

## **BENT GRASS EAST COMMERCIAL FILING 3 – FINAL PLAT**

### **LETTER OF INTENT**

### **DECEMBER 2021**

| <b>OWNER/APPLICANT:</b>     | <b>CONSULTANT:</b>            | <b>ENGINEER/SURVEYOR:</b>      |
|-----------------------------|-------------------------------|--------------------------------|
| Land First Inc.             | N.E.S. Inc.                   | Classic Consulting Engineering |
| 1378 Promontory Bluff VW    | 619 N. Cascade Ave. Suite 200 | 619 N. Cascade Ave. Suite 200  |
| Colorado Springs, CO. 80921 | Colorado Springs, CO. 80903   | Colorado Springs, CO. 80903    |

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### **REQUEST**

Land First Inc. requests approval of a Preliminary Plat for six (6) commercial lots and, one (1) tract for a private access road and utilities on approximately 5.351 acres.

### **LOCATION**

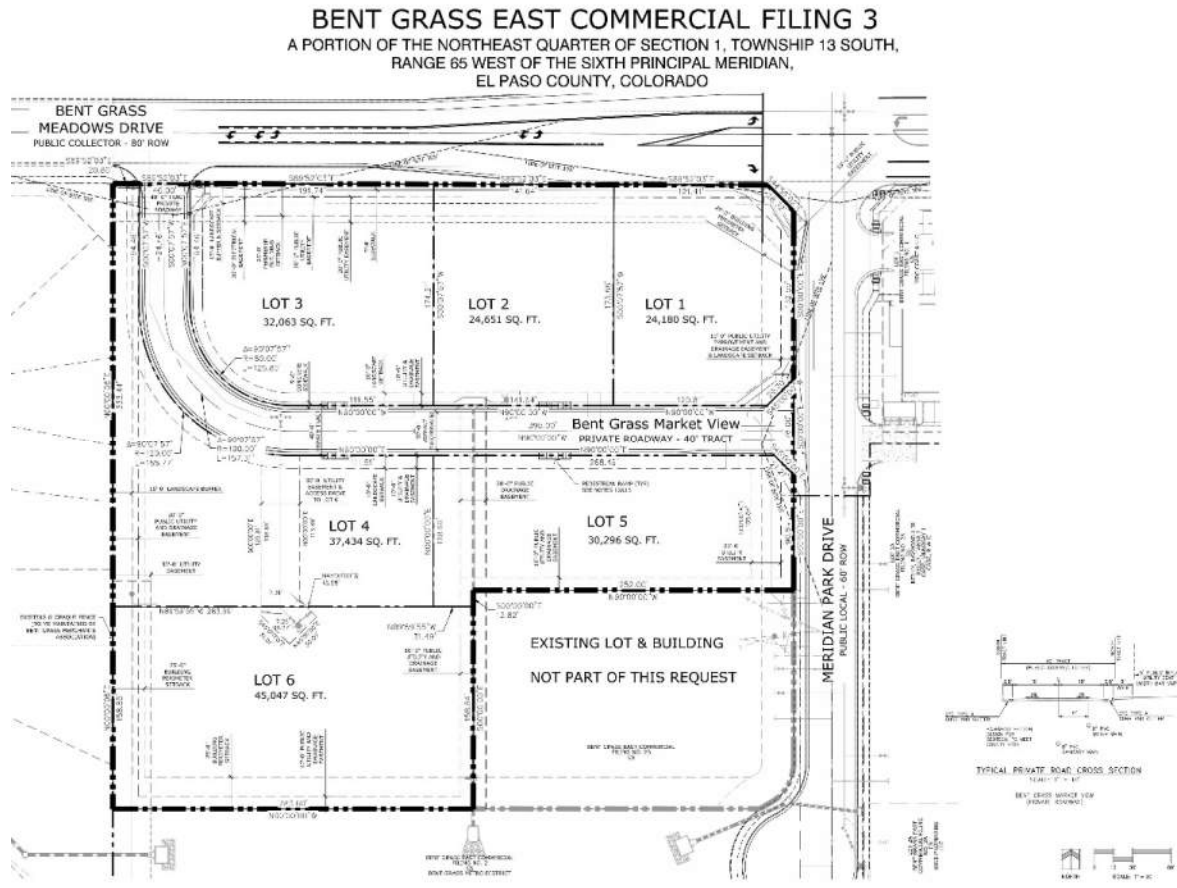
The approximately 5-acre site is located north of E. Woodman Road, west of Meridian Road, and south of Bent Grass Meadows Drive.

