



December 13, 2022

Ryan Howser, Planner III
El Paso County Planning & Community Development
2880 International Circle, Suite 110
Colorado Springs, CO 80910

Re: Guntzelman Porcelain Pines Minor Subdivision Letter of Intent

Dear Mr. Howser:

The property owner would like to request approval of a minor subdivision for 5295 Kulsa Road, 5265 Kulsa Road and 5260 Kulsa Road, Colorado Springs, CO 80908. The parcel number is 8322200018. The property is currently zoned RT – Residential Topographic with no overlay zoning and would remain zoned as such with the approval of the minor subdivision. The subject site is currently vacant property and is 35.06 acres in size. Approval of the minor subdivision would allow the property to be subdivided into 3 single-family residential lots.

The approved minor subdivision would consist of three single-family residential lots of the following sizes: Lot 1: 10.20 acres, Lot 2: 12.28 acres, and Lot 3: 12.58 acres. The proposed subdivision layout shown on the final plat meets the following criteria for approval of a final plat, as outlined in the El Paso County Land Development Code.

- The proposed subdivision fits within the current zoning regulations and the El Paso County Master Plan. The plan identifies the proposed subdivision as a forested Key Area and a mountain interface Placetype. The plan recommends development be well managed against the necessity of preservation and protection of this unique environment area of the County. RT zoning allows for single-family detached houses on lots a min. 5-acres in size. The proposed subdivision also fits within the 2040 Major Transportation Corridor Plan. Mountain Road and Kulsa Road are shown as being a local road and will remain a local road into the future. Currently Mountain Road and Kulsa Road are paved. The proposed subdivision also fits within the Water Master Plan. The proposed subdivision will be served by Colorado Springs Utilities for water. This is an acceptable method of providing water to a subdivision per the Water Master Plan.
- Minor subdivision is a process for smaller subdivisions in lieu of preliminary/final plat process.
- The proposed subdivision is located within close proximity to Pike National Forest, Ranbow Falls Recreation Area, Bear Creek Nature Center and Regional Park, Chipita Park, and the Town of Green Mountain Falls. The Town of Green Mountain Falls is constructing Ute Pass Trail and manages several neighborhood

- parcs and a trail system connecting to the Pikes Peak North Slope Recreation Area. There are no planned future parks or trails in the vicinity of the proposed subdivision. Fees in lieu of land dedication will be paid at the time of plat recordation. This is in compliance with the El Paso County Parks Master Plan.
- The proposed subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering, and survey requirements of the County, with approval of the waiver requested and described below.
 - Colorado Springs Utilities will provide water service to the development within their Ute Pass Service Area, as described in the Colorado Springs Utilities commitment letter. This satisfies the requirements outlined in Chapter 8 of the El Paso County Land Development Code. This also fits within the El Paso County Water Master Plan.
 - Individual lots within the proposed subdivision will be served by Onsite Wastewater Treatment Systems (OWTS), which complies with the requirements outlined in Chapter 8 of the El Paso County Land Development Code.
 - A soils and geology report has been provided for the site and has been submitted with the final plat. The site was found to be suitable for the proposed development. Some areas of debris flow/debris fans, potentially unstable slopes, faults and seismicity, radon, and steep slopes were mentioned in the report; however, the proposed development can be achieved if these areas are avoided or properly mitigated.
 - Adequate drainage improvements will be provided for the proposed private driveways serving the proposed subdivision. Preliminary culvert sizing has been provided in the final drainage report. Future lot owners will be required to submit an engineered site plan at time of building permit. The engineered site plan shall depict house and driveway location, any additional culverts required based on these locations, and shall confirm the sizing of the culvert under the shared driveway.
 - Access to lots 1 through 3 within the proposed subdivision will be via a new private shared driveway off Kulsa Road. Maintenance and use responsibilities for the shared driveway have been outlined in the Access Easement and Maintenance Agreement that has been submitted with the minor subdivision application.
 - The proposed subdivision will generate approximately 10 am, 5 pm, and 52 daily trips. Per the El Paso County Engineering Criteria Manual, a Traffic Impact Study is not required if daily vehicle trip is less than 100 or the peak hour trip generation is less than 10.
 - Necessary services including police and fire protection, recreation, utilities, and transportation systems are available to serve the proposed subdivision.
 - A fire protection and wildfire mitigation report has been submitted with the final plat. The report outlines steps to be taken for fire protection and mitigation. Cascade Fire Department provided a commitment letter stating they will continue to provide services to this property and that all water supply shall meet the NFPA standards for fire suppression. Each driveway to a private residence shall be constructed to meet the requirements outlined in Chapter 6 of the El Paso County Land Development Code, as well as, the requirements of Cascade Fire Department.

- There are no off-site improvements anticipated with the proposed subdivision.
- There are no adverse impacts to public facilities or infrastructure from the proposed subdivision.
- The proposed subdivision meets all other applicable sections of Chapter 6 and 8 of the El Paso County Land Development Code, with approval of the waiver identified below.
- The extraction of any known commercial mining deposit shall not be impeded by this subdivision.
- The surrounding area consists of large lot development, so this proposed subdivision fits within that. There are no potential impacts from this proposed development to the surrounding area.
- The applicant mailed notification letters, describing the proposed development, to adjacent neighbors.

Requested Waivers:

- Waiver 1: Section 8.4.3.B.2.E of the LDC states that all lots shall have a minimum frontage of 30' on and have access to a public road. Not all lots will have direct frontage to a public road, due to the topography of the site and limited adjacent public roads to gain access from.

The intent of the aforementioned waiver is to provide safe and reasonable access to the proposed subdivision, without significantly altering the natural environment. The requested waiver deals with lot configuration and meets all other intents of the Land Development Code.

Section 7.3.3 of the Land Development Code identifies the following criteria for approval of waivers:

- **The waiver does not have the effect of nullifying the intent and purpose of this Code:** The waiver allows an adjustment to the lot configuration, but all other aspects of the code remain intact.
- **The waiver will not result in the need for additional subsequent waivers:** With approval of this waiver, no subsequent waiver requests are anticipated.
- **The granting of the waiver will not be detrimental to the public safety, health or welfare or injurious to other property:** With the negligible effect on traffic in the area, due to the proposed subdivision, the waivers will not be detrimental to the public safety, health or welfare or injurious to other property.
- **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:** This property is heavily forested with steep terrain and there is minimal public roadway frontage available. Most other properties do not have these challenges.

- **A particular non-economical hardship to the owner would result from a strict application of this Code:** Not approving the requested waiver would require the lots to be reconfigured and would create flag lots. There is very little public roadway frontage adjacent to the site for the lots to gain access from. The existing terrain also makes it challenging for all the lots to have frontage along public roadway.
- **The waiver will not in any manner vary the zoning provisions of this Code:** The waiver is in regards to public roadway frontage. All other zoning aspects for R-T (Rural Topographic) will remain intact for the proposed subdivision.
- **The proposed waiver is not contrary to any provision of the Master Plan:** The proposed waiver is consistent with the Master Plan and the requirements for forested key area and mountain interface placetype. The intent of these key areas and placetypes are to preserve and protect this unique environment. Approving the waiver allows less land, and native vegetation, to be disturbed. Thus, preserving and protecting the unique environment.

Questions regarding the proposed minor subdivision can be directed to the following individuals:

Consultant

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 Colorado 80903
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Owner

Kristian & Christa Guntzelman
 5381 Sugar Camp Road
 Milford, OH 45150
 513-722-4343
kristian.guntzelman@me.com

The property owners would greatly appreciate your consideration of this request.

Sincerely,



Brett Louk, PE
 SMH Consultants