



COLORADO
Department of
Transportation

Region 2 Traffic Section
5615 Wills Blvd.
Pueblo, Colorado 81008
(719) 546-5732

July 21, 2020

ATTN: Sister Marie Theresa Summers
Benet Hill Monastery
3190 Benet Lane
Colorado Springs, Colorado 80921

RE: State Highway **Access Permit No. 220060**, Located on Approximately 962-feet north of MM25 on SH83 or MM25.162.

Dear Permittee,

The Colorado Department of Transportation (CDOT) has received your signed permit and application fee. A copy of the issued permit is attached. CDOT has issued a Notice to Proceed for this permit since the permit did not require any additional construction of the access. Please keep a copy of the access permit and the notice to proceed for your files.

If you have any questions or need more information, please contact me at the office listed above.

Respectfully,

Arthur Gonzales
Region 2 - Access Manager

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS CODE NOTICE TO PROCEED	CDOT Permit No. 220060
	State Highway/Mile Post/Side 083A / 25.162/ Left
	Local Jurisdiction El Paso County

Permittee(s): Sister Marie Theresa Summers Benet Hill Monastery 3190 Benet Lane Colorado Springs, Colorado 80921 (719) 633-0655	Applicant:
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The permittee is hereby authorized to proceed with use of access for site construction activities within state highway right-of-way in accordance with the above referenced State Highway Access Permit and this Notice to Proceed.

This Notice to Proceed is for NO NEW CONSTRUCTION to the access at SH83. Both the Access Permit and this Notice To Proceed shall be available for review at the construction site.

This Notice to Proceed is non-conditional.

NO NEW CONSTRUCTION shall be allowed for the access on SH83.

Municipality or County Approval (When the appropriate local authority retains issuing authority)

By (X)	Title	Date
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This Notice is not valid until signed by a duly authorized representative of the Department

Colorado Department of Transportation

By (X) <i>Arthur Gonzalez</i>	Title Access Manager	Date 07/21/2020
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COLORADO DEPARTMENT OF TRANSPORTATION			CDOT Permit No.
STATE HIGHWAY ACCESS PERMIT			220060
			State Highway No / Mp / Side 83 / 25.162 / Left
Permit Fee \$300.00	Date of Transmittal 07/15/2020	Region / Section / Patrol / Name 02 / 04 / 39 Brad Bauer	Local Jurisdiction El Paso County

The Permittee(s): Sister Marie Theresa Summers Benet Hill Monastery 3190 Benet Lane Colorado Springs, Colorado 80921 (719) 633-0655	The Applicant(s):
is hereby granted permission to have an access to the state highway at the location noted below. The access shall be constructed, maintained and used in accordance with this permit, including the State Highway Access Code and any attachments, terms, conditions and exhibits. This permit may be revoked by the Issuing Authority if at any time the permitted access and its use violate any parts of this permit. The issuing authority, the Department and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the permit.	
Location: Approximately 962-feet north of MM25 on SH83 or MM25.162 on the left side or west side of roadway	
Access to Provide Service to: (Land Use Code)	(Size) (Units)
270 - Residential Planned Unit Development 27-Lot, 26-Multi Family Residential Units	27 Each
997 - Agriculture Vacant Land	50 Acres
Additional Information: Please see the additional Terms and Conditions for details.	

MUNICIPALITY OR COUNTY APPROVAL			
Required only when the appropriate local authority retains issuing authority.			
Signature	Print Name	Date	Title
Upon the signing of this permit the permittee agrees to the terms and conditions and referenced attachments contained herein. All construction shall be completed in an expeditious and safe manner and shall be finished within 45 days from Initiation. The permitted access shall be completed in accordance with the terms and conditions of the permit prior to being used.			
The permittee shall notify Teresa Guagliardo with the Colorado Department of Transportation, at 719-546-5440 at least 48 hours prior to commencing construction within the State Highway right-of-way.			
The person signing as the permittee must be the owner or legal representative of the property served by the permitted access and have full authority to accept the permit and its terms and conditions.			
DocuSigned by: Permittee Signature: <i>Benet Hill Monastery</i>	Print Name Benet Hill Monastery	Date 7/17/2020 11:00 AM MDT	
DocuSigned by: Co-Permittee Signature: (if applicable) <i>Benet Hill Monastery</i>	Print Name Benet Hill Monastery	Date 7/21/2020 10:18 AM MDT	
This permit is not valid until signed by a duly authorized representative of the Department.			
COLORADO DEPARTMENT OF TRANSPORTATION			
DocuSigned by: Signature <i>Arthur Gonzales</i>	Print Name Arthur Gonzales	Title R2 - Access Manager	Date (of issue) 7/21/2020 10:57 AM MDT

Copy Distribution:

Required:
1.Region
2.Applicant3.Staff Access Section
4.Central FilesMake copies as necessary for:
Local Authority
Inspector
MTCE Patrol
Traffic EngineerPrevious editions are obsolete and may not be used
Page 1 of 3 CDOT Form #101 5/07

State Highway Access Permit Form 101, Page 2

The following paragraphs are excerpts of the State Highway Access Code. These are provided for your convenience but do not alleviate compliance with all sections of the Access Code. A copy of the State Highway Access Code is available from your local issuing authority (local government) or the Colorado Department of Transportation (Department). When this permit was issued, the issuing authority made its decision based in part on information submitted by the applicant, on the access category which is assigned to the highway, what alternative access to other public roads and streets is available, and safety and design standards. Changes in use or design not approved by the permit or the issuing authority may cause the revocation or suspension of the permit.

APPEALS

1. Should the permittee or applicant object to the denial of a permit application by the Department or object to any of the terms or conditions of a permit placed there by the Department, the applicant and permittee (appellant) have a right to appeal the decision to the [Transportation] Commission [of Colorado]. To appeal a decision, submit a request for administrative hearing to the Transportation Commission of Colorado within 60 days of transmittal of notice of denial or transmittal of the permit for signature. Submit the request to the Transportation Commission of Colorado, 4201 East Arkansas Avenue, Denver, Colorado 80222-3400. The request shall include reasons for the appeal and may include changes, revisions, or conditions that would be acceptable to the permittee or applicant.

2. Any appeal by the applicant or permittee of action by a local issuing authority shall be filed with the local authority and be consistent with the appeal procedures of the local authority.

3. In submitting the request for administrative hearing, the appellant has the option of including within the appeal a request for a review by the Department's internal administrative review committee pursuant to [Code] subsection 2.10. When such committee review is requested, processing of the appeal for formal administrative hearing, 2.9(5) and (6), shall be suspended until the appellant notifies the Commission to proceed with the administrative hearing, or the appellant submits a request to the Commission or the administrative law judge to withdraw the appeal. The two administrative processes, the internal administrative review committee, and the administrative hearing, may not run concurrently.

4. Regardless of any communications, meetings, administrative reviews or negotiations with the Department or the internal administrative review Committee regarding revisions or objections to the permit or a denial, if the permittee or applicant wishes to appeal the Department's decision to the Commission for a hearing, the appeal must be brought to the Commission within 60 days of transmittal of notice of denial or transmittal of the permit.

PERMIT EXPIRATION

1. A permit shall be considered expired if the access is not under construction within one year of the permit issue date or before the expiration of any authorized extension. When the permittee is unable to commence construction within one year after the permit issue date, the permittee may request a one year extension from the issuing authority. No more than two one-year extensions may be granted under any circumstances. If the access is not under construction within three years from date of issue the permit will be considered expired. Any request for an extension must be in writing and submitted to the issuing authority before the permit expires. The request should state the reasons why the extension is necessary, when construction is anticipated, and include a copy of page 1 (face of permit) of the access permit. Extension approvals shall be in writing. The local issuing authority shall obtain the concurrence of the Department prior to the approval of an extension, and shall notify the Department of all denied extensions within ten days. Any person wishing to reestablish an access permit that has expired may begin again with the application procedures. An approved Notice to Proceed, automatically renews the access permit for the period of the Notice to Proceed.

CONSTRUCTION

1. Construction may not begin until a Notice to Proceed is approved. (Code subsection 2.4)

2. The construction of the access and its appurtenances as required by the terms and conditions of the permit shall be completed at the expense of the permittee except as provided in subsection 2.14. All materials used in the construction of the access within the highway right-of-way or on permanent easements, become public property. Any materials removed from the highway right-of-way will be disposed of only as directed by the Department. All fencing, guard rail, traffic control devices and other equipment and materials removed in the course of access construction shall be given to the Department unless otherwise instructed by the permit or the Department inspector.

3. The permittee shall notify the individual or the office specified on the permit or Notice to Proceed at least two working days prior to any construction within state highway right-of-way. Construction of the access shall not proceed until both the access permit and the Notice to Proceed are issued. The access shall be completed in an expeditious and safe manner and shall be finished within 45 days from initiation of construction within the highway right-of-way. A construction time extension not to exceed 30 working days may be requested from the individual or office specified on the permit.

4. The issuing authority and the Department may inspect the access during construction and upon completion of the access to ensure that all terms and conditions of the permit are met. Inspectors are authorized to enforce the conditions of the permit during construction and to halt any activities within state right-of-way that do not comply with the provisions of the permit, that conflict with concurrent highway construction or maintenance work, that endanger highway property, natural or cultural resources protected by law, or the health and safety of workers or the public.

5. Prior to using the access, the permittee is required to complete the construction according to the terms and conditions of the permit. Failure by the permittee to abide by all permit terms and conditions shall be sufficient cause for the Department or issuing authority to initiate action to suspend or revoke the permit and close the access. If in the determination of the Department or issuing authority the failure to comply with or complete the construction requirements of the permit create a highway safety hazard, such shall be sufficient cause for the summary suspension of the permit. If the permittee wishes to use the access prior to completion, arrangements must be approved by the issuing authority and Department and included in the permit. The Department or issuing authority may order a halt to any unauthorized use of the access pursuant to statutory and regulatory powers. Reconstruction or improvement of the access may be required when the permittee has failed to meet required specifications of design or materials. If any construction element fails within two years due to improper construction or material specifications, the permittee shall be responsible for all repairs. Failure to make such repairs may result in suspension of the permit and closure of the access.

6. The permittee shall provide construction traffic control devices at all times during access construction, in conformance with the M.U.T.C.D. as required by section 42-4-104, C.R.S., as amended.

7. A utility permit shall be obtained for any utility work within highway right-of-way. Where necessary to remove, relocate, or repair a traffic control device or public or private utilities for the construction of a permitted access, the relocation, removal or repair shall be accomplished by the permittee without cost to the Department or issuing authority, and at the direction of the Department or utility company. Any damage to the state highway or other public right-of-way beyond that which is allowed in the permit shall be repaired immediately. The permittee is responsible for the repair of any utility damaged in the course of access construction, reconstruction or repair.

8. In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the access shall be securely braced with an approved end post before the fence is cut to prevent any slacking of the remaining fence. All posts and wire removed are Department property and shall be turned over to a representative of the Department.

9. The permittee shall ensure that a copy of the permit is available for review at the construction site at all times. The permit may require the contractor to notify the individual or office specified on the permit at any specified phases in construction to allow the field inspector to inspect various aspects of construction such as concrete forms, subbase, base course compaction, and materials specifications. Minor changes and additions may be ordered by the Department or local authority field inspector to meet unanticipated site conditions.

10. Each access shall be constructed in a manner that shall not cause water to enter onto the roadway or shoulder, and shall not interfere with the existing drainage system on the right-of-way or any adopted municipal system and drainage plan.

11. By accepting the permit, permittee agrees to save, indemnify, and hold harmless to the extent allowed by law, the issuing authority, the Department, its officers, and employees from suits, actions, claims of any type or character brought because of injuries or damage sustained by any person resulting from the permittee's use of the access permit during the construction of the access.

CHANGES IN ACCESS USE AND PERMIT VIOLATIONS

1. It is the responsibility of the property owner and permittee to ensure that the use of the access to the property is not in violation of the Code, permit terms and conditions or the Act. The terms and conditions of any permit are binding upon all assigns, successors-in-interest, heirs and occupants. If any significant changes are made or will be made in the use of the property which will affect access operation, traffic volume and or vehicle type, the permittee or property owner shall contact the local issuing authority or the Department to determine if a new access permit and modifications to the access are required.

2. When an access is constructed or used in violation of the Code, section 43-2-147(5)(c), C.R.S., of the Act applies. The Department or issuing authority may summarily suspend an access permit and immediately order closure of the access when its continued use presents an immediate threat to public health, welfare or safety. Summary suspension shall comply with article 4 of title 24, C.R.S.

MAINTENANCE

1. The permittee, his or her heirs, successors-in-interest, assigns, and occupants of the property serviced by the access shall be responsible for meeting the terms and conditions of the permit, the repair and maintenance of the access beyond the edge of the roadway including any cattle guard and gate, and the removal or clearance of snow or ice upon the access even though deposited on the access in the course of Department snow removal operations. Within unincorporated areas the Department will keep access culverts clean as part of maintenance of the highway drainage system. However, the permittee is responsible for the repair and replacement of any access-related culverts within the right-of-way. Within incorporated areas, drainage responsibilities for municipalities are determined by statute and local ordinance. The Department will maintain the roadway including auxiliary lanes and shoulders, except in those cases where the access installation has failed due to improper access construction and/or failure to follow permit requirements and specifications in which case the permittee shall be responsible for such repair. Any significant repairs such as culvert replacement, resurfacing, or changes in design or specifications, requires authorization from the Department.

July 15, 2020

Sheet: - 1 -

PERMIT # 220060

Permittee: Benet Hill Monastery.

Applicant: S.A.A

Access Location: Approximately 962-feet north of MM25 on SH83 or MM25.162 on the left side or west side of roadway.

1. A "Notice to Proceed" (CDOT Form 1265) is required to complete the access permitting process, even when construction is not required.
2. This Access Permit is issued to re-permit an existing access to State Highway 083 (SH83). It replaces Access Permit Number 206100, issued 12/01/2009. The access previously permitted use was to allow access to Benet Hill Monastery and other vacant land. The existing access to SH83 will now serve as a change in use for a proposed development named the Sanctuary of Peace Residential Community, a 50+/- acres with 26-single family duplex lots, Sanctuary Club House Building with 4-guest bedrooms and open spaces along a newly developed private roadway to be known as Promise Point that "T" intersects with SH83.
3. The access is located on the LEFT side of State Highway 083, a distance of 962-feet north from milepost 25 (25.162).
4. This section of highway is a Category R-A highway. The information submitted with the application requires that **NO NEW CONSTRUCTION** be required of this permit. This permit allows for a single point of full movement access will be granted for egress/ingress vehicular movements to the development from SH83. A 30-foot access opening measured in width, measured at the Right of Way.
5. Under no circumstances shall the construction of a private driveway by a private interest interfere with the completion of a public highway construction project. The private interest shall coordinate work the CDOT resident engineer named below.
6. The Permittee is responsible for wind and air borne erosion control measures during the construction phase. The developer is responsible for MS4 compliance; best management practice during construction should include clean project entry. The project landfall must be shaped and armored in such a way that no head-cutting will occur. No construction traffic is allowed to enter the highway along pioneered pathways through the ditches.
7. The ditches may not be used for any construction purposes unless allowed under appropriate legal permits; any construction traffic accessing SH83 under permits shall have appropriate flagging or traffic control.
8. Equipment and vehicles cannot be parked in the clear zone; this includes when occupied by construction personnel; the clear zone shall be kept clear of vehicles, equipment and stockpile to prevent accidents.
9. No additional access will be allowed to State Highway 083 between milepost 25.285 and milepost 25.08 or the properties frontage to SH83.
10. The Permittee shall refer to all additional standard requirements attached to this permit. This includes CDOT Form 101b, enclosed additional terms, conditions, exhibits, and noted attachments.
11. The following criteria were used to establish this Access Permit:
 - a) The Application for Access Permit (CDOT Form 137) dated 01/03/2019 and accepted by the regional office on 05/22/2020 and all attachments.

July 15, 2020

Sheet: - 2 -

PERMIT # 220060

Permittee: Benet Hill Monastery.

Applicant: S.A.A

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- b) State Highway Access Code, Volume 2, CCR-601-1; Effective date August 31, 1998
 - c) The State Highway Access Category Assignment Schedule, as revised.
 - d) The Colorado Department of Transportation (CDOT) M&S Standard Plans
 - e) Vicinity Map
 - f) Attached Details
 - g) Exhibit A, "Seeding Requirements"
 - h) Environmental Clearances Information Summary
 - i) Design Plans
 - j) Standard Special Provision - Compliance with NCHRP 350 Crashworthiness Certification for Work Zone Traffic Control Devices.
 - k) Approved Traffic Report, signed and sealed by LSC Transportation Consultant, Inc., PE Jeffrey Hodsdon #31684, dated 05/06/2020.
12. It is the responsibility of the Permittee/applicant to determine which environmental clearances and/or regulations apply to the project, and to obtain any clearances that are required directly from the appropriate agency. Please refer to or request a copy of the "CDOT Environmental Clearance Information Summary" for details. FAILURE TO COMPLY WITH REGULATORY REQUIREMENTS MAY RESULT IN SUSPENSION OR REVOCATION OF YOUR CDOT PERMIT, OR ENFORCEMENT ACTIONS BY OTHER AGENCIES.
13. Any other discharges may require Colorado Discharge Permit(s) or separate permits from CDPHE or the appropriate agency before work begins. For additional information and forms, go to the CDPHE website at:
<http://www.cdphe.state.co.us/wq/PermitsUnits/wqcdpmt.html>.
14. All discharges to the CDOT highway drainage system must comply with the applicable provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations, and are subject to inspection by the CDOT and CDPHE. Although (City or County Name) may or may not be a municipality that is required to obtain MS-4 permits, CDOT would like to emphasize this development devise and implement a permanent plan for periodic removal and disposal of sediment from detention facilities and for maintenance of development detention facilities. Attached is the CDOT Environmental Clearances Information Summary listing some of the more commonly encountered environmental permits/clearances that may apply to activities and contacts for questions regarding these permits/clearances.
15. This Access Permit is issued in accordance with the 1998 State Highway Access Code (2CCR 601-1), and is based in part upon the information submitted by the Permittee. This Access Permit is only for the use and purpose stated in the Application and on the Permit. Any changes, based upon existing and/or anticipated future conditions in traffic volumes, drainage, types of traffic, or other operational aspects may render this permit void, requiring a new Application for Access Permit to be submitted for review by the Department and/or Issuing Authority.
16. If necessary, minor changes, corrections and/or additions to the Permit may be ordered by the Department Inspector, other Department representative, or the local authority, to meet unanticipated site conditions. Changes may not be in violation of the State Highway Access Code. All major changes to the permit must be approved in writing by the Department prior to commencement of any work on or within the State Highway right-of-way.

July 15, 2020

Sheet: - 3 -

PERMIT # 220060

Permittee: Benet Hill Monastery.

Applicant: S.A.A

Access Location: Approximately 962-feet north of MM25 on SH83 or MM25.162 on the left side or west side of roadway.

17. All work is to conform to the plans referenced by this permit on file with the Colorado Department of Transportation or as modified by this Permit or a valid Notice to Proceed. If discrepancies arise, this permit and the valid Notice to Proceed shall take precedence over the plans. The Department plan review is only for the general conformance with the Department's design and code requirements. The Department is not responsible for the accuracy and adequacy of the design, dimensions, elevations or any other elements, which shall be confirmed and correlated at the work site. The Department through the approval of this document assumes no responsibility for the completeness and/or accuracy of the plans.
18. The Department standards, specifications, and regulations shall override the design plans incorporated in this permit should an oversight, omission, or conflict occur. The Department assumes no liability or responsibility whatsoever for the accuracy, completeness or correctness of the Permittee's design plans. Any design plan errors are the sole responsibility of the Permittee and/or the engineer.
19. This access will be allowed a full movement. However, left turn movements in and out of this access may be prohibited at some future date.
20. **A Fully Executed Complete Copy of this Permit and a valid Notice to Proceed to Construction must be on the job site with the contractor at all times during the construction.** Failure to comply with this or any other construction requirement may result in the immediate suspension of the work by order of the Department Inspector or the Issuing Authority.
21. Any additional permits and clearances required by other Federal, State, Local Government Agencies or Ditch Companies is the responsibility of the Permittee and/or Applicant.
22. The Permittee is responsible for obtaining any necessary additional federal, state and/or local government agency permits or clearances required for construction of the access. Approval of this access permit does not constitute verification of this action by the Permittee.
23. If any traffic control devices are evident within 50 feet of the construction area, the Permittee/Contractor must contact Mr. Jimmy Biren, Asst. Traffic Operations Engineer, in Pueblo. Mr. Biren can be contacted in Pueblo at (719) 546-5404.
24. **ADT VOLUMES - The Average Daily Traffic (ADT) volumes using this access shall not exceed 245 trips.**
25. UTILITIES - The Permittee is hereby advised that other utilities may exist within the proposed permit area. Permittee shall implement any and all measures to protect any existing utilities from damage.
26. The Permittee is responsible to comply with the Subsurface Utility Engineering (SUE) requirements as defined in the ASCE 38 (American Society for Civil Engineering).
27. The Permittee is responsible for any utilities and/or traffic control devices disrupted by the construction of this access and all expense incurred for repair. There are existing

July 15, 2020

Sheet: - 4 -

PERMIT # 220060

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Applicant: S.A.A

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utilities on the highway right-of-way by permit. Owners of those utilities must be contacted. Any work necessary to protect existing permitted utilities, such as encasements, bulwarks, etc. will be the responsibility of the Permittee.

