

ASPEN WILLOW LETTER OF INTENT, NARRATIVE & APPROVAL CRITERIA

LETTER OF INTENT

PROPERTY INFORMATION

Application Type: Minor Subdivision/Final Plat
Applicant/Owner: Aspen Willow Estates LLC
Address: 1480 East Higby Road
Monument, Colorado

Parcel Number: 6100000298
Current Zoning: A-5, Agricultural District
Proposed Zoning: A-5, Agricultural District
Total Acreage: 35 Acres

Current Use: Veterinarian Clinic (Special Use)
Special Use Area: 3 Acres
Proposed Use: Veterinarian Clinic (Special Use), Agricultural Uses with Residential, 5-Acres

Representative: Owner/Charles Woodall
Phone: 719-492-4123
Email: wrknrassof@aol.com

LETTER OF INTENT CHECKLIST

- ☑ A discussion detailing the specific request and size of the area included in the request. A discussion identifying and acknowledging any applicable overlay zoning (e.g., CAD-O, etc.)

This application applies to a 35-acre, A-5 zoned parcel located on the south side of Higby Road, Monument just south of Roller Coaster Road. There is no overlay zoning.

- ☑ A summary of the proposed request and how it complies with each of the Criteria of Approval in Chapter 7 and the Subdivision Design Standards in Chapter 8 of the Land Development Code.

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The 35 acre parcel is being proposed to be divided into four, A-5 parcels. Three of which will be 5 acres, the fourth will contain all the remaining acreage (approximately 19 acres +/-) minus the right-of-way dedication for Higby Road. How this project meets or exceeds the criteria set forth in Chapters 7 and 8 of the El Paso County Land Development Code, have been thoroughly addressed later in this LOI under "Narrative."

- ☐ A discussion summarizing the final plat consistency with any applicable preliminary plan and the associated zoning district standards.

The application does not have a preliminary plan associated with it.

- ☐ A discussion detailing the provision of utilities, including any proposed phasing.

There is no phasing being proposed to the project. Electric power is to be provided by Mountain View Electric and their commitment letter is included with this application. Natural gas is provided by Black Hills Energy and their commitment letter is included with this application. Water is to be provided for by individual wells on each parcel. Wastewater is to be managed through on-sight water treatment systems (OWTS).

- ☐ A discussion detailing any constraints, hazards, and potentially sensitive natural or physical features (e.g., wetlands, protected species habitat, floodplain, geological, etc.) within the area included within the request and how these areas have been incorporated into the development or will otherwise be mitigated.

There are no identified development hazards, constraints, potentially sensitive natural or physical features on the property. There are no wetlands, sensitive habitat, floodplain or geological findings that would prevent the land from being subdivided. A small piece of the property does sit within the wildland urban interface (WUI). A wildland fire hazard and mitigation plan has been provided herein. Additional geological and soils testing will be done at the time of building.

- ☐ A discussion detailing anticipated traffic generation and access, unless a separate traffic study is required and is being provided.

Staff indicated that no traffic study would be required in the EDARP meeting. The application proposing adding three new residences to the carrying capacity of Higby and/or Roller Coaster Roads or an estimated 36 new trips per day.

- ☐ A discussion detailing the proposed payment of the County's Road Impact Fee (e.g., inclusion into a PID, payment at time of building permit, etc.).

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Road impact fees are to be paid at time of building permit. The property does not sit within a public improvement district.

- ☐ A discussion detailing all proposed public and private improvements, including onsite and offsite improvements, and the plan for ongoing ownership and maintenance of each improvement.

The sole shared improvement will be the private road used to access the three eastern lots of the subdivision. The road shall be managed and maintained by a road use agreement. A copy of the road use agreement has been provided with this application.

- ☐ A discussion detailing any proposed waivers and an analysis of how the requested waiver meets the approval criteria in Chapter 7 of the Land Development Code that were not otherwise approved with any applicable preliminary plan.

