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URBAN PLANNING | COMMUNITY DESIGN | LANDSCAPE ARCHITECTURE | ENTITLEMENT

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EL PASO COUNTY

LETTER OF INTENT FOR: WATERBURY

PUD Development Plan and Preliminary Plan, Filings 1 and 2

April 6, 2021

□ **OWNER/APPLICANT, AND PLANNING CONSULTANT:**

Owner/Applicant:

4-Way Ranch Joint Venture, LLC
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DEVELOPMENT REQUEST

In this application, the Applicant requests approval of the following:

1. A revised PUD Zoning and Development Plan for Filings 1 and 2 of the Waterbury subdivision, a portion of Parcel 4200000417 (currently zoned PUD), consisting of 201 single family lots on 61.9 acres of the 159.9 total acres, at a gross density of 3.25 dwelling units/acre. The Type D Application Form (1-2C) is submitted.

2. A Preliminary Plan for the above.
3. Deviation for Saybrook Rd. cross section, as shown on the PUD/ Preliminary Plan cover page, detailed in the filed Deviation Request, and as approved by the fire authority.
4. Modification of the requirement of 1 tree/20' along Stapleton Rd., to allow substitution of berms planted with low-water shrubs and large ornamental grasses for some of the trees (per Landscape and Water Conservation Manual – 1.2.1 (A), (E) and 1.3.3 (A), (C))
5. Water Sufficiency finding for to be deferred until Final Plat.
6. Early grading operations request.
7. Subsequent final plat for Waterbury Filings 1 and 2.

PROJECT LOCATION/DESCRIPTION AND HISTORY OF PROPERTY:

The project site is located in El Paso County in Peyton, CO, approximately 12 miles east of downtown Colorado Springs, northeast of Falcon, Colorado in eastern El Paso County. The parcel is approximately 2,000 feet west of the intersection of highway 24 and Stapleton Rd. It is bordered on the west by single family residential sites and Eastonville Road. Adjacent parcels to the southwest and east of this project are large, multi-acre sites with existing homes and outbuildings (loafing shed/ stable), driveways, and barns. Any existing off-site residences, outbuildings, dirt roads, etc., are scheduled to remain and will not be relocated or removed as a result of the Waterbury development.

Filings 1 and 2 of this Preliminary Plan are located in the southwest corner of the Waterbury project with primary access off of Stapleton Drive. A secondary access point will be via an extension of existing Gilbert Drive at the northwest corner of Filing 1. The existing 4-Way Ranch Filing 1 project borders Waterbury to the southwest. Parcel 420000366, part of the Waterbury PUD, is vacant and borders to the north and east. A public high school borders the project across Eastonville Rd.

The preliminary plan for Filings 1 and 2 consists of 61.9 Acres of 159.9 acres in Parcel 420000417. The preliminary plan proposes 201 detached, single-family dwelling units for a density of 3.25 DU/ Acre. This is within the approved density range for Waterbury at 3-5 DU/ Acre. The 201 proposed units account for 19% of the total approved units of 1,010 for the Waterbury PUD project. In addition to the 201 lots, Filings 1 and 2 include 11.24 acres of public rights-of-way, and 14.04 Acres of open space/ landscaped areas.

LAND USE TABLE

TYPE OF USE	# ACRES	% OF PROPERTY
DETACHED SINGLE FAMILY LOTS (201 Units)	39.9 AC	65%
RIGHTS-OF-WAY	11.6 AC	19%
OPEN SPACE/UTILITY TRACTS/WATER QUALITY	4.05 AC	7%
FLOOD PLAIN/WETLANDS	3.46 AC	6%
PARKS/PLAY AREAS	2.89 AC	5%
TOTAL	61.9 AC	100%

DEVIATION from ECM

A deviation for traffic is requested for a modification of the Saybrook Road (Urban Residential Collector) cross section to allow direct driveway access to this entry road into the subdivision, as there are no other access points for these lots. Also requested are parking lanes along both sides of Saybrook Road. (See submitted Deviation Request for details). This deviation has been reviewed and approved by the fire authority.

JUSTIFICATION FOR REQUEST

The proposed Waterbury Preliminary Plan meets the criteria for approval as outlined in Sections 4.2.6 (E) and 7.2.1.D-(2)E of the LDC.

