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URBAN PLANNING | COMMUNITY DESIGN | LANDSCAPE ARCHITECTURE | ENTITLEMENT

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EL PASO COUNTY

LETTER OF INTENT FOR: LATIGO TRAILS SUBDIVISION, FILING 9 TAX SCHEDULE NUMBER: 4200000345

Amended January 18, 2023

□ **OWNER/APPLICANT, AND PLANNING CONSULTANT:**

Owner/Applicant:

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PROJECT LOCATION/DESCRIPTION AND HISTORY OF PROPERTY:

The Latigo Trails property for this Final Plat application is located in El Paso County in Elbert, CO, approximately 18 miles northeast of downtown Colorado Springs, situated west of Eastonville

Road and north of Meridian Ranch. The site is bordered by Latigo Boulevard to the north and Eastonville Road to the east. It is approximately 2 miles northwest of CO Highway 24.

According to the 2021 Your El Paso County Master Plan, the placetype of this development is “Large Lot Residential”. As such, it consists of single-family homes occupying lots of 2.5 acres or greater. The placetype engenders a sense of community in spite of the physical separation of homes and matches the context of the surrounding area.

The Applicant proposes to develop the site as a planned community of new single-family detached residential dwelling units that recognizes and respects the character of the rural surrounding community. For this submittal, Filing 9 consists of 39 lots within 106.6033 acres.

Neighbors of the project have been notified of this filing, and the applicant has been made available for any inquiries. Two residents have contacted the applicant. One individual asked about the potential cost of a new home in this filing, he was referred to the developer for an answer. The second individual asked if this was a continuation of the existing development. We responded that, yes, this was a new filing adjacent to and part of the existing development. No further outreach efforts were made beyond the initial contact and response to inquiry, as future filings within the development were already known and anticipated.

Public infrastructure to serve the new lots, including roads, drainage facilities, and utilities will all be constructed in compliance with applicable county standards, regulations and criteria in effect at the time of this application. In keeping with the rural character of the surrounding Elbert, Black Forest and Peyton communities, internal circulation will be comprised of paved Rural Local roads with roadside ditches.

Land to the south of filing 9 is Meridian Ranch. To the west of filing 9 is a parcel zoned A-35, containing a single, two-story residence. North of filing 9, there are single family residences from an earlier Latigo Trails filing. East of filing 9 is vacant land, to be a future filing of Latigo Trails.

DEVELOPMENT REQUEST

The Owner and Applicant request approval of a Final Plat for the development of 39 rural residential single family residential lots on 106.6033 acres (e.g., .364 DU/Acre density) for filing 9. The property is currently zoned RR-2.5 and the proposed plat meets the zoning standards of this district.

PRELIMINARY PLAN AREA: The preliminary plan was approved under the name “Latigo Trails Subdivision” on November 2, 2001 for 246 lots. The approved tract of land was 585.63 acres, more or less, for single family residences. There was no condition of approval by the BOCC for a timeframe of expiration for the preliminary plan. At the time of the approval of the

preliminary plan, the proposed water was found not sufficient in terms of quality, not sufficient in terms of quantity and not sufficient in terms of dependability.

PUBLIC IMPROVEMENT DISTRICT: The project will be required to participate in the El Paso County Road Improvement Fee Program. Latigo Trails Filing 9 will join the ten-mil Public Improvement District (PID). The ten-mil PID building permit fee portion associated with this option is \$1,221 per single-family dwelling unit. The total building fee would be \$47,619 for the 39 lots within Filing 9.

TOTAL NUMBER OF ACRES WITHIN THIS APPLICATION: Filing 9 is 106.6033 acres.

JUSTIFICATION FOR REQUEST

This request is consistent with the purposes of the EPCLDC. The proposed 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.

CRITERIA FOR APPROVAL

Regarding the El Paso County Land Development Code, Chapter 7, 7.2.1 (D)(3)(f), Criteria for Approval for a Final Plat.

