

## **SPECIAL USE PERMIT/SITE DEVELOPMENT PLAN**

### **LETTER OF INTENT**

**MARCH 2024 | UPDATED AUGUST 2024**

---

#### **OWNERS:**

**LUCKY LILLY LAND COMPANY LLC  
MATT BARNETT & KAREN PATTON**  
9210 MORGAN RD  
COLORADO SPRINGS, CO 80908  
MBARNETT@TRBINE.CO  
(719) 330-0862

#### **APPLICANT:**

**LILLYWOOD SHOW STABLES  
MATT BARNETT & KAREN PATTON**  
9210 MORGAN RD  
COLORADO SPRINGS, CO 80908  
MBARNETT@TRBINE.CO  
(719) 330-0862

#### **CONSULTANT:**

**N.E.S. INC  
ANDREA BARLOW**  
619 N. CASCADE AVE, SUITE 200  
COLORADO SPRINGS, CO 80903  
ABARLOW@NESCOLORADO.COM  
(719) 471-0073

#### **SITE DETAILS:**

**ADDRESS:** 9210 MORGAN ROAD, COLORADO SPRINGS, CO 80908

**TSN:** 5115000007

**ACREAGE:** 51.62

**CURRENT ZONING:** RR-5

**CURRENT USE:** SINGLE-FAMILY HOME, RIDING ACADEMY & SHOW STABLES

#### **REQUEST**

N.E.S. Inc. on behalf of Lucky Lilly Land Company LLC requests approval of the following applications:

1. A Special Use Permit to allow Commercial Stable and Riding Academy uses on the RR-5 lot.
2. A Site Development Plan for the Commercial Stable and Riding Academy uses.

## LOCATION

Lillywood Show Stables is located on a 51.62-acre site north of the intersection of Winchester Road and Morgan Road in Black Forest. Morgan Road forms the southern boundary of the site. To the east, west, and north of the site are single-family properties zoned RR-5. These properties range from approximately 5 to 40 acres. Properties to the west include barns, stables, and horse arenas, including the Bar Diamond X Ranch, which is a horse training and boarding facility.



## HISTORY

The 51.62-acre property has operated as a riding academy since 1996, when it was opened by previous owners. At that time, the site was zoned R-3 under the 1988-2007 issue of the El Paso County Land Development Code, which did not allow a commercial stable as a permitted use. No code violation notice was issued at that time.

The site's zoning has since been updated to RR-5 to reflect the current zoning designations of the El Paso County Land Development Code. RR-5 allows Agricultural Structures and Private Stable uses by right. However, Commercial Stable and Riding Academy uses require a Special Use Permit. The previous owners filed an Early Assistance Application in 2012 for a Special Use Permit to legalize these uses. That application was never advanced for approval.

Lucky Lilly Land Company LLC, the current owners, purchased the property and the 25-year-old business in 2021. They were unaware that the commercial use was not in compliance with the El Paso County Land Development Code until October 2023, when they received a Notice of Violation for operating Lillywood Show Stables without an approved Special Use Permit and Site Development Plan in response to an anonymous complaint letter. The complaint letter, issued on October 7, 2023, specifically stated:

- “There are no apparent water rights, no apparent commercial well, and no county use permit.”
- “The horse poop is being piled and dumped without appropriate, proper poop management. There is excessive amounts of poop being piled between fences all summer creating smell and excessive fly population that impacts neighboring properties.”
- “There is huge business signage at driveway.”
- “There is a lot of traffic entering and exiting the property on curve behind blocked hill view for oncoming traffic on Morgan... The trucks pulling large horse trailers are the biggest menace and the dozens of cars coming and going all day are creating traffic dangers.”

A second anonymous complaint letter was filed on January 22, 2024 and reiterated these comments. The owners have worked promptly with El Paso County Planning & Community Development since receiving the violation to bring the site into compliance. Well permits, animal waste management, signage, and traffic are addressed within this Letter of Intent.

