

**8330 Mustang Place Rezone
Letter of Intent
September 29, 2020**

You have not addressed the criteria for approval for rezoning, as outlined in LDC, Sec. 5.3.5(B). See below Code excerpt for criteria to address.

Owners/Applicants: Mason, LLC
7702 Barnes Road #140-58
Colorado Springs, CO 80922
(719) 235-6797

Site Location: 8330 Mustang Place Colorado Springs, CO 80908 is a 5.37-acre parcel zoned RR-5 located in Pawnee Rancheros Filing No 2 just northeast of Woodmen and Marksheffel Roads, in El Paso County.

Request: A request by Mason, LLC to rezone parcel 5304002017 from RR-5 to RR-2.5

Tax Schedule Numbers: 5304002017

Existing & Proposed Structures: There is currently a modular home with a barn, garage and shop constructed on the parcel. The intent is to complete a minor subdivision and to construct a new stick-built home on the western portion of the parcel. There will be a total of 2 single family dwelling units on the 5 acres, 1 on each lot.

Utilities: The existing home is currently served by Mountain View Electric, propane, well and septic.

Access: The property currently has a single point of access off of Mustang Place. A new access may be required once a minor subdivision is complete at a later time.

Drainage/Floodplain: This parcel is not located in a designated Flood Zone. Drainage flow paths are not intended to be changed.

Surrounding Area Conformance: The subject parcel is located directly south of the previously approved Sterling Ranch which is a high-density development. Rezoning this parcel to RR-2.5 acre will serve as a good transition to the high-density development. There are also 2.5 acre lots in the adjacent subdivision Bar J-B Acres.

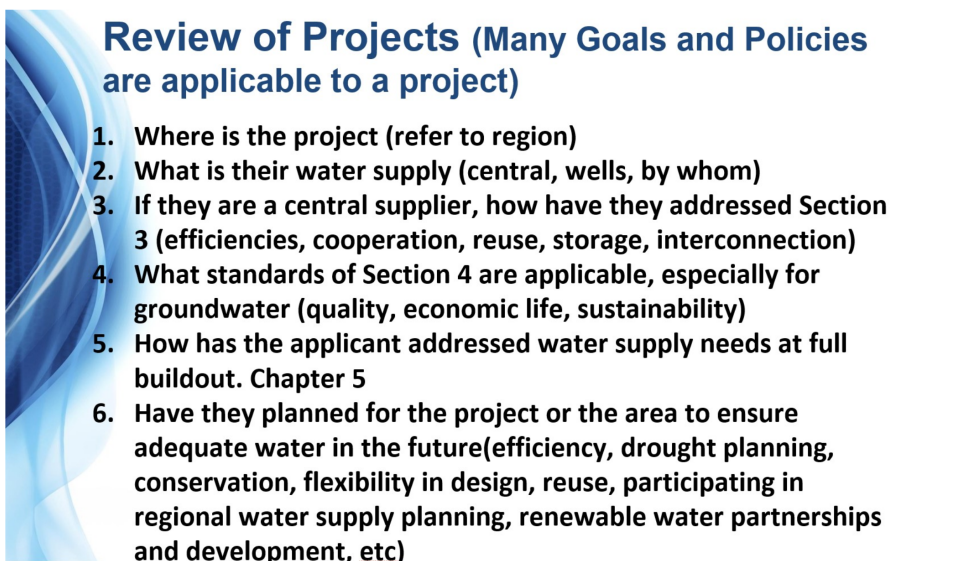
Consistency with County Plans: The proposed rezone is consistent with the El Paso County Policy Plan, El Paso County Master Plan, Black Forest Preservation Plan and Falcon/Peyton Small Area Master Plan as any future subdivision of this parcel will not require the need for any additional public infrastructure. It also provides a variety of different densities while still preserving the rural character of the area.

This does not provide a consistency analysis. You need to address the specific goals and policies in these Master Plan components and explain how your proposal meets their intent.

This property is not located within the Falcon/Peyton Small Area Plan. Please provide justification for meeting the intent of the Black Forest Preservation Plan policies.

Water Master Plan: This property lies in the Denver aquifer and draws from the Black Squirrel Creek Basin. It is located in Region 3 of the El Paso Water Master Plan. The existing well permit is 131880 and it serves the existing residence. An additional well permit will need to be obtained for the newly created lot to the west of the existing residence. The Colorado Division of Water Resources has stated that they do not see an issue obtaining an additional well permit and it can be applied for after the lot is subdivided.

Site Suitability: The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code and is in compliance with all applicable statutory provisions.



Review of Projects (Many Goals and Policies are applicable to a project)

1. Where is the project (refer to region)
2. What is their water supply (central, wells, by whom)
3. If they are a central supplier, how have they addressed Section 3 (efficiencies, cooperation, reuse, storage, interconnection)
4. What standards of Section 4 are applicable, especially for groundwater (quality, economic life, sustainability)
5. How has the applicant addressed water supply needs at full buildout. Chapter 5
6. Have they planned for the project or the area to ensure adequate water in the future (efficiency, drought planning, conservation, flexibility in design, reuse, participating in regional water supply planning, renewable water partnerships and development, etc)

This is not adequate water master plan justification. Please review information provided here for water master plan justification.

5.3.5. Map Amendment (Rezoning)

(A) **Purpose.** The purpose of zoning is to locate particular land uses where they are most appropriate, considering public utilities, road access, and the established development pattern. In addition to categorizing land by uses such as residential, commercial, and industrial, the LDC also specifies such details as building setback lines, the height and bulk of buildings, the size and location of open spaces, and the intensity to which the land may be developed. The zoning of parcels of land generally conforms to and promotes the County's Master Plan. Zoning protects the rights of property owners while promoting the general welfare of the community. By dividing land into categories according to use, and setting regulations for these categories, zoning governs private land use and segregates incompatible uses.

Generally, rezoning is justifiable under one of the following circumstances:

- When the requested rezoning is in general conformance or consistency with the County's Master Plan;
- If inconsistent with the Master Plan, a material change in the character of the area since the date of the current zoning is demonstrated;
- When there was an error or oversight in the original zoning of the property; or
- The zone change is necessary for the general health, safety, or welfare of the community.

(B) **Criteria for Approval.** In approving a Map Amendment, the following findings shall be made:

- The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
- The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116;
- The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
- The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

When justifying this criterion, you need to address the density issue and explain how the proposed density is consistent with surrounding properties.