

EL PASO COUNTY



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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

February 11, 2020

This letter is to inform you of the following petition which has been submitted to El Paso County:

P-19-002

SEVIGNY

MAP AMENDMENT (REZONE) PINE VIEW ESTATES

A request by Alice Jolene Owens for approval of a map amendment (rezoning) for 38.8 acres from A-35 (Agricultural) to RR-5 (Residential Rural). The property is located approximately 3,000 feet northwest of the Hopper Road and Ranch Hand Road intersection, and is within Section 13, Township 11 South, Range 64 West of the 6th P.M., El Paso County, Colorado. (Parcel No. 41000-00-428) (Commissioner District No. 2) **Type of Hearing: Quasi-Judicial**

Comments: For Against No Opinion
This Petitioner Sub Division will create more traffic on the Highway 160/161 Rd. Disruption to the community. Also water access and construction. See attached for details.
(FOR ADDITIONAL COMMENTS, PLEASE ATTACH ANOTHER SHEET.)

- **This item is scheduled to be heard by the El Paso County Planning Commission on March 3, 2020.** The meeting begins at 9:00 a.m. and will be conducted in the Second Floor Hearing Room of the Pikes Peak Regional Development Center, 2880 International Circle, Colorado Springs.
- **The item will also be heard by the El Paso County Board of County Commissioners on March 24, 2020.** The meeting begins at 9:00 a.m. and will be conducted in the Centennial Hall Auditorium, 200 South Cascade Avenue, Colorado Springs.
- The date and order when this item will be considered can be obtained by calling the Planning and Community Development Department or through El Paso County's Web site (www.elpasoco.com). Actions taken by the El Paso County Board of County Commissioners are posted on the internet following the meeting.
- The online submittal portal can be found at: www.epcdevplanreview.com
- The Staff Report for this Agenda item can be found at: <https://planningdevelopment.elpasoco.com/el-paso-county-planning-commission/planning-commission-2020-hearings/>

Your response will be a matter of public record and available to the applicant prior to the hearing. You are welcome to appear in person at the hearing to further express your opinion on this petition. If we can be of any assistance, please call 719-520-6300.

Sincerely,

Gabe Sevigny
Gabe Sevigny, Planner II

Migliaccio

Your Name:

Address:

Property Location:

(printed)

(signature)

Phone

2880 INTERNATIONAL CIRCLE, SUITE 110
PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127
FAX: (719) 520-6695

WWW.ELPASOCO.COM

Objections to Subdivision

- 1) Water. Will each 5 acre property have its own well? If so, will the well be classified as “household only”, meaning no livestock? Knowing the landowner, each lot will be marketed as horse property. Adding an unknown quantity of large animals to the demand on the aquifers will add considerable strain to a limited supply of water. In addition, each of the 7 proposed homes will, no doubt, install landscaping (to include sod) which replaces the native grasses and trees. Sod and other landscaping has no drought resistance and no ability to absorb flood waters which will have a direct impact on neighboring properties to the West. At least one house in this subdivision requested a variance to drill into the Denver aquifer because they were unable, for whatever reason, to reach the Dawson. If any or all of these proposed home sites require variances how will that be resolved?
- 2) Traffic. Hopper Road will be the primary route in and out of this area. Assuming an eventual 7 family occupation, with at least 2 vehicles per family, we can expect another 28 round trips every work day (not including travel during the weekends or trips to the store, activities, etc.). Hopper is an embarrassment. Although it is a designated Peyton School District bus route, it receives little or no attention during the winter. It currently is so bad that it causes damage to the undercarriage of vehicles on a regular basis. Deep ruts, washboard, large dips and drifted snow make travelling an expensive proposition. Adding more vehicle traffic will only make matters worse. After Hopper Rd, you can choose either Elbert Rd or Bradshaw Rd to continue the journey. Elbert Rd has received one chip and seal treatment in the last 10 years and the occasional pothole fill but remains a jarring ride due to the poor

maintenance and cheap “fixes”. Bradshaw only receives repair after complaints and is consistently riddled with potholes.

Neither option provides a safe route of travel. Expenses that these damaged roads incur can’t be overstated. Further, Murphy, Sweet and Latigo are all well-maintained and passable, but these roads all eventually get to Elbert which is the worst.

- 3) Noise and intrusion. Adjacent to the West and Northwest of this proposed site is cattle property. Both properties raise cattle for profit. These animals are susceptible to a variety of unknowns but human interference (shouting, screaming, chasing) can cause them distress which often leads to premature deliveries, sterility, and lack of production. Each lost calf represents significant loss of income and increased cost of support to the mother. We raise cattle for profit, not fun. Both properties employ livestock guardian dogs which protect the animals from predators. The cattle are familiar with these animals. Barking dogs from neighbors distract the guardian animals from their duty and generally cause disruption of the enterprise.
- 4) Drainage. This proposed property is higher, in most areas than the properties to the west. By disrupting the natural environment currently in place, the drainage (runoff) from this site will wind up on the adjacent west and northwest properties. Assuming asphalt surface material to be applied, those chemicals and oils will drain directly onto the pastures to the west and northwest, thus contaminating those grazing grounds and posing yet another hazard to the animals relying on that grass for feed. It is well known that drainage is the single most contested point in any development and those existing properties are forced to deal with the fallout. It never benefits the existing properties.

- 5) Profit and taxes. The only people to benefit from this subdivision are the landowner and the County. The landowner will receive far more than the property is worth, and the County will receive a huge increase in tax collections every year. Since the County tax receipts go into a general fund it is not clear where the money will go. Certainly, road maintenance for us will not be a priority as it has not been so far. The landowner doesn't live near this proposed subdivision therefore she will not have to live with the consequences. It's a win-win for both. Not so much for those of us left to pick up the pieces.
- 6) Enforcement. The County has neither the financial resources, manpower, or apparently the inclination to enforce current laws. Directly adjoining our two properties to the west is a marijuana growing facility. A year ago, their power connection failed and began to arc. Had we not been here to catch the problem quickly, the arcing would have eventually increased and caused the surrounding pasture land to catch fire. As this county has had two major fire catastrophes in the last several years, it is clear this could have been disastrous, not only to us but the neighboring properties as well. According to Mountain View Electric technicians at the site, this operation was over-drawing the feed causing the failure. The site is also using well water to irrigate the plants. This is in direct violation of the Colorado DWR rules. This particular site has been reported several times. It was finally raided last year but has since been started up again. It currently has no tenant but this will change. The owner has nothing to lose and everything to gain. These plants require huge amounts of electricity and water and pose a significant risk, as stated above, to surrounding landowners. Who will supervise, and ultimately

enforce the eventual land, water and electricity limits placed on these properties?

- 7) Conclusion. If history is our guide, these landowners will do as they please with little regard to their environmental impact on their own property, let alone the neighbors. 7 more families crowded into an area already overtaxing roadways, water access and electricity. 7 more presumably large houses with large demands attempting to co-exist with primitive rural properties around it. Clearly, only two entities benefit from this proposal. Each existing landowner will bear the brunt of the impact long after Ms. Owens and the County reap their reward.