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## **FOREST LAKES PHASE 2 PUD/PRELIMINARY PLAN MINOR AMENDMENT**

### **LETTER OF INTENT**

**SEPTEMBER 2019**

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#### **REQUEST**

NES Inc., on behalf of Classic Homes, request the approval of a minor amendment to the Forest Lakes Phase 2 PUD/Preliminary Plan. The majority of the changes are a direct result of eliminating areas of disturbance to the wetlands and to improve site drainage. In addition, a finding of water sufficiency is requested with this submittal.

#### **PROJECT DESCRIPTION**

The proposed amendments to the Forest Lakes Phase 2 PUD/Preliminary Plan are primarily a result of eliminating areas of disturbance to the wetlands and to improve site drainage, and other minor changes for consistency and clarification. The specific changes are as follows:

1. Modify the layout and location of detention ponds to remove them from the wetland areas and to improve drainage.
2. Adjust lot numbers, dimensions and locations affected by detention pond changes. (See attached exhibits showing affected lots).
3. Change the tract labels from acreage to square feet for consistency with lot areas.
4. Tract F added to provide stormwater quality for the backyards of lots 20 – 25.
5. The retaining walls along Mesa Top Drive are shifted due to grading changes and guard rails have been added.
6. Access roads were added around the detention ponds to improve maintenance access.
7. Trails are realigned to avoid wetland areas, accommodate drainage ponds, and to accommodate relocated lots.
8. The water tank orientation has been modified and the fence has been relocated to accommodate the final tank design and layout.
9. The minimum lot width has been removed from the cover page. A note has been added to reference the plans to determine the lot width.

A Finding of Water Sufficiency is also requested with this submittal. At the time of the original approval, the County Attorney required additional information to make this finding. We understand this additional information is now available.

Once a Finding of Water Sufficiency is received, the applicant requests that all Final Plats be approved administratively per revised County Section 7.2.1.(D).(3).(f) - Final Plat Criteria of Approval.

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## PROJECT JUSTIFICATION

This letter supplements the Letter of Intent (LOI) for the approved Forest Lakes Phase 2 PUD/Preliminary Plan. The analysis in the original LOI is still applicable and is unchanged by these amendments, with the exception of the following:

### PUD Modifications

The attached PUD Modification relating to backyard drainage is amended to reduce the number of lots for which direct release across a grass buffer (or equivalent) is requested. The reduction from 47 to 30 affected lots is due changes to drainage, grading, and the addition of Tract F.

### Criteria for Approval

The following Preliminary Plan Criteria was added to the Land Development Code since the PUD/Preliminary Plan for Forest Lakes Phase 2 was approved:

**The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development.**

The public improvements required to serve the Phase 2 (Filings 5, 6 & 7) were approved with the approval of the PUD/Preliminary Plan. The proposed phasing of these improvements is as follows:

FILING No.	PUBLIC IMPROVEMENT PHASING
Filing 5	<ul style="list-style-type: none"><li>• Required water main extension and looping to serve filing 5.</li><li>• Gravity sanitary system connecting to existing sanitary sewer in Filing 1.</li><li>• Stormwater Quality and Detention Pond C to provide for developed runoff.</li><li>• Necessary road infrastructure to serve filing 5.</li></ul>
Filing 6	<ul style="list-style-type: none"><li>• Required water main extension and looping to serve filing 6.</li><li>• Gravity sanitary system connecting to sanitary sewer in Filing 5.</li><li>• Stormwater Quality and Detention Pond B to provide for developed runoff.</li><li>• Necessary road infrastructure to serve filing 6, including emergency access road.</li><li>• Construction of bridge or box culvert crossing over North Beaver Creek.</li><li>• Construction of water tank at the northwest corner of the boundary.</li></ul>
Filing 7	<ul style="list-style-type: none"><li>• Required water main extension and looping to serve filing 6.</li><li>• Gravity sanitary system connecting to sanitary sewer in Filing 6.</li><li>• Stormwater Quality and Detention Pond A to provide for developed runoff.</li><li>• Necessary road infrastructure to serve filing.</li></ul>

