

SP-03-014

711.02

**PRELIMINARY PLAN
WOODMOOR VISTA PROFESSIONAL PARK**

A request by Rocky Mountain Custom Wood Structures, Inc. for approval of a Preliminary Plan for Woodmoor Vista Professional Park, consisting of 8.23 acres, proposed for six commercial lots, currently zoned C-1 (Commercial) District. The property is in the Monument area, on the east side of Interstate Highway 25, approximately 3,000 feet south of County Line Road. The property is in the area covered by the *2000 Tri-Lakes Comprehensive Plan*. Assessor's Tax Schedule #71023-00-003

PREPARED BY

Barry Holmes
7/22/04

APPLICABLE RESOLUTIONS

Approval Page 9
Disapproval Page 10

PLANNING DIVISION RECOMMENDATION: The Planning Division recommends **approval** of this request, subject to the following conditions and notations:

CONDITIONS

1. Prior to scheduling this request for the Board of County Commissioners, the plat shall be corrected as follows:
 - a. Provide ten (10) foot front lot line utility and drainage easements.
 - b. Add a note that there will be no direct lot access to Monument Hill Road.
2. Prior to scheduling this request for the Board of County Commissioners all concerns of the Department of Transportation will be addressed either through resolution, or by submittal to the Planning Division of a clear description of any remaining areas of disagreement.
3. Applicable School, Park, Drainage, Pond and Bridge fees shall be paid prior to recording any Final Plat.

4. 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 Department of Wildlife, Colorado Department of Transportation, U.S. Army Corp of Engineers and the U.S. Fish and Wildlife Service and/or Colorado Department of Wildlife regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
5. All requirements and conditions of the El Paso County Attorney's Office shall be met at the appropriate time.
6. This development will be required to participate in a fair and equitable manner in the construction of the Misty Acre Blvd. and County Line Road intersection and the signalization of this intersection.

NOTATIONS

1. Preliminary Plans not forwarded to the Board of County Commissioners for consideration within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.

Approval is with a finding of sufficiency for water quality, quantity and dependability.

PUBLIC NOTIFICATION: The Planning Division last notified adjoining property owners of this meeting prior to July 14, 2004.

PUBLIC NOTICE: The property was posted prior to July 14, 2004.

SITE: The 8.2-acre site is on the east side, and adjacent to, I-25/Monument Hill Road. The site has been partially developed with a model home and office in the southwest corner. The site is forested with pine trees. The topography is slightly hilly with some slopes reaching 10%.

ADJOINING LAND USE AND ZONING

North	Undeveloped	PUD - Multifamily and Commercial/Office
South	Partially Developed as Campground	RVP (Recreational Vehicle Park) District

East	Undeveloped	PUD - Multifamily and Open Space
West	Monument Hill Road/ Interstate 25	C-1 (Commercial) District

AGENCY COMMENTS

OFFICE OF THE STATE ENGINEER

We have received your September 4, 2003 submittal concerning the above referenced proposal to subdivide 8.16 acres into 6 commercial lots. The estimated water requirements were given as 18.3 acre-feet per year. The proposed water supplier is Woodmoor Water & Sanitation District No. 1, which has provided a letter dated July 31, 2003 committing service.

Information in our files indicates that the District has available 5,768 acre-feet per year from its wells, based on a 100 year aquifer life. Information provided by the District in 1996 stated that it estimates its ultimate water use would be 1,672 acre-feet annually, "with future inclusions". It is assumed that this 1,672 acre-feet figure was due to commitments for service entered into by the District at that time. Based on 4,096 acre-feet of excess water being available in 1996, the District should have sufficient water resources to supply this subdivision for a for a 100 year aquifer life, and pursuant to the provision of C.R.S. 30-28-136(1)(h)(II) it is the opinion of this office that the proposed water supply can be provided without injury to existing water rights.

An available supply of 5,768 acre-feet for a 100 year aquifer life would allow the District to supply an annual demand of 1,923 acre-feet for a 300 year aquifer life, allowing an annual commitment of 251 acre-feet above the 1996 commitment level of 1,672 acre-feet.

Water in the Denver Basin aquifers is allocated based on a 100 year aquifer life under the provisions of CRS 37-90-134(4)(b)(I). For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply. If you have any questions please contact Keith Vander Horst of this office.

