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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

May 26, 2020

Lake Woodmoor Holdings, LLC
1755 Telstar Drive Suite 211
Colorado Springs, CO 80920

N.E.S., Inc.
619 N. Cascade Avenue
Colorado Springs, CO 80903

RE: Northbay at Lake Woodmoor - (PUDSP-16-004)

This is to inform you that the above-reference request for approval of a map amendment (rezoning) of 7.23 acres from R-4 (Obsolete) to PUD (Planned Unit Development) to develop 28 single-family residential lots, rights-of-way, and five (5) open space and floodplain tracts was heard by the Board of County Commissioners and an approval was made at the May 26, 2020 hearing. The request also includes approval of the PUD development plan as a preliminary plan. The parcel is located approximately 450 feet east of the Deer Creek Road and Woodmoor Drive intersection and is within Section 11, 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). The applicant has made a concurrent request for an administrative final plat of the 7.229-acre PUD area to create 28 single-family attached residential lots.

(Parcel Nos. 71114-04-111 and 71114-00-007)

This approval is subject to the following:

MODIFICATIONS

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

For approval of a modification of a general development standard in the LDC or standard of the ECM, the BoCC shall find that the proposal provides for the general health, safety, and welfare of the citizens and at least one of the following benefits:

- Preservation of natural features;

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- Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;
- Provision of a more efficient pedestrian system;
- Provision of additional open space;
- Provision of other public amenities not otherwise required by the Code; or
- The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.

The applicant is requesting approval of the following modification(s) of the LDC:

1. The applicant is requesting a PUD modification to Sections 8.4.4.C. and 8.4.4.E.3 of the Code to allow for private roads that are proposed to not be built to public road standards.

Section 8.4.4.C, *Public Roads Required*, of the Code states:

“Divisions of land, lots and tracts shall be served by public roads.”

Section and 8.4.4.E.3, *Private Road Allowances*, of the Code states:

“Generally, private roads shall be constructed and maintained to ECM standards except as may be otherwise determined in the waiver. Private road waivers may include design standards for the following:

- Right-of-way width where suitable alternative provisions are made for pedestrian walkways and utilities;
- Design speed where it is unlikely the road will be needed for use by the general public;
- Standard section thickness minimums and pavement type where suitable and perpetual maintenance provisions are made;
- Maximum and minimum block lengths; and
- Maximum grade.

PCD Executive Director Recommendation:

The PCD Executive Director recommends approval of the requested PUD modification. Per the proposed PUD/Preliminary Plan, adequate lot accessibility can be provided via the proposed private roadway. The applicant has depicted a sidewalk design and layout that accommodates pedestrian movement throughout the proposed PUD/preliminary plan. As summarized in the applicant’s letter of intent, reducing the requirement of constructing private roads to public road standards to a lesser standard is proposed to provide for a more efficient and livable environment and provision of more efficient pedestrian spaces.

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the requested PUD modification.

The applicant is requesting the following modification(s) of the ECM:

1. The applicant requests a PUD modification of Section 2.2.4.B.7 to allow a narrower road cross-section with 21 feet 8 inches of pavement width where 24 feet for a typical urban local (low volume) cross-section is required.

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the modification request due to the physical constraint of the site. The revised cross-section is a private road which will be owned and maintained by the homeowner's association.

2. The applicant requests a PUD modification of Section 2.2.3 to allow 40 feet center line radius on Red Bridge Point where 100 feet is required and a K-sag value of 8 where 17 is required for a vertical curve.

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the modification request since the reduced centerline curve radius and vertical curve in conjunction with the narrow roadway design is expected to reduce the speed. The revised roadway is a private road which will be owned and maintained by the homeowner's association.

3. The applicant requests a PUD modification of Section 2.3.8 to allow for a roadway termination design as a hammerhead instead of a typical cul-de-sac bulb.

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the modification request since this is a private road and the Tri-Lakes Monument Fire Protection District has approved the hammerhead turnaround for emergency access.

4. The applicant requests a PUD modification of Section 2.2.5.E for the proposed Shoreditch Heights access location which will result in intersection spacing of less than 330 feet. The proposed intersection will be located approximately 226 feet east of Burning Oak Way and approximately 236 feet west of Burnt Leaf Way.

ECM Administrator Recommendation:

The ECM Administrator recommends approval of the modification request. The first access point for the subdivision is located at the Burning Oak and Deer Creek Road intersection. Since Burnt Leaf Way and Deer Creek Road intersection is not located along the property frontage the proposed Shore Ditch Heights access is located midway between Burning Oak Way and Burnt Leaf Way to maximize the intersection spacing.

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 PUD development plan.
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, the 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, school, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.

NOTATIONS

1. Approval of the preliminary plan portion of this application authorizes future final plat filings to be approved administratively.

2. 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.
3. 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.
4. 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.
5. 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.

This represents the Planning and Community Development Department's understanding of the action taken by the Board of County Commissioners.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,

Nina Ruiz, Planning Manager

File No. PUDSP-16-004