



**Dunkin Donuts – Bent Grass East Commercial
Filing No. 2A, Parcel A, Lot 1A
Final Plat
Letter of Intent September 21, 2023**

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER

CD MERIDIAN & BENT GRASS LLC
106 S. KYRENE RD.,
CHANDLER, AZ, 85226

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

SITE/BACKGROUND INFORMATION

The Dunkin Donuts, Bent Grass East Commercial Filing No. 2A, Parcel A, Lot 1A Final Plat (1,998 sf.) is located at 8305 Meridian Park Dr., Peyton, CO 80831.

The project has been designed to comply with El Paso County Planning and Community Development guidelines and standards. The project (PPR2227) The proposed project comprises a single-story commercial drive-thru Dunkin' store with all associated parking, pedestrian facilities, access drive, utilities, lighting, and landscaping. (Parcel ID No.: 5301104002).

The portion of the lot not being used for Dunkin Donuts will be sold to another buyer for commercial use. A process has been initiated to divide the north section of the subject lot into a separate lot. This process will run in parallel with the Dunkin Donuts project planning review. The plans for this project have been updated to reflect these updates.

Site access to the proposed drive-thru development on Lot 1 and the future development on Lot 2 shall utilize shared drive access to Meridian Park Drive. The Cross Access agreement shall be prepared and recorded before the final plat recordation.

ZONE DISTRICT COMPLIANCE

The BOCC approved a zoning of CS in support of the proposed (commercial) site development. Future development of the lot will conform to the CS zone district requirements. Conformance with zoning requirements is demonstrated mainly in the site development plans for the subject lot of this final plat. The proposed lot is designed to meet the respective zone's bulk, density, and dimensional requirements and can meet the required landscaping, buffering, and screening requirements for the proposed site use.

REQUEST & JUSTIFICATION

This project will benefit the existing neighborhood by providing a high-quality retail/commercial destination for coffee, beverages, and food with the added convenience of drive-thru service. Care has been taken to design a commercial building using industry best practices. Water, sanitary sewer, and electric utilities will tie into the mainlines in Meridian Park Dr. The attached plans, reports, calculations, and associated submittal documents demonstrate the adequacy in accordance with all applicable local, state, and federal standards.

The Final Plat includes transportation improvements, private roadway improvements, pedestrian facilities, utility infrastructure, landscape buffers, and preliminary street landscaping plans. A Traffic Impact Study has been prepared for this development by SM Rocha, LLC, dated October 2022, and the findings conclude that the development shall not have a negative impact on surrounding traffic operations. The site is subject to the El Paso County Road Impact Fee Program (Resolution 19-471) and shall be subject at the time of building permit issuance. Additional information is provided in the review and approval criteria discussion below.

Perimeter landscape buffer improvements will be included in overall subdivision improvements. Findings of water (and wastewater) sufficiency and conformance with the Master Plan are provided and consistent with the applicable findings of sufficiency and Master Plan.

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 and with the characteristics of the site according to the El Paso County Master Plan***

General conformance with the Master Plan, including the County Water Master Plan and Policy Plan, has been made with the preliminary plan (PPR2227). The proposed CS zone application site per the **El Paso County Master Plan** (Adopted May 26, 2021) (**EPC MP**) is located and identified within the **Placetype: Regional Center** Master Plan area. The Regional Center placetype primarily comprises multifamily, restaurant, commercial service and retail, and entertainment with supporting single-family attached, mixed-use, office, and institutional land uses. This placetype serves to support an attractive "live-work-play" environment for the county and the surrounding areas by providing access to commercial goods and services. The Regional Center placetype generally is highly accessible to surrounding residents and to other individuals within the county through major transportation routes. Overall, the placetype serves as an area of attraction for the county. The proposed site is described as a commercial services area and, thus, is supportive of and compatible with the area's primary commercial/restaurant services character. Therefore, the proposed site is in conformance with the Regional Center placetype outlined in the **EPC MP**.

The project site is confined within the key area of "**Potential Areas for Annexation**," as defined in the **EPC MP**. These areas are typically unincorporated into El Paso County and are expected to be annexed as development continues. Most sites that fall under this key area require discussions during developmental phases with entities within the surrounding municipalities to conform to the surrounding cities and towns. For instance, this project will have utilities serviced by external entities, such as the Woodmen Hills Metropolitan District, for water and wastewater.

Therefore, the development on the site will require constant communication with the various municipalities for developmental agreement to prevent future annexation concerns, as the main feature of this key area requires per the **EPC MP**.

This project site lies within the **10% of "Developing Areas" and within the 9% of "New Development"** as defined in the **EPC MP**. The New Development area types are defined as areas of significant current and future transformation on undeveloped land. These areas will experience extensive development that will complement and match the character of the existing adjacent development. The site has been zoned to CS and will undergo an extensive amount of development and will support the use and characteristics of the surrounding area as per the definition of the Developing Areas and New Development areas of change. Thus, the final plat is consistent with the placetype, key area, and area of change anticipated from the findings of the El Paso County Master Plan.

Water Master Plan Conformance:

The development area is in REGION 3 as identified on the El Paso County Water Master Plan Planning Regions Map and is within the Woodmen Hills Metropolitan District (WHMD) Service Area. Water supplies in Region 3, specifically from WHMD, 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 partners and neighboring water providers.

