

**EL PASO COUNTY**  
COLORADO

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**El Paso County Planning & Community Development**  
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**Board of County Commissioners**  
Holly Williams, District 1  
Carrie Geitner, District 2  
Stan VanderWerf, District 3  
Longinos Gonzalez, Jr., District 4  
Cami Bremer, District 5

**TO: El Paso County Planning Commission**  
**Brian Risley, Chair**

**FROM: Kylie Bagley, Planner II**  
**Lupe Packman, EI Engineer I**  
**Kevin Mastin, Interim Executive Director**

**RE: Project File #: P-22-007**  
**Project Name: Terra Ridge North Rezone**  
**Parcel No.: 51293-00-002**

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
Philip and Jennifer Miles 15630 Fox Creek Lane Colorado Springs, CO 80908	Philip and Jennifer Miles 15630 Fox Creek Lane Colorado Springs, CO 80908

**Commissioner District: 1**

Planning Commission Hearing Date:	8/18/2022
Board of County Commissioners Hearing Date:	9/6/2022

**EXECUTIVE SUMMARY**

A request by Phillip S. and Jennifer Miles for approval of a map amendment (rezoning) from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). The 39.72-acre property is located approximately three quarters of a mile south of the intersection of Black Forest Road and Hodgen Road and within Section 29, Township 11 South, Range 65 West of the 6th P.M.



**A. REQUEST/WAIVERS/DEVIATIONS/ AUTHORIZATION**

**Request:** A request by Phillip S. and Jennifer Miles for approval of a map amendment (rezoning) from RR-5 (Residential Rural) to RR-2.5 (Residential Rural).

**Waiver(s)/Deviation(s):** There are no waivers or deviations associated with this request.

**Authorization to Sign:** There are no documents associated with this application that require signing.

**B. Planning Commission Summary**

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

**C. APPROVAL CRITERIA**

In approving a map amendment (rezoning), the Planning Commission and the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2021):

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;
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;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
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.

**D. LOCATION**

North:	RR-5 (Residential Rural)	Single-Family Residential
South:	RR-5 (Residential Rural)	Single-Family Residential
East:	RR-5 (Residential Rural)	Single-Family Residential
West:	RR-5 (Residential Rural)	Single-Family Residential



## **E. BACKGROUND**

The subject property consists of one (1) unplatted lot that contains 39.72 acres. The parcel is greater than 35 acres and is considered exempt from the subdivision regulations and is therefore considered a legal division of land.

If the request for a map amendment (rezone) is approved, the applicants intend to submit a subdivision application to plat the property into 11 single-family residential lots with a minimum lot size of 2.5 acres. The subdivision must be recorded prior to initiating any land disturbing activities unless approval of a pre-subdivision site grading request is granted by the Board of County Commissioners. In order to initiate any new residential uses on the property, the applicant will need to obtain site plan approval.

## **F. ZONING ABALYSIS**

### **1. Land Development Code Analysis**

The applicant is proposing to rezone the property from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). Section 3.2 of the Code states the following as the intent of the RR-2.5 zoning district:

“The RR-2.5 zoning district is a 2.5-acre district intended to accommodate low-density, rural, single family residential development.”

The applicant intends to use the property for low-density, rural, single family residential purposes, which is consistent with the intent of the RR-2.5 zoning district.

### **2. Zoning Compliance**

The density and dimensional standards for the RR-2.5 zoning district are as follows:

- Minimum lot size: 2.5 acres
- Minimum width at the front setback line: 200 feet
- Minimum setback requirement: front 25 feet, rear 25 feet, side 15 feet \*
- Maximum lot coverage: None
- Maximum height: 30 feet

\*Agricultural stands shall be setback a minimum of 35 feet from all property lines.



In order to initiate any new residential uses on the property, the applicant will need to obtain site plan approval. The applicant intends to submit a subdivision application. The subdivision will be reviewed to ensure that all proposed structures will comply with the zoning district dimensional standards as well as the General Development Standards of the Code and Engineering Criteria Manual requirements.

## **G.MASTER PLAN ANALYSIS**

### **1. Your El Paso Master Plan**

#### **a. Placetype: Large Lot Residential**

##### **Placetype Character:**

The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and waste-water utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas.

Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape

##### **Recommended Land Uses:**



*Primary*

- Single-Family Detached Residential (typically 2.5-acre lots or larger)

*Supporting*

- Parks/Open Space
- Commercial Retail (Limited)
- Commercial Service (Limited)
- Agricultural

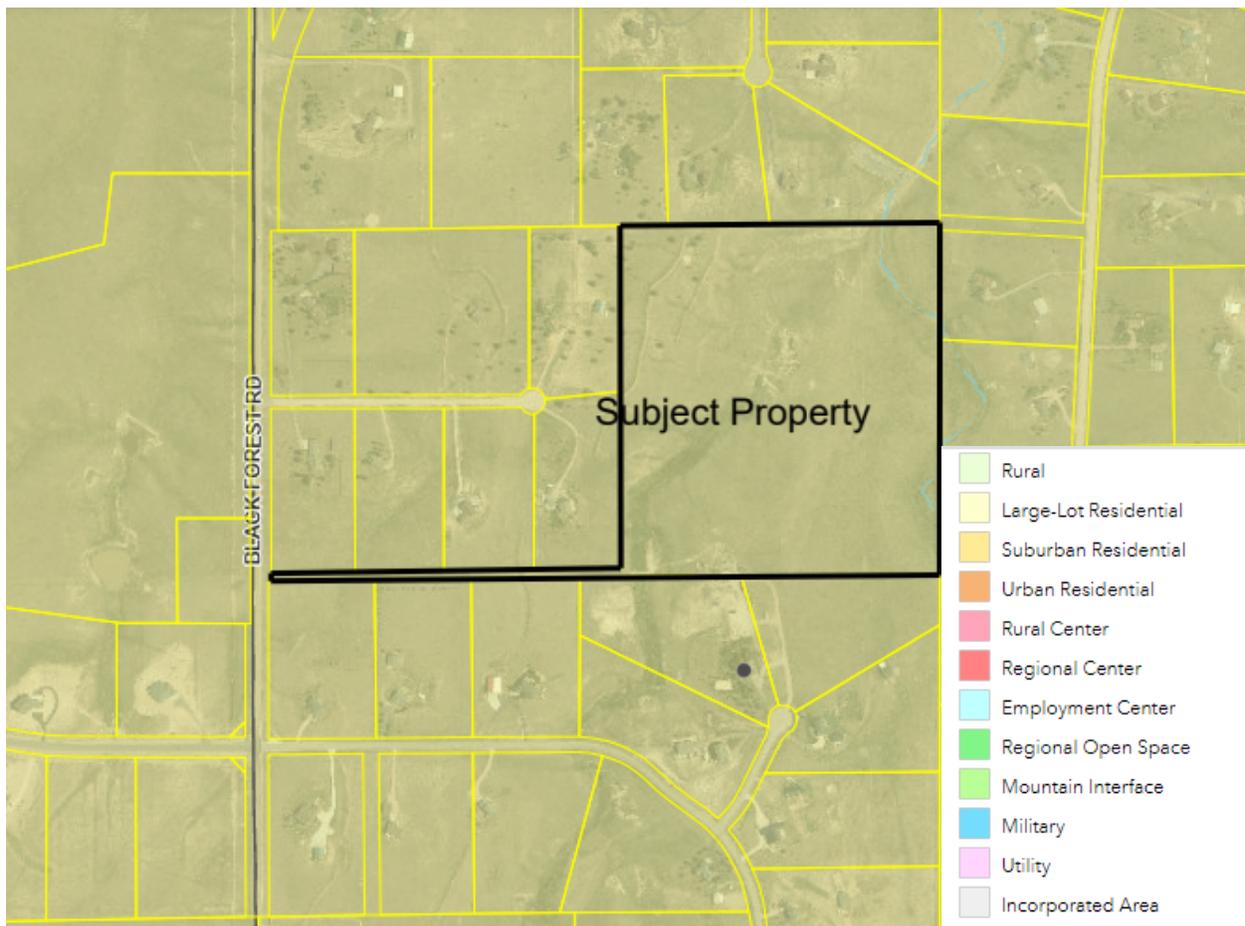


Figure G.1: Placetype Map

**Analysis:**

The Large-Lot Residential placetype supports the rural character of the County while providing for unique and desirable neighborhoods. Relevant goals and objectives are as follows:

