

park fees for the current recorded filings at the property as an acknowledgement of the work completed on the trail to date. Each future filing of residential lots, that is from Filing No. 4 onward, would be subject to regional park fees. These fees would then be used by county to complete the trail to its standards.

However, on the morning of the BOCC hearing, the property owner proposed a different amendment to the commissioners. Duncan Bremer, attorney for the applicant, said, "We are currently asking that you would give credit for all of the regional park fees as opposed to what was before you in the proposed amendment to the Park Lands Agreement, which is just credit for the first 43 lots out of 116."

David Jones of Land Resource Associates, on behalf of the applicant, said that the real issue being talked about was whether the trail was satisfactory. Describing the trail as "overbuilt," he told the commissioners that it did not meet specifications but that it was a quality product that far exceeded what would be there if it had been built only to county specifications. Property owner and developer Matt Dunston asked the commissioners to acknowledge that the trail, as built, and described earlier by Jones as fulfilling the fundamental purpose and needs of a trail, was sufficient to allow credits to be granted for all 116 lots.

Tim Wolken, executive director of Community Services, said that he was surprised at the \$200,000 figure for the trail and stated that it was overbuilt, and that county would not have spent that amount. He explained that from Filing No. 4 onwards, the county would use the regional park fees to complete the trail to county standards. Responding to the developer's statement that the fees would go into a general fund and not directly to the specific trail, he said that they would go to a fund for that specific area and that "every dime would be spent completing that trail."

Commissioner Longinos Gonzalez Jr. commented, "It comes down to the county will be paying to finish this. It's just whether or not there would be developer dollars going into that forward or not." Commissioner Stan VanderWerf noted that staff would need time to review the new proposal and asked his fellow commissioners to consider a motion to continue to a date certain, which would also mean the final plat application would need to be continued. Commissioner Holly Williams said she took Wolken at his word that the money would go directly into finishing the trail, stating, "Although I appreciate the efforts to try and negotiate this further, I would rather proceed with the motion that was presented to us in our packet and has been reviewed by staff."

The commissioners voted 3-0 in favor of the original amendment to the PLA. Commissioner Mark Waller was absent. Commissioner Cami Bremer, who

had disclosed at the beginning of the discussion that her father-in-law was involved with the project, abstained.

Discussion during the final plat hearing centered on a stormwater violation that had been found at the site, specifically in the area of Filing No. 4, since the Planning Commission hearing. The commissioners heard that county's stormwater team had issued a stop work order after finding that the contractor had graded a greater area at the site when rough grading a roadway than had been approved by staff. Also, barriers to prevent sediment runoff into waterways had not been installed. Craig Dossey, executive director of Planning and Community Development, told the commissioners that his department took stormwater violations very seriously and did not normally allow new entitlements to go forward where there was an existing violation unless doing so would correct it.

Nina Ruiz, planner III of Planning and Community Development, said that a revised grading and erosion control plan had been submitted but that staff had not yet had time to review it. The applicant told the commissioners that work was underway to install the necessary barriers and added that no waterways had been polluted because the ground was frozen. The commissioners agreed to proceed with hearing the application. A condition was added into the resolution requiring that the violation be resolved, and that the applicant be in conformance with all county standards before recording the final plat.

Gonzalez expressed his concern that there had been problems with the project and urged the developer to talk to county staff and let them know of potential problems early in the process in future so that they could help, stating, "Things need to be done properly or not only are you liable, the county becomes liable for some of these issues if we don't do an adequate job and make sure projects go forward properly."

The commissioners voted 3-0 to approve the application. Waller was excused and Bremer abstained.

Walker Reserve minor subdivision

Also at the Jan. 28 meeting, the commissioners approved 4-0, with Waller excused, an application by Alessi and Associates, on behalf of G3 Investments, for a minor subdivision to create three single-family residential lots on a 40.77-acre property zoned RR-5 (residential rural) in Black Forest. The property is about one mile east of Highway 83, just north of Walker Road. The subdivision will create two lots of just over five acres and a third of 28.52 acres and will include 1.81 acres of right-of-way.

The application was treated as a consent item, meaning there was no discussion.

Wolff Run Estates minor subdivision

At the Feb. 25 meeting, the commissioners unanimously approved a minor subdivision request by owners Gregory and Tanya Wolff to create two single-family lots from their 9.7-acre property just east of the intersection of Old North Gate and Silverton Roads. The application was heard by the Planning Commission at its Feb. 4 meeting, where it was unanimously recommended for approval. *See article on page 21.*

The proposed minor subdivision, to be known as Wolff Run Estates, will create one 4.62-acre lot and one 5-acre lot. Before submitting the request, the applicant received administrative relief to allow the first lot to be less than the minimum 5 acres required within an RR-5 (residential rural) zoning district. The applicant was also granted a waiver for Lot 2 of the Land Development Code's requirement that lots have a minimum of 30 feet of frontage and have access onto a public road. Instead, this lot will be accessed via a common driveway and easement through Lot 1. An existing house, barn, and garage on the property will remain until the lot is redeveloped.

