

Meggan Herington, AICP, Executive Director
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Board of County Commissioners

Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 3/28/2024
RE: SF235; Crawford Apartments

Project Description

A request by Aime Ventures, LLC for approval of a 1.157-acre Final Plat creating one multifamily lot to accommodate 22 multifamily units. The property is zoned RM-30 (Residential Multi-Dwelling) and is located on the north side of Crawford Avenue, approximately 350 feet west of Grinnell Boulevard.

Notation

Please see the Planning Commission Minutes for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

Discussion

The Final Plat application was heard as a consent agenda item at the March 7, 2024, Planning Commission hearing. As a consent agenda item, there was no discussion.

Planning Commission Recommendation and Vote

Ms. Brittan Jack moved / Ms. Merriam seconded to recommend approval for the Final Plat, utilizing the resolution attached to the staff report with nine (9) conditions, two (2) notations, and a finding of water sufficiency with regards to quality, quantity, and dependability, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was unanimously **approved (9-0)**.

Attachments

1. Planning Commission Minutes from 3/7/2024.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Public Comments.
5. Draft BOCC Resolution.

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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting
Thursday, March 7, 2024
El Paso County Planning and Community Development Department
2880 International Circle – Second Floor Hearing Room
Colorado Springs, Colorado

REGULAR HEARING, 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: THOMAS BAILEY, SARAH BRITTAIN JACK, JIM BYERS, BECKY FULLER, BRANDY MERRIAM, ERIC MORAES, BRYCE SCHUETTELPELZ, WAYNE SMITH, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: NONE.

PC MEMBERS ABSENT: JAY CARLSON, JEFFREY MARKEWICH, KARA OFFNER, AND TIM TROWBRIDGE.

COUNTY STAFF PRESENT: MEGGAN HERINGTON, JUSTIN KILGORE, RYAN HOWSER, KYLIE BAGLEY, SCOTT WEEKS, DANIEL TORRES, ED SCHOENHEIT, VICTORIA CHAVEZ, MIRANDA BENSON, AND LORI SEAGO.

OTHERS PRESENT AND SPEAKING: DAVE GORMAN, LARRY FARISS, NANCY REINHARDT, CHERYL PIXLEY, JUDITH VON AHLEFELDT, DOUG DIDLEAU, ARTHUR GONZALES, ADAM LANCASTER, AND JASON NELSON.

1. REPORT ITEMS

Ms. Herington updated the board regarding the anticipated Land Development Code update. PCD has entered into a contract with a Colorado-based planning and law firm, Clarion Associates. In addition to involvement from herself and Mr. Kilgore, Kylie Bagley will be the project manager. Ms. Bagley will be scheduling meetings with PC members and stakeholders. Once the plan is established, PCD will bring Clarion before the PC for more information. Additionally, PCD staff is working on a Master Plan implementation report. Ryan Howser will be the project manager for that report. She anticipates a presentation to the PC by this summer. The next PC Hearing is Thursday, March 21, 2024, at 9:00 A.M.

2. CALL FOR PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA (NONE)

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held February 15, 2024.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (9-0).

B. SF2215

BAGLEY

FINAL PLAT PAIR-A-DISE SUBDIVISION FILING NO. 1

A request by Aaron Atwood for approval of a 5.04-acre Final Plat creating two single-family lots. The property is zoned RR-2.5 (Residential Rural) and is located at 515 Struthers Loop, one-third of a mile south of the intersection of West Baptist Road and Leather Chaps Road. (Parcel No. 7136002005) (Commissioner District No. 3)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: MS. FULLER MOVED / MR. MORAES SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER SF2215, FOR A FINAL PLAT, PAIR-A-DISE SUBDIVISION FILING NO. 1, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH ELEVEN (11) CONDITIONS, TWO (2) NOTATIONS, ONE (1) WAIVER, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

C. MS237

BAGLEY

MINOR SUBDIVISION GRAUPNER SUBDIVISION

A request by M.V.E., Inc. for approval of a 41.37-acre Minor Subdivision creating four single-family lots. The property is zoned RR-5 (Residential Rural) and is located at 14710 Tanner Trail, 0.64 miles south of the intersection of Woodlake Road and Tanner Trail. (Parcel No. 4132000010) (Commissioner District No. 1)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: MR. SCHUETTPELZ MOVED / MS. BRITTAIN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3C, FILE NUMBER MS237 FOR A MINOR SUBDIVISION, GRAUPNER SUBDIVISION, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TEN (10) CONDITIONS, TWO (2) NOTATIONS, ONE (1) WAIVER, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

D. SF235

HOWSER

FINAL PLAT CRAWFORD APARTMENTS

A request by Aime Ventures, LLC for approval of a 1.157-acre Final Plat creating one multi-family lot to accommodate 22 multi-family units. The property is zoned RM-30 (Residential Multi-Dwelling) and is

located on the north side of Crawford Avenue, approximately 350 feet west of Grinnell Boulevard. (Parcel No. 6513125009) (Commissioner District No. 4)

NO PUBLIC COMMENT

DISCUSSION

Mr. Bailey recognized that public comments had been received and provided to the board.

Mr. Moraes expressed gratitude for the public comments. He further stated that the zoning on the property is already RM-30, so the owner has the legal right to build up to 30 units per acre on their property. There will be further steps before the structure is built. He encouraged the public to work with PCD to stay engaged and follow the process.

Ms. Fuller reiterated that Final Plat is further along in the process than the zoning decision. She encouraged members of the public to review the criteria of approval for project types to understand what the PC is required to look at when making their recommendation.

PC ACTION: MS. BRITTAIN JACK MOVED / MS. MERRIAM SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3D, FILE NUMBER SF235 FOR A FINAL PLAT, CRAWFORD APARTMENTS, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH NINE (9) CONDITIONS, TWO (2) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

E. MS206

HOWSER

**MINOR SUBDIVISION
FOREST HEIGHTS ESTATES**

A request by Jon Didleaux and Phyllis Didleau Revocable Trust for approval of a 32.62-acre Minor Subdivision creating four single-family residential lots and two tracts. The property is zoned RR-5 (Residential Rural) and is located at 8250 Forest Heights Circle. (Parcel Nos. 5209000050, 5209000120, and 5209000121) (Commissioner District No. 1)

PC ACTION: THIS ITEM WAS PULLED TO BE HEARD AS A CALLED-UP CONSENT ITEM PER MS. FULLER.

4. CALLED-UP CONSENT ITEMS

3E. MS206

HOWSER

**MINOR SUBDIVISION
FOREST HEIGHTS ESTATES**

A request by Jon Didleaux and Phyllis Didleau Revocable Trust for approval of a 32.62-acre Minor Subdivision creating four single-family residential lots and two tracts. The property is zoned RR-5 (Residential Rural) and is located at 8250 Forest Heights Circle. (Parcel Nos. 5209000050, 5209000120, and 5209000121) (Commissioner District No. 1)

STAFF & APPLICANT PRESENTATIONS

Mr. Moraes asked where the private road would begin.

Mr. Daniel Torres, with DPW Development Services (Engineering), answered that the private road begins where Forest Heights Circle (private) meets Herring Road (public).

Mr. Smith asked why an applicant would choose a private road over a public road.

Mr. Torres explained that opting for a private road would give the developer additional allowances regarding right-of-way (ROW) width or paved cross-sections, as examples.

Mr. Whitney asked why more people aren't opting for private roads.

Mr. Torres replied that there are various reasons, but provided maintenance as one example.

Mr. Whitney reiterated that upkeep is the owner's responsibility if it's a private road. He then asked if the County has a preference between public or private so long as the road meets the criteria.

Mr. Torres clarified that County staff does review the proposed road to ensure it is sufficient. That process was completed in this case and the 20-foot cross-section was agreed upon.

Mr. Smith asked if a private road could restrict public access (to trails, for example).

Mr. Torres answered that it would depend on what the access easement identifies. If a gate were put on the road, that could restrict access. He further stated that most private roads remain open to the public. The staff presentation concluded. The applicant's presentation began.

Mr. Bailey asked for clarification regarding whether a trail easement was being requested on the northern side of the proposed Lot 1.

Mr. Dave Gorman, with M.V.E. Inc., representing the applicant, stated they are not proposing an easement in the location. He explained that the property owners are not comfortable with having a public trail on or leading directly to their mother's backyard (8250 Forest Heights Circle). He further explained that fencing along the property line has been in existence since the 1980s.

Mr. Bailey expressed his position that nothing compels a property owner to grant an easement. He recognizes that someone has asked for it but Mr. Gorman has explained why the family did not grant that access. He recognizes that that is the applicant's choice.

Mr. Gorman added that nothing prevents future discussion between the property owners. As trails extend, other doors may open. The presentation continued.

Mr. Whitney asked for verification that the applicants had no issue with the Black Forest Trail easement running along Forest Heights Circle.

Mr. Gorman confirmed. The easement can be placed on the roadway. He added that there is another resident who owns connecting land, so they would need to approach them to see if they are agreeable. Regarding the land included on this Final Plat, that easement is acceptable.

Mr. Byers clarified that they were just discussing the east to west trail that would lay over the roadway. He then asked about the platted easement that runs north to south.

Mr. Gorman explained that the north to south utility easement is for a gas line and a trail easement runs over it as well.

Mr. Byers asked why trails were being dedicated when there is no apparent connectivity.

Mr. Gorman answered that the County Parks Department asked for the trail dedication, knowing there was no current connectivity outside the subject plat, with the hopes and/or expectation that there would be trail connections in the future.

Mr. Byers asked if there was a current trail connection to the south.

Mr. Gorman replied that there is no connection. He added that he's not sure if unofficial trails exist.

Mr. Bailey reiterated that the utility easement exists regardless of an additional trail easement.

Mr. Byers pointed out the that parcel of land excluded from the subject plat (in the center) does not have the trail easement. The trail is not continuous through the property.

Mr. Gorman confirmed. The current applicant cannot grant that easement as they are not the owner of that parcel. Even though there is no current connection, the applicant complied with the dedication requested by the Parks Department.

Ms. Fuller asked about the current shape of the overall parcel.

Mr. Gorman explained that over time, pieces of land were carved out and sold off by a previous owner before the State's subdivision law. The applicant's proposal attempts to create parcels that each have road access.

Mr. Bailey asked PCD staff if this subdivision created legal lots where there currently are none.

Mr. Howser confirmed.

Mr. Gorman noted that often in those cases, there are existing homes on the "illegal" lots, but there are no houses on the proposed lots of this subdivision.

PUBLIC COMMENTS

Mr. Bailey began the public comment period by asking for the LDC approval criteria to be presented and asked that public comments be limited to the criteria. He pointed to item 8 on the list, "Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM." He stated that the criteria does not call for any other organization's need to approve easements. The PC cannot consider points that are not relevant to the LDC criteria of approval.

Mr. Larry Fariss spoke in opposition. He mentioned that trails are important to him, that there are many dirt road/trail connections in the area that go across people's properties, and that even his property had a trail between two adjacent dirt roads. He used these trails before the Black Forest fire, after which he became an "absent owner" (he still owns his property and lives in the region, but not on the same land that was burned). He was the president of the Black Forest Trails Association (BFTA) for 10-15 years, during which time he coordinated trail connectivity with private landowners, including the Didleau's. He believes the subject property to be a linchpin for the area's trail system. He then referred to the proposed Final Plat. He explained why a trail easement along the northern boundary of Lot 1 would create a connection from Meadow Glen Lane (to the north), down the utility easement, and west from Forest Heights Circle to Herring Road. If the Didleau family doesn't want a trail on or leading to their mother's property (which is directly east of Lot 1), he stated that the neighbors north of Lot 1 verbally agreed to allow a trail connection from Lot 1, across the corner of their property, to Meadow Glen Lane. He stated that as the next president of BFTA, he will target implementation of a trail connection in this area as a priority. He also requested that Forest Heights Circle not be gated so the public can walk along the road.

Ms. Nancy Reinhardt spoke in opposition. She previously lived south of Black Forest Section 16 Trail (which is south of the subject property). She described her previous use of trails in the area.