The project did not go through any preliminary plan. This application is being permitted to combine the preliminary plat with the final plat into a single application. We believe in the following section called "Narrative" we have addressed all relevant sections of the El Paso County Land Development Code.

- ☐ A discussion detailing any proposed or approved deviations from the County's Engineering Design Standards (e.g., Engineering Criteria Manual) that were not otherwise presented with any applicable preliminary plan.

A deviation is being requested for road intersection separation. The deviation was discussed in detail at the EDARP meeting with County staff. The private access road intersection with Higby Road is nearer to the Higby and Roller Coaster Road access.

- ☐ A discussion summarizing any community outreach efforts by the applicant that have occurred or are planned as part of the request.

No formal community outreach was required as per the EDARP meeting or the land development code for this application. When the project goes to hearing with the planning commission and the board of county commissioners, public notice will be made. The land owner directly north of the subject land, and the one most directly impacted by the project, is a partner in the creation of the easement on which the private access road will sit.

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NARRATIVE

Owner, Charles Woodall, wishes to subdivide his existing 35-acre parcel, located at 1480 Higby Road, Monument, Colorado into four lots, with three lots being 5-acres each and the fourth being the remaining acreage following the right of way dedication to El Paso County for Higby Road. The existing veterinary clinic shall continue to operate uninterrupted on the larger lot within the existing 3-acre special use area. The special use permit associated with the veterinary clinic shall be modified to reflect the reduced, overall acreage on which the clinic and attached residence sits.

Road access to the veterinary clinic shall remain unchanged. The three, 5-acre parcels will be accessed via a new private road that runs north and south along the eastern property line on a perpetual easement. The road easement shall lie on the property line with one-half on the property subject to this application and the other half on the property directly east owned by JA Ranch. The property that the road easement sits on shall count toward the 5-acre minimum lot size for each lot to remain A-5. The separation between the new private road point of access to Higby Road and Roller Coaster Road is approximately 480' and will require a deviation from El Paso County road standard of 1320'. That deviation request accompanies this final plat application.

Each new residential, Agricultural, 5-acre (A-5) zoned lot shall be served by a water well and an onsite water treatment system (OWTS). The water well use shall be limited to the existing adjudication plan, case numbers 07CW57, WD#1 and 07CW30, WD#2.

The larger lot shall continue to utilize the existing Dawson Well (Permit # 62949) and be limited to the conditions set forth in that permit. A legal analysis was provided by the firm Hayes, Poznanovic and Korver and has been provided as an optional attachment to this application package.

The owner shall retain the parcel with the veterinary clinic and intends to sell the three lots as a single transaction to a developer.

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APPROVAL CRITERIA

Criteria for Approval: Section 7.2.1

1. Conformance with the El Paso County Master Plan

The subdivision is in conformation with the goals, objectives and policies of the El Paso County Master Plan (Master Plan, Plan).

The following items have been review and have come directly from the El Paso County Master Plan and how the Aspen Willow Estates Subdivision meets the criteria, achieves to the goals and objectives and adheres to the Plan's policies. We have gone through it section by section.

The Plan outlines the County's vision and further defined through accompanying goals. Together, they provide a flexible guide for decision-making and establish a framework for new projects. The County Vision of course is ambitious and aspiration and acts as the overreaching guide for Objectives and Goals. Of course this proposal or any proposal involve each County Principal. Nor does it or any other ideally meet each and every Objective or Goal. There are places where an objective may be connected to the development and none of the defined goals really fit. We have tried to connect to as much of the El Paso County Master Plan as we could to demonstrate how broadly and in a balanced way this development is supported by the County Master Plan.

For sake of specificity, we have included langue of the Master Plan followed by a detailed, response explaining of how the Aspen Willow Subdivision relates to that Core Principal, Objective or Goal of the Plan. We hope that makes review and our compliance simple and straightforward.

