

14855 E HIGHWAY 24 - Contractors Equipment Yard - Rural Home Occupation

Property Owners: Roger beers, Todd Beers – “Beers Construction Holding CO”

14855 E HWY 24, Peyton CO 80831

719-209-3879 - Roger

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Todd@beersconstruction.com

719-210-0400

Applicant: Alberto Castro

12907 Devils Thumb Place, Peyton CO 80831

Alberto@bluepicketrealty.com

719-766-1663

Tax Schedule No: 4227000010

Acreage: 20 Acres

Zoning: A-35

Utilities: 2 wells (water), 2 septic systems (wastewater), MVEA (electric), propane gas

For reference, although this tract is unplatted and does not meet the acreage requirement of the A-35 zoning district, it has a creation date of 1971 which predates the establishment of El Paso County subdivision regulations making it a "Legally Non-conforming Lot". No response necessary.

Site Location: Property is located on the Northeast corner of U.S HWY 24 and Curtis Road

Request: Request is for approval of a Rural Home Occupation as a Special Use permit to allow for contractor’s equipment yard similar to & within the context of the existing uses of surrounding properties of the same zone district. The proposed special use is non-invasive and harmonious with the neighboring businesses and will always conform to all applicable laws and regulations. This property is used by Beers Construction, a small family owned and operated underground utility contractor. Items stored will include but are not limited to general construction equipment, truck trailers, materials such as piping, steel, millings and job trailers. The amount of materials, equipment and job trailers stored will vary daily depending on needs at other active construction project sites. Traffic to and from the site is anticipated to be 40 trips a day or less.

A. Land Development Code Section 5.3.2 (C) Criteria:

In approving a special use, the following criteria may be considered:

1. The special use is generally consistent with the applicable Master Plan.
2. The special use will generally be in harmony with the character of the neighborhood and will generally be compatible with the existing and allowable land uses in the surrounding area. This proposal of special use of a contractor’s equipment yard is compatible and harmonious with the current surrounding residential and commercial land uses within the same zoning district, as most surrounding residential and commercial properties have some form of outside storage. The adjacent property just south of this parcel is a Storage yard that stores RV’s, recreational vehicles, boats, semi-trucks and a wide variety of other items. Other surrounding properties both East and North of this parcel whether, zoned for it or not, use their properties for outside

"Area of Change" is a broad category encompassing all unincorporated El Paso County. This property exists within the "New Development" Area of Change category, which is generally supportive of this request. Please update to reference "New Development" instead of "Area of Change".

storage of miscellaneous items to include semi-trucks, r.v' or abandoned vehicles and other large items. Required setbacks from the residential zone district will be observed. 6' Chain link fence with 100% opaque vinyl screen material along adjacent properties to the South and West is proposed to cover the outside storage area.

3. This parcel is identified as "an area of change" in the current master plan. With Peyton Colorado rapidly expanding it is nearly impossible to find a lot zoned for a contractor equipment yard, as residents of this area we believe change is necessary for growth. As a contractor who works directly with Colorado Springs utilities and other entities directly responsible for building the infrastructure of our growing city, we find it a necessity to have our contractor equipment yard here. We also think this lot is ideal for this type of change and growth, it is adjacent to Hwy 24 and right next door to a well-established commercial business "Falcon Storage".

4. The impact of the special use does not overburden or exceed the capacity of public facilities and services, or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner. No use of public facilities or services is planned for the contractor's equipment yard. No development of new public or private utilities is needed or proposed.

5. The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access. Minimal impact to existing traffic patterns is expected with less than 40 trips to the site per day. The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution.

6. The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County. This proposal of special use will not adversely affect public health, safety and welfare, as the property will be secured from public access with a locked gate, and security cameras.

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

8. The lot has been previously graded, and gravel placed. The only new development or grading proposed on the lot is a new building to be used as an office space. There is no timeline for when this phase of the project will begin but we estimate in the next 3-5 years. The lot is currently a residential home with a contractor's equipment yard and this proposal is to bring the use into compliance.

Alternative Landscape Request:

Pursuant to Section 6.2.2. of the Land Development Code (LDC), the Director may approve an alternative landscape plan, provided the proposed landscaping provides an equivalent. The LDC requires perimeter landscaping of one tree per 20 feet when a commercial use is adjacent to a

Is the future building included in this special use request? If not, a new Special Use permit must be applied for at the time the office space is needed.

Approximate the development area.
Note that for disturbances of greater than 1-acre an ESQCP and stormwater quality treatment facility (PBMP) will be required and will need to be addressed with the site development plan. Exclusions to the PBMP requirement can be found in our PBMP Applicability Form and ECM Appendix I.7. The Site was heavily graded in 2022/2023 without stormwater permits and all disturbance on the parcel needs to be accounted for.

residential use/zoning district along with a solid privacy fence. Seeing as only the property to the East and the property to the North are residential zoned, the property West is hundreds of acres of undeveloped land, the property South is a commercial storage yard, we find it justifiable to have an alternative landscape plan approved.

The property is 20 acres in size, whereas the proposed development will be less than 2-acres in size.

The commercial activities take place in the Southeast quadrant/ middle of the property. The outside storage will be screened from the residential properties by the chain link 6-foot fence with opaque vinyl screen material. The development will be setback a minimum of 50' from the south property line, 480' from the East, 350' from the South and 200' from the West property lines. The proposed screening, size of the property, and large setback allow for any to be mitigated. In addition, there are about 150 trees already existing on the property. These trees range from 20-30 feet in height and are well established, the brushes and native smaller trees in that area. There are about 30 Evergreen trees on the West side of the property forming a "fence line", as well as approximately 40 Evergreen trees on the West Side of the home creating a great barrier already.

Section 5.2.29.B.7.a (Outside Storage and Work Areas Allowed) states "Outside storage, parking and work areas are allowed provided these are... limited in combination to one acre or 5% of the total lot or parcel area, whichever is less.

The LDC would require a solid privacy fence along the entire perimeter of the property, which is out of character with the adjacent rural residential lots and would cause a visual barrier in place of blending into the surrounding neighborhood. Privacy fencing is not allowed immediately adjacent to the outside storage area.

Please clarify that the outside storage and work areas, not including the future office space or drive aisles, will be limited to 1 acre.

The proposed alternative landscaping request to utilize privacy fencing as well as all the existing landscaping around the buildings, home and plantings at entrance will meet the intent of the Code. Additionally, the proposed landscaping is in keeping with the character of the surrounding neighborhood.

Traffic:

- Vehicular Traffic: Daily vehicle trip generation varies but generally does not exceed 20- 40. Peak hour trips do not exceed 10.
- There are no additional proposed minor or major roadway intersections.
- The change in the type of traffic to be generated does not adversely affect the traffic currently planned for and accommodated within, and adjacent to, the property.
- The adjacent public roadways, accesses, and intersections will be maintained.
- No roadway or intersection in the immediate vicinity has a history of safety or accident problems.
- Pedestrian Traffic: proposed use will not generate any new pedestrian traffic.
- Bicycle Traffic: proposed use will not generate any new bicycle traffic.