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Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 10/12/2023
RE: SP231; Hay Creek Preliminary Plan

Project Description

A request by Matrix Design Group Inc. for approval of a 213.41-acre Preliminary Plan illustrating twenty (20) single-family lots. The property is zoned RR-5 (Residential Rural), located at 2855 Hay Creek Road, 1.26 miles from Baptist Road. (Parcel Nos. 7100000267, 7100000268, 7100000269, 7100000270, and 7133000001) (Commissioner District No. 3).

Notation

Please see the Planning Commission Minutes from 9/21/2023 for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

Planning Commission Recommendation and Vote

Mr. Trowbridge moved / Ms. Brittian Jack seconded for approval for the Preliminary Plan utilizing the resolution attached to the staff report, with five conditions and three notations, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (9-0)**. The item was heard as a called-up consent agenda item. There was no public opposition, but there was public concern.

Discussion

There was a public comment regarding this item. Two concerned neighbors were present. A discussion was held regarding the potential impact of increased traffic on Hay Creek Road. A Traffic Impact Study is required at the Submission of the Final Plat. The County Attorney asked PCD Staff to remove the recommended condition number 5 to avoid potential legal ramifications. The applicant has agreed to provide an Avigation easement.

Attachments

1. Planning Commission Minutes from 9/21/2023.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolution.

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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting
Thursday, September 21, 2023
El Paso County Planning and Community Development Department
2880 International Circle – Second Floor Hearing Room
Colorado Springs, Colorado

REGULAR HEARING, 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: THOMAS BAILEY, SARAH BRITTAIN JACK, JAY CARLSON, BECKY FULLER, JEFFREY MARKEWICH, ERIC MORAES, BRYCE SCHUETTPELZ, TIM TROWBRIDGE, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: JIM BYERS.

PC MEMBERS ABSENT: BRANDY MERRIAM, KARA OFFNER, AND WAYNE SMITH.

STAFF PRESENT: MEGGAN HERINGTON, JUSTIN KILGORE, KYLIE BAGLEY, CARLOS HERNANDEZ MARTINEZ, JEFF RICE, JOE LETKE, RYAN HOWSER, DANIEL TORRES, LEKISHIA BELLAMY, KARI PARSONS, MIRANDA BENSON, AND LORI SEAGO.

OTHERS PRESENT AND SPEAKING: DAVID ELLIS AND KAYLIE DREW.

1. REPORT ITEMS

Mr. Kilgore advised that the next PC Hearing is Oct. 5, 2023. The applicant for item number 3D of the current agenda has requested a continuance to a date certain of Oct. 19, 2023.

2. Call for public comment for items not on the hearing agenda.

Mr. David Ellis commended the Planning Commission (PC) for their objective application of the zoning and land-use standards regarding the Colorado Pumpkin Patch (CPP). He recapped that the Special Use request to increase the allowed number of cars on the residential lot was recommended for denial by the PC. He stated the decision recognized the right of the current residents to peaceably enjoy their properties. He further stated the decision signaled that the provisions within the LDC, established through previous public comment and debate, should not be arbitrarily swept aside to

allow one business to make money at the detriment of its neighbors. He further reiterated that only one week after the PC's recommendation, the BOCC unanimously went in the opposite direction and approved the Special Use request. He stated the residents feel betrayed by the BOCC, who he stated cast aside the LDC restrictions, in favor of a special interest, possibly their own self-interest. He stated the agritainment concept is relatively new; adopted in 2017. He believes it was written specifically to enable the CPP to relocate from its proximity to Matthew Dunston's Preserve at Walden housing development into the existing residential neighborhood of Canterbury. Before the LDC amendment, agritainment would only have been allowed within agricultural or commercial zoning districts. He mentioned that Mr. Dunston donated a 23-acre site for the Monument Academy High School and has donated thousands of dollars to current Commissioners' campaign funds. He believes that whatever Mr. Dunston wants from the Commissioners, he gets. He thinks the concept of agritainment, as it is written in the LDC, has "gone off the rails". He stated the CPP is far from the examples of corn mazes or farm tours and has morphed into an outdoor amusement park.

3. CONSENT ITEMS

A. Adoption of Minutes of meeting held September 7th, 2023.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (9-0).

B. SF2224

BAGLEY

FINAL PLAT THE GLEN AT WIDEFIELD FILING NO. 12

A request by Glen Investment Group No. VIII, LLC for approval of a Final Plat to create seventy-nine (79) single-family residential lots and three (3) tracts. The 27.23-acre property is zoned RS-6000 (Residential Suburban) and is subject to the CAD-O (Commercial Airport Overlay) district. The property is located on the west side of South Marksheffel Road, approximately one-half of a mile south of Fontaine Boulevard. (Parcel No. 5522000010) (Commissioner District No. 4).

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: FULLER MOVED / TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM NUMBER 3B, FILE NUMBER SF2224, FOR A FINAL PLAT, THE GLEN AT WIDEFIELD FILING NO. 12, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SEVENTEEN (17) CONDITIONS, TWO (2) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

C. SF2232

HOWSER

FINAL PLAT SOLACE APARTMENTS FILING NO. 2

A request by CS Powers & Galley, LLC for approval of a 7.685-acre Final Plat illustrating one (1) multi-family residential lot to support development of 108 multi-family dwelling units. The property is zoned RM-12 (Residential, Multi-Dwelling) and is subject to the CAD-O (Commercial Airport Overlay) District. The property is located at the northeast corner of the intersection of North Powers Boulevard and Galley Road. (Parcel No. 5407205047) (Commissioner District No. 4).

NO PUBLIC COMMENT

DISCUSSION

Mr. Trowbridge asked for clarification regarding the recommended water finding.

Ms. Seago clarified that the County Attorney’s Office has provided a recommended finding of conditional sufficiency because before Cherokee Metro District’s “Commitment to Serve” can be complete, they require that a copy of the Final Plat approval be provided to them within 12 months from the date of their commitment letter. While the PC may make a motion to approve, the applicant has the burden of providing the Metro District with a copy of the Final Plat approval, if granted, which will fulfill the condition.

PC ACTION: CARLSON MOVED / SCHUETTELZ SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM NUMBER 3C, FILE NUMBER SF2232, FOR A FINAL PLAT, SOLACE APARTMENTS FILING NO. 2, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH EIGHT (8) CONDITIONS, FOUR (4) NOTATIONS, AND A RECOMMENDED CONDITIONAL FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

D. P234

HOWSER

**MAP AMENDMENT (REZONE)
FAIRYTALE ACRES**

A request by Jacob and Sherry Kershman for approval of a Map Amendment (Rezoning) of 14.63 acres from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). The property is located at 13055 Herring Road and on the east side of Herring Road, approximately one-half of a mile north of Shoup Road. (Parcel No. 5209000030) (Commissioner District No. 1).

NO PUBLIC COMMENT OR DISCUSSION

THE APPLICANT REQUESTED THAT THE PROJECT BE POSTPONED TO THE PC HEARING ON 10/19/2023.

PC ACTION: TROWBRIDGE MOVED / MORAES SECONDED TO POSTPONE AGENDA ITEM 3D, FILE NUMBER P234, FOR A MAP AMENDMENT (REZONE), FAIRYTALE ACRES, THAT THE ITEM BE RESCHEDULED TO A DATE CERTAIN OF OCTOBER 19, 2023. THE MOTION WAS APPROVED (9-0).

E. SP231

BELLAMY

**PRELIMINARY PLAN
HAY CREEK PRELIMINARY PLAN**

A request by Matrix Design Group Inc. for approval of a 213.41-acre Preliminary Plan illustrating twenty (20) single-family lots. The property is zoned RR-5 (Residential Rural) and is located at 2855 Hay Creek Road, 1.26 miles from Baptist Road. (Parcel Nos. 7100000267, 7100000268, 7100000269, 7100000270, and 7133000001) (Commissioner District No. 3).

PC ACTION: THIS ITEM WAS PULLED TO BE HEARD AS A CALLED-UP CONSENT ITEM PER CITIZEN REQUEST.

**PRELIMINARY PLAN
WATERVIEW EAST COMMERCIAL**

A request by Waterview Commercial Investors, LLC for approval of a 22.10-acre Preliminary Plan illustrating nine (9) commercial lots. The property is zoned CS (Commercial Service) and is located directly southeast of the intersection of Bradley Road and Powers Boulevard. (Parcel No. 5509200002) (Commissioner District No. 4).

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: SCHUETTELZ MOVED / TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM NUMBER 3F, FILE NUMBER SP229, FOR A PRELIMINARY PLAN, WATERVIEW EAST COMMERCIAL, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SEVEN (7) CONDITIONS, FIVE (5) NOTATIONS, TWO (2) WAIVERS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

4. CALLED-UP CONSENT ITEMS

**PRELIMINARY PLAN
HAY CREEK PRELIMINARY PLAN**

A request by Matrix Design Group Inc. for approval of a 213.41-acre Preliminary Plan illustrating twenty (20) single-family lots. The property is zoned RR-5 (Residential Rural) and is located at 2855 Hay Creek Road, 1.26 miles from Baptist Road. (Parcel Nos. 7100000267, 7100000268, 7100000269, 7100000270, and 7133000001) (Commissioner District No. 3).

STAFF & APPLICANT PRESENTATIONS

Mr. Markewich asked about the areas that are highlighted within the applicant’s Letter of Intent.

Ms. Bellamy stated she would need to look at the packet to see what he was referring to.

Mr. Bailey added that PCD staff does not typically mark up the applicant’s documents, so the applicant would have made those marks and can address why it was done.

Mr. Whitney asked for clarification regarding the 5th recommended condition of approval; “The developer shall ensure that all easements and notes requested by the USAFA are addressed at the final plat stage.” Does that mean it is not timely to do that now?

Ms. Bellamy replied that it *is* already addressed on the Preliminary Plan, but she wanted to ensure the easements and notations were not left out of the Final Plat.

Mr. Jason Alwine, with Matrix Design Group, responded to Mr. Markewich’s previous question. When a revised Letter of Intent was submitted, they highlighted the changes so PCD staff did not need to search through the entire document looking for edits. The highlighting was not meant to serve as emphasis, it just wasn’t turned off before final submission.

Mr. Markewich asked if a Letter of Intent would be resubmitted without the highlighting.

Mr. Alwine responded that they would submit a clean version to be sent to the BOCC. The applicant's presentation then began.

Mr. Carlson asked about an outline present on a map image within the slideshow.

Mr. Alwine explained that it was part of the offset of the property boundary for the map making program, but it has no bearing on the proposal. Presentation continued.

Mr. Whitney asked if the applicant is agreeable to PCD staff's 5th recommended condition.

Mr. Alwine confirmed and added that the note is already on the Preliminary Plan, will be carried forward onto the Final Plat, and will be included on any other necessary disclosures.

PUBLIC COMMENTS & DISCUSSION

Mr. Bailey noted that some members of the public that requested the item be heard as a Regular Item have left. He verified there is one remaining member of the public who wishes to speak.

Ms. Kaylie Drew stated she didn't get a letter notice of the public hearing but saw the posted hearing notice (poster) on the property. She noted that Ms. Bellamy's name was not on the poster, so she couldn't reach out directly to her. She came to the hearing for information because she didn't have time to read all the project information. She mentioned that there will be an impact to wildlife because elk migrate through the area. She wonders if adding 20 additional wells will impact people in the area. She would like to know if there will be additional phases. She would like to know how the increase in residents that turn off the road into this neighborhood will impact traffic for those that live further down the road. It is a two-lane road with no shoulder and she wonders how it will hold up. She mentioned wildfire risk and would like to know how the additional homes and traffic will impact her ability to get to safety. She requests that the item be postponed so people in the area can have additional time to research the information.

Mr. Alwine stated they corresponded with both CPW and US Fish & Wildlife regarding restrictions. There are other nearby large-lot developments in the area. While the developer is constructing a road into the neighborhood, individual residents will need to decide the location of their improvements. Fencing and tree-removal will follow state and federal guidelines. The finding of sufficiency regarding water is being deferred to Final Plat, so the applicant will need to address that topic at future public hearings. He clarified there will only be one phase of development, but the sale of lots and the construction of homes may happen at different times. Regarding the effect the proposal may have on traffic, the appropriate documentation was submitted to the County with no issues identified. The County asked for improvements to be made to the intersection. He explained that the number of anticipated trips is spread out over a 24-hour period, and besides peak morning and evening work commute times, should be negligible. He noted that the subject area already consists of 6 lots, so this proposal only adds 14 residences.

Mr. Markewich asked if Hay Creek Road was paved. (It is.) He then mentioned that the road was described as a narrow road with no shoulder. He asked if it would be safe to assume that a car could pass any heavy equipment traveling on and off the site.

Mr. Alwine replied that it should be possible. The proposal is a small subdivision with a small construction schedule. There may be a time where traffic must pause when there is an oversized load, for example, but it shouldn't be common because of the small scale of the proposal.

Mr. Markewich asked what would happen if damage were done to the road due to equipment.

Mr. Alwine stated the Department of Public Works would contact them if repairs needed to be done. The next step includes construction drawings, and no concerns have been mentioned so far.

Mr. Moraes asked Ms. Herington for a description of public notice requirements.

Ms. Herington answered that the application was submitted in 2022 when notifications were only sent to immediately adjacent properties. PCD's Public noticing procedures have since been updated, and PCD now notifies all property owners within 500 feet. The poster size has also increased. Going forward, both the initial notification at an application's submission *and* the notice of public hearing will be sent to property owners within 500 feet.

Mr. Moraes asked Ms. Seago for a brief overview of how water sufficiency is determined.

Ms. Seago explained that because the applicant is not requesting a finding of sufficiency with their Preliminary Plan, it will be evaluated at the Final Plat stage. They will need to provide sufficient documentation, which will be reviewed by the County Attorney's Office, to show that there is sufficient water to support the subdivision. The County Attorney's Office will then make a recommendation to the PC and BOCC of their finding.

Mr. Moraes asked what would happen if water sufficiency were not found. Would the applicant have to find another solution?

Ms. Seago confirmed and further explained that if the BOCC determines a finding of sufficiency has not been found, they could not approval the Final Plat.

Mr. Trowbridge noted that all project documents are available to the public on EDARP.

PC ACTION: TROWBRIDGE MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF CALLED-UP CONSENT ITEM NUMBER 3E, FILE NUMBER SP231, FOR A PRELIMINARY PLAN, HAY CREEK PRELIMINARY PLAN, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FIVE (5) CONDITIONS, THREE (3) NOTATIONS, AND TWO (2) WAIVERS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

5. REGULAR ITEMS

A. PUDSP222

PARSONS

PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN COPPER CHASE AT STERLING RANCH PUD PRELIMINARY PLAN

A request by Challenger Communities, LLC for approval of a combined Planned Unit Development and Preliminary Plan to create one hundred and thirty-eight (138) single-family residential lots in a single phase of development. The 19.65-acre property is zoned RS-5000 (Residential Suburban) and is located east of Vollmer Road and north of the recent Marksheffel Road extension. The PUD/Preliminary Plan is within the approved Sterling Ranch Sketch Plan. If the request for a PUD/Preliminary Plan is approved, the applicant will be required to obtain Final Plat approval prior to the issuance of any building permits on the property. (Parcel No. 5232410003) (Commissioner District Nos. 1 and 2).

STAFF & APPLICANT PRESENTATIONS

Ms. Parsons asked Ms. Herington to explain how PCD is going to address Master Plan placetype map errors such as the one occurring in the subject area.

Ms. Herington explained that the Master Plan implemented guidelines to recommend an evaluation after 2-3 years. Due to staff changes, the 2-year mark has passed. PCD will be reporting back to the Planning Commission sometime in the Spring of 2024 regarding a review of the Master Plan's implementation. If there are errors, changes, or updates that need to be made, PCD will work with the Planning Commission to complete those. The presentation continued.

Mr. Moraes asked how many more Sterling Ranch projects remained.

Ms. Parsons used a slideshow image of the Sketch Plan to explain the status of various Sterling Ranch projects.

Mr. Trowbridge asked for an explanation of the ECM deviations that were requested.

Ms. Andrea Barlow, with N.E.S., described the "broken back curve" that connects with Bynum Drive due to the short distance between the two curved roads. She also described the deviation request from mid-block crossings due to the continuous road exceeding 600 feet. She referenced the slideshow image to show where crosswalks will be provided. She discussed the overall pedestrian circulation within the community.

Ms. Parsons noted that ECM deviations are not granted by the BOCC or the PCD Director but are under the authority of the County Engineer.

NO PUBLIC COMMENTS

NO FURTHER DISCUSSION

PC ACTION: CARLSON MOVED / MORAES SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM NUMBER 5A, FILE NUMBER PUDSP222, FOR A PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN, COPPER CHASE AT STERLING RANCH PUD PRELIMINARY PLAN, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TEN (10) CONDITIONS, TWO (2) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (9-0).

6. NON-ACTION ITEMS – NONE

MEETING ADJOURNED at 10:42 A.M.

Minutes Prepared By: Miranda Benson

PRELIMINARY PLAN (RECOMMEND APPROVAL)

TAOWBRIDGE moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SP231
HAY CREEK VALLEY SUBDIVISION

WHEREAS, Matrix Design Group, Inc., did file an application with the El Paso County Planning and Community Development Department for the approval of a Preliminary Plan for the proposed Hay Creek Valley Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on September 21, 2023; and

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

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted, and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and

6. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Preliminary Plan, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.2.e of the Land Development Code (as amended):

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 the 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 the Code (this finding may not be deferred to Final Plat if the applicant intends to seek administrative Final Plat approval);
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 the Code;
6. All areas of the proposed subdivision, which may involve soil or topographical conditions ~~presenting hazards or requiring special precautions, have been identified and~~ the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)];
7. Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
8. The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;
9. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
10. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use

pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;

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

WHEREAS, a finding of sufficient water supply in terms of quantity, quality, and dependability is hereby postponed until the Final Plat. With each Final Plat filing, the applicant shall submit documentation in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Code and shall make a request to the Board of County Commissioner for a finding of water sufficiency.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Matrix Design Group Inc. for the approval of a Preliminary Plan for the proposed Hay Creek Valley Subdivision for property located in the unincorporated area of El Paso County be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. The developer(s) 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 Division of 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.
2. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that the subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471), as amended, 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.

3. A finding of water sufficiency for water quality, quantity and dependability is required with subsequent Final Plat(s) submittals.
4. The developer shall ensure that all forested acres are mitigated to reduce the risk of wildfire, that defensible space is created for each dwelling, and that all wildfire mitigation will be completed before issuance of a building permit.
5. The developer shall ensure that all easements and notes requested by the USAFA are addressed at the final plat stage.

NOTATIONS

1. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.
2. Preliminary Plans not forwarded to the Board of County Commissioners for consideration within 180 days of the Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.
3. Modifications to the Preliminary Plan as a result of the final technical design of adjacent roadways shall not require a Preliminary Plan amendment.

