

# EL PASO



# COUNTY

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO: El Paso County Planning Commission  
Jim Egbert, Chair**

**FROM: Kari Parsons, PM/Planner II  
Gilbert LaForce, PE Engineer II  
Craig Dossey, Executive Director**

**RE: Project File #: SF-17-016  
Project Name: Jackson Ranch Filing No. 4  
Parcel Nos.: 61210-00-020, 61210-00-022 and 61210-00-023**

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
Four Gates Land Development, LLC. 17435 Roller Coaster Road Monument, CO. 80132	M.V.E. Inc. 1903 Lelaray Street, Suite 200 Colorado Springs, CO. 80909

**Commissioner District: 1**

Planning Commission Hearing Date:	1/2/2018
Board of County Commissioners Hearing Date	1/23/2018

### EXECUTIVE SUMMARY

Four Gates Land Development, LLC, requests approval of a final plat for the Jackson Ranch Filing No. 4 subdivision to create and authorize the development of eight (8) single-family lots, two (2) tracts to be used for open space and drainage, and the creation of rights-of-way. The proposed 31.18 acre plat area is zoned RR-2.5 (Residential Rural) and is located east of Roller Coaster Road, north of Higby Road and west of Sahara Road in Section 21, Township 11 South, Range 66 West of the 6<sup>th</sup> P.M. The final plat area is located within the Tri-Lakes Comprehensive Plan (2000) area.

The Jackson Ranch Filing No. 4 final plat is consistent with the approved Jackson Ranch preliminary plan. The final plat application meets the submittal and review criteria for a final plat as well as the general development standards of Chapter 6, the

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COLORADO SPRINGS, CO 80910-3127  
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final plat review criteria of Chapter 7, and the subdivision design requirements of Chapter 8 of the El Paso County Land Development Code (2016).

The subdivision is proposed to be served by individual wells and on-site septic systems. A finding of water sufficiency is requested and recommended with this application.

#### **A. REQUEST/WAIVERS/AUTHORIZATION**

**Request:** Four Gates Land Development, LLC, requests approval of a final plat for the Jackson Ranch Filing No. 4 subdivision to create and authorize the development of eight (8) single-family lots, two (2) open space and drainage tracts, and the creation of rights-of-way. A finding of water sufficiency is requested with this application.

**Waiver(s):** No waivers are requested with this application.

**Authorization to Sign:** Final Plat, Subdivision Improvements Agreement, Detention Pond Maintenance Agreement and any other documents necessary to carry out the intent of the Board of County Commissioners.

#### **B. PLANNING COMMISSION SUMMARY**

**Request Heard:**

**Recommendation:**

**Waiver Recommendation:**

**Vote:**

**Vote Rationale:**

**Summary of Hearing:**

**SPEAKING FOR:**

**SPEAKING AGAINST:**

**Legal Notice:**

#### **C. APPROVAL CRITERIA**

In approving a final plat, Section 7.2.1.D.3 of the Land Development Code (2016) states that the Board of County Commissioners shall find that:

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;

- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;
- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;
- Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;
- Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §34-1-302(1), et seq.]

**D. LOCATION**

North: RR-5 (Residential Rural)	Single-family residential
South: RR-2.5 (Residential Rural)	Single-family residential
East: RR-5 (Residential Rural) substation	Single-family residential/MVEA
West: RR-2.5 (Residential Rural)	Single-family residential

## **E. BACKGROUND**

The area was zoned A-5 (Rural) on January 4, 1955, by the Board of County Commissioners. Subsequent nomenclature changes to the Land Development Code have renamed the zoning district as RR-5 (Residential Rural).

The majority of the final plat area was rezoned (P-14-003) from the RR-5 zoning district to the RR-2.5 (Residential Rural) zoning district on May 27, 2014. The 77.63 acre Jackson Ranch Preliminary plan (SP-14-005) was also approved on May 27, 2014 and included 24 single-family residential lots, and 9.6 acres of open space. The preliminary plan did not include all of the land depicted on the proposed Jackson Ranch Filing No. 4 final plat.

