

Final Plat

# Romens Subdivision

Adelaida

Romens

September 5, 2023

## **FINAL PLAT LETTER OF INTENT - ROMENS SUBDIVISION**

OWNER/APPLICANT: Adelaida Romens Trustee

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### **SITE LOCATION/LEGAL DISCRIPTION:**

The proposed Romens Subdivision property for this Final Plat application is located in El Paso County in Peyton, CO, approximately 22 miles east of downtown Colorado Springs, north of Highway 24.

The parcel is bounded to the north by Hopper Road right-of-way, to the east by Bradshaw Road right-of-way, to the south by Cleese Court, and to the west by the Hybar Subdivision. The existing access to the parcel is from Cleese Court, a gravel county local roadway. The entire parcel lies within unincorporated El Paso County and is currently zoned A-35. (Parcel No. 41000-00- 075)

Northeast 1/4 of the Northeast 1/4 of Section 24, Township 11 South, Range 64 West, 6th Principal Meridian, County of El Paso, State of Colorado. According to the 2021 Your El Paso County Master Plan, the Placetype of this development is "Large-Lot Rural"

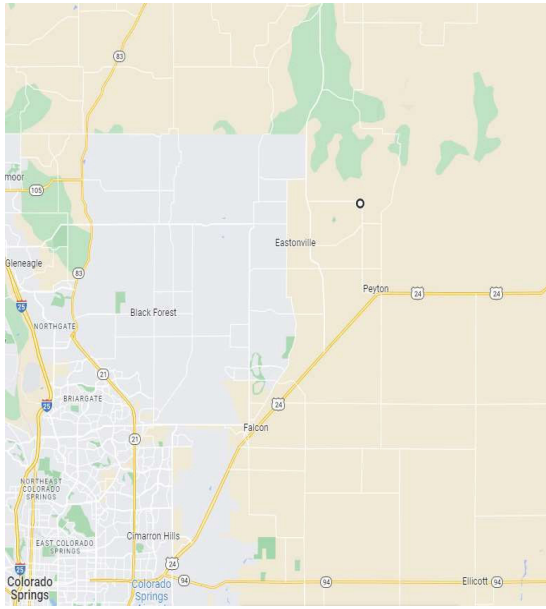


Figure 1 Map showing the location of the proposed subdivision in El Paso County, Colorado.

According to the 2021 Your El Paso County Master Plan, the Placetype of this development is “Rural”. The primary land use in this Placetype is agriculture, however, residential uses such as farm homesteads and estate residential are allowed as support uses. Residential lot development, within the Rural Placetype, typically covers 35 acres or more per two units with the minimum lot area consisting of 5 acres per unit. This Rural Placetype covers most of the eastern half of the county and is identified as a Priority Development Area (by Your El Paso County Master Plan). The applicant proposes to develop the site as seven (7) (approximate 5 to 6 acre lots) new lots. A single-family detached residential dwelling unit that recognizes and respects the character of the surrounding rural area will be provided on each. The total acreage of the proposed Romens Subdivision development is approximately 34.47 acres (reduced from the original 36.54 acres due to a 45’ ROW dedication; along both Hopper Road and Bradshaw Road). Infrastructure to serve the new lots, including shared access drives (on the north half of the development), drainage improvements, and utilities will all be constructed in compliance with applicable county standards, regulations, and criteria in effect at the time of this application. A 25’ wide future reservation for Trail Easement, has been provided along Cleese Court and Bradshaw Road. This is in keeping with the rural character of the surrounding Calhan, Ellicott, and Falcon communities. Surrounding properties are rural, single family homesites and farm homesteads. Land use within these properties has traditionally been used as ranchland, with some farming. The entire proposed subdivision is surrounded by Large-Lot Residential development on all sides.

**DEVELOPMENT REQUEST:** Adelaide Romens is requesting approval of a Final Plat for the development of 7 large-lot residential (rural) single family residential lots on approximately 34.47 acres (e.g. .203 DU/Acre density).

