

EL PASO

COMMISSIONERS:
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MARK WALLER (PRESIDENT PRO TEMPORE)



COUNTY

STAN VANDERWERF
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Board of County Commissioners
Darryl Glenn, President

FROM: Kari Parsons, PM/Planner II
Jeff Rice, PE Engineer III
Craig Dossey, Executive Director

RE: Project File #: SP-18-002
Project Name: The Retreat at TimberRidge
Parcel Nos.: 52270-00-001, 52270-00-003, 52270-00-004, 52000-00-398, 52220-00-023, 52000-00-393, 52280-00-019, and 52000-00-397

OWNER:	REPRESENTATIVE:
Arroya Investments, LLC. 1283 Kelly Johnson Boulevard Colorado Springs, CO. 80920 Jacob Decoto 10620 Vollmer Road Colorado Springs, CO. 80910 TimberRidge Estates, LLC. 2760 Brogans Bluff Colorado Springs, CO. 80919	N.E.S. Inc. John Maynard 619 N. Cascade Avenue, Suite 200 Colorado Springs, CO. 80903

Commissioner District: 2

Planning Commission Hearing Date:	10/2/2018
Board of County Commissioners Hearing Date	10/23/2018

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

www.ELPASOCO.COM

EXECUTIVE SUMMARY

A request by Arroya Investments, LLC, TimberRidge Estates, LLC, and Jacob Decoto for approval of a preliminary plan. The eight (8) parcels, totaling 234.05 acres, are zoned PUD (Planned Unit Development) and are located north of the proposed extension of Stapleton Road/Briargate Parkway, bisected by Vollmer Road, and are within Sections 21 and 28, Township 12 South, Range 65 West of the 6th P.M.. The parcels are included within the boundaries of the Black Forest Preservation Plan (1987) area. The applicants are proposing 205 single-family lots, 27.17 acres of right of way, and 10 open-space, trail corridor, detention, and utilities tracts totaling 27.58 acres. Phasing of the development is anticipated as depicted on the preliminary plan; however, the chronology of the phasing is not proposed to be binding.

The Board of County Commissioners approved a rezoning request from the RR-5 (Residential Rural) zoning district to the PUD (Planned Unit Development) (PUD-17-003) zoning district on March 27, 2018.

Lots within the PUD zoning district at less than 2.5 acres in size are proposed to receive water and wastewater service from the proposed Sterling Ranch Metropolitan District. Individual wells and onsite wastewater treatment systems (OWTS) are proposed for lots greater than 2.5 acres in size. A finding of water sufficiency is not requested with this preliminary plan request. Such finding will need to be made at the time of review and approval of all subsequent final plat applications.

A. REQUEST/WAIVERS/MODIFICATIONS/AUTHORIZATION

Request: A request for approval of a preliminary plan to create 205 single-family residential lots, rights of way, and 10 open-space, trail corridors, detention and utilities tracts within the PUD (Planned Unit Development) zoning district.

Waiver(s):

No waivers are requested with this request.

Authorization to Sign: There are no documents requiring signature associated with this application

B. PLANNING COMMISSION SUMMARY

Request Heard: As a Regular Item at the October 2, 2018 hearing.

Recommendation: Approval with recommended conditions and notations.

Waiver Recommendation: N/A

Vote: 5 to 2

Vote Rationale: See attached minutes.

Summary of Hearing: Applicant was represented at the hearing.

Legal Notice: N/A

C. APPROVAL CRITERIA

In approving a preliminary plan, the BoCC shall find that the application meets the following review criteria listed in Section 7.2.1.D.2 of the Land Development Code (2018):

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of this Code;
- The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
- 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 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;
- 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)];
- 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;
- 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;
- 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;
- Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and

- The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

D. LOCATION

North: RR-5 (Residential Rural)	Vacant
South: RR-5 (Residential Rural)	Vacant /Undeveloped area of the Sterling Ranch Sketch Plan
East: RR-5 (Residential Rural)	Single-family north of Arroya Lane/Undeveloped area of the Sterling Ranch Sketch Plan
West: RR-5 (Residential Rural)/PUD	Vacant /Single-family residential

E. BACKGROUND

This area of the County was zoned A-1 (Rural) on September 21, 1965, by Board Resolution 434870. Subsequent nomenclature changes have renamed the zoning district to RR-5 (Residential Rural). The parcels have remained undeveloped. A Planned Unit development plan for the Retreat at TimberRidge PUD development Plan (PUD-17-003) was approved by the Board of County Commissioners on March 27, 2018.

The applicants held three (3) neighborhood meetings in conjunction with the approved PUD development plan (PUD-17-003) application. County staff attended each of the meetings. The applicants significantly revised their PUD development plan in response to the neighbors' concerns regarding density, traffic, and water supply. The revisions included reducing the number of proposed single-family lots from 460 to 212, which represented a reduction of the proposed overall density from 1.64 du/acre to 0.81 du/acre.

The PUD development plan depicts 2.5 acre lots adjacent to Vollmer Road as a transition to the RR-5 zoned properties to the west. The PUD development plan also provides a transition from the RR-5 zoned properties to the northeast by tapering the lot sizes from east to west from 5 acres down to 2.5 acres for the portion of the property located north of Arroyo Lane.

The lot sizes taper from approximately 2.5 acres in the northern portions of the development to under one-third (1/3) of an acre in the southernmost portion of the development.

The subject preliminary plan proposes to develop 205 of the planned 212 single-family residential lots and ten (10) tracts to be used as open-space, trail corridor,

detention, and utilities. The applicant has provided a trail corridor along Sand Creek in addition to a trail easement along Arroya Lane towards Vollmer Road, which is anticipated to tie into the Vollmer Road bike lane.

A legal challenge to the BoCC approval of The Retreat at TimberRidge Planned Unit Development zoning is currently pending. Recommended Condition of Approval No. 1 is intended to address the potential effect(s) of the legal challenge on this development, particularly with regard to the subdivision process.

F. ANALYSIS

1. Land Development Code Analysis

The Board of County Commissioners made a finding of conformity with the Land Development Code (2018) with the Retreat at TimberRidge Planned Unit Development rezoning (BoCC Resolution 18-123). The request for approval of a preliminary plan for 205 lots is in conformance with the previously approved PUD. This application meets the preliminary plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the Land Development Code (2018).

2. Zoning Compliance

The proposed preliminary plan is in conformance with the Retreat at TimberRidge PUD requirements. The Retreat at TimberRidge PUD development plan provides permitted and accessory uses; use, density, and dimensional standards such as setbacks, maximum lot coverages, and maximum building heights; as well as landscaping requirements.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County master plan. Relevant policies are as follows:

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.

Policy 6.1.8- Encourage incorporation of buffers or transitions between areas of varying use or density where possible.

Policy 6.1.13- *Encourage the use of carefully planned and implemented clustering concepts in order to promote efficient land use, conservation of open space and reduction of infrastructure costs.*

Policy 6.1.14- *Support development which complements the unique environmental conditions and established land use character of each sub-area of the County.*

Policy 6.2.2 – *Promote the unique identity of neighborhoods through the use of focal points, parks, trails and open spaces, preservation of significant natural features, compatible location and design of mixed uses, and promotion of pedestrian and other non-motorized means of travel.*

Pursuant to the approved and recorded Retreat at TimberRidge PUD development plan, the preliminary plan depicts five (5) acre lots north of Arroya Lane, and two and one-half (2.5) acre lots along the western perimeter of the plan, nearest to Vollmer Road. A 100 foot building setback for Lots 20 through 26 adjacent to Vollmer Road where no mature evergreen trees exist (generally those lots that are proposed to be located along Vollmer Road south of the intersection with Wildflower Road) is graphically depicted on the preliminary plan. The increased setback will effectively serve as a 100 foot rear setback for the proposed lots. By comparison, single family residential lots within the RR-2.5 (Residential Rural) zoning district are required to comply with a 25 foot rear setback. As determined at the time of the PUD development plan approval, the increased setback is intended to provide a buffer (e.g., distance separation) and single family residential density transition from properties west of Vollmer Road, which are required to be a minimum of five (5) acres pursuant to the RR-5 (Residential Rural) zoning district.

The preliminary plan depicts tapering of single family residential densities from 2.5 acre lots (in the area south of Arroya Lane) to under one-third (1/3) of an acre (15,890 sq. ft.) average lot size as the plan extends southward.

In accordance with the approved PUD plan, the preliminary plan as designed will help preserve many of the natural features and unique environments located on the property by placing drainage ways in open space tracts, which is in accordance with Policy 6.1.14 and Goal 6.1A, identified above, of the Policy Plan.

The proposed preliminary plan is compatible with previously developed areas in terms of factors such as density, land use, and access. A finding of consistency

with the Policy Plan was made by the El Paso County Board of County Commissioners with the previously approved PUD (PUD-16-002). The proposed preliminary plan is in conformance with the Retreat at TimberRidge PUD development plan.

4. Small Area Plan Analysis

The property is within the Black Forest Preservation Plan (1987) area and, more specifically, within Planning Unit 10, The Southern Transitional Sub- Area. The Concept Plan Map, which is an enclosure of the Black Forest Preservation Plan, identifies the area as being appropriate for *"single family residential densities decreasing from one dwelling unit per acre to one dwelling unit per five acres toward the forest edge"*. The Map also includes two additional policies applicable to the Planning Unit 10, Southern Transitional Area, that state as follows:

- "Any new urban development should be compatible with existing rural residential subdivisions."
- "Urban density development should only be approved if adequate urban services are available."

Additional textual descriptions of the Southern Transitional Sub-Area include:

"A key element in this unit is a low density residential buffer area. This buffer would originate along a line one-quarter mile north of a major corridor (Briargate Parkway / Stapleton), if such a roadway is constructed and if it is located within two (2) miles of Woodmen Road. Only open space and single-family residential development is appropriate north of this line. Overall densities are expected to decrease rapidly from approved densities at the line to one dwelling per five acres at the Timbered Area edge. Large lot clusters should be used to maximize open space, and structural profiles should be kept low to conform to the open topography and to preserve panoramic views."

"Regardless of what configuration of major transportation corridors ultimately develops, no urban density uses should be approved unless development is properly phased and can be provided with adequate and cost effective urban services. In addition, any urban density development must be compatible with existing uses, must not detract from the integrity of the ground water supply and must not overload, impede or otherwise limit the development of an efficient arterial road system."

The Retreat at TimberRidge is located approximately one-half mile north of the future alignment of the Briargate Parkway/Stapleton corridor. The forested edge

lies in the northwestern corner of the proposed development. The remaining land within the development is not forested.

The Plan is 30 years old and was adopted prior to the Sterling Ranch Sketch Plan which established the alignment of the Briargate Parkway/Stapleton corridor. The City has annexed land previously depicted as being within the Plan. Urban development has occurred within the City west and east of Vollmer Road and north of Woodmen Road. The approval of the Sterling Ranch sketch plan, availability of central services to the area, and the encroachment of urban development within the City have modified the character of the area, which is supported by the Board of County Commissioners prior approval of the Retreat at TimberRidge Planned Unit Development map amendment (rezoning) request. Staff recommends the proposed preliminary plan is consistent with the Retreat at TimberRidge PUD.

The Trails addendum to the Black Forest Preservation Plan shows a regional trail corridor through the property. The Sand Creek Regional trail is depicted on the approved Retreat at TimberRidge PUD development plan and the requested preliminary plan. The El Paso County Parks Department will continue to work with the applicants on the specific alignment of the trail through the Sand Creek Channel at the time of final plat(s) review.

A finding of consistency with the Black Forest Preservation Plan was made by the Board of County Commissioners with the approval of the Retreat at TimberRidge PUD. The preliminary plan is in conformance with the Retreat at TimberRidge Planned Unit Development (PUD) and with all applicable conditions of approval included within Board of County Commissioner Resolution No. 18-123

5. Other Master Plan Elements

The proposed Retreat at TimberRidge PUD development plan is consistent with or does not create negative impacts to elements depicted on the El Paso County Wildlife Habitat Descriptors Map (1996), the El Paso County Community Services Parks Master Plan (2014), the Master Plan for Mineral Extraction (1996), and the El Paso County 2016 Major Transportation Corridors Plan Update, which is further addressed below.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

A Soil, Geology, and Geologic Hazard Study for the Retreat at TimberRidge prepared on April 12, 2017, by Entech Engineering was reviewed with this request. The report identifies constraints and hazards which are proposed to be located within the open space areas in the preliminary plan. Constraints and hazards have been identified on the preliminary plan to ensure hazards are avoided or can be mitigated.

2. Wildlife

Potential impacts to wildlife are generally low as depicted in the El Paso County Wildlife Descriptors Map (1996).

3. Floodplain

A designated Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA / Zone AE 100-year floodplain) lies within Sand Creek running through the site from north to south as shown on Flood Insurance Rate Map (FIRM) panel No. 08041C0535F, as modified by Letter of Map Revision (LOMR). The developer will be required to comply with floodplain development regulations and wetland mitigation requirements, as applicable, for development of this property with any subsequent platting actions.

4. Drainage and Erosion

The site is located within the Sand Creek Drainage Basin. This basin has been studied and drainage and bridge fees apply at the time of final plat recordation. The site drains to the Sand Creek channel, generally flowing to the south. A Master Development Drainage Plan (MDDP) was provided with the previously approved PUD development plan. Two preliminary drainage reports, one for the area north of Arroya Lane and one for the larger area to the south, are currently under review with the preliminary plan, but have not been approved as of the date of staff report preparation. The applicants propose full-spectrum detention and water quality facilities to maintain developed runoff at or below historic rates.

Per the Sand Creek Drainage Basin Planning Study (DBPS), improvements to the Sand Creek channel including grade control, bank stabilization, and detention, will be required through the proposed development. The MDDP describes the types of channel improvements that will be evaluated and designed and the preliminary drainage reports provide further details that will be finalized with final drainage reports at the time of each final plat. Coordination between the TimberRidge development and the Sterling Ranch development downstream

is necessary during the design process and prior to construction of any channel improvements. Conditions of approval at the time of final plat approvals, in accordance with preliminary and final drainage reports, will address construction responsibilities and associated timelines for completion of the necessary channel stabilization improvements.

5. Transportation

The applicants are proposing to access Vollmer Road, classified in the El Paso County Major Transportation Corridors Plan Update (MTCP), 2040 Roadway Plan (Map 14), as a 2-lane Rural Minor Arterial road. Access is proposed to Vollmer Road at Arroya Lane and Poco Road, both of which are existing local gravel roads located in prescriptive rights-of-way. Access points to the future Sterling Ranch road network to the south and east are also proposed. A traffic impact analysis (TIS) dated January 2018 was provided with the PUD rezoning submittal. Table 3 of the TIS identifies required offsite roadway improvements and developer responsibilities toward the improvements. Widening and turn lane improvements to Vollmer Road adjacent to the site and offsite will be required with final plats of the TimberRidge development as identified in the conditions of approval. The specific offsite construction responsibilities of each phase of the development will be identified with future TimberRidge final plat approvals. Coordination with regard to the Sterling Ranch construction plans for Vollmer Road and shared internal road connections will be required.

The El Paso County Road Impact Fee will be applicable to final plats within the TimberRidge development.

Deviations

The applicant has proposed four deviations with this preliminary plan. After review of the deviations County staff has approved two of the deviations and denied two. The deviations are as follows:

1. Temporarily allow for one common direct access for two lots to Vollmer Road, a rural minor arterial, with an abbreviated intersection spacing of 440 feet where one-quarter mile (1320 feet) spacing is required. This deviation request was approved May 14, 2018.
2. Temporarily allow for a cul-de-sac length of 3,205 feet where 1,600 feet is the maximum length. It is anticipated that 1935 feet of Arroya Lane, extending east from Vollmer Road, be constructed with phase 1 of the subdivision along with approximately 1270 feet of Nature Refuge Road resulting in a cul-de-sac length of 3,205 feet. This would be an interim condition until phase 4 where

the length will be reduce to 1750' until such time that the development to the south or east develops and extends Arroya Lane further to the east to connect with an easterly extension of Arroya Lane. This deviation request was approved on May 14, 2018 with support of the fire protection district. Request to allow for Nature Refuge Road to be constructed as a gravel road in place of asphalt. This deviation request was denied on May 16, 2018.

3. In the event that the deviation as described in number 3 above was approved, the request is to delay the installation of a paved apron, 50' in length, on Nature Refuge Road until such time Arroya Lane is paved. This deviation request was denied on May 16, 2018.

