

COMMISSIONERS: STAN VANDERWERF (CHAIR) CAMI BREMER (VICE-CHAIR) LONGINOS GONZALEZ, JR. HOLLY WILLIAMS CARRIE GEITNER

# PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT CRAIG DOSSEY, EXECUTIVE DIRECTOR

TO: El Paso County Planning Commission

Brian Risley, Chair

FROM: Ryan Howser, Planner II

Gilbert LaForce, PE Engineer II Craig Dossey, Executive Director

RE: Project File #: SF-21-014

Project Name: Cloverleaf Filing No. 1

Parcel Nos.: 71231-02-047, 71231-02-048, and 71231-02-050

| OWNER:                         | REPRESENTATIVE:                 |  |  |
|--------------------------------|---------------------------------|--|--|
| PT Cloverleaf, LLC             | N.E.S., Inc.                    |  |  |
| 1846 Woodmoor Drive, Suite 100 | 610 S Cascade Avenue, Suite 201 |  |  |
| Monument, CO 80132             | Colorado Springs, CO 80903      |  |  |

Commissioner District: 1

| Planning Commission Hearing Date:          | 7/15/2021 |
|--|-----------|
| Board of County Commissioners Hearing Date | 8/10/2021 |

### **EXECUTIVE SUMMARY**

A request by PT Cloverleaf, LLC, for approval of a vacation and replat of three parcels, collectively representing a portion of one platted (1) tract, into three (3) single-family residential lots. The three parcels total 1.5-acres and are zoned RS-20000 (Residential Suburban) and are located north of Leggings Way, east of Bowstring Road, approximately 0.34 miles northeast of the Higby Road and Jackson Creek Parkway intersection and within Section 23, Township 11, and Range 67 West of the 6th P.M. The property is located within the <u>Tri- Lakes Comprehensive Plan</u> (2000).



The Board of County Commissioners approved the Cloverleaf Preliminary Plan on June 15, 2021. Approval of the preliminary plan did not include a finding of water sufficiency in terms of quality, quantity, and dependability.

### A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

**Request:** A request by PT Cloverleaf, LLC, for approval of a vacation and replat of three parcels, collectively representing a portion of one platted (1) tract, into three (3) single-family residential lots.

**Waiver(s)/Deviation(s):** There are no waivers or deviations associated with this request.

**Authorization to Sign:** There are no items requiring signature associated with this request.

### **B. PLANNING COMMISSION SUMMARY**

Request Heard:

Recommendation:

Waiver Recommendation:

Vote:

Vote Rationale:

**Summary of Hearing:** 

**Legal Notice:** 

### C. APPROVAL CRITERIA

The request to replat the tract includes two (2) actions, the vacation of the portion of the original subdivision plat where the change is proposed and the approval of a new subdivision plat. These actions can be taken concurrently. First the BoCC shall find that the request meets the vacation criteria for approval outlined in Section 7.2.3.A, Vacation of Recorded Plats, of the El Paso County Land Development Code (2021). Secondly, the BoCC shall find that the request meets the final plat criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2021):

- 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: | RS-20000 (Residential Suburban)    | Vacant                 |
|--------|------------------------------------|------------------------|
| South: | RM-30 (Residential Multi-Dwelling) | Single Family Attached |
| East:  | RM-30 (Residential Multi-Dwelling) | Single Family Attached |
| West:  | RS-20000 (Residential Suburban)    | Single Family Detached |

### E. BACKGROUND

The property was initially zoned A-5 (Agricultural) on January 3, 1955 when zoning was initiated for this portion of El Paso County. The property was rezoned from A-5 to R (Residential) on November 29, 1971. Due to changes in the nomenclature of the El Paso County Land Development Code (2019), the R zoning district has been renamed as the RS-20000 (Residential Suburban) zoning district. The portion of the property included in the vacation and replat request which is proposed as Lot 1 was originally platted as Tract F of the Woodmoor Greens subdivision (Plat No. 3756). The Woodmoor Greens final plat was recorded on February 16, 1972.

The portion of the property included in the vacation and replat request which is proposed as Lots 2 and 3 were originally platted as Lots 497, 498, and 499 of the Woodmoor Greens subdivision and were later replatted to be incorporated into Tract F (Plat No. 3898).

The Board of County Commissioners approved the Cloverleaf Preliminary Plan on June 15, 2021. The request for approval of the preliminary plan included 144 single-family residential lots and 6.186 acres of open space and stormwater detention. The approval did not include a finding of water sufficiency in terms of quality, quantity, and dependability.

### F. ANALYSIS

### 1. Land Development Code Compliance

The vacation and replat application meets the final plat submittal requirements, the standards for Actions Vacating or Altering a Recorded Plat in Chapter 7, and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2019).

### 2. Zoning Compliance

The property is zoned RS-20000 (Residential Suburban). The RS-20000 zoning district is intended to accommodate larger lot, single-family residential development with available urban services. The density and dimensional standards for the RS-20000 zoning district are as follows:

- Minimum lot size: 20,000 square feet
- Minimum width at the front setback line: 100 feet
- Minimum setback requirement: front 40 feet, side 15 feet, rear 40 feet\*
- Maximum lot coverage: 40 percent unless a single-story residence is proposed where the maximum lot coverage may be 45 percent

\*Detached accessory structures may be setback 15 feet from the rear property line.

The proposed vacation and replat is in compliance with the RS-20000 zoning district. Individual residential site plans will need to be submitted for review for each proposed single-family dwelling in order to ensure compliance with the applicable dimensional standards.

### 3. Policy Plan Analysis

The <u>El Paso County Policy Plan</u> (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. A finding of consistency with the <u>Policy Plan</u> was previously made by the Board of County Commissioners with approval of the Cloverleaf Preliminary Plan (PCD File No. SP-20-002). The proposed final plat application is consistent with the approved preliminary plan.

### 4. Small Area Plan Analysis

The proposed subdivision is within the Woodmoor sub-area of the <u>Tri-Lakes Comprehensive Plan</u> (1999). The <u>Plan</u> recommends development of the sub-area as medium density residential. A finding of consistency with the <u>Tri-Lakes Comprehensive Plan</u> was previously made by the Board of County Commissioners with approval of the Cloverleaf Preliminary Plan (PCD File No. SP-20-002). The proposed final plat application is consistent with the approved preliminary plan.

### 5. Water Master Plan Analysis

The <u>El Paso County Water Master Plan</u> (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. A finding of consistency with the <u>Water Master Plan</u> was previously made by the Board of County Commissioners with approval of the Cloverleaf Preliminary Plan (PCD File No. SP-20-002). The proposed final plat application is consistent with the approved preliminary plan.

The Woodmoor Water and Sanitation District has provided a commitment letter indicating that they have adequate resources to serve the property. The applicant's water resources report was reviewed by El Paso County Planning and Community Development, El Paso County Public Health, and the County

Attorney's Office. A conditional recommendation of sufficiency regarding water quantity and dependability was made by the County Attorney's Office on May 11, 2021. El Paso County Public Health has made a recommendation regarding a finding of sufficiency for water quality and has no outstanding comments.

