

**Judge Orr Eastonville Commercial Center**

**An amendment to the Bennett Ranch**

**Letter of Intent**

**June 2020**

**(updated August 2020, October 2020)**

This letter needs to be revised specifically to provide justification that the proposed sketch plan amendment meets the criteria for approval of a sketch plan as outlined in LDC Sec. 7.2.1(D)(1)(c). This letter does not explain what the proposed sketch plan amendment is - you should provide reference to past approvals and explain how this change still meets the criteria.

Great analysis of the master plan components has been provided - this is one component of the criteria, additional criteria should also be addressed

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**Planner:**

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**SITE LOCATION:** The Judge Orr Eastonville Commercial Center is located at the northeast corner of Eastonville Road and Judge Orr Road. The Ferguson property borders the property on the north; the Bennett Ranch property borders the property on the south.

The Judge Orr Eastonville Commercial Center property is zoned RR-5.

Adjacent land use to the west is urban density single family residential. The Bennett Ranch property borders the property on the north. To the south is primarily residential single family homes located across Judge Orr Road at the intersection with Bennett Ranch property, which is planned for commercial land use, bordering the property on the south.

Include the following information on the letter (some will be included in criteria justification):

Property address / Property tax schedule number

A discussion detailing the specific request and size of the area included in the request.

A discussion summarizing any constraints, hazards, and potentially sensitive natural or physical features (e.g., wetlands, protected species habitat, floodplain, geological, etc.) within the area included within the request.

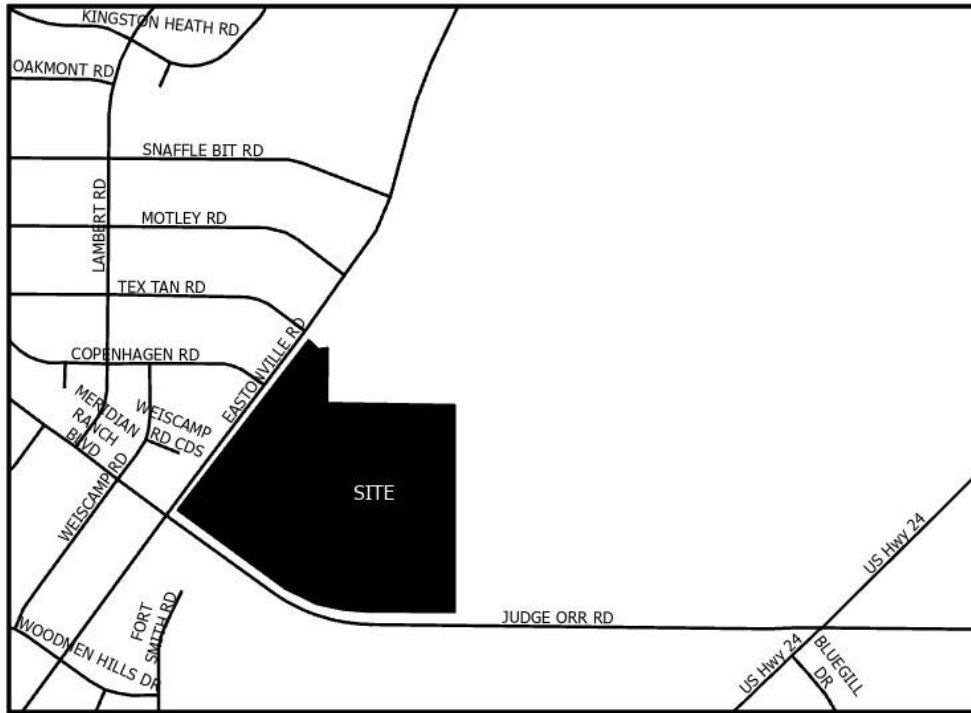
A discussion summarizing all proposed major roadway alignments through the sketch plan area and any connections to existing major roadways.

A discussion summarizing how drainageways and floodplains through the plan area, and offsite as appropriate, are proposed to be protected, changed, or improved.

A discussion regarding the surrounding area and how the proposal fits within the context of the area and any potential impacts that may be caused by the proposed development.

