

Letter of Intent

# Pine View Estates

Preliminary and Final

Jolene Owens

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August 3, 2020

## PRELIMINARY PLAN AND FINAL PLAT LETTER OF INTENT PINE VIEW ESTATES

OWNER/APPLICANT: Alice Jolene Owens

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**SITE LOCATION/LEGAL DISCRPTION:** SW4NW4 Sec. 12-11-64 El Paso Co. Pine View Estates is located approximately 8 miles north of Peyton, Colorado and just to the west of Red Barn Rd. in the Peyton Pines Subdivision (41000-00-428). The property is located approximately 3,000 feet northwest of the Hopper Road and Ranch Hand Road intersection and is within Section 13, Township 11 South, Range 64 West of the 6th P.M. (Parcel No. 41000-00- 428)

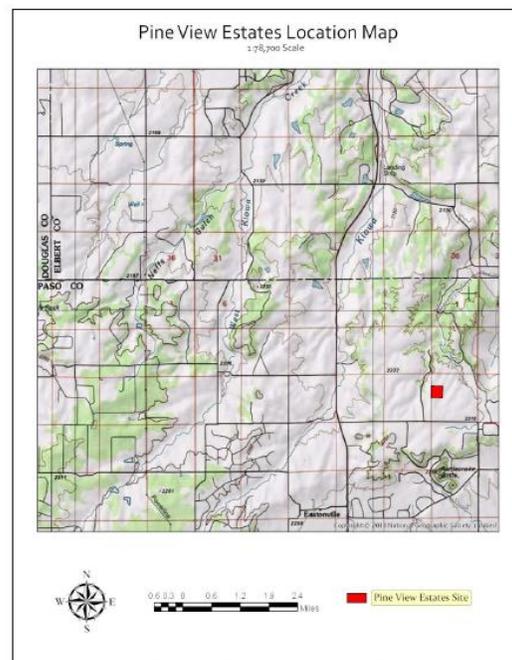


Figure 1 Map showing the location of the proposed PVE subdivision in El Paso County, Colorado.

**REQUEST:** Alice Jolene Owens is requesting to subdivide the 38.8 acres into 7 (5 to 6 acre lots) and that would be consistent with the surrounding area. Pine View Estates would be bordered on the south side and the east side by the already existing 5-acre subdivision Peyton Pines. Land that borders Pine View Estates to the north and to the west is divided into 35+ acre parcels.

**JUSTIFICATION:** Pine View Estates would be in compliance with the RR-5 zoning criteria set out in Section 7.2.1 (D)(f) as follows:

a. Pine View Estates is in conformance with the goals, objectives, and policies of the Master Plan established by El Paso County. The Small Area Master Plan recognizes 3 primary densities as follows:

1. Urban Density-Parcel sizes of less than 2.5 acres with the typical size being less than 1 acre.
2. Rural Residential Density-Parcel sizes of 2.5 to 5 acres with some platted lots being as much as 10 acres.
3. Rural Density-Parcel sizes of more than 10 acres and quite often being 35 acres.

Pine View Estates falls with in Rural Residential Density criteria. All lots are a minimum of 5 acres. This development does not include open space areas, but would plan to pay a reasonable Park Fee in lieu of providing open space. The Pine View Estates subdivision would promote a residential environment which perpetuates the rural-residential character of eastern El Paso County. This proposed residential subdivision also satisfies the following policies of the County policy Plan.

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.

Policy 6.1.11: Plan and implement land development, so that it will be functionally and aesthetically integrated within the context of adjoining properties.

Demonstrate how the proposed subdivision is in compliance with the stated goals. Cite specific examples satisfying listed goals.

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Property is located in Falcon/Peyton Small Area,  
not Black Forest. Revise

demand is consistent with historic needs for nearby developments in the Black Forest area. Overall annual demand is anticipated to consist of an annual average of 3.36 AF/year between the 7 proposed lots.

