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March 24, 2021

Board of County Commissioners
c/o Planning and Community Development
El Paso County, Colorado
2880 International Circle, Suite 110
Colorado Springs, CO 80910
Attention: Kari Parsons

There appears to be overlap north of Bradley where the new Villages at Watermark North Metro District (EA21-105) is proposed..Please detail why- is this area to remain? Why would there be need to create a new district if amending this district now which includes that area? Does the financial plan include the are north of Bradley- it should not if a new WaterMark North district is proposed.

Re: Proposed Amended and Restated Service Plan for Waterview II Metropolitan District

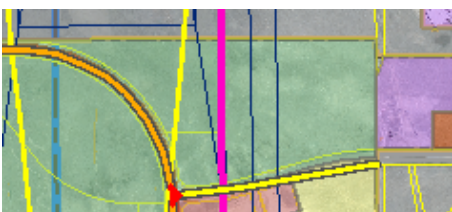
Dear Ms. Parsons:

Our firm serves as general counsel to Waterview II Metropolitan District (the “**District**”), which is an existing Title 32 metropolitan district located within El Paso County, Colorado (the “**County**”). Please accept this letter, along with an electronic copy of the proposed Amended and Restated Service Plan for Waterview II Metropolitan District (the “**Amended and Restated Service Plan**”), as our submittal for consideration by the Board of County Commissioners of El Paso County (the “**BOCC**”). Payment of County fees for the amendment will be made by the District upon request.

The former land owner, Cygnet Land LLC, formed the District pursuant to its 2006 original Service Plan, as approved by the BOCC on August 31, 2006 (the “**Original Service Plan**”). The District was formed to assist with the construction, installation, financing, operation and maintenance of public infrastructure and services.

Shortly after formation, there was an economic downturn which resulted in development delays and subsequent land ownership changes. With revitalized development activity within the District, the current developer, COLA, LLC, and the District have updated and revised public infrastructure costs and build-out projections for the development inclusive of the Trails at Aspen Ridge (the “**Project**”). The Amended and Restated Service Plan incorporates an updated financial plan and estimated infrastructure costs.

The Original Service Plan predates the County’s use of a model service plan, and the Amended and Restated Service Plan materially adheres to the County’s current model service plan. The financial provisions proposed are within the parameters of the model service plan. The debt mill levy is capped at 50 mill, the operational mill levy is capped at 10 mills, and the



Board of County Commi
 El Paso County, Colorado
 RE: Amended and Restated Sdervice Plan fo Water
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special purpose mill levy for covenant control and able to be adjusted to offset the effect of adjustn assessed value of taxable property within the Di revenue otherwise produced from such mill levy c and assessed value. The Amended and Restated current model service plan, provides straight-forwa construction of the public improvements necessary for today's needs of the Project, is sufficient and flexible to en most-effective and efficient manner, all w ers from overly burdensome financing terms

We look forward to v
 questions, please do not hesi

this LOI does not address the mandatory and discretionary approval criteria, nor the County Wide Master Plan or Water Master Plan as discussed in the EA. Please see the Cloverleaf Metro District for an example (note the Master Plan discussion will be different).

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- 70 db
- 75 db
- ✓ Airport Accident Zone
- Clear Zone
- APZ I
- APZ II
- Part177 Surfaces

MANDATORY CRITERIA FOR DISAPPROVAL

The BoCC shall disapprove the draft service plan unless evidence satisfactory to it of each of the following is presented or, in the BoCC ' s discretion, the BoCC conditionally approves the draft service plan to cause compliance with these criteria (C.R.S. § 32-1-203(2):

- There is sufficient existing and projected need for organized service in the area to be served by the proposed special district;
- The existing service in the area to be served by the proposed special district is inadequate for present and projected needs;
- The proposed special district is capable of providing economical and sufficient service to the area within its proposed boundaries;
- The area to be included in the proposed special district has, or will have, the financial ability to discharge the proposed indebtedness on a reasonable basis.

DISCRETIONARY CRITERIA FOR DISAPPROVAL

The BoCC may disapprove the draft service plan if evidence of the following, at the BoCC ' s discretion, is not presented (C.R.S. § 32-1-203(2.5)):

- Adequate service is not, or will not be, available to the area through the County or other existing municipal or quasi-municipal corporations, including existing special districts, within a reasonable time and on a comparable basis;
- The facility and service standards of the proposed special district are compatible with the facility and service standards of each County within which the proposed special district is to be located and each municipality which is an interested party as defined in C.R.S. § 32-1-204 and this Code;
- The proposal is in substantial compliance with the El Paso County Master Plan;
- The proposal is in compliance with any duly adopted County regional, or State long-range water quality management plan for the area; or
- The creation of the proposed special district will be in the best interests of the area proposed to be served.

