

Miranda Benson2

From: Ryan Howser
Sent: Wednesday, February 28, 2024 4:07 PM
To: PCD Hearings
Subject: FW: Request remove Forest Heights Estates MS206 from PC Consent List for 2024-03-08
Attachments: Assessor Map Context.pdf; Plat Map with Wetlands .pdf

From: Judith von Ahlefeldt <blackforestnews@earthlink.net>
Sent: Wednesday, February 28, 2024 4:06 PM
To: Ryan Howser <RyanHowser@elpasoco.com>
Cc: EXTERNAL Black Forest News <EXTERNALBlackForestNews@elpasoco.com>
Subject: Request remove Forest Heights Estates MS206 from PC Consent List for 2024-03-08

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Feb. 28, 2024 Wednesday 4:05 pm

Hello Ryan,

This is Judith von Ahlefeldt, owner of EPC Parcel:**5209000108**

8255 FOREST HEIGHTS CIR Colorado Springs, CO 80908

in Forest Heights Estates, M S206 which is on the Consent Calendar for the March 8, 2024 Planning Commission.

I am requesting that Forest Heights Estates be removed from the upcoming Thursday March 8 Planning Commission Consent Calendar to status as Regular Hearing item. MS 206 proposal has not been previously presented at public hearing.

My ownership of this parcel began in November, 1969. It is adjoining (contiguous with) either Forest Hts Circle itself or adjoining a lot line of new parcels presented on EDARP as of 8 am Feb. 22, 2024 - the day after MS 206 was posted for Planning Commission and BoCC scheduling on Wed., Feb. 21, 2024).

My property was purchased in 1969 from Robert Wells, a previous owner who purchased 80 acres in 1948. My 14.5 ac parcel is the largest existing parcel along Forest Hts Circle affected by the subdivision proposal. I am also the only adjoining owner who must use the entire length of Forest Hts Circle to reach Herring Rd. My deed contains ingress and egress rights for Forest Heights Circle.

Over 2400 linear feet of my property boundary borders this subdivision proposal: the entire east side of new parcel Lot 2, the south side of the east end of Forest Hts Circle, and two sides (south and east) of the proposed cul de sac.

My property, with two tributaries of Burgess River, has significant high-watershed subirrigated shallow swale wetlands. All subwatersheds of Forest Heights Estates of minimal size and in good condition. Within Section 9 some of the other subwatersheds have incised into the landscape, especially on Lot 1 and the southern portions of Lots 2 and 3.

In Forest Heights Estates, several subwatersheds, all tributary to Burgess River, cross trending southwest, and they cross all of the proposed lots. The swales are well vegetated with grasses, sedges and rushes, and where the alluvium is thicker, also had tree areas. The trees were burned off in the June, 2013 catastrophic Black Forest Fire, but the wetlands themselves were fully recovered by early Fall. There is scattered tree re-growth along Forest Heights Circle and near patches of surviving ponderosa pines.

Where Burgess River crosses Forest Heights Circle near the east end of the Road where it reaches my property, and where Forest Heights Circle's old roadcuts from 1954 encounters thin alluvium with springs, there is current wetland vegetation including peachleaf willow, narrowleaf cottonwood, aspens and New Mexican locust which all resprouted after the fire and are now sizeable trees.

It is important to me and current residents to conserve and respect these wetlands.

I have never had any objection to the subdivision into the proposed four lots , but I do have issues with the Road positioning and design and ECM hardscape requirements (and have submitted previous comments - See EDARP.

When Version 1 of the subdivision proposal was submitted in late 2020, I assisted Phyllis Didleau in organizing a Neighbors meeting at her home, and prepared minutes which she approved and I sent to all existing lot owners (See the first 2020 entry on EDARP under Additional Documents). **Other documents, submitted by myself and Jack Yonce in 2021 for the first review are in the same part of the same EDARP list, but not posted until July 16, 2022 after the Agency Reviews for Version 1 were completed. Please ask the Planning Commissioners to read these with the View Link.**

Version 5 of this project is now the one which is being considered as a Consent Item at March 8, 2024 Planning Commission. These have had long debate during 2021,2022, and 2023. There are nearly 150 documents on EDARP for this Minor Subdivision.

