

EL PASO

COMMISSIONERS:
MARK WALLER (CHAIR)
LONGINOS GONZALES (VICE-CHAIR)



COUNTY

HOLLY WILLIAMS
STAN VANDERWERF
CAMMI BREMMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO: El Paso County Board of County Commissioners
Mark Waller, Chair**

**FROM: Kari Parsons, Planner III
Gilbert La Force, PE Engineer II
Craig Dossey, Executive Director**

**RE: Project File #: PUDSP-19-006 Minor Amendment
Project Name: Forest Lakes
Parcel No.: 71000-00-433**

OWNER:	REPRESENTATIVE:
FLRD, No. 2, LLC 6385 Corporate Dr., Suite 200 Colorado Springs, CO 80919	N.E.S. Inc. Andrea Barlow 619 N. Cascade Avenue, Suite 200 Colorado Springs, CO. 80903

Commissioner District: 1

Planning Commission Hearing Date:	11/5/2019
Board of County Commissioners Hearing Date	12/10/2019

EXECUTIVE SUMMARY

A request by FLRD, NO. 2, LLC, for approval of a map amendment (rezoning) of 287 acres zoned PUD (Planned Unit Development) to a site specific PUD zoning district to develop 180 single-family residential lots, rights-of-way, and six (6) open space and utility tracts to include a 260,000 gallon capacity water tank site. The parcel is located north of Hay Creek Road, south of Doolittle Road, and west of Old Denver Road and is within Sections 28 and 29, Township 11 South, Range 67 West of the 6th P.M. The subject property is located within the boundaries of the Tri-Lakes Comprehensive Plan (2000).

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

The requested amendment to the PUD includes the following: adding an additional tract for detention of storm water from rear yards; relocating the detention ponds and proposed trails out of the wetland areas as depicted on the PUD plan; adjusting the lot lines, lot numbers and removing a minimum lot width requirement at the front setback line; adjusting the location of the retaining walls along Mesa Top Drive to include adding a guard rail; adjusting the orientation of the water tanks; and depicting access roads to the tank site.

The request also includes approval of the PUD development plan as a preliminary plan. The applicant is also requesting approval to perform pre-development site grading. A finding of water sufficiency for water quality, quantity and dependability is requested with the preliminary plan.

A. REQUEST/WAIVERS/MODIFICATIONS/AUTHORIZATION

Request: Approval of a map amendment (rezoning) of 287 acres zoned PUD (Planned Unit Development) zoning district to a site specific PUD zoning district to develop 180 single-family residential lots, rights-of-way, and six (6) open space and utility tracts to include 260,000 gallon capacity water tank site. In accordance with Section 4.2.6.E, of the El Paso County Land Development Code (2019), PUD Development Plan May be Approved as a Preliminary Plan, the applicant requests the PUD development plan also be approved as a preliminary plan. The applicant is also requesting approval to perform pre-development site grading. In addition, a finding of water sufficiency for water quality, dependability and quantity is being requested.

Modification of Existing Land Development Code (LDC) or Engineering Criteria Manual (ECM) Standard:

No modifications or waivers are being requested.

Authorization to Sign: Approval by the Board of the PUD Development plan and preliminary plan with a finding of sufficiency for water quality, quantity, and dependability would authorize the Planning and Community Development Department Director to approve all subsequent final plat(s) consistent with the preliminary plan as well as the associated Subdivision Improvements Agreements, Detention Pond Maintenance Agreements and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. PLANNING COMMISSION SUMMARY

Request Heard: As a Regular Item at the November 5, 2019 hearing.

Recommendation: Approval based on recommended conditions and notations.

Waiver Recommendation: N/A

Vote: 9 to 0

Vote Rationale: N/A

Summary of Hearing: Planning Commission Summary Minutes are attached.

Legal Notice: Advertised in Mountain Mail on November 20, 2019.

C. APPROVAL CRITERIA

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

- The proposed PUD district zoning advances the stated purposes set forth in this section.
- The application is in general conformity with the Master Plan;
- The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
- The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;
- The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;
- The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
- Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
- Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;
- The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;
- The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;

- The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;
- Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and
- The owner has authorized the application.

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

- The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is consistent with the purposes of this Code;
- The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6) (b)] and the requirements of Chapter 8 of this Code.
- All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;
- The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;
- Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing

sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;

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

D. LOCATION

North:	RR-5 (Residential Rural)	Single-family Residential
South:	RR-5 (Residential Rural)	Single-family Residential
East:	PUD (Planned Unit Development)	Single-family Residential
West:	RR-5 (Residential Rural)	Pike National Forest/Vacant

E. BACKGROUND

The Board of County Commissioners approved the Forest Lakes PUD (PUD-01-009) and preliminary plan (SP-01-019) on February 26, 2002. The 977 acre PUD plan included 467 dwelling units, a ten (10) acre school site, 450 acres of passive open-space tracts, and 32 acres of tracts to be used for utilities, public facilities and park land. The original PUD Plan anticipated development to occur in two (2) phases. The first phase was proposed to include 275 dwelling units in the eastern and northern portions of the PUD Plan. Forest Lakes Filing Nos. 1 through 4, totaling 272 lots, have been platted and developed in accordance with the phasing plan.

The Board of County Commissioners approved an amendment to the Forest Lakes PUD Development Plan (PUDSP-15-002) on June 21, 2016. The amended PUD, which included approval of the preliminary plan amendment, resulted in a reconfiguration and reduction of the number of single family residential lots from 163 to 161.

The Board of County Commissioners approved the Forest Lakes Phase II PUD development plan and preliminary plan (PUD18-001) on April 23, 2019. The Plan included a request to develop 180 dwelling units within the second phase of the overall Forest Lakes PUD Plan, which represents an increase of 46 dwelling units in this area over the approved 2002 PUD Plan. The applicant proposed to establish five (5) tracts, totaling 191 acres, for open space, trails, utilities, and drainage with that 2018 Plan. No decrease in open space was proposed in the 2018 Plan area compared to the 2002 approved Plan. A water tank site was located in the northwestern-most corner of the plan and was proposed to be an addition to the existing water supply facilities of the Forest Lakes Metropolitan District, which is necessary to serve this development. A trail connection from the existing waterfront park, constructed with phase one (1), to Pike National Forest is proposed to be within a buffer open-space tract along the northern boundary and was included with that phase of development. In addition, the applicant had expressed intent to separate the southern portion of the 2002 PUD plan on the 2018 plan by depicting a “future phase” to include 61 dwelling units.

The current request to amend the PUD Development plan includes adding an additional tract for detention of storm water from rear yards, which is a design that is consistent with the current drainage criteria. As a result of concerns from the surrounding community, the applicant is proposing to relocate the detention ponds and proposed trails out of the wetland areas as depicted on the PUD plan. Adjusting the lot lines and lot numbers is necessary to accommodate the proposed changes. The applicant is also proposing to remove a minimum lot width requirement at the front setback line, which does not increase the maximum lot coverage. After further design by the applicant’s engineer, an adjustment to the location of the retaining walls along Mesa Top Drive is proposed which includes adding a guard rail. A minor change to the orientation of the water tanks is also included on the request as well as depicting access roads to the water tank site on the PUD development plan.

The request also includes approval of the PUD development plan as a preliminary plan. A finding of water sufficiency for water quality, quantity and dependability is requested with the preliminary plan. If the Board approves the requested PUD development plan and preliminary plan, the applicant intends to request administrative approval of all subsequent final plat(s).

F. ANALYSIS

1. Land Development Code Analysis

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

2. Zoning Compliance

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

3. Policy Plan Analysis

The 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. Staff has provided a detailed guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County master plan. Relevant policies are as follows:

Policy 6.1.8- Encourage incorporation of buffers or transitions between areas of varying use or density where possible.

Policy 6.1.13- Encourage the use of carefully planned and implemented clustering concepts in order to promote efficient land use, conservation of open space and reduction of infrastructure costs.

Policy 6.1.14- Support development which complements the unique environmental conditions and established land use character of each sub-area of the County.

Goal 6.1 A Encourage patterns of growth and development which complement the regions' unique natural environments and which reinforce community character.

Consistency with the Plan was found with the most recently approved amendment to the Forest Lakes PUD Development Plan (PUDSP-15-002) and with approval of the

Forest Lakes PUD (PUD-01-009) in 2002. The noteworthy areas of change from the previously approved Plan to the proposed PUD/Preliminary Plan amendment include the following:

- Increasing the overall number of residential lots.
- Reducing the number of the previously planned estate lots located along the northern boundary of the property, choosing instead to reduce the lot sizes and increase the number of lots in areas that are more internal to the development.
- Removing the northernmost roadway connection, which was previously planned to extend east and west near the northern border of the property; choosing instead to propose one primary access into the Phase 2 area via Mesa Top Drive and one emergency access road through Tract D.
- Reducing the size of the lots located along the western boundary adjacent to Pike National Forest while increasing the open space along the boundary to help preserve the natural buffer next to the Forest.

In addition, the proposed PUD/preliminary plan amendment includes multiple tracts that should generally serve as large open space areas adjacent to the existing residential development to the north and south, which includes preserving the existing Preble's Meadow Jumping Mouse habitat. Staff recommends that the layout and design of the PUD Plan is consistent with the policies pertaining specifically to the concept of clustering in order to promote conservation of open space, which include significant existing natural features, and to promote the efficient development of the property by minimizing infrastructure costs.

4. Small Area Plan Analysis

The Forest Lakes development is located within the boundaries of the Twin Valley Sub-Area of the Tri-Lakes Comprehensive Plan (2000). Approval of the overall Forest Lakes PUD (PUD-01-009) and preliminary plan (SP-01-019) included findings of master plan consistency and consistency with the Tri-Lakes Plan. The same findings were made with the approved Amended Forest Lakes PUD (PUDSP-15-002) Development Plan, which also included approval as a preliminary plan amendment.

The Plan acknowledges the Forest Lakes development in various sections. The Land Use section of the Plan states:

- *The former Beaver Creek Ranch was acquired by developer who had an 822-acre parcel within this Sub-area rezoned to accommodate 466 cluster-housing units...*

- *Also within this Sub-area a second 180-acre parcel was later included in the Forest Lakes Project, but was never approved for specific land uses...*
- *While this Sub-Area is sparsely populated today, its proximity to the employment centers of both Colorado Springs and Denver, and its extraordinary natural quality, will exert increasing pressure for residential development of remaining undeveloped areas.*

The Utilities and Services section of the Plan states:

- *There are no trails or public recreational facilities within the sub-area and no public access to National Forest...Also, there is no public access to the two lakes on Forest Lakes property*

The Opportunities, Constraints and Concerns section of the Plan states:

- *The scenic qualities and rural character of this Sub-area are worthy of preservation. With several ranches actively operating, a portion of this Sub-area has the potential to remain open space well into the future. The Twin-Valley Sub-area is exceptional, if not unique, as it has become one of the few remaining rural areas west of I-25. It is a transition zone from the intense development corridor along I-25 to the scenic and pristine beauty of the National Forest along the Front Range.*
- *The Forest Lakes residential portion, as well as the remaining working ranches, can provide the County with one of the few remaining opportunities to retain open space and rural character that singularizes Twin-Valley, and thereby preserve, if not enhance, the visual appeal of this section of the Front Range.*
- *The Twin-Valley Sub-Area provides one of the few remaining opportunities for County and other governmental agencies to acquire land that can be used for developing new parks for the enjoyment of the people in surrounding communities, all with easy access to I-25 and Santa Fe Trail. Much of this Sub-area has been identified by the County Parks Master Plan as an ideal site to acquire for public use..." here are no trails or public recreational facilities within the sub-area and no public access to National Forest...Also, there is no public access to the two lakes on Forest Lakes property.*

The Twin-Valley Land Use Scenario section of the Plan states:

- *The previous land use approvals in the Forest Lakes project are acknowledged, but it is noted that the development within this property should be sensitive to the surrounding existing and planned lower-densities uses. For this reason, adherence to the originally approved clustering plan is strongly recommended...*
- *Various opportunities for acquisition and/or preservation of open space should be pursued and implemented with this Sub-area if possible....Limited public access to the National Forest land to the west should be considered.*
- *All plans for new and expanded development should be carefully evaluated and conditioned to provide assurances water supplies will be adequate and water resources will be conserved...*

The Plan acknowledged the Forest Lakes Development and also anticipated future growth in this area due to proximity to the Interstate 25 corridor and the unique environmental features. The applicant is proposing to amend the 2002 PUD Plan by adding an additional 46 dwelling units within the Phase 2 area. The applicant proposes a reduction in lot size from the approved lot sizes within the 2002 PUD plan to accommodate the increase. As discussed above, the applicant is proposing to provide large open space areas adjacent to the existing residential developments located to the north and south.

The lots are proposed to be clustered to ensure preservation of the “extraordinary natural quality” of the area. The applicant has obtained documentation from the U.S. Fish and Wildlife Service with regard to the Preble’s Meadow Jumping Mouse Habitat critical area, and has been determined that there are “no concerns” since the applicant will place the habitat areas within preservation tracts as depicted on the PUD Plan. The applicant is not proposing a reduction in open space within the Phase 2 area. Since the completion of Phase 1 of the Forest Lakes Development, the waterfront park has been completed and is open to the public providing opportunities for the residents in this area of the County. The requested PUD Plan depicts a regional trail connection from the water front park to Pike National Forest with this phase of development.

The Forest Lakes Metropolitan District has provided commitment letters to serve the development for water and wastewater services. For the above reasons, staff has no concerns with this development request.

5. Other Master Plan Elements

The Master Plan for Mineral Extraction (1996) identifies valley fill (sand and gravel) 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.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

A geology hazards evaluation and preliminary geotechnical investigation report was prepared and submitted by CTL Thompson Engineering dated July 18, 2018, with revisions to the report dated December 11, 2018, and February 18, 2019, with the previous PUD development plan and preliminary plan request.

The report identified constraints within the subject property including expansive soils, shallow ground water, a potential for erosion, flooding and debris flow. There is a floodplain hazard depicted within the PUD development/preliminary plan area as discussed in Section G.3 of this report.

The applicant proposes to mitigate the constraints identified in the report by following CTL Thompson Engineering's recommendations to include: additional geotechnical investigation, testing and analysis for design of individual foundations, floor systems, and subsurface drainage to be completed prior to the issuance of lot specific building permits as identified in Recommended Condition of Approval No. 7.

A debris flow/mud flow analysis report was also prepared and submitted by CTL Thompson Engineering on August 6, 2018, and revised December 14, 2018.

The report concludes that the potential for major debris/mud flow is generally limited to the drainage paths and adjacent over bank areas within the floodplains of North Beaver Creek, South Beaver Creek, Beaver Creek, and Hell Creek. The applicant has depicted these areas in a tract. No development is proposed in these areas.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate to very high wildlife impact potential. Critical habitat for the Preble's Jumping Mouse has been identified in the Beaver Creek, North Beaver Creek and South Beaver Creek drainage areas. A U.S. Fish and Wildlife Service

clearance letter (email) dated July 18, 2018, had been provided by the applicant, which does not indicate any concerns with the proposed development, if the subdivision is developed as depicted on the PUD plan. The applicant is proposing to provide a 394-foot buffer from the 100-year floodplain which is known habitat for Preble's Jumping Mouse to preclude disturbance to the habitat.

3. Floodplain

FEMA Flood Insurance Rate Map panel numbers 08041C0258G, 08041C0259G, 08041C0266G and 08041C0267G shows that the 100-year floodplain (Zone AE) of North Beaver Creek, South Beaver Creek and Beaver Creek flows through the site. These creeks are planned to be located in tracts to be owned and maintained by the Forest Lakes Metropolitan District.

4. Drainage and Erosion

The Forest Lakes development is located within the Beaver Creek drainage basin (FOMO4600), which is a fee basin. The basin does not have a Drainage Basin Planning Study (DBPS).

The site generally drains to the east into Beaver Creek. The approved PUD (PUDSP-18-001) identified that stormwater runoff will be conveyed by public storm sewer systems into one of three proposed full spectrum detention ponds for water quality and flood control facilities. These facilities will be owned and maintained by the Forest Lakes Metropolitan District. Hydraulic analysis will be performed with the appropriate final plat(s).

The PUD development plan and preliminary plan amendment show minor changes in grading which has no significant impact to the overall drainage system and is still in conformance with the approved preliminary drainage report. The PUD development plan and preliminary plan amendment proposes to revise the creek crossing from three box culverts to a bridge structure. Detailed design of the bridge crossing shall be provided with the appropriate final plat application as determined by the PCD Director. An additional water quality facility is proposed at the southeast corner of the subdivision due to the detailed design related to Forest Lakes Filing No. 5 (SF1915), which is currently in the review process.

5. Transportation

No significant changes are proposed to the roadway system with this amendment. A minor change is proposed which would to shift the Timber Trek Way cul-de-sac bulb due to the adjacent detention pond. Access to the development is via the extension

of Forest Lakes Drive and Mesa Top Drive. All streets are planned to be public roads and will be dedicated to the County. The 2016 Major Transportation Corridors Plan Update (MTCP) does not call for any improvement projects in the immediate vicinity of the site. No improvements associated with this development are reimbursable through the MTCP roadway improvement program.

The majority of the Forest Lakes development is located west of North Beaver Creek and South Beaver Creek. A single roadway crossing over North Beaver Creek is proposed to serve as the primary access due to topographic constraints. Secondary access is provided via a combined trail/emergency road designed as a low water crossing on North Beaver Creek.

The Mesa Top Drive connection to Lindbergh Road was approved with Forest Lakes Filing No. 1 with a 100 foot centerline curve which does not meet current ECM criteria. Roadway design for this segment of Mesa Top Drive is in review with Forest Lakes Filing No. 5.

The development is subject to the El Paso County Road Impact Fee program (Resolution No. 18-471).

H. SERVICES

1. Water

Sufficiency: The development is proposed to be served by Forest Lakes Metropolitan District.

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

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

2. Sanitation

Wastewater service is proposed to be provided by Forest Lakes District, which has committed to serve the property. El Paso County Public Health has made a favorable recommendation regarding wastewater disposal.

3. Emergency Services

The property is within Tri-Lakes Fire Protection District. The District has committed to serve the development. The District has reviewed the applicant's fire protection report and proposed PUD Plan and has provided a letter stating they are in agreement with the report.

4. Utilities

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

5. Metropolitan Districts

The property is within Forest Lakes Metropolitan District. The District has provided a letter stating they anticipate and agree to accept the maintenance and ownership responsibility of the tracts within this development. The District will be responsible for maintaining the drainage tracts, detention ponds, open space and landscaped areas along the platted public right-of-way throughout the development.

6. Parks/Trails

The applicant is anticipated to construct a Tier 1 Regional Trail along Forest Lakes Drive to the western boundary of the proposed PUD plan to connect to the Pike National Forest in lieu of \$77,400.00 due at plat recordation for Regional Park Fees (Area 1). The applicant will provide a 25-foot easement for the trail upon plat recordation. Ultimately, the trail is planned to connect the Santa Fe Trail to the forest. No urban park fees are due at plat recordation.

7. Schools

The subject property is located within the boundaries of Lewis Palmer School District No. 38. The applicant is not required to pay fees in lieu of land dedication due to a prior dedication of a 10 acre school site.

I. APPLICABLE RESOLUTIONS

See attached Resolution.

J. STATUS OF MAJOR ISSUES

There are no outstanding major issues with this application. If the requested amendment is denied, then the 2018 PUD Development plan and preliminary plan (PUDSP-18-001) will still remain in effect.

