


EL PASO COUNTY
COLORADO

COMMISSIONERS:
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 CAMI BREMER (VICE-CHAIR)

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 CARRIE GEITNER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission
 Brian Risley, Chair

FROM: Nina Ruiz, Planning Manager
 Daniel Torres, PE Engineer II
 Craig Dossey, Executive Director

RE: Project File #: SF-19-021
 Project Name: The Glen at Widefield Subdivision Filing No. 10
 Parcel Nos.: 55223-00-001 and 55272-00-004

| OWNER: | REPRESENTATIVE: |
|---|---|
| Glen Investment Group No. VIII, LLC 3 Widefield Boulevard Colorado Springs, CO 809111 | Glen Investment Group No. VIII, LLC 3 Widefield Boulevard Colorado Springs, CO 809111 |

Commissioner District: 4

| | |
|--|-----------|
| Planning Commission Hearing Date: | 2/4/2021 |
| Board of County Commissioners Hearing Date | 2/23/2021 |

EXECUTIVE SUMMARY

A request by the Glen Investment Group No VIII, LLC, for approval of a final plat to create 40 single-family residential lots. The 10.47 acre property is zoned RS-6000 (Residential Suburban) and CAD-O (Commercial Airport Overlay) and is located west of the Peaceful Valley Drive and South Marksheffel Road intersection.

The proposed Glen at Widefield Subdivision No. 10 Final Plat is consistent with the RS-6000 zoning district and the approved preliminary plan. The final plat application meets the submittal and review criteria for a final plat as well as the general development



standards of Chapter 6, the final plat review criteria of Chapter 7, and the subdivision design requirements of Chapter 8 of the El Paso County Land Development Code (2019).

Water and sanitation will be provided by the Widefield Water and Sanitation District. A finding of water sufficiency for water quality, quantity and dependability was made with the preliminary plan application.

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request by the Glen Investment Group No VII, LLC, for approval of a final plat to create 40 single-family residential lots.

Waiver(s)/Deviation(s): There are no waivers or deviations being requested in association with the final plat request.

Authorization to Sign: Final Plat, Subdivision Improvements Agreement, Detention Pond Maintenance Agreement and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a final plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019):

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;

- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;
- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;
- Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;
- Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §34-1-302(1), et seq.]

D. LOCATION

| | |
|---------------------------------------|-----------------------|
| North: RS-6000 (Residential Suburban) | Vacant |
| South: RS-6000 (Residential Suburban) | Residential |
| East: City of Fountain | Religious Institution |
| West: RS-6000 (Residential Suburban) | Residential |

E. BACKGROUND

The parcels have been zoned RS-6000 (Residential Suburban) since 1983. The parcels were part of the Glen at Widefield Sketch Plan (SKP-01-003), which was approved by the Board of County Commissioners on October 11, 2001. The Sketch Plan identified this area as single-family residential. A preliminary plan was approved by the Board of County Commissioners on June 28, 2016 (PCD File No. SP-15-004). Approval for pre-development site grading and installation of wet utilities (water and sewer) was granted by the Board of County Commissioners on April 20, 2016. The pre-development site grading has been completed. The proposed final plat to create 40 single family residential lots is consistent with the approved preliminary plan.

F. ANALYSIS

1. Land Development Code Compliance

The final plat application meets the final plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2019).

2. Zoning Compliance

The area within the proposed final plat is zoned RS-6000 (Residential Suburban). The density and dimensional standards of the RS-6000 zoning district are as follows:

- Minimum lot size – 6,000 square feet
- Setbacks – 25 feet from front and rear lot lines; 5 feet from side lot lines
- Maximum building height – 30 feet
- Maximum lot coverage – 40 percent if two-story; 45 percent if single-story

The proposed final plat is in compliance with the RS-6000 (Residential Suburban) zoning district. Individual site plans will need to be submitted for review for each proposed single-family dwelling in order to ensure compliance with the applicable dimensional standards.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County master plan. A finding of consistency with the El Paso County Policy Plan was previously made by the Board of County Commissioners with approval of the preliminary plan. The proposed final plat application is consistent with the findings of the prior approvals.

4. Small Area Plan Analysis

The subject parcels are not located within the boundaries of a small area plan.

5. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. A finding of consistency with the Plan was previously made by the Board of County Commissioners with approval of the preliminary plan. The proposed final plat application is consistent with the findings of the prior approvals.

6. Other Master Plan Elements

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

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

Please see the Parks section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

Please see the Transportation section below for information regarding conformance with the El Paso County 2016 Major Transportation Corridor Plan Update (MTCP).

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

A soils and geologic hazard report was submitted and reviewed with the preliminary plan. The report did not identify any hazardous areas within the area included in the final plat.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential.

3. Floodplain

The property is not located within a defined floodplain as determined from review of the FEMA Flood Insurance Rate Map panel numbers 08041C0956G and 08041C0957G, dated December 7, 2018.

4. Drainage and Erosion

The property is located within the West Fork Jimmy Camp Creek (FOFO2000) drainage basin. The West Fork Jimmy Camp Creek drainage basin is a studied basin with drainage and bridge fees. The subdivision is subject to the Drainage Basin Fee program which requires fees to be paid at the time of final plat recordation. Drainage fees in the amount of \$41,406.98 and bridge fees in the amount or \$12,250.06 shall be paid by the developer.

Runoff from the site will be collected via curb and gutter as well as a storm sewer system. The majority of the runoff will be conveyed to a proposed full spectrum detention pond (Pond D), which will provide water quality and flood control storage for The Glen at Widefield Subdivision Filing No. 10 as well as future Filing Nos. 11 and 12. Pond D is a private facility and will be owned and maintained by The Glen Metropolitan District No. 3. The runoff from the southern portion of this site will be conveyed to an existing full spectrum detention pond (Pond C), which was constructed with The Glen at Widefield Subdivision Filing No. 7.

The applicant has submitted a grading and erosion control plan with this application. The grading and erosion control plan identifies construction best management practices (BMPs) to prevent sediment and debris from affecting adjoining properties and the public stormwater system before and during grading activities

5. Transportation

The Glen at Widefield Subdivision Filing No. 10 is located north of Mesa Ridge Parkway, west of Marksheffel Road, and east of Powers Boulevard. All interior roadways are planned to be constructed to El Paso County criteria and dedicated to the County for ownership and maintenance. Recommended improvements associated with this subdivision have been provided in the traffic study prepared by LSC Transportation Consultants, Inc. The traffic study indicates that signal warrants are projected to be met at Mesa Ridge Parkway and Marksheffel Road in the short term. The developer and County Engineer have had discussions regarding the signal warrants, which will be further addressed with the subsequent filing.