**EXISTING BUILDINGS:** All facilities described in this Letter of Intent and depicted on the accompanying plans are existing; no new buildings are proposed. The arena and stable buildings were constructed prior to January 1, 2000, when the Pikes Peak Regional Building Authority gained jurisdictional authority over the site. Supporting letters provided with this application attest to the buildings’ commercial purposes since before that time, exempting them from required building permits and individual addresses.

### **PROJECT DESCRIPTION**

Lucky Lilly Land Company LLC purchased the site as a primary residence in 2021. Matt Barnett and Karen Patton, two of the owners, reside on the property full-time with their children. As a longtime resident of Black Forest, Karen attended riding school at the property in the late 90s when it was owned by Stone Ranch LLC. Now a trainer herself, Karen runs Lillywood Show Stables as a riding academy with her partner Matt.

The site contains one single-family residence, constructed in 1899; one stable building with a commercial office, reception space, and 11 horse stalls, constructed in 1977; and one arena building with a workshop and 10 horse stalls, constructed in 1977. There are also 12 three-sided loafing sheds used as horse shelters and one unoccupied mobile home used for storage on the property. As an RR-5-zoned property, Agricultural Structures, Livestock, and Private Stables are all allowable uses; this application seeks approval to bring the longstanding commercial use of the buildings into compliance with the El Paso County Land Development Code.

**OPERATIONS:** Lillywood Show Stables currently offers horse training, horse boarding, and individual and group horseback riding lessons to approximately 50 clients. Group lessons are given to three to four riders at a time and are offered on weekdays from approximately 4:00pm – 7:00pm and on a variable

schedule on weekends, with typically no more than two lessons given each day. Earlier lessons or private lessons may be scheduled on occasion. Boarders may enter the property at any time between 8:00am and 8:00pm, although these trips are typically only for lessons. All boarders are enrolled in the lesson program. At any given time, there are approximately 40 horses housed on the property, about 10 of which belong to the owners of Lucky Lilly Land Company.

In addition to Karen, who owns and operates the business, Lillywood Show Stables has two independent contractors who are on the site on a given day. These contractors typically perform property maintenance and horse care activities from 7:00am – 5:00pm with a midday break between 12:00pm and 3:00pm. Primary commercial use of the site takes place in the 243-square foot office and reception building of the stable building where contractor and client contracts are signed.

**ACCESS AND PARKING:** Vehicles enter the site via one point of access at the intersection of Winchester Road and Morgan Road. An approximately 1,000-foot long, 12-foot-wide gravel driveway leads to an eight-car gravel parking lot north of the stable building. An ADA-accessible parking lot with two total spaces (one of which is a designated disabled parking space) is located another 370 feet to the south of the stable building. An ADA-accessible route between this lot and the office is marked on the Site Development Plan. Per the El Paso County Land Development Code, parking lots for less than 25 cars in rural areas may use rock or gravel instead of pavement. In addition, the code requires one parking space per five horse stalls for a Commercial Stable and one disabled parking space if 1-25 parking spaces are required. With 21 horse stalls, the site requires 4 parking spaces and 1 disabled parking space.

**LANDSCAPING:** The site is located in a rural neighborhood of Black Forest and has a lot area coverage of approximately 1%. The majority of the property consists of fenced grazing pasture and natural forested areas. The southeastern edge of the property line, as well as the entire southwest quadrant of the site, is densely forested with evergreen trees. Trees along Morgan Road are clustered around the driveway and development area, shielding it from view of the road. West of the driveway and development area, there is an unobstructed view of the naturally open meadow and the single-family homes to the north.



### **Internal Landscaping**

The El Paso County Land Development Code Landscape Requirements state that a minimum of 5% of the lot or parcel shall be landscaped, with 1 tree provided for every 500 square feet of required internal landscape area. The Landscape Plan shows a conservative estimate of 260 existing evergreen trees in the site interior, which exceeds the 221 trees required. Approximately 12% of the site is landscaped.