- The plan is in general conformance, with no significant changes, with the formerly approved Waterbury PUD Development Plan, the originally approved Zoning and Conceptual Plan (ZCP), and is consistent with the purposes of the EPCLDC including the County Master Plan and the *Falcon/ Peyton Small Area Master Plan*.
- The proposed preliminary plan's use, density, and layout are in conformance with the subdivision design standards and establish an adequate level of compatibility with existing residential areas surrounding the Waterbury project.
- A sufficient water supply has been established through wells owned and operated by the 4-Way Ranch MD.
- Public sewage disposal system will be provided by the Woodmen Hills MD.
- Soil/Topographical conditions – a Soils and Geology Report has been prepared and submitted by Entech Engineering. This report addresses the existence of and remediation for a high water table located in some areas of the development. The Grading Plan filed as part of this application has followed these requirements.
- Drainage – a Preliminary Drainage Report and a Storm Water Management Plan have been prepared and submitted by Terra Nova Engineering, conforming to state law, the LDC and ECM.
- The existence on site of a FEMA floodplain, as well as non-jurisdictional wetlands, have been documented and designated as non-disturbance/no-build areas of the site.
- All public improvements are designed according to ECM and LDC standards and are adequate to serve the needs of the residents.
- All lots will have direct access to public streets/rights of way.
- Police and fire protection services have been established and Letters of Commitment have been filed in conjunction with this application.
- A Wildfire Hazard and Fire Protection Report has been prepared and submitted ascertaining compliance with Chapter 6 of the LDC.

There are several conditions of record called for with the approved Waterbury PUD Development Plan (PUD-12-003) that relate to traffic and drainage concerns. These conditions mainly address the timing and sequencing of traffic improvements, escrow funds for future traffic improvements, off-site drainage improvements, and various other off-site related

improvement items. A more detailed discussion of these conditions of record can be found within the submitted Waterbury Traffic Impact Study and the Preliminary Drainage Report.

EXISTING AND PROPOSED IMPROVEMENTS

The existing land use for the site is vacant and contains multiple drainage ways flowing in a southeasterly direction along the western and eastern boundaries of the preliminary plan land area. The site includes several unimproved dirt roads used for ranching purposes, native stands of vegetation, utility easements, and an existing water line running north-south through the site which is outside the boundaries of this preliminary plan.

Proposed improvements will include the construction of county-owned (public) and maintained asphalt roadways with concrete curb and gutter and detached concrete sidewalks. Drainage and storm water detention facilities will be constructed and maintained in conformance with County standards and specifications. Electric, natural gas, and telecommunication service points-of-connection will be extended from the roadways to all new lots.

Landscaping as required by the LDC will be installed along Stapleton Drive, Saybrook Road, and the roundabout intersection of Saybrook and Sunken Meadow Roads. Plant material will consist of low-water trees, shrubs, and ornamental grasses and will be watered via drip irrigation. Ground cover along the Stapleton landscape area will be a native prairie grass mix, with temporary overhead irrigation for establishment. It is proposed to substitute some of the required trees along Stapleton with berms planted with low-water shrubs and large ornamental grasses, irrigated via drip irrigation. A centrally located park/open space will be partially sodded with bluegrass sod, irrigated with permanent overhead irrigation.

Water service will be provided via a central water system to be developed by the Owner/Applicant and will be operated and maintained by the 4-Way Ranch Metropolitan District. The site is located in the Upper Black Squirrel Creek Ground Water District and is in compliance with the County Water Master Plan.

Sanitary sewer service will be provided by a lift station to connect with Woodmen Hills Metropolitan District, in accordance with El Paso County Department of Health policy guidelines. The lift station has been designed and approved.

Fire protection will be provided by Falcon Fire Protection District, and the development plan has been reviewed and approved by the fire authority. Natural gas supply has been committed by Black Hills Energy. Electric supply has been committed by Intermountain Rural Electric Authority.

Public infrastructure to serve the new lots, including roads, drainage facilities, and utilities will all be constructed in compliance with applicable county standards, regulations and criteria in

effect at the time of this application. Internal circulation will be paved roads with concrete curb and gutter and detached 5' concrete sidewalks.