K. RECOMMENDED CONDITIONS AND NOTATIONS

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

CONDITIONS

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the amended PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
6. Applicable park, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
7. The applicants shall mitigate the constraints identified in geology hazards evaluation and preliminary geotechnical investigation report which was prepared and submitted by CTL Thompson Engineering dated July 18, 2018, revisions of

the report dated December 11, 2018, and February 18, 2019. CTL Thompsons Engineering recommendations include: additional geotechnical investigation, testing and analysis for design of individual foundations, floor systems, and subsurface drainage to be completed prior to the issuance of lot specific building permits.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.
3. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
4. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 28 adjoining property owners on October 17, 2019, for the Board of County Commissioners' hearing. Responses received to date are attached.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
PUD Development Plan/Preliminary Plan
State Engineer's Letter
County Attorney's Letter

Adjacent Property Owner Responses
Planning Commission Draft Minutes
Planning Commission Resolution
Board of County Commissioners' Resolution

El Paso County Parcel Information

PARCEL	NAME
7100000433	FLRD #2 LLC

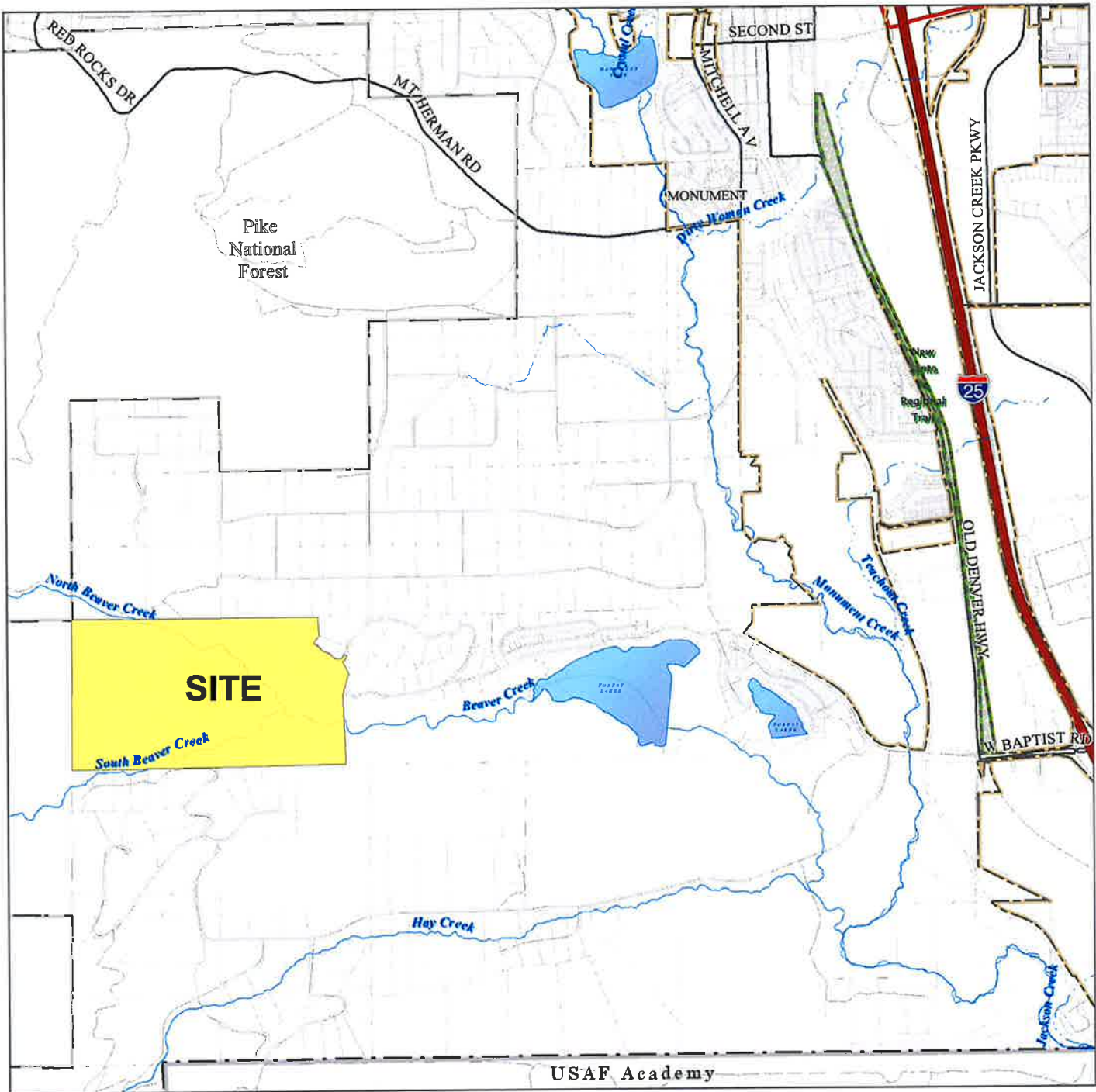
File Name: PUDSP-19-006

Zone Map No. --

ADDRESS	CITY	STATE
6385 CORPORATE DR STE 200	COLORADO SPRINGS	CO

ZIP	ZIPLUS
80919	5912

Date: October 16, 2019



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



COPYRIGHT 2018 by the Board of County Commissioners, El Paso County, Colorado. All rights reserved. No part of this document or data contained herein may be reproduced, used to prepare derivative products, or distributed without the specific written approval of the Board of County Commissioners, El Paso County, Colorado. This document was prepared from the best data available at the time of printing. El Paso County, Colorado, makes no claim as to the completeness or accuracy of the data contained herein.

FOREST LAKES PHASE 2 PUD/PRELIMINARY PLAN MINOR AMENDMENT

LETTER OF INTENT

SEPTEMBER 2019, REVISED OCTOBER 2019

REQUEST

NES Inc., on behalf of Classic Homes, request the approval of the following applications:

- Minor amendment to the Forest Lakes Phase 2 PUD/Preliminary Plan;
- Finding of water sufficiency; and
- Pre-development grading upon staff approval of the PUD Preliminary Plan Amendment (LDC Chapter 6.2.6 Pre-Development Site grading).

PROJECT DESCRIPTION

The proposed amendments to the Forest Lakes Phase 2 PUD/Preliminary Plan are primarily a result of eliminating areas of disturbance to the wetlands and to improve site drainage, and other minor changes for consistency and clarification. The specific changes are as follows:

1. Modify the layout and location of detention ponds to remove them from the wetland areas and to improve drainage.
2. Adjust lot numbers, dimensions and locations affected by detention pond changes. (See attached exhibits showing affected lots).
3. Change the tract labels from acreage to square feet and acreage for consistency with lot areas and with the previously approved PUD Preliminary Plan.
4. Tract F added to provide stormwater quality for the backyards of lots 20 – 25.
5. The retaining walls along Mesa Top Drive are shifted due to grading changes and guard rails have been added.
6. Access roads were added around the detention ponds to improve maintenance access.
7. Trails are realigned to avoid wetland areas, accommodate drainage ponds, and to accommodate relocated lots.
8. The water tank orientation has been modified and the fence has been relocated to accommodate the final tank design and layout.
9. The minimum lot width has been removed from the cover page. A note has been added to reference the plans to determine the lot width.
10. Mesa Road culverts have been removed and replaced with a bridge structure to avoid development in the wetland area.

A Finding of Water Sufficiency is also requested with this submittal. At the time of the original approval, the County Attorney required additional information to make this finding. We understand this additional information is now available.

Once a Finding of Water Sufficiency is received, the applicant requests that all Final Plats be approved administratively per revised County Section 7.2.1.(D).(3).(f) - Final Plat Criteria of Approval.

PROJECT JUSTIFICATION

This letter supplements the Letter of Intent (LOI) for the approved Forest Lakes Phase 2 PUD/Preliminary Plan (attached as Appendix A). The analysis in the original LOI is still applicable and is unchanged by these amendments, with the exception of the following:

PUD Modifications

The attached PUD Modification relating to backyard drainage is amended to reduce the number of lots for which direct release across a grass buffer (or equivalent) is requested. The reduction from 47 to 30 affected lots is due changes to drainage, grading, and the addition of Tract F.

Criteria for Approval

The following Preliminary Plan Criteria was added to the Land Development Code since the PUD/ Preliminary Plan for Forest Lakes Phase 2 was approved:

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.

FILING No.	PUBLIC IMPROVEMENT PHASING
Filing 5	<ul style="list-style-type: none">• Required water main extension and looping to serve filing 5.• Gravity sanitary system connecting to existing sanitary sewer in Filing 1.• Stormwater Quality and Detention Pond C to provide for developed runoff.• Necessary road infrastructure to serve filing 5.
Filing 6	<ul style="list-style-type: none">• Required water main extension and looping to serve filing 6.• Gravity sanitary system connecting to sanitary sewer in Filing 5.• Stormwater Quality and Detention Pond B to provide for developed runoff.• Necessary road infrastructure to serve filing 6, including emergency access road.• Construction of bridge or box culvert crossing over North Beaver Creek.• Construction of water tank at the northwest corner of the boundary.
Filing 7	<ul style="list-style-type: none">• Required water main extension and looping to serve filing 6.• Gravity sanitary system connecting to sanitary sewer in Filing 6.• Stormwater Quality and Detention Pond A to provide for developed runoff.• Necessary road infrastructure to serve filing.

The public improvements required to serve the Phase 2 (Filings 5, 6 & 7) were approved with the approval of the PUD/Preliminary Plan. The proposed phasing of these improvements is as follows:

In the original submittal it was anticipated that the water tank would be constructed with Filing 5. However, more detailed design analysis indicates that the construction of the water tank will not be required until Filing 6 as, due to topography, adequate fire flows for Filing 5 can be achieved through connection to the existing water tank in Tract B, Filing 1.

P:\Classic2\Forest Lakes\Residential\Phase 2\Admin\Submittals\Minor Amendment\2nd Submittal\Letter of Intent_Revised 10.14.19.docx

ATTACHMENT A:
LETTER OF INTENT FROM APPROVED FOREST LAKES PHASE 2 PUD/PRELIMINARY PLAN

DECEMBER 2018, REVISED MARCH 2019

OWNER: Forest Lakes Residential Development #2 LLC 111 Main Street, Suite 1600 Kansas City, MO 64105	DEVELOPER/APPLICANT: Classic Homes 6385 Corporate Drive Colorado Springs, CO 80919	CONSULTANT: N.E.S. Inc. 619 North Cascade Ave Colorado Springs, CO 80903
---	--	--

Forest Lakes is located northwest of the intersection of Interstate 25 and Baptist Road, to the southwest of the Town of Monument. The property comprises approximately 977 acres in total. The eastern 221 acres has already been platted as filings 1 – 4 and is substantially built-out. Two man-made lakes/reservoirs have been constructed to supply the development with water and to serve as a recreational amenity. This area also includes Waterfront Park along the north side of Bristlecone Lake, which serves as the community park for the entire development. This current submittal relates to the 287-acre western portion of the property. Beaver Creek flows west to east through the southern half of the property, then splits into North Beaver Creek and South Beaver Creek. The area adjacent to the southern branch of the creek is Preble’s Meadow Jumping Mouse critical habitat, which will remain as undisturbed open space.



REQUEST

Forest Lakes Residential Development LLC requests approval of the following:

- a. A Major Amendment to the Forest Lakes PUD Development Plan/Preliminary Plan for Filings 5, 6 & 7, comprising 180 single-family lots, 5 tracts and public roads on 287 acres, at a gross density of 0.63 dwelling units per acre and a maximum height of 30 feet, with PUD modifications (described below).
- b. A 260,000-gallon water tank for Forest Lakes Metropolitan District (diameter 40 ft; height 28.68 ft)

The initial submittal of this application in January 2018 proposed 231 single-family lots. Since that time, the applicant has held three neighborhood meetings, on February 22nd, April 26th, and November 15th 2018. The current resubmittal represents the culmination of a series of changes to the plans to address concerns from neighbors regarding density and lot size, and also to address the recommendations of a Debris Flow Analysis requested by Colorado Geologic Survey. This resulted in changes to the proposed lot layout, street configuration, grading and culvert design, which reduced the number of lots initially to 199 and ultimately to the 180 lots currently proposed.

The following PUD modifications are requested for Forest Lakes Filings 5, 6 & 7:

	LDC/ECM Section	Category	Standard	Modification	Justification
1	LDC Chapter 8.4.3(C)(4)(c)	Flag lots	Cul-de-sac required where 3 or more butting flag lots would occur	Lots 3, 4, 5 & 6 will be accessed off a single shared access, which is part of Lot 4 and will be subject to a shared access easement.	The proposed median divided section of road restricts lot accessibility and the proposed flag lot condition for the 4 lots will allow each lot to access the public street at an intersection. This will improve safety.
2	LDC Chapter 8.4.3(C)(2)(e)	Lot area and dimensions	Lots to have a minimum of 30 feet of frontage on and access from a public road	Lots 3, 5 & 6 will not have direct frontage on or access from a public road.	
3	LDC Chapter 8.4.3(B)(2) and ECM Section 2.5.2.C.4	Mid-block crossings	Access ramps on local roadways shall be spaced no greater than 600 feet apart.	Sections of Mesa Top Drive and Forest lakes Drive exceed 600 feet without a mid-block crossing.	Adequate pedestrian accessibility is provided by access ramps at intersections and at mid-block trail crossings.
4	ECM Section 2.3.8.A	Roadway terminations – cul-de-sac length	Cul-de-sacs shall have a maximum length of 750 feet for urban conditions.	Foothills Flash Court and Timber Trek Way cul-de-sacs exceed 750 feet	The cul-de-sacs provide for a more efficient layout and do not significantly exceed the standard length and both serve less than 25 lots. The Fire Dept. has reviewed and approved the site layout.
5	ECM Section 1.7.2 (APPENDIX I)	Water Quality Capture Volume Requirements	Direct all runoff through grass buffers and/or grass swales or provide a similar BMP	Allow for direct release across grass buffer (or equivalent) for back yards of proposed single-family subdivision lots.	All roof drains will be routed to front yard and the street eventually to a permanent downstream water quality facility. There is a 300'+ natural buffer between the back yards and the waters of the State of Colorado.

Chapter 4.2.6.F.2.h of the Land Development Code (LDC) allows for a PUD modification of a general development standard in the LDC or criteria of the Engineering Criteria Manual (ECM). The proposed PUD modifications allow for a more efficient layout that minimizes grading, thereby achieving two of the identified benefits in Chapter 4.2.6.F.2.h - preserving natural features and providing more accessible open space within the development. The site layout has been reviewed and approved by the Fire Department for safety subject to certain stipulations, which are either addressed in the revised plans or relate to the construction phase. Additional justification for the proposed modifications to the ECM standards are appended to this Letter of Intent.

PROJECT DESCRIPTION

Project History

The Forest Lakes subdivision was part of the 1,367-acre High Meadows Sketch Plan that was approved in 1984, which included 466 residential units, four lakes, a school site, and commercial/industrial areas southeast of I-25 and Baptist Road. Two of the four lakes initially planned for the site were constructed along with some rough grading for roadways before the project fell into bankruptcy.

The listing of the Preble's Meadow Jumping Mouse as a threatened species in 1995 dramatically reduced the buildable areas and the ability to construct the two additional lakes as proposed in the original Sketch Plan. A Planned Unit Development Plan and Preliminary Plan were subsequently approved in 2002 for the 977-acre residential component of the original Sketch Plan. This proposed 467 homes in a clustered design that preserved the mouse habitat along Beaver Creek and other natural features of the site. The approved plan also included a ten-acre school site, 470 acres of parks and open spaces, which included the two existing lakes on the eastern portion of the property and Waterfront Park.

The existing development in the eastern portion of Forest Lakes includes Filings 1 – 4 totaling 272 lots on 222 acres. These have been platted as follows:

- Filing No. 1: 33 single family lots, 1 school site lot, public road right-of-way, and 6 tracts (including Waterfront Park) on 134.0 acres,
- Filing No. 2A: 73 single family lots, public road right-of-way, and 5 tracts on 17.1 acres
- Filing No. 2B: 45 single family lots, public road right-of-way, and 6 tracts on 31.1 acres
- Filing No. 3: 79 single family lots, public road right-of-way, 0 tracts on 39.9 acres
- Filing No. 4: 42 single family lots, public road right-of-way, and 4 tracts on 11.6 acres (a replat of Tract B of Filing No. 2B).

The focus of this PUD Development Plan/Preliminary Plan Amendment is on the changes proposed to western portion of Forest Lakes, which will be subdivided into future Forest Lakes Filings 5, 6 and 7.

Site Layout

This plan requests 180 single family lots on 287 acres in the western portion of the Forest Lakes with a gross density of 0.63 units per acre. This portion of the site is accessed by Forest Lakes Drive and Mesa Top Drive. The 2002 PUD Development Plan anticipated 467 lots within the overall Forest Lakes Residential boundary (all phases). This application requests to increase the total number of lots to 513 lots over three phases, a 9.8% increase. The chart below compares the changes to the phase areas:

	Lot Total 2002 Plan	Lot Total 2019 Plan	Difference
Phase 1 (Filings 1, 2A, 2B, 3 and 4)	275	272	-3
Phase 2 (Filings 5, 6 and 7)	131	180	49
Phase 3 (Future Filings)	61	61	0
Total	467	513	46

While the total number of lots has increased, the area of impact has decreased. By using generally smaller more efficient lots, the development uses a more compact pattern preserving more areas for open space. In the approved 2002 plan, 160 acres were preserved as open space, whereas in the current plan for 180 lots, 192 acres are preserved as open space (67% of site), an increase of 23%. The additional density does not change the street classifications of any of the roadways within Forest Lakes.

The Plan includes a County regional trail, connecting from the existing regional trail along Forest Lakes Drive and through Waterfront Park, to the western boundary of the property. This provides the opportunity for future connection to the National Forest to the west. A network of internal trails is also shown on the plan, which will be field located based on terrain.

Development Standards

Three general lot sizes are planned for this area. Type A Lots will have a minimum of seventy (70) feet width at the front setback and a one hundred and twenty (120) foot depth, which will range in size from 8,400 to 17,433 square feet. The lots have a fifteen (15) foot front yard setback to the front of the home, with a minimum of twenty (20) feet to the face of the garage from the back of sidewalk. This allows for garages to be set back from the front of the home yet still provide adequate driveway length for parking. A ten (10) feet front setback is permitted for a side loaded garage, as in this configuration the home is setback the width of the garage and the driveway accommodates parking parallel to the front property line. Side yard setbacks are planned at five (5) feet, with a corner lot setback of ten (10) feet when directly abutting public right-of-way. The rear setback is set at twenty (20) feet. The maximum building height is thirty (30) feet. Type B Lots will range in size from 9,600 to 23,328 square feet, with an eighty (80) feet width at the front setback and a one hundred and twenty (120) foot depth. All other dimensions are the same as the Type A lot.

The Type C lots are the larger estate lots, of which there are seven in total, located along in the northern section of the site. These are generally irregular shaped lots, with the smallest being approximately 1.35 acres and the largest approximately 10 acres. These lots will have a minimum of one hundred and fifty (150) feet width at the front setback and a one hundred and fifty (150) foot depth. The lots have a

minimum twenty-five (25) foot front yard setback, fifteen (15) foot side yard setbacks, and a rear setback of thirty (30) feet, with the exception of lots 1-3 where the rear setback is one hundred (100) feet due to the existing electric easement.

A water tank will be constructed in Tract C in the northwest corner of the property for Forest Lakes Metropolitan District. The water tank will have a diameter of 40 feet and a height of 28.68 feet and will hold 260,000 gallons. There will be a 6-foot chain link fence around the perimeter of the tank. The tank will be accessed by a 20-foot asphalt road off Mesa Top Drive. The water tank setbacks are shown on the plan.

Streets

Public streets will be constructed to the El Paso County Urban Local Street standard, except for the requested PUD modifications referenced above. The extension of Forest Lakes Drive provides the primary access to the project area. Mesa Top Drive along the northern portion of the site will be extended to provide secondary access. Both roads meet to create a looped access within the western portion of the site. To ensure adequate emergency access, a median divided section of road is provided from the intersection of Forest Lakes Drive and Mesa Top Drive to the beginning of the internal loop. In addition, an emergency access road is provided through Tract D in the northern section of the site.

Tract D is to be owned and maintained by the Forest Lakes Metropolitan District, who will also be responsible for maintaining the emergency access road. This meets the requirements of Section 8.4.4(D)(2) of the Land Development Code. A bollard and chain gate will be provided at each end of the emergency access road with a Fire District Knox Lock. These emergency access measures have been reviewed and approved by the Tri-Lakes Monument Fire Protection Department, subject to stipulations regarding construction materials, the width of the lanes in the proposed median-separated section of road and required median breaks, provision of fuel breaks and that the proposed water tank be operational before certificates of occupancy are issued for the new homes. These requirements are either addressed on the revised plans or will be addressed with building permits/certificate of occupancy and covenants. The Fire Department reviews all building permits and undertakes inspections and sign-off for certificates of occupancy for each unit.

A new traffic calming island is proposed on Forest Lakes Drive at the easternmost point of this development, in response to comments by neighbors regarding the speed of existing traffic.

