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**HAVEN VALLEY PUD/PRELIMINARY PLAN**

**LETTER OF INTENT**

**AUGUST 2021 REVISED APRIL 2022**

<b>APPLICANT</b>	<b>OWNERS</b>		<b>CONSULTANT:</b>
MIDCO Investments LLC.	MIDCO Investments LLC.	Fountain Mutual Metro District	N.E.S. Inc.
PO Box 60069	PO Box 60069	PO Box 1976	619 North Cascade Ave.
Colorado Springs, CO 80960	Colorado Springs, CO 80960	Colorado Springs, CO. 80901	Colorado Springs, CO 80903

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**REQUEST**

N.E.S. Inc. on behalf of Richmond American Homes requests approval of the following applications:

1. A PUD/Preliminary Plan for Haven Valley, consisting of 98 detached or attached residential lots under the existing PUD zoning.
2. PUD Modification from LDC Chapter 8.4.4.(E).(2). & (3) requesting private roads within the Haven Valley development and not meeting County Standards.
3. Finding of water sufficiency with the Preliminary Plan and subsequent Final Plat to be approved administratively.

**SUPPORTING DOCUMENTS**

The following reports are submitted in support of this PUD Preliminary Plan and are referenced in this Letter of Intent:

- Traffic Impact Study prepared by Aldridge Transportation Consultants, LLC.
- Geologic Hazard Evaluation and Due Diligence Geotechnical Investigation prepared by CTL Thompson, Inc.
- Water Resources Report prepared by Drexel Barrell & Company
- Wastewater Disposal Report prepared by Drexel Barrell & Company
- Drainage Report prepared by Drexel Barrell & Company
- Natural Features Report prepared by N.E.S. Inc

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## SITE LOCATION AND DESCRIPTION

The Haven Valley PUD is located south of Bradley Road, at the intersection of Alturas Drive and Cable Lane. This site is bounded by existing residential development to the south and east and churches to the north and west. The northeast boundary of the site abuts Cable Lane. The surrounding properties include:

- **North:** Calvary Fellowship Fountain Valley and Pikes Peak Christian Church
- **East:** Pheasant Ranch Run and Windmill Creek residential subdivisions
- **South:** Pheasant Ranch Run residential subdivision.
- **West:** Good Shephard United Methodist Church and Elm Grove Village Townhomes (northwest)



## PROJECT DESCRIPTION

### Previous Approvals

In January 2007 a PUD zoning was recorded for the property to allow for 98 attached residential units. This was followed by a Preliminary Plan and Final Plat (Resolution No. 07-275), which were approved the Board of County Commissioners on July 11, 2007. This project was referred to as 'Patriot Village'. A two-year extension was approved by the BOCC to record the Final Plat for Patriot Village (Resolution No. 10-261). The BOCC approved an additional two-year extension in 2014 to record the Final Plat (Resolution 14-456). The Final Plat was not recorded.

The majority of the property, approximately 11.44-acres, is zoned PUD CAD-O (Planned Unit Development with Commercial Airport District Overlay). In addition, an approximately 0.329-acres in the northeast corner is part of the adjacent Fountain Mutual Metropolitan District (FMMD) property. This portion of land is bisected by Hunters Run and will be incorporated as part of this project. This area is zoned RS-6000 CAD-O (Residential Suburban).


### Site layout

Haven Valley will consist of 98 detached or attached residential lots and associated infrastructure on approximately 11.76-acres. The proposed layout is virtually identical to the layout of the previously approved Preliminary Plan for the single-family attached product in terms of lot configuration and private street layout. The principal difference is that the original plan was for single family attached residential lots (two lots sharing one common boundary), while the current plan proposes a single-family detached or attached product. The lot size on the approved plan ranges from 2,530 sf to 3,960 sf, with the larger 3,960 sf lots along the southern boundary to provide a transition to the 6,000 sf lots in the adjacent to the Pheasant Ranch Run single-family subdivision. The lot size on the current plan ranges from 2,989 sf to 4,307 sf, with the larger 4,307 sf lots along the southern boundary. The change in the type of residential product and the larger lots proposed by the current plans for Haven Valley provide and improved compatibility and transition to the 6,000 sf lots in the adjacent to the Pheasant Ranch Run single-family subdivision.

