



# CITIZEN ON CONSTITUTION FINAL PLAT

---

LETTER OF INTENT



APRIL 11, 2022  
KIMLEY-HORN AND ASSOCIATES

## Contents

APPLICANT-OWNER/CONSULTANT INFORMATION:.....	3
OWNER:.....	3
APPLICANT .....	3
PLANNING .....	3
TRANSPORTATION ENGINEERING.....	3
SOUND ENGINEERING (NOISE ANALYSIS) .....	3
SURVEYING .....	3
REQUEST.....	4
PROPERTY LOCATION, ACREAGE, PARCEL ID INFO, & ZONING .....	4
ZONING COMPLIANCE:.....	4
FINAL PLAT DESCRIPTION .....	5
REVIEW CRITERIA .....	6
1)The subdivision is in substantial conformance with the approved preliminary plan; .....	6
2)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; .....	6
3)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; .....	6
4)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;.....	6
5)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)]; .....	6
6)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; .....	6
7)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;.....	7
8)Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision; .....	8
a. Infrastructure Capacity (Utilities and Urban Services) .....	8
9) The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; .....	9

10) 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;..... 9

a. NOISE IMPACTS & COMPLIANCE ..... 9

11) 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;..... 10

12) The subdivision meets other applicable sections of Chapter 6 and 8; and..... 10

13) The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.] ..... 10

14) No extraction of any known commercial mining deposits will be impeded..... 10

YOUR EL PASO MASTER PLAN CONFORMANCE ..... 10

Master Plan Conformity (Land Use & Housing) ..... 11

WATER MASTER PLAN CONFORMANCE & CONSIDERATIONS ..... 19

## APPLICANT-OWNER/CONSULTANT INFORMATION:

### OWNER:

FEATHERGRASS INVESTMENTS, LLC  
ATTN: KENNETH DRISCOLL  
719-651-9133  
[kdriscoll719@gmail.com](mailto:kdriscoll719@gmail.com)  
4715 N. CHESTNUT ST  
COLORADO SPRINGS, CO 80907

### APPLICANT

THE GARRETT COMPANIES, INC.  
ATTN: RACHEL HARMON  
317-775-1853  
[RHarmon@TheGarrettCo.com](mailto:RHarmon@TheGarrettCo.com)  
1051 GREENWOOD SPRINGS BLVD, SUITE 101  
GREENWOOD, IN 46143

### PLANNING

KIMLEY-HORN & ASSOCIATES  
ATTN: RAIMERE FITZPATRICK  
719-453-0180  
[raimere.fitzpatrick@kimley-horn.com](mailto:raimere.fitzpatrick@kimley-horn.com)  
2. NORTH NEVADA AVENUE, SUITE 300  
COLORADO SPRINGS, CO 80903

### TRANSPORTATION ENGINEERING

KIMLEY-HORN & ASSOCIATES  
4582 SOUTH ULSTER STREET, SUITE 1500  
DENVER, CO 80237

### SOUND ENGINEERING (NOISE ANALYSIS)

KIMLEY-HORN, & ASSOCIATES  
ATTN: AARON HUESTESS  
(303) 228-2318  
[Aaron.huestess@kimley-horn.com](mailto:Aaron.huestess@kimley-horn.com)  
1700 Willow Lawn Drive, Suite 200  
Richmond, VA 23230

### SURVEYING

BARRON LAND SURVEYING  
ATTN: SPENCER BARRON  
719-360-6827  
[spencer@barronland.com](mailto:spencer@barronland.com)  
2790 N. ACADEMY BLVD., SUITE 311  
COLORADO SPRINGS, CO 80917

## REQUEST

Approval of 12.26-acre the 'Citizen on Constitution Final Plat (hereafter, "Plat")', a one (1) lot replat of Tract M and Tract N, Urban Collection at Palmer Village Filing No. 2 Final Plat (Plat No. 14832) in the RM-30 Zone (Pending approval by the PC and BOCC – PCD File No. RM30-20-4)

The applicant also requests findings of:

- water sufficiency with respect to water quantity, quality, and dependability
- adequate method of wastewater disposal
- general conformance with the Your El Paso Master Plan
- general conformance with the County Water Master Plan

## PROJECT DESCRIPTION

Creation of create a single lot (8.927 AC) and tracts for a 226-unit multifamily development in the RM-30 District, 1.352 AC of Right-of-Way dedication, a 0.800 AC tract for stormwater detention, and a 1.185 AC tract for open space. Final development plans will include 2 – three (3) story buildings with tuck under, detached garages, and uncovered surface parking, indoor/outdoor recreation amenities, and open spaces.

