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Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 6/20/2023
RE: PUDSP-22-009, Waterside PUD Development Plan and Preliminary Plan, Lake Woodmoor Holdings, LLC

Project Description

A request by Lake Woodmoor Holdings, LLC for approval of a Map Amendment (Rezoning) from R-4 (Planned Development) to PUD (Planned Unit Development) and approval of a Preliminary Plan for 52 single-family attached (townhome) lots and six (6) tracts. The 7.53-acre property is located on the east side of Woodmoor Drive, approximately one-half of a mile north of Highway 105. The applicant is requesting the PUD development plan be approved as a Preliminary Plan. The applicant is requesting a finding of sufficiency with regards to water quality, quantity, and dependability be made with the Preliminary Plan request. If approved, the applicant will be required to submit and receive approval for final plat applications prior to issuance of any building permits on the site.

Notation

Please see the attached PC Minutes for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

Planning Commission Recommendation and Vote

Carlson moved / Trowbridge seconded for approval, for a combined PUD development plan and preliminary plan, Waterside, utilizing the resolution attached to the staff report, with seven (7) conditions and two (2) notations, and a finding of water sufficiency with regards to quality, quantity, and dependability, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (6-1)**. The item was heard as a regular agenda item.

Discussion

Discussion involved traffic, water sufficiency, safety regarding the adjacent school property, and access to the property. Two (2) citizens spoke in opposition, citing the above issues. Mr. Moraes provided the singular dissenting vote, citing criteria of the justification of PUD modifications as his reasoning for his nay vote.

Attachments

1. Adopted PC Minutes.
2. Signed PC Resolution.
3. PC Staff Report.
4. Draft BOCC Resolution.

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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting
Thursday, May 18th, 2023
El Paso County Planning and Community Development Department
2880 International Circle – Second Floor Hearing Room
Colorado Springs, Colorado

REGULAR HEARING, 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: TOM BAILEY, JAY CARLSON (EXCUSED AFTER ITEM 4B), TIM TROWBRIDGE, BECKY FULLER, ERIC MORAES, KARA OFFNER, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: NONE.

PC MEMBERS ABSENT: SARAH BRITTAIN JACK, JOSHUA PATTERSON, BRYCE SCHUETTPELZ, AND BRANDY MERRIAM.

STAFF PRESENT: MEGGAN HERINGTON, JUSTIN KILGORE, MINDY MADDEN, RYAN HOWSER, CRISTEL MADDEN, ED SCHOENHEIT, CHARLENE DURHAM, JEFF RICE, KYLIE BAGLEY, KELLY HILLS, MIRANDA BENSON, AND EL PASO COUNTY ATTORNEY LORI SEAGO.

OTHERS PRESENT AND SPEAKING: LINDA SPUR, JIM WHITE, AND ELIZABETH MCCOY.

1. REPORT ITEMS

A. Planning Department. The next PC Hearing is Thursday, June 1st, 2023, at 9:00 A.M.

B. Designation of Officers.

PC ACTION: TROWBRIDGE MOVED / MORAES SECONDED TO NOMINATE BAILEY AS CHAIR AND CARLSON AS VICE-CHAIR OF THE PLANNING COMMISSION. THE MOTION WAS APPROVED (7-0)

C. Call for public comment for items not on hearing agenda. NONE.

2. CONSENT ITEMS

A. Adoption of Minutes of meeting held May 4th, 2023.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (7-0).

B. P2219

BAGLEY

**MAP AMENDMENT (REZONE)
6385 VESSEY ROAD REZONE RR-5 TO RR-2.5**

A request by SMH Consultants for approval of a map amendment (rezoning) from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). The 14-acre property is located 0.37 miles west of the intersection of Vessey Road and Black Forest Road and 0.15 miles south of the intersection of Vessey Road and Pine Castle Drive. (Parcel No. 52060-00-065) (Commissioner District No. 1).

PC ACTION: THIS ITEM WAS CALLED-UP TO BE HEARD AS A REGULAR ITEM.

C. PUDSP227

PARSONS

**PUD/PRELIMINARY PLAN
FOURSQUARE AT STERLING RANCH PUD PRELIMINARY PLAN**

A request by Classic SRJ Land, LLC, for approval of a combined planned unit development and preliminary plan to create 158 single-family residential lots in one phase. The 36-acre property is zoned RR-5 (Residential Rural) and is located east of Vollmer Road and adjacent to the north of the future Briargate Parkway/Stapleton Road extension. The PUD/preliminary plan is within the approved Sterling Ranch Sketch Plan area. If the request for a PUD/preliminary plan is approved, the applicant will be required to obtain final plat approval prior to the issuance of any building permits on the property. (Parcel Nos. 52000-00-552, 52000-00-553, and 52330-00-016) (Commissioner District No. 2).

PC ACTION: THIS ITEM WAS CALLED-UP TO BE HEARD AS A REGULAR ITEM.

3. CALLED-UP CONSENT ITEMS

2B. P2219

BAGLEY

**MAP AMENDMENT (REZONE)
6385 VESSEY ROAD REZONE RR-5 TO RR-2.5**

A request by SMH Consultants for approval of a map amendment (rezoning) from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). The 14-acre property is located 0.37 miles west of the intersection of Vessey Road and Black Forest Road and 0.15 miles south of the intersection of Vessey Road and Pine Castle Drive. (Parcel No. 52060-00-065) (Commissioner District No. 1).

STAFF PRESENTATION & APPLICANT PRESENTATION

Mr. Moraes asked for Ms. Bagley's analysis of how the forested area, designated a key area in the Master Plan, will be impacted. The Master Plan says that any redevelopment in this area should be of lesser intensity to mitigate impacts.

Ms. Bagley answered that there is a small group of trees on the property which will remain. Many of this property's trees burned down in the Black Forest Fire. A minor subdivision

application has also been submitted for review, anticipated to be heard on 7/6/2023. If the rezone is approved, they are proposing to subdivide their parcel into three lots which range from 4 to 5 acres. Their proposal maintains a rural nature.

Mr. Moraes asked if there were other properties in the area that are under 5 acres.

Ms. Bagley stated that is correct. She referenced an area map.

Mr. Bailey clarified that even if they are under 5 acres, they are still zoned RR-5. Any properties in this area that are under 5 acres were a result of the previous zoning regulations. He asked if a rezone was the only avenue available to subdivide this parcel.

Ms. Bagley stated that is correct. A rezone is the only way this property owner could subdivide into 3 lots because their parcel is less than 15 acres.

Ms. Fuller asked if the applicant could request to subdivide to 5 lots if the rezone is approved.

Ms. Bagley answered that 5 lots would meet the minimum 2.5-acre standard; however, they have already applied to subdivide to 3 lots. They are scheduled to appear before PC on 7/6/2023.

Ms. Fuller asked why the rezone and subdivision proposals didn't come together.

Ms. Bagley answered that they would not meet the minimum lot size until the rezone is approved.

Ms. Fuller asked if there is any protection to the neighbors that this only be divided into 3 lots.

Ms. Bagley stated there would be nothing prohibiting the applicant from requesting 5 lots.

Mr. Bailey stated he was more comfortable with this proposal knowing that there is already an application submitted for a minor subdivision to 3 lots.

Mr. Carlson asked if there was another other way to subdivide to 3 lots, perhaps a variance?

Ms. Herington asked Ms. Bagley what the proposed sizes of the lots would be.

Ms. Bagley answered that one is 4 acres, one is 4.3 acres, and one is 5.3 acres.

Ms. Herington stated that they may have been able to do a lot size variance, but there are 2 lots less than 5 acres. It may have been the staff's determination that it be more appropriate to pursue a rezone instead of seeking variance.

Ms. Seago added that there is a process for administrative relief for up to 20% reduction in lot size; however, to seek that variance, the applicant must show a hardship. That may have been a factor.

Mr. Trowbridge commented that the minor subdivision application will be coming to the PC. They can remember this conversation if the applicant tries to change their proposal.

Mr. Bailey reiterated that the request for a minor subdivision has already been submitted.

Mr. Kilgore mentioned that it is within the board's authority to recommend an added condition that subdivided lots be limited to a certain size. He suggested discussing that with the applicant.

Ms. Seago recommended giving the applicant the opportunity to address comments that have been made. She also affirmed Mr. Kilgore's remark. She has seen it done in the past that something be rezoned to a less dense zone district but have an interim limit on the lot sizes. She doesn't think it's a great approach philosophically, but it is legally supportable.

Mr. Moraes stated that he is less concerned about the lots less than 5 acres. If this rezone is approved, the 5.3-acre lot could potentially come back to request further subdivision. If the current owner of the 5.3-acre lot were to sell it in the future, the next owner could split it. He is concerned that this could potentially result in 4 homes on 14 acres, quadrupling the current intensity, when the Master Plan says any redevelopment of this area *should* be of lower intensity.

Mr. Carlson asked Ms. Seago if they could suggest a condition that the applicant abide by the sizes of lots within the application that has already been submitted for the minor subdivision.

Ms. Seago recommended addressing the concern by imposing a minimum lot size rather than binding it to an application that is still in review. If the condition for this rezone is that there be a minimum lot size of 4 acres, then the 5-acre parcel could not be further subdivided.

Mr. Brett Louk, with SMH Consultants, stated that he discussed the concern with the owner. He stated they would be agreeable to the condition that no lot be smaller than 4 acres.

Ms. Seago restated a question that was asked by the audience. The question was, "Why does it need to be rezoned if the Planning Commission is leaning toward setting a minimum lot size of 4 acres?". The answer would be that the current zoning is RR-5 which has a minimum lot size of 5 acres. The next step down in terms of El Paso County zone districts is RR-2.5 which has a minimum lot size of 2.5 acres. However, the owner has indicated they are willing to accept a restriction to that RR-2.5 zoning that no lot in this subdivision will be less than 4 acres.

Ms. Herington suggested this item be heard as a regular item if citizens wish to speak.

Mr. Bailey stated that he provided the opportunity earlier, so he believes that requirement has been satisfied.

Mr. Trowbridge suggested this item be treated as a Regular Item.

PUBLIC COMMENT

Ms. Linda Spur lives in the area and has concerns about the proposal. She is concerned about water. She would prefer to see a variance instead of a rezone. This would add to traffic. If a road needs to be added for access, that will further reduce the lot sizes.

DISCUSSION

Mr. Moraes asked Ms. Bagley to address when water sufficiency and traffic are evaluated.

Ms. Fuller asked for the criteria of approval to be displayed.

Ms. Bagley pulled up the criteria and answered that water and traffic are both reviewed during the subdivision process.

Mr. Louk stated the applicant had no further comments and is agreeable to the added condition.

Ms. Fuller stated she believes the concerns will be resolved with the added condition. The PC appreciates public comments. The approval criteria is displayed to show what the PC must consider. She believes that this application will meet the spirit of RR-5 even though the zoning is changing. She is in favor of the proposal.

Mr. Moraes added that each stage of the process has its own approval criteria. He also appreciates public comment because neighbors often bring up unique facts of what's going on in the area. The neighbors are the boots on the ground. Those concerns can receive extra attention because they were brought up by the public.

Mr. Bailey commented that the applicant also has the opportunity to hear those concerns and be open to compromise, so everyone is satisfied.

PC ACTION: FULLER MOVED / CARLSON SECONDED TO RECOMMEND APPROVAL OF CALLED-UP CONSENT ITEM NUMBER 2B, P-22-019 FOR A MAP AMENDMENT (REZONE), 6385 VESSEY ROAD REZONE RR-5 TO RR-2.5, MODIFYING THE RESOLUTION ATTACHED TO THE STAFF REPORT TO ADD A THIRD CONDITION FOR 4-ACRE MINIMUM LOT SIZE, RESULTING IN THREE (3) CONDITIONS AND ZERO (0) NOTATIONS, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (7-0).

2C. PUDSP227

PARSONS

**PUD/PRELIMINARY PLAN
FOURSQUARE AT STERLING RANCH PUD PRELIMINARY PLAN**

A request by SMH Consultants for approval of a map amendment (rezoning) from RR-5 (Residential Rural) to RR-2.5 (Residential Rural). The 14-acre property is located 0.37 miles west of the intersection of Vessey Road and Black Forest Road and 0.15 miles south of the intersection of Vessey Road and Pine Castle Drive. (Parcel No. 52060-00-065) (Commissioner District No. 1).

STAFF PRESENTATION & APPLICANT PRESENTATION

Mr. Trowbridge mentioned that he emailed PCD staff to request they discuss the density of the application and the appropriateness of Tract H, which is a full-scale detention pond. While the applicant has the right to include the tract, he doesn't think it should be part of the computation for density. He is requesting that staff address density and how the proposal fits within the sketch plan.

Mr. Howser, filling in for Ms. Parsons, referred to a slide in the presentation. He stated after calculating what the gross density would be in the subject area if Tract H were not included, it would be 6.8 dwelling units per acre (du/ac), which satisfies the sketch plan's 5-8 du/ac identification.

Mr. Trowbridge asked why it was appropriate for Tract H to be included in this preliminary plan when it is from a separate area across a proposed road that has a different density.

Mr. Howser stated that if the applicant were to later propose subdivision of Tract H, it should meet the lower density identified on the sketch plan as 3-5 du/ac (yellow on the sketch plan). He reiterated that if Tract H were removed from the calculation, this proposal would still meet the 5-8 du/ac identified as the orange section of the sketch plan.

Mr. Trowbridge stated including Tract H raised a red flag for him. By including Tract H, the area increased by 44%. He doesn't understand why that is allowed to be pulled into this proposal.

Mr. Howser apologized for the confusion.

Mr. Trowbridge asked for an explanation of the difference between gross and net density.

Mr. Howser explained that net density is used when trying to get an evaluation after everything else is removed. Just dwelling units and acreage, excluding the roadways, open space, etc. In some cases, it may be beneficial to consider net density, but there wouldn't be houses without roads. Landscaping and open space is required for a subdivision, so it doesn't make sense to exclude those in the calculation. In this proposal, it is relevant to include Tract G (which is within the proposed residential) in the calculation of overall density of this development because it is clearly part of the development and is ancillary to the residential use. Excluding all roads and open space would be disingenuous. He does understand why it would make sense to exclude Tract H. It's within a different density of the sketch plan.

Mr. Trowbridge stated that when he removed Tract H, he calculated a gross density of 6.2 du/ac. When he removed both tracts as well as public rights-of-way, he calculated a net density of 8.4 du/ac, which made him think this proposal didn't meet the requirements of the sketch plan. He now understands that the gross density is the controlling factor. He mentioned that he had an issue with the staff analysis regarding the open space calculation. He stated stormwater facilities should be excluded from open space calculation if they are more than 10% of the required open space. He believes Tract H should be excluded from that calculation.

Mr. Rice, with Public Works Engineering, explained that because Tract H provides drainage facilities for this proposed subdivision, it is required to be platted and addressed for ownership and maintenance. Including Tract H in this preliminary plan sets the stage for when the final plat is completed, it would be included for ownership and maintenance by the metro district.

Mr. Bailey expressed gratitude for the explanation. He commented that he believes within a PUD sketch plan, an applicant can choose to develop as they see fit, so including Tract H in this application may just be how it works out like for engineering reasons.

Mr. Carlson asked for clarification regarding the executive summary of the staff report mentioning the preliminary plan includes 158 single-family residential units on 13.5 acres. Does that exclude roads?

Mr. Trowbridge stated that it excludes the roads.

Mr. Kilgore advised Mr. Bailey that Ms. Benson will add Mr. Trowbridge's email to the PIO folder so it can be presented to the board.

Mr. Carlson asked for clarification on whether Tract H will need to be rezoned later. Could they move the detention pond somewhere else and develop Tract H at the 5-8 du/ac density?

Mr. Rice stated that it is unlikely this pond will be moved or changed based on the amount of improvement being designed to go there and the need to detain flow before it reaches Sand Creek.

Mr. Bailey asked for confirmation that if the applicant uses Tract H in this calculation of density, they cannot use it again in a later application.

Mr. Howser stated that is correct. He added that if they later proposed residential in the tract, it would still have to be consistent with the sketch plan unless they request an amendment.

Mr. Trowbridge stated that he had assumed the detention facility in the tract was meant to serve a broader area. He understands that the applicant is doing it now for timing and to meet the need to get this in place.

Ms. Shagin, with NES, stated that she agrees with the assessment of the net density and added that without Tract H, the application still meets the PUD requirements for open space.

NO PUBLIC COMMENT OR FURTHER DISCUSSION

PC ACTION: MORAES MOVED / FULLER SECONDED TO RECOMMEND APPROVAL OF CALLED-UP CONSENT ITEM NUMBER 2C, PUDSP-22-007 FOR A PUD/PRELIMINARY PLAN, FOURSQUARE AT STERLING RANCH PUD, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH ELEVEN (11) CONDITIONS AND THREE (3) NOTATIONS, WITH A RECOMMENDED FINDING OF WATER SUFFICIENCY WITH REGARD TO QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (7-0).

4. REGULAR ITEMS

A. PUDSP229

HOWSER

PUD/PRELIMINARY PLAN WATERSIDE

A request by Lake Woodmoor Holdings, LLC, for approval of a map amendment (rezoning) from R-4 (Planned Development) to PUD (Planned Unit Development) and a preliminary plan for 52 single-family attached (townhome) lots and six (6) tracts. The 7.53-acre property is located on the east side of Woodmoor Drive, approximately one-half of a mile north of Highway 105. The applicant is requesting the PUD development plan be approved as a preliminary plan and a finding of sufficiency with regards to water quality, quantity, and dependability. If approved, the applicant will be required to submit and receive approval for final plat applications prior to issuance of any building permits on the site. (Parcel Nos. 71114-04-112 through 71114-04-194 (83 total parcels)) (Commissioner District No. 1).

STAFF PRESENTATION & APPLICANT PRESENTATION

Mr. Moraes read a statement from the staff report: "During peak school hours the street connections through the project will provide an alternative to existing background traffic that is currently turning onto Woodmoor Drive using the "Barn"/north school access." He asked what that meant.

Ms. Durham answered that it is a quote from the TIS. She referenced a photo of the slideshow to point out the Barn access and how it lines up with the school access. Her understanding is that if traffic from the school causes that access point to become congested, people can travel further along the internal road to access Woodmoor Drive at the second access point.

Mr. Moraes asked if the HOA could limit access to that road since it is a private road.

Ms. Durham stated that if they found it to be a nuisance, they could put in a gate or something.

Mr. Moraes asked if there had been any discussion about improvements to the shared driveway with The Barn and the southern townhomes.

Ms. Durham answered not at this stage. That may be discussed at final plat.

Mr. Moraes stated that he is concerned that he can foresee an HOA deciding they don't want people going through there anymore after having to do repairs. The presentation continued.

Mr. Moraes asked how much of the designated no-build area was actually in the water.

Mr. Swensen, with NES, answered anywhere from 30% to 50%. He added that it would be nice to designate that area as no-build to preserve the views.

Mr. Trowbridge asked if there was no access to Woodmoor Drive at the hammerhead due to its spacing with the Deer Creek Road intersection.

Mr. Swensen stated that is correct. He stated they wanted to minimize the access points to Woodmoor Drive. He added that the hammerhead is one of their PUD modifications. It does meet the fire turnaround requirements. Emergency services has reviewed the plans.

Mr. Moraes stated that when he saw the 4 requested PUD modifications, he reviewed the development standards and requirements. He stated that he can infer why the roads need to be narrower due to the walking path, but he doesn't see justification for the hammerhead. If a cul-de-sac were used instead, there would likely be more open space. After reviewing the Letter of Intent, he still doesn't see justification.

Mr. Swensen responded that a cul-de-sac would give more paved open space. The reason they pursued a PUD was to allow a more tailored approach. The hammerhead is how the proposal would lay out best while providing the density to make the project viable and preserving the open space that's more valuable. Because they couldn't connect with Deer Creek Road, they couldn't line buildings along both sides of the internal road.

Mr. Moraes stated that he understands that reasoning, but viability isn't one of the approval criteria for a modification of the development standards. He reiterated that he understands the reason for the narrower roads, but he doesn't see the justification for the hammerhead.

Mr. Bailey asked if making these internal roads private instead of public made a difference in meeting the justifications that Mr. Moraes mentioned.

Ms. Durham answered that in reviewing that modification, making it a private road gives them more leniency. The only thing being accessed off that road will be the 4 units, so it will have minimal traffic. They ensured that they had the fire department's approval. She also considered that they are limiting access to the public roads. The hammerhead seemed a viable situation with the layout provided. She doesn't see an issue with allowing it.

PUBLIC COMMENT

Mr. Jim White stated many of the issues raised at the community meeting were not addressed. He is concerned about traffic because traffic outside the school there is horrible during pick-up and drop-off times. The turn lane used by people getting their kids from school can be backed up for a block and a half. Deer Creek Road to Monument Hill Road is full of potholes. He doesn't think the estimated traffic out of the development is accurate. He is also concerned about water. He stated that everyone that uses Woodmoor Water & Sanitation District pays an additional \$35 fee per month for future water. He stated there's no way water can be guaranteed for 300 years. He thinks people are choosing to ignore a severe water crisis. He stated there is a difference between R-4 and PUD because the majority of the Woodmoor area is .5 and 1-acre lots.

Ms. Elizabeth McCoy stated that when Palmer Ridge High School was built 10 years ago, they promised that traffic wouldn't be affected, and they would make repairs to Deer Creek West. The road may be designated a low-speed road, but as people travel downhill, it becomes a high-speed road. There are no sidewalks and kids traveling to school are not safe. She has experienced the traffic when trying to drop her kids off at school, which is horrible. Parking is also an issue. The hammerhead does not match the Woodmoor design; there are cul-de-sacs everywhere. She has concerns about water because this is the first time she has been on every-other-day watering restrictions. Why is Woodmoor Water telling the PC they have plenty of water when they are telling the residents that they don't? This area doesn't pass mill-levies for the schools, so the schools are overcrowded. Adding more houses will be overwhelming.

Mr. Swensen stated the TIS assessed school traffic and identified that the morning peak time was the only area of conflict but would not overburden the roadways. The traffic report does not assume one trip per day, but seven. He pointed out that what is currently being proposed is less than what is already approved. He stated that the applicant is working with the Woodmoor Improvement Association to advance a Safe Routes to School plan that will link trails and sidewalks in the area. Regarding water, the applicant is paying \$370,000 in supplemental water fees to the district in addition to a \$20,000 fee per unit. There is an overall water issue, but there is sufficient water for this development. There is also a housing crisis. He added that it was not assumed people would be exiting Woodmoor Drive to use the internal road to get back onto Woodmoor Drive. The Lake Woodmoor subdivision, 1.6 du/ac, is within R-4 and has a tighter density than the Woodmoor Oaks subdivision, but also has open space. An area south of Deer

Creek Road called toboggan hill and was made possible due to the PUD style of zoning. There are denser housing areas which keep open spaces preserved.

DISCUSSION

Mr. Moraes asked if the traffic study considers movement of the intersection, or does it also consider the queuing that happens for a school.

Ms. Durham answered that when a school is in the area, the traffic study considers a third peak hour, to include the afternoon school pick-up. The study considers a morning time, which indicated an overlap between people leaving for work and kids being dropped off at school, a mid-afternoon time, and an evening time.

Mr. Moraes asked if the study only considered turning movements.

Ms. Durham answered that it considers the entire scenario. Schools present a unique situation.

Mr. Moraes asked if Ms. Durham could elaborate on an anticipated project on Deer Creek West.

Ms. Durham stated she knows there is a project, but she doesn't know what stage it is in.

Mr. Moraes stated that he was concerned that proposed upgrades to a road in the area did not include sidewalks. He thinks that concern should be presented to Public Works. He asked if there would be a crosswalk in this area. He is concerned kids will cross directly to the school.

Ms. Durham answered that there would be a crosswalk as part of the Safe Routes to Schools project, but she thinks it will be south of the school. She thinks there is also a crosswalk at the northern end of Woodmoor.

Mr. Moraes asked for further explanation of the 300-year water review process.

Ms. Seago explained that there is no guarantee that water will be available for 300 years. What is required by the LDC, and what is reviewed when determining water sufficiency, is whether or not (in this case) the central water provider owns sufficient water rights to serve the subdivision for 300 years. This is colloquially called a paper water review. Any renewable water rights as well as ground water rights owned by the district are reviewed. She also reviews current commitments that the district has to serve existing developments, and whether they will have the additional water right to serve the proposed development. In her review of the documents provided by the State Engineers Office, the water district, as well as the applicant, she determined that they do own or have control of enough water rights to serve the anticipated water demand of this development for 300 years. However, there is never a guarantee that they will be able to do so.

Mr. Moraes clarified that water rights were determined by acre-feet.

Ms. Seago stated that is correct.

Mr. Bailey expressed gratitude for the explanation and added that El Paso County's 300-year rule is 3x the state mandated requirement.

