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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

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

**FROM: Gabe Sevigny, Planner II**  
**Beck Grimm, EI, Engineer I**  
**Craig Dossey, Executive Director**

**RE: Project File #: PUD-18-003**  
**Project Name: Rollin Ridge Estates Commercial PUD**  
**Parcel Nos.: 61270-00-064 and 61270-00-065**

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
TC&C LLC Carl Turse, MM 17572 Colonial Park Drive Monument, CO 80132	PJ Anderson 31 N Tejon St, Suite 500 Colorado Springs, CO 80903

**Commissioner District: 1**

Planning Commission Hearing Date:	7/2/2019
Board of County Commissioners Hearing Date	7/23/2019

**EXECUTIVE SUMMARY**

A request by TC&C, LLC, for approval of a map amendment (rezone) from the RR-5 (Residential Rural) to PUD (Planned Unit Development) zoning district. The 8.17 acre property is located at the southwest corner of the Hodgen Road and Highway 83 intersection and is within Section 27, Township 11 South, Range 66 West of the 6<sup>th</sup> P.M., El Paso County, Colorado. The subject property is located within the boundaries of the Tri-Lakes Comprehensive Plan (2000). The anticipated plan for development includes three (3) lots for future commercial development and a tract to be used for a water quality and detention pond.



This application is being reviewed concurrently with a map amendment (rezone) (P-18-001) to rezone 48.84 acres from RR-5 (Residential Rural) to RR-2.5 (Residential Rural) and a preliminary plan (SP-18-001) for 16 single-family lots, a tract for future development, and right-of-way.

There is no minimum lot size for a PUD zoning district. The development standards are established by an approved and recorded development plan. However, there are regulations in regard to the size of a lot when utilizing an on-site wastewater treatment system (OWTS). There is a request for a PUD (Planned Unit Development) modification for a waiver of this standard associated with this request.

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

**Request:** A request by TC&C, LLC, for approval of a map amendment (rezone) from the RR-5 (Residential Rural) to PUD (Planned Unit Development) zoning district.

#### **Modification of Existing El Paso County Land Development Code (2019) or Engineering Criteria Manual (ECM) Standard:**

For approval of a modification of a general development standard in the Code or standard of the ECM, the Board of County Commissioners (BoCC) shall find that the proposal provides for the general health, safety, and welfare of the citizens and at least one of the following benefits:

- Preservation of natural features;
- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
- Provision of a more efficient pedestrian system;
- Provision of additional open space;
- Provision of other public amenities not otherwise required by the Code; or
- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide

To meet the criteria above for a modification, the applicant has proposed additional right-of-way and increased setbacks from Hodgen Road. These additional setbacks increase the open space provided within the boundaries of the PUD (Planned Unit Development).

The applicant requests the following modification(s) of the Code:

A request for a waiver of Section 8.4.3(C)(2)(f)(i), which states:

“Lots which will utilize an on-site wastewater treatment system (OWTS) shall have a minimum area of 2.5 acres”

Lot 17 is proposed to be 1.5 acres, Lot 18 is proposed to be 1.6 acres, and Lot 19 is proposed to be 2.43 acres. These proposed lots are designated as commercial uses within the associated PUD Development Plan. There is no minimum lot size requirement with a PUD (Planned Unit Development). The minimum lot size is established by an approved and recorded PUD development plan. However, there are minimum lot sizes established within the Code when a lot or parcel is served by an OWTS system.

The soils and geology report that was prepared by Entech Engineering, Inc. concludes that the individual and commercial OWTS proposed for this site meets all El Paso County and State guidelines. Each lot will still have a minimum of one (1) acre of buildable area as required per Section 8.4.3(C)(2)(f)(ii) of the Code.

El Paso County Public Health (EPCPH) was sent a referral and has no opposition to the minimum lot size. However, they have placed limitations on the proposed use as a convenience store for incorporating a pressure distribution into the required design, and extensive food preparation will not be supported.

**Authorization to Sign:** PUD (Planned Unit Development) and any other documents required to finalize the approval.

## **B. PLANNING COMMISSION SUMMARY**

**Request Heard:**

**Recommendation:**

**Waiver Recommendation:**

**Vote:**

**Vote Rationale:**

**Summary of Hearing:**

**Legal Notice:**

## **C. APPROVAL CRITERIA**

The Planning Commission and BOCC shall determine that the following criteria, as identified in Section 4.2.6.D of the El Paso County Land Development Code (2019), have been met to approve a PUD zoning district:

- The proposed PUD (Planned Unit Development) district zoning advances the stated purposes set forth in this section.
- The application is in general conformity with the Master Plan;

- The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
- The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;
- The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;
- The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
- Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
- Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;
- The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;
- The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;
- The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;
- Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and
- The owner has authorized the application.

**D. LOCATION**

North: PUD (Planned Unit Development)	Residential
South: RR-5 (Residential Rural)	Vacant
East: PUD (Planned Unit Development)	Vacant
West: RR-5 (Residential Rural)	Vacant

## **E. BACKGROUND**

The property was zoned A-4 (Agricultural Farming) on January 4, 1955, when zoning was initially established for this area of the County. Due to changes to the nomenclature of the El Paso County Land Development Code, the A-4 (Farming) zoning district has been renamed as the RR-5 (Residential Rural) zoning district.

The current lot configurations of a 5.13 acre parcel and a 51.87 acre parcel were created by a boundary line adjustment (EXBL-11-001) that was deposited with the El Paso County Clerk and Recorder in 2011. However, the current configuration is subject to change, pending approval of a concurrent application for a preliminary plan (SP-18-001).

There are five (5) deviation requests associated with the concurrent preliminary plan application. There is also a PUD (Planned Unit Development) modification request from Section 8.4.3(C)(2)(f)(i) of the Land Development Code (2019) for this application. This modification request, as discussed above, is for lots less than the minimum lot size requirement of 2.5 acres when the development proposes onsite wastewater treatment system (OWTS).

The applicant is proposing to create one (1) tract for water quality and detention, and three (3) lots to be used for commercial purposes. The applicant is proposing the following commercial uses within the PUD boundary: bakery retail, barber or beauty shop, car wash, child care center, convenience store or gas station, educational institution, financial institution, philanthropic institution, laundromat, liquor store, nursery retail, general office, public building, park or open space, religious institution, restaurant, store, or studio.

## **F. ANALYSIS**

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

The PUD development plan and development guidelines comply with Section 4.2.6 of the El Paso County Land Development Code (2019), except as otherwise altered by the requested PUD modification. This application meets the Planned Unit Development submittal requirements and the standards for a Planned Unit Development in Chapter 4 of the Code.

Section 4.2.6.D of the Code, Criteria for Approval for a PUD, includes a requirement for compatibility by stating, “the proposed development provides adequate consideration for any potentially detrimental use to use relationships and provides an appropriate transition or buffering between uses of differing intensities both on site and off site which may include innovative treatments of use to use relationships.” Additional requirements cited in Section 4.2.6.D of the Code state, “the subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on neighboring properties...”

The applicant is proposing to taper the density in a general pattern from five (5) acres lots to the west and south to the proposed concurrent application for a map amendment for two and one-half (2.5) acres lots. The applicant is also proposing heavy landscape screening and the required fifteen (15) foot landscape buffer between the boundary of the PUD (Planned Unit Development) and the proposed RR-2.5 (Residential Rural) zoning district to the west and south.

## **2. Zoning Compliance**

The PUD Development Plan provides allowed and permitted uses; use, density, and dimensional standards such as setbacks, maximum lot coverage, and maximum building height; and it establishes 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 6.1.5-*** Support the development of well-planned mixed used projects which promote all, or most, of the following objectives:

- Maximize the economy and efficiency of land use
- Preserve open space or natural areas
- Integrate employment, housing, shopping, schools, and other use
- Accommodate multi-modal transportation linkages
- Allow for variations in design and character

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

***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.

***Policy 6.2.7-*** Utilize the PUD (Planned Unit Development) zone district approach to allow for the accommodation of neighborhood-oriented design features.

The applicant is proposing a concurrent map amendment (rezoning) to RR-2.5 (Residential Rural) for property directly adjacent to the subject property to the south, west and southwest, which is adjacent to RR-5 (Residential Rural) zoning to the west and south and Planned Unit Development (PUD) to the north and east.

Within one (1) mile of the subject property is additional RR-2.5 (Residential Rural) zoned property in the Jackson Ranch development, and within two (2) miles of the subject property are higher density zoning districts of RR-0.5 (Residential Rural) in the Walden III Subdivision and RS-2000 (Residential Suburban) in the Pleasant View Subdivision.

This PUD (Planned Unit Development) application along with the concurrent application for a preliminary plan and a map amendment (rezone) collectively comprise a mixed use development that promotes the efficiency of land use, preserving open space, and which integrates employment, housing, and shopping.

The development of these parcels pursuant to the RR-2.5 (Rural Residential) zoning district and the proposed PUD (Planned Unit Development) is a logical extension and density transition from the existing development in this area and is compatible in terms of uses and densities.