**Objective LU3-1** – Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.

**Objective HC1-5** – Focus detached housing development in Large-Lot Residential and Suburban Residential areas given the increasing infrastructure and environmental constraints associated with such development to help maintain the established character of rural communities

**Goal HC3** – Locate attainable housing that provides convenient access to goods, services, and employment.

The proposed rezone would reallocate approximately 39.72 acres of vacant land from the RR-5 zoning district to the RR-2.5 zoning district, which would support the single-family detached residential density within the Large-Lot Residential placetype. The placetype allows single-family detached residential with 2.5-acre lots or larger as a primary use.

**b. Area of Change Designation: Minimal Change: Undeveloped**

The character of these areas is defined by a lack of development and presence of significant natural areas. These areas will experience some redevelopment of select underutilized or vacant sites adjacent to other built-out sites, but such redevelopment will be limited in scale so as to not alter the essential character. New development may also occur in these areas on previously undeveloped land, but overall there will be no change to the prioritized rural and natural environments.



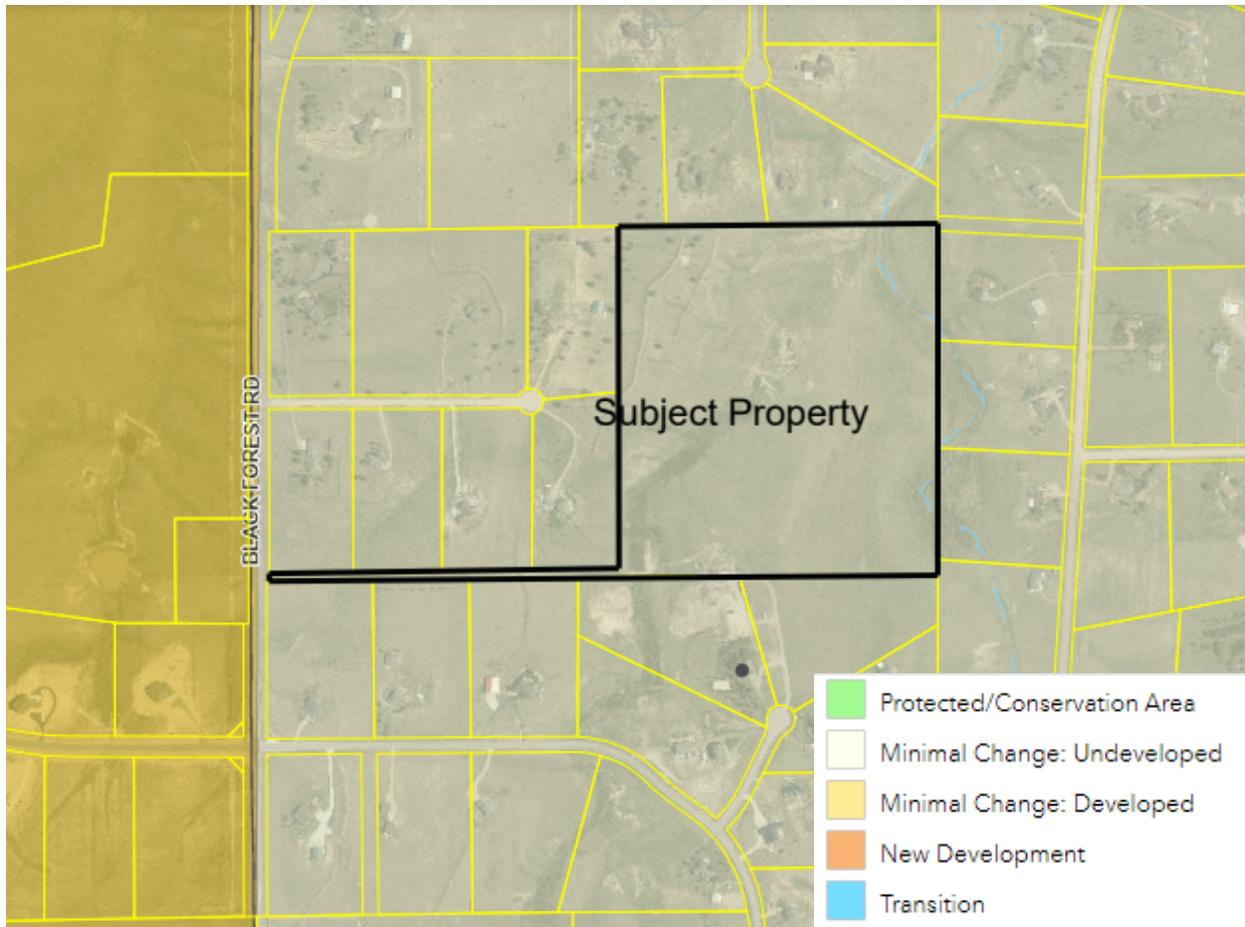


Figure G.2: Area of Change Map

**Analysis:**

The proposed rezone is not located in an area which is expected to significantly change in character. The proposed map amendment (rezoning) is not likely to change the character of the area.

**c. Key Area Influences**

The subject property is not located within a Key Area.

**d. Other Implications (Priority Development, Housing, etc.)**

The subject property is not located within a Priority Development Area.

**3. 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 processes. 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.***

***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.***

***Goal 1.2 – Integrate water and land use planning.***

The property is located within Region 2 of the El Paso County Water Master Plan. The Plan identifies the current demands for Region 2 to be 7,532 acre-feet per year (AFY) (Figure 5.1) with a current supply of 13,607 AFY (Figure 5.2). The projected demand in 2040 is at 11,713 AFY (Figure 5.1) with a projected supply in 2040 of 20,516 AFY (Figure 5.2). The projected demand at build-out in 2060 is at 13,254 AFY (Figure 5.1) with a projected supply in 2060 of 20,756 AFY (Figure 5.2). This means that by 2060 a surplus of 7,502 AFY is anticipated for Region 2.