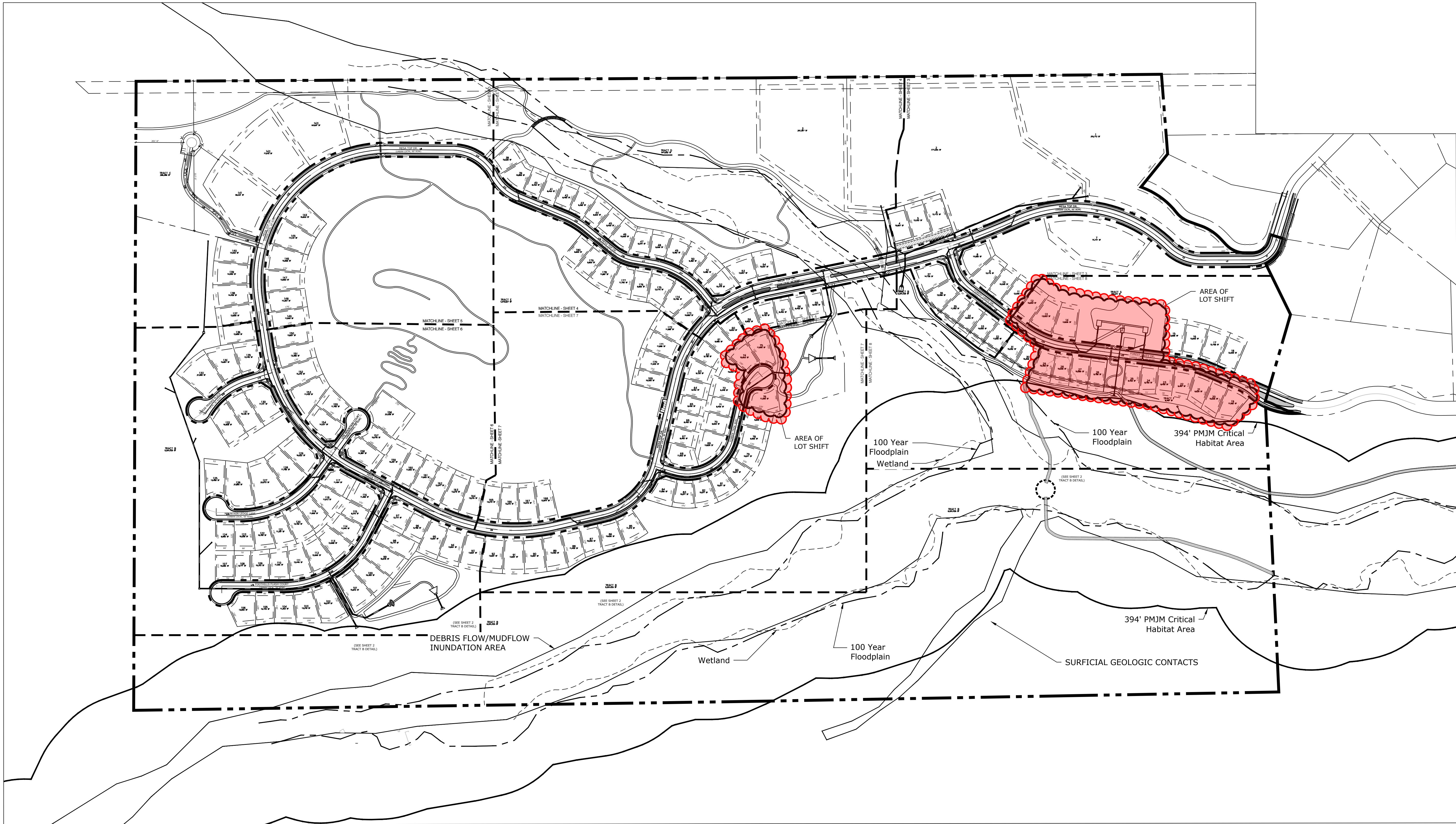
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In the original submittal it was anticipated that the water tank would be constructed with Filing 5. However, more detailed design analysis indicates that the construction of the water tank will not be required until Filing 6 as, due to topography, adequate fire flows for Filing 5 can be achieved through connection to the existing water tank in Tract B, Filing 1.