Mr. Trowbridge added that the State of Colorado owns all the water in the state. Every drop of rain that falls in the state belongs broadly to the people of Colorado and the State Engineers Office is the executive agency that does all the controlling of the water rights. El Paso County is unique in that it requires a 300-year paper supply of water. He mentioned that all supporting documentation regarding traffic is available on the EDARP website.

Ms. Fuller mentioned that some of the concerns regarding water should be brought up with the Woodmoor Water & Sanitation District. She stated that she understands the rush of traffic that happens around schools, but this development is not adding to that; it's normal for any school.

PC ACTION: CARLSON MOVED / TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM NUMBER 4A, PUDSP-22-009 FOR A PUD/PRELIMINARY PLAN, WATERSIDE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH SEVEN (7) CONDITIONS AND TWO (2) NOTATIONS, WITH A RECOMMENDED FINDING OF WATER SUFFICIENCY WITH REGARD TO QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (6-1).

IN FAVOR: BAILEY, CARLSON, FULLER, OFFNER, TROWBRIDGE, AND WHITNEY.

IN OPPOSITION: MORAES.

COMMENT: MR. MORAES stated that he thinks it is generally a good proposal, but he doesn't think the application meets the justification for a modification of the development standards for the use of a hammerhead. He also has reservations regarding private roads that could get closed off in the future.

B. LDC231

MADDEN

EL PASO COUNTY LAND DEVELOPMENT CODE AMENDMENT PERSONAL GREENHOUSES

A request by the El Paso County Planning and Community Development Department to amend Chapter 5 of the El Paso County Land Development Code (2022) as it pertains to personal greenhouses. The proposed revisions, in their entirety, are on file with the El Paso County Planning and Community Development Department. (All Commissioner Districts).

STAFF PRESENTATION & DISCUSSION

Mr. Carlson asked for clarification regarding the exclusion of marijuana. He asked if people could grow their own personal marijuana in the greenhouse.

Mr. Trowbridge asked when a building permit is currently required to build a greenhouse.

Ms. Madden answered Mr. Trowbridge. Any structure over 200 sq. ft. requires a building permit. The Agricultural (Ag) Exemption would bypass that requirement unless someone included electrical or plumbing. Ag Exemption already exists in the Land Development Code (LDC) but doesn't currently apply to greenhouses.

Ms. Seago answered Mr. Carlson. There is a use defined in the LDC, "personal cultivation of marijuana". She read the use-specific standards found in the LDC under 5.2.33(B) and (C). *"(B) Located in Primary Residence. Personal cultivation of marijuana may only occur in the primary*

residence of the patient, caregiver or person over 21 years old, or in an accessory structure on the same property. (C) Location within Primary Residence. All personal cultivation of marijuana must occur in a separate, enclosed, locked space, not to exceed 150 square feet for a single-family dwelling or 100 square feet for all other dwelling units, within the dwelling unit or accessory structure.” Marijuana could be grown in a personal greenhouse if it meets those criteria.

Mr. Bailey asked why the Ag Exemption would then exclude marijuana.

Mr. Trowbridge thinks the Ag Exemption should be revised to say marijuana is prohibited *except* as specified under LDC 5.2.33.

Ms. Seago clarified that the reason they decided to exclude the intended use of growing marijuana from the Ag Exemption from the Building Code was because they wanted to ensure buildings used for the cultivation of marijuana, which often require electrical and plumbing, met Building Code standards.

Mr. Carlson stated he thinks the mention of marijuana should be removed altogether. If it remains a requirement to get a building permit for structures including electrical or plumbing, then that takes care of the concern.

Mr. Trowbridge clarified that the prohibiting of marijuana only falls under the Ag Exemption from the Building Code. The proposed change isn't talking about all greenhouses, just ones that are larger than 200 sq. ft. and are seeking an exemption from the Building Code. The proposed amendment says that you can't get the Ag Exemption if you're going to grow marijuana. He understood from Ms. Seago's comment that someone wouldn't be able to grow marijuana in an Ag Exempt structure anyway because it's either not in the principal residence or it's not in its own dedicated grow structure. But someone could build a small, 50 sq. ft. greenhouse to grow personal marijuana in addition to the larger structure they seek an Ag Exemption for.

Ms. Seago stated that is correct and continued by saying the marijuana provisions of the LDC do allow the cultivation in a portion of the accessory structure so long as that portion is no larger than 100 sq. ft. Under the proposed amendment, an accessory structure that includes a portion dedicated to marijuana (no greater than 100 sq. ft.) and is overall greater than 200 sq. ft. would require a building permit.

Mr. Bailey stated he thinks that discussion clarifies why growing marijuana is not allowed when seeking an Ag Exemption.

Mr. Carlson wonders why the proposed amendment wants to prohibit the cultivation of marijuana in an 800 sq. ft. greenhouse that would otherwise be eligible for the Ag Exemption if that person is willing to haul water to it, etc.

Ms. Madden referenced an email correspondence between herself and Ms. Seago where Ms. Seago did not consider the personal cultivation of marijuana as meeting the definition of agricultural use. She reiterated that people do not have to pursue the Ag Exemption, it is just an option. They can build a greenhouse as large as their zoning district allows. There are

standards to build a greenhouse and then there are further requirements if someone wants to seek the exemption.

Ms. Herington was excused from the meeting at this time.

Mr. Carlson reiterated that he thinks the exclusion of marijuana should be removed.

Ms. Offner mentioned that it does say later in the LDC that it's allowed if it meets the criteria listed in 5.2.33.

Mr. Bailey stated the prohibition would only apply to structures seeking an exemption from the Building Code, not all greenhouses. He asked for the opinion of a Regional Building employee.

Mr. Jay Eenhuis, with Regional Building, stated his department wouldn't care if the subject language was included or not. If someone wants to grow marijuana in an accessory structure less than 200 sq. ft., it's already exempt from needing a building permit. Regional Building is currently seeing greenhouses that exceed 200 sq. ft. constructed with bent PVC and plastic sheeting laid over it, which is not considered conventional construction. At that point an engineer needs to sign off on the plans. What someone does within the greenhouse is not up to their department, they leave that up to the County. He personally thought greenhouses were already included under the Ag Exemption.

Mr. Bailey stated he's starting to think the exclusion of marijuana cultivation isn't needed.

Mr. Moraes stated his understanding that anything under 200 sq. ft. is not a problem. Between 200 and 1,000 sq. ft. is where the potential of an Ag Exemption becomes relevant. The current proposal states that a greenhouse under 1,000 sq. ft. can be exempt from the Building Code, until you decide to put marijuana in it.

Mr. Whitney clarified that it can be done, they're just not eligible for the Ag Exemption.

Ms. Offner asked when the 100 sq. ft. specification mentioned by Ms. Seago becomes relevant.

Mr. Trowbridge thinks that you can build an accessory greenhouse for marijuana of 100 sq. ft., but it needs to meet the Building Code. Is that correct?

Ms. Madden stated that was not accurate. Structures under 200 sq. ft. would not need a building permit or an Ag Exemption, even if they want to grow marijuana.

Mr. Trowbridge clarified that is what is already allowed. What is being considered with this LDC amendment is an exemption from the Building Code for personal greenhouses. To be eligible for that exemption, the County is excluding buildings you intend to use for marijuana. By approving this amendment, the Planning Commission is agreeing that someone shouldn't be allowed to grow marijuana in a building greater than 200 sq. ft. that was exempted from the Building Code.

Mr. Bailey further clarified that the Ag Exemption was more restrictive than regular standards. Even if they designate a separate 100 sq. ft. section that could be locked, and even if it says

that's allowed in other places of the LDC, this proposal says that to be eligible for an Ag Exemption, you cannot grow marijuana in the structure.

Mr. Carlson thought he heard Ms. Seago say earlier that it would be allowed to grow marijuana in up to a 1,000 sq. ft. greenhouse with the Ag Exemption regardless of designating a separate 100 sq. ft. or not. He doesn't understand why the County is putting the restriction on marijuana. He thinks it should meet the criteria of agricultural use because it is a plant like any other.

Ms. Fuller clarified that this proposal would allow greenhouses up to 1,000 sq. ft. to be built without building permits and would exclude the cultivation of marijuana. If a residence that includes one of these accessory structures is sold, and the next owner puts marijuana in it, does the new owner need to seek a retro-active building permit? How would this be enforced?

Ms. Madden explained that an affidavit that permits inspection would be completed and recorded with the Clerk & Recorder. There is an exemption process in place for other Ag structures. Code Enforcement is complaint based. If there is a complaint, Code Enforcement would initiate a case and reach out to the owner to conduct an inspection to confirm compliance.

Ms. Fuller asked if the next owner would find the recorded affidavit through a title search.

Ms. Madden stated she wasn't sure but stated the seller should provide the new owner with that information.

Ms. Seago stated she read through the current use-specific standards in the LDC relating to the existing Ag Exemption from the Building Code, regardless of personal greenhouse or not, and there are already use-specific standards in section 5.2.5. Those provisions already state in paragraph D, subsection 3, that marijuana related uses are prohibited in an Ag structure that was exempted from the Building Code. It's already part of the LDC under the broader definition of the Ag Exemption. By prohibiting it in the subcategory of greenhouses, it is consistent with the rest of the LDC.

Mr. Whitney said he is more comfortable leaving the language restricting marijuana in the proposed amendment to greenhouses now that it is clear the Planning Commission is not making the arbitrary decision to restrict it where it would be allowed otherwise. This language does not add or restrict anything, it is just consistent.

Mr. Trowbridge read the proposed LDC amendment changes for clarity.

Mr. Bailey added that this will go to the BOCC who will ultimately approve the amendment, and they can further discuss the policy of excluding marijuana from the Ag Exemption if they so choose.

Mr. Carlson stated he felt comfortable leaving the language as presented after the discussion.

Ms. Madden added that a driving force behind the Ag Exemption section of the LDC that Ms. Seago referenced, adopted in 2019, was an overwhelming number of illegal marijuana growing sites in the County. People were able to come into PCD, sign one paper, and get an Ag

Exemption. There was an increase in illegal marijuana growing sites. This resulted in the BOCC adopting the language in the LDC as it is now.

NO PUBLIC COMMENT

PC ACTION: TROWBRIDGE MOVED / WHITNEY SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM NUMBER 4B, LDC-23-001, FOR A LAND DEVELOPMENT CODE AMENDMENT, PERSONAL GREENHOUSES, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT, WITH NO ADDED CONDITIONS OR NOTATIONS, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (7-0).

Mr. Carlson was excused from the meeting. The number of voting members is now six.

C. LDC232

MADDEN

**EL PASO COUNTY LAND DEVELOPMENT CODE AMENDMENT
CARPORTS**

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 (2022) as it pertains to carports. The proposed revisions, in their entirety, are on file with the El Paso County Planning and Community Development Department. (All Commissioner Districts).

STAFF PRESENTATION & DISCUSSION

Mr. Trowbridge asked if the reason for the 5-foot setback limit combined with the specification on side walls was to ensure visibility while driving.

Ms. Madden stated that was correct. Protection for the sides of vehicles was suggested by people getting Code Enforcement complaints. Hail, for example, does not always fall straight down. The presentation continued.

Mr. Whitney provided a hypothetical example. If someone were to have a one-car garage that has a single lane of paved driveway, and they put gravel next to the driveway, would they be allowed to put a carport over the graveled area so that they're not blocking access to their own garage?

Ms. Madden answered that if the carport is over the driveway, it would be allowed to extend into the easement and side-yard setbacks under this amendment. If the carport was put solely over the gravel drive and was not accessed by the approved access, that would not be allowed.

Mr. Whitney clarified that he was talking about if someone were to put gravel 4 feet to the side of their approved driveway.

Ms. Madden referenced pictures in her presentation. She stated that would not be allowed because they would have to drive over the curb to access the carport.

Mr. Bailey asked if it would be allowed if it were pushed further back from the street.

Mr. Whitney asked if it would be allowed if it were further back, flush with the garage. If the person used the approved concrete driveway but then pulled under the carport instead of into the garage, would that be allowed?

Ms. Madden stated that based on recommendations she received, that would not be allowed.

Mr. Trowbridge asked why prohibited materials needed to be listed when the list of approved materials is provided.

Ms. Madden explained that from a Code Enforcement standpoint, listing prohibited materials specifically is easier to enforce. This would deter people from building a 95% wood carport and then putting canvas on the sides.

Mr. Trowbridge expressed understanding. He then asked about the materials that were allowed. Would asphalt shingles be allowed? He does not see them on the approved list.

Ms. Madden answered that roofing materials were not included in construction materials. She stated they could add language to address roofing materials, but the proposed amendment as it is presented only covers the materials of the main structure.

Mr. Trowbridge asked if the roof is not part of the main structure.

Ms. Madden stated that it is, but she meant the proposed amendment is addressing the frame of the carport.

Mr. Trowbridge understood the explanation, but stated the amendment seems to be referring to all materials of the carport.

Ms. Madden stated she can add a section to address roofing materials.

Mr. Bailey added that he thinks most carports will be prefabricated kits.

Ms. Fuller doesn't like that the proposed amendment would prohibit people from putting a carport next to their driveways as Mr. Whitney described. That placement seems logical to her. To prohibit that doesn't seem like it was the intention of the LDC amendment. To add that the carport may be adjacent to the attached garage seems appropriate.

Ms. Madden thanked the board for the comments. She will look at adding language that allows a carport directly adjacent to an approved driveway access.

Mr. Bailey clarified that a site plan is required for a carport and would catch that people aren't going to enter on their driveway and then make an immediate turn to drive across the front yard.

Mr. Trowbridge reiterated that would be the reason it should be adjacent to an existing garage.

Mr. Moraes asked if carports counted in the maximum lot coverage percentage.

Mr. Kilgore answered that if a structure doesn't need a building permit, there is no way for PCD to track it. If a site plan comes through that has small lot with a house, barn, carport, greenhouse, etc. PCD staff, either planners or front counter, would see if a lot is getting close to their allowed coverage to evaluate their percentage.

Mr. Trowbridge added that he thinks it would only increase their imperviousness if it were *not* over the existing driveway.

Ms. Fuller asked if existing language would help staff enforce the spirit of the proposed change.

Mr. Bailey asked if the existing lot coverage standards would give PCD enough leverage to enforce.

Mr. Moraes thinks an issue would only arise with lot coverage if the carport was not proposed over an existing driveway. The water would go to the side instead of being immediately absorbed.

Ms. Madden clarified that the proposed carport amendment was meant to target lots less than half an acre. Areas that have bigger lots will not likely have an issue meeting setbacks. She stated she would work on making the suggested change regarding a carport allowed to be placed adjacent to an existing garage or approved driveway access.

NO PUBLIC COMMENT

PC ACTION: TROWBRIDGE MOVED / MORAES SECONDED TO RECOMMENDED APPROVAL OF REGULAR ITEM NUMBER 4C, LDC-23-002, FOR A LAND DEVELOPMENT CODE AMENDMENT, CARPORTS, MODIFYING THE RESOLUTION ATTACHED TO THE STAFF REPORT, ADDING THE SUGGESTIONS DISCUSSED, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED (6-0).

5. NON-ACTION ITEMS

A. Work Session with Lori Seago

Annual training regarding quasi-judicial processes, ex parte, and ethics.

MEETING ADJOURNED at 12:18.

Minutes Prepared By: Miranda Benson

MAP AMENDMENT (REZONE) – PLANNED UNIT DEVELOPMENT (PUD) AND
PRELIMINARY PLAN (RECOMMEND APPROVAL)

Carlson

moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. PUDSP-22-009
WATERSIDE

WHEREAS, Lake Woodmoor Holdings, LLC, did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the R-4 (Planned Development) zoning district to the PUD (Planned Unit Development) zoning district with a preliminary plan proposing 52 single-family attached (townhome) lots and six (6) tracts; and

WHEREAS, a public hearing was held by this Commission on May 18, 2023; 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 were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;

5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;
6. 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; and
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, the Planning Commission and Board of County Commissioners 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 (2022) have been met to approve a PUD zoning district and preliminary plan:

1. The proposed PUD district zoning advances the stated purposes set forth in Chapter 4 of the Land Development Code.
2. The application is in general conformity with the Master Plan;
3. The proposed development is in compliance with the requirements of the 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;
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;
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;
6. 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;
7. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;
8. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;

9. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (c.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;
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;
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;
12. 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
13. The owner has authorized the application.

WHEREAS, the applicants have also requested the proposed PUD be reviewed and considered as a preliminary plan, the requirements identified in Chapter 7 and Chapter 8 of the El Paso County Land Development Code (2022) for a preliminary plan requires the Planning Commission and the Board of County Commissioners find that the following additional criteria for approval of a preliminary plan have also been met:

1. The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The subdivision is consistent with the purposes of the Code;
3. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;
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 the Code;
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 the Code;
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)];

7. Adequate drainage improvements complying with State law [C.R.S. §30-28- 133(3)(c)(VIII)] and the requirements of the Code and the ECM are provided by the design;
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;
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 the Code and the ECM;
10. 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;
11. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;
12. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
13. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

WHEREAS, 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.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Lake Woodmoor Holdings, LLC for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from R-4 (Planned Development) zoning district to PUD (Planned Unit Development) zoning district with a preliminary plan proposing 52 single-family attached (townhome) lots and six (6) tracts be approved by the Board of County Commissioners with 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 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 any final plat approvals.
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. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations (see attached letter dated December 9, 2022) as provided by the County Attorney's Office.

NOTATIONS

1. Subsequent Final Plat Filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the preliminary plan will expire after twenty-four (24) months unless a final plat has been approved and recorded or a time extension has been granted.

BE IT FURTHER RESOLVED that the Planning Commission recommends approval of the Planned Unit Development (PUD) as a Preliminary Plan of the Waterside Subdivision.

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.

Trowbridge seconded the adoption of the foregoing Resolution.


The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	<u>aye</u> / no / abstain / absent
Tim Trowbridge	<u>aye</u> / no / abstain / absent
Becky Fuller	<u>aye</u> / no / abstain / absent
Sarah Brittain Jack	aye / no / abstain / <u>absent</u>
Jay Carlson	<u>aye</u> / no / abstain / absent
Eric Moraes	aye / <u>no</u> / abstain / absent
Kara Offner	<u>aye</u> / no / abstain / absent
Joshua Patterson	aye / no / abstain / <u>absent</u>
Bryce Schuettpelz	aye / no / abstain / <u>absent</u>
Christopher Whitney	<u>aye</u> / no / abstain / absent
Brandy Merriam	aye / no / abstain / <u>absent</u>

The Resolution was adopted by a vote of 6 to 1 by the Planning Commission of the County of El Paso, State of Colorado.

DONE THIS 18th day of May 2023, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
Tom Bailey, Chair

DATED: May 18, 2023

EXHIBIT A

ALL OF WATERSIDE CONDOMINIUMS SUBDIVISION, RECORDED IN PLAT BOOK 2, AT PAGE 47
RECORDS OF EL PASO COUNTY, COLORADO.

COMMISSIONERS:
CAMI BREMER (CHAIR)
CARRIE GEITNER (VICE-CHAIR)

HOLLY WILLIAMS
STAN VANDERWERF
LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission

FROM: Ryan Howser, AICP, Planner III
Charlene Durham, PE, Engineer III
Meggan Herington, AICP, Executive Director

RE: Project File Number: PUDSP-22-009
Project Name: Waterside
Parcel Number: 71114-04-112 through 71114-04-194 (83 total parcels)

OWNER:	REPRESENTATIVE:
Lake Woodmoor Holdings, LLC 9540 Federal Drive, Suite 200 Colorado Springs, CO, 80921	N.E.S., Inc. 619 South Cascade Avenue, Suite 200 Colorado Springs, CO, 80903

Commissioner District: 1

Planning Commission Hearing Date:	5/18/2023
Board of County Commissioners Hearing Date:	6/20/2023

EXECUTIVE SUMMARY

A request by Lake Woodmoor Holdings, LLC for approval of a map amendment (rezoning) of 7.53 acres from R-4 (Planned Development) to PUD (Planned Unit Development) and approval of a preliminary plan for 52 single-family attached (townhome) lots and six (6) tracts. If the request for a combined PUD development plan and preliminary plan is approved, the applicant will be required to submit and receive approval for final plat applications prior to issuance of building permits. The applicant is also requesting a finding of water sufficiency for water quality, quantity, and dependability. The property is located on the east side of Woodmoor Drive, approximately one-half of a mile north of Highway 105.



A. MODIFICATIONS/AUTHORIZATION

Modifications:

Modification of Existing Land Development Code (LDC) or Engineering Criteria Manual (ECM) Standard, Section 4.2.6.F.2.h, (PUD) of the El Paso County Land Development Code (2022). 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*

A PUD modification of Section 8.4.4.C of the LDC is requested. More specifically, the modification will allow for private roads to be built in lieu of public roads for the subdivision. The private roads are proposed to be built to County standards with the exception of the proposed ECM modifications and are proposed to be maintained and owned by the Homeowner's Association (HOA).

A PUD modification of Section 2.3.8.A of the ECM is requested. More specifically, the modification is to construct a hammerhead turnaround as a permanent roadway termination, as access to Deer Creek Road is not allowed. The hammerhead turnaround would only be adjacent to four lots and provide adequate maneuvering areas for emergency vehicles. The footprint of the hammerhead turnaround fits in more cohesively with the shorter and looped roads proposed for the development.

A PUD modification of Section 2.2.4.B (Figure 2-16), Table 2-7 and Standard Detail SD 2-2 of the ECM is requested. More specifically, the modification is to construct a 24-foot-wide asphalt mat within a 29-foot private tract. Section 2.2.4.B.7 (Figure 2-16) shows an urban local cross section will have a 50-foot-wide right-of-way with a 30 foot asphalt mat. The overall asphalt mat of the roadway remains consistent with a low volume roadway width.

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

All other county standards for roadways, curb and gutter, signage, and pavement thickness will be adhered to.

A PUD modification of Section 2.3.3.F.3 of the ECM is requested. More specifically, the modification is to allow shorter tangent lengths between broken back curves. Normally, a longer tangent length allows a driver to “recover” before maneuvering into a secondary curve. The shortened tangents will be within a closed loop private road, with low volumes and low speeds, limiting the need for “recovery” between the back-to-back curves. This roadway will provide individual lot access, including (both residential and emergency) pedestrian and ADA access.

Authorization to Sign:

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

B. APPROVAL CRITERIA

The Planning Commission and BOCC shall determine that the following the criteria for approval outlined in Section 4.2.6, and Section 7.2.1 of the El Paso County Land Development Code (2022), 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 of 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 (2022) for a preliminary plan requires the Planning Commission and the BoCC shall find that the 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;

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- 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)

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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 protection, recreation, utilities, open space and transportation system, 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.

C. LOCATION

North:	PUD (Planned Unit Development)	Residential
South:	R-4 (Planned Development)	Residential
East:	R-4 (Planned Development)	Residential
West:	RR-5 (Residential Rural)	School

D. BACKGROUND

On July 30, 1981, the Board of County Commissioners (BoCC) approved a request to rezone the property from the R-2 (Suburban Residential) zoning district to the R-4 (Planned Development) zoning district. On November 10, 1983, the BoCC approved a request for a final plat for the Waterside Condominiums. The property has not been developed and the applicant now requests that the property be rezoned from R-4 to PUD (Planned Unit Development) to accommodate a different development proposal.

The existing, currently approved plan accommodated 83 condominiums on 7.55 acres with an approximate density of 11 dwelling units per acre. The proposed application contemplates 52 single-family attached dwelling units on 7.53 acres with an approximate density of 6.9 dwelling units per acre.

E. ANALYSIS

1. Land Development Code Compliance

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 Land Development Code.

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Section 4.2.6.F.8 of the Code requires a minimum of ten (10) percent of the overall residential PUD be set aside as open space area. The PUD area is 7.53 acres in size, which would require a total of 0.75 acres of open space area. The applicant is providing 1.42 acres of designated open space tracts.

The property is surrounded on the north, south, and west sides by residential development. According to the applicant's letter of intent, the development is proposed to help facilitate a density transition between the higher density residential uses and commercial uses to the south and the lower density residential uses to the north and east.

The proposed PUD and preliminary plan are consistent with the Your El Paso County Master Plan (2021). The PUD application meets the purpose of zoning and criteria of approval, in Chapter 4, and of the El Paso County Land Development Code (2022). The preliminary plan application meets the preliminary plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the Land Development Code.

The applicant will be required to comply with the above referenced section of the Code at the final plat stage of development.

2. Zoning Compliance

As outlined above, the Waterside 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 PUD Development Plan is consistent with the proposed PUD development guidelines and with the submittal and processing requirements of the Land Development Code.

The R-4 zoning district is an obsolete zoning district. The Land Development Code defines "Zoning District, Obsolete" as follows:

A zoning district which remains applicable to land but which has been determined by the BoCC to be outdated and which cannot be applied to any additional land within the county.

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Because the R-4 zoning district is obsolete, in order to implement a different development proposal on this property, the property must be rezoned to accommodate development. Please see the map series attachment for a depiction of the zoning in the area.

F. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. **Placetype:** Regional Center

Placetype Character:

The fundamental purpose of a Regional Center is to provide access to necessary and desired commercial goods and services in El Paso County through a unique mix of uses. This placetype differs from Rural Centers by providing a level of goods and services that attract people from across the County, and depending on location, from adjacent counties. Regional Centers often incorporate a lifestyle live-work-play environment and can include multifamily housing elements in their design as standalone apartments or part of mixed-use developments.

This placetype includes large scale shopping centers that house a variety of commercial businesses and support a high activity of users on a regular basis such as grocery stores, pharmacies, clothing stores, automotive centers, restaurants, entertainment opportunities, home improvement stores, and other major retailers. Multifamily apartments provide commercial businesses direct access to potential customers.

Regional Centers are major commercial destinations for residents and are easily accessible from major transportation routes throughout the County. Regional Centers in El Paso County are surrounded by Urban Residential, Suburban Residential, and Employment Center placetypes. In addition, Regional Centers can also be extensions of commercial areas within incorporated municipalities such as the Gleneagle area.

Recommended Land Uses:

Primary

- *Restaurant*
- *Commercial Retail*
- *Commercial Service*

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- *Entertainment*
- *Multifamily Residential*

Supporting

- *Office*
- *Institutional*
- *Mixed Use*
- *Single-family Attached Residential*

Analysis:

The Regional Center placetype is a commercial destination for County residents to purchase goods, procure services, and enjoy a variety of entertainment options. Relevant goals and objectives are as follows:

Goal LU1 – *Ensure compatibility with established character and infrastructure capacity.*

Goal LU3 – *Encourage a range of development types to support a variety of land uses.*

Objective LU3-1 – *Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.*

Goal HC1 – *Promote development of a mix of housing types in identified areas.*

Objective HC1-6 – *Single-family attached housing such as townhomes, rowhomes, and multi-unit apartment homes should be used to create seamless transitions between low-intensity and high-intensity neighborhoods as well as nonresidential uses.*

The proposed development is consistent with the recommended land uses in the Regional Center placetype, which includes single-family attached residential as a recommended supporting land use. Much of the surrounding development consists of single-family detached residential uses; by incorporating a single-family attached residential use, the applicant is diversifying the housing options



to create a variety of choices in the area for potential residents. Additionally, the applicant has suggested that the proposed townhome development may facilitate a transition between low-intensity and high-intensity neighborhoods, as well as nonresidential uses. Please see the map series attachment for a depiction of the placetypes in the area.

b. Area of Change Designation: Minimal Change: Developed

These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.

Analysis:

The Minimal Change: Developed Area of Change states that the development in this area should not significantly alter the character of the area. However, it does acknowledge that underutilized pockets of land may be developed, as long as the overall character of the area is maintained. A relevant specific strategy is as follows:

Goal LU3 Specific Strategy – *The Minimal Change: Developed areas are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character should be maintained.*

The proposed PUD development plan and preliminary plan do not represent a significant change from the surrounding development pattern, which features a range of housing types and densities. The Dunes at Woodmoor, a subdivision to



the south of the subject property, has developed at a density of approximately 8 dwelling units per acre while the Lake Woodmoor subdivision to the east has developed at a density of approximately 4-5 dwelling units per acre.

c. Key Area Influences:

El Paso County represents a vast area composed of many distinct areas. These “Key Areas” have their own unique identities and are generally localized into smaller geographic areas with distinct characteristics that distinguish them from other areas of the County. The subject property is located within the Tri-Lakes Key Area.

Tri-Lakes Area

Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area. It is also an activity and entertainment center with the three lakes (Monument Lake, Woodmoor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most well-established community in the northern part of the County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment opportunities. Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

Analysis:

The proposed single-family attached development is intended to provide an alternative housing option to the predominantly single-family detached residential homes in the Tri-Lakes area. The development is located between the larger lot single-family detached residential developments to the east and the more intense higher density residential, commercial and employment center uses to the south and along Woodmoor Drive. A relevant Specific Strategy is as follows:

Goal LU3 Specific Strategy - *Future development in the Tri-Lakes Area should align with the existing character and strengthen the residential,*

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commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

d. Other Implications (Priority Development, Housing, etc.)

The property is not located within a priority development area.

2. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

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

Policy 1.1.1 – *Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.*

Goal 1.2 – *Integrate water and land use planning.*

Goal 3.6 – *Develop and maintain partnerships with water providers.*

Policy 5.2.4 – *Encourage the locating of new development where it can take advantage of existing or proposed water supply projects that would allow shared infrastructure costs.*

Policy 5.5.1 – *Discourage individual wells for new subdivisions with 2.5 acre or smaller average lot sizes, especially in the near-surface aquifers, when there is a reasonable opportunity to connect to an existing central system, alternatively, or construct a new central water supply system when the economies of scale to do so can be achieved.*

Policy 6.0.1 – *Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.*



The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 2 of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 2 for central water providers:

The Plan identifies the current demand for Region 2 to be 7,532 acre-feet per year (AFY) (Figure 5.1) with a current supply of 13,607 AFY (Figure 5.2). The projected demand in 2040 for Region 2 is at 11,713 AFY (Figure 5.1) with a projected supply of 20,516 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region 2 is at 13,254 AFY (Figure 5.1) with a projected supply of 20,756 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 7,502 AFY is anticipated for Region 2.

Water sufficiency has been analyzed with the review of the proposed preliminary plan. The applicant's water resource report indicates the District has an ample supply of water to serve this development and future developments within the District. The applicant has shown a sufficient water supply for the required 300-year period. Please see the Water section below for a summary of the water findings and recommendations for the proposed preliminary plan.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. United States Fish & Wildlife and Colorado Parks and Wildlife were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies upland deposits 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.

Please see the attached Park Advisory Board recommendation which includes an analysis regarding conformance with The El Paso County Parks Master Plan (2022).

Please see the Transportation Section below for information regarding conformance with the El Paso County 2016 Major Transportation Corridors Plan (MTCP).

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G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

Geologic hazards and constraints were identified during the review of the preliminary plan. Expansive soil and bedrock, shallow hard bedrock, erosion, and flooding have been noted as possible geologic hazards and constraints on the property. The soils and geology report provided with the application contains recommendations for mitigating the site's potential development constraints. Mitigation recommendations include grading and subsurface drainage control, as well as lot-specific investigations and analyses to be conducted for use in the design of individual foundations. Colorado Geological Survey was sent a referral and has no outstanding comments at this time.

2. Floodplain

As shown on FEMA Flood Insurance Rate Map (FIRM) panel number 08041CO276G, with effective date December 7, 2018, a portion of the property is located within a FEMA Zone AE, floodplain with studied base flood elevations. The floodplain area will be contained within drainage and open space tracts.

3. Drainage and Erosion

The subdivision is located in the Dirty Woman Creek drainage basin which is studied and has associated drainage and bridge fees. Drainage and bridge fees will apply at the time of final plat recordation.

The site generally drains in a south and southeasterly direction. Stormwater runoff will be conveyed by private storm sewer system. A proposed sand filter basin will provide water quality for the property. Flows released from the sand filter basin will enter Lake Woodmoor, which will provide detention for the property. Lake Woodmoor is owned and maintained by the Woodmoor Water and Sanitation District (WWSD). With the final plat submittal WWSD will need to provide a letter stating it will allow the use of its facility (Lake Woodmoor) for flood storage.

Per the associated drainage report, the development of this project will not adversely affect the downstream properties.



A grading and erosion control plan that identifies construction best management practices (BMPs) to prevent sediment and debris from affecting adjoining properties and the public stormwater system will be required with the final plat application.

4. Transportation

The property is located east of Woodmoor Drive and south of Deer Creek Road. Access to the site is via a new access from Woodmoor Drive and an existing access drive for the Woodmoor Barn Community Center ("The Barn"). No access is proposed from Deer Creek Road.

The El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) indicates upgrading Monument Hill Road to a rural 2-lane collector and upgrading Deer Creek Road between Monument Hill Road and Woodmoor Drive to a rural 2-lane collector. All internal streets are planned to be privately owned and maintained. Specific modification requests from the design standards in the Engineering Criteria Manual are described in section A above.

The main access to the property at Woodmoor Drive, is north of "The Barn" access. The location of the north access helps minimize conflicting turning movements to/from the east side with the intersection of Woodmoor Drive/"Barn"/north school access. During peak school hours the street connections through the project will provide an alternative to existing background traffic that is currently turning onto Woodmoor Drive using the "Barn"/north school access.

There are two schools located within a 2-mile radius of the property, Lewis Palmer Middle School and Lewis Palmer Elementary School. The elementary school is approximately 1.5 miles from the property, making it very unlikely to have students walking from the property. Also, Lewis Palmer School District is in the process of having a "Safe Routes to School" trail project being approved, which will provide a safe pedestrian path to the schools through the Woodmoor area.

The development will be subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471) as amended.



H. SERVICES

1. Water

Water supply service will be provided by Woodmoor Water and Sanitation District.

Sufficiency:

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 has made a recommendation for a finding of conditional sufficiency with regards to water quantity and dependability. El Paso County Public Health has made a favorable recommendation regarding water quality sufficiency.

2. Sanitation

Wastewater is provided by the Woodmoor Water and Sanitation District. The District has provided a commitment letter to serve the anticipated development.

3. Emergency Services

The property is within the Tri-Lakes Monument Fire Protection District. The District has provided a commitment letter to provide fire protection services to the proposed development. The District was sent a referral and did not provide a response.

4. Utilities

Electrical service is provided by Mountain View Electric Association, Inc. (MVEA) and natural gas service is provided by Colorado Springs Utilities (CSU). Both utility providers were each sent a referral and have no outstanding comments

5. Metropolitan Districts

The property is located within the boundaries of the Woodmoor Water and Sanitation District, which is a central water and wastewater provider and has committed to providing water and wastewater services to the property.



6. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for a map amendment (rezoning) application. Fees in lieu of park land dedication will be due at the time of recording the final plat.

7. Schools

The property is located within the boundary of the Lewis-Palmer School District No. 38. Land dedication and fees in lieu of school land dedication are not required for a map amendment (rezoning) application. Fees in lieu of school land dedication will be due at the time of recording the final plat.

I. APPLICABLE RESOLUTIONS

See attached resolution.

J. STATUS OF MAJOR ISSUES

There are no major issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and 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 (2022), 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 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 any final plat approvals.
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. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations (see attached letter dated December 9, 2022) as provided by the County Attorney's Office.

NOTATIONS

1. Subsequent Final Plat Filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the preliminary plan will expire after twenty-four (24) months 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 thirty-five (35) adjoining property owners on May 1, 2023 for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

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M. ATTACHMENTS

Map Series

Letter of Intent

Development Plan / Preliminary Plan

State Engineers Letter

County Attorney's Letter

El Paso County Public Health Letter

Parks Advisory Board Comments

Draft Resolution

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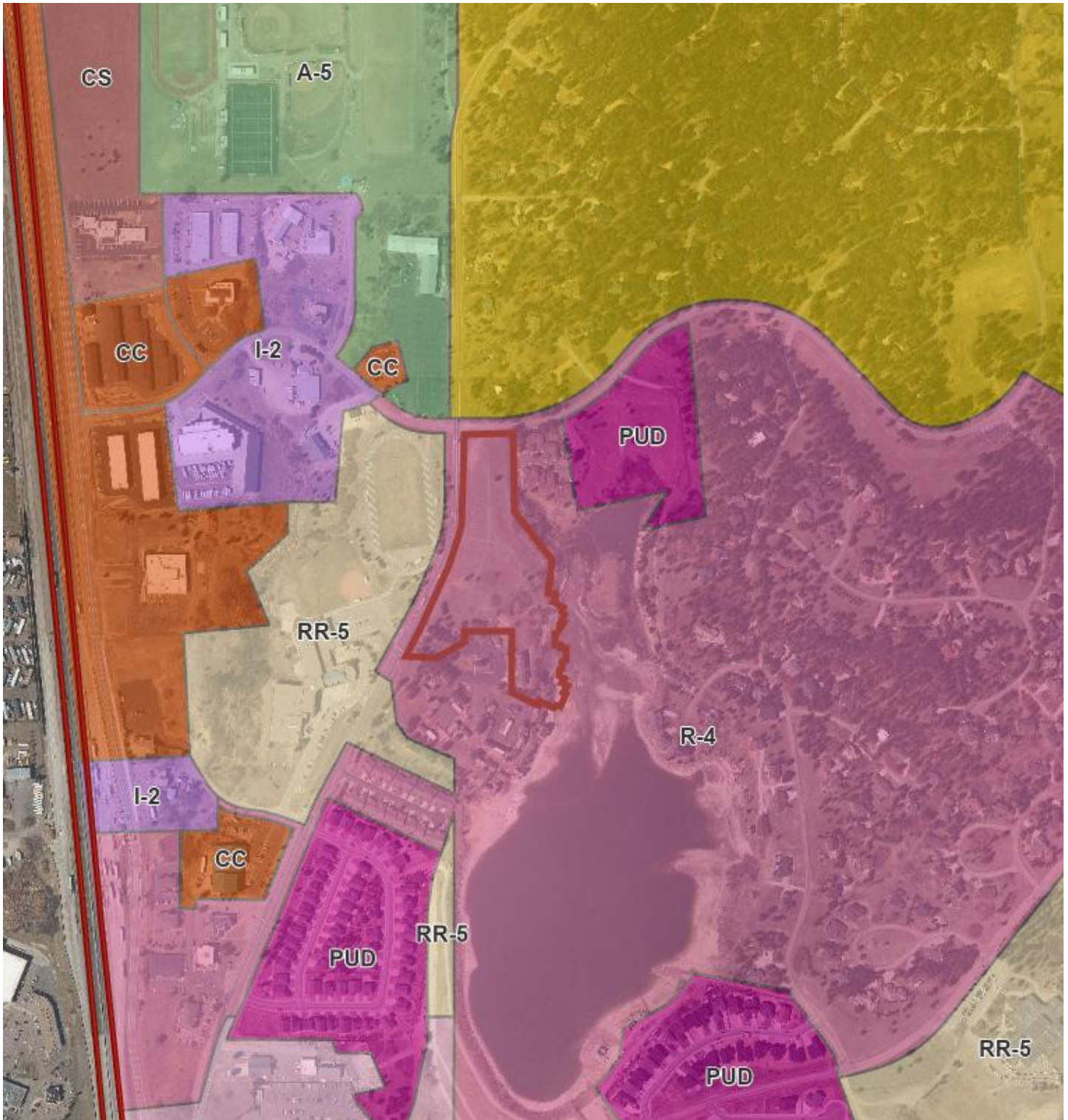


Map 1: Vicinity

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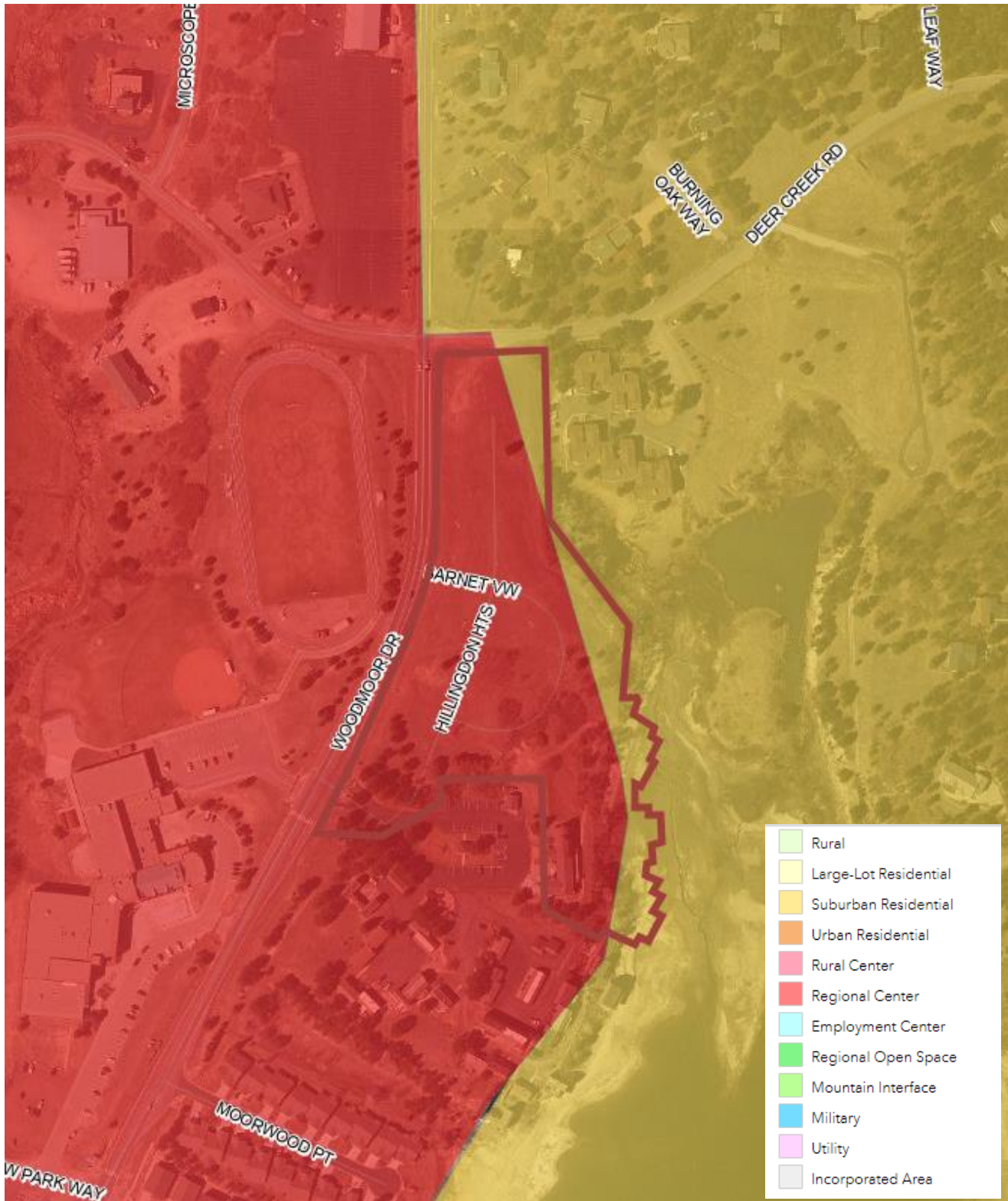


Map 2: Zoning

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Map 3: Master Plan Placetypes

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WATERSIDE PUD DEVELOPMENT/PRELIMINARY PLAN

LETTER OF INTENT

JULY 2022; REVISED: SEPTEMBER 2022; FEBRUARY 2023; APRIL 2023

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
719.471.0073
ABARLOW@NESCOLORADO.COM

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 (PUDSP) 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;
3. A finding of water sufficiency with the PUD Development/Preliminary Plan and subsequent Final Plat to be approved administratively.

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).

Retaining walls are proposed along the eastern side of the property adjacent to lots 40-41, and 47-49. These walls will have a maximum height of 6.5 feet. A third 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. A finding of water sufficiency with the PUD Development/Preliminary Plan is requested, with subsequent Final Plat to be approved administratively.

Woodmoor Water and Sanitation District No. 1. has sufficient supply and infrastructure in the area to serve this development. The total commitment is 13.988 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 quality 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.

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: A looping 4' wide crusher fines trail is proposed through the Tract A open space. Five foot attached concrete walkways are provided throughout the development.

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
- Black Hills Energy

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 following PUD Modifications are requested:

	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 Chapter 8.4.4(E)(3)	Private Roads to meet County standards.	Private roads shall be constructed and maintained to ECM standards.	Road width and roadway terminations (see 3, and 4 below)	
3	ECM Section 2.2.4.B.7, Figure 2-17, ECM Table 2-7, and ECM 2.3.3.F.3 and standard detail SD_2-2	Typical Urban Local and typical Urban Local (Low Volume) Cross Section	<ul style="list-style-type: none"> • 50' public right of way with 30' asphalt mat (Local and Local Low Volume). • Urban Local roadway asphalt width per standard drawing (SP_2-2 (30' MAT)) • 200' minimum length of centerline tangent between broken back corners. 	29' private tract with 24' asphalt mat (Local and Local Low Volume) with reduced tangent length between broken back curves.	A smaller private road cross-section tract versus ROW, narrower asphalt width (Urban Local (low volume)) asphalt width, compact road design, and the use of a turnaround will achieve the goal of providing both residents and emergency responder's access. ECM standard does not take into account reduction in speed due to the T-intersections associated with these very small turn-around areas. A standard cul-de-sac width is almost as wide as the parcel is in the location. Reduced tangent lengths between broken back curves are located on a small private looped roadway with only 16 lots utilizing the roadway.
4	ECM Section 2.3.8.A.	Roadway Terminations	Urban Cul-de-Sac-Permanent hammerhead turnarounds not permitted.	Permanent turnaround proposed on Hillingdon Heights using 24' wide asphalt mat.	

PUD Modification Justification:

Section 8.4.4(E)(3) of the LDC indicates that private road waivers may only 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.

The only waiver requested is for the private roadway width to allow for a compact site layout and to accommodate smaller lots, preserve natural features and provide community trail connectivity. Sidewalks are provided alongside the road throughout the community together with a trail along the lake. These internal pedestrian facilities will connect to the external sidewalks to be provided with the development alongside Woodmoor Drive and Deer Creek Road.

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 one 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 PUD modifications allow for a smaller road cross-section that cannot be accommodate under public street standards. The use of a hammerhead turnaround is also more efficient as it takes up less space than a cul-de-sac and provides easier access to homes and allows for parking. The benefit of this is a more compact development that facilitates attached single-family housing units on smaller lots. This creates a product that fills a growing market need, particularly to cater for seniors who may want to down-size but also remain living in the same neighborhood. The PUD modifications allow a compact community design that maintains portions of the site vegetation and also protects the edge of the lake and minimizes impact to the adjacent wetlands. The compact site layout facilitated by utilizing private sites enables the developer to dedicate 15.3% of the site to the Woodmoor Improvement Association for use as open space. This accommodation also leaves space for a community trail along the lake which activates the lakes edge and forms a more efficient pedestrian system as an integral part of School District 38's Safe Routes to School program.

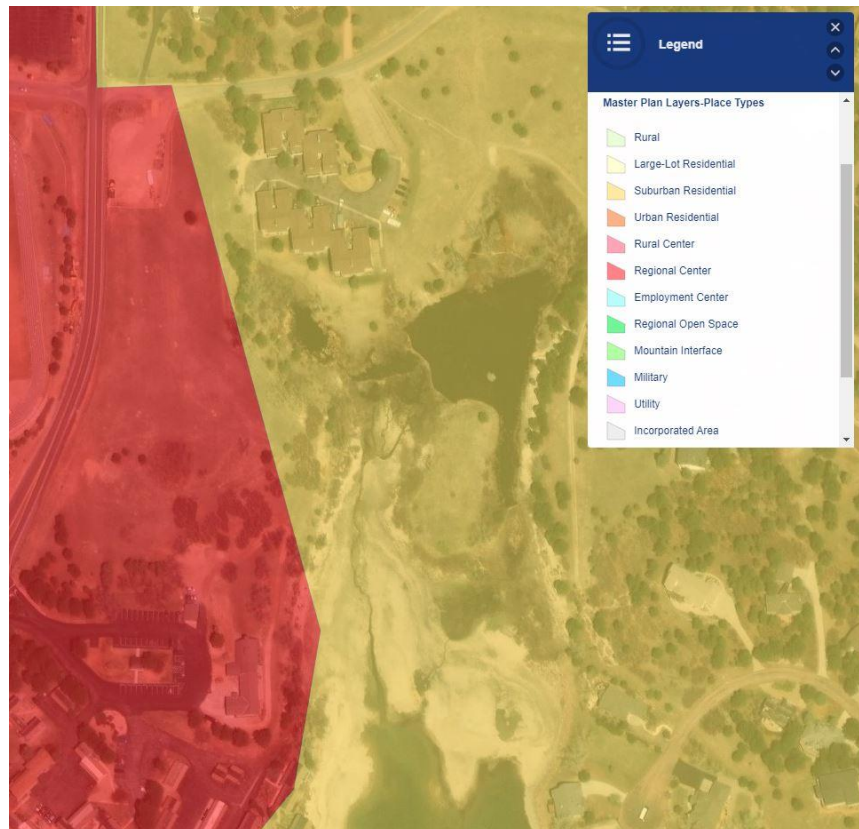
RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

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 approximately 80 of the site as % 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 in the

Regional Center placetype. The remaining 20% of the site falls into the Suburban Residential placetype. The primary use within this placetype is detached single-family homes and single-family attached residential is a supporting land use. As the 7.5-acre project site presents only a small portion of both the Regional Center and Suburban Residential placetype designation in the Woodmoor area, the proposed Waterside single-family attached development is appropriate as a supporting land use within these placetypes.



