
NORTH BAY AT LAKE WOODMOOR PUD PRELIMINARY PLAN/PUD SITE PLAN

LETTER OF INTENT

JUNE 2022

OWNER/APPLICANT:

LAKE WOODMOOR HOLDINGS LLC
1755 TELSTAR DRIVE, SUITE 211
COLORADO SPRINGS, CO 80920

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
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COLORADO SPRINGS, CO 80903
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Planning Comments V1 - MPF

1. Please describe the community outreach and the comments received by the community.
2. will you have additional community meetings?
3. additional comments can be found within the letter.
4. Please discuss the LOMR/CLOMR process.

Include request for Early Grading and what all is planned to be performed under that permit.

SITE DETAILS:

TSN: 7111404111, 7111400007

ADDRESS: WOODMOOR DR

ACREAGE: 7.23 AC

CURRENT ZONING: PUD

CURRENT USE: VACANT

REQUEST

N.E.S. Inc. on behalf of Lake Woodmoor Holdings LLC requests approval of the following applications:

1. A Rezone from R-4 (Planned Development District – Obsolete) to PUD (Planned Unit Development District);
2. A PUD Development/Preliminary Plan for 35-unit townhome development on 7.23 acres, at a gross density 4.84 dwelling units per acre and a maximum height of 30 feet, including PUD modifications;

LOCATION

North Bay at Lake Woodmoor is located southeast of the intersection of Woodmoor Drive and Deer Creek Road. Deer Creek Road forms the northern boundary of the property and Lake Woodmoor lies to the south. To the west is the Cove at Woodmoor condominiums and further west is the proposed Waterside at Lake Woodmoor development (7 du/acre). To the east is an open and forested common area owned by the Woodmoor Improvement Association (WIA), beyond which is Lake Woodmoor single-family residential neighborhood. To the north, across Deer Creek Road is the Woodmoor Oaks Subdivision (1 du/acre). The site comprises approximately 7.23 acres.