A finding of water sufficiency is not required with a map amendment (rezone) but will be required with any future subdivision request. A finding of water sufficiency is required with subsequent plat application(s). The area subject to the proposed map amendment (rezone) is proposed to be served by on-site wells. Should the request be approved, a site plan application will be required to initiate any new residential use on the property.

#### **4. Other Master Plan Elements**

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderately low wildlife impact potential.

The Master Plan for Mineral Extraction (1996) identifies alluvial fan deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, severed mineral rights exist. The mineral rights owner has been notified of the application and hearing date..



## H. PHYSICAL SITE CHARACTERISTICS

### 1. Hazards

No hazards were identified during the review of the rezone.

### 2. Floodplain

FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0315G, which has an effective date of December 07, 2018, indicates the subject parcel is located within Zone X, which is not in a floodplain.

### 3. Drainage and Erosion

The area of the proposed rezone is in the East Cherry Creek (CYCY0200) drainage basin. This drainage basin is not included in the El Paso County drainage basin fee program. Drainage fees are not required in during the rezone process.

The final drainage report provides hydrologic analysis to identify and mitigate potential drainage impacts. A grading and erosion control plan is not required with the rezoning applications.

### 4. Transportation

The subject parcel currently obtains access from Black Forest Road which is owned and maintained by El Paso County.

The El Paso County 2016 Major Transportation Corridors Plan Update depicts roadway improvements in the vicinity on Black Forest Road.

The development is subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471, as amended). Road impact fees shall be paid in full at the time of subsequent land use approval.

## I. SERVICES

### 1. Water

Water is provided by existing wells for existing residential uses. Proposed residential uses will be required to obtain the proper well permits prior to development.

### 2. Sanitation

Wastewater is provided by existing on-site wastewater treatment systems (OWTS) for existing residential uses. A report evaluating feasibility of future OWTS systems will be required with any future subdivision request.



### **3. Emergency Services**

The property is within the Black Forest Fire Protection District. The District was sent a referral and commented that the firefighting water cistern for the proposed additional 11 homes be held to current land development code for subdivisions with 5 or more homes as they will be adding density.

