

Meggan Herington, AICP, Executive Director
El Paso County Planning & Community Development
O: 719-520-6300
MegganHerington@elpasoco.com
2880 International Circle, Suite 110
Colorado Springs, CO 80910

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

Date: February 10, 2023

To: Board of County Commissioners

From: Ryan Howser, AICP, Planner III

Subject: A request by PT Eagleview, LLC for reconsideration of the Eagleview Preliminary Plan (PCD File No. SP-21-006) to create 38 single-family residential lots. The 113.34-acre property is zoned RR-2.5 (Residential Rural) and is located on Arroya Lane, approximately 1.5 miles west of Meridian Road, and within Section 26, Township 12 South, Range 65 West of the 6th P.M. (Parcel Nos. 52260-00-001; 52260-00-002) (Commissioner District No. 2).

Summary: The Eagleview Estates Subdivision preliminary plan (PCD File No. SP-06-021) was approved by the Board of County Commissioners (BoCC) on February 14, 2008. Final plats at the time of initial approval were required to be recorded within one (1) year from the date of BoCC approval. Currently, final plats are required to be recorded within two (2) years from the date of BoCC approval.

If approved, the applicant will be required to obtain the first final plat approval within two (2) years of BoCC approval of the preliminary plan reconsideration. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

On April 28, 2011, the BoCC adopted A Resolution Extending the Expiration Period of Previously Approved Preliminary Plans and/or Final Plats (hereafter known as the Extension Resolution) (Resolution No. 11-146). The resolution granted an extension to the time to record and/or implement all sketch plans, preliminary plans, and final plats approved from January 2, 2006, through and including April 28, 2009. Subsequent amendments to the Resolution (Board Resolution Nos. 12-48, 12-386, 13-416, and 14-475) had extended the time to

record and/or implement qualifying sketch plans, preliminary plans, and final plats through December 31, 2017. The extension resolution has now expired and has not been renewed by the Board of County Commissioners. No final plats within the preliminary plan boundary were recorded within the approved extension period.

This extension includes a request for a finding of sufficiency with regards to water quality, quantity, and dependability. On August 20, 2019, the BoCC approved an amendment to the Land Development Code authorizing administrative approval of plats if certain findings were made and if the BoCC specifically authorized administrative final plat(s) (Resolution No. 19-329). Prior to adoption of this Code amendment, all final plats were required to obtain approval from the BoCC. The Eagleview Preliminary Plan would have qualified for administrative approval of final plats if the revised Code had been in effect at the time. Therefore, the applicant is requesting the BoCC authorize administrative approval for all subsequent final plats within the preliminary plan area.

All conditions and notations associated with the preliminary plan approval by the Board of County Commissioners remain, in addition to those recommended conditions below. The conditions of approval and notations attached to the preliminary plan approval are as follows:

CONDITIONS OF APPROVAL

1. All conditions of approval associated with approval of the Eagleview Estates Subdivision preliminary plan (PCD File No. SP-06-021) shall remain in effect except as modified herein or as otherwise required in order to comply with current subdivision development criteria.
2. Applicable park, school, drainage, bridge, and road impact fees shall be paid at current 2023 rates to El Paso County Planning and Community Development at the time of final plat(s) recordation.
3. Prior to Building Permit approval by the El Paso County Planning and Community Development Department, payment shall be made to the 501 (c) (3) "Falcon Community Builders for Classrooms" or School District # 49 and

proof of such payment shall be provided to the Planning and Community Development Department.

4. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, 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.
5. A completed U.S. Army Corps of Engineers permit should be provided to the El Paso County Planning Department prior to project commencement if ground-disturbing activities would occur in wetland areas. Alternatively, a letter from a qualified wetland scientist indicating why such a permit is not required for this project would be acceptable.
6. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
7. A driveway access permit will be required from the El Paso County Planning and Community Development Department for any access to a county-maintained roadway.
8. Prior to Building Permit approval by the Planning and Community Development Department, an emergency access road meeting Engineering Criteria Manual requirements shall be constructed from Acequia Court to Paint Brush Hills Filing Number 14 and Keynes Drive. This emergency access road shall be a recorded easement until such time Raygor Road is connected to the new Stapleton Drive to the south by others.
9. Fair and equitable participation in the construction of improvements to both Raygor and Burgess Road, proportional to the development's traffic impact, shall be provided as determined at the Final Plat stage and as indicated in a construction surety estimate (estimate of guaranteed funds). As an alternative to the actual construction of improvements, subject to approval by the Board of County Commissioners, the estimated cost for such proportional

improvements may be escrowed for the use of the County or other entity to construct the specified improvements to Raygor and Burgess Road.

10. Applicant shall work with County Parks Department regarding easements, grade control, and wetland management for the placement of a regional trail connection prior to Final Plat approval.
11. Applicant shall construct public roads and drainage improvements as part of an approved subdivision improvement agreement.

NOTATIONS

1. Subsequent Final Plat Filings may be approved administratively by the Planning and Community Development Director.
2. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
3. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

Recommendation:

Should the Board of County Commissioners approve the request to reconsider the final plat, staff recommends inclusion of the above eleven (11) conditions and three (3) notations.

Authorization:

There are no items requiring signature associated with this request.

Attachments:

Letter of Intent

Vicinity Map

Preliminary Plan Drawing

BOCC Approval Letter April 15, 2008

CAO Letter

EPCPH Letter

PAB Comments

BOCC Resolution (Draft)

EAGLEVIEW SUBDIVISION PRELIMINARY PLAN

LETTER OF INTENT

DECEMBER 2021, *REVISED OCTOBER 2022*

OWNER:

PT EAGLEVIEW LLC,
1864 WOODMOOR DR, STE 100,
MONUMENT, COLORADO 80132

APPLICANT:

PT EAGLEVIEW LLC, JOE DESJARDIN,
1864 WOODMOOR DR, STE 100
MONUMENT, CO 80132
719.476.0800
JDESJARDIN@PROTERRACO.COM

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
719.471.0073
ABARLOW@NESCOLORADO.COM

SITE DETAILS:

TSN: 5226000001; 5226000002

ADDRESS: ARROYA LN

ACREAGE: 121.21 ACRES

CURRENT ZONING: RR-2.5

CURRENT USE: VACANT

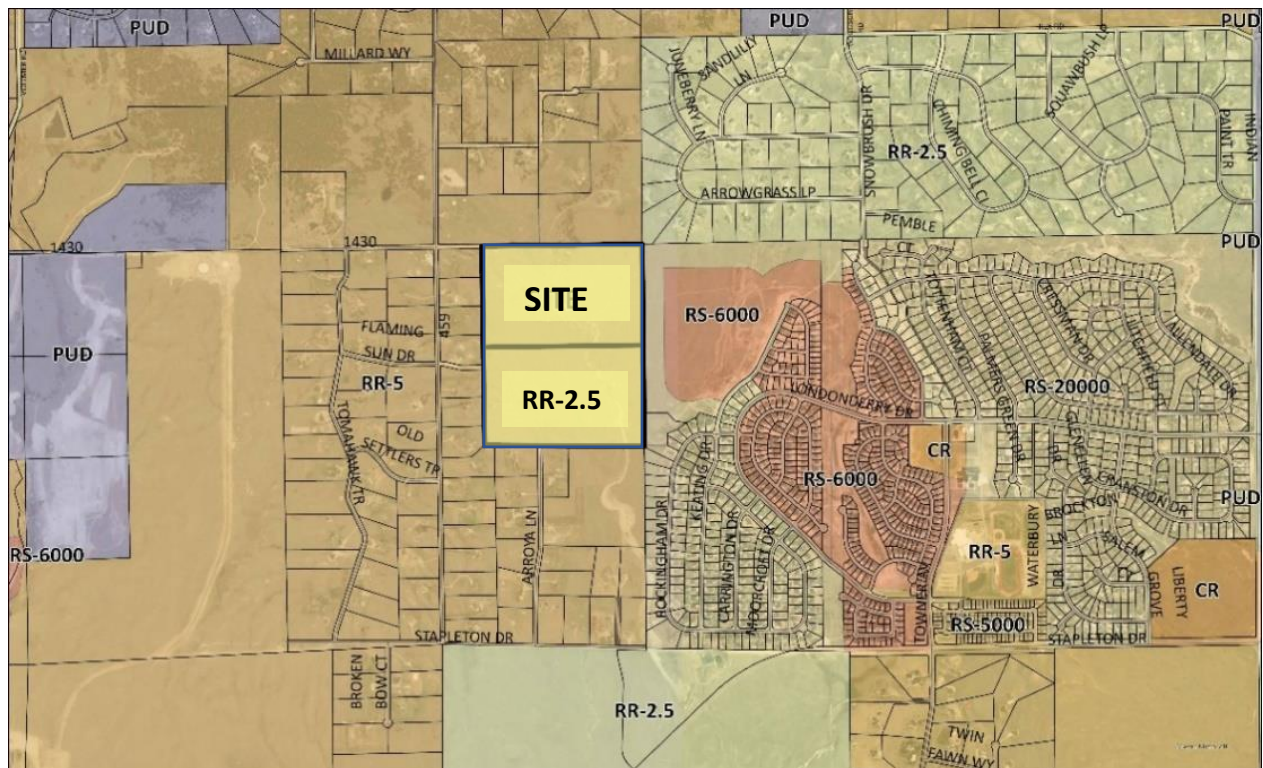
PCD FILE #: SP-2106

REQUEST

N.E.S. Inc. on behalf of PT Eagleview LLC requests approval of a reconsideration of a Preliminary Plan for Eagleview Subdivision. This Preliminary Plan was approved in 2007 and has since expired. The proposed plan is largely the same, with one modified street intersection at South Arroya Lane and Flaming Sun Drive.

LOCATION

The 121.21-acre project site lies southeast of the intersection of Raygor Road and Arroya Lane in northeast El Paso County. The site is surrounded by residential development, including RR-5 to the west and north, vacant land zoned RS-6000 due east, and RR-2.5 to the south. The Paintbrush Hills Subdivision is to the southeast. The assessor's site shows this site as RR-5. This information is incorrect. The correct zoning is shown below.



PROJECT DESCRIPTION & CONTEXT

On February 14, 2008, the Board of County Commissioners approved a rezone from RR-5 to RR-2.5 (Resolution No. 08-77). A concurrent application for the Eagleview Subdivision Preliminary Plan (SP-06-021) to include 38 single-family residential lots on the 121.21-acre site was also approved. This plan has since expired. This submittal is proposing to reinstate a Preliminary Plan. Minor changes have been made to the street configuration to establish better continuity on the site and avoid street naming issues. Street name changes are being deferred to the final plat.

There are 38 proposed lots with an average lot size of 2.95 acres. The minimum lot size is 2.5 acres. Buildings will not exceed 30 feet in height.

ACCESS AND CIRCULATION: Access to the site is proposed by three existing intersections at Raygor Road/Arroya Lane, Raygor Road/Flaming Sun Drive, and Stapleton Drive/Arroya Lane. There are three deviations included in this submittal, which are outlined on page 5 of this letter of intent. A Traffic Impact Study, provided by LSC Transportation Consultants, is included in this submittal.

COMPATIBILITY/TRANSITIONS: The site is surrounded by residential development, or vacant land zoned for residential. Immediately to the north are single family lots zoned RR-5. To the east is Paintbrush Hills Filing 14 zoned RS-6000 RS-20000, adjacent to the Paint Brush Hills subdivision (RS-20000). To the south and west of the site are single family RR-5 lots. The proposed single-family attached residential use at 0.31 du/ac adequately fits in with surrounding land uses. This provides a transition from RR-5 to the west and north and the R-6000 to the east.

AIR QUALITY: The proposed residential use will not negatively impact air quality. The proposed development is located within a developing area with convenient access to Stapleton Drive, Meridian Road, and Highway 24, providing shorter travel time to employment and commercial facilities.

WATER: Water will be provided by individual site wells. The proposed residential development is not a source of water pollution. Individual wells are the responsibility of the property owner, and a well permit must be obtained from the State Water Engineer. Well water will come from the Dawson aquifer per the water rights conferred by Court Case number 746-BD. A Water Resources Report, prepared by JDS Hydro, is included in this submittal. The property has adequate water supply to meet the needs of the subdivision. Applicant is seeking a finding of water sufficiency with the Preliminary Plan.

WASTEWATER: The site is suitable for individual on-site wastewater treatment systems (OWTS). Contamination of surface and subsurface water resources should not occur provided the OWTS sites are evaluated and installed according to El Paso County and State Guidelines and properly maintained. Certified engineer designed OWTS are required where this is shallow bedrock and groundwater. OWTS shall not be located within 25-feet of drainage areas. A Wastewater Disposal Report, provided by JDS Hydro, is included in this submittal.

FLOODPLAINS: A review of El Paso County FEMA FIRM panels indicates no portions of the project area are within a FEMA flood risk area. Thus, the floor risk is deemed by FEMA as 'minimal.'

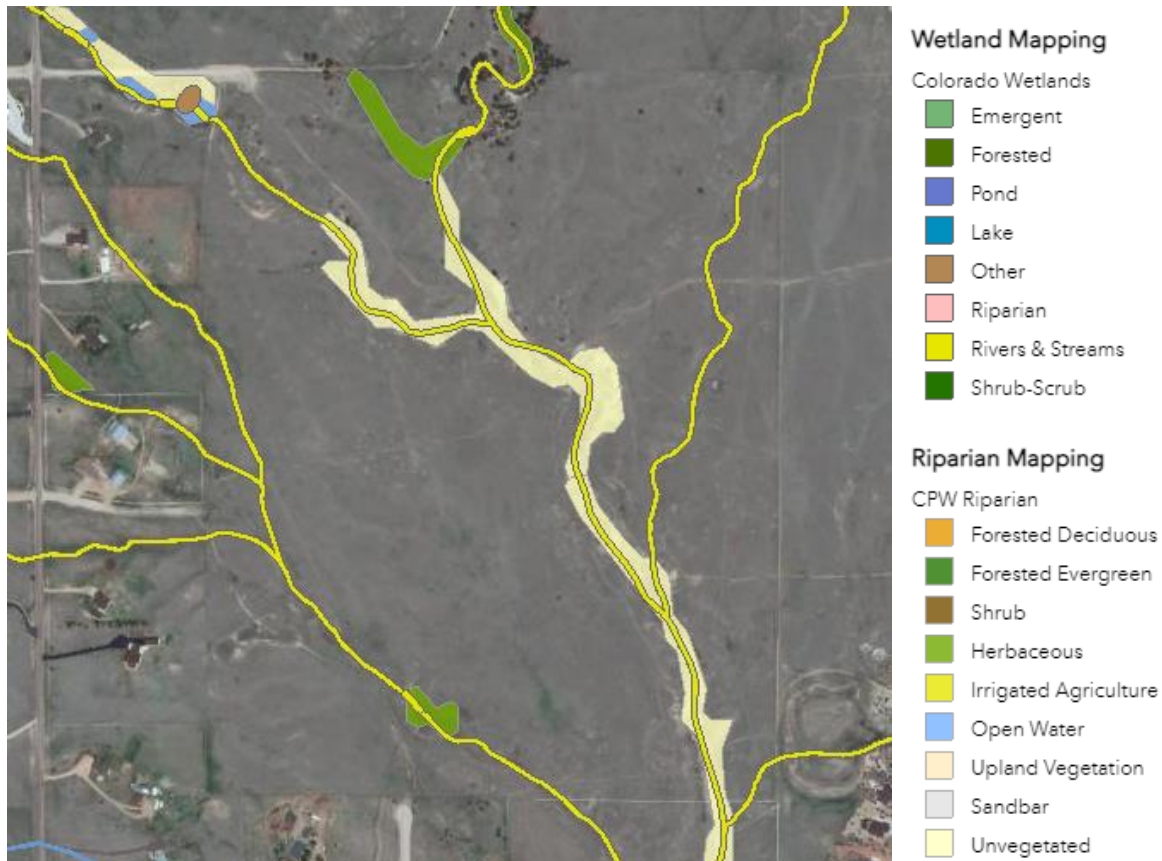
GEOLOGIC & SOIL HAZARDS: The Soils and Geology Report for the proposed residential development, prepared by Entech Engineers, is included in this submittal. Geologic hazards encountered at the site include seasonally shallow groundwater, drainage areas, artificial fill, expansive soils, and potentially unstable slopes along the main drainage areas. The geologic conditions of the site are common and mitigation can be accomplished by implementing common engineering and construction practices. None of these conditions are anticipated to preclude the proposed development (Soils, Geology and Geologic Hazard Study, prepared by Entech Engineering Inc. November 2021). There are various drainage

easements that are designated as no-build areas. Lots with drainage easements include lots 4-6, 9-32, 34-38.

