

SCHMIDT PROPERTY RM-12 AND RS-5000 MAP AMENDMENTS

LETTER OF INTENT

AUGUST 2024

OWNERS:

TURKEY CANON QUARRY INC
20 BOULDER CRESCENT ST 2ND FLOOR
COLORADO SPRINGS CO, 80903-3300
719.491.3024
JMORLEY.MORLEYCOS@GMAIL.COM

SUGAR DADDYS LLC
1601 N FRANKLIN ST
COLORADO SPRINGS, CO 80907
STEVENIRAMARTIN@GMAIL.COM
AOYLER@QUANTUMCOMMERCIAL.COM

APPLICANT:

TURKEY CANON QUARRY INC
20 BOULDER CRESCENT ST 2ND FLOOR
COLORADO SPRINGS CO, 80903-3300

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
719.471.0073
ABARLOW@NESCOLORADO.COM

SITE DETAILS:

TSN: 5200000570 & 5200000577

ACREAGE: 73.41 ACRES (5200000570 – 7 ACRES; 5200000577 – 66.41 ACRES)

CURRENT ZONING: RR-5 CAD-O

CURRENT USE: VACANT LAND, FORMER GRAVEL MINE SITE

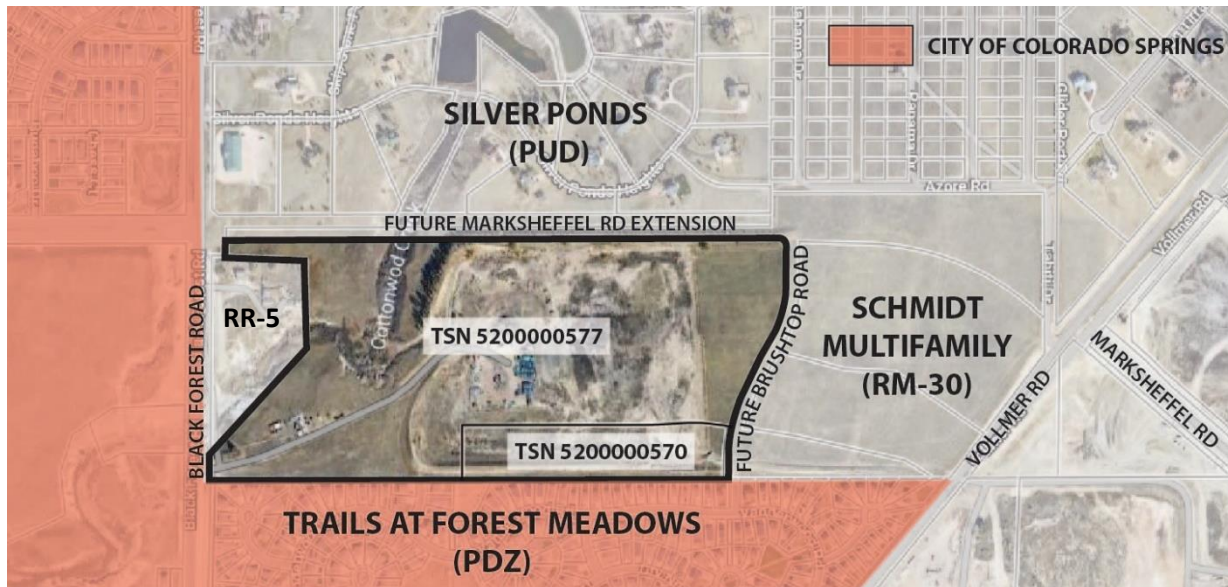
REQUEST

N.E.S. Inc. on behalf of Turkey Canon Quarry Inc requests approval of two Map Amendments (Rezones) as follows:

- Rezone 34.9868 acres from RR-5 to RM-12
- Rezone 23.0029 acres from RR-5 to RS-5000

