



December 16, 2019

pending CAO & CDPHE (water system Drawings may need to be submitted to CDPHE for applicant to obtain an acknowledgment letter from CDPHE that water system is likely to be dependable & County) may need to be identified.

**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.

**Permanent Ownership and Maintenance of Common Facilities and Open Space Tracts:**

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

**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

dave- i deleted 3 modifications; and edited one (it had the old code section not the 2019 section referenced) please remove from all docs and PUD

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.



#### **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 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.

- 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.
- 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:

<b>Requested PUD modifications Summary</b>				
	<b>LDC/ECM Section</b>	<b>Category</b>	<b>Standard</b>	<b>Modification</b>
<b>1</b>	LDC Chapter 8.4.3.C.2.e	Lot Design – minimum frontage	Minimum frontage of 30 feet on a public road is required except where private roads are approved	Design Modification: Request Private Roads and Request access by way of access easements through a private tract to the private road for 10 of the 27 lots

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2	LDC Chapter 8.4.3.C.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
3	LDC Chapter 8.4.4.C	Transportation System Std- Public Roads	Public roads required	Waiver: Request Private Roads
4	LDC Chapter 8.4.4.D	Transportation System Std- Dead Ends	Dead End Road standards	Waiver: Request more than 25 lots on a dead end road of longer length than ECM allows, but with emergency-only access road
5	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
6	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.
7	ECM 2.3.8A	Cul-de-Sacs	Maximum length of rural dead end road is 1600'	Design Modification: Request allowance of dead end road length of 2500' with loop road turn-around and emergency-only access road
8	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.
9	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
10	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.
11	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.
12	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.

***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***

13	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.
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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;
- 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).

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 OWTSSs. 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 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.

**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 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 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. The applicant considers the addition of such a turn lane and would like to install one if the project funding allows for this option.

**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 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)*

### *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

- 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 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 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.

**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;
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 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.

*Z:\61087\Documents\Correspondance\61087 SOP Letter of Intent.odt*



dave- i deleted 3 modifications; and edited one (it had the old code section not the 2019 section referenced) please remove from all docs and PUD

September 16, 2019

**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.

**Permanent Ownership and Maintenance of Common Facilities and Open Space Tracts:**

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

**REQUEST DESCRIPTIONS AND JUSTIFICATIONS:**

- Waiver Requests
  - 8.4.4.C Public Roads Required  
Requesting Private Roads.
  - 8.4.4.D Dead End Road Standards - (continuation of facilities, no more than 25 lots on non through street)

this is not required because you have the ER road access shown/ easements in place

Requesting emergency-only access connection to the west of the development.

- 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) this goes away because you have requested private roads

1. 8.4.4.C.2.e Minimum frontage of 30' on a Public Road is Required.

Requesting Private Roads and access by way of access easements through a private tract to the private road for 10 of the 27 lots.

2. 8.4.3.C.2.f Lots using OWTS requires the following:

8.4.3.B.2.f

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

(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.

3. 8.4.4.C Public Roads Required (divisions of land served by public roads).

Requesting Private Roads.

4. 8.4.4.D Dead End Standards (continuation of facilities, no more than 25 lots on non through street)
5. 8.4.4.E Private Road Allowances (use limited, requires waiver, designed to meet County standards)
6. 8.4.8.C.2 Wastewater Disposal - (Two OWTS Sites Required for All Lot or Parcels).

delete because ER access counts as the second access.  
Make the PUD plan depict that easier.

delete; allow loop of benet hill from promise point to HWY 83; no culdesac dev required and not supported by ECM admim.

7. ECM (Engineering Criteria Manual) 2.3.8.A Cul-de-Sacs
8. ECM (Engineering Criteria Manual) 2.3.1 Design Speed
9. ECM (Engineering Criteria Manual) 2.3.1 Right Of Way Width
10. ECM (Engineering Criteria Manual) 2.3.1 Minimum Curve Radius
11. ECM (Engineering Criteria Manual) 2.3.1 Minimum Lane Width
12. ECM (Engineering Criteria Manual) 2.5.2.B.3 Sidewalks required on both sides of roadway
13. 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.

