

THE GARDENS AT NORTH CAREFREE

EL PASO COUNTY, COLORADO

PUD DEVELOPMENT / PRELIMINARY PLAN

GENERAL PROVISIONS:

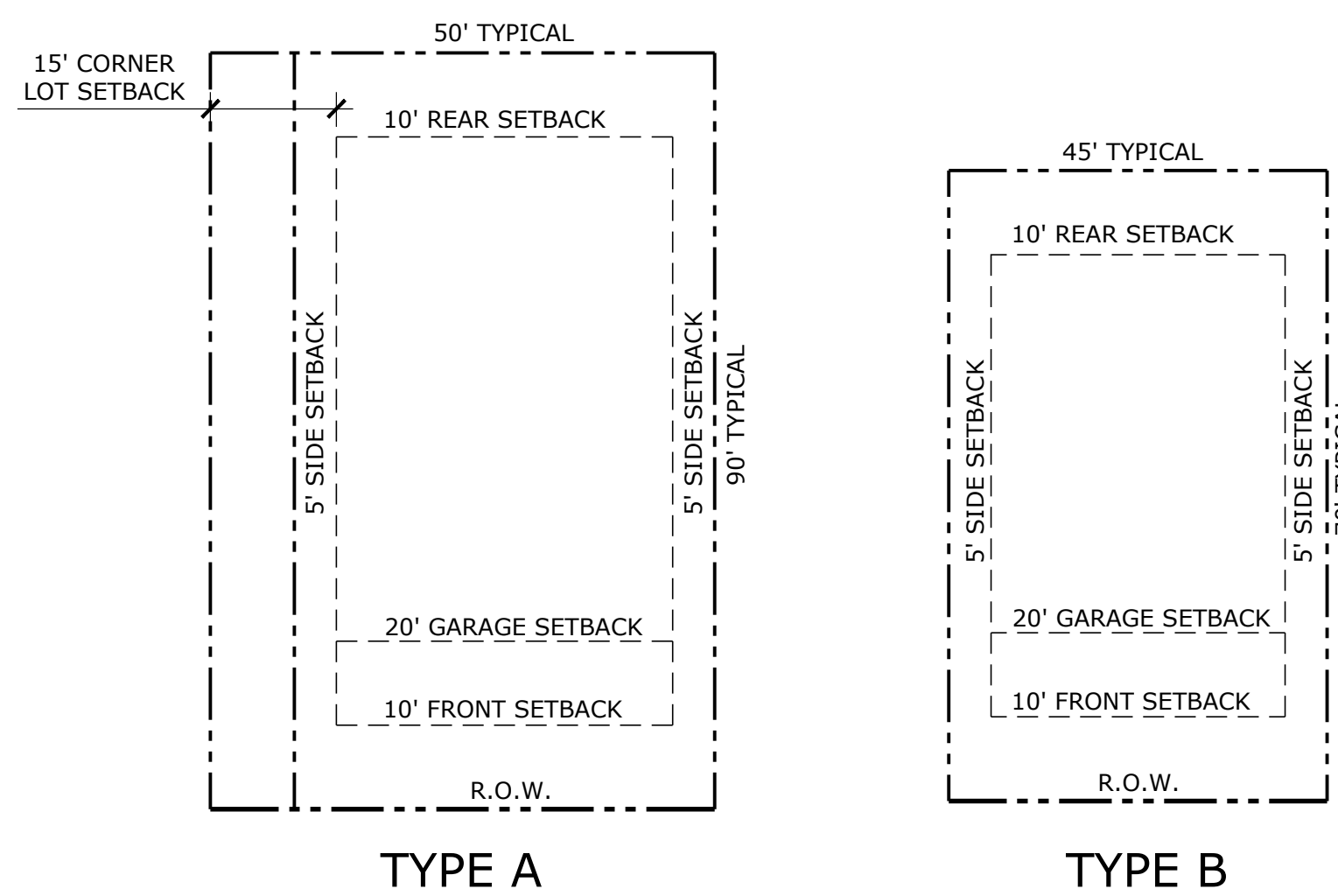
- A. Authority.** This PUD is authorized by Chapter 4 of the El Paso County Land Development Code, adopted pursuant to the Colorado Planned Unit Development Act of 1972, as amended.
- B. Applicability.** The provisions of this PUD shall run with the land. The landowners, their successors, heirs, or assigns shall be bound by this Development Plan, as amended and approved by the Planning and Community Development Director or Board of County Commissioners.
- C. Adoption.** The adoption of this development plan shall evidence the findings and decisions of the El Paso County Board of County Commissioners that this Development Plan for The Gardens at North Carefree is in general conformity with the El Paso County Master Plan, El Paso County Policy Plan and applicable Small Area Plan; is authorized under the provision of the El Paso County Land Development Code; and that the El Paso County Land Development Code and this development plan complies with the Colorado Planned Unit Development Act of 1972, as amended.
- D. Relationship to County Regulations.** The provisions of this Development Plan shall prevail and govern the development of The Gardens at North Carefree, provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the El Paso County Land Development Code in effect at the time of the PUD plan approval (or owner acknowledge the PUD changes with the Code), or any other applicable resolutions or regulations of El Paso County, shall be applicable.
- E. Enforcement.** To further the mutual interest of the residents, occupants, and owners of the PUD and of the public in the preservation of the integrity of this development plan, the provisions of this plan relating to the use of land and the location of common open space shall run in favor of El Paso County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law.
- F. Conflict.** Where there is more than one provision within the development plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern.
- G. Maximum Level of Development.** The total number of dwellings or the total commercial, business, or industrial intensity shown on the development plan for development within the specified planning areas is the maximum development requested for platting or construction (plus any approved density transfers). The actual number of dwellings or level of development may be less due to subdivision or Site Development Plan requirements, land carrying capacity, or other requirements of the Board of County Commissioners.
- H. Project Tracking.** At the time of any final plat application, the applicant shall provide a summary of the development, to date, to Planning and Community Development, in order to assure maximum development limits are not exceeded.
- I. Overall Project Standards.** The standard zoning requirements of El Paso County Land Development Code, as amended, including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PUD, except as modified below.

