

EL PASO COUNTY



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COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO: El Paso County Planning Commission
 Brian Risley, Chair**

**FROM: Nina Ruiz, Planner III
 Gilbert LaForce, PE Engineer II
 Craig Dossey, Executive Director**

**RE: Project File #: SF-19-002
 Project Name: Trails at Aspen Ridge Filing No. 1
 Parcel No.: 55000-00-414**

OWNER:	REPRESENTATIVE:
COLA, LLC 7910 Gateway Blvd. East #102 El Paso, TX 79915	Matrix Design Group, Inc. 31 N Tejon Street, Suite 500 Colorado Springs, CO 80903

Commissioner District: 4

Planning Commission Hearing Date:	4/7/2020
Board of County Commissioners Hearing Date	4/28/2020

EXECUTIVE SUMMARY

A request by COLA, LLC, for approval of a final plat for the Trails at Aspen Ridge Filing No. 1 subdivision to create and authorize the development of 181 single-family lots; tracts to be utilized for open space, drainage, and public utilities; the creation of rights-of-way; and future development. The proposed 168.8 acre plat area is zoned RS-5000 CAD-O (Residential Suburban)(Commercial Airport District-Overlay) and is located at the southeast corner of the Powers Boulevard and Bradley Road intersection and is within Sections 9, Township 15 South, Range 65 West of the 6th P.M. The subject property is not located within a small area plan.

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



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

www.ELPASOCO.COM

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request by COLA, LLC, for approval of a final plat to create 181 single-family residential lots.

Waiver(s)/Deviation(s): The following deviation from the standards of the El Paso County Engineering Criteria Manual (ECM) have been administratively approved by the County Engineer:

1. Per Section 2.2.4, the standard Urban Non-Residential Collector includes a 5-ft detached sidewalk on both sides of the roadway. The applicant has submitted a deviation requesting installation of the sidewalk along Legacy Hill Drive between Frontside Drive and Bradley Road with future filings when the traffic signal is installed at the Bradley Road and Legacy Hill Drive intersection. The request has been approved since there are no amenities or destinations that can be reached by pedestrians north of Frontside Drive.
2. Per Section 2.3.2, the design speed for an Urban Non Residential Collector road is 40 miles per hour (mph) which corresponds to a minimum vertical curve K value of 44 for crest condition and 64 for sag condition. Due to the topography and intersection spacing the applicant is requesting a lower K value along Legacy Hill Drive between Frontside Drive and Bradley Road based on a 30 mph design speed. The request has been approved because the 40 mph will not be attained by most vehicles along this 300-ft long segment of Legacy Hill Drive given a stop-control intersection on the north end and a roundabout intersection on the south end of the segment.
3. Per Section 3.3.1.J.2, "Where the conduit size increases, the inside top slope of the conduits shall be continuous in elevation. Change in conduit shall be accomplished in a reinforced concrete manhole or cleanout structure only." The applicant has submitted a deviation requesting a drop manhole to allow utility crossing under an existing sanitary sewer piper. The request has been approved since the deviation will achieve the intended result with a comparable quality of improvement.

Authorization to Sign: Final Plat, Subdivision Improvements Agreement, Detention Pond Maintenance Agreement and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. PLANNING COMMISSION SUMMARY

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

Summary of Hearing:

Legal Notice:

C. APPROVAL CRITERIA

In approving a final plat, the BoCC shall find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019):

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the approved preliminary plan;
- The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents, and other supporting materials;
- A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;
- A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. §30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;
- All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. §30-28-133(6)(c)];
- Adequate drainage improvements are proposed that comply with State Statute [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
- The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;

- Off-site impacts were evaluated, and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8;
- Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated;
- The subdivision meets other applicable sections of Chapter 6 and 8; and
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §34-1-302(1), et seq.]

D. LOCATION

North: PUD (Planned Unit Development)	Trails at Aspen Ridge (future filings)
South: A-5 (Agricultural)	Vacant
East: City of Colorado Springs	Vacant
West: PUD (Planned Unit Development)	Trails at Aspen Ridge (future filings)

E. BACKGROUND

The parcel was zoned A-2 (Agricultural) on May 11, 1942, when zoning was first initiated for this area of El Paso County. Due to changes in the nomenclature of the El Paso County Land Development Code, the A-2 zoning district has been renamed to the A-5 (Agricultural) zoning district.

The Trails at Aspen Ridge filing No. 1 is a portion of the Waterview Sketch Plan. The Waterview Sketch Plan (SKP-00-002) was approved by the Board of County Commissioners on May 10, 2001, by Resolution No. 01-191. At the time of the Waterview Sketch Plan approval, approximately 647 acres were acquired from Cygnet Land, LLC, by the Trails, Open Space and Parks (TOPS) program, now known as the Blue Stem Open Space area. Conditions were imposed limiting all zoning within the sketch plan area to Planned Unit Development (PUD); additionally, there was a condition requiring two lanes of Bradley Road, a four (4) lane arterial, to be built by the completion of Phase 1 (Bradley Road was constructed and accepted with the single-family development known as Painted Sky Filing Nos. 1-6).

In 2014, the Springs at Waterview Sketch Plan (SKP-13-001) amended two of the conditions of approval from the 2001 Waterview Sketch Plan. Those conditions included removal of the requirement for Planned Unit Development zoning within the boundaries of the sketch plan and downgrading Bradley Road from Grinnell Boulevard to Powers Boulevard from an arterial roadway to a collector roadway. It also required the completion of Bradley Road with Phase 1 from Grinnell Road to

Goldfield Road. This section of Bradley Road has since been constructed and accepted by El Paso County for maintenance. Phase 4 will require the final build-out of Bradley Road from Goldfield Road to Powers Boulevard.

An administrative amendment to the sketch plan was approved on April 2, 2018, which was a reconfiguration resulting in the total number of dwelling units within the sketch plan area to be reduced from 2,096 to 2,017 dwelling units.

The Board of County Commissioners approved a map amendment (rezoning) of the parcel to the RS-5000 zoning district in May of 2018. A preliminary plan to allow 713 residential lots was approved in February of 2019. Then COLA, LLC, purchased the residential portion of the preliminary plan area and received approval for the Trails at Aspen Ridge PUDSP on December 10, 2019. The PUDSP reconfigured approximately 118 acres of the 195 acre preliminary plan area, leaving the first residential filing of 181 lots unchanged.

F. ANALYSIS

1. Land Development Code Compliance

The final plat application meets the final plat submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2019).

2. Zoning Compliance

The RS-5000 zoning district is intended to accommodate single-family and two-family residential development. The density and dimensional standards for the RS-5000 zoning district are as follows:

- Minimum lot size – 5000 square feet
- Setbacks – front 25 feet, sides 5 feet, and rear 25 feet
- Maximum building height – 30 feet
- Maximum lot coverage – 40*

*Where a single-story ranch style residence is proposed, the maximum lot coverage may be 45% of the total lot area.

The lots included within the Trails at Aspen Ridge Filing No. 1 meet the minimum lot size requirement of the RS-5000 zoning district. Individual site plans will need to be submitted for review for each proposed single-family dwelling to compliance with the dimensional standards.

3. Policy Plan Analysis

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues, and provides a framework to tie together the more detailed sub-area elements of the County Master Plan. Relevant policies are as follows:

Policy 6.1.3- Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

Policy 6.1.10- Ensure that new development will not create a disproportionately high demand on public services and facilities by virtue of its location, design or timing.

Policy 6.1.11- Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.

Policy 10.1.2- Carefully consider the impacts that proposed new developments will have on the viability of existing and proposed water and wastewater systems.

Policy 13.1.2- Support the provision of land use availability to meet the housing needs of county residents.

Public water, wastewater, natural gas, and electrical services are all available for the development. A finding of consistency with the Policy Plan was made by the El Paso County Board of County Commissioners with the previously approved sketch plans, residential rezone, and preliminary plan. The same finding was made with approval of the administrative amendment to the sketch plan (SKP-16-002). The request for approval of a final plat to create 181 single-family residential lots can be found to be in conformance with the approved sketch plan.

4. Small Area Plan Analysis

The subject parcel is not located within a small area plan.

6. Water Master Plan Analysis

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best management practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

Goal 1.1 – *Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

Goal 1.2 – *Integrate water and land use planning.*

Policy 6.0.11– *Continue to limit urban level development to those areas served by centralized utilities.*

The final plat would result in urban level development. The applicant is proposing the lots be served by central utilities. Water sufficiency has been analyzed with the review of the proposed subdivision. Please see the Water section below for a summary of the water findings and recommendations for the proposed subdivision. The State Engineer' and the County Attorney's Office have recommended that the proposed subdivision has an adequate water supply in terms of quantity and dependability.

6. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. Colorado Parks and Wildlife and El Paso County Community Services Department, Environmental Division, were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies no potential mineral deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified in the review of the final plat.

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential.

3. Floodplain

The subdivision is located within flood zone X, area of minimal flood hazard and determined to be outside the 500-year floodplain, per FEMA's Flood Insurance Rate Map number 08041C0768G, which has an effective date of December 7, 2018.

4. Drainage and Erosion

The subdivision is located within Big Johnson and West Fork Jimmy Camp Creek drainage basins. Both basins are included in the El Paso County drainage basin fee program and fees will be due at the time of final plat recordation.

The portion of the site located within the Big Johnson drainage basin generally drains to the west. Stormwater runoff will be collected by a storm sewer system and will be directed into a temporary sand filter for water quality and flood control detention. The second filing of the Trails at Aspen Ridge within the basin will convert the temporary sand filter basin to a permanent extended detention basin. The portion of the site located within West Fork Jimmy Camp Creek generally drains to the east. Stormwater runoff will be collected by a storm sewer system and will be directed into an extended detention basin for water quality and flood control detention. These detention facilities are private and will be maintained by the Waterview II Metropolitan District.

Approved grading and erosion control plans identify best management practices (BMPs) to prevent sediment and debris from affecting adjoining properties and the public stormwater system before, during, and after grading activities.

5. Transportation

The subdivision is subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471). The applicant has elected to include this subdivision within the El Paso County Public Improvement District No. 2 and is subject to the applicable road impact fees and mill levy.

The 2016 Major Transportation Corridors Plan Update (MTCP) does not call for any improvements in the immediate vicinity of the site. The Springs East at Waterview Preliminary Plan identified proportional contribution to be made with each filing towards construction of traffic signals at the Legacy Hill Drive and Bradley Road intersection. The applicant is in the process of presenting to the Road Impact Fee Advisory Committee to determine if this is an eligible intersection improvement under the El Paso County Road Impact Fee Program for reimbursement. The applicant shall complete an escrow agreement with El Paso to be applied towards the construction of a traffic signal at the Legacy Hill Drive and Bradley Road intersection prior to final plat recordation unless the signal improvement qualifies as an eligible reimbursement intersection improvement per the El Paso County Road Impact Fee Program and then no escrow would be required.

Offsite improvements along Bradley Road will consist of auxiliary turn lanes as identified in the Traffic Impact Study (TIS) prepared by LSC, Inc. The development is responsible for the entire cost of the required off-site improvements. All public interior roadways are planned to be constructed to El Paso County criteria with the exception of the deviations as stated above and will be dedicated to the County for ownership and maintenance. The platting and development of Trails at Aspen Ridge Filing No. 1 will result in the dedication of approximately 1.23 miles of urban local and 0.51 miles of urban non-residential collector roadways for ongoing County ownership and maintenance.

H. SERVICES

1. Water

Sufficiency:

Quality: Sufficient

Quantity: Sufficient

Dependability: Sufficient

Attorney's summary: Based upon the finding of sufficiency and no injury by the State Engineer, the District's commitment, and based on the requirements below, the County Attorney's Office recommends a finding that the proposed water supply is sufficient in terms of quantity and dependability.

Requirements:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.
- B. It is the Applicant's responsibility, and not the County's, to comply with the advisory by the State Engineer's Office regarding any stormwater collection and/or conveyance facilities that may be included in the development to ensure that any such structures meet the requirements of a 'storm water detention and infiltration facility,' and that notice, construction, and operation of the proposed structure meets statutory and administrative requirements.

The El Paso County Health Department has made a recommendation for sufficient water quality.

2. Sanitation

Wastewater is provided by the Widefield Water and Sanitation District. The district has provided a commitment letter indicating they have capacity to serve the proposed single-family residential lots.

3. Emergency Services

The property is within the Security Fire Protection District. The District was sent a referral on the final plat application and did not provide a response.

4. Utilities

Colorado Springs Utilities will provide natural gas service and Mountain View Electric will provide electrical service to the property.

5. Metropolitan Districts

The property is within the Waterview II Metropolitan District. The District will own and maintain Tracts A through P depicted on the final plat.

6. Parks/Trails

Fees in lieu of park land dedication in the amount of \$82,536.00 for regional fees and \$52,128.00 for urban park fees will be due at the time of recording the final plat.

7. Schools

Fees in lieu of school land dedication in the amount of \$37,467.00 shall be paid to El Paso County for the benefit of Widefield School District No. 3 at the time of plat recording

I. APPLICABLE RESOLUTIONS

Approval	Page 19
Disapproval	Page 20

J. STATUS OF MAJOR ISSUES

There are no major outstanding issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019) staff recommends the following conditions and notations:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.

2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
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 Division of 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 species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.

10. Park fees in lieu of land dedication for regional parks (Area 4) in the amount of \$82,536.00 and urban park (Area 4) fees in the amount of \$52,128.00 shall be paid at the time of plat recordation.
11. Fees in lieu of school land dedication in the amount of \$37,467.00 shall be paid to El Paso County for the benefit of Widefield School District No. 3 at the time of plat recording.
12. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
13. Drainage fees in the amount of \$24,590.17 and bridge fees in the amount of \$3,175.95 for Big Johnson drainage basin (FOFO2600) shall be paid to El Paso County at the time of plat recordation.
14. Drainage fees in the amount of \$360,545.12 and bridge fees in the amount of \$106,665.57 for West Fork Jimmy Camp Creek (FOFO2000) shall be paid to El Paso County at the time of plat recordation.
15. The applicant shall complete an escrow agreement with El Paso County in the amount of \$23,781.39 to be applied towards the construction of a traffic signal at the Legacy Hill Drive and Bradley Road intersection prior to final plat recordation unless the signal improvement qualifies as an eligible reimbursable intersection improvement per the El Paso County Road Impact Fee Program.

NOTATIONS

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.
2. Site grading or construction, other than installation of initial temporary control measures, may not commence until a Preconstruction Conference is held with Planning and Community Development Inspections and a Construction Permit is issued by the Planning and Community Development Department.

L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified seven (7) adjoining property owners on February 25, 2020, for the Planning Commission hearing. Responses will be provided at the hearing.

M. ATTACHMENTS

Vicinity Map
Letter of Intent
Plat Drawing

State Engineer's Letter
County Attorney's Letter
El Paso County Public Health Recommendation Letter

