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COLORADO

HOLLY WILLIAMS  
STAN VANDERWERF  
LONGINOS GONZALEZ, JR.

## PLANNING & COMMUNITY DEVELOPMENT

**TO:** El Paso County Planning Commission  
Thomas Bailey, Chair

**FROM:** Lekishia Bellamy, Planner I  
Edward Schoenheit, Engineer I  
Meggan Herington, AICP, Executive Director

**RE:** Project File Numbers: SP231  
Project Name: Hay Creek Preliminary Plan  
Parcel Nos: 7100000267, 7100000268, 7100000269, 7100000270 7133000001,  
& 7133007014

OWNER:	REPRESENTATIVE:
O M Fitzgerald 2855 Hay Creek Rd Colorado Springs, CO 80255	Matrix Design Group, Inc. Jason Alwine (719) 457-5609

**Commissioner District: 3**

<b>Planning Commission Hearing Date:</b>	<b>9/21/2023</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>10/12/2023</b>

### EXECUTIVE SUMMARY

A request by View Homes, Inc., for a Preliminary Plan for the Hay Creek Valley Subdivision to create twenty new single-family lots and three tracts. The site is 214.62 acres, zoned RR-5 (5-acre minimum lot size), and is located south of the Town of Monument, adjacent to Hay Creek Road. The property is currently improved with a single-family residence, which will remain on a lot in the western portion of the project.

A finding of water sufficiency for water quality, quantity, and dependability is not requested at this time.

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## **A. WAIVERS/ /AUTHORIZATION**

### **Waiver(s):**

A waiver of Section 8.4.4.C of the LDC is requested. More specifically, the modification will allow for private roads to be built in lieu of public roads for the subdivision. The private roads are proposed to be built to County standards with the exception of the proposed ECM modifications and are proposed to be maintained and owned by the Homeowner's Association (HOA).

A waiver of Section 6.3.3.C of the LDC is requested. More specifically, it will allow for one access point where two access routes is required. The Monument Fire District has agreed to the following request.

## **AUTHORIZATION**

**Authorization to Sign:** There are items requiring a signature associated with this request. Approval by the Board of the Preliminary Plan without a finding of sufficiency for water quality, quantity, and dependability requires subsequent Final Plat(s) approval by the Board of County Commissioners.

## **B. APPROVAL CRITERIA**

In approving a Preliminary Plan, Section 7.2.1.D.2 of the El Paso County Land Development Code (as amended), states the BoCC shall find that:

- 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 the 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 (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval);
- 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 the 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 the 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-of-way or recorded easement, acceptable to the County in compliance with the 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 fire 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 the Code.

### C. LOCATION

North:	PUD (Planned Unit Development)	Single-family Residential
South:	USAFA	Government Federal
East:	A-35 (Agricultural)	Agricultural
West:	RR-5 (Residential Rural)	Single-family Residential

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## D. ANALYSIS

### 1. Land Development Code Compliance

The land use of the northern boundary is zoned PUD (Planned Unit Development) Single-family, and the western boundary, which is zoned RR-5, is single-family residential homes consistent with the proposed Preliminary Plan. The eastern boundary is zoned A-35, and its land use is agricultural grazing. The property's southern boundary is the United States Air Force Academy (USAFA).

USAFA has reviewed the proposed Preliminary Plan and has stated that an aviation easement needs to be recorded with the subsequent Final Plat(s) and a copy of the recorded document be provided to the USAFA Community Planner. Additionally, the following note has been requested to be depicted on subsequent Final Plat(s):

"USAFA also asks the County to request the developer include this note on the final property plat maps and covenants to provide full disclosure of nearby training operations at any future time of sale or lease:

*Notice: This property may be impacted by noise and other similar sensory effects of United States Air Force (USAFA) land-based cadet training, small arms, and light weapons firing, and of flight caused by aircraft both in (USAFA's) Airmanship Program and during special events. This notice shall remain in effect until the Air Force Academy shall cease to be used for land-based and, flight training purposes, or until all training areas and airports on the Air Force Academy shall cease to be actively used. This notice shall run in perpetuity with the land."*

Staff has added a condition to the approval of the Preliminary Plan that requires the developer ensure that all easements and notes requested by the USAFA are addressed at the final plat stage.

### 2. Zoning Compliance

The proposed Preliminary Plan includes 20 new lots, and one existing single-family residential parcel will be platted. Resulting in a density of less than 0.1 DU/acre. The lots will range from 5.5 to 17 acres and comply with the El Paso County Land Development Code Chapter 5.4 density and dimensional standards of RR-5 Zoning.



## E. MASTER PLAN COMPLIANCE

### 1. Your El Paso County Master Plan

#### a. Placetype Character: Large-Lot Residential

*The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and wastewater utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) The overall density is at least 2.5 acres/lot, 2.) The design for development incorporates conservation of open space, and 3.) It is compatible with the character of existing developed areas.*

*Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.*

#### **Recommended Land Uses:**

##### Primary

*Single-family Detached Residential (typically 2.5-acre lots or larger)*

##### Supporting

- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Agriculture*

**Analysis:** As per the proposed Preliminary Plan, the location falls under the large-lot Residential placetype. The plan aims to create lots that range from 5.5 to 17 Acres, which aligns with the primary use of the placetype. Some of the relevant goals and objectives are as follows:

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**Goal 1.3** – Encourage a range of development types to support a variety of land uses.

**Objective LU3-1** – Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.

**Objective HC2-6** – Continue to carefully analyze each development proposal for their location, compatibility with the natural environment, and cohesion with the existing character.

**b. Military: USAFA**

*The proposed Preliminary Plan is within a U.S. Air Force Academy (USAFA) Buffer. The Air Force Academy is to the northwest of Colorado Springs. Its core mission as an institution of higher learning is to lead cadet military training and Airmanship education for 4,400 cadets each year who should become officers in the U.S. Air Force. Ground Operations El Paso County should coordinate on land use development projects north of the Air Force Academy to ensure compatibility with the activities that regularly occur within Jack's Valley, an outdoor training complex and small arms training range.*

**Analysis:** The Preliminary Plan being proposed is situated in an area that will be affected by the USAFA training. However, there has been consistent coordination with the USAFA Community Planner throughout the review process to ensure that the development in conjunction with military installations does not hinder their mission and promotes growth. Some of the relevant goals and strategies are outlined below:

**Objective LU1-2** – Continue to partner with all of the military installations to maintain compatible use transitions and buffers adjacent to each installation through open space protection and site-specific development restrictions.

**Goal 3.5** - Coordinate with military installations to foster new development that is compatible with installations and create new jobs.

**Goal 6.1** - Support compatible land uses within and in close proximity to bases and associated facilities.

## **F. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

Based on the Geologic Hazard Evaluation and Preliminary Geotechnical Investigation report prepared by COLA, LLC on December 27, 2022, no hazards have

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been identified in the development area that would hinder development if mitigation measures are taken. The applicants have depicted the following notes on the Preliminary Plan:

**Geology Statement:**

*"1. A "Geologic Hazards Evaluation and Preliminary Geotechnical Investigation", Hay Creek development, El Paso County, Colorado" (CTL | Thompson, dated December 27, 2022) is included with the submittal package.*

*2. There are no significant geological hazards; however, the potential for geologic hazards or constraints includes expansive near surface soils and bedrock, soils susceptible to erosion, steep slopes, and flooding. Regional geologic conditions that impact the site include seismicity and radioactivity. These geological conditions can be mitigated with engineering design and construction methods commonly employed in this area. If the previously listed potential geological hazards are found to exist, an evaluation shall be performed at the time of final geotechnical investigation for those individual lots.*

*3. The following lots (1-20) have been found to be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the report Geologic Hazards Evaluation and Preliminary Geotechnical Investigation Hay Creek Development by CTL | Thompson in file SP231 available at the El Paso County Planning and Community Development Department:*

*☐ downslope creep*

*☐ rockfall source*

*☐ rockfall runout zone*

*☐ potentially seasonally high groundwater*

*☐ other hazards: expansive soils & bedrock, soils susceptible to erosion, steep slopes, and flooding.*

*4. Where significant cuts and/ or site grading are planned along the slope for lots 1 through 9, evaluation of the cut slope, new site grading and retaining wall/foundation wall construction should be performed that includes stability analysis. Slope evaluation will need to include the elevation of temporary cuts, if performed, and permanent wall conditions, including slope analysis may impact the proposed residence foundation."*

