

LETTER OF INTENT
OHANA ACRES

Owner and Applicant:

G & D Hammann Ohana Trust
Gary L. Hammann, Trustee
Darlene C Noel-Hammann, Trustee
17825 Jones Road
Peyton, CO 80831

Engineering:

Jim Allison Engineering
4245 Log Rd
Peyton, CO 80831

Surveying:

Compass Surveying & Mapping
3253 W Carefree Circle
Colorado Springs, CO 80917

Site Location Size and Zoning

The proposed minor subdivision to be known as "Ohana Acres" is currently listed as Lot 1 VIL Filing No.1 and is located in the NW ¼ of the NW ¼, Section 30 Township 13 South, Range 63 West, 6th P.M. in El Paso County, Colorado. The property has El Paso County Tax Schedule Number 3330001001. The current address of the site is 17825 Jones Road, Peyton, Colorado. The northern portion of the site is developed with a single residence, detached garage, barn and storage shed. It has a gravel driveway from Murr Road and has a well and septic system. The site is presently 19.31 acres and is currently zoned RR-5 (Rural Residential). The site is bordered by Murr Road to the west and Jones Road to the north and is on a section line (Murr Road). Adjacent properties to the west are part of the Blue Sage Subdivision and are 2.5 acre lots. The property to the north is zoned A-35 and is currently vacant. The property to the east is a 19.28 acre lot zoned RR-5 with a single family residence and two out-buildings. The property to the south is a 40.46 acre lot with a single family residence with out-buildings and is zoned A-35.

Request

The request is for approval for a minor subdivision for the Hammann Family named Ohana Acres, containing a total of 19.31 acres. The proposed minor subdivision will create four lots with Lot 1 being 5.0582 acres, Lot 2 is 4.7512 acres, Lot 3 is 4.7508 acres and Lot 4 is 4.7501 acres. Lot sizes meet the county requirements of 4.75 acres per lot along a county road and/or section line (Murr Road).

- Lot 1 -5.0582 acres, which has an existing home, detached garage, barn and storage shed, will retain its existing driveway. All buildings meet set back requirements on all sides. The proposed lots (Lot 2 – 4.7512 acres, Lot 3 – 4.7508 acres and Lot 4 – 4.7501 acres) and future buildings will fit into the existing neighborhood as it is surrounded by lots and a subdivision that is zoned Rural Residential and ranges from RR-2.5 in Blue Sage Subdivision to the west, RR-5 on the eastern boundary and A-35 on the north and south. The proposed subdivision will be consistent with the design, engineering, and surveying of the El Paso County Land Development Code 4.75: *In the event that the land to be portioned, platted, sold on zoned abuts a section line county road, the minimum lot area for lots abutting the road shall be 4.75 acres and minimum width shall be 165 feet.* (Reference Table 5-4, page 150, Density & Dimensional Standards for Agricultural Residential & Special Purpose Districts has been included as Attachment 1. The proposed Minor Subdivision also meets the requirements of El Paso County Land Development Code 7.2.1 as it is *a division of land of 4 or fewer lots that do not discernibly impact surrounding properties, environmental resources or public facilities.*

Preliminary Plan Summary

The development standards and layout for four detached single-family residential lots, to eventually be occupied by the family of Gary and Darlene Hammann, with driveway access off of Murr Road.

Land Use

The minimum lot size will be 4.75 acres with Lot 1 being larger (5.0582 acres). Lots will have easements for public drainage, utilities, access and private open spaces (within lot yards). Owners will pay, if applicable, park fees in lieu of providing shared or public open fees.

Future permitted and accessory single-family uses include single-family detached dwellings and accessory buildings (per LDC – Chapter 5, Table 5-1 and 5-2 allowances)

Lot Dimensional Standards

Typical lots have been planned to meet the following dimensional standards:

- Minimum lot size: 4.75 Acres
- Maximum Height: 35 feet
- Setbacks: Front yard: 25 feet
 Side Yard: 25 feet
 Rear Yard: 25 feet

Public Services and Utilities

- Water Service – Individual wells
- Waste Water – Individual on-site septic
- Electric Service – Mountain View Electric Association
- Fire Protection – Falcon Fire Protection District
- Police Protection – El Paso County Sheriff's Department
- Public School – El Paso County School District 49

- Library Services – Pikes Peak Library District
- Roads – El Paso County Road & Bridge

Traffic Generation

The development is expected to generate a total of 28 trips per day (Average weekday trips ends) and 3 trips in the peak hour based on 9.44 trips per unit for Single Family Detached Housing (according to Trip Generation, 10th Edition, 2017 by Institute of Transportation Engineers). This number of trips is below the County threshold of 100 trips per day or 10 trips during the peak hour. Therefore, a Transportation Impact Study (TIS) is not required for the project. This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 19-471. Traffic Impact Fees will be paid at time of building permit.