El Paso County Parcel Information

File Name: SF-19-002

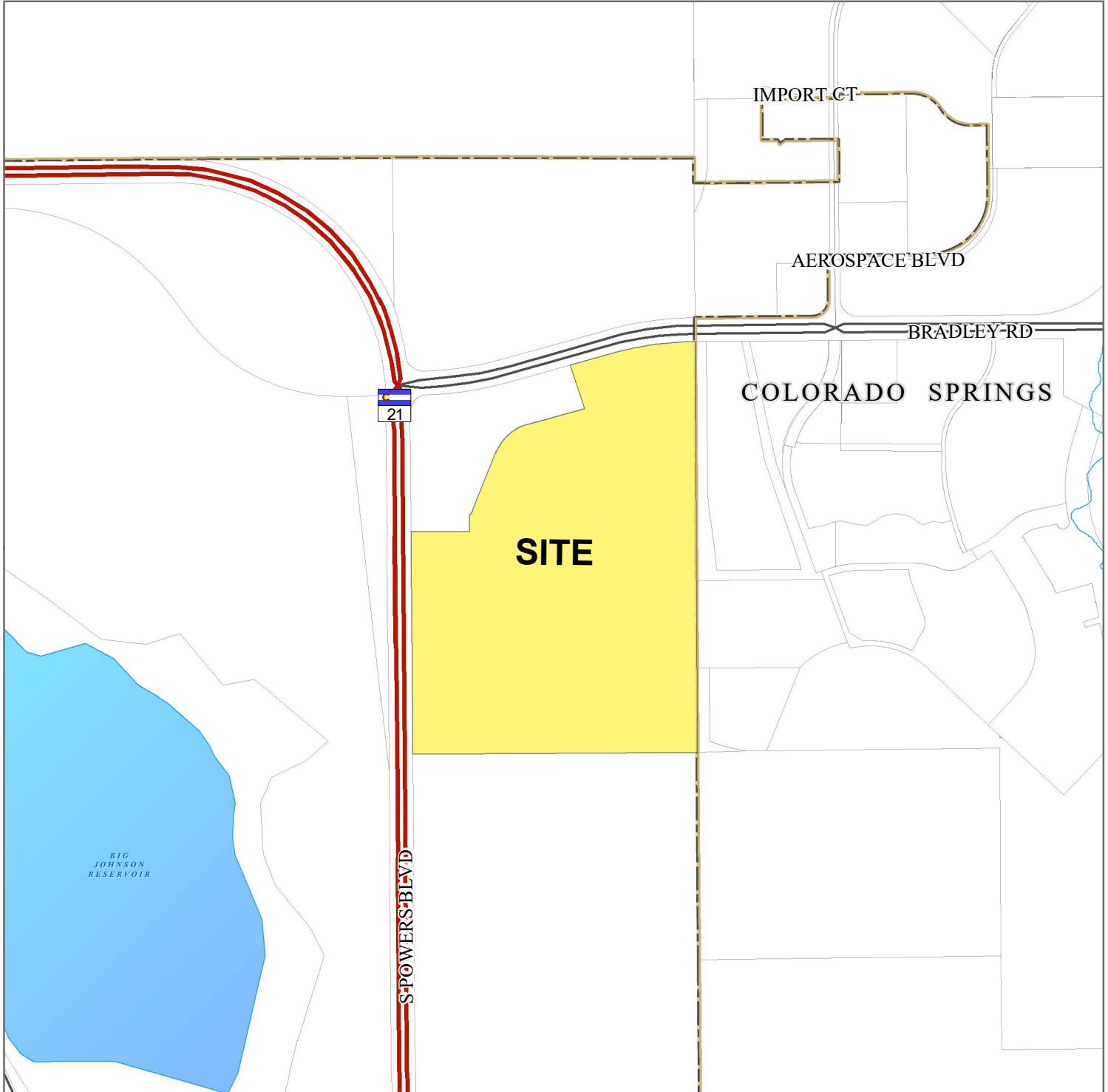
PARCEL	NAME
5500000412	COLA LLC

Zone Map No. --

ADDRESS	CITY	STATE
7910 GATEWAY BLVD EAST #102	EL PASO	TX

ZIP	ZIPLUS
79915	1810

Date: February 19, 2020



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 914 520-6600



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Letter of Intent
The Trails at Aspen Ridge
12/18

Owners: COLA LLC
555 Middle Creek Parkway, Suite 380
Colorado Springs, CO 80921

Applicant: COLA LLC
555 Middle Creek Parkway, Suite 380
Colorado Springs, CO 80921

Consultant: Stantec
5725 Mark Dabling Boulevard
Suite 190
Colorado Springs, CO 80919

Tax Schedule Nos.: 5500000412

Site Information:

The Trails at Aspen Ridge is a proposed single family subdivision and is within the boundaries of the Waterview East Preliminary Plan a proposed mixed use development on 195.25 acres; The proposal is for 180 single family (RS-5000) lots on 55.82 acres.

The site lies in Section 9 of Township 15 South, Range 65 West. The proposed development is south and east of Bradley Road and Powers Boulevard.

The property is presently zoned RS-5000 and is part of the Waterview Sketch Plan.

The proposed Final Plat area legal description is as follows:

A TRACT OF LAND LOCATED IN A PORTION OF THE WEST 1/2 OF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SAID SECTION 9;

1) THENCE S89°33'35"W ON THE SOUTH LINE OF THE SW 1/4 OF SAID SECTION 9, A DISTANCE OF 2,495.44 FEET O A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY 21, AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY;

2) THENCE N00°29'10"W ON SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 222.83 FEET;

- 3) THENCE N89°30'50"E A DISTANCE OF 224.98 FEET;
- 4) THENCE S00°29'10"E A DISTANCE OF 20.98 FEET TO A POINT OF CURVE TO THE LEFT;
- 5) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 27.00 FEET, A DELTA ANGLE OF 89°57'15", AN ARC LENGTH OF 42.39 FEET, WHOSE LONG CHORD BEARS S45°27'48"E A DISTANCE OF 38.17 FEET;
- 6) THENCE N89°33'35"E A DISTANCE OF 358.00 FEET TO A POINT OF CURVE TO THE LEFT;
- 7) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 20.00 FEET, A DELTA ANGLE OF 90°00'00", AN ARC LENGTH OF 31.42 FEET, WHOSE LONG CHORD BEARS N44°33'35"E A DISTANCE OF 28.28 FEET;
- 8) THENCE N00°26'25"W A DISTANCE OF 55.00 FEET;
- 9) THENCE N89°33'35"E A DISTANCE OF 160.00 FEET;
- 10) THENCE S00°26'25"E A DISTANCE OF 12.59 FEET;
- 11) THENCE N89°33'35"E A DISTANCE OF 110.00 FEET;
- 12) THENCE N00°00'00"E A DISTANCE OF 13.82 FEET;
- 13) THENCE N90°00'00"E A DISTANCE OF 159.90 FEET;
- 14) THENCE N00°26'25"W A DISTANCE OF 193.86 FEET;
- 15) THENCE N14°55'16"E A DISTANCE OF 66.77 FEET;
- 16) THENCE N32°43'04"E A DISTANCE OF 66.86 FEET;
- 17) THENCE N36°30'56"E A DISTANCE OF 65.58 FEET;
- 18) THENCE N36°30'56"E A DISTANCE OF 51.07 FEET;
- 19) THENCE N35°26'44"E A DISTANCE OF 49.01 FEET;
- 20) THENCE N29°42'04"E A DISTANCE OF 49.02 FEET;
- 21) THENCE N27°14'20"E A DISTANCE OF 22.28 FEET;
- 22) THENCE N25°12'20"E A DISTANCE OF 44.55 FEET;
- 23) THENCE N22°29'47"E A DISTANCE OF 44.55 FEET;
- 24) THENCE N19°47'14"E A DISTANCE OF 44.56 FEET;
- 25) THENCE N17°04'35"E A DISTANCE OF 44.59 FEET;
- 26) THENCE N13°41'29"E A DISTANCE OF 44.57 FEET;
- 27) THENCE N10°58'49"E A DISTANCE OF 44.56 FEET;
- 28) THENCE N08°16'16"E A DISTANCE OF 44.55 FEET;
- 29) THENCE N05°32'45"E A DISTANCE OF 44.55 FEET;
- 30) THENCE N02°52'08"E A DISTANCE OF 44.56 FEET;
- 31) THENCE N00°08'37"E A DISTANCE OF 44.57 FEET;
- 32) THENCE N88°27'00"E A DISTANCE OF 160.00 FEET;
- 33) THENCE S01°25'17"E A DISTANCE OF 4.78 FEET;
- 34) THENCE N88°42'27"E A DISTANCE OF 110.10 FEET;
- 35) THENCE N00°00'00"E A DISTANCE OF 214.74 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 36) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 965.00 FEET, A DELTA ANGLE OF 06°15'56", AN ARC LENGTH OF 105.53 FEET, WHOSE LONG CHORD BEARS S70°51'04"E A DISTANCE OF 105.47 FEET;
- 37) THENCE N15°57'58"E A DISTANCE OF 50.00 FEET;
- 38) THENCE S74°09'06"E A DISTANCE OF 5.45 FEET TO A POINT OF CURVE TO THE LEFT;

