

BENT GRASS EAST COMMERCIAL FILING 3 – PRELIMINARY PLAN & FINAL PLAT

LETTER OF INTENT

NOVEMBER, 2020

OWNER/APPLICANT:

Land First Inc.
1378 Promontory Bluff VW
Colorado Springs, CO. 80921

CONSULTANT:

N.E.S. Inc.
619 N. Cascade Ave. Suite 200
Colorado Springs, CO. 80903

REQUEST

Land First Inc. requests approval of the following applications:

1. A Preliminary Plan for six (6) commercial lots and, one (1) tract for an access road and utilities on approximately 5.351 acres.
2. Water Sufficiency with the Preliminary Plan.
3. Subsequent Final Plats to be approved administratively.

LOCATION

The approximately 5-acre site is located north of E. Woodman Road, west of Meridian Road, and south of Bent Grass Meadows Drive.



PROJECT DESCRIPTION/CONTEXT

In 2007, the Bent Grass Overall PUD was approved consisting of 178.77 acres including 540 single family residential lots, 29 acres of commercial, and 7.2 acres of park and open space. In 2013, a preliminary plan was approved for Bent Grass East Commercial consisting of 4 lots including this area as Lot 4. In 2014, a preliminary plan amendment and final plat for Bent Grass East Commercial Filing 2 was approved creating Tract B and a lot line adjustment approved in 2018 created Tract BB (this site). The property is zoned CS (Commercial Services) consisting of 6 lots on approximately 5 acres. To the north is zoned RR-5(Rural Residential) and are included in the 2007 Overall PUD as residential/agriculture and commercial office, currently two of the three lots are vacant and planned for commercial, the other lot is residential/agriculture. To the east is zoned CS for commercial and is developed as a 7-Eleven convenience store located at Meridian Park Drive and Bent Grass Meadows Drive, and Falcon Dental Care, another commercial lot is available for commercial development. To the south is an animal care clinic and 1.5AC offsite detention owned and operated by the Bent Grass Meadows Metro District. Bent Grass Meadows Single Family residential runs along the entire eastern boundary of the site. A fifteen (15') landscape buffer and setback will be provided by a buffer to the single family residential.

Schools: This site is part of the El Paso County School No. 49. There is no residential housing or increase of students associated with this development.

Traffic: Two access points are provided to the commercial site. The north access connects to Bent Grass Meadows Drive and the east access connects to Meridian Park Drive. The Traffic Study prepared by LSC anticipates no negative impacts with identified recommendations.

Drainage: Drainage improvements for this project are designed to the most current El Paso County Engineering Criteria Manual and the City of Colorado Springs/El Paso County Drainage Criteria Manual and Urban Storm Drainage Criteria Manual. Overall drainage of the site will be provided by an offsite 1.5AC detention pond located to the immediate south of the site.

Utilities: The property is located within the boundaries of Bent Grass Meadows Metropolitan District and Woodmen Hills Metropolitan District. Water, Wastewater, Storm water will be provided by Woodmen Hills Metropolitan District. Maintenance of right-of-way landscaping will be maintained by the Bent Grass Merchant Association. Mountain View Electric Association, Inc. will supply electricity service and Colorado Springs Utilities will supply natural gas.

Roads: Tract A will be developed as a private access drive to connect Bent Grass Meadows Drive to Meridian Park Drive and to provide access to the individual lots, this drive will be maintained by the Bent Grass Commercial Merchants Association.

Geologic Hazards: The site was found to be suitable for development. Some areas of the proposed subdivision have been found to be impacted by geologic conditions. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods. A map of the hazard areas and proposed mitigation measures can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc., dated October 15, 2020.

Wildlife: Wildlife that has been viewed on the site and surrounding areas including rodents, and small game. Potential for several species of mammals, rodents, larger game and vegetation is possible but unlikely to be impacted by the project. As development occurs within Bent Grass East Commercial Filing 3, reasonable care will be taken to minimize human and wildlife conflicts within reasonable limits.

Wildfire: The primary wildland fuel type is grassland with scattered trees. The Colorado State Forest Service has determined a low-moderate wildfire hazard potential and no specific fire mitigation plans or other actions are necessary.

