M.V.E., Inc.

October 26, 2026 PCD File No.:

Letter of Intent
Greaves Pinery Subdivision
Zone Change

Owner/Applicant:
Alan Greaves and Judith Ann Greaves
3880 Inspiration Dr.
Colorado Springs, CO 80917

Consultant:
M.V.E., Inc.
1903 Lelaray Street, Suite 200
Colorado Springs, CO
(719) 635-5736
Dave Gorman
daveg@mvecivil.com

Site Information:
Tax Schedule Number: 5205400041
Acreage: 9.093 ± acre total
Current Zoning:RR-5 (Rural Residential)
Requested Zoning:RR-2.5(Rural Residential)
Overlay: None

Site Location, Size, and Zoning:

The proposed Greaves Pinery Subdivision site is located within the west half of the southeast quarter of Section 5, Township 12 South, Range 65 West of the 6th principal meridian in El Paso County, Colorado. The site is 9.093± acres in area and has El Paso County Tax Schedule No. 5205400041 and address of 7520 Pinery Circle, Colorado Springs, Colorado 80908. The site is situated at the north of Swan Road, to the west of Herring Road, to the south of Snow Mass Drive and Rushing Wind Grove and to the east of Homestead Road and Wildridge Road. The site formerly had a residential structure on it, however it was destroyed in the 2013 Black Forest fire. This parcel is currently zoned RR-5 (Rural Residential–5 acres) with no applicable overlay zones.

Transportation:

The site is accessed from Pinery Circle, a looped public local gravel roadway. Pinery Circle is connected to Swan Road to the south of the site by way of Pinery Drive, which is a public gravel north-south road. Points east and west can be reached from Swan Road. No land dedication for additional road right-of-way is anticipated to be required from the subject property.

Utilities:

The site has previously been served by individual well and septic systems. Individual well and septic systems are viable for proposed lots based on a recently obtained water court decree and wastewater disposal study for the site. Mountain View Electric Association provides electric service for properties in this area and has provided a commitment letter to serve this property considering the proposed subdivision. Black Hills Energy has provided a commitment letter to provide natural gas service to the site.

Natural Features:

The northern edge of the site contains a drainageway that is proposed to be protected from disturbance by Drainage No-Build Easements on the subdivision plat. This area does not comprise a significant portion of the site. The northern edge of the site is also forested. The remainder is grassland. Forestry management, wildfire mitigation, and noxious weed management will occur onsite and will be the responsibility of each property owner.

Request:

The request is for approval of the rezone of a parcel of land as shown on the proposed concurrently submitted plat, from RR-5 to RR-2.5 (Rural Residential-2.5 acres). Approval of the rezone would allow the further consideration of the Minor Plat request to subdivide the existing 9.093± acre lot into three 3.03± acre lots and allow the construction of 3 new single family residences on the property.

This property is able to meet all the dimensional requirements for the proposed RR-2.5 zone with respect to potential new residences on the site including minimum lot size, minimum width at setback of 200 feet, and building setback requirements. The setbacks for the RR-2.5 zone for the front, side, & rear are 25 feet, 15 feet, and 25 feet respectively. With 3.03± acres per lot, there is adequate space within the property to locate a new residence, access drive, well and septic facilities and optional accessory structures while observing all required setbacks.

Justification:

Zone Changes are reviewed and approved in consideration of the review criteria found in the El Paso County Land Development Code. This application is presented with intent to demonstrate the proposed rezone request meets the submittal and approval criteria for Map Amendments (rezoning) found in the **El Paso County Land Development Code (2021) Sections 5.3.5(B)** as discussed below.

1. *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*.

   Master Plan Description

   This application was examined in light of the current El Paso County Master Plan, **"Your El Paso Master Plan" (2021),** and is in general conformance therewith. **"Your El Paso Master Plan" (2021)** is a comprehensive document communicating a vision for many factors that influence the quality of El Paso County, including Land Use. The Master Plan provides a strategy to achieve the vision by putting forth goals and policies that can be used as a framework for decision-making regarding development of the County. This Master Plan also replaces all Small Area Plans previously in effect in the county.