The Romens Subdivision would be bordered on all sides by previously existing RR-5 (5-acre) residential development lots. Currently, no applicable El Paso County overlay zones interact with the proposed rezone development. A rezone application for the proposed Romens Subdivision has been previously submitted to El Paso County. As part of newly established El Paso County development rules this application combines the criteria for both the Preliminary Plan and Final Plat, under this Final Plat application.

**TOTAL NUMBER OF ACRES IN THE REZONE PLAN AREA:** Originally, 36.54 acres; a proposed 45' wide Right-of-Way dedication along both Hopper and Bradshaw Road reduces the development to 34.47 acres.

**TOTAL NUMBER OF ACRES WITHIN THIS APPLICATION:** 34.47 acres.

**JUSTIFICATION FOR REQUEST:** This request is consistent with the purposes of the Your El Paso Master Plan. The Rezone Plan is in conformance with subdivision design standards and establishes an adequate level of compatibility with surrounding areas of the site already constructed and other known surrounding areas currently proposed for development.

**EXISTING AND PROPOSED IMPROVEMENTS:**

Electric and telecommunication service points-of-connection will be extended from the roadways up to all new lots. No extension of natural gas service from a utilities provider is sought. On site propane tanks will provide gas for the residences. Water will be provided via wells. Individual septic systems will be provided via an On-Site Wastewater Treatment system (OSWT) prepared by the Owner in accordance with El Paso County Department of Health policy guidelines.

Grading and earthmoving activities will be limited to residential driveways, drainage, and utility construction areas. Individual lot owners will assume responsibility for grading their respective lot; no 'overlot' grading is proposed to occur over most of the site.

As such, prior to construction of proposed residences, lot-specific subsurface soil investigations will be performed to determine whether or not shallow groundwater, hydro-compacted soils, and/or potentially expansive soils are present on the lot, and to determine an appropriate foundation design, basement or crawl-space suitability, and/or lot-specific recommendations are necessary to mitigate these conditions. Language requiring lot-specific subsurface soil investigation will appear as a Note on the Final Plat.

## ADHERENCE WITH THE 2021 YOUR ELPASO MASTER PLAN, AND WATER MASTER PLAN

***Land Use & Development, Core Principle:*** Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

The 2021 Your El Paso Master Plan (the “Master Plan”) addresses issues directly related to the FINAL PLAT application of the proposed Romens Subdivision development. The policies specifically related to the Final Plat request include:

**Goal 1.1** - Ensure compatibility with established character and infrastructure capacity

The Final Plat proposed for the new single family rural residential lots is compatible with the existing rural Large-Lot residential lots in all surrounding areas. New lots will be similar in character to existing lots and roads serving the new lots will be compatible with the types of rural roadways in nearby adjacent neighborhoods.

**Goal 1.4** – Continue to encourage policies that ensure “development pays for itself”.

Romens Subdivision is proposed as a development of single-family rural residences within a non-urban density area (Rural Placetype) of the community. Utilities needed to serve the new lots and erosion control will be constructed as part of this development.

***Housing & Communities, Core Principle:*** Preserve and develop neighborhoods with a mix of housing types.

**Goal 2.2** – Preserve the character of rural and environmentally sensitive areas.

The Final Plat Plan with RR-5 zoning for the site is harmonious and compatible with the rural character of adjacent and nearby neighborhoods that are zoned the same.

The Applicant proposes to avoid overlot grading across the 34.47-acre site, and instead will limit grading to driveways, foundation areas and drainage paths in keeping with the established land use character of surrounding sub-areas of the county. Low density will help to sustain the appearance and unique environmental conditions of adjacent properties.

A small portion of land representing the creek bed of West Bijou Creek is identified on the National Wetland Inventory as Freshwater Emergent (Palustrine) Wetland. An established reservation area has been delineated beyond the limits of the West Bijou Creek 100-year floodplain and the designated Emergent Wetland. There is no proposed development within this immediate area.