- 39) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 20.00 FEET, A DELTA ANGLE OF $92^{\circ}53'07''$, AN ARC LENGTH OF 32.42 FEET, WHOSE LONG CHORD BEARS $N59^{\circ}14'06''E$ A DISTANCE OF 28.99 FEET;
- 40) THENCE $N12^{\circ}47'44''E$ A DISTANCE OF 80.40 FEET;
- 41) THENCE $N30^{\circ}26'45''W$ A DISTANCE OF 5.46 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 42) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 810.00 FEET, A DELTA ANGLE OF $59^{\circ}31'04''$, AN ARC LENGTH OF 841.41 FEET, WHOSE LONG CHORD BEARS $N45^{\circ}24'44''W$ A DISTANCE OF 804.09 FEET;
- 43) THENCE $N15^{\circ}39'12''W$ A DISTANCE OF 679.59 FEET TO A POINT OF CURVE TO THE LEFT;
- 44) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 110.00 FEET, A DELTA ANGLE OF $79^{\circ}43'24''$, AN ARC LENGTH OF 153.06 FEET, WHOSE LONG CHORD BEARS $S89^{\circ}23'18''W$ A DISTANCE OF 141.01 FEET TO A POINT OF A COMPOUND CURVE;
- 45) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 370.00 FEET, A DELTA ANGLE OF $27^{\circ}29'45''$, AN ARC LENGTH OF 177.56 FEET, WHOSE LONG CHORD BEARS $S35^{\circ}46'43''W$ A DISTANCE OF 175.86 FEET;
- 46) THENCE $N67^{\circ}58'24''W$ A DISTANCE OF 80.00 FEET TO A NON-TANGENT CURVE TO THE RIGHT;
- 47) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 450.00 FEET, A DELTA ANGLE OF $35^{\circ}44'30''$, AN ARC LENGTH OF 280.72 FEET, WHOSE LONG CHORD BEARS $N39^{\circ}54'03''E$ A DISTANCE OF 276.19 FEET;
- 48) THENCE $N57^{\circ}46'18''E$ A DISTANCE OF 68.47 FEET TO A POINT OF CURVE TO THE LEFT;
- 49) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 75.00 FEET, A DELTA ANGLE OF $43^{\circ}29'55''$, AN ARC LENGTH OF 56.94 FEET, WHOSE LONG CHORD BEARS $N36^{\circ}01'21''E$ A DISTANCE OF 55.58 FEET TO A NON-TANGENT LINE SEGMENT;
- 50) THENCE $N15^{\circ}39'12''W$ A DISTANCE OF 394.68 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BRADLEY ROAD AS RECORDED IN BOOK 5307 AT PAGE 1472 OF THE RECORDS OF SAID EL PASO COUNTY;
- 51) THENCE $N74^{\circ}20'48''E$ ON SAID RIGHT-OF-WAY, A DISTANCE OF 120.00 FEET;
- 52) THENCE $S15^{\circ}39'12''E$ A DISTANCE OF 392.40 FEET TO A NON-TANGENT CURVE TO THE LEFT;
- 53) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 75.00 FEET, A DELTA ANGLE OF $60^{\circ}04'25''$, AN ARC LENGTH OF 78.64 FEET, WHOSE LONG CHORD BEARS $S75^{\circ}37'00''E$ A DISTANCE OF 75.08 FEET;
- 54) THENCE $N74^{\circ}20'48''E$ A DISTANCE OF 199.80 FEET;
- 55) THENCE $S15^{\circ}39'12''E$ A DISTANCE OF 80.00 FEET;
- 56) THENCE $S74^{\circ}20'48''W$ A DISTANCE OF 149.80 FEET TO A POINT OF CURVE TO THE LEFT;
- 57) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 135.00 FEET, A DELTA ANGLE OF $58^{\circ}24'49''$, AN ARC LENGTH OF 137.63 FEET,

WHOSE LONG CHORD BEARS S45°08'23"W A DISTANCE OF 131.75 FEET TO A NON-TANGENT LINE SEGMENT;

58) THENCE S15°39'12"E A DISTANCE OF 686.07 FEET TO A NON-TANGENT LINE SEGMENT;

59) THENCE ON THE ARC OF SAID CURVE, HAVING A RADIUS OF 690.00 FEET, A DELTA ANGLE OF 74°20'48", AN ARC LENGTH OF 895.34 FEET, WHOSE LONG CHORD BEARS S52°49'36"E A DISTANCE OF 833.84 FEET;

60) THENCE N90°00'00"E A DISTANCE OF 511.94 FEET TO THE NORTH-SOUTH 1/4 LINE OF SAID SECTION 9;

61) THENCE S00°19'32"E ON SAID LINE, A DISTANCE OF 1,600.02 FEET TO THE POINT OF BEGINNING.

THE ABOVE TRACT OF LAND CONTAINS 2,431,522 SQUARE FEET OR 55.820 ACRES, MORE OR LESS.

Request and Reason:

To approve a Final Plat for 180 single family (RS-5000) lots on 55.8 acres. This letter serves as a request to receive El Paso County approval of Final Plat for this site along with Construction Drawing approval. The applicant anticipates findings of sufficiency of water quality and water capacity based on service provided by Widefield Water and Sanitation District.

The proposed Final Plat is in conformance with the County Policy Plan based on the following Policy analysis:

Policy 6.1.3: Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.

This application meets this policy by maintaining density and land use in accordance with the Waterview Sketch Plan and Waterview East Preliminary Plan and within the parameters of the adjacent proposed residential properties to the east (Bradley Heights approved in the City of Colorado Springs). Access will be from Bradley Road in accordance with the approved Preliminary Plan. Capacity of these roads is addressed in the accompanying TIS.

Policy 6.1.6: Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.

This application meets this policy by taking advantage of existing urban supporting facilities provided by Widefield Water and Sanitation District. Service will be provided based on a recently approved inclusion agreement with this District. Water and Sewer service will be provided by extending water and sewer lines from Fontaine Boulevard north to the property. Easements have been acquired from the State Land Board for installation. Construction of these facilities is underway.

Policy 10.1.2: Carefully consider the impacts that proposed new developments will have on the viability of existing and proposed water and wastewater systems.

The Widefield Water and Sanitation District has indicated the ability to serve the property as well as the State Engineers Office from previous reviews. The proposed project is within the service boundary of the Widefield Water and Sanitation District; an inclusion agreement has recently been approved.

Policy 10.2.2: Carefully consider the availability of water and wastewater services prior to approving new development.

The Widefield Water and Sanitation District has indicated the ability to serve the property as well as the State Engineers Office from previous reviews. The proposed project is within the service boundary of the Widefield Water and Sanitation District; an inclusion agreement has recently been approved. Water and Sewer service will be provided by extending water and sewer lines from Fontaine Boulevard north to the property. Easements have been acquired from the State Land Board for installation. Construction of these facilities are underway.

This request meets the criteria for approval outlined in Section 5.3.5 of the El Paso County Land Development Code by the following:

- The application is in general conformance with the County Master Plan and previous county approvals; in this case the Waterview Sketch Plan and Waterview East Preliminary Plan.
- The proposed Land Use and Zone District is compatible with the existing and permitted land uses in the area.
- The site is suitable for the intended use.

This request meets the criteria for approval outlined in Section 7.2.1 of the El Paso County Land Development Code by the following:

- The application for Final Plat is in conformance with the County Master Plan.
- The subdivision is in conformance with the Zoning, Waterview East Preliminary Plan and the Waterview Sketch Plan.
- The proposed subdivision is consistent with the adjacent subdivision design.
- The proposed water supply is adequate and will be provided by the Widefield Water and Sanitation District.
- The proposed sewage disposal is to be provided by the Widefield Water and Sanitation District.
- Adequate drainage solutions are provided and follow Preliminary Drainage Report, MDDP and DBPS recommendations.
- Necessary services (fire protection, police, recreation, utilities) have been provided and will continue to be provided by the Widefield Water and Sanitation District, Security Fire Protection District, El Paso County, the City of Colorado Springs (gas) and Mountain View Electric (electric).
- Fire Protection will be provided by the Security Fire Protection District.
- Offsite impacts are minimal and will be mitigated as part of construction.
- Adequate public facilities and infrastructure are provided.
- The subdivision meets all other El Paso County criteria or waivers have been requested in this document.

- No mineral extraction is planned for this site.

Existing and Proposed Facilities:

The site currently is vacant. Proposed services in the development include the following:

- Water-Widefield Water and Sanitation District
- Sewer- Widefield Water and Sanitation District
- Electric Service – Mountain View Electric
- Natural Gas Service – City of Colorado Springs
- Telephone Service – Qwest
- Fire Protection – Security Fire Protection District

Offsite Improvements

- Widefield Water and Sanitation District sewer and water extensions from Fontaine Boulevard north across the State Land Board property to The Trails at Aspen Ridge Filing No. 1.

Traffic Impact Fees:

The applicant requests that platted lots within The Trails at Aspen Ridge Filing No. 1 be included in the county wide Public Improvements District (PID 2) being formed and implemented as part of the Traffic Impact Fee resolution.

The calculated Traffic Impact Fee for Springs at Waterview Residential development is estimated to be \$166,140 (180 lots x \$923.00 per lot) based on the inclusion in the PID 2 and current fees.

Pursuant to Section E, Credits and Reimbursements, of the Board of County Commissioners' Road Impact Fee Implementation Document, the applicant requests that the County and Applicant enter into a credit agreement prior to final plat approval to determine an estimate of credits to which Applicant is entitled.

Impact Identification:

Wildlife

A Wildlife Impact Report was approved with the Waterview East Preliminary Plan. This report indicates a potential for minor wildlife impact to the burrowing owl and recommended mitigation. Development will include following the mitigation guidelines identified in this report.

Site Geology:

Entech Engineering, Inc. has provided a Soils, Geology and Geologic Hazard report to accompany this application. This report has identified several potential Geologic Hazards on site related to development of the property along with proposed mitigation of the hazards. The applicant will incorporate the recommended mitigation during final design and construction on site.

