

EL PASO

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COUNTY

STAN VANDERWERF
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PEGGY LITTLETON

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

October 9, 2018

LG HI Falcon LLC
2301 Cedar Springs, Suite 200
Dallas, TX. 75201

Drexel, Barrell & Co.
3 South 7th Street
Colorado Springs, CO. 80905

mailed 10/11/18
COPY

RE: Falcon Marketplace – Preliminary Plan – (SP-17-001)

This is to inform you that the above-reference request for approval of preliminary plan was heard and an approval was given by the El Paso County Board of County Commissioners on October 9, 2018, to approve a preliminary plan for the Falcon Marketplace subdivision to authorize the development of 11 commercial lots, public right-of-way, two (2) tracts, one of which will be utilized for a sub-regional detention basin, the other for onsite detention and water quality, and utilities. The 36.4 acre parcel is zoned CR (Commercial Regional) and is located north of Woodmen Road, south of Owl Place, and west of Meridian Road and is within Section 1, Township 13 South, Range 65 West of the 6th P.M. The parcel is located within the boundaries of the Falcon Peyton Small Area Plan (2008). (Parcel No. 53000-00-589)

This approval is subject to the following:

CONDITIONS

1. A LOMR (Letter of Map Revision) approved by FEMA shall be completed prior to recordation of any final plat(s) within the preliminary plan area.
2. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

3. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 16-454), as amended, at or prior to the time of building permit submittals. The property is within the Woodmen Road Metropolitan District. Fees shall be paid to the District prior to the issuance of any building permit(s).
4. The applicant/developer and/or property owner(s) shall be required to participate in a fair and equitable manner in upgrading/construction of the surrounding roads and intersections impacted by the anticipated traffic from this development, as identified in Table 7b of the associated Falcon Marketplace Traffic Impact Analysis, dated August 15, 2018. A development agreement to include identification and phasing of necessary off-site public improvements shall be completed with the final plat submittal. Construction of, or contribution of fair share escrow toward, off-site improvements shall be required based on impacts to traffic levels of service attributed to the average daily traffic (ADT) generation of the individual users or lots in this subdivision. The off-site improvements include:
 - a. Construction of items numbered 2-7, 11, and 13 in Table 7b; and
 - b. A pro-rata share of the following additional offsite intersection improvements, to be provided as described in Condition No. 5 below: items numbered 12, 16, 17, and 18 in Table 7b.
5. An Escrow Agreement, including the Financial Assurance Estimate for the additional offsite intersection improvements identified in Condition No. 4b above, as approved by the El Paso County Planning and Community Development Department and the El Paso County Attorney's Office, shall be completed at the time of recording the first final plat in the Falcon Marketplace development. A fair share contribution toward the additional offsite intersection improvements, based on proportional calculated traffic generation, shall be deposited for each plat, replat, or site development plan within the Falcon Marketplace development as applicable.
6. In accordance with El Paso County Board of County Commissioners Resolution 18-186, the applicant shall obtain an access permit to be administratively issued, with appropriate conditions in accordance with the El Paso County Engineering Criteria Manual, for the proposed right-in access from Woodmen Road.

7. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
8. Development of the property shall be in accordance with the preliminary plan. Minor changes in the preliminary plan, including a reduction in the number of lots and/or lot line adjustments, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal preliminary plan amendment application.
9. It shall be the developer's responsibility to ensure proper construction and functioning of the sub-regional detention basin, "Pond SR4," as construction of this facility is proposed with the pre-development site grading. Final details and revisions, including clay liner specifications, inlet and outlet designs, spillway designs, maintenance access, and geotechnical study/reports/testing shall be completed during the final design process and approved by the County prior to scheduling the final plat for hearing.
10. Preliminary technical reports and construction plans (at both 60% and 90% design) for each onsite roundabout shall be submitted to County staff for review and concurrence prior to final roundabout design and final plat submittal.
11. All technical issues shall be resolved and all engineering documents necessary for pre-development site grading approval shall be submitted and approved by the Planning and Community Developer Director and the County Engineer, as appropriate, prior to scheduling this request for hearing before the Board of County Commissioners.

NOTATIONS

1. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a final plat has been approved and recorded or a time extension has been granted.
2. Preliminary Plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.
3. Ownership and maintenance of the regional detention facility is dependent on proper design and construction, especially in regard to groundwater issues. The developer's responsibilities regarding design, construction and County acceptance of the facility will be addressed in the development agreement required with the final

plat. In no case shall the County be held responsible for seepage into or out of the pond or overtopping of the pond spillway into the site.

This represents the Planning and Community Development Department's understanding of the action taken by the Board of County Commissioners.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,



Kari Parsons, Project Manager/Planner II

File No. SP-17-001