

LETTER OF INTENT
SETTLERS RANCH FILING 2D PHASE 4 REZONING APPLICATION

November 5, 2022

PARCEL NUMBERS: 6123007024
6124004003
6124005001

OWNER / DEVELOPER / APPLICANT

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DEVELOPMENT REQUEST

The Settlers Ranch Sub Fil No 2 is an approved final plat consisting of a number of individual plat phases to be recorded independently. A number of approved filings/phases have been recorded. Fil 2D Phase 4 has not. Phase 4, consisting of Tracts A-1, A-2, A-3 and C (road ROW), is currently approved for 10 single family residential lots ranging in size from 3.02 acres to 5.55 acre. The parcels are currently zoned PUD and total 53.93 acres. The applicant is requesting to rezone the Phase 4 parcels from PUD to RR-2.5 allowing for a minimum Phase 4 lot size of 2.5 acres. If successful in rezoning Phase 4 parcels to RR-2.5, the applicant intends to amend (replat) the currently approved Fil 2D Final Plat Phase 4 to facilitate a total of 16 single family residential lots at a minimum of 2.5 acres and average lot size of 3.15 acres.

SITE INFORMATION

The Settlers Ranch Fil 2D Phase 4 subdivision is located within portions of the NE1/4 and the S1/2 of Section 23 and portions of the NW1/4 of Section 24, Township 11 South, Range 66 West of the 6th P.M., El Paso County, Colorado. In general, the subdivision is located west of Stepler Rd, ¼ mile north of Hodgen Rd, east of Settlers Ranch Fil 2C and south of the Settlers View subdivision and the Abert Ranch subdivision.

The property totals 53.93 acres and is currently zoned PUD Planned Unit Development with a County approved PUD Development Plan, Preliminary Plan and Final Plat in affect. Vehicular access is provided from the west by Settlers Ranch Rd, from the east by Stepler Rd and from the north by Abert Ranch Dr.

EXISTING AND PROPOSED IMPROVEMENTS

Existing improvements within this parcel are related to past ranching activities including; fences, erosion control berms and two track ranch roadways.

Proposed improvements within this parcel include; 16 single family residential lots, County owned and maintained asphalt surfaced roadways, drainage channels, drainage detention ponds, electric facilities, natural gas service and telephone / communications service.

Water service will be provided via individual on-site wells operated under a State approve water augmentation plan. Wastewater treatment will be provided via individual on-site septic systems installed and operated per State and County Health Department rules and regulations.

The parcel is located within the service areas of Mountain View Electric Association, Blackhills Energy Corporation, Qwest Telephone, Tri-lakes Monument Fire Protection District and the Lewis-Palmer School District.

JUSTIFICATION FOR REQUEST

This application satisfies the Criteria for Approval outlined in the LDC Section 5.3.5 (A) and (B) and is consistent with the goals and objectives of the El Paso County Master Plan as detailed below.

CRITERIA FOR APPROVAL

In approving a Map Amendment (rezoning), the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 of the El Paso County Land Development Code including:

- *The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;* This application is in conformance with El Paso County Master Plan as discussed below. In addition, the property adjoining the northern boundary of the Settlers Ranch Fil 2D Phase 4 parcel (Settlers View subdivision and Abert Ranch subdivision) has been recently rezoned to RR-2.5 and developed utilizing the 2.5 acre minimum lot size substantially changing the character of the neighborhood since the Settlers Ranch land was last rezoned.

- *The rezoning is in compliance with all applicable statutory provisions including but not limited to C.R.S, Sec 30-28-111, Sec 30-28-113 and Sec 30-28-116; The El Paso County rezoning policies, procedures and development codes ensure compliance with applicable statutory provisions.*
- *The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; Zoning and developed land uses to the north and west are RR-2.5 / PUD single family residential lots identical to and compatible with the proposed rezoning application. Zoning and developed land uses to the east (east side of Stepler Rd) are RR-5 single family residential lots. Both RR-2.5 and RR-5 single family residential lots are considered compatible and acceptable Suburban Residential Place Types as defined within the El Paso County Master Plan. Property to the south consist of two undeveloped parcels currently zoned RR-5. One parcel (71 acers) is vacant and one parcel (35 acres) facilitates one single family residential home. Both undeveloped RR-5 parcels are considered compatible and acceptable Suburban Residential Place Types as defined within the El Paso County Master Plan.*
- *The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code for the intended use; The current site zoning is PUD Planned Unit Development with an approved PUD Development Plan, Preliminary Plan and Final Plat allowing for 10 single family residential lots ranging from 3.03 acres to 5.55 acres each of which meet the standards of Chapter 5 of the LDC. The applicant is requesting to be allowed 16 single family residential lots at a minimum of 2.5 acres in size while averaging 3.15 acres in size without modifying the existing approved roadway alignment / engineering. Phase 4 currently meets the Chapter 5 LDC standards. The replat of the Phase 4 parcel, including the addition of 6 lots, will be required to meet current standards, as described in Chapter 5 of the LDC.*