This site is located within the Tri-Lakes area on the Key Areas map, 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. The Plan notes that future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor. The proposed Waterside single-family attached development will provide an alternative housing option to the predominant large lot single-family homes in Woodmoor. The development will maintain the character of the area as it is in a transitional location between the larger lot single-family to the east and the more intense higher density residential, commercial and

employment uses adjacent to the site and along Woodmoor Drive. The Waterside development will strengthen the housing options in Woodmoor and the additional households will also support existing commercial and employment businesses.

This site also lies in an area of “minimal change (developed)” on the Areas of Change Map. This designation recognizes pockets of undeveloped areas and points out the high likelihood of intense future infill development. The Waterside development will represent an infill development as it is surrounded on all sides (other than lake frontage) by existing development. While the proposal is more dense than the existing Woodmoor Oaks single-family to the north of Deer Creek, it is a similar density or less dense than other adjacent residential developments along Woodmoor Drive.



The Waterside PUDSP aligns 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.” The Waterside development will integrate within the present spectrum of adjacent uses: multifamily housing, single family detached housing, a community center, school and church. In order to preserve

the character of Lake Woodmoor and the surrounding environment, the PUDSP includes a land dedication of 15.3% of the site to the Woodmoor Improvement Association for lake preservation and adds a trail along the lake to activate the space and as an integral part of School District 38's Safe Routes to School program.

In addition, this plan achieves goal 1.1, "ensure compatibility with established character and infrastructure capacity." Its location along Woodmoor Drive, which is classified as a collector street, and proximity to I-25 ensures that residents living at Waterside will have adequate access to public street infrastructure. The project is less dense than the previously planned development for the property and is within the planned capacity of areas road and utility infrastructure.

The Woodmoor area will benefit from Waterside's addition to the spectrum of housing options in the immediate area. This achieves 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." In support of this goal Objective HC1-6 of the Plan specifically encourages the use of single-family attached housing such as townhomes, rowhomes, and multi-unit apartment homes to create seamless transitions between low-intensity and high-intensity neighborhoods as well as nonresidential uses. As can be seen from the density comparison graphic above, the Waterside single-family attached development provides a gradual transition in density from the existing single-family to the north and further east, and the higher density residential and more intense non-residential development along Woodmoor Drive.

Goal 2.4 of Housing & Communities supports "aging-in-place housing options to meet residents' needs through all stages of life." Objective HC4-2 supports this goal by encouraging duplexes, townhomes, multifamily apartments, condominiums, and senior housing projects in each of the residential placetypes where they can be integrated into the character of a given neighborhood. An implementation priority is to encourage inclusion of single-family attached housing within the Suburban Residential, Urban Residential, Rural Center, and Regional Center placetypes. The Waterside proposes single-family attached housing within the Regional Center Suburban Residential placetypes site and will directly address this goal of the plan. In addition, the smaller lots proposed by the development in conjunction with HOA maintenance creates a living situation with fewer and less taxing property maintenance demands, which provides a needed housing option to allow those of all ages and abilities to remain in the neighborhoods and areas they desire.

This development plan also plays a role in realizing the County's Core Principle 4 to "Connect all areas of the County with safe and efficient multimodal transportation system." The new sidewalks along Woodmoor Drive and Deer Creek Road, as well as the trail beside Woodmoor Lake, will provide residents and students with safe walking spaces, relieving the need for dangerous commutes within and alongside the roadway.

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 Development Plan

The PUD/Preliminary Plan for Waterside is consistent with the PUD zoning approval 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 Waterside PUD will advance the following purposes of the PUD District designation:

- *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. The setbacks and other standards of RM-12 cannot be met even though the density could be achieved. See the following table:

	<i>Max Density</i>	<i>Min. Lot Size (SF)</i>	<i>Min. Lot Width</i>	<i>Min. Front Setback</i>	<i>Min. Rear Setback</i>	<i>Min. Side Setback</i>	<i>Max. Lot Coverage</i>	<i>Max. Bldg. Height</i>
<i>RM-12</i>	<i>12</i>	<i>3,500</i>	<i>35 ft</i>	<i>15 ft</i>	<i>20 ft</i>	<i>10 ft</i>	<i>70%</i>	<i>40 ft</i>
<i>Waterside</i>	<i>6.9</i>	<i>2,848 avg</i>	<i><32 ft</i>	<i><10 ft</i>	<i><15 ft</i>	<i>10 ft</i>	<i>70%</i>	<i>30 ft</i>

- *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 market sector is for smaller homes that are more attainable and have less maintenance. The Waterside PUDSP 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;*

The Waterside PUDSP will provide higher density residential homes in close proximity to several employment and shopping centers, as well as churches and schools. This will not only ensure the new homes have good access to existing commercial and community facilities but the new homes will help to support existing and additional services for the benefit of the entire community.

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 less dense than the previously approved plans for the property. The proposed single-family attached development is harmonious with the existing and proposed mix of uses surrounding the property, which comprises condominiums and proposed single-family attached to the east, townhomes and a community facility to the south. It also provides a transition from lower density single family detached to the east and north and more intense uses along Woodmoor Drive and adjacent to I-25.

- 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;**

This Waterside development is similar or lower in density than existing residential development to the east and alongside Woodmoor Drive. These higher density residential areas acts as a transition and buffer between the less dense residential neighborhoods to the north and east of Lake Woodmoor and the more intense commercial, employment and community uses along the Woodmoor Drive and I-25 corridor.

- 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;**

Appropriate 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 associated landscaping and buffering are compatible with the surrounding area.

The proposed single-family attached use and the bulk of the proposed units are both similar and compatible with the adjacent The Cove at Woodmoor Condominiums and Lake Woodmoor Townhomes.

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.

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 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)];**

A Geotechnical Report prepared by CTL Thompson Inc. is included with the PUDSP submittal. This identifies expansive or very hard soils, shallow bedrock, erosion potential, flood potential, and regional issues of seismicity and naturally occurring radioactive materials. These geologic conditions do not preclude development of the site and can be mitigated with engineering design and construction methods commonly employed in the area.

- 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

A detailed analysis of the natural features, wildlife and wetlands is provided in the ECOS environmental report submitted with the PUDSP. There are no environmentally sensitive areas within the limits of disturbance for the project except for 0.1 acre of wetland impacts and a 404 Permit application is being prepared for this project. The Wildfire Risk Map denotes this site as "Lowest and Low Risk". There is expected to be loss of some pine-oak woodland; although, this will be preserved where possible. The loss of disturbed grass-land and non-native trees is not considered to be significant. Additionally, most of the riparian habitat along Lake Woodmoor will be preserved. There are not expected to be any permanent impacts on wetland habitat and waters besides 12 square feet where a flared end section and riprap scour apron will be installed for an outfall structure. The impacts to wildlife communities is associated with the impact to vegetation. The project is expected to have low to moderate impact on raptors and migratory birds. The Preble's Meadow Jumping Mouse (PMJM) is not expected to occur on the site. The site is blocked from the nearest known habit by development and there is no suitable riparian habitat on site. . No other federally listed species are projected to be significantly impacted by the project and associated disturbance.

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 Transportation Consultants 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.

\\nes02\projects\La Plata\Waterside\Admin\Submittals\PUD DP_Preliminary Plan\2nd Submittal\220922_Letter of Intent_Waterside.docx

WATERSIDE AT LAKE WOODMOOR

SW 1/4 OF THE SE 1/4 OF SECTION 11 TOWNSHIP 11 SOUTH, RANGE 67 WEST, 6TH PRINCIPAL MERIDIAN EL PASO COUNTY, COLORADO PUD DEVELOPMENT PLAN/PRELIMINARY PLAN

GENERAL PROVISIONS:

- A. **Authority.** This PUD is authorized by Chapter 4 of the El Paso County Land Development Code, adopted pursuant to the Colorado Planned Unit Development Act of 1972, as amended.
- B. **Applicability.** The provisions of this PUD shall run with the land. The landowners, their successors, heirs, or assigns shall be bound by this Development Plan, as amended and approved by the Planning and Community Development Department Director or Board of County Commissioners.
- C. **Adoption.** The adoption of this development plan shall evidence the findings and decisions of the El Paso County Board of County Commissioners that this Development Plan for Waterside at Lake Woodmoor is in general conformity with the El Paso County Master Plan, El Paso County Policy Plan and applicable Small Area Plan; is authorized under the provision of the El Paso County Land Development Code; and that the El Paso County Land Development Code and this development plan complies with the Colorado Planned Unit Development Act of 1972, as amended.
- D. **Relationship to County Regulations.** The provisions of this Development Plan shall prevail and govern the development of Waterside at Lake Woodmoor, provided, however, that where the provisions of this Development Plan do not address a particular subject, the relevant provisions of the El Paso County Land Development Code in effect at the time of the PUD plan approval (or owner acknowledge the PUD changes with the Code), or any other applicable resolutions or regulations of El Paso County, shall be applicable.
- E. **Enforcement.** To further the mutual interest of the residents, occupants, and owners of the PUD and of the public in the preservation of the integrity of this development plan, the provisions of this plan relating to the use of land and the location of common open space shall run in favor of El Paso County and shall be enforceable at law or in equity by the County without limitation on any power or regulation otherwise granted by law.
- F. **Conflict.** Where there is more than one provision within the development plan that covers the same subject matter, the provision which is most restrictive or imposes higher standards or requirements shall govern.
- G. **Maximum Level of Development.** The total number of dwellings is the maximum development requested for platting or construction (plus any approved density transfers). The actual number of dwellings or level of development may be less due to subdivision or Site Development Plan requirements, land carrying capacity, or other requirements of the Board of County Commissioners.
- H. **Project Tracking.** At the time of any final plat application, the applicant shall provide a summary of the development, to date, to Planning and Community Development Department, in order to assure maximum development limits are not exceeded.
- I. **Overall Project Standards.** The standard zoning requirements of El Paso County Land Development Code, as amended, including off-street parking, landscaping, site development, accessory and temporary uses, and use by special review and variance processes shall apply to this PUD, except as modified below.

PURPOSE AND INTENT:

The necessity for this development to be zoned as a PUD instead of a straight zone lies in the challenges associated with natural features and ecologies on the site. The deviations outlined in the PUD Modification Table seek to create a more favorable development for both the residents and the natural areas present on the site. This development meaningfully contributes to the existing housing spectrum in the area and seeks to provide another housing option at a different price point and maintenance level from those in the vicinity. This development aligns with multiple Core Principles and subsequent Goals outlined in the El Paso County Master Plan. These items are discussed in depth in the Letter of Intent associated with this submittal.

DEVELOPMENT GUIDELINES:

- A. **Project Description:** Waterside at Lake Woodmoor is a planned residential community on 7.53 acres of land located north of Lake Woodmoor and south of Deer Creek Road. The project is planned as a townhome community.
- B. **Permitted Uses:** Permitted uses within the Waterside at Lake Woodmoor subdivision include townhomes, attached single-family homes, open space, and trails. The uses of any property within the subdivision as a Child Care Center, Family Care Home or Group Home shall be subject to the regulations of Chapter 5 of the El Paso County Land Development Code, as may be amended in the future. Marijuana Clubs and Marijuana Grow Facilities are not permitted within this subdivision.
- C. **Temporary Uses:** Temporary uses are limited to model home/subdivision sales office, yard sales, and seasonal produce sales, and are subject to the regulations of Chapter 5 of the El Paso County Land Development Code, as may be amended in the future.
- D. **Accessory Uses:** Accessory uses within this subdivision are limited to the following:
- Animal keeping of up to 4 pets (excludes chicken, pigeon or bee keeping) as defined by the El Paso County LDC 5.2.7.C. Residential home occupation that does not require clients to visit the premises.
- E. **Accessory Structures.** Accessory structures must comply with the Development Standards in item (G) of these guidelines, and shall be subject to the regulations relating to accessory structures in Chapter 5 of the El Paso County Land Development Code. Residential accessory structures in this subdivision are restricted to the following:

- Storage shed
- Gazebo
- Deck (attached or detached, covered or uncovered)
- Hot tub
- Private greenhouse
- Fence, wall and hedged
- Antennas, radio facilities, and satellite dishes
- Solar energy systems

F. **Signs.** One entry sign is proposed to identify the Waterside at Lake Woodmoor community. The maximum size of the Community Entry Sign shall be 100 square feet. Sign size shall be measured by drawing the smallest rectangle around the text of the sign. For double sided signs, only one sign face shall contribute to the maximum size.

- G. **Development Standards.**
1. Maximum building height: thirty (30) feet.
 2. Setback minimums:
 - a. Front: 6 feet minimum
3 feet minimum to covered porch
 - b. Side: 7 feet minimum
3 feet minimum to covered porch
(Exception: 0' at property line of common wall for building and covered porch)
 - c. Rear: 15 feet minimum
5 feet minimum to covered porch
 3. No projections into setbacks or the tracts owned and maintained by the Waterside at Lake Woodmoor will be permitted.
 4. Retaining walls greater than 7 feet are not permitted within lot setbacks.

H. **Lot Sizes.** The PUD Development Plan and the Final Plat establish the lot sizes. No subdivision of any lot will be permitted if such subdivision results in the creation of additional building lots.

I. **Streets.** Streets within Waterside at Lake Woodmoor subdivision provide general vehicular circulation throughout the development. All streets shall be privately owned and maintained by the Waterside at Lake Woodmoor Home Owner's Association. All Streets shall be paved unless otherwise indicated on the Development Plan. Sidewalks and parking spaces will be provided as illustrated on this plan.

J. **Architectural Control Committee Review/Covenants.** Waterside at Lake Woodmoor is subject to the covenants and design criteria established by the Woodmoor Improvement Association and Architectural Control Committee.

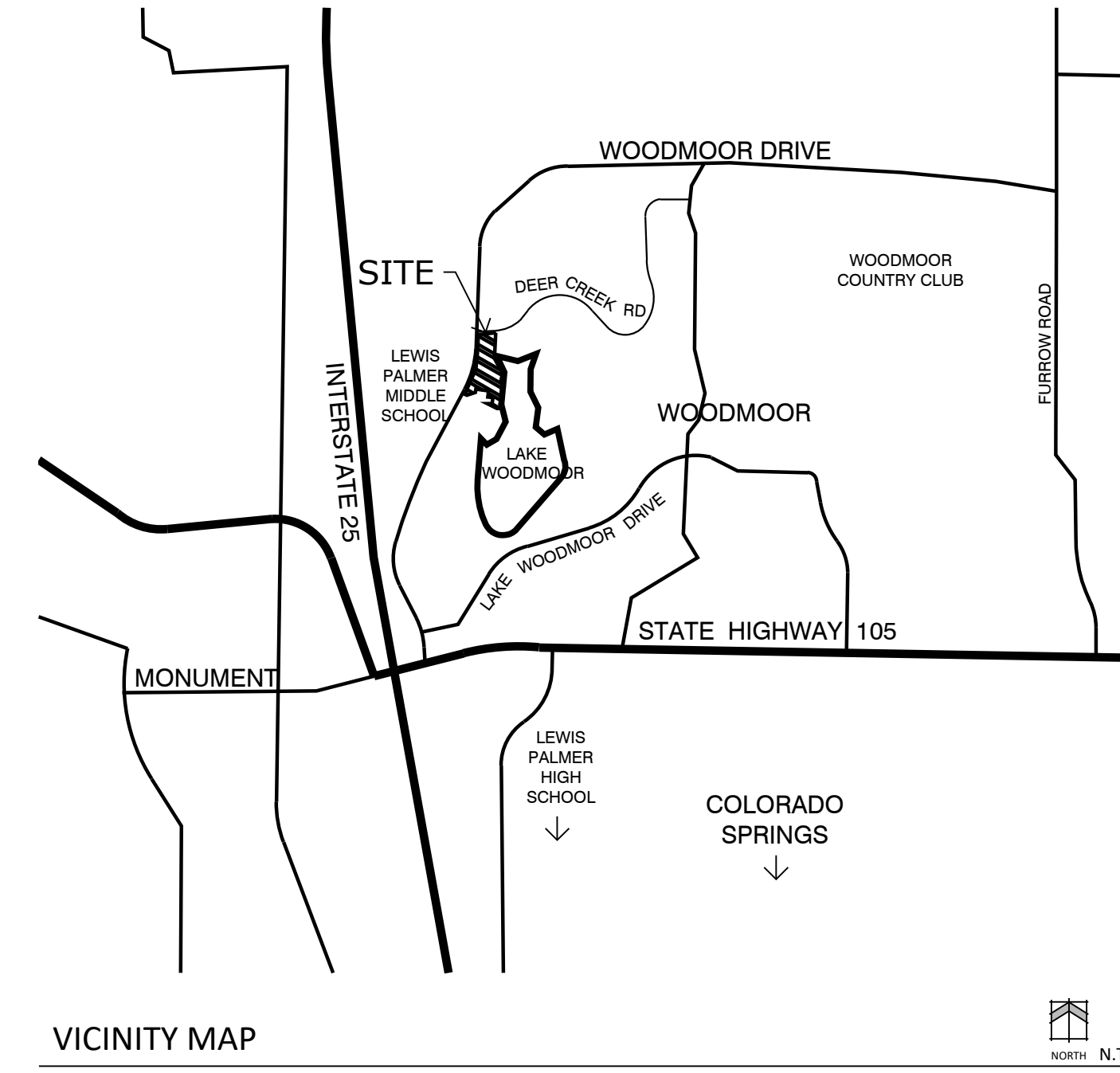
LEGAL DESCRIPTION

ALL OF THE WATERSIDE CONDOMINIUMS SUBDIVISION, RECORDED IN PLAT BOOK 2, AT PAGE 47 RECORDS OF EL PASO COUNTY, COLORADO.

PUD MODIFICATIONS

The Waterside PUD includes the following modifications to the El Paso County Land Development Code (LDC) and Engineering Criterial Manual (ECM):

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 proposed on the site. The private roads will be owned and maintained by the HOA.
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 and roadway terminations (see 3 an 4 below)	
3. ECM Section 2.2.4.B.7, Figure 2-17, ECM Table 2-7, and ECM 2.3.8.F.3 and standard detail SD_2.2	Typical Urban Local and Typical Urban Local (Low Volume) Cross Section	<ul style="list-style-type: none"> • 50' public right of way with 30' asphalt mat (Local and Local Low Volume). • Urban Local roadway asphalt width standard drawing (SP_2-2 (30' MAT)) • 200' minimum length of centerline tangent between broken back corners. 	20' private tract with 24' asphalt mat (Local and Local Low Volume) with reduced tangent length between broken back curves.	A smaller private road cross-section tract versus ROW, narrower asphalt width (Urban Local (low volume)) asphalt width, compact road design, and the use of a turnaround will achieve the goal of providing both residents and emergency responder's access. ECM standard does not take into account reduction in speed due to the T-intersections associated with these very small turn-around areas. A standard cul-de-sac width is almost as wide as the parcel is in the location. Reduced tangent lengths between broken back curves are located on a small private looped roadway with only 16 lots utilizing the roadway.
4. ECM Section 2.3.8.A	Roadway Terminations	Urban Cul-de-Sac -Permanent hammerhead turnarounds not permitted	Permanent turnaround proposed on Hillingdon Heights using a 24' wide asphalt mat.	



SITE DATA

Tax ID Number:	7111404112 through Tax ID Number 7111404194 (83)
Area:	7.53 Acres, 327,959 S.F.
Current Zoning:	R-4
Proposed Zoning:	PUD
Current Land Use:	Vacant
Proposed Land Use:	Single Family: 3.46 AC (46%) Private Roads: 1.24 AC (16%) Open Space: 1.42 AC (19%) Woodmoor Improvement Association Land Dedication: 1.15 AC (15%) Lake Maintenance Easement: 0.26 AC (4%)
Number of Units:	52
Density:	Gross 6.9 DU/AC Net 8.5 DU/AC 30' Max.
Building Height:	

SITE PARKING CALCULATIONS

Required:		
52 Townhomes (3-bedroom)	2.0 spaces per dwelling unit	104 spaces
Guests	1 space per 4 dwelling units	13 spaces
	Total Required	= 117 spaces
Provided:		
Garage parking	2 per unit	104 spaces
Off-street guest parking bays (for sole use by Waterside residents and guests)	26	26 spaces provided
	Total Provided	= 130 spaces

PROJECT TEAM

OWNER/APPLICANT:	Beth Diana 719-867-2261 Lake Woodmoor Holdings LLC 9540 Federal Drive, Suite 200 Colorado Springs, CO 80921
PLANNING/ LANDSCAPE ARCHITECTURE:	Andrea Barlow 719-471-0073 NES Inc. 619 N. Cascade Ave., Suite 200 Colorado Springs, CO 80903
CIVIL ENGINEER:	Kyle Campbell 719-785-0790 Classic Engineering 619 N. Cascade Ave., Suite 200 Colorado Springs, CO 80903

SHEET INDEX

Sheet 1 of 16:	Cover
Sheet 2 of 16:	PUD Site Plan
Sheet 3 of 16:	Tract Map
Sheet 4 of 16:	Grading
Sheet 5 of 16:	Utilities
Sheet 6 of 16:	Landscape Schedule & Notes
Sheet 7 of 16:	Landscape Plan South
Sheet 8 of 16:	Landscape Plan North
Sheet 9 of 16:	Landscape Details
Sheet 10 of 16:	Elevations Duplex
Sheet 11 of 16:	Elevations Duplex
Sheet 12 of 16:	Elevations Triplex
Sheet 13 of 16:	Elevations Triplex
Sheet 14 of 16:	Elevations Fourplex
Sheet 15 of 16:	Elevations Fourplex
Sheet 16 of 16:	Rezoning and Adjacent Owners Map

GENERAL NOTES

1. See Final Landscape Plan for proposed buffering and screening from surrounding properties.
2. Facilities and common area landscape will be maintained by the Waterside Home Owners Association.
3. This site is within a designated F.E.M.A. floodplain as determined by the flood insurance rate map, community panel number 08041C0276G, effective December 7, 2018.
4. Parking within the boundaries of the property and will only be for the use of the residents of Waterside and their guests.
5. Proposed trails on the property will be available for use by the public.
6. There will be no direct lot access from Deer Creek Road.
7. No site grading will be allowed until all applicable wetland impact permits have been issued by the Army Corps of Engineers.
8. **Soil and Geology Conditions:**
Geologic Hazard Note-Final Plat:
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. Mitigation measures and a map of the hazard area can be found in the Soil, Geology, and Geologic Hazard Study Prepared by CTL Thompson, Inc. January 27, 2022, in file PUD SP-22-009 available at the El Paso County Planning and Community Development Department.

Ownership Certification

Lake Woodmoor Holdings LLC
Name of Landowner

Landowner's Signature, notarized

I/we _____, a (one of the following: qualified title insurance company, title company, title attorney, or attorney at law) duly qualified, insured, or licensed by the State of Colorado, do hereby certify that I/we have examined the title of all lands depicted and described hereon and that title to such land is owner in fee simple by _____ at the time of this application.

Notarized signature _____

OR Name of Attorney and registration number _____

Surveyors Certificate

I, _____, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plat truly and correctly represents the results of a survey made on _____ (date), by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1:10,000; and that said plat has been prepared in full compliance with all applicable laws in the State of Colorado dealing with monuments, subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.

I attest to the above on this _____ day of _____, 20____.

Surveyor's Name, (Signature) _____ Date _____
Colorado registered PLS# _____

Board of County Commissioners Certificate

This PUD Development Plan and Preliminary Plat for Waterside was approved for filing by the El Paso County, Colorado Board of County Commissioners on the _____ day of _____, 20____, subject to any notes specified hereon and any conditions included in the resolution of approval.

Chair, Board of County Commissioners _____ date _____

Director, Planning & Community Development Department _____ date _____

Clerk and Recorder Certification

State of Colorado)
El Paso County)

I hereby certify that this Plan was filed in my office on this _____ (day) of _____ (month), 20____ at _____ o'clock a.m./p.m. and was recorded per Reception No. _____.

