

SP-03-013

542.05

**PRELIMINARY PLAN
JESSICA HEIGHTS**

A request by Equity and Investment Company for approval of a Preliminary Plan for Jessica Heights, consisting of 34 acres, with a current request for PUD (Planned Unit Development) District zoning. Proposed for single-family residential and commercial uses, the property is currently zoned PBP (Planned Business Park) District and M (Industrial) District. The property is generally southwest of Constitution Avenue and Akers Drive, and is not in a small area comprehensive plan. Assessor's Tax Schedule #54050-00-011, -013, -015, -016, -028 and -029.

WAIVER: Waiver to allow 19 lots on a non-through street where the limit is 10 lots.

PREPARED BY

Barry Holmes
7/21/04

APPLICABLE RESOLUTIONS

Approval	Page 9
Disapproval	Page 10

PLANNING DIVISION RECOMMENDATION: The Development Services Department - Planning Division recommends an action consistent with that taken on the related PUD zoning application. Should the Planning Commission approve this request, the Planning Division recommends the following conditions and notations:

CONDITIONS

1. This approval is ultimately contingent upon the following events occurring:
 - a. Approval by the Board of County Commissioners of a rezoning and Preliminary Plan generally consistent with the land use and access plans as depicted on the approved Wilshire Sketch Plan (SKP-02-003).
 - b. Provision for an elementary school site located on the approximately 9.2-acre site located immediately east of the subject property and currently zoned M (Industrial) District and subject to the further stipulation that this school site will be determined to be acceptable by the Board of County Commissioners.

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2. Until such time as the provisions outlined in Condition No. 1 above are satisfied, no Final Plat for all or part of this property shall be scheduled for a hearing at the Planning Commission.
3. In the event Condition No. 1 above has not been satisfied within ninety (90) days of Board of County Commissioners' approval of this Preliminary Plan, the approval shall be deemed expired and shall be of no further force and effect. The determination as to satisfaction of Condition No. 1 above shall be made by the Development Services Department Director and shall be appealable to the Board of County Commissioners under the applicable provisions of the Land Development Code.
4. Prior to scheduling this request for the Board of County Commissioners, the Preliminary Plan shall be corrected as follows:
 - A. Correct the Site Data and Legend as follows:
 - 1) Remove the height, setbacks and minimum lot area from this heading.
 - B. Correct General Note 1 to meet the MVEA request or provide a letter from MVEA agreeing to the different easements.
 - C. Remove General Notes 3, 4, 5, 6, 7, 8 and 11.
 - D. Remove the section of notes headed, El Paso County Land Development Code and Guidelines.
 - E. Add Park and School fee boxes and indicate approximate fees.
 - F. Correct the legal description to match the drawing.
 - G. Replace the note, "Access road to be provided by Wilshire Development" with the following: "Feather Reed Road to be extended for through access connection"
 - H. Replace the note, " Palmer Park Blvd. R.O.W. to be Vacated Upon County DOT Approval" with the following: "Palmer Park Blvd. is proposed for vacation."
 - I. Until a second access is provided, development of the residential area east of Jessica Boulevard will be restricted. Final platting will be limited to 14 lots: Lots 51, 52, 53 and lots 92 through 102.
 - J. For the two proposed commercial areas, number the lots and show the acreage for each lot.

- K. Remove the arrow attached to the box that states, "Future School Access." and change the wording in the box to read, "Future School Access to be provided from Feather Reed Road."
 - L. Make any changes that may be required to bring the plan into compliance with the approved PUD Development Plan.
5. Applicable School, Park, Drainage, Pond and Bridge fees shall be paid prior to recording any Final Plat.
 6. Prior to scheduling this request for a hearing by the Board of County Commissioners:
 - a. All concerns of the Department of Transportation will be addressed either through resolution, or by submittal to the Planning Department of a clear description of any remaining areas of disagreement.
 7. 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 Department of Wildlife, Colorado Department of Transportation, U.S. Army Corp of Engineers and the U.S. Fish and Wildlife Service and/or Colorado Department of Wildlife regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
 8. Development shall comply with the recommendations of the Airport Advisory Commission:
 - 1) Petitioner's granting of an avigation easement and that same is recorded with the El Paso County Clerk so as to be a burden on the title to the property included in this request.
 - 2) No man-made or non-man-made obstructions be allowed to penetrate the 40:1 approach surface.
 - 3) All exterior lighting plans be approved by the Director of Aviation to prevent a hazard to aircraft.
 - 4) No electromagnetic, light, or any physical emissions which might interfere with aircraft, avigation, communications or navigational aids be allowed.