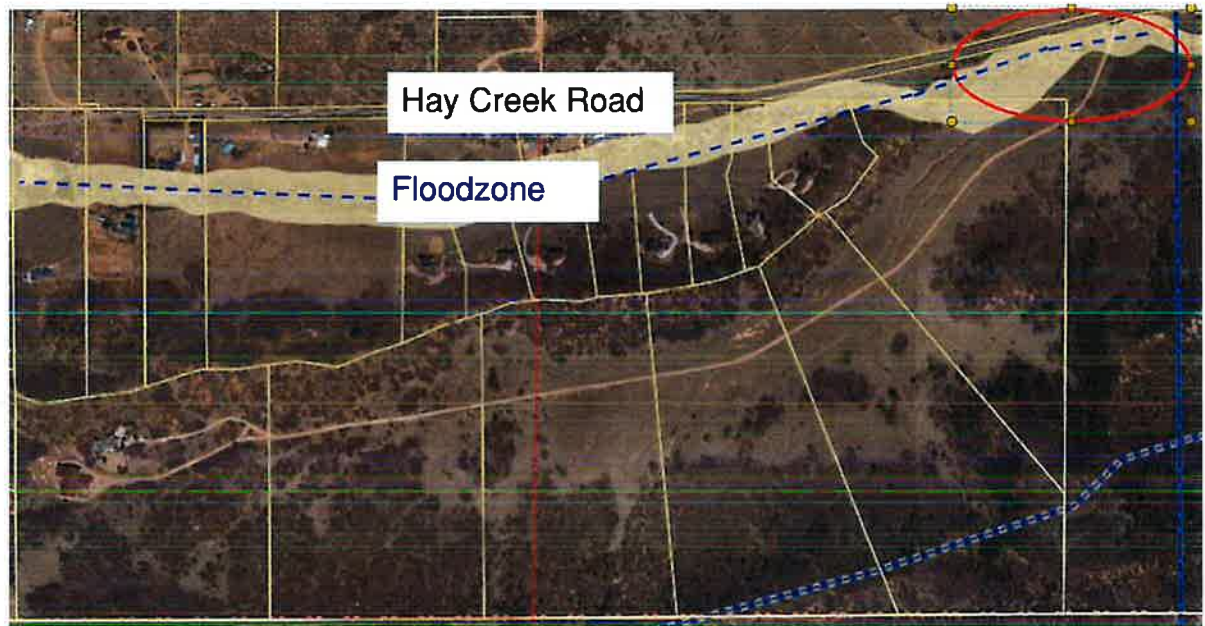
**2. Floodplain**

The majority of the six parcels that comprise the development area are not located within a floodplain as determined by a review of the Federal Insurance Rate Map panel number 08041C0267G, effective December 7th, 2018. The parcels located outside the floodplain area are located in Zone "X" an area of minimal flood hazard determined to be outside the 500-year flood zone. The northeastern section of



the development as shown in Exhibit 1 is located in a Zone A floodplain area. This parcel area will be designated as a tract and will not have any platted lots.

Exhibit 1.



### 3. Drainage and Erosion

The property is located in the Beaver Creek drainage basin and the Air Force Academy drainage basin. Beaver Creek drainage basin fees will be assessed at the time of final plat approval. Beaver Creek has no current bridge fees. The Air Force Academy drainage basin has no drainage or bridge fees. A Master Drainage Development Plan (MDDP) and Preliminary Drainage Report have been submitted with the application. No public drainage improvements are proposed. A private detention basin pond has been proposed as part of the drainage plan for the development.

### 4. Transportation

The property is located off Hay Creek Road, which is a County maintained, paved, rural major collector road. Access to Hay Creek Road will be via a private, paved, local, two-lane rural road with a dead-end cul-de-sac meeting Engineering Criteria Manual and Fire District design requirements with approved deviations. Access to Hay Creek Road is also enabled by a recorded access easement agreement with an adjoining property owner. A Traffic Impact Memorandum was completed for the planned development. The development is expected to generate approximately

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218 daily trips to the surrounding road network. No off-site public road improvements are proposed with the development. County Road Impact Fees will be applicable as approved by Resolution 19-471(as amended) and will be assessed at the time of building permit. Developer shall submit a Traffic Impact Study analysis with the Final Plat submission that addresses all private road design parameters to meet approved deviations. Road sections outside of the private access easement shall meet applicable ECM standards.

**5. Deviations:** The applicant is requesting the following deviation(s) of the Engineering Criteria Manual (ECM)

- a. The applicant requests a deviation from section 2.3.8. "A-Cul-de-sac shall only be used where absolutely necessary. Cul-de-sacs shall have a minimum radius of 50 feet and a maximum length of 1,600 feet for rural conditions and be designed in conformance with Figure 2-31 of the ECM".

ECM Administrator Recommendation: The deviation has been approved by the ECM Administrator. The nature of the topography, floodplain, and adjacent parcels around the planned subdivision does not support access from multiple points to Hay Creek Road. Therefore, the single access road with a length of approximately one (1) mile in length would need to terminate in a cul-de-sac. The existing roadway is to be improved by widening, paving, and the addition of a cul-de-sac with a 50 ft radius to accommodate large emergency vehicles. An endorsement letter was provided by the Monument Fire District dated April 10, 2023, for one point of access and one cul-de-sac.

- b. A deviation from the standards of section 2.3.2 of the ECM is requested. The private road centerline radius and road alignment angle cannot not be fully met for a section of the road that lies within a private access easement. A ¼ mile portion of the private existing dirt access driveway that runs between the Hay Creek Valley property and Hay Creek Road (public) is not owned by the Hay Creek Valley Subdivision. The adjacent property owner is not willing to grant any additional access easement and therefore the intersection of the existing roadway with Hay Creek Road is proposed to remain in its current location. Due to the confines of the existing 60' ingress-egress easement, a 300' centerline radius cannot be achieved. Road Design Standards by Functional Classification Section 2.2.4 of the ECM identifies the Roadway Functional Classifications

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recognized and used by the County. Table 2-4 through Table 2-7 summarizes the minimum roadway design standards by category and functional classification. Detailed Road Standard Drawings are provided in Appendix F. Table 2.5 of the ECM states that the minimum centerline radius for a rural local roadway shall be 300'. Section 2.3.7.C of the ECM states that the intersection alignment angle of crossing roadways shall intersect at 90 degrees whenever possible. In no case shall roadways intersect at less than 80 degrees or more than 100 degrees.

ECM Administrator Recommendation: The deviation has been approved by the ECM Administrator. Improvements will be made to that portion of the roadway including adjusting the intersection angle of the private road and Hay Creek Road to within 10 degrees of 90, widening and paving and removing any obstruction to ensure a line of sight at the intersection that meets ECM standards. Conditions of approval for this deviation were as follows: Deviation only applicable to the road curves located in the existing offsite access easement as described above. All other road curves not in the access easement must be revised to meet ECM criteria. The Final Plat Traffic Impact Study submission must address required mitigation necessary due to the reduced design centerline radius to include reduced speed limits and additional advisory signage at road curves. The mitigation measures will be reviewed at the time of Final Plat to ensure they have been met.

- c. A deviation from the standards of section 2.3.3.D.2 (Horizontal Alignment-Superelevation) of the Engineering Criteria Manual. "Superelevation is not permitted on roadways with design speeds less than 50 MPH". A 2% superelevated road is requested due to the existing topography and drainage patterns of the proposed subdivision design.

ECM Administrator Recommendation: This deviation is under review by the ECM Administrator until the Traffic Impact Study and private road construction drawings are submitted with the Final Plat.

## **G. SERVICES**

### **1. Water**

At this current stage, the proposed water source will be from a well, but there is no water sufficiency available. The developer has decided to wait until the Final Plat application to submit the water sufficiency.

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## **2. Sanitation**

Septic will serve as the sanitation service. Septic tanks and leech fields will be installed on each lot.

## **3. Emergency Services**

The property is within the Monument Fire District. The district was sent a referral and stated that "All work or fire mitigation as outlined/described within the wildfire report should be completed before the construction of homes begins."

## **4. Utilities**

Electrical service is provided by Mountain View Electric Association (MVEA). Black Hills Energy will provide Natural Gas. The agencies were sent a referral and have no outstanding comments.

## **5. Schools**

The site is within the boundaries of Lewis-Palmer School 38. Fees in lieu of school land dedication are applicable to subdivisions.

## **H. STATUS OF MAJOR ISSUES**

No major issues remain.

## **I. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (as amended), staff recommends the following conditions and notations:

### **CONDITIONS**

1. 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 Division of 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 species.
2. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide

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Transportation Improvement Fee Resolution (Resolution 19-471), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

3. A finding of water sufficiency for water quality, quantity and dependability is required with subsequent Final Plat(s) submittals.
4. Developer shall ensure that all forested acres are mitigated to reduce the risk of wildfire, that defensible space is created for each dwelling, and that all wildfire mitigation will be completed before issuance of a building permit.
5. Developer shall ensure that all easements and notes requested by the USAFA are addressed at the final plat stage.

#### **NOTATIONS**

1. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.
2. Preliminary Plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.
3. Modifications to the Preliminary Plan as a result of the final technical design of adjacent roadways shall not require a Preliminary Plan amendment.

#### **J. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 21 adjoining property owners on September 5, 2023, for the Planning Commission. Responses will be provided at the hearing.