El Paso County Clerk and Recorder _____



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Colorado Springs, CO 80903

Tel. 719.471.0073
Fax 719.471.0267

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WATERSIDE AT LAKE WOODMOOR

PUD DEVELOPMENT PLAN/ PRELIMINARY PLAN WOODMOOR DRIVE MONUMENT, CO

DATE: 07/15/2022
PROJECT MGR: A. BARLOW
PREPARED BY: B. SWENSON

COVER

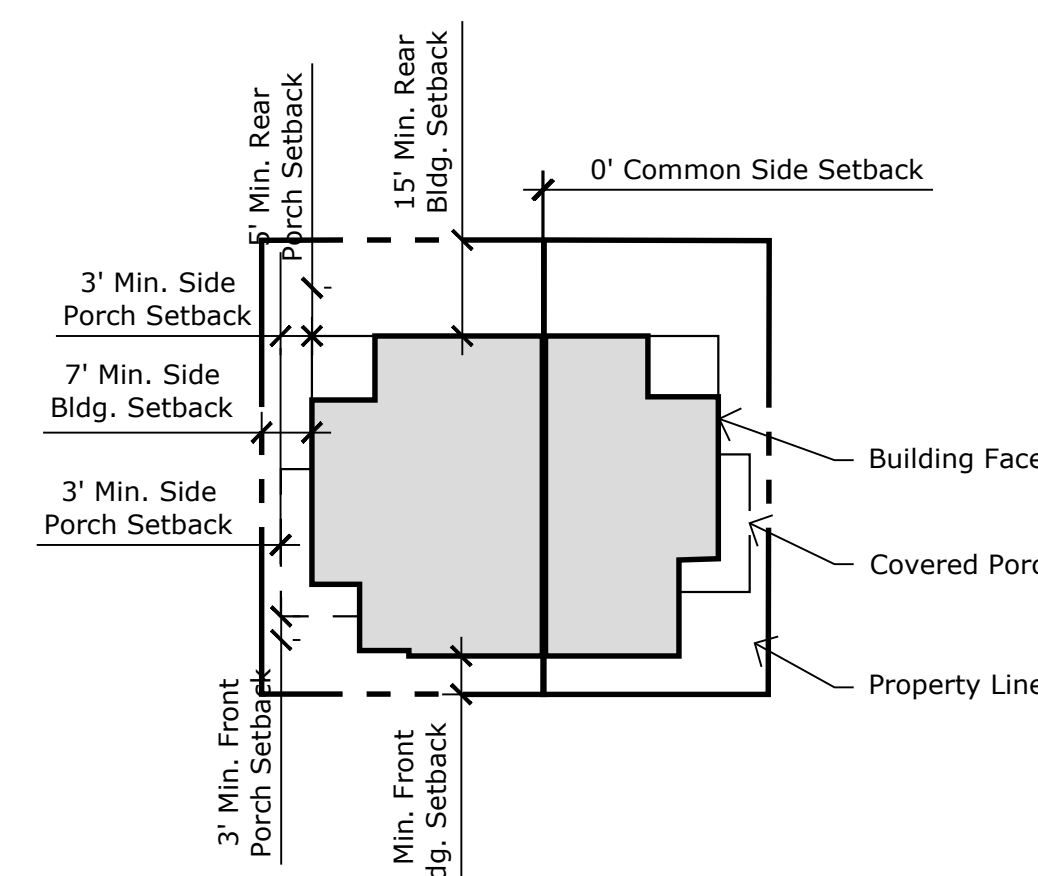
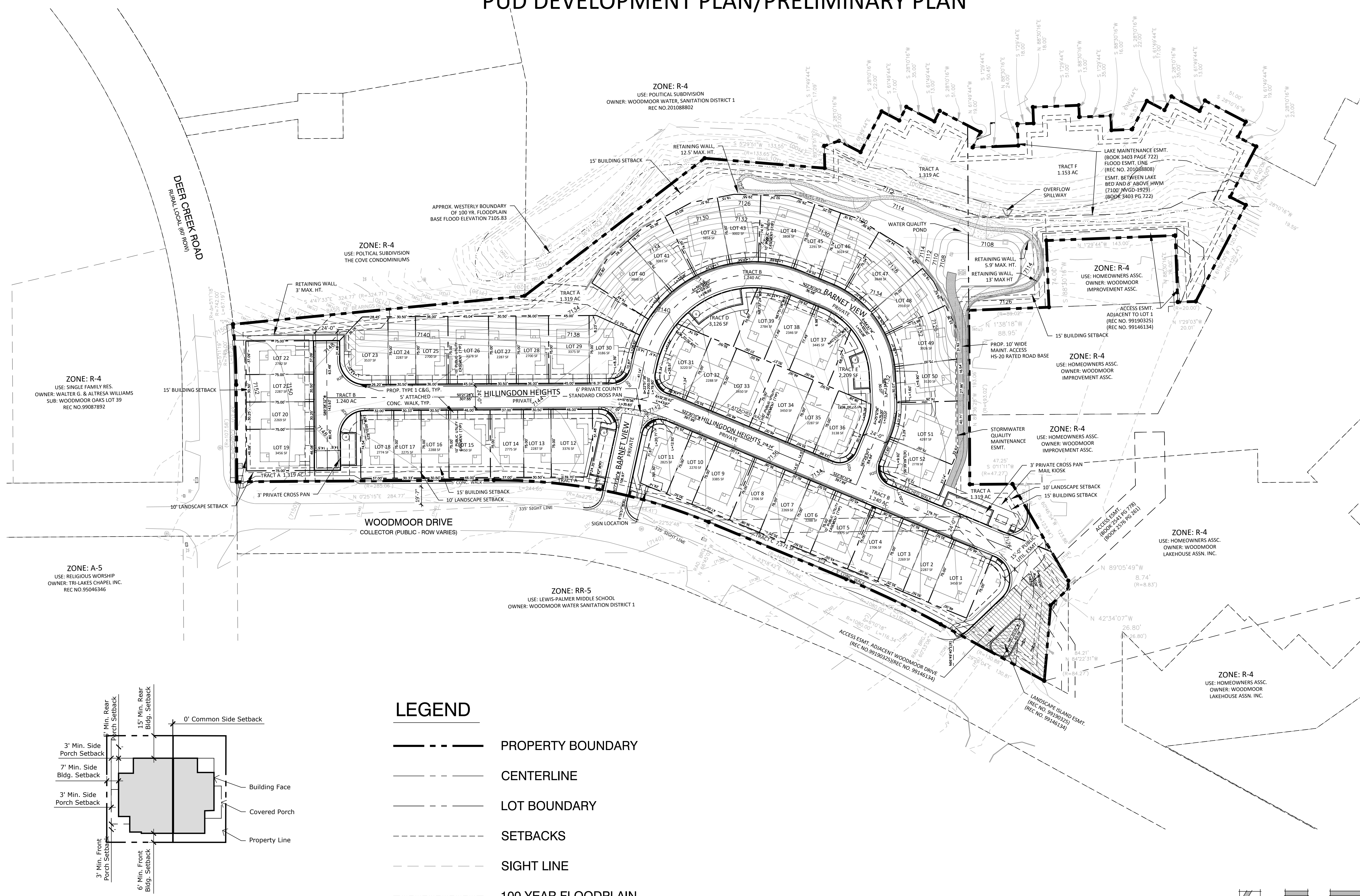
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1 OF 16

PUDSP-22-009

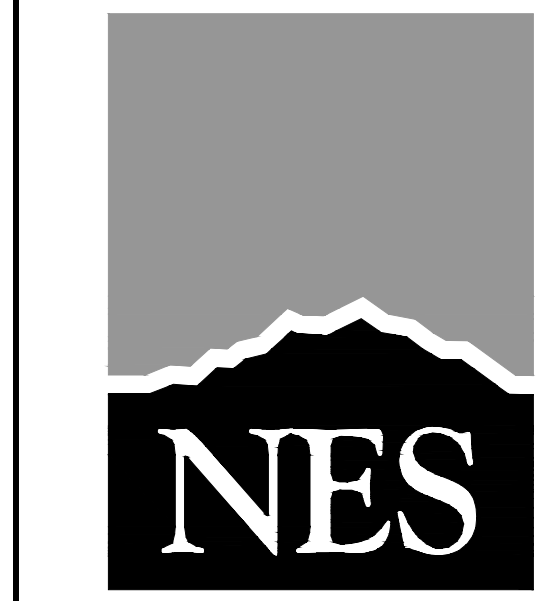
WATERSIDE AT LAKE WOODMOOR

SW 1/4 OF THE SE 1/4 OF SECTION 11 TOWNSHIP 11 SOUTH, RANGE 67 WEST, 6TH
 PRINCIPAL MERIDIAN EL PASO COUNTY, COLORADO
 PUD DEVELOPMENT PLAN/PRELIMINARY PLAN



- ### LEGEND
- PROPERTY BOUNDARY
 - CENTERLINE
 - LOT BOUNDARY
 - SETBACKS
 - SIGHT LINE
 - 100 YEAR FLOODPLAIN

1 TYPICAL LOT SETBACK DIAGRAM
 SCALE: 1" = 30'



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WATERSIDE AT LAKE WOODMOOR
 PUD DEVELOPMENT PLAN/
 PRELIMINARY PLAN
 WOODMOOR DRIVE
 MONUMENT, CO

DATE: 07/15/2022
 PROJECT MGR: A. BARLOW
 PREPARED BY: B. SWENSON

DATE:	BY:	DESCRIPTION:
9/23/2022	JS	PER COUNTY COMMENTS
02/17/2023	JS	PER COUNTY COMMENTS
04/6/2023	JS	PER COUNTY COMMENTS

PUD SITE PLAN

2

2 OF 16

PUDSP-22-009

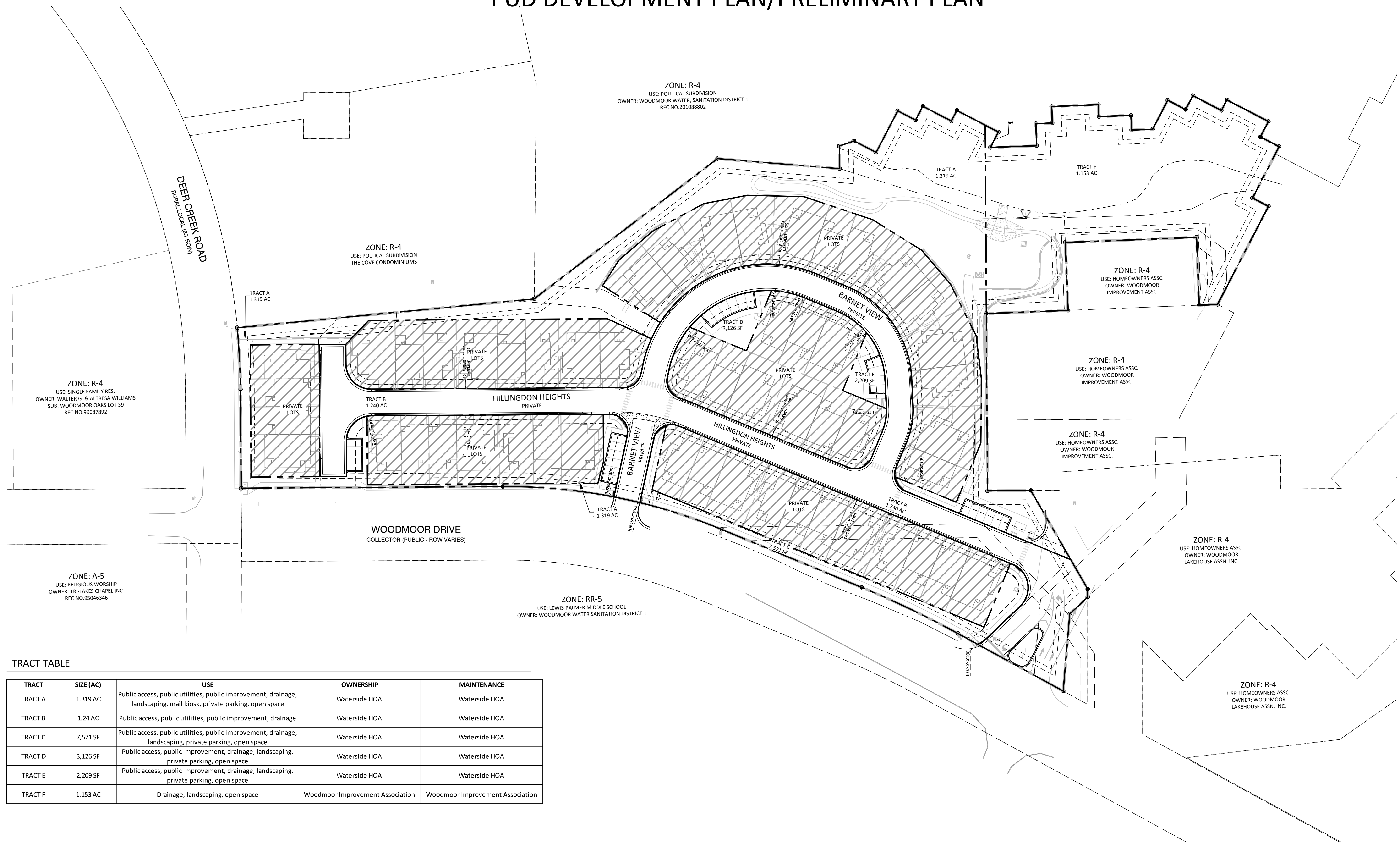
U:\Projects\Waterside\Drawings\Planning\Development\Waterside\02_DSR\DWG [SITE PLAN]_4/7/2023 2:18:44 PM [revision]

WATERSIDE AT LAKE WOODMOOR

SW $\frac{1}{4}$ OF THE SE $\frac{1}{4}$ OF SECTION 11 TOWNSHIP 11 SOUTH, RANGE 67 WEST, 6TH
PRINCIPAL MERIDIAN EL PASO COUNTY, COLORADO
PUD DEVELOPMENT PLAN/PRELIMINARY PLAN



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TRACT TABLE

TRACT	SIZE (AC)	USE	OWNERSHIP	MAINTENANCE
TRACT A	1.319 AC	Public access, public utilities, public improvement, drainage, landscaping, mail kiosk, private parking, open space	Waterside HOA	Waterside HOA
TRACT B	1.24 AC	Public access, public utilities, public improvement, drainage, landscaping, private parking, open space	Waterside HOA	Waterside HOA
TRACT C	7,571 SF	Public access, public utilities, public improvement, drainage, landscaping, private parking, open space	Waterside HOA	Waterside HOA
TRACT D	3,126 SF	Public access, public improvement, drainage, landscaping, private parking, open space	Waterside HOA	Waterside HOA
TRACT E	2,209 SF	Public access, public improvement, drainage, landscaping, private parking, open space	Waterside HOA	Waterside HOA
TRACT F	1.153 AC	Drainage, landscaping, open space	Woodmoor Improvement Association	Woodmoor Improvement Association

WATERSIDE AT LAKE WOODMOOR

PUD DEVELOPMENT PLAN/
PRELIMINARY PLAN
WOODMOOR DRIVE
MONUMENT, CO

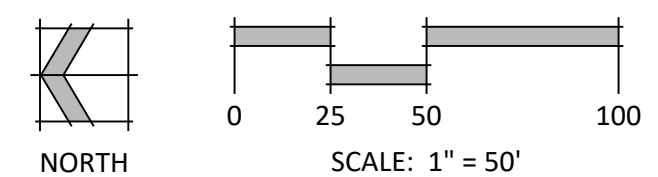
DATE: 07/15/2022
PROJECT MGR: A. BARLOW
PREPARED BY: B. SWENSON

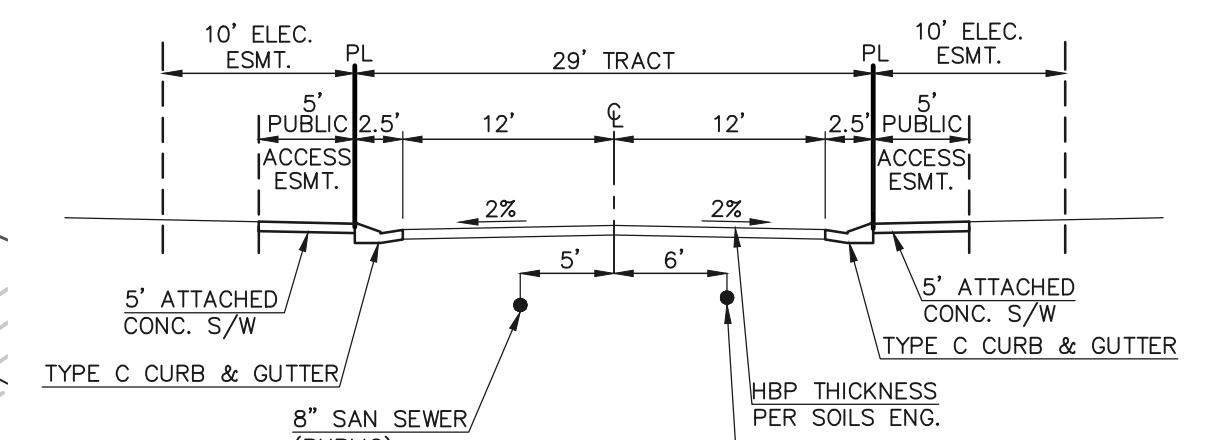
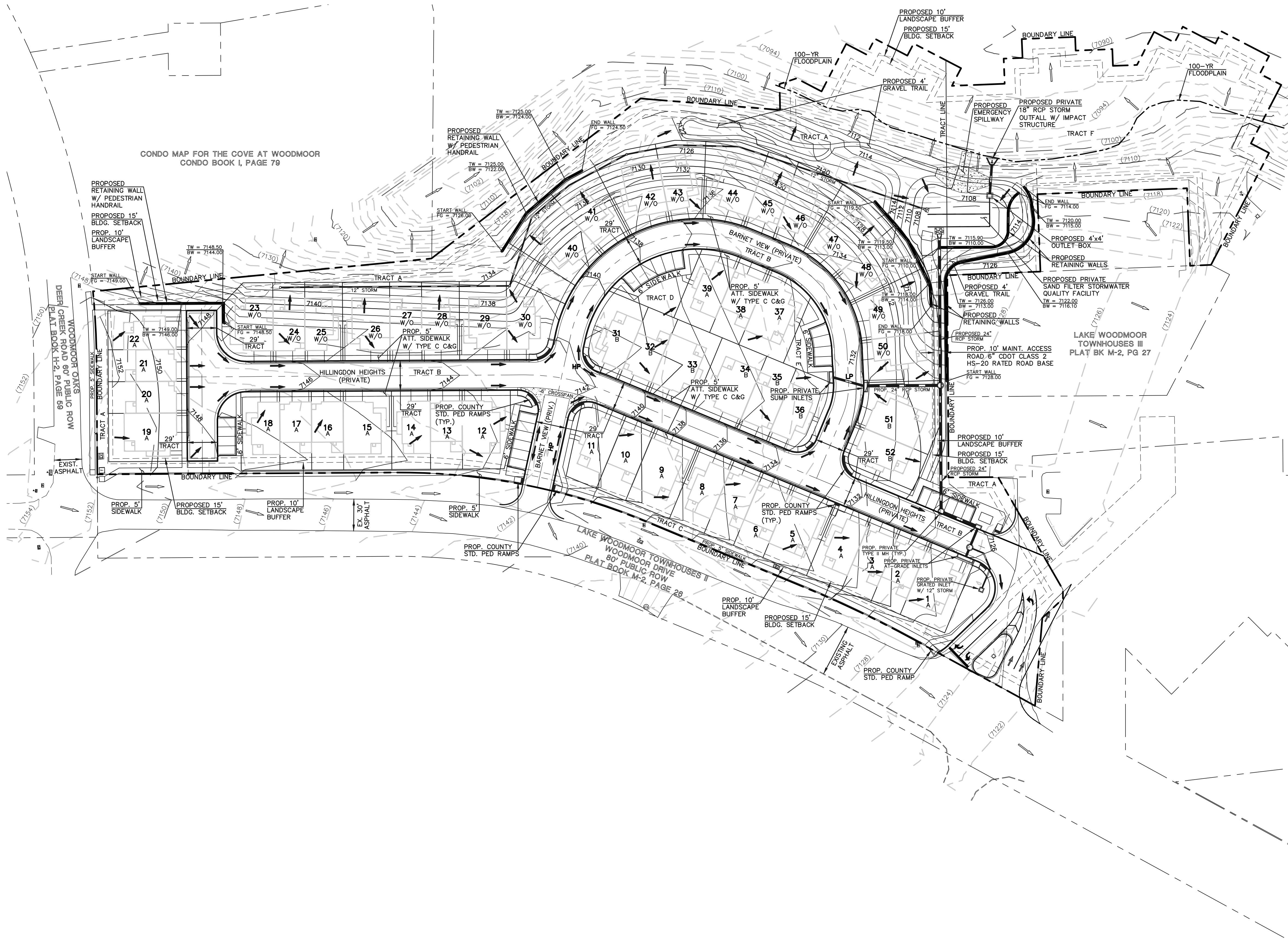
PUD SITE PLAN

3

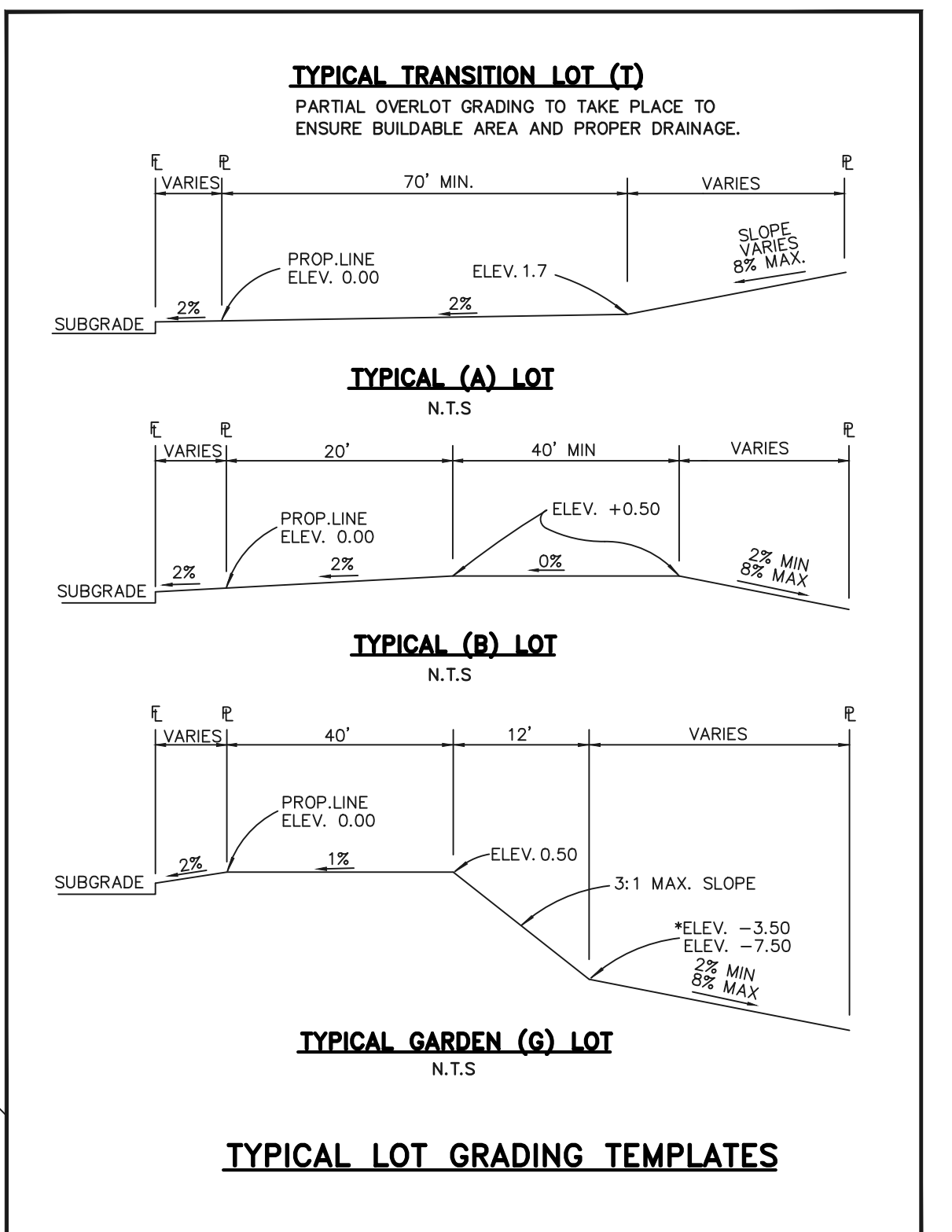
3 OF 16

PUDSP-22-009



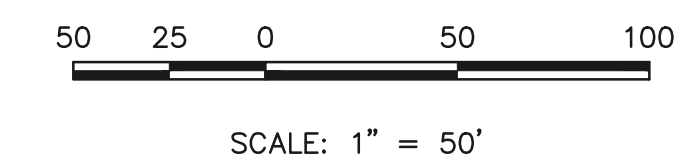
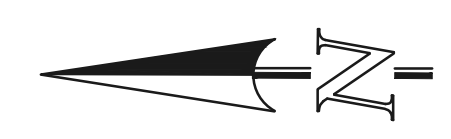


TYPICAL SECTION - PRIVATE ROADWAY TRACT
 SCALE: 1" = 10'
 -HILLGOND HEIGHTS - URBAN LOCAL ROADWAY (MIN. 200' CL RADIUS)
 -BARNET VIEW BETWEEN WOODMOOR DRIVE AND HILLGOND HEIGHTS - URBAN LOCAL ROADWAY (MIN. 200' CL RADIUS)
 -BARNET VIEW EAST OF HILLGOND HEIGHTS - URBAN LOCAL (LOW VOLUME) (MIN 100' CL RADIUS)



