

Development Services, Land Use Review Division
30 S. Nevada Avenue, Suite 701, Colorado Springs, CO 80903

February 22, 2024

Attn: Tamara Baxter . . . Phone: (719) 385-5621; Email: tamara.baxter@coloradosprings.gov

Re: **NEAGLE-DUTCHER FAMILY ADDITION ANNEXATION PLAT POST-PETITION APPLICATION
APN 63262-09-009 . . . Waiver by Manager and Land Use Statement**

Tamara: **LAND DEVELOPMENT CONSULTANTS, INC. (LDC)** is representing our client, Laurie Lee Neagle, in these applications for Annexation into the City of Colorado Springs, a Zone Change, a modified Concept/Site Plan and applicable supplemental submittal items. The property consists of 0.226 acres at 4105 Date Street, currently platted as Lot 11, Block Four, PARK VISTA ADDITION and has a County zone of "RM-30". This property exists as one (1) vacant lot. Date Street and Lotus Street are partially-improved City/County-maintained streets of a primary 60' right-of-way width. City water, sanitary sewer, electric and gas mains exist within said Date Street's right-of-way, with water and sanitary sewer mains existing within said Lotus Street's right-of-way, and it is our client's intent to tap into all available utility mains for service. Street improvements (curb/gutter with asphalt mat) to be installed per adjacent ownership proportional frontage requirements per accepted Annexation Agreement. This property is within PARK VISTA, identified as Complex Enclave C within the City's Annexation Plan. Comprehensive Plan Policy CIS 204 supports the elimination of enclaves. Due to the fractured ownership, this is typically being accomplished on a piece-meal basis as individual owners bring their properties into the City, typically due to the need for City utilities. The Future Land Use 3 Mile Plan shows this area as "general residential". This designation fits the existing and proposed use for the subject property. Our client's lot surrounding lot and street right-of-way lines provide 37.85% contiguity with the existing City boundary, more than the minimum allowed requirement. This lot is affected primarily by FEMA Flood Hazard Zone X (white) (areas determined to be outside 500-year floodplain) with a portion being Zone AE (dark gray) (base flood elevations determined). The synopsis is two-fold: 1) There is a base flood elevation and we are grading the house with a FFE 1' above it which will meet requirements for PPRBD floodplain management. 2) The City plans to do work on Templeton Gap Floodway that should move that 500-year floodplain out of the lot completely and the 100-year should stay within the future improved drainage way. We are also asking for the final City zone of "R-5" (proposed Single-Family Detached Structure), concurrently with this Annexation request, as has been granted for other PARK VISTA Annexations in the immediate adjacent vicinity. The owner intends to build a single-family residence, after final Annexation approval. Our client's intent is to reside and/or sell this residence to others.

This particular Project Statement request is for a Waiver by Manager and Land Use Statement. The Manager may waive the requirement for approval of a Land Use Plan if the Manager determines that requiring approval of a Land Use Plan would not serve the purposes of this Section or the UDC because:

- (1) The land area under review is less than ten (10) acres and is planned to be developed in a single phase ... lot size = 0.226 acres, single-phase development;
- (2) The land is contained in and subject to a previously approved Master or Concept Plan ... again, the Future Land Use 3 Mile Plan shows this area as "general residential". This designation fits the existing and proposed use for the subject property;
- (3) The land is included in a Development Plan application ... not applicable with this submittal;
- (4) The land area is part of an established surrounding development pattern ... the proposed single-family residence fits within the proposed R-5 zone as allowed;
- (5) The proposed zoning pattern for the land aligns with adjacent existing zoning or development ... again, the proposed single-family residence fits within the proposed R-5 zone as allowed; and/or
- (6) Major infrastructure or urban services for the land including but not limited to access points and roadway systems, have already been established and are not proposed to be changed ... again, City water, sanitary sewer, electric and gas mains exist within said Date Street's right-of-way, with water and sanitary sewer mains existing within said Lotus Street's right-of-way, and it is our client's intent to tap into all available utility mains for service. Street improvements (curb/gutter with asphalt mat) to be installed per adjacent ownership proportional frontage requirements per accepted Annexation Agreement.

Thank you for your consideration,

David V. Hostetler, PLS
Director of Surveying, LAND DEVELOPMENT CONSULTANTS, INC.