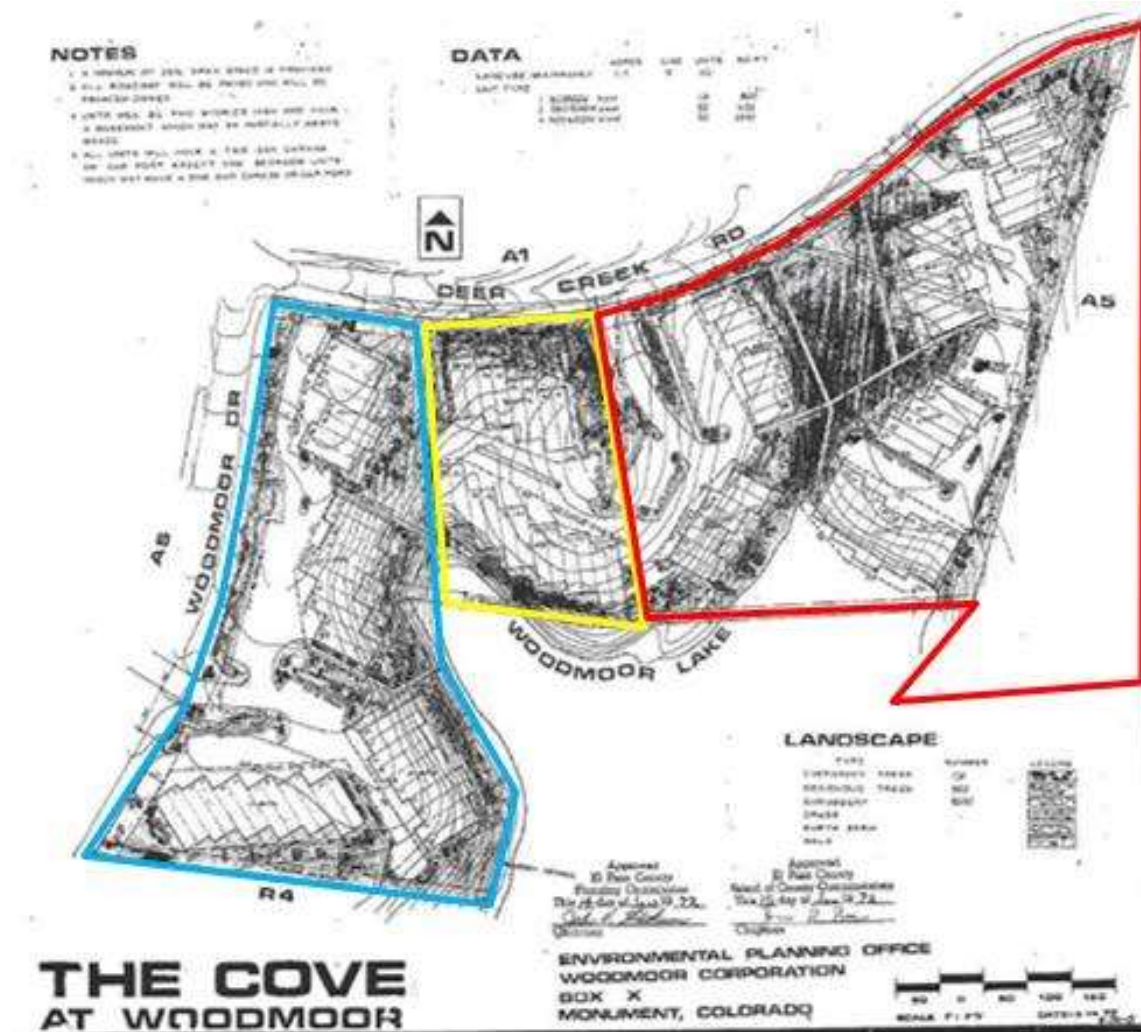


HISTORY

Condominium Units

The property is part of a Development Plan for the Northbay Condominiums which was approved in 1972. The approved 1972 plan proposed 110 on 11.4 acres; a density of 9.6 dwelling units per acre. In 1974, two acres were platted for 20 Condominium units at The Cove at Woodmoor, which lies immediately west of the subject property (yellow). In 1979, four acres to the west of the Cove at Woodmoor were platted as the Waterside Condominiums (blue), which accounted for a further 40 units

of the 110 units originally approved. The remaining 5.4 acres of the 1972 plan is part of the current PUD application site and would have accommodated the remaining 50 units approved by the 1972 Plan (red).



A PUD Development Plan for North Bay was approved in 2020, which proposed 28 lots for a density of 3.87 DU/AC. The approved plan showed an open drainage running through the center of the site. Extensive retaining walls were required to support the proposed units while preserving the open drainage, and following considerable analysis was deemed to be cost prohibitive.

This property is currently zoned PUD. Please update this section to reflect this fact and include the history of the zone change from R-4 to PUD and why the PUD needs to be updated for this new proposal. Please correct in every location on the application where it states that the current zoning is R-4. I believe it is a remnant of the original application.

PROJECT DESCRIPTION

The property and the areas to the south, west, and east are zoned R-4, which is an obsolete zoning for Planned Development. Any new development proposal for the property requires a rezoning.

It is proposed to rezone the property to PUD, as this is the current equivalent of the old R-4 zoning and is therefore compatible with the surrounding R-4 zoning. The PUD zoning also allows for flexibility in the dimensional and design standards needed to accommodate the proposed townhome product and enable the protection of the wetlands areas and other open space.

The PUD Development/Preliminary Plan proposes 35 units on 7.23 acres; a density of 4.84 dwelling units per acre. This is significantly less dense than the approved 1972 plan (6.9 du/acre). The maximum height of the buildings is 30 feet and each unit will have a two-car garage. In addition to the garage parking, driveway parking is provided on 4 lots, and 16 off-street parking bays are provided as well. In total, 94 parking spaces are provided (82 required).

All other tracts include public access, public utilities, public improvement, drainage, landscaping, mail kiosk, and private parking and provide 177,202 SF of open space, all owned and maintained by the North Bay at Lake Woodmoor HOA.

Include % of land for open space and show what the min. % required

future or current HOA?

Both the R-4 and PUD are flexible zoning. The flexibility is similar but the requirements can be very different for each PUD or R-4 site. As such, it is not completely accurate to state that they are "therefore compatible." If the density, height and use are similar, they can be considered compatible. please state these items when comparing the two developments

COMPATIBILITY/TRANSITIONS: The site is surrounded by residential development, of various densities. This development will provide a transition from the higher density townhomes and condos to the west to the lower density subdivisions to the north and east. The dense wooded tract along the eastern boundary of the site that is owned by the WIA provides a substantial buffer to the existing single-family residential neighborhood beyond. Woodmoor Lake provides a substantial buffer to the south.