The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;

ADHERENCE WITH THE 2021 YOUR EL PASO COUNTY 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 County Master Plan (the “Master Plan”) addresses issues directly related to the Preliminary Plan and development of the *Latigo Trails* development. The policies specifically related to the Preliminary Plan request include:

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

The Preliminary Plan proposed for the new single family rural residential lots is compatible with the existing adjacent rural residential lots in the Latigo Boulevard and Eastonville Road corridors. New lots will be similar in size 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”.*

Latigo Trails is proposed as a development of single-family rural residences within a non-urban density area 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 Preliminary Plan with RR-2.5 zoning for the site is harmonious and compatible with the rural character of adjacent and nearby neighborhoods that are also zoned RR-2.5, A-35, and PUD. The Applicant proposes to avoid overlot grading across the 1,027 acre site, and instead will limit grading to roadways and drainage infrastructure in keeping with the established land use character of surrounding sub-areas of the county. Lower 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 4.2-*Promote walkability and bikability where multimodal transportation systems are feasible.*

The Applicant proposes to incorporate hiking trails and light impact in various parts of the proposed development to promote non-motorized multi-modal transportation linkages within the development. Ideally, residents might travel by horseback from their home to their neighbor's home.

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, Latigo Trails has been provided a commitment letter for delivery of electrical service by Mountain View Electrical Association. Black Hills Energy has committed to providing natural gas to the development. Meridian Service Metropolitan District has provided will-serve letters for Latigo Trails Filings 9 and 10 for water provision. 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 Filings 9 and 10 are 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 volumes, 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 has been submitted with the FDR to support the Filing No. 9 development.

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 surrounding area of the Preliminary Plan 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 Preliminary Plan application.

The Preliminary Plan design, which includes 2.5 acre home sites and expanses of open space, ensures that development of this site will remain compatible and contiguous with existing rural residential areas. At .36 DU/Ac, Latigo Trails is compatible with numerous other subdivisions adjacent to and within a 2 mile radius of the property.

The subdivision is in substantial conformance with the approved preliminary plan;

The subdivision is in substantial conformance with the approved preliminary plan. The overall Latigo Trails development is planned to be subdivided into multiple filings from the preliminary plan to ameliorate the overall economics of developing the site in its entirety. At this point, there are tentatively five (5) final plat filings planned for the preliminary plan area starting with this Filing No. 9. All infrastructure and improvements remain as initially envisioned to serve the community.

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;

Latigo Trails Filing 9 complies with El Paso County Land Development Code, Chapter 8, Subdivision Design, Improvements and Dedications. Consistent with the chapter's purpose, this development promotes the health, safety, convenience, and welfare of the general public and establishes standards of design which will encourage the development of sound, economical, stable neighborhoods and create a healthy environment for present and future inhabitants therein.

Consistent with assisting in the orderly, efficient and integrated development of the County, Latigo Trails Filing 9 is zoned as RR-2.5. The properties to the north are also zoned RR-2.5 with existing single-family development. The properties to the west are zoned A-35 with existing rural density single-family development. The properties to the east are also zoned RR-2.5 and vacant at this time. The properties to the south are zoned PUD with open space tracts and urban density single-family to the west and vacant land to the east. The nature of the proposed 2.5 acre rural parcels provide a seamless integration into the surrounding neighborhood.

The development provides for adequate open spaces for traffic, drainage, recreation and parks, sites for schools and educational facilities, light and air. Internal roadways access each proposed home site. The density of 2.5 acres per lot provides ample room in which to recreate for residents. There is a planned 30 foot pedestrian/equestrian trail facility extending north/south through the development in the next proposed filing to the east to be constructed by the developer, which will extend to the property's south boundary and be connected to the Meridian Ranch pedestrian circulation system to provide access to schools. Additionally, there is an existing public county park just to the southeast, the Falcon Regional Park that is accessible to residents of Filing 9. The 215 park provides pavilions, restrooms, play areas, ballfields, trails, a fenced dog park, and other amenities. Latigo Trails is within School District 49, the fastest growing school district in Colorado, and has convenient access to schools within the district.

Latigo Trails Filing 9 provides logical vehicular circulation within the development. Provisions for the proper location, width, and design of roads were of paramount importance. The internal roadways are designed as typical rural local, in keeping with the nature of its RR 2.5 zoning. The roads will be County owned. The design minimizes traffic hazards and provides for safe and convenient vehicular circulation throughout the subdivision. Asphalt pavement ensures a smooth and safe surface which is easily repaired. For added safety, a two-foot-wide gravel shoulder flanks the roadway.