Legal Description: Bent Grass East Commercial Filing No. 3

Tract BB as platted in Bent Grass East Commercial Filing No. 2B recorded under reception No. 218714172, records of El Paso County, Colorado.

Containing a Calculated area of 219,877 SF. 5.048 AC.

To be platted as 6 commercial lots and Tract A (Bent Grass Market View).



## PROJECT DESCRIPTION/CONTEXT

This parcel was identified as commercial in 2007 with the approved Bent Grass Overall PUD; and has remained as commercial in approved preliminary plans for Bent Grass East Commercial (2013), Bent Grass East Commercial Filing 2 (2018), Tract B, lot line adjustment and creation of Tract BB (2018). The proposed final plat for 6 commercial lots and Tract A (Bent Grass Market View) is in alignment with the recently approved Bent Grass East Commercial Filing 3 Preliminary Plan which proposed 6 commercial lots and a 40' private tract (Tract A) to serve as access for each of the commercial lots. Current zoning for the property is CS (Commercial Services)..

**COMPATIBILITY/TRANSITIONS:** To the north is zoned PUD RR 5 (Rural Residential), currently two of the three lots are vacant and planned for commercial, the remaining lot is residential/agriculture. The adjacent property to the west is zoned PUD and is developed as urban residential, the east is developed as commercial, to the south is an animal care clinic, and a 1.5 AC detention pond serving the Bent Grass Development and rural residential development. The Falcon Market Place is currently being developed to the south at the intersection of Meridian Road and Woodmen Road. Falcon Market Place has provided a stub out at the north property line that is anticipated to connect to this development in the future at Meridian Park Drive. A fifteen (15') landscape buffer is provided as a buffer to the single family residential to the west and along Bent Grass Meadows Drive. The existing 6' opaque fence along the

eastern boundary of the single family residential will serve as screening and will be maintained by the Bent Grass Merchants Association.

Commercial development of this parcel will tie into the existing commercial development along Meridian Park Drive, provide local employment opportunities, nearby commercial services for the existing residences and serve as a transition for the single family residential to the commercial uses along Meridian Road. With this final plat, the existing 15' landscape buffer and 6' opaque fence along the western property boundary will remain and be maintained by the commercial development (Bent Grass Merchants Association).

**Traffic:** Two access points are provided to the commercial site, one from Bent Grass Meadows Drive from the North and the other from Meridian Park Drive from the East. Meridian Park Drive is stubbed to the south for an anticipated future connection to Falcon Market Place at Woodmen and Meridian. Access to each lot will be provided by Tract A (Bent Grass Market View) which will be developed as a private road, classified as "Urban Local" and will be constructed to be 40ft wide with an attached 5' sidewalk on one side and two mid-block pedestrian crossings. A site development plan for each individual lot will address individual lot access design and site circulation to accommodate the anticipated design vehicle – either single unit or multi-unit trucks. With no on-street parking, two-way traffic will be maintained along the length of the Tract A.

The currently proposed Bent Grass Market View is planned to incorporate separate left- and right-turn lanes approaching Bent Grass Meadows Drive. Bent Grass Market View will incorporate a dedicated left-turn lane and shared through and right-turn lane approaching Meridian Park Drive.