Districts Serving the Property:

- Woodmen Hills Metropolitan District will provide water and wastewater services. A will serve letter is provided with this application.
- Mountain View Electric Association will provide electric service. A will serve letter is provided with this application.
- Colorado Springs Utilities will provide natural gas service. A will serve letter is provided with this application.
- Falcon Fire Protection District will provide fire protection and emergency services. A will serve letter is provided with this application.
- Bent Grass Metropolitan District
- Bent Grass Merchant Association
- Woodmen Road Metropolitan District.
- School District 49

PROJECT JUSTIFICATION

The relevant County Plans for Bent Grass East Commercial Filing 3 are the County Policy Plan, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. The proposed commercial preliminary plan and final plat satisfies the following policies for the County Policy Plan and the Water Master Plan.

COUNTY POLICY PLAN

Policy 6.1.1: Allow for a balance of mutually supporting interdependent land uses, including employment, housing and services in the more urban and urbanizing areas of the County.

Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

Policy 6.1.4: Encourage the logical timing and phasing of development to allow for the efficient and economical provision of facilities and services.

Policy 6.1.5: Support the development of well-planned mixed use projects which promote all, or most, of the following objectives:

- maximize the economy and efficiency of land use
- integrate employment, housing, shopping, schools and other use

Policy 6.1.7: Encourage infill development which complements existing uses, is consistent with Small Area and other adopted plans.

Policy 6.1.11: Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

The proposed development provides additional commercial opportunities in an urbanizing area planned for commercial development. The site connects to two existing access points provided by Meridian Park Drive and Bent Grass Meadows Drive which will connect to Meridian Road. Landscaping is provided along the west side of the site to buffer the commercial use from the existing residential. The commercial uses are anticipated to be neighborhood commercial services that will support the surrounding residential.

WATER MASTER PLAN

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Goal 3.1 – Promote cooperation among water providers to achieve increased efficiencies on infrastructure.

Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.

Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.

Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).

Goal 5.4 – Promote the long-term use of renewable water. Goal 5.5 – Identify any water supply issues early on in the land development process.

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.

Woodmen Hills Metro District has sufficient supply and existing infrastructure in the area to serve this development. Water quality is good and Woodmen Hills is in compliance with all regulatory limits.

The project is located within Region 3, Falcon Area, containing 4 growth areas projected to be completed by 2040, three areas to be completed by 2060, and two other growth areas located on the north and south sides of Falcon Highway directly east of Falcon. Specifically, the Water Master Plan states:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and

south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater. The other two growth areas will be located on the north and south sides of Falcon Highway directly east of Falcon. See Figure 5.5 for Region 3 growth map projections.”

Full build out of the Woodmen Hills Metro District (District) is anticipated within the 2040 timeframe. The Water Resources Report indicates that the District has sufficient supply to meet the expected need at full build out by 2040 and 2060. Region 3 has a current water supply of 7,164-acre feet per year and a current demand of 4,494-acre feet per year. The 2040 water supply is projected to be 7,921-acre feet per year and the project demand is 6,403-acre feet. As stated in the Water Resources Report, this development is projected to need 1,218-acre feet of water per year and a planning need of 1,483-acre feet per year. Current supply is 1,459.5-acre feet on a 300 year basis.

The District currently incorporates a 20% reserve into their future planning. Based on the needs, current supply, and reserve the District has sufficient water to meet the needs but a possible very small shortage of 23.5 annual acre-feet might be expected due to the 20% reserve. However, additional long-range planning, regionalization, and acquisitions are discussed in the Water and Wastewater Report under future supplies.

Woodmen Hills Metropolitan Districts (District) has provided a water and wastewater commitment letter to serve the development. The Districts has roughly 14 wells and four different types of water supply from renewable and non-renewable sources:

- local wells mainly in the Arapahoe and Laramie Fox-Hills formations, (non-renewable source)
- off-site wells four operating in the Denver Basin in the Guthrie Ranch and adjacent area (non-renewable source)
- offsite alluvial wells also in the Guthrie Ranch Area which pump renewable water from Upper Black Squirrel Basin (renewable source)
- a perpetual right to 350 acre-feet of water per year from Cherokee Water utilizing the Upper Black Squirrel Basin (renewable source).