### 6. Other Master Plan Elements

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

The <u>Master Plan for Mineral Extraction</u> (1996) identifies potential upland 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.

<u>The El Paso County Parks Master Plan</u> (2013) does not depict any parks, trails, or open space within the development area.

Please see the Transportation section below for information regarding conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

### G. PHYSICAL SITE CHARACTERISTICS

### 1. Hazards

No hazards were identified during review of the vacation and replat application.

### 2. Wildlife

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

### 3. Floodplain

FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0278G, which has an effective date of December 7, 2018, indicates the property is located within Zone X, areas outside of the 500-year floodplain.

### 4. Drainage and Erosion

Cloverleaf Filing No. 1 is located within the Teachout Creek drainage basin (FOMO4800), which is an unstudied basin. The basin is listed under Interim Drainage Basins (fees are based upon a draft Drainage Basin Planning Study or

a Fee Estimation Report) in the El Paso County Drainage Basin Fee program. Drainage and bridge fees shall be paid at the time of final plat recordation.

The development generally drains to the southwest. Stormwater runoff is conveyed into a water quality facility located in each of the three lots. The water quality ponds will be owned and maintained by the individual lot owners. These facilities will be constructed by the homeowners and shall be operational prior to certificate of occupancy.

Lots within Cloverleaf Filing No. 1 will be required to submit an engineered site plan for final design of the individual lot water quality facility as noted in the plat notes.

### 5. Transportation

The El Paso County 2016 Major Transportation Corridors Plan Update does not depict roadway improvement projects in the immediate vicinity of the development.

The proposed subdivision is located east of Bowstring Road, and west Leggins Way. The are no proposed roadway improvements with this filing. A traffic impact study was not required with this application since the average daily trips generated is less than 100 trips per day.

The development is subject to the El Paso County Road Impact Fee Program (Resolution No.19-471, as amended). The applicant has not requested inclusion into a public improvement district; therefore, fees for each lot shall be paid in full at the time of building permit issuance.

### H. SERVICES

### 1. Water

Water supply service will be provided by Woodmoor Water and Sanitation District.

Sufficiency:

Quality: Sufficient
Quantity: Sufficient
Dependability: Sufficient

Attorney's summary: The State Water Engineer's Office has made a recommendation regarding a finding of adequacy and has stated water can be provided without causing injury to decreed water rights. The County Attorney's Office recommends a finding of sufficiency with regard to water quantity and

dependability. El Paso County Public Health has made a recommendation regarding a finding of sufficiency for water quality and has no outstanding comments.

### 2. Sanitation

Wastewater is provided by the Woodmoor Water and Sanitation District. The District has provided a commitment letter to serve the anticipated development.

### 3. Emergency Services

The development area is within the Tri-Lakes-Monument Fire Protection District. The District was sent a referral and has no outstanding comments.

### 4. Utilities

Electrical service will be provided by Mountain View Electric Association and natural gas service will be provided by Black Hills Energy. Both providers were sent a referral for the map amendment (rezoning) and have no outstanding comments.

### 5. Metropolitan Districts

The development area is not included within a metropolitan district; however, the applicant anticipates creating a metropolitan district. The proposed metropolitan district is scheduled to be heard by the Board of County Commissioners on July 6, 2021.

### 6. Parks/Trails

Fees in lieu of park land dedication in the amount of \$1,380.00 for regional fees (Area 2) and \$870.00 for urban park fees (Area 1) will be due at the time of recording the final plat.

### 7. Schools

Fees in lieu of school land dedication in the amount of \$924.00 shall be paid to El Paso County for the benefit of Lewis Palmer School District No. 38 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 vacation criteria for approval outlined in Section 7.2.3.A, Vacation of Recorded Plats, of the <u>El Paso County Land Development Code</u> (2021) and that the request meets the final plat criteria for approval outlined in Section 7.2.1 (Subdivisions) of the <u>El Paso County Land Development Code</u> (2021) 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. The 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 2) in the amount of \$1,380.00 and urban park (Area 1) fees in the amount of \$870.00 shall be paid at the time of plat recordation.
- 11. Fees in lieu of school land dedication in the amount of \$924.00 shall be paid to El Paso County for the benefit of Lewis Palmer School District No. 38 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 \$2,063.00 and bridge fees in the amount of \$311.00 for Teachout Creek (FOMO4800) drainage basin shall be paid to El Paso County at the time of final plat recordation.

### **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 or 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.

3. An engineered site plan is required with submittal and review of the building permit application for each lot in the subdivision. The engineered site plan shall provide final design and construction details of the water quality facility.

### L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified twelve (12) adjoining property owners on June 29, 2021, for the Planning Commission meeting. 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

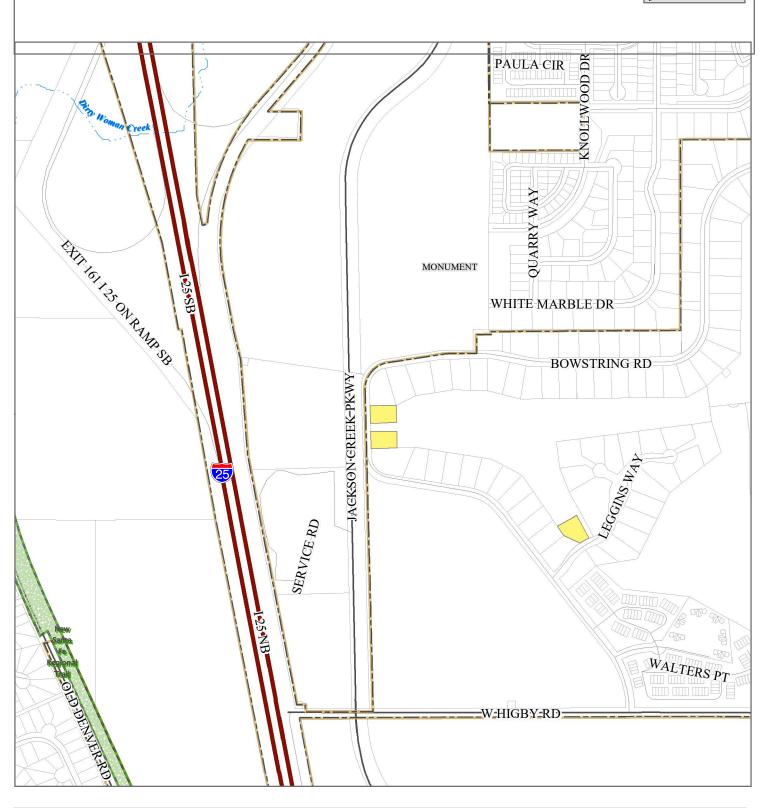
# **El Paso County Parcel Information**

| PARCEL     | NAME              |
|------------|-------------------|
| 7123102050 | PT CLOVERLEAF LLC |
| 7123102047 | PT CLOVERLEAF LLC |
| 7123102048 | PT CLOVERLEAF LLC |

File Name: SF-21-014

Zone Map No. --

Date: June 28, 2021



### **CLOVERLEAF FILING NO.1 FINAL PLAT**

### **LETTER OF INTENT**

### **APRIL 2021**

APPLICANT AND PROPERTY OWNER
PT Cloverleaf, LLC
1864 Woodmoor Drive, Suite 100
Monument, Colorado 80132

CONSULTANT: N.E.S. Inc. 619 North Cascade Avenue Colorado Springs, CO 80903 CIVIL CONSULTANT
JR Engineering.
5475 Tech Center Drive, Ste 235,
Colorado Springs, CO 80919

### **REQUEST**

PT Cloverleaf, LLC requests approval of a Final Plat for Cloverleaf Filing No. 1, comprising 3 residential lots.