A discussion summarizing potential public and private improvements, including onsite and offsite improvements, and the plan for ongoing ownership and maintenance of each improvement.

Vicinity Map



This is not the proposal. This is not a rezone application and approval of the sketch plan amendment will not effectively rezone the property. You can include the anticipated uses, but note that receiving sketch plan approval does not approve the site for these uses.

**THE PLAN:** Proposed access to the Judge Orr Eastonville Commercial Center will be from Judge Orr Road a minor arterial and from Eastonville Road also a minor arterial. An internal street is planned to connect Judge Orr to Eastonville in a north to northwest direction. Deviations have been requested for the proposed access points.

This application proposes to change the zone of this 35 acre lot to CS (Commercial Services) from RR-5. Uses proposed for the site include a bank, retail, and enclosed mini-warehouse.

The Woodmen Hills Metropolitan District will provide water and wastewater services to the site. A letter committing to serve is included in the application.

Buffers will be provided between non-residential and residential uses. Drainage easements on this site provide 100 foot buffers along both Eastonville and Judge Orr Roads. The details of

Not sure what is meant by this. Property to the east is zoned agriculturally. Buffers are based on zoning district.

buffers, which may include berms, walls, fencing and/or setbacks along the north side of the property will be defined with future Preliminary Plan or Site Development plan. The proposed commercial land use to the east does not require a buffer. Landscaping and other site details will be provided on subsequent more detailed submittals.

## JUSTIFICATION:

### Conformance with the El Paso County Policy Plan

The Judge Orr Eastonville Commercial Center conforms to the following goals and Policies of the El Paso County Policy Plan.

#### PURPOSE AND INTENT

Holistic Application.

What does this mean?

The applicable policies in this document should be considered and applied comprehensively rather than singularly. Most development proposals will naturally be consistent with some policies while inconsistent with others. The appropriate approach is to evaluate all of the relevant policies and then make a land use decision with respect to overall consistency based on a preponderance of policies within this Policy Plan.

**Policy 2.1.10** Encourage preservation of open space in subdivisions *Open space has been shown on this plan. It is shown within drainage easements along Judge Orr Road and Eastonville Road.*

**Policy 2.1.11** Encourage approaches to natural system preservation and protection which also accommodate reasonable development opportunities *Wetland and pond areas have been shown as open space on the plan. Floodplains are included within existing drainage easements.*

**Policy 2.3.1** Preserve significant natural landscapes and features. *This Sketch Plan has identifies and preserves the natural features of this site which are wetlands located generally at the south east corner of the site.*

**Goal 6.3** Continue to support existing and carefully planned future urban density development in the unincorporated County, provided the requisite level of urban services is available or will be available in a timely fashion. *Urban services will be available to serve the urban land use portion of this project.*

**Policy 6.3.2** Rely on the Small Area Planning process to define the subarea specific boundaries for urban density development. *This Sketch Plan reflects the Falcon/Peyton Small Area Plan, which recommends urban development for this property.*

**Policy 6.1.6** Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently. ***Urban services including central water and wastewater, electric and gas, and fire protection will be available to serve the urban land use of this project as evidenced by letters of commitment to service.***

**Policy 6.1.11** Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses. ***The land plan promotes this policy. Existing drainage easements provide buffers to residential development to the west and south. Proposed commercial land use has recently been approved to the east. Commercial land use is appropriate at the intersection of two arterial roads.***

**Policy 6.1.3** Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access. ***This proposed development is similar to the proposed commercial land use to the east and is supportive of urban density within adjacent Woodmen Hills.***

**Policy 6.1.14** Support development which compliments the unique environmental conditions and established land use character of each sub-area of the County. ***See conformance with the Falcon/Peyton Small Area Plan discussed below.***

**Policy 8.3.3** Address protection of natural features beginning with the initial stages of development review process. ***This Sketch Plan has identified natural features of this site which are proposed to be preserved as open space. Details will be shown on subsequent detailed plans.***

**Policy 9.2.3** Strictly limit direct access onto major transportation corridors in order to preserve their functional capacity. ***This site has access available only from adjacent minor arterial roads. A Traffic Analysis has been prepared which identifies access points that are consistent with good traffic planning but require deviations to implement.***