LAND USE

Core Principle: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

Objectives:

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Objective LU1-1: Some areas of the County should be planned for new development, while other areas should be preserved, protected, or see little new development.

RESPONSE: *The area and placetype where this subdivision is located is ideally suited for the planned large-lot, single-family development being proposed. It sits in the midst of Rural-Residential-5 (RR5) to the east and south, with some rural residential 2.5 (RR2.5) to the north. The subdivision sits in the Agrigultural-5 (A5) zone district and A5 supports single-family, large-lot development with limited agricultural activities. There are A-5 blocks scattered around the area to the south and east within the prior listed zone districts.*

Objective LU2-3: Prioritize the annexation of existing unincorporated County enclaves as opportunities arise.

Specific Strategies:

Ensure appropriate density and use transitions for new development that occurs between differing placetypes.

RESPONSE: the density being proposed is entirely compatible with that around it and it is surrounded by the same placetype of Large-Lot Residential (LLR).

Core Principle

Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

RESPONSE: *Please refer to the two responses above.*

Objectives

Objective LU3-1: Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.

RESPONSE: *The proposed development is absolutely consistent with the allowable land uses set forth in the placetype in which it sits as it is that placetype based on its characteristic of single-family on 5-acres or greater.*

Specific Strategies

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Future development in the Tri-Lakes Area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

RESPONSE: *The proposed development sits inside the very desirable, Tri-Lakes Area and perfectly aligns with the character of the residential qualities of the Town of Monument whose town boundary sits roughly 1 mile to the east. It is expected that the Town of Monument will be a review agent of all applications that sit within the 3-mile area, it is unlikely that Monument will have any desire to annex this small property. There are dozens upon dozens of already-built, single-family homes that sit in unincorporated El Paso County between this existing development and the proposed one. It is improbable that Monument has interest in taking responsibility for the support of those homes and it is less probable that the existing land owner desire annexation.*

Specific Strategies:

Priority: Continue to evaluate development impact fees, requiring adequate private investment to defray the cost of capital improvements needed due to new development so that new development will not overburden County resources, and will be served by adequate infrastructure until they can be incorporated if necessary or desired

RESPONSE: *The primary and direct county service this development will impact will be the traffic of a potential of three new residences. That impact will be minimal and does not require a traffic impact analysis or study. To offset the residential impact, road impact fees are anticipated and will be due at the time of building permit.*

Priority: Annexation should be considered as development occurs in unincorporated areas that are adjacent to incorporated municipalities

RESPONSE: *As earlier stated, it is anticipated that the Town of Monument will be a review agent since the development sits within the Town's 3-mile plan. Also as stated earlier, desire to annexation will be very low.*

Goal LU4: Continue to encourage policies that ensure “development pays for itself.”

RESPONSE: *The anticipated road impact fees, and probable impact fees from Monument Fire and the Lewis-Palmer School District 38 will both impose impact fees at the time of building permit.*

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HOUSING AND COMMUNITIES

Core Principle

Preserve and develop neighborhoods with a mix of housing types.

Objectives

Objective HC1-5: Focus detached housing development in Large-Lot Residential and Suburban Residential areas given the increasing infrastructure and environmental constraints associated with such development to help maintain the established character of rural communities.

RESPONSE: *This single-family, detached housing is in the Large-Lot Residential area meets the focus of Objective HC1-5.*

Core Principle

Preserve and develop neighborhoods with a mix of housing types.

Objective HC2-4: Ensure all future municipal annexations are contiguous to municipal limits to prevent the formation of enclaves of unincorporated areas.

RESPONSE: *Were this development annexed by the Town of Monument as a sole annexation it would not be contiguous. There is no desire by the owner to have the development annexed.*

Objective HC2-6: Continue to carefully analyze each development proposal for their location, compatibility with the natural environment, and cohesion with the existing character.

