

Crossroads Mixed Use Filing No. 2 Site Development Plans Letter of Intent February 1, 2023

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER

COLORADO SPRINGS EQUITIES LLC
90 S. CASCADE AVENUE, SUITE 1500
COLORADO SPRINGS, CO 80903

PLANNING

KIMLEY-HORN & ASSOCIATES
2. NORTH NEVADA AVENUE, SUITE 300
COLORADO SPRINGS, CO 80903

ENGINEERING

M&S CIVIL CONSULTANTS, INC.
212 N. WAHSATCH AVE, STE 305
COLORADO SPRINGS, CO 80903

SURVEYING

M&S CIVIL CONSULTANTS, INC.
212 N. WAHSATCH AVE, STE 305
COLORADO SPRINGS, CO 80903

Please review the site development plan LOI checklist. This letter includes review criteria for a subdivision and includes a lot of extraneous information related to rezoning and other applications associated with adjacent properties. Please only include information as it relates to this specific request.

SITE/BACKGROUND INFORMATION

The Crossroads Mixed Use Filing No. 2, Lot 1 and Lot 2 Site Development plans are located at the northwestern intersection of US Highway 24 and Newt Drive. The site plans for Lot 1 and 2 implement two initial retail buildings within the Crossroads Mixed Use site (Approved Preliminary Plan -SP2011).

The submittal for the site Development plans includes two (2) commercial lots. Lot 1 CR zone (2.489 ac) and Lot 2 (0.794 ac) CR zone. See vicinity map. The remaining land within the overall development area will consist of open tracts and private access roads. The overall stormwater for the Crossroad Mixed Use development and the sites is direct to a facility southwest of the proposed lots (Tract A, Crossroads Mixed Use Filing No. 1). The proposal for a underground detention and water quality facility is currently under review by EPC Staff.

The BOCC approved a rezoning of the 12.703 AC from CR to RM-30 on April 15, 2021 (Resolution No. 21-181) in support of the mixed-use (multifamily & commercial) development of the site. Approval of the multifamily zoning was subject to approval of a preliminary plan and final plat of the property consistent with the split zoning district boundaries on the property (approved). The property is within the Commercial Aviation District Overlay (CAD-O). All future land use actions will be subject to the restrictions and limitations of the Airport Overlay.

Request & Justification

Colorado Springs Equities LLC ("The Applicant") requests approval for two lots as a part of Crossroads Mixed Use Filing 2. Two retail lots, Lot 1, CR zone (2.489 ac) and Lot 2, CR zone (0.794 ac). Access to the lots is provided from Tract "A" (Filing No.2), and Tract C (Filing No. 1) with 50' private road easements.

Private road waivers and supporting deviations were submitted for approval with the Crossroads Mixed-Use Preliminary Plan (SP2011) and final plat application. The final construction drawings conforming to the preliminary plan and supporting plat have been submitted and approved (will be) as part of the plat application.

Associated with the application, the transportation improvements including public and private roadway improvements, pedestrian facilities, utility infrastructure, landscape buffers, and a preliminary roadway landscaping plan have also been approved as part of the plat application (pending final approval). The public subdivision improvements are to be owned/maintained by Crossroads Metropolitan District. With the Preliminary Plan and Final Plat, findings of water (and wastewater) sufficiency and conformance with the Master Plan have been proven and are consistent with the applicable findings of sufficiency and Master Plan.

ZONE DISTRICT COMPLIANCE

The final plat includes Lot 1 and Lot 2 in the CR zone. Future development of Tract B & C will conform to the CR zone district requirements. Conformance with zoning requirements will be largely demonstrated at future site development plan phases of development for lots and tracts within this final plat area. All proposed Lots are designed to meet the bulk, density, and dimensional requirements of the respective underlying zones. They are able to meet the required landscaping, buffering and screening requirements for the proposed uses, and buffering and screening against adjacent and differing uses per Section 6.2.2 of the Code.

REVIEW/APPROVAL CRITERIA & JUSTIFICATION

- ***The proposed subdivision is in conformance with the goals, objectives, and policies of the Master Plan; (see treatment of review criterion below)***

- ***The subdivision is in substantial conformance with the approved preliminary plan***

General conformance with the Master Plan including the County Water Master Plan and Policy Plan have been made with the preliminary plan (SP-20-11) approval by the BOCC on 10/26/2021 (Resolution No. 21-401). The preliminary plan was submitted prior to the adoption of the Your El Paso Master Plan (2021) and is not being reviewed against this updated element of the Master Plan. The proposed continue to be consistent with the findings of Master Plan conformance anticipated with the Preliminary Plan approval and current plat under review. Also see the related commitment from the Cherokee Metro District.

