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Board of County Commissioners
Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

July 19, 2024
RE: 515 South Yoder Road - Special Use
File: AL247
Parcel(s): 1400000459

This is to inform you that the above referenced request for approval of a Special Use application for a Agricultural Business located at 515 South Yoder Road was **approved** by the Planning and Community Development Director on July 19, 2024. It is the determination and finding of the Planning and Community Development Department (PCD) Director that the application meets the review criteria for approval of a Special Use included in Section 5.3.2 of the El Paso County Land Development Code (as amended).

This approval is subject to the following conditions and notations:

CONDITIONS OF APPROVAL

1. Approval is limited to the Agricultural Business structure, as discussed and depicted in the applicant's letter of intent and site plan drawings.
2. The applicant shall pay the required road impact fee in accordance with Resolution 19-471, within 30 days of approval of the Special Use application (AL247).

NOTATIONS

1. Special Use approval includes conditions of approval and the accompanying site plan and elevation drawings. No substantial expansion, enlargement, intensification, or modification shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code.
2. The Board of County Commissioners may consider revocation and/or suspension if zoning regulations and/or Special Use conditions/standards are being violated, preceded by notice and public hearing.
3. If the Special Use is discontinued or abandoned for two (2) years or longer, the Special Use shall be deemed abandoned and of no further force and effect.

Pursuant to Colorado Rule of Civil Procedure 106, this decision may be appealed to the El Paso County District Court within 28 days of the date of the decision. Should you have any questions, please contact me at (719) 520-6300.

Sincerely,



Meggan Herington, AICP, Executive Director
El Paso County Planning and Community Development Department
File: AL247

515 S Yoder Road

Letter of Intent (Special Use)

May 2024

Owner/Developer: Leland's Industries LLC
900 S McDuff Street
Grandview, TX 76050

Applicant: Terra Nova Engineering, Inc.
721 S. 23rd Street
Colorado Springs, CO 80904
(719) 635-6422

SITE LOCATION: 515 S Yoder Road

SIZE: 40.18 Acres

ZONING: A-35

TAX SCHEDULE NUMBER: 1400000459

INTRODUCTION: The owner seeks a Special Use permit for the manufacture and temporary storage of sheds on a site zoned A-35. There is an existing 30,000 SF commercial building on the parcel which will be used for the construction of the sheds and the storage of building material. The sheds are temporarily stored on the north/west side of the parcel before they are ultimately transported offsite to be sold. ADA access and additional parking will be provided on the south and east sides of the existing building. No new structures are proposed. Existing wells and a septic system will be used for this site. Access will be obtained from an existing private drive which connects to S Yoder Road. The layout is shown on the site plan.

PROPOSAL: The application covered by this Letter of Intent includes a Special Use to allow the construction and storage of sheds on a lot zoned A-35.

THE PLAN: No disturbance is proposed for this site as the required parking will be made from existing flat space and the existing residence will be used for the business.

Utilities for the site will include individual wells and an existing onsite septic system. No connections to municipal water or sewer services are proposed. Due to the site being outside CSU's Electric Service Territory, connecting the site to a municipal sewer and/or water system is not required. Mountain View Electric provides electric services to the site.

EXISTING AND PROPOSED FACILITIES: There is an existing 30,000 SF building on the site. The structure will remain. No proposed structures are included in this application.

WAIVER REQUESTS: No waivers are requested as part of this plan.

TRANSPORTATION: The site will be accessed from an existing drive.

TRAFFIC: Traffic generation will be low and a traffic memo will not be required for this project. Per ECM Section B.1.2.D, a traffic impact study is not required if “(1) Daily vehicle trip-end generation is less than 100; (2) there are no additional proposed minor or major roadway intersection on major collectors, arterials, or State Highways; (3) the increase in the number of vehicular trips does not exceed the existing trip generation by more than 100 daily trip end; (4) the change in the type of traffic to be generated (i.e., the addition of truck traffic) does not adversely affect the traffic currently planned for and accommodated within, and adjacent to, the property; (5) acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained; (6) no roadway or intersection in the immediate vicinity has a history of safety or accident problems; and (7) there is no change of land use with access to a State Highway.” The project meets all of this criteria.

Road Impact Fees apply to this project as no traffic impact study is being submitted.

UTILITIES: A private water supply well and wastewater septic system exist on this lot. Mountain View Electric provides electrical services to this site.

OVERLAY ZONING: No overlay zoning applies to this site.

CRITERIA FOR APPROVAL:

Special Use (LDC Section 5.3.2c):

- ***The special use is generally consistent with the applicable Master Plan;*** The site is not in contradiction with the Master Plan. Per the El Paso Master Plan Key Areas Map, this site is located nearest to the “Small Towns & Rural Communities” unincorporated area of Yoder and is not within a key area itself. On the Areas of Change Map, the site lies within the ‘Minimal Change: Undeveloped’ section as part of the 90% of the County that

is expected to see minimal change. These areas will experience some new development and redevelopment but will generally be limited in scale so that it does not alter the essential character of the area. This special use will not alter the prioritized rural and natural environment. The site is located within the 'Rural' placetype per the Master Plan Placetype Map. 40 acre lots such as this site are typical of this placetype which covers most of the eastern half of the County. The character of this placetype will not be changed through this special use and a zone change would not be required.

- ***The special use will 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;*** The special use application is seen as being in harmony with the rural neighborhood. There is only one residence within half a mile of the site and the business is not a burden on the neighbors as there have been no complaints related to it. No changes to the current configuration of the property will be necessary for the use, so its use will mostly go unnoticed.
- ***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 impacts to the public facilities will be noticed. The property is on well and septic and the current facilities and water allowances with the well should be sufficient for the noted special use. Water needs are limited to drinking water and bathrooms inside the existing building. A sufficient water supply has been acquired in terms of quantity, quality, and dependability and the well permits are provided in this submittal. The private wastewater septic system is permitted and also included in this submittal.
- ***The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access;*** Traffic generated is anticipated to be low. Adequate, legal access will be obtained from an existing private drive which connects to S Yoder Road.
- ***The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution;*** The proposed application complies with all local, state and federal laws and regulations. The proposed use will meet air, water, odor, and noise standards and should have no effect on property values as the use will be largely unnoticed. There will be no effect on wildlife or wetlands.
- ***The special use will comply with not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County;*** The request for the special use is not detrimental to the health, safety and welfare of El Paso County residents and is an allowed use in the zone district.

- ***The special use conforms or will conform to all other applicable County rules, regulations or ordinances;*** The application conforms with all applicable sections of Chapter 6 & 8 of the Land Development Code.