   Chapter 1 of the Master Plan contains the statement that the plan is "general in nature - it cannot tackle every issue in sufficient detail to determine every type of necessary action." Chapter 1 continues that the plan "is intended to provide clearer and more coordinated policy, resulting in a document that effectively communicates County goals

and identifies specific actions to achieve both County-wide and local area objectives." When taken together, these statements convey that the Plan may only address certain issues at a cursory level and that specific steps or actions for addressing such issues may not be offered within the Plan. That description certainly holds concerning numerous instances and on a variety of topical areas. However, the Master Plan addresses the topics surrounding this requested map amendment (rezoning) to the RR-2.5 zoning district and provides the needed guidance as identified below.

Key Area

The Master Plan mapping illustrates that the site is located within the Forested Area Key Area. The Master Plan provides the following discussion relating to this Key Area:

> "This Key Area includes parts of the County where natural forests are the predominant feature such as Black Forest, areas north of Peyton, and areas along Highway 115 as well as lands within Pike National Forest. Pike National Forest is one of the County's largest natural amenities and tourist destinations. Continued coordination with the U.S. Forest Service is critical to ensuring future development in areas adjacent to the Forest do not negatively impact the natural environment. There are also many established communities within Pike National Forest particularly in Ute Pass and along Highway 115. New development and any redevelopment in these locations should be of a lower intensity to mitigate any impacts on the Forest, properly manage stormwater, provide safe access to major roads and state highways for the traveling public and emergency response vehicles and adhere to the strictest building codes to prevent any hazards such as fires and soil erosion related to poor planning, design, and construction."

Further relating to this particular request, the Master Plan Continues:

> "Managed residential growth, along with supportive commercial uses, have helped the other forested areas preserve their natural amenities while supporting the daily needs of a thriving local community. The seamless connection between the natural environment and small-scale, low intensity development is critical to their identity. All new development and redevelopment in this Key Area should strictly adhere to the transportation and infrastructure, stormwater requirements, built form, and transition guidelines outlined in their appropriate placetypes. Each development proposal should also be reviewed on a case-by-case basis to determine its specific impact on the forested area and the established character of the individual community."

As will be seen in the discussion on the topic of Compatibility below, the RR-2.5 zone district already exists in the area surrounding the site. Even more apparent is the large number of developed platted and unplatted parcels that are less than 4.0 acres in area within the immediate vicinity, although the current surrounding zoning is heavily RR-5. Concerning transportation infrastructure, the site may be accessed from a county roadway, Pinery Circle. All necessary utilities are in place and are sized for the existing structures with existing capacity for individual well and septic systems. All new structures proposed shall be properly permitted. All El Paso County Stormwater Division and Regional Building Code requirements will be satisfied. The below discussion of Master Plan Placetype further illuminates how the requested rezone is observant of the

Forested Area Key Area guidance. The proposed rezone is in general conformance with the Key Area.

Area of Change

The site is located in an area of Minimal Change: Undeveloped as shown on the Areas of Change map in the Master Plan. The request for rezone to RR-2.5 does not represent a significant change is use or density for the area. RR-2.5 is still both rural residential and large-lot rural residential in nature.

The Master Plan provides detail regarding this classification:

> "The character of these areas is defined by a lack of development and presence of significant natural areas. These areas will experience some redevelopment of select underutilized or vacant sites adjacent to other built-out sites, but such redevelopment will be limited in scale so as to not alter the essential character. New development may also occur in these areas on previously undeveloped land, but overall, there will be no change to the prioritized rural and natural environments."

The parcel has been left vacant since the destruction of the former residential structure in 2013. The parcel is underutilized vacant land immediately adjacent to 4.3 to 4.5 acre parcels and in an area that contains zoned 2.5-acre rural residential development to the southeast coupled with the presence of numerous developed parcels that are less than 4.0 acres in area (1.0 to 4.0 acres). The essential character of the rezone request is rural residential. No overlot grading or roadwork is proposed. The project will allow the area to maintain the natural terrain, vegetation, and character that exists and provides an extension of the existing neighborhood character which is Rural Residential.

