

# EL PASO

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# COUNTY

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

**TO: El Paso County Planning Commission**  
**Jim Egbert, Chair**

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

**RE: Project File #: PUD-17-003**  
**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  Robert Scott General Contractors 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:	3/6/2018
Board of County Commissioners Hearing Date	3/27/2018

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## EXECUTIVE SUMMARY

A request by Arroya Investments, LLC, Robert Scott General Contractors, and Jacob Decoto for approval of a map amendment (rezoning) from RR-5 (Residential Rural) to PUD (Planned Unit Development). The applicants are proposing 212 single-family lots; rights of way; and 11 open-space, trail corridor, detention, and utilities tracts that are anticipated to be owned by the proposed TimberRidge Metropolitan District. Phasing of the development is anticipated as depicted on the PUD development plan; however, the chronology of the phasing is not binding. The eight (8) parcels, totaling 262.92 acres, 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 6<sup>th</sup> P.M.. The parcels are included within the boundaries of the Black Forest Preservation Plan (1987) area.

The applicants are proposing a modification to standards within the El Paso County Engineering Criteria Manual (ECM) (2016). The modification proposes to reduce the minimum intersection spacing between the future intersections of Arroya Lane and Nature Refuge Road and Arroya Lane and Hawks Hill Court. This modification is addressed in Section A.1, Request/Waivers/Modifications/Authorization of this staff report below. The ECM Administrator recommends approval of the proposed modification.

Opposition to this rezoning request has been received by staff from residents living in the vicinity of the property, both to the east and the west. The opposition requests a density transition along the western and eastern PUD development plan boundaries similar to the approved Sterling Ranch Sketch Plan in order to be more compatible with the Black Forest Preservation Plan (1987) and existing RR-5 zoned properties. Comments received from the Black Forest Land Use Committee did not indicate an objection to the proposal; however, a request was made for a 200 foot setback for all the lots adjacent to Vollmer Road. The applicants have provided a 100 foot setback for Lots 20 through 26 adjacent to Vollmer Road where there are no existing evergreen trees. The remaining lots along Vollmer Road are proposed to have a 50 foot setback; the applicants propose to keep the existing evergreen trees as a visual buffer on these lots. A detailed evaluation of the compatibility of the PUD rezoning request, including discussions regarding transitions and setbacks, has been provided in the Analysis section of this report below.

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 the lots greater than 2.5 acres in size. A finding of water sufficiency is not applicable with rezoning requests. Such findings will need to be made at the subsequent preliminary plan or final plat stages of development. Concerns regarding water supply quantity have been raised by those neighbors expressing opposition to the rezoning request.

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

**Request:** A request for approval of a map amendment (rezoning) for eight (8) parcels totaling 262.92 acres from RR-5 (Residential Rural) to PUD (Planned Unit Development) to allow for the development of 212 single-family lots, rights of way, and 11 open-space, trail corridors, detention and utilities tracts.

### **Modification of Existing Land Development Code (LDC) or Engineering Criteria Manual (ECM) Standard:**

For approval of a modification of a general development standard in the Land Development Code or standard of the Engineering Criteria Manual, the 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

The applicants are requesting the following modification to Section 2.2.5.D of the Engineering Criteria Manual:

Modification of Section 2.2.5.D, Collector Access Spacing, and the accompanying modification of Section 2.3.2, Design Standards by Functional Classification. This modification allows for intersection spacing of 487 feet where 660 feet is required on Arroya Lane between Nature Refuge Road and Hawks Hill Court.

The applicants have provided justifications in support of the proposed modification in the traffic study and the deviation request. The Planning and Community Development Executive Director and the ECM Administrator have no objection to the modification as requested, and recommend approval.

**Authorization to Sign:** PUD Development Plan 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 Land Development Code (2017), have been met to approve a PUD zoning district:

- The proposed PUD 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(s) have authorized the application.

#### **D. LOCATION**

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

#### **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 (Rural Residential). The parcels have remained undeveloped.

The applicants' have held three (3) neighborhood meetings. 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 applicants are proposing to develop 2.5 acre lots adjacent to Vollmer Road as a transition to the RR-5 zoned properties to the west. The applicants are also proposing a transition from the RR-5 zoned properties northeast of the property by tapering the lot sizes east to west from 5 acres to 2.5 acres for the portion of the property located north of Arroyo Lane.

The applicants are proposing to taper the lot sizes 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 applicants summarize in their letter of intent that the approval of the adjacent Sterling Ranch Sketch Plan (SKP07007) by the Board of County Commissioners on November 13, 2008 changed the character of the area; thereby nullifying the recommendations of the Black Forest Preservation Plan (1987).

## **F. ANALYSIS**

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

The PUD development plan and development guidelines comply with Section 4.2.6.D of the Code, except as otherwise altered by the requested PUD modification. This application meets the Planned Unit Development submittal requirements and the standards for 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 applicants are proposing to taper the density in a general pattern from five (5) acre lots at the northeastern portion of the plan to 2.5 acre average lots on the western boundary adjacent to Vollmer Road and south of Arroya lane to a more urban lot size under one-third (1/3) of an acre. Further discussion regarding compatibility of the proposed densities is included in Sections 3 and 4 below of this report.

