



June 16, 2020

SF1929

**LETTER OF INTENT
GLENARM SUBDIVISION FILING NO. 2
A VACATION AND REPLAT OF TRACT A & LOT 1, GLENWOOD SUBDIVISION
(MVE Proj. No. 61122)**

Owner/Applicant:

Stratmoor Hills Water District
1811 B Street
Colorado Springs, CO 80906
(719) 576-0311

Consultant:

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Owner/Applicant:

Golden Square Development LLC
115 Glenarm Road
Colorado Springs, CO 80831
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Site Location Size and Zoning:

The proposed subdivision to be known as "GLENARM SUBDIVISION FILING No. 2" is located in the Southwest Quarter of Section 3, Township 15 South, Range 66 West of the 6th P.M., El Paso County, Colorado. The property has El Paso County Tax Schedule No.'s 65033-22-006 & 65033-22-007. The current addresses for the properties are 3115 & 3118 Glenarm Road which are currently a vacant parcels. The proposed subdivision is located on the north side of Glenarm Road, and north, west, & south of the cul-de-sac at the end of Glenarm Road. The area of land under consideration for vacating and replatting is 5.710± acres and the property is zoned PUD (Planned Unit Development).

Request and Justification:

The request is for approval of a Vacation and Replat of a parcel of land currently composed of a portion of Tract A & Lot 1, Glenarm Subdivision as recorded under Reception Number 207712593 of the records of El Paso County, Colorado. Tract A & Lot 1, Glenarm Subdivision were designated in 2007 as the Graham Mobile Home Park in the PUD District Zone Plan . A portion of the subject parcel was separated from said Tract A & Lot 1 by deed in 2019. The proposed vacation and replat will create two (2) lots with an area of 5.710± acres to be designated as Glenarm Subdivision Filing No. 2. The property is proposed to be vacated and replatted in order to create legal lots of the separated parcels to allow construction of a potable water treatment facility for Stratmoor Hills Water District, a Colorado Special District. The new lot will also be used for recreational purposes in accordance with the PUD plan. The vacation and replat will create one (1) less unit for the Graham Mobile Home Park which will not negatively effect the existing Gross density of 4.7 DU/Ac. This vacation and replat will generally comply with the zone density requirements. The proposed use will be complimentary to the existing adjacent development surrounding the site.

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The Owner/Applicant is requesting approval of the Replat for “Glenarm Subdivision Filing No. 2”. The property is eligible for subdivision under El Paso County Land Development Code. The proposed lots will provide an adequate site for the Graham Mobile Home park units and the proposed potable water treatment facility is in a location fitting for the purpose.

This application meets the Vacation and Replat submittal requirements, the standards for Divisions of Land in Chapter 7 (Section 7.2.3(A)(3) and Section 7.2.3(C)., and the standards for Subdivision in Chapter 8 of the El Paso County Land Development Code (2016). Vacation and Replats are reviewed and approved in consideration of the following review criteria found in the El Paso County Land Development Code.

Vacation

1. *Vacation of the recorded plat will not leave any lots or parcels without adequate utility or drainage easements.* This vacation is accompanied by the replat creating Lots 1 & 2 of which will provide the necessary utility and drainage easements.
2. *Vacation of the recorded plat will not vacate road rights-of-way or access easements needed to access other property.* No road right-of-way or access easements are being vacated with this proposed vacation action.
3. *Vacation of the recorded plat will not inhibit the provision of adequate public facilities or services to other property as required by this Code.* There are not public facilities or services that will be affected by the vacation of the subject property. Also, the vacation action is accompanied by the replat that will replace the vacated portion with viable legal conforming lots for mobile home park and potable water treatment use.
4. *Vacation of the recorded plat is consistent with the Master Plan.* This proposed vacation is accompanied by a replat which is consistent with the Master Plan and satisfies the required findings for a Final Plat. There is no aspect of the proposed vacation that conflicts with the goals and policies of the Master Plan.
5. *Vacation of the recorded plat will not adversely affect the public health, safety, and welfare.* There is no aspect of this vacation that will adversely affect the public health, safety, and welfare. The proposed vacation action will make way for the proposed replat which will enable the use of this long-vacant property which is in an established neighborhood.
6. *Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the vacation of the plat has been resolved.* The recorded Development Standards for the Graham Mobile Home Park – PUD Zone District Development Plans at Reception Number 207075582 of the records of El Paso County have been reviewed by the applicants and contain no restrictions that conflict with the implementation of the proposed vacation action.