#### **K. ATTACHMENTS**

Map Packet  
Preliminary Plan  
Letter of Intent  
USAFA Letter  
Draft Preliminary Plan Resolution

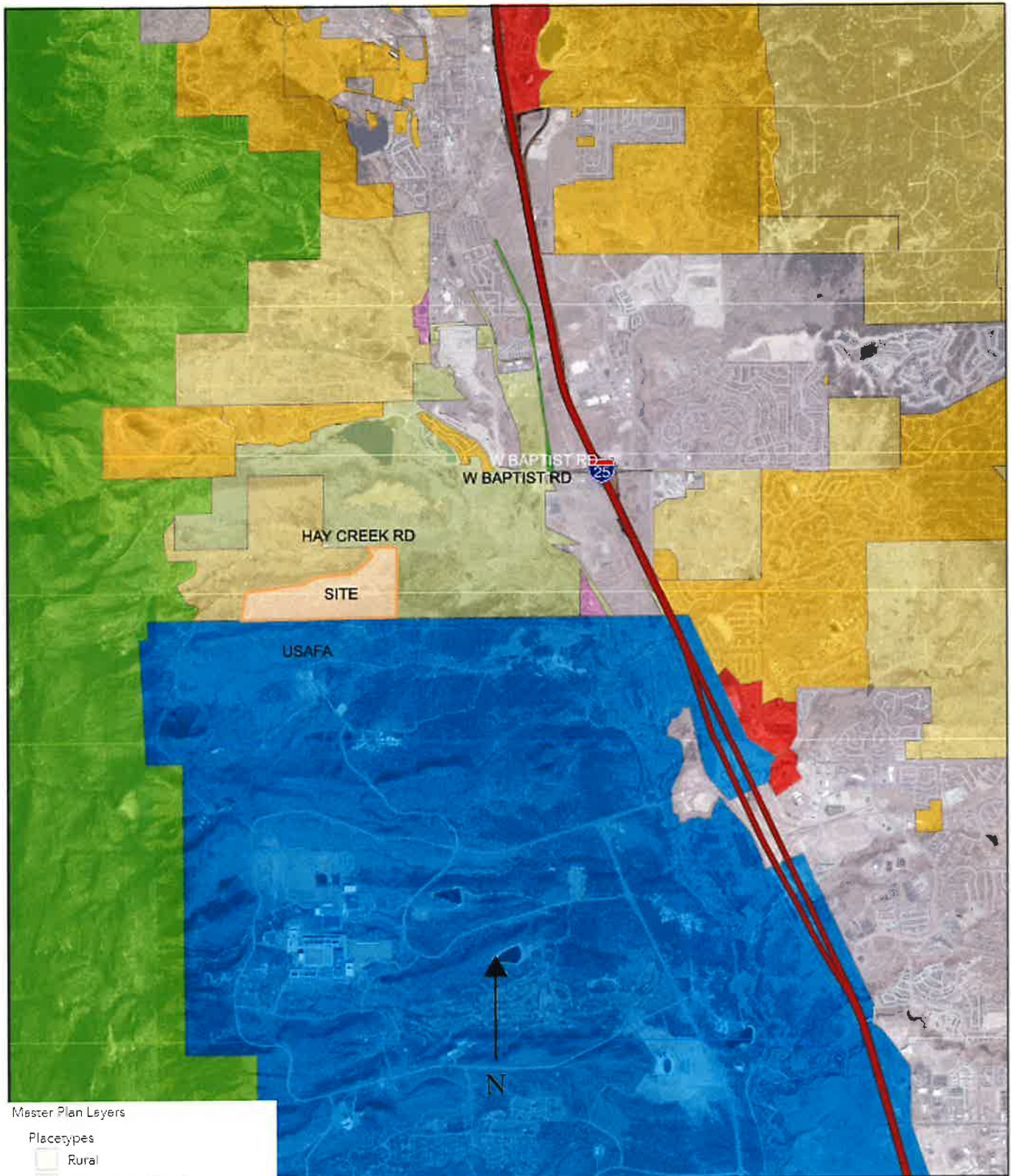
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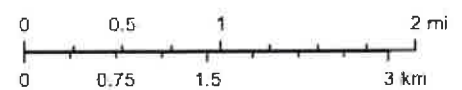
# Hay Creek Valley Place Type



Master Plan Layers

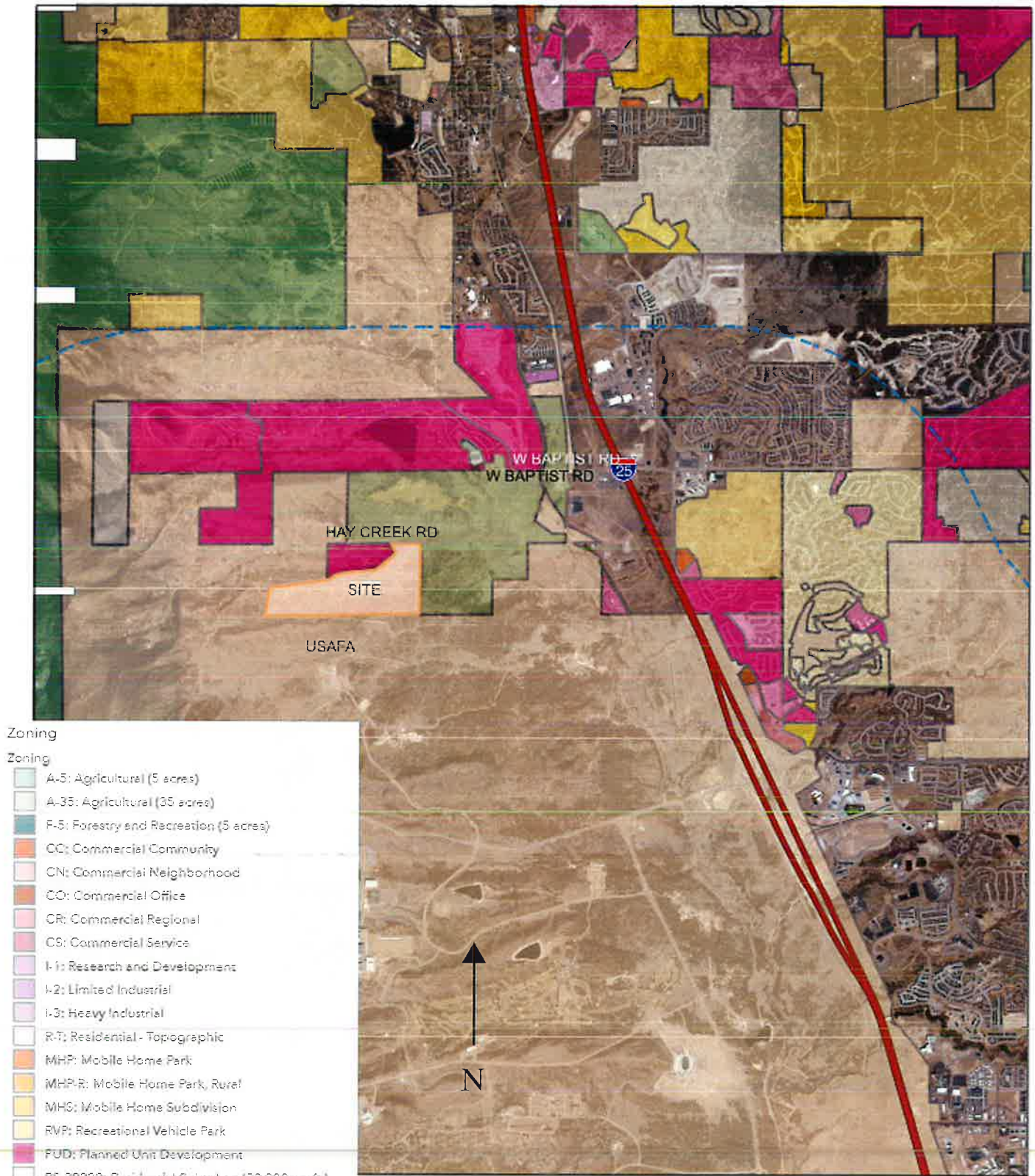
## Placetypes

- Rural
- Large-Lot Residential
- Suburban Residential
- Urban Residential
- Rural Center
- Regional Center
- Employment Center
- Regional Open Space
- Mountain Interface
- Military
- Utility
- Incorporated Area





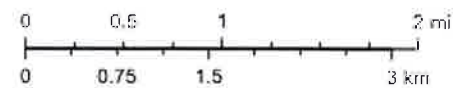
# Hay Creek Valley Zoning /Military Buffer



## Zoning

### Zoning

- A-5: Agricultural (5 acres)
- A-35: Agricultural (35 acres)
- F-5: Forestry and Recreation (5 acres)
- CC: Commercial Community
- CN: Commercial Neighborhood
- CO: Commercial Office
- CR: Commercial Regional
- CS: Commercial Service
- I-1: Research and Development
- I-2: Limited Industrial
- I-3: Heavy Industrial
- R-T: Residential - Topographic
- MHP: Mobile Home Park
- MHP-R: Mobile Home Park, Rural
- MHS: Mobile Home Subdivision
- RVP: Recreational Vehicle Park
- PUD: Planned Unit Development
- RS-20000: Residential Suburban (20,000 sq. ft.)
- RS-6000: Residential Suburban (6,000 sq. ft.)
- RS-5000: Residential Suburban (5,000 sq. ft.)
- RM-12: Residential Multi-Dwelling (12 DU/acre)
- RM-30: Residential Multi-Dwelling (30 DU/acre)
- RR-0.5: Residential Rural (0.5 acres)
- RR-2.5: Residential Rural (2.5 acres)
- RR-5: Residential Rural (5 acres)
- C-1: 77 Commercial
- C-2: 77 Commercial
- M: 77 Industrial
- R-4: 77 Planned Development



..... Military Buffer





SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11  
SOUTH RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO



TOTAL LENGTH OF ROAD: 3134.31F  
TOTAL AREA OF ROW & TRACT OBLIGATING & PROPOSED: 7.41 ACRES  
TOTAL AREA PAVED SURFACE ON ROAD: 3.91 ACRES  
ROAD NAME AND CLASSIFICATION: WHITE BEAR POINT (PRIVATE) ROAD  
SURFACE MATERIAL: ASPHALT  
DESIGN SPEED FOR LOCAL RURAL: 30 MPH

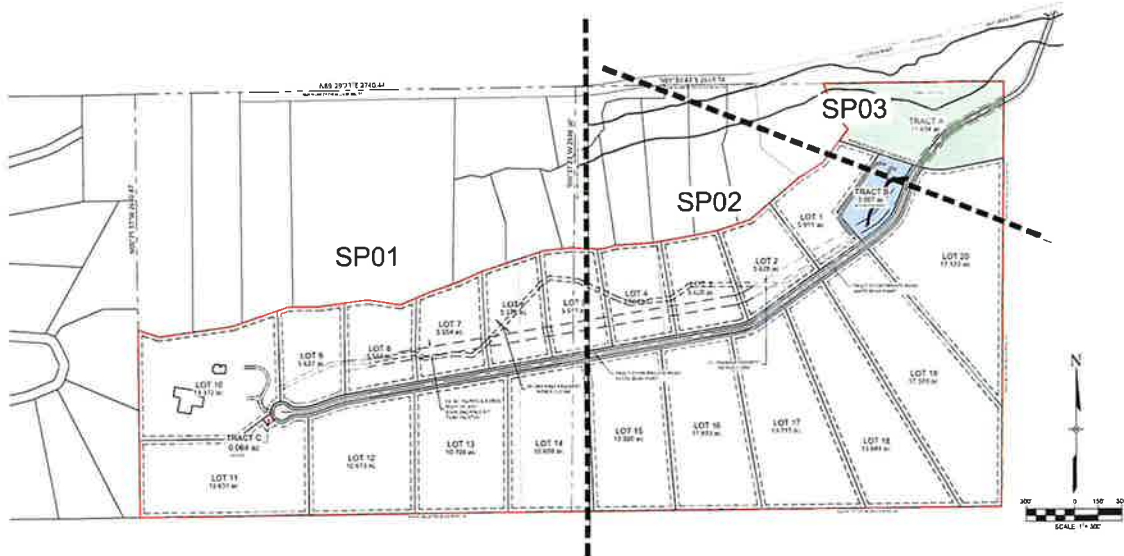


# HAY CREEK VALLEY

EL PASO COUNTY, COLORADO

## PRELIMINARY PLAN

SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11  
SOUTH RANGE 87 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO

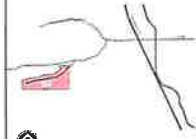


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**VIEW HOMES, INC.**  
1010 10th Street, Suite 100  
El Paso, Texas 79901  
Phone: (915) 763-1111  
Fax: (915) 763-1112

DATE: 07/01/2023

PROJECT: 000000



**HAY CREEK VALLEY SUBDIVISION  
PRELIMINARY PLAN**

EL PASO COUNTY, CO  
JULY 2023

NO.	DATE	DESCRIPTION	BY
1	07/01/2023	PRELIMINARY PLAN	SP
2	07/01/2023	PRELIMINARY PLAN	SP

TRACT A	11.429 ac
TRACT B	11.429 ac
TRACT C	11.429 ac
TOTAL	33.287 ac

**TRACT MAP &  
SHEET INDEX**

**GN02**

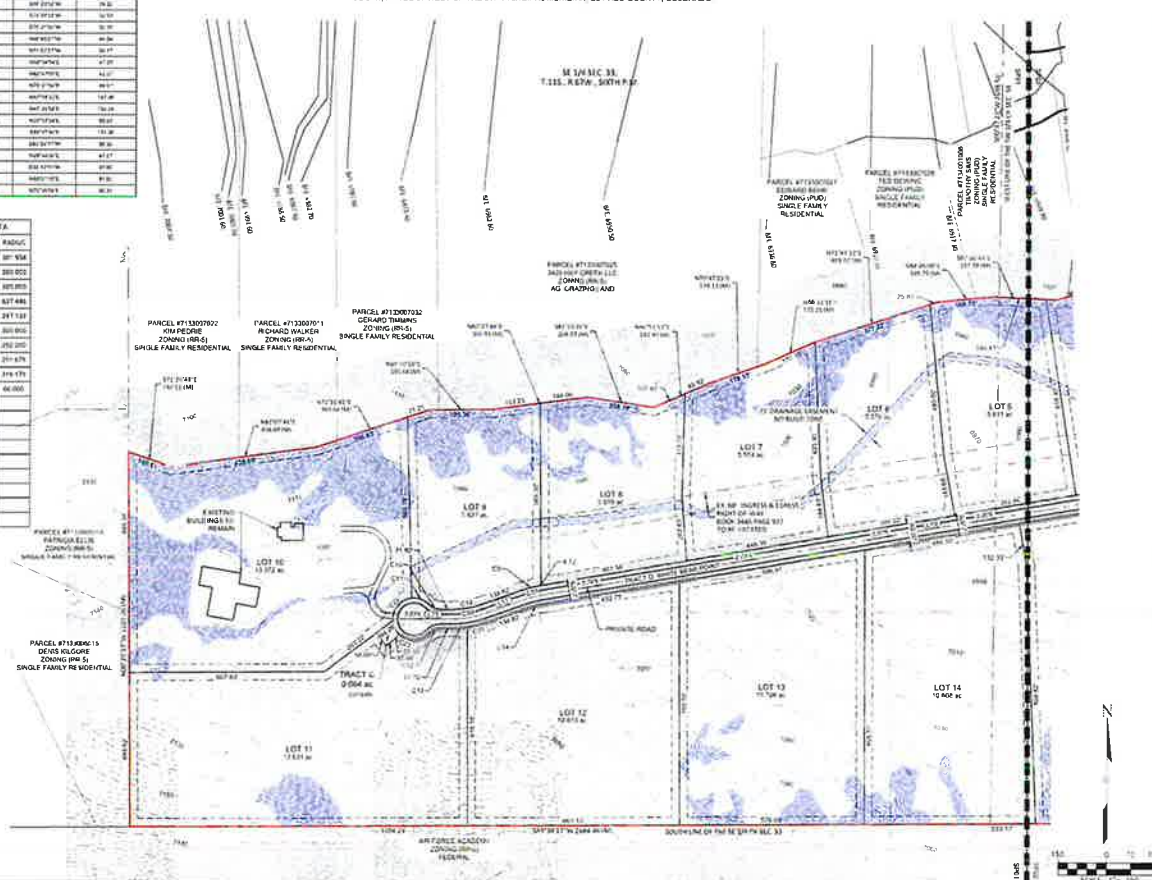
**SHEET 03 OF 06**

DATE: 07/01/2023

CENTERLINE CURVE AND LINE DATA			
LINE/CURVE	STATION	BRITISH TOWNSHIP	RADIUS
C30	93+86.66	181.1311	801.358
C31	51.18	228.7784	283.023
C32	116.27	525.8358	105.053
C33	151.172	415.7817	637.446
C34	92+46	116.0376	291.133
C35	97.446	116.9318	300.065
C36	121.568	102.1681	170.203
C37	136.863	211.6711	310.676
C38	46+001	108.6761	116.173
C39	27.874	104.2523	46.000
L30	52+276	9497.47 307.50%	
L31	73.637	9127.22 300.00%	
L32	108.937	9111.44 300.00%	
L33	131.728	9207.23 273.1%	
L34	168.742	9106.36 263.3%	
L35	193.308	9174.43 267.5%	
L36	221.421	9166.46 272.0%	
L37	262.99	9247.18 287.0%	

**HAY CREEK VALLEY**  
EL PASO COUNTY, COLORADO  
**PRELIMINARY PLAN**

SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11  
SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO



**Matrix**

2115 DELTA ARCH PARKWAY SUITE 400  
FOLDFORD, WISCONSIN 53120  
Phone: (715) 734-1100  
FAX: (715) 734-0009

**VIEW HOMES, INC**

517 NEEDLE CREEK PARKWAY SUITE 400  
COLUMBUS, INDIANA 47201  
CLIENT PHONE: (715) 734-4883

PROJECT  
HAY CREEK VALLEY SUBDIVISION  
PRELIMINARY PLAN  
EL PASO COUNTY, CO  
JULY 2023

№	№ п/л	Содержание	В
1	№ 1-10	Получение и обработка информации	1
2	№ 11-20	Обработка информации	2
3	№ 21-30	Обработка информации	3
4	№ 31-40	Обработка информации	4
5	№ 41-50	Обработка информации	5
6	№ 51-60	Обработка информации	6
7	№ 61-70	Обработка информации	7
8	№ 71-80	Обработка информации	8
9	№ 81-90	Обработка информации	9
10	№ 91-100	Обработка информации	10

## PRELIMINARY PLAN

SP01

SHEET 04 OF 06



SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34 TOWNSHIP 11  
SOUTH RANGE 87 WEST OF THE 6TH PRINCIPAL MERIDIAN EL PASO COUNTY, COLORADO.