Placetype

The site is part of area in the Master Plan which is designated "Large-Lot Residential Placetype". Primary Land Use of this place-type is Single Family Detached housing according to the Master Plan guidance. Agriculture, Commercial Retail, Commercial Service and Parks and Open Space are also listed as Supporting Land Uses. The site location, existing infrastructure, along with the characteristics of existing surrounding development make the single-family residential use the most suitable.

The Master Plan description of the Large-Lot Residential Placetype is as follows:

> "The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more, and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and waste-water utilities. If central water and wastewater can be provided, then lots sized less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for

development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas.

The Master Plan Continues:

"Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.

This requested zone change is to allow three 3.03± acre lots.

Master Plan Goals

As quoted above, Large-Lot Residential is defined by the master plan to be lots 2.5 acres or larger. Although the site is adjacent to 4.3± acre to 13.7± acre parcels, the location is suitable for rezone and subdivision into 2.5 acre lots, maintaining the rural residential character of the area. Master Plan Goal LU3: *"Encourage a range of development types to support a variety of land uses"* includes the specific strategy: *"The Minimal Change: Developed areas are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character should be maintained."*. Rezoning and subdividing this RR-5 parcel into three 3.03± acre lots maintains the character of the Rural Residential zoning and Large Lot placetype. The proposed rezone and future replat would meet El Paso County Master Plan's goal to "Align with Placetypes" which encourages "appropriate densities and transitions between different placetypes". This site is located adjacent to the incorporated areas, potential annexation place-types, and large lot residential. The rezone is appropriate given the amenable terrain and location on both existing and potential future improvements on the site. The proposed density will not overburden the existing roadway infrastructure or capacity of the land to support the water and wastewater needs of the development. The proposed zone change will not create the need for additional roadways or public facilities. The owner has adjudicated the water rights for the new lot and can demonstrate adequate water resources in accordance with the El Paso Land Development Code. Goal HC1: *"Promote development of a mix of housing types in identified areas."* includes the specific strategy: *"Focus detached housing development in Large-Lot Residential and Suburban Residential areas given the increasing infrastructure and environmental constraints associated with such development to help maintain the established character of rural communities."* The proposed rezone will provide additional housing sites with capacity and opportunity in the area with no need to extend infrastructure or services while maintaining the rural residential character of the area.

Major Transportation Corridors Plan (MTCP)

The proposed zone change is in compliance with the **2045 Major Transportation Corridors Plan (MTCP)**. The site is located on a rural residential local roadway with all necessary right-of-way dedications already made.

Parks Master Plan

The proposed zone change is in compliance with the **Parks Master Plan**, which does not call for trails or parks in the site. Any required Park Fees will be paid at the time of future replating. The proposed zone change is also in compliance with the Master Plan for Mineral Extraction. There are no severed mineral right owners.

Water Master Plan

The proposed zone change is in compliance with the **El Paso County Water Master Plan (2019**). The District Court has already decreed certain water rights and approved a plan for augmentation as necessary to allow the permitting and use of the existing well on the property along with the drilling of two new wells, providing an adequate water supply for residents.

The appropriate Water Resources Report and supporting documentation are presented as part of the Minor Subdivision request. Some of the policies of the Water Master Plan that are supported by the proposed development are: *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 residences on the proposed lots 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 rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116*.

The rezone is sought in compliance with Colorado Revised Statutes and the provisions of the El Paso County Land Development Code. In accordance with the El Paso County procedures, the Applicant will have placed a notice poster on the site, the county will have mailed notices to surrounding property owners and the county will have advertised the public hearing date in a newspaper thereby meeting all statutory requirements. The authority to determine the results of the rezone request ultimately rests with the Board of County Commissioners.

3. *The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions.*

The property owner is requesting a Zone Change from the RR-5 to the RR-2.5 zone district. The requested rezone is to allow the existing 9.093± acres parcel to be subdivided into three lots of 3.03± acres each. Single Family Rural Residential housing would be provided with the construction of three residences on the site. The lots immediately adjacent to the site are developed unplatted parcels ranging is size from 4.3± acres to 13.7± acre. However, existing RR-2.5 zoning are located within less than 1 mile of the site. Please refer to the Zoning Exhibit attached to this letter for illustration. Also. Several parcels containing existing residential development are present within the immediate area. The attached Surrounding Lot Size Exhibit shows that along with the nearby RR-2.5 acre lots, the neighborhood contains a variety of lot sizes. Many range in size from 1.0 acres to 4.0 acres. The surrounding area does not consist of a homogeneous arrangement of 5.0 acre lots, but contains an existing mixture of lot sizes adjacent to one one another.