## PROPERTY LOCATION, ACREAGE, PARCEL ID INFO, & ZONING

The properties included in the final plat are located at the southwest corner of the Marksheffel Road and Constitution Avenue intersection. The Plat includes Parcel No. 5405000051 (±10.54 AC) and Parcel No. 5405000035 (±1.72 AC), which are legally described as Tracts M and N, Urban Collection at Palmer Ridge, respectively. The 12.26-acre parcels are currently zoned CR with Commercial Aviation Development Overlay (CAD-O), subject to approval of a map amendment (rezoning) to the RM-30 CAD-O zone (PCD File No. P-21-8). See vicinity map for location/site details.

## RM-30 ZONING COMPLIANCE:

Development of the site shall be in conformance with the zoning requirements of the RM-30 zone, including landscape buffering/screening requirements of the Code summarized below:

- Maximum density: 30 DU/AC
- Structural Setbacks (from property boundary):
  - Front 25-feet
  - Side/Rear: 15-feet
  - The minimum distance between buildings shall be 10 feet.
- Max Lot Coverage: 60%
- Max Height: 40-feet
- Roadway Landscape Buffers:

- Principal Arterial: 25-foot buffer/landscape setback (1 tree/25 feet of Constitution Ave/Marksheffel Rd frontages)
- Non-Arterial: 10 feet (1 tree/30 feet of future Akers Drive frontage)
- Buffer Between Non-Residential, Multifamily Residential and Single-Family/Duplex Uses:
  - 15-feet along frontages adjacent to single-family residential uses
  - 15-feet along residential boundary where compatibility is a concern
  - 1 tree/25-feet of common property line
  - A minimum 1/3 trees shall be evergreen
- Internal Landscaping Requirements:
  - A minimum of 15% of the lot or parcel shall be landscaped.
  - A minimum of one tree shall be provided for every 500 square feet of required internal landscape area.

80'

This is not shown on the plat. Revise accordingly.

## FINAL PLAT DESCRIPTION

The final plat includes platted boundary descriptions, ROW dedications for:

- 60' ROW an Akers Drive extension from Constitution to the southern property line of the site
- 20' ROW from northern boundary for future widening of Constitution
- 20' ROW from the eastern boundary for future widening of Marksheffel
- Pedestrian sidewalk improvements along public frontages pedestrian access and circulation easements, utilities, landscape buffers and setbacks, and tract(s) for stormwater and water quality facilities.
- Vacate unneeded or otherwise obsolete easements to be identified on the plat graphics and cover sheet notes section.

repeat comment depict on the plat

The site development plan application for the proposed platted site will include: two (2) mid-rise, three (3) story multifamily unit buildings, attached and detached garages, uncovered surface parking, office, club house, swimming pool, landscaping, open spaces, active and passive recreational amenities. The development plan will also depict required on and off-site public and private transportation and circulation, stormwater, and/or utility improvements, buffering and screening, final grading and erosion control, and construction plans for on- and off-site improvements.

The developer intends to pay the traffic impact fee in full at or prior to the time of building permit issuance.

## REVIEW/APPROVAL CRITERIA

1. **The subdivision is in substantial conformance with the approved preliminary plan;**  
The subdivision boundaries are consistent with existing for the Tracts M and N of the approved Urban Collection at Palmer Village (PUDSP-19-11) Preliminary Plan. The property is being platted at a different density from the current CR zone. The property is currently a platted tract and not eligible for development under existing zoning conditions.
2. **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;**  
The required reports and plans have been submitted for review against County Subdivision requirements including compliance with applicable LDC, ECM, DCM, and other applicable County, State, and/or federal regulatory requirements.
3. **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;**  
Cherokee Metropolitan District has committed to provide a sufficient water supply in terms of quantify, quality, and dependability needed to meet the domestic and irrigation demand of the proposed development.
4. **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;**  
Cherokee Metropolitan District has committed to provide wastewater disposal service that is adequate to meet the wastewater disposal and treatment demands of the proposed development.
5. **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)];**  
No areas have been identified as a hazardous soils or topographical concern. The site conditions do support the intended Multi-family use.
6. **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;**

Proposed drainage improvements follow state statute and the requirements of County Land Use Code and ECM.

The Site will disturb more than 1 acre and will require a Colorado Discharge Permit System (CDPS) General Permit for Stormwater Discharge Associated with Construction Activities from the Colorado Department of Public Health and Environment (CDPHE).

The required fees for the Sand Creek Drainage Basin based upon the 2022 fee schedule, are listed below. Fees will be paid prior to plat recordation.

- Drainage Fee/Impervious Acre = \$21,814 x 7.21 acres = \$157,278.94
  - Bridge Fee/Impervious Acre = \$8,923 x 7.21 acres = \$64,334.83
- Total = \$221,613.77

**7. 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;**

The proposed access points have been designed per EPC standards and documented in the included traffic report.

The purpose of this traffic study is to identify project traffic generation characteristics to determine potential project traffic related impacts on the local street system and to develop the necessary mitigation measures required for the identified traffic impacts.

