

HOLLY WILLIAMS STAN VANDERWERF CAMI BREMER

COMMISSIONERS: MARK WALLER (CHAIR) LONGINOS GONZALEZ, JR. (VICE-CHAIR)

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission Brian Risley, Chair

- FROM: Nina Ruiz, Planning Manager Gilbert LaForce, PE Engineer III Craig Dossey, Executive Director
- RE: Project File #: PUDSP-19-007 Project Name: The Estates at Rolling Hills Ranch Parcel No.: 42000-00-407

OWNER:	REPRESENTATIVE:	
Meridian Ranch Investments, Inc.	NES, Inc.	
PO Box 80036	619 N Cascade Avenue, Suite 200	
San Diego, CA 92138	Colorado Springs, CO 80903	

Commissioner District: 2

Planning Commission Hearing Date:	5/19/2020
Board of County Commissioners Hearing Date	6/9/2020

EXECUTIVE SUMMARY

A request by Meridian Ranch Investments, Inc., for approval of a map amendment (rezoning) from PUD (Planned Unit Development) to PUD (Planned Unit Development) to develop 16 single-family residential lots, rights-of-way, open space and utility tracts within an 29 acre development area. In accordance with Section 4.2.6.E of the <u>El Paso County</u> <u>Land Development Code</u> (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. The parcel is zoned PUD (Planned Unit Development) and is located



COLORADO SPRINGS, CO 80910-3127 FAX: (719) 520-6695 west of Eastonville Road at the easternmost terminus of Rex Road and is adjacent to the west of the Falcon Regional Park and within Sections 19 and 20, Township 12 South, Range 64 West of the 6th P.M. The parcel is included within the boundaries of the Falcon/Peyton Small Area Master Plan (2008).

A. REQUEST/MODIFICATIONS/AUTHORIZATION

Request: A request by Meridian Ranch Investments, Inc., for approval of a map amendment (rezoning) from PUD (Planned Unit Development) to PUD (Planned Unit Development) to develop 16 single-family residential lots, rights-of-way, open space and utility tracts within an 29 acre development area. In accordance with Section 4.2.6.E of the <u>EI Paso County Land Development Code</u> (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.

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 <u>Code</u>; 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:

A PUD Modification of Section 8.4.3.B.2 of the <u>LDC</u> is requested in relation to the requirement to provide midblock pedestrian crossings at specific locations. <u>PCD Executive Director Recommendation</u>:

The PCD Executive Director recommends approval of the requested PUD modifications. Per the proposed PUD/Preliminary Plan, adequate lot accessibility can be provided via the proposed private roadway. The applicant has depicted a sidewalk design and layout that accommodates pedestrians throughout the Proposed PUD/Preliminary plan.

The applicants are requesting the following modification(s) of the ECM:

1. The applicant has submitted a modification requesting a cul-de-sac length of 1,432 feet for Palmer Peak Lane which is 682 feet longer than the ECM standard.

Section 2.3.8.A of the <u>ECM</u> states: "Cul-de-sacs shall have a minimum radius of 45 feet and a maximum length of 750 feet for urban conditions..."

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the requested PUD modification since the Falcon Fire Protection District has provided a letter of support for the proposed design.

2. The applicant has submitted a modification requesting to maintain the standard street cross section with no vehicle pullout.

Section 4.4.5.E of the ECM states: "Type 3 mailboxes and the pullout for the mailbox shall be located within the right-of-way dedication but outside the roadway clear zone."

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the requested PUD modification. Urban local roadways allow on-street parking within the clear zone. The deviation will not adversely affect safety or operations since the mailbox kiosks will be located outside the clear zone.

3. The applicant is requesting a PUD modification to Section 2.5.2.C.4 of the <u>ECM</u> to omit midblock pedestrian crossings on Palmer Peak Lane.

Section 2.5.2.C.4 states: "Access ramps on local roadways shall be spaced no greater than 600 feet apart. Where spacing is greater than 600 feet, mid-block access ramps shall be provided at spacing that minimize travel distances between access ramps."

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the requested PUD Modification. Per the PUD/Preliminary Plan, adequate pedestrian accessibility is provided by access ramps at all intersections. Additionally, the Federal Americans with Disabilities Act (ADA) has no requirements for maximum distance between pedestrian crossings that would necessitate mid-block pedestrian ramps. 4. The applicant is requesting a PUD modification to construct the segment of Rex Road between Pyramid Peak Drive and Sunrise Ridge Drive as an urban residential collector in lieu of the urban minor arterial as identified in the current 2040 Major Transportation Corridor Plan.

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the requested PUD Modification. This segment of Rex Road was anticipated to be an urban residential collector when Estates at Meridian Ranch Filing No. 2 and Meridian Ranch Filing No. 9 were platted leaving enough corridor to be dedicate as a 60 feet of right-of-way consistent with an urban residential collector.

Authorization to Sign: PUD Development Plan and any other documents required to finalize the approval

B. PLANNING COMMISSION SUMMARY

Request Heard: Recommendation: Waiver Recommendation: Vote: Vote Rationale: Summary of Hearing: Legal Notice:

C. APPROVAL CRITERIA

The Planning Commission and BOCC shall determine that the following the criteria for approval outlined in Section 4.2.6, and Section 7.2.1 of the <u>El Paso County Land</u> <u>Development Code</u> (2019), have been met to approve a PUD zoning district:

- The proposed PUD district zoning advances the stated purposes set forth in this section.
- The application is in general conformity with the Master Plan;
- The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
- The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;

- The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;
- The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
- Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
- Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;
- The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;
- The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;
- The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;
- Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and
- The owner has authorized the application.

The applicant has requested the proposed PUD also be reviewed and considered as a preliminary plan. Compliance with the requirements identified in Chapter 7 and Chapter 8 of the <u>El Paso County Land Development Code</u> (2019) for a preliminary plan requires the Planning Commission and the BoCC shall find that the additional criteria for a preliminary plan have also been met.:

- 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 this Code;
- The subdivision is in conformance with the subdivision design standards and any approved sketch plan;

- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6) (b)] and the requirements of Chapter 8 of this Code;
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and 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 this 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-ofway or recorded easement, acceptable to the County in compliance with this 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 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 this Code.

D. LOCATION

North:	A-35 (Agricultural)/RR-2.5 (Residential Rural)	Vacant
South:	PUD (Planned Unit Development)	Vacant
East:	PUD (Planned Unit Development)	Vacant
West:	PUD (Planned Unit Development)	Open space tract

E. BACKGROUND

The Meridian Ranch Sketch Plan (SKP-11-002) and Planned Unit Development zoning concept plan (PUD-11-003) were previously approved by the Board of County Commissioners. An amended Sketch Plan was approved by the Board of County Commissioners on March 13, 2018, to allow for the maximum residential density to increase from 4,000 to 4,500 dwelling units (SKP-17-001). The map amendment (rezone) and platting of the proposed Estates at Rolling Hills Ranch at Meridian Ranch PUD/SP 16 lots would bring the total number of platted lots up to 3,393 within the Meridian Ranch sketch plan area.

F. ANALYSIS

1. Land Development Code Analysis

This application meets the preliminary plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 as well as the Planned Unit Development (PUD) requirements outlined in Chapter 4 of the <u>El Paso County Land Development Code</u> (2019).

2. Zoning Compliance

The PUD Development Plan identifies allowed and permitted uses; use, density, and dimensional standards such as setbacks, maximum lot coverage, and maximum building height; and overall landscaping requirements. The PUD Development Plan is consistent with the proposed PUD development guidelines and with the submittal and processing requirements of the Land Development Code.

3. Policy Plan Analysis

The <u>El Paso County Policy Plan</u> (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County Master Plan. Relevant policies are as follows:

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

Policy 6.1.4 – Encourage the logical timing and phasing of development to allow for the efficient and economical provision of facilities and services.

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.

The infrastructure needed to provide central services to the development are proposed to be extended from existing adjacent development within Meridian Ranch into the proposed subdivision. The Meridian Ranch Sketch Plan (SKP-11-002) and Planned Unit Development zoning concept plan (PUD-11-003) were previously approved by the Board of County Commissioners. The Sketch Plan was amended by the Board of County Commissioners on March 13, 2018, to allow for the maximum residential density to increase from 4,000 to 4,500 dwelling units (SKP-17-001). The map amendment (rezoning) to the PUD zoning district and the platting of the Estates at Rolling Hills at Meridian Ranch PUD/SP would bring the total number of lots up to 3,393 within the Meridian Ranch Sketch Plan area. The proposed densities and land uses are consistent with the approved sketch plan and overall Meridian Ranch development.

4. Small Area Plan Analysis

The parcels are included within the boundaries of the <u>Falcon/Peyton Small Area</u> <u>Master Plan</u> (2008). The <u>Plan</u> identifies this area as existing and approved urban density with lot sizes less than 2.5 acres in size.

Section 4.3.1 of the <u>Plan</u> states "Although the map may seem to show uniform urban density throughout the area, this is not the intent of this Plan. These urban growth areas are meant to show the extent of where urban density clustered development would be acceptable. Anticipating the exact location of future urban clusters is very difficult, and this Plan does not seek to dictate where those clusters might arise. Urban growth in these areas will be intermixed with existing rural residential land uses, and new urban developments should be small and dense, surrounded by lower density uses, preferably open space."

Relevant policies are as follows:

Policy 4.5.3.1 - Generally encourage a well-planned mix of housing types and densities in identifies urban development and infill areas, with efficient access to supporting uses, parks, schools, and open space.

Policy 4.5.3.4 – Encourage the use of design standards that enable new development to fit the surrounding natural, historical, and built context.

Policy 4.5.8.7 – Encourage opportunities for pedestrian linkages especially to connect residential areas to schools, shopping, and significant trail corridors.

The parcels adjacent to the north are within the A-35 (Agricultural) and RR-2.5 (Rural Residential) zoning districts. The platted lots located south of the subject parcel and across from the Rex Road extension are within the Meridian Ranch Filing No. 9 subdivision with an average lot size of approximately 11,000 square feet. The Estates at Rolling Hills Ranch at Meridian Ranch is proposed to have an average lot size of 1.15 acres. Additionally, the proposed PUD includes a 5 acre open space tract immediately adjacent to the A-35 and RR-2.5 zoned parcels as well as an approximately 100 foot "no build" area for the northernmost proposed lots. The open space and "no build" areas result in a 445 foot buffer from the agricultural and residential parcels to the north. The applicant is proposing a pedestrian trail within the open space tract.

The approved Meridian Ranch Sketch Plan established the mix of uses and interconnected roadway and trail system, as well as the provision of adequate school, park, and open space facilities. The Estates at Rolling Hills Ranch at Meridian Ranch PUD is consistent with the Sketch Plan and it establishes design standards that are intended to help the development fit into the surrounding Meridian Ranch neighborhood. The PUD includes an open space tract that provides trail connections internal to the subdivision and to connect to the overall Meridian Ranch trail system.

5. Water Master Plan Analysis

<u>The El Paso County Water Master Plan</u> (2018) has three main purposes: better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Goal 1.2 – Integrate water and land use planning.

Policy 6.0.11 – Continue to limit urban level development to those areas served by centralized utilities.

The proposed development includes lots to be served by central water and wastewater with a minimum lot size of 44,993 square feet. Water sufficiency has been analyzed with the review of the proposed PUDSP. Please see the Water section below for a summary of the water findings and recommendations for the proposed development. The State Engineer and the County Attorney's Office have recommended that the proposed development has an adequate water supply in terms of quantity and dependability.

6. Other Master Plan Elements

The <u>El Paso County Wildlife Habitat Descriptors</u> (1996) identifies the parcels as having a low wildlife impact potential. El Paso County Community Services Department, Environmental Division, Colorado Parks and Wildlife, and Colorado State Forest Service were each sent a referral and have no outstanding comments.

The <u>Master Plan for Mineral Extraction</u> (1996) identifies potential upland deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

Please see the Parks Section below for information regarding conformance with <u>The</u> <u>El Paso County Parks Master Plan</u> (2013).

Please see the Transportation Section below for information regarding conformance with the 2016 <u>Major Transportation Corridor Plan (MTCP)</u>.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified during the review of the PUDSP application that would impede development.

2. Wildlife

The <u>El Paso County Wildlife Habitat Descriptors</u> (1996) identifies the parcels as having a low wildlife impact potential.

3. Floodplain

The FEMA Flood Insurance Rate Map no. 08041C0552G, which has an effective date of December 7, 2018, indicates the property is located outside of any designated floodplain.

4. Drainage and Erosion

The property is located in the Geick Ranch drainage basin (CHMS0400). The Geick Ranch drainage basin planning study has not been approved to date and there are no drainage or bridge fees at this time.

The site generally drains to the south. Stormwater runoff will be conveyed by public storm sewer systems into an existing onsite full spectrum pond (Pond F) that was constructed with Meridian Ranch Filing No. 3. The existing pond was designed to account for this project and no additional improvements are required. The existing pond is owned and maintained by the Woodmen Hills Metropolitan District.

5. Transportation

Access to the development is provided via the extension of Rex Road consistent with the 2016 <u>Major Transportation Corridor Plan</u>. All streets are planned to be public roads and will be dedicated to the County. The platting of this subdivision will result in the dedication of approximately 0.43 miles of developer-constructed urban local roadways and 0.26 miles of developer-constructed urban residential collector roadways for ongoing County ownership and maintenance.

The development is within the boundaries of the Woodmen Road Metropolitan District. New construction is subject to payment of traffic impact fees to the District as reimbursement for roadway improvements previously constructed by Woodmen Road Metropolitan District. Pursuant to Board Resolution 13-041, resolution adopting the first amendment to the intergovernmental agreement concerning Woodmen Road, the platting of The Estates at Rolling Hills Ranch Filing No. 1 is not subject to participation in the El Paso County Road Impact Fee Program, but will instead trigger payment of fees to the Woodmen Road Metropolitan District.

H. SERVICES

1. Water

The Meridian Service Metropolitan District provides water service and has committed to serve the property.

Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: The State Engineer's Office has made a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office has recommended a finding of sufficiency with regard to water quantity and dependability. El Paso County Public Health has made a favorable recommendation regarding water quality.

2. Sanitation

Wastewater service is provided by Meridian Service Metropolitan District. The District has provided a report demonstrating adequate capacity to serve the additional 16 single-family residential lots.

3. Emergency Services

The property is within the Falcon Fire Protection District. The District responded with no objection.

4. Utilities

Mountain View Electric Association (MVEA) will provide electrical service to the property. Black Hills Energy will provide natural gas services to the property.

5. Metropolitan Districts

The property is within the Meridian Service and Woodmen Road Metropolitan Districts. The Meridian Service Metropolitan District provides water and wastewater service and maintains landscaping, open space, and drainage facilities within the District. The Woodmen Road Metropolitan District was established to finance roadway improvements in the area. Per Board of County Commissioners Resolution 13-41, properties within the Woodmen Road Metropolitan District are exempt from participation in the El Paso County Road Impact Fee Program.