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

Brittain - Jack seconded the adoption of the foregoing Resolution.

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

Thomas Bailey	<u>aye</u> / no / non-voting / recused / absent
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	<u>aye</u> / no / non-voting / recused / absent
Jeffrey Markewich	<u>aye</u> / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / absent
Eric Moraes	<u>aye</u> / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / absent
Bryce Schuettpeiz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

The Resolution was adopted by a vote of 9 to 0 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 21st day of September 2023 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION


By: 
Thomas Bailey, Chair

EXHIBIT A

HAY CREEK ROAD PLAT BOUNDARY DESCRIPTION

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6th PRINCIPAL MERIDIAN; COUNTY OF EL PASO, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33, FROM WHICH THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33 BEARS NORTH 89°38'17" EAST, A DISTANCE OF 2,684.46 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 00°25'17" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, A DISTANCE OF 1,169.26 FEET;

THENCE THE FOLLOWING TWENTY-TWO (22) COURSES;

1. SOUTH 71°29'43" EAST, A DISTANCE OF 140.51 FEET;
2. NORTH 82°07'46" EAST, A DISTANCE OF 458.69 FEET;
3. NORTH 71°31'45" EAST, A DISTANCE OF 369.66 FEET;
4. NORTH 89°30'59" EAST, A DISTANCE OF 195.64 FEET;
5. NORTH 82°27'48" EAST, A DISTANCE OF 300.93 FEET;
6. SOUTH 81°25'26" EAST, A DISTANCE OF 208.57 FEET;
7. NORTH 66°51'51" EAST, A DISTANCE OF 197.45 FEET;
8. NORTH 70°47'03" EAST, A DISTANCE OF 178.13 FEET;
9. NORTH 66°11'16" EAST, A DISTANCE OF 170.15 FEET;
10. NORTH 71°47'12" EAST, A DISTANCE OF 403.02 FEET;
11. NORTH 84°26'00" EAST, A DISTANCE OF 169.75 FEET;
12. SOUTH 87°26'44" EAST, A DISTANCE OF 197.38 FEET;
13. NORTH 74°51'53" EAST, A DISTANCE OF 86.71 FEET;
14. NORTH 86°13'24" EAST, A DISTANCE OF 233.11 FEET;
15. NORTH 80°10'48" EAST, A DISTANCE OF 260.90 FEET;
16. NORTH 78°52'32" EAST, A DISTANCE OF 149.05 FEET;
17. NORTH 71°58'16" EAST, A DISTANCE OF 210.75 FEET;
18. NORTH 49°30'50" EAST, A DISTANCE OF 403.50 FEET;
19. NORTH 57°57'37" EAST, A DISTANCE OF 170.21 FEET;
20. NORTH 37°03'08" EAST, A DISTANCE OF 266.68 FEET;
21. NORTH 43°48'53" WEST, A DISTANCE OF 107.37 FEET;
22. NORTH 20°29'00" WEST, A DISTANCE OF 220.10 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 34;

THENCE NORTH 89°30'43" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1,125.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 34;

THENCE SOUTH 00°28'46" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 34, A DISTANCE OF 2,654.48 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 89°38'45" WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2,683.98 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33;

THENCE SOUTH 89°38'17" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, A DISTANCE OF 2,684.46 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 214.622 ACRES, (9,348,924 SQUARE FEET), MORE OR LESS.

COMMISSIONERS:
CAMI BREMER (CHAIR)
CARRIE GEITNER (VICE-CHAIR)

HOLLY WILLIAMS
STAN VANDERWERF
LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Lekishia Bellamy, Planner I
Edward Schoenheit, Engineer I
Meggan Herington, AICP, Executive Director

RE: Project File Numbers: SP231
Project Name: Hay Creek Preliminary Plan
Parcel Nos: 7100000267, 7100000268, 7100000269, 7100000270 7133000001,
& 7133007014

OWNER:	REPRESENTATIVE:
O M Fitzgerald 2855 Hay Creek Rd Colorado Springs, CO 80255	Matrix Design Group, Inc. Jason Alwine (719) 457-5609

Commissioner District: 3

Planning Commission Hearing Date:	9/21/2023
Board of County Commissioners Hearing Date:	10/12/2023

EXECUTIVE SUMMARY

A request by View Homes, Inc., for a Preliminary Plan for the Hay Creek Valley Subdivision to create twenty new single-family lots and three tracts. The site is 214.62 acres, zoned RR-5 (5-acre minimum lot size), and is located south of the Town of Monument, adjacent to Hay Creek Road. The property is currently improved with a single-family residence, which will remain on a lot in the western portion of the project.

A finding of water sufficiency for water quality, quantity, and dependability is not requested at this time.

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A. WAIVERS/ /AUTHORIZATION

Waiver(s):

A waiver of Section 8.4.4.C of the LDC is requested. More specifically, the modification will allow for private roads to be built in lieu of public roads for the subdivision. The private roads are proposed to be built to County standards with the exception of the proposed ECM modifications and are proposed to be maintained and owned by the Homeowner's Association (HOA).

A waiver of Section 6.3.3.C of the LDC is requested. More specifically, it will allow for one access point where two access routes is required. The Monument Fire District has agreed to the following request.

AUTHORIZATION

Authorization to Sign: There are items requiring a signature associated with this request. Approval by the Board of the Preliminary Plan without a finding of sufficiency for water quality, quantity, and dependability requires subsequent Final Plat(s) approval by the Board of County Commissioners.

B. APPROVAL CRITERIA

In approving a Preliminary Plan, Section 7.2.1.D.2 of the El Paso County Land Development Code (as amended), states the BoCC shall find that:

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of the Code;
- The subdivision is in conformance with the subdivision design standards and any approved ketch lan;
- 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 (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval);
- 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 the Code;
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been



identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];

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

C. LOCATION

North:	PUD (Planned Unit Development)	Single-family Residential
South:	USAFA	Government Federal
East:	A-35 (Agricultural)	Agricultural
West:	RR-5 (Residential Rural)	Single-family Residential

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D. ANALYSIS

1. Land Development Code Compliance

The land use of the northern boundary is zoned PUD (Planned Unit Development) Single-family, and the western boundary, which is zoned RR-5, is single-family residential homes consistent with the proposed Preliminary Plan. The eastern boundary is zoned A-35, and its land use is agricultural grazing. The property's southern boundary is the United States Air Force Academy (USAFA).

USAFA has reviewed the proposed Preliminary Plan and has stated that an aviation easement needs to be recorded with the subsequent Final Plat(s) and a copy of the recorded document be provided to the USAFA Community Planner. Additionally, the following note has been requested to be depicted on subsequent Final Plat(s):

“USAFA also asks the County to request the developer include this note on the final property plat maps and covenants to provide full disclosure of nearby training operations at any future time of sale or lease:

Notice: This property may be impacted by noise and other similar sensory effects of United States Air Force (USAFA) land-based cadet training, small arms, and light weapons firing, and of flight caused by aircraft both in (USAFA's) Airmanship Program and during special events. This notice shall remain in effect until the Air Force Academy shall cease to be used for land-based and, flight training purposes, or until all training areas and airports on the Air Force Academy shall cease to be actively used. This notice shall run in perpetuity with the land.”

Staff has added a condition to the approval of the Preliminary Plan that requires the developer ensure that all easements and notes requested by the USAFA are addressed at the final plat stage.

2. Zoning Compliance

The proposed Preliminary Plan includes 20 new lots, and one existing single-family residential parcel will be platted. Resulting in a density of less than 0.1 DU/acre. The lots will range from 5.5 to 17 acres and comply with the El Paso County Land Development Code Chapter 5.4 density and dimensional standards of RR-5 Zoning.

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E. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. **Placetype Character:** Large-Lot Residential

The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and wastewater utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) The overall density is at least 2.5 acres/lot, 2.) The design for development incorporates conservation of open space, and 3.) It is compatible with the character of existing developed areas.

Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.

Recommended Land Uses:

Primary

Single-family Detached Residential (typically 2.5-acre lots or larger)

Supporting

- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Agriculture*

Analysis: As per the proposed Preliminary Plan, the location falls under the large-lot Residential placetype. The plan aims to create lots that range from 5.5 to 17 Acres, which aligns with the primary use of the placetype. Some of the relevant goals and objectives are as follows:

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

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

Objective HC2-6 – Continue to carefully analyze each development proposal for their location, compatibility with the natural environment, and cohesion with the existing character.

b. Military: USAFA

The proposed Preliminary Plan is within a U.S. Air Force Academy (USAFA) Buffer. The Air Force Academy is to the northwest of Colorado Springs. Its core mission as an institution of higher learning is to lead cadet military training and Airmanship education for 4,400 cadets each year who should become officers in the U.S. Air Force. Ground Operations El Paso County should coordinate on land use development projects north of the Air Force Academy to ensure compatibility with the activities that regularly occur within Jack's Valley, an outdoor training complex and small arms training range.

Analysis: The Preliminary Plan being proposed is situated in an area that will be affected by the USAFA training. However, there has been consistent coordination with the USAFA Community Planner throughout the review process to ensure that the development in conjunction with military installations does not hinder their mission and promotes growth. Some of the relevant goals and strategies are outlined below:

Objective LU1-2 – Continue to partner with all of the military installations to maintain compatible use transitions and buffers adjacent to each installation through open space protection and site-specific development restrictions.

Goal 3.5 - Coordinate with military installations to foster new development that is compatible with installations and create new jobs.

Goal 6.1 - Support compatible land uses within and in close proximity to bases and associated facilities.

F. PHYSICAL SITE CHARACTERISTICS

1. Hazards

Based on the Geologic Hazard Evaluation and Preliminary Geotechnical Investigation report prepared by COLA, LLC on December 27, 2022, no hazards have

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been identified in the development area that would hinder development if mitigation measures are taken. The applicants have depicted the following notes on the Preliminary Plan:

Geology Statement:

"1. A "Geologic Hazards Evaluation and Preliminary Geotechnical Investigation", Hay Creek development, El Paso County, Colorado" (CTL | Thompson, dated December 27, 2022) is included with the submittal package.

2. There are no significant geological hazards; however, the potential for geologic hazards or constraints includes expansive near surface soils and bedrock, soils susceptible to erosion, steep slopes, and flooding. Regional geologic conditions that impact the site include seismicity and radioactivity. These geological conditions can be mitigated with engineering design and construction methods commonly employed in this area. If the previously listed potential geological hazards are found to exist, an evaluation shall be performed at the time of final geotechnical investigation for those individual lots.

3. The following lots (1-20) have been found to be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the report Geologic Hazards Evaluation and Preliminary Geotechnical Investigation Hay Creek Development by CTL | Thompson in file SP231 available at the El Paso County Planning and Community Development Department:

- downslope creep*
- rockfall source*
- rockfall runout zone*
- potentially seasonally high groundwater*
- other hazards: expansive soils & bedrock, soils susceptible to erosion, steep slopes, and flooding.*

4. Where significant cuts and/ or site grading are planned along the slope for lots 1 through 9, evaluation of the cut slope, new site grading and retaining wall/foundation wall construction should be performed that includes stability analysis. Slope evaluation will need to include the elevation of temporary cuts, if performed, and permanent wall conditions, including slope analysis may impact the proposed residence foundation."

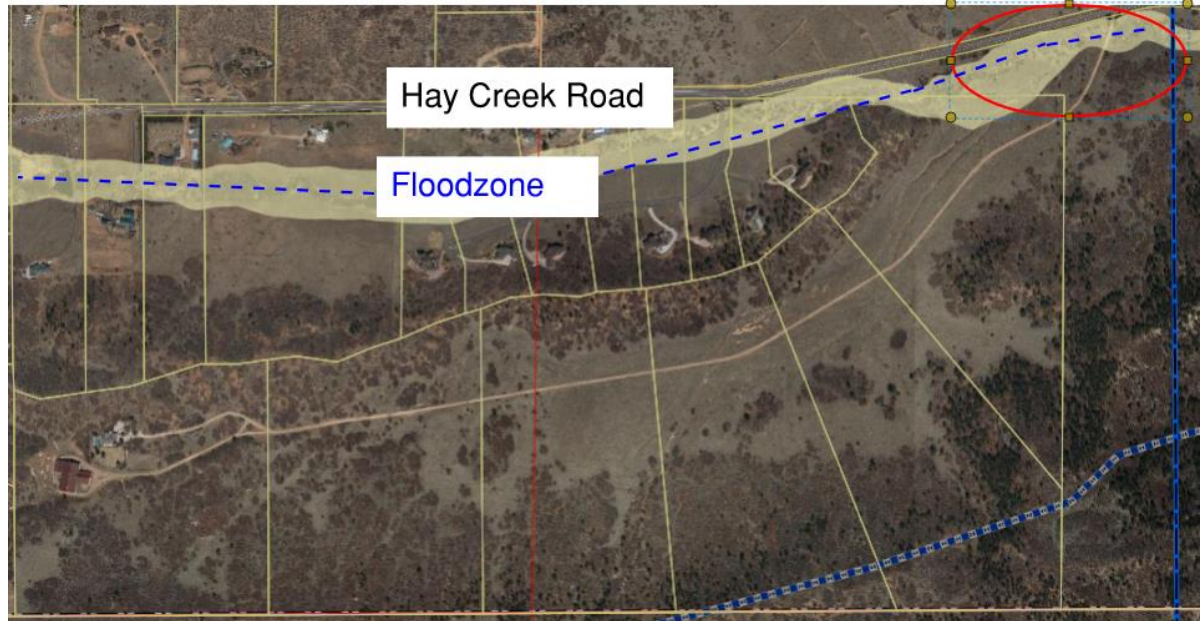
2. Floodplain

The majority of the six parcels that comprise the development area are not located within a floodplain as determined by a review of the Federal Insurance Rate Map panel number 08041C0267G, effective December 7th, 2018. The parcels located outside the floodplain area are located in Zone "X" an area of minimal flood hazard determined to be outside the 500-year flood zone. The northeastern section of



the development as shown in Exhibit 1 is located in a Zone A floodplain area. This parcel area will be designated as a tract and will not have any platted lots.

Exhibit 1.



3. Drainage and Erosion

The property is located in the Beaver Creek drainage basin and the Air Force Academy drainage basin. Beaver Creek drainage basin fees will be assessed at the time of final plat approval. Beaver Creek has no current bridge fees. The Air Force Academy drainage basin has no drainage or bridge fees. A Master Drainage Development Plan (MDDP) and Preliminary Drainage Report have been submitted with the application. No public drainage improvements are proposed. A private detention basin pond has been proposed as part of the drainage plan for the development.

4. Transportation

The property is located off Hay Creek Road, which is a County maintained, paved, rural major collector road. Access to Hay Creek Road will be via a private, paved, local, two-lane rural road with a dead-end cul-de-sac meeting Engineering Criteria Manual and Fire District design requirements with approved deviations. Access to Hay Creek Road is also enabled by a recorded access easement agreement with an adjoining property owner. A Traffic Impact Memorandum was completed for the planned development. The development is expected to generate approximately

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218 daily trips to the surrounding road network. No off-site public road improvements are proposed with the development. County Road Impact Fees will be applicable as approved by Resolution 19-471(as amended) and will be assessed at the time of building permit. Developer shall submit a Traffic Impact Study analysis with the Final Plat submission that addresses all private road design parameters to meet approved deviations. Road sections outside of the private access easement shall meet applicable ECM standards.

5. Deviations: The applicant is requesting the following deviation(s) of the Engineering Criteria Manual (ECM)

- a. The applicant requests a deviation from section 2.3.8. "A-Cul-de-sac shall only be used where absolutely necessary. Cul-de-sacs shall have a minimum radius of 50 feet and a maximum length of 1,600 feet for rural conditions and be designed in conformance with Figure 2-31 of the ECM".

ECM Administrator Recommendation: The deviation has been approved by the ECM Administrator. The nature of the topography, floodplain, and adjacent parcels around the planned subdivision does not support access from multiple points to Hay Creek Road. Therefore, the single access road with a length of approximately one (1) mile in length would need to terminate in a cul-de-sac. The existing roadway is to be improved by widening, paving, and the addition of a cul-de-sac with a 50 ft radius to accommodate large emergency vehicles. An endorsement letter was provided by the Monument Fire District dated April 10, 2023, for one point of access and one cul-de-sac.

- b. A deviation from the standards of section 2.3.2 of the ECM is requested. The private road centerline radius and road alignment angle cannot not be fully met for a section of the road that lies within a private access easement. A ¼ mile portion of the private existing dirt access driveway that runs between the Hay Creek Valley property and Hay Creek Road (public) is not owned by the Hay Creek Valley Subdivision. The adjacent property owner is not willing to grant any additional access easement and therefore the intersection of the existing roadway with Hay Creek Road is proposed to remain in its current location. Due to the confines of the existing 60' ingress-egress easement, a 300' centerline radius cannot be achieved. Road Design Standards by Functional Classification Section 2.2.4 of the ECM identifies the Roadway Functional Classifications

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recognized and used by the County. Table 2-4 through Table 2-7 summarizes the minimum roadway design standards by category and functional classification. Detailed Road Standard Drawings are provided in Appendix F. Table 2.5 of the ECM states that the minimum centerline radius for a rural local roadway shall be 300'. Section 2.3.7.C of the ECM states that the intersection alignment angle of crossing roadways shall intersect at 90 degrees whenever possible. In no case shall roadways intersect at less than 80 degrees or more than 100 degrees.

ECM Administrator Recommendation: The deviation has been approved by the ECM Administrator. Improvements will be made to that portion of the roadway including adjusting the intersection angle of the private road and Hay Creek Road to within 10 degrees of 90, widening and paving and removing any obstruction to ensure a line of sight at the intersection that meets ECM standards. Conditions of approval for this deviation were as follows: Deviation only applicable to the road curves located in the existing offsite access easement as described above. All other road curves not in the access easement must be revised to meet ECM criteria. The Final Plat Traffic Impact Study submission must address required mitigation necessary due to the reduced design centerline radius to include reduced speed limits and additional advisory signage at road curves. The mitigation measures will be reviewed at the time of Final Plat to ensure they have been met.

- c. A deviation from the standards of section 2.3.3.D.2 (Horizontal Alignment-Superelevation) of the Engineering Criteria Manual. "Superelevation is not permitted on roadways with design speeds less than 50 MPH". A 2% superelevated road is requested due to the existing topography and drainage patterns of the proposed subdivision design.

ECM Administrator Recommendation: This deviation is under review by the ECM Administrator until the Traffic Impact Study and private road construction drawings are submitted with the Final Plat.

G. SERVICES

1. Water

At this current stage, the proposed water source will be from a well, but there is no water sufficiency available. The developer has decided to wait until the Final Plat application to submit the water sufficiency.