### **4. Utilities**

Electrical service is provided by Mountain View Electric Association (MVEA) and natural gas service is provided by Black Hills Energy. Both MVEA and Black Hills Energy were sent referrals and have no outstanding comments.

### **5. Metropolitan Districts**

The property is not located within the boundaries of a metropolitan district.

### **6. Parks/Trails**

Land dedication and fees in lieu of park land dedication are not required for a map amendment (rezoning) application.

### **7. Schools**

Land dedication and fees in lieu of school land dedication are not required for a map amendment (rezoning) application.

## **J. APPLICABLE RESOLUTIONS**

Approval            Page 27

Disapproval        Page 28

## **K. STATUS OF MAJOR ISSUES**

There are no major issues.

## **L. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2019), staff recommends the following conditions and notations.

### **CONDITIONS**

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the 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 threatened species.

2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RR-2.5 (Residential Rural) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

## **NOTATIONS**

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

## **M. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified sixteen (16) adjoining property owners on July 7, 2022, for the Planning Commission meeting. Responses will be provided at the hearing.

## **N. ATTACHMENTS**

Vicinity Map  
Letter of Intent  
Rezone Map





**VICINITY MAP**  
NOT TO SCALE

 <p><b>LODESTAR</b> ENGINEERING, LLC FORENSICS, CIVIL, DRAINAGE, LAND DEVELOPMENT COLORADO SPRINGS, CO 80908 info@lodestar.design 719.352.8886</p>	<b>FOX CREEK ESTATES</b>	SCALE: NTS	DATE: 2/20/2019
	<b>VICINITY MAP</b>	JOB NO.: 19-007	SHEET: 1 OF 1

**Terra Ridge North**  
Residential Community  
Letter of Intent  
Rezone



VICINITY MAP

Property Address:

15630 Fox Creek Lane  
Colorado Springs, CO 80908

Prepared By:

Lodestar Engineering, LLC

For:

Phillip & Jennifer Miles  
15630 Fox Creek Lane  
Colorado Springs, CO 80908

Developer/Owner:  
Phillip & Jennifer Miles  
15630 Fox Creek Lane  
Colorado Springs, CO 80908  
719-352-8886  
shay@milestoneeng.org

Civil Engineer:  
Lodestar Engineering, LLC  
PO Box 88461  
Colorado Springs, CO 80908  
(719) 652-8886

Traffic Engineer:  
LSC Transportation Consultants  
545 E. Pikes Peak Ave., Suite 210  
Colorado Springs, CO 80903  
(719) 633-2868

Geotechnical Engineer:  
RMG – Rocky Mountain Group  
2910 Austin Bluffs Parkway  
Colorado Springs, CO 80918  
(719) 548-0600

Surveyor:  
John Keilers & Associates, LLC  
9920 Otero Avenue  
Colorado Springs, CO 80920  
(719) 649-9243

Mineral Rights Owner(s):  
El Paso County  
27 E Vermijo Avenue  
Colorado Springs, CO 80903

Ron Henderson  
PO Box 147  
Cranfills Gap, TX 76637

Wheatley Oil Company  
387 Mustang Boulevard  
Port Aransas, TX 78373

Edward Patton  
12320 Bradshaw Road  
Peyton, CO 80831 Prelimar

## **Development Request:**

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

1. Parcel number parcel 5129300002
2. Current zoning is RR-5
3. 11 single family residential lots at a minimum lot size of 2.5 acres on 39.72 acres comprising 98.8% of the subdivision.
4. 0.7 acres of open space comprising 0.2% of the subdivision
5. 1.66 acres of roadway compromising 1.0% of the subdivision
6. Minimum lot size - 2.5 acres
7. Average lot size - 3.4 acres
8. 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 Land Development Code 5.2.5

- The application is in general conformance with the El Paso County Master Plan
  - 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.

- The rezoning is in compliance with all applicable statutory provisions.
- The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions according to the El Paso County Master Plan
- The site is suitable for the intended use.

The density and dimensional standards of section 5.3 LDC for RR-2.5 will be adhered to.

### **Supporting Documents**

The following reports are submitted in support of this Rezone 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

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.

**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.

A deviation request has been submitted for the cul-de-sac total length of 2,115 feet.