Regarding the on-site infrastructure, specifically, utilities, Mountain View Electric Association, Inc. has provided a letter committing to providing electrical service to this filing, as it has with the previous filings within Latigo Trails. Natural Gas service will be provided by Black Hills Energy per the provided commitment letter. Latigo Trails will be providing on-site wastewater treatment systems (OWTS), consistent with prior filings. Each lot will have its own septic system. The rural local roads as described in the previous paragraph will have a 2% cross slope from the crown, draining into roadside swales, detailed in the Grading and Erosion Control Plans. The swale section is at a 4:1 slope from the roadside and 3:1 slope from the outside of the berm. A PVC waterline of varying diameter from 8" to 12" is buried beneath the road and running its length for delivery.

The structures (homes) within Filing 9 will compliment and harmonize with the residences built in prior filings of Latigo Trails. Again, they'll be in keeping with the rural landscape and land use.

The filing is made up of residential lots with a minimum size of 2.5 acres. This is in keeping with the constraints of RR 2.5 zoning.

Protecting the natural resources, considering the natural vegetation and promoting the natural beauty of the County is an important concern for the project. The land in its predeveloped state was a largely treeless plain. Residents are strongly encouraged to use native and low water use plant material within the site. This is likely to be of impact only within close proximity of the residences. Unbuilt area of the parcel will likely be unirrigated and remain in a more pristine state, mirroring the surrounding landscape.

According to the 2021 Your El Paso County Master Plan, the placetype of this development is "Large Lot Residential". As such, it consists of single-family homes occupying lots of 2.5 acres or greater. The placetype engenders a sense of community in spite of the physical separation of homes and matches the context of the surrounding area.

To ensure that definite provision will be made for a water supply that will be sufficient in terms of quantity, dependability and quality to provide an appropriate supply of water for the type of development proposed, Latigo Trails has entered into a provision agreement with Meridian Service Metropolitan District. Its supply information and a water resources report has been provided to the County, detailing sufficiency, dependability and quality.

Pursuant to the final plat, prepared by a licensed land surveyor for Latigo Trails Filing 9, provision has been made for an adequate and accurate system to record land divisions and ensuring proper legal descriptions and survey monumentation in order to inform the public, and especially future residents, of the facts about the division, thereby safeguarding the interests of the public, the homeowner, the applicant, and the County.

To this end, documents and plans submitted to the County include, but are not limited to, construction drawings for the internal roadways, a drainage report, a fire protection report, traffic impact study, water supply information study, stormwater management plan, and a grading and erosion control plan.

Either a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of this Code, or, with respect to applications for administrative final plat approval, such finding was previously made by the BOCC at the time of preliminary plan approval;

As is the case with previous filings within Latigo Trails, water service will be provided by Meridian Service Metropolitan District (MSMD).

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

A will serve letter has been provided from the Meridian Service Metropolitan District to provide water to Latigo Trails Filing No. 9, lots 1-39 and uploaded to the County. Additionally, 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 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:

The Meridian Service Metropolitan District (MSMD) will provide water service to Latigo Trails Filing No. 9, lots 1-39. This service will consist of a 1" copper or HDPE water service line to each of the above listed lots.

Based on the already approved projects within Latigo and Meridian Ranch serviced by MSMD the current demand is 1,716 Ac-Ft per year. MSMD currently owns water rights in the amount of 6,088 Ac-Ft and based on the El Paso County 300-year rule of supply for development is 2,163 Ac-Ft. Latigo Trails Filing No. 9 will add an additional demand of 13 Ac-Ft per year based on the Water Resource Report dated August 2021 and developed by the MSMD engineer. The additional 13 Ac-Ft demand results in an overall demand of 1,729 Ac-Ft, which leaves a surplus of 446 Ac-Ft per year.

The master plan for Meridian Ranch provides for 4,500 single family homes, schools, business and open space amounting to a total demand at build out to be approximately 2,035 Ac-Ft. The projected demand is below the El Paso County water supply rule for development and the total amount of water available to MSMD every year.