Water Resources

The proposed development will have water supplied from individual residential wells. (State Water Report included as Attachment 2)

- As required, a sufficient water supply has been acquired from the Colorado Groundwater Commission in terms of quantity, quality and dependability for the four lots in Ohana Acres. Lot 1, has an existing alluvial well with permit number 53486 that will be replaced according to the Groundwater Evaluation from Groundwater Investigations LLC. The four new wells are addressed under Groundwater Commission Determination No. 3714BD.

Drainage Report

Drainage Report by Allison Engineering has been submitted with application.

The property consists of unplatted land to be eventually be developed into four residential lots (RR-5 zoning). Site is within the Haegler Ranch drainage basin (and DBPS). The proposed development is in general conformance with the DBPS and will not negatively affect downstream drainage. The existing project site generally slopes from west to east with less than 10% slope. There is a small portion that slopes from east to west along Murr Road with less than 3% slope. The historical drainage patterns will be generally maintained.

The developed runoff from the project will generally be collected by means of roadside ditches located on Murr Road and private driveways.

Detention and water quality facilities are not required for the project as the development consists of RR-5 lots and no public roadway.

Wildfire Hazard and Mitigation

Ohana Acres is outside the wildland urban interface zone and is not in the mapped Wildfire Susceptibility index (very-high or moderate to very-high) zones.

According to the site planning and maintenance with defensible zones, each residential site will be encouraged to address the principals of protection zones within this grassland environment with the goal of reducing dense and tall landscapes materials within the initial 15' zone around structures. This would include thinning and branching-up of existing trees and ground plain materials.

Mitigation efforts can be reviewed in the EPC Community Wildlife Protection Plan for Unincorporated El Paso County, with reference to Forest Action Plan, provided by the Colorado State Forest Services.

Falcon Fire Department District Commitment Letter

Ohana Acres is in the Falcon Fire Protection District. Fire Chief Trent Harwig confirmed on May 31, 2019 that service will be provided subject to the following conditions:

- All new construction, renovations or developments within the Fire Department's jurisdiction must comply with the applicable fire code and nationally recognized life safety standards adopted by the El Paso County Board of County Commissioner and the Fire Department's Board of Directors, as amended from time to time.
- All development , water and commercial construction plans must be reviewed and approved by the fire department for compliance with the applicable fire code and nationally recognized life safety standards prior to final plat or construction permit being issued
- All new development projects access shall meet the fire code and nationally recognized standards' pertaining to fire apparatus access.

Electric Provider Commitment

Ohana Acres Subdivision is located within the Mountain View Electrical Association service area. MVEA confirmed on February 06, 2019 with the request of a ten foot front, side and rear lot utility easement, along with a twenty foot exterior utility easement on the plat and all tracts. They also request all existing facilities with easements on plat(s) be included. All new electric will be underground.

Natural features

Wildlife

Wildlife impacts are expected to be generally low based on review of the EL Paso County Wildlife Descriptions Map. Additional wildlife impacts may be identified by other entities with wildlife jurisdiction.

Floodplain

According to FEMA maps, there is a small portion in the northeast corner of Lot 1 within Area AE, special flood hazard areas with base flood elevations and zone x, 0.2% annual flood average. This area does not affect any of the existing structures on Lot 1 and is labeled a NO BUILD zone. The rest of the property is located outside the 100 year floodplain as determined by the Firmette map created April 20, 2021 and included with this application.

Vegetation

Topographically the site is gently rolling terrain with overall slopes of less than 10%. The entire site consist of native grasses and weeds.

Noxious Weeds

Reference to the El Paso County Weed Mitigation Plan, weed management for Ohana Acres includes both prevention and mitigation. The owners have adhered to this for the 26 years they have owned the property.

