

JeniShay Farms

Residential Community

Letter of Intent

Preliminary Plan



VICINITY MAP

Prepared By:

Lodestar Engineering, LLC

For:

Phillip & Jennifer Miles

15630 Fox Creek Lane

Colorado Springs, CO 80908

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

Civil Engineer:
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PO Box 88461
Colorado Springs, CO 80908

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

Geotechnical Engineer:
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6825 Silver Ponds Heights #101
Colorado Springs, CO 80908
(719) 481-4560

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

Request & Justification:

Phillip S. Miles and Jennifer Miles requests approval of the following applications:

1. The lots 5 & 6 in Terra Ridge Estates will be replatted to be included as part of JeniShay Farms.
 - a. The inclusion of lots 5 & 6 will raise the total number of lots in JeniShay Farms to 9 lots. Lot 5 currently has a single-family home constructed upon it and lot 6 is vacant land. The proposed development is requesting approval of the construction of 8 additional single-family homes, one unit per lot. The development will consist of one and two-story single-family detached homes. This proposed development will be in conformance with all the single-family developments surrounding the subject development.
 - b. The following Waivers of the Land Development Code requirements:
 - i. 8.4.4.a Flag lot request
 - ii. 8.4.4.d Shared Access of Flag lots/length of roadway
2. Pre-development grading for infrastructure improvements: roadway, drainage channels and detention pond
3. A finding of water sufficiency with the Preliminary Plan

The justification for these requests is provided in this Letter of Intent

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
- Soils Report prepared by Geoquest
- Profile Pit Evaluation prepared by Geoquest
- Geology and Soils Study prepared by RMG Engineering & Architects
- Natural Features Report prepared by Lodestar Engineering, LLC
- Water Resources and Water Quality Report prepared by JDS Hydro
- Preliminary Drainage Report prepared by Lodestar Engineering, LLC

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 seven single family residential lots with a minimum lot size of 5.0 acres (RR-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

Include site specific information for other two parcels.

An extended detention basin will be located north of the proposed cul-de-sac to detain stormwater from impervious areas prior to offsite release. The detention and release will have no effect on downstream facilities.

Preliminary Plan

The request is for a preliminary Plan for JeniShay Farms, a single family-development of 9 lots on approximately 52.63 acres, stormwater detention facility and associated infrastructure. All lots will be zoned RR-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 1100 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. Lots 1,2,3,7,8 and 9 will be accessed off of the Fox Creek Lane extension. Lots 4,5 and 6 will be accessed via the private roadway extending from the end of the proposed Fox Creek Lane cul-de-sac. 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 is land locked. 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.

Drainage:

The Preliminary Drainage Report prepared by Lodestar Engineering, LLC analyzes the existing drainage characteristics of the site and any required improvements. The proposed JeniShay Farms 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 finding is needed for all nine lots included in proposed subdivision

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 granted 7 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.

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

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

Electric: A commitment letter was received from Mountain View electric to service the JeniShay Farms 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.

Noxious Weed Report is required with this application.

Noxious weeds:

The site is unoccupied and undeveloped. Some noxious weeds exist on the property. We control prior to and during construction shall take place to eliminate existing weeds and to prevent introduction of new

weeks. Following construction, each individual owner will be responsible for weed control on their respective lots.

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.

Wildlife

Mouse habitat exists on property. Clearance Letter from USFW indicating "no impact" is required.

The property has been used for rangeland for horse and cattle so minimal wildlife is found on the property. The most predominant wildlife are birds. There is a potential the Preble's Meadow jumping mouse could be found along the drainage way on the eastern side of the property. 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.

Wetlands

Identify U.S. Corps requirement for Nationwide Permit 29

According to the Colorado Wetland Inventory GIS database the drainage ways extending through the property are designated as emergent wetlands. The drainage ways have been designated as no build zones and the proposed private roadway providing access to lots 4-6 will cross in one location.

Soils and Geology

The soils and geology report prepared by RMG engineering dated September 3rd, 2019 and revised September 18, 2020. Warren G 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.

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.

Report indicates shallow groundwater present and expansive soils. Report specifically mentions mitigation that may be needed. please include summary of all findings/mitigation needed as identified in the report.

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.