The northern portion of the plat area was rezoned (P-16-001) from the RR-5 zoning district to the RR-2.5 zoning district on September 27, 2016. The Jackson Ranch Preliminary Plan amendment (SP-16-002) was approved by the Board of County Commissioners on September 27, 2016. The preliminary plan amendment reconfigured portions of the previously approved preliminary plan in addition to adding 41.54 acres to include the proposed addition of 13 single-family lots.

Due to concerns regarding compatible densities, the Board of County Commissioners approved a total of 33 single family lots in lieu of the requested 37 single-family lots. Concerns regarding compatibility prompted the Board to condition the preliminary plan approval to increase the setback requirement for all lots on the eastern boundary of the preliminary plan. The result was increasing the setback requirement from 25 feet to 100 feet. As it applies to this request for approval of Jackson Ranch Filing No. 4 final plat, Lots 7 and 8 will be encumbered by the 100 foot setback. The approved 119.21 acre preliminary plan amendment includes a total of 33 single-family lots with a minimum lot-size of 2.5 acres, and 14.7 acres of open space to be platted in phases.

The 27.41 acre Jackson Ranch Filing No. 1 final plat was approved on November 25, 2014 and included six (6) single-family lots, a 9.52 acre open space tract. The 33.75 acre Jackson Ranch Filing No. 2 final plat was approved on September 27, 2016 and included eight (8) single-family lots, a 9.27 acre open space tract.

The 26.21 acre Jackson Ranch Filing No. 3 final plat is under concurrent review and is proposed to create nine (9) single-family residential lots, a 0.53 acre tract for drainage and open space, and public right-of-way.

The request for approval of a final plat for the 31.18 acre Jackson Ranch Filing No. 4 final plat proposes to create eight (8) single-family residential lots, two (2) tracts totaling 4.55 acres for drainage and open space, and public right-of-way. The final plat is consistent with the approved preliminary plan.

## **F. ANALYSIS**

### **1. Land Development Code Compliance**

This final plat application meets the final plat submittal requirements, the General Development Standards of Chapter 6, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2016).

### **2. Zoning Compliance**

The Jackson Ranch Filing No. 4 final plat is consistent with the RR 2.5 (Residential Rural) zoning district density and dimensional standards.

### **3. Policy Plan Analysis**

A finding of consistency with the El Paso County Policy Plan (1998) was made at the time of approval of the RR-2.5 rezoning request and the preliminary plan amendment.

### **4. Small Area Plan Analysis**

The proposed Jackson Ranch Filing No. 4 final plat is within the Tri-Lakes Comprehensive Plan (2000) area, specifically in the sub-area known as the West Cherry Creek Area. Consistency with the small area plan was found at the time of the approval of the rezoning and preliminary plan amendment approval.

### **5. Other Master Plan Elements**

The proposed Jackson Ranch Filing No. 4 final plat is consistent with or does not create negative impacts to elements depicted on the El Paso County Wildlife Habitat Descriptors Map (1996), the El Paso County Community Services Parks Master Plan (2014), the Master Plan for Mineral Extraction (1996), and the Major Transportation Corridors Plan (2016).

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

No significant hazards have been identified in the Geological Hazards Study prepared by Entech Engineering, Inc. that would preclude development if the areas are to be mitigated. Areas of concerns are depicted on the plat in tracts and or no-build areas.

## **2. Wildlife**

Potential impacts to wildlife are generally moderate as depicted in the El Paso County Wildlife Descriptors Map (1996). Colorado Parks and Wildlife and El Paso County Environmental Services Division reviewed the approved preliminary plan. The comments from both agencies generally included standard wildlife notifications and recommendations for wildlife-friendly development.

## **3. Floodplain**

Jackson Ranch Filing No. 4 is not located within, and does not contain a designated FEMA 100-year floodplain, as shown on Floodplain Insurance Rate Map (FIRM) 08041C0285-F for El Paso County dated March 17, 1997.