### **Parking Lot Landscaping Requirements**

The Parking Lot Landscape Requirements state that a tree shall be provided for every 15 parking spaces in parking lots with 15 or more parking spaces. There are no lots with more than 15 parking spaces on the property; it is therefore exempt from this requirement.

### **Alternative Landscape Plan**

An Alternative Landscape Plan is requested to exempt the owners from landscape improvements along the roadway and as a buffer to the residential properties to the north, east and west. This is due to the property's rural nature and existing extensive tree canopy and visual buffer. The current landscaping of the property is natural and meets the purpose of the Landscape Requirements described in Section 6.2.2: it creates a positive image and visual appeal along the road and internal properties; it decreases the scale of parking lots, provides shades, and reduces heat, glare, and noise; it softens and reduces the mass of buildings and screens and buffers lower intensity uses from higher intensity uses and protects residential privacy; and it creates an overall pleasant and attractive surrounding.

### *Roadway Landscaping Requirements*

Because the property is located along a non-arterial road (Morgan Road) and will separate a non-residential use from a residential zoning district, the Landscape Requirements would dictate one tree per 15 feet of frontage in a 15-foot deep landscaping area (per the buffer requirements). As demonstrated in the Landscape Plan, there are approximately 815 feet of property frontage along Morgan Road, which would require 54 trees within the 15-foot landscape buffer, one-third of which must be evergreen trees. An unofficial tree count of this buffer estimates there are 42 evergreen trees in this 15' buffer.

The owners seek exemption from this requirement. The property is located within a high hazard fire district, and both the current and previous owners have worked with the Falcon Fire Protection District and the Black Forest Fire Rescue to thin the existing trees to mitigate fire impacts on the property and to remove trees adjacent to the ROW that have died. The owners have also worked with Mountain View Electric Association, Inc. to reduce the number of trees near the three utility poles at the entrance to the site.

Increasing the tree canopy in this area would be counter to these fire mitigation efforts and would increase the property's vulnerability to fire. Adding trees within the 15' landscape setback would also obscure the roadside view of the pasture, which contributes to the rural aesthetic of the neighborhood. Moreover, the commercial uses of the property are clustered within the stable building, which is located more than 500 feet from the property line that fronts on Morgan Road.



### *Required Buffer and Screen Areas*

A buffer is required along the parcel line on the non-residential use property between the non-residential use and a residential zoning district. This buffer shall be a minimum of 15 feet deep and will provide a minimum of one tree for every 25 feet of common parcel line. A minimum of one-third of the trees shall be evergreen trees.

The owners seek exemption from this requirement. The properties to the east of the site are five-acre, heavily forested lots. Although there is not a tree buffer provided on the site, the houses on these lots are set back at least 300 feet from the property line and are screened from view of the property by trees on their own parcels. The commercial use within the stable building is located more than 1,000 feet from the eastern property line. To the north, there are no trees separating the site's northern neighbor, which is reflective of natural conditions on the property. The stable building is located nearly 1,000 feet from this property line. To the west, the stable building is entirely screened from view by the arena building. The abutting neighbors to the west are supportive of the site's use and will submit a letter of support.

**SIGNAGE:** Lillywood Show Stables has one sign located at the entrance to the property at the intersection of Winchester Road and Morgan Road. The hand-painted sign measures approximately 4 feet by 8 feet (32 square feet) and is not illuminated, conforming with the requirements of Section 6.2.10 Signs, On-Premise of the El Paso County Land Development Code for a parcel in a residential zone. This requirement allows two identification signs per road frontage and a sign area not to exceed 40 square feet. See Sign Plan for details.

**LIGHTING:** The stable building and arena building each have limited external lighting that is internal to the site and does not cast light beyond the property lines in conformance with the requirements of the El Paso County Land Development Code. The arena building has two wall-mounted lights on the east side of the building above two of the garage doors, as well as two wall-mounted lights on the north side of the building above a standard door to the workshop and the barn door to the arena. The lights on the north side of the building are at least 90 feet from the western property line. The two lights on the east side of the building are internal facing to the site. The stable building has two wall-mounted lights at the north and south side of the building above the barn door entrances. These are each more than 250 feet from the western property line and are shielded by the arena building. There is one 17.7-foot tall freestanding light fixture on the property which is adjacent to the ADA-accessible parking lot and is more than 250 feet from the western property line. This freestanding light fixture is consistent with Section 6.2.3 Lighting of the El Paso County Land Development Code, which requires that no freestanding light fixture shall be mounded higher than 15 feet, except parking lot light fixtures which shall be mounted no higher than 20 feet. See Lighting Plan for details.