The Glen at Widefield East Preliminary Plan identified a proportional contribution to be made with each filing towards construction of signals at three intersection locations. The traffic study submitted with this application states that the applicant is required to escrow the following amounts at the time of recording the Glen at Widefield Filing No. 10:

- \$7,222 is to be escrowed for the benefit of the Colorado Department of Transportation (CDOT) towards the construction of a CDOT traffic signal at the Mesa Ridge Parkway and Powers Boulevard (State Highway 21) intersection,
- \$2,276 is to be escrowed for the benefit of El Paso County towards the construction of a traffic signal at the Mesa Ridge Parkway and Spring Glen Drive intersection, and
- \$2,521 is to be escrowed for the benefit of El Paso County towards the construction of a traffic signal at the Peaceful Valley Road and Marksheffel Road intersection.

The El Paso County 2016 Major Transportation Corridors Plan Update identifies improvements on Mesa Ridge Parkway and Marksheffel Road. Per the submitted traffic study, Marksheffel Road was recently upgraded to an interim three (3) lane facility as part of a Pikes Peak Rural Transportation Authority (PPRTA) project. Mesa Ridge Parkway was recently constructed by the developer as a half section of the principal arterial roadway from Powers Boulevard to Marksheffel Road. El Paso County is anticipated to further improve Mesa Ridge Parkway as part of a PPRTA project.

The subdivision is subject to the El Paso County Road Impact Fee Program (Resolution 19-471), as amended. The developer of The Glen at Widefield Subdivision Filing No. 10 has petitioned the County to be included in the ten (10) mill Public Improvement District No. 2 (PID No.2).

H. SERVICES

1. Water

The subdivision will be served by Widefield Water and Sanitation District.

Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: El Paso County Public Health made a recommendation for a finding of sufficiency in terms of water quality. The State Engineer's Office provided an opinion that the water supply can be provided without causing injury. The County Attorney's Office makes a recommendation of sufficiency in terms of water quantity and dependability to the Board of County Commissioners.

2. Sanitation

Widefield Water and Sanitation District has committed to provide wastewater service to the development.

3. Emergency Services

The property is within the Security Fire Protection District. The District was sent a referral for the final plat and did not provide a response.

4. Utilities

Mountain View Electric Association will provide electrical service and Black Hills Energy will provide natural gas service to the area included within the final plat.

5. Metropolitan Districts

The site is within The Glen Metropolitan District No. 3. The District is responsible for ownership and maintenance of drainage, landscaping, and open space tracts within the overall Glen Development.

6. Parks/Trails

The El Paso County Parks Master Plan (2013) shows no open space, park facilities, or trails intersected by or within the project area.

Fees in lieu of park land dedication in the amount of \$18,240 for regional fees and \$11,520 for urban park fees will be due at the time of recording the final plat.

7. Schools

Fees in lieu of school land dedication in the amount of \$8,280 shall be paid to El Paso County for the benefit of Widefield School District No. 3 at the time of plat recording

I. APPLICABLE RESOLUTIONS

Approval Page 19
Disapproval Page 20

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and 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 (2019) staff recommends the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The applicant shall submit the Mylar to Enumerations for addressing.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado 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.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.

7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the final plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 18-471), or any amendments thereto, 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.
10. Park fees in lieu of land dedication for regional parks (Area 2) in the amount of \$18,240 and urban park (Area 2) fees in the amount of \$11,520 shall be paid at the time of final plat recordation.
11. Fees in lieu of school land dedication in the amount of \$8,280 shall be paid to El Paso County for the benefit of Widefield School District No. 3 at the time of final plat recording.
12. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
13. Drainage fees in the amount of \$41,406.98 and bridge fees in the amount of \$12,250.06 for the West Fork Jimmy Camp Creek drainage basin (FOFO2000) shall be paid to El Paso County at the time of plat recordation.
14. The applicant shall complete an escrow agreement with the Colorado Department of Transportation (CDOT) in the amount of \$7,222 to be applied towards the construction of a traffic signal at the Mesa Ridge Parkway and Powers Boulevard intersection prior to final plat recordation.
15. The applicant shall complete an escrow agreement with the El Paso County in the amount of \$2,276 to be applied towards the construction of a traffic signal at the Mesa Ridge Parkway and Spring Glen Drive intersection prior to final plat recordation.

16. The applicant shall complete an escrow agreement with the El Paso County in the amount of \$2,521 to be applied towards the construction of a traffic signal at the Peaceful Valley Road and Marksheffel Road intersection prior to final plat recordation.

17. All engineering reports and plans associated with the Final Plat shall be approved by the Planning and Community Development Department prior to the Board of County Commissioners hearing.

NOTATIONS

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired unless an extension is approved.
2. Site grading or construction, other than installation or initial temporary control measures, may not commence until a Preconstruction Conference is held with the Planning and Community Development Department Inspections staff and a Construction Permit is issued by the Department.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 26 adjoining property owners on January 13, 2021, for the Planning Commission meeting. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map