H. SERVICES

1. Water

Sufficiency: Insufficient

Quality: Insufficient

Quantity: Insufficient

Dependability: Insufficient

Summary: A finding for water sufficiency is not required with preliminary plan requests. The applicants have stated that central water services are feasible for the urban lots. The applicants have also proposed that an intergovernmental agreement between Sterling Ranch Metropolitan District and the proposed TimberRidge Metropolitan District (in review) will be completed in order to provide central water services to the proposed urban lots. Individual wells are anticipated to serve the 2.5 acre and larger proposed rural lots. Recommended Condition of Approval No. 2 requires a finding of sufficiency to be made at the time of review and approval of all final plat(s).

2. Sanitation

The applicants anticipate establishing an intergovernmental agreement between Sterling Ranch Metropolitan District and the proposed TimberRidge Metropolitan District to provide wastewater services to the proposed urban lots. Individual onsite wastewater treatment systems are anticipated to serve the 2.5 acre and larger rural lots.

3. Emergency Services

The requested preliminary plan is within the Black Forest Fire Protection District. The District received a referral to review the application and did not respond with any objections. The District has committed to serve the development.

4. Utilities

The requested preliminary plan is within the electrical service area of Mountain View Electric Association and the natural gas service area of Black Hills Energy. Both agencies have committed to serve the development.

5. Metropolitan Districts and Other Special Districts

The applicants are in the process of submitting a request to form The Retreat at TimberRidge special district, which is anticipated to provide water and wastewater services through an intergovernmental agreement with Sterling Ranch Metropolitan District. The Retreat at TimberRidge special district is anticipated to own and maintain the open space, drainage, non-regional trail corridors and utility tracts.

6. Parks/Trails

The El Paso County Community Services Department, Parks Division, has requested the applicants provide a 25-foot trail corridor easement for the Sand Creek Regional Trail, which has been depicted on the preliminary plan. The County is anticipated to maintain the regional trail. The regional trail is anticipated to connect to the Sterling Ranch open space to the south via the Sand Creek Channel Greenway. A trail easement has also been depicted along the south side of Arroya Lane. As depicted on the plan, internal trails are anticipated to provide connections from areas planned for urban lots to the regional trail corridor.

7. Schools

The requested preliminary plan is within both Falcon School District No. 49 and Academy School District No. 20. The Districts received the application for review and did not have any comments regarding the plan. Fees in lieu of land dedication will be required to be paid for the benefit of the school districts, as appropriate, at the time of recording all future final plats..

I. APPLICABLE RESOLUTIONS:

See Attached Resolution.

J. STATUS OF MAJOR ISSUES

There are no outstanding major issues.

K. RECOMMENDED CONDITIONS OF APPROVAL

Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1, Subdivisions, of the El Paso County Land Development Code (2016) staff recommends the following conditions and notations:

CONDITIONS

1. A legal challenge to the BoCC approval of The Retreat at TimberRidge Planned Unit Development zoning is currently pending. Approval of this Preliminary Plan is contingent upon a final court order upholding the PUD zoning. Amendments to the BoCC approval or to the PUD development plan (PUD 17-003) made as part of settlement of the litigation may require submission of an application to amend the Preliminary Plan. No final plats will be recorded unless and until a final court order upholding the PUD zoning is issued and all appeal periods have lapsed.
2. Applicable school(s) and park fees shall be paid with each final plat.
3. A finding of water sufficiency shall be made with each final plat.
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, 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 species.
5. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 16-454), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
6. Development of the property shall be in accordance with the recorded PUD development plan.
The building setback along Vollmer Road for Lots 20 through 26 shall be 100 feet, as depicted on the PUD development plan.

7. Landscape plantings along Arroya Lane shall be planted by the developer at the ratio of one (1) tree per 30 feet, and a minimum of one-third (1/3) of those trees shall be evergreen trees.
8. Landscape plantings along Vollmer Road are to be planted by the developer at the ratio of one (1) tree per 25 feet, and a minimum of one-third (1/3) of those trees shall be evergreen trees.
9. The applicants shall be responsible for constructing or providing escrow toward offsite improvements to Vollmer Road in association with the appropriate final plat as identified in Table 3 of the Retreat at Timber Ridge Preliminary Plan Traffic Impact Analysis, dated April 12, 2018 (as amended).
10. The applicants shall be responsible for constructing the necessary improvements in the Sand Creek channel, as identified in the preliminary drainage reports and final drainage reports to be submitted, with the appropriate final plat(s).

NOTATIONS

1. Approval of the Preliminary Plan will expire after twelve (12) months unless a final plat has been approved and recorded or a time extension has been granted.
2. Preliminary plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 27 adjoining property owners on September 13, 2018, for the Board of County Commissioners hearing. Responses may be provided at the hearing; others are included.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Preliminary Plan
Planning Commission Minutes
Adjacent Property Owner Responses
Ms. Giltner's handout
Ms. Von Ahelfedlt's handout/pictures
Planning Commission Resolution
Board of County Commissioners' Resolution

El Paso County Parcel Information

File Name: SP-15-002

Zone Map No.: --

Date: September 12, 2018

PARCEL	NAME
5200000420	ARROYA INVESTMENTS LLC
5200000393	DEGOTO JACOB
5200000398	ARROYA INVESTMENTS LLC
5222000023	TIMBERRIDGE ESTATES LLC
5227000004	ARROYA INVESTMENTS LLC
5229000019	ARROYA INVESTMENTS LLC
5227000001	ARROYA INVESTMENTS LLC
5227000003	ARROYA INVESTMENTS LLC



The Retreat @ TimberRidge Preliminary Plan

Letter of Intent

April 2018 (Revised June 2018 & July 2018)

Owners/Developers: Arroya Investments LLC	Robert Scott General Contractors
1283 Kelly Johnson Blvd.	2760 Brogans Bluff
Colorado Springs, CO 80920	Colorado Springs, CO 80919

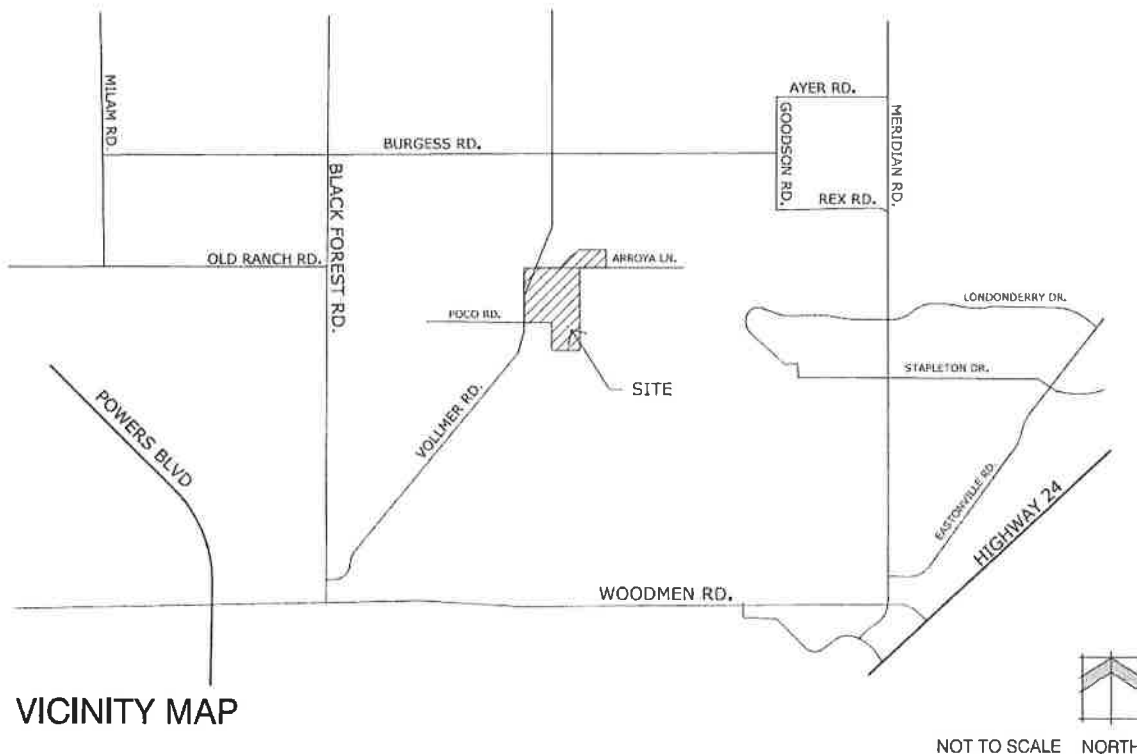
Jacob Decoto
10620 Vollmer Rd., Colorado Springs, CO 80908

Planner: N.E.S. Inc.
619 North Cascade, Suite 200
Colorado Springs, CO 80903
(719) 471-0073

Engineer: Classic Consulting Engineers & Surveyors
619 North Cascade
Colorado Springs, CO 80919
(719) 785-0790

Tax ID Numbers: 5222000023; 5227000001; 5200000398; 5228000019; 5227000003;
5227000004; 5200000393

SITE LOCATION: The Retreat @ TimberRidge is mostly located on the east side of Vollmer Road, generally between Poco Road on the south and Arroya Lane on the north. A portion of this application extends north of Arroya Lane as shown on the approved PUD Development Plan. This application also includes two lots west of Vollmer Road. The Sterling Ranch bounds the site on the south and east.



PROPOSAL: The application covered by this Letter of Intent is for a Preliminary Plan consisting of 234 acres, 205 lots, and 10 tracts. Water sufficiency is not requested at this time for land south of Arroya ane.

THE PLAN: The Retreat @ TimberRidge is a planned residential community focused on the Sand Creek Greenway which bisects the property. Open space and trails are the centerpiece of the property. The Retreat @ TimberRidge also forms the transition between urban density development to the south and east, to rural residential development to the north and west, and within the project.

Access to the site will be from two locations on Vollmer Road: at Poco Lane and at Arroya Lane. Arroya Lane is currently a Public Street for the western portion (approximately 750 ft.) after which it is on private property owned by the applicants where adjacent to their property. Arroya Lane will be dedicated as a Public Street with adjacent Final Plats. East of TimberRidge Arroya will continue to be a private road until/unless additional dedication is made by the Sterling Ranch or others.

Access to the site is planned from Arroya Lane in two locations. Connections to the Sterling Ranch on the east and south are provided as good subdivision design dictates. The primary and

initial subdivision access will be from Arroya Lane and from Poco Lane extended into the property.

Residential land use is proposed in varying densities as approved on the PUD Development Plan. The land north of Arroya Lane, and immediately south of Arroya Lane and west of Sand Creek will have a minimum lot size of 2.5 acres. These lots will all be on individual well and septic systems (IDS). Water sufficiency for these lots will be addressed at Final Plat.

South of Arroya Lane and east of Sand Creek, all lots less than 2.5 acres in size (164 lots) will be served by central water and wastewater systems provided by the proposed TimberRidge Metropolitan District via an IGA with the Sterling Ranch Metropolitan District. Lots immediately south of and adjacent to Arroya Lane have a lot size of 2.5 acres or greater. These lots will be served by well and IDS. The 2.5 acre lots create a transition within the property from rural residential to urban densities farther south. South of these transitional lots urban density lots are proposed with lot size decreasing from south to north.

Trails are a major component of this plan. A County Regional Trail is planned along the west side of Sand Creek. An east/west County Regional Trail will be located on the south side of Arroya Lane. These County trails will be constructed and maintained by El Paso County Parks after dedication of an easement to the County anticipated in Phase 3.

Open space within the PUD Plan includes the Sand Creek Greenway. All open space and park areas will be owned and maintained by the proposed Timber Ridge Metropolitan District. The proposed major trails will be placed in tracts owned by the District with easements for trails dedicated to the County.

PUD ZONE DISTRICT: The property has been zoned PUD. A PUD Development Plan was approved by the Board of County Commissioners on March 27, 2018. A portion of the PUD is not included in the Preliminary Plan and will be preliminary planned and platted at a later date.

BUFFERS and TRANSITIONS: The PUD Development Plan provides the buffers and transitions described below. The relationship to adjacent properties and the transition from nearby rural residential to urban land use has been addressed by land use density transitions within the preliminary plan area. Lots that border Vollmer Road and located west of Sand Creek will have a minimum lot size of 2.5 acres. This land use, along with Vollmer Road, creates a transition to larger lots west of Vollmer Road. Lots 20 – 26 which back to Vollmer Road and are not predominantly vegetated with Ponderosa Pines will have a minimum setback from Vollmer Road of 100 feet. Lots immediately south of Arroya Lane also have a minimum lot size of 2.5 acres.

Although the land along east and south boundaries abut land currently zoned RR-5, this land is planned for urban development as evidenced by existing water infrastructure and an approved Sterling Ranch Sketch Plan. In addition, the owner of Sterling Ranch supports this proposal as stated in a letter to that effect. The letter also accepts the location of proposed streets in The Retreat @TimberRidge that stub to Sterling Ranch.

JUSTIFICATION:

Conformance with the El Paso County Policy Plan

The Preliminary Plan or the Retreat @ TimberRidge conforms to the following policies of the El Paso County Policy Plan:

Policy 2.1.10 Encourage preservation of open space in subdivisions. *Open space is preserved in the Sand Creek Greenway.*

Policy 2.1.11 Encourage approaches to natural system preservation and protection which also accommodate reasonable development opportunities. *The Sand Creek drainage has been preserved and planned as an amenity to this project.*

Policy 2.2.10 Encourage the preservation of open space in the design of subdivisions. *Open space is preserved in the Sand Creek Greenway.*

Policy 2.3.1 Preserve significant natural landscapes and features. *The Sand Creek drainage is the most important natural feature on this property. It is being preserved.*

Policy 2.3.7 Encourage the mitigation of visual impacts caused by construction including road cuts, utility lines, outside storage, water tanks and building scale. *Visual impacts are being mitigated by preservation of existing Ponderosa pines along Vollmer Road.*

Policy 2.3.8 Encourage incorporating significant natural landscapes and waterways into parks and open space where feasible. *This policy is being met by preservation of the Sand Creek Greenway.*

Goal 6.3 Continue to support existing and carefully planned future urban density development in the unincorporated County, provided the requisite level of urban services is available or will be available in a timely fashion. *Urban services will be available to serve the urban land use portion of this project in conjunction with lot development.*

Policy 6.1.6 Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently. *Urban services will be available to serve the urban land use portion of this project.*

Policy 6.1.8 Encourage incorporating buffers or transitions between areas of varying use or density where possible. *Transitions occur on the property both along Vollmer Road and Arroya Lane. Transitions are accomplished by providing 2.5 acre lots along Vollmer Road and along Arroya Lane. Transitions from rural residential land use to urban land use occur on site.*

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. *The land plan promotes this policy.*

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 plan is integrated with the adjacent Sterling Ranch which is contiguous on the east and south. Stub streets insure connectivity between the two projects.*

Policy 6.1.14 Support development which compliments the unique environmental conditions and established land use character of each sub-area of the County. *See conformance with the Black Forest Preservation Plan discussed below.*

Policy 6.2.2 Promote the unique identity of neighborhoods through the use of focal points, parks, trails and open spaces, preservation of significant natural features, compatible location and design of mixed uses, and promotion of pedestrian and other non-motorized means of travel. *The focal point of this project will be the Sand Creek Greenway which includes the County Sand Creek Regional Trail.*

Policy 6.2.3 Encourage land use planning and design approaches which create or reinforce the neighborhood concept. . *The Retreat @ Timber Ridge has been planned to have an internal focus to the Sand Creek Greenway.*

Policy 6.2.4 Encourage the use of innovative techniques to mitigate negative impacts of proposed land uses that differ from zoning in established neighborhoods. *Transitions on site along Vollmer Road accomplish this.*

Policy 6.2.5 Encourage the development of unique and diverse neighborhoods within unincorporated areas. *The Retreat @ Timber Ridge has been planned to have an internal focus to the Sand Creek Greenway.*

Policy 6.2.7 Utilize the PUD (Planned Unit Development) zone district approach to allow for the accommodation of neighborhood-oriented design features. *The PUD Zone has been employed to this end.*

Policy 6.2.10 Utilize buffer zones to promote mutually compatible transitions between neighborhoods and adjoining development with differing uses or densities. *Transitions on site*

along Vollmer Road accomplish this. A 40 foot building setback has been provided on urban lots along the east boundary of this plan. Although zoned RR-5, the land to the east is planned for urban development as evidenced by existing central water facilities and an approved Sterling Ranch Sketch Plan.

