

**Meadowlake Industrial
Preliminary Plan**

Letter of Intent

September 18, 2023



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719-433-2018

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Tax Schedule No: 4300000637, 4300000638, 4300000640, 4300000641, 4300000642

Acreage: 51.3 Acres

Zoning: I-2 (Limited Industrial)

Site Location, Size, Zoning:

The site is located in eastern El Paso County, situated approximately 10 miles east of Colorado Springs and northeast of Falcon. The site is located at the northwestern corner of the Curtis Road and Falcon Highway intersection. The entire Meadowlake Industrial and Commercial Park site area is comprised of 254.7 acres whereas the preliminary plan is 51.3 acres. The 51.3 acre area is zoned I-2 (limited industrial). The site is currently vacant. Surrounding land uses include vacant land within the Meadowlake Industrial development to the south and west and rural residential and agricultural (35+ acres) to the east.

Request:

The request includes the following:

1. The purpose of this application is to request approval of a 27-lot preliminary plan with a delayed finding of water sufficiency until the time of the final plat.
2. A request for a waiver of the requirement for all lots to gain access from a public roadway pursuant to Sections 8.4.3.A.1 and 8.4.3.B.2.e.

Project Description

The Board of County Commissioners approved a rezone of 51.3 acres from PUD to I-2 (Limited Industrial) on September 6, 2022. The Board also approved the creation of the Meadow Lake Metropolitan District Nos. 1-3 on September 27, 2022. A deviation regarding intersection spacing on Curtis Road was approved on August 1, 2023.

A request has been submitted for a preliminary plan for 27 lots, 2 drainage tracts, El Paso County right-of-way, as well as perpetual access easements for right-of-way to be owned and maintained by the Meadowlake Industrial Metropolitan District. An onsite wastewater treatment system report has been submitted to demonstrate the feasibility of utilizing shared septic systems for the proposed development. The ultimate location of the shared

systems is to be determined at the time of the final plat, and will be depicted as a septic easement at that time. Water is proposed to be provided by a centralized water system to be owned and maintained by the Meadow Lake Metropolitan Districts Nos. 1-3. The associated design of this system is in process concurrently.

Traffic:

Access will be provided through right-of-way as well as perpetual access easements for right-of-way to be owned and maintained by the Meadowlake Industrial Metropolitan District. The roadways will be dedicated to the Meadow Lake Metropolitan District, a governmental jurisdiction pursuant to State Statute for ownership and maintenance. A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for Meadowlake Industrial Park (*Meadowlake Industrial Park Traffic Impact Study, May 2022*). This analyzed the proposed traffic for all requested zone changes at the time. A traffic memo has been prepared and submitted for the proposed preliminary plan (*Meadowlake Industrial Park Filing No. 1 Preliminary Plan, Traffic Impact Study, September 24, 2023*). The Traffic Report concludes that:

- The development will need to contribute to the US Hwy 24/Stapleton intersection improvements at the time of final plat, which is being designed and planned by CDOT.
- An access permit will be required from CDOT for the US Hwy 24/Judge Orr intersection, at the time of the final plat.
- Contributions to Curtis Road, Stapleton, and Judge Orr will likely be required at the time of final plat.

Utilities:

The site is within the service area of Mountain View Electric Association, Inc. MVEA will supply electricity service and Colorado Springs Utilities will supply natural gas. Confirmation of the availability of these services is include with this submittal. Water will be provided initially by a centralized water system and wastewater by shared on-site wastewater treatment systems (septic tanks).

Justification:

This request is consistent with the purposes of the Your El Paso County Master Plan (2021) (adopted May 26, 2021). The proposed Preliminary Plan is in conformance with subdivision design standards and establishes an adequate level of compatibility with surrounding areas of the site already constructed and other known surrounding areas currently proposed for development.