Letter of Intent

Plat Drawing

State Engineer's Letter

County Attorney's Letter

El Paso County Public Health Recommendation Letter

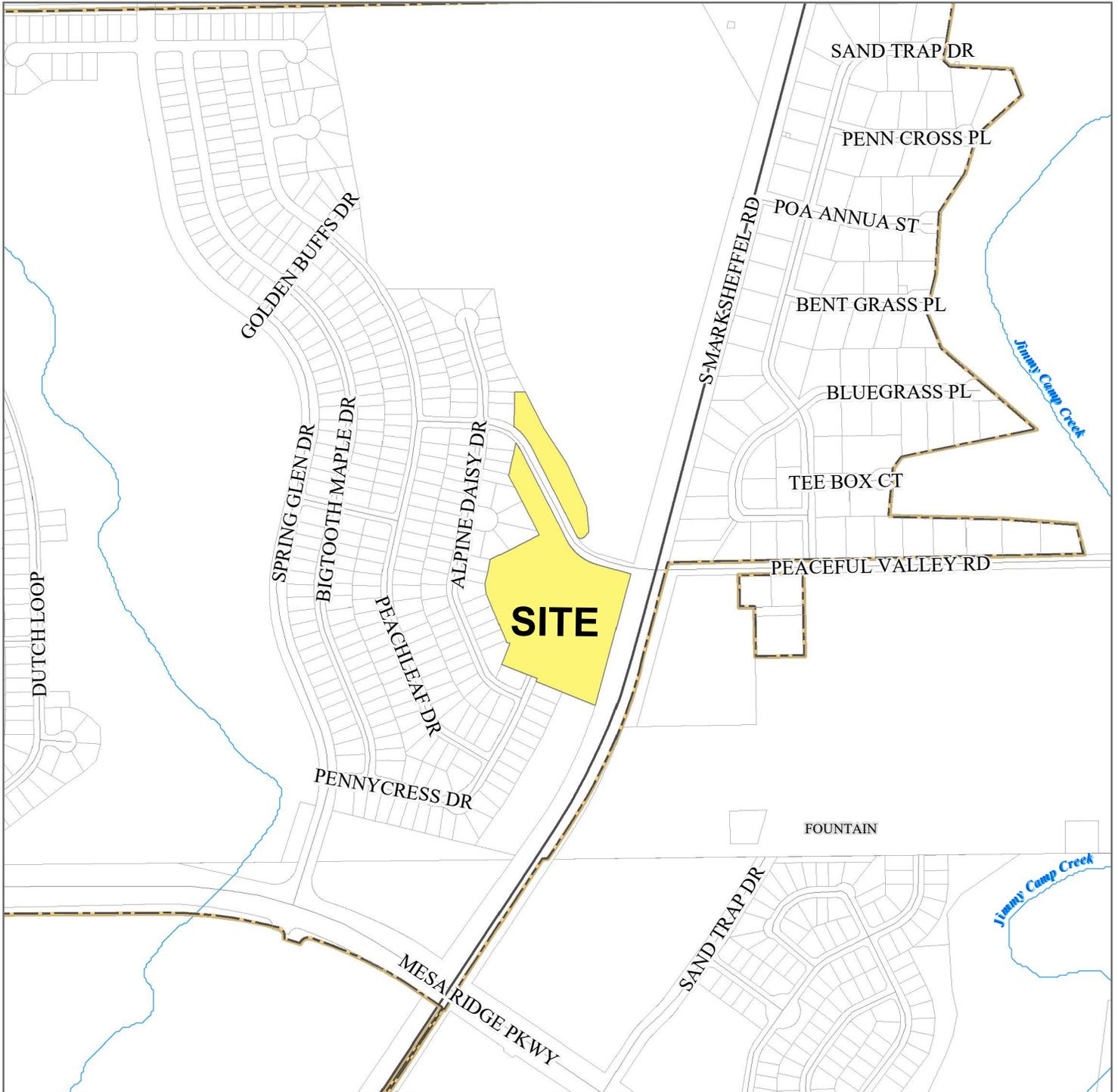
El Paso County Parcel Information

File Name: SF-19-021

| PARCEL | NAME |
|------------|-----------------------------------|
| 5527200004 | GLEN INVESTMENT GROUP NO VIII LLC |
| 5522300001 | GLEN INVESTMENT GROUP NO VIII LLC |

Zone Map No. --

Date: January 12, 2021



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 (719) 520-6600



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**LETTER OF INTENT
FINAL PLAT REQUEST – THE GLEN AT WIDEFIELD FILING NO. 10**

October 1, 2019

Revised: March 11, 2020

OWNER/APPLICANT:

Glen Investment Group No. VIII, LLC
3 Widefield Boulevard
Colorado Springs, CO 80911
(719) 392-0194

OWNER:

Glen Investment Group No. VIII, LLC
3 Widefield Boulevard
Colorado Springs, CO 80911
(719) 392-0194

PLANNING/PROCESSING CONSULTANT:

James Nass
Nass Design Associates
111 S. Tejon St., Suite 312
Colorado Springs, CO 80903
(719) 475-2406

SURVEYING CONSULTANT:

John Towner
Pinnacle Land Surveying Co.
121 County Road 5
Divide, CO 80814
(719) 634-0751

ENGINEERING CONSULTANT:

Andy McCord
Kiowa Engineering Corp.
1604 South 21st Street
Colorado Springs, CO 80904
(719) 630-7342

TRAFFIC ENG. CONSULTANT:

Jeff Hodsdon
LSC Transportation Consultants, Inc.
545 East Pikes Peak Avenue, Suite 210
Colorado Springs, CO 80903
(719) 633-2868

SITE LOCATION AND SIZE: The site is located west of the intersection of Peaceful Valley Road and Marksheffel Road. The area included within the final plat is 10.471 acres in size.

PRESENT ZONING: RS- 6000 (Single Family Residential - Minimum Lot Size 6000sf.)

REQUEST: Approval of a Final Plat that proposes to subdivide the site into 40 single family residential lots and one tract.

WAIVER REQUESTS AND JUSTIFICATION:

No waivers are being requested with this final plat.

JUSTIFICATION:

This final plat for the proposed Glen at Widefield Filing No. 10 is the fourth phase of what will most likely be a six phase project of developing The Glen at Widefield East area. There will be an additional two filings in this area to finish out the single family residential development in The Glen development. This final plat process is for the purpose of making a legal subdivision of land that is necessary to complete the actual entitlement of the property and the physical development and construction of the project. This final plat plan is in compliance with the Glen at Widefield East Preliminary Plan, the Glen at Widefield Sketch Plan, and is designed in accordance with the zoning on the property which allows this subdivision as a permitted use. The current existing zoning for this parcel is RS-6000 for single family residential land uses with a minimum lot size of 6000sf. The final plat matches the preliminary plan for The Glen at Widefield East and is the fourth phase of final platting on that plan. The final plat includes 40 lots, 1 tract, and Rights of way. The applicant believes that the development will produce an overall community benefit by providing a variety of home types and lot sizes for the new homeowners to the area. The plat also includes the platting of Tract "A" which is a 2.12acre open space tract which will include a portion of the trail that circulates all around the Glen at Widefield development. The tract and trail and will be dedicated to The Glen Metropolitan District for ownership and maintenance, for the recreational use and enjoyment of the residents of The Glen at Widefield and the general public.

Detention of drainage from this subdivision will be in a full spectrum detention pond to be constructed by Glen Development at the time of the construction of this subdivision. It is the intent of the developer to place the pond in an easement for a period of time until the subdivision recording of The Glen Filing 11. The pond will then be located within a platted tract. The detention pond maintenance agreement is being submitted with The Glen Filing No. 10 and will specify the ownership, maintenance and management of the pond facility.

The Glen at Widefield Filing No. 10 is in conformance with the Glen at Widefield East Preliminary Plan and the approved Glen at Widefield Sketch Plan, and the policies of the County Policy Plan. The final plat will subdivide the land into residential lots which are permitted uses within the RS-6000 zone. The plat has been prepared in accordance with the guidelines and standards of the El Paso County Land Use Code and Engineering Criteria Manual.

ROAD IMPACT FEES:

This project will be required to participate in the El Paso County Road Improvement Fee Program. The Glen Filing No.10 will join the PID.

EXISTING AND PROPOSED FACILITIES, STRUCTURES, ROADS, ETC.:

The site is presently vacant; utilities will be available from street extensions within existing corridors along the south boundary of the subdivision. Water and sewer services will be provided by Widefield Water and Sanitation District, Gas services by Black Hills Energy, and electric services by Mountain View Electric. Fire protection will be provided by Security Fire Protection District. Anticipated facilities include residential lots of varying sizes. Roads will access Filing No. 10 from three locations. A residential street access will be from Peaceful Valley Road and from the northerly extension of Penny Cress Drive at the southeast corner of the subdivision.

HAZARDS, NATURAL AND OTHER FEATURES:

Please refer to the subsurface soil investigation prepared for the property by Soil Testing and Engineering, Inc. for the Glen at Widefield East Preliminary Plan for information regarding soils and geologic features. No constraints are depicted for this plat drawing.

A Wildlife report along with a Natural Features report was included with the previous Glen at Widefield East Preliminary Plan. No significant natural features exist on this platted area. The property has recently been over lot graded for development and reseeded for erosion control.

