

Riverbend Crossing

Residential Community

Filing 1 and Filing 2

(PCD FILE NO. P189, SP187, SF1844 & SF1843)

Letter of Intent

Zone Change/Preliminary Plan/Final Plat/Early Grading



VICINITY MAP

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Site Location, Size, Zoning:

The site lies southwest of US Highway 85/87, west of Southmoor Drive and west of the incorporated areas of Security/Widefield in El Paso County, Colorado. The 2-lot parcel is bounded on the north by private land (zoned A-5 in the county of El-Paso), commercial developments to the east (zoned VCD, in the City of Fountain), Fountain Creek to the south, and a privately-owned conservation easement to the west (zoned A-5 in El Paso County). The entire parcel lies within unincorporated El Paso County and is currently zoned El Paso County PUD (Planned Unit Development).

The current 2 lot parcel (north lot 34.04 acres and south lot 19 acres) is approximately 51.04 acres. The proposed development is for 51.99 acres. The applicant is requesting a zone change to El Paso County RS-5000 (Residential Suburban – 5000 S.F minimum lot size).

Request & Justification:

The 2 parcels are currently zoned PUD. The applicant is requesting a replat of the two parcels to one lot, a rezone to RS-5000, and preliminary plan approval with associated early grading. The proposed development is requesting approval of a 225 lot-single family homes equaling a proposed density of 4.33 dwelling units per acre. The development will consist of one and two-story single-family detached homes and approximately 14 acres of open space/common areas providing public and private recreational opportunities.

The proposed residential project, and concurrent redevelopment of the commercial project to the east, will assist the county in meeting the ever-increasing demand for housing and future commercial support. The proposed minimum lot size and standard residential subdivision layout conforms to the RS-5000 zone change request.

Existing and Proposed Facilities & Structures:

Existing site characteristics: The existing vacant parcels consists predominantly of native and invasive shrubs, and prairie grasses consisting of western wheat grass, blue grama, alkali sacaton, needle-and-thread, and side oats grama, Galleta and fourwing saltbush are also present in select places above the Fountain Creek floodplain which flows through the southern portion of the site.

The creek bed channel consist of cottonwood stands, willow shrub species and native serviceberries and chokecherry shrubs along the water' edge. The upper embankment of the channel is characteristic of Cottonwood, Elm species and an occasional common

and Rocky Mountain Junipers. The stream channel will not be altered as the result of this development and will remain as open space and serve as a natural corridor for riparian and wildlife environments and recreational opportunities.

The site has not been graded and generally falls south towards Fountain Creek at an average slope of 1.5%. However, the existing commercial center to the northeast is approximately 10 to 15 feet higher than the proposed residential development. The grades are steep along this common boundary ranging from 10% to 50%.

Total Number of Residential Units, Density and Lot Size: The development proposes 225 single family residential lots (4.33 DU's/AC) with a minimum lot size of 5,000 S.F.

Proposed Infra Structures and Utilities: The proposed development will include public ROW and utility improvements including; water, gas, electric and sanitary sewer conveyance and a lift station at the southwest corner of the site to be developed. The development will also include a public storm water conveyance system and full spectrum water quality /detention facility.

Water and wastewater municipal services for the development will be provided by the Security Water and Sanitation District. A lift station, located in a designated tract at the southwest corner of the parcel, will be provided by the developer and dedicated to the district. All required utility easements, on adjacent properties, shall be acquired and approved as necessary to allow for municipal standard utility installment.

Utility and public services will be provided by the following associated districts:

- | | |
|----------------------|--|
| 1. Water: | Security Water and Sanitation District |
| 2. Wastewater: | Security Water and Sanitation District |
| 3. Gas: | Colorado Springs Utilities |
| 4. Electric: | Fountain Electrical Service |
| 5. Phone: | CenturyLink |
| 6. Fire: | Security Fire Protection |
| 7. Police Protection | El Paso County Sheriff's Department |
| 8. School: | Widefield School District No.3 |

A Full Spectrum Detention Area will be located above the northern side of the creek channel, above the upper embankment, at the southeast corner of the lot. Require detention will capture stormwater from impervious areas prior to offsite release. The detention and release will have no effect on downstream facilities. The private facilities will be owned and maintained by the Riverbend Crossing Metropolitan District.