#### **4. Small Area Plan Analysis**

The subject property is located within the Tri-Lakes Comprehensive Plan (2000). The Plan states, "The primary purpose of this Plan is to function as the overall guidance document of the County Master Plan for the Tri-Lakes Planning Area. It should be relied on by the Planning Commission and the Board of County Commissioners for guidance, direction and expectations concerning broader land use planning issues including growth management, compatibility, land use equity, property rights, and service standards." (page 4) Relevant policies from the Plan include the following:

**Policy 7.1.7** *Encourage well planned commercial and office park development that incorporates unified site design and traffic circulation planning. Conversely, discourage strip-type commercial and office development that has adjoining parking lots.*

**Policy 7.1.9** *Carefully consider the environmental, visual, economic, and land use impacts of new development and, where possible, incorporate, mitigate, and buffer or visually screen adjacent land uses that differ in type and density.*

**Policy 7.1.10** *Carefully consider the impacts of new development on the integrity and carrying capacity of the roadway system.*

**Policy 7.1.12** *Recognize SH-83 as a major north-south corridor and support land uses that do not cause traffic impedance, deceleration, or delays, as outlined in the Transportation Section.*

**Policy 7.1.13** *Carefully consider land uses in or near transitional zones to ensure the orderly progression between uses of differing types and densities.*

**Policy 7.1.17** *Support implementation of landscaped buffers and/or mutually-agreed upon transitional uses between zones of differing land uses and densities. This might address differing uses such as a proposed industrial, office or commercial use locating adjacent to an established residential subdivision, and/or differing residential densities.*

The proposed PUD (Planned Unit Development) along with the concurrent preliminary plan include a proposed one-hundred (100) foot “no build” area along the south boundary line and a seventy-five (75) foot “no build” area along the west boundary line to provide a transitional zone from the higher density proposed as one (1) dwelling unit per 2.5 acres from the one (1) dwelling unit per 5 acres. The PUD (Planned Unit Development) is proposing a landscape buffer of 15 feet between the residential uses and the commercial uses. The proposed buffer is internal, which means that it is proposed to provide separation between the commercial and residential uses within the development.

The proposed PUD development plan identifies one lot for a convenience store and the other two lots as planned for three structures with parking is provided for each use, and an in-line retail center with shared parking. The deviations for the roadway system have been approved by the engineering staff for classification of certain roads, and spacing of access locations. The deviations are discussed with the concurrent application for a preliminary plan (SP-18-001).

The proposed PUD (Planned Unit Development) is in compliance with the Tri-Lakes Comprehensive Plan (2000)

## **5. Other Master Plan Elements**

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

The Master Plan for Mineral Extraction (1996) identifies potential Stream Terrace deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

No hazards outside the potential wildlife impact were identified in the review of this application, nor the concurrent map amendment (Rezone) and preliminary plan applications.

### **2. Wildlife**

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

### **3. Floodplain**

FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0285G shows the property lies within the zone X area, which is determined to be outside the 500-year floodplain.

### **4. Drainage and Erosion**

The property is located primarily within the West Cherry Creek (CYCY0400) drainage basin; however, the southwest corner of the site is located within the Smith Creek (FOMO40000) drainage basin. The West Cherry Creek drainage basin is an unstudied and no fee basin. Although the Smith Creek drainage basin is a fee basin, no drainage or bridge fees are required for a map amendment (rezone).

A preliminary drainage report is included with the concurrently reviewed preliminary plan application (SP 18-001). The preliminary drainage report provides hydrologic analysis to identify and mitigate impacts to the surrounding properties. No public drainage improvements will be required.

### **5. Transportation**

The proposed access to the site is located on Hodgen Road and the proposed Cherry Crossing Drive. All proposed roads will be public and dedicated to El Paso County for maintenance. A traffic impact study is included with the concurrently reviewed preliminary plan application (SP 18-001). The traffic impact study concluded that the Level of Service (LOS) for the intersection of Hodgen Road and Cherry Crossing Drive will be at an LOS D or better. Public roadway improvements to Hodgen Road include auxiliary turn lanes.

Rollin Ridge subdivision is subject to the El Paso County Road Impact Fee Program (Resolution 18-471), as amended.

## **H. SERVICES**

### **1. Water**

Sufficiency: N/A

Quality: N/A

Quantity: N/A

Dependability: N/A

Attorney's summary: A finding of sufficiency is not required with PUD requests. However, a finding of sufficiency was requested with the concurrent preliminary plan. The County Attorney and the State Water Engineer have provided findings of sufficiency for water quantity and dependability with the concurrent application for a preliminary plan (SP-18-1).

### **2. Sanitation**

Wastewater disposal will be provided via onsite wastewater treatment systems (OWTS). During the platting process, the burden of proof is on the applicant to demonstrate that the proposed subdivision meets the requirements of the Code, specifically Section 8.4.8, Wastewater Disposal.

The applicant has requested a waiver of the minimum lot size of 2.5 acres when being serviced by an OWTS. The three (3) lots within the proposed PUD (Planned Unit Development) have a minimum of one (1) acre of buildable area, and El Paso County Public Health (EPCPH) has no objection to the use of OWTS on the proposed undersized lots.

### **3. Emergency Services**

The property is within the Donald Wescott Fire Protection District. The District was sent a referral but no comments were received. There is a letter of commitment from the District dated December 15, 2017, for Rollin Ridge Estates and Rollin Ridge Office/Commercial Center.

### **4. Utilities**

Mountain View Electric Association will provide electrical service and natural gas service will be provided by Black Hills Energy.

### **5. Metropolitan Districts**

The property is not within a metropolitan district.

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

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

## **7. Schools**

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

## **I. APPLICABLE RESOLUTIONS**

Approval            Page 29

Disapproval        Page 30

## **J. STATUS OF MAJOR ISSUES**

There are no major outstanding issues with this application.

## **K. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 4.2.6 of the El Paso County Land Development Code (2019) staff recommends the following conditions and notations:

### **CONDITIONS**

1. Development of the property shall be in accordance with the associated PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act,

particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.

## **NOTATIONS**

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

## **L. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified fifteen (15) adjoining property owners on June 13, 2019, for the Planning Commission meeting. Responses will be provided at the hearing.

## **M. ATTACHMENTS**

Vicinity Map  
Letter of Intent  
Development Plan

# El Paso County Parcel Information

P-18-001

File Name: SP-18-001/PUD-18-003

Zone Map No. --

PARCEL	NAME
6127000064	TC&C LLC
6127000065	TC&C LLC

Date: June 7, 2019

ADDRESS	CITY	STATE	ZIP	ZIPLUS
17572 COLONIAL PARK DR	MONUMENT	CO	80132	2209
17572 COLONIAL PARK DR	MONUMENT	CO	80132	2209



Please report any parcel discrepancies to:  
 El Paso County Assessor  
 1675 W. Garden of the Gods Rd.  
 Colorado Springs, CO 80907  
 (719) 520-6600



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**ROLLING RIDGE  
LETTER OF INTENT  
ZONE CHANGE RR-5 TO PUD**

**Owners/Applicants:** TC&C, LLC  
Carl Turse, Managing Member  
17572 Colonial Park Drive, Monument, Colorado 80132

**Consultants:** Land Resource Associates  
David Jones  
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(719) 684-8413

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(719) 331-2732  
Email: [pja5713@gmail.com](mailto:pja5713@gmail.com)

**Engineering:** JPS Engineering  
19 East Willamette Avenue  
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Entech Engineering, Inc.  
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Colorado Springs, Colorado 80907  
(719) 531-5238

ERO Resources Corporation  
1842 Clarkson Street  
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(303) 830-1188

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Petrock & Fendel, PC  
700 17<sup>th</sup> Street, Suite 1800  
Denver, Colorado 80202  
(303) 534-0702

**Letter of Intent**  
**Page 2 of 8**

**Site Location:** Southwest corner of Colorado Highway 83 and Hodgen Road. El Paso County Tax Schedule Nos. 61270-00-064 & 61270-00-065. Addresses: 16390 Highway 83 and 3285 Hodgen Road, Colorado Springs, CO 80921

**Request:** Request by TC&C, LLC for approval of a change of zoning from RR-5 to PUD on 8.17 acres (collectively the "Property").

**Site and Plan Information/Justification for Request:**

The proposed rezoning is consistent with the goals and objectives set forth in the 2000 Tri-Lakes Comprehensive Plan and the 1987 Black Forest Preservation Plan Update. In addition, there has been a significant change in circumstances since the original zoning of this property as well as the dates of the two Comprehensive Plans.

**South and West:** The land to the south and west contains 48.84 acres and is owned by the Applicant.

**North:** The land to the north, Cherry Creek Crossing, is zoned PUD and contains 110 2.5 acre residential lots and PUD commercial. The properties are separated by the 180' wide Hodgen Road right of way minimizing adjoining impacts. In addition, the adjoining land uses are similar to those proposed, requiring no impact mitigation.