Drainage is being directed to the south and north and will be collected into a full spectrum detention pond facility. The detention pond is located north of the subdivision and the pond will be located within an easement for a period of time until The Glen Filing No. 11 is recorded. At that time the pond will be platted into in a tract within the The Glen Filing 11 subdivision. The pond will be constructed by Glen Development. The detention pond will be owned and maintained by Glen Metropolitan District #3. A detention pond maintenance agreement will be complete with plat recordation.



James P. Nass, Nass Design Associates

THE GLEN AT WIDEFIELD SUBDIVISION FILING NO. 10

A portion of the Southwest One-quarter (SW1/4) of Section 22 and the Northwest One-quarter (NW1/4) of Section 27 Township 15 South (T15S), Range 65 West (R65W) of the 6TH P.M. County of El Paso, State of Colorado

KNOW ALL MEN BY THESE PRESENTS:

That Glen Investment Group No. VIII, LLC, being the owner of the described tract of land, to wit:

LAND DESCRIPTION, THE GLEN AT WIDEFIELD SUBDIVISION FILING NO. 10:

PARCEL "A"

A tract of land located in a Portion of the Southwest One-quarter (SW1/4) of Section 22 and the Northwest One-quarter (NW1/4) of Section 27, Township 15 South (T15S), Range 65 West (R65W) of the 6th P.M., County of El Paso, State of Colorado, being more particularly described as follows:

Beginning at the most Northeast corner of Lot 98, Glen at Widefield Subdivision No. 8 as recorded under Reception No. 218714205 in the records of the Clerk and Recorder's Office, County of El Paso, State of Colorado. Said point being also a point on the Southerly Right-of-Way line of Peaceful Valley Road as platted in said Glen at Widefield Subdivision No. 8; Thence along said Southerly Right-of-Way line the following four (4) courses: 1.) along the arc of a non-tangential curve to the right, having a central angle of 120°10', a radius of 175.00 feet, an arc length of 37.02 feet, whose chord bears S33°17'00"E, 2.) Thence S27°13'25"E, a distance of 468.13 feet; 3.) Thence along the arc of a curve to the left having a central angle of 47°14'18", a radius of 225.00 feet, an arc length of 185.50 feet; 4.) Thence S24°27'43"E, a distance of 162.02 feet to a point on the Westerly Right-of-Way line of Marshfield Road; Thence along said Westerly Right-of-Way line, S15°11'44"W, a distance of 560.50 feet; Thence continuing along said Westerly Right-of-Way line on the arc of a curve to the right having a central angle of 0°15'30", a radius of 1965.40 feet, an arc length of 64.50 feet to a point on the Northerly line of the Glen at Widefield Subdivision Filing No. 7 as recorded under Reception No. 217713903 in the records of the Clerk and Recorder's Office of said County; Thence along the Northerly and Westerly boundary lines of said Glen at Widefield Filing No. 7, the following ten (10) courses: 1.) N87°54'25"W, a distance of 293.95 feet; 2.) Thence along the arc of a non-tangential curve to the left having a central angle of 90°15'40", a radius of 3053.00 feet, an arc length of 13.78 feet, whose chord bears N21°37'45"E; 3.) Thence N68°10'05"W, a distance of 175.00 feet; 4.) Thence N20°47'09"E, a distance of 104.08 feet; 5.) Thence N70°15'38"W, a distance of 16.28 feet; 6.) Thence N22°38'09"W, a distance of 239.19 feet; 7.) Thence N07°13'27"W, a distance of 46.12 feet; 8.) Thence N12°37'51"E, a distance of 115.00 feet; 9.) Thence N62°46'38"E, a distance of 250.28 feet; 10.) Thence N27°13'25"W, a distance of 307.62 feet to the angle point of said Glen at Widefield Subdivision Filing No. 8; Thence N12°37'51"E along the Easterly line of said Glen at Widefield Subdivision Filing No. 8, a distance of 153.08 feet to the Point of Beginning.

Said Parcel contains 8.856 acres (385,757 S.F.) more or less.

PARCEL "B"

A tract of land located in a Portion of the Southwest One-quarter (SW1/4) of Section 22, Township 15 South (T15S), Range 65 West (R65W) of the 6th P.M., County of El Paso, State of Colorado, being more particularly described as follows:

Beginning at the Southeast corner of Lot 97, Glen at Widefield Subdivision No. 8 as recorded under Reception No. 218714205 in the records of the Clerk and Recorder's Office, County of El Paso, State of Colorado; Thence N01°44'08"E along the Easterly line of said Glen at Widefield Subdivision No. 8, a distance of 160.14 feet; Thence S88°15'51"E along the Southerly line of said Glen at Widefield Subdivision No. 8, a distance of 48.49 feet to a point on the Westerly line of a 110.00 foot Gas Line Easement as described under Reception No. 202092771 in the records of the Clerk and Recorder's Office of said County; Thence along the Westerly line of said 110.00 foot Gas Line Easement, the following four (4) courses: 1.) S27°15'04"E, a distance of 188.77 feet; 2.) Thence S32°55'46"E, a distance of 190.67 feet; 3.) Thence S24°24'25"E, a distance of 220.92 feet; 4.) Thence S06°05'38"E, a distance of 115.36 feet;

Thence S43°21'16"W, a distance of 34.29 feet; Thence along the arc of a curve to the right having a central angle of 106°52'38", a radius of 20.00 feet, an arc length of 37.31 feet to a point on the Northerly Right-of-Way line of Peaceful Valley Road as described in said Glen at Widefield Subdivision No. 8; Thence along said Northerly Right-of-Way line the following three (3) courses:

1.) on the arc of a curve to the right having a central angle of 02°32'41", a radius of 175.00 feet, an arc length of 7.77 feet; 2.) Thence N27°13'25"W, a distance of 468.13 feet; 3.) Thence along the arc of a curve to the left having a central angle of 28°35'08", a radius of 225.00 feet, an arc length of 112.25 feet to the Point of Beginning.

Said Parcel contains 1.615 acres (70,349 S.F.) more or less.

Said Parcels combined contain 10.471 acres (456,106 S.F.) more or less.

OWNERS CERTIFICATE:

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots, streets, and easements as shown hereon and subdivision of THE GLEN AT WIDEFIELD SUBDIVISION FILING NO. 10. All public improvements so dedicated are hereby dedicated to public use and said owner does hereby covenant and agree that the public improvements will be constructed to El Paso County standards and that proper drainage and erosion control for same will be provided at said owner's expense, all to the satisfaction of the Board of County Commissioners of El Paso County, Colorado. Upon acceptance by resolution, all public improvements so dedicated will become matters of maintenance by El Paso County, Colorado. The utility easements shown hereon are hereby dedicated for public utilities and communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

Glen Investment Group No. VIII, LLC

J. Mark Watson President Glen Investment Group No. VIII, LLC

NOTARIAL:

STATE OF COLORADO)
) SS
COUNTY OF EL PASO)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__ A.D., by J. Mark Watson, President of Glen Investment Group No. VIII, LLC

Witness my Hand and Seal: _____
Notary Public

My Commission Expires: _____
Address: _____

DEDICATION:

The above party in interest has caused said tract to be platted into Lots, Blocks, Streets, Easements and Tracts as shown on the plat, which is drawn to a fixed scale as indicated thereon, and accurately sets forth the boundaries and dimensions of said Lots, Blocks, Streets, Easements, and Tracts which shall be known as "THE GLEN AT WIDEFIELD SUBDIVISION FILING NO. 10" El Paso County, Colorado. All streets as platted are hereby dedicated to public use and said owner does hereby personally covenant and agree that all platted streets will be graded, paved and that proper drainage for same will be provided at his own expense, all to the satisfaction of the Board of County Commissioners of El Paso County, Colorado, and upon acceptance by resolution, all streets so dedicated will become matters of maintenance by El Paso County, Colorado.