EL PASO COUNTY ATTORNEY'S OFFICE submitted the following Findings and Conclusions:

- 1) This is a proposal by Monument Business Park, Inc., to subdivide 8.23 acres into 6 commercial lots. The property is currently zoned C-1. The property is located in a portion of the West half of the Southwest quarter, Section 2, Township 11 South, Range 67 West of the 6th P.M., El Paso County, Colorado.
- 2) The Applicant has provided for the source of water to be from a central water system -- Woodmoor Water and Sanitation District. The applicant estimates its annual water requirements to serve 6 commercial lots at 18.3 acre-feet. Applicant will have to be able to provide a supply of 5,490 acre-feet of water (18.3 ac.ft./yr. x 300 yrs.) to meet the County's 300 year water supply requirement. Based on Woodmoor Water and Sanitation District's policy of providing one-half acre-foot of water annually per acre of land, Woodmoor would provide 4.12 acre-feet of water (8.23 acres x 0.5 ac.ft./yr.).
- 3) In a letter dated September 11, 2003, the State Engineer's records indicate that the District has available 5,768 acre-feet for a 100 year aquifer life and 1,923 acre-feet for a 300 year aquifer life, allowing an annual commitment of 251 acre-feet above the 1996 commitment level of 1,672 acre-feet. This 1996 commitment level is with all future inclusions. Pursuant to C.R.S. 30-28-136(1)(h)(II), the State Engineer is of the opinion that the proposed water supply can be provided without injury to existing water rights.
- 4) The District Manager for Woodmoor Water and Sanitation District sent a letter of commitment, dated July 31, 2003, to provide water and wastewater services to the area subject to the District's policies, rules and regulations. The District allows the use of 1/2 acre-ft. of water per acre of land. The District Manager states that the Woodmoor Water and Sanitation District has 358 years worth of water.

In January 2003, an Engineer Consultant for Woodmoor provided calculations regarding Woodmoor's supply and commitments to the County Attorney's Office, which indicates that the District has 649,100 acre-feet of water within its boundaries available for use. Monument Hill Road Business Park is inclusive within the boundaries for Woodmoor. Based on the information provided by Woodmoor's Engineer Consultant, the District has sufficient water to meet the County's 300 year aquifer life requirement.
- 5) Section 49.5E(2) of the Land Development Code allows for the presumption of acceptable water quality for minor subdivision projects such as this.

- 6) Therefore, at this time, based on the finding of no injury to existing water rights by the State Engineer's Office, the letter of commitment from Woodmoor Water & Sanitation District and on the conditions below, the County Attorney's Office would recommend that the proposed water supply is sufficient in quantity and dependability. The El Paso County Health Department will make a finding as to quality.

CONDITIONS OF COMPLIANCE:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, and specifications set by the District.
- B. The following plat note shall be added that addresses the State Engineer's admonition to advise landowners of potential limited water supplies in the Denver Basin:

"Water in the Denver Basin Aquifers is allocated based on a 100 year aquifer life; however, for El Paso County planning purposes, water in the Denver Basin Aquifers is evaluated based on a 300 year aquifer life. Applicants, the Home Owners Association, and all future owners in the subdivision should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than either the 100 years or 300 years indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply."

EL PASO COUNTY DEPARTMENT OF TRANSPORTATION

Preliminary Plan:

- 1) Street details need to be provided, such as approximate centerline grades, surfacing and type of curb, gutter and sidewalk. These can be shown on the typical section.
- 2) Right-of-way for a non-residential (commercial/industrial) roadway is 80'. This street is not a local residential street per the proposed new subdivision criteria manual but rather a non-residential collector and needs to be designed as such. Revise as necessary.
- 3) Provide the required geologic hazard report to confirm there are not any "no-build" areas.

- 4) No preliminary drainage report was submitted with the preliminary plan. The drainage report submitted with the final plat will be reviewed and revised as necessary prior to the preliminary plan being scheduled for Planning Commission.
- 5) The acreage of the proposed site does not match between any of the three documents, the letter of intent, the traffic report or the preliminary plan. Revise all documents with the correct development site acreage.
- 6) CDOT's access permit agreement onto Monument Hill Road states the approved access point 1,175' south of the Monument Business Park access. The Misty Acres parcel is about 1300' along Monument Hill Road and is located between these two parcels. The access is addressed in condition #5 as 235' north of the existing access location, which is about 40' south of the location shown on the preliminary plan. Verify approved access location.