### Access and Traffic

The project site is located south of the intersection of Cable Lane and Alturas Drive. Two full movement access points onto Cable Lane are proposed. The roads within the development will be private, which is consistent with the previously approved Preliminary Plan and Final Plat. A PUD Modification is requested for the use of private roads and a PUD Modification is requested for the requirement that private roads be constructed and maintained to County standards. Justification for these requests is provided below. Each entry point of Cable Lane will have a median separated entrance to improve safety of vehicular access to and from the development and to create an attractive entrance to the Haven Valley community.

you and i had discussed identifying what is happening (or not and why Not necessary) w/ buffer on North, East and West boundary also



A Traffic Impact Study was prepared by Aldridge Transportation Consultants, LLC dated August 4, 2021. The conclusion of the Study is that the transportation facilities in place are adequate to serve the proposed development. No signalization is needed, nor the expansion of existing roadways in the area that will accommodate this development.

### **Open Space and Trails**

Sidewalks are provided throughout this development and will be constructed along Cable Lane where it abuts this development. There is a gravel trail system (part of the Fountain Mutual Trail) near the Site as part of the larger FMMD property to the southeast. The FMMD property consists of a park area and a trail system that connects to the south along Bradly Road and the channel. Park fees in lieu of land dedication will be due at the time of final plat recordation. Open space required: 1.1 AC (10%) usable: 0.27 AC (25% of 1.1 AC Required). The project provides 1.68 AC (14.2%) Tracts B,C, and D usable 0.57 AC Tracts C and D.

### **Drainage**

A Preliminary Drainage Report prepared by Drexel Barrell Company is submitted with this PUD/Preliminary Plan. The report identifies existing drainage flows to the southwest where it drains overland between two houses to Pecos Drive, then south on Widefield Drive. The report proposes a full-spectrum detention pond to be constructed in an existing off-site drainage easement adjacent to the west side of the site. This detention pond will fulfill on-site detention needs as well as providing detention for upstream properties, which will address current drainage issues for adjacent two properties. The proposed detention facility is nearly three times the size of a facility necessary to detain runoff from the project site alone. The Report proposes a private drainage detention easement and maintenance of the pond by the Homeowners Association.

### **Utilities**

Water: The Water Resources and Wastewater Report prepared by Drexel Barrell Company dated March 2021, indicates that based on the proposed 98 residential lots, with 0.67 acres of irrigated common space and 0.98 acres of xeriscaped common space, the calculations of water demand quantities are:

- Residential:  $(0.5 \text{ AC-FT/YR/household}) \times (98 \text{ households}) = 49 \text{ AC-FT/YR}$
- Irrigated Common Space:  $(1.9 \text{ AC-FT/YR/Acre}) \times (1.65 \text{ acres}) = 3.16 \text{ AC-FT/YR}$
- Project Total: 52.16 AC-FT/YR

The projected water consumption is based upon industry standards as well as methodology used by other utility providers in the area.

A commitment letter from the Security Water and Sanitation District to provide water service to the Haven Valley development is included with this submittal. According to the District, the residential water demand for the project is estimated to be a maximum of 49 annual acre feet of diversions based on 98 single-family equivalents (sfe). The District estimated demand for common landscape irrigation is 3.16 annual acre feet of diversions. The total water demand for this property is estimated to be 52.16

annual acre feet of diversions. A copy of the Security Water and Sanitation District's 2019 Water Quality Report has been provided with the Water Resources Report.

Wastewater: The Wastewater Report confirms that the sanitary sewer lines are sized to carry the peak wastewater discharge for this proposed development. Proposed sanitary lines for the project will include onsite 8" mains that are proposed to connect to the existing manhole to the southwest of the project site. An existing 8" main then leaves the manhole and flows to the south. A Preliminary Utility Plan has been provided for proposed wastewater system layout.

