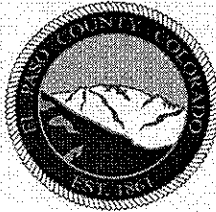


# EL PASO COUNTY

COMMISSIONERS:  
DENNIS HISEY (CHAIR)  
JIM BENSBERG (VICE CHAIR)



DOUGLAS BRUCE  
SALLIE CLARK  
WAYNE WILLIAMS

## DEVELOPMENT SERVICES DEPARTMENT

**TO:** El Paso County Planning Commission  
Steve Sery, Chair

**FROM:** Mike Garrott, Project Management Group Manager, Ext. #6447 *mg*  
Kari Parsons, Planner I  
Meggan Yoest, Long Range Planner II  
Jeff Rice PE, Engineer II  
Mike Hrebenar, Customer Service/Planning Division Manager *MH*

**RE:** VR-07-006 / Knollwood Village Filing #2  
Tax Schedule # 71132-00-003

**OWNER:**  
KV Development Company, Inc.  
17430 Lamplight Drive  
Monument, Colorado 80132

**REPRESENTATIVE:**  
Dave Jones  
LRA Inc.  
4455 Fountain Ave.  
Cascade, Colorado 80809

**Commissioner District:** 1

Planning Commission Hearing Date;	07/17/2007
Board of County Commissioners Hearing Date:	TBD

### EXECUTIVE SUMMARY

Request by KV Development Company, Inc., to vacate and replat Tract A, Knollwood Village Filing #1. The replat consists of a 16.693-acre parcel to be re-platted into one 1.278 acre lot and a 15.415 acre tract for future development. The property is located north of State Highway 105 and east of Knollwood Drive. Staff recommends approval of the Vacation and Replat with the Conditions and Notations.



**A. PLANNING COMMISSION SUMMARY**

**Request Heard:**

**Recommendation:**

**Waiver Recommendation:**

**Vote:**

**Vote Rationale:**

**Summary of Hearing:**

**Legal Notice:**

**B. REQUEST/WAIVERS/AUTHORIZATION**

**Request:** Vacation/Replat approval for one 1.278 acre lot and a 15.415 acre tract for future development on +/- 16.693 acres.

**C. STAFF RECOMMENDATION**

Staff recommends approval of the Vacation / Replat with the Conditions and Notations.

**CONDITIONS OF APPROVAL**

1. Declaration of Covenants, Conditions and Restrictions for Knollwood Village Filing 2, to run with the land, containing conditions 1 thru 6, as provided in the attached letter from Philip J. Anderson dated November 30, 2000, shall be recorded with El Paso County Clerk and Recorder prior to the recording of the Final Plat.
2. The Prebles Jumping Mouse habitat shall have limited disturbance. A minimum 150' buffer from the 100 year flood plain will aid in avoiding the Prebles Jumping Mouse habitat.
3. To reduce an urban-wildland interface area hazard rating, buildings or structures located on 2 acres or more or multiple sites shall create a vegetation management plan. Vegetation management plans shall be submitted to the Woodmoor /Monument Fire Protection District code official for review and approval as part of the plans required for a (building) permit.
4. 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.

5. 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, for 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 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.
6. 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.
7. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
8. The applicant shall submit the mylar to Enumerations for addressing.
9. Applicable drainage and bridge fees (Dirty Woman Creek) in the amounts of \$13,050 and \$609.00, respectively, shall be paid prior to recording of the Final Plat.
10. Applicant and all future owners of lot 1 within this filing shall be advised of, and comply with, the conditions, rules, regulations, and specifications set by Woodmoor Water and Sanitation District.
11. 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."

12. A completed U.S. Army Corps of Engineers permit shall be provided to the El Paso County Development Services Department prior to project commencement if ground-disturbing activities would occur in wetland areas. Alternatively, a letter from a qualified wetland scientist indicating why such a permit is not required for this project may be acceptable.
13. The Final Plat for Knollwood Village Filing No. 1 shall be recorded prior to scheduling this application for Board of County Commissioners hearing.
14. The Subdivision Improvements Agreement for Knollwood Village Filing No. 1 shall also apply to this subdivision.
15. Between Lot 2, Knollwood Village Filing No. 1 and Lot 1, Knollwood Village Filing No. 2, the first to submit a Site Development Plan shall provide final design, including a drainage letter update and construction drawings, and shall construct a detention/water quality pond on Lot 2 of Filing No. 1. A Private Detention Basin / Water Quality BMP Maintenance Agreement and Easement shall be provided addressing the responsibilities of each lot owner.