## **4. Drainage and Erosion**

Jackson Ranch Filing No. 4 is located within the West Cherry Creek (CYCY0400) drainage basin. The basin is unstudied and there will be no drainage or bridge fees required.

The site generally drains to the northeast. Runoff will be collected in an existing drainage channel and directed to an existing detention pond. The drainage channel and the pond are to be maintained by the Jackson Ranch Homeowners Association.

Permanent water quality best management practices (BMPs) are not required for low density housing (2.5 acre or larger lots). However, permanent sediment control BMPs in the form of check dams are implemented throughout the site to prevent sediment from affecting adjoining properties before, during, and after grading activities.

## **5. Transportation**

The site is located at the northeast corner of Roller Coaster Road and Higby Road. The site is accessed via an extension of Jackson Ranch Court. The platting and development of the Jackson Ranch Filing No. 4 subdivision will result in the dedication of 0.158 lane miles of developer-constructed roadways for ongoing County ownership and maintenance.

Lots within this subdivision are subject to the terms of the El Paso County Road Impact Fee Program (Resolution 16-454). Fees for each lot shall be paid in full at the time of building permit issuance.

## **H. SERVICES**

### **1. Water**

Sufficiency: Sufficient

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The County Attorney's Office is anticipated to make a favorable recommendation for a finding of sufficiency with regard to water quantity and dependability. The letter will be provided at the hearing. El Paso County Public Health has made a favorable recommendation regarding water quality.

### **2. Sanitation**

The applicant is proposing the development to be served by onsite wastewater treatment systems (OWTS). Two suitable septic sites for each lot were identified in the wastewater report prepared by Entech Engineering Inc. El Paso County Public Health has reviewed the wastewater report submitted with this application and has no concerns.

### **3. Emergency Services**

The final plat is located within the boundaries of the Tri-Lakes Fire Protection District. A commitment letter has been provided by the District with this plat application.

### **4. Utilities**

Mountain View Electric Association will provide electrical service and Black Hills Energy will provide natural gas service to the development. Public utility easements have been depicted on the final plat.

### **5. Metropolitan Districts and Other Special Districts**

The site is not within a metropolitan or special district.

### **6. Parks/Trails**

Regional park fees (Region 2) in the amount of \$3,256.00 in lieu of land dedication shall be paid at the time of final plat recordation.

### **7. Schools**

School fees in the amount of \$2,464.00 in lieu of land dedication shall be paid at the time of final plat recordation for the benefit of Lewis Palmer School District No. 38.

**I. APPLICABLE RESOLUTIONS:**

Approval: Page 19

Denial: Page 20

**J. STATUS OF MAJOR ISSUES**

There are no outstanding issues with this request.

**K. CONDITIONS AND NOTATIONS**

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval as outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2016) staff recommends the following conditions and notation:

**CONDITIONS**

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The applicant shall submit the Mylar to Enumerations for addressing.
5. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.

6. Driveway permits will be required for each anticipated access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the ECM Administrator, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that the subdivider and/or said successors and assignees shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 16-454), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
10. Park fees amount of \$3,256.00 in lieu of land dedication for regional parks (Area 2) and urban park (N/A) fees shall be paid at time of plat recordation.
11. Fees in the amount of \$2,464.00 in lieu of school land dedication shall be paid to El Paso County for the benefit of Lewis Palmer School District No. 38 at time of plat recording.

#### **NOTATIONS**

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.
2. The subject property is located within the West Cherry Creek Drainage Basin. This drainage basin has not been studied and does not require the payment of drainage or bridge fees.

#### **L. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified twenty one (21) adjoining property owners on December 14, 2017, for the Planning Commission meeting. Responses will be provided at the hearing.