A commitment letter from the Security Water and Sanitation District to provide wastewater service to the Haven Valley development is included with this submittal. The District noted that wastewater collection and treatment requirements for this property are estimated to be a maximum of 7.06 million gallons per year or 19,342 gallons per day based on 98 sfe. The District commits to sufficient wastewater capacity to serve the development.

Gas and Electric: The Site is located outside of the City of Colorado Springs city limits, however, is located within the Colorado Springs Utilities' electric and gas service territory. Natural Gas and Electric services will be provided by Colorado Springs Utilities and a 'Will Serve' letter is included with this submittal.

## **Natural Features**

### Topography

The site is relatively flat, vacant and undeveloped. The Site general slopes to the southwest with a slope of approximately 5-6%. Several trenches have been dug perpendicular to the slope for use as irrigation ditches. The site had been previously disturbed, and there were structures located at the northeast corner of the site. Aerial photos indicate the structures were demolished between 2006 and 2011.

### Vegetation and Noxious Weeds

The Site consists of primarily grasses and native weeds with some scattered deciduous and coniferous trees. Noxious weeds are present on the site in several areas but generally in limited quantities. Noxious weeds are defined as those non-native plants that aggressively invade and are detrimental to native vegetation communities and ecosystems. Weed control prior to and during construction shall take place to eliminate weeds and to prevent introducing new weeds. Following construction, the Haven Valley Home Owners Association will be responsible for weed control in the open and commons areas. Individual homeowners will be responsible for weed control on their lots.

### Floodplain and Wetlands

This is no mapped floodplain on this property per FEMA Firm Map Number 08041CO763G, effective 12/7/2018. There are no wetlands on the Site.

### Wildlife

The site is surrounded by urban development and has been previously disturbed and thus does not provide ideal habitat for wildlife species. Impact of development on potential wildlife habitat will be

negligible and there are no known protected species on the site. A 'Nest Survey' was conducted by Tetra Tech in 2007, as a result of the Colorado Division of Wildlife's previous concerns regarding the removal of trees associated with the project. In summary, it was determined that there was no evidence of nesting at the site.

#### Soils and Geology

The Geologic Hazard Evaluation and Due Diligence Geotechnical Investigation prepared by CTL Thompson indicates that no geologic hazards were identified that would preclude development of the project. The report identifies suspect quality fill and recommends that this be removed and replaced with compacted fill. Groundwater was evident in some borings but not at a level that would be a concern for crawl space construction.

#### Wildfire Hazard Mitigation

Wildfire hazard for the site was evaluated using the Colorado State Forest Service's online Wildfire Risk Assessment Portal. The Site is mapped as "Lowest" wildfire risk and is rated "Low" to "Very Low" in terms of burn probability based on the available fuels at the site. The nearest fire response in the Security Fire Protection District is Station 3, which is less than a ¼ of a mile away. Development of the site would result in a reduction of the available fuels for wildfires, while simultaneously increasing the values and assets present on the site. As such, the wildfire risk index for the project is expected to stay close to the same as a result of development. No specific fire mitigation plans or other actions are necessary.

### **PROJECT JUSTIFICATION**

#### **PUD Zoning Approval Criteria**

Chapter 4.2.6.D of the LDC allows the combination of a preliminary plan with a PUD development plan, provided all review and approval standards for both the PUD development plan and preliminary plan are met. The PUD/Preliminary Plan for Haven Valley is consistent with the PUD zoning approval criteria set forth in Chapter 4.2.6.D of the LDC as follows:

#### **1. The proposed PUD District zoning advances the stated purposes set forth in this Section;**

The Haven Valley PUD will advance the following purposes of the PUD District designation:

- *To permit adjustment to changing public and private needs and to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs;*  
The proposed smaller lot residential development is meeting a need and demand for more attainable housing product.
- *To improve the design, character and quality of new development with flexibility by varying lot size, building heights, setback controls and other site development requirements;*

The Haven Valley PUD includes smaller lots that require more design flexibility than afforded by standard zoning districts.