Replat

1. *The replat complies with this Code, and the original conditions of approval associated with the recorded plat.* The proposed replat complies with the Land Development Code. The replat does

not affect any original conditions of approval of the 2007 recorded plat. The replat will establish the deeded parcel as a platted lot. The adjacent street right-of-way will remain in place. Appropriate easements will be established in the subdivision.

2. *No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased.* The purpose of the replat is to establish the existing deeded parcel as a legal conforming lot. No nonconforming lots will be created as indicated on the proposed Vacation and Replat.
3. *The replat is in keeping with the purpose and intent of this Code.* The proposed replat will establish two (2) new lots in place of the existing illegal subdivision created by the deeded parcel in order to meet the requirements contained in the Land Development Code in size, area and provision of adequate public facilities and services. The development and use of the lots will be in conformance with the requirements of the Land Development Code.
4. *The replat conforms to the required findings for a minor or major subdivision, whichever is applicable.* This replat conforms to the required findings for a Minor Subdivision Plat as contained within 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 3.1 Protect and enhance the quality, quantity and dependability of water supplies.*
Policy 3.1.4 Encourage more systematic monitoring and reporting of water quality in individual wells. The replat will allow Stratmoor Hills Water District to have a lot for the construction of a water treatment facility which will increase the District's water quality with more systematic monitoring and reporting of water quality.
 - *Goal 4.1 Encourage preservation and enhancement of historical resources.*
Policy 4.1.3 Encourage proposed developments to consider scale and use of innovative siting and design techniques to preserve significant historical and visual resources. The replat will allow the Stratmoor Hills Water District to continue the past Dairy type stone faced building facade in the the treatment facility architecture.
 - *Goal 6.1.b Support growth and development in the unincorporated County in a manner which reasonably limits long term public costs, provides for the development of supporting infrastructure, preserves environmental quality, provides economic opportunities, and otherwise enhance the quality of life.*
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 replat will allow the Stratmoor Hills Water District to utilize the existing infrastructure adjacent to the lot to preserve environmental quality of adjacent lands.

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. The replat will allow the Stratmoor Hills Water District utilize adjacent street and drive curb & gutter alignments along with planned parking areas and utilize past planned access areas.

- **Goal 10.1** Recognize the unique importance of water and wastewater service provision in the location, type and density of land use.

Policy 10.2.8 Consider the impact that land use patterns and densities will have on the ability to provide effective centralized water and sewer services. The replat will allow the Stratmoor Hills Water District to have their new potable water treatment facility blend in with the existing - proposed land use characteristics by providing treated potable water to the existing water service mains within Graham mobile Home Park.

- Another element of the Master Plan is the Small Area Plan. The proposed replat location is not contained within the boundaries of any effective small area plan.
- The proposed replat is in compliance with the Parks Master Plan, which does not appear to call for new trails or parks in the site vicinity. The site is located near a completed portion of Fountain Creek Trail and is also located just south of Stratmoor Valley Park and Trailhead. Park fees were paid for the previous plat in 2007.
- The proposed subdivision is in compliance with the 2040 Major Transportation Corridors Plan (MTCP). The site is not adjacent to existing or proposed transportation thoroughfares.
- The proposed subdivision is in compliance with the Master Plan for Mineral Extraction. No separate mineral estate owners were found for the property. Although the proposed and existing development on this and the surrounding properties is not compatible with potential mineral extraction operations, the site will not hinder mineral extraction to a greater degree than other typical residential developments.
- The proposed subdivision is in compliance with the El Paso County Water Master Plan (2018). The Water Resources for the site are to be provided by Stratmoor Hills Water and Sanitation Districts in accordance with the District's commitment letter without causing injury to decreed water rights. A listing of some of the policies of the Water Master Plan that are supported by the proposed development is provided as follows:
 - **Policy 3.1.1** – Encourage advanced planning and cooperation among water providers to reduce the overall number of water main lines running through the County; **Policy 3.2.1** – Where possible, treatment plants should provide potable water to different water providers in order to save on capital, maintenance and operational costs; **Policy 4.1.1** – Protect and enhance the quality of drinking water in the County; **Policy 4.2.2** – Allow for the potential to import new and preferably, renewable water supplies from outside the various planning areas, potentially including the Arkansas River; in order to reduce the dependency on non-renewable water supplies and accommodate new development. The purpose of this replat is to provide an additional water treatment plant and water source for the Stratmoor Hills Water and Sanitation Districts which provides water to the Stratmoor Hills area. The District already cooperates with area entities in the provision of water to the district members. The district receives up to 600 acre feet of water from the Fountain Valley Authority's (FVA) Water Treatment Plant annually. This water is delivered from the mountains through a series of tunnels and aqueducts leading through the Arkansas

