



August 28, 2019

**LETTER OF INTENT
EDGEWOOD SUBDIVISION FILING NO. 1
MINOR SUBDIVISION**

Owner:

Karen and James Martens
8190 Poco Road
Colorado Springs, CO 80908
(719) 660-1567

Applicant:

M.V.E., Inc.
1903 Lelaray Street, Suite 200
Colorado Springs, CO
(719) 635-5736
Attn: David R. Gorman, P.E.

Site Location Size and Zoning:

The proposed subdivision to be known as “Edgewood Subdivision Filing No. 1” is located within the southeast one-quarter of the northwest one-quarter of Section 28, Township 12 South, Range 65 west of the 6th principal meridian in El Paso County, Colorado. The property has El Paso County Tax Schedule No. 52280-00-011. The current address of the site is 8190 Poco Road. The eastern portion of the site currently contains a residence, gravel drive, outbuilding, well and septic system. The site is 12.228± acres in area and is zoned RR-5 (Residential Rural – 5 Acre).

The site situated on the north side of Poco Road, west of Vollmer Road, north of Woodmen Road and south of Burgess Road. Poco Road, a public gravel road with 60 ft right-of-way, is adjacent to the southern edge of the site. Lots 3 and 4 Sunrise Meadow Subdivision Filing No. 1 (Zone RR-5) with existing single-family residential development is southwest of the site on the opposite side of Poco Road. An unplatted parcel zoned RR-5 with existing single family residential development is located on the south side of Poco Road to the south of the site. Lot 1, Jaynes Subdivision is located to the southeast of the site on the opposite side of Poco Road. An unplatted parcel zoned RR-5 with existing single-family residential development borders the east side of the site. Unplatted parcels zoned RR-5, all having existing single-family residential development is located to the northeast, north, northwest and westerly directions.

Request and Justification:

The request is for approval of the Minor Subdivision plat of Edgewood Subdivision Filing No. 1, containing 12.228± acres. This proposed Minor Subdivision will create two (2) rural residential single-family lots in the RR-5 zone (Residential Rural – 5 Acre), each with lot area exceeding 5 acres.

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This Minor Subdivision plat is consistent with the existing RR-5 zoning. The site already contains one existing single family residence with auxiliary structure located on the eastern portion of the site. The proposed minor subdivision layout will comply with the requirements of the proposed RR-5 zone with the existing improvements being located on eastern lot. The existing residence will also be compatible with the RR-5 zone with respect to land use (single-family residential), lot size, minimum building setbacks, water supply and wastewater disposal.

The proposed Minor Subdivision is compatible with the surrounding land uses and neighborhood listed above and coincides with the adjacent lot/parcel sizes on the north, south, east, and west, all being approximately 5 or larger. The proposed Minor Subdivision application is in conformance with the goals, objectives, and policies of the Master Plan including the Policy Plan and the Black Forest Preservation Plan discussed below.

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 (2016). Minor Subdivisions 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.* The Master Plan is comprised of several elements. One of the elements is the El Paso County Policy Plan (1998), which does not include site-specific land use policies, but establishes broad policies and goals which are intended to serve as a framework for decision-making regarding development of the County. The project satisfies the following policies from the Policy Plan as they specifically relate to this request:

Goal 6.4 – “Develop and maintain rural residential areas in a manner which protects their integrity, addresses the carrying capacity of the natural environment and provides for an adequate level of non-urban facilities and services.” and “Policy 6.1.3 - Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.” The proposed Minor Plat will not create the need for additional roadways or public facilities. The site will remain rural residential and is surrounded by existing rural residential development on the north, south, east, and west sides.;

Policy 6.1.14 – “Support development which compliments the unique environmental conditions and established land use character of each sub-area of the County.”; This area of the County is conducive to rural residential development. The five acres lots in the area have lot impact on environmental conditions. The proposed Minor Plat is consistent with the Black Forest Preservation Plan as it applies to the Southern Transitional sub-area which is discussed below.;

Policy 6.4.4 - “Encourage new rural residential subdivisions to be located within or contiguous with existing rural residential area or to be incorporated as a buffer between higher density and undevelopable areas.”; The proposed Minor Plat is in an area adjacent to rural residential development with RR-5 to the north, west, south and east.;

Goal 6.1 A – “Encourage patterns of growth and development which compliment the regions' unique natural environments and which reinforce community character.” The existing community character is preserved with this Minor Plat. 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 one more residential lot on the site.