- a) The Permittee is hereby advised that other utilities may exist within the proposed permit area. Permittee shall implement any and all measures to protect any existing utilities from damage.
 - b) Non-Destructive Air-vacuum Excavation (potholing) to expose the utilities being surveyed to determine their exact depth and location maybe necessary before any work commences. A core hole saw cut is the recommended method of entry through pavement for potholing. Flowfill is required for backfill of the core hole under the pavement or on the roadway.
 - c) The vacuum excavation technique is used not only to expose utilities but also for other uses that are benefited by the non-invasive/non-destructive, environmentally friendly technology such as dewatering or drill fluid/saw cutting fluid removal.
 - d) The Contractor shall utilize a spotter to assist in the visual inspection of all excavation work as it progresses near existing CDOT Intelligent Transportation Systems fiber optic line conduits, pull boxes and manholes. The Contractor shall provide a spotter to aid equipment operators when construction activities are near marked or unmarked fiber lines.
 - e) The spotter shall observe all excavation work as it progresses to ensure that no damage occurs to existing underground fiber lines. When the spotter has visual sight of the underground conduit, the spotter shall notify the equipment operator of the proximity to the conduit and begin to guide the excavation work. The spotter shall guide all excavation work around the conduit to ensure no damage occurs.
28. Additional CDOT permits are required for work involving water, sanitary sewer, gas, electrical, telephone and landscaping within the right-of-way.
29. Any damage to existing highway facilities shall be repaired immediately at no cost to the Department and prior to continuing other work. Any mud or other material tracked or otherwise deposited on the roadway shall be removed daily or as ordered by the Department inspector.
30. The Department Inspector or the Issuing Authority may suspend any work due to noncompliance with the provisions of this permit, adverse weather or traffic conditions, concurrent highway construction or maintenance in conflict with permit work or any condition deemed unsafe for workers or the general public. The work may be resumed upon notice from the Department Inspector or Issuing Authority.
31. SIGHT DISTANCE - The Permittee shall maintain adequate, unobstructed sight distance in both directions from the access. When determining the distance between accesses, the point of tangent shall be used where a radius is present, or the beginning of the curb cut. The minimum sight distance that shall be maintained along the highway for the access shall be 525-feet. The minimum sight distance that shall be maintained for the vehicle entering the highway shall be 780-feet.
32. Any landscaping or potentially obstructing objects such as but not limited to advertising signs, structures, trees, and bushes, shall be designed, placed, and maintained at a height not to interfere with the sight distance needed by any vehicle using the access. Planting of tree(s), which will be over 4 inches in caliper at maturity, will not be

July 15, 2020

Sheet: - 5 -

PERMIT # 220060

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Access Location: Approximately 962-feet north of MM25 on SH83 or MM25.162 on the left side or west side of roadway.

allowed within 30 feet of the edge of the traveled way. All other objects shall not exceed a total height of thirty inches from the top of final grade. The Department will require any object or landscaping that becomes unsightly or is considered to be a traffic hazard to be removed by the Permittee at no cost to the Department.

33. The access width shall be 30-feet measured at the Right of Way.

- 34. FUTURE ACCEL/DECEL LANES AND/OR SIGNALS - Installation of auxiliary lane(s) (i.e. right/left acceleration lanes, right/left deceleration lanes) may be required in the future as determined by the Department. These improvements will be determined based on safety problems created by the access. If the vehicular volume of the access meet warrants as required by Section 3 of the State Highway Access Code, or if the warrants for a signal are met in accordance with the Manual on Uniform Traffic Control Devices (M.U.T.C.D.), a new access permit will be required. The improvements shall be designed and installed by the Permittee in a timely manner to the Department's standards and specifications and at no cost to the Department. Failure by the Permittee to provide such improvements shall result in the revocation of this access permit and closure of the access approach.**
- 35. PROPERTY BOUNDARIES AND SURVEY - Physical separation and delineation along a property frontage such as curb and gutter or fencing, may be required when necessary to ensure that access will be limited to permitted locations.**
- a) Survey markers or monuments must be preserved in their original positions. Notify a CDOT Land Surveyor, at (719) 546-5456 immediately upon damage to or discovery of any such markers or monuments at the work site.
 - b) Any survey markers or monuments disturbed during the execution of this permit shall be repaired and/or replaced immediately to the satisfaction of the CDOT Land Surveyor at the expense of the Permittee.
 - c) All survey procedures and minimum tolerances shall be in conformance with the Department Survey Manual and the "Manual of Instruction for the Survey of Public Lands of the United States" 1972 and section 38-53-101 et seq, C.R.S.
 - d) Monuments shall conform to Department Standard M-629-1.
- 36. No interference with traffic will be allowed after 12:00 Noon the day before a 3- or 4-day holiday weekend, as listed under 108.06 of the Standard Specifications for Road and Bridge Construction.**
- 37. CDOT retains the right to perform any necessary maintenance work in this area.**
- 38. READ ALL ADDITIONAL STANDARD REQUIREMENTS ON THE ATTACHED FORM 101 AND OTHER TERMS AND CONDITIONS ON THESE ATTACHED SHEETS. A COPY OF THIS PERMIT MUST BE ON THE JOB SITE WITH THE CONTRACTOR. Call for an inspection of forms at least one working day prior to placing any concrete. The Colorado Department of Transportation inspection is not an approval of the grade or alignment of the work. The contractor and/or engineer are responsible for the proper grade and alignment. Minor changes or additions may be ordered by the field inspector to meet field conditions. Any survey markers or monuments disturbed during the execution of this permit shall be repaired immediately at the expense of the permittee. Minimum cover for buried utilities shall be 48 inches.**

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT APPLICATION

 Issuing authority application
acceptance date:

Instructions: - Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
- Submit an application for each access affected.
- If you have any questions contact the issuing authority.
- For additional information see CDOT's Access Management website at <http://www.dot.state.co.us/AccessPermits/index.htm>

**Please print
or type**

1) Property owner (Permittee) Benet Hill Monastery		2) Applicant or Agent for permittee (if different from property owner) Benet Hill Monastery	
Street address 3190 Benet Lane		Mailing address 3190 Benet Lane	
City, state & zip Co. Springs, CO 80921	Phone # 719-633-0655	City, state & zip Co. Springs, CO 80921	Phone # (required) 719-633-0655
E-mail address mtsummers@benethillmonastery.org		E-mail address if available vcrowder@benethillmonastery.org	
3) Address of property to be served by permit (required) 15760 Hwy 83 Colorado Springs, CO 80921 (Parcel ID# 6127000063)			
4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one? county subdivision block lot section township range El Paso See Attached			
5) What State Highway are you requesting access from? 83A		6) What side of the highway? <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W	
7) How many feet is the proposed access from the nearest mile post? 962 feet <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W from: 25		How many feet is the proposed access from the nearest cross street? 0 feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W from: Benet Ln	
8) What is the approximate date you intend to begin construction? 4/1/2019			
9) Check here if you are requesting a: <input type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated:) <input type="checkbox"/> improvement to existing access <input checked="" type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> relocation of an existing access (provide detail)			
10) Provide existing property use Vacant land			
11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - what are the permit number(s) and provide copies: and/or, permit date:			
12) Does the property owner own or have any interests in any adjacent property? <input type="checkbox"/> no <input checked="" type="checkbox"/> yes, if yes - please describe: Benet Hill Monastery 3190 Benet Lane Colorado Springs, CO 80921			
13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points.			
14) If you are requesting agricultural field access - how many acres will the access serve? N/A			
15) If you are requesting commercial or industrial access please indicate the types and number of businesses and provide the floor area square footage of each.			
business/land use	square footage	business	square footage
16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?			
type	number of units	type	number of units
Duplex Residential Units	26		
17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.			
Indicate if your counts are <input checked="" type="checkbox"/> peak hour volumes or <input type="checkbox"/> average daily volumes.	# of passenger cars and light trucks at peak hour volumes 38	# of multi unit trucks at peak hour volumes 0	
# of single unit vehicles in excess of 30 ft. 1	# of farm vehicles (field equipment)	Total count of all vehicles 39	

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- a) Property map indicating other access, bordering roads and streets.
- b) Highway and driveway plan profile.
- c) Drainage plan showing impact to the highway right-of-way.
- d) Map and letters detailing utility locations before and after development in and along the right-of-way.
- e) Subdivision, zoning, or development plan.
- f) Proposed access design.
- g) Parcel and ownership maps including easements.
- h) Traffic studies.
- i) Proof of ownership.

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage <http://www.dot.state.co.us/environmental/Forms.asp>.

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.

Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <http://www.dot.state.co.us/DesignSupport/>, then click on *Design Bulletins*.

If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

Applicant or Agent for Permittee signature <i>S. Marie Therese Summers</i>	Print name S. Marie Therese Summers	Date 1/3/19
-------------------------------------------------------------------------------	----------------------------------------	----------------

If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.

Property owner signature <i>S. Marie Therese Summers</i>	Print name S. Marie Therese Summers	Date 1/3/19
-------------------------------------------------------------	----------------------------------------	----------------



April 28, 2020

**LETTER OF INTENT
Sanctuary of Peace Residential Community
PUD Plan**

Owner:

Benet Hill Monastery of Colorado Springs
3190 Benet Lane, Colorado Springs, CO 80921
719.633.0655, Ext 109
Vincent Crowder, Property & Building Manager

Developer:

Benet Hill Monastery of Colorado Springs
3190 Benet Lane, Colorado Springs, CO 80921
719.633.0655, Ext 109
Vincent Crowder, Property & Building Manager

Applicant / Consultant:

M.V.E., Inc.,
1903 Lelaray Street, Suite 200, Colorado Springs, CO
719.635.5736
Charles C. Crum, P.E.

Tracts and Common Facilities:

Permanent Ownership, Operation and Maintenance

Sanctuary of Peace Homeowners Association, Inc.
3190 Benet Lane, Colorado Springs, CO 80921
719.633.0655, Ext 109
Vincent Crowder, Representative

Water System Regulation

El Paso County
Planning and Community Development
2880 International Circle, suite 110
Colorado Springs, CO 80910
719.520.6300

and

Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
WQCD-B2
Denver, CO 80246
303.692.3500

Engineers • Surveyors
1903 Lelaray Street, Suite 200 • Colorado Springs, CO 80909 • Phone 719-635-5736
Fax 719-635-5450 • e-mail mve@mvecivil.com

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 2

PROJECT LOCATION:

The proposed Sanctuary of Peace Residential Community is located west of Colorado State Highway 83, north of Stagecoach Road and south of Arena Road. The subject property comprises 49.58+/- acres of land located in the South one-half of Section 27, Township 11 South, Range 66 West of the 6th Principal Meridian, El Paso County, State of Colorado. The site is owned by Benet Hill Monastery of Colorado Springs. The El Paso County Assessor Schedule Number for the site is 7103001034 and the address is 15760 State Highway 83. The owners, Benet Hill Monastery of Colorado Springs, also own three adjacent parcels along the north side of the site which contain the monastery facility and grounds and other residential and utilitarian structures. These three parcels are not a part of the proposed PUD application and will continue to be owned, operated and maintained separately.

The site of the Sanctuary of Peace Residential Community is bound on the east by State Highway 83, on the north by Benet Lane, on the west by Black Forest Park subdivision, and on the south by 10 & 20+/- acres parcels of un-platted land of single-family residential use.



Sanctuary of Peace Letter of Intent

April 28, 2020

Page 3

PROJECT DESCRIPTION:

- The Sanctuary of Peace residential community PUD is intended to accommodate cluster development that promotes open space preservation, reduced automobile dependence with clustered 1-2 bedroom single story attached units. It is the owner's expressed intent to maintain the natural and native beauty and characteristics of the open space tracts, prohibiting the construction of permanent structures thereon, and utilizing sustainable and fire wise land management on the lots and open space tracts. However, notwithstanding the foregoing, certain portions of the open space tracts shall be and are intended to be utilized for construction of a central water systems/wells/well fields and on-site wastewater treatment systems. No further subdivision or development of the open space tracts may occur absent expressed amendment of private restrictions as defined by the private CC&Rs and the required land use applications and approvals in accordance with the provisions of the of El Paso County Land Development Code.
- The plan identifies 27 single-family lots and four (4) tracts. Lot 1 is to contain one private Sanctuary Club House building and one detached 6-car garage building, both of which are to be owned and maintained by the Sanctuary of Peace Homeowners Association for the private use of the Sanctuary of Peace Residential Community members, their guests, and the sisters of the Benet Hill Monastery. The private club house will also have four (4) guest bedrooms for the occasional use of Sanctuary of Peace Residential Community members, their guests, and the sisters of the Benet Hill Monastery. Lots 2 – 27 are to contain the 26 single-family attached dwelling units to be sold to future private owners. Tract A is to contain the private access roadway, which is to be named "Promise Point". The private roadway is to be owned and maintained by the Sanctuary of Peace Homeowners Association. Tract B is to contain open space, parking, the mail kiosk, and private onsite water treatment system (OWTS) facilities which are to be owned and maintained by the Sanctuary of Peace Homeowners Association. Tract C is to contain private driveways, parking, and private onsite water treatment system (OWTS) facilities which are to be owned and maintained by the Sanctuary of Peace Homeowners Association. Tract D is to contain open space, parking, stormwater treatment and detention facilities, water well and water treatment facilities, private onsite water treatment system (OWTS) facilities, trash enclosure and a water supply cistern for fire fighting purposes, all to be owned and maintained by the Sanctuary of Peace Homeowners Association.

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 4

- Access to the 27 single-family lots is to be by way of private Promise Point which connects to Benet Lane at two locations. Benet Lane has access to State Highway 83 at the east end of the site and also has an emergency-only connection with established access easements to Fools Gold Lane to the west of the site. Promise Point forms a loop to Benet Lane, providing a built in turn-around for site traffic as needed.
- Planned housing types include single-story one (1) and two (2) bedroom single family attached housing units. The plan proposes 14 one-bedroom, 12 two-bedroom single-story residences, and one (1) private Sanctuary Club House having 4 guest bedrooms which, as discussed in the paragraph above, are for the use of property owners within the development.
- Water will be provided by a small community water system comprised of a water well, treatment, storage tank, and distribution lines designed in accordance with the Colorado Department of Public Health and Environment Regulations. Wastewater treatment will be provided by a small community wastewater system comprised of four (4) shared Onsite Wastewater Treatment Systems (OWTS) which have been sited and designed under guidance of the State Water Quality Site Application Policy 6 along with the County Department of Health supervision and approval.

REQUESTS:

- The Sisters of the Benet Hill Monastery (Applicants) request approval of the Sanctuary of Peace Residential Community PUD Development Plan to rezone a 49.58 acre property from the current A-5 and RR-5 zoning districts to PUD. Approximately 10± acres of the property is currently zoned A-5 the remaining 40± acres is zoned RR-5.
- The applicants request authorization from the PCD Director to submit the PUD development plan as a preliminary plan.
- The applicants request administrative approval of the final plat following approval of the PUD/Preliminary Plan.
- The applicants request findings of sufficiency for water along with the PUD/Preliminary Plan to facilitate Administrative approval of the final plat. A Water Resources Report with data relating to both water quantity and quality is provided with the PUD Plan/Preliminary Plan submittal to support the finding of sufficiency request.

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 5

- The applicants request Early Grading Approval with this PUD/ Preliminary Plan consideration. A Final Drainage Report and Grading and Erosion Control plans are provided with the the PUD Plan/Preliminary Plan submittal to support the Early Grading request.
- The following PUD modifications are requested for Sanctuary of Peace Residential Community:

Requested PUD modifications Summary				
	LDC/ECM Section	Category	Standard	Modification
1	LDC Chapter 8.4.3.B.2.f	Lot Design - OWTS	Lots with OWTS require are of 2.5 acres and 1 acre of buildable area	Design Modification: Request clustered lots less than 2.5 acres and less than 1 acre of buildable area surrounded by tracts to support OWTS placement
2	LDC Chapter 8.4.4.C	Transportation System Std- Public Roads	Public roads required	Waiver: Request Private Roads
3	LDC Chapter 8.4.4.E	Transportation System Std- Private Rd Allowances	Private Roads to Meet County Standards	Waiver: Request relief from ECM design standards for private road
4	LDC Chapter 8.4.8.C.2	Wastewater Disposal	Two OWTS Sites Required for all Lots or Parcels	Waiver: Request One OWTS site be shown on the PUD Plan due to completion and submittal of a detailed engineering design for the proposed OWTS systems.
5	ECM 2.3.1	Roadway Design Criteria	Design Speed	Design Modification: Request design speed of 20 mph with posted speed of 15 mph in accordance with the existing access private roadways.
6	ECM 2.3.1	Roadway Design Criteria	Right of Way Width	Design Modification: Request right-of-way width (tract width) of 28' for the private road and sidewalk
7	ECM 2.3.1	Roadway Design Criteria	Minimum Curve Radius	Engineering Modification: Request curve radius on the private road of 50'. ECM Deviation Request is required.

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 6

8	ECM 2.3.1	Roadway Design Criteria	Minimum Lane Width	Engineering Modification: Request lane widths of 10' for the private road in accordance with the existing access private roadways. ECM Deviation Request is required.
9	ECM 2.5.2.B.3	Pedestrian Facilities	Sidewalks on both sides of roadway	Engineering Modification: Request attached 5' sidewalk on on side of the low speed/low volume roadway. ECM Deviation Request is required.
10	ECM 2.5.2.B.6	Pedestrian Facilities	Sidewalk material to be 5" thick concrete	Engineering Modification: Request attached 5' asphalt sidewalk, matching roadway thickness and delineated with double white line striping. ECM Deviation Request is required.

Prior to the initial submittal of this application in February 2019, the owner held one neighborhood meeting on May 16, 2018. Another neighborhood meeting followed the initial submittal, which was held May 1, 2019. There was no apparent stringent disagreement or opposition with the development concept expressed at either meeting. The owner has also been diligent in reaching out and communicating with neighborhood members in a one-on-one basis as concerns were raised. Concerns included the need for better emergency ingress / egress in the general neighborhood area and also about potential follow-on development of the site that could occur after the approval of this current application. This resubmittal provides additional acceptance by the fire district of the proposed emergency-only access planned by the owners and certain adjacent neighbors. The owners do not plan future development of the site other than that indicated on the currently proposed PUD Plan. The current resubmittal also reflects further adjustment and refinement of the development request.

Approval of PUD Modifications

“For approval of a modification of a general development standard in the LDC or criteria 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:” (LDC 4.2.6.F.2.h Modification of LDC or ECM Standard)

- Preservation of natural features;
- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;

M.V.E., Inc. • Engineers • Surveyors
1903 Lelaray Street, Suite 200 • Colorado Springs, CO 80909 • Phone 719-635-5736
Fax 719-635-5450 • e-mail mve@mvecivil.com

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 7

- 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

The plan preserves the natural features of 44.42 acres of open space (89.60% of the PUD area located in Tracts B, C and D). The private Sanctuary Club House garages are planned to house community cars for use in a ride sharing amenity to residents of the development. It is the position of the applicant that the proposed development meets the spirit and intent of each of the modification trade-off criteria.

Approval of Density. Per the LDC, density “shall be as established by the PUD development plan and/or development guide as approved by the BoCC in consideration of the following”:

- *Adopted Master Plan;*
- *Compatibility with the surrounding neighborhood;*
- *Traffic considerations;*
- *Impact upon public facilities, utilities and schools;*
- *The natural characteristics of the land; and*
- *Water availability.*

Proposed density within the PUD is approximately 0.55 DU/AC (27 units/49.58 acres = 0.55 DU/Ac or 1 DU/ 1.84 Ac). The property is located within the Ponderosa Breaks subarea of the Tri-Lakes Master Plan, which recommends (advisory) lot sizes in the area be a minimum of 2.5 acres (p.129-130). However, the plan states in the Land Use Scenario that overall densities should be “consistent with surrounding subdivisions”. While there are no 2.5 Ac developments to compare to the Sanctuary of Peace Residential Community, the overall density of the affected development area and surrounding adjacent properties, including the proposed Sanctuary of Peace PUD is one (1) DU/ 3.9 ac, which meets the minimum recommended overall density one (1) DU/ 2.5-5 ac. (See attached Density Map for details).

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 8

No adverse traffic impacts are generated by the proposed development. The applicants are planning a right-hand deceleration lane into the property to improve access into the site from State Highway 83.

Stormwater will be detained by a system of three detention ponds which are designed to meet local, state, and federal stormwater requirements. The proposed ponds will also provide storm water quality treatment for the new residential site. The ponds are to be located within the tract designated for stormwater and drainage, utilities and other facilities and amenities, together with these other facilities.

Applicable traffic, park, school, and drainage fees will to offset the developments impact on public facilities and services.

The density is also supported by the water availability and suitability for the use of shared OWTs. Water availability and septic suitability and system design have been reviewed by the appropriate State and County Departments prior to submittal. (See discussions on each in the review criteria section of this letter). According to the water and wastewater resources reports and supporting groundwater determinations and decrees, the site can support 27 residences with up to 40 bedrooms. The applicant proposes a total 14 one-bedroom, 12 two-bedroom single-story residences, and a private Sanctuary Club House having 4 bedrooms. The private Sanctuary Club House with four (4) guest bedrooms is classified as transient use and taken at the Hotel/Motel occupancy rate of one half bedroom per room, equaling 2 bedrooms of the 40 bedroom maximum count in accordance with the water supply and septic suitability of the site. The Sanctuary Club House will include a kitchen for only occasional use by residents as in the manner of a typical HOA Clubhouse. The kitchen is included in the design flow rate for the hotel/motel occupancy as detailed in the Water Resource and Wastewater disposal reports.

The subject property was purchased with the intent of providing a permanent buffer for the neighborhood against development encroachment within the State Highway 83 corridor.

PUD REVIEW AND APPROVAL CRITERIA

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

Per the information and justification provided in this letter of intent and documents, plans, and reports submitted for consideration, the application meets

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 9

the purposes of the PUD zoning district as established by County regulations and manuals.

County Purposes of PUD:

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 housing development is in response to market trends that support the rural cluster style development with the proposed housing types as previously discussed. The clustering of the 27 units comprised of 26 single family attached homes and the one private Sanctuary Club House in Lots 1 through 27, together with the private road in Tract A and open space and driveway easements on Tract C, makes up 4.30 acres in area and affords the feel of a more urbanized traditional neighborhood development, such as RS-5000 – Residential Suburban, but in a rural setting surrounded by 45.28 acres of densely forested open space for the use and enjoyment of residents.