- 5) If a crane is to be used during the construction period, an FAA Form 7460-1 will need to be filed through the Airport Operations office and approved by the Federal Aviation Administration before any building permit is issued by the City or County. Normal time required for approval is 30-60 working days.
- 6) A statement shall be included in the avigation easement and recorded on the plat and deed requiring disclosure by the developers/realtors to prospective purchasers. This statement should be clear and in bold print to read: "NOTICE: This property may be impacted by noise operating into and out of the Colorado Springs Airport. The buyer should familiarize himself/herself with this potentiality and the ramifications thereof."
9. The PUD Development Plan and related documents will be submitted for recording prior to submitting a final plat for this area. The plan and documents must be recorded prior to scheduling a final plat for a Planning Commission hearing.
10. The property shall participate in a fair and equitable manner in regional improvements to Marksheffel Road. Such participation may be in the form of inclusion in the proposed Constitution Heights Metropolitan District.

NOTATIONS

1. Preliminary Plans not forwarded to the Board of County Commissioners for consideration within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

Staff note: There is not enough information at this time for a finding of water sufficiency.

PUBLIC NOTICE: The property was posted on July 2, 2004.

PUBLIC NOTIFICATION: The Planning Department notified 37 adjoining property owners of the applicant's intent on July 2, 2004. A summary of their responses will be given at the meeting.

ADJOINING LAND USE AND ZONING:

North	Constitution Avenue, then Undeveloped	M (Industrial) District
South	Undeveloped, Vacant	M (Industrial) District and PBP (Planned Business Park) District

East	Undeveloped, Vacant	M (Industrial) District
West	Town Homes	R-3 (Residential) District

PROJECT DESCRIPTION:

The plat contains 34.6 acres, proposed for two commercial lots of approximately 4.75 acres each, and 102 single-family residential lots. The residential lots vary from 4,800 square feet to 11,000 square feet, but are generally in the 6,000 to 7,000 square foot range. The plat includes a part of unimproved Palmer Park Boulevard right-of-way, which is proposed to be vacated in a related request on this agenda.

AGENCY COMMENTS:

OFFICE OF THE STATE ENGINEER

We have received your August 3, 2003 submittal concerning the above referenced proposal to subdivide 34.58 acres into 106 residential lots plus 2 commercial lots. The estimated water requirements were given as 52.6 acre-feet per year. Cherokee Metropolitan District is the proposed water supplier, and has provided a letter dated August 22, 2003 in which it states 52 acre-feet per year will be allocated to the Cimarron Hills Unplatted Area as shown on attached Table 1.

Before we comment favorably on the district as the water supplier, we would like the district to provide an updated summary of the water commitments it has made, by subdivision name and amount of water committed, for each of the "Cimarron Hills Platted Areas (inc. Claremont)" and "Cimarron Hills Unplatted Areas" on Table 1, and the amount of water it has remaining available for commitment for each of those areas. This same request was previously made in my May 13, 2003 letter to yourself concerning the Wilshire Development PUD.

Pursuant to the provision of C.R.S. 30-28-136(1)(h)(II) it is the opinion of this office that until the above items are provided the proposed water supply is not adequate and cannot be provided without injury to existing water rights. If you have any questions please contact Keith Vander Horst of this office.

EL PASO COUNTY ATTORNEY'S OFFICE submitted the following Findings and Conclusions:

- 1) This is a proposal by Jessica Heights, to subdivide 34 acres into 106 single-family lots and 2 commercial lots. The property is currently zoned PBP and M District and a request has been made to rezone it as PUD. The property is

located in the Northwest quarter of the Northeast quarter of Section 5, Township 14 South, Range 65 West of the 6th P.M., El Paso County, Colorado.