no additional uses/allowances were added. This is a PUD where the developer dictates the allowances and standards. Staff recommends reviewing and considering additional uses.

DEVELOPMENT GUIDELINES:

- A. Project Description:** The Gardens at North Carefree is a planned residential community on 11.56 acres of land located Southeast of N. Carefree Circle and Akers Drive. The project is planned as a single family detached community with a main looping road and centralized open spaces.
- B. Permitted Uses:** Permitted uses within the The Gardens at North Carefree subdivision include single family detached, and single family attached dwelling units, open space, and trails. The use of any property within the subdivision as a Child Care Center, Family Care Home or Group Home shall be subject to the regulations of Chapter 5 of the El Paso County Land Development Code, as may be amended. Marijuana Clubs and Marijuana Grow Facilities are not permitted within this subdivision.
- C. Temporary Uses:** Temporary uses are limited to model home/subdivision sales office, yard sales, and seasonal produce sales, and are subject to the regulations of Chapter 5 of the El Paso County Land Development Code, as may be amended.
- D. Accessory Uses:** Accessory uses shall be subject to the regulations of Chapter 5 of the El Paso County Land Development Code, as may be amended. Accessory uses within this subdivision are limited to the following:
Animal keeping of up to 4 pets (excludes chicken, pigeon or bee keeping).
Residential home occupation.
- E. Accessory Structures:** Accessory structures are not permitted either within the lot or within the common open space owned & maintained by the Home Owner Association.
- F. Signs.** Signs shall be permitted to identify entryways to The Gardens at North Carefree community. The maximum size of the Community Entryway Sign shall be 100 square feet with a maximum height of (6) feet. Sign size shall be measured by drawing the smallest rectangle around the text of the sign. For double sided signs, only one sign face shall contribute to the maximum size.
- G. Development Standards.**
- Maximum building height: thirty-five (35) feet.
 - Setback minimums:
Front: 10' Minimum (20' minimum from back of sidewalk to front of garage)
Side: 5' Minimum (15' for corner lots)
Rear: 10' Minimum
 - Minimum Lot Width: 45' at garage setback.
 - Minimum Lot Size: 3,100 sf
 - No projections into the tracts owned and maintained by The Gardens at North Carefree will be permitted.
- H. Streets.** Streets within The Gardens at North Carefree subdivision provide general vehicular circulation throughout the development. All Streets shall be paved unless otherwise indicated on the Development Plan. Sidewalks will be provided as illustrated on this plan.