#### **NOTATIONS**

1. Final Plat not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
2. There are four areas of concern regarding hazard mitigation called out in the Geological Hazard study prepared by Entech Engineering for Knollwood Village Filing No. 2. Please note said report is in file Knollwood Village Fil. No.1 (MS-06-006) at the Development Services Department.
3. Periodic oversight by a qualified biologist during construction should occur.
4. Buildings should be constructed to minimize erosion during water runoff and to retain the hillside soil.
5. No building or development should occur within the designated 150' setback from the 100' year floodplain.
6. Should lot-specific grading plans include portions of the steep slopes to the north of lot 1, mitigation measures may be required to prevent erosion and raveling problems and foundation designs should be adequate to mitigate the effects of creeping soils.

7. Site- specific foundation investigation should be conducted prior to building to determine subsurface geologic characteristics that may impact foundation design (expansive soils, shallow groundwater, etc).

**D. APPLICABLE RESOLUTIONS**

Approval Page 13

Disapproval Page 14

**E. LOCATION**

Abutting zoning and land use:

North: RR-5/single family homes

South: Proposed commercial Development

East: RS-20000/Church

West: RR-5/vacant



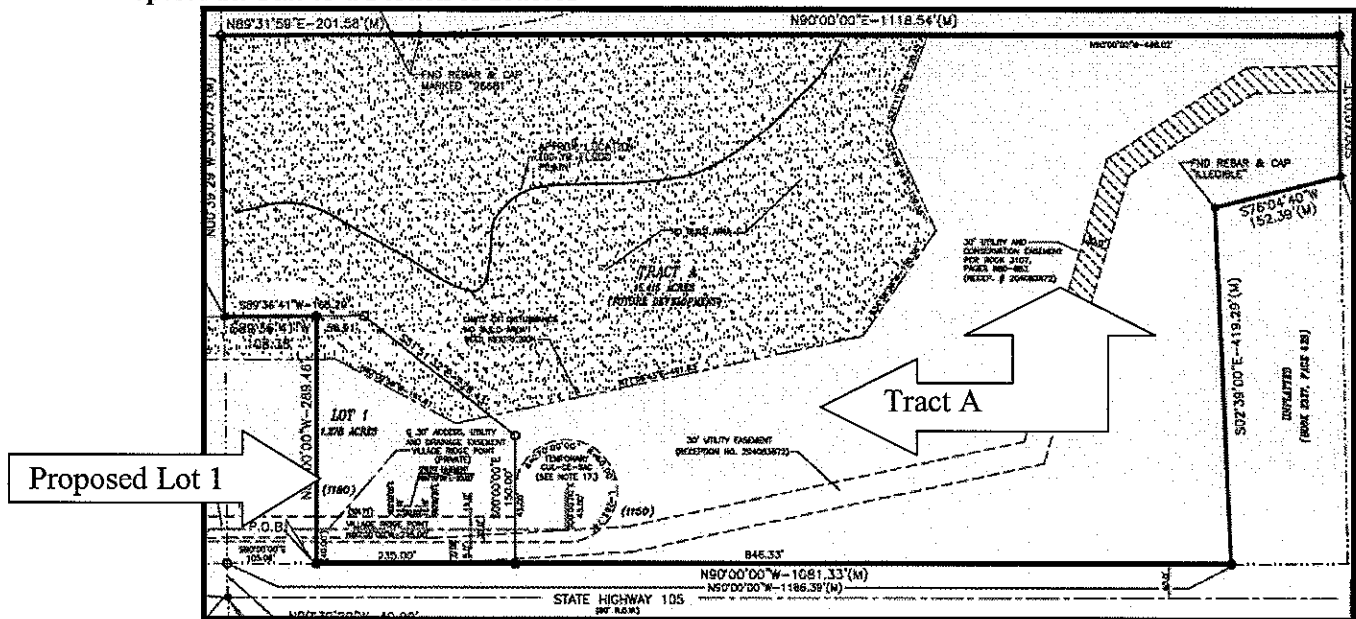
**F. BACKGROUND**

The site is located on the northeast corner of HWY 105 and Knollwood Drive. In the original zone change from a residential use to a commercial use, an agreement was made by the original owners' representative, Attorney P.J. Anderson and the Woodmoor Homeowner's Association. This agreement included several restrictive requirements in the covenants pertaining to hours of operation, specific allowed commercial and retail uses. For example, no fast food restaurants are permitted within the subdivision. The 25.939-acre subdivision was split zoned 4.625 acres of Community Commercial and 21.316 acres of Rural Residential-5, December 18, 2005. The same covenants restricting uses and hours of operation will apply to this Vacation and Replat. The subdivision is proposed to be platted as Knollwood Village Filing 1 (MS-06-006).

It was approved by the Board of County Commissioners March 15, 2007 (Resolution 07-87). This Vacation and Replat application plats a portion of Tract A, creating a third commercial lot in the overall Knollwood Village Center.

One 1.278 acre lot will be created; the remaining 15.415 acres will be re-platted as Tract A. There is a private drive serving the subdivision. A temporary cul-de-sac is proposed east of Lot 1 until further development of Tract A in the subdivision occurs.

#### Proposed Re-Plat of a Portion of Tract A



#### G. STATUS OF MAJOR ISSUES – N/A

#### H. APPROVAL CRITERIA

##### 1. LAND DEVELOPMENT CODE COMPLIANCE

Standard: LDC Chapter 3, Zoning Districts, Chapter 5, Use and Dimensional Standards and Chapter 7, Divisions of Land. This application meets the requirements of the Community Commercial and the Final Plat review standards in Land Development Code.

##### 2. ZONING COMPLIANCE

The Final Plat submittal complies with the Proposed Community Commercial as outlined in 3.2.5 of the LDC:

- Purpose – Commercial District

### 3. POLICY PLAN COMPLIANCE

*The El Paso County Policy Plan* does not include site-specific land use policies, but establishes broad policies and goals which are intended to serve as a framework for decision-making regarding the development of the County. The following are policies and goals from the Countywide Policy Plan as they specifically relate to this rezone request:

*6.1.3 - Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, landuse, and access. 6.1.7 - Encourage infill development which complements existing uses, is consistent with Small Area Plans and other adopted Plans.*

*6.2.1 - Fully consider the potential impact of proposed zone changes and development on the integrity of existing neighborhoods.*

*6.2.11 - Encourage compatible physical character, density and scale in existing neighborhoods.*

The rezone request is contiguous and compatible with the adjacent zoned CC (previously PBP) zoning. This adjacent zoning in the Knollwood Village development included conditions of approval limiting uses and hours of operation at this site. This rezone request is recommended to have similar conditions as the adjacent zoning. This will help mitigate any negative impacts to surrounding residential uses and insure that the continuing commercial development will be compatible and in character with the area.

### 4. SMALL AREA PLAN COMPLIANCE

This property is in the *2000 Tri-Lakes Comprehensive Plan*, specifically located in Planning Unit 7, Woodmoor. The Planning Unit, as it relates to this request, states:

- The predominant development emphasis should be on residential uses that are provided with central water and sewer, and adequate services. The existing residential patterns should be preserved, reinforced, and continued. New residential development should be consistent with, compatible with, or larger than existing lot sizes. Higher densities should be considered only in association with a density bonus for open space or other amenities such as a school-site, and only located in transition zones adjacent to or in areas designated as mixed use. (Refer to sections on Clustering and Open Space and Land Use within this Plan).*
- Development along I-25 should be consistent with the recommendations as stated in the I-25 Corridor Overlay. Uses appropriate for this area might include office park, medical facilities, and suitable and compatibly commercial.*

*Appropriate buffers should be required and properly maintained between non-residential and residential uses. Development in the I-25 Overlay corridor should be consistent with the goals and objective of the I-25 Overlay and coordinated between the County, the Town of Monument, developers, and adjacent subdivisions.*

- *Mixed-use development should be considered in designated areas along SH 105, Woodmoor Drive and Lake Woodmoor Drive. Building styles should be consistent and/or compatible with WIA architectural design standards. All commercial development should serve a local need and have limited hours of operation.*

Included in the *Tri-Lakes Plan* is a Concept Plan Map. Map 7.1 shows this property in the I-25 Overlay Scenic Protection Area and in an area acceptable for “Mixed Use and/or Non-residential development”.