Policy 8.2.1 Encourage implementation of the County's Parks, Trails and Open Space Master Plan. ***The County Park Plan includes a Regional Trail along Sand Creek. This plan implements the trail through this section of the Sand Creek drainage. In addition an east/west County Regional Trail is provided along Arroya Lane as shown on the County Trails Plan.***

Policy 8.3.1 Encourage development plans which appropriately incorporate parks, trails and open space into their design. ***Parks, trails and open space are incorporated into the design of The Retreat @ TimberRidge. See calculation of open space below.***

Policy 8.3.5 Ensure that publically dedicated open space is of sufficient overall quality that it adds value to the larger community. ***Applicant has met with County Park Staff regarding parkland. Only trail dedication has been requested.***

Policy 8.4.3 Support the formation of new special districts to address the planning, development and maintenance of community parks, neighborhood parks, recreational facilities, local trails and community centers. ***Open Space and parks within The Retreat @ TimberRidge will be maintained by a Metropolitan District.***

Policy 9.2.3 Strictly limit direct access onto major transportation corridors in order to preserve their functional capacity. ***Access to Vollmer Road meets the access criteria for this road classification.***

Policy 9.4.5 Encourage processes by which development can contribute a reasonable and fair share toward off-site transportation improvements. ***This project will pay its fair share of transportation costs through the Countywide Transportation Fee Program.***

Policy 10.2.3 Promote cooperative ventures such as water authorities which maximize water supply options and economies through the pooling of resources. ***This policy is met by the proposed IGA between Sterling Ranch Metropolitan District and the proposed TimberRidge Metropolitan District.***

Policy 10.2.4 Encourage the linking of systems among water providers in order to provide the highest assurance of available service. ***This policy is met by the proposed IGA between Sterling Ranch Metropolitan District and the proposed TimberRidge Metropolitan District.***

Policy 11.1.2 Encourage an approach based on the entire watershed, to flood protection which incorporates a combination of on-site, sub-regional and regional retention and detention

facilities to effectively reduce negative downstream impacts including erosion, flooding, channel and water quality degradation. ***This property has significant off-site flows tributary to the Sand Creek Reach SC-9 that exists through the site. The intent is to provide improvements to this Reach for this off-site flow as needed to stabilize and control erosion and sediment transfer within the current 100 yr. floodplain limits. All on-site developed flows will be routed across a landscaped area or directly to proposed detention/SWQ facilities, treated and then released into Sand Creek. With the construction of these facilities, the pre-development flows within this Reach of Sand Creek will not be significantly altered, thus minimizing any downstream impacts.***

Policy 11.1.14 Require development plans to effectively address both quantitative and qualitative impacts of drainage within the project site. ***See response to 11.1.2 above.***

Policy 11.3.1 Where feasible, support the use of natural or naturalistic drainage approaches rather than hard line solutions. ***Portions of the development are not proposed for significant lot grading but just construction of the roadways.***

Policy 11.3.3 Fully evaluate the relative impact of proposed drainage improvements on the maintenance of water quality. ***All developed flows will be routed across a landscaped area or directly to proposed detention/SWQ facilities to be treated prior to release downstream. All proposed 2.5 acre lots or larger do not require WQCV per ECM I.7.1.B***

Policy 11.3.4 Promote the effective use of innovative short and long term strategies including sediment ponds, buffer strips, and constructed wetlands as a means of reducing peak flows and improving storm water quality. ***See response to 11.3.3 above.***

Policy 11.3.5 Protect the integrity of wetlands, riparian areas and associated wildlife habitat through a combination of careful land development and drainage system design. ***See response to 11.1.2 above. Disturbances will be limited to areas where required for lots, roads and creek improvements per the DBPS.***

Policy 11.3.6 Encourage the effective use of control measures to mitigate the short and long term erosion impacts of development. ***See response to 11.1.2 above.***

Policy 11.4.1 Strongly discourage land use development from locating in floodplains. ***All development will be outside of the Sand Creek floodplain.***

Policy 11.4.8 Encourage “prudent line” approaches which adequately set structures back from floodplain boundaries, especially in areas which may be prone to bank erosion. ***See response to 11.4.1 above.***

Policy 12.1.3 Approve new urban and rural residential development only if structural fire protection is available. *Fire protection is available from the Black Forest Fire Protection District.*

Goal 14.1 Recognize and promote the essential role of special financing districts in the provision and maintenance of public facilities and services in unincorporated areas. *A Metropolitan District is planned to accomplish this goal.*

Policy 15.3.3 Encourage innovative approaches to the problem of financing solutions to the off-site fiscal impacts of development. *This project will be required to participate in the El Paso County Road Impact Fee Program. The decision to join one of the two fee program PID districts or to exercise the opt-out (of the PID) option will be provided at the Final Plat stage. The fee required up-front with each subdivision will be payable at the time of building permit.*

Policy 15.5.2 Continue to support and facilitate public involvement in the planning and land development processes through effective and timely notice to potentially impacted property owners and representative community groups. *A pre-application neighborhood meeting was held on March 21, 2017 with adjacent property owners and the Black Forest Land Use Committee. A post application meeting was held on July 26, 2017. A third informational meeting was held on January 16, 2018 to present the amended plan.*

The Retreat @ TimberRidge conforms to the El Paso County Policy Plan as evidenced by the approval of the PUD Development Plan and zoning.

Conformance with the Black Forest Preservation Plan

The Preliminary Plan for the Retreat @ TimberRidge conforms to the following policies of the Black Forest Preservation Plan:

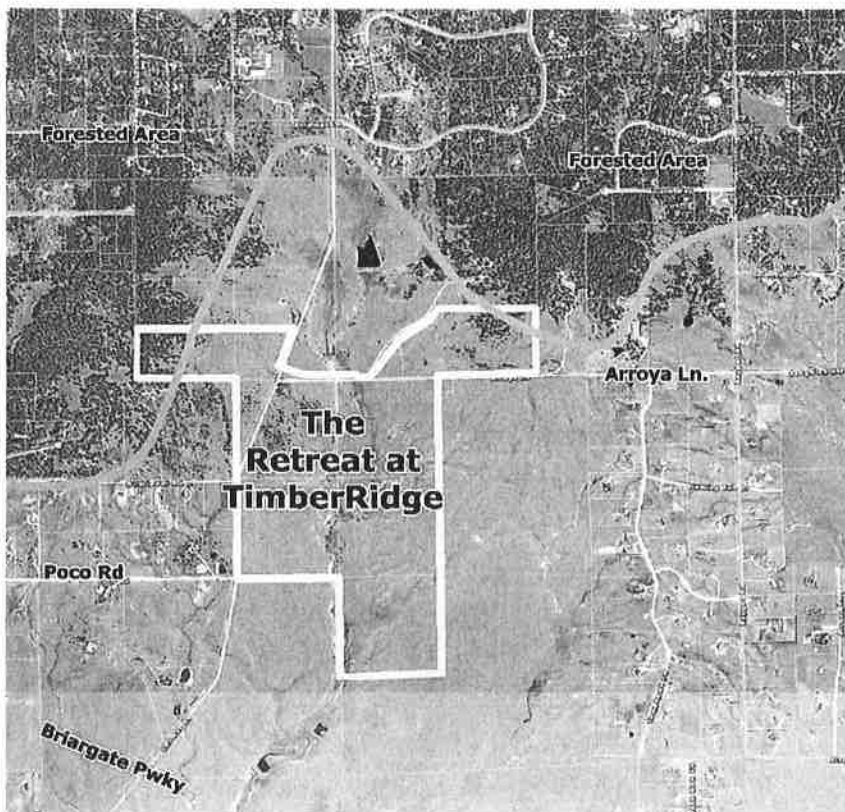
As stated in the Introduction to the Plan, "...The consistency or inconsistency of an application with a single policy or recommendation should be of less importance than its relationship to the overall spirit and intent of the elements when taken together." The following Goals and Policies of the Black Forest Preservation Plan are implemented with this request:

- Policy 1.5. Preserve open space as a means of retaining natural features and the separate identity of the Black Forest Planning Area. *Open Spaces is provided in the Plan by the Sand Creek Greenway and by trails.*
- Action 1.c. All land use items concerning the Black Forest Planning Area should be forwarded to the Black Forest Land Use Committee or other appropriate citizens group

- for review and comment prior to public hearing. ***Applicants have met with the Black Forest Land Use Committee in the pre-application stage and after submittal.***
- Action 1.d. Applicants for subdivisions, zone changes, special use approvals, and variances should address consistency with the Black Forest Preservation Plan as a part of their submittals. ***This Letter of Intent addresses conformity with the Black Forest Preservation Plan.***
 - Policy 2.3. Support clustered development alternatives which result in the creation of permanently dedicated and maintained open space. ***Parkland will be owned and maintained by a Metropolitan District. Clustering is proposed with the Sand Creek Greenway and other drainage features as focal points of residential land use.***
 - Goal 3.A. Promote a residential environment which perpetuates the rural-residential character of the Black Forest Planning Area. ***Rural Residential lots and open space are the land use transitions from urban to rural residential land use on the north and west of this PUD.***
 - Policy 3.5. Generally support residential development which compliments and enhances the area's terrain, vegetation and natural resources. ***The proposed land use plan is consistent with this policy. The primary natural resource is the Sand Creek Greenway which is preserved by this plan and made the focus of the development.***
 - Action 3.i. Developers who propose projects which involve land to be held in common ownership should address the degree to which their proposed means of maintenance will ensure that the land remains in open space in relative perpetuity. ***As proposed, open space land will be owned and maintained by a Metropolitan District.***
 - Goal 6.1. Design the transportation system so that disruption of sensitive environmental features, agricultural operations, and existing or platted residential areas is minimized. ***The proposed transportation system accomplishes this goal. Crossings of Sand Creek are minimized while providing a safe transportation system.***
 - Policy 6.2. Discourage unnecessary traffic through the forested and low density residential areas by providing alternative alignments and, where appropriate, incorporating designs which limit through traffic. ***Access points to arterial roads (Vollmer) have been minimized while providing a safe and efficient network.***
 - Action 7.c. Copies of all relevant land use petitions should be transmitted to the Black Forest Land Use Committee or other appropriate group for review and comment. It is suggested that proposals be informally presented by the applicant to planning area residents prior to formal submittal. Consistency with appropriate Master Plan elements should be specifically addressed at this time. ***Prior to application, a meeting with the Black Forest Land Use Committee was held on March 21, 2017.***
 - Policy 8.2. Protect and maintain the area's drainage courses in their natural condition by promoting designs and densities that are sensitive to natural drainage patterns. ***The***

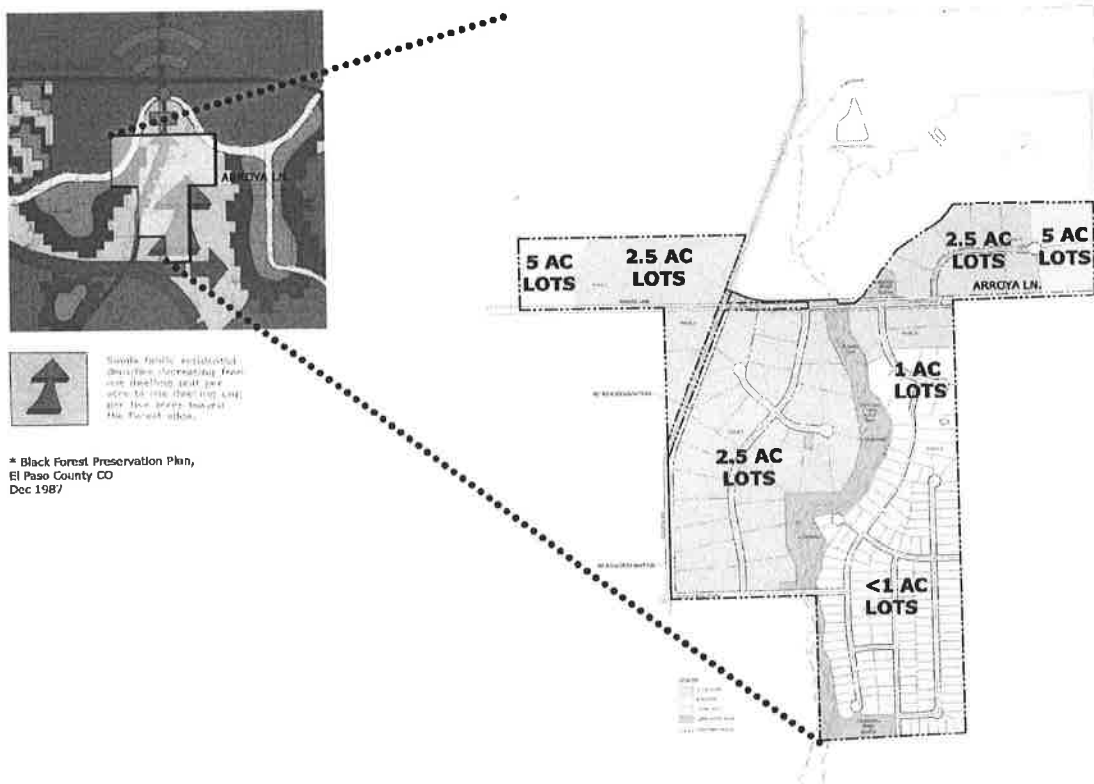
Drainage Plan prepared by CCES addresses this policy. Sand Creek is preserved as a greenway.

- Policy 9.4. Encourage cooperation between the County, other governmental entities, the development community and area school districts to reserve adequate and appropriate school sites in a timely manner. ***Land in The Retreat @ TimberRidge is within two school districts. SD #49 and SD #20. A general discussion with SD #20 has indicated that no school site is required.***
- Policy 9.6. Support the provision and enhancement of both useable and perpetual open space ***County regional trails along Sand Creek and along Arroya Lane are a part of the Plan.***



The primary issue to be resolved with this application is the location of the interface between urban density and rural residential land use. This application proposes that the interface be south of Arroya Lane which is the boundary at which water and wastewater services can be provided. This boundary is south of the forested area of Black Forest.

The map component of the Black Forest Preservation Plan depicts The Retreat @ TimberRidge within subarea 10, the Southern Transitional Area as shown on the diagram below.



The plan for The Retreat @ TimberRidge clearly defines the transition from urban land use to rural residential land use and proposes that this transition occur within this PUD application. The intent of the Black Forest Preservation Plan to transition land use within the area south of the forested area of the Black Forest is met by this application. Land use intensity transitions from south to north with Arroya lane becoming the approximate boundary between where urban services, most notably water and wastewater, can be provided. The land north of Arroya Lane within the PUD is designated as rural residential and open space land uses. The overall density of the PUD is 0.806 units per acre.

There are several textual comments for the Southern Transitional Area of the Black Forest Preservation Plan which support this application. Applicable statements include:

- Any new urban development should be compatible with existing rural residential subdivisions. ***Existing rural residential land use exists on the north and west. The Retreat @TimberRidge has provided transitions to these subdivisions.***
- Overall densities should decrease to one dwelling unit per five acres at the Timbered Area edge. ***A density of one unit per five acres within The Retreat @TimberRidge is achieved where the Timber Area edge exists within the project.***
- Urban density should only be approved if adequate urban services are available. ***Urban services will be available to this development in conjunction with the Final Plats.***

Water is currently available adjacent to the property. Wastewater will be extended to the property from the south by the developer.

The Retreat @ TimberRidge Preliminary Plan conforms to the Black Forest Preservation Plan as evidenced by findings approving the PUD zoning and development plan.

Conformance with the TimberRidge PUD Development Plan

The Preliminary Plan is in conformance with the approved TimberRidge PUD Development Plan.

One deviation has been approved:

A deviation to permit access to Arroya Lane for the 10 lots north of Arroya Lane onto Nature Refuge Road at a distance less than 660 feet from the proposed access roads on the south side of Arroya Lane.

DEVIATIONS

The following deviations are requested as a part of the Preliminary Plan application. Justification for the deviations is included within the Deviation Request Forms included within the submittal package.