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 single-family-attached lot sizes vary from 3,911 SF to 5,124, with an average of 4569 SF. The private Sanctuary Club House (Lot 1) is 15,593 SF in area and also is to contain a 6-car garage building. The road and lots have been clustered within a 4.30 acre development area which was planned through the fire mitigation process whereby the forest was thinned in cooperation with the Wescott Fire Protection District in 2013 - 2015. Siting of the homes and private roadway will require a little, if any, additional thinning of the forest on the property. The nearest lot to the south property line is Lot 13 which will contain a single-family-attached residence and is 162 feet from the south property line. The nearest lot to the west property line is Lot 6 & 7 which will contain single-family-attached residences and is 1788 feet from the west property line. The nearest lot to the north property line is Lot 1 which will contain the private Sanctuary Club House and garage building. The Clubhouse structure is to be set back 105 feet from the north property line, while the garage is to be set back 13 feet from the north property line. The Benet Hill Monastery property (applicant's) borders the north side of the site. The nearest lot to the east property line (Highway 83) is Lot 27 which will contain a single-family-attached residence and is 1327 feet from the east property line.

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 10

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;

Residential lots comprise 6.22% (3.09 acres), while roadway, parking, sidewalks, drives, trails, gazebo, trash enclosure, mail kiosk, water supply facilities, wastewater disposal facilities and stormwater facilities located in Tracts A, B, C and D comprise 4.16% (2.06 acres) of the 49.58 acre property. The plan preserves 89.60% (44.42 acres) of the property as open space. During the development process, it is the plan of the applicants to restrict the 44.42 acres of open space to future development beyond what is identified on the Sanctuary of Peace Residential Community Plan by covenants

To encourage more efficient use of land services reflecting changes in the technologies and economies of land development;

Houses have been designed with one (1) car garages and driveways to promote reduced automobile dependency. The planned private Sanctuary Club House lot (Lot 1) also includes a 6-car garage which is planned to park about four (4) community/shared automobiles for use by residents to promote ride sharing, reduce the amount of traffic and impacts within and outside the development, and as a community building amenity. The Clubhouse, Garages and community automobiles are to be owned and maintained by the Sanctuary of Peace Homeowners Association.

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;

The property is located within five miles of commercial corridors adjacent to and in proximity to the I-25 Corridor. The Highway 83 is 1350 feet to the west with access to Powers Boulevard (5 miles away), Academy Boulevard (9 miles away) and I-25 (9 miles away).

To achieve development economies to minimize impacts on existing infrastructure and to encourage the most efficient use of public infrastructure while limiting the costs of providing services and to reduce the burden on existing streets and utilities by more efficient development;

The development has been designed to reduce the amount of disturbance by clustering not only the residences, but also consolidating the community water

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 11

system, and four (4) OWTS systems into integrated systems to serve the 26 residences and private Sanctuary Club House instead of using 27 separate systems. Wastewater from the private Sanctuary Club House will be treated by one of the four (4) OWTS. The systems have been designed to serve a maximum of 26 residences and one private Sanctuary Club House with a maximum 40 cumulative number of bedrooms. The applicant proposes a total 14 one-bedroom, 12 two-bedroom single-story residences, and a private Sanctuary Club House having 4 bedrooms classified as transient use and equating to 2 regular bedrooms for purposes of wastewater treatment for a total of 40 bedroom maximum count in accordance with the water supply and septic suitability of the site. The design of the systems were prepared in coordination and consultation with County and State Health Department Officials.

A private road to be named Promise Point is planned to provide access from the development to Benet Lane (private) which provides access to the public State Highway 83. No additional on-site roadway improvements are anticipated. The Traffic study determined that a southbound right-turn deceleration lane is not warranted and will not be required by CDOT at the intersection of Benet Lane and State Highway 83. Furthermore, private Promise Point will connect to Benet Lane at two locations, forming a loop turn-around for site traffic as needed.

To promote layout, design and construction of development that is sensitive to the natural land form and environmental conditions of the immediate and surrounding area, including scenic vistas, natural features and environmental resources;

The proposed layout develops 5.15 acres of the site into single family attached dwellings, private Sanctuary Club House, private roadway, utility and drainage facilities, mail and trash disposal facilities and other amenities such as guest parking, gazebo area and trails. The plan preserves 44.42 acres of the site as open space. The hazards on the site include minor areas of potentially seasonal shallow groundwater, the potential for expansive soils, and a potentially unstable slope associated with an existing road cut located near the northeast portion of the clustered home development area. The hazards on site may be mitigated through avoidance or proper engineering design and construction practices. Recommendations provided in the soils and geology report prepared by Entech, Engineering, Inc. dated February 11, 2019 should be followed for mitigation of potential hazards. The areas of geologic hazards are being avoided and preserved with the proposed plan. See discussion on layout, water/waste water service, and fire mitigation relative to the planning and development of the property. Geology, water and wastewater, and fire hazard and mitigation reports

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 12

have been submitted in support of the proposed development. The areas of the two significant drainage ways on the western portion of the site area being preserved with no development planned in those areas.

To ensure that provision is made for beneficial open space, to provide for active, usable open spaces, and to preserve open areas

Tract B and Tract D incorporate significant amounts of open space for passive recreation in the form of hiking, nature observation, and contemplation. It is intended that the open space be preserved in its natural state in perpetuity. The preserved open space in the PUD is 44.42 acres in area, representing 89.60% of the site. Trails will be installed in Tract B and Tract D to facilitate enjoyment of the open space and preservation of the natural features.

Not included in the open space calculation are Tract A, which is the private roadway tract (0.59 acres) and portions of Tracts B, C and D that contains areas of drive, parking, water system facilities, wastewater treatment facilities, and stormwater treatment facilities. The area of the residential lots combined with the non-open space features of Tracts A, B, C & D is tracts is 5.15 acres. The resulting total amount of open space in the project is 44.42 acres or 89.60%.

The sidewalk adjacent to the private roadway and additional trails throughout the site are planned and shown on the PUD plan connect the gazebo area, private Sanctuary Club House area, the mail kiosk, and trash enclosure area. The trails are also planned to extend into the open space that encircles the housing area to promote use of the open space and widen the appeal of the trail system on the site. The trails are to be constructed by the the developer during the home building period and will be owned and maintained by the Homeowners Association.

II. The application is in general conformity with the Master Plan;

“Simply by stating in this Code a requirement or preference for Master Plan consistency, the Board of County Commissioners has not by such statement rendered the Master Plan a binding requirement or regulation for either zoning or subdivision matters. The Board of County Commissioners’ intent as expressed in its various Master Plan elements and in Appendix A, § A.1.6(B) to this Code is that the Master Plan be advisory only, and that the Board of County Commissioners retains its considerable discretion in deciding how to apply the Master Plan in making land use decisions.” (LDC 2.1.3: Master Plan Advisory)

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 13

Small Area Plan

The site is located in the Ponderosa Breaks sub area of the Tri-Lakes Comprehensive Plan. This area is identified as a low density development area. The recommended land use scenario policies include:

Development emphasis should be on low density residential uses which focus on the timbered areas rather than the open portions of this unit. Overall densities should be consistent with adjacent existing subdivisions.

The plan clusters residential development in order to preserve over 90% of the plan area as open space. The proposed development densities of 0.54 DU/AC. 5 acre development densities are 0.2 DU/AC; 2.5 acre densities are 0.4 DU/AC. The proposed development densities are slightly higher than 2.5 acre rural development densities; however, the clustering of lots on 3.11 acres, small lot sizes, shared well and OWTS systems as planned and designed afford the preservation of 44.42 acres of open space (89.60%) within a 49.58 acre site.

Policy Plan

The following policies and recommendations from the Master Plan have been provided, not specifically for discussion purposes, but to establish a context of the design and planning principles the Sanctuary of Peace Residential Community aspires and intends to promote. Specific discussion is provided in the PUD criteria in which the applicants have approached the design. See additional master plan discussion in the PUD review criteria section. It is the applicants' position that the plan as submitted and reviewed is in general conformance with the El Paso County Master Plan.

The following policies have been cited for discussion purposes

Policy 6.1.5 of the El Paso County Policy Plan Support the development of well-planned mixed use projects which promote all, or most, of the following objectives:

- maximize the economy and efficiency of land use
- preserve open space or natural areas
- integrate employment, housing, shopping, schools and other use
- accommodate multi-modal transportation linkages

considers diverse **transportation** options, typically including walking, cycling, public transit and automobile, and accounts for land use factors that affect accessibility

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 14

- allow for variations in design and character

Policy 6.1.11

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

Policy 6.1.12

Encourage advance public and private land use planning in order to maximize public awareness of anticipated future land use conditions.

Policy 6.1.13

Encourage the use of carefully planned and implemented clustering concepts in order to promote efficient land use, conservation of open space and reduction of infrastructure costs.

Policy 6.1.14

Support development which complements the unique environmental conditions and established land use character of each sub-area of the County.

Policy 6.1.15

Recognize the need for new development and redevelopment to respond to changes in demographic, market and technological conditions.

Policy 6.1.16

Allow for new and innovative concepts in land use design and planning if it can be demonstrated that off-site impacts will not be increased and the health, safety and welfare of property owners and residents will be protected.

III. 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 application meets the submittal and review criteria, with the approval of the PUD modifications and/or deviations as discussed in this letter of intent and all applicable Statutory provisions, such as, but not limited to water and wastewater provision, stormwater and grading, floodplain, wildlife, and forestry management

IV. 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;

Design of the site began with aggressive fire mitigation and forest thinning efforts coordinated with the Tri-Lakes FPD and County Fire Marshall. The development

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 15

area, home sites, access and circulation, wastewater system design, and water supply have been planned to generate the least impactful imprint on the environment. The development area has been arranged in a compact cluster on approximately 4.86 acres of the 49.58 acre property.

The development will provide and maintain an emergency access easement for ordered evacuation that provides secondary emergency access to Fool's Gold Lane, Evergreen Road, & Roller Coaster Road for residents to the east via Benet Lane & State Highway 83. Also, the emergency access will be for ordered evacuation for residents from the west to State Highway 83. The access will be gated at the eastern subdivision boundary line of 'Black Forest Park' and the new emergency access easement intersection.

Utilities, drainage, access, and circulation are adequate, as evidenced in the associated reports, to support the development as proposed and will not have a negative impact upon existing and future development of the surrounding area.

V. 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;

This proposed residential use compliments the existing religious monastic use of the site and the planned buffers and setbacks are provided in consideration of the rural residential character of the surrounding neighborhood and the design vision of the Benet Hill Monastery.

The site is designed to cluster roadway, residential structure development and supporting infrastructure within approximately 5.15 acres out of the 49.58 acre site. As discussed in this letter, the overall density of the project is comparable with 2.5 acre densities. The plan provides for 90% open space which provides a buffer against surrounding lower density residential development adjacent to the open space Tract D.

VI. 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;

The planned uses, bulk requirements, buffers, screening, and required landscaping for the development have been planned as shown on supporting plans and documents. Adequate buffers and setbacks are provided in consideration of the rural residential character of the surrounding neighborhood

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 16

and the design vision of the Benet Hill Monastery. The nearest lot is 162 feet from the property boundary.

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

Per guidance from the County Environmental Services department identified the potential for Preble's Meadow Jumping Mouse, wetland impacts, and/or impacts to Smith Creek downstream from the site, a natural resource report analyzed the impacts to existing vegetation with recommendations for maintenance of surrounding potentially affected wildlife. The report and related PUD development plan has been found to satisfactorily meet and/or address any potential negative impacts to any cultural, historical, recreational, aesthetic and/or natural features.

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

The site has been planned to provide access to open space on site and the adjacent monastic activities located at the Benet Hill Monastery. Proximity to regional trails/parks/other amenities.

IX. 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;

A traffic study has been submitted per County Staff direction for review to determine necessary offsite improvements. The study identifies no offsite roadway improvements are necessary. Approval of the aforementioned PUD modifications for the private roadway improvements will be determined by the Board of County Commissioners. The applicant has provided the necessary documentation, including utility and other service commitments, to demonstrate that fire protection, police protection, emergency services, water and wastewater, and other public services including but not limited to park and recreation, school, services and/or facilities will be provided to support the development when needed. Preliminary groundwater investigations identify available water rights underlying the property in the amounts of: 3,700 AF from the Dawson, 4,664 AF from the Denver, 1,938 AF from the Arapahoe, and 1,445 AF from the Laramie Fox Hills Aquifer. Additional details are provided in the water resource report, groundwater decrees, and determinations.

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 17

X. 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 Plan provides 89.60% open space where the County standards require 20%. The proposed trail system will extend into the preserved open space on the site, enhancing access and enjoyment of the open space and, together with the sidewalk adjacent to the private roadway, providing pedestrian circulation throughout the site. The homes have been pre-designed to incorporate green and sustainable construction methods. Although not quantifiable in the PUD administration, it is the developers intent to follow these and other green construction BMP's in order to set a higher example for development in the region.

XI. 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;

A mineral rights certification was provided with the application that indicates no mineral rights and/or interests will be negatively affected. Mineral rights were transferred to the applicant upon acquisition of the property.

XII. 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;

A separate letter requesting modifications of the PUD has been submitted for review and is attached for reference.

PUD MODIFICATION REQUESTS

Proposed modifications to the zoning and subdivision regulations are warranted in exchange for the energy efficient and sustainable site development standards incorporated by reference, notation, and illustration in the accompanying development plan and/or guide.

XIII. The owner has authorized the application.

The application has been signed by the property owner.

PUD Development Plan May be Approved as a Preliminary Plan

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

*M.V.E., Inc. • Engineers • Surveyors
1903 Lelaray Street, Suite 200 • Colorado Springs, CO 80909 • Phone 719-635-5736
Fax 719-635-5450 • e-mail mve@mvecivil.com*

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 18

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. §3028-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;
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. Each lot either directly connects to the private roadway or an access easement is provided to the private roadway as indicated on the PUD plan;
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; (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

Sanctuary of Peace Letter of Intent

April 28, 2020

Page 19

subdivision will not negatively impact the levels of service of County services and facilities;

10. Necessary services proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development, including police and fire protection, recreation, utilities, open space and transportation systems, are or will be available to serve the proposed subdivision;

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

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

Based on the discussion previously provided for PUD approval, the applicants believe the approval criteria for a preliminary plan has also been met.

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April 28, 2020

**PUD MODIFICATIONS REQUEST
Sanctuary of Peace Residential Community
PUD Plan**

Owner:

Benet Hill Monastery of Colorado Springs
3190 Benet Lane, Colorado Springs, CO 80921
719.633.0655, Ext 109
Vincent Crowder, Property & Building Manager

Developer:

Benet Hill Monastery of Colorado Springs
3190 Benet Lane, Colorado Springs, CO 80921
719.633.0655, Ext 109
Vincent Crowder, Property & Building Manager

Applicant / Consultant:

M.V.E., Inc.,
1903 Lelaray Street, Suite 200, Colorado Springs, CO
719.635.5736
Charles C. Crum, P.E.

Tracts and Common Facilities:

Permanent Ownership, Operation and Maintenance

Sanctuary of Peace Homeowners Association, Inc.
3190 Benet Lane, Colorado Springs, CO 80921
719.633.0655, Ext 109
Vincent Crowder, Representative

Water System Regulation

El Paso County
Planning and Community Development
2880 International Circle, suite 110
Colorado Springs, CO 80910
719.520.6300

and

Colorado Department of Public Health and Environment
4300 Cherry Creek Drive South
WQCD-B2
Denver, CO 80246
303.692.3500

*Engineers • Surveyors
1903 Lelaray Street, Suite 200 • Colorado Springs, CO 80909 • Phone 719-635-5736
Fax 719-635-5450 • e-mail mve@mvecivil.com*

PUD Modification Request

April 28, 2020

Page 2

REQUEST DESCRIPTIONS AND JUSTIFICATIONS:

- Waiver Requests
 - 8.4.4.C Public Roads Required
Requesting Private Roads.
 - 8.4.4.E Private Road Standards - (Private Road Allowances (use limited, requires waiver, designed to meet County standards)
Requesting modifications to road standards.
 - 8.4.8.C.2 Wastewater Disposal - Two OWTS Sites Required for All Lot or Parcels
Requesting one location with completed final engineered design.

Waiver Justifications: The applicants wish to maintain the private character of the neighborhood keeping the roads within the new and existing neighborhood private. Narrower design widths can promote improved pedestrian and non-motorized use of the roads. The extension of a public road into the proposed development is inconsistent with the character of the area which includes monastery, religious housing/retreat facility, and private residences. Per the traffic study submitted with the request, the private road is adequate to meet the internal access and circulation needs of the development. Fully engineered OWTS designs with soil testing have been completed and submitted to El Paso County Planning & Community Development and El Paso County Health Department as a part of this application and are shown on the PUD plan. Since the type, location, and design if the each OWTS is determined, there is no need to indicate additional alternate locations.

- Design Modifications (Addressed separately in Approval Criteria relating to wastewater provision and OWTS suitability)

1. 8.4.3.B.2.f Lots using OWTS requires the following:

(i) Lots Designed to Use an OWTS. Lots which will utilize an OWTS shall have a minimum area of 2.5 acres.

PUD Modification Request

April 28, 2020

Page 3

(ii) Minimum Buildable Area for Lots Using an OWTS. A minimum of 1 acre of buildable area is required for lots proposed to utilize an OWTS.

The development has been designed to limit the number of bedrooms that could be served on the four separate OWTS on 49.58 acres. The systems were designed for this purpose in coordination with State and County Health Department staff and under the guidance of the State Water Quality Site Application Policy 6. The systems can serve up to 40 bedrooms. The plan proposes 14 one-bedroom, 12 two-bedroom single-story residences, and a private Sanctuary Club House having 4 bedrooms classified as transient use and equaling 2 bedrooms of the 40 bedroom maximum count. The development area has been clustered with consideration given to siting the residences and OWTS systems to avoid impacts to adjacent properties. CDPHE and EPC Health Department have been contacted and are included in the submittal and review of this application with no formal objection to date.

2. 8.4.4.C Public Roads Required (divisions of land served by public roads).

Requesting Private Roads.

3. 8.4.4.E Private Road Allowances (use limited, requires waiver, designed to meet County standards)

4. 8.4.8.C.2 Wastewater Disposal - (Two OWTS Sites Required for All Lot or Parcels).

5. ECM (Engineering Criteria Manual) 2.3.1 Design Speed

6. ECM (Engineering Criteria Manual) 2.3.1 Right Of Way Width

7. ECM (Engineering Criteria Manual) 2.3.1 Minimum Curve Radius

8. ECM (Engineering Criteria Manual) 2.3.1 Minimum Lane Width

9. ECM (Engineering Criteria Manual) 2.5.2.B.3 Sidewalks required on both sides of roadway

10. ECM (Engineering Criteria Manual) 2.5.2.B.6 Sidewalks required to be 5" thick concrete

Modification Justifications: The property has frontage on State Highway 83; however, State access restrictions require access to the highway be taken from the existing private Benet Lane. Benet Lane currently provides access to the subject property, Benet Hill Monastery, and four (4) private residences depicted on the plan documents.

PUD Modification Request

April 28, 2020

Page 4

The applicants wish to maintain the private character of the neighborhood keeping the roads within the new and existing neighborhood private. Narrower design widths can promote improved pedestrian and non-motorized use of the roads. The extension of a private road into the proposed development is in consistent with the character of the area which includes monastery, religious housing/retreat facility, and private residences. Per the traffic study submitted with the request, the private road is adequate to meet the internal access and circulation needs of the development. The natural terrain, which is intended to be preserved, is not amenable to sidewalks on both sides of the roadway. Instead, an asphalt sidewalk, integrated with the asphalt roadway, will be provided on one side of the road and additional gravel trails will be installed to enhance site pedestrian circulation as well as use and enjoyment of the integrated open space amenities.

PUD MODIFICATION REQUESTS

Proposed modifications to the zoning and subdivision regulations are warranted in exchange for the energy efficient and sustainable site development standards incorporated by reference, notation, and illustration in the accompanying development plan and/or guide.

Approval of PUD Modifications

“For approval of a modification of a general development standard in the LDC or criteria 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:” (LDC 4.2.6.F.2.h Modification of LDC or ECM Standard)

- 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

PUD Modification Request

April 28, 2020

Page 5

The plan preserves the natural features of the 44.42 acres of open space (89.60% of the PUD area). The proposed 6-car garages to be contained on the private Sanctuary Club House lot (Lot 1) are planned to house community cars for use in a ride sharing amenity to residents of the development. It is the position of the applicant that the proposed development meets the spirit and intent of each of the modification trade-off criteria.

The sidewalk adjacent to the private roadway and additional trails throughout the site are planned and shown on the PUD plan connect the gazebo area, private Sanctuary Club House area, the mail kiosk, and trash enclosure area. The trails are also planned to extend into the open space that encircles the housing area to promote use of the open space and widen the appeal of the trail system on the site. The trails are to be constructed by the the developer during the home building period and will be owned and maintained by the Homeowners Association.

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DONALD WESCOTT FIRE PROTECTION DISTRICT

15415 Gleneagle Drive Colorado Springs, CO 80918
Ph: 719-488-8680 Fx: 719-488-3414

To: Whom it may concern
From: Chief Vinny Burns
Donald Wescott Fire Protection District
Date: August 20, 2019
Re: Sanctuary of Peace P.U.D.

This is a letter of commitment for fire protection by Donald Wescott Fire Protection District for the property located at 15760 Hwy. 83, for the development known as The Sanctuary of Peace Residential Community.

The Donald Wescott Fire Protection District is an ISO protection class 3 department that has two full time staffed fire stations, the closest of which is located at 15505 Hwy. 83.