The zoning of the adjacent property included in the Knollwood Village Development to Planned Business Park (PBP) (now Community Commercial, CC) was approved in December, 2000. That zoning had certain conditions pertaining to the recording of covenants limiting hours and uses, and that development should be in conformance with the Tri-Lakes Comprehensive Plan. These conditions and covenants were originally agreed to by the Woodmoor Homeowners Association in order to mitigate potential negative impacts to the adjacent residential uses. Staff has recommended similar conditions of approval for this request as more of this property is zoned to commercial. The applicant is aware of and in agreement with the conditions of the zoning and will record the required covenants. This rezone request is consistent with the previously approved adjacent commercial zoning, and consistent with the recommendations from the *Tri-Lakes Plan* that “Mixed Use and/or Non-Residential uses” are appropriate along Highway 105 if developed in accordance with the I-25 Overlay from said plan.

## **I. PHYSICAL SITE CHARACTERISTICS**

### **1. HAZARDS**

In the Geological Hazard study prepared for Knollwood Village, by Entech Engineering, there are four areas of concern, requiring mitigation. Below are highlights from their findings.

- 1). *Mitigation of expansive soils will require special foundation design.*
- 2). *Floodplain exists on property. (This area to be preserved as open space).*

*3.) Potentially seasonal high water table. Areas will be filled and foundation levels will be raised above the groundwater level. Frost heave potential a hazard in some areas on site. Recommended a minimum of 2.5 feet foundation depth.*

*4.) "Unstable slopes along floodway. A minimum setback of 30 feet is recommended from the crest of these slopes."*

## **2. WILDLIFE**

The County's adopted El Paso County Wildlife Habitat Descriptors (1996) depict the area as having the potential for generally lower wildlife impacts. Although the Wildlife Habitat Descriptors shows low wildlife impact, there is significant Prebles Meadow Jumping Mouse habitat on site along the Dirty Woman Creek. The applicant has been working with the US Fish and Wildlife Service due to this habitat. The applicant has been advised to stay 150 feet from 100 year floodplain as to not disturb the Prebles Meadow Jumping Mouse habitat.

## **3. FLOODPLAIN**

The site is not within a FEMA floodplain, but the floodplain of Dirty Woman Creek is located approximately 80 feet north of the site, as designated on the FEMA Floodplain Insurance Rate Maps (FIRM) for El Paso County. The major channel of Dirty Woman Creek flows from east to west north of the site. There is a no-build area included along the north side of the proposed Lot 1.

## **4. DRAINAGE AND EROSION**

The site is located in the Dirty Woman Creek drainage basin (FOMO5200), which eventually drains to Monument Creek. The drainage basin has been studied and associated drainage and bridge fees apply in the amount of \$15,000 and \$700 per impervious acre, respectively. The total drainage and bridge fees for this subdivision will be \$13,050.00 and \$609.00, respectively.

A Drainage Letter Report was received with the submittal. Engineering staff concur with the report's conclusion that this development's runoff will not adversely affect downstream or surrounding properties. Developed stormwater will be routed to and detained in a proposed detention/water quality pond in Lot 2 of Filing 1, to be constructed with whichever lot is developed first, and released at less than historic levels.

Grading and Erosion Control plans will be required with the Site Development Plan. These plans call for best management practices (BMPs) to prevent sediment and debris from affecting adjoining properties and the public drainage system before, during, and after construction. The applicant will need to obtain County permits for any proposed grading activity, along with any State-required permits, during the Site Development Plan approval process.

