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**PLANNING & COMMUNITY DEVELOPMENT**

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

**FROM:** Kari Parsons, Senior Planner  
Daniel Torres, PE, Engineer III  
Kevin Mastin, Interim Executive Director

**RE:** Project File #: PUDSP-21-007  
Project Name: Haven Valley PUD and Preliminary Plan  
Parcel Nos.: 65122-00-011 and 65122-00-001

OWNERS:	REPRESENTATIVE:
MIDCO Investments LLC. PO Box 60069 Colorado Springs, CO 80960  Fountain Mutual Metro District PO Box 1976 Colorado Springs, CO. 80901	N.E.S., Inc. 619 North Cascade Avenue, Suite 200 Colorado Springs, CO, 80903

**Commissioner District: 4**

Planning Commission Hearing Date:	12/1/2022
Board of County Commissioners Hearing Date	12/20/2022

**EXECUTIVE SUMMARY**

A request by MIDCO Investments LLC and Fountain Mutual Metro District, for approval of a map amendment (rezoning) from a site-specific PUD (Planned Unit Development) (Patriot Village) to a site-specific PUD (Planned Unit Development) and approval of a preliminary plan for 98 single-family residential lots. The parcels, totaling 11.77 acres, are located south of the intersection of Cable Lane and Alturas Drive and are within Section 12, Township 15 South, Range 66, West of the 6th P.M. The Parcels are also within the CAD-O (Commercial Airport District Overlay).



In accordance with Section 4.2.6.E of the El Paso County Land Development Code (2021) , A PUD Development Plan May be Approved as a Preliminary Plan, the applicants are also requesting the PUD development plan be approved as a preliminary plan with a finding of water sufficiency for water quality, dependability, and quantity. Approval by the Board of County Commissioners of the preliminary plan with a finding of sufficiency for water quality, quantity, and dependability authorizes the Planning and Community Development Department Director to administratively approve all subsequent final plat(s). The applicants are also requesting approval to perform pre-subdivision site grading to include construction of roadways.

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

**Request:** Approval of a map amendment (rezoning) from a site-specific PUD (Planned Unit Development) to a site-specific PUD (Planned Unit Development) to develop a mix of 98 single-family detached and attached residential lots and five (5) tracts within a 11.77-acre development area. In accordance with Section 4.2.6.E of the El Paso County Land Development Code (2021), a PUD Development Plan may be approved as a Preliminary Plan, the applicants are also requesting the PUD Development Plan be approved as a Preliminary Plan. Additionally, the applicants are requesting approval to perform pre-subdivision site grading.

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

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

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

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

1. The applicants are requesting a PUD modification to Sections 8.4.4.C. and 8.4.4.E.3 of the Code to allow for private roads that are proposed to be built to public road standards.
  - Section 8.4.4.C, *Public Roads Required*, of the Code states:  
“Divisions of land, lots and tracts shall be served by public roads.”



- Section 8.4.4.E.3, *Private Road Allowances*, of the Code states:  
“Generally, private roads shall be constructed and maintained to ECM standards except as may be otherwise determined in the waiver. Private road waivers may include design standards for the following:
  - Right-of-way width where suitable alternative provisions are made for pedestrian walkways and utilities;
  - Design speed where it is unlikely the road will be needed for use by the general public;
  - Standard section thickness minimums and pavement type where suitable and perpetual maintenance provisions are made;
  - Maximum and minimum block lengths;
  - Maximum grade.”

PCD Executive Director Recommendation:

The PCD Executive Director recommends approval of the requested PUD modifications. Per the proposed PUD/preliminary plan, adequate lot accessibility can be provided via the proposed private roadways. The applicants have depicted a sidewalk design and layout that accommodates pedestrians throughout the proposed PUD/preliminary plan and allows for connections to the adjacent existing sidewalks and a proposed pocket park.

According to the applicant’s PUD/preliminary plan, private roads are being proposed to provide more flexibility in the design, provide more open space, and provide better pedestrian connectivity. The private roads are mostly proposed to be built to County standards and are proposed to be maintained and owned by the Homeowner’s Association (HOA).

The applicant requests the following deviations from the Engineering Criteria Manual (ECM):

1. The applicant is requesting deviation of Section 2.3.7.F of the ECM to allow for a reduced curb return radius of 15 feet at the local/local roadway intersections. The ECM identifies in Table 2-31 a minimum curb radius of 20 feet at local/local roadway intersections.

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the requested PUD Modification. The private roadway network is comprised of primarily local low volume roadways which along with the smaller radii result in traffic calming and slower traffic speeds in the



neighborhood. Additionally, the roadways will be privately owned and maintained and there are no objections from the Security Fire Protection District.

**Authorization to Sign:** PUD Development Plan and any other documents required to finalize the approval. Approval by the Board of the preliminary plan with a finding of sufficiency for water quality, quantity, and dependability authorizes the Planning and Community Development Department Director to administratively approve all subsequent final plat(s) consistent with the preliminary plan as well as the associated Subdivision Improvements Agreements, License and Detention Pond Maintenance Agreements and any other documents necessary to carry out the intent of the Board of County Commissioners.

## **B. PLANNING COMMISSION SUMMARY**

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

## **C. APPROVAL CRITERIA**

The Planning Commission and BOCC shall determine that the following criteria for approval outlined in Section 4.2.6, and Section 7.2.1 of the El Paso County Land Development Code (2021) have been met to approve a PUD zoning district and preliminary plan:

- The proposed PUD district zoning advances the stated purposes set forth in this section.
- The application is in general conformity with the Master Plan;
- The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
- The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;
- The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing





intensities both on-site and off-site which may include innovative treatments of use to use relationships;

- The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
- Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
- Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;
- The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;
- The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;
- The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;
- Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and
- The owner has authorized the application.

The applicants have also requested the proposed PUD be reviewed and considered as a preliminary plan. The requirements identified in Chapter 7 and Chapter 8 of the El Paso County Land Development Code (2021) for a preliminary plan requires the Planning Commission and the BoCC find that the following additional criteria for approval of a preliminary plan have also been met:

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of this Code;
- The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;



- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6) (b)] and the requirements of Chapter 8 of this Code;
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements complying with State law [C.R.S. §30-28- 133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;
- 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;
- Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County’s plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;
- Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
- The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and
- The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

**D. LOCATION**

North: RS-5000 (Residential Suburban)  
 South: RS-6000 (Residential Suburban)  
 East: RS-6000 (Residential Suburban)  
 West: A-5 (Agricultural)

Religious Institution  
 Single-family residential  
 Single-family residential  
 Religious Institution / Solar garden



## E. BACKGROUND

A site-specific Patriot Village PUD (PCD File No. PUD 06-003) was approved by the Board of County Commissioners on November 9, 2006. The 11.76-acre Patriot Village PUD development included 98 single-family attached lots with a minimum lot size of 2,975 square feet, 1.95-acres of open-space, and 1.92-acres of private roadway, for a density of 8.33 dwelling units per acre. Specific architectural standards were depicted on the Patriot Village PUD Development Plan. The subsequent preliminary and final plat were approved by the Board of County Commissioners on July 11, 2007. The preliminary plan and final plat are now expired.

The proposed site-specific Haven Valley PUD development includes a combination of attached and detached single-family lots with a minimum lot size of 2,900 square feet, 1.68-acres of open-space, 2.52 acres of private roadway, and 0.4 acres of dedicated public right-of-way. The proposed density is also 8.33 dwelling units per acre.

If the Haven Valley PUD Development Plan and Preliminary Plan are approved, and a finding of water sufficiency for water quality, quantity, and dependability is made by the Board of County Commissioners, then it is anticipated that the applicants will request administrative approval by the Planning and Community Development Department Executive Director of all subsequent final plats.

## F. ANALYSIS

### 1. Land Development Code Analysis

This application meets the preliminary plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 as well as the Planned Unit Development (PUD) requirements outlined in Chapter 4 of the El Paso County Land Development Code (2021).

Section 4.2.6.F.8 of the Land Development Code requires a minimum of ten (10) percent of the overall residential PUD be set aside as open space area. The PUD area is 11.77 acres in size, which would require a total of 1.1 acres (47,916 square feet) of open space area. The applicants are providing 1.7 acres (14 percent) of designated open space tracts which include: drainage, utilities, associated easements, trails, and landscaping. It should be noted that the applicants are providing 26,136 square feet of useable open space within the development where 25 percent (11,761 square feet) of the overall open space is required. The proposed plan depicts a 15-foot buffer and cedar fence on the south and east boundaries adjacent to existing detached single-family lots. The plan also depicts a pocket park in the northeast corner of the development.



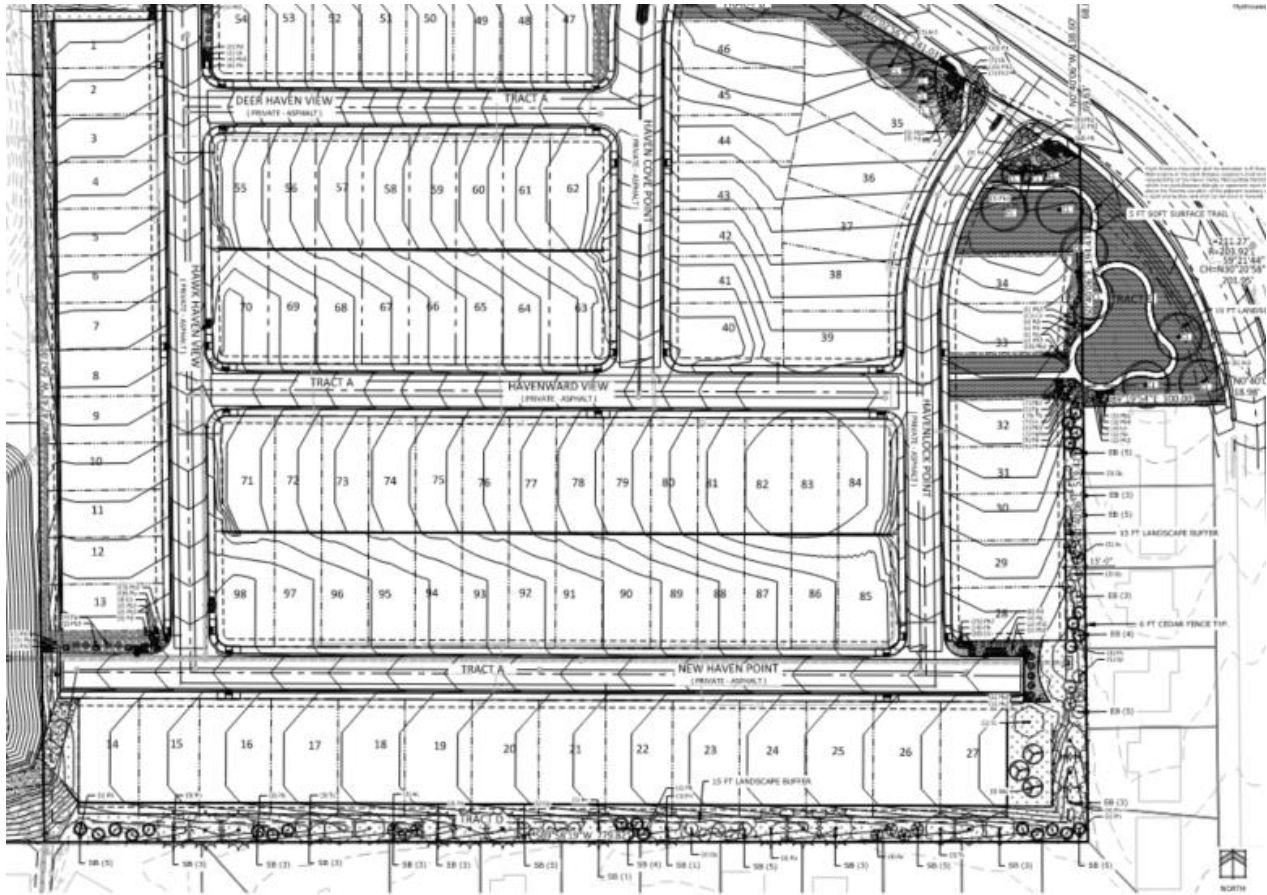


Figure F.1: Landscape Plan

The property is also within the CAD-O (Commercial Airport Overlay District) zoning overlay (see attached map). The CAD-O was adopted by the Board of County Commissioners pursuant to C.R.S §30-28-113 et seq. and 41-4-101 et seq. The purpose of the CAD-O district is to ensure compliance with the Federal Aviation Administration, to ensure free and unobstructed passage of all aircraft through and over airspace, and to acknowledge that private property owners have a property interest in usable airspace above the surface of their property. A referral was sent to the Colorado Springs Airport Advisory Commission (CSAAC) for review and comment. The CSAAC provided comment on November 9, 2022, that they did not have concerns with the uses allowed within the proposed PUD and requested an aviation easement at the time of plat recordation (see attached comments from the CSAAC). Section 4.3.1 CAD-O, Commercial Airport Overlay District of the Land Development Code requires an Airport Activity Notice and Disclosure to be recorded against the title of the property at the time of the final plat but does not require provision of an aviation easement. More specifically, Section 4.3.1 of the Code states:

“The following are required prior to approval of any rezoning or subdivision plat:

- The request shall be referred to Airport Advisory Commission for review and comment.
- Airport Activity Notice and Disclosure shall be required to be recorded against the title of the property as a condition of approval.”

The applicant has agreed to the requested avigation easement in addition to recording an Airport Activity Notice and Disclosure against the title of the property at the time of subsequent final plat recordation(s).

## 2. Zoning Compliance

The PUD Development Plan identifies allowed and permitted uses; use, density, and dimensional standards such as setbacks, maximum lot coverage, and maximum building height; and overall landscaping requirements. The PUD Development Plan and Preliminary Plan are consistent with the proposed PUD development guidelines and with the submittal and processing requirements of the Land Development Code.

## G. MASTER PLAN ANALYSIS

### 1. Your El Paso Master Plan

#### a. **Placetype:** Suburban Residential

##### **Placetype Character**

“Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.

Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.

Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.”





## Recommended Land Uses:

### Primary

- Single-Family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre

### Supporting

- Single-family Attached
- Multifamily Residential
- Parks/Open Space
- Commercial Retail
- Commercial Service
- Institutional



### **Analysis:**

The property is located within the Suburban Residential placetype. The Suburban Residential placetype comprises the County's traditional residential neighborhoods with supporting commercial uses at key intersections. Relevant goals and objectives are as follows:

**Goal 1.3** - Encourage a range of development types to support a variety of land uses.

**Goal 2.1** - Promote development of a mix of housing types in identified areas.

**Goal LU3** – Encourage a range of development types to support a variety of land uses.

**Objective LU3-1** – Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.

**Objective HC4-1** – Denser housing development should occur in Suburban Residential, Urban Residential, Rural Center, and Regional Center placetypes.

**Objective TM1-4** – Encourage sidewalks and other multimodal facilities in all new development in placetypes, as appropriate, and upgrade existing infrastructure to these types of facilities when maintenance is needed.

The PUD and preliminary plan depict a minimum lot size as 2,900 square feet, which is anticipated to provide attainable housing to meet the needs of County residents. The applicant’s provided pedestrian connectivity throughout the development with sidewalks which will connect to the pocket park within the development.

**b. Area of Change Designation: Transition**

Transition areas are fully developed parts of the County that may completely or significantly change in character. In these areas, redevelopment is expected to be intense enough to transition the existing development setting to an entirely new type of development. For example, a failing strip of commercial development could be redeveloped with light industrial or office uses that result in a transition to an employment hub or business park. Another example of such a transition would be if a blighted suburban neighborhood were to experience redevelopment with significant amounts of multifamily housing or commercial development of a larger scale in line with a commercial center.



**Figure G.2: Area of Change Map**

**Analysis:**

The proposed rezone is located in an area which is expected to significantly change in character due to the built out urban development surrounding the subject property. A relevant priority is as follows:



**Core Principle** – Preserve and develop neighborhoods with a mix of housing types.

**Goal HC3** – Locate attainable housing that provides convenient access to goods, services, and employment.

**Objective HC3-1** – Emphasize redevelopment of smaller enclaves to denser urban residential uses such as multifamily and single-family attached dwelling units where compatible and appropriate in the context of the existing neighborhood, which may also require parcel consolidation if existing businesses leave.

**Objective HC1-6** – Single-family attached housing such as townhomes, rowhomes, and multi-unit apartment homes should be used to create seamless transitions between low-intensity and high-intensity neighborhoods as well as nonresidential uses.

Staff recommends that the layout and design of the PUD development plan and preliminary plan is consistent with the policies pertaining specifically to the concept of integrating new compatible land uses in terms of density to include a mix of housing types, both attached and detached single-family residential uses, and access to nearby non-residential services.

### 3. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

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

**Goal 1.2** – Integrate water and land use planning.

**Goal 3.1** – Promote cooperation among water providers to achieve increased efficiencies on infrastructure.

**Policy 4.1.4** – Work collaboratively with water providers, stormwater management agencies, federal agencies, and State agencies to ensure drinking water sources are protected from contamination and meet or exceed established standards.



**Policy 6.0.11** – Continue to limit urban level development to those areas served by centralized utilities.

**Policy 6.4.1.3** – Support efforts by water providers to obtain renewable water supplies through collaborative efforts and regionalization.

**Policy 6.4.1.4** – Promote long-term planning by water providers for sustainable water supplies serving new development.

The subject property is located within Region 7, Fountain Area, which is expected to have the largest growth demand in the County by 2060. Specifically, the Plan states:

“Areas projected to develop by 2040 are located south of Fountain (City) 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 grow by then, as well as the area south of Fountain on the west side of I-25.”

Region 7 has a current centralized 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 25,241-acre feet per year and the projected demand is 15,846-acre feet. The 2060 water supply is projected to be 27,840-acre feet per year, whereas the demand is anticipated to be 26,959-acre feet per year; therefore, there is projected to be a surplus supply of water for central water providers in this region of the County.

The Security Water and Sanitation District has provided a water and wastewater commitment letter to serve the development. The applicants’ water resource report indicates the District has an ample supply of water to serve this development and future developments within the District. The report also identified that the District has a renewable water supply. Please see the Water section below for a summary of the water findings and recommendations for the proposed development in regard to water quality, quantity, and dependability.

#### 4. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. El Paso County Community Services Department, Environmental Division, was sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies undocumented fill (sand and gravel) which is anticipated to have little resource value in the area of the subject parcels. A mineral rights certification was prepared by the applicants indicating that, upon researching the records of El Paso County, no severed mineral rights exist.



The El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) (2016) is discussed below in Transportation section of this report.

## **H. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

No hazards were identified during the review of the combined PUD and preliminary plan application that would impede development. The Colorado Geological Survey (CGS), provided the following comments on the PUD and preliminary plan:

“The site does not contain steep slopes or mapped floodplains, nor is it exposed to any geologic hazards that preclude the proposed development. As noted on p. 4 of CTL’s report (Geologic Hazard Evaluation and Preliminary Geotechnical Investigation (CTL Thompson, Inc. (CTL), Revised April 5, 2021), “Conditions we identified that may pose hazards or constraints to development include existing undocumented fill.” Also, “We believe these conditions can be mitigated with engineering design and construction methods commonly employed in this area.” CGS agrees with CTL (p. 5) that “Undocumented fill should be removed and reworked or replaced” and “Design-level geotechnical studies should be undertaken to confirm the presence of fill and depths of fill and to provide recommendations for reworking.” CTL’s characterization of the geologic hazards and constraints associated with the site is valid. Provided CTL’s recommendations are adhered to, and design-level geotechnical studies are performed, CGS has no objection to approval of the proposed residential use and density.”