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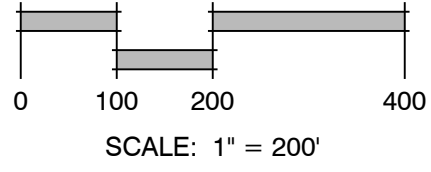


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Legend:

- Property Line
- Informal Crusher Fines Trail



Land Planning  
Landscape  
Architecture  
Urban Design

NES

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FOREST LAKES  
FILINGS 5, 6 & 7  
MINOR AMENDMENT

DATE: 08.27.19  
PROJECT MGR: A. Barlow  
PREPARED BY: R. Sawyer & B. Iten

ENTITLEMENT

DATE:	BY:	DESCRIPTION:

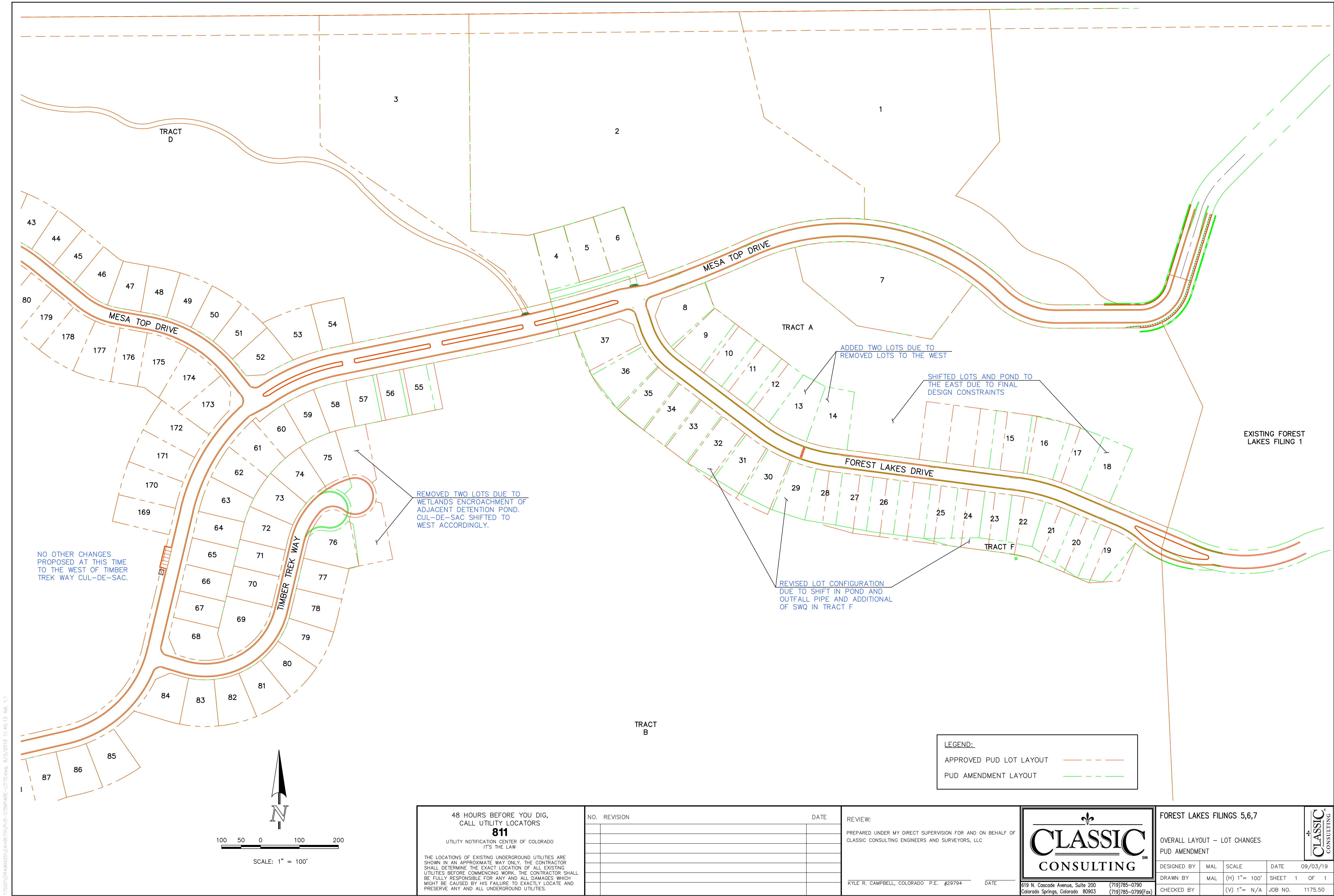
AREA OF LOT  
SHIFT EXHIBIT

X  
X OF 16

PUDSP-18-001



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## FOREST LAKES FILINGS 5, 6 and 7

### JUSTIFICATION FOR PUD MODIFICATIONS: Back Yard Drainage – Direct Release

Chapter 4.2.6.F.2.g of the Land Development Code (LDC) allows for a PUD modification of a general development standard in the LDC or criteria of the Engineering Criteria Manual (ECM), provided at least one of the benefits identified in Chapter 4.2.6.F.2.h are met. Section 5.8 of the ECM establishes an additional mechanism whereby an engineering design standard can be modified provided the limits of consideration in ECM Section 5.8.6 are met and the modifications meets the criteria for approval in ECM Section 5.8.7.

#### Nature of Request:

Section of LDC/ECM from which modification is sought:

ECM Section 1.7.2 (APPENDIX I)

Specific Criteria from which modification is sought:

Water Quality Capture Volume Requirements.

Proposed nature and extent of modification:

Allow for direct release across grass buffer (or equivalent) for back yards of proposed single-family subdivision lots, specifically Lots 19-25, 76-93, 102-106.

#### ECM Section 5.8.6: Limits of Consideration:

The ECM Administrator may only consider a project-specific modification to an existing standard when **one** of the following conditions is met:

- The ECM standard is inapplicable to a particular situation.  
N/A
- Topography, right-of-way, or other geographical conditions or impediments impose an undue economic hardship on the applicant, and an equivalent alternative that can accomplish the same design objective is available and does not compromise public safety or accessibility.  