**ANIMAL WASTE:** Section 5.2.32 Livestock, Barns, Corrals, and Stablers of the El Paso County Land Development Code requires that manure stockpiles or composting manure shall be setback a minimum distance of 100 feet from any lot line. Manure shall be removed from the property, composted, or worked into the soil as fertilizer on a regular basis so as not to accumulate excessively. The owners occasionally temporarily store manure next to the stable building for off-site removal. This location is

more than 300' from the western property line. If manure is not hauled off-site, it is worked into the soil on-site.

**TRAFFIC:** There is one point of access to the property from the intersection of Winchester Road and Morgan Road. This full-movement access leads to a fork that provides entry to Lillywood Show Stables to the right and a driveway to the left that runs along the property's southern boundary and grants access to an abutting property to the west. The owners of this property (5115003009) hold an ingress and egress easement on this driveway (Reception No. 208130113).

No Traffic Impact Study is required for the project per the criteria of Appendix B.1.2.D, as demonstrated below:

### **Vehicular Traffic**

1. Daily vehicle trip-end generation is less than 100 or the peak hour trip generation is less than 10;

*The primary business hours of Lillywood Show Stables are 4:00pm – 7:00pm on weekdays, during which group lessons are offered at 4:00pm, 5:00pm, and 6:00pm. Limited group lessons are also offered on the weekends, and private and group lessons may be scheduled outside of these hours on occasion. Group lessons are given to three to four students at one time. Boarders may enter the property any time between the hours of 8:00am and 8:00pm, although these trips are typically only for lessons. There are two independent contractors who serve as staff and are typically on the property from 7:00am – 12:00pm and 3:00pm – 5:00pm each day for horse care and property maintenance. Peak hour trip generation occurs on the hour when lessons are turning over; at this time there may be up to ten vehicles entering and leaving the site.*

*Peak hour trip generation is less than 10; daily vehicle trip-end generation is less than 100.*

2. There are no additional proposed minor or major roadway intersections on major collectors, arterials, or State Highways;

*The project does not include additional proposed minor or major roadway intersections.*

3. The increase in the number of vehicular trips does not exceed the existing trip generation by more than 10 peak hour trips or 100 daily trip ends;

*As described above, the increase in the number of vehicular trips does not exceed the existing single-family trip generation by more than 10 peak hour trips or 100 daily trip ends.*

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;

*The project will not generate a change in the type of traffic accommodated within or adjacent to the property. Occasionally, a personal vehicle may be used to haul a horse trailer onto or off the site. There is one horse trailer parked on the site for the owners' personal use.*

*The infrequency of this use by the business operations is consistent with the amount of traffic generated by the allowed Private Stable use of the site.*

5. Acceptable LOS on the adjacent public roadways, accesses, and intersections will be maintained;

*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;

*Per the Colorado Department of Transportation Crash Data website, there is no evidence of a history of safety or accident problems at the intersection of Morgan Road and Winchester Road over the past five years.*

7. There is no change of land use with access to a State Highway.

*The property does not have access to a State Highway.*

#### **Pedestrian Traffic**

Paved pedestrian facilities exist or will be constructed on, or adjacent to, the site; or, the proposed use will not generate any new pedestrian traffic.

*The proposed use will not generate any new pedestrian traffic.*

#### **Bicycle Traffic**

Paved bicycle lanes or paths exist or will be constructed on, or adjacent to, the site; or, the proposed use will not generate any new bicycle traffic.

