

SCHMIDT PROPERTY RM-30 MAP AMENDMENT (REZONING)

LETTER OF INTENT

OWNER:

TURKEY CANON QUARRY INC
20 BOULDER CRESCENT ST 2ND FLOOR
COLORADO SPRINGS CO, 80903-3300

APPLICANT:

TURKEY CANON QUARRY INC
20 BOULDER CRESCENT ST 2ND FLOOR
COLORADO SPRINGS CO, 80903-3300

FIND

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
719.471.0073
abarlow@nescolorado.com

SITE DETAILS:

TSN: 5200000264 (PART)

ACREAGE: 31.4423 ACRES

CURRENT ZONING: RR-5 CAD-O

CURRENT USE: VACANT LAND

REQUEST

N.E.S. Inc. on behalf of Turkey Canon Quarry Inc requests approval of a Map Amendment (Rezoning) from RR-5 CAD-O to RM-30 CAD-O (31.4423 Acres).

LOCATION

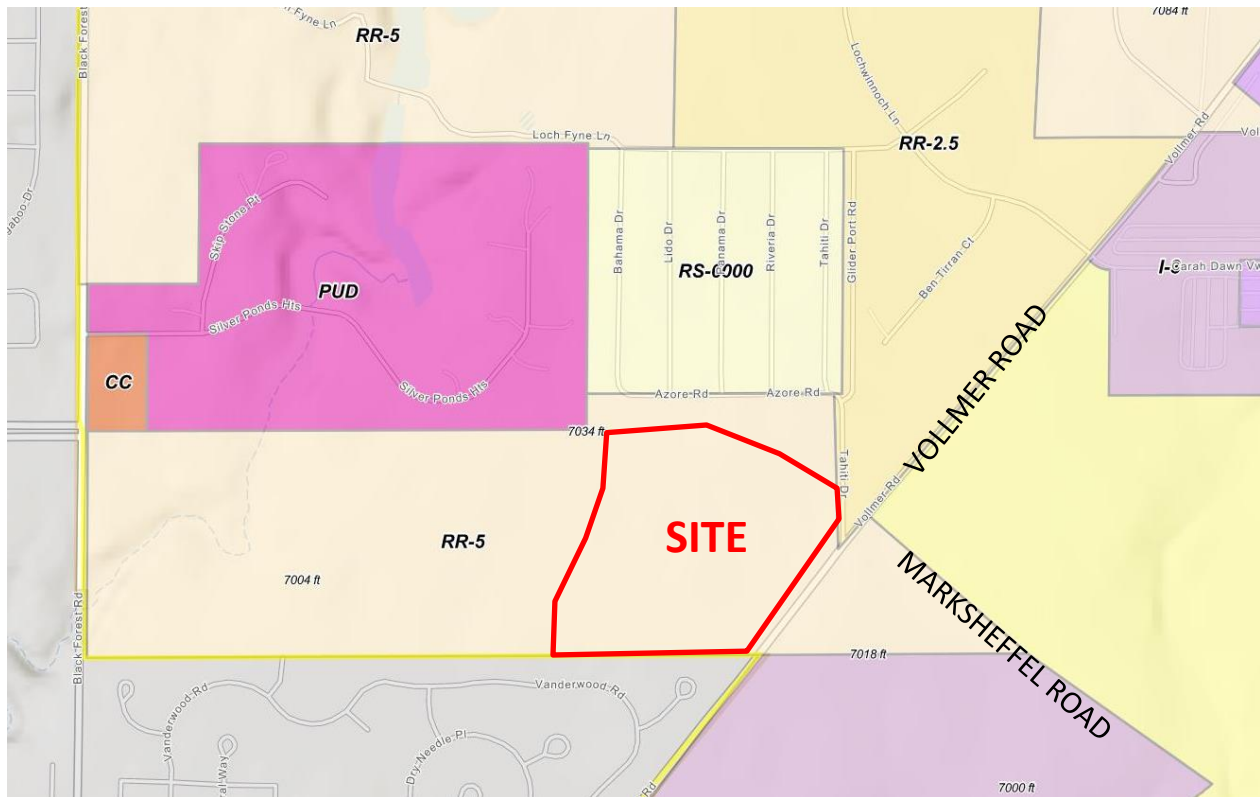
This property is located southwest of Vollmer Road and its proposed intersection of the future Marksheffel Road extension, which will form the northern boundary of the site. Directly north of this proposed principal arterial road is the Holiday Hills subdivision, and to the northeast and northwest are the Highland Park and Silver Ponds rural residential subdivisions. The Sterling Ranch master planned community is located to the east of Vollmer Road. To the southeast is the Pioneer Sand & Gravel industrial use. The Trails at Forest Meadows single-family residential neighborhood within the City of Colorado Springs is located to the south.



