

LETTER OF INTENT
WALDEN PRESERVE 1, FIL 5, FINAL PLAT APPLICATION

January 21, 2022

PARCEL NUMBER: 61150 00 008

OWNER

Walden Holdings I, LLC, a Colorado Limited Liability Company
Matthew W. Dunston, Managing Partner
1230 Scarsbrook Ct.
Monument, CO. 80132-8487
mattdunston@hotmail.com
719.321.5801

DEVELOPER

Custom Castles Building Company, Inc.
Matthew W. Dunston, President
1230 Scarsbrook Ct.
Monument, CO. 80132-8487
mattdunston@hotmail.com
719.321.5801

CONSULTANTS

Land Resource Associates, David Jones, Land Planner
9736 Mountain Road
Chipita Park, CO. 80809
719.660.1184
chipita1@comcast.net

JPS Engineers, John Schwab, Principal Engineer
19 East Willamette Ave.
Colorado Springs, CO. 80903
719.477.9429
john@jpsengr.com

Rampart Surveys LLC, Russ Wood Managing Member / RLS
1050 Tamarac Pkwy
Woodland Park, CO. 80863
719.687.0920
Russ@RampartLS.com

LSC Transportation Consultants, Inc., Jeff Hodsdon, Principal Engineer
545 East Pikes Peak Ave., Suite 210
Colorado Springs, CO 80903
719.633.2868
Jeff@lsctrans.com

SITE INFORMATION

The proposed Walden Preserve 2, Filing No. 5 subdivision plat is located within portions of the E1/2 Section 15 and the SW1/4 of the SW1/4 Section 14, Township 11 South, Range 66 West of the 6th P.M., El Paso County, Colorado. In general, the proposed subdivision is bounded on the west by Walden Way, on the north by Walker Road, and on the south by the Walden Preserve 2, Filing No. 4 subdivision.

The property totals 91.85 acres and is currently zoned PUD Planned Unit Development with a County approved PUD Development Plan and Preliminary Plan in affect. Vehicular access from the north and from the south is provided via extensions of Pinehurst Circle.

Development of Filing No. 5 will complete the Walden Preserve 2 subdivision.

DEVELOPMENT REQUEST

The applicant is requesting Final Plat approval for the Walden Preserve 2, Filing 5 subdivision facilitating:

- 50 single family residential lots at a minimum lot size of 1.0 acres on 53.04 acres comprising 57.74% of the subdivision.
- 32.10 acres of open space comprising 34.95% of the subdivision.
- 6.72 acres of road right-of-way comprising 7.31% of the subdivision.
- Minimum lot size – 1.0 ac
- Average lot size – 1.1 ac
- Gross Density – 0.54 units per ac

JUSTIFICATION FOR REQUEST

This application is consistent with the goals and objectives of the El Paso County Master Plan (see Master Plan Consistency below), the approved Walden Preserve 2 PUD Development Plans and the approved Walden Preserve 2 Preliminary Plan.

EXISTING AND PROPOSED IMPROVEMENTS

Existing improvements within this parcel are related to recreational opportunities including; fishing ponds, structured play areas and an extensive trail network constructed during earlier subdivision filings. The area contains some drainage facilities related to earlier subdivision filings. Storm water facilities are estimated to be less than 10% of the subdivision's total open space areas and have been designed such that they play an integral part in the subdivision's recreational activities.

Proposed improvements within this Filing include; 50 single family residential lots, County owned and maintained asphalt surfaced roadways, expanded recreational facilities, expanded trail facilities, drainage channels, drainage detention ponds, electric facilities, natural gas service and telephone / communications service.

Water service, including fire hydrants, will be provided by a central water system. Wastewater collection and treatment will also be provided by a central wastewater system. Both systems are currently permitted, owned, operated and maintained by the Walden Corporation.

Except as otherwise noted, all open space parcels and facilities, including storm water facilities located within the open space parcels, will be owned and maintained by the Walden Corporation.

The applicant, the Walden Corporation and the Walden community are currently in the process for forming a Metropolitan District. When formed, the Metropolitan District will assume permitting, ownership and maintenance responsibilities related to the central water and wastewater system, open space land and recreational and drainage facilities located within the open space.

Filing No. 5 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.

CRITERIA FOR APPROVAL & MASTER PLAN CONSISTENCY

In approving a Final Plat application, the El Paso County Land Development Code requires that the BoCC shall find that the proposed subdivision is, amongst other issues, in general conformance with the goals, objectives and policies of the El Paso County Master Plan.

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 Walden Preserve 2, Filing No. 5 subdivision is located within the Tri-lakes Key Area. Filing 5’s location within the Tri-lakes Key Area allows for or aligns with a primary Suburban Residential Place Type with a Priority Development Area overlay. The primary Suburban Residential Place Type allows for detached single family residential land uses with lot densities ranging from one lot per 2.5 acres to 5.0 units per acre.

The Walden Preserve 2, Filing No. 5 application proposes single family detached residential lots at a minimum of 1.0 acre each and a gross density of 0.54 lots per acre. The land use, lot size and gross density aligns with the approved Land Uses with the Tri-lakes Key Area Place Type and is therefore consistent with the Master Plan.