In my review of the EDARP Documents available on the EDARP Public Site I find there is:

- incomplete vetting of some of the issues;
- non-recognition of some things important to Neighbors, but not required to be addressed by the ECM or Code so not addressed;
- not appearing at all for consideration;
- not satisfactorily answered, or have not had interactive vetting with affected parties
- required before plat recording but not appearing and EDARP for information or discussion

The Developers have hired a new planning firm since mid-2023 and they have not reached out to the neighbors.

The most concerning items for me with regard to my property are:

- lack of identification of Utility easements for the four new lots on the Plat
- the Maintenance Agreement and Covenants,
- the road engineering and stormwater hardscape requirements causing destruction of wetland trees, destabilization of sensitive soils, high expense for the Developers, and unknown future maintenance issues for all the private landowners.

In the bigger picture I am concerned with:

- the disintegration of the Forest Heights Neighborhood Non-motorized Trail System, already built on private land with verbal permission, 2016 - 2018. During the 2022-2024 portion of the Review Period for Forest Heights Estates (per Developer's choices) these trails were blocked. One of these trails was enjoyed by residents since the 1950s and was restored after the fire in 2016, and the other built new in 2018, also after the fire, to connect to Red Tail Ranch Subdivision (2018). All were built with landowner permission. Red Tail Ranch Subdivision has non-motorized trails (maintained by Black Forest Trails Association [BFTA 501(c)(3)] on its approved plat, coincident with the Platted Lot Perimeter utility easements. The Forest Heights Trail system connected to this, with the intention of providing See 2121 EDARP Additional Documents submissions)

Please see documents on **EDARP (2021 Additional Documents** about these trails, all submitted before the trails were damaged and fenced off per the Property Owners'/Developer choice.

To assist with familiarizing planning Commissioners with the bigger picture, I have attached two pdfs: An **Annotated Assessor Map** of Section 9, and also one of the Review Final **Plat map with Wetlands** showing no build constraint areas (with comments) from EDARP. These are downloaded on Thursday Feb. 22, 2024.

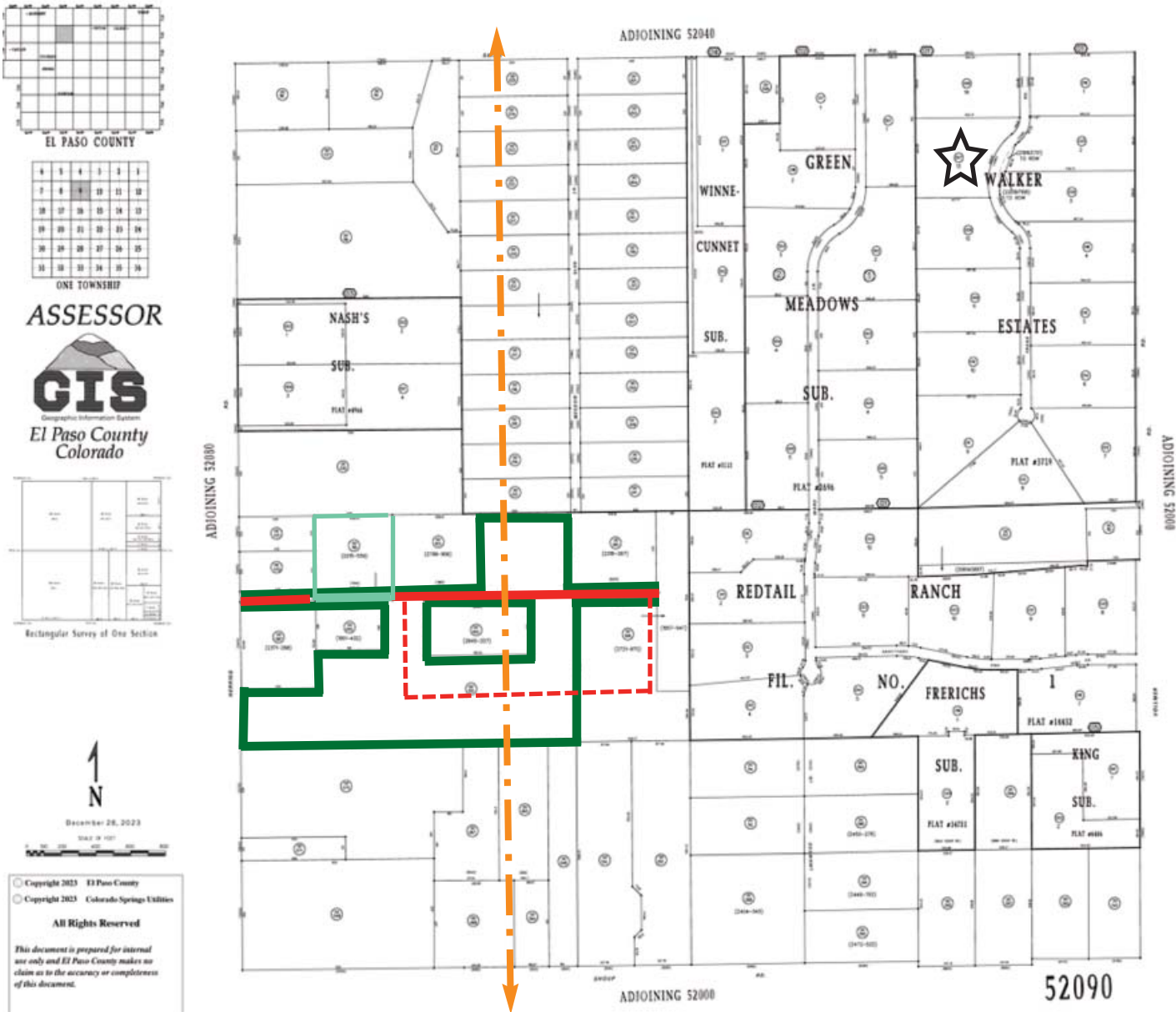
Please post all of this request including the maps into EDARP and include it in the Packet for the Planning Commission.

