



## **Lot 2 - Claremont Business Park 2 Filing No. 2 Major Commercial Site Development Letter of Intent**

### **APPLICANT-OWNER/CONSULTANT INFORMATION:**

#### **OWNER**

DTV MEADOWBROOK LLC  
106 S. KYRENE RD., SUITE 2  
CHANDLER, AZ 85226

Please refer to ch.6 of the  
LDC for a site  
development plan

#### **ENGINEERING**

M&S CIVIL CONSULTANTS, INC.  
212 N. WAHSATCH AVE, STE 305  
COLORADO SPRINGS, CO 80903

#### **SURVEYING**

M&S CIVIL CONSULTANTS, INC.  
212 N. WAHSATCH AVE, STE 305  
COLORADO SPRINGS, CO 80903

### **SITE/BACKGROUND INFORMATION**

Lot 2 - Claremont Business Park 2 Filing No. 2 (1.808 AC) is located at the SW intersection of Meadowbrook Parkway and Marksheffel Rd. This project site is within the Final Replat of Claremont Business Park 2 Filing No. 2 under EPC file (VR233) and within the overall Claremont Business Park Master plan.

The project has been designed to comply with the latest El Paso County Planning and Community Development guidelines and standards. The proposed project comprises a single-story commercial drive-thru Dunkin' store with all associated parking, pedestrian facilities, access drive, utilities, lighting, and landscaping.

The project site lies within the CS CAD-O zone and TSN (Parcel ID No.: 5405412005). The property is within the Commercial Aviation District Overlay (CAD-O). All future land use actions will be subject to the restrictions and limitations of the Airport Overlay.

### **Request & Justification**

DTV Meadowbrook LLC ("The Applicant") requests approval for Lot 2 ~ Claremont Business Park 2 Filing No. 2 ~ Major Commercial Site Development. The overall master development under the EPC file includes installing all the major water and sewer main extension infrastructure through the Claremont Business Park subdivision, whereby all necessary utility services for each lot shall be provided. Also, the master infrastructure includes the private roadway of El Jefe and the water quality pond (on Lot 2) for the stormwater runoff



from the private road "El Jefe Hts," which water quality shall be provided via a sand filter basin. The pond is also sized and designed to provide adequate water quality treatment for all Lot 2 developments of this proposed Major Commercial project site.

Findings of water (and wastewater) sufficiency and conformance with the approved Preliminary Plan as recorded under BOCC Resolution No. 20-421. An updated Utility commitment letter has been updated and provided under the master development under Fil no. (VR233) The Major Site Development conforms to the Preliminary Plan and remains consistent with the applicable findings of sufficiency and Master Plan consistency.

VR233 was a vacate replat not a preliminary plan

**ZONE DISTRICT COMPLIANCE**

The Manor Site Development Lot 2 commercial service lot lies within the CS CAD-O zone. All proposed lot is designed to meet the bulk, density, and dimensional requirements of the respective underlying zones and shall meet all required landscaping, buffering, and screening requirements for the proposed uses and buffering and screening against adjacent and differing uses per Section 6.2.2 of the Code.

**REVIEW/APPROVAL CRITERIA & JUSTIFICATION**

- ***The proposed subdivision is in conformance with the goals, objectives, and policies of the Master Plan; (see treatment of review criterion below)***
- ***The subdivision is in substantial conformance with the approved preliminary plan***

This is a site development plan not a subdivision, please revise

General conformance with the Master Plan, including the County Water Master Plan and Policy Plan, has been made with the preliminary plan (SP19-007) approved by the BOCC on 12/08/2020 (Resolution No. 21-421). The preliminary plan was submitted before adopting the Your El Paso Master Plan (2021) and is not being reviewed against this updated element of the Master Plan. The Major Site Development is consistent with the findings of Master Plan conformance anticipated with the Preliminary Plan approval and final plat approval under (VR233).