- Deviation to permit Nature Refuge Drive to be a gravel road- As Nature Refuge Way is connecting to a gravel road (Arroya) and has less than 200 trips per day we request that it be allowed to be a gravel road built to county standards. This will remain a gravel road and not be paved. The ten lots in the cul-de-sac for Timber Ridge Estates will not be expanded and will remain 10 lots, once Arroya Lane is paved Nature Refuge Drive will remain gravel. **(Deviation Denied. Nature Refuge Drive will be a public street and will be paved per County regulations)**
- Deviation to permit delay of 50 foot paved apron on Nature Refuge Way until Arroya Lane is paved. As Nature Refuge Drive is to be a gravel road and will be connecting to Arroya Lane which is currently gravel, we request that it remain gravel until Arroya Lane is paved at which time the HOA for TimberRidge Estates will construct a 50' paved apron into Nature Refuge Way. . **(Deviation Denied. Nature Refuge Drive will be a public street and will be paved per County regulations)**
- Deviation to permit a cul-de-sac length of greater than ¼ mile for the 10 lots on Nature Refuge Way. As Nature Refuge Way only has 10 lots and the land to the east is not under the ownership control, we request permission to provide a cul-de-sac of 1270 lf that is located 1935 lf from the point where it connects to Arroya Lane to the point where Arroya Lane joins Vollmer Road. This total length is 0.6 miles. This will be temporary until the connection to Arroyo Lane is made to the east and to the south. **(Deviation Approved)**
- Deviation to permit a temporary gravel road as a second access for lots east of Sand Creek Based on the configuration of the property east of Sand Creek and that the adjacent Sterling Ranch property further to the east is not yet developed, there is no ability to provide a secondary access point across Sand Creek except up to Arroya. A temporary gravel access up to Arroya is being proposed at this time. **(Deviation Approved)**

- Deviation to permit access to west side of Vollmer Road south of Arroya for two lots (lots 11 and 12). **(Deviation Approved)**

DRAINAGE: Classic Consulting Engineers & Surveyors has prepared a MDDP and a Preliminary Drainage Report for the property. These documents address floodplain impacts and mitigation.

IMPACT REPORTS:

- Wetlands. Wetland delineation by CORE Consultants is included in their Impact Report for the property. This data has been included in the Land Suitability Analysis for the site. Site grading plans will address impacts to wetlands, which will be minor.
- Fire. Black Forest Fire and Rescue has provided a Fire Impact Report and a letter of commitment to provide fire and ambulance services.
- A Land Suitability Analysis has been prepared by N.E.S. Inc. This analysis summarizes site impacts. The Preliminary Plan places wetlands and drainage areas in tracts.

TRAFFIC: A Traffic Impact Analysis has been prepared by LSC Transportation Consultants, Inc. and is included in this submittal as a separate document.

MINERAL DEPOSITS: Entech Engineering, Inc. has evaluated the site for the presence of commercially viable mineral deposits and has found that such deposits are either absent or are not commercially viable.

JURISDICTIONAL IMPACTS

Districts Serving the Property

- Natural Gas – Black Hills Energy. Will Serve Letter included in application
- Electricity – Mountain View Electric. Will Serve Letter included in application.
- Water – Proposed TimberRidge Metropolitan District via an IGA with the Sterling Ranch Metropolitan District for lots less than 2.5 acres in size.
- Wastewater - Proposed TimberRidge Metropolitan District via an IGA with the Sterling Ranch Metropolitan District for lots less than 2.5 acres in size.
- Fire Protection – Black Forest Fire Protection District
- Schools – Falcon District #49; Academy School District No. 20
- El Paso County Conservation District

Reports Included by Reference

- Soil, Geology and Geologic Hazard Study for The Retreat @ TimberRidge by Entech Engineering, Inc. Reference to mitigation of constraints noted on the

- The Retreat at TimberRidge Traffic Impact Analysis by LSC Transportation Consultants, Inc.
- MDDP for the Retreat @ TimberRidge by Classic Consulting Engineers & Surveyors.
- Preliminary Drainage Report for the Retreat @TimberRidge by Classic Consulting Engineers & Surveyors.
- Impact Identification Report by CORE Consultants

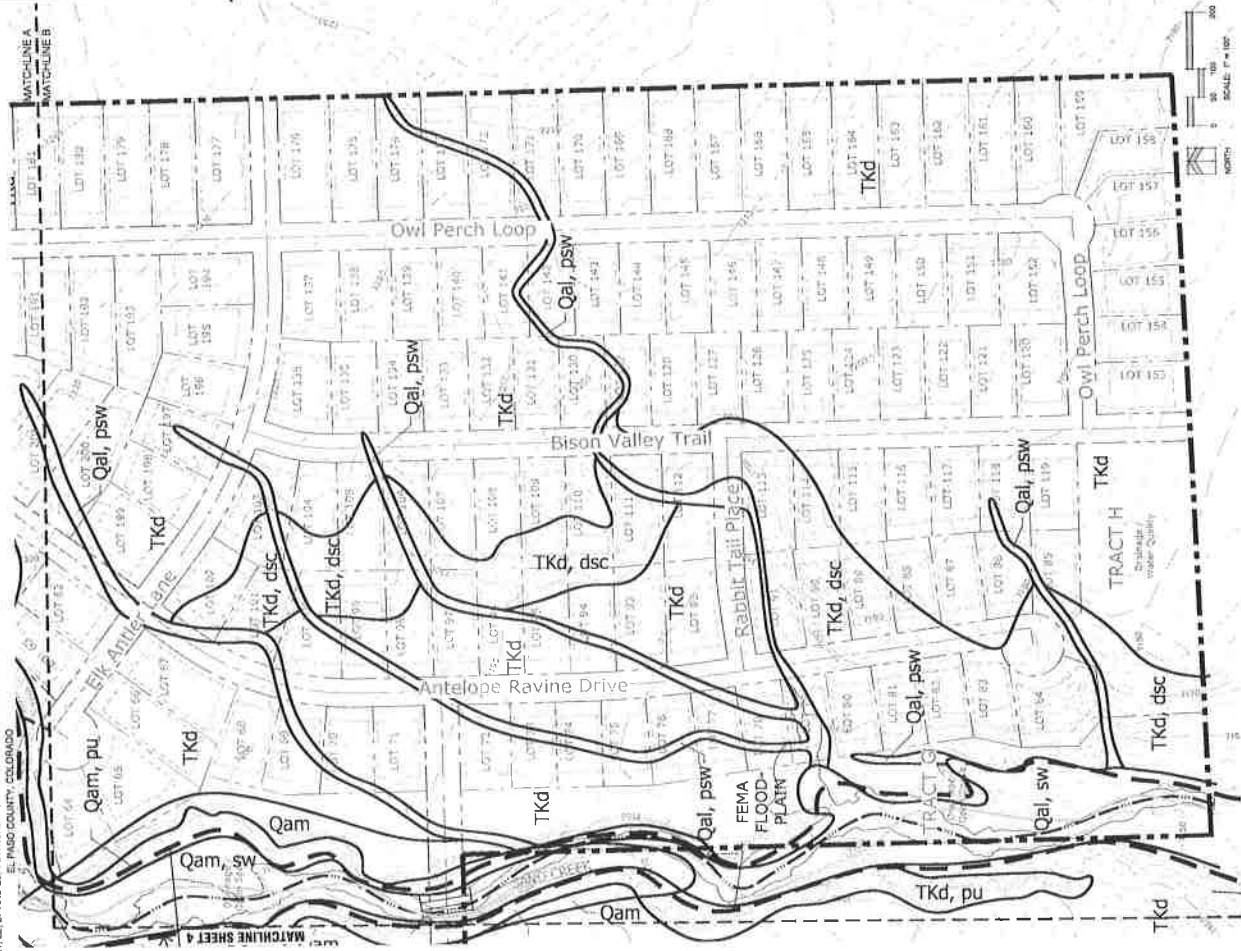
SECTION 21, 22, 27 AND 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
EL PASO COUNTY, COLORADO



CITIZENSHIP
U.S. CITIZENSHIP
TEST PREP

DATE	BY	DESCRIPTION
06-29-08	LMH	Per County Repulse Committee
08-29-08	LMH	Per County Repulse Committee

SP 182



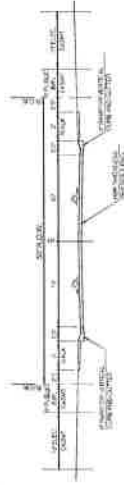
Retreat at TimberRidge

PRELIMINARY PLAN

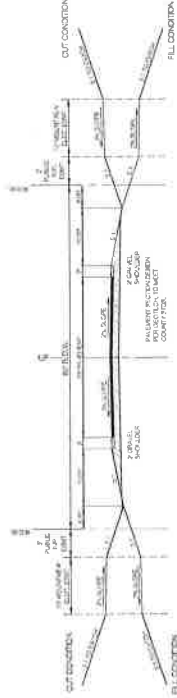
SECTION 21, 22, 27 AND 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 10TH P.M.,
EL PASO COUNTY, COLORADO



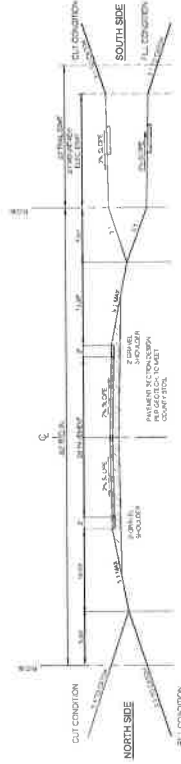
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903
TEL: 719.471.1877
FAX: 719.471.1887
www.nesarchitect.com
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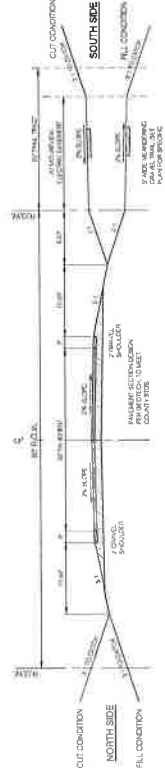
S1 URBAN LOCAL ROAD TYPICAL SECTION - 50' ROW



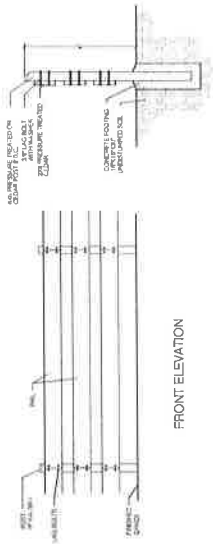
S2 RURAL LOCAL ROAD TYPICAL SECTION - 60' ROW



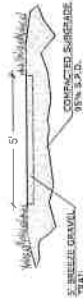
S3 ARROYO LANE INTERIM RURAL LOCAL ROAD SECTION - 80' ROW



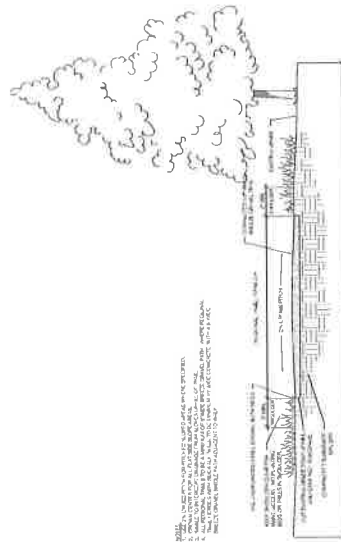
S4 ARROYO LANE FUTURE RURAL MINOR COLLECTOR ROAD SECTION - 80' ROW



D1 3-RAIL WOODEN FENCE



D2 GRAVEL METRO. DISTRICT (LOCAL) TRAIL SECTION



D3 BREEZE GRAVEL REGIONAL MULTI-USE TRAIL SECTION

Retreat at TimberRidge

Preliminary Plan

EL PASO COUNTY, CO

DATE: 11/11/11
DESIGNED BY: NES
CHECKED BY: NES
APPROVED BY: NES

SITE SECTIONS
& DETAILS

6 OF 8

SP 182

PRELIMINARY PLAN

El Paso County, Colorado



AT LEAST TEN DAYS PRIOR TO THE ANTICIPATED START DATE OF THE PROJECT, THE APPLICANT SHALL SUBMIT A PERMIT APPLICATION TO THE COLORADO DEPARTMENT OF WATER (DOW) FOR REVIEW. THE APPLICATION SHALL BE SUBMITTED TO THE DOW AT THE FOLLOWING ADDRESS: COLORADO DEPARTMENT OF WATER, PERMITTING DIVISION, 1700 CAMDEN AVENUE, DENVER, CO 80202. THE OWNER OR AGENT OF THE CONSTRUCTION ACTIVITY SHALL SUBMIT A PERMIT APPLICATION FOR STORMWATER DISCHARGE TO THE COLORADO DEPARTMENT OF WATER. THE APPLICATION SHALL BE SUBMITTED TO THE DOW AT THE FOLLOWING ADDRESS: COLORADO DEPARTMENT OF WATER, PERMITTING DIVISION, 1700 CAMDEN AVENUE, DENVER, CO 80202. THE APPLICATION CONTAINS CERTIFICATION OF COMPLETION OF A STORMWATER MANAGEMENT PLAN (SWMP), OF WHICH THIS DRAWING AND EROSION CONTROL PLAN MAY BE A PART. FOR INFORMATION ON APPLICATION MATERIALS CONTACT: COLORADO DEPARTMENT OF WATER

HEALTH AND ENVIRONMENT
WATER QUALITY CONTROL DIVISION
WQCN - PERMITS
2300 CHERRY CREEK DRIVE SOUTH
DENVER, CO 80246-1530
E-MAIL: WQCN@DENVER.GOV

2. ALL DISTURBED AREAS TO BE RESEEDED UPON COMPLETION OF OVERLOT GRADING AND EROSION CONTROL MEASURES HAVE BEEN INSTALLED OR WITHIN 60 DAYS, WHICHEVER IS LESS.

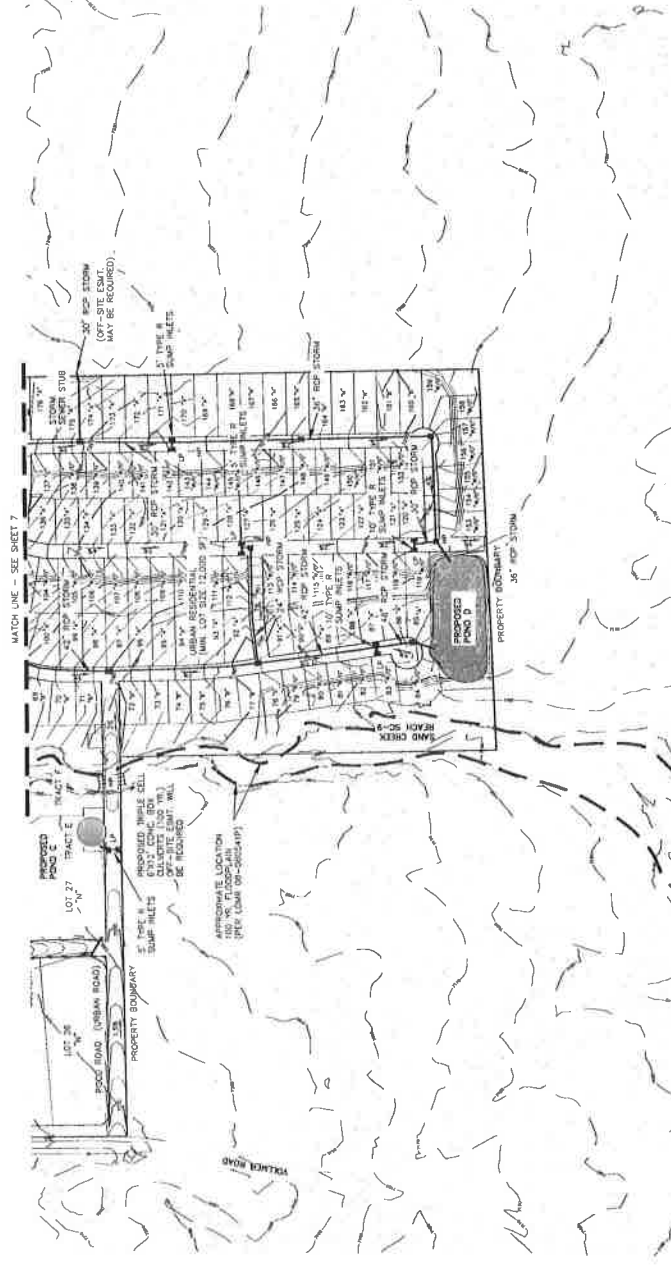
3. SEE SHEET 1 FOR EROSION CONTROL NOTES AND SHEET 4 FOR EROSION CONTROL DETAILS.



