

OLIVER E. WATTS PE-LS
OLIVER E. WATTS, CONSULTING ENGINEER, INC.
CIVIL ENGINEERING AND SURVEYING
614 ELKTON DRIVE
COLORADO SPRINGS, COLORADO 80907
(719) 593-0173
FAX (719) 265-9660
CELL (719) 964-0733
olliewatts@aol.com
Celebrating over 43 years in business

January 4, 2023

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

PCD File No.: P2221

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

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 A-35. Land to the west of property is zoned RR-5.

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: A-35

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

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 A-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.

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.

PLACETYPE: Rural

The Rural Placetype supports the County’s established agricultural and rural identity. This placetype is uniquely sensitive to new development due to limited water access and infrastructure making sustainable growth a priority. This site complies with this in numerous ways. It is located in eastern El Paso County, off of Meridian Road, lying just north of the east edge of Black Forest. The site has 3 residences over the entire 38 acres. It relies on well and septic which are discussed below in more detail. Infrastructure is in place to supply the three residences. No new infrastructure will be added.

ARE OF CHANGE DESIGNATION: Minimal Change: developed. The site has, as discussed above, three residences on the 38 acres. The residences are spread out so there is significant open space / natural areas between the residences that are covered with native grasses and some forested areas. There are no plans to have any additional residences constructed on the site so it will remain in its current, rural state.

KEY AREA: Forested Areas

This sit lies approximately 7 miles north of Peyton. There are several forested areas on the site. The three (existing) residences have been placed in a way to be adjacent to, but not in said areas. As such, there has been no negative impact to the forested areas. The drive on the site is located as to not impact the treed areas. The goal of the site is to preserve the forested areas.

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

Trips per day will increase from 10 trips per day to approximately 30 trips per day for the site due to the zone change. The new lots 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 platting.

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