**M. ATTACHMENTS**

Vicinity Map

Letter of Intent

Plat Drawing

State Engineer's Letter

El Paso County Public Health

# El Paso County Parcel Information

File Name:

Zone Map No.:

PARCEL	NAME
6121000022	FOUR GATES LAND DEVELOPMENT LLC
6121000023	FOUR GATES LAND DEVELOPMENT LLC
6121000020	FOUR GATES LAND DEVELOPMENT LLC

ADDRESS	CITY	STATE
17435 ROLLER COASTER RD	MONUMENT	CO
17435 ROLLER COASTER RD	MONUMENT	CO
17435 ROLLER COASTER RD	MONUMENT	CO

ZIP	ZIPLUS
80132	8312
80132	8312
80132	8312

Date:



Please report any parcel discrepancies to:  
 El Paso County Assessor  
 1675 W Garden of the Gods Rd.  
 Colorado Springs, CO 80907  
 (719) 520-6600



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March 31, 2017  
(Revised October 10, 2017)

**LETTER OF INTENT  
Jackson Ranch Filing No. 4 Final Plat**

**Owner:**

Four Gates Land Development, LLC  
17435 Roller Coaster Rd., Monument, CO 80132-8312

**Developer:**

Four Gates Land Development, LLC, Marlene Brown, Managing Member  
17435 Roller Coaster Rd., Monument, CO 80132-8312, 719 492 0355  
marlene.fourgates@gmail.com

**Applicant / Consultant:**

M.V.E., Inc., Dave Gorman  
1903 Lelaray Street, Suite 200, Colorado Springs, CO, (719) 635-5736

**Site Location Size and Zoning:**

The Jackson Ranch Filing No. 4 site is 31.18± acres located in the Northwest one-quarter of Section 21, Township 11 South, Range 66 West of the 6th P.M. in El Paso County, Colorado. The site is generally in the vicinity of the northeast corner of the intersection of Roller Coaster Road and Higby Road. More specifically, the site is located north of proposed Jackson Ranch Filing No. 3, which is on the north side of existing Jackson Ranch Filing No. 2 on the northerly extension of Jackson Ranch Court. The proposed site is bounded on the north by Canterbury West and Canterbury East, both zoned RR-5. Canterbury East is also adjacent along the east side. Tri-State Generation & Transmission Association's electric transmission facilities border the site on the southeast (east of proposed Jackson Ranch Court). Proposed Jackson Ranch Filing No. 3 (RR-2.5), a separate and concurrent Final Plat application, is adjacent to the south. Unplatted land (RR-2.5) borders the site on the west side. Vehicular access to the site is proposed from the northerly extension of Jackson Ranch Court, connecting to Higby Road, just east of Roller Coaster Road. All existing roads that facilitate access are asphalt surfaced County owned and maintained rural residential roadways which have been designed and constructed to El Paso County Standards and Specifications. The bulk of the site consists of Assessor Schedule No.'s 61210-00-020. Minor portions are also contained in 61210-00-021 & 61210-00-023. The subject 31.18± acre property is zoned RR-2.5 (Residential Rural/single-family residential).

The subject property was rezoned from RR-5 to RR-2.5 on September 27, 2016 under El Paso County File P-16-001 with Resolution 16-338 recorded under Reception No. 216111378. The site location, size and zoning of the proposed Jackson Ranch Filing No. 4 is identical to those lots indicated as "Phase 3" on the amended Jackson Ranch Preliminary Plan (SP-16-002), approved by the El Paso County Board of County Commissioners on September 27, 2016 by Resolution Number 16-339, which was recorded under Reception Number 216111379.

This Final Plat request is concurrent with the separate Final Plat application for Jackson Ranch Filing No. 3 and follows the approval of Jackson Ranch Filing No. 1, recorded under Reception Number 215713577

**Engineers • Surveyors**  
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**Fax 719-635-5450 • e-mail mve@mvecivil.com**

on February 4, 2015 and Jackson Ranch Filing No. 2, which is recorded under Reception Number 216713859 on October 19, 2016.

**Request and Justification:**

The request is for approval of the Final Plat of Jackson Ranch Filing No. 4 containing 31.18± acres. This proposed Final Plat will create eight (8) rural residential single-family lots, public street right-of-way, and two (2) Open Space & Drainage tracts.

This proposed Jackson Ranch Filing No. 4 Final Plat consists of those lots marked “Phase 3” on the approved Jackson Ranch Amended Preliminary Plan. This Final Plat is consistent with the approved Preliminary Plan and the existing RR-2.5 zoning.