**East:** There is a 40 acre PUD privately owned open space parcel separated from the Property by the 180 foot wide Highway 83 right of way. Because of the elevated Highway 83 and lower topography, the Property is not visible from the majority of the 40 acres. In addition, the open space land use is not incompatible with the proposed RR-2.5 land uses.

The 8.17 acres will be subject to a comprehensive set of Covenants, Conditions and Restrictions and an owners' association. Among other things, the owners' association will be responsible for ensuring compliance with the plan for augmentation for use of the Dawson aquifer groundwater.

**RR-5 to PUD.** As noted above, the Tri-Lakes Comprehensive Plan indicates the northeast portion of the Property as: "potential location for commercial uses which are specifically geared toward the needs of local residents." The Plan recommends coordination with the land use policies of the Black Forest Preservation Plan which also suggests commercial nodes along Highway 83 at the intersection of Hodgen Road and State Highway 83. In addition to the buffering/mitigation objective cited above, the Plan objectives applicable to this PUD request, are:

*“Encourage well planned commercial and office park development that incorporates unified site design and traffic circulation planning. Conversely, discourage strip-type commercial and office development that has adjoining parking lots.” Objective 7.1.7, p. 70*

*“Carefully consider the impacts of new development on the integrity and carrying capacity of the roadway system.” Objective 7.1.10, p. 70*

*“Recognize SH-83 as a major north-south corridor and support land uses that do not cause traffic impedance, deceleration, or delays, as outlined in the Transportation Section.” Objective 7.1.12, p. 70*

*“Discourage requests for speculative commercial zoning and land uses.” Objective 7.1.5, p. 70*

**General:** The proposed PUD contains two tracts. Tract A is a 0.76 acre parcel intended to facilitate a drainage detention facility which will handle developed flows for both the single family and office/commercial portions of the Property. Tract B is a 5.35 acre parcel planned to facilitate 35,000 square feet of mixed commercial and office uses with supporting parking and vehicular circulation. Tract B is identified on the Preliminary Plan as “Hold for Future Development”. This application includes an approval request for a PUD Development Plan illustrating:

- Building locations, heights, use and related areas
- Vehicular circulation and parking
- Pad grading and drainage
- Preliminary subdivision of lots
- Well and septic locations
- Landscape features

Upon approval of the zone change and PUD Development Plan requests and the securing of actual building tenants, the applicant will submit a final plat and Site Development Plan applications for approval. The Site Development Plan applications will include:

- Final building architecture
- Dimensional site plan
- Final grading and drainage plan
- Final utility plans
- Final grading and drainage plan
- Final landscape development plan

The final plat and Site Development Plans will be processed in accordance with standard County review processes. The intent of the PUD Development Plan is to verify the feasibility of the proposed development program.

**Buildings and Land Uses:** Tract B is intended to facilitate four buildings on three separate lots (Lots 17, 18 & 19 on PUD Development Plan). Each building includes a 5,000 square foot envelope. Lot 17 is planned for a single story structure facilitating a retail convenience store with gasoline. Lot 18 is planned for two buildings containing 10,000 square feet each in two story structures. The lower level is planned for general retail sales while the upper level is planned for professional and medical offices. Lot 19 is planned for one two story building containing 10,000 square feet. The lower level is planned for general retail sales and the upper level is planned for a mix of general retail, professional offices and medical offices. The final mix of uses will be determined by market demands and tenant requirements and will be illustrated on the Site Development Plans. The four separate structures provide a facility scale intended to avoid the appearance of a "strip center" with individual building parking areas and individual pedestrian entrances. Landscaped open spaces are spread throughout the site and total 43% of the site coverage.

**PUD Modification:** Although the same amount of buildings, parking, vehicular access and landscaped open spaces described on the PUD Development Plan could be placed on two lots rather than the three lots being proposed, thereby meeting the 2.5 acre minimum lot size for lots containing on-site wastewater systems [Section 8.4.3 (C)(2)(f)(i) of the Land Development Code], the *Soil, Geology, Geologic Hazard & Wastewater Report* prepared by Entech Engineering, Inc. concludes that the individual and commercial on-site wastewater treatment systems (OWTS) proposed for the site meet all El Paso County and State Guidelines. Therefore, modification of the Land Development Code standard, pursuant to the PUD Modification allowances contained at Section 4.2.6.(F)(2)(h) of the Code, is requested. The reasons for the modification include the facts that each of the three lots meet the minimum requirement of 1 acre of buildable area (Section 8.4.3.(C)(2)(ii)), all County and State guidelines for commercial on-site wastewater treatment systems are being met, and additional right of way for and setbacks from Hodgen Road are being provided.

**Vehicular Access, Parking and Circulation:** Two vehicular access points are provided onto Cherry Crossing Court, a 60' right of way, a County owned and maintained roadway. Cherry Crossing Court accesses Hodgen Road, a 180' County principal arterial roadway. No access to Highway 83. Interior vehicular circulation will be provided by 30' wide asphalt driveways located within 34' wide vehicular access easements. Interior driveways, as well as parking and

landscaped areas, will be maintained by the Tract B Owners' Association. Vehicular parking will be provided in accordance with the El Paso County Land Development Code requirements and will be measured on an individual building requirement basis.

**Grading and Drainage:** Tract B falls approximately 44 feet from east to west. A walkout building architectural concept has been developed in order to accommodate this significant change in grade. Buildings are single story on the uphill side of the grade and two stories on the downhill side of the grade. A side benefit of this type of architecture provides for a much more interesting and varied building façade while strengthening the non-strip center approach. Pursuant to the El Paso County Land Development Code and the Engineering Criteria Manual, permission from the Board of County Commissioners to commence grading upon approval of the Preliminary Plan is respectfully requested.

**Building Architectural Styles:** The building cluster technique, smaller building footprints, walkout building style and generous landscaped open spaces are intended to replicate and complement the surrounding community's single family residential architectural styles. Similar to residential structures, building materials will include stone, stucco and timbers. Window and door types and sizes will be residential in scale. Roofs will be pitched with overhangs and constructed of colors and materials evoking a residential character. Building foundations will be landscaped. Lighting will be integrated into the building structure. Where lighting is required for parking lot security, poles will be residential in scale and fixtures will such that the light source shall be concealed.

**Development Phasing:** The phasing of individual building construction will depend upon market demand and tenant requirements. The developer anticipates full buildout to be completed over a five to eight year period.

**Water:** Water will be provided by individual wells. A Ruling of the Referee was recently entered in Case No. 17CW3076 approving a plan for augmentation for use of Dawson aquifer groundwater for residential and commercial use for 300 years.

#### **Change in Character and Circumstances:**

Section 4.2.6 of the El Paso County Land Development Code, PUD, Planned Unit Development District, Subsection (D), sets forth criteria to be considered in approving a PUD zoning district. Of particular importance is the need to show that *"there has been a substantial change in the character of the area since the*

*land was last zoned*". The Property was zoned to what is now the RR-3 (Rural Residential District – 5 acre minimum lot size) in 1955.

Although exact population numbers are not available for this particular area, the population of El Paso County was approximately 125,000 in 1955 and had grown to 688,284 by 2017. Hodgen Road did not exist on either side of State Highway 83 in 1955. It was extended to the west of Highway 83 along the northerly boundary of the Property in 2003. Hodgen Road is now the main east/west transportation corridor in northern El Paso County with the Pikes Peak Rural Transportation Authority and El Paso County having expended more than \$30,000,000 in public funds improving this corridor from I-25 to Eastonville Road. Traffic counts from June, 2017, indicate 3,500 average daily trips on Hodgen Road west of Highway 83, 8,000 average daily trips east of Highway 83 and 10,000 average daily trips on Highway 83 bordering the easterly boundary of the Property.

In addition, the 383 acre Cherry Creek Crossing project, immediately to the north of Rolling Ridge, received PUD zoning in 1998 to include 2.5 acre parcels and commercial uses at the NW corner of Hodgen Road and State Highway 83. Also in 1988, the 40 acre Dancing Wolf Estates project at the NE corner of Hodgen and State Highway 83 received PUD zoning for 2.5 acre parcels and commercial use.