LOT TYPICALS:



LEGAL DESCRIPTION

BEING LOT 2, MULE DEER BUSINESS PARK FILING NO.1 AND A TRACT OF LAND LOCATED IN THE EAST 1/2 OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF AKERS DRIVE (80 FEET WIDE) AS PLATTED IN MULE DEER BUSINESS PARK FILING NO.1, RECORDED WITH RECEPTION NO. 206712353 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY OF NORTH CAREFREE CIRCLE (120 FEET WIDE) AS PLATTED IN PRONGHORN MEADOWS FILING NO.1, RECORDED WITH RECEPTION NO. 202165571 OF SAID RECORDS;

THE FOLLOWING FIVE (5) COURSES ARE ON THE EASTERLY RIGHT-OF-WAY OF SAID AKERS DRIVE;

- THENCE S00°41'40"E A DISTANCE OF 552.98 FEET TO A POINT OF CURVE TO THE LEFT;
- THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 960.00 FEET, A DELTA ANGLE OF 04°35'19", AN ARC LENGTH OF 76.88 FEET, WHOSE LONG CHORD BEARS S02°59'19"E A DISTANCE OF 76.86 FEET;
- THENCE S05°16'59"E A DISTANCE OF 277.56 FEET TO THE NORTHWEST CORNER OF LOT 2, OF SAID MULE DEER BUSINESS PARK FILING NO.1;
- THENCE S05°16'59"E ON THE WESTERLY LINE OF SAID LOT 2, A DISTANCE OF 142.31 FEET TO A POINT OF CURVE TO THE RIGHT;
- THENCE ON THE ARC OF SAID CURVE AND SAID WESTERLY LINE OF LOT 2, HAVING A RADIUS OF 1040.00 FEET, A DELTA ANGLE OF 03°59'26", AN ARC LENGTH OF 72.43 FEET, WHOSE LONG CHORD BEARS S03°17'16"E A DISTANCE OF 72.42 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2;

THENCE N88°42'27"E ON THE SOUTH LINE OF SAID LOT 2, A DISTANCE OF 413.10 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2;

THENCE N00°02'55"E ON THE EAST LINE OF SAID LOT 2, A DISTANCE OF 209.74 FEET TO THE NORTHEAST CORNER OF SAID LOT 2;

THENCE N00°02'55"E A DISTANCE OF 906.69 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SAID NORTH CAREFREE CIRCLE;

THENCE S89°18'20"W ON SAID SOUTHERLY RIGHT-OF-WAY, A DISTANCE OF 467.50 FEET TO THE POINT OF BEGINNING.

THE ABOVE TRACT OF LAND CONTAINS 503,669 SQUARE FEET OR 11.563 ACRES, MORE OR LESS.

TRACT TABLE

TRACT	SIZE	USE	OWNERSHIP	MAINTENANCE
A	33,727SF	Open space, public access, public utilities, drainage, landscaping, signage	The Gardens at North Carefree Metropolitan District	The Gardens at North Carefree Metropolitan District
B	6,034 SF	Open space, public access, trail, drainage, landscaping, landscape wall	The Gardens at North Carefree Metropolitan District	The Gardens at North Carefree Metropolitan District
C	3,607 SF	Open space, public access, public utilities, landscaping	The Gardens at North Carefree Metropolitan District	The Gardens at North Carefree Metropolitan District
D	4,194 SF	Open space, public access, public utilities, drainage, landscaping	The Gardens at North Carefree Metropolitan District	The Gardens at North Carefree Metropolitan District
E	4,000 SF	Open space, public access, public utilities, landscaping	The Gardens at North Carefree Metropolitan District	The Gardens at North Carefree Metropolitan District
F	10,080 SF	Stormwater detention, drainage, landscaping, landscape wall	The Gardens at North Carefree Metropolitan District	The Gardens at North Carefree Metropolitan District
G	8,000 SF	Stormwater detention, drainage, landscaping,	The Gardens at North Carefree Metropolitan District	The Gardens at North Carefree Metropolitan District
H	5,365 SF	Open space, public access, trail, drainage, landscaping, landscape wall	The Gardens at North Carefree Metropolitan District	The Gardens at North Carefree Metropolitan District
I	11,115 SF	Private Road/Access, landscaping	To be dedicated to adj. property owner Yellow Jacket LLC	Yellow Jacket LLC

