and/or implement all sketch plans, preliminary plans, and final plats approved from January 2, 2006 through and including April 28, 2009. Subsequent amendments to the Resolution extended the time to record and/or implement qualifying sketch plans, preliminary plans, and final plats through December 31, 2017. Although the Ellicott Town Center Final Plat expired after being previously extended, it was eligible for extension under the Extension Resolution.

In 2017, the Developer re-engaged in planning to bring the approved Ellicott Town Center Overall PUD Plan (PCD File No. SKP 05-005) to fruition. As a first step in that process, the Developer sought an additional two-year extension to the Filing 1 Final Plat (to December 31, 2019), which was approved by the BoCC on December 12, 2017. Work then commenced on preparing the necessary documents for the resubmittal of the Final Plat and the initial submittal was made in August 2018. During the review of the Final Plat resubmittal, additional reports were requested, including revisions to the Water Resources

Report and the submittal of a Noise Report. Comments were not received from Colorado Department of Transportation (CDOT) until June 2019 and an update to the original Traffic Report was requested at that stage, together with a request for updated permits for access to Highway 94.

When making the initial submittal to the County in August 2018, the Developer was optimistic that the Final Plat for Filing No. 1 would be recorded by December 31, 2019. Any extension of time requires the applicant to provide evidence that the basis of the findings of water sufficiency have not changed, revise the final drainage report to reflect current drainage basin fee requirements, and to provide an analysis of the approved construction drawings with associated financial assurance estimates to ensure compliance with current transportation and stormwater requirements and construction cost estimates. The Applicant has provided the required information and submitted all the requested updates to the various reports and plans necessary for staff to review in order to ensure compliance with current development criteria.

The staff review of these documents is nearing completion. However, the late comments and requests for additional submittals from CDOT make it unlikely that the Final Plat will be recorded by December 31, 2019. For this reason, the Developer requests a further one (1) year extension of time for the recording of the Final Plat, primarily to conclude discussions with CDOT and to obtain the required access permits.