Although the City of Colorado Springs borders the property to the south, the owners were told that they did not meet the city's requirements for having services extended to them. Therefore, each lot will have a well and an onsite wastewater treatment system.

No member of the public spoke in favor or opposition at the hearing.

The application was approved with a finding of adequate water supply in terms of quantity and dependability. The code in effect at the time the application was filed allowed for an assumption of water quality for a minor subdivision.

Other decisions

- Jan. 28—The commissioners heard and approved an application by Khanh Vu Corp, d/b/a TK Nails Spa & Bar for a beer and wine liquor license at 1765 Lake Woodmoor Drive.
- Jan. 28—Approved a resolution to allow disbursement of available revenue in the Black Forest drainage and bridge fund to GEB Investments Group LLC and Larkspur Properties LLC. Each received \$16,493. The combined remaining credits are now \$91,691 for drainage and \$376,392 for bridge.
- Jan. 30, Feb. 4, and Feb. 11—Went into executive session at the request of the County Attorney's Office to discuss property acquisitions and legal issues related to the Highway 105 project. As is customary for executive sessions, no decisions were made.

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Woodmoor Improvement Association, Jan. 27 and 29 and Feb. 26

WIA holds annual meeting, reorganizes board, hears Walters Open Space update

By Jackie Burhans

The Woodmoor Improvement Association (WIA) board met on Jan. 27 for its annual meeting to elect new board members, recap the previous year and set goals for 2020. The board met on Jan. 29 to reorganize the board positions and again on Feb. 26 to hear an update on the Walters Open Space development, provide board updates, and vote to replace aging vehicles.

Annual meeting

Board President Brian Bush kicked off the annual meeting by reviewing the role of WIA, including covenant and architectural control, common area maintenance, and Woodmoor Public Safety (WPS).

Bush listed as 2019 accomplishments the installation of an Americans With Disabilities Act (ADA)-compliant bathroom on the main floor, building an addition to the barn for WPS while preserving a large tree, partnering with the district on a Safe Routes to School Grant, complying with Colorado water law by augmenting two ponds and draining two others, offering three free chipping days to residents while holding down dues in 2018 and 2019. Dues in 2020 increased by 1.5% to \$260 per year.

He said that in 2020, the board will maintain its commitment to being a Firewise community, apply for a \$250,000 matching grant for mitigation, continue to develop trails in common areas, remain engaged in Walters Open Space sale and development, renovate the administration offices, continue to digitize WIA records, and work with residents to control tall grass to prevent fires.

Good neighbor awards were given to Linda and Joe Henry and Tish Norman. The Henrys help neighbors by removing snow, assist them with projects by lending them tools, and cooking and sharing food. They will receive a \$100 gift card. Norman was recognized for being the driving force behind the Walters Open Space Committee, which has been working to preserve 100 acres of open space while coordinating with developer Proterra, which is interested in the remaining 35 acres.

Norman noted that she is the face of the organization but recognized the vice director, other committee members and Bill Peterson, who is president of Wood-

moor Park HOA, which is impacted. They hope to finalize the agreement by April. The Vincent Elorie award will be presented at a later meeting to Eddie Bruck, a forestry volunteer who has worked to inform and educate new Woodmoor owners.

The meeting ended with a round of questions and answers and a review of election procedures, with each candidate in attendance having the opportunity to make a statement. Current board members Brad Gleason and Rich Wretschko spoke of their service in their current roles in public safety and open space respectively. Connie Brown said she has lived in Woodmoor since 2002 and has a 41-year background in business.

Board reorganization

At the Jan. 29 meeting, the board provided election results, updated financial account authorization by removing former board member Lee Hanson, and reorganized to the following roles:

- Brian Bush, president
- Peter Billie, vice president
- Bert Jean, secretary and Community Outreach
- Connie Brown, treasurer
- Per Suhr, Architectural Control
- Brad Gleason, Public Safety
- Rich Wretschko, Common Areas
- Ed Miller, Covenant Control
- Tom Smith, Forestry

Walters Open Space update

Bill Peterson, president of the Woodmoor Park sub-HOA, reported on negotiations with Proterra. There are more discussions to come on setback and terracing and development of Walters Point that connects Phase 2 and 3 of Woodmoor Park. Architectural control and design will

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