Project Justification

Preliminary Plan

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of El Paso County development standards.
 - a. The property does not lie within a master plan small area plan.
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.
 - 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.
 - 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.
 - iv. Policy 6.1.11 Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.
 - v. Policy 6.1.14 Support development which complements the unique environmental conditions and established land use character of each sub-area of the County.
 - vi. Policy 6.1.16 Allow for new and innovative concepts in land use design and planning if it can be demonstrated that off-site impacts will not be increased and the health, safety and welfare of property owners and residents will be protected.
 - 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.

Please explain how this proposal specifically satisfies the goals listed.

- 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 Rd 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 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. 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. It was determined by JDS hydro that the following water demand for the estimated annual water use and pumping rates are:

| Use | Constant | Increment |
|--------------------------|-------------|----------------|
| Domestic Use | 0.25 | AF/year |
| Irrigation Use | 0.24 | AF/year |
| Stock | 0.04 | AF/year |
| Max. Well Demand | 0.53 | AF/year/lot |
| Total Well Demand | 3.71 | AF/year |

The water supply is in accordance with the following goals and policies of the EPC Water Master Plan:

This number differs from the water summary information.

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 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.

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.

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.

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.

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 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;

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 loadstar 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

Explain how those goals have been satisfied.

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 or recorded easement, acceptable to the County in compliance with this Code and the ECM;
 - a. Site access is provided by the extension of Fox Creek Lane. A private roadway well service the northern three lots.
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.

Waiver Request:

A waiver is being requested for the overlength of Fox Creek Lane and for three lots to be accessed by a shared private driveway. The existing Fox Creek Lane is 523 feet and the proposed Fox Creek Lane extension is 1140 feet. The total length will be 1663 feet. Black Forest Fire department has approved the overall length of the roadway.

The Black Forest Fire Department in a letter dated 2/11/20 stated the "roadway length of the phase 2 cul-de-sac being approximately 1600 ft in length from Terra Ridge Circle" was acceptable with the "request that while developing you enhance the driveways along the that roadway to be utilized as potential turnarounds for fire aprons." This condition will be met with the inclusion of driveways extending into the lots that will be developed first closest to Terra Ridge Circle.

Secondly, a lot adjacent to the cul-de-sac would be rendered unsuitable to build , if the cul-de-sac extended to the northern most lot's property line, due to the existence of an existing drainage channel that will remain on the west side of the cul-de-sac, an escarpment with significant vertical grade change along the east side of the cul-de-sac and a 100 foot power line easement that limits the distance to the

east the proposed building site can be located. Due to these limitations, Lodestar is requesting the cul-de-sac be shortened to allow for reduced right-of-way width and less invasive roadway section in the form of a shared private driveway with the three lots to the north of the proposed cul-de-sac. A private roadway agreement has been included in a Declaration of Private Roadway Covenants for the aforementioned three lots to share the use of the driveway.

El Paso County Land Development Code references:

Chapter 8.4.4.a. Only Allowed Where Other Options Impractical “Flag Lots shall only be used where other lot layouts are impractical.”

Chapter 8.4.4.d Shared Access “Flag lot shall be required to share access where inadequate frontage exist for multiple accesses in accordance with the access requirements of the ECM.

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;
- A particular non-economical hardship to the owner would result from a strict application of this Code;
- The waiver will not in any manner vary the zoning provisions of this Code; and
- The proposed waiver is not contrary to any provision of the Master Plan.

Explain how the waiver request meets these criteria.

Letter of Intent_v1.pdf Markup Summary

Cloud+ (11)



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Please explain how this proposal specifically satisfies the goals listed.



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Date: 12/10/2020 1:56:51 PM
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Explain how those goals have been satisfied.



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Water finding is needed for all nine lots included in proposed subdivision



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Noxious Weed Report is required with this application.



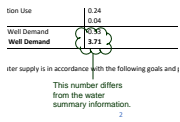
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Identify U.S. Corps requirement for Nationwide Permit 29



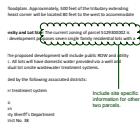
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Show these designs in construction plans and/or preliminary plan drawings.



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This number differs from the water summary information.



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Include site specific information for other two parcels.



Subject: Cloud+
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Mouse habitat exists on property. Clearance Letter from USFW indicating "no impact" is required.



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Explain how the waiver request meets these criteria.



Subject: Cloud+
Page Label: 6
Author: John Green
Date: 12/17/2020 4:27:58 PM
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Report indicates shallow groundwater present and expansive soils. Report specifically mentions mitigation that may be needed. please include summary of all findings/mitigation needed as identified in the report.