**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.

The El Paso County Community Services Department stated the "2013 County Parks Master Plan does not show any facilities impacted by the rezone."

**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 or near 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 6<sup>th</sup> 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 belong 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.

The El Paso County Conservation District recommended the Shotgun seed mix. This seed mix will be included in the grading and erosion control documents.

**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."

## Mineral Rights:

A Mineral Rights Letter of Notification and Letter of Certification of a public hearing was sent to the Mineral Rights Owners of the subject property.

## **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.

The Black Forest Fire Department has verbally approved the length of the cul-de-sac length of 2,244 feet.

**STANDARD DSD PLAT NOTES**

1. THE FOLLOWING REPORTS WILL BE SUBMITTED IN ASSOCIATION WITH THE PRELIMINARY PLAN FOR THIS SUBDIVISION AND WILL BE ON FILE AT THE COUNTY DEVELOPMENT SERVICES DEPARTMENT: TRANSPORTATION IMPACT STUDY; DRAINAGE REPORT; WATER RESOURCES REPORT; WASTEWATER DISPOSAL REPORT; GEOLOGY AND SOILS REPORT; NATURAL FEATURES REPORT;
2. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE LOT OWNERS UNLESS OTHERWISE INDICATED. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OR RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
3. UNLESS OTHERWISE INDICATED, ALL SIDE AND REAR LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT, ALL FRONT LINES WITH A 15 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT UNLESS OTHERWISE INDICATED. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLATTED WITH A 20 FOOT PUBIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.
4. 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, THE COLORADO DIVISION OF 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 RELATED TO THE LISTED SPECIES IDENTIFIED IN THE PROJECTS ENVIRONMENTAL ASSESSMENT.
5. NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
6. MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL E PASO COUNTY AND US POSTAL SERVICE REGULATIONS. EXCEPT AS OTHERWISE NOTED ON THE PRELIMINARY PLAN, INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS PER AND DEVELOPMENT COD SECTION 6.3.3.C.2 AND 6.2.2.C.3.

**DEVELOPMENT NOTES:**

1. TRACT A - PRIVATE OPEN SPACE AND DRAINAGE DETENTION IS TO BE OWNED AND MAINTAINED BY THE TERRA RIDGE NORTH HOMEOWNERS ASSOCIATION AND SUBJECT TO APPROPRIATE DETENTION POND AND BMP MAINTENANCE AGREEMENTS.
2. "NO-BUILD AREAS": NO PERMANENT DWELLING UNIT, WATER WELL OR WASTEWATER TREATMENT SYSTEM MAY BE CONSTRUCTED IN "NO BUILD AREAS" INDICATED ON THIS PRELIMINARY PLAN INCLUDING ANY PERMANENT STRUCTURE, TEMPORARY STRUCTURE, SHED, FENCE AND OUTBUILDING. DRAINAGE FACILITIES AND UNDERGROUND UTILITIES LOCATED WITHIN PLATTED EASEMENTS ARE ALLOWED WITHIN THIS AREA.
3. ALL STREETS WITHIN THIS SUBDIVISION SHALL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND WILL BE OWNED AND MAINTAINED BY EL PASO COUNTY.
4. WATER TO BE PROVIDED VIA INDIVIDUAL ON SITE WELLS OPERATED THROUGH A STATE APPROVED WATER REPLACEMENT PLAN.
5. WASTE WATER TO BE INDIVIDUAL ON SITE SEPTIC SYSTEMS.
6. THIS PROPERTY IS LOCATED WITHIN AND SERVICED BY MOUNTAIN VIEW ELECTRIC ASSOC SERVICE DISTRICT, THE BLACK FOREST FIRE PROTECTION DISTRICT, THE LEWIS-PALMER SCHOOL DISTRICT NO. 38 AND THE BLACK HILLS ENERGY CORPORATION SERVICE DISTRICT.
7. BUILDING SETBACKS FOR FRONT, SIDE AND REAR YARDS - 25'.
8. STANDARD DRAINAGE AND UTILITY EASEMENTS: FRONT - 10', SIDE - 10', REAR - 10' AND PERIMETER - 20'.
9. ALL ROADWAYS AND DRAINAGE FACILITIES LOCATED WITHIN DEDICATED COUNTY RIGHT-OF-WAYS SHALL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND SHALL BE OWNED AND MAINTAINED BY EL PASO COUNTY.
10. PROPOSED METHOD OF GUARANTEEING FUNDS SHALL BE APPROVED BY AND ACCEPTABLE TO THE EL PASO ATTORNEYS OFFICE.
11. ALL PROPERTY WITHIN THIS SUBDIVISION IS SUBJECT TO ROAD IMPACT FEES IN ACCORDANCE WITH THE EL PASO COUNTY ROAD IMPACT FEE PROGRAM (RESOLUTION NO. 12-382), AS AMENDED, AT THE TIME OF BUILDING PERMIT APPLICATION.