## 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 6.1.8-*** 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.

***Goal 6.1 A-*** Encourage patterns of growth and development which complement the regions' unique natural environments and which reinforce community character.

The applicants are proposing five (5) acre lots in the northeastern area of the proposed PUD Plan north of Arroya Lane, which will be adjacent to properties zoned RR-5 (Residential Rural). Staff has no concerns with compatibility, density transitions, or patterns of growth in the northeastern-most area of the PUD plan.

The applicants are proposing 2.5 acre lots along the western perimeter of the PUD, nearest to Vollmer Road. The applicants are also proposing 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). 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. Staff recommends that 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 applicants' letter of intent states that the density tapering proposed with this application is consistent with the approved Sterling Ranch Sketch Plan. The Sterling Ranch Sketch Plan includes lot sizes tapering from five (5) acre lots (in the area immediately south of Arroya Lane) down to one-half (1/2) acre lots along with a 50 foot buffer depicted on the western edge of the Sterling Ranch Sketch Plan, which is the common boundary with the proposed Retreat at TimberRidge PUD development plan. By comparison, the applicants are proposing to taper 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 size lots as the PUD plan extends southward.

The PUD 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 applicants are also providing a 25 foot trail easement to allow for the future extension of Sand Creek Regional Trail, which is anticipated to connect to the Sterling Ranch development to the south. The exact location and the entity responsible for construction of the trail will be determined at later stages of the development approval process.

#### **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.”

The urban lots under one-third (1/3) of an acre are proposed to be served by the proposed (in review) Retreat at TimberRidge Special District. The proposed permitted principle and accessory uses that are outlined in the PUD development



guidelines are generally compatible with the existing rural residential subdivisions and adjacent RR-5 zoning with following exceptions:

1. The applicants propose to allow accessory storage and repair of vehicles and machines (2.5 acres or larger) and wildlife rehabilitation, construction equipment storage and field offices, and commercial stables on lots with a minimum of 20 acres located west of Vollmer Road. Staff recommends these allowances be modified to require approval of a special use so that potential impacts can be further analyzed. Recommended Condition of Approval No. 14 requires a special use application to be submitted and approved prior to implementing these uses.
2. The applicants also propose to allow two-family dwellings (duplex) residential development west of Vollmer Road. Siting a two-family dwelling on a 2.5 acre or larger lot would inherently double the density, and is not compatible with the surrounding single-family developments. A duplex is intended for two (2) families and is a long-term use. A guest house is an allowed accessory use and does not increase the density as it is temporarily occupied and is not eligible as an income property. Staff recommends removing the two-family dwelling use from the permitted uses in the development guidelines. Recommended Condition of Approval No. 15 requires revision of the PUD plan to remove "Dwelling, Two Family" as an available land use.

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 PUD 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 PUD plan. The remaining land within the PUD is not forested.

As stated above, the Plan's recommended densities are rural in nature north of the corridor. 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.

The text recommends rapidly decreasing density from the buffer moving toward the forest edge. As recommended, the proposed PUD depicts 2.5 acre lots clustered on the western edge and lots clustered north of Arroya Lane. Contradictory to the Plan, the majority of the proposed lots are sized at under one-third (1/3) of an acre in the area that is recommended to rapidly decrease in density to one (1) dwelling unit per five (5) acres towards the forest edge. The approved Sterling Ranch sketch plan includes urban densities beyond the quarter mile point, with a transition from one (1) unit per five (5) acres at the northern boundary adjacent to the east boundary of the requested PUD development plan to one-half (1/2) acre lot sizes at the southern boundary.

The approval of the Sterling Ranch sketch plan could be interpreted as a modification of the residential density policies applicable to this area of the Black Forest Preservation Plan; however, the densities proposed in the Retreat at TimberRidge PUD development plan are still higher by comparison than those depicted on the approved Sterling Ranch sketch plan. Encroachment of urban development within the City may also be interpreted as a modification of the Black Forest Preservation Plan further modifying the residential density policies.

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 PUD development 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 preliminary plan and final plat(s) review.

## **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 the applicants have proposed to be within the open space areas in the PUD development plan. Recommended Condition of Approval No. 9 requires the applicants to submit a detailed Geology and Soils Standards Report with all subsequent preliminary plans. Constraints and hazards shall be identified on the subsequent preliminary plans to ensure hazards are avoided or 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 subdivision. The site drains generally to the Sand Creek channel, flowing to the south. A Master Development Drainage Plan (MDDP) was provided with this PUD development plan. Per the MDDP, the applicants propose adequate water quality and detention facilities to maintain runoff at or below historic rates using full-spectrum detention facilities.

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. Coordination between the TimberRidge project and the Sterling Ranch development downstream will be necessary prior to construction of channel improvements. Conditions of approval at the time of preliminary and final plat approvals, in accordance with preliminary and final drainage studies to be submitted, will address construction responsibilities and associated timelines for completion of the necessary channel stabilization improvements.

