

Glen Investment Group No. VIII, LLC

3 Widefield Boulevard
Colorado Springs, CO 80911
(719) 392-0194

May 31, 2022

Notice to Adjacent Property Owners

Vacation and Replat of Lots 25 and 71 and a portion of Penny Cress Drive

This letter is being sent to you because Glen Investment Group No. VIII, LLC, is proposing to vacate and replat two lots (Lots 25 and 71) and a portion of the Penny Cress Drive right-of-way within The Glen at Widefield Filing No. 11 in El Paso County. This information is being provided to you prior to a submittal with the County. Please direct any questions on the proposal to Glen Investment Group No. VIII, LLC. Prior to any public hearing on this proposal a notification of the time and place of the public hearing will be sent to the adjacent property owners by the El Paso County Planning and Community Development Department. At that time you will be given the El Paso County contact information, the file number and an opportunity to respond either for, again, or expressing no opinion in writing at the public hearing for this proposal.

The proposed vacation of a portion of the Penny Cress Drive right-of-way would eliminate a previously platted extension of Penny Cress Drive to the northern boundary of The Glen at Widefield Filing No. 11, which was required at this time of platting Filing No. 11 to provide public access to the adjacent property. The extension is no longer needed as the property to the north is being developed within the City of Fountain and is approved for alternate legal access to public roadways.

For questions specific to this project, please contact:

Glen Investment Group No. VIII, LLC
3 Widefield Boulevard
Colorado Springs, CO 80911
ryan@widefieldinvestmentgroup.com
(719) 392-0194

Attached is a copy of the Letter of Intent describing the subject property and the development application as well as a copy of the proposed vacation and replat map.

Sincerely,
Glen Investment Group No. VIII

LETTER OF INTENT
VACATION AND REPLAT
THE GLEN AT WIDEFIELD FILING NO. 11A
May 31st 2022

OWNER/APPLICANT:

Glen Investment Group No. VIII, LLC
3 Widefield Boulevard
Colorado Springs, CO 80911
(719) 392-0194

OWNER:

Glen Investment Group No. VIII, LLC
3 Widefield Boulevard
Colorado Springs, CO 80911
(719) 392-0194

ENGINEERING CONSULTANT:

Andy McCord
Kiowa Engineering Corp.
1604 South 21st Street
Colorado Springs, CO 80904
(719) 630-7342

SURVEYING CONSULTANT:

John Towner
Pinnacle Land Surveying Co.
121 County Road 5
Divide, CO 80814
(719) 634-0751

PROPERTY TAX SCHEDULE NO.: 55220-00-010

SITE LOCATION AND SIZE: The overall Glen at Widefield Filing No. 11 subdivision is located at the northwest corner of the Peaceful Valley Road and Marksheffel Road intersection. The land included within the proposed vacation and replat is known as Lot 25 and Lot 71 as well as a portion of the Penny Cress Drive right-of-way of the Glen at Widefield Filing No. 11. The total area of Lot 25 and Lot 71 and the Penny Cress Drive right-of-way that is the subject of this request is 0.661 acres.

CURRENT ZONING OF THE PROPERTY: RS-6000 (Residential Suburban).

REQUEST: Approval of a vacation of Lots 25 and 71 and a portion of the Penny Cress Drive right-of-way within The Glen at Widefield Filing No. 11 and replat as Lots 25 and 71 and Tract E of The Glen at Widefield Filing No. 11A.

JUSTIFICATION: This request is needed to vacate the portion of right-of-way for Penny Cress Drive that was originally platted as an extension to the northerly boundary of The Glen at Widefield Filing No. 11 subdivision which was intended to ensure public access for the property located to the north. The property to the north is now being developed within the City of Fountain and the plan for development does not include an extension of Penny Cress Drive into

the subdivision as a means of public access, therefore, the extension is no longer needed and the applicant requests vacating the right-of-way and replatting the area within the current right-of-way so as to add additional acreage to the two adjoining lots (Lots 25 and 71 of The Glen at Widefield Filing No. 11) while also creating a new tract (Tract E) to preserve a trail connection with the subdivision.