### **SUPPORTING DOCUMENTS**

The following reports are submitted in support of this Final Plat and are referenced in this Letter of Intent:

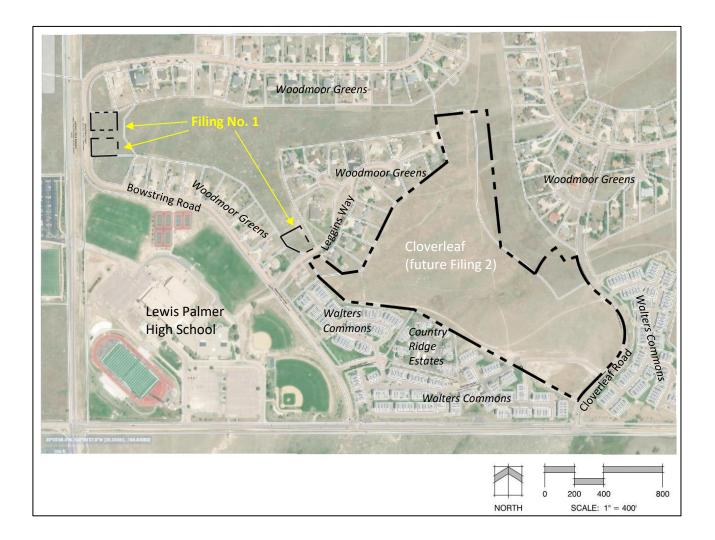
- Soils, Geology and Geologic Hazard Study prepared by Entech Engineering, Inc.
- Natural Features and Wetland Report prepared by Bristlecone Ecology
- Small Subdivision Final Drainage Report prepared by JR Engineering, Inc.
- Stormwater Management Facility Operations and Maintenance Plan prepared by JR Engineering, Inc.
- Fire Protection Report prepared by N.E.S. Inc.

### **PROJECT DESCRIPTION**

A Preliminary Plan is currently under consideration by the County for 38.73-acres which includes the three isolated residential ½ acre lots that are part of this Filing No. 1. These lots are zoned RS-20000. The remaining 37.22-acres portion of the development will be considered under separate Final Plat application. Two of the lots are located off Bowstring Road and one of the lots is off Leggins Way. Aerial map provided.

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### **PROJECT JUSTIFICATION**

A minor subdivision (Section 7.2.1.C.1.c of the LDC) shall be required to conform to all preliminary plan and final plat requirements including the criteria for approval. The Final Plat criteria outlined in Section 7.2.1.D.3.f of the LDC is as follows:

1. The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;

The Master Plan comprises the County Policy Plan and 2000 Tri-Lakes Comprehensive Plan. The development is within Sub-Area 7, Woodmoor, which is identified as an area for medium density residential development. Most of the Woodmoor Sub-Area is zoned for single-family development. The Woodmoor Sub-Area is nearly built out and the only growth that can be expected is infill properties. The overall Cloverleaf subdivision was fully analyzed in the context of the Master Plan policies with the Preliminary Plan under consideration by the County. Filing 1 is consistent with the

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lot and open space configuration on the Preliminary Plan, and should also be found to be in compliance with Master Plan.

Cloverleaf Filing No. 1 is consistent with the policies of the County Plan which encourages infill development which complements existing uses. The  $\frac{1}{2}$  acre are lots compatible with the adjacent previously developed area.

The project is located within Region 2, Monument area of the EL Paso County Water Master Plan (WMP). The WMP specifically states: "Region 2, located in the northwest corner of El Paso County, is expected to experience significant growth through 2060. The I-25 corridor passes through the center of the region and offers optimal growth areas in and around the Towns of Palmer Lake and Monument. Growth is anticipated along both the east and west sides of I-25 by 2040. "

The WMP notes that Region 2 has a current water supply of 13,607-acre feet per year and a current demand of 7,532-acre feet per year. The 2040 water supply is projected to be 20,516-acre feet per year and the project demand is 11,713-acre feet. The *Water Resource and Water Quality Report* prepared by JR Engineering and submitted with the Preliminary Plan application provided calculations on the portable water supply. The quality of the water produced by the WWSD for domestic and commercial consumption is subject to regulations prescribed by the CDPHE that limit the amount of certain contaminants in treated or untreated water. The water distribution system design for this project will conform to all applicable criteria set forth by El Paso County and WWSD.

2. The subdivision is in substantial conformance with the approved preliminary plan;

Cloverleaf Filing No. 1 is entirely in conformance with the lot configuration on the Preliminary Plan.

3. 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;

Cloverleaf Filing 1 is consistent with the subdivision design standards and regulations. All necessary studies, plans, reports and supporting material have been submitted. The subdivision design standards set out in Chapter 8 of the Land Development Code are met, including but not limited to:

- adequate provision for traffic, drainage, and open space (as part of the entire 38.75-acre subdivision);
- access to these lots is provided by existing roadways (Bowstring Road and Leggins Way);
- adequate provision for water, sewer and other utilities;
- Ensuring that land is divided into lots that are of adequate size and configuration for the purpose for which they are intended to be used; and
- Protecting the natural resources, considering the natural vegetation.

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4. 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 Water Resources and Wastewater Report was prepared by JR Engineering which was submitted with the Preliminary Plan request for the entire Cloverleaf 144-lot subdivision. The primary water distribution system for Cloverleaf will be connected to the existing Woodmoor Water and Sanitation District (WWSD) water mains at four locations.

- The eastern connection is the existing 6" water main within Cloverleaf Drive.
- The western connection will be to the existing 6" water main in Leggins Way.
- The southern connection will be to the existing 6" water main in Walters Point.
- The northern connection is to the existing 6" water main in Bowstring Road.