- 2) The Applicant has provided for the source of water to be from a central water system – Cherokee Metropolitan District. The Applicant estimates its annual water requirements to serve 106 single-family lots for household use at 42.4 acre-feet and 2 commercial lots at 10.2 acre-feet resulting in a total of 52.6 acre-feet or 0.49 acre-feet per lot. Applicant will have to be able to provide a supply of 15,780 acre-feet of water (52.6 ac.ft./yr. x 300 yrs.) to meet the County's 300 year water supply requirement.
- 3) Cherokee develops its water supply from the alluvium of the Upper Black Squirrel Creek Designated Ground Water Basin, which water is considered by Cherokee, the State Engineer, and the Upper Black Squirrel Creek Designated Ground Water Management District to be annually renewable water. Under §49.5.D.4.c., of the Land Development Code, such water provided from renewable ground water sources is considered to be annually renewable and is therefore considered to have a minimum life of 300 years.
- 4) In a letter dated September 11, 2003, the State Engineer indicates that prior to making a comment, the District needs to provide an updated summary of the water commitments it has made to date to the State Engineer. Pursuant to C.R.S. 30-28-136(1)(h)(II), the State Engineer is of the opinion that until the District provides the requested information, the proposed water supply cannot be provided without injury to existing water rights.
- 5) A letter of commitment from Cherokee Metropolitan District has not been provided.
- 6) The water quality requirements of Section 49.5E of the Land Development Code must be satisfied.
- 7) Therefore, at this time, until a finding of sufficiency and no injury can be made by the State Engineer and a letter of commitment is received from the District, the County Attorney's Office would recommend that the proposed water supply is insufficient in quantity and dependability. The El Paso County Health Department will make a finding as to quality.

DEVELOPMENT SERVICES DEPARTMENT - Engineering Division

Preliminary Plan:

- 1) The number of lots on Rocky Mountain Road, a non-through roadway east of Jessica Way does not meet code requirements. DOT will not support a waiver for this number of lots on the non-through roadway. Additional access will be required. Rocky Mountain Road has been resolved. However, in doing so Chenoa Court will now require the waiver.

- 2) Provide exterior dimensions and bearings of the proposed site along all sides. There appears to be a jog in the west side property line. Clarify and provide dimensions and bearings. Still need bearing angle(s) and length(s) on the north side of the parcel.
- 3) The typical roadway cross sections need to conform to current criteria or the new proposed cross sections, but not a combination. If the new proposed criteria is to be used it will need to be used throughout and in all cases. In your submittal documents make clear your intention to use the proposed new criteria. The cross sections need to match the new sections, such as the 5' utility easement on both sides beyond the right-of-way for the local residential and residential minor collector streets, the residential minor collectors require 30' of pavement exclusive of the curb and gutters, not 24' as shown, and the non residential street has a 12' median, 12' lanes and 6' paved shoulders, both sides for a total pavement width of 48', exclusive of the curb and gutters. Sidewalks for the non residential collector are to be detached sidewalks. Remove the pavement section thickness and replace it with a note stating, pavement section to be determined by an approved pavement design analysis.
- 4) Provide the approximate centerline lengths and grades. Still Need
- 5) A waiver will be required for the intersection spacing on the major collector roadway. Intersection spacing waivers will be required for both Jessica and Palmer Park Blvds. and between Palmer Park Blvd. and Buffalo Plains Ct., Jessica Blvd. and Majestic Plains Ct. and Feather Reed Road and the east Fruited Plains Ct. (Hard Rock Ct.?). The intersection spacing on Jessica and Palmer Park Blvds. will require them to be adequate for standard auxiliary lanes.
- 6) General note 6 states, "All public R.O.W. to be operated and maintained by the Cherokee Metropolitan District." Does this mean all of the roadways in this development are to be private? El Paso County will not support Jessica Blvd. and Palmer Park Blvd. to be private.

Preliminary Drainage Report:

- 1) The contours need to extend beyond the boundary lines to determine adjacent on and off site flows. The basins are presently shown to end at the site boundary lines. The contours would indicate the drainage basins will extend to the west and south, beyond the boundary line. Still need contours along the south side from about Jessica Blvd. to the east side of the development. The west side historic and developed basins begin at the property line however; the contours show the slope to continue beyond the property line. The report states there is no significant flow entering the site by overland flow from adjacent properties. Do the back of the properties along the west side all drain to the front of these properties? Address any off-site drainage.