**5. TRANSPORTATION**

The site has frontage along State Highway 105 and access to Knollwood Drive via a private access road serving the Knollwood Village subdivisions. The existing streets will be adequate for the proposed traffic.

There is no right-of-way dedication required with this project.

**J. SERVICES**

**1. WATER**

**Sufficiency:** sufficiency

**Quality:** sufficiency

**Quantity:** sufficiency

**Dependability:** sufficiency

**Attorney's summary.** The County Attorney's Office makes a finding of sufficiency regarding water quantity and dependability based on the State Engineer's office interpretation.

**2. SANITATION**

The Woodmoor Water and Sanitation District will provide water and wastewater services.

**3. EMERGENCY SERVICES**

The applicant submitted a commitment to serve letter from the Tri-Lakes Monument Fire Rescue Authority. The District will provide Fire services and emergency services to this development.

**4. UTILITIES**

Mountain View Electric has requested standard easements which the applicant has provided on final plat.

**5. METROPOLITAN DISTRICT STATUS**

N/A

**K. PUBLIC COMMENT AND NOTICE**

The Development Services Department notified 11 adjoining property owners on July 2, 2007. No responses have been received.

**L. ATTACHMENTS**

Vicinity Map

Letter of Intent

Final Plat

P.J. Anderson's Letter dated November 30, 2000

State Engineers Letter

# El Paso County Parcel Information

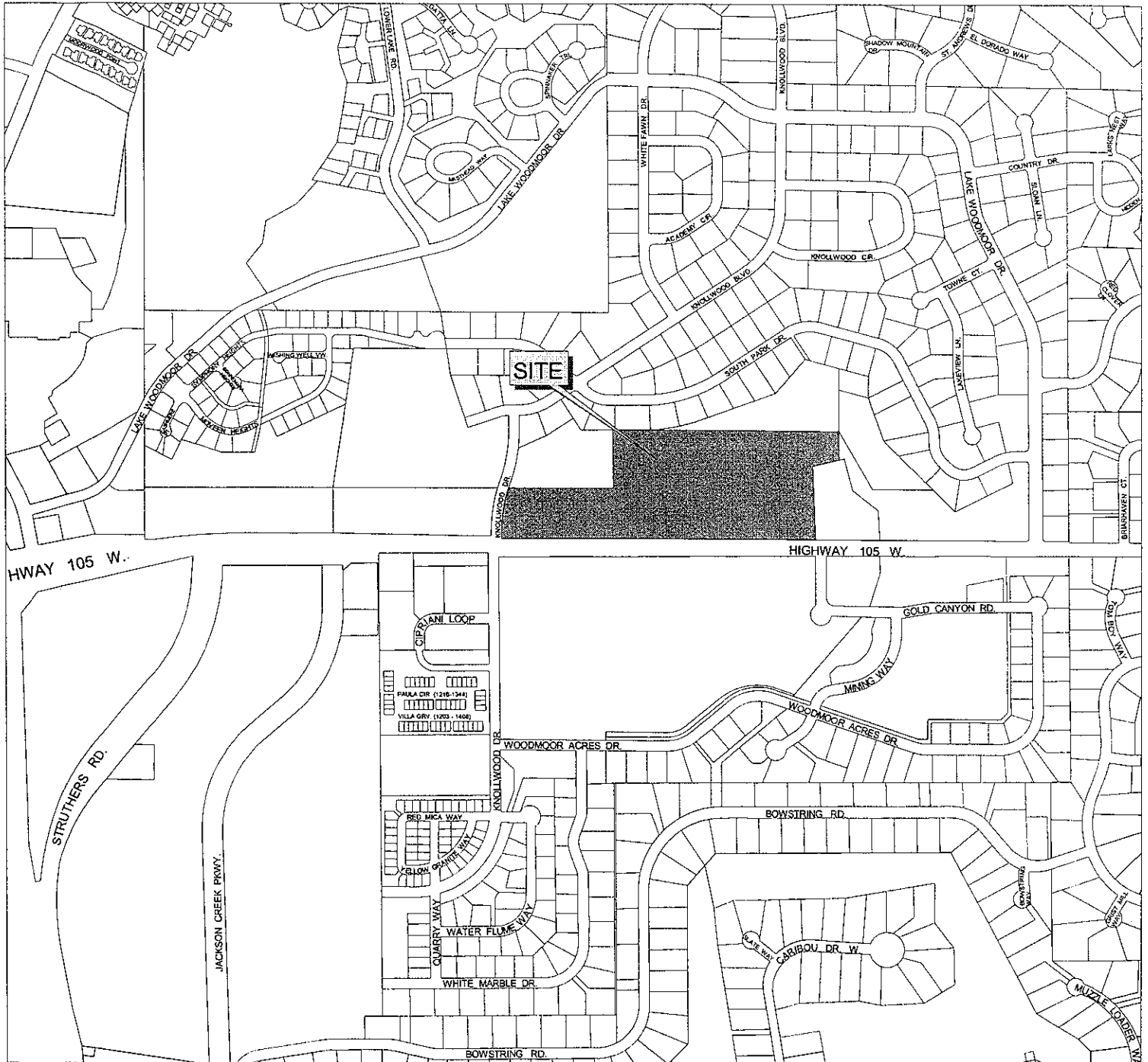
Parcel Number: 7113200003

File Name: ~~CO~~07001 & VR07006

Parcel Address: 0 13-11-67

Parcel Owner: KV DEVELOPMENT CO

Owner Mailing Address: 17430 LAMPLIGHT DR, MONUMENT, CO 80132



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

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of plotting and is for internal use only. El Paso County, Colorado, makes no  
claim as to the completeness or accuracy of the data contained hereon.

April 4, 2007





## **LETTER OF INTENT**

April 2, 2007

### **EL PASO COUNTY DEPT. OF DEVELOPMENT SERVICES**

2880 International Circle  
Colorado Springs, CO 80910