The proposed replat will not create any additional lots for development, which means it is consistent with the approved preliminary plan and will not require the provision of additional water or wastewater services. The Glen at Widefield Filing No. 11 was found to be consistent with the Criteria for Approval in Chapter 7 of the El Paso County Land Development Code, including the El Paso County master plan. This request is also consistent with those findings for the same reasons as were determined with Filing No. 11.

The El Paso County Land Development Code includes requirements associated with the vacation of right-of-way that are in place to ensure that the vacation of the right-of-way will not “interfere with development of, or deny access via public thoroughfare to, adjoining properties...” As stated above, the development to the north that is proposed in the City of Fountain does not require nor is it designed to incorporate a public roadway connection to the right-of-way proposed for vacation.

There are no natural or man-made hazards that will be impacted with approval of the proposed request and no additional traffic will be generated. The request does not include any new proposed waivers or deviations.

ROAD IMPACT FEES:

The Glen at Widefield Filing No. 11 will be included in the ten (10) mill Public Improvement District. Lots 25 and 71 included within The Glen at Widefield Filing 11A will continue to remain in the ten (10) mill District and associated fees will be paid at the time of building permit.

OTHER IMPACT FEES:

All other impact fees associated with the two lots (Lots 25 and 71) have been previously paid with the recording of The Glen at Widefield Filing No. 11. No additional fees will be due with this request since the vacation and replat request does not create any additional buildable lots or parcels.

CONSISTENCY WITH APPROVAL CRITERIA

1. The approval criteria for a vacation of right-of-way includes the following:

The request complies with the El Paso County Land Development Code and the original conditions of approval of the recorded plat.

The proposed request is in complete compliance with the requirements of the Code and with the conditions of approval associated with the approval of The Glen at Widefield Filing No. 11.

The Code states that no nonconforming lots can be created with the vacation of right-of-way.

The lots on either side of the proposed right-of-way for vacation (Lots 25 and 71) were platted as conforming lots with The Glen at Widefield Filing No. 11 and are proposed to increase in size (becoming even more conforming) with the vacation of the identified portion of the Penny Cress Drive right-of-way as replatted.

The Code does not allow for the vacation of right-of-way action to fall within the intent and purpose of the subdivision regulations.

No new buildable lots or parcels are being proposed with this request that would otherwise violate the intent and purpose of the County's subdivision regulations.

The approval will not adversely affect the public health, safety, and welfare.

The request to vacate and replat Lots 25 and 71 and a portion of the Penny Cress Drive right-of-way within The Glen at Widefield Filing No. 11 will not have an adverse effect on the public health, safety, and welfare since no new traffic access points are being proposed. In fact, vacation of the previously platted right-of-way connection to the property to the north may actually improve public safety with The Glen at Widefield development since no additional vehicle trips from the development to the north will be traveling through the development.

No land is left, by reason of this vacation, without an established public right-of-way or private access easement connecting the land with an established public road.

As stated above, the development to the north will gain access to public roads via alternative locations, rendering the existing platted connection unnecessary.

A dedication or intent to dedicate has been established, where necessary.

There is no need to dedicate additional right-of-way as a result of this request.

Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the vacation of the plat has been resolved.

There is no conflict between the CC&Rs of the development and the proposed request for approval of a vacation and replat.

2. The El Paso County Land Development Code states that a replat “involves two actions, the vacation of the portion of the subdivision plat where the change is proposed...and approval of a new subdivision plat. The approval criteria for a replat includes the following:

The replat complies with the Code, and the original conditions of approval associated with the recorded plat.

The proposed replat complies with the Land Development Code, including the dimensional standards for residential lots within the RS-6000 zoning district and would be in compliance with the conditions of approval associated with the previously approved The Glen at Widefield Filing No. 11 final plat.

No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased.

Existing Lots 25 and 72, which are the lots subject to the requested replat, were found to be conforming with approval of The Glen at Widefield Filing 11 and will increase in size with the requested replat, making them even more conforming.

The replat is in keeping with the purpose and intent of the Code.

The proposed replat is not a material change to the previously approved final plat and would support the purpose and intent of the Code, including the standards in the RS-6000 zoning district and the rules and regulations governing the division of land.

The replat conforms to the required findings for a minor or major subdivision, whichever is applicable.

Approval of the proposed replat would be directly consistent with The Glen at Widefield Filing No. 11, which was found to be in conformance with the findings for a major subdivision at the time it was approved.

