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El Paso County Development Services
2880 International Circle
suite 110
Colorado Springs, CO 80910

PCD File No.: P-22-021

SUBJECT: LETTER OF INTENT FOR: 38 ACRE 18420 NORTH MERIDIAN ROAD
REZONE REQUEST FROM AG-35 (Agricultural) TO RR-5 (Rural Residential 5 Acre)

Revise to say A-35

The 38 Acre parcel located at 18420 N. Meridian Road Subdivision property to be rezoned is located in El Paso County, approximately 21 miles north-east of Colorado Springs.

The Applicant proposes to develop the site as three private single-family residential dwelling units that recognizes and respects the character of the rural surrounding community. The total acreage of the proposed development is approximately 38 acres, of which approximately three lots will be developed with 2 single family residential lots of 5 acre size, and one lot not less than 20+/- acres.

Public infrastructure to serve the new lots, including private driveways, 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 Black Forest community, internal circulation will be comprised of Rural Local roads with roadside ditches.

It is presently used for livestock grazing as it has been for decades. Two garages and several small sheds and water tank related to grazing activity exist on the property and will remain to help preserve and promote a rural identity for the proposed development. One existing and two proposed wells are located on the site. Water rights and well permits are secured through the Colorado Water Board.

Adjacent land to the east, north and south of the property is zoned AG-35. Land to the west of property is zoned RR-5.

Revise to say A-35

Single family residences exist to the north and south of the site, as well east across Meridian Road.

LOT INFORMATION:

Owners

Pitman Living Trust

18420 Meridian Road, Elbert, CO 80106

Assessor's Parcel No.: 4100000426

Existing zone: AG 35

There are currently five buildings the site with a drive that runs, east to west across the site from Meridian Road

Revise to say A-35

EXISTING AND PROPOSED IMPROVEMENTS

Proposed improvements will include the construction of a private driveway and easements, for three lots. Electric and telecommunication service points-of-connection will be extended for all new lots. Water will be provided via domestic wells to be constructed by the individual lot owners, with individual septic systems to be provided by individual lot owners in accordance with the El Paso County Health Department permits

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

REQUEST AND JUSTIFICATION

Our intent is to rezone the site so that in the future, it will be platted into three, residential, single-family lots; two on the east, next to Meridian and one on the west. All lots will access existing driveway. The proposed zone change is compatible with the surrounding properties. The lots will be consistent with the RR-5 zoning with respect to lot layout, land use, lot size, minimum building setbacks, water supply and wastewater disposal.

Criteria for Approval. In approving a Map Amendment, the following findings shall be made:

This rezone request is in compliance with the El Paso County Master Plan as adopted May 26, 2021.

LAND DEVELOPMENT CODE, COMPREHENSIVE PLAN AND COUNTY MASTER PLAN CONSISTENCY

EL PASO COUNTY LAND DEVELOPMENT CODE The Land Development Code Section 5.3.5 (A) states four circumstances in which rezoning is justified. This Application satisfies the first circumstance, which states: "when the requested rezoning is in general conformance or consistency with the County's Master Plan."

REZONE (MAP AMENDMENT) APPROVAL CRITERIA

Under Section 5.3.5 (B) of the Land Development Code, the County's approval of a rezone (Map Amendment) requires a finding that the following four criteria have been met:

1. The application is in general conformance with the El Paso County Policy Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned.

The application conforms to the El Paso County Master Plan for the project area.

2. The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. §30-28-111 §30-28-113, and §30-28-116.

The rezoning is in compliance with all statutory provisions required, including C.R.S §30-28111, §30-28-113, and §30-28-116.

3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions.

The proposed land use will [at full build-out] include single family residential dwelling units on lots no smaller than 5 acres in size and open space.

RR-5 zoning is compatible with adjoining zone districts because it is similar in character to the zoning of existing communities on Walker Road will not negatively affect view corridors from the existing homes due to home placement on the new lots will not have negative drainage impacts on the existing neighborhoods and will not have significant traffic impacts on the surrounding neighborhood the project will not introduce incompatible or different land uses, as the surrounding neighborhood is predominantly single family residential lots similar in size and character to the lots to be developed under this Application. The proposed development will retain the feel and character of the existing community.

4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5: Use and Dimensional Standards of the Land Development Code, for the intended zone district.

The site is suitable for the intended use and proposes uses that are compatible with surrounding AG-35 and RR-5 zones, as defined in Chapter 5 of the Land Development Code, as it matches existing single family residential lots and open space uses of adjacent land.

Revise to say A-35

Existing public infrastructure and services, such as roads, utilities, water, sanitation, fire, and drainage will be used to the extent available and adequate to meet the needs of the new development. New infrastructure, to include driveways and utilities, will be planned and installed in accordance with standards of the Land Development Code.

ADHERENCE WITH THE EL PASO COUNTY POLICY PLAN

Goal 6.1 Encourage patterns of growth and development which complement natural environments and which reinforce community character.

Refer to the "Your El Paso Master Plan" adopted May 26, 2021.

The El Paso County Policy Plan (the "Master Plan") addresses issues directly related to rezoning and development of the 38 Acre Curtis Road Subdivision development. The policies specifically related to the rezone request from AG-35 to RR-5 include:

Revise to say A-35

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 rezone from AG-35 to RR-5 to accommodate new single family rural residential lots is compatible with the existing adjacent rural residential lots in the Judge Orr Road and Curtis

Revise to say A-35

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.