Open Space and Trails

192 acres of open space and trails are planned throughout the project, which represents 67% of the project site area. Filings 1-4 of the Forest Lakes Development extended the County Regional Trail into and through the property and constructed Waterfront Park, which has a playground, amphitheater, fishing and boat dock, and a multi-purpose lawn area. Originally, the plans for the western section of Forest Lakes included Homestead Park, less than a mile from Waterfront Park with similar amenities. The reduced development footprint proposed by this application opens up more open space for informal trails, natural areas, and unique open space experiences in lieu of Homestead Park.

The plan illustrates a route for the continuation of the County Regional Trail, which will follow the existing dirt road along the south side of the project area. The trail will then divert northwest through the center of the development alongside the proposed emergency access road, back up to the mesa top, and then west to the northwest corner of the property. The long-term goal is to see a connection from this development to the US Forest Service trail network to the west. A twenty-five (25) foot easement will be provided to El Paso County for the regional trail with future Final Plats.

A prominent knoll in the northwestern portion of the site provides a unique opportunity for hiking trails with views from the top that overlook the surrounding area. Potential trails are identified on the plan and these will be field located based on terrain. Consequently, the location, route and extent of these trails may vary. A small parking area is planned off Mesa Top Drive providing access to the trails through Tract E. Existing vegetation will be retained in the open spaces where appropriate, having regard to the recommendations of the Wildfire Hazard & Mitigation report. The open space and trails will be owned and maintained by Forest Lakes Metropolitan District.

Wildlife and Vegetation

The Impact Identification Report prepared by CORE Consultants identifies Preble's Meadow Jumping Mouse critical habitat along the western portion of Beaver Creek and recommends that designated Critical Habitat for PMJM should be avoided during project design. The critical habitat is shown on the PUD Development/Preliminary Plan and is contained wholly within Tract B. Recent consultation with US Fish and Wildlife Service confirms that as the proposed development does not encroach into the PMJM critical habitat area (defined as 394-foot buffer from the ordinary high-water mark of the creek), there is no impact to the mouse habitat. US Fish and Wildlife Service also confirmed that the continuation of the proposed regional trail on the existing road through the habitat area is acceptable.

The report recommends further surveys to assess the potential impact of construction on nesting areas and other wildlife species as necessary. In particular, it recommends that should construction begin during the breeding bird season (February 1 through July 15), nesting raptor and migratory nesting bird ground clearance surveys should be conducted to determine the presence or absence of nesting birds within the project. If construction begins during the breeding bird season, the applicant (through CORE Consultants) will undertake the required surveys for nesting raptors and migratory birds to ensure nesting birds are not disturbed during construction. The report also recommends coordination with Colorado Parks & Wildlife (CPW) to determine appropriate avoidance measures should they express concerns over the potential presence of other wildlife species within the project. The applicant (through CORE Consultants) will consult with CPW regarding any concerns over wildlife and any specific recommendations for avoidance measures.

The Impact Identification Report also identifies potential habitat for Ute ladies'-tresses orchid (ULTO), which is a Federally threatened species, and recommends coordination with the USFWS to determine if ULTO surveys are required for the project. Though the presence of ULTO is unlikely based on the elevations of the project site, the applicant (through CORE Consultants) will initiate informal consultation with USFWS to determine whether ULTO surveys will be necessary.

The report recommends the preparation of a noxious weed management plan and to treat noxious weeds on the project prior to construction. CORE Consultants has prepared a noxious weed

management plan for the project in accordance with the Colorado State Noxious Weed Act and El Paso County's standards for noxious weed management and treatment. This is included with this submittal. CORE will perform an inventory and will treat identified noxious weeds during and post-construction in order to prevent and control the spread of noxious weeds.

Floodplain & Wetlands

Portions of the site adjacent to Beaver Creek and North Beaver Creek are within a FEMA designated 100-year floodplain. The remainder of the property is outside the 500-year floodplain. All proposed lots are outside the floodplain boundary.

The Wetland Delineation Report prepared by CORE Consultants identifies areas of potentially jurisdictional wetland along Beaver Creek and North Beaver Creek. The Impact Identification Report recommends avoiding potentially jurisdictional water features and if the project design unavoidably impacts such features, an application to the US Army Corps of Engineers (USACE) for a permit pursuant to Section 404 of the Clean Water Act should be submitted. All lots are outside the jurisdictional wetland areas. A small pond in the eastern section of the site which is non-jurisdictional will be filled. Impact to the wetlands will be limited to road and trail crossings.

When the construction drawings for the new infrastructure are prepared, it will be possible to determine the precise impacts to the wetlands. If less than 0.5 acres or 300 linear feet of stream bed are impacted by the project, a Nationwide Permit 29 (Residential Development) will be requested. If it is determined that impacts exceed these thresholds, CORE Consultants will prepare the required Section 404 permit application submittal to USACE. If necessary, a Section 401 permit application to Colorado Department of Public Health and Environment (CDPHE) will also be processed, which is only required if there is potential impact to water quality.

Soils and Geology

The Geologic Hazards Evaluation and Preliminary Geotechnical Investigation prepared by CTL Thompson Inc., identifies that portions of the proposed subdivision may be impacted by geologic conditions including shallow groundwater, expansive soils and bedrock, and potential for flood, erosion and debris flow. These conditions can be mitigated by avoidance, regrading, proper engineering design, and construction techniques. Following comments from Colorado Geologic Survey on the initial submittal of the application in January 2018, an additional Debris Flow/Mudflow Analysis was prepared. The recommendations of this analysis resulted in changes to the proposed lot layout, street configuration, grading and culvert design, which are reflected in this revised submittal. These constraints are identified on Sheet 9 of the PUD Development/Preliminary Plan.

Water & Wastewater

Water and sanitary sewer for the project will be provided by the Forest Lakes Metropolitan District. A Water Supply Plan and Wastewater Report is provided with the application, prepared by the District's engineer, JDS Hydro. That report indicates that the District is operational and has the appropriate approvals from the State of Colorado. A new water tank is proposed in Tract C as part of this development,

which will be constructed with the first filing (filing no. 5) of this project. The entirety of Tract C will be dedicated to Forest Lakes Metropolitan District.

Drainage

Storm water detention and water quality are planned within three new ponds proposed within the project area. All of the improvements for the stormwater system will be owned and maintained by the Forest Lakes Metropolitan District.

Maintenance, Covenants and Architectural Control

The Forest Lakes Metropolitan District will own all tracts and will be responsible, where required, for maintenance of open space and trails, other than the County Regional Trail, which will be maintained by El Paso County Community Services Department.

All filings within this development will be annexed into the existing Forest Lakes Home Owners Association, which will enforce covenant and architectural control in the community.

PROJECT JUSTIFICATION

PUD Development Plan

The proposed PUD Development Plan is consistent with the approval criteria set forth in Section 4.2.6.D of the LDC as follows:

1. The application is in general conformity with the Master Plan;

The site lies within the Twin Valley Sub-Area of the Tri-Lakes Area Comprehensive Plan (2000) and both the existing and proposed areas of Forest Lakes are designated as "medium density residential development" on the Tri-Lakes Area Concept Plan. The Plan does not define "medium density", but other areas that are similarly designated include the Woodmoor, Knollwood and Gleneagle areas. These have all been developed at urban densities and lot sizes. The lot sizes already developed in Forest Lakes and those currently proposed are consistent with the lot sizes in these comparably designated areas but due to the clustering design, the overall density is much lower.

The County Policy Plan also encourages development that is compatible with adjacent areas:

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

Policy 6.1.6: Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.

Policy 6.1.8: Encourage incorporating buffers or transitions between areas of varying use or density where possible.

Policy 6.1.11: Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 6.1.13: Encourage the use of carefully planned and implemented clustering concepts in order to promote efficient land use, conservation of open space and reduction of infrastructure costs.

Policy 6.1.14: Support development which complements the unique environmental conditions and established land use character of each sub-area of the County.

Policy 6.2.2: Promote the unique identity of neighborhoods through the use of focal points, parks, trails and open spaces, preservation of significant natural features, compatible location and design of mixed uses, and promotion of pedestrian and other non-motorized means of travel.

Policy 6.2.10: Utilize buffer zones to provide mutually compatible transitions between neighborhoods and adjoining development with differing uses or densities.

All the necessary urban services are available to serve this development, as they have been constructed with the Filings 1-4 of the Forest Lakes development. The clustering design of the proposed layout allows for the preservation of extensive areas of open space and protects the natural features and habitat areas on the site. These characteristics together with the provision of regional and local trails create a unique identity for the development that complements the environment and character of this part of the County.

The layout of the site provides appropriate density transitions and/or preserves substantial open space areas and buffer tracts to the adjacent larger lot properties to the north and south. The southernmost proposed lot is 350 feet from the existing homes to the south. Beaver Creek and its associated floodplain, wetlands, and mouse habitat areas, also provide a 118-acre undisturbed buffer tract between the proposed development and the southern property line. To the north, large estate lots are proposed in addition to open space tracts to provide an appropriate transition and buffer to the existing homes to the north. The National Forest is situated to the west, and a large open space tract, approximately 180 to 350 feet wide, will buffer the proposed homes from this natural area. The development now proposed for the west part of Forest Lakes is also compatible with the existing development in the eastern part of Forest Lakes in terms of lot size and open space provision.

2. The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;

The proposed development complies with the requirements of the LDC, other than the requested PUD modifications. The requested PUD modifications will help to protect the physical conditions and natural features of the site and will preserve more open space. The proposed median divided section of road and emergency access road will provide appropriate emergency access to the site.

The project proposes similar density to that approved in the 2002 PUD Development Plan. The development provides appropriate density transitions and buffers to existing development and the design complements the environment and character of this part of the County. The project also offers additional housing choice and lot size variety which is needed in the area, as evidenced by the success of Filings 1-4 of the development. As such, the proposed project will not be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County.

-
- 3. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area;**

The clustering design of the proposed layout allows for the preservation of extensive areas of open space and protects the natural features and PMJM habitat areas on the site. These characteristics together with the provision of regional and local trails create a unique identity for the development that complements the environment and character of this part of the County. As described above, the layout of the site provides appropriate density transitions and/or preserves substantial open space areas and buffer tracts to the adjacent residential properties to the north and south.

The Geotechnical Report prepared by CTL Thompson Inc. indicates that the identified geologic hazards do not preclude development of the site but require mitigation. The geological conditions that exist include shallow groundwater, expansive soils and bedrock, and potential for flood, erosion and debris flow. These conditions will be mitigated by avoidance, regrading, proper engineering design, and construction techniques commonly used in the area, such as spread footing foundations and slab-on-grade floors.

- 4. The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;**

The layout of the site provides appropriate density transitions and/or preserves substantial open space areas and buffer tracts to the adjacent larger lot properties to the north and south. The southernmost proposed lot is 350 feet from the existing homes to the south. Beaver Creek and its associated floodplain, wetlands, and mouse habitat areas, also provide a 118-acre undisturbed buffer tract between the proposed development and the southern property line. To the north, large estate lots are proposed in addition to open space tracts to provide an appropriate transition and buffer to the existing homes to the north. The National Forest is situated to the west, and a large open space tract, approximately 180 to 350 feet wide, will buffer the proposed homes from this natural area. The development now proposed for the west part of Forest Lakes is also compatible with the existing development in the eastern part of Forest Lakes in terms of lot size and open space provision.

- 5. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;**

The proposed homes, 75% of which will be ranch-style, are similar to and compatible with the surrounding residential properties in terms of bulk and scale. Building height will be limited to 30 feet. The size and height of allowed accessory uses will be controlled per the PUD development standards and by the HOA covenants. Certain accessory uses will be permitted only on the larger estate lots.

6. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;

The unique features of the site include the knoll in the western portion of the site, Beaver Creek, and the beaver pond. These will be preserved and have been incorporated into the design of the project. Critical habitat areas and potentially jurisdictional wetlands have been preserved as referenced in the Impact Identification Report prepared by CORE Consultants, Inc. These areas are identified on the PUD Development/Preliminary Plan. Existing vegetation will be retained in the open space tracts where appropriate, having regard to the recommendations of the Wildfire Hazard & Mitigation report.

7. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide a reasonable walking and biking opportunities;

The plan illustrates a route for the continuation of the County Regional Trail, which will follow the existing dirt road along the south side of the project area. The trail will then divert northwest through the center of the development alongside the proposed emergency access road, back up to the mesa top, and then west to the northwest corner of the property. The long-term goal is to see a connection from this development to the US Forest Service trail network to the west. A twenty-five (25) foot easement will be provided to El Paso County for the regional trail with future Final Plats.

The knoll in the northwestern portion of the site provides a unique opportunity for hiking trails with views from the top that overlook the surrounding area. A small parking area is planned off Mesa Top Drive providing access to the trails through Tract E.

8. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;

All necessary utility and fire protection commitments have been obtained. The traffic report demonstrates that the development is within the capacity of existing roads. Water and sanitary sewer for the project will be provided by the Forest Lakes Metropolitan District. A water and sanitary sewer report is provided with the application and was prepared by the District's engineer, JDS Hydro. That report illustrates that the District is operational and has the appropriate approvals from the State of Colorado. A water tank was constructed to serve Filings 1-4 of Forest Lakes and an additional water tank is proposed for Filings 5-7 in the northwest corner of the property, which will be constructed with Filing 5.

9. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;

The project includes interconnected open space areas and trails. Natural features have been incorporated within the design as previously described.

10. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;

There are no mineral rights owners on this property.

11. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and

PUD modifications are requested, as described above. The proposed PUD modifications allow for a more efficient layout that minimizes grading, thereby achieving two of the identified benefits in Chapter 4.2.6.F.2.h - preserving natural features and providing more accessible open space within the development. The site layout has been reviewed and approved by the Fire Department for safety subject to certain stipulations, which are either addressed in the revised plans or relate to construction.

12. The owner has authorized the application.

Yes.

Preliminary Plan

The Preliminary Plan is consistent with the approval criteria set forth in Section 7.2.1.D.2.e of the LDC as follows:

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;

See response under PUD justification 1 above.

2. The subdivision is consistent with the purposes of this Code;

See response under PUD justification 2 above.

3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;

The subdivision design standards are met, subject to the requested PUD modifications described above. The proposed PUD modifications allow for a more efficient layout that minimizes grading, thereby achieving two of the identified benefits in Chapter 4.2.6.F.2.h - preserving natural features and providing more accessible open space within the development. The site layout has been reviewed and approved by the Fire Department for safety subject to certain stipulations, which are either addressed in the revised plans or relate to construction.

The project is in general conformance with the 2002 PUD Plan, which was based upon the 1984 Sketch Plan for this property and proposed 466 residential units.

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;

Water for the project will be provided by the Forest Lakes Metropolitan District. A water resources report is provided with the application and was prepared by the District's engineer, JDS Hydro. That report illustrates that the District is operational and has the appropriate approvals from the State of Colorado.

- 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;**

Sanitary sewer for the project will be provided by the Forest Lakes Metropolitan District. A wastewater report is provided with the application and was prepared by the District's engineer, JDS Hydro. That report illustrates that the District is operational and has the appropriate approvals from the State of Colorado.

- 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)];**

The Geotechnical Report prepared by CTL Thompson Inc. indicates that the identified geologic hazards do not preclude development of the site but require mitigation. The geological conditions that exist include shallow groundwater, expansive soils and bedrock, and potential for flood, erosion and debris flow. These conditions will be mitigated by avoidance, regrading, proper engineering design, and construction techniques commonly used in the area, such as spread footing foundations and slab-on-grade floors.

- 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;**

These matters are addressed in the Preliminary Drainage Report prepared by Classic Consulting. Storm water detention and water quality are planned within three new ponds proposed within the project area. All of the improvements for the storm water system will be owned and maintained by the Forest Lakes Metropolitan District.

- 8. 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;**

All but four of the proposed residential lots and all tracts required for drainage and utilities will be accessible by public streets. Lots 3, 4, 5 & 6 will not have direct access to a public street. These lots will be accessed off a single shared access, which is part of Lot 4, and will be subject to a shared access easement. The proposed median divided section of road on Mesa Top Drive restricts lot accessibility and the proposed shared access for the 4 lots will allow each lot to access the public street at an intersection. This will improve safety.

- 9. 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;**

The cluster design of the project preserves physical features and provides ample open space.

- 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;

Appropriate provision is made in this regard given the context of the site and surrounding area. The cluster design and single loop-road access helps to minimize cost of transportation and utility infrastructure improvements. The proposed trails will facilitate bike and pedestrian traffic.

3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses;

The layout provides appropriate density transitions and/or preserves substantial open space areas and buffer tracts to the adjacent larger lot properties to the north and south.

4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and

A detailed analysis of the natural features, wildlife and wetlands is provided in the accompanying Impact Identification Report and Wetland Delineation Report prepared by CORE Consultants, Inc. Recent consultation with US Fish and Wildlife Service confirms that as the proposed development does not encroach into the PMJM critical habitat area (defined as 394-foot buffer from the ordinary high-water mark of the creek), there is no impact to the mouse habitat and that the use of the existing road through the habitat area for the proposed regional trail is acceptable.

If construction begins during the breeding bird season, the applicant (through CORE Consultants) will undertake the recommended surveys for nesting raptors and migratory birds to ensure nesting birds are not disturbed during construction. The applicant (through CORE Consultants) will consult with CPW regarding any concerns over other wildlife species and any specific recommendations for avoidance measures. If required, the applicant (through CORE Consultants) will initiate informal consultation with USFWS to determine whether ULTO surveys will be necessary.

The Wetland Delineation Report prepared by CORE Consultants identifies areas of potentially jurisdictional wetland along Beaver Creek and North Beaver Creek. All lots are outside the jurisdictional wetland areas. Impact to the wetlands will be limited to road and trail crossings. If impacts exceed the thresholds identified above for a Nationwide Permit, CORE Consultants will prepare the required Section 404 permit application submittal to USACE and, if necessary, a Section 401 permit application to CDPHE. The need for these will be determined when the construction drawings for the new infrastructure are prepared.

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;

All necessary utility commitments have been obtained. The site lies within the Tri-Lakes Monument Fire Protection District. A Fire Protection Report is included with the submittal. The traffic report demonstrates that the development is within the capacity of existing roads. Water and wastewater are to be provided by Forest Lakes Metropolitan District and a new water tank will be constructed.

10. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;

All necessary utility commitments have been obtained. The site lies within the Tri-Lakes Monument Fire Protection District. A Fire Protection Report is included with the submittal. The traffic report demonstrates that the development is within the capacity of existing roads. Water and wastewater are to be provided by Forest Lakes Metropolitan District and a new water tank will be constructed.

11. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and

The site lies within the Tri-Lakes Monument Fire Protection District. A Fire Protection Report is included with the submittal.

12. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.

The proposed subdivision meets the applicable sections of these parts of the Code, subject to the requested PUD modification as described above.

ACCOMPANYING REPORTS:

The following Reports are submitted to support this application:

Geologic Hazards Evaluation and Preliminary Geotechnical Investigation and Debris Flow/Mudflow Analysis by CTL Thompson Inc.

Traffic Impact Analysis by LSC Transportation Consultants Inc.

Master Development Drainage Plan Amendment and Preliminary Drainage Report by Classic Consulting Engineers and Surveyors

Water Supply Plan and Wastewater Report by JDS Hydro

Impact Identification Report by CORE Consultants Inc.

Wetlands Analysis by CORE Consultants Inc.

Noxious Weed Management Plan by CORE Consultants Inc.