**LEGEND**

NO BUILD ZONE  
(SLOPE GREATER  
THAN 2% OR 5%)



# HAY CREEK VALLEY

EL PASO COUNTY, COLORADO

## PRELIMINARY PLAN

SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11  
SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN EL PASO COUNTY, COLORADO

### LEGEND

NO ROAD DONE  
(SLOPE GREATER  
THAN 25.99%)

### PARCEL LINE CURVE DATA

CURVE #	ARC LENGTH	CHORD	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	27.95	48.44	92.50°	S84°41'25"W	55.10
C2	11.50	17.01	102.00°	S84°41'25"W	21.28
C3	12.75	17.75	107.00°	S87°34'25"W	24.45
C4	12.75	17.75	107.00°	S89°10'00"W	24.45
C5	12.75	17.75	107.00°	S87°34'25"W	24.45
C6	12.75	17.75	107.00°	S84°41'25"W	21.28
C7	12.75	17.75	107.00°	S84°41'25"W	21.28
C8	12.75	17.75	107.00°	S84°41'25"W	21.28
C9	12.75	17.75	107.00°	S84°41'25"W	21.28
C10	12.75	17.75	107.00°	S84°41'25"W	21.28
C11	12.75	17.75	107.00°	S84°41'25"W	21.28
C12	12.75	17.75	107.00°	S84°41'25"W	21.28
C13	12.75	17.75	107.00°	S84°41'25"W	21.28
C14	12.75	17.75	107.00°	S84°41'25"W	21.28
C15	12.75	17.75	107.00°	S84°41'25"W	21.28
C16	12.75	17.75	107.00°	S84°41'25"W	21.28
C17	12.75	17.75	107.00°	S84°41'25"W	21.28
C18	12.75	17.75	107.00°	S84°41'25"W	21.28
C19	12.75	17.75	107.00°	S84°41'25"W	21.28
C20	12.75	17.75	107.00°	S84°41'25"W	21.28
C21	12.75	17.75	107.00°	S84°41'25"W	21.28
C22	12.75	17.75	107.00°	S84°41'25"W	21.28
C23	12.75	17.75	107.00°	S84°41'25"W	21.28
C24	12.75	17.75	107.00°	S84°41'25"W	21.28
C25	12.75	17.75	107.00°	S84°41'25"W	21.28
C26	12.75	17.75	107.00°	S84°41'25"W	21.28
C27	12.75	17.75	107.00°	S84°41'25"W	21.28
C28	12.75	17.75	107.00°	S84°41'25"W	21.28
C29	12.75	17.75	107.00°	S84°41'25"W	21.28
C30	12.75	17.75	107.00°	S84°41'25"W	21.28

### CENTERLINE CURVE AND LINE DATA

LINE	CURVE	STATION	CHORD	CHORD BEARING	CHORD LENGTH
C50	100.855	87°18'32"	201.816		
C51	51.164	82°37'54"	100.816		
C52	130.231	82°37'54"	250.816		
C53	151.122	81°15'38"	327.486		
C54	80.441	81°15'38"	247.132		
C55	37.480	81°15'38"	100.816		
C56	100.855	82°37'54"	201.816		
C57	130.231	82°37'54"	250.816		
C58	151.122	81°15'38"	327.486		
C59	80.441	81°15'38"	247.132		
C60	37.480	81°15'38"	100.816		
C61	100.855	82°37'54"	201.816		
C62	130.231	82°37'54"	250.816		
C63	151.122	81°15'38"	327.486		
C64	80.441	81°15'38"	247.132		
C65	37.480	81°15'38"	100.816		
C66	100.855	82°37'54"	201.816		
C67	130.231	82°37'54"	250.816		
C68	151.122	81°15'38"	327.486		
C69	80.441	81°15'38"	247.132		
C70	37.480	81°15'38"	100.816		



**Matrix**  
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**VIEW HOMES, INC.**  
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 (303) 733-1000

**HAY CREEK VALLEY SUBDIVISION  
PRELIMINARY PLAN**  
 EL PASO COUNTY, CO  
 JULY 2023

NO.	DATE	REVISION	BY
1	7/1/23	INITIALS FOR PRELIMINARY PLAN	SP
2	7/1/23	INITIALS FOR PRELIMINARY PLAN	SP

DRAWN BY: SP  
 CHECKED BY: SP  
 APPROVED BY: SP  
 SCALE: 1" = 150'

**PRELIMINARY PLAN**  
**SP03**  
 SHEET 06 OF 06

**Hay Creek Valley Subdivision  
Letter of Intent  
Preliminary Site Development Plan**

**January 20th, 2023 (REV-3 07/17/2023)**

**PCD File # SP-23-01**



Prepared for:

**View Homes Inc**

555 Middle Creek Parkway, Suite 500  
Colorado Springs, CO 80921

Prepared by:

**Matrix Design Group**

2435 Research Parkway, Suite 300  
Colorado Springs, Co 80920



**Owner/ Applicant:** View Homes, Inc  
555 Middle Creek Parkway, Suite 500  
Colorado Springs, CO 80921  
Office: (719) 382-9433

**Planner/ Engineer:** Matrix Design Group  
2435 Research Parkway, Suite 300  
Colorado Springs, CO 80920  
Office: (719) 575-0100

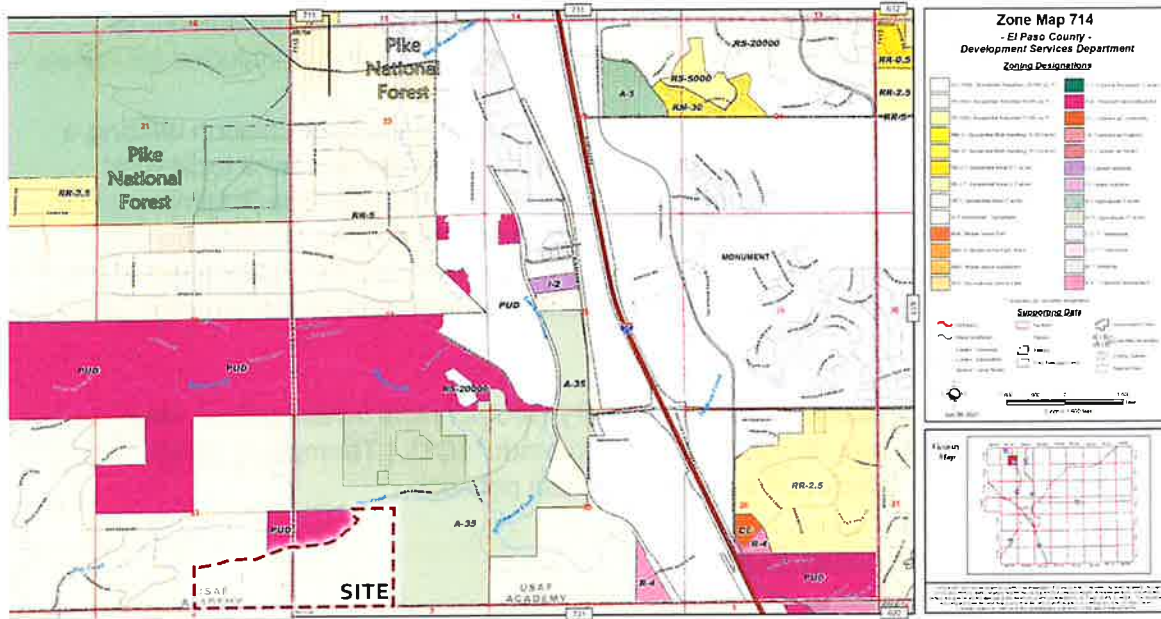
**Tax Schedule No:** 7133007014, 7133000001, 7100000270, 7100000267,  
7100000268, 7100000269

**Site Location, Size, and Zoning:**

Matrix Design Group, on behalf of View Homes, Inc, is respectfully submitting a Preliminary Plan application for the proposed Hay Creek Valley Subdivision project. The site is 214.62 acres located south of the City of Monument in El Paso County adjacent to Hay Creek Road with 20 single-family detached residential lots and 3 tracts proposed. The site is currently zoned RR-5 which shall remain. The site has one single-family residence which shall remain in the western portion of the site. The proposed preliminary plan application submittal includes 6 un-platted existing parcels revised to 20 proposed lots with one of those lots including an existing home to remain on 214.62 acres for a density of <0.1 DU/ Acre and is in compliance with the current RR-5 zoning requirements with the proposed parcels ranging in size from 5.5 to 17 ac.



The site is bordered to the north and west by rural single-family residential parcels, to the south by the Air Force Academy, and vacant land to the east.



### Request & Justification:

The purpose of this application is to request approval of a Preliminary Plan which illustrates the proposed single-family detached rural residential community and open spaces; the necessary width and classification of private roadways; roadway centerline data; and street grades. The plan describes the lot sizes, private road tract, and easements necessary for the development. This application also requests 2 deviations, 2 waivers and deferring a finding for water sufficiency.

- Deviation request #1: Cul-de-sac length greater than 1,600 ft with no mid-way turn around (ECM 2.3.8.A)
- Deviation request #2: Minimum centerline radius less than 300'
- Waiver request #1: Minimum two access points [one provided] (LDC 6.3.3.2.C)
- Waiver request #2: Private road instead of a public roadway (ECM 2.2.4.A.6)
- Deferment on findings of sufficiency of water to run concurrent with the Final Plat process.