The existing section of Bent Grass meadows Drive between Meridian Road and Meridian Park Drive has recently been widened to allow for a three-lane eastbound approach at Meridian/Bent Grass Meadows. As part of the approved preliminary plan, Bent Grass Meadows has been restriped to remove the existing westbound left-turn lane for the 7-Eleven access, which has been closed, and lengthen the existing westbound left-turn bay approaching Meridian Park Drive. Based on the queuing analysis discussed in the traffic report prepared by LSC, the proposed 195-foot lane will provide adequate storage for the projected queues. Based on the criteria of the *ECM* and a design speed of 40 miles per hour, the westbound left turn lane approaching the west site access should be 215 feet long plus a 160-foot taper. Previous Bent Grass reports showed side-by-side left-turn lanes between Meridian Park and the west access. However, it as been agreed upon through meetings with County staff, that back-to-back left turn lanes are the best solution given this existing section of Bent Grass Meadows Drive. Figure 12 of the traffic report completed by LSC depicts a dedicated eastbound left turn lane at Meridian Park Drive/Bent Grass Meadows Drive and a striped center two way left turn lane west of that.

**Drainage:** Drainage improvements for this project are designed to the most current El Paso County Engineering Criteria Manual and the El Paso County Drainage Criteria Manual, the most recent MDDP and Urban Storm Drainage Criteria Manual. Overall, drainage of the site will be provided by an offsite 1.5AC detention pond located to the immediate south of the site.

**Utilities:** The property is located within the boundaries of Bent Grass Meadows Metropolitan District and Woodmen Hills Metropolitan District. Water, Wastewater, Storm water will be provided by Woodmen Hills Metropolitan District. Maintenance of right-of-way landscaping will be maintained by the Bent Grass Merchant Association. Mountain View Electric Association, Inc. will supply electricity service and Colorado Springs Utilities will supply natural gas.

**Geologic Hazards:** The site was found to be suitable for development. Some areas of the proposed subdivision have been found to be impacted by geologic conditions. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods. A map of the hazard areas and proposed mitigation measures can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc., dated October 15, 2020.

**Wildlife:** Wildlife that has been viewed on the site and surrounding areas including rodents, and small game. Potential for several species of mammals, rodents, larger game and vegetation is possible but unlikely to be impacted by the project. As development occurs within Bent Grass East Commercial Filing 3, reasonable care will be taken to minimize human and wildlife conflicts within reasonable limits.

**Wildfire:** The primary wildland fuel type is grassland with scattered trees. The Colorado State Forest Service has determined a low-moderate wildfire hazard potential and no specific fire mitigation plans or other actions are necessary.

**Waivers/Deviations:**

A Waiver was approved with the Bent Grass East Commercial Filing 3 Preliminary Plan for Bent Grass Market View to be developed as a private road not meeting County ECM standards. A second waiver was approved for Lot 6 to be developed with no minimum lot frontage.

A deviation request has also been approved for the roadway design criteria for an urban local roadway related to minimum CL curve radius, right of way width, paved width, intersection spacing, and sidewalks on both sides of the roadway.

## **PROJECT JUSTIFICATION**

### **Final Plat Review Criteria Chapter 7.2.1.D.3.f**

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

The relevant County Plans for Bent Grass East Commercial Filing 3 are the County Policy Plan, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. The proposed commercial preliminary plan and final plat satisfies the following policies for the County Policy Plan and the Water Master Plan.

The County Master plan identifies this area as an area of change and its place type as regional center. Primary uses of regional centers are characterized as being restaurant, commercial retail, commercial service, entertainment, and multifamily residential; supporting uses include office, institutional mixed used, and single-family attached residential. A final plat for 6 commercial lots and a private Tract to serve as road access (Tract A – Bent Grass Market View) will allow for commercial uses as described under regional center and will fulfill the intent of this parcel as it is outlined in the County Master Plan.