County Certification

This rezoning request to PUD has been reviewed and found to be complete and in accordance with the _____ (Board resolution or motion #) _____ (date) approving the PUD and all applicable El Paso County regulations.

President, Board of County Commissioners date

Director, Planning & Community Development Department date

Clerk and Recorder Certification

State of Colorado) J.S.
El Paso County)
I hereby certify that this Plan was filed in my office on this _____ (day) of _____ (month), 20____ at _____ o'clock a.m./p.m. and was recorded per Reception No. _____.

El Paso County Clerk and Recorder

Mule Deer Investments LLC

Name of Landowner

Landowner's Signature, notarized

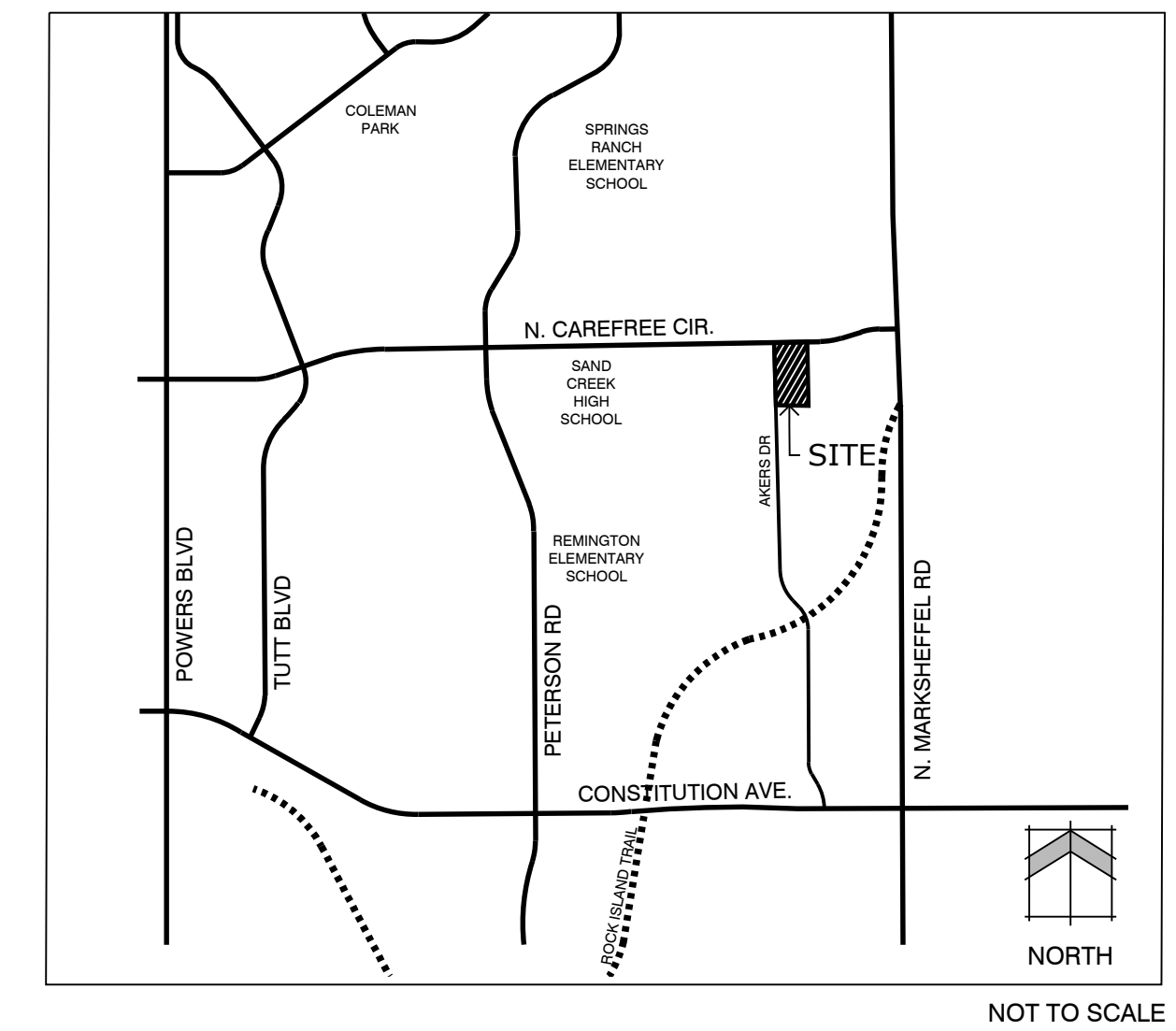
Ownership Certification

I/we _____ a (one of the following: qualified title insurance company, title company, title attorney, or attorney at law) duly qualified, insured, or licensed by the State of Colorado, do hereby certify that I/we have examined the title of all lands depicted and described hereon and that title to such land is owner in fee simple by _____ at the time of this application.

Notarized signature

OR Name of Attorney and registration number

VICINITY MAP



SITE DATA

OWNER/APPLICANT: Mule Deer Investments LLC
2727 Glen Arbor Dr.
Colorado Springs, CO 80920

Tax ID Number: 5329411002 & 5329400012
Area: 11.56 acres
Current Zoning: RR-5 & CS
Proposed Zoning: PUD
Current Land Use: Vacant
Proposed Land Use: Single Family Detached Residential
Number of Units: 71
Density: 6.14 DU/AC
Building Height: 35' Max.

Landscape Setbacks/Buffer:
North Carefree Circle: 25' Landscape Setback
Akers Drive: 15' Landscape Setback
South Zone District Boundary: 15' Landscape Buffer
East Boundary: 15' Landscape Buffer

Lot Building Setback:
Front: 10' Minimum (20' from back of sidewalk to front of garage)