**Criteria for Approval – Land Development Code Section 4.2.6.(A):**

- *To further the public health, safety and general welfare within El Paso County.* For the reasons stated above, this objective has been met.
- *To permit adjustment to changing public and private needs and to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs.* As cited in the above section, Change in Character and Circumstances, there have been major changes in the area resulting in changing public and private needs. The PUD, with the proposed architectural styles, building materials, pitched roofs, modern lighting technics, and landscaped open spaces, are meeting the changing needs in a compatible and effective manner.
- *To improve the design, character and quality of new development with flexibility by varying lot size, building heights, setback controls and other development requirements.* For the above reasons, including the extent of the landscaped open spaces and the utilization of the significant change in grade by providing more interesting and varied building facades, this objective has been met.
- *To encourage innovations in residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings.*

- *including mixed use and traditional neighborhood design and by the conservation and more efficient use of open space ancillary to said buildings.* For the above reasons, the applicable portions of this objective have been met.
- *To encourage more efficient use of land services reflecting changes in the technologies and economies of land development.* The location of this commercial subdivision at the immediate intersection of two major arterial roadways and the rezoning to a PUD with its development guidelines are reflective of an efficient and economic use of the land.
- *To provide housing of all types and designs to be located in proximity to employment and activity centers such as shopping, recreational, and community centers, healthcare facilities, and public transit.* Not applicable to this request.
- *To achieve development economies to minimize impacts on existing infrastructure and to encourage the most efficient use of public infrastructure while limiting the costs of providing services and to reduce the burden on existing streets and utilities by more efficient development.* Public infrastructure, including electric, gas and telephone, is already adjacent to the subdivision. The availability of neighborhood commercial uses to the surrounding area will reduce the amount of traffic and burden on existing streets and highways.
- *To promote layout, design and construction of development that is sensitive to the natural land form and environmental conditions of the immediate and surrounding area, including scenic vistas, natural features and environmental resources.* For the numerous reasons cited above, these objectives have been met.
- *To ensure that provision is made for beneficial open space, to provide for active, usable open spaces, and to preserve open areas.* Although this objective is somewhat difficult to meet on such a small parcel, landscaped open spaces are spread throughout the site and total 43% of the site coverage.
- *To encourage integrated planning systems to achieve the objectives of and to otherwise implement the stated purpose and intent of this Code and Master Plans.* For the reasons stated above and those contained in the project's extensive submittal documents and reports, this objective has been met.
- *To create an integrated and fixed set of land use controls which allow multiple and mixed uses in one coordinated development.* Although this PUD request does not contain residential uses, a mix of multiple retail and office uses are projected. The PUD review process, with the Development Plan
-

and subsequent Site Plan and Final Plat controls/reviews, ensures a coordinated development.

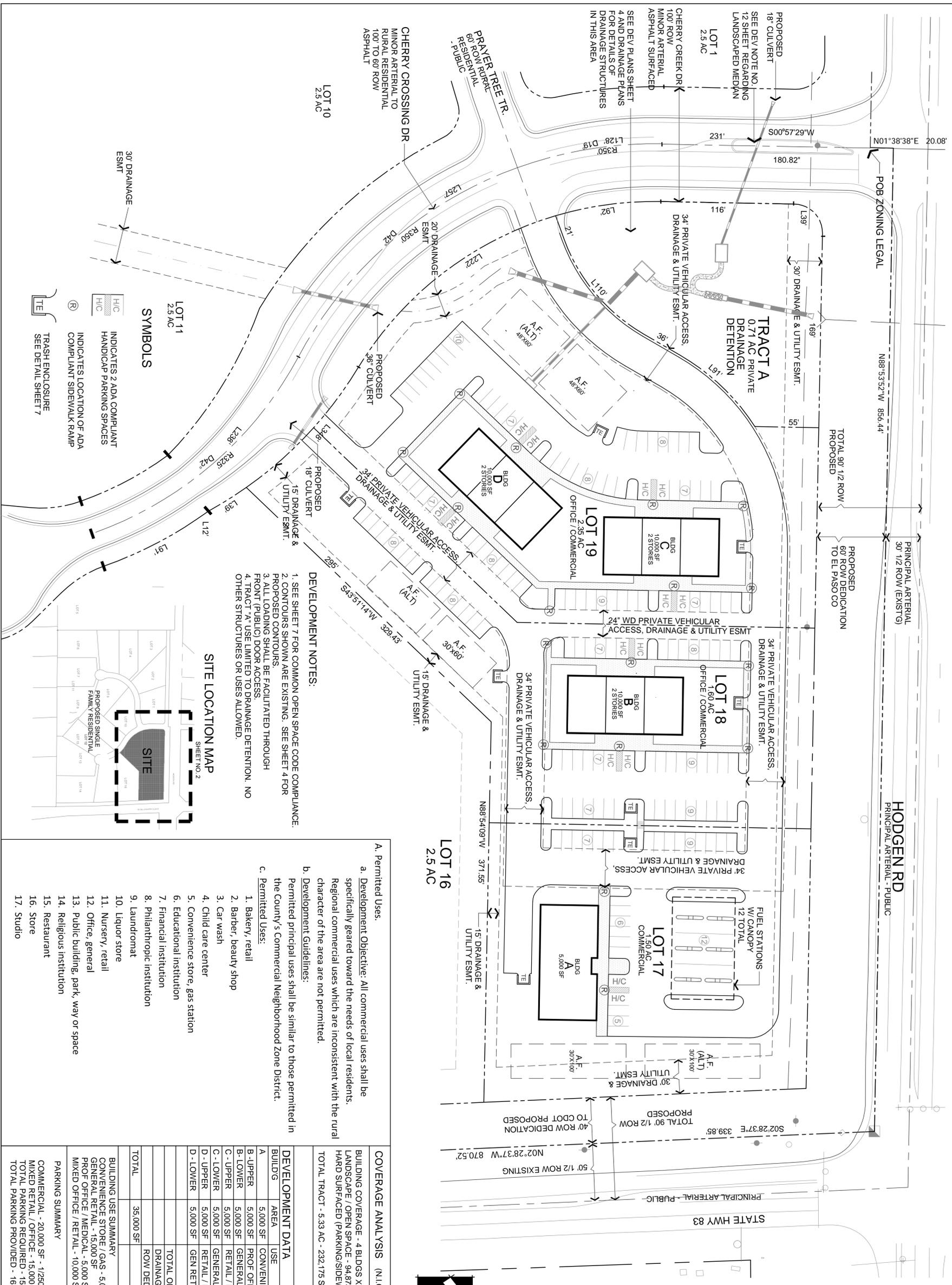
- *To establish a basis for vested property rights for multi-year projects.* The PUD provides a basis for continued reviews by the County as the project proceeds while also providing reasonable assurances to the developers of the subdivision that the plan will be allowed to proceed.

**Districts Serving the Property:**

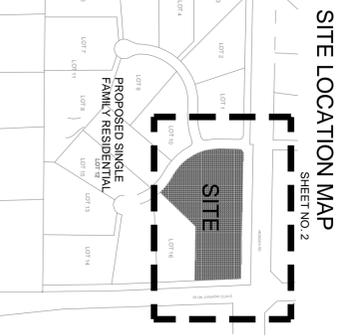
Academy School District 20  
Mountain View Electric Association  
Donald Wescott Fire Protection District  
Black Hills Energy



**SITE DEVELOPMENT PLAN  
PUD DEVELOPMENT PLANS  
ROLLIN RIDGE ESTATES COMMERCIAL CENTER**  
EL PASO COUNTY, COLORADO  
TC & C, LLC 17572 COLONIAL PARK DRIVE MONUMENT, CO 80132-2209



- DEVELOPMENT NOTES:**
1. SEE SHEET 7 FOR COMMON OPEN SPACE CODE COMPLIANCE.
  2. CONTOURS SHOWN ARE EXISTING. SEE SHEET 4 FOR PROPOSED CONTOURS.
  3. ALL LOADING SHALL BE FACILITATED THROUGH FRONT (PUBLIC) DOOR ACCESS.
  4. TRACT "A" USE LIMITED TO DRAINAGE DETENTION. NO OTHER STRUCTURES OR USES ALLOWED.



- SYMBOLS**
- H/C INDICATES 2 ADA COMPLIANT HANDICAP PARKING SPACES
  - HC INDICATES LOCATION OF ADA COMPLIANT SIDEWALK RAMP
  - TE TRASH ENCLOSURE SEE DETAIL SHEET 7

**B. Architectural Styles and Building Heights**

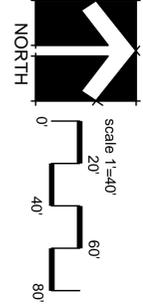
a. **Development Objectives:** Encourage creative planning to preserve the rural character of the area. Encourage creative site planning to ensure that structures will enhance rather than compete with, detract from or dominate their surroundings. Encourage the use of topography, roadway design, lot orientation, and site planning to limit the visual impact of development as viewed from SH-83.

b. **Development Guidelines:** The Rollin Ridge Site Development Plan, incorporated herein by reference, sets forth a detailed lot layout, building locations, setbacks and related site information. The building cluster technique, utilizing smaller building footprints, walkout building styles and generous landscaped open spaces, are intended to replicate and complement the surrounding community's single family residential architectural styles. Tract B falls approximately 44 feet from east to west. A walkout building architectural concept has been developed in order to accommodate this significant change in grade. Buildings are single story on the uphill side of the grade and two stories on the downhill side of the grade. A side benefit of this type of architecture provides for a much more interesting and varied building facade while strengthening the non-strip center approach. Similar to residential structures, building material will include stone, stucco and timbers. Window and door type and sizes will be residential in scale. Roofs will be pitched with overhangs and constructed of colors and materials evoking a residential character. Building foundations will be landscaped. Lighting will be integrated into the building structure. Where lighting is required for parking lot security, poles will be residential in scale and fixtures will be such that the light source will be concealed.