Legal and physical access is proposed to all parcels by public right-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM.

Legal access has already been established for the overall The Glen at Widefield development, including access to Filing No. 11 which ensures access to the two lots that are the subject of this request (Lots 25 and 71).

The approval will not adversely affect the public health, safety, and welfare.

The request to vacate and replat the Lots 25 and 71 and a portion of the Penny Cress Drive right-of-way within The Glen at Widefield Filing No. 11 will not have an adverse effect on the public health, safety, and welfare since no new traffic access points are being proposed. In fact, vacation of the previously platted right-of-way connection to the property to the north may actually improve public safety with The Glen at Widefield development since no additional vehicle trips from the development to the north will be traveling through the development.

Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the replat has been resolved.

There is no conflict between the CC&Rs of the development and the proposed request for approval of a vacation and replat.



Planning and Community Development Department

2880 International Circle, Colorado Springs, CO 80910

Phone 719.520.6300 | Fax 719.520.6695 | www.elpasoco.com

Type D Application Form (1-2C)

Please check the applicable application type
(Note: each request requires completion of a
separate application form):

- ☐ Appeal
- ☐ Approval of Location
- ☐ Board of Adjustment
- ☐ Certification of Designation
- ☐ Const. Drawings, Minor or Major
- ☐ Development Agreement
- ☐ Final Plat, Minor or Major
- ☐ Final Plat, Amendment
- ☐ Minor Subdivision
- ☐ Planned Unit Dev. Amendment, Major
- ☐ Preliminary Plan, Major or Minor
- ☐ Rezoning
- ☐ Road Disclaimer
- ☐ SIA, Modification
- ☐ Sketch Plan, Major or Minor
- ☐ Sketch Plan, Revision
- ☐ Solid Waste Disposal Site/Facility
- ☐ Special District
- ☐ Special Use
 - ☐ Major
 - ☐ Minor, Admin or Renewal
- ☐ Subdivision Exception
- ☐ Vacation
 - ☐ Plat Vacation with ROW
 - ☒ Vacation of ROW
- ☐ Variances
 - ☐ Major
 - ☐ Minor (2nd Dwelling or Renewal)
 - ☐ Tower, Renewal
- ☐ Vested Rights
- ☐ Waiver or Deviation
- ☐ Waiver of Subdivision Regulations
- ☐ WSEO

☒ Other: Vacation and Replat

This application form shall be accompanied by
all required support materials.

PROPERTY INFORMATION: Provide information to identify properties and
the proposed development. Attached additional sheets if necessary.

Property Address(es): N/A	
Tax ID/Parcel Numbers(s) 55220-00-010 (Current) (New Parcel Numbers pending with recordation of The Glen Filing 11)	Parcel size(s) in Acres: 0.661 (includes Lots 25 and 71 of the Glen Filing 11 and a portion of Penny Cress Drive)
Existing Land Use/Development: Vacant Final Plat approved on 3/1/22 for the Glen at Widefield Fil. #11	Zoning District: RS-6000

- ☐ Check this box if **Administrative Relief** is being requested in
association with this application and attach a completed
Administrative Relief request form.
- ☐ Check this box if any **Waivers** are being requested in association
with this application for development and attach a completed
Waiver request form.

PROPERTY OWNER INFORMATION: Indicate the person(s) or
organization(s) who own the property proposed for development.
Attach additional sheets if there are multiple property owners.

Name (Individual or Organization): Glen Investment Group VIII, LLC	
Mailing Address: 3 Widefield Boulevard, Colorado Springs, CO 80911	
Daytime Telephone: 719-392-0194	Fax:
Email or Alternative Contact Information: ryan@widefieldinvestmentgroup.com	

For PCD Office Use:

Date:	File :
Rec'd By:	Receipt #:
DSD File #:	

Description of the request: *(submit additional sheets if necessary):*

A request to vacate Lots 25 and 71 and a portion of the Penny Cress Drive right-of-way within The Glen at Widefield Filing No. 11 and replat the area as Lot 25, Lot 71, and Tract E of The Glen at Widefield Filing No. 11A. The stub out of the Penny Cress Drive right-of-way was platted with The Glen at Widefield Filing No. 11 to the northern boundary of the subdivision, but is no longer needed due to the layout of the development to the north, which is located within the City of Fountain.



