



**Midtown Collection at Hannah Ridge Filing No. 3
PUD and Preliminary Plan
Letter of Intent**

OWNER:

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DEVELOPER:

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APPLICANT/CONSULTANT:

Classic Consulting Engineers & Surveyors, LLC
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SITE LOCATION:

The PUD Rezone (CS to PUD) and Preliminary Plan are located east of Hannah Ridge Drive, north of Constitution Avenue, west of Akers Drive and south of Hunter Jumper Drive in the previously platted Tract CC, Hannah Ridge at Feathergrass Filing No. 1.

Tax ID #

53324-03-009

Size:

Filing No. 3 (Tract CC): 7.444 Acres

Zoning:

Existing: CS CAD-0 (Commercial Airport overlay district)

Proposed: PUD (With CAD-0)

Conformance to El Paso County Master Plans:

Proposed community adherence to existing Master Plans in El Paso County to be addressed by reviewing the following:

- 2021 El Paso County Master Plan
- 2018 Water Master Plan
- 2040 Major Transportation Corridor Plan
- 2013 Parks Master Plan

2021 El Paso County Master Plan:

The proposed site is defined within the Master Plan as an “Urban Residential” placetype. Urban Residential Pace Types include primary land uses of:

- Single-Family Detached
- Single-Family Attached
- Multi-Family

The proposed final phase of the westerly adjacent existing Midtown single family detached residential community falls within the defined anticipated uses. Per the Master Plan.

“The Urban Residential placetype consists of established neighborhoods immediately adjacent to equally dense or more dense urban neighborhoods in incorporated areas, as well as new, largely residential neighborhoods in previously undeveloped areas where centralized utility services are available. The Urban Residential placetype provides for a mix of development densities and house types within a neighborhood.”

While this proposed neighborhood is similar to the northerly existing neighborhood in that it is single family detached, the unique product type clearly differentiates itself from the more typical adjacent uses in the building form, function and urban aesthetic appeal. While similar enough to be compatible, it also provides an alternative design and living environment to appeal to a different group of residents.

This small neighborhood s also identified as a “Priority Development Area”, which is defined as areas where,

“development should be prioritized elsewhere (in priority development areas) to efficiently utilized and extend existing infrastructure, conserve water resource, and strengthen established neighborhoods.”

The site is the last undeveloped parcel in this overall master planned community, and will utilize existing roadway, utility and drainage infrastructure which is a desired goal of this designation.

2018 Water Master Plan

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review process. Relevant policies are as follows:

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

Goal 1.2 – Integrate water and land use planning.

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

Policy 4.1.4 – Work collaboratively with water providers, stormwater management agencies, federal agencies, and State agencies to ensure drinking water sources are protected from contamination and meet or exceed established standards.

Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.

The subject property is located within Region 5, Cherokee Metropolitan District Service Area, which is not expected to experience significant growth in the County by 2060. Specifically, the plan states:

“Region 5 consists of areas served by the Cherokee Metropolitan District and is not expected to experience significant growth by 2060. But the District could consider expanding water and sewer service growth areas outside of Region 5. No specific growth map was created for Region 5; these areas as shown on other maps.”

Region 5 has a current water supply of 4,849-acre feet per year and a current demand of 4,396-acre feet per year. The 2040 water supply is projected to be 6,800-acre feet per year and the projected demand is 6,468-acre feet.

Cherokee Metropolitan District has provided a water and wastewater commitment letter to serve the development. The applicant’s water resource report indicates the District has ample supply of water to service this development and future developments within the District. The majority of the District’s water supply comes from the Upper Black Squirrel Creek Designated Groundwater Basin, which is considered a renewable resource. However, the District also receives supplies from the Sundance Ranch well field which draws from the Denver Basin aquifers, a nonrenewable water source. The District has implemented three methods to provide sustainable water supply to its customers:

- i. Water efficiency: The District set a goal of reducing demand by 3 to 5 percent per capita and already has one of the lowest per capita usages in the state.
- ii. Additional renewable water supplies: The District is part of the Pikes Peak Regional Water Authority, whose goal is to provide water suppliers with a new regional water supply system.

As stated in the applicant’s water resource report, this development is projected to demand 9.210-acre feet of water per year. As of 2018, the District had a surplus of 319.803-acre feet per year, so accounting for this development, the District will be left with a surplus of 310.593-acre feet per year for future developments. The District’s accounting of current water demands and water supply, which have been provided for the year 2018, should be updated annually in order to appropriately evaluate the District’s ability to increase water resources in conjunction with development applications and to show that the District is taking steps to address future projected water supply deficiencies.

Cherokee Metropolitan District provides water service and has committed to serve the property. Water quantity, quality and dependability are sufficient.

2040 Major Transportation Corridor Plan

Per the 2040 Major Transportation Corridor Plan, no improvements to directly adjacent Constitution Avenue (principal arterial) or Akers Drive (collector) are reflected to need to take place. All adjacent roadways that surround this site are constructed, leaving this site as a small “island” of urban infill.