Thank you,

Judith von Ahlefeldt

Owner of Parcel 5209000108 8255 Forest Heights Circle, Colorado Springs, CO 80908

LANDSCAPE AND DEVELOPMENT CONTEXT OF FOREST HEIGHTS ESTATES MS206 See Plat Map for Wetlands.



LANDSCAPE AND HISTORICAL CONTEXT

When El Paso County was formed in the early 1870s, Forest Heights Estates was owned by the Colorado Pinery and Land Company (General Palmer). After his death in 1909 it was sold to Edgar Lumber and Box Company. After WWI, Shoup Rd was built in early 1920s, and large parcels of Section 9 were sold. In 1928 the Colorado Interstate Gas Line was built from TX to WY.

Robert Wells purchased 80 acres from Edith Wolford (*the N1/2 of the SW quarter of Section 9*).

Forest Heights Estates was part of this former 80 acre post -WWI parcel off Herring Rd. in 1948. Forest Heights Circle (red dotted line) was cut in from Herring Rd. after WWII, in 1954, as a loop. Wells also built a spec house in 1955 at NE corner of Forest Hts. Cir. and Herring Rd.

When this part of Black Forest was Administratively Zoned to 5 acre minimum in 1965, Forest Hts Circle became a stub cul de sac (solid red line).

Three existing parcels with deeded access each are north of Herring Rd. and three are south.

Key to T12S R65W SECTION 9
Bordered by: North - Swan Rd.
South - Shoup Rd.
West - Herring Rd.
East - Vollmer Rd.