## **5. Transportation**

The proposed development includes access to Vollmer Road which is a 2-lane Rural Minor Arterial road per the El Paso County 2016 Major Transportation Corridors Plan Update, 2040 Major Transportation Corridors Plan. (MTCP). 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. With anticipated future Sterling Ranch development, Briargate Parkway will be extended to the future Stapleton Drive alignment, both of these roads being future 4-lane Principal Arterials. A traffic impact analysis (TIS) dated January 2018 was provided with the PUD rezoning submittal. Table 3 of the TIS identifies required and potentially necessary 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 the development will be identified with future TimberRidge preliminary plan and final plat approvals. Coordination with the Sterling Ranch development's 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.

As discussed in Section A.1, Request/Waivers/Modifications/Authorization above, the applicants are proposing a modification to ECM Section 2.2.5.D to allow for intersection spacing of 487 feet where 660 feet is required on Arroya Lane between proposed Nature Refuge Road and proposed Hawks Hill Court.

## **H. SERVICES**

### **1. Water**

Sufficiency:

Quality:

Quantity

Dependability:

Summary: A finding for water sufficiency is not required with PUD 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.

### **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 PUD development 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 PUD development 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 create The Retreat at TimberRidge special district, that 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 PUD development 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 PUD development 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 will be required to be paid to the appropriate District at the time of future plat recordings.

## **I. APPLICABLE RESOLUTIONS**

Approval            Page 29

Disapproval        Page 30

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

The Black Forest Preservation Plan includes residential density policies which are recommendations for development; they are not criteria for approval. Changes to the character of the area may be interpreted as a modification to policies in the Plan. Staff has discussed the policies and the densities of the development above in Sections E.3 and E.4 of this staff report.

## **K. RECOMMENDED CONDITIONS OF APPROVAL**

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 (2016), staff recommends the following conditions and notations:

### **CONDITIONS**

1. Development of the property shall be in accordance with the 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.
6. 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. Applicants shall provide a Geology and Soils Standards Report with all subsequent preliminary plans. Constraints and hazards shall be identified on the subsequent preliminary plans (Note: not all lots depicted on the PUD development plan may be developable).
10. The label "shared access drive" on Sheet 2 and General Note No. 2 on Sheet 3 of the PUD development plan do not guarantee approval of the access. Access will be determined at the time of the preliminary plan for Phase A. Phase E may modify access to Phase A lots. Further analysis shall be required at the time of the preliminary plan submittal.

11. Access to Parcel No. 52000-00-393 west of Vollmer Road shall be finalized at the time of the preliminary plan for that parcel to determine access from Vollmer Road. A deviation may be required at that time.
12. The applicants shall be responsible for constructing or providing escrow toward offsite improvements to Vollmer Road with the appropriate final plat as identified in the traffic impact study.
13. The applicants shall be responsible for constructing the necessary improvements in the Sand Creek channel, as identified in the required preliminary and final drainage reports to be submitted, with the appropriate final plat(s).
14. Accessory storage and repair of vehicles and machines as well as wildlife rehabilitation, construction equipment storage and field offices, and commercial stables on lots located West of Vollmer shall require approval of a special use. These uses are not allowed east of Vollmer Road.
15. The applicants shall revise of the PUD plan to remove "Dwelling, Two Family" as an available land use prior to recordation of the plan.

## **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.
3. Approval of the PUD as submitted does not guarantee approval of deviations from any engineering criteria that have not been specifically addressed in either an approved deviation request or PUD modification.
4. Documentation of separate vacation/termination documents will need to be provided, which remove encumbrances on proposed rights-of-way, specifically Arroya Lane, prior to platting and County acceptance of the proposed roads.



5. All outstanding review comments will need to be addressed, to the satisfaction of the PCD Director, prior to scheduling the request for a Board of County Commissioners hearing.

**L. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 30 adjoining property owners on February 14, 2017, for the Planning Commission and Board of County Commissioners hearings. Responses will be provided at the hearing.

**M. ATTACHMENTS**

Vicinity Map  
Letter of Intent  
PUD Development Plan  
Sterling Ranch Sketch Plan  
Zoning Map

## **The Retreat @ TimberRidge**

### **Letter of Intent**

**April 2017**

**(1<sup>st</sup> Revision June 2017; 2<sup>nd</sup> Revision November 2017; 3<sup>rd</sup> Revision January 2018)**

**Owners/Developers:** Arroya Investments LLC

1283 Kelly Johnson Blvd.

Colorado Springs, CO 80920

Jacob Decoto

23045 Jones Road

Calhan, CO 80808

Robert Scott General Contractors

2760 Brogans Bluff

Colorado Springs, CO 80919

**Planner:**

N.E.S. Inc.