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2. Sanitation

Septic will serve as the sanitation service. Septic tanks and leech fields will be installed on each lot.

3. Emergency Services

The property is within the Monument Fire District. The district was sent a referral and stated that "All work or fire mitigation as outlined/described within the wildfire report should be completed before the construction of homes begins."

4. Utilities

Electrical service is provided by Mountain View Electric Association (MVEA). Black Hills Energy will provide Natural Gas. The agencies were sent a referral and have no outstanding comments.

5. Schools

The site is within the boundaries of Lewis-Palmer School 38. Fees in lieu of school land dedication are applicable to subdivisions.

H. STATUS OF MAJOR ISSUES

No major issues remain.

I. RECOMMENDED CONDITIONS AND NOTATIONS

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

CONDITIONS

1. 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 Division of 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.
2. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide



Transportation Improvement Fee Resolution (Resolution 19-471), as amended, 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.

3. A finding of water sufficiency for water quality, quantity and dependability is required with subsequent Final Plat(s) submittals.
4. Developer shall ensure that all forested acres are mitigated to reduce the risk of wildfire, that defensible space is created for each dwelling, and that all wildfire mitigation will be completed before issuance of a building permit.
5. Developer shall ensure that all easements and notes requested by the USAFA are addressed at the final plat stage.

NOTATIONS

1. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.
2. Preliminary Plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.
3. Modifications to the Preliminary Plan as a result of the final technical design of adjacent roadways shall not require a Preliminary Plan amendment.

J. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 21 adjoining property owners on September 5, 2023, for the Planning Commission. Responses will be provided at the hearing.

K. ATTACHMENTS

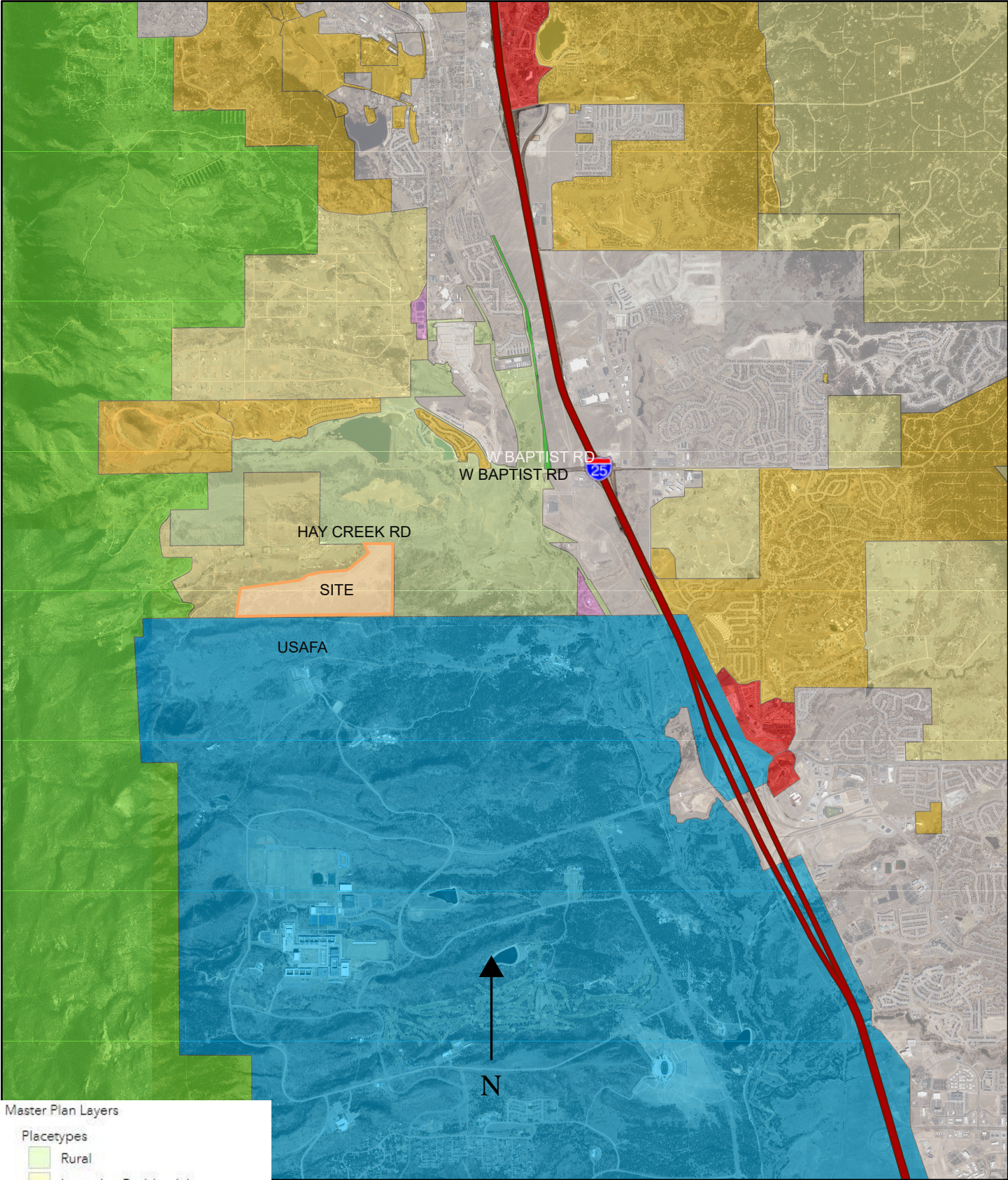
Map Packet
Preliminary Plan
Letter of Intent
USAFA Letter
Draft Preliminary Plan Resolution

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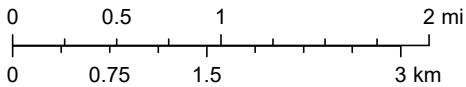
Hay Creek Valley Place Type



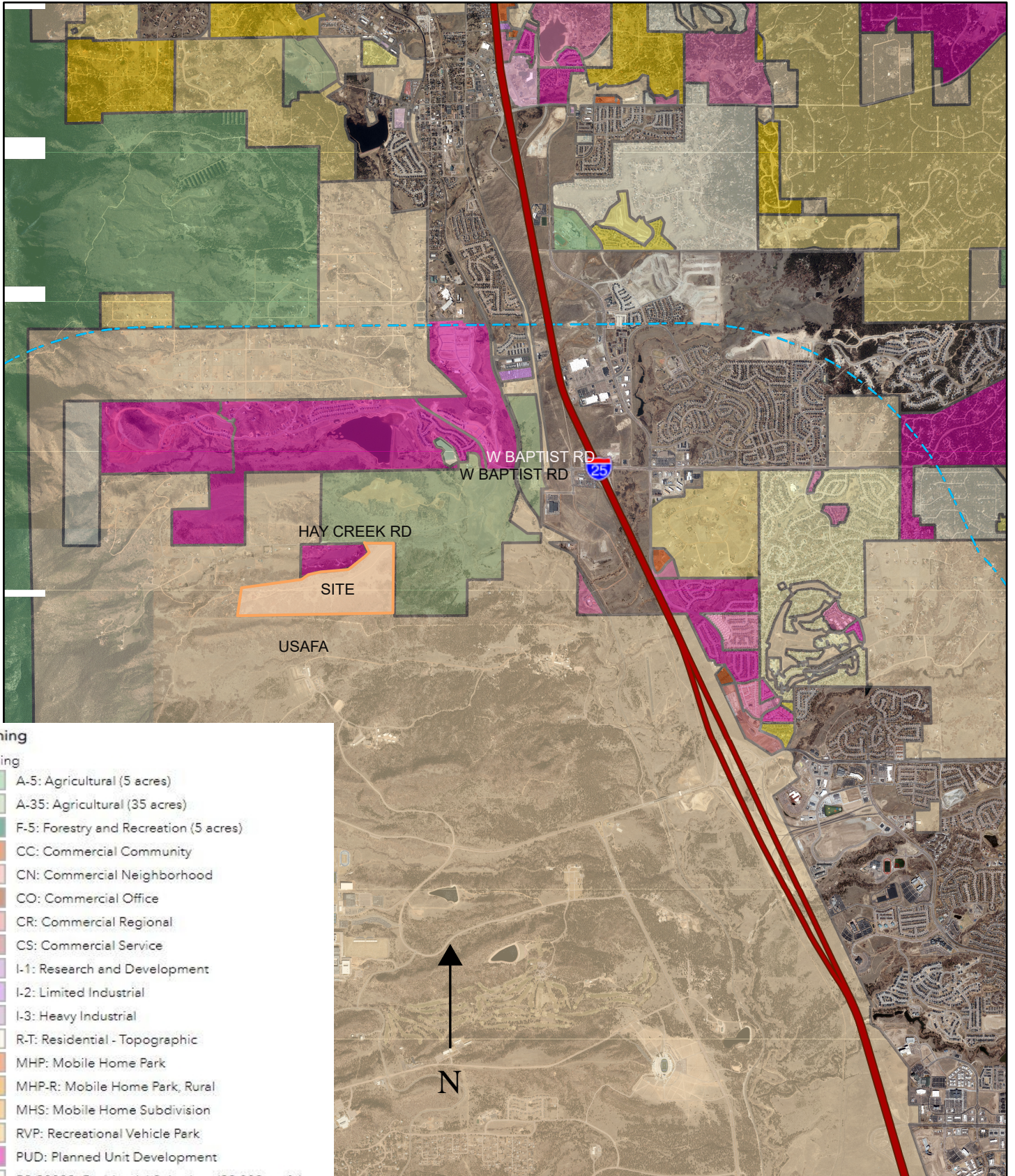
Master Plan Layers

Placetypes

- Rural
- Large-Lot Residential
- Suburban Residential
- Urban Residential
- Rural Center
- Regional Center
- Employment Center
- Regional Open Space
- Mountain Interface
- Military
- Utility
- Incorporated Area

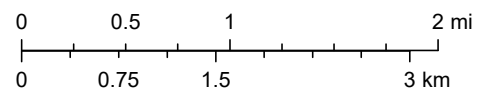


Hay Creek Valley Zoning /Military Buffer



Zoning

- Zoning
- A-5: Agricultural (5 acres)
 - A-35: Agricultural (35 acres)
 - F-5: Forestry and Recreation (5 acres)
 - CC: Commercial Community
 - CN: Commercial Neighborhood
 - CO: Commercial Office
 - CR: Commercial Regional
 - CS: Commercial Service
 - I-1: Research and Development
 - I-2: Limited Industrial
 - I-3: Heavy Industrial
 - R-T: Residential - Topographic
 - MHP: Mobile Home Park
 - MHP-R: Mobile Home Park, Rural
 - MHS: Mobile Home Subdivision
 - RVP: Recreational Vehicle Park
 - PUD: Planned Unit Development
 - RS-20000: Residential Suburban (20,000 sq. ft.)
 - RS-6000: Residential Suburban (6,000 sq. ft.)
 - RS-5000: Residential Suburban (5,000 sq. ft.)
 - RM-12: Residential Multi-Dwelling (12 DU/acre)
 - RM-30: Residential Multi-Dwelling (30 DU/acre)
 - RR-0.5: Residential Rural (0.5 acres)
 - RR-2.5: Residential Rural (2.5 acres)
 - RR-5: Residential Rural (5 acres)
 - C-1: ** Commercial
 - C-2: ** Commercial
 - M: ** Industrial
 - R-4: ** Planned Development



..... Military Buffer

HAY CREEK VALLEY

EL PASO COUNTY, COLORADO

PRELIMINARY PLAN

SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO.

DEVELOPMENT NOTES

- TRACTS:
 - TRACT A - LAND USE INCLUDES PREBLE'S MEADOW JUMPING MOUSE HABITAT PROTECTION.
 - TRACT A & B SHALL BE UTILIZED AS DRAINAGE TRACTS AND OPEN SPACE. OWNERSHIP AND MAINTENANCE OF TRACT A & B SHALL BE VESTED TO HAY CREEK VALLEY HOA.
 - TRACT C SHALL BE UTILIZED AS A FIRE CISTERN TRACT. OWNERSHIP AND MAINTENANCE OF TRACT C SHALL BE VESTED TO HAY CREEK VALLEY HOA.
 - TRACT D SHALL BE UTILIZED AS A PRIVATE ROAD TRACT AND WILL PROVIDE ACCESS TO ALL LOTS.
- THE DEVELOPER INTENDS TO PAY SCHOOL FEES IN LIEU OF LAND DEDICATION.
- ALL COMMON DRIVEWAY EASEMENTS TO BE DRAINAGE AND UTILITY EASEMENTS IN THEIR ENTIRETY.
- ALL STREETS WITHIN THIS SUBDIVISION SHALL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND WILL BE PRIVATELY OWNED AND MAINTAINED EXCEPT WHERE A DEVIATION AND/OR MODIFICATION HAS BEEN REQUESTED.
- WATER TO BE PROVIDED VIA INDIVIDUAL ON SITE WELLS OPERATED THROUGH A STATE APPROVED WATER REPLACEMENT PLAN.
- WASTE WATER TO BE INDIVIDUAL ON SITE SEPTIC SYSTEMS.
- THIS PROPERTY IS LOCATED WITHIN AND SERVICED BY BLACK HILLS ENERGY, THE TRI-LAKES MONUMENT FIRE PROTECTION DISTRICT, AND THE LEWIS-PALMER SCHOOL DISTRICT NO. 38.
- THERE SHALL BE NO DRIVEWAY ACCESS ONTO HAY CREEK ROAD.
- ALL ROADWAY AND DRAINAGE FACILITIES SHALL BE CONSTRUCTED TO EL PASO COUNTY STANDARDS AND SHALL BE OWNED AND MAINTAINED BY THE HAY CREEK HOA.
- INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS PER EL PASO COUNTY LAND DEVELOPMENT CODE. SPECIFIC LOTS MAY REQUIRE LARGER DRIVEWAY CULVERTS BASED ON THE APPROVED FINAL DRAINAGE REPORT, DRIVEWAY CULVERT ANALYSIS AND REQUIRED SIZING WILL BE PROVIDED WITH FINAL PLAT FOR LOTS THAT REQUIRE LARGER THAN AN 18-INCH DIAMETER PIPE.
- A NOXIOUS WEED MANAGEMENT PLAN WILL BE PROVIDED TO THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT PRIOR TO CONSTRUCTION. IT IS THE APPLICANT'S RESPONSIBILITY TO COMPLY WITH ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND REGULATIONS INCLUDING BUT NOT LIMITED TO THE COLORADO NOXIOUS WEED ACT AND THE EL PASO COUNTY WEED MANAGEMENT PLAN.
- DEVELOPMENT IS GATED AND EMERGENCY ACCESS WILL BE GAINED WITH A FIRE DEPARTMENT APPROVED KNOXBOX.
- DEVELOPER IS RESPONSIBLE FOR INSTALLATION OF CISTERN FOR PURPOSES OF FIRE SUPPRESSION. CISTERN IS TO BE MAINTAINED BY THE HAY CREEK VALLEY HOA.

STANDARD PCD PLAN NOTES

- THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE PRELIMINARY PLAN FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: DRAINAGE REPORT; WATER RESOURCES REPORT; GEOLOGY AND SOILS REPORT; FIRE PROTECTION REPORT; NATURAL FEATURES REPORT, CULTURAL REPORT, WASTEWATER REPORT, AND TRAFFIC MEMO. WATER SUFFICIENCY REPORT DEFERRED TO PLAT.
- ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. HOMEBUILDERS ARE RESPONSIBLE TO ENSURE PROPER DRAINAGE AROUND STRUCTURES, INCLUDING ELEVATIONS OF FOUNDATIONS AND WINDOW WELLS IN RELATION TO SIDE-LOT DRAINAGE EASEMENTS AND SWALES. HOMEOWNERS SHALL NOT CHANGE THE GRADE OF THE LOT OR DRAINAGE SWALES WITHIN SAID EASEMENTS, AS CONSTRUCTED BY THE BUILDER, IN A MANNER THAT WOULD CAUSE ADVERSE DRAINAGE IMPACTS TO PROPERTIES.
- UNLESS OTHERWISE INDICATED, ALL FRONT, SIDE AND REAR LOT LINES ARE TO BE PLATTED WITH FINAL PLAT ON EITHER SIDE WITH A MINIMUM 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE TO BE PLATTED WITH FINAL PLAT WITH A MINIMUM 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS TO BE VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.
- 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 DIVISION OF 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 RELATED TO THE LISTED SPECIES IDENTIFIED IN THE PROJECTS ENVIRONMENTAL ASSESSMENT.
- MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH EL PASO COUNTY AND US POSTAL SERVICE REGULATIONS.
- NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
- THE PRIVATE ROAD AS SHOWN ON THIS PLAT SHALL NOT BE MAINTAINED BY EL PASO COUNTY UNTIL AND UNLESS THE STREETS ARE CONSTRUCTED IN CONFORMANCE WITH EL PASO COUNTY STANDARDS IN EFFECT AT THE DATE OF THE REQUEST FOR DEDICATION AND MAINTENANCE.
- NO STRUCTURE OR FENCES ARE PERMITTED WITHIN DESIGNATED "FLOODPLAIN" OR PARK AND OPEN SPACE" AREAS. (MODIFICATION OF THIS NOTE MAY BE ALLOWED IF THE PLAN APPROVED BY THE FLOODPLAIN ADMINISTRATOR, PROVIDED THIS CREATES NO CONFLICT WITH APPROVED PLANS OR CONDITIONS.)
- TO BE DETERMINED AT FINAL PLAT, EXCEPT AS OTHERWISE NOTED ON THE PRELIMINARY PLAN, INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS PER LAND DEVELOPMENT CODE SECTION 6.3.3.C.2 AND 6.2.2.C.3. DUE TO THEIR LENGTH, SOME OF THE DRIVEWAYS WILL NEED TO BE APPROVED BY THE TRI-LAKES MONUMENT FIRE PROTECTION DISTRICT.
- AT THE TIME OF APPROVAL OF THIS PROJECT, THIS PROPERTY IS LOCATED WITHIN THE TRI-LAKES MONUMENT FIRE PROTECTION DISTRICT, WHICH HAS ADOPTED A FIRE CODE WITH FIRE MITIGATION REQUIREMENTS DEPENDING UPON THE LEVEL OF FIRE RISK ASSOCIATED WITH THE PROPERTY AND STRUCTURES. THE OWNER OF ANY LOT SHOULD CONTACT THE FIRE DISTRICT TO DETERMINE THE EXACT DEVELOPMENT REQUIREMENTS RELATIVE TO THE ADOPTED FIRE CODE. DUE TO WILDFIRE CONCERNS, HOMEOWNERS ARE ENCOURAGED TO INCORPORATE WILDFIRE FUEL BREAK PROVISIONS AS RECOMMENDED BY THE CSFS AND ILLUSTRATED THROUGH THE PUBLICATIONS AVAILABLE THROUGH THE CSFS.
- NO-BUILD AREAS ARE AS SHOWN ON THE PLANS. NO-BUILD AREAS INCLUDE, BUT ARE NOT LIMITED TO, WITHIN DESIGNATED PREBLE MOUSE HABITAT, DESIGNATED WETLANDS, AND DESIGNATED DRAINAGE EASEMENTS. NO-BUILD AREAS WITHIN INDIVIDUAL LOTS ARE THE RESPONSIBILITY OF THE PROPERTY OWNER. ALL OTHER NO-BUILD AREAS SHALL BE THE RESPONSIBILITY OF THE PROPERTY OWNER'S ASSOCIATION.
- THE SUBDIVIDER(S) AGREE ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OF BUILDER SUCCESSORS AND ASSIGNEES THAT 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 NO. 19-471), 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 IN PLAT NOTES TO ENSURE THAT A TITLE SEARCH WOULD FIND THE FEE OBLIGATION BEFORE SALE OF THE PROPERTY.
- INDIVIDUAL WELLS ARE THE RESPONSIBILITY OF EACH PROPERTY OWNER. PERMITS FOR INDIVIDUAL WELLS MUST BE OBTAINED FROM THE STATE ENGINEER WHO BY LAW HAS THE AUTHORITY TO SET CONDITIONS FOR THE ISSUANCE OF THESE PERMITS.
- SEWAGE TREATMENT IS THE RESPONSIBILITY OF EACH INDIVIDUAL PROPERTY OWNER. THE EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT MUST APPROVE EACH SYSTEM AND, IN SOME CASES THE DEPARTMENT MAY REQUIRE AN ENGINEER DESIGNED SYSTEM PRIOR TO PERMIT APPROVAL. THESE SYSTEMS MAY COST MORE TO DESIGN, INSTALL, AND MAINTAIN.
- AS A CONDITION OF APPROVAL OF THIS PLAT BY THE BOARD OF COUNTY COMMISSIONERS, NO BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY BE ISSUED BY EL PASO COUNTY, UNTIL SUCH TIMES AS THE FOLLOWING HAS BEEN ACCOMPLISHED BY PROPERTY OWNER. A LETTER OF COMPLIANCE HAS BEEN RECEIVED FROM THE COLORADO STATE FOREST SERVICE, FIRE DEPARTMENT, FIRE MARSHAL, OR OTHER QUALIFIED PROFESSIONAL STATING PRACTICES DESIGNED TO REDUCE WILDFIRE HAZARDS HAVE BEEN COMPLETED IN ACCORDANCE WITH THE WILDLAND FIRE AND HAZARD MITIGATION PLAN. SUCH WORK MAY INCLUDE, BUT IS NOT NECESSARILY LIMITED TO THE FOLLOWING:
 - FOREST-WIDE THINNINGS
 - FUELBREAK THINNINGS
 - PRUNINGS
 - DEBRIS DISPOSAL
- ALL DRIVEWAY ENTRANCES FROM THE PRIVATE ROAD MUST MEET GRADE LIMITS PER LDC 6.3.3.C.3 AS AMENDED.

