



June 1, 2021

PCD File No.

**LETTER OF INTENT
CROWE SUBDIVISION FILING NO. 1
MINOR SUBDIVISION**

Owner:

Michael B. Crowe, Ruth C. Griffith-Crowe, Robert T. Crowe
15980 Roller Coaster Road
Colorado Springs, CO 80921
(719) 987-1631

Applicant:

M.V.E., Inc.
1903 Lelaray Street, Suite 200
Colorado Springs, CO
(719) 635-5736
Attn: David R. Gorman, P.E.

Please add the following to the letter of intent:

- owner and applicant email
- discussion on how this development complies with the county master plan
- need to make a specific request for a waiver of the LDC requirement that all lots have frontage onto a public ROW

Site Location Size and Zoning:

The proposed subdivision to be known as “Crowe Subdivision Filing No. 1” is located within the northeast one-quarter of the southwest one-quarter of Section 28, Township 11 South, Range 66 west of the 6th principal meridian in El Paso County, Colorado. The property has El Paso County Tax Schedule No. 61280-00-001. The current address of the site is 15980 Roller Coaster Road. The central portion of the site currently contains a residence, gravel drive, outbuilding, well and septic system. The site is 20.052± acres in area and is zoned RR-5 (Residential Rural – 5 Acre).

The site situated on the west side of Roller Coaster Road, north of Stella Drive, south of Baptist Drive. Roller Coaster Road, a public asphalt road with 100 ft right-of-way, is adjacent to the eastern edge of the site. Lots 1, 2, and 3 Andrene Subdivision (Zone RR-5) with existing single-family residential development is south of the site on the same side of Roller Coaster Road. Fox Run Regional Park, owned by El Paso County, is located on the north and west sides of the site.

Request and Justification:

The request is for approval of the Minor Subdivision plat of Crowe Subdivision Filing No. 1, containing 20.052± acres. This proposed Minor Subdivision will create three (3) rural residential single-family lots in the RR-5 zone (Residential Rural – 5 Acre), each with lot areas of 5.0 acres or more. The plat will also dedicate right-of-way for Roller Coaster Road.

This Minor Subdivision plat is consistent with the requirements of the existing RR-5 zoning with respect to the layout, land use (single-family residential), lot size, minimum building setbacks, water supply and

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wastewater disposal. The existing residence and auxiliary structures and facilities are to be contained within proposed Lot 2.

The proposed Minor Subdivision is compatible with the surrounding land uses and neighborhood listed above and coincides with the adjacent zoning and platted lot sizes on the north, south, east, and west, all being approximately 5 acres or larger. The proposed Minor Subdivision application is in conformance with the goals, objectives, and policies of the Master Plan including the Policy Plan and the Small Area Plan discussed below.

This application meets the Minor Subdivision submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivisions in Chapter 8 of the El Paso County Land Development Code (2016). Minor Subdivisions are reviewed and approved in consideration of the review criteria found in the El Paso County Land Development Code. Each criteria is listed below followed by the appropriate justification.

1. *The subdivision is in conformance with the goals, objectives, and policies of the Master Plan.* The Master Plan is comprised of several elements. One of the elements is the El Paso County Policy Plan (1998), which does not include site-specific land use policies, but establishes broad policies and goals which are intended to serve as a framework for decision-making regarding development of the County. The project satisfies the following policies from the Policy Plan as they specifically relate to this request:

Goal 6.4 – “Develop and maintain rural residential areas in a manner which protects their integrity, addresses the carrying capacity of the natural environment and provides for an adequate level of non-urban facilities and services.” and “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.” The proposed Minor Plat will not create the need for additional roadways or public facilities. The site will remain rural residential and is surrounded by existing rural residential development on the south and east sides and by regional park on the north and west sides.;

Policy 6.1.14 – “Support development which compliments the unique environmental conditions and established land use character of each sub-area of the County.”; This area of the County is conducive to rural residential development. The five acres lots in the area have lot impact on environmental conditions. The proposed Minor Plat is consistent with the Black Forest Preservation Plan as it applies to the Southern Transitional sub-area which is discussed below.;

Policy 6.4.4 - “Encourage new rural residential subdivisions to be located within or contiguous with existing rural residential area or to be incorporated as a buffer between higher density and undevelopable areas.”; The proposed Minor Plat is in an area adjacent to rural residential development with RR-5 to the north, west, south and east.;

Goal 6.1 A – “Encourage patterns of growth and development which compliment the regions' unique natural environments and which reinforce community character.” The existing community character is preserved with this Minor Plat. Density and land use are compatible with the surrounding area and the natural features of the site will remain preserved, even with the addition of one more residential lot on the site.

Another element of the Master Plan is the Small Area Plan. The Crowe Subdivision Filing No. 1 site is located within the area of the Tri-Lakes Comprehensive Plan (2000), specifically within the Ponderosa Breaks sub-area of the plan characterized by thick ponderosa forest. The plan specifies that the development emphasis should be on low density residential uses that focus on the timbered areas and that overall densities should be consistent with adjacent existing

subdivisions. The proposed plat is consistent with small area plan, proposing two five-acre lots and one nine-acre lot. The plan also mentions that it is desirable to preserve adequate roadway rights-of-way for future development. The proposed plat dedicates right-of-way for Roller Coaster Road in a manner that is in compliance with the County's 2040 Major Transportation Thoroughfare Plan. Therefore, the proposed Minor Plat is consistent with the Tri-Lakes Preservation Plan.