6. Parks/Trails

The open space dedication proposed with this PUDSP is approximately 15 acres, or 22 percent of the subdivision. The applicant submitted a request for a park lands agreement to address credits against the urban park fees for the development area. El Paso County Parks reviewed the agreement and the Park Lands Agreement was approved by the Board of County Commissioners (BoCC Resolution 18-299). Pursuant to the agreement, all park land, or fees in lieu of dedication have been satisfied and no urban park fees will be due at the time of recording. The Board of County Commissioners approved a development and park lands agreement between El Paso County and the applicant for the applicant to convey approximately 215 acres of open space to the County for the Falcon Regional Park (Resolution 14-313). With that agreement the developer satisfied all regional park dedication requirements.

7. Schools

The property is located within Falcon School District No. 49. Two school sites have been dedicated within the Meridian Ranch Development. Therefore, no fees will be required at the time of final plat recordation.

I. APPLICABLE RESOLUTIONS

Approval29 and 25Denial30 and 26

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Sections 4.2.6 and 7.2.1 of the <u>El</u> <u>Paso County Land Development Code</u> (2019), staff recommends the following conditions and notations:

CONDITIONS

- 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 <u>Land Development</u> <u>Code</u>. 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. 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.

 Applicable park, school, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.

NOTATIONS

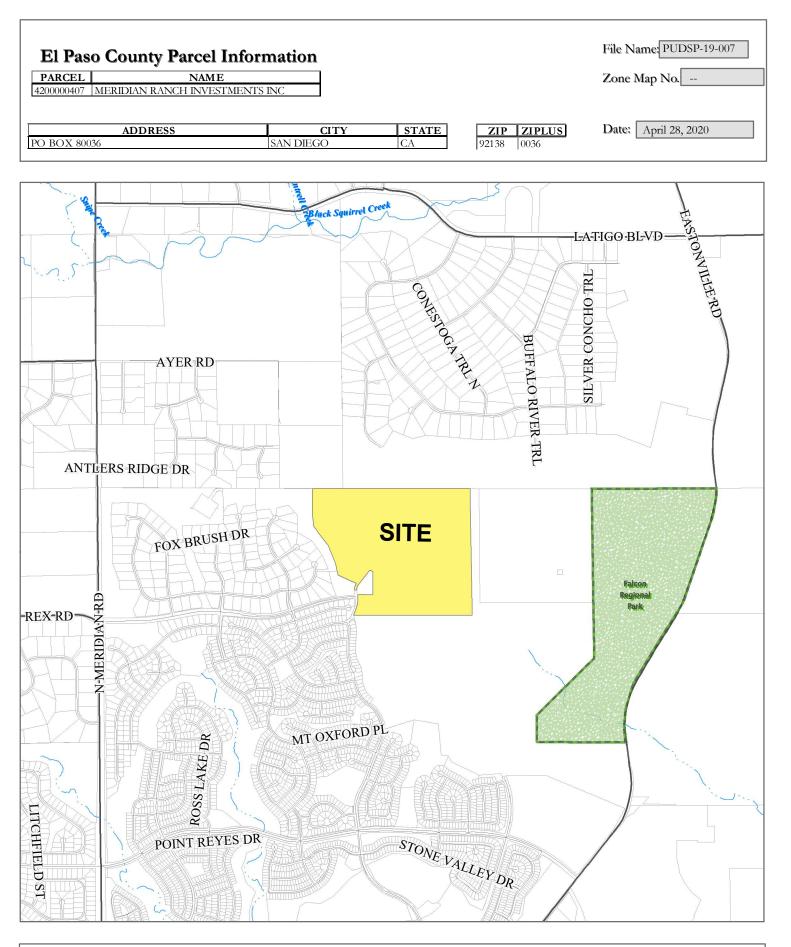
- 1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director.
- 2. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) 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.
- 6. Per the Board of County Commissioners Resolution 13-41, property within the Woodmen Road Metropolitan District is currently exempt from participation within the El Paso County Road Impact Fee.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified twenty-one adjoining property owners on May 1, 2020, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map Letter of Intent Development Plan / Preliminary Plan State Engineers Letter County Attorney's Letter County Health Letter



Please report any parcel discrepancies to: El Paso County Assessor 1675 W. Garden of the Gods Rd. Colorado Springs, CO 80907 160 520-6600



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MERIDIAN RANCH: ESTATES AT ROLLING HILLS RANCH

PUD DEVELOPMENT, PRELIMINARY PLAN AND FINAL PLAT

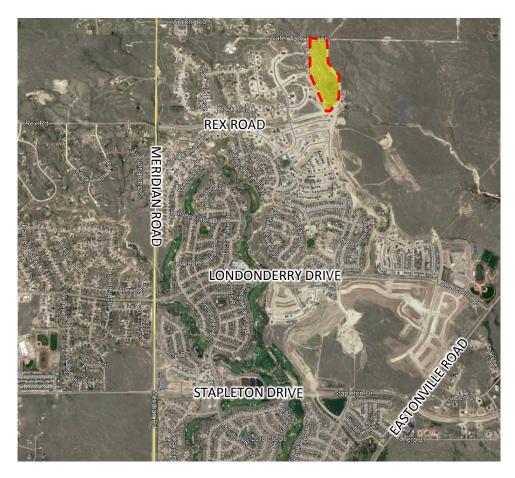
LETTER OF INTENT

AUGUST 2019 Revised January 2020

PROPERTY OWNER: Meridian Ranch Investments Inc. PO BOX 80036, San Diego, CA 92138 **DEVELOPER:** GTL Development, Inc. 3575 Kenyon Street, San Diego, CA 92110 **CONSULTANT:** N.E.S. Inc. 619 North Cascade Avenue, Colorado Springs, CO 80903

LOCATION

The Estates at Rolling Hills Ranch is located north of the intersection of Rex Road and Sunrise Ridge Drive, Peyton, Colorado. The site comprises of approximately 28.9 acres and is zoned PUD. To the west is the Estates Filing No. 3 residential development and to the southwest Filing 9 of Meridian Ranch.



REQUEST

GTL Inc. is requesting approval of the following applications:

- 1. A PUD Development/Preliminary Plan for the Estates at Rolling Hills Ranch, consisting of 16 single-family dwelling lots, landscaping, open space, and trails on approximately 28.9 acres.
- 2. A Final Plat for Estates at Rolling Hills Ranch, consisting of 16 lots and 2 tracts for landscaping, open space, and utilities on approximately 5 acres.
- 3. The following PUD Modifications for the Estates at Rolling Hills Ranch

	LDC/ECM Section	Category	Standard	Modification	Justification	
1	LDC Chapter 8.4.3(B)(2) and ECM Section 2.5.2.C.4	Mid-block crossings	Access ramps on local roadways shall be spaced no greater than 600 feet apart.	Palmer Peak Place exceeds 600 feet without a mid-block crossing.	Adequate pedestrian accessibility is provided on both sides of the ROW with proper access ramps at the southern intersection.	
2	ECM Section 2.3.8.A	Roadway terminations – cul-de-sac length	Cul-de-sacs shall have a maximum length of 750 feet for urban conditions.	Palmer Peak Place cul-de-sac exceeds 750 feet	The cul-de-sac provides for a more efficient layout for the larger lot layout. Additionally, the proposed length serves only 16 lots. The Fire Dept. has reviewed the proposal and provided an appropriate and modified Will Serve Approval Letter	

Chapter 4.2.6.F.2.h of the Land Development Code (LDC) allows for a PUD modification of a general development standard in the LDC or criteria of the Engineering Criteria Manual (ECM). The proposed PUD modifications allow for a more efficient layout that enhances the open space characteristics and benefits to the proposed community. The modification in addition minimizes grading in an area that based on early soil investigation shows areas of shallow sandstone bedrock, making lowering for future connections difficult. These two development implications and decisions guiding the request for the modification support two of the identified benefits in Chapter 4.2.6.F.2.h - preserving natural features and providing more accessible open space within the development. Supportive of the modification request, the site layout has been reviewed and approved by the Fire Department for safety based on the proposed cul-de-sac lengths and a necessary Will Serve Approval letter has been provided.

PROJECT JUSTIFICATION

a. Consistency with Approved Sketch Plan

An amendment to the Sketch Plan for Meridian Ranch was approved by the Board of County Commissioners on March 14, 2018. This shows the land use designation of the area now comprising the Estates at Rolling Hills Ranch as MR-R2 (2 du/ac).

The PUD Development/Preliminary Plan for Estates at Rolling Hills Ranch comprises 16 lots on approximately 28.9 acres, which represents a density of 1.8 dwellings per acre. The net density, excluding the tracts and right-of-way is 1.47 dwellings per acre. The PUD Development/ Preliminary Plan is, therefore, in accordance with the approved Sketch Plan.

b. County Policy Plan, Water Master Plan and Small Area Plan Compliance

Meridian Ranch is identified as part of the Approved Development Pattern within the Falcon/Peyton Small Area Plan. As such it accords with the goals of the plan to meet the housing needs of existing and new residents with a diversity and variety of housing type, size, and location.

The proposed residential subdivision satisfies the following policies of the County Policy Plan:

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 proposed development supports the overall Sketch Plan intent and approved densities. The development is keeping and supportive of adjacent development proposals with regard to access and overall land uses. The proposed PUD density proposed in addition is contiguous with the existing developments to the west.

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.

The PUD proposes to implement a compatible use that contextually is in keeping with past development proposals for similar size lots. Proper landscaping, buffering and access, support the overarching development context and greater community vision that allow for the variety of densities in an accessible, and compatible manner.

The proposed residential subdivision satisfies the following policies of the County Water Master Plan:

Policy 5.2.4 – *Encourage the locating of new development where it can take advantage of existing or proposed water supply projects that would allow shared infrastructure costs.*

The proposed subdivision is located within the Meridian Service Metropolitan District (MSMD) and a supportive Will Serve Letter noting the Districts ability to serve the proposed development in an efficient manner with the current infrastructure has been provided.

Policy 5.5.1 – Discourage individual wells for new subdivisions with 2.5 acre or smaller average lot sizes, especially in the near-surface aquifers, when there is a reasonable opportunity to connect to an existing central system, alternatively, or construct a new central water supply system when the economies of scale to do so can be achieved.

The proposed development is located within the MSMD and is proposed to connect to the existing central water and wastewater. Will Serve Letters have been provided for the proposed development.

Policy 6.0.1 – Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.

An appropriate Will Serve Letter has been provided noting the MSMD ability to serve the noted subdivision adequately and noting their current capacities to serve.

c. Parks and Open Space Requirement

Estates at Rolling Hills Ranch includes open space tracts approximately 5.2 acres in size trail connection to the extensive trail and open space provision within Meridian Ranch. The proposed Open Space dedication for the project of 5.2 acres achieves an 18% dedication exceeding the 10% requirement as noted in the Land Development Code Section 4.2.6.F.8b.

As required by Section 8.5.3 of the Land Development Code, the fees in lieu of park land dedication are \$288 per subdivision lot for Urban Parks and \$456 per subdivision lot for Regional Parks. The required fees in lieu for this project are:

	Estates at Rolling Hills
	Ranch
Urban	\$4,608
Regional	\$7,296
Total	\$11,904

The regional park fees are offset by the dedication of land to the County for the Falcon Regional Park per the overall Parks Land Agreement for Meridian Ranch. Credit for the urban park fees will be requested through a Parks Land Agreement at the time of platting to offset the costs of construction the neighborhood park, landscaped open space and trail improvements referenced above.

d. PUD Modification

Section 2.5.2.C.4 of the ECM states that block lengths in excess of 600 feet shall require pedestrian access to be provided approximately midway through the block. Proposed Palmer Peak Place does not meet this requirement. In this area of development for the 16 lots, the need for a midblock crossing is not considered necessary as there is no pedestrian destination in these areas that would necessitate a midblock crossing that the current attached sidewalks wont already facilitate.

Section 2.3.8.A of the ECM states that Cul-de-sacs shall have a maximum length of 750 feet for urban conditions. The proposed cul-de-sac provides for a more efficient layout for the larger lot layout. Additionally, the proposed length serves only 16 lots. The Fire Dept. has reviewed the proposal and provided an appropriate and modified Will Serve Approval Letter. The modification request minimizes grading in an area that based on early soil investigation shows areas of shallow sandstone bedrock, making lowering for future connections difficult. These two development implications and decisions guiding the request for the modification support two of the identified benefits in Chapter 4.2.6.F.2.h - preserving natural features and providing more accessible open space within the development.

e. <u>Drainage</u>

A Preliminary/Final Drainage Report for the Estates at Rolling Hills Ranch is submitted with this application package.

f. <u>Traffic</u>

A Traffic Report prepared by LSC is submitted in support of this application.

g. Geotechnical Report

A Geotechnical Report prepared by Entech Engineering Inc. is submitted in support of this application.

h. Utilities

Meridian Service Metropolitan District will provide central water and sanitary sewer service to the project. Mountain View Electric Association, Inc. will supply electricity service and Black Hills Energy will supply natural gas.

i. <u>Wildlife</u>

Estates at Rolling Hills Ranch is in a developing area and there is no significant impact to wildlife.

In accordance with the impact identification report of the Meridian Ranch Sketch Plan, in 2009 the property was assessed for Preble's Meadow Jumping Mouse and Ute Ladies'-tresses Orchid habitat but was found to be unsuitable for these threatened species. The U.S. Fish and Wildlife Service reviewed the studies and agreed with these findings.

At the time of the 2009 Sketch Plan approval, the Colorado Division of Wildlife Impact Maps indicated that Pronghorn Antelope may range within the Sketch Plan area. Pronghorn Antelope are rated as being subject to potentially moderate impacts from the effects of development. The two drainage corridors within the Meridian Ranch Sketch Plan may allow for the migration of the Pronghorn Antelope. The fencing used within Meridian Ranch is compatible with the wildlife needs.

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GENERAL PROVISIONS

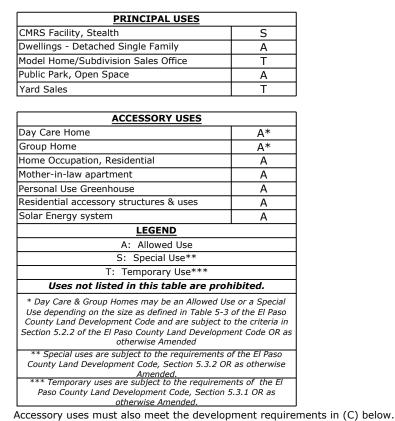
- A. Authority. This PUD is authorized by Chapter 4 of the El Paso County Land Development Code, adopted pursuant to the Colorado Planned Unit ent Act of 1972, as amended
- B. Applicability. The provisions of this PUD shall run with the land. The landowners, their successors, heirs, or assigns shall be bound by this Development Plan, as amended and approved by the Planning and Community Development Director or Board of County Commissioner
- 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 elopment Plan for The Estates at Rolling Hills Ranch Filing 1 is in general conformity with the El Paso County Master Plan, El Paso County Policy Plan and applicable Small Area Plan(s); 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 Estates at Rolling Hills Ranch iling 1, 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 is 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. <u>Maximum Level of Development</u>. The total number of dwellings shown on the development plan for development within the specified planning area is the 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
- 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 pment, in order to assure maximum development limits are not exceeded
- I. Overall Project Standards. The standard zoning requirements of El Paso County Land Use 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.

