



December 15, 2023

PCD File No.: VR235

**LETTER OF INTENT
PEYTON RANCHES FILING NO. 1C
REPLAT OF A PORTION OF LOT 104, PEYTON RANCHES
(MVE Proj. No. 61140)**

Owner/Applicant:

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Consultant:

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Site Location Size and Zoning:

The proposed subdivision to be known as “PEYTON RANCHES, FILING NO. 1C” is located in a portion of the Northwest Quarter of Section 33, and the Southwest Quarter of Section 28, Township 11 South, Range 63 West of the 6th P.M., El Paso County, Colorado. The property has El Paso County Tax Schedule No. of 31330-02-011. The current addresses for the properties are 15330 Chaparral Loop East and is currently a vacant parcel. The proposed subdivision is located on the west side of Chaparral Loop East. The area of land under consideration for replatting is the southern portion of Lot 104, Peyton Ranches and contains 8.594 acres. The property is zoned Residential Rural (RR-5).

Request and Justification:

The request is for approval of a Minor Plat of a deeded parcel of the southern portion of Lot 104, Peyton Ranches as recorded in the records of El Paso County, Colorado. Lot 104, Peyton Ranches was recorded in 1972. A southern portion of said Lot 104 was created as an illegal subdivision by deed in 2002. The proposed Minor Plat will create one (1) lot to be know as Lot 104 A with an area of 8.594 acres shown on Peyton Ranches Filing No. 1C. The property is proposed to be replatted in order to create a legal lot of the separated parcel. This Minor Plat will comply with the zone density requirements. The proposed use will be residential as the zone is RR-5.

The Owner/Applicant is requesting approval of the Replat for “Peyton Ranches Filing No. 1C”. The property is eligible for subdivision under El Paso County Land Development Code. The proposed lot will provide an adequate site for a new residence.

This application meets the Vacation and Replat submittal requirements, the standards for Divisions of Land in Chapter 7 (Section 7.2.3(A)(3) and Section 7.2.3(C)., and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2016). Vacation and Replats are reviewed and approved in consideration of the following review criteria found in the El Paso County Land Development Code.

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Vacation

1. *Vacation of the recorded plat will not leave any lots or parcels without adequate utility or drainage easements.* This vacation is accompanied by the replat creating Lot 104 A, Peyton Ranches Filing No. 1C of which will provide the necessary utility and drainage easements.
2. *Vacation of the recorded plat will not vacate road rights-of-way or access easements needed to access other property.* No road right-of-way or access easements are being vacated with this proposed vacation action.
3. *Vacation of the recorded plat will not inhibit the provision of adequate public facilities or services to other property as required by this Code.* There are not public facilities or services that will be affected by the vacation of the subject property. Also, the vacation action is accompanied by the replat that will replace the vacated portion with a viable legal conforming lot for residential use.
4. *Vacation of the recorded plat is consistent with the Master Plan.* This proposed vacation is accompanied by a replat which is consistent with the Master Plan and satisfies the required findings for a Final Plat. There is no aspect of the proposed vacation that conflicts with the goals and policies of the Master Plan.
5. *Vacation of the recorded plat will not adversely affect the public health, safety, and welfare.* There is no aspect of this vacation that will adversely affect the public health, safety, and welfare. The proposed vacation action will make way for the proposed replat which will enable the use of the vacant property which is in an established neighborhood.
6. *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 vacation of the plat has been resolved.* There are no recorded CC&R's or other restrictions that will conflict with the implementation of the proposed vacation actions.

Replat

1. *The replat complies with this Code, and the original conditions of approval associated with the recorded plat.* The proposed replat complies with the Land Development Code. The replat does not affect any original conditions of approval of the 1972 recorded plat. The replat will establish the deeded parcel as a platted lot. The adjacent street right-of-way will remain in place. Appropriate easements will be established in the subdivision.
2. *No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased.* The purpose of the replat is to establish the existing deeded parcel as a legal conforming lot. No nonconforming lots will be created as indicated on the proposed Vacation and Replat.
3. *The replat is in keeping with the purpose and intent of this Code.* The proposed replat will establish one (1) new lot in place of the existing illegal subdivision created by the deeded parcel in order to meet the requirements contained in the Land Development Code in size, area and

provision of adequate public facilities and services. The development and use of the lot will be in conformance with the requirements of the Land Development Code.