BASIS OF BEARINGS STATEMENT:

The bearings of this plat are based upon a portion of the Easterly boundary of the Glen at Widefield Subdivision Filing No. 5B as recorded under Reception No. 206712326 in the records of the Clerk and Recorder's Office, County of El Paso, State of Colorado; Said line being also a portion of the Easterly Right-of-Way line of Autumn Glen Avenue as described in said subdivision, being monumented at the Point of Tangency of said boundary by a found cap and rebar marked "PLSC 25968" and at the Point of Curvature of said boundary by a found rebar and cap marked "PLSC 25968". Said line bears N29°46'44"W, a distance of 1154.12 feet.

EASEMENTS:

Unless shown greater in width, both sides of all side lot lines will be platted with five (5') foot easements for drainage purposes and public utilities only, and both sides of all rear lot lines will be platted with a ten (10') foot easement for drainage purposes and public utilities only, and all lot lines adjoining a street which has a fifty (50') foot right-of-way width will be platted with a fifteen (15') foot easement, being a five (5') foot easement adjacent to that fifty (50') foot right-of-way for public improvements and a ten (10') foot easement adjacent to the five (5') foot easement for utility purposes, with sole responsibility for maintenance being vested with the adjoining property owners.

NOTES:

- These tracts of land are subject to the following per the Commitment for Title Insurance, prepared by Unified Title Company, LLC. Order No. 69045UTC, effective date October 23, 2019 at 7:30 A.M.
- Any rights, interest or easements in favor of the riparian owners, the State of Colorado, the United States of America, or the general public, which exist, have existed, or are claimed to exist in and over the waters and present and past bed and banks of the streams, ditches and/or ponds within the herein described parcel.
- Any rights of the Spring Lake Reservoir as shown on Map recorded under Reception No. 499772, File No. 836.
- Terms, agreements, provisions, conditions and obligations as contained in Agreement between W. T. Gore and The League Land Company recorded December 9, 1922 in Book 606 at Page 542 at Reception No. 331050.
- Right of Way recorded December 1, 1927 in Book 798 at Page 202, subject to the Special Warranty Deed recorded July 19, 1928 in Book 814 at Page 324, subject to the Agreement and Partial Release recorded November 15, 1925 in Book 3634 at Page 80, as modified by and subject to the Colorado Interstate Gas Company Right of Way and Easement Agreement to Pipeline Corridor recorded July 7, 2002 as Reception No. 202092771, and as modified by the Partial Release of Right of Way Agreement recorded February 21, 2008 as Reception No. 208020313.
- Right of Way recorded October 15, 1927 in Book 798 at Page 147, subject to the Special Warranty Deed recorded July 19, 1928 in Book 814 at Page 324, subject to the Partial Release recorded May 25, 1954 in Book 2014 at Page 794 and Agreement and Partial Release recorded November 15, 1925 in Book 3634 at Page 80, as modified by and subject to the Colorado Interstate Gas Company Right of Way and Easement Agreement to Pipeline Corridor recorded June 7, 2002 as Reception No. 202092771, and as modified by the Partial Release of Right of Way Agreement recorded February 21, 2008 as Reception No. 208020313.
- Terms, agreements, provisions, conditions and obligations as contained in Agreement between Widefield Water and Sanitation District and JHW Investment Company recorded May 6, 1997 as Reception No. 97051183.
- The effects of Order and Decree Organizing the Glen Metropolitan District No. 3 and issuance of Certificate of Election recorded June 24, 2004 at Reception No. 204105072.
- The effects of Order and Decree Organizing the Glen Metropolitan District No. 2 and issuance of Certificates of Election recorded June 24, 2004 at Reception No. 204105070.
- Terms, agreements, provisions, conditions and obligations as contained in Pre-Annexation Agreement recorded September 3, 2004 as Reception No. 204150530.
- Terms, agreements, provisions, conditions and obligations as contained in Resolution No. 04-448 recorded November 16, 2004 as Reception No. 204188867.
- Terms, agreements, provisions, conditions and obligations as contained in Resolution No. 04-482 recorded February 4, 2005 as Reception No. 205017888.
- Notes, easements and restrictions as shown on the plat of said subdivision recorded March 7, 2005 at Reception No. 205032403.
- Terms, agreements, provisions, conditions and obligations as contained in Development Agreement recorded November 23, 2005 at Reception No. 205187505 and rerecorded May 26, 2006 at Reception No. 206077406.
- Inclusion within the Security Fire Protection District as evidenced by Order recorded December 9, 2005 as Reception No. 205196147
- The effects of the Order of Exclusion in regards to the Mesa Ridge Metropolitan District No. 2 recorded October 24, 2007 as Reception No. 207138536. Resolution in regards thereto recorded August 31, 2007 as Reception No. 207114359.
- Terms, agreements, provisions, conditions, obligations and easements as contained in Private Detention Basin/Stormwater Quality Best Management Practice Maintenance Agreement and Easement, recorded March 28, 2013 at Reception No. 213040266, recorded November 20, 2014 as Reception No. 214107071, and recorded March 4, 2015 as Reception No. 215020223. Subject to Section 1.15 of the Declaration of Covenants, Conditions, Restrictions and Easements for Glen Filings Nos. 6A, 6B & 6C recorded March 28, 2013 at Reception No. 213040268 and any and all amendments and/or supplements thereto.
- Terms, agreements, provisions, conditions, obligations and easements as contained in Resolution No. 15-250, recorded June 18, 2015 at Reception No. 215063410.
- Terms, agreements, provisions, conditions, obligations and easements as contained in Memorandum of Agreement, recorded June 18, 2015 at Reception No. 215063411.
- Terms, agreements, provisions, conditions, obligations and easements as contained in Temporary Construction Easement Agreement recorded August 13, 2015 at Reception No. 215087837.
- Terms, agreements, provisions, conditions, obligations and easements as contained in Grant of Right of Way, recorded December 07, 2015 at Reception No. 215131214.
- Terms, agreements, provisions, conditions, obligations and easements as contained in Resolution No. 16-141 recorded May 3, 2016 at Reception No. 216047340.
- Terms, agreements, provisions, conditions, obligations and easements as contained in Resolution No. 16-227 recorded June 29, 2016 at Reception No. 216070954.
- Covenants, conditions, restrictions and easements, if any, which do not contain a forfeiture or reverter clause, (deleting any restrictions indicating any preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin) as contained in instrument recorded August 1, 2016 at Reception No. 216085646 and any and all amendments and/or supplements thereto. First Amendment thereto recorded March 15, 2019 at Reception No. 219026576. Second Amendment thereto recorded June 12, 2019 at Reception No. 219064437.
- Terms, agreements, provisions, conditions, obligations and easements as contained in Private Detention Basin/Stormwater Quality Best Management Practice Maintenance Agreement and Easement recorded January 30, 2017 at Reception No. 217011405.
- Temporary Access easement for ingress a recorded January 30, 2017 at Reception No. 217011406.