### **2. Floodplain**

As indicated on FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0763G, the property is not located within a 100-year regulatory floodplain.

### **3. Drainage and Erosion**

The subdivision is located within the Security (FOFO2900) drainage basin. The Security drainage basin is a fee basin with associated drainage fees. Drainage fees will be required to be paid at the time of final plat recordation.

The site historically drains to the southwest between two existing houses into the knuckle at the intersection of Pecos Drive and Widefield Drive and then south down Widefield Drive. Developed stormwater runoff will be conveyed via overland flow across lots and within curb and gutter to a proposed private storm sewer system. The storm sewer system will then convey the flows to a proposed full spectrum detention pond that will mitigate developed runoff and provide the necessary permanent stormwater quality for the proposed development. The proposed stormwater facilities will be privately owned and



maintained and is to be located in an existing off-site drainage easement. Per the associated preliminary drainage report the proposed pond will “fulfill on-site detention needs as well as providing detention for upstream properties, since there is a lack of detention facilities upstream which has caused chronic flooding issues”. Released flows from the pond will be piped between two residences in an existing drainage easement and down Widefield Drive to a proposed bubbler where flow will continue in historic patterns to the south.

Per the associated preliminary drainage report the development will not negatively impact the downstream facilities and will improve the downstream conditions by lessening the flows where there are currently flooding issues.

A grading and erosion control plan that identifies construction best management practices (BMPs) to prevent sediment and debris from affecting adjoining properties and the public stormwater system will be required to be submitted with the final plat application.

#### **4. Transportation**

The property is located southwest of the intersection of Bradley Road and Alturas Drive. Primary access to the development will be provided via the proposed private local roadway, Haven Cove Point, that will intersect Cable Lane and align with Alturas Drive. An additional private road access is proposed to the east that will also intersect Cable Lane. All internal roadways are proposed to be privately owned and maintained.

Per the associated traffic study, no mitigation measures are necessary to Bradley Road or Alturas Drive to accommodate the trip generation from this subdivision. Additionally, it is identified that the proposed access locations will function within the acceptable traffic engineering parameters and the transportation facilities will be adequate and available to serve the proposed development.

The El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) does not depict roadway improvements in the immediate vicinity of the site. The development will be subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

### **I. SERVICES**

#### **1. Water**

Security Water and Sanitation District provides water service and has committed to serve the development.



Water Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The State Engineer's Office has made a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office has made a favorable recommendation of a finding of sufficiency with regard to water quantity and dependability. El Paso County Public Health has made a favorable recommendation regarding water quality.

## **2. Sanitation**

Wastewater service is provided by Security Water and Sanitation District. The District has provided a wastewater commitment letter demonstrating the District has adequate capacity to serve the development.

## **3. Emergency Services**

The property is within the Security Fire Protection District. The District provided a commitment letter and approval of the PUD and preliminary plan design.

## **4. Utilities**

Colorado Springs Utilities (CSU) will provide electrical and natural gas services to the property.

## **5. Metropolitan Districts**

A portion of the property is owned and within Fountain Mutual District. The applicants have stated that the District will be responsible for maintaining the pocket park on the eastside of the development. Traffic impact fees associated with the District shall be paid in accordance with Resolution 19-471.

## **6. Parks/Trails**

Land dedication and fees in lieu of park land dedication are not required for a map amendment (rezoning) or preliminary plan application. Fees in lieu of park land dedication will be due at the time of recording the final plat.

The El Paso County Community Services Department, Parks Division, has provided the following comments which will be incorporated into the anticipated final plat(s) recommended conditions of approval:



“As no trail easement or park land dedications are required for this application, staff recommends regional and urban park fees in lieu of land dedication for regional or urban park purposes. 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 Haven Valley Final Planned Unit Development: require fees in lieu of land dedication for regional park purposes in the amount of \$45,080, and urban park fees in the amount of \$28,420.”

## **7. Schools**

The subject property is located within the boundaries of Widefield School District No. 3. The applicants are required to pay fees in lieu of land dedication to benefit, Widefield School District No. 3 at the time of final plat recordation.

## **J. APPLICABLE RESOLUTIONS**

See Attached.

## **K. STATUS OF MAJOR ISSUES**

There are no major outstanding issues.

## **L. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Planning Commission find that the request meets the criteria for approval outlined in Section 4.2.6, and Section 7.2.1 of the El Paso County Land Development Code (2021), staff recommends the following conditions and notations:

### **CONDITIONS**

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.



5. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
6. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
7. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
8. The development will be subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

## NOTATIONS

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director pursuant to Section 7.2.1.3.D of the Land Development Code.
2. 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.
3. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.
4. 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.





**M. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 58 adjoining property owners on November 14, 2022, for the Planning Commission meeting. Responses will be provided at the hearing.

**M. ATTACHMENTS**

- Vicinity Map
- Letter of Intent
- Development Plan / Preliminary Plan
- State Engineers Letter
- County Attorney’s Letter
- Health Department Letter
- CSAAC Comments
- Draft PC Resolution



# El Paso County Parcel Information

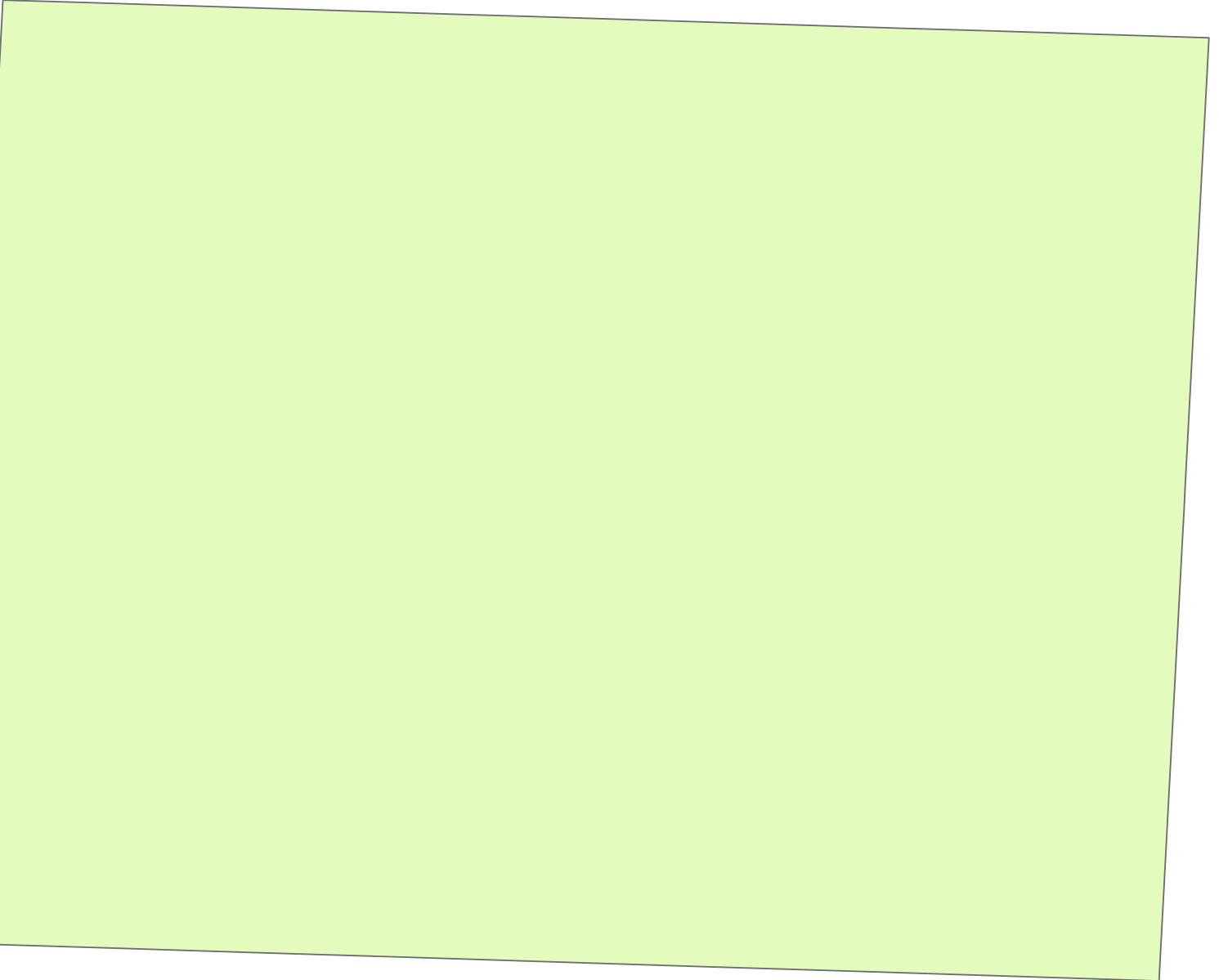
File Name:

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



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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>
Richmond American Homes 4350 S. Monaco Street Denver, CO 80237	MIDCO Investments LLC. PO Box 60069 Colorado Springs, CO 80960	Fountain Mutual Metro District PO Box 1976 Colorado Springs, CO. 80901	N.E.S. Inc. 619 North Cascade Ave. 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 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 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 single-family detached 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.

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 Bradley 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 1.83 AC (15.5%) Tracts B,C,D and E usable 0.7 AC Tracts B and E.

### **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 Bradley 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.**  
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

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(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 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 and north boundary adjacent to the two churches no landscape buffering is proposed. 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.

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**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;
- 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.

**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;**



These matters are addressed in the Preliminary Drainage Report prepared by Drexel Barrell and Company dated February 2022. 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.

**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.

**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 and north boundary adjacent to the two churches no landscape buffering is proposed. 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.

**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:

	<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	Mimimum 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*

GENERAL PROVISIONS

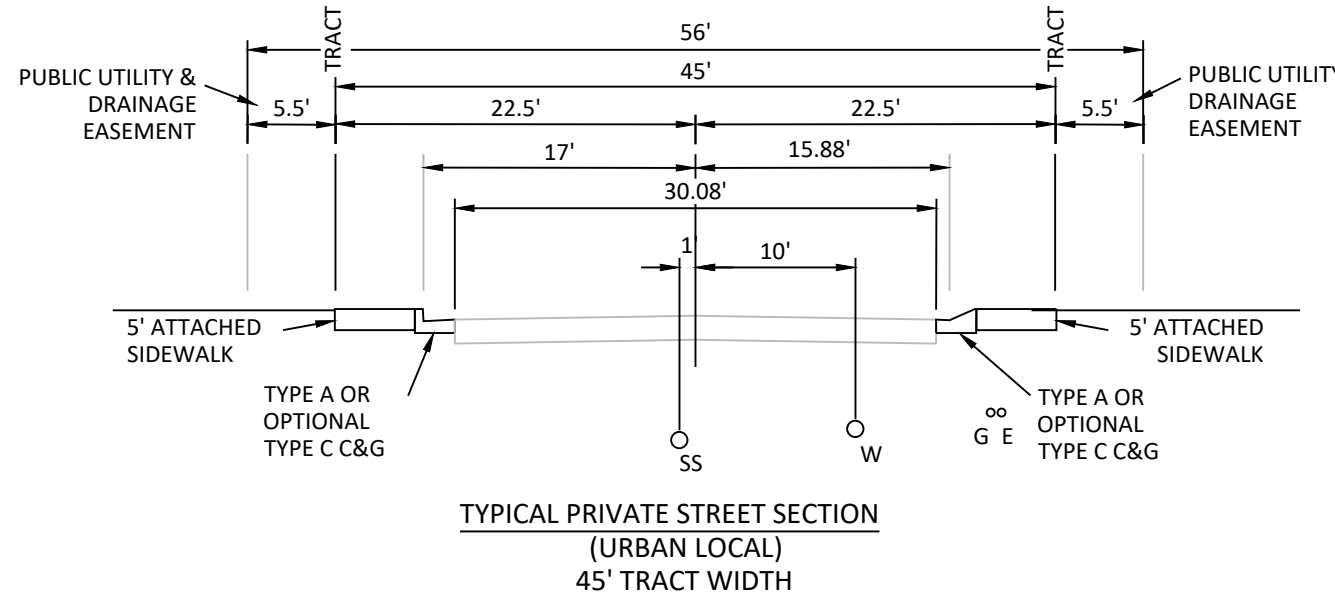
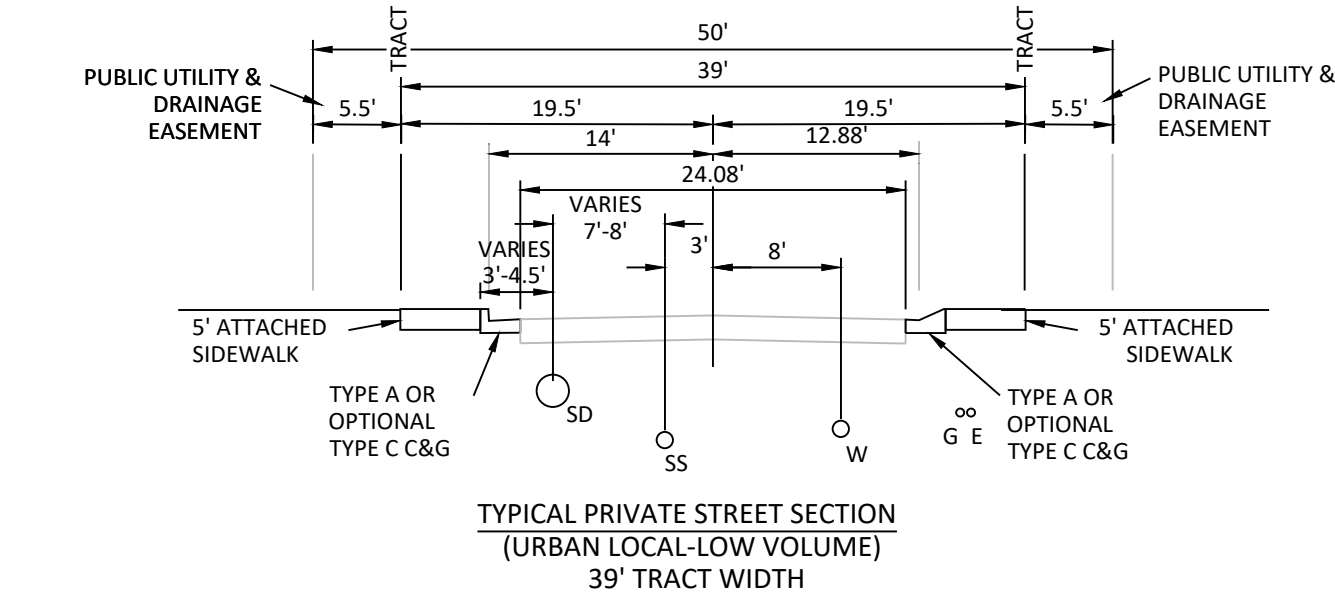
- A. Authority. This PUD is authorized by Chapter 4 of the El Paso County Land Development Code, adopted pursuant to the Colorado Planned Unit Development Act of 1972, as amended.
B. Applicability. The provisions of this PUD shall run with the land.
C. Adoption. The adoption of this development plan shall evidence the findings and decisions of the El Paso County Board of County Commissioners that this Development Plan for Haven Valley is in general conformity with the El Paso County Master Plan, El Paso County Policy Plan and applicable Small Area Plan; is authorized under the provision of the El Paso County Land Development Code; and that the El Paso County Land Development Code and this development plan complies with the Colorado Planned Unit Development Act of 1972, as amended.
D. Relationship to County Regulations. The provisions of this development plan shall prevail and govern the development of Haven Valley, provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the El Paso County Land Development Code in effect at the time of the PUD plan approval (or owner acknowledge the PUD changes with the Code), or any other applicable resolutions or regulations of El Paso County, shall be applicable.
E. Enforcement. To further the mutual interest of the residents, occupants, and owners of the PUD and of the public in the preservation of the integrity of this development plan, the provisions of this plan relating to the use of land and the location of common open space shall run in favor of El Paso County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise provided by law.
F. Conflict. Where there is more than one provision within the development plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards shall govern.
G. Maximum Level of Development. The total number of dwellings or the total commercial, business, or industrial intensity shown on the development plan for development within the specified planning areas is the maximum development requested for platting or construction (plus any approved density transfers). The actual number of dwellings or level of development may be less due to subdivision or Site Development Plan requirements, land carrying capacity, or other requirements of the Board of County Commissioners.
H. Project Tracking. At the time of any final plat application, the applicant shall provide a summary of the development, to date, to Planning and Community Development, in order to assure maximum development limits are not exceeded.
I. Overall Project Standards. The standard zoning requirements of El Paso County Land Development Code, as amended, including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PUD, except as modified below.
J. Easements. Unless otherwise indicated, all side, front, and rear lot lines will include a 5 foot public utility and drainage easement unless otherwise indicated. All exterior subdivision boundaries will include 7 foot public utility and drainage easement. The sole responsibility for maintenance of these easements is hereby vested with the individual property owners.
K. Private Roads. The private roads as shown on this plan will not be maintained by El Paso County until and unless the streets are constructed in conformance with El Paso County standards in effect at the date of the dedication and maintenance.
L. Stormwater Drainage. All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted shall be maintained by the individual lot owners unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.

DEVELOPMENT GUIDELINES

- A. Project Description: Haven Valley is a planned residential community on 11.7678 acres of land located south west of the intersection of Alturas Dr. and Cable Ln. The project is planned as a single family detached and attached community with a range of lot sizes and contiguous common open space throughout.

Table with 2 columns: USES and NOTES. Rows include: DWELLINGS - SINGLE FAMILY DETACHED & ATTACHED, OPEN SPACE AND TRAILS, RECREATION AMENITIES, FAMILY CARE HOME, CHILD CARE CENTER, OR GROUP HOME, UTILITIES, DETENTION PONDS, ANIMAL KEEPING, RESIDENTIAL HOME OCCUPATION, SOLAR ENERGY SYSTEMS, ANTENNAS, RADIO FACILITIES, AND SATELLITE DISHES, MAILBOXES, BED & BREAKFAST HOME, STORAGE SHEDS LESS THAN 200 SF, MODEL HOME / SUBDIVISION SALES OFFICE, CONSTRUCTION EQUIPMENT STORAGE AND FIELD OFFICE, YARD OR GARAGE SALES, SPECIAL USES, ACCESSORY STRUCTURES, and NOTES.

- B. Signs. Signs shall be permitted to identify entries to the Haven Valley community. The maximum size of the Community Entryway Sign shall be 100 square feet with a maximum height of (6) feet. Sign size shall be measured by drawing the smallest rectangle around the text of the sign. For double sided signs, only one sign face shall contribute to the maximum size.
C. Development Standards.
1. Maximum building height: thirty (30) feet
2. Maximum Lot Coverage: 40%
3. Setback minimums:
Front: 18' Minimum
Side: 5' Minimum (Corner Lot)
Rear: 7' Minimum
4. Minimum Lot Width: 35' at garage setback.
5. Minimum Lot Size: 2,900 SF
6. No projections into the tracts owned and maintained by the Haven Valley Metropolitan District will be permitted.
D. Streets. Streets within the Haven Valley subdivision provide general vehicular circulation throughout the development. All Streets shall be paved. Sidewalks will be provided as illustrated on this plan and as required by the LDC and ECM.
E. Access Limitation: There shall be no direct vehicular access to Alturas Drive or Cable Lane from any lot or tract.
F. Sight Distance Triangles: No landscaping may obstruct sight distance triangles or pedestrian facilities per Engineering Criteria Manual Reference 2.3.6.G.2 & 2.5.2.A, respectively. The minimum horizontal clearance for sidewalks around utilities structures, furniture, and other encroachments shall be 4 feet or greater to provide safe conditions for pedestrians and bicyclists per the Engineering Criteria Manual.