VEGETATION & WILDLIFE: The area is within the Foothill Grasslands ecoregion, composed of a mixture of tall and mid-grasses and isolated pine trees. Much of the site seems to have been lightly disturbed by cattle grazing in the past. No globally-sensitive vegetation communities are present on site. There are several noxious weeds on site. A Noxious Weed Management Plan was prepared by Bristlecone Ecology and is included in this submittal. The site provides a moderate quality habitat for some grassland and riparian wildlife, and while development would inevitably affect some potential habitat for wildlife, expected impact is relatively low.

USE OF, OR CHANGES IN PREEXISTING WATERFORMS, WATERCOURSES OR BODIES OF WATER:

The Natural Features and Wetlands Report, prepared by Bristlecone Ecology, is included in this submittal. The report details that the main stem of the tributary to Black Squirrel Creek is mapped as an intermittent stream running north to south near the center of the project area. Site reconnaissance revealed that many of the aquatic resources depicted in NWI/NHD data are not present on site. The USACE has determined that there are no jurisdictional wetlands onsite.



DISTRICTS SERVING THE PROPERTY:

The following districts will serve the property:

- Water will be provided by individual wells.
- Wastewater will be on individual septic systems.
- Mountain View Electric Association will provide electric service. A will serve letter is provided with this application.
- Black Hills Energy will provide natural gas service. A will serve letter is provided with this application.
- Falcon Fire Protection District will provide fire protection and emergency services. A will serve letter is provided with this application.
- Falcon School District 49 will serve the property.
- A new Metropolitan District will be formed to serve this development.

PROPOSED WAIVERS: ~~A Waiver of 8.4.3(C)(2)(e) of the Land Development Code is requested. Chapter 8.4.3(C)(2)(e) of the LDC states requires lots to have access from a public road. Lots 12, 32, and 37 do not have direct access from a public road and will be accessed via a shared access easement over the adjacent lot (lots 11, 32, and 36). The requested waiver will help to protect existing topography and natural features by avoiding unnecessary extension of public roads. The applicant is prepared to review with the fire department or respond to fire concerns as needed in future submittals.~~

The above waiver is being withdrawn, as lot layout has been revised to allow all lots to have direct access to a public road.

PROPOSED DEVIATIONS: Three deviation requests are included in this submittal.

~~Deviation 1 – The Engineering Criteria Manual (ECM) states that a right turn lane is required for access within a peak hour that exceeds 50 vehicles per hour. This threshold is expected to be exceeded but there are significant constraints to constructing an eastbound right turn. There are significant slopes, a utility pole and boxes, and limited ROW along Burgess. Once Raygor is connected to the south, the right turn volumes are projected to fall below the threshold. Deviation is being withdrawn.~~

Deviation 2 – A deviation from ECM standard section 2.3.8.A Roadway Terminations – Cul-de-Sacs, requiring that rural Cul-de-Sacs/non-through-roads shall have a maximum length of 1,600 feet.

Deviation 2 requests four non-through streets that exceed 1,600 feet. This deviation is only needed until the Raygor connection south to Stapleton is established or another road connection is made. A gated emergency access is proposed from the Acequia Court cul-de-sac across adjacent Lot 11 of Paintbrush Hills Filing 14. This temporary emergency access has been vetted with the Fire District and a written endorsement from the Fire Chief is provided with the deviation request.

Deviation 3 – A deviation from the ECM standards sections 2.2.4.A.5. Roadway Functional Classifications and Urban/Rural Designations – Rural Minor Collector (including Figure 2-7 Typical Rural Minor Collector Cross Section), and 2.3.2 Design Standards by Functional Classification – Table 2-5: Roadway Design Standards for Rural Collectors and Locals, Criteria for a Rural Minor Collector Roadway – Design ADT. The current Raygor Road ROW and cross section do not meet the ECM standard for a rural minor collector; therefore, a deviation is required. This request details that Raygor Road ROW and cross section do not meet the ECM standard for a minor collector, and a deviation is requested. The proposed alternative is to provide an 18-percent fair share of the cost to upgrade Raygor Road to a 28-foot-wide paved standard including two-foot paved outside shoulders plus two-foot gravel shoulders. Instead of paying an escrow for the 18 percent of the cost of this improvement, the applicant proposes to complete the improvement on the north end of Raygor between Pine Park Trail and Burgess. This is the segment with the highest volume and this construction of a portion in lieu of escrow would put the improved road in-place for the highest volume portion rather than having the funds sit in escrow.

Deviation 4 – A deviation from the ECM standards 2.3.4.A.1: Vertical Alignment- Crest Vertical Curves, and Table 2-12 Stopping Sight Distance and K value by roadway design speed. The crest vertical curve on Burgess Road at the Burgess Road/Raygor intersection does not meet the requirements for stopping sight distance and K value by roadway design speed, which is 50 mph (posted 45 mph). Burgess is an existing roadway and this is an existing deficiency. This deficiency is related to east/west through traffic rather than traffic turning to/from Raygor Road. This project will not add straight through traffic at this intersection and the applicant/owner should not be held responsible for correcting an existing deficiency, and should not be held liable for any safety problem that exists or may develop in the future due to this existing deficiency.

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS:

The Master Plan for the County comprises the recently adopted El Paso County Master Plan, the Water Master Plan, the 2040 Major Transportation Corridor Plan, and the Parks Master Plan.

YOUR EPC MASTER PLAN

The project site is denoted as a Suburban Residential placetype within a priority development area in the County Master Plan. This placetype consists of predominantly single family detached residential areas, and is supportive of single-family attached, multifamily residential, commercial retail, parks, and open space. Aligning with the Preliminary Plan, this placetype deviates from the traditional grid pattern of streets, containing a more curvilinear pattern. The Suburban Residential placetype suggest a density of up to 5 du/ac and the Preliminary Plan proposes single-family detached residential development at a density of 0.31 du/ac. This is consistent with the suburban density placetype objectives.

In the Areas of Change chapter of the County Master Plan, the Preliminary Plan area is identified as a “New development” area. New Development Areas will be significantly transformed as new development takes place. These areas are often on undeveloped or agricultural areas, and are expected to be complimentary to adjacent development. This site provides a consistent transition from the higher density subdivision to the east, and the larger, more rural development to the north, west, and south.

In the Key Area Influences chapter, this site is also designated as a potential area for annexation. This is indicative of the sites' location adjacent to an urbanizing part of the County. However, the Applicant has chosen not to annex into the City and to pursue a rural residential development within the County, consistent with the previously approved Preliminary Plan.

While the site is adjacent to a forested area, is not considered a forested area. Parts of the County near forested areas must critically ensure development does not negatively impact the natural environment. The development proposed will not negatively impact Black Forest. It provides a transition between the natural environment and the higher density residential in Paint Brush Hills to the east. This transitional density also supports Core Principle 2, Housing & Communities, which seeks to "preserve and develop neighborhoods with a mix of housing types", as well as Goal 2.2 to "preserve the character of rural and environmentally sensitive areas."

The Preliminary Plan is also consistent with Core Principle 1, Land Use and Development, which seeks to "manage growth to ensure a variety of compatible land uses that preserve all character areas of the county," in addition to goal 1.1, "ensure compatibility with established character and infrastructure capacity." The proposed minimum 2.5 acre lots will provide a transition from the 5-acre lots to the west and south of the site and the Paint Brush Hills suburban subdivision to the east.

WATER MASTER PLAN

The project is located within region 3, the Falcon area. This growth area is projected to experience significant growth by 2040. By 2060, the AF per year is expected to nearly double in region 3. Region 3 has sufficient supply and existing infrastructure in the area to serve this development. By 2060, a 14% increase in supply is needed.

A Water Resources Report, prepared by JDS Hydro, is included in this submittal. The report indicates an anticipated 0.47 acre-feet of water per year for each lot. The current water rights and augmentation plan in place are adequate to meet the estimated overall demand of 17.90 AF/year for thirty-eight (38) lots. Further discussion of water quantity sufficiency and dependability of supply are included in the Water Resources Report.

Per El Paso County criteria, the 300-year supply of water for the subject property appears to be more than adequate for full buildout, which would include both the 2040 and 2060 scenarios.

The proposed residential development satisfies the following policies of the County Policy Plan and the Water Master Plan.

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability, and quality for existing and future development.

Goal 4.2 – Support the efficient use of water supplies.

Policy 4.3.6 – Encourage well monitoring throughout the County, with an emphasis on the Denver Basin aquifer fringe areas.

Policy 4.1.2 – Encourage more systematic monitoring and reporting of water quality in individual wells.

Goal 6.0 – Require adequate water availability for proposed development.

2040 MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)

The 2040 Functional Classification map shows adjacent roads Briargate and Meridian as principal arterials. Burgess Road is a minor arterial, and Woodmen Road is an expressway.

The 2040 Improvements map identified the most proximate roadway improvement to the site is the Briargate proposed new roadway connection, with county road capacity improvements to Stapleton Drive. The 2060 corridor preservation plan depicts that Briargate Pkwy will become a principal arterial. Burgess Road is expected to be improved between 2040 and 2060. There are no planned improvements to the immediate streets accessing the site in the MTCP.

EL PASO COUNTY PARKS MASTER PLAN

The Parks Master Plan does not identify any proposed parks or candidate open space on this site or in the vicinity. The site is 4 miles from the Pineries Open Space and 7 miles from Black Forest Regional Park. It is in close proximity to various trailheads as well. There is a proposed county trail going through the site on the El Paso County Master Plan, however, this trail is being diverted through The Ranch and Sterling Ranch developments, as the current location necessitates going through multiple 5-acre lots to the south.

PROJECT JUSTIFICATION

The Eagleview Estate Preliminary Plan addressed the Preliminary Plan Review Criteria in Chapter 7.2.1.D.C of the LDC as follows:

1. THE PROPOSED SUBDIVISION IS IN GENERAL CONFORMANCE WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE MASTER PLAN;

The development is consistent with the intent of the El Paso County Master Plan as outlined above.

2. THE SUBDIVISION IS CONSISTENT WITH THE PURPOSES OF THIS CODE;

The proposed development meets all the County Code Preliminary Plan requirements.

3. THE SUBDIVISION IS IN CONFORMANCE WITH THE SUBDIVISION DESIGN STANDARDS AND ANY APPROVED SKETCH PLAN;

There is no approved Sketch Plan for this property. The proposed subdivision is in conformance with the subdivision design standards other than the requested waivers, which are discussed in more detail below. The subdivision design standards set out in Chapter 8 of the Land Development Code are met, including but not limited to:

- Adequate provision for traffic, drainage, open space, recreation and parks;

- Provision of properly designed roads to provide for safe and convenient vehicular circulation and identification of required road improvements;
- Adequate provision for water, sewer and other utilities;
- Ensuring that structures will harmonize with the physical characteristics of the site;
- Ensuring that land is divided into lots that are of adequate size and configuration for the purpose for which they are intended to be used; and
- Protecting the natural resources, considering the natural vegetation.

4. A SUFFICIENT WATER SUPPLY HAS BEEN ACQUIRED IN TERMS OF QUANTITY, QUALITY, AND DEPENDABILITY FOR THE TYPE OF SUBDIVISION PROPOSED, AS DETERMINED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE WATER SUPPLY STANDARDS [C.R.S. § 30-28-133(6)(A)] AND THE REQUIREMENTS OF CHAPTER 8 OF THIS CODE (THIS FINDING MAY NOT BE DEFERRED TO FINAL PLAT IF THE APPLICANT INTENDS TO SEEK ADMINISTRATIVE FINAL PLAT APPROVAL);

Water is provided by individual site wells operated through a state approved water replacement plan. Region 3 has sufficient supply and existing infrastructure in the area to serve this development. By 2060, a 14% increase in supply is needed. Discussions of water quantity sufficiency and dependability of supply for this project are included in the submitted Water Resources Report, prepared by JDS Hydro. The report indicates an anticipated 0.47 acre-feet of water per year for each lot. The current water rights and augmentation plan in place are adequate to meet the estimated overall demand of 17.90 AF/year for thirty-eight (38) lots.

5. A PUBLIC SEWAGE DISPOSAL SYSTEM HAS BEEN ESTABLISHED AND, IF OTHER METHODS OF SEWAGE DISPOSAL ARE PROPOSED, THE SYSTEM COMPLIES WITH STATE AND LOCAL LAWS AND REGULATIONS, [C.R.S. § 30-28-133(6) (B)] AND THE REQUIREMENTS OF CHAPTER 8 OF THIS CODE;

The proposed sewage disposal is individual on-site septic systems. These systems comply with all state and local laws and regulations.

6. ALL AREAS OF THE PROPOSED SUBDIVISION, WHICH MAY INVOLVE SOIL OR TOPOGRAPHICAL CONDITIONS PRESENTING HAZARDS OR REQUIRING SPECIAL PRECAUTIONS, HAVE BEEN IDENTIFIED AND THE PROPOSED SUBDIVISION IS COMPATIBLE WITH SUCH CONDITIONS. [C.R.S. § 30-28-133(6)(c)];

The Soils and Geology report, provided by Entech Engineering, which outlines all soil and topographical conditions, is included in this submittal. The report determined the site to be suitable for the proposed developed and achievable by avoidance or proper mitigation through standard construction methods. No geographic hazards are anticipated to preclude the proposed development.