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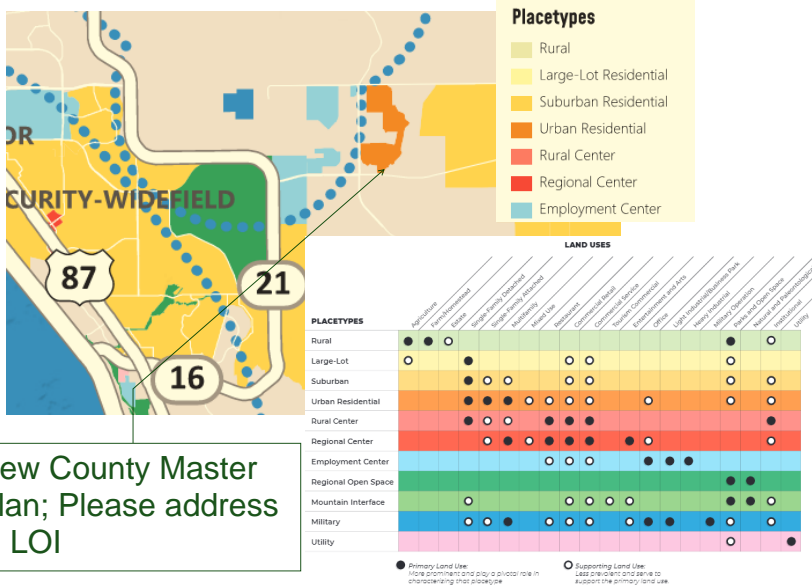
& WALDRON

Water Master Plan evaluate the application answering these questions in the Water Master Plan document

Review of Projects (Many Goals and Policies are applicable to a project)

1. Where is the project (refer to region)
2. What is their water supply (central, wells, by whom)
3. If they are a central supplier, how have they addressed Section 3 (efficiencies, cooperation, reuse, storage, interconnection)
4. What standards of Section 4 are applicable, especially for groundwater (quality, economic life, sustainability)
5. How has the applicant addressed water supply needs at full buildout. Chapter 5
6. Have they planned for the project or the area to ensure adequate water in the future (efficiency, drought planning, conservation, flexibility in design, reuse, participating in regional water supply planning, renewable water partnerships and development, etc)

<https://assets-plannin gdevelopment.elpaso co.com/wp-content/u ploads/WaterMaster Plan2018/Water-Mas ter-Plan-2018-A-Cop y.pdf>



New County Master Plan; Please address in LOI

Guidance for Evaluating Land Use Applications

The Master Plan should be relied upon for guidance when considering land use applications and determining consistency with the Plan should be added to the Land Development Code as one of the criteria for approval when taking formal action to approve or deny a land use application. By using the Master Plan as an evaluation tool and decision-making guide, questions like those below can help determine land use compatibility and overall appropriateness and desirability from a planning perspective.

- Is the proposed use located within a Key Area? If so, how will the proposed use affect the unique identity or character of the Key Area?
- Does the proposed use promote the level of change identified in the Areas of Change map?
- Does the use fall within the primary or supporting land uses within the identified Placetype? Is the proposed use consistent with the character and objectives of the Placetype?
- Is the use located within a Priority Annexation Area? If so, how does the nearby municipality plan for or otherwise address the subject property and does the proposed use align with the municipality's plan?

- Is the use located within a Housing Priority Development Area? If so, is the proposed use one of the identified housing types for the area?
- Is the use located within a Commercial Priority Development Area? If so, is the proposed use one of the identified commercial uses for the area?
- Is the use located within an Employment Priority Development Area? If so, is the proposed use one of the identified employment-focused uses for the area?
- Is there existing infrastructure to which the proposed development can connect? If so, is connection proposed and how will it be accomplished? If not, is there a plan for future extension of infrastructure to the property?
- Does the development trigger the need for pedestrian or multimodal connections and are such connections being proposed?
- Does the proposed use/development incorporate appropriate conservation design principles as identified in the Master Plan?
- Will the proposed use/development further the County's objective of meeting the Vision, Principles, Goals, and Objectives of the Master Plan?
- Does the proposed use/development support the Implementation Objectives and Specific Strategies of the Master Plan?

LOI_V1 planning redlines.pdf Markup Summary 6-29-2021

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Area also within the CADO, Subzones APZ2 and APZ1 Chapter 4 of the Code (address)



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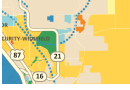
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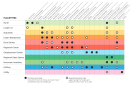


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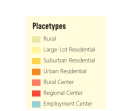
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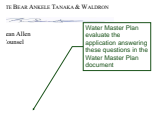
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Water Master Plan evaluate the application answering these questions in the Water Master Plan document



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New County Master Plan; Please address in LOI



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