- *To encourage innovations in residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings including mixed use and traditional neighborhood design and by the conservation and more efficient use of open space ancillary to said buildings;*

The growing demands of the local population are for smaller homes that are more affordable and have less maintenance. The Haven Valley PUD provides the flexibility to provide a housing product that meets this demand.

- *To provide housing of all types and designs to be located in proximity to employment and activity centers such as shopping, recreational, and community centers, healthcare facilities, and public transit;*
- There are several employment and shopping centers in close proximity to the site, as well as churches and schools that provide community facilities. There is a gravel trail system near the site as part of the larger FMMD property to the southeast. The FMMD property consists of a park area and a trail system that connects to the south along Bradly Road and the channel.

## **2. The application is in general conformity with the Master Plan;**

The relevant County Plans for Haven Valley development are the County Policy Plan, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. The property is located in the 'Proposed Fountain Valley' small plan area; however, no plan is available for review. The proposed residential development is in a location contiguous to existing residential subdivisions.

The proposed project is consistent with the policies of the County Plan that encourage infill development that complements and transitions to existing uses. The County Plan encourages a variety of housing options that allows for a balance of mutually supported land uses in a more urban area of the County. The following County Polices are relevant to this project:

- **Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.**  
The change in the type of residential product and the larger lots proposed by the current plans for Haven Valley provide and improved compatibility and transition to the 6,000 sf lots in the adjacent to the Pheasant Ranch Run single-family subdivision
- **Policy 6.1.7: Encourage infill development which complements existing uses, is consistent with Small Area and other adopted plans.**  
Haven Valley is infill development. The single family lots compliment the adjacent existing single family and church land uses.
- **Policy 6.1.8: Encourage incorporating buffers or transitions between areas of varying use or density where possible.**



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The larger 3,960 sf lots along the southern boundary to provide a transition to the 6,000 sf lots in the adjacent to the Pheasant Ranch Run single-family subdivision. Along the east and south boundary adjacent to the single family residential, Haven Valley provides one (1) tree per fifteen (15) linear feet of frontage requirements. In addition, the evergreen requirement has been exceeded in order to provide sufficient year-round buffering.

- **Policy 6.1.11: Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.**

The proposed subdivision of residential lots is consistent with the County Master Plan and provides a transition between the surrounding single-family lots to the south and east and the townhome and institutional developments to north and west.

- **Policy 13.1.1: Encourage a sufficient supply and choice of housing at varied price and rent levels through land development regulations.**

The different lot sizes in Haven Valley will provide different price points and diversity the choice of housing in the area.

- **Policy 13.1.2: Support the provision of land use availability to meet the housing needs of county residents.**

The growing demands of the local population are for smaller homes that are more affordable and have less maintenance. The Haven Valley PUD provides the flexibility to provide a housing product that meets this demand.

#### Water Master Plan

- *Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*
- *Goal 3.1 – Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*
- *Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.*
- *Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.*
- *Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).*
- *Goal 5.4 – Promote the long-term use of renewable water.*
- *Goal 5.5 – Identify any water supply issues early on in the land development process.*
- *Goal 6.0 – Require adequate water availability for proposed development.*
- *Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.*
- *Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.*

The project is located within Region 7, Fountain area. The EL Paso County Water Master Plan (WMP) specifically states: *“Region 7 could experience the largest demand growth in the County by 2060. Areas projected to develop by 2040 are located south of Fountain on the north and south sides of Link Road. Areas northwest of Fountain along the east and west sides of Marksheffel Road are also expected to*



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*grow by then, as well as the area south of Fountain on the west side of I-25. Directly west of Fountain, areas north and south of Squirrel Creek Road are expected to grow by 2060. One large development is expected south of Fountain by 2060, along the west side of I-25. "*

As noted in the WMP, Region 7 has a current water supply of 15,376-acre feet per year and a current demand of 10,141-acre feet per year. The 2040 water supply is projected to be 2,241-acre feet per year and the project demand is 52.16-acre feet per year.

