

# EL PASO

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# COUNTY

STAN VANDERWERF  
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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

July 7, 2020

PRI#4, LLC  
2138 Flying Horse Club Drive  
Colorado Springs, CO 80921

Spencer Fare, LLC  
Pat Hrbacek P.C.  
2154 E. Commons Avenue, Ste 2000  
Centennial, CO 80122

RE: The Ranch Metropolitan District Nos. 1-4 – Service Plan – (ID-19-006)

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 July 7, 2020, at which time a recommendation for approval was made to approve The Ranch Metropolitan District Nos. 1-4. The parcels included within the proposed Districts are located north of Woodmen Road, south of Stapleton Drive and east of Raygor Road and are within Section 35, Township 12 South, Range 65 West of the 6th P.M. The properties are included within the Falcon/Peyton Small Area Master Plan (2006) and Black Forest Preservation Plan (1998). The applicant is proposing the following: a maximum debt authorization of \$43 million, a debt service mill levy of 50 mills for residential and 35 mills for commercial, an operations and maintenance mill levy of 10 mills, and 5 mills for covenant enforcement and design, for total maximum combined levy of 65 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. 52000-00-321, 52000-00-323, and 52000-00-324)

2880 INTERNATIONAL CIRCLE, SUITE 110  
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127  
FAX: (719) 520-6695

www.ELPASOCO.COM

This recommendation for approval is subject to the following:

**CONDITIONS OF APPROVAL**

1. As stated in the proposed service plan, the maximum combined mill levy shall not exceed 65 mills for any property within the Districts, with no more than 50 mills devoted to residential debt service, with no more than 35 mills devoted to commercial debt service, no more than 10 mills devoted to operations and maintenance, and 5 mill for covenant enforcement until and unless the Districts receive Board of County Commissioner approval to increase the maximum mill levy.
2. As stated in the attached service plan, the maximum authorized debt for the Districts shall be limited to \$43 million until and unless the Districts receive Board of County Commissioner approval to increase the maximum authorized debt.
3. The approval of the Districts 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 an approval by the Board of County Commissioners at a publicly noticed hearing 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.
4. As stated in the attached service plan, any future annexation of territory by the Districts (any territory more than five (5) miles from any District boundary line) shall be considered a material modification of the service plan and shall require prior approval by the Board of County Commissioners.
5. The Districts shall provide a disclosure form to future purchasers of property in a manner consistent with the approved Special District Annual Report form. The developer shall provide written notation on each subsequent final plat associated with the development of the annually filed public notice and include reference to the El Paso County Planning and Community Development website where the most up-to-date notice can be found. County staff is authorized to administratively approve updates of the disclosure form to reflect current contact information and calculations.
6. The Districts are 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, approval of the proposed service plan hereby gives the Districts the express authority of covenant enforcement, including the imposition of fees for such enforcement.
8. As stated in the attached service plan, the Districts 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 District shall have the authority to apply for and receive any other grant funds, including, but not limited to, Great Outdoors Colorado (GOCO) discretionary grants.
9. 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.
10. Any future proposed development of the subject parcels will require approval of a map amendment (rezone), preliminary plan and final plat(s), and the final plat(s) must be recorded prior to land disturbance, unless approval a pre-development site grading request is granted by the Board of County Commissioners at the preliminary plan stage or as a separate, stand-alone request.

## 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 Districts 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.k.a. “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,

A handwritten signature in blue ink that reads "Kari Parsons". The signature is written in a cursive, flowing style.

Kari Parsons, Planner III

File No. ID-19-006