Mr. Bailey reiterated that the proposed Final Plat does not include an easement across Lot 1. He expressed that the board understands the issue - that other people want access to this landowner's private property - but that's not something the board can consider in review of this Final Plat request. He stated it is not the role of the PC to compel a landowner to grant public access to their property.

Ms. Cheryl Pixley spoke in opposition. She stated that the proposed plat notes already call for a 20' wide utility and drainage easement along the subdivision's boundary lines. As the northern lot line of Lot 1 is a subdivision boundary line, she is requesting that easement also be dedicated as a public trail easement. She stated that significant effort has been made since the Black Forest fire to reestablish trail connections. She stated that the Your El Paso Master Plan strategic plan goals could be accomplished by looking at the bigger picture of how the subject proposal serves the citizens. She stated this could be an example of cooperation between the County and the people it serves by respecting and securing for the future "historical amenities" used by other residents. She stated that she has no opposition to the Final Plat, but asks that the board use its discretion to recommend a plat modification and to recommend the following conditions of approval: 1) Designate a 20' wide multi-use, non-motorized trail easement along the 20' wide utility and drainage easement at the north lot line of Lot 1, starting from the regional trail in the gas pipeline easement and continuing to the northeast corner of Lot 1; and 2) Designate a public trail easement from Herring Road east along the length of the gravel road known as Forest Heights Circle.

Ms. Judith von Ahlefeldt spoke in opposition. She spoke about the history of the area. She was formerly the secretary for BFTA. She agreed that a trail easement across Lot 1 would be pivotal to BFTA's efforts in connecting dirt roads with private easements over the last 25 years. She continued to describe the history of the area. She then discussed the maintenance agreement for the road, which she did not sign because she did not feel protected. She described how the agreement was set up; the 2 elected administrators would make all decisions. She contributed financially to road maintenance in the past. She doesn't think the road needs the level of improvement proposed. She stated there are wetlands and springs on the subject property. She further stated Vollmer hill is the highest point east of the Rocky Mountains until the Mississippi River so there is not much watershed or flooding. She criticized County engineers' drainage report and suggestions, which she called "overkill". She dislikes the placement of the cul-de-sac because she believes the proposed location will have the maximum impact on wetlands and will incur a higher cost for the Didleau's. She thinks the cul-de-sac should be positioned further from her property, between proposed Lots 1 and 4, with only driveways leading east. As it is currently proposed, there will be a large ditch close to her property line. Her offer to purchase part of the Didleau's property so she could decide where the cul-de-sac and driveways were located was not entertained. She stated that she submitted multiple documents early in the subdivision process that discuss environmental impacts and the history of the property. She acknowledged that many of her issues were not resolved in the Final Plat process because they're not part of the review criteria. She referred to the Your El Paso Master Plan calling for each project in the forested key area to be reviewed on a case-by-case basis to determine impacts. She read additional considerations from a list on page 8 of 13 within a document she provided, which is uploaded to EDARP and part of the public comment record. She asked for the PC to recommend the applicants collaborate with BFTA to establish a trail easement and maintain connection to Meadow Glen Lane.

Mr. Doug Didleau, the applicant's son, provided rebuttal comments. He stated that a meeting with neighbors, BFTA, and Duncan Bremer (attorney) was held by his mother in May 2023. At that meeting, a trail was proposed traveling east from the cul-de-sac towards the Redtail Ranch subdivision, crossing Ms. von Ahlefeldt's property, then connecting back to Meadow Glen Lane with a trail on the northern lot line of 8250 Forest Heights Circle (his mother's property, not part of the current subdivision). This way, the trail would be in front of his mother's house, not behind. He

stated that Ms. von Ahlefeldt rejected that trail access on her property. He stated that his family did not feel like they should have 100% of a trail they don't want and won't use on their property when the advocate for the trail system doesn't want part of it on her own property. He stated that Ms. Pixley even made various suggestions to Ms. von Ahlefeldt, but they were all rejected. He provided photos of a fence that a previous owner of the property had installed in the 1980s, which are uploaded to EDARP and part of the record. He stated that recent work on the fence was only done as upkeep and repair. Anyone crossing that trail could only have done so after vandalizing the fence and trespassing. He further mentioned that his family had been victims of theft.

Mr. Gorman responded to the remarks about the road design. The road was designed to be as compliant as possible with the ECM for safety and durability and was reviewed by County staff. The U.S. Army Corps of Engineers was notified of the project, and they had no problems. He addressed the maintenance agreement even though it is a private matter. The co-administrators will be required to submit an annual budget report that must be approved by members of the agreement.

DISCUSSION

Ms. Merriam asked who would be responsible for ensuring the safe public use within an easement if a trail were to be put on the property. Who would be responsible financially?

Mr. Gorman didn't know. (During this time, Mr. Howser approached Ms. Seago to discuss.)

Mr. Bailey noted that while interesting, the existence and/or details of a maintenance agreement are not relevant to the Final Plat request.

Ms. Brittain Jack stated there are many issues with people crossing private property. She is currently working with people in a similar situation; she doesn't think this applicant should be compelled to grant an easement. She mentioned there may be relevant legislation on the topic.

Mr. Howser stated that the County wouldn't be able to provide an answer to Ms. Merriam's question because it would not be a County easement. It would be a private matter between the property owners and BFTA.

Mr. Whitney agreed that a property owner shouldn't be made to do anything they don't want to do unless it's unlawful. Overall, the situation should be fixable, but the PC cannot order someone to give an easement.

Mr. Bailey reiterated that the PC is making a recommendation to the BoCC and is only considering the Final Plat request. He mentioned that once the lots are subdivided, it's possible that whoever purchases Lot 1 might agree to an easement along the northern lot line. He further mentioned that BFTA could purchase Lot 1. He stated that private property rights are important to the PC and BoCC. He agreed with Mr. Whitney's comments. There are other solutions to the problem.

Ms. Fuller asked about adding language to the Final Plat to dedicate Forest Heights Circle as a trail easement, as earlier discussed. She expressed that she will be in favor of the Final Plat. She doesn't think discussion of a maintenance agreement or location of the cul-de-sac are appropriate. She mentioned private property rights and remarked that if the Didleau's want to place it where they've proposed, then it's not up to the neighbor, who doesn't own the property and won't be paying for it, to change that decision. She expressed confidence in its design since it has gone through the review process. She agreed that there are likely other places to make a trail connection.

UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH NINE (9) CONDITIONS, TWO (2) NOTATIONS, TWO (2) WAIVERS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

5. REGULAR ITEMS

A. MP233

CHAVEZ

MASTER PLAN CO 83 ACCESS CONTROL PLAN

The El Paso County Department of Public Works in conjunction with Colorado Department of Transportation (CDOT) and the City of Colorado Springs requests adoption of the CO 83 Access Control Plan as an element of the El Paso County Master Plan. With adoption, this Plan will become the principal plan for further planning and development of the CO 83 corridor access within unincorporated El Paso County and the City of Colorado Springs on this CDOT owned highway. The Plan encompasses CO 83 at Powers Boulevard (CO 21) to County Line Road (Palmer Divide Road). (All Commissioner Districts)

STAFF & APPLICANT PRESENTATIONS

Ms. Victoria Chavez, DPW Transportation Manager, introduced **Mr. Arthur Gonzales**, CDOT Access Manager. Mr. Gonzales began the presentation.

Mr. Bailey asked if any issues had been reported at Stagecoach after improvements were made.

Mr. Jason Nelson, CDOT Traffic Engineer, replied that Commissioner Williams had put him in contact with an HOA on the west side of Highway 83. He attended a large meeting with residents. He remarked that many items within the staff presentation were a result of that meeting. Flying Horse North made improvements on the east side of the road, but a study was conducted, a consultant is on board, and CDOT is looking to schedule a public open house. Opportunities for the intersection will be evaluated. There is no funding currently, but they are connecting with the public.

Mr. Bailey wondered if this was a situation where residents were worried about change but then pleasantly surprised after improvements were made.

Mr. Nelson sympathized with the residents' concerns that only half the intersection was improved.

Mr. Gonzales continued the presentation.

Ms. Merriam asked if traffic and incident reports were updated periodically given that so much change has taken place in the County and State. Numbers from 5 years ago may no longer be relevant in certain areas.

Mr. Gonzales used Stagecoach Road as an example. When changing traffic patterns are observed, or additional development occurs, CDOT does an operations evaluation to reassess that area.

Mr. Nelson further explained that there is a robust safety program and fatality investigations take place within 24 hours. CDOT tracks causation factors. He noted that El Paso County has a high crash rate. Regarding Highway 83, speeding and distracted driving are common causes.

Ms. Merriam suggested that updating reported numbers would be beneficial because only 5 years from adoption of this Plan, the statistics will be 10 years old.

Mr. Nelson replied that they could complete that update.

Mr. Bailey compared Ms. Merriam's observation to the situation the PC found themselves in when adopting the Your El Paso Master Plan. One segment of that Plan included an evaluation of "existing conditions". By the time the Plan was ready for adoption, the existing conditions had changed. He reiterated that CDOT is constantly monitoring data. He asked Ms. Merriam if she was requesting changes prior to adoption.

Ms. Merriam mentioned presentation slideshow page 7 and stated it might be better to include language that indicates continuous research. She doesn't see reference to ongoing data.

Mr. Gonzales understood the request and concluded the presentation.

NO PUBLIC COMMENTS

DISCUSSION

Mr. Smith asked how traffic is counted and monitored. He specifically asked about traffic congestion from southbound Highway 83 onto Powers Boulevard in. That traffic light is confusing for people who don't travel to that area often.

Mr. Nelson answered that CDOT has a yearly count program. He mentioned that over the last 5 year, CDOT has expanded a website called MS2 Data. All consultants and vendors in Colorado that do traffic counts are contributing to that database, so the info includes highways, rural roads, city streets, etc. If CDOT doesn't count a road every year, they'll grow it per year using a growth factor based on land-use. Overall, there's a robust data collection system in place. He then addressed the Highway 83/Powers Boulevard intersection. He explained that a second phase connection to Powers will move forward soon but is development funded. That intersection will change significantly in the future.

Mr. Bailey noted that traffic studies in the area will be artificially inflated as long as Voyager Parkway remains closed for improvements.

Ms. Chavez pulled up another presentation so that Mr. Gonzales could explain a change made because of public comment.

Mr. Gonzales reviewed the history of the change. There was a previous agreement with CDOT regarding where his property access would be located. That access had not been included in the initial Plan. They worked with the citizen to update the Plan.

Ms. Chavez pulled up other attachments included in the hearing packet. She explained that the IGA goes to the BoCC and is not signed by the PC. The chart shows updates made to the Plan. This Plan is used by PCD during EA meetings held with potential developers in the area.

PC ACTION: MR. MORAES MOVED / MS. BRITTAIN JACK SECONDED TO APPROVE ADOPTION OF REGULAR ITEM 5A, FILE NUMBER MP233 FOR A MASTER PLAN, THE CO 83 ACCESS CONTROL PLAN, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS. THE MOTION TO APPROVE ADOPTION PASSED (9-0).

6. NON-ACTION ITEMS (NONE)

MEETING ADJOURNED at 11:40 A.M.

FINAL PLAT (RECOMMEND APPROVAL)

BEATTAIN - JACOB moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SF235
CRAWFORD APARTMENTS

WHEREAS, Aime Ventures, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Final Plat for the Crawford Apartments Subdivision for the property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on March 7, 2024; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code (as amended):

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is in substantial conformance with the approved preliminary plan;
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;
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 the 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;
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 the Code;
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)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM;
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 the Code and the ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;

10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
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 of the Code;
12. 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;
13. The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.].

WHEREAS, 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 the Land Development Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Aime Ventures, LLC for a final plat of Crawford Apartments be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.

5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
7. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
8. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
9. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 3/9/2023, as provided by the County Attorney's Office.