HAVEN VALLEY

A PORTION OF THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M. OF EL PASO COUNTY, COLORADO PUD DEVELOPMENT/PRELIMINARY PLAN

GENERAL NOTES

- 1. See Landscape Plan sheets 6-7 of this set for proposed buffering and screening from surrounding properties.
2. Facilities and common area landscape will be maintained by the Haven Valley Homeowners Association.
3. This site is not within a designated F.E.M.A. floodplain as determined by the flood insurance rate map, community panel number 08041C0763G, effective December 7, 2018.
4. No basements will be permitted in the Haven Valley PUD SP.
5. Geologic Hazard Note: 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 Geologic Hazard Evaluation and Due Diligence Geotechnical Investigation prepared by CTL Thompson Inc., dated October 8, 2018 and revised August 5, 2021 and is held in the Haven Valley PUD Preliminary Plan File (PUDSP217) at the El Paso County Planning and Community Development Department.
- Artificial /Undocumented Fill Lots: 17-21, 35-38, 44-41, 55-70 and 91-96
These conditions can be mitigated by regrading, properly engineered foundations and recognized construction techniques. Undocumented fill should be removed and reworked or replaced. Design level geotechnical studies should be undertaken to confirm the presence of fill and depth of fill and to provide recommendations for reworking.
6. 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 law.
7. The following reports have been submitted in association with the Preliminary Plan for this subdivision and are on file at the County Planning and Community Development Department: 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, Waste water disposal Report prepared by Drexel Barrell & Company, Drainage Report prepared by Drexel Barrell & Company and Natural Features Report prepared by N.E.S. Inc.
J. Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.
K. The following utility providers will serve the Haven Valley PUD:
Water: Security Water and Sanitation Districts
Wastewater: Security Water and Sanitation Districts
Gas: Colorado Gas Company
Electric: Colorado Springs Utilities
L. NOTICE OF POTENTIAL AIRCRAFT OVERFLIGHT AND NOISE IMPACT ASSOCIATED WITH AIRPORT: This serves as notice of potential aircraft overflight and noise impacts on this property due to its close proximity to an airport, which is being disclosed to all prospective purchasers considering the use of this property for residential and other purposes. This property is subject to the overflight and associated noise of arriving and departing aircraft during the course of normal operations.
M. Fire Lane markings to be coordinated with Security Fire Protection District (SFPD).
N. All sidewalks to be 5 foot wide and concrete.

LEGAL DESCRIPTION FOR HAVEN VALLEY

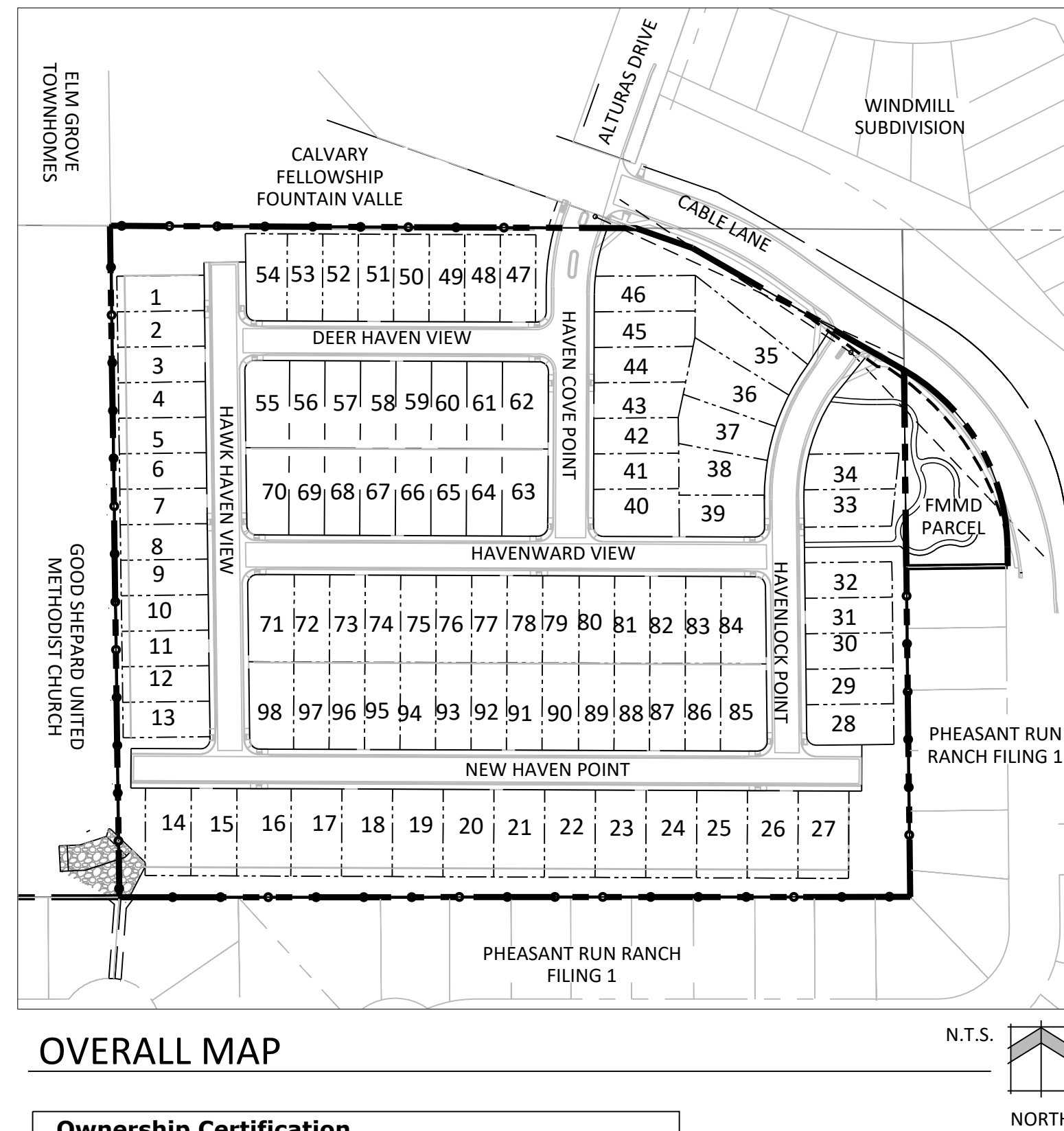
THE NORTH HALF OF THE NW 1/4 OF THE NW 1/4 OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M. EXCEPT THAT PORTION CONVEYED IN A WARRANTY DEED RECORDED NOVEMBER 25, 1959 IN BOOK 1779 AT PAGE 409 OF THE CLERK AND RECORDERS OFFICE OF THE COUNTY OF EL PASO, STATE OF COLORADO AND EXCEPT THAT PORTION LYING WITHIN THE EXISTING RIGHT OF WAY OF FORMER BRADLEY ROAD, NOW DESIGNATED AS CABLE LANE, COUNTY OF EL PASO, STATE OF COLORADO. THE ABOVE-DESCRIBED PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12 AND CONSIDERING THE NORTH LINE OF THE NW 1/4 OF THE NW 1/4 OF SECTION 12 TO BEAR S89°44'12"E, 1058.43 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, SAID LINE MONUMENTED AT THE WESTERLY TERMINUS BY A FOUND 2.5" ALUMINUM PIPE WITH A 3.25" ALUMINUM CAP STAMPED "T165 R66W 2.1 11.12.1995 RMLS NO. 19625" AND AT THE EASTERLY TERMINUS BY A FOUND #4 REBAR WITH A 1" YELLOW PLASTIC CAP STAMPED "WKC & ASSOC PLS 14611"; THENCE ALONG SAID NORTH LINE, S89°44'12"E, 539.85 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE NORTH LINE OF SAID NW 1/4 OF THE NW 1/4, S89°44'12"E, 518.88 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CABLE LANE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: 1) S70°41'33"E, 58.84 FEET; 2) S60°02'56"E, 241.03 FEET TO THE WEST LINE OF SAID NW 1/4 OF THE NW 1/4;

LEGAL DESCRIPTION FOR FOUNTAIN MUTUAL METROPOLITAN DISTRICT PARCEL

A PARCEL OF LAND BEING A PORTION OF THAT TRACT OF LAND AS DESCRIBED IN THAT DOCUMENT RECORDED UNDER RECEPTION NO. 201078268 OF THE CLERK AND RECORDERS OFFICE OF THE COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12 AND CONSIDERING THE NORTH LINE OF THE NW 1/4 OF THE NW 1/4 OF SECTION 12 TO BEAR S89°44'12"E, 1058.43 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, SAID LINE MONUMENTED AT THE WESTERLY TERMINUS BY A FOUND 2.5" ALUMINUM PIPE WITH A 3.25" ALUMINUM CAP STAMPED "T165 R66W 2.1 11.12.1995 RMLS NO. 19625" AND AT THE EASTERLY TERMINUS BY A FOUND #4 REBAR WITH A 1" YELLOW PLASTIC CAP STAMPED "WKC & ASSOC PLS 14611"; THENCE ALONG SAID NORTH LINE, S89°44'12"E, 1058.43 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CABLE LANE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES: 1) S70°41'33"E, 58.84 FEET; 2) S60°02'56"E, 241.03 FEET TO THE WEST LINE OF SAID NW 1/4 OF THE NW 1/4 AND THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CABLE LANE AS DESCRIBED IN THAT DOCUMENT RECORDED UNDER RECEPTION NO. 202228876 OF SAID CLERK AND RECORDERS OFFICE OF THE COUNTY OF EL PASO;

THENCE ALONG SAID WEST LINE 500'40'06", 194.43 FEET TO THE NORTHWEST CORNER OF "PHEASANT RUN RANCH FILING NO. 1", THE PLAT THEREOF RECORDED IN PLAT BOOK X3 AT PAGE 18 OF THE RECORDS OF THE COUNTY OF EL PASO, STATE OF COLORADO, 500'40'06", 519.42 FEET TO THE NORTH LINE OF SAID PHEASANT RUN RANCH FILING NO. 1 AND THE NORTHEAST CORNER OF LOT 37 OF PHEASANT RUN RANCH FILING NO. 1; THENCE ALONG SAID NORTH LINE OF PHEASANT RUN RANCH FILING NO. 1 AND ALONG THE NORTH LINE OF THE "SUBDIVISION OF TRACT NO. 1 REFINING OF THE SECURITY, COLORADO ADDITION NO. 4 EL PASO COUNTY, COLORADO", THE PLAT THEREOF RECORDED IN PLAT BOOK 2 AT PAGE 76 OF THE RECORDS OF THE COUNTY OF EL PASO, STATE OF COLORADO, S89°58'19"W, 779.82 FEET TO THE EAST LINE OF THAT TRACT OF LAND AS DESCRIBED IN BOOK 1779 AT PAGE 409 OF THE RECORDS OF THE COUNTY OF EL PASO, STATE OF COLORADO; THENCE ALONG SAID NORTH LINE, S89°44'12"E, 662.00 FEET TO THE TRUE POINT OF BEGINNING. THE ABOVE-DESCRIBED TRACT OF LAND CONTAINS 11.438 ACRES OR 498,237 SQUARE FEET, MORE OR LESS.

THE ABOVE-DESCRIBED TRACT OF LAND CONTAINS 0.3298 ACRES OR 14,323 SQUARE FEET, MORE OR LESS.



OVERALL MAP

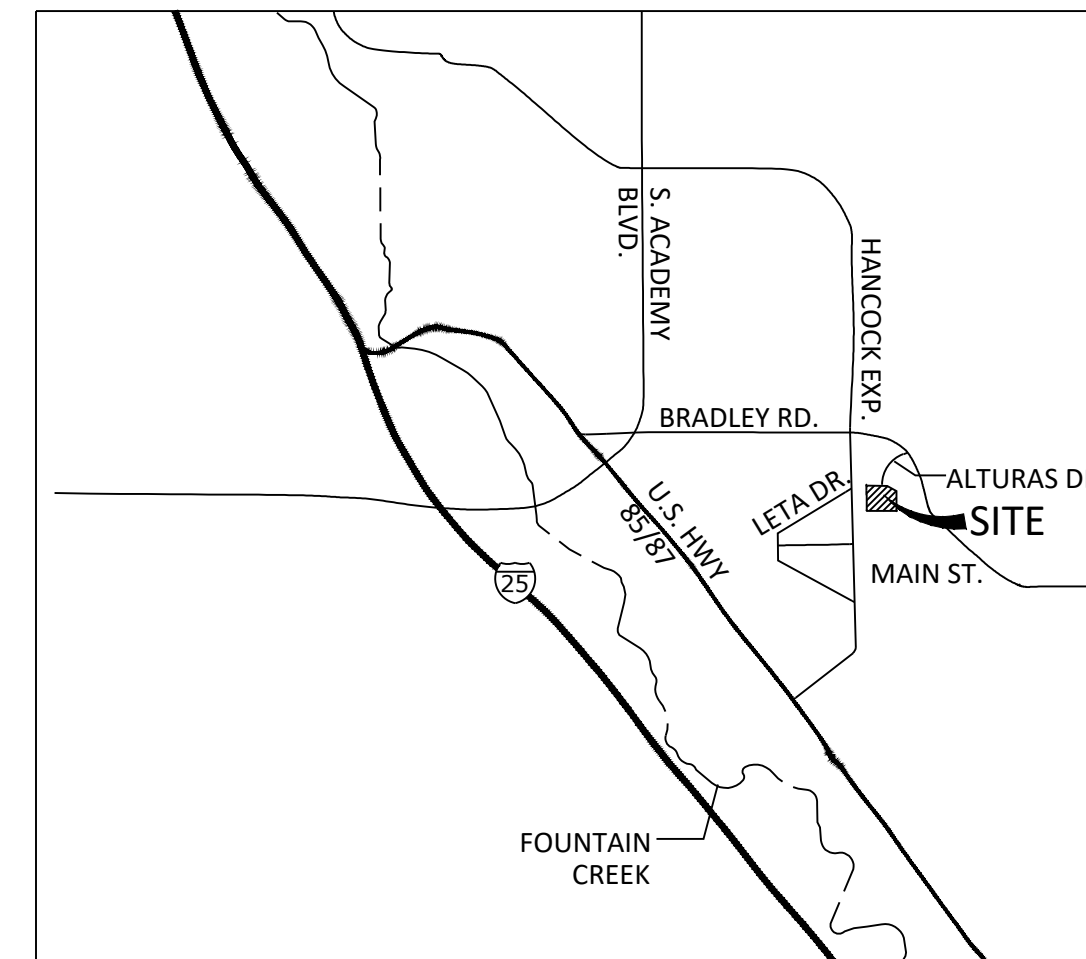
Ownership Certification form for MIDCO Investments LLC, including fields for Landowner's Signature, Notarized signature, and OR Name of Attorney and registration number.

Ownership Certification form for Fountain Mutual Metropolitan District, including fields for Landowner's Signature, Notarized signature, and OR Name of Attorney and registration number.

County Certification form for El Paso County, including fields for President, Board of County Commissioners, Chair, Planning & Community Development Department, and Notarized signature.

Clerk and Recorder Certification form for El Paso County, including fields for Notarized signature and OR Name of Attorney and registration number.

VICINITY MAP



SITE DATA

Table of site data including Tax ID Numbers (651220001 & 651220011), Total Area (11.76 AC), Development Schedule (2022), Current Zoning (PUD), Current Use (Vacant), Proposed Use (Dwellings Single Family Detached), Average Lot Size (3,344 SF), Minimum Lot Size (2,900 SF), Minimum Lot Width (35 FT), Gross Density (8.33 DU/AC), Net Density (13.12 DU/AC), Total Tract Area (4.24 AC), and Maximum Building Height (30 FT).

Table for Lot Setbacks (Detached) showing Front (18 FT), Side (5 FT), and Rear (7 FT).

Table for Lot Setbacks (Attached) showing Front (18 FT), Common Side (0 FT), Side (5 FT), and Rear (7 FT).

Table for Landscape Setbacks showing Cable Lane Urban Local (10 FT).

Table for Landscape Buffers showing South Buffer (15 FT) and East Buffer (15 FT).

Table for Open Space showing Required (1.1 AC (10%)), Usable (0.27 AC (25% of 1.1 AC Required)), Provided (1.7 AC (14%) Tracts B & C & D), and Usable (0.6 AC of Tracts C & E).

PUD MODIFICATIONS

Table of PUD modifications with columns: LDC/ECM Section, Category, Standard, Modification, and Justification. Includes modifications for Private Roads and Minimum Curb Return Radius.

LAND USE DATA TABLE

Table of land use data showing categories like Single Family, Road Tract, Open Space Tracts, and Future Row, along with metrics for Net Density, Units, Acres, and % of Land.

\*USABLE OPEN SPACE: 0.57 AC (34%)

PROJECT TEAM

Table listing the Project Team including Owner (MIDCO Investments LLC), Consultant (N.E.S. Inc.), and Fountain Mutual Metropolitan District.

SHEET INDEX

Table of sheet index listing sheets 1 through 7 and their corresponding titles such as Cover Sheet, Tract Map, PUD Preliminary Site Plan, etc.



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

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HAVEN VALLEY

PUD DEVELOPMENT / PRELIMINARY PLAN

ALTURAS DRIVE & CABLE LANE

ENTITLEMENT

Table for entitlement tracking with columns: DATE, BY, DESCRIPTION. Shows entries for 08.19.2021, 02.07.2022, 04.08.2022, 10.05.2022, and 11.09.2022.