619 North Cascade, Suite 200

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(719) 471-0073

**Engineer:**

Classic Consulting Engineers & Surveyors

619 North Cascade

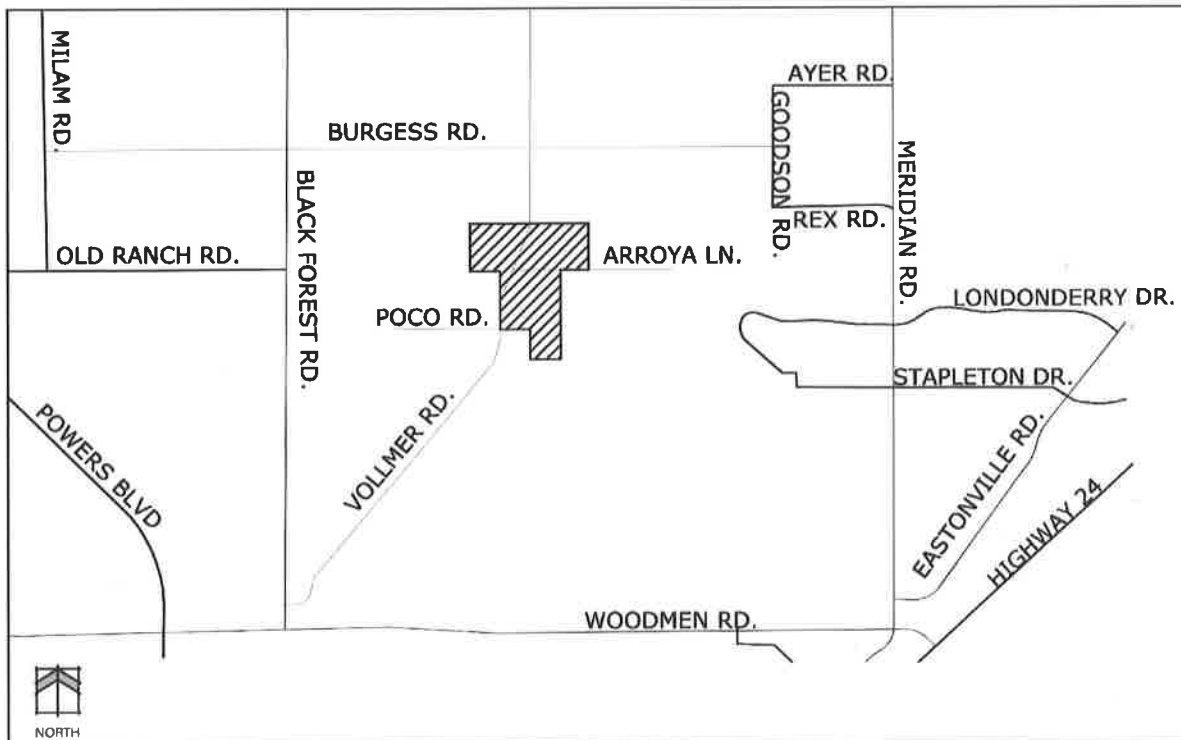
Colorado Springs, CO 80919

(719) 785-0790

**Tax ID Numbers:** 5222000023; 5227000001 ;5200000398; 5228000019; 5227000003;  
5227000004; 5200000393; 5200000394; 5200000397

**SITE LOCATION:** The Retreat @ TimberRidge is located primarily on the east side of Vollmer Road, generally between Poco Road on the south and Arroya Lane on the north with some open space and low density land north of Arroya Lane. The Sterling Ranch bounds the site on the south and east. Portions of this application extend north of Arroya Lane as shown on the site location map below.

## VICINITY MAP



**INTRODUCTION:** Arroya Investments LLC acquired 514 acres of land in late 2016. The acquisition included five quarter sections south of Arroya Lane and east of Vollmer Road. Land north of Arroya Lane on both sides of Vollmer Road and south of the Forest Gate Subdivision was also acquired as a part of the purchase. Subsequently, four 35 acre parcels were sold (located west of Vollmer Road) and two 50+ acre parcels were sold north of Arroya and east of Vollmer. One of these 35 acre parcels is included in this PUD application. The primary development property associated with this plan is the land located south of Arroya Lane where urban services are available and urban densities are proposed.

**PROPOSAL:** The applications covered by this Letter of Intent include a zone change for 263 acres from the RR 5 Zone to the PUD Zone and a PUD Development Plan. The PUD Development Plan proposes 212 lots at a gross density of 0.806 DU/AC.

**THE PLAN:** The Retreat @ TimberRidge is proposed as a planned residential community focused on the Sand Creek Greenway which bisects the property. Open space, parkland 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 a Public Street for the western portion after which it is on private property owned by the applicant to the applicant's eastern boundary and by others further to the west.. Arroya Lane will be dedicated as a Public Street within the Retreat@ TimberRidge property. East of TimberRidge Arroya will continue to be a private road until/unless additional dedication is made by the Sterling Ranch.

Access to the site is planned at Arroya Lane in three locations. In several 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 Poco Lane extended into the property. Arroya Lane is the second access to the site and is planned as a collector.