Indicate the distances of this buffer

TRAFFIC: There are two points of access from the development to Deer Creek Road. A full-movement access is provided at the intersection of Deer Creek Road and Burning Oak Road. A secondary access easement is provided about 260 feet to the east. All roads within the development are private.

A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for the site. The North Bay at Lake Woodmoor Traffic Study shows that with the development traffic and projected 2042 traffic, the proposed accesses on Deer Creek Road are predicted to operate at acceptable levels of service, per County established standards.

AIR QUALITY: The proposed residential use will not negatively impact air quality. The proposed development is located within a developing area with convenient access to Woodmoor Drive and I-25, providing shorter travel time to employment and commercial facilities.

WATER: This site will be served by the Woodmoor Water and Sanitation District No. 1. A commitment letter for water and wastewater is included in this submittal.

annual

Woodmoor Water and Sanitation District No. 1. Has sufficient supply and infrastructure in the area to serve this development. This specific site of 35 single family lots has a total commitment is 11.97 acre-feet. A Water Resources Report, provided by Kiowa Engineering, is also included in this submittal.

capacity of wastewater system, correct? - not supply

WASTEWATER: The wastewater commitment is for 12,250 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. Woodmoor Water and Sanitation District No. 1 has more than adequate wastewater treatment capacity to provide service to the development. Public sewage disposal is further addressed in the Wastewater Report prepared by Kiowa Engineering.

OTHER UTILITIES: Water, wastewater will be provided by Woodmoor Water and Sanitation District No. 1. Mountain View Electric Association, Inc. will supply electricity service and Black Hills Energy will supply natural gas. The utility commitment letters are submitted with this application.

DRAINAGE: The drainage improvements associated with North Bay at Lake Woodmoor are consistent with Preliminary Drainage Report. Onsite drainage will include the use of curb inlets, grated inlets, and storm sewers to route runoff from the site to the Lake Fork Tributary of Dirty Woman Creek. With the site discharging its runoff to the major drainageway that is immediately upstream of Lake Woodmoor, the development will not adversely impact or deteriorate improvements or natural drainageways downstream of the property.

FLOODPLAIN: This site is within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041C0276F, effective 03.17.1997. No development is proposed in the area prone to surface flooding by a 100-year event.

WETLANDS: There are two wetland areas on site, a small detention basin and a wetland fringe along the north shore of Woodmoor Lake. These features are jurisdictional. No development is proposed in this area.

WILDLIFE: There are no threatened or endangered species on the site. The closest PMJM critical habitat is .7 miles to the south, and the closest potentially occupied range is .33 miles south of the site.

WILDFIRE: The majority of the site is within an area of low hazard. These areas are non-forested. A small portion of the southern boundary, and the eastern edge of the site are largely forested and are areas of high hazard. This project will result in a slight decrease in the wildfire hazard potential. Developed areas will be landscaped and irrigated, reducing wildfire hazard potential.

GEOLOGIC HAZARDS: No geologic hazards were identified that we believe preclude development of the site. A Soils and Geologic Hazard Report was prepared by CTL Thompson for the PUD Development Plan for North Bay at Lake Woodmoor, and is being resubmitted with this application.

VEGETATION: The majority of the site has been disturbed in the past and is non-native grassland. There are signs of disturbance to construct utilities. A grassy swale/floodway extends from the detention pond towards Lake Woodmoor. Native plant communities are limited to a narrow strip of pine-oak woodland and riparian vegetation adjacent to Lake Woodmoor. The riparian and wetland habitat as well as the pine-oak habitat will be preserved. All new plantings will be native species. Noxious weeds on site will be removed and managed by the HOA.

Describe the current commitment letter issue for Woodmoor Water and San. As this project currently does not have have a commitment letter.

Our current FEMA floodplain area includes most of the middle of this site

include size of wetlands

Please spell it out

Will the forested area remain 100% or will this development impact the trees? What is the proposed building setback from the trees?

Please indicate what the report's findings are and not what you believe

Will they have capacity for additional children this project may produce?