**3. The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;**

The stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County. The proposed subdivision of residential lots is consistent with the County Master Plan and provides a transition between the surrounding single-family lots to the south and east and the townhome and institutional developments to north and west.

**4. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area;**

The residential lots provide a transition with the existing single family residential lots to the south and the townhome development to the northwest. The lot size on the approved plan ranges from 2,530 sf to 3,960 sf, with the larger 3,960 sf lots along the southern boundary to provide a transition to the 6,000 sf lots in the adjacent to the Pheasant Ranch Run single-family subdivision. The lot size on the current plan ranges from 2,989 sf to 4,307 sf, with the larger 4,307 sf lots along the southern boundary. The change in the type of residential product and the larger lots proposed by the current plans for Haven Valley provide and improved compatibility and transition to the 6,000 sf lots in the adjacent to the Pheasant Ranch Run single-family subdivision.

**5. The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;**

The existing property line has a mismatched series of existing fences. The Developer will install a new six-foot "good neighbor" opaque fence along the property boundary of the Site. In addition to the replacing the existing fencing, landscaping will be provided to enhance buffering between the site and residential neighborhoods on the south and east boundary.

**6. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;**

Along the east and south boundary adjacent to the single family residential, Haven Valley provides one (1) tree per fifteen (15) linear feet of frontage requirements. In addition, the evergreen requirement has been exceeded in order to provide sufficient year-round buffering.

Along the west boundary adjacent to a church there is a 6' landscape buffer and a cedar fence. The north boundary, also church adjacent, has a 7' landscape buffer with a cedar fence. The churches and single family detached residential are compatible uses. The west church is adjacent to existing single family residential. The proposed 6' opaque fence along the site boundary will sufficiently visually screen church parking and solar panels from the proposed single family residential on site. The approved PUD from 2007 for the site did not propose any landscape buffering between the churches and the site.

**7. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;**

The property has been disturbed previously and there are no unique or significant historical, cultural, recreational, aesthetic or natural features to be preserved

**8. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide a reasonable walking and biking opportunities;**

Sidewalks are provided throughout this development and will be constructed along Cable Lane where it abuts this development. There is a gravel trail system near the Site as part of the larger FMMD property to the southeast. The FMMD property consists of a park area and a trail system that connects to the south along Bradly Road and the channel. Park fees in lieu of land dedication will be due at the time of final plat recordation.

**9. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;**

The Traffic Impact Study demonstrates that the development will not materially impact existing levels of service on surrounding roads. All required utilities are available to the development and the required will serve letters are provided. The proposed project will not negatively impact the levels of service of County services and facilities.

**10. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;**

The development includes areas of open space and sidewalk connectivity through the development to external sidewalks and trail systems.

**11. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;**

There are no mineral rights owners on this property.

**12. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and**

PUD modifications are requested of the Land Development Code requirements to allow the use of private roads (8.4.4.E.2) and to allow this private road design to differ from County standards (8.4.4.E.3). The justification for these is set out below. The proposed PUD modifications allow for a more efficient layout that minimizes grading, thereby achieving the identified benefits in Chapter 4.2.6.F.2.h by providing a more livable environment, more accessible open space and a more efficient pedestrian system within the development.

**13. The owner has authorized the application.**

Yes.

**PUD Preliminary Plan**

The Preliminary Plan is consistent with the approval criteria in Section 7.2.1.D.2.e of the LDC as follows:

**1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;**

See above analysis.

**2. The subdivision is consistent with the purposes of this Code;**

See above analysis.