The following intersections were incorporated into this traffic study in accordance with the El Paso County standards and requirements:

- Constitution Avenue and Akers Drive
- Constitution Avenue and Marksheffel Road

In addition, the proposed full movement access along the future extension of Akers Drive and a right-out access along Marksheffel Road were evaluated.

Regional access to the Citizen at Constitution project will be provided by US Highway 24 (US-24), Powers Boulevard (SH-21), and State Highway 94 (SH-94). Primary access will be provided by Constitution Avenue and Marksheffel Road. Direct access will be provided by a full movement access along Akers Drive located approximately 300 feet south of Constitution Avenue (measured edge line to centerline) and a right-out access along Marksheffel Road approximately 400 feet south of Constitution Avenue (measured edge line to center).



Citizen at Constitution is expected to generate approximately 1,230 weekday daily trips, with 76 of these trips occurring during the morning peak hour and 97 of these trips occurring during the afternoon peak hour.

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

Police protection is provided by the EL Paso County Sheriff. Fire protection and EMS emergency services are provided by Falcon Fire Protection District. Electric services are provided by Mountain View Electric and gas services are provided by CSU.

**Infrastructure Capacity (Utilities and Urban Services)**

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. Akers Drive will be extended southerly from Constitution Avenue to provide public access to the planned development as well as a secondary emergency access for the Urban Collection at Hannah Ridge residential development.

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

- Water & Wastewater Services: Cherokee Metropolitan District (CMD)
- Natural Gas: Colorado Springs Utilities
- Electric Service: Mountain View Electric Association
- Fire Protection: Falcon Fire Protection District
- Public Schools: Colorado Springs District #11
- Library Services: Pikes Peak Library District:
- Roads: El Paso County Road and Bridge
- Police Protection: El Paso County Sheriff's Department
- Special District Services: Constitution Heights Metro District
- Parks, Trails, Open Spaces: El Paso County, City of Colorado Springs, CMD
- Interior Open Space: Owner/Developer

Utility and fire protection commitments and use specific service demands and delivery requirements will be provided at future subdivision phases for the multifamily project. The subsequent subdivision and site development plan submittal and review will include detailed reports and analysis of system or service deficiencies. Impacted service providers will outline respective infrastructure and/or operational needs, in order, to meet projected demands.

Look at the commitment letter please. CSU-repeat comment; if MVEA is to provide service update the commitment letter

9. **The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;**  
The plans comply with applicable provisions of Chapter 6 for fire protection and access. Water supply demands for fire suppression will be coordinated with the Falcon Fire Protection District.
10. **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;**  
Offsite impacts and required mitigation have been evaluated and found to be roughly proportionate to impacts generated by the proposed development.

#### NOISE IMPACTS & COMPLIANCE

A noise analysis was provided to evaluate noise levels surrounding the development, a brief summary is included below.

According to Chapter 4 of the U.S. Department of Housing and Urban Development's (HUD) Noise Guidebook, noise can be intercepted as it passes through walls, windows, doors, floors, and ceilings of a building. Therefore, the implementation of noise reducing materials and construction techniques into a building can be a good way to reduce interior noise levels.

Repeat comment. You are mitigating the noise by agreeing to noise mitigation construction practices (extra insulation, triple pain window? ) because the noise exceeds 66bd - plat note should state this is required. a new contractor could come in and not build the same that this one does if this builder should cease.

Volume 44, Number 235, Part 51 of the Federal Register outlines Environmental Criteria and Standards for HUD. Section 51.101.a.9. states "it is a HUD goal that the interior auditory environment shall not exceed a day-night average sound level of 45 decibels." Predicted interior noise levels for the proposed development are less than 45 dB(A) during the peak traffic hour. Interior noise levels, shown on Figure 6 in said noise study.

Additionally, the anticipated interior noise levels described in the noise study are lower than the likely ambient interior noise levels that occupants would be exposed to on a normal basis. Noise from mechanical equipment in each apartment unit (i.e., refrigerators, HVAC units, washing machines, dryers, dishwashers, etc.) are likely to emit noise levels ranging from 45 dB(A) to 50 dB(A), at a minimum. Therefore, it is anticipated that noise generated from normal, everyday activity within each apartment unit would be more noticeable than interior noise from the adjacent roadways.

Per the findings of the analysis, the predicted future noise levels (year 2040) generated from Constitution Avenue and Marksheffel Road are expected to be reduced by the proposed site layout and the developer's standard construction techniques. Although future exterior noise levels are anticipated to impact nearby residences, interior noise levels are within HUD requirements. **As a result, noise abatement measures are not recommended.**

this is not the case; the report refers to mitigation via construction and bldg layout

**11. 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;**

All required subdivision improvements are financially guaranteed through the SIA to adequately mitigate the subdivision impacts.

**12. The subdivision meets other applicable sections of Chapter 6 and 8; and**

The subdivision meets all other applicable Code sections of Chapter 6 and 8.