Side: 5' Minimum (15' on corner lots)
Rear: 10' Minimum
Open Space Required = (10% of 503,553 sf = 50,355 sf)
Open Space Provided = 56,927 sf (11%) (Tracts A, B, C, D, E, & H)
25% min. usable open space required (25% of 503,355) = 12,588 sf
usable open space provided (Tracts B, C, D, & E) = 17,835 sf (31%)

GENERAL NOTES

- See Final Landscape Plan for proposed buffering and screening from surrounding properties.
- Facilities and common area landscape will be maintained by The Gardens at North Carefree Metropolitan District.
- This site is not within a designated F.E.M.A. floodplain as determined by the flood insurance rate map, community parcel number 08041C0276F, effective March 17, 1997.
- There will be no direct lot access from Akers Drive & North Carefree Circle.
- Geologic Hazards Disclosure Statement: Areas of the proposed subdivision have been found to be impacted by geologic conditions including artificial fill, loose or collapsible soils, and expansive soils. Mitigation can be achieved by proper engineering design and construction or avoidance. A map of the hazard areas and proposed mitigation measures can be found in the Soils, Geology, and Geologic Hazard Study prepared by Entech Engineering Inc., dated October 25, 2017 and revised August 6, 2018, and is held in the PUD Development/Preliminary Plan File (PUDSP-18-004) at the El Paso County Planning and Community Development Department.

PUD MODIFICATIONS

PUD Modification of ECM Figure 2-16: Urban Local Roadway Cross-Section
The street section is modified to measure 45 feet from back of sidewalk to back of sidewalk. The modification reduces the ROW width and eliminates the 2.5-foot buffer on either side of the sidewalk and accommodates the site constraints, provides additional open space throughout the project, and provides the 175-foot minimum intersection distance along Running Deer Way.