RESPONSE: *The location, compatibility, environmental and cohesion is ideal for this development as already noted. The land use, the lot size and the density is perfectly compatible with the surrounding development.*

Goal HC2: Preserve the character of rural and environmentally sensitive areas.

RESPONSE: *The proposed development preserves the semi-rural character of the area that surrounds it.*

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Large-Lot Residential development should not be allowed within a certain distance of the critical natural assets to ensure they are not negatively impacted by future development.

RESPONSE: *This LLR development does not have critical natural assets in the immediate area and will not have a negative impact in this regard.*

Evaluate new developments on a case-by-case basis to determine their impact on these natural assets.

RESPONSE: *As with all new developments, it is expected that this proposal will be evaluated on a case-by-case basis and on its own merits.*

Objective HC4-3: Support the development of housing types that further support aging in place.

RESPONSE: *Presuming that El Paso County embraces the intent of Colorado House Bill 24-1152, these lots would be well suited for an accessory dwelling unit (ADU) for aging family members. It is absolutely understood that there are criteria, standards and approvals required to pursue an ADU. It is not unusual for the primary aging resident to opt for an ADU while their adult children live in the primary residence. This allows parent to age in place and additionally offers opportunities for multi-generational living supporting the nuclear family.*

Specific Strategies:

Goal HC4: Support aging-in-place housing options to meet residents' needs through all stages of life.

RESPONSE: Please see the previous response.

TRANSPORTATION & MOBILITY

Core Principle

Connect all areas of the County with a safe and efficient multimodal transportation system.

Objectives

As proposed roadway improvements are planned and developed, the guidelines and standards associated with their classification and function should be considered to the degree practical and appropriate.

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RESPONSE: *This subdivision is dedicating 15' of right-of-away (ROW) along the entire frontage along Higby Road. It would be width enough for a bike lane to be added, if and when this shared Monument and El Paso County roadway is widened and improved.*

Core Principle: Connect all areas of the County with a safe and efficient multimodal transportation system.

Objective TM3-1: Encourage increased public transportation use in the region by using existing and expanded platforms and connections within the community.

Specific Strategies

Priority

Any new Park-N-Ride facilities developed in the County needs to be integrated into the public transit network whether they be bus or commuter rail. Balancing this type of infrastructure with growth should be a priority of the County to ensure access throughout the region.

RESPONSE: *While this project does not include any new Park-N-Ride facilities, it is within an easy 4.5-mile bike ride to the Park-N-Ride located at CO 105 and I-25 in Monument. It is also a straight road bicycle commute of 3.25 miles to Lewis-Palmer High School. The use of an e-bike would make these commutes especially easy.*

Goal TM2: Promote walkability and bikability where multimodal transportation systems are feasible.

As earlier described, the ROW dedication provides for the future possibility of a bike lane along Higby Road.

Goal TM3: Foster transit-supportive development and coordinate to expand public transportation options.

RESPONSE: *As earlier described, the location is a simple 4.5 mile bike ride to the Monument Park-N-Ride supporting a multi-modal opportunity to commute to Denver or to a train to Denver from the Happy Canyon Station,*

Core Principle

Connect all areas of the County with a safe and efficient multimodal transportation system.

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RESPONSE: *The dedicated ROW along Higby Road supports the possibility of bike paths or walking paths into Monument, to the Monument Park-N-Ride and to Lewis-Palmer High School.*

Recreation & Tourism

Core Principle

Maintain and expand the County's recreation and tourism options.

Objectives

Objective RT1-2: Wherever possible new parks facilities should be located along or share connections to County and regional trails to ensure a robust network of connections for residents to these amenities.

RESPONSE: *While this subdivision of only four lots, does not create new park facilities. It is located within 1.25 miles from Fox-Run Park, a very short drive, easy walk or bike commute. Use of a park also supports a park. It makes it more widely known and the betterment of it becomes more important to nearby residents.*

Goal RT1: Support high-quality, sustainable outdoor recreation as a key amenity for residents and visitors.

