

Terra Ridge North

Residential Community

Letter of Intent

Rezone

Preliminary Plan



VICINITY MAP

Prepared By:
Lodestar Engineering, LLC
For:
Phillip & Jennifer Miles
15630 Fox Creek Lane
Colorado Springs, CO 80908

Developer:
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Surveyor:
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Please add the following:

- Owner name, contact telephone and email
- Applicant name, contact telephone and email (if not owner)
- Property Address
- Property tax schedule number
- current zoning of property
- A detailed analysis summarizing how the request complies with each of the criteria of approval in Chapter 5 of the LDC
- A discussion summarizing the proposed request and compliance with the applicable requirements of the LDC

Please remove preliminary plan this is strictly for rezone

Development Request:

Phillip S. Miles and Jennifer Miles requests approval of the Preliminary Plan and Rezone

1. The lots 5 & 6 in Terra Ridge Estates will be replatted and remain part of Terra Ridge Estates.
2. 11 single family residential lots at a minimum lot size of 2.5 acres on 39.72 acres comprising 98.8% of the subdivision.
3. 0.7 acres of open space comprising 0.2% of the subdivision
4. 1.66 acres of roadway compromising 1.0% of the subdivision
5. Minimum lot size - 2.5 acres
6. Average lot size - 3.4 acres
7. Gross Density – 0.29 units per acre

Justification For Request

This application it is consistent with the goals and objectives of the El Paso County Master Plan (see Master Plan Consistency below.)

Supporting Documents

The following reports are submitted in support of this Preliminary Plan and are referenced in this Letter of Intent:

- Traffic Impact Study prepared by LSC
- Profile Pit Evaluation prepared by Geoquest
- Geology and Soils Study prepared by RMG & Geoquest
- Water Resources and Water Quality Report prepared by JDS Hydro
- Preliminary Drainage Report prepared by Lodestar Engineering, LLC
- Habitat Suitability Report prepared by Smith Environmental and Engineering
- Noxious Weed Report prepared by Smith Environmental and Engineering
- Water of the US Report prepared by Smith Environmental and Engineering

Site Location, Size, Zoning:

The site lies directly north of Lots 5 & 6 in Terra Ridge Estates and is currently a 39.72-acre undeveloped site. The property is bounded by Ridgeview Acres to the north, Whispering Hills Estates to the west, Wildwood Village to the east, and Terra Ridge Estates to the south. All lots surrounding the subject property are all zoned RR-5. The entire 39.72-acre parcel lies within unincorporated El Paso County and is currently zoned RR-5.



Existing and Proposed Facilities and Structures:

Existing site characteristics: The existing vacant parcels consist predominantly of native shrubs and prairie grasses. The site contains rolling hills with East Cherry Creek and a tributary extending from the south side of the property to the northeast corner. The East Cherry Creek channel and tributary beds extending through the site consists of native grasses and willows. The FIRM map indicates the site is located in Zone X which is outside the floodplain. Approximately, 500 feet of the tributary extending from the southwest corner to the northeast corner will be located 80 feet to the west to accommodate the proposed cul-de-sac.

Total Number of Residential Units, Density and Lot Size: The current zoning of parcel 5129300002 is RR-5, Residential Rural 5-acre lots. The development proposes to rezone the parcel to 2.5-acre single family residential large lots with a minimum lot size of 2.5 acres (RR-2.5).

Proposed Infrastructure and Utilities: The proposed development will include public ROW and utility improvement including gas and electric. All lots will have domestic water provided via a well and wastewater will be treated using individual lot onsite wastewater treatment systems.

Utility and public services will be provided by the following associated districts:

1. Water: onsite well
2. Wastewater: onsite wastewater treatment system
3. Gas: Black Hills Energy
4. Electric: Mountain View Electric
5. Fire: Black Forest Fire Protection
6. Police Protection: El Paso County Sheriff's Department
7. School: Monument School District No. 38

Legal description shows three lots, are you just requesting the one lot being rezoned

An extended detention basin will be located near the north end of the development in a dedicated tract to detain stormwater from impervious areas prior to offsite release. The detention and release will have no effect on downstream facilities.