LOCATION & SURROUNDING LAND USE

The Schmidt Property is located between Black Forest Road and Vollmer Road in a growing suburban residential area in northeast El Paso County, on the border of the City of Colorado Springs limits. It is north of the Trails at Forest Meadows subdivision (located in the City and zoned PDZ) and south of the Silver Ponds residential subdivision (located in the County and zoned PUD). The Schmidt multifamily development, recently rezoned to RM-30 (Resolution No. 23-108, approved April 4, 2023), is located directly east. Across Vollmer Road to the east is the Sterling Ranch master planned community, which includes commercial development and up to 4,800 residential units on 1,444 acres. The planned Marksheffel Road extension will serve as the site's northern boundary, and the planned Brushtop Road will serve as the site's eastern boundary.



PROJECT DESCRIPTION

The Schmidt Property RM-12 and RS-5000 map amendment requests include rezoning portions of TSN 520000577 and 520000570, both currently zoned RR-5. The current boundaries of the parcels include 73.41 total acres (520000570 – 7 acres; 520000577 – 66.41 acres). The rezones will cover 57.9897 acres of these parcels. The map amendments will be separated along the line of a future public residential connector internal to the site.

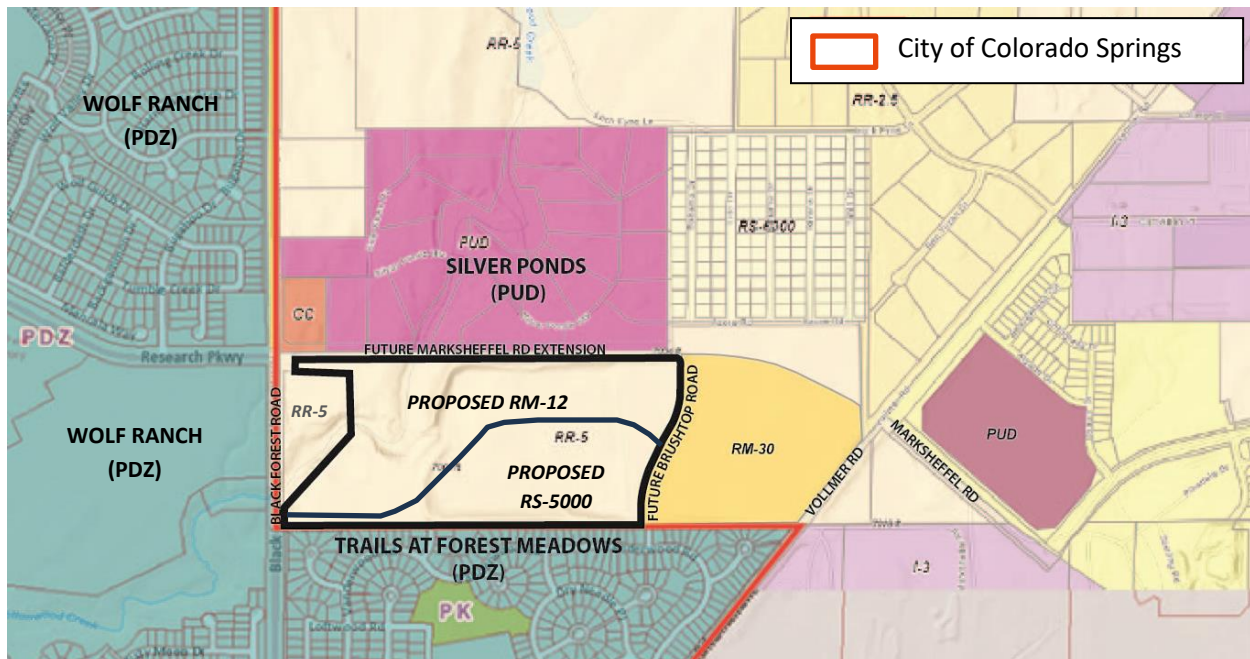


The RM-12 map amendment includes 34.9868 acres, which will exclusively take place on TSN 5200000577. It is anticipated that an approximately 8-acre open space and associated trails will be provided in the northwest corner of the property surrounding Cottonwood Creek, as this includes floodplain and land on the west side of the creek that is not currently accessible. This leaves the RM-12 map amendment area with a net developable area of approximately 26.48 acres, which will include a 3-acre detention pond. The RS-5000 map amendment includes 23.0029 acres, comprising all 7 acres of TSN 5200000570 and 16 acres of TSN 5200000577. The net developable area of the RS-5000 rezone is 19.55 acres, which excludes the narrow undevelopable strip along the southwest side of the proposed east-west residential street that divides the two zone districts.

At this stage, the proposed development is conceptual and no specific residential densities have been determined. However, based on the maximum density allowed in each zoning district and the net developable area of the map amendment areas, it is assumed that the RM-12 zone could accommodate up to 318 multifamily dwelling units, and the RS-5000 zone could accommodate a realistic maximum density of six dwelling units per acre, resulting in a total of 117 single-family dwelling units.