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

No extraction of any known commercial mining deposits will be impeded.

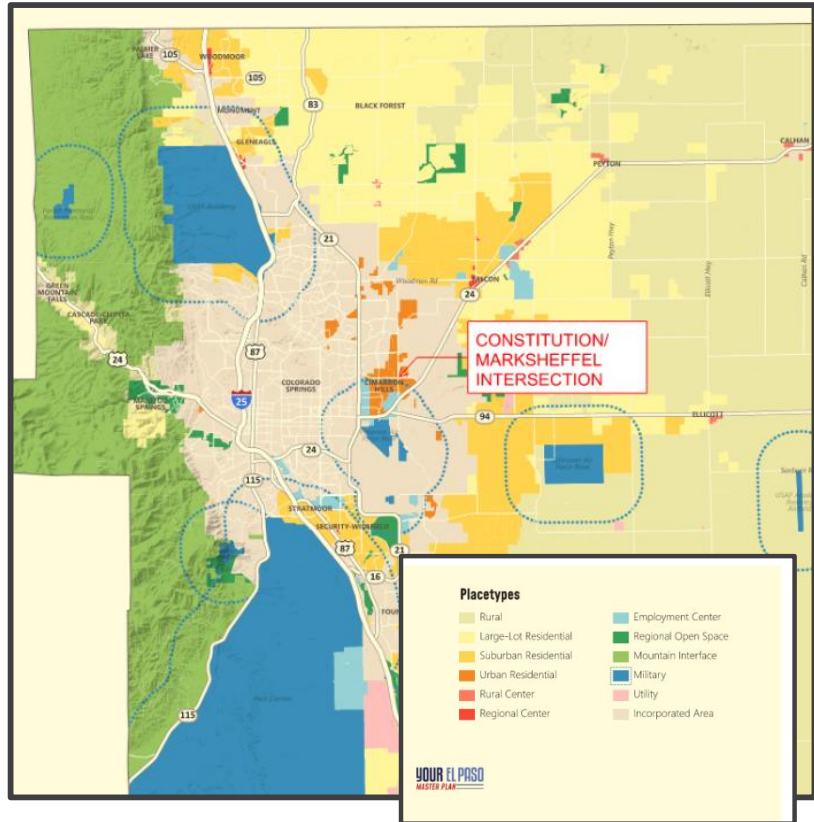
## **YOUR EL PASO MASTER PLAN CONFORMANCE**

The proposed final plat is in general conformance with the EL Paso County Master Plan as discussed in detail below. The Plat implements the proposed RM-30 zone (*PCD File No. P-21-8*) to create a legal zoning lot for proposed multifamily development. Findings of Master Plan conformance are pending with the rezone application. The Plat is also consistent with Master Plan to implement the multifamily land use. Increased market demand for housing is reflected in the recent residential infill developments on property previously zoned or planned for commercial, light industrial, and manufacturing uses.

There has also been a substantial ongoing change in the character of the area's development and land use patterns creating a mixed land use character that incorporates commercial, industrial, single & multifamily densities centered at Marksheffel/Constitution intersection and adjacent corridor segments. This development pattern is consistent with the location and primary and supporting land uses of the Urban Residential Placetype shown on the Placetypes Map in the Master Plan.

Since the properties were rezoned to the current CS (Commercial Service) zone from M (Industrial) in 2004, the surrounding area has undergone a substantial change in character from primarily industrial/commercial land uses to a mixed use comprised of commercial/retail uses supporting a growing single-family residential market base.

The proposed RM-30 zoning and planned multifamily land uses and densities are consistent with the existing adjacent commercial, industrial, public, and residential land uses which are in various stages of development and redevelopment.



## MASTER PLAN CONFORMITY (LAND USE & HOUSING)

*Core Principle 1: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.*

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

### Land Use

The Your El Paso Master Plan locates this property within an urban residential placetype where higher density and multifamily residential uses are identified as a primary land use in this area designation.

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	Parks and Open Space
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.

Many of the Regional and Employment Center Placetype land uses are located adjacent to or in proximity to the Project which include commercial retail, restaurant, commercial service, and light industrial in the surrounding CR (Commercial Retail), CS (Commercial Service), M (Industrial), I-3 (Heavy Industrial), and City of Colorado Springs PBC (Planned Business Center) zone districts.

The proposed multifamily uses and densities are compatible with the existing and approved residential, commercial, and industrial land use patterns and densities along the Constitution Avenue corridor in both easterly and westerly directions as well as the Marksheffel Rd Corridor in both northerly and southerly directions. Plat and Site Development Plan approval will implement development consistent with the intent and goals of the Master Plan.

### Infrastructure Capacity (Utilities and Urban Services)

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. Akers Drive will be extended southerly from Constitution Avenue to provide public access to the planned development as well as a secondary emergency access for the Urban Collection at Hannah Ridge residential development.