7. ADEQUATE DRAINAGE IMPROVEMENTS COMPLYING WITH STATE LAW [C.R.S. § 30-28-133(3)(c)(VIII)] AND THE REQUIREMENTS OF THIS CODE AND THE ECM ARE PROVIDED BY THE DESIGN;

A preliminary drainage report, provided by Kimley Horn is included in this submittal. The report outlines the site design for the 5-year and 100-year storm drainage system. The site runoff and

storm drain facilities will not adversely affect the downstream and surrounding developments. One sub-regional detention pond is proposed and will capture and control a portion of the onsite and upstream offsite flows.

Drainage facilities identified in the DBPS shall be constructed to El Paso County standards, and are to be owned and maintained by the County upon acceptance.

8. THE LOCATION AND DESIGN OF THE PUBLIC IMPROVEMENTS PROPOSED IN CONNECTION WITH THE SUBDIVISION ARE ADEQUATE TO SERVE THE NEEDS AND MITIGATE THE EFFECTS OF THE DEVELOPMENT;

The location and design of public improvements such as the public rights-of-way adequately services the residents of the subdivision.

9. LEGAL AND PHYSICAL ACCESS IS OR WILL BE PROVIDED TO ALL PARCELS BY PUBLIC RIGHTS-OF-WAY OR RECORDED EASEMENT, ACCEPTABLE TO THE COUNTY IN COMPLIANCE WITH THIS CODE AND THE ECM;

The lots that do not have direct access to a public street will be accessed by a shared/common access easement, in order to preserve topography and natural features. Street names have been approved by El Paso–Teller County 911 Authority.

10. THE PROPOSED SUBDIVISION HAS ESTABLISHED AN ADEQUATE LEVEL OF COMPATIBILITY BY (1) INCORPORATING NATURAL PHYSICAL FEATURES INTO THE DESIGN AND PROVIDING SUFFICIENT OPEN SPACES CONSIDERING THE TYPE AND INTENSITY OF THE SUBDIVISION; (2) INCORPORATING SITE PLANNING TECHNIQUES TO FOSTER THE IMPLEMENTATION OF THE COUNTY'S PLANS, AND ENCOURAGE A LAND USE PATTERN TO SUPPORT A BALANCED TRANSPORTATION SYSTEM, INCLUDING AUTO, BIKE AND PEDESTRIAN TRAFFIC, PUBLIC OR MASS TRANSIT IF APPROPRIATE, AND THE COST EFFECTIVE DELIVERY OF OTHER SERVICES CONSISTENT WITH ADOPTED PLANS, POLICIES AND REGULATIONS OF THE COUNTY; (3) INCORPORATING PHYSICAL DESIGN FEATURES IN THE SUBDIVISION TO PROVIDE A TRANSITION BETWEEN THE SUBDIVISION AND ADJACENT LAND USES; (4) INCORPORATING IDENTIFIED ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING BUT NOT LIMITED TO, WETLANDS AND WILDLIFE CORRIDORS, INTO THE DESIGN; AND (5) INCORPORATING PUBLIC FACILITIES OR INFRASTRUCTURE, OR PROVISIONS THEREFORE, REASONABLY RELATED TO THE PROPOSED SUBDIVISION SO THE PROPOSED SUBDIVISION WILL NOT NEGATIVELY IMPACT THE LEVELS OF SERVICE OF COUNTY SERVICES AND FACILITIES;

The subdivision incorporates the characteristics of a suburban residential placetype. The layout provides a transition from the high density residential to the east and the rural, large lot residential to the west and north. The project supports infill to a currently vacant property, that is detailed as a priority development area in the Master Plan. The layout is mindful of the environmentally sensitive streams on site, displayed on the Preliminary Plan as drainage easements. The proposed subdivision will not negatively impact any levels of county services or place a strain on its facilities.

11. NECESSARY SERVICES, INCLUDING POLICE AND FIRE PROTECTION, RECREATION, UTILITIES, OPEN SPACE AND TRANSPORTATION SYSTEM, ARE OR WILL BE AVAILABLE TO SERVE THE PROPOSED SUBDIVISION;

Necessary services are outlined above and adequately serve the proposed subdivision. Letters of commitment from these entities have been received and included in the application.

12. THE SUBDIVISION PROVIDES EVIDENCE TO SHOW THAT THE PROPOSED METHODS FOR FIRE PROTECTION COMPLY WITH CHAPTER 6 OF THIS CODE; AND

A fire commitment letter is included in this submittal, providing evidence of proper methods for fire protection.

This area falls under the Falcon Fire Protection district. The 133-square-mile fire district extends from Peyton Highway on the east to County Line Road on the north to Black Forest Road on the west and one mile north of Colorado Highway 94 on the south. The district serves more than 23,400 citizens and protects almost 10,000 structures. Ninety-four percent of the structures within the district are residential and 6 percent are commercial buildings. The Falcon Fire Protection district actively maintains 4 stations and has adequate facilities and resources to serve this development.

As agreed with Falcon Fire Protection District, the proposed residential lots will be served by the existing Woodland Hills fire hydrant located at the southeast corner of Arroya Lane and Stapleton Drive.

An emergency access easement is proposed over adjacent Lot 11 of Paintbrush Hills Filing 14, connecting to the Acequia Court Cul-de-Sac to Keynes Drive. This will serve as the secondary point of access until Raygor Road is extended to Stapleton Drive, or another road connection is made.

13. THE PROPOSED SUBDIVISION MEETS OTHER APPLICABLE SECTIONS OF CHAPTER 6 AND 8 OF THIS CODE.

The subdivision meets all applicable sections of the code.

El Paso County Parcel Information

File Name:

Date:

PARCEL

NAME

ADDRESS



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



COPYRIGHT 2022 by the Board of County Commissioners, El Paso County, Colorado. All rights reserved. No part of this document or data contained hereon may be reproduced; used to prepare derivative products; or distributed without the specific written approval of the Board of County Commissioners, El Paso County, Colorado. This document was prepared from the best data available at the time of printing. El Paso County, Colorado, makes no claim as to the completeness or accuracy of the data contained hereon.

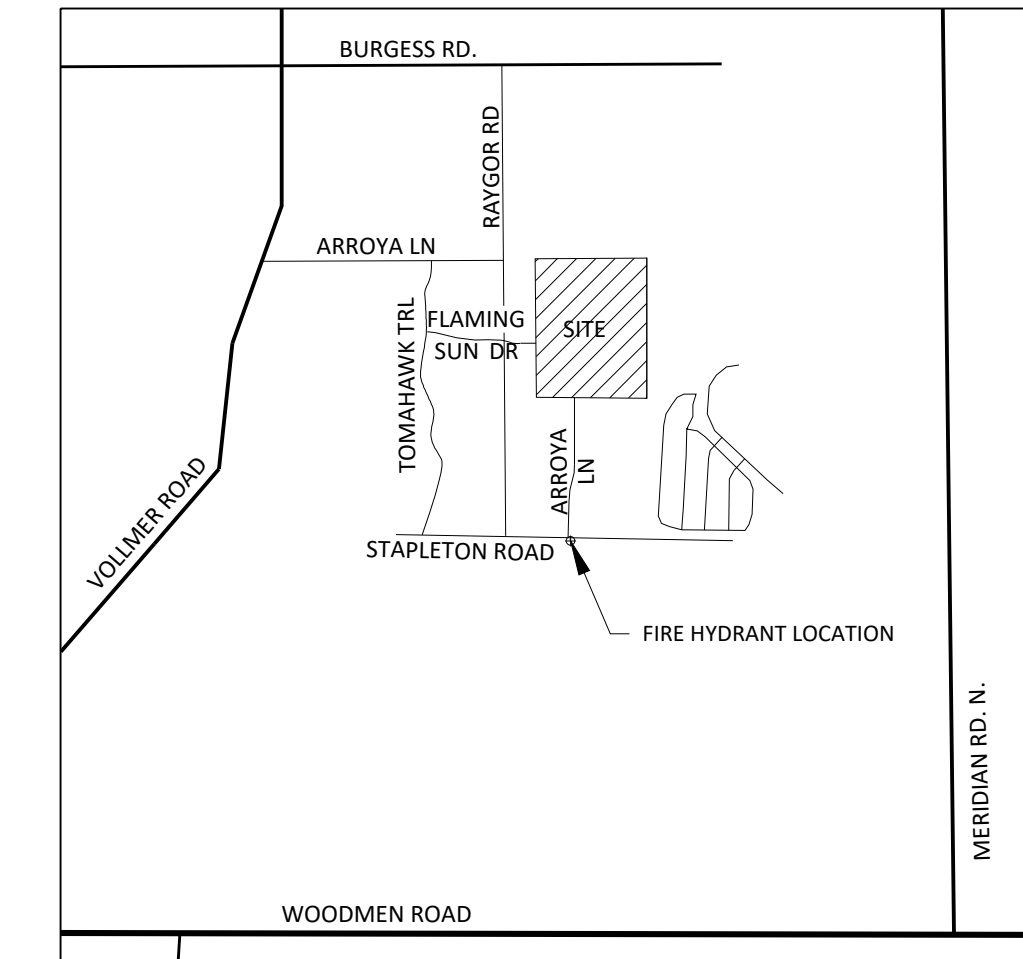
EAGLEVIEW SUBDIVISION

EL PASO COUNTY, COLORADO

PRELIMINARY PLAN

A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO

VICINITY MAP



N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Tel. 719.471.0073
Fax 719.471.0267

www.nescolorado.com

© 2012. All Rights Reserved.

PROJECT TEAM

OWNER/DEVELOPER: PT Eagleview LLC
1864 Woodmoor Dr., Suite 100
Monument, CO 80132
N.E.S. Inc.
619 N. Cascade Ave., Suite 200
Colorado Springs, CO 80903
Kimley-Horn
2 N. Nevada Ave., Suite 300
Colorado Springs, CO 80903

SITE DATA

Tax ID Number: 522600001, 522600002
Total Area: 121.21 AC
Development Schedule: Fall 2022
Drainage Basin: West Tributary of the Falcon Drainage Basin
Current Zoning: RR-2.5
Current Use: Vacant
Proposed Use: Rural Residential
ROW Area: 7.87 AC
Total Lots: 38
Total Lot Area: 113.34 AC
Proposed Density: 0.31 DU/AC
Lot Standards:
Average Lot Size: 2.95 AC
Minimum Lot Size: 2.50 AC
Minimum Lot Width: 200'
Maximum Lot Coverage: None
Maximum Building Height: 30 ft
Building Setbacks:
Front: 25 ft
Side: 15 ft
Rear: 25 ft
Drainage & Utility Easements:
Front: 10 ft
Side: 10 ft
Rear: 10 ft
Perimeter: 20 ft

ADJACENT PROPERTY OWNERS

- Kristi S. Marquess - 10475 Raygor Road, Colorado Springs, CO 80908
- Precious Springs Trust - 10535 Raygor Road, Colorado Springs, CO 80908
- Fredric H. & Erica C. Maxwell - 7390 Clovis Way, Colorado Springs, CO 80908
- Donald M. Blasius - 10585 Arrowgrass Loop, Colorado Springs, CO 80908
- Saint Aubyn Homes LLC - 212 N Wahsatch Ave, Ste 301, Colorado Springs, CO 80903
- Paint Brush Hills Metro District - 9985 Tower Ave, Peyton, CO 80831
- Larry R Lenket - 9890 Rockingham Drive, Peyton, CO 80831
- Roger Beaty - 9876 Rockingham Drive, Peyton, CO 80831
- Sergiu & Daniela - Botolin9725 Arroya Lane, Peyton, CO 80831
- Simons Family Trust - 9825 Arroya Lane, Colorado Springs, CO 80908
- Laura L. Hoff - 9850 Arroya Lane, Colorado Springs, CO 80908
- Lane & Tami A. Blackwell - 9915 Raygor Road, Colorado Springs, CO 80908
- Cindy L. Wickline - 9975 Raygor Road, Colorado Springs, CO 80908
- Joseph H. & Judy K. Bristow - 10065 Raygor Road, Colorado Springs, CO 80908
- Amanda & James Schilling - 10155 Raygor Road, Colorado Springs, CO 80908
- Christina Mathews - 9750 Flaming Sun Drive, Colorado Springs, CO 80908
- Suzanne Irene Richardson - 10295 Raygor Road, Colorado Springs, CO 80908
- Erasmio Gutierrez & Nidia T. Vargas - 10385 Raygor Road, Colorado Springs, CO 80908

