

Forsgren Associates, LLC  
56 Inverness Drive East, Ste 112  
Englewood, CO 80112  
720-214-5884

**Warner 4-Lot Subdivision – Minor Subdivision**  
**Letter of Intent**

Site Location: 17350 W Goshawk RD  
Colorado Springs, CO 80908

Site Data The 40-acre site, zoned RR-5, is located just northwest the intersection of Roller Coaster Rd and W Goshawk Rd in Colorado Springs.

Request/Justification To gain approval for platting the current lot at 17350 W Goshawk RD to include 4-lots. The center lot will be 20-acres, easterly lot shall be 10-acres, and each of the two westerly lots shall be 5-acres each, with one being a flag lot to provide each property owner individual access to their property. No site work is proposed at this time. However, upon development of each parcel, grading and erosion control measures shall be provided. Each individual owner and builder shall conduct their own due-diligence when developing each individual lot.

This application meets all requirements of a Minor Subdivision, as described in Section 7.2.1 of the El Paso County Land Development Code. The proposed use is for only 4-lots, which meets the standard of “4 or fewer lots”. In addition, the four lots are simply for residential use, on large acreage lots. This Minor Subdivision will not “discernibly impact surrounding properties, environmental resources or public facilities”.

The subdivision as shown on the Final Plat is in substantial conformance with the submitted Preliminary Plan. Direct coordination between the Engineer and Surveyor completing the Final Plat was conducted throughout the design process and consistency between all applicable, submitted documents was provided.

The proposed Minor Subdivision is in compliance with the applicable guidelines for the vision set forth in “Your El Paso Master Plan”. The subdivision is located in a forested, rural area and only single family detached homes are proposed. Since the homes are in heavily wooded areas away from major roadways, the character of the area shall not be impeded. The addition of 3 single family homes will not impede the capacity of nearby Hodgen Road and will not cause any other burdens to existing infrastructure. No new major roadways or infrastructure are proposed and driveways shall cause minimal impact to existing terrain.

The proposed Minor Subdivision is in compliance with the El Paso County Parks Master Plan. The Master Plan shows no open space, park facilities, or trails intersected by or within the project area. The site is located just outside the

Black Forest North candidate Open Space area. No land dedication or trail easements have been deemed necessary by this development.

The proposed Minor Subdivision is in compliance with the current El Paso County Water Master Plan. A Determination of Water Rights of the four underlying groundwater aquifers and replacement plan was conducted and the Water Court awarded the applicants a vested right to 3,840 acre feet of groundwater from the not-nontributary Dawson aquifer for the four lots. A replacement plan was put in place to ensure actual depletions from the Dawson aquifer are replaced via the septic returns.

The proposed Minor Subdivision is consistent with the subdivision design standards and regulations. It meets all applicable design standards and requires no public improvements.

The subdivision is consistent with its current RR-5 zoning designation and is consistent with the subdivision design standards, engineering and surveying requirements of the county all mapping, data, surveys, analyses, plans, reports and studies.

Sufficient water supply has been secured for the subdivision, and is summarized in the Colorado Ground Water Determination of Water Rights, as provided to the County. The anticipated water demand for the four lots is 1440 gallons/day. It was determined that the Dawson aquifer would be used for water supply and that there is 3,770 acre-feet of available groundwater underlying the property. Of this, 1,200 acre-feet of the total available amount will be used to provide the 300-year supply. The supply has been deemed sufficient in terms of quality, quantity and dependability. Individual wells shall provide each property with its water supply.

A Geology and Soils Report, as well as an Onsite Wastewater Treatment System Report, have been prepared and submitted to the County. The Owner shall comply with the recommendations of the report. A public sewage disposal system shall not be provided. Redoximorphic features were not identified by any of the test pits observed by RMG. Two of the test pits identified bedrock or limiting layers. Subsurface conditions shall be reevaluated upon development of each individual lot. A private, engineered onsite wastewater treatment system shall be designed by a Colorado Licensed Engineer and installed, per the reports submitted to the County. The proposed new lots are anticipated to be suitable for individual onsite wastewater treatment systems.

All areas of the proposed subdivision which involve soil or topographical conditions presenting hazards or requiring special precautions have been identified on the Preliminary Plan and Final Plat. No-build areas were not identified from preliminary evaluation. Steep slopes, areas of shallow groundwater, and other non-compatible site conditions were not identified on-site.

A Drainage Letter has been prepared and submitted to the County. It was determined that no drainage improvements shall be required for the four-lot subdivision, and all applicable fees shall be paid as provided in said Drainage Letter.