The district understands that the applicant has proposed modifications to PUD criteria and waivers to the El Paso County Land Development Code. The applicant has proposed 20 ft wide private paved roadways in a 24 ft wide roadway tract. The applicant proposes more than 25 lots on a dead-end road and a dead-end road in excess of 1,600 feet. The applicant also proposes an unpaved 12 ft. wide to 16 ft. wide emergency-only access road from Benet Lane to Fools Gold Lane in an emergency access easement. The emergency access road will be gated and secured in a manner acceptable to the district. The district finds the proposed modifications and waivers to be acceptable.

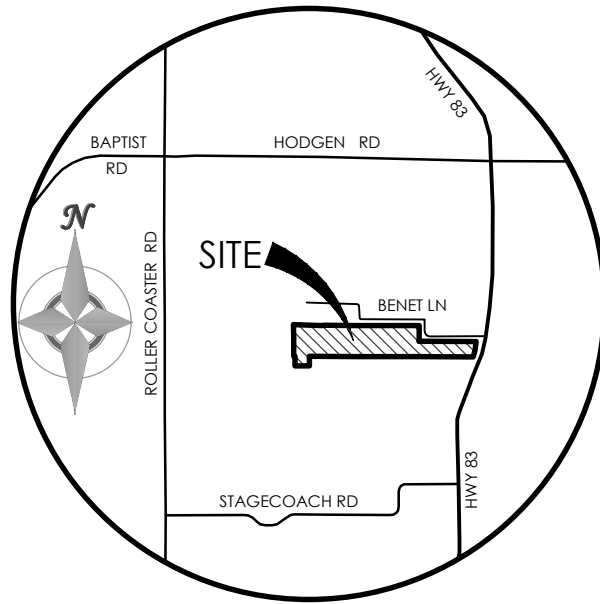
The Sanctuary of Peace development will be required to provide an on-site 15,000 gallon fire cistern along with a fire turnout to allow the usage of the cistern while not impeding traffic on the roadway. Residential construction will be reviewed by the district and shall comply with district requirements.

If you have any questions or need further information, please feel free to contact me.

Thank you,

A handwritten signature in black ink that reads 'V. P. Burns'.

Vincent P. Burns
Fire Chief



VICINITY MAP

NOT TO SCALE

EL PASO COUNTY - COLORADO

6127000063
 15760 HIGHWAY 83

Total Market Value
\$537,341

OVERVIEW

Owner:	BENET HILL MONASTERY, OF COLORADO SPRINGS INC
Mailing Address:	3190 BENET LN COLORADO SPRINGS CO, 80921-1509
Location:	15760 HIGHWAY 83
Tax Status:	Exempt
Zoning:	A-5 RR-5
Plat No:	-
Legal Description:	TRACT IN W2W2SW4SW4 SEC 27-11-66 AS FOLS, BEG AT NE COR LOT 13 BLK 4, BLACK FOREST PARK, RUN ELY ALG N LN OF LOT 13 EXT TO E LN OF SD W2W2SW4SW4, TH S ALG SD E LN 200 FT TO POI WITH S LN OF LOT 12 BLK 4 EXT E, W ALG S LN OF LOT 12 EXT TO SE COR LOT 12, TH N 200 FT TO POB, EX W 30 FT FOR RD; TOG W/ S2N2SW4, S2S2NW4SE4 EX RD, EX PT LY ELY OF STATE HWY 83 AS DES IN BK 2035-537 SEC 27-11-66

MARKET & ASSESSMENT DETAILS

	Market Value	Assessed Value
Land	\$537,341	\$0
Improvement	\$0	\$0
Total	\$537,341	\$0

No buildings to show.

LAND DETAILS

Sequence Number	Land Use	Assessment Rate	Area	Market Value
1	RELIGIOUS WORSHIP	29.000	50.36 Acres	\$537,341

SALES HISTORY

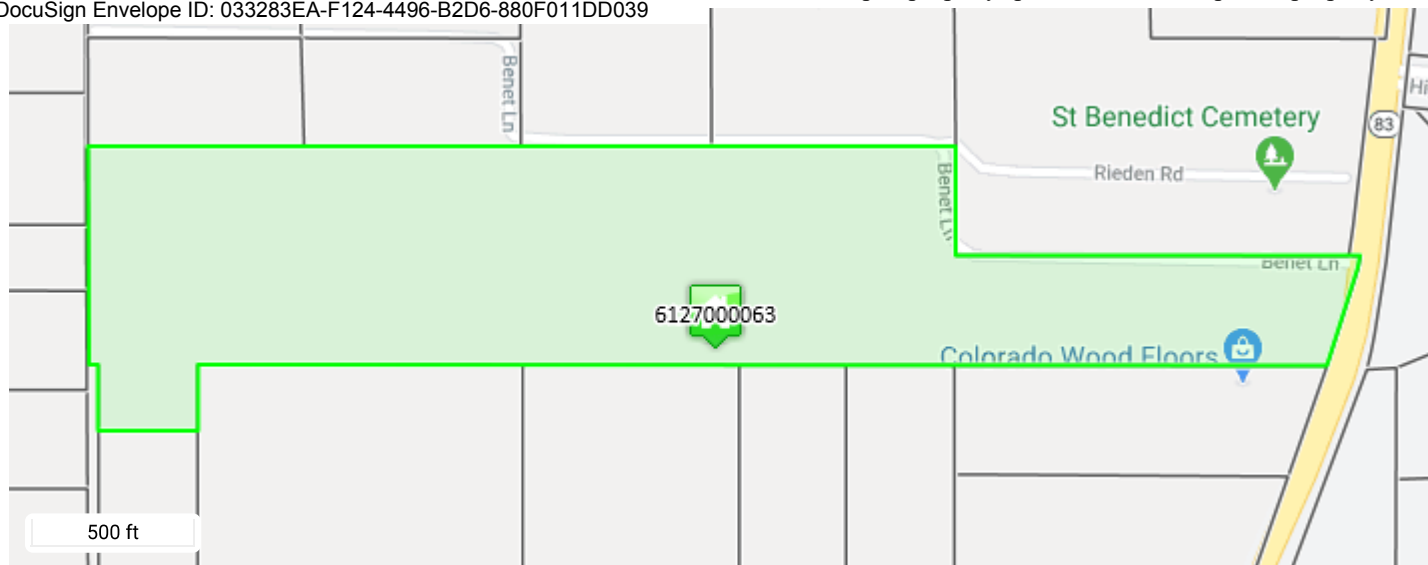
	Sale Date	Sale Price	Sale Type	Reception
+	06/14/2016	\$752,500	Good sale; Vacant land	216064542
+	07/29/1982	\$0	-	889012

TAX ENTITY AND LEVY INFORMATION

County Treasurer Tax Information

Tax Area Code: **PBZ** Levy Year: **2019** Mill Levy: **74.613**

Taxing Entity	Levy	Contact Name/Organization	Contact Phone
EL PASO COUNTY	7.222	FINANCIAL SERVICES	(719) 520-6400
EPC ROAD & BRIDGE (UNSHARED)	0.330	-	(719) 520-6498
LEWIS-PALMER SCHOOL NO 38	41.430	CHERYL WANGEMAN	(719) 488-4705
PIKES PEAK LIBRARY	3.731	MIKE VARNET	(719) 531-6333
DONALD WESCOTT FIRE PROTECTION	7.000	CHIEF VINCENT BURNS	(719) 488-8680
DONALD WESCOTT FIRE NORTHERN SUBDISTRICT	14.900	CHIEF VINCENT BURNS	(719) 488-8680



No Photo Available



Disclaimer

We have made a good-faith effort to provide you with the most recent and most accurate information available. However, if you need to use this information in any legal or official venue, you will need to obtain official copies from the Assessor's Office. Do be aware that this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please call us at (719) 520-6600.

Colorado Country Apacas

Benet Hill Monastery

Benet Hill Monastery
6127000049

Benet Hill Monastery
6127000062

Benet Hill Monastery
6127001018

St Benedict Cemetery

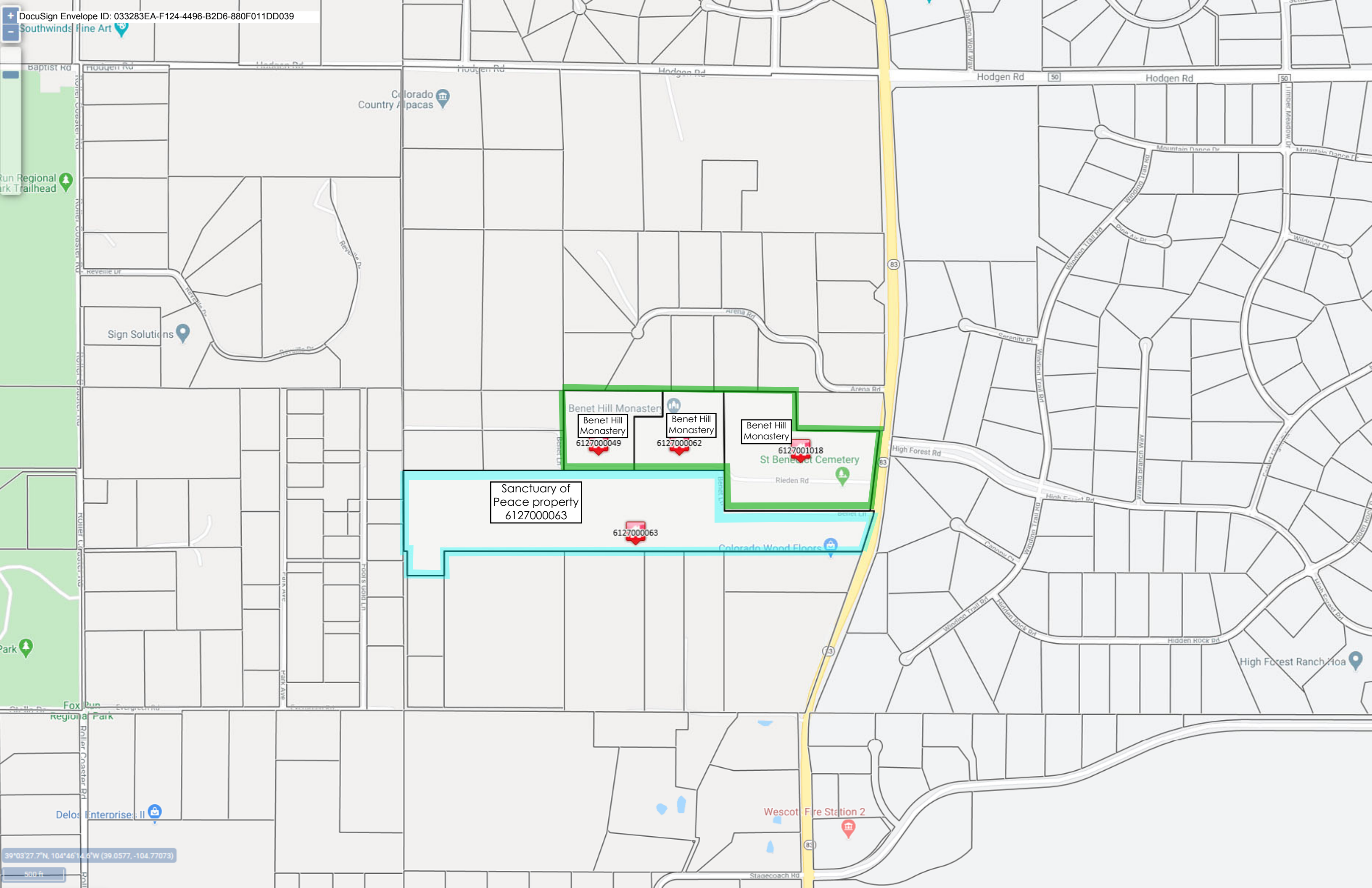
Sanctuary of Peace property
6127000063

6127000063

Colorado Wood Floors

Wescot Fire Station 2

High Forest Ranch Hoa



216079084 7/19/2016 10:38 AM
PGS 1 \$11.00 DF \$0.00
Electronically Recorded Official Records El Paso County CO
Chuck Broerman, Clerk and Recorder
TD1000 N

216064543 6/14/2016 1:14 PM
PGS 1 \$11.00 DF \$0.00
Electronically Recorded Official Records El Paso County CO
Chuck Broerman, Clerk and Recorder
TD1000 N

*Re-Record to add date

QUITCLAIM DEED

THIS DEED, made this 7 day of June, 2016, between C.N. and G.E. DION TRUST, of El Paso County, Colorado ("Grantor") and BENET HILL MONASTERY OF COLORADO SPRINGS, of El Paso County, Colorado ("Grantee"):

WITNESS, that the Grantor, for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, QUITCLAIMED, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the Grantee, her heirs, successors and assigns forever, all the right, title, interest, claim and demand, if any, which the Grantor may have in and to the real property, together with improvements, if any, situate, lying and being in the County of El Paso and State of Colorado, described as follows:

All water and water rights, whether surface water or groundwater, whether adjudicated, unadjudicated, permitted or quantified, including all rights to extract and use Denver basin groundwater, if any, underlying that real property more particularly described as:

a Tract in the NW¼ SW¼ and the S¼ NE¼ SW¼ and the NW¼ SE¼, all in Section 37, Township 11 South, Range 66 West of the 6th P.M., more particularly described as follows: BEG AT NE COR LOT 13 BLK 4, BLACK FOREST PARK, RUN ELY ALG N LN OF LOT 13 EXT TO E LN OF SD W2W2SW4SW4, TH S ALG SD E LN 200 FT TO POI WITH S LN OF LOT 12 BLK 4 EXT E, W ALG S LN OF LOT 12 EXT TO SE COR LOT 12, TH N 200 FT TO POB EX W30 FT FOR RD; TOG W/ S2N2SW4, S2S2NW4SE4 EX RD, EX PT LY ELY OF STATE HWY 83 AS DES IN BK 2035-537, containing 50 acres, more or less;

a/k/a 15790 Highway 83, Monument, Colorado;

a/k/a El Paso County Assessor Schedule No. 6127000063

TOGETHER, with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances;

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantee, their heirs and assigns forever. The Grantor, for itself, its heirs, personal representatives, successors and assigns does hereby quitclaim all interests, if any, in said premises to Grantee, its heirs, personal representatives and assigns.

IN WITNESS WHEREOF, the Grantor has executed this deed on the date set forth above.

Ron Dion
By: Ron Dion, as
C.N. and G.E. Dion Trust

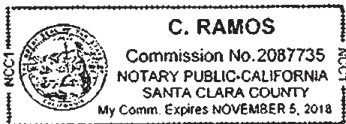
California
STATE OF COLORADO)
) ss.
COUNTY OF Santa Clara

The foregoing instrument was acknowledged before me this 7 day of June 2016, by Ron Dion as Trustee of the C.N. and G.E. Dion Trust.

My commission expires: 11.5.18

(Seal)

Witness my hand and official seal.



C. Ramos
Notary Public

EXHIBIT A:

PARCEL A:

THAT PORTION OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, IN TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH P.M., DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF LOT 13, IN BLOCK 4, IN BLACK FOREST PARK, AS SHOWN BY PLAT RECORDED IN PLAT BOOK B, PAGES 42 AND 43 AND RUN THENCE EAST ALONG AN EXTENSION OF THE NORTH LINE OF SAID LOT 13, TO THE EAST LINE OF SAID WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER; THENCE SOUTH ALONG SAID EAST LINE TO THE POINT OF INTERSECTION WITH AND EASTERLY EXTENSION OF THE SOUTH LINE OF LOT 12, IN SAID BLOCK 4; THENCE WEST ALONG SAID EXTENSION OF THE SOUTH LINE OF LOT 12, TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE NORTH 200 FEET TO THE POINT OF BEGINNING, EXCEPT THE WEST 30 FEET THEREOF WHICH HAS BEEN RESERVED FOR ROAD PURPOSES.

PARCEL B:

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER AND THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 27, IN TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH P.M., EXCEPT THAT PORTION CONVEYED TO THE DEPARTMENT OF HIGHWAYS, STATE OF COLORADO, AS DESCRIBED IN DEED RECORDED SEPTEMBER 21, 1964 IN BOOK 2035 AT PAGE 537, UNDER RECEPTION NO. 368570, AND EXCEPT THAT PORTION LYING EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF STATE HIGHWAY 83 CONVEYED TO C.T. MCLAUGHLIN BY DEED RECORDED DECEMBER 18, 1974 IN BOOK 2723 AT PAGE 644. COUNTY OF EL PASO, STATE OF COLORADO.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Title Resources Guaranty Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; and Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

TRGC Form: Comm16 ALTA Commitment Form Adopted 08-01-2016 Technical Corrections 04-02-2018

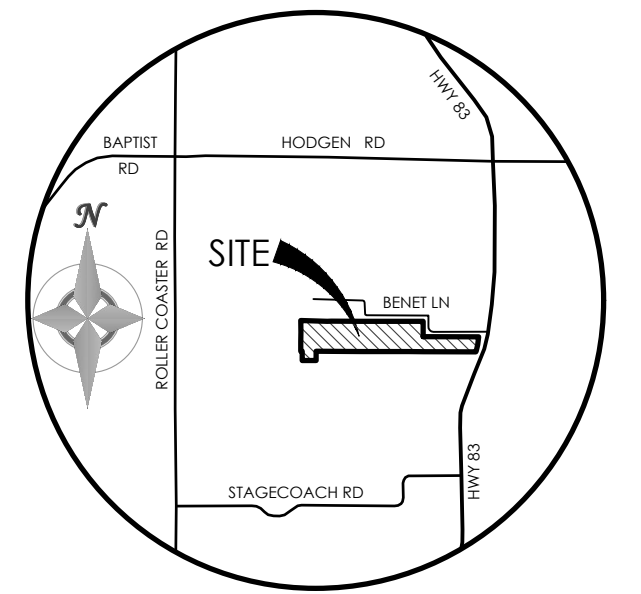
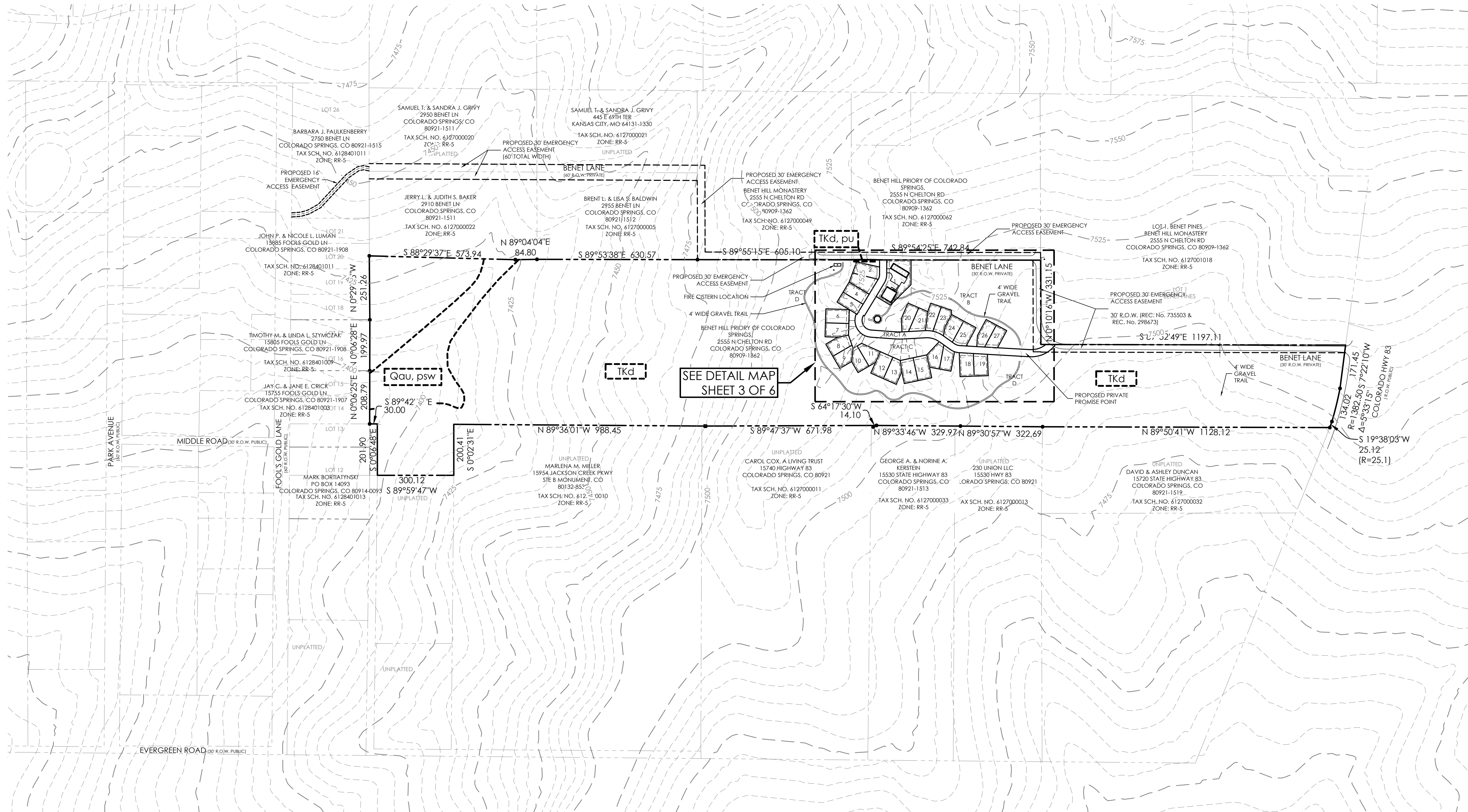
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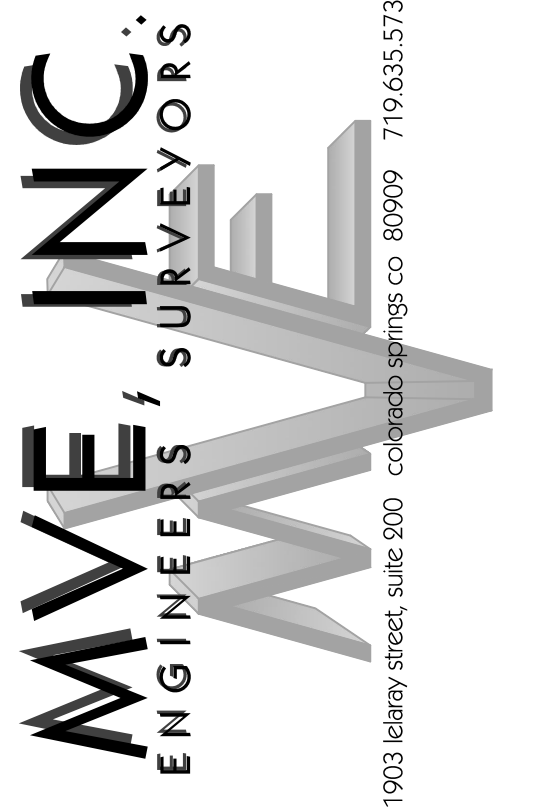
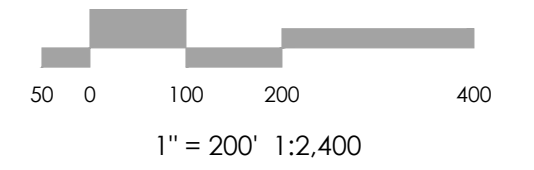
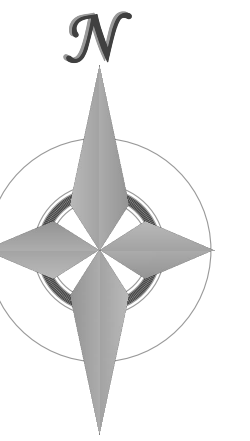
SANCTUARY OF PEACE RESIDENTIAL COMMUNITY PUD DEVELOPMENT PLAN / PRELIMINARY PLAN

