

BENT GRASS WEST RESIDENTIAL

LETTER OF INTENT

AUGUST 2020

OWNER/APPLICANT:

Challenger Homes
8605 Explorer Dr.
Colorado Springs, CO 80920

CONSULTANT:

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

REQUEST

N.E.S. Inc. on behalf of Challenger Homes request approval of the following applications:

1. A site-specific PUD Development Preliminary Plan for 262 single family lots on 67 acres, at a gross density of 3.92 dwelling units per acre.
2. Early Grading and District Improvements.
3. Water sufficiency with the PUD Development Preliminary Plan.
4. Subsequent Final Plats to be approved administratively.

how many tracts? 12
public or private row?

260 lots on sub form,
water form, and
PUDSP

what are these-I am
not sure what this
means?
Pre-development site
grading and wet
utilities?

LOCATION

The approximately 67 acre project site is comprised of two areas north and south of Bent Grass Meadows Drive.



PROJECT DESCRIPTION & CONTEXT

In 2007, the Bent Grass Overall PUD was approved consisting of 178.77 acres including 540 single family residential lots, 29 acres of commercial, and 7.2 acres of park and open space. A site-specific Bent Grass PUD and Preliminary Plan for the residential portion of the Bent Grass Overall PUD consisting of 135.92 acres. The PUD and preliminary plan included 387 single-family lots; 25 tracts for open space, trail corridors, and drainage; and public rights of way. A 50-foot setback is identified on the PUD and Preliminary Plan adjacent to the rural residential zoned properties to the north.

In 2017, amendments were approved for the southeastern portion of the Bent Grass PUD and Preliminary Plan including 35 acres of the 135.92-acre plan and reconfiguration of 104 single-family lots and one (1) tract to be utilized for open space, drainage, and public rights-of-way. Bent Grass Filing No. 1 and Bent Grass Filing No. 2 platted some of the residential lots east of Sand Creek and Bent Grass Meadows Drive from Meridian Ranch Road to Woodmen Road. This PUD Preliminary Plan addresses the remainder of the residential portion of the overall PUD and gains access from Bent Grass Meadows Drive.

Zoning: The site is zoned PUD for single-family detached. To the north and west is RR-5 rural residential, to the west PUD, and to the south is I-2 limited industrial district. Setbacks are provided along the north, west, and south to provide buffer from the lower density residential and the industrial zoning. Larger lots are proposed along the north and west to transition from the larger existing lots to the smaller internal lots of this PUD. The project provides a transition from the large lot residential to Falcon Storage and the vacant industrial lot. Tract B along the south west property line provides a 25 foot separation from the proposed residential lots to the vacant lot.

AIR QUALITY: The proposed residential use will not negatively impact air quality. The proposed infill development is located within a developing area with convenient access to Bent Grass Meadows Drive and Woodmen Road providing shorter travel time to employment and commercial facilities.

WATER: The proposed residential development is not a source of water pollution.

NOISE: The Land Development Code requires the impacts of noise pollution to residents to be mitigated. The entire development is outside the DNL 65 Noise Contour. Therefore, no noise mitigation is required for aircraft noise from Peterson AFB / Colorado Springs Airport.

FLOODPLAINS: A review of El Paso County FEMA FIRM panels indicate portions of the project area adjacent to an unnamed tributary to Black Squirrel Creek No. 2 are at risk of inundation by a 100-year flood. The remainder of the property is identified as Zone X flood zone, which consists of areas of minimal flood risk. The project is within FEMA Firm panel 08041C0553G, El Paso County. No development is proposed within the 100-year floodplain.

GEOLOGIC & SOIL HAZARDS: The geologic hazards anticipated to affect this site are faults/seismicity and radioactivity/radon gas. The most significant geologic constraints to development recognized at this site are expansive/compressible soils and shallow groundwater. The geologic conditions encountered at this site are relatively common to the immediate area and mitigation can be accomplished by implementing common engineering and construction practices. None of these conditions are anticipated to preclude the proposed development. (Soils & Geology Study, June 2020 prepared by RMG)

VEGETATION & WILDLIFE: The wildlife/biological assessment provided by American Geoservices provides an assessment of the Preble Jumping Mouse Habitat, a wetlands assessment, and soils. The general vegetation types within the study area include upland grassy/weedy habitat, riparian habitat, and minor adjacent landscaped areas. The entirety of the site is covered by the Preble's block clearance zone and has been shown to be unsuitable for Preble Mouse habitat.

USE OF, OR CHANGES IN PREEXISTING WATERFORMS, WATERCOURSES OR BODIES OF WATER: There are no National Wetland Inventory (NWI) mapped wetlands on the site. Based on the field reconnaissance there are no wetlands on the site.