Water Supply and Demand Summary

LOTS	Total Supply (AF/Year)	Total Demand (AF/Year)
39	434	13

Water Quality

- MSMD has been providing treated water to the Latigo Trails development and Meridian Ranch developments since 2003.
- Treatment of the water consists of disinfection of the water as required for all community water systems, in addition to addressing iron, manganese and turbidity commonly found in Denver basin ground wells.
- MSMD is currently extracting groundwater from fifteen (15) wells located within the MSMD boundary, three (3) off-site wells located within the Latigo Trails development, and six (6) wells from the offsite area known as Guthrie Ranch.
- Monthly reporting is provided to the Colorado Department of Public Health and Environment (CDPHE) as required. To date there have been no deficiencies.

System Certification

- The MSMD water system is classified as a “public water system” (PWSID# CO0121455) and meets all the applicable requirements of the CDPHE.

A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of this Code;

Sewage treatment will be handled via on-site wastewater treatment systems (OWTS) for each lot. We have provided documentation in the form of a wastewater report by CTL Thompson to this end. The site is suitable for OWTS with two suitable OWTS sites per lot available to be identified at the time of plot/site plan submittal for each individual lot.

All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(c)];

With regards to soil and topographic conditions on-site, a soils and geology report has been provided by a licensed engineer. The report addresses suitability of developable areas within constraints of soils and geologic conditions. Further, CTL Thompson, as engineers in this capacity, have recommended that they provide construction observation services to verify soil conditions consistent with those found during their investigation.

The Colorado Geological Survey’s review comment of the submitted geotechnical report (as posted on EDARP) indicates:

<<Provided CTL's recommendations are adhered to, and lot-specific investigations and analyses are conducted for use in design of individual foundations, floor systems, subsurface drainage,

and pavements, CGS has no objection to approval of the residential subdivision as proposed.>>

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. Drainage easements are “no build areas”. *Adequate drainage improvements are proposed that comply with State Statute [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM;*

We have provided a Final Drainage Report, Grading, Erosion and Stormwater Quality Control Permit and Erosion Control Plan, addressing proposed adequate drainage improvements. A new full-spectrum EDB will be provided on Lot 7 in the southwest part of the project with associated required easements. An existing pond to the southeast of the development will be utilized and upgraded to current criteria with required easements.

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;

Legal and physical access is provided to all parcels from the proposed public internal roadways on site and existing adjoining public roadways. Conestoga Trail, Horse Canyon Trail, Conestoga Trail South, and Buffalo River Trail (60' R.O.W.) will provide access to all lots within Filing 9.

Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;

Required items supporting this requirement have likewise been uploaded, as required, to EDARP, and include the Fire Protection Report, the Fire Commitment Letter, Electric Provider Commitment Letter, Natural Gas Commitment Letter and a Traffic Impact Study.

The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;

The Fire Protection letter affirms that the subdivision design and all its components provide adequate and appropriate support for fire suppression and safety, including vehicular access and water delivery.

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;

Minimal off-site impacts are anticipated with this filing.

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;

Minimal off-site impacts are anticipated with this filing.

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;

The Subdivision Improvements Agreement (SIA) and related Financial Assurance Estimate (FAE) addresses all concerns related to financial guarantees/construction of infrastructure and public facilities. The SIA and FAE have been uploaded to the County EDARP site.

Latigo Trails Filing 9 will not have a homeowners' association, so there will be no HOA articles of incorporation, or HOA bylaws.

There are no common areas requiring maintenance in this filing. There are easements for drainage and utility purposes. The easements allow for Latigo Creek Metro District (ponds and drainage swales) and the utility company entities to have access for maintenance, etc.

Proposed improvements will include the construction of county-owned (e.g., public) and maintained asphalt roadways ('Rural Local' classification with roadside ditches). Drainage and storm water detention facilities will be constructed and maintained in conformance with County standards and specifications. Electric, natural gas, and telecommunication service points-of-connection will be extended from the roadways up to all new lots. Water will be provided via a central water system to be developed by the Owner/Applicant and will be operated and maintained by the Latigo Trails Metropolitan District (organization of a Metropolitan District will be completed at the time of Final Plat recording). Individual septic systems will be provided via an On-Site Wastewater Treatment System (OWTS) prepared by the Owner in accordance with El Paso County Department of Health policy guidelines.

Grading and earthmoving activities will be limited to roadway, 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.

The subdivision meets other applicable sections of Chapter 6 and 8;

The proposed final plat meets the noted sections.

The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]

A Notice to Mineral Estate Owners has been provided to the County, attesting that no mineral estate owners were found.

END