Waiver Requests:

1. Waiver for double frontage lots; The proposed development has Powers Boulevard on the west and a collector road that runs through the property. Consequently some lots back up to these roads and therefore are considered double frontage.
2. Deviation for Local street intersection spacing from a collector; previously approved as part of the Waterview East Preliminary Plan
3. Deviation for a reduction in curve radii for a non-residential collector; previously approved as part of the Waterview East Preliminary Plan

Respectfully,

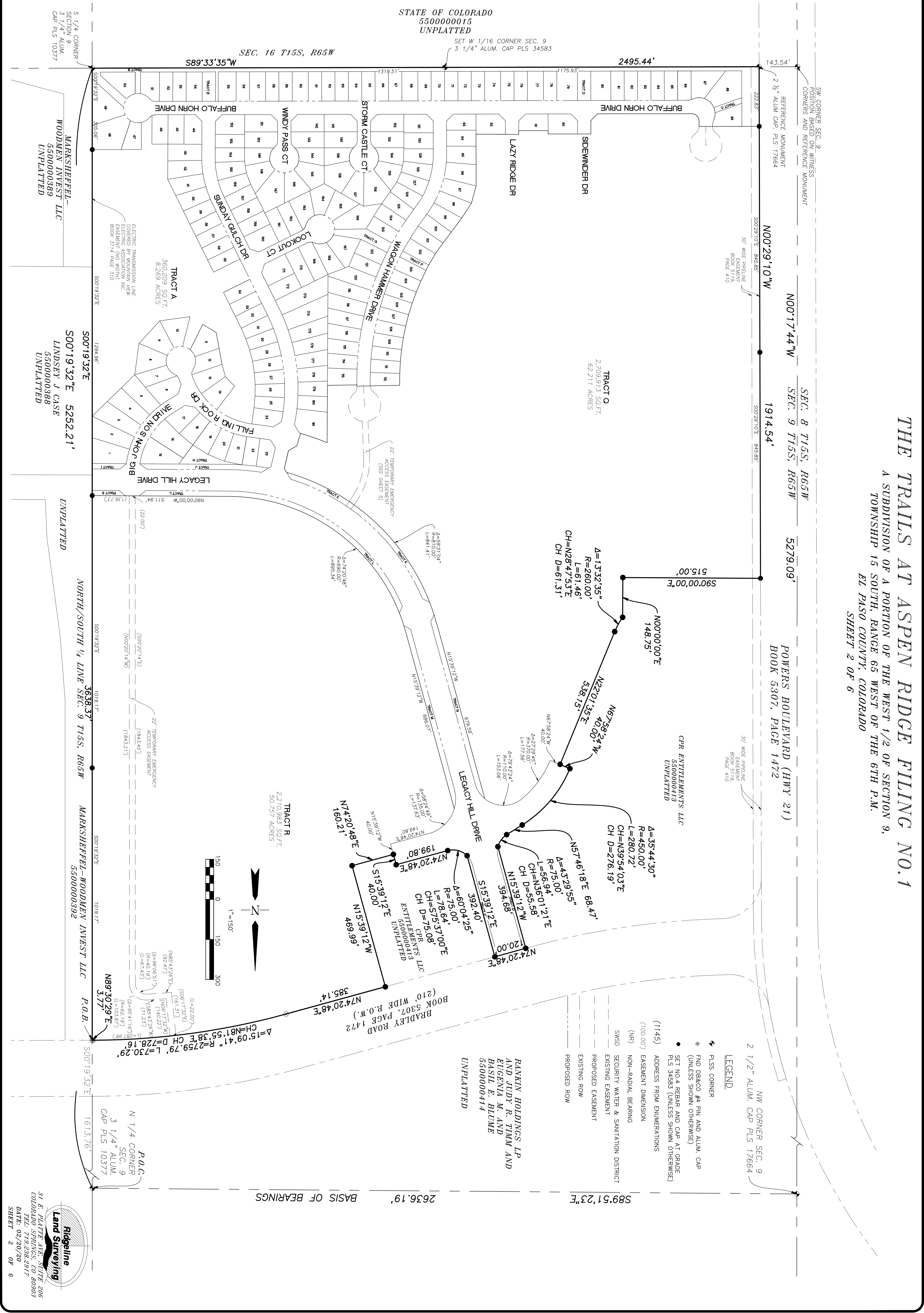
Dan Romano
COLA LLC

THE TRAILS AT ASPEN RIDGE FILING NO. 1
 A SUBDIVISION OF A PORTION OF THE WEST 1/2 OF SECTION 9,
 TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
 EL PASO COUNTY, COLORADO
 SHEET 2 OF 6

STATE OF COLORADO
 550000015
 UNPLATTED

SEC. 16 T15S, R65W

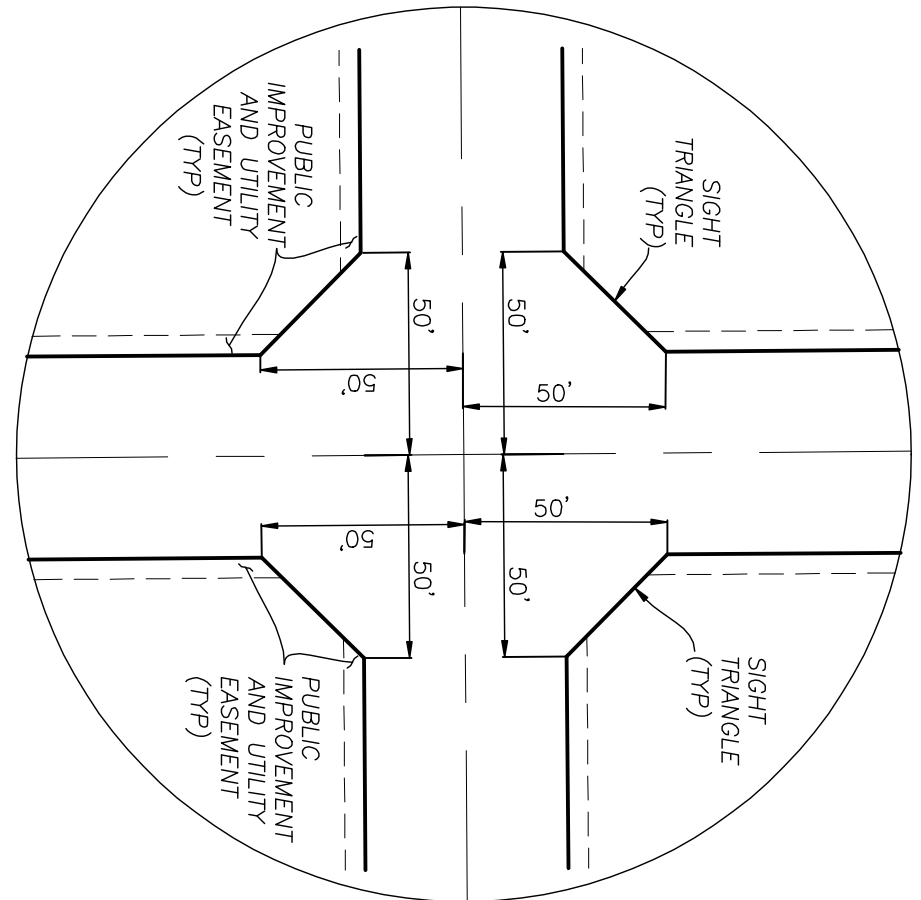
SET W 1/16 CORNER SEC. 9
 3 1/4" ALUM. CAP PLS 34583



Ridgeline Land Surveying
 31 E. PLATTE AVE., SUITE 206
 COLORADO, SPRINGFIELD, CO 80905
 DATE: 02/20/20
 SHEET 2 OF 6

THE TRAILS AT ASPEN RIDGE FILING NO. 1

A SUBDIVISION OF A PORTION OF THE WEST 1/2 OF SECTION 9,
TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
EL PASO COUNTY, COLORADO
SHEET 3 OF 6

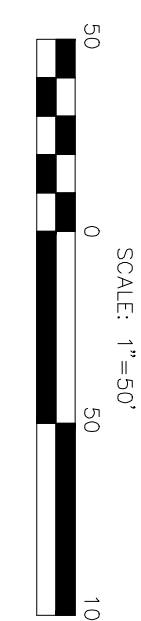


INTERSECTION DETAIL

LEGEND

- PLSS CORNER
- FND DB&CO #4 PIN AND ALUM. CAP (UNLESS SHOWN OTHERWISE)
- SET NO.4 REBAR AND CAP AT GRADE PLS 34583 (UNLESS SHOWN OTHERWISE)
- ADDRESS FROM EUMERATIONS (100.00') EASEMENT DIMENSION (NR)
- NON-RADIAL BEARING
- SECURITY WATER & SANITATION DISTRICT
- EXISTING EASEMENT
- PROPOSED EASEMENT
- EXISTING ROW
- PROPOSED ROW

