



Peerless Farms

FINAL PLAT PROJECT NO. XXXXXXXX Letter of Intent

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNERS

ROBERT S. WILLIAMS
16975 FALCON HIGHWAY
PEYTON, CO 80831-7906

WENDY K. WILLIAMS
16975 FALCON HIGHWAY
PEYTON, CO 80831-7906

PLANNING

KIMLEY-HORN AND ASSOCIATES, INC.
2. NORTH NEVADA AVENUE, SUITE 900
COLORADO SPRINGS, CO 80903

ENGINEERING

KIMLEY-HORN AND ASSOCIATES, INC.
2. NORTH NEVADA AVENUE, SUITE 900
COLORADO SPRINGS, CO 80903

SURVEYING

CENTENNIAL LAND SURVEYING
6165 LEHMAN DRIVE,
COLORADO SPRINGS, CO 80918

PEERLESS FARMS FINAL PLAT SITE LOCATION, SIZE, & ZONING:

Parcel ID Nos.: 4313000001

Area/Acreage: ±40.01 AC

Existing Zoning: RR-5

Location: The development limits are located in the Northwest quarter (1/4) of Section 13, Township 13 South, Range 64 West of the Sixth Principal Meridian. Southwest of the Falcon Highway and Sage Creek Road Intersection.

REQUEST

Robert S. and Wendy K. Williams' preliminary plan application includes the following requests:

- Approval to develop 7 single-family residential lots in the RR-5 zone and one (1) public access tract (Tract A) for public improvements, water wells, utilities and drainage;
- Findings of sufficient water quality, quantity, and dependability with the requested preliminary plan approval;
- Authorization to submit a final plat(s) for administrative approval subject to findings that the location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;
- BOCC authorization of pre-development site grading, which includes authorization to install wet and dry utilities.
- Approval of a Waiver of Section 8.4.3.B.2.e, which requires Lots to have a minimum of 30 feet of frontage on and have access from a public road (Lots 1, 2, 4 & 7 will have frontage but no access to public roads; Lots 3, 5, & 6 will not have frontage nor access to public roads).
 - **Justification of the private road waivers and deviations of the standard roadway cross sections are discussed at the end of this letter report in the Preliminary Plan review and approval criteria analysis and justification.*

FINAL PLAT SUMMARY

The development standards and layout for seven (7) detached single-family rural residential lots, subdivision access to public rights of way will include one (1) direct access from Falcon Highway, along with two (2) Access and Utility easements.

ACCESS: Vehicular access to the Peerless Farms development is to propose one (1) full movement accesses, extension of Sage Creek Road (South), from Falcon Highway. Two (2) private access and utility easements will service interior lots.

LAND USE: The minimum lot size is 5 Acres for all lots. Some lot sizes exceed the minimum lot size due to lot configuration and private improvements contained in easements for public drainage, utilities, access and circulation and private open space (within lot yards). Peerless Farms Subdivision will pay park fees in lieu of providing shared or public open space(s).

Permitted and accessory single-family residential uses include single-family detached dwellings, residential accessory uses (per LDC Chapter 5, Table 5-1 and 5-2 allowances), open spaces, and transportation and stormwater facilities. Separate and privately owned detached accessory structures are not permitted on individual residential lots. A complete listing of permitted uses is provided on the development plan.

Lot 3 has two existing housing units. One is primary housing, second is accessory.

LOT DIMENSIONAL STANDARDS:

Typical lots have been planned to meet the following dimensional standards:

- **Minimum lot size: 5 Acres**
- **Maximum Height: 35'**
- **Setbacks:**
 - **Front Yard: 25'**
 - **Side Yard: 25'**
 - **Rear Yard: 25'**

PUBLIC SERVICES AND UTILITIES

Public services and utilities are, or will be, provided by the following

- | | |
|----------------------|-------------------------------------|
| • Water Services: | Water Well |
| • Wastewater: | Individual on-site septic |
| • Natural Gas: | Colorado Springs Utilities |
| • Electric Service: | Mountain View Electric Association |
| • Fire Protection: | Falcon Fire Protection District |
| • Public Schools: | Colorado Springs District #49 |
| • Library Services: | Pikes Peak Library District: |
| • Roads: | El Paso County Road and Bridge |
| • Police Protection: | El Paso County Sheriff's Department |

WATER RESOURCES:

The proposed development is planned to have seven (7) residential properties which will be provided water service through Sage Creek Metropolitan District (SCMD).

