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May 26, 2022

El Paso County Development Services  
2880 International Circle  
suite 110  
Colorado Springs, CO 80910

**PCD File No.: P-22-004**

**SUBJECT:** Rezoning Justification, 2295 Old Ranch Road, and 10245 Otero Avenue Colorado Springs, CO 80920

2295 Old Ranch Road and 10245 Otero Avenue are located on southeast corner of Old Ranch Road and Otero Avenue. The 15.861 acre site is current zoned RR-5 and is composed of portions of Lot 7 and Lot 8, Block E, Spring Crest Amended Filing, together with the adjacent 20 feet of vacated Otero Avenue.

**Lot 7 information:**

Owners

Powroy Family Living Trust; Powers Mark Shern Co-Trustee Conroy Lisa Krier Cotrustee  
2295 Old Ranch Rd

Colorado Springs, CO 80908

Assessor's Parcel No.: 6228005030

Existing zone: RR-5

There is current a single family home on the southeast portion of the site with a drive that runs north, across Lot 7 to Old Ranch Road

**Lot 8 information**

Owner

Jay Stoner

5655 Bridlespur Ridge Place

Colorado Springs, CO 80918

Assessor's Parcel No.: 6228005033

Existing zone: RR-5

This site is adjacent to Old Ranch Road. It is vacant pasture except for the Lot 8 driveway.

### History

This site was subdivided in December of 1959. The area at this time was rural. Lot sizes in the area were 5-acres. Since that time, most of the area has been resubdivided into smaller (2.5 acre) lots.

Areas surrounding the site are; to the east and northeast is the City Limits of Colorado Springs. Lots in this area are zoned R16 (single family residential lots of 6000 square feet). There is a small open space / park buffer between the house on Lot 7 and these lots. There is no buffer as you proceed north onto Lot 8. To the south and southwest of the site are lots, County zoned RR-2.5. To the west of the site, across Otero are County zoned RR-2.5 lots. This is also true of the lots directly north of the site, across Old Ranch Road; County zoned RR-2.5. These two lots are surrounded by lots zoned for 2.5 acres (County) or less (City).

### Request and Justification

Our intent is to rezone the site so that in the future, the two existing lots will be replatted into three, residential, single-family lots; one on the east side of the creek that access Old Ranch Road; and two on the west side of the creek that will access Otero. The proposed zone change is compatible with the surrounding properties. The lots will be consistent with the RR-2.5 zoning with respect to lot layout, land use, lot size, minimum building setbacks, water supply and wastewater disposal.

### **Criteria for Approval. In approving a Map Amendment, the following findings shall be made:**

This rezone request is in compliance with the El Paso County Master Plan as adopted May 26, 2021.

1. • *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 PLACETYPE of the area is Suburban Residential. It is characterized by predominately residential areas with mostly single-family. This site fits that description. We are seeking to rezone the Site to RR-2.5. This will allow the site to be replatted into three residential lots. One lot, with the existing residence will lie east of the creek and will continue to use its access onto Old Ranch Road. Two new residential lots (2.5 acres each) will be created on the west side of the creek and will access Otero. Said subdivision will occur after the zone change has been approved. This will have minimal if any change to other developed areas and/or enclaves.

2. • *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;*

The site is in compliance with the applicable statutory provisions, required by the State. It is currently a residential zoned area and will remain so after the rezone

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

The site is compatible as stated in Item 1 above. We are actually rezoning it to match the existing, surrounding County zone of RR-2.5

*4. 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*

The site is currently zoned residential and will remain so with the rezone. All lots will meet or exceed the minimum 2.5 acre lot size, minimum lot width of 200' and minimum setbacks; 25' front and rear; 15' side

#### Water and Sewer

A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code. Water service is to be provided by individual on site wells operated under a State approved Water Augmentation Plan. According to the State Division of Water Resources, this site sits in Water Division 2, Water District 10. Water for the existing house on Lot 7 is provided via the existing well. Lot 8 also has an existing well, Permit 172655. Water usage will not exceed the statutory allocated amounts for either well.

An individual on-site sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. §30-28- 133(6)(b)] and the requirements of Chapter 8 of this Code. Waste water is intended to be treated via individual on-site septic systems designed, constructed and operated under State and County Health Department rules and regulations and in accordance with the Water Decree. Lot 7 will continue to use its existing septic system. When Lot 8 develops it will have an (individual) on-site, septic system with leach field. This is in line with the water master plan for the area. A listing of some of the policies of the Water Master Plan that are supported by the proposed development follow: Policy 4.1.3 – Support enhanced monitoring of sources of surface and tributary groundwater in the County. The referenced decree requires use of metering for the wells to insure compliance with the terms of the permit; Policy 6.2.1.2 – Encourage re-use of treated wastewater for irrigation and other acceptable uses when feasible. Both the existing residence and the two, new single-family residences on the proposed 2.5 acre lots will utilize onsite wastewater treatment systems which will provide “Return Flows” the environment as a condition of the groundwater findings and order and the well permit.

#### Traffic Generation

Trips per day will not increase for the existing residence due to the zone change. It will continue to access Old Ranch Road on the existing driveway. The site along Otero will access Otero only. There is a possibility of one more single family lot being created by the zone change, for a total of three single family lots. The development is expected to generate a total of 28 trips per day (Average weekday trips ends) and 3 trips in the peak hour based on 9.44 trips per unit for Single Family Detached Housing (according to Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers). This number of trips is below the County threshold of 100 trips per day or 10 trips during the peak hour. Therefore, a Transportation Impact Study (TIS) is not required for the project. This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 19- 471. Traffic Impact Fees will be paid at time of building permit.

#### Parks Master Plan

The proposed rezone area is in compliance with the Parks Master Plan, which does not appear to call for trails or parks in the site. The site is located just west of the Tracts B and D, Creekside Estates Subdivision No. 2 open space. Any required Park Fees will be paid at the time of replatting.

FEMA Floodplain

Kettle Creek runs through the zone change area from north to south. According to FEMA Floodplain Panel 08041C0506 G, dated 12-7-18, portions of Kettle Creek, on the site are in are AE of the 100-year floodplain. Flood elevations are shown on the FIRM Panel. The floodplain will have no affect on the zone change, but will be taken into account at the time of replatting the site; building areas on Otero will not be in said floodplain.

We ask that El Paso County grant the zone change request to RR-2.5. This will allow three single family lots to be replatted and the size will fit the surround properties.

Please contact our office with any questions, thank you

Oliver E. Watts, Consulting Engineer, Inc.

By: \_\_\_\_\_  
Erik Watts, Authorized Representative