NOTATIONS

1. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

MERRIAM seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	<u>aye</u> / no / non-voting / recused / absent
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	<u>aye</u> / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / <u>absent</u>

Becky Fuller	<u>aye</u> / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / <u>absent</u>
Brandy Merriam	<u>aye</u> / no / non-voting / recused / absent
Eric Moraes	<u>aye</u> / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / <u>absent</u>
Bryce Schuettepelz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	<u>aye</u> / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / <u>absent</u>
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

The Resolution was adopted by a vote of 9 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 7th day of March 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
Thomas Bailey, Chair

EXHIBIT A

Tract A, Fountain Valley Ranch Subdivision Filing No 6B, County of El Paso, State of Colorado, according to the plat thereof recorded December 11, 1995 in Plat Book H-5 at Page 151 of the records of Said County and containing 50,400 st / 1.157 ac



COMMISSIONERS:
CAMI BREMER (CHAIR)
CARRIE GEITNER (VICE-CHAIR)

HOLLY WILLIAMS
STAN VANDERWERF
LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Ryan Howser, AICP, Planner III
Lupe Packman, EI, Engineer I
Meggan Herington, AICP, Executive Director

RE: Project File Number: SF235
Project Name: Crawford Apartments
Parcel Number: 6513125009

OWNER:	REPRESENTATIVE:
Aime Ventures, LLC 1900 Pikes Peak Avenue Colorado Springs, CO 80909	Kimley-Horn & Associates 2 North Nevada Avenue, Suite 300 Colorado Springs, CO 80903

Commissioner District: 4

Planning Commission Hearing Date:	3/7/2024
Board of County Commissioners Hearing Date:	3/28/2024

EXECUTIVE SUMMARY

A request by Aime Ventures, LLC for approval of a 1.157-acre Final Plat creating one multi-family lot to accommodate 22 multi-family units. The property is zoned RM-30 (Residential Multi-Dwelling) and is located on the north side of Crawford Avenue, approximately 350 feet west of Grinnell Boulevard.

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Vicinity Map

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A. WAIVERS AND AUTHORIZATION

Waiver(s):

There are no waivers associated with this request.

Authorization to Sign: Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. APPROVAL CRITERIA

In approving a Final Plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended):

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- 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;
- 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 the 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 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 the Code;
- 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)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;

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- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the 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 of the Code;
- 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;
- The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.].

C. LOCATION

North:	RS-6000 (Residential Suburban)	Single-Family Residential
South:	RS-6000 (Residential Suburban)	Single-Family Residential
	CC (Commercial Community)	Commercial
East:	CC (Commercial Community)	Commercial
West:	RS-6000 (Residential Suburban)	Single-Family Residential

D. BACKGROUND

The Fountain Valley Ranch Sketch Plan was originally approved in 1981 as the Fountain Valley School Master Plan. The Fountain Valley Ranch Sketch Plan currently comprises approximately 375 acres, with approximately 342 acres of existing single-family residential uses, 24 acres of existing commercial uses, and 7 acres of proposed commercial uses.

On December 8, 1995, the subject property was platted as Tract A of the Fountain Valley Ranch Subdivision Filing No. 6B (Plat No. 9256).

On May 17, 2022, the Planning and Community Development Director approved a minor amendment to the Fountain Valley Sketch Plan to change the use classification of the subject property from commercial uses to multi-family residential uses (PCD File No.

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SKP221). The proposed Final Plat is consistent with the approved Sketch Plan for the property. On August 2, 2022, the BoCC approved a Map Amendment (Rezoning) from CC (Commercial Community) to RM-30 (Residential Multi-Dwelling) (PCD File No. P221).

If the current request for a Final Plat is approved, the applicant will be required to receive approval of a Site Development Plan application. The Final Plat must be recorded prior to initiating any land disturbing activities unless approval of a pre-subdivision site grading request is granted by the Board of County Commissioners. In order to initiate any uses of the property, the applicant will need to obtain Site Development Plan approval.

E. LAND DEVELOPMENT CODE AND ZONING ANALYSIS

The Final Plat application meets the Final Plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (as amended).

The applicant intends to use the property for multi-family residential purposes. The property is completely bordered on the north and west sides and partially on the south side by existing single-family residential development with a minimum lot size of 6,000 square feet within the RS-6000 (Residential Suburban) zoning district. Directly adjacent to the south and east are properties zoned CC which are currently being utilized for commercial uses. See the Master Plan Analysis sections below for further analysis of compatibility with surrounding uses.

The property is located within the CAD-O (Commercial Airport Overlay District) zoning overlay; however, it is not located within any of the sub-zones. The Colorado Springs Airport Advisory Commission (AAC) was sent a referral regarding the map amendment. The case was heard at the April 26, 2023, AAC hearing and the AAC provided a response indicating no objections to the proposed Final Plat.

County review and administrative approval of a Site Development Plan will help ensure that adequate buffers, setbacks, and screening are implemented to further mitigate any potential impacts to the surrounding area. The site development plan review will also include compliance with all applicable aspects of the Land Development Code and the Engineering Criteria Manual, including but not limited to grading and erosion control, parking, landscaping, and lighting standards.

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F. MASTER PLAN COMPLIANCE

The proposed Final Plat is consistent with the Master Plan analysis which was provided with the Map Amendment (Rezoning) application P221 and approved by the BoCC on August 2, 2022.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

Expansive soils were identified during the review of the Final Plat. The applicant has provided a plat note identifying mitigation measures. The Colorado Geological Survey was sent a referral and has no outstanding comments.

2. Floodplain

The property is not located within a defined floodplain as determined by FEMA Flood Insurance Rate Map panel number 08041C0951G, dated December 7, 2018.

3. Drainage and Erosion

The property is located in the Big Johnson Drainage Basin (FOFO2600) which is included in the El Paso County Drainage Basin Fee program. Drainage fees have been previously paid.

Water quality and detention is not required for this subdivision as the development is disturbing less than one acre and the downstream stormwater facilities accounted for the developed flows from this site. The submitted drainage letter identifies that the developed flows from this site are less than those calculated in the previously approved subdivision drainage report for Fountain Valley Ranch Filing No. 6B and no adverse impacts on the downstream or surrounding areas will occur due to this development.

4. Transportation

The subdivision is accessed via Crawford Avenue, which is owned and maintained by El Paso County. A traffic study determined the length of the existing northbound left turn lane on Grinnell Boulevard does not meet criteria but is sufficient based on vehicle queuing analysis. A deviation request was submitted and approved for leaving the queue length as is.

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The El Paso County 2016 Major Transportation Corridors Plan Update does not depict roadway improvements in the immediate vicinity.

The development is subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471, as amended).

H. SERVICES

1. Water

Water will be provided by Security Water and Sanitation District. Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed Final Plat has an adequate water supply in terms of quantity and dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

2. Sanitation

Wastewater is provided by Security Water and Sanitation District.

3. Emergency Services

The property is within the Security Fire Protection District. The District was sent a referral and did not provide a response. However, the applicant provided a fire commitment letter indicating that the District has no concerns with the proposed development and is committed to serving the property.

4. Utilities

Electrical service is provided by Mountain View Electric Association (MVEA) and natural gas service is provided by Colorado Springs Utilities (CSU). Both MVEA and CSU were sent referrals and have no outstanding comments.

5. Metropolitan Districts

The property is within the Fountain Mutual Metropolitan District. The District was sent a referral and has no outstanding comments.

6. Parks/Trails

Fees in lieu of park land dedication in the amount of \$10,120.00 for regional fees (Area 4) and \$6,380.00 for urban fees (Area 4) will be due at the time of recording the Final Plat.

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I. Schools

Fees in lieu of school land dedication in the amount of \$2,508.00 shall be paid to El Paso County for the benefit of Widefield School District No. 3 at the time of recording the Final Plat.

J. APPLICABLE RESOLUTIONS

See attached resolution.

K. STATUS OF MAJOR ISSUES

There are no major issues.

L. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended) staff recommends the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.

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5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
7. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
8. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
9. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 3/9/2023, as provided by the County Attorney's Office.

NOTATIONS

1. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

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M. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 45 adjoining property owners on February 14, 2024, for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

N. ATTACHMENTS

Map Series

Letter of Intent

Plat Drawing

County Attorney's Letter

State Engineer's Letter

Airport Advisory Commission Recommendation

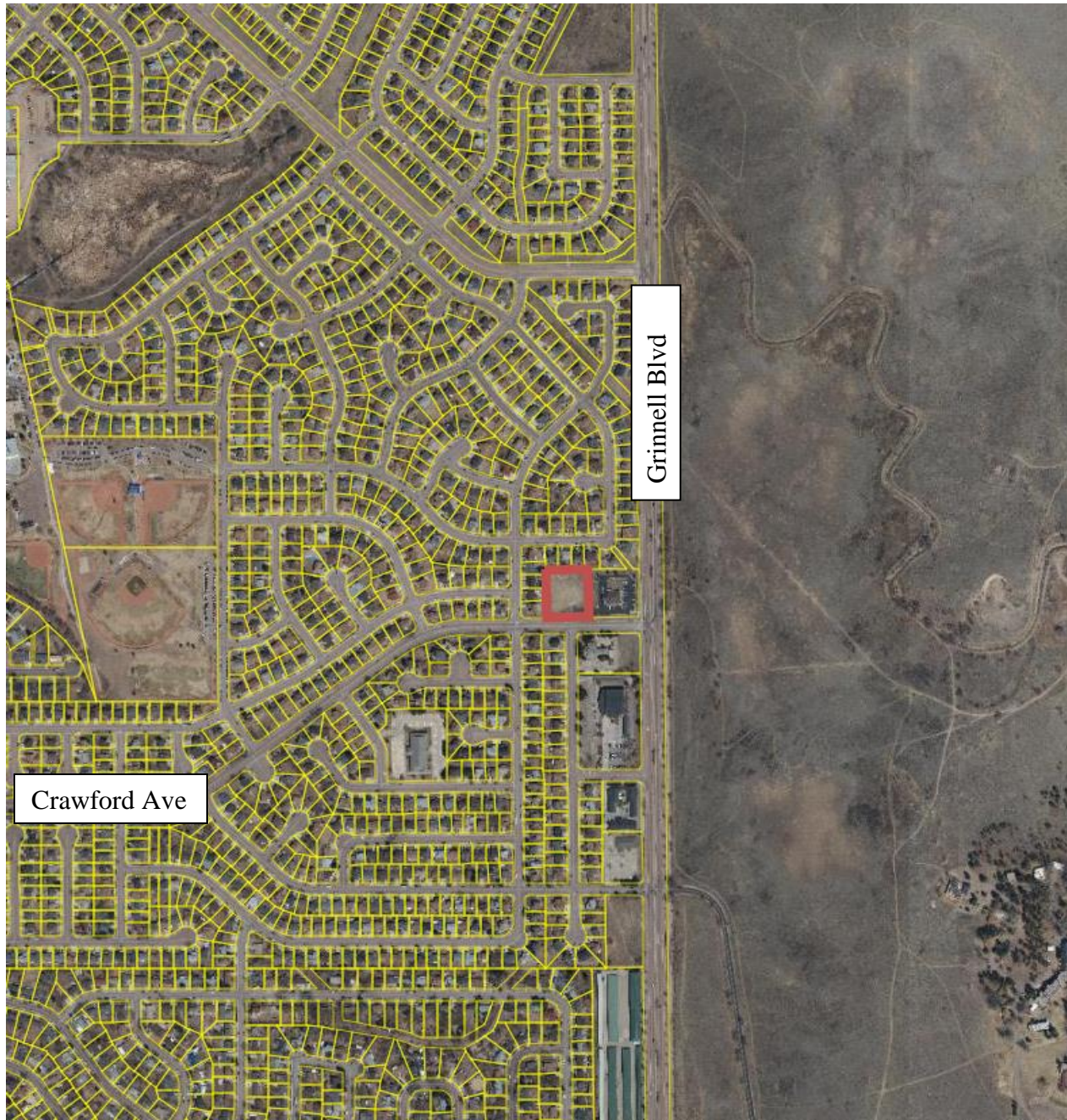
Draft Resolution

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Map Exhibit #1: Context



Map Exhibit #2: Placetype



Legend

	Rural		Employment Center
	Large-Lot Residential		Regional Open Space
	Suburban Residential		Mountain Interface
	Urban Residential		Military
	Rural Center		Utility
	Regional Center		Incorporated Area



