

Paint Brush Hills Filing 14

Rezone Letter of Intent



VICINITY MAP

Developer:

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Site Location, History, Size, Zoning:

Aeroplaza Fountain LLC, is submitting a request for a Rezone to permit a minimum size 6,000 square foot lots on 56 acres as part of the Paint Brush Hills Filing 14 development. This proposed zoning request is part of the overall Paintbrush Hills Sketch Plan completed in 1984 and will be a continuation of the existing Paint Brush Hills community. The approved densities for this area of Paint Brush Hills offers a mix from 1 DU/ Acre up to 6 DU/ Acre for the Paint Brush Hills Phase 2 area of which this proposed rezoning is located.

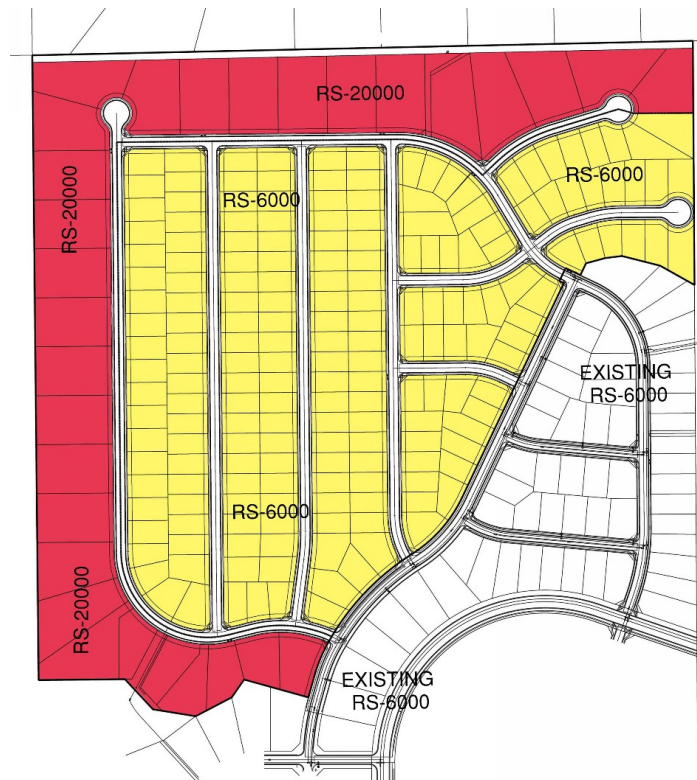
The Paint Brush Hills subdivision encompasses approximately 300 acres and illustrates over 500 residential units. The previously approved 2006 preliminary plan for Paint Brush Hills Filing 14 illustrated approximately 124 residential units and was zoned entirely RS-20,000. As part of this 2006 approval the perimeter lots to the north and west were a minimum 1 acre in size to act as a transitional buffer from the adjacent larger rural lots. These perimeter lots along the northern and western boundary will remain zoned RS-20,000 with a minimum lot size of 1-acre. The interior portion of Filing 14 is the area proposed for rezoning to RS-6,000 to permit lot sizes of 6,000 square feet and larger.

The Paint Brush Hills Filing 14 is an 88-acre site in total located at the far northwest corner of Londonderry Drive, west of Meridian Road and north of Stapleton Drive. The site is currently vacant and does not contain any natural features such as streams, creek corridors, rock outcroppings, and does not contain any significant stands of vegetation.

Ensure that the LOI also includes references to the El Paso County Policy plan (Cite specific goals and/or policies) and the El Paso County Water Master Plan in the Request and Justification section.

The purpose of this application is to request approval of a rezone for the Paint Brush Hills Filing 14 project. The proposed submittal seeks to rezone 55.898 acres of the total 88.632 acres from RS-20,000 to RS-6,000 to permit a minimum size lot of 6,000 square feet. The remaining 32.734 acres will remain zoned RS-20,000 with a minimum lot size of 20,000 square feet of which most are one acre in size.

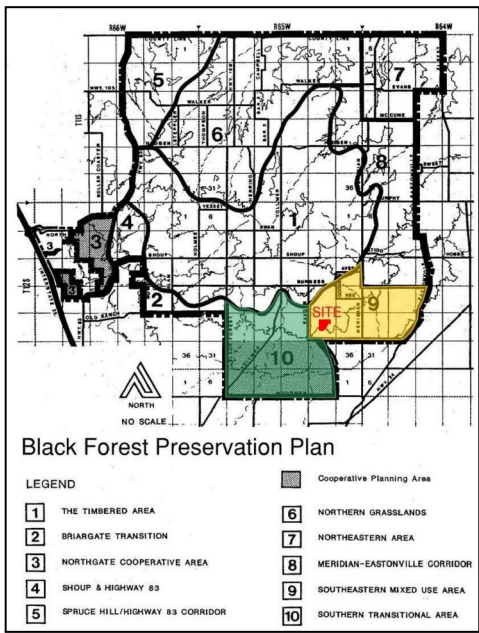
A preliminary concept layout shown illustrates approximately 224 units on the 88.63 acres for a density of 2.53 Dwelling Units per Acre. This concept plan will be the basis for future preliminary plan submittals pending approval of this rezone application. The perimeter lots, shaded red in the exhibit below, remain shown as originally approved of which these lots are a minimum 1-acre in size following the original 2006 plans. The portions shaded in yellow indicates the area to be rezoned to RS-6,000 permitting the smaller lot size.



**Proposed RS-6000 Zoning
Shown in Yellow**

The site is located within the Falcon/ Peyton Small Area Master Plan and per section 4.4.10 is part of the Black Forest Boundary Area. The project type and intensity of land uses in the vicinity of the shared boundary with Black Forest should be compatible with the long- standing policies of the Black Forest Preservation Plan.