The final Plat for Bent Grass East Commercial Filing 3 will support the following goals of the County Master Plan:

**Economic Development:**

*Goal ED.1: Recruit new businesses and spur the development of growing sectors.*

*Objective ED1-3: To help activate spaces, provide more options for fun and recreation to residents.*

*Objective ED 1-4: Attract more visitors to the County by emphasizing development of entertainment uses in Regional Centers.*

*Objective ED 1-6: Large employers should be located on major roadways to improve connectivity and minimize their impact on daily traffic.*

Platting of 6 commercial lots at Bent Grass East Commercial Filing will enable for commercial development within a designated regional center. Development on each of the lots will provide commercial resources (such as entertainment and/or employment) to the existing and future residents within the area. As a regional center, located near Meridan Road (Principal Arterial), businesses on this parcel have the ability to attract more visitors to this area of the County with minimal impact on daily traffic.

*Goal ED.3: Encourage the development of commercial districts in underserved areas.*

*Objective ED3-1: Continue promoting commercial development to serve increasing residential neighborhoods in the Falcon Area*

*Objective ED3-3: Emphasize the development of grocery stores, restaurants (both drive thru and sit-down), gas stations, pharmacies, and neighborhood-scale services along Highway 24*

*Objective ED3-6: Prioritize commercial use as development opportunities arise in order to support the growing residential base in rural areas*

Currently there is little existing commercial located at Bent Grass Meadows Drive and Meridian Road; with an existing Conoco Station and Animal Care Clinic located on Meridian Park Drive. Six commercial lots located at Bent Grass East Commercial Filing 3 will allow for the development of six commercial uses (1 per lot), each serving the nearby Falcon area with the ability to provide a variety of commercial uses such as restaurants, pharmacies or entertainment such as laser tag or a climbing gym.

## **WATER MASTER PLAN**

*Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

*Goal 3.1 – Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*

*Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.*

*Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.*

*Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).*

*Goal 5.4 – Promote the long-term use of renewable water. Goal 5.5 – Identify any water supply issues early on in the land development process.*

*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.*

Woodmen Hills Metro District has sufficient supply and existing infrastructure in the area to serve this development. Water quality is good and Woodmen Hills is in compliance with all regulatory limits.

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. Specifically, the Water Master Plan states:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater. The other two growth areas will be located on the north and south sides of Falcon Highway directly east of Falcon. See Figure 5.5 for Region 3 growth map projections.”

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.

Full build out of the Woodmen Hills Metro District (District) is anticipated within the 2040 timeframe. The Water Resources Report indicates that the District has sufficient supply to meet the expected need at full build out by 2040 and 2060. As stated in the Water Resources Report, the 2040 Woodmen Hills Metro District projected buildout needs are estimated at 1218.0 annual acre-feet and the 300-year current supply is 1459.5 annual acre-feet.

As stated in the Water Resources Report, this development proposes 6 lots totaling 4.57 acres 17% coverage suggests probable total building space of 33,814SF. The planner estimates that two areas of landscaping are anticipated being 26,810 SF and 10,280 SF of active landscaping. Per County code the water resources report projects that indoor use will demand 3.79 Acre-feet a year with the landscaped area generating a demand of 2.09 acre-feet a year. In total, this development is projected to need 5.88 annual-acre feet of water per year. Currently, the Woodmen Hill Metropolitan District supply is 1,459.5-acre feet on a 300-year basis.

The District currently incorporates a 20% reserve into their future planning. Based on the needs, current supply, and reserve the District has sufficient water to meet the needs but a possible very small shortage of 23.5 annual acre-feet might be expected due to the 20% reserve. However, additional long-range planning, regionalization, and acquisitions are discussed in the Water and Wastewater Report under future supplies.

Woodmen Hills Metropolitan Districts (District) has provided a water and wastewater commitment letter to serve the development. The Districts has roughly 14 wells and four different types of water supply from renewable and non-renewable sources:

- local wells mainly in the Arapahoe and Laramie Fox-Hills formations, (non-renewable source)
- off-site wells four operating in the Denver Basin in the Guthrie Ranch and adjacent area (non-renewable source)
- offsite alluvial wells also in the Guthrie Ranch Area which pump renewable water from Upper Black Squirrel Basin (renewable source)
- a perpetual right to 350 acre-feet of water per year from Cherokee Water utilizing the Upper Black Squirrel Basin (renewable source).