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

- Water & Wastewater Services: Cherokee Metropolitan District (CMD)
- Natural Gas: Colorado Springs Utilities
- Electric Service: Mountain View Electric Association
- Fire Protection: Falcon Fire Protection District
- Public Schools: Colorado Springs District #11
- Library Services: Pikes Peak Library District:
- Roads: El Paso County Road and Bridge
- Police Protection: El Paso County Sheriff's Department
- Special District Services: Constitution Heights Metro District
- 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 will be provided at future subdivision phases for the multifamily project. The subsequent subdivision and site development plan submittal and review will include detailed reports and analysis of system or service deficiencies. Impacted service providers will outline respective infrastructure and/or operational needs in order to meet projected demands.

Infrastructure Capacity (Transportation and Access – Summarized from TIS)

The project is expected to generate approximately 1,230 weekday daily trips, with 76 of these trips occurring during the morning peak hour and 97 of these trips occurring during the afternoon peak hour.

Regional access to the project will be provided by US Highway 24 (US-24), Powers Boulevard (SH-21), and State Highway 94 (SH-94). Primary access will be provided by Constitution Avenue and Marksheffel Road. Direct access will be provided by a full movement access from the extension of Akers Drive southerly from Constitution Avenue. Constitution Avenue extends eastbound and westbound with two through lanes in each direction with a posted speed limit of 50 miles per hour. Marksheffel Road extends in the north-south direction with two through lanes in each direction and has a posted speed limit of 50 miles per hour.

The access along the new south leg of Akers Drive will be approximately 300 feet south of Constitution Avenue (measured edge line to center). Per the ECM, spacing of intersections along urban local roadways (Akers) from an arterial roadway should be 330 feet from the right-of-way line of the arterial to the centerline of the access roadway. Therefore, the proposed access along the new south leg of Akers Drive does not meet ECM standards. The access along Akers Drive is expected to meet operational, vehicle queue, and sight distance standards.

The following deviations will be provided at the subdivision stage (i.e. preliminary plan/final plat) for the ECM administrators consideration:

Please submit the deviations for review and consideration by the ECM administrator

- A deviation will be provided to request full movement access from a future south leg of Akers Drive at Constitution Avenue. The future south leg of Akers Drive along Constitution Avenue will be located approximately 1,050 feet west of Marksheffel Road (measured edge line to center), and approximately 825 feet east of Hannah Ridge Drive. According to the El Paso Engineering Criteria Manual (ECM) section 2.2.5.B, spacing of roads accessing an urban principal arterial that will result in a full movement intersection shall be planned at one-half mile. However, as stated in the ECM, one parcel access shall be granted to each existing lot, if it does not create safety or operational problems. The intersection of Constitution Avenue and Akers Drive is expected to meet operational, vehicle queue, and sight distance standards; therefore, it is believed that a south leg of Akers Drive at Constitution Avenue should be granted to allow for one full movement access to the existing lot.
- A deviation will be provided in support of allowing a right-out only access along Marksheffel Road. The proposed right-out access along Marksheffel Road will be located approximately 400 feet south of Constitution Avenue (measured edge line to center). The proposed right-out only access along Marksheffel Road is expected to meet operational, vehicle queue, and sight distance standards; therefore, it is believed that this access should be granted to only allow right-turn exiting movements.
- The access along the new south leg of Akers Drive will be approximately 300 feet south of Constitution Avenue (measured edge line to center). According to the El Paso County Engineering Criteria Manual section 2.2.5.D, spacing of intersections along urban collector roadways from an arterial roadway should be 330 feet from the right-of-way line of the arterial to the centerline of the access roadway. Therefore, the proposed access along the new south leg of Akers Drive does not meet ECM standards. The access along Akers Drive is expected to meet operational, vehicle queue, and sight distance standards. A deviation will need to be provided to request for this proposed access to remain at the proposed location.

Since a roundabout is proposed this deviation is not needed. Please remove.

A southbound left turn lane is warranted at Akers Drive Access based on projected 2023 total traffic volumes being 59 southbound left turns during the peak hour and the threshold being 25 vehicles per hour. However, there are no traffic volumes conflicting with the turning vehicles and there are not any vehicle delays at this access intersection. Therefore, it is recommended that the left turn lane requirement be waived. Of note, according to Colorado Department of Transportation (CDOT) standards, a left turn lane may be dropped if the opposing traffic is predicted to be below 100 directional hourly volumes. There are not expected to be any opposing traffic volumes at buildout and 45 opposing traffic volumes during the peak hour in the long-term future with the potential buildout of the surrounding parcels. A deviation will be requested to allow for this access to operate without a designated southbound left turn lane.