*The proposed use will not generate any new bicycle traffic.*

**WATER & WASTEWATER:** The site is served by a well and septic system. The house and the stable containing the commercial office space are both located on these systems. The arena building is connected to the well but does not have a wastewater connection. The well and septic permits are submitted with this application. The well permit covers domestic and livestock uses.

**OTHER UTILITIES:** Mountain View Electric Association, Inc. supplies electricity service to the site, and Black Hills Energy supplies natural gas. Proof of service for these utilities is submitted with this application.

**DRAINAGE:** There are no new structures proposed or changes to the impervious surfaces or existing drainage pattern associated with this application.

**FLOODPLAIN:** This site is not located within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041C0310G, revised December 7, 2018.

**WETLANDS:** The Middle South Platte-Cherry Creek emergent palustrine wetland is located within the northeast portion of the site per the National Wetland Inventory. This wetland is classified as PEM1C and is seasonally flooded. This portion of the site consists entirely of pasture for grazing.



**WILDLIFE:** There is no new development or construction associated with this project that would negatively affect wildlife on the site.

**WILDFIRE:** The fire risk on this site is moderate to high according to the Colorado State Forest Service's Colorado Wildfire Risk Viewer. Risk factors include the site's undeveloped nature and the prevalence of timber litter and dry climate grasses and shrubs. As described in the sections below, the applicant seeks an Alternative Landscape Plan to reflect the site's natural state and to contribute to wildfire mitigation efforts in Black Forest.

**GEOLOGIC HAZARDS:** Because no new structures are proposed, a geotechnical and soils study is not required.

## PROJECT JUSTIFICATION

### COUNTY SPECIAL USE REVIEW CRITERIA (5.3.2):

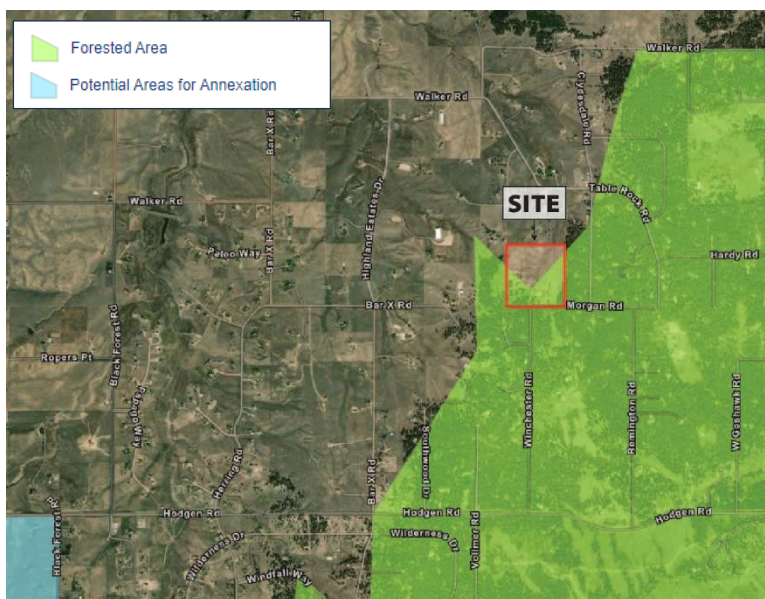
#### 1. The special use is generally consistent with the applicable Master Plan;

The relevant County Plans for the site include the Your El Paso Master Plan, the Water Master Plan, the 2040 Major Transportation Corridor Plan.

#### **Your El Paso Master Plan**

The proposed use of the site as a Commercial Stable and Riding Academy is consistent with the Your El Paso Master Plan.