Map Exhibit #3: Area of Change



Legend

- Protected/Conservation Area
- Minimal Change: Undeveloped
- Minimal Change: Developed
- New Development
- Transition



CRAWFORD AVENUE MULTIFAMILY FINAL PLAT

OCTOBER 2023

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER

AIME MANAGEMENT, LLC
ATTN: CHRISTEL AIME CEO
1900 E. PIKES PEAK AVE., SUITE #3
COLORADO SPRINGS, CO 80909
CAime@aime-management.com
719- 391- 4444

APPLICANT

JOHN P. NELSON ASSOCIATES
1626 E. PIKES PEAK AVE.
COLORADO SPRINGS, CO 80909
719-632-3384
John@jpnarch.com

PLANNING

KIMLEY-HORN AND ASSOCIATES, INC.
ATTN: LARRY SALAZAR
2 NORTH NEVADA AVENUE, SUITE 900
COLORADO SPRINGS, CO 80903

TRANSPORTATION ENGINEERING (TRAFFIC IMPACT STUDY)

KIMLEY-HORN AND ASSOCIATES, INC.
4582 SOUTH ULSTER STREET, SUITE 1500
DENVER, CO 80237

ENGINEERING:

JPS ENGINEERING, INC.
JOHN P. SCHWAB
19 E. WILLAMETTE AVENUE
COLORADO SPRINGS, CO 80903

SURVEYING

OLIVER E. WATTS CONSULTING ENGINEER, INC.
614 ELKTON DRIVE
COLORADO SPRINGS, CO 80907
ATTN: OLLIE WATTS, PE
(719) 593-0173
olliewatts@aol.com

REQUEST

The owner/applicant(s) has gone through the Rezone (P221- Approved 8/2/2022) and Sketch Plan Amendment (SKP221-Approved 5/18/2022) approvals for the 1.16 AC zoned RM-30 (Residential Multifamily) CAD-O (Commercial Airport Overlay District, ANAV (Aircraft Navigation Subzone) zone.

The Applicant intends to develop 22 multifamily units on the site with a maximum density of 20 DU/AC in the approved RM-30 zone. The planned community includes: two (2) story multifamily unit buildings, landscaping, and open space. Parking will be provided by uncovered surface parking. The Final Plat is to be processed and approved prior to approval of site development plan.

REVIEW CRITERIA & JUSTIFICATION

The Applicant requests approval of the Site Development Plan based on findings of consistency and general conformance with the approved map amendment. Master Plan conformity will be discussed in terms of general conformity with the Your El Paso Master Plan (Master Plan) and El Paso County Water Master Plan (WMP).

A. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;

The proposed Site Development Plan is in general conformance with the El Paso County Master Plan as discussed in detail below. This development pattern is consistent with the location and primary/supporting land uses of the Suburban Residential Placetype shown on the Placetypes Map in the Master Plan as confirmed with the Sketch Plan and Zone Change approvals.

The subject site remains vacant. The proposed multifamily units will complement the residential environment and provide a transition to the office use located on the corner of Crawford Ave and Grinnell Street.

Your El Paso Master Plan: LAND USE

Key Areas – identifies those areas of the County that are defined by unique localized characteristics having influence on land use and development. The property is located within a military Installations and 2-Mile Notification Key Area.

Areas of Change – identifies areas of the County that are anticipated to remain the same, undergo minor changes, or develop in a manner consistent with the exist area today. The project area is located within an area of “Minimal Change”: Developed area on the Areas of Change Map. These areas are characterized as

- having an established character
- being largely built out with pockets of vacant/undeveloped land
- likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area

The project proposes a more intense infill development (multifamily) that is located between existing commercial (financial institution) and single-family detached residential. The inclusion of the multifamily densities will not significantly impact the character of the area.

Placetypes – identifies the different development and land use characteristics for areas of the County that make up the various Placetypes, which serve as the base for long-range planning. The project area is located within a suburban residential placetype. Primary land uses include single-family detached residential. “Supporting Land Uses in the Suburban Residential Placetype are Single-family Attached, Multifamily Residential, Parks/Open Space, Commercial Retail, Commercial Service, and Institutional uses”.

PLACETYPES	LAND USES															
	Agriculture	Farm/Homestead	Estate	Single-Family Detached	Single-Family Attached	Multifamily	Mixed Use	Restaurant	Commercial Retail	Commercial Service	Tourism Commercial	Entertainment and Arts	Office	Light Industrial/Business Park	Heavy Industrial	Military Operation
Rural	●	●	○												●	○
Large-Lot	○		●					○	○						○	
Suburban			●	○	○			○	○						○	○
Urban Residential			●	●	●		○	○	○			○			○	○
Rural Center			●	○	○			●	●	●						●
Regional Center				○	●	○		●	●	●		●	○			○
Employment Center							○	○	○			●	●	●		
Regional Open Space															●	●
Mountain Interface			○					○	○	○	○				●	○
Military			○	○	●			○	○	○		○	●	●	○	○
Utility															○	●

● Primary Land Use: More prominent and play a pivotal role in characterizing that placetype
 ○ Supporting Land Use: Less prevalent and serve to support the primary land use

Per the Plan, “Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This project is supportive of and compatible with the overall single-family character of the area based on the place-type

Your El Paso Land Use Goals

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

The proposed development is consistent with the established character of the area as a transitional land use between existing commercial and office land uses and detached residential densities. The multifamily infill development is a compatible land use to transition

from commercial and office densities at the Grinnell/Crawford Ave intersection on the east to the surrounding detached residential (single-family) densities and land uses west, north, and south of the site.

Necessary urban services to meet the multifamily demands are available and currently serving adjacent and nearby residential, commercial, industrial land uses and densities. Specific services include water/wastewater, fire protection, emergency ambulatory/medical service (EMS), police protection, public schools for compulsory education, public parks and recreation opportunities, and public drainage/transportation facilities and associated infrastructure.

Public services and utilities are, or will be, provided by the following

- Water Services: Security Water & Sanitation Districts/Enterprises
- Wastewater Services: Widefield Water & Sanitation District
- Natural Gas: Colorado Springs Utilities
- Electric Service: City of Fountain Electric
- Fire Protection: Security Protection District
- Public Schools: Widefield School District #3
- Library Services: Pikes Peak Library District:
- Roads: El Paso County Road and Bridge
- Police Protection: El Paso County Sheriff's Department
- Special District Services: Fountain Mutual Metropolitan District
- Special District Services: Southeastern Colorado Water Conservancy
- Parks, Trails, Open Spaces: El Paso County, City of Colorado Springs, CMD

Utility and fire protection commitments and use specific service demands and delivery requirements are provided per the multifamily project.

Infrastructure Capacity (Transportation and Access – Summarized from TIS)

Based on the TIS prepared by Kimley-Horn in support of the development plan, the Project is expected to generate approximately 218 weekday daily trips, with 30 of these trips occurring during the morning peak hour and 32 of these trips occurring during the afternoon peak hour. Based on the analysis presented in the report, it is believed that the Project will be successfully incorporated into the existing and future roadway network. Analysis of the existing street network, the proposed project development, and expected traffic volumes resulted in the following conclusions and recommendations:

- *Based on El Paso County standards, the northbound left turn length requirements at the Crawford Avenue and Grinnell Boulevard intersection are 335 feet plus a 200-foot taper. Since vehicle queues are only calculated with 50 feet of storage and to avoid reconstructing the existing raised median for only an additional 35 feet of length, it is recommended that the existing median for the northbound left turn lane at Crawford Avenue and Grinnell Boulevard intersection remain in the current condition. However,*

the northbound left turn lane at the Crawford Avenue and Grinnell Boulevard intersection should be restriped from approximately 150 feet to 300 feet of length.

- *To meet El Paso County standards, it is recommended that the southbound right turn lane at the intersection of Crawford Avenue and Grinnell Boulevard be restriped to 335 feet with a 200-foot taper.*
- *Any on-site or offsite improvements should be incorporated into the Civil Drawings and conform to standards of El Paso County and the Manual on Uniform Traffic Control Devices (MUTCD) – 2009 Edition.*
- *No westbound right turn lane into the Site is warranted at the Kittery/Crawford intersection based on projected 2045 total traffic volumes being 27 westbound right turns during the peak hour and the threshold being 50 vehicles per hour.*

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

The property is outside of any annexation boundary or potential area of interest.

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

The proposal introduces an positive alternate housing type and density as an infill use of a vacant parcel. The multifamily use is supportive of the primarily residential character of the area.

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

The developer will be responsible for payment of all utility connection and tap fees, bridge, drainage, park and school fees, road impact fees, and other costs associated with development of the property.

Your El Paso Housing Goals:

Core Principle 2: Preserve and develop neighborhoods with a mix of housing types.

Goal 2.1 - Promote development of a mix of housing types in identified areas.

Goal 2.3 - Locate attainable housing that provides convenient access to goods, services, and employment.

The housing type in the area is characterized by suburban residential (single-family detached) densities.

The existing and approved land use mix within the adjacent area includes residential (single-family attached, single-family detached, and multifamily) land uses, together with commercial and retail uses, service oriented, light, and heavy industrial land uses along and adjacent to the Constitution Corridor from Peterson Road to the west to the easternmost terminus of Constitution Avenue to the east at State Highway 24, along the Marksheffel Corridor from

North Carefree to the north southerly to the intersection of Marksheffel Road and State Highway 94 to the south (see surrounding land use map exhibit/not vicinity map).

The proposed multifamily housing development will provide an additional 22 apartment units to the available rental housing market supply. This housing will create opportunities for individuals and families to find attainable and affordable housing near conveniently located major transportation thoroughfares (Powers Blvd, SH 85/87, & I-25) which can connect them to employment centers, commercial/retail corridors and nodes, and recreational opportunities throughout the El Paso County region.

The functionality of the site with respect to access, design, and building orientation will be consistent with and compatible with existing conditions such as location and massing of buildings relative to adjacent rights of way, location of community/resident amenities and recreation areas. External building design will enhance the overall visual character and attractiveness of the area through contemporary building facades and private architectural design standards.

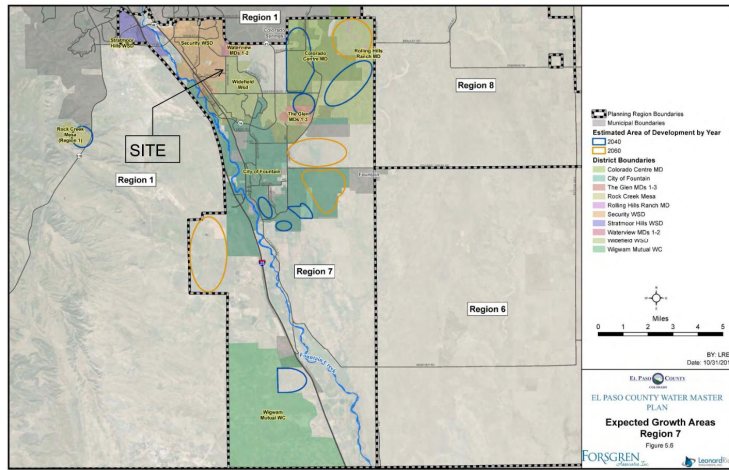
WATER MASTER PLAN CONFORMANCE & CONSIDERATIONS

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

The development area is located in REGION 7 as identified on the El Paso County Water Master Plan Planning Regions Map and is within the Security Water and Sanitation District Service Area. Region 7 consists of areas served by CMD and is not expected to experience significant growth by 2060.

REGION 7 (FOUNTAIN AREA)

Areas projected to develop by 2040 are located south of Fountain on the north and south sides of Link Road. Areas northwest of Fountain along the east and west sides of Marksheffel Road are also expected to grow by then, as well as the area south of Fountain on the west side of I-25. Directly west of Fountain, areas north and south of Squirrel Creek Road are expected to grow by 2060. One large development is expected south of Fountain by 2060, along the west side of I-25. Another is expected in the northeast corner of Region 7, along both sides of Bradley Road. See Figure 5.6 for the Region 7 growth map (BELOW).