The District developed a water policy intended to facilitate goals of continual addition of water sources prioritizing renewable sources. In addition, the District will be acquiring and or improving sources of supply and increasing water reliability and efficiency over time. New sources/expansions are expected to come from five areas: developer inclusion, acquisition, regionalization, facility expansion (including extensions of existing jointly owned transmission systems), and indirect, lawn irrigation return flows (LIRF) credits and direct reuse. The District has Municipal Interconnects on both the raw water and potable water systems. Current connecting systems include Meridian Service Metropolitan District; Cherokee Metropolitan District; and Falcon Highlands Metropolitan District. The District has two major off-site transmission lines which are jointly owned with Meridian Service Metropolitan District. The District is responsible for the operation of both the Tamlin and Guthrie systems. The District owns and operates three water treatment plants and three water storage facilities. The District treats and filters

100% of their water supply. A fourth tank is under construction and will bolster fire flows, service pressures, system reliability, and potable water storage.

The District's current use is based on an average of 53% renewable water sources and is continually acquiring and working towards establishing additional renewable sources. Discussions of long-term planning are included in the Water Wastewater Report. Current Water Quality is presented in the Water and Wastewater Report in the Appendix E being the WHMD 2020 Consumer Confidence Report.

Preliminary Plan Review Criteria Chapter 7.2.1.D.2.e

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;

As stated previously, the project is in conformance with approved plans.

2. The subdivision is consistent with the purposes of this Code;

The stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County. Land use compatibility with this purpose is determined through zoning. This subdivision is consistent with CS zoning and approved Preliminary Plan.

3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;

The subdivision design standards are met and the subdivision is compatible with the approved Bent Grass East Commercial Filing 3 Preliminary Plan.

4. 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 sufficient water supply is available as demonstrated by the water supply commitment letter provided by Woodmen Hills Metropolitan District and the Water Resources Report provided by JDS Hydro.

5. 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;

Public sewage disposal is addressed in the Wastewater Treatment Report provided by JDS Hydro.

6. 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)];

Some areas of the proposed subdivision have been found to be impacted by geologic conditions. These conditions impose some constraints on development, which can be mitigated by avoidance,

regrading or through proper engineering design and construction methods. These matters are addressed in the Geohazard Evaluation Report prepared by Entech Engineering Inc., dated October 15, 2020.

7. 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;

These matters are addressed in the Preliminary Drainage Report prepared by Classic Consulting.

8. 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;

All lots will be accessible by existing public streets and a private drive that comply with the LDC and ECM. All streets shall be named and constructed to El Paso County Standards and any approved deviations. Upon acceptance by El Paso County, public streets shall be maintained by the County.

9. The proposed subdivision has established an adequate level of compatibility by

1. incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision;

No significant natural features have been identified with this parcel.

2. incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County;

A private access drive provides access from Bent Grass Meadows Drive and Meridian Park Drive, providing access to each of the individual lots. Final location of lot access points will be determined with individual site plans. Woodmen Hills Metro District provides cost effective delivery of water and wastewater services.

3. incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses;

As necessary, appropriate landscaping setbacks and/or buffers are provided as required by the LDC. This plan incorporates a 15-foot landscape setback to separate and transition the residential land use along the west of the site to the commercial usages on the site and to the east of the site.

4. incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and

No areas of environmental sensitivity, wetlands (jurisdictional or non-jurisdictional) and/or wildlife corridors have been found on this site or found to be impacted by the development of this site.

- 5. incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;**

The Traffic Impact study prepared by LSC, demonstrates no negative impact to existing conditions in the area with mitigation recommendations as identified. The reports relating to water supply, wastewater treatment and drainage demonstrate that there will be no negative impact on existing service and facilities.

- 10. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;**

Water and sanitary sewer service are to be provided by Woodmen Hills Metropolitan District. Electric Service is provided by Mountain View Electric Association Inc. The site is entirely within Colorado Springs Utility territory for natural gas services. The required Will Serve letters are included with the submittal. Recreation opportunities are provided through connecting sidewalks from the residential properties to the west and commercial properties to the east and southeast.

- 11. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and**

The site lies within the Falcon Fire Rescue Protection District. A Fire Protection Report and Fire Commitment Letter is included with this submittal.

- 12. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.**

The proposed subdivision meets the applicable sections of these parts of the Code.