GEOLOGY STATEMENT

- A "GEOLOGIC HAZARDS EVALUATION AND PRELIMINARY GEOTECHNICAL INVESTIGATION", HAY CREEK DEVELOPMENT, EL PASO COUNTY, COLORADO" (CTL | THOMPSON, DATED DECEMBER 27, 2022) IS INCLUDED WITH THE SUBMITTAL PACKAGE.
- THERE ARE NO SIGNIFICANT GEOLOGICAL HAZARDS; HOWEVER, THE POTENTIAL FOR GEOLOGIC HAZARDS OR CONSTRAINTS INCLUDES EXPANSIVE NEAR SURFACE SOILS AND BEDROCK, SOILS SUSCEPTIBLE TO EROSION, STEEP SLOPES, AND FLOODING. REGIONAL GEOLOGIC CONDITIONS THAT IMPACT THE SITE INCLUDE SEISMICITY AND RADIOACTIVITY. THESE GEOLOGICAL CONDITIONS CAN BE MITIGATED WITH ENGINEERING DESIGN AND CONSTRUCTION METHODS COMMONLY EMPLOYED IN THIS AREA. IF THE PREVIOUSLY LISTED POTENTIAL GEOLOGICAL HAZARDS ARE FOUND TO EXIST, AN EVALUATION SHALL BE PERFORMED AT THE TIME OF FINAL GEOTECHNICAL INVESTIGATION FOR THOSE INDIVIDUAL LOTS.
- THE FOLLOWING LOTS (1-20) HAVE BEEN FOUND TO BE IMPACTED BY GEOLOGIC HAZARDS. MITIGATION MEASURES AND A MAP OF THE HAZARD AREA CAN BE FOUND IN THE REPORT GEOLOGIC HAZARDS EVALUATION AND PRELIMINARY GEOTECHNICAL INVESTIGATION HAY CREEK DEVELOPMENT BY CTL | THOMPSON IN FILE SP231 AVAILABLE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT:
 - DOWNSLOPE CREEP:
 - ROCKFALL SOURCE:
 - ROCKFALL RUNOUT ZONE:
 - POTENTIALLY SEASONALLY HIGH GROUNDWATER:
 - OTHER HAZARDS: EXPANSIVE SOILS & BEDROCK, SOILS SUSCEPTIBLE TO EROSION, STEEP SLOPES, AND FLOODING.
- WHERE SIGNIFICANT CUTS AND/OR SITE GRADING ARE PLANNED ALONG THE SLOPE FOR LOTS 1 THROUGH 9, EVALUATION OF THE CUT SLOPE, NEW SITE GRADING AND RETAINING WALL/FOUNDATION WALL CONSTRUCTION SHOULD BE PERFORMED THAT INCLUDES STABILITY ANALYSIS. SLOPE EVALUATION WILL NEED TO INCLUDE THE ELEVATION OF TEMPORARY CUTS, IF PERFORMED, AND PERMANENT WALL CONDITIONS, INCLUDING SLOPE ANALYSIS MAY IMPACT THE PROPOSED RESIDENCE FOUNDATION.

PROPERTY ACREAGE BY USE:

TOTAL SITE: 214.62 ACRES
RESIDENTIAL LOTS: 193.57 AC.
TRACT A (OPEN SPACE/ EXISTING ROW): 11.62 AC.
TRACT B (DETENTION): 3.01 AC.
TRACT C (CISTERN): 0.06 AC.
TRACT D (PRIVATE ROAD): 6.36 AC.

AVIGATION EASEMENT NOTES

- AN AVIGATION EASEMENT EFFECTING THE SUBJECT PROPERTY AND DEVELOPMENT IS SUBJECT TO THE TERMS AND CONDITIONS AS SPECIFIED IN THE INSTRUMENT RECORDED UNDER RECEPTION NO. _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.
- NOTICE: THIS PROPERTY MAY BE IMPACTED BY NOISE AND OTHER SIMILAR SENSORY EFFECTS OF UNITED STATES AIR FORCE (USAF) LAND-BASED CADET TRAINING, SMALL ARMS, AND LIGHT WEAPONS FIRING, AND OF FLIGHT CAUSED BY AIRCRAFT BOTH IN (USAF)'S AIRMANSHIP PROGRAM AND DURING SPECIAL EVENTS. THIS NOTICE SHALL REMAIN IN EFFECT UNTIL THE AIR FORCE ACADEMY SHALL CEASE TO BE USED FOR LAND-BASED AND, FLIGHT TRAINING PURPOSES, OR UNTIL ALL TRAINING AREAS AND AIRPORTS ON THE AIR FORCE ACADEMY SHALL CEASE TO BE ACTIVELY USED. THIS NOTICE SHALL RUN IN PERPETUITY WITH THE LAND.

INDEX OF SHEETS

TS01	COVER SHEET	1
GN01	GENERAL NOTES & DETAILS	2
GN02	TRACT MAP & SHEET INDEX	3
SP01-SP03	PRELIMINARY PLAN SHEETS	4-6

OWNER/DEVELOPER
VIEW HOMES, INC
555 MIDDLE CREEK PARKWAY, SUITE 500
COLORADO SPRINGS, CO 80921

WATER: INDIVIDUAL WELLS
WASTEWATER: ON-SITE SEPTIC SYSTEMS
ELECTRIC: MVEA
GAS: BLACK HILLS ENERGY
PRIVATE ROADS: HAY CREEK VALLEY HOA
FIRE DEPARTMENT: MONUMENT FIRE DISTRICT

CIVIL ENGINEER
MATRIX DESIGN GROUP
2435 RESEARCH PARKWAY, SUITE 300
COLORADO SPRINGS, CO 80920

LEGAL DESCRIPTION: HAY CREEK VALLEY SUBDIVISION

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33, FROM WHICH THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33 BEARS NORTH 89°38'17" EAST, A DISTANCE OF 2,684.46 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 00°25'17" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, A DISTANCE OF 1,169.26 FEET;

THENCE THE FOLLOWING TWENTY-TWO (22) COURSES:

- SOUTH 71°29'43" EAST, A DISTANCE OF 140.51 FEET;
- NORTH 82°07'46" EAST, A DISTANCE OF 458.69 FEET;
- NORTH 71°31'45" EAST, A DISTANCE OF 369.66 FEET;
- NORTH 89°30'59" EAST, A DISTANCE OF 195.64 FEET;
- NORTH 82°27'48" EAST, A DISTANCE OF 300.93 FEET;
- SOUTH 81°25'26" EAST, A DISTANCE OF 208.57 FEET;
- NORTH 66°51'51" EAST, A DISTANCE OF 197.45 FEET;
- NORTH 70°47'03" EAST, A DISTANCE OF 178.13 FEET;
- NORTH 66°11'16" EAST, A DISTANCE OF 170.15 FEET;
- NORTH 71°47'12" EAST, A DISTANCE OF 403.02 FEET;
- NORTH 84°26'00" EAST, A DISTANCE OF 169.75 FEET;
- SOUTH 87°26'44" EAST, A DISTANCE OF 197.38 FEET;
- NORTH 74°51'53" EAST, A DISTANCE OF 86.71 FEET;
- NORTH 86°13'24" EAST, A DISTANCE OF 233.11 FEET;
- NORTH 80°10'48" EAST, A DISTANCE OF 260.90 FEET;
- NORTH 78°52'32" EAST, A DISTANCE OF 149.05 FEET;
- NORTH 71°58'16" EAST, A DISTANCE OF 210.75 FEET;
- NORTH 49°30'50" EAST, A DISTANCE OF 403.50 FEET;
- NORTH 57°57'37" EAST, A DISTANCE OF 170.21 FEET;
- NORTH 37°03'08" EAST, A DISTANCE OF 266.68 FEET;
- NORTH 43°48'53" WEST, A DISTANCE OF 107.37 FEET;
- NORTH 20°29'00" WEST, A DISTANCE OF 220.10 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 34;

THENCE NORTH 89°30'43" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1,125.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 34;

THENCE SOUTH 00°28'46" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 34, A DISTANCE OF 2,654.48 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 89°38'45" WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2,683.98 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33;

THENCE SOUTH 89°38'17" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, A DISTANCE OF 2,684.46 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 214.622 ACRES, (9,348,924 SQUARE FEET), MORE OR LESS.

CONSULTANTS:

PLANNER/ LANDSCAPE ARCHITECT/ CIVIL ENGINEER:



2435 RESEARCH PARKWAY, SUITE 300
COLORADO SPRINGS, CO 80920
PHONE: (719) 575-0100
FAX : (719) 575-0208

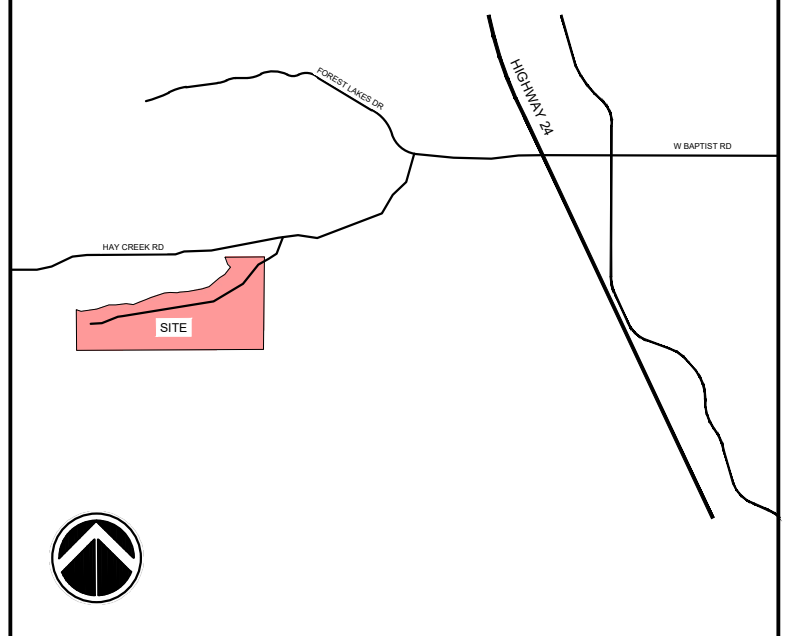
OWNER/DEVELOPER:

VIEW HOMES, INC

555 MIDDLE CREEK PARKWAY SUITE 500
COLORADO SPRINGS, CO 80921
CLIENT PHONE (719) 382-9433

APPROVAL:

VICINITY MAP:



PROJECT:

HAY CREEK VALLEY SUBDIVISION PRELIMINARY PLAN

EL PASO COUNTY, CO
JULY 2023

REVISION HISTORY:

NO.	DATE	DESCRIPTION	BY
1	04/27/2023	REVISED PER EPC COMMENTS	BP
2	07/17/2023	REVISED PER EPC COMMENTS	BP

DRAWING INFORMATION:

PROJECT NO: 22.886.076

DRAWN BY: BTP

CHECKED BY: RAF

APPROVED BY: JRA

SHEET TITLE:

TITLE SHEET

TS01

SHEET 01 OF 06

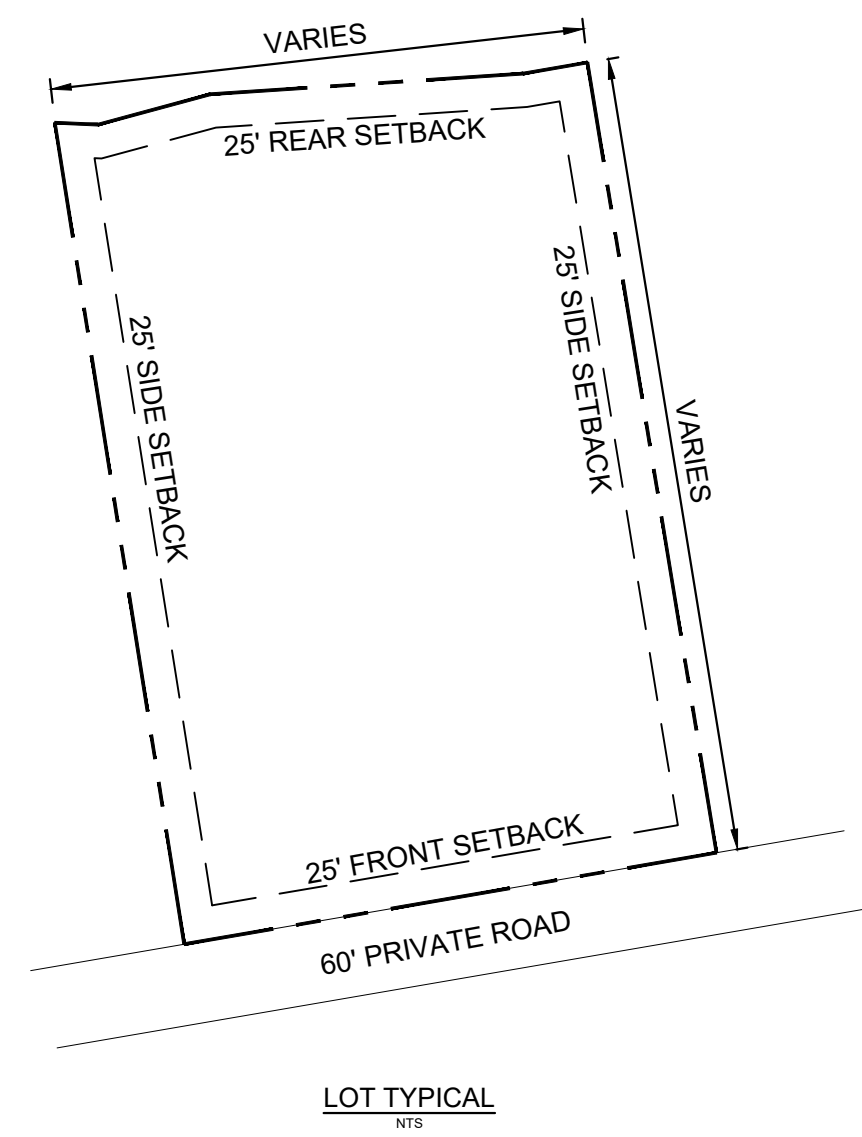
FILE NO.: SP-23-01

HAY CREEK VALLEY

EL PASO COUNTY, COLORADO

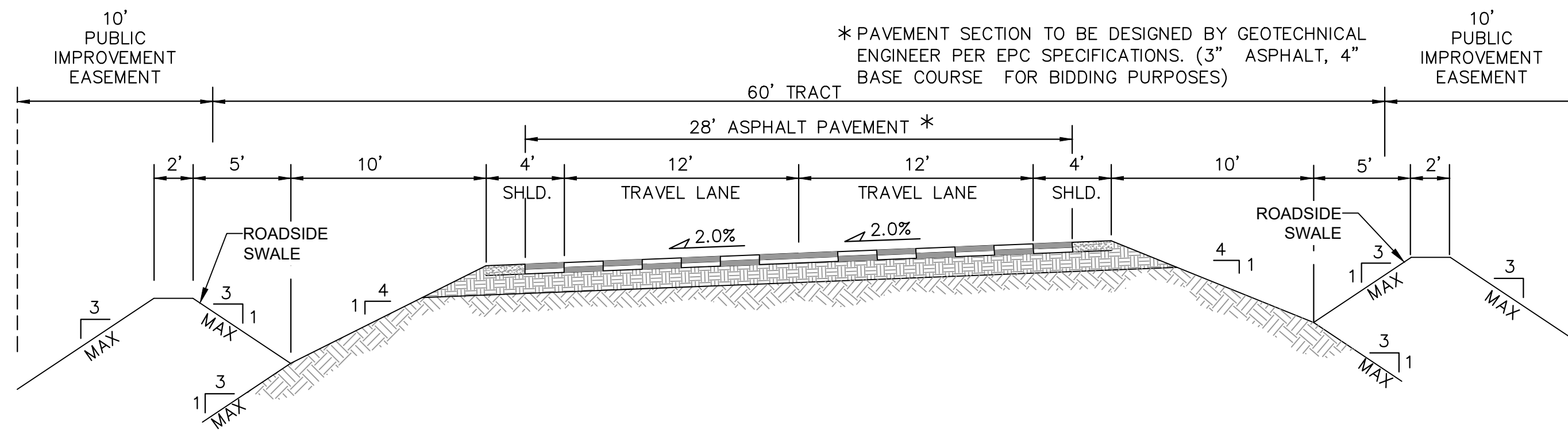
PRELIMINARY PLAN

SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO.