The proposed preliminary plan illustrates 19 new and 1 existing single-family residential parcels on 214.62 acres for a density of <0.1 DU/ Acre. The lots range in size from 5.5 acres up to 17 acres. The preliminary plan includes 11.642 acres of total open space and 6.359 acres of new private street right-of-way providing access to the residential units. The open space tract contains the wetland, floodplain, and threatened Preble's meadow jumping mouse habitat which shall remain undeveloped. There is also a 3-acre tract for a stormwater detention facility to capture and treat developed drainage flows.



The single street through the parcel will be a private road and allow private driveway access for all lots. There shall be no direct lot access to any surrounding streets. The private road, White Bear Point, is designed to handle existing and proposed traffic, as well as emergency vehicles, expected within the Hay Creek Valley Subdivision. Due to the small size of the development and limited trip generation, a traffic impact analysis is required for less than 100 trips; however, a trip generation letter was completed as requested by staff to include existing daily counts for this area and is included for review.

The community is designed to provide for functioning automobile circulation utilizing a private rural residential roadway, which will follow the cross-section for a local rural roadway, outlined by El Paso County Engineering Criteria Manual. The Preliminary Plan drawings illustrate 1 phase for the platting of individual lots and the construction of housing. Roadways, drainage, and necessary improvements will be constructed in the most optimal and efficient manner in order to facilitate development construction and sequencing.

A "Geologic Hazards Evaluation and Preliminary Geotechnical Investigation", Hay Creek Valley Development, El Paso County, Colorado" (CTL | Thompson, dated December 27, 2022) is included with the submittal package.

### **Your El Paso County Master Plan**

#### **Baseline Considerations:**

1. *Is there a desirability or demand within the community for this use?*

The proposed Hay Creek Valley Subdivision would help to fulfill the desirability and demand for rural, large-lot housing within El Paso County and near the Town of Monument. As illustrated in the recently approved Master Plan goal 2.2, this project aims to preserve the character of rural living while remaining aware of environmentally sensitive areas through the preservation of habitat for the threatened Preble's meadow jumping mouse.

2. *Does the market support the need for the use? Would the use be viable if built right now?*

There is a high demand in El Paso County and the City of Colorado Springs to provide rural, large lot development options.

3. *Would the use be providing necessary housing or essential goods and/ or services?*

The proposed Hay Creek Valley Subdivision will incorporate more single-family homes to help provide a supply of rural, large lot parcels in this area of the county. The proposed development supports **Goal HC2**: Preserve the character of rural and environmentally sensitive areas by creating no-build tracts preserving existing wetlands and sensitive Preble's Mouse habitat. The Hay Creek Valley Subdivision development is near existing highway I-25; will utilize existing infrastructure to help keep lot cost down; and would be located near an existing commercial activity center which provides numerous job opportunities and access to goods and services.

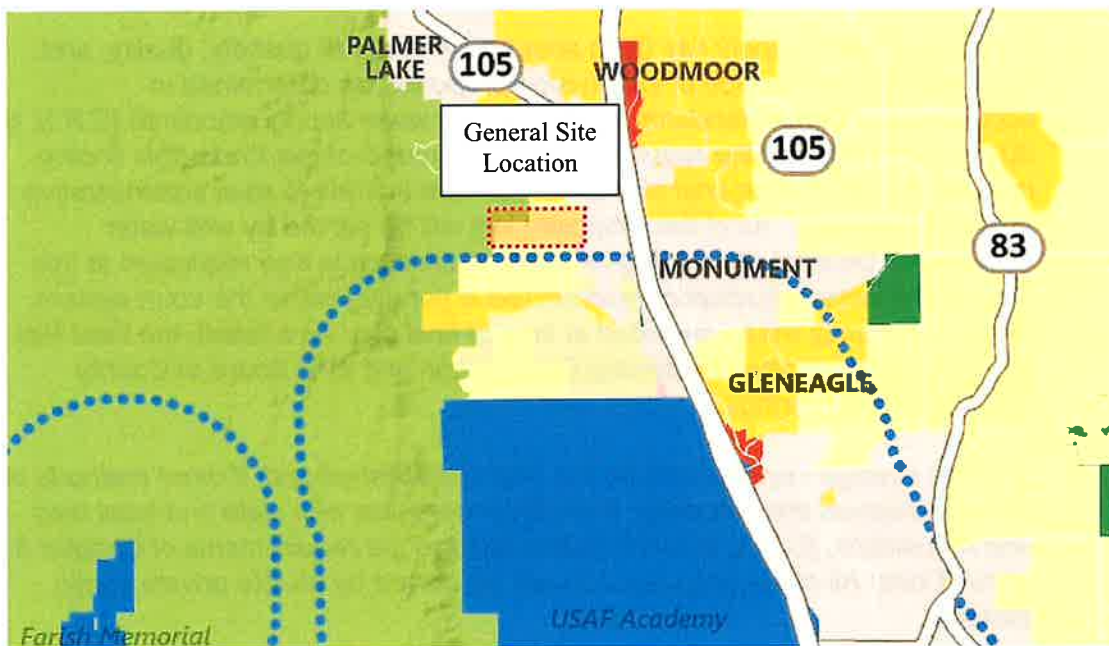
#### County Systems Considerations:

1. *Is there existing infrastructure to which the development can connect? If so, what infrastructure exists? If not, are there existing or proposed plans to extend infrastructure to this area?*

The proposed Hay Creek Valley Subdivision will connect to the existing Hay Creek Road and improve upon the existing gravel roadway by providing a paved private road suitable for the anticipated traffic and emergency vehicle access.

2. *Does the development trigger the need for such infrastructure?*

The proposed development does not trigger the need for a new roadway as the proposed use of one existing residential unit and 19 new residential units proposes a minimal amount of daily traffic.



3. *Does the proposal trigger the need for pedestrian or multimodal connections and are those connections being provided?*

The proposed Hay Creek Valley Subdivision does not require any pedestrian or multi-modal connections in this portion of the county. A rural private roadway, White Bear Point, will be provided and built to El Paso County Standards to connect the development to the existing Hay Creek Road. This supports **Goal TM1** *Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion, and promoting safe and efficient travel.*

#### El Paso County Preliminary Plan Section 7.2.1(D)-2E Approval Criteria

1. *The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan and the new Your El Paso County Master Plan as discussed below. The Hay Creek Valley Subdivision is located within the Large-Lot Residential and Military place types as defined by Your El Paso*

County Master Plan. The plan supports the rural character of the County by providing for a unique and desirable neighborhood within the rolling foothills of the Front Range while also supporting the continuation of similar land uses near a Military base. Large lots with large stands of existing conifer forests will provide a buffer between residential dwellings and military properties.

2. *The subdivision is consistent with the purposes of this Code;* The subdivision is consistent with the purposes of this Code and does not affect the health, safety, or welfare of the general area.
3. *The subdivision is in conformance with the subdivision design standards and any approved sketch plan;* The subdivision is in conformance with subdivision design standards of zoning district RR-5 per the El Paso County Land Development Code.
4. *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 (this finding may not be deferred to final plat if the applicant intends to seek administrative final plat approval);* All of the proposed lots will be served by well water (individual). Deferral of a finding for water sufficiency is also requested at this time as the water adjudication and decree is pending within the court system. Water sufficiency will be provided at time of final plat. As a result, the Final Plat will be required to attend Planning Commission and EPC Board of County Commissioner hearings.
5. *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 of the proposed lots will be served by on-site private septic systems.
6. *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)];* A "Geologic Hazards Evaluation and Preliminary Geotechnical Investigation", Hay Creek Valley Development, El Paso County, Colorado" (CTL | Thompson, dated December 27, 2022) is included with the submittal package. There are no significant geological hazards; however, the potential for geologic hazards or constraints includes expansive near-surface soils and bedrock, soils susceptible to erosion, steep slopes, and flooding. regional geologic conditions that impact the site include seismicity and radioactivity. These geological conditions can be mitigated with engineering design and construction methods commonly employed in this area. If the previously listed potential geological hazards are found to exist, an evaluation shall be performed at the time of the final geotechnical investigation for those individual lots. No build areas have been defined on the preliminary plan



protecting existing steep slopes found onsite to eliminate any potential soil issues.

7. *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; Adequate drainage improvements; complying with State law, this Code and the ECM are proposed and illustrated on the drawings. Due to the size of the lots and use, no onsite water detention is required on individual lots; however, an overall detention pond will be constructed on Tract B to capture developed flows as required.*
8. *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; The location and design of the proposed public improvements are adequate to serve the needs and mitigate the effects of the development. The internal street will be a private road terminating in a cul-de-sac sufficient for large emergency vehicles to turn around. There is no cut-through traffic or additional access beyond the access point provided. The HOA will maintain the roadway.*
9. *Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM; Legal and physical access will be provided to all parcels by recorded easement and private roadways. The private road, White Bear Point, extends off Hay Creek Road which is a public ROW.*
10. *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; The proposed property is compatible with both the existing and allowed land uses on the neighboring properties to the west, north and east consisting of single family rural residential or open space. The new development adds 5.5-acre transition lots to ensure compatibility with the existing rural lots to the north. The new development will be in harmony with the existing surrounding character of the area and natural environment using varying perimeter buffering and provisions for both natural and built open space. While there are no major recreational facilities proposed within the Hay*

Creek Valley Subdivision, the project site will include 11.642 acres of open space in the northeast corner. With the USAFA firing range to the south of the property, large lots with dense existing conifer forests will aid in buffering noise from the range. At this time the USAFA is not requiring any additional buffering or setbacks for the projects.