WWSD has been in existence for many years and has developed their water demand values based on their past experience with actual usage. A copy of the WWSD Long-Range Plan Update 2017 (LRP Update) has been provided with the Cloverleaf Water Resource and Water Quality Report. The LRP Update evaluates water supply, operations, treatment, water distribution, and wastewater collection. Based on data contained in the LRP Update regarding the water resources that are available to the WSSD, subdivisions served by WWSD be supplied with water resources meeting the requirements of EL Paso County's 300-year water supply regulations. A commitment to serve letter for Cloverleaf Subdivision has been issued by WWSD. WWSD has sufficient supply and existing infrastructure in the area to serve this development.

A commitment letter from the WWSD to provide water service to the Cloverleaf Subdivision is included with this submittal.

A finding of water sufficiency is required prior to plat recordation.

5. 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;

The Wastewater Disposal Report prepared by JR Engineering submitted with the Preliminary Plan notes that the WWSD is situated to serve the proposed development. The site is tributary to the Tri-Lakes wastewater treatment plant. The sanitary sewer system, design, and modeling results conform to all applicable criteria set forth by El Paso County and the WWSD and no waivers are required.

A commitment letter from the WWSD to provide wastewater service to the Cloverleaf Subdivision is included with this submittal.

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6. 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)];

The Soils, Geology and Geologic Hazard Study prepared by Entech Engineering indicates that the existing geologic engineering and geologic conditions may impose some constraints on development and construction of the site. These include potentially expansive clays and claystone, areas of erosion, potentially shallow groundwater, collapsible soils, potentially sallow bedrock, and possible radon gas build-up. Entech Engineering noted that geologic hazards identified on the site can either be avoided by development or satisfactorily mitigated through proper engineering design and construction practices, including perimeter drains for the shallow groundwater. Mitigation measures are outlined in the study.

Comments from Colorado Geologic Survey, dated October 5, 2020 and December 2, 2020, received during the Preliminary Plan review, have been incorporated in the Preliminary Plan. All houses will include a subsurface foundation perimeter drain. During final design, the civil engineer will design an underdrain system to intercept provide a gravity outfall.

7. 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;

The Small Subdivision Final Drainage Report prepared by JR Engineering has been provided. This report shows that the proposed development of the three parcels is consistent with the original approved drainage plan and in conformance with the El Paso County drainage standards and criteria. The drainage improvements, including drainage ditches and three sand filters, have been designed to meet or exceed the County criteria and will not adversely affect the offsite drainageways or surrounding development.

8. 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;

All three lots have direct access to public right-of-way. Two lots will access of Bowstring Road and one lot will access off Leggins Way.

9. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;

All necessary services are available to the subdivision and will serve letters from all utility providers have been submitted. Mountain View Electric Association and Black Hills Energy will provide electric and natural gas services as stated in the Will Serve letters included in this submittal. The subdivision will be adequately served by public streets and substantial adjacent area of open space is provided. Fire protection will be provided the Tri-Lakes Monument Fire Protection District. A Will Serve letter from the District is included with this submittal.

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10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;

The Tri-Lakes Monument Fire Protection District has adequate capacity to provide fire protection to the proposed subdivision. A Fire Protection Report has been provided.

11. 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;

All off-site impacts were evaluated during the Preliminary Plan. No off-site improvements have been identified for these three lots.

12. 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;

Cash in lieu of regional park and school land provision will be paid on recordation of the Final Plat. A Subdivision Improvement Agreement (SIA) is not required for this minor subdivision; however, a Stormwater Management Facility Operation and Maintenance Plan and Private Detention Basin/Stormwater Quality Best Management Practice Maintenance Agreement and Easement have been provided.

13. The subdivision meets other applicable sections of Chapter 6 and 8; and

The subdivision meets all applicable sections of Chapter 6 and 8.

14. The extraction of any known commercial mining deposit shall not be impeded by this subdivision.

There are no known mineral estate interests associated with this property.

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# **CLOVERLEAF FILING NO. 1**

# A REPLAT OF A PORTION OF TRACT F, WOODMOOR GREENS

AND A PORTION OF TRACT F, A VACATION AND REPLAT OF LOTS 496-500 WOODMOOR GREENS LOCATED IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH P.M.

**COUNTY OF EL PASO, STATE OF COLORADO** 

# KNOW ALL MEN BY THESE PRESENTS:

THAT \_\_\_\_\_\_\_, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACTS OF LAND. TO WIT:

### LEGAL DESCRIPTION:

THREE PARCELS OF LAND BEING A PORTION OF TRACT F, WOODMOOR GREENS AND TRACT F, A VACATION AND REPLAT OF LOTS 496-500 WOODMOOR GREENS. BEING MORE PARTICULARLY DESCRIBED AS FOLLOW:

BASIS OF BEARINGS: THE LINE BETWEEN THE 30.00' WITNESS CORNER TO THE CENTER QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN MONUMENTD BY A 3-1/4" ALUMINUM CAP STAMPED "RLS 10377 1997 30.00 WC" AND THE 30.0' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SAID SECTION 23, MONUMENTED BY A 1-1/2" ALUMINUM CAP STAMPED "LS 2692", SAID LINE BEARING S89°54'49"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

### PARCEL A

BEGINNING AT THE NORTHEASTERLY CORNER OF LOT 485, WOODMOOR GREENS RECORDED IN PLAT BOOK U-2 AT PAGE 51 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON THE NORTHEASTERLY LINE OF SAID LOT 485, N65°03'20"W A DISTANCE OF 123.87 FEET, TO THE EASTERLY CORNER OF LOT 486, WOODMOOR GREENS;

THENCE ON THE EASTERLY LINE OF SAID LOT 486, N34"17'20"W A DISTANCE OF 78.69 FEET;

THENCE DEPARTING SAID EASTERLY LINE, THE FOLLOWING TWO (2) COURSES:

1. N61°43'32"E A DISTANCE OF 151.99 FEET;

2. S28°16'28"E A DISTANCE OF 177.70 FEET, TO A POINT ON THE NORTHERLY RIGHT—OF—WAY LINE OF LEGGINS WAYS, AS SHOWN ON THE PLAT OF WOODMOOR GREENS, SAID POINT BEING A POINT OF NON—TANGENT CURVE;

THENCE ON SAID NORTHERLY RIGHT—OF—WAY LINE, ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S22°31'56"E, HAVING A RADIUS OF 360.00 FEET, A CENTRAL ANGLE OF 11°05'27" AND AN ARC LENGTH OF 69.69 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 22,083 SQUARE FEET OR 0.5069 ACRES.

### PARCEL I

BEGINNING AT THE NORTHWESTERLY CORNER OF LOT 496, A VACATION AND REPLAT OF LOTS 496-500 WOODMOOR GREENS RECORDED IN PLAT BOOK W-2 AT PAGE 26 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER:

THENCE ON THE EASTERLY RIGHT—OF—WAY LINE OF BOWSTRING ROAD, AS SHOWN ON THE PLAT OF WOODMOOR GREENS RECORDED IN PLAT BOOK U—2 AT PAGE 51, NO1°07'36"W A DISTANCE OF 121.77 FEET;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, THE FOLLOWING THREE (3) COURSES:

1. N88'52'24"E A DISTANCE OF 181.20 FEET;

2. S01°07'36"E A DISTANCE OF 118.62 FEET;

3. S87'52'36"W A DISTANCE OF 181.23 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 21,779 SQUARE FEET OR 0.5000 ACRES.