- 2) Provide presentation of proposed facilities with respect to alignment, material and structure type. The 42" pipe from the Eastridge Townhomes is stated to be at a maximum with 51 cfs. Are the grades sufficient to capture the inlet flows and discharge at the outlet with 157.2 cfs? The inlets are stated to be std D-10-R type inlets. The county requires Type R inlets. Revise as necessary.
- 3) Provide discussion of the drainage impacts to streets and utilities and discussion on proposed drainage structures. How is the flow down Big Sky Road proposed to be addressed? Is a cross pan proposed at the intersection of Big Sky Road and Palmer Park Blvd.? How are flows at the northwest and southwest corners of the intersection of Palmer Park Blvd. and Jessica Blvd. proposed to be addressed? The inlet at the east end of Rocky Mountain Road will be in the proposed extension of the roadway as planned. It is recommended to place the inlet such that it will not require removal and replacement with the extension of the road into the school site. The basins are not adequately addressed to approximate the proposed street and inlet flows. Revise as necessary.
- 4) The imperviousness used in the drainage and bridge fee calculations is low based on the percentages in the DCM and the drainage fee resolution. The drainage fee resolution states a value of 53% should be used for single family lots of 6000 SF. The standard lot addressed for the site on the PUD is 5,000 SF. Remove the drainage improvement costs for the preliminary drainage report since these quantities and costs could change considerably. Include the improvement costs only with the final drainage report.
- 5) Add the Lovejoy and Williams report for the Cimarron Eastridge Subdivision referenced in the report to the references in Section VII of the report.
- 6) The runoff coefficients used for the commercial area are based on neighborhood commercial which has more open and/or landscape area than standard commercial areas. Are these commercial areas to be low density commercial, no distinction in PUD plan? Basin B3 is primarily Palmer Park Blvd., Basin B4 and B5 consist of about 50% Jessica Blvd. The coefficients used for these basins are for 1/8th acre lots and seems low based on the percent of roadway within the basins. Revise as necessary.
- 7) See the review copy of the drainage report for other corrections and clarification of comments.

Traffic Report:

- 1) Based on the traffic counts not all of the auxiliary lanes on Jessica Blvd. meet criteria, such as at the commercial accesses. Revise the auxiliary lanes to address the proposed traffic and show the required configurations can be met with the proposed access points. The traffic report states 110' of north bound dual left lanes are required and Figure 11 shows 100' to be provided. With this roadway being a non-residential collector the posted speed is to be 35 MPH.

Based on the State Access Code this requires a 10:1 taper. With 24' of offset and the 100' of storage the total length is 340'. The preliminary plan shows the distance from the stop bar location at Constitution Avenue to the center of the commercial access is a length of 302'. The 302' length is inadequate for the dual turn lanes and the required 60' of south bound left turn lane into the commercial site. The traffic report shows that this layout will not work. Based on the traffic report an east bound left deceleration lane and a north bound right deceleration lane are required at the intersection of Jessica Blvd. and Rocky Mountain Road. Revise as necessary.

- 2) Based on the traffic volumes proposed additional auxiliary lanes will be required at the intersections of Jessica Blvd., with Palmer Park Blvd. and with Rocky Mountain Road. A south bound right deceleration lane is still needed at Jessica and Palmer Park Blvds. based on the peak hour traffic shown in the report. Also a west bound left deceleration lane is still needed at Rocky Mountain Road and Jessica Blvd.
- 3) The traffic report needs to be re-evaluated with the revised on-site layout and with the adjacent properties. The number of lots on Rocky Mountain Road, east of Jessica Blvd. exceeds the allowable number and needs to be re-configured. Rocky Mountain Road has been addressed. The commercial area is not set in the PUD for specific uses and therefore needs to be addressed as general commercial or as shown whichever produces the greatest traffic impact (total and peak hour).
- 4) The expected generated traffic has decreased with the revised report however the uses have stayed the same. How did the generated traffic change?