There is no proposed industrial or commercial development on this site. There are no proposed multi-family dwellings. There are no proposed mobile home units. There are no proposed constructed recreational facilities.

Lot sizes: a minimum of 50' wide at the street right of way, and a minimum of 110' in depth.

ANTICIPATED SCHEDULE FOR DEVELOPMENT

Construction is planned to start within 90 days of county approval of the final plat. There is no phasing planned for development.

**LAND DEVELOPMENT CODE, COMPREHENSIVE PLAN AND COUNTY MASTER
PLAN CONSISTENCY**

ADHERENCE WITH THE EL PASO COUNTY POLICY PLAN

Goal 6.1 a *Encourage patterns of growth and development which complement the regions' unique natural environments and which reinforce community character.*

The El Paso County Policy Plan (the “Master Plan”) addresses issues directly related to the Preliminary Plan and development of *Waterbury Filings 1 and 2*. The policies specifically related to the Preliminary Plan request include:

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

The Preliminary Plan proposed for 201 new single family residential lots is compatible with the existing adjacent residential lots in the Eatonville Road / Stapleton Road corridors.

Policy 6.1.6 - *Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.*

Waterbury is proposed as a development of single family residences within a non-urban density area of the Falcon/Peyton community. Utilities and road infrastructure needed to serve the new lots, such as new roads, drainage and detention facilities, erosion control, etc. will be constructed as part of this development.

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

Policy 6.1.14 - *Support development which complements the unique environmental conditions and established land use character of each sub-area of the County.*

Goal 6.2
Protect and Enhance Existing and Developing Neighborhoods

Policy 6.2.1 - *Fully consider the potential impact of proposed zone changes and development on the integrity of existing neighborhoods.*

Policy 6.2.2

Promote the unique identity of neighborhoods through the use of focal points, parks, trails and open spaces, preservation of significant natural features, compatible location and design of mixed uses, and promotion of pedestrian and other non-motorized means of travel.

The incorporation of a central open space/park for Filings 1 and 2 will encourage community interaction. Paved, detached sidewalks allow for safe use of bicycle travel around the park and neighborhood. The floodplain areas and Jurisdictional and non-jurisdictional wetlands within the of the site will be preserved as open space no-build areas, and will lend themselves well toward sustaining the rural nature and character and maintaining the integrity of the surrounding community, providing locations for non-specified outdoor activities for the residents.

Goal 6.4 *Develop and maintain rural residential areas in a manner which protects their integrity, addresses the carrying capacity of the natural environment and provides for an adequate level of non-urban facilities and services.*

Policy 6.4.3 - *Allow rural residential development in those areas with sufficient "carrying capacity" including roadway capacity, water supply, septic suitability, educational facilities and organized structural fire protection.*

The surrounding area of the Preliminary Plan has sufficient carrying capacity to support the new development with regard to roadway capacity, water supply, septic suitability, educational facilities, and organized structural fire protection. Commitment Letters from entities that would supply this development with essential services have been submitted with this Preliminary Plan application.

Policy 6.4.4 - *Encourage new rural residential subdivisions to be located within or contiguous with existing rural residential areas or to be incorporated as a buffer between higher density and undevelopable areas.*

Policy 6.4.6 - *Allow for the accommodation of necessary supporting commercial uses within or in proximity to rural residential areas in a manner that preserves the rural character of these areas.*

Policy 6.4.11 - *Support planning and regulatory approaches which limit the adverse impacts of grazing on lots of 5 acres and less.*

"No animals, birds, livestock, reptiles or insects of any kind may be raised, bred, kept or boarded in or on a Lot, except for bona fide household pets as permitted by applicable local laws or ordinances and in compliance with any Rules and Regulations not in conflict with such laws or ordinances. Each animal must be controlled by its owner and is not allowed off the owner's Lot except when properly controlled and accompanied by its owner or his or representative, who is responsible for collecting and properly disposing of any animal waste. An Owner's and/or

Occupant's right to keep animals is coupled with the responsibility to pay for any damage caused by such animal, as well as any costs incurred as a result of such animals. "