LOT TYPICAL
NTS

LOT TYPICAL		MIN SETBACKS			MAX LOT COVERAGE	MAX HEIGHT	
ZONING DISTRICT	MIN. LOT AREA	MIN. WIDTH AT FRONT SETBACK	FRONT	REAR			SIDE
RR-5	5 AC	200 Ft	25 Ft	25 Ft	25 Ft	25%	30 Ft



PRIVATE ROAD NOTES:

TOTAL LENGTH OF ROAD: 5134.3 LF
 TOTAL AREA OF ROW & TRACT D (EXISTING & PROPOSED): 7.41 ACRES
 TOTAL AREA PAVED SURFACE ON ROAD: 3.91 ACRES
 ROAD NAME AND CLASSIFICATION: WHITE BEAR POINT (PRIVATE ROAD)
 SURFACE MATERIAL: ASPHALT
 DESIGN SPEED FOR LOCAL RURAL: 30 MPH

CONSULTANTS:

PLANNER/ LANDSCAPE ARCHITECT/ CIVIL ENGINEER:



2435 RESEARCH PARKWAY, SUITE 300
 COLORADO SPRINGS, CO 80920
 PHONE: (719) 575-0100
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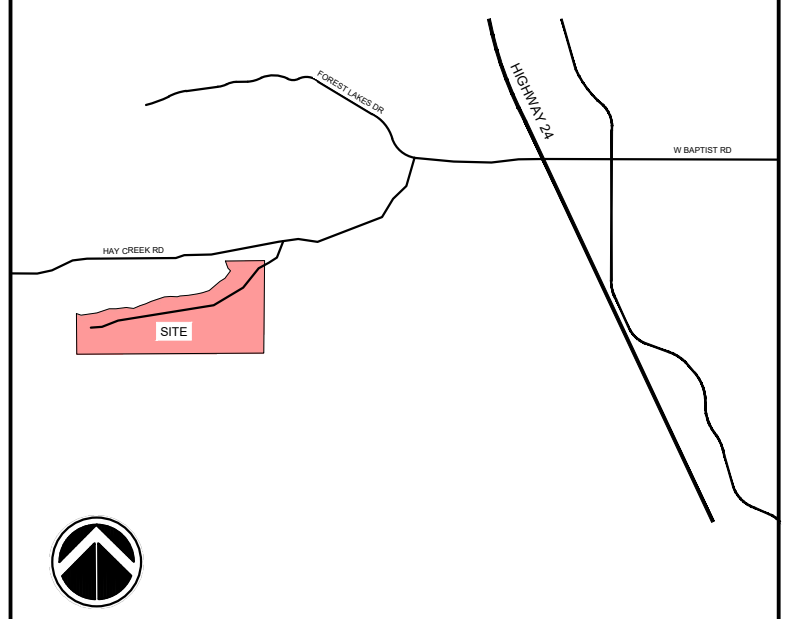
OWNER/DEVELOPER:

VIEW HOMES, INC

555 MIDDLE CREEK PARKWAY SUITE 500
 COLORADO SPRINGS, CO 80921
 CLIENT PHONE (719) 382-9433

APPROVAL:

VICINITY MAP:



PROJECT:

HAY CREEK VALLEY SUBDIVISION
 PRELIMINARY PLAN

EL PASO COUNTY, CO
 JULY 2023

REVISION HISTORY:

NO.	DATE	DESCRIPTION	BY
1	04/27/2023	REVISED PER EPC COMMENTS	BP
2	07/17/2023	REVISED PER EPC COMMENTS	BP

DRAWING INFORMATION:

PROJECT NO: 22.886.076

DRAWN BY: BTP

CHECKED BY: RAF

APPROVED BY: JRA

SHEET TITLE:

GENERAL NOTES &
 DETAILS

GN01

SHEET 02 OF 06

FILE NO.: SP-23-01

HAY CREEK VALLEY

EL PASO COUNTY, COLORADO

PRELIMINARY PLAN

SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO.

CONSULTANTS:

PLANNER/ LANDSCAPE ARCHITECT/ CIVIL ENGINEER:



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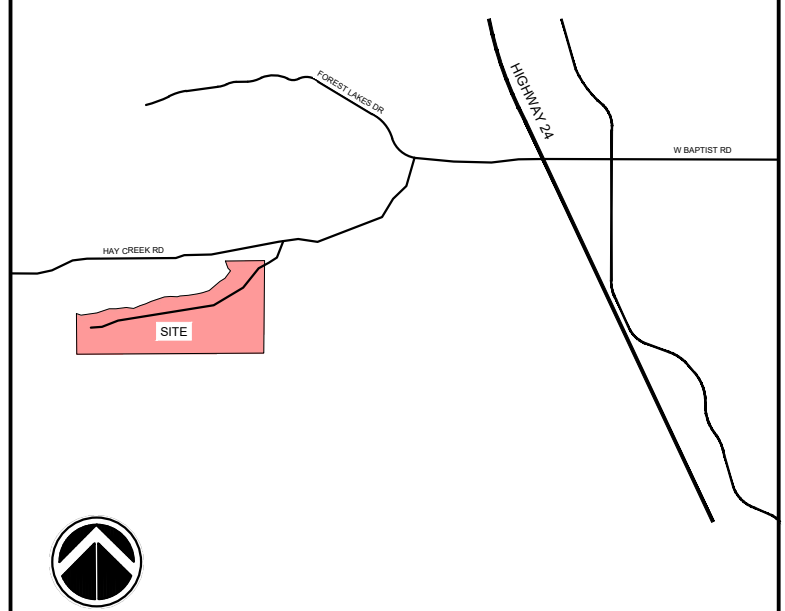
OWNER/DEVELOPER:

VIEW HOMES, INC

555 MIDDLE CREEK PARKWAY SUITE 500
COLORADO SPRINGS, CO 80921
CLIENT PHONE (719) 382-9433

APPROVAL:

VICINITY MAP:



PROJECT:

HAY CREEK VALLEY SUBDIVISION
PRELIMINARY PLAN

EL PASO COUNTY, CO
JULY 2023

REVISION HISTORY:

NO.	DATE	DESCRIPTION	BY
1	04/27/2023	REVISED PER EPC COMMENTS	BP
2	07/17/2023	REVISED PER EPC COMMENTS	BP

DRAWING INFORMATION:

PROJECT NO: 22.886.076

DRAWN BY: BTP

CHECKED BY: RAF

APPROVED BY: JRA

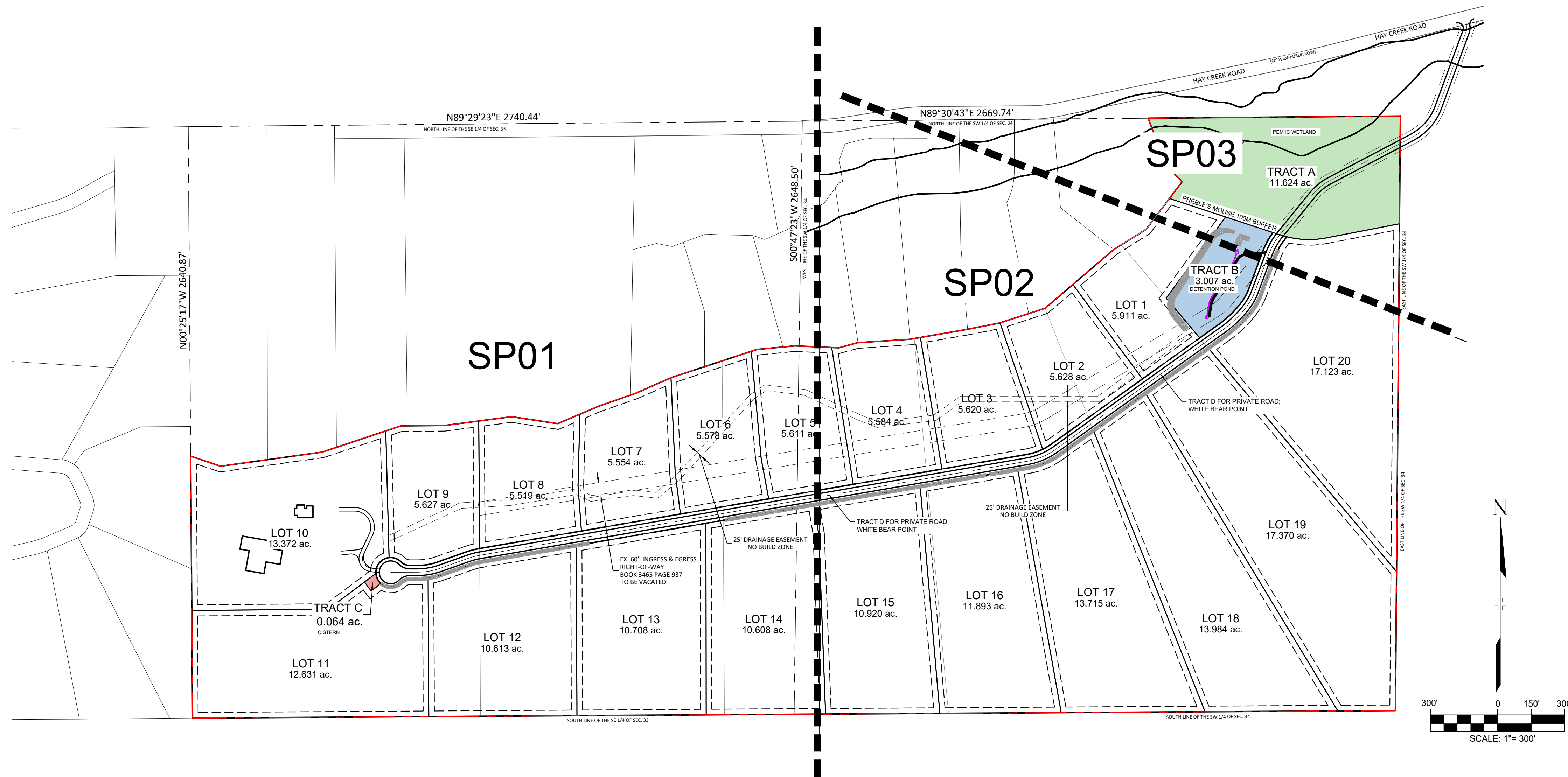
SHEET TITLE:

TRACT MAP &
SHEET INDEX

GN02

SHEET 03 OF 06

FILE NO.: SP-23-01




FILE LOCATION: S:\22.886.076 HAY CREEK FOREST MANOR\OT\LEARY_PROPERTIES\900_CADD\904 PLAN SETS\PRELIMINARY PLANS\01.DWG

CURVE TABLE					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	207.98	408.15'	29°11'44"	N85°59'53"W	205.73'
C2	95.62	339.92'	16°07'00"	S28°41'10"W	95.30'
C3	71.50	270.00'	15°10'23"	S31°22'59"W	71.29'
C4	142.78	476.78'	17°09'29"	S47°32'55"W	142.25'
C5	44.73	270.00'	9°29'30"	S59°10'05"W	44.68'
C6	24.35	270.00'	5°10'05"	S66°29'52"W	24.35'
C7	52.62	270.00'	11°09'57"	S74°39'53"W	52.53'
C9	56.30	330.00'	9°46'31"	S75°21'36"W	56.23'
C10	48.30	56.27'	49°11'00"	N68°46'31"W	46.84'
C11	58.02	66.00'	50°22'21"	N71°02'57"W	56.17'
C12	48.88	56.64'	49°27'05"	N68°04'04"E	47.38'
C13	45.55	330.00'	7°54'28"	N85°47'01"E	45.51'
C14	46.07	270.00'	9°46'31"	N75°21'36"E	46.01'
C15	148.65	330.00'	25°48'31"	N67°19'35"E	147.39'
C16	159.83	536.78'	17°03'35"	N47°29'58"E	159.24'
C17	89.20	330.00'	15°29'14"	N31°13'34"E	88.93'
C18	175.43	407.85'	24°38'43"	S88°17'04"E	174.08'
C19	90.79	270.00'	19°15'55"	S80°06'17"W	90.36'
C20	87.66	270.00'	18°36'06"	N29°48'26"E	87.27'
C22	101.51	66.00'	88°07'23"	S39°42'11"W	91.80'
C23	101.59	66.00'	88°11'26"	N89°51'10"E	91.85'
C25	65.41	330.00'	11°21'27"	N76°09'04"E	65.31'

CENTERLINE CURVE AND LINE DATA			
LINE# / CURVE#	LENGTH	DIRECTION / DELTA	RADIUS
C50	100.866	019.1391	301.958
C51	51.184	009.7754	300.000
C52	135.221	025.8254	300.000
C53	151.112	013.7981	627.486
C54	80.445	018.6506	247.132
C55	97.486	018.6184	300.000
C56	101.090	023.1681	250.000
C57	138.883	031.6175	251.678
C58	44.991	008.0763	319.178
C59	27.914	024.2325	66.000
L15	121.279	N89° 40' 27.90"E	
L17	134.817	N70° 28' 20.09"E	
L19	2480.933	N80° 14' 51.44"E	
L21	903.753	N54° 25' 19.42"E	
L24	191.308	N20° 30' 23.37"E	
L26	229.742	N39° 06' 29.30"E	
L28	413.590	N62° 16' 34.30"E	
L31	354.451	N20° 08' 46.30"E	
L33	40.291	N04° 05' 10.69"W	

LEGEND

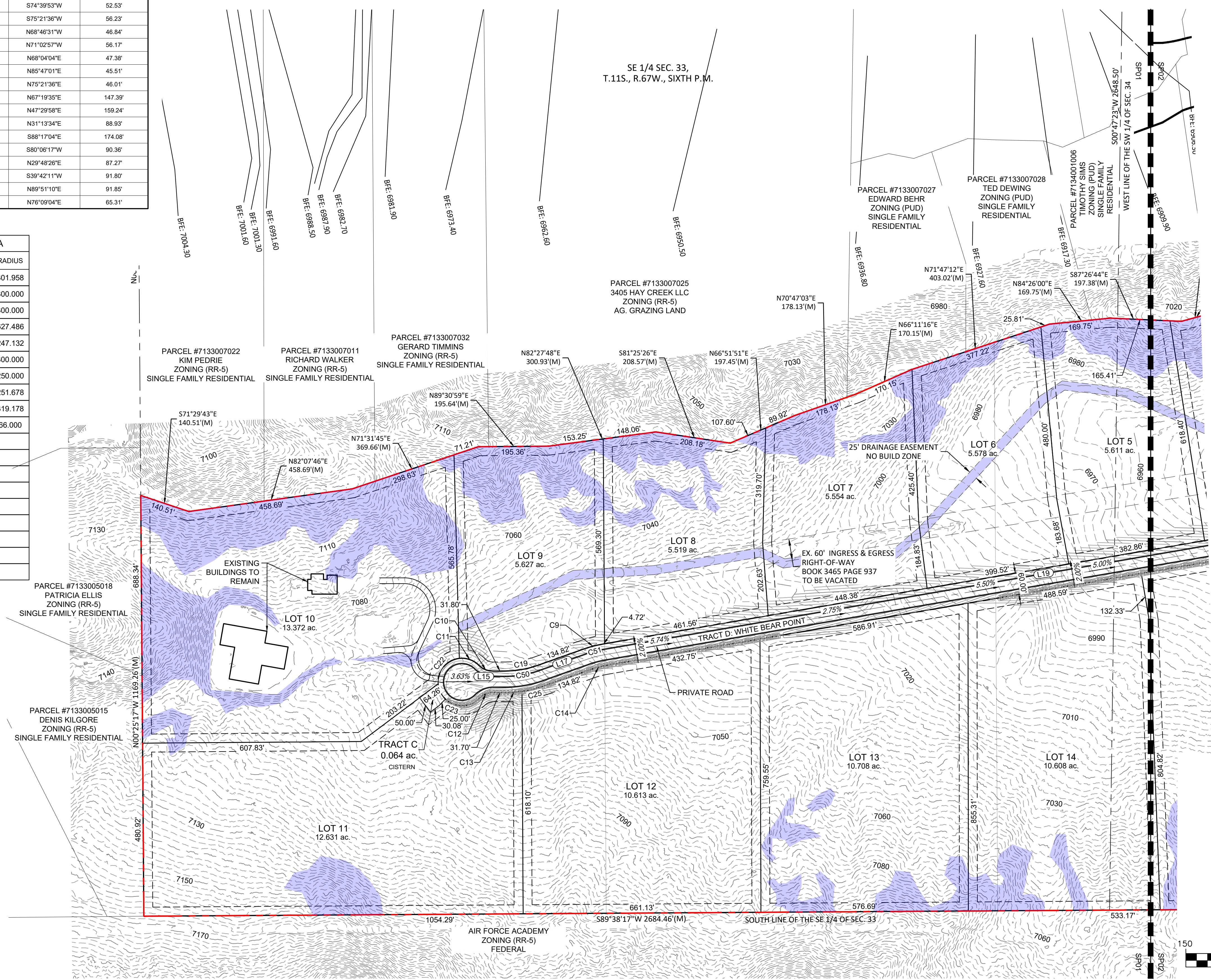
 NO BUILD ZONE (SLOPE GREATER THAN 29.99%)

HAY CREEK VALLEY

EL PASO COUNTY, COLORADO

PRELIMINARY PLAN

SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO.

