

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Date: March 23, 2020

Re: Written Determination for Cost Recovery for Forest Lakes Drive

Background

A cost recovery statement was submitted by the Forest Lakes Residential Development, LLC, (Forest Lakes) to the El Paso County Planning and Community Development Department in March, 2019, requesting a fair share reimbursement from properties benefitting from the construction of Forest Lakes Drive from Hay Creek Road, west for a length of 3299 feet. The road has been constructed and is owned and maintained by El Paso County.

Summary

A cost recovery statement was submitted on March 28, 2019, and reviewed in accordance with the El Paso County Land Development Code (2019) (Code) Section 8.7.2 which confirmed the accuracy and veracity of the costs, the reasonableness and appropriateness of the costs; consistency of the cost recovery statement with technical and professional standards, in order to generally assure that the cost recovery statement did not disproportionately or inequitably attempt to shift the cost of constructing the improvement to other property owners; and general conformance with the requirements of the Code. Notification was provided to the owners of the two benefited properties described as parcel nos. 71270-00-003 and 71260-00-004, which are owned by HCB Willow Springs, LLC, (Willow Springs), within 10 days of the cost recovery statement being submitted to the El Paso County Planning and Community Development Department (PCD).

The PCD Director has made a determination that the package submitted has produced a sound and reasonable estimate of this section of Forest Lakes Road. Per the Land Development Code, the items Forest Lakes has determined, and as outlined in the cost recovery statement, that the fair share split based off projected average daily trips (ADT) shall be Forest Lakes 74% and Willow Springs 26%. The total applicable cost of the road has been determined to be \$958,477.88. The Willow Springs share would be \$249,204.25.

The PCD Director has approved the revised cost recovery statement as submitted in February 2020. This fair share reimbursement shall be limited to 15 years from the date of the completion of the improvement of November 6, 2018 (resolution 18-421).

The requestor subdivider or any benefited property owner may appeal the decision of the PCD Director to the Board of County Commissioners by filing a written request for appeal in accordance with the Code. In order to be considered for appeal, the notice of appeal shall be received by the PCD Director no later than 30 calendar days after the date of mailing of notice of this determination.