

# **UTW Academy Development, LLC**

**One Metropolitan Square, Suite 3000**

**St. Louis, MO 63102**

May 10, 2021

Via e-mail

## **LETTER OF INTENT**

Kristy Martinez, AICP  
Planning Supervisor  
City of Fountain  
116 S. Main Street  
Fountain, Colorado

RE: Replatting of Lots 7&8 and Tract J of South Academy Highlands Filing No. 1 request from  
UTW Academy Development, LLC (the "UTW")

Ms. Martinez:

Please accept this letter as the requested letter of intent with respect to the above referenced matter. Attached hereto is the concept plan/preliminary site development plan for the proposed full utilization of lots 7 & 8, consisting of three restaurants and an auto parts supply retailer. UTW is currently in final contract negotiations with 3 of the 4 users and is in preliminary discussions with the fourth user. UTW seeks subdivision approval and the approval of associated improvements needed with respect to the subdivision and the sale of each of the lots. The attached concept plan identifies the utility extensions, roadway and retaining wall improvements that UTW anticipates completing in connection with the subdivision and sale of the lots. In addition to the access that will be provided by the rear/west road (shaded in green), all four lots will benefit from cross-access easements that will facilitate access throughout the front parking lots.

UTW seeks to divide lots 7 & 8 into four lots and to incorporate the associated portions of Tract J with each lot to which it is adjacent. This the same as what was accomplished a number of years ago with respect to former lots 5 & 6 located across the street, on the east side of Venetucci Boulevard, in which Tract I was incorporated into the revised lots 5 & 6, but subjected to a use restriction to retain the required green space. The desire here is for the owner of each of the four new lots to acquire the corresponding portions of Tract J and thereby assume the maintenance responsibility for the corresponding portion of Tract J.

UTW is not here seeking amended development plan approval. Each user shall be petitioning the City for that approval, who will be better suited to share the more specific details of the development of their respective lots. UTW is seeking subdivision approval and approval of the associated subdivision improvements this summer, in order that work can commence and be completed prior to the end of this

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year's construction/paving season. We would anticipate that each user will seek their various approvals this fall and commence construction in early Spring.

UTW continues to retain Classic Consulting, who were the engineers of record on the original phase of the South Academy Highlands project and Matt Larson, of Classic will be available for the DRT meeting as will I. Look forward to addressing all questions at the May 20<sup>th</sup> meeting. The application fee is being paid by credit card and addressed with Ms. Phelps, as you had suggested. If you should have any questions in advance of the meeting, please do not hesitate to contact me.

UTW Academy Development, LLC

A handwritten signature in black ink, appearing to read 'J.P. Otto', with a stylized flourish at the end.

Jeffrey P. Otto

Cc: Alan Bornstein  
Matt Larson