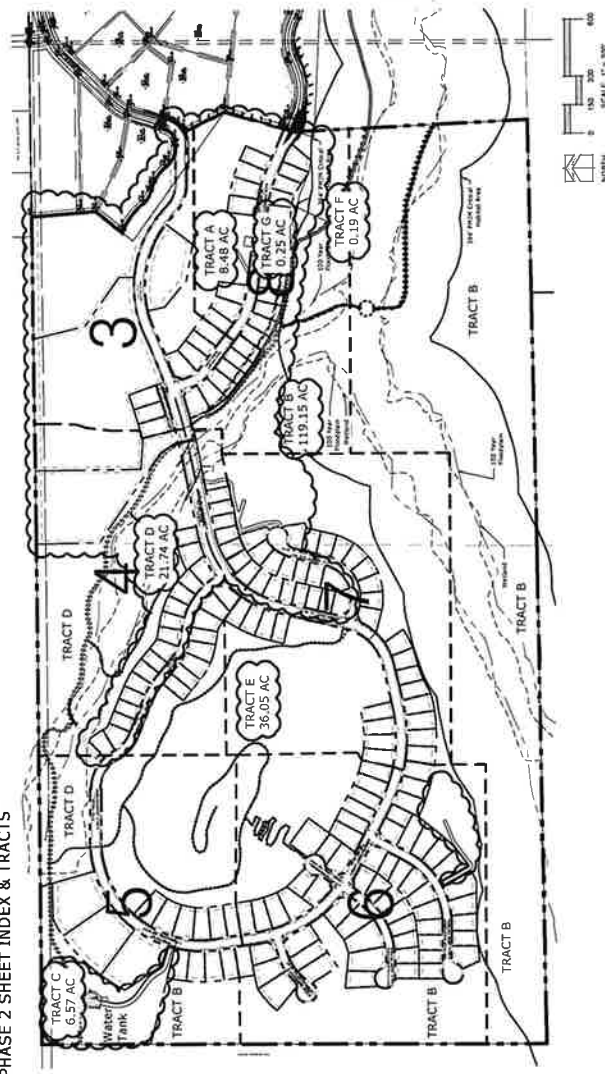
Wildfire Hazard and Mitigation Report by Stephen J. Spaulding.

4.19	0.0190 to 0.29
0.0190 to 0.29	0.0190 to 0.29

	0	100
Number of cases	18	67

2 of 16

1001-1001

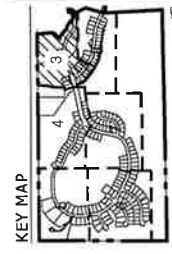
[illegible][illegible]

**FOREST LAKES
FILINGS 5, 6 & 7
MINOR AMENDMENT**

ENTITLEMENT

PUD DEVELOPMENT
PLAN/PRELIMINARY
PLAN LAYOUT

3
3 of 16
PUDS-18-003

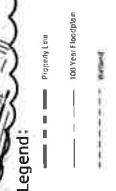
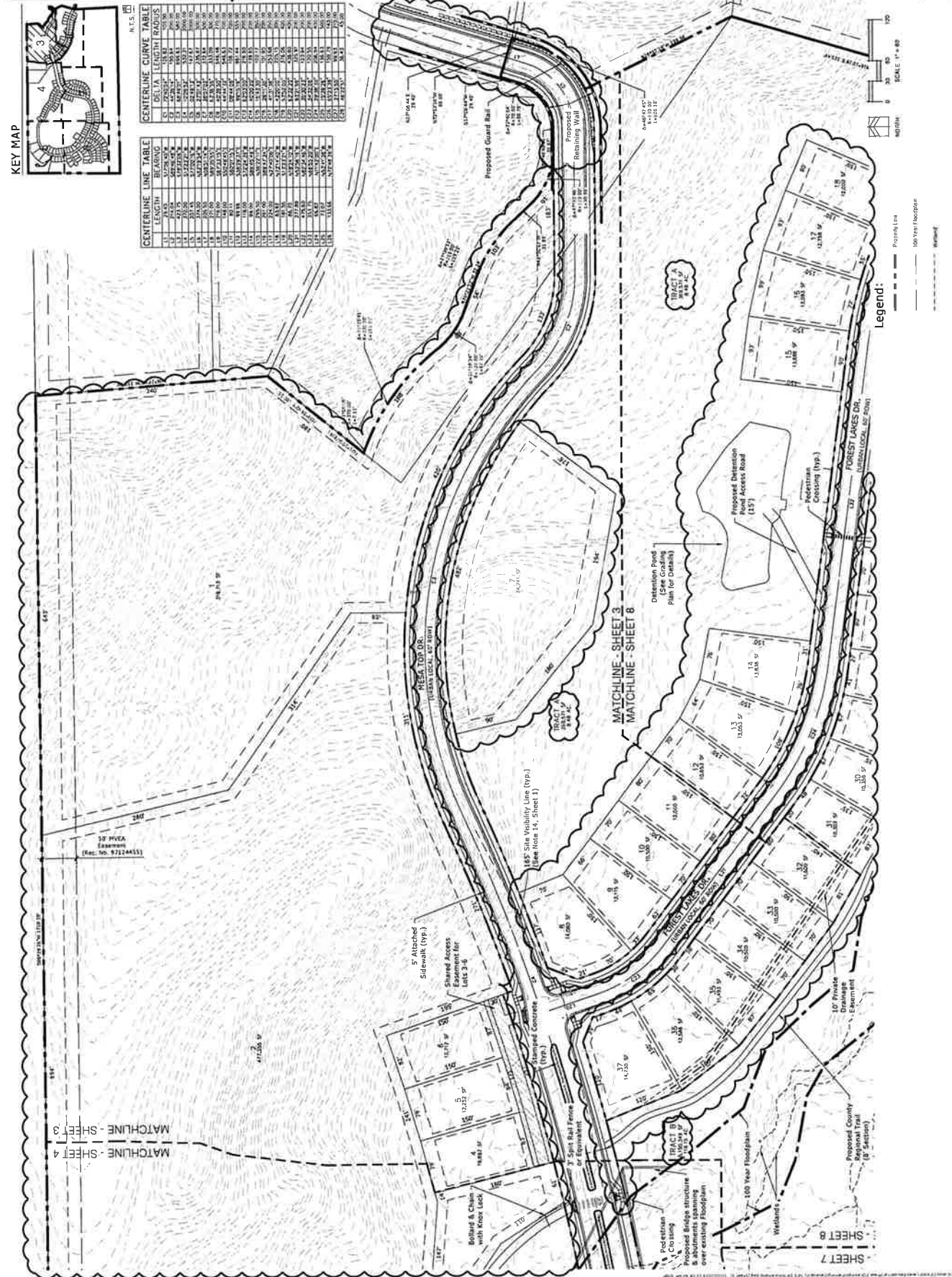


CENTERLINE LINE TABLE

STATION	LENGTH	BEARING
1	12.14	S 89° 54' 42" E
2	12.14	S 89° 54' 42" E
3	12.14	S 89° 54' 42" E
4	12.14	S 89° 54' 42" E
5	12.14	S 89° 54' 42" E
6	12.14	S 89° 54' 42" E
7	12.14	S 89° 54' 42" E
8	12.14	S 89° 54' 42" E
9	12.14	S 89° 54' 42" E
10	12.14	S 89° 54' 42" E
11	12.14	S 89° 54' 42" E
12	12.14	S 89° 54' 42" E
13	12.14	S 89° 54' 42" E
14	12.14	S 89° 54' 42" E
15	12.14	S 89° 54' 42" E
16	12.14	S 89° 54' 42" E
17	12.14	S 89° 54' 42" E
18	12.14	S 89° 54' 42" E
19	12.14	S 89° 54' 42" E
20	12.14	S 89° 54' 42" E
21	12.14	S 89° 54' 42" E
22	12.14	S 89° 54' 42" E
23	12.14	S 89° 54' 42" E
24	12.14	S 89° 54' 42" E
25	12.14	S 89° 54' 42" E
26	12.14	S 89° 54' 42" E
27	12.14	S 89° 54' 42" E
28	12.14	S 89° 54' 42" E
29	12.14	S 89° 54' 42" E
30	12.14	S 89° 54' 42" E
31	12.14	S 89° 54' 42" E
32	12.14	S 89° 54' 42" E
33	12.14	S 89° 54' 42" E
34	12.14	S 89° 54' 42" E
35	12.14	S 89° 54' 42" E
36	12.14	S 89° 54' 42" E
37	12.14	S 89° 54' 42" E
38	12.14	S 89° 54' 42" E
39	12.14	S 89° 54' 42" E
40	12.14	S 89° 54' 42" E
41	12.14	S 89° 54' 42" E
42	12.14	S 89° 54' 42" E
43	12.14	S 89° 54' 42" E
44	12.14	S 89° 54' 42" E
45	12.14	S 89° 54' 42" E
46	12.14	S 89° 54' 42" E
47	12.14	S 89° 54' 42" E
48	12.14	S 89° 54' 42" E
49	12.14	S 89° 54' 42" E
50	12.14	S 89° 54' 42" E
51	12.14	S 89° 54' 42" E
52	12.14	S 89° 54' 42" E
53	12.14	S 89° 54' 42" E
54	12.14	S 89° 54' 42" E
55	12.14	S 89° 54' 42" E
56	12.14	S 89° 54' 42" E
57	12.14	S 89° 54' 42" E
58	12.14	S 89° 54' 42" E
59	12.14	S 89° 54' 42" E
60	12.14	S 89° 54' 42" E
61	12.14	S 89° 54' 42" E
62	12.14	S 89° 54' 42" E
63	12.14	S 89° 54' 42" E
64	12.14	S 89° 54' 42" E
65	12.14	S 89° 54' 42" E
66	12.14	S 89° 54' 42" E
67	12.14	S 89° 54' 42" E
68	12.14	S 89° 54' 42" E
69	12.14	S 89° 54' 42" E
70	12.14	S 89° 54' 42" E
71	12.14	S 89° 54' 42" E
72	12.14	S 89° 54' 42" E
73	12.14	S 89° 54' 42" E
74	12.14	S 89° 54' 42" E
75	12.14	S 89° 54' 42" E
76	12.14	S 89° 54' 42" E
77	12.14	S 89° 54' 42" E
78	12.14	S 89° 54' 42" E
79	12.14	S 89° 54' 42" E
80	12.14	S 89° 54' 42" E
81	12.14	S 89° 54' 42" E
82	12.14	S 89° 54' 42" E
83	12.14	S 89° 54' 42" E
84	12.14	S 89° 54' 42" E
85	12.14	S 89° 54' 42" E
86	12.14	S 89° 54' 42" E
87	12.14	S 89° 54' 42" E
88	12.14	S 89° 54' 42" E
89	12.14	S 89° 54' 42" E
90	12.14	S 89° 54' 42" E
91	12.14	S 89° 54' 42" E
92	12.14	S 89° 54' 42" E
93	12.14	S 89° 54' 42" E
94	12.14	S 89° 54' 42" E
95	12.14	S 89° 54' 42" E
96	12.14	S 89° 54' 42" E
97	12.14	S 89° 54' 42" E
98	12.14	S 89° 54' 42" E
99	12.14	S 89° 54' 42" E
100	12.14	S 89° 54' 42" E

CENTERLINE CURVE TABLE

STATION	DELTA	LENGTH	RADIUS
1	12.14	12.14	12.14
2	12.14	12.14	12.14
3	12.14	12.14	12.14
4	12.14	12.14	12.14
5	12.14	12.14	12.14
6	12.14	12.14	12.14
7	12.14	12.14	12.14
8	12.14	12.14	12.14
9	12.14	12.14	12.14
10	12.14	12.14	12.14
11	12.14	12.14	12.14
12	12.14	12.14	12.14
13	12.14	12.14	12.14
14	12.14	12.14	12.14
15	12.14	12.14	12.14
16	12.14	12.14	12.14
17	12.14	12.14	12.14
18	12.14	12.14	12.14
19	12.14	12.14	12.14
20	12.14	12.14	12.14
21	12.14	12.14	12.14
22	12.14	12.14	12.14
23	12.14	12.14	12.14
24	12.14	12.14	12.14
25	12.14	12.14	12.14
26	12.14	12.14	12.14
27	12.14	12.14	12.14
28	12.14	12.14	12.14
29	12.14	12.14	12.14
30	12.14	12.14	12.14
31	12.14	12.14	12.14
32	12.14	12.14	12.14
33	12.14	12.14	12.14
34	12.14	12.14	12.14
35	12.14	12.14	12.14
36	12.14	12.14	12.14
37	12.14	12.14	12.14
38	12.14	12.14	12.14
39	12.14	12.14	12.14
40	12.14	12.14	12.14
41	12.14	12.14	12.14
42	12.14	12.14	12.14
43	12.14	12.14	12.14
44	12.14	12.14	12.14
45	12.14	12.14	12.14
46	12.14	12.14	12.14
47	12.14	12.14	12.14
48	12.14	12.14	12.14
49	12.14	12.14	12.14
50	12.14	12.14	12.14
51	12.14	12.14	12.14
52	12.14	12.14	12.14
53	12.14	12.14	12.14
54	12.14	12.14	12.14
55	12.14	12.14	12.14
56	12.14	12.14	12.14
57	12.14	12.14	12.14
58	12.14	12.14	12.14
59	12.14	12.14	12.14
60	12.14	12.14	12.14
61	12.14	12.14	12.14
62	12.14	12.14	12.14
63	12.14	12.14	12.14
64	12.14	12.14	12.14
65	12.14	12.14	12.14
66	12.14	12.14	12.14
67	12.14	12.14	12.14
68	12.14	12.14	12.14
69	12.14	12.14	12.14
70	12.14	12.14	12.14
71	12.14	12.14	12.14
72	12.14	12.14	12.14
73	12.14	12.14	12.14
74	12.14	12.14	12.14
75	12.14	12.14	12.14
76	12.14	12.14	12.14
77	12.14	12.14	12.14
78	12.14	12.14	12.14
79	12.14	12.14	12.14
80	12.14	12.14	12.14
81	12.14	12.14	12.14
82	12.14	12.14	12.14
83	12.14	12.14	12.14
84	12.14	12.14	12.14
85	12.14	12.14	12.14
86	12.14	12.14	12.14
87	12.14	12.14	12.14
88	12.14	12.14	12.14
89	12.14	12.14	12.14
90	12.14	12.14	12.14
91	12.14	12.14	12.14
92	12.14	12.14	12.14
93	12.14	12.14	12.14
94	12.14	12.14	12.14
95	12.14	12.14	12.14
96	12.14	12.14	12.14
97	12.14	12.14	12.14
98	12.14	12.14	12.14
99	12.14	12.14	12.14
100	12.14	12.14	12.14



FOREST LAKES
FILINGS 5, 6 & 7
MINOR AMENDMENT

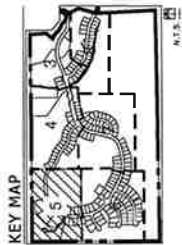
1997-1998	1998-1999
1999-2000	2000-2001
2001-2002	2002-2003
2003-2004	2004-2005
2005-2006	2006-2007
2007-2008	2008-2009
2009-2010	2010-2011
2011-2012	2012-2013
2013-2014	2014-2015
2015-2016	2016-2017
2017-2018	2018-2019
2019-2020	2020-2021
2021-2022	2022-2023
2023-2024	2024-2025
2025-2026	2026-2027
2027-2028	2028-2029
2029-2030	2030-2031
2031-2032	2032-2033
2033-2034	2034-2035
2035-2036	2036-2037
2037-2038	2038-2039
2039-2040	2040-2041
2041-2042	2042-2043
2043-2044	2044-2045
2045-2046	2046-2047
2047-2048	2048-2049
2049-2050	2050-2051
2051-2052	2052-2053
2053-2054	2054-2055
2055-2056	2056-2057
2057-2058	2058-2059
2059-2060	2060-2061
2061-2062	2062-2063
2063-2064	2064-2065
2065-2066	2066-2067
2067-2068	2068-2069
2069-2070	2070-2071
2071-2072	2072-2073
2073-2074	2074-2075
2075-2076	2076-2077
2077-2078	2078-2079
2079-2080	2080-2081
2081-2082	2082-2083
2083-2084	2084-2085
2085-2086	2086-2087
2087-2088	2088-2089
2089-2090	2090-2091
2091-2092	2092-2093
2093-2094	2094-2095
2095-2096	2096-2097
2097-2098	2098-2099
2099-2100	2100-2101
2101-2102	2102-2103
2103-2104	2104-2105
2105-2106	2106-2107
2107-2108	2108-2109
2109-2110	2110-2111
2111-2112	2112-2113
2113-2114	2114-2115
2115-2116	2116-2117
2117-2118	2118-2119
2119-2120	2120-2121
2121-2122	2122-2123
2123-2124	2124-2125
2125-2126	2126-2127
2127-2128	2128-2129
2129-2130	2130-2131
2131-2132	2132-2133
2133-2134	2134-2135
2135-2136	2136-2137
2137-2138	2138-2139
2139-2140	2140-2141
2141-2142	2142-2143
2143-2144	2144-2145
2145-2146	2146-2147
2147-2148	2148-2149
2149-2150	2150-2151
2151-2152	2152-2153
2153-2154	2154-2155
2155-2156	2156-2157
2157-2158	2158-2159
2159-2160	2160-2161
2161-2162	2162-2163
2163-2164	2164-2165
2165-2166	2166-2167
2167-2168	2168-2169
2169-2170	2170-2171
2171-2172	2172-2173
2173-2174	2174-2175
2175-2176	2176-2177
2177-2178	2178-2179
2179-2180	2180-2181
2181-2182	2182-2183
2183-2184	2184-2185
2185-2186	2186-2187
2187-2188	2188-2189
2189-2190	2190-2191
2191-2192	2192-2193
2193-2194	2194-2195
2195-2196	2196-2197
2197-2198	2198-2199
2199-2200	2200-2201
2201-2202	2202-2203
2203-2204	2204-2205
2205-2206	2206-2207
2207-2208	2208-2209
2209-2210	2210-2211
2211-2212	2212-2213
2213-2214	2214-2215
2215-2216	2216-2217
2217-2218	

ENTITLEMENT

PUD DEVELOPMENT
PLAN/ PRELIMINARY
PLAN LAYOUT

5 of 16

FUDS-18-001

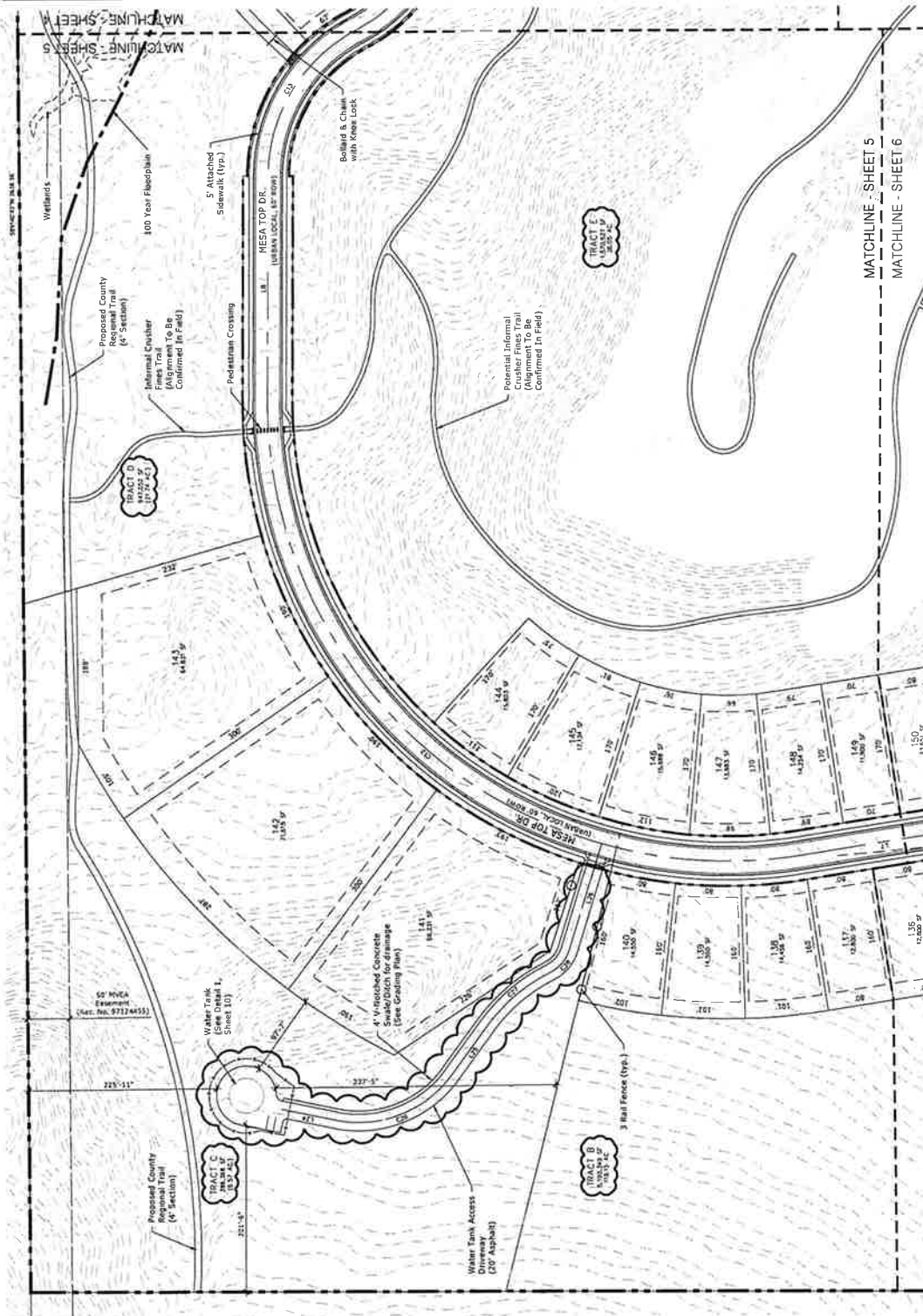


Legend:

Property Line
100 Year Floodplain
3 Red Fence

CENTERLINE	LINE	TABLE
1	1	1
2	2	2
3	3	3
4	4	4
5	5	5
6	6	6
7	7	7
8	8	8
9	9	9
10	10	10
11	11	11
12	12	12
13	13	13
14	14	14
15	15	15
16	16	16
17	17	17
18	18	18
19	19	19
20	20	20
21	21	21
22	22	22
23	23	23
24	24	24
25	25	25
26	26	26
27	27	27
28	28	28
29	29	29
30	30	30
31	31	31
32	32	32
33	33	33
34	34	34
35	35	35
36	36	36
37	37	37
38	38	38
39	39	39
40	40	40
41	41	41
42	42	42
43	43	43
44	44	44
45	45	45
46	46	46
47	47	47
48	48	48
49	49	49
50	50	50
51	51	51
52	52	52
53	53	53
54	54	54
55	55	55
56	56	56
57	57	57
58	58	58
59	59	59
60	60	60
61	61	61
62	62	62
63	63	63
64	64	64
65	65	65
66	66	66
67	67	67
68	68	68
69	69	69
70	70	70
71	71	71
72	72	72
73	73	73
74	74	74
75	75	75
76	76	76
77	77	77
78	78	78
79	79	79
80	80	80
81	81	81
82	82	82
83	83	83
84	84	84
85	85	85
86	86	86
87	87	87
88	88	88
89	89	89
90	90	90
91	91	91
92	92	92
93	93	93
94	94	94
95	95	95
96	96	96
97	97	97
98	98	98
99	99	99
100	100	100

CENTERLINE	CURVE TABLE	RADIUS
1	272.524	178.83
2	272.524	178.83
3	272.524	178.83
4	272.524	178.83
5	272.524	178.83
6	272.524	178.83
7	272.524	178.83
8	272.524	178.83
9	272.524	178.83
10	272.524	178.83
11	272.524	178.83
12	272.524	178.83
13	272.524	178.83
14	272.524	178.83
15	272.524	178.83
16	272.524	178.83
17	272.524	178.83
18	272.524	178.83
19	272.524	178.83
20	272.524	178.83
21	272.524	178.83
22	272.524	178.83
23	272.524	178.83
24	272.524	178.83
25	272.524	178.83
26	272.524	178.83
27	272.524	178.83
28	272.524	178.83
29	272.524	178.83
30	272.524	178.83
31	272.524	178.83
32	272.524	178.83
33	272.524	178.83
34	272.524	178.83
35	272.524	178.83
36	272.524	178.83
37	272.524	178.83
38	272.524	178.83
39	272.524	178.83
40	272.524	178.83
41	272.524	178.83
42	272.524	178.83
43	272.524	178.83
44	272.524	178.83
45	272.524	178.83
46	272.524	178.83
47	272.524	178.83
48	272.524	178.83
49	272.524	178.83
50	272.524	178.83
51	272.524	178.83
52	272.524	178.83
53	272.524	178.83
54	272.524	178.83
55	272.524	178.83
56	272.524	178.83
57	272.524	178.83
58	272.524	178.83
59	272.524	178.83
60	272.524	178.83
61	272.524	178.83
62	272.524	178.83
63	272.524	178.83
64	272.524	178.83
65	272.524	178.83
66	272.524	178.83
67	272.524	178.83
68	272.524	178.83
69	272.524	178.83
70	272.524	178.83
71	272.524	178.83
72	272.524	178.83
73	272.524	178.83
74	272.524	178.83
75	272.524	178.83
76	272.524	178.83
77	272.524	178.83
78	272.524	178.83
79	272.524	178.83
80	272.524	178.83
81	272.524	178.83
82	272.524	178.83
83	272.524	178.83
84	272.524	178.83
85	272.524	178.83
86	272.524	178.83
87	272.524	178.83
88	272.524	178.83
89	272.524	178.83
90	272.524	178.83
91	272.524	178.83
92	272.524	178.83
93	272.524	178.83
94	272.524	178.83
95	272.524	178.83
96	272.524	178.83
97	272.524	178.83
98	272.524	178.83
99	272.524	178.83
100	272.524	178.83



FOREST LAKES
FILINGS 5, 6 & 7
MINOR AMENDMENT

[illegible]

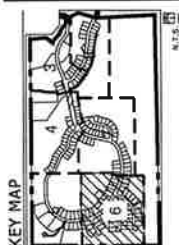
ENTITLEMENT

Cell	Dr	Division
10-10	10	10-10

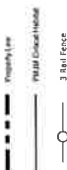
**PUD DEVELOPMENT
PLAN/ PRELIMINARY
PLAN LAYOUT**

6
6 of 16

PUDSP-18-001

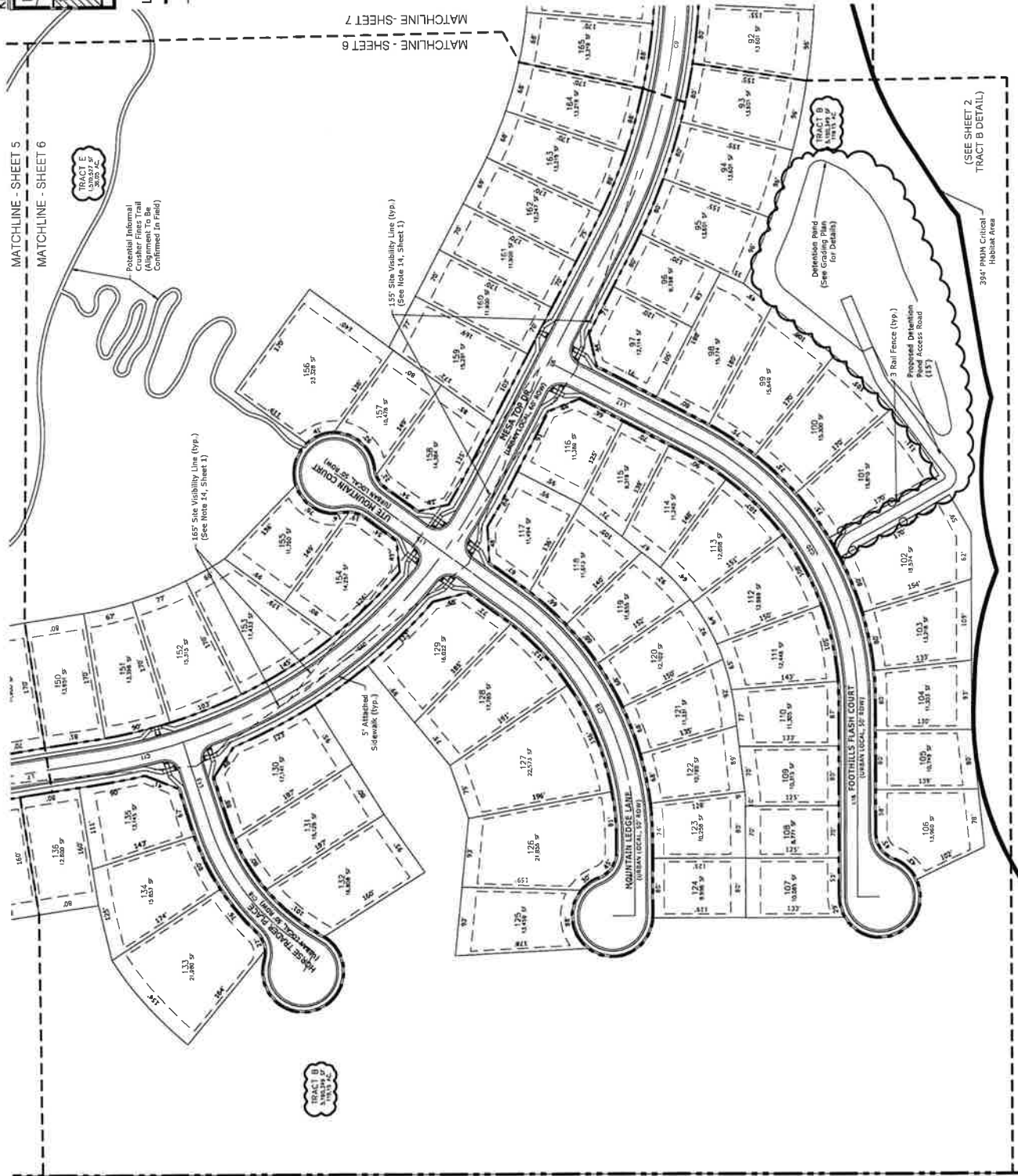


Legend:



CENTERLINE	LINE	TABLE	BEARING
1	78.43	51	317°56'45"
2	111.14	52	339°44'18"
3	131.14	53	339°44'18"
4	212.09	54	317°56'45"
5	267.45	55	317°56'45"
6	302.55	56	339°44'18"
7	302.55	57	339°44'18"
8	277.00	58	317°56'45"
9	217.00	59	317°56'45"
10	116.00	60	339°44'18"
11	78.43	61	317°56'45"
12	51.14	62	339°44'18"
13	26.59	63	339°44'18"
14	26.59	64	317°56'45"
15	78.43	65	317°56'45"
16	111.14	66	339°44'18"
17	131.14	67	339°44'18"
18	212.09	68	317°56'45"
19	267.45	69	317°56'45"
20	302.55	70	339°44'18"
21	302.55	71	339°44'18"
22	277.00	72	317°56'45"
23	217.00	73	317°56'45"
24	116.00	74	339°44'18"
25	78.43	75	317°56'45"
26	51.14	76	339°44'18"
27	26.59	77	339°44'18"
28	26.59	78	317°56'45"
29	78.43	79	317°56'45"
30	111.14	80	339°44'18"
31	131.14	81	339°44'18"
32	212.09	82	317°56'45"
33	267.45	83	317°56'45"
34	302.55	84	339°44'18"
35	302.55	85	339°44'18"
36	277.00	86	317°56'45"
37	217.00	87	317°56'45"
38	116.00	88	339°44'18"
39	78.43	89	317°56'45"
40	51.14	90	339°44'18"
41	26.59	91	339°44'18"
42	26.59	92	317°56'45"
43	78.43	93	317°56'45"
44	111.14	94	339°44'18"
45	131.14	95	339°44'18"
46	212.09	96	317°56'45"
47	267.45	97	317°56'45"
48	302.55	98	339°44'18"
49	302.55	99	339°44'18"
50	277.00	100	317°56'45"
51	217.00	101	317°56'45"
52	116.00	102	339°44'18"
53	78.43	103	317°56'45"
54	51.14	104	339°44'18"
55	26.59	105	339°44'18"
56	26.59	106	317°56'45"
57	78.43	107	317°56'45"
58	111.14	108	339°44'18"
59	131.14	109	339°44'18"
60	212.09	110	317°56'45"
61	267.45	111	317°56'45"
62	302.55	112	339°44'18"
63	302.55	113	339°44'18"
64	277.00	114	317°56'45"
65	217.00	115	317°56'45"
66	116.00	116	339°44'18"
67	78.43	117	317°56'45"
68	51.14	118	339°44'18"
69	26.59	119	339°44'18"
70	26.59	120	317°56'45"
71	78.43	121	317°56'45"
72	111.14	122	339°44'18"
73	131.14	123	339°44'18"
74	212.09	124	317°56'45"
75	267.45	125	317°56'45"
76	302.55	126	339°44'18"
77	302.55	127	339°44'18"
78	277.00	128	317°56'45"
79	217.00	129	317°56'45"
80	116.00	130	339°44'18"
81	78.43	131	317°56'45"

CENTERLINE	CURVE TABLE	LENGTH	RADIUS
1	100	100	100
2	100	100	100
3	100	100	100
4	100	100	100
5	100	100	100
6	100	100	100
7	100	100	100
8	100	100	100
9	100	100	100
10	100	100	100
11	100	100	100
12	100	100	100
13	100	100	100
14	100	100	100
15	100	100	100
16	100	100	100
17	100	100	100
18	100	100	100
19	100	100	100
20	100	100	100
21	100	100	100
22	100	100	100
23	100	100	100
24	100	100	100
25	100	100	100
26	100	100	100
27	100	100	100
28	100	100	100
29	100	100	100
30	100	100	100
31	100	100	100
32	100	100	100
33	100	100	100
34	100	100	100
35	100	100	100
36	100	100	100
37	100	100	100
38	100	100	100
39	100	100	100
40	100	100	100
41	100	100	100
42	100	100	100
43	100	100	100
44	100	100	100
45	100	100	100
46	100	100	100
47	100	100	100
48	100	100	100
49	100	100	100
50	100	100	100
51	100	100	100
52	100	100	100
53	100	100	100
54	100	100	100
55	100	100	100
56	100	100	100
57	100	100	100
58	100	100	100
59	100	100	100
60	100	100	100
61	100	100	100
62	100	100	100
63	100	100	100
64	100	100	100
65	100	100	100
66	100	100	100
67	100	100	100
68	100	100	100
69	100	100	100
70	100	100	100
71	100	100	100
72	100	100	100
73	100	100	100
74	100	100	100
75	100	100	100
76	100	100	100
77	100	100	100
78	100	100	100
79	100	100	100
80	100	100	100
81	100	100	100
82	100	100	100
83	100	100	100
84	100	100	100
85	100	100	100
86	100	100	100
87	100	100	100
88	100	100	100
89	100	100	100
90	100	100	100
91	100	100	100
92	100	100	100
93	100	100	100
94	100	100	100
95	100	100	100
96	100	100	100
97	100	100	100
98	100	100	100
99	100	100	100
100	100	100	100



[illegible]PUD DEVELOPMENT
PLAN/ PRELIMINARY
PLAN 1450117

7 of 7

PUOSP-18-001

CENTERLINE	LENGTH	BEARING	LINE TABLE
1	78.52	S 10° 52' E	1
2	101.76	S 82° 12' E	2
3	417.76	S 32° 21' E	3
4	417.65	S 52° 22' E	4
5	114.25	S 72° 23' E	5
6	114.25	S 72° 23' E	6
7	279.52	N 62° 11' E	7
8	217.65	N 82° 12' E	8
9	141.09	N 82° 12' E	9
10	141.10	N 82° 12' E	10
11	141.11	N 82° 12' E	11
12	141.11	N 82° 12' E	12
13	141.11	N 82° 12' E	13
14	141.10	N 82° 12' E	14
15	141.09	N 82° 12' E	15
16	279.52	N 62° 11' E	16
17	417.65	N 52° 22' E	17
18	417.76	N 32° 21' E	18
19	101.76	N 82° 12' E	19
20	78.52	N 10° 52' E	20
21	141.11	N 82° 12' E	21
22	141.10	N 82° 12' E	22
23	141.09	N 82° 12' E	23
24	141.11	N 82° 12' E	24
25	141.10	N 82° 12' E	25
26	141.09	N 82° 12' E	26
27	279.52	N 62° 11' E	27
28	417.65	N 52° 22' E	28
29	417.76	N 32° 21' E	29
30	101.76	N 82° 12' E	30
31	78.52	N 10° 52' E	31
32	141.11	N 82° 12' E	32
33	141.10	N 82° 12' E	33
34	141.09	N 82° 12' E	34
35	141.11	N 82° 12' E	35
36	141.10	N 82° 12' E	36
37	141.09	N 82° 12' E	37
38	279.52	N 62° 11' E	38
39	417.65	N 52° 22' E	39
40	417.76	N 32° 21' E	40
41	101.76	N 82° 12' E	41
42	78.52	N 10° 52' E	42
43	141.11	N 82° 12' E	43
44	141.10	N 82° 12' E	44
45	141.09	N 82° 12' E	45
46	141.11	N 82° 12' E	46
47	141.10	N 82° 12' E	47
48	141.09	N 82° 12' E	48
49	279.52	N 62° 11' E	49
50	417.65	N 52° 22' E	50
51	417.76	N 32° 21' E	51
52	101.76	N 82° 12' E	52
53	78.52	N 10° 52' E	53
54	141.11	N 82° 12' E	54
55	141.10	N 82° 12' E	55
56	141.09	N 82° 12' E	56
57	141.11	N 82° 12' E	57
58	141.10	N 82° 12' E	58
59	141.09	N 82° 12' E	59
60	279.52	N 62° 11' E	60
61	417.65	N 52° 22' E	61
62	417.76	N 32° 21' E	62
63	101.76	N 82° 12' E	63
64	78.52	N 10° 52' E	64
65	141.11	N 82° 12' E	65
66	141.10	N 82° 12' E	66
67	141.09	N 82° 12' E	67
68	141.11	N 82° 12' E	68
69	141.10	N 82° 12' E	69
70	141.09	N 82° 12' E	70
71	279.52	N 62° 11' E	71
72	417.65	N 52° 22' E	72
73	417.76	N 32° 21' E	73
74	101.76	N 82° 12' E	74
75	78.52	N 10° 52' E	75
76	141.11	N 82° 12' E	76
77	141.10	N 82° 12' E	77
78	141.09	N 82° 12' E	78
79	141.11	N 82° 12' E	79
80	141.10	N 82° 12' E	80
81	141.09	N 82° 12' E	81
82	279.52	N 62° 11' E	82
83	417.65	N 52° 22' E	83
84	417.76	N 32° 21' E	84
85	101.76	N 82° 12' E	85
86	78.52	N 10° 52' E	86
87	141.11	N 82° 12' E	87
88	141.10	N 82° 12' E	88
89	141.09	N 82° 12' E	89
90	141.11	N 82° 12' E	90
91	141.10	N 82° 12' E	91
92	141.09	N 82° 12' E	92
93	279.52	N 62° 11' E	93
94	417.65	N 52° 22' E	94
95	417.76	N 32° 21' E	95
96	101.76	N 82° 12' E	96
97	78.52	N 10° 52' E	97
98	141.11	N 82° 12' E	98
99	141.10	N 82° 12' E	99
100	141.09	N 82° 12' E	100

CENTERLINE CURVE TABLE		
STATION	DELTA A	LENGTH RADIUS
1	224.526	176.83
2	224.526	176.83
3	224.526	176.83
4	224.526	176.83
5	224.526	176.83
6	224.526	176.83
7	224.526	176.83
8	224.526	176.83
9	224.526	176.83
10	224.526	176.83
11	224.526	176.83
12	224.526	176.83
13	224.526	176.83
14	224.526	176.83
15	224.526	176.83
16	224.526	176.83
17	224.526	176.83
18	224.526	176.83
19	224.526	176.83
20	224.526	176.83
21	224.526	176.83
22	224.526	176.83
23	224.526	176.83
24	224.526	176.83
25	224.526	176.83
26	224.526	176.83
27	224.526	176.83
28	224.526	176.83
29	224.526	176.83
30	224.526	176.83
31	224.526	176.83
32	224.526	176.83
33	224.526	176.83
34	224.526	176.83
35	224.526	176.83
36	224.526	176.83
37	224.526	176.83
38	224.526	176.83
39	224.526	176.83
40	224.526	176.83
41	224.526	176.83
42	224.526	176.83
43	224.526	176.83
44	224.526	176.83
45	224.526	176.83
46	224.526	176.83
47	224.526	176.83
48	224.526	176.83
49	224.526	176.83
50	224.526	176.83
51	224.526	176.83
52	224.526	176.83
53	224.526	176.83
54	224.526	176.83
55	224.526	176.83
56	224.526	176.83
57	224.526	176.83
58	224.526	176.83
59	224.526	176.83
60	224.526	176.83
61	224.526	176.83
62	224.526	176.83
63	224.526	176.83
64	224.526	176.83
65	224.526	176.83
66	224.526	176.83
67	224.526	176.83
68	224.526	176.83
69	224.526	176.83
70	224.526	176.83
71	224.526	176.83
72	224.526	176.83
73	224.526	176.83
74	224.526	176.83
75	224.526	176.83
76	224.526	176.83
77	224.526	176.83
78	224.526	176.83
79	224.526	176.83
80	224.526	176.83
81	224.526	176.83
82	224.526	176.83
83	224.526	176.83
84	224.526	176.83
85	224.526	176.83
86	224.526	176.83
87	224.526	176.83
88	224.526	176.83
89	224.526	176.83
90	224.526	176.83
91	224.526	176.83
92	224.526	176.83
93	224.526	176.83
94	224.526	176.83
95	224.526	176.83
96	224.526	176.83
97	224.526	176.83
98	224.526	176.83
99	224.526	176.83
100	224.526	176.83