PROJECT DESCRIPTION & CONTEXT

The Schmidt Property RM-30 map amendment request is for a zone change of 31.4423 acres from RR-5 to RM-30 with CAD-O. The remainder of the site is to remain as RR-5 and is not part of this rezoning application.

COMPATIBILITY: The Schmidt property accommodated a former sand and gravel mining operation and has been substantially disturbed in the past. The proposed rezone area has not historically been part of the former mining operations and was released from the mining permit in 2018. It is surrounded by existing and planned suburban residential, commercial and industrial development, with a planned principal arterial running along its northern boundary. As such, it effectively represents an infill development area.



The RM-30 rezone area is surrounded by existing and proposed developments of differing zoning and land use intensities. The undeveloped land to the north is zoned RS-6000 for suburban residential development. Directly to the northeast of the site is a right-of-way tract owned by El Paso County that was platted as part of the Highland Park Filing No. 2 subdivision. This tract is to be used for stormwater detention as part of the proposed widening of Vollmer Road. The extension of Marksheffel Road together with the detention tract will provide a buffer between the proposed RM-30 zoning and the Highland Park rural residential subdivision (zoned RR-2.5) further to the northeast. To the south is the Trails at Forest Meadows subdivision in the City of Colorado Springs, which is zoned PUD for single-family residential with a density of approximately 6 du/ac. To the east, the parcels within Sterling Ranch adjacent to Vollmer Road are proposed as Mixed-Use and Medium and High Density Residential (5-8 du/ac) land uses, with industrial uses to the southeast.

The proposed RM-30 zoning is located at what will be a major intersection of Marksheffel Road and Vollmer Road, both of which are arterials. It is standard land use planning practice to locate more intense uses, such as commercial or higher density residential, at busy intersections to provide a buffer and transition to less intense uses. The proposed RM-30 zone will provide a physical buffer and land use transition from a future busy road intersection and arterial road traffic to the medium density residential Trails at Forest Meadows subdivision to the south.

The RM-30 rezone area includes the future extension of Marksheffel Road to the west. This principal arterial, when constructed, will provide a physical separation from the proposed RM-30 zone area and existing and planned residential to the northeast and northwest.

UTILITIES: Water and wastewater will be provided by the Falcon Area Water and Wastewater Authority (FAWWA). The site is within the service area of Mountain View Electric Association, Inc. for electricity supply, and within the service area of Colorado Springs Utilities for natural gas supply.

FLOODPLAIN: The proposed RM-30 rezoning area is located on the western side of the Schmidt property, which is designated as Zone X, area of minimal flood hazard (FEMA Floodplain Map No. 08041C05296, dated 12/07/2018).

WETLANDS: This proposed rezone area does not include any wetlands.

WILDLIFE: In general, the site provides moderate to poor quality habitat for wildlife. No State-listed or State sensitive species were observed on the site. The site is not suitable habitat for any Federally-listed threatened and endangered species. The site provides moderate quality habitat for some grassland and woodland wildlife, including birds, mammals, reptiles, and possibly amphibians. The expected impact from site development to grassland species is classified as relatively low and to woodland species as moderately low.

WILDFIRE: The primary wildland fuel type is grassland with scattered trees. The Colorado State Forest Service has determined a lowest-low wildfire hazard potential and listed as a low risk. Development of the site will reduce available wildfire fuels in this area.