Traffic Impact fees will be required to be paid per the section defining said fees later in this letter.

2013 Parks Master Plan

This site is not identified in the 2013 “Parks Master Plan” as containing any required parks, trails or open space. Park fees will be required to be paid and will be defined at the time of Final Platting.

REQUEST:

Applicant requests rezoning of an existing CS zoned tract to PUD, water sufficiency, a Preliminary Plan, an Early Grading Permit as well as associated PUD modifications to reflect a total of 42 lots. If the described actions are approved by Planning Commission and the Board of County Commissioners, we would respectfully request that previously platted Tract CC be re-platted and be administratively approved by staff. Final Platting of the 42 lots will be reflected on one Final Plat document to be processed administratively reflecting a combination of a public street (Equine Court) and private streets (Nightwind Heights and Sure Thing Heights) to be located in private roadway tracts. The CAD-0 overlay will remain (as it has for the rest of the developed Hannah Ridge community)

The following table summarizes the various components of the Filing 3 Community:

<u>Lots</u>	<u>Square Feet</u>	<u>Percentage</u>	<u>Owner</u>	<u>Maintenance</u>
Tract A (Parks, Mailboxes, Fences, Walls, Open Space Public Pedestrian Access, Public Utilities, Drainage)	182,246	56.20%	HOA	Surface Maintenance HOA
Tract B, C, D (Private Access, Public Utilities)	26,739	8.25%	HOA	HOA
Lots (42 Total)	93,389	28.80%	Individual Lot owners	
Public R.O.W.	21,893	6.75%	County	County
Total	324,267	100%		

PHASED CONSTRUCTION AND ANTICIPATED DEVELOPMENT SCHEDULE:

Development phasing will not be proposed within Filing No. 3. All open space tracts will be developed with the adjacent residential lots as they occur. All directly adjacent single-family development (Hannah Ridge at Feathergrass Filing 1 and 2, together with Midtown Collection at Hannah Ridge Filing No. 1) are either built out or under construction. Filing 3 construction will commence upon receipt of approvals to do so.

PUD MODIFICATIONS / DEVIATION REQUESTS:

Chapter 4.2.6.F.2.g of the Land Development Code (LDC) allows for a PUD modification of a general development standard in the LDC or criteria of the Engineering Criteria Manual (ECM), provided at least one of the benefits identified in Chapter 4.2.6.F.2.h are met.

Nature of Request:

Section of LDC/ECM from which modification is sought:

LDC 8.4.4.C, LDC 8.4.4.D.1, LDC 8.4.4.E.3, ECM 2.3.8.A, and ECM 2.2.5.E

Specific Criteria from which modification is sought:

8.4.4.C: Divisions of land lots, and tracts, shall be serviced by public roads

8.4.4.D.1: Maximum number of lots on dead-end road (25).

8.4.4.E.3: Private roads shall be constructed and maintained to ECM standards.

2.2.5.E: The closest intersection to a collector shall be 175 feet.

2.3.8.A: Cul-de-sac shall be used only when absolutely necessary.

Proposed nature and extent of modification:

While primary access to this community is via a proposed standard County public road, and several homes are accessed from said road, the following lots are accessed from HOA owned and maintained private Streets:

Filing No. 3: Lots 1- 26 and 30 - 42

Per Section 8.4.4.E.3, Use of private roads is generally limited except in situations where they are not likely to be needed for the convenience and safety of the general public which is the condition we are proposing with the short, dead-end private roadways. While private, the roadways serving the single-family lots above will be built to County pavement standards and use County curb sections as well, and will be posted as private roads with street signage. The fire protection district (Falcon Fire) serving this site had no comments other than fee payment and ultimate construction document review. In addition, the entire 42 lot community being served by the single point of access (public cul-de-sac) is completely surrounded by existing El Paso County streets (Constitution Avenue, Hannah Ridge Drive, Hunter Jumper Drive and Akers Drive providing ample non-vehicular access to the community. Due to the classification of these roadways and limited size of the roadway frontage for this site, additional access points are not proposed, or practical. The use of the proposed cul-de-sac on the proposed public street (southerly extension of existing Equine Court), is logical due to the small nature of this site and inability to connect to Constitution Avenue.

LDC Chapter 4.2.6.F.2.h: Modification of Existing LDC or ECM Standard.

For approval of modifications of a general development standard in the LDC or criteria or standard of the ECM, the BOCC shall find that the proposal provides for **at least one** of the following benefits:

- Preservation of natural features;

N/A as no natural features exist on the site.

- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;

Justification:

The unique nature of this community allows for homes to face open space areas and /or adjacent public streets. Creating and aesthetically pleasing appearance form the adjacent community and adjacent roadway users as well as proposed open space areas, along with multiple pedestrian connections.