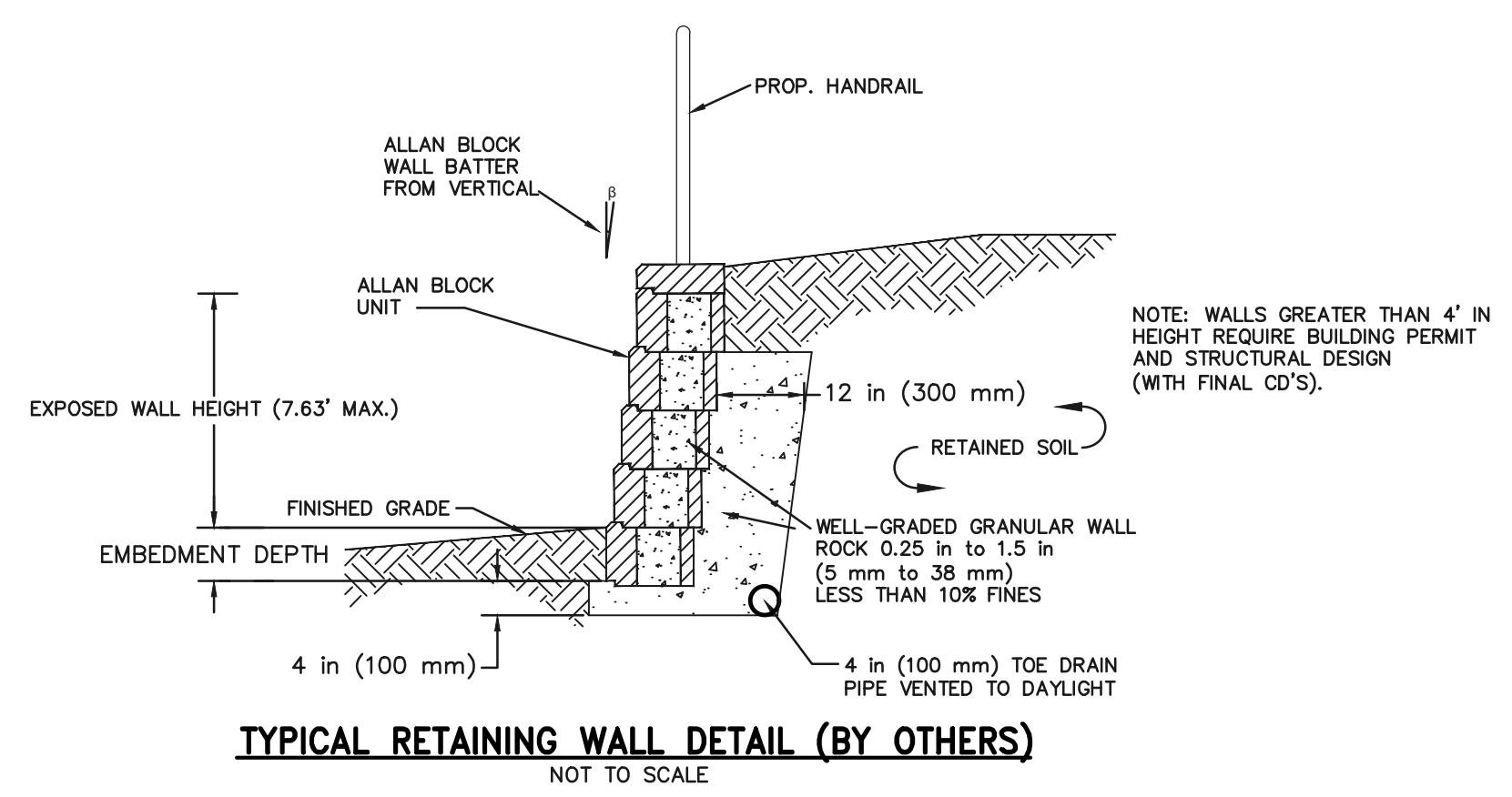
NOTE:
 OVERLOT GRADING WILL NOT EXCEED THE 25 ACRES ALLOWED BY CODE

NOTE:
 TYPICAL CUT/FILL SLOPES SHOWN @ 4:1 UNLESS OTHERWISE LABELED.



LEGEND

PROPOSED CONTOUR-10		SILT FENCE	
PROPOSED CONTOUR-2		VEHICLE TRACKING CONTROL	
EXISTING CONTOUR-10		ROCK CHECK DAM	
EXISTING CONTOUR-2		INLET PROTECTION	
DIRECTION OF FLOW			
HIGH POINT	H.P.		
LOW POINT	L.P		
A LOT	(A)	SILT FENCE	
B LOT	(B)	LIMIT OF DISTURBANCE	
GARDEN LOT	(G)		
TRANSITION LOT	(T)		



Land Planning
 Landscape Architecture
 Urban Design

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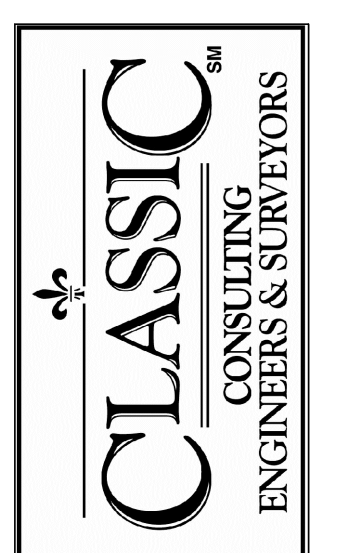
Waterside Townhomes Preliminary/Final PUD Site Plan
 Monument, Colorado

DATE: MAY 24, 2023
 PROJECT MGR: K. Campbell
 PREPARED BY: L. Bowersock

DATE:	BY:	DESCRIPTION:

PRELIMINARY GRADING PLAN

4
 OF 16



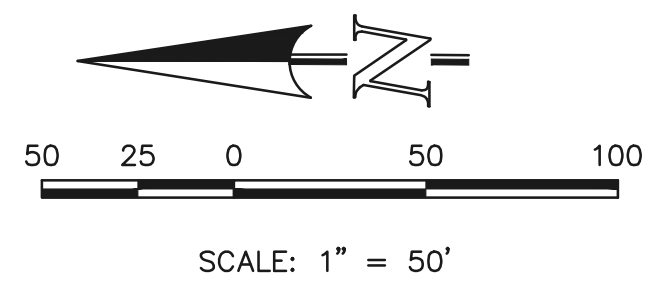
WATERSIDE TOWNHOMES
Preliminary/Final
PUD Site Plan

Monument, Colorado

DATE: 07/29/21
PROJECT MGR: M. Whorton
PREPARED BY: R. Aragon

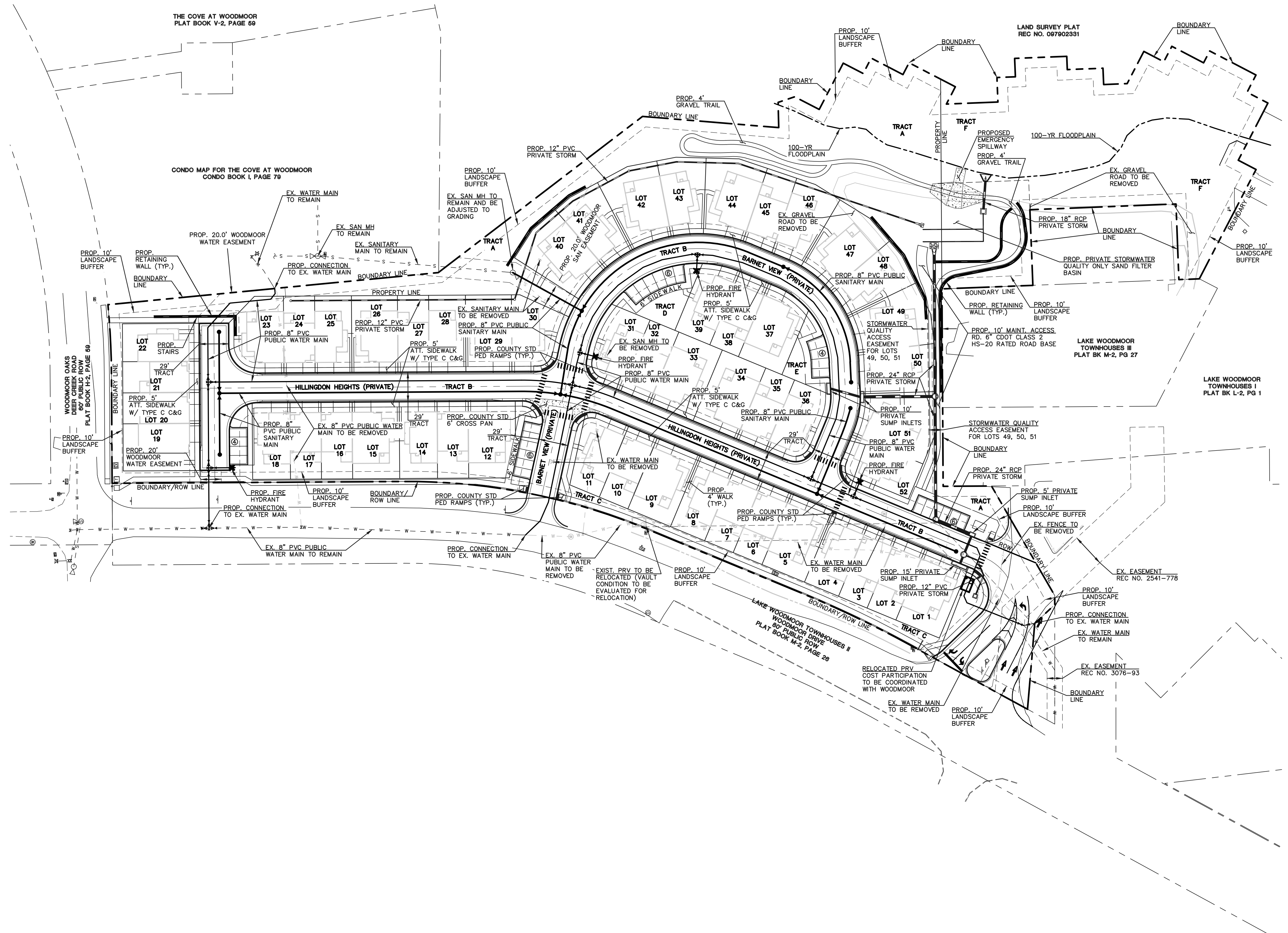
NOTES:

1. THE UTILITY SIZES SHOWN HEREON ARE PRELIMINARY AND SUBJECT TO CHANGE DURING THE FINAL DESIGN PROCESS.
2. ALL PROPOSED ROADWAYS SHOWN HEREON ARE PRIVATE.
3. ALL WATER AND SEWER LINES SHOWN HEREON ARE 8" DIAMETER UNLESS LABELED OTHERWISE.
4. FIRE HYDRANT LATERALS ARE 6" DIA.
5. ALL LOTS PLATTED WITH 5' SIDE YARD UTILITY EASEMENTS AND 5' FRONT AND 7' REAR YARD UTILITY EASEMENT, UNLESS OTHERWISE NOTED.
6. ALL CORNER LOTS PLATTED WITH 25' SIGHT TRIANGLE TO MEET TOWN STANDARDS UNLESS OTHERWISE SHOWN.
7. NO SEPARATE IRRIGATION TAPS FOR INDIVIDUAL LOTS
8. CURB AND GUTTER TRANSITIONS ARE TYPICAL AT 4-WAY AND TEE INTERSECTIONS OF RESIDENTIAL STREETS AND DOWN DRAINING CUL-DE-SACS.



LEGEND:

DESCRIPTION	SYMBOL
EXISTING FIRE HYDRANT	⊙
PROPOSED FIRE HYDRANT	⊛
PROPOSED WATER MAIN	—●—
PROPOSED SANITARY SEWER	—○—
BOUNDARY	—
PROPOSED STORM PIPE	—●—
EXISTING SANITARY	—○—
EXISTING WATER W/EX. VALVE	—○—



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SEAL
ISSUE INFO
SHEET NUMBER

DATE	BY	DESCRIPTION

PRELIMINARY UTILITY PLAN

5
OF 16

WATERSIDE AT LAKE WOODMOOR

EL PASO COUNTY, COLORADO

PUD DEVELOPMENT PLAN/PRELIMINARY PLAN



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LANDSCAPE NOTES

- ALL PRESERVATION AREAS CONTAINING VEGETATION DESIGNATED TO BE PRESERVED, SHALL BE FENCED OFF DURING CONSTRUCTION TO MINIMIZE DISTURBANCE IN THESE AREAS. ALL FENCING SHALL BE INSTALLED AROUND PRESERVED VEGETATION PRIOR TO ANY GRADING ON THE PROPERTY. A 4-FOOT, ORANGE, CONSTRUCTION SAFETY FENCE SHALL BE USED IN THIS APPLICATION.
- SOIL AMENDMENT - INCORPORATE 3 CUBIC YARDS/1000 S.F. AREA OF CLASS 2 A1 ORGANICS PREMIUM ORGANIC COMPOST ON TALL FESCUE SOD AREAS. INCORPORATE 2 CUBIC YARDS/1000 S.F. AREA OF CLASS 3 COMPOSTED COW MANURE (AGED 1 YEAR) ORGANIC COMPOST TO ALL SEED AREAS. AMENDMENTS MAY CHANGE TO BE BASED ON SOIL ANALYSIS OF FINAL INFILL.
- FOR GRADES REFER TO CIVIL ENGINEERING DRAWINGS.
- CONTRACTOR TO UTILIZE STOCKPILED TOPSOIL FROM GRADING OPERATION AS AVAILABLE. TILL INTO TOP 6" OF SOIL.
- CONTRACTOR TO APPLY EROSION CONTROL BLANKET TO ALL AREAS WITH 3:1 SLOPES.
- ALL SOD SHALL BE TALL FESCUE BLEND.
- NO SOD SHALL BE PLANTED ON SLOPES IN EXCESS OF 6:1 GRADIENT.
- FOR ALL SEED AREAS REFER TO SEED MIXES SPECIFIED ON THIS SHEET.
- ALL NATIVE SEED AREAS SHALL HAVE A TEMPORARY ABOVE-GROUND SPRAY IRRIGATION SYSTEM UTILIZED UNTIL SEED IS ESTABLISHED, AND ALL TREES AND SHRUBS WITHIN NATIVE SEED AREAS SHALL HAVE A PERMANENT DRIP IRRIGATION SYSTEM.
- A FULLY AUTOMATED SPRINKLER IRRIGATION SYSTEM WILL DRIP IRRIGATE ALL TREE, SHRUB, AND GROUND COVER PLANTINGS, AND SPRAY ALL TALL FESCUE SOD AND LOW ALTERNATIVE TURF AREAS. AN IRRIGATION PLAN WILL BE PREPARED AT A LATER DATE AND WILL INCLUDE AN IRRIGATION SCHEDULE THAT NOTES APPLICATION RATES BASED ON TURF TYPE, RATES FOR NEWLY INSTALLED PLANTS VS. ESTABLISHED PLANTS, AND GENERAL RECOMMENDATIONS REGARDING SEASONAL ADJUSTMENTS.
- NO TREES AND NO PLANTS OVER 2 FEET TALL SHALL BE INSTALLED WITHIN 5 FEET OF ANY FIRE HYDRANTS.
- ALL PLANTS TO RECEIVE 3 INCH DEPTH OF GORILLA HAIR SHREDDED CEDAR WOOD MULCH UNLESS OTHERWISE SPECIFIED. FOLLOW PLANTING DETAILS FOR MULCH RING DIMENSIONS WITHIN ROCK, SOD, OR SEED AREAS.
- COBBLE: 2-3" CRIPPLE CREEK ORE, AT 3-4" DEPTH, AT ALL INTERSECTION CORNERS BETWEEN HANDICAP RAMPS. INSTALL GEOTEXTILE FABRIC UNDER ALL COBBLE AREAS.
- GRAVEL ROCK: 3/4" CIMARRON GRANITE, AT 3-4" DEPTH. INSTALL GEOTEXTILE FABRIC UNDER ALL ROCK AREAS.
- ALL SHRUB BEDS TO BE ENCLOSED BY SOLID STEEL EDGING, AS A SEPARATOR FROM SOD, SEED, AND ALTERNATIVE TURF. SEPARATION BETWEEN SOD AND SEED, AND BETWEEN ALTERNATIVE TURF AND SEED SHALL BE A MOWED STRIP, WITHOUT STEEL EDGING.
- SCHEDULE PLANTS SIZES IN TABLE ARE SUGGESTED. PLANTS TO BE CONSIDERED FOR FULFILLING COUNTY LANDSCAPE REQUIREMENTS SHALL HAVE A MINIMUM CALIPER SIZE (MEASURED SIX INCHES ABOVE GROUND) FOR DECIDUOUS SHADE TREES SHALL BE 1-1/2 INCHES AND FOR DECIDUOUS ORNAMENTAL TREES 1 INCH. EVERGREEN TREES SHALL BE A MINIMUM OF 6 FEET IN HEIGHT ABOVE GROUND. SHRUBS SHALL BE A MINIMUM OF 5 GALLON SIZE.
- ALL PLANTS SHOWN IN PRELIMINARY LANDSCAPE PLAN ARE FULFILLING A COUNTY LANDSCAPE REQUIREMENT. ADDITIONAL AND INTERIOR PLANTING WILL BE SHOWN IN FINAL LANDSCAPE PLAN.
- ANY FIELD CHANGES OR DEVIATIONS TO THESE PLANS WITHOUT PRIOR COUNTY APPROVAL OF AN AMENDED SITE DEVELOPMENT PLAN MAY RESULT IN A DELAY OF FINAL APPROVAL AND ISSUANCE OF A CERTIFICATE OF OCCUPANCY.
- THESE PLANS ARE FOR COUNTY APPROVALS ONLY AND ARE NOT TO BE UTILIZED FOR CONSTRUCTION.
- ANY OBJECT WITHIN THE SIGHT DISTANCE TRIANGLE OR EASEMENT MORE THAN 30 INCHES ABOVE THE FLOWLINE ELEVATION OF THE ADJACENT ROADWAY SHALL CONSTITUTE A SIGHT OBSTRUCTION, AND SHALL BE REMOVED OR LOWERED. THE OBJECTS MAY INCLUDE BUT ARE NOT LIMITED TO BERMS, BUILDINGS, PARKED VEHICLES ON PRIVATE PROPERTY, CUT SLOPES, HEDGES, TREES, BUSHES, UTILITY CABINETS OR TALL CROPS. TREES MAY BE PERMITTED AT THE DISCRETION OF THE ECM ADMINISTRATOR IF PRUNED TO AT LEAST 8 FEET ABOVE THE FLOWLINE ELEVATION OF THE ADJACENT ROADWAY.

LANDSCAPE REQUIREMENTS

Landscape Setbacks See code section 6.2.2.B.1

Street Name	Street Classification	Width Required	Linear Footage	Tree/Feet Required	Trees Req./Pov.	Setback Abbr. Denoted on Plan
Woodmoor Drive	Non-Arterial	15'	834'	1 / 15'	56/57	WD
Deer Creek Road	Non-Arterial	10'	175'	1 / 30'	8/8	DC

PROJECT TEAM

OWNER/APPLICANT: Lake Woodmoor Holdings LLC
1755 Telstar Drive, Suite 211
Colorado Springs, CO 80920

PLANNING/
LANDSCAPE ARCHITECTURE: NES Inc.
619 N. Cascade Ave., Suite 200
Colorado Springs, CO 80903

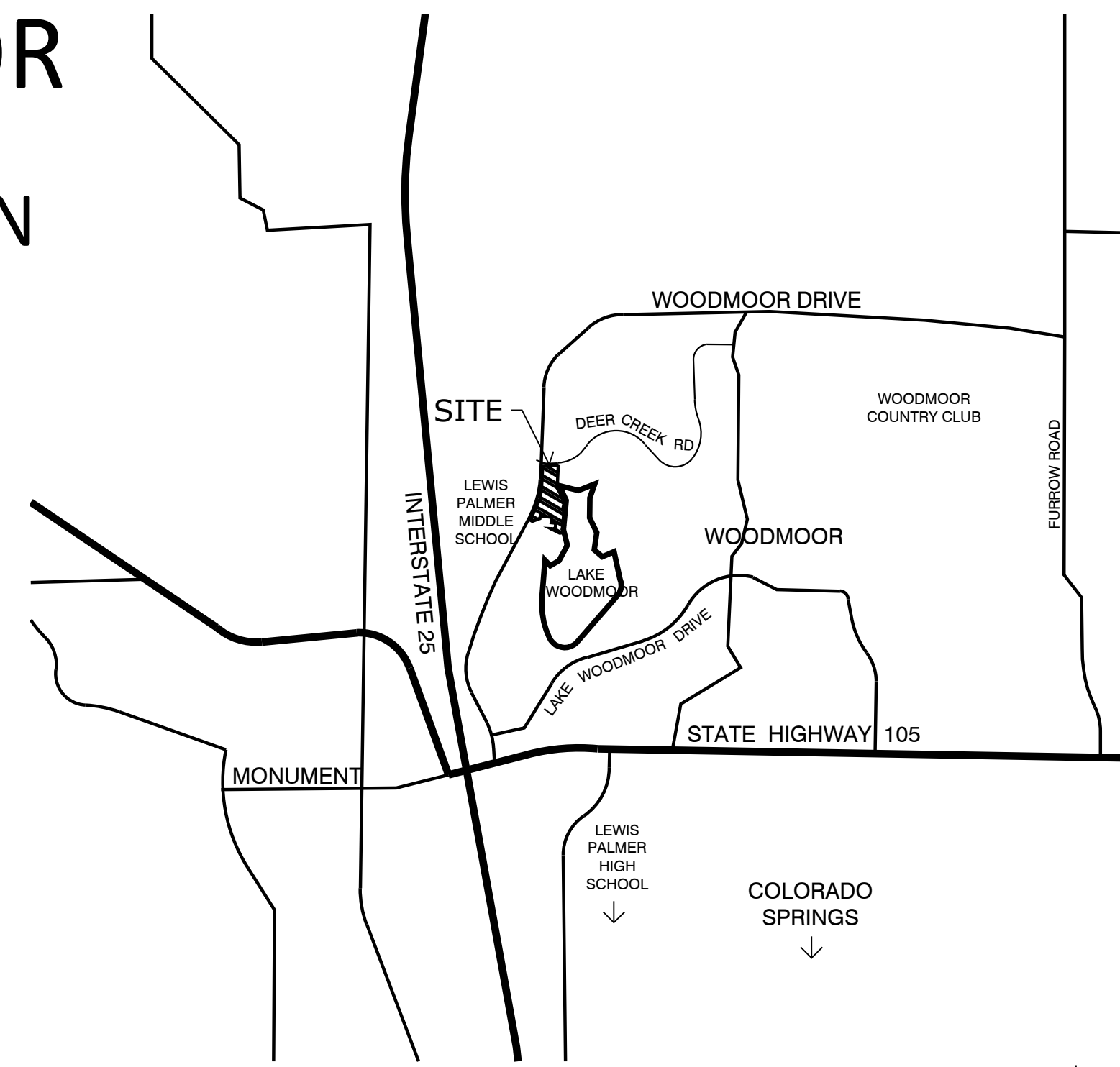
CIVIL ENGINEER: Classic Engineering
619 N. Cascade Ave., Suite 200
Colorado Springs, CO 80903

