M.V.E., Inc.

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Letter of Intent
Greaves Pinery Subdivision
Minor Subdivision

Owner/Applicant:
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Site Location Size and Zoning:

The proposed subdivision to be known as "Greaves Pinery Subdivision" is located within the west half of the southeast quarter of Section 5, Township 12 South, Range 65 West of the 6th principal meridian in El Paso County, Colorado. The property contains 9.093+/- acres and has El Paso County Tax Schedule No. 5205400041. The current address of the site is 7520 Pinery Circle, Colorado Springs, Colorado 80908. The site is situated in the southwest inner quadrant of the loop formed by Pinery Circle, west of Herring Road and north of Swan Road. The site is surrounded on all sides by existing rural residential development, mostly unplatted parcels zoned RR-5 with sizes ranging from 4.3± acres to 13.7± acres. The site is the former location of one residence that was lost to fire in 2013. The well and septic systems for the former residence remain on the site along with minor evidence of the prior occupation.

The site is situated directly to the east and north of Pinery Circle. This public roadway is connected via Pinery Drive to Swan Road located to the south of the site. Herring Road is located east of the site but with no direct connection to Pinery Circle. The properties surrounding the site in all directions are developed, unplatted parcels in the RR-5 zone. A **Vicinity Map** is included in the **Appendix**.

Request and Justification:

The request is for approval of a Minor Subdivision to be known as "Greaves Pinery Subdivision" containing 9.093± acres in total. This proposed Minor Subdivision will create three new rural residential lots, all approximately 3.03 acres in size. There is also a concurrent request for

approval of a rezone of the subject parcel from RR-5 (Rural Residential-5 acres) to RR-2.5 (Rural Residential-2.5 acres). The proposed rezone is to allow the 9.093+/- acre parcel to be subdivided into the three 3.03± acre lots as depicted on the associated Final Plat and provide for future construction of three new single family residences on the property.

This minor subdivision which is to create proposed Lots 1, 2, and 3 is consistent with the Zone Change application (concurrently submitted) and the requirements of the proposed RR-2.5 zone district in all aspects such as: land use (large lot single-family residential), lot size (2.5 ac min), adherence to minimum building setbacks, provision of water supply and wastewater disposal. The proposed lots are compatible with the surrounding land uses and neighborhood which are consistent with the definition of the Large Lot Residential land use classification.

The proposed access point for the minor subdivision is from Pinery Circle, which is a public, gravel roadway in 60' right-of-way. Pinery Circle is connected to Swan Road to the south by Pinery Drive, a public, gravel roadway in 60' right-of-way. Swan Road has connections to other major thoroughfares including Herrring Road to the east and Black Forest Road to the west of the the site.

This application meets the Minor Subdivision submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivisions in Chapter 8 of the El Paso County Land Development Code (2021). Final Plats are reviewed and approved in consideration of the review criteria found in the El Paso County Land Development Code. Each criteria is listed below followed by the appropriate justification.

1) *The subdivision is in conformance with the goals, objectives, and policies of the Master Plan*. **"Your El Paso Master Plan" (2021)** is a comprehensive document communicating a vision for many factors that influence the quality of in El Paso County, including Land Use. The Master Plan provides a strategy to achieve the vision by putting forth goals and policies that can be used as a framework for decision-making regarding development of the County.

   The site is located within a designated key area, the Forested Area, according to the Master Plan. This particular parcel has trees along the northern edge only. The character of the proposed large lot Minor Subdivision is consistent with the Forested Area guidelines to minimize disturbance and encourage preservation of the existing forested area. The site is shown in the Master Plan to be in an area of Minimal Change: Undeveloped. The properties surrounding the site are undeveloped parcels ranging is size from 4.3± acres to 13.7± acres, all containing existing single-family residential development. The proposed development represented by this plat will maintain the existing rural character of property and is compatible with the surrounding land uses. The place-type for this area is "Large-Lot Residential" with primary land uses of Single-Family Detached housing. Supporting land uses for this place type are Agriculture, Commercial Retail, Commercial Service and Parks & Open Space. The proposed plat contains three lots of 3.03± acres for single-family residential use which is consistent the Master Plan's 2.5 acres or larger definition for Large-Lot Residential. The proposed subdivision is in compliance with the intended place type shown in the master plan. Each lot will be in compliance with the proposed RR-2.5 zone district, which is sought by separate concurrent application, with regard to lot size and all other dimensional requirements.