Water Master Plan Conformance:

The development area is in REGION 5 as identified on the El Paso County Water Master Plan Planning Regions Map and is within the Cherokee Metropolitan District (CMD) Service Area. Water supplies in Region 5, and specifically from CMD, should be sufficient to meet the current development demand; however, additional resources will be required to meet the full projected development demand within the Region by the 2060 target build out date. Additional water resources are planned through regional collaboration with partner and/or neighboring water providers.

According to the Water Resources Report, the CMD has 4,443.0 AFY of exportable supply and 4,130.4 AFY of commitments, CMD has a water balance of 312.6 AFY remaining for additional commitments.

CMD has provided a water and sewer service commitment Letter whereby the District has committed to allocate 84 AF/YR for the proposed development out of its current supplies as part of the proposed projects. Anticipated Residential demand includes 61.2 AF/YR for Residential Domestic use and 11.7 AF/YR for irrigation within the multifamily use (Currently approved). Commercial commitments include 6.2 AF/YR for domestic use and 4.9 AF/YR for commercial irrigation.

Your El Paso Master Plan Conformance:

The Proposed site development plans generally conforms to the goals conformance with the goals, objectives, and policies of the Your El Paso Master Plan.

- ***Goal 1.1 - Ensure compatibility with established character and infrastructure capacity.***

The BOCC made two separate findings of compatibility with the established character of the area by their approval (Resolution 21-181) for the rezone from CR to RM-30 (P-20-8) for the adjacent multi-family parcel and preliminary plan (SP-20-11) on 10/26/2021 (Resolution No. 21-401) and is considering the final plat for the commercial use. The site plans are in conformance with framework of the preliminary plan. The submittals demonstrate infrastructure capacity for public drainage, roadways, utilities, and other public services (parks, schools, and fire and police protection). Public improvements are proposed that are roughly proportionate to the impact to or demands for services and/or infrastructure generated by the planned uses within the final plat area.

According to the P-16-006 Staff Report to the BOCC, the CR zone was established in 1985. The burden of achieving compatibility between the residential zoning and the existing commercial zoning was placed upon the residential development. However, the code also requires buffering and screening requirements on the CR zoned property to provide additional landscape to enhance and/or otherwise increase compatibility between the adjacent single-family zone and land uses. This has been planned for with these site plans in association with the overall plat plan.

Urban services which include, but not necessarily limited to water, wastewater, electric service, natural gas service, fire protection, roadway and transportation, and drainage and stormwater management services are currently available. No issues have been raised with the previous Zone Change, Preliminary Plan or the Final Plat applications.

Water/sewer services will be provided service by Cherokee Metropolitan District. Private stormwater facilities will be provided by the developer and managed by the Crossroads Metropolitan District No. 1, public offsite and regional facilities and management by El Paso County Road/Bridge respectively; Electric and natural gas service will be provided by CSU. Fire protection will be provided by the Falcon Fire Protection District. Police and related public safety services will be provided by the El Paso County Sheriff. Compulsory education services are provided by Colorado Springs School District No. 11.

The approval of the Preliminary Plan and Final Plat provide the basis for the private park, recreation, and open spaces associated Crossroad Mixed Use development. These amenities will be managed by the Metropolitan District. The development of the Public parks, open space, add to the recreation services provided by EL Paso County, City of Colorado Springs, and Cherokee Metropolitan District via existing network outside of this project area.

- ***Goal 1.3 - Encourage a range of development types to support a variety of land uses.***

The existing plans and previous final plats will implement the planned mixed commercial and multifamily residential used defined with the Crossroads Mixed Use Preliminary Plan in This mixed use district.

- ***Goal 1.4 - Continue to encourage policies that ensure “development pays for itself”.***

The developer is bearing the costs of providing necessary improvements to support the proposed development. These applications continue to provide complete financial assurance estimate for required improvements and construction activities and will be bound by the terms and conditions of a Subdivision Improvements Agreement. The developer will also be responsible for the payment of all subdivision exactions and road impact fees.

- ***Goal 2.3 - Locate attainable housing that provides convenient access to goods, services, and employment.***

The existing and approved land use mix within the adjacent area includes residential (single-family attached, single-family detached, and multifamily) land uses, together with commercial and retail uses, service oriented, light, and

heavy industrial land uses along Meadowbrook Parkway and Marksheffel Corridors. The commercial and retail uses will help complete the desired mix uses to serve the residents.