# PARCEL (

BEGINNING AT THE SOUTHWESTERLY CORNER OF LOT 499, A VACATION AND REPLAT OF LOTS 496-500 WOODMOOR GREENS RECORDED IN

PLAT BOOK W-2 AT PAGE 26 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON THE SOUTHERLY LINE OF SAID LOT 499, N88°52'24"E A DISTANCE OF 180.00 FEET, TO THE SOUTHEASTERLY CORNER OF SAID LOT

THENCE THE FOLLOWING TWO (2) COURSES:

1. S01°07'36"E A DISTANCE OF 121.00 FEET;

2. S88°52'24"W A DISTANCE OF 180.00 FEET, TO A POINT ON THE EASTERLY RIGHT—OF—WAY LINE OF BOWSTRING ROAD, AS SHOWN ON THE PLAT OF WOODMOOR GREENS RECORDED IN PLAT BOOK U—2 AT PAGE 51;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, NO1°07'36"W A DISTANCE OF 121.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 21,780 SQUARE FEET OR 0.5000 ACRES

# NOTICE:

THE SUBDIVISION HAS BEEN FOUND TO BE IMPACTED BY GEOLOGIC CONSTRAINTS. MITIGATION MEASURES AND EXPLANATION OF CONSTRAINTS IN THE AREA CAN BE FOUND IN THE REPORT SOIL, GEOLOGY, AND GEOLOGIC HAZARD STUDY BY ENTECH ENGINEERING, INC. FEBRUARY 10, 2021 IN THE FILE PCD FILE NO. SF2114, AVAILABLE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT.

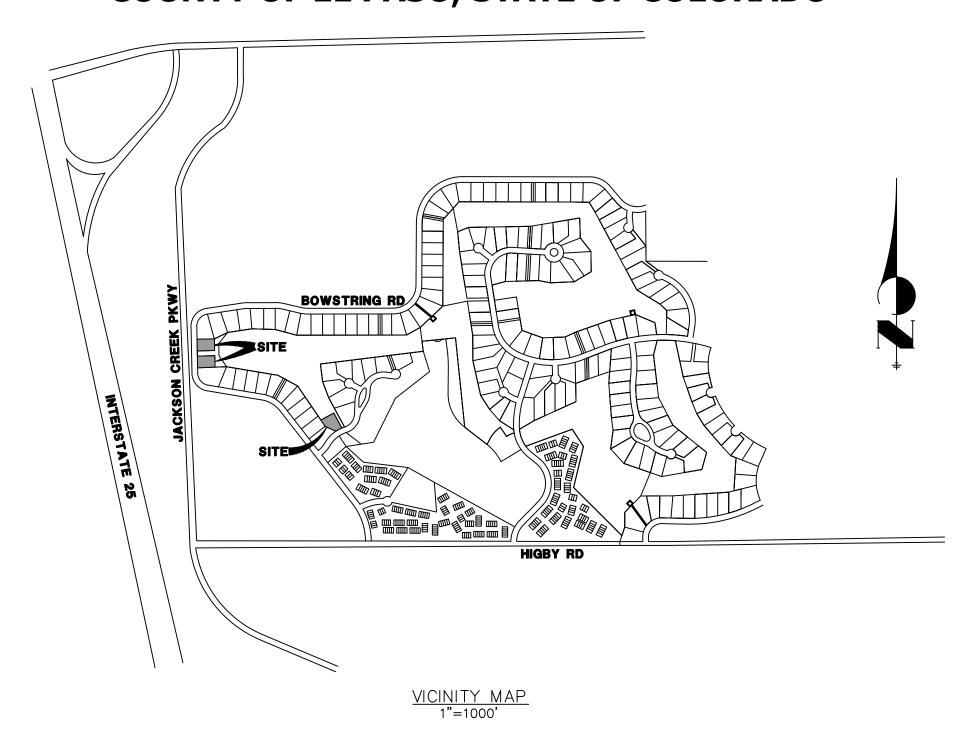
- POTENTIALLY SEASONAL AND SEASONAL SHALLOW GROUNDWATER
- LOOSE SOILSEROSION

# **EASEMENTS:**

UNLESS OTHERWISE INDICATED, ALL SIDE, FRONT, AND REAR LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A 5 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLATTED WITH A 7 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.

# MAILBOXES:

MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.



# GENERAL NOTES:

DEFINITION: CERTIFY, CERTIFICATION — A PROFESSIONAL'S OPINION BASED ON HIS OR HER OBSERVATION OF CONDITIONS, KNOWLEDGE, INFORMATION AND BELIEFS. IT IS EXPRESSLY UNDERSTOOD THAT THE PROFESSIONAL'S CERTIFICATION OF A CONDITION'S EXISTENCE RELIEVES NO OTHER PARTY OF ANY RESPONSIBILITY OR OBLIGATION HE OR SHE HAS ACCEPTED BY CONTRACT OR CUSTOM.

