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DUNLOP
Letter of Intent

December 18, 2024

Dunlop
7378 Log Road
Peyton, CO 80831

Planner: Vertex Consulting Services, LLC, Nina Ruiz
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Tax Schedule No: 3300000361
Acreage: 39.793 Acres
Current Zoning: A-35 (Agricultural)
Requested Zoning: RR-5 (Residential Rural)

Site Location, Size, Zoning:

Vertex Consulting Services, LLC, on behalf of the Dunlop Family, is respectfully submitting an application for a map amendment (rezone) from the A-35 zoning district to the RR-5 zoning district. There are two dwellings on the property, which are permitted use within the A-35 zone district. A concurrent request has been submitted to subdivide the land into 2 lots. The proposed rezone is compatible with the surrounding planned and existing developments and is consistent with the Your El Paso Master Plan.

Utilities

Mountain View Electric Association (MVEA) provides electric service and Black Hills Energy provides natural gas service to the area and have provided commitment to serve any new homes within the subdivision. The existing dwellings are served by individual onsite wastewater treatment systems and individual wells.

Request:

Request for approval of a map amendment (rezone) of 39.793 acres from the A-35 zoning district to the RR-5 zoning district.

Justification:

The pages that follow address each one of the criteria included within Section 5.3.5 (map amendment), of the El Paso County Land Development Code.

The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned.

The proposed map amendment (rezone) is in general conformance with the Master Plan. Please see the Master Plan analysis below.

The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116.

Pursuant to the El Paso County procedures, the County has posted the public hearing date in the newspaper ensuring all statutory requirements have been satisfied.

The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions.

The property owners are requesting to rezone the property from the A-35 zoning district to the RR-5 zoning district. The parcels located immediately adjacent to the east are zoned RR-5. The properties east of Log Road are within the Landings of Denmark Subdivision, which includes lots that are approximately 5 acres in size. To the west, approximately 0.5 miles is the Oasis subdivision also zoned RR-5 with lot sizes generally 5-acres in size.

Immediately adjacent to the south and north are two parcels within the A-35 zone district.

Section 3.2 of the Code states the following as the intent of the RR-5 (Residential Rural) zoning district:

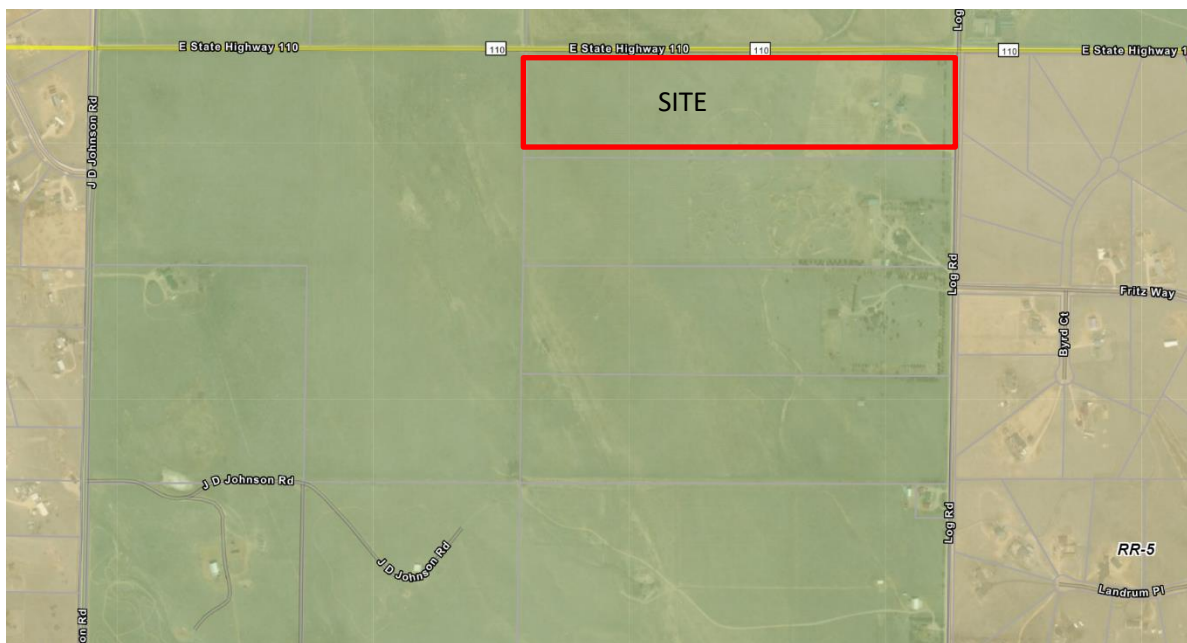
“The RR-5 zoning district is a 5 acre district intended to accommodate low density, rural, single-family residential development.”