**Policy 9.4.5** Encourage processes by which development can contribute a reasonable and fair share toward off-site transportation improvements. ***This project will pay its fair share of transportation costs through the Countywide Transportation Fee Program.***

**Policy 11.1.14 and Policies 11.3. And Policy 11.4.8.** Require development plans to effectively address both quantitative and qualitative impacts of drainage within the project site. ***Full spectrum detention will be employed.***

**Policy 11.3.1** Where feasible, support the use of natural or naturalistic drainage approaches rather than hard line solutions. ***Onsite drainage channels will be preserved.***

**Policy 11.3.3 and Policy 11.3.4.** Fully evaluate the relative impact of proposed drainage improvements on the maintenance of water quality. **All on-site developed flow will be treated prior to release.**

**Policy 11.3.5** Protect the integrity of wetlands, riparian areas and associated wildlife habitat through a combination of careful land development and drainage system design. **The Sketch Plan shows wetlands in drainage channels (easements) which are proposed to remain as open space land use.**

**Policy 15.3.3** Encourage innovative approaches to the problem of financing solutions to the off-site fiscal impacts of development. **This project will be required to participate in the El Paso County Road Impact Fee Program. The decision to join one of the two fee program PID districts or to exercise the opt-out (of the PID) option will be provided at the Final Plat stage. The fee required up-front with each subdivision will be payable at the time of building permit.**

#### **Conformance with the Falcon/Peyton Small Area Plan**

The Judge Orr Eastonville Commercial Center is within the Falcon/Peyton Small area Plan. As shown of Figure 4-5 of the Plan, this property is shown as appropriate for urban development. It is located at a Potential Node and Corridor of Activity, defined as an “area where future development and infrastructure is expected to be concentrated in the future.” More specifically, the property is within the Meadow Lake Airport Area.

The following policies of the Plan relate to this area:

- 4.4.3.1 Recognize the economic and safety importance of Meadow Lake Airport and encourage compatible land uses within and around this facility. **Commercial land use is compatible with the airport.**
- 4.4.3.4 Recognize the Meadow Lake Airport area as an appropriate location for non-residential uses including those industrial uses which are more compatible with Airport operations and surrounding residential uses. **Commercial land use is compatible with the airport.**

Section 4.4.5 of the Falcon/Peyton Plan refers to the Highway 24 Corridor. The following policy recommendation applies to The Judge Orr Eastonville Commercial Center

- 4.4.5.2 Recognize the importance of Highway 24 as the primary transportation artery serving the existing and future needs of the area. Maintain options for stringent access control, adequate right-of-way preservation and adjacent uses which will compliment

higher speed, high traffic expressway corridor. ***While not adjacent to Highway 24, this property is influenced by proximity to the Highway 24 corridor.***

Several of the General Policies of the Falcon/Peyton Small Area Plan also pertain to this stage of planning for The Judge Orr Eastonville Commercial Center:

- 4.5.5.7 More intense uses that would result in more traffic should be confined to high volume transportation routes designated on the MTCP. ***The Commercial use within the proposed Sketch Plan is located adjacent to Judge Orr Road and Eastonville Road both of which are high volume transportation routes.***
- 4.5.8.1 Identify major stream corridors within the planning area with opportunities for integration as centerpieces for linear open space, park, recreation, trail and wildlife corridor uses in conjunction with surrounding development. ***Although the drainage system that traverses the site is not a major stream corridor, the drainage areas on site provide for open space and buffer opportunities and the potential for a trailhead.***

#### **WATER MASTER PLAN**

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

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

***Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.***

***Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.***

***Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).***

***Goal 5.4 – Promote the long-term use of renewable water. Goal 5.5 – Identify any water supply issues early on in the land development process.***

***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.***

Woodmen Hills Metro District has sufficient supply and existing infrastructure in the area to serve this development. Water quality is good and Woodmen Hills is in compliance with all regulatory limits.

The project is located within Region 3, Falcon Area, containing 4 growth areas projected to be completed by 2040, three areas to be completed by 2060, and two other growth areas located on the north and south sides of Falcon Highway directly east of Falcon. Specifically, the Water Master Plan states:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater. The other two growth areas will be located on the north and south sides of Falcon Highway directly east of Falcon. See Figure 5.5 for Region 3 growth map projections.”