DRAINAGE REPORT

Peerless Farms consists of unplatted land to be developed into 7 rural residential lots (RR-5 zoning). Site is within the Haegler Ranch drainage basin (and DBPS). The proposed

development is in general conformance with the DBPS and will not negatively affect downstream drainage.

The existing Project Site generally slopes from east to west as well as from the southeast to the north at grades of approximately 1.5 – 3.5%. The historical drainage patterns will be generally maintained. The Site consists of two single-family homes, a large barn and some small out-buildings. The Site does not have any existing stormwater infrastructure with the exception of a 24" culvert beneath Falcon Highway that allows the unnamed drainageway to drain from the north side of Falcon Highway to the Site.

The developed runoff from the Project will generally be collected by means of roadside ditches located adjacent to the proposed public road and private gravel driveways. The runoff collected in the roadside ditches will be conveyed to the unnamed drainageway, following historical runoff patterns.

Detention and water-quality facilities are not required for the Project as the development consists of 5-acre residential lots and less than 1-acre of public roadway is proposed for the Site.

WILDFIRE HAZARD ASSESSMENT AND MITIGATION

Peerless Farms Site is outside the wildland urban interface zone and is **not** in the mapped Wildfire Susceptibility index (very-high or moderate to very-high) zones.

According to the site planning and maintenance within defensible zones, each residential site will be encouraged to address the principles of protection zones within this grassland environment with the goal of reducing dense and tall landscape materials within the initial 15' zone around structures. This would include thinning and branching-up of existing trees and ground plain materials.

Mitigation efforts can be reviewed in the EPC Community Wildfire Protection Plan for Unincorporated El Paso County, with reference to Forest Action Plan, provided by the Colorado State Forest Service.

FALCON FIRE PROTECTION DISTRICT COMMITMENT LETTER

Peerless Farms Subdivision is in the Falcon Fire Protection District. Fire Chief Trent Harwig confirmed on April 1, 2021 that service will be provided subject to the following conditions:

- All new construction, renovations or developments within the Fire Department's jurisdiction must comply with the applicable fire code and nationally recognized life-safety standards adopted by the El Paso County Board of County Commissioners and the Fire Department's Board of Directors, as amended.
- All development, water and commercial construction plans must be reviewed and approved by the Fire Department for compliance with the applicable fire code and

nationally recognized life-safety standards prior to final plat or construction permit being issued; and,

- All new development projects' access shall meet the fire code and nationally recognized standards pertaining to fire apparatus access.

ELECTRIC PROVIDER SERVICE COMMITMENT

Peerless Farms Subdivision is located within the Mountain View Electrical Association (MVEA) service area. MVEA confirmed April 8, 2021 with the request of a ten (10) foot front, side and rear lot utility easement, along with a twenty (20) foot exterior utility easement on the plat and all tracts. They also request all existing facilities with easements on plat(s) be included.

Note: removal and relocation of existing facilities will be at the expense of the landowner(s).

NATURAL FEATURES:

Wildlife

Wildlife impacts are expected to be generally low based on review of the El Paso County Wildlife Descriptors Map. Additional wildlife impacts may be identified by other entities with wildlife jurisdiction.

Floodplain

(from KH- FDR)

According to the Preliminary Drainage Report, the western portion of the Site is within Area AE, special flood hazard areas with base flood elevations and Zone X, 0.2% annual chance flood hazard, areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile.

The remaining portion of the Site is located outside of the 100-year floodplain as determined by the custom FIRMette map created on April 20, 2021 and contained with Appendix B.

(from RMG Soils Report)

According to the geology and soils report, this presence of the floodplain is not believed to pose a higher risk to this structure than to several currently existing structures in the surrounding area.

Provided that the recommendations presented herein, as well as any requirements stipulated by the governing regulatory agencies, are followed, the presence of the floodplain is not anticipated to preclude the proposed development on Lots 1 and 5 or the development as a whole.

Vegetation

The Site contains two single family residences located near the center of the property and a detached barn approximately 500 feet to the east of the residences. Topographically the Site is

fairly flat to gently rolling terrain, with overall slopes less than 9 percent across the property. The overall slope is downward from the north to the south, southwest, with an elevation difference of approximately 28 to 30 feet across the Site.

An unnamed intermittent creek traverses the Site along the western portion the property. Trees only exist around the residence. Three small ponds are located east of the intermittent creek. It is uncertain at this time if the ponds are to remain or to be filled in prior to future construction. The entire Site consists of low-lying native grasses and weeds. According to the 'Geology and Soils Study' prepared by completed by RMG-Rocky Mountain Group, dated April 14, 2021, which has been included with the submittal.

