

This LOI needs to address only the exemption criteria- Public use needs for Hwy 105 and Wetland bank created the need to modify land legals which created the need to legalize the land swap via exemption... a church does not qualify for an exemption plat IF county land acquisition had not occurred

May 24, 2024

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Senior Planner  
El Paso County Planning & Community Development  
2880 International Circle  
Colorado Springs, CO 80910

Please remove all references to the site dev plan request - this is just for the exemption plat Public Dollars qualifies, a church does not; we dont want to mix public use with private church uses.

Re: Church of Jesus Christ of Latter-day Saints, EA23123  
Owner contact: Scott Hollister, (719) 481-2609, (HollisterSJ@ChurchofJesusChrist.org)

Letter of Intent:

~~Minor Site Development Plan, for LDS church parking lot and~~  
Subdivision Exemption Plat, for County Wetland and ROW Land Acquisition Hwy 105 & LDS Church

Applicant: CRP Architects, Bruce Smith, (719) 280-1033, [Bruce@CRParchitects.com](mailto:Bruce@CRParchitects.com)

Address: 950 CO-105, Monument, CO 80132

Tax Schedule number: 7113210037

Zoning: R-4

change to "adjacent to"

Dear Kari,

As you are aware, The Church of Latter-Day Saints in Monument has the desire to develop the small parcel immediately to the east of the existing church parcel. The development area is within the Hwy 105 planned and construction area. The subject property is included in a PUD that was formerly established with parking indicated for the use on this parcel, in support of new commercial development. We are submitting a Minor Site Development Plan on behalf of the church with the parking development defined. No structures are being proposed, as the parking is only supplementing their existing parking of the church to the west.

The Minor Site Development Plan is being submitted concurrently with a Plat Exemption application for this parcel and adjacent parcels inclusive of the open space property that has been designated for the Highway 105 improvements. For the parking development, we are proposing alternative landscape scheme for the frontage on Highway 105.

The PUD filing that was prepared by PGAV, at the inception of proposed development, does not indicate structural setbacks for the property, but regardless no structures are proposed. Regarding the alternative landscape, the standard for the applicable landscape on is 25 feet for the arterial street frontage. We are proposing a roadway landscape scheme with 20 feet, with the preservation of several existing coniferous trees of this wooded lot and the addition of new trees intermixed for a dense treescape. This 5' reduction will allow

this needs to address only the exemption criteria- Public use needs for Hwy 105 and Wetland bank created the need to modify land legals which created the need to legalize the land swap via exemption...I added criteria and purpose at end of letter- put that in the LOI and state why you exemption meets it please.

the site grading to be minimized for the benefit of natural preservation, and the forested area to the north. The principal Preble's mouse habitat area defining this property as a sensitive area, is to the north in the Dirty Women Creek drainage, and hence the benefit to shifting the paved parking toward the highway and away from the creek is a simple means of wildlife preservation, and saving more vegetation in that area.

The proposed development is simply for additional parking spaces for the church which is an existing development to the west. The intent is for a functional and efficient parking scheme, preserving as much of natural landscape (coniferous trees) as possible. The site plan has been developed with 53 new spaces. A few existing spaces are to be lost or vacated for access to the new parking via the existing church parking area. There is no new access planned from Highway 105; the existing access is to be modified with the highway widening, and the new parking will be accessed from the existing. Additional handicapped parking spaces are planned with restriping of existing pavement. Diagonal parking is proposed in response to the objective of functionality and efficiency. Traffic generation will not be affected by the facility, since occupancy of the facility is not increasing. The facility is not expanding, but the parking expansion will permit on site parking and eliminate any potential for offsite parking, and traffic that be the consequence offsite parking. The peak traffic for the church will remain with the practice and tradition of worship on Sunday mornings. Per PCD engineering staff, no TIS is required due to these circumstances.

Landscaping is being proposed in the new parking area with two large islands that bookend the center parking bay, at the corners of the outer parking, and in the highway frontage utilizing as many existing trees as possible in the 20 feet of buffer between the property line and the parking. With approximately 260 feet of frontage, a minimum of 13 trees will be provided, focused as the buffer between the parking and the highway. A site photometric plan has been prepared for the lighting levels consequential to the 3 light poles that are being proposed.

The only utility needed and planned is electric power for lighting. The existing church has electric service capacity for the added parking lights.

A drainage letter is provided as the area of proposed disturbance is under 1 acre; however, stormwater discharge from the proposed parking lot will connect to a proposed storm sewer system being installed with the current Highway 105 project that provides for downstream water quality and detention that included this tributary area.

Parks and Trails has commented: The project will have NO impacts on existing or proposed El Paso County Parks master planned parks, trails, or open space. The proposed Highway 105 Bicycle Route is located immediately adjacent the project site but resides within the existing Highway 105 right-of-way as an on-street bicycle facility. As such, no parks dedications or trail easements are necessary for this application.

Monument Fire Department has commented: This project is not adding new buildings and will not affect the needed fire flow for the existing building. The fire district will not require additional fire hydrants to be added for this project.

## ~~Justification~~ Master Plan Discussion

Area of Change designation: Minimal Change: Developed

These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly

impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.

Key Area: Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area. It is also an activity and entertainment center with three lakes (Monument Lake, Wood-moor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most well-established community in the northern part of the County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment opportunities. Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

## Schedule

The schedule intent of the church is to have the parking annex completed by July 31.

The Site Development Plan and Exemption Plat submittal includes a cover/signature sheet, the Site Plan depicting the existing adjacent developed parcel building site, the Exemption Plat, a site photometrics analysis and plan, a grading and erosion control plan, a preliminary Landscape plan, in addition to Financial Assurance Forms, Drainage Report, Legal Description, ESQCP, SWMP, checklists, and PBMP applicability form. Please feel free to contact me should you have any questions or comments regarding this application for a Final Site Development Plan and Exemption Plat.

Sincerely,

CRP Architects

7.2.2. Subdivision Exemptions

(A) Purpose. The purpose of establishing standards for exemptions is to provide framework whereby the BoCC may grant exemptions from the definition of the term subdivision for any division of land the BoCC determines is not within the purpose of C.R.S. § 30-28-101.

(B) Applicability. The BoCC may, pursuant to this Code, exempt from the definition of "subdivision" any division of land the BoCC determines is not within the purposes of the definition of "subdivision". The BoCC has exempted certain divisions of land from the definition of "subdivision" as set forth in C.R.S. § 30-28-101. Bruce W. Smith

(1) Highway Rights-of-Way Exemptions. Any parcel created by the division of a parcel of land which is the direct result of the acquisition, by condemnation or otherwise, of the state or County highway rights-of-way, and any parcel created by the right-of-way taken or acquired by federal, state or local government, shall be considered an exemption provided that the parcel being divided was not created illegally.

(3) Open Space Exemptions. Any parcel created by the division of a parcel of land which is the direct result of an acquisition by federal, state or local government for open space or park land shall be exempt from the definition of the term "subdivision", provided that the resulting parcel is in conformance with the minimum lot area requirements for the proposed use in the zone district in which said property is located and provided that the parcel being divided was not created illegally;

(c) Criteria for Approval. The PCD Director, in approving a right-of-way, utility or open space exemption, shall find:

- The request serves a legitimate government or utility purpose; and
- There will be no impact on the status of the lot or parcel as a conforming lot or parcel, and if a nonconformity will result that the nonconforming lot or parcel will be deemed conforming with respect to lot size and will be eligible to apply for a variance in the event they do not meet the development standards of the applicable zone district.