ADHERENCE TO THE FALCON / PEYTON SMALL AREA PLAN

The property is within the boundaries of the Falcon Peyton Small Area Plan (2008) [Section 4.4.7 Stapleton-Curtis Corridor]

3 Goals and Principles

3.1 Land Use

*3.1.1 Provide a **balance of land uses** that respects existing and historical patterns while providing opportunities for future residents and businesses.*

*3.1.3 Preserve the **core rural character** of the area.*

*3.1.4 Provide a **variety of different densities** of development options.*

The Waterbury Development will provide single-family detached homes on smaller lots, allowing for potential new homeowners to participate in the rural character of the area, while still being in keeping with current uses of areas adjacent to the Plan. The 14 acres of park, non-jurisdictional and jurisdictional wetlands and floodplain area that are to be preserved in perpetuity as no-build open space parcels also help to preserve the general character of the region.

3.3 Residential Areas and Densities

*3.3.1 Encourage **diversity and variety in housing** types, sizes, locations, and prices to meet the needs of existing and new residents.*

*3.3.2 Promote **predictable growth** in the housing market that is consistent with the Small Area Master Plan.*

*3.3.4 Meet the **housing needs** of as many existing and new residents of differing ages, incomes, and desired living accommodations.*

The Preliminary Plan encourages diverse housing types and prices to meet the needs of existing and new residents. A variety of lot sizes will help to meet the needs of existing and new residents of differing ages and incomes.

The Preliminary Plan anticipates a finite quantity of 201 homes on the 62 acre development, which promotes predictable growth that is consistent with the Plan.

3.4 Facilities and Services (Fire Protection, School Districts, Wastewater Facilities, etc.)

*3.4.1 Encourage development in urban areas where **adequate public facilities** or services exist or can be provided in an efficient manner.*

*3.4.2 Provide for the efficient provision of **public safety** in the area.*

*3.4.3 Encourage the **availability** of facilities and services within the planning area, close to the residents.*

Letters of Commitment to Serve all the area within the Preliminary Plan have been provided with this submittal for public safety, gas, and electric. No new facilities for fire protection or schools are proposed or required for this application.

The existing 4-Way Ranch Metropolitan District has an adequate supply of water from existing wells which will allow the construction of a central water supply system and serve all new homes within the Preliminary Plan area.

3.5 Transportation

El Paso County Road Impact Fee Program

This project will be subject to participation in the El Paso County Road Impact Fee Program.

*3.5.1 Recommend land use patterns that make **efficient use** of existing transportation infrastructure and limit the cost of future extensions and upgrades.*

*3.5.2 **Mitigate congestion** by providing flexibility for areas of higher population densities while protecting lower density areas from the negative effects of traffic.*

*3.5.6 **Balance** long term transportation infrastructure needs with current requirements.*

A Traffic Impact Study [TIS] has been prepared and provided with the Preliminary Plan application. The TIS addresses the use of the major transportation corridors (e.g. Stapleton Road, Eastonville Rd. and Highway 24) that provide primary access/egress to and from the Preliminary Plan area. No “negative effects” of traffic would be triggered as a result of the need to construct additional major arterial infrastructure; all new roads within the Preliminary Plan area would be a local residential category.

3.6 Water Supply

*3.6.1 Plan for **water resources** in a thoughtful way that recognizes the non-renewable nature of water resources in the area, accommodates existing and historical uses, and allows for sustainable, planned growth.*

The existing 4-Way Ranch Metropolitan District and existing wells will supply water to a new central water distribution system and serve all new homes within the Preliminary Plan area. This will allow for sustainable, planned growth as the Preliminary Plan area does not rely on development of numerous new wells as a primary source of water for new residences.

3.7 Parks, Trails, and Open Space

*3.7.1 Provide **recreational amenities** for area residents.*

All parks, trails, and open space tracts will be maintained by the existing *4-Way Ranch Metropolitan District*.

3.8 Natural Systems

*3.8.1 Preserve **important natural features** that are critical to the function of natural systems such as watersheds and wildlife corridors.*

The Preliminary Plan indicates there are 14 acres of jurisdictional and non-jurisdictional wetlands and floodplains that will remain as no-build open space area. These areas will remain as no-build preservation tracts to protect natural watersheds and wildlife corridors.

END