Remove from letter of Intent, you are not requesting a preliminary plan, this application is for a rezone only

Preliminary Plan

The request is for a preliminary Plan for Terra Ridge North, a single family-development of 11 lots on approximately 39.72 acres, stormwater detention facility and associated infrastructure. All lots will be zoned RR-2.5

Traffic and Proposed Access Locations: The main access to the project will occur by the extension of Fox Creek Lane from the south-central portion of the property extending north approximately 1700 feet. This access will be constructed in a 60-foot improved public ROW. The roadway within the development will be constructed to meet the requirements of an El Paso County Local Rural roadway. Each lot will have a minimum of 30 feet of frontage to Fox Creek Lane. The proposed ROW extension commencing at the end of the existing Fox Creek Lane cul-de-sac is the only access into the property in conformance with the El Paso County Engineering Criteria Manual. Without the access provided by the extension of Fox Creek Lane, the property cannot be accessed with a 60' ROW and would be limited to a private driveway. According to the traffic study performed by LSC, sight distance at the existing Black Forest Road/Terra Ridge Circle exceeds the 555 feet requirement, no modifications of the existing Black Forest

Road/Terra Ridge Circle intersection will be required, and no modifications to the existing laneage of any of the roadways are necessary.

Regional Open Space:

There are no Regional Open Space placetype planned for this area; therefore, there any regional parks or regional trail systems allocated in the master plan. The proposed development will not impact any existing Regional Open Spaces.

Drainage:

The Preliminary Drainage Report prepared by Lodestar Engineering, LLC analyzes the existing drainage characteristics of the site and any required improvements. The proposed Terra Ridge North project is part of the East Cherry Creek drainage basin. The report notes that the onsite existing basin drainage patterns are generally from the South to the northeast by way of existing drainage channels. According to the report, the proposed development will not adversely affect the on or offsite drainage ways or surrounding developments. In order to safely convey flow through into East Cherry Creek, a detention pond will be constructed to released develop flows at historic rates. These flow rates will be in accordance with the El Paso County drainage criteria requirements.

Utilities:

Water: Water will be supplied by the construction of individual wells on each lot extending into the Dawson Formation in accordance with the JDS Hydro Water and Wastewater report. District Court, Water Division 1, decreed in Case No. (TBD), that 11 wells to be located on the 39.72 acre parcel locate in the SW ¼ of Section 29, Township 11 South, Range 65 West of the 6th P.M. El Paso County, Colorado. Lots #5 and #6 of the existing Terra Ridge Estates already have approved well permits or existing well permits pursuant to an existing augmentation plan decreed in Case No. 96CW68.

Sewer: Wastewater will be handled by the use of onsite wastewater treatment facilities in accordance with the RMG Engineering report.

Gas: A commitment letter was received from Black Hills energy to service the Terra Ridge North development. Services are presently available to meet the demands anticipated.

Electric: A commitment letter was received from Mountain View electric to service the Terra Ridge North development. Services are presently available to meet the demands anticipated.

Natural Features:

The topography of the site is rolling hills with two drainage ways extending from south to north through the property. The existing drainage ways are wide without a defined flow path and no erosion from the development is anticipated. A 100-foot-wide electric easement extends north to south along the eastern portion of the site.

Vegetation:

The existing site is covered with native grasses with a few randomly located ponderosa pines. A low earthen berm is located along the western portion of the property that was constructed sometime in the properties history to control stormwater runoff. The majority of the property will remain undisturbed during and after construction of the lots.

Noxious weeds:

The site is unoccupied and undeveloped. Three B-list noxious species and one C-list specie existed on site. Canada Thistle, common mullein, musk thistle and spotted knapweed were all observed in low densities. A weed management plan has been composed by Smith Environmental and Engineering, dated January 22, 2021, and it stated a combination of chemical and mechanical means should be implemented to control the noxious weeds on site.

Floodplain:

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) numbers 08041C0305G and 08041C0315G dated December 7, 2018 this project is not located within a FEMA designated 100yr floodplain. Therefore, no map revisions will be necessary as a result of this project.

Site Stabilization:

No areas exist in the proposed development where slopes greater than 30% are present.

Wildlife:

The property has been used for rangeland for horse and cattle so minimal wildlife is found on the property. Smith Environmental and Engineering assessed the site and determined this area has been designated as a no build zone and will not be disturbed. Reptiles and amphibians are found around the drainage ways extending through the property. A clearance letter was issued by the US Fish and Wildlife Service in which it stated, “the Service concurs that the impacts resulting from the construction of the new residences, the access road, utility lines, and detention pond in the project area next to East Cherry Creek is not likely to adversely affect the Preble’s mouse.”

Wetlands:

The US Army Corps of Engineers issued a Nationwide Permit (NWP-29) Verification letter states “the project is authorized by NWP-29, Residential Developments.”

Soils and Geology:

The soils and geology report prepared by RMG engineering dated September 3rd, 2019 and revised March 30, 2022. RMG noted that no geologic hazards were identified that would preclude development of the site. The report indicates that regional geologic conditions that impact the site include seismic and radioactivity that can be mitigated with engineering design and construction methods commonly employed in this area. Groundwater levels will vary with seasonal precipitation. Minimal amounts of earth work will be required for this development.

