

High View Estates

Letter of Intent (Final Plat)

February 2022

Owners/Developers: Collin Brones Paul Smith
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Engineer: Terra Nova Engineering, Inc.
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SITE LOCATION: 6665 Walker Road

SIZE: 40 Acres

ZONING: RR-5

TAX SCHEDULE NUMBER: 5100000421

INTRODUCTION: The owners intend to subdivide an unplatted lot into 5 rural residential lots. The minimum lot size will be 5 acres as required by the existing zoning. There is an existing residence and accessory buildings on the east side of the parcel. New wells and septic systems would be constructed as required for the proposed lots.

PROPOSAL: The application covered by this Letter of Intent includes a Final Plat for the proposed subdivision of the unplatted lot into five rural residential lots.

THE PLAN: The existing site will be subdivided into High View Estates Lots 1 through 5. All five lots will be accessed from an existing drive which will be extended at a later date. Disturbance from the extended drive is expected to cause less than an acre in disturbance. An access easement for this extended drive is proposed on this plan. The existing gravel driveway on the far east portion of the site will be removed. Development of the subdivided lots is not included in this submission and lot specific development plans have not yet been started. Grading

associated with the proposed access drive will not be included on this plan. This grading can be expected when the individual lots are later developed.

Utilities for the subdivided lots will include individual wells and onsite septic systems for each lot. One existing well will remain and new wells will need to be proposed for the subdivided lots. No connections to municipal water or sewer services are proposed.

EXISTING AND PROPOSED FACILITIES: There is an existing residence and other accessory buildings on the eastern portion of the site. Most of these structures will remain. No proposed structures are included in this application.

Due to the site being outside CSU's Electric Service Territory, connecting the proposed lots to a municipal sewer and/or water system is not required.

WAIVER REQUESTS: Prior to any development action, the property owner would like to request waivers related to private access from Walker Road to the proposed lots. The requested waivers include the following.

- Waiver 1: Waiver for private road (per definition, a driveway cannot serve more than 3 lots – LDC 8.4.4.E.2) where the owner proposes 5 lots.
- Waiver 2: Waiver for private roads to meet County standards (LDC 8.4.4.E.3) where the owner proposes private road design criteria similar to driveway criteria.

The intent of the waivers are to provide a reasonable private access to five rural residential lots without significant disturbance to the natural setting. These waivers only deal with private access and lot configuration and meet all other intent of the LDC.

Criteria for approval of waivers is found in LDC 7.3.3 and is as follows:

- *The waiver does not have the effect of nullifying the intent and purpose of the code.* The proposed waivers request a slight adjustment to the private access and lot configurations allowed for this specific project. All other aspects of the code remain in effect.
- *The waiver will not result in the need for additional subsequent waivers.* With the approval of the proposed waivers, no subsequent waiver requests are anticipated.
- *The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other property.* Based on the negligible effect on the overall traffic LOS on Walker Road, these waivers will not be detrimental to the public safety, health or welfare or injurious to other property.

- *The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property.* The requested waivers are unique to this property in that the owners are not professional developers and are looking to sell the existing homestead and retain the additional four lots for their own personal use/development.
- *A particular non-economical hardship to the owner would result from a strict application of this Code.* Without the requested waivers, the requirements of a public road access to four lots would be detrimental to the site's natural terrain and vegetation characteristics. Significantly more land disturbance would be required without these waivers.
- *The waivers will not in any manner vary the zoning provisions of this Code.* The current zoning district is RR-5. All proposed lots meet the density and dimensional standards per LDC 5.4.2 and Table 5-4.
- *The proposed waiver is not contrary to any provision of the Master Plan.* The proposed five rural residential lots with limited access to Walker Road seem consistent with the intent of the El Paso County Policy Plan.

Upon approval of said waivers, a Final Plat for five lots will be submitted for the entire property.

TRANSPORTATION: Private driveways will provide access to the future access drive for the 5 proposed lots.

TRAFFIC: A traffic memo will not be required for this project.

DRAINAGE: A Final Drainage Report has been prepared for High View Estates. The purpose of this report is to identify and analyze the onsite and offsite drainage patterns and to ensure that post development runoff is routed through the site safely and in a manner that satisfies the requirements set forth by the El Paso County Drainage Criteria Manual.

UTILITIES: Private water supply wells and wastewater septic systems are existing or proposed for the proposed lots. Mountain View Electric has committed to provide electrical services to the proposed lots. Propane will be used for this subdivision.

GEOLOGY AND SOILS: A soil, geology and wastewater study has been prepared for the subdivision. This report found that the site was suitable for the proposed development as long as some common geologic hazards were mitigated.

CRITERIA FOR APPROVAL:

FINAL PLAT

- This plat conforms with the goals, objectives, and policies of the Master Plan. The site is within the right by use for the current RR-5 zoning.
- This 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. These required items have been uploaded to EDARP and revisions will be made, if necessary. We are asking for a waiver that allows the private access to serve all five lots and that the access not be made to conform to county road standards.
- 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 the Land Development Code. Private water supply wells are existing or proposed for each proposed lot and the State Engineer's Office has agreed that this water supply is adequate for this subdivision.
- Private wastewater septic systems are proposed for each proposed lot that comply with State and local laws and regulations [C.R.S. §30-28-133(6)(b)], and the requirements of Chapter 8 of the Land Development Code.
- The proposed subdivision was evaluated for soil and topographic hazards and was found to be compatible with the identified hazards.
- Drainage will meet State and local standards. No drainage improvements are expected to be necessary as the increased runoff expected from this proposed site will not be significant.
- This plat provides legal and physical access to all of the proposed lots per the Land Development Code and Engineering Criteria Manual. All lots will have direct access to existing public roads through the future access drive and proposed access easement.
- Necessary services will be made available to serve the proposed subdivision. The site will be serviced by the Black Forest Fire Department and has been accepted into their fire district. Mountain View Electric has committed to provide electric services. Propane will be used for gas purposes. Private wells and private wastewater septic systems will be proposed on each lot.
- Methods for fire protection comply with Chapter 6 of the Land Development Code. A fire protection report and wildfire hazard mitigation report have been provided for this development.
- Offsite impacts are expected to be minimal and, therefore, offsite improvements should not be necessary for this project.

- The County is charging various fees to mitigate the impacts of this proposed subdivision.
- All applicable sections of Chapter 6 & 8 of the Land Development Code are met by this project.
- No commercial mining deposits have been identified within the proposed subdivision.
- A 50' ROW is being dedicated for Walker Road for this project.
- Road impact fees will be due at building permits for new construction on lots.

Establish responsibility for construction of driveway for lot owners. It appears owner will not construct driveway and they need to establish a plan for which lot owners will participate in. An example is: a fair share agreement for constructing driveway that breaks down how much each lot owner has to construct. Staff will review agreement and potentially create a plat note. Note: since owner is not constructing access now, individual lot owners might be required to come in with an engineered site plan and submit stormwater documents if they disturb 1 acre of land.