COLORADO STATE GEOLOGIST

In response to your request and in accordance with Senate Bill 35 (1972) I visited this property to review the plat. Included in the referral were a Soil, Geology and Geologic Hazard Study prepared by Entech (April 2003) and a Preliminary Drainage Report prepared by M.V.E., Inc (August 2003). The property consists of 34 acres to be divided into 105 residential lots and two commercial lots.

Drainage. The drainage report shows that all flows from the site, except those from Basins A1 and A2, will be ultimately directed to a 42-in storm drain running along the southern part of the site. The report should include documentation indicating that the pipe is sized to transmit the storm flows (70.8 cfs for the 5-yr flood and 138.2 cfs for the 100-yr flood event.) Likewise, documentation should be provided that shows the 18-in storm drain is sized for the flood events of Basin A1.

The report states that "the five-year frequency storm water flows will be collected and routed to the offsite earthen channel". The report should state how flows from other storm events would be managed, if differently from the five-yr storm flows. The earthen channel that is referenced lies 160 to 550 ft east of the site. There should be some discussion as to how the drainage improvements will conform to the development plans for the adjacent property.

Detention of onsite flows is not discussed in the drainage report. If detention is not required, based on regional studies and detention facilities, this should be stated in the report. There should be mention of previous reports and master plans that include the subject site.

Grading. A grading plan was not included in the submittal. Positive drainage should be implemented on each lot to prevent water from ponding near foundation elements. Wetness is undesirable in subgrade areas and can cause unacceptable settlement of structures.

Soil. The soil and groundwater conditions are generally suitable for the proposed development. Of the two samples tested for swell-consolidation potential, one showed moderate swell in clays located at a depth of 15 ft below ground level (bgl), and the other showed high consolidation in silty sand located at 5 ft bgl. The results of these tests together with the boring logs indicate both lateral and vertical variability in the soils. It is recommended that each building envelope be drilled for sample collection in order for foundations to be designed to mitigate potential problems. For both swelling and consolidating soils encountered within 4 ft of the proposed footing elevation, overexcavation and replacement with structural fill might be considered. Control of surface and subsurface drainage is critical in managing problem soils.

All areas of artificial fill should be removed from building envelopes and roadways. This material might be used for onsite fill provided it is appropriately compacted. The gully at the southwestern part of the site will require regrading. Fill at this location should be placed in thin lifts and compacted according to specification. Close supervision and documentation should be employed, particularly given the depth of the gully.

In summary, the drainage consultant should provide additional information regarding storm drains, management of flows, and detention. Foundation design should be based on lot-specific soil test results or foundations should be designed for worst case scenarios. Piles of uncontrolled fill should be removed from building envelopes and roadways.

MOUNTAIN VIEW ELECTRIC ASSOCIATION

This area is within MVEA certificated service area. MVEA will serve this area according to our extension policy.

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Upon review of the Preliminary Plan MVEA requests a ten (10) foot front, five (5) foot side, and seven (7) foot rear lot line easement. MVEA requests a twenty (20) foot utility easement along the east and west side of Jessica Blvd. and a twenty (20) foot exterior easement around the two proposed commercial parcels. In addition MVEA requests that the twenty (20) foot Landscape Buffer be named for utilities in the General Notes. The platting of existing facilities is also requested.

EL PASO COUNTY PARKS

Park Staff recommends fees in lieu of land for regional and urban park purposes in the amount of \$ 32,542.00 and \$ 18,278.40 respectively. Park Board concurs with staff recommendation.

EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT

Cherokee Metro District is providing water and wastewater service to the proposed development.

There is a finding for sufficiency in terms of water quality for the water from Cherokee Metro District which is planned for the development.

Earth moving activity more than 1 acre will require a Construction Activity Permit from Air Quality Control. Call Air Quality at 578-3137 for information.

Commercial facilities developed on the property regulated by the health department will require a pre-construction plan review.

Detention ponds, if any, on the development must be constructed and maintained in a manner that minimizes mosquito breeding site.

EL PASO COUNTY ENVIRONMENTAL SERVICES

The Environmental Services Department (ESD) has completed its review of the Jessica Heights Preliminary Plan. Our review consisted of the following items; wetlands, general wildlife resources, and federal and state listed threatened or endangered species.