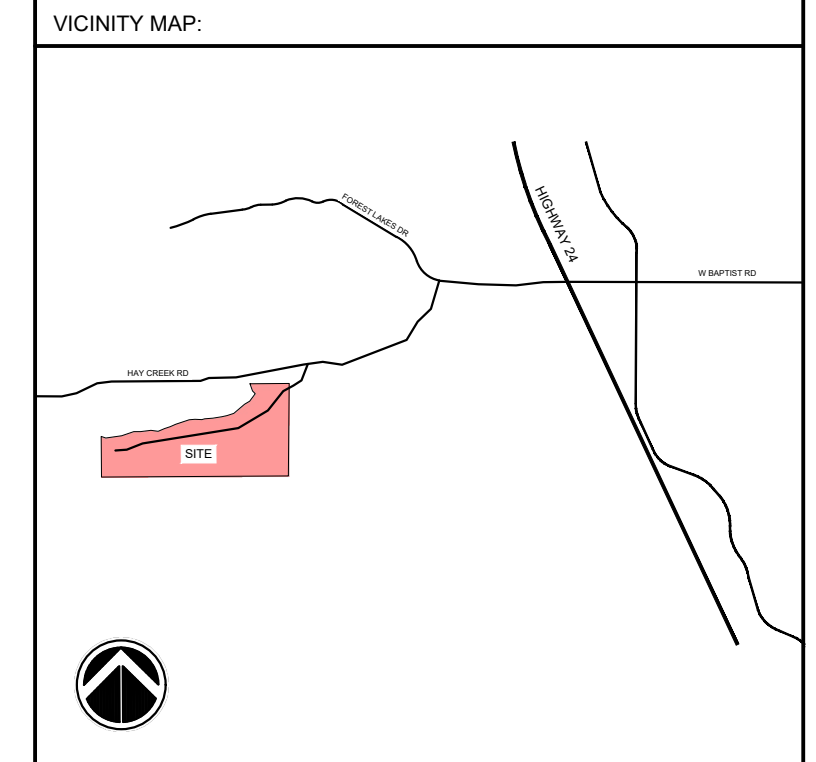


CONSULTANTS:
 PLANNER / LANDSCAPE ARCHITECT / CIVIL ENGINEER:

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 FAX: (719) 575-0208

OWNER/DEVELOPER:
VIEW HOMES, INC
 555 MIDDLE CREEK PARKWAY SUITE 500
 COLORADO SPRINGS, CO 80921
 CLIENT PHONE (719) 382-9433

APPROVAL:



PROJECT:
HAY CREEK VALLEY SUBDIVISION
PRELIMINARY PLAN
 EL PASO COUNTY, CO
 JULY 2023

REVISION HISTORY:

NO.	DATE	DESCRIPTION	BY
1	04/27/2023	REVISED PER EPC COMMENTS	BP
2	07/17/2023	REVISED PER EPC COMMENTS	BP

DRAWING INFORMATION:
 PROJECT NO: 22.886.076
 DRAWN BY: BTP
 CHECKED BY: RAF
 APPROVED BY: JRA
 SHEET TITLE:

PRELIMINARY PLAN

SP01

SHEET 04 OF 06

FILE NO.: SP-23-01

FILE LOCATION: S:\22.886.076 HAY CREEK VALLEY SUBDIVISION\EL PASO COUNTY\PRELIMINARY PLANS\SP01.DWG

HAY CREEK VALLEY

EL PASO COUNTY, COLORADO


PRELIMINARY PLAN

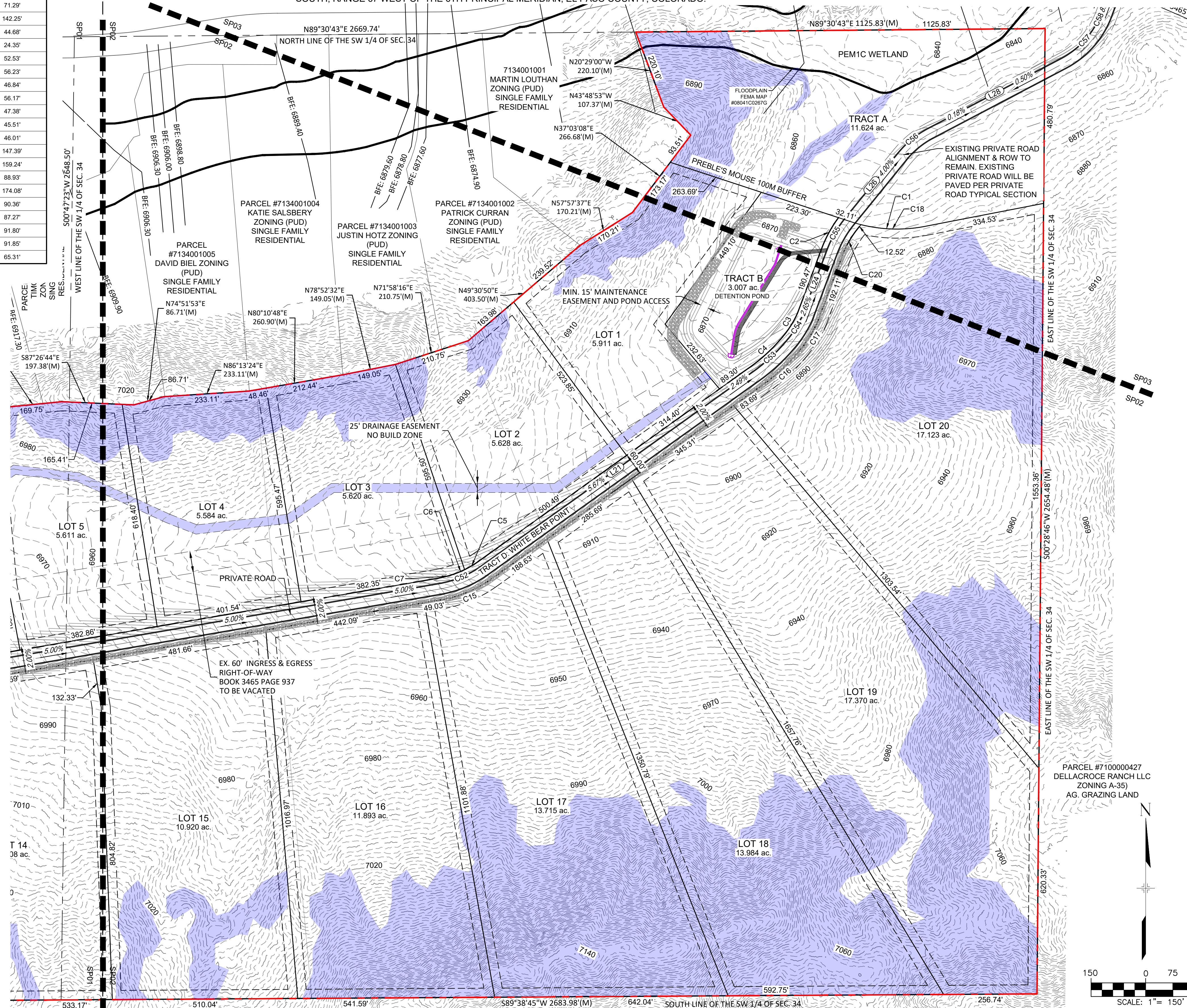
SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO.

CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	207.98	408.15'	29°11'44"	N85°59'53"W	205.73'
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C16	159.83	536.78'	17°03'35"	N47°29'58"E	159.24'
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C19	90.79	270.00'	19°15'55"	S80°06'17"W	90.36'
C20	87.66	270.00'	18°36'06"	N29°48'26"E	87.27'
C22	101.51	66.00'	88°07'23"	S39°42'11"W	91.80'
C23	101.59	66.00'	88°11'26"	N89°51'10"E	91.85'
C25	65.41	330.00'	11°21'27"	N76°09'04"E	65.31'

LINE# / CURVE#	LENGTH	DIRECTION/ DELTA	RADIUS
C50	100.866	019.1391	301.958
C51	51.184	009.7754	300.000
C52	135.221	025.8254	300.000
C53	151.112	013.7981	627.486
C54	80.445	018.6506	247.132
C55	97.486	018.6184	300.000
C56	101.090	023.1681	250.000
C57	138.883	031.6175	251.678
C58	44.991	008.0763	319.178
C59	27.914	024.2325	66.000
L15	121.279	N89° 40' 27.90"E	
L17	134.817	N70° 28' 20.09"E	
L19	2480.933	N80° 14' 51.44"E	
L21	903.753	N54° 25' 19.42"E	
L24	191.308	N20° 30' 23.37"E	
L26	229.742	N39° 06' 29.30"E	
L28	413.590	N62° 16' 34.30"E	
L31	354.451	N20° 08' 46.30"E	
L33	40.291	N04° 05' 10.69"W	

LEGEND

 NO BUILD ZONE (SLOPE GREATER THAN 29.99 %)



CONSULTANTS:
 PLANNER/ LANDSCAPE ARCHITECT/ CIVIL ENGINEER:
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OWNER/DEVELOPER:
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 555 MIDDLE CREEK PARKWAY SUITE 500
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 CLIENT PHONE (719) 382-9433

APPROVAL:

VICINITY MAP:

PROJECT:
HAY CREEK VALLEY SUBDIVISION
PRELIMINARY PLAN

EL PASO COUNTY, CO
 JULY 2023

REVISION HISTORY:

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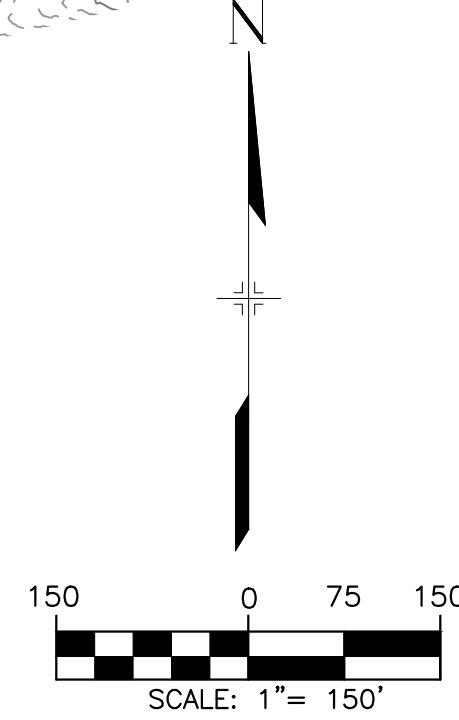
DRAWING INFORMATION:
 PROJECT NO: 22.886.076
 DRAWN BY: BTP
 CHECKED BY: RAF
 APPROVED BY: JRA
 SHEET TITLE:

PRELIMINARY PLAN

SP02

SHEET 05 OF 06

FILE NO.: SP-23-01



FILE LOCATION: S:\22.886.076 HAY CREEK VALLEY MANOR\LEARY PROPERTIES\500 CAD\504 PLAN SET\SPRELLIMINARY PLAN\SP01.DWG

HAY CREEK VALLEY

EL PASO COUNTY, COLORADO

PRELIMINARY PLAN

SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO.

CONSULTANTS:

PLANNER/ LANDSCAPE ARCHITECT/ CIVIL ENGINEER:



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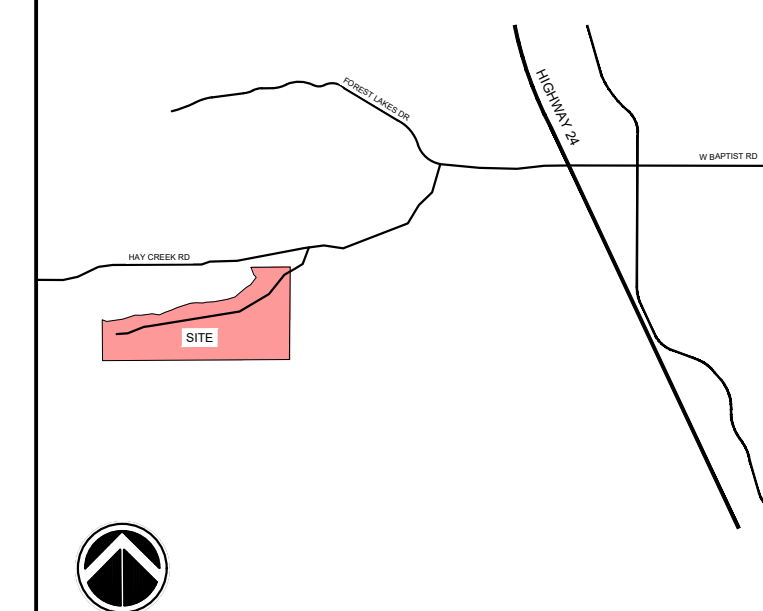
OWNER/DEVELOPER:

VIEW HOMES, INC

555 MIDDLE CREEK PARKWAY SUITE 500
 COLORADO SPRINGS, CO 80921
 CLIENT PHONE (719) 382-9433

APPROVAL:

VICINITY MAP:



PROJECT:

HAY CREEK VALLEY SUBDIVISION
 PRELIMINARY PLAN

EL PASO COUNTY, CO
 JULY 2023

REVISION HISTORY:

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DRAWING INFORMATION:

PROJECT NO: 22.886.076

DRAWN BY: BTP

CHECKED BY: RAF

APPROVED BY: JRA

SHEET TITLE:

PRELIMINARY PLAN

SP03

SHEET 06 OF 06

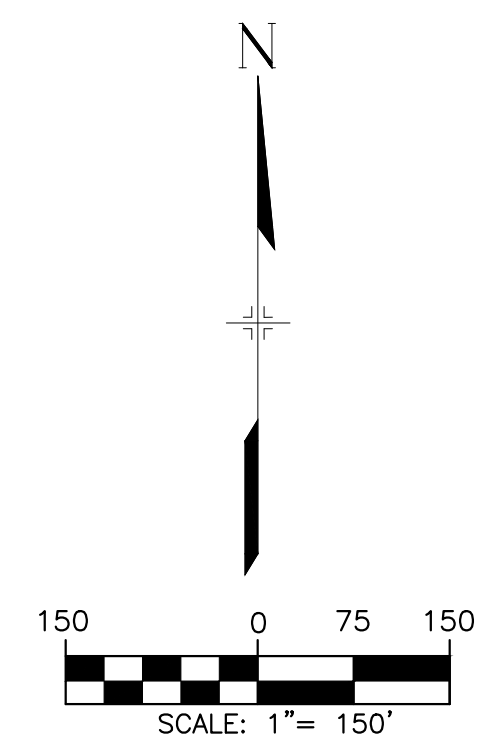
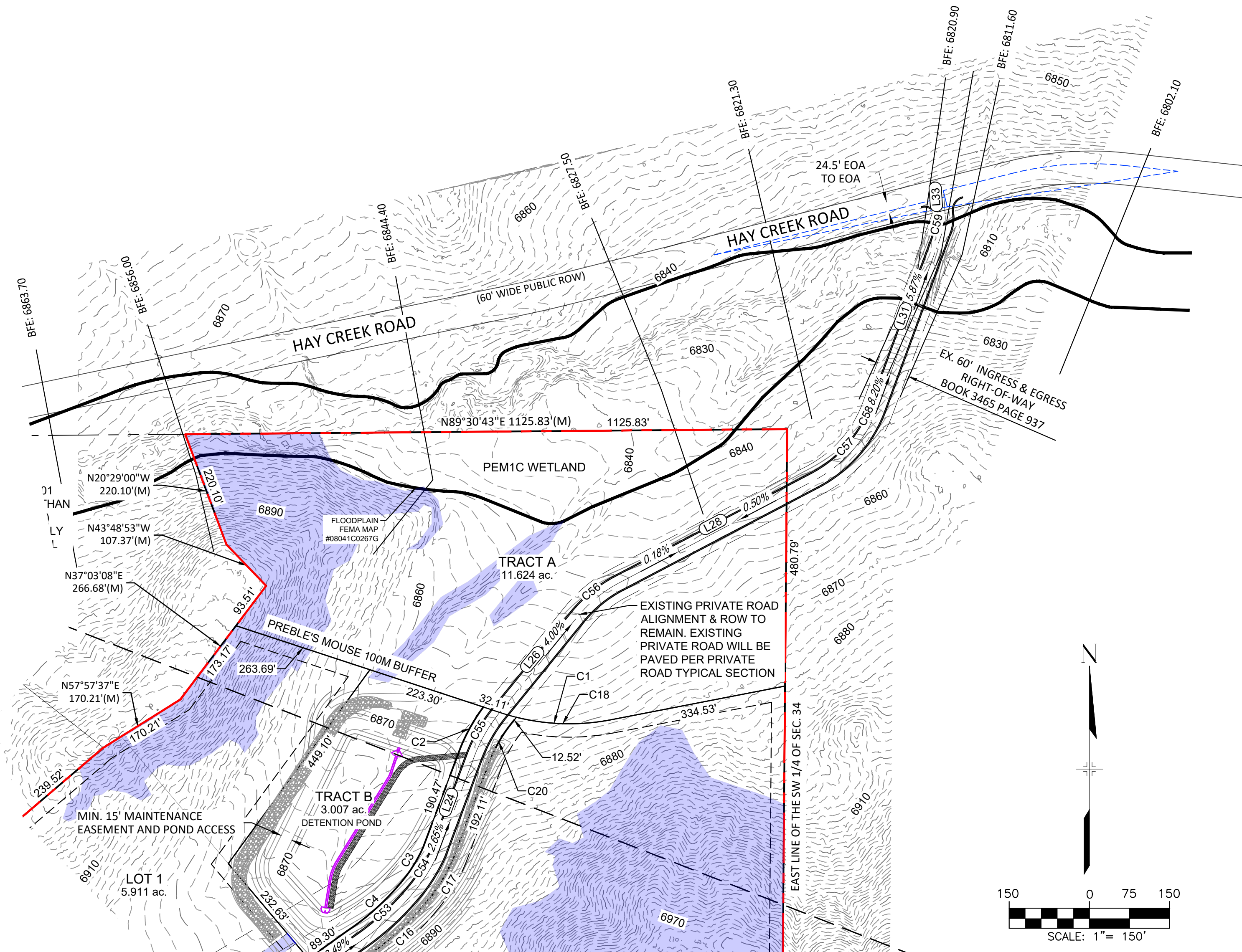
FILE NO.: SP-23-01

LEGEND

NO BUILD ZONE
 (SLOPE GREATER
 THAN 29.99 %)

PARCEL LINE CURVE DATA					
CURVE #	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
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CENTERLINE CURVE AND LINE DATA			
LINE#	CURVE#	LENGTH	RADIUS
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C52		135.221	300.000
C53		151.112	627.486
C54		80.445	247.132
C55		97.486	300.000
C56		101.090	250.000
C57		138.883	251.678
C58		44.991	319.178
C59		27.914	66.000
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L24		191.308	
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L28		413.590	
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L33		40.291	

