

Homeowner & Company Owner name

Olvin Cerrato

Applicant Name

Ana Burgos

719-243-1855

[info@cerratolandscaping.com](mailto:info@cerratolandscaping.com)

Property Address

3515 E. Blaney Rd. Peyton CO 80831\*

Property Tax Schedule Number

4300000470

Zoning of Property

A-35

EDARP File Number

AL265

It looks like this Letter of Intent was a draft version with incomplete information. V1\_ review comments still apply.

You've made statements like "will be in harmony" but you have not described *how* this commercial/light industrial use is harmonious with residential. Please explain how you will mitigate the neighbors concerns of compatibility. How will the use be visibly screened? Will landscaping improvements make it aesthetically pleasing? Frequent semi-truck traffic does not seem to be harmonious with residential. More information needs to be provided.

**EXPLAIN HOW:** Master Plan details have been discussed, and are summarized below. **Placetype** = *Suburban Residential*. Primary use is residential. Commercial services and retail which support the community may be present. **Area of Change** = *New Development*. Current agricultural, "underdeveloped land" may experience change where it is adjacent to "built out" areas. The new development should match the character of that adjacent development.

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?? The special use is generally consistent with the applicable Master Plan. It agrees with the suburban residential | single family detached as we will cover material with fencing (see comment A on notes), as no work is being conducted on site & it will not cause disturbance to neighbors as we will make sure to comply with everything need and install trees/other to make sure we do not cause disturbance as one of the homes down the road(do not have exact address).

We currently have a container that is around 40'long by 7' wide and 9' tall office rented through zircon container company. This is planned to be removed to create a space for a mobile home(trailer home) that is around 60' by 20'.<

It will be in harmony with the character of the neighborhood,as it will not cause impact to the surrounding areas as work is not being performed on site but simply storing of material, trucks, & office.

Will generally be compatible with the existing and allowable land uses in the surrounding area & does not overburden or exceed the capacity of publ

The special use will not create unmitigated traffic c surrounding area, and has adequate, legal access since th

We currently have a total of 15 employees, with passenger vehicles if they do not car pool. 3 of these employees arrive from a window of 6:30AM - 7:10AM on average, 12 of these arrive in a window from 7:20AM-7:45AM.

Their departure times vary, one of our employees in the office has a very flexible schedule so they sometimes leave at any given time of the day to work remotely & for personal reasons. For the most part our other employees in the office(2) usually leave from a window of 3:30PM-4:00PM. Our field employees head out of our yard in a window from 7:40AM-8AM to their given job sites, they leave on an average of 5 trucks, 4 with trailers, their return times vary depending on the season but for the most part they are back from 4:30PM-5:15PM. We have one delivery truck(for our sites) at the moment, which leaves for their first trip of the day around 8AM and they make around 3 more trips the day which vary in time, and they end their day around 5PM. To go home, our field guys(12) leave in a given window from 4:40PM- 5:40PM, depending on what time they get to the yard and after their shift and if they need to prepare anything for the following day & weather.

Will the new 60 X 20 manufactured home be used as an office or for something else? Please include in the description.

Rural Home Occupation as Special Use will only permit 10 employees on site per day, maximum. If you need to exceed that, we will need to switch this project over to a Variance of Use request. Please reach out to MirandaBenson2@elpasoco.com to discuss.

Thank you for providing additional information regarding employees and traffic as it was not clearly identified in the V1 submittal. Due to the number of peak hour vehicle trips, this use does not meet the traffic impact study exemption in ECM B.1.2.D and a traffic memo is required. Feel free to contact me if you have any questions. The memo needs to evaluate the following from ECM B.2.4.D:

[https://library.municode.com/co/el\\_paso\\_county/codes/engineering\\_criteria\\_manual?nodeId=ENCRMA\\_APXBTRIMSTGU\\_B.2TIPA#:~:text=Traffic%20Memorandum.%20The,and%20public%20input%20issues](https://library.municode.com/co/el_paso_county/codes/engineering_criteria_manual?nodeId=ENCRMA_APXBTRIMSTGU_B.2TIPA#:~:text=Traffic%20Memorandum.%20The,and%20public%20input%20issues)