COVER SHEET

1 OF 7

PUDSP217

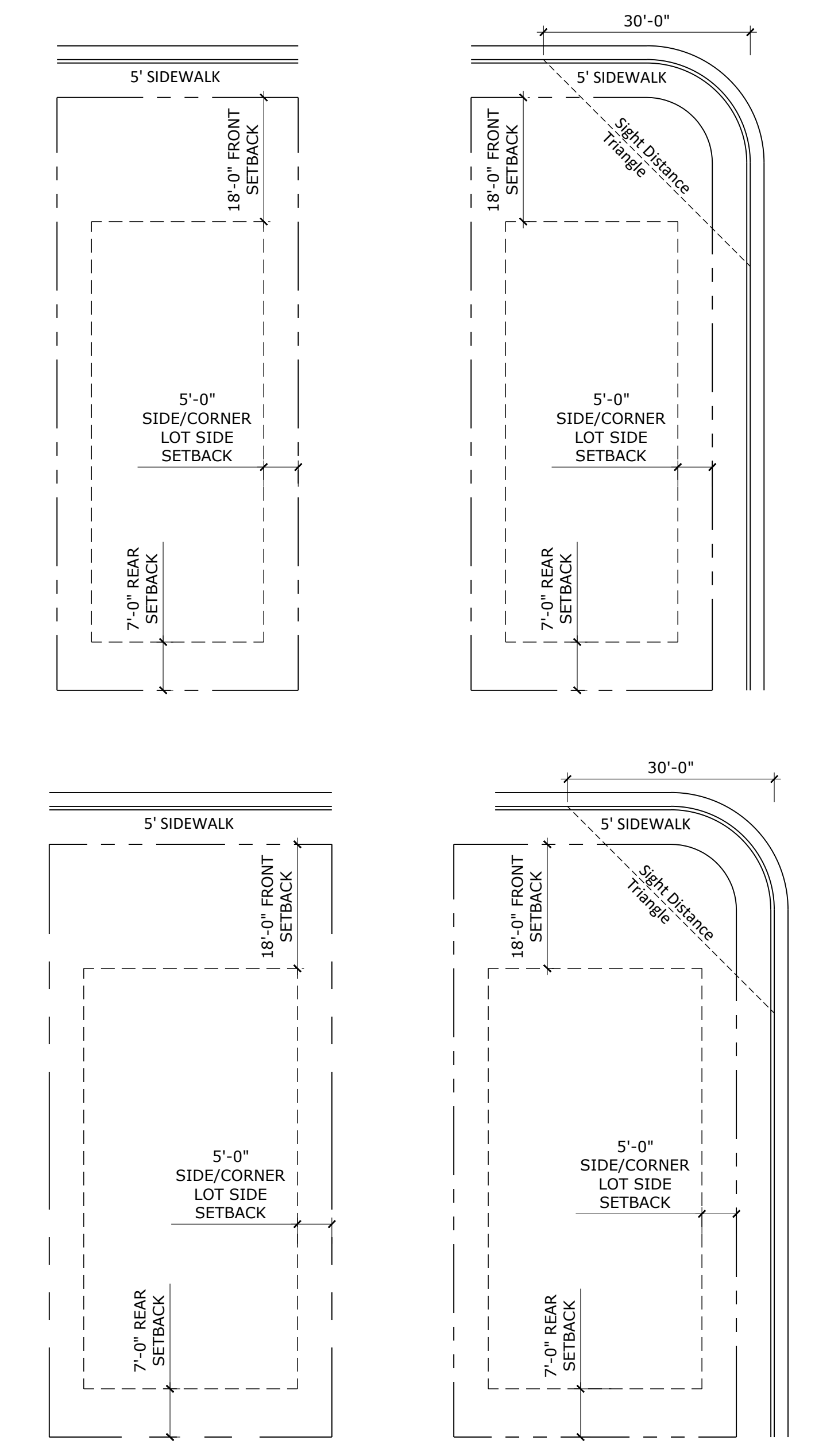
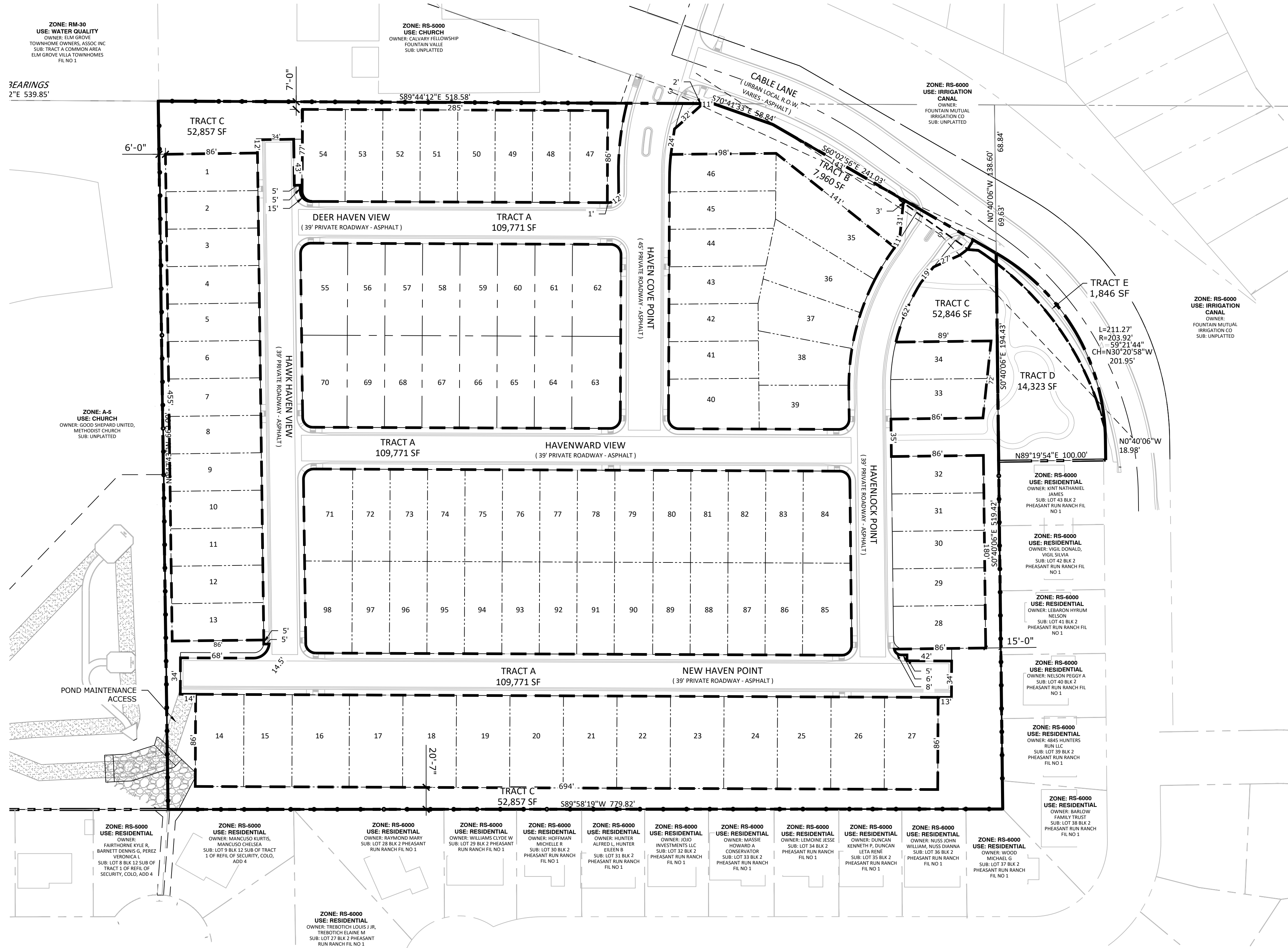


# HAVEN VALLEY

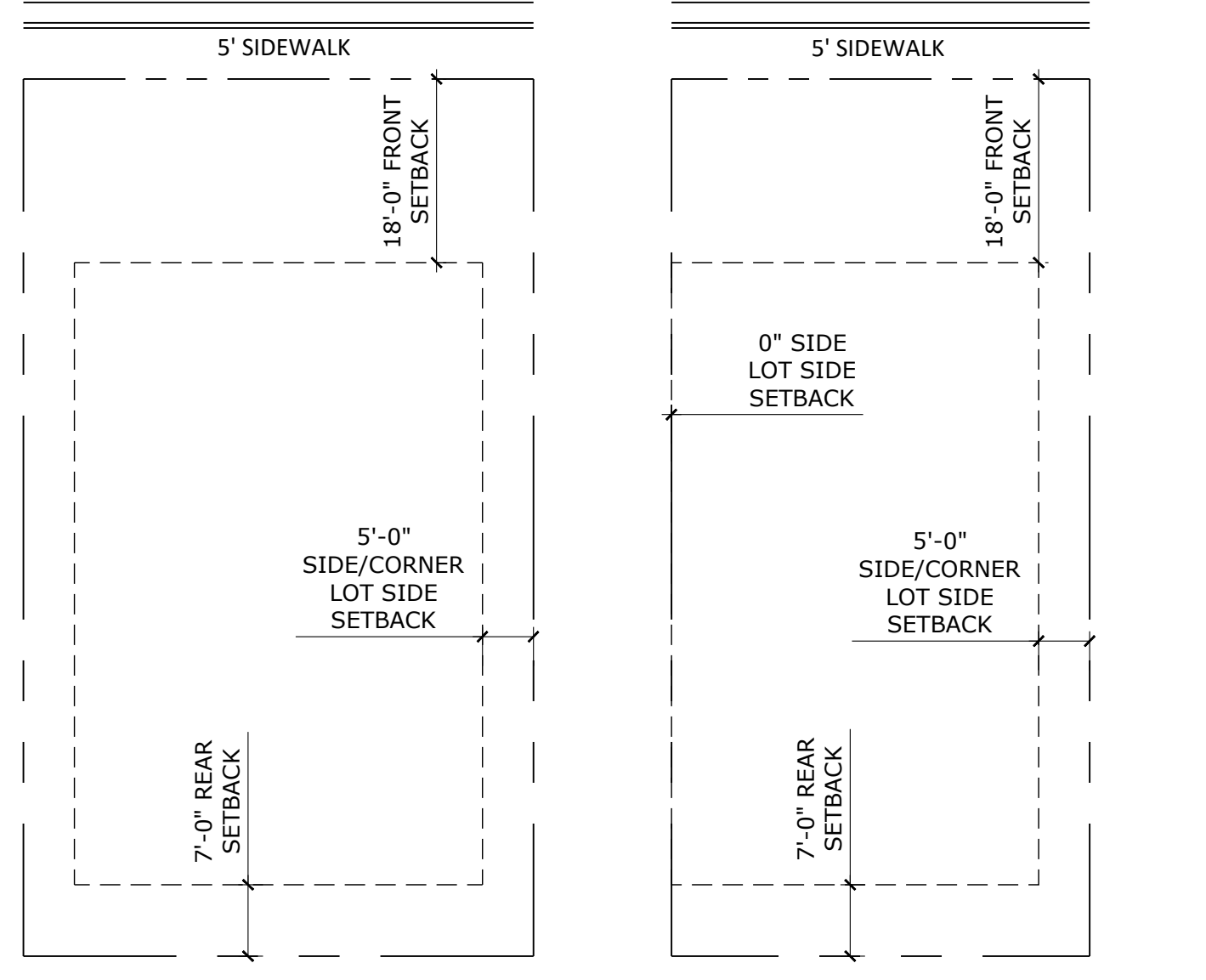
A PORTION OF THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M. OF  
EL PASO COUNTY, COLORADO

## PUD DEVELOPMENT/PRELIMINARY PLAN

LOT TYPICALS



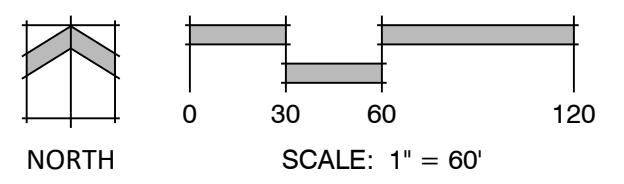
EXAMPLE SINGLE FAMILY ATTACHED LOT TYPICAL



TRACT MAP & ADJACENT PROPERTY OWNERS

TRACT TABLE

NAME	SIZE (SF)	SIZE (AC)	USE	OWNERSHIP	MAINTENANCE
Tract A	109,771	2.52	Private Roads	HOA	HOA
Tract B	7,960	0.18	Open Space, Landscape Setback and Buffer, Public Improvement Easement, Public and Private Utilities	HOA	HOA
Tract C	52,661	1.21	Open Space, Trail, Landscape Setback and Buffer, Public Improvement Easement, Drainage, Public and Private Utilities	HOA	HOA
Tract D	12,673	0.29	Open Space, Trail & Landscape Setback	HOA & Fountain Mutual Metropolitan District	HOA
Tract E	1,846	0.04	Future ROW	El Paso County	El Paso County
Total Area	184,911	4.24			



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**HAVEN VALLEY**  
PUD DEVELOPMENT /  
PRELIMINARY PLAN  
ALTURAS DRIVE &  
CABLE LANE

DATE: 11.09.2022  
PROJECT MGR: A. BARLOW  
PREPARED BY: J. SMITH

**ENTITLEMENT**

DATE:	BY:	DESCRIPTION:
08.19.2021	B. I.	PER COUNTY COMMENTS
02.07.2022	B. I.	PER COUNTY COMMENTS
04.08.2022	B. I.	PER COUNTY COMMENTS
10.05.2022	J. S.	PER COUNTY COMMENTS
11.09.2022	J. S.	PER COUNTY COMMENTS

**TRACT MAP, LOT TYPICALS & ADJACENT PROPERTY OWNERS**

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# HAVEN VALLEY

A PORTION OF THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M. OF EL PASO COUNTY, COLORADO  
**PUD DEVELOPMENT/PRELIMINARY PLAN**



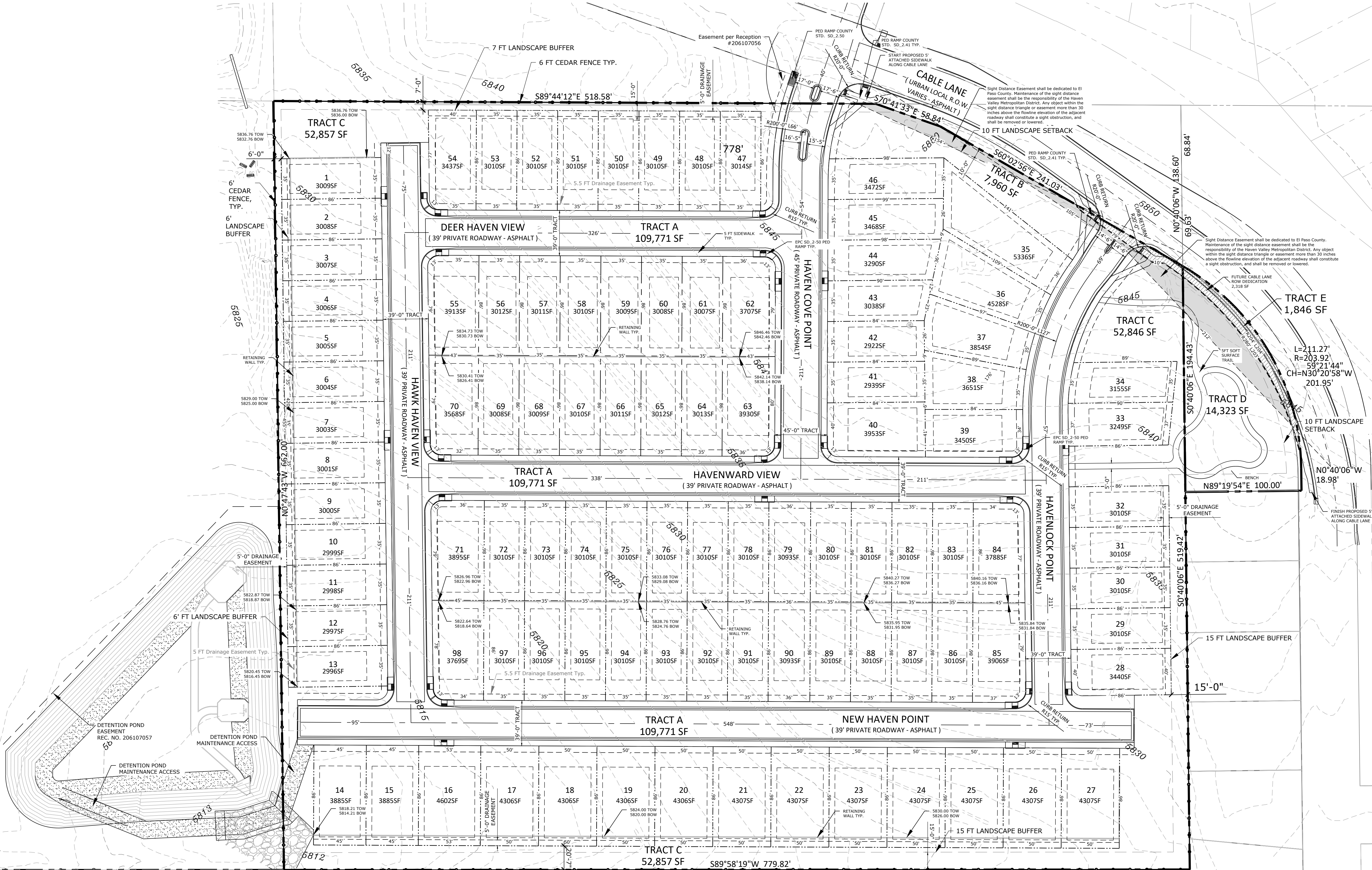
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P:\Richmond American Homes\Haven Valley\Drawings\Planning\Development\Haven Valley\_PUD.dwg (Sheet 3) 11/09/2022 2:25:09 PM jsmith



PLANNER / LANDSCAPE ARCHITECT  
 IN ASSOCIATION WITH  
 PROJECT INFO  
 STAMP  
 ISSUE INFO  
 SHEET TITLE  
 PLAN FILE #

## HAVEN VALLEY

**PUD DEVELOPMENT /  
 PRELIMINARY PLAN**  
 ALTURAS DRIVE &  
 CABLE LANE

DATE: 11.09.2022  
 PROJECT MGR: A. BARLOW  
 PREPARED BY: J. SMITH

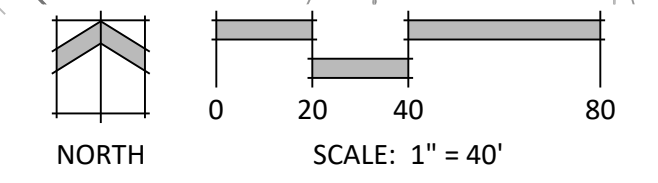
### ENTITLEMENT

DATE:	BY:	DESCRIPTION:
08.19.2021	B. I.	PER COUNTY COMMENTS
02.07.2022	B. I.	PER COUNTY COMMENTS
04.08.2022	B. I.	PER COUNTY COMMENTS
10.05.2022	J. S.	PER COUNTY COMMENTS
11.09.2022	J. S.	PER COUNTY COMMENTS