Another element of the Master Plan is the Small Area Plan. The Edgewood Subdivision Filing No. 1 site is located within the area of the Black Forest Preservation Plan (1987), specifically

within the “Southern Transitional sub-area” of the plan. Although this small area plan is out of date, the goals for land use within this sub-area are still valid. The area desires that the rural residential development pattern be encouraged, while providing a gradual buffer from higher density to lower density development. The preferred density of one dwelling unit per five acres is encouraged in the northern portion of the sub-area which approaches the treed area. This coincides with the proposed subdivision density. The proposed Minor Plat is consistent with the Black Forest Preservation Plan.

The proposed Minor Plat is in compliance with the Parks Master Plan, which does not appear to call for trails or parks in the site vicinity. Any required Park Fees will be paid at the time of plating. The proposed subdivision is also in compliance with the 2040 Major Transportation Corridors Plan (MTCP) and Master Plan for Mineral Extraction as no separate mineral estate owners were found for the property and the existing development on surrounding properties is not compatible with any potential mineral extraction operations.

The proposed subdivision is in compliance with the El Paso County Water Master Plan (2018). The District Court, Water Division 2 Colorado, has decreed certain water rights and approved a plan for augmentation as necessary to allow use of the existing well and the drilling of a second well for the subdivision in Case No. 19CW3006 recorded under reception number 219086827 of the records of El Paso County. The owner seeks a finding of sufficiency from the Colorado Division of Water Resources and the eventual granting of the additional well permit based on the decreed water rights. 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 residence on the proposed 5 acre lot 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 Plat approval. The subdivision will be developed in accordance with the currently proposed land use applications.
3. *The 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 Plat 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.*
Waste water 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 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 soils report has been prepared for the site and the owner will comply with the recommendations of the report.
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 not Drainage facilities needed or proposed with this development. The 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.*
Both lots, one with existing structure and the one new lot, will access via existing Poco Road. The existing residence utilizes the existing driveway access onto Poco Road. A new driveway will be established for the new proposed lot.
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. Edgewood Subdivision Filing No. 1 is located within the Black Forest Fire Protection District which is providing fire protection for the site and has agreed to serve this subdivision. Water and sanitary sewer provisions are discussed in items 4 & 5 above. The property is located within the service areas of Mountain View Electric Association, Blackhills Energy Corporation, Centurylink Telephone, and Academy School District 20, 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.*
Edgewood Subdivision Filing No. 1 is located within the Black Forest Fire Protection District which is providing fire protection for the site and the surrounding area. The District has agreed to serve this subdivision. 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 one residence to the site already containing one residence. The owner will be responsible to pay park, school, drainage and Traffic Impact fees.

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 SLA 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, Drainage Fees and Traffic Impact fees due for this project.

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

The subdivision meets the requirements of the Land Development Code.

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.].* Mineral estate owners have been notified of this application. It is unlikely that mineral extraction operations would be feasible in this area.

Existing and Proposed Facilities:

Existing improvements within this parcel are related to the existing residential use of the site, located in the eastern portion of the property. The new vacant lot will be located in the western portion. Existing facilities also include the adjacent public roadway of Poco Road. There are no required public subdivision improvements required for this site.

Total Number Of Residential Units And Densities:

The gross area of Edgewood Subdivision Filing No. 1 is 12.228+/- acres and is proposed to contain 2 rural residential Single Family Units. An area of 12.228+/- acres will be single-family residential lots. The average lot size for the 2 lots is 6.11 acres. The gross density of the site is 0.16 units per acre.

Fire Protection:

The Edgewood Subdivision Filing No. 1 property is located within the Black Forest Fire Protection District. The lots and homes are subject to the codes and policies adopted by the District regarding fire protection.

Proposed Access Locations:

The access location for Edgewood Subdivision Filing No. 1 is the existing driveway access for the existing residence at 8190 Old Ranch Road located approximately 65 feet west of the southeast corner of the subdivision. Access for the proposed lot will be from Poco Road in a location to be determined in accordance with the County's access policies.

Traffic Impact and Traffic Impact Fees:

The one (1) existing and one (1) proposed single family residential units will access public Poco Road, which connects to Vollmer Road. The development is expected to generate a total of 19 trips per day (Average weekday trips ends) and 2 trips in the peak hour based on 9.52 trips per unit for Single Family Detached Housing (according to Trip Generation, 9th Edition, 2012 by the Institute of Transportation Engineers). This number of trips is below the County threshold of 100 trips per day or 10 trip during the peak hour. Therefore, a Transportation Impact Study (TIS) is not required for the project. This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 18-471. The owners have elected to not be included in any Public Improvements District. Traffic Impact Fees will be paid at time of building permit.

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