**WILDLAND FIRE INFORMATION**

AT THE TIME OF APPROVAL OF THIS PROJECT, THIS PROPERTY IS LOCATED WITHIN THE BLACK FOREST FIRE PROTECTION DISTRICT, WHICH HAS ADOPTED A FIRE CODE REQUIRING RESIDENTIAL FIRE SPRINKLER REQUIREMENTS FOR STRUCTURES OVER 6000 SQUARE FEET IN SIZE, AND OTHER FIRE MITIGATION REQUIREMENTS DEPENDING UPON THE LEVEL OF FIRE RISK ASSOCIATED WITH THE PROPERTY AND STRUCTURES. THE OWNER OF ANY LOT SHOULD CONTACT THE FIRE DISTRICT TO DETERMINE THE EXACT DEVELOPMENT REQUIREMENTS RELATIVE TO THE ADOPTED FIRE CODE. DUE TO WILDFIRE CONCERNS, HOMEOWNERS ARE ENCOURAGED TO INCORPORATE WILDFIRE FUEL BREAK PROVISIONS AS RECOMMENDED BY THE CSFS AND ILLUSTRATED THROUGH PUBLICATIONS AVAILABLE THROUGH THE CSFS.

**DEVELOPMENT DATA:**

SINGLE FAMILY LOTS - 11 LOTS - 2.5 AC (98.8%)  
 TRACT A - DRAINAGE - 0.7 AC (0.2%)  
 ROW DEDICATION (X) - 1.66 AC (1.0%)  
 TOTAL - 39.72 AC

AVE LOT SIZE - 3.4 AC  
 MIN LOT SIZE - 2.5 AC  
 GR DENSITY - 1 LOT / 3.61 AC

**DEVELOPMENT CRITERIA (SINGLE FAMILY LOTS)**

DRAINAGE & UTILITY EASEMENTS (UNLESS OTHERWISE INDICATED)  
 FRONT - 10'  
 SIDE - 10'  
 REAR - 10'  
 MAX. BUILDING HEIGHT - 30' (AS MEASURED PER EL PASO CO LDC)

BUILDING SETBACKS (UNLESS OTHERWISE INDICATED)  
 FRONT - 25'  
 SIDE - 25'  
 REAR - 25'

**PROPERTY OWNERS**

PHILLIP S. & JENNIFER MILES  
 15630 FOX CREEK LANE  
 COLORADO SPRINGS, CO 80908

**MINERAL RIGHTS OWNERS**

EDWARD PATTON  
 12320 BRADSHAW ROAD  
 PEYTON, CO 80831

WHEATLEY OIL COMPANY  
 387 MUSTANG ROAD  
 PORT ARANSAS, TX 78373

RON HENDERSHOT  
 PO BOX 147  
 CRANFILLS GAP, TX 76637

EL PASO COUNTY  
 27 E VERMIJO AVENUE  
 COLORADO SPRINGS, CO 80903

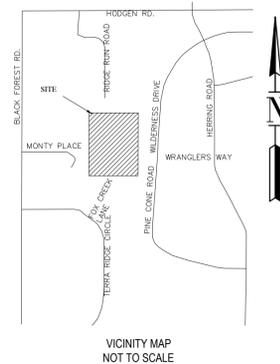
**EL PASO COUNTY PARCEL NUMBERS**  
 PARCEL NO. 5129300002 - PARCEL A

**GEOLOGY STATEMENT**

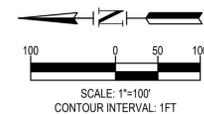
PORTIONS OF THE FOLLOWING LOTS HAVE BEEN FOUND TO BE IMPACTED BY GEOLOGIC HAZARDS, MITIGATION MEASURES AND A MAP OF THE HAZARD AREA CAN BE FOUND IN THE SOILS, GEOLOGY, HAZARD AND WASTE WATER STUDY FOR TERRA RIDGE NORTH SUBDIVISION BY X ENGINEERING DATED ON X.