- A northbound left turn lane is warranted at the Constitution Avenue and Akers Drive intersection and based on an El Paso County ECM design speed of 40 miles per hour for an

Urban Non-Residential Collector, the deceleration lane length required is 155 feet plus a 160-foot taper. Additionally, 50 feet of storage is required by El Paso County due to the peak hour volume. Therefore, this left turn lane is recommended to provide a length of 205 feet plus a 160-foot taper. The proposed spacing between Constitution Avenue and the access intersection is not sufficient to allow for a 205-foot northbound left turn lane plus 160-foot taper at the Constitution Avenue and Akers Drive intersection. It should be noted a 165-foot northbound left turn lane plus a 120-foot taper based on a design speed of 30 mph is expected to be accommodated with the proposed location of the project access along Akers Drive. A deviation will be requested to allow for the northbound left turn lane at the Constitution Avenue and Akers Drive intersection be constructed with a design speed of 30 miles per hour.

A traffic signal is warranted with 2045 traffic volume projections at the intersection of Constitution Avenue and Akers Drive. It is recommended that El Paso County monitor traffic volumes at this intersection in the future to determine if signalization is the appropriate control. It should be noted the north leg of this intersection is the controlling approach that triggers the need for signal control and project traffic is only expected to utilize the south leg of this intersection.

The project access intersections are anticipated to have all movements operating with acceptable LOS C or better during the peak hours in both the buildout year 2023 and the 2045 long term horizons. It should be noted that the access along Akers Drive will not have any conflicting movements in the short-term; therefore, vehicle delays are not reported at this access intersection.

*Goal 1.3 - Encourage a range of development types to support a variety of land uses. (Addressed together with core principle and goals below)*

*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 higher urban residential densities including but not limited to single family detached & attached, townhome, and apartment densities and supporting commercial retail uses surrounding the Marksheffel/Constitution intersection. (e.g., Claremont Ranch 9, The Sands, Midtown Collection at Hannah Ridge, Urban Collection at Hannah Ridge, various Hannah Ridge Filings, Upland Flats by Watermark).

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

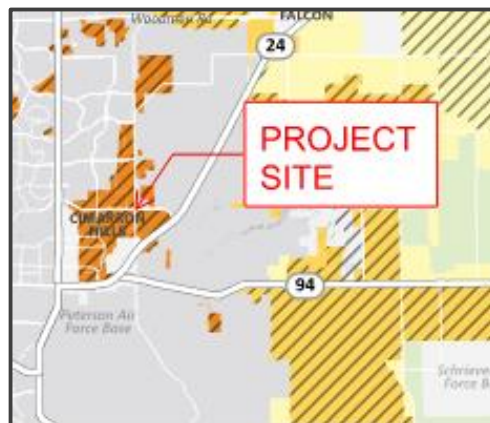
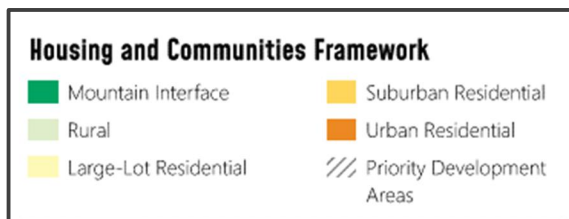
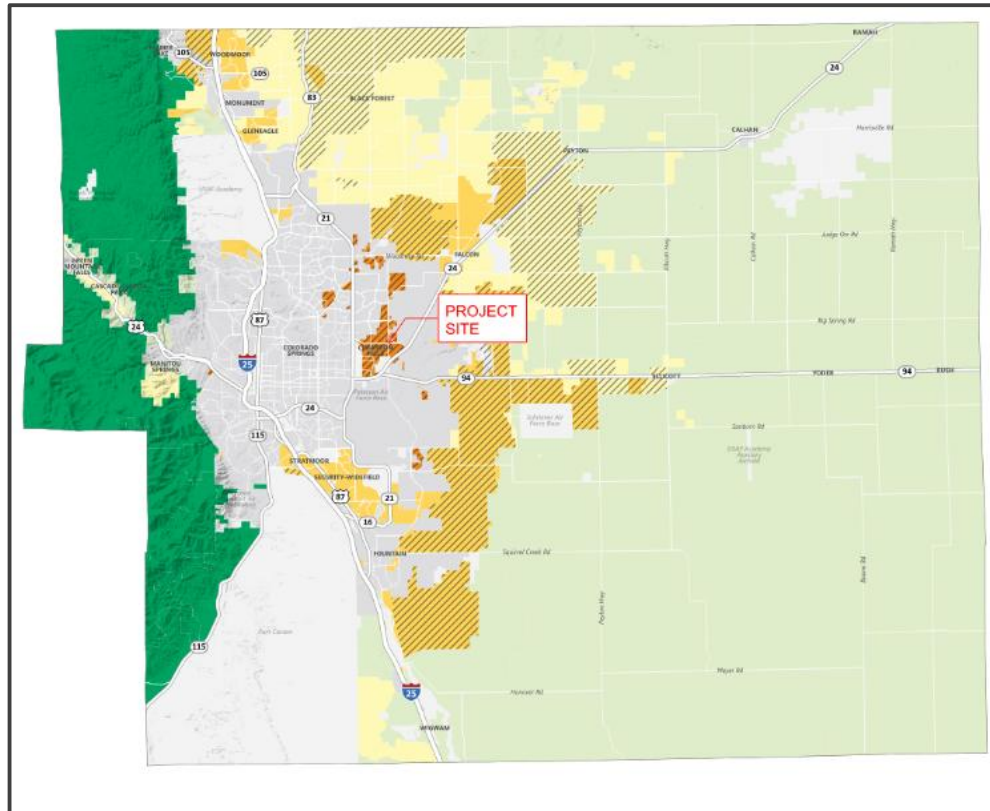