- Water and sewer service is provided by Widefield Water and Sanitation District subject to the District's rules, regulations, and specifications.
- The El Paso County Planning and Community Development must be contacted prior to the establishment of any driveway.
- All structural foundations shall be located and designed by a Professional Engineer, currently registered in the State of Colorado.
- The following reports have been submitted and are on file at the County Planning and Community Development: Soils and Geological, Water and Wastewater Resources, Drainage Report, Natural Features Inventory Report, Erosion Control Report, Wetland Impact Report, Traffic Impact Study.
- All property within this subdivision is subject to an Avigation Easement as recorded under Reception No. _____ of the records of the El Paso County Clerk and Recorder. No man-made or non-man-made obstructions shall be allowed to penetrate the 40:1 approach surface of the Colorado Springs Municipal Airport.
- All exterior lighting plans shall be approved by the Director of Aviation to prevent a hazard to aircraft.
- No electromagnetic, light, or any other physical emissions which might interfere with aircraft, aviation, communications or navigational aids shall be allowed.
- The Airport Advisory Commission suggests that residences constructed in this area should include F.A.A. approved sound mitigation construction techniques to obtain at least a 25db reduction in interior noise.
NOTICE: This property may be adversely impacted by noise caused by aircraft operating into and out of the Colorado Springs Municipal Airport. The buyer should familiarize himself/herself with this potentiality and the ramifications thereof.
- All property owners are responsible for maintaining proper storm water drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.

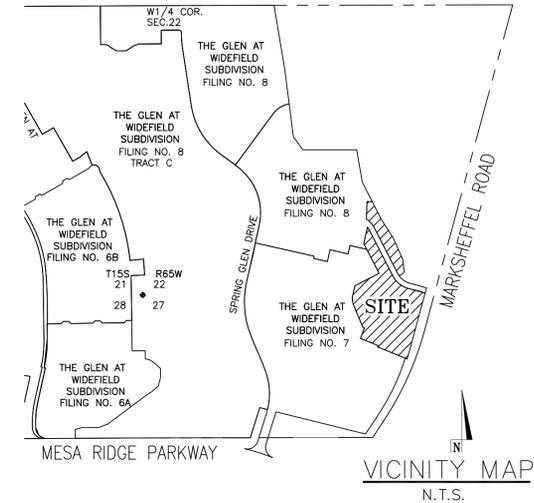
- No lot or interest therein, shall be sold, conveyed, or transferred whether by deed or by contract, nor shall building permits be issued, until and unless either the required public and common development improvements have been constructed and completed and preliminary accepted in accordance with the Subdivision Improvements Agreement between the applicant/owner and El Paso County as recorded under Reception Number _____ in the Office of the Clerk and Recorder of El Paso County, Colorado, or, the alternative, other collateral is provided to make provision for the completion of said improvements in accordance with the El Paso County Land Development Code and Engineering Criteria Manual. Any such alternative collateral must be approved by the Board of County Commissioners or, if permitted by the Subdivision Improvements Agreement, by the Planning and Community Development Director and meet the policy and procedure requirements of El Paso County prior to the release by the County of any lots for sale, conveyance or transfer. This plat restriction may be removed or rescinded by the Board of County Commissioners or, if permitted by the Subdivision Improvements Agreement, by the Planning and Community Development Director upon either approval of an alternative form of collateral or completion and preliminary acceptance by the El Paso Board of County Commissioners of all improvements required to be constructed and completed in accordance with said Subdivision Improvements Agreement. The partial release of lots for sale, conveyance or transfer may only be granted in accordance with any planned partial release of lots authorized by the Subdivision Improvements Agreement.

- All corner lots will be platted with a Sight Visibility and Public Improvements Easement as shown in the "Typical Public Improvement Easement" detail. No obstructions greater than thirty (30") inches in height above flow line elevation of the adjacent roadway are allowed within this area. The sole responsibility for maintenance and ownership being vested with individual property owners.
- The addresses (0000) exhibited on this plat are for informational purposes only. They are not the legal descriptions and are subject to change.
- The Glen at Widefield Filing No. 10 is subject to the provisions of the Park Lands Agreement as recorded at Reception No. _____ in the records of El Paso County, Colorado, recorded on the ____ day of _____, 20__.
- This property may be adversely impacted by possible radio towers installation on an adjacent parcel. The buyer should familiarize himself/herself with this potentiality and ramifications thereof.
- This property is subject to the Protective Covenants, recorded at Reception No. _____ in the records of the El Paso County Clerk and Recorder.

NOTES CONTINUED:

- This survey does not constitute a title search by Pinnacle Land Surveying Company to determine ownership of easements of record. For all information regarding easement, rights-of-way and title of record, Pinnacle Land Surveying Company relied upon a Commitment for Title Insurance, prepared by Unified Title Company, LLC. Order No. 69045UTC, effective date October 23, 2019 at 7:30 A.M.
- 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 Corps of Engineers, the U.S. Fish & 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.
- Mailboxes shall be installed in accordance with all El Paso County and United States Postal Service regulations.
- 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 El Paso County Road Impact Fee Program Resolution (Resolution No. 18-471), or any amendments thereto, at or prior to the time of building permit submittal. 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.
- The property in The Glen at Widefield Subdivision Filing No. 10 is located in Flood Zone X, determined to be outside the 500-year floodplain per FEMA Flood Insurance Rate Maps 08041C956 G and 08041C957 G, Effective dates December 07, 2018.
- Pursuant to Resolution No. _____ approved by the Board of Directors, El Paso County Public Improvement District _____ and recorded in the records of the El Paso County Clerk and Recorder at Reception Number _____, the parcels within the platted boundaries of Glen at Widefield Subdivision Filing No. 10 are included within the boundaries of the El Paso County Public Improvement District #2 and as such is subject to applicable road impact fees and mill levy.
- This plat has opted to be included in the 10-mill PID #2 for the road impact fee program. The fee is based on the established rate at the time of building permit application.
- Tract "A" is to be used for open space, public and private utilities, drainage, trails, and signage. The tract will be owned and maintained by The Glen Metropolitan District.
- All distances shown hereon are in US Feet.
- There are 40 lots and 1 tract within this subdivision.

| GLEN 10 ACREAGE TABLE | |
|-----------------------|-------------------------|
| TRACTS | OWNERSHIP & MAINTENANCE |
| TRACT A | 2.125 AC |
| TOTAL ACREAGE | 2.125 AC |
| RIGHT-OF-WAY (R.O.W.) | |
| TOTAL ACREAGE | 1.093 AC |
| LOTS (40 TOTAL) | |
| TOTAL ACREAGE | 7.253 AC |
| TOTAL GLEN 10 | |
| TOTAL ACREAGE | 10.471 AC |



APPROVALS:

The accompanying plat was approved by the El Paso County Planning and Community Development this ____ day of _____, 20__ A.D.