This application meets the final plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2016). Final Plats are reviewed and approved in consideration of the review criteria found in the El Paso County Land Development Code. Each criteria is listed below followed by the appropriate justification.

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

The subdivision’s proposed land use, density and physical design are consistent with the goals and objectives of the El Paso County Master Plan, which is comprised of the El Paso County Policy Plan, the 2000 Tri-Lakes Comprehensive Plan, the Major Transportation Corridors Plan (MTCP), the Parks Master Plan, and the Masterplan for Mineral Extraction. A finding of consistency with the El Paso County Policy Plan, the above named Small Area Plan and the other Master Plan elements was made with the Board of County Commissioner's approvals of the RR-2.5 (Residential Rural) zoning district and the Preliminary Plan Amendment in 2016.

2. *The subdivision is in substantial conformance with the approved preliminary plan.*

The proposed Final Plat is consistent and in conformance with the previously approved 2016 Preliminary Plan Amendment for the Jackson Ranch development. This Final Plat consists of those lots marked “Phase 3” on the approved Jackson Ranch Amended Preliminary Plan. The subdivision will be developed in accordance with the previous land use approvals.

3. *The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.*

The proposed Final Plat is prepared in accordance with all applicable subdivision design standards. The necessary Deviations concerning the design of subdivision have been previously obtained.

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.*

Water service is intended to be provided by individual on site wells operated under a State approved Water Augmentation Plan.

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.*

Waste water is intended to be treated via individual on site septic systems designed, constructed and operated under State and County Health Department rules and regulations.

6. *All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)].*

A soils report has been prepared for the site and the owner will comply with the recommendations of the report.

7. *Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM.*

The proposed Final Plat is consistent with the approved Preliminary Drainage Report for the entire Jackson Ranch development site. A Final Drainage Report for the development of Jackson Ranch Filing No. 4 has been prepared. The owner will comply with the requirements of the drainage reports and will provide the drainage improvements recommended for the subdivision.

8. *Legal and physical access is 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 proposed lot on the site will access a public street, which will in turn connect to Highbly Road to the south of this development. The street layout and access provisions were approved as part of the Amended Preliminary Plan in 2016. Jackson Ranch Filing No. 4 is consistent with the approved Preliminary Plan.

9. *Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision.*

The site is located within the jurisdiction of the El Paso County Sheriff's Office. The Sheriff's office currently provides police protection for the site and surrounding area. Jackson Ranch Filing No. 4 is located within the Tri-lakes Monument Fire Protection District which is providing fire protection for the previous two subdivision filings and has agreed to serve this subdivision. Water and sanitary sewer provisions are discussed in items 4 & 5 above. The property is located within the service areas of Mountain View Electric Association, Blackhills Energy Corporation, Qwest Telephone, and the Lewis-Palmer School District, which will serve the subdivision. Transportation is being facilitated by the existing and proposed roadway system.

10. *The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code.*

Jackson Ranch Filing No. 4 is located within the Tri-lakes Monument Fire Protection District which is providing fire protection for the previous two subdivision filings and the surrounding area. The District has agreed to serve this subdivision. Building permits for each structure shall be in accordance with the requirements of the Fire District as administered by the Pikes Peak Regional Building Department.

11. *Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8.*

Offsite transportation and drainage impacts are considered and mitigated by the recommendations of the Preliminary Drainage Report, The Final Drainage Report and previous Traffic Impact Study. The developer will pay the required Road Impact Fee upon obtaining individual residential building permits.

12. *Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated.*

The Subdivision Improvement Agreement (SIA) includes provision to guarantee construction of the necessary infrastructure. The platting of the site will include the collection of the applicable School Fees and Park Fees. No Drainage Fees or Bridge Fees are due for this project.

13. *The subdivision meets other applicable sections of Chapter 6 and 8.*

The subdivision meets the requirements of the Land Development Code and previous subdivision plat filings were approved by the BOCC in 2014 and 2016.