PHYSICAL: 1 OF YOUR ATTENTION



EXISTING GROUND CONTROL	W.P.	WIDE POINT
PROPOSED FINISHED CONTOUR	L.P.	LOW POINT
FLOW DIRECTION	"S"	A LOT
EXISTING FLOW	"B"	B LOT
PLUNG BULKHEAD	"B/O"	BULKHEAD LOT
PROPOSED STORM DRAIN	"T"	TRAMPOLINE LOT
	"G"	GARAGE LOT
	"N"	NATURAL LOT

[illegible]

EL PASO

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
MARK WALLER (PRESIDENT PRO TEMPORE)



COUNTY

STAN VANDERWERF
LONGINOS GONZALEZ
PEGGY LITTLETON

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission (PC) Meeting

Tuesday, October 2, 2018

El Paso County Planning and Community Development Department
2880 International Circle, Hearing Room
Colorado Springs, Colorado 80910

PRESENT AND VOTING: JIM EGBERT, BRIAN RISLEY, ALLAN CREELY, PETER AURICH, JOAN LUCIA-TREESE, LAWRENCE WOOD, TOM BAILEY, AND GRACE BLEA-NUNEZ

PRESENT AND NOT VOTING: NONE

ABSENT: KEVIN CURRY, JANE DILLON, AND SHARON FRIEDMAN

STAFF PRESENT: CRAIG DOSSEY, KARI PARSONS, NINA RUIZ, LEN KENDALL, BECK GRIMM, GILBERT LAFORCE, AND EL PASO COUNTY ATTORNEY LORI SEAGO

OTHERS PRESENT WHO SPOKE AT HEARING: JUDY VON AHSELFELDT, DUSTIN HAMILTON, SHELTON FINK, JOHN MAYNARD, BEV GILTNER

Ms. Judy Von Ahelfedt – Public Notification of hearing projects is a problem. Signs are not holding up in order to give the public adequate notification. I reported this to the Board of County Commissioners in September, and I have requested that the department have a policy to put this on their website.

Mr. Craig Dossey – The website does have all the projects listed by date with staff reports and file numbers. The progress can be tracked on EDARP.

1. Report Items

Planning and Community Development Department – Mr. Dossey gave an update of the Planning Commission agenda items and action taken by the Board of County Commissioners since the last Planning Commission meeting.

A. The next scheduled Planning Commission meeting is on October 16, 2018.

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

www.ELPASOCO.com

- B. The Water Master Plan Open House will be in the Regional Building Atrium on **October 25, 2018 from 6:00 – 8:00 p.m.**
- C. With regard to the Land Use Master Plan we have selected the consultants and that will go to the Board of County Commissioners soon for their approval. It will be a two to three year process.
- D. The department received the 2018 Achievement Award Winner for the EDARP program through NACo (National Association of Counties). More improvement are happening and the program is getting more diverse.

2. Consent Items

- A. **Approval of the Minutes – September 18, 2018**
The minutes were approved as presented. (8-0)

- B. **SF-16-017**

RUIZ

FINAL PLAT SPRINGS AT WATERVIEW

A request by ROS Equity Holdings-Independence, LLC, for approval of a final plat to create 85 single-family residential lots. The 15.68 acre property is zoned RS-5000 (Residential Suburban) and is located north of Bradley Road and east of Grinnell Boulevard. (Parcel No. 55072-06-036)

PC ACTION: MR. CREELY MOVED/MS. LUCIA-TREESE SECONDED TO APPROVE CONSENT ITEM NO. 2B, SF-16-017 FOR A FINAL PLAT FOR SPRINGS AT WATERVIEW UTILIZING RESOLUTION PAGE 19 WITH THIRTEEN (13) CONDITIONS AND ONE (1) NOTATION (MORE PARTICULARY DESCRIBED ON PAGE 18-050) WITH A FINDING OF WATER SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDAILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED UNANIMOUSLY (8-0).

Regular Items

- 3. **VA-18-002**

KENDALL

VARIANCE OF USE SUNFLOWER LANDSCAPES

A request by Sunflower Landscapes for approval of a variance of use to operate a contractor's equipment yard. The 5.57-acre property is zoned RR-5 (Residential Rural) and is located on Nevada Lane approximately one-half (1/2) mile east of the intersection of Black Forest Road and Woodmen Road. (Parcel No. 53080-00-082)

Mr. Kendall gave a brief overview and asked **Ms. Seago** to go over the review criteria for a variance of use.

Mr. Kendall then introduced the applicants' representatives, **Mr. Dustin Hamilton** and **Mr. Shelton Fink, Sunflower Landcare**, to give their presentation to the Planning Commission.

Mr. Hamilton and **Mr. Fink** gave their presentations to the Planning Commission and answered questions.

Mr. Risley – This is before us today because of zoning complaint due to rubbish, can you address that? **Mr. Hamilton** – Our site was definitely a mess. We have cleaned it up dramatically, and I don't believe that is an issue any longer. Piles of pallets and pavers have been removed and will no longer accumulate on the property.

Mr. Risley – Have you implemented a policy to keep that from happening in the future? **Mr. Hamilton** – There's not a written policy, but we have one of our workers tasked with beginning of day and end of day cleanup of the property.

Mr. Risley – Is there a fence or barrier? **Mr. Hamilton** – There's a chain link fence but not a wall or barrier. We'd be willing to do that but we aren't the land owners.

Mr. Risley – You indicated that there is no retail traffic; do you ever intend to have retail traffic? **Mr. Hamilton** – No we do not; we have an office in a different location.

Mr. Kendall gave his full presentation to the Planning Commission and answered questions. He clarified that after the variance of use, the applicants will be required to meet the fencing requirements for the site development plan process.

Mr. Creely – Is opaque fencing in place in the surrounding similar businesses? **Mr. Kendall** – There may be other yards that do not have the fencing in place, but we are complaint based. However, if they have had projects go through the County, those businesses would have to meet the current Land Development Code.

Mr. Risley – Given the other uses in the area and the approval criteria and lack of other property that would be more suited, I personally don't have an issue with this project. I hope that the site development plan will address the visual impacts and fencing concerns.

Ms. Lucia-Treese – Normally variance of use kind of bug me as far as being in violation. However, I do believe this to be compatible to the other operations in the area. I believe it would be a hardship for you move. I will be voting in favor.

Mr. Aurich left the meeting. A quorum is still in place.

IN FAVOR: NONE

IN OPPOSITION: NONE

DISCUSSION:

Mr. Bailey -- I agree with the comments before, but I'm curious to know how hard it would be in the future to find or locate for us those properties that are compatible with the intended use. Perhaps, with the growth, maybe other zones could be looked at to accommodate Contractor's equipment yards.

Mr. Dossey – This area of the County has been a transitional area for many reasons. (Example, from City to County, from residential to commercial.) The problem with this area there is limited availability of central services such as water and wastewater. The Master Plan revision intends to address some of the concerns.

PC ACTION: MS. LUCIA-TREESE MOVED/MS. BLEA-NUNEZ SECONDED TO APPROVE REGULAR ITEM NO. 3, VA-18-002 FOR VARIANCE OF USE FOR SUNFLOWER LANDSCAPES UTILIZING RESOLUTION PAGE 51 WITH THREE (3) CONDITIONS AND FOUR (4) NOTATIONS (MORE PARTICULARY DESCRIBED ON PAGE 18-051), AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED UNANIMOUSLY (7-0).

4. SP-18-002

PARSONS

**PRELIMINARY PLAN
RETREAT AT TIMBERRIDGE**

A request by Arroya Investments, LLC, Jacob Decoto, and Robert Scott General Contractors for approval of a preliminary plan to create 205 single-family residential lots. The 234.05 acre property is zoned PUD (Planned Unit Development) and is located north of the future extension of Briargate Boulevard/Stapleton Parkway, and is bisected by Vollmer Road. The applicants have also requested pre-development site grading. (Parcel Nos. 52270-00-001, 52270-00-003, 52270-00-004, 52000-00-398, 52220-00-023, 52000-00-393, 52280-00-019, and 52000-00-397)

Ms. Blea-Nunez recused herself from hearing Regular Item #4 due to a business relationship with the applicants' representative. She left the meeting. A quorum is still in place.

Mr. Aurich returned to the meeting. A quorum is still in place.

Ms. Parsons gave a brief overview and asked **Ms. Seago** to go over the review criteria for a preliminary plan as well as gave the background of the project. .

Ms. Parsons then introduced the applicants' representative, **Mr. John Maynard**, **NES**, to present their report to the Planning Commission.

Mr. Risley -- Is Tract A included in your density calculations? **Mr. Maynard** -- Yes.

Ms. Lucia-Treese -- Regarding the Metro District, you state you'll have an IGA to provide water and wastewater, what services will the Metro District be providing?

Mr. Maynard -- They will provide the landscaping maintenance. Sterling Ranch is the Manager of the other services.

Mr. Risley -- Will the larger lots be on municipal services? **Mr. Maynard** -- The lots shown in tan (2.5 acres or larger) would for the most part be served by well and septic.

Mr. Egbert -- A lot of these streets connect to something else. What has been done as far as projected traffic counts and that enough right of way has been preserved? **Mr. Maynard** -- Most of the roads are local streets. The traffic report that was prepared for the Retreat at TimberRidge included projections for adjacent land use. It's anticipated that local traffic from those subdivisions would use these local streets. Sterling Ranch also has access to Arroya Road, which is a collector road. Most of the traffic in Sterling Ranch is anticipated to go south to higher classification roads, and we believe the planned roads are adequate.

Ms. Parsons gave her full presentation to the Planning Commission.

Mr. Jeff Rice gave the engineering report and findings to the Planning Commission.

Mr. Risley -- Given that there are so few lots north of Arroya, what caused the requirement for paving? **Mr. Rice** -- It's more of a maintenance cost issue and so that we have consistency in the roads and those connections.

IN FAVOR: NONE

IN OPPOSITION:

Ms. Bev Giltner -- Provided a letter of opposition. Her letter is on permanent record.

Mr. Maynard had an opportunity for rebuttal.

Mr. Risley -- Could you articulate what your design rationale is in the transportation network? **Mr. Maynard** -- Traffic calming is what we planned for where there aren't long streets that are primarily residential streets, but there are

still necessary connections to carry the traffic anticipated to be caused from this subdivision. There are unknowns to traffic to the east, and this is fairly low density and very few residents using two access points. In the higher density areas, there are no frontage facing lots and traffic is anticipated to go to southern access points.

Mr. Risley – I'm debating traffic calming and cut through traffic and if it provides safe ingress and egress.

Ms. Seago – I'd like to clarify a couple of points for the record. With respect to the pending litigation, I do want to clarify that the applicant is aware that the preliminary plan and any final plat that is brought forward is done at their risk and could be undone should the litigation not go their way; but they elected to proceed nonetheless. Staff is therefore supporting them in that endeavor. In addition, because the planning department is a fee-for-service based program, it's the applicants' fees and no taxpayer dollars are funding the review of this project.

DISCUSSION:

Mr. Creely – I can understand that the action we take may influence the pending case. I will support the motion I made in favor.

Ms. Lucia-Treese – I have many, many reservations about the PUD. Litigation that is outstanding is an issue. When I think of Black Forest and the rural nature of that area, there is part of that preserved, but when we get to the urban part, I don't see the compatibility. I have concerns with the roads, and I don't believe it's within the character of the Black Forest Plan. I will be voting against this application.

Ms. Seago – Correction, this is for a preliminary plan, not a PUD.

Mr. Risley – The PUD addressed densities and roads, and I believe they are meeting the requirements such as safety and transportation. We as a commission can't respond or react to those other issues until we see the Final Plat. It's the land owners right to move forward. Given where we are in this process, they have put something in front of us that meets the necessary criteria.

PC ACTION: MR. CREELY MOVED/MR. RISLEY SECONDED TO APPROVE REGULAR ITEM NO. 4, SP-18-002 FOR A PRELIMINARY PLAN FOR RETREAT AT TIMBERRIDGE UTILIZING RESOLUTION PAGE 25 WITH ELEVEN(11) CONDITIONS AND TWO (2) NOTATIONS (MORE PARTICULARY DESCRIBED ON PAGE 18-052), AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS. THE MOTION WAS APPROVED (5-2). MS. LUCIA-TREESE AND MR. WOOD VOTED NAY.

NOTE: For information regarding the Agenda item the Planning Commission is considering, call the Planning and Community Development Department for information (719-520-6300). Visit our Web site at www.elpasoco.com to view the agenda and other information about El Paso County. Results of the action taken by the Planning Commission will be published following the meeting. (The name to the right of the title indicates the Project Manager/ Planner processing the request.) If the meeting goes beyond noon, the Planning Commission may take a lunch break.

EL PASO



COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
MARK WALLER (PRESIDENT PRO TEMPORE)

STAN VANDERWERF
LONGINOS GONZALEZ
PEGGY LITTLETON

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

CRAIG DOSSEY, EXECUTIVE DIRECTOR

September 12, 2018

This letter is to inform you of the following petition which has been submitted to El Paso County:

SP-18-002

PARSONS

PRELIMINARY PLAN RETREAT AT TIMBERRIDGE

A request by Arroya Investments, LLC, Jacob Decoto, and Robert Scott General Contractors for approval of a preliminary plan to create 205 single-family residential lots. The 234.05 acre property is zoned PUD (Planned Unit Development) and is located north of the future extension of Briargate-Stapleton Parkway, and is bisected by Vollmer Road. The applicants have also requested pre-development site grading. (Parcel Nos. 52270-00-001, 52270-00-003, 52270-00-004, 52000-00-398, 52220-00-023, 52000-00-393, 52280-00-019, and 52000-00-420) (Commissioner District No. 2) (Kari Parsons)

Type of Hearing: Quasi-Judicial

For ☒ Against ☐ No Opinion ☐
Comments: _____


(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

- This item is scheduled to be heard by the El Paso County Planning Commission on October 2, 2018. The meeting begins at 9:00 a.m. and will be conducted in the Second Floor Hearing Room of the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs.
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Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,


Kari Parsons, Project Manager/Planner II

Your Name: Amelia Snyder 
(printed) (signature)
Address: 8450 Poco Rd, Colo, Springs, CO 80908
Property Location: Vollmer / Poco Phone: (719) 495-3205

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

www.ELPASOCO.COM

EL PASO COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR
September 12, 2018

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Type of Hearing: Quasi-Judicial

For Against No Opinion
Comments: can't we leave some pristine
areas alone and not cram houses
in there Vollmer Rd and Black Forest
Rd can not handle the volume of cars.
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

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Sincerely,

Kari Parsons, Project Manager/Planner II

Your Name: John Jaynes
(printed)

Address: 8455 Peco Rd

Property Location: Peco & Vollmer

Phone (719) 649-8584

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

EL PASO COUNTY

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Type of Hearing: Quasi-Judicial

Comments: For Need to know distance from my property
AND THE NEW ZONING Against X No Opinion

(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

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Sincerely,

Kari Parsons, Project Manager/Planner II

Your Name: William O. Silcox Jr

Address: 10230 Tomahawk TRAIL

Property Location: EL PASO CO Lot 4 BLK 1 INDIAN WELLS Sub FIL NO 1 Phone 719-495-7386

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

El Paso County Parcel Information

File Name: SP-18-002

Zone Map No.: --

Date: September 12, 2018

PARCEL	NAME
5200000420	ARROYA INVESTMENTS LLC
5200000393	DECOTO JACOB
5200000398	ARROYA INVESTMENTS LLC
5222000023	TIMBERRIDGE ESTATES LLC
5227000004	ARROYA INVESTMENTS LLC
5228000019	ARROYA INVESTMENTS LLC
5227000001	ARROYA INVESTMENTS LLC
5227000003	ARROYA INVESTMENTS LLC



Please report any parcel discrepancies to:
El Paso County Assessor
1575 W. Garden of the Gods Rd.
Colorado Springs, CO 80907
(719) 520-6600



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EL PASO



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Type of Hearing: Quasi-Judicial

For Against No Opinion

Comments:

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Sincerely,

Kari Parsons, Project Manager/Planner II

Your Name:

Jacob Decoto
(printed)

Address:

10620 Vollmer Rd., CO, CO 80908

Property Location:

Colorado Springs

Phone

(signature)

2064194533

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

EL PASO

COMMISSIONERS:
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Type of Hearing: Quasi-Judicial

☒ For ☐ Against ☐ No Opinion

Comments: _____

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Sincerely,

Handwritten signature of Kari Parsons.
Kari Parsons, Project Manager/Planner II

Your Name: Allison Decoto (signature)

Address: 10620 Vollmer Rd. COS, CO 80908

Property Location: adjacent to development Phone 443-745-6742

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

EL PASO



COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

September 12, 2018

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Type of Hearing: Quasi-Judicial

For
Comments:

Against

No Opinion

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Sincerely,

Kari Parsons
Kari Parsons, Project Manager/Planner II

Your Name: Terry Smith

Address: 8455 Wildflower Rd

Property Location: Corner Wildflower/Vollmer

Phone: 770-210-1153

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

www.ELPASOCO.com

EL PASO



COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
MARK WALLER (PRESIDENT PRO TEMPORE)

STAN VANDERWERF
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PEGGY LITTLE (CH) 26 2018

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

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PARSONS

PRELIMINARY PLAN RETREAT AT TIMBERRIDGE

A request by Arroya Investments, LLC, Jacob Decoto, and Robert Scott General Contractors for approval of a preliminary plan to create 205 single-family residential lots. The 234.05 acre property is zoned PUD (Planned Unit Development) and is located north of the future extension of Briargate-Stapleton Parkway, and is bisected by Vollmer Road. The applicants have also requested pre-development site grading. (Parcel Nos. 52270-00-001, 52270-00-003, 52270-00-004, 52000-00-398, 52220-00-023, 52000-00-393, 52280-00-019, and 52000-00-420) (Commissioner District No. 2) (Kari Parsons)

Type of Hearing: Quasi-Judicial

	For	Against	No Opinion
Comments:	Zoning calls for 5 acre lots minimum. This goes against zoning and if we can change zoning because someone has big pockets, then what do we have that has value.		