Traffic Report:

- 1) This development will be required to participate in a fair and equitable manner in the construction of the Misty Acre Blvd. and County Line Road intersection and the signalization of this intersection.

COLORADO STATE GEOLOGIST

In response to your request and in accordance with Senate Bill 35 (1972) I visited this property to review the plat. Included in the referral were a Soil Report prepared by Front Range Geotechnical (July 2003) and a Final Drainage Report prepared by Kiowa Engineering (May 2003). The site consists of 8 acres to be divided into six commercial lots.

Drainage. Development will occur chiefly in the northern portion of the site in the Bald Mountain drainage basin, and surface flows from the site will be doubled. A detention pond located in the northeastern corner of the site will restrict flows leaving the site to historic rates. The drainage report states that overall, drainage will continue to flow along historic pathways and swales.

There are a number of assumptions upon which the drainage report bases conclusions. Most importantly, it is assumed that lots 2 through 6 will be developed similarly to lot 1, which contains a relatively small amount of impervious area (26 percent). If the county does not have a process that would enforce compliance of future lot development with the site drainage criteria as presented by Kiowa, the criteria should be changed to reflect more conventional commercial development, with impervious areas of approximately 85 percent (minimum). This stipulation is important, as drainage improvements, such as culverts and the detention basin, are sized according to projected flows, which would increase with a higher percentage of impervious area. In some jurisdictions it is possible to make issuance of a building permit contingent on compliance with previously approved criteria.

Likewise, Kiowa assumes that no development will occur in the southern part of the site, in the Crystal Creek Drainage Basin, and therefore developed flows from this area are presented as identical to historic. (The acreage involved is small and flows due to any increased development would impact the campground to the south only minimally.) To the east, it is assumed that the 12 acres of the adjacent Misty Acres site will remain undeveloped, but if developed, flows from this area to the subject site would remain historic. (This last assumption is probably less subject to contradictions, as a drainage plan for Misty Acres would need to specify detention that limits flows to historic rates.)

Soil/bedrock. The subsurface materials consist of silty and clayey sands overlying sandstone of the Dawson Formation. The soils and bedrock generally present good substrate for foundations, with the caveat that clay lenses in either the soil or bedrock might be expansive. Investigation for such lenses should take place during the foundation excavation, and mitigation (such as overexcavation) should be proposed where necessary.

The sandy soils are very erodible. An erosion control plan should be prepared, and erosion control methods should be in place before earthwork begins at the site.

In summary, the questions raised about how future development will deal with drainage management should be addressed before approval of the preliminary plan. Please call me if there are any questions.

EL PASO COUNTY ENVIRONMENTAL SERVICES

The Environmental Services Department (ESD) has completed its review of the Monument Hill Road Business Park Preliminary Plan. Our review consisted of the following items; wetlands, general wildlife resources, and federal and state listed threatened or endangered species.

Information regarding wildlife protection measures should be provided including fencing requirements, garbage containment, pets, enhancement/maintenance of natural vegetation, weed control and riparian/wetland protection/buffer zones as appropriate. Information can be obtained from the Colorado Division of Wildlife.

It should be noted that the U.S. Army Corps of Engineers and the FWS have regulatory jurisdiction over wetland and threatened and endangered species issues, respectively.

We appreciate the opportunity to comment on this project. If you have any questions or concerns please contact me at (719) 520-6982.

EL PASO COUNTY PARKS: Park Staff has no objection to this proposed development. No park fees are collected for commercial/industrial development.

TOWN OF MONUMENT

Support for approval, subject to the following:

- 1) The applicant is encouraged to seek annexation to the Town of Monument Tri-Lakes Area 2000 Plan Policy 7.1.6.1)
- 2) The proposed development limit disturbance of existing grades and trees, limit height and closeness of structures (Goal 1-25.1), and
- 3) Development of structures not occur until the County has determined by its review of a traffic study that roads serving this development are adequate for the projected traffic levels. (Goal 5.1)

SHERIFF/WILDFIRE – The intended use will actually reduce the wildland fire potential for this area.

EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT

Water and wastewater service are provided by Woodmoor Water and Sanitation District. There is a finding for sufficiency in terms of water quality for water from Woodmoor Water and Sanitation District.

Earthmoving activity more than 1 acre will require a Construction Activity Permit from Air Quality Control. Call 578-3137 for information.

Commercial buildings regulated by the health department require pre-construction plan reviews by this department.

MOUNTAIN VIEW ELECTRIC ASSOCIATION: Requests ten (10) foot front lot line easements.

EMERGENCY 911

Lindal is an existing street within El Paso County. Duplicate street names are not allowed. Please select another street name and contact Mr. Dan Gross, E-011 Authority, 785-1968, for approval of that street name.

COMPREHENSIVE PLANNING SECTION

The Comprehensive Planning Section notes that this property is located in the Interstate 25 Visual Overlay area of the *2000 Tri-Lakes Comprehensive Plan*. If this were a rezoning action, staff would raise a concern with the potential for uses which could detract from the visual character that is being promoted for this area. However, because this is a subdivision action, it is difficult to impose requirements for full compliance with the Tri-Lakes Plan consistent with existing zoning.

Other agencies notified, their comments will be provided at the meeting if available:

Colorado Department of Transportation
Lewis-Palmer School District 38
Woodmoor Water and Sanitation District
Tri-Lakes Fire Department
Major Thoroughfare Task Force

PLANNING DIVISION COMMENTS:

- 1) This is a relatively small commercial subdivision of six lots. The lots will access directly from an internal cul-de-sac, Lindal Court. The two northernmost lots are flag lots. There are several corrections/additions to make to the documents to meet Planning and Engineering comments prior to this proposal being placed on an agenda for the Board of County Commissioners, however there are no significant problems.
- 2) Water and wastewater service will be provided by the Woodmoor Water and Sanitation District.
- 3) Staff recommends approval.