There is significant topography on this site and the proposed home lots are 'walk-out' lot conditions along natural open space and drainage corridors that contain Preble's Jumping Mouse Habitat and FEMA 100-year floodplain limits. There is limited ability to capture the drainage from the back yards but all roof drains will be routed to front yard and the street eventually to a permanent downstream water quality facility. All major imperviousness (roads, driveways, and rooftops) are all treated by a downstream full spectrum detention and water quality facility. There is a 300'+ buffer between the property line (end of back yards) and the waters of the State of Colorado; and other than a small patio, no additional anticipated imperviousness within the direct release back yard drainage basins.
- A change to a standard is required to address a specific design or construction problem, and if not modified, the standard will impose an undue hardship on the applicant with little or no material benefit to the public.  
Additional permanent water quality facilities would be required to capture all drainage from all of the back yards. As there is limited imperviousness, this runoff should not need detention nor water quality. Therefore, additional facilities to install and maintain would impose unnecessary hardship on the developer, lot owners, and Forest Lakes Metropolitan District.

#### ECM Section 5.8.7: Criteria for Approval

No modification shall be approved unless it is demonstrated that:

- The request for a modification is not based exclusively on financial considerations;  
*There is minimal financial consideration to this modification request. More-so it is based on the lack of need for rear yard detention (as major imperviousness is directed to ponds) and difficulties in installing such facilities based on topography and adjacent mouse and floodplain limits.*
- The modification will achieve the intended result with a comparable or superior design and quality of improvement;  
*The 300+ open space buffer between the home lots and waters of the State provides adequate and comparable water quality for such tributary areas.*
- The modification will not adversely affect safety or operations;  
*There is no effect on safety or operations with this modification.*
- The modification will not adversely affect maintenance and its associated cost; and  
*The modification will decrease maintenance obligations and costs as there will not be small water quality facilities needed, and difficult to access, for back yard drainage*
- The modification will not adversely affect aesthetic appearance.  
*N/A.*