11. *Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;* All necessary public services will be available to serve the proposed subdivision. Commitment letters for fire, electric, and gas have been provided with this submittal. All of the proposed lots will be on well water and septic tanks. The site will be served via an underground 33,0000-gallon tank for Fire Protection in coordination with the fire district as no municipal water will be provided. More detailed information regarding the necessary services provided for this development has been further illustrated in this LOI.
12. *The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;* The proposed subdivision complies with the fire protection standards of Chapter 6 or items outlined in the Fire Commitment Letter dated 04-10-2023 including water supply, roads, and access. The site will be served via an underground 33,0000-gallon tank as no municipal water will be provided. All the proposed lots will be on well water and septic tanks. A wildlife fire hazard mitigation plan was provided, and recommendations are followed such as thinning of gambel oak understory that presents a ladder fuel risk and regularly mowing grasses to keep them short. In addition, a fire protection district commitment letter to serve this development has been provided.
13. *The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.* The proposed subdivision meets other applicable design standards of Chapter 6 and 8 of this Code. Two deviations and two waivers, as listed above in more detail, are being requested along with a deferral of water sufficiency findings until final plat and included with this submittal.

#### **El Paso County Water Master Plan:**

As the property has no municipal water, all of the proposed lots will be on well water and septic tanks.

In addition, Hay Creek Valley meets the stated Goals and Policies:

- Goal 4.2 – Support the efficient use of water supplies
- Goal 6.1.2 – Promote water conservation

Water conservation is achieved through the use of well water for all proposed lots. The common open space emphasizes water conservation by remaining native. No landscape areas are proposed. The sufficiency of findings for water quality and quantity is being



deferred until time of final plat submission. As a result, the Final Plat will be required to attend Planning Commission and EPC Board of County Commissioner hearings.

**Master Plan for Mineral Extraction:**

The 1996 *Master Plan for Mineral Extraction* updates and supersedes the 1975 *El Paso County Master Plan for Mineral Extraction of Commercial Mineral Deposits* as amended in 1978 and 1982. This updated plan has two primary purposes, the first is to facilitate continued compliance with the mineral resource protection mandates outlined in the "Preservation of Commercial Mineral Deposits Act" of 1973 and the second is to provide guidance to the El Paso County Planning Commission and Board of County Commissioners in evaluating land use proposals involving new or expanded mining and mineral resource processing operations. Per the El Paso County Master Plan for Mineral Extraction Aggregate Resource Maps, this site is identified as 'Mesa Gravel' and 'Stream Terrace Deposit' containing sand and gravel with silt and clay deposited by older streams and slope wash on upland mesas which slope gently from the mountains. The proposed project does not contain any mineral deposits of commercial value.

**Total Number of Residential Units, Density, and Lot Sizes:** 20 Single-Family (1 existing and 19 new) Detached Rural Residential Units for a density of <0.1 DU/ Acre. The site layout includes a mix of residential lot sizes ranging from 5.5 to 17 acres.

**Total Number of Industrial or Commercial Sites:**

There are no industrial or commercial sites proposed with this project.

**Phasing Plan and Schedule of Development:**

The drawings illustrate 1 phase for the platting of individual lots. Roadways, utilities, drainage, and necessary improvements will be constructed in the most optimal and efficient manner to facilitate development construction and sequencing.

**Areas of Required Landscaping:**

There are no areas of required landscaping per El Paso County Code 6.2.2(A)(2)(a).

**Approximate Acres and Percent of Land Set Aside for Open Space:**

While no open space is required, the PSDP proposes 11.642 acres of open space totaling 5% of the overall site acreage. The open space tract will include existing natural open space to remain to preserve habitat for the Preble's meadow jumping mouse.

**Types of Proposed Recreational Facilities:**

There are no proposed recreational facilities on this site.

**Traffic Engineering:**

A 60' tract for a future private access road is proposed along the center of the property running east to west and terminating in a cul-de-sac. Vehicular access and street layout shall be as illustrated on the preliminary plan with all roadways to be private and built to El Paso County standards. All property within this subdivision is subject to road impact fees in accordance with the El Paso County road impact fee program (resolution no. 19-

471), as amended at the time of building permit application. All properties shall pay required and applicable traffic impact fees at time of building permit.

**School District:**

Projects (Plats) within El Paso County are required to either dedicate land or pay school district fees. Hay Creek Valley Subdivision will pay the Lewis-Palmer School District #38 fees of \$308 per lot for a total of \$4,312 for the 14 new lots. The existing lot will remain and will not be subject to school fees.

**Proposed Services:**

1. Water/ Wastewater: Individual Well and On-Site Septic Systems
2. Gas: Black Hills Energy
3. Electric: Mountain View Electric Association
4. Fire: Monument Fire District
5. School: Lewis-Palmer School District #38
6. Roads: El Paso County Road and Bridge
7. Police Protection: El Paso County Sheriff's Department

**Impacts associated with the Preliminary Plan:**

Floodplain: The site has one hydrologic feature, Hay Creek, which flows west to east along the northeastern portion of the site. This area is within a designated FEMA flood plain as determined by the flood insurance rate map, community map number '80841C0267G' effective 12/6/2018. This area within the floodplain contains a freshwater emergent wetland roughly 1.656 acres in size.



Site Geology: CTL Thompson Inc has provided a Soils and Geology Study with this submittal. This report has identified any potential Geologic Hazards and/ or Constraints on the site related to the development of the property along with proposed mitigation of



the hazards. The development will incorporate the recommended mitigation during the final design and construction on site.

Wetlands: The site contains a forested deciduous wetland in the northeastern most portion between Hay Creek Road and the existing roadway entering the property. See additional reports provided as part of this submittal.

Air Pollution: By adhering to current air quality regulations, any air pollution emanating from the development will be negligible. The site has very little vegetation and contains mostly native turfgrass which may result in higher-than-normal amounts of dust during windy days. Construction practices will adhere to El Paso County health department, as well as state department codes and regulations.

Water Pollution: By adhering to current wastewater and stormwater regulations, any water pollution emanating from the development will be negligible. An erosion and sedimentation plan will be in place prior to construction.

Noise Pollution: Vehicular movement is expected to be the only major source of noise pollution emanating from the site after construction is complete. The proposed development is surrounded by similar land uses and the effects of noise generated from the site will have little or no impact on other surrounding areas.

Visual Assessment: There are no unique natural areas on site, however, the backdrop of Rampart Range to the west is a scenic viewshed seen from nearly all areas of the property. With low-density development in the area, views are relatively unhindered. The rolling hills and open grassland meadow surrounded by pine forest are also a welcoming sight.

Vegetation, Wildlife Habitats, and Migration Routes:

Proposed landscaping will include low water use plant material, and where possible, the plant material will be native to the Colorado Springs region.

The Colorado Division of Wildlife notes the following wildlife as present in the area:

- Black bear (potential human-wildlife conflict area)
- Black-tailed prairie dog (Species of Concern in Colorado)
- Elk
- Gunnison's prairie dog
- Moose
- Mountain lion (potential human-wildlife conflict area)
- Mule deer
- Preble's meadow jumping mouse (Threatened species, USFWS)
- White-tailed deer
- Turkey
- Numerous small mammals, amphibians, and reptiles

Due to the limited construction and large lots, it is not anticipated that the application will have significant impacts on wildlife in the area.





**DEPARTMENT OF THE AIR FORCE**  
**10TH CIVIL ENGINEER SQUADRON**  
**USAF ACADEMY COLORADO**

Ms. Erin Manning  
Deputy Director  
10th Civil Engineer Squadron  
8120 Edgerton Drive, Suite 40  
USAF Academy CO 80840-2400

Ms. Kari Parsons  
El Paso County  
E.P.C. Planning and Community Development  
2880 International Circle  
Colorado Springs, CO. 80910

Dear Ms. Parsons

Thank you for the opportunity to review the proposed Hay Creek Valley development: PCD File# SP-23-01 located adjacent to the United States Air Force Academy's (USAF) northern boundary. After review, we offer the following comments.

USAF's 3,300-acre Jacks Valley training area is on the northern side of USAF, directly adjacent to the proposed development. Jacks Valley has been part of USAF since the 1950s and used for field training since 1966. USAF's 2019 Air Installations Compatible Use Zones (AICUZ) study, which was formally submitted to the County Planning Department, identified our concern for master-planned residential development close to Jacks Valley.

Jacks Valley has the only fully functional weapons training range along the Southern Front Range and serves over 30,000 Cadets, Airmen, Soldiers, Marines, Special Forces, as well as federal, state, and local law enforcement agencies annually. The proposed development will be immediately northeast of this Combat Arms Training and Maintenance (CATM) firing range. Tactical and weapons training in Jacks Valley produces noise due to small arms firing, the use of pyrotechnics, and helicopter operations. In addition, cadets conduct intensive basic training and land navigation during the summer, including at night. Furthermore, residents may see remotely piloted aircraft and experience overflight from Davis Airfield, which is active from dawn to dusk, six days a week, and has historically been the third busiest airfield in the Air Force.