(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

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Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,

Kari Parsons, Project Manager/Planner II

Your Name: Killgore Family Living Trust

Address: 9970 Tomahawk Trail

Property Location: 05/00 80908

Phone (303) 888-0979

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

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EL PASO



COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
MARK WALLER (PRESIDENT PRO TEMPORE)

STAN VANDERWERF
LONGINUS GONZALEZ
PEGGY LITTLETON

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR
September 12, 2018

SEP 16 2018
[Signature]

This letter is to inform you of the following petition which has been submitted to El Paso County:

SP-18-002

PARSONS

PRELIMINARY PLAN RETREAT AT TIMBERRIDGE

A request by Arroya Investments, LLC, Jacob Decoto, and Robert Scott General Contractors for approval of a preliminary plan to create 205 single-family residential lots. The 234.05 acre property is zoned PUD (Planned Unit Development) and is located north of the future extension of Briargate-Stapleton Parkway, and is bisected by Vollmer Road. The applicants have also requested pre-development site grading. (Parcel Nos. 52270-00-001, 52270-00-003, 52270-00-004, 52000-00-398, 52220-00-023, 52000-00-393, 52280-00-019, and 52000-00-420) (Commissioner District No. 2) (Kari Parsons)

Type of Hearing: Quasi-Judicial

_____	✓ _____	_____
For	Against	No Opinion
Comments: _____		

(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

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Sincerely,

[Signature]
Kari Parsons, Project Manager/Planner II

Your Name:

Karen Marchman

Karen Marchman
(signature)

Address:

9350 Arroya Lane (printed) *Colo. Springs, CO 80908*

Property Location:

adjacent to proposed development

Phone:

719-495-9500

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

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COUNTY

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DARRYL GLENN (PRESIDENT)
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STAN VANDERWERF
LONGINOS GONZALEZ
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR
September 12, 2018

SEP 26 2018

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SP-18-002

PARSONS

PRELIMINARY PLAN RETREAT AT TIMBERRIDGE

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Type of Hearing: Quasi-Judicial

For	Against	No Opinion
<p>Comments: <u>The development does not comply with the</u> <u>Black Forest Preservation Plan, units are too small and</u> <u>urban density is not in keeping with surrounding properties</u></p>		

(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

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Sincerely,


Kari Parsons, Project Manager/Planner II

Your Name:

Herbert Marchman
(printed)


(signature)

Address:

9350 Arroya Dr, Black Forest, CO 80908

Property Location:

Spine road, parcel on east side

Phone 719-495-0839

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

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COUNTY

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

CRAIG DOSSEY, EXECUTIVE DIRECTOR

September 12, 2018

SEP 21 2018

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SP-18-002

PARSONS

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Type of Hearing: Quasi-Judicial

☒ For

☐ Against

☐ No Opinion

Comments:

(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

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Sincerely,

Kari Parsons, Project Manager/Planner II

Your Name:

Mark Bissett

Address:

10160 Vollmer Rd

Property Location:

Black Forest

Phone

719 510 5792

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

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EL PASO COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
MARK WALLER (PRESIDENT PRO TEMPORE)



STAN VANDERWERF
LONGINOS GONZALEZ
PEGGY LITTLETON

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR
September 12, 2018

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Type of Hearing: Quasi-Judicial

For ☒ Against ☐ No Opinion ☐
Comments: Any acreage under 2 1/2 acres will have large lawn watering which will have adverse effects to our ground water. Vollmer would have to be widened from Black Forest to Burgess & funded by mill levy to the property owners of the retreat
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

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Sincerely,

Kari Parsons, Project Manager/Planner II

Your Name:

Curtis J. Bosley
(printed)

Address:

9720 Tanager Trail

Property Location:

El Paso Co 80908

Phone

719-494-1360

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

EL PASO



COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
MARK WATKINS (PRESIDENT PRO TEMPORE)

STAN VANDERWERF
LEONIDAS GONZALEZ
PEGGY LITTLETON

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT

CRAIG DOSSEY, EXECUTIVE DIRECTOR

September 12, 2018

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Type of Hearing: Quasi-Judicial

For X Against No Opinion

Comments: We reside in a quiet home neighborhood of 5410 acre properties. We don't need city sized lots adjacent to us. The traffic, noise & congestion will destroy our quiet enjoyment of our property. We researched this parcel when purchasing our house. It was zoned 3 & 10 Acres. Keep it that way!

(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

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Sincerely,

Kari Parsons, Project Manager/Planner II

Your Name: RAY & MARY CHAMBERLAND
(printed)

Address: 10050 TOMAHAWK TRAIL 80908

Property Location: Adjacent to land under consideration Phone: 719 314 9088

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

EL PASO



COUNTY

COMMISSIONERS:
DARRYL GLENN (PRESIDENT)
MARK WALLER (PRESIDENT PRO TEMPORE)

STAN VANDERWERF
LOUISIANA GONZALEZ
PEGGY LITTLETON

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR
September 12, 2018

SEP 19 2018

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Type of Hearing: Quasi-Judicial

For _____ Against _____ No Opinion _____
Comments: *Density isn't consistent with adjacent developments. Severe water concerns for this density and how the development may impact wells in the area.*
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

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Sincerely,

Kari Parsons
Kari Parsons, Project Manager/Planner II

Your Name: JAMES A. CHAMBERLAIN (printed) James A. Chamberlain (signature)
Address: 2545 ARROYA LAKE COLORADO SPRINGS CO. 80908
Property Location: 2545 ARROYA LAKE Phone: 719 338-3428

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

www.ELPASOCO.com

Kari Parsons

From: Craig Dossey
Sent: Wednesday, August 22, 2018 6:05 PM
To: Lori Seago; Kari Parsons
Subject: Fwd: Development Status The Retreat at TimberRidge
Attachments: image.png

Follow Up Flag: Flag for follow up
Flag Status: Flagged

For file.

Craig Dossey
Executive Director
El Paso County Planning and Community Development Department
2880 International Circle
Colorado Springs, CO
80910
(719) 520-6300 (main)
(719) 520-7941 (direct)
Sent from my iPhone

Begin forwarded message:

From: Darryl Glenn <DarrylGlenn@elpasoco.com>
Date: August 22, 2018 at 6:01:40 PM MDT
To: Craig Dossey <craigdossey@elpasoco.com>
Subject: Fwd: Development Status The Retreat at TimberRidge

Regards,

Darryl Glenn, Lt. Col (Ret), MBA, JD.
President
El Paso County Commissioner District #1
(719) 520-6411
Darrylglenn@elpasoco.com

Begin forwarded message:

From: Bev Giltner <realsales.bev@gmail.com>
Date: August 22, 2018 at 4:37:39 PM MDT
To: <darrylglenn@elpasoco.com>, <peggylittleton@elpasoco.com>, <markwaller@elpasoco.com>, <stanvanderworf@elpasoco.com>, <longinosgonzalezjr@elpasoco.com>
Subject: Development Status The Retreat at TimberRidge

To Whom It May Concern:

It seems that many of the local residents are quite concerned about the ruling regarding the existing plat for The Retreat at Timber Ridge. Even though our location is not affected as directly as those filing the Appeal and; even though my husband, Ray, and I built custom homes here for more than 20 years and appreciate the need for thoughtful development; we support the efforts to seek a better remedy, and at a minimum some compromise for larger parcels on the southern portion of the development. For the following reasons I reject the decision made by your body of commissioners recently:

(1) Disregard for Land Planning Recommendations: Your decision totally disregarded land planning concerns and recommendations. I would like any or all of you, those who approved and/or denied the request, to explain to me why we even have a land planning commission. I am trying to understand the process. Why waste the time? They voted against the plat as it stands by 7 to 0. This was no controversial decision. It was unanimous. I really do not understand the need for a Planning Commission as an "advisory committee" if those whose votes actually count, do not give any credence to their expertise and opinions.

(2) Traffic Flow - We already have major traffic at the southern portion of Vollmer Road and each site will add an average of 3 cars per site, substantially increasing congestion and burden to Vollmer Road. We do not need to turn Vollmer Road into a thoroughfare. It is a County maintained "country" road. We already have major infrastructure issues which need our tax dollars. This area is zoned and currently utilized as a rural area with low impact on roads throughout the Forest. Lower density developments on the west side of Vollmer should be respected and high density areas should not be thrust upon the current residents there who sought a quiet, rural lifestyle. With the approval of this development as it stands, there will be substantial increases in traffic, noise, road kill, and accidents, not to mention the major nightmare at the intersections of Vollmer, Black Forest and Woodmen Road during peak hours for commuters each day. We already have major backups and short tempers in these arteries, even with the latest improvements to the area. You cannot control humanity but you do have control on how much

"humanity" congregates at one location. Widening Vollmer is not even going to touch on the problem which will be accelerated at Woodmen and Black Forest Road. Falcon continues to grow with residents who mostly commute to the Springs. The final filing of 2.5 acre sites in Highland Park has not even begun construction yet, but will be adding traffic from their residents shortly which will further exacerbate traffic congestion and frustration levels at that intersection. Increases in traffic flow created by high density development on the east side of Vollmer seems totally irresponsible on the part of the Developer and particularly the Commissioners who approved the design. There really is no viable, practical outlet for these developments other than Black Forest to Woodmen, so almost all traffic will be channeled to this area which has no capability at the moment for added traffic. I am doubtful there is space available in the future without eminent domain being applied, another tactic of the government which leaves residents helpless.

(3) Conservation of Resources; We seem to be experiencing another major draught...are

we going to have lawn sprinklers inundating the communities out here and all of us scrambling for water at some not-too-distant time in the future? Those smaller lots cannot effectively use xeriscape landscaping. It is ugly, so here we go with sod and sprinkler systems. The Developer stated that the water was "his water", a really bad attitude about a resource we all share and is in very short supply. Also, I now hear the Developers have filed a counter suit claiming that the legal appeal by the local residents is a "frivolous" act, so they have chosen to play a game of intimidation. Fork over the money or shut your mouth. Is this still America? Give me a break. After all the land planners, rejected the plan 7 to 0, remember? This is not frivolous.

(4) Perceived Value: As designed, the high density sites within a buffer of larger parcels will not "hide" the sea of rooftops, nor will it diminish the impact of the traffic coming to and from each day, nor will it lessen demand for water resources. Additionally it appears to me, as a Realtor, that the Developer loses too! The values of the 2.5 acre sites will be diminished if prospective buyers are expected

to look out upon a high density neighborhood from their 2.5 acre sites. Why would anyone choose to pay current values on 2.5 acre tracts only to be bordered by homes crammed together on much smaller sites? It defeats the purpose. At the very least with a more reasonable density of 1 acre sites the spacious setting would be somewhat preserved and the value of the larger sites would not be so diminished while the acre-size lots would obviously be worth much more than 1/3 acre. It seems the Developer would win and the community would win by maintaining a more rural environment similar to Walden at the northern edge of the County. Can we not look at a compromise rather than extending litigation forever?

(5) Total disregard for the Black Forest Preservation Plan - Is there any consideration for those who went before who would like to keep the aesthetic values including the serenity, peace, and pastoral views of the area? Those of us who settled in the Forest share our land with the wildlife it shelters, appreciate the lifestyle it provides, and enjoy our spacious skies, open meadows and treed havens. This does not include widening our roads to accommodate high density housing. We believe in conservation of our resources and respect for our wildlife. We would appreciate your consideration for these values as well, and thereby respect the Black Forest Preservation Plan. After all it was government who originally initiated the preservation plan. Now

you wish to destroy it? What is the incentive or motivation to do so?

(6) Sterling Ranch: Sterling Ranch to the south of The Retreat is still zoned R-5; however the Developer is certainly assured their request for even higher density with your recent ruling on the Retreat. . This means from Poco Road south high density will inundate the eastern side of Vollmer Road which is within the Preservation Plan, much to the chagrin of the residents on the west side of the Road who have maintained a reasonable approach to development at the Forest's edge.

Reconsideration should be given to an absolute minimum of 1 acre sites and preferably 2.5 acre sites, similar to Forestgate, in the currently platted high density section. The recent approval of this development, as it now is configured, will place a significant adverse impact on the quality of life in the southern communities of Black Forest, not to mention the impact on all our natural resources which includes our wildlife and their natural resources as well.

I would appreciate hearing from those who might be willing to respond to this letter so I can better understand your motivations, your experience with this process and your perception of the ramifications for your decision, and particularly your lack of respect for the opinions of land planning. I am almost certain this letter will be ignored but I

challenge any one to correct the facts if I have a misperception of them as it now stands.

Greed is a powerful emotion and motivator. Do we succumb to that and sacrifice the quality of life for those who live here?



Bev Giltner, SRES

Broker Associate

719 360 8873 Cell

719 634-8761 Office

realsales.bev@gmail.com



Statement for October 2, 2018
Planning Commission record
per the Retreat at TimberRidge requests for approval of
Preliminary Plan and Site Grading

October 2, 2018

El Paso County Planning Commission

Commissioners,

Thank you for your interest in community planning and your service on the El Paso County Planning Commission.

I am Bev Giltner. I have been an area Realtor since 1978 and my husband is now a retired local custom home builder. We live on Wildflower Road, which is just west of Vollmer Road and directly north of Poco Road, near the proposed Retreat at TimberRidge.

I speak for many who have a deep interest in successful community planning that retains the integrity of its existing communities and respects those plans supporting those ideals, as does the *Black Forest Preservation Plan*. We also believe there is high value in the continuation of the rural residential density pattern for the Upper Sand Creek Valley in the Black Forest Planning area.

Thank you also for the Planning Commission's wise vote to unanimously disapprove the subdivision rezone on March 6, 2018 for many of the same reasons that most nearby landowners have opposed this proposal;

many of whom signed an opposing petition which was submitted to the BoCC at the March 27, 2018 PUD Zone Change hearing. The unanimous vote against recommendation to rezone to PUD for this subdivision design also reflects the broader opinion among many Black Forest residents who support the Appeal of the zoning decision for the Retreat at TimberRidge.

We urge the members of this Commission not to take any action to advance the progress of this plan through the subdivision process until the pending litigation against the El Paso County Commissioners regarding PUD rezoning is decided in Court, or settled out of Court.

Many are dismayed that El Paso County would allow a public hearing on the Retreat at TimberRidge Preliminary Plan and Site Grading before Due Process is completed on the rezoning issues. We believe this hearing, at this time, is disrespectful to the pending litigation, and a waste of taxpayer money and the staff time taken to prepare the requests before you.

We submit that any official action to approve or modify the Preliminary Plan for advancement through the subdivision process, or for ground-disturbing Site Grading for this project, is premature and therefore inappropriate.

