

ALESSI
AND ASSOCIATES, Inc.



April 20, 2022

Letter of Intent

**Jeanette Mose Subdivision
Minor Subdivision and Zone Change
0 `Halleluiah Trail**

OWNER: *Gilbert Perry Mose Jr.
Jeanette Marie Mose*
12752 Mt. Oxford Pl.
Peyton, CO 80831

CONSULTANT:

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SITE LOCATION:

Property Address: 0 Halleluiah Trail, Peyton, CO. The property is approximately two and one half miles East of the intersection of Meridian Road and Latigo Boulevard, and within a portion of the Southeast Quarter of Section 8, Township 12 South, Range 64 West of the 6th P.M., El Paso County, Colorado.

SITE BACKGROUND:

Property currently is a 6.12 acre more or less unplatted and vacant site. A 5.3-acre portion of the site is currently zoned A-5, and an 0.8-acre portion is zoned RR-2.5. The existing land uses in the area are single-family residential to the north and east zoned RR 2.5. To the west is an equestrian center zoned A-5. To the south is an open-space area with an intermittent creek, zoned A-5. Halleluiah Trail provides legal access to the site as existing gravel road along the North boundary line. Parcel # 4208000013

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REQUEST:

1. A request to rezone the 5.3 acres of A-5 land to RR-2.5 zoning district.
2. Request to subdivide into two Lots comprised of proposed Lot 1 = 3.12 Acres, Lot 2 = 3.00 Acres, = 6.12 Acres. Water wells and individual septic systems are proposed for rural/residential use on each Lot. Water sufficiency requested.
Halleluia Trail provides access to the proposed Lots. Overhead and underground utility lines located along Halleluia Trail provide electrical and communication service to the site. Electrical Service is to be provide by MVEA. Natural gas service provided by Black Hills energy is proposed.

Rezone Criteria:

- *The application is in general conformance with the El Paso County Master 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 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 proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and*
- *The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.*

JUSTIFICATION:

The RR-2.5 would allow 2.5 acre residential subdivision with 2.5 plus acre Lots. The total site is comprised of 6.12 acres with a proposed 2 Lot plan with single family dwellings. Proposed lot sizes are 3.0 acres and 3.12 acres with 236 to 293 feet in width and 410 to 595 feet in length. Individual single family construction will take place after the approval of Zoning and Minor Subdivision. During seasonal construction year 2021. Individual well and septic systems are proposed and typical of the area. Access will be to Halleluia Trail with El Paso County access permits. Off-street parking will be on site as a single family dwelling. Landscaping will be consistent with single family dwelling and inclusive of fire migration protection plan. The application is in general conformance with the El Paso County Master Plan (see MP discussion below). The rezoning is in

compliance with all applicable statutory provisions, including but not limited to CRS 30-28-111, 30-28-113, 30-28-116. The proposed land use and zone district is compatible with the existing and permitted land use and zone districts in North and East directions. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code for the intended zone district.

Final Plat Criteria:

- *The subdivision is in conformance with the goals, objectives, and policies of the Master Plan;*
- *The subdivision is in substantial conformance with the approved preliminary plan;*
- *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;*
- *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;*
- *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;*
- *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)];*
- *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;*
- *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;*

- *Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;*
- *The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;*
- *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;*
- *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 meets other applicable sections of Chapter 6 and 8; and*
- *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]*

JUSTIFICATION:

1. The El Paso County Master Plan is an expression of the community's desires for the future of El Paso County. The Plan establishes Core Principals in Housing and Communities to preserve the character of rural and environmentally sensitive areas. This area is built around protecting the forest and preserving its rural quality. Due to this natural amenity, many new residents seek to live in this area when moving to the County areas. The Plan focuses primarily on Land Use as a fundamental core component of a comprehensive plan and represents the first building block upon which other plan components are structured. The approach to land use retains established places, identifies opportunities for growth, and provides strategies to mitigate impacts to the natural environment.

The request complies with the Master Plan and is in general conformance with the Land Use Applications.

- a. The proposed minor subdivision is not located a key area.
- b. This is an area of minimal change undeveloped with significant natural area. Although, this area can see infill development by maintaining the overall character.
- c. The Master Plan identifies this area as Rural Residential. This place type consists mostly of agriculture farm development with single family homes of 2.5 acres or more. This type minor subdivision typically relies on wells and septic systems.

- d. This proposed subdivision is limited with existing infrastructure to this property, i.e. gas, electric and communication services.

Core Principles and Goals

Goal 1. Preserve and enhance the sensitive natural environment and unique community character of the Rural Area.

Goal 2. Recognize that agriculture, and other open lands are vital natural resources which should be protected from needless misuse and urban sprawl.

Goal 3. Promote an agriculture farm and residential environment which perpetuates the rural-residential character of the Area.

This proposed rezone and Minor Subdivision are consistent with the existing development along Halleluiah Trail with 2 ½ acre residential building lots exist East and North of the subject property. The subject property appears to be the only undeveloped site along Halleluiah Trail with a majority of 2 ½ acre residential sites. The site is considered an infill area with utility, transportation, emergency services, schools and shopping in the area. The applications are in general conformance with the El Paso County Master Plan.