River Basin and is eventually stored in Pueblo Reservoir. It is then pumped to the FVA treatment plant located just south of The City of Fountain near the Ray Nixon Power Plant. The Water District also has ground water rights that can be used to supplement the FVA surface water during high demand periods. The proposed treatment plant on this replat site will provide additional water resource reliability to the district. The District's water quality meets all Colorado and EPA Drinking Water Regulations with bacteriological samples taken at more than 7 sites throughout the District each month. Chlorine analyses are performed daily to ensure the proper disinfection of the drinking water.

- 2) *The subdivision is in substantial conformance with the approved preliminary plan.* The replat is in an area of the approved Graham Mobile Home Park PUD. The replat is in conformance with the PUD, does not increase density and maintains the approved uses.
- 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 replat is prepared in accordance with applicable subdivision design standards. The replat is in conformance with the approved PUD. No public improvements are required for this replat.
- 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 Stratmoor Hills Water and Sanitation Districts in accordance with the commitment letter provided by the District. The District possesses a water supply that is adequate in terms of water quantity, water quality, and dependability.
- 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.* Wastewater service is to be provided by Stratmoor Hills Water and Sanitation Districts in accordance with the commitment letter provided by the District. The District operates and maintains its wastewater collection and treatment facilities in accordance with all applicable state and federal regulations. The District has capacity to serve the site as determined by the District as stated in the referenced commitment letter.
- 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)].* The area of the proposed replat is contained within the approved Graham Mobile Home Park PUD. All hazard areas are identified by the PUD and the site will continue to be developed according to the PUD.
- 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 Replat is consistent with the previously approved Final Drainage Report and Drainage Letter for the replat. The owner will comply with the requirements of the drainage letter.
- 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.* Access to the new lots is provided by existing Glenarm Road, a 60' wide public right-of-way that is

- constructed with asphalt surface with curb & gutter and roadside ditches. The replatted lots will access the public street with standard El Paso County rural driveway entrances.
- 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. The site is located within the Stratmoor Hills 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 Colorado Springs Utilities (natural gas and electric), Centurylink Telephone, and Harrison School District 2, 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.* The site is located within the Stratmoor Hills 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 removal of one residence and the additional of a small water treatment plant top a site that already contains the existing infrastructure such as paved drives and parking and utilities.
 - 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. Applicable Drainage Fees, Park Fees and School Fees were paid at the time of the 2007 previous plat recording. A minor differential of Drainage Fees will be 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.
5. *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.* Access to the new lots is provided by existing Glenarm Road, a 60' wide public right-of-way that is constructed with asphalt surface with curb & gutter and roadside ditches. The replatted lots will access the public street with standard El Paso County rural driveway entrances.
 6. *The approval will not adversely affect the public health, safety, and welfare.* There is no aspect of this replat that will adversely affect the public health, safety, and welfare.
 7. *Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the replat has been resolved.* The recorded Development Standards for the Graham Mobile Home Park – PUD Zone District Development Plans at Reception Number 207075582 of the records of El Paso County have been

reviewed by the applicants and contain no restrictions that conflict with the implementation of the proposed vacation action.

Easements

Existing platted easements are being vacated with the Vacation Request and new easements are being created by the Replat to replace them. New side lot line easements will also be added on the common lot line between existing Lots 1 & 2. The sole responsibility for maintenance of these easements will be vested with the property owner.

Traffic Impact

The proposed replat, Glenarm Subdivision No. 2, will access the public Glenarm Road, an asphalt road which connects to US Highway 85/87 to the east. The subject replatted property with one less unit is expected to generate 9.52 trips per day less. The new water treatment facility with 1 to 2 employees would add the same number of trips per day or less. This number of trips has previously been accounted for during said platting in 2007. Therefore, a Transportation Impact Study (TIS) is not required for the replat. This replat creates one (1) additional lot in the existing subdivision and eliminates one (1) unit from the Graham Mobile Home Park will not have the effect of generating additional traffic compared to the previously platted subdivision.

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