Section 7.3.3 of the Land Development Code provides the criteria for which a waiver should be approved. All of the approval criteria is met:

The waiver does not have the effect of nullifying the intent and purpose of this Code;
The intent and purpose of requiring all lots have access onto a public roadway is to ensure

legal and safe access is maintained. Legal access will be maintained through access easements. Safe access will be maintained by the private roadway being maintained by the Metropolitan District and meeting all turning radius for Fire Apparatus.

The waiver will not result in the need for additional subsequent waivers;
No additional of subsequent waivers will be required.

The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;
Public safety, health, and welfare will be maintained by the private roadway being constructed to allow for emergency response.

The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property;
El Paso County has limited industrial property. El Paso County also struggles to maintain the existing dedicated rights-of-way, which results in many local roadways being low on the priority list. Industrial developments often result in a larger volume of heavy vehicles, which may result in the need for additional ongoing maintenance of the roadways. Due to all the funding received benefitting the proposed development in place of the County as a whole, the Metropolitan District will be better able to maintain these private roadways long-term to ensure safe passage.

A particular non-economical hardship to the owner would result from a strict application of this Code;
As stated above, the Metropolitan District will be better able to maintain the private roadways than El Paso County. Poor maintenance of the roadway may result in business operations for those industrial users being slowed, or even halted.

The waiver will not in any manner vary the zoning provisions of this Code; and
The waiver will not vary the zoning provisions.

The proposed waiver is not contrary to any provision of the Master Plan.
Please see the Master Plan analysis below.

Below is an analysis of how the requested waiver meets the criteria specifically for Private Road Allowances included in Section 8.4.4.E of the Code:

(1)Use of Private Roads Generally Limited. Private roads shall normally be confined to closed loops and dead-end roads not likely to be needed for the convenience and safety of the general public.

The private roadway will not be utilized by the general public and will be limited to owners within the subdivision, employees within the subdivision, and patrons within the subdivision. The proposed private roadways will not serve as through-streets to other surrounding developments.

(2)Private Roads Require Waiver. The use of private roads is limited and allowed only by waiver. In granting a waiver to allow private roads, the BoCC shall make written findings supporting the use of private roads and may require the owner to enter into a Private Road Maintenance Agreement or create covenants whereby the lot owners are required to maintain the private roads.

The Metro District will maintain the private roads.

(3)Private Roads to Meet County Standards. Generally, private roads shall be constructed and maintained to ECM standards except as may be otherwise determined in the waiver. Private road waivers may only include design standards for the following:

- *Right-of-way width where suitable alternative provisions are made for pedestrian walkways and utilities;*
Walkways will be included.
- *Design speed where it is unlikely the road will be needed for use by the general public;*
Not applicable
- *Standard section thickness minimums and pavement type where suitable and perpetual maintenance provisions are made;*
Not applicable
- *Maximum and minimum block lengths; and*
Not applicable.
- *Maximum grade.*
Not applicable.

Subdivision

The proposed subdivision meets the criteria for approval included within Section 7.2.1.D.2 of the El Paso County Land Development Code:

The subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;

Please see the Master Plan analysis below.

The subdivision is consistent with the purposes of the Land Development Code;

The subdivision is consistent with the purposes of the Land Development Code, which authorize the Commissioners to approve waivers and subdivision applications.

The subdivision is consistent with the subdivision design standards and any approved sketch plan;

The subdivision meets all of the design standards included within Chapter 8 of the Code as well as the dimensional standards of the I-2 zoning district. The reports and maps submitted in support of the application are in full compliance with the County, State, and Federal rules and regulations as well as the County adopted checklists, with the exception of the submitted waiver and deviation requests. There is no sketch plan for the property.

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 (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval);

The applicant requests the Board of County Commissioners postpone the finding of sufficiency in terms of water quality, quantity and dependability until the time of the approval of the final plat. The proposed central water system is being concurrently designed.