DISTRICTS/ENTITIES SERVING THE PROPERTY:

The following districts will serve the property:

- Academy School District 20
- Mountain View Electric Association – Electric
- Colorado Springs Utilities – Gas
- FAWWA – water and wastewater
- Black Forest Fire Protection District

Traffic:

The TIS completed by SM Rocha in September of 2022 assumes a max density of 30 DU/AC or 714 units on the 23.8 ac site. Considering the conceptual nature of the development, future access will likely include multiple access drives along future Brush Top Road (extended form the south). These access locations are subject to change and therefore were not considered within this TIS. The TIS addresses the primary points of entry to the overall development area at the following locations:

- One full-movement access serving as the west leg of Vollmer Road and Marksheffel Road intersection
- One full-movement access on Marksheffel Road at northwest corner of development site (approximately 1,480 feet west of Vollmer Road, measured form centerline). This access is intended to serve as the future collector roadway (Brush Top Road) connection between Marksheffel Road and Trails at Forest Meadows Subdivision.

It is anticipated that development construction would be phased with completion by end of Year 2040. However, specific phasing details are undefined at this time. For the purposes of this analysis, initial

development phasing was assumed to include the new construction of 480 multifamily residential dwelling units completed by Year 2027, with development buildout completed by Year 2040.

Analysis of future traffic condition indicates that the addition of site-generated traffic is expected to create minimal impact to traffic operations for the existing and surrounding roadway system upon roadway and intersection control improvements assumed within this analysis.

PROJECT JUSTIFICATION

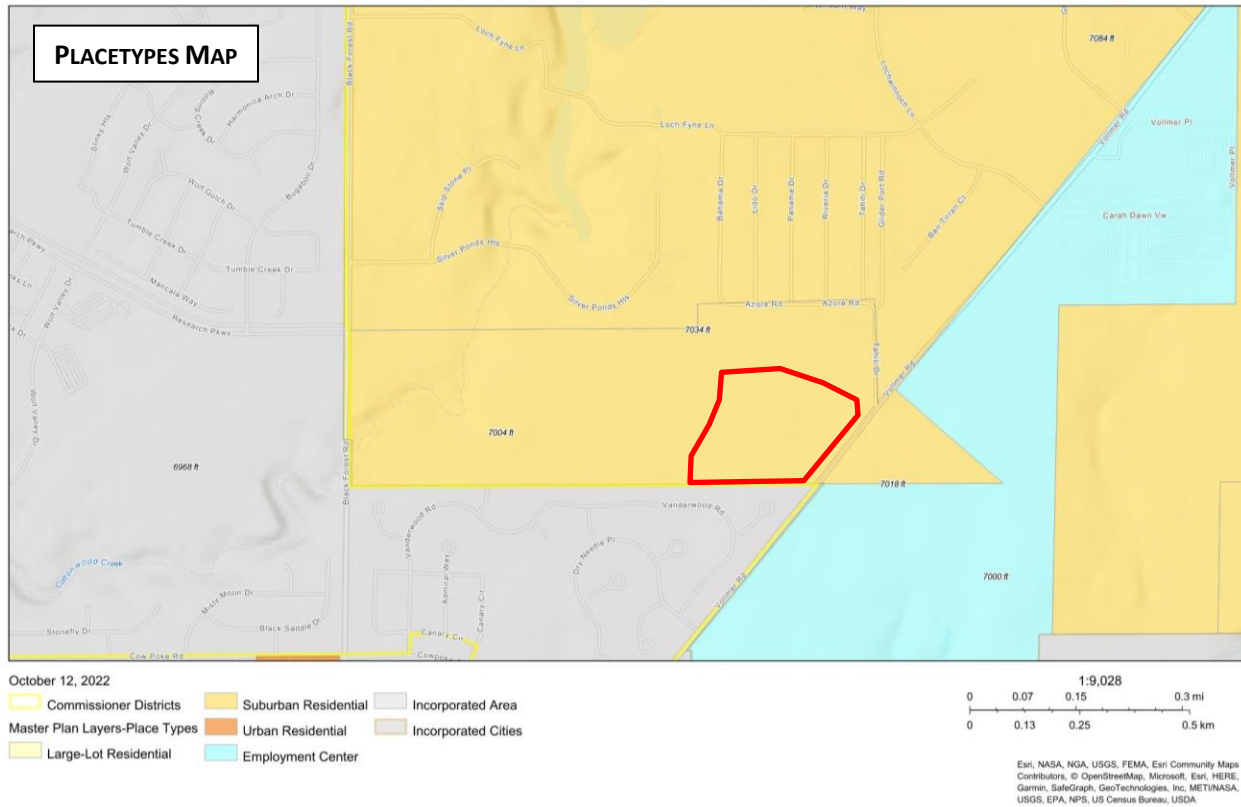
The request is consistent with the criteria in Section 5.3.5.B for a Map Amendment (Rezoning) as follows:

1. THE APPLICATION IS IN GENERAL CONFORMANCE WITH THE EL PASO COUNTY MASTER PLAN INCLUDING APPLICABLE SMALL AREA PLANS OR THERE HAS BEEN A SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD SINCE THE LAND WAS LAST ZONED;

The relevant County master plan documents for the Map Amendment (Rezone) are Your El Paso County Master Plan, the El Paso County Water Master Plan, the El Paso County Major Transportation Corridor Plan, and the El Paso County Parks Master Plan.

YOUR EPC MASTER PLAN

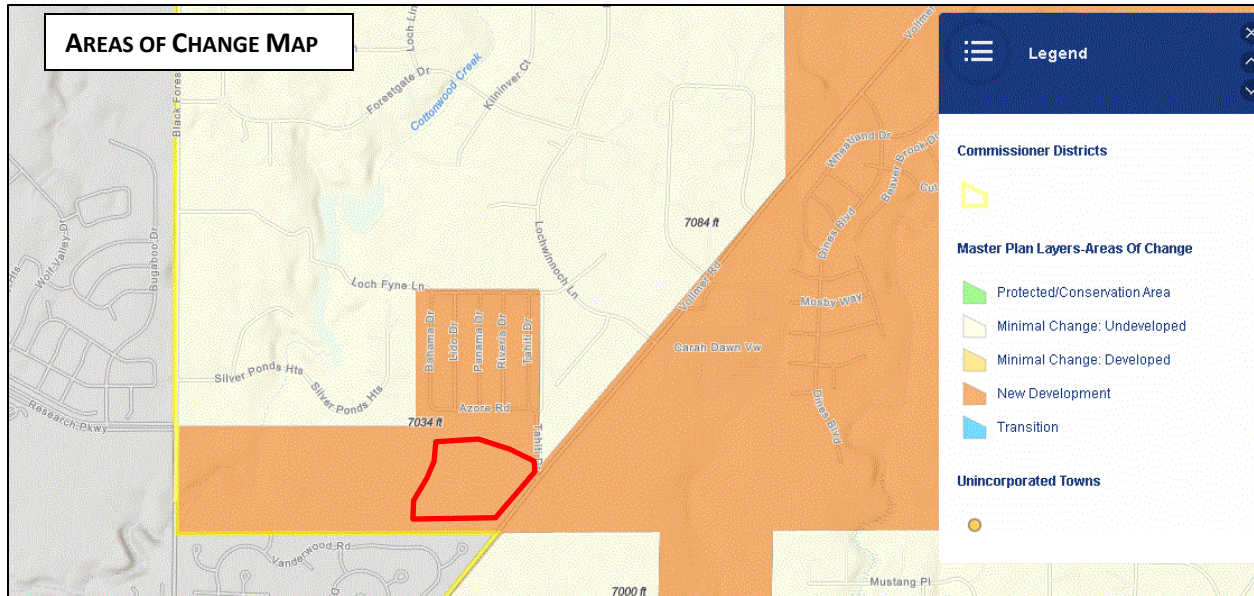
The project site is denoted as a Suburban Residential placetype within a priority development area in the County Master Plan. The primary land use in this placetype is single-family detached residential with lot sizes smaller than 2.5 acres and up to a 5 du/ac density. Multifamily residential is considered a supporting use within the Suburban Residential placetype, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype in this part of the County is extensive and expands from the City boundary to the south and west, north to approximately Burgess Road, and east to highway 24. Within this area, the predominant land use is, or is planned to be, single-family detached residential at densities of less than 5 du/ac, with small pockets of higher density single-family detached and attached residential. The proposed RM-30 zoning, which can support residential densities up to 30 du/ac, is an appropriate supporting use at this location, as it will not be the dominant development type in this predominantly suburban residential area. Furthermore, the location of the site adjacent to a busy arterial intersection will be supportive of and compatible with the overall single-family character of the area as it will provide a physical buffer and land use transition from the intersection and arterial road traffic to the surrounding single-family residential development. This higher density residential will also support the Employment Center land use designation to the east of Vollmer Road by providing workforce housing.