Legend:

(SEE SHEET 2
TRACT B DETAIL)

FOREST LAKES
FILINGS 5, 6 & 7
MINOR AMENDMENT

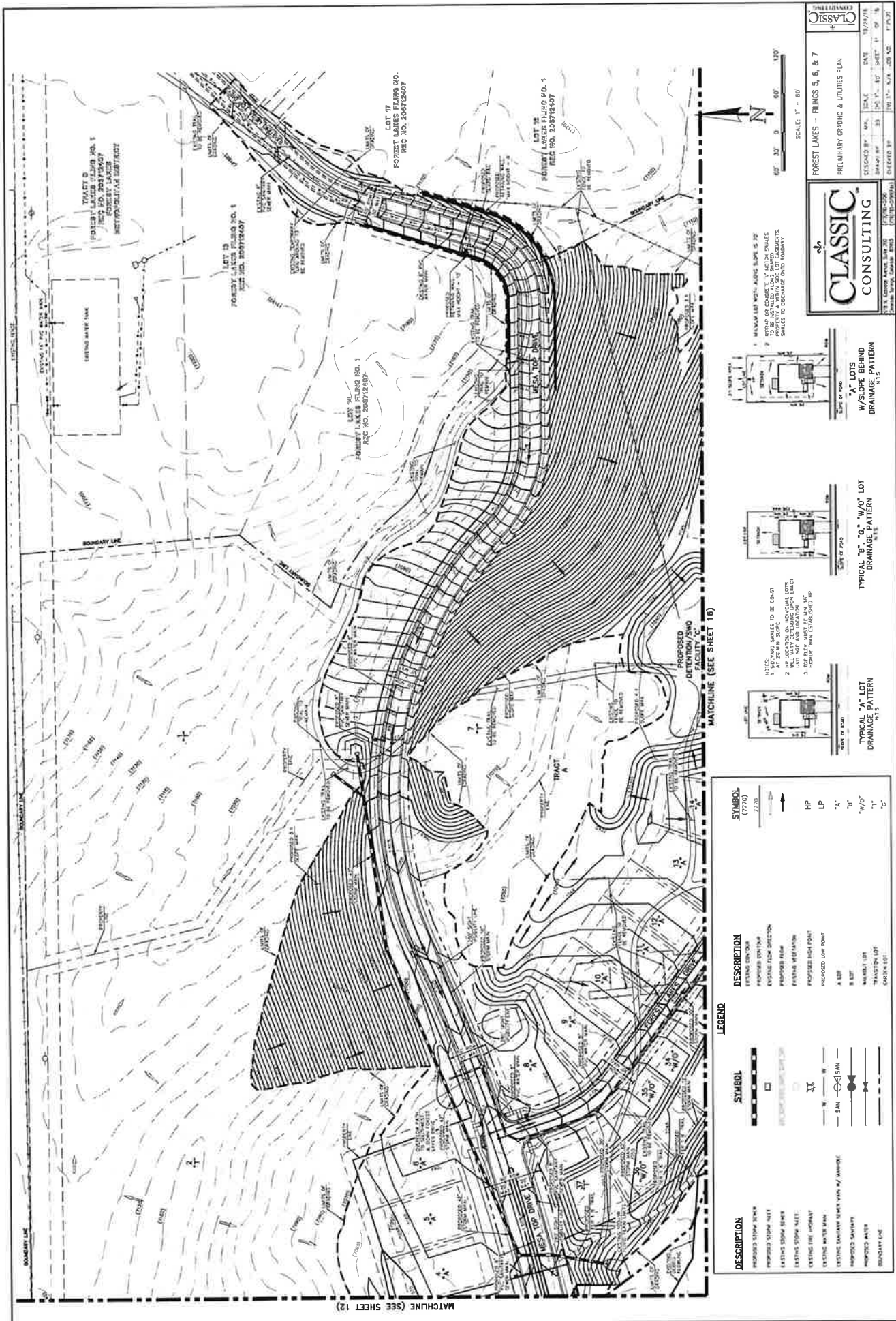
[illegible]

ENTITLEMENT

BUILDING CONSTRAINTS MAP

9 of 16

[illegible]



CLASSIC CONSULTING

215 N. GARDEN AVENUE, SUITE 200
DENVER, COLORADO 80202

FOREST LAKES - FLUNG 5, 6, & 7

PRELIMINARY GRADING & UTILITIES PLAN

CHECKED BY: [Signature] DATE: 10/29/18
 DRAWN BY: [Signature] SHEET: 1 OF 3
 PROJECT NO.: 18-001-001

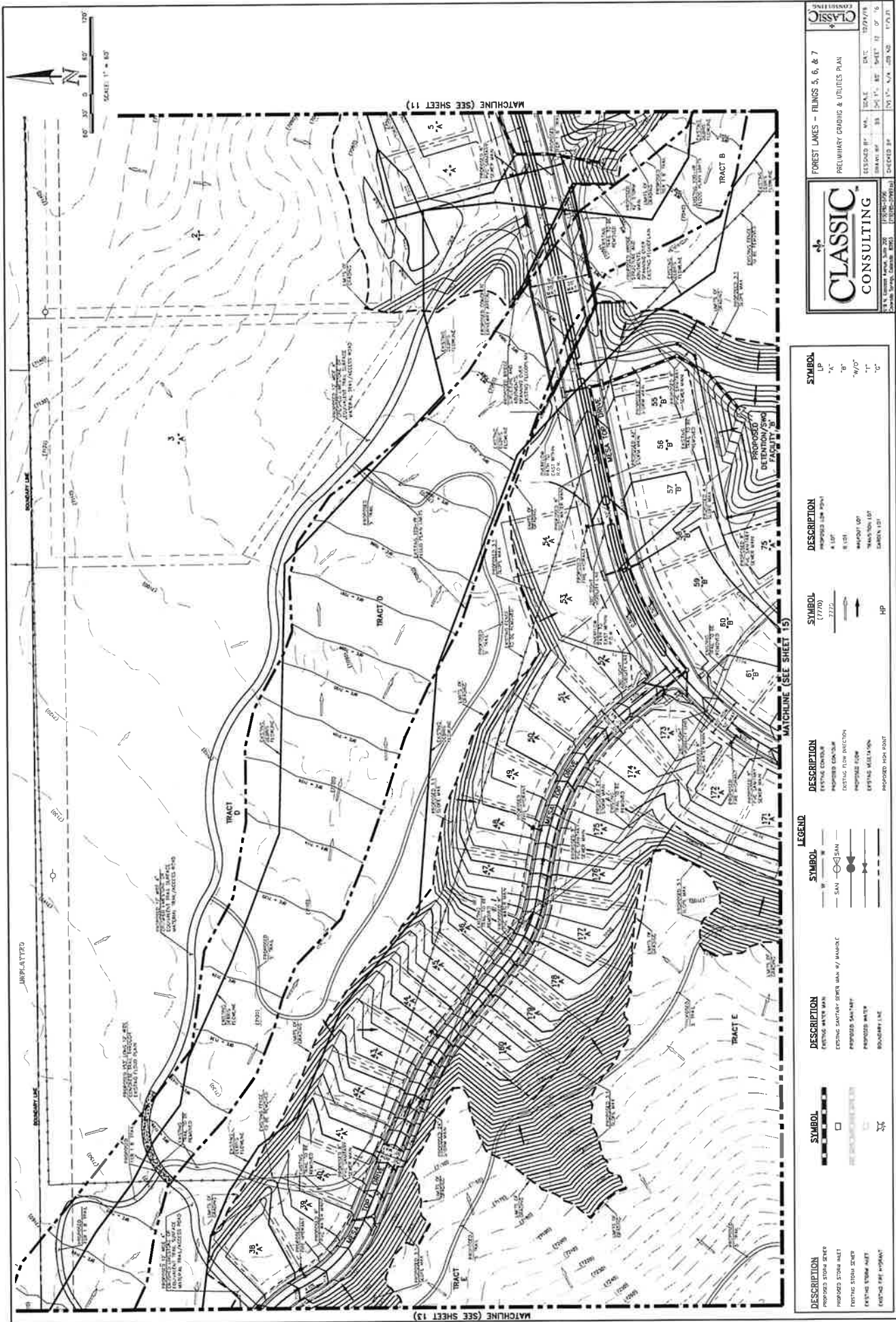
TYPICAL 4' x 4' LOT
DRAINAGE PATTERN
N.T.S.

TYPICAL 10' x 10' LOT
DRAINAGE PATTERN
N.T.S.

TYPICAL 10' x 10' LOT
DRAINAGE PATTERN
N.T.S.

NOTES: SHOWN SHALLOWS TO BE CONSIDERED
 1. AT 72 IN. SLOPE
 2. SHALLOW SLOPES SHALL BE CONSIDERED
 3. HIGHER THAN ESTABLISHED MAP

DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	SYMBOL (7770)
PROPOSED STORM SEWER		EXISTING CENTERLINE		7770
PROPOSED STORM MANHOLE		EXISTING FLOW DIRECTION		7770
EXISTING STORM SEWER		PROPOSED FLOW		HP
EXISTING STORM MANHOLE		EXISTING FLOW DIRECTION		LP
EXISTING STORM MANHOLE		PROPOSED HIGH POINT		"X"
EXISTING STORM MANHOLE		PROPOSED LOW POINT		"O"
EXISTING STORM MANHOLE		A LOT		"1"
EXISTING STORM MANHOLE		MANHOLE LOT		"1"
EXISTING STORM MANHOLE		THRESHOLD LOT		"1"
EXISTING STORM MANHOLE		EXISTING LOT		"1"



DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL	DESCRIPTION	SYMBOL
PROPOSED STORM SEWER		EXISTING WATER MAIN		PROPOSED SANITARY		EXISTING CONDUIT	
PROPOSED STORM SEWER		EXISTING SANITARY SEWER		PROPOSED FLOW DIRECTION		PROPOSED FLOW	
EXISTING STORM SEWER		PROPOSED WATER		EXISTING SANITARY		PROPOSED RISE POINT	
EXISTING STORM SEWER		BOUNDARY LINE		EXISTING SANITARY			
EXISTING STORM SEWER							

CLASSIC CONSULTING

FOREST LAKES - FLUNGS 5, 6, & 7

PRELIMINARY GRADING & UTILITIES PLAN

DESIGNED BY: [Name] DATE: 12/29/18

DRAWN BY: [Name] DATE: 12/29/18

CHECKED BY: [Name] DATE: 1/19/19



COLORADO
Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 821
Denver, CO 80203

December 31, 2018

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

RE: Forest Lakes Subdivision – Phase II
PUD Development Plan/Preliminary Plan Amendment
Secs. 28-29, Twp. 11S, Rng. 67W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 25520

To Whom It May Concern:

We have received information concerning the above-referenced proposal for an amendment to the PUD Development Plan/Preliminary Plan for Forest Lakes Subdivision which proposes to subdivide a 287 +/- acre tract of land into 180 single-family lots. This office previously provided comments dated November 16, 2001, attached, regarding Forest Lakes PUD Development Plan/Preliminary Plan. According to the submittal, the proposed supply of water and wastewater disposal is to be served by the Forest Lakes Metropolitan District ("District").

Water Supply Demand

The Water Supply Information Summary, Form No. GWS-76, provided with the submittal included an estimated water demand of 63.46 acre-feet/year to supply 180 single-family lots. This results in an estimated water demand of 0.353 acre-feet per year per unit. In some sections of the submittal, the estimated water demand is 63.54 acre-feet/year. This discrepancy is due to rounding. It should be noted that standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot per year for each ordinary household, 0.05 acre-foot per year for four large domestic animals, and 0.05 acre-foot per year for each 1,000 square feet of lawn and garden irrigation.

Source of Water Supply

The proposed source of water is to be supplied by the Forest Lakes Metropolitan District ("District"), and a December 3, 2018 letter from the District was provided with the submittal. The letter commits to serving 63.54 acre-feet/year to Forest Lakes Phase II.

According to the December 20, 2017 Water Supply Plan and Wastewater Report, revised November 30, 2018, included with the submittal, it appears that the District has adequate water resources to serve 63.54 acre-feet/year for the proposed development.



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 on the Colorado Division of Water Resources website 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 the information provided and records of this office it appears the District 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.

Should you have any questions concerning this matter, please feel free to contact me directly.

Sincerely,



Kate Fuller, P.E.
Water Resource Engineer

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





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

Mary Ritchie

Bryan E. Schmid

October 9, 2019

PUDSP-19-6 Forest Lakes Subdivision Phase II, PUDSP 5, 6, and 7
Minor amendment with water sufficiency

Reviewed by: Cole Emmons, Senior Assistant County Attorney *M.C.E.*
Edi Anderson, Paralegal

FINDINGS AND CONCLUSIONS:

1. In 2002, a Preliminary Plan was approved regarding the Forest Lakes Residential Development for a total of 467 residential lots, plus parks, school site, and open space. Forest Lakes Residential Development, LLC ("Applicant") is proposing to amend the PUD/Preliminary Plan for the purpose of eliminating width at the setback, move 2 lots to the east, adjust the tract for drainage, eliminate the impact to wetlands, and request water sufficiency at the Preliminary Plan stage. If water sufficiency is approved, Applicant will submit future plats for administrative approval pursuant to Resolution No. 19-329, recorded in the records of the El Paso County Clerk and Recorder at Reception No. 219101784 on August 28, 2019, which permits administrative approval of final plats. Applicant's proposal is for 180 lots on 287 +/- acres of land. The property is zoned PUD (Planned Unit Development).

2. The County approved a Preliminary Plan in 2002 for a total of 467 residential lots, plus parks, school site, and open space. But with a finding of insufficiency for the water supply. The project originally was phased into two parts, with Phase One to include 3 filings with a total of 275 lots. The Final Plat for Filing 1 for 34 single family lots was approved in 2004, with water supply findings of sufficiency as to quantity but only conditional sufficiency as to dependability because the water provider, Forest Lakes Metropolitan District ("the District"), had not completed the water supply system at that time. In 2006, the Final Plat for Filing 3 for 79 single family lots was approved with water supply findings of sufficiency as to quantity, but again, only conditional sufficiency as to dependability because the water supply system still had not been completed. Plans for Filing 2 had contemplated 163 patio home lots. In 2016, a PUD Development Plan/Preliminary Plan was approved, which amended the PUD/Preliminary Plan approved in 2002 by revising the plans for Filing 2 into Filing 2A consisting of 73 single family lots and 5 tracts and Filing 2B consisting of 87 single

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



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

family lots and 6 tracts for a total of 160 lots. The County Attorney's office recommended a finding of water sufficiency for quantity and dependability for Filings 2A and 2B based on information provided by the District, the District's completion of the CDPHE's technical, managerial, and financial ("TMF") requirements as evidenced by issuance of PWSID No. CO-0121360 for a community water system, and the certification by the District's engineer that the water system was operational.

3. The Applicant has provided for the source of water to derive from the District. Pursuant to the Water Supply Information Summary, the applicant estimates its annual water needs to serve household use for the subdivision at 63.54 acre-feet per year based on 0.353 annual acre-feet per single-family equivalent (0.353 acre-feet per lot for 180 lots). Based on these figures, Applicant must be able to provide a supply of 19,062 acre-feet of water (63.54 acre-feet/year x 300 years) to meet the County's 300 year water supply requirement for Forest Lakes Phase II. Based on information in the *Water Supply Plan and Wastewater Report for Forest Lakes Metropolitan District, Forest Lakes Phase Two, dated December 20, 2017, as revised on November 30, 2018* ("Water Resources Report"), water for this Phase II will be provided from ground water sources and is subject to the County's 300-year Rule.

4. In a letter dated December 31, 2018, the State Engineer reviewed the application to amend the PUD Development Plan/Preliminary Plan for the Forest Lakes Subdivision, which proposes to subdivide the 287+/- acres into 180 single-family residential lots. The Engineer reviewed this matter based on information provided in the Water Supply Information Summary, the District's letter dated December 3, 2018, and the Water Resources Report. The State Engineer noted an "estimated water demand of 63.46 acre-feet/year to supply 180 single-family lots. This results in an estimated water demand of 0.353 acre-feet per year per unit. In some sections for the submittal, the estimated water demand is 63.54 acre-feet/year. This discrepancy is due to rounding."¹

The Engineer further noted that "standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot per year for each ordinary household, 0.05 acre-foot per year for four large domestic animals, and 0.05 acre-foot per year for each 1,000 square feet of lawn and garden irrigation." The Engineer stated that according to the documents provided with the proposal, including the Water Resources Report, "it appears that the District has adequate water resources to serve 63.54 acre-feet/year for the proposed development." The State Engineer further stated that "[a]ccording to the information provided and records of this office it appears the District has sufficient water resources to serve the proposed development ... 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."

¹ For the purpose of this review, we will use the water demand figure of 63.54 acre-feet/year (0.353/acre-foot/lot).

The State Engineer also provided the following advisory note to the Applicant: "Should the development include construction and/or modification of any storm water structure(s), ... unless the storm water structures(s) can meet the requirements of a 'storm water detention and infiltration facility' . . . the structure may be subject to administration by this office. The applicant should review the *DWR's Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado* ... to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements."

5. The District's Manager provided a letter of commitment for Forest Lakes Phase II dated December 3, 2018. The Manager stated that the District provides assurances that "the Forest Lakes Metropolitan District has the necessary water resources and sewer treatment capacity and is prepared to construct the necessary related infrastructure to provide water and wastewater services to the 180 residential properties contained within Forest Lakes Phase 2. The expected annual water demand for the 180 lots is 63.54 AF." The Office of the County Attorney also had email and telephone communications with the District Manager, Ann Nichols, on October 9, 2019, to clarify what components of the central water system must still be built, and she stated that "[w]hile much of the water and wastewater infrastructure is in place – surface water treatment plant, water transmission main, wastewater collection mains, lift stations – the actual water distribution and sewer collection lines that will serve Phase 2, including a .25 mg. water tank – have yet to be constructed." She advised that these are the service mains from the completed central system and the lines into the individual lots and the small storage tank and booster station that typically are built when streets are being constructed.

6. The Applicant provided the Water Resources Report, detailing the District's current water system. As stated in the Report, the District has a water supply consisting of a "mix of renewable surface water and storage as well as fully consumable non-renewable resources from the Denver basin;" however, as indicated above, water for this Phase II will be provided from ground water sources. The District's "legal water supply on a 300 year basis is a net 724.13 annual acre-feet after relinquishments for augmentation; non-300 year demands; and evaporative losses in the reservoirs." The Water Resources Report sets forth the current existing commitments of the District at 98.25 acre-feet/year. With the addition of the water demand for Phase II of 63.46/acre-feet (or the rounded figure of 63.54/acre-feet) the total revised demands are approximately 161.71 acre-feet/year, which is well below the District's water supply of 724.13 annual acre-feet.

7. Section 8.4.7(B)(10)(g), of the El Paso County Land Development Code allows for the presumption of acceptable water quality for projects such as this where

water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Analysis: With a proposed annual demand of 63.54 acre-feet and a legal water supply of 724.13 annual acre-feet as set forth in the Water Resources Report, it appears the proposed water supply will be sufficient.