AREAS OF SEASONALLY SHALLOW GROUND WATER: X

AREAS OF POTENTIALLY SEASONALLY SHALLOW GROUND WATER: X

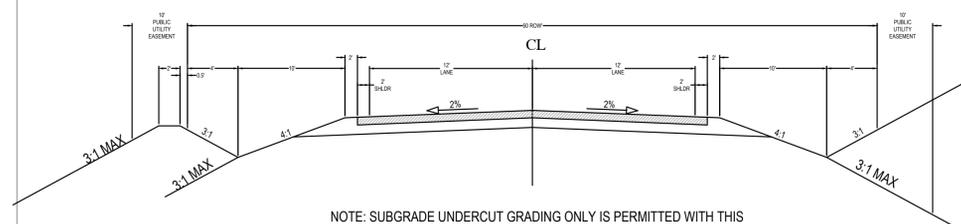


**ZONING MAP RR5 TO RR2.5**



**LEGAL DESCRIPTION:**

LOTS 5 AND 6 IN TERRA RIDGE FILING NO. 1, COUNTY OF EL PASO, STATE OF COLORADO AND A PORTION OF THE SOUTHWEST QUARTER OF SECTION 29, TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SOUTHWEST QUARTER; THENCE S89°46'29"E ALONG THE SOUTH LINE OF WHISPERING HILLS ESTATES AS RECORDED IN PLAT BOOK Z-2 AT PAGE 2 OF SAID COUNTY RECORDS, 1407.75 FEET TO THE SOUTHEAST CORNER THEREOF; THENCE N00°58'34"E, 1327.96 FEET TO THE NORTHEAST CORNER THEREOF; THENCE S89°47'26"E, 1245.16 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER, SAID NORTHEAST CORNER ALSO BEING ON THE WEST LINE OF WILDWOOD VILLAGE UNIT 3 AS RECORDED IN PLAT BOOK H-3 AT PAGE 57 OF SAID COUNTY RECORDS; THENCE S00°59'16"W ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER AND THE WEST LINE OF SAID WILDWOOD VILLAGE UNIT 3 AND WILDWOOD VILLAGE UNIT 4 AS RECORDED IN PLAT BOOK M-3 AT PAGE 46 OF SAID COUNTY RECORDS, 1366.91 FEET; THENCE N89°46'29"W, 945.48 FEET; THENCE N00°58'34"E, 8.50 FEET; THENCE N89°46'29"W, 1708.14 FEET TO A POINT ON THE WEST LINE OF SAID SOUTHWEST QUARTER; THENCE N00°58'34"E, 30.00 FEET TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO., SAID DESCRIBED TRACT CONTAINS 52.63 ACRES +/-



NOTE: SUBGRADE UNDERCUT GRADING ONLY IS PERMITTED WITH THIS PREDEVELOPMENT CONSTRUCTION PLAN. ASPHALT AND AGGREGATE BASE COARSE SHALL NOT BE CONSTRUCTED WITH THE PREDEVELOPMENT GRADING.

**RURAL LOCAL - PAVED  
 TYPICAL SECTION  
 SCALE N.T.S.**



**Project:**  
 TERRA RIDGE NORTH  
 SUBDIVISION  
 REZONING MAP

**Address:**  
 ADDRESS

**Revisions**

REVDATE	Revision#	REVNUM

**Checked By:** SM

**Drawn By:** JT

**Dwg File:** SHTS\_COVER.DWG

**Date:** 04/01/22

**Sheet Title**  
 ZONING  
 MAP

**Sheet**  
 1

July 14, 2022 3:03:21 PM Shay Miles