***Transportation & Mobility, Core Principle:*** *Connect all areas of the County with a safe and efficient multimodal transportation system.*

**Goal 4.1** - Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion, promoting safe and efficient travel.

Proposed Romens subdivision vehicular access, as illustrated on the Concept Drawing with all driveways to be private, built to El Paso County standards. Intent for northerly 3 lots to utilize a single shared driveway access from Hopper Road, a gravel roadway designated as major collector. Development parcel is bisected by a drainage that is identified as a “no build area.” A single shared driveway providing access to the northern 3 lots is preferred to development of multiple flag lots crossing the existing drainage. The 4 remaining lots will have access from gravel local roadway Cleese Ct. bordering the southerly portion of the development. A Deviation for the vehicular access is presented elsewhere in this document. Traffic count increases will be minimal due to the proposed housing density and number of proposed residences.

A 25'-wide future reservation for Trail Easement, has been provided along Cleese Court and Bradshaw Road; for a planned future regional trail system.

***Community Facilities & Infrastructure, Core Principle:*** Continue to coordinate with local and regional agencies to provide well-managed, high-quality community facilities and services.

**Goal 5.3** – Ensure adequate provision of utilities to manage growth and development.

Concerning utilities, the proposed Romens Subdivision has been provided a commitment letter for delivery of electrical service by Mountain View Electrical Association. Individual propane tanks will provide natural gas to the homes (commitment letter from local propane provider is attached). On-site wells will provide water. Wastewater will be accommodated by individual on-site wastewater treatment systems. Based upon evaluation by our environmental and geotechnical engineers, it has been determined that the site is suitable for individual on-site wastewater treatment systems without contamination of surface and subsurface water systems.

***Environment & Natural Resources, Core Principle:*** Prioritize and protect the County's natural environment.

**Goal 9.2** - Promote sustainable best practices with regard to development and infrastructure.

The surrounding area of the Final Plat Plan has sufficient carrying capacity to support the new development with regard to roadway capacity, water supply, septic suitability, educational facilities, and organized structural fire protection. Commitment Letters from entities that would supply this development with essential services have been submitted with this Final Plat Plan application.

The Final Plat design, which includes 5–6-acre home sites, ensures that development of this site will remain compatible and contiguous with existing rural residential areas. With a density of .203 DU/Ac, Romens Subdivision is compatible with numerous other subdivisions adjacent to and within a 1-mile radius of the property.



## WATER DEPENDABILITY:

The following information was provided by request of El Paso County per the El Paso County Water Master Plan, Chapter 7, Implementation:

A water resources report and water supply information summary have been provided to the County for this development.

The water resource report provides data for the Planning Commission and the Board of County Commissioners (BoCC) to determine whether the proposed water supply is sufficient in terms of quality, quantity, and dependability for the proposed subdivision. The report includes adequate documentation that the proposed water supply is sufficient in terms of quantity, dependability, and quality for the proposed subdivision.

## CRITERIA OF APPROVAL – LAND DEVELOPMENT CODE

### CHAPTER 7.2.1.3(f):

The following Criteria for Approval was provided by request of El Paso County per the El Paso County Water Master Plan, Chapter 7, Implementation:

The proposed Romens Subdivision meets all Chapter 7 (RULES GOVERNING DIVISIONS OF LAND) - Criteria for Approval requirements within this Final Plat application of the El Paso County Land Development Code.

**Criteria for Approval.** In approving a final plat, the approving authority shall find that:

- The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;
- The subdivision is in substantial conformance with the pending rezone application (this application is a combination of Preliminary Plan and Final Plat);
- 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;

- Either 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, or, with respect to applications for administrative final plat approval, such finding was previously made by the BoCC at the time of preliminary plan approval;
- 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.]

A water resources report and water supply information summary have been provided to the County for this development.

The water resource report provides data for the Planning Commission and the Board of County Commissioners (BoCC) to determine whether the proposed water supply is sufficient in terms of quality, quantity, and dependability for the proposed subdivision. The report includes adequate documentation that the proposed water supply is sufficient in terms of quantity, dependability, and quality for the proposed subdivision.