SCHOOLS: Lewis Palmer Middle School is directly adjacent to the property. Palmer Ridge High School is one mile north of the site, and Lewis Palmer High School is two miles south of the site. Lewis Palmer Elementary is 1.5 miles from the site.

TRAILS AND OPEN SPACE: The North Bay at Lake Woodmoor PUD Preliminary Plan includes an interconnected system of trails. Gravel and concrete walkways are provided throughout the development. The proposed gravel trail along Deer Creek Road is considered a part of the Lewis Palmer D38 Safe Routes to School grant.

Give more detail - length and connectivity. is this the last remaining stretch or will this project include other parts of the trail?

There is 177,202 SF of open space provided in this PUD.

Please indicate the % of land that is dedicated to open space. Can it be classified (trails, wetlands, fields etc...)?

DISTRICTS SERVING THE PROPERTY:

The following districts will serve the property:

- Lewis Palmer School District 38
- Woodmoor Water and Sanitation District No. 1
- Tri-Lakes Monument Fire District
- Mountain View Electric Association

PUD MODIFICATIONS:

Chapter 4.2.6.F.2.h of the LDC allows for a PUD modification of a general development standard in the LDC or criteria of the ECM. The proposed PUD modifications allow for a more efficient layout that enhances the open space characteristics and benefits to the proposed community. The development implications and decisions guiding the request for the modification support the identified benefits in Chapter 4.2.6.F.2.h – providing more accessible open space within the development.

LDC/ECM Section	Category	Standard	Modification	Justification
1. LDC Chapter 8.4.4(E)(2)	Private Roads Require Waiver	Use of private roads shall be limited.	Private roads proposed to serve only this subdivision.	Private roads provide more flexibility for the development to accommodate the physical constraints of the site and retain natural features. The private roads will be owned and maintained by the Home Owners Associations.
2. LDC Chapter 8.4.4(E)(3)	Private Roads to meet County standards.	Private roads shall be constructed and maintained to ECM standards.	Road width, centerline radius and roadway terminations (see 3,4,5 below)	
3. ECM Section 2.2.4.B.7, Figure 2-17, and ECM Table 2-7	Typical Urban Local (Low Volume) Cross Section	24' Paved Width, 12' Lane Width	21'-8" Paved Width, 10'-10" Lane Width	A smaller road cross-section, compact road design will achieve the goal of retaining natural features and open space. ECM standard does not take into account reduction in speed due to the T-intersection at SW end of Redbridge Point. Sight distance is 62.8 feet with distance to T-intersection of approx. 50 ft.
4. ECM Section 2.2.5.E	Intersection spacing on rural local roadway	330' Separation	226' between Redbridge Point and Shoreditch Heights and 236' between Shoreditch Heights and Burnt Leaf Way	Two points of access are required to serve the east and west sides of the development. The wetlands and existing utilities limit the options for access locations to this property.

- Chapter 8.4.4.E.2 of the LDC states that private roads require a waiver. In this area of development private roads allow more flexibility for the development to accommodate physical constraints of the site.
- Chapter 8.4.4.E.3 of the LDC states that private roads shall meet county standards. These roads have a different centerline radius, and roadway cross section, and vertical curve, which allow more flexibility to the development. The ECM deviations are justified above.

Please provide deviations. Also list deviation being requested for roadway terminations.

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

The relevant County Plans for North Bay at Lake Woodmoor are the Your El Paso Master Plan, the Water Master Plan, and, the 2040 Major Transportation Corridor Plan, and the Parks Master Plan.

YOUR EL PASO MASTER PLAN

Include the year of adoption for each plan to ensure that correct plan was utilized.

The new County Master Plan denotes the site as a suburban residential placetype which consists of predominantly single-family homes while supporting multi-family, neighborhood commercial, and parks. This area is located within the Tri-Lakes area, which is characterized by significant suburban development and some mixed-use development. The Tri-Lakes area is the most well-established community in the northern part of El Paso County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment options. This area is noted as a developed site, and designated as an area of minimal change on the areas of change map.

The PUD Preliminary Plan is consistent with Core Principle 1, Land Use and Development, which seeks to “manage growth to ensure a variety of compatible land uses that preserve all character areas of the county,” in addition to goal 1.1, “ensure compatibility with established character and infrastructure capacity.”