PLANT SCHEDULE

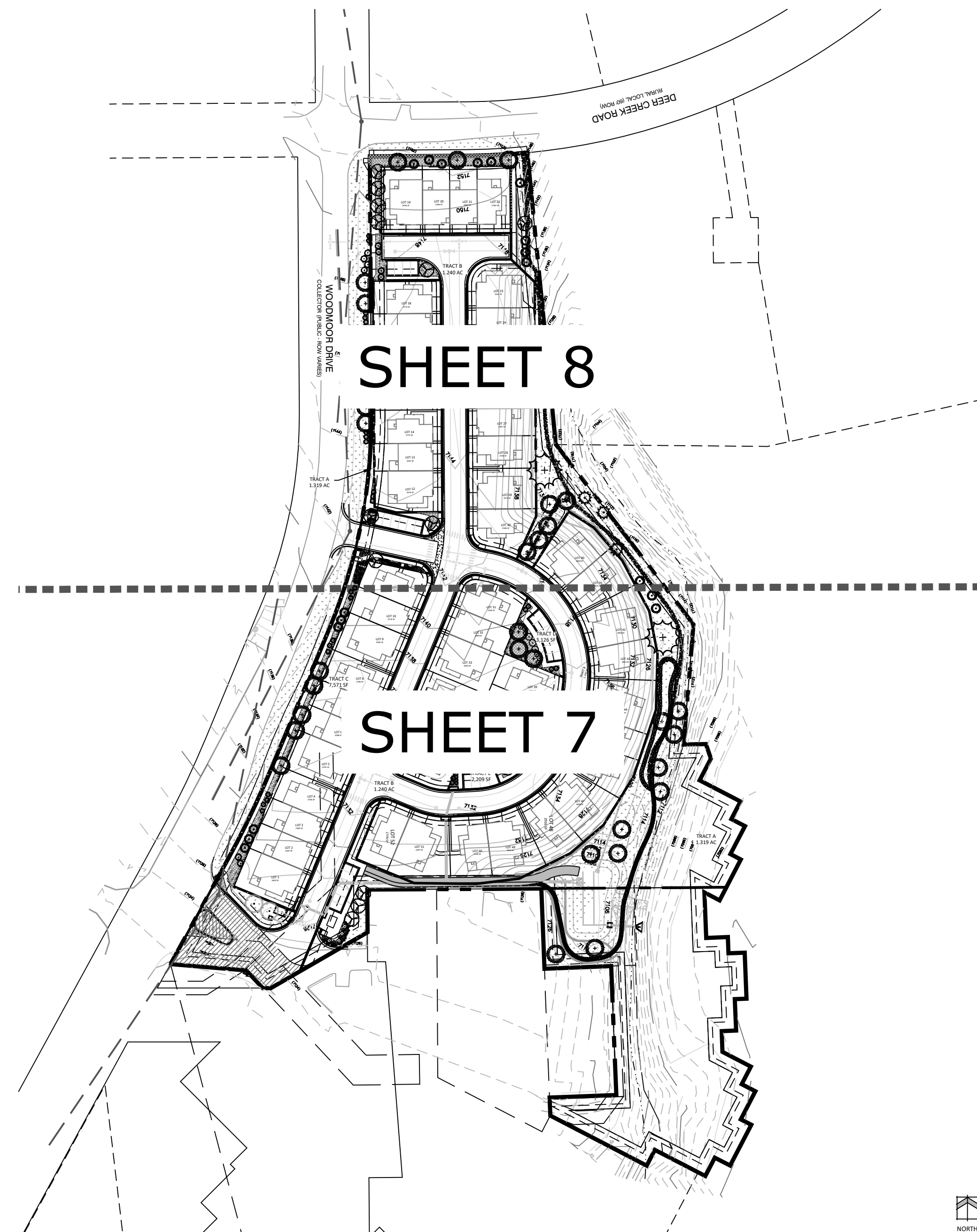
DECIDUOUS TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Pe	18	Populus tremula 'Erecta' / European Columnar Aspen	35'	10'	1.5" Cal.	B&B
	Pt	36	Populus tremuloides / Quaking Aspen	40'	20'	1.5" Cal.	B&B
EVERGREEN TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Jb	10	Juniperus chinensis 'Blue Point' / Blue Point Juniper	12'	8'	6"	CONT
	Ped	3	Pinus edulis / Pinon Pine	25'	20'	6"	B&B
	Pa	31	Pinus nigra 'Arnold Sentinel' / Arnold Sentinel Austrian Pine	20'	5'	6"	B&B
	Ppo	2	Pinus ponderosa / Ponderosa Pine	80'	40'	6"	B&B
ORNAMENTAL TREES	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Mp	13	Malus x 'Prairifire' / Prairifire Crab Apple	20'	20'	1.5" Cal.	B&B
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Dxc	24	Daphne x burkwoodii 'Carol Mackie' / Carol Mackie Daphne	5'	5'	5 GAL	CONT
	Jg	28	Juniperus communis 'Green Carpet' / Green Carpet Common Juniper	1'	3'	5 GAL	CONT
	Jsm	3	Juniperus scopulorum 'Moonglow' / Moonglow Juniper	15'	8'	6"	CONT
	Pp2	7	Potentilla fruticosa 'Goldfinger' / Goldfinger Bush Cinquefoil	3'	3.5'	5 GAL	CONT
ANNUALS/PERENNIALS	CODE	QTY	BOTANICAL / COMMON NAME	HEIGHT	WIDTH	SIZE	COND
	Ec	22	Eriophyllum confertiflorum / Golden Yarrow	2'	2'	1 GAL	CONT
	Rcp	40	Ratibida columnifera pulcherrima / Red Prairie Coneflower	2'	2'	1 GAL	CONT

GROUND COVER SCHEDULE

	EXISTING TREE	2
	NATIVE SEED MIX Arkansas Valley Low Grow Mix Drill Seeded at 25 LBS/AC 30% Ephraim Crested Wheatgrass 25% Sheep Fescue 20% Perennial Rye 15% Chewings Fescue	58,243 sf
	ROCK MULCH PLANTING BED 3/4" Mountain Granite	8,823 sf
	CRUSHED FINE BREEZE	5,662 sf



VICINITY MAP



LANDSCAPE SHEET KEY MAP

PLANNER / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH

PROJECT INFO

SEAL

ISSUE INFO

ISSUE / REVISION

SHEET TITLE

SHEET NUMBER

WATERSIDE
AT LAKE
WOODMOOR
PUD DEVELOPMENT PLAN/
PRELIMINARY PLAN
WOODMOOR DRIVE
MONUMENT, CO

DATE: 02/17/2023
PROJECT MGR: A. BARLOW
PREPARED BY: B. SWENSON

ISSUE: 02/17/2023 JS
DATE: JS
DESCRIPTION: PER COUNTY COMMENTS

LANDSCAPE COVER
AND NOTES

6

6 OF 15



N.E.S. Inc.
619 N. Cascade Avenue, Suite 200
Colorado Springs, CO 80903

Tel. 719.471.0073
Fax 719.471.0267

www.nescolorado.com

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PLANNER / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH

**WATERSIDE
AT LAKE
WOODMOOR**
PUD DEVELOPMENT PLAN/
PRELIMINARY PLAN
WOODMOOR DRIVE
MONUMENT, CO

DATE: 02/17/2023
PROJECT MGR: A. BARLOW
PREPARED BY: B. SWENSON

SEAL

ISSUE INFO

ISSUE:	DATE:	DESCRIPTION:
02/17/2023 JS		PER COUNTY COMMENTS

ISSUE / REVISION

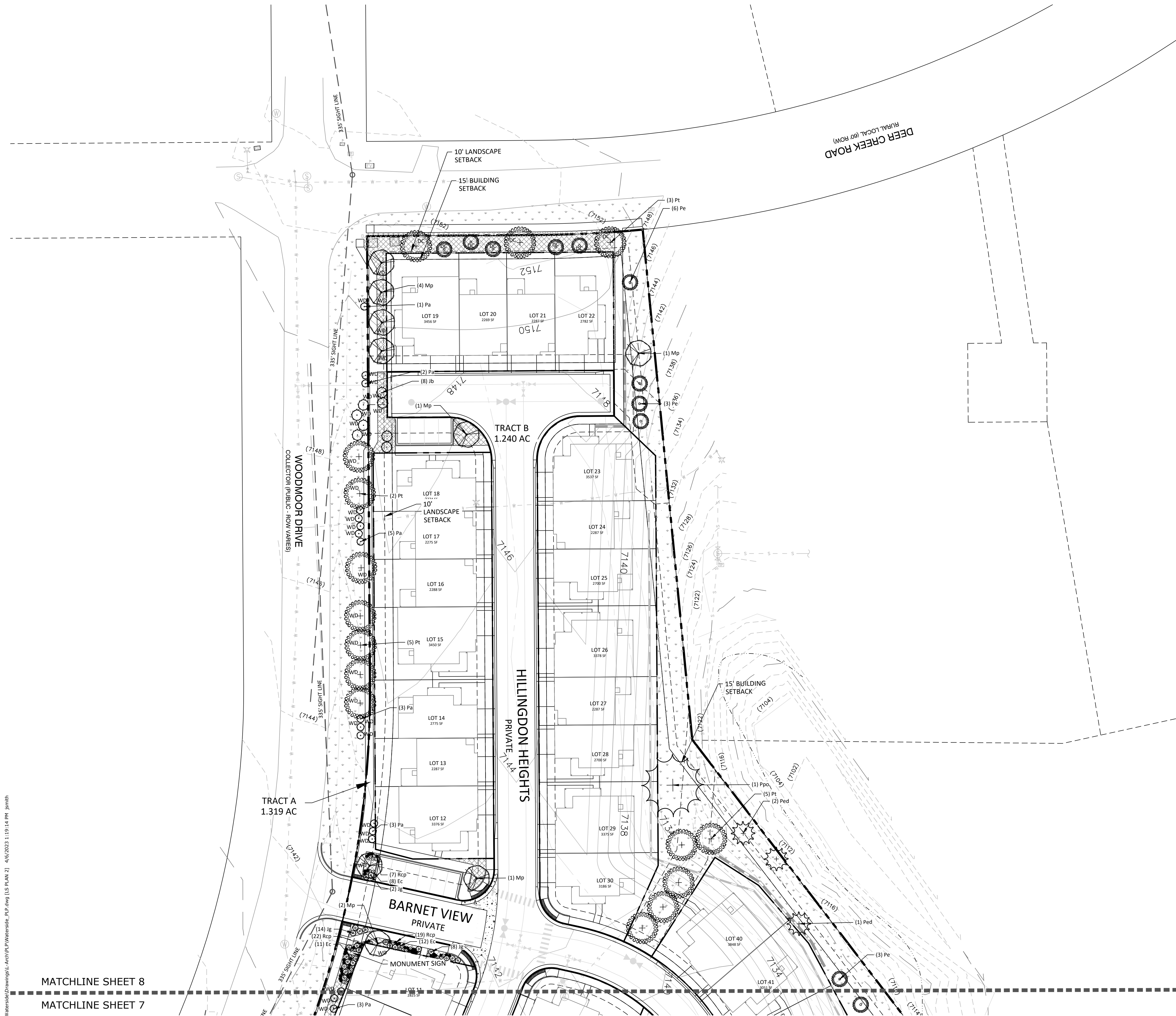
LANDSCAPE PLAN

SHEET TITLE

8

SHEET NUMBER

8 OF 16

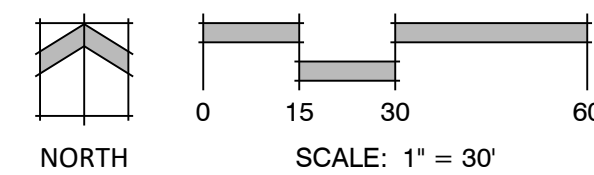


GROUND COVER SCHEDULE

	EXISTING TREE	2
	NATIVE SEED MIX Arkansas Valley Low Grow Mix Drill Seeded at 25 LBS/AC 30% Ephraim Crested Wheatgrass 25% Sheep Fescue 20% Perennial Rye 15% Chewings Fescue	58,243 sf
	ROCK MULCH PLANTING BED 3/4" Mountain Granite	8,823 sf
	CRUSHED FINE BREEZE	5,662 sf

MATCHLINE SHEET 8

MATCHLINE SHEET 7



NORTH BAY AT LAKE WOODMOOR
EL PASO COUNTY, COLORADO
PUD DEVELOPMENT PLAN



FRONT ELEVATION 'A'

SCALE: 1/4" = 1'-0"



FRONT ELEVATION 'B'

SCALE: 1/4" = 1'-0"

3-2 DUPLEX | FRONTS
BACKYARD VILLAS | JM WESTON
COLORADO SPRINGS, COLORADO

NOTE: SQUARE FOOTAGE MAY VARY BASED ON CALCULATION METHODS

THESE DRAWINGS ARE INTENDED FOR DESIGN DEVELOPMENT AND PRELIMINARY STUDIES ONLY AND ARE NOT TO BE USED FOR ANY OTHER PURPOSE, SUCH AS FINAL PLOTTING OR FINAL ENGINEERING. COPYRIGHT WOODLEY ARCHITECTURAL GROUP, INC. THESE DRAWINGS MAY NOT BE USED OR DUPLICATED WITHOUT THE EXPRESS WRITTEN PERMISSION OF WOODLEY ARCHITECTURAL GROUP, INC.

NORTH BAY AT LAKE WOODMOOR
EL PASO COUNTY, COLORADO
PUD DEVELOPMENT PLAN



RIGHT ELEVATION 'B'

SCALE: 1/4" = 1'-0"



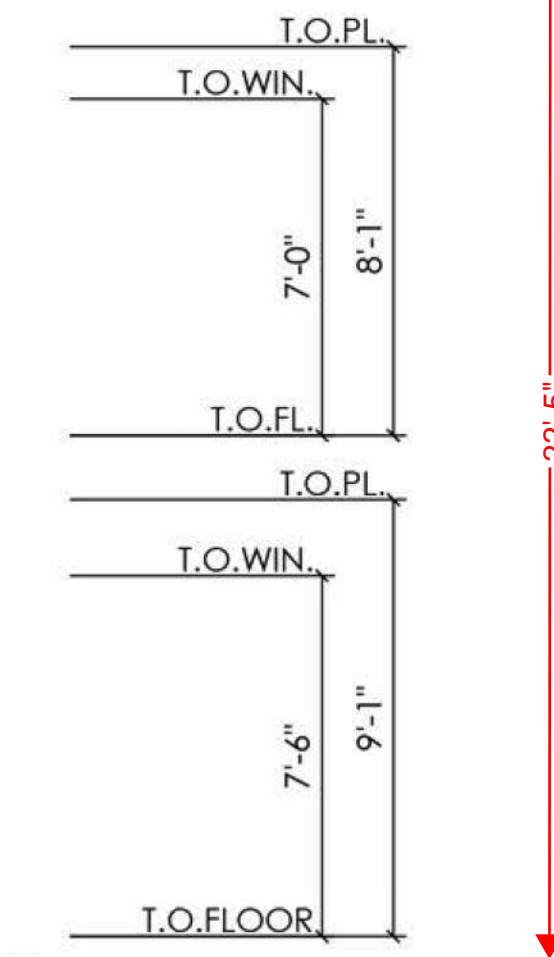
LEFT ELEVATION 'B'

SCALE: 1/4" = 1'-0"



REAR ELEVATION 'B'

SCALE: 1/4" = 1'-0"



MATERIAL NOTES

- ASPHALT ROOF SHINGLES
- 8" CEMENTITIOUS HORIZONTAL SIDING
- 4" CEMENTITIOUS HORIZONTAL SIDING
- WOOD TRIM
- WOOD POSTS
- CULTURED STONE VENEER

3-2 DUPLEX | CONCEPT ELEVATIONS 'B'
BACKYARD VILLAS | JM WESTON
COLORADO SPRINGS, COLORADO

NOTE: SQUARE FOOTAGE MAY VARY BASED ON CALCULATION METHODS

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NORTH BAY AT LAKE WOODMOOR
 EL PASO COUNTY, COLORADO
 PUD DEVELOPMENT PLAN



FRONT ELEVATION 'A'

SCALE: 1/4" = 1'-0"



FRONT ELEVATION 'B'

SCALE: 1/4" = 1'-0"

3-1-2 TRIPLEX | FRONTS
BACKYARD VILLAS | JM WESTON
 COLORADO SPRINGS, COLORADO

NOTE: SQUARE FOOTAGE MAY VARY BASED ON CALCULATION METHODS

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NORTH BAY AT LAKE WOODMOOR
 EL PASO COUNTY, COLORADO
 PUD DEVELOPMENT PLAN



RIGHT ELEVATION 'B'

SCALE: 1/4" = 1'-0"



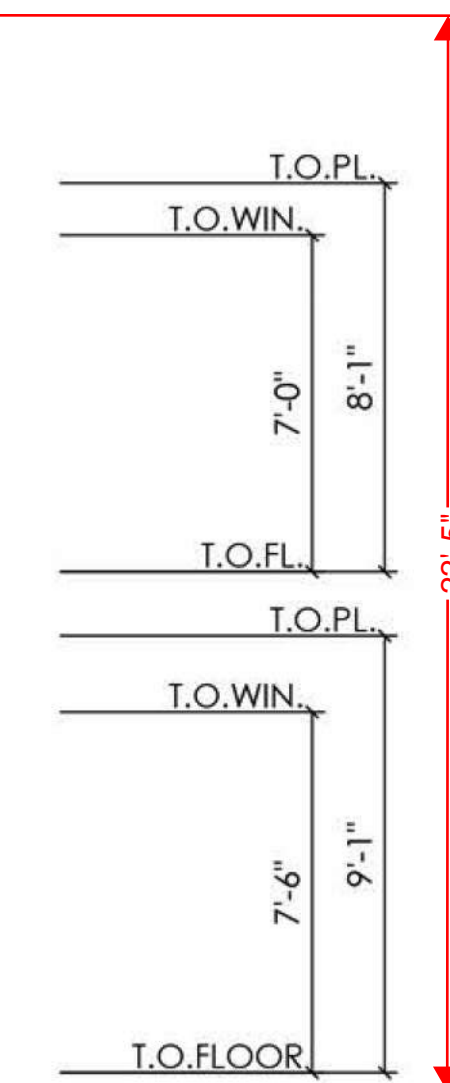
LEFT ELEVATION 'B'

SCALE: 1/4" = 1'-0"



REAR ELEVATION 'B'

SCALE: 1/4" = 1'-0"



MATERIAL NOTES

- ASPHALT ROOF SHINGLES
- 8" CEMENTITIOUS HORIZONTAL SIDING
- 4" CEMENTITIOUS HORIZONTAL SIDING
- WOOD TRIM
- WOOD POSTS
- CULTURED STONE VENEER

3-1-2 TRIPLEX | CONCEPT ELEVATIONS 'B'

BACKYARD VILLAS | JM WESTON
COLORADO SPRINGS, COLORADO

NOTE: SQUARE FOOTAGE MAY VARY BASED ON CALCULATION METHODS

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NORTH BAY AT LAKE WOODMOOR
EL PASO COUNTY, COLORADO
PUD DEVELOPMENT PLAN



FRONT ELEVATION 'A'

SCALE: 1/4" = 1'-0"



FRONT ELEVATION 'B'

SCALE: 1/4" = 1'-0"

3-1-1-2 FOUR PLEX | FRONTS
BACKYARD VILLAS | JM WESTON
COLORADO SPRINGS, COLORADO

NOTE: SQUARE FOOTAGE MAY VARY BASED ON CALCULATION METHODS

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NORTH BAY AT LAKE WOODMOOR
EL PASO COUNTY, COLORADO
PUD DEVELOPMENT PLAN



RIGHT ELEVATION 'B'

SCALE: 1/4" = 1'-0"



LEFT ELEVATION 'B'

SCALE: 1/4" = 1'-0"

22'-5"



REAR ELEVATION 'B'

SCALE: 1/4" = 1'-0"

T.O.PL.
T.O.WIN.
7'-0"
8'-1"
T.O.FL.
T.O.PL.
T.O.WIN.
7'-6"
9'-1"
T.O.FLOOR

MATERIAL NOTES

- ASPHALT ROOF SHINGLES
- 8" CEMENTITIOUS HORIZONTAL SIDING
- 4" CEMENTITIOUS HORIZONTAL SIDING
- WOOD TRIM
- WOOD POSTS
- CULTURED STONE VENEER

3-1-1-2 FOUR PLEX | CONCEPT ELEVATIONS 'B'

BACKYARD VILLAS | JM WESTON
COLORADO SPRINGS, COLORADO

NOTE: SQUARE FOOTAGE MAY VARY BASED ON CALCULATION METHODS

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WATERSIDE AT LAKE WOODMOOR

SW 1/4 OF THE SE 1/4 OF SECTION 11 TOWNSHIP 11 SOUTH, RANGE 67 WEST, 6TH PRINCIPAL MERIDIAN EL PASO COUNTY, COLORADO

PUD DEVELOPMENT PLAN/PRELIMINARY PLAN

LEGAL DESCRIPTION

ALL OF THE WATERSIDE CONDOMINIUMS SUBDIVISION, RECORDED IN PLAT BOOK 2, AT PAGE 47 RECORDS OF EL PASO COUNTY, COLORADO.

SITE DATA

Tax ID Number: 7111404112 through Tax ID Number 7111404194 (83)
 Area: 7.53 Acres, 327,959 S.F.
 Current Zoning: R-4
 Proposed Zoning: PUD
 Current Land Use: Vacant
 Proposed Land Use: Single Family: 3.46 AC (46%)
 Private Roads: 1.24 AC (16%)
 Open Space: 1.42 AC (19%)
 Woodmoor Improvement Association Land Dedication: 1.15 AC (15%)
 Lake Maintenance Easement: 0.26 AC (4%)

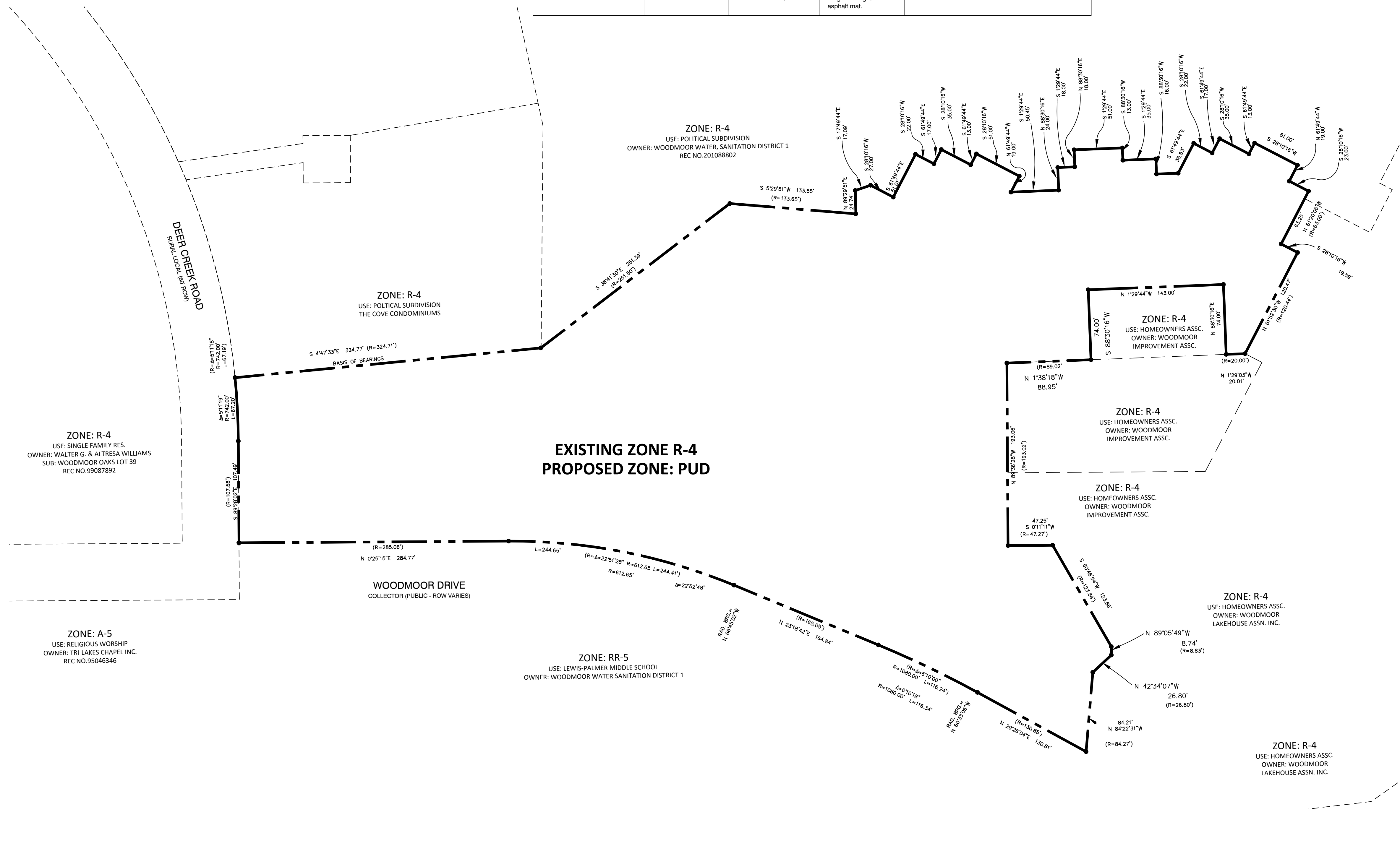
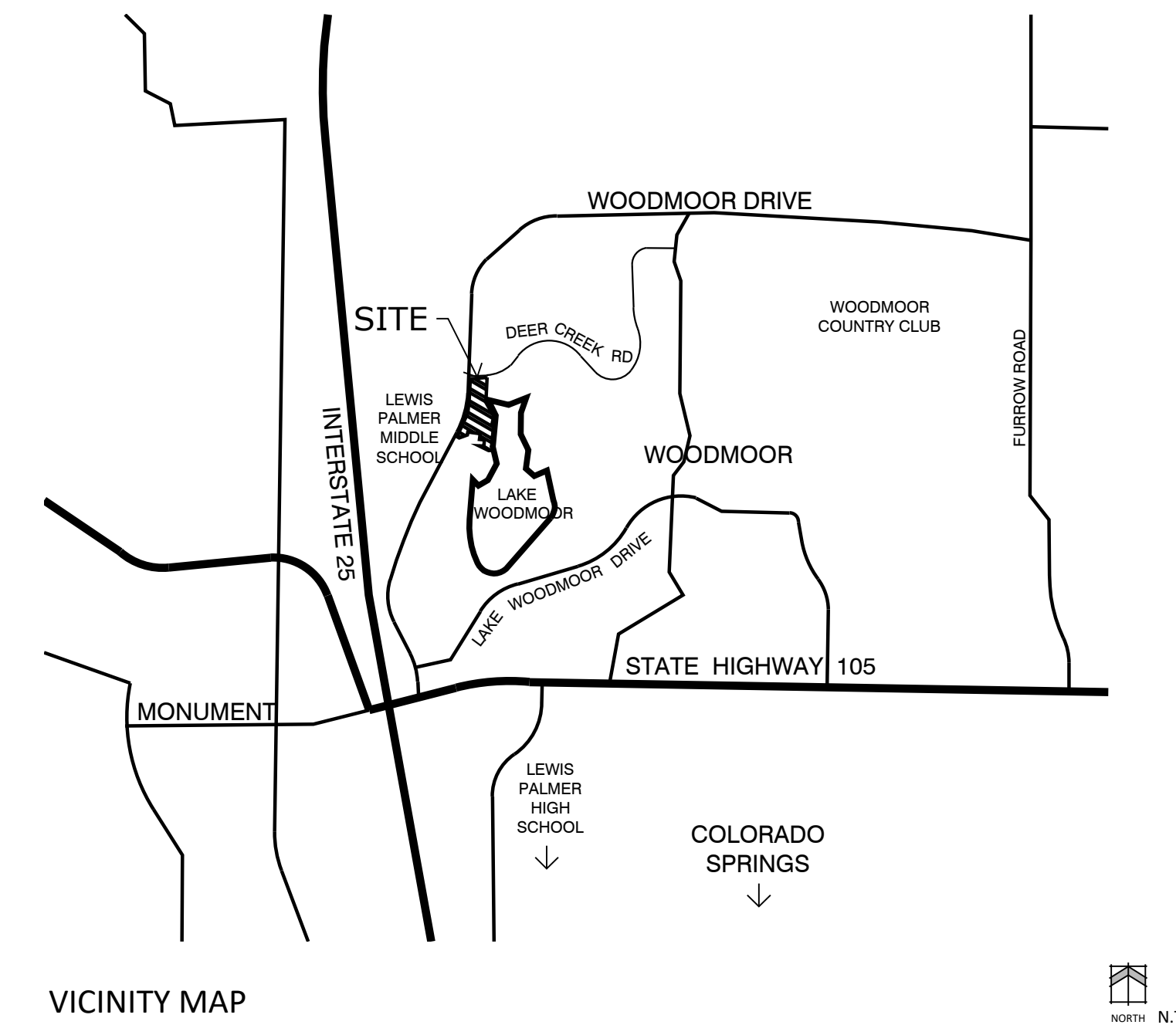
Number of Units: 52
 Density: Gross 6.9 DU/AC
 Net 8.5 DU/AC

Building Height: 30' Max.