The Geoquest soils report dated November 16, 2018, noted over-excavation will be required for foundations installed in the Terra Ridge North development. It states, "The over-excavated area shall extend it to a minimum depth of 4 feet below the bottom of the foundation elevation and 4 feet laterally from the location of the foundation walls."

Wildfire Hazard Justification:

According to the Wildfire Hazard Potential GIS Database, developed by U.S. Forest Service and Fire Modeling Institute to help inform assessments of wildfire risk or prioritization of fuels management needs across large landscapes, the site is identified as 'Low'. The site is surrounded by 5-acre single family residences and has limited vegetation. The development will comply with County development standards for Fire Protection and standards of the Black Forest Fire Department.

The Colorado Forest Atlas portal was developed by the Colorado State Forest Service and was used to determine the burn probability and the wildfire risk for the subject area. Within the Wildfire Risk Viewer, the proposed development area is rated at 'Low Risk' for wildfire risk and 'Low to Low-Moderate' for the burn probability.

Fire Department Requirements:

A 45,000-gallon cistern will be installed in accordance with NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting. An easement will be granted for the installation, access and maintenance of the cistern.

Project Justification

Criteria for Approval & Master Plan Consistency

In approving the rezoning application, that El Paso County land development code requires that the BoCC shall find the proposed is, among other issues, in general conformance with the goals, objectives and policies of the El Paso County Master Plan.

The El Paso County Master Plan utilizes the system of "Key Area Place Types" aligning with the approved "Land Uses" to evaluate Master Plan land use consistency. The Terra Ridge North subdivision is not located in an identified Key Area; however, it is located north of the "Forested Area" and the western boundary is contiguous with a "Potential Area for Annexation." The Terra Ridge North subdivision being located north of the "Forested Area" will preclude any negative impacts to the natural forest amenity.

Terra Ridge North’s location allows for or aligns with the Large-Lot residential Placetype of single-family homes occupying lots of 2.5 acres or more so as to preserve a rural aesthetic.

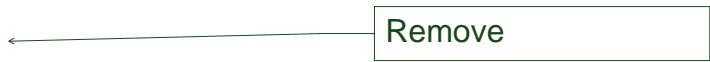
The Terra Ridge North application proposes single family detached residential lots at a minimum of 2.5 acres each and a gross density of 0.29 units per acre. The land use, lot size and gross density aligns with the approved Land Uses with the El Paso County Placetype and is therefore consistent with the Master Plan.

The lots in the immediate area of Terra Ridge North are all Placetype rural residential and Terra Ridge North will be consistent with Rural Residential Placetype.

As discussed in Master Plan Chapter 14 Implementation - Land Use Applications and Master Plan Consistency also establish Master Plan consistency related to the land use goals and objectives as well as a good portion of the Master Plan technical subdivision goals and objectives.

Other Master Plan technical subdivision goals and objects and Code compliance requirements are discussed in further detail below and are intended to evidence this application’s further consistency with the Master Plan as well as the technical requirements of the Land Development Code.

Preliminary Plan



1. The proposed subdivision is in general conformance with the goals, objectives, and policies of El Paso County development standards.
 - a. The proposed subdivision is located in the Large Lot Placetype.
2. The subdivision is consistent with the purposes of this code;
 - a. The stated purpose of the code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County.
 - b. Goal 6.1.a Encourage patterns of growth and development which complement the regions' unique natural environments, and which reinforce community character.
 - i. Policy 6.1.3 Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access. This development will maintain the current Placetype of Rural Residential.
 - ii. Policy 6.1.9 Viable residential properties should be reasonably protected from the adverse impacts of major roadways and other potentially incompatible land uses. The cul-de-sac extending into the subdivision will prevent through traffic from nearby Black Forest Road and Hodgen Road thus limiting the traffic to local traffic.
 - iii. Policy 6.1.10 Ensure that new development will not create a disproportionately high demand on public services and facilities by virtue of its location, design or timing. The RR-2.5 zoning of this development limits the new single-family homes in this area to 11 lots that can be developed. The LSC traffic study concluded no modifications to the existing laneage at the study area

intersections are likely necessary as a result of this development. Additionally, the study found the development is not expected to increase pedestrian or bicycle traffic within the study area.