The El Paso County Land Development Code establishes the intended purpose for all conventional zoning districts within unincorporated El Paso County. According to Section 3.2 of the code, the purpose of the RR-2.5 (Residential Rural) zoning district is: “intended to accommodate low-density, rural, single family residential development.” The purpose of the RR-5 (Residential Rural) zoning district is identically: “intended to accommodate low density, rural, single-family residential development.”

Both districts allow for the same type of single-family and rural land uses. It is noted that the associated lot size dimensional standard for each zone is the main difference in the intent. With exception to the lot size, the districts’ purpose statement is the same. Other dimensional standards, such as building setbacks and building height restrictions are easily accommodated by large lot residential development in either zone. The purpose statements of the zoning districts are compatible with one another.

Section 1.15 of the Land Development Code provides the definition of Compatibility: “The characteristics of different uses, activities or designs which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor and architecture. Compatibility does not mean "the same as." Rather, compatibility refers to the sensitivity of the proposed use, activity or design in maintaining the character of existing development within the vicinity.” This definition specifically eliminates the requirement for two items to be identical in order for them to be considered compatible. Identicality is not required for compatibility.

- The Code definition quoted above provides that compatibility can be accomplished if they are “located near or adjacent to one another in harmony”, that is to coexist with each other without negative impacts.

The land uses permitted by code in the RR-2.5 zoning district are not as numerous and are less intense than than those allowed in the RR-5 zoning district. There are no permitted uses in the RR-2.5 zone that are not permitted in the RR-5 zone district. The zone districts can remain adjacent in harmony.

Setback required in the RR-2.5 zone district are nearly the same as those of the RR-5. Both require 25-foot front and rear setbacks. The side setback requirement in the

RR-5 zone district is 25 feet while the RR-2.5 zone district requires 15 feet. When considering the proposed lot sizes of approximately 3 acres, This is a minor dimensional difference. The only dimensional standard difference of note is still the minimum lot size requirement which will not result in negative impacts to the surrounding properties.

- The Compatibility definition includes “height”.

  Both the RR-5 and RR-2.5 zone districts allow for a maximum height of 30 feet for structures.

- The Compatibility definition includes “scale, massing, and bulk of structures”.

  Both zones support the same type and size of structures. In these zones, structure size is not practically limited by the lot size due to the abundant square footage available in each. The RR-5 zoning district has a maximum coverage of 25%. There is no such restriction in the RR-2.5, however anticipated structures are the typical rural residential components including single-family detached dwelling, garages, and barns. Estimated coverage on the proposed 3 acre lots is 5% to 10%. The scale, massing, and bulk standards of the anticipated future improvements are comparable and compatible.

- The Compatibility definition includes the characteristics of “landscaping, light, noise, odor, and architecture”.

  The RR-5 and RR-2.5 rural residential zone districts have the identical landscaping, lighting, noise, and architectural standards. The residential structures and grounds are anticipated to similar to those already existing in the surrounding area.

- The Compatibility definition includes the direction that the project should be “Maintaining the character of existing development in the vicinity”.

  There are already parcels within the RR-2.5 zone district in the immediate area. The RR-2.5 zone district is a rural zone district and will maintain the rural residential character of the area. In addition to those parcels zoned RR-2.5, many surrounding developed parcels range is size from 1.0 to 4.0 acres in size although they are contained within the area zoned RR-5.

Finally, 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 zone district. Table 5-4 of the Land Development Code specifies the density and other dimensional standards of the RR-2.5 zoning district which are listed below:

Minimum lots size: 2.5 acres

Front Setback: 25 feet

Side Setback: 15 feet

Rear Setback: 25 feet

Maximum Height: 30 feet

The site is fully capable of meeting the above stated dimensional requirements while providing the intended Large Lot Rural Residential character intended in the Land Development Code and the El Paso County Master Plan. The concurrently submitted Minor Subdivision application contains a proposed layout for three 3.03± acre lots that comply with the minimum lot size, setbacks and other dimisional requirementsof thee the requested RR-2.5 zone district.