9. Therefore, based upon the finding of sufficiency and no injury by the State Engineer, the District's commitment to serve and the District's clarification that the central water system infrastructure is complete and assurances that the water distribution and sewer collection lines will be fully completed and operational, 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.
- B. The Town of Monument has asserted that it has a blanket easement to locate certain water wells on the District's property located in this Phase II development. The District disputes that assertion. That issue is currently one of the subjects of litigation in Water Court between the Town and the District. Based on the outcome of that litigation, Applicant may need to provide notice to future lot owners in Phase II by means of a Plat Note of the existence of said easement.

cc: Kari Parsons, Planner III



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

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
CAMI BREMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission Meeting
Tuesday, November 5, 2019
El Paso County Planning and Community Development Department
2880 International Circle, Hearing Room
Colorado Springs, Colorado 80910

REGULAR HEARING
9:00 a.m.

PRESENT AND VOTING: BRIAN RISLEY, TOM BAILEY, GRACE BLEA-NUNEZ, TIM TROWBRIDGE, BECKY FULLER, JOAN LUCIA-TREESE, ALLAN CREELY, SARAH BRITTAIN JACK, JANE DILLON

PRESENT AND NOT VOTING: NONE

ABSENT:

STAFF PRESENT: MARK GEBHART, NINA RUIZ, KARI PARSONS, MINDY MADDEN, JEFF RICE, GILBERT LAFORCE, STEVE KUESTER, AND EL PASO COUNTY ATTORNEY COLE EMMONS

OTHERS SPEAKING AT THE HEARING: ANDREA BARLOW, KYLE CAMPBELL, JUDY VON AHLEFELDT, CAROL JOHNSON, MILES COTTON, ERIC MORAES

Report Items

- 1. A. Report Items -- Planning and Community Development Department -- Ms. Ruiz and Mr. Gebhart**
 - a)** The next scheduled Planning Commission meeting is for **Tuesday, November 19, 2019.**
 - b)** **Ms. Ruiz** gave an update of the Planning Commission agenda items and action taken by the Board of County Commissioners since the last Planning Commission meeting as well as a Planning and Community Development progress report of permits and projects in process.

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

- c) Two new Planning Commission members will begin attending at the hearing on November 19, 2019. Welcome Mr. Eric Moraes and Mr. Thomas Greer!
- d) **Mr. Gebhart** spoke on the award received for the El Paso County Water Master Plan.
- e) **Mr. Gebhart** gave his update on the El Paso County Master Plan during this time and not during report items due to a meeting conflict. He gave an update on the timeline and progress with the Advisory Committee. The Advisory Committee meeting on November 13, 2019 is from 1:00 – 3:00 p.m.

B. Public Input on Items Not Listed on the Agenda

Judy Von Ahlefeldt – Corral Bluffs, south of Falcon, has a world-class paleontology site here in El Paso County. NOVA had a program called Rise of the Mammals. There are links in her handout for more information.

2. Consent Items

A. Approval of the Minutes – October 15, 2019

The minutes were approved as presented. (9-0)

Ms. Lucia-Treese recused herself from the Colorado Centre Metropolitan District project. She will not be in attendance but will return after the item is heard.

B. ID-19-007

RUIZ

**SPECIAL DISTRICT SERVICE PLAN AMENDMENT
COLORADO CENTRE METROPOLITAN DISTRICT**

A request by the Colorado Centre Metropolitan District for approval of an amendment to the Colorado Revised Statutes Title 32 Special District service plan for the Colorado Centre Metropolitan District to add fire protection to the list of purposes of the District. The existing service area boundary is located generally north of Fontaine Boulevard, south of Drennan Road, and east of Powers Boulevard. Properties within the boundaries of the proposed District are included within the Highway 94 Comprehensive Plan (2003). (Commissioner District No.4)

PC ACTION: TROWBRIDGE MOTIONED/CREELY SECONDED TO APPROVE CONSENT ITEM 2B, ID-19-007, FOR A SPECIAL DISTRICT

SERVICE PLAN AMENDMENT FOR COLORADO CENTRE METROPOLITAN DISTRICT UTILIZING RESOLUTION PAGE NO. 37, CITING 19-059, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED UNANIMOUSLY (8-0).

Ms. Lucia-Treese rejoined the Planning Commission and is a voting member for the remaining items.

C. PUDSP-19-004 **PARSONS**
PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN
MIDTOWN AT HANNAH RANCH

A request by Feathergrass Investments LLC, for approval of a map amendment (rezoning) of 13.38 acres from RM-30 (Residential, Multi-Dwelling) to PUD (Planned Unit Development) and approval of a preliminary plan for 89 single-family residential lots. The property is located north of Constitution Avenue, south of Hunter Juniper Drive, east of Canada Drive and west of Hannah Ridge Drive. (Parcel Nos. 53323-19-017 and 53324-03-008) (Commissioner District No. 2)

PC ACTION: BAILEY MOTIONED/LUCIA-TREESE SECONDED TO APPROVE CONSENT ITEM 2C, PUDSP-19-004, FOR A PLANNED UNIT DEVELOPMENT AND PRELIMINARY PLAN FOR MIDTOWN AT HANNAH RANCH UTILIZING RESOLUTION PAGE NOS. 25 AND 29, CITING 19-065, WITH SIX (6) CONDITIONS, FIVE (5) NOTATIONS, AND FOUR (4) MODIFICATIONS WITH A FINDING OF SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED UNANIMOUSLY (9-0).

REGULAR ITEMS

3. PUDSP-19-006 **PARSONS**
PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN AMENDMENT
FOREST LAKES PHASE II

A request by FLRD, No. 2, LLC, for approval of a map amendment (rezoning) of 287 acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) and approval of a preliminary plan for 180 single-family residential lots. The property is located north of Hay Creek Road, south of Doolittle Road, and west of Old Denver Highway. (Parcel No. 71000-00-433) (Commissioner District No. 1)

Ms. Parsons gave a brief overview of the project and then asked **Mr. Emmons** to go over the review criteria for a planned unit development and preliminary plan. Staff noted that opposition letters have been received. Staff noted the Mr. Irey's emails of opposition and concern have been uploaded into EDARP.

Mr. Risley – What is before us today is just the amendments to the PUD. Is that correct? **Ms. Parsons** – That is correct. The density, transitions, uses and buffers are set. The PUD Plan and associated modifications that were approved have been recorded. The PUD amendments before you today are minor and include: shifting lot lines, numbers, and creating a new open space tract to capture water quality, moving trails, and a retaining wall on Mesa Top to include adding a safety rail. Re-location of the detention ponds is proposed to remove them from wetland areas and improved overall drainage. Please note: wetland protection and water quality was a concern discussed at the BOCC hearing with the previously approved PUD. This amendment proposed to mitigate that concern by reducing impacts to wetlands. The applicant is requesting water sufficiency, and pre-development site grading with the preliminary plan component of the request today.

Ms. Parsons introduced the applicant's representative, **Ms. Andrea Barlow, NES**, to give her presentation. **Ms. Parsons** then gave her full presentation to the Planning Commission. **Mr. LaForce** gave his engineering report/findings to the Planning Commission.

IN FAVOR: NONE

IN OPPOSITION:

Mr. Miles Cotton P.C., representing neighbors adjacent to the project. My clients have concerns with two issues. 1) There is a general issue with the placement of trails adjacent to Pike Forest to the west. Dead ending the trail is not advisable. Open cul-de-sacs lead directly to the trail. A social trail is hard for the Forest Service to maintain. 2) Pre-grading request is a concern. There is no permit on file. The existing trail/road probably will not handle the grading that is needed. There is a stream crossing required and should require a 404 permit. Grading will impact the downstream wetlands. We ask that they acquire that 404 permit.

Ms. Fuller – A 404 permit is not needed, but you are asking them to apply for one? **Mr. Cotton** – Our position is that they are crossing a stream to get into the property. Hauling that heavy equipment will impact the area. A 404 permit should just be required because of the stream crossing. We do not have an expert here to refute the email received saying a permit is not required.

Mr. Trowbridge – How do you propose you resolve the issue if the Army Corps of Engineers does not require a 404 permit. **Mr. Cotton** – We would ask the Planning Commission to require the permit.

Ms. Von Ahlefeldt – I have a couple of global issues to bring up. I understand Mr. Emmons reading of the review criteria. I think him saying you have a narrow purview of this project. In my opinion, that negates the Planning Commission's job. More and more is being taken out of the public purview. I have extensive knowledge of this property. I will turn in my comments to the clerk because I've been restricted from speaking today. I have concerns on the grading of this area; it's over a huge alluvial area. I will bring my comments to the BoCC since I cannot be heard here today. (Ms. Von Ahlefeldt was asked to stay on topic several times by the Chair.)

Ms. Carol Johnson – I live at 4465 Diamondback Drive. South Beaver Creek goes through my property. It states this development is consistent with surrounding areas. That is not true. My comments are that you need to hear us because it needs to be read into the record that we are not happy with this. We are backed up to the National Forest, and we've had three fires in five years. You only care about checking off your list of requirements.

Mr. Bailey – I appreciate the comments but the attacks on the panel that we do not care are not appropriate as we have heard this project several times. All of these issues have been debated and considered. It's not that we don't care, it's just that the concerns don't rise to the level that we can legally stop a developer from developing that property. I think that it's unfair to think we are self-appointed representatives of the County. We see many different views in our role. Your view and others, as well as the view from the County and those developing, are all taken into account. I don't appreciate being lectured as to what you think we should be doing. We've considered this much more than the hour or so devoted to the topic today. I understand it's difficult, but give us a break and allow public comment to be constructive.

Ms. Lucia-Treese – I think what we all have to realize here is that we have a County regulations and a plan, Our attorney Mr. Emmons, told us today that it is a narrow focus on the amendments. We have no authority to discuss issues that are not on the table today.

Ms. Barlow had an opportunity for rebuttal. The trail is proposed to be located within an easement that goes to the boundary of the property. The physical trail is constructed to loop back into the developments. There will be signage placed to direct trail users. **Mr. Kyle Campbell** gave more information regarding the Army Corps of Engineers and the lack of a need for a 404 permit. We are showing grading to the mouse habitat line per the regulations. EPC has a robust

review of erosion control. The grading plan adheres to the erosion control requirements with sediment control.

DISCUSSION:

Ms. Fuller – Does the pre-grading come through the Planning Commission? **Mr. Campbell** -- The pre-grading construction set gets approved through construction permits and documents. The construction plan set does not come to the Planning Commission. The request to do the work does (BoCC). We are working on construction drawings constantly with the County staff and the developer. ESQCP's and state permits have all been acquired as needed.

Ms. Blea-Nunez – If we approve water sufficiency today, then we won't have this development again at PC and the plats would be done administratively, correct?

Ms. Parsons – This request will go to the BoCC and then the BoCC could provide direction to the Executive Director as to whether or not the final plat can be handled administratively or the Executive Director can choose to elevate the plats without direction.

Mr. Emmons – If the PC recommends today for a finding of sufficiency and if the BoCC approves the preliminary plan, water is done; it is not required to be heard at the public hearing level. Then the applicants come back in to the County for final plat approval and it is handled administratively pursuant to new laws established by the State legislation. We have had instances in the past where we made a sufficiency of water at preliminary plan stage, and then at final plat the PC/BoCC did not have to address it. **Ms. Parsons** – Keep in mind that **Mr. Dossey** has the ability to elevate any project to a hearing level even if he has authority to approve final plats administratively.

Ms. Parsons went over the process of PUD and preliminary plans, pre-development grading plans, and the issuance of construction permits, PSD Inspection process and **Mr. LaForce** gave information on the MS4 permit as a learning/sharing opportunity for the Planning Commission.

Mr. Creely – I think that the PC or the BoCC have some sort of review process to look at the history of a project. In this very narrow case, I find that all the professionals say a 404 permit is not required. I will go along with the professionals. We can only go by what we have. I will be voting in favor.

PC ACTION: LUCIA-TREESE MOTIONED/DILLON SECONDED TO APPROVE REGULAR ITEM 3, PUDSP-19-006, FOR A PLANNED UNIT DEVELOPMENT AND PRELIMINARY PLAN FOR FOREST LAKES PHASE II UTILIZING RESOLUTION PAGE NOS. 29 AND 25, CITING 19-066, WITH SEVEN (7) CONDITIONS AND THREE (3) NOTATIONS WITH A FINDING FOR WATER SUFFICIENCY FOR QUALITY, QUANTITY, AND DEPENDABILITY

AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED UNANIMOUSLY (9-0).

4. LDC-19-002

MADDEN/RUIZ

**EL PASO COUNTY LAND DEVELOPMENT CODE AMENDMENT
ACCESSORY STRUCTURES AND USES**

A request by the El Paso County Planning and Community Development Department to amend Chapters 1 and 5 of the El Paso County Land Development Code (2019) pertaining to shipping containers, temporary uses, accessory living quarters, agricultural stands, to remove errors and discrepancies, and to modify language to resolve recurring issues. The proposed amendments, in their entirety, are on file with the El Paso County Planning and Community Development Department.

Type of Hearing: Legislative

Ms. Ruiz and Ms. Madden gave their presentation to the Planning Commission after **Mr. Emmons** read the review criteria into the record.

Ms. Lucia-Treese – Regarding agricultural stands, if there is a stand and the farmer does the farming outside of the stand area, is that still permissible. **Ms. Madden** – The agricultural stand allowance is for items which are grown or raised on the same parcel as they are being sold. Selling the items offsite is a separate use.

Mr. Trowbridge – I understand a permit is required for shipping containers in excess of 200 square feet. Is there a height restriction? **Ms. Madden** – The height limitation is the same as the zoning district requirement.

Mr. Bailey – What is the rationale for stacking requirement? **Ms. Madden** – It is my understanding the BoCC, during a worksession, expressed at the work session that they did not want shipping containers to be stacked, but it is a way to add some restrictions.

Ms. Blea-Nunez – It seems like the cases we see is a flip on the second dwelling where they use the existing dwelling as the extended family and then build a new principle dwelling. **Ms. Ruiz** – The Code already allows for this scenario, but we have clarified the size of the accessory living quarters is limited to the habitable area. There could be ways to convert a portion of an existing home to uninhabitable area and stay within the 1500 square feet allowance.

Mr. Trowbridge – You stated that it's 20% of the original size or 1500 square feet maximum. I read it as up to 1500 and the BoCC may modify the maximum size allowance by up to 20% as part of a special use approval. **Ms. Ruiz** -- That's correct; it's similar to administrative relief with a cap.

Mr. Trowbridge – Regarding accessory living quarters, do they always have to have a kitchen? **Ms. Ruiz**- No they do not. Staff will revise the definition to clarify that it may include a kitchen but that it is not required to include a kitchen.

Ms. Lucia-Treese – How do home businesses that are in incorporated EPC and not agricultural? **Ms. Ruiz** – There are two different types of home occupations- residential and rural. A residential home occupation is allowed in any zoning district and is a low impact use- such as an IT work from homes business. Rural home occupations have more impact such as more trips, visual impact, etc. The proposed revisions only address rural home occupations.

Ms. Blea-Nunez – How is child care classified? **Ms. Ruiz** -- It has its own category that allows for a certain number of childre, but without looking at the Code, do not quote me on that.

Mr. Trowbridge – In temporary uses, it could be confusing where if the "T" isn't showing on the chart, the use is not allowed. Maybe insert unless the PCD Director authorizes it.

IN FAVOR: NONE

IN OPPOSITION:

Mr. Eric Moraes – Mother-in-law apartment and use of the basement requirements. It states cannot be any larger than 1500 square feet. Guest house does not mention it. The proposed statement should include an exception "A principal residence's basement area utilized as an accessory living quarters is not subject to the size limit and may occupy the entire basement area." Rationale is 1800 square feet is 120% of 1500 and using the same "reference system," in this case square feet, will make the Code easier to read by the average citizen reader. There are basements in the County that are over 1500 square feet. By adjusting the Code's language to the proposed, you are in effect limiting a property owner's ability to freely use his/her land directly beneath the footprint of their home. The suggestion also adheres to the original intent and differences of the definitions of "Guest House" which was limited to 1500 square feet and "Mother in Law Apartment" which could be placed in a basement.

Ms. Ruiz – Staff does not have any objection to the proposed amendment. The BoCC could determine if they want the full basement to exceed the 1500 square feet. In the basement scenario, typically the stairway remains to where we would

still consider it one single-family dwelling due to there being no limitation on the number of related persons who can live in one home. We would typically only look at a basement as an accessory living quarters if the only way you could get to the basement was through a garage and if the stairway were removed or closed. If you choose to accept Mr. Moraes's recommendation you would need to include the new proposed language in your motion.

DISCUSSION:

Mr. Bailey – I understand the rationale, but I don't think it needs to be incorporated in these changes we have before us today.

Ms. Dillon – If the basement is finished, it is part of the principal residence so it is not accessory.

PC ACTION: TROWBRIDGE MOTIONED/DILLON SECONDED TO APPROVE REGULAR ITEM 4, LDC-19-002, FOR A LAND DEVELOPMENT CODE AMENMENT ON ACCESSORY STRUCTURS AND USES UTILIZING RESOLUTION PAGE NO. 7, CITING 19-064, WITH THE MINOR CHANGES BUT NOT THE LAST CHANGE PROPOSED BY MR. MORAES AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED UNANIMOUSLY (9-0).

5. **El Paso County Master Plan – Informational Update – No Action Needed – Mr. Gebhart** previously gave his update during report items.

NOTE: For information regarding the Agenda item the Planning Commission is considering, call the Planning and Community Development Department for information (719-520-6300). Visit our Web site at www.elpasoco.com to view the agenda and other information about El Paso County. Results of the action taken by the Planning Commission will be published following the meeting. (The name to the right of the title indicates the Project Manager/ Planner processing the request.) If the meeting goes beyond noon, the Planning Commission may take a lunch break.

The minutes were approved as presented at the November 19, 2019 hearing.

