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URBAN PLANNING | COMMUNITY DESIGN | LANDSCAPE ARCHITECTURE | ENTITLEMENT

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EL PASO COUNTY

LETTER OF INTENT FOR: 2275 McDANIELS ROAD MINOR SUBDIVISION

TSN # 3400000295

ORIGINAL ZONE: A-35, REZONED TO RR-5, NOV. 16, 2022 FILE # P226

MINOR SUBDIVISION FILE # MS226

OWNER/APPLICANT, AND PLANNING CONSULTANT:

Owner/Applicant:

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PROJECT LOCATION/DESCRIPTION AND HISTORY OF PROPERTY:

The 22755 McDaniels Road property for this Final Plat application is located in El Paso County in Peyton, CO, approximately 22 miles east of downtown Colorado Springs, situated west of North Log Road and south of McDaniels Road. The site is bordered by McDaniels Road to the north. It is approximately 700 feet west of North Log Road, 1 mile west of North Ellicott Highway and 1 mile north of state highway 94.

According to the 2021 Your El Paso County Master Plan, the Placetype of this development is “Rural”. The primary land use in this Placetype is agriculture, however, residential uses such as farm homesteads and estate residential are allowed as support uses. Residential lot development, within the Rural Placetype, typically covers 35 acres or more per two units with the minimum lot area consisting of 5 acres per unit. This Rural Placetype covers most of the eastern half of the county.

A rezone of this property is being sought concurrently with the Minor Subdivision. The zoning would be changed from the current A-35 agricultural zoning to RR-5, residential rural. In accordance with County standards, the minimum lot size proposed within the property will exceed five (5) acres.

Pursuant to the rezone, the applicant proposes to develop the site as four (4) new lots. A single-family detached residential dwelling unit that recognizes and respects the character of the surrounding rural area will be provided on each. The total acreage of the proposed 22755 McDaniels Road development is approximately forty (40) acres.

Currently, there is an existing, single family residence with an accompanying shed on the property. This residence and shed are to remain in place as the easternmost of the four lots. With our proposed lot configuration, the existing shed is forty-two (42) feet outside of the proposed lot’s western setback, while the existing residence is sixty-nine (69) feet outside of the proposed lot’s western setback. The shed is one hundred and forty-two (142) feet from the front setback along McDaniels Road, and the residence is one hundred and fifty-two (152) feet from the front setback along McDaniels Road.

Infrastructure to serve the new lots, including driveways, drainage improvements, and utilities will all be constructed in compliance with applicable county standards, regulations and criteria in effect at the time of this application. This is in keeping with the rural character of the surrounding Calhan, Ellicott and Falcon communities.

Surrounding properties are rural, single family homesites and farm homesteads. Land use within these properties has traditionally been used as ranchland, with some farming. Two parcels one half mile to the east are A-5 zoning with single family homes on the property, an exception to the general A-35 zoning predominant in the area.

DEVELOPMENT REQUEST

The Owner and Applicant request approval of a Final Plat for the development of 4 rural residential single family residential lots on approximately 40 acres (e.g. .1 DU/Acre density).

TOTAL NUMBER OF ACRES IN THE PROJECT AREA: 40 acres single family residential.

TOTAL NUMBER OF ACRES WITHIN THIS APPLICATION: 40 acres.

JUSTIFICATION FOR REQUEST

This request is consistent with the purposes of the Your El Paso Master Plan. The Final Plat is in conformance with subdivision design standards and establishes an adequate level of compatibility with surrounding areas of the site already constructed and other known surrounding areas currently proposed for development.

EXISTING AND PROPOSED IMPROVEMENTS

Electric and telecommunication service points-of-connection will be extended from the roadway to all new lots. No extension of natural gas service from a utilities provider is sought. On site propane tanks will provide gas for the residences. Water will be provided via wells. Individual septic systems will be provided via an On Site Wastewater Treatment system (OSWT) prepared by the Owner in accordance with El Paso County Department of Health policy guidelines.

Grading and earthmoving activities will be limited to residential driveways, drainage and utility construction areas. Individual lot owners will assume responsibility for grading their respective lot; no 'overlot' grading is proposed to occur over most of the site.

As such, prior to construction of proposed residences, lot-specific subsurface soil investigations will be performed to determine whether or not shallow groundwater, hydro-compacted soils, and/or potentially expansive soils are present on the lot, and to determine an appropriate foundation design, basement or crawl-space suitability, and/or lot-specific recommendations are necessary to mitigate these conditions. Language requiring lot-specific subsurface soil investigation will appear as a Note on the Final Plat.

ADHERENCE WITH THE 2021 YOUR EL PASO MASTER PLAN, AND WATER MASTER PLAN

Land Use & Development, Core Principle: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

The 2021 Your El Paso Master Plan (the “Master Plan”) addresses issues directly related to the Final Plat and development of the 22755 *McDaniels Road* development. The policies specifically related to the Final Plat request include:

Goal 1.1 - *Ensure compatibility with established character and infrastructure capacity*

The Final Plat proposed for the new single family rural residential lots is compatible with the existing adjacent rural residential lots in the McDaniels Road corridor. New lots will be similar in character to existing lots and roads serving the new lots will be compatible with the types of rural roadways in nearby adjacent neighborhoods.