**Water Master Plan Conformance:**

The development area is in REGION 5 as identified on the El Paso County Water Master Plan Planning Regions Map and is within the Cherokee Metropolitan District (CMD) Service Area. Water supplies in Region 5, specifically from CMD, should be sufficient to meet the current development demand; however, additional resources will be required to meet the full projected development demand within the Region by the 2060 target build-out date. Additional water resources are planned through regional collaboration with partners and/or neighboring water providers.

CMD has initially provided a water and sewer service commitment Letter whereby the district has committed to allocate 12.19 AF/YR for the ten (10) lots of the Claremont



Business Park 2 Preliminary supply. Seven (7) of the ten (10) lots were subdivided under Claremont Business Park 2 Fil No. 1 (total 8.761 AC), allocating 7.818 AFY. The three (3) remaining subject lots (4.899 AC) and 4.372 AFY remain of the CMD Commercial commitments, including commercial irrigation. An updated Commitment letter has been issued by CMD dated \_\_\_\_\_ where the water allocations were revised based upon the envisioned end users.

### **Your El Paso Master Plan Conformance:**

The Lot 2 - Major Site Development proposal generally conforms to the goals conformance with the goals, objectives, and policies of the Your El Paso Master Plan.

This project site lies within the "Enclaves or Near Enclaves" (E or NE) combined in the "Colorado Springs Airport/Peterson Air Force Base" (CSA/PAFB) "Key Areas" of the "Your El Paso Master Plan." This project proposal conforms with the planned intent of both areas' descriptions. The (CSA/PAFB) "Key Area" was primed for commercial and industrial development to attract local businesses and trigger new development on available land. This project meets this role as it is planned as a drive-through-style restaurant. The other "Key Area" is the (E or NE) areas surrounded by incorporated municipalities with the majority or partially developed sites. The character of any new development or redevelopment should match the surrounding developments around it. This project meets this role as planned, as it complements the existing gas station and convenience store just to the north of the site and provides additional services for local residents and surrounding businesses to patronize small commercial services.

This project site also lies within the "Transition" category of the "Area of Change" of the Your El Paso Master Plan. This site is currently undeveloped and not necessarily a place that fits the Area of Change Transition Description, as it's not changing from one type of development to another. However, this proposed project will utilize the newly developed street and utility improvements, which provide access to the lot, and the proposed project comprises a single-story commercial drive-thru Dunkin' store with all associated parking, pedestrian facilities, access drive, utilities, lighting, and landscaping. These improvements and further development meet the intent of the "Transition" character.

This project site also lies within the "Employment Center" group of the "Placetypes" of the Your El Paso Master Plan. This project development would conform to the Employment Center, as depicted in the Placetype chart indicates, Restaurant, Commercial Retail, and Commercial Services, as a "Supporting Land Use" that supports the primary land use of Office. Light Industrial/Business Park & Heavy Industrial. This project meets this role as a planned support service of a drive-through-style restaurant for the surrounding Employment Center designation.

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

The BOCC made a finding of compatibility with the established character of the area by their approval for the preliminary plan (SP19-007) on 12/08/2020 (Resolution No. 20-421). The project is in conformance with the preliminary plan. This Lot 2 - Major Site Development lies within the master development final plat submittal under (VR233). It demonstrates infrastructure capacity for drainage, roadways, utilities, and other public services (parks, schools, and fire and police protection).

Urban services are currently available, including water, wastewater, electric, natural gas, fire protection, roadway and transportation, and drainage and stormwater management services.

Water/sewer services shall be provided courtesy of the Cherokee Metropolitan District. Private stormwater facilities for El Jefe Heights runoff will be provided and managed by the developer DTV Meadowbrook. CSU will provide electric and natural gas services. The Falcon Fire Protection District will provide fire protection. The El Paso County Sheriff will provide police and related public safety services. Compulsory education services are provided by Colorado Springs School District No. 11.

EL Paso County, the City of Colorado Springs, and the Cherokee Metropolitan District provide public parks, open space, and recreation services via an existing network of regional and urban parks, trails, and open spaces.