Proposed Open Space/Common Areas: 14.25 acers (or 27 % of the parcel) will be designated as open space, common area tracts and landscape buffers. A 15' wide

Landscape buffer and a 6' high opaque wall/fence is proposed for the northeast boundary to provide separation between the project and the adjacent commercial site. Proposed lots along the north and west boundaries will include a 35' Rear Building Setback, increasing separation from the adjacent parcels. A 10' wide landscape buffer along Southmoor Drive will provide opportunities for landscape enhancements.

Traffic and Proposed Access Locations: The main access to the project will occur along the northeast side of the project. This access will be through an improved public ROW going through the commercial site and in alignment with the signalized intersection at US Highway 85/87. A second access will occur off Southmoor Drive at the south end of the development. All streets within the development will be built to an El Paso County Local Residential Street ROW.

Areas of Required Landscaping: The proposed development does not require landscape improvements per the requested zone change request. However, as mentioned above, a 15' wide Landscape buffer and a 6' high opaque wall/fence is proposed for the northeast boundary to provide separation between the project and the adjacent commercial site. A 10' wide landscape buffer along Southmoor Drive will provide opportunities for landscape enhancements. Landscape installed in these areas, and other common areas, shall be owned and maintained by the homeowner's association. The buffer landscape and 6' high opaque wall/fence will be provided by the developer. Individual lot landscaping and maintenance will be the lot owner's responsibility.

Phasing Plan: The residential will be platted in two separate filings. The first filing consists of 136 lots. The second filing will consist of 89 lots. All proposed lots (and development) lies outside of the floodplain. Proposed public ROW accesses. Booker Blvd. at Southmoor Drive and Main St at 85/87 will be constructed during Filing No. 1.

Impacts associated with the Preliminary Plan:

Floodplain: The proposed development and proposed improvements lie outside of the 100-year floodplain except for the Tract E at the southwest corner of the lot.

Wetlands: A search of the US Fish and Wildlife Service National Wetlands Inventory Mapper website (www.fws.gov/wetlands/) indicated a jurisdictional wetland R2USA and the presence of a riverine system RP1SS along the southern portion of the site within the floodplain of Fountain Creek (see Riverbend Crossing Natural Features Report). There will be no impact to the wetland areas because of the proposed development.

Air Pollution: By adhering to current air quality regulations, any air pollution emanating from the development will be negligible. Construction practices will adhere to the El Paso County Health Department as well as Colorado State Departments codes and regulations.

Water Pollution: by adhering to current wastewater and stormwater regulations, any water pollution emanating from the development will be negligible. An erosion and sedimentation plan will be place prior to the initiation of construction.

Noise Pollution: Vehicular movement is expected to be the only major source of noise pollution emanating from the site after construction is complete and will have little or no impact on surrounding properties.

Vegetation, Wildlife Habits and Migration Routes: Proposed landscape will include a low water usage and indigenous to Colorado plant pallet. A review of rare species and critical habitats through the US Fish and wildlife Service IPAC mapper (www.ecos.fws.gov/ipac) that there are no critical habitats or migration routes within the project area that are be threatened (see Riverbend Crossing Natural Features Report).

Visual Assessment: Proposed detached single-family detached houses (density of 4.33 DU/AC) on this site will not have an adverse visual effect on the surrounding properties. Proposed landscape buffers and building setbacks will provide visual enhancements both within and out of the site. The natural mountain backdrop of Pike Peak and Cheyenne Mountains and the foreground of Fountain Creek to the west is the dominant scenic natural feature of the site. Views to the north, west and south are relatively unobstructed by development.

Zone Change Project justification:

The proposed rezoning to RR-5000, as described above, complies with the Map Amendment (Rezoning) Criteria in Chapter 5.2.5.B of the Land Development 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;

County Policy Plan

The following County Polices are relevant to the requested rezoning:

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 6.1.13: Encourage the use of carefully planned and implemented clustering concepts in order to promote efficient land use, conservation of open space and reduction of infrastructure costs.

Policy 6.4.4: Encourage new rural residential subdivisions to be located within or contiguous with existing rural residential areas or to be incorporated as a buffer between higher density and undevelopable areas.

Policy 6.4.6: Allow for the accommodation of necessary supporting commercial uses within or in proximity to rural residential areas in a manner that preserves the rural character of these areas.