Goal 1.4 – *Continue to encourage policies that ensure “development pays for itself”.*

22755 McDaniels Road is proposed as a development of single family rural residences within a non-urban density area (Rural Placetype) of the Elbert community. Utilities and road infrastructure needed to serve the new lots, such as new roads, drainage and detention facilities, erosion control, etc. will be constructed as part of this development.

Housing & Communities, Core Principle: Preserve and develop neighborhoods with a mix of housing types.

Goal 2.2 – *Preserve the character of rural and environmentally sensitive areas.*

The subdivision design with RR-5 zoning for the site is harmonious and compatible with the rural character of adjacent and nearby neighborhoods that are zoned A-35, and A-5. The Applicant proposes to avoid overlot grading across the 40 acre site, and instead will limit grading to driveways and drainage infrastructure in keeping with the established land use character of surrounding sub-areas of the county. Low density will help to sustain the appearance and unique environmental conditions of adjacent properties.

Transportation & Mobility, Core Principle: Connect all areas of the County with a safe and efficient multimodal transportation system.

Goal 4.1-*Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion, promoting safe and efficient travel.*

The design of this subdivision will relocate the existing home’s driveway to the east. This will allow the development of four equally sized lots for the residents. The three (3) proposed residences will have driveways off McDaniels Road for access. The increased traffic load from the additional three homes is minimal.

Community Facilities & Infrastructure, Core Principle: Continue to coordinate with local and regional agencies to provide well-managed, high-quality community facilities and services.

Goal 5.3 – *Ensure adequate provision of utilities to manage growth and development.*

Concerning utilities, 22755 McDaniels Road has been provided a commitment letter for delivery of electrical service by Mountain View Electrical Association. Individual propane tanks will provide natural gas to the homes. On-site wells will provide water. Wastewater will be accommodated by individual on-site wastewater treatment systems. Based upon evaluation by our environmental and geotechnical engineers, it has been determined that the site is suitable for individual on-site wastewater treatment systems without contamination of surface and subsurface water systems.

Goal 5.4-*Use best management practices to protect water quality, conserve water, minimize impacts of flooding, and beautify El Paso County.*

The submitted drainage report specifically details a four step process to minimize adverse impacts of development. The process includes reducing runoff volume, stabilizing drainageways, treating the water quality capture volume (WQCV), and consider the need for Industrial Commercial best management practices (BMPs). A grading and erosion control plan and a stormwater management report have been submitted with the FDR.

Environment & Natural Resources, Core Principle: Prioritize and protect the County's natural environment.

Goal 9.2- *Promote sustainable best practices with regard to development and infrastructure.*

The area surrounding the property has sufficient carrying capacity to support the new development with regard to roadway capacity, water supply, septic suitability, educational facilities, and organized structural fire protection. Commitment Letters from entities that would supply this development with essential services have been submitted with this Minor Subdivision application.

The subdivision design, which includes 9.7 acre home sites, ensures that development of this site will remain compatible and contiguous with existing rural residential areas. With a density of .1 DU/Ac, 22755 McDaniels Road is compatible with numerous other subdivisions adjacent to and within a 2 mile radius of the property.

GAS SERVICE

Gas service will be provided by individual propane tanks adjacent to residences.

WATER SERVICE

The following information was provided by request of El Paso County per the El Paso County Water Master Plan, Chapter 7, Implementation:

Water Quality, Quantity and Dependability:

A water resources report and water supply information summary have been provided to the County for this development.

The water resource report provides data for the Planning Commission and the Board of County Commissioners (BoCC) to determine whether the proposed water supply is sufficient in terms of quality, quantity and dependability for the proposed subdivision. The report includes adequate documentation that the proposed water supply is sufficient in terms of quantity, dependability and quality for the proposed subdivision.

Water Service:

Water shall be provided via four on-site wells.

The on-site existing well case number is 227502 Arapahoe (existing – serves existing residence). The designated basin is the Upper Black Squirrel within the Upper Black Squirrel Management District. The water source on-site originates from the Upper Arapahoe (NNT) and Laramie-Fox Hills (NNT).

- The Upper Arapahoe provides a total appropriated volume of 578 acre feet, with a 100 year annual appropriation of 5.78 acre feet per year. The 300 year annual appropriation is 1.93 acre feet per year.
- The Laramie-Fox Hills provides a total appropriated volume of 1176 acre feet, with a 100 year annual appropriation of 11.76 acre feet per year. The 300 year annual appropriation is 3.92 acre feet per year.