The project area is located outside of the areas identified for major growth in the 2040 and 2060 horizons. District water supplies are from the Pueblo Reservoir and, according to the District, meets all federal and state regulatory standards. Existing groundwater wells (25) have been shut down due to water quality concerns (PFC's) in 2016. Currently, the district transports water from the Pueblo Reservoir via the Fountain Valley Authority and Southern Delivery System infrastructure systems.

Water sufficiency is provided for submittal, review, and approval as part of this process. see the included commitment letter and water resource report.

Surrounding land uses and zoning include the following:

NORTH: Single-family Detached housing
 EAST: Commercial (Credit Union)
 SOUTH: Single-family Detached housing; Medical/office
 WEST: Single-family Detached housing

Roadways, driveways, utilities, drainage, etc. will be constructed in the most optimal and efficient manner as necessary to facilitate development construction and sequencing. Utilities for the multifamily community will be coordinated with the associated districts and providers as required. A minimum 15-foot landscape buffer and setback will be provided against roadway, residential, and commercial uses.

Additional information related to this site and the requested development plan: The subzones CAD-O and ANAV Multifamily residential is allowed. Per the El Paso County, Land development code, Appendix B, Chapter 7, Article 1, 4.3.1(F) the request was referred to the

Airport Advisory Commission as part of the zone change and Sketch Plan amendment phase. The airport staff had no objection with the following conditions:

1. *Proof of Avigation Easement filing noted on rezoning plan (Recorded September 27, 1985 in Book 5067 at Page 379); no further action is required.*
2. *Airport Acknowledgement: Upon accepting residency within the property, all adult residents and occupants shall be required to sign a notice in which the tenant acknowledges that the property lies within an Airport Overlay Zone and is located less than 3 miles from Colorado Springs Municipal Airport and may, at times (24 hours per day), experience noise and other activities and operations associated with aircraft at the Airport.*
3. *FAA Form 7460-1 Airspace Evaluation: If use of equipment (permanent or temporary) will exceed 200 feet above ground level in height at this site, the applicant is to file an airspace evaluation case with the federal aviation administration (FAA) and provide the results to the airport before the commencement of construction activities.*

B. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 7 of the Land Development Code, for the Rules Governing Divisions of Land.

The site is suitable for the intended use, including the ability to meet the standards as described in 7.2.1.D.3.f of the County Code.

Site is in conformance with the goals, objectives and policies of the El Paso County Master Plan Along with the Sketch Plan Amendment (SKP221-Approved 5/18/2022).

The site is located adjacent to existing utility infrastructure and service lines. No major utility improvements or upgrades are anticipated to adequately serve the site.

The functionality of the site with respect to access, design, and building orientation is consistent with and compatible with existing conditions, such as location and massing of buildings relative to adjacent rights of way and view corridors and adjacent uses.

The site is suitability terms of geology, service availability, environmental impacts, major land use impacts, aviation overlay impacts, and military adjacency considerations.

It has been identified that Security Water District has a sufficient water supply and is in contract with Widefield to provide public wastewater services and complies with State and Local laws and regulations.

Final Plat Criteria for Approval.

In approving a final plat, the approving authority finds that:

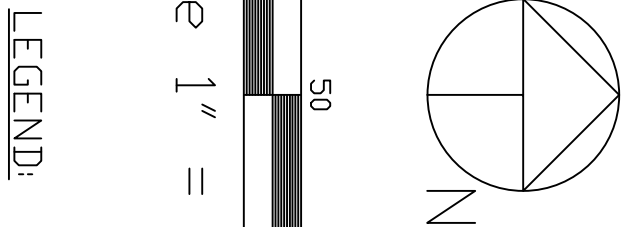
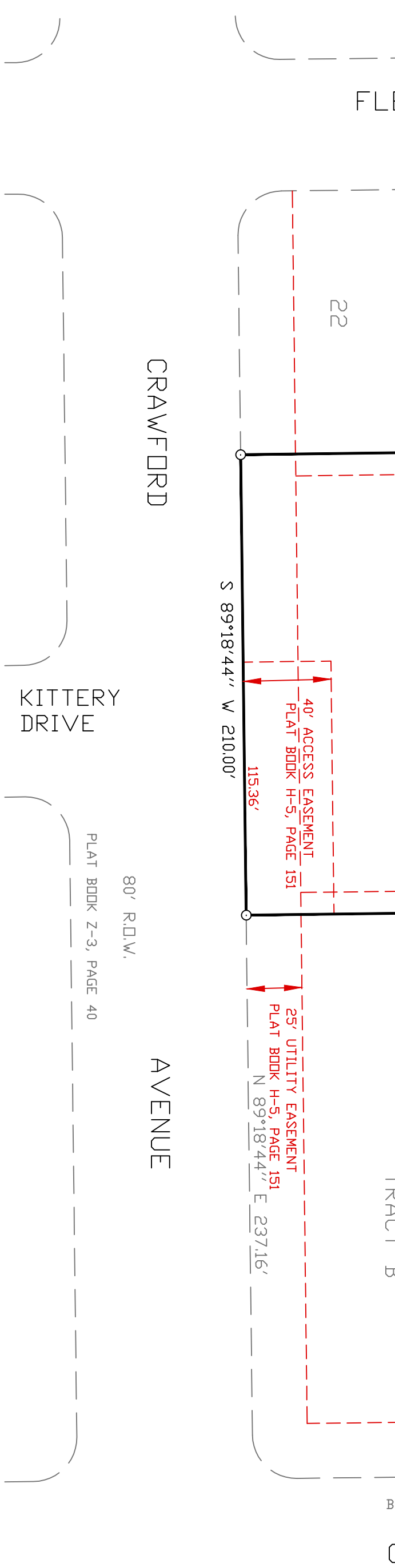
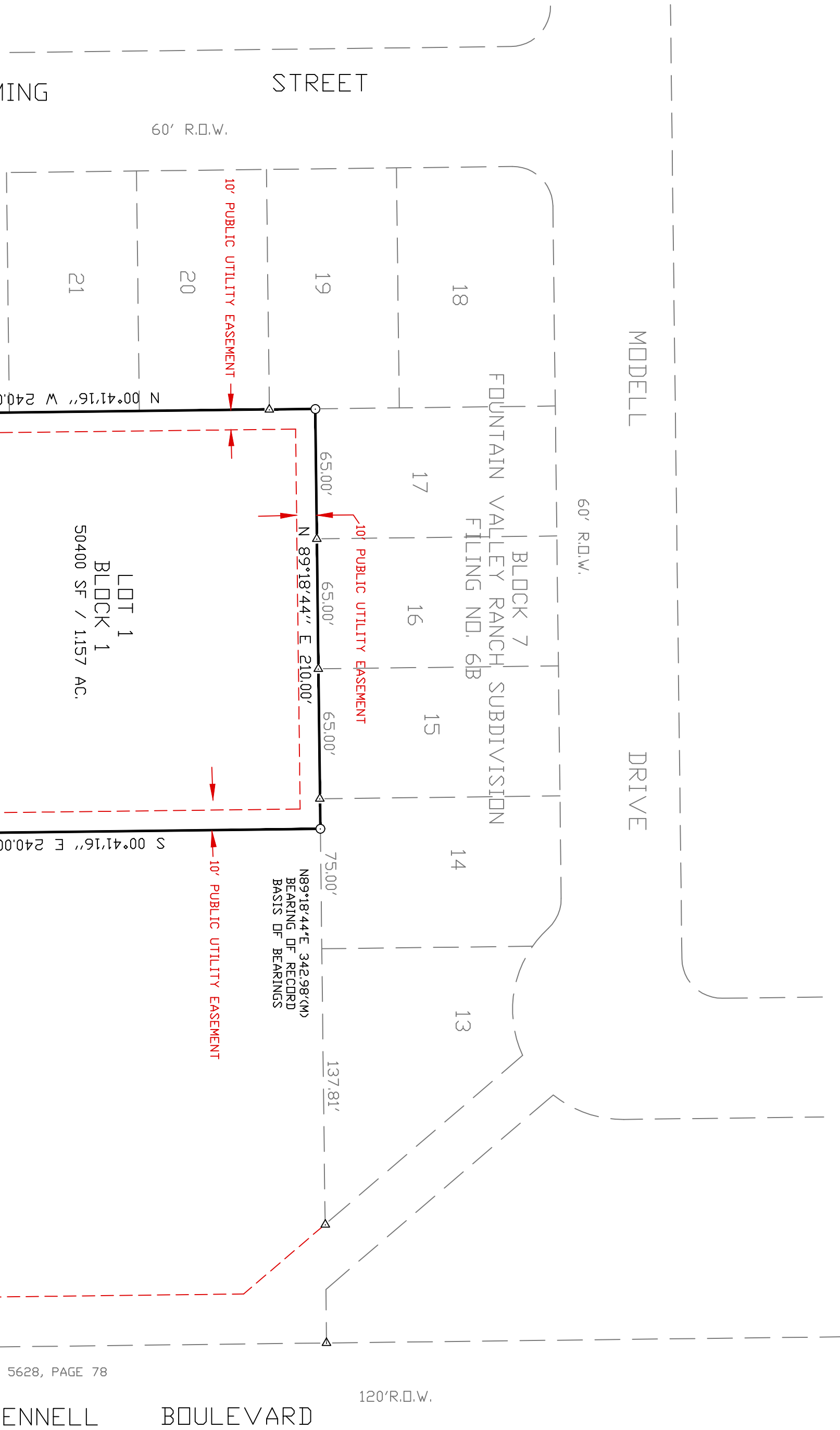
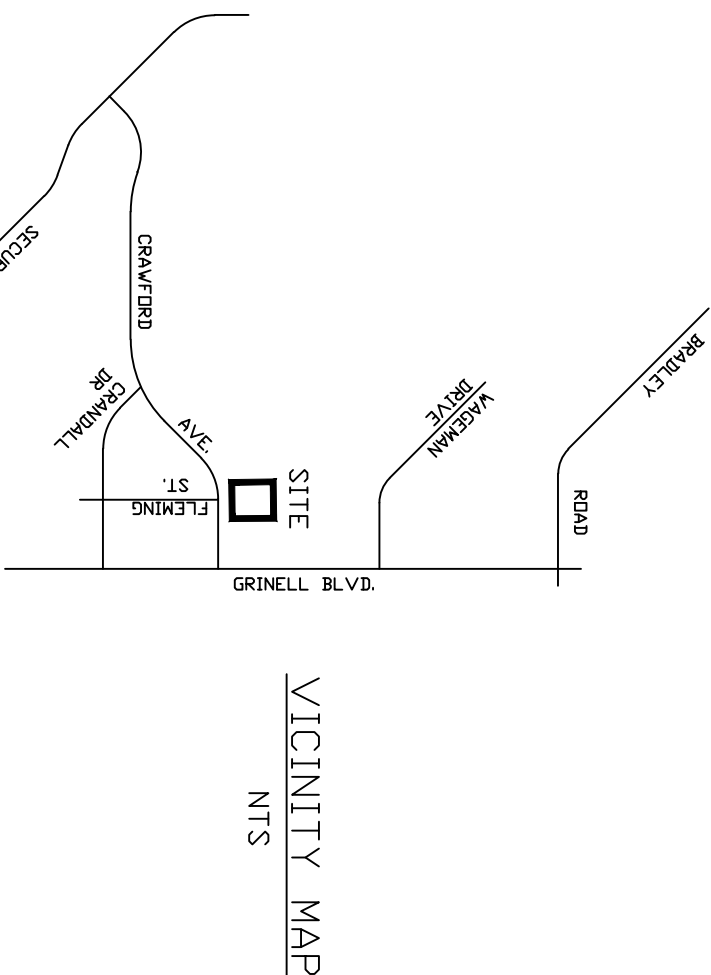
The subdivision is in conformance with the goals, objectives, and policies of the Master Plan; The subdivision is in substantial conformance with the approved sketch plan amendment and rezone;

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 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 has been provided for the BoCC at the time of the rezone approval; 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, see water and wastewater reports; 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)]; 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;

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, see traffic report for further information; necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision, see provided commitment letters from said entities; the final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this 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; 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; The subdivision meets other applicable sections of Chapter 6 and 8; and the extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]

CRAWFORD APARTMENTS SUBDIVISION

A SUBDIVISION OF TRACT A, FOUNTAIN VALLEY RANCH SUBDIVISION FILING NO. 6B
IN THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6th P.M.
EL PASO COUNTY, COLORADO



- LEGEND:
- o SET 2" AL. CAP, #3953 DN #5 REBAR
 - 4 FOUND RED #25968 CAP DN #4 REBAR

NOTES:

1. Bearings are based on the record bearing of N89°18'44"E, for the south line of Block 7, Fountain Valley Ranch Subdivision Filing No 6B, monumented on the southwest of Lot 16, and on the southeast of Lot 13 by a 1" red plastic caps, marked PLS 25968 on a # 5 rebar, buried 2', as shown on the plat.

