

WATERSIDE PUD DEVELOPMENT/PRELIMINARY PLAN

LETTER OF INTENT

JULY 2022; REVISED SEPTEMBER 2022

OWNER/APPLICANT:

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

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
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COLORADO SPRINGS, CO 80903
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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 production. The PUD zoning also enables 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. **Wall runs past Lots 26-28.** In total, 130 parking spaces are provided (121 required).

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

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

COMPATIBILITY/TRANSITIONS: The site is surrounded by residential development, of various densities.

This development will provide a transition from the higher density townhomes and condos to the south and west to the lower density subdivisions to the north and east.

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

Plan shows areas where wall is greater than 4 ft. Walls over 4 ft in height are considered structures and need to be engineered.

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 17.784 acre-feet. A Water Resources Report, provided by Kiowa Engineering, is also included in this submittal.

I believe this will change based on discussions with applicant.

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.

Please ensure this is accurate when formal commitment letters are submitted.

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

There is 176,853 SF of open space provided in this PUD.

DISTRICTS SERVING THE PROPERTY:

The following districts will serve the property:

- Lewis Palmer School District 38
- Woodmoor Water and Sanitation District No. 1
- Tri-Lakes Monument Fire District
- Mountain View Electric Association
- 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 allow for a smaller road cross-section that cannot be accommodate under public street standards. This allows a more compact development that facilitates attached single-family housing units on smaller lots, which is a product that fills a growing market need in the area. The more compact site design also allows the retention of vegetation, protection of the lake frontage, provision of a community trail and dedication of open space. 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, and ECM Table 2-7	Typical Urban Local (Low Volume) Cross Section	50' public right of way with 24' asphalt mat	29' private tract with 24' asphalt mat.	A smaller private road cross-section. Tract versus ROW while maintaining a 24' 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.
4	ECM Section 2.3.8	Roadway Terminations	Urban Cul-de-Sac-Permanent hammerhead turnarounds not permitted.	Permanent turnaround proposed on Hillingdon Heights using 24' wide asphalt mat.	

Deviations are still needed for tangent length between broken back curves (ECM 2.3.3.F.3) and for change in pavement width.

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.*

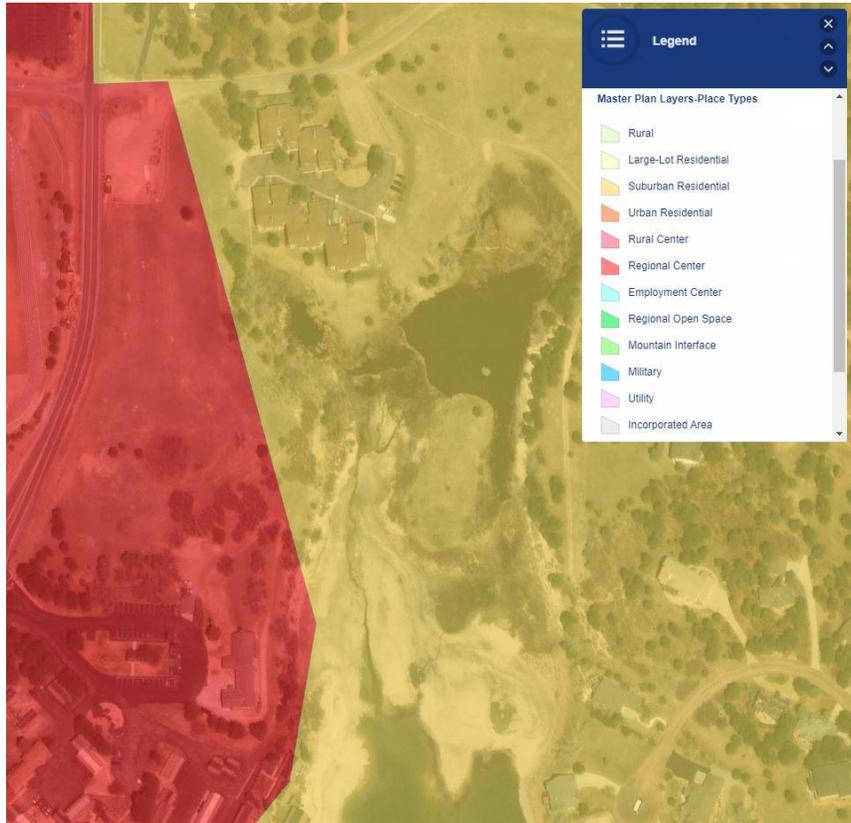
The PUD modifications allow for a smaller road cross-section that cannot be accommodate under public street standards. The use of a hammerhead turnaround is also more efficient as it takes up less space than a cul-de-sac and provides easier access to homes and allows for parking. The benefit of this 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.

The PUDSP successfully achieves Goal 2.3. to "locate attainable housing that provides convenient access to goods, services, and employment. To this end, a Priority under implementation Goal HC3 is to "permit projects that include a mix of housing types and increase market-driven affordability, including promoting missing middle housing options (duplexes, triplexes, multiplexes, courtyard apartments, and townhouses) on infill parcels within single-family neighborhoods to increase density and maintain neighborhood character. As noted above, the Waterside project is an infill development that will provide market-driven affordability (i.e. attainable housing) by the provision of a mix of duplex, triplex and four-plex buildings, while not impacting the character the single-family neighborhood to the north and east.

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

The proposed smaller lot residential development is meeting a need and demand for more attainable housing product. Woodmoor is dominated by large lot single family detached, and the inclusion of single family attached housing will provide a smaller product at a more attainable price point. Maintenance will be provided by the HOA, therefore meeting the need for those who want or need less maintenance, e.g., seniors. This development adds to the full spectrum of housing in the area and allows the area to more successfully meet the needs of residents at a different price point.

- *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;*

Per previous comment: If this is going to be used as justification, then it is recommended for there to be a discussion of market value and proof that this is meeting the need for an attainable housing product. Otherwise, do not use this as justification.

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.