**D. Vehicular Access, Parking and Circulation.**

a. **Development Objectives:** Preserve SH-83 and Hodgen Road as limited access major arterials.

b. **Development Guidelines:** Two vehicular access points are provided onto Cherry Crossing Court, a 60' County owned and maintained right of way. Cherry Crossing Court accesses Hodgen Road, a 180' County principal arterial roadway. No access to SH-83 is planned. Interior vehicular circulation will be provided by 30' wide asphalt driveways located within 34' wide vehicular access easements. Interior driveways will be maintained by the Tract B Owners' Association. Vehicular parking will be provided in accordance with the El Paso County Land Development Code requirement and will be measured on an individual building requirement basis.



- LOT 16 2.5 AC**
- A. Permitted Uses:**
- a. **Development Objective:** All commercial uses shall be specifically geared toward the needs of local residents. Regional commercial uses which are inconsistent with the rural character of the area are not permitted.
  - b. **Development Guidelines:** Permitted principal uses shall be similar to those permitted in the County's Commercial Neighborhood Zone District.
  - c. **Permitted Uses:**
    1. Bakery, retail
    2. Barber, beauty shop
    3. Car wash
    4. Child care center
    5. Convenience store, gas station
    6. Educational institution
    7. Financial institution
    8. Philanthropic institution
    9. Laundromat
    10. Liquor store
    11. Nursery, retail
    12. Office, general
    13. Public building, park, way or space
    14. Religious institution
    15. Restaurant
    16. Store
    17. Studio

**COVERAGE ANALYSIS (N.I.C. TRACT A - DRAINAGE DETENTION)**

BUILDING COVERAGE - 4 BLDGS X 5,000 SF = 20,000 SF (9%)  
 LANDSCAPE / OPEN SPACE - 94,873 SF (41%)  
 HARD SURFACED (PARKING/SIDEWALK) - 117,302 SF (50%)  
 TOTAL TRACT - 5.33 AC - 232,175 SF (100%)

DEVELOPMENT DATA		
BUILDG	AREA	USE
A	5,000 SF	CONVENIENCE STORE/ GAS
B	5,000 SF	PROF OFFICE / MEDICAL
B-LOWER	5,000 SF	GENERAL RETAIL
C-UPPER	5,000 SF	RETAIL / PROF OFFICE
C-LOWER	5,000 SF	GENERAL RETAIL
D-UPPER	5,000 SF	RETAIL / PROF OFFICE
D-LOWER	5,000 SF	GEN RETAIL
		TOTAL OFFICE / COMM
		TRACT B
		TRACT A
		TRACT A
TOTAL	35,000 SF	8.17 AC

**BUILDING USE SUMMARY**

TOTAL SITE AREA - 237,402 SF  
 CONVENIENCE STORE / GAS - 5,000SF  
 GENERAL RETAIL - 15,000 SF  
 PROF OFFICE / MEDICAL - 5,000 SF  
 MIXED OFFICE / RETAIL - 10,000 SF

**PARKING SUMMARY**

COMMERCIAL - 20,000 SF - 1/250SF - 80 SPACES. REQUIRED  
 MIXED RETAIL / OFFICE - 15,000 SF - 1/200SF - 75 SPACES. REQUIRED  
 TOTAL PARKING REQUIRED - 155 SPACES (INCL. 8 H/C SPACES)  
 TOTAL PARKING PROVIDED - 167 SPACES (INCL. 14 H/C SPACES)

**LRA**  
LAND RESOURCE ASSOCIATES  
6796 MCJANNET RD.  
DENVER, CO 80238  
779-661-2286

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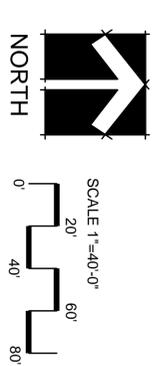
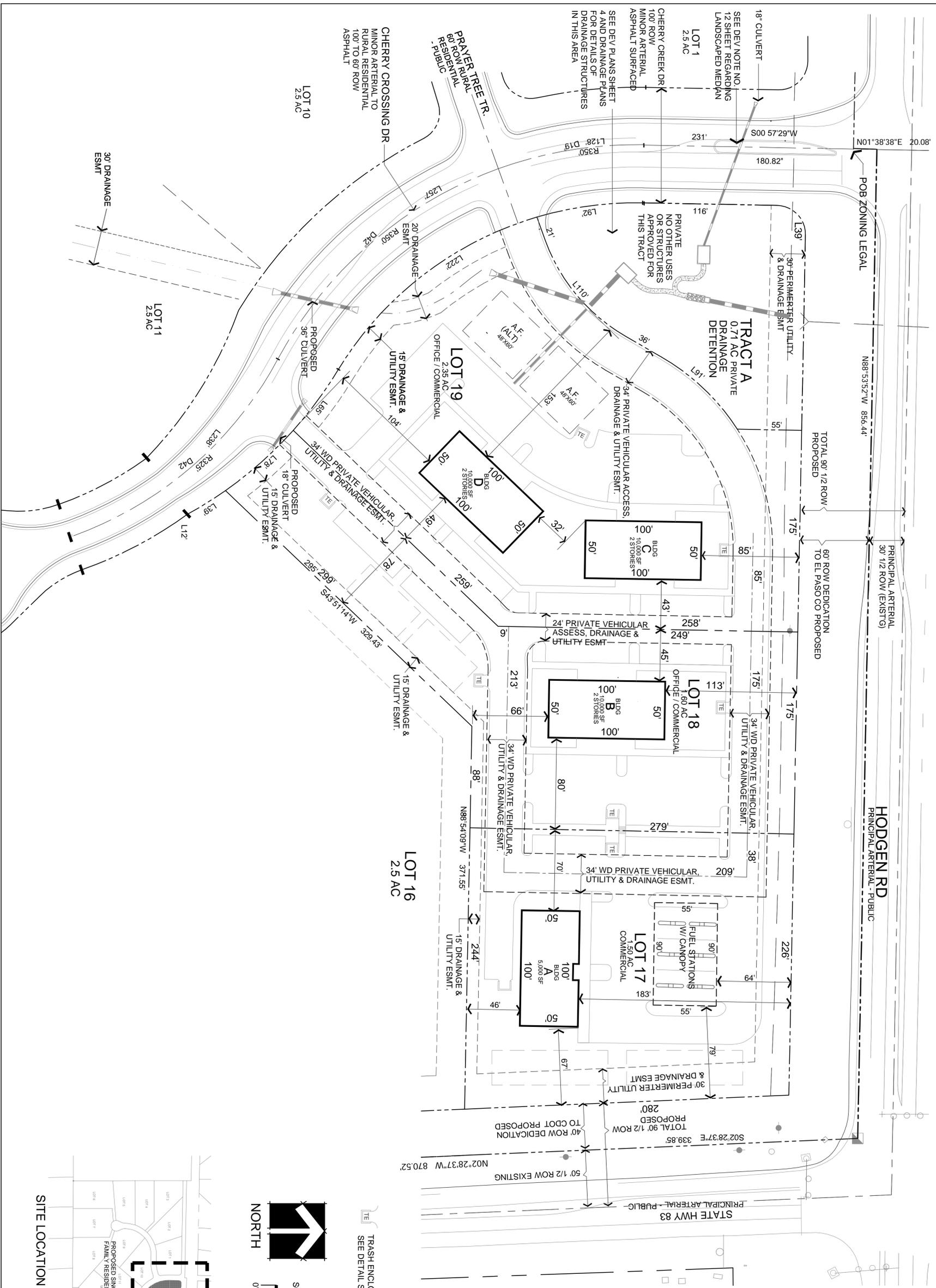
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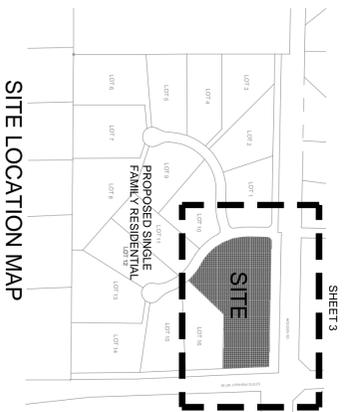
SHEET NUMBER: **2** OF SEVEN

P&CD PROJECT NO: PUD-18-003

SUBDIVISION & BLDG SETBACK PLAN  
 PUD DEVELOPMENT PLANS  
**ROLLIN RIDGE ESTATES COMMERCIAL CENTER**  
 TC & C, LLC EL PASO COUNTY, COLORADO  
 17572 COLONIAL PARK DRIVE MONUMENT, CO 80132-2209