The owner/developer ultimately intends to annex the site into the City of Colorado Springs and has initiated conversations with staff to do so. The rezone applications in the County will allow the formation of metropolitan districts required to move the project forward. The requested rezones reflect the proposed future uses of the site and will correspond with anticipated zoning in the City.

COMPATIBILITY/TRANSITIONS: The Schmidt Property rezones will continue the pattern of diverse housing types and density in this increasingly urbanizing area. The property is a former gravel mining operation; the proposed residential zones will be more compatible with adjacent residential development. The maximum height is 40' in the RM-12 district and 30' in the RS-5000 district. The anticipated development in both the RM-12 and RS-5000 zones is for two-story single-family detached or townhome structures, which will be comparable to the scale of adjacent single-family residential land uses.



The Schmidt Property RM-12 and RS-5000 map amendments are surrounded by existing and proposed developments of differing zoning and land use intensities within the County and the City.

SOUTH: The Schmidt RS-5000 map amendment will be similar in density and lot size to the PDZ-zoned Trails at Forest Meadows single-family subdivision to the south within the City of Colorado Springs, which has a net density of approximately 6 DU/AC. The proposed RS-5000 zone will provide a transition in density to the proposed RM-12 zone to the north. The Schmidt RM-12 map amendment will be separated from the RS-5000 zone by a future public residential connector that will bisect the site.

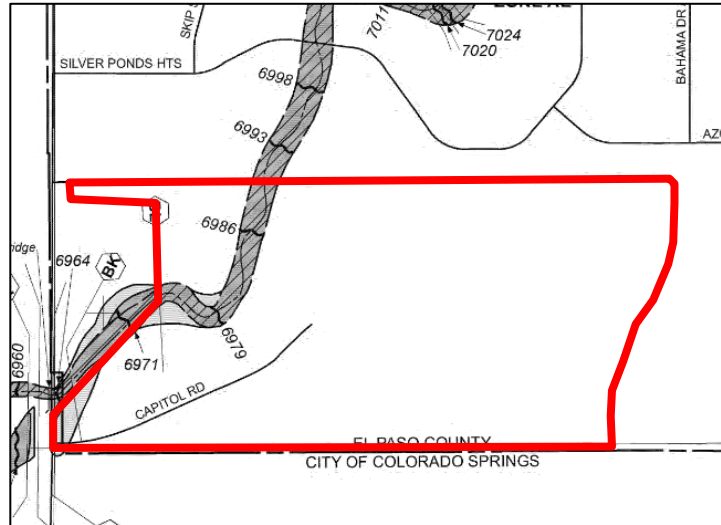
NORTH: The RM-12 zone will extend to the northern edge of the future Marksheffel Road extension, which has a required 106-foot-wide right-of-way. Sixty feet of this right-of-way was dedicated to the County with the Silver Ponds Filing 1 subdivision plat and was recently annexed into the City of Colorado Springs. When Marksheffel Road extension is constructed, this principal arterial will provide a substantial physical separation that will buffer the proposed RM-12 zone from the Silver Ponds rural residential subdivision to the north, zoned PUD (with a density of ~0.3 DU/AC). The proposed RM-12 zone will in turn provide a transition between the highly trafficked Marksheffel Road corridor and the proposed RS-5000 zone.