Full build out of the Woodmen Hills Metro District (District) is anticipated within the 2040 timeframe. The Water Resources Report indicates that the District has sufficient supply to meet the expected need at full build out by 2040 and 2060. Region 3 has a current water supply of 7,164-acre feet per year and a current demand of 4,494-acre feet per year. The 2040 water supply is projected to be 7,921-acre feet per year and the project demand is 6,403-acre feet. As stated in the Water Resources Report, this development is projected to need 16.51-acre feet of water per year. The District has committed this amount of water to the Eastonville Judge Orr Commercial Center project. Current supply is 1,483-acre feet on a 300 year basis which includes a 20% reserve. Based on the needs, current supply, and reserve the District has sufficient water to meet the needs but a possible very small shortage of 23.5 annual acre-feet might be expected due to the 20% reserve.

Woodmen Hills Metropolitan Districts has provided a water and wastewater commitment letter to serve the development. The Districts has three types of water supply from renewable and non-renewable sources:

- local wells mainly in the Arapahoe and Laramie Fox-Hills formations,

- off-site wells four operating in the Denver Basin in the Guthrie Ranch Area, and two alluvial wells also in the Guthrie Ranch Area which pump renewable water from Upper Black Squirrel Basin
- a perpetual right to 350 acre-feet of water per year from Cherokee Water utilizing the Upper Black Squirrel Basin (renewable source).

The District developed a water policy intended to facilitate goals of continual addition of water sources prioritizing renewable sources. In addition, the District will be acquiring and or improving sources of supply and increasing water reliability and efficiency over time. New sources/expansions are expected to come from five areas: developer inclusion, acquisition, regionalization, facility expansion (including extensions of existing jointly owned transmission systems), and indirect, lawn irrigation return flows (LIRF) credits and direct reuse. The District has two major off-site transmission lines which are jointly owned with Meridian Service Metropolitan District. The District is responsible for the operation of both the Tamlin and Guthrie systems. The District owns and operates three water treatment plants and three water storage facilities. The District treats and filters 100% of their water supply. A fourth tank is under construction and will bolster fire flows, service pressures, system reliability, and potable water storage.

The District's current use is based on an average of 53% renewable water sources and is continually acquiring and working towards establishing additional renewable sources.

**IMPACT REPORTS:**

- Wetlands. Wetland delineation by Bristlecone Ecology is included in their Impact Report for the property. This data has been used to inform the land use plan.
- T&E Species. Bristlecone Ecology evaluated the site for potential habitat for Threatened and Endangered species and found it highly unlikely that such species exist on site.
- A Visual Analysis was prepared by NES, Inc.
- A Traffic Impact Analysis by LSC accompanies this application
- A MDDP by Terra Nova accompanies this application

**TRAFFIC:** A Traffic Impact Analysis has been prepared by LSC Transportation Consultants, Inc. and is included in this submittal as a separate document. Two deviations for access to both Eastonville Road and to Judge Orr Road are included.

**MINERAL DEPOSITS:** Entech Engineering, Inc. has evaluated the site for the presence of commercially viable mineral deposits and has found that such deposits are either absent or are not commercially viable.



**WATER AND WASTEWATER:** Woodmen Hills Metropolitan District states in a letter dated August 4, 2020 that they commit to serve water with a commitment of 16.5 AC.FT./year and that they have the water to serve. They also state that they will provide wastewater service consisting of a commitment of 7621 gallons /day and tht they have the capacity to treat.

## **JURISDICTIONAL IMPACTS**

### **Districts Serving the Property**

- Natural Gas – Colorado Springs Utilities. A Service letter is provided in the application
- Electricity – Mountain View Electric. Will Serve Letter included in application.
- Water –Woodmen Hills Metropolitan District. Will Serve Letter included in application.
- Wastewater – Woodmen Hills Metropolitan District. Will Serve Letter included in application.
- Fire Protection – Falcon Protection District
- Schools – Falcon District #49
- El Paso County Conservation District
- Upper Black Squirrel Ground Water District