- 2. PER C.R.S. 18-04-508, ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR.
- 3. ALL REFERENCES HEREON TO BOOKS, PAGES, MAPS AND RECEPTION NUMBERS ARE PUBLIC DOCUMENTS FILED IN THE RECORDS OF EL PASO COUNTY, COLORADO.
- 4. EASEMENTS AND PUBLIC DOCUMENTS SHOWN OR NOTED HEREON WERE EXAMINED AS TO LOCATION AND PURPOSE AND WERE NOT EXAMINED AS TO RESERVATIONS, RESTRICTIONS, CONDITIONS, OBLIGATIONS, TERMS, OR AS TO THE RIGHT TO GRANT THE SAME.
- THE BASIS OF BEARINGS IS THE LINE BETWEEN THE 30.00' WITNESS CORNER TO THE CENTER QUARTER CORNER OF SECTION 23, TOWNSHIP 11 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN MONUMENTD BY A 3-1/4" ALUMINUM CAP STAMPED "RLS 10377 1997 30.00 WC" AND THE 30.0' REFERENCE MONUMENT TO THE EAST QUARTER CORNER OF SAID SECTION 23, MONUMENTED BY A 1-1/2" ALUMINUM CAP STAMPED "LS 2692", SAID LINE BEARING S89°54'49"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.
- 6. THE LAST FIELD INSPECTION OF THIS SITE WAS ON AUGUST 24, 2020.
- PER C.R.S. 38-51-106, "ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY."
- 8. THIS SITE IS NOT WITHIN A DESIGNATED F.E.M.A. FLOODPLAIN (ZONE X—AREAS DETERMINED TO BE OUTSIDE 0.2% ANNUAL CHANCE FLOODPLAIN), AS DETERMINED BY THE FLOOD INSURANCE RATE MAP FOR EL PASO, COLORADO, MAP NUMBERS 08041C0278G, EFFECTIVE DATE DECEMBER 7, 2018.
- 9. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OR RUNOFF SHALL NOT BE PLACED IN THE DRAINAGE EASEMENTS.
- 10. THIS PROPERTY IS SUBJECT TO THE PRIVATE DETENTION/BMP MAINTENANCE AGREEMENT AND EASEMENT RECORDED UNDER RECEPTION NO. \_\_\_\_\_\_ IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.
- THE INDIVIDUAL LOT PURCHASER(S) SHALL BE RESPONSIBLE FOR FINAL DESIGN, CONSTRUCTION, AND MAINTENANCE OF PRIVATE WATER QUALITY BMP(S) AS DESCRIBED IN THE APPROVED FINAL DRAINAGE REPORT FOR THIS SUBDIVISION. THE WATER QUALITY BMP(S) SHALL BE CONSTRUCTED PRIOR TO CERTIFICATE OF OCCUPANCY. EACH LOT OWNER WITHIN THIS SUBDIVISION REQUIRES AN ENGINEERED SITE PLAN DESIGNED BY A PROFESSIONAL ENGINEER, CURRENTLY LICENSED IN THE STATE OF COLORADO. THE ENGINEERED SITE PLAN SHALL LOCATE THE HOME FOUNDATION, DRIVEWAY AND INDIVIDUAL LOT WATER QUALITY BMP(S). THE WATER QUALITY BMP(S) DESIGN SHALL BE APPROVED BY EL PASO COUNTY.
- 12. WATER AND SANITARY SERVICES SHALL BE SUPPLIED BY WOODMOOR WATER AND SANITATION DISTRICT.
- 13. NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
- 14. THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
- THE SUBDIVIDER 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.
- 16. THIS FINAL PLAT IS PART OF THE APPROVED CLOVERLEAF SUBDIVISION PRELIMINARY PLAN, SP 20-202.
- 17. LAND WITHIN THIS FINAL PLAT IS ZONED RS-20000 (RESIDENTIAL SUBURBAN)
- THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE PRELIMINARY PLAN OR FINAL PLAT FOR THIS SUBDIVISION AND ARE ON FILE AT THE EL PASO COUNTY COMMUNITY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT; TRAFFIC IMPACT STUDY, DRAINAGE REPORT, WATER RESOURCES REPORT, WASTEWATER DISPOSAL REPORT, SOIL, GEOLOGY AND GEOLOGIC HAZARD STUDY, FIRE PROTECTION REPORT, WILDFIRE HAZARD REPORT, NATURAL FEATURES REPORT, WETLAND ANALYSIS REPORT, NOXIOUS WEED MANAGEMENT PLAN AND PDB/BMP OPERATIONS AND MAINTENANCE MANUAL.

# **OWNERS CERTIFICATE:**

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF CLOVER LEAF FILING NO, 1. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

| PT CLOVERLEAF, LLC, A COLORADO LIMITED LIABILITY COMPANY |
|--|
| BY:AS MANAGER  |
| STATE OF COLORADO ) SS.                                  |
| ACKNOWLEDGED BEFORE ME THIS DAY OF, 20 BY                |
| AS   |
| MY COMMISSION EXPIRES                                    |
| WITNESS MY HAND AND OFFICIAL SEAL                        |

## **SURVEYORS CERTIFICATE:**

I, JARROD ADAMS, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON AUGUST 24, 2020, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000; AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISION, OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE EL PASO COUNTY LAND DEVELOPMENT CODE.

| ATTEST THE ABOVE ON THIS        | _ DAY OF _ |     | , 20 |             |
|---------------------------------|------------|-----|------|-------------|
| JARROD ADAMS                    |            | ATE |      | S. Age      |
| COLORADO REGISTERED PLS # 38252 | U          | AIL |      | PROFESSION, |

# 38252

# NOTICE:

PER C.R.S. 13-80-105, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. JR ENGINEERING, LLC AND/OR THE SURVEYOR OF RECORD SHALL NOT BE LIABLE FOR MORE THAN THE COST OF THIS SURVEY AND THEN ONLY TO THE CLIENT SPECIFICALLY SHOWN HEREON OR IN OUR FILE BY SIGNED AUTHORIZATION. ACCEPTANCE AND/OR USE OF THIS INSTRUMENT FOR ANY PURPOSE CONSTITUTES AGREEMENT BY THE CLIENT TO ALL TERMS STATED HEREON.

| THIS PLAT FOR CLOVERLEAF FILING NO. 1                           | WAS | APPROVED FOR FILING | BY THE EL | PASO | COUNTY, | COLORADO PLANNING AND COMMUNITY |
|---|-----|---------------------|-----------|------|---------|---------------------------------|
| DEVELOPMENT DEPARTMENT DIRECTOR ON CONDITIONS SPECIFIED HEREON. | THE | DAY OF              |           |      | , 20_   | , SUBJECT TO ANY NOTES OR       |
| CONDITIONS SPECIFIED HEREON.                                    |     |                     |           |      |         |                                 |

| PLANNING | AND | COMMUNITY | DEVELOPMENT | DIRECTOR |
|----------|-----|-----------|-------------|----------|

# **CLERK AND RECORDER**

| CLERK AND K                  | :CURDER           |                  |               |              |
|------------------------------|-------------------|------------------|---------------|--------------|
| STATE OF COLORAL             | )0)<br>)SS        |                  |               |              |
| COUNTY OF EL PA              |                   |                  |               |              |
| I HEREBY CERTIFY             | THAT THIS INSTRUM | MENT WAS FILED I | FOR RECORD IN | MY OFFICE    |
| AT O'CLOCK                   | (M., THIS         | DAY OF           |               | _ , 20, A.D. |
| AND IS DULY RECORDS OF EL PA |                   |                  |               | _ OF THE     |
| CHUCK BROERMAN,              | RECORDER          |                  |               |              |
| DV.                          |                   |                  |               |              |