LOCATED IN THE THE SOUTH HALF OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
EL PASO COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE

BENCHMARK



REVISIONS

DESIGNED BY _____
DRAWN BY _____
CHECKED BY _____
AS-BUILTS BY _____
CHECKED BY _____

DEVELOPMENT PLAN
SITE PLAN (OVERALL)

SANCTUARY OF
PEACE RESIDENTIAL
COMMUNITY

DP-2 MVE PROJECT 61087
MVE DRAWING DEV-PUD

APRIL 28, 2020
SHEET 2 OF 6

GEOLOGIC HAZARD LEGEND

Qau	RECENT ALLUVIUM OF QUATERNARY AGE
TKda	DAWSON FORMATION OF TERTIARY TO CRETACEOUS AGE
psw	POTENTIALLY SEASONAL SHALLOW GROUNDWATER
pu	POTENTIALLY UNSTABLE SLOPE

SOIL & GEOLOGY CONDITIONS

GEOLOGIC HAZARD NOTE: LOTS 1 THRU 27, TRACTS A, B, C, & D HAVE BEEN FOUND TO BE IMPACTED BY GEOLOGIC HAZARDS MITIGATION MEASURES AND A MAP OF THE HAZARD AREAS CAN BE FOUND IN THE SOIL, GEOLOGY AND GEOLOGIC HAZARD STUDY FOR SANCTUARY OF PEACE FILING NO. 1 PREPARED BY ENTECH ENGINEERING, FEBRUARY 11, 2019, JOB NO. 190118, IN THE SANCTUARY OF PEACE RESIDENTIAL COMMUNITY FILE (PUDSP-19-002) AVAILABLE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.

- EXPANSIVE SOILS (LOTS 1 THRU 27, TRACTS A, B, C, & D)
- POTENTIALLY SEASONAL SHALLOW GROUNDWATER (LOTS 1 THRU 27, TRACTS A, B, C, & D)
- POTENTIALLY UNSTABLE SLOPE (TRACT D & LOT 2)

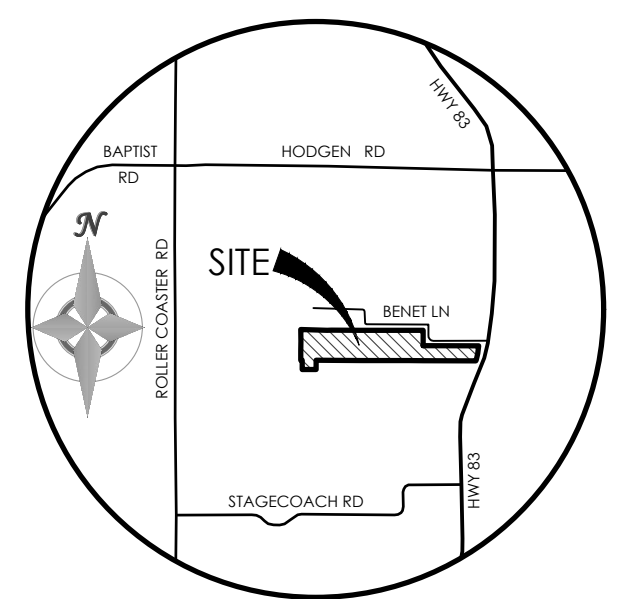
SITE MAP
1" = 200'

MAP NOTES

- BOUNDARY BEARINGS AND DISTANCES SHOWN ON THIS MAP ARE RELATIVE TO THE SOUTH LINE OF LOT 1, BENET PINES, ASSUMED TO BEAR S89°52'49"E.
- THE EXISTING TOPOGRAPHY SHOWN ON THIS PLAN WAS PREPARED AND PROVIDED BY POLARIS SURVEYING INC. ELEVATIONS SHOWN ARE RELATIVE TO THE CITY OF COLORADO SPRINGS CONTROL NETWORK. (FIMS DATUM)
- ALL EXISTING UNDERGROUND UTILITIES SHOWN ON THIS MAP ARE FROM UTILITY MAIN RECORD MAPS AND UTILITY SERVICE LOCATION MAPS. THE LOCATION OF UTILITIES AS SHOWN ARE APPROXIMATE. ALL UTILITIES MAY NOT BE SHOWN OR MAY NOT HAVE BEEN LOCATED, BELOW GROUND UTILITY LOCATIONS WERE NOT PERFORMED.

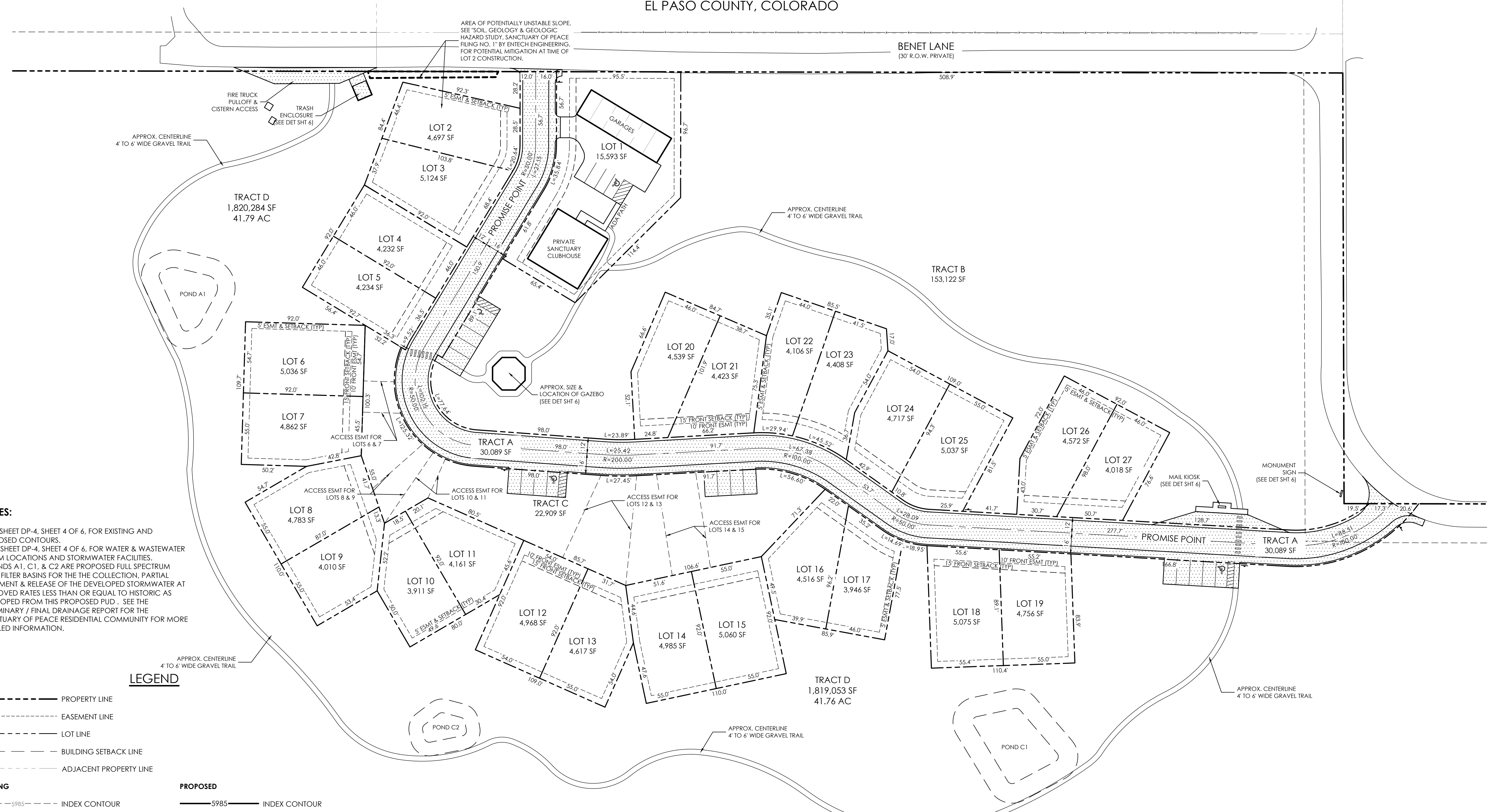
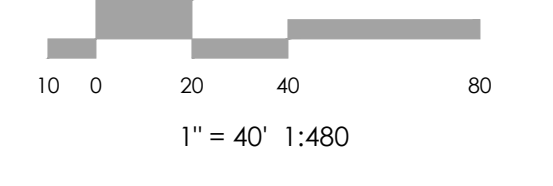
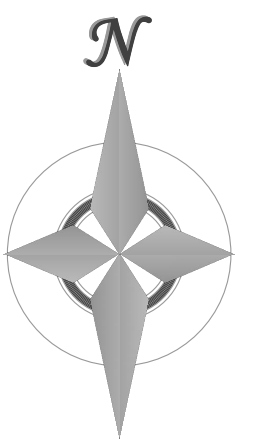
SANCTUARY OF PEACE RESIDENTIAL COMMUNITY PUD DEVELOPMENT PLAN / PRELIMINARY PLAN

LOCATED IN THE THE SOUTH HALF OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
EL PASO COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE

BENCHMARK



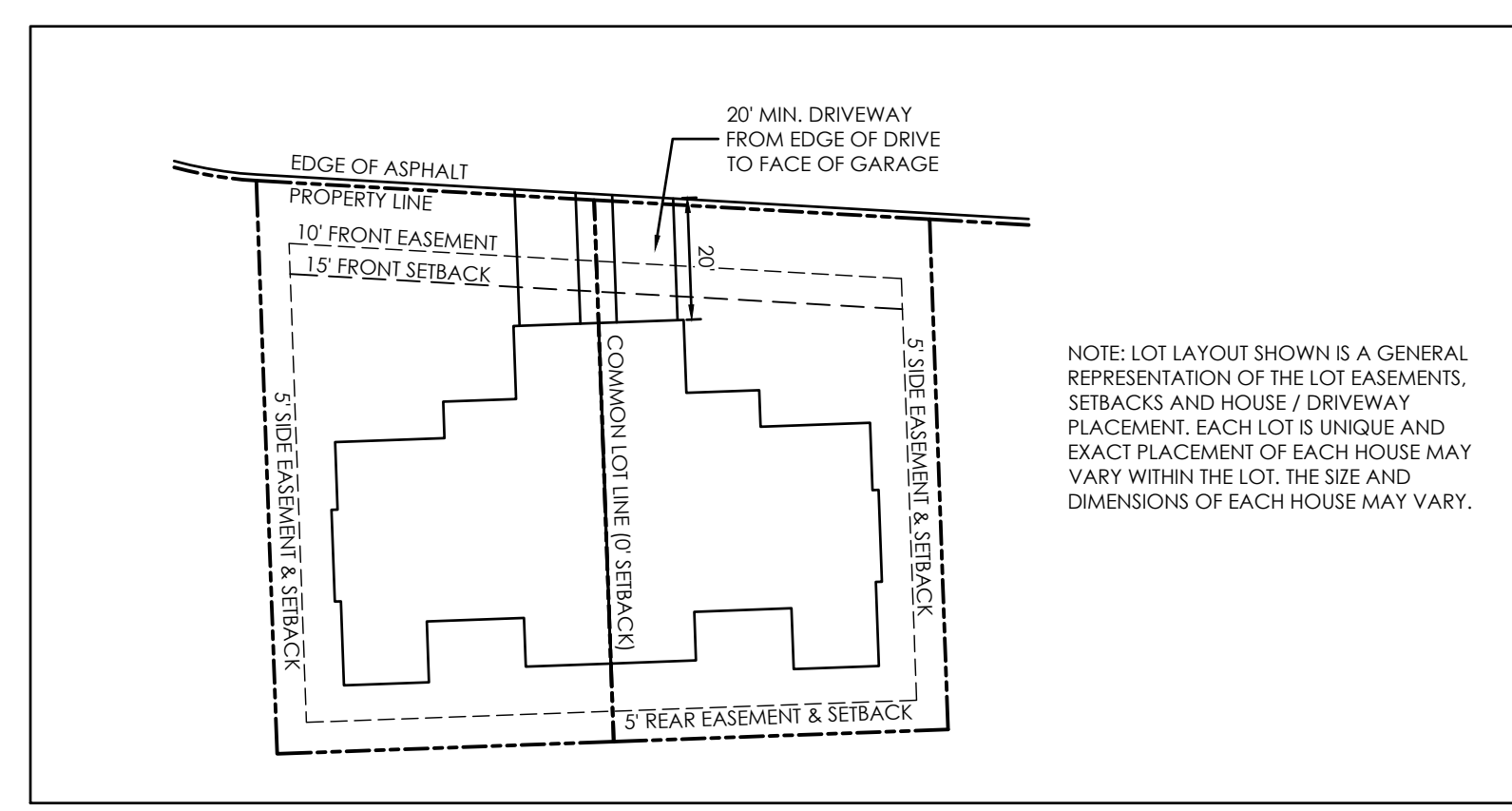
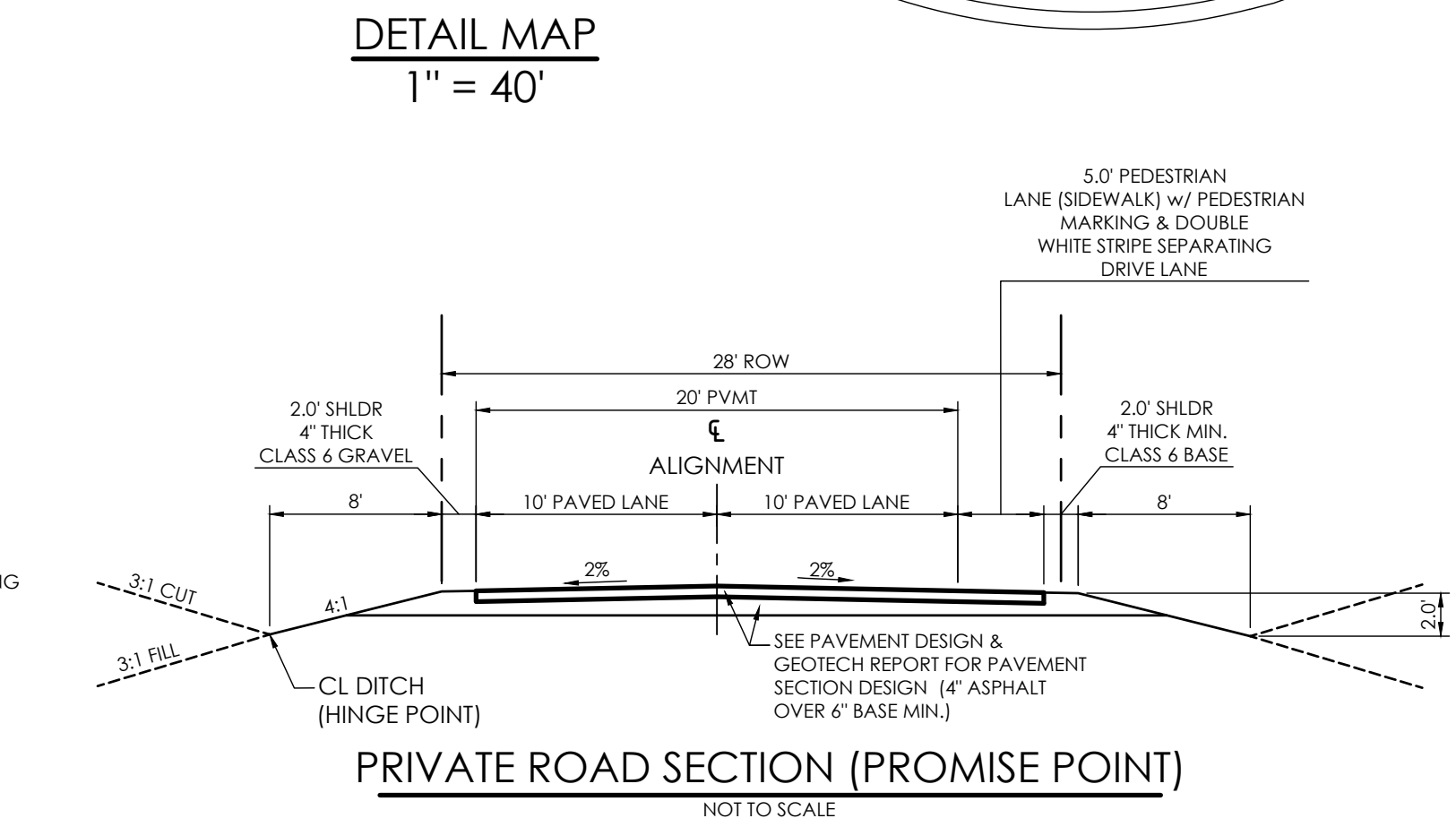
NOTES:

- SEE SHEET DP-4, SHEET 4 OF 6, FOR EXISTING AND PROPOSED CONTOURS.
- SEE SHEET DP-4, SHEET 4 OF 6, FOR WATER & WASTEWATER SYSTEM LOCATIONS AND STORMWATER FACILITIES.
- PONDS A1, C1, & C2 ARE PROPOSED FULL SPECTRUM SAND FILTER BASINS FOR THE COLLECTION, PARTIAL TREATMENT & RELEASE OF THE DEVELOPED STORMWATER AT APPROVED RATES LESS THAN OR EQUAL TO HISTORIC AS DEVELOPED FROM THIS PROPOSED PUD. SEE THE PRELIMINARY / FINAL DRAINAGE REPORT FOR THE SANCTUARY OF PEACE RESIDENTIAL COMMUNITY FOR MORE DETAILED INFORMATION.