Residential land use is proposed in varying densities. North of Arroya Lane and east of Vollmer Road, ten lots of 2.5 acres and 5 acres are proposed. The land immediately south of Arroya Lane and west of Sand Creek will have a minimum lot size of 2.5 acres. The land west of Vollmer and south of Arroya Lane will have two lots of approximately 3.5 acres in size. ACCESS WILL BE DETERMINED WITH THE PRELIMINARY PLAN. This property is owned by Jacob Decoto. The remainder of the Decoto property within the PUD is contained in Tract A and identified as having future development potential at a 5-acre lot density with a 2.5-acre lot size minimum, which will produce a maximum of 7 lots. These lots will all be on individual well and septic systems (IDS).

South of Arroya Lane and east of Sand Creek, all lots less than 2.5 acres in size 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 2.5 acres. These 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.

A total of 212 lots are proposed for the Timber Ridge PUD. The table below identifies the number of lots by size.

Lots Size (Minimum)	Phase A	Phase B	Phase C	Phase D	Phase E	Total Lot Count
2.5 Acre Lots	12	29			7	48
1 Acre Lots			11			11
100' x 150'			8			8
80' x 150'				145		145
						212

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 for them to the County per discussion with County Parks staff.

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 Retreat @ Timber Ridge Metropolitan District. The proposed major trails will be placed in easements and will be maintained by El Paso County.

**PUD ZONE DISTRICT:** The PUD Zone has been selected to implement The Retreat @ TimberRidge Land Use Plan. The PUD Zone will be employed to create a Zone District with varying residential densities in both an urban and rural residential form. Open space is also a part of the PUD Zone District.

**USES/DEVELOPMENT REGULATIONS:** Lots in this PUD District will provide sites for single family homes on rural residential and urban lots. Central water and wastewater will be provided for all urban lots. For lots 2.5 acres and greater, water will be provided by individual wells and wastewater will be provided by individual disposal systems.

Zoning details are shown on the PUD Development Plan.

**BUFFERS and TRANSITIONS:** The relationship to adjacent properties and the transition from nearby rural residential to urban land use has been addressed in three ways. First, Arroya Investments LLC has sold portions of its original holdings to the north and the northwest of Arroya Lane for rural residential land use thereby creating the transition from urban to rural residential land use essentially on site. The result of these sales is that five 35 acre parcels and two 50+ acre parcels border the site on the north. These land owners support the proposed land use.

Second, land north of Arroya Lane owned by Robert Scott General Contractors is proposed for inclusion into the PUD zone as a rural residential subdivision of five acre and two and one half acre lots (10 lots). These land uses formalize the transition from urban land use to rural residential land use on site and within the PUD.

Third, land within the proposed PUD that borders 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 backing to Vollmer Road that are not predominantly vegetated with Ponderosa Pines will have a setback from Vollmer Road of 100 feet.

Lots in the southeast portion of TimberRidge that border the Sterling Ranch property have a setback of 40 feet as noted on the PUD Plan. 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 Retreat @ TimberRidge conforms to the following goals and Policies of the El Paso County Policy Plan.

##### **PURPOSE AND INTENT. Holistic Application.**

The applicable policies in this document should be considered and applied comprehensively rather than singularly. Most development proposals will naturally be consistent with some policies while inconsistent with others. The appropriate approach is to evaluate all of the relevant policies and then make a land use decision with respect to overall consistency based on a preponderance of policies within this 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 though 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.*

**Policy 15.5.3** Encourage pre-application information meetings between applicant, affected property owners and homeowners groups prior to submission to the County for large properties and/or properties in sensitive locations. *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.*

#### **Conformance with the Black Forest Preservation Plan**

The Black Forest Preservation Plan is a Small Area Plan that includes The Retreat @ TimberRidge within its boundaries. The Plan was originally approved in 1974 and updated in

1987. In the past 30 years since the update to the Plan, a number of significant changes occurred. Those changes include:

- Voter approval of a County tax to fund County Sheriff activities
- The Black Forest Fire, which has raised awareness of fire safety and prevention, as well as mitigation of the effects of the fire
- Adoption of the Countywide Transportation fee
- Addition to the Code of a comprehensive PUD Zone that provides a control mechanism for insuring that land dedications and density caps can be administered effectively.
- Failure of an election to incorporate the Black Forest with a stated purpose of administering the Black Forest Preservation Plan
- Pressures on County resources coupled with a commitment by County Elected Officials to make county government as efficient as possible have made clustered development a desirable design form that reduces the amount of street per dwelling unit, thereby making the provision of County services more efficient than standard rural residential designs especially five acre lots.
- Approval of the Sterling Ranch Sketch Plan
- Construction of the Cherokee Water System with pipeline in Arroya Lane and construction of the Sterling Ranch well and water tank adjacent to the NE corner of the proposed urban density lots. The effect of these infrastructure improvements is to provide urban water service to The Retreat @TimberRidge property.