Training activities will create noise levels audible at the proposed development, with intense periods of noise during summer training when residents may be outside in backyards enjoying the warmer weather. In formal input to the 2021 El Paso County Master Plan, USAF conveyed this information as well as concerns that increased residential development along the northern boundary of the Academy could generate sufficient noise complaints to restrict the full use of Jacks Valley. The Master Plan discusses the need for coordination on land development in this area to ensure compatibility with the training complex and firing range.

As the 2019 Colorado Spring Regional Joint Land Use Study (JLUS) points out with respect to any future residential development adjacent to Jacks Valley, it is important to provide information about training operations to help current and future residents understand what they may experience in their

neighborhood. The JLUS suggests including this information into planning entitlement documents and real estate transactions.

Therefore, USAFA asks the County to consider having the developer dedicate and record an aviation easement on the existing development site to help protect USAFA's flying mission from incompatible developments. This easement would acknowledge the right for the USAFA to conduct flight training in the area; we can provide a template to the assigned planner or applicant. When and if the aviation easement is recorded, please request the developer send a copy to the USAFA Community Planner's email addresses listed below.

USAFA also asks the County to request the developer include this note on the final property plat maps and covenants to provide full disclosure of nearby training operations at any future time of sale or lease:

*Notice: This property may be impacted by noise and other similar sensory effects of United States Air Force (USAFA) land-based cadet training, small arms, and light weapons firing, and of flight caused by aircraft both in (USAFA's) Airmanship Program and during special events. This notice shall remain in effect until the Air Force Academy shall cease to be used for land-based and, flight training purposes, or until all training areas and airports on the Air Force Academy shall cease to be actively used. This notice shall run in perpetuity with the land.*

In our engagement and outreach with the development community, USAFA endeavors to partner and work toward development that is compatible - development that neither creates public safety issues nor precludes military operations. In the County Master Plan's discussion of USAFA, it specifically notes the JLUS recommendation to "pursue conservation partnering opportunities for compatible land use buffering under flight training areas and other critical areas as needed."

To this end, the Department of Defense has a longstanding program called Readiness and Environmental Protection Integration (REPI) program. A key component is the use of buffer partnerships among the military, private conservation groups, and state and local governments, authorized by Congress at 10 U.S.C. Section 2684a. These win-win REPI partnerships share the cost of acquisition of easements or other interests in land from willing sellers to preserve compatible land uses and natural habitats near installations and ranges that helps sustain critical, at-risk military mission capabilities. We would welcome the opportunity to talk with the county and the developer about possible options for achieving an outcome satisfactory to all parties.

Thank you for the opportunity to review and comment. If you have any questions, please contact our Community Planner, Ms. Rachel Martell, 10 CES/CENPP, at (719) 333-8367, [rachel.martell.ctr@us.af.mil](mailto:rachel.martell.ctr@us.af.mil) and [10ces.cenp.usafadevreviewgrp@us.af.mil](mailto:10ces.cenp.usafadevreviewgrp@us.af.mil).

Sincerely

MANNING.ERIN.M  
ARIE.1047632192  
ERIN M. MANNING, GS-14, USAF

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PRELIMINARY PLAN (RECOMMEND APPROVAL)

\_\_\_\_\_ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SP231  
HAY CREEK VALLEY SUBDIVISION

WHEREAS, Matrix Design Group, Inc., did file an application with the El Paso County Planning and Community Development Department for the approval of a Preliminary Plan for the proposed Hay Creek Valley Subdivision for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on September 21, 2023; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation, and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted, and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and



6. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Preliminary Plan, the Planning Commission and Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 7.2.1.D.2.e of the Land Development Code (as amended):

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is consistent with the purposes of the Code;
3. The subdivision is in conformance with the subdivision design standards and any approved Sketch Plan;
4. 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 the Code (this finding may not be deferred to Final Plat if the applicant intends to seek administrative Final Plat approval);
5. 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 the Code;
6. 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)];
7. Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
8. 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;
9. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
10. 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;

11. Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
12. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
13. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

WHEREAS, a finding of sufficient water supply in terms of quantity, quality, and dependability is hereby postponed until the Final Plat. With each Final Plat filing, the applicant shall submit documentation 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 the Code and shall make a request to the Board of County Commissioner for a finding of water sufficiency.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Matrix Design Group Inc. for the approval of a Preliminary Plan for the proposed Hay Creek Valley Subdivision for property located in the unincorporated area of El Paso County be approved by the Board of County Commissioners with the following conditions and notations:

#### CONDITIONS

1. The developer(s) 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 Division of 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 species.
2. The subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that the subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

3. A finding of water sufficiency for water quality, quantity and dependability is required with subsequent Final Plat(s) submittals.
4. The developer shall ensure that all forested acres are mitigated to reduce the risk of wildfire, that defensible space is created for each dwelling, and that all wildfire mitigation will be completed before issuance of a building permit.
5. The developer shall ensure that all easements and notes requested by the USAFA are addressed at the final plat stage.

#### NOTATIONS

1. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a Final Plat has been approved and recorded or a time extension has been granted.
2. Preliminary Plans not forwarded to the Board of County Commissioners for consideration within 180 days of the Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.
3. Modifications to the Preliminary Plan as a result of the final technical design of adjacent roadways shall not require a Preliminary Plan amendment.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

\_\_\_\_\_ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: circle one

Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / absent
Eric Moraes	aye / no / non-voting / recused / absent
Kara Offner	aye / no / non-voting / recused / absent
Bryce Schuettpelz	aye / no / non-voting / recused / absent
Wayne Smith	aye / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / absent
Christopher Whitney	aye / no / non-voting / recused / absent



The Resolution was adopted by a vote of \_\_\_\_to\_\_\_\_ by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 21<sup>st</sup> day of September 2023 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: \_\_\_\_\_  
Thomas Bailey, Chair

## EXHIBIT A

### HAY CREEK ROAD PLAT BOUNDARY DESCRIPTION

A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF SECTION 33 AND THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6<sup>th</sup> PRINCIPAL MERIDIAN; COUNTY OF EL PASO, STATE OF COLORADO; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BEGINNING** AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33, FROM WHICH THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33 BEARS NORTH 89°38'17" EAST, A DISTANCE OF 2,684.46 FEET, WITH ALL BEARINGS HEREIN RELATIVE THERETO; THENCE NORTH 00°25'17" WEST, ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, A DISTANCE OF 1,169.26 FEET;

THENCE THE FOLLOWING TWENTY-TWO (22) COURSES;

1. SOUTH 71°29'43" EAST, A DISTANCE OF 140.51 FEET;
2. NORTH 82°07'46" EAST, A DISTANCE OF 458.69 FEET;
3. NORTH 71°31'45" EAST, A DISTANCE OF 369.66 FEET;
4. NORTH 89°30'59" EAST, A DISTANCE OF 195.64 FEET;
5. NORTH 82°27'48" EAST, A DISTANCE OF 300.93 FEET;
6. SOUTH 81°25'26" EAST, A DISTANCE OF 208.57 FEET;
7. NORTH 66°51'51" EAST, A DISTANCE OF 197.45 FEET;
8. NORTH 70°47'03" EAST, A DISTANCE OF 178.13 FEET;
9. NORTH 66°11'16" EAST, A DISTANCE OF 170.15 FEET;
10. NORTH 71°47'12" EAST, A DISTANCE OF 403.02 FEET;
11. NORTH 84°26'00" EAST, A DISTANCE OF 169.75 FEET;
12. SOUTH 87°26'44" EAST, A DISTANCE OF 197.38 FEET;
13. NORTH 74°51'53" EAST, A DISTANCE OF 86.71 FEET;
14. NORTH 86°13'24" EAST, A DISTANCE OF 233.11 FEET;
15. NORTH 80°10'48" EAST, A DISTANCE OF 260.90 FEET;
16. NORTH 78°52'32" EAST, A DISTANCE OF 149.05 FEET;
17. NORTH 71°58'16" EAST, A DISTANCE OF 210.75 FEET;
18. NORTH 49°30'50" EAST, A DISTANCE OF 403.50 FEET;
19. NORTH 57°57'37" EAST, A DISTANCE OF 170.21 FEET;
20. NORTH 37°03'08" EAST, A DISTANCE OF 266.68 FEET;
21. NORTH 43°48'53" WEST, A DISTANCE OF 107.37 FEET;
22. NORTH 20°29'00" WEST, A DISTANCE OF 220.10 FEET TO A POINT ON THE NORTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 34;

THENCE NORTH 89°30'43" EAST, ALONG SAID NORTH LINE, A DISTANCE OF 1,125.83 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 34;

THENCE SOUTH 00°28'46" WEST, ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER OF SECTION 34, A DISTANCE OF 2,654.48 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER;

THENCE SOUTH 89°38'45" WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER, A DISTANCE OF 2,683.98 FEET TO THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF SECTION 33;

THENCE SOUTH 89°38'17" WEST, ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER OF SECTION 33, A DISTANCE OF 2,684.46 FEET TO THE **POINT OF BEGINNING**.

CONTAINING AN AREA OF 214.622 ACRES, (9,348,924 SQUARE FEET), MORE OR LESS.