to the intersection of Marksheffel Road and State Highway 94 to the south (see surrounding land use map exhibit/not vicinity map).

The proposed multifamily housing development will provide an additional 226 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 to major transportation thoroughfares (Marksheffel Rd, Constitution Ave, Powers Blvd, SH 24, & SH 94) which can connect them to employment centers, commercial/retail corridors and nodes, and recreational opportunities throughout the El Paso County region. The increased residential densities provide additional customer base in support of existing and planned commercial at the Constitution/Marksheffel intersection, Powers Blvd corridor, and at the SH 24/SH 94 commercial node (pending Crossroads North and Crossroads at Meadowbrook developments, See PCD File Nos SP-20-7 & SP-21-29, respectively).

The proposed rezone and development of multi-family housing will provide additional housing choices to meet the current regional demand for workforce, affordable, and attainable housing. The proposed rezone provides opportunity to create market rate affordable and attainable housing within a multifamily context. Rental/leasing prices will be market rate which are comparable to rent rates for similarly aged communities in El Paso County that provide comparable unit and community amenities. The proposed infill multifamily development provides a balancing and complementary land use mix that supports nearby commercial/retail uses and workforce housing demands.

According to the Priority Development Areas Map in the Master Plan, the site is located within an Urban Residential Priority Development Area where “new residential development should be prioritized first for new residential development to accommodate growth” in the County.

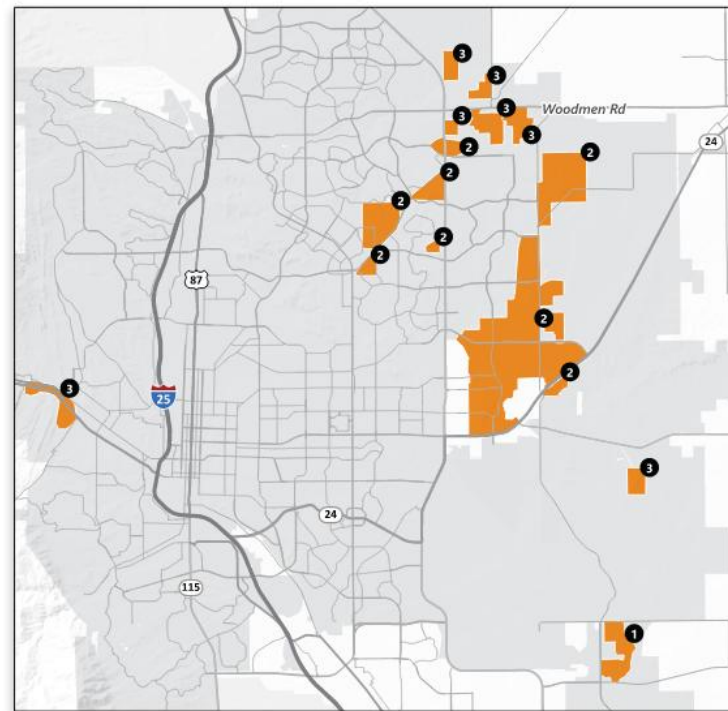


*Urban Residential Priority Development (Areas Larger Enclaves) According to the Your El Paso Master Plan, "Larger enclaves, including Cimarron Hills, currently exhibit the Urban Residential place-types characteristics. They have denser housing clustered together with a wide variety of commercial and employment businesses to create a complete community. However, some have only one or two uses due to their size. All of them have been designated as transition areas within the Areas of Change because all or part of them could be redeveloped to better support the establishment of complete communities. "*

*"Overall, the County should prioritize higher-quality redevelopment of any primary or supporting land use for the Urban Residential place type as opportunities arise."*

The proposed multifamily densities are an appropriate transition at the Constitution Ave/Marksheffel Rd intersection which has an existing/approved land use mix of retail and service oriented commercial, light to heavy industrial, light manufacturing, single-family detached, medium to high density multifamily uses.

The functionality of the site with respect to access, design, and building orientation. This site will be consistent and compatible with existing conditions such as location and massing of buildings relative to adjacent rights of way and view corridors. The location of community/resident amenities and recreation areas, site design which respects the location as a County/City gateway, as well as, enhancing the overall visual character attractiveness of the area through contemporary building facades and private architectural design standards.