The property is within the Falcon Fire Protection District. A Fire Protection Report was provided to the County to summarize the District's capabilities. The District serves approximately 66,300 residents, covers 113 square miles, has on hand approximately 40 firefighters, EMTs and paramedics across 5 stations and is on call 24 hours a day. The District has agreed to continue to serve this area and any building permits submitted within the subdivision shall meet applicable District standards and requirements. This includes developing adequate defensible zones for all structures and removal of fuels adjacent to and surrounding any structures. Building permits shall be in accordance with the requirements of the District.

The property is located within Unincorporated El Paso County and is within the jurisdiction of the Colorado Springs Police Department, Falcon Command Division. It shall be served by this department.

Mountain View Electric Association, Inc. has provided an electric service commitment letter and has agreed to continue to serve the area.

Black Hills Energy has provided a natural gas commitment letter and has agreed to provide Natural Gas Distribution Service to the development.

Off-site impacts were evaluated and it was determined that no off-site improvements shall be required. Impacts of the four-lot subdivision shall be negligible. This Minor Subdivision shall not "discernibly impact surrounding properties, environmental resources or public facilities". The owner shall be responsible for any park, school drainage or traffic impact fees.

No public facilities or infrastructure shall be provided, as this is a Minor Subdivision expanding from one lot to four lots. Impacts of this subdivision shall be negligible.

It was determined that there are no existing mineral estate owners on the property. The extraction of any known commercial mining deposit shall not be impeded by this subdivision.

Existing/Proposed  
Facilities, Structures  
and Roads

The site has a single-family home with an access road located at the southerly edge of the property and is covered in native grasses, trees and shrubs. West Goshawk Road, a private roadway, runs east-west along the southern property boundary and shall remain undisturbed. Goshawk Road runs North to south from West Goshawk Road to Hodgen Road to the south. It is anticipated that driveways will be provided to each lot upon development and shall be

provided by each individual lot Owner. No shared access roads shall be provided, as all drives shall access each parcel individually.

Landscaping/Screening Currently, the site is covered in native grasses, trees and shrubs with abundant screening for each of the large size lots. Each individual owner shall provide landscaping/screening for their lots, if it is deemed necessary by El Paso County.

Grading/Erosion Control Each property owner will be responsible for property specific grading and erosion control. No site work is anticipated at this time to require grading/erosion control measures.

Traffic Control This project is an internal, private project with no disturbance to existing roadways. Only a maximum of 3 new homes shall be built in the future as a result of this major subdivision. This will not result in any substantial increase in traffic. As a result, no additional traffic control shall be provided.

Each lot shall gain access via Goshawk Road individually. Lots 1 and 2 shall gain access along the southern edge of Lot 2. Access currently exists for access to Lot 3. Lot 4 shall gain access along the southern edge of the lot.

Waiver Requests A waiver shall be requested for three additional accesses from the private roadway section of W Goshawk Rd. Based on the El Paso County Land Development Code, additional lots without frontage to a public roadway requires a waiver. At this juncture, no additional accesses would be allowed leading to new property owners being unable to access their property. A request for up to three additional access points is requested.

#### **Waiver Approval Criteria**

- ***The waiver does not have the effect of nullifying the intent and purpose of this Code;***  
The Warner 4-Lot Subdivision and associated waiver does not have a nullifying effect on the intent and purpose of the code. Goshawk Road loops around and accesses Hodgen Road to the south. The private road is not at a dead end and additional lots shall not affect adjacent Owners.
- ***The waiver will not result in the need for additional subsequent waivers;***  
No additional waivers are anticipated or needed to implement planned uses within the proposed subdivision.
- ***The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;***

Approval of the waiver will not be detrimental to the public health, safety, welfare, or have a negative impact to adjacent properties. The roadway has very little traffic, as it is a private roadway with only residential lots adjacent to it. Additional accesses are not anticipated to cause any traffic or health/safety issues.

- ***The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property;***  
The inability to gain access to ones land is not a common issue. The small stretch of private roadway at the corner of Goshawk Road is what is leading to this issue.
- ***A particular non-economical hardship to the owner would result from a strict application of this Code;***  
Non-economic hardships to the owner and all future property owners in the subdivision include not being able to access each specific lot, as no accesses are allowed from this roadway per the code.
- ***The waiver will not in any manner vary the zoning provisions of this Code; and***  
No zoning provisions of the Code are varied by this waiver.
- ***The proposed waiver is not contrary to any provision of the Master Plan.***  
The proposed waivers are not contrary to any provision of the Master Plan.

For any questions regarding this letter of intent, please contact the Applicant/Engineer as listed below.

Owner: Warner 4-Lot Subdivision  
Brian J Warner  
17350 W Goshawk RD  
Colorado Springs, CO 80908  
719-244-8672

Applicant/Engineer: Forsgren Associates, Inc  
Conner Burba  
56 Inverness Drive East, Ste 112  
Englewood, CO 80112  
720-214-5884