EAST: The parcels immediately to the east were recently rezoned to from RR-5 RM-30 for high density multifamily residential development. The TIS completed by SM Rocha in September of 2022 for the project assumed a maximum density of 30 DU/AC, or 714 apartment units on the 23.8 acres of developable land. The future Brushtop Road will separate the RM-12 and RS-5000 zones of this project from the higher density of the RM-30 zone. The RM-30 zone provides a physical buffer and land use transition from the future signalized intersection of Marksheffel Road and Vollmer Road and more intense mixed-use commercial and industrial land uses proposed to the east of Vollmer Road, to the less intense residential densities proposed by the Schmidt rezones.

WEST: A single-family 5-acre residential parcel (RR-5 zone) is located between the Schmidt RM-12 rezone parcel and Black Forest Road, which forms the boundary with the City of Colorado Springs. This 5-acre parcel is under separate ownership and is not part of the Schmidt property. The area surrounding this 5-acre parcel has an urbanizing character. A City capital project to widen Black Forest Road to a 4-lane arterial road is nearing completion. On the west side of Black Forest Road is the Wolf Ranch master planned community. To the north of the 5-acre parcel is the proposed extension of Marksheffel Road, which will connect to Black Forest Road at a signalized intersection. To the north of future Marksheffel Road is a commercially zoned property in the County. The 5-acre residential property will be buffered from development on the proposed Schmidt RM-12 zone by the Cottonwood Creek channel and adjacent floodplain, which will be preserved as open space.

UTILITIES: Within the County, the site is currently located within the service area of the Falcon Area Water and Wastewater Authority (FAWWA), which can sufficiently provide water and wastewater services. The site is also within the service area of Mountain View Electric Association, Inc. for electricity supply, and within the service area of Colorado Springs Utilities for natural gas supply. Upon future anticipated annexation into the City, the site will be serviced by Colorado Springs Utilities for electricity, natural gas, water, and wastewater.

FLOODPLAIN: Areas along the eastern edge of the site are within FEMA Zone AE and Zone X (FEMA Floodplain Map No. 08041C0529G, dated December 7, 2018), indicating an approximate one percent (1%) and 0.2% annual risk of flooding, respectively. These areas are almost entirely located within the RM-12 map amendment area and include the land immediately surrounding Cottonwood Creek. This area is not planned for development and is anticipated to contain open space and trails.



WETLANDS: Cottonwood Creek flows through the western edge of the site and contains Riverine Habitat as classified by the National Wetlands Inventory. Development is not planned for this area.

WILDLIFE: In general, the site provides moderate to poor quality habitat for wildlife. No State-listed or State sensitive species were observed on the site. The site is not suitable habitat for any Federally-listed threatened and endangered species. The site provides moderate quality habitat for some grassland and woodland wildlife, including birds, mammals, reptiles, and possibly amphibians. The expected impact from site development to grassland species is classified as relatively low and to woodland species as moderately low.

WILDFIRE: The primary wildland fuel type is grassland with scattered trees. The Colorado State Forest Service has determined a lowest-low-moderate wildfire intensity scale with a moderate burn probability risk. Development of the site will reduce available wildfire fuels in this area.

DISTRICTS SERVING THE PROPERTY:

The site is currently served by the following districts within the County:

- Academy School District 20
- Mountain View Electric Association - Electric
- Colorado Springs Utilities - Gas
- FAWWA – water and wastewater
- Black Forest Fire Protection District

TRAFFIC

The TIS completed by SM Rocha in October 2024 acknowledges the conceptual nature of the project and that no specific land uses or densities have been determined. For the purposes of the study, there is an assumed maximum density of 318 multi-family dwelling units for the RM-12 map amendment area, and a maximum density of 117 single-family dwelling units for the RS-5000 map amendment area. The RM-12 zone is assumed to be approximately 26.48 acres based on developable land and, while the RS-5000 is assumed to be 19.55 acres.