MASTER PLAN CONSISTENCY

The El Paso County Master Plan utilizes a system of “Key Area Place Types” aligning with approved “Land Uses” to evaluate Master Plan land use consistency. The Settlers Ranch Fil 2D Phase 4 subdivision is located within the Tri-lakes Key Area. The Filing’s location within the Tri-lakes Key Area allows for or aligns with a Large-Lot Residential Place Type and a single family detached residential land use. The primary Large-Lot Residential Place Type allows for detached single family residential land uses with lot sizes of 2.5 acres or greater consistent with this rezoning application.

Filing 2D Phase 4 is located within a “Minimal Change: Developed” area of change. This Filing is a continuation of the planned Settlers Ranch subdivision development and is consistent in land use and lot size with all previous Settlers Ranch Filings.

Filing 2D Phase 4 is located within a Large-Lot Residential / Priority Development Area. This Priority Area encourages development within areas which efficiently utilize and extend existing infrastructure, conserve water resources and strengthen established neighborhoods. Phase 4 is a continuation of the planned Settlers Ranch subdivision development which efficiently utilizes previous developed infrastructure.

As discussed in *Master Plan Chapter 14 Implementation – Land Use Applications and Master Plan Consistency* – previous Settlers Ranch subdivision approvals, including PUD Zoning, PUD Development Plan, Preliminary Plan and Final Plat Filings, also establish Master Plan consistency related to the land use goals and objectives as well as a good portion of the Master Plan’s technical subdivision goals and objectives.

RELAVANT MASTER PLAN GOALS AND OBJECTIVES

LAND USE – CORE PRINCIPLE: manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

- GOAL LU-1: *Ensure compatibility with established character and infrastructure capacity.* Filing 2D Phase 4’s proposed large lot single family residential land use and lot size is compatible with the surrounding Settlers Ranch community and neighboring communities. The Settlers Ranch community’s existing infrastructure including; electric services, natural gas services, telephone, drainage facilities, open space / trails and roadways have been designed and constructed to facilitate Filing 2D Phase 4.
- GOAL LU-3: *Encourage a range of development types to support a variety of land uses.* The Settlers Ranch community consists of single family detached residential lots varying in size between 2.5 acres to 5.0 acres. The Settlers Ranch community adjoins numerous other single family detached residential communities with lot sizes ranging from ¼ acre to 40 acres.
 - *Objective LU3-1: Development should be consistent with the allowable land uses set forth in the placetypes and second to their built form guidelines.* Filing 2D Phase 4 subdivision is located within a Large-Lot Residential placetype which supports the proposed single family detached residential 2.5 acre lots.
 - *Objective LU3-3: The Large-lot Residential placetype should be characterized by predominately residential areas with mostly single family detached housing.* Fil2D Phase 4 subdivision proposes single family detached residential uses.

HOUSING AND COMMUNITIES – CORE PRINCIPLE: Preserve and develop neighborhoods with a mix of housing types.

- GOAL HC-1: *Promote development of a mix of housing types in identified areas.*
 - *Objective HC1-5: Focus detached housing development in Large-Lot Residential areas given the increasing infrastructure and environmental constraints associated with such development to help maintain the established character of rural communities.* The large-lot single family detached residential housing offered in the Settlers Ranch Fil 2D Phase 4 subdivision adds to and complements the mix of housing types offered within the Tri-lakes Key Area Place Type.

WATER MASTER PLAN CONSISTENCY

The Settlers Ranch subdivision operates under a State approved Water Augmentation Plan utilizing a 300 year water commitment. The total number of lots included within the existing approved Augmentation Plan includes the Fil 2D Phase 4 subdivision’s proposed additional 6 lots. No change in the existing Water Augmentation Plan will be required to facilitate the proposed rezoning request.

SUPPLEMENTAL INFORMATION

Upon re-platting of Fil2D, the developer proposes to pay fees in lieu of land dedication for school dedication requirements.

The developer will be responsible for constructing all required subdivision improvements at his sole expense. Installation of the required improvements will be guaranteed by a letter of credit acceptable to the El Paso County Board of County Commissioners.

There are no slopes exceeding 30% within the proposed Fil 2D Phase 4 lot areas or road ROW.

All lots within this subdivision are subject to transportation impact fees in accordance with the El Paso County Road Impact Fee Program, as amended, at the time of building permit application. The road impact fees will be paid on a per lot basis by each individual residential building contractors at the time of building permit application.

No waivers to the El Paso County Land Development Code or deviations to the El Paso County Engineering Criteria Manual are proposed within this application.