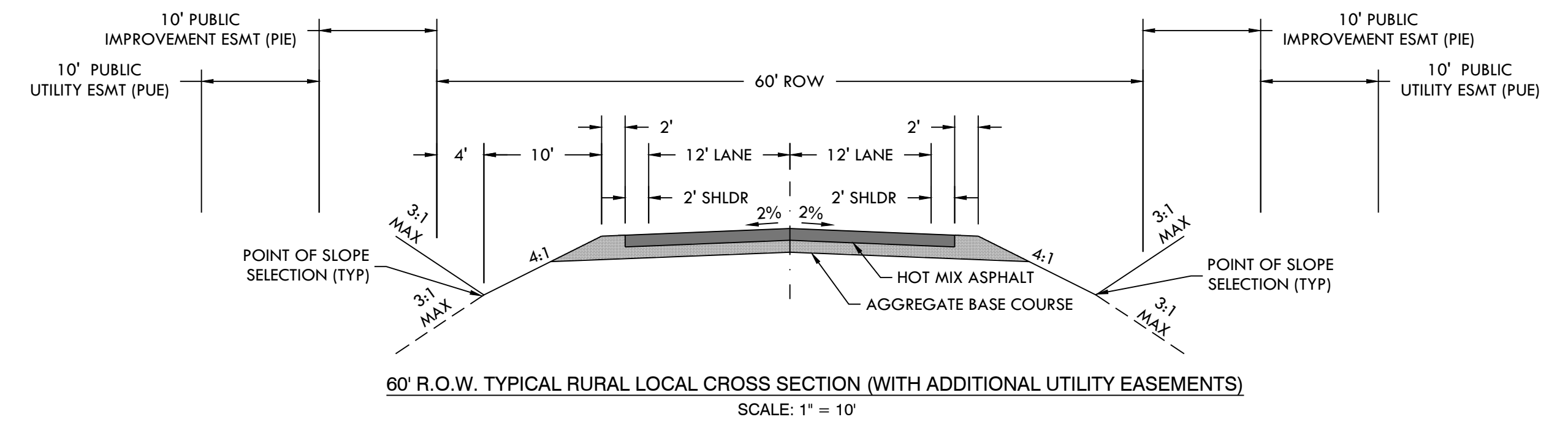
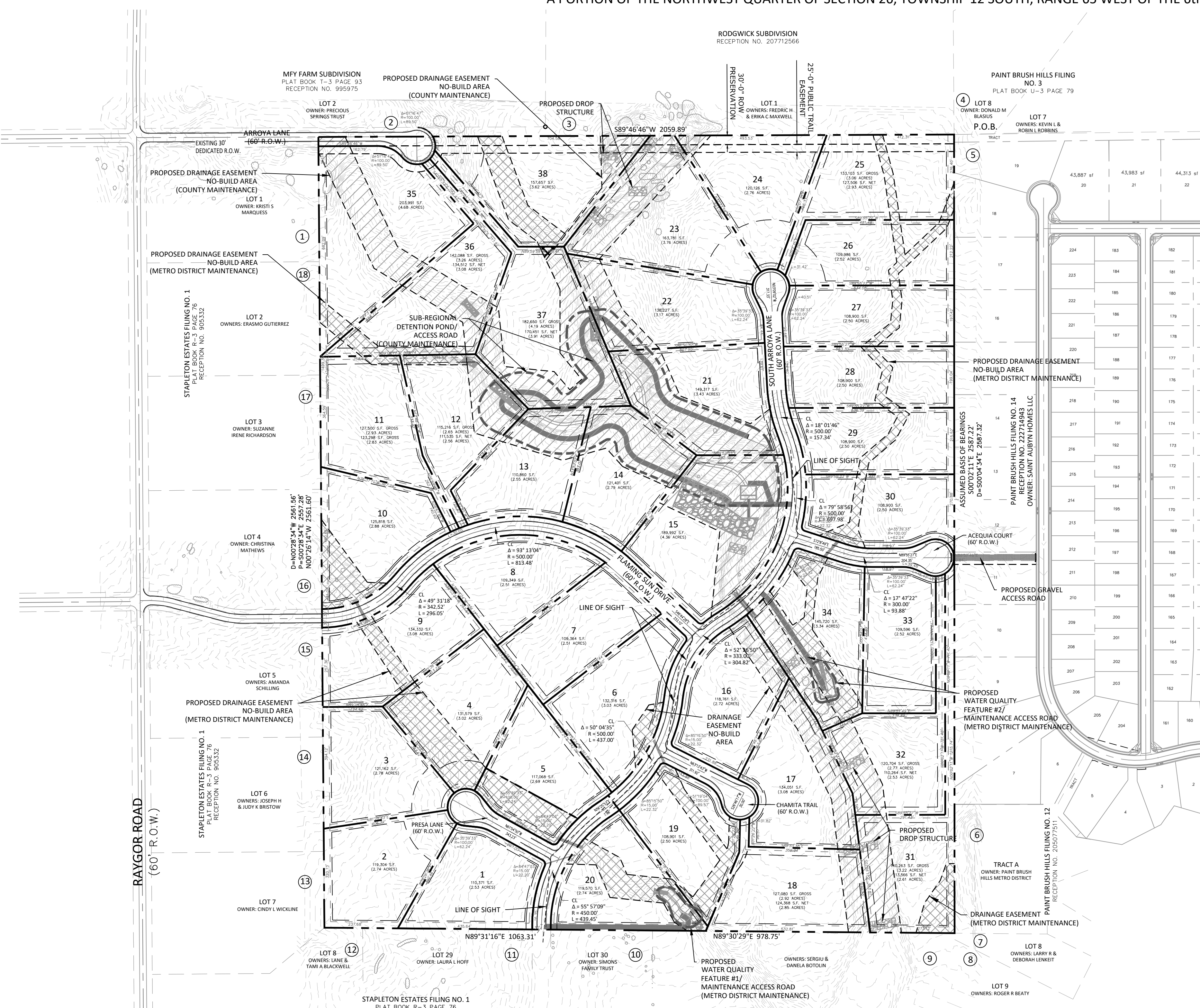
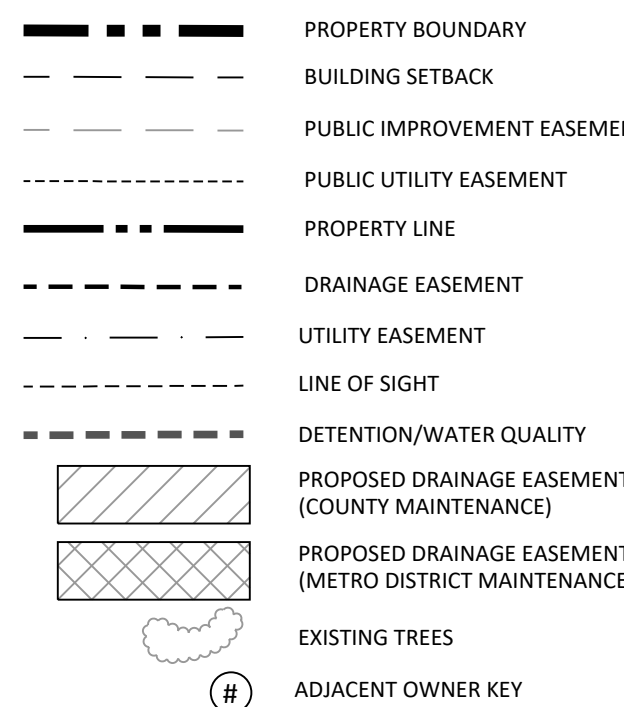
GENERAL NOTES

- Water to be provided via individual on site wells.
- Waste water to be individual on site septic systems.
- This property is located within and serviced by Mountain View Electric Association District, Black Hills Energy Gas Service District, Falcon Fire Protection District, and the Falcon School District.
- All roadways and drainage facilities within dedicated rights of way and drainage easements as shown on lots 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 31, 32, 34, 37, 38 shall be constructed to El Paso County standards, and are to be owned and maintained by the County upon acceptance.
- Proposed method of guaranteeing funds will be one of any approved acceptable to the El Paso County Attorneys Office.
- Mountain View Electric Association requires that their easements be exclusive of grading and drainage easements.
- This site is not within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041C0535G, effective December 7, 2018.
- The parties responsible for this plan have familiarized themselves with all current accessibility criteria and specifications and the proposed plan reflects all site elements required by the applicable ADA design standards and guidelines as published by the United States Department of Justice. Approval of this plan by El Paso County does not assure compliance with the ADA or any regulations or guidelines enacted or promulgated under or with respect to such laws.
- Soil and Geology Considerations:
Geologic Hazard Note-Final Plat:
The following lots have been found to be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the Soil, Geology, and Geologic Hazard Study Prepared by Entech Engineering, Inc. November 19, 2021, revised August 22, 2022, in file SP-2106 available at the El Paso County Planning and Community Development Department:
 - Potentially Seasonal Shallow Groundwater: Lots 21-23, 32
 - Seasonal Shallow Groundwater: 4, 5, 9, 32, 34-38
 - Potentially Unstable Slopes: 12-18, 21, 23, 24, 31, 32, 34, 36-38
 - Artificial Fill Lots 4, 5, and 35
 - Expansive Soils are sporadic and have not been mapped. If encountered, over excavation and replacement is recommended.
- In Areas of High Groundwater: Due to high groundwater in the area, all foundations shall incorporate and underground drainage system.
- Structure, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
- Certified engineer CWTs are required where this is shallow bedrock groundwater. CWTs shall not be located within 25ft of drainage areas and easements.
- Drainage Easements as shown on lots 4, 5, 6, 9, 10, 11, 12, 17, 18, 19, 20, 25, 26, 27, 28, 29, 30, 34, 35, 36, 37, 38 are no build areas. No construction or accessory structures are permitted in these easements.
- The following reports have been submitted in association with the Preliminary Plan or Final Plat for this subdivision and are on file at the County Planning and Community Development Department: Transportation Impact Study; Drainage Report; Water Resources Report; Wastewater Disposal Report; Geology and Soils Report; Fire Protection Report; Wildlife Hazard Report; Natural Features Report;
- Property owners are responsible for maintaining proper storm water drainage in and through their property. Homebuilders are responsible to ensure proper drainage around structures, including elevations of foundations and window wells in relation to drainage facilities. Homeowners shall not change the grade of the lot or drainage swales as constructed by the builder in a manner that would cause adverse drainage impacts to adjacent properties. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
- Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the listed species (e.g., Preble's Meadow Jumping Mouse).
- No driveway shall be established unless an access permit or waiver has been granted by El Paso County.
- Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.
- The following lots will require engineered site plans for the construction design of driveway culverts in the event driveways are proposed to cross the drainage easements: Lots 4, 5, 9, 19, 20, 25-30, 34-36, and 38.
- A new Metropolitan District will be formed to serve this development.

LEGAL DESCRIPTION

AS DESCRIBED IN TITLE COMMITMENT:
A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 26, AS ACCEPTED AND USED IN THE PLATS OF MIFY FARM SUBDIVISION AND PAINT BRUSH HILLS FILING NO. 3, RECORDED IN PLAT BOOK R-3 AT PAGE 93 AND IN PLAT BOOK U-3 AT PAGE 79, RESPECTIVELY, OF THE RECORDS OF SAID EL PASO COUNTY, THENCE SOUTH 00 DEGREES 04 MINUTES 34 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 26, 2587.32 FEET TO THE CENTER CORNER OF SAID SECTION 26; THENCE NORTH 89 DEGREES 31 MINUTES 29 SECONDS WEST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26, 978.90 FEET TO THE NORTHEAST CORNER OF LOT 30 OF STAPLETON ESTATES FILING NO. 1, AS RECORDED IN PLAT BOOK R-3 AT PAGE 76 OF THE RECORDS OF SAID EL PASO COUNTY; THENCE CONTINUING ALONG THE BOUNDARY LINE OF SAID STAPLETON ESTATES FILING NO. 1, NORTH 89 DEGREES 31 MINUTES 29 SECONDS WEST, ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 26, 1032.07 FEET; THENCE NORTH 00 DEGREES 28 MINUTES 34 SECONDS WEST, 2561.56 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26; THENCE NORTH 89 DEGREES 44 MINUTES 28 SECONDS EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID MIFY FARM SUBDIVISION, 2028.78 FEET TO THE POINT OF BEGINNING.
AS MEASURED:
A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 26, AS ACCEPTED AND USED IN THE PLATS OF MIFY FARM SUBDIVISION AND PAINT BRUSH HILLS FILING NO. 3, RECORDED IN PLAT BOOK R-3 AT PAGE 93 AND IN PLAT BOOK U-3 AT PAGE 79, RESPECTIVELY, OF THE RECORDS OF SAID EL PASO COUNTY, THENCE SOUTH 00 DEGREES 04 MINUTES 34 SECONDS EAST, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 26, 2587.32 FEET TO THE CENTER CORNER OF SAID SECTION 26; THENCE NORTH 89 DEGREES 31 MINUTES 29 SECONDS WEST, ALONG THE SOUTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26, 978.90 FEET TO THE NORTHEAST CORNER OF LOT 30 OF STAPLETON ESTATES FILING NO. 1, AS RECORDED IN PLAT BOOK R-3 AT PAGE 76 OF THE RECORDS OF SAID EL PASO COUNTY; THENCE CONTINUING ALONG THE BOUNDARY LINE OF SAID STAPLETON ESTATES FILING NO. 1, NORTH 89 DEGREES 31 MINUTES 29 SECONDS WEST, ALONG SAID SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION 26, 1032.07 FEET; THENCE NORTH 00 DEGREES 28 MINUTES 34 SECONDS WEST, 2561.56 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26; THENCE NORTH 89 DEGREES 44 MINUTES 28 SECONDS EAST, ALONG THE SOUTHERLY BOUNDARY LINE OF SAID MIFY FARM SUBDIVISION, 2028.78 FEET TO THE POINT OF BEGINNING.
SAID TRACT CONTAINS 121.20 ACRES OF LAND, MORE OR LESS.

LEGEND



P:\Pro_Terra\Eagleview Estates\Drawings\Planning\Pre\InitialSubmittal.dwg (PrelimPlan) 12/17/2022 10:48:35 AM bswenson

EAGLEVIEW SUBDIVISION

PRELIMINARY PLAN

EL PASO COUNTY, CO

DATE: 12/10/2021
PROJECT MGR: A. BARLOW
PREPARED BY: B. SWENSON

DATE	BY	DESCRIPTION
8/26/2022	JBS	PER COUNTY COMMENTS
10/25/2022	JBS	PER COUNTY COMMENTS
12/2/2022	JBS	PER COUNTY COMMENTS

DATE	BY	DESCRIPTION
12/10/2021	A. BARLOW	PREPARED BY
12/10/2021	B. SWENSON	PROJECT MGR

SHEET NUMBER	SHEET TITLE
1	PRELIMINARY PLAN

SHEET NUMBER	SHEET TITLE
1	1 OF 4

PLAN FILE #	SHEET NUMBER
SP-2106	1

EAGLEVIEW SUBDIVISION

EL PASO COUNTY, COLORADO

PRELIMINARY PLAN

A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO



N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Tel. 719.471.0073
Fax 719.471.0267

www.nescolorado.com

© 2012. All Rights Reserved.