New Development Stormwater Management E.C.M. Appendix I.7.1.B.
Appendix I Section I.7.1.B, first bullet point, of the El Paso County Engineering Criteria Manual states that all sites of development/redevelopment of one (1) acre or more shall provide water quality capture volume (WQCV) for the total site. We are requesting a deviation, in that Approximately 1.64 acres of 11.89 acres of the area inside the development boundary will not reach a proposed on-site water quality facility. Of the area inside the development boundary that will not reach a facility only 0.19 acres is proposed roadway, 0.64 acres is developed lots, the remaining 0.81 acres will be sloped areas at back of lots along exterior boundary. The reason these areas are not able to reach the WQCV's are due to the topography of the site. The Deviation Request is currently under review.

PROJECT CONTACTS

Planner & Landscape Architect:
NES Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Civil Engineers:
Stantec
31 Tejon Street, Suite 500
Colorado Springs, CO 80903

SHEET INDEX

- Sheet 1 of 10: Cover
- Sheet 2 of 10: Development Plan
- Sheet 3 of 10: Grading Plan
- Sheet 4 of 10: Grading & Erosion Control Details
- Sheet 5 of 10: Grading & Erosion Control Details
- Sheet 6 of 10: Site Utilities Plan
- Sheet 7 of 10: Landscape Plan
- Sheet 8 of 10: Landscape Plan
- Sheet 9 of 10: Landscape Details
- Sheet 10 of 10: Zoning Map

Review 1:
Revise to Preliminary Grading Plan.
Remove sheets 4 and 5.
Review 2: Unresolved

Land Planning
Landscape
Architecture
Urban Design



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

Tel. 719.471.0073
Fax 719.471.0267

www.nescolorado.com

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PUD DEVELOPMENT / PRELIMINARY PLAN