Lillywood Show Stables is partially located within the Forested Area on the Key Areas map, which includes parts of the County where natural forests are the predominant feature such as Black

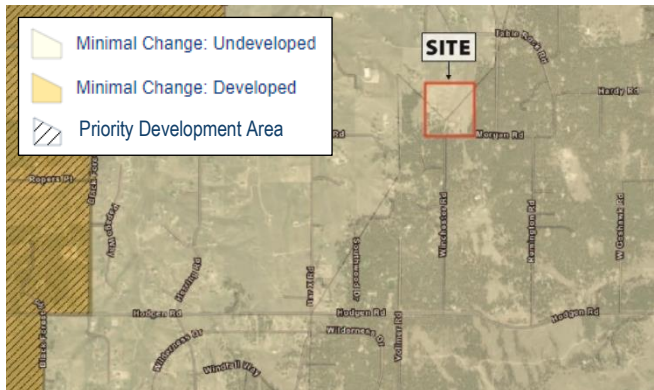


Forest, areas north of Peyton, and areas along Highway 115 as well as lands within Pike National Forest. The Plan states that managed residential growth, along with supportive commercial uses, have helped these forested areas preserve their natural amenities while supporting the daily needs of a thriving local community. Moreover, the seamless connection between the natural environment and small-scale, low intensity

development is critical to their identity, and all new development and redevelopment in this Key Area should strictly adhere to the requirements and guidelines outlined in their appropriate



Utilizing existing buildings for commercial use is also consistent and compatible with the site’s



designation as an Area of Minimal Change: Undeveloped. This designation recognizes areas defined by a lack of development and presence of significant natural areas. The existing development on the 51.62-acre property is clustered in the southwest portion of the site, leaving the remaining land in its natural state as forest and fenced pasture. The majority of the development area is visually

sheltered from Morgan Road by mature evergreen trees.



The proposed special uses of the site support the Your El Paso Master Plan core principles, goals, and objectives by preserving the historic character of the property and surrounding neighborhood, supporting economic development opportunities, and prioritizing and protecting the County’s natural environment.

Core Principle 1: Land Use & Development

*Goal LU1: Ensure compatibility with established character and infrastructure capacity.*

*Objective: LU1-1: Some areas of the County should be planned for new development, while other areas should be preserved, protected, or see little new development.*

*Goal LU3: Encourage a range of development types to support a variety of land uses.*

*Objective LU3-1: Development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines.*

The Commercial Stable and Riding Academy uses at the site are located within structures that were constructed in 1977 and 1988 and are allowable by right for non-commercial uses under RR-5 zoning. These structures are consistent with the rural character and equestrian uses throughout Black Forest, as well as the Large-Lot Residential placetype. No new structures are proposed to

support the commercial uses. Undeveloped areas of the site are currently used for grazing pasture and will continue to be used as such.

### Core Principle 3: Economic Development

*Goal ED1: Recruit new businesses and spur the development of growing sectors.*

*Objective ED1-5: Allow residents to manage compatible, low intensity personal businesses from their home to create greater opportunities for new companies to be established.*

*Goal ED3. Encourage the development of commercial districts in underserved areas.*

*Objective ED3-6: Prioritize commercial use as development opportunities arise in order to support the growing residential base in the rural areas.*

The owners of Lillywood Show Stables reside on the site with their children and use it as their primary residence. The proposed supporting commercial use is a personal horse training and boarding business that is compatible with the surrounding land uses. The business employs the two owners as well as two independent contractors who serve as staff, thereby providing an on-site employment opportunity in this rural neighborhood.

### Core Principle 7: Recreation & Tourism

*Goal RT1: Support high-quality, sustainable outdoor recreation as a key amenity for residents and visitors.*

Equestrian use is a longstanding component of the cultural history of Black Forest. Lillywood Show Stables provides horse training, boarding, and both indoor and outdoor riding lessons to residents of the area, thereby fostering the next generation of horseback riders in the region.

### Core Principle 9: Environment & Natural Resources

*Goal E1 - Consider the environmental impacts related to natural resource conservation, air quality, water quality, wildlife habitat, and waste management during any planning process.*

The Commercial Stable and Riding Academy use at the site will be located within the developed area of the property and utilize existing buildings. Undeveloped areas of the property are to remain undeveloped and in alignment with their residential and agricultural usage. No new structures will be constructed as part of this application; this will support the preservation of wildlife habitat and leave existing habitat undisturbed.