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We currently store aggregate material on site to use on our projects such as 1.5" decorative rock, 3-4" Decorative Rock, Boulders, Mulch, Compost, Pea Gravel & 2-4" Cobble, on average we have around 20 piles of material. We get on average 2 semi-trucks of material per week (September-April | 8 months) and in our busy season (May-August | 4 months) around 4 semi-trucks per week, which these semi-trucks are not owned by us, they just deliver to our site, and these deliveries usually occur after 9am and before 3:30PM. We also have 2 more containers that we use for storage purposes, around 40' long by 9' tall, & 7' wide that we store material like edging, screws, and irrigation material in. We also have around 11 trailers in total, 6 plows, 1 gas tank (only for business purposes - size of tank - tank gas permits | "inspection" (fire protection district) - department of public works development services engineering (blue comments), 1 diesel tank (only for business purposes), pavers, & flagstone on site.

The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution & will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County.

The special use conforms or will conform to all other applicable County rules, regulations or ordinances.

Orange comments are from storm water

Confirm requirements for fuel storage with Fire Protection Dist.

It seems like these are annotations and should be removed.

### Unresolved Review 1 Comment.

Please include the following statement regarding the floodplain:

The property is within the current FEMA Zone A floodplain. The CWCB risk mapping study has developed draft BFEs for this area and the proposed storage and disturbance is shown outside of the draft BLE floodplain.

Please state whether or not customers come on site and whether or not raw materials are sold to other businesses.

Provide a clear statement, as this is within a predominantly residential area: "Hours of operation will be between \_\_\_ and \_\_\_." No business traffic will be allowed outside the declared hours of operation.

Previous well document did not permit commercial uses. Has that been resolved with State's Division of Water Resources? This needs to be addressed in the Letter of Intent.

Have you begun the building permit process with Pikes Peak Regional Building Department?

Have to contacted El Paso County Public Health to upgrade the septic system - to accommodate commercial office?

### Provide statements about compliance with the following sections of Code:

(7) **General Standards for Rural Home Occupation.** Rural home occupations shall conform to the requirements and standards of a residential home occupation with the following specific allowances.

(a) **Outside Storage and Work Areas Allowed.** Outside storage, parking and work areas are allowed provided these are set-back a minimum of 50 feet from all property lines and are limited in combination to one acre or 5% of the total lot or parcel area, whichever is less. The screening standards of Chapter 6 of this Code shall apply to all outside storage areas.

(e) **Environmental Impacts.** The rural home occupation shall not result in any generation of solid waste or hazardous substances or petroleum or excessive noise, vibration, dust, glare, drainage, erosion or other environmental impacts to surrounding lot or parcel owners.

(b) **Employees and Traffic.** A maximum of 10 employees are allowed on the subject lot or parcel per day, who are not family members or principally employed in a use which is otherwise allowed on the lot or parcel. The rural home occupation shall not generate more than a maximum of 50 daily trips.

(a) **Accessory in Character.** The residential home occupation shall be clearly subordinate to the use of the lot as a residence, and the use of the dwelling or detached accessory structure for the home occupation shall not result in any visual or other essential change in the residential character of the property.

How will the residential character be preserved? What mitigations will be in place? How is dust controlled? Neighbors have complained about floodlights. Address lighting in your Letter of Intent. See Code section 6.2.3.B.1 including sections below.

(a) **Concealed or Shielded.** Light fixtures shall be arranged and positioned such that the light sources are concealed and fully shielded so that no direct light or reflection creates a nuisance or hazard to any adjacent ownership or right-of-way and that up-light, spill-light, glare, and unnecessary diffusion are minimized.

(b) **Non-Security Lighting During Non-Operating Hours.** Exterior lighting, including but not limited to floodlights used to light a building façade, shall be reduced, activated by motion sensor devices, or turned off during the principal use's non-operating hours. Lighting necessary for security shall not be subject to this