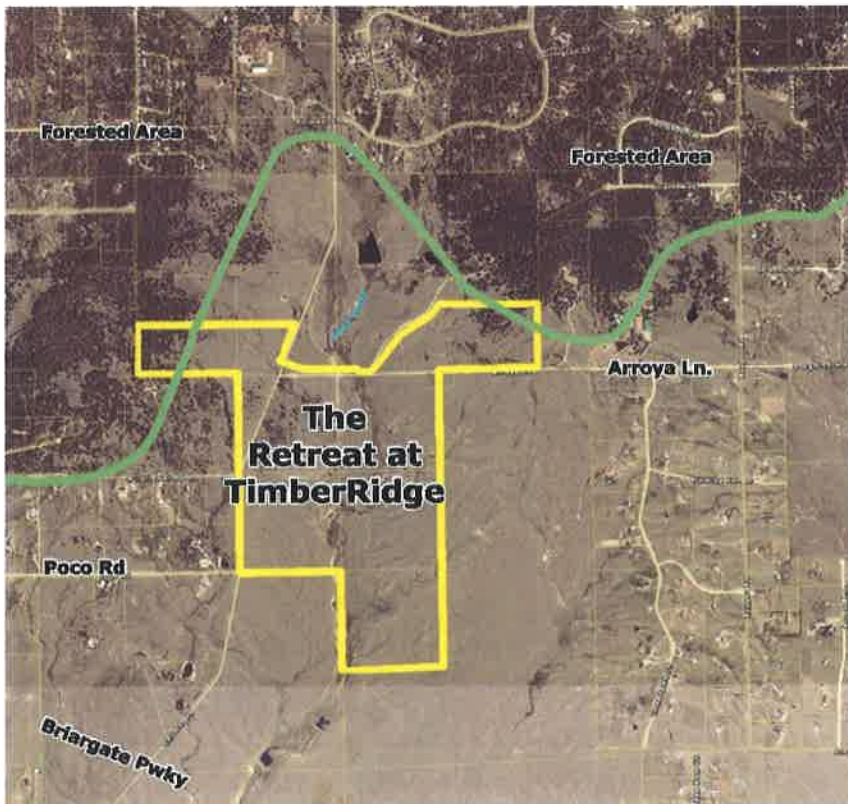
When viewed in the context of these changes, and while looking at the broad recommendations of the Black Forest Preservation Plan, this land situated north of Stapleton/Briargate and south of the forested area of the Black Forest is where a transition from urban to rural residential land use is proposed. This PUD Development Plan provides the transition by creating rural residential lots along Vollmer Road and Arroya Lane, transitioning to urban lots interior to the property and adjacent to planned urban density within the Sterling Ranch Sketch 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 textural 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.***

**PUD REVIEW CRITERIA.** The proposed PUD zoning is in conformance with the following review criteria:

1. The proposed PUD District zoning advances the stated purposes set forth in Section 4.2.6.A.
2. The PUD is in general conformity with the El Paso County Master Plan. ***See section above that identifies how this plan conforms to the El Paso County Master Plan.***
3. There has been a substantial change in the character of the area since the land was last zoned. ***See introductory discussion above that lists changes to the area since the adoption of the Black Forest Preservation Plan (and current zoning). In addition, approval of the Sterling Ranch Sketch Plan and construction of a water system adjacent to the property has occurred.***
4. 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. ***This criterion is met. All County Code requirements are met with this application.***
5. 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 planned land use is based on a Land Suitability Analysis to assess the development constraints and opportunities of the site.***
6. 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. ***Buffering and transitional land uses have been proposed where there is a potential for use to use relationship concerns.***
7. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community. ***This criterion is met. Land Use transitions are used to provide compatibility with adjacent properties. Dimensional requirements of the PUD are designed to be compatible with rural residential zones.***
8. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project. ***The land use plan reflects the Land Suitability Analysis where the natural and man-made land use determinants were inventoried and analyzed.***
9. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities. ***This is a recreation focused community. Recreational amenities, including trails and the Sand Creek Greenway, are a significant part of the Plan.***



10. 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. ***Public services consistent with the proposed development are being provided.***
11. The proposed PUD will benefit the community through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design. ***All of these are features of the Plan.***
12. 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 ***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.***
13. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide. The following Deviations are requested. Deviation request forms are a part of the application package.

***One deviation is requested:***

1. ***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.***

***Justification for this deviation is included in the submittal package within the Traffic Report. The deviation has been approved with conditions.***

***Calculation of Open Space.*** The TimberRidge PUD has 22.53 acres of open space within the Sand Creek Greenway. In addition, 1.16 acres of open space is within three tracts along Arroya Lane. 10% of the requirement is permitted to be in drainage tracts or 2.6 acres. There are 4.05 acres of open space in water quality tracts. The total amount of open space is therefore 26.3 acres or 10% of the entire PUD.  $(22.53 + 1.16 + 2.6 = 26.3 \text{ acres of open space})$

**DRAINAGE:** Classic Consulting Engineers & Surveyors has prepared a MDDP for the property.

**IMPACT REPORTS:**

- **Wildfire.** Of the land proposed for development, only a small portion of the site affecting one proposed lot in the very north east is rated above Low in terms of susceptibility to wildfire in the report prepared by Steve Spaulding and included in the submittal package.



- 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.
- 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.

