

**From:** Daniel Torres  
**Sent:** Thursday, December 3, 2020 7:17 AM  
**To:** 'orderedstuff@aol.com'  
**Cc:** Nina Ruiz; Ryan Howser; Tracey Garcia; Lori Seago; Elizabeth Nijkamp  
**Subject:** RE: Planning Commission Item PUDSP-20-004

Dear Mr. Curry,

Staff's perspective is that the proposed development meets the approval criteria as the proposed roadway will meet the traffic needs of the development including the background traffic of the area. Per the submitted traffic study, the roadway in question has a long term (2040) projected average daily traffic(ADT) that is below the threshold (10,000 ADT) of an urban residential collector roadway which is a lower classification roadway in comparison to an urban minor arterial (20,000 ADT threshold).

With the projected lower traffic volumes along Rex Road the applicant is proposing a deviation to construct a half section of the urban minor arterial roadway while reserving ROW within an adjacent tract to accommodate the full width section when the County determines it is necessary. The proposed Rex Road section was agreed to by the applicant after discussion with the County Engineer. A deviation request to construct Rex Road at this location as a half section urban minor arterial was approved with the Rolling Hills Ranch Filing No. 1-3 (PCD File No. PUDSP199) a few months ago. The deviation request was also submitted with this current application as this development will actually be constructing this portion of Rex Road if the final plat application is approved.

Whoever builds (County or Developer) Rex Road whether it be a half section or the full section would potentially be eligible for credits within the fee program. In regards to the road impact fee, the County has agreement with Woodmen Road Metropolitan District through an IGA that was adopted (Resolution 13-041) where Woodmen Road Metropolitan District received credits for roadway improvements. Per the agreement, through December 31, 2020 payment of fees will be to the Woodmen Road Metropolitan District. Starting January 1, 2021 and ending December 31, 2027 traffic fees will be paid to the County although the districts share of fees will be remitted to them.

Respectfully,

Daniel Torres, P.E.  
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PERSONAL WORK SCHEDULE

Monday - Thursday, 7:00 am to 5:30 pm

## DEPARTMENT HOURS

Monday - Friday, 7:30 am to 4:30 pm

NOTE: In an effort to be respectful of the health of our employees, family, and all citizens in El Paso County, we are limiting our face-to-face public interactions. During this timeframe we will be making every effort to operate "business as usual". All phone calls and emails will be returned, projects reviewed, and necessary meetings held via conference call. Thank you for your patience. Be safe!

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**From:** KC <[orderedstuff@aol.com](mailto:orderedstuff@aol.com)>

**Sent:** Tuesday, December 1, 2020 11:57 AM

**To:** Tracey Garcia <[TraceyGarcia@elpasoco.com](mailto:TraceyGarcia@elpasoco.com)>

**Cc:** Nina Ruiz <[NinaRuiz@elpasoco.com](mailto:NinaRuiz@elpasoco.com)>; Kari Parsons <[kariparsons@elpasoco.com](mailto:kariparsons@elpasoco.com)>

**Subject:** Planning Commission Item PUDSP-20-004

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Tracey,

Please pass this to Mr. Ryan Howser as appropriate (I don't have his e-mail address), and please provide to the Planning Commission prior to their meeting on Thursday.

As regards Consent Item PUDSP-20-004, Planned Unit Development/Preliminary Plan, The Estates At Rolling Hills Filing No. 2 there is the possibility it may not meet the approval criteria that facilities be provided to support the development when needed, and that it will not be detrimental to the welfare of the inhabitants. To wit, if the application is approved as submitted, it may cause the County to incur road construction costs for which it will not be compensated through the Traffic Impact Fee Program. Specifically, the package says all roads will be dedicated to the County; this would include Rex Road. The applicant submitted a deviation request to build at half size, which the County would later widen when needed. HOWEVER: if the final plat for this proposed development is approved before the end of this year, the traffic impact fees would go to the Metropolitan District, not the County. And the information in the package suggests that is the applicant's intent - *"the applicant is also requesting the PUD development plan be approved as a preliminary plan."* Notations *"Subsequent final plat filings may be approved administratively by the Planning and Community Development Director."*

In order to prevent the County from being responsible for building a road for which it has not been paid fees, I respectfully request the Planning Commission take one of two actions. Either:

- 1) Disapprove the Rex Road deviation request (thus relieving the County of the burden to pay for the development regardless of final plat approval date) - or -
- 2) Add a condition prohibiting approval of the final plat before 1 Jan 2021 (thus ensuring funds for the improvements are given to the County)

Regards, and Thanks in Advance!

- Kevin Curry

President, Elkhorn Estates HOA (Falcon, CO)