- 1) It is recommended that the applicant obtain documentation from U.S. Fish and Wildlife Service (FWS) regarding threatened and endangered species impacts prior to proceeding with the project.

It should be noted that the U.S. Army Corps of Engineers and the FWS have regulatory jurisdiction over wetland and threatened and endangered species issues, respectively. Thus, as indicated above, it is strongly recommended that the applicant obtain the necessary approvals from the referenced federal agencies as part of their planning process.

We appreciate the opportunity to comment on this project. If you have any questions or concerns please contact me at (719) 520-6982.

AIRPORT ADVISORY COMMISSION

Recommends approval with the standard 40:1 Approach Surface avigation easement. See attached comments.

COMPREHENSIVE PLANNING SECTION

CHEROKEE METROPOLITAN DISTRICT

The 106 single-family lots will require a total of 42.4 acre feet per year or about 0.4 acre feet of water per each lot per year. The commercial land would require about 10 acre feet per year. The 52 acre feet will be allocated to the Cimarron Hills Areas as defined by the State Engineers Office.

EMERGENCY 911

The following street names are in use elsewhere in the county and are not approved:
Rocky Mountain Rd.
Buffalo Plains Ct
Feather Reed Rd.
Chenoa Ct.

Agencies having no comment or no objections:
El Paso County Soil Conservation Service

Other agencies notified, their comments will be provided at the meeting if available:
Falcon School District 49
Falcon Fire Department
Regional Building Department
City of Colorado Springs

PLANNING DIVISION COMMENTS:

- 1) This proposed Preliminary Plan is in conformance with the proposed Jessica Heights PUD Development Plan, PUD-03-008, on this same agenda. Staff has recommended changes to the Jessica Heights Development Plan and these same changes would have to be reflected in this Preliminary Plan. Please see the staff comments for PUD-03-008.

Staff is recommending that this request be continued for the same reasons that were given for PUD-03-008. This request can not be approved if PUD-03-008 is not approved, as it will not be in conformance with zoning unless the zoning is changed.

- 2) If the staff recommendations for the PUD Development Plan are approved, then the main Preliminary Plan changes would be:
 - A. All lots would be brought up to a minimum of 6,000 square feet.
 - B. The southern half of the residential area west of Jessica Blvd. would be considered for redesign with a cul-de-sac rather than a through street.
- 3) The Planning Staff has no objection to the waiver as it applies to Chenoa Ct. The actual number of lots involved in the waiver, under the current plan, would be 18.
- 4) If the concurrently PUD zone change request is approved, staff recommends contingent approval of this request, subject to similar contingencies, if applicable. In the event the action on the previous item is either to continue or deny, a similar action should be taken with respect to this request.

ENCLOSURES:

Location Map
Letter of Intent
Plat
Waiver Requests

El Paso County Parcel Information

Parcel Number: 5405000011; 013; 015; 016; 028; 029

File Name: SP-03-013

Parcel Address: 0 05-14-65

Zone Map No.: 542.05

Parcel Owner: P & J GROUP LTD

Parcel Owner 2: C/O EQUITY REALTY

Parcel Owner 3: ATTN DANNY MIENKA

Owner Mailing Address: 90 S CASCADE AVE STE 1500, COLORADO SPRINGS, CO 80903



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Please report any discrepancies to:
 El Paso County GIS/Mapping
 325 S. Cascade
 Colorado Springs, CO 80903
 (719)520-6523