**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
- Wastewater - Proposed TimberRidge Metropolitan District via an IGA with the Sterling Ranch Metropolitan District
- 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.
- The Retreat at TimberRidge Traffic Impact Analysis by LSC Transportation Consultants, Inc.
- MDDP for the Retreat @ TimberRidge by Classic Consulting Engineers & Surveyors.
- Wildfire Hazard and Mitigation Report by Steve Spaulding
- Impact Identification Report by CORE Consultants

**Authority.** This HUD is authorized by Chapter 4 of the 11<sup>th</sup> Madison County Land Use/Designation Code, adopted pursuant to the California Planning and Development Act of 1972, as amended.

- [illegible]

number of women about 1000.

- [illegible]

A. **Project Description**  
The Retreat@Timber Ridge is a planned residential community located generally east of Volmer Road between Pond Road and

- [illegible]

1283 Kelly Johnson Blvd  
Colorado Springs, CO 80905

[illegible]

Sheet 1 of 4:	Cover Sheet
Sheet 2 of 4:	PUD Development Plan
Sheet 3 of 4:	PUD Development Plan
Sheet 4 of 4:	Landscape Plan & Details

TRACT	SIZE	USE	OWNERSHIP	MAINTENANCE
A	29,027 AC (1,994,415 SF)	Forest, Natural/Land	Timberland, nonindustrial	Timberland, nonindustrial
B	1,396 AC (96,448 SF)	Forest, Water Quality	Timberland, nonindustrial	Timberland, nonindustrial
C	8,865 AC (612,133 SF)	Scrub, Wetland	Timberland, nonindustrial	Timberland, nonindustrial
D	9,355 AC (651,915 SF)	Scrub, Wetland	Timberland, nonindustrial	Timberland, nonindustrial
E	1,379 AC (98,585 SF)	Wetland, Water Quality	Timberland, nonindustrial	Timberland, nonindustrial
F	13,794 AC (973,568 SF)	Wetland, Water Quality	Timberland, nonindustrial	Timberland, nonindustrial
G	4,721 AC (338,041 SF)	Forest, Water Quality	Timberland, nonindustrial	Timberland, nonindustrial
H	3,279 AC (236,262 SF)	Forest, Water Quality, Local Forest	Timberland, nonindustrial	Timberland, nonindustrial
I	2,127 AC (154,284 SF)	Forest, Water Quality	Timberland, nonindustrial	Timberland, nonindustrial
J	0.394 AC (27,946 SF)	Regrowth, Wetland	Timberland, nonindustrial	Timberland, nonindustrial
K	0.340 AC (24,485 SF)	Regrowth, Wetland	Timberland, nonindustrial	Timberland, nonindustrial

EC, PASO COUNTY, CO

DATE:	04/07/20
PROJECT NAME:	301 PLANTING
PREPARED BY:	MR. MOHAMED

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1





PHASE A 12 Lots Lots 1 - 12 Minimum 2.5 AC	PHASE D 145 Lots Lots 59 - 203 Minimum of 80' x 150'
PHASE B 29 Lots Lots 13 - 41 Minimum 2.5 AC	PHASE E Future Residential Lots 7 Lots Maximum Minimum 2.5 AC

1. Aroyo Lane will be reclassified as a Rural Collector with a 60' ROW.
2. Phases as shown are a general depiction and may change to be either larger or smaller than shown.
3. No additional land use approvals are required to adjust phases.
4. 25' Sand Creek Trail easement to be fully located.
5. All tracts will be owned and maintained by Timberidge Metro District.

Minor adjustments to the PUD may be allowed without review and recording as long as no additional lots are created.

NEC Inc.  
619 N. Cascade Avenue, Suite 200  
Colorado Springs, CO 80903  
Tel. 719.471.0073  
Fax 719.471.0267  
www.necusa.com

DATE	04/07/17
PROJECT NO.	J. MAYNARD
PROJECT BY	S. WATSON

[illegible]

Street Name or Zone Boundary	Street Classification	Width (in R.)	Tree/Fruit Required
Voltaire Road	Minor Arterial	20' / 30'	1 / 25'
Arrow Lane	Feeder Collector	10' / 25'	1 / 30'

### CONCEPT TREE & GROUND COVER LEGEND

## PUD Development Plan

**THE UNIVERSITY OF CHICAGO**

3

APPROVA I ANE

25. LACROIXE AND  
TIPAL TRACT

PROPERTY LINE

LOCAL

LANE - TYPICAL LANDSCAPE PLAN

[illegible]

DEDICATED R.O.W. / PROPERTY LINE ———→ 100' BUILDING SETBACK ———→

RO  
(100'

POC  
URBAN  
EASEMENT  
ST

3-DAY COURSE AT PR

(L015 20-26)