It is also consistent with Core Principle 2, Housing & Communities, which seeks to “preserve and develop neighborhoods with a mix of housing types”, as well as Goal 2.1 to “Promote development of a mix of housing types in identified areas.”

Staff recommends that additional explanation addressing Key area and Area of change would strengthen the LOI.

WATER MASTER PLAN

Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.

Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.

The project is located within Region 2, Monument area of the El Paso County Water Master Plan (WMP). The WMP specifically states: “Region 2, located in the northwest corner of El Paso County, is expected to experience significant growth through 2060. The I-25 corridor passes through the center of the region and offers optimal growth areas in and around the Towns of Palmer Lake and Monument. Growth is anticipated along both the east and west sides of I-25 by 2040.”

The WMP notes that Region 2 has a current water supply of 13,607-acre feet per year and a current demand of 7,532-acre feet per year. The 2040 water supply is projected to be 20,516-acre feet per year and the project demand is 11,713-acre feet. The Water Resources Report prepared by Kiowa Engineering and submitted with the PUD Preliminary Plan application provided calculations on the portable water supply. The quality of the water produced by the Woodmoor Sanitation District for domestic and commercial consumption is subject to regulations prescribed by the CDPHE that limit the amount of certain contaminants in treated or untreated water. The water distribution system design for this project will conform to all applicable criteria set forth by El Paso County and Woodmoor Sanitation District.

2040 MAJOR TRANSPORTATION CORRIDOR PLAN

The 2040 Improvements map identified the most proximate roadway improvement to the site is upgrades to rural county road Deer Creek Rd. The 2060 Corridor Preservation map shows Lake Woodmoor Drive and Woodmoor Drive as collectors.

EL PASO COUNTY PARKS MASTER PLAN

The Parks Master Plan does not identify any proposed parks or candidate open space on this site or in the vicinity. The site is 7 miles from Fox Run Regional Park and 6 miles from Palmer Lake Recreation Area. A county trail and bike route are proposed south of the site along Highway 105.

PROJECT JUSTIFICATION

Chapter 4.2.6.D of the LDC allows the combination of a preliminary plan with a PUD development plan, provided all review and approval standards for both the PUD development plan and preliminary plan are met.

PUD Zoning Criteria

The PUD/Preliminary Plan for North Bay is consistent with the PUD zoning criteria set forth in Chapter 4.2.6.D of the LDC as follows:

1. THE PROPOSED PUD DISTRICT ZONING ADVANCES THE STATED PURPOSES SET FORTH IN THIS SECTION;

The North Bay at Lake Woodmoor PUD will advance the following purposes of the PUD District designation:

- *To permit adjustment to changing public and private needs and to foster the ability to provide development patterns which are more compatible with and effective in meeting such needs;*

The proposed smaller lot residential development is meeting a need and demand for more attainable housing product.

- *To improve the design, character and quality of new development with flexibility by varying lot size, building heights, setback controls and other site development requirements;*

The North Bay at Lake Woodmoor PUD includes smaller lots that require more design flexibility than afforded by standard zoning districts.

- *To encourage innovations in residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings including mixed use and traditional neighborhood design and by the conservation and more efficient use of open space ancillary to said buildings;*

The growing demands of the local population are for smaller homes that are more affordable and have less maintenance. North Bay at Lake Woodmoor provides the flexibility to provide a housing product that meets this demand.

- *To provide housing of all types and designs to be located in proximity to employment and activity centers such as shopping, recreational, and community centers, healthcare facilities, and public transit;*

There are several employment and shopping centers in close proximity to the site, as well as churches and schools that provide community facilities.

2. THE APPLICATION IS IN GENERAL CONFORMITY WITH THE MASTER PLAN;

The relevant County Plans for North Bay at Lake Woodmoor PUD are the Your El Paso County Master Plan, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. The North Bay at Lake Woodmoor PUD is in general conformity with these plans as described above.

3. 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 stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County. The project proposes less density than was previously proposed for this property and, unlike the previous proposal, retains a substantial area of open space and provides trail connections to the lake and adjacent neighborhoods. The project also offers alternative housing design to reduce environmental footprint by improving efficiencies and preserving more open space.

PUD modifications and waivers to the LDC are requested for the use of private roads, private roadway design, urban local street widths, and roadway termination. These modifications and waivers are described above.