Director, Craig Dossey, Planning and Community Development

BOARD OF COUNTY COMMISSIONERS CERTIFICATE:

This plat for THE GLEN AT WIDEFIELD SUBDIVISION FILING NO. 10 was approved for filing by the El Paso County, Colorado Board of County Commissioners on the ____ day of _____, 20__ subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of land to the public streets, and easements are accepted, but public improvements thereon will not become the maintenance responsibility of El Paso County until preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual, and the Subdivision Improvements Agreement.

Chair, Board of County Commissioners

Date

ASSESSOR:

Steve Schleiker, El Paso County Assessor

RECORDING:

STATE OF COLORADO)
) SS
COUNTY OF EL PASO)

I hereby certify that this instrument was filed for record in my office at ____ o'clock ____M., this ____ day of _____, 20__ A.D., and is duly recorded at Reception No. _____ of the records of El Paso County, Colorado.

SURCHARGE: _____ CHUCK BROERMAN, Recorder

FEE: _____ By: _____ Deputy

SCHOOL FEE - DISTRICT# _____

PARK FEES:
REGIONAL: _____
NEIGHBORHOOD: _____

DRAINAGE BASIN: _____
DRAINAGE AND SURETY FEES: _____
BRIDGE FEE: _____

SURVEYOR'S CERTIFICATION:

The undersigned Registered Land Surveyor in the State of Colorado hereby certifies that the accompanying plat was surveyed and drawn under his supervision and accurately shows the described tract of land, and subdivision thereof, and that the requirements of Title 38 of the Colorado Revised Statutes, 1973, as amended, have been met to the best of his professional knowledge and belief.

PINNACLE LAND SURVEYING CO., INC.

John W. Towner, Registered Professional Land Surveyor No. 25968

SF-19-021

PINNACLE LAND SURVEYING COMPANY, INC.
121 COUNTY ROAD 5, DIVIDE, CO 687-7360

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

THE GLEN AT WIDEFIELD SUBDIVISION FILING NO.10
DRAWN BY: MWW CHECKED BY: JWJ DATE: 04/27/20
JOB NO.: 19001600 DWG: 19001600-PP.DWG SHEET 1 OF 2

November 25, 2019

El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910-3127

RE: Glen at Widefield Filing No. 10 - Final Plat
Sec. 22 & 27, Twp. 15S, Rng. 65W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 26801

To Whom It May Concern:

We have received the submittal concerning the above-referenced proposal to subdivide a 10.471 +/- acre tract of land into 40 single-family lots and one tract. According to the submittal, the proposed supply of water and wastewater disposal is to be served by Widefield Water and Sanitation District ("Widefield").

Water Supply Demand

The Water Supply Information Summary, Form No. GWS-76, provided with the submittal references a demand of 235.17 acre-feet/year for the Glen at Widefield East Preliminary Plan, for which Glen at Widefield Filing No. 10 is included within. The referral documents estimate a water use rate of 0.35 acre-foot/year/residential lot, for a total water demand at The Glen at Widefield Filing No. 10 of 14.0 acre-feet.

Source of Water Supply

The source of water for the proposed development is to be served by the Widefield Water and Sanitation District, and an August 5, 2019 letter of commitment from Widefield was provided with the submittal confirming 14.0 acre-feet have been committed to The Glen at Widefield Filing No. 10.

Additional Comments

Should the development include construction and/or modification of any storm water structure(s), the Applicant should be aware that, unless the storm water structure(s) can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR's *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities* in Colorado, available online at: <http://water.state.co.us/DWRIPub/Documents/DWR%20Storm%20Water%20Statement.pdf>

, to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements.

State Engineer's Office Opinion

According to this office's records, it appears Widefield has sufficient water resources to serve the proposed development. Based upon the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply is adequate and can be provided without causing injury to decreed water rights. Should you have any further questions, please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read "Ivan Franco", enclosed in a thin black rectangular border.

Ivan Franco, P.E.
Water Resource Engineer

cc: Bill Tyner, Division 2 Engineer
Doug Hollister, District 10 Water Commissioner

EL PASO COUNTY



OFFICE OF THE COUNTY ATTORNEY CIVIL DIVISION

Diana K. May, County Attorney

Assistant County Attorneys

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

March 19, 2020

SF-19-21 Glen at Widefield Subdivision Filing No. 10
Final Plat

Reviewed by: Cole Emmons, Senior Assistant County Attorney
Edi Anderson, Paralegal

MCE

FINDINGS AND CONCLUSIONS:

1. This is a final plat proposal by Glen Investment Group No. VIII, LLC ("Applicant"), to subdivide an approximately 10.47 acre parcel into 40 single-family residential lots. This proposed final plat is the fourth phase of the Glen at Widefield East Subdivision. The property is zoned RS-6000 (Residential Suburban).

2. The Applicant has provided for the source of water to derive from the Widefield Water and Sanitation District ("District"). Pursuant to the Water Supply Information Summary for the Glen at Widefield Filing No. 10, the applicant estimates its annual water needs to serve household use for the entire subdivision at 14.0 acre-feet, based on the District's 0.35 annual acre-feet per single-family equivalent. Based on these figures, the Applicant must be able to provide a supply of 4,200 acre-feet of water (14.0 acre-feet/year x 300 years) to meet the County's 300 year water supply requirement. Since the District's water is considered annually renewable (see below), it is considered to already have a minimum life of 300 years, and therefore, does not have to reserve this total quantity of water.

3. Under Section 8.4.7.C.1., LDC, "[w]ater provided from renewable ground water sources is considered to be annually renewable and, therefore, is considered to have a minimum life of three hundred (300) years." Given the general well locations which place most of the wells approximately within one to two miles of either Fountain Creek or Jimmy Camp Creek, given the augmentation supply of transmountain Frying Pan/Arkansas Project water which is a tributary renewable source, and given the representations of JDS Hydro, the District's Engineer, that "the system does not rely on any non-renewable water sources," it appears the proposed water supply is an annual

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



COLORADO SPRINGS, CO 80903
FAX: (719) 520-6487

renewable source and falls within the provisions of Section 8.4.7.C.1., and thus the proposed supply is considered to have a minimum life of 300 years.

