

March 10, 2022

El Paso County Planning and Community Development  
28890 International Circle  
Peyton, CO 80910

RE: Letter of Intent – Variance of Use Application for a Proposed Rural Destination Brewery at 6550 Chief Road, Peyton, CO 80831  
Parcel No. 4307004005

Joseph Prue and Stephanie McDiarmid own the property at the referenced address. This property consists of 13.4 acres and is zoned A-5 (Agricultural). We respectfully request your approval of a Variance of Use to allow us to establish a rural Destination Brewery/Tasting Room on the property.

The structures existing on the site are listed on the site map; there will be a new driveway providing access to the property from Chief Road. These structures lie within the 13.4-acre parcel. We intend to use the property as our primary residence, a .5-acre agricultural hops and vegetable garden, and with approval of a Variance of Use, establish a rural Destination Brewery/Tasting Room on the property.

Per El Paso County Use and Dimensional Standards Section 5.3.4c the following criteria may be considered for approving variance of use:

1. The strict application of any of the provisions of this Code would result in peculiar and exceptional practical difficulties or undue hardship.
2. The proposed use is compatible with the surrounding area, harmonious with the character of the neighborhood, not detrimental to the health, safety, or welfare of the inhabitants of the area and County.
3. The proposed use will be able to meet air, water odor or noise standards established by County, State or Federal regulations during construction and upon completion of the project.
4. The proposed use will comply with all applicable requirements of this Code and all applicable County, State and Federal regulations.
5. The proposed use will not adversely affect wildlife or wetlands.
6. The applicant has addressed all off-site impacts.
7. The site plan for the proposed variance of use will provide for adequate parking, traffic circulation, open space, fencing, screening and landscaping; and/or El Paso County, Colorado Land Development Code Use and Dimensional Standards.
8. Sewer, water, storm water drainage fire protection, and roads will be available and adequate to serve the needs of the proposed variance of use as designated and existing.

9. The proposed use will not adversely affect the El Paso County Master Plan, including the Master Water Plan, Major Transportation Corridor Plan, and the Parks Plan.

These criteria are addressed as follows:

1. A rural Destination Brewery/Tasting Room differs from a typical Urban Brewery in that an Urban Brewery is focused on maximizing craft beer sales and access to customers in densely populated areas (i.e. city centers) with a high rate of traffic. A rural Destination Brewery/Tasting room, by contrast, is focused on providing customers with a unique opportunity to sample craft beer while appreciating the local rural landscape. Furthermore, our project will take it one step further and provide customers with an opportunity to further understand the craft brewing process by being exposed to the hops growing process and other fermentable ingredients (1/2-acre hops/vegetable garden). Since the referenced parcel is zoned as A-5, there is no zoning code that addresses our concept of a Destination Brewery/Tasting room located and operating on the same piece of rural property that has a hops/vegetable garden and residential dwelling. Strict application of the provisions of this Code would result in peculiar and exceptional difficulties or undue hardship in our ability to bring this project to fruition without a Variance of Use.

This parcel is located within the Colorado Enterprise Zone—designated to promote a business-friendly environment in economically distressed areas and incentivizes business to locate and develop in these communities. It is our belief that this property is in an ideal business-friendly environment as the Pikes Peak Region's first true rural Destination Brewery/Tasting Room. Without the requested variance, the property will continue to be underutilized, and limits the ability to establish a thriving business in a Colorado Enterprise Zone while providing a rural ambiance and educational experience to the local community.

2. The proposed use is compatible with the surrounding area, is harmonious with the character of the setting and situation, and is not detrimental to the health, safety, or welfare of the inhabitants of the area and county. The operation of the Destination Brewery/Tasting Room will not generate any type of emissions or excessive light or noise. Normal business hours will be observed and access in and out of the site will be via Chief Road consistent with the intended use as a rural collector road.

Supporting the County Master Plan: As indicated on the Areas of Change map, this area is expected to create new development. As a Large-Lot Residential placetype, this property conforms with the established primary and supporting land uses categories. Primary land use focuses on Single-Family Detached Residential (typically 2.5-acre lots or larger) and Supporting land uses includes Commercial Retail (limited), Commercial Services (limited) and Agriculture. As mentioned earlier, our 13.4-acre lot will be our primary residence, the Destination

Brewery/Tasting room would be our Commercial Retail and the Hops Farm would be our Agriculture land use designations.

3. There will not be any activities within or around the venue that would result in air, water, odor or noise contamination. Any noise from within or around the venue will meet standards established by the county, state and federal regulations.
4. This proposed use will comply with all applicable requirements of this Code and all applicable county, state and federal regulations.
5. The proposed use will not adversely affect wildlife or wetlands. The Destination Brewery/Tasting Room will be on our property; which is inclusive of 13.4 acres and has no designated wetlands. We will ensure that all trash and debris associated with the Destination Brewery/Tasting Room will be collected and disposed of properly as this property is also our primary residence.
6. Off-site impacts are addressed with the use of fencing and screening on the property and is detailed in subsequent paragraphs below. Our intent is for the Destination Brewery/Tasting Room to be harmonious with the surrounding area. The nearest residential house is more than 600 ft from the Destination Brewery/Tasting Room. Any additional off-site impacts will be addressed in accordance with existing codes and regulations.
7. Site Plan:
  - a. Parking: The site plan drawing includes adequate parking and traffic circulation. Parking will be based on an estimated 2,000 sf of seating space with a maximum 60 seats, thus requiring at a minimum 1 parking space for every 3 seats in the seating space. Therefore, our parking lot will provide a minimum of 20 (rock or gravel) regular parking and 2 (asphalt or paved) ADA parking spaces to accommodate the facility's needs per the Department of Justice's Americans with Disabilities Act and the El Paso County Colorado Land Development Code Chapter 6.
  - b. Traffic: we have secured two transportation consultants; LSC and Drexel Barrell & Co. Both companies have provided a cost estimate on performing a comprehensive traffic evaluation regarding the traffic within the area of 6550 Chief Rd. (to include Falcon Highway (major collector) and Chief Rd. (rural collector). Our intent is to construct an access driveway to the Destination Brewery/Tasting Room from Chief Rd in order to minimize any impacts to Falcon Highway traffic. The existing dirt/gravel access to the property from Falcon Highway will be blocked off and rendered non-accessible.