RESPONSE: *The subdivision is located within 1.25 miles from Fox-Run Park, a very short drive, easy walk or bike commute. Use of a park also supports a park. It makes it more widely known and the betterment of it becomes more important to nearby residents.*

As a quality of life factor associated with access to parks, expanded public transportation options should be created to service populations of the County without cars and those that may also need ADA accommodations.

Expand the trail and path network for commuting and destination travel to encourage more residents to walk and/or bike over driving. This should be done by closing gaps in existing infrastructure and bringing all paths and trails up to an acceptable level of repair.

RESPONSE: Again, this subdivision supports both the quality of life factor above and the county's ability to expand the trail and path network for commuting with the 15' ROW dedication.

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Core Principle

Prioritize and protect the County's natural environment.

Objectives

Objective E1-1: Establish or expand public or private neighborhood parks, reserves, and other protected areas (e.g., wildlife sanctuaries and private reserves).

Consider industry best practices for improving solid waste management such as collection services for multifamily apartments, recycling programs for commercial businesses, and composting programs.

RESPONSE: *While it can't be said that this small development "improves" solid waste management. However, the location does sit conveniently on routes of waste management companies who provide for both general waste management and recycling.*

Resiliency & Hazard Mitigation

Core Principle: Support efforts to reduce, respond, and react to natural and manmade hazards across the County.

Objectives

Objective RHM1-1: Promote cross-boundary mitigation planning and prioritization with public land managers, military installations, municipalities, utilities, fire protection districts, and unincorporated communities.

RESPONSE: *As a part of this application package a Wildland Fire and Hazard Mitigation Plan has been provided. It addresses the Wildland-Urban Interface (WUI) and how to mitigate dangers posed in that interface. This plan includes a Fire Protection Report.*

Priority

El Paso County's vision of creating a resilient Pikes Peak region includes creating a balance between the built and natural environments. Therefore, support for this focus on the natural world speaks to the need for natural resource stewardship.

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Priority

Increase community capacity to reduce impacts from shocks and stresses. Increasing resiliency is more than disaster mitigation. Acting before disasters to reduce risk can save lives and money; however, when conditions are good, it can be difficult to motivate people to take action. The County strives to move beyond community involvement and “buy-in” to increasing the community capacity as a whole. This requires a shift to a culture of responsibility at the individual level, such as mitigating the danger of wildfire or preparing families for disasters. Local government action is also needed, such as devoting public resources for stormwater management, maintaining and restoring forest health, fostering emergency preparedness, and maintaining infrastructure.

Goal RHM1: Prioritize hazard mitigation as growth and development occurs.

Goal RHM2: Continue to support planning efforts and implementation of best practices to ensure community resiliency.

RESPONSE: *This application package supports the county planning efforts of best practices with the submittal of a Wildland Fire and Hazard Mitigation Plan.*

Objectives

Objective RHM3-4: Create cultural awareness of the need for personal connections in communities and between communities.

Specific Strategies

Priority: In order to build resiliency, existing planning and stakeholder engagement processes need to be brought together. Quality of life and emergency preparedness depend on looking to the future to ensure that development does not increase risk or create problems, such as traffic, pollution, and unemployment. In addition, even the best plan cannot be fulfilled without identifying sustainable funding sources and committing to them.

RESPONSE: *The proposed development of 3 new, large-lot residential lots will not increase risk or create problems such as noticeably increased traffic, pollution or unemployment. In fact, the 15' ROW dedication supports future development of a wider road with additional lanes of traffic possible.*

Project Name: Aspen Willow Estates Final Plat
Applicant: Aspen Willow Estates, LLC
EA Number: EA2516

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This concludes the Letter of Intent; details how this application satisfies the El Paso County criteria for approval for a final plat; and addresses how this application complies with numerous sections of the El Paso County Master Plan.

Respectfully,

Aspen Willow Estates, LLC