



**Midtown Collection at Hannah Ridge Filing No. 1 and 2
PUD and Preliminary Plan
Letter of Intent**

OWNER:

Feathergrass Investments, LLC
4715 N. Chestnut Street
Colorado Springs, CO 80907
(719) 651-9133

DEVELOPER: (Contract Purchaser)

Elite Properties of America, Inc.
6385 Corporate Drive, Suite 200
Colorado Springs, CO 80919
(719) 592-9333

APPLICANT/CONSULTANT:

Classic Consulting Engineers & Surveyors, LLC
619 N. Cascade Ave., Suite 200
Colorado Springs, CO 80903
(719) 785-0790

SITE LOCATION:

The PUD Rezone (RM to PUD), Preliminary Plan and both proposed Final Plat filings are generally located north and west of Hannah Ridge Drive and Constitution Avenue in two previously platted Tracts (Tracts AA and BB, Hannah Ridge at Feathergrass Filing No. 1)

Size:

Filing No. 1 (Tract BB): 9.123 Acres
Filing No. 2 (Tract AA): 3.260 Acres
PUDSP: 12.383 Acres

Zoning:

RM-30 CAD-0 (Existing)
PUD (Proposed)

REQUEST:

Applicant requests rezoning of the existing RM zoned tracts to PUD, water sufficiency, a Preliminary Plan, as well as associated PUD modifications and that the 2 previously platted Tracts AA (Filing No. 2) and BB (Filing No. 1) be replatted to reflect a total of 89 lots. The breakdown per filing is:

- Filing No. 1: 61 Lots
- Filing No. 2: 28 Lots

The following open-space tracts are also proposed:

			<u>Usable Open Space</u>	<u>Percent</u>
Filing 1: (9.123 Ac)	Tract A	3,720 Ac	28,250 SF	7.0%
	Tract B	3,418 sf	3,418 SF	1.0%
	Tract C	7,094 sf	7,094 SF	2.0%
	Tract D	8,072sf		
	Tract E	7,350 sf		
	Tract F	12,149 sf		
	Tract G	5,229 sf		
TOTAL			38,762 SF	10%
Filing 2: (3.260 Ac)	Tract A	42,914 sf	(1/2) 21,457 SF	15%
	Tract B	745 sf	745 SF	0.5%
	Tract C	2,192 sf	2,192 SF	1.5%
	Tract D	11,716 sf		
TOTAL			24,394 SF	17%
TOTAL ENTIRE PUD:			63,156 SF	12%

All tracts will be for parks, open space, public drainage, private access and public utilities as defined on the final plats and be owned and maintained by the Midtown Collection at Hannah Ridge Home Owners Association (HOA). 12% of the Tracts is usable open space.

PHASED CONSTRUCTION AND ANTICIPATED DEVELOPMENT SCHEDULE:

Overall development phasing will begin on the east side of Filing No. 1 adjacent to Hannah Ridge Drive and continue west to Filing No. 2. All open space tracts will be developed with the adjacent residential phases as they occur. Commercial phases are to be designed and developed as demand dictates. All directly adjacent single-family development (Filing 2, 3 and 4) are either built out or under construction.

DEVIATION REQUESTS:

A PUD Modification request for both filings for lot frontage along a public street of less than 30' and to allow lot access to private roadways is proposed and included in this submittal. The PUD modifications proposed are associated with Sections 8.4.4.C Public Road Requirements and 8.4.4.E.3 Private Roads Meet County Standards and are included in this submittal (see attached).

JUSTIFICATION:

The proposed Filings 1 and 2 are the final residential phases of this previously approved Master Planned Residential Community. The layout of the proposed street network conforms to the previously approved anticipated design with the exception of one additional eastern public street.

The proposed PUD plan and plats within the developing Hannah Ridge at Feathergrass community. 89 residential homes are proposed where 205 had been previously anticipated. Development will also be in accordance with the proposed Midtown Collection at Hannah Ridge PUD Plan included in this submittal. The PUD Guidelines, with which the development will conform, are being concurrently reviewed with the final plats.