ENCLOSURES

Location Map
Letter of Intent
Plat

-594-

El Paso County Parcel Information

Parcel Number: 7102300003

Parcel Address: 19925 MONUMENT HILL RD

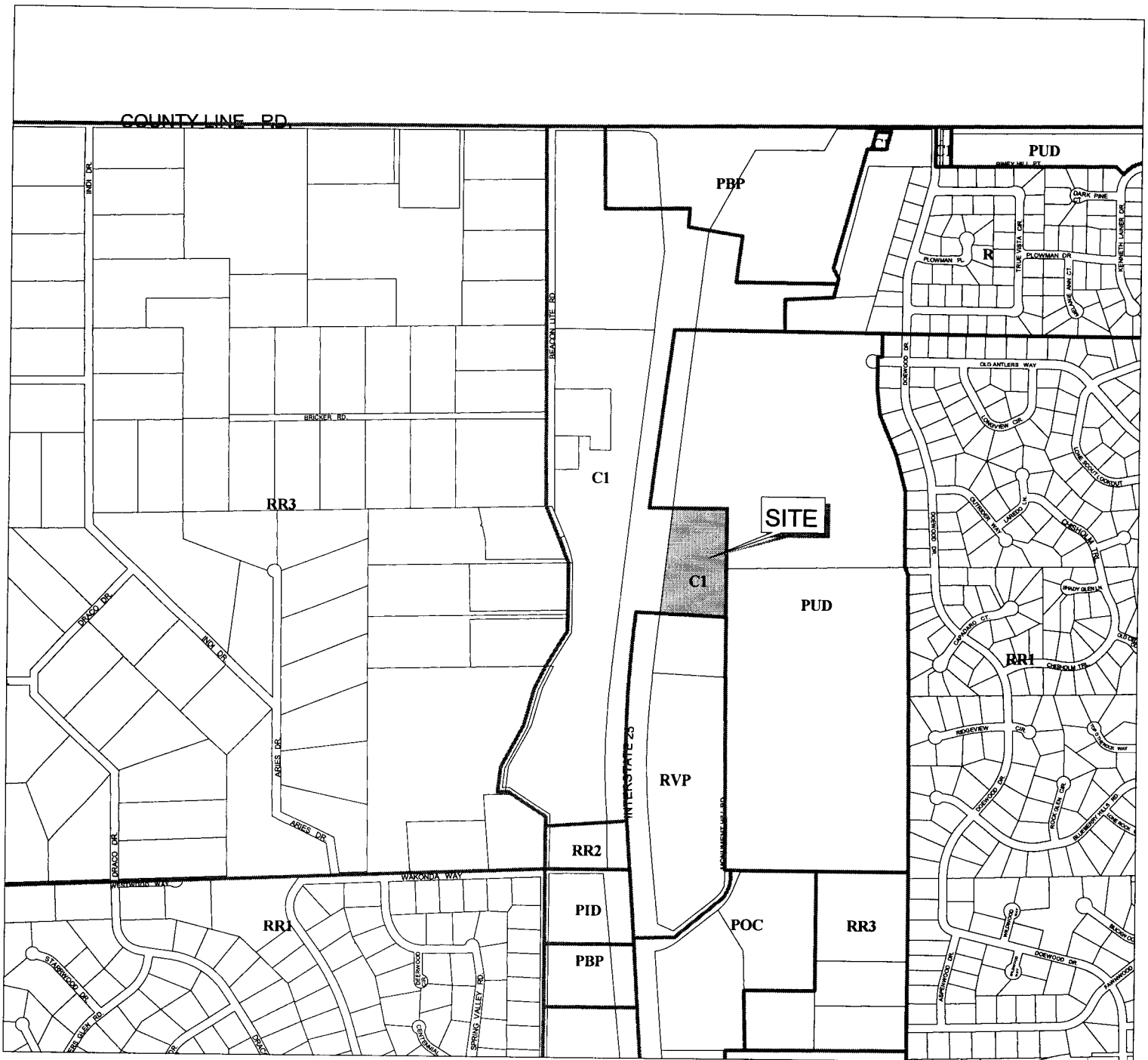
Parcel Owner: ROCKY MOUNTAIN CUSTOM

Parcel Owner 2: WOOD STRUCTURES INC

File Name: SP-03-014

Zone Map No.: 711.02

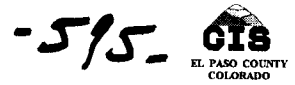
Owner Mailing Address: 401 S NEVADA AVE, COLORADO SPRINGS, CO 80903



Please report any discrepancies to:
El Paso County GIS/Mapping
325 S. Cascade
Colorado Springs, CO 80903
(719)520-6523

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September 3, 2003





LDC, Inc.

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August 19, 2003

Barry Holmes
El Paso County Planning Department
27 E Vermijo
Colorado Springs, CO 80903

RE: ~~Final Plat~~ **PRELIMINARY PLAN**
APN: 7102300003

Owner:
Rocky Mountain Custom Wood Structures Inc
401 S Nevada
Colorado Springs, CO 80903
473-3325

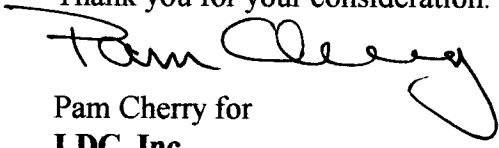
Applicant/Lessee:
Rickie D Nelson
19925 Monument Hill Road
Monument, CO 80132
636-2988

LDC Inc. is representing Rocky Mountain Custom Wood Structures Inc, and Rickie D Nelson, in an application for a Preliminary and Final Plat. The site is located on Monument Hill Road just south of Misty Acres Filing 3 and west of the proposed Misty Acres Filings 1, and 2, all of which are zoned PUD. The parcel contains approximately 8.23 acres and is currently zoned C-1, which is an obsolete zone. It currently consists of a single 8.23-acre parcel (7102300003). The areas surrounding the parcel are zoned PUD to the north and east, RVP to the south.

It is the intent of the applicant to keep the C-1 zoning and subdivide the parcel into 6 lots. Lot sizes range from 1-acre to 1.5-acres. Access will be from Monument Hill Road and Misty Acres Boulevard. The traffic analysis has been completed by LSC, and the Access permit has been issued by CDOT.

The subdivision is included in the Woodmoor Water and Sanitation District. Mountain View Electric will provide power to the future development, and Aquila will provide natural gas. Fire protection is provided by Tri-Lakes Fire District. The entire Monument Hill corridor has undergone extensive studies and reports. Impacts have been considered by all agencies involved.

Thank you for your consideration.


Pam Cherry for
LDC, Inc.