Policy 6.1.5 - Support the development of well-planned mixed use projects which promote all, or most, of the following objectives:

- maximize the economy and efficiency of land use
- preserve open space or natural areas
- integrate employment, housing, shopping, schools and other use
- accommodate multi-modal transportation linkages
- allow for variations in design and character

Policy 6.1.6 - Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.

The Project is proposed as a development of single family rural residential lots within a non-urban density area.

Policy 6.1.8 - Encourage incorporating buffers or transitions between areas of varying use or density where possible.

Buffers and transitions between areas of varying use and density will be achieved using lot sizes that are no smaller than 5 acres. Existing jurisdictional and non-jurisdictional wetlands will be used as buffers between residential lots.

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.

RR-2.5 zoning proposed for the site is harmonious and compatible with the rural character of adjacent and nearby neighborhoods that are also zoned RR-5.

Policy 6.1.14 - Support development which complements the unique environmental conditions and established land use character of each sub-area of the County.

The Applicant proposes to avoid overlot grading across the 38 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.

Goal 6.2 - Protect and Enhance Existing and Developing Neighborhoods

Policy 6.2.1 - Fully consider the potential impact of proposed zone changes and development on the integrity of existing neighborhoods.

Policy 6.2.2 - Promote the unique identity of neighborhoods through the preservation of significant natural features, compatible location and design of mixed uses.

Policy 6.2.12 - Ensure that proposed zone changes and/or use variances in established neighborhoods are of compatible scale and physical character.

The proposed rezone to the RR-5 zone district will permit for lower density development that is compatible with the character and use of the non-urban density communities.

Jurisdictional and non-jurisdictional wetlands within the floodplain areas of the site will be preserved as open space no-build areas, which will also lend themselves well toward sustaining the rural nature and character and maintaining the integrity of the surrounding community.

Policy 6.2.14 - Encourage the reasonable accommodation of mixed uses within neighborhoods for the purposes of promoting land use efficiency and providing housing options.

The Applicant proposes that varying housing types will be developed within the project, including the introduction of manufactured housing products to promote attainability by a wider segment of home buyers.

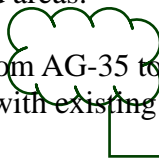
Goal 6.4 - Develop and maintain rural residential areas in a manner which protects their integrity, addresses the carrying capacity of the natural environment and provides for an adequate level of non-urban facilities and services.

Policy 6.4.3 - Allow rural residential development in those areas with sufficient "carrying capacity" including roadway capacity, water supply, septic suitability, educational facilities and organized structural fire protection.

The surrounding area of the proposed Rezone 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 Rezone Plan application.

Policy 6.4.4 - Encourage new rural residential subdivisions to be located within or contiguous with existing rural residential areas or to be incorporated as a buffer between higher density and undeveloped areas.

Rezoning from AG-35 to RR-5 ensures that development of this site will remain compatible and contiguous with existing rural residential areas.



Revise to say A-35.

Policy 6.4.6 - Allow for the accommodation of necessary supporting commercial uses within or in proximity to rural residential areas in a manner that preserves the rural character of these areas.

Policy 6.4.11 - Support planning and regulatory approaches which limit the adverse impacts of grazing on lots of 5 acres and less.

WATER AND SEWER

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. Water service is to be provided by individual on site wells operated under a State approved Water Augmentation Plan. According to the State Division of Water Resources, this site sits in Water Division 1, Water District 1. Water is provided via the existing, four wells,

Permit 83443-F, 83442-F, 83441-F and 83440-F. Water usage will not exceed the statutory allocated amounts for said wells.

An individual on-site 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. Waste water is intended to be treated via individual on-site septic systems designed, constructed and operated under State and County Health Department rules and regulations and in accordance with the Water Decree. All proposed lots will have an (individual) on-site, septic system with leach field. This is in line with the water master plan for the area. A listing of some of the policies of the Water Master Plan that are supported by the proposed development follow: Policy 4.1.3 – Support enhanced monitoring of sources of surface and tributary groundwater in the County. The referenced decree requires use of metering for the wells to insure compliance with the terms of the permit; Policy 6.2.1.2 – Encourage re-use of treated wastewater for irrigation and other acceptable uses when feasible. All three proposed lots will utilize onsite wastewater treatment systems which will provide “Return Flows” the environment as a condition of the groundwater findings and order and the well permit

TRAFFIC GENERATION

Rezoning from one A-35 lot to 3 RR-5 lots increases traffic from approximately 10 trips per day to roughly 30 trips per day. Please revise statement.

Trips per day will not increase for the site due to the zone change. It will continue to access Meridian Road on the existing driveway. The development is expected to generate a total of 28 trips per day (Average weekday trips ends) and 3 trips in the peak hour based on 9.44 trips per unit for Single Family Detached Housing (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 trips during the peak hour. Therefore, a Transportation Impact Study (TIS) is not required for the project. This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 19- 471. Traffic Impact Fees will be paid at time of building permit.

PARKS MASTER PLAN

The proposed rezone area is in compliance with the Parks Master Plan, which does not appear to call for trails or parks in the site. Any required Park Fees will be paid at the time of replatting.

FEMA Floodplain

According to FEMA Floodplain Panel 08041C0350 G, dated 12-7-18, no portions the site are in 100-year floodplain.

We ask that El Paso County grant the zone change request to RR 5. This will allow three single family lots to be platted and the size will fit the surround properties.

Please contact our office with any questions, thank you

Oliver E. Watts, Consulting Engineer, Inc.

By: _____
Erik Watts, Authorized Representative