

Letter of Intent

Pine View Estates

Preliminary and Final

Jolene Owens

August 3, 2020

PRELIMINARY PLAN AND FINAL PLAT LETTER OF INTENT PINE VIEW ESTATES

OWNER/APPLICANT: Alice Jolene Owens

ADDRESS: 277 Turf Trail Place, Fountain, Co. 80817

PHONE: 719-596-7447

SITE LOCATION/LEGAL DISCRIPTION: 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)

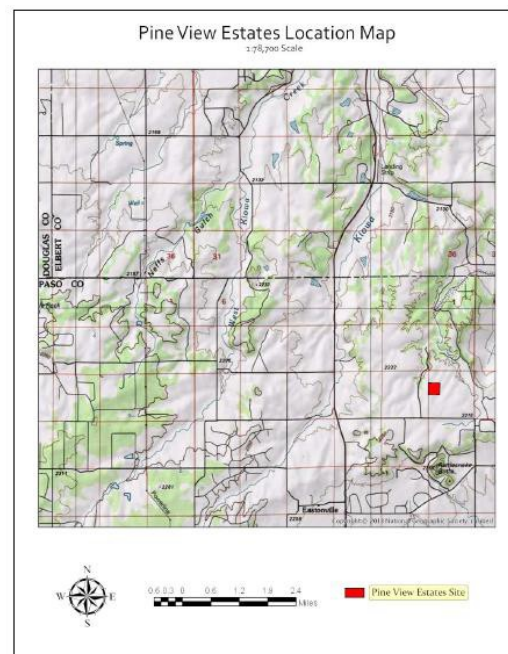
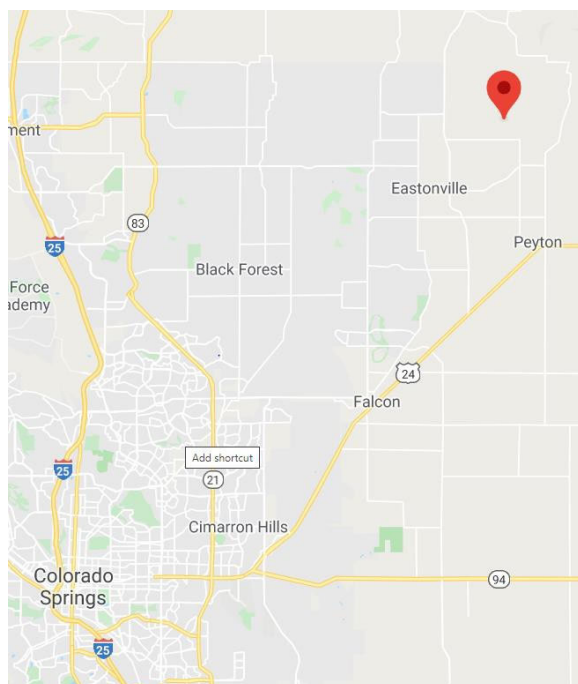


Figure 1 Map showing the location of the proposed PVE subdivision in El Paso County, Colorado.

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.

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

Pine View Estates is identified as part of the Black Forest Preservation plan within the Falcon/Peyton Small Area Plan. As such it accords with the goals of the plan to promote a residential environment which perpetuates the rural-residential character of Falcon/Peyton Small Area Plan.

The 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 and uses.

Development of 5 acre-lots is contiguous and compatible with current residential development in the area. The parcel is currently bound by 5-acre lots on the east and south side. The development is providing right-of-way reservation to the north for future residential lot development which alleviates a non-conforming length cul-de-sac.

- b. The subdivision is consistent with the purposes of this code;**
The subdivision is entirely in accordance with the land use code.
- c. The subdivision is in conformance with the subdivision design standards and any approved sketch plan;**
The proposed subdivision is consistent with the subdivision design standards and any approved sketch plan.
- d. 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 and the requirements of Chapter 8 of this Code;
Individual wells will service the Pine View Estates Subdivision. Adequate water has been adjudicated for the proposed 7 lots. The water has been tested for quality and will be in compliance with State and County Water standards.

- e. 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, and the requirements of Chapter 8 of this Code;
Individual on-site wastewater treatment systems (OWTS) will be utilized for each of the 7 lots. The site has been tested and is deemed suitable for individual OWTS provided the OWTS sites are evaluated and installed according to El Paso County and State Guidelines and properly maintained.
- f. 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;
A geotechnical report has been developed for the site and does not identify any potential geologic hazards or development concerns.
- g. Adequate drainage improvements are proposed that comply with State Statute and the requirements of this Code and the ECM;
A Preliminary/Final Drainage Report for the Pine View Estates development and is submitted with this application package.
- h. 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 and physical access is provided to all lots by public rights-of-way from existing cul-de-sac. A Right-of-way preservation has been provided for future development North of Pine View Estates.
- i. Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision;
All necessary services will be available to serve the proposed subdivision.

k. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;

We've incorporated all of the elements above within our proposed preliminary plan. We have designed the site to be consistent with surrounding RR-5 developments and believe that we have successfully incorporated physical characteristics of the land in the design. This proposed subdivision will not negatively impact the levels of service of county services and facilities or the surrounding land and homeowners.

l. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;

All necessary services will be available to serve the proposed subdivision.

m. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code;

The subdivision is part of an established fire protection district which has accepted the proposed development for service.