LEGEND

	PROPERTY LINE		INDEX CONTOUR
	EASEMENT LINE		INTERMEDIATE CONTOUR
	LOT LINE		CONCRETE AREA
	BUILDING SETBACK LINE		ASPHALT AREA
	ADJACENT PROPERTY LINE		CURB AND GUTTER
EXISTING		PROPOSED	
	INDEX CONTOUR		INDEX CONTOUR
	INTERMEDIATE CONTOUR		INTERMEDIATE CONTOUR
	CONCRETE AREA		CONCRETE AREA
	ASPHALT AREA		ASPHALT AREA
	CURB AND GUTTER		CURB AND GUTTER
	BUILDING/ BUILDING OVERHANG		BUILDING/ BUILDING OVERHANG
	DECK		DECK
	RETAINING WALL - SOLID/ ROCK		RETAINING WALL - SOLID/ ROCK
	SIGN		SIGN
	BOLLARD		BOLLARD
	WOOD FENCE		TOP OF WALL/GRADE AT BOTTOM OF WALL
	CHAIN LINK FENCE		TOP OF CURB/FLOWLINE
	BARBED WIRE FENCE		SPOT ELEVATION
	TREE (EVERGREEN/DECIDUOUS)		FL = FLOWLINE
	SHRUB		TSW = TOP OF SIDEWALK FINISHED FLOOR ELEVATION
	ROCK		FF = 5986.00

GRAVEL TRAIL DETAIL
NOT TO SCALE



MVE, INC.
ENGINEERS & SURVEYORS

1903 Leary street, suite 200 Colorado Springs CO 80909 719.635.5736

REVISIONS

DESIGNED BY _____
DRAWN BY _____
CHECKED BY _____
AS-BUILTS BY _____
CHECKED BY _____

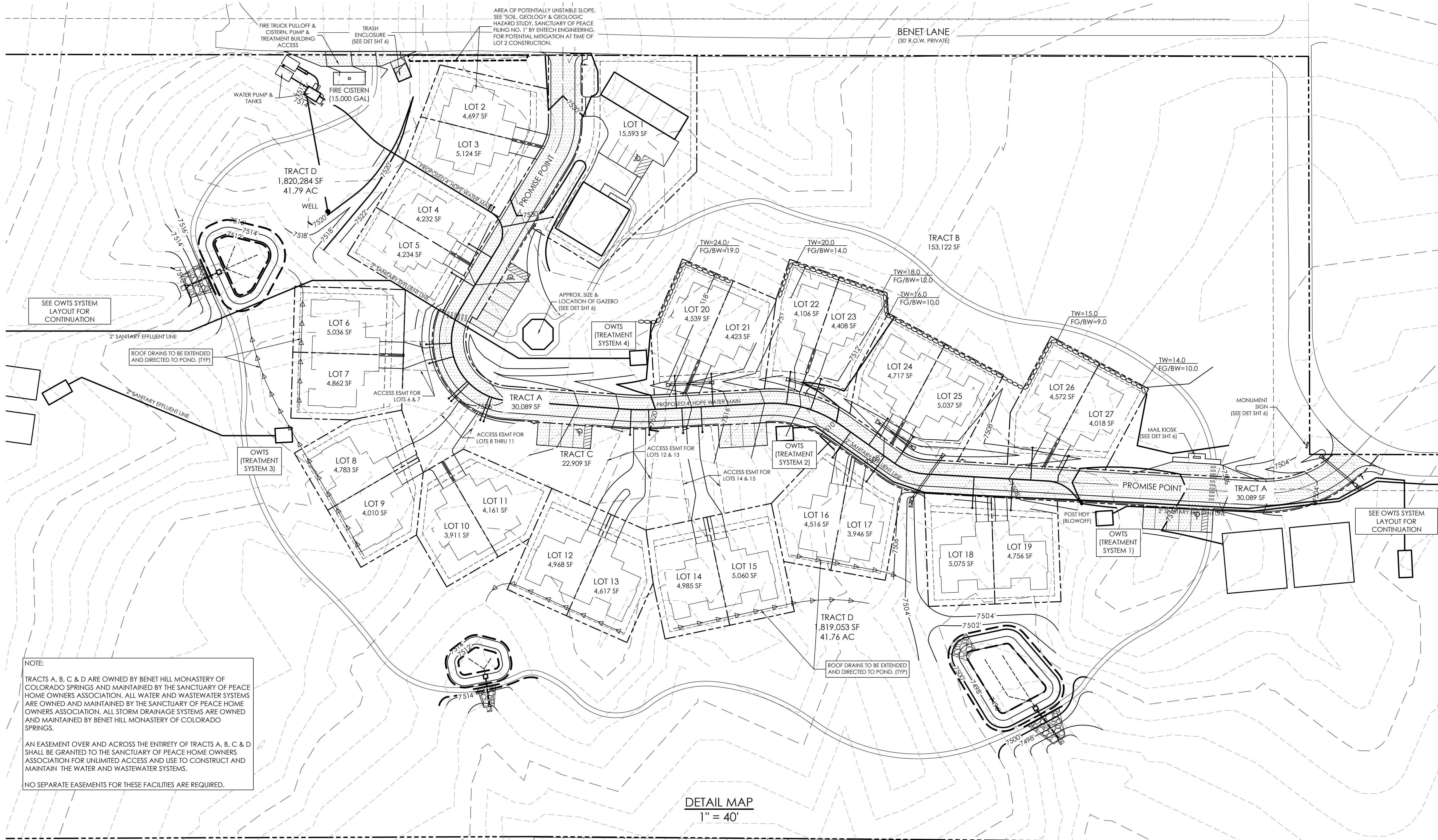
**DEVELOPMENT PLAN
SITE PLAN (DETAIL)**

SANCTUARY OF PEACE RESIDENTIAL COMMUNITY

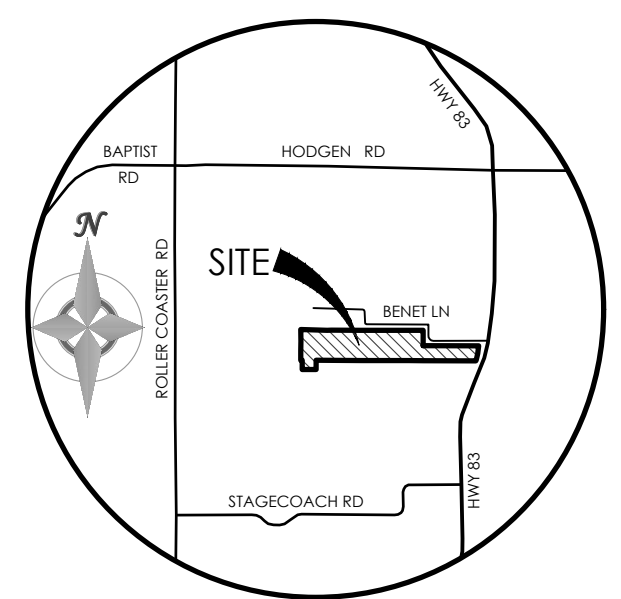
DP-3 MVE PROJECT 61087
MVE DRAWING DEV-PUD2

SANCTUARY OF PEACE RESIDENTIAL COMMUNITY PUD DEVELOPMENT PLAN / PRELIMINARY PLAN

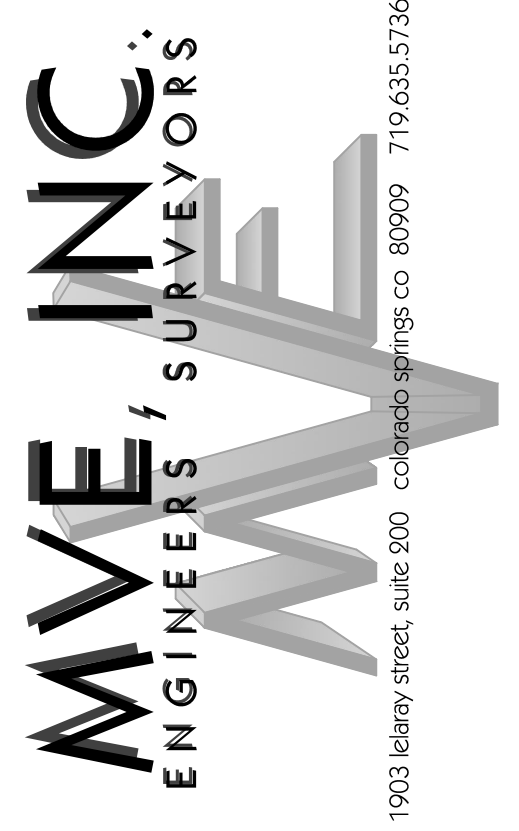
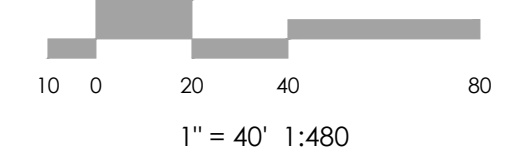
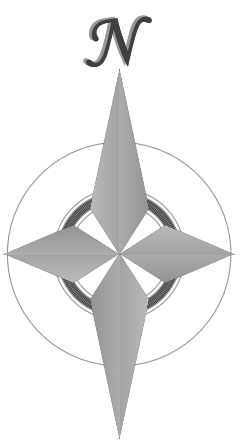
LOCATED IN THE THE SOUTH HALF OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO



DETAIL MAP
1" = 40'



BENCHMARK



REVISIONS

DESIGNED BY
DRAWN BY
CHECKED BY
AS-BUILTS BY
CHECKED BY

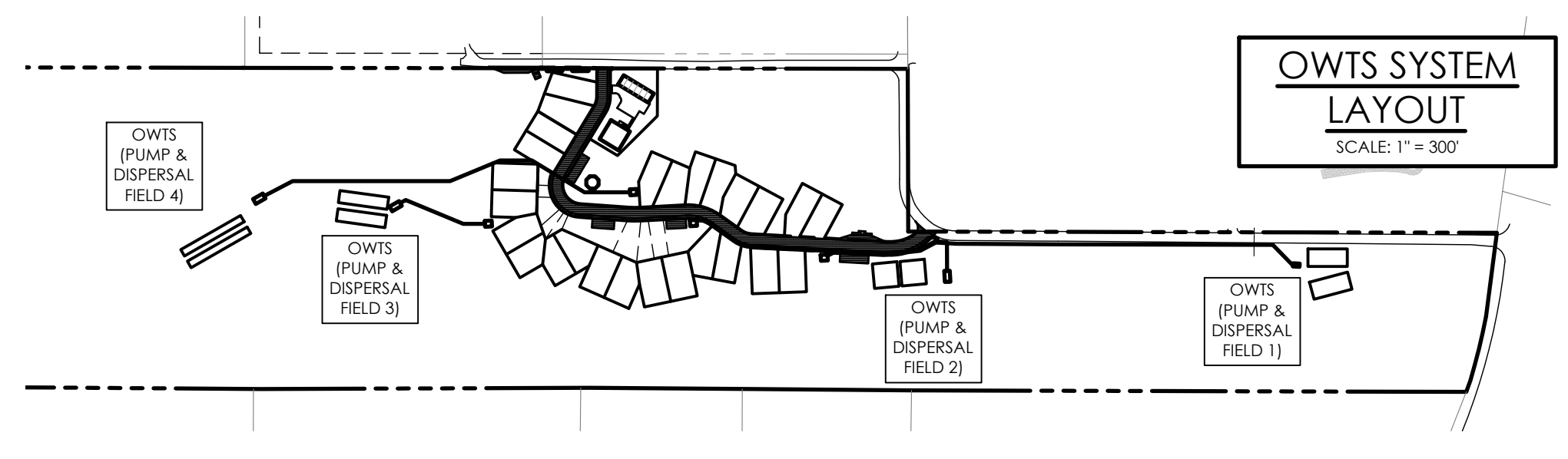
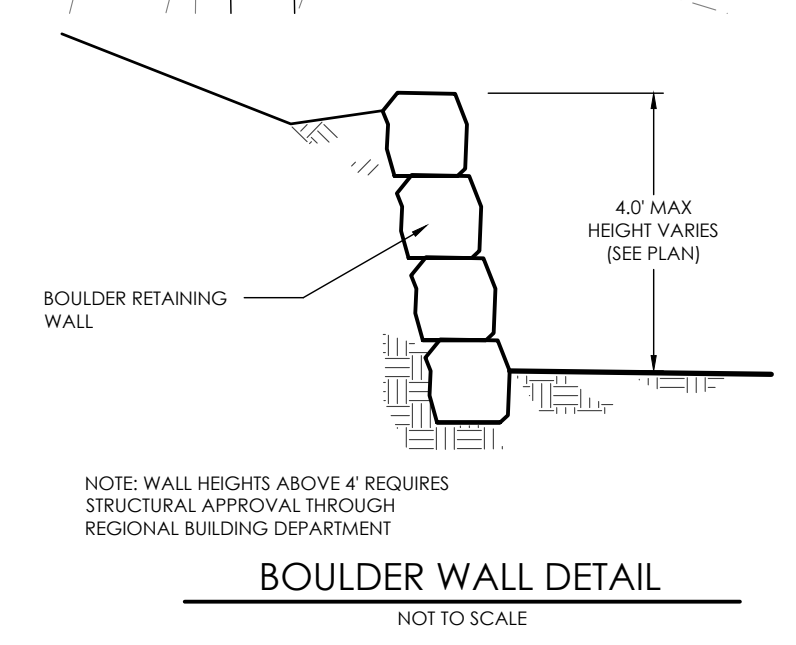
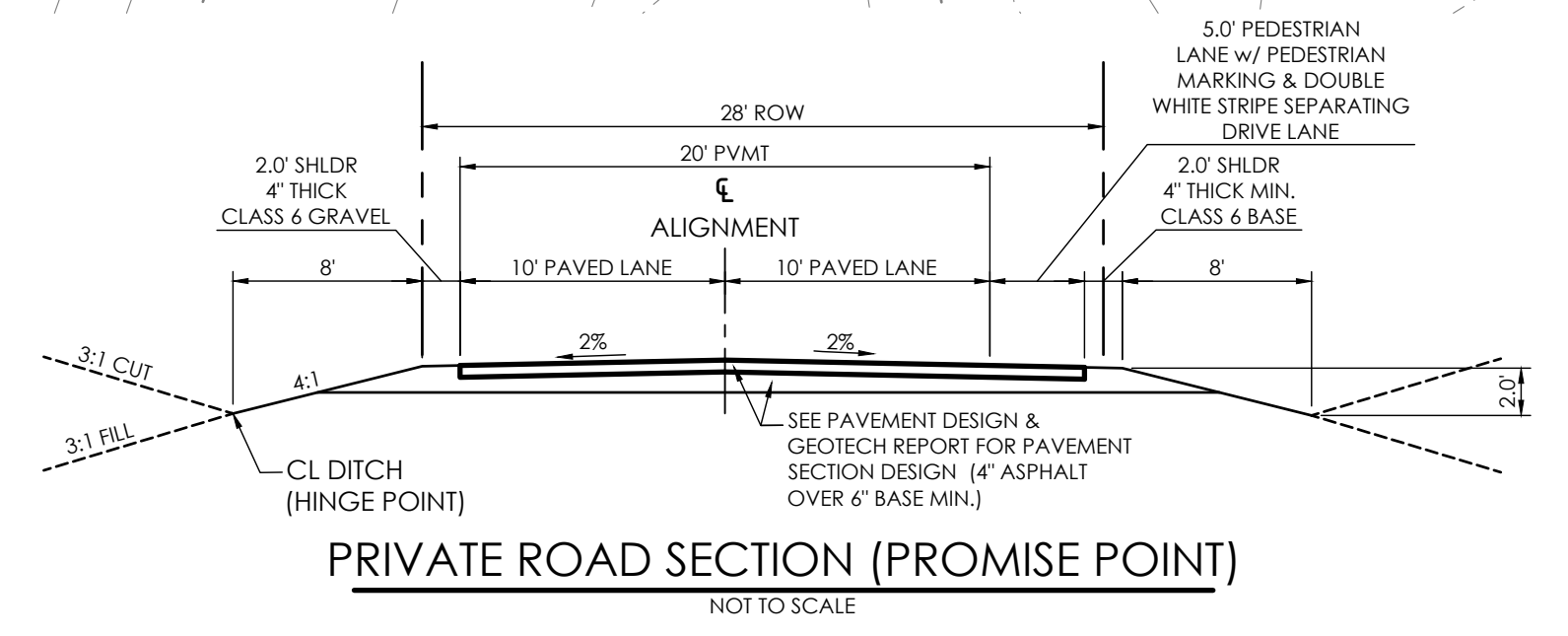
DEVELOPMENT PLAN
PRELIM. GRADING & UTIL.

SANCTUARY OF PEACE RESIDENTIAL COMMUNITY

DP-4 MVE PROJECT 61087
MVE DRAWING DEV-PG

APRIL 28, 2020
SHEET 4 OF 6

PUDSP-19-002

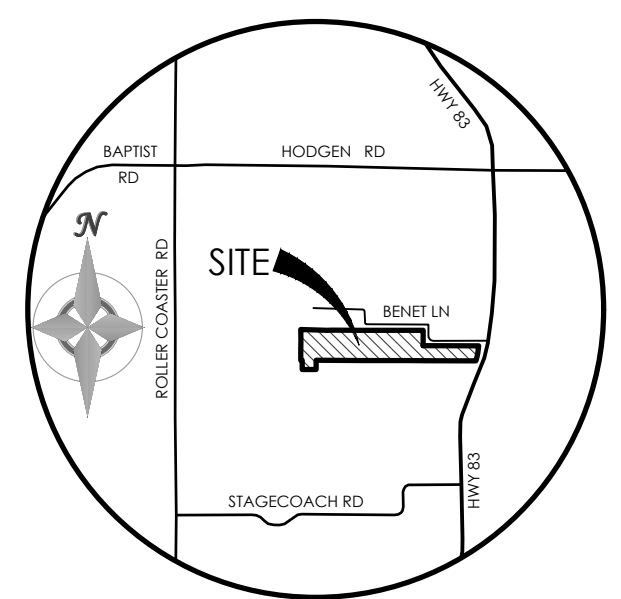
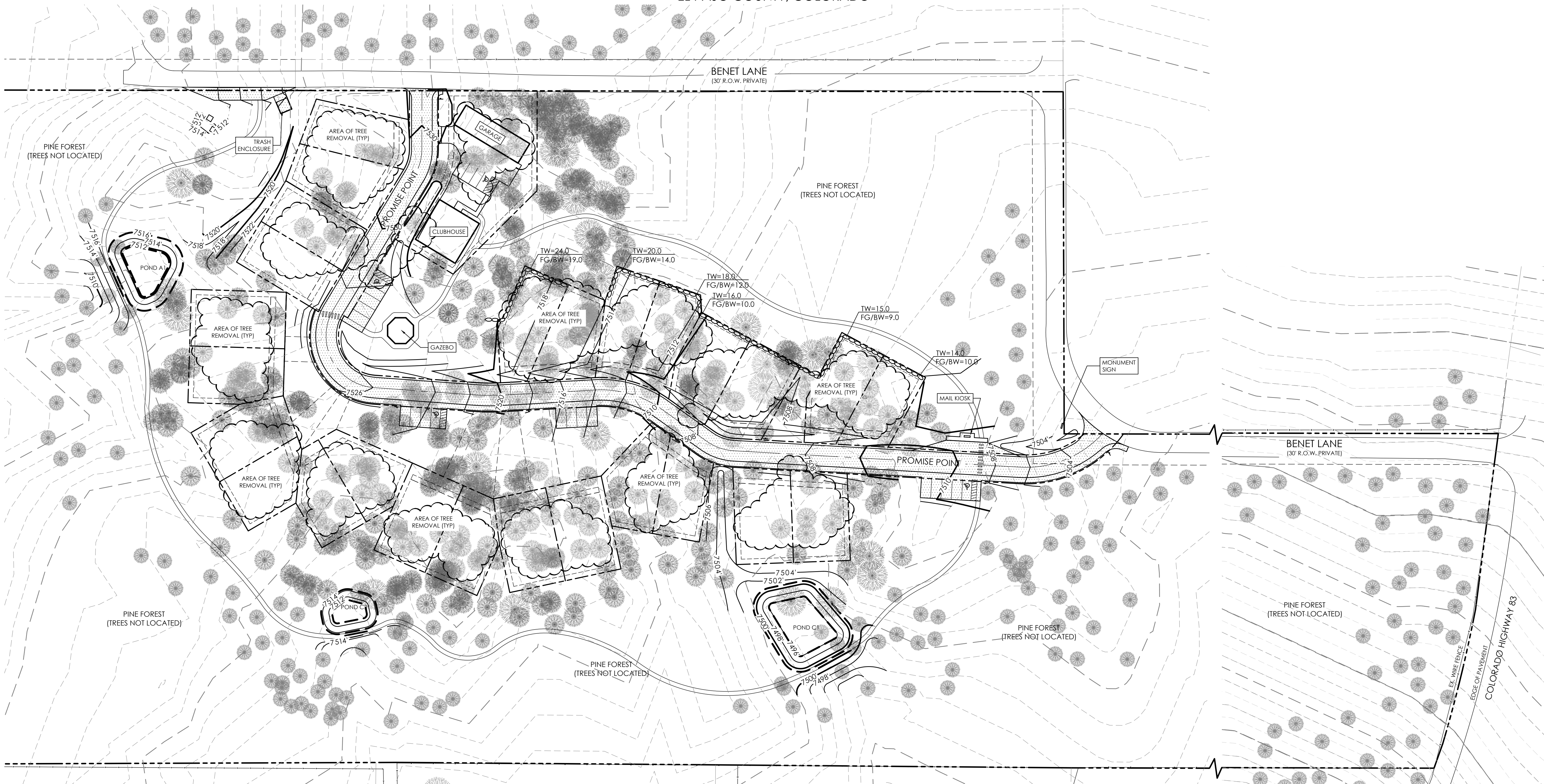


ONSITE WASTEWATER TREATMENT SYSTEMS

SYSTEM	SERVES	# BEDROOMS
OWTS 1	LOTS 18-19, 24-27	10 BEDROOMS
OWTS 2	LOTS 12-17	10 BEDROOMS
OWTS 3	LOTS 6-11	10 BEDROOMS
OWTS 4	LOTS 1-5, 20-23	12 BEDROOMS

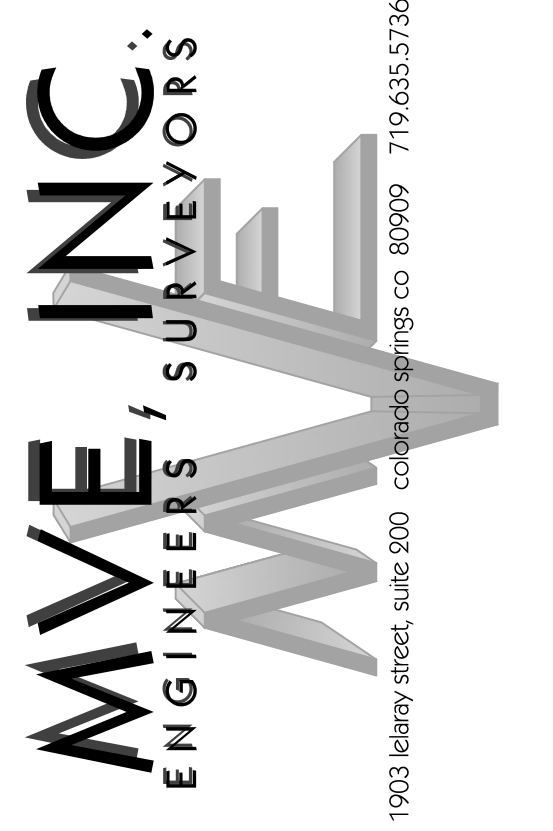
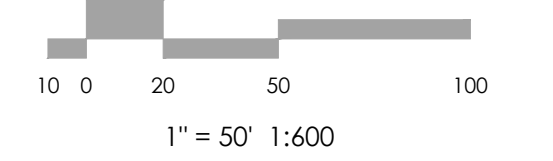
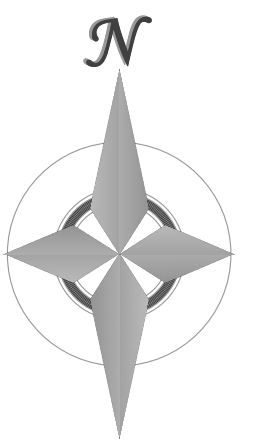
SANCTUARY OF PEACE RESIDENTIAL COMMUNITY PUD DEVELOPMENT PLAN / PRELIMINARY PLAN

LOCATED IN THE THE SOUTH HALF OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
EL PASO COUNTY, COLORADO



VICINITY MAP
NOT TO SCALE

BENCHMARK



REVISIONS

DESIGNED BY _____
DRAWN BY _____
CHECKED BY _____
AS-BUILTS BY _____
CHECKED BY _____

DEVELOPMENT PLAN
LANDSCAPE PLAN

SANCTUARY OF PEACE RESIDENTIAL COMMUNITY

DP-5 MVE PROJECT 61087
MVE DRAWING DEV-LS

APRIL 28, 2020
SHEET 5 OF 6

PUDSP-19-002

TREE REMOVAL

TREES SHOWN AND INDICATED TO REMAIN MAY NEED TO BE REMOVED DURING ACTUAL CONSTRUCTION DUE TO BAD TREE HEALTH OR DANGER DUE TO POTENTIAL TREE FALL. EVERY EFFORT SHALL BE MADE TO PRESERVE EXISTING TREES AS SHOWN ON THIS PLAN.