Proposed access to the development is shared and provided at the following locations:

- One full-movement access onto Brush Top Road (future connection from Vanderwood Road north to Marksheffel Road extension),
- One right-in/right-out access onto Black Forest Road, and
- One full-movement access drive to the south via Salt Brush Road.

It is anticipated that development construction would be completed by end of year 2027. Pursuant to the committed area roadway improvements discussed in Section I, and to remain consistent with assumptions made in previous traffic reports within the area, Year 2027 analysis assumes that Black Forest Road is expanded to accommodate four through lanes, Marksheffel Road is extended west past Vollmer Road to intersect with the future Brush Top Road, and that the intersection of Black Forest Road and Research Parkway/Marksheffel Road becomes signalized. Year 2040 background traffic analysis assumes that Marksheffel Road is extended further west to intersect with Black Forest Road and align with Research Parkway, Vollmer Road is extended west past Black Forest Road to create a four-leg intersection, and that the Vollmer Road and Marksheffel Road intersection becomes signalized.

Auxiliary lane improvements include a northbound right-turn deceleration lane along Black Forest Road to access the site. It is understood that the City is to construct this improvement in lieu of dedicated right-of-way (ROW) that was provided by the developer.

Analysis of future traffic condition indicates that the addition of site-generated traffic is expected to create a minor impact to traffic operations for the existing and surrounding roadway system upon roadway and intersection control improvements assumed within this analysis. Intersection operations are similar to background conditions.

PROJECT JUSTIFICATION

The request is consistent with the criteria in Section 5.3.5.B for a Map Amendment (Rezoning) as follows:

- 1. THE APPLICATION IS IN GENERAL CONFORMANCE WITH THE EL PASO COUNTY MASTER PLAN INCLUDING APPLICABLE SMALL AREA PLANS OR THERE HAS BEEN A SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD SINCE THE LAND WAS LAST ZONED;**

The relevant County master plan documents for the Map Amendment (Rezone) are Your El Paso County Master Plan, the El Paso County Water Master Plan, the El Paso County Major Transportation Corridor Plan, and the El Paso County Parks Master Plan.

YOUR EPC MASTER PLAN

The project site is denoted as a Suburban Residential placetype within a priority development area in the County Master Plan. The primary land use in this placetype is single family detached residential with lot sizes smaller than 2.5 acres and up to a 5 DU/AC density. Supporting land uses include single-family attached, commercial retail, commercial service, institutional, parks, and open space. Multifamily residential is also considered a supporting use within the Suburban Residential placetype, provided such development is not the dominant development type and is supportive of

and compatible with the overall single-family character of the area. The Suburban Residential placetype in this part of the County is extensive and expands from the City boundary to the south and west, north to approximately Burgess Road, and east to highway 24. Within this area, the predominant land use is, or is planned to be, single-family detached residential at densities of less than 5 du/ac, with small pockets of higher density single-family detached and attached residential. The proposed RS-5000 zoning is consistent with the Suburban Residential placetype primary land uses and characteristics, while the proposed RM-12 zoning is an appropriate supporting use at this location, as it will not be the dominant development type in this predominantly suburban residential area. Furthermore, the location of the site adjacent to a busy arterial intersection will be supportive of and compatible with the overall single-family character of the area as it will provide a physical buffer and land use transition from the arterial road traffic to the surrounding single-family residential development. This higher density residential will also support the Employment Center land use designation to the east of Vollmer Road by providing workforce housing.