As discussed in *Master Plan Chapter 14 Implementation – Land Use Applications and Master Plan Consistency* - previous Filing 5 approvals, including; PUD Zoning and PUD Development Plan and Preliminary Plan, also establish Master Plan consistency related to the land use goals and objectives as well as a good portion of the Master Plans technical subdivision goals and objectives.

Other Master Plan technical subdivision goals and objects and Code compliance requirements are discussed in further detail below and are intended to evidence this application’s further consistency with the Master Plan as well as the technical requirements of the Land Development Code.

- *The subdivision is in substantial conformance with the approved Preliminary Plan; The Filing 5 Final Plat accurately reflects the previously approved amended Preliminary Plan and amended PUD Development Plans.*

- *The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering and surveying requirements of the County for maps, data, surveys, analyses, studies, reports, plans, designs, documents and other supporting materials; Compliance with subdivision design standards, regulations and requirements is documented and ensured through the various State and County departmental and agency review responses.*
- *A sufficient water supply has been acquired in terms of quantity, quality and dependability complying with all State and County water supply standards; Water treatment, storage and distribution will be provided via a central water system currently operated by the Walden Corporation. See Watts Engineering Water Resource Report, El Paso County Attorney's letter regarding the proposed water supply and the State Engineer's letter regarding the proposed water supply.*
- *A public sewage disposal system has been established complying with all State and County sewage disposal system standards; Waste water collection and treatment will be provided via a central wastewater system owned and operated by the Walden Corporation. See Watts Engineering Wastewater Resource Report.*
- *All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions; All areas containing soil hazards or requiring special precautions, including areas of excess of 30% slope, are located within the subdivision's open space areas outside of the proposed lot or roadways. See Soils and Geology Report by Rocky Mountain Geotechnical.*
- *Adequate drainage improvements complying with State law and the requirements of this Code and the ECM are provided by the design; See JPS Engineering's Final Drainage Plan and Report.*
- *Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easements, acceptable to the County in compliance with this Code and the ECM; All proposed lots have direct physical and legal vehicular access onto dedicated public rights-of-way.*
- *Necessary services, including police and fire protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision; Filing 5 police will be provided by the El Paso County Sheriff's Office. Fire protection will be provided by the Tri-lakes Monument Fire Protection District. A transportation network be constructed to provide safe and adequate vehicular access to and from the Filing 5 lots. Water and wastewater services will be provided by the Walden Corporation. Electric service will be provided by Mountain View Electric Association and natural gas service will be provided by Black Hills Energy. Recreational opportunities have been provided via the open space trails, ponds and active recreation facilities.*
- *The subdivision provides evidence to show that the proposed methods of fire protection comply with Chapter 6 of the Land Development Code; Because the Walden community's central water system includes fire hydrants and large quantities of stored fire suppression water, the developers of the Walden community work closely with the Tri-lakes Monument Fire Protection District to provide fire suppression infrastructure for*

the Walden community and surrounding subdivisions. The Walden Property Owners Association participates in the District's Firewise Communities Program and has integrated wildfire hazards mitigation measures into their communities Covenants and Restrictions. In addition, the developer has provided a firebreak system via the subdivision's roadways and trail construction. See Filing 5 Fire Protection Report for additional information regarding fire code compliance.

- *Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8.* Off-site impacts generated by the development of Filing No. 5 are primarily related to traffic impacts including off-site roadway and intersection capacities and improvements required to mitigate any identified capacity deficiencies (see LSC's Traffic Memorandum). Additional off-site improvements related to Filing No. 5's water distribution and waste water collection systems will be required (see JPS Engineering's Utility Plans and Construction Documents).
- *Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated.* Construction of all required Filing No. 5 public improvements will be the responsibility of the developer in accordance with County approved (1) construction documents and specifications, (2) estimate of guaranteed funds and (3) subdivision improvements agreement and guaranteed by a County approved letter of credit.
- *The proposed subdivision meets other applicable sections of Chapter 6 and 8 of the Land Development Code;* Chapter 6 of the LDC deals with general development standards while Chapter 8 deals with subdivision design, improvements and dedication standards. Compliance with these standards is evidenced and ensured by the various State and County departmental and agency review responses.
- *The extraction of any known commercial mining deposit shall not be impeded by this subdivision;* A review of the El Paso County Master Plan for Mineral Extraction and the Rocky Mountain Geotechnical Soils and Geology Report indicates no known commercial mining deposits on the site.

SUPPLEMENTAL INFORMATION

The developer proposes to pay fees in lieu of land dedication for school dedication requirements. Parkland dedication and/or fees in lieu of land are subject to the requirements of previous Park Land Agreements between the County Parks Department and the developer.

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 Filing 5 lot areas or road ROW. A few areas of slopes exceeding 30% exist within the open space and storm water facilities area and are limited to existing pond embankments and drainage swale side slopes. No construction is proposed within these areas.

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.