2. Survey monuments found or set are at ground level unless otherwise noted on the plat.
3. Title information was provided by the client as follows:
Title Company: Old Republic National Title Insurance Company
Order Number: SC55102334
Effective date: 12/20/2021 at 5:00 PM.
This survey does not constitute a title search or opinion.
4. Notice: according to Colorado law you must commence any legal action based upon any defect in the survey within three years after your first discovery of such defect. If no event may any action based upon any defect in this survey be commenced more than ten years from the date of the Certification shown hereon.

5. Flood plain:
According to the current effective Federal Emergency Management Agency Flood Insurance Rate Map, the subject property is located outside the boundary of the 100 Year Floodplain, as identified on FEMA Mapping Panel No. 0804100931 G, dated December 7, 2018.

6. Units of measurement US Survey Feet
7. The following reports have been submitted in association with the Preliminary Plan or Final Plat for this subdivision and are on file at the County Planning and Community Development Department: Drainage Report, Water Resources Report, Soils and Geology and Soils Report, Fire Protection Report, Natural Resources Report, Traffic Impact Study, Wastewater Treatment Report.

8. Geologic Hazard Note:
The site has been found to be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the report Subsurface Soil Investigation Crawford Apartments Crawford Avenue and Kittery Drive El Paso County, Colorado by Entech Engineering, Inc., dated May 31, 2022, in file SF 235 available at the El Paso County Planning and Community Development Department.
The report listed potential for expansive soils. The suggested mitigation was overexcavation of 5'-7' in depth and 5'-7' outside of any building footer. Structural fill should be placed in the over excavated areas and compacted to a minimum 95% of the soils minimum dry density.

9. All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.

10. Easements: Unless otherwise indicated, all side, front, and rear lot lines are hereby dedicated to the use of the easement. The responsibility for these easements is hereby vested with the individual property owners.

11. Environmental: Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the listed species (e.g., Preble's Meadow Jumping Mouse).

12. Addresses: The addresses exhibited on this plat are for informational purposes only. They are not the legal description and are subject to change.

13. Mailboxes: Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.

14. Driveway Note: No driveways shall be established unless an access permit has been granted by El Paso County. Individual lot purchasers are responsible for constructing and maintaining driveways including any easements from the private road per Land Development Code Section 6.3.3.C.2 and 6.3.3.C.3

15. Water Supply: Water is supplied by Security Water and Sanitation District.

16. Wastewater: Wastewater is supplied by Wierfield Water and Sanitation District.

17. An Avigation Easement recorded September 27, 1985 in Book 5067 at Page 379, affects the site.

18. All structural Foundations shall be located and designed by a Professional Engineer, currently registered in the State of Colorado.

19. The Subdividers (agrees) on behalf of himself/herself and any developer or builder successfully and assign that Subdividers and/or assignee shall be responsible for the Fee Program Resolution (Resolution No.19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

20. The site is part of the Fountain Mutual Metropolitan District, as evidenced by instruments recorded June 19, 2001, under Reception No. 201064215.

Prepared by the office of:
Diver E. Watts, Consulting Engineer, Inc.
614 Elktion Drive
Colorado springs, CO 80907
(719) 593-0173 office
(719) 265-9660 fax
dllewatts@olicon.com
Celebrating over 44 years in business

PCD File No. SF-239 11-22-23 DEW 21-5725-04
CONSULTING ENGINEER COLORADO SPRINGS 1-9--23

Know all men by these presents
That: AIME VENTURES, LLC, A COLORADO LIMITED LIABILITY COMPANY being the owner of the following described Tract of land, to wit:
Tract A, Fountain Valley Ranch Subdivision Filing No 6B, County of El Paso, State of Colorado, according to the plat thereof recorded December 11, 1995 in Plat Book H-5 at Page 151 of the records of Said County and containing 50,400 sf / 1157 ac

Owners, Certificate:
The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the above described land, and being duly qualified and sworn to do so, do hereby certify and attest as shown hereon under the name and subdivision of Crawford Apartments Subdivision. All public improvements plated are hereby dedicated to public use and said owner does hereby covenant and agree that the public improvements will be constructed to El Paso County standards and that proper drainage and erosion control for same will be provided at said owner's expense, all to the satisfaction of the Board of County Commissioners of El Paso County, Colorado. Upon acceptance by resolution, all public improvements so dedicated will become matters of maintenance and communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of use, enjoyment and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

AIME VENTURES, LLC, A COLORADO LIMITED LIABILITY COMPANY

By: Christel Aime

1900 E. Pikes Peak Avenue, Suite #3

Colorado Springs, CO 80909

STATE OF COLORADO)

COUNTY OF) SS

Acknowledged before me this day of , 20 by

My commission expires as

Witness my hand and official seal Notary Public

This plat for Crawford Apartments Subdivision was approved for filing by the El Paso County, Colorado Board of County Commissioners on the day of , 202, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public easements are accepted, but the public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual.

Tract A, Fountain Valley Ranch Subdivision Filing No 6B in entirety is vacated and amended for the areas described by this replat subject to all covenants, conditions, and restrictions recorded against and appurtenant to the original plat recorded in the Office of the El Paso County Clerk and Recorder, Reception #

Chair, Board of County Commissioners

Date

County Attorney

Kenneth R. Hodges, County Attorney
719-520-6485
Centennial Hall
200 S. Cascade, Suite 150
Colorado Springs, CO 80903
www.ElPasoCo.com

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

February 9, 2023

SF-23-5 Crawford Apartments Subdivision
Final Plat

Reviewed by: Lori Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a Final Plat proposal by Aime Ventures LLC (“Applicant”), to plat an approximately 1.16 +/- acre parcel and develop 22 multi-family rental units. The property is zoned RM-30 (Residential Multi-Family).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the Applicant estimated its annual water needs to serve this subdivision at 4.4 acre-feet/year for residential with approximately 0.712 acre-feet/year allocated for irrigation for a total demand of 5.112 acre-feet/year. Based on these figures, the Applicant must provide a supply of 1,533 acre-feet of water (5.112 acre-feet/year x 300 years) to meet the County’s 300-year water supply requirement for the subdivision.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Security Water District (“District”). As detailed in the *Security Water District Water Resources Report* updated March 17, 2021 (“Report”), the District’s water supply is sourced from wells drilled into Widefield and Windmill Gulch Aquifer, Fry-Ark Project water, surface water rights, and a mix of various sources. The *Report* indicates that current water supplies “can support approximately 6,038 acre-feet per year of physical deliveries to Security”. Applying a 10 percent contingency

ASSISTANT COUNTY ATTORNEYS

NATHAN J. WHITNEY
CHRISTOPHER M. STRIDER

STEVEN A. KLAFFKY
TERRY A. SAMPLE

LORI L. SEAGO
DOREY L. SPOTTS

BRYAN E. SCHMID
STEVEN W. MARTYN

MERI GERINGER

for climate change or other future reductions to Security's water supplies results in the calculated water system yield of 5,434 acre-feet per year. The District currently has service commitments in the amount of 3,542 acre-feet per year, leaving an available balance for new commitments of 1,892 annual acre-feet.

4. The District's General Manager provided a letter of commitment for Crawford Apartments Subdivision dated December 20, 2023, in which the District committed to providing water service for the 22 multi-family units, for an annual water requirement of 5.112 acre-feet.

State Engineer's Office Opinion

5. In a letter dated January 22, 2024, the State Engineer reviewed the application to plat the 1.16 +/- acres for development of 22 multi-family units. The State Engineer identifies Security Sanitation District¹ as the source of water for the proposed development. Further, they go on to provide that "[a]ccording to the records of this office, Security has sufficient water resources to supply this development as described above." Further, the State Engineer stated that "[p]ursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing injury to decreed water rights, and the supply is expected to be adequate."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Crawford Apartments Subdivision is 5.112 acre-feet per year for a total demand of 1,533 acre-feet for the subdivision for 300 years, to be supplied by Security Water District. **Based on the District's available water supply of approximately 1,892 annual acre-feet, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Crawford Apartments Subdivision.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the *Water Supply Information Summary*, the *Water Resources Report* dated December 21, 2023, the *Security Water and Sanitation District* letter dated December 20, 2023, and the *State Engineer Office's Opinion* dated January 22, 2024. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect,***

¹ Security Water District is actually the entity providing water service.

or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.

cc: Ryan Howser, Project Manager, Planner



January 22, 2024

Ryan Howser
El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910-3127

RE: Crawford Multi-Family Final Plat
NE1/4, Sec. 13, Twp. 15S, Rng. 66W, 6th P.M.
Water Division 2, Water Districts 10
CDWR Assigned Subdivision No. 30727

To Whom It May Concern:

We have received additional information concerning the above-referenced proposal to construct a multi-family housing unit on an existing 1.16-acre tract of land. The multi-family structure(s) would consist of up to 22 units. According to the submittal, the proposed supply of water will be supplied by Security Sanitation District ("Security") and wastewater disposal is to be served by the Widefield Water and Sanitation District ("Widefield").

Water Supply Demand

The initial Water Supply Information Summary, Form No. GWS-76, and Water Demand Report provided with the submittal detail an estimated demand of 3.95 acre-feet/year for all 22 units. The most recent Water Supply Information Summary has increased the water requirement to 5.112 acre-feet annually for all uses (4.4 acre-feet for residential demand and 0.712 acre-feet for landscape irrigation).

Please note that standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot/year for each ordinary household, 0.05 acre-foot/year for four large domestic animals, and 0.05 acre-foot/year for each 1,000 square feet of lawn and garden irrigation.

Source of Water Supply

The source of water for the proposed development is to be served by Security Sanitation District (Not Widefield as indicated in the previous comment letter). An updated letter of commitment dated December 20, 2023 from Security was provided with the materials and indicated that 5.112 acre-feet are committed to the proposed subdivision. The letter also notes Widefield's commitment to provide wastewater disposal.

According to the records of this office, Security has sufficient water resources to supply this development as described above.



Additional Comments

Should the development include construction and/or modification of any storm water structure(s), the Applicant should be aware that, unless the storm water structure(s) can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR’s *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities* in Colorado, available online at: https://dnrweblink.state.co.us/dwr/0/edoc/3576581/DWR_3576581.pdf?searchid=978a5a31-ddf9-4e09-b58c-a96f372c943d, to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements.

State Engineer’s Office Opinion

Pursuant to Section 30-28-136(1)(h)(II) C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing injury to decreed water rights, and the supply is expected to be adequate. Should you or the applicant have questions regarding any of the above, please feel free to contact me directly.