- Provision of a more efficient pedestrian system;

Justification:

The proposed sidewalk network promotes community interaction as users will share a sidewalk in most areas that connects to open space areas and the nearby Rock Island Trail to the west. The layout also separates pedestrian and driveway access at a percentage much higher than normal communities providing enhanced pedestrian connectivity to interior and adjacent pedestrian routes.

- Provision of additional open space;

N/A.

- Provision of other public amenities not otherwise required by the Code; or

N/A.

- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.

Justification:

The proposed PUD Plan reflects a variation on product type, community design and pedestrian circulation that is unique to El Paso County, the lots width is dictated by a notable vertical home design targeted to a generation of home buyer desiring a more contemporary feel while also being attainable. Usable open space on the PUD is 1.33 AC or 18% of the site. 4.184 acres (56.20% of the overall site) is open space comprised of common area drainage corridors, a full spectrum detention facility and perimeter landscape areas.

OVERALL JUSTIFICATION:

Proposed Filing 3 is the final residential phase 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 (Equine Court).

The proposed PUD Plan is located within the developing Hannah Ridge at Feathergrass community. 42 single family detached residential homes are proposed where a commercial retail use 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 and Preliminary Plan with PUD Modifications requirements, as set forth in the standards for Divisions of Land in Chapter 7, of the El Paso County Land Development Code (2018). 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

Adherence to County Land Development Code (modified) has been met to approve a Preliminary Plan based upon the following:

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of this Code;
- The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
- 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 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;
- 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)];
- 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;
- 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;
- The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;
- Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and

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

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.

Existing facilities provided in Hannah Ridge at Feathergrass Filing No. 1 include Hannah Ridge Drive and Hunter Jumper Drive (60-80' row), as well as the associated mainline utilities and utility services for the lots. Storm drainage and stormwater quality facilities were also provided for those prior communities and existing Stormwater Quality Capture Volume Facility is located on the west side of the existing tract. Based upon prior conversations with county engineering staff, this facility will be modified to a private Full Spectrum Detention Facility to accommodate the development of this site and the existing upstream tributary area. This facility will be maintained by the homeowner's association.

Utility Providers:

Water and Wastewater:	Cherokee Metro District
Gas:	Colorado Springs Utilities
Electrical:	Mountain View Electric (including public street lighting standards)

No identified geotechnical hazards, floodplans, wetlands or wildlife habitats have been identified on the site. An existing partially improved public drainage channel is located along the Constitution Avenue boundary. This channel will be fully improved as a part of this neighborhood development.

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. 3 is located completely within the Falcon Fire Protection District and the District has provided a letter of agreement to serve. Falcon Fire Protection District 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 with a density of 4.97 DU/AC. Directly west is existing Midtown at Hannah Ridge Filing No. 2 with a density of 6.69 DU/AC, while the proposed reflects 5.64 DU/Ac for the Filing No. 3 Midtown Collection at Hannah Ridge. This range of existing and proposed densities is similar and compatible.

LANDSCAPING AND BUFFERING:

Frontage of Constitution Avenue will be landscaped in accordance with the proposed PUD plan. Landscape trees will be planted along Constitution Avenue.

Usable open space on the PUD is 1.33 AC or 18% of the site.

Street right-of-way's and entries will also be landscaped as indicated on the PUD Plan. The landscaping 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. This community will be providing all sidewalk along its perimeter street frontage, including all ADA pedestrian ramps for intersecting streets and a pedestrian ramp on the west side of the Constitution Blvd. and Hannah Ridge Dr. intersection that will facilitate a future Constitution Blvd. crossing once the signal is warranted and installed and additional sidewalk is installed with adjacent development on the south side of Constitution Blvd. Pedestrian crossing of this arterial intersection is not proposed at this time due to safety concerns related to crossing a currently unsignalized intersection and no receiving facilities being present. In addition, there are no perimeter sidewalks, pedestrian ramps or curb and gutter along the perimeter of the existing Cimarron East Ridge Park. The closest signalized intersections for crossing Constitution Blvd. are at Peterson Road or Marksheffel Road.

PROPOSED ACCESS LOCATIONS:

One access location already exists on the northern adjacent street with existing curb cuts as previously identified and approved by El Paso County. A full movement access is proposed at that location, specifically at Hunter Jumper Drive and Equine Court. This full movement intersection was completed within Hannah Ridge at Feathergrass Filing No. 1. The three dead end fire access roads within Tracts B, C and D will provide vehicular and emergency access to the lots adjacent to Nightwind Heights and Sure Thing Heights. An emergency turnaround is provided within Tract B and Tract C. A variance request is granted from the Falcon Fire District for Tract D (Nightwind Heights) allows for a 200' dead end without an emergency turnaround. A Traffic Impact Study update memo for the proposed development is provided with this application. This single access as approved on the 2007 PUD Plan remains unchanged. No off-site transportation improvement are required.

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 19-471. 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.

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