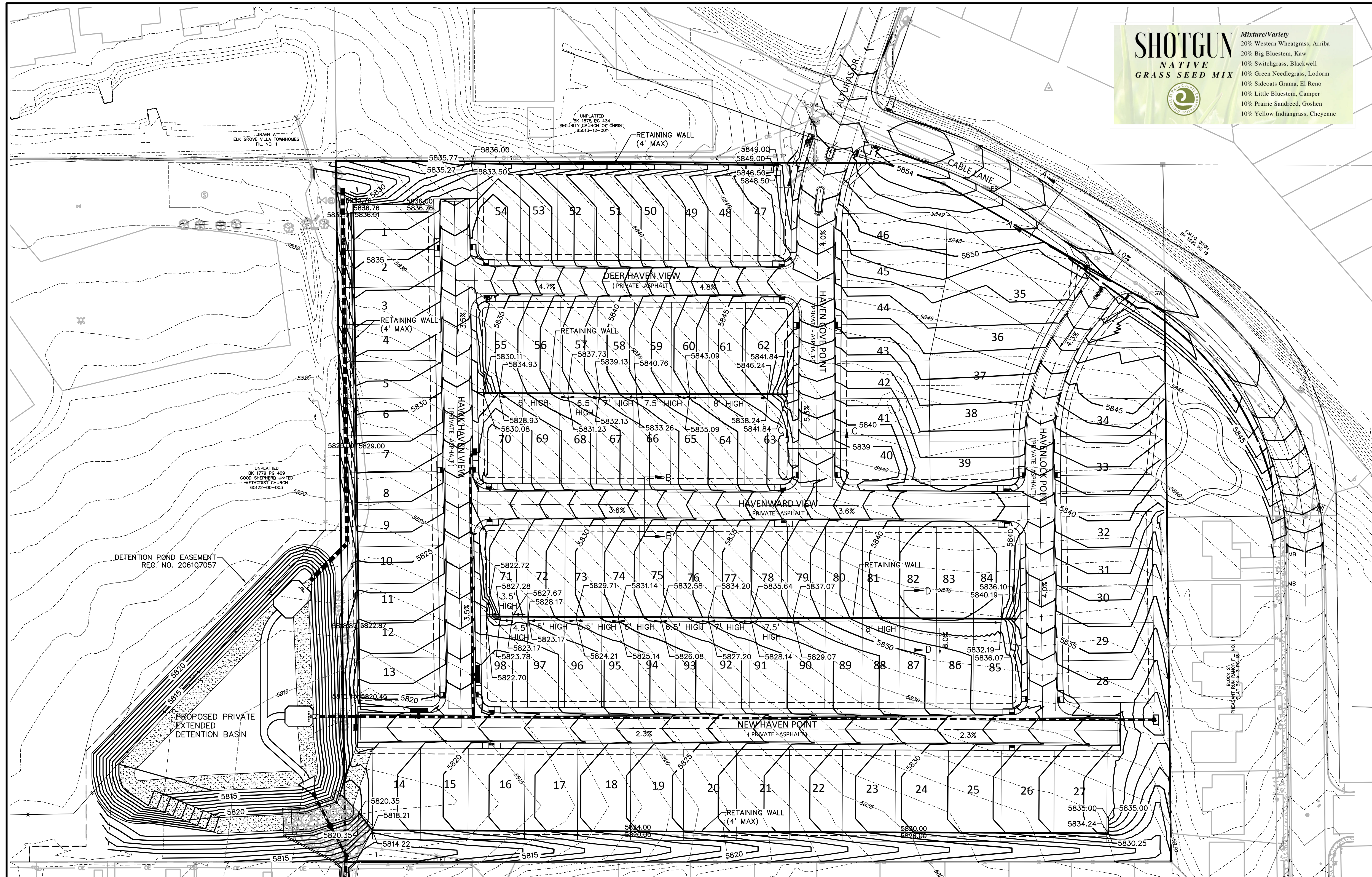
### PUD PRELIMINARY SITE PLAN

3 OF 7

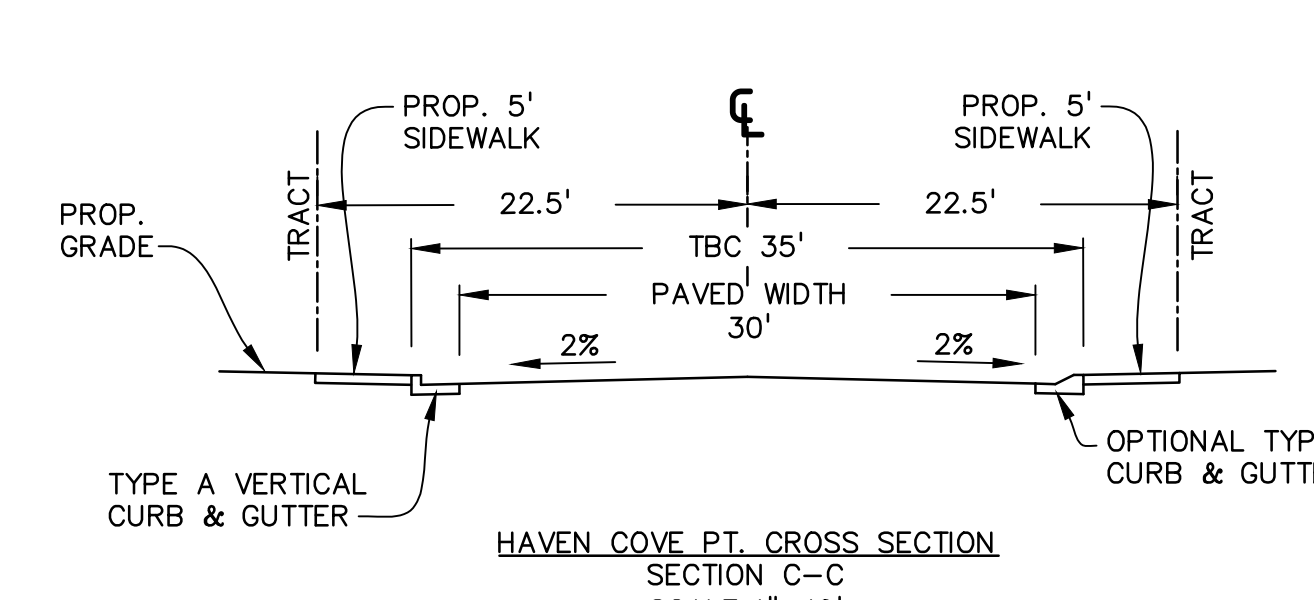
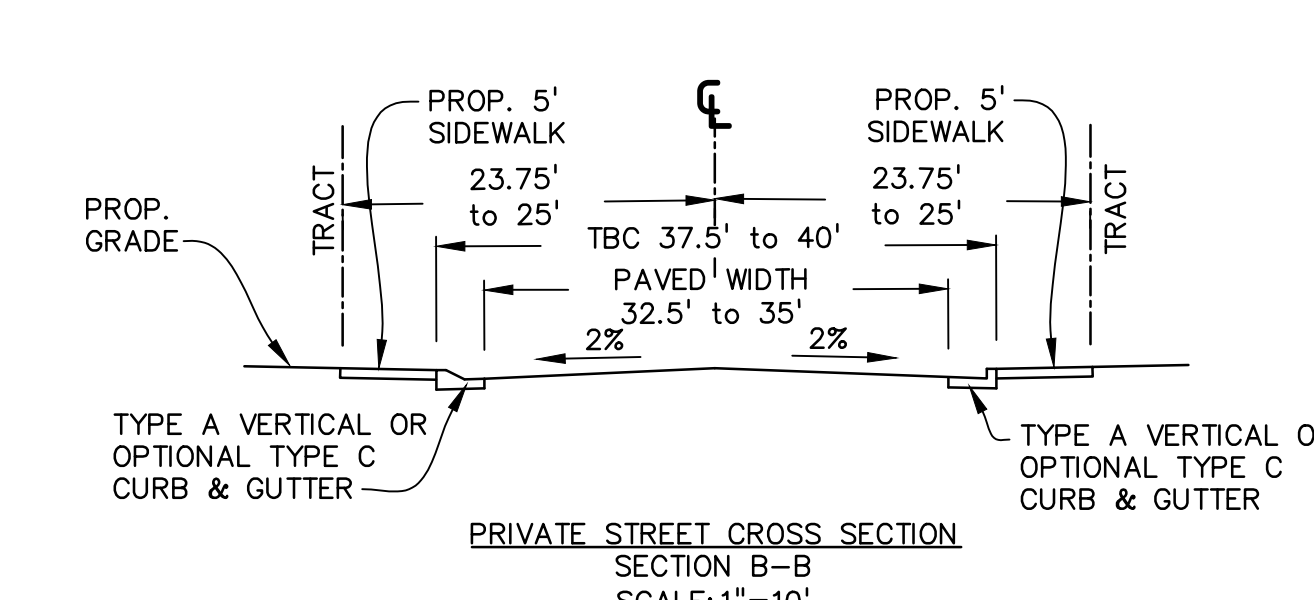
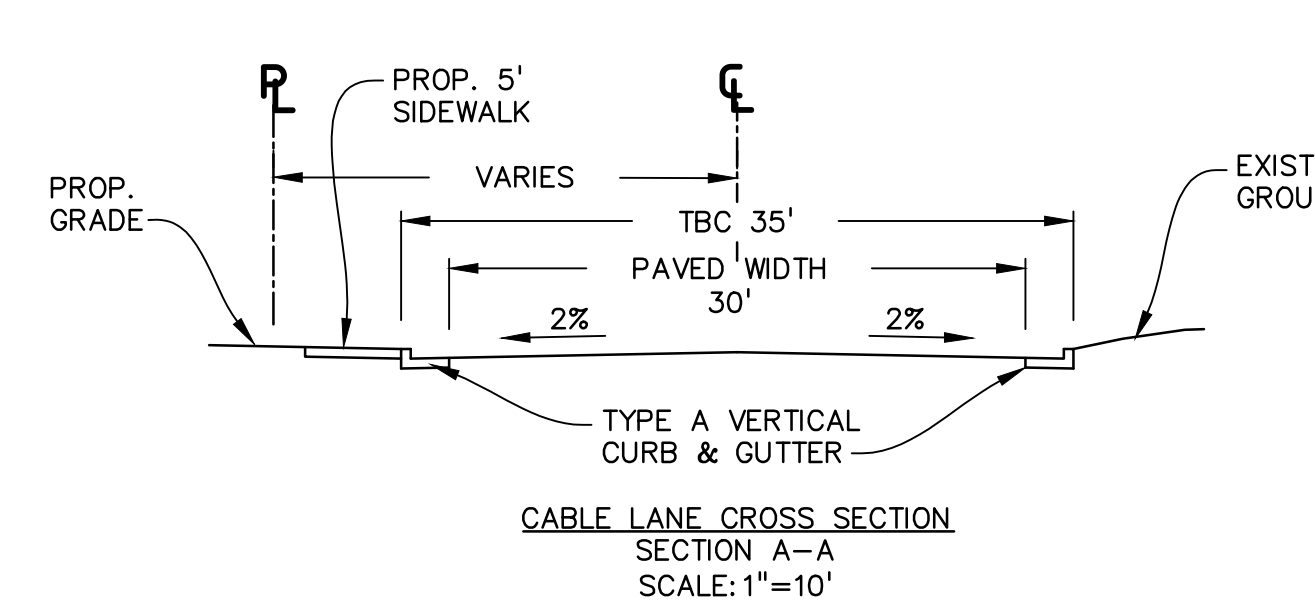
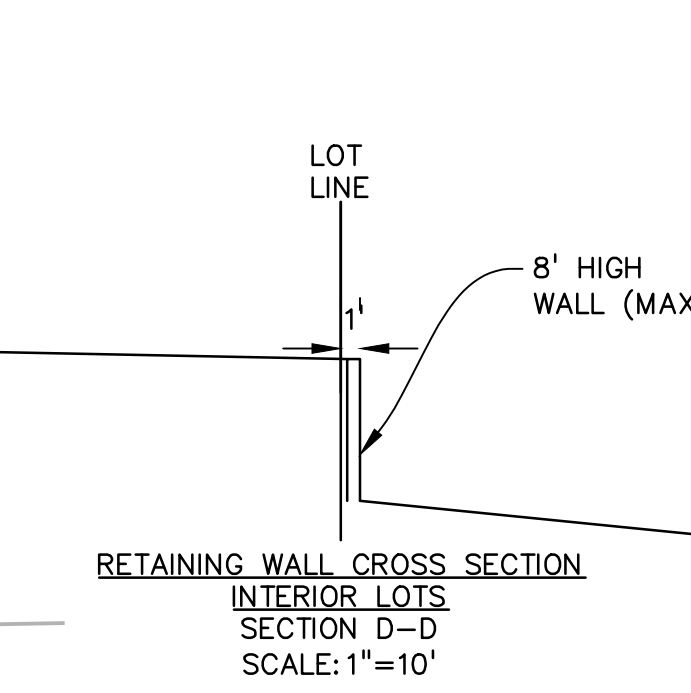
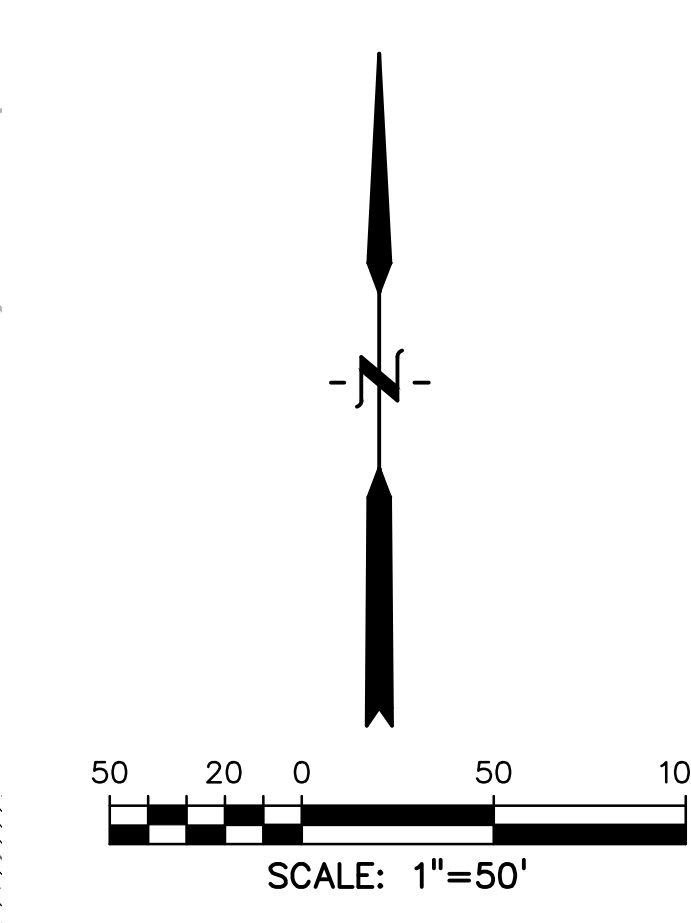
PUDSP217







- LEGEND**
- STORM DRAIN
  - CURB FLOWLINE
  - R.O.W.
  - EXIST. FENCE
  - EXIST. STORM SEWER
  - EXIST. MINOR CONTOUR
  - EXIST. MAJOR CONTOUR
  - PROP. MINOR CONTOUR
  - PROP. MAJOR CONTOUR



PREPARED BY:

DREXEL, BARRELL & CO.  
Engineers • Surveyors  
3 SOUTH 7TH STREET  
COLORADO SPGS, COLORADO 80905  
CONTACT: TIM D. MCCONNELL, P.E.  
(719)260-0887  
BOULDER • COLORADO SPRINGS • GREELEY

CLIENT:

RICHMOND AMERICAN HOMES  
4350 S. MONACO ST.  
DENVER, CO 80237  
CONTACT: MATTHEW JENKINS  
(720) 977-3686

PUD DEVELOPMENT/PRELIMINARY PLAN FOR:

# HAVEN VALLEY

(LETA DR.) BRADLEY RD/ALTURAS DR.  
SECURITY, EL PASO COUNTY, COLORADO

ISSUE	DATE
INITIAL ISSUE	4/29/21
LATEST ISSUE	11/9/22
DESIGNED BY:	TDM
DRAWN BY:	GES
CHECKED BY:	TDM
FILE NAME:	21085-03GP01

PREPARED UNDER MY DIRECT SUPERVISION FOR AND ON BEHALF OF DREXEL, BARRELL & CO.

DRAWING SCALE:  
HORIZONTAL: 1" = 50'  
VERTICAL: N/A

PRELIMINARY GRADING PLAN

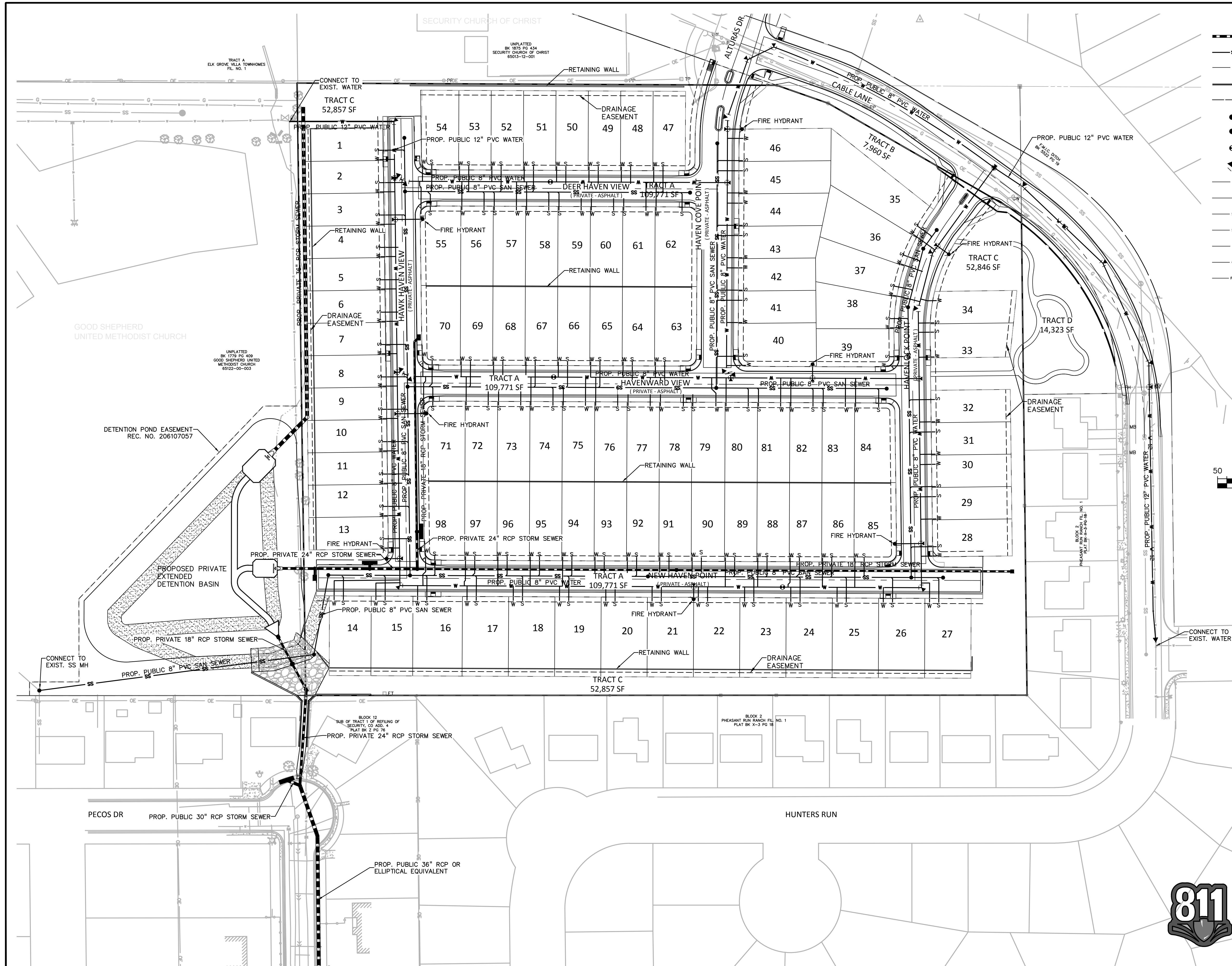
PROJECT NO. 21085-03CSCV  
DRAWING NO.