THE ESTATES AT ROLLING HILLS RANCH FILING 1 PUD DEVELOPMENT PLAN DEVELOPMENT GUIDELINES

A. Project Description

The Estates at Rolling Hills Ranch Filing 1 at Meridian Ranch is the continuation of a long-term development with a distinct vision. The project centers on a recreational lifestyle by providing opportunities such as a golf course, recreation center, parks and open space, and trails for residents to enjoy. Common landscape elements such as fencing, street tree plantings, landscaping, and signage will establish a unique sense of place for this development. The parks and recreation center have been located in areas of higher density so more of the residents can access them by walking and provide a focal element to the neighborhoods. The golf course clubhouse is also a focal element for Meridian Ranch, Woodmen Hills, and possibly the greater Falcon area since the course is also open to the public. Lot sizes, setbacks, and landscape tracts are designed to provide a wide variety of housing options and prices within the development while ensuring open space and visually interesting streetscapes for the community

B. Permitted and Accessory uses: Permitted and accessory uses are as identified in the use table below:



C. Development Requirements

1. Maximum lot coverage: forty (40) percent 2. Maximum building height: thirty (30) feet.

- 3. Setback minimums: a. Front yard: twenty-five (25) feet
- b. Side yard: eight (8) feet
- Corner lot: the side yard setback for the side street side shall be fifteen (15) feet c. Rear yard: twenty-five (25) feet
- 4. Accessory building must comply with the setbacks established above, except that the rear yard setback may be reduced to seven and one half (7.5) feet for any lots that do not abut a public street. Accessory structures shall be governed by architectural covenants regarding building colors and materials to be consistent with the primary structure of the site. 5. Projections into setbacks are governed by the Land Development Code in effect at the time of PUD Plan approval or as amended.
- 1. The Preliminary Plan / PUD Development Plan and the Final Plat establish the lot sizes for each lot. 2. No subdivision of any lot will be permitted if such subdivision results in the creation of additional building lots.

E. Streets

D. Lot Sizes

Streets within The Estates at Rolling Hills Ranch Filing 1 Subdivision provide general vehicular circulation throughout the development. All streets shall be publicly owned and maintained. Construction will be to El Paso County Standards except for waivers and modifications described in the Letter of Intent. All Streets shall be paved with curb and gutter. Sidewalks shall be provided on both sides of all streets illustrated on this plan.

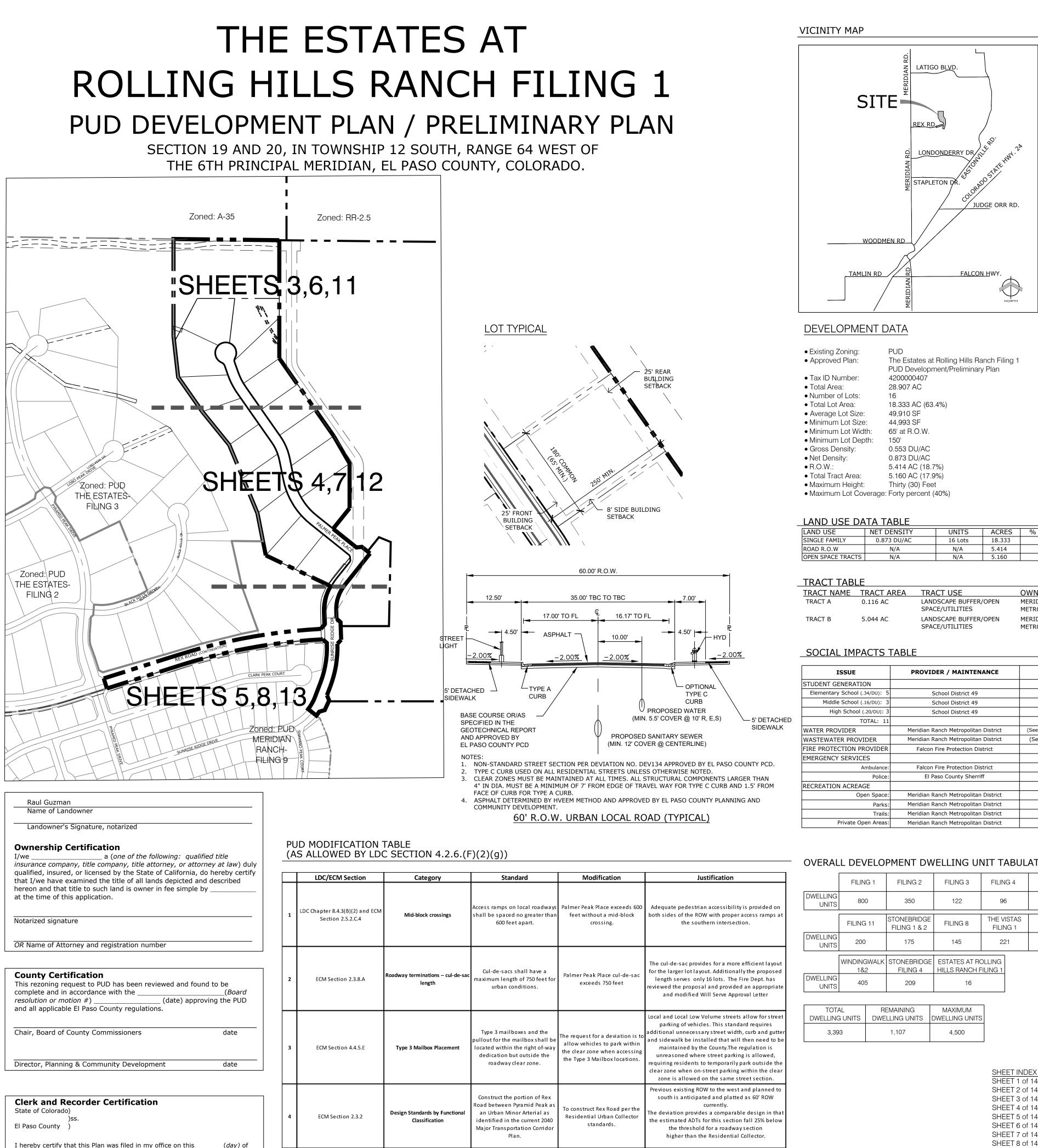
F. Architectural Control Committee Review/Covenantss Covenants for The Estates at Rolling Hills Ranch Filing 1 have been created by separate documents. The Covenants establish rules and

regulations for the property within the subdivisions and establish the governance mechanism of the subdivision, including the creation of the Architectural Control Committee.

GENERAL NOTES

- 1. All streets shall be constructed to El Paso County standards, unless a specific waiver or deviation has been approved, dedicated to El Paso County for and upon acceptance by El Paso County shall be maintained by El Paso County Department of Transportation except of landscaping as indicated in note #2.
- 2. Landscape entry features, open space tracts, parks and trails shall be owned (when appropriate) and maintained by the Meridian Service Metropolitan District. All double frontage lots shall receive a combination of berming, fencing, and landscape between the property line and the curb. All double frontage streets shall have a minimum of one tree per 30 feet of frontage. These trees can be clustered along the frontage as determined by the subdivider.
- 3. Contour interval shown on plan 2'. 4. Public utility/drainage easements shall be provided on all lots as follows:
- a. Front: ten (10) feet b. Side: five (5) feet
- c. Rear: seven and one-half (7.5) feet
- d. Streets: Ten (10) feet easement along all areas when front easement is not appropriate. e. Subdivision Perimeter: Twenty (20) feet
- f. Tract Perimeter: Twenty (20) feet
- 5. All openspace/trail/landscape tracts shall be limited to non-motorized use only, except for maintenance and emergency vehicles. 6. According to the current effective Federal Emergency Management Agency Flood Insurance Rate Map (FIRM No. 08041C0552G dated 12/7/18), the subject property is located outside the boundary of the 100 year floodplain.
- 7. Development of the property shall be in accordance with the overall PUD Development Plan Approval. Minor modifications may be subject to the limitations contained in Section 4.2.6 of the El Paso County Land Development Code, as amended.
- 8. Development Plan shall adhere to the requirements of Section 4.2.6 of the El Paso County Land Development Code, as amended, and revisions reflected in the Preliminary Plan conditions. 9. Meridian Ranch Estates at Rolling Hills Ranch Filings 1 is subject to the approved Meridian Ranch Zoning & Conceptual Plan approved
- 5-24-2012 and recorded 3-20-2013, reception number 213036329. 10. Per the El Paso County Wildfire Hazards map, dated December 2007, Estates at Rolling Hills Ranch Filing No. 1 at Meridian Ranch is situated entirely within the Low Hazard - Non Forested category.
- 11. Estates at Rolling Hills Ranch Filing 1 shall be limited to a total of 16 single family lots.
- 12. Two driveway access points will be allowed on a single family lot with a minimum 30' separation between driveway access points. The total combined driveway width cannot exceed 40% of the frontage or a 45' maximum combined width. 13. This subdivision is subject to the public right of way landscape license agreement for Meridian Ranch as recorded under reception no. 213036330 in the office of the clerk and recorder. 14. Geologic Hazards Note: Areas of the proposed subdivision have been found to be impacted by geologic conditions including artificial fill, loose soils, expansive soils and seasonal shallow groundwater. Mitigation and a map of the hazard areas can be found in the Soil,
- Geology and Geologic Hazard Evaluation Report prepared by Entech Engineering Inc., dated 09.10.2019, and is held in the Estates at Rolling Hills Ranch Filings 1 PUD Development Plan file (FileNo. PUDSP-19-007) at the El Paso County Planning and Community Development Department.





Clerk and Recorder Certification
State of Colorado)
)ss.
El Paso County)
I hereby certify that this Plan was filed in my office on this(<i>day</i>) of(<i>month</i>), 20 at o'clock a.m./p.m. and was recorded per Reception No

El Paso County Clerk and Recorder

Existing Zoning:Approved Plan:	PUD The Estates at Rolling Hills Ranch Filing 1
 Tax ID Number: Total Area: 	PUD Development/Preliminary Plan 4200000407 28.907 AC
Number of Lots:	26.907 AC 16
 Total Lot Area: 	18.333 AC (63.4%)
 Average Lot Size: 	49,910 SF
 Minimum Lot Size: 	44,993 SF
 Minimum Lot Width: 	65' at R.O.W.
 Minimum Lot Depth: 	150'
 Gross Density: 	0.553 DU/AC
 Net Density: 	0.873 DU/AC
• R.O.W.:	5.414 AC (18.7%)
 Total Tract Area: 	5.160 AC (17.9%)
 Maximum Height: 	Thirty (30) Feet
Maximum Lot Coverage	: Forty percent (40%)

LAND USE	NET DENSITY	UNITS	ACRES	% OF LAND
SINGLE FAMILY	0.873 DU/AC	16 Lots	18.333	63.4 %
ROAD R.O.W	N/A	N/A	5.414	18.7%
OPEN SPACE TRACTS	N/A	N/A	5.160	17.9%

TRACT NAME	TRACT AREA	TRAC
TRACT A	0.116 AC	LANDS SPACE
TRACT B	5.044 AC	LAND: SPACE

OWNERSHIP / MAINTENANCE MERIDIAN RANCH SERVICE METRO DISTRICT/PRIVATE MERIDIAN RANCH SERVICE METRO DISTRICT/PRIVATE

OWNER / SUBDIVIDER

GTL, Inc.

PLANNER

N.E.S. Inc.

(719) 471-0073

3575 Kenyon St. San Diego, CA 92110

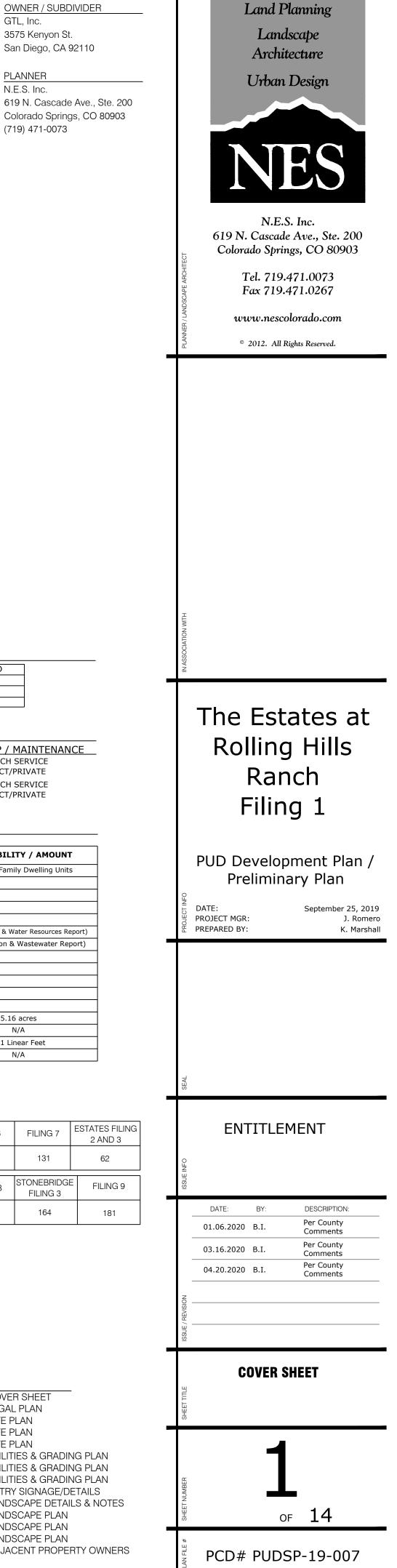
ISSUE	PROVIDER / MAINTENANCE	AVAILABILITY / AMOUNT
STUDENT GENERATION		16 Single Family Dwelling Units
Elementary School (.34/DU): 5	School District 49	
Middle School (.16/DU): 3	School District 49	
High School (.20/DU): 3	School District 49	
TOTAL: 11		
WATER PROVIDER	Meridian Ranch Metropolitan District	(See Discussion & Water Resources Report)
WASTEWATER PROVIDER	Meridian Ranch Metropolitan District	(See Discussion & Wastewater Report)
FIRE PROTECTION PROVIDER	Falcon Fire Protection District	
EMERGENCY SERVICES		
Ambulance:	Falcon Fire Protection District	
Police:	El Paso County Sherriff	
RECREATION ACREAGE		
Open Space:	Meridian Ranch Metropolitan District	5.16 acres
Parks:	Meridian Ranch Metropolitan District	N/A
Trails:	Meridian Ranch Metropolitan District	611 Linear Feet
Private Open Areas:	Meridian Ranch Metropolitan District	N/A

OVERALL DEVELOPMENT DWELLING UNIT TABULATION

	FILING 1	FILING 2	FILING 3	FILING 4	FILING 6	FILING 7	ESTATES FILING 2 AND 3
DWELLING UNITS	800	350	122	96	54	131	62
	FILING 11	STONEBRIDGE FILING 1 & 2	FILING 8	THE VISTAS FILING 1	FILING 4B	STONEBRIDGE FILING 3	FILING 9
DWELLING UNITS	200	175	145	221	62	164	181
	WINDINGWALK	STONEBRIDGE	ESTATES AT RO				