NOXIOUS WEED

Per the El Paso County Noxious Weed Mitigation Plan, weed management for Peerless Farms Subdivision includes both prevention and mitigation.

JUSTIFICATION

Approval to develop said seven (7) single-family residential lots under the RR-5 zoning criteria set out in Section 7.2.1 (D)(f) as follows.

- **Peerless Farms Subdivision is in conformance with the goals, objectives, and policies of the master plan established by El Paso County.**
All lots will be a minimum of 5 Acres per the land development code section 3.2.2 (A)
- **Peerless Farms Subdivision does not include open space areas, but plan to pay park fees in lieu of providing open space.**
- ***The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;***

The subdivision generally conforms to the goals, objectives, and policies of the Master Plan, which includes the Your El Paso Master Plan, and Water Master Plan. Conformance with the Master Plan is discussed separately below.

Findings of Master Plan conformity regarding land use and densities have been made in support with the adjacent Developments, those being Sagecreek North and Sagecreek South Filing No. 1 with existing land uses and densities for the Peerless Farms area. This application remains consistent with those findings; and with the following policies from the Your El Paso Master Plan, County Policy Plan and County Water Master Plan:

Peerless Farms Subdivision would promote the rural-residential character of eastern El Paso County and will also satisfy the Following policies of Your El Paso County Master Plan:

Core Principle 1: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

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

Goal 1.2- Coordinate context-sensitive annexation and growth strategies with municipalities.

Goal 1.3- Encourage a range of development types to support a variety of land uses.

Goal 1.4- Continue to encourage policies that ensure “development pays for itself”.

Key Areas

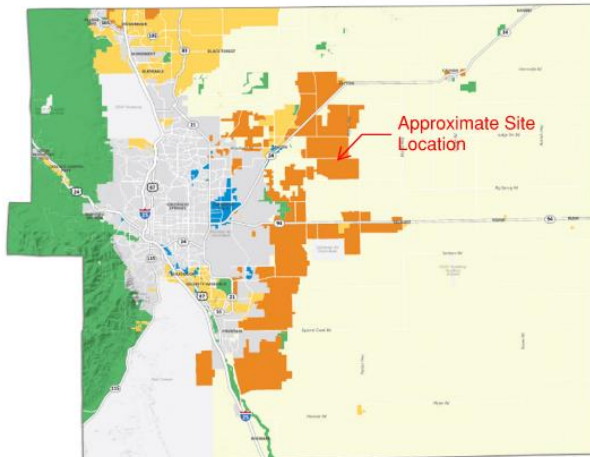


Key Areas



This Site is not located within any Key areas

Areas of Change

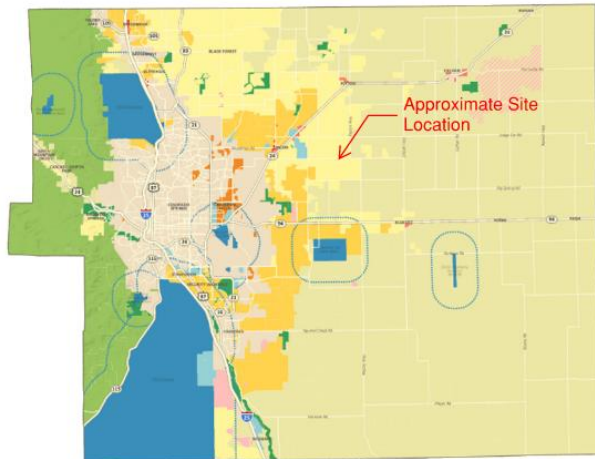


Areas of Change

- Protected/Conservation Area
- Minimal Change: Undeveloped
- Minimal Change: Developed
- New Development
- Transition

Peerless Farms is located in the area expected for New Development. These areas are designated to as undeveloped or agricultural areas, it is expected that these developments are to match the characteristics of adjacent properties.

Place Type



Placetypes



Peerless Farms is located within the Large-Lot Residential type. This land use is designated for Single-family detached residential units, 2.5 acres or larger. The large lots residential place type generally supports accessory dwelling units as well. See Chapter 5.2.1 for further details.

It has been recognized and meets the requirements from the said section. The existing accessory structure is to remain as such on proposed Lot 3, affidavit will be filed with the clerk and recorder during the Final Plat process acknowledging that the accessory living quarters may not be leased or rented.

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

The subdivision is consistent with the master plan and reviewed.