The proposed development will provide a new buyer option for single family residential housing lots. The unique building orientation and rear-loaded garages, along with a unique "small lot" community design provides for an alternative community type not seen in El Paso County. Adequate provisions for drainage and utilities and continued build-out of the proposed Preliminary plan and PUD plan will enhance the public health, safety and general welfare within this portion of El Paso County.

The owner understands and agrees to certain Conditions of Approval including payment of School Fees, payment of Park Fees, payment of Drainage and Bridge Fees, and payment of road impact fees that now include signal costs, negating the need for the prior escrow agreement for the Constitution and Hannah Ridge Drive intersection. Required fees will be paid at time of plat recording, not with the PUD.

This application meets the PUD Rezone, Preliminary Plan with PUD Modifications and final plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2016). Adherence to County Land Development Code (2018), has been met to approve a PUD zoning district based upon the following:

- The proposed PUD district zoning advances the stated purposes set forth in this section;
- The application is in general conformity with the Master Plan;
- The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
- The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;
- The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;
- The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
- Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
- Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;
- The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required

Final Plats are reviewed and approved in consideration of the review criteria found in the El Paso County Land Development Code.

Final Plat adherence with County Land Development Code (2016) has been met based upon:

1. *The subdivision is in conformance with the goals, objectives, and policies of the Master Plan.*
The Master Plan is comprised of several elements. One of the elements is the El Paso County Policy Plan (1998), which does not include site-specific land use policies, but establishes broad policies and goals which are intended to serve as a framework for decision-making regarding development of the County. The project satisfies the following relevant policies from the Policy Plan as they specifically relate to this request: **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 6.1.2** – Utilize buffer zones to provide mutually compatible transitions between neighborhoods and adjoining development with differing uses or densities. **Policy 6.2.11** – Encourage compatible physical character, density and scale in existing neighborhoods.
The proposed subdivision is consistent with the surrounding single-family residential zoned properties to the north. The proposed subdivisions are adjacent to and is the logical extension of the recently platted Hannah Ridge at Feathergrass Filing No's 2, 3 and 4. A pre-cast wall along the southerly boundary of the Filings 2, 3 and 4 sites will mitigate the impacts to the residential development along Hunter Jumper Drive to the north and will be maintained by the HOA. A 6' wall is also proposed along Constitution Avenue to reduce the noise impact from the arterial roadway. The proposed subdivision is the continuation of the ongoing Hannah Ridge at Feathergrass development. The site is not contained within any Small Area Plans of the County. The proposed subdivision plat is in compliance with the Parks Master Plan, which does not call for trails or parks in the site vicinity. The proposed subdivisions are also in compliance with the Master Plan for Mineral Extraction as no separate mineral estate owners were found for the property and the existing development on surrounding properties is not compatible with any potential mineral extraction operations.
2. *The subdivision is in substantial conformances with the approved preliminary plan.*
The proposed Final Plat is consistent and in conformance with the concurrently proposed Preliminary Plan for the Midtown Collection at Hannah Ridge development.
3. *The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.*
The proposed Final Plat is prepared in accordance with all applicable subdivision design standards.
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 if this Code.*
The site is contained within the service area of Cherokee Metropolitan District and the District has agreed to serve the property. The Owner has secured water rights for the district, which are reserved for use in this development. Existing and directly adjacent water mains will be utilized.
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.*
The site is contained within the service area of Cherokee Metropolitan District and the District has agreed to serve the property. The sanitary sewer mains to serve the proposed site will be extended

from existing adjacent mains already constructed in Filing No's 1, 2, 3 and 4, which were approved by the District.

6. *All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. 30-28-133(6)(c)].*

A soils report has been prepared for the site and the owner will comply with the recommendations of the report.

7. *Adequate drainage improvements are proposed that comply with State Statute [C.R.S. 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM.*

The Midtown Collection at Hannah Ridge development has planned a comprehensive drainage system. Public drainage infrastructure built within Filings 1, 2, 3 and 4 have adequate capacity necessary to serve this subdivision. The drainage improvements will be consistent with the operable Drainage Basin Planning Study (DBPS), The Master Development Drainage Plan (MDDP) for Hannah Ridge at Feathergrass, the Preliminary Drainage Report and the Final Drainage Reports for each subdivision filing.

