Planning and Community Development Department

Craig Dossey, Executive Director

September 2, 2021

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RE: Grandview Reserve Metropolitan District Nos. 1-4 – Special District Service Plan – (ID-21-001)

This is to inform you that the above-reference request for approval of the above listed service plan was heard and a recommendation for approval was made by the El Paso County Planning Commission on September 2, 2021, at which time a recommendation for approval was made to approve Grandview Reserve Metropolitan District Nos. 1-4. The two (2) parcels proposed for inclusion into the districts total 767 acres, are zoned RR-2.5 (Residential Rural), and are located immediately east of Eastonville Road and west of Highway 24, and are within Sections 21 and 28, Township 12 South, Range 64 West of the 6th P.M. The properties are included within the boundaries of the Falcon Peyton Small Area Master Plan (2008). A request for approval of a Colorado Revised Statute Title 32 Special District service plan with a maximum debt authorization of $295 million, a debt service mill levy of 50 mills for residential, a debt service mill levy of 5 mills for a special purpose, and an operations and maintenance mill levy of 10 mills, for a total maximum combined residential mill levy of 65 mills, and debt service mill of 35 mills for commercial, and an operations and maintenance mill levy of 10 mills, for a total maximum combined commercial mill levy of 45 mills. The statutory purposes of the Districts include the provision of the following: 1) street improvements and safety protection; 2) design, construction, and maintenance of drainage facilities; 3) design, land acquisition, construction, and maintenance of recreation facilities; 4) mosquito control; 5) design, acquisition, construction, installation, and operation and maintenance of television relay and translation facilities; 6) covenant enforcement; and 7) design, construction and maintenance of public water and sanitation systems.

**Parcel Nos.: 42000-00-396 and 42000-00-328**

This recommendation for approval is subject to the following:

**CONDITIONS OF APPROVAL**

1. As stated in the proposed service plan, the maximum combined residential mill levy shall not exceed 65 mills for any residential property within the Grandview Reserve Metropolitan District Nos. 1-4, with no more than 50 mills devoted to residential debt service, no more than 10 mills devoted to operations and maintenance, no more than 5 mills devoted to a special purpose unless the Districts receive Board of County Commissioner approval to increase the maximum mill levy.
2. As stated in the proposed service plan, the maximum combined commercial mill levy shall not exceed 45 mills for any commercial property within the Grandview Reserve Metropolitan District Nos. 1-4, with no more than 35 mills devoted to commercial debt service, no more than 10 mills devoted to operations and maintenance unless the Districts receive Board of County Commissioner approval to increase the maximum mill levy.
3. As stated in the attached service plan, the maximum authorized debt for the Grandview Reserve Metropolitan District Nos. 1-4 shall be limited to $295 million until and unless the Districts receive Board of County Commissioner approval to increase the maximum authorized debt.
4. Approval of the service plan for the Grandview Reserve Metropolitan District Nos. 1-4 includes the ability of the Districts to use eminent domain powers for the acquisition of property to be owned, controlled, or maintained by the Districts or another public or non-profit entity and is for the material use or benefit of the general public. The Districts may not use the power of eminent domain without prior approval by the Board of County Commissioners at a publicly noticed hearing after a showing that the use of eminent domain is necessary in order for the Districts to continue to provide service(s) within the Districts’ boundaries and that there are no other alternatives that would not result in the need for the use of eminent domain powers.
5. The Grandview Reserve Metropolitan District Nos. 1-4 shall provide a disclosure form to future purchasers of property in a manner consistent with the approved Special District Annual Report form. The developer(s) shall provide written notation on each subsequent final plat associated with the development of the annually filed public notice. County staff is authorized to administratively approve updates to the disclosure form to reflect current contact information and calculations.
6. The Grandview Reserve Metropolitan District Nos. 1-4 is expressly prohibited from creating separate sub-districts except upon prior notice to the Board of County Commissioners, and subject to the Board of County Commissioners right to declare such creation to be a material modification of the service plan, pursuant to C.R.S. § 32-1-1101(1)(f)(I).
7. As stated in the attached service plan, the Grandview Reserve Metropolitan District Nos. 1-4 shall not have the authority to apply for or utilize any Conservation Trust (“Lottery”) funds without the express prior consent of the Board of County Commissioners. The Districts shall have the authority to apply for and receive any other grant funds, including, but not limited to, Great Outdoors Colorado (GOCO) discretionary grants.
8. Approval of this application shall not constitute relinquishment or undermining of the County’s authority to require the developer to complete subdivision improvements as required by the Land Development Code and Engineering Criteria Manual and to require subdivision improvement agreements or development agreements and collateral of the developer to guarantee the construction of improvements.
9. Any future proposed development of the subject parcels will require approval of a map amendment (rezone), preliminary plan, and final plat(s), and such final plat(s) must be recorded prior to undertaking land disturbing activities, excluding pre-subdivsion site grading without installation of wet utilities as a separate, stand-alone request.
10. The Grandview Reserve Metropolitan District Nos. 1-4 shall not be authorized to issue debt until and unless the underlying map amendment (rezoning) for the proposed Grandview Reserve development is approved by the Board of County Commissioners.
11. A material change to the land use assumptions identified in the service plan, and associated attachments, or any future material modification to the service plan shall require an amendment(s) to the service plan.
12. Prior to the Board of County Commissioners hearing, the applicant shall amend Section III.G. of its service plan to add the following language: The district shall not exercise the statutory authority granted in C.R.S. 18-12-214 by enacting an ordinance, resolution, rule, or other regulation restricting or prohibiting the carrying of a concealed handgun in a building or specific area within its jurisdiction or under its direct control by a person holding a permit to do so.

**NOTATIONS**

1. Approval of this service plan shall in no way be construed to infer a requirement or obligation of the Board of County Commissioners to approve any future land use requests within the boundaries of the Districts.
2. Any expansions, extensions, or construction of new facilities by the Grandview Reserve Metropolitan District Nos. 1-4 will require prior review by the Planning and Community Development Department to determine if such actions are subject to the requirements of Appendix B of the Land Development Code, Guidelines and Regulations for Areas and Activities of State Interest (a.ka. “1041 Regulations).

The Planning Commission is advisory to the Board of County Commissioners.

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

Sincerely,

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Kari Parsons, Planner III

File No. ID-21-001