Section 3.2 of the Code states the following as the intent of the A-35 (Agricultural) zoning district:

“The A-35 zoning district is a 35 acre district primarily intended to accommodate rural communities and lifestyles, including the conservation of farming, ranching and agricultural resources.”

The primary difference in the intent of the two zoning districts is the dimensional standards, more specifically the minimum lot size requirement. Both zone districts allow for single-family and agricultural uses. The proposed map amendment (rezoning) is compatible in terms of compatible uses with the surrounding A-35 zoned parcels. A concurrent subdivision application has been submitted, depicting two lots with one being 15-acres and the other being 24.793 acres in size.

Below is a map depicting the surrounding development and zoning:



The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

Table 5-4 of the Land Development Code identifies the density and dimensional standards of the RR-5 zoning district:

- Minimum lot size: 5 acres
- Front Setback: 25 feet
- Side Setback: 25 feet
- Rear Setback: 25 feet
- Maximum Height: 30 feet

The existing dwellings and accessory structures meet all setback and height requirements of the RR-5 zoning district, as depicted on the site plan. The concurrently reviewed subdivision depicts lot sizes meeting the 5 acres size limitation as well as the setback requirements.

Master Plan Elements

Below is an analysis of the various El Paso County Master Plan elements.

Your El Paso County Master Plan Analysis

Chapter 1 of Your El Paso Master Plan (2021) states that the Plan is “general in nature-it cannot tackle every issue in sufficient detail to determine every type of necessary action.” In addition, Chapter 1 goes on to state that the Plan “is intended to provide clearer and more coordinated policy, resulting in a document that effectively communicates County goals and identifies specific actions to achieve both County-wide and local area objectives.” When taken together, these two statements suggest to the reader that the Plan may only address certain issues at a cursory level and that specific steps or actions for addressing such issues may not be offered within the Plan. That conclusion is certainly the case in numerous instances and with regard to a variety of topical areas. However, where that is not the case is with respect to the requested map amendment (rezoning) to the RR-5 zoning district, as identified below.

Key Area Analysis

The subject property is not identified in the Plan as being within or in close proximity to a Key Area.

Area of Change Analysis

The subject property is identified in the Areas of Change map within the Plan as being within the “Minimal Change: Undeveloped” area of change.

Page 21 of the Plan characterizes areas of “Minimal Change: Undeveloped” by stating:

“The character of these areas is defined by a lack of development and presence of significant natural areas. These areas will experience some redevelopment of select underutilized or vacant sites adjacent to other built-out sites, but such redevelopment will be limited in scale so as to not alter the essential character. New development may also occur in these areas on previously undeveloped land, but overall, there will be no change to the prioritized rural and natural environments.”
(Emphasis added)

The subject property is immediately adjacent to other residential properties and with lot sizes of approximately 5 acres to the east. To the north and south is the A-35 zone district, which allows for two dwelling units on one parcel. There are currently two single-family residence on the property. The concurrently submitted subdivision proposes to divide the property with one dwelling on each lot, therefore the existing density will not increase. The Master Plan anticipates some redevelopment as long as the character can be maintained. As discussed above, the proposed rezone is in conformance with the existing uses and densities of the surrounding properties as well as the other numerous 5-acre lots.

Placetype Analysis

The subject property is shown on the Placetypes map of Your El Paso Master Plan as being within the Rural Placetype.