2. The proposed Minor Subdivision is in conformance with the requirements of the El Paso County Code.
This request for a two Lot subdivision complies with the El Paso County Minor subdivision requirements. The proposed project meets acceptable soils, geology, drainage, wildfire mitigation and positive construction conditions.
3. The proposed Minor Subdivision is compatible with Existing and proposed Land Uses within the area.
The request for zone change is consistent with the adjacent Land uses of existing RR-2.5 zones North and East of subject property.
4. The water supply report provides sufficient information to identify probable compliance with the water standards and identifies any need for additional water supplies. Attached documents pertaining to water supply, Determination of Water Rights, Water Replacement Plan, and Quitclaim deed assignment of assumption.
Annual appropriation is 0.92 acre-feet per year for two homes on well for 300 years. In the findings of the June 27, 2007 Replacement Plan for BD-573, Paragraph 7.b states that the replacement plan includes an annual amount of 2.3 AF to serve a 5-lot subdivision (0.46 AF/lot) for 300 years. The project site will consists of two of the five proposed lots. The specified uses per home includes 0.49 AF/YR for 300 years total to include 0.3 AF/YR in-home use, 1,600 sq. feet of lawn and garden and up to 4 large animals.

- Sufficient for two lots with 0.46 AF/year.
5. Services are or will be available to meet the needs of the subdivision including. El Paso County maintained roads, County Sherriff and the Falcon Fire protection report, Wild fire Hazards Reports and utility services, Mountain View Electric, Black Hills Gas.
 6. The soil is suitable for the subdivision. Clay soils were found on the site and are anticipated to possess low to moderate expansive potential. The soils material are readily mitigated with typical construction practices common to this region of El Paso County, reference Soils and Geology Report by RMG engineers.
 7. The geological hazards do not prohibit the subdivision, or can be mitigated. Based upon the evaluation of geological conditions by RMG engineers Soils and Geology Report, the proposed development is feasible. Geological Hazards were not found to be present on the site.
 8. No known commercial mining operation exist in the subdivision area. Mineral owners have been notified.
 10. The design of the subdivision protects the natural resources as open rangeland. Design of access road protects natural drainage flows and excavation of construction will be confined to the area of individual home construction.
 11. The proposed methods for fire protection are adequate to serve the subdivision. The Falcon Fire District has committed service area protection, with attached mitigation of wildfire report.
 12. The subdivision is appropriate and the design is based on mitigating the constraints of topography, soil types, geologic hazards and environmental resources. Design of access road protects natural drainage flows, topographic constraints and excavation of construction will be confined to the area of individual home construction. This criterion meets with County policy for land development.
 13. Halleluiah Trail connects the Black Forest area to Falcon, Halleluiah Trail to Latigo Blvd East to Meridian Road South to the Falcon area.

SUMMARY

A gradual transition between rural and urban has affected the area. Major trends and forces affecting the area are the expansions of personnel from Schriever AFB and Peterson AFB, along with the City of Colorado Springs expansion of the Colorado Springs City limits to the East. The subject area has become a desirable place to live and within a close proximity to employment. The changes in the area are smaller 5- and 2.5-acre sites and continuing with the existing rural character. The increase density areas are not recommended in areas of steep slopes, floodplains, subsidence areas, strip mined areas and other unbuildable issues. The subject property is located in an area of rural character predominately single-family homes with accessory buildings. The proposed two Lot subdivision will utilize private wells and individual septic systems. Electric power and communication facilities are available. Community services are available, schools, fire protection, law enforcement, emergency medical services etc. Halleluiah Trail fronts

the property and is an existing County maintained public roadway providing access to the site.

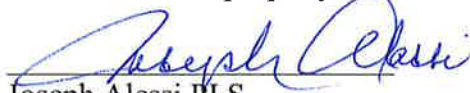
The adjacent properties North and East of the subject property are all Zoned RR-2.5. Request is typical to the area existing land use and Zoning. This zone request will correct the split zone of the subject property and be consistent with adjacent property and typical of the area conditions. The property West of the subject site is the Latigo Trails Equestrian Center, Zoned A-5.

The RR-2.5 would allow 2.5 acre residential subdivision with 2.5 plus acre Lots. The total site is comprised of 6.12 acres with a proposed 2 Lot plan with single family dwellings. Proposed lot sizes are 3.0 acres and 3.12 acres with 236 to 293 feet in width and 410 to 595 feet in length. Individual single-family construction will take place after the approval of Zoning and Minor Subdivision. During seasonal construction year 2021. Individual well and septic systems are proposed and typical of the area. Access will be to Halleluiah Trail with El Paso County access permits. Off-street parking will be on site as a single-family dwelling. Landscaping will be consistent with single family dwelling and inclusive of fire migration protection plan. Both requests, the rezone and minor subdivision applications, meet the approval criteria of the El Paso County Land Development Code.

Note: See attached Zone Map

Your consideration of this request will be greatly appreciated.

Respectfully Submitted
On behalf of the property owner


Joseph Alessi PLS