14. *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et seq.]. No separate mineral estate owners were found for the property and the existing development on surrounding properties is not compatible with any potential mineral extraction operations.*

**Existing and Proposed Facilities:**

Existing improvements within this parcel are related to past ranching activities including drainage control structures, equestrian facilities and trails. The existing structures on proposed Lot 4 are to be removed. The area contains some drainage facilities related to past SCS erosion control facilities. Existing adjacent offsite roads include the Major Collector roads of Higby Road and Roller Coaster Road. These are both Major Collector roads to which this developer has made previous R.O.W. Dedications as part of Jackson Ranch Filing No. 1 and Jackson Ranch Filing No. 2. Existing facilities provided in Jackson Ranch Filing No. 2 include the southern portion of Jackson Ranch Court (60' ROW) as well as the associated drainage provisions and utility lines. The improvements proposed for Jackson Ranch Filing No. 3, located to the south, will be constructed prior to or at the same time as those required for Jackson Ranch Filing No. 4.

Proposed improvements within this parcel include the northerly extension of Jackson Ranch Court, terminating in a cul-de-sac. This road will be a County owned and maintained asphalt roadway. Drainage facilities, electric service, natural gas service and telephone service will also be added. Water service is intended to be provided by individual on site wells operated under a State approved Water Augmentation Plan. Waste water is intended to be treated via individual on site septic systems designed, constructed and operated under State and County Health Department rules and regulations. Grading and earthmoving activities will be limited to roadway, drainage and utility construction areas. These new facilities will be connected to the improvements of Filing No. 3 as appropriate. All improvements will be in compliance with the approved Preliminary Plan and El Paso County engineering criteria. The developer will be responsible for constructing all required subdivision improvements at his sole expense. Installation of the required improvements will be guaranteed by a financial surety acceptable to the El Paso County Board of County Commissioners.

**Total Number Of Residential Units And Densities:**

The gross area of the Filing 3 subdivision is 31.18+/- acres and will contain 8 rural residential Single Family Units. An area of 25.30+/- acres will be single-family residential lots. The Open Space and Drainage Tracts will contain 4.55+/- acres and street rights-of-way take up the remaining 1.33+/- acres. The average lot size for the 8 lots is 3.16 acres. The gross density of Filing No. 4 is 0.26 units per acre, while the net density, subtracting out the areas of street rights-of-way and tracts is 0.32 units per acre.

**Open Space and Drainage Tracts:**

A 1.54+/- acre tract is being platted along at the westerly edge of the proposed subdivision for use as Open Space and Drainage. The tract will be the northerly extension of the Open Space and Drainage Tract platted along the west edge of Jackson Ranch Filing No. 2 and Filing No. 3 which facilitates the

continued drainage through the natural drainageway from south to north. The tract is accessed by a connection to the proposed Jackson Ranch Court cul-de-sac. The approved Preliminary Plan indicates a special 75 feet wide building setback line for the portions of the lots adjacent to this tract and the existing natural drainageway. A second Open Space and Drainage Tract located at the northeast corner of the site will be platted with an area of 3.01+/- acres. This tract contains an existing ponding area, which will remain undisturbed. The tract will be accessed by a connection to the proposed Jackson Ranch Court cul-de-sac. This tract also provides a distance and open space buffer between two 2.5 acre Lot 5 and Lot 6 of Jackson Ranch Filing No. 4 and the nearest 5 acres lots in Canterbury East. Both tracts will be owned and maintained by the Jackson Ranch Owners Association, established under the laws of the State of Colorado in 2015. The tracts total 4.55+/- acres and comprises over 16% of the Filing No. 4 area. The provision of these tracts is in accordance with the approved Preliminary Plan.