## SUBDIVISION DESIGN STANDARDS – LAND DEVELOPMENT CODE

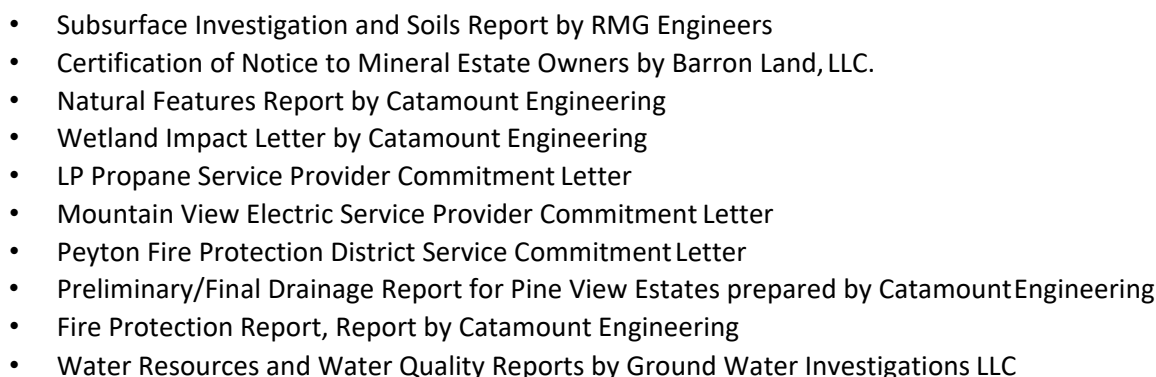
### CHAPTER 8:

The proposed Romens Subdivision meets all Chapter 8 (Subdivision Design, Improvements, and Dedications) criteria requirements within this Final Plat application of the El Paso County Land Development Code; including but not limited to: Planning Considerations (8.4.1) , Environmental Considerations (8.4.2), Division of Land, Block, Lot, and Tract Layout Standards (8.4.3), Transportation Considerations (8.4.4), Drainage Considerations (8.4.5), Utility Considerations and Standards (8.4.6), Water Standards (8.4.7), Wastewater Disposal (8.4.8), and Geology and Soil Standards (8.4.9).

A water resources report and water supply information summary have been provided to the County for this development



## ASSOCIATED DOCUMENTS



## PROJECT CRITERIA

In keeping with the Land Use Code and Planning and Development processes for subdividing that have been established by El Paso, County the following technical elements will be highlighted in this Letter of Intent.

### COMMUNITY OUTREACH:

On May 25, 2022; a notice to all surrounding property owners was distributed (via certified mail), notifying all parties of the intent to develop the Romens parcel into proposed the Romens Subdivision. A detailed exhibit and contact information was provided by Catamount Engineering. All associated paperwork has been proved in the rezone submittal.

### WATER RESOURCES:

The proposed development is planned to consist of 7 residential properties which will be provided water services through individual residential wells drilled into the not-non-tributary Dawson Aquifer and wastewater served through individual on-site wastewater treatment systems (OWTS).

It is expected that each rural residential home in the proposed subdivision will require an average of 0.407 annual acre-feet of water (which uses represent annual allocations for domestic use, irrigation, replacement, and stock water).

This anticipated water demand is consistent with historic needs for nearby developments in the Black Forest area. Overall annual demand is anticipated to consist of an annual average of 2.85 AF/year between the 7 proposed lots.

The estimated annual depletion to the designated basins by the end of the 300-year period is modeled as 0.142 AF/year or 4.98% overall annual pumping within the development at full buildout. At full buildout, return flows from the septic fields are projected to return 0.126 AF/year between the 7 proposed lots at 90% of the domestic flows. *This exceeds the maximum depletion 0.142 acre-feet that is projected to occur in the 300<sup>th</sup> year. Flow meters will be required on each well to quantify annual use and ensure compliance with the replacement plan.* The Water Resources report was prepared by Julia Murphy MSPG of Ground Water Investigations, LLC. in Colorado Springs, Co.