# GP01

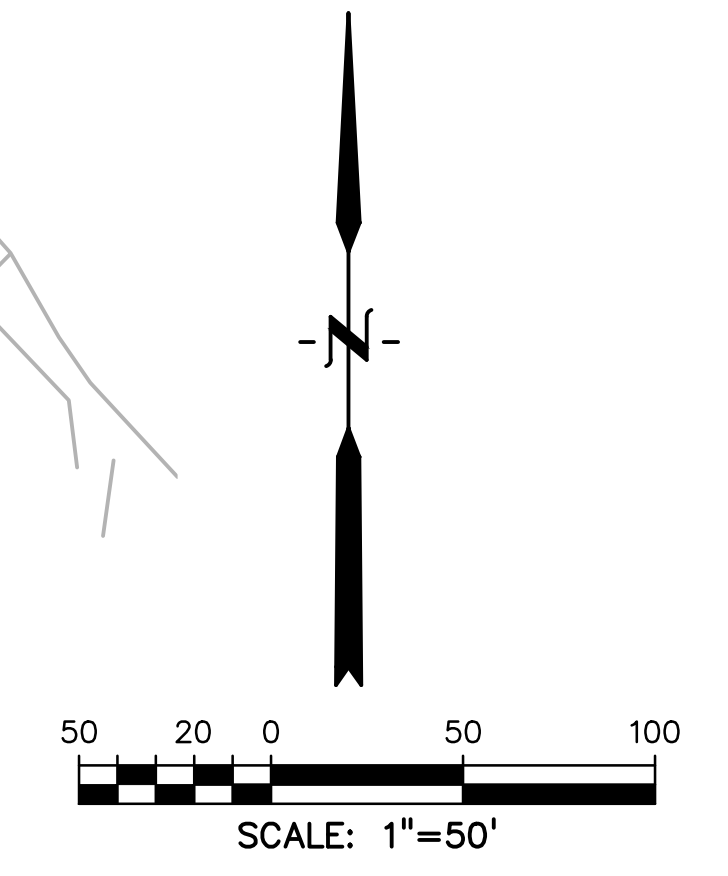
SHEET: 4 OF 7







- LEGEND**
- STORM DRAIN
  - SANITARY SEWER
  - WATERLINE
  - CURB FLOWLINE
  - R.O.W.
  - FIRE HYDRANT
  - MANHOLE
  - WATER VALVE
  - WATER BEND
  - EXIST. WATER MAIN
  - EXIST. FENCE
  - EXIST. STORM SEWER
  - EXIST. SANITARY SEWER
  - EXIST. ELECTRIC
  - EXIST. OVERHEAD ELECTRIC
  - EXIST. FIBER OPTIC



PREPARED BY:

**DREXEL, BARRELL & CO.**  
 Engineers • Surveyors  
 3 SOUTH 7TH STREET  
 COLORADO SPGS, COLORADO 80905  
 CONTACT: TIM D. MCCONNELL, P.E.  
 (719)260-0887  
 BOULDER • COLORADO SPRINGS • GREELEY

CLIENT:

**RICHMOND**  
 AMERICAN HOMES  
 4350 S. MONACO ST.  
 DENVER, CO 80237  
 CONTACT: MATTHEW JENKINS  
 (720) 977-3686

PUD DEVELOPMENT/PRELIMINARY PLAN FOR:  
**HAVEN VALLEY**  
 (LETA DR.) BRADLEY RD/ALTURAS DR.  
 SECURITY, EL PASO COUNTY, COLORADO

ISSUE	DATE
INITIAL ISSUE	4/29/21
LATEST ISSUE	11/9/22
DESIGNED BY:	TDM
DRAWN BY:	SNB
CHECKED BY:	TDM
FILE NAME:	21085-03UT01

PREPARED UNDER MY DIRECT SUPERVISION FOR AND ON BEHALF OF DREXEL, BARRELL & CO.  
 DRAWING SCALE:  
 HORIZONTAL: 1" = 50'  
 VERTICAL: N/A

**PRELIMINARY UTILITY & FACILITIES PLAN**

PROJECT NO. 21085-03CSCV  
 DRAWING NO.

**UT01**

SHEET: 5 OF 7





# HAVEN VALLEY

## A PORTION OF THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M. OF EL PASO COUNTY, COLORADO PUD DEVELOPMENT/PRELIMINARY PLAN

### LANDSCAPE NOTES

- ALL PRESERVATION AREAS CONTAINING VEGETATION DESIGNATED TO BE PRESERVED, SHALL BE FENCED OFF DURING CONSTRUCTION TO MINIMIZE DISTURBANCE IN THESE AREAS. ALL FENCING SHALL BE INSTALLED AROUND PRESERVED VEGETATION PRIOR TO ANY GRADING ON THE PROPERTY. A 4-FOOT, ORANGE, CONSTRUCTION SAFETY FENCE SHALL BE USED IN THIS APPLICATION.
- SOIL AMENDMENT - INCORPORATE 3 CUBIC YARDS/1000 SF AREA OF "PREMIUM 3 ORGANIC COMPOST", OR APPROVED EQUAL, ON BLUEGRASS TURF AREAS. INCORPORATE 2 CUBIC YARDS/1000 SF AREA OF ORGANIC COMPOST (DECOMPOSED MANURE) TO ALL NATIVE SEED AREAS. TILL INTO TOP 8" OF SOIL. FOR PLANTING PIT AMENDMENTS, SEE LANDSCAPE DETAILS. FERTILIZER REQUIREMENTS BELOW.  
RECOMMENDED SOIL AMENDMENT:  
TRI-MIX III as supplied by C&C Sand  
-To be applied as backfill in planting pits
- CONTRACTOR TO APPLY EROSION CONTROL BLANKET TO ALL SEED AREAS WITH GREATER THAN 3:1 SLOPES.
- FOR ALL SEED AREAS REFER TO SEED MIXES SPECIFIED ON THIS SHEET.
- ALL NATIVE SEED AREAS SHALL HAVE A TEMPORARY ABOVE-GROUND SPRAY IRRIGATION SYSTEM UTILIZED UNTIL SEED IS ESTABLISHED, AND ALL TREES AND SHRUBS WITHIN NATIVE SEED AREAS SHALL HAVE A PERMANENT DRIP IRRIGATION SYSTEM.
- A FULLY AUTOMATED SPRINKLER IRRIGATION SYSTEM WILL DRIP IRRIGATE ALL TREE, SHRUB, AND GROUND COVER PLANTINGS, AND SPRAY ALL TALL FESCUE SOD AND LOW ALTERNATIVE TURF AREAS. AN IRRIGATION PLAN WILL BE PREPARED AT A LATER DATE AND WILL INCLUDE AN IRRIGATION SCHEDULE THAT NOTES APPLICATION RATES BASED ON TURF TYPE, RATES FOR NEWLY INSTALLED PLANTS VS. ESTABLISHED PLANTS, AND GENERAL RECOMMENDATIONS REGARDING SEASONAL ADJUSTMENTS.
- SOD TO BE TALL FESCUE BLEND.
- NO SOD SHALL BE PLANTED ON SLOPES IN EXCESS OF 6:1 GRADIENT.
- CONTRACTOR TO UTILIZE STOCKPILED TOPSOIL FROM GRADING OPERATION AS AVAILABLE. TILL INTO TOP 6" OF SOIL.
- FOR GRADES REFER TO CIVIL ENGINEERING DRAWINGS.
- NO TREES AND NO PLANTS OVER 2 FEET TALL SHALL BE INSTALLED WITHIN 5 FEET OF ANY FIRE HYDRANTS.
- ALL PLANTS TO RECEIVE 3 INCH DEPTH OF GORILLA HAIR SHREDDED CEDAR WOOD MULCH UNLESS OTHERWISE SPECIFIED. FOLLOW PLANTING DETAILS FOR MULCH RING DIMENSIONS WITHIN ROCK, SOD, OR SEED AREAS.
- COBBLE: 2-3" CRIPPLE CREEK ORE, AT 3-4" DEPTH, AT ALL INTERSECTION CORNERS BETWEEN HANDICAP RAMPS. INSTALL GEOTEXTILE FABRIC UNDER ALL COBBLE AREAS.
- ROCK: 3/4" CIMARRON GRANITE, AT 3-4" DEPTH. INSTALL GEOTEXTILE FABRIC UNDER ALL ROCK AREAS.
- ALL SHRUB BEDS TO BE ENCLOSED BY SOLID STEEL EDGING, AS A SEPARATOR FROM SOD, SEED, AND ALTERNATIVE TURF. SEPARATION BETWEEN SOD AND SEED, AND BETWEEN ALTERNATIVE TURF AND SEED SHALL BE A MOWED STRIP, WITHOUT STEEL EDGING.
- SE: SOLID STEEL EDGING TO BE: "DURAEDGE" (1/8" THICK x 4" WIDE) STEEL LANDSCAPE EDGING, DARK GREEN COLOR, WITH ROLLED EDGE AND STEEL STAKES. USE SOLID STEEL EDGING EXCEPT WHERE NOTED ON THE PLANS.
- ALL PLANTS NOT LABELED AS FULFILLING A COUNTY LANDSCAPE REQUIREMENT ARE "EXTRA" PER COUNTY STANDARDS, AND WILL BE INSTALLED AT THE OWNER'S DISCRETION.
- ANY FIELD CHANGES OR DEVIATIONS TO THESE PLANS WITHOUT PRIOR COUNTY APPROVAL OF AN AMENDED SITE DEVELOPMENT PLAN MAY RESULT IN A DELAY OF FINAL APPROVAL AND ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- THESE PLANS ARE FOR COUNTY APPROVALS ONLY AND ARE NOT TO BE UTILIZED FOR CONSTRUCTION.
- ALL TREES TO BE STAKED FOR A MINIMUM OF 18 MONTHS. REMOVE STAKING MATERIALS ONCE TREE IS ESTABLISHED, WHICH MAY DEPEND ON TREE SPECIES, MATURITY AND SITE CONDITIONS.
- ANY OBJECT WITHIN THE SIGHT DISTANCE TRIANGLE OR EASEMENT MORE THAN 30 INCHES ABOVE THE FLOWLINE ELEVATION OF THE ADJACENT ROADWAY SHALL CONSTITUTE A SIGHT OBSTRUCTION, AND SHALL BE REMOVED OR LOWERED. THE OBJECTS MAY INCLUDE BUT ARE NOT LIMITED TO BERMS, BUILDINGS, PARKED VEHICLES ON PRIVATE PROPERTY, CUT SLOPES, HEDGES, TREES, BUSHES, UTILITY CABINETS OR TALL CROPS. TREES MAY BE PERMITTED AT THE DISCRETION OF THE ECM ADMINISTRATOR IF PRUNED TO AT LEAST 8 FEET ABOVE THE FLOWLINE ELEVATION OF THE ADJACENT ROADWAY.

### LANDSCAPE REQUIREMENTS

#### Landscape Setbacks

See Code Section 6.2.2.B.1

Street Name or Zone Boundary	Street Classification	Width (in Ft.) Req./Prov.	Linear Footage	Tree/Feet Required	No. of Trees Req./Prov.
CABLE LANE	NON-ARTERIAL	10' / 10'	538	1 / 30'	18 / 18

Shrub Substitutes Required / Provided	Ornamental Grass Sub. Required / Provided	Setback Plant Abbr. Denoted on Plan	Percent Ground Plane Veg. Req. / Provided
0 / 0	0 / 0	CL	75% / 75%

#### Landscape Buffer & Screens

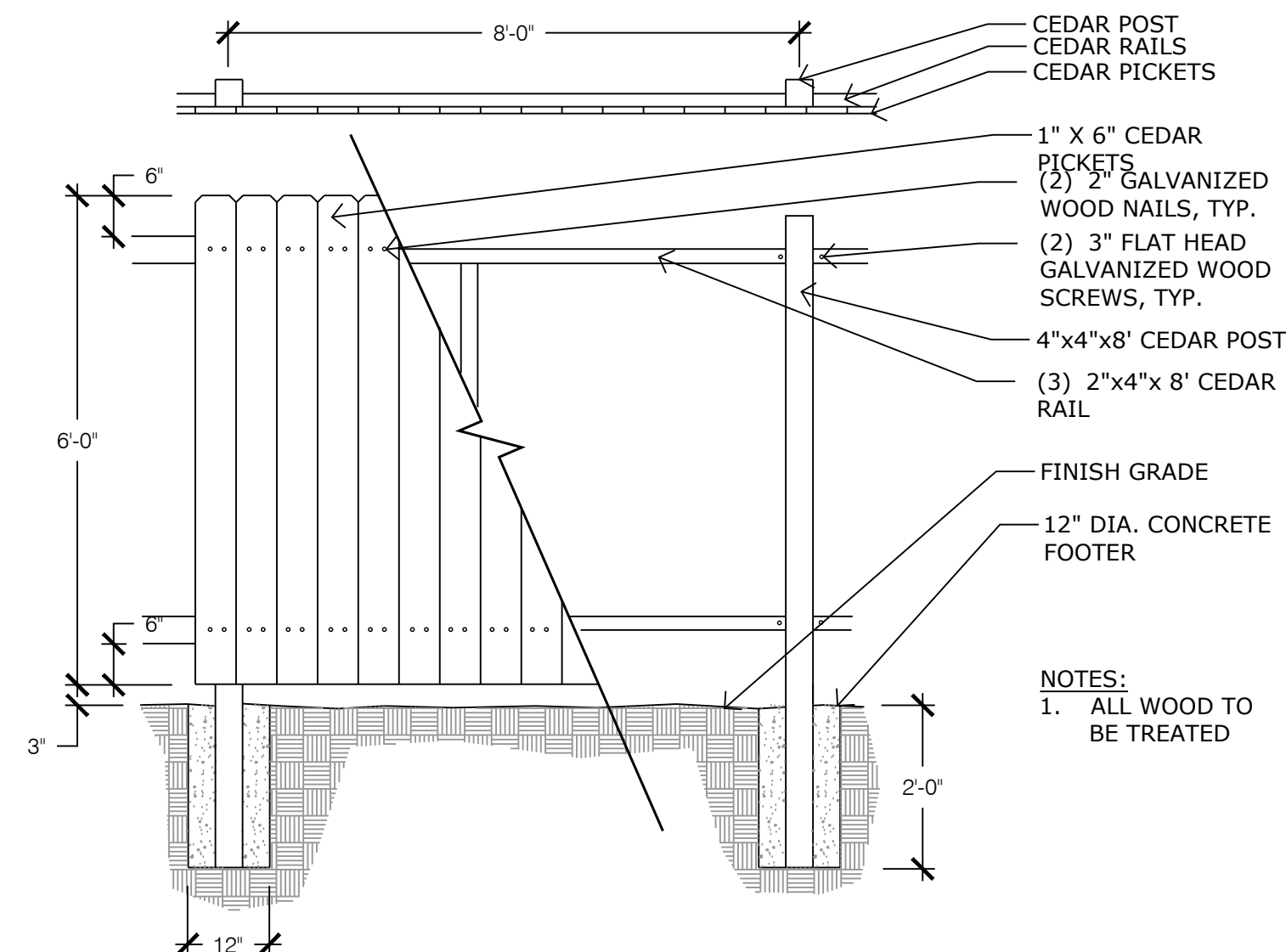
See Code Section 6.2.2.D.1

Street Name or Property Line	Width (in Ft.) Req. / Prov.	Linear Footage	Buffer Trees (1/15') Required / Provided	Evergreen Trees Req. (33%) / Prov.
South	15' / 15'	780	52 / 52	18 / 36
East	15' / 15'	423	28 / 28	10 / 17

Length of 6' Opaque Structure Req./Prov.	Buffer Tree Abbr. Denoted on Plan	Percent Ground Plane Veg. Req. / Prov.
780' / 780'	SB	75% / 100%
423' / 423'	EB	75% / 100%

### GROUND COVER SCHEDULE

- ROCK MULCH**  
3/4" Cimarron Granite 3-4" Min. Depth
- COBBLE**  
2-3" Cripple Creek Ore 3-4" Min. Depth
- NATIVE SEED**  
El Paso County Conservation District  
Shotgun Mix  
Big Bluestem 20%  
Blue Gramma 10%  
Needlegrass Green 10%  
Western Wheatgrass 20%  
Sideoats Gramma 10%  
Switchgrass 10%  
Sandreed Prairie 10%  
Indiangrass Yellow 10%
- TURF**  
Kentucky Bluegrass Sod



- NOTES:  
1. ALL WOOD TO BE TREATED

### PLANT SCHEDULE

DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Ar2	9	Acer rubrum / Red Maple	40'	35'	2" Cal.	B&B
	Ms	12	Malus x 'Spring Snow' / Spring Snow Crabapple	25'	15'	1.5" Cal.	B&B
	Qc	21	Quercus robur x alba 'Crimschmidt' TM / Crimson Spire Oak	40'	10'	2" Cal.	B&B
	Tc	7	Tilia cordata / Littleleaf Linden	40'	25'	2" Cal.	B&B
EVERGREEN TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Ac	12	Abies concolor 'Candicans' / Candicans White Fir	25'	10'	6' HT	B&B
	Ph	26	Picea pungens 'Hoopsii' / Hoopsi Blue Spruce	20'	10'	6' HT	B&B
	Pn	14	Pinus nigra / Austrian Black Pine	50'	30'	6' HT	B&B
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Pg	13	Picea pungens 'Globosa' / Dwarf Globe Blue Spruce	3'	3'	#5 CONT	CONT
	Pb3	29	Pinus mugo 'Big Tuna' / Mountain Pine	6'	5'	#5 CONT	CONT
	Ph2	29	Pinus sylvestris 'Hillside Creeper' / Hillside Creeper Scotch Pine	1'	6'	#5 CONT	CONT
	Pd	45	Potentilla fruticosa 'Gold Drop' / Gold Drop Bush Cinquefoil	4'	4'	#5 CONT	CONT
GRASSES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Ck	68	Calamagrostis x acutiflora 'Karl Foerster' / Karl Foerster Feather Reed Grass	4'	3'	#1 CONT	CONT
	Pb	172	Pennisetum alopecuroides 'Little Bunny' / Little Bunny Fountain Grass	1'	1.5'	#1 CONT	CONT
PERENNIALS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Pb2	119	Phlox subulata 'Blue' / Blue Creeping Phlox	1'	2'-3'	#1 CONT	CONT



