

WATERSIDE PUD PRELIMINARY PLAN

LETTER OF INTENT

JULY 2022

OWNER/APPLICANT:

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

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
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SITE DETAILS:

TSN: 7111404112 - 7111404161

ADDRESS: WOODMOOR DR

ACREAGE: 7.53 AC

CURRENT ZONING: R-4

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 52-unit townhome development on 7.53 acres, at a gross density of 6.9 dwelling units per acre and a maximum height of 30 feet, including PUD modifications;

LOCATION

Waterside 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 east. To the east is The Cove at Woodmoor condominium development (11 du/acre). To the north is the Woodmoor Oaks Subdivision (1 du/acre). To the west, across Woodmoor Drive is Lewis Palmer Middle School. To the South is the Lake Woodmoor Townhomes (8.8 du/acre). The site comprises approximately 7.53 acres.

HISTORY

The property is part of a Development Plan for the Waterside Condominiums which was approved in 1980. The approved plan proposed 83 condominiums on 7.55 acres; a density of 11 dwelling units per acre.

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 floodway and wetlands areas and other open space.

The PUD Development/Preliminary Plan proposes 52 units on 7.53 acres; a density of 6.9 dwelling units per acre. This is significantly less dense than the approved 1980 plan. The maximum height of the buildings is 30 feet and each unit will have a two-car garage. An additional 28 parking spaces are provided within the development. In total, 130 parking spaces are provided (121 required).

A retaining wall is provided along units 26-28. This wall will have a maximum height of 4 feet. A second retaining wall will be included on the south end of the site, adjacent to the Water Quality pond.

1.15 acres of land will be donated to Woodmoor Improvements Association. This provides a substantial buffer to the existing single-family residential neighborhood to the south. This tract (Tract F) will include public access, public improvement, drainage and landscaping, maintained by the WIA. All other tracts include public access, public utilities, public improvement, drainage, landscaping, mail kiosk, and private parking and provide an additional 2.91 AC of open space, all owned and maintained by the Waterside HOA.

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 south and west to the lower density subdivisions to the north and east.

TRAFFIC: There are two points of access to the development from Woodmoor Drive. A full-movement access is provided at the intersection of Woodmoor Drive and Barnet View. A secondary access easement is provided on the south end of the site. This access easement already exists for the Woodmoor Barn Community Center. All roads within the development are private.

A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for site. The Waterside Traffic Study shows that with the development traffic and projected 2040 traffic, the proposed accesses on Woodmoor Drive 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.

Woodmoor Water and Sanitation District No. 1. has sufficient supply and infrastructure in the area to serve this development. The total commitment is 17.784 acre-feet. A Water Resources Report, provided by Kiowa Engineering, is also included in this submittal.

WASTEWATER: The wastewater commitment is 18,200 gal/day on an average daily- maximum monthly basis. Sufficient supply is available as demonstrated by the water and sewer service commitment letter. Public sewage disposal is further addressed in the Wastewater Report prepared by Kiowa Engineering.

OTHER UTILITIES: The property is located within the boundaries of Woodmoor Water and Sanitation District No. 1. Water, wastewater will be provided by Woodmoor Water and Sanitation District No. 1. Mountain View Electric Association, Inc. will supply electricity service and Colorado Springs Utilities will supply natural gas. The utility commitment letters are submitted with this application.

DRAINAGE: The drainage improvements associated with this development are consistent with the Master Development Drainage Plan. The drainage improvements are designed to the most current El Paso County Engineering Criteria Manual, the Sand Creek Drainage Basin Study, the City of Colorado Springs/El Paso County Drainage Criteria Manual, and the Urban Storm Drainage Criteria Manual.

FLOODPLAIN: This site is within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041C0276G, effective 12.07.2018. No development is proposed in the area prone to surface flooding by a 100-year event.

WETLANDS: The edge of Woodmoor Lake up to its Ordinary High Water mark could be considered jurisdictional waters. No development is proposed in this area. A small stormwater detention facility will need to be constructed adjacent to Woodmoor Lake in the southeast portion of the site. These portions will need to be designed to avoid overlapping wetlands. No permanent impacts tot the waters are proposed.

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 fire risk on this site is low. Developed areas will be landscaped and irrigated, reducing wildfire hazard potential. New landscaping will meet Firewise recommendations for separation.

If commitment letters cannot be obtained, water finding will need to be deferred to final plat and these sections of the letter will need to be updated.

Per MDDP, this should actually be "quality"

GEOLOGIC HAZARDS: No geologic hazards were identified that we believe preclude development of the site. Geologic hazards identified on this parcel include expansive or very hard, shallow bedrock, erosion potential, flood potential, and regional issues of seismicity as well as naturally-occurring radioactive materials. These conditions can be mitigated with engineering design and construction methods commonly employed in the area. More information is provided in the Geologic Hazards Evaluation and Preliminary Geotechnical Investigation prepared by CTL Thompson.

VEGETATION: The majority of the site has been disturbed in the past and is non-native grassland. There are pine-oak woodlands and patches of non-native trees along the northeastern edge and the southern boundary. There is a narrow strip of riparian along the Woodmoor Lake shoreline. All new plantings will be native species. Noxious weeds on site will be removed and managed by the HOA.

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 Waterside Preliminary Plan includes an interconnected system of trails. Five foot attached concrete walkways are provided throughout the development. On the eastern property line, adjacent to Lake Woodmoor is a four-foot crushed fine path. This extended down to the lake area. There is 176,853 SF of open space provided in this PUD.

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

 CSU gas service?

PUD MODIFICATIONS:

Waiver requests need to include justification of Sec. 7.3.3 of the Code. Please provide this analysis in this letter.