Thank you,


Bev Giltner

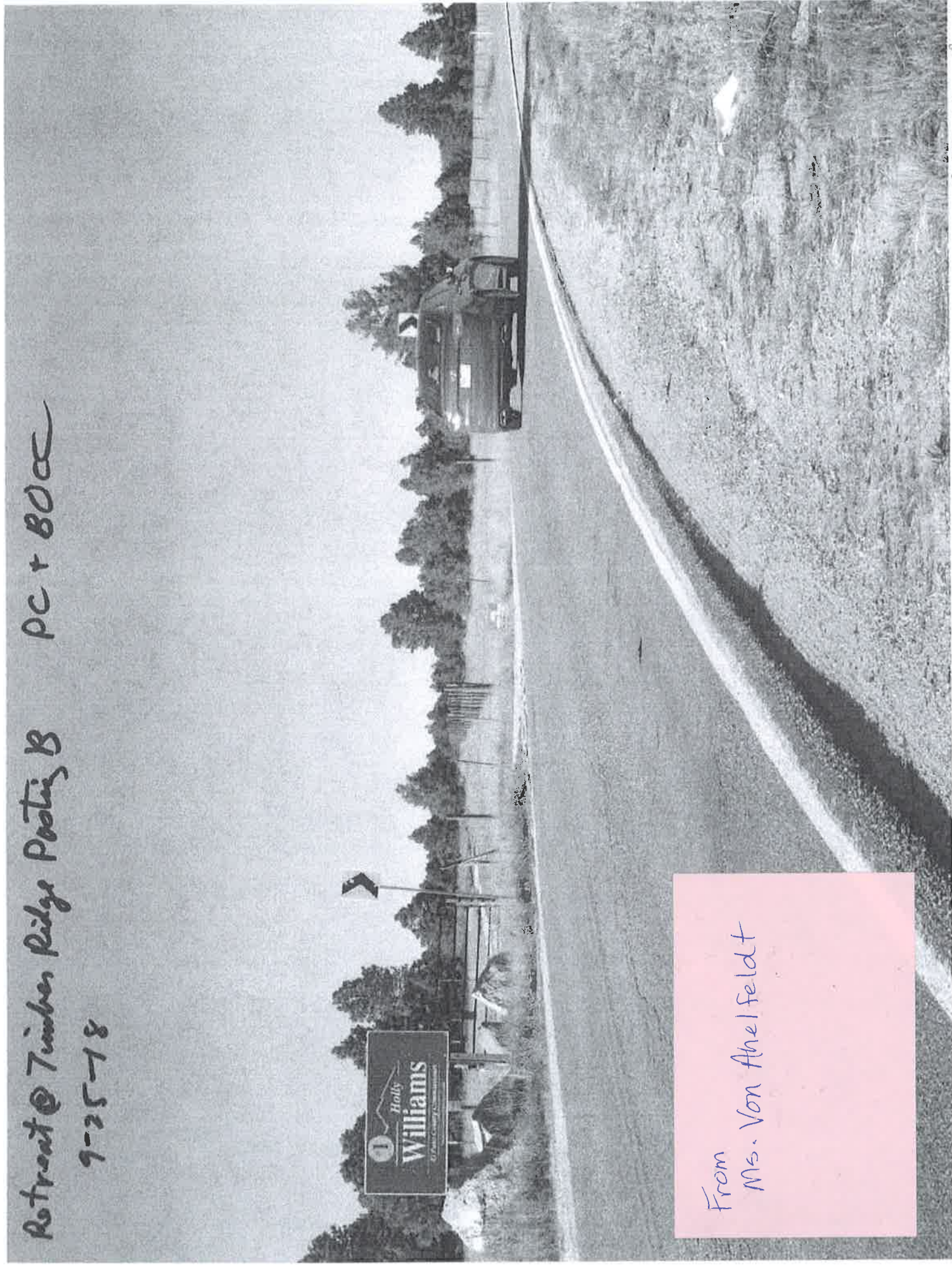
8185 Wildflower Road

Colorado Springs, CO 80908

719-360-8873/realsales.bev@gmail.com

Retreat @ Timber Ridge Pottig B PC + BOCC

9-25-18

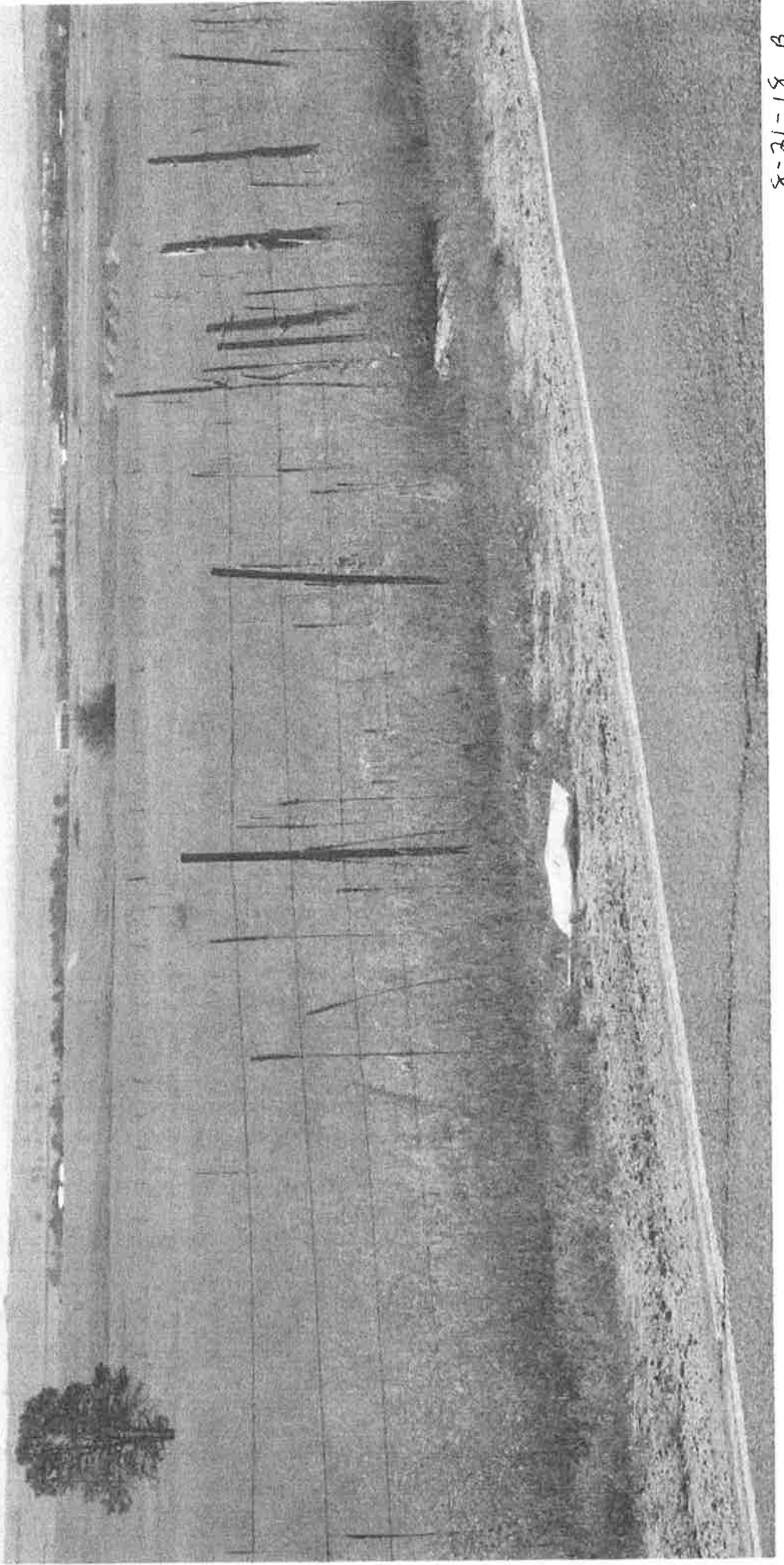


From
Mrs. Von Ahelfeldt

9-25-18 13

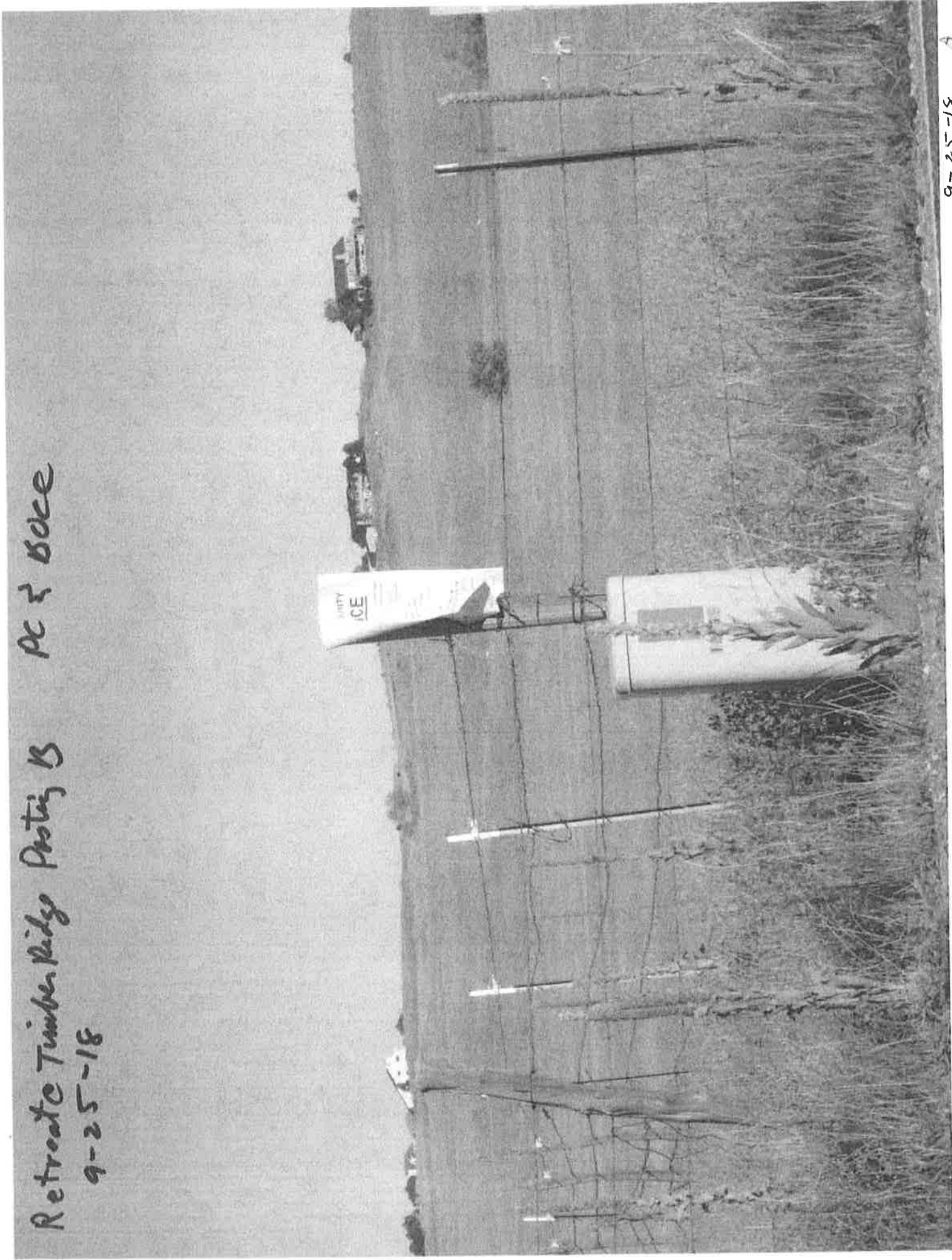
Rotreute Timber Ridge Post, B PC & BDC

8-21-18



8-21-18 B

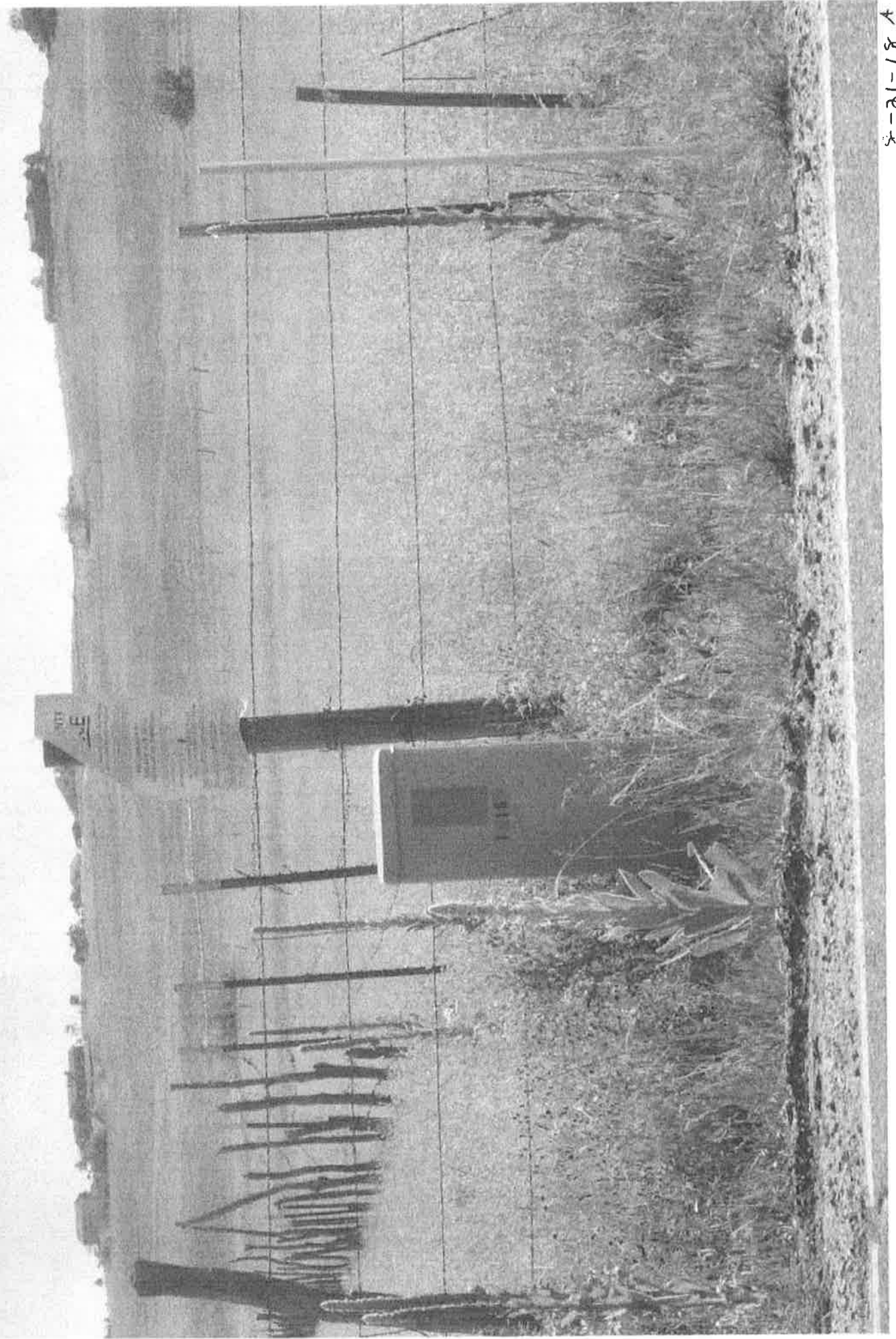
Retroate Timber Ridge Postings B PC & Base
9-25-18



9-25-18

A

Retreat @ Timber Ridge Postings A
8-21-18 PC & BOCC



8-21-18 A

PRELIMINARY PLAN (RECOMMEND APPROVAL)

Commissioner Creely moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SP-18-002

WHEREAS, Arroya Investments, LLC; Jacob Decoto; and TimberRidge Estates, LLC, did file an application with the El Paso County Planning and Community Development Department for the approval of a preliminary plan for the proposed The Retreat at TimberRidge Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on October 2, 2018; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission.
2. Proper posting, publication and public notice were provided as required by law for the hearing before the Planning Commission.
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested persons and the general public were heard at that hearing.
4. All exhibits were received into evidence.
5. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is consistent with the purposes of the Land Development Code.
7. The subdivision is in conformance with the subdivision design standards and any approved sketch plan.

8. 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 the Land Development Code.
9. 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 the Land Development Code.
10. 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.W. §30-28-133(6)(c)].
11. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
12. 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 the Land Development Code and the Engineering Criteria Manual.
13. 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 encouraging 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 therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.
14. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
15. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
16. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.

17. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
18. That the proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
19. That for the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends approval of the application for a preliminary plan of The Retreat at TimberRidge Subdivision.

