



**Midtown Collection at Hannah Ridge Filing No. 3
PUD and Preliminary Plan
Letter of Intent**

OWNER:

Feathergrass Investments, LLC
4715 N. Chestnut Street
Colorado Springs, CO 80907
(719) 651-9133

DEVELOPER: (Contract Purchaser)

Elite Properties of America, Inc.
6385 Corporate Drive, Suite 200
Colorado Springs, CO 80919
(719) 592-9333

APPLICANT/CONSULTANT:

Classic Consulting Engineers & Surveyors, LLC
619 N. Cascade Ave., Suite 200
Colorado Springs, CO 80903
(719) 785-0790

SITE LOCATION:

The PUD Rezone (CS to PUD) and Preliminary Plan are generally located north and east of Hannah Ridge Drive and Constitution Avenue in a previously platted Tract CC, Hannah Ridge at Feathergrass Filing No. 1.

Size:

Filing No. 3 (Tract CC): 7.444 Acres

Zoning:

CS CAD-0 (Existing)
PUD (Proposed)

REQUEST:

Applicant requests rezoning of an existing CS zoned tract to PUD, water sufficiency, a Preliminary Plan, an Early Grading Permit as well as associated PUD modifications to reflect a total of 42 lots.

If the described actions are approved by Planning Commission and the Board of County Commissioners, we would respectfully request that previously platted Tract CC be re-platted and be administratively approved by staff.

The following open-space tracts are also proposed:

| | | | <u>Usable Open Space</u> | <u>Percent</u> |
|-------------------------------------|---------|------------|------------------------------|----------------|
| Filing 3: (7.444 Ac) | Tract A | 172,103 sf | 172,103 sf | 100% |
| TOTAL ENTIRE PUD: 172,103 SF | | | | 100% |

Tract A will be for parks, open space, public drainage, private access and public utilities as defined on the final plats and be owned and maintained by the Midtown Collection at Hannah Ridge Home Owners Association (HOA). 100% of the Tracts is usable open space.

PHASED CONSTRUCTION AND ANTICIPATED DEVELOPMENT SCHEDULE:

Development phasing will not be proposed within Filing No. 3. All open space tracts will be developed with the adjacent residential lots as they occur. Construction phases are to be designed and developed as demand dictates. All directly adjacent single-family development (Hannah Ridge at Feathergrass Filing 1 and 2, together with Midtown Collection at Hannah Ridge Filing No. 1) are either built out or under construction.

PUD MODIFICATIONS / DEVIATION REQUESTS:

PUD Modification requests are proposed and included in this submittal. The PUD modifications proposed are:

1. Sections 8.4.4.C Public Road Requirements and 8.4.4.E.3 Private Roads Meet County Standards and are included in this submittal (see attached sheet 1) (both filings).
2. Section 2.3.8.A Use of cul-de-sac turnarounds as permanent roadways terminations – (both filings).
3. Section 2.2.5.E Roadway intersection spacing - (both filings).

JUSTIFICATION:

Proposed Filing 3 is the final residential phase of this previously approved Master Planned Residential Community. The layout of the proposed street network conforms to the previously approved anticipated design with the exception of one additional eastern public street.

The proposed PUD plan and plats within the developing Hannah Ridge at Feathergrass community. 42 residential homes are proposed where a commercial retail use had been previously anticipated. Development will also be in accordance with the proposed Midtown Collection at Hannah Ridge PUD Plan included in this submittal. The PUD Guidelines, with which the development will conform, are being concurrently reviewed with the final plats.

The proposed development will provide a new buyer option for single family residential housing lots. The unique building orientation and rear-loaded garages, along with a unique “small lot” community design provides for an alternative community type not seen in El Paso County. Adequate provisions for drainage and utilities and continued build-out of the proposed Preliminary plan and PUD plan will enhance the public health, safety and general welfare within this portion of El Paso County.

The owner understands and agrees to certain Conditions of Approval including payment of School Fees, payment of Park Fees, payment of Drainage and Bridge Fees, and payment of road impact fees that now include signal costs, negating the need for the prior escrow agreement for the Constitution and Hannah Ridge Drive intersection. Required fees will be paid at time of plat recording, not with the PUD.