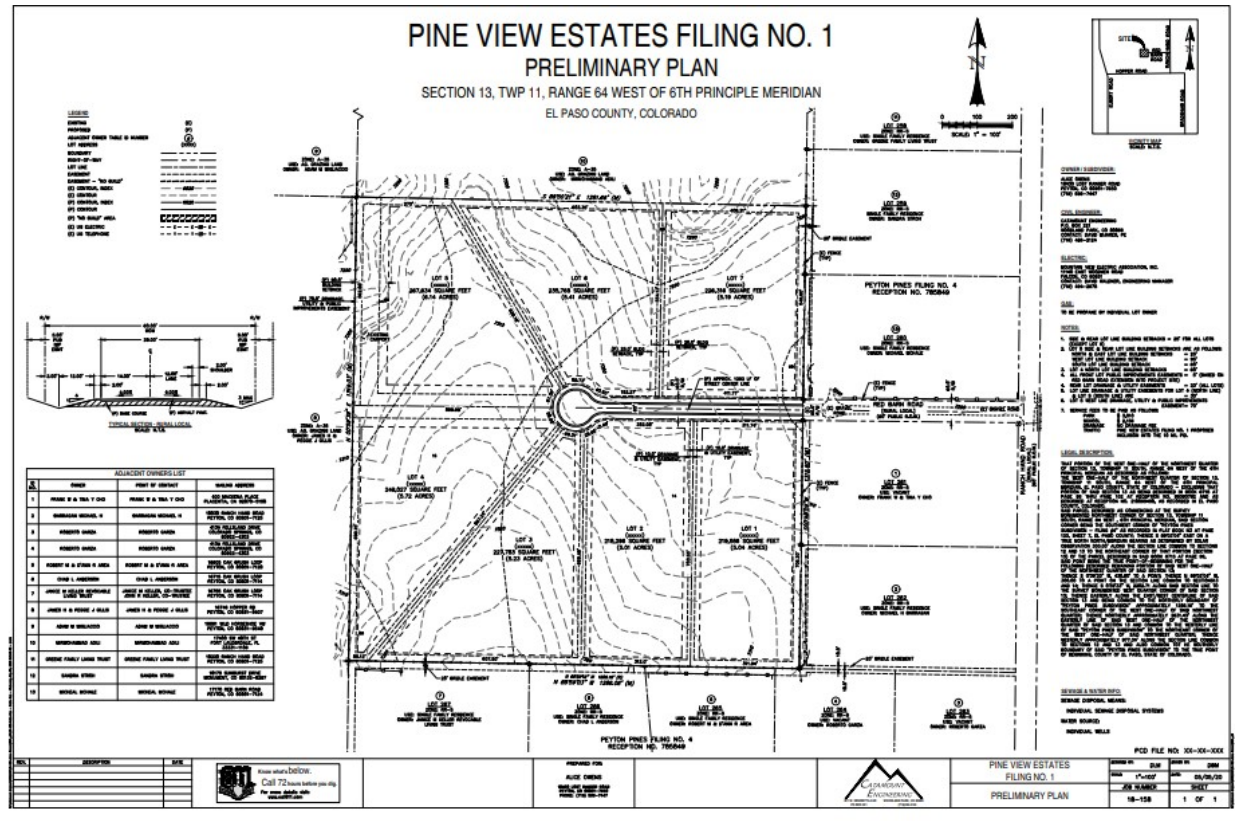
n. The proposed subdivision meets other applicable sections of Chapter 6 and 8;

The proposed subdivision meets all code requirements found in Chapter 6 and 8 of this code.

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SITE PLAN:



PROJECT CRITERIA

In keeping with the Land Use Code and Planning and Development processes for subdividing that have been established by El Paso, County the following technical elements will be highlighted in this Letter of Intent.

WATER RESOURCES:

The proposed development is planned to consist of 7 residential properties which will be provided water services through individual residential wells drilled into the non-tributary Dawson Aquifer and wastewater served through individual on-site wastewater treatment systems (OWTS).

It is expected that each rural residential home in the proposed subdivision will require an average of 0.48 annual acre-feet of water (which uses represent annual allocations for domestic use, irrigation, replacement, and stock water). This anticipated water

demand is consistent with historic needs for nearby developments in the Falcon/Peyton Small 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 & Shohet, 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 Resistant 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.