#### DETERMINATION OF WATER RIGHTS:

On August 3, 2021, Joanna Williams, P. E. Water Resources Engineer sent a letter to Adeladie Romens (Romens Living Trust) that contained the Colorado Ground Water Commission's Findings and Order for Determination of Water Right No. 4278-BD, for the allocation of ground water in the Dawson Aquifer. Order: *In accordance with Section 37-90-107 (7), C.R.S. and the designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of rights to designed ground water in the Dawson Aquifer underlying 40 acres of land, generally described as part of the NE1/4 NE1/4 of Section 24, Township 11 South, Range 64 West of the 6th Principal Meridian is approved.* Conditions of the approval are found in the additional submittal documents for the Preliminary Plan and Final Plat.

#### WATER QUALITY:

Ground Water Investigations, LLC. in Colorado Springs, Co. completed a comprehensive water analysis report for Romens Subdivision. A chemical analysis of the water to check for Bicarbonate, Calcium, Carbonate, Hydroxide, Langelier Index, ph, temperature, total alkalinity and total dissolved solids was conducted. The water quality in the Dawson Aquifer in this area has typically been suitable for residential potable use. Findings confirm water quality suitable for residential potable use.

#### DRAINAGE REPORT:

Romens Subdivision consists of unplatted land to be developed into 7 rural residential lots (RR-5 zoning). The parcel is located within the Bijou Creek drainage basin. The West Bijou Creek bisects the parcel and flows from west to east. The northerly portion of the parcel sheet flows south to West Bijou Creek within the RR-5 zoned parcel at slopes between 2% and 9%. The southerly portion of the parcel sheet flows north to West Bijou Creek within the parcel at slopes between 2% and 13%.

No portion of the site lies within an F.E.M.A. designated floodplain per FIRM 08041C0350 G and 08041C0375 G effective December 07, 2018. A firmette exhibiting the parcel has been included in the appendix of this report.

*The development of Romens Subdivision will not adversely affect downstream properties or facilities.* Additional information will be found in the Drainage Report prepared by: David Mijares of Catamount Engineering in Woodland Park, Co.

#### WILDFIRE HAZARD ASSESSMENT AND MITIGATION:

According to the Wildfire Hazard Area Map (WHAM) map developed by the Colorado State Forest Service in 1974, the property to be subdivided has a low hazard for trees and grass. This information is somewhat dated (though still relevant) . It has been essentially superseded by the 2012 Colorado Wildfire Risk Assessment: (CO-WRAP). The Fire Intensity Map indicates a Moderate fire intensity for the property. Overall, the mapped wildfire hazard is low to moderate.

Currently the parcel is used for grazing and that it is fully grass covered with scattered Ponderosa Pines throughout. Although the hazard on this parcel is relatively low, wildfires can occur and the opportunity for ignition remains.

#### TRAFFIC ENGINEERING:

Vehicular access as illustrated on the Concept Drawing with all driveways to be private, built to El Paso County standards. Intent for northerly 3 lots to utilize a single shared driveway access from Hopper Road, a gravel roadway designated as major collector. Development parcel is bisected by a drainage that is identified as a “no build area”. A single shared driveway providing access to the northern 3 lots is preferred to development of multiple flag lots crossing the existing drainage. The 4 remaining lots will have access from gravel local roadway Cleese Ct. bordering the southerly portion of the development. A Deviation for the vehicular access is presented elsewhere in this document. Traffic count increases will be minimal due to the proposed housing density and number of proposed residences.

#### FIRE PROTECTION:

Romens subdivision lies within and is served by the Peyton Fire Protection District. The district is a mixed paid and volunteer fire department providing fire, rescue and emergency medical services along with public education and covers an area of approximately 110 square miles at an average elevation of about 6500 feet in the north-central part of El Paso County. The district serves about 3500 buildings through one fire station. Personnel include 18 firefighters, all but 3 of whom are currently certified as EMT's or better.