DISTRICTS SERVING THE PROPERTY

The following districts will serve the property:

- Woodmen Hills Metro District will provide water and wastewater services. A will serve letter is provided with this application.
- Mountain View Electric Association will provide electric service. A will serve letter is provided with this application.
- Colorado Springs Utilities will provide natural gas service. A will serve letter is provided with this application.
- Falcon Fire Protection District will provide fire protection and emergency services. A will serve letter is provided with this application.
- School District 49 will serve the property.
- Pikes Peak Library District.
- Bent Grass Metropolitan District.
- El Paso County Public Improvement District No. 2 (10 Mil PID)

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

The Master Plan for the County comprises the County Policy Plan, relevant small area plans, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. The site is not covered by a small area plan. The proposed residential subdivision satisfies the following policies of the County Policy Plan and the Water Master Plan.

COUNTY POLICY PLAN

Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

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

The proposed development provides an additional housing choice in an urbanizing area. The product is similar in scale and density to the surrounding residential, existing and proposed. Access is provided by Bent Grass Meadows Drive which will connect to Woodmen Road and Meridian Road.

SMALL AREA MASTER PLAN (FALCON/PEYTON)

Goal 3.1.4.: Provide a variety of different densities of development options.

The proposed development recognizes the rural characteristics of the area and preserves that identity by provided larger lots on the periphery of the development adjacent to RR-5 lots. Smaller lots are then proposed towards the center of the development to provide varied density options, while respecting adjacent zonings on the periphery.

WATER MASTER PLAN

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

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

Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.

Goal 3.7 – Encourage the interconnection of infrastructure owned by water providers and projects that will have access to more than one water source, both to foster conjunctive use and to better accommodate water supply emergencies.

Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).

Goal 5.4 – Promote the long-term use of renewable water. Goal 5.5 – Identify any water supply issues early on in the land development process.

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.

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

Woodmen Hills Metro District has sufficient supply and existing infrastructure in the area to serve this development. Water quality is good and Woodmen Hills is in compliance with all regulatory limits.

The project is located within Region 3, Falcon Area, containing 4 growth areas projected to be completed by 2040, three areas to be completed by 2060, and two other growth areas located on the north and south sides of Falcon Highway directly east of Falcon. Specifically, the Water Master Plan states:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater. The other two growth areas will be located on

the north and south sides of Falcon Highway directly east of Falcon. See Figure 5.5 for Region 3 growth map projections.”

Full build out of the Woodmen Hills Metro District (District) is anticipated within the 2040 timeframe. The Water Resources Report indicates that the District has sufficient supply to meet the expected need at full build out by 2040 and 2060. Region 3 has a current water supply of 7,164-acre feet per year and a current demand of 4,494-acre feet per year. The 2040 water supply is projected to be 7,921-acre feet per year and the project demand is 6,403-acre feet. As stated in the Water Resources Report, this development is projected to need 1,218-acre feet of water per year and a planning need of 1,483-acre feet per year. Current supply is 1,459.5-acre feet on a 300 year basis.

The District currently incorporates a 20% reserve into their future planning. Based on the needs, current supply, and reserve the District has sufficient water to meet the needs but a possible very small shortage of 23.5 annual acre-feet might be expected due to the 20% reserve. However, additional long range planning, regionalization, and acquisitions are discussed in the Water and Wastewater Report under future supplies.

Woodmen Hills Metropolitan Districts (District) has provided a water and wastewater commitment letter to serve the development. The Districts has roughly 14 wells and four different types of water supply from renewable and non-renewable sources:

- local wells mainly in the Arapahoe and Laramie Fox-Hills formations, (non-renewable source)
- off-site wells four operating in the Denver Basin in the Guthrie Ranch and adjacent area (non-renewable source)
- offsite alluvial wells also in the Guthrie Ranch Area which pump renewable water from Upper Black Squirrel Basin (renewable source)
- a perpetual right to 350 acre-feet of water per year from Cherokee Water utilizing the Upper Black Squirrel Basin (renewable source).

The District developed a water policy intended to facilitate goals of continual addition of water sources prioritizing renewable sources. In addition, the District will be acquiring and or improving sources of supply and increasing water reliability and efficiency over time. New sources/expansions are expected to come from five areas: developer inclusion, acquisition, regionalization, facility expansion (including extensions of existing jointly owned transmission systems), and indirect, lawn irrigation return flows (LIRF) credits and direct reuse. The District has Municipal Interconnects on both the raw water and potable water systems. Current connecting systems include Meridian Service Metropolitan District; Cherokee Metropolitan District; and Falcon Highlands Metropolitan District. The District has two major off-site transmission lines which are jointly owned with Meridian Service Metropolitan District. The District is responsible for the operation of both the Tamlin and Guthrie systems. The District owns and operates three water treatment plants and three water storage facilities. The District treats and filters 100% of their water supply. A fourth tank is under construction and will bolster fire flows, service pressures, system reliability, and potable water storage.