In the Areas of Change chapter of the County Master Plan, the Schmidt Property is identified as a “New Development Area”. The Plan states that New Development Areas will be significantly transformed as development takes place. These areas are often on undeveloped or agricultural areas and are expected to be complimentary to adjacent development. The proposed RM-30 zoning will bring about the transformation of this area as anticipated by the Master Plan, providing a transition from the commercial and industrial areas east of Vollmer Road to the medium density residential developments to the south and north of the site.

In the Key Area Influences chapter, this site is designated as a potential area for annexation. This is indicative of the sites’ suburban character and need for centralized services. The Owner has chosen not to annex into the City as FAWWA is already created and bonded and will supply water and wastewater services to the subject site.

Core Principle 1, Land Use and Development, seeks to “Manage growth to ensure a variety of compatible land uses that preserve all character areas of the county,” and Goal 1.1 seeks to, “Ensure compatibility with established character and infrastructure capacity.”



The proposed RM-30 zoning continues the suburban density approved with the adjacent subdivisions in the County and City and will provide a transition from the commercial and industrial areas east of Vollmer Road to the medium density residential developments to the south and north of the site. The submitted traffic study indicates that the development can be accommodated with minimal impact to traffic operations for the existing and surrounding roadway system, subject to the recommended roadway and intersection control improvements. FAWWA has adequate capacity to serve future development with water and wastewater.

The RM-30 zoning will add to the spectrum of housing options in the immediate area. This achieves Core Principle 2, Housing & Communities, which seeks to “preserve and develop neighborhoods with a mix of housing types,” as well as Goal 2.1 to “promote development of a mix of housing types in identified areas.” In support of this goal Objective HC1-6 of the Plan specifically encourages the use of single-family attached housing such as townhomes, rowhomes, and multi-unit apartment homes to create seamless transitions between low-intensity and high-intensity neighborhoods as well as nonresidential uses. The RM-30 zone will accommodate these higher density housing options and will provide a transition from the commercial and industrial areas east of Vollmer Road to the medium density Holiday Hills and Trails at Forest Meadows developments to the north and south of the site. The Holiday Hills subdivision in turn will provide a transition between the RM-30 zoning, future Marksheffel Road and the existing rural residential subdivisions to the northeast and northwest.

WATER MASTER PLAN

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 RM-30 rezone area falls within the Sterling Ranch Service area of FAWWA. FAWWA has sufficient supply and infrastructure in the area to serve this development. The total commitment of the Sterling Ranch System includes 1,975 SFE in the Sterling Ranch Service Area. The total commitments stand at 852.62 acre-feet and available supply is now 697.39 acre-feet. This net deficit of available water is 155.23 AF, however, FAWWA has additionally contracted supply of 576.95 AF at Bar-X and 391.33 AF at McCune which is more than enough to meet the demands.

The FAWWA water system has only been in operation for three years, so little-to-no usable historic information would be reliable for unique, long-term planning. However, substantial nearby data from the Falcon area is available for use. As of the end of 2021, the system had approximately only 300 active users. Therefore, initial projections have been based on area-wide water user characteristics and a linear buildout rate. The rate considered to be an average annual rate that might be reasonably maintainable over a 10-year period. The average growth rate is projected as 180 units added per year.

2040 Scenario: Based on the above factors, the FAWWA system might conservatively anticipate serving 3,710 SFEs in the year 2040. This number is a service area projection and included the Retreat and The Ranch, as well as the main Sterling Ranch residents. This would require 1,310 annual AF of water.

2060 Scenario: Based on the same factors, the Sterling system might be expected to served 7,310 SFEs within its expanded service area, which includes the Retreat and The Ranch. This would be substantially greater than the actual Sterling Ranch. The annual acre-foot requirement might be 2,580 annual AF, but supply would include water from The Ranch.