Under Areas of Change, the site is identified as a New Development area that will be significantly transformed as new development takes place. These areas are often on undeveloped or agricultural areas, and are expected to be complementary to adjacent development. The proposed RS-5000 and RM-12 zoning will implement this transformation through new development that is consistent with the densities for the Suburban Residential placetype.

In the Key Area Influences chapter, this site is also designated as a potential area for annexation. This is indicative of the site's suburban character and need for centralized services. The owner/developer is in discussions with the City of Colorado Springs to annex the site in the future. These rezone applications in the County will allow the owner/developer to move forward with the formation of metropolitan districts to provide upfront infrastructure. The rezones are consistent with the future intended development in the City.

Core Principle 1, Land Use and Development, seeks to "manage growth to ensure a variety of compatible land uses that preserve all character areas of the county." Supporting Goal 1.1 seeks to "ensure compatibility with established character and infrastructure capacity." The proposed RS-5000 zoning is compatible with adjacent residentially zoned areas and continues the suburban density approved with the adjacent subdivisions. Additionally, Core Principle 2, Housing & Communities, identifies the need to "preserve and develop neighborhoods with a mix of housing types." The RM-12 zoning contributes to this goal by providing housing at a higher density while maintaining an appropriate buffer from the lower-density Silver Ponds PUD subdivision to the north via the physical boundary of the future Marksheffel Road extension.

WATER MASTER PLAN

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 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. 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 projected demand is 6,403-acre feet. The 2060 water supply is projected to be 8,284-acre feet per year and the projected demand is 8,307-acre feet.

While the Schmidt Property RM-12 and RS-5000 rezones remain within the jurisdictional limits of El Paso County, they are within the service area of FAWWA, which has sufficient supply and infrastructure in the area to serve this development. In order to meet future water demands, FAWWA has contractual arrangements to obtain additional legal and physical supply including contracts with McCune Water SR Water LLC and the Bar X Water. In addition to adding off-site sources, FAWWA has a priority to acquire and invest in additional renewable water supplies. Future supply has been contracted for, and implementation is under way.

FAWWA's main supply source is centralized at a point that both Cherokee Metropolitan District and Woodmen Hills Metropolitan District have adjacent major storage and delivery facilities. It is possible that future agreements could be made. If the property is annexed, Colorado Springs Utilities will provide water service to the property.

EL PASO COUNTY MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)

The 2040 MTCP identifies the extension of Marksheffel Road as a 4-lane Principal Arterial between Vollmer Road and Black Forest Road through the Schmidt property. The RM-12 rezone area accounts for this future road extension. The Black Forest Road intersections with E Woodmen Road and Vollmer Road are signalized. The future intersection of Marksheffel Road/Research Parkway and Black Forest Road will also be signalized.

Several future improvements to the existing roadway network within the study area are planned, and include the following:

- Black Forest Road expansion to four through lanes (two lanes in each direction), under construction and planned for completion by late 2024.
- As part of the Black Forest Road widening project, the City will construct a northbound right-turn deceleration lane to access the site in lieu of dedicated right-of-way (ROW) that was provided by the developer.
- Marksheffel Road widening to accommodate four through lanes (two lanes in each direction).
- Marksheffel Road extension north and west to connect with Black Forest Road and align with Research Parkway. Pursuant to ConnectCOS and PPRTA's capital improvements projects lists,

the extension of Marksheffel Road includes a bridge spanning over Cottonwood Creek. PPRTA funding is allocated for this project.

EL PASO COUNTY PARKS MASTER PLAN

The Parks Master Plan identifies a future primary regional trail connection along the north side of the Schmidt Property to connect the Sand Creek Regional Trail to Black Forest Road. This generally appears to follow the alignment of future Marksheffel Road and will be addressed with the County Parks Department at the more detailed road and site planning stage. The build out of Marksheffel will include a bike lane. Future connection to the Sand Creek Regional Trail system within Sterling Ranch will be provided at full build-out via pedestrian improvements at the intersection of Marksheffel Road and Vollmer Road, and via new sidewalks along the arterial roads and proposed residential streets within the future multifamily development. An approximately 8-acre open space area and associated trails are planned along Cottonwood Creek in the northwestern corner of the site.