4. The District provided a letter of commitment for the entire Glen at Widefield East Subdivision dated July 13, 2015 in which the District committed to providing water service to the entire subdivision of 595 residential lots, plus 1 small park with an annual water requirement of 235.17 acre-feet. The District's Engineer provided a subsequent letter dated August 5, 2019 addressing Filing No. 10 and stated that the District "commits to providing water and sewer service to the above mentioned subdivision per this letter....The water commitment is for 'The Glen at Widefield Subdivision Filing No. 10' being 40 Residential Lots and 14.00 acre-feet, is wholly included in previous 'The Glen at Widefield East Subdivision' commitment."

5. Applicant's proposal included a Water and Wastewater Report dated July 27, 2015. The Report indicates that the District has "current Legal Water Supply Holdings" estimated at 9,495 annual acre-feet, "current Developed Physical Supply" of 5,246 annual acre-feet, and a "three year running average actual use" of 2,464 acre-feet. This would yield an estimated surplus of approximately 2,782 acre-feet based on these figures.

6. PFCs. On May 19, 2016, the Environmental Protection Agency ("EPA") announced that it lowered the health advisory levels ("HAL") for perfluorinated compounds ("PFC"), to 70 parts per trillion. One of the three local water providers whose PFC levels now exceed the EPA's HAL is Widefield Water and Sanitation District. There has been much coverage in the local press and much public concern expressed over PFCs recently. The District Manager provided a letter dated July 29, 2016 (see **Exhibit 1** attached hereto), in which he explains that the PFCs are unregulated and unenforceable, and the new HAL ". . . in no way impacts or reduces Widefield Water and Sanitation District's water supply quantity or our ability to serve water to our current or future customers."

7. In a letter dated November 25, 2019, the State Engineer reviewed the application to subdivide the 10.471 +/- acres into 40 single-family residential lots. The Engineer reviewed this matter based on information provided in the Water Supply Information Summary and the District's letter dated August 5, 2019, which estimated water requirements at a total of 14.0 acre-feet per year for Filing 10. The State Engineer stated that according to their records, "it appears Widefield has sufficient water resources to serve the proposed development" and further, "pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply is adequate and can be provided without causing injury to decreed water rights."

8. Analysis: As indicated, the District provided a District Water and Wastewater Report dated July 27, 2015, delineating the sources of the District's water supply, which is based on surface water rights, renewable groundwater, and a mix of

various sources. The Report notes that the District does not rely on any non-renewable water sources and the current legal water supply holdings of the District are estimated at 9,495 annual acre-feet. The current developed physical supply is 5,246 acre-feet and the three year average actual use is 2,464 acre-feet, which would leave a surplus of *approximately 2,782 acre-feet based on these figures*. The water supply for Filing 10 was previously accounted for as part of the Glen at Widefield East Subdivision preliminary plan. With a proposed annual demand of 14.0 acre-feet and based on the current commitments of the District and the available water supply, it appears the proposed water supply will be sufficient for the Glen at Widefield Filing No. 10.

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

10. Therefore, based upon the finding of sufficiency and no injury by the State Engineer, the District's commitment, the District's explanation that PFCs will not affect the quantity of the District's water supply, and based on the requirements below, the County Attorney's Office recommends a finding that the proposed water supply is **sufficient** in terms of quantity and dependability. The El Paso County Health Department may wish to confirm that the District is in compliance with the water quality regulations.

REQUIREMENTS:

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

cc: Gabe Sevigny, Project Manager, Planner II



RECEIVED

AUG 01 2016
El Paso County
Attorney's Office

37 Widefield Boulevard, Colorado Springs, Colorado 80911

July 29, 2016

Cole Emmons
County Attorney's Office
27 East Vermijo Avenue
Colorado Springs, Colorado 80903

Re: Perfluorinated Compounds

Dear Mr. Emmons:

Due to all of the negative media pertaining to PFC's in the water, I wanted to write to you to explain what has occurred and to reiterate in writing that the new health advisory level for PFC's in no way impacts or reduces Widefield Water and Sanitation District's water supply quantity or our ability to serve water to our current or future customers.

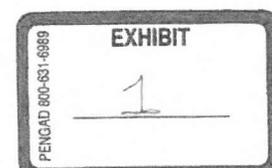
On May 19, 2016, the Environmental Protection Agency (EPA) announced it lowered the health advisory levels (HAL's) for both PFOS and PFOA to 70 parts per trillion. In addition, the Colorado Department of Public Health and Environment (CDPHE) decided to include PFHpA into the 70 parts per trillion combined level. By adding three of the PFC's together and lowering the level, the wells in the Widefield aquifer do not meet the new Health Advisory Level. Prior to May 19, 2016, Widefield Water and Sanitation District's well water was below the former Health Advisory Level for PFC's. PFC's are unregulated and unenforceable.

As an unregulated contaminant the EPA nor CDPHE requires public water suppliers to do anything about exceeding the health advisory level for PFC's other than notifying customers that the water may at times exceed the new HAL. WWSD can legally operate all of our wells without providing any form of treatment. Although we are not required by regulations to treat for or remove PFC's from the water, WWSD plans on designing and building a treatment plant(s) to remove PFC's in order to restore and maintain consumer confidence. We are also currently working with the Air Force, who has authorized funds to help us mitigate the PFC concerns, as it is suspected that the Air Force's use of firefighting foams may have contributed to, or caused the PFC contamination.

Widefield Water and Sanitation District water quantity or ability to deliver water is not at all impacted by the PFC issue in any way. In addition, we plan on having it mitigated before next year's high summer demand period.

Sincerely,

Steve Wilson, District Manager





Prevent • Promote • Protect

Environmental Health Division
1675 W. Garden of the Gods Road
Suite 2044
Colorado Springs, CO 80907
(719) 578-3199 *phone*
(719) 578-3188 *fax*
www.elpasocountyhealth.org

Glen at Widefield, No. 10, SF-19-021

Please accept the following updated comments from El Paso County Public Health (EPCPH) regarding the 10.4-acre, 40-residential lot development project referenced above:

- **Water service will be provided by Widefield Water and Sanitation District (PWSID# CO0121900). There is a finding for sufficiency in terms of water quality for water from Widefield Water and Sanitation Districts. A Letter of Commitment dated 05August2019 from WWSD to serve both water and wastewater services has been submitted and reviewed.**
- **Wastewater service will be provided by Widefield Water and Sanitation District (WWSD). The WWSD does have sufficient treatment capacity for the proposed development per the letter referenced above.**
- **El Paso County Public Health encourages planned walkability of residential communities. Please consider appropriate connections to commercial areas using sidewalks, and bike trails. Walk-ability features help reduce obesity and associated heart diseases.**
- **The water quality detention basins maintained by Glen Metropolitan District #3 must have mosquito control responsibilities included as a part of the maintenance plan to help control mosquito breeding habitat and minimize the potential for West Nile Virus.**
- **Earthmoving activity in excess of one acre, but less than twenty-five acres, requires a local Construction Activity Permit from El Paso County Public Health. Go to <https://www.elpasocountyhealth.org/service/air-quality/construction-activity-application> for more information.**

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