In the Land Use category, Goal 1.1 is *"Ensure compatibility with established character and infrastructure capacity".* This area of the County is conducive to rural residential development that allows residential use of property but preserves the natural character of the landscape. The proposed subdivision is compatible with the existing neighborhood and surrounding development, with many of the adjacent properties being less than 5.0 acres in size. The existing community character is preserved with this proposed minor subdivision. The proposed density is less than would be allowed by the proposed RR-2.5 zone district with proposed lot size being 3.03± acres. The proposed density or number of proposed lots will not overburden the existing roadway infrastructure or capacity of the land to support the water and wastewater needs of the development. The Water Court Decree, Water Resources Report, Wastewater Disposal Report, Drainage Report, and Soils & Geology Report indicate that the property will support the proposed land use. The proposed minor subdivision will not create the need for additional public roadways or facilities. Goal 2.2 is *"Preserve the character of rural and environmentally sensitive areas".* The proposed subdivision will keep the existing nature of the area intact. The proposed 3.0-acre lot density has reduced impact on environmental conditions. Density and land use are compatible with the surrounding area and the natural features of the site will remain preserved, even with the addition of three new residences on the site. Each of the three lots will connect to Pinery Circle with new driveways through El Paso County's driveway permitting process. No new public or private roads are proposed with this subdivision.

The proposed subdivision is in compliance with the **2045 Major Transportation Corridors Plan (MTCP)**. Swan Road and Herring Road are the nearest collector roads to the site. Pinery Circle and Pinery Drive are local roadways. Black Forest Road is a Minor Arterial. The proposed three lot subdivision will not significantly impact the traffic on these roadways. No new right-of-way dedications or roadway improvements are required for this project.

The proposed minor subdivision is in compliance with the **Parks Master Plan**, which does not call for trails or parks in the site. Any required park fees will be paid at the time of plat recording. The proposed subdivision is also in compliance with the Master Plan for Mineral Extraction and no parties owning severed mineral right on this property have been identified by records search.

The proposed subdivision is in compliance with the **El Paso County Water Master Plan (2019**). The District Court, Water Division 2 Colorado, has decreed water rights and approved a plan for augmentation to allow use of the existing well (to be permitted) and for the drilling of two new wells for the subdivision in Consolidated Case Number 2026CW3003 as recorded under Reception Number 226071303 of the records of El Paso County, Colorado. The provision of sufficient water quantity is allowed by the Decree and Plan for Augmentation. Water quality is demonstrated by the testing results contained in the Water Resources Report for this project. Water Supply Dependability will be a incorporated in the existing and proposed well facilities to be administered under the future approved State of Colorado Well Permits. The owner seeks a finding of sufficiency from the Colorado Division of Water Resources and El Paso County Board of County Commissioners along with the eventual granting of three well permits based on the decreed water rights. The proposed water demand for the site is 2.430 acre-feet per year for a total usage of 729 acre-feet over a 300 year period.

Greaves Pinery Subdivision is located within Region 2 in the Water Master Plan. The region is located north of Colorado Springs and generally along the I-25 corridor, including the Tri-Lakes area and to the east boundary at Vollmer Road. The site is not located in a 2040 or 2060 designated Growth Area as determined in the Water Master Plan which predicts low-density developments being expected by 2040 for area surrounding the site. The Water Master Plan contains estimates of the demands and available supply by region at the years 2019, 2040 and 2060 Build-Out. The 2019/2040/2060 demands in Region 2 are estimated to be 7,532 acre-feet per year, 11,713 acre-feet per year, and 13,254 acre-feet per year, respectively. The 2019/2040/2060 supplies in Region 2 are estimated to be 13,607 acre-feet per year, 20,516 acre-feet per year, and 20,756 acre-feet per year, respectively, indicating a surplus of supply for the region at each time. A significant portion of the supply is derived from non-renewable Denver Basin groundwater.

According to the Water Master Plan, water providers within region 2 include Woodmoor WSD, Donala WSD, Triview MD, Town of Monument, Town of Palmer Lake, Forest View Acres WD, Academy WSD, Walden WSD, Park Forest WD, Forest Lakes MD, Palmer Lake Mobile Home Ranch, Grandview MHP, Pioneer Lookout WD, Elephant Rock MHP, Peak Shadow, and Pinon Pines MD. The Region 2 Expected Growth Areas Map provided in the WMP shows that the subject site and its immediate surroundings are not currently located in any *estimated area of development* or within any *district boundaries*.