TOTAL	REMAINING	MAXIMUM
DWELLING UNITS	DWELLING UNITS	DWELLING UNITS
3,393	1.107	4.500

SHEET 1 of 14: COVER SHEET SHEET 2 of 14: LEGAL PLAN SHEET 3 of 14: SITE PLAN SHEET 4 of 14: SITE PLAN SHEET 5 of 14: SITE PLAN SHEET 6 of 14: UTILITIES & GRADING PLAN SHEET 7 of 14: UTILITIES & GRADING PLAN SHEET 8 of 14: UTILITIES & GRADING PLAN SHEET 9 of 14: ENTRY SIGNAGE/DETAILS SHEET 10 of 14: LANDSCAPE DETAILS & NOTES SHEET 11 of 14: LANDSCAPE PLAN SHEET 12 of 14: LANDSCAPE PLAN SHEET 13 of 14: LANDSCAPE PLAN SHEET 14 of 14: ADJACENT PROPERTY OWNERS

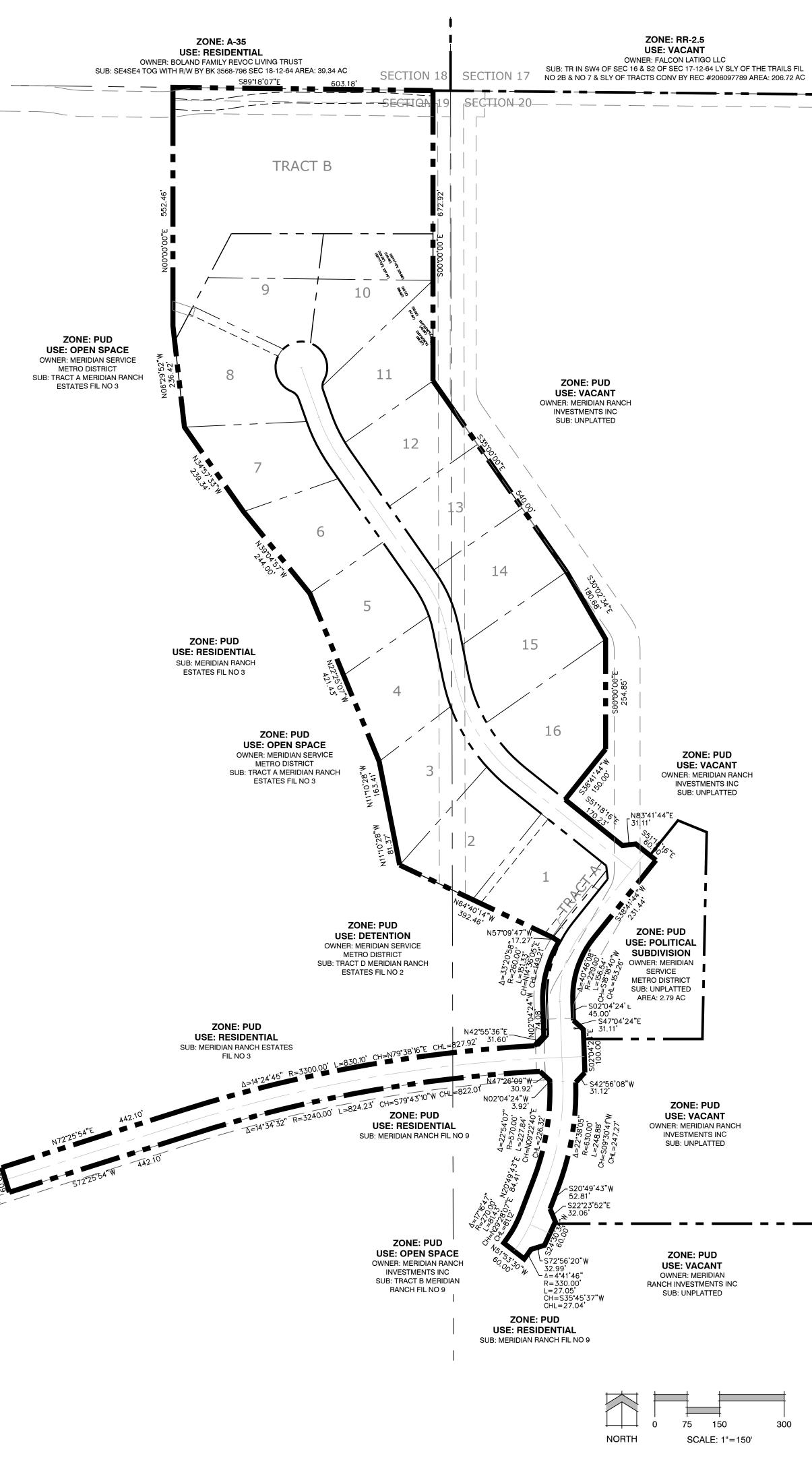


PUD BOUNDARY DESCRIPTION

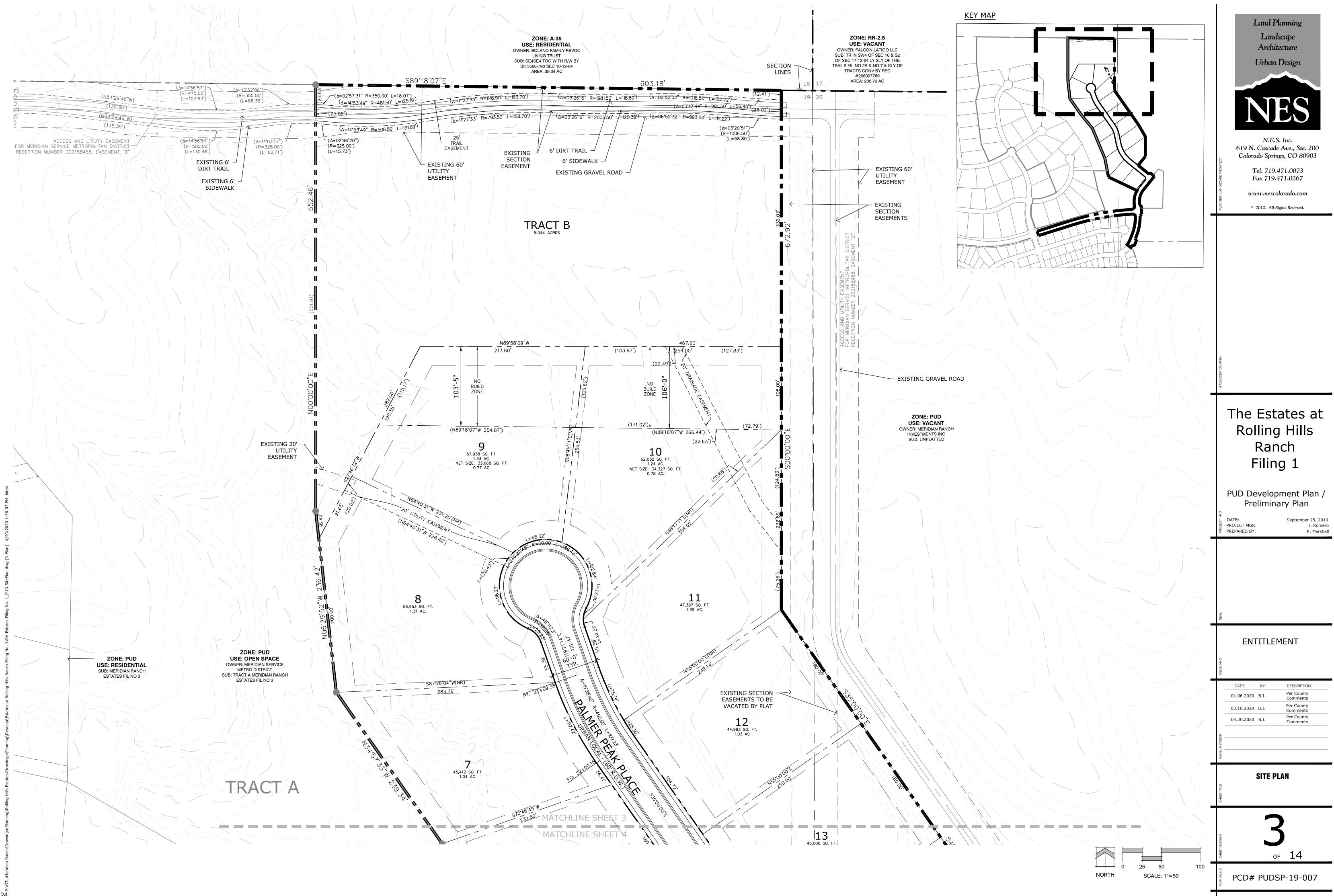
KNOW ALL MEN BY THESE PRESENTS: THAT GTL, INC. DBA GTL DEVELOPMENT, INC., THEODORE TCHANG, PRESIDENT AND MERIDIAN SERVICE METROPOLITAN DISTRICT BEING THE OWNERS OF THE FOLLOWING DESCRIBED TRACTS OF LAND:
A PARCEL OF LAND LOCATED IN A PORTIONS OF SECTION 19 AND 20, IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
BEGINNING AT THE SOUTHERN MOST CORNER OF TRACT C OF MERIDIAN RANCH ESTATES FILING NO. 2, RECORDED WITH RECEPTION NO. 213713406 IN THE RECORDS OF EL PASO COUNTY;
THE FOLLOWING EIGHT (8) COURSES ARE ALONG SAID LINE OF TRACT C AND BOUNDARY OF SAID MERIDIAN RANCH ESTATES FILING NO. 2:
 THENCE N72°25'54"E A DISTANCE OF 442.10 FEET TO A CURVE TO THE RIGHT; THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 3300.00 FEET, A DELTA ANGLE OF 14°24'45", AN ARC LENGTH OF 830.10 FEET, WHOSE LONG CHORD BEARS N79°38'16"E A DISTANCE OF 827.92 FEET;
 THENCE N42*55'36"E A DISTANCE OF 31.60 FEET; THENCE N42*55'36"E A DISTANCE OF 31.60 FEET; THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 260.00 FEET, A DELTA ANGLE OF 33*20'58", AN ARC LENGTH OF 151.33 FEET, WHOSE LONG CHORD BEARS N14*36'05"E A DISTANCE OF 149.21 FEET; THENCE N57*09'47"W A DISTANCE OF 17.27 FEET;
 THENCE NG*40'14"W A DISTANCE OF 32.24 FEET; THENCE NG*40'14"W A DISTANCE OF 32.46 FEET; THENCE N11*10'28"W A DISTANCE OF 81.37 FEET TO A POINT ON THE SOUTHEAST CORNER OF TRACT A OF MERIDIAN RANCH ESTATES FILING NO. 3, RECORDED WITH RECEPTION NO. 216713852 IN THE RECORDS OF EL PASO COUNTY;
THE FOLLOWING SIX (6) COURSES ARE ALONG SAID TRACT A AND THE BOUNDARY OF SAID MERIDIAN RANCH ESTATES FILING NO. 3.
 THENCE N11°10'28"W A DISTANCE OF 163.41 FEET; THENCE N22°25'07"W A DISTANCE OF 421.43 FEET;
10. THENCE N39°04'57"W A DISTANCE OF 244.00 FEET;
11. THENCE N34°57'33"W A DISTANCE OF 239.34 FEET; 12. THENCE N06°29'52"W A DISTANCE OF 236.42 FEET;
 THENCE NO0°00'00"E A DISTANCE OF 552.46 FEET TO A POINT ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 19; THENCE S89°18'07"E ON SAID NORTH SECTION LINE A DISTANCE OF 603.18 FEET;
15. THENCE S00°00'00"E A DISTANCE OF 672.92 FEET; 16. THENCE S35°00'00"E A DISTANCE OF 540.00 FEET;
17. THENCE \$30°02'34"E A DISTANCE OF 180.68 FEET;
 THENCE S00°00'00"E A DISTANCE OF 254.85 FEET; THENCE S38°41'44"W A DISTANCE OF 150.00 FEET;
20. THENCE S51°18'16"E A DISTANCE OF 170.23 FEET; 21. THENCE N83°41'44"E A DISTANCE OF 31.11 FEET;
22. THENCE S51°18'16"E A DISTANCE OF 30.00 FEET;
24. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 220.00 FEET, A DELTA ANGLE OF 40°46'08", AN ARC LENGTH OF 156.54 FEET, WHOSE LONG CHORD BEARS
S18°18'40''W A DISTANCE OF 153.261 FEET; 25. THENCE S02°04'24''E A DISTANCE OF 45.00 FEET;
26. THENCE 547'04'24''E A DISTANCE OF 100.00 FEET;
 THENCE 542*56'08"W A DISTANCE OF 31.12 FEET TO A NON-TANGENT POINT OF CURVE TO THE RIGHT; THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 630.00 FEET, A DELTA ANGLE OF 22*38'05", AN ARC LENGTH OF 248.88 FEET, WHOSE LONG CHORD BEARS 509*30'41"W A DISTANCE OF 247.27 FEET;
 THENCE S20°49'43"E A DISTANCE OF 52.81 FEET; THENCE S22°23'52"E A DISTANCE OF 32.06 FEET;
 THENCE S24°30'35"W A DISTANCE OF 60.00 FEET; THENCE S72°56'20"W A DISTANCE OF 32.99 FEET TO A NON-TANGENT POINT OF CURVE TO THE RIGHT;
33. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 330.00 FEET, A DELTA ANGLE OF 04°41'46", AN ARC LENGTH OF 27.05 FEET, WHOSE LONG CHORD BEARS
S35*45'37"W A DISTANCE OF 27.04 FEET TO A POINT ON THE EASTERLY BOUNDARY OF MERIDIAN RANCH FILING NO. 9, RECORDED WITH RECEPTION NO. 216713763 IN THE RECORDS OF EL PASO COUNTY;
THE FOLLOWING EIGHT (8) COURSES ARE ON SAID BOUNDARY LINE:
 THENCE N51°53'30"W A DISTANCE OF 60.00 FEET TO A NON-TANGENT CURVE TO THE LEFT; THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 270.00 FEET, A DELTA ANGLE OF 17°16'47", AN ARC LENGTH OF 81.43 FEET, WHOSE LONG CHORD BEARS
N29°28'07"E A DISTANCE OF 81.12 FEET; 36. THENCE N20°49'43"E A DISTANCE OF 84.41 FEET TO A CURVE TO THE LEFT;
37. THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 570.00 FEET, A DELTA ANGLE OF 22°54'07", AN ARC LENGTH OF 227.84 FEET, WHOSE LONG CHORD BEARS N09°22'40"E A DISTANCE OF 226.32 FEET;
38. THENCE N02°04'24"W A DISTANCE OF 3.92 FEET;
 THENCE N47*26'09"W A DISTANCE OF 30.92 FEET TO A NON-TANGENT CURVE TO THE LEFT; THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 3240.00 FEET, A DELTA ANGLE OF 14*34'32", AN ARC LENGTH OF 824.23 FEET, WHOSE LONG CHORD BEARS 579*43'10"W A DISTANCE OF 822.01 FEET;
 THENCE S72°25'54"W A DISTANCE OF 442.10 FEET TO A POINT ON THE BOUNDARY LINE OF SAID MERIDIAN RANCH ESTATES FILING NO. 2; THENCE N17°34'06"W A DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING.
THE ABOVE PARCEL OF LAND CONTAINS 28.907 ACRES, MORE OR LESS.