Urban Residential Priority Development Areas

## 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 5 as identified on the El Paso County Water Master Plan Planning Regions Map and is within the Cherokee Metropolitan District (CMD) Service Area. Region 5 consists of areas served by CMD and is not expected to experience significant growth by 2060. However, the District may expand water and sewer service to growth areas outside of Region 5.

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

CMD currently serves approximately 7,500 residential and 500 commercial taps. CMD also provides services outside District boundaries to Schriever AFB and the Woodmen Hills Development. System/infrastructure interconnections exist between CMD, CSU, Meridian Service MD, and Woodmen Hills MD. CMD is developing owned water supplies to increase available water and improve flexibility in provision of summer flows. By the end of 2021, these new wells will contribute 458 AFY of capacity to the CMD system (Table 2) for a total of 4,443.0 AFY. Since 2011, actual demand from CMD customers has fallen 30-35% below commitments, partially due to some committed developments being incomplete but largely due to water saving measures undertaken by CMD customers.

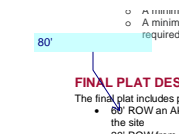
CMD water supplies are drawn entirely from groundwater supplies from 21 wells (Well Nos. 1-21) in the eastern portion of the County and from two (2) wells in the “Sundance Ranch” property located in the northern portion of the County. According to the District, water from Well Nos. 1-8 provide a maximum of 653 AFY to a fixed customer base. This water is unavailable to other users and is tracked separately from CMD’s general exportable supply portfolio. Water supplies from the remaining wells (Well Nos 9-21) in the amount of 3,985 AFY is available for export outside the Basin. See Water Providers Report for Proposed Watermark at Constitution Apartments, dated January 29, 2021 for specific details provided by the District in support of this application and to address Water Master Plan Criteria.

According to the Water Resources Report, the CMD has 4,443.0 AFY of exportable supply and 4,130.4 AFY of commitments, CMD has a water balance of 312.6 AFY remaining for additional commitments.

CMD has provided a water and sewer service commitment Letter whereby the District has committed to allocate **50.6 AF/YR** for the proposed development out of its current supplies. Anticipated Residential demand includes 45.2 AF/YR for Residential Domestic use and 5.4 AF/YR for irrigation within the multifamily use.

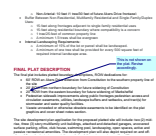
# Letter of Intent\_v2 redline.pdf Markup Summary 5-4-2022

## Daniel Torres (4)



**Subject:** Callout  
**Page Label:** 6  
**Author:** Daniel Torres  
**Date:** 5/2/2022 1:51:47 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

80'



**Subject:** Callout  
**Page Label:** 6  
**Author:** Daniel Torres  
**Date:** 5/2/2022 2:17:05 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

This is not shown on the plat. Revise accordingly.



**Subject:** Callout  
**Page Label:** 14  
**Author:** Daniel Torres  
**Date:** 5/2/2022 2:03:57 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

Please submit the deviations for review and consideration by the ECM administrator



**Subject:** Cloud+  
**Page Label:** 15  
**Author:** Daniel Torres  
**Date:** 5/2/2022 2:01:39 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

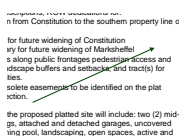
Since a roundabout is proposed this deviation is not needed. Please remove.

## dsdparsons (5)



**Subject:** Callout  
**Page Label:** 6  
**Author:** dsdparsons  
**Date:** 5/4/2022 12:21:38 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**

repeat comment depict on the plat



**Subject:** Arrow  
**Page Label:** 6  
**Author:** dsdparsons  
**Date:** 5/4/2022 12:21:53 PM  
**Status:**  
**Color:** ■  
**Layer:**  
**Space:**



**Subject:** Callout  
**Page Label:** 9  
**Author:** dsdparsons  
**Date:** 5/4/2022 12:23:56 PM  
**Status:**  
**Color:**    
**Layer:**  
**Space:**

Look at the commitment letter please. CSU-repeat comment; if MVEA is to provide service update the commitment letter



**Subject:** Callout  
**Page Label:** 10  
**Author:** dsdparsons  
**Date:** 5/4/2022 12:26:08 PM  
**Status:**  
**Color:**    
**Layer:**  
**Space:**

this is not the case; the report refers to mitigation via construction and bldg layout



**Subject:** Text Box  
**Page Label:** 10  
**Author:** dsdparsons  
**Date:** 5/4/2022 12:27:36 PM  
**Status:**  
**Color:**    
**Layer:**  
**Space:**

Repeat comment. You are mitigating the noise by agreeing to noise mitigation construction practices (extra insulation, triple pain window? ) because the noise exceeds 66bd - plat note should state this is required. a new contractor could come in and not build the same that this one does if this builder should cease.