PLANNER / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH

STAMP

ISSUE INFO

SHEET / PERIODIC

SHEET TITLE

SHEET NUMBER

PLAN FILE #

EAGLEVIEW SUBDIVISION

PRELIMINARY PLAN

EL PASO COUNTY, CO

PROJECT INFO

DATE:	12/10/2021
PROJECT MGR:	A. BARLOW
PREPARED BY:	B. SWENSON

DATE:

DATE:	BY:	DESCRIPTION:
8/26/2022	JBS	PER COUNTY COMMENTS
10/25/2022	JBS	PER COUNTY COMMENTS

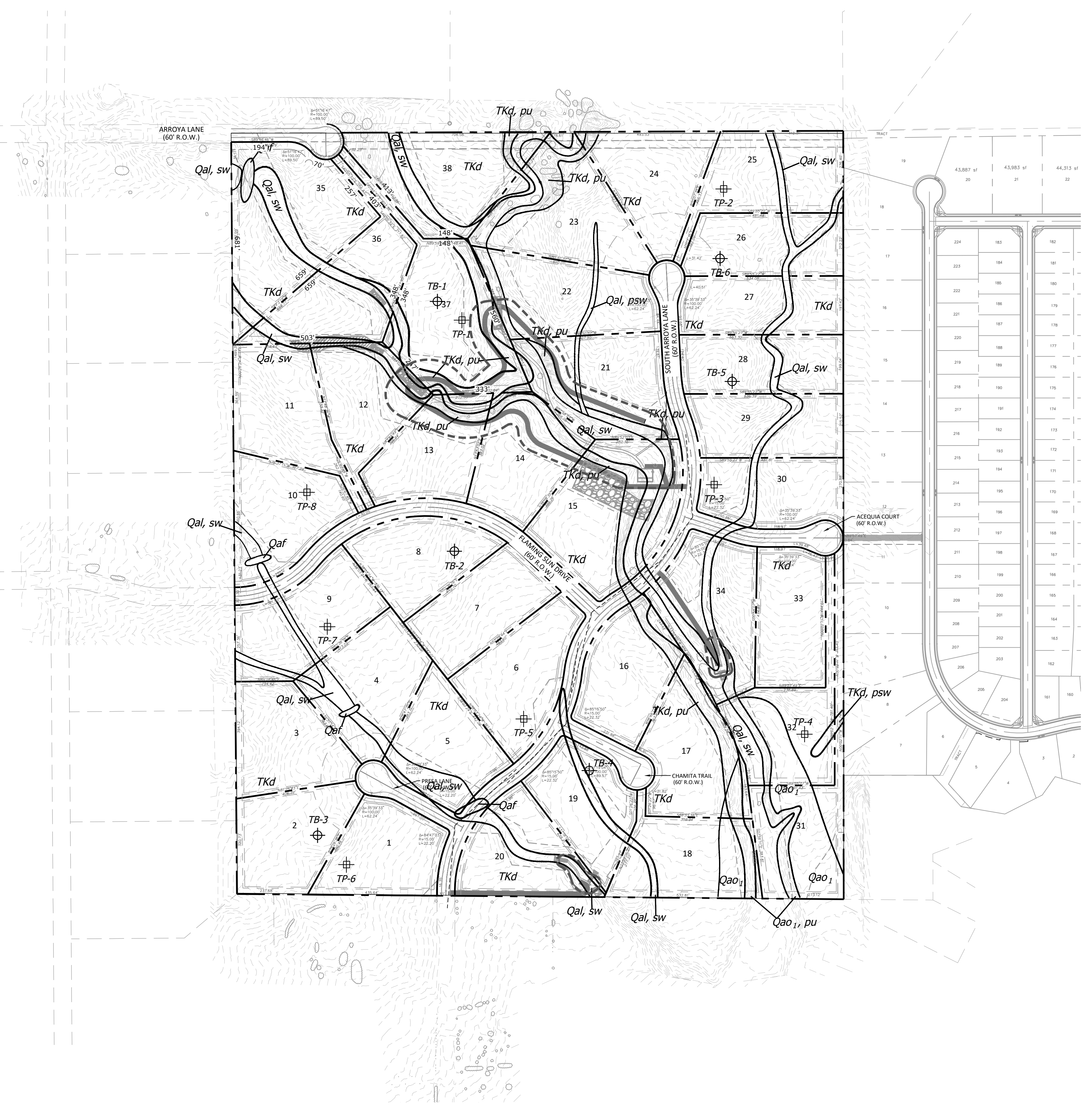
SHEET TITLE

GEOLOGY MAP

2

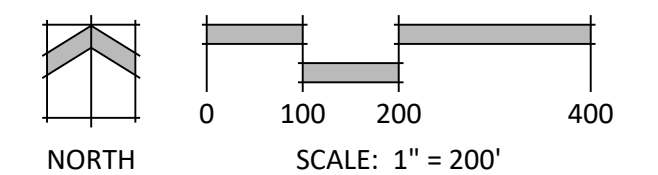
2 OF 4

SP-2106



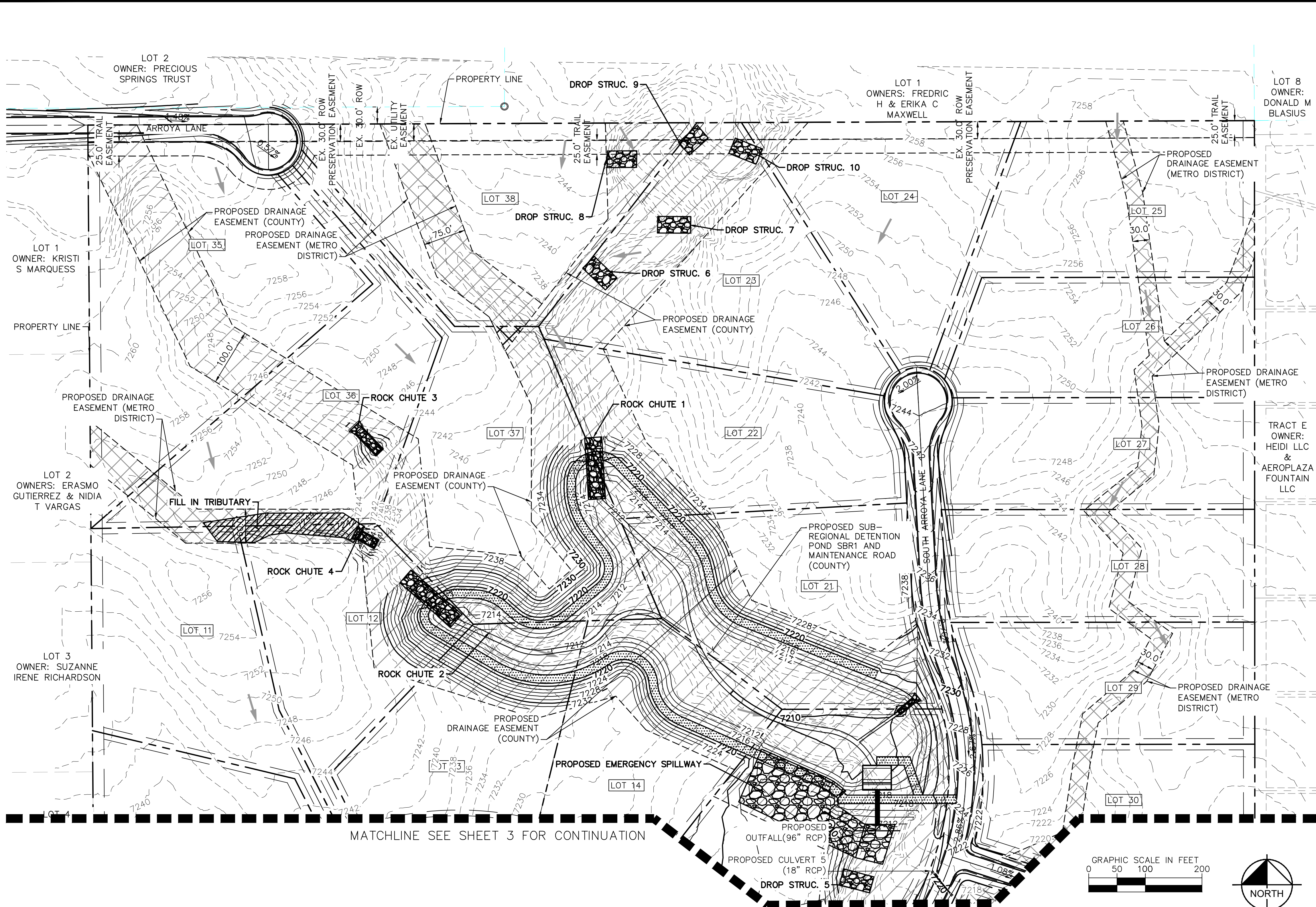
LEGEND

- Qaf** RECENT ARTIFICIAL FILL OF HOLOCENE AGE:
THESE ARE MAN MADE FILL DEPOSITS ASSOCIATED WITH
EROSION BERMS ON-SITE.
- Qal** RECENT ALLUVIUM OF HOLOCENE AGE:
RECENT WATER DEPOSITED SEDIMENT ALONG MINOR
DRAINAGE
- Qao₁** OLD ALLUVIUM ONE OF LATE-MIDDLE PLEISTOCENE AGE:
RECENT WATER DEPOSITED SEDIMENT ALONG MINOR
DRAINAGE
- TKd** DAWSON FORMATION OF TERTIARY TO CRETACEOUS AGE:
ARKOSIC SANDSTONE WITH INTERBREDED FINE-GRAINED SANDSTONE,
SILTSTONE AND CLAYSTONE.
- fp** FLOODPLAIN
- pu** POTENTIALLY UNSTABLE SLOPE
- psw** POTENTIALLY SEASONAL SHALLOW GROUNDWATER AREA
- sw** SEASONAL SHALLOW GROUNDWATER AREA
- w** FLOWING WATER
- APPROXIMATE TEST BORING LOCATION
- APPROXIMATE TEST PIT LOCATION



P:\Pro_Terra\ElPaso\ElPaso\Drawings\Planning\Pre\ElPaso\Subdivision.dwg (GEO_MAP) 10/25/2022 1:28:55 PM Swenson

K:\COS_Civil\196288000_Eagleview\CADD\PlanSheets\PRE_GF.dwg Kofford, Kevin 12/1/2022 9:41 AM



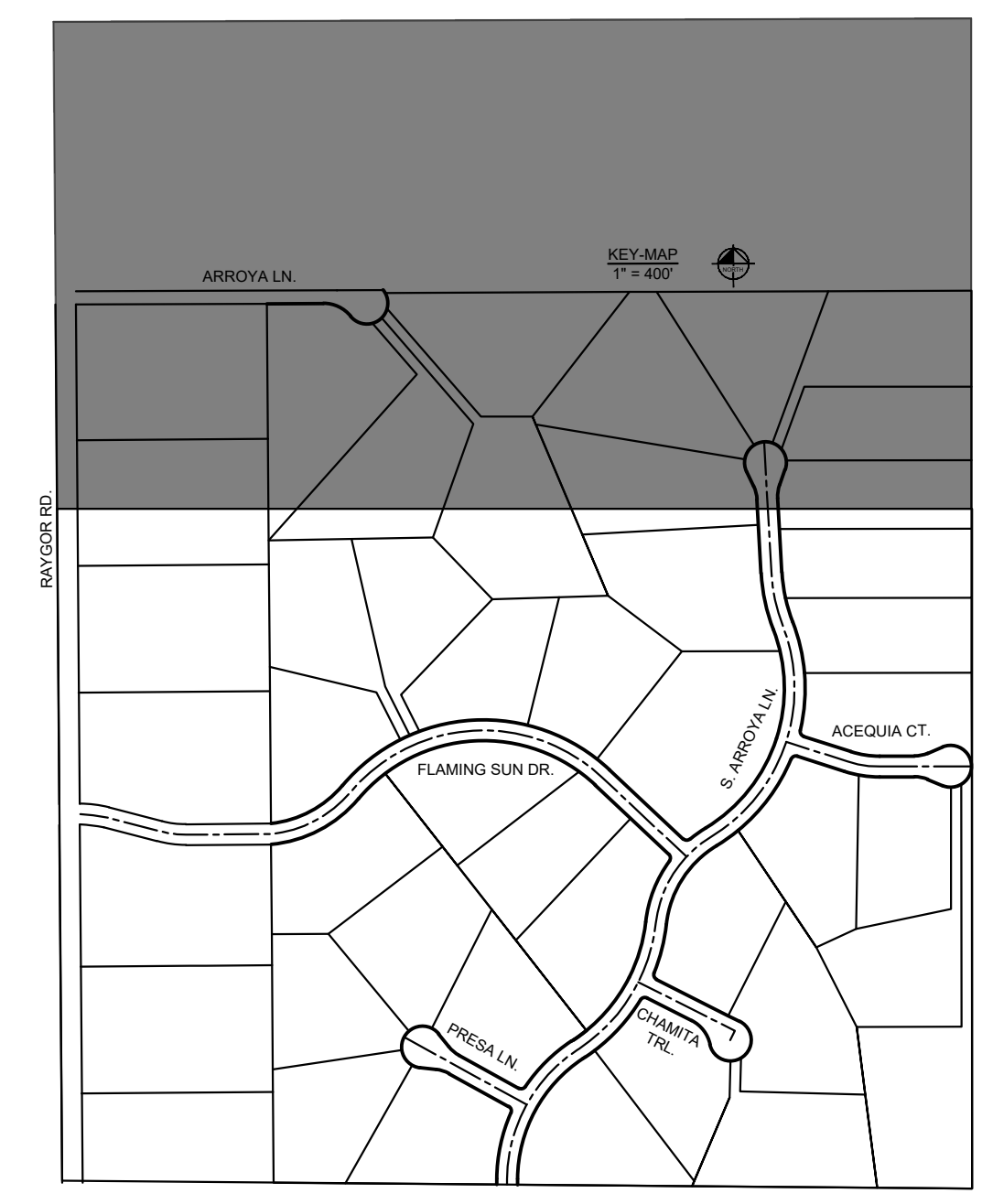
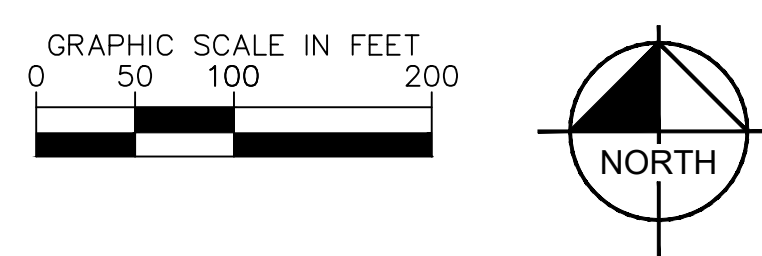
LEGEND

	PROPERTY LINE
	PROPOSED EASEMENT
	PROPOSED DRAINAGE EASEMENT (COUNTY MAINTENANCE)
	PROPOSED DRAINAGE EASEMENT (METRO DISTRICT MAINTENANCE)

811 Know what's below.
Call before you dig.

CALL UTILITY NOTIFICATION
CENTER OF COLORADO
1-800-922-1987

CALL 2-BUSINESS DAYS IN ADVANCE
BEFORE YOU DIG, GRADE, OR EXCAVATE
FOR THE MARKING OF UNDERGROUND
MEMBER UTILITIES



NO.	REVISION	BY	DATE	APPR

KimleyHorn
2021 KIMLEY-HORN AND ASSOCIATES, INC.
2 North Nevada Avenue Suite 300
Colorado Springs, Colorado 80903 (719) 453-0180