The District's current use is based on an average of 53% renewable water sources and is continually acquiring and working towards establishing additional renewable sources. Discussions of long term planning are included in the Water Wastewater Report. Current Water Quality is presented in the Water and Wastewater Report in the Appendix E being the WHMD 2020 Consumer Confidence Report.

PUD Preliminary Plan Review Criteria Chapter 4.2.6.E

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

The development is consistent with the intent of the Policy Plan as it is intended to provide additional housing at various densities in an urbanizing area.

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

The stated purpose of the Code is to preserve and improve the public health, safety, and general welfare of the citizens and businesses of El Paso County. This development will provide an additional housing option in the area in a location that is appropriate for higher density residential development.

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

There is no approved sketch plan for this property. The subdivision design standards are met.

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;

Woodmen Hills Metro District has a sufficient water supply to support this development. The raw water supplied to the District is generally of good quality. The quality of the water is monitored, and the District has been successful in complying with regulatory limits. (Water Resources Report, Aug. 2020)

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.

Woodmen Hills Metro District will serve the project and has sufficient capacity. Public sewage disposal is addressed in the Water Resources and Wastewater Treatment Report prepared by JDS Hydro.

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

The geologic hazards anticipated to affect this site are faults/seismicity and radioactivity/radon gas. The most significant geologic constraints to development recognized at this site are expansive/compressible soils and shallow groundwater. The geologic conditions encountered at this site are relatively common to the immediate area and mitigation can be accomplished by

implementing common engineering and construction practices. None of these conditions are anticipated to preclude the proposed development. (Soils & Geology Study, June 2020 prepared by RMG)

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

Drainage improvements are addressed in the Drainage Report and the grading and erosion control plans prepared by Galloway Engineering. Detention and water quality are provided on site and meets the DCM criteria.

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;

Both portions of the site have legal access via Bent Grass Meadows Drive and private roads within the development.

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;

There are no natural physical features on the site. Open Space is provided throughout the development including approximately 18 acres.

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;

Appropriate provision is made in this regard given the context of the site and surrounding area. The plan was designed to minimize cost of transportation and utility infrastructure improvements. The project connects the two sections Bent Grass Meadows Drive completing the roadway.

3) INCORPORATING PHYSICAL DESIGN FEATURES IN THE SUBDIVISION TO PROVIDE A TRANSITION BETWEEN THE SUBDIVISION AND ADJACENT LAND USES;

Landscaping is included to buffer the development from adjacent uses where appropriate. The development provides a transition between the larger single-family lots to the north and commercial/intermediate industrial uses to the south.

4) INCORPORATING IDENTIFIED ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING BUT NOT LIMITED TO, WETLANDS AND WILDLIFE CORRIDORS, INTO THE DESIGN; AND

The Sand Creek Channel is adjacent to the site. The channel is contained in a tract and no lots encroach on the floodplain or tract.

5) INCORPORATING PUBLIC FACILITIES OR INFRASTRUCTURE, OR PROVISIONS THEREFORE, REASONABLY RELATED TO THE PROPOSED SUBDIVISION SO THE PROPOSED SUBDIVISION WILL NOT NEGATIVELY IMPACT THE LEVELS OF SERVICE OF COUNTY SERVICES AND FACILITIES;

The Traffic Report prepared by LSC Transportation Consultants demonstrates that the proposed access points will function within acceptable traffic engineering parameters. The reports relating to water supply, wastewater treatment, and drainage demonstrate that there will be no negative impact on the levels of service of County services and facilities.

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

Water and sanitary sewer service are to be provided by Woodmen Hills Metropolitan District. Mountain View Electric Association Inc. and Colorado Springs Utilities will provide electric and natural gas services to the subdivision respectively. The required Will Serve letters are included with the submittal. Falcon Fire Protection District will provide fire protection and emergency services.

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

The site lies within the Falcon Fire Protection District. A will serve letter from the FPD and a Fire Protection Report are included with the submittal.

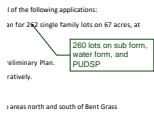
12. THE PROPOSED SUBDIVISION MEETS OTHER APPLICABLE SECTIONS OF CHAPTER 6 AND 8 OF THIS CODE.

The proposed subdivision meets the applicable sections of these parts of the Code. Subject to the requested PUD modifications per Chapter 4.2.6.2.h.

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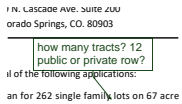
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