**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 one requested deviation and PUD Modifications, 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, and open space;

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- 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

**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;**

The Water Resources and Wastewater Report prepared by Drexel Barrell Company dated March 2021, indicates that based on the proposed 98 residential lots, with 0.67 acres of irrigated common space and 0.98 acres of xeriscaped common space, the calculations of water demand quantities are:

- Residential:  $(0.5 \text{ AC-FT/YR/household}) \times (98 \text{ households}) = 49 \text{ AC-FT/YR}$
- Irrigated Common Space:  $(1.9 \text{ AC-FT/YR/Acre}) \times (1.65 \text{ acres}) = 3.16 \text{ AC-FT/YR}$
- Project Total: 52.16 AC-FT/YR

A commitment letter from the Security Water and Sanitation District to provide water service to the Haven Valley development is included with this submittal. According to the District, the residential water demand for the project is estimated to be a maximum of 49 annual acre feet of diversions based on 98 single-family equivalents (sfe). The District estimated demand for common landscape irrigation is 3.16 annual acre feet of diversions. The total water demand for this property is estimated to be 52.16 annual acre feet of diversions. A copy of the Security Water and Sanitation District's 2019 Water Quality Report has been provided with the Water Resources Report.

**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 Wastewater Report shows that the proposed wastewater discharge is within the acceptance criteria of the Security Water and Sanitation District. A commitment letter from the District to provide wastewater service to the Haven Valley Subdivision is included with this submittal.

**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 Geologic Hazard Evaluation and Due Diligence Geotechnical Investigation prepared by CTL Thompson indicates that no geologic hazards were identified that would preclude development of the project. The report identifies suspect quality fill and recommends that this be removed and replaced with compacted fill. Groundwater was evident in some borings but not at a level that would be a concern for crawl space construction.

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- As indicated in review 2 & 3 comment, a deviation for the 39 ft back of sidewalk distance (removal of 5.5. buffer) is not required and has not been submitted. Please revise.
- 7. Adequate drainage back of sidewalk distance (removal of 5.5. buffer) is not required and has not been submitted. Please revise. [C.R.S. §30-28- 133(3)(c)(VIII)] and the requirements of the design;**

These matters are addressed in the Preliminary Drainage Report prepared by Drexel Barrel and Company dated February 2022. The report shows that the drainage flows to the southwest where it drains overland between the site and Widefield Drive. The report proposes a full-spectrum drainage easement to be constructed in an existing off-site drainage easement adjacent to the west side of the site.

- 8. 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;**

Two full movement access points onto Cable Lane are provided for this development. A deviation from ECM Figure 2-17: Urban Local (Low Volume) Roadway Cross-Section has been submitted since the private streets within this development will be modified to measure 39-feet from back of sidewalk to back of sidewalk. PUD Modifications from Section 8.4.4.E.2 and Section 8.4.4.E.3 of the LDC is being requested as the streets are proposed to be private and will be maintained by the Haven Valley Homeowners Association.

- 9. 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;**

Open space tracts have been provided with this development (Tracts B, C and D). Sidewalks will be constructed throughout this development and will connect to the nearby gravel trail system. The open space tracts will be owned and maintained by the Have Valley Homeowners Association. Park land dedication or fees in lieu of land dedication will be due at the time of final plat recordation.

- 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;**

Sidewalks will be constructed along the streets within the development and sidewalks will be constructed along the portion of Cable Lane that abuts the property. Trails will be provided in the open space tracts throughout the development, which will connect to internal sidewalks and the opens space areas surrounding the project.

The Traffic Impact Study demonstrates that the development will not materially impact existing levels of service on surrounding roads. There is no public or mass transit in the area. Other services for the development are consistent with adopted plans, polices and regulations of the County.

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**3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses;**

The residential lots provide a transition with the existing single family residential lots to the south and the townhome development to the northwest. The lot size on the approved plan ranges from 2,530 sf to 3,960 sf, with the larger 3,960 sf lots along the southern boundary to provide a transition to the 6,000 sf lots in the adjacent to the Pheasant Ranch Run single-family subdivision. The lot size on the current plan ranges from 2,989 sf to 4,307 sf, with the larger 4,307 sf lots along the southern boundary. The change in the type of residential product and the larger lots proposed by the current plans for Haven Valley provide and improved compatibility and transition to the 6,000 sf lots in the adjacent to the Pheasant Ranch Run single-family subdivision.