The proposed commercial lots are also conveniently located near to major transportation thoroughfares (Marksheffel Rd, Constitution Ave, Powers Blvd, SH 24, & SH 94) which can connect them to other employment centers, commercial/retail corridors and nodes throughout the El Paso County region.

- **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;**

A final drainage, grading and erosion control plan, water/wastewater resource reports, traffic impact analysis, and the preliminary plan have been provided in which meet the applicable plan/report development requirements of the LDC, ECM, and DCM, subject to review and acceptance by the County. The application is consistent with the previously approved plans.

- **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 commitment to provide water service has been provided by Cherokee Metropolitan District which has adequate water resources to serve the proposed development. Findings of sufficiency were made with the BOCC 10/26/2021 approval of the preliminary plan (SP-20-11; Resolution No. 21-401). The District has also provide updated letters of commitment.

- **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 subdivision will connect into an existing public sewage disposal system what has been installed together with other public improvements associated with Crossroads Preliminary Plan and its many development phases and filings. The existing system complies with state and local laws and regulations, statutory requirements, and the requirements of Chapter 8 of the County Land Development Code.

- **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)];

The Geology/Soils report prepared by RMG Engineers, dated August 18, 2020, identified the presence of hydrocompactive soils as a potential site constraint condition with recommendations that if encountered beneath foundations, mitigation will be required. Per the report, "It is anticipated that if these materials are encountered, they can readily be mitigated with typical construction practices common to this region of El Paso County, Colorado such as applying additional compactive effort to the soil. If appropriate mitigations and/or foundation design

adjustments are implemented, the presence of hydrocompactive soil is not considered to pose a risk to the proposed structures”.

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 application is compatible with such conditions or will achieve compatibility through compliance with recommendations of corresponding reports and plans or by conditions of approval by the BOCC.

- **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;**

Adequate drainage improvements have been provided by the subdivision design, including but not limited to, stormwater, detention, and/or water quality control facilities, all of which meet stormwater requirements established by the state in addition to meeting the requirements of the County Code and ECM. Detention facilities have been designated within Tract A on the Preliminary Plan. Ownership and maintenance of all drainage facilities and improvements shall be provided by the Crossroads Metropolitan District No 1.

- **Legal and physical access is or will be provided to all parcels/Lots by public rights- of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;**

Legal and physical access is and will be provided by planned public and private rights-of-way. The private road is placed in a tract with the appropriate public access easement and will be recorded with the final plat. The private road tract and improvements will be owned and maintained by the Crossroads Metro District. All access planned is legal and in accordance with the provisions and allowances in the LDC and ECM.

Access to US 24 is from connections to Newt Drive located at the easternmost edge of the property and to Meadowbrook Parkway eastward to Marksheffel Road.

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

Necessary services which include, police and fire protection, recreation, utilities, open space and transportation system, are presently available to serve the development as supported by the utility and public service commitments provided in support of the development application.

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

The subdivision provides evidence via commitment letters from Cimarron Hills Fire Protection District for emergency and fire service and Cherokee Metropolitan District for water for fire suppression as well as site plan layout and design of access and utilities demonstrate show that the proposed methods for fire protection comply with Chapter 6 of the County Code.

- **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 improvements including improvements at the Newt Drive/Meadowbrook Parkway intersection and the extension of Meadowbrook Parkway from Newt Drive westerly adjacent to the property boundary and stormwater detention facilities have been included in the associated construction documents and financial assurances with Filing 1 and reflected in the previously reviewed and approved plan applications.

- **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;**

Off-site improvements including improvements at the Newt Drive/Meadowbrook Parkway intersection and the extension of Meadowbrook Parkway from Newt Drive westerly adjacent to the property boundary and stormwater detention facilities have been included in the associated construction documents and financial assurances with Filing 1 and reflected in the previously reviewed and approved plan applications.

All on-site and off-site roadway, signing, striping, and signal improvements shall be incorporated into the Civil Drawings, and conform to El Paso County and/or CDOT standards as applicable, as well as the Manual on Uniform Traffic Control Devices 2009 Edition (MUTCD).

Bridge, Drainage, Park, School, and Road Impact Fees will be paid at the time of plat recordation and building permit issuance (Road Impact only).

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

Waivers for private road and frontage requirements have been approved with the preliminary plan and the proposed subdivision meets other applicable sections of Chapter 6 and 8 of the County Code or otherwise approved with conditions imposed by the BOCC.

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

The development will not impact any economically viable mineral loads or aggregates.