**Relationship to Adjacent Properties and Land Uses:**

Proposed Jackson Ranch Filing No. 3 to the south and proposed Jackson Ranch Filing No. 5 to the west, are both zoned RR-2.5 and will contain similar and compatible 2.5 acre lots. The property adjacent to the southeast is owned by Tri-State Generation & Transmission Association for electric transmission facilities. The single proposed lot located adjacent to the Tri-state property is larger in size at 5.0 acres and contains a 30' wide perimeter utility easement along the south edge. The two existing adjacent subdivisions to the north and east, Canterbury West and Canterbury East are zoned RR-5. Jackson Ranch Filing No. 4 features larger 5.0+/- acre lots and an Open Space tract along the boundary with both existing subdivisions. These larger lots separate the higher density 2.5+/- acre lots from the adjacent properties, providing a transition buffer. Additionally, Jackson Ranch Filing No. 4 has a 75 feet rear building setback for the lots along the west perimeter of the subdivision and a 100 foot rear building setback for the lots along the north and east sides, adjacent to the Canterbury West and Canterbury East subdivisions. These special setbacks provide further isolation from existing development in accordance with the approved Preliminary Plan.

**Fire Protection:**

The Jackson Ranch Filing No. 4 property is located within the Tri-Lakes Monument Fire Protection District. The lots and homes will be subject to the codes and policies adopted by the District regarding fire protection.

**PROPOSED ACCESS LOCATIONS:**

The access location for the proposed subdivision is the extension of Jackson Ranch Court as shown on the approved Preliminary Plan.

**Traffic Impact Fees:**

All lots within this subdivision are subject to transportation impact fees in accordance with the El Paso County Road Impact Fee Program (Resolution No. 12-382), as amended. Transportation impact fees will be paid at the time of issuance of individual building permits on a prorated individual lot basis. The property will not utilize a Public Improvement District to fund its transportation fee obligations.

Letter of Intent – Jackson Ranch Filing No. 4 Final Plat

March 31, 2017 (Revised October 10, 2017)

Page 6

Should County staff or officials require more information. Please use the contact information below to reach me.

Very truly yours,

M.V.E., Inc.

A handwritten signature in black ink, appearing to read "David R. Gorman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

David R. Gorman, P.E.

DRG:cwg

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June 20, 2017

Kari Parsons  
El Paso County Development Services Department  
Submitted online

**RE: Jackson Ranch Filing No. 4**  
**A portion of Section 21, T11S, R66W, 6<sup>th</sup> P.M.**  
**Water Division 1, Water District 8**

Dear Ms. Parsons:

We have reviewed your referral dated June 8, 2017 concerning the above referenced proposal to subdivide 31.18 acres into 8 rural residential single-family lots at a minimum lot size of 2.5 acres each and two open space & drainage tract. Residential lots will be served by individual on-lot wells and septic systems.

#### Water Supply Demand

According to the water supply plan each lot will use 0.7 acre-feet per year for 300 years, which consists of 0.35 acre-feet for in-house uses, 0.3 acre-feet for the irrigation of 5,000 square feet of home lawns or gardens, and 0.05 acre-feet for use in a water feature. The total water requirement for all 8 lots will be 5.6 acre-feet per year.

#### Source of Water Supply

Based on the information provided, the proposed source of water is on-lot wells producing from the not-nontributary Dawson aquifer that will operate pursuant to the augmentation plan decreed in Division 1 Water Court in consolidated case nos. 15CW3119 (Division 1) and 15CW3047 (Division 2) ("Augmentation Decree").

According to the Augmentation Decree, 13.3 acre-feet per year over a 300 year period and 14.25 acre-feet per year over a 100 year period of not-nontributary Dawson aquifer groundwater decreed in case nos. 08CW206, 08CW315, 08CW316, 08CW317, 08CW318 and 08CW319 will be augmented. The Augmentation Decree also amended the prior decrees to allow the decreed water to be withdrawn from any of the lands claimed by the decrees.

The annual amount of 13.3 acre-feet is to be used to serve 19 residential lots through individual wells, with each well limited to an annual amount of 0.70 acre-feet/year. According to the water supply plan, 8 of the 19 augmented wells will be used to serve this subdivision. The allowed average annual amount of withdrawal associated with the 8 wells is 5.6 acre-feet. The proposed uses are allowed by the Augmentation Decree.