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

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### HAVEN VALLEY

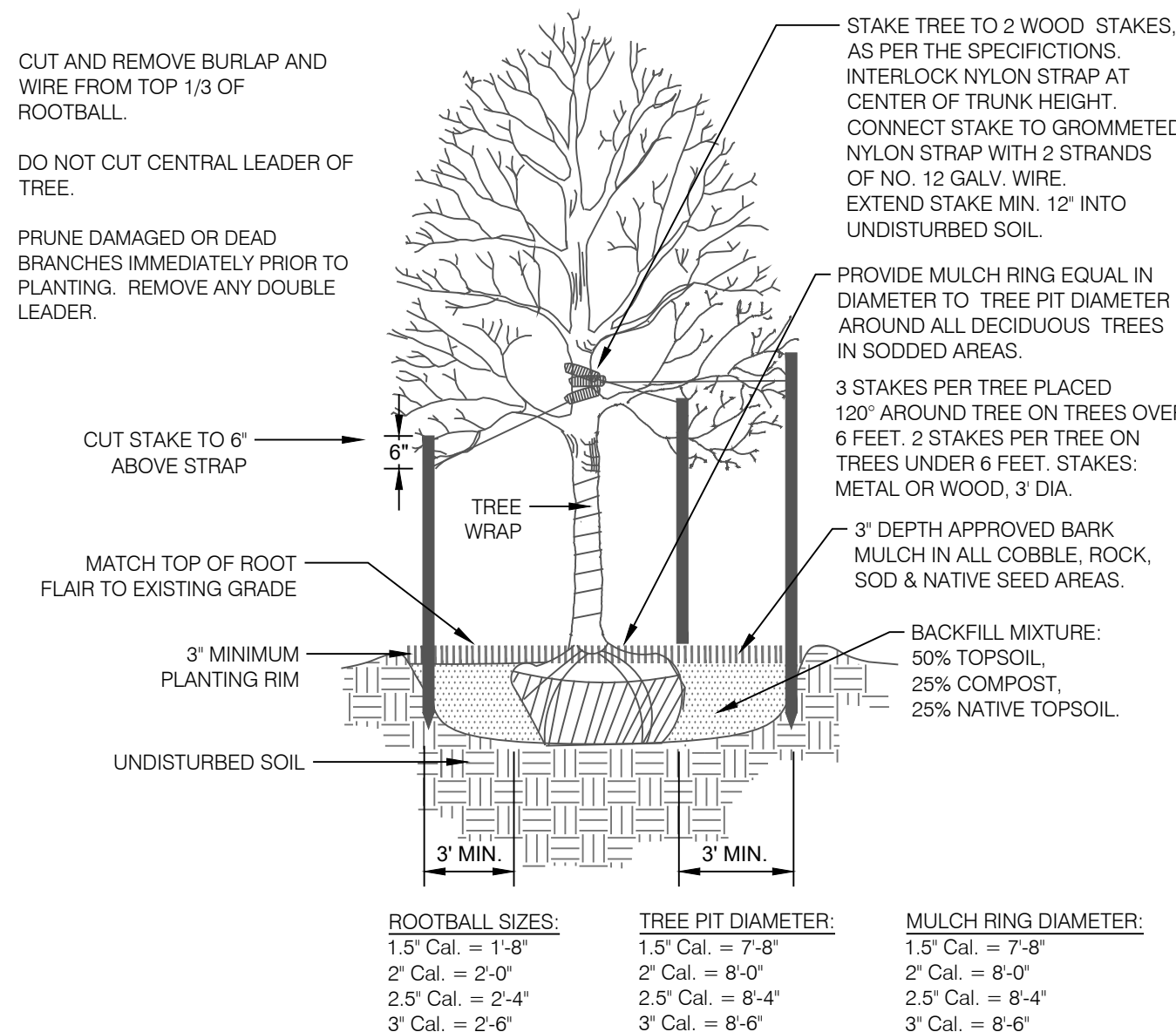
#### PUD DEVELOPMENT / PRELIMINARY PLAN ALTURAS DRIVE & CABLE LANE

DATE: 11.09.2022  
PROJECT MGR: A. BARLOW  
PREPARED BY: J. SMITH

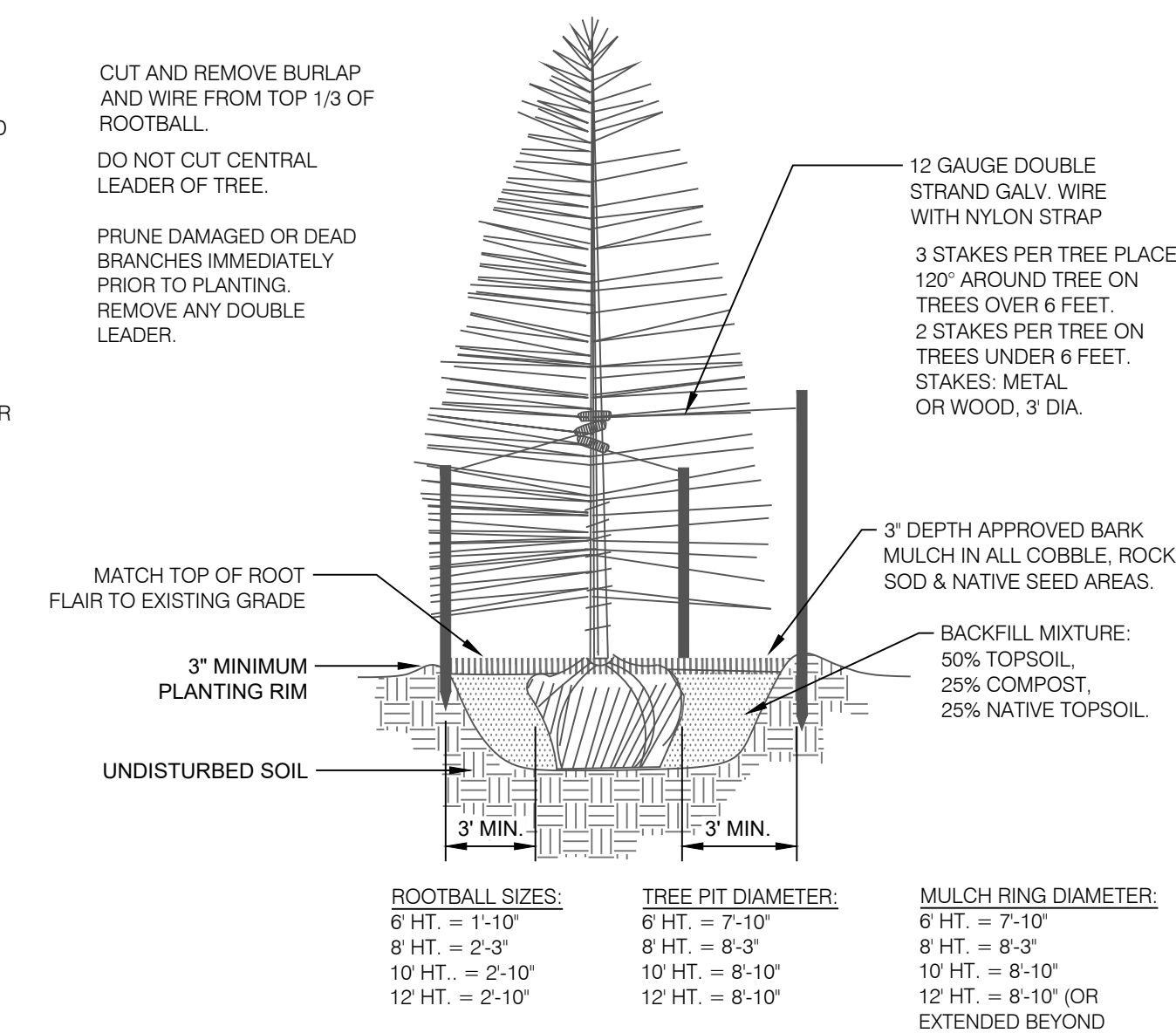
### ENTITLEMENT

DATE:	BY:	DESCRIPTION:
08.19.2021	B.I.	PER COUNTY COMMENTS
02.07.2022	T.H.	PER COUNTY COMMENTS
10.05.2022	J.S.	PER COUNTY COMMENTS

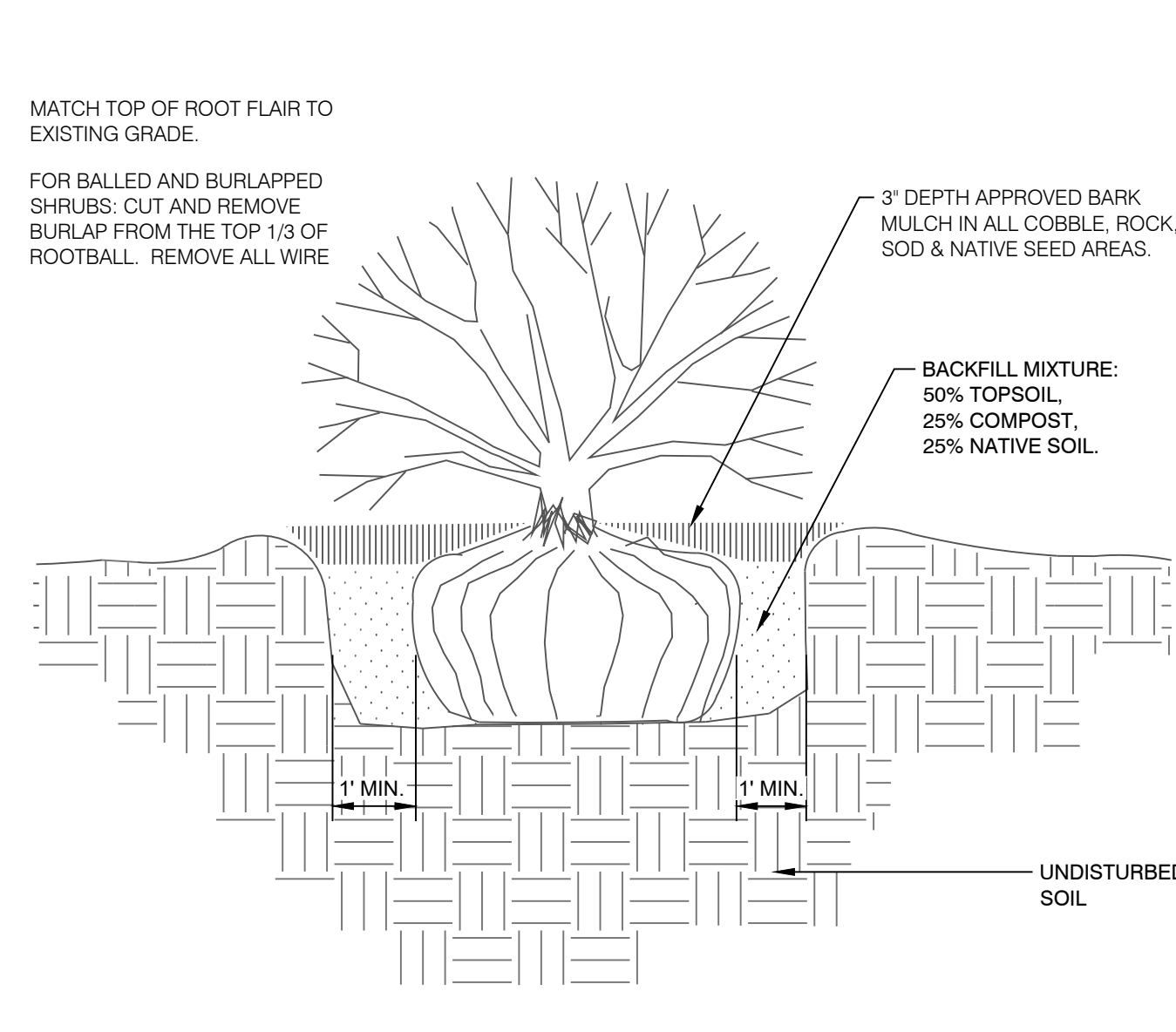
### LANDSCAPE NOTES & DETAILS



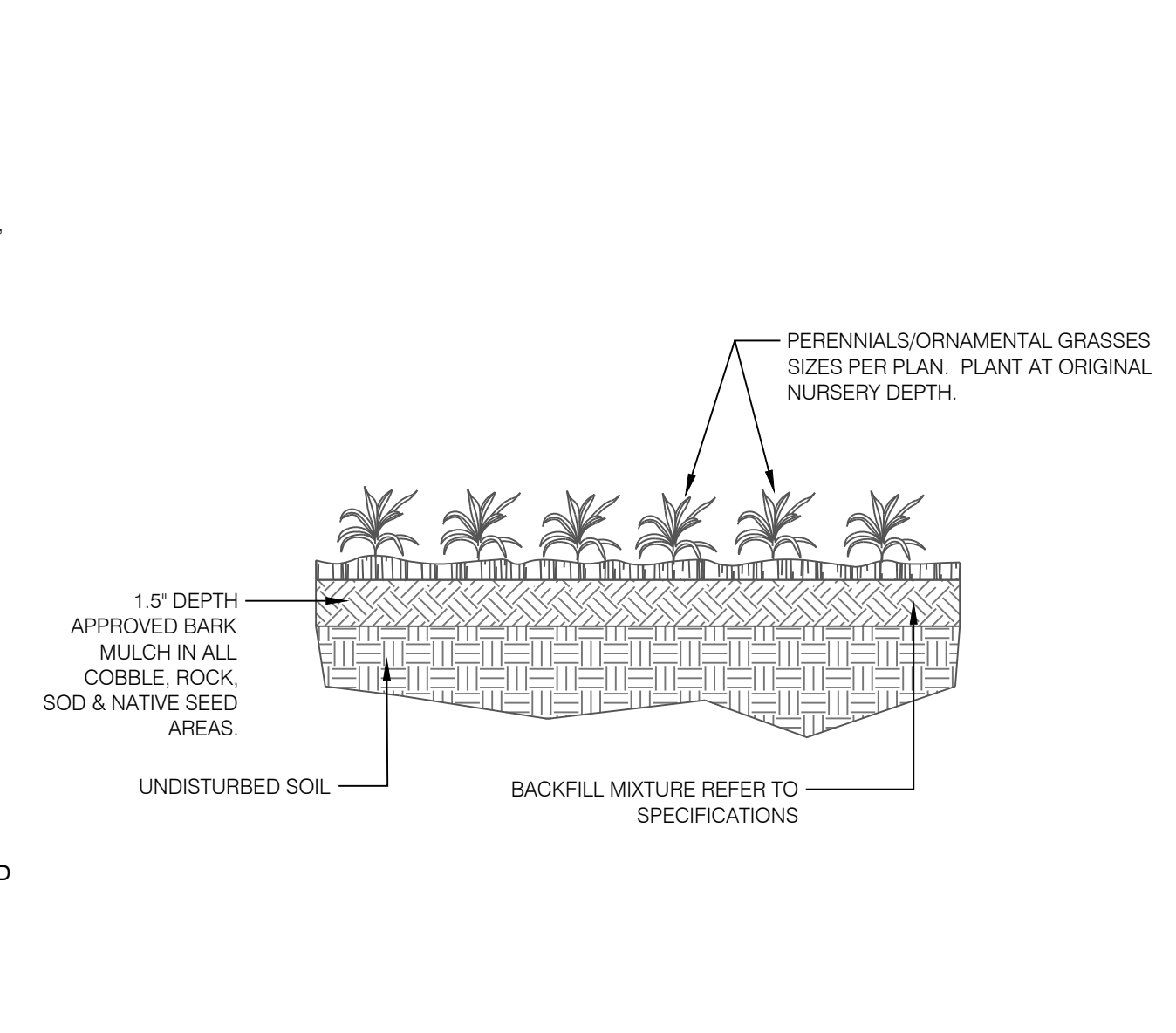
1 DECIDUOUS TREE PLANTING DETAIL  
N.T.S. 329343-01



2 CONIFEROUS TREE PLANTING DETAIL  
N.T.S. 329343-02



3 SHRUB PLANTING DETAIL  
N.T.S. 329333-03

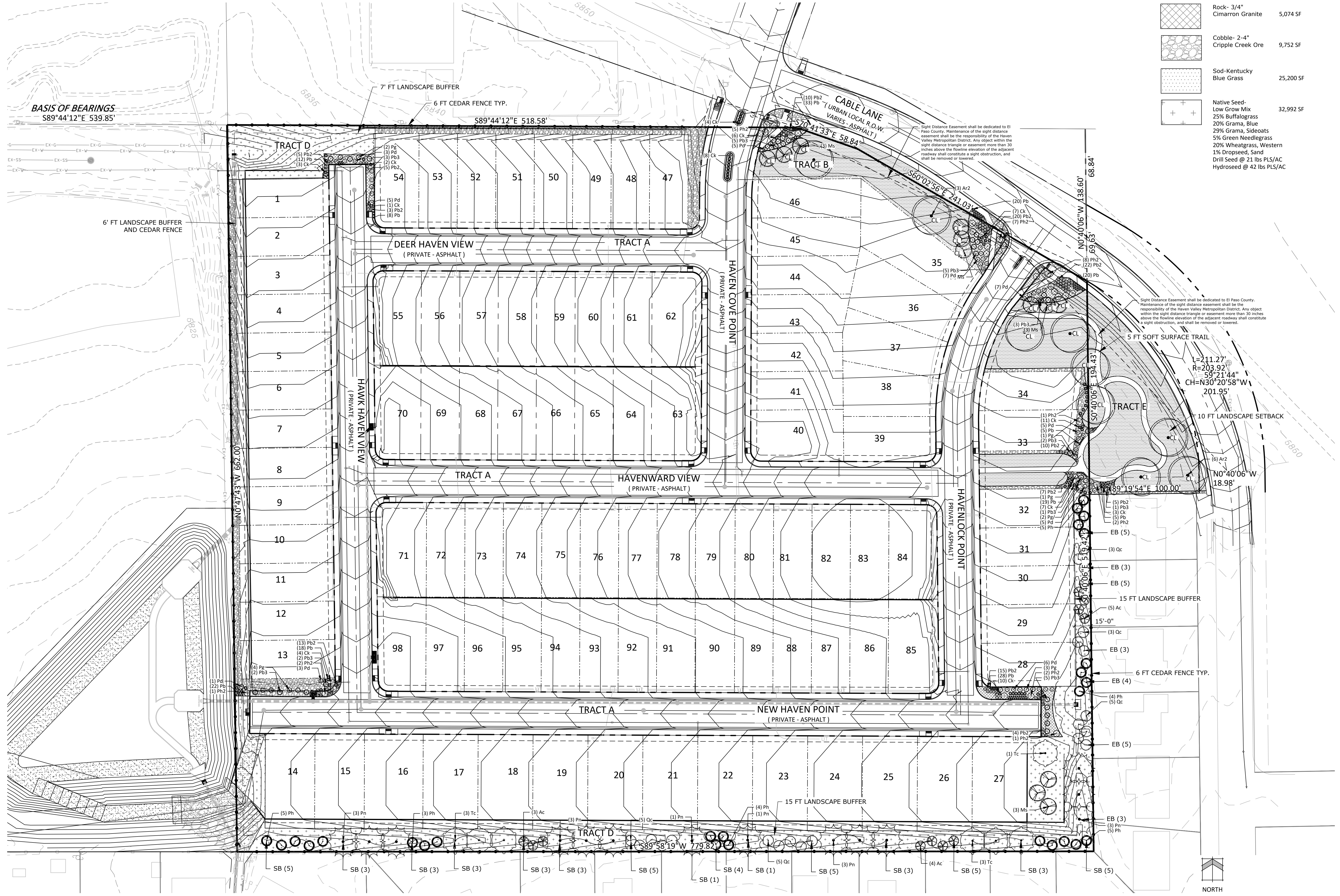


4 PERENNIAL / ORNAMENTAL GRASS PLANTING  
N.T.S. 3293-04



# HAVEN VALLEY

A PORTION OF THE NORTHWEST CORNER OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M. OF  
EL PASO COUNTY, COLORADO  
PUD DEVELOPMENT/PRELIMINARY PLAN



**BASIS OF BEARINGS**  
S89°44'12"E 539.85'

**HATCH LEGEND**

	Rock- 3/4" Cimarron Granite	5,074 SF
	Cobble- 2-4" Cripple Creek Ore	9,752 SF
	Sod-Kentucky Blue Grass	25,200 SF
	Native Seed-Low Grow Mix 25% Buffalograss 20% Grama, Blue 29% Grama, Sideoats 5% Green Needlegrass 20% Wheatgrass, Western 1% Dropseed, Sand Drill Seed @ 21 lbs PLS/AC Hydroseed @ 42 lbs PLS/AC	32,992 SF



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## HAVEN VALLEY

PUD DEVELOPMENT /  
PRELIMINARY PLAN  
ALTURAS DRIVE &  
CABLE LANE

DATE: 11.09.2022  
PROJECT MGR: A. BARLOW  
PREPARED BY: J. SMITH

### ENTITLEMENT

DATE:	BY:	DESCRIPTION:
08.19.2021	B.I.	PER COUNTY COMMENTS
02.07.2022	T.H.	PER COUNTY COMMENTS
10.05.2022	J.S.	PER COUNTY COMMENTS

### ALTERNATIVE LANDSCAPE PLAN

7 OF 7

PUDSP217

P:\Richmond American Homes\Haven Valley\Drawings\Planning\Final\land\Haven Valley\_LS.dwg [Landscape Plan-7] 11/9/2022 1:55:32 PM jsmith



June 3, 2021

El Paso County Development Services Department  
 2880 International Circle, Suite 110  
 Colorado Springs, CO 80910-3127

RE: Haven Valley Subdivision  
 Preliminary Plat  
 NW ¼ NW ¼, Sec. 12, Twp. 15S, Rng. 66W, 6<sup>th</sup> P.M.  
 Water Division 2, Water District 10  
 CDWR Assigned Subdivision No. 27708

To Whom It May Concern;

We have received a referral concerning the above-referenced proposal to divide a 11.43 +/- acre tract of land into 98 single-family lot. The proposed supply of water and wastewater disposal is to be served by the Security Water and Sanitation District (“District”).