In order to meet future demands and extend beyond 1,975 SFEs, contractual arrangements have been made to obtain additional legal and physical supply to meet growing demands. These include:

- The most recent water rights added to Sterling Ranch Inventory is case 20 CW 3059, which provides for the augmentation of Denver and Arapahoe not non-tributary water on the Schmidt and Sterling Ranch properties. This addition will allow for an additional 283.16 AF over 300 years to be made available through Sterling Ranch Wells.
- The McCune Water SR Water LLC has contracted with the McCune Ranch to purchase NT water rights in El Paso County. These water rights include Laramie-fox Hills, Arapahoe, and Denver formation water, totally 1118,900 AF.
- The Bar-X water has also been contracted with some water purchased but remaining Laramie-Fox Hills, Arapahoe, and Denver formation water totals 204,433 AF.

Both McCune Water SR Water LLC and The Bar-X water acquisitions will require a major pipeline to be extended northerly to Hodgen Road. This pipeline will allow for the physical, as well as legal, availability and acquisition of both McCune and Bar-X water to Sterling. Preliminary routing, environmental assessments and 1041 applications are presently underway for this facility.

EL PASO COUNTY MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)

The 2040 MTCP identifies the extension of Marksheffel Road as a 4-lane Principal Arterial between Vollmer Road and Black Forest Road through the Schmidt property. The RM-30 rezone area accounts for this future road extension.

EL PASO COUNTY PARKS MASTER PLAN

The Parks Master Plan identifies a future primary regional trail connection along the north side of the Schmidt property to connect the Sand Creek Regional Trail to Black Forest Road. This generally appears to follow the alignment of future Marksheffel Road and will be addressed with the County Parks Department at the more detailed road and site planning stage. The build out of Marksheffel will include a bike lane. Future connection to the Sand Creek Regional Trail system within Sterling Ranch will be provided at full build-out via pedestrian improvements at the intersection of Marksheffel Road and Vollmer Road, and via new sidewalks along the arterial roads and proposed residential streets within the future multifamily development.

2. THE REZONING IS IN COMPLIANCE WITH ALL APPLICABLE STATUTORY PROVISIONS, INCLUDING BUT NOT LIMITED TO C.R.S. §30-28-111 §30-28-113, AND §30-28-116;

As the proposed rezoning fulfils the goals of the County Master Plan as described under criterion (1) above and is a compatible transition between the adjacent uses, as described in criterion (3) below, it therefore complies with the statutory provisions that allow County's to establish, limit, regulate, or amend zoning within the unincorporated parts of El Paso County in the interests of public health, safety and welfare. All statutory provisions regarding notifications have been met.

3. THE PROPOSED LAND USE OR ZONE DISTRICT IS COMPATIBLE WITH THE EXISTING AND PERMITTED LAND USES AND ZONE DISTRICTS IN ALL DIRECTIONS;

The Schmidt property accommodated a former sand and gravel mining operation and has been substantially disturbed in the past. The portion of the property included in the rezone has not historically been mined and was removed from the mining permit in 2018. It is surrounded by existing and planned suburban residential, commercial and industrial development, with a planned principal arterial running along its northern boundary. As such, it effectively represents an infill development area.

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While the RM-30 zoning allows up to a maximum of 30 dwelling units per acre, the anticipated development on this site is likely to be within the 22-23 dwelling units per acre range on the entire rezone area (equating to approximately 25 dwelling units per acre net). This is due to the need to accommodate approximately 3 acres of on-site stormwater detention on the south end of the site. This detention pond will also provide a buffer between the proposed multifamily development and the existing single-family neighborhood to the south.

4. THE SITE IS SUITABLE FOR THE INTENDED USE, INCLUDING THE ABILITY TO MEET THE STANDARDS AS DESCRIBED IN CHAPTER 5 OF THE LAND DEVELOPMENT CODE, FOR THE INTENDED ZONE DISTRICT.

Future development of this portion of the property will meet the use and dimensional standards for the RM-30 zone as set out in Chapter 5 of the Land Development Code (LDC). The site is suitable for proposed residential density and it provides a transition between land use types. The 31.44-acre site is large enough to be able to comfortably accommodate the maximum density, maximum height, maximum lot coverage and building setback standards for the RM-30 as specified in the LDC. The required standards of the RM-30 zone will be addressed with a future Site Development Plan. The proposed land use is "Dwelling, Multifamily" and there are no use-specific standards within Chapter 5 of the LDC that apply to this use.

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