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;

Wastewater disposal is proposed to be provided by shared onsite wastewater treatment systems (OWTS). A OWST report was submitted in support of the subdivision. The report identifies that shared systems are preferred due to the anticipated low flows. The shared septic locations will be depicted as easements on the final plat.

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)];

The soils and geology report did not identify any potentially hazardous areas that would preclude development.

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;

The drainage report submitted in support of the application demonstrates that the proposed development will result in a negligible impact to the drainage patterns and that all ECM drainage requirements will be met. Two detention pond locations are depicted on the preliminary plan. The ponds are to be owned and maintained by the metropolitan district.

The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development.

The proposed public improvements include public roadways to be dedicated to El Paso County and roadways to be dedicated to the metropolitan district. Other public improvements to be identified on the final plat include sidewalk, detention ponds, and the extension of utilities.

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;

Access will be provided by public right-of-way and access easements, to be owned and maintained by the Meadowlake Industrial Metropolitan District, identified on the preliminary plan drawing.

Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;

The property is served by the Falcon Fire Protection District. Mountain View Electric Association will provide electric service. The proposed public roadways will be adequate and allow for emergency response.

The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;

There are no significant natural features or sensitive areas within the proposed subdivision. The industrial development is not required to provide open space or recreation. The proposed roadway cross section includes sidewalk to allow for pedestrian traffic. Bike parking will be provided at the time of site development plan. Those proposed lots immediately adjacent to Curtis Road, across from the vacant 360-acre parcel are significantly wider to allow for the massing of the development to be transitioned into the narrower lots interior to the development.

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

The property is within the Falcon Fire Protection District, therefore, the District has an obligation to serve the property. The proposed development is an industrial subdivision, which does not require the dedication of open space or the provision of recreational opportunities. MVEA will provide electric service, the Meadowlake Metropolitan District will provide water, and shared onsite wastewater treatment systems will be utilized for wastewater.

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

Fire Hydrants will be installed with the subdivision. All roadways meet the fire apparatus turning radius requirements and minimum width requirements for 2-way travel.

The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Code;

The proposed subdivision meets all applicable regulations included within Chapters 6 and 8 with the exception of the requested waivers. Please review the soils and geology report, onsite wastewater treatment system report, traffic study, drainage report, and grading and erosion control plan which document compliance with these chapters, as applicable.

Your El Paso County Master Plan Analysis

Chapter 1 of Your El Paso Master Plan (2021) states that the Plan is “general in nature-it cannot tackle every issue in sufficient detail to determine every type of necessary action.” In addition, Chapter 1 goes on to state that the Plan “is intended to provide clearer and more coordinated policy, resulting in a document that effectively communicates County goals and identifies specific actions to achieve both County-wide and local area objectives.” When taken together, these two statements suggest to the reader that the Plan may only address certain issues at a cursory level and that specific steps or actions for addressing such issues may not be offered within the Plan. That conclusion is certainly the case in numerous instances and with regard to a variety of topical areas. However, where that is not the case is with respect to the property that is proposed for subdivision, as identified below in an analysis of Chapter 3 of the Plan.

Placetype Analysis

The new County Master Plan denotes the site as being within the Employment Center placetype (see page 36 of the Master Plan). The Primary uses within Employment Centers include light industrial/business park, heavy industrial uses, and office, with supporting commercial retail, commercial services, and restaurants. This placetype provides space for large-scale employers to establish and expand in the County to meet future needs and demands. Proximity to transportation hubs, such as Meadowlake Airport, is appropriate for the Employment Center placetype. The adjacent Meadow Lake Airport is the largest privately owned airport in Colorado, and is an important economic driver for the County. The adjacent GA-O overlay provides opportunity for additional uses that will support the adjacent Meadow Lake Airport.

Meadow Lake Airport is also identified as an Employment Priority Development Area. The airport has expanded significantly with more than a dozen industrial and manufacturing businesses on the property and the Master Plan indicates that the County should prioritize the Airport for new employment uses to capitalize on the existing distribution network. The proposed preliminary plan is consistent with the objectives for supporting and expanding Meadow Lake Airport as an Employment Priority Development Area.