The existing property line has a mismatched series of existing fences. The Developer will install a new six-foot "good neighbor" opaque fence along the property boundary of the Site. In addition to the replacing the existing fencing, landscaping will be provided to enhance buffering between the site and residential neighborhoods on the south and east boundary.

Along the east and south boundary adjacent to the single family residential, Haven Valley provides one (1) tree per fifteen (15) linear feet of frontage requirements. In addition, the evergreen requirement has been exceeded in order to provide sufficient year-round buffering.

Along the west boundary adjacent to a church there is a 6' landscape buffer and a cedar fence. The north boundary, also church adjacent, has a 7' landscape buffer with a cedar fence. The churches and single family detached residential are compatible uses. The west church is adjacent to existing single family residential. The proposed 6' opaque fence along the site boundary will sufficiently visually screen church parking and solar panels from the proposed single family residential on site. The approved PUD from 2007 for the site did not propose any landscape buffering between the churches and the site.

The Haven Valley Homeowners Association will own and will be responsible for the maintenance of the common open space areas and landscaping and the 6' opaque perimeter fencing.

**4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and**

The Site has been previously disturbed and thus does not provide ideal habitat for a variety of wildlife species. Impact of development on potential wildlife habitat will be negligible. Noxious weeds will be controlled through the development of the site and management of the open spaces/buffers.

**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 Traffic Impact Study demonstrates that the development will not materially impact existing levels of service on surrounding roads. All required utilities are available to the development and the required

will serve letters are provided. The proposed project will not negatively impact the levels of service of County services and facilities.

**10. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;**

Colorado Springs Utilities will provide electric and natural gas services as stated in the Will Serve letter included in this submittal. Security Water and Sanitation District will provide water and wastewater service. Security Fire Protection District will provide fire protection services and Fire Station 3 is less than ¼ mile northwest of the site. The County Sheriff will provide police protection. The Fountain Mutual Metropolitan Districts property to the southeast of the Site provides access to gravel trails system that provides pedestrian connection to the surrounding area.

**11. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and**

The Security Fire Protection District has adequate capacity to provide fire protection to the proposed subdivision. A Fire Protection Report and a Will Serve letter are included with this submittal.

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

The proposed subdivision meets the applicable sections of the Code, subject to the requested waivers below, for which justification is provided.



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## PUD MODIFICATIONS

PUD Modifications: PUD modifications are requested of the Land Development Code requirements to allow the use of private roads (8.4.4.E.2) and to allow this private road design to differ from County standards (8.4.4.E.3). The justification for these is set out below. The following PUD Modifications to the Land Development Code requirements are requested:

### **#2 – Design Standards by Functional Classification**

Nature of Request:

Section of ECM from which Deviation is Sought: **2.2.4.B.7**

revise to 2.3.7.F

Specific Criteria from which a Deviation is Sought: **2.2.4.B.7** Table 2-31 Minimum Curb Return Radius and Intersection (Urban Roads) – specifically, minimum 20' radius for a local/local intersection.

**Proposed Nature and Extent of Deviation:** The deviation is needed to minimize the amount improvements and curb cuts impact the lots of individual homeowners in the development.

The proposed 15' curb return radius will reduce the ECM standard by 5'.

### ***ECM Section 5.8.7: Criteria for Approval***

*Per ECM section 5.8.7 the request for a deviation may be considered if the request is not based exclusively on financial considerations. The deviation must not be detrimental to public safety or surrounding property. The applicant must include supporting information demonstrating compliance with all of the following criteria:*