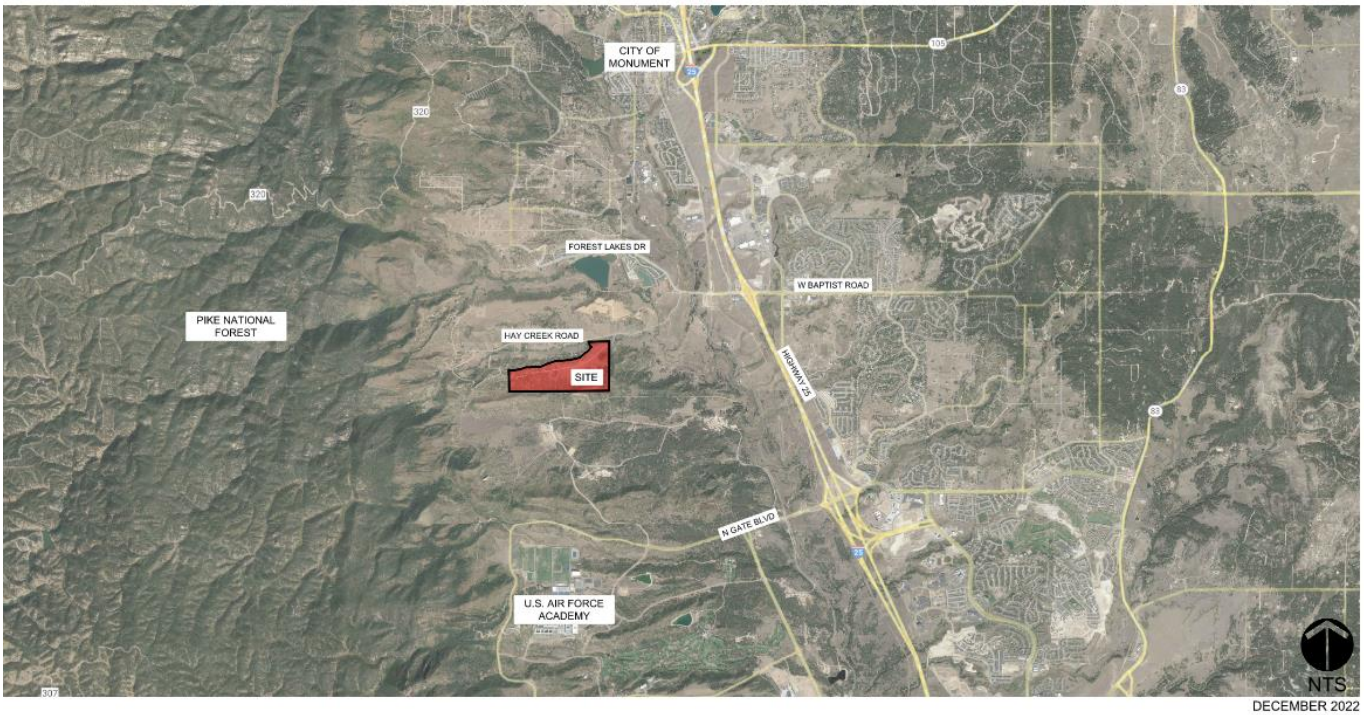


FILE LOCATION: S:\22.886.076 HAY CREEK FOREST MANOR\076 HAY CREEK FOREST MANOR\076 PRELIMINARY PLANS\SP01.DWG

**Hay Creek Valley Subdivision
Letter of Intent
Preliminary Site Development Plan**

January 20th, 2023 (REV-3 07/17/2023)

PCD File # SP-23-01



Prepared for:

View Homes Inc

555 Middle Creek Parkway, Suite 500
Colorado Springs, CO 80921

Prepared by:

Matrix Design Group

2435 Research Parkway, Suite 300
Colorado Springs, Co 80920

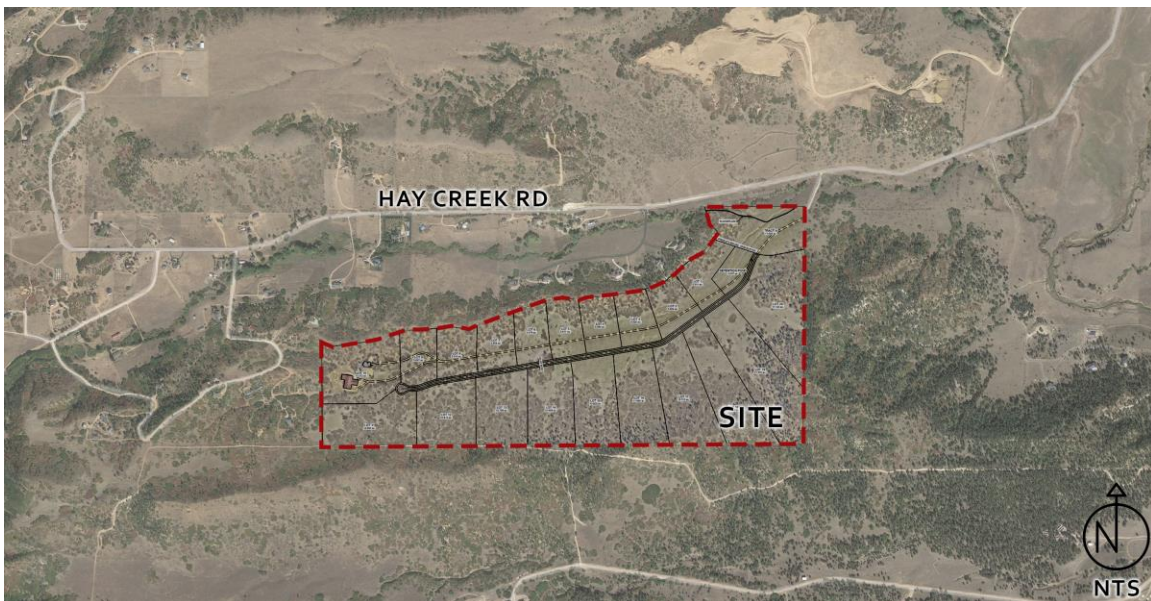
Owner/ Applicant: View Homes, Inc
555 Middle Creek Parkway, Suite 500
Colorado Springs, CO 80921
Office: (719) 382-9433

Planner/ Engineer: Matrix Design Group
2435 Research Parkway, Suite 300
Colorado Springs, CO 80920
Office: (719) 575-0100

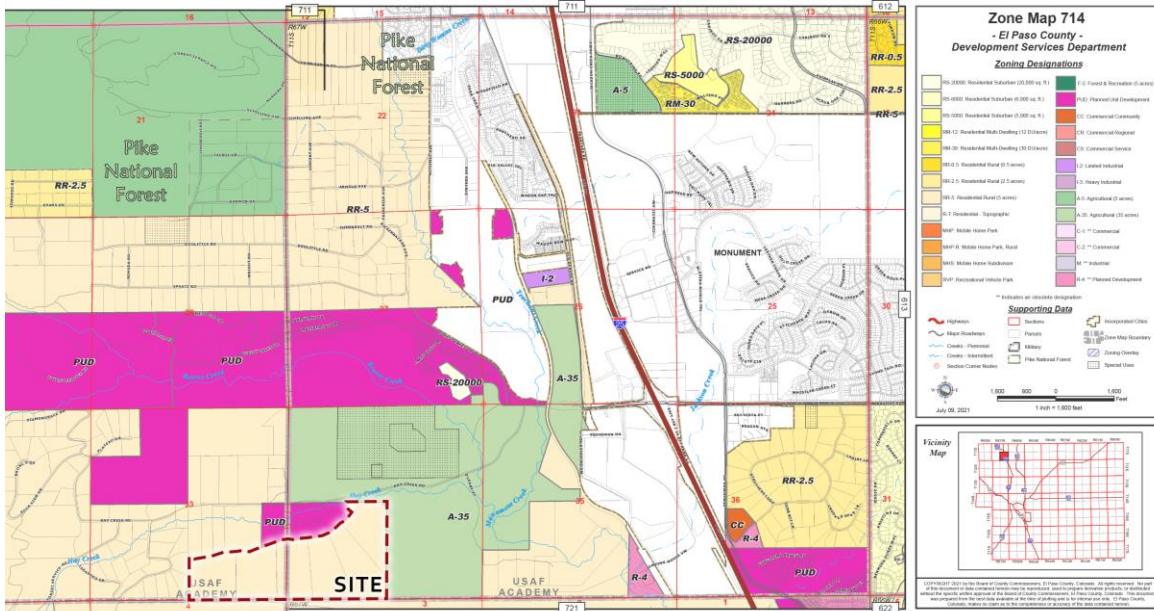
Tax Schedule No: 7133007014, 7133000001, 7100000270, 7100000267,
7100000268, 7100000269

Site Location, Size, and Zoning:

Matrix Design Group, on behalf of View Homes, Inc, is respectfully submitting a Preliminary Plan application for the proposed Hay Creek Valley Subdivision project. The site is 214.62 acres located south of the City of Monument in El Paso County adjacent to Hay Creek Road with 20 single-family detached residential lots and 3 tracts proposed. The site is currently zoned RR-5 which shall remain. The site has one single-family residence which shall remain in the western portion of the site. The proposed preliminary plan application submittal includes 6 un-platted existing parcels revised to 20 proposed lots with one of those lots including an existing home to remain on 214.62 acres for a density of <math><0.1 \text{ DU/ Acre}</math> and is in compliance with the current RR-5 zoning requirements with the proposed parcels ranging in size from 5.5 to 17 ac.



The site is bordered to the north and west by rural single-family residential parcels, to the south by the Air Force Academy, and vacant land to the east.



Request & Justification:

The purpose of this application is to request approval of a Preliminary Plan which illustrates the proposed single-family detached rural residential community and open spaces; the necessary width and classification of private roadways; roadway centerline data; and street grades. The plan describes the lot sizes, private road tract, and easements necessary for the development. This application also requests 2 deviations, 2 waivers and deferring a finding for water sufficiency.

- Deviation request #1: Cul-de-sac length greater than 1,600 ft with no mid-way turn around (ECM 2.3.8.A)
- Deviation request #2: Minimum centerline radius less than 300'
- Waiver request #1: Minimum two access points [one provided] (LDC 6.3.3.2.C)
- Waiver request #2: Private road instead of a public roadway (ECM 2.2.4.A.6)
- Deferment on findings of sufficiency of water to run concurrent with the Final Plat process.

The proposed preliminary plan illustrates 19 new and 1 existing single-family residential parcels on 214.62 acres for a density of <0.1 DU/ Acre. The lots range in size from 5.5 acres up to 17 acres. The preliminary plan includes 11.642 acres of total open space and 6.359 acres of new private street right-of-way providing access to the residential units. The open space tract contains the wetland, floodplain, and threatened Preble's meadow jumping mouse habitat which shall remain undeveloped. There is also a 3-acre tract for a stormwater detention facility to capture and treat developed drainage flows.

The single street through the parcel will be a private road and allow private driveway access for all lots. There shall be no direct lot access to any surrounding streets. The private road, White Bear Point, is designed to handle existing and proposed traffic, as well as emergency vehicles, expected within the Hay Creek Valley Subdivision. Due to the small size of the development and limited trip generation, a traffic impact analysis is required for less than 100 trips; however, a trip generation letter was completed as requested by staff to include existing daily counts for this area and is included for review.

The community is designed to provide for functioning automobile circulation utilizing a private rural residential roadway, which will follow the cross-section for a local rural roadway, outlined by El Paso County Engineering Criteria Manual. The Preliminary Plan drawings illustrate 1 phase for the platting of individual lots and the construction of housing. Roadways, drainage, and necessary improvements will be constructed in the most optimal and efficient manner in order to facilitate development construction and sequencing.

A "Geologic Hazards Evaluation and Preliminary Geotechnical Investigation", Hay Creek Valley Development, El Paso County, Colorado" (CTL | Thompson, dated December 27, 2022) is included with the submittal package.

Your El Paso County Master Plan

Baseline Considerations:

1. *Is there a desirability or demand within the community for this use?*
The proposed Hay Creek Valley Subdivision would help to fulfill the desirability and demand for rural, large-lot housing within El Paso County and near the Town of Monument. As illustrated in the recently approved Master Plan goal 2.2, this project aims to preserve the character of rural living while remaining aware of environmentally sensitive areas through the preservation of habitat for the threatened Preble's meadow jumping mouse.
2. *Does the market support the need for the use? Would the use be viable if built right now?*
There is a high demand in El Paso County and the City of Colorado Springs to provide rural, large lot development options.
3. *Would the use be providing necessary housing or essential goods and/ or services?*
The proposed Hay Creek Valley Subdivision will incorporate more single-family homes to help provide a supply of rural, large lot parcels in this area of the county. The proposed development supports **Goal HC2**: Preserve the character of rural and environmentally sensitive areas by creating no-build tracts preserving existing wetlands and sensitive Preble's Mouse habitat. The Hay Creek Valley Subdivision development is near existing highway I-25; will utilize existing infrastructure to help keep lot cost down; and would be located near an existing commercial activity center which provides numerous job opportunities and access to goods and services.

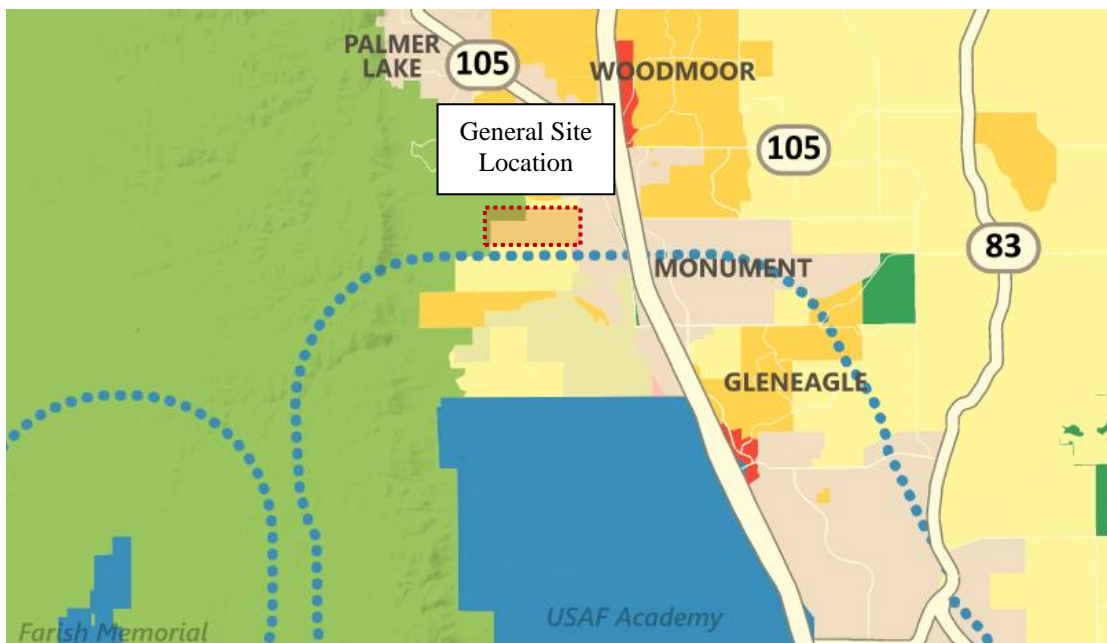
County Systems Considerations:

1. *Is there existing infrastructure to which the development can connect? If so, what infrastructure exists? If not, are there existing or proposed plans to extend infrastructure to this area?*

The proposed Hay Creek Valley Subdivision will connect to the existing Hay Creek Road and improve upon the existing gravel roadway by providing a paved private road suitable for the anticipated traffic and emergency vehicle access.

2. *Does the development trigger the need for such infrastructure?*

The proposed development does not trigger the need for a new roadway as the proposed use of one existing residential unit and 19 new residential units proposes a minimal amount of daily traffic.



3. *Does the proposal trigger the need for pedestrian or multimodal connections and are those connections being provided?*

The proposed Hay Creek Valley Subdivision does not require any pedestrian or multi-modal connections in this portion of the county. A rural private roadway, White Bear Point, will be provided and built to El Paso County Standards to connect the development to the existing Hay Creek Road. This supports **Goal TM1** *Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion, and promoting safe and efficient travel.*

El Paso County Preliminary Plan Section 7.2.1(D)-2E Approval Criteria

1. *The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan and the new Your El Paso County Master Plan as discussed below. The Hay Creek Valley Subdivision is located within the Large-Lot Residential and Military place types as defined by Your El Paso*

- County Master Plan. The plan supports the rural character of the County by providing for a unique and desirable neighborhood within the rolling foothills of the Front Range while also supporting the continuation of similar land uses near a Military base. Large lots with large stands of existing conifer forests will provide a buffer between residential dwellings and military properties.
2. *The subdivision is consistent with the purposes of this Code;* The subdivision is consistent with the purposes of this Code and does not affect the health, safety, or welfare of the general area.
 3. *The subdivision is in conformance with the subdivision design standards and any approved sketch plan;* The subdivision is in conformance with subdivision design standards of zoning district RR-5 per the El Paso County Land Development Code.
 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 (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval);* All of the proposed lots will be served by well water (individual). Deferral of a finding for water sufficiency is also requested at this time as the water adjudication and decree is pending within the court system. Water sufficiency will be provided at time of final plat. **As a result, the Final Plat will be required to attend Planning Commission and EPC Board of County Commissioner hearings.**
 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;* All of the proposed lots will be served by on-site private septic systems.
 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)];* A "Geologic Hazards Evaluation and Preliminary Geotechnical Investigation", Hay Creek Valley Development, El Paso County, Colorado" (CTL | Thompson, dated December 27, 2022) is included with the submittal package. There are no significant geological hazards; however, the potential for geologic hazards or constraints includes expansive near-surface soils and bedrock, soils susceptible to erosion, steep slopes, and flooding. regional geologic conditions that impact the site include seismicity and radioactivity. These geological conditions can be mitigated with engineering design and construction methods commonly employed in this area. If the previously listed potential geological hazards are found to exist, an evaluation shall be performed at the time of the final geotechnical investigation for those individual lots. No build areas have been defined on the preliminary plan

protecting existing steep slopes found onsite to eliminate any potential soil issues.

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; Adequate drainage improvements; complying with State law, this Code and the ECM are proposed and illustrated on the drawings. Due to the size of the lots and use, no onsite water detention is required on individual lots; however, an overall detention pond will be constructed on Tract B to capture developed flows as required.*
8. *The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development; The location and design of the proposed public improvements are adequate to serve the needs and mitigate the effects of the development. The internal street will be a private road terminating in a cul-de-sac sufficient for large emergency vehicles to turn around. There is no cut-through traffic or additional access beyond the access point provided. The HOA will maintain the roadway.*
9. *Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM; Legal and physical access will be provided to all parcels by recorded easement and private roadways. The private road, White Bear Point, extends off Hay Creek Road which is a public ROW.*
10. *The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities; The proposed property is compatible with both the existing and allowed land uses on the neighboring properties to the west, north and east consisting of single family rural residential or open space. The new development adds 5.5-acre transition lots to ensure compatibility with the existing rural lots to the north. The new development will be in harmony with the existing surrounding character of the area and natural environment using varying perimeter buffering and provisions for both natural and built open space. While there are no major recreational facilities proposed within the Hay*

Creek Valley Subdivision, the project site will include 11.642 acres of open space in the northeast corner. With the USAFA firing range to the south of the property, large lots with dense existing conifer forests will aid in buffering noise from the range. At this time the USAFA is not requiring any additional buffering or setbacks for the projects.