☒ TRASH ENCLOSURE  
 SEE DETAIL SHEET 7

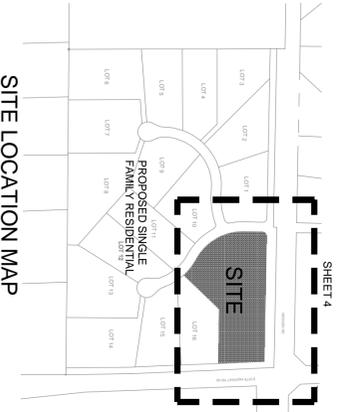
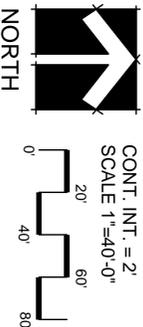
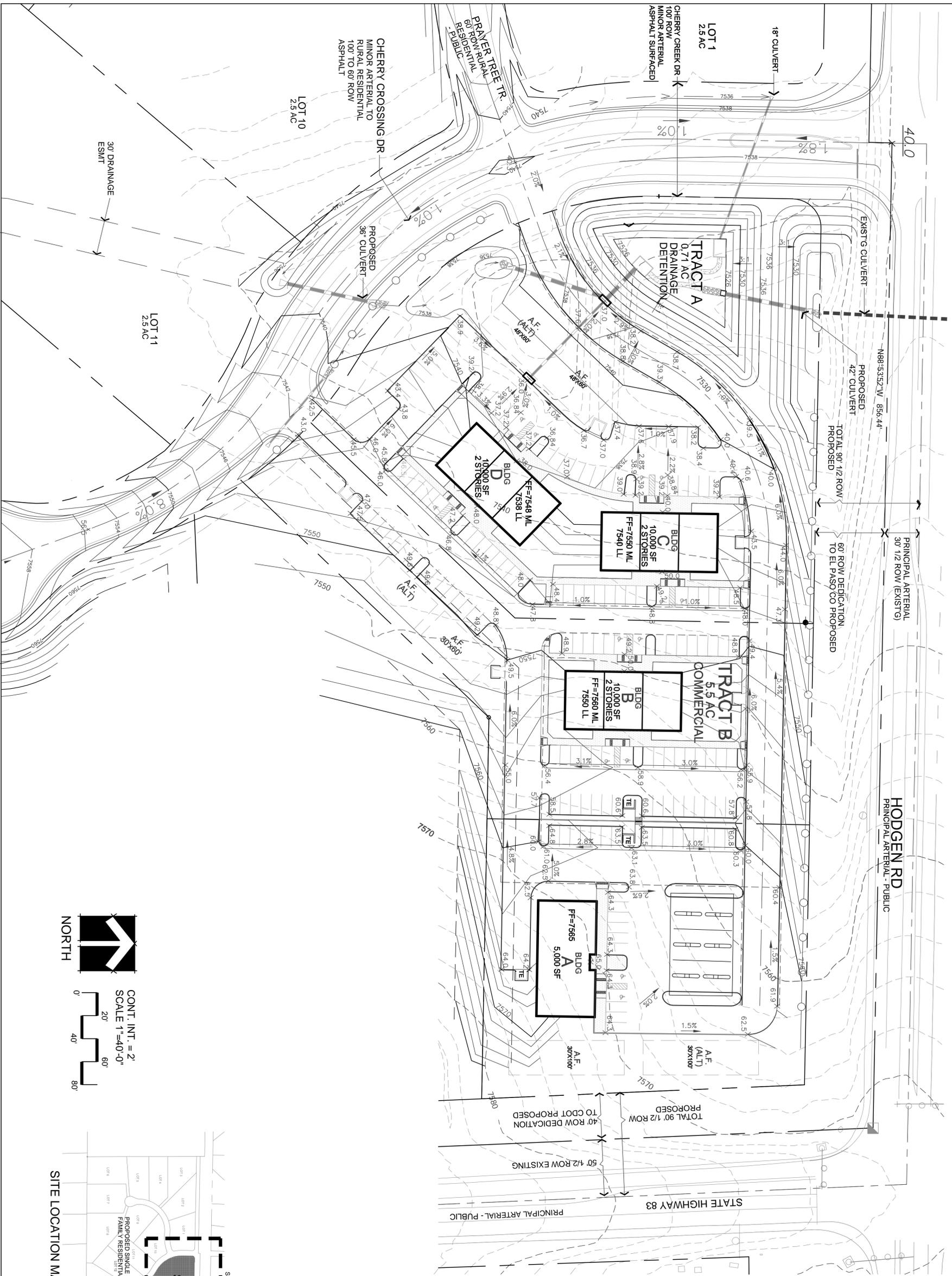


**LRA**  
 LAND RESOURCE ASSOCIATES  
 6726 MCJANNET RD.  
 FORT COLLINS, CO 80526  
 970-228-2288

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**3**  
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 PUD-18-003

**PAD GRADING PLAN**  
**PUD DEVELOPMENT PLANS**  
**ROLLIN RIDGE ESTATES COMMERCIAL CENTER**  
 EL PASO COUNTY, COLORADO  
 TC & C, LLC 17572 COLONIAL PARK DRIVE MONUMENT, CO 80132-2209



**LRA**  
 LAND RESOURCE ASSOCIATES  
 6726 MCINTYRE RD.  
 DENVER, COLORADO 80221  
 719-644-2298

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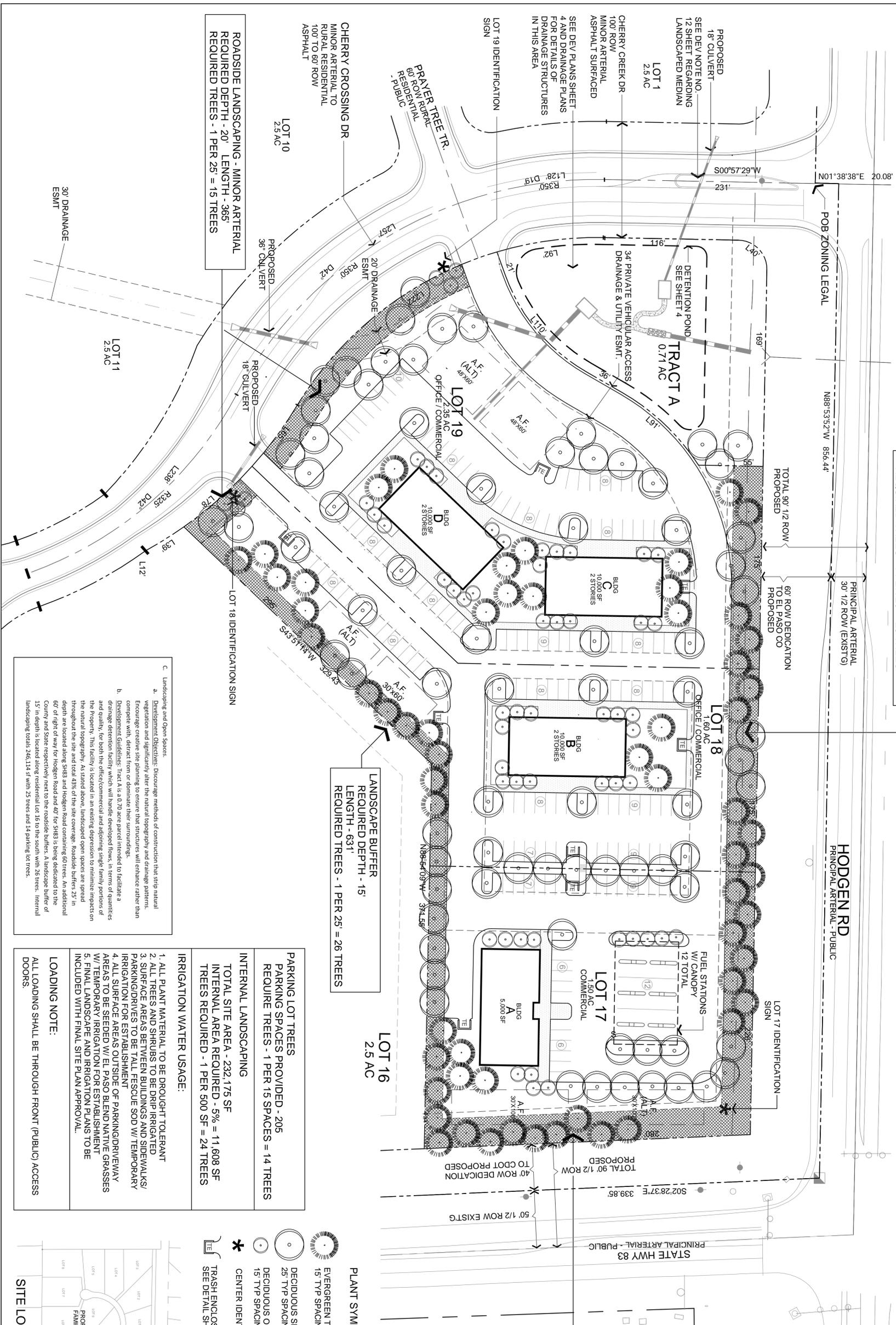
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**4**  
 OF SEVEN  
 P&CD PROJECT NO.  
 PUD-18-003



LANDSCAPE & SIGN FEATURES PLAN  
 PUD DEVELOPMENT PLANS  
 ROLLIN RIDGE ESTATES COMMERCIAL CENTER  
 EL PASO COUNTY, COLORADO  
 TC & C, LLC 17572 COLONIAL PARK DRIVE MONUMENT, CO 80132-2209