The proposed Paintbrush Hills Filing 14 is located within the southern area of the Black Forest Preservation Plan, Planning Unit 9. The Black Forest Preservation Plan was adopted in 1987 and several key planning units are based upon the unique features of Black Forest. The Black Forest Preservation Plan Unit 9 is known as the Southeastern Mixed-Use Area. The southern portion of this planning unit, including the Paint Brush Hills site, recommends a balanced mix of urban density uses if compatible with adjacent existing development. Any existing rural residential uses should be provided with an adequate buffer. The proposed preliminary site plan meets this provision by retaining the originally approved 1-acre sized lots along the perimeter to the north and west.



In addition, the site is bordered to the west by The Black Forest Preservation Plan Unit 10 identified as the Southern Transitional and Cooperative Planning Area. Key elements of this planning area relate to major transportation corridors and density transitions. One element of this unit is low density residential buffer areas. Overall densities are expected to decrease closer to the Timber Area Edge and large lot clusters should be used to maximize open space. As with the buffering to Unit 9 described above, the proposed preliminary site plan meets this provision by retaining the originally approved 1-acre sized lots along the perimeter to the north and west.

The existing topography is gently rolling, draining to the south/ southwest where an existing off-site detention facility will capture stormwater runoff from this development. A small natural drainage way flows in a southwesterly direction; however, this drainage way is minor in nature and will not be utilized to capture stormwater runoff nor does this drainageway prevent development of this parcel. The review and approval of the utility construction drawings will be provided as part of the future final plat submittals.

The proposed single-family residential use will not overburden the capacities of existing or planned roads, utilities or other public features, drainage and grading, police protection, emergency services, and water/ wastewater services as these services have been planned for in advance with previous area studies even though the density does increase. Water and wastewater sufficiency will be provided with future preliminary plan and final plat submittals. A storm sewer system will convey the flows from the inlets to an existing detention facility found off-site.

The geotechnical investigation prepared by ENTECH Engineering, Inc. from March 5, 2004 identified no geologic hazards that would preclude development of the site for construction of residential structures; however, the report identified existing geologic and engineering geologic conditions that will impose constraints on some development and construction. The most notable constraints that may affect development include shallow bedrock and on-site surface drainage. It is noted that these conditions can be mitigated with engineering design and construction methods commonly employed in the area. Conventional methods can be used to accomplish site grading for rapid conveyance of surface runoff to storm sewer systems, utility installation, and foundation spread footings.

Total Number of Residential Units, Density, and Lot Sizes: 224 Single Family Detached Residential Units with a Gross Density of 2.53 DU/ Acre. The minimum lot size shall be 6,000 SF and 20,000 SF as required under the zoning guidelines.

Types of Proposed Recreational Facilities:

There are no recreational facilities being proposed with this application for Filing 14. Potential trail corridors within the proposed project limits will be coordinated during the preliminary plan and final plat submittals as part of the detailed lot layout. Any recreational facilities being provided are within the overall Paint Brush Hill development.

Total Number of Industrial or Commercial Sites:

There are no proposed commercial or industrial sites proposed as a part of the plan.

Traffic and Proposed Access Locations:

Primary access to Filing 14 will be via existing Londonderry Drive providing connections to the site from Devoncove Drive and Keating Drive which are being constructed with previous filings of Paint Brush Hills. All roadways are to be public utilizing the residential local cross-section. There are no proposed arterial or collector roadways being provided within Paint Brush Hills Filing 14. Internal streets will provide for a looped circulation pattern through the development. There is no cut-through traffic or additional access beyond the two access points provided.

Phasing Plan:

There is no phasing plan for this development as it will be developed in one phase.

Areas of Required Landscaping:

The proposed development does not require any landscaping; however, a 25' landscape tract is being provided along the northernmost property line. The primary use of the tract shall be for storm water but may also be used for open space and pedestrian trails.

All tracts shall be owned and maintained by the Paint Brush Hills Metropolitan District.

Approximate Acres and Percent of Land Set Aside for Open Space:

There is no open space required with the Rezone. Any land set aside for open space will be illustrated with future preliminary plan submittals.

Water and Wastewater Services:

Water and Wastewater municipal services will be supplied by the Paint Brush Hills Metropolitan District. Any required utility easements to be provided on adjacent properties will be acquired as necessary to allow for the proper utility installation. Approval and granting of any required utility easements will be completed as necessary.

Master Plan for Mineral Extraction:

The *1996 Master Plan for Mineral Extraction* updates and supersedes the *1975 El Paso County Master Plan for Mineral Extraction of Commercial Mineral Deposits* as amended in 1978 and 1982. This updated plan has two primary purposes, the first is to facilitate continued compliance with the mineral resource protection mandates outlined in the “Preservation of Commercial Mineral Deposits Act” of 1973 and the second is to provide guidance to the EL Paso County Planning Commission and Board of County Commissioners in evaluating land use proposals involving new or expanded mining and mineral resource processing operations. Per the El Paso County Master Plan for Mineral Extraction Aggregate Resource Maps, this site is identified as ‘Upland Deposits’ containing sand and gravel with silt and clay; remnants of older streams deposited on topographic highs or bench like features. Therefore, the proposed project does not contain any mineral deposits of commercial value and does not permit the use of any area containing a commercial mineral deposit which would unreasonably interfere with the present or future extraction of such deposits.

Proposed Services:

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| 1. Water: | Paint Brush Hills Metropolitan District |
| 2. Wastewater: | Paint Brush Hills Metropolitan District |
| 3. Gas: | Black Hills Energy |
| 4. Electric: | Mountain View Electric Association (MVEA) |
| 5. Fire: | Falcon Fire Protection District |
| 6. Police Protection: | El Paso County Sheriff’s Department |
| 7. School: | Falcon School District #49 |