4. 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 townhome development is consistent with the existing R-4 zoning and the previously approved Development Plan for the property and is therefore a suitable use for the property. The development is harmonious with the existing and proposed uses surrounding the property, which comprises of condominiums and townhomes to the west, single family residential to the east, Lake Woodmoor to the south, single family to the north. The dense wooded tract along the eastern boundary of the site that is owned by the WIA provides a substantial buffer to the existing single-family residential neighborhood beyond.

This development has avoided and minimized wetland impacts to the extent possible. A proposed outlet structure in the existing detention pond (Wetland 1) is required that will impact approximately 0.01-acre of existing wetland. Proposed grading and retaining wall impacts, a stormwater outlet structure and an access road are needed to perform outfall maintenance along the rear of Lots 11 - 17 will impact approximately 0.09-acre of Wetland 2, the wetland fringe along the north shore of Woodmoor Lake. The Project will require a Clean Water Act Section 404 permit, and possibly a Nationwide Permit 29 for Residential Developments. The 404 permit application is being prepared, and that the applicant has agreed to a condition of approval that no site grading will occur until all applicable wetland impact permits have been issued by the US Army Corps of Engineers. The wetlands are further discussed in the Natural Features, Wetland, Wildfire, Noxious Weeds & Wildlife Report prepared by ECOS Ecosystem Services.

The Geotechnical Report previously prepared by CTL Thompson Inc. identifies existing geological conditions to include expansive or very hard, shallow bedrock, shallow groundwater, erosion

And approved

PUD

Previous

current

potential and flood potential. These conditions can all be mitigated with engineering design and construction methods commonly used in the area, such as spread footing foundations and slab-on-grade floors, as well as minimizing irrigation of landscaping to reduce problems associated with expansive soils.

- 5. 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;**

In a separate neighboring tract that is

The development provides a transitional use of a higher density development to the west and the lower density residential to the north and east. There is a substantial existing tree buffer of approximately 70 to 130 feet wide between the site and the single-family residential to the east. Additional landscaping is to be provided with this plan to supplement this buffer and replace any trees that may be removed.

Indicate why any trees would be removed

- 6. 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;**

Proper landscape setbacks and buffers are included in this PUD. There is a 10-foot landscape setback and 20-foot building setback on the northern boundary, along Deer Creek Road. A 15-foot building and landscape setback is on the western and eastern boundaries, and a 10-foot landscape setback is provided to the south. The bulk of the proposed development and the associated landscaping and buffering are compatible with the surrounding area.

- 7. AREAS WITH UNIQUE OR SIGNIFICANT HISTORICAL, CULTURAL, RECREATIONAL, AESTHETIC OR NATURAL FEATURES ARE PRESERVED AND INCORPORATED INTO THE DESIGN OF THE PROJECT;**

This development has avoided and minimized wetland impacts to the extent possible. A proposed outlet structure in the existing detention pond (Wetland 1) is required that will impact approximately 0.01-acre of existing wetland. Proposed grading and retaining wall impacts, a stormwater outlet structure and an access road are needed to perform outfall maintenance along the rear of Lots 11 - 17 will impact approximately 0.09-acre of Wetland 2, the wetland fringe along the north shore of Woodmoor Lake. The Project will require a Clean Water Act Section 404 permit, and possibly a Nationwide Permit 29 for Residential Developments. The 404 permit application is being prepared, and that the applicant has agreed to a condition of approval that no site grading will occur until all applicable wetland impact permits have been issued by the US Army Corps of Engineers. The wetlands are further discussed in the Natural Features, Wetland, Wildfire, Noxious Weeds & Wildlife Report prepared by ECOS Ecosystem Services.

- 8. OPEN SPACES AND TRAILS ARE INTEGRATED INTO THE DEVELOPMENT PLAN TO SERVE AS AMENITIES TO RESIDENTS AND PROVIDE A REASONABLE WALKING AND BIKING OPPORTUNITIES;**

Open space and trails are identified on the PUD Preliminary Plan and provide residents with walking and access to biking opportunities. The development open space that accounts for approximately 56% of the total site area. The proposed gravel trail along Deer Creek Road is considered a part of the Lewis Palmer D38 Safe Routes to School grant.

how big and is it connected to a bigger trail system that exists?