8. *Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in Compliance with this Code and the ECM.*

Each proposed lot on the site will access a public street either directly or via a private tract and there are multiple exit and entry points available for the safety of the future residents. Four public cul-de-sacs are proposed as a part of these filings.

9. *Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.*

The site is located within the jurisdiction of the El Paso County Sheriff's Office. The Sheriff's office currently provided police protection for the site and surrounding area. Midtown Collection at Hannah Ridge Filing No. 1 is located within the Falcon Fire Protection District. Filing No 2 is within the Cimarron Hills Fire Department coverage area. Fire Hydrant locations for the site are being reviewed and approved by both fire departments. Water and Sanitary Sewer infrastructure is being provided by the developer in accordance with Cherokee Metropolitan District standards. The completed development will include natural open space and open space areas. Transportation is provided by the adjacent existing and proposed roadway system.

10. *The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code.*

Midtown Collection at Hannah Ridge Filings No. 1 and 2 are located within two fire protection districts (1 is within Falcon), and the Cimarron Hills Fire Department on the west for Filing No. 2. The water main system is designed to provide adequate fire flows at the site as reviewed by Cherokee Metropolitan District. Fire Hydrant locations for the site are being reviewed and approved by both fire departments.

11. *Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8.*

Off-site transportation and drainage impacts are considered and mitigated by the recommendations of the Final Drainage Report and Traffic Impact Study Update Memo. The developer will make improvements to Constitution Avenue by adding sidewalk along the development frontage. With the recent amendment to the El Paso County Road Impact Fee, a separate escrow for the future signal at Hannah Ridge Drive and Constitution Avenue will no longer be required. The owner has requested the property be admitted to PID #2.

12. *Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated.*

The Subdivision Improvement Agreement (SIA) includes provision to guarantee construction of the necessary infrastructure. The platting of the site will include the collection of the applicable Drainage Fees, School Fees and Park Fees.

13. *The subdivision meets other applicable sections of Chapter 6 and 8.*

The subdivision meets the requirements of the Land Development Code other than the PUD Modification request pending with this application.

14. *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. 34-1-302(1), et seq.].*

No separate mineral estate owners were found for the property and the existing development on surrounding properties is not compatible with any potential mineral extraction operations.

EXISTING AND PROPOSED FACILITIES, STRUCTURES, ROADS, ETC.:

All adjacent roadway and utility infrastructure are in place to support the development for this residential community.

Existing offsite roads include Constitution Avenue (160' row) to which this developer has made previous improvements, Akers Drive (80' row) constructed by this owner/developer in cooperation with El Paso County. Other existing facilities include the storm drain line along the north side of Constitution Avenue, the box culvert crossing of Constitution Avenue at Akers Drive and various utility line stub-outs in Akers Drive and Constitution Avenue that were previously constructed by this owner/developer. Hannah Ridge at Feathergrass Filing No. 5 will also include additional improvements to Akers Drive at the proposed Electronic Drive intersection, including curb returns, sound wall and public sidewalks.

Exiting facilities provided in Hannah Ridge at Feathergrass include Hunter Jumper Drive (60-80' row), Winslow Park Drive (60; row) and all of Shawnee Drive, as well as the associated mainline utilities and utility services for the lots. Storm drainage and stormwater quality facilities were also provided.

Existing facilities provided in adjacent Hannah Ridge at Feathergrass Filing No. 2 include a portion of Hunter Jumper Drive (60-80' row), a portion of Winslow Park Drive (60' row), all of Half Chaps Court (60' row), and a portion of Hannah Ridge Drive (60'-90' row) as well as the associated mainline utilities and utility services for the lots. Storm drain in Hannah Ridge Drive and Half Chaps Court, the Hannah Ridge Drive concrete box culvert, and stormwater quality facilities were also provided.