LANDSCAPE

1. AREAS OF REQUIRED ROADWAY LANDSCAPING ADJACENT TO STATE HIGHWAY 83 AND THE PRIVATE BENET LANE HAVE BEEN SATISFIED BY THE EXISTING TREE COVER LOCATED IN THESE LANDSCAPE BUFFER AREAS AS DEPICTED ON THIS PLAN.

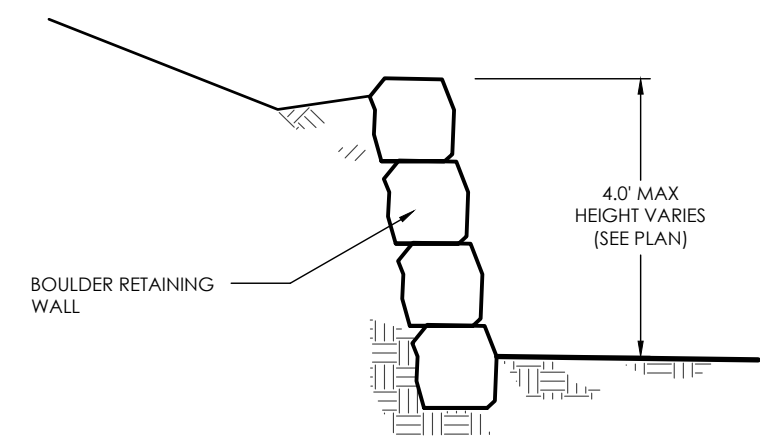
SEEDING

DISTURBED AREAS TO RECEIVE CDOT 'FOOTHILLS' MIX AS PER CDOT STANDARDS. 16 LBS. PER ACRE TO BE APPLIED PER CDOT STANDARDS.

LEGEND

- EXISTING PONDEROSA PINE TREE TO REMAIN
- EXISTING PONDEROSA PIPE TREE TO BE REMOVED (CLOUDED AREAS INDICATE AREAS OF TREE REMOVAL AS NECESSARY FOR DEVELOPMENT)

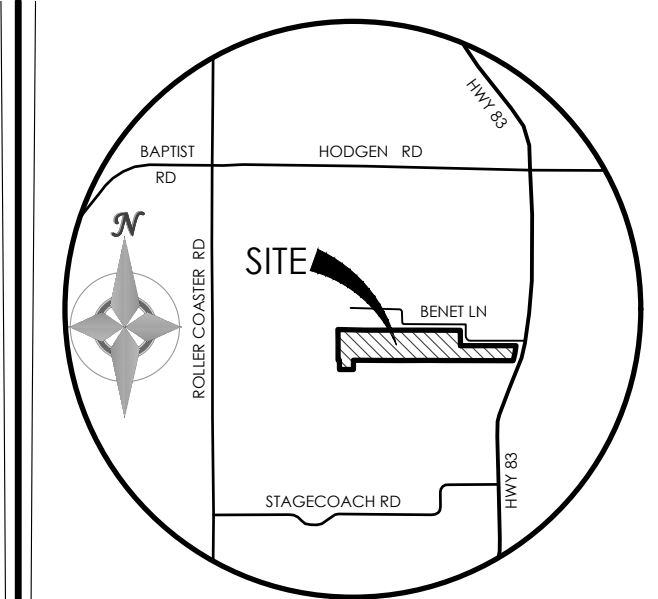
LANDSCAPE PLAN
1" = 50'



BOULDER WALL DETAIL
NOT TO SCALE

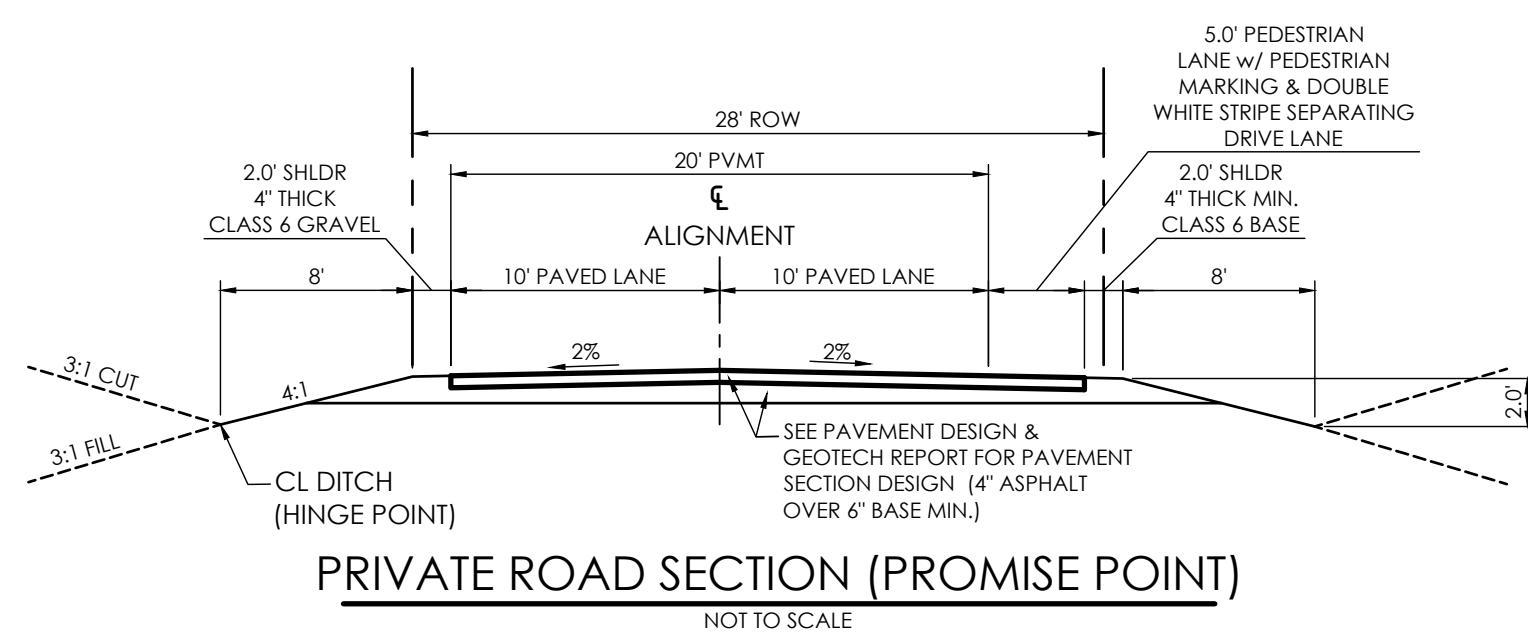
SANCTUARY OF PEACE RESIDENTIAL COMMUNITY PUD DEVELOPMENT PLAN / PRELIMINARY PLAN

LOCATED IN THE THE SOUTH HALF OF SECTION 27, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH P.M.,
EL PASO COUNTY, COLORADO

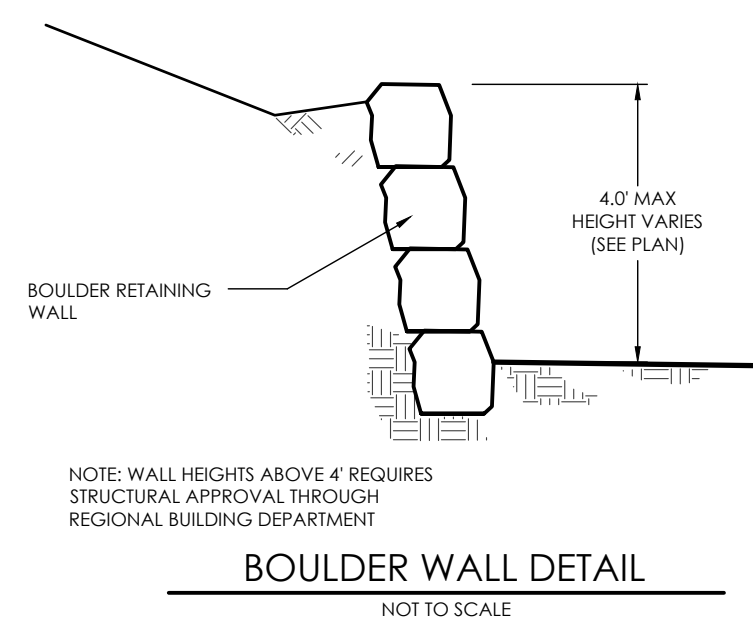


VICINITY MAP
NOT TO SCALE

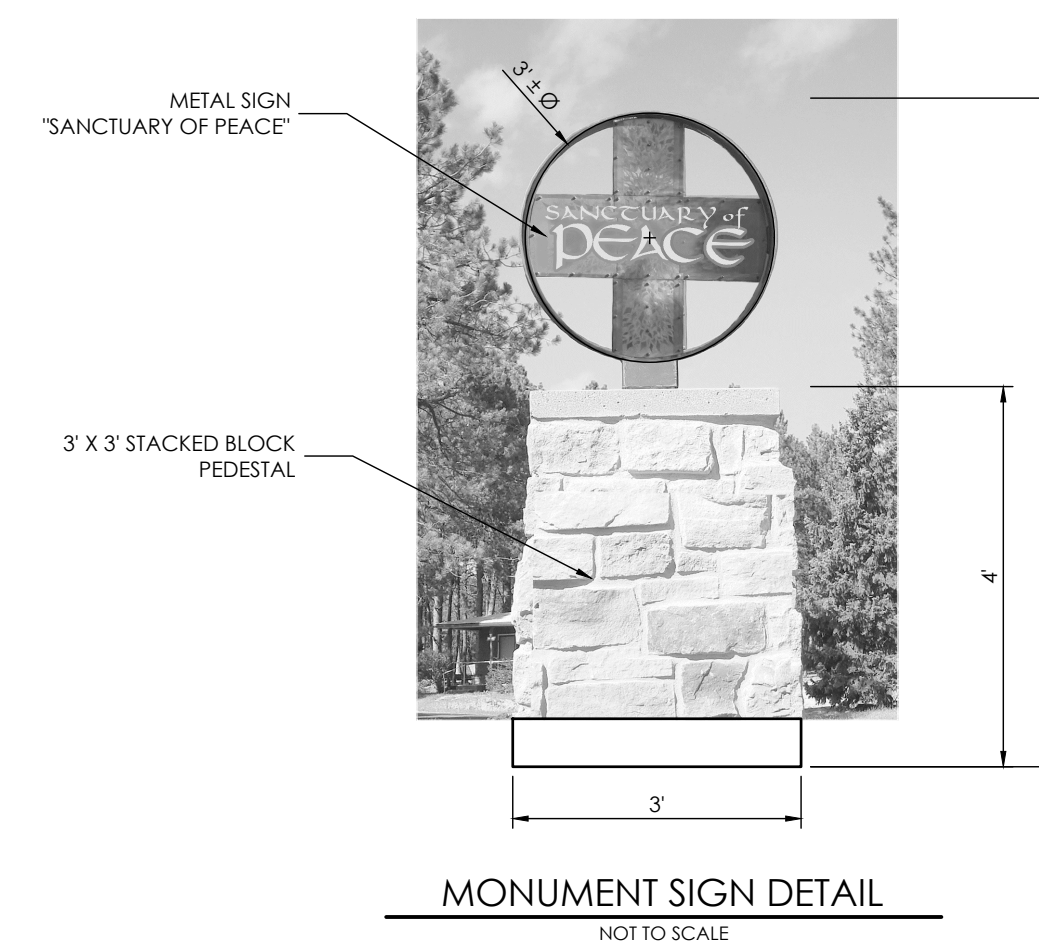
BENCHMARK



PRIVATE ROAD SECTION (PROMISE POINT)
NOT TO SCALE



BOULDER WALL DETAIL
NOT TO SCALE



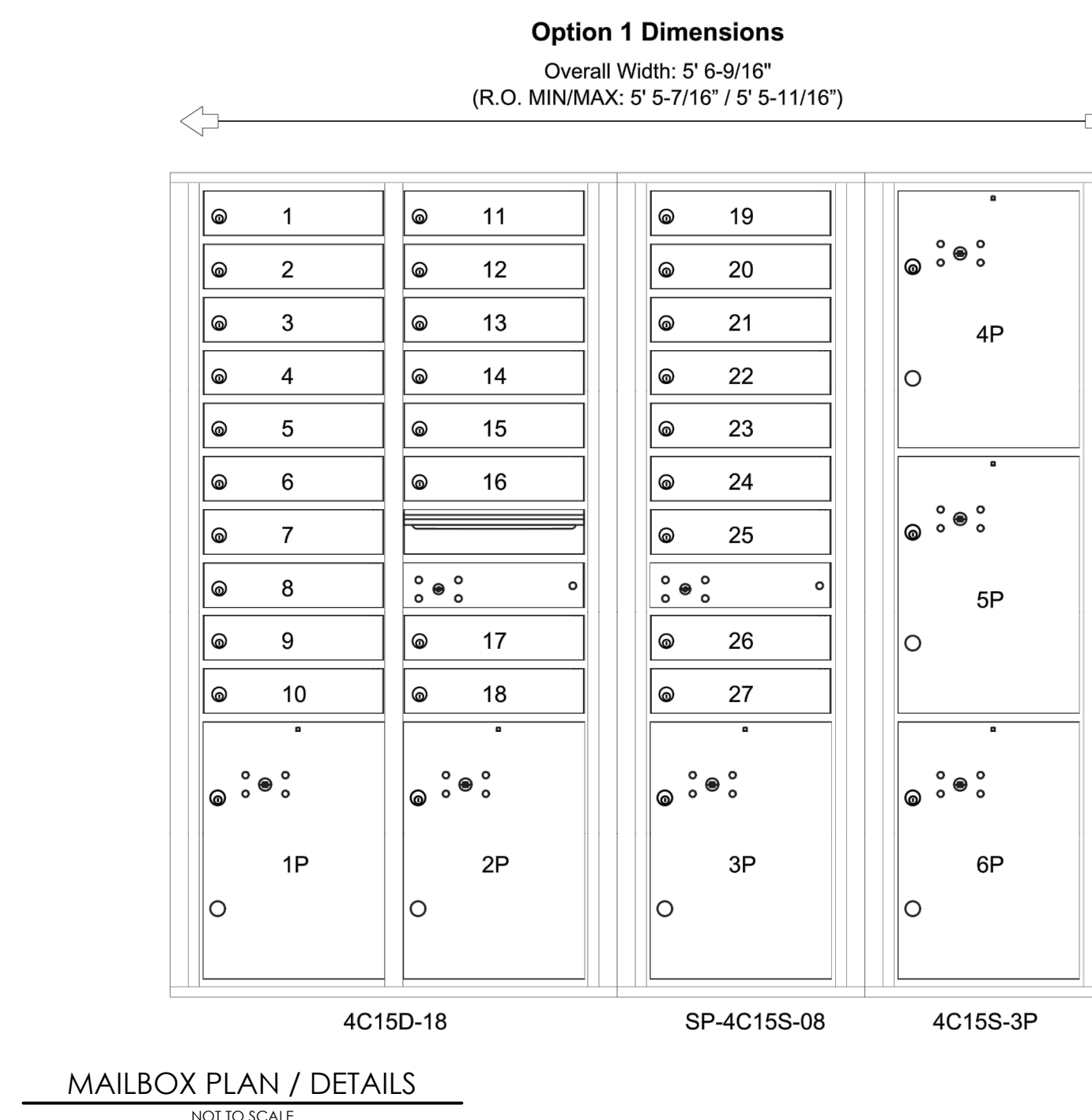
MONUMENT SIGN DETAIL
NOT TO SCALE



GAZEBO PLAN / CONCEPT
NOT TO SCALE

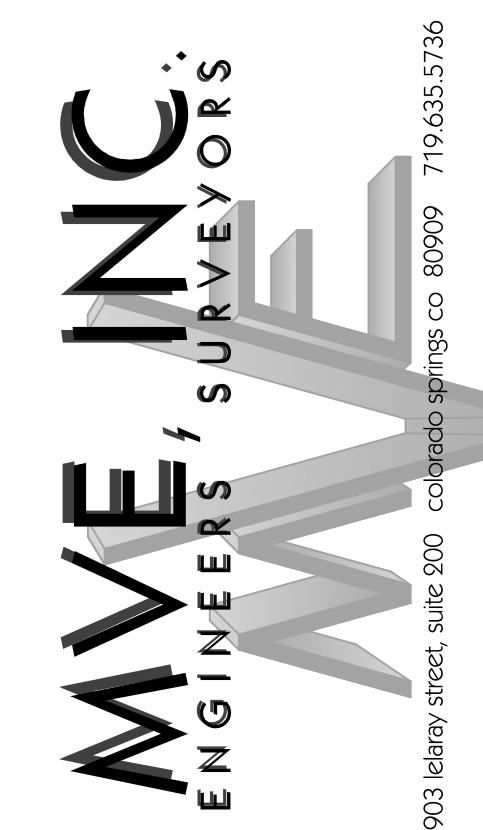


TRASH ENCLOSURE PLAN / CONCEPT
NOT TO SCALE



MAILBOX PLAN / DETAILS
NOT TO SCALE

REVISIONS



DESIGNED BY _____
DRAWN BY _____
CHECKED BY _____
AS-BUILT BY _____
CHECKED BY _____

DEVELOPMENT PLAN
GENERAL SITE DETAILS

SANCTUARY OF
PEACE RESIDENTIAL
COMMUNITY

DP-6 MVE PROJECT 61087
MVE DRAWING DEV-GD

APRIL 28, 2020
SHEET 6 OF 6

PUDSP-19-002



LSC TRANSPORTATION CONSULTANTS, INC.
 2504 E. Pikes Peak Ave., Suite 304
 Colorado Springs, CO 80909
 (719) 633-2868
 FAX (719) 633-5430
 E-mail: lsc@lscctrans.com
 Website: <http://www.lscctrans.com>

Benet Hill Monastery
 Sanctuary of Peace Community
 Transportation Memorandum
 PCD File No.: PUD-SP-192
 (LSC #184260)
 May 6, 2020

Traffic Engineer's Statement

This traffic report and supporting information were prepared under my responsible charge and they comport with the standard of care. So far as is consistent with the standard of care, said report was prepared in general conformance with the criteria established by the County for traffic reports.

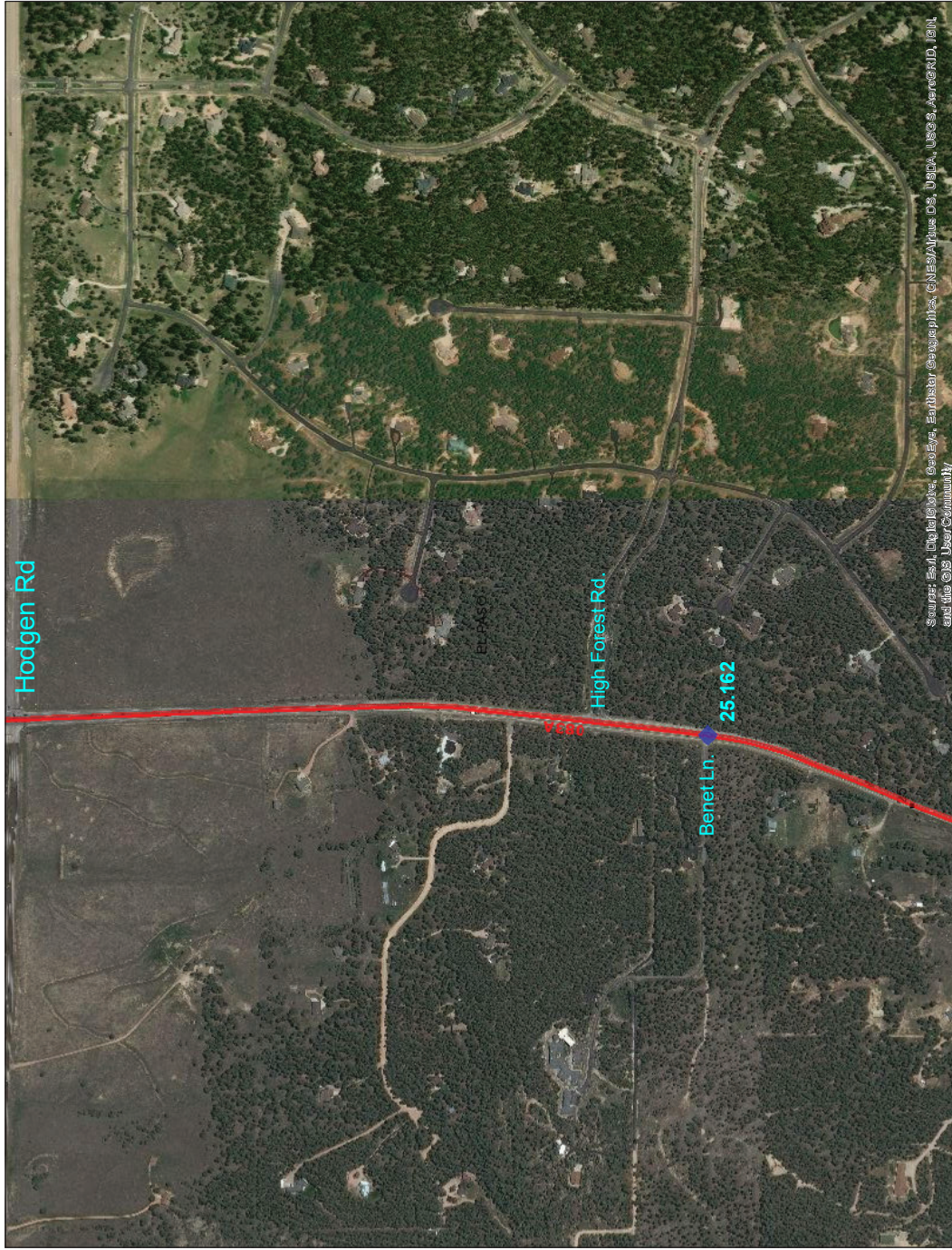


Developer's Statement

I, the Developer, have read and will comply with all commitments made on my behalf within this report.