Some of the key considerations identified in the Master Plan for the airports in El Paso County include maintaining safe airspace around airports; planning for noise compatibility around airports; safety areas near airports; and planning compatible uses in areas of frequent aircraft overflight. The proposed preliminary plan is consistent with this aspect of the Master Plan, as it will ensure that future development is industrial and support the interests of the adjacent airport.

Relevant Goals, Objectives, and Strategies

Land Use

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

- Goal 1.3 - Encourage a range of development types to support a variety of land uses
- Objective LU4-3: Employment Centers should comprise land for industrial, office, business park, manufacturing, distribution, warehousing, and other similar business uses.

Economic Development

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

- Goal 3.1: Recruit new businesses and spur the development of growing sectors.
- Strategy 3: Consider prioritizing Meadow Lake Airport for new employment uses to capitalize on the existing distribution network.

Key Area Analysis

The subject property is not identified in the Plan as either being within or in close proximity to a Key Area. The nearest Key Area to the subject property is the Potential Areas for Annexation Key Area, which is located approximately 1.75 miles to the west. None of the Key Areas would be negatively impacted or otherwise affected by the subdivision.

Area of Change Analysis

The subject property is identified in the Areas of Change map within the Plan as being within “New Development”

Page 21 of the Plan characterizes areas of “New Development” by stating:

“These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.”

(Emphasis added)

Across Curtis Road to the east is a vacant 360-acre parcel zoned A-35. The proposed subdivision is adjacent to the Meadow Lake Airport to the north and west. Meadow Lake Airport includes both industrial and manufacturing-type uses along with the airport function. To the south are developed lots within the RR-5 zoning district. The proposed subdivision will support and complement the functions of the Meadow Lake Airport and serve as an employment hub.

El Paso County Water Master Plan

The Executive Summary from the Water Master Plan states that “The Plan Water Master Plan (WMP) was developed for the Board of County Commissioners, El Paso County officials and staff, developers, citizens, and water providers within the County for the

purpose of identifying and addressing water supply issues earlier in the land use entitlement process.” Traditionally water sufficiency finding should be made in El Paso County at the preliminary plan stage. However, a request has been made to postpone the water finding until the time of the final plat.

The subject property is located within Planning Region 4c of the Water Master Plan, pursuant to Figure 3-1 on page 27. Region 4c, is made up of 6 central water providers, including several small neighborhood providers such as Prairie Estates and Peyton Pines. The property is also located within the boundaries of the Upper Black Squirrel Designated Groundwater Basin.

The Plan states the following with respect to Region 4c:

“Region 4c contains one small projected growth area by 2040 located between Highway 94 and Highway 24 along the Region 8 boundary. Further development will likely be located along the Highway 94 corridor in Region 4c by 2060, due to proximity to Schriever Air Force Base. The largest development in Region 4c is expected to occur by 2060 along the west side of Meridian Road north of Fountain.”

Table 5-4 of the Plan identifies the current supply and demand forecasts at full build out (year 2060) for each of the Planning Regions. The Table indicates that the current water supply and demand for 4c is 2,970 AF per year. The proposed development will utilize groundwater wells, therefore, it will not result in a deficit water supply. For the reasons stated above, the applicant requests that the proposed service plan be found to be in compliance with the Water Master Plan.

El Paso County Parks Master Plan

The El Paso County Parks Master Plan (2022) does not depict and existing or planned parks or trails within proximity to the proposed subdivision. The proposed map amendment is in general compliance with the El Paso County Parks Master Plan.

Other Topical Elements of the County Master Plan

The proposed subdivision is in compliance with the other topical elements of the County Master Plan including the Master Plan for Mineral Extraction, and the El Paso County Wildlife Habitat Maps and Descriptors.