MARKSHEFFEL-
WOODMEN INVEST LLC
5500000389
UNPLATTED



SHEET 4

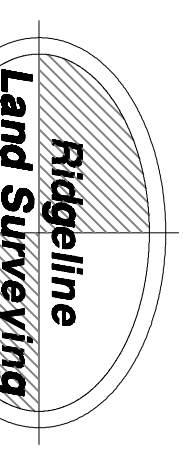
SHEET 4



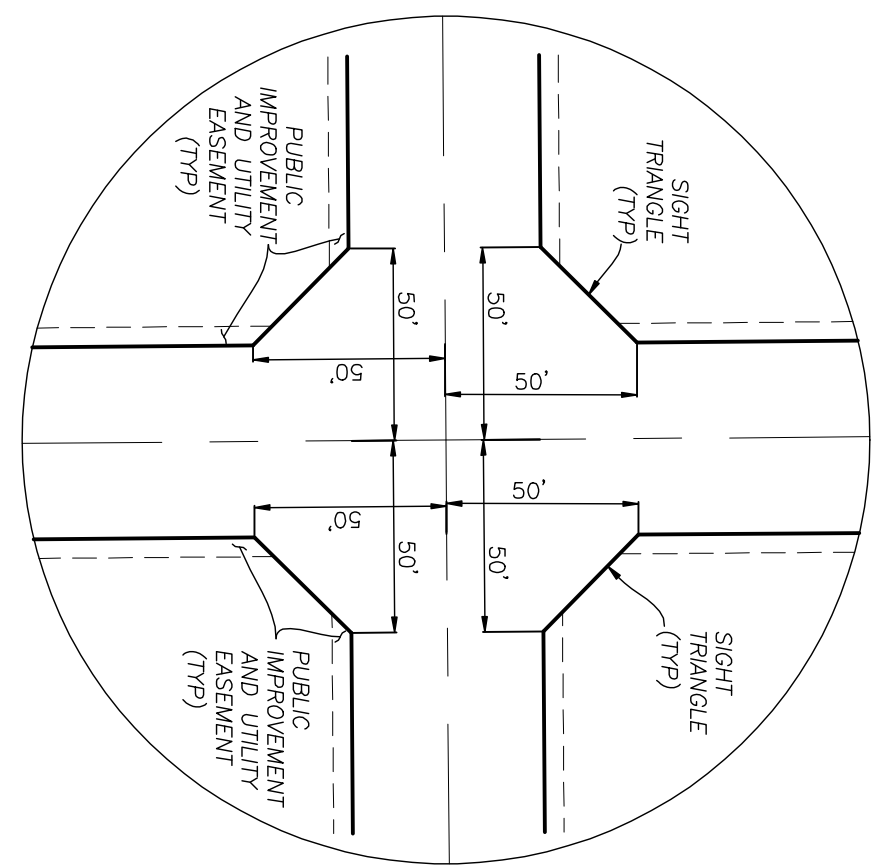
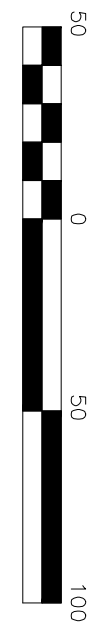
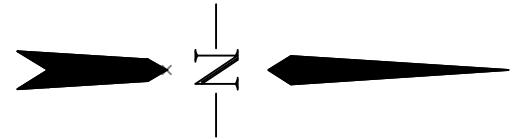
S 1/4 CORNER SEC. 9
3 1/4" ALUM. CAP PLS 10377

SET W 1/16 CORNER SEC. 9
3 1/4" ALUM. CAP PLS 34583

5893335W 1319.51' SEC. 16 T15S, R65W



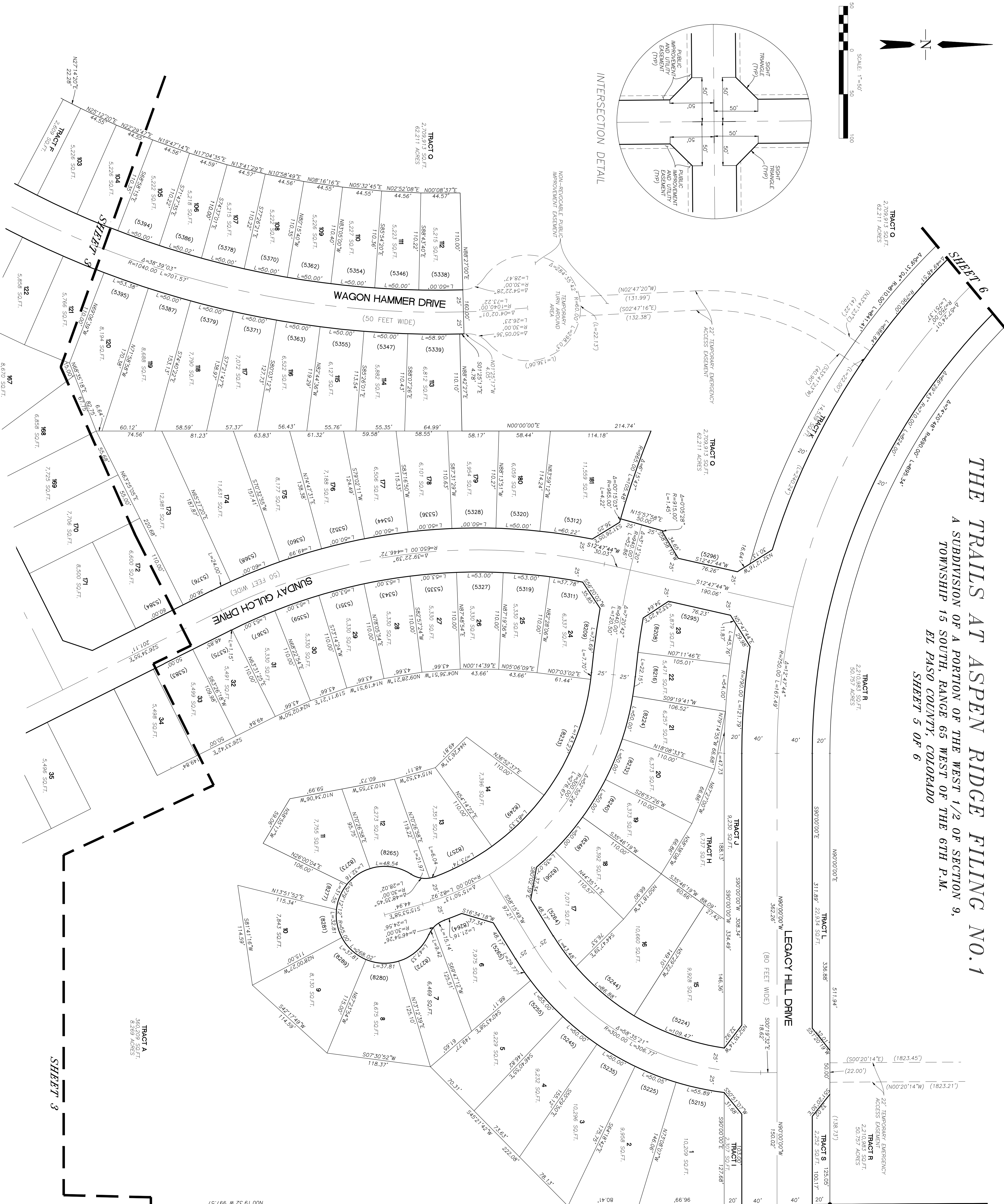
31 E. PLATTE AVE., SUITE 206
COLORADO, SPRINGS, CO 80903
DATE: 02/20/20
SHEET 3 OF 6



INTERSECTION DETAIL

THE TRAILS AT ASPEN RIDGE FILING NO. 1

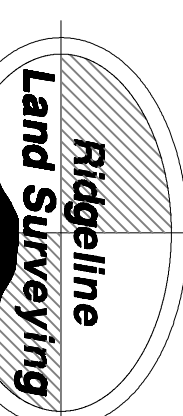
A SUBDIVISION OF A PORTION OF THE WEST 1/2 OF SECTION 9,
TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
EL PASO COUNTY, COLORADO
SHEET 5 OF 6



MARKSHEFFEL-
WOODMEN INVEST LLC
5500000392
UNPLATTED

LINDSEY J CASE
5500000388
UNPLATTED

- LEGEND**
- ✦ PLSS CORNER
 - PND DB&CO #4 PIN AND ALUM. CAP (UNLESS SHOWN OTHERWISE)
 - SET NO. 4 REBAR AND CAP AT GRADE PLS 34583 (UNLESS SHOWN OTHERWISE)
 - (1145) ADDRESS FROM ENUMERATIONS
 - (100.00') EASEMENT DIMENSION
 - (NR) NON-RADIAL BEARING
 - SWSD SECURITY WATER & SANITATION DISTRICT
 - EXISTING EASEMENT
 - PROPOSED EASEMENT
 - EXISTING ROW
 - PROPOSED ROW



