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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

June 1, 2021

COLA, LLC
7910 Gateway Blvd East #102
El Paso, TX 79915

Matrix Design Group, Inc.
2435 Research Parkway, Suite 300
Colorado Springs, CO 80920

RE: Trails at Aspen Ridge -- (PUDSP-21-003)

This is to inform you that the above-reference request for approval of a map amendment (rezoning) from an overall zoning and conceptual PUD (Planned Unit Development) to a site specific PUD (Planned Unit Development) to develop 75 single-family residential lots, rights-of-way, and open space within a 117.98-acre development area was heard by El Paso County Board of County Commissioners on June 1, 2021, at which time an approval was made. (Parcel Nos. 55093-02-003 and 55093-05-003)

This approval is subject to the following:

Modification of Existing Land Development Code (LDC) or Engineering Criteria Manual (ECM) Standard:

For approval of a modification of a general development standard in the LDC 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

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- 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 applicant requests the following modification(s) of the LDC:

A PUD Modification of Section 8.4.3.B.2 of the LDC is requested with this application in relation to the requirement to provide midblock pedestrian crossings at specific locations.

PCD Executive Director Recommendation:

The PCD Executive Director recommends approval of the requested PUD modifications. The applicant has depicted a sidewalk design and layout that accommodates ADA accessibility for pedestrians throughout the proposed PUD/Preliminary plan.

The applicant is requesting the following modification(s) of the ECM:

Modification of Existing Land Development Code (LDC) or Engineering Criteria Manual (ECM) Standard:

For approval of a modification of a general development standard in the LDC 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.
1. The applicant requests a PUD modification of Section 2.2.4.B.4 of the ECM to permit meandering sidewalk with varying width for the landscape buffer from the back of curb (5 feet minimum width to 24.5 feet maximum width) along Legacy Hill Drive to allow for a varied landscape design along the road.

Section 2.2.4.B.4 of the ECM shows a constant 8-foot landscape buffer strip between the back of curb and sidewalk.

ECM Administrator Recommendation:

Recommend approval of the modification request. Per the PUD/Preliminary Plan, adequate pedestrian access is maintained. Maintenance of the landscape buffer as well as the landscaping within the right-of-way shall be the responsibility of Waterview II Metropolitan District.

2. A PUD modification of Section 2.5.2.C.4 of the ECM to omit midblock pedestrian crossings along Blue Miner Street, Lazy Ridge Drive, and Wagon Hammer Drive.

Section 2.5.2.C.4 of the ECM states:

“Access ramps on local roadways shall be spaced no greater than 600 feet apart. Where spacing is greater than 600 feet, mid-block access ramps shall be provided at spacing that minimize travel distances between access ramps. Private accesses may be used for these access points where the access is designed to meet access ramp requirements.”

ECM Administrator Recommendation:

Per the PUD/Preliminary Plan, adequate pedestrian accessibility is provided by access ramps at all intersections and mid-block trail crossings. Additionally, the Federal Americans with Disabilities Act (ADA) has no requirements for maximum distance between pedestrian crossings that would necessitate additional mid-block pedestrian ramps.

1.

Staff recommends that the deviation requests associated with the PUD (Planned Unit Development) Modifications from the ECM, as prepared, are acceptable contingent upon the approval of the PUD Modifications by the Board of County Commissioners.

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 and development guide.
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 scheduling any final plats for hearing by the Planning

Commission. The development guide shall be recorded in conjunction with the PUD development plan.

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. Applicable park, school, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of final plat(s) recordation.
7. Within one year of recording or upon buildout of Trails at Aspen Ridge Filing No. 2, whichever occurs first, Developer shall provide signal warrant analyses for the Bradley Road and Legacy Hill Drive intersection to the El Paso County Planning and Community Development Department and the Department of Public Works for review. If signal warrants are not met at that time, warrant analyses shall be updated every six (6) months thereafter unless otherwise changed in writing by the County Engineer. When signal warrants are met, and upon direction from the County Engineer, the improvements to the intersection shall be fully collateralized within one month, and construction started on the improvements within six (6) months.

NOTATIONS

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director.
2. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

3. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.
4. Preliminary plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
5. Approval of the preliminary plan will expire after two (2) years unless a final plat has been approved and recorded or a time extension has been granted.

This represents the Planning and Community Development Department's understanding of the action taken by 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 cursive script that reads "John Green".

John Green, Planner II
File No. PUDSP-21-003