The proposed source of water for this subdivision is a bedrock aquifer in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., "Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years." Based on this allocation approach, the annual amounts of water decreed in case nos. 08CW206, 08CW315, 08CW316, 08CW317, 08CW318 and 08CW319 are equal to one percent of the total amount, as determined by rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

In the *El Paso County Land Development Code*, effective November, 1986, Chapter 5, Section 49.5, (D), (2) states:

"- Finding of Sufficient Quantity - The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of three hundred (300) years."

The State Engineer's Office does not have evidence regarding the length of time for which this source will "meet the average annual demand of the proposed subdivision." However, treating El Paso County's requirement as an allocation approach based on three hundred years, the augmentation plan allows for the withdrawal of the 5.6 acre-feet per year for a maximum of 300 years.

Applications for on lot well permits, submitted by an entity other than the current decree holder (Morgan and Christine Brown, Gwilym Brown, Marlene Brown and Marshal and Sara Brown), must include evidence that the applicant has acquired the right to the portion of water being requested on the application.

The applicant should be aware that any proposed detention pond for this project, must meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, to be exempt from administration by this office. The applicant should review DWR's [Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado](#) to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

#### State Engineer's Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory allocation approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Division 1 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Should you have any questions, please contact me at 303-866-3581 x8265.

Sincerely,



Joanna Williams, P.E.  
Water Resource Engineer

Cc: Subdivision File 24065

jmw: Jackson Ranch Filing 4 Subdivision (El Paso)



Prevent • Promote • Protect

Environmental Health Division  
1675 W. Garden of the Gods Road  
Suite 2044  
Colorado Springs, CO 80907  
(719) 578-3199 *phone*  
(719) 578-3188 *fax*  
[www.elpasocountyhealth.org](http://www.elpasocountyhealth.org)

**Jackson Ranch, Filing 4, SF-17-016**

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

- **The proposed 8 lot (2.5 acre+ minimum lot size) rural residential development will be provided water from individual private wells. Wastewater treatment will be by onsite wastewater treatment systems (OWTS).**
- **There is a finding for sufficiency in terms of water quality based upon the results found in the July 10, 2014, Mountain States Accutest Laboratories technical report, and the Hazen Research Inc., report dated July 17, 2014.**
- **The December 5, 2013, Entech Engineering Soil, Geology, Geologic Hazard, and Wastewater Study Report, and The Entech Engineering Soil, Geology, Geologic Hazard, and Wastewater Study Report dated February 3, 2016 were reviewed to determine the feasibility of using wastewater treatment through onsite wastewater treatment systems. The referenced reports supported the use of onsite wastewater treatment systems for this proposed development project. Review of the soil percolation test results supported the installation of conventional Treatment Level 1 onsite wastewater treatment systems; however, the soil test results showed highly variable soils, a wide range of percolation rates, and a fluctuating level of bedrock between 8' – 15'. Therefore, it is anticipated that there will be the need for some professionally designed Treatment Level 2 or possibly higher onsite wastewater treatment systems on some of the proposed lots. In all cases the onsite wastewater treatment systems must comply with Chapter 8 of the El Paso County Board of Health Regulations. Each individual lot requires a soil test in the proposed soil treatment area as part of the permitting process by El Paso County Public Health.**
- **Radon resistant construction building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and the El Paso County area, have potentially higher radon levels than other areas of the country.**
- **Earthmoving activity in excess of one acre, but less than twenty-five acres, will require a Construction Activity Permit from El Public Health.**

Go to <http://www.elpasocountyhealth.org/service/air-quality> for more information.

- **El Paso County Public Health encourages planned walk-ability of residential communities. Please consider appropriate connections to commercial areas through the use of sidewalks, and bike trails. Walk-ability features help in the effort to reduce obesity and associated heart diseases.**

**Mike McCarthy, R.E.H.S.  
El Paso County Public Health  
Environmental Health Division  
719.575.8602  
[mikemccarthy@elpasoco.com](mailto:mikemccarthy@elpasoco.com)  
26June2017**