4. *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 zone district*.

The resulting parcels will meet the dimensional requirements of the RR-2.5 zone which includes: the minimum lot size of 108,900 sf (2.5 acres), a minimum width of 200 feet at setback line, and minimum setbacks of 25 ft, 25 ft, 15ft for front, rear, side, respectively. The proposed future residence will comply with all setbacks and the 30 ft maximum building height.

Total Number Of Residential Units And Densities:

The gross area of Greaves Pinery Subdivision is 9.093+/- acres and the site is to contain three proposed single-family residential units of 3.03+/- acres each. Therefore, the proposed gross density of the site is 0.33 units per acre.

Existing and Proposed Facilities:

The existing roadway system serves the currently defined parcel. No new roadways of other facilities are required for this project. Service Commitment Letters from Black Hills Corporation for natural gas and Mountain View Electric have been received for service for the proposed lot.

Traffic Impact and Traffic Impact Fees:

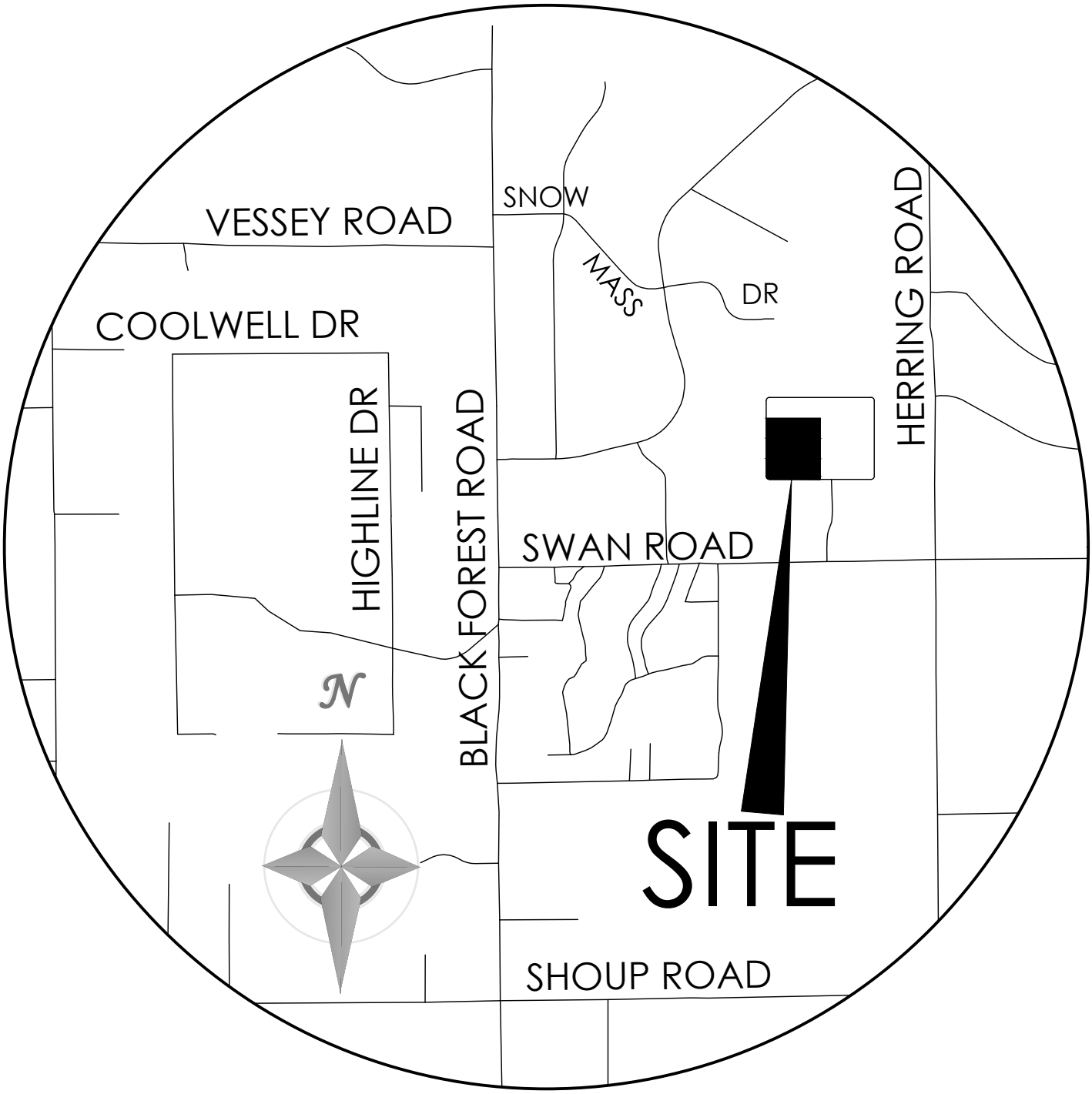
Access for the a new residences will be from Pinery Circle, which is a looped public gravel road. Driveway Permits will be obtained for the proposed driveways as required. There are no topographical or alignment challenges limiting safety of the proposed driveway access to the proposed lots.