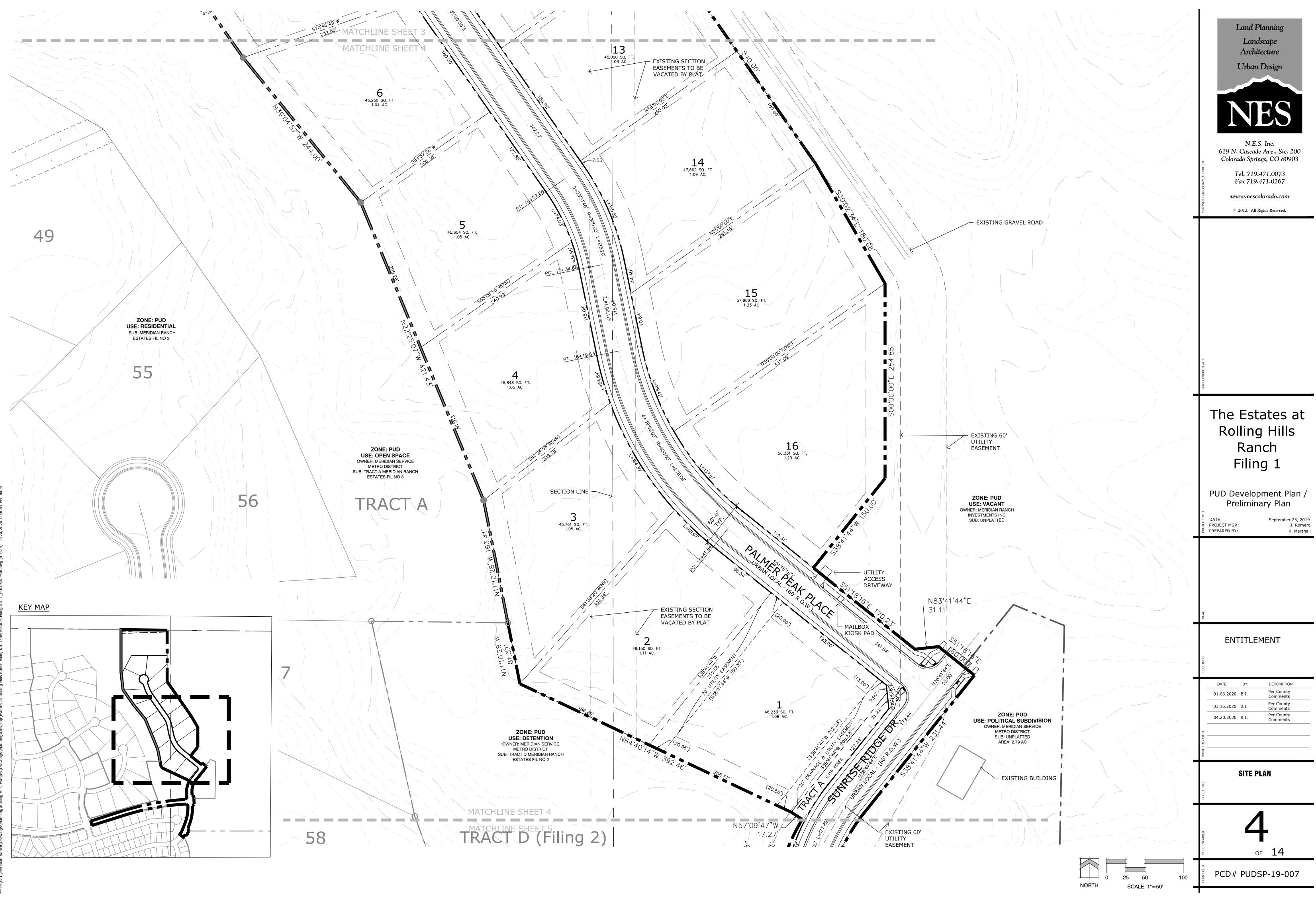
BEARINGS ARE BASED ON THE SOUTH LINE OF THE SW ½ OF SECTION29, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH P.M., ASSUMED TO BEAR S89°25'42"E FROM THE SOUTHWEST CORNER OF SAID SECTION 29 (A STONE W/SCRIBED "X") TO THE SOUTH QUARTER CORNER OF SAID SECTION 29 (3.25" ALUM. CAP LS #30087).

23



Iand Planning Landscape Architecture Urban Design Image: Comparison of the streng stren
IN ASSOCIATION WITH
The Estates at Rolling Hills Ranch Ranch Filing 1 PUD Development Plan / Preliminary Plan DATE: September 25, 2019 PROJECT MGR: J. Romero PEPARED BY: K. Marshall
SEAL
ENTITLEMENT
DATE: BY: DESCRIPTION: 01.06.2020 B.I. Per County Comments 03.16.2020 B.I. Per County Comments 04.20.2020 B.I. Per County Comments
LEGAL PLAN
2 ог 14
PCD# PUDSP-19-007

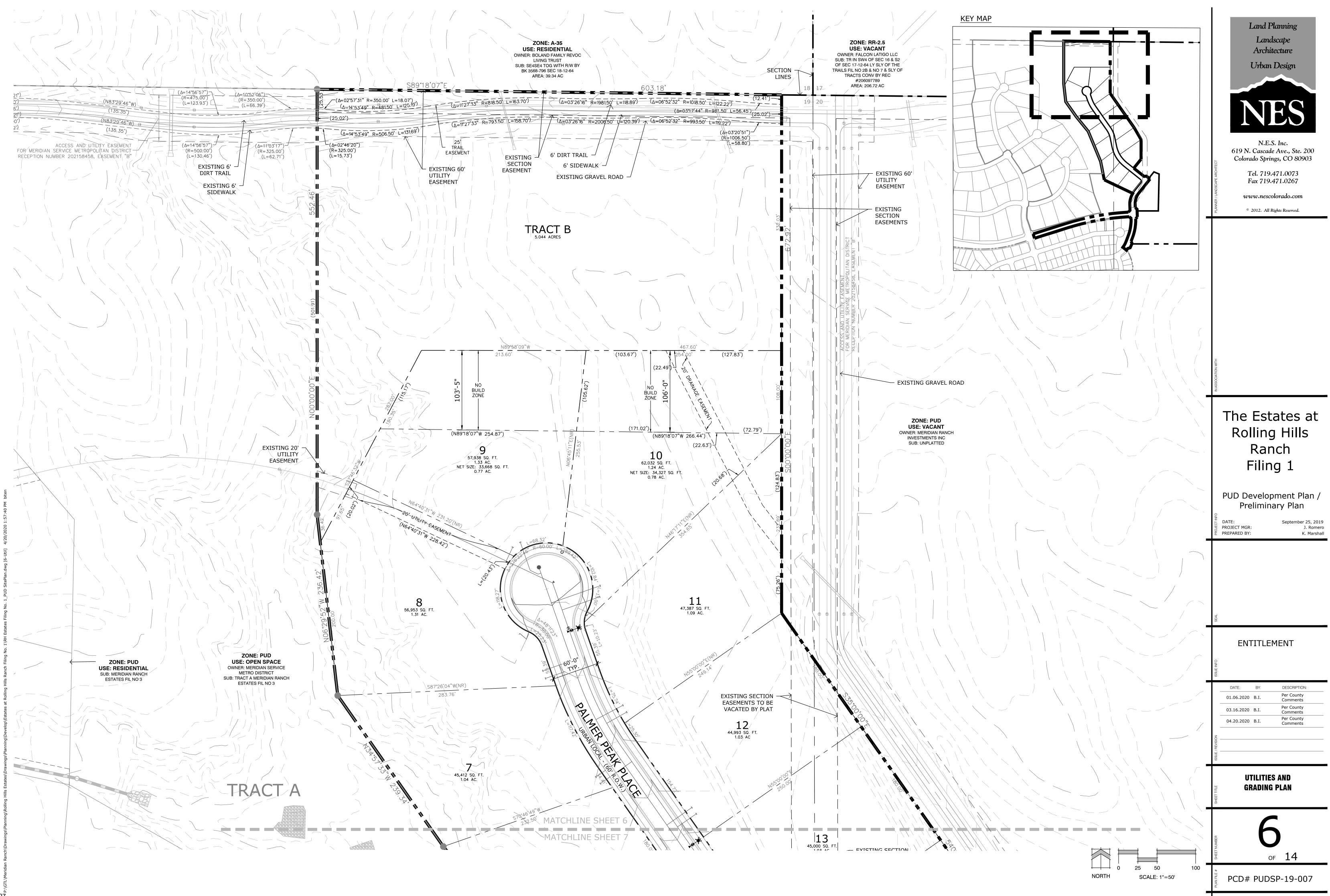


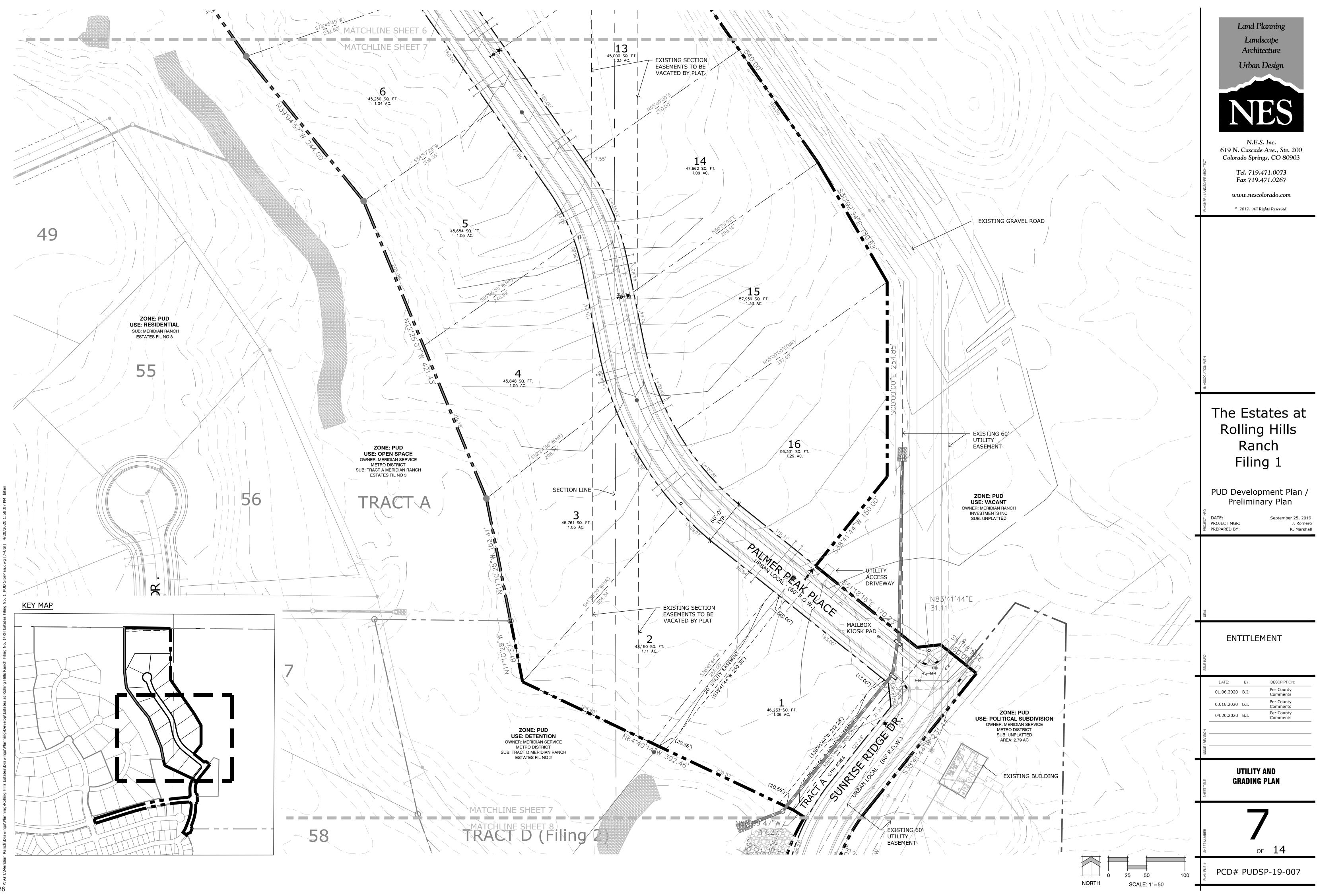


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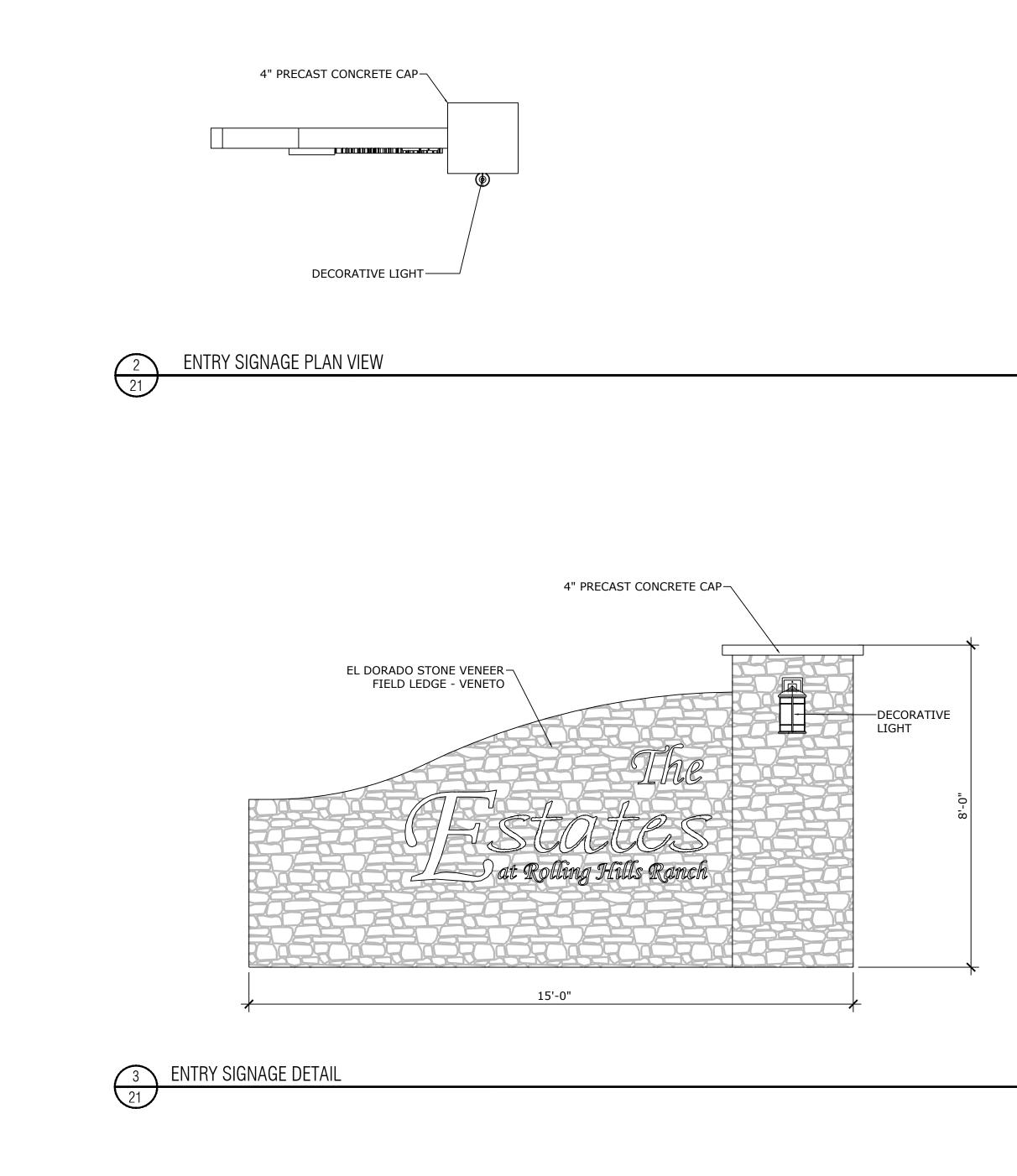
P: GTL/Meridian Ranch/Drawings/Planning/Rolling Hills Estates/Drawings/Planning/Develop/Estates at Rolling Hills Ranch Filing No. 1\RH Estates Filing No. 1_PUD SitePlan.dwg [5-Plan] 4/20/2020 1:57:15 F