PCD FILE # SF-2114

CLOVERLEAF FILING NO. 1

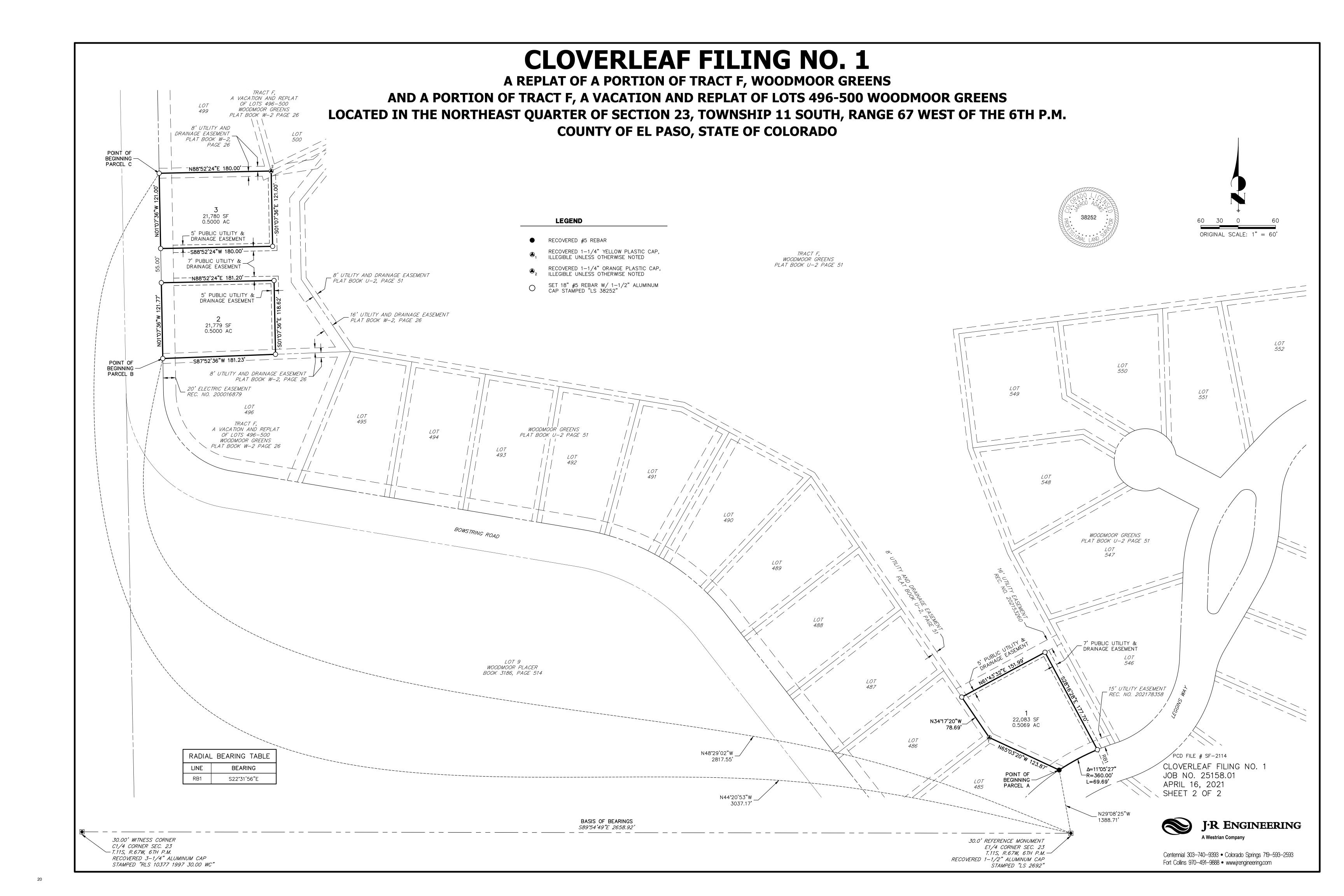
JOB NO. 25158.01

APRIL 16, 2021

SHEET 1 OF 2



Centennial 303-740-9393 • Colorado Springs 719-593-2593 Fort Collins 970-491-9888 • www.jrengineering.com





February 16, 2021

Ryan Howser El Paso County Development Services Department 2880 International Circle, Suite 110 Colorado Springs, CO 80910

RE: Cloverleaf Subdivision
Final Plat - Filing No. 1
Sec. 23 and 24 Twp. 11S, Rng. 67W, 6<sup>th</sup> P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 27192

To Whom It May Concern:

We have received the submittal concerning the above referenced proposal create a subdivision in El Paso County. According to the materials, it appears the development consists of 150 single family lots on 38.75 +/- acres. This referral addresses three of the lots on 1.5 acres.

This office has no record of any existing wells located on the property. The proposed source of water supply and wastewater disposal is to be served by the Woodmoor Water and Sanitation District ("District").

This office previously provided written comments, dated July 14, 2020, regarding the proposed development during the preliminary planning stage. The current referral does not change the water supply requirements for this portion of the subdivision; therefore, please refer to our previous comments attached to this letter.

Should you or the applicant have questions regarding any of the above, please feel free to contact me at this office.

Sincerely,

Kate Fuller, P.E.

Water Resource Engineer

ec: Bill Tyner, Division 2 Engineer

Doug Hollister, District 10 Water Commissioner





July 14, 2020

Gabe Sevigny
El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910

RE: Cloverleaf Subdivision
Preliminary/PUD Development Plan
Final Plat - Filing No. 1
Sec. 23 and 24 Twp. 11S, Rng. 67W, 6<sup>th</sup> P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 27192

Dear Mr. Sevigny,

We have received the above-referenced proposal to create a subdivision in El Paso County. According to the materials, it appears the development consists of 150 single family lots on 38.75 +/- acres. This office has no record of any existing wells located on the property. The proposed source of water supply and wastewater disposal is to be served by the Woodmoor Water and Sanitation District ("District").

### Water Supply Demand

The Water Supply Information Summary, Form No. GWS-76, provided with the submittal estimates a demand of 53.76 acre-feet/year for 150 single family lots, which equates to an anticipated demand of 0.35 acre-feet/year per single family lot. The estimated demand for 1.74 acres of irrigated open spaces and tracts is 0.87 acre-feet/year, which equates to 0.5 acre-feet/year per acre.

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 2.2 acre-foot/year for each acre of lawn and garden irrigation. The applicant's estimated demand for irrigation is significantly lower, but is consistent with the District's estimated demands.

### Source of Water Supply

The proposed water supplier is Woodmoor Water and Sanitation District ("District"), and a May 11, 2020 letter of commitment from the District was included with the submittal. According to this office's records, it appears that District has adequate water resources to serve 53.76 acre-feet/year for the proposed development.



### **Additional Comments**

The application materials indicate that a storm water detention structure may be constructed as a part of this project. The applicant should be aware that, unless the structure 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, attached, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <a href="https://maperture.digitaldataservices.com/gvh/?viewer=cswdif">https://maperture.digitaldataservices.com/gvh/?viewer=cswdif</a>, to meet the notification 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,

Kate Fuller, P.E.