- 9. 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 Traffic Impact Study demonstrates that the development will not materially impact existing levels of service on surrounding roads. All required utilities are available to the development and the required will serve letters are provided. The proposed project will not negatively impact the levels of service of County services and facilities.

- 10. 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;**

Trails?

Not 100% - correct? - according to earlier text - please clarify.

The project proposes interconnected sidewalks throughout the project that connect the open space tracts and the open space tracts. The wetlands on site are preserved, and no development is proposed in this area. The development conserves environmental features and provides interconnected open space and trails.

Give examples

- 11. 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.

- 12. 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 deviations are requested of the Engineering Criteria manual section 2.2.4.B, 2.3.4, and Table 2-7. The justification for these is set out above. The proposed PUD deviations allow for a more efficient layout thereby achieving the identified benefits in Chapter 4.2.6.F.2.h by providing a more livable environment, more accessible open space and a more efficient pedestrian system within the development.

- 13. THE OWNER HAS AUTHORIZED THE APPLICATION.**

Yes.

Preliminary Plan Criteria

The PUD Development/Preliminary Plan for North Bay at Lake Woodmoor is also consistent with the Preliminary Plan approval criteria set forth in Chapter 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 above analysis.

2. THE SUBDIVISION IS CONSISTENT WITH THE PURPOSES OF THIS CODE;

See above analysis. The proposed development complies with the requirements of the LDC and will not be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County. The project offers additional housing choice in a developing area. This proposed development will provide new housing opportunities that will benefit the citizens of El Paso County.

3. THE SUBDIVISION IS IN CONFORMANCE WITH THE SUBDIVISION DESIGN STANDARDS AND ANY APPROVED SKETCH PLAN;

There is no approved sketch plan for this property. The subdivision design standards are met with the exception of the PUD modifications described above and as addressed by the submitted deviations for the project. Deviations are submitted to the ECM identified in the PUD modifications table, as well as modifications to the LDC allowing private roads that are not to County standards.

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;

A sufficient water supply is available as a demonstrated in the Water Resources and Wastewater Treatment Report prepared by Kiowa Engineering Corporation and through the water supply commitment from Woodmoor Water & Sanitation District.

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.

Public sewage disposal is addressed in the Water Resources and Wastewater Treatment Report prepared by Kiowa Engineering Corporation.

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)];

This development has avoided and minimized wetland impacts to the extent possible. A proposed outlet structure in the existing detention pond (Wetland 1) is required that will impact approximately 0.01-acre of existing wetland. Proposed grading and retaining wall impacts, a stormwater outlet structure and an access road are needed to perform outfall maintenance along

the rear of Lots 11 - 17 will impact approximately 0.09-acre of Wetland 2, the wetland fringe along the north shore of Woodmoor Lake. The Project will require a Clean Water Act Section 404 permit, and possibly a Nationwide Permit 29 for Residential Developments. The 404 permit application is being prepared, and that the applicant has agreed to a condition of approval that no site grading will occur until all applicable wetland impact permits have been issued by the US Army Corps of Engineers. The wetlands are further discussed in the Natural Features, Wetland, Wildfire, Noxious Weeds & Wildlife Report prepared by ECOS Ecosystem Services.

The Geotechnical Report prepared by CTL Thompson Inc. identifies there are no other geologic constraints to development.

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 Drainage Report prepared by Kiowa Engineering Corporation.

8. THE LOCATION AND DESIGN OF THE PUBLIC IMPROVEMENTS PROPOSED IN CONNECTION WITH THE SUBDIVISION ARE ADEQUATE TO SERVE THE NEEDS AND MITIGATE THE EFFECTS OF THE DEVELOPMENT;

The public improvements proposed with this subdivision are all adequate to serve the needs of the proposed development. The proposed public trails are part of the D38 Safe Routes to School network and have been designed to meet the needs of the school district, surrounding community, and the Woodmoor Improvements Association.

9. LEGAL AND PHYSICAL ACCESS IS OR WILL BE PROVIDED TO ALL PARCELS BY PUBLIC RIGHTS-OF-WAY OR RECORDED EASEMENT, ACCEPTABLE TO THE COUNTY IN COMPLIANCE WITH THIS CODE AND THE ECM;

All lots will be accessible by new private streets. Deviations and modifications to the LDC and ECM are requested.