DESIGNED BY: MJK
DRAWN BY: MJK
CHECKED BY: KRK
DATE: 10/XX/2021

EAGLEVIEW
EL PASO COUNTY, COLORADO

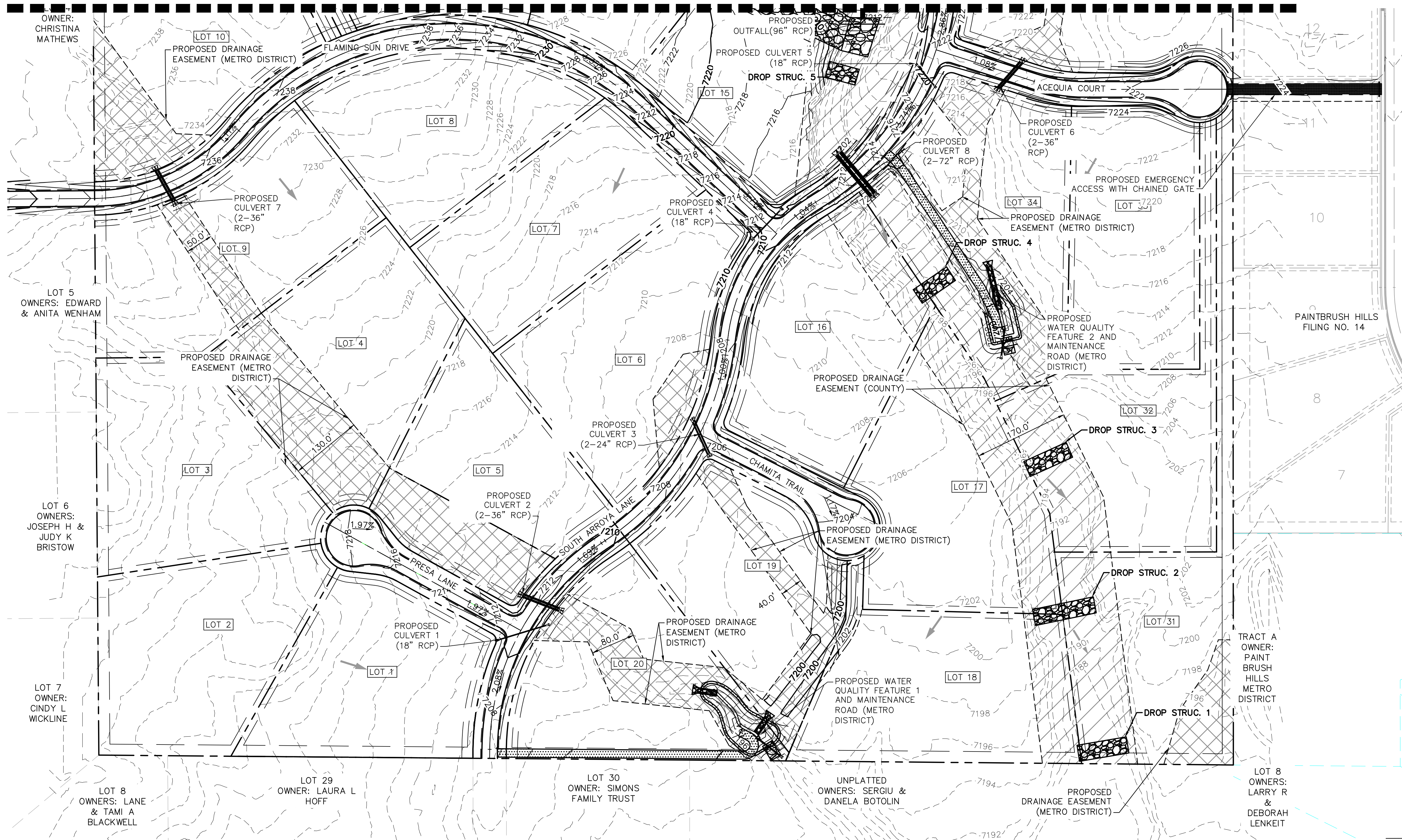
PRELIMINARY GRADING PLAN

PRELIMINARY
FOR REVIEW ONLY
NOT FOR CONSTRUCTION
KimleyHorn
Kimley-Horn and Associates, Inc.

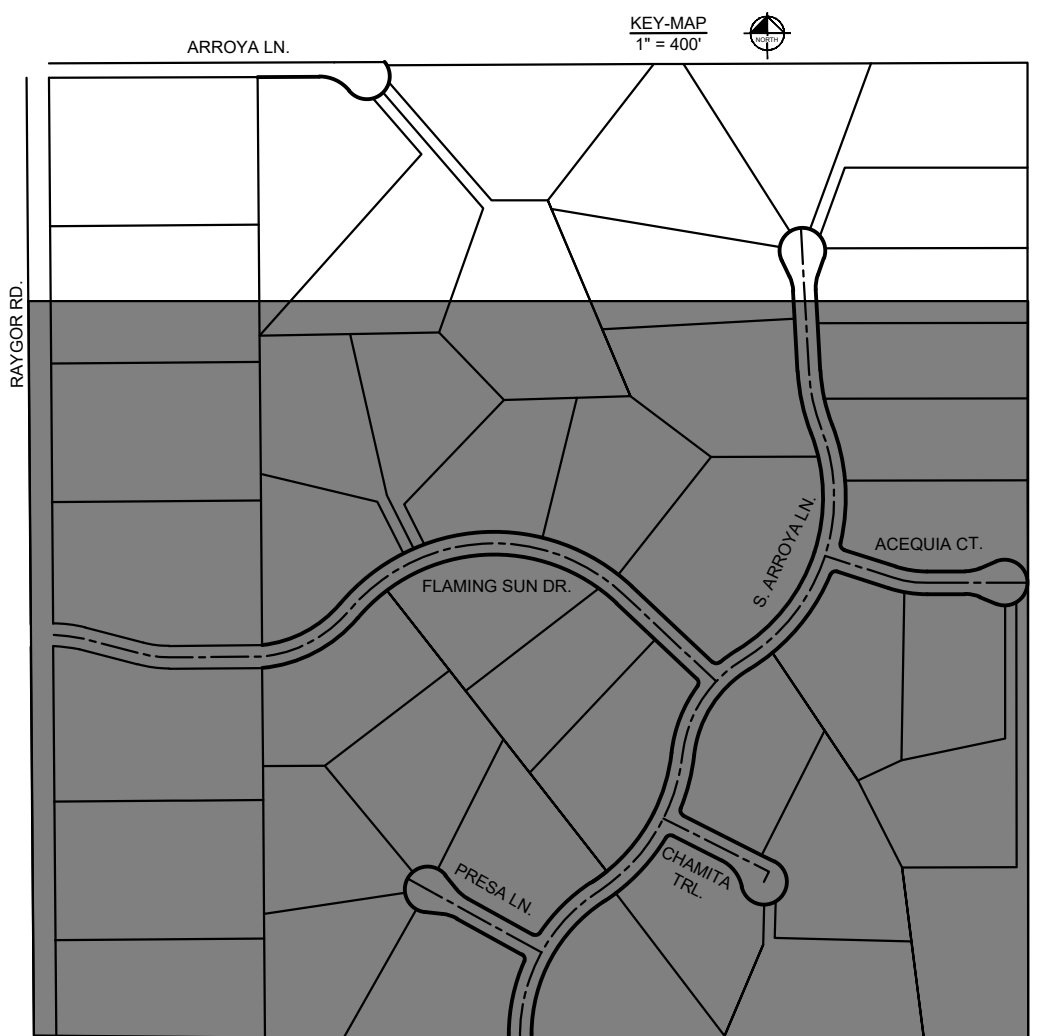
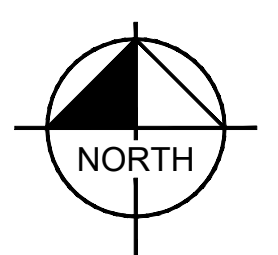
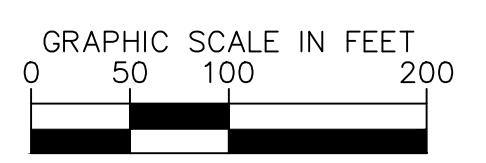
PROJECT NO.
196106001

SHEET
3 OF 4

MATCHLINE SEE SHEET 2 FOR CONTINUATION



- LEGEND**
- PROPERTY LINE
 - PROPOSED EASEMENT
 - PROPOSED DRAINAGE EASEMENT (COUNTY MAINTENANCE)
 - PROPOSED DRAINAGE EASEMENT (METRO DISTRICT MAINTENANCE)



K:\COS_Civil\196288000_Eagleview_CADD\PlanSheets\PRE_GF.dwg Kofford, Kevin 12/1/2022 9:41 AM



CALL UTILITY NOTIFICATION CENTER OF COLORADO
1-800-922-1987
 CALL 2-BUSINESS DAYS IN ADVANCE BEFORE YOU DIG, GRADE, OR EXCAVATE FOR THE MARKING OF UNDERGROUND MEMBER UTILITIES

NO.	REVISION	BY	DATE	APPR

Kimley»Horn
 2021 KIMLEY-HORN AND ASSOCIATES, INC.
 2 North Nevada Avenue Suite 300
 Colorado Springs, Colorado 80903 (719) 453-0180

DESIGNED BY: MJK
 DRAWN BY: MJK
 CHECKED BY: KRK
 DATE: 10/XX/2021

EAGLEVIEW
 EL PASO COUNTY, COLORADO

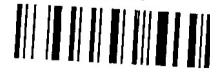
PRELIMINARY GRADING PLAN

PRELIMINARY
 FOR REVIEW ONLY
 NOT FOR CONSTRUCTION

Kimley»Horn
 Kimley-Horn and Associates, Inc.

PROJECT NO.
 196106001

SHEET
 4 OF 4



EL PASO COUNTY

COMMISSIONERS:
DENNIS HISEY (CHAIR)
JIM BENSBERG (VICE-CHAIR)

SALLIE CLARK
WAYNE WILLIAMS
AMY LATHEN

DEVELOPMENT SERVICES DEPARTMENT

April 15, 2008

Jerry R. Landress
12585 Bridle Bit Road
Colorado Springs, Colorado 80908

RE: Rezoning: RR-5 to RR-2.5 (P-06-003)
Preliminary Plan – Eagleview Estates Subdivision (SP-06-021)

This is to inform you that the above-referenced requests were heard and approved by the Board of County Commissioners on February 14, 2008. Details are as follows:

Rezoning – Request for approval to rezone 121.2 acres from RR-5 (Residential Rural) District to RR-2.5 (Residential Rural) District for development of the Eagleview Estates Subdivision, a 38 single-family residential development. The property (Schedule Nos. 52260-00-001, 52260-00-002) is located ½ mile north of Stapleton Road and east of Raygor Road, within the Falcon/ Peyton Comprehensive Planning Area.

This approval is subject to the following:

CONDITIONS OF APPROVAL

1. Applicable Park and School fees shall be paid with any Final Plats.
2. 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 Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service.
3. No building permits shall be issued for this development until an emergency access road has been constructed south of the existing Stapleton Drive, connecting to the public road system to the east, or until Raygor Road has been connected to the new Stapleton Drive to the south.
4. Fair and equitable participation in the construction of improvements to Raygor Road, proportional to the development's traffic impact, shall be provided as determined at the Final Plat stage and as indicated in a construction surety estimate (estimate of guaranteed funds). As an alternative, subject to approval

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



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

by the Board of County Commissioners, the estimated cost for such proportional improvements may be escrowed for the use of the County or other entity to construct the specified improvements to Raygor Road.

5. Access-related improvements for Lot 38 shall be included in Plat Note No. 12 and the Subdivision Improvements Agreement and collateral with the final plat.
6. No road name changes shall occur that affect existing residences.

NOTATION

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.

Preliminary Plan – Request for Preliminary Plan approval of Eagleview Estates Subdivision development. The proposed 121.2 acre subdivision is currently in the RR-5 (Residential Rural) zone districts. A Rezone application is running concurrently with this application to the RR-2.5 zone district. The subdivision includes 38 single-family residential lots with a minimum lot size of 2.5 acres. The property (Schedule Nos. 52260-00-001, 52260-00-002) is located ½ mile north of Stapleton Road and east of Raygor Road, within the Falcon/ Peyton Comprehensive Planning Area.

Also approved were the following requested waivers:

Waiver #1: The applicant is requesting a waiver of Section V Chapter 49.2.C.3.b.(7) of the El Paso County Land Development Code, which states that access to areas containing in excess of (10) units must be by through street or loop street. This waiver is requested for Kite Court a cul-de-sac accessing 14 lots.

Waiver #2: The applicant is requesting a waiver of Section V Chapter 49.2.J 8.d of the El Paso County Land Development Code (pre-4/2/2007 implementation) for lot 31, which states that no length of the flag stem shall exceed the length of the largest side of the buildable portion of the lot. This waiver request is for lot 31.

Waiver #3: The applicant is requesting a waiver of Section V Chapter 49.2.C.3.b.(7) of the El Paso County Land Development Code, which states that access to areas containing in excess of (10) units must be by through street or loop street. This waiver is requested for Eagle View Subdivision overall.

This approval is subject to the following:

CONDITIONS OF APPROVAL

1. Applicable Park, School, Drainage and Bridge fees shall be paid with any final plats.
2. Prior to Building Permit approval by the Development Services Department, payment shall be made to the 501 (c) (3) "Falcon Community Builders for Classrooms" or School District # 49 and proof of such payment shall be provided to the Development Services Department.
3. 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 Division of 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.
4. A completed U.S. Army Corps of Engineers permit should be provided to the El Paso County Development Services Department prior to project commencement if ground-disturbing activities would occur in wetland areas. Alternatively, a letter from a qualified wetland scientist indicating why such a permit is not required for this project would be acceptable.
5. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
6. A driveway access permit will be required from the El Paso County Development Services Department for any access to a county maintained roadway.
7. Prior to Building Permit approval by the Development Services Department, an emergency access road meeting Engineering Criteria Manual requirements shall be included in the Subdivision Improvements Agreement and Estimate of Guaranteed Funds and collateralized, and shall be constructed south of the existing Stapleton Drive, connecting to the public road system to the east; unless Raygor Road has been connected to the new Stapleton Drive to the south by others.
8. Fair and equitable participation in the construction of improvements to Raygor Road, proportional to the development's traffic impact, shall be provided as determined at the final plat stage and as indicated in a construction surety estimate (estimate of guaranteed funds). As an alternative, subject to approval by the Board of County Commissioners, the estimated cost for such proportional

Jerry R. Landress
April 15, 2008
Page 4

improvements may be escrowed for the use of the County or other entity to construct the specified improvements to Raygor Road.

9. Applicant shall work with County Parks Department regarding easements, grade control, and wetland management for the placement of a regional trail connection prior to submittal of the final plat.
10. Applicant shall provide a commitment to serve letter from Falcon Fire Protection District with final plat submittal.
11. Access-related improvements for Lot 38 shall be included in Plat Note No. 12 and the Subdivision Improvements Agreement and collateral with the final plat.
12. No road name changes shall occur that affect existing residences.

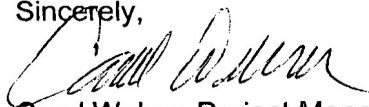
NOTATION

1. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

This represents the Development Services Department's understanding of the action taken by the Board of County Commissioners. A copy of their Resolutions will be forwarded to you, once those documents are available.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,



Carol Weber, Project Manager

cc: Land Resource Associates
David Jones
4455 Fountain Avenue
Cascade, Colorado 80809

Files: P-06-003, SP-06-021

ec: Eileen Wheeler, Deputy Clerk to the Board

County Attorney

Kenneth R. Hodges, County Attorney
719-520-6485
Centennial Hall
200 S. Cascade, Suite 150
Colorado Springs, CO 80903
www.ElPasoCo.com

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

January 25, 2023

SP-21-6 Eagleview Preliminary Plan Reconsideration
Replat

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
April Wilie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal for approval of a reconsideration of a Preliminary Plan for Eagleview Subdivision by PT Eagleview LLC (“Applicant”) for a 38-lot subdivision on a parcel of 121.21 acres of land (the “property”). The property is zoned RR-2.5 (Rural Residential).