Justification

Ohana Acres is in conformance with goals, objectives and policies of the Master Plan and the Land Development Code established by El Paso County. The RR-5 lots meet the density and dimensional standards set by the Land Development Code, Chapter 5, Page 150 *In the event that the land to be portioned, platted, sold on zoned abuts a section line county road, the minimum lot area for lots abutting the road shall be 4.75 acres and minimum width shall be 165 feet.* All lots are at least 4.75 acres with a width of at least 300 feet.

Ohana Acres does not include open spaces, but will pay applicable park fees in lieu of providing open space.

Ohana Acres generally conforms to the goals, objectives and policies of the master plan which includes the El Paso Master Plan and County Policy Plan or reason stated below:

- Finding of Master Plan conformity regarding land use and densities have been made in support of the adjacent development (Blue Sage Subdivision). This application remains consistent with those findings; and with the following policies from the El Paso Master Plan, County Policy Plan and County Water Master Plan.

Ohana Acres would promote the rural residential character of eastern El Paso County and satisfy the following policies of the County Policy Plan:

- Policy 6.1.3: Encourage new development with is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access. ♣ The development is projected to have the densities as the Blue Sage Subdivision (RR-2.5, with Ohana Acres being RR5) within the large lot residential place type.
- Policy 6.1.11: Plan and implement land development, so that it will be functionally and aesthetically integrated within the context of adjoining properties. ♣ The development is projected to implement aesthetic integration in terms of matching existing conditions of Murr Road and said Large-Lot residential developments. ♣ Access to lots will be permitted driveways off of Murr Road, as are lots in Blue Sage Subdivision along Murr Road.

The subdivision is consistent with the purposes of this Code; the preliminary plan is consistent with the purposes of this Code which include development procedures and standards intended to promote safe and orderly development of land and the placement of land uses in relation to existing and predicted patterns of growth and availability of necessary services.

The subdivision is in conformance with the subdivision design standards and any approved sketch plan; the subdivision conforms with the subdivision standards of the Code.

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. Water will be supplied by individual wells. Ownership of water rights and availability paperwork is included with this Letter of Intent as Attachment 2.

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; Wastewater will be provided by way of individual on-site septic/wastewater systems. Reference the Soil and Geology Report, prepared by Allison Engineering.

All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)]

Soils and geologic hazards and constraints including floodplain have been identified on the preliminary plan. The soils and geology report has not identified any hazards or constraints that would preclude development of the site. The subdivision has been designed to avoid and minimize impacts to identified hazard and/or constraint conditions.

Adequate drainage improvements complying with State law [C.R.S. § 30-28- 133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design; Drainage improvements have been designed to adequately convey, store, treat, and release historic and developed flows onto and through the site.

The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development; The public improvements (on-site and off-site) have been designed and sited to adequately serve the needs and mitigate the impacts of the development, including, roads, utilities, drainage facilities.

Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM; legal access is provided to the subdivision via private driveways off of Murr Road.

The proposed subdivision has established an adequate level of compatibility by incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; the subdivision has been designed to minimize impact to natural features such as the noted floodplain. The Code does not have open space requirements for rural density subdivisions and no common open space is provided. Lots are large enough to provide private open spaces within each individual lot.

Does the plan incorporate site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County?

The site has been designed to provide required public services and infrastructure (transportation/utilities) consistent with rural large lot development standards.

Does the plan incorporate physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses?

The plan reflects the standard transitions and buffers consistent with the EPC planning criteria.

Does the plan incorporate identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design?

Environmentally sensitive features have been identified on the preliminary plan and designated as no-build areas.

Does the plan incorporate public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities?

The subdivision improvements (road, utility, storm water) have been planned to meet the demand of the subdivision and not negatively impact level of service for county services and facilities. Appropriate bridge, drainage, park, school, and traffic fees will be paid at the time of final plat recordation.

Are necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision?

Services have been reviewed with identified providers and related commitment letters have been provide with this application.

The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and the fire protection requirements for access and water supply for fire suppression have been provided. Specific recommendations and requirements of the Falcon Fire Protection District will be incorporated into the design including required public improvements necessary for fire protection.

Submitted by:
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Gary Hammann 04-03-2024