10. THE PROPOSED SUBDIVISION HAS ESTABLISHED AN ADEQUATE LEVEL OF COMPATIBILITY BY:

a. INCORPORATING NATURAL PHYSICAL FEATURES INTO THE DESIGN AND PROVIDING SUFFICIENT OPEN SPACES CONSIDERING THE TYPE AND INTENSITY OF THE SUBDIVISION;

A substantial part of this project will remain as open space and new trail connections are proposed that will continue the public access to the lake area.

b. 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;

5-foot sidewalks are included throughout the project and connect to a perimeter trail network, which provide opportunities for pedestrian and bicycle transportation. A trail along Deer Creek Road will help provide safe walking routes to school. A trail connection to Lake Woodmoor is also

proposed on the eastern site boundary. Landscaping is included to buffer the development from adjacent uses where appropriate. The plan was designed to minimize cost of transportation and utility infrastructure improvements.

c. INCORPORATING PHYSICAL DESIGN FEATURES IN THE SUBDIVISION TO PROVIDE A TRANSITION BETWEEN THE SUBDIVISION AND ADJACENT LAND USES;

The development is harmonious with the existing and proposed uses surrounding the property, which comprises of condominiums and townhomes to the west, single family residential to the east, Lake Woodmoor to the south, single family to the north. The dense wooded tract along the eastern boundary of the site that is owned by the WIA provides a substantial buffer to the existing single-family residential neighborhood beyond. Landscaping is included to buffer the development from adjacent uses where appropriate.

The PUD zoning also allows for flexibility in the dimensional and design standards needed to accommodate the proposed townhome product and enable the protection of the adjacent wetlands areas and other open space.

d. INCORPORATING IDENTIFIED ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING BUT NOT LIMITED TO, WETLANDS AND WILDLIFE CORRIDORS, INTO THE DESIGN; AND

As part of this application, a revised flood way is proposed and off-site flows will be directed through a pipe under Shoreditch Heights. This is in contrast to the approved 2020 plan which proposed an open drainage through the center of the site. Piping the off-site drainage and developing the center of the site allows for more habitat preservation of the forested area along the eastern side of the site.

e. INCORPORATING PUBLIC FACILITIES OR INFRASTRUCTURE, OR PROVISIONS THEREFORE, REASONABLY RELATED TO THE PROPOSED SUBDIVISION SO THE PROPOSED SUBDIVISION WILL NOT NEGATIVELY IMPACT THE LEVELS OF SERVICE OF COUNTY SERVICES AND FACILITIES;

The Traffic Report prepared by LSC demonstrates that the proposed site-generated traffic resulting from the proposed development is not expected to negatively impact to traffic operations for the existing or proposed surrounding roadway network, nor cause change to previously approved roadway classifications or current roadway design plans. The reports relating to water supply, wastewater treatment and drainage demonstrate that there will be no negative impact on the levels of service of County services and facilities.

11. NECESSARY SERVICES, INCLUDING POLICE AND FIRE PROTECTION, RECREATION, UTILITIES, OPEN SPACE AND TRANSPORTATION SYSTEMS, ARE OR WILL BE AVAILABLE TO SERVE THE PROPOSED SUBDIVISION;

There are numerous utilities and utility easements that cross this site and a number of these are to be relocated to facilitate the development project, as depicted on the accompanying utility plans. Water and sanitary sewer service is to be provided by Woodmoor Water and Sanitation District and Mountain View Electric Association Inc. and Black Hills Energy will provide electric and natural gas services to the subdivision respectively. The required Will Serve letters are included with the submittal.

12. 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 will serve letter from the FPD and a Fire Protection Report are included with the submittal.

13. 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 and deviation requests.

PUD MODIFICATIONS

The Preliminary Plan is consistent with the approval criteria in Section 4.2.6.F.2.h of the LDC as follows:

For approval of a modification of a general development standard in the LDC or criteria 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 1 of the following benefits:

- *Preservation of natural features;*
- *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 proposed PUD modification allow for a more efficient layout that enhances the open space characteristics and benefits to the proposed community. The development implications and decisions guiding the request for the modification support the identified benefits above, providing a more livable environment and an efficient pedestrian system. This also allows for more open space within the development.

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