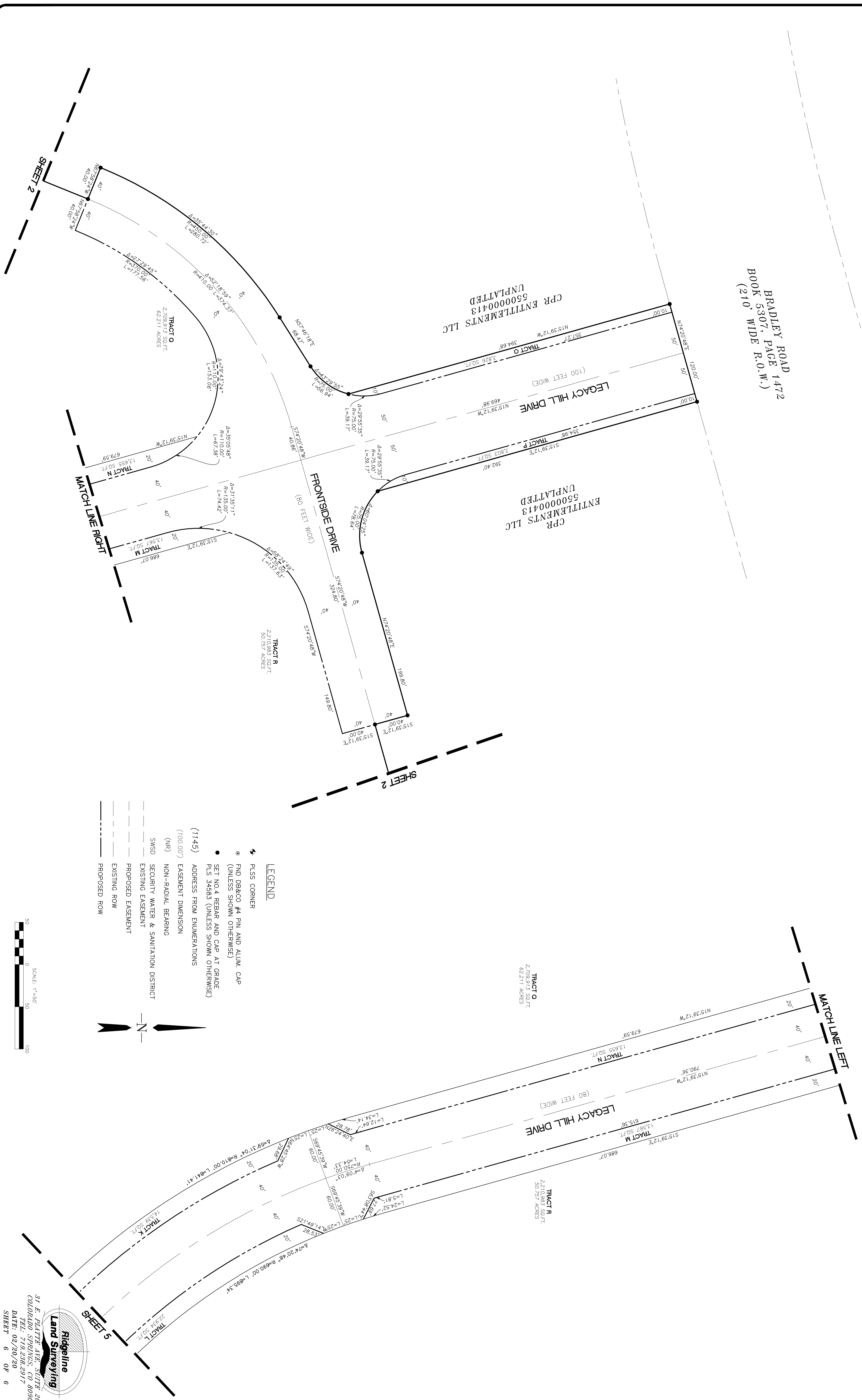
31 E. PLATTE AVE., SUITE 206
COLORADO SPRINGS, CO 80903
DATE: 02/20/20
SHEET 5 OF 6

THE TRAILS AT ASPEN RIDGE FILING NO. 1
 A SUBDIVISION OF A PORTION OF THE WEST 1/2 OF SECTION 9,
 TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M.
 EL PASO COUNTY, COLORADO
 SHEET 6 OF 6

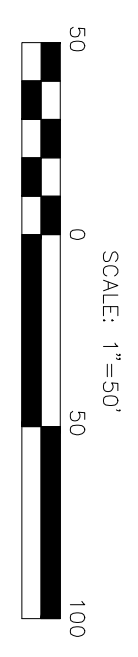
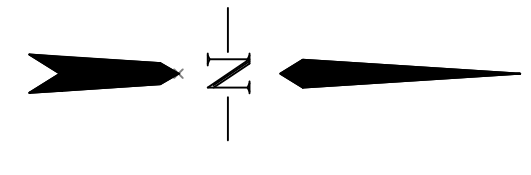
BRADLEY ROAD 1472
 BOOK 5307, PAGE
 (210' WIDE R.O.W.)

CPR ENTITLEMENTS LLC
 UNPLATTED
 5500000413

CPR
 ENTITLEMENTS LLC
 UNPLATTED
 5500000413



- LEGEND**
- ◆ PLS CORNER
 - ⊙ FND DB&CO #4 PIN AND ALUM. CAP (UNLESS SHOWN OTHERWISE)
 - SET NO. 4 REBAR AND CAP AT GRADE PLS 34583 (UNLESS SHOWN OTHERWISE)
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 - SWSID SECURITY WATER & SANITATION DISTRICT
 - EXISTING EASEMENT
 - PROPOSED EASEMENT
 - EXISTING ROW
 - PROPOSED ROW



Ridgeline Land Surveying
 31 E. PLATTEN AVE., SUITE 206
 COLORADO SPRINGS, CO 80903
 DATE: 02/20/20
 SHEET 6 OF 6

January 15, 2020

Nina Ruiz
El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910-3127

RE: Trails at Aspen Ridge
Sec. 9, Twp. 15S, Rng. 65W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 26781

To Whom It May Concern:

We have received a referral regarding the above-referenced proposal to subdivide a 55.82 ± acre tract of land into 181 single family lots and two parks. According to the submittal, the proposed supply of water and wastewater disposal is to be served by the Widefield Water and Sanitation District ("District").

Water Supply Demand

The submittal estimates a demand of 63.35 acre-feet/year for 181 household units. This equates to an anticipated water demand of approximately 0.35 acre-feet/year per household. An additional 6.44 acre-ft/yr is anticipated for community landscaping. The waste water will return to Widefield's central system.

Use	Amount	Water use Rate (AF/yr)	Demand (AF/yr)
Residences	181 each	0.35	63.35
Irrigation	3.5 acres	1.84 AF/ac	6.44
Total			69.79

Please note that standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot/year for each ordinary household, 0.05 acre-foot/year for four large domestic animals, and 0.05 acre-foot/year for each 1,000 square feet of lawn and garden irrigation.

Source of Water Supply

The source of water for the proposed development is to be served by the Widefield Water and Sanitation District ("Widefield"). A letter of commitment dated September 25, 2019 from Widefield was provided with the referral materials and indicates 69.79 acre-feet are committed to the subdivision.

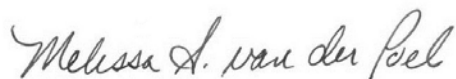
Additional Comments

Should the development include construction and/or modification of any storm water structure(s), the Applicant should be aware that, unless the storm water structure(s) can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR's *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, available online at: <http://water.state.co.us/DWRIPub/Documents/DWR%20Storm%20Water%20Statement.pdf>, to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements.

State Engineer's Office Opinion

According to this office's records, it appears the District has sufficient water resources to serve the proposed development. Based upon the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply is adequate and can be provided without causing injury to decreed water rights. Should you have any further questions, please feel free to contact me directly.

Sincerely,



Melissa A van der Poel, P.E.
Water Resource Engineer

cc: Bill Tyner, Division Engineer
Doug Hollister, North Regional Team Lead

EL PASO COUNTY



OFFICE OF THE COUNTY ATTORNEY CIVIL DIVISION

Diana K. May, County Attorney

Assistant County Attorneys

M. Cole Emmons
Lori L. Seago
Lisa A. Kirkman
Steven A. Klaffky
Peter A. Lichtman
Mary Ritchie
Bryan Ritchie

January 23, 2020

SF-19-2 Trails at Aspen Ridge Filing 1
Final Plat

Reviewed by: Cole Emmons, Senior Assistant County Attorney *MCE*
Edi Anderson, Paralegal

FINDINGS AND CONCLUSIONS:

1. This is a Final Plat proposal by COLA, LLC ("Applicant"), to subdivide an approximately 55.82 +/- acre parcel into 181 single-family residential units. The property is zoned RS-5000 (Residential Suburban). For historical context, this subdivision is located within Phase 2 of the Waterview Sketch Plan. The Trails at Aspen Ridge development is an amendment to a portion of the Springs at Waterview East Preliminary Plan.

