

**Claremont Business Park 2 Filing No. 3
(A Replat of Lot 2 of Claremont Business Park 2 Filing No. 2)
Letter of Intent
EPC FIL. NO. VR251**

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER

DTV MEADOWBROOK LLC
PO Box 220
Scottsdale, AZ 85252

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
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SITE/BACKGROUND INFORMATION

The Claremont Business Park 2 Filing No. 3 Replat application involves a 1.808-acre lot, previously designated as Lot 2 of Claremont Business Park 2 Filing No. 2. This lot is situated near the southwestern intersection of Meadowbrook Parkway and Marksheffel Road. The proposed replat aims to reconfigure the existing Lot 2 from Claremont Business Park 2 Filing No. 2, which was previously recorded under Reception No. 223715236 with the El Paso County Records and is identified under TSN 5405412013. The property is located within the Commercial Aviation District Overlay (CAD-O), meaning that all future land use actions will be subject to the restrictions and limitations imposed by the Airport Overlay.

Request & Justification

DTV Meadowbrook LLC ("The Applicant") is requesting approval for the replat of Lot 2 of Claremont Business Park 2 Filing No. 2. The proposal involves subdividing the current lot into two commercial lots and a tract for the existing sand filter pond. The current Lot 2 encompasses an area of 1.808 acres.

The replat will create the following:

- Tract A, which will be a parcel of 0.182 acres to encompass the existing sand filter pond.
- Lot 1, which will consist of 0.771 acres.
- Lot 2, which will consist of 0.855 acres.

These subdivisions will total the original 1.808 acres currently designated as Lot 2. The new subdivision shall be known as Claremont Business Park 2 Filing No. 3.

The two subdivided lots will share an existing 32-foot driveway access from the private road of El Jefe Heights, in which the access drive entrance was constructed under EPC project number VR233. An existing sand filter water quality pond has also been constructed on the southwest side of the existing Lot 2. With this replat application, the existing pond shall lie within the proposed Tract A with Claremont Business Park 2 Filing No. 3. The pond was designed to serve both replatted lots and the runoff from the El Jefe Heights roadway. This water quality pond was designed and constructed under EPC File No. VR233. Both lots have existing utility stubs for water, sewer, and storm drainage, so no new utility services are needed for the replat request.

This proposed application is for the replat of an existing lot, proposing to replat the existing lot into two commercial lots. With the increase in the number of lots from the original water summary report, the additional water demand for the new lot does not qualify for administrative approval. CMD has reissued an updated commitment dated February 3, 2025. With this in mind, the applicant respectfully requests a waiver of the water supply requirements in the Land Development Code pursuant to § 8.4.7 (A)(3), which allows the BoCC to grant an exception for a vacation and replat of existing lots which will not result in significantly greater total water use than previously anticipated for the subdivision.

DRAINAGE AND BRIDGE FEES

This subject site was a portion of a larger parcel originally reviewed and discussed under the approved Final Drainage Report for Claremont Business Park Filing No. 2 under EPC file number SF6007 by Matrix Design Group dated "Revised November 2006", where the drainage and bridge fees, were initially paid with the recording of the Claremont Business Park Filing No. 2 plat, (for a total 62.967 ac) the Drainage and Bridge fees were based on 80% overall imperviousness.

Future commercial developments within the Claremont Business Park 2 Filing No. 3 replat shall be required to stay under the original 80% imperviousness per the previous SF6007 drainage report and plat. Should either future development exceeds 80% of impervious areas, then additional drainage and bridge fees shall be assessed on current fees at the time of site development plan application.

ZONE DISTRICT COMPLIANCE

The proposed two replatted commercial lots are in the CS CAD-O zone. The proposed lots are designed to meet the bulk, density, and dimensional requirements of the respective underlying zones and are able to meet the 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

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, and specifically from CMD, should be sufficient to meet the current development demand; however, additional resources will be required to meet the full project 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.

On August 6, 2020, CMD issued a letter committing to providing water and sewer services to the ten lots of the Claremont Business Park 2 Preliminary Plan submittal, allocating 12.19 AF/YR (acre-feet per year).

With the current Lot 2 replat application, which involves dividing a single lot into two commercial lots, CMD has reissued an updated commitment dated February 3, 2025.

The two lots being replatted in this application will be known as Claremont Business Park 2 Filing No. 3. Consequently, the number of proposed lots will increase from an overall count of 10 to 11, and the anticipated water usage has been updated, as detailed in the February 2025 Water and Wastewater Report included with this replat application.

The revised anticipated demand allocation has been slightly reduced compared to the original calculations due to the smaller building square footage for the two future lots associated with this replat application. Thereby resulting in a decrease in the annual water demand from 12.19 acre-feet per year (AF/YR) to 11.58 AF/YR. The CMD commitment letter, dated February 3, 2025, indicates a water allocation of 12.06 acre-feet, slightly exceeding the anticipated demand of 11.58 acre-feet.

Your El Paso Master Plan Conformance:

The Minor Site Development/Final Plat subdivision 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 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 there is planned to be a local car wash and several drive-through-style restaurants. The other "Key Areas" are the (E or NE) areas surrounded by incorporated municipalities with the majority or partially developed sites. 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 these 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 be newly developed to current standards with

street and utility improvements and new building site construction to include parking, lighting, and landscape that will progress the area. 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). This replat submittal demonstrates infrastructure capacity for drainage, roadways, utilities, and other public services (parks, schools, and fire and police protection).

Urban services which include, but not necessarily limited to water, wastewater, electric service, natural gas service, fire protection, roadway and transportation, and drainage and stormwater management services are currently available.

Water/sewer services will be provided service by Cherokee Metropolitan District. Private

stormwater facilities for El Jefe Heights runoff will be provided and managed by the developer DTV Meadowbrook. Electric and natural gas service will be provided by CSU. Fire protection will be provided by the Falcon Fire Protection District. Police and related public safety services will be provided by the El Paso County Sheriff. Compulsory education services are provided by Colorado Springs School District No. 11.

Public parks, open space, and recreation services are provided by EL Paso County, City of Colorado Springs, and Cherokee Metropolitan District via 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 replat application includes two commercial services lots from a replat of Lot 2 of the

Claremont Business Park 2 Filing No. 2, within a CR zone and will be platted to support permitted commercial uses in that district.

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

The replat of Lot 2 does not propose any development on the replat Lot 2 to the north side of this replat. However, there is currently a coffee drive-through style restaurant under PPR2345, which includes a complete financial assurance estimate for required

improvements and construction activities and will be bound by the terms and conditions of a Subdivision Improvements Agreement.

When new development occurs on the north lot, the developer will be responsible for all design documents, reports, and construction activities related to development engineering. Additionally, they will be required to adhere to the terms and conditions of a Subdivision Improvements Agreement and obtain the necessary permits for future development.

- **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 subdivision design, including but not limited to, stormwater, detention, and/or 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 detention 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;**

Legal and physical access is and will be provided by the public right of way of Meadowbrook Parkway and a private road known as El Jefe Heights. The El Jefe Heights private road is currently constructed under EPC project number VR233. All access points are legal and by the provisions and allowances in the LDC and ECM. Access to US 24 is from the connections of Meadowbrook Parkway and Marksheffel Rd, located on the western edge of the property.