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March 16, 2023

El Paso County Development Services
2880 International Circle
Suite 110
Colorado Springs, CO 80910

SUBJECT: Powers Centre Filing 3A, a minor Subdivision Plat to Lot 1 Powers Centre Filing No 3, splitting 1 Lot into 3 Lots

Lot 1 Powers Centre Filing No 3 is a commercial shopping center that is located east and south of the intersection of Powers Boulevard and Palmer Park Boulevard.

Owner information:

Michael J. Nisenbaum
5030 Boardwalk Drive, Suite 200
Colorado Springs, CO 80919
(719) 640-7388
mike@mjnmgmt.net
Assessor's Parcel No.: 5406304050
Existing zone: CR CAD-0

History:

This site is a developed section of land located in the eastern portion of unincorporated Colorado Springs. According to the County Master Plan, the site is classified as an Employment Center that falls within the Cimarron Hills "larger urban enclave" area.

There is currently a shopping center on the site with multiple tenets/uses.

The site is surrounded on all sides by other plots of developed land. These sites are used much in the same way as this, as commercial sites.

Request and Justification:

Our intent is to subdivide this existing property into 3 commercial use lots. The proposed minor subdivision is compatible with the surrounding properties. The lots will be consistent with the CR CAD-0 zoning with respect to lot layout, land use, lot size, minimum building setbacks, water supply and wastewater disposal.

Water and Sewer:

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 and Waste water services are currently provided by Cherokee Water. There will be no change to either. According to the County Master Plan, this site falls within Projected Growth Area Region 5. According to the State Division of Water Resources, this site sits in Water Division 2, Water District 10. Water usage will not exceed Cherokee Water’s statutory allotment. The site is on Central Sewer, provided by Cherokee Metro district. The existing sewage disposal 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. It is operated under State and County Health Department rules and regulations and in accordance with the Water Decree.

A listing of some of the policies of the Water Master Plan that are supported by the proposed development follow: Policy 4.1.3 – Support enhanced monitoring of sources of surface and tributary groundwater in the County. The existing commercial buildings will utilize Cherokee Water for any waste water treatment.

Electric:

Electric will be provided by the City of Colorado Springs per their commitment letter on January 10th, 2023. Said letter has been submitted with the subdivision packet.

Gas:

Gas will be provided by the City of Colorado Springs per their commitment letter on January 10th, 2023. Said letter has been submitted with the subdivision packet.

Traffic Generation:

There will be no new traffic generation as a result of this subdivision. Nothing is changing about the current businesses, no new grading, building or anything else that would increase the traffic generated for the site. The only thing that is changing is the location of the Lot lines. Therefore, a Transportation Impact Study (TIS) is not required for the project. This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 19- 471. Traffic Impact Fees will be paid at time of building permit.

FEMA Floodplain:

Per FEMA Panels 08041CO751G and 08041CO752G, this site is not within the limits of a 100yr floodplain.

Request of Subdivision Applicability per LDC Chapters 7&8:

This proposed subdivision will be dividing the current 1 lot into 3 commercial lots compatible with zoning CR CAD-0. Two of the lots will surround existing businesses and the third will consist of the remaining subdivided land.

▪ CH 7:

- A Preliminary plan is not required as this is a “minor subdivision”.
- The subdivision is consistent with all design standards and regulations.
- The new lots are already served by Cherokee water for water and wastewater services. There will be no change to this.

- There are no geological hazards present on the site or special precautions relevant to the site as it is already developed.
 - There are no drainage improvements required for the lots. Nothing is changing, only new lot lines are being drawn.
 - The site already falls under the jurisdiction of EPSO and is within the Cimarron Hills Fire Protection District.
 - The site complies with methods of fire protection as outlined in Chapter 6. A Letter will be included to show evidence of this.
 - There will be no offsite impacts as a result of this subdivision.
 - There are no required public facility improvements for this subdivision.
- CH 8:
- The land is suitable for development as the entire area is already commercially developed.
 - The land is safe for the intended purposes of commercial development. There are no known major geological hazards that affect this site.
 - There are no slopes over 30% on the proposed lots or any other known extreme geological hazards affecting this site.
 - Regarding roads and access, there are two major thoroughfares running to the north and west of the site. There is existing access from Palmer Park Boulevard to the north and Omaha Boulevard to the south.
 - There are no plans to alter the landscape of the new lots.
 - As far as we are aware, there are no structures or other areas located on the site that would qualify as archeological or historical.
 - As far as we are aware, there are no plans for differing land use on these lots.
 - According to the County Master plan, this site is designated as one of the “most likely” areas for a plane crash, therefore residential development is discouraged. This is not an issue because this site is purely commercial in nature. Development will comply with existing APZ’s.
 - As far as we are aware, there are no endangered species affected by these proposed changes.
 - As stated previously, this site is not within the limits of a 100yr floodplain per FEMA Panels 08041CO751G and 08041CO751G.
 - The current lot does sit near to a major arterial (Powers Boulevard) but nothing is being changed or added to the site aside from new lot lines. Therefore, we do not need to worry about noise mitigation.
 - The current and proposed lots are not situated anywhere near a railroad.
 - This site is not located near enough to any major military outpost or installation and thus does not fall under any constraints detailed in LDC chapter 8.

Constraint’s/Hazards:

As far as we are aware, there are no special features to this site that would result in constraints or hazards preventing development of the proposed new 3 lots.

Proposed Improvements:

The overall goal of this subdivision is to split the existing site into 3 lots. Nothing about the commercial businesses on the lots will be changing aside from a possible change in ownership. Tenants on the existing lot wish to own their respective portion of the lot outright. As far as we are aware, nothing else is changing.

We ask that El Paso County grant the subdivision request to CR CAD-0. This will allow three lots to be made from an existing one so that their tenants may own the land they do business on.

Please contact our office with any questions, thank you

Please add a statement confirming existing stormwater runoff patterns and adjacent properties will not be adversely impacted.

Oliver E. Watts, Consulting Engineer, Inc.

By: _____
Dylan J. Watts, Authorized Representative