The three new single family rural residential lots will access the existing public roadways with three private driveways as described above. The development is expected to generate a total of 29 trips per day based on 9.44 trips per unit for Single Family Detached Housing (Average weekday trips ends) and 3 trips in the peak hour (according to Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers). This number of trips is below the County threshold that would require a full traffic study of 100 trips per day or 10 trip during the peak hour. Therefore, a full Transportation Impact Study (TIS) is not required for the project. Pinery Circle, an existing looped road, currently serves 15 residences. Adding three more brings the total lots served to 18. The resulting Average Weekday Trip Ends for Pinery Circle leading to Pinery Drive is 170. This amount is less that the 200 trips per day requiring the paving of a roadway. Therefore paving of Pinery Circle or Pinery Drive will not be required. New development is subject to fees established by the El Paso County Road Impact Fee Program

per El Paso County Resolution Number 19-471. The owners will elect to not be included in a Public Improvements District. Traffic Impact Fees will be paid at time of building permit.

Based on the current conditions of the adjacent roadways and the low traffic volumes to be generated by the site, no new improvements to Pinery Circle or nearby area roadways are required to serve this development. All rights-of-way for the existing roadways have been previously dedicated from the subject property with the previous plat. No new rights-of-way are required to be dedicated with the approval of the rezone or future minor plat.

Z:\61233\Documents\Letter of Intent\61233-Letter of Intent-Zone Change.odt



VICINITY MAP

NOT TO SCALE

ZONE EXHIBIT

SITE

A-5

RR-5

RS-20000

RR-2.5

RR-2.5

RR-2.5

PUD

Pinery Cir, Colorado Springs, CO...

Search result

Snow Mass Dr

Meadow Ln

Wyandot

Wildridge Rd

Jicarilla Dr

Black Forest Rd

Highline Dr

Elementary Dr

Swan Rd

Pinery Dr

Ponderosa Rd

Freeman Dr

Cyprus Rd

Woodcrest Dr

Juniper Rd

Herring Rd

Danford Rd

New Discovery Rd

Vollmer Rd

Frank Rd

Meadow Glen Ln

Ward Ln

Fairytale Hts

7487 ft

7690 ft

7707 ft

7705 ft

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin... raph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS | El Paso County Development Services | El Paso County Cl... Powered by Esri

LOT SIZE EXHIBIT

The areas and parcels outlined in orange indicate parcels less than 4.0 acres in area that range from 1.0 to 4.0 acres in size.

SITE

A-5

RR-5

RR-2.5

RS-20000

PUD

7487 ft

7690 ft

7705 ft

7700 ft

Pinery Cir, Colorado Springs, CO...

Search result

Snow Mass Dr

Wyandot

Wildridge Rd

Black Forest Rd

Highline Dr

Elementary Dr

Pinery Dr

Swan Rd

Herring Rd

Ponderosa Rd

Juniper Rd

Meadow Glen Ln

Ward Ln

Frank Rd

Vollmer Rd

Danford Rd

New Discovery Rd

Fairytale Hts

Esri, NASA, NGA, USGS, FEMA | Esri Community Maps Contributors, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS | El Paso County Development Services | El Paso County Cl... Powered by Esri