

**LETTER OF INTENT**  
**VACATION AND REPLAT**  
**PEACEFUL RIDGE FILING NO. 1A**  
**August 5, 2022**

**OWNER/APPLICANT:**

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

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

**ENGINEERING CONSULTANT:**

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Kiowa Engineering Corp.  
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**SURVEYING CONSULTANT:**

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

**PROPERTY TAX SCHEDULE NO.:** 55154-03-067, 55154-03-068, 55154-03-069, and 55154-03-090

**SITE LOCATION AND SIZE:** The overall Peaceful Ridge at Fountain Valley Subdivision is located at the along the west side of Marksheffel Road, approximately one-quarter (1/4) of a mile north of the Marksheffel Road and Fontaine Boulevard intersection. The land included within the proposed vacation and replat is known as Lots 15, 16, and 17 and Tract B all of Block 2 of the Peaceful Ridge at Fountain Valley Subdivision. The total area of Lots 15, 16, and 17 and Tract B that is the subject of this request is 1.682 acres (73,273 square feet).

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

**REQUEST:** Approval of a vacation of Lots 15, 16, and 17 and Tract B, all of Block 2 of the Peaceful Ridge at Fountain Valley Subdivision and replat as Tract B the Peaceful Ridge at Fountain Valley Subdivision Filing No. 1A.

**JUSTIFICATION:** This request is needed to vacate Lots 15, 16, and 17 and Tract B all of Block 2 of the Peaceful Ridge at Fountain Valley Subdivision and to replat the entire area as Tract B of the Peaceful Ridge at Fountain Valley Filing No. 1A subdivision. The vacation and replat is necessary in order to increase the size of the required drainage, utility, and improvement

tract to specifically allow for a larger stormwater detention pond which would then conform to the County's current drainage design criteria.

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 Peaceful Ridge at Fountain Valley final plat 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 the Peaceful Ridge at Fountain Valley final plat.

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. In fact, the purpose of the vacation and replat is to ensure compliance by the development with the current El Paso County drainage criteria, which inherently is designed to ensure that any potential drainage hazards are appropriately mitigated. The request does not include any new proposed waivers or deviations.

**ROAD IMPACT FEES:**

The proposed vacation and replat will not create any new buildable lots or parcels. In fact, the proposed vacation and replat would result in a reduction of three (3) buildable lots within the Peaceful Ridge at Fountain Valley Subdivision. Therefore, no new buildable lots or parcels would be subject to the El Paso County Road Impact Fee.

**OTHER IMPACT FEES:**

All other impact fees associated with vacation and replat have been previously paid with the recording of the Peaceful Ridge at Fountain Valley Subdivision final plat. 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 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.

*The proposed vacation and replat would result in a vacation of Lots 15, 16, and 17 and Tract B, and replatting of the lots and Tract into a single tract, known as Tract B of the Peaceful Ridge at Fountain Valley Filing No. 1A subdivision. The requested action will not create a nonconforming lot or parcel.*

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 Peaceful Ridge at Fountain Valley Subdivision, 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 Peaceful Ridge at Fountain Valley Subdivision development and the proposed vacation and replat would not alter those existing accesses. The layout and design of the roadway adjacent to the lots and tract to be vacated and replatted*

*with this action, which is known as Periwinkle Place, will not be affected by this request.*

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

*The request to vacate and replat Lots 15, 16, and 17 and Tract B of the Peaceful Ridge at Fountain Valley subdivision will not have an adverse effect on the public health, safety, and welfare since no new traffic access points are being proposed. In fact, the replat is proposed to reduce the number of buildable lots in the subdivision and increase the size of the required detention pond, which will serve to improve the overall health, safety, and welfare of the residents in the area by ensuring that all onsite stormwater runoff is collected, detained, and released consistent with current best practices.*

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.*