Estimated Water Demand

2. Pursuant to the Water Supply Information Summary (“WSIS”), the water demand for the subdivision is 17.86 acre-feet/year, comprised of 9.88 acre-feet/year for 38 single-family dwellings, 4.30 acre-feet/year for irrigation, and 3.68 acre-feet/year for watering of 4 horses. Based on this total demand, Applicant must be able to provide a supply of 5,358 acre-feet of water (17.86 acre-feet per year x 300 years) to meet the County’s 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the not-nontributary Dawson aquifer as provided in the Determination of Water Right and Replacement Plan No. 746-BD (“Determination”). In the Determination, the Colorado Ground Water Commission approved the withdrawal of up to 53.7 acre-feet per year from the Dawson aquifer for a period of 100 years, subject to approval of a replacement plan. The Replacement Plan allows 38 wells, each of which may withdraw 0.47 acre-feet of groundwater for household use, the irrigation of up to 2,000 square feet of lawn and garden, and the watering of four domestic animals. The Replacement Plan covers

ASSISTANT COUNTY ATTORNEYS

NATHAN J. WHITNEY
CHRISTOPHER M. STRIDER

STEVEN A. KLAFFKY
TERRY A. SAMPLE

LORI L. SEAGO
DOREY L. SPOTTS

BRYAN E. SCHMID
STEVEN W. MARTYN

diversions for a period of 300 years. The water rights under the Determination and Replacement Plan were granted to PT Eagleview, LLC, by Special Warranty Deed on December 30, 2022.

State Engineer's Office Opinion

4. In a letter dated November 22, 2022, the State Engineer stated that “[t]he Water Supply Information Summary, Form No. GWS-76, that was included with the referral materials indicates 17.86 acre-feet/year will be required to supply the development.... The proposed source of water is individual on-lot wells producing from the not-nontributary Dawson aquifer that will operate pursuant to the Determination of Water Rights No. 746-BD and Replacement plan 746-RP. The Replacement Plan allows 38 wells, each of which may withdraw 0.47 acre-feet of groundwater household use, the irrigation of up to 2,000 square-feet of lawn and garden, and the watering of four domestic animals. The Replacement Plan covers diversions for a period of 300 years.”

Finally, the State Engineer provided their opinion that “[p]ursuant to 30-28-136(1)(h)(II) C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing injury to decreed water rights, and the supply is expected to be adequate.”

Recommended Findings

5. Quantity and Dependability. Applicant's water demand for the Eagleview Preliminary Plan Reconsideration is 17.86 acre-feet per year for a total demand of 5,358 acre-feet for the subdivision for 300 years. The Determination of Water Right No. 746-BD and allows for 38 wells limited to an annual withdrawal of 0.47 acre-feet for household use.

Based on the water demand of 17.86 acre-feet/year for the Eagleview Preliminary Plan Reconsideration and the Determination of Water Rights and Replacement Plan permitting withdrawals in that amount, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for the Eagleview Preliminary Plan Reconsideration.

6. The water quality requirements of Section 8.4.7.B.10.g. of the El Paso County Land Development Code must be satisfied. **El Paso County Public Health shall provide a recommendation as to the sufficiency of water quality.**

7. Basis. The County Attorney's Office reviewed the following documents in preparing this review: a *Water Resources Report* August 2022, including the Water Supply Information Summary dated August 24, 2022, the State Engineer's Office Opinion dated November 22, 2022, and Colorado Ground Water Commission Findings and Order No. 746-BD entered on July 8, 2005; and Determination Nos. 471-BD, 470-BD, and 469-BD entered on April 22, 2004. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

A. Applicant and its successors and assigns shall comply with all requirements of the Colorado Ground Water Commission Determination and Replacement Plan No. 746-BD, specifically, that water withdrawn from the aquifer by each of the proposed thirty-eight wells permitted shall not exceed 0.47 annual acre-feet based on a total combined annual withdrawal of 17.86 acre-feet. Depletions shall be replaced by individual on-lot non-evaporative septic systems.

B. The County requires that when there is an augmentation/replacement plan, Applicant create a homeowners' association ("HOA") for the purpose of enforcing covenants and assessing any necessary fees related to compliance with the water decrees and augmentation plans for the property.

C. Applicant shall create restrictive covenants upon and running with the property which shall advise and obligate future lot owners of this subdivision, their successors and assigns, and the HOA regarding all applicable requirements of the Colorado Ground Water Commission Determination and Replacement Plan No. 746-BD.

Covenants shall address the following:

1) Identify the water rights associated with the property. The Covenants shall reserve 5,358 acre-feet of Dawson aquifer water pursuant to Colorado Ground Water Commission Determination and Replacement Plan No. 746-BD to satisfy El Paso County's 300-year water supply requirement for the 38 lots of the Eagleview Subdivision. The Covenants shall further identify that 141 acre-feet (0.47 AF/year) of Dawson aquifer water is allocated to each lot. Said reservations shall not be separated from transfer of title to the property and shall be used exclusively for primary water supply.

2) Advise of responsibility for costs. The Covenants shall advise the HOA, lot owners, and their successors and assigns of their obligations regarding the costs of operating the plans for augmentation, which include pumping of the Dawson wells in a manner to replace depletions during pumping.

3) Require non-evaporative septic systems and reserve return flows from the same. The Covenants shall require each lot owner to use a non-evaporative septic system to ensure that return flows from such systems are made to the stream system to replace actual depletions during pumping and shall state that said return flows shall not be separately sold, traded, assigned, or used for any other purpose. The Covenants more specifically shall require that each lot in the subdivision have an occupied single-family dwelling that is generating return flows from a non-evaporative septic system before any irrigation or animal watering is allowed. The Covenants shall also include the following or similar language to ensure that such return flows shall only be used for replacement purposes:

“Return flows shall only be used for replacement purposes, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned, or encumbered in whole or in part for any other purpose.”

4) Address future lot conveyances. The following or similar language shall be included in the Covenants to address future conveyances of the lots subsequent to the initial conveyance made by Applicant/Declarant:

“The water rights referenced herein shall be explicitly conveyed; however, if a successor lot owner fails to so explicitly convey the water rights, such water rights shall be intended to be conveyed pursuant to the appurtenance clause in any deed conveying said lot, whether or not Determination and Replacement Plan No. 746-BD and the water rights therein are specifically referenced in such deed. The water rights so conveyed shall be appurtenant to the lot with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned or encumbered in whole or in part for any other purpose. Such conveyance shall be by special warranty deed, but there shall be no warranty as to the quantity or quality of water conveyed, only as to the title.”

5) Advise of monitoring requirements. The Covenants shall advise the HOA, future lot owners of this subdivision, and their successors and assigns of their responsibility for any metering and data collecting that may be required regarding water withdrawals from existing and future wells in the Dawson aquifers.

6) Require well permits. The Covenants shall Require that well permits be obtained pursuant to the requirements of Determination and Replacement Plan No. 746-BD and C.R.S. § 37-90-137(4) and (10).

7) Address amendments to the covenants. The Covenants shall address amendments using the following or similar language:

“Notwithstanding any provisions herein to the contrary, no changes, amendments, alterations, or deletions to these Covenants may be made which would alter, impair, or in any manner compromise the water supply for the Eagleview Subdivision pursuant to Determination and Replacement Plan No. 746-BD. Further, written approval of any such proposed amendments must first be obtained from the El Paso County Planning and Community Development Department, and as may be appropriate, by the Board of County Commissioners, after review by the County Attorney’s Office. Any amendments must be pursuant to the Colorado Ground Water Commission approving such amendment, with prior notice to the El Paso County Planning and Community Development Department for an opportunity for the County to participate in any such determination.”

8) Address termination of the covenants. The Covenants shall address termination using the following or similar language:

“These Covenants shall not terminate unless the requirements of Determination and Replacement Plan No. 746-BD are also terminated by the Colorado Ground Water Commission and a change of water supply is approved in advance of termination by the Board of County Commissioners of El Paso County.”

D. Applicant and its successors and assigns shall reserve in any deeds of the Property Dawson aquifer water in the decreed amount of 141 acre-feet (0.47 acre-feet per year) per lot. Said reservation shall recite that this water shall not be separated from transfer of title to the Property and shall be used exclusively for primary and replacement supply.

E. Applicant and its successors and assigns shall convey by recorded warranty deed these reserved Dawson aquifer water rights at the time of lot sales. Specifically, Applicant and future lot owners shall convey sufficient water rights in the Dawson aquifer underlying the respective lots to satisfy El Paso County’s 300-year water supply requirement.

Any and all conveyance instruments shall also recite as follows:

For the water rights and return flows conveyed for the primary supply (Dawson aquifer): “These water rights conveyed, and the return flows therefrom, are intended to provide a 300-year water supply, and replacement during pumping, for each of the lots of the Eagleview Subdivision. The water rights so conveyed and the return flows therefrom shall be appurtenant to each of the respective lots with which they are conveyed, shall not be separated from the transfer of title to the land, and shall not be separately conveyed, sold, traded, bartered, assigned, or encumbered in whole or in part for any other purpose. Such conveyance shall be by special warranty deed, but there shall be no warranty as to the quantity or quality of water conveyed, only as to the title.”

F. Applicant and its successors and assigns shall submit a Declaration of Covenants, Conditions, and Restrictions, form deeds, and any plat notes required herein to the Planning and Community Development Department and the County Attorney’s Office for review, and the same shall be approved by the Planning and Community Development Department and the County Attorney’s Office prior to recording the final plat. Said Declaration shall cross-reference Determination and Replacement Plan No. 746-BD and shall identify the obligations of the individual lot owners thereunder.

G. Applicant and its successors and assigns shall record all applicable documents, including, but not limited to, Determination and Replacement Plan No. 746-BD, agreements, assignments, and warranty deeds regarding the water rights, and Declaration of Covenants in the land records of the Office of the Clerk and Recorder of El Paso County, Colorado.

H. The following plat note shall be added that addresses the State Engineer's admonition to advise landowners of potential limited water supplies in the Denver Basin:

"Water in the Denver Basin aquifers is allocated based on a 100-year aquifer life; however, for El Paso County planning purposes, water in the Denver Basin aquifers is evaluated based on a 300-year aquifer life. Applicant and all future owners in the subdivision should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than either the 100 years or 300 years used for allocation indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply."

I. Prior to recording the final plat:

1) Record Determination and Replacement Plan 746-BD in the El Paso County Clerk and Recorder's Office.

2) Upload into eDARP the Certificate of Incorporation or other comparable proof of formation of a homeowner's association from the Colorado Secretary of State.

cc: Ryan Howser, Project Manager, Planner III



Prevent • Promote • Protect

Environmental Health Division
1675 W. Garden of the Gods Road
Suite 2044
Colorado Springs, CO 80907
(719) 578-3199 *phone*
(719) 578-3188 *fax*
www.elpasocountyhealth.org

Eagle View Preliminary Plan Reconsideration, SP-21-6

Please accept the following comments from El Paso County Public Health regarding the preliminary plan reconsideration request referenced above:

- The 19Nov2021, Entech Engineering, Inc., Soil, Geology, Geologic Hazard Report, and the December 2021 Entech Wastewater Study reported that most onsite wastewater treatment systems (OWTS's) on the site will likely require a professional engineer design due to shallow seasonal groundwater. The residential area with 38-lots with 2.5 acres plus appears to have sufficient area to accommodate an OWTS with both a primary and secondary soil treatment area, and a private well; however, consideration for a well-planned parcel layout due to the numerous low drainage areas is encouraged.
- The development is planning to use private wells for water. El Paso County Public Health has made a finding for sufficiency in terms of water quality for the proposed development. The 28Oct2021 Colorado Analytical Laboratories sample results and the 29Oct2021 Hazen Research sample results were reviewed in support of this finding.
- Radon resistant construction and building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and the El Paso County area have potentially higher radon levels than other areas of the country.
- El Paso County Public Health encourages planned walkability of residential communities. Please consider appropriate connections to adjacent subdivisions through the use of sidewalks, and/or other established trails in the surrounding area. Walkability features help in the effort to reduce obesity and associated heart diseases.
- Earthmoving activities greater than 25 acres require a Construction Activity Permit from the Colorado Department of Public Health and Environment, Air Pollution Control Division. Go to: <https://www.colorado.gov/pacific/cdphe/general-air-permits>
- Any planned water quality basins must have mosquito control responsibilities included as a part of the construction design and maintenance plan to help control mosquito breeding habitat and minimize the potential for West Nile Virus.

Mike McCarthy
El Paso County Public Health
719.575.8602
mikemccarthy@elpasoco.com
29Jan2022

El Paso County Parks

Agenda Item Summary Form

Agenda Item Title: Eagleview Estates Preliminary Plan

Agenda Date: January 12, 2022

Agenda Item Number:

Presenter: Ross Williams, Park Planner

Information: **Endorsement:** X

Background Information:

This is a request by N.E.S., Inc., on behalf of PT Eagleview, LLC, for endorsement of Eagleview Estates Preliminary Plan. The original Eagleview Estates Preliminary Plan was approved by the Board of County Commissioners in 2007 but has since expired. Eagleview Estates, zoned RR-2.5, is located southeast of the intersection of Arroyo Lane and Raygor Road, west of the unincorporated Town of Falcon. This proposed 121.21-acre development will include 38 single-family residential lots, with an average lot size of 2.95 acres. The property is within the Falcon-Peyton Small Area Master Plan and Black Forest Preservation Plan boundaries.

The 2013 El Paso County Parks Master Plan shows impacts to two regional trails: the Arroyo Lane Primary Regional Trail and the Woodmen Hills Secondary Regional Trail. The applicant's Letter of Intent correctly states the following:

"The Parks Master Plan does not identify any proposed parks or candidate open space on this site or in the vicinity. The site is 4 miles from the Pinerias Open Space and 7 miles from Black Forest Regional Park. It is in close proximity to various trailheads as well. There is a proposed county trail going through the site on the El Paso County Master Plan, however, this trail is being diverted through The Ranch and Sterling Ranch developments, as the current location necessitates going through multiple 5-acre lots to the south."