K. Fully

Water Resource Engineer

ec: Bill Tyner, Division 2 Engineer

Doug Hollister, District 10 Water Commissioner



# OFFICE OF THE COUNTY ATTORNEY

CIVIL DIVISION

Diana K. May, County Attorney

**Assistant County Attorneys** 

Lori L. Seago Lisa A. Kirkman Steven A. Klaffky Mary Ritchie Bryan E. Schmid Nathan J. Whitney Michael J. Desmond Christopher M. Strider Terry A. Sample

May 11, 2021

Cloverleaf Subdivision Filing No. 1

Final Plat

SF-21-14

Reviewed by:

Lori Seago, Senior Assistant County Attorney

Edi Anderson, ACP, Paralegal

13

### FINDINGS AND CONCLUSIONS:

- 1. This is a proposal by PT Cloverleaf, LLC ("Applicant"), for a final plat of 3 residential lots on 1.5 acres of land (the "Property"). A preliminary plan is currently under consideration to subdivide 38.73 +/- acres which includes the 3 lots which are the subject of this final plat proposal. The final plat parcels are zoned RS-20000 (Residential Suburban).
- 2. The Applicant has provided that the source of water for the subdivision will derive from the Woodmoor Water and Sanitation District ("District"). Pursuant to the Water Supply Information Summary ("WSIS"), the Applicant estimates its annual water needs at 1.08 acre-feet for the 3 lots (0.36 acre-feet/lot). Based on these figures, the Applicant must be able to provide a supply of 324 acre-feet of water (1.08 acre-feet per year x 300 years) to meet the County's 300-year water supply requirement.
- 3. The Applicant also provided a *Water Resources and Water Quality Report for Cloverleaf Subdivision* (the "Report") prepared by JR Engineering, LLC dated April 2021, which identified the 3 lots of Cloverleaf Filing No.1. As detailed in the *Report*, the average daily use for each of the 3 lots in Filing 1 will be 0.3584 acre-feet/year for a total demand of 1.08 acre-feet/year. The *Report* detailed the Long Range Plan for the District, including improvements, projects, and potential expansions to the District's water system.
- 4. The District Manager of the Woodmoor Water & Sanitation District provided a letter of commitment regarding this proposal dated February 10, 2021. The District Manager identified this proposal as 3 single-family detached homes across 1.507 acres



of land, noting that this Filing 1 is part of a larger preliminary plan proposal totaling 150 lots. The District Manager stated that the development is located within the service boundaries of the District and that the Applicant possesses a "supplemental water service option agreement from the District in sufficient quantity to meet the projected water demands of the development." The Manager further stated that as "currently proposed, District water and wastewater resources are adequate to serve the development and the District is committed to serving the development with water and wastewater services in accordance with the supplemental water service option agreement and all District rules, regulations and policies."

The District Manager described the supplemental water supply agreement between the District and the Applicant, identified as *Supplemental Water Usage and Service Agreement by and between Woodmoor Water & Sanitation District No. 1 and PT Cloverleaf, LLC* dated July 16, 2020 ("Agreement"). A supplemental water service agreement is required by the District when a subdivision's water demand exceeds the District standard water policy rate of one-half (1/2) acre-foot of water per acre/year. The *Agreement* details the overall subdivision's water demand at 54.63 acre-feet/year. Due to a *Water Allowance Transfer Agreement* dated April 29, 2003, the District agreed to allocate a water service commitment in the amount of 4.923 acre-feet/year to the subdivision. Based on that transfer, anticipated supplemental water demand is 50.337 acre-feet/year. The *Agreement* further details the provisions for water supply agreed to between the District and the Applicant regarding the Cloverleaf Subdivision.

- 5. The State Engineer's Office provided a letter dated February 16, 2021, in which they referred to their letter dated July 14, 2020. They noted that the "proposed source of water supply ... is to be served by the Woodmoor Water and Sanitation District." The State Engineer said the current referral of 3 lots for the final plat proposal "does not change the water supply requirements for this portion of the subdivision; therefore, please refer to our previous comments ...." The preliminary plan proposal referred to in the July 14<sup>th</sup> letter stated that the water supply for the 150 lots of the preliminary plan was 53.76 acre-feet, which equates to 0.358 acre-feet/lot and which includes the 1.08 acre-feet for the 3 lots of the Filing 1 final plat. The State Engineer stated that "[a]ccording to this office's records, it appears that District has adequate water resources to serve 53.76 acrefeet for the proposed development." Further, the State Engineer stated that "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."
- 6. 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 that may be provided by El Paso County Public Health.

- 7. Analysis. The Woodmoor Water & Sanitation District entered into a supplemental water supply agreement with the Applicant dated July 16, 2020. Pursuant to the District's letter dated February 10, 2021, the District has a sufficient water supply available to serve Cloverleaf Filing 1 and is willing to serve the subdivision in accordance with the Applicant's supplemental water service agreement. With a proposed annual demand of 1.08 acre-feet required for Cloverleaf Filing No. 1 and based on current commitments and the available water supply of the District, it appears the proposed water supply will be sufficient.
- 8. Therefore, based on the above analysis and the requirements below, given the commitment to serve by the District, the commitments in the supplemental water service option agreement and the finding of the State Engineer's Office that the proposed water supply can be provided without injury to existing water rights and is expected to be adequate, the County Attorney's Office recommends a finding that the proposed water supply is **sufficient** in terms of quantity and dependability. El Paso County Public Health may wish to confirm that the District is in compliance with the water quality regulations.

### REQUIREMENTS:

- A. Applicant, its successors and assigns, and all future owners of lots within this filing shall be advised of, and comply with, any conditions, rules, regulations, limitations, and specifications set by the District.
- B. Prior to recording the final plat, the District shall upload an updated commitment letter to eDARP referencing the updated JR Engineering Report dated April 2021 and specifically committing to serve the Cloverleaf Filing No. 1 Subdivision in the amount of 1.08/acre-feet/year pursuant to the supplemental water service option agreement.

cc: Ryan Howser, Planner I



Prevent • Promote • Protect

Environmental Health Division 1675 W. Garden of the Gods Road Suite 2044 Colorado Springs, CO 80907 (719) 578-3199 phone (719) 578-3188 fax www.elpasocountyhealth.org

### Cloverleaf Preliminary Plan, SP-20-2

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

- Water service will be provided by Woodmoor Water and Sanitation District No.1, PWSID #CO0121950 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 Woodmoor Water and Sanitation District No 1.
- Wastewater service will be provided by Woodmoor Water and Sanitation
  District No. 1. The Woodmoor Water and Sanitation District No 1 does have
  sufficient treatment capacity agreements for the proposed 50.2 acre, 144
  residential lot development.
- See the Service Commitment letter dated 11Sept2020, from Woodmoor Water and Sanitation District No. 1 for both water and wastewater services. The June 2020, Wastewater Disposal Report submitted by J.R. Engineering supports the service capacity of the District.
- El Paso County Public Health encourages planned walkability of residential communities. Please consider appropriate connections to surrounding areas using sidewalks, and bike trails. Walkability 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 <a href="http://www.elpasocountyhealth.org/service/air-quality">http://www.elpasocountyhealth.org/service/air-quality</a> for
  the link to the Colorado Department of Public Health and Environment, Air
  Pollution Control Division, for the permit application.
- The water quality detention basin 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.

Mike McCarthy
El Paso County Public Health
mikemccarthy@elpasoco.com
719-575-8602
24Mar2021