#### PEYTON FIRE DEPARTMENT COMMITMENT LETTER:

Pine View Estates is in the Peyton Fire Protection District. District Manager David Solin confirmed on January 07, 2021 that service will be provided to the Romens subdivision and that mutual aid agreements exist with surrounding districts.



#### ELECTRIC PROVIDER SERVICE COMMITMENT:

Romens Subdivision is within the Mountain View Electrical Association (MVEA) certificated service area. MVEA has confirmed in January 2021 a commitment to serve Romens Subdivision according to their extension policy. MVEA has requested utility easements of ten (10) foot rear lot utility easement, (5) foot side lot utility easement, and (10) foot front line utility easement along with a twenty (20) foot exterior utility easement on plat. Additional easements may be required in order to serve the development. Garet Bohuslavsky, System Engineer for Mountain View Electric provided the commitment.

#### GAS PROVIDER SERVICE COMMITMENT:

Romens Subdivision is within the service area of multiple individual lot liquid propane (LP-gas) providers. Specifically, Glaser Energy Group, Inc. has provided a 'Commitment to Serve' letter, dated December 9, 2022.

#### NATURAL FEATURES/WETLAND IMPACT LETTER:

Assessed in this report are potential wetlands and waters of the U.S., natural landscape features, threatened and endangered species and wildlife. Human-derived cultural formation processes have left their mark on the land found in the proposed project area. Tree harvesting, farming and erosion control activities have heavily impacted and disturbed the modern ground surface and the vegetation community is now a mix of natural and introduced species.

The site is characterized by prairie grasslands with a few small deciduous volunteer trees and shrubs. Wildlife species which may be encountered include Preble's Meadow Jumping Mouse. Colorado Parks and Wildlife is currently responsible for reintroducing Grey wolf's species to the front range and thus the species is provided as nearby species list by the US Dept. of the Interior.

The site is located outside of the designated Preble's Meadows Jumping Mouse protection area. According to the Project Summary (Project Code: 2022-0047479) provided by the United States Department of the Interior, Fish and Wildlife Service, dated May 25, 2022, there are no critical habitats, refuges, or fish hatcheries within the proposed Romens Subdivision project area.

*A small portion of land representing the creek bed of West Bijou Creek is identified on the National Wetland Inventory as Freshwater Emergent (Palustrine) Wetland. An established reservation area has been delineated beyond the limits of the West Bijou Creek 100-year floodplain and the designated Emergent Wetland. There is no proposed development within this immediate area. Report provided by Catamount Engineering.*

#### SOILS AND GEOLOGY:

The proposed Romens subdivision development site was found to be suitable for the proposed subdivided lots. The location does not appear to be underlain with sand or gravel, so it is not a mineable site. Oil and gas wells are not located in the area, although sufficient information was not obtainable to determine the economic feasibility for oil and gas production at the site.

Geologic hazards encountered at the site include expansive soils/bedrock, potentially compressible soils, surface drainage, and potential radon. The geologic conditions of the site are relatively common given the site's locality to West Bijou Creek and mitigation can be accomplished by implementing common engineering and construction practices. None of these conditions are anticipated to preclude the proposed development (Soils, Geology and Geologic Hazard Study, prepared by RMG Engineering Inc. October 2020).

#### DEVIATION REQUESTS

Deviation Requests (see Deviation Request and Decision Forms):

##### 1) ROADWAY ACCESS CRITERIA

Requested Deviation: 2.3.2 Design Standards by Functional Classification.

No Access permitted to major collector roadway.

Justification: Intent for northerly 3 lots to utilize a single shared driveway access from Hopper Road, a gravel roadway designated as major collector. Development parcel is bisected by a drainage that is identified as a "no build area." A single shared driveway providing access to the northern 3 lots is preferred to development of multiple flag lots crossing the existing drainage. The 4 remaining lots will have access from gravel local roadway Cleese Ct. bordering the southerly portion of the development.