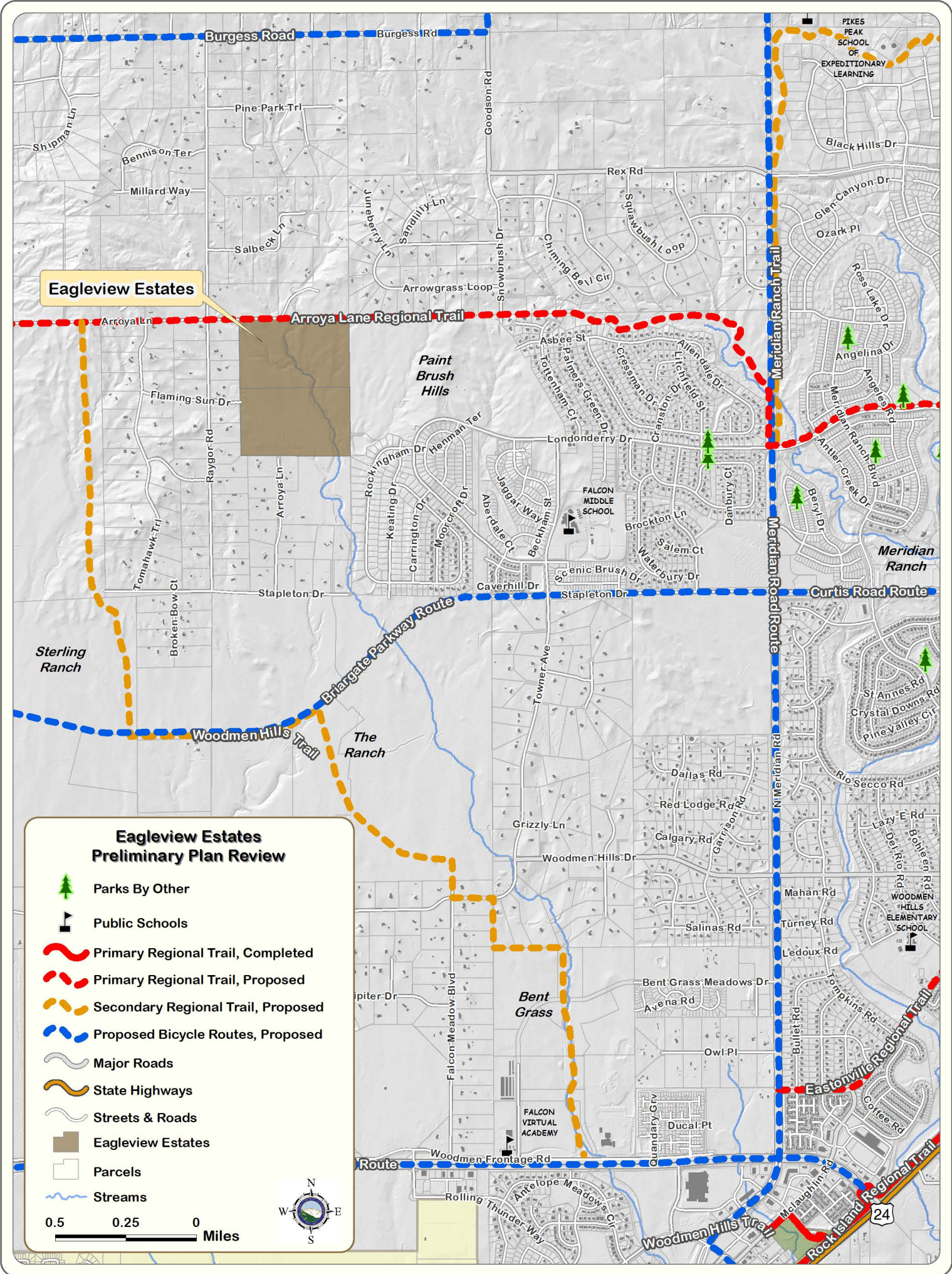
Since 2018, a reroute of the Woodmen Hills Secondary Regional Trail was proposed to better align with other proposed major developments in the area, including Bent Grass, The Ranch, and Sterling Ranch, all of which are located to the south or southwest of Eagleview Estates. However, the applicant did not consider the Arroyo Lane Regional Trail, which runs east-west across the northern portion of the project area and was present in the Trails Master Plan portion of the 2013 Parks Master Plan. Trail easements have been established at The Retreat at TimberRidge and Paint Brush Hills, located to the west and east, respectively. Therefore, staff recommends that a 25' trail easement be designated along the northern edge of Eagleview Estates, which will allow for the construction, maintenance, and public access of the Arroyo Lane Primary Regional Trail.

Because the Eagleview Estates subdivision is zoned RR-2.5, the project is not subject to the El Paso County Land Development Code's 10% open space requirement. Large 2.5-acre lots, natural landscaping, and various drainage easements designated to protect local wetlands and waterways, including a tributary of the Upper Black Squirrel Creek, greatly reduce overall impacts to the surrounding environment.

In addition to the aforementioned trail easement dedication, staff recommends regional park fees in lieu of land dedication due at the time of the recording of the forthcoming Final Plat(s).













Recommended Motion (Preliminary Plan):

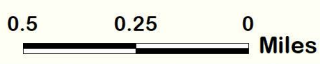
The Park Advisory Board recommends that the Planning Commission and the Board of County Commissioners include the following conditions when considering and/or approving the Eagleview Estates Preliminary Plan: (1) designate and provide to El Paso County a 25-foot trail easement along the northern boundary of Eagleview Estates, that allows for the construction, maintenance, and public access of the Arroyo Lane Primary Regional Trail, and dedicate the aforementioned easement to El Paso County prior to the recording of the forthcoming Final Plat; (2) fees in lieu of land dedication for regional park purposes in the total amount of \$17,480 will be required at the time of the recording of the forthcoming Final Plat.



Eagleview Estates

Eagleview Estates Preliminary Plan Review

-  Parks By Other
-  Public Schools
-  Primary Regional Trail, Completed
-  Primary Regional Trail, Proposed
-  Secondary Regional Trail, Proposed
-  Proposed Bicycle Routes, Proposed
-  Major Roads
-  State Highways
-  Streets & Roads
-  Eagleview Estates
-  Parcels
-  Streams



**Development
Application
Permit
Review**



COMMUNITY SERVICES DEPARTMENT

Park Operations - Community Outreach - Environmental Services
Veterans Services - Recreation / Cultural Services

January 12, 2022

Subdivision requirements referenced in Section 8.5.2 of the El Paso County Land Development Code. Fees are based on average land values within designated areas. See El Paso County Board of County Commissioners (BoCC) Resolution for fees established on an annual basis. The Park Advisory Board meets the second Wednesday of each month, 1:30 p.m., BoCC Auditorium, second floor of Centennial Hall, 200 South Cascade Avenue, Colorado Springs.

Name:	Eagleview Estates Preliminary Plan	Application Type:	Preliminary Plan
PCD Reference #:	SP-21-016	Total Acreage:	121.21
		Total # of Dwelling Units:	38
Applicant / Owner:	Owner's Representative:	Dwelling Units Per 2.5 Acres:	0.78
PT Eagleview, LLC	N.E.S., Inc.	Regional Park Area:	2
Joe DesJardin	Andrea Barlow	Urban Park Area:	3
1864 Woodmoor Drive, Suite 100	619 North Cascade Avenue, Suite 200	Existing Zoning Code:	RR-2.5
Monument, CO	Colorado Springs, CO 80903	Proposed Zoning Code:	RR-2.5

REGIONAL AND URBAN PARK DEDICATION AND FEE REQUIREMENTS

<p>Regional Park land dedication shall be 7.76 acres of park land per 1,000 projected residents, while Urban Park land dedication shall be 4 acres of park land per 1,000 projected residents. The number of projected residents shall be based on 2.5 residents per dwelling unit.</p>	<p>The EPC Land Development Code defines urban density as land development of higher density and intensity which is characteristically provided with services of an urban nature. This category of development includes residential uses with densities of more than one dwelling unit per 2.5 acres.</p>
LAND REQUIREMENTS	Urban Density (>= 1 Dwelling Unit Per 2.5 Acres): NO
<p>Regional Park Area: 2</p> <p>0.0194 Acres x 38 Dwelling Units = 0.737</p> <p>Total Regional Park Acres: 0.737</p>	<p>Urban Park Area: 3</p> <p>Neighborhood: 0.00375 Acres x 38 Dwelling Units = 0.00</p> <p>Community: 0.00625 Acres x 38 Dwelling Units = 0.00</p> <p>Total Urban Park Acres: 0.00</p>
FEE REQUIREMENTS	
<p>Regional Park Area: 2</p> <p>\$460 / Dwelling Unit x 38 Dwelling Units = \$17,480</p> <p>Total Regional Park Fees: \$17,480</p>	<p>Urban Park Area: 3</p> <p>Neighborhood: \$114 / Dwelling Unit x 38 Dwelling Units = \$0</p> <p>Community: \$176 / Dwelling Unit x 38 Dwelling Units = \$0</p> <p>Total Urban Park Fees: \$0</p>

ADDITIONAL RECOMMENDATIONS

Staff Recommendation: The Park Advisory Board recommends that the Planning Commission and the Board of County Commissioners include the following conditions when considering and/or approving the Eagleview Estates Preliminary Plan: (1) designate and provide to El Paso County a 25-foot trail easement along the northern boundary of Eagleview Estates, that allows for the construction, maintenance, and public access of the Arroyo Lane Primary Regional Trail, and dedicate the aforementioned easement to El Paso County prior to the recording of the forthcoming Final Plat; (2) fees in lieu of land dedication for regional park purposes in the total amount of \$17,480 will be required at the time of the recording of the forthcoming Final Plat.

Park Advisory Board Recommendation: PAB Endorsed 01/13/2022

RESOLUTION NO. 23-

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

APPROVAL OF A PRELIMINARY PLAN RECONSIDERATION FOR
EAGLEVIEW (SP-21-006)

WHEREAS, the El Paso County Board of County Commissioners did previously approve the Preliminary Plan for the Eagleview Estates Subdivision on February 14, 2008; and

WHEREAS, the El Paso County Board of County Commissioners did previously adopt Resolution No. 11-146, A Resolution Extending the Expiration Period of Previously Approved Preliminary Plans and/or Final Plats (hereafter known as the Extension Resolution), which granted an extension to the time to record and/or implement all sketch plans, preliminary plans, and final plats approved from January 2, 2006, through and including April 28, 2009; and

WHEREAS, the Board of County Commissioners did previously adopt subsequent amendments to Resolution No. 11-146, extending the time to record and/or implement all sketch plans, preliminary plans, and final plats approved from January 2, 2006, through and including April 28, 2009, until December 31, 2017; and

WHEREAS, PT Eagleview, LLC did file an application with the El Paso County Planning and Community Development Department for the approval of a reconsideration of a preliminary plan for the Eagleview Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on February 21, 2023; and

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

1. That the application was properly submitted for consideration by the Board of County Commissioners.
2. That proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. That the hearing before the Board of County Commissioners was extensive and complete, that all pertinent facts, matters, and issues were submitted and reviewed, and that all interested persons were heard at the hearing.

4. That all exhibits were received into evidence.
5. That the proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. That the subdivision is in conformance with the subdivision design standards and any approved sketch plan.
7. That the subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. That a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.
9. That a public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of the Land Development Code.
10. That all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions [C.R.W. §30-28-133(6)(c)].
11. That adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
12. That the location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development.
13. That legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Land Development Code and the Engineering Criteria Manual.
14. That the proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encouraging a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas,

including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefor, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.

15. That necessary services, including police and fire protection, recreation, utilities, open space, and transportation system are or will be available to serve the proposed subdivision.
16. That the subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
17. That the proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
18. That for the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the reconsideration of preliminary plan application for the Eagleview Subdivision;

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

CONDITIONS

1. All conditions of approval associated with approval of the Eagleview Estates Subdivision preliminary plan (PCD File No. SP-06-021) shall remain in effect except as modified herein or as otherwise required in order to comply with current subdivision development criteria.
2. Applicable park, school, drainage, bridge, and road impact fees shall be paid at current 2023 rates to El Paso County Planning and Community Development at the time of final plat(s) recordation.
3. Prior to Building Permit approval by the Development Services Department, payment shall be made to the 501 (c) (3) "Falcon Community Builders for Classrooms" or School District # 49 and proof of such payment shall be provided to the Development Services Department.
4. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, 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.

5. A completed U.S. Army Corps of Engineers permit should be provided to the El Paso County Planning Department prior to project commencement if ground-disturbing activities would occur in wetland areas. Alternatively, a letter from a qualified wetland scientist indicating why such a permit is not required for this project would be acceptable.
6. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
7. A driveway access permit will be required from the El Paso County Development Services Department for any access to a county maintained roadway.
8. Prior to Building Permit approval by the Planning and Community Development Department, an emergency access road meeting Engineering Criteria Manual requirements shall be constructed from Acequia Court to Paint Brush Hills Filing Number 14 and Keynes Drive. This emergency access road shall be a recorded easement until such time Raygor Road is connected to the new Stapleton Drive to the south by others.
9. Fair and equitable participation in the construction of improvements to both Raygor and Burgess Road, proportional to the development's traffic impact, shall be provided as determined at the Final Plat stage and as indicated in a construction surety estimate (estimate of guaranteed funds). As an alternative to the actual construction of improvements, subject to approval by the Board of County Commissioners, the estimated cost for such proportional improvements may be escrowed for the use of the County or other entity to construct the specified improvements to Raygor and Burgess Road.
10. Applicant shall work with County Parks Department regarding easements, grade control, and wetland management for the placement of a regional trail connection prior to Final Plat approval.
11. Applicant shall construct public roads and drainage improvements as part of an approved subdivision improvement agreement.

NOTATIONS

1. Subsequent Final Plat Filings may be approved administratively by the Planning and Community Development Director.
2. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

Resolution No.

Page 5

3. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

DONE THIS 21st day of February 2023, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____

Chair

By: _____

County Clerk & Recorder

EXHIBIT A

A PORTION OF THE NORTHWEST QUARTER OF SECTION 26, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6th P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID NORTHWEST QUARTER OF SECTION 26, AS ACCEPTED AND USED IN THE PLATS OF MFY FARM SUBDIVISION AND PAINT BRUSH HILLS FILING NO. 3, RECORDED IN PLAT BOOK T-3 AT PAGE 93 AND IN PLAT BOOK U-3 AT PAGE 79, RESPECTIVELY, OF THE RECORDS OF SAID EL PASO COUNTY; THENCE $S00^{\circ}02'11''E$, ALONG THE EAST LINE OF SAID NORTHWEST QUARTER OF SECTION 26, A DISTANCE OF 2587.22 FEET TO THE CENTER QUARTER CORNER OF SAID SECTION 26; THENCE $N89^{\circ}28'49''W$, A DISTANCE OF 978.75 FEET TO THE NORTHEAST CORNER OF LOT 30 OF STAPLETON ESTATES FILING NO. 1, AS RECORDED IN PLAT BOOK R-3 AT PAGE 76 OF THE RECORDS OF SAID EL PASO COUNTY; THENCE $N89^{\circ}31'16''W$, ALONG THE BOUNDARY LINE OF SAID STAPLETON ESTATES FILING NO. 1, A DISTANCE OF 1063.31 FEET TO THE NORTHWEST CORNER OF LOT 8 OF SAID

STAPLETON ESTATES FILING NO. 1; THENCE $N00^{\circ}26'14''W$ ALONG THE EAST LINE OF SAID STAPLETON ESTATES FILING NO. 1, A DISTANCE OF 2561.60 FEET TO A POINT ON THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 26; THENCE $N89^{\circ}46'46''E$, ALONG SAID NORTH LINE AND ALONG THE SOUTHERLY BOUNDARY LINE OF SAID MFY FARM SUBDIVISION, A DISTANCE OF 2059.89 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 121.20 ACRES OF LAND, MORE OR LESS.