AND BE IT FURTHER RESOLVED that the Planning Commission recommends the following conditions and notation(s) be placed upon this approval:

CONDITIONS

1. A legal challenge to the BoCC approval of The Retreat at TimberRidge Planned Unit Development zoning is currently pending. Approval of this Preliminary Plan is contingent upon a final court order upholding the PUD zoning. Amendments to the BoCC approval or to the PUD development plan (PUD-17-003) made as part of settlement of the litigation may require submission of an application to amend the Preliminary Plan. No final plats will be recorded unless and until a final court order upholding the PUD zoning is issued and all appeal periods have lapsed.
2. Applicable school(s) and park fees shall be paid with each final plat.
3. A finding of water sufficiency shall be made with each final plat.
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, 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 species.
5. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 16-454), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be

documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

6. Development of the property shall be in accordance with the recorded PUD development plan.
The building setback along Vollmer Road for Lots 20 through 26 shall be 100 feet, as depicted on the PUD development plan.
7. Landscape plantings along Arroya Lane shall be planted by the developer at the ratio of one (1) tree per 30 feet, and a minimum of one-third (1/3) of those trees shall be evergreen trees.
8. Landscape plantings along Vollmer Road are to be planted by the developer at the ratio of one (1) tree per 25 feet, and a minimum of one-third (1/3) of those trees shall be evergreen trees.
9. The applicants shall be responsible for constructing or providing escrow toward offsite improvements to Vollmer Road in association with the appropriate final plat as identified in Table 3 of the Retreat at Timber Ridge Preliminary Plan Traffic Impact Analysis, dated April 12, 2018 (as amended).
10. The applicants shall be responsible for constructing the necessary improvements in the Sand Creek channel, as identified in the preliminary drainage reports and final drainage reports to be submitted, with the appropriate final plat(s).
11. The preliminary drainage reports shall receive approval prior to scheduling the preliminary plan for Board of County Commissioners hearing.

NOTATIONS

1. Approval of the Preliminary Plan will expire after twelve (12) months unless a final plat has been approved and recorded or a time extension has been granted.
2. Preliminary plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.

BE IT FURTHER RESOLVED that the Resolution and recommendations be forwarded to the El Paso County Board of County Commissioners.

Commissioner Risley seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Commissioner Creely	aye
Commissioner Risley	aye
Commissioner Lucia-Treese	nay
Commissioner Wood	nay
Commissioner Egbert	aye
Commissioner Aurich	aye
Commissioner Bailey	aye

The Resolution was adopted by a vote of 5 to 2 by the El Paso County Planning Commission, State of Colorado.

DATED: October 2, 2018

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF SECTION 21, 22, 27 AND 28, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A LINE BETWEEN THE NORTHEAST CORNER OF THE

NORTHWEST ONE-QUARTER OF THE NORTHWEST ONE-QUARTER (NW1/4 NW1/4) OF SECTION 27 AND THE SOUTHEAST CORNER OF THE NORTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER (NW1/4 SW1/4) OF SAID SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST, MONUMENTED AT THE NORTHERLY END BY A 3-1/4" ALUMINUM CAP STAMPED "2006 ESI PLS 10376" AND MONUMENTED AT THE SOUTHERLY END BY A 3-1/4" ALUMINUM CAP STAMPED "2006 ESI PLS 10376" AND IS ASSUMED TO BEAR S00°54'30"E, A DISTANCE OF 3925.63 FEET;

PARCEL 1

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M., SAID POINT ALSO BEING THE **POINT OF BEGINNING**;

THENCE S00°54'30"E ON THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF SAID SECTION 27, A DISTANCE OF 3925.63 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27;

THENCE S87°35'00"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 1332.78 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER;

THENCE N00°53'18"W ON THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 1316.78 FEET TO THE NORTHWEST

CORNER OF SAID NORTHWEST QUARTER OF THE
SOUTHWEST QUARTER;

THENCE S89°08'28"W ON THE SOUTH LINE OF THE
SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF
SECTION 28, A DISTANCE OF 1326.68 FEET TO THE
SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF
THE NORTHEAST QUARTER;

THENCE N00°30'49"W ON THE WEST LINE OF SAID
SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, A
DISTANCE OF 1270.77 FEET TO A POINT ON THE EASTERLY
RIGHT-OF-WAY LINE OF VOLLMER ROAD AS RECORDED IN
BOOK 2678 AT PAGE 430 OF THE RECORDS OF THE EL
PASO COUNTY CLERK AND RECORDER;

THENCE N21°41'10"E ON SAID EASTERLY RIGHT-OF-WAY
LINE, A DISTANCE OF 1450.84 FEET TO THE POINT OF
INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE
AS DESCRIBED IN A DEED RECORDED IN BOOK 2678 AT
PAGE 431 OF SAID COUNTY RECORDS;

THENCE ON THE SOUTHERLY, EASTERLY AND
NORTHERLY RIGHT-OF-WAY LINES OF SAID DEED THE
FOLLOWING FOUR COURSES:

1. N89°40'23"E, A DISTANCE OF 761.52 FEET TO A POINT
ON THE EAST LINE OF THE NORTHEAST QUARTER OF
SAID SECTION 28;
2. N00°52'58"W ON SAID EAST LINE, A
DISTANCE OF 30.00 FEET TO THE
SOUTHEAST CORNER OF SAID SECTION 21;
3. N00°37'14"W ON THE WEST LINE OF THE SOUTHWEST
QUARTER OF SECTION 22, A DISTANCE OF 30.00
FEET;
4. S89°40'23"W, A DISTANCE OF 736.82 FEET TO THE POINT OF
INTERSECTION OF
THE EASTERLY RIGHT-OF-WAY LINE AS
DESCRIBED IN A DEED RECORDED IN BOOK 2678
AT PAGE 431 OF SAID COUNTY RECORDS;

THENCE N21°41'10"E ALONG SAID EASTERLY RIGHT-OF-
WAY LINE, A DISTANCE OF 113.82 FEET;

THENCE S68°18'50"E, A DISTANCE OF 145.93 FEET TO A POINT OF
CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT
HAVING A RADIUS OF 560.00 FEET, A CENTRAL ANGLE OF
22°00'47" FOR A LENGTH OF 215.15 FEET TO A POINT OF
TANGENT;

THENCE N89°40'23"E ON A LINE THAT IS 40.00 NORTHERLY
OF AND PARALLEL WITH THE SOUTH LINE OF THE
SOUTHEAST QUARTER OF SAID SECTION 21, A DISTANCE
OF 348.92 FEET;

THENCE N88°38'56"E ON A LINE THAT IS 40.00 NORTHERLY
OF AND PARALLEL WITH THE SOUTH LINE OF THE
SOUTHWEST QUARTER OF SAID SECTION 22, A DISTANCE
OF
477.80 FEET TO A POINT ON THE WESTERLY BOUNDARY
LINE OF A WARRANTY DEED RECORDED UNDER
RECEPTION NO. 217111767 OF SAID RECORDS;

THENCE ALONG THE BOUNDARY OF SAID WARRANTY
DEED THE FOLLOWING SEVEN COURSES:

1. N47°35'42"E, A DISTANCE OF 44.33 FEET;
2. N36°59'01"E, A DISTANCE OF 517.38 FEET;
3. N56°32'31"E, A DISTANCE OF 489.24 FEET;
4. N38°17'19"E, A DISTANCE OF 182.67 FEET;
5. N89°41'56"E, A DISTANCE OF 1283.66 FEET;
6. S00°18'04"E, A DISTANCE OF 852.14 FEET TO A POINT ON THE
SOUTH LINE OF
THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF
SECTION 21;
7. S88°38'37"W ON SAID SOUTH LINE, A DISTANCE OF 1300.52 FEET
TO THE **POINT
OF BEGINNING.**

CONTAINING A CALCULATED AREA OF 9,891,306 SQ. FEET, OR 227.07
ACRES.

TOGETHER WITH:

PARCEL 2

BEGINNING AT THE EAST 1/16TH CORNER OF SAID SECTION 21 AND 28;

THENCE N89°40'23" ON THE NORTH LINE OF THE
NORTHEAST QUARTER OF SAID SECTION 28, A
DISTANCE OF 499.73 FEET TO A POINT ON THE
WESTERLY RIGHT OF WAY LINE OF VOLLMER ROAD AS
RECORDED IN BOOK 2678 AT PAGE 30 OF SAID
RECORDS;

THENCE S21°41'10"W ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1312.75 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28;

THENCE N00°41'17"W ON SAID WEST LINE, A DISTANCE OF 1217.12 FEET TO THE **POINT OF BEGINNING**.

CONTAINING A CALCULATED AREA OF 304,098 SQUARE FEET, OR 6.98 ACRES.

RESOLUTION NO. 18-

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVE PRELIMINARY PLAN REQUEST FOR THE RETREAT AT TIMBERRIDGE
(SP-18-002)

WHEREAS, Arroya Investments, LLC; Jacob Decoto; and TimberRidge Estates, LLC did file an application with the El Paso County Planning and Community Development Department for the approval of a Preliminary Plan for The Retreat at TimberRidge Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on October 2, 2018, upon which date the Planning Commission did by formal resolution recommend approval of the subject application with conditions and notations; and

WHEREAS, a public hearing was held by this Board on October 23, 2018; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the master plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The application was properly submitted for consideration by the Planning Commission and Board of County Commissioners.
2. Proper posting, publication and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested persons were heard at those hearings.
4. All exhibits were received into evidence.
5. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. The subdivision is consistent with the purposes of the El Paso County Land Development Code.

7. The subdivision is in conformance with the subdivision design standards and any approved sketch plan.
8. 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 statutory water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.
9. A public sewage disposal system has been established or, 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 the Land Development Code.
10. 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.W. §30-28-133(6)(c)].
11. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
12. 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 encouraging 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 therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.
13. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
14. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.

15. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
16. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
17. The proposed subdivision of land conforms to the El Paso County Zoning Resolutions.
18. For the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED that the El Paso County Board of County Commissioners of El Paso County, Colorado, hereby approves the request by Arroya Investments, LLC; Jacob Decoto; and TimberRidge Estates, LLC, for a preliminary plan of the Retreat at TimberRidge for property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference.

BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. A legal challenge to the BoCC approval of The Retreat at TimberRidge Planned Unit Development zoning is currently pending. Approval of this Preliminary Plan is contingent upon a final court order upholding the PUD zoning. Amendments to the BoCC approval or to the PUD development plan (PUD-17-003) made as part of settlement of the litigation may require submission of an application to amend the Preliminary Plan. No final plats will be recorded unless and until a final court order upholding the PUD zoning is issued and all appeal periods have lapsed.
2. Applicable school(s) and park fees shall be paid with each final plat.
3. A finding of water sufficiency shall be made with each final plat.
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, 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 species.

5. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 16-454), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
6. Development of the property shall be in accordance with the recorded PUD development plan.
The building setback along Vollmer Road for Lots 20 through 26 shall be 100 feet, as depicted on the PUD development plan.
7. Landscape plantings along Arroya Lane shall be planted by the developer at the ratio of one (1) tree per 30 feet, and a minimum of one-third (1/3) of those trees shall be evergreen trees.
8. Landscape plantings along Vollmer Road are to be planted by the developer at the ratio of one (1) tree per 25 feet, and a minimum of one-third (1/3) of those trees shall be evergreen trees.
9. The applicants shall be responsible for constructing or providing escrow toward offsite improvements to Vollmer Road in association with the appropriate final plat as identified in Table 3 of the Retreat at Timber Ridge Preliminary Plan Traffic Impact Analysis, dated April 12, 2018 (as amended).
10. The applicants shall be responsible for constructing the necessary improvements in the Sand Creek channel, as identified in the preliminary drainage reports and final drainage reports to be submitted, with the appropriate final plat(s).

NOTATIONS

1. Approval of the Preliminary Plan will expire after twelve (12) months unless a final plat has been approved and recorded or a time extension has been granted.

Preliminary plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 23rd day of October, 2018, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
President

By: _____
County Clerk & Recorder

EXHIBIT A

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF SECTION 21, 22, 27 AND 28,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH
P.M., EL PASO COUNTY, COLORADO, AND BEING
MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A LINE BETWEEN THE NORTHEAST CORNER
OF THE

NORTHWEST ONE-QUARTER
OF THE NORTHWEST ONE-
QUARTER (NW1/4 NW1/4) OF
SECTION 27 AND THE
SOUTHEAST CORNER OF THE
NORTHWEST ONE-QUARTER
OF THE SOUTHWEST ONE-
QUARTER (NW1/4 SW1/4) OF
SAID SECTION 27, TOWNSHIP
12 SOUTH, RANGE 65 WEST,
MONUMENTED AT THE
NORTHERLY END BY A 3-1/4"
ALUMINUM CAP STAMPED "2006
ESI PLS 10376" AND
MONUMENTED AT THE
SOUTHERLY END BY A 3-1/4"
ALUMINUM CAP STAMPED
"2006 ESI PLS 10376" AND IS
ASSUMED TO BEAR
S00°54'30"E, A DISTANCE OF
3925.63 FEET;

PARCEL 1

COMMENCING AT THE NORTHEAST CORNER OF THE
NORTHWEST QUARTER OF THE NORTHWEST
QUARTER OF SECTION 27, TOWNSHIP 12 SOUTH,
RANGE 65 WEST OF THE 6TH P.M., SAID POINT ALSO
BEING THE **POINT OF BEGINNING**;

THENCE S00°54'30"E ON THE EAST LINE OF THE
WEST HALF OF THE WEST HALF OF SAID SECTION
27, A DISTANCE OF 3925.63 FEET TO THE
SOUTHEAST CORNER OF THE NORTHWEST

QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 27;

THENCE S87°35'00"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 1332.78 FEET TO THE SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER;

THENCE N00°53'18"W ON THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER, A DISTANCE OF 1316.78 FEET TO THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHWEST QUARTER;

THENCE S89°08'28"W ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 28, A DISTANCE OF 1326.68 FEET TO THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER;

THENCE N00°30'49"W ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 1270.77 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF VOLLMER ROAD AS RECORDED IN BOOK 2678 AT PAGE 430 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE N21°41'10"E ON SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 1450.84 FEET TO THE POINT OF INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE AS DESCRIBED IN A DEED RECORDED IN BOOK 2678 AT PAGE 431 OF SAID COUNTY RECORDS;

THENCE ON THE SOUTHERLY, EASTERLY AND NORTHERLY RIGHT-OF-WAY LINES OF SAID DEED THE FOLLOWING FOUR COURSES:

1. N89°40'23"E, A DISTANCE OF 761.52 FEET TO A POINT ON THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28;
2. N00°52'58"W ON SAID EAST LINE, A DISTANCE OF 30.00 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 21;

3. N00°37'14"W ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 22, A DISTANCE OF 30.00 FEET;
4. S89°40'23"W, A DISTANCE OF 736.82 FEET TO THE POINT OF INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE AS DESCRIBED IN A DEED RECORDED IN BOOK 2678 AT PAGE 431 OF SAID COUNTY RECORDS;

THENCE N21°41'10"E ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 113.82 FEET;

THENCE S68°18'50"E, A DISTANCE OF 145.93 FEET TO A POINT OF CURVE;

THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 560.00 FEET, A CENTRAL ANGLE OF 22°00'47" FOR A LENGTH OF 215.15 FEET TO A POINT OF TANGENT;

THENCE N89°40'23"E ON A LINE THAT IS 40.00 NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21, A DISTANCE OF 348.92 FEET;

THENCE N88°38'56"E ON A LINE THAT IS 40.00 NORTHERLY OF AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 22, A DISTANCE OF 477.80 FEET TO A POINT ON THE WESTERLY BOUNDARY LINE OF A WARRANTY DEED RECORDED UNDER RECEPTION NO. 217111767 OF SAID RECORDS;

THENCE ALONG THE BOUNDARY OF SAID WARRANTY DEED THE FOLLOWING SEVEN COURSES:

1. N47°35'42"E, A DISTANCE OF 44.33 FEET;
2. N36°59'01"E, A DISTANCE OF 517.38 FEET;
3. N56°32'31"E, A DISTANCE OF 489.24 FEET;
4. N38°17'19"E, A DISTANCE OF 182.67 FEET;
5. N89°41'56"E, A DISTANCE OF 1283.66 FEET;

6. S00°18'04"E, A DISTANCE OF 852.14 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 21;
7. S88°38'37"W ON SAID SOUTH LINE, A DISTANCE OF 1300.52 FEET TO THE **POINT OF BEGINNING.**

CONTAINING A CALCULATED AREA OF 9,891,306 SQ. FEET, OR 227.07 ACRES.

TOGETHER WITH:

PARCEL 2

BEGINNING AT THE EAST 1/16TH CORNER OF SAID SECTION 21 AND 28;

THENCE N89°40'23" ON THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 28, A DISTANCE OF 499.73 FEET TO A POINT ON THE WESTERLY RIGHT OF WAY LINE OF VOLLMER ROAD AS RECORDED IN BOOK 2678 AT PAGE 30 OF SAID RECORDS;

THENCE S21°41'10"W ON SAID WESTERLY RIGHT OF WAY LINE, A DISTANCE OF 1312.75 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 28;

THENCE N00°41'17"W ON SAID WEST LINE, A DISTANCE OF 1217.12 FEET TO THE **POINT OF BEGINNING.**

CONTAINING A CALCULATED AREA OF 304,098 SQUARE FEET, OR 6.98 ACRES.