**RE: KNOLLWOOD VILLAGE FILING NO. 2 A VACATION AND RE-PLAT OF  
TRACT A KNOLLWOOD VILLAGE FILING 1**

**PARCEL NUMBER:** 71132 00 003

### **OWNER & DEVELOPER**

KV DEVEVELOPMENT COMPANY, INC.  
William Herebic, President  
17430 Lamplight Dr.  
Monument, CO 80132-2211

### **PROJECT CONSULTANTS**

LAND RESOURCE ASSOCIATES (land planning)

Attn: David Jones (719) 684-2298 Fax (719) 684-8413  
4455 Fountain Ave., Cascade, CO 80809

LSC TRANSPORTATION CONSULTANTS, INC., (transportation planning)

Attn: Jeffrey C. Hodson, P.E. (719) 633-2868  
516 N. Tejon Street, Colorado Springs, CO 80903

PINNACLE LAND SURVEYING COMPANY

Attn: John Towner, (719) 634-0751  
925 W. Cucharas St., Colorado Springs, CO 80905

JPS ENGINEERING

Attn: John Schwab (719) 477-9429  
19 E. Willamette, Colorado Springs, CO 80903

### **SITE INFORMATION**

The proposed subdivision is located within the S1/2 of the SW1/4 of the NW1/4 of Section 13, T11S, R67W, of the 6<sup>th</sup> PM. More specifically, the property is located nearby

the northeast corner of the intersection of Knollwood Drive and State Highway 105. The site, containing 16.693 acres, is presently zoned RR-5 (16.314 acres) and CN Commercial Neighborhood (0.3790 acres).

### **DEVELOPMENT REQUEST**

The applicant is requesting a vacation and re-plat of Tract A, Knollwood Village Filing 1 to allow for the development of 1 CN Commercial Neighborhood lot (1.278 ac) and 1 tract (15.415 ac) to be held for open space and future development.

### **JUSTIFICATION FOR REQUEST**

The current El Paso County Land Development Code requires that property zoned CN Commercial Neighborhood be platted prior to issuance of a building permit on the property. This application is intended to satisfy the Code requirement.

### **EXISTING AND PROPOSED IMPROVEMENTS**

Current improvements on the property include water lines, sewer lines, natural gas lines, electric transmission lines, and telephone lines. Proposed improvements to the Planned Business Park portion of the property include the improvements to Highway 105, improvements to the intersection of Highway 105 and Knollwood Drive and improvements to Knollwood Drive.