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

The City of Colorado Springs has not indicated any desire to annex the development area.

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

The proposed Lot 2 – Major Site Development commercial services lot, is within a CR zone to support permitted commercial uses in that district.

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

The master developer bears the costs of providing the necessary improvements to support the overall subdivision infrastructure. The applicant of the Major Site Development shall support a complete financial assurance estimate for required improvements and construction activities for this drive-through-style restaurant proposal.

Please remove this is a SDP not a

- **The subdivision consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;**

A final drainage report, grading and erosion control plan, water/wastewater resource reports, updated traffic impact analysis, and the preliminary plan have been provided from the previously approved preliminary plan (SP19-007) on 12/08/2020, which meets the applicable plan/report development requirements.

- **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**

General conformance with the Master Plan, including the County Water Master Plan and Policy Plan, has been made with the preliminary plan (SP19-007) approved by the BOCC on 12/08/2020 (Resolution No. 21-421).

- **A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. § 30-28-133(6) (b)] and the requirements of Chapter 8 of this Code;**

The subdivision will connect to an existing public sewage disposal system that has been installed together with other public improvements associated with Claremont Business Park 2 Fil. No 1 Preliminary Plan and its many development phases and filings. The existing system complies with state and local laws and regulations, statutory requirements, and the requirements of Chapter 8 of the County Land Development Code.

- **All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)];**

The Geology/Soils report prepared by Terracon Consultants, Inc., dated May 30, 2006, with an updated letter issued June 17, 2020, identified the presence of granular onsite materials, areas of soft or loose soils will likely be encountered at foundation-bearing depth after excavation is completed for footings. It was recommended within the report that when such conditions exist beneath planned footing areas, the subgrade soils should be recompacted before placement of the foundation system. Subgrade soils beneath interior and exterior slabs should be scarified, adjusted to optimum water content, and compacted to a minimum depth of 12". Subgrade soils' water content and compaction should be maintained until slab construction.

- **Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;**

Adequate drainage improvements have been provided by the master subdivision design under (VR233), including but not limited to stormwater, detention, and water quality control facilities, all of which meet stormwater requirements established by the state in addition to meeting the requirements of the County Code and ECM. A water quality facility is designated within the south end of Lot 2 of the Claremont Business Park 2, Filing No 2. The developer DTV Meadowbrook LLC, shall provide and maintain ownership and maintenance of all drainage facilities and improvements.

- **Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;**

A planned public right of way and private access easement provides legal and physical access to this site. The private road will be placed along the adjoining property line of Lot 1-3 with the appropriate public access easement. The private road improvements shall be provided by the master developer and maintained by the community commercial subdivision. All planned access is legal and under the provisions and allowances in the LDC and ECM.

Access to US 24 is from connections of Meadowbrook Parkway & Marksheffel Rd, located on the property's western edge.

- **Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;**

Necessary services, which include police and fire protection, recreation, utilities, open space, and transportation systems, are presently available to serve the development as supported by the utility and public service commitments that support the development application. Required service commitments have been provided in support of the development application.

- **The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and**

The subdivision provides evidence via commitment letters from Cimarron Hills Fire Protection District for emergency and fire service and Cherokee Metropolitan District for water for fire suppression, as well as preliminary plan layout and design of access and utilities demonstrate that the proposed fire protection methods comply with Chapter 6 of the County Code.

- **Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8**

No Off-site improvements are included in the application. **Remove not a subdivision application**

- **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;**

No offsite roadway, signing, striping, or signal improvements shall be incorporated into the Civil Drawings.

Bridge, Drainage, Park, School, and Road Impact Fees shall be paid with the final plat recordation and building permit issuance (Road Impact only).

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

The proposed subdivision meets applicable sections of Chapters 6 and 8 of the County Code or otherwise approved with conditions imposed by the BOCC.

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

The development will not impact any economically viable mineral loads or aggregates.

Remove.