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September 3, 2003



LETTER OF INTENT
Preliminary Plan

RECEIVED

APR 20 2004

PLANNING DEPARTMENT

- SUBDIVISION NAME:** Jessica Heights
- OWNER/APPLICANT AND CONSULTANT, INCLUDING ADDRESSES AND TELEPHONE NUMBER:** Equity, 90 S. Cascade Ave., Ste. 1500, Colorado Springs, CO 80903 (attn: Danny Mientka, 719-475-7621), Natural Design Solutions, Castle Rock, CO 80104 (719-660-9984).
- REQUEST AND JUSTIFICATION:** PUD Zone Change
- EXISTING AND PROPOSED FACILITIES, STRUCTURES, ROADS, ETC.:** Existing roads – Constitution Blvd. (120' ROW) and proposed Jessica (80' ROW). Proposed residential streets are designed with a (50' row) connecting to Jessica.
- WAIVER REQUESTS (IF APPLICABLE) AND MODIFICATION OF DESIGN STANDARDS JUSTIFICATION:** See attached for intersection spacing waiver. Residential building height: 35' maximum (to provide design flexibility). Front and back yard setbacks - minimum of 20' (to provide staggered building envelope flexibility). Maximum lot coverage: 35% (To ensure that houses on smaller lots are ensured enough room for a deck envelope).
- THE PURPOSE AND NEED FOR THE CHANGE IN ZONE CLASSIFICATION:** Change from 'M' and 'PBP' to PUD residential. The PUD Zone provides diversity and flexibility in planning applications. The PUD zone will allow this development to successfully merge commercial and residential uses.
- TOTAL NUMBER OF ACRES IN THE REQUESTED AREA:** 34 +/-Acres
- TOTAL NUMBER OF RESIDENTIAL UNITS AND DENSITIES FOR EACH DWELLING TYPE:** 102 Units/ 4.40 du/acre.
- NUMBER OF INDUSTRIAL OR COMMERCIAL SITES PROPOSED:** (2) Commercial sits are planned for this development. 5+/- acres of proposed church and day care and/or county approved PBP uses are proposed on the northwest section of the site and 5+/- acres of commercial/retail and/or county approved PBP uses are proposed for the northeast section of the site.
- APPROXIMATE FLOOR AREA RATION OF INDUSTRIAL AND/OR COMMERCIAL USES:** n/a. Commercial areas designed yet.
- NUMBER OF MOBILE HOME UNITS AND DENSITIES:** n/a
- TYPICAL MIN. LOT SIZE: (Length and width):** 50' X 100' (typical)
- APPROXIMATE ACRES AND PERCENT OF LAND TO BE SET ASIDE AS OPEN SPACE, NOT TO INCLUDE PARKING, DRIVE, AND ACCESS ROADS:** Fees are offered in lieu of land. The developer, planning department, and school district 49 will come up with a fee this is fair for all parties involved.
- TYPE OF PROPOSED RECREATIONAL FACILITIES:** An existing neighborhood county park located to the west of the site and is accessed from Palmer Park Blvd. Proposed 7.0 acres park provided south of this site.

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- **IF PHASED CONSTRUCTION IS PROPOSED, HOW WILL IT BE PHASED?**
The residential development east of Jessica Road will be constructed in phase 1 (2004-5). The residential development west of Jessica Road will be phase 2 (2006). The commercial properties will be developed as demand builds for the proposed uses or noted per PUD/Rezone Plan.



Natural Design Solutions, Inc

142 Sugar Plum Way
Castle Rock, CO 80104

RECEIVED

MAY 28 2004

PLANNING DEPARTMENT

May 25, 2004

El Paso County Planning Department
ATTN: Barry Holmes
27 E. Vermijo Avenue
Colorado Springs, CO 80903-2088

RE: Waiver Request

Waiver Request: Number of Units on a Cul-de-sac

Proposal Name: Jessica Heights Preliminary Plan

County Code:

**EL PASO COUNTY
LAND DEVELOPMENT CODE**

Chapter V - Section 49.2

Approved Performance Standards

Access to areas containing in excess of ten (10) units must be by through street or loop street. Cul-de-sacs or dead-end streets are acceptable only upon specific approval of the Board of County Commissioners and should not exceed a total density of ten (10) dwelling units per street.

Proposed Design and Justification: Rocky Mountain Road will extend east to the proposed school site. Another access from Wilshire will provide access from the south. We exceed the amount of lots required on a non-through roadway, however we request a waiver to allow nineteen (19) lots on a non-through roadway. The extension of Rocky Mountain Road will improve fire access. Lots adjacent to Jessica Heights Boulevard are not counted, for fire prevention will access these lots from Jessica Heights Boulevard.

Proposed Waivers: We request a waiver to allow the proposed nineteen (19) lots as described above.

Thank you for your consideration.

Regards,

Matt Spidell, MBA, CCASLA
President

303.663.7885 ph
720.733.0488 fx

Naturaldesign2@msn.com

Land Planning ♦ Landscape Architecture ♦ Irrigation Systems Design

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