This application meets the PUD Rezone and Preliminary Plan with PUD Modifications requirements, as set forth in the standards for Divisions of Land in Chapter 7, of the El Paso County Land Development Code (2018). Adherence to County Land Development Code (2018), has been met to approve a PUD zoning district based upon the following:

- The proposed PUD district zoning advances the stated purposes set forth in this section;
- The application is in general conformity with the Master Plan;
- The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
- The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;
- The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;
- The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
- Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
- Open spaces and trails are integrated into the development plan to serve as amenities to residents and proved reasonable walking and biking opportunities;
- The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required

Adherence to County Land Development Code (modified) has been met to approve a Preliminary Plan based upon the following:

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of this Code;
- The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
- 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;

- 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;
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)];
- 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;
- 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;
- The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;
- Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and
- The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

EXISTING AND PROPOSED FACILITIES, STRUCTURES, ROADS, ETC.:

All adjacent roadway and utility infrastructure are in place to support the development for this residential community.

Existing offsite roads include Constitution Avenue (160' row) to which this developer has made previous improvements, Akers Drive (80' row) constructed by this owner/developer in cooperation with El Paso County. Other existing facilities include the storm drain line along the north side of Constitution Avenue, the box culvert crossing of Constitution Avenue at Akers Drive and various utility line stub-outs in Akers Drive and Constitution Avenue that were previously constructed by this owner/developer. Hannah Ridge at Feathergrass Filing No. 5 will also include additional improvements to Akers Drive at the proposed Electronic Drive intersection, including curb returns, sound wall and public sidewalks.

Exiting facilities provided in Hannah Ridge at Feathergrass Filing No. 1 include Hannah Ridge Drive and Hunter Jumper Drive (60-80' row), as well as the associated mainline utilities and utility services for the lots. Storm drainage and stormwater quality facilities were also provided.

Utility Providers:

Water and Wastewater: Cherokee Metro District
Gas: Colorado Springs Utilities
Electrical: Mountain View Electric (including public street lighting standards)

WATER MASTER PLAN ANALYSIS

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review process. Relevant policies are as follows:

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

Goal 1.2 – Integrate water and land use planning.

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

Policy 4.1.4 – Work collaboratively with water providers, stormwater management agencies, federal agencies, and State agencies to ensure drinking water sources are protected from contamination and meet or exceed established standards.

Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.

The subject property is located within Region 5, Cherokee Metropolitan District Service Area, which is not expected to experience significant growth in the County by 2060. Specifically, the plan states:

“Region 5 consists of areas served by the Cherokee Metropolitan District and is not expected to experience significant growth by 2060. But the District could consider expanding water and sewer service growth areas outside of Region 5. No specific growth map was created for Region 5; these areas as shown on other maps.”

Region 5 has a current water supply of 4,849-acre feet per year and a current demand of 4,396-acre feet per year. The 2040 water supply is projected to be 6,800-acre feet per year and the projected demand is 6,468-acre feet.

Cherokee Metropolitan District has provided a water and wastewater commitment letter to serve the development. The applicant’s water resource report indicates the District has ample supply of water to service this development and future developments within the District. The majority of the District’s water supply comes from the Upper Black Squirrel Creek Designated Groundwater Basin, which is considered a renewable resource. However, the District also receives supplies from the Sundance Ranch well field which draws from the Denver Basin aquifers, a nonrenewable water source. The District assumes that the Denver Basin will not be reliable beyond 2050. Therefore, the District has implemented three methods to provide sustainable water supply to its customers:

- i. Water efficiency: The District set a goal of reducing demand by 3 to 5 percent per capita and already has one of the lowest per capita usages in the state.
- ii. Water reuse: The District recharges the Upper Black Squirrel Creel aquifer with the wastewater provided by the district and by Meridian Service Metropolitan District via intergovernmental agreement.
- iii. Additional renewable water supplies: The District is part of the Pikes Peak Regional Water Authority, whose goal id to provide water suppliers with a new regional water supply system.

As stated in the applicant's water resource report, this development is projected to demand 9.210-acre feet of water per year. As of 2018, the District had a surplus of 319.803-acre feet per year, so accounting for this development, the District will be left with a surplus of 310.593-acre feet per year for future developments. The District's accounting of current water demands and water supply, which have been provided for the year 2018, should be updated annually in order to appropriately evaluate the District's ability to increase water resources in conjunction with development applications and to show that the District is taking steps to address future projected water supply deficiencies.