Policy 6.5.1: Allow for the location of limited supporting commercial uses at locations convenient to serve the needs of rural County residents provided that the requisite level of services is available or will be available in a timely fashion.

The existing 2 parcels are currently zoned PUD. The applicant is requesting a replat of the two parcels to a single parcel and a rezone to RS-5000. The proposed development is requesting approval of a 203 lot-single family homes equaling a proposed density of 3.91 dwelling units per acre. The development will consist of one and two-story single-family detached homes and approximately 14 acres of open space/common areas providing public and private recreational opportunities.

The proposed residential project, and concurrent redevelopment of the commercial project to the east, will assist the county in meeting the ever-increasing demand for housing and future commercial support. The proposed minimum lot size and standard residential subdivision layout conforms to the RS-5000 zone change request.

The proposed development encourages new development that is compatible with adjacent existing and proposed land uses. The residential development emphasizes carefully planned community, efficient land use, conservation of open space, and consolidation of infrastructure. The residential development establishes a buffer between the proposed existing commercial areas to the northeast and the agricultural zoned properties to the north and west and Fountain Creek to the south.

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;

The proposed rezoning fulfils the goals of the County Master Plan and is compatible with adjacent existing and proposed developments. It also complies with the statutory provisions that allow County's 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 proposed zone change to RS-5000 is compatible with the surrounding land uses and zone districts by providing an opportunity for creating a neighborhood community. The proposed commercial center to the east will offer convenient services and facilities. The proposed residential element will establish a buffer/compatible transition from the commercial strip along State Highway 85/87

to northeast and the agricultural zoned areas to the north and west and Fountain Creek corridor to the south.

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.

The site is suitable for the proposed RS-5000 residential lot development. The development will meet and comply to the respective zone Land Development Code (LDC) standards, preserve open space, and protect the Fountain Creek floodplain and habitats. The applicant has secured letters of utility service commitments from perspective utility and service districts including, water and sanitation, fire and police protection, and public schools.

Preliminary Plan Project Justification:

The preliminary plan is consistent with the approval criteria in Section 7.2.1.D.2.e of the LDC as follows:

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

The proposed residential development conforms to the goals, objectives and policies of the Master Plan.

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. The proposed subdivision of rural residential lots is consistent with the County Master Plan and is compatible with the surrounding existing development and proposed development.

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

There is no approved Sketch Plan for this property. The proposed subdivision is in conformance with the subdivision design standards. The subdivision design standards set out in Chapter 8 of the Land Development Code are met, including but not limited to:

- traffic, drainage, open space, recreation and parks development requirements.
- roads that will provide for safe and convenient vehicular circulation and identification of required road improvements;

- adequate provision for water, sewer and other utilities;
- Ensuring that structures will harmonize with the physical characteristics of the site;
- Ensuring that land is divided into lots that are of adequate size and configuration for the purpose for which they are intended to be used; and
- Protecting the natural vegetation and habitats specifically along the undisturbed areas of Fountain Creek.

- 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;**

Water service will be provided by Security Water and Sanitation District. On December 11, 2018 the applicant received a letter of commitment from Security Water and Sanitation District agreeing to provide water resources for the proposed residential subdivision.

- 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;**

Wastewater service will be provided by Security Water and Sanitation District. On December 11, 2018 the applicant received a letter of commitment from Security Water and Sanitation District agreeing to provide wastewater capacity services for the proposed residential subdivision.

- 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)];**

A geotechnical report, dated April 2, 2018, was prepared by RMG Engineers. The investigation report evaluated the subsurface soil conditions and provides geotechnical design and construction criteria for the project. The conclusions of the report states that the subsurface conditions of the site are favorable for residential development pending the report's recommendations for foundation systems, over excavation and compacted structural backfill, where required, in areas identified in the report. The report does not identify any topographical conditions presenting hazards or requiring special precautions.

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;**

A Master Development Drainage report was prepared by Catamount Engineering, Inc., on September 2018. The report proposed that development will follow the historic drainage patterns while satisfying current El Paso County development and water quality criteria. The area of the site proposed for impervious development will be contained within the parking/private roadway section and private on-site storm sewer system conveying flows to a full spectrum detention basin and water quality facility located at the southwest portion of the site prior to outfall to Fountain Creek.