The property is located within the service areas of the Mountain View Electric Association and Aquila Natural Gas. Water and sewer service will be provided by the Woodmoor Water and Sanitation District No. 1.

### **SUPPLEMENTAL INFORMATION**

The developer will be responsible for constructing all required subdivision improvements at his sole expense. Installation of the required improvements will be guaranteed by a completion bond, letter of credit, or joint certificate of deposit acceptable to the El Paso County Board of County Commissioners.

### **WAIVERS**

There are no waivers to the El Paso County Land Development Code or the Engineering Criteria Manual associated with this application.



**PHILIP J. ANDERSON**

545 East Pikes Peak Avenue

Suite 207

Colorado Springs, Colorado 80903

**RECEIVED**

DEC 04 2000

Planning Dept.

(719)633-4873

FAX (719)633-2926

CELL (719)331-2732

p.j.anderson@worldnet.att.net

November 30, 2000

Barry Holmes, AICP

Senior Planner

El Paso County Planning Department

27 East Vermijo Street

Colorado Springs, Colorado 80903

Re: Knollwood Center Rezoning Request

Dear Mr. Holmes,

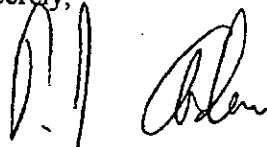
As you are aware, my client Carl Turse and I have been working for many months with the Board of Directors of the Woodmoor Improvement Association ("WIA") in an attempt to resolve neighborhood compatibility issues and concerns connected with the proposed retail shopping center planned for the northeast corner of Knollwood and SH 105. I am pleased to report that I believe we have reached an agreement on all issues. One of the procedural matters, however, is the question of the enforcement of the terms of the agreement. Although Mr. Turse and the WIA have mutually approved a Declaration of Covenants, Conditions and Restrictions to run with land, we would like to request additional assistance from the County as to several items. We would ask that the following restrictions become express, written conditions of the approval of the change of zoning. Based upon the letters of opposition contained in the file, statements made at the Planning Commission hearing and other input from the Woodmoor neighborhood, we would consider these conditions to be reasonably conceived and in accordance with Colorado case law with regard to the imposition of conditions on zoning amendments.

1. "No commercial operations shall begin before 6 a.m. nor continue later than 9 p.m."
2. "There shall be no automotive repair and services facilities nor any enterprise involving the retail sale of gasoline, oils, or automotive lubricants."
3. "The maximum height of structures and buildings shall be thirty (30) feet."
4. "To provide for visual screening of the Property from existing residential properties located to the north in Woodmoor, a ten (10) foot wide area along the northerly boundary of the Property shall be landscaped with one tree planted every fifteen feet. At least one-third (1/3) of the trees will be evergreen. Evergreen trees will be at least six (6) feet in height and deciduous shade trees will be of at least one and one (1 1/2) inch caliper measured six feet above the ground."
5. "There shall be no fast-food restaurants, which for the purpose of this restriction, shall mean food service establishments whose primary business is specializing in the rapid preparation and service of food (as hamburgers, fried chicken or tacos) and which typically contain a drive-through lane for the pick-up of food by customers while remaining in their automobiles; the terms shall not include sub shops, delicatessens, ice

- cream stores, or coffee shops."
6. "There shall be no taverns or bars, which for the purpose of this restriction, shall mean an establishment whose primary business is serving alcoholic beverages for consumption on the premises."
  7. "The Declaration of Covenants, Conditions and Restrictions, agreed upon by the Petitioner and the Woodmoor Improvement Association and entered into the record of the Board's hearing, be recorded prior to or simultaneously with the first final plat of the Knollwood Center development."

As usual, thank-you for your assistance. While I realize that the above could be considered an imposition on the future time of the Planning Department and/or the County Attorney's Office, it has not been unusual in the past for the Board of County Commissioners, after lengthy hearings, to place numerous restrictions on a zone change. The difference here is that the applicant and the neighborhood association have worked ahead of time to resolve the issues, which, hopefully, will make the Board's job easier on December 14th.

