



## Legislation Text

---

**File #:** 18-0109, **Version:** 1

---

Outside City Service Request: Change of Use - Water Service

**Presenter:**

Brian Whitehead, Manager, System Extensions  
Jerry A. Forte, P.E., CEO, Colorado Springs Utilities

**Summary:**

Dan Schaefer and Mary Jo Schaefer (“Owners”), have submitted a request to Colorado Springs Utilities for a change in use of water service at 1250 W. Woodmen Rd. (“Property”) from single-family residential to multi-family residential. Pursuant to the Agreement Providing for Water Service to Land Outside the City Limits of the City of Colorado Springs and Annexation Agreement (Woodmen Valley) recorded on November 1, 1994 (“Agreement”), any change in the use of water service for the Property requires City Council approval.

**Previous Council Action:**

Water service to the property at 1250 W. Woodmen Rd was approved for single-family residential use by the Colorado Springs City Council in 1994 pursuant to City Code requirements, and subject to the Agreement.

**Background:**

City Code Section 7.6.210, Service without Annexation, allows the City Council in its legislative discretion to authorize water service outside city limits. The Property is subject to the terms and conditions of the Agreement. The Agreement limits water use on the Property to single-family residential use. Owners petitioned the El Paso County Planning Commission and the Board of County Commissioners for approval of a variance to allow for an existing second residence on the Property that is used for rental purposes. The variance was approved by the County Planning Commission on January 16, 2018 and by the Board of County Commissioners on February 13, 2018. Owners contacted Colorado Springs Utilities about changing water service for the Property from single-family residential to multi-family residential to authorize water use for the second residence. Colorado Springs Utilities has reviewed Owners’ request and has determined that there is sufficient water capacity and water distribution facilities in the area available to support the requested change of use for water service to the Property.

**Financial Implications:**

No additional development charges are required for the change of use currently being proposed, provided no change to existing meter size or additional meters installed. Property owner understands there will be a change of billing rate due to the change in use from single family to multi-family.

**Board/Commission Recommendation:**

Colorado Springs Utilities recommends that City Council approve the resolution authorizing the requested change in use of water service for the Property from single-family residential to multi-family residential subject to the following terms and conditions: Owners shall pay all applicable fees and charges assessed by Colorado Springs Utilities in connection with the change of use of water service; Owners fully comply with all applicable ordinances, regulations, rules and policies of the City of Colorado Springs and Colorado Springs Utilities; and the other terms and conditions of the Agreement remain in full force and effect.

**Stakeholder Process:**

Dan Schaefer submitted a request to Colorado Springs Utilities for change of use in water service at 1250 W Woodmen Rd. Colorado Springs Utilities has worked with Dan Schaefer, and any appropriate City departments on the review of this request.

**Alternatives:**

N/A

**Proposed Motion:**

Move to approve the resolution authorizing the change of water service.

N/A