DATE: 08/08/2018
PROJECT MGR: A. Barlow
PREPARED BY: B. Swenson

DATE	BY	DESCRIPTION
08/08/2018	JBS	INITIAL SUBMITTAL
10/16/2018	JBS	PER COUNTY COMMENTS

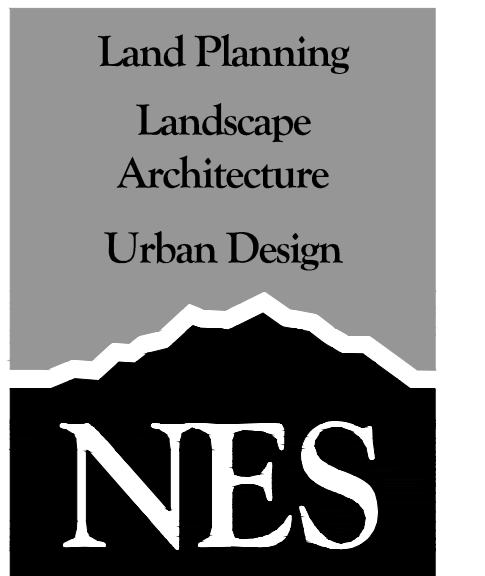
COVER

1 OF 10

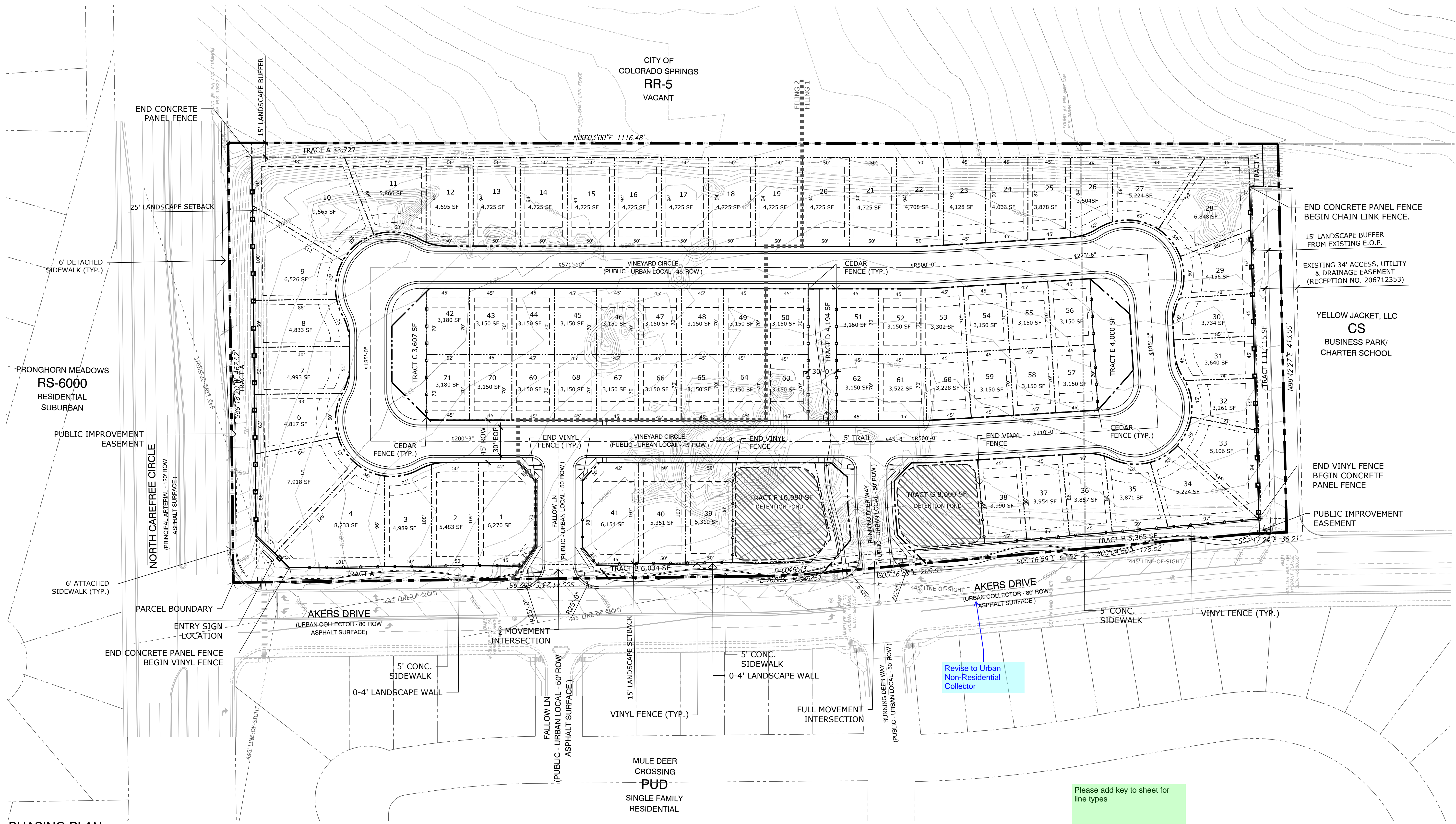
PUDSP-18-004

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EL PASO COUNTY, COLORADO



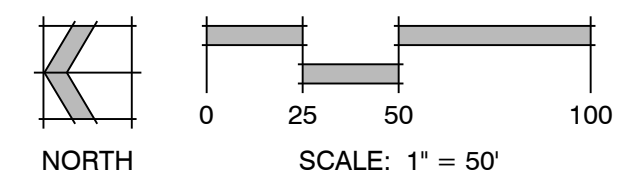
N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903
Tel. 719.471.0073
Fax 719.471.0267
www.nescolorado.com
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PHASING PLAN

- PHASE 1 - Lots 20-41, 50-63 (36 Lots)
Tracts D, E, F, G, and a portion of tracts A and B
Detention Ponds
Running Deer Way access
- PHASE 2 - Lots 1-19, 42-49, 64-71 (35 Lots)
Tracts C, and a portion of tracts A and B
Fallow Lane access

NOTE: Phasing is subject to changes in the market/demand. Final Plats may contain more than one phase and may not be sequenced as shown on the Phasing Plan Diagram.



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DEVELOPMENT PLAN

2

2 OF 10

PUDSP-18-004

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