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

The subdivision is in 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;**

Per the preliminary plan, the subdivision meets all design standards.

- **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;**

Water rights have been identified and approved for individual wells. See enclosed letters of Determination:

No: 4476-BD

No: 4475-BD

No: 4477-BD

- **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;**

Wastewater will be provided by way of individual on-site septic/wastewater systems. Reference the Soil and Geology Report, prepared by RMG – Rocky Mountain Group, Job No. 180213, last dated April 14, 2021

- **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)];**

Soils and geologic hazards and constraints including floodplain have been identified on the preliminary plan. The soils and geology report has not identified any hazards or constraints that would preclude development of the site. The subdivision has been designed to avoid and minimize impacts to identified hazard and/or constraint conditions.

- **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;**

The subdivision improvements (road, utility, stormwater) have been planned to meet the demand of the subdivision and not negatively impact level of service for county services and facilities. Appropriate bridge, drainage, park, school, and traffic fees will be paid at the time of final plat recordation.

- **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 access is provided to the subdivision is via connection from the Sage Creek Road southerly extension to Falcon Highway. The required access meets applicable spacing criteria. Individual lot access is provided by way of both public street and private drive access points identified on the plan. None of the proposed lots will gain direct access to Falcon Highway.

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

The fire protection requirements for access and water supply for fire suppression have been provided. Specific recommendations and requirements of the Falcon Fire Protection District will be incorporated into the design including required public improvements necessary for fire protection.

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

The fire protection requirements for access and water supply for fire suppression have been provided. Specific recommendations and requirements of the Falcon Fire Protection District will be incorporated into the design including required public improvements necessary for fire protection.

- **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;**

The off-site improvements (road, utility, stormwater) have been planned to meet the demand of the subdivision and not negatively impact level of service for county services and facilities. Appropriate bridge, drainage, park, school, and traffic fees will be paid at the time of final plat recordation.

- **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 (road, utility, stormwater) have been planned to meet the demand of the subdivision and not negatively impact level of service for county services and facilities. Appropriate bridge, drainage, park, school, and traffic fees will be paid at the time of final plat recordation.

- **The subdivision meets other applicable sections of Chapter 6 and 8; and**
The subdivision and application meet all other applicable sections of Chapter 6 and 8 subjects to approval of the private road waiver and waiver for.
- **The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), et seq.]**
Noted.

WAIVER APPROVAL CRITERIA (Private Road/Access)

- ***The waiver does not have the effect of nullifying the intent and purpose of this Code;***

The waiver request does not have the effect of nullifying the intent and purpose of the Code which is the preservation and improvement of the public health, safety and general welfare of the citizens and businesses of El Paso County; to ensure that public facilities and services are available concurrent with development and will have a sufficient capacity to serve the proposed subdivision, and, in so doing, ensure that current residents will be required to bear no more than their fair share of the cost of providing the facilities and services by requiring the developer to pay fees, furnish land, or establish mitigation measures to cover the development's fair share of the capital facilities needs generated by the development.

The project extends Sage Creek Road southward across Falcon Highway into the subdivision boundaries. Instead of constructing an additional 1/3 mile of public roadways that will only serve the 7 lots in the Peerless Subdivision the developer proposes private driveways provide access to lots from the Sage Creek Road extension. The shared driveways shift the burden of maintenance from the public to property owners within the development.

- ***The waiver will not result in the need for additional subsequent waivers;***
No additional waivers are needed to support the lot access and frontage waiver.
- ***The granting of the waiver will not be detrimental to the public safety, health, or welfare or injurious to other property;***
The transportation impacts were analyzed in the Crossroads Mixed Use Traffic Study Letter, prepared by Kimley-Horn dated May 24, 2021, which found the proposed private roads suitable to meet projected traffic demands of the Crossroads Mixed-Use development.

- ***The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable to other property;***
Unique property conditions upon which the waiver are based include: the floodplain impacts to the western portion of the Site, horizontal orientation of the property length against Falcon Highway, the alignment of Sage Creek Road on the eastern boundary of the Site, and limitations on future individual lot access to Falcon Highway. These conditions create a unique cumulative circumstance upon the property which are not applicable to other properties.
- ***A non-economical hardship to the owner would result from a strict application of this Code;***
The requested waivers are not related to any specific economic hardships.
- ***The waiver will not in any manner vary the zoning provisions of this Code; and***
The waiver will not vary any zoning provisions of the Code.
- ***The proposed waiver is not contrary to any provision of the Master Plan.***
The waivers are not contrary to any provision of the Master Plan.