PUD MODIFICATIONS

The Waterside PUD includes the following modifications to the El Paso County Land Development Code (LDC) and Engineering Criterial Manual (ECM):

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 proposed on the site. The private roads will be owned and maintained by the HOA.
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 and roadway terminations (see 3 an 4 below)	
3. ECM Section 2.2.4.B.7, Figure 2-17, ECM Table 2-7, and ECM 2.3.3.F.3 and standard detail SD_2-2	Typical Urban Local and Typical Urban Local (Low Volume) Cross Section	<ul style="list-style-type: none"> 50' public right of way with 30' asphalt mat (Local and Local Low Volume). Urban Local roadway asphalt width standard drawing (SP_2-2 (30' MAT)) 200' minimum length of centerline tangent between broken back corners. 	20' private tract with 24' asphalt mat (Local and Local Low Volume) with reduced tangent length between broken back curves.	A smaller private road cross-section tract versus ROW, narrower asphalt width (Urban Local (low volume)) asphalt width, compact road design, and the use of a turnaround will achieve the goal of providing both residents and emergency responder's access. ECM standard does not take into account reduction in speed due to the T-intersections associated with these very small turn-around areas. A standard cul-de-sac width is almost as wide as the parcel is in the location. Reduced tangent lengths between broken back curves are located on a small private looped roadway with only 16 lots utilizing the roadway.
4. ECM Section 2.3.8.A	Roadway Terminations	Urban Cul-de-Sac -Permanent hammerhead turnarounds not permitted	Permanent turnaround proposed on Hillingdon Heights using a 24' wide asphalt mat.	



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 Colorado Springs, CO 80903
 Tel. 719.471.0073
 Fax 719.471.0267
 www.nescolorado.com

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WATERSIDE AT LAKE WOODMOOR

PUD DEVELOPMENT PLAN/PRELIMINARY PLAN

WOODMOOR DRIVE
MONUMENT, CO

DATE: 07/15/2022
 PROJECT MGR: A. BARLOW
 PREPARED BY: B. SWENSON

DATE:	BY:	DESCRIPTION:
9/23/2022	JS	PER COUNTY COMMENTS
02/17/2023	JS	PER COUNTY COMMENTS
04/6/2023	JS	PER COUNTY COMMENTS

ZONING MAP

16

16 OF 16

PUDSP-22-009



April 19, 2023

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

RE: Waterside – PUD/SP
Sec. 11, Twp. 11S, Rng. 67W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 30430

To Whom It May Concern:

We have received updated information concerning the above-referenced proposal to subdivide a 7.5 +/- acre tract of land into 52 condominiums. This office has no record of any existing wells located on the property. According to the submittal, the proposed source of water supply and wastewater disposal is to be served by the Woodmoor Water and Sanitation District (“District”).

Water Supply Demand

The updated Water Supply Information Summary, Form No. GWS-76, provided with the submittal estimates a water demand of 0.269 acre-feet/year per household for a total of 52 household units. This equates to an anticipated annual water demand of 13.988 acre-feet/year for all combined units and uses. The proposal does not clearly define the amount of lawn and garden irrigation anticipated for each lot but does note that the water supply estimate accounts for some level of irrigation.

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 for the development continues to be Woodmoor Water and Sanitation District. The submittal included a letter of commitment, dated October 10, 2022 where the District conditionally commits to providing the development with 13.988 acre-feet per year. According to this office’s records, it appears that District has adequate water resources to serve 13.988 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 (<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

Pursuant to Section 30-28-136(1)(h)(II) C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing injury to decreed water rights, and the supply is expected to be adequate. The applicant should be expected to finalize the water supply commitment with the District prior to final approval from the County. Should you or the applicant have questions regarding any of the above, please feel free to contact me directly.

Sincerely,



Ivan Franco, P.E.
Water Resource Engineer

cc: Division 2 Engineer
District 10 Water Commissioner

County Attorney

Kenneth R. Hodges, County Attorney
719-520-6485
Centennial Hall
200 S. Cascade, Suite 150
Colorado Springs, CO 80903
www.ElPasoCo.com

Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

December 9, 2022

PUD-SP-22-9 Waterside at Lake Woodmoor
Combined PUD/Preliminary Plan

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a Planned Unit Development/Preliminary Plan proposal by Lake Woodmoor Holdings, LLC (“Applicant”), to subdivide an approximately 7.53 +/- acre tract of land into 52 townhome lots (the “Property”). The property is zoned R-4 (Residential Planned Development District) but is requesting a rezone to PUD (Planned Unit Development).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the subdivision demand is 13.988 acre-feet/year for 52 lots which includes irrigation. Based on this figure, the Applicant must be able to provide a supply of 4,196 acre-feet of water (13.988 acre-feet per year x 300 years) to meet the County’s 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Woodmoor Water and Sanitation District (“District”). As detailed in the *Water Resources Report* dated November 17, 2022 (“Report”), the average daily use for each of the 52 lots will be 0.269 acre-feet per dwelling unit/year for a total water demand of 13.988 acre-feet/year.

ASSISTANT COUNTY ATTORNEYS

NATHAN J. WHITNEY
CHRISTOPHER M. STRIDER

STEVEN A. KLAFFKY
TERRY A. SAMPLE

LORI L. SEAGO
DOREY L. SPOTTS

BRYAN E. SCHMID
STEVEN W. MARTYN

4. The District's Manager provided a letter of commitment for Waterside at Lake Woodmoor dated October 10, 2022, in which the District Manager stated that the development is located within the service boundaries of the District which is committed to providing water service to the 52 multi-family units in the amount of 13.988 acre-feet per year. The Manager further outlines two conditions, 1) the Developer must enter into an agreement with the District for Supplemental Water Service at the District Board's sole and absolute discretion, and; 2) the development must comply with all District rules, regulations and policies.

State Engineer's Office Opinion

5. In a letter dated August 12, 2022, the State Engineer reviewed the proposal to subdivide the 7.5 +/- acre parcel into 52 household units. The State Engineer stated that the "proposed source of water supply and wastewater disposal is to be served by Woodmoor Water and Sanitation District." The State Engineer indicates the correct number of lots as 52; however, their letter goes on to indicate the project has a water demand of 17.784 acre-feet/year.¹ The State Engineer indicates they received a letter of commitment dated May 11, 2022 from the District which did not indicate a specific commitment volume for the development.² Further, the State Engineer states that "[a]ccording to this office's records, it appears that District has adequate water resources to serve 17.784 acre-feet/year for the proposed development." Finally, "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."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Waterside at Lake Woodmoor development is 13.988 acre-feet per year to be supplied by the Woodmoor Water and Sanitation District. **Based on the water demand of 13.988 acre-feet/year for the development and the District's availability of water sources, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Waterside at Lake Woodmoor.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the 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.

¹ Although the acre-feet indicated by the State Engineer is incorrect, since the amount cited exceeds the actual water demand, the County Attorney's Office is proceeding with its findings but is requesting an updated State Engineer's Office letter or a written acknowledgement from the State Engineer's Office prior to recording the final plat.

² The District has since updated their Commitment Letter on October 10, 2022 to include their committed supply of 13.988 acre-feet/year.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the *Water Supply Information Summary* provided November 23, 2022, the *Water Resources Report* dated November 17, 2022, the *Woodmoor Water and Sanitation District letter* dated October 10, 2022, and the *State Engineer Office's Opinion* dated August 12, 2022. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

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. Prior to recording the final plat, the applicant must procure from the State Engineer's Office and upload into eDARP a corrected letter identifying the updated water demand and/or written acknowledgement of the water demand at 13.988 acre-fee/year. See footnote 1.

cc. Ryan Howser, Planner III



Prevent • Promote • Protect

Environmental Health Division
1675 W. Garden of the Gods Road
Suite 2044
Colorado Springs, CO 80907
(719) 578-3199 *phone*
(719) 578-3188 *fax*
www.elpasocountyhealth.org

Waterside, PUDSP-22-9

Please accept the following comments from El Paso County Public Health regarding the project referenced above:

- The proposed 52-unit townhome development will be provided water and wastewater services by Woodmoor Water and Sanitation District No 1. A Commitment to Serve letter dated 11May2022, from Woodmoor Water and Sanitation District No 1 has been provided for both wastewater and water service. There is a finding for sufficiency in terms of water quality for this Colorado Department of Public Health and Environment regulated public water system (PWSID# CO0121950).
- Radon resistant construction building techniques/practices are encouraged in this area. The EPA has determined that Colorado, and specifically the El Paso County area, have higher radon levels than other areas of the country.
- El Paso County Public Health encourages planned walkability of residential communities with sidewalks, walking paths, and bike trails to surrounding neighborhood parks, schools, and commercial areas. Walkability features promote exercise, help reduce obesity and lower the risk of heart disease.
- Earthmoving activity more than one acre, but less than twenty-five acres, requires a local Construction Activity Permit from El Paso County Public Health. Go to <https://www.elpasocountyhealth.org/service/air-quality/construction-activity-application> for more information.

Mike McCarthy
El Paso County Public Health
719-332-5771
mikemccarthy@elpasoco.com
09September2022

El Paso County Park Advisory Board

Agenda Item Summary Form

Agenda Item Title: Waterside PUD Development Plan and Preliminary Plan

Agenda Date: August 10, 2022

Agenda Item Number:

Presenter: Ross Williams, Park Planner

Information: **Endorsement:** X

Background Information:

This is a request for approval by N.E.S., Inc., on behalf of Lake Woodmoor Holdings, LLC., of the Waterside PUD Development Plan and Preliminary Plan. The project site is located northeast of Monument, on the northwestern shores of Lake Woodmoor near the intersection of Deer Creek Road and Woodmoor Drive. The property consists of 7.53 acres, with 52 residential townhome lots and 5 tracts and is currently zoned R-4, however, a rezone to Planned Unit Development (PUD) is being processed concurrently.

The 2013 and 2022 El Paso County Parks Master Plans show no impacts to parks, trails, or open space. The proposed Jackson Creek Primary Regional Trail and Highway 105 Bicycle Route are both located 0.75 mile south of the property, while the existing New Santa Fe Primary Regional Trail is located 0.65 mile to the west of the property. Lewis-Palmer School District No. 38 is planning to construct the Lewis-Palmer Trail in the immediate vicinity of Waterside. This trail will provide much-needed pedestrian connections to nearby neighborhoods, schools, businesses, and other local attractions to the west and south of the project site.

The 2022 El Paso County Parks Master Plan includes an update to the Candidate Open Space Areas, utilizing a weighted overlay of numerous natural and man-made attributes which contribute to strong candidate open space areas. Waterside falls completely within an updated Candidate Open Space Area. Located at the southern edge of the Black Forest, open space attribute values here include the surface water and wetland areas, floodplains, and moderate to high wildlife impacts. The project has received a Prebles Meadow Jumping Mouse clearance letter from the U.S. Fish and Wildlife Service, while the site development and drainage infrastructure are designed to reduce negative impacts to Lake Woodmoor and its floodplains, wetlands, and environmental habitat.

The Waterside PUD Development Plan and Preliminary Plan shows 2.83 acres of land dedicated to open space, trail corridor, landscape tracts, and drainage infrastructure, thus providing for 37.5% open space within the development. The applicant's letter of intent states the following in regard to parks, trails, and open spaces:

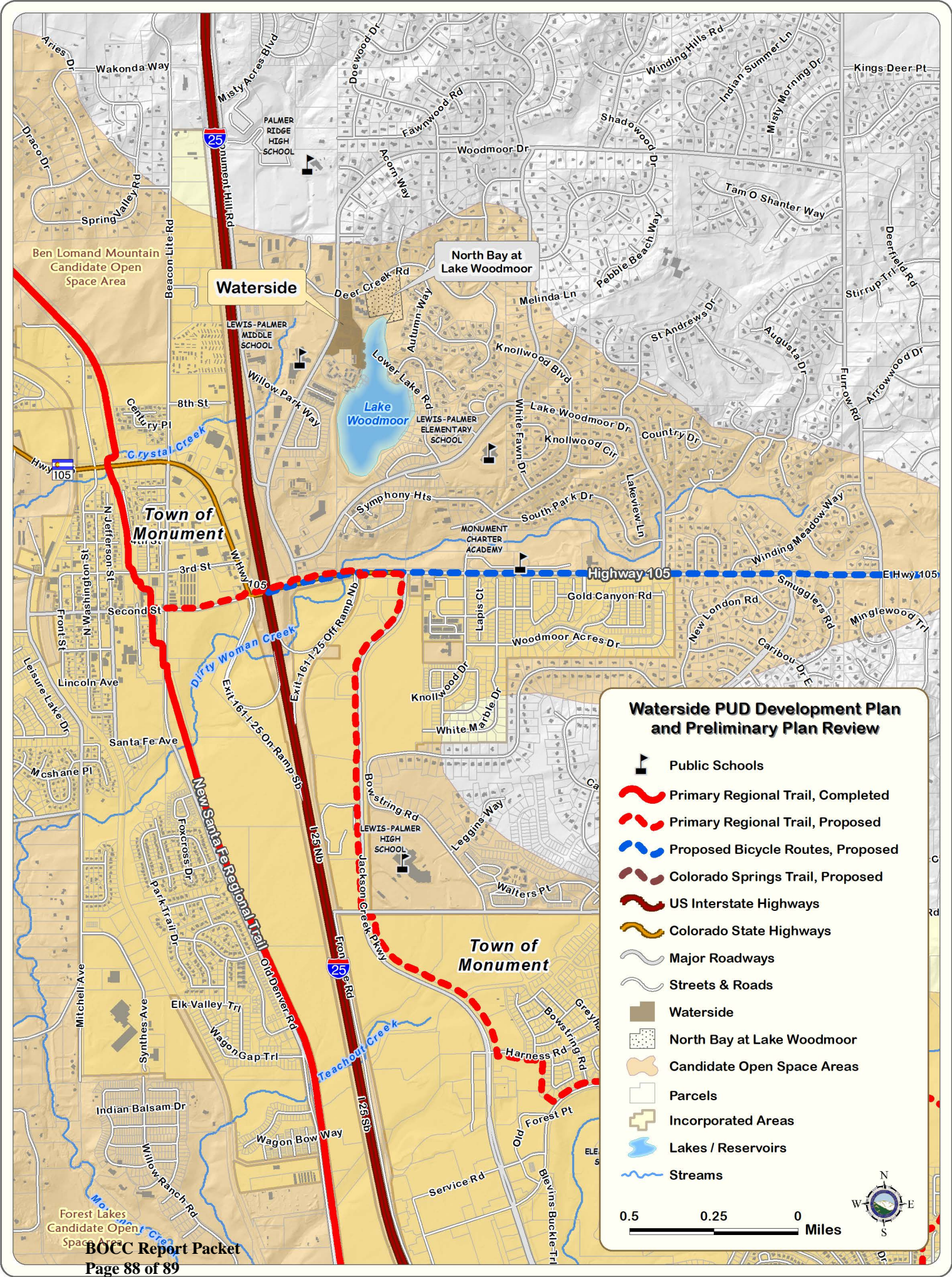
- *“The Waterside Preliminary Plan includes an interconnected system of trails. Five foot attached concrete walkways are provided throughout the development. On the eastern property line, adjacent to Lake Woodmoor is a four-foot crushed fine path. This extended down to the lake area.”*

- *“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 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.”*
- *“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.”*
- *“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.”*

As no park land or trail easement dedications are necessary for this development, staff recommends fees in lieu of land dedication for regional and urban park purposes, to be paid upon the recording of the forthcoming final plats.

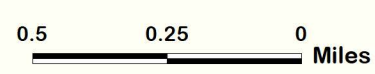
Recommended Motion (PUD Development Plan and Preliminary Plan):

The Park Advisory Board recommends that the Planning Commission and the Board of County Commissioners include the following condition when considering and/or approving the Waterside PUD Development Plan and Preliminary Plan: fees in lieu of land dedication for regional park purposes in the amount of \$23,920 and urban park purposes in the amount of \$15,080 will be required at time of the recording of the forthcoming final plat(s).



Waterside PUD Development Plan and Preliminary Plan Review

- Public Schools
- Primary Regional Trail, Completed
- Primary Regional Trail, Proposed
- Proposed Bicycle Routes, Proposed
- Colorado Springs Trail, Proposed
- US Interstate Highways
- Colorado State Highways
- Major Roadways
- Streets & Roads
- Waterside
- North Bay at Lake Woodmoor
- Candidate Open Space Areas
- Parcels
- Incorporated Areas
- Lakes / Reservoirs
- Streams



**Development
Application
Permit
Review**



COMMUNITY SERVICES DEPARTMENT

**Park Operations - Community Outreach - Environmental Services
Veterans Services - Recreation / Cultural Services**

August 10, 2022

Subdivision requirements referenced in Section 8.5.2 of the El Paso County Land Development Code. Fees are based on average land values within designated areas. See El Paso County Board of County Commissioners (BoCC) Resolution for fees established on an annual basis. The Park Advisory Board meets the second Wednesday of each month, 1:30 p.m., BoCC Auditorium, second floor of Centennial Hall, 200 South Cascade Avenue, Colorado Springs.

Name:	Waterside PUD Development Plan and Preliminary Plan	Application Type:	PUD / Prelim Plan
PCD Reference #:	PUDSP-22-009	Total Acreage:	7.53
		Total # of Dwelling Units:	52
Applicant / Owner:	Owner's Representative:	Dwelling Units Per 2.5 Acres:	17.26
Lake Woodmoor Holdings, LLC	N.E.S., Inc.	Regional Park Area:	2
1755 Telstar Drive, Suite 211	Andrea Barlow	Urban Park Area:	1
Colorado Springs, CO 80920	619 North Cascade Avenue, Suite 200	Existing Zoning Code:	R-4
	Colorado Springs, CO 80903	Proposed Zoning Code:	PUD

REGIONAL AND URBAN PARK DEDICATION AND FEE REQUIREMENTS

Regional Park land dedication shall be 7.76 acres of park land per 1,000 projected residents, while Urban Park land dedication shall be 4 acres of park land per 1,000 projected residents. The number of projected residents shall be based on 2.5 residents per dwelling unit.

The EPC Land Development Code defines urban density as land development of higher density and intensity which is characteristically provided with services of an urban nature. This category of development includes residential uses with densities of more than one dwelling unit per 2.5 acres.

LAND REQUIREMENTS

Urban Density (>= 1 Dwelling Unit Per 2.5 Acres): **YES**

Regional Park Area: 2

0.0194 Acres x 52 Dwelling Units = 1.009

Total Regional Park Acres: 1.009

Urban Park Area: 1

Neighborhood:	0.00375 Acres x 52 Dwelling Units =	0.20
Community:	0.00625 Acres x 52 Dwelling Units =	0.33
	Total Urban Park Acres:	0.52

FEE REQUIREMENTS

Regional Park Area: 2

\$460 / Dwelling Unit x 52 Dwelling Units = \$23,920

Total Regional Park Fees: \$23,920

Urban Park Area: 1

Neighborhood:	\$114 / Dwelling Unit x 52 Dwelling Units =	\$5,928
Community:	\$176 / Dwelling Unit x 52 Dwelling Units =	\$9,152
	Total Urban Park Fees:	\$15,080

ADDITIONAL RECOMMENDATIONS

Staff Recommendation:

The Park Advisory Board recommends that the Planning Commission and the Board of County Commissioners include the following condition when considering and/or approving the Waterside PUD Development Plan and Preliminary Plan: fees in lieu of land dedication for regional park purposes in the amount of \$23,920 and urban park purposes in the amount of \$15,080 will be required at time of the recording of the forthcoming final plat(s).

Park Advisory Board Recommendation:

PAB Endorsed 08/10/2022

RESOLUTION NO. 23-

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN
WATERSIDE (PUDSP-22-009)

WHEREAS, Lake Woodmoor Holdings, 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 and more particularly described in Exhibit A, which is attached hereto and incorporated by reference, from the R-4 (Planned Development) zoning district to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development plan; and

WHEREAS, in accordance with Section 4.2.6.E of the El Paso County Land Development Code (hereinafter "Code"), as amended, A PUD Development Plan May be Approved as a Preliminary Plan, the applicants are also requesting the PUD development plan be approved as a preliminary plan with a finding of water sufficiency for water quality, dependability, and quantity; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on May 18, 2023, upon which date the Planning Commission did by formal resolution recommend approval of the subject Planned Unit Development and Preliminary Plan; and

WHEREAS, a public hearing was held by this Board on June 20, 2023; and

WHEREAS, based upon the evidence presented, including 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. 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 District zoning advances the stated purposes set forth in Chapter 4, Section 4.2.6, of the Code.

5. The application is in general conformity with the El Paso County Master Plan.
6. The proposed development is in compliance with the requirements of the 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 which may include innovative treatments of use-to-use relationships.
9. 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.
10. 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 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.
16. The owner has authorized the application.

17. The proposed subdivision is in general conformance with the goals, objectives, and policies of the El Paso County Master Plan.
18. The subdivision is consistent with the purposes of the Code.
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 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.S. §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 Code and the El Paso County Engineering Criteria Manual (hereinafter "ECM") are provided by the design.
24. 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.
25. 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 the Code and the ECM.
26. 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.

27. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
28. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
29. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.
30. 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 from the R-4 (Planned Development) zoning district to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development Plan.

BE IT FURTHER RESOLVED that in accordance with Section 4.2.6.E of the El Paso County Land Development Code (2022), 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 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 any final plat approvals.
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. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 19-471), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
7. Applicant shall comply with all requirements contained in the Water Supply Review and Recommendations (see attached letter dated December 9, 2022) as provided by the County Attorney's Office.

NOTATIONS

1. Subsequent Final Plat Filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the Preliminary Plan will expire after twenty-four (24) months 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 20th day of June 2023 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

ALL OF WATERSIDE CONDOMINIUMS SUBDIVISION, RECORDED IN PLAT BOOK 2, AT PAGE 47
RECORDS OF EL PASO COUNTY, COLORADO.