Based on the 300 year annual appropriation:

Water Supply and Demand Summary

LOTS	Total Supply (AF/Year)	Total Demand (AF/Year)
4	5.85	1.34

Water Quality:

The water quality in the Arapahoe aquifer in this area has been typically suitable for residential potable use. Water samples were obtained from the existing well (well permit #227502) constructed via an exterior water tap serving the existing residence (22755 McDaniels Road). Water samples were obtained from this tap on July 16th 2021, with the water quality testing performed by Colorado Analytical Laboratories and ACZ Laboratories, per the El Paso County Land Development Code section 8.4.7(B). Final

results from this water quality testing were received on August 26th, 2021. All results were found to be below primary and secondary Maximum Contaminant Limits (MCLs).

Because of the absence of any and all evidence of fecal contamination in the form of *E. Coli* or Total Coliform, or that all sampled and analyzed constituents were below all primary and secondary standards the proposed water source emanating from the Arapahoe Aquifer is deemed safe for public consumption.

TRANSPORTATION IMPACT STUDY GUIDELINES

No Transportation Impact Study (TIS) is required for this project based upon the El Paso County Engineering Criteria Manual (ECM). Per ECM appendix B.1.2.D, the following criteria are satisfied:

Vehicular Traffic:

(1) Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10. Response: With the addition of three (3) single-family residences, this threshold will not be met, or exceeded.

(2) There are no additional proposed minor or major roadway intersections on major collectors, arterials, or State Highways. Response: No additional proposed minor or major roadway intersections are proposed from the property.

(3) The increase in the number of vehicular trips does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends. Response: The addition of the three (3) single-family residences will neither meet nor exceed these thresholds.

(4) The change in the type of traffic to be generated (i.e., the addition of truck traffic) does not adversely affect the traffic currently planned for and accommodated within, and adjacent to, the property. Response: The limited development ensures there will be no change in traffic/vehicle type in comparison to the surrounding properties.

(5) Acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained. Response: The level of service will remain as is.

(6) No roadway or intersection in the immediate vicinity has a history of safety or accident problems. Response: The limited use (residential/ranchland/agricultural) has provided a safe roadway adjacent to the property.

(7) There is no change of land use with access to a State Highway. Response: There is no State Highway in the project vicinity.

- Pedestrian Traffic: Paved pedestrian facilities exist or will be constructed on, or adjacent to, the site; or, the proposed use will not generate any new pedestrian traffic. Response: The proposed use will not generate any new pedestrian traffic.
- Bicycle Traffic: Paved bicycle lanes or paths exist or will be constructed on, or adjacent to, the site; or, the proposed use will not generate any new bicycle traffic. Response: The proposed use will not generate any new bicycle traffic.

ROAD IMPACT FEES

Per resolution 19-471 Road Impact Fees are applicable and due for this project. The fee will be assessed on the three (3) proposed homes. The fee is due at the land use approval, which can be at the time of building permit for each house. Each lot owner / subdivider is responsible for paying the road impact fee. The fee type is PPRBD.

COMMUNITY OUTREACH EFFORTS

As part of the initial submittal, contact was made to the neighbors of the proposed subdivision:

- Rodney J. Fannin and Terri J. Fannin. Mailing address: 23155 McDaniels Road, Calhan, CO 80808-8875
- Dennis L. Hughes and Connie L. Hughes. Mailing address: 22545 McDaniels Road, Calhan, CO 80808-8834
- Lowell Lambrecht and Darla Lambrecht. Mailing address: 22550 McDaniels Road, Calhan, CO 80808-8834
- Wol Son Lee. Mailing address: 1857 N. Circle Drive, Colorado Springs, CO 80909-2410
- Jason Plumley and Jennifer A. Scalia-Plumley. Mailing address: 1210 Log Road, Calhan, CO 80808-8818
- Robinson Family Rev Living Trust, Leonard Dwaine Robinson, trustee and Carol Jo Robinson, trustee. Mailing address: 1550 North Log Road, Calhan, CO 80808-7831
- Bobbie Stull and Ron Stull. Mailing address: 19890 Book Drive, Colorado Springs, CO 80930-9509
- Ora Owen Wheeler, Jr., Cheryl Ann Burkett, Carol Lea Burnside. Mailing address: 16215 East McCara Court, Peyton, CO 80831

The letter advised the neighbors that the 40 acre site was being subdivided into four (4) lots, each being approximately ten (10) acres in size. We also mentioned that a rezone was sought for the property from A-35(Agricultural, 35 acre) to RR-5 (Rural residential district, 5 acre minimum).

The letter stated that the justification for the rezone was to provide much needed housing for the residents of El Paso County. The additional three homes, it stated, would have little impact on the existing infrastructure.

The letter also informed the neighbors that water would be provided via individual wells, and that individual septic systems would address wastewater generated.

A poster was placed in clear view along McDaniels Road informing passers-by of public hearings for the Planning Commission and the Board of County Commissioners, in compliance with County posting procedures.

At both presentations, there were neighbors in attendance who sought clarification and information regarding the proposed subdivision.

After the rezone approval by the Board of County Commissioners, we were approached by neighboring homeowners. We had a productive and genial discussion with them, informing them that there had been a thorough review process during our submittals to the County, and that we had complied with every aspect of the review. I believe that they left assured that the project would have minimal impact on their lives.

END