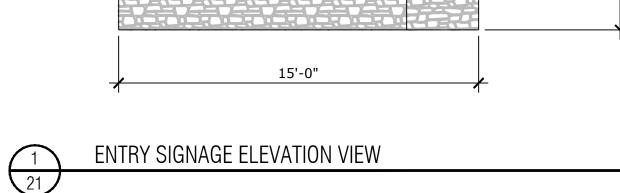


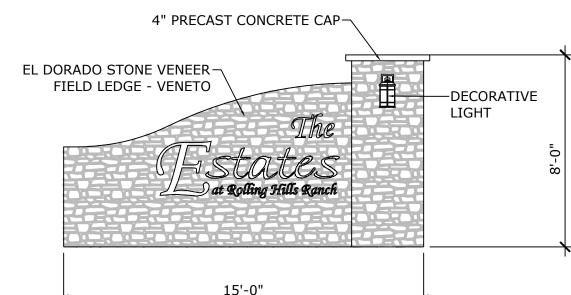


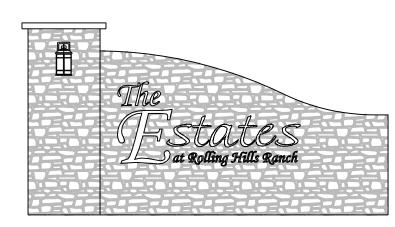


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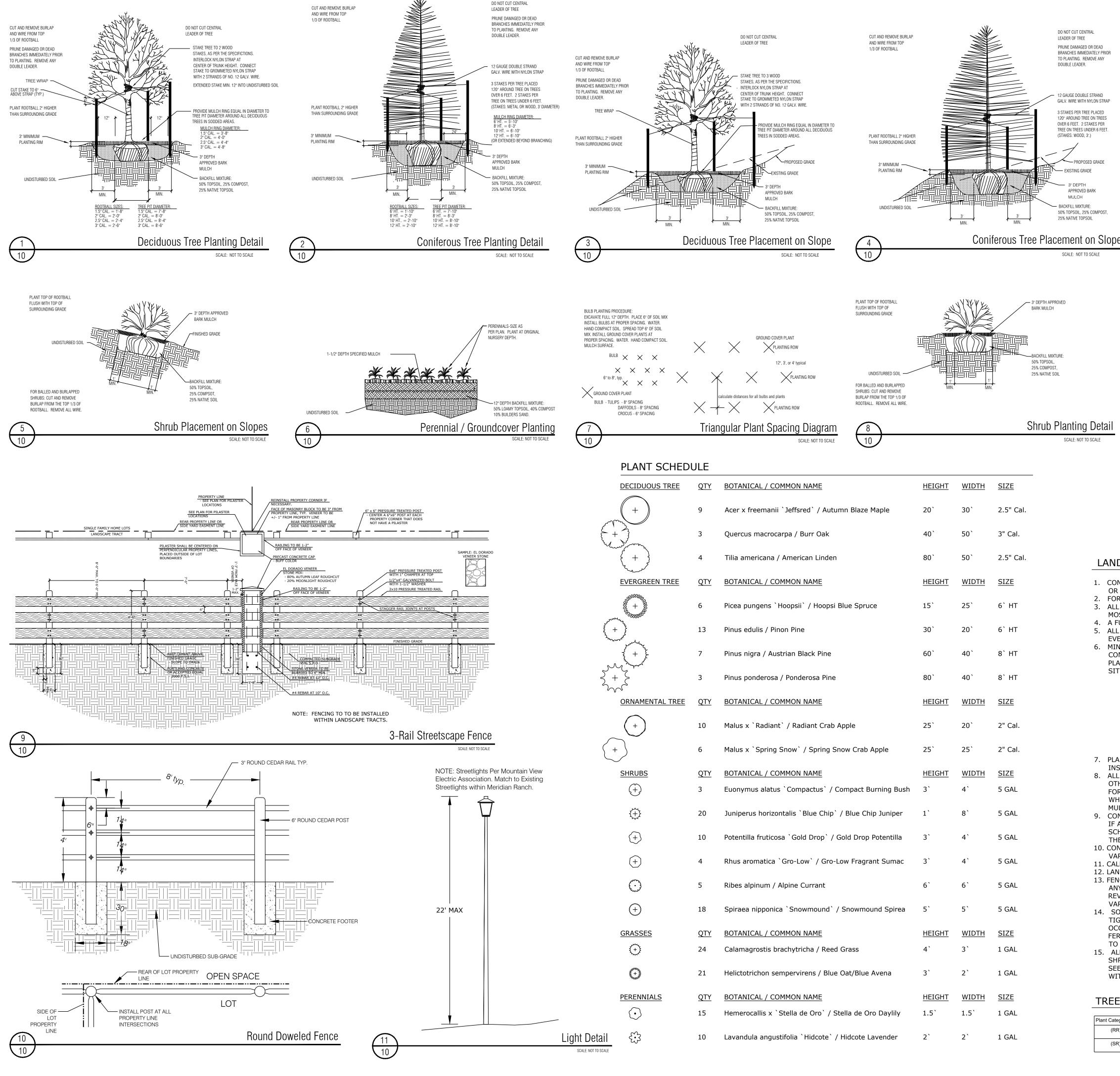


SCALE: NOT TO SCALE

Icand Planning Landscape Architecture Urban Design Image: Comparison of the state of
IN ASSOCIATION WITH
The Estates at Rolling Hills Ranch Filing 1 PUD Development Plan / Preliminary Plan
ENTITLEMENT
ENTITLEMENT
DATE: BY: DESCRIPTION: 01.06.2020 B.I. Per County Comments 03.16.2020 B.I. Per County Comments 04.20.2020 B.I. Per County Comments
Date: BY: DESCRIPTION: 01.06.2020 B.I. Per County 03.16.2020 B.I. Comments 04.20.2020 B.I. Per County 04.20.2020 B.I. Per County Description: Description: Description: Date: Description: Description: Description: Description: Description: <tr< th=""></tr<>

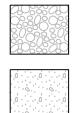
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SCALE: NOT TO SCALE



Plant Categ (RR (SR)

GROUND COVER KEY



	ROCK -	<u>COBBLE</u>	3,706 sf		
00		<u>(MULCH</u> Shrub Bed Rock Mulch	7,254 sf		
* * * * * *	<u>SEED</u> -	MIX A	367,223 sf		
	<u>SEED</u> -	MIX B WITH WILDFLOWERS	50,335 sf		
Seed N	/lix B	with Wildflowers			
30% Ephraim 25% Dwarf Pe 20% SR3200 15% Ruebens	erennial Rye Blue Fescue	grass Arkansas Valley Sec (877) 957-3337			
10% Chewing 15% Blue Gra Wildflowers: 6	s Fescue ma	Wildflower Mix availab	Wildflower Mix available from: Applewood Seed Co. (303) 431-7333		
APPLICATION	RATE:	Native Grass Mix: 40 lbs./acre (or as recom Wildflower Mix: 6 oz./1,000 s.f. or 8- 10 lbs Hydromulch: 2200 lbs./acre mulch, 100 lbs	s./acre		
APPLICATION	METHOD:	Broadcast seed by hand or with a drop spre Manually rake seed into prepared soil. After seeding apply green hydromulch and t			

Seed Mix A

15% Western Wheatgrass 15% Big Bluestem 15% Thickspike Wheatgrass 15% Annual Rye 10% Sideoats Grama

15% Little Bluestem 15% Blue Grama

APPLICATION RATE: Native Grass Mix: 3 lbs./1,000s.f. or 130 lbs./acre Hydromulch: 2200 lbs./acre mulch, 100 lbs./acre tackifier

Manually rake seed into prepared soil.

16 Lots

28.907 AC

5.160 AC

After seeding apply green hydromulch and takifier.

Single Family Residential

APPLICATION METHOD: Broadcast seed by hand or with a drop spreader.

SITE DATA

- Land Use:
- Number of Lots:
- Total Area: • Total Tract Area:

LANDSCAPE NOTES

1. CONTRACTOR TO UTILIZE STOCKPILED TOPSOIL FROM GRADING OPERATION AS AVAILABLE, OR IMPORT AS REQUIRED AND TILL INTO TOP 6" OF SOIL.

2. FOR GRADES REFER TO CIVIL ENGINEERS DRAWINGS. 3. ALL TREES TO RECEIVE A BACK FILL MIXTURE OF 50% IMPORTED LOAMY TOPSOIL, 25% PEAT MOSS, AND 25% EXISTING SOIL.

4. A FULLY AUTOMATED SPRINKLER IRRIGATION SYSTEM WILL DRIP IRRIGATE ALL TREES. 5. ALL TREES TO BE STAKED WITH WOOD STAKES. FOR 3" CAL. DECIDUOUS TREES AND EVERGREEN TREES OVER 6' USE 3 WOOD STAKES (STAKE TO GROUND LEVEL). 6. MINIMUM INSPECTIONS WILL INCLUDE SELECTION OF SPECIMEN PLANT MATERIALS AT CONTRACTOR'S NURSERY OR WHOLESALER, APPROVAL OF PLANT LOCATION STAKES BEFORE PLANT MATERIALS ARE INSTALLED, 'PUNCH LIST' SITE INSPECTION, AND FINAL INSPECTION SITE VISITS.

- A. PRE-CONSTRUCTION MEETING/SELECTION OF PLANT MATERIALS AT THE NURSERY
- AND REVIEW OF SPECIFIED LANDSCAPE/IRRIGATION SUBMITTALS. B. IRRIGATION MAINLINE INSPECTION - PRESSURE TEST AND REVIEW OF MODEL IRRIGATION.
- C. IRRIGATION 95%/ PUNCH INSPECTION.
- D. IRRIGATION FINAL ACCEPTANCE INSPECTION.
- E. LANDSCAPE 50% INSPECTION 1/2 THROUGH ENTIRE PROJECT
- F. LANDSCAPE 95% INSPECTION/ PUNCH INSPECTION. H. LANDSCAPE FINAL ACCEPTANCE INSPECTION AND COUNTY LANDSCAPE AND

IRRIGATION AFFIDAVITS. 7. PLANTS SHALL BE WARRANTED FOR THE DURATION OF TWO FULL YEARS AFTER THE INSTALLATION (WARRANTY SHALL COVER 100% OF THE REPLACEMENT COST). 8. ALL PLANTS TO RECEIVE 3 INCH DEPTH OF SHREDDED CEDAR WOOD MULCH UNLESS OTHERWISE SPECIFIED. MULCH RINGS TO BE 15" DIA. FOR 5 GALLON SHRUBS AND 36" DIA. FOR TREES NOT PLANTED IN BEDS, WITH THE EXCEPTION OF BLUEGRASS SOD AREAS IN WHICH TREES SHALL RECEIVE 60" DIA. MULCH RING. AVAILABLE FROM C&C SAND CEDAR

MULCH (719)471-7222. 9. CONTRACTOR IS RESPONSIBLE FOR INSTALLING ALL PLANT MATERIAL SHOWN ON THIS PLAN. IF ANY DISCREPANCIES ARE FOUND BETWEEN THE LANDSCAPE PLAN AND THE PLANT SCHEDULE, THE QUANTITIES SHOWN ON THE LANDSCAPE PLAN SUPERSEDE THOSE SHOWN ON THE PLANT SCHEDULE.

10. CONTACT THE LANDSCAPE ARCHITECT FOR ANY DISCREPANCIES WITH THE DRAWINGS OR VARIATIONS IN THE FIELD. 11. CALL FOR UTILITY LOCATIONS PRIOR TO ANY PLANT INSTALLATION.

12. LANDSCAPING IN THE SIGHT TRIANGLES SHALL NOT EXCEED 18" IN HEIGHT.

13. FENCING DETAILS ARE TYPICAL AND MAY BE SUBJECT TO MINOR VARIATIONS IN MATERIALS. ANY VARIATION SHALL BE AUTHORIZED BY THE DEVELOPMENT SERVICES DIRECTOR, AFTER REVIEW OF ALTERNATE PLANS, DETAILS, OR OTHER DOCUMENTATION IN SUPPORT OF THE VARIATION.