2. THE REZONING IS IN COMPLIANCE WITH ALL APPLICABLE STATUTORY PROVISIONS, INCLUDING BUT NOT LIMITED TO C.R.S. §30-28-111 §30-28-113, AND §30-28-116;

As the proposed rezoning applications fulfil the goals of the County Master Plan as described under criterion (1) above and is a compatible transition between the adjacent uses, as described in criterion (3) below, it therefore complies with the statutory provisions that allow the County to establish, limit, regulate, or amend zoning within the unincorporated parts of El Paso County in the interests of public health, safety and welfare.

3. THE PROPOSED LAND USE OR ZONE DISTRICT IS COMPATIBLE WITH THE EXISTING AND PERMITTED LAND USES AND ZONE DISTRICTS IN ALL DIRECTIONS;

The Schmidt property accommodated a former sand and gravel mining operation and has been substantially disturbed in the past. It is surrounded by existing and planned suburban residential, commercial and industrial development, with a planned principal arterial running along its northern boundary. As such, it effectively represents an infill development area and one that is identified on the County Master Plan as a potential area for annexation into the City.

The site is surrounded by existing and proposed developments of differing zoning and land use intensity. Suburban residential development predominates to the north, with the existing Silver Ponds subdivision (with a density of ~0.3 DU/AC) and undeveloped land zoned RS-6000. To the south is the Trails at Forest Meadows subdivision in the City of Colorado Springs, which is zoned PDZ for single-family residential with a density of approximately 6 DU/AC. To the east, the parcels within Sterling Ranch adjacent to Vollmer Road include Copper Chase, an approved 7 DU/AC PUD residential community, and a proposed mixed-use site.

The proposed RM-12 and RS-5000 zoning is designed to respect the existing and proposed character of this area. The RS-5000 zoning is located within the southern half of the site and abuts the existing Trails at Forest Meadows with a complementary density and an extension of Brushtop Road into that community. Across a future internal public residential connector, the RM-12 zone will provide

higher density housing adjacent to the approved RM-30 Schmidt multifamily property to the east. The planned extension of Marksheffel Road, a principal arterial, runs along the site's northern boundary, and will provide a physical separation, buffer, and transition between the 2.5 Ac lots to the north and the proposed RM-12 development to the south. The RM-12 development will provide further transition of density between the 2.5 Ac lots and the proposed RS-5000 development. The multifamily parcel to the east was recently rezoned to RM-30 and is located at what will be a major signalized intersection of the convergence of Marksheffel Road and Volmer Road. A landscape setback and noise attenuation, as required by County code, will be provided along the northern boundary of the RM-12 development adjacent to Marksheffel Road with future site development.

4. THE SITE IS SUITABLE FOR THE INTENDED USE, INCLUDING THE ABILITY TO MEET THE STANDARDS AS DESCRIBED IN CHAPTER 5 OF THE LAND DEVELOPMENT CODE, FOR THE INTENDED ZONE DISTRICT.

Future development of the Schmidt Property RM-12 and RS-5000 map amendment areas will meet the use and dimensional standards for the RM-12 and RS-5000 zones as set out in Chapters 5, and the development standards in Chapter 6 and subdivision standards in Chapter 8 of the Land Development Code (LDC). If the property is annexed into the City, future development will meet the applicable standards of the City's Unitary Development Code (UDC). The site is suitable for the proposed residential density, and it provides a transition between residential use types surrounding the site. The project can be accessed by the future extension of Marksheffel Road and the widened Black Forest Road and has access to all utility services either in the County or City.

\\nes02\projects\Morley\Schmidt Property\Admin\Submittals\RM12 and RS5000 Rezones\Schmidt RS5000 and RM12_Rezone_Letter of Intent_2nd_Submittal_10-24.docx