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

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.

PUD Modification Request

September 16, 2019

Page 5

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,

Vincent P. Burns  
Fire Chief

# LOI V\_3 redlines.pdf Markup Summary

dspdparsons (8)

CTIONS:  
ired  
Standards - (continuation of facilities, no  
1 street)

**Subject:** Callout  
**Page Label:** 20  
**Author:** dsdparsons  
**Date:** 1/21/2020 1:30:40 PM  
**Status:**  
**Color:** ■  
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**Space:**

this is not required because you have the ER road access shown/ easements in place

an engineer OWTS design with not being here  
with it. It does show Private A Comments  
with them. Documented as part of the application  
and. Since the sign, location, and design of the each  
included in the site plan, please address the following  
items:  
1. Provide a detailed description of the proposed  
OWTS facility, including the location, size, and  
design. Include a site plan showing the location  
of the OWTS facility and the proposed  
access roads.  
2. Provide a detailed description of the proposed  
OWTS facility, including the location, size, and  
design. Include a site plan showing the location  
of the OWTS facility and the proposed  
access roads.  
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OWTS facility, including the location, size, and  
design. Include a site plan showing the location  
of the OWTS facility and the proposed  
access roads.

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**Date:** 1/21/2020 1:33:15 PM  
**Status:**  
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this goes away because you have requested private roads

1. 8.4.4.C.2.e.h.  
Requesting  
through a j  
2. 8.4.3.B.2.f.Lc  
Lots De  
have a min  
(i) Minimum  
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The Area

**Subject:** Callout  
**Page Label:** 21  
**Author:** dsdparsons  
**Date:** 1/21/2020 2:43:36 PM  
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8.4.3.B.2.f

located in the area of the proposed OWTS facility  
and the proposed access roads. The proposed  
OWTS facility is located in the area of the  
proposed access roads. The proposed OWTS  
facility is located in the area of the proposed  
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delete because ER access counts as the second access. Make the PUD plan depict that easier.

5. 8.4.4.E Private Road Allowance  
road County jurisdiction  
6. 8.4.4.C.2 Wastewater Disposal  
Facility  
7. ECM (Engineering Criteria Manual)  
8. ECM (Engineering Criteria Manual)  
9. ECM (Engineering Criteria Manual)  
10. ECM (Engineering Criteria Manual)  
11. ECM (Engineering Criteria Manual)  
12. ECM (Engineering Criteria Manual)  
13. ECM (Engineering Criteria Manual)

**Subject:** Callout  
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**Date:** 1/23/2020 11:13:46 AM  
**Status:**  
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delete; allow loop of benet hill from promise point to HWY 83; no culdesac dev required and not supported by ECM admim.

dave - i deleted 3 modifications; and  
edited one (i had the old code section  
not the 2019 section referenced)  
please remove from all docs and PUD

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dave- i deleted 3 modifications; and edited one (it had the old code section not the 2019 section referenced) please remove from all docs and PUD

1/23/2020 11:29:03 AM  
City of Pecos Residential Community  
PUD Plan

INTENT  
Identical Community  
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dave - i deleted 3 modifications, and  
revised one (i had the old code section  
not the 2019 section referenced)  
please remove from all docs and PUD

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dave- i deleted 3 modifications; and edited one (it had the old code section not the 2019 section referenced) please remove from all docs and PUD

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**Subject:** Callout  
**Page Label:** 1  
**Author:** dsdparsons  
**Date:** 1/23/2020 11:38:40 AM  
**Status:**  
**Color:** ■  
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**Space:**

pending CAO & CDPHE (water system Drawings may need to be submitted to CDPHE for applicant to obtain an acknowledgment letter from CDPHE that water system is likely to be dependable & County) may need to be identified.