According to the Institute of Transportation Engineers (ITE) Trip Generation Manual, the Destination Brewery/Tasting Room will generate 11.34 trips per pm peak hours per thousand square feet of the establishment. Since it is estimated that our Destination Brewery/Tasting Room would be 2000 sf, then this project will require a TIS (Traffic Memorandum).

- c. Fencing: Current fencing exists on all borders of the property. It is our intent to convert the existing fence to a more esthetically pleasing fence of either split rail vinyl or wood around the entire property (except in the area identified below in the "Screening Section").
  - d. Screening: we will install 6-ft high fencing on the eastern, northern, and western borders around the Brewery/Tasting Room and parking area. The eastern fence line will be 150 ft long along Chief Rd. The northern fence line will be 260-ft long. Lastly, the western fence line will be 150 ft (please see attached Site Plan for detailed placement). All refuse equipment will also be screened with fencing at least 6 ft high.
  - e. Landscaping: landscaping will be done in accordance with El Paso County Colorado Land Development Code Use and Dimensional Standards where required.
8. Wastewater: although the property does not currently have an onsite wastewater treatment system (OWTS), upon approval of the Variance of Use we will be installing a commercial-grade OWTS (designed by a Colorado Registered Professional Engineer) in conjunction with the construction of the Brewery/Tasting Room that will accommodate wastewater demands.

Water: our existing well (permit #85704) is currently permitted for domestic; irrigation of lawn, garden, and green house; agricultural; commercial; replacement; firefighting; the watering of domestic animals and livestock; and fish and wildlife. We were recently awarded water rights associated with the property by the Colorado Division of Water Resources and will have adequate water to accommodate our desired uses for the property—to include the intended use in accordance with this Variance of Use request.

Storm water drainage: the total acreage for the residential house, brewery and hops/vegetable garden does not disrupt an area greater than 1 acre and therefore a storm water drainage plan/permit is not required. However, we will comply with all storm water drainage regulations that pertain to projects less than 1 acre in size.

First responders: will have clear access to the property and existing structures on the property. Likewise, the Destination Brewery/Tasting Room will comply with all fire protections codes and regulations.

9. Master Plan: This Variance of Use proposal is consistent with the El Paso County Master Plan, including the Water Master Plan, Major Transportation Corridor Plan, and the Parks Plan. This proposal supports the county's vision of economic growth and land use while maintaining good stewardship of the environment.

- a. Water Master Plan: The El Paso Water Master Plan (February 2019) stresses the importance of understanding water supply and the need for water conservation. The plan highlights the need to *"ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

This proposed Variance of Use has no adverse impacts on the county's Water Master Plan. In fact, the parcel of land associated with proposal has an existing well and will include the installation of septic systems to maximize water reclamation. A water meter will be installed on the well to track water use and provide data on methods to minimize water usage. Additionally, xeriscaping will be a priority in the landscaping of this property for the purpose of this proposal. Likewise, water reuse will be used throughout all phases of operation on the property to maximize efficient water use. Water is the central element of the brewing process and its conservation is critical in the future success of this proposal.

- b. Major Transportation Corridor Plan: According to *El Paso County Major Transportation Corridor Plan Update (2016) Chapter 4*; there are no plans affecting Chief Rd.

This proposed Variance of Use for this parcel of land will require a driveway access permit from Chief Rd (gravel road) in order to access the property. This requirement was previously identified during the initial Early Assistance Meeting with county planners and engineers and will be in compliance with county code and regulations. This proposed Variance of Use has no adverse impacts to the El Paso Major Transportation Corridor Plan.

- c. Parks Plan: Falcon Regional Park (*February 2015*) is 215- acre parcel of land located in the Falcon/Peyton area of El Paso County, Colorado. The park is bordered by the Trails Subdivision to the north, Eastonville Road to the east, the Meridian Ranch Development to the west, and is north of the District 49 Falcon High School. The intent of the Falcon Regional Park Master Plan is to establish a vision for development of the park in its entirety, identifying all of the park facilities and amenities that will ultimately be constructed.

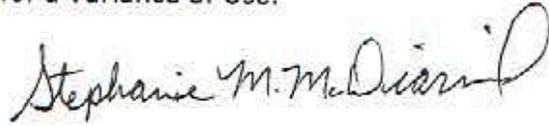
This proposed Variance of Use for this parcel of land is located neither in the vicinity of nor within the above described boundaries of the Falcon Regional

Park. This proposed Variance of Use will have no adverse impacts to the Falcon Park Regional Master Plan.

Thank you for your consideration and please feel free to contact me with any questions. We look forward to an approval of our application for a Variance of Use.

A large, stylized handwritten signature in black ink, appearing to be 'J. Prue', written over the printed name.

Joseph Prue & Stephanie McDiarmid  
Owners  
6550 Chief Rd, Peyton, CO 80831

A handwritten signature in black ink that reads 'Stephanie M. McDiarmid'.