4. *The replat conforms to the required findings for a minor or major subdivision, whichever is applicable.* This replat conforms to the required findings for a Minor Subdivision Plat as contained within the standards for Divisions of Land in Chapter 7, and the standards for Subdivisions in Chapter 8 of the El Paso County Land Development Code (2016). Minor Subdivisions are reviewed and approved in consideration of the review criteria found in the El Paso County Land Development Code. Each criteria is listed below followed by the appropriate justification:
 - 1) *The subdivision is in conformance with the goals, objectives, and policies of the Master Plan.* The Master Plan is comprised of several elements. One of the elements is the El Paso County Policy Plan (1998), which does not include site-specific land use policies, but establishes broad policies and goals which are intended to serve as a framework for decision-making regarding development of the County. The project satisfies the following policies from the Policy Plan as they specifically relate to this request:
 - *Goal 3.1 Protect and enhance the quality, quantity and dependability of water supplies.*
 - Policy 3.1.4 Encourage more systematic monitoring and reporting of water quality in individual wells.* The replat will require one new residential lot for which water rights have been established.
 - *Goal 6.1.b Support growth and development in the unincorporated County in a manner which reasonably limits long term public costs, provides for the development of supporting infrastructure, preserves environmental quality, provides economic opportunities, and otherwise enhance the quality of life.*
 - Policy 6.1.3 Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.* The replat will allow the owner of said Lots 104 A to utilize the existing infrastructure adjacent to the lot to preserve environmental quality of adjacent lands.
 - Policy 6.1.11 Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.* The replat will allow the owner of said Lots 104 A to utilize adjacent road alignments.
 - The proposed subdivision is in compliance with the 2040 Major Transportation Corridors Plan (MTCP). The site is not adjacent to existing or proposed transportation thoroughfares.
 - The proposed subdivision is in compliance with the Master Plan for Mineral Extraction. No separate mineral estate owners were found for the property. Although the proposed and existing development on this and the surrounding properties is not compatible with potential mineral extraction operations, the site will not hinder mineral extraction to a greater degree than other typical residential developments.
 - The proposed subdivision is in compliance with the El Paso County Water Master Plan (2018). The Water Resources will be provided by individual wells to Lot 104 A without causing injury to decreed water rights.

5. *Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM. Access to the new lots is provided by existing Chaparral Loop East, a 60' wide public right-of-way that is constructed with gravel surface and roadside ditches. The replatted lot will access the public road with standard El Paso County rural driveway entrances.*
6. *The approval will not adversely affect the public health, safety, and welfare. There is no aspect of this replat that will adversely affect the public health, safety, and welfare.*

Community Outreach Efforts

Notices were sent by U.S. Certified Mail to all seven adjacent property owners on March 3, 2023 using the names and addresses as found in the El Paso County Assessor's Office database. The notices included a description of the project, a project map, and contact information for extending questions or comments. Two severed mineral estate owners were found during research and both were sent notices of the project by U.S. Certified Mail.

Easements

Existing platted easements are being vacated with the Vacation Request and new easements are being created by the Replat to replace them. The sole responsibility for maintenance of these easements will be vested with the property owner.

Public or Private Improvements

No new public improvements are required for this project. Access is available to the existing public Chaparral Loop East. Water and wastewater facilities are private well and private onsite wastewater treatment system. The lot owner will have electric service from Mountain View Electric Association which has facilities within the subject parcel. A private driveway access will be installed by the future home builder who will obtain a Driveway Access Permit for the lot.

Soils and Geology

A Soils and Geology Study dated September 25, 2020 was prepared by RMG Engineers for the subject site. Areas within this subdivision have been found to be impacted by potential geologic constraints as detailed in the study and the report includes mapping of the potential hazard areas within the subdivision. No areas of the site exceed 30% in grade. Potential constraints noted in the report include Expansive Soils and Bedrock, Compressible Soils, Faults and Seismicity, Fill Soils, Radon, Corrosive Minerals, and Erosion. The report recommends mitigation measures for each of the potential constraints. Mitigation measures include over-excavation and placement of structural fill at building foundations, appropriate engineering design of foundations and building structure, careful selection of building materials, and specialized building ventilation. None of these constraints are unusual for the region and the site is surrounded by existing residential uses. None of the listed constraints preclude the use of the property

for residential development. The recommendation of the soil and geology report and the subsequent engineering designs will be followed in any future construction.

Traffic Impact and Traffic Impact Fees:

The proposed replat, Peyton Ranches Filing No. 1C, creates one new lot which will access public Chaparral Loop East, a gravel road which connects to Peyton Highway via Ramrod Drive. The new lot which will contain one single-family residential unit is expected to generate a total of 10 trips per day based on 9.44 trips per unit for Single Family Detached Housing (Average weekday trips ends), 1 trip in the peak AM Hour (0.75 trips/unit for peak AM traffic), and 1 trip in the peak PM hour (1.00 trips/unit for peak PM traffic) according to Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers. This number of trips is below the County threshold of 100 trips per day or 10 trip during the peak hour. Therefore, a Transportation Impact Study (TIS) is not required for the project. The addition of one lot presents negligible impact to traffic conditions in the local area or wider region. This 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 have elected to not be included in any Public Improvements District. Traffic Impact Fees will be paid at time of building permit.

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