11. *Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision; All necessary public services will be available to serve the proposed subdivision. Commitment letters for fire, electric, and gas have been provided with this submittal. All of the proposed lots will be on well water and septic tanks. The site will be served via an underground 33,000-gallon tank for Fire Protection in coordination with the fire district as no municipal water will be provided. More detailed information regarding the necessary services provided for this development has been further illustrated in this LOI.*
12. *The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; The proposed subdivision complies with the fire protection standards of Chapter 6 or items outlined in the Fire Commitment Letter dated 04-10-2023 including water supply, roads, and access. The site will be served via an underground 33,000-gallon tank as no municipal water will be provided. All the proposed lots will be on well water and septic tanks. A wildlife fire hazard mitigation plan was provided, and recommendations are followed such as thinning of gambel oak understory that presents a ladder fuel risk and regularly mowing grasses to keep them short. In addition, a fire protection district commitment letter to serve this development has been provided.*
13. *The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code. The proposed subdivision meets other applicable design standards of Chapter 6 and 8 of this Code. Two deviations and two waivers, as listed above in more detail, are being requested along with a deferral of water sufficiency findings until final plat and included with this submittal.*

El Paso County Water Master Plan:

As the property has no municipal water, all of the proposed lots will be on well water and septic tanks.

In addition, Hay Creek Valley meets the stated Goals and Policies:

- Goal 4.2 – Support the efficient use of water supplies
- Goal 6.1.2 – Promote water conservation

Water conservation is achieved through the use of well water for all proposed lots. The common open space emphasizes water conservation by remaining native. No landscape areas are proposed. The sufficiency of findings for water quality and quantity is being

deferred until time of final plat submission. As a result, the Final Plat will be required to attend Planning Commission and EPC Board of County Commissioner hearings.

Master Plan for Mineral Extraction:

The 1996 Master Plan for Mineral Extraction updates and supersedes the 1975 El Paso County Master Plan for Mineral Extraction of Commercial Mineral Deposits as amended in 1978 and 1982. This updated plan has two primary purposes, the first is to facilitate continued compliance with the mineral resource protection mandates outlined in the “Preservation of Commercial Mineral Deposits Act” of 1973 and the second is to provide guidance to the EL Paso County Planning Commission and Board of County Commissioners in evaluating land use proposals involving new or expanded mining and mineral resource processing operations. Per the El Paso County Master Plan for Mineral Extraction Aggregate Resource Maps, this site is identified as ‘Mesa Gravel’ and ‘Stream Terrace Deposit’ containing sand and gravel with silt and clay deposited by older streams and slope wash on upland mesas which slope gently from the mountains. The proposed project does not contain any mineral deposits of commercial value.

Total Number of Residential Units, Density, and Lot Sizes: 20 Single-Family (1 existing and 19 new) Detached Rural Residential Units for a density of <0.1 DU/ Acre. The site layout includes a mix of residential lot sizes ranging from 5.5 to 17 acres.

Total Number of Industrial or Commercial Sites:

There are no industrial or commercial sites proposed with this project.

Phasing Plan and Schedule of Development:

The drawings illustrate 1 phase for the platting of individual lots. Roadways, utilities, drainage, and necessary improvements will be constructed in the most optimal and efficient manner to facilitate development construction and sequencing.

Areas of Required Landscaping:

There are no areas of required landscaping per El Paso County Code 6.2.2(A)(2)(a).

Approximate Acres and Percent of Land Set Aside for Open Space:

While no open space is required, the PSDP proposes 11.642 acres of open space totaling 5% of the overall site acreage. The open space tract will include existing natural open space to remain to preserve habitat for the Preble’s meadow jumping mouse.

Types of Proposed Recreational Facilities:

There are no proposed recreational facilities on this site.

Traffic Engineering:

A 60’ tract for a future private access road is proposed along the center of the property running east to west and terminating in a cul-de-sac. Vehicular access and street layout shall be as illustrated on the preliminary plan with all roadways to be private and built to El Paso County standards. All property within this subdivision is subject to road impact fees in accordance with the El Paso County road impact fee program (resolution no. 19-

471), as amended at the time of building permit application. All properties shall pay required and applicable traffic impact fees at time of building permit.

School District:

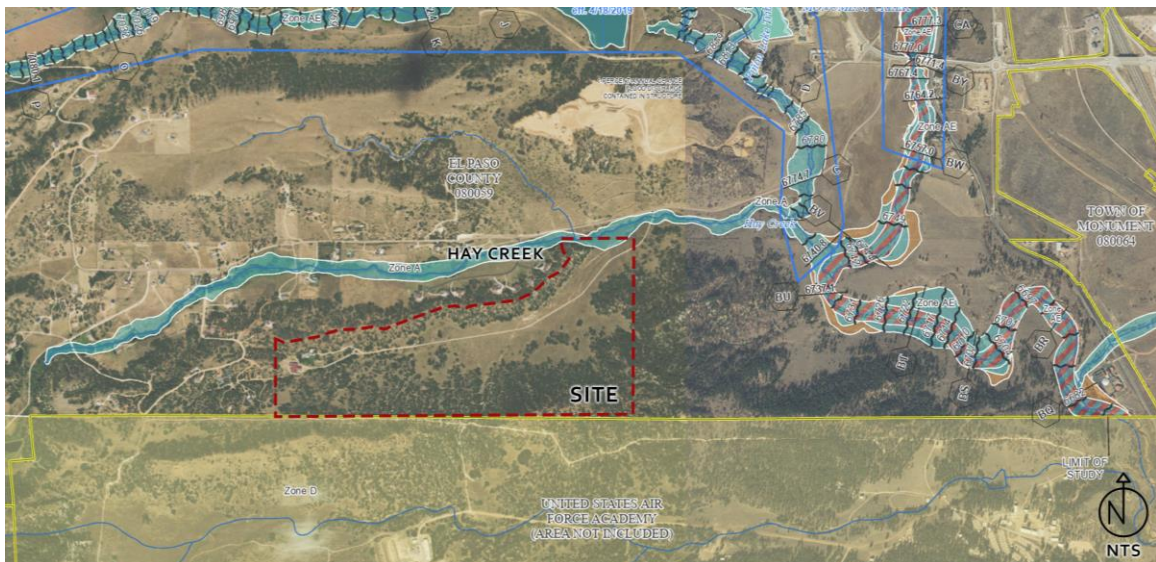
Projects (Plats) within El Paso County are required to either dedicate land or pay school district fees. Hay Creek Valley Subdivision will pay the Lewis-Palmer School District #38 fees of \$308 per lot for a total of \$4,312 for the 14 new lots. The existing lot will remain and will not be subject to school fees.

Proposed Services:

- 1. Water/ Wastewater: Individual Well and On-Site Septic Systems
- 2. Gas: Black Hills Energy
- 3. Electric: Mountain View Electric Association
- 4. Fire: Monument Fire District
- 5. School: Lewis-Palmer School District #38
- 6. Roads: El Paso County Road and Bridge
- 7. Police Protection: El Paso County Sheriff’s Department

Impacts associated with the Preliminary Plan:

Floodplain: The site has one hydrologic feature, Hay Creek, which flows west to east along the northeastern portion of the site. This area is within a designated FEMA flood plain as determined by the flood insurance rate map, community map number ‘80841C0267G’ effective 12/6/2018. This area within the floodplain contains a freshwater emergent wetland roughly 1.656 acres in size.



Site Geology: CTL Thompson Inc has provided a Soils and Geology Study with this submittal. This report has identified any potential Geologic Hazards and/ or Constraints on the site related to the development of the property along with proposed mitigation of

the hazards. The development will incorporate the recommended mitigation during the final design and construction on site.

Wetlands: The site contains a forested deciduous wetland in the northeastern most portion between Hay Creek Road and the existing roadway entering the property. See additional reports provided as part of this submittal.

Air Pollution: By adhering to current air quality regulations, any air pollution emanating from the development will be negligible. The site has very little vegetation and contains mostly native turfgrass which may result in higher-than-normal amounts of dust during windy days. Construction practices will adhere to El Paso County health department, as well as state department codes and regulations.

Water Pollution: By adhering to current wastewater and stormwater regulations, any water pollution emanating from the development will be negligible. An erosion and sedimentation plan will be in place prior to construction.

Noise Pollution: Vehicular movement is expected to be the only major source of noise pollution emanating from the site after construction is complete. The proposed development is surrounded by similar land uses and the effects of noise generated from the site will have little or no impact on other surrounding areas.

Visual Assessment: There are no unique natural areas on site, however, the backdrop of Rampart Range to the west is a scenic viewshed seen from nearly all areas of the property. With low-density development in the area, views are relatively unhindered. The rolling hills and open grassland meadow surrounded by pine forest are also a welcoming sight.

Vegetation, Wildlife Habitats, and Migration Routes:

Proposed landscaping will include low water use plant material, and where possible, the plant material will be native to the Colorado Springs region.

The Colorado Division of Wildlife notes the following wildlife as present in the area:

- Black bear (potential human-wildlife conflict area)
- Black-tailed prairie dog (Species of Concern in Colorado)
- Elk
- Gunnison's prairie dog
- Moose
- Mountain lion (potential human-wildlife conflict area)
- Mule deer
- Preble's meadow jumping mouse (Threatened species, USFWS)
- White-tailed deer
- Turkey
- Numerous small mammals, amphibians, and reptiles

Due to the limited construction and large lots, it is not anticipated that the application will have significant impacts on wildlife in the area.



DEPARTMENT OF THE AIR FORCE
10TH CIVIL ENGINEER SQUADRON
USAF ACADEMY COLORADO

Ms. Erin Manning
Deputy Director
10th Civil Engineer Squadron
8120 Edgerton Drive, Suite 40
USAF Academy CO 80840-2400

Ms. Kari Parsons
El Paso County
E.P.C. Planning and Community Development
2880 International Circle
Colorado Springs, CO. 80910

Dear Ms. Parsons

Thank you for the opportunity to review the proposed Hay Creek Valley development: PCD File# SP-23-01 located adjacent to the United States Air Force Academy's (USAFA) northern boundary. After review, we offer the following comments.

USAFA's 3,300-acre Jacks Valley training area is on the northern side of USAFA, directly adjacent to the proposed development. Jacks Valley has been part of USAFA since the 1950s and used for field training since 1966. USAFA's 2019 Air Installations Compatible Use Zones (AICUZ) study, which was formally submitted to the County Planning Department, identified our concern for master-planned residential development close to Jacks Valley.

Jacks Valley has the only fully functional weapons training range along the Southern Front Range and serves over 30,000 Cadets, Airmen, Soldiers, Marines, Special Forces, as well as federal, state, and local law enforcement agencies annually. The proposed development will be immediately northeast of this Combat Arms Training and Maintenance (CATM) firing range. Tactical and weapons training in Jacks Valley produces noise due to small arms firing, the use of pyrotechnics, and helicopter operations. In addition, cadets conduct intensive basic training and land navigation during the summer, including at night. Furthermore, residents may see remotely piloted aircraft and experience overflight from Davis Airfield, which is active from dawn to dusk, six days a week, and has historically been the third busiest airfield in the Air Force.

Training activities will create noise levels audible at the proposed development, with intense periods of noise during summer training when residents may be outside in backyards enjoying the warmer weather. In formal input to the 2021 El Paso County Master Plan, USAFA conveyed this information as well as concerns that increased residential development along the northern boundary of the Academy could generate sufficient noise complaints to restrict the full use of Jacks Valley. The Master Plan discusses the need for coordination on land development in this area to ensure compatibility with the training complex and firing range.

As the 2019 Colorado Spring Regional Joint Land Use Study (JLUS) points out with respect to any future residential development adjacent to Jacks Valley, it is important to provide information about training operations to help current and future residents understand what they may experience in their

neighborhood. The JLUS suggests including this information into planning entitlement documents and real estate transactions.

Therefore, USAFA asks the County to consider having the developer dedicate and record an avigation easement on the existing development site to help protect USAFA's flying mission from incompatible developments. This easement would acknowledge the right for the USAFA to conduct flight training in the area; we can provide a template to the assigned planner or applicant. When and if the avigation easement is recorded, please request the developer send a copy to the USAFA Community Planner's email addresses listed below.

USAFA also asks the County to request the developer include this note on the final property plat maps and covenants to provide full disclosure of nearby training operations at any future time of sale or lease:

Notice: This property may be impacted by noise and other similar sensory effects of United States Air Force (USAFA) land-based cadet training, small arms, and light weapons firing, and of flight caused by aircraft both in (USAFA's) Airmanship Program and during special events. This notice shall remain in effect until the Air Force Academy shall cease to be used for land-based and, flight training purposes, or until all training areas and airports on the Air Force Academy shall cease to be actively used. This notice shall run in perpetuity with the land.

In our engagement and outreach with the development community, USAFA endeavors to partner and work toward development that is compatible - development that neither creates public safety issues nor precludes military operations. In the County Master Plan's discussion of USAFA, it specifically notes the JLUS recommendation to "pursue conservation partnering opportunities for compatible land use buffering under flight training areas and other critical areas as needed."

To this end, the Department of Defense has a longstanding program called Readiness and Environmental Protection Integration (REPI) program. A key component is the use of buffer partnerships among the military, private conservation groups, and state and local governments, authorized by Congress at 10 U.S.C. Section 2684a. These win-win REPI partnerships share the cost of acquisition of easements or other interests in land from willing sellers to preserve compatible land uses and natural habitats near installations and ranges that helps sustain critical, at-risk military mission capabilities. We would welcome the opportunity to talk with the county and the developer about possible options for achieving an outcome satisfactory to all parties.

Thank you for the opportunity to review and comment. If you have any questions, please contact our Community Planner, Ms. Rachel Martell, 10 CES/CENPP, at (719) 333-8367, rachel.martell.ctr@us.af.mil and 10ces.cenp.usafadevreviewgrp@us.af.mil.

Sincerely

MANNING.ERIN.M
ARIE.1047632192
ERIN M. MANNING, GS-14, USAF

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RESOLUTION NO. 23-

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF A PRELIMINARY PLAN FOR
HAY CREEK PRELIMINARY PLAN (SP231)

WHEREAS, Matrix Design Group Inc. did file an application with the El Paso County Planning and Community Development Department for the approval of a Preliminary Plan for a 213.41-acre Preliminary Plan illustrating twenty (20) single-family lots within the RR-5 (Residential Rural) zoning district of property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on September 21, 2023, upon which date the Planning Commission did by formal resolution recommend approval of the Preliminary Plan application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on October 12, 2023; and

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

1. That the application was properly submitted for consideration by the Board of County Commissioners.
2. That proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters, and issues were submitted and reviewed, and that all interested persons were heard at those hearings.
4. That all exhibits were received into evidence.
5. That the proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan.
6. That the subdivision is in conformance with the subdivision design standards and any approved sketch plan.

7. That the subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of El Paso County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials.
8. A finding of sufficient water supply in terms of quantity, quality, and dependability is hereby postponed until the Final Plat. With each Final Plat filing the applicant shall submit documentation in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code and shall make a request to the Board of County Commissioner for a finding of water sufficiency.
9. That 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 the Code.
10. That 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)].
11. That adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
12. That the location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development.
13. That 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 the Land Development Code and the Engineering Criteria Manual.
14. That 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 encouraging 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.

15. That necessary services, including police and fire protection, recreation, utilities, open space, and transportation system are or will be available to serve the proposed subdivision.
16. That the subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
17. That the proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
18. That for the above-stated and other reasons, the proposed subdivision is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED the Board of County Commissioners of El Paso County, Colorado, hereby approves the preliminary plan application for the Hay Creek Subdivision;

BE IT FURTHER RESOLVED that the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. 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 Division of 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.
2. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471), as amended, 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.
3. A finding of water sufficiency for water quality, quantity and dependability is required with subsequent Final Plat(s) submittals.
4. Developer shall ensure that all forested acres are mitigated to reduce the risk of wildfire, that defensible space is created for each dwelling, and that all wildfire mitigation will be completed before issuance of a building permit.

NOTATIONS

1. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.

2. Preliminary Plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.

3. Modifications to the Preliminary Plan as a result of the final technical design of adjacent roadways shall not require a Preliminary Plan amendment.

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 12th day of October 2023 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

HAY CREEK ROAD PLAT BOUNDARY DESCRIPTION

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6th PRINCIPAL MERIDIAN; COUNTY OF EL PASO, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33, FROM WHICH THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33 BEARS NORTH 89°38'17" EAST, A DISTANCE OF 2,684.46 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO;

THENCE NORTH 00°25'17" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, A DISTANCE OF 1,169.26 FEET;

THENCE THE FOLLOWING TWENTY-TWO (22) COURSES;

1. SOUTH 71°29'43" EAST, A DISTANCE OF 140.51 FEET;
2. NORTH 82°07'46" EAST, A DISTANCE OF 458.69 FEET;
3. NORTH 71°31'45" EAST, A DISTANCE OF 369.66 FEET;
4. NORTH 89°30'59" EAST, A DISTANCE OF 195.64 FEET;
5. NORTH 82°27'48" EAST, A DISTANCE OF 300.93 FEET;
6. SOUTH 81°25'26" EAST, A DISTANCE OF 208.57 FEET;
7. NORTH 66°51'51" EAST, A DISTANCE OF 197.45 FEET;
8. NORTH 70°47'03" EAST, A DISTANCE OF 178.13 FEET;
9. NORTH 66°11'16" EAST, A DISTANCE OF 170.15 FEET;
10. NORTH 71°47'12" EAST, A DISTANCE OF 403.02 FEET;
11. NORTH 84°26'00" EAST, A DISTANCE OF 169.75 FEET;
12. SOUTH 87°26'44" EAST, A DISTANCE OF 197.38 FEET;
13. NORTH 74°51'53" EAST, A DISTANCE OF 86.71 FEET;
14. NORTH 86°13'24" EAST, A DISTANCE OF 233.11 FEET;
15. NORTH 80°10'48" EAST, A DISTANCE OF 260.90 FEET;
16. NORTH 78°52'32" EAST, A DISTANCE OF 149.05 FEET;
17. NORTH 71°58'16" EAST, A DISTANCE OF 210.75 FEET;
18. NORTH 49°30'50" EAST, A DISTANCE OF 403.50 FEET;
19. NORTH 57°57'37" EAST, A DISTANCE OF 170.21 FEET;
20. NORTH 37°03'08" EAST, A DISTANCE OF 266.68 FEET;
21. NORTH 43°48'53" WEST, A DISTANCE OF 107.37 FEET;
22. NORTH 20°29'00" WEST, A DISTANCE OF 220.10 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 34;

THENCE NORTH 89°30'43" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1,125.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 34;

THENCE SOUTH 00°28'46" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 34, A DISTANCE OF 2,654.48 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 89°38'45" WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2,683.98 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33;

THENCE SOUTH 89°38'17" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, A DISTANCE OF 2,684.46 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 214.622 ACRES, (9,348,924 SQUARE FEET), MORE OR LESS.