A listing of some of the policies of the Water Master Plan that are supported by the proposed development follow: *Policy 4.1.3 – Support enhanced monitoring of sources of surface and tributary groundwater in the County.* The referenced decree requires use of metering for the wells to insure compliance with the terms of the permit; *Policy 6.2.1.2 – Encourage re-use of treated wastewater for irrigation and other acceptable uses when feasible.* Both the existing residence and the new single-family residences on all proposed lots will utilize onsite wastewater treatment systems which will provide “Return Flows” to the environment as a condition of the groundwater findings and order and the well permit.

2) *The subdivision is in substantial conformance with the approved preliminary plan*.

This is a proposed Minor Subdivision and requires no Preliminary Plan for approval. The subdivision will be developed in accordance with the currently proposed land use applications.

3) T*he 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*.

The proposed Minor Subdivision is prepared in accordance with applicable subdivision design standards. No public improvements are required for this subdivision.

4) *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 service is to be provided by individual on site wells operated under a State approved Water Augmentation Plan.

5) *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 is intended to be treated via individual on site septic systems designed, constructed and operated under State and County Health Department rules and regulations and in accordance with the Groundwater Determination or future water decree.

6) *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)]*.

A Soil and Geology Study has been prepared for the site and the owner will comply with the recommendations contained withing the report. Areas were encountered where the geologic conditions will impose some constraints on development and land use. These include areas of artificial fill found in the immediate vicinity of the former residence, potentially expansive soils, presence of drainage areas with seasonally wet and seasonally shallow groundwater, shallow bedrock and potential for elevated radon levels. Easements and no-build areas are established for the drainage area on the site and the other constraints shall be mitigated according to the findings of the study. Locations of On-site Wastewater Treatment Systems (OWTS) and structures can be mitigated through proper engineering design. These conditions are discussed in further detail in the Soil, Geology, and Geologic Hazard Study produced by Entech Engineering, Inc.

7) *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*.

The proposed minor subdivision is consistent with the submitted Final Drainage Report. There are no Drainage facilities needed or proposed with this development at this time. The owner will comply with the requirements of the drainage report.

8) *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*.

The existing access location for all proposed lots is from Pinery Circle on the south and west edges of the site. Pinery Circle is an existing gravel public roadway in 60' right-of-way. Pinery circle connects to Pinery Drive leading south to public Swan Road.

9) *Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision*.

The site is located within the jurisdiction of the El Paso County Sheriff's Office. The Sheriff's office currently provides police protection for the site and surrounding area. Greaves Pinery Subdivision is located within the Black Forest Fire Protection District which is providing fire protection for the currently platted site. A Fire Protection Report is prepared and submitted with this Minor Subdivision Application. Water and sanitary sewer provisions are discussed above. The property is located within the service areas

of Academy School District 20 and Mountain View Electric Association, which will serve the subdivision. Transportation is being facilitated by the existing adjacent roadway system.

10) *The Minor Subdivision plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code*.

Greaves Pinery Subdivision is located within the Black Forest Fire Protection District which provides fire protection for the site and the surrounding area. Fire Protection, Wildland Fire, and Forestry Management Plan is prepared and submitted with this Minor Subdivision Application. Building permits for each structure shall be in accordance with the requirements of the Fire District as administered by the Pikes Peak Regional Building Department.

11) 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.

All offsite impacts are determined to be insignificant with the addition of three new residences replacing the one former residence. The owner/developer will be responsible to pay any applicable park, school and/or Drainage Fees. The future lot owners will be responsible to pay the Road Impact fees at time of building permit.

12) 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.

There are no public facilities or infrastructure required or proposed for this subdivision. The platting of the site will include the collection of the applicable School Fees, Park Fees. Road Impact Fees will be due at time of building permit for each individual lot.

13) The subdivision meets other applicable sections of Chapter 6 and 8.

The LDC section 8.4.3 (B) stating *"Lots shall have a minimum of 30 feet of frontage on and have access from a public road, except where private roads are approved by the BoCC pursuant to waiver granted under Section 8.4.4 (E)",* is being met.