Cherokee Metropolitan District provides water service and has committed to serve the property. Water quantity, quality and dependability are sufficient.

UTILITIES- WATER AND SEWER:

Water and sewer will be provided by Cherokee Metropolitan District. The district has provided a detailed Service Commitment letter which explains how capacity is available for the planned development. The developer has purchased water rights and transferred these rights to Cherokee Metropolitan District, which has in turn reserved this water for use in the Hannah Ridge at Feather grass development. The developer will construct all streets, utilities and storm drainage improvements. Utilities will be routed underground in the public streets and utility easement per El Paso County design standard. Cherokee Metropolitan District will provide maintenance of proposed water and sewer system.

FIRE PROTECTION:

Midtown Collection at Hannah Ridge Filing No. 3 is located completely within the Falcon Fire Protection District and the District has provided a letter of agreement to serve. Falcon Fire Protection District reviewed the proposed site layout, including smaller private streets and have expressed no concerns.

PROPOSED USES, RELATIONSHIP BETWEEN USES AND DENSITIES:

Existing single-family residential development exist to the north on the opposite side of the adjacent Hunter Jumper Drive. Densities of this proposal are less than previously anticipated for this multi-family site. The previously approved multi-family zoning allows 30 DU/AC, while the proposed reflects 5.64 DU/AC for the Filing No. 3.

LANDSCAPING AND BUFFERING:

Frontage of Constitution Avenue will be landscaped in accordance with the proposed PUD plan. Landscape trees will be planted along Constitution Avenue.

Usable open space on the PUD is 3.95 AC or 53% of the site.

Street right-of-way's and entries will also be landscaped as indicated on the PUD Plan. The landscaping and open space tracts are to be installed by the Developer of the project and will be maintained by the Midtown Collection at Hannah Ridge Homeowners Association. This community will be providing all sidewalk along its perimeter street frontage, including all ADA pedestrian ramps for intersecting streets and a pedestrian ramp on the west side of the Constitution Blvd. and Hannah Ridge Dr. intersection that will facilitate a future Constitution Blvd. crossing once the signal is warranted and installed and additional sidewalk is installed with adjacent development on the south side of Constitution Blvd. Pedestrian crossing of this arterial intersection is not proposed at this time due to safety concerns related to crossing a currently unsignalized intersection and no receiving facilities being present. In addition, there are no perimeter sidewalks, pedestrian ramps or curb and gutter along the perimeter of the existing Cimarron East Ridge Park. The closest signalized intersections for crossing Constitution Blvd. are at Peterson Road or Marksheffel Road.

PROPOSED ACCESS LOCATIONS:

Access locations have been previously identified on the approved sketch plan. All proposed access points are full movement. A Traffic Impact Study update memo for the proposed development is provided with this application. Access as approved on the 2007 PUD Plan remain unchanged.

TRAFFIC IMPACT FEES:

This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 18-471. The owner is petitioning for inclusion of the new residential lots into the Public Improvements District No. 2 (the 10 mil PID). Fees at building permit for each Single-family Detached dwelling in the 10mil PID is \$1,221.00. This fee will be paid at the time of building permit issuance. The Midtown Collection at Hannah Ridge property is also contained within the Constitution Heights Metropolitan District and lots subject to traffic impact related building permit fees pursuant to a 2009 IGA. The fee in Midtown Collection at Hannah Ridge is \$923.00 per single family residential lot to be paid at the building permit issuance. However, the lots in Midtown Collection at Hannah Ridge are also eligible for credit in the El Paso County Road Impact Fee Program as established by El Paso County Resolution Number 12-389. The credit is designed to offset the contribution mandated by the IGA as well as amounts already contributed to the County's transportation system in the form of road construction and dedication of right of way for portions of Constitution Avenue and Akers Drive by the developer.

A summary of the fees for each single-family lot in the subdivision is provided below:

The development enters Public Improvements District No. 2 (the 10 mil PID) and is subject to the requirements thereof. The developer will pay the \$923.00 fee to El Paso County pursuant to the 2009 IGA and Resolution 12-389. The county will reimburse Pikes Peak Rural Transportation Authority from this fee payment. The accrual and use of any credit in the El Paso County Road Impact Fee Program is governed according to Resolution 12-389.