ROADSIDE LANDSCAPING - PRINCIPAL ARTERIAL  
 REQUIRED DEPTH - 25' LENGTH - 575'  
 REQUIRED TREES - 1 PER 20' = 29 TREES

NOTE: CONTOURS SHOWN ARE EXISTING  
 SEE SHEET 4 FOR PROPOSED CONTOURS



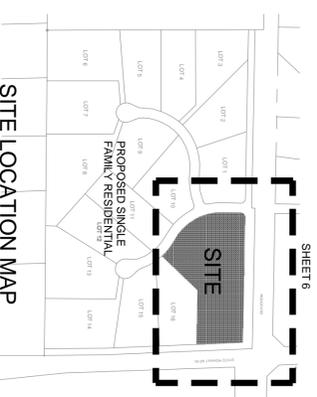
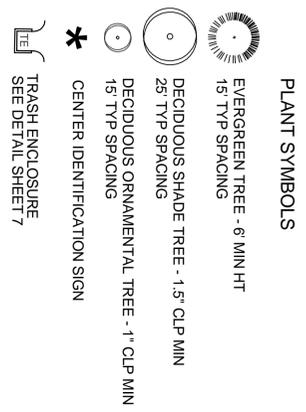
ROADSIDE LANDSCAPING - PRINCIPAL ARTERIAL  
 REQUIRED DEPTH - 25'  
 LENGTH - 280'  
 REQUIRED TREES - 1 PER 20' = 14 TREES

LANDSCAPE BUFFER  
 REQUIRED DEPTH - 15'  
 LENGTH - 631'  
 REQUIRED TREES - 1 PER 25' = 26 TREES

ROADSIDE LANDSCAPING - MINOR ARTERIAL  
 REQUIRED DEPTH - 20' LENGTH - 365'  
 REQUIRED TREES - 1 PER 25' = 15 TREES

- C. Landscaping and Open Spaces.
- Development Objectives: Discourage methods of construction that strip natural vegetation and significantly alter the natural topography and drainage patterns. Encourage creative site planning to ensure that structures will enhance rather than compete with, detract from or dominate their surroundings.
  - Development Guidelines: Tract A is a 0.70 acre parcel intended to facilitate a drainage detention facility which will handle developed flows, in terms of quantities and quality, for both the office/commercial and adjoining single family portions of the property. This facility is located in an existing depression to minimize impacts on the natural topography. As stated above, landscaped open spaces are spread throughout the site and total 43% of the site coverage. Roadside buffers 25' in depth are located along SH83 and Hodgen road containing 60 trees. An additional 60' of rights of way for Hodgen road and 40' for SH83 is being dedicated to the County and State respectively, next to the roadside buffers. A landscape buffer of 15' in depth is located along residential lot 16 to the south with 26 trees. Internal landscaping totals 246,114 sq ft with 25 trees and 14 parking lot trees.

- IRRIGATION WATER USAGE:**
- 1. ALL PLANT MATERIAL TO BE DROUGHT TOLERANT
  - 2. ALL TREES AND SHRUBS TO BE DRIP IRRIGATED
  - 3. SURFACE AREAS BETWEEN BUILDINGS AND SIDEWALKS/ PARKING/DRIVES TO BE TALL FESCUE SOD W/ TEMPORARY IRRIGATION FOR ESTABLISHMENT
  - 4. ALL SURFACE AREAS OUTSIDE OF PARKING/DRIVEWAY AREAS TO BE SEEDED W/ EL PASO BLENDED NATIVE GRASSES W/ TEMPORARY IRRIGATION FOR ESTABLISHMENT
  - 5. FINAL LANDSCAPE AND IRRIGATION PLANS TO BE INCLUDED WITH FINAL SITE PLAN APPROVAL.
- LOADING NOTE:**  
 ALL LOADING SHALL BE THROUGH FRONT (PUBLIC) ACCESS DOORS.
- PARKING LOT TREES**  
 PARKING SPACES PROVIDED - 205  
 REQUIRE TREES - 1 PER 15 SPACES = 14 TREES
- INTERNAL LANDSCAPING**  
 TOTAL SITE AREA - 232,175 SF  
 INTERNAL AREA REQUIRED - 5% = 11,608 SF  
 TREES REQUIRED - 1 PER 500 SF = 24 TREES



**LRA**  
 LAND RESOURCE ASSOCIATES  
 6726 MCINTYRE RD.  
 DENVER, CO 80238  
 719-644-2288

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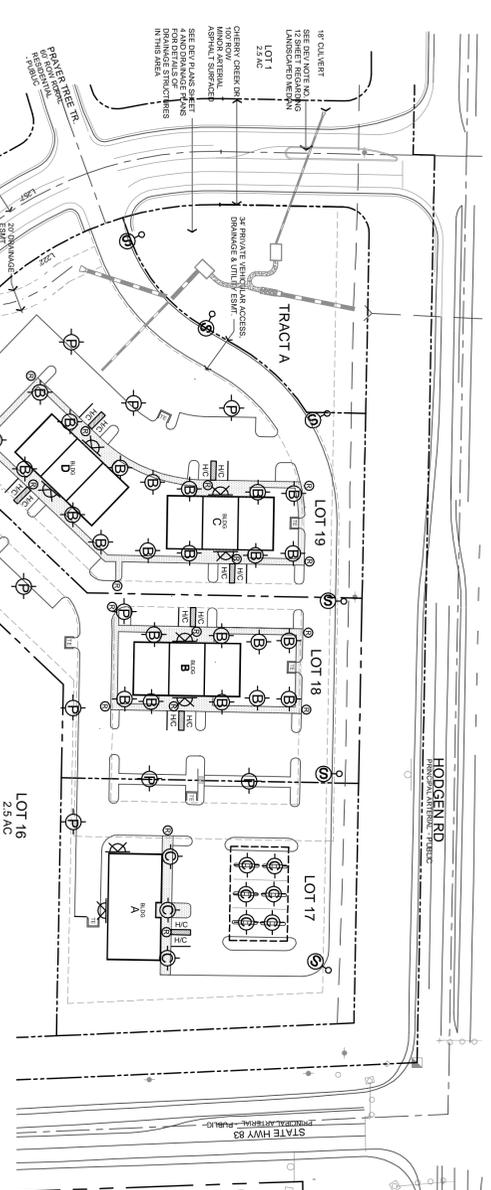
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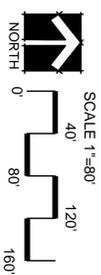
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 PUD-18-003