- *The deviation will achieve the intended result with a comparable or superior design and quality of improvement;*  
**The proposed private street section with smaller curb return radii will help with the small lot size constraints and will improve the lots for each individual homeowner. ADA requirements are still being met and the smaller radii result in traffic calming and slower traffic speeds in the neighborhood.**
- *The deviation will not adversely affect safety or operations;*  
**No impact to safety or operations is anticipated by this design. ADA requirements are still being met and the smaller radii result in traffic calming and slower traffic speeds in the neighborhood.**
- *The deviation will not adversely affect maintenance and its associated cost; and*  
**This deviation will not adversely affect maintenance or its associated cost since the roads are to be privately maintained.**
- *The deviation will not adversely affect aesthetic appearance.*  
**Aesthetic appearance will not be affected by this variance.**

- *The deviation meets the design intent and purpose of the ECM standards.*  
**The proposed private street section will still meet the intent and purpose of the ECM standards, by providing all other standard roadway design elements.**
- *The deviation meets the control measure requirements of Part I.E.3 and Part I.E.4 of the County’s MS4 permit, as applicable.*  
**The site is subject to a Stormwater Management Plan, which meets Part I.E.3 and Part I.E.4 of the County’s MS4 Permit.**

	<b>LDC/ECM Section</b>	<b>Category</b>	<b>Standard</b>	<b>Modification</b>	<b>Justification</b>
1	LDC Chapter 8.4.4(E)(2)	Private Roads	Use of private roads shall be limited	Private roads proposed to serve only this subdivision	Private road design provides more flexibility for the development to accommodate the higher density infill development and create a more compact community design that allows for more open space and internal sidewalk connectivity.
2	ECM Table 2-31	Minimum Curb Return Radius	Minimum 20 ft for local/local intersection	Minimum 15 ft radii for all private intersections within the project site	The private roads will be owned and maintained by the Homeowners Associations. ADA requirements are still being met and the smaller radii result in traffic calming and slower traffic speeds in the neighborhood. Private roads and modified pedestrian ramp designs were approved with the previously recorded PUD Plan, Preliminary Plan and Final Plat for Patriot Village.

The streets within this development will be private with sidewalks, curb and gutter in accordance with local street standards per the Engineering Criteria Manual. The street section is modified to measure 39 feet from back of sidewalk to back of sidewalk.

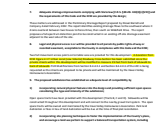
Chapter 4.2.6.F.2.h of the Land Development Code (LDC) allows for a PUD modification of a general development standard in the LDC or criteria of the Engineering Criteria Manual (ECM). The proposed PUD modifications allow for a more efficient layout that minimizes grading, thereby achieving the identified benefits in Chapter 4.2.6.F.2.h by providing a more livable environment, more accessible open space and a more efficient pedestrian system within the development. The private roads will be owned

and maintained by the Homeowners Associations. ADA requirements are still being met and the smaller radii result in traffic calming and slower traffic speeds in the neighborhood. Private roads and modified pedestrian ramp designs were approved with the previously recorded PUD Plan, Preliminary Plan and Final Plat for Patriot Village.

*P:\Richmond American Homes\Haven Valley\Admin\Submittals*

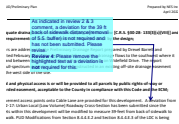
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## Daniel Torres (5)



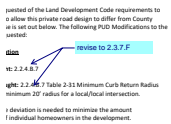
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A deviation from ECM Figure 2-17: Urban Local (Low Volume) Roadway Cross-Section has been submitted since the private streets within this development will be modified to measure 39-feet from back of sidewalk to back of sidewalk



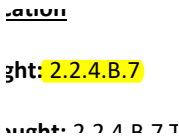
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As indicated in review 2 & 3 comment, a deviation for the 39 ft back of sidewalk distance (removal of 5.5' buffer) is not required and has not been submitted. Please revise.  
Review 4: Please remove the highlighted text as a deviation is not required for this.



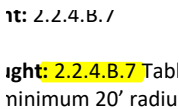
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revise to 2.3.7.F



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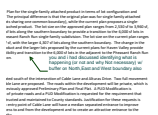
2.2.4.B.7



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## dspdparsons (1)



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you and i had discussed identifying what is happening (or not and why Not necessary) w/ buffer on North, East and West boundary also