☆ Top of Vollmer Hill 7704' Forest Hts Estates Bndry

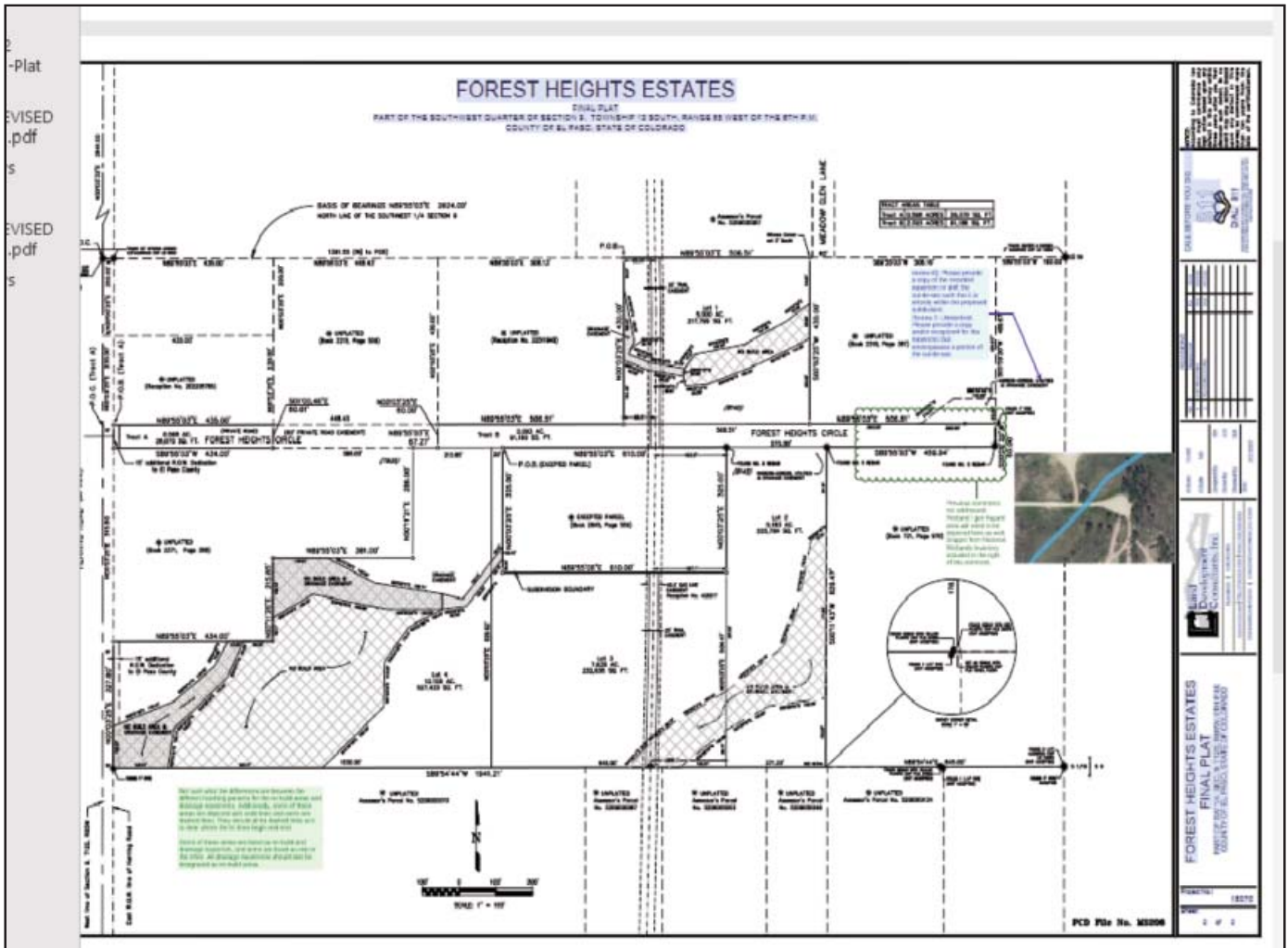
— Forest Hts. Circle MS206

— Yonce ownership

↔ Interstate Pipeline

Forest Heights Estates Plat from EDARP - Feb. 22, 2024 (Final Review)

No Utility Easements shown along property boundaries
 KM Gasline is shown north to south with 25' EPC Regional Trail Easement dedication are indicated on the Review Plat.
 Wetland building constraint areas are shown, but not all wetlands in the 80 ac context are shown.



As shown here there is no access to KM Pipeline other than north from Forest Hts Circle with the proposed subdivision. The KM (formerly CIG) Gas/Oil has been on the EPC Regional Trail Master Plan since 2006 (first County Parks Master Plan). In Section 9 all existing parcels crossed by the Pipeline have homes built. In Section 9 some parcels are 2.5 ac or less, and there are wetland issues (large crosshatch areas on this Plat Map). Not all areas for expressed 2024 ECM stormwater concerns are shown on this plat map.