**SITE FEATURES PLAN  
PUD DEVELOPMENT PLANS  
ROLLIN RIDGE ESTATES COMMERCIAL CENTER**

TC & C, LLC 17572 COLONIAL PARK DRIVE MONUMENT, CO 80132-2209



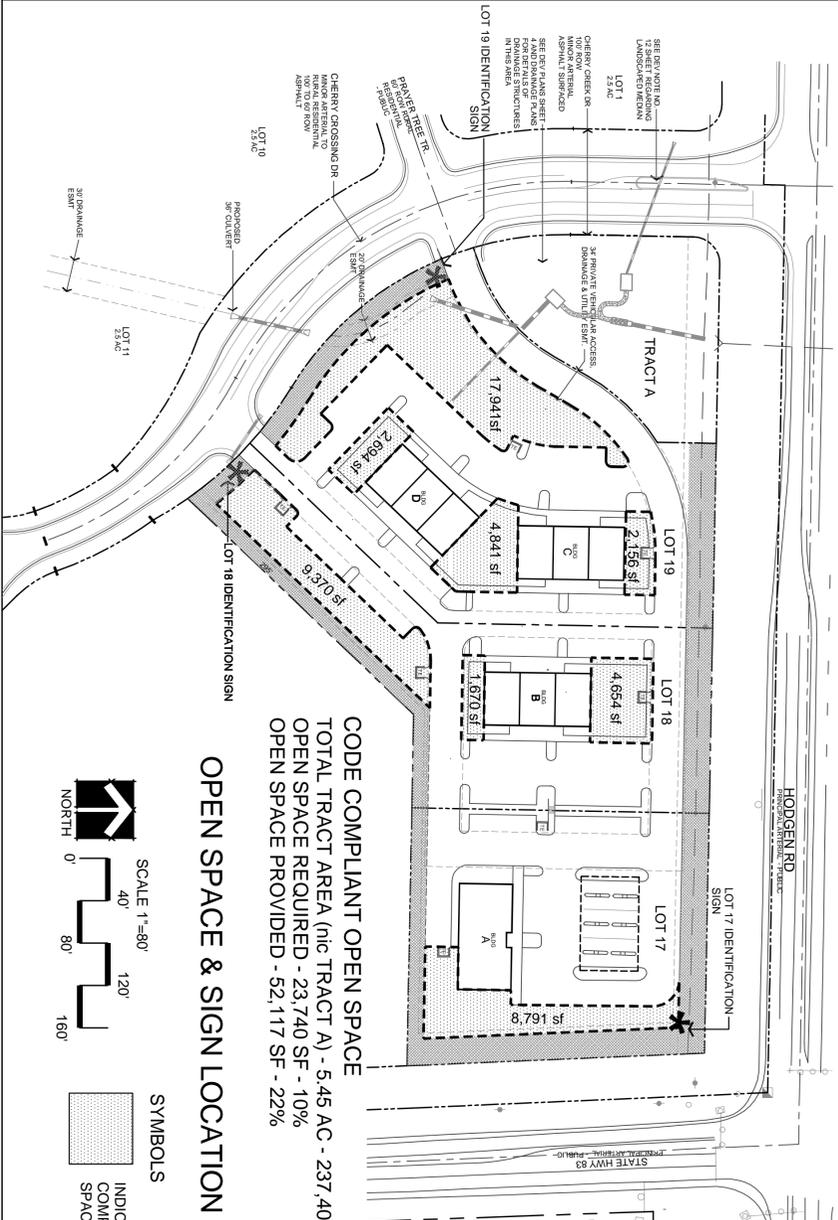
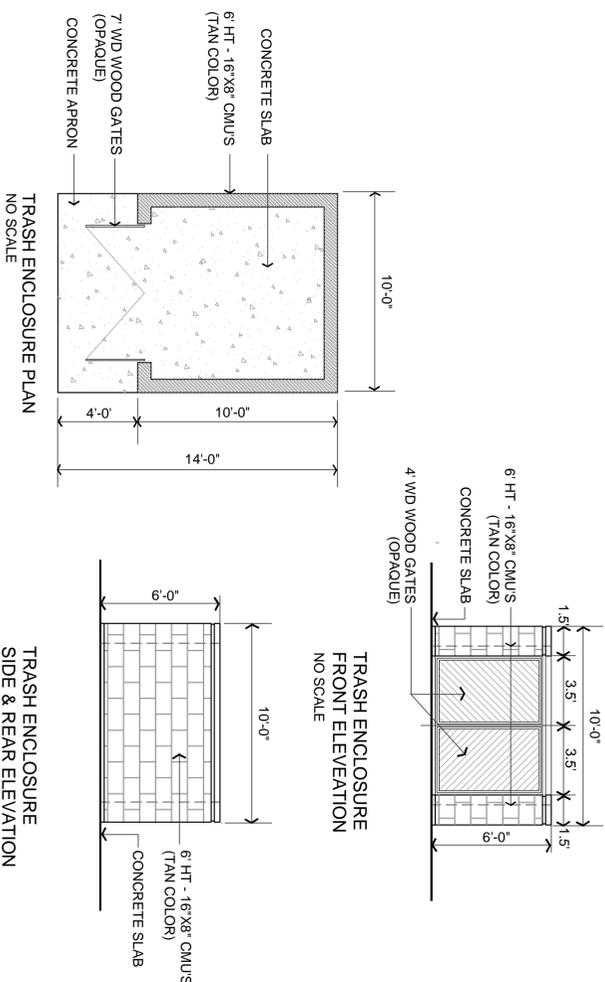
**SITE LIGHTING & ADA COMPLIANCE FEATURES PLAN**



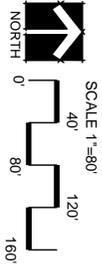
- INDICATES ADA PEDESTRIAN ROUTE
- INDICATES ADA COMPLIANT HANDICAP PARKING SPACES
- INDICATES ADA COMPLIANT SIDEWALK RAMP
- INDICATES PARKING LOT LIGHT 15' HT - 10 FOOT CANDLES - FULL CUTOFF
- INDICATES STREET LIGHT 20' HT - 10 FOOT CANDLES - FULL CUTOFF
- INDICATES BUILDING MOUNTED LIGHT 10 FOOT CANDLES - FULL CUTOFF
- INDICATES CANOPY LIGHT 20 FOOT CANDLES - FULL CUTOFF
- INDICATES BOLLARD LIGHT 4' HT - 2 FIXTURES - 900 LUMENS PER FIXTURE

**SITE LIGHTING NOTES:**

1. ALL SITE LIGHTING SHALL COMPLY WITH SEC 6.2.3 OF THE LAND DEVELOPMENT CODE
2. FINAL SITE LIGHTING PLANS SHALL BE SUBMITTED WITH SITE DEVELOPMENT PLANS PRIOR TO ISSUANCE OF BUILDING PERMITS AND SHALL BE PREPARED IN ACCORDANCE WITH THE EL PASO COUNTY POLICY MANUAL.
3. LIGHT LEVELS MEASURED AT RESIDENTIAL PROPERTY LINES AND ADJACENT TO PUBLIC RIGHT-OF-WAYS SHALL NOT EXCEED 0.1 FOOT CANDLES AS A DIRECT RESULT OF THE ON SITE LIGHTING.
4. ALL LIGHT FIXTURES MOUNTED WITHIN 15' OF ANY RESIDENTIAL PROPERTY LINE SHALL BE CLASSIFIED AS IES TYPE II OR TYPE III. FIXTURES SHALL BE FITTED WITH "HOUSE SIDE" SHIELD REFLECTORS ON THE SIDES FACING THE RESIDENTIAL PROPERTY LINE.

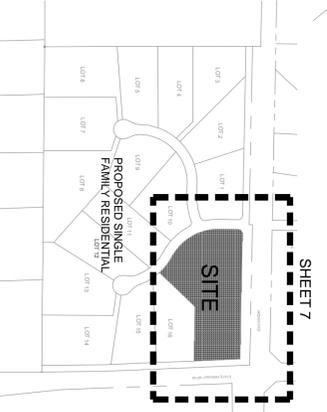
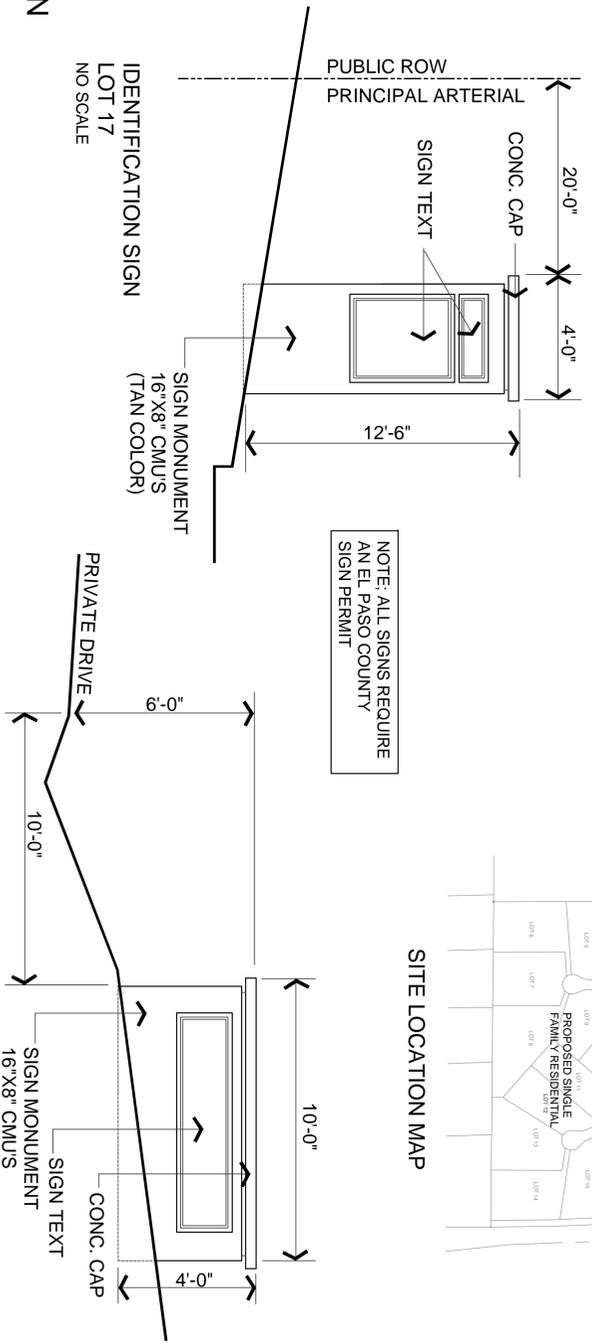


**OPEN SPACE & SIGN LOCATION PLAN**



**CODE COMPLIANT OPEN SPACE**  
 TOTAL TRACT AREA (inc TRACT A) - 5.45 AC - 237,402 SF  
 OPEN SPACE REQUIRED - 23,740 SF - 10%  
 OPEN SPACE PROVIDED - 52,117 SF - 22%

- SYMBOLS**
- INDICATES CODE COMPLIANT OPEN SPACE
  - INDICATES CODE REOD LANDSCAPE BUFFER
  - INDICATES SIGN LOCATION
  - TRASH ENCLOSURE SEE DETAIL SHEET 7



**LRA**  
 LAND RESOURCE ASSOCIATES  
 8726 MCURTAIN RD.  
 EL PASO, TEXAS 79907  
 754-644-2258

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