All proposed lots have over 30' of frontage on existing public Pinery Circle. The subdivision is in accordance with the Land Development Code with respect to zoning and lot size (in consideration of the proposed Zone Change), access, building setbacks, provision of utilities and storm drainage.

14) *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et seq.]*.

There are no Mineral estate owners found for this site.

Existing and Proposed Facilities:

There are no required public subdivision improvements required for this site.

Site Drainage:

The development will have negligible and inconsequential effects on the existing site drainage and drainage conditions downstream. The relationships of the existing and proposed drainage

flow quantities differ by the application of land use characteristics. In the existing conditions for the onsite basins, the land use of pasture/meadow was applied. For developed conditions, cover characteristics for the appropriate amounts of roof, gravel and pasture/meadow were applied. The new land use characteristics for the site result in a 5.3% increase of impervious surfaces over the entire site. The majority of the site will actually remain pasture/meadow with an anticipated small amount of impervious area added which include the driveways, future residential structures with potential out buildings on each lot. The Site Drainage is presented in the Final Drainage Report for Greaves Pinery Subdivision. Increases in storm flow rates due to the additional development is minimal.

Total Number of Residential Units And Densities:

The gross area of Greaves Pinery Subdivision is 9.093± acres and the site is proposed to contain three (3) single-family residential units. The average lot size for the 3 proposed lots is 3.03± acres. The gross density of the site is 0.33 units per acre.

Fire Protection:

The Greaves Pinery Subdivision's property is located within the Black Forest Fire Protection District. The fire district already serves the property. The lots and homes are subject to the codes and policies adopted by the said District regarding fire protection.

Proposed Access Locations:

The existing and proposed access locations for the site is from Pinery Circle as discussed above.

Traffic Impact and Traffic Impact Fees:

For all proposed lots, there will be one existing and one proposed single family residential unit with access to Pinery Circle. Referencing Appendix B, Section B.1.2.D, this proposed development meets the criteria for not requiring a Traffic Impact Study as follows:

Vehicular Traffic Summary

1) Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10;

   The development is expected to generate a total of 28 trips per day based on 9.44 trips per unit for Single Family Detached Housing (Average weekday trips ends), 2 trips in the peak AM Hour (0.75 trips/unit for peak AM traffic), and 3 trips in the peak PM hour (1.00 trips/unit for peak PM traffic) according to Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers. This number of trips is below the County threshold of 100 trips per day or 10 trip. The previous trip generation for this parcel was 9.44 trips per day when there was just one residence located thereon.

2) There are no additional proposed minor or major roadway intersections on major collectors, arterials, or State Highways;

   There are not any proposed minor or major roadway intersections on major collectors, arterials, or State Highways. Proposed Lots 1, 2 and 3 will have immediate access to Pinery Circle connecting to Swan Road via Pinery Drive.

3) The increase in the number of vehicular trips does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends;

The increase of two (2) lots from the previous development in this new proposed development is expected to generate a total of 19 trips per day based on 9.44 trips per unit for Single Family Detached Housing (Average weekday trips ends), 1.5 trips in the peak AM Hour (0.75 trips/unit for peak AM traffic), and 2 trips in the peak PM hour (1.00 trips/unit for peak PM traffic) according to Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers. This number of trips is below 10 peak hour trips.

4) the change in the type of traffic to be generated (i.e., the addition of truck traffic) does not adversely affect the traffic currently planned for and accommodated within, and adjacent to, the property;

   Due to the nature of single family homes, trip generation is likely to include going to work, taking children to school, shopping, local deliveries and service providers, and running various errands. Additional truck traffic is not anticipated as a normal occurrence.

5) acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained;

   The addition of 3 single family rural residences is not anticipated to alter the current Level of Service and the LOS shall be maintained.

6) no roadway or intersection in the immediate vicinity has a history of safety or accident problems;

   This proposed development shall be connected to the existing paved road, “Black Forest Road.” The access points to Black Forest Road and Coolwell Drive have no sight obstructions. Due to the addition of such a low volume of traffic, a higher incidence of accidents is unlikely.

7) There is no change of land use with access to a State Highway.

   The land use will continue to be residential and this site does not directly access a State Highway.

Road Impact Fees: This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 24-377. The owners have elected to not be included in any Public Improvements District. The fee is anticipated to be $3,830 per unit. Road Impact Fees will be paid at time of building permit.

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