Sincerely,



Ivan Franco, P.E.
Water Resources Engineer

cc: Division 2 Engineer
District 10 Water Commissioner

SEE ATTACHED FOR PREVIOUS REVIEW

**Colorado Springs Airport Advisory Commission Meeting
To Be Heard April 26, 2023
Land Use Review Item #08**

EL PASO COUNTY BUCKSLIP NUMBER(S)/FILE NUMBER(S): SF235 RESIDENTIAL REPLAT		PARCEL #(S): 6513125009
DESCRIPTION: Request by John P. Nelson Associates on behalf of Aime Ventures, LLC for approval of a final plat for the Crawford Apartments Subdivision. The plat includes 22 multi-family residential units. The site is zoned RM-30/CAD-O (Residential Multifamily with Commercial Airport District Overlay) and consists of 1.16 acres. This site is located southwest of Bradley Road and Grinnell Boulevard. <i>Review Note: A rezone for this parcel was reviewed with recommended conditions by the Commission in February 2022.</i>		
CONSTRUCTION/ALTERATION OF MORE THAN 100 FEET ABOVE GROUND LEVEL? No	DISTANCE/DIRECTION FROM COS: 2.7 miles southwest of Rwy 35R	
TOTAL STRUCTURE HEIGHT AT THE ESTIMATED HIGHEST POINT: 40 feet above ground level; 5,840 feet above mean sea level	COMMERCIAL AIRPORT OVERLAY SUBZONES PENETRATED: None	
ATTACHMENTS: https://epcdevplanreview.com/Public/ProjectDetails/187993 CLICK ON VIEW FINAL PLAT DRAWINGS UNDER DOCUMENTS LIST		

STAFF RECOMMENDATION/CONDITIONS OF APPROVAL

Subject to Airport Advisory Commission Action

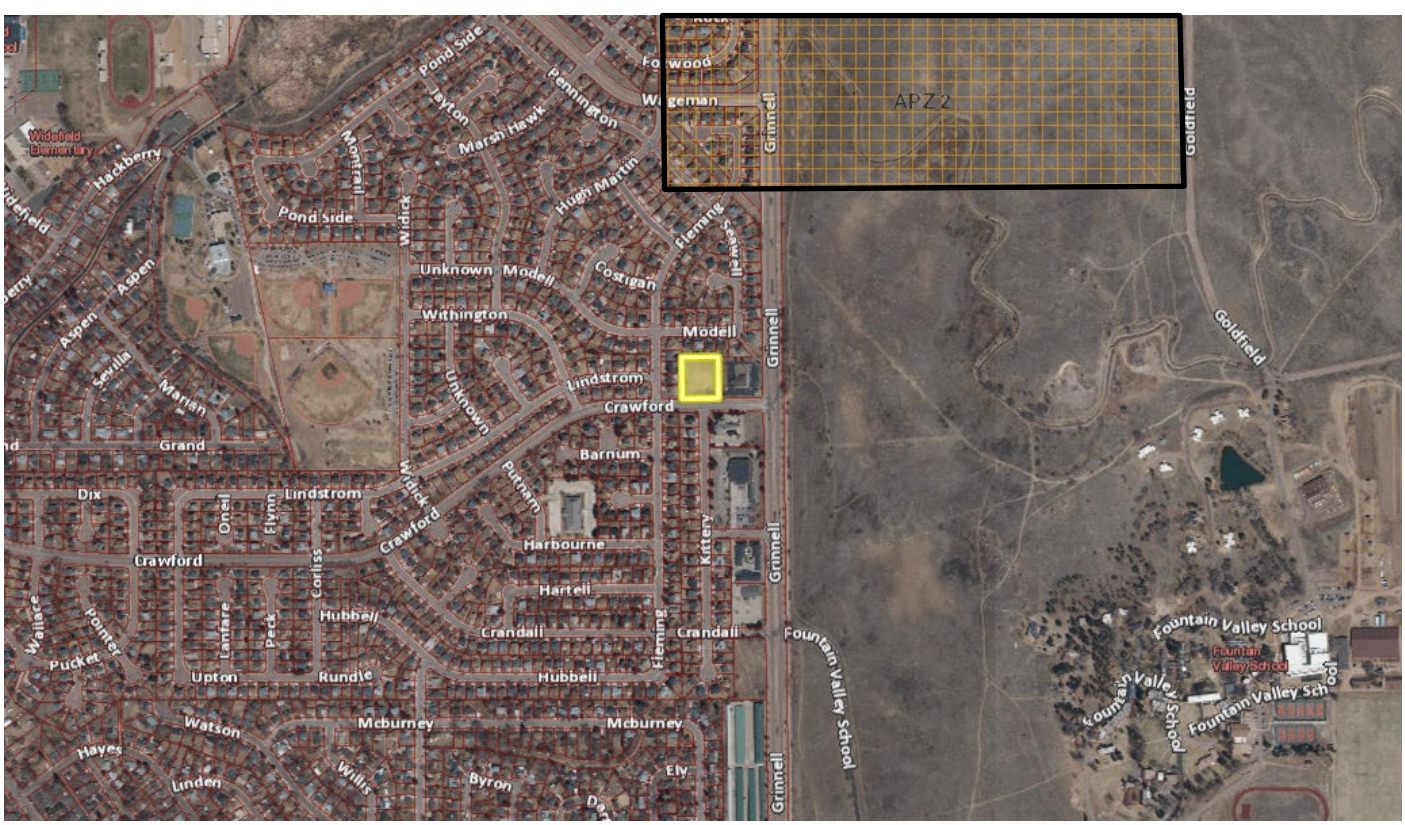
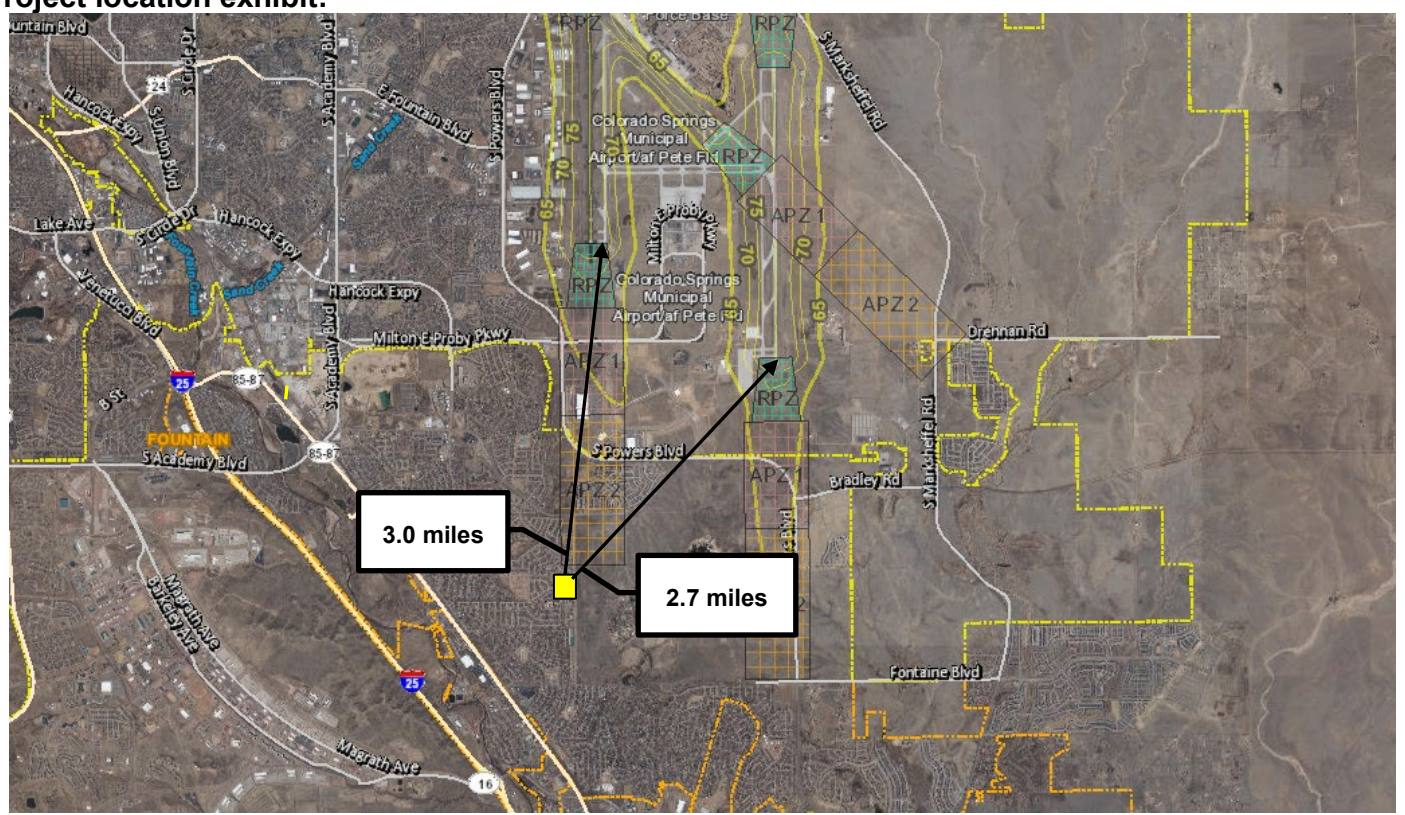
*Airport staff recommends **no objection** with the following conditions:*

- **Avigation Easement:** Proof of Avigation Easement filing noted on plat (Recorded September 27, 1985 in Book 5067 at Page 379); no action is required.
- **Airport Acknowledgement:** Upon accepting residency within Crawford Apartments, all adult residents and occupants shall be required to sign a notice in which the tenant acknowledges that Crawford Apartments lies within an Airport Overlay Zone and is located less than 3 miles from Colorado Springs Municipal Airport and may, at times (24 hours per day), experience noise and other activities and operations associated with aircraft and the Airport.
- **FAA Form 7460-1 Airspace Evaluation:** If use of equipment (permanent or temporary) will exceed 200 feet above ground level in height at this site, the applicant is to file an airspace evaluation case with the Federal Aviation Administration (FAA) and provide the results to the Airport before the commencement of construction activities. FAA's website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>).

SEE ATTACHED FOR PREVIOUS REVIEW

**Colorado Springs Airport Advisory Commission Meeting
To Be Heard April 26, 2023
Land Use Review Item #08**

Project location exhibit:



Colorado Springs Airport Advisory Commission Meeting
To Be Heard February 23, 2022
Land Use Review Item #10

EL PASO COUNTY BUCKSLIP NUMBER(S)/FILE NUMBER(S): <p style="text-align: center;">P221</p> RESIDENTIAL REZONE	PARCEL #(S): <p style="text-align: center;">6513125009</p>
DESCRIPTION: <p>Request by John P. Nelson Associates on behalf of Aime Ventures, LLC for approval of a rezone for a 22 multi-family unit two-story apartment building. The site will be rezoned from CC/CAD-O (Community Commercial with Commercial Airport District Overlay to RM-30/CAD-O (Residential Multifamily with Commercial Airport District Overlay). The site consists of 1.16 acres and is located southwest of Bradley Road and Grinnell Boulevard.</p>	
CONSTRUCTION/ALTERATION OF MORE THAN 100 FEET ABOVE GROUND LEVEL? <p style="text-align: center;">No</p>	DISTANCE/DIRECTION FROM COS: <p style="text-align: center;">2.7 miles southwest of Rwy 35R</p>
TOTAL STRUCTURE HEIGHT AT THE ESTIMATED HIGHEST POINT: <p style="text-align: center;">40 feet above ground level; 5,840 feet above mean sea level</p>	COMMERCIAL AIRPORT OVERLAY SUBZONES PENETRATED: <p style="text-align: center;">None</p>
ATTACHMENTS: Project Details - EDARP (epcdevplanreview.com) CLICK ON VIEW ZONING MAP UNDER DOCUMENTS LIST	