The proposed subdivision is in compliance with the 2040 Major Transportation Corridors Plan (MTCR). Approximately 67 feet, or 1.016 acres of property, are dedicated for Roller Coaster Road right-of-way located on the east edge of the site. This dedication will allow for 50 feet of right-of-way from the existing road center line and allow for a total right-of-way width of 100 feet for a Rural Minor Arterial roadway.

The proposed Minor Plat 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 plating. The proposed subdivision is also in compliance with the Master Plan for Mineral Extraction as no separate mineral estate owners were found for the property and the existing development on surrounding properties is not compatible with any potential mineral extraction operations.

The proposed subdivision is in compliance with the El Paso County Water Master Plan (2018). The District Court, Water Division 2 Colorado, has decreed certain water rights and approved a plan for augmentation as necessary to allow use of the existing well and the drilling of a second well for the subdivision in Case No. 19CW3079 recorded under reception number 220091284 of the records of El Paso County. The owner seeks a finding of sufficiency from the Colorado Division of Water Resources and the eventual granting of two additional well permits based on the decreed water rights. 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.* Both the existing residence and the new single-family residences on the proposed 5 acre lots will utilize onsite wastewater treatment systems which will provide “Return Flows” to the environment as a condition of the groundwater findings and order and the well permit.

2. *The subdivision is in substantial conformance with the approved preliminary plan.*
This is a proposed Minor Subdivision and requires no Preliminary Plan for Plat approval. The subdivision will be developed in accordance with the currently proposed land use applications.
3. *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.*
The proposed Minor Subdivision Plat is prepared in accordance with applicable subdivision design standards. No public improvements are required for this subdivision.
4. *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.

5. *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.*

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.

6. *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)].*

A soils report has been prepared for the site and the owner will comply with the recommendations of the report.

7. *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 proposed Minor Subdivision is consistent with the submitted Final Drainage Report. There are not Drainage facilities needed or proposed with this development. The the owner will comply with the requirements of the drainage report.

8. *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.*

All lots, one with existing structures and the two new lots, will access via existing Roller Coaster Road using the same driveway. The driveway access point is proposed to be relocated to the south edge of the site, which will enable a single driveway to efficiently serve all three lots. Access easements are provided on the Final Plat and a private access and maintenance agreement will be established to facilitate the common access.

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

The site is located within the jurisdiction of the El Paso County Sheriff's Office. The Sheriff's office currently provides police protection for the site and surrounding area. Crowe Subdivision Filing No. 1 is located within the Black Forest Fire Protection District which is providing fire protection for the site and has agreed to serve this subdivision. Water and sanitary sewer provisions are discussed in items 4 & 5 above. The property is located within the service areas of Mountain View Electric Association, Blackhills Energy Corporation, Centurylink Telephone, and Lewis Palmer School District 38, which will serve the subdivision. Transportation is being facilitated by the existing adjacent roadway system.

10. *The Minor Subdivision plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code.*

Crowe Subdivision Filing No. 1 is located within the Black Forest Fire Protection District which is providing fire protection for the site and the surrounding area. The District has agreed to serve this subdivision. Building permits for each structure shall be in accordance with the requirements of the Fire District as administered by the Pikes Peak Regional Building Department.

11. *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.*

All Offsite impacts are determined to be insignificant with the addition of two residences to the site already containing one residence. The owner will be responsible to pay park, school, drainage and Traffic Impact fees.

12. *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.*

There are no public facilities or infrastructure required or proposed for this subdivision. The platting of the site will include the collection of the applicable School Fees, Park Fees, Drainage Fees and Traffic Impact fees due for this project.

13. *The subdivision meets other applicable sections of Chapter 6 and 8.*

The subdivision meets the requirements of the Land Development Code.

14. *The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§34-1-302(1), et seq.].* Mineral estate owners have been notified of this application. It is unlikely that mineral extraction operations would be feasible in this area.

Existing and Proposed Facilities:

Existing improvements within this parcel are related to the existing residential use of the site, located in the central portion of the property. The new vacant lots will be located in the western and eastern portions. Existing facilities also include the adjacent public roadway of Roller Coaster Road. There are no required public subdivision improvements required for this site.

Total Number Of Residential Units And Densities:

The gross area of Crowe Subdivision Filing No. 1 is 20.052+/- acres and the site is proposed to contain three single-family residential units. An area of 19.036+/- acres will consist of single-family residential lots. The average lot size for the 3 proposed lots is 6.345+/- acres. The gross density of the site is 0.15 units per acre.

Fire Protection:

The Crowe Subdivision Filing No. 1 property is located within the Tri-Lakes Monument Fire Protection District . The lots and homes are subject to the codes and policies adopted by the said District regarding fire protection.

Only one access point will be allowed to Roller Coaster Road for all 3 lots. The plat shows a joint access easement along the south property line of the parcel. Please be sure to indicate that in the letter of intent.

Proposed Access Locations:

The access location for Crowe Subdivision Filing No. 1 is the existing driveway access for the existing residence at 15980 Roller Coaster Road located approximately 68 feet south of the northeast corner of the

subdivision. Access for the proposed lot will be from Roller Coaster Road in a location to be determined in accordance with the County's access policies.

Traffic Impact and Traffic Impact Fees:

The one (1) existing and two (2) proposed single family residential units will access public Roller Coaster Road. 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 trip 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. The owners have elected to not be included in any Public Improvements District. Traffic Impact Fees will be paid at time of building permit.

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