**BREEZE GRAVEL REGIONAL MULL**

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URB

NOT TO SCALE

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Year	Age	Estimated Age
1977	100	100
1978	100	100
1979	100	100
1980	100	100
1981	100	100
1982	100	100
1983	100	100
1984	100	100
1985	100	100
1986	100	100
1987	100	100
1988	100	100
1989	100	100
1990	100	100
1991	100	100
1992	100	100
1993	100	100
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2008	100	100
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2011	100	100
2012	100	100
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2016	100	100
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2022	100	100
2023	100	100
2024	100	100
2025	100	100
2026	100	100
2027	100	100
2028	100	100
2029	100	100
2030	100	100
2031	100	100
2032	100	100
2033	100	100
2034	100	100
2035	100	100
2036	100	100
2037	100	100
2038	100	100
2039	100	100
2040	100	100
2041	100	100
2042	100	100
2043	100	100
2044	100	100
2045	100	100
2046	100	100
2047	100	100
2048	100	100
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2051	100	100
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2070	100	100
2071	100	100
2072	100	100
2073	100	100
2074	100	100
2075	100	100
2076	100	100
2077	100	100
2078	100	100
2079	100	100
2080	100	100
2081	100	100
2082	100	100
2083	100	100
2084	100	100
2085	100	100
2086	100	100
2087	100	100
2088	100	100
2089	100	100
2090	100	100
2091	100	100
2092	100	10

[illegible]

SECRET 51

## 4

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Year	Age	Health Status
1972-1973	10-14	For Clinical Study on Cancer

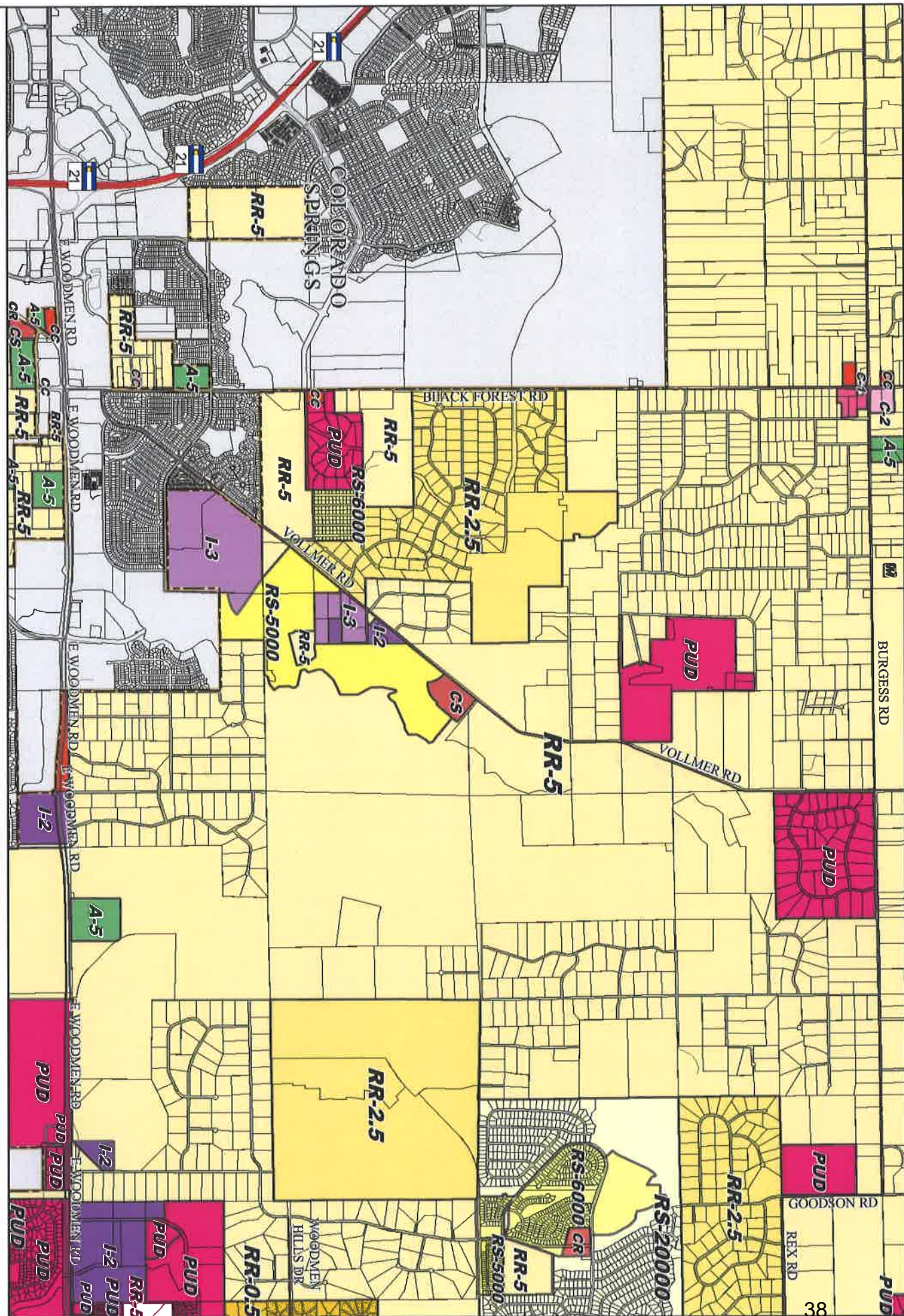
[illegible]

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## 4

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# El Paso County, Colorado Development Services Department Planning Division GIS Data Viewer