Page 24 of the Plan identifies the following land uses as being Primary Land Uses within the Rural Placetype:

- Agriculture
- Parks/Open Space
- Farm/Homestead Residential

In addition, the Placetype includes the following Supporting Land Uses:

- Estate Residential (Minimal 1 unit/5-acres)
- Institutional

The Rural Placetype is described further on page 24 as follows:

“The Rural placetype comprises ranchland, farms, and other agricultural uses. The primary land use in this placetype is agriculture however residential uses such as farm homesteads and estate residential are allowed as support uses. Residential lot development within the Rural placetype typically cover 35 acres or more per two units with the minimum lot area consisting of 5-acres per unit. The Rural place- type covers most of the eastern half of the County.

Rural areas typically rely on well and septic and parcels for residential development tend to be substantial in size. Rural areas are remotely located and distant from high activity areas or dense suburban or urban places, making access to regional transportation routes, such as Highway 24 and Highway 94, vital to the quality of life for rural community residents.

The agricultural lands that Rural areas contain represent a valuable economic resource and unique lifestyle that should be preserved. The Rural placetype includes agricultural lands which represent a valuable economic resource and allow for a unique lifestyle that should be preserved. As growth occurs, some Rural areas may develop and transition to another placetype, however leapfrog development should be discouraged, by pro-actively permitting changing areas contiguous to existing development to another placetype.” (emphasis added)

The placetype specifically identifies that the placetype is characterized by two dwelling units per 35-acres with the maximum density being one dwelling unit per 5 acres. The concurrently reviewed subdivision depicts two dwelling units on 40-acres, which is slightly less dense than the placetype recommendations. The proposed rezone and subdivision align with the Placetype recommendations.

El Paso County Water Master Plan

The Executive Summary from the Water Master Plan (2018) states that “The Plan Water Master Plan (WMP) was developed for the Board of County Commissioners, El Paso County officials and staff, developers, citizens, and water providers within the County for the purpose of identifying and addressing water supply issues earlier in the land use entitlement process.” For that reason, water supply should be discussed even with a rezone. This does not mean a full water sufficiency finding should be made since sufficiency findings in El Paso County are made at the subdivision stage of development, which is under concurrent review. It should be further noted that the Water Master

Plan only contemplates centralized providers and did not provide an analysis for individual well, as is proposed here.

The subject property is located within Planning Region 4c of the Water Master Plan, pursuant to Figure 3-1 on page 27. Region 4c, is made up of 6 central water providers, including several small neighborhood providers such as Prairie Estates and Peyton Pines. The property is also located within the boundaries of the Upper Black Squirrel Designated Groundwater Basin.

The Plan states the following with respect to Region 4c:

“Region 4c contains one small projected growth area by 2040 located between Highway 94 and Highway 24 along the Region 8 boundary. Further development will likely be located along the Highway 94 corridor in Region 4c by 2060, due to proximity to Schriever Air Force Base. The largest development in Region 4c is expected to occur by 2060 along the west side of Meridian Road north of Fountain.”

Table 5-4 of the Plan identifies the current supply and demand forecasts at full build out (year 2060) for each of the Planning Regions. The Table indicates that the current water supply and demand for 4c is 2,970 AF per year. The proposed development will utilize groundwater wells, therefore, it will not result in a deficit water supply.

A Water Resources Report has been submitted with the concurrently reviewed subdivision application. The report identifies there is sufficient water in terms of water quantity, quality, and dependability for the lots included in the subdivision.

El Paso County Parks Master Plan

The El Paso County Parks Master Plan (2022) does not depict any planned or existing trails or open space on the subject property. Land dedication, or fees in lieu of land dedication are not required with a rezone application, however, fees in lieu of dedication will be provided with the concurrently reviewed subdivision.

2024 Major Transportation Corridors Plan (MTCP)

The 2024 MTCP depicts Log Road as a Minor Collector roadway. A traffic impact study is not required pursuant to ECM Appendix B, ECM Chapters 1.6 and 1.16 as the proposed rezone will not result in traffic in excess of 100 ADT or 10 trips at the peak hour. All dwellings are in existence today, therefore, there will be no increase in ADT as a result of the requested development.

Other Topical Elements of the County Master Plan

The proposed rezone is in compliance with the other topical elements of the County Master Plan, including the Master Plan for Mineral Extraction, and the El Paso County Wildlife Habitat Maps and Descriptors.