Facilities provided in Filing No. 3 include a portion of Hunter Jumper Drive (60' row), a portion of Winslow Park Drive (60' row), a portion of Grand Prix Court (50' row), and all of Horsemanship Court (50' row). Filing No. 3 facilities included the associated mainline utilities and utility services for the lots, the major storm drain line that conveys the Sand Creek Tributary 6 storm flows south to the Constitution Avenue channel, and storm drain lines in Hunter Jumper Drive and the necessary stormwater quality facilities.

Facilities provide in Filing No. 4 include the westerly portion of Hunter Jumper Drive (60' row), the westerly portion of Winslow Park Drive (60' row), all of Shawnee Drive (60' row) from Constitution Avenue to Winslow Park Drive, and a portion of Pony Club Lane (50' row). Filing No. 4 facilities include the associated mainline

utilities and utility services for the lots, storm drain facilities in Shawnee Drive and the necessary stormwater quality facilities.

Utility Providers:

Water and Wastewater:	Cherokee Metro District
Gas:	Colorado Springs Utilities
Electrical:	Mountain View Electric

UTILITIES- WATER AND SEWER:

Water and sewer will be provided by Cherokee Metropolitan District. The district has provided a detailed Service Commitment letter which explains how capacity is available for the planned development. The developer has purchased water rights and transferred these rights to Cherokee Metropolitan District, which has in turn reserved this water for use in the Hannah Ridge at Feather grass development. The developer will construct all streets, utilities and storm drainage improvements. Utilities will be routed underground in the public streets and utility easement per El Paso County design standard. Cherokee Metropolitan District will provide maintenance of proposed water and sewer system.

FIRE PROTECTION:

Midtown Collection at Hannah Ridge Filing No. 1 is located completely within the Falcon Fire Protection District and the District has provided a letter of agreement to serve. Additionally, Filing No. 2 is located within the Cimarron Hills Fire Department service area on the east. This boundary between the two is located along Shawnee Drive. Both fire entities have reviewed the proposed site layout, including smaller private streets and have expressed no concerns.

PROPOSED USES, RELATIONSHIP BETWEEN USES AND DENSITIES:

Existing single-family residential development exist to the north on the opposite side of the adjacent Hunter Jumper Drive. Densities of this proposal are less than previously anticipated for this multi-family site. The previously approved multi-family zoning allows 30 DU/AC, while the proposed reflects 7.1 DU/AC for the Filings No. 1 and 2.

LANDSCAPING AND BUFFERING:

Frontage of Constitution Avenue will be landscaped in accordance with the proposed PUD plan. Landscape trees will be planted and pre-cast concrete wall will be constructed along Constitution Avenue.

Usable open space on the PUD is 1.45 AC or 12% of the site.

Street right-of-way's and entries will also be landscaped as indicated on the PUD Plan. The landscaping, wall and open space tracts are to be installed by the Developer of the project and will be maintained by the Midtown Collection at Hannah Ridge Homeowners Association. Access the western adjacent trail network is provided via a connection at the northwest corner of the site. Proposed sidewalks within the two filings will all provide connection to the trail access.

PROPOSED ACCESS LOCATIONS:

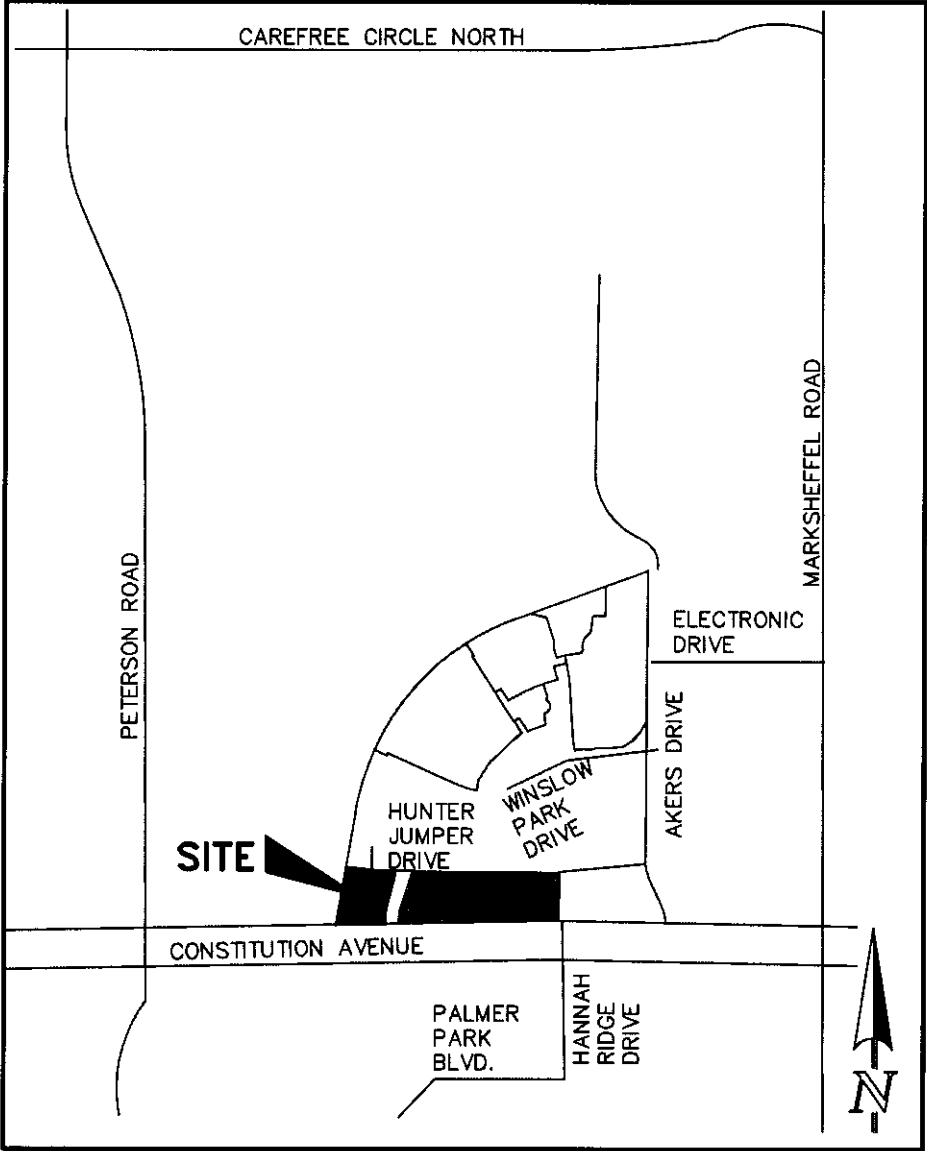
Access locations have been previously identified on the approved sketch plan. All proposed access points are full movement. A Traffic Impact Study update memo for the proposed development is provided with this application. Access as approved on the 2007 PUD Plan remain unchanged.

TRAFFIC IMPACT FEES:

This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 12-382. The owner is petitioning for inclusion of the new residential lots into the Public Improvements District No. 2 (the 10 mil PID). Fees at building permit for each Single-family Detached dwelling in the 10mil PID is \$1,221.00. This fee will be paid at the time of building permit issuance. The Midtown Collection at Hannah Ridge property is also contained within the Constitution Heights Metropolitan District and lots subject to traffic impact related building permit fees pursuant to a 2009 IGA. The fee in Midtown Collection at Hannah Ridge is \$923.00 per single family residential lot to be paid at the building permit issuance. However, the lots in Midtown Collection at Hannah Ridge are also eligible for credit in the El Paso County Road Impact Fee Program as established by El Paso County Resolution Number 12-389. The credit is designed to offset the contribution mandated by the IGA as well as amounts already contributed to the County's transportation system in the form of road construction and dedication of right of way for portions of Constitution Avenue and Akers Drive by the developer.

A summary of the fees for each single-family lot in the subdivision is provided below:

The development enters Public Improvements District No. 2 (the 10 mil PID) and is subject to the requirements thereof. The developer will pay the \$923.00 fee to El Paso County pursuant to the 2009 IGA and Resolution 12-389. The county will reimburse Pikes Peak Rural Transportation Authority from this fee payment. The accrual and use of any credit in the El Paso County Road Impact Fee Program is governed according to Resolution 12-389.



VICINITY MAP

N.T.S.