STAFF RECOMMENDATION/CONDITIONS OF APPROVAL

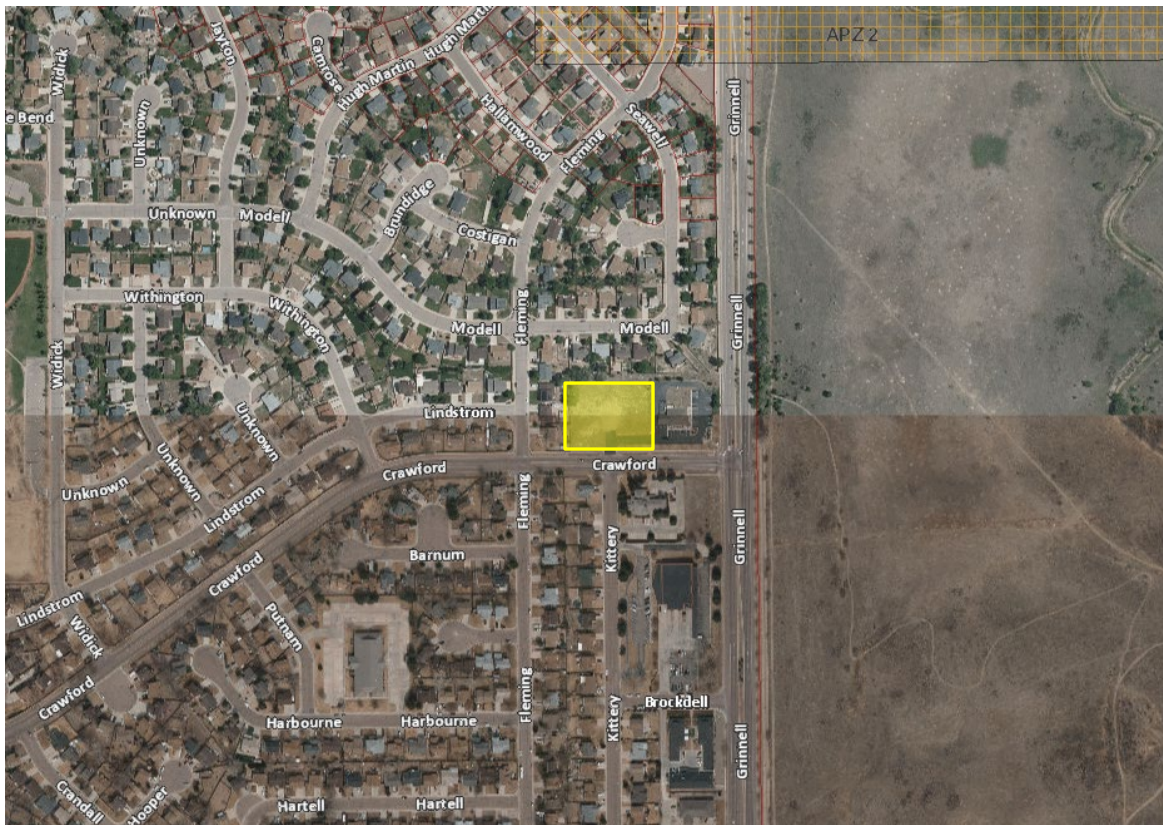
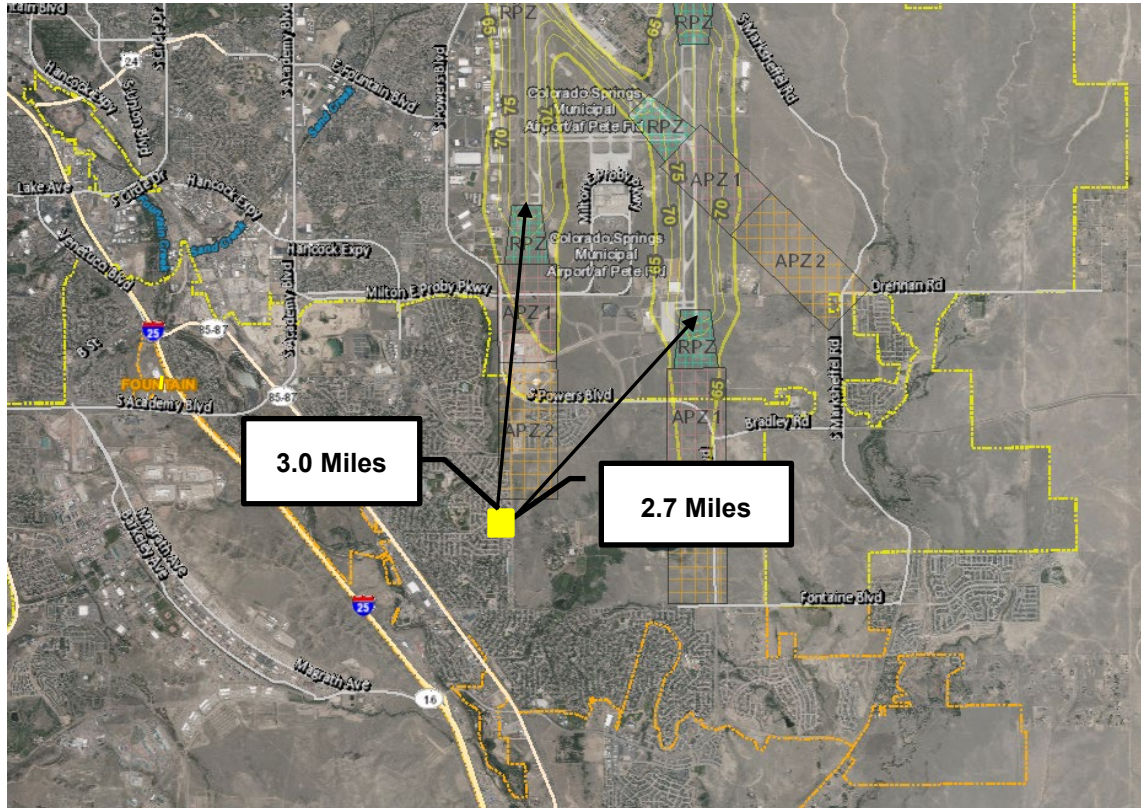
Subject to Airport Advisory Commission Action

*Airport staff recommends **no objection** with the following conditions:*

- **Avigation Easement:** Proof of Avigation Easement filing noted on rezoning plan (Recorded September 27, 1985 in Book 5067 at Page 379); no further action is required.
- **Airport Acknowledgement:** Upon accepting residency within Crawford Avenue, all adult residents and occupants shall be required to sign a notice in which the tenant acknowledges that Crawford Avenue lies within an Airport Overlay Zone and is located less than 3 miles from Colorado Springs Municipal Airport and may, at times (24 hours per day), experience noise and other activities and operations associated with aircraft and the Airport.
- **FAA Form 7460-1 Airspace Evaluation:** If use of equipment (permanent or temporary) will exceed 200 feet above ground level in height at this site, the applicant is to file an airspace evaluation case with the Federal Aviation Administration (FAA) and provide the results to the Airport before the commencement of construction activities. FAA's website (<https://oeaaa.faa.gov/oeaaa/external/portal.jsp>).

Colorado Springs Airport Advisory Commission Meeting
To Be Heard February 23, 2022
Land Use Review Item #10

Project location exhibit:



From: Cornelia Sample <CJSample@outlook.com>
Sent: Tuesday, March 5, 2024 6:38 AM
To: Ryan Howser; PCD Hearings
Cc: Mike Sample
Subject: Opposition to Proposal of Lot No. 65131225009

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To whom it may concern,

My name is Cornelia J. Schosser-Sample, and reside at 1220 Modell Drive, Colorado Springs, CO 80911, and I am writing to **OPPOSE** the the creation of a 22 multi-family unit on the property that is zoned RM-30 (Residential Multi-Dwelling) located on the north side of Crawford Avenue, approximately 350 feet west of Grinnell Boulevard (Parcel No. 6513125009) (Commissioner District No. 4).

This is a single family home community and a 22 multi-family unit (aka as an apartment building) would disrupt not only the layout of the community (the largest buildings for our dwellings are 2 story single family homes), but also disrupt the solace we have in our subdivisions. A 22 multi-family unit would bring more noise, due to the high volume of traffic associated with such a unit, along with other requirements such as large garbage dumpsters placed on the property, which in turn may cause other issues such as fowl odors and attract rodents etc. especially in the summer months.

Additionally, placing a 22 unit Multi-Family dwelling on that lot, would increase concern over privacy and safety, not only to the homes directly adjacent to the property, but also to all of us in the subdivision who live in the close vicinity of the property.

The property should never allowed to place such a dwelling on this property. Duplex buildings for single families maybe, but NOT a 22 unit Multi-Family Dwelling.

Thank you for your time.

R/Y

\\Signed\\
Cornelia (Conny) Schosser-Sample
Phone: (719)510-3747
Email: cjsample@outlook.com

From: PCD Hearings
Sent: Tuesday, March 5, 2024 1:49 PM
To: PCD Hearings
Subject: Final Plat No 6513125009 Crawford Ave proposed apartments File Number: SF235

From: Darlene MARSHALL <dollykay1@msn.com>
Sent: Tuesday, March 5, 2024 12:14 PM
To: Meggan Herington <MegganHerington@elpasoco.com>
Subject: Final Plat No 6513125009 Crawford Ave proposed apartments File Number: SF235

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County commissioners.

Regarding the above property, creating one multi-family lot to accommodate 22 multi-family units.

We live at 1235 Modell Drive, directly adjacent to this lot.
Melvin and Darlene Marshall

We diametrically oppose multi-family apartments on this property for several reasons.

This neighborhood has been here since we built a home in 1996. We were the 7th people in this whole subdivision. We have watched over 38 families come and go on the street we live on. This includes only 10 houses.

It has been a nightmare for some years and many reasons. We have had good and very bad neighbors. They flipped the house next door last year and removed 15 plus garbage dumpsters, causing stench, rats, and mice. Garbage stacked against our fence, and against the back of their house. They were finally evicted. It is now a remodeled house and a new family. So, we are alarmed at facing another such mess yet again, in the current state of this country and the lawlessness... the major reason for no building behind us, and the possibility of 22 families moving into one apartment, in a home subdivision.

Reason: #1. Parking...from experience, most families have from one to nine vehicles. We have nine next door, with work vehicles and also a dump truck. The common number is at least 2 or 3....22 apartments would mean at least 44 to 66 vehicles plus parking spaces, also plus guest parking. Where would you put that many vehicles on this size lot? How about garages ??? That has not been mentioned.

Reason #2. Pets. One neighbor has 3-5 pets breaking the HOA laws. Two pets in the complex would equate to 44 dogs and or cats in this apartment complex on one lot. We have enough pets walking our street now, and making messes in our yard.

Reason #3. Noise....that many apartments, and people coming and going all times of the night, lights shining into the back of our house and living room.

Reason # 4 Garbage.... Most people on this block have two garbage cans that are supposed to be kept behind the fence. 22 apartments, 44 garbage cans. Are they going to be kept backing my home or with dumpsters banging? I have had enough of garbage smell for a lifetime from neighbors.

Reason # 5 no blueprint of the structure, is it one story or two stories...how is the building going to be placed on the property? No building layout was shown to us.

Reason# 6 Is it an Assisted Living facility? Or is it a two-story building, that they are putting on every available lot around or an L-shaped one story? None of these sound appealing to us.

Reason # 7 An Assisted Living facility which is what Aime Ventures LLC has been in the past known to build might be tolerated....but not a two-story apartment complex that would be open to drugs and what kind of renters and other possible crime is not tolerable.

Reason # 8 The lot just is NOT BIG ENOUGH FOR A MULTIFAMILY COMPLEX FOR THE ABOVE REASONS plus the possibility of reducing our property value.

Yours sincerely,
Melvin and Darlene Marshall
1235 Modell Drive
Colorado Spring Co. 80911

719-358-8599

RESOLUTION NO. 24-

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF FINAL PLAT
CRAWFORD APARTMENTS (SF235)

WHEREAS, Aime Ventures, LLC did file an application with the El Paso County Planning and Community Development Department for the approval of a Final Plat for the Crawford Apartments Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on March 7, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the final plat application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on March 28, 2024; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Final Plat, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.3.f of the Land Development Code (as amended):

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is in substantial conformance with the approved preliminary plan;
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;
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 the 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;
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 the Code;
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)];
7. Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM;
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 the Code and the ECM;
9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;

10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code;
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 of the Code;
12. 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;
13. The subdivision meets other applicable sections of Chapter 6 and 8 of the Code; and
14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. § 34-1-302(1), et seq.].

WHEREAS, 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 the Code;

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the final plat application for the Crawford Apartments Subdivision;

BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.

5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the appropriate El Paso County staff.
7. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
8. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
9. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations, dated 3/9/2023, as provided by the County Attorney's Office.

NOTATIONS

1. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 28th day of March 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

Tract A, Fountain Valley Ranch Subdivision Filing No 6B, County of El Paso, State of Colorado, according to the plat thereof recorded December 11, 1995 in Plat Book H-5 at Page 151 of the records of Said County and containing 50,400 sf / 1.157 ac