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 portions of this community.	Private roads provide more flexibility for the development to accommodate the unique community homes proposed on the site. The private roads will be owned and maintained by the HOA.
2	LDC 8.4.4.E.3		Private roads shall be constructed and maintained to ECM standards.	Road width and roadway terminations (see 3 and 4 below)	
3	ECM 2.2.4.B.7, Figure 2-17 and ECM Table 2-7	(Low Volume) Cross Section	50' public right of way.	30' private tract	A smaller private road cross-section, compact road design, and the use of a turnaround will achieve the goal of providing safety and emergency responder's access. ECM does not take into account the T-intersections associated with the proposed private roads.
4	ECM Section 2.3.8	Roadway Terminations	Urban Cul-de-Sac Permanent hammerhead turnarounds are not permitted	turnaround proposed on Hillingdon Heights	

If waiver for private road is approved, then a deviation for ROW width is not needed. (See LDC 8.4.4.E.3, 1st bullet point). Change in pavement width will require a deviation.

Centerline radius will require a deviation. Radius requirement will be dependent on if road meets low volume criteria (See ECM Table 2-7, footnote 4)

Note: Additional deviations needed for tangent length between broken back curves (ECM 2.3.3.F.3).

- 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 road width, centerline radius, and roadway termination, which allow more flexibility to the development.
- Section 2.2.4.B.7, Figure 2-17 and ECM Table 2-7 of the ECM states that a standard county public local roadway (low volume) is contained within a 50' wide public right of way (with a 24' wide asphalt mat). The proposed private street section is contained within a 30' wide private tract (owned and maintained by the Homeowners Association) and includes a 24' wide asphalt mat. All private roads to be built using country standard curb and gutter, signage and pavement thickness, as well as adhering to county maximum grade criteria.

This should include justification that all of the bullet points in 8.4.4.E.3 are being met.

- Section 2.3.8 of the ECM states permanent hammerheads are not permitted. In this development, a hammerhead enables retaining natural features and open space. This has been approved by the fire department.

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

The relevant County Plans for Waterside 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

The new County Master Plan denotes the site as a regional center placetype, which is a commercial destination for County residents to purchase goods, procure services, and enjoy a variety of entertainment options. Single family attached residential is a supporting land use of the Regional Center placetype. 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.

There is minimal discussion of consistency with the placetype and key area and no discussion of consistency with the area of change.

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.”

It may be recommended to include more goals and objectives, and specific strategies if possible. This is a very light analysis of the Master Plan. There is also no discussion of how it is consistent with the stated goals.

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. The PUD/Preliminary Plan for Waterside is consistent with the PUD zoning and preliminary plan approval criteria set forth in Chapter 4.2.6.D & 4.2.6.E of the LDC as follows:

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

The Waterside 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 Waterside 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;*

If this is going to be used as justification, then there needs to be a discussion of market value and proof that this is meeting the need for an attainable housing product.

Please explain. The proposed density could be achieved with RM-12 zoning. Please provide an explanation of how the proposed development requires flexibility that cannot be achieved with straight zoning.

The growing demands of the local population are for smaller homes that are more affordable and have less maintenance. The Waterside 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 Waterside 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 Waterside 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 condominium development is harmonious with the existing and proposed uses surrounding the property, which comprises of condominiums, townhomes and single family residential to the east, townhomes to the south, the middle school to the west, and single family to the north.

This needs clarification. If consistent with the existing R4, then why rezone?

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;

The development provides a transitional use of a higher density single-family detached that provides a buffer from the higher density residential to the lower density residential.

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 on the northern boundary, along Deer Creek Road. A 15-foot building and landscape setback is provided on all other property boundaries.

The bulk of the proposed condominiums 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;

There are no unique or significant historical, cultural, recreational, aesthetic or natural features to be preserved.

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. These trails access Lake Woodmoor. The development includes 1.15 acres of land to be donated to WIA.

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;

The project proposes interconnected sidewalks throughout the project that connect the open space tracts and the open space tracts. There are no environmental features within the site.

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.7, figure 2-17, and table 2-7 as well as section 2.3.8. The justification for these is set out above. The proposed PUD deviations allow for a more efficient layout retains natural features and open space 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.

PUD Preliminary Plan

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 condominium 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 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.

Same as comments provided above and in water resources report

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)];

These matters are addressed in the Geotechnical Report prepared by CTL Thompson Inc.

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 Classic Consulting.

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.

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;

There are no substantial natural features on site. A substantial part of this project will remain as open space and serve as an amenity for residents. 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 a perimeter trail network, which provide opportunities for pedestrian and bicycle transportation.

Landscaping is included to buffer the development from adjacent uses where appropriate.

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

To the east is The Cove at Woodmoor condominium development (11 du/acre). To the north is the Woodmoor Oaks Subdivision (1 du/acre). To the west, across Woodmoor Drive is Lewis Palmer Middle School. To the South is the Lake Woodmoor Townhomes (8.8 du/acre). This site provides an adequate transition from the lower density residential and school to the higher density development east of the site. 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

There are no environmentally sensitive areas on the property. A detailed analysis of the natural features, wildlife and wetlands is provided in the accompanying ECOS environmental report.

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;

This site is identified as having a high wildlife impact potential. Impacts to wetlands are anticipated. Potential preble's mouse habitat. Identify required environmental agency reviews and any mitigation strategies / permits / clearance letters that are required.

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.

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;

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.*

Not sure how the designation of the roads as private provides for more open space and preserves natural features. This is identified but not fully explained.

The modifications requested allow for the preservation of natural features and increase to open space. While the main community access is from standard public local roadways, the use of the private roadways is limited to closed looped areas that will be signed as being private. The private roadway a community design that maintains portions of the site vegetation and also maintains the edge along the lake, while also introducing a proposed community trail along the lake.

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