EL PASO COUNTY



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

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
CAMI BREMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

October 16, 2019

This letter is to inform you of the following petition which has been submitted to El Paso County:

PUDSP-19-006

PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN AMENDMENT
FOREST LAKES PHASE II

A request by FLRD, No. 2, LLC, for approval of a map amendment (rezoning) of 287 acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) and approval of a preliminary plan for 180 single-family residential lots. The property is located north of Hay Creek Road, south of Doolittle Road, and west of Old Denver Highway. (Parcel No. 71000-00-433) (Commissioner District No. 1) (Kari Parsons) Type of Hearing: Quasi-Judicial

For PUD to PUD? Against "Site" over S. Beaver Creek No Opinion
Comments: This communication is a total farce!! It tells us nothing already passed under the table?
Don't touch Our Beavers!!
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

- This item is scheduled to be heard by the El Paso County Planning Commission on November 5, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Second Floor Hearing Room of the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs.
- The item will also be heard by the El Paso County Board of County Commissioners on December 10, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
- The date and order when this item will be considered can be obtained by calling the Planning and Community Development Department or through El Paso County's Web site (www.elpasoco.com). Actions taken by the El Paso County Board of County Commissioners are posted on the internet following the meeting.
- The online submittal portal can be found at: www.epcdevplanreview.com
- The Staff Report for this Agenda item can be found at: <https://planningdevelopment.elpasoco.com/elpaso-county-planning-commission/planning-commission-2019-hearings/>

See you at the meetings
Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,

Kari Parsons, Planner III

Your Name: I revery Nancy Lee Nancy Lee Drewry
(printed) (signature)
Address: 4555 Diamondback Drive Colorado Springs, Colorado 80921
Property Location: S. Beaver Creek, S. of Site Phone: 719-481-3804

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

WWW.ELPASOCO.COM

EL PASO COUNTY

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

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
CAMI BREMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

October 16, 2019

This letter is to inform you of the following petition which has been submitted to El Paso County:

PUDSP-19-006

PARSONS

PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN AMENDMENT FOREST LAKES PHASE II

A request by FLRD, No. 2, LLC, for approval of a map amendment (rezoning) of 287 acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) and approval of a preliminary plan for 180 single-family residential lots. The property is located north of Hay Creek Road, south of Doolittle Road, and west of Old Denver Highway. (Parcel No. 71000-00-433) (Commissioner District No. 1) (Kari Parsons) **Type of Hearing: Quasi-Judicial**

For ☒ Against ☐ No Opinion ☐
Comments: We are against additional homes being built - habitat loss for animals and birds and the effect that many more homes will have on the water. Please stop building in high fire and low water areas.
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

- This item is scheduled to be heard by the El Paso County Planning Commission on November 5, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Second Floor Hearing Room of the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs.
- The item will also be heard by the El Paso County Board of County Commissioners on December 10, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
- The date and order when this item will be considered can be obtained by calling the Planning and Community Development Department or through El Paso County's Web site (www.elpasoco.com). Actions taken by the El Paso County Board of County Commissioners are posted on the internet following the meeting.
- The online submittal portal can be found at: www.epcdevplanreview.com
- The Staff Report for this Agenda item can be found at: <https://planningdevelopment.elpasoco.com/el-paso-county-planning-commission/planning-commission-2019-hearings/>

Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,

Kari Parsons, Planner III

Your Name:

Xavier Gonzalez + Lois Butts-Gonzalez (printed) Lois Butts-Gonzalez (signature)

Address:

3855 Spantz Road Monument CO 80132

Property Location:

Lot 6 Blk 4 Pine Hills Add 3

Phone 719 481-1643

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

WWW.ELPASOCO.COM

EL PASO COUNTY

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

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
CAMI BREMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

October 16, 2019

This letter is to inform you of the following petition which has been submitted to El Paso County:

PUDSP-19-006

PARSONS

PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN AMENDMENT FOREST LAKES PHASE II

A request by FLRD, No. 2, LLC, for approval of a map amendment (rezoning) of 287 acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) and approval of a preliminary plan for 180 single-family residential lots. The property is located north of Hay Creek Road, south of Doolittle Road, and west of Old Denver Highway. (Parcel No. 71000-00-433) (Commissioner District No. 1) (Kari Parsons) **Type of Hearing: Quasi-Judicial**

For	Against	No Opinion
Comments: _____		

(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

- This item is scheduled to be heard by the El Paso County Planning Commission on November 5, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Second Floor Hearing Room of the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs.
- The item will also be heard by the El Paso County Board of County Commissioners on December 10, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
- The date and order when this item will be considered can be obtained by calling the Planning and Community Development Department or through El Paso County's Web site (www.elpasoco.com). Actions taken by the El Paso County Board of County Commissioners are posted on the internet following the meeting.
- The online submittal portal can be found at: www.epcdevplanreview.com
- The Staff Report for this Agenda item can be found at: <https://planningdevelopment.elpasoco.com/el-paso-county-planning-commission/planning-commission-2019-hearings/>

Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,

[Signature]

Will attend the meeting

Kari Parsons, Planner III

Your Name: Carol T. Johnson Carol T. Johnson

(printed)

(signature)

Address: 4465 Diamondback Dr

Property Location: Colorado Springs Co Phone: _____

carolrockym@msn.com

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

WWW.ELPASOCO.COM



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

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
CAMI BREMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

October 16, 2019

This letter is to inform you of the following petition which has been submitted to El Paso County:

PUDSP-19-006

PARSONS

PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN AMENDMENT
FOREST LAKES PHASE II


A request by FLRD, No. 2, LLC, for approval of a map amendment (rezoning) of 287 acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) and approval of a preliminary plan for 180 single-family residential lots. The property is located north of Hay Creek Road, south of Doolittle Road, and west of Old Denver Highway. (Parcel No. 71000-00-433) (Commissioner District No. 1) (Kari Parsons) Type of Hearing: Quasi-Judicial

For Business and traffic, and new large lot lots Against No Opinion
Comments: see introduction of contaminants into area and new large lot lots
causing a VERY UNDESIRED change in the environment
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

- This item is scheduled to be heard by the El Paso County Planning Commission on November 5, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Second Floor Hearing Room of the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs.
- The item will also be heard by the El Paso County Board of County Commissioners on December 10, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
- The date and order when this item will be considered can be obtained by calling the Planning and Community Development Department or through El Paso County's Web site (www.elpasoco.com). Actions taken by the El Paso County Board of County Commissioners are posted on the internet following the meeting.
- The online submittal portal can be found at: www.epcdevplanreview.com
- The Staff Report for this Agenda item can be found at: <https://planningdevelopment.elpasoco.com/el-paso-county-planning-commission/planning-commission-2019-hearings/>

Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,


Kari Parsons, Planner III

Your Name: Ivan Kost

(printed) 4305 Doolittle Road Dr. Co. Springs, CO 80921 (signature) ITP

Address: 4305 Doolittle Road Dr. Co. Springs, CO 80921 Phone: _____

Property Location: _____

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

WWW.ELPASOCO.COM

EL PASO COUNTY



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

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
CAMI BREMER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

October 16, 2019

This letter is to inform you of the following petition which has been submitted to El Paso County:

PUDSP-19-006

PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN AMENDMENT
FOREST LAKES PHASE II

PARSONS

A request by FLRD, No. 2, LLC, for approval of a map amendment (rezoning) of 287 acres from PUD (Planned Unit Development) to PUD (Planned Unit Development) and approval of a preliminary plan for 180 single-family residential lots. The property is located north of Hay Creek Road, south of Doolittle Road, and west of Old Denver Highway. (Parcel No. 71000-00-433) (Commissioner District No. 1) (Kari Parsons) Type of Hearing: Quasi-Judicial

For ☒ Against ☐ No Opinion ☐
Comments: This amendment is not easily understood,
I went online, I called and still not sure
what has changed. Classic yet again gives no info!
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)
ALSO I DON'T BELIEVE all adjacent home owners got this!

- This item is scheduled to be heard by the El Paso County Planning Commission on November 5, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Second Floor Hearing Room of the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs.
- The item will also be heard by the El Paso County Board of County Commissioners on December 10, 2019. The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
- The date and order when this item will be considered can be obtained by calling the Planning and Community Development Department or through El Paso County's Web site (www.elpasoco.com). Actions taken by the El Paso County Board of County Commissioners are posted on the internet following the meeting.
- The online submittal portal can be found at: www.epcdevplanreview.com
- The Staff Report for this Agenda item can be found at: <https://planningdevelopment.elpasoco.com/el-paso-county-planning-commission/planning-commission-2019-hearings/>

Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,

Kari Parsons, Planner III

Your Name: Amie Lennon

Address: 3905 Mesa Top Dr

Property Location: Lot 16

Phone: 603-545-9105

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

WWW.ELPASOCO.COM

MAP AMENDMENT (REZONING) – PLANNED UNIT DEVELOPMENT (PUD)
(RECOMMEND APPROVAL)

Commissioner Lucia-Treese moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. PUDSP-19-006
Forest Lakes Phase II

WHEREAS, FLRD, No. 2, LLC, did file an application with the El Paso County Planning and Community Development Department to amend the El Paso County Zoning Map to rezone property and approval of a preliminary plan for the Forest Lakes Phase II subdivision in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference to the PUD (Planned Unit Development) zoning district; and

WHEREAS, a public hearing was held by this Commission on November 5, 2019; 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 was provided as required by law for the hearing before the Planning Commission of El Paso County.
3. The hearing before the Planning Commission was extensive and complete, all pertinent facts, matters, and issues were submitted and reviewed, and all interested persons were heard at that hearing.
4. That all exhibits were received into evidence; and
5. The proposed PUD (Planned Unit Development) District zoning is in general conformity with the Master Plan for El Paso County, Colorado.

6. The proposed PUD District zoning advances the stated purposes set forth in Chapter 4, Section 4.2.6, of the El Paso County Land Development Code.
7. There has been a substantial change in the character of the area since the land was last zoned.
8. The proposed development is in compliance with the requirements of the Land Development Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County.
9. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area.
10. The proposed development provides adequate consideration for any potentially detrimental use-to-use relationships (e.g. commercial use adjacent to single-family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site.
11. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community.
12. The areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project.
13. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities.
14. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g., fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed.
15. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy-efficient site design.
16. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner.
17. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide.

18. The owner has authorized the application.
19. The subdivision is in conformance with the subdivision design standards and any approved Sketch Plan.
20. 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 Land Development Code.
21. 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 Land Development Code.
22. 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.W. §30-28-133(6)(c)].
23. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
24. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
25. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
26. 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.
27. For the above-stated and other reasons, the proposed zoning is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends approval of the application to amend the EL Paso County Zoning Map to rezone rezone property to the PUD (Planned Unit Development) zoning district.

BE IT FURTHER RESOLVED that the Planning Commission recommends approval of the PUD Development Plan as a preliminary plan.

BE IT FURTHER RESOLVED that the Planning Commission recommends the following conditions and notations and modifications be placed upon this approval:

CONDITIONS

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the amended PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
6. Applicable park, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
7. The applicants shall mitigate the constraints identified in geology hazards evaluation and preliminary geotechnical investigation report which was prepared and submitted by CTL Thompson Engineering dated July 18, 2018, revisions of the report dated December 11, 2018, and February 18, 2019. CTL Thompsons Engineering recommendations include: additional geotechnical investigation, testing and analysis for design of individual foundations, floor systems, and subsurface drainage to be completed prior to the issuance of lot specific building permits.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or

circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.
3. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
4. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

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.

Commissioner Dillon seconded the adoption of the foregoing Resolution.

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

Commissioner Risley	aye
Commissioner Bailey	aye
Commissioner Dillon	aye
Commissioner Lucia-Treese	aye
Commissioner Blea-Nunez	aye
Commissioner Creely	aye
Commissioner Brittain Jack	aye
Commissioner Fuller	aye
Commissioner Trowbridge	aye

The Resolution was adopted by a vote of 9 to 0 by the El Paso County Planning Commission, State of Colorado.

DATED: November 5, 2019

Brian Risley, Chair

EXHIBIT A

LEGAL DESCRIPTION: PHASE 2 PUD/DA LEGAL

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 28, AND THE SOUTHEAST QUARTER OF SECTION 29 ALL IN TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE NORTHERLY BOUNDARY OF FOREST LAKES FILING NO. 1 RECORDED UNDER RECEPTION NO. 206712407 RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT BOTH ENDS BY A NO. 4 REBAR AND RED PLASTIC SURVEYORS CAP STAMPED "ROCKWELL PLS 19586" ASSUMED TO BEAR N89°29'26"W, A DISTANCE OF 3103.31 FEET.

COMMENCING AT THE NORTHWESTERLY CORNER OF FOREST LAKES FILING NO. 1 RECORDED UNDER RECEPTION NO. 206712407, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE, ON THE WESTERLY BOUNDARY OF SAID FOREST LAKES FILING NO. 1, THE FOLLOWING (17) SEVENTEEN COURSES:

1. S04°27'43"E, A DISTANCE OF 339.79 FEET;
2. S38°59'42"W, A DISTANCE OF 180.21 FEET TO A POINT ON CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N21°35'30"E, HAVING A DELTA OF 01°06'06", A RADIUS OF 370.00 FEET AND A DISTANCE OF 7.11 FEET TO A POINT OF REVERSE CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 31°25'41", A RADIUS OF 330.00 FEET AND A DISTANCE OF 181.01 FEET TO A POINT OF REVERSE CURVE;
5. THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 32°16'24", A RADIUS OF 120.00 FEET AND A DISTANCE OF 67.59 FEET TO A POINT OF TANGENT;
6. S70°21'22"E, A DISTANCE OF 52.28 FEET TO A POINT OF CURVE;
7. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 27°30'55", A RADIUS OF 215.00 FEET AND A DISTANCE OF 103.25 FEET TO A POINT OF TANGENT;
8. S42°50'27"E, A DISTANCE OF 31.85 FEET TO A POINT OF CURVE;
9. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 47°22'46", A RADIUS OF 110.00 FEET AND A DISTANCE OF 90.96 FEET TO A POINT OF TANGENT;
10. N89°46'48"E, A DISTANCE OF 30.97 FEET TO A POINT OF CURVE;
11. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 72°40'04", A RADIUS OF 70.00 FEET AND A DISTANCE OF 88.78 FEET TO A POINT OF TANGENT;
12. N17°06'44"E A DISTANCE OF 29.40 FEET;
13. S72°53'16"E, A DISTANCE OF 60.00 FEET;
14. S17°06'44"W, A DISTANCE OF 29.40 FEET TO A POINT OF CURVE;
15. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 46°47'45", A RADIUS OF 130.00 FEET AND A DISTANCE OF 106.18 FEET TO A POINT ON CURVE;
16. S26°02'29"E, A DISTANCE OF 239.56 FEET;
17. S16°10'29"W, A DISTANCE OF 383.49 FEET TO THE SOUTHWESTERLY CORNER OF SAID FOREST LAKES FILING NO. 1;

THENCE S02°39'14"E, A DISTANCE OF 1236.36 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO;
THENCE S88°58'38"W, ON SAID SOUTH LINE, A DISTANCE OF 913.60 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28;
THENCE S88°58'38"W, ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 1331.94 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 28;
THENCE S89°10'18"W, ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO A DISTANCE OF 2620.81 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 29;
THENCE N00°13'11"E, ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 29, A DISTANCE OF 2671.51 FEET TO THE CENTER QUARTER OF SAID SECTION 29;
THENCE N89°40'43"E, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 29, A DISTANCE OF 2638.56 FEET TO THE WEST QUARTER CORNER OF SECTION 28;
THENCE N89°29'26"E, ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 1718.18 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 287.000 ACRES.

RESOLUTION NO. 19-

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF
COLORADO

APPROVAL OF THE FOREST LAKES PHASE 2 MAP AMENDMENT
(REZONING) AND PUD DEVELOPMENT PLAN
(PUDSP-19-006)

WHEREAS FLRD, No. 2, LLC, did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development plan; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on November 5, 2019, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application and supporting PUD Development Plan; and

WHEREAS, a public hearing was held by this Board on December 10, 2019; 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, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. The application was properly submitted for consideration by the Board of County Commissioners.
2. Proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and Board of County Commissioners of El Paso County.
3. That the hearings before the Planning Commission and Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.

4. The proposed PUD (Planned Unit Development) District zoning is in general conformity with the Master Plan for El Paso County, Colorado.
5. The proposed PUD District zoning advances the stated purposes set forth in Chapter 4, Section 4.2.6, of the Land Development Code.
6. The proposed development is in compliance with the requirements of the Land Development Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County.
7. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment; and will not have a negative impact upon the existing and future development of the surrounding area.
8. The proposed development provides adequate consideration for any potentially detrimental use-to-use relationships (e.g. commercial use adjacent to single-family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site.
9. The allowed uses, bulk requirements and required landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community.
10. The areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project.
11. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities.
12. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g., fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed.
13. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy-efficient site design.
14. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere

with the present or future extraction of such deposit unless acknowledged by the mineral rights owner.

15. Any proposed exception or deviation from the requirements of the zoning resolution or the subdivision regulations is warranted by virtue of the design and amenities incorporated in the development plan and development guide.
16. The owner has authorized the application.
17. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor.
18. The subdivision is in conformance with the subdivision design standards and any approved Sketch Plan.
19. 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 Land Development Code.
20. 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 Land Development Code.
21. 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.W. §30-28-133(6)(c)].
22. Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of the Land Development Code and the Engineering Criteria Manual are provided by the design.
23. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
24. The proposed subdivision meets other applicable sections of Chapters 6 and 8 of the Land Development Code.
25. 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.

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

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

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the application to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development Plan.

BE IT FURTHER RESOLVED that the Board of County Commissioners hereby approves the PUD Development Plan as a preliminary plan.

BE IT FURTHER RESOLVED the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. Development of the property shall be in accordance with this PUD development plan. Minor changes in the PUD development plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD development plan amendment application.
2. Approved land uses are those defined in the amended PUD development plan and development guide.
3. All owners of record must sign the PUD development plan.
4. The PUD development plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD development plan.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S.

Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.

6. Applicable park, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
7. The applicants shall mitigate the constraints identified in geology hazards evaluation and preliminary geotechnical investigation report which was prepared and submitted by CTL Thompson Engineering dated July 18, 2018, revisions of the report dated December 11, 2018, and February 18, 2019. CTL Thompsons Engineering recommendations include: additional geotechnical investigation, testing and analysis for design of individual foundations, floor systems, and subsurface drainage to be completed prior to the issuance of lot specific building permits.

NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.
3. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
4. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 10th day of December, 2019, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

LEGAL DESCRIPTION: PHASE 2 PUD/DA LEGAL

A PARCEL OF LAND BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 28, AND THE SOUTHEAST QUARTER OF SECTION 29 ALL IN TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: A PORTION OF THE NORTHERLY BOUNDARY OF FOREST LAKES FILING NO. 1 RECORDED UNDER RECEPTION NO. 206712407 RECORDS OF EL PASO COUNTY, COLORADO, BEING MONUMENTED AT BOTH ENDS BY A NO. 4 REBAR AND RED PLASTIC SURVEYORS CAP STAMPED "ROCKWELL PLS 19586" ASSUMED TO BEAR N89°29'26"W, A DISTANCE OF 3103.31 FEET.

COMMENCING AT THE NORTHWESTERLY CORNER OF FOREST LAKES FILING NO. 1 RECORDED UNDER RECEPTION NO. 206712407, RECORDS OF EL PASO COUNTY, COLORADO, SAID POINT BEING ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO, SAID POINT BEING THE POINT OF BEGINNING;

THENCE, ON THE WESTERLY BOUNDARY OF SAID FOREST LAKES FILING NO. 1, THE FOLLOWING (17) SEVENTEEN COURSES:

1. S04°27'43"E, A DISTANCE OF 339.79 FEET;
2. S38°59'42"W, A DISTANCE OF 180.21 FEET TO A POINT ON CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS N21°35'30"E, HAVING A DELTA OF 01°06'06", A RADIUS OF 370.00 FEET AND A DISTANCE OF 7.11 FEET TO A POINT OF REVERSE CURVE;
4. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 31°25'41", A RADIUS OF 330.00 FEET AND A DISTANCE OF 181.01 FEET TO A POINT OF REVERSE CURVE;
5. THENCE ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 32°16'24", A RADIUS OF 120.00 FEET AND A DISTANCE OF 67.59 FEET TO A POINT OF TANGENT;
6. S70°21'22"E, A DISTANCE OF 52.28 FEET TO A POINT OF CURVE;
7. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF 27°30'55", A RADIUS OF 215.00 FEET AND A DISTANCE OF 103.25 FEET TO A POINT OF TANGENT;
8. S42°50'27"E, A DISTANCE OF 31.85 FEET TO A POINT OF CURVE;
9. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF 47°22'46", A RADIUS OF 110.00 FEET AND A DISTANCE OF 90.96 FEET TO A POINT OF TANGENT;
10. N89°46'48"E, A DISTANCE OF 30.97 FEET TO A POINT OF CURVE;

11. ON THE ARC OF A CURVE TO THE LEFT HAVING A DELTA OF $72^{\circ}40'04''$, A RADIUS OF 70.00 FEET AND A DISTANCE OF 88.78 FEET TO A POINT OF TANGENT;
12. $N17^{\circ}06'44''E$ A DISTANCE OF 29.40 FEET;
13. $S72^{\circ}53'16''E$, A DISTANCE OF 60.00 FEET;
14. $S17^{\circ}06'44''W$, A DISTANCE OF 29.40 FEET TO A POINT OF CURVE;
15. ON THE ARC OF A CURVE TO THE RIGHT HAVING A DELTA OF $46^{\circ}47'45''$, A RADIUS OF 130.00 FEET AND A DISTANCE OF 106.18 FEET TO A POINT ON CURVE;
16. $S26^{\circ}02'29''E$, A DISTANCE OF 239.56 FEET;
17. $S16^{\circ}10'29''W$, A DISTANCE OF 383.49 FEET TO THE SOUTHWESTERLY CORNER OF SAID FOREST LAKES FILING NO. 1;

THENCE $S02^{\circ}39'14''E$, A DISTANCE OF 1236.36 FEET TO A POINT ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO;

THENCE $S88^{\circ}58'38''W$, ON SAID SOUTH LINE, A DISTANCE OF 913.60 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28;

THENCE $S88^{\circ}58'38''W$, ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 1331.94 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 28;

THENCE $S89^{\circ}10'18''W$, ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO A DISTANCE OF 2620.81 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 29;

THENCE $N00^{\circ}13'11''E$, ON THE WEST LINE OF SAID SOUTHEAST QUARTER OF SECTION 29, A DISTANCE OF 2671.51 FEET TO THE CENTER QUARTER OF SAID SECTION 29;

THENCE $N89^{\circ}40'43''E$, ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 29, A DISTANCE OF 2638.56 FEET TO THE WEST QUARTER CORNER OF SECTION 28;

THENCE $N89^{\circ}29'26''E$, ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 28, A DISTANCE OF 1718.18 FEET TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 287.000 ACRES.