The estimated annual depletion to the designated basins by the end of the 300-year period is modeled as 0.214 AF/year or 6.36% overall annual pumping within the development at full buildout. Of the 0.267 AF/year estimate depletions at year 300, 0.208 AF/year is estimated to occur within the Kiowa-Bijou designated basin, 0.001 AF/year within the Upper Black Squirrel designated basin. At full buildout, return flows from the septic fields are projected to return 1.575 AF/year between the 7 proposed lots at 90% of the domestic flows. *This projected amount is more than enough to cover estimated depletions out of the designated basin alluvium by year 300.* The Water Resources report was prepared by Doug Schuenke of JDS-Hydro in Colorado Springs, Co. and Ryan Farr Water Attorney Monson, Cummins & Shoheit, LLC in Colorado Springs, Co.

#### DETERMINATION OF WATER RIGHTS:

On May 20, 2008, Melissa A. Peterson, P. E. Water Resources Engineer Designated Basins Team sent a letter to Alice Jolene Owens that contained the Colorado Ground Water Commission's Findings and Order for Determination of Water Right N.. 1588-BD, for the allocation of ground water in the Dawson Aquifer. Order: *In accordance with Section 37-90-107 (7), C.R.S. and the designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of rights to designed ground water in the Dawson Aquifer underlying 74.5 acres of land, generally described as part of the W1/2 of the NW14 of Section 13, Township 11 South, Range 64 West of the 6th Principal Meridian is approved.* Conditions of the approval are found in the Complete Water Report that was submitted as one of the requirements of the Preliminary Plan and Final Plat. The 38.8 acres is a portion of the 74.5 acres.

#### WATER QUALITY:

Colorado Analytical in Commerce City, Co. completed a comprehensive water analysis report for Pine View Estates. This report was requested by JDS Hydro Consultants in Colorado Springs. A chemical analysis of the water to check for Bicarbonate, Calcium, Carbonate, Hydroxide, Langelier Index, ph, temperature, total alkalinity and total

dissolved solids was conducted. The water quality in the Dawson Aquifer in this area has typically been suitable for residential potable use. There was only one compound that above the MCL level. Iron was reported at 1.293 mg/L which is above the Secondary MCL of 0.3 mg/L. High iron content in water is not hazardous to health but can be removed with filtration systems. Findings confirm water quality suitable for residential potable use.

#### DRAINAGE REPORT:

Pine View Estates consists of unplatted land to be developed into 7 rural residential lots (RR-5 zoning) . The parcel is located on a ridge within the Bijou Creek drainage. The westerly portion of the parcel sheet flows west to an unnamed tributary of West Bijou Creek within the adjacent agriculturally zoned unplatted parcel at slopes between 2% and 6%. The southeasterly portion of the parcel sheet flows east to an unnamed tributary of West Bijou Creek within adjacent 5-acre residential parcels at slopes between 2% and 5%. The northeasterly portion of the parcel sheet flows north at slopes between 2% and 5% through a historic stock pond and continues north to an unnamed tributary of West Bijou Creek. The site is located with the Bijou Creek Basin. *No Portion of the site lies within an F.E.M.A. designated floodplain per FIRM08041C035) G, effective December 07, 2018. The development of Pine View Estates will not adversely affect downstream properties or facilities.* Additional information will be found in the Drainage Report prepared by: David Mijares of Catamount Engineering in Woodland Park, Co.

#### WILDFIRE HAZARD ASSESSMENT AND MITIGATION:

According to the Wildfire Hazard Area Map (WHAM) map developed by the Colorado State Forest Service in 1974, the property to be subdivided has a low hazard for trees and grass. This information is somewhat dated (though still relevant) . It has been essentially superseded by the 2012 Colorado Wildfire Risk Assessment: (CO-WRAP). The Fire Intensity Map indicates a Moderate fire intensity for the property. Overall, the mapped wildfire hazard is low to moderate.

A field inspection of the property on Oct. 17, 2019 revealed it is used for grazing and that it is fully grass covered with scattered Ponderosa Pines throughout. Although the hazard on this parcel is relatively low, wildfires can occur and the opportunity for

ignition remains. Fuels, Topography, Weather, Fuel Mitigation, and Fire Resistive Structure Construction are covered in the report completed by Jerome W. Hannigan and Associates Inc. Monument, Co.

#### FIRE PROTECTION:

Pine View Estates subdivision lies within and is served by the Peyton Fire Protection District. The District is a mixed paid and volunteer fire department providing fire, rescue and emergency medical services along with public education and covers an area of approximately 110 square miles at an average elevation of about 6500 feet in the north-central part of El Paso County. The District serves about 3500 buildings through one fire station. Personnel include 18 firefighters, all but 3 of whom are currently certified as EMT's or better. The Fire Protection Report was submitted by: Mr. Jerome W. Hannigan and Associates, Inc. Monument, Co.