2. The Applicant has provided for the source of water to derive from the Widefield Water and Sanitation District ("District"). Pursuant to the Water Supply Information Summary, the Applicant estimated its annual water needs to serve household use for this subdivision at 70.6 acre-feet. This calculation was based on the District's previous annual acre-feet single-family equivalent of 0.39 acre-feet. The District has recently revised its standard to 0.35/acre-feet single-family equivalent which now results in an annual water demand of 63.35 acre-feet/year, plus irrigation for community landscaping at 6.44 acre-feet/year, for a total water demand of 69.79 acre-feet/year for the Trails at Aspen Ridge Filing 1 subdivision. Based on these figures, the Applicant must provide a supply of 20,937 acre-feet of water (69.79 acre-feet/year x 300 years) to meet the County's 300 year water supply requirement for the subdivision. Since the District's water is considered annually renewable, it is considered to already have a minimum life of 300 years, and therefore, does not have to reserve this total quantity of water.

3. Under Section 8.4.7.C.1. of the El Paso County Land Development Code (LDC), "[w]ater provided from renewable groundwater sources is considered to be annually renewable and, therefore, is considered to have a minimum life of 300 years." While not highlighted in this submittal, information in County Attorney's Office files indicates that the general well locations in the District place most of the wells approximately within one to two miles of either Fountain

200 S. CASCADE AVENUE
OFFICE: (719) 520-6485



COLORADO SPRINGS, CO 80903
FAX: (719) 520-6487

Creek or Jimmy Camp Creek, and given the augmentation supply of transmountain Frying Pan/Arkansas Project water which is a tributary renewable source, it appears the proposed water supply is an annually renewable source and falls within the provisions of LDC Section 8.4.7.C.1. Thus, the proposed supply is considered to have a minimum life of 300 years.

4. In a letter dated January 15, 2020, the State Engineer reviewed the application to subdivide the 55.82 +/- acres into 181 single-family residential lots. The Engineer stated that according to their records, "it appears the District has sufficient water resources to serve the proposed development. Based upon the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing injury to decreed water rights."

The State Engineer's Office also provided the following advisory to the Applicant related to any construction and/or modification of storm water structures:

"... unless the storm water structures(s) can meet the requirements of a 'storm water detention and infiltration facility' . . . the structure may be subject to administration by this office. The applicant should review the *DWR's Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado* ... to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements."

5. The District's Engineer provided a letter of commitment for Trails at Aspen Ridge Filing 1 dated September 25, 2019, which revised earlier commitment letters dated December 12, 2018 and June 13, 2019. The September 25, 2019 letter stated that the District commits to providing water supply to the Trails at Aspen Ridge Filing 1 subdivision of "181 single family lots and partial active landscaping on two parks. The water commitment is based on the recently revised Widefield standard of 0.35 AF/SFE and is 63.35 AF-year and 6.44 AF-year for landscaping for a total of 69.79 AF-year."

6. PFCs. On May 19, 2016, the Environmental Protection Agency ("EPA") announced that it lowered the health advisory levels ("HAL") for perfluorinated compounds ("PFC"), to 70 parts per trillion. One of the three local water providers whose PFC levels now exceed the EPA's HAL is Widefield Water and Sanitation District. There has been much coverage in the local press and much public concern expressed over PFCs recently. The District Manager at the time provided a letter dated July 29, 2016 (see **Exhibit 1** attached hereto), in which he explains that the PFCs are unregulated and unenforceable, and the new HAL ". . . in no way impacts or reduces Widefield Water and Sanitation District's water supply quantity or our ability to serve water to our current or future customers."

7. Analysis: With a proposed annual demand of 69.79 acre-feet/year, based on the current commitments of the District to that amount, and the annually renewable water supply, it appears the proposed water supply will be sufficient.

8. Section 8.4.7(B)(10)(g), of the El Paso County Land Development Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

9. Therefore, based upon the finding of sufficiency and no injury by the State Engineer, the District's commitment, and based on the requirements below, the County Attorney's Office recommends a finding that the proposed water supply is **sufficient** in terms of quantity and dependability. The El Paso County Health Department may wish to confirm that the District is in compliance with the water quality regulations.

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.
- B. It is Applicant's responsibility, and not the County's, to comply with the advisory by the State Engineer's Office regarding any storm water collection and/or conveyance facilities that may be included in the development to ensure that any such structures meet the requirements of a 'storm water detention and infiltration facility,' and that notice, construction, and operation of the proposed structure meets statutory and administrative requirements.

cc: Nina Ruiz, Project Manager, Planner III



RECEIVED

AUG 01 2016

El Paso County
Attorney's Office

37 Widefield Boulevard, Colorado Springs, Colorado 80911

July 29, 2016

Cole Emmons
County Attorney's Office
27 East Vermijo Avenue
Colorado Springs, Colorado 80903

Re: **Perfluorinated Compounds**

Dear Mr. Emmons:

Due to all of the negative media pertaining to PFC's in the water, I wanted to write to you to explain what has occurred and to reiterate in writing that the new health advisory level for PFC's in no way impacts or reduces Widefield Water and Sanitation District's water supply quantity or our ability to serve water to our current or future customers.

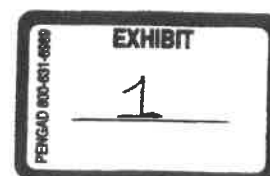
On May 19, 2016, the Environmental Protection Agency (EPA) announced it lowered the health advisory levels (HAL's) for both PFOS and PFOA to 70 parts per trillion. In addition, the Colorado Department of Public Health and Environment (CDPHE) decided to include PFHpA into the 70 parts per trillion combined level. By adding three of the PFC's together and lowering the level, the wells in the Widefield aquifer do not meet the new Health Advisory Level. Prior to May 19, 2016, Widefield Water and Sanitation District's well water was below the former Health Advisory Level for PFC's. PFC's are unregulated and unenforceable.

As an unregulated contaminant the EPA nor CDPHE requires public water suppliers to do anything about exceeding the health advisory level for PFC's other than notifying customers that the water may at times exceed the new HAL. WWSD can legally operate all of our wells without providing any form of treatment. Although we are not required by regulations to treat for or remove PFC's from the water, WWSD plans on designing and building a treatment plant(s) to remove PFC's in order to restore and maintain consumer confidence. We are also currently working with the Air Force, who has authorized funds to help us mitigate the PFC concerns, as it is suspected that the Air Force's use of firefighting foams may have contributed to, or caused the PFC contamination.

Widefield Water and Sanitation District water quantity or ability to deliver water is not at all impacted by the PFC issue in any way. In addition, we plan on having it mitigated before next year's high summer demand period.

Sincerely,


Steve Wilson, District Manager



Trails at Aspen Ridge, Filing No. 1 (Updated), SF-19-002

Please accept the following updated comments from El Paso County Public Health (EPCPH) regarding the project referenced above:

- **Water service will be provided by Widefield Water and Sanitation District PWSID # CO0121900 which is a Colorado Department of Public Health and Environment approved community water and wastewater treatment facility. There is a finding for sufficiency in terms of water quality for Widefield Water and Sanitation District.**
- **Widefield Water and Sanitation District (Permit CO-0021067) will provide wastewater service. The Widefield Water and Sanitation District does have sufficient treatment capacity for the proposed 55.82-acre, 180-residential lot development. See the 13June2019 Letters of Commitment from Widefield Water and Sanitation District for both water and wastewater services (updated 25Sept2019). Also, the Stantec “Engineering Study for The Trails at Aspen Ridge, Filing No. 1, Wastewater System Improvements” report dated June 2019, was used to support treatment adequacy by Widefield Water and Sanitation District.**
- **El Paso County Public Health encourages planned walk-ability of residential communities. Please consider appropriate connections to commercial areas through the use of sidewalks, and bike trails. Walk-ability features help reduce obesity and associated heart diseases.**
- **Earthmoving activities Earthmoving activities greater than 25 acres require a Construction Activity Permit from the Colorado Department of Public Health and Environment, Air Pollution Control Division. Go to the El Paso County Public Health site <http://www.elpasocountyhealth.org/service/air-quality> for the link to the Colorado Department of Public Health and Environment, Air Pollution Control Division, for the permit application.**
- **The water quality detention basins must have mosquito control responsibilities included as a part of the maintenance plan to help control mosquito breeding habitat and minimize the potential for West Nile Virus. The Waterview II Metropolitan District is designated to provide drainage and open space maintenance services, among other services.**

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04Jan2020