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 new public streets that will comply with the LDC and ECM. Street names have been approved by El Paso–Teller County 911 Authority.

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;**

14.25 acers (or 27 % of the parcel) will be designated as open space, common area tracts and landscape buffers. The Fountain Creek floodplain will remain undisturbed and provide recreational opportunities for the residents of the proposed subdivision. All open spaces and common areas will be owned and maintained by Riverbend Crossing Metropolitan District.

A 15' wide Landscape buffer and a 6' high opaque wall/fence is proposed for the northeast boundary to provide separation between the residential lots and the adjacent commercial site. Proposed lots along the north and west boundaries will include a 35' Rear Building Setback, increasing separation from the adjacent parcels. A 10' wide landscape buffer along Southmoor Drive will provide opportunities for landscape enhancements.

- (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;

The proposed development will include public ROW connectivity to Southmoor Drive to the east and northeast to the future commercial center. Proposed residential ROWs will provide standard street and sidewalk networks of pedestrian, vehicular and bicycle connectivity internally and to external transportation networks. A pedestrian trail will provide access to the Fountain Creek.

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

Proposed landscape buffers designated open spaces will provide opportunities to create vegetative transitions between commercial, residential, agricultural and natural open spaces.

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

The proposed development will preserve the natural resource of Fountain Creek and its associated floodplain meandering through the southern property line. The floodplain will remain undisturbed, assuring protection of the existing wetlands and conserving wildlife habitat. The control of noxious weeds through the development of the site and management of the open space will improve wildlife habitat. The open space will be owned and maintained by the Riverbend Crossing Metropolitan District.

(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 applicant has received letters of commitments to provide the utility and protection services. Letters confirm provisions of services will not have a negative impact on the County's level of service.

The Traffic Impact Study demonstrates that the development will not materially impact existing levels of service on surrounding roads, proposed access to Southmoor Drive and Main Street and will accommodate the site development traffic.

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

The applicant has received letters of commitments from all necessary/ required providers that have stated their availability.

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

Fire Protection will be provided by Security Fire Protection District. On November 22, 2018 the applicant received a commitment letter from the District's Fire Chief confirming services will be provided for structure and wildfire coverage, responses to medical situations, and fire inspections.

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

The proposed subdivision meets the applicable sections of the Code.

- 13. The proposed subdivision meets the goals and policies of the Water Master Plan.**

The proposed Riverbend Crossing residential development is being developed in conjunction with the adjacent Riverbend Crossing Commons development within incorporated City of Fountain limits. Both developments will be provided water through Security Water District.

Historically the adjacent commercial development was served by private well and septic system. Development in cooperation with Security Water District requires abandonment of existing private well and dedication of any property water rights to the District. A 12" main providing connection through the adjacent commercial site is being developed to provide looped connection servicing the surrounding developments. Additionally, a well site is being dedicated to the District for future expansion of their raw water collection systems. A new sewer trunk line is being developed to convey upstream sanitary sewer through the parcels.

Adequate water supplies have been identified within Security Water District for development of the proposed residential and commercial developments.

- 14. The proposed subdivision meets the goals of the Parks Master Plan.**

The proposed development proposes to maintain existing natural features within Fountain Creek and is establishing 12.5 acres of the 52 acre development as open space. Addition setback from the development has been provided to preserve the character of the adjacent westerly parcel which is maintained within a conservation easement.

With development of the residential subdivision multiple connections are proposed to the adjacent commercial parcel and State Highway 85/87. Internal trail systems are proposed within long blocks and provide pedestrian access to the southerly open space.

15. The proposed subdivision meets the goals of the 2016 Major Transportation Corridors Plan Update.

The proposed development is not adjacent to nor contain roadways identified in the Major Transportation Corridors Plan update. With development of the parcel adjacent Southmoor Drive roadway section will be revised to an industrial collector requiring additional pavement width, curb and gutter, and detached sidewalk. In coordination with the adjacent commercial development main street will be extended from Highway 85/87 through the commercial parcels providing signalized access to the Highway 85/87 corridor from the development.

Parcel access has been developed in coordination with CDOT and City of Fountain as well as El Paso County to provide limited access to major corridors and accommodate expected land use densities.