#### PEYTON FIRE DEPARTMENT COMMITMENT LETTER:

Pine View Estates is in the Peyton Fire Protection District. Fire Chief Jeff Turner confirmed on January 15, 2020 that service will be provided to the Pine View Estates subdivision and that mutual aid agreements exist with surrounding districts.

#### ELECTRIC PROVIDER SERVICE COMMITMENT:

Pine View Estates is within the Mountain View Electrical Association (MVEA) certificated service area. MVEA has confirmed in December 2018 a commitment to serve Pine View Estates according to their extension policy. MVEA has requested utility easements of ten (10) foot, side and rear lot line along with twenty (20) foot exterior utility easement. MVEA will request 10 (10) foot utility easements on the lot side of the ingress and egress easement for the design of electrical facilities. Additional easements may be required in order to serve the development. Cathy Hansen-Lee Engineering Administrative Assistant for Mountain View Electric provided the commitment.

#### NATURAL FEATURES:

Assessed in this report are potential wetlands and waters of the U.S., natural landscape features, threatened and endangered species and wildlife. Human-derived cultural formation processes have left their mark on the land found in the proposed project area. Tree harvesting, farming and erosion control activities have heavily impacted and disturbed the modern ground surface and the vegetation community is now a mix of

natural and introduced species. *No wetlands occur in the proposed subdivision area and no species recommended either federally or by the State of Colorado as threatened or endangered are present.* Report provided by Mark Owens, Secretary of the Interior- Qualified Archaeologist and Cultural Resources Specialist.

#### NOXIOUS WEED MANAGEMENT PLAN:

Informed by the El Paso County Noxious Weed Mitigation plan, invasive weed management for Pine View Estates includes both prevention and mitigation. Prevention focuses on avoiding the accidental introduction of noxious weeds during development. Mapping and monitoring of any existing noxious weeds provide the basis for control and elimination. Pine View Estates will utilize Integrated Weed Management (IWM) techniques that may include Cultural, Biological, Mechanical and Chemical processes as needed. Noxious Weed Management Plan submitted by Jolene Owens.

#### SOILS AND GEOLOGY:

Pine View Estates site was found to be suitable for the proposed subdivided lots. The location does not appear to be underlain with sand or gravel, so it is not a mineable site. Oil and gas wells are not located in the area, although sufficient information was not obtainable to determine the economic feasibility for oil and gas production at the site. Shrink-swell potential, frost action potential, site slopes, low bearing strength soils, and potential trench cavings are hazards which will require attention prior to and during construction process. Potential hazards can be minimized or eliminated by 1) a geotechnical investigation being performed for each subdivided property and following the recommendations in the report 2) OWTS evaluated and sized/ designed per the El Paso County Health Department, and 3) site grading and drainage. Soils and Geology report provided by W.W. Enterprises in Limon, Colorado.

## SUMMARY

Pine View Estates is in conformity with El Paso County Planning and Community Development goals and objectives as identified in the Master Plan. Alice Jolene Owens respectfully requests approval of the Pine View Estates Subdivision. Pine View Estates would give the opportunity for families to live in a peaceful country setting. Necessary reporting, mitigation, and plans have been submitted including, but not limited to, the following:

- Subsurface Investigation and Soils Report by W.W. Enterprises
- Certification of Notice to Mineral Estate Owners by Barron Land, LLC.
- Natural Features Report by Mark Owens
- Mountain View Electric Service Provider Commitment Letter
- Peyton Fire Protection District Service Commitment Letter
- Preliminary/Final Drainage Report for Pine View Estates prepared by Catamount Engineering
- Fire Protection Report, Wildland Fire & Hazard Mitigation Plan, and Wildfire Risk Assessment Report by Mr. Jerome W. Hannigan and Associates
- Noxious Weed Management Plan by Ms. Jolene Owens
- Water Resources and Water Quality Reports by JDS-HYDRO Consultants, Inc.

All indicate that this property is suitable for development as planned and proposed. All proposed residential lots can and will comply with requirements of the land development code.