Planning and Community Development Department

2880 International Circle, Colorado Springs, CO 80910

Phone 719.520.6300 | Fax 719.520.6695 | www.elpasoco.com

APPLICANT(S): Indicate person(s) submitting the application if different than the property owner(s) (attach additional sheets if necessary)

Name (Individual or Organization): Glen Investments VIII, LLC Contact: Ryan Watson	
Mailing Address: 3 Widefield Boulevard, Colorado Springs, CO 80911	
Daytime Telephone: 719-392-0194	Fax:
Email or Alternative Contact Information: ryan@widefieldinvestmentgroup.com	

AUTHORIZED REPRESENTATIVE(S): Indicate the person(s) authorized to represent the property owner and/or applicants (attach additional sheets if necessary).

Name (Individual or Organization):	
Mailing Address:	
Daytime Telephone:	Fax:
Email or Alternative Contact Information:	

AUTHORIZATION FOR OWNER'S APPLICANT(S)/REPRESENTATIVE(S):

An owner signature is not required to process a Type A or B Development Application. An owner's signature may only be executed by the owner or an authorized representative where the application is accompanied by a completed Authority to Represent/Owner's Affidavit naming the person as the owner's agent

OWNER/APPLICANT AUTHORIZATION:

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial or revocation. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal may delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval. I verify that I am submitting all of the required materials as part of this application and as appropriate to this project, and I acknowledge that failure to submit all of the necessary materials to allow a complete review and reasonable determination of conformance with the County's rules, regulations and ordinances may result in my application not being accepted or may extend the length of time needed to review the project. I hereby agree to abide by all conditions of any approvals granted by El Paso County. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I acknowledge that I understand the implications of use or development restrictions that are a result of subdivision plat notes, deed restrictions, or restrictive covenants. I agree that if a conflict should result from the request I am submitting to El Paso County due to subdivision plat notes, deed restrictions, or restrictive covenants, it will be my responsibility to resolve any conflict. I hereby give permission to El Paso County, and applicable review agencies, to enter on the above described property with or without notice for the purposes of reviewing this development application and enforcing the provisions of the LDC. I agree to at all times maintain proper facilities and safe access for inspection of the property by El Paso County while this application is pending.

Owner (s) Signature: J. R. R. A.

Date: May 31st, 2022

Owner (s) Signature: _____

Date: _____

Applicant (s) Signature: J. R. R. A.

Date: May 31st, 2022

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U.S. Postal Service™
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Colorado Springs, CO 80921

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Extra Services & Fees (check box, add fee as appropriate)	\$3.05
<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.78
Total Postage and Fees	\$7.58

0611 24
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 Postmark Here
 05/31/2022

Sent To **HPHR Properties, LLC**
 Street and Apt. No., or P.O. Box No. **14160 Glen eagle DR.**
 City, State, ZIP+4® **Colo. Springs, CO 80921**

PS Form 3800, April 2014 PSN 7520-02-000-9047 See Reverse for Instructions

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Colorado Springs, CO 80911

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<input checked="" type="checkbox"/> Return Receipt (hardcopy)	\$0.00
<input type="checkbox"/> Return Receipt (electronic)	\$0.00
<input type="checkbox"/> Certified Mail Restricted Delivery	\$0.00
<input type="checkbox"/> Adult Signature Required	\$0.00
<input type="checkbox"/> Adult Signature Restricted Delivery	\$0.00
Postage	\$0.58
Total Postage and Fees	\$7.38

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 05/31/2022

Sent To **Glen Investment Group VIII**
 Street and Apt. No., or P.O. Box No. **3 Widefield Blvd.**
 City, State, ZIP+4® **Colo. Springs, CO 80911**

PS Form 3800, April 2015 PSN 530-02-000-9047 See Reverse for Instructions

List of Adjacent Property Owners

Glean at Widefield east Filing 11A

HPHR PROPERTIES LLC 14160 GLENEAGLE DR COLORADO SPRINGS CO, 80921	
GLEN INVESTMENT GROUP NO VIII LLC 3 WIDEFIELD BLVD COLORADO SPRINGS CO, 80911-2126	