_____ Date

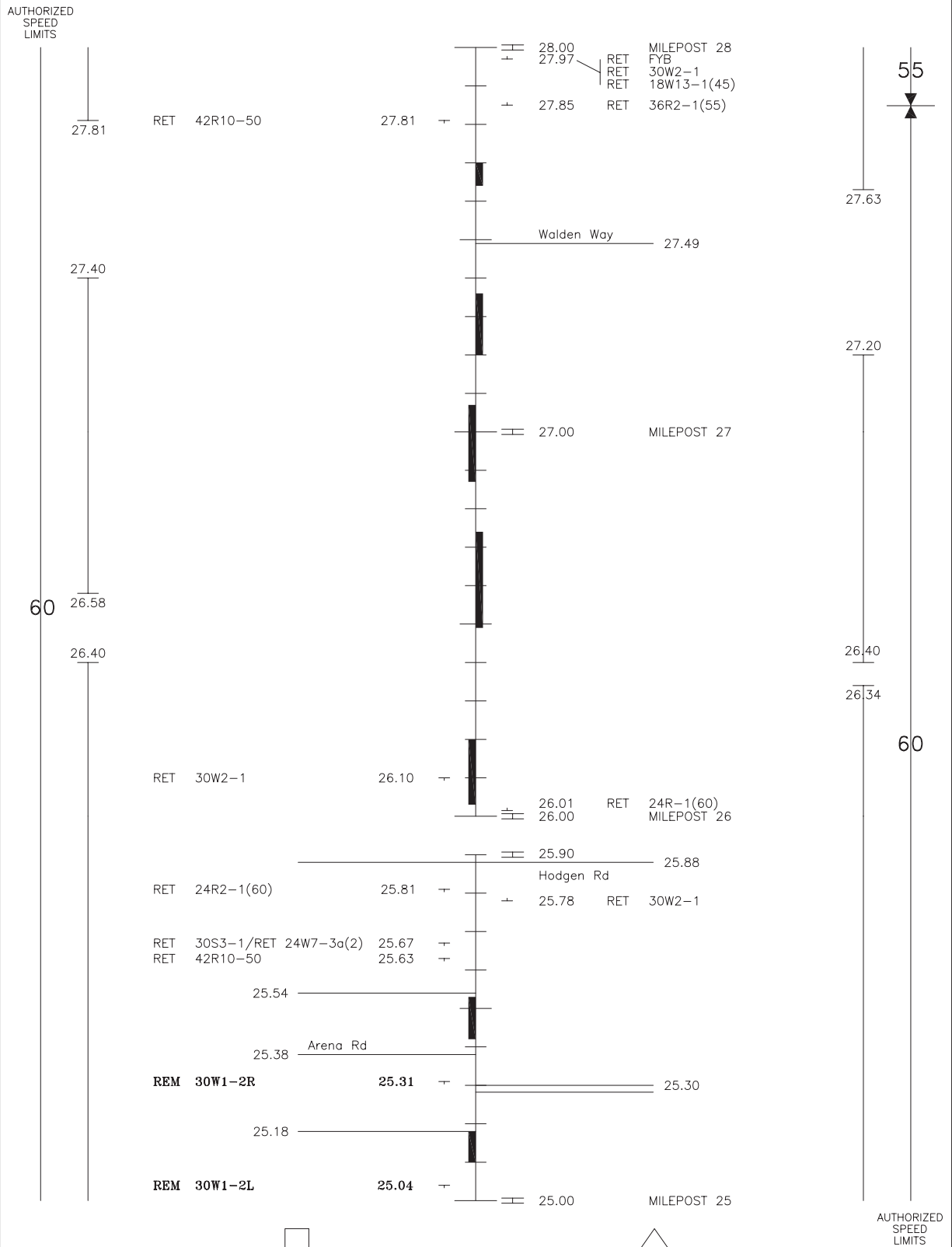
AP220060 - Benet Hill Monastery - A Sanctuary of Peace Development - SH83 MM25.162



Created:
 Date: 5/22/2020
 Time: 12:58:29 PM



AUTHORIZED SPEED LIMITS AND RECOMMENDED TRAFFIC CONTROL DEVICES



Traffic Engineer
Date: _____



I = EXTG NO-PASSING ZONE



SIGNLOG ON 03-01-02

FILE	MEMO	SHEET	Implemented with changes as marked
880.083.02	6278	4	Date: _____ By: _____

SH 83 FROM SH 83S N/O COLORADO SPRINGS TO SH 2 IN DENVER

SUPERSEDES SHEET 4, MEMO 6199, 01-12-01

COLORADO DEPARTMENT OF TRANSPORTATION

Environmental Clearances Information Summary

PURPOSE - This summary is intended to inform entities external to CDOT that may be entering the state highway right-of-way to perform work related to their own facilities (such as Utility, Special Use or Access Permittees), about some of the more commonly encountered environmental permits/clearances that may apply to their activities. This listing is not all-inclusive—additional environmental or cultural resource permits/clearances may be required in certain instances. Appropriate local, state and federal agencies should be contacted for additional information if there is any uncertainty about what permits/clearances are required for a specific activity. **IMPORTANT: Please Review The Following Information Carefully – Failure to Comply With Regulatory Requirements May Result In Suspension or Revocation of Your CDOT Permit, Or Enforcement Actions By Other Agencies.**

CLEARANCE CONTACTS - As indicated in the permit/clearance descriptions listed below, the following agencies may be contacted for additional information:

- Colorado Department of Public Health and Environment (CDPHE): General Information – (303) 692-2000
Water Quality Control Division (WQCD): (303) 692-3500
Environmental Permitting Website <https://www.colorado.gov/pacific/cdphe/all-permits>
- CDOT Water Quality Program Manager: (303) 512-4053 <https://www.codot.gov/programs/environmental/water-quality>
- CDOT Asbestos Project Manager: (303) 512-5519
- Colorado Office of Archaeology and Historic Preservation: (303) 866-5216
- U.S. Army Corps of Engineers, District Regulatory Offices:
Omaha District (Northeastern CO), Denver Office (303) 979-4120
<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/Colorado.aspx>
Sacramento District (Western CO), Grand Junction Office (970) 243-1199
<http://www.spk.usace.army.mil/Missions/Regulatory.aspx>
Albuquerque District (Southeastern CO), Pueblo Office (719) 543-9459
<http://www.spa.usace.army.mil/Missions/RegulatoryProgramandPermits.aspx>
- CDOT Utilities, Special Use and Access Permitting: (303) 757-9654 <https://www.codot.gov/business/permits>

Wildlife Resources - Disturbance of wildlife shall be avoided to the maximum extent practicable. Entry into areas of known or suspected threatened or endangered species habitat requires special authorization from the CDOT permitting office. If any threatened or endangered species are encountered during the progress of the permitted work, work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Information about threatened or endangered species may be obtained from the CDOT website, <http://www.codot.gov/programs/environmental/wildlife/guidelines>, or the Colorado Parks and Wildlife (CPW) website, <http://www.cpw.state.co.us/learn/Pages/SOC-ThreatenedEndangeredList.aspx>. Additional guidance may be provided by the appropriate Region Planning and Environmental Manager (RPEM).

Cultural Resources - The applicant must request a file search of the permit area through the Colorado Office of Archaeology and Historic Preservation (OAHP), Denver, to ascertain if historic or archaeological resources have previously been identified (<https://www.historycolorado.org/file-access>; 303-866-5216). Inventory of the permit area by a qualified cultural resources specialist may be necessary, per the recommendation of CDOT. If archaeological sites/artifacts or historic resources are encountered as the project progresses, all work in the subject area shall be halted and the CDOT Regional Permitting Office and Region Planning and Environmental Manager shall be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office and RPEM.

Paleontological Resources - The level of effort required for paleontological resources is dependent on the amount of ground disturbance, including rock scaling, digging, trenching, boring, ground leveling, and similar activities.

- If the permit will involve extensive ground disturbance (generally involving more than one mile of CDOT ROW), a full review will be required by a qualified paleontologist, including map, file, and locality searches, with final recommendations provided by the CDOT paleontologist upon receipt of the report. Based on results of the review, a survey or inventory of the permit area may be necessary.
- If the permit will involve a small amount of ground disturbance (less than one mile of ROW), the applicant must request a fossil locality search through the University of Colorado Museum of Natural History (<https://www.colorado.edu/cumuseum/research-collections/paleontology/policies-procedure>) and the Denver Museum of Nature and Science (<https://www.dmns.org/science/earth-sciences/earth-sciences-collections/>). The museum collections manager will provide information about localities in the project area. If there are no known localities, the permit requirement for paleontology is complete upon submitting that information to CDOT. If there are known localities, the CDOT paleontologist will be contacted by the museum with details, and additional recommendations will be made if necessary. Note that museum staff are not required to disclose the details of fossil localities to the permit applicant, nor is detailed locality information required for the permit application to proceed.
- If the permit involve no ground disturbance, no action is required for paleontological resources. If fossils are encountered during the permitted action, all work in the immediate area of the find should stop and the CDOT Staff Paleontologist and the Region Environmental Manager should be contacted immediately. Authorization must be provided by CDOT prior to the continuation of work. Additional guidance may be provided by the Regional Permitting Office in the Permit Special Provisions. Contact Information: See the museum websites listed above. The CDOT Paleontologist is not able to conduct locality searches independently. For further information contact CDOT Paleontologist Nicole Peavey at nicole.peavey@state.co.us or (303)757-9632.

Hazardous Materials, Solid Waste - The Solid Wastes Disposal Sites and Facilities Act C.R.S. 30-20-100, et al, and Regulations Pertaining to Solid Waste Disposal Sites and Facilities (6 CCR 1007-2), prohibit solid waste disposal without an approved Certificate of Designation (a landfill permit). The Colorado Hazardous Waste Act C.R.S. 25-15-301 et al, and the Colorado Hazardous Waste Regulations (6 CCR 1007-3) prohibit the transfer, storage or disposal (TSD) of hazardous waste except at permitted TSD sites. There are no permitted landfills or TSD sites within the State Highway Right of Way. Therefore, all solid or hazardous wastes that might be generated by the activities of entities entering the State Highway Right of Way must be removed from the ROW and disposed of at a permitted facility or designated collection point (e.g., for solid waste, a utility or construction company's own dumpster). If pre-existing solid waste or hazardous materials contamination (including oil or petroleum contaminated soil, asbestos, chemicals, mine tailings, etc.) is encountered during the performance of work, the permittee shall halt work in the affected area and immediately contact the CDOT Regional Permitting Office for direction as to how to proceed.

Contact Information: Theresa Santangelo-Dreiling, CDOT Hazardous Materials Management Supervisor: (303) 512-5524.

Asbestos Containing Materials, Asbestos Contaminated Soil - All work on asbestos containing materials (ACM) must comply with the applicable requirements of the CDPHE Air Pollution Control Division's (APCD) Regulation 8. Disposal of ACM, and work done in asbestos-contaminated soil, must comply with the CDPHE Hazardous Materials and Waste Management Division's (HMWMD) Solid Waste Regulations. The application for any CDOT permit must specifically identify any ACM involved in the work for which authorization is being requested. Additional guidance or requirements may be specified in the permit special provisions.

Contact Info: CDPHE APCD and HMWMD Regulations can be accessed via the CDPHE Environmental Permitting Website listed above. Additional information **concerning clearance on CDOT projects** is available from the CDOT Asbestos Project Manager (303) 512-5519, or Theresa Santangelo-Dreiling, Hazardous Materials Management Supervisor: (303) 512-5524.

Transportation of Hazardous Materials - No person may offer or accept a hazardous material for transportation in commerce unless that person is registered in conformance with the United States Department of Transportation regulations at 49 CFR, Part 171. The hazardous material must be properly classed, described, packaged, marked, labeled, and in condition for shipment as required or authorized by applicable requirements, or an exemption, approval or registration has been issued. Vehicles requiring a placard, must obtain authorization and a State HAZMAT Permit from the Colorado Public Utilities Commission. **Contact**

Information: For authorization and more info call the Federal Motor Safety Carrier Administration, US DOT for inter- and intra-state HAZMAT Registration (303) 969-6748. Colorado Public Utilities Commission: (303) 894-2868.

Discharge of Dredged or Fill Material – 404 Permits Administered By the U.S. Army Corps of Engineers, and Section 401 Water Quality Certifications Issued by the CDPHE WQCD - Clean Water Act section 404 permits are often required for the discharge of dredged or fill material into waters of the U.S., including wetlands. Several types of section 404 permits exist, including nationwide, regional general, and individual permits. Nationwide permits are the most commonly authorized type for activities with relatively minor impacts. If an individual 404 permit is required, section 401 water quality certification from the CDPHE WQCD is also required. Contact the appropriate Corps District Regulatory Office for information about what type of 404 permit may be required (contact information above). Contact the CDPHE Water Quality Control Division at (303) 692-3500.

Working on or in any stream or its bank - In order to protect and preserve the state's fish and wildlife resources from actions that may obstruct, diminish, destroy, change, modify, or vary a natural existing stream or its banks or tributaries, it may be necessary to obtain a Senate Bill 40 certification from the Colorado Department of Natural Resources. A stream is defined as 1) represented by a solid blue line on USGS 7.5' quadrangle maps; and/or 2) intermittent streams providing live water beneficial to fish and wildlife; and/or 3) segments of streams supporting 25% or more cover within 100 yards upstream or downstream of the project; and/or 4) segments of streams having wetlands present within 200 yards upstream or downstream of the project measured by valley length. The CPW application, as per guidelines agreed upon by CDOT and CPW, can be accessed at <https://www.codot.gov/programs/environmental/wildlife/guidelines>.

Erosion and Sediment Control Practices - Any activities that disturb one or more acres of land require a Stormwater Construction Permit (SCP) from the CDPHE-WQCD. Erosion & sediment control requirements will be specified in that permit. In situations where a stormwater permit is *not* required, all reasonable erosion and sediment control measures should be taken to minimize erosion and sedimentation. Control practices should be in accordance with CDOT Standard Specifications 107.25, 208, 213 and 216 (<https://www.codot.gov/business/designsupport/cdot-construction-specifications>). The CDOT Erosion Control and Stormwater Quality Guide (website: <https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality>) can also be used to design erosion/sediment controls. **Contact Information:** Contact the CDPHE-WQCD at (303) 692-3500. Website: <https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits>

Site Stabilization - All disturbances require a stabilization plan, native seeding or landscape design plan according to applicable CDOT Standard Specifications 212-217 and 623. The CDOT Erosion Control and Stormwater Quality Guide should also be used to plan restoration of disturbed vegetation. Website: <https://www.codot.gov/programs/environmental/landscape-architecture/erosion-storm-quality>

Stormwater Discharge From Industrial Facilities - Discharges of stormwater runoff from certain types of industrial facilities, such as concrete batch plants - require a CDPS Stormwater Permit. **Contact Information:** Contact the CDPHE-WQCD at (303) 692-3500. Website: <https://colorado.gov/pacific/cdphe/wq-commerce-and-industry-permits>

Concrete Washout - Waste generated from concrete activities shall NOT be allowed to flow into the drainage ways, inlets, receiving waters, or in the CDOT ROW. Concrete waste shall be placed in a temporary concrete washout facility and must be located a minimum of 50 feet from state waters, drainageways, and inlets. Concrete washout shall be in accordance to CDOT specifications and guidelines at <https://www.codot.gov/business/designsupport/cdot-construction-specifications> and refer to the specifications and their revisions for sections 101, 107 and 208.

Construction Dewatering (Discharge or Infiltration) and Remediation Activities - Discharges of water encountered during excavation or work in wet areas may require a Construction Dewatering or Remediation Activities Discharge Permit. **Contact**

Information: Contact the CDPHE-WQCD at (303) 692-3500. For Applications and Instructions: <https://www.colorado.gov/pacific/cdphe/wq-construction-general-permits>.

Municipal Separate Storm Sewer System (MS4) Requirements - When working in a MS4 area, discharges to the storm sewer system are subject to CDOT's or other municipalities' MS4 Permit. For activities within the boundaries of a municipality that has a MS4 permit, the owner of such activity should contact the municipality regarding stormwater related requirements. All discharges to the CDOT highway drainage system or within the Right of Way (ROW) must comply with the applicable provisions of the Colorado Water Quality Control Act, the Water Quality Control Commission (WQCC) Regulations (<https://www.colorado.gov/pacific/cdphe/wqcc-regulations-and-policies-and-water-quality-statutes>) and the CDOT MS4 Permit #COS-000005 (<https://www.codot.gov/programs/environmental/water-quality/documents>). Discharges are subject to inspection by CDOT and CDPHE. For CDOT-related MS4 programs and requirements, go to: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs>.

Post-Construction Permanent Water Quality - When working in a CDOT MS4 area and the activity disturbs one or more acres, permanent water quality control measures may be required. Information on the requirements can be found under the CDOT Permanent Water Quality MS4 Program at: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/pwq-permanent-water-quality>

Discharges to Storm Sewer Systems

Prohibited Discharges - All discharges are subject to the provisions of the Colorado Water Quality Control Act and the Colorado Discharge Permit Regulations. Prohibited discharges include, but are not limited to, substances such as wash water, paint, automotive fluids, solvents, oils or soaps and sediment.

Allowable Discharges - The following discharges to stormwater systems are allowed without a permit from the CDPHE-WQCD: landscape irrigation, diverted stream flows, uncontaminated ground water infiltration to separate storm sewers, discharges from potable water sources, foundation drains, air conditioning condensation, irrigation water, uncontaminated springs, footing drains, water line flushing, flows from riparian habitats and wetlands, and flow from firefighting activities. **Contact Information:** Contact the CDPHE-WQCD at (303) 692-3500. Information can also be found in the CDOT Illicit Discharge MS4 Program PDD at: <https://www.codot.gov/programs/environmental/water-quality/stormwater-programs/idde.html>.

Spill Reporting - Spills shall be contained and cleaned up as soon as possible. Spills shall NOT be washed down into the storm drain or buried. All spills shall be reported to the CDOT Illicit Discharge Hotline at (303) 512-4426 (4H20), as well as the Regional Permitting Office and Regional Maintenance Supervisor. Spills on highways, into waterways, any spill in the highway right-of-way exceeding 25 gallons, or that may otherwise present an immediate danger to the public shall be reported by calling 911, and shall also be reported to the CDPHE at 1-877-518-5608. More information can be found at <https://www.colorado.gov/pacific/cdphe/emergency-reporting-line>.

Disposal of Drilling Fluids - Drilling fluids used in operations such as Horizontal Directional Drilling may be classified as "discharges" or "solid wastes," and in general, should be pumped or vacuumed from the construction area, removed from the State Highway Right of Way, and disposed of at permitted facilities that specifically accept such wastes. Disposal of drilling fluids into storm drains, storm sewers, roadside ditches or any other type of man-made or natural waterway is prohibited by Water Quality Control and/or Solid Waste regulations. Small quantities of drilling fluid solids (less than 1 cubic yard of solids) may be left on-site after either being separated from fluids or after infiltration of the water, provided: 1) the drilling fluid consists of only water and bentonite clay, or, if required for proper drilling properties, small quantities of polymer additives that are approved for use in drinking water well drilling; 2) the solids are fully contained in a pit, and are not likely to pose a nuisance to future work in the area, 3) the solids are covered and the area restored as required by CDOT permit requirements (Utility, Special Use, or Access Permits, etc.). **Contact Information:** Contact CDPHE (telephone #'s listed above).

Noxious Weeds and Invasive Species Management Plan - Noxious Weeds and Invasive Species guidance can be found by contacting the Colorado Department of Agriculture (<https://www.colorado.gov/pacific/agconservation/noxiousweeds>) and the Colorado Division of Parks and Wildlife (<http://cpw.state.co.us/aboutus/Pages/RS-NoxiousWeeds.aspx>). In either case, management plans involving the control of noxious weeds associated with the permitted activity and cleaning of equipment will be required.



Online Payment Received for Access Permit Number #220060

1 message

Permits Portal Site Guest User <jack.dean@state.co.us>
To: "arthur.gonzales@state.co.us" <arthur.gonzales@state.co.us>
Cc: "jack.dean@state.co.us" <jack.dean@state.co.us>

Fri, Jul 17, 2020 at 11:04 AM

PayPal reported receiving an online payment for an Access Permit.

Payment Details:

Reference Number: REF-220520-175104
Permit Number: 220060
Payment Date: 7/17/2020 5:04 PM

First Name: Vincent
Last Name: Crowder
Payer Email: vcrowder@benethillmonastery.org
Payer ID: TNPB7EP5APDWJ

Item Amount: \$0.00
Total Payment Received: \$300.00
Transaction Fee: \$9.00
Currency: USD

Payment Type: instant
Payment Status: Completed
Transaction ID: 7EF46323WX033203N

Direct link to Review this Permit Application --> <https://socgov.my.salesforce.com/a0r1J000006PwT2>

This email was automatically generated by Salesforce