- iv. Policy 6.1.14 Support development which complements the unique environmental conditions and established land use character of each sub-area of the County. The proposed subdivision will encourage the use of the land as areas to grow gardens and native prairie to enjoy as open space.
 - c. Develop and maintain rural residential areas in a manner which protects their integrity, addresses the carrying capacity of the natural environment and provides for an adequate level of non-urban facilities and services.
 - i. Policy 6.4.1 Protect and sustain established viable rural residential areas where possible.
 - ii. Policy 6.4.3 Allow [rural residential development](#) in those areas with sufficient "carrying capacity" including roadway capacity, water supply, septic suitability, educational facilities and organized structural fire protection.
 - iii. Policy 6.4.10 Encourage subdivision covenants that regulate domestic pets.
 - iv. Policy 6.4.11 Support planning and regulatory approaches which limit the adverse impacts of grazing on lots of 5 acres and less.
 - d. Goal 6.5 *Encourage the preservation of agricultural uses as an important contributor to the economy and land use character of the County.*
 - i. Policy 6.5.7 Discourage the proliferation of locally unwanted and potentially hazardous land uses in rural and especially unzoned areas.
3. The subdivision is in conformance with the subdivision design standards in any approved sketch plan;
- a. There is no approved sketch plan for this property. The proposed subdivision is in conformance with the subdivision design standards. The subdivision design standards set out in chapter eight of the land development code are met, including but not limited to;
 - i. Adequate provision for traffic, drainage and open space
 - ii. Provision of properly designed roads to provide for safe and convenient vehicular circulation and identification of required road improvements
 - iii. Adequate provision for water, sewer and other utilities
 - iv. Ensuring that structures will harmonize with the physical characteristics of the site and the surrounding neighborhoods
4. A sufficient water supply will be 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. The proposed subdivision is located in the Black Forest region of El Paso County near the Douglas County, El Paso County border and each lot will be serviced by a well extending into the Dawson Formation.

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

Policy 1.1.1 – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation. Water demands and allocations have been estimated using El Paso County’s 300-year rule to establish annual withdrawals from all Denver Basin aquifers in this report.

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.1 – Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development. All wells drilled to serve the proposed development will be equipped with totalizing meters which will be read and reported to the Colorado Division of Water Resources annually.

Policy 6.0.3 – Encourage water and wastewater infrastructure projects to be sited and designed in a manner which promotes compatibility with adjoining uses and provides reasonable mitigation of any adverse visibility and other environmental impacts. The water will be supplied by a well with minimal above ground structure, and the wastewater system will be below ground septic system.

Policy 6.0.7 – Encourage the submission of a water supply plan documenting an adequate supply of water to serve a proposed development at the earliest stage of the development process, as allowed under state law. The water supply plan should be prepared by the applicant in collaboration with the respective water provider. A water supply plan has been provided in the JDS Hydro Water Resources and Wastewater Report outlining water usage and replenishment requirements.

Policy 6.0.10 – Encourage land use proposals to expressly declare water source(s), quality, quantity, and sustainability in terms of years and number of single-family equivalents. This has been provided in the JDS Hydro Water Resources and Wastewater Report.

Goal 6.2.1 – Increase regional water reuse and conservation to better optimize available water supplies.

Policy 6.2.1.1 – Support efforts by water providers to effectively and environmentally implement potable and non-potable water reuse, including augmentation.

5. A 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;
 - a. Individual on site wastewater treatment systems will be designed and installed on each lot. The system complies with state and local laws and regulations.

6. 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)];
7. 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;
 - a. These matters are addressed in the preliminary drainage report prepared by Lodestar Engineering, LLC. The proposed stormwater conveyance system was designed to convey the developed project run off to a proposed full spectrum water quality and detention pond via roadway drainage channels. The proposed pond is designed to release at less than historic rates to minimize adverse impacts downstream. Treated water will outfall directly into the E Cherry Creek drainage way.
8. Legal and physical access is or will be provided to all parcels by public rights-of-way, acceptable to the County in compliance with this Code and the ECM;
9. 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;
10. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
11. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and
12. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

Remove

Waiver Request:

A waiver is being requested for the additional length of Fox Creek Lane proposed to be extended into Terra Ridge North to provide adequate access to each lot for residential and emergency services. The requested roadway extension will add approximately 1,700 feet of county rural collector roadway making the overall length of the proposed Fox Creek Lane 2,244 feet.

El Paso County Engineering Criteria Manual references:

2.3.8 Roadway Terminations A. Cul-de-Sacs. "Cul-de-Sac shall have a minimum radius...of 50 feet and a maximum length of 1,600 feet for rural conditions, be designed in conformance with Figure 2-31." The cul-de-sac radius will be 60 feet in conformance with Black Forest Fire Department Regulations. The length of the cul-de-sac will extend beyond the maximum length of 1600 feet.

The Black Forest Fire Department will approve the length of the cul-de-sac length of 2,244 feet.

A waiver from standards shall be approved only upon the finding, based upon the evidence presented in each specific case, that:

- The waiver does not have the effect of nullifying the intent and purpose of this Code.
- The waiver will not result in the need for additional subsequent waivers.
- The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property.
- The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property.
- The waiver will not in any manner vary the zoning provisions of this Code.