According to the Water Resources Report, the WHMD has 7,164 AFY of exportable supply and has provided a water and sewer service commitment Letter whereby the district has committed to allocate 3.73 AF/YR for the proposed development out of its current supplies. Anticipated Commercial demand and commitments include 1.96 AF/YR for Commercial water use and 1.77 AF/YR for Commercial irrigation use.

Your El Paso Master Plan Conformance:

The Final Plat subdivision generally conforms to the goals conformance with the goals, objectives, and policies of the Your El Paso Master Plan.

Core Principle 1: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

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

As described in the previous portion of this document, the proposed development is compatible with the **EPC MP's** established site character. The final plat is in conformance with the preliminary plan. As previously described, the final plat submittal demonstrates infrastructure capacity for public drainage, roadways, utilities, and other public services (parks, schools, and fire and police protection). Public improvements proposed are roughly proportionate to the impact or demands for services and infrastructure generated by the planned uses within the final plat area.

The burden of achieving compatibility between residential and commercial zoning was placed upon the residential development.

However, the code also requires buffering and screening requirements on the CS-zoned property to provide additional landscape to enhance and otherwise increase compatibility between the adjacent single-family zone and land uses.

Urban services, which include, but are 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.

Water/sewer services will be provided courtesy of Woodmen Hills Metropolitan District. Private stormwater facilities will be provided by the developer and managed by the owner, public offsite and regional facilities and management by El Paso County Road/Bridge, respectively; individual stormwater management on a per lot basis will be the responsibility of the individual property owner(s). Mountain View Electric Association will provide electricity service, and CSU will provide the natural gas service. The Falcon Fire Protection District will provide fire protection. The El Paso County Sheriff will provide police and related public safety services.

Other public facilities and services are currently delivered to residential, commercial, and light industrial properties adjacent to this proposed development. Subsequent subdivision applications will provide detailed reports and plans regarding service availability and delivery infrastructure.

- ***Goal 1.2 - Coordinate context-sensitive annexation and growth strategies with municipalities.***

Context-sensitive annexation and growth strategies have been communicated and coordinated to the water, wastewater, electric, natural gas, and fire protection service providers.

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

The surrounding area is residential and commercial, and the CS zone will be platted to support permitted commercial uses in this mixed-use district.

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

The developer bears the costs of providing necessary improvements to support the proposed development. The final plat includes a 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 pay all subdivision exactions and road impact fees.

Core Principle 3: Strengthen the economy with a skilled workforce and targeted investment.

- ***Goal 3.1 – Recruit new businesses and spur the development of growing sectors.***

The development of the property is to establish a new Dunkin’ Donuts restaurant/store in the area and to develop the growing commercial sector of the area.

- **Goal 3.3 – Encourage the development of commercial districts in underserved areas.**
The property will be developed to grow the commercial subdivision of this area and to serve the residents of the surrounding areas. Thus, the development of this property will provide more variety in the commercial district and serve the needs of the area.
- **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 report, a traffic report (SM Rocha, LLC), grading and erosion control plan, water/wastewater resource reports, utility plan, and the preliminary plan have been provided to meet the applicable plan/report development requirements of the LDC, ECM, and DCM, subject to review and acceptance by the County. The applicant's team has also contacted the neighboring community and mailed an Intent to Development notification with a site map to ensure that direct neighbors know about the proposed development.
- **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 Woodmen Hills Metropolitan District, which has adequate water resources to serve the proposed development. Findings of sufficiency were made with the WHMD commitment letters for the property.
- **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 property will connect to an existing public sewage disposal system that has been installed together with other public improvements associated with the Bent Grass East Commercial Plan and its many developments. 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 Entech Engineering, Inc., dated September 23, 2022, identified that a shallow foundation on the controlled on-site and recompacted fill can support the structure. All areas of the proposed site that may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified, and the proposed site 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 involving grading and sheet flow from the property have been provided by the existing and planned subdivision design, including but not limited to stormwater, detention, and 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. Existing detention facilities have been designated within the surrounding areas of the lot in previous plans for the subdivision. The surrounding owners of the Bent Grass East Commercial Subdivision shall provide ownership and maintenance of all drainage facilities and improvements.
- **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;**

Legal and physical access is and will be provided by planned public and private rights-of-way. The private parking lot will be placed on the subject site with access to the public right-of-way for the existing Meridian Park Drive. The private parking lot and improvements are owned and maintained by the Bent Grass East Commercial Subdivision. All access planned is legal and in accordance with the provisions and allowances in the LDC and ECM. Access to Meridian Road is from connections to Meridian Park on the west and then to Bent Grass Meadows Drive, located northeast of the property to Meridian Road and further south to East Woodmen 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 systems, are presently available to serve the development as supported by the utility and public service commitments provided in support of the development application. Required service commitments have been 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 Falcon Fire Protection District for emergency and fire service and Woodmen Hills Metropolitan District for water for fire suppression, as well as preliminary 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 Meridian Park Drive/Bent Grass Meadows Drive intersection and stormwater detention facilities, were considered and reviewed but deemed unnecessary for the development of the subject site. No public improvements are being proposed with the is development except for the 5' sidewalk that is proposed along the east side (parallel to the subject site). All other development improvements shall be private.

- **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 were deemed unnecessary for the subject site due to proper planning of the existing subdivision. 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 lot meets other applicable sections of Chapters 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.