

EL PASO  **COUNTY**
COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

July 14, 2020

Love in Action
212 N. Wasatch Ave.
Colorado Springs, CO. 80903

James Houk
3 N. Nevada Ave
Colorado Springs, CO 80903

RE: Ponderosa at Lorson Ranch Filing No. 3 - (PUDSP-19-010)

This is to inform you that the above-reference request for approval of a map amendment (rezoning) of 10.38 acres from an overall zoning and a conceptual PUD (Planned Unit Development) to a site-specific PUD (Planned Unit Development) to develop 90 single-family residential lots, rights-of-way, drainage, open space, and utility tracts was heard by the Board of County Commissioners and an approval was made at the July 14, 2020 hearing. In accordance with Section 4.2.6.E of the El Paso County Land Development Code (2019), a PUD Development Plan may be approved as a Preliminary Plan; the applicant is also requesting the PUD development plan be approved as a preliminary plan with a finding of water sufficiency for water quality, quantity, and dependability. Approval by the Board of County Commissioners of the preliminary plan with a finding of sufficiency for water quality, quantity, and dependability authorizes the Planning and Community Development Department Director to administratively approve all subsequent final plat(s). The applicant is also requesting approval to perform pre-development site grading. The parcel is located north of Fontaine Boulevard, East of Marksheffel Road, adjacent to Old Glory Drive and is within Section 14, Township 15 South, Range 65 West of the 6th P.M. The subject property is located within the boundaries of the Highway 94 Comprehensive Plan (2003) area. (Parcel No. 55143-01-027)

This approval is subject to the following:

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

www.ELPASOCO.COM

MODIFICATIONS

Modification of Existing Land Development Code (LDC) or Engineering Criteria Manual (ECM) Standard:

For approval of a modification of a general development standard in the LDC or standard of the ECM, the BoCC shall find that the proposal provides for the general health, safety, and welfare of the citizens and at least one of the following benefits:

- Preservation of natural features;
- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
- Provision of a more efficient pedestrian system;
- Provision of additional open space;
- Provision of other public amenities not otherwise required by the Code; or
- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.

The applicant requests the following modification(s) of the LDC:

1. The applicant is requesting a PUD modification to Sections 8.4.4.C. and 8.4.4.E.3 of the Code to allow for private roads that are not proposed to be built to public road standards.
 - Section 8.4.4.C, *Public Roads Required*, of the Code states:
“Divisions of land, lots and tracts shall be served by public roads.”
 - Section and 8.4.4.E.3, *Private Road Allowances*, of the Code states:
“Generally, private roads shall be constructed and maintained to ECM standards except as may be otherwise determined in the waiver. Private road waivers may include design standards for the following:
 - Right-of-way width where suitable alternative provisions are made for pedestrian walkways and utilities;
 - Design speed where it is unlikely the road will be needed for use by the general public;
 - Standard section thickness minimums and pavement type where suitable and perpetual maintenance provisions are made;
 - Maximum and minimum block lengths; and
 - Maximum grade.

2. The applicant is requesting a PUD modification to Sections 8.4.6.1.g. and 8.4.6.2.d.i of the Code to allow for blanket utility easements because of the proposed small lot sizes of less than 1,750 square feet
 - Section 8.4.6.1.g, *Blanket Utility Easement Prohibited*, of the Code states: “Blanket utility easements shall be prohibited.”
 - Section 8.4.6.2.i, *Standard Easement Widths and Location*, of the Code states:
“Unless otherwise required by the utility provider, the standard utility easements for urban lots shall be provided as follows:
 - Side Lot Lines: 5-feet;
 - Rear Lot Lines: 7-feet.”

CONDITIONS

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.

6. Applicable park, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
7. The developer shall participate in a fair and equitable manner in the design and construction of intersection improvements at the intersection of Fontaine Boulevard and Old Glory Drive, which shall be determined during the final plat review process.
8. The developer shall obtain approval of the necessary pre-development site grading construction documents prior to scheduling a preconstruction meeting with the Planning and Community Development Department Inspections staff.

NOTATIONS

1. Subsequent Final Plat Filings may be approved administratively by the Planning and Community Development Director pursuant to Section 7.2.1.3.D of the Land Development Code.
2. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
3. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.
4. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
5. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

This represents the Planning and Community Development Department's understanding of the action taken by the Board of County Commissioners.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,

A handwritten signature in blue ink that reads "Kari Parsons". The signature is written in a cursive, flowing style.

Kari Parsons, Planner III

File No. PUDSP-19-010