The District developed a water policy intended to facilitate goals of continual addition of water sources prioritizing renewable sources. In addition, the District will be acquiring and or improving sources of supply and increasing water reliability and efficiency over time. New sources/expansions are expected to come from five areas: developer inclusion, acquisition, regionalization, facility expansion (including extensions of existing jointly owned transmission systems), and indirect, lawn irrigation return flows (LIRF) credits and direct reuse. The District has Municipal Interconnects on both the raw water and potable water systems. Current connecting systems include Meridian Service Metropolitan District; Cherokee Metropolitan District; and Falcon Highlands Metropolitan District. The District has two major off-site transmission lines which are jointly owned with Meridian Service Metropolitan District. The District is responsible for the operation of both the Tamlin and Guthrie systems. The District owns and operates three water treatment plants and three water storage facilities. The District treats and filters 100% of their water supply. A fourth tank is under

construction and will bolster fire flows, service pressures, system reliability, and potable water storage.

The District's current use is based on an average of 53% renewable water sources and is continually acquiring and working towards establishing additional renewable sources. Discussions of long-term planning are included in the Water Wastewater Report. Current Water Quality is presented in the Water and Wastewater Report in the Appendix E being the WHMD 2020 Consumer Confidence Report.

**2. The subdivision is in substantial with the approved preliminary plan;**

The approved Bent Grass East Commercial Filing 3 describes six (6) commercial lots accessed by a single private road (Tract A) with an attached 5' sidewalk along one side of the road and two mid-block pedestrian crossings. There are no proposed changes to the approved site layout or traffic circulation with the final plat.

**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 subdivision design standards are met and the subdivision is compatible with the approved Bent Grass East Commercial Filing 3 Preliminary Plan.

**4. Either 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, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan approval;**

A sufficient water supply is available as demonstrated by the water supply commitment letter provided by Woodmen Hills Metropolitan District and the Water Resources Report provided by JDS Hydro. Water sufficiency for quantity, quality and reliability was approved with the Bent Grass East Commercial Filing 3 Preliminary Plan

**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;**

Public sewage disposal is addressed in the Wastewater Treatment Report provided by JDS Hydro.

**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)];**



Some areas of the proposed subdivision have been found to be impacted by geologic conditions. These conditions impose some constraints on development, which can be mitigated by avoidance, regrading or through proper engineering design and construction methods. These matters are addressed in the Geohazard Evaluation Report prepared by Entech Engineering Inc., dated October 15, 2020.

**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;**

Compliance with drainage requirements of State Statute C.R.S. § 30-28-133(3)(c) are shown in the Final Drainage Report prepared by Classic Consulting.

**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;**

Access to each site is provided by a single 40' wide private tract (Tract A) to be developed as Bent Grass Market View; which will connect from Bent Grass Meadows to Meridian Park Drive. Tract A will be developed as private road, classified as "Urban Local" and will be constructed to be 40ft wide.

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

Water and sanitary sewer services are to be provided by Woodmen Hills Metropolitan District. Electric Service is provided by Mountain View Electric Association, Inc. The site is entirely within Colorado Springs Utility territory for natural gas services. The required Will Serve letters are included with the submittal. Recreation opportunities are provided through connected sidewalks from the residential properties to the west and commercial properties to the east and southeast. No formal open space is provided with this application.

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

The site lies within the Falcon Fire Rescue Protection District. A Fire Protection Report and Fire Commitment Letter is included with this submittal.

**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;**

This commercial development is situated between urban residential and existing commercial. A fifteen (15) foot landscape buffer has been provided between the existing urban residential to the east and proposed commercial development. Access to the site will be provided by Bent Grass Meadows Drive and Meridian Park Drive. Both Bent Grass Meadows Drive and Meridian Park Drive are existing and presently serve both residential and commercial traffic. There are no major impacts to the adjacent land uses anticipated with the final plat.

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

The proposed final plat meets the applicable sections of these parts of the Code.

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

There are no mineral estate owners associated with the property to be platted. A mineral rights certification showing no mineral estate owners is attached to this application.

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