Sincerely,



Philip J. Anderson

cc: Carl Turse  
WIA (Beth Courrau)

**Kari Parsons**

---

**From:** David Jones [chipita1@comcast.net]  
**Sent:** Thursday, June 28, 2007 10:52 AM  
**To:** Kari Parsons  
**Cc:** 'Bill&Ashley HEREBIC'  
**Subject:** RE: Knollwood Village Staff Reports

Kari,

Bill and I are both OK with your proposed conditions of approval.

Dave Jones

---

**From:** Kari Parsons [mailto:kari@parsons@elpasoco.com]  
**Sent:** Thursday, June 28, 2007 10:26 AM  
**To:** CHIPITA1@ADELPHIA.NET; herebic5@msn.com  
**Cc:** Mike Garrott  
**Subject:** Knollwood Village Staff Reports

Dave and Bill,  
Please re-verify (as discussed in the EA-06-2230 that you and the owner are still ok, with the original conditions that were placed on the Knollwood Village, December 2000 rezone from RR5 to CC. Below is the language for the Vacate & Re-plat and the zone change.

**VR 07-006 Knollwood-Vacation & Re-plat  
CONDITIONS OF APPROVAL**

1. Declaration of Covenants, Conditions and Restrictions for Knollwood Village Filing 2, to run with the land, containing conditions 1 thru 6, as provided in the attached letter from Philip J. Anderson dated November 30, 2000, shall be recorded with El Paso County Clerk and Recorder prior to the recording of the Final Plat.

**CC07-001Knollwood- Rezone  
CONDITIONS OF APPROVAL**

2. That a Declaration of Covenants, Conditions and Restrictions, to run with the land, be recorded with this property, containing conditions 1 thru 6 as provided in the attached letter from Philip J. Anderson,  
dated November 30, 2000.

06/28/2007

4. That prior to a final plat of this property being scheduled for the Board of Commissioners, that a copy of the above-mentioned covenants

shall be provided to the Planning Department.

Thank You,

Kari Parsons  
Planner I  
El Paso County Development Services  
2880 International Circle, Colorado Springs, CO. 80910  
(719) 520-6306

# STATE OF COLORADO

OFFICE OF THE STATE ENGINEER  
Division of Water Resources  
Department of Natural Resources

1313 Sherman Street, Room 818  
Denver, Colorado 80203  
Phone (303) 866-3581  
FAX (303) 866-3589

<http://www.water.state.co.us>

July 3, 2007



Bill Ritter, Jr.  
Governor

Harris D. Sherman  
Executive Director

(Vacant)  
State Engineer

Mr. Mike Garrott  
El Paso County Planning Dept.  
2880 International Cir.  
Co. Springs, CO 80910

RE: Knollwood Village Subdivision Filing 2  
NW1/4 NW1/4 Sec. 13, T11S, R67W, 6<sup>th</sup> P.M.  
Water Division 2, Water District 10

Dear Mr. Garrott:

We have received the above referenced proposal to subdivide 16.693 acres into 1 commercial use lot consisting of 1.278 acres and a 2nd undeveloped lot. The proposed water supplier is Woodmoor Water and Sanitation District, which has provided an Excess Water Usage and Service Agreement which was entered into effect on December 31, 2004 for 10.73 acre-feet. The Water Supply Information Summary form indicates that this development will require 1.92 acre-feet for commercial use within 7,500 square-feet of commercial use and irrigation of 0.064 acres.

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, 1,923 acre-feet per year based on a 300 year aquifer life (see attached table). The water commitment for this proposal is included in the "Current Commitments" of this table. Therefore, 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

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 this office.

Sincerely,

Heidi Frey, P.E.  
Water Resource Engineer

cc: Division 2  
Water Commissioner

HCF:word/knollwood village f2

7/3/2007

# WOODMOOR WATER AVAILABILITY

	af	100 yr af	300 yr af
Total Water Available from Decreed Sources		5768	1923
Current Commitments as of August 19, 2005	1872		
Johnson Estates (1 lot included in current commitments)	0.37		
Hillsong Village	6.54		
MGP	38.96		
Total Commitments	1917.87		
Availability		3850.13	5.13