**Water Supply Demand**

The Water Supply Information Summary, Form No. GWS-76 included with the submittal provide an estimated demand of 52.16 acre-feet/year as shown in the table, below.

Use	Amount	Water Use Rate	Demand (acre-feet/year)
Household	98 units	0.5 AF/yr per home	49.00
Irrigation	1.65 acres	0.04 AF/yr per 1,000 square-feet	3.16
<b>Total</b>			<b>52.16</b>

Of the irrigated common space, 0.98 acres of the 1.65 acres will be xeriscapped.

Please note that standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot/year for each ordinary household, 0.05 acre-foot/year for four large domestic animals, and 0.05 acre-foot/year for each 1,000 square feet of lawn and garden irrigation.

**Source of Water Supply**

The proposed source of water is to be served by Security Water and Sanitation District. A letter dated March 19, 2021 from the District confirmed a commitment of 52.16 acre-feet for the proposed subdivision.

According to this office’s records and the Water Information Summary Sheet, it appears that the District has adequate water resources to serve the estimated demand of 52.16 acre-feet/year for the proposed development.



### **Additional Comments**

The application materials indicate that the project will collect storm flows in a detention pond. The applicant should be aware that, unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR’s *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

### **State Engineer’s Office Opinion**

Pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply for Haven Valley Subdivision is adequate and can be provided without causing injury to decreed water rights.

Should you or the Applicant have questions concerning any of the above, please feel free to contact me directly.

Sincerely,



Kate Fuller, P.E.  
Water Resource Engineer

cc: Bill Tyner, Division 2 Engineer  
Doug Hollister, District 10 Water Commissioner





**OFFICE OF THE COUNTY ATTORNEY**  
CIVIL DIVISION

**Diana K. May, County Attorney**

Assistant County Attorneys

Lori L. Seago  
Steven A. Klaffky  
Mary Ritchie  
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Nathan J. Whitney  
Michael J. Desmond  
Christopher M. Strider  
Terry A. Sample  
Dorey L. Spotts  
Steven Martyn

February 28, 2022

PUDSP-21-7      Haven Valley PUDSP  
PUD Preliminary Plan

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

**WATER SUPPLY REVIEW AND RECOMMENDATIONS**

Project Description

1. This is a proposal by Richmond American Homes (“Applicant”), for a PUD preliminary plan of 98 residential lots on 11.76 acres of land (the “Property”). Approximately 11.4 acres of the Property is zoned PUD CAD-O (Planned Unit Development Commercial Airport Overlay District) and .3298 acres of the Property is zoned RS-6000 CAD-O (Residential Suburban Commercial Airport Overlay District).

Estimated Water Demand

2. Pursuant to the Water Supply Information Summary (“WSIS”), the annual subdivision demand is 49 acre-feet for the 98 lots (0.5 acre-feet/year) for household use, plus 3.16 acre-feet for irrigated, xeriscaped common space, for a total of 52.16 acre-feet/year for the subdivision. Based on these figures, the Applicant must be able to provide a supply of 15,648 acre-feet of water (52.16 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 Security Water and Sanitation (“District”). As detailed in the *Water Resources Report for Haven Valley* dated August 2021 (“Report”), the average daily use for each of the 98 lots will be 0.5 acre-feet/year for a water demand of 49 acre-feet/year, plus irrigation of common space and xeriscaped landscaping of 3.16 acre-feet/year for a total water demand of 52.16 acre-feet/year.

4. The District's Manager provided a letter of commitment for the Haven Valley development dated March 19, 2021, in which the District committed to providing water service to the 98 single-family equivalents. The District Manager stated that the development is located within the service boundaries of the District and that the District "agrees to commit sufficient water resources... to serve the property."

#### State Engineer's Office Opinion

5. In a letter dated June 3, 2021, the State Engineer reviewed the proposal to subdivide the 11.43<sup>1</sup> +/- acre parcel into 98 single-family lots. The State Engineer stated that the "proposed source of water supply is to be served by Security Water and Sanitation District." The State Engineer indicates the correct number of lots as 98 with a water demand of 52.16 acre-feet/year. The State Engineer indicates they received a letter of commitment dated March 19, 2021 from the District which indicated the District has water resources adequate to serve the proposed subdivision. Further, the State Engineer states that "[a]ccording to this office's records and the Water Information Summary Sheet, it appears that the District has adequate water resources to serve the estimated demand of 52.16 acre-feet/year for the proposed development." Finally, "[p]ursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply for Haven Valley Subdivision is adequate and can be provided without causing injury to decreed water rights."

#### Recommended Findings

6. Quantity and Dependability. Applicant's water demand for the Haven Valley Subdivision is 52.16 acre-feet per year to be supplied by the Security Water and Sanitation District.

**Based on the water demand of 52.16 acre-feet/year for the subdivision and the District's availability of water sources, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for the Haven Valley Subdivision.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

---

<sup>1</sup> The State Engineer appears to be only referencing the portion of the Property zoned PUD. The total acreage of the development is 11.76 acres. Although the number of acres indicated by the State Engineer is incorrect, since the amounts of single-family lots and total water demand are consistent, the County Attorney's Office is proceeding with its findings but is requesting an updated State Engineer's Office letter/or email verifying amounts prior to this matter going before the Board of County Commissioners for approval.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the Water Supply Information Summary provided August 19, 2021, the *Water Resources Report* dated August 2021, the Security Water and Sanitation District letter dated March 19, 2021, and the State Engineer Office's Opinion dated June 3, 2021. 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 all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.
- B. Prior to bringing this matter before the El Paso County Board of County Commissioners for approval, the State Engineer's Office must upload a corrected letter identifying, or an email acknowledging, the correct number of acres identified for the subdivision. See footnote 1.

cc. John Green, Planner





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](http://www.elpasocountyhealth.org)

### Haven Valley, PUDSP-21-7

Please accept the following comments from El Paso County Public Health regarding the project referenced above:

- The proposed 11.76-acre, 98-lot residential development will be provided water service by Security Water and Sanitation District (SWSD). There is a finding for sufficiency in terms of water quality by El Paso County Public Health for water obtained from this Colorado Department of Public Health and Environment, Water Quality Control Division, regulated central water supply. The Colorado Department of Public Health and Environment assigned PWSID# CO0121775 to the district. A Water Resources report by W.W. Wheeler and Associates dated 17March2021 was reviewed and supported SWSD serving water to the project. Security Water and Sanitation District also provided a Commitment to Serve Letter.
- Per the Drexel, Barrel and Company Wastewater Report dated 19March2021, Security Water and Sanitation District has sufficient wastewater treatment capacity for the anticipated wastewater flow. SWSD has provided a Letter of Commitment to Serve wastewater treatment for the project.
- Radon resistant construction 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.
- 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>
- El Paso County Public Health encourages planned walkability of residential communities. Please consider appropriate connections to commercial areas using sidewalks, and bike trails. Walkability features help reduce obesity and associated heart diseases.
- The 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**  
**719-332-5771**  
**[mikemccarthy@elpasoco.com](mailto:mikemccarthy@elpasoco.com)**  
**09Nov2022**

# Agency Review Comments

[Back to Project](#)

## Project

**Project Name** Haven Valley PUDSP  
**Applicant** N.E.S.  
Andrea Barlow ( [abarlow@nescolorado.com](mailto:abarlow@nescolorado.com) )  
(719) 471-0073  
**EA Number** EA20157  
**File Number** PUDSP217  
**Project Manager** Kari Parsons ( [kariparsons@elpasoco.com](mailto:kariparsons@elpasoco.com) )  
(719) 520-6306  
**Status** Active  
**Created** 11/23/2020 1:14:29 PM

## Review Comments (80)

Link	Agency	Comment	Date
	Colorado Springs Airport Advisory Commission	<p>The following will be presented at the November 16, 2022 Airport Advisory Commission: STAFF RECOMMENDATION/CONDITIONS OF APPROVAL Subject to Airport Advisory Commission Action Airport staff recommends no objection with the following conditions:</p> <ul style="list-style-type: none"><li>• Avigation Easement: An avigation easement is requested or provide proof of previous recording (book/page or reception number) for development plan/plat.</li><li>• Airport Acknowledgement: Upon accepting residency within Haven Valley, all adult residents and occupants shall be required to sign a notice in which the tenant acknowledges that Haven Valley lies within an Airport Overlay Zone and is located less than 2.5 miles from Colorado Springs Municipal Airport and may, at times (24 hours per day), experience noise and other activities and operations associated with aircraft and the Airport.</li><li>• FAA Form 7460-1: If use of equipment (permanent or temporary) will exceed 100 feet above ground level in height at this site, the applicant is to file an airspace evaluation case with the Federal Aviation Administration (FAA) and provide the results to the Airport before the commencement of construction activities. FAA's website (<a href="https://oeaaa.faa.gov/oeaaa/external/portal.jsp">https://oeaaa.faa.gov/oeaaa/external/portal.jsp</a>).</li></ul>	11/9/2022 12:56:39 PM

MAP AMENDMENT (REZONE) – PLANNED UNIT DEVELOPMENT (PUD) AND  
PRELIMINARY PLAN (RECOMMEND APPROVAL)

\_\_\_\_\_ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. PUDSP-21-007  
HAVEN VALLEY

WHEREAS, MIDCO Investments LLC, and Fountain Mutual Metro District, did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from PUD (Planned Unit Development) and RS-6000 (Residential Suburban) zoning district to the PUD (Planned Unit Development) zoning district; and

WHEREAS, a public hearing was held by this Commission on December 1, 2022; and

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

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, the Planning Commission and BOCC shall determine that the following criteria for approval outlined in Section 4.2.6, and Section 7.2.1 of the El Paso County Land Development Code (2021) have been met to approve a PUD zoning district and preliminary plan:

1. The proposed PUD district zoning advances the stated purposes set forth in this section.
2. The application is in general conformity with the Master Plan;
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;
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;
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;
6. The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
7. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
8. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;
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;

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;
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;
12. Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and
13. The owner has authorized the application.

WHEREAS, the applicants have also requested the proposed PUD be reviewed and considered as a preliminary plan. The requirements identified in Chapter 7 and Chapter 8 of the El Paso County Land Development Code (2021) for a preliminary plan requires the Planning Commission and the BoCC find that the following additional criteria for approval of a preliminary plan have also been met:

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is consistent with the purposes of this Code;
3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
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;
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;
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)];
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;
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;

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;
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;
11. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
12. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and
13. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the PUD (Planned Unit Development) and RS-6000 (Residential Suburban) zoning district to the PUD (Planned Unit Development) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

#### CONDITIONS

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the PUD development plan and development guide.



3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
6. Applicable park, drainage, bridge, and traffic fees shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
7. The developer shall obtain approval of the necessary pre-subdivision site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.
8. The development will be subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

## NOTATIONS

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director pursuant to Section 7.2.1.3.D of the Land Development Code.
2. 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.
3. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.
4. 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.

BE IT FURTHER RESOLVED that the Planning Commission recommends approval of the Planned Unit Development (PUD) as a Preliminary Plan of the Haven Valley Subdivision.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

\_\_\_\_\_ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Brian Risley	aye / no / abstain / absent
Thomas Bailey	aye / no / abstain / absent
Tim Trowbridge	aye / no / abstain / absent
Joan Lucia-Treese	aye / no / abstain / absent
Becky Fuller	aye / no / abstain / absent
Sarah Brittain Jack	aye / no / abstain / absent
Jay Carlson	aye / no / abstain / absent
Eric Moraes	aye / no / abstain / absent
Joshua Patterson	aye / no / abstain / absent
Bryce Schuettpeiz	aye / no / abstain / absent
Christopher Whitney	aye / no / abstain / absent
Brandy Merriam	aye / no / abstain / absent

The Resolution was adopted by a vote of \_\_\_to\_\_\_ by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 1<sup>st</sup> day of December 2022, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: \_\_\_\_\_  
Brian Risley, Chair

DATED: December 1, 2022

## EXHIBIT A

DBC PROJECT:21085-03

### LEGAL DESCRIPTION-HAVEN VALLEY SUBDIVISION

THE NORTH HALF OF THE NW 1/4 OF THE NW 1/4 OF SECTION 12, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE 6TH P.M., EXCEPT THAT PORTION CONVEYED IN A WARRANTY DEED RECORDED NOVEMBER 25, 1959 IN BOOK 1779 AT PAGE 409 OF THE CLERK AND RECORDERS OFFICE OF THE COUNTY OF EL PASO, STATE OF COLORADO AND EXCEPT THAT PORTION LYING WITHIN THE EXISTING RIGHT OF WAY OF FORMER BRADLEY ROAD, NOW DESIGNATED AS CABLE LANE, COUNTY OF EL PASO, STATE OF COLORADO.

THE ABOVE-DESCRIBED PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12 AND CONSIDERING THE NORTH LINE OF THE NW 1/4 OF THE NW 1/4 OF SECTION 12 TO BEAR S89°44'12"E, 1058.43 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, SAID LINE MONUMENTED AT THE WESTERLY TERMINUS BY A FOUND 2.5" ALUMINUM PIPE WITH A 3.25" ALUMINUM CAP STAMPED "T16S R66W 2 1 11 12 1995 RMLS NO. 19625" AND AT THE EASTERLY TERMINUS BY A FOUND #4 REBAR WITH A 1" YELLOW PLASTIC CAP STAMPED "WKC & ASSOC PLS 14611";

THENCE ALONG SAID NORTH LINE, S89°44'12"E, 539.85 FEET TO THE TRUE POINT OF BEGINNING; THENCE CONTINUING ALONG THE NORTH LINE OF SAID NW 1/4 OF THE NW 1/4, S89°44'12"E, 518.58 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CABLE LANE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

1) S70°41'33"E, 58.84 FEET;

2) S60°02'56"E, 241.03 FEET TO THE WEST LINE OF SAID NW 1/4 OF THE NW 1/4;

THENCE ALONG SAID WEST LINE AND ALONG THE EAST LINE OF "PHEASANT RUN RANCH FILING NO. 1", THE PLAT THEREOF RECORDED IN PLAT BOOK X3 AT PAGE 18 OF THE RECORDS OF THE COUNTY OF EL PASO, STATE OF COLORADO, S00°40'06"E, 519.42 FEET TO THE NORTH LINE OF SAID PHEASANT RUN RANCH FILING NO. 1 AND THE NORTHEAST CORNER OF LOT 37 OF PHEASANT RUN RANCH FILING NO. 1;

THENCE ALONG SAID NORTH LINE OF PHEASANT RUN RANCH FILING NO. 1 AND ALONG THE NORTH LINE OF THE "SUBDIVISION OF TRACT NO. 1 REFILING OF THE SECURITY, COLORADO ADDITION NO. 4 EL PASO COUNTY, COLORADO", THE PLAT THEREOF RECORDED IN PLAT BOOK Z AT PAGE 76 OF THE RECORDS OF THE COUNTY OF EL PASO, STATE OF COLORADO, S89°58'19"W, 779.82 FEET TO THE EAST LINE OF THAT TRACT OF LAND AS DESCRIBED IN BOOK 1779 AT PAGE 409 OF THE RECORDS OF THE COUNTY OF EL PASO, STATE OF COLORADO;

THENCE ALONG SAID EAST LINE N00°47'43"W, 662.00 FEET TO THE TRUE POINT OF BEGINNING.

THE ABOVE-DESCRIBED TRACT OF LAND CONTAINS 11.438 ACRES OR 498,237 SQUARE FEET, MORE OR LESS.

DBC PROJECT:21085-03

### LEGAL DESCRIPTION-FOUNTAIN MUTUAL METROPOLITAN DISTRICT PARCEL

A PARCEL OF LAND BEING A PORTION OF THAT TRACT OF LAND AS DESCRIBED IN THAT DOCUMENT RECORDED UNDER RECEPTION NO. 201078268 OF THE CLERK AND RECORDERS OFFICE OF THE COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 12 AND CONSIDERING THE NORTH LINE OF THE NW 1/4 OF THE NW 1/4 OF SECTION 12 TO BEAR S89°44'12"E, 1058.43 FEET, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, SAID LINE MONUMENTED AT THE WESTERLY TERMINUS BY A FOUND 2.5" ALUMINUM PIPE WITH A 3.25" ALUMINUM CAP STAMPED "T16S R66W 2 1 11 12 1995 RMLS NO. 19625" AND AT THE EASTERLY TERMINUS BY A FOUND #4 REBAR WITH A 1" YELLOW PLASTIC CAP STAMPED "WKC & ASSOC PLS 14611";

THENCE ALONG SAID NORTH LINE, S89°44'12"E, 1058.43 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF CABLE LANE; THENCE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE THE FOLLOWING TWO (2) COURSES:

- 1) S70°41'33"E, 58.84 FEET;
- 2) S60°02'56"E, 241.03 FEET TO THE WEST LINE OF SAID NW 1/4 OF THE NW 1/4 AND THE TRUE POINT OF BEGINNING, SAID POINT ALSO BEING ON THE SOUTHERLY RIGHT-OF-WAY OF CABLE LANE AS DESCRIBED IN THAT DOCUMENT RECORDED UNDER RECEPTION NO. 202228876 OF SAID CLERK AND RECORDERS OFFICE OF THE COUNTY OF EL PASO;

THENCE ALONG SAID WEST LINE S00°40'06"E, 194.43 FEET TO THE NORTHWEST CORNER OF "PHEASANT RUN RANCH FILING NO. 1", THE PLAT THEREOF RECORDED IN PLAT BOOK X3 AT PAGE 18 OF THE RECORDS OF THE CLERK AND RECORDERS OFFICE OF THE COUNTY OF EL PASO; THENCE ALONG THE NORTH LINE OF SAID PHEASANT RUN RANCH FILING NO. 1, N89°19'54"E, 100.00 FEET TO WEST RIGHT-OF-WAY LINE OF CABLE LANE AS DESCRIBED IN SAID DOCUMENT RECORDED UNDER RECEPTION NO. 202228876;

THENCE NORTHWESTERLY ALONG SAID WEST RIGHT-OF-WAY AND SOUTHERLY RIGHT-OF WAY LINE OF CABLE LANE THE FOLLOWING TWO (2) COURSES:

1. N00°40'06"W, 18.98 FEET TO A POINT OF CURVE TO THE LEFT;
2. 211.27 FEET ALONG THE ARC OF SAID CURVE TO THE TRUE POINT OF BEGINNING, SAID ARC HAVING A RADIUS OF 203.92 FEET, A CENTRAL ANGLE OF 59°21'44", AND BEING SUBTENDED BY A CHORD THAT BEARS N30°20'58"W, 201.95 FEET.

THE ABOVE-DESCRIBED TRACT OF LAND CONTAINS 0.3298 ACRES OR 14,323 SQUARE FEET, MORE OR LESS.