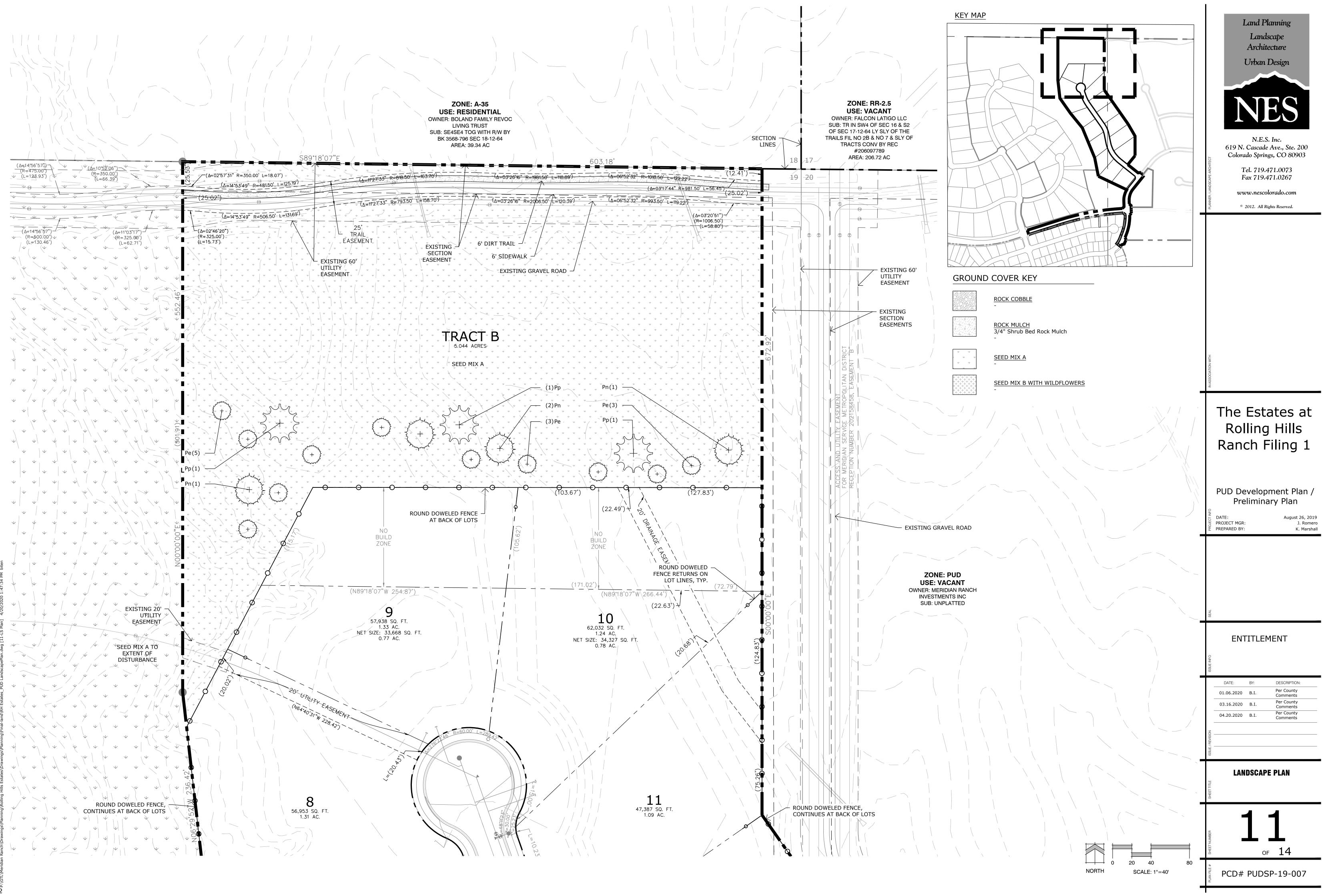
14. SOD SHALL BE KENTUCKY BLUEGRASS BLEND. SOD SHALL BE LAID ON A FIRM BED WITH TIGHT JOINTS WITH NO VOIDS BETWEEN STRIPS. ANY MOUNDS OR DEPRESSIONS OCCURRING AFTER INSTALLATION SHALL BE CORRECTED PRIOR TO ACCEPTANCE. SOD TO BE FERTILIZED ACCORDING TO GROWERS RECOMMENDATIONS. SUBMIT PRODUCT INFORMATION TO L.A. FOR APPROVAL PRIOR TO INSTALLATION.

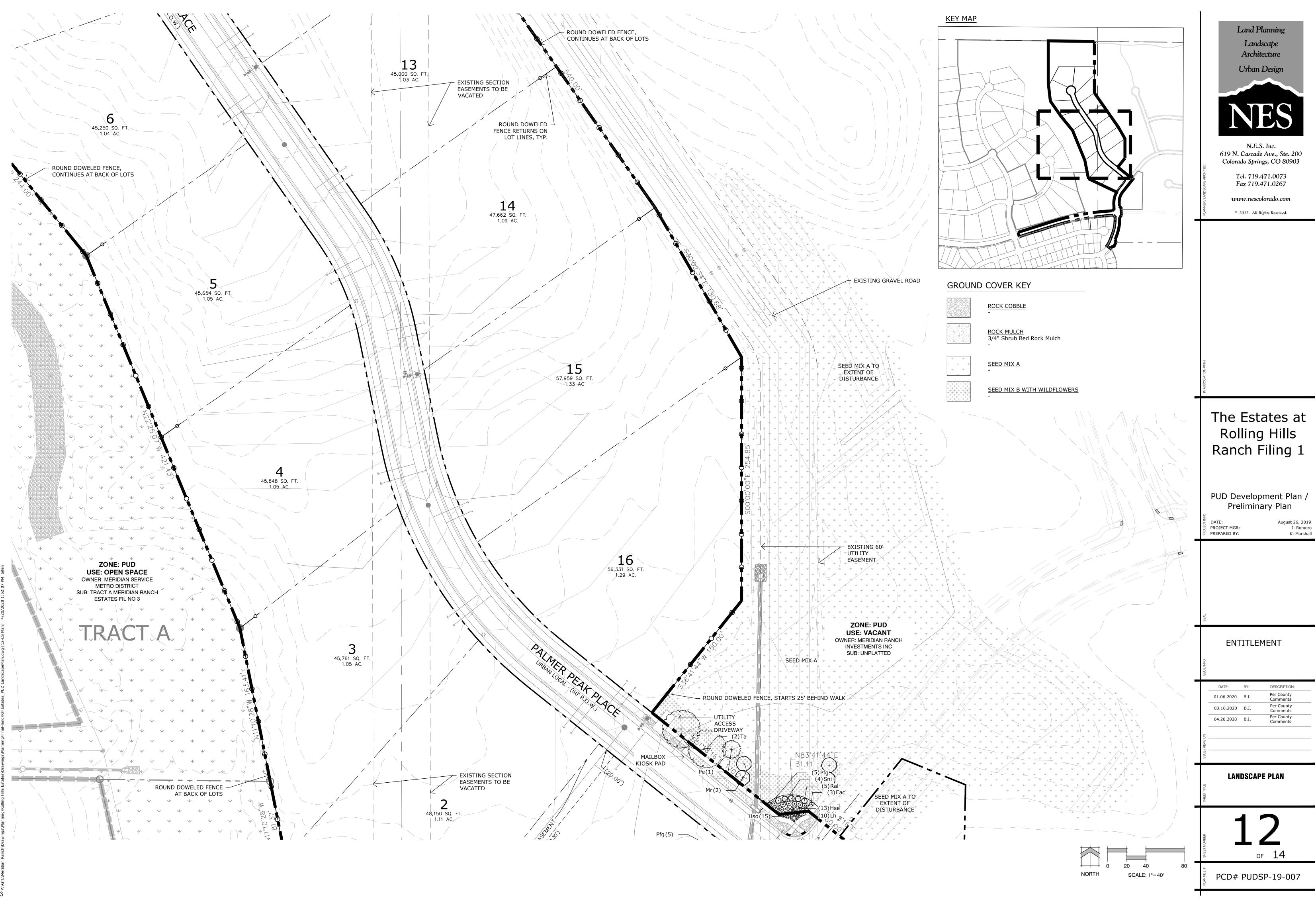
15. ALL SOD/TURF, ROCK, & SHRUB BEDS TO BE SEPARATED BY SOLID STEEL EDGING. ALL SHRUB BEDS TO BE ENCLOSED BY STEEL EDGING. SEPARATION BETWEEN SOD AND NATIVE SEED, AND BETWEEN ALTERNATIVE TURF AND NATIVE SEED SHALL BE A MOWED STRIP, WITHOUT STEEL EDGING.

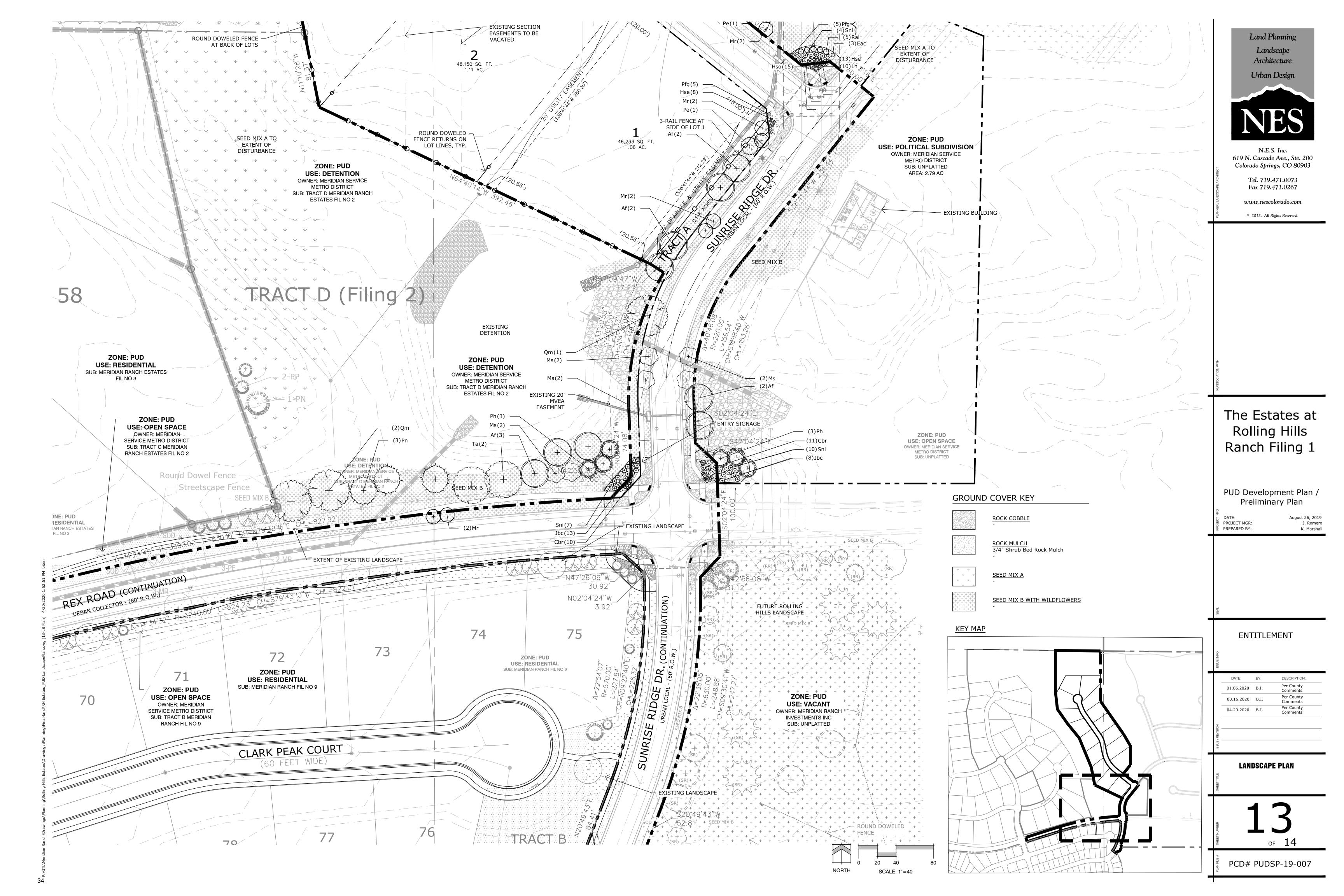
TREE REQUIREMENTS

egory	Street (Classification)	Street Frontage Length	Required Trees	Provided Trees	Required Shrubs	Provided Shrubs
R)	Rex Road (Collector)	397'	16 (1 per 25')	15	10	10
R)	Sunrise Ridge (Local)	426'	15 (1 per 30')	14	10	10

Icand Planning Landscape Architecture Urban Design Image: Comparison of the state of
INASSOCIATION WITH
The Estates at Rolling Hills Rolling Hills Ranch Filing 1 Public Project Mark Project Mark Project Mark Project Mark State Project Mark State S
SEAL
DATE: BY: DESCRIPTION: 01.06.2020 B.I. Per County Comments 03.16.2020 B.I. Per County Comments 04.20.2020 B.I. Per County Comments
LANDSCAPE DETAILS AND NOTES
ванили ог 14
PCD# PUDSP-19-007

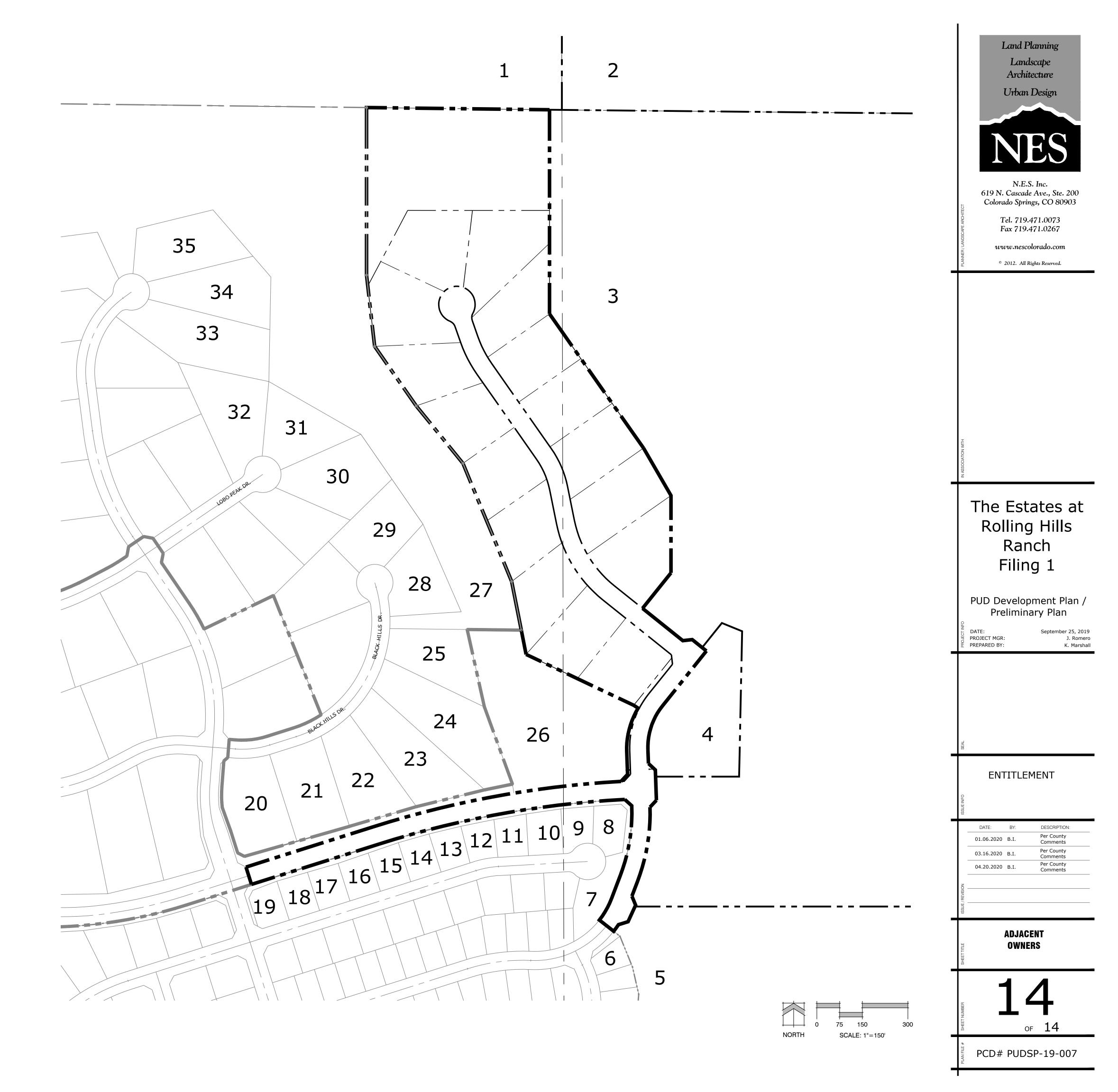






ADJACENT PROPERTY OWNERS:

- 1. 12065 N MERIDIAN RD
- BOLAND FAMILY REVOC LIVING TRUST 12065 N MERIDIAN RD PEYTON CO, 80831-8413 2. EASTONVILLE RD
- FALCON LATIGO LLC
- 5350 S ROSLYN ST STE 400 ENGLEWOOD CO, 80111-21253. N MERIDIAN RD MERIDIAN RANCH INVESTMENTS INC
- PO BOX 80036 SAN DIEGO CA, 92138-0036
- 4. REX RD MERIDIAN SERVICE METROPOLITAN DISTRICT C/O COMMUNITY RESOURCE SERVICES 11886 STAPLETON DR PEYTON CO, 80831
- 5. EASTONVILLE RD
- MERIDIAN RANCH INVESTMENTS INC PO BOX 80036 SAN DIEGO CA, 92138-0036
- 6. 10895 SHAVANO PEAK CT MARIANO, MARK AND ELLIE
- 10895 SHAVANO PEAK CT PEYTON CO, 80831
 7. 12792 SUNRISE RIDGE DR MERIDIAN SERVICE METROPOLITAN DISTRICT
- C/O COMMUNITY RESOURCE SERVICES
- 11886 STAPLETON DR PEYTON CO, 80831 8. 12860 CLARK PEAK CT
- MARTIN, DAVID AND CINDY 12860 CLARK PEAK CT PEYTON CO, 80831-4477 9. 12846 CLARK PEAK CT
- EDWIN DE QUIROZ AND AMY RENO 12846 CLARK PEAK CT PEYTON CO, 80831-4477
- 10. 12832 CLARK PEAK CT FELTNER, KRISTINA AND RANDALL 12832 CLARK PEAK CT PEYTON CO, 80831-4477
- 11. 12818 CLARK PEAK CT QUESADA, FELIX
- 13465 CEDARVILLE WAY COLORADO SPRINGS CO, 80921-7643 12. 12804 CLARK PEAK CT
- MANZANARES, ADRIAN AND SHAYLA 12804 CLARK PEAK CT PEYTON CO, 80831 13. 12790 CLARK PEAK CT
- EARL, RONALD AND CHARLENE 12790 CLARK PEAK CT PEYTON CO, 80831
- 14. 12776 CLARK PEAK CT KIRKHAM, GLENDON AND LYNDSAY 12776 CLARK PEAK CT PEYTON CO, 80831
- 15. 12762 CLARK PEAK CT BENNETT, JAMES AND AMY
- 12762 CLARK PEAK CT PEYTON CO, 80831 16. 12748 CLARK PEAK CT
- MAJESTIC CUSTOM HOMES INC 13465 CEDARVILLE WAY COLORADO SPRINGS CO, 80921-7643 17. 12734 CLARK PEAK CT
- HARVEY, JOHNNIE JR
- 12734 CLARK PEAK CT PEYTON CO, 80831-4478 18. 12720 CLARK PEAK CT
- CROSS, DANETTE AND JEFFREY 12720 CLARK PEAK CT PEYTON CO, 80831-4478 19. 12706 CLARK PEAK CT
- REUNION HOMES INC PO BOX 38939 COLORADO SPRINGS CO, 80937-8939
- 20. 12515 BLACK HILLS DR MANGUBAT, NELSON AND JAN 12515 BLACK HILLS DR DEVICIN CO. 20221 4467
- 12515 BLACK HILLS DR PEYTON CO, 80831-4467 21. 12545 BLACK HILLS DR BENNETT, GREGORY AND ROBIN
- 12545 BLACK HILLS DR PEYTON CO, 80831-4467 22. 12575 BLACK HILLS DR
- TAYLOR, MICHAEL AND STEPHANIE 12575 BLACK HILLS DR PEYTON CO, 80831-4467 23. 12605 BLACK HILLS DR
- PITTS, MARLENE AND DAVID 12605 BLACK HILLS DR PEYTON CO, 80831
- 24. 12635 BLACK HILLS DR BRYAN, JEFFREY AND LISA 12635 BLACK HILLS DR PEYTON CO, 80831
- 25. 12665 BLACK HILLS DR MANNERS, RONALD AND BELLE
- 12665 BLACK HILLS DR PEYTON CO, 80831-4469 26. 12778 REX RD
- MERIDIAN SERVICE METROPOLITAN DISTRICT C/O COMMUNITY RESOURCE SERVICES 11886 STAPLETON DR PEYTON CO, 80831
- 27. 12675 BLACK HILLS DRIVE MERIDIAN SERVICE METROPOLITAN DISTRICT C/O COMMUNITY RESOURCE SERVICES
- 11886 STAPLETON DR PEYTON CO, 80831
- 28. 12695 BLACK HILLS DR
- VILLAFANA LIVING TRUST 12695 BLACK HILLS DR PEYTON CO, 80831-4469 29. 12694 BLACK HILLS DR
- MAJESTIC CUSTOM HOMES INC 13465 CEDARVILLE WAY COLORADO SPRINGS CO, 80921-7643 30. 11108 LOBO PEAK DR
- WETHERBEE, ANTON AND DEBRA 11108 LOBO PEAK DR PEYTON CO, 80831
- 31. 11107 LOBO PEAK DR PEYTOI
- REU, PAUL AND ANDREA
- 11107 LOBO PEAK DR PEYTON CO, 8083132. 11133 LOBO PEAK DR PUGH, MICHAEL AND DANELL
- 11133 LOBO PEAK DR PEYTON CO, 80831-6997 33. 11435 PYRAMID PEAK DR
- ACHIVIDA, JAMES AND CATHERINE 11435 PYRAMID PEAK DR PEYTON CO, 80831-7846
- 34. 11461 PYRAMID PEAK DR OURS, KRISTA AND JEFFREY
- 11461 PYRAMID PEAK DR PEYTON CO, 80831 35. 11487 PYRAMID PEAK DR
- LARRY DENTON AND SUSAN GALLIMORE-DENTON 11487 PYRAMID PEAK DR PEYTON CO, 80831-7846





January 16, 2020

Nina Ruiz El Paso County Development Services Department DSDcomments@elpasoco.com

> RE: Estates at Rolling Hills Ranch Filing No. 1 PUDSP197 and SP1919 Part of the E ½ of the NE ¼ Section 19 & part of the W ½ of the NW ¼, 20 T12S, R64W, 6th P.M.
> Water Division 2, Water District 10 Upper Black Squirrel Creek Designated Basin

Dear Ms. Ruiz:

We have reviewed your October 15, 2019 submittal concerning the above referenced proposal for the development of 28.9 acres into 16 single family lots and two tracts for landscaping, open space and utilities.

Water Supply Demand

According to the Water Supply Information Summary, the total estimated water demand is 6 acre-feet/year.

Source of Water Supply

Meridian Service Metropolitan District ("District") is the proposed water supplier. The District has provided a letters dated August 19, 2019, November 18, 2019 and December 10, 2019 committing to serve the 16 lots within the proposed Estates at Rolling Hills Ranch Filing 1 subdivision at the estimated demand of 5.3 acre-feet per year. The subdivision lies within the allowed place of use of the District's water supplies.

The District's sources of water are a combination of bedrock aquifer allocations from the Denver Basin as well as alluvial sources. The State Engineer's Office does not have evidence regarding the length of time for which the bedrock aquifer sources will be a physically and economically viable source of water. According to 37-90-107(7)(a), C.R.S., "Permits issued pursuant to this subsection (7) shall allow withdrawals on the basis of an aquifer life of 100 years." Based on this <u>allocation</u> approach, the annual amounts of water determined are equal to one percent of the total amount, as determined by rule 5.3.2.1 of the Designated Basin Rules, 2 CCR 410-1. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

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

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

The State Engineer's Office does not have evidence regarding the length of time for which the bedrock aquifer sources will "meet the average annual demand of the proposed subdivision."



Estates at Rolling Hills Ranch Filing No. 1 January 16, 2020 Page 2 of 2

However, treating El Paso County's requirement as an <u>allocation</u> approach based on three hundred years, the annual amounts of water available from the bedrock aquifers that may be withdrawn from a maximum period of 300 years are equal to one-third of one percent of the total amount.

Information available in our files indicates the District's water rights total approximately 2,088 acre-feet/year for a period of 300 years (1,888 acre-feet/year from bedrock aquifers and 200 acre-feet/year from the alluvial aquifer), and it has approximately 1,24 acre-feet/year committed to supplying subdivisions and 30.2 acre-feet/year committed to replacement obligations, for a total commitment of 1,454 acre-feet/year.

The uncommitted annual water supply of 634 acre-feet/year is more than the estimated annual demand of 5.3 acre-feet/year for Estates at Rolling Hills Ranch, Filing No. 1.

State Engineer's Office Opinion

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

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

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

Our opinion is qualified by the following:

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

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

If you, or the applicant, have any questions, please contact Ailis Thyne at 303-866-3581 ext. 8216.

Sincerely,

Keith Vander Horst

Keith Vander Horst Chief of Water Supply, Designated Basins

Estates at Rolling Hills Ranch.docx Project no. 26939



OFFICE OF THE COUNTY ATTORNEY CIVIL DIVISION

Diana K. May, County Attorney

Assistant County Attorneys M. Cole Emmons

M. Cole Emmons Lori L. Seago Lisa A. Kirkman Steven A. Klaffky Peter A. Lichtman Mary Ritchie Bryan E. Schmid Nathan J. Whitney

April 23, 2020

Estates at Rolling	g Hills Ranch Filing No. 1
SF-19-19	Final Plat
PUDSP-19-7	PUD Development Plan/Preliminary Plan
Reviewed by:	Cole Emmons, Senior Assistant County Attorney Edi Anderson, Paralegal, ACP

FINDINGS AND CONCLUSIONS:

1. This is a PUD Development Plan/Preliminary Plan and Final Plat proposal by GTL Development, Inc. ("Applicant"), to subdivide an approximately 29 acre parcel into 16 single-family lots. The property is zoned PUD (Planned Unit Development).

2. The Applicant has provided for the source of water to derive from the Meridian Service Metropolitan District ("District"). Pursuant to the Water Supply Information Summary, the Applicant estimates its annual water needs to serve household use for the entire subdivision at 5.3 acre-feet, based on the District's 0.33 annual acre-feet per single-family equivalent. Based on these figures, the Applicant must be able to provide a supply of 1,590 acre-feet of water (5.3 acre-feet/year x 300 years) to meet the County's 300 year water supply requirement.

3. The District's General Manager provided a letter of commitment for the Rolling Hills Ranch Subdivision dated December 10, 2019 in which the District committed to providing water service to the subdivision of 16 residential lots at an annual amount of water of 5.3 acre-feet. The District Manager identified that the District currently has 2,119 acre-feet per year of water available for developments, with approved commitments in the amount 1,424 acre-feet. The Manager states that the "additional 5.3 Ac-Ft demand results [in] an overall demand of 1,430 Ac-Ft which leaves a surplus of 689 Ac-Ft per year."

4. Applicant also provided a Water Resource and Waste Water Report for Estates at Rolling Ranch Filing 1 dated August 2019, Revised December 2019 ("Water

200 S. CASCADE AVENUE OFFICE: (719) 520-6485



COLORADO SPRINGS, CO 80903 FAX: (719) 520-6487 Resources Report") which detailed the District's water supply. The Report notes that the District's water supply includes both "renewable sources and Denver Basin non-renewable sources." The District total legal supply on a 300-year basis is 2,119 annual acre-feet.

5. In a letter dated January 16, 2020, the State Engineer reviewed the application to subdivide the 28.9 acres into 16 single-family residential lots. The Engineer reviewed this matter based on information provided in the Water Supply Information Summary ("WSIS") which estimated a water demand of 6.0 acre-feet/year. Note: The Applicant later provided a WSIS which estimated the water demand at 5.3 acre-feet/year. The State Engineer also reviewed District letters dated August 19, 2019, November 18, 2019, and December 10, 2019 in which the District committed a water supply of 5.3 acrefeet/year to the subdivision. The State Engineer indicated that information in their files indicates "the District's water rights total approximately 2,088 acre-feet/year for a period of 300 years (1,888 acre-feet/year from bedrock aguifers and 200 acre-feet/year from the alluvial aquifer), and it has approximately 1,24¹ acre-feet/year committed to supply subdivisions and 30.2 acre-feet/year committed to replacement obligations, for a total commitment of 1,454 acre-feet/year." And further, an "uncommitted annual water supply of 634 acre-feet/year² is more than the estimated annual demand of 5.3 acre-feet/year for Estates at Rolling Hills Ranch, Filing No. 1." Finally, the Engineer stated that "pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights."

6. <u>Analysis:</u> As indicated above, the Applicant provided a Water Resources Report dated December 2019, detailing the sources of the District's water supply, which is based on both renewable and non-renewable sources. With a proposed annual demand of 5.3 acre-feet, plus the current commitments of the District of 1,424 acre-feet per year, the available resulting water supply of 2,119 acre-feet, and the remaining surplus of 689 acre-feet per year (634 acre-feet based on the State Engineer's figures), it appears the proposed water supply will be sufficient for the Estates at Rolling Hills Ranch Filing No. 1.

7. Section 8.4.7(B)(10)(g), of the El Paso County Land Development Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Therefore, based upon the finding of sufficiency and no injury by the State Engineer, the District's commitment, and based on the requirements below, the County

¹ This appears to be a typographical error. Based on the total amount of 1,454 acre-feet/year of commitments, the correct figure is 1,424 acre-feet/year, which is consistent with the figures provided by the District.

² This number (634 acre-feet) differs slightly from the number provided by the District (689 acre-feet).

Notwithstanding, the amounts set forth by both entities reflect an adequate water supply available for this subdivision.

Attorney's Office recommends a finding that the proposed water supply is **sufficient** in terms of quantity and dependability. The El Paso County Health Department may wish to confirm that the District is in compliance with the water quality regulations.

REQUIREMENTS:

A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.

cc: Nina Ruiz, Project Manager, Planner III



Prevent • Promote • Protect

The Estates at Rolling Hills Ranch, PUDSP-19-007

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

- The proposed 16 lot, 28.9-acre, single-family residential development will be provided water and wastewater services through Meridian Service Metropolitan District.
- A finding for sufficiency in terms of water quality can be made for this Colorado Department of Public Health and Environment, Water Quality Control Division, approved water system. PWSID # CO0121455 has been assigned by the Colorado Department of Public Health and Environment.
- Meridian Service Metropolitan District has provided a Letter of Commitment to Serve Water and Wastewater Letter dated 19Aug2019.
- Radon resistant construction building techniques/practices are encouraged to be used in this area. The EPA has determined that Colorado, and the El Paso County area, have potentially higher radon levels than other areas of the country.
- Earthmoving activity in excess of one acre, but less than twenty-five acres, requires a local Construction Activity Permit from El Paso County Public Health. Go to https://www.elpasocountyhealth.org/service/air-quality/construction-activity-application for more information.
- El Paso County Public Health encourages planned walk-ability of residential communities. Please consider appropriate connections to commercial areas using sidewalks, and bike trails. Walk-ability features help reduce obesity and associated heart diseases.
- Storm water quality detention ponds must be constructed and maintained to help protect the public health, safety and welfare in the area. Detention ponds not properly constructed and maintained provide mosquito breeding habitat and may increase the risk of the general public to West Nile Virus.

Mike McCarthy El Paso County Public Health Environmental Health Division 719.575.8602 <u>mikemccarthy@elpasoco.com</u> 03Jan2020