### **El Paso County Water Master Plan**

*Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

*Policy 1.1.1 – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.*

*Goal 1.2 – Integrate water and land use planning.*

The site is served by well and septic. The permits for these uses allow domestic and livestock uses. The commercial uses of the property are located within existing buildings; the stable building is connected to both well and septic, and the arena building is connected only to the well. The water use generated by the property is driven primarily by the number of horses, which is not differentiated between Private Stable and Commercial Stable uses in the El Paso County Land Development Code.

*Goal 4.2 – Support the efficient use of water supplies.*

*Goal 4.5 – Plan for water resources in a thoughtful way that recognizes the non-renewable nature of water resources in the area, accommodates existing and historical uses, and allows for sustainable, planned growth.*

The owners have prioritized responsible stewardship of the property. In addition to fire mitigation efforts and rotational grazing that reduces the impact of the horses on the land, the pastures and horse pens are each served by automatic, water-efficient horse troughs that are individually connected to the well system. Hand-watering only occurs within the horse stalls in the stable and arena buildings.

*Goal 6.1.2 – Promote water conservation.*

*Policy 6.1.2.2 – Encourage and accommodate water conservation practices for existing and new developments.*

*Goal 6.1.3 – Identify ways to provide landscaping flexibility in design where requiring strict compliance with the County’s landscaping standards would be contrary to the goals of this Plan.*

*Policy 6.1.3.3 – Encourage sustainable landscaping that is tailored to the variations of climate zones across the County.*

The owners have requested an Alternative Landscape Plan to exempt them from the requirements of planting additional trees and drawing on well-water for irrigation in a wildfire-risk area. With the exception of personal gardening around the single-family residence, existing landscaping on the site is reflective of the natural environment in Black Forest and does not require additional watering.

**El Paso County Major Transportation Corridor Plan (MTCP)**

The 2040 MTCP and the 2060 Corridor Preservation Map both identify Hodgen Road south of Winchester Road as a Minor Arterial. There are two planned roadway improvement projects for Hodgen Road between Goshawk Road and Meridian Road and between Black Forest Road and Bar X Road. These improvements will not impact Winchester Road, Morgan Road, or access to the site.

Due to the limited number of trips generated by Lillywood Show Stables, a Traffic Impact Study is not required.



**2. 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 use of the existing stable building and arena building for commercial purposes is a longstanding business that has operated for nearly 30 years with support of the community and adjacent neighbors. The buildings are allowed for private use under the site's RR-5 zoning and are in harmony with the rural, equestrian character of the neighborhood and the surrounding land uses. Traffic impacts are sufficiently minimal to exempt the project from a Traffic Impact Study.

**3. 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;**

The existing buildings where the stables and arena are located meet the needs of the special use. The septic and well permits allow domestic and livestock uses. Gas is provided by Black Hills Energy and Electric is provided by Mountain View Electric. There is no anticipated increase in usage or impact to either water or sewer for the residence. Internal traffic circulation is provided by a gravel drive and parking lot. Traffic impacts to Winchester Road and Morgan Road are projected to be minor.

**4. The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access;**

As described above, the property will not generate more than 10 peak hour trips or 100 daily trip ends and therefore does not require a Traffic Impact Study. There is no history of crash data at the intersection of Morgan Road and Winchester Road for the past five years. The property has been used as a non-conforming Commercial Stable and Riding Academy throughout that time.

A Road Impact Fee is required for the project and is assessed at the Office Rate for the stable building office area. At \$3,180.00 per 1,000 square feet, the 243 square-foot office will generate a \$772.74 Road Impact Fee.

**5. The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution;**

All proposed uses on the site will comply with local, state, and federal laws and regulations regarding air, water, light, and noise. All business center activities on site are located away from wetlands and the associated migratory bird paths. With group riding lessons including no more than three to four students at one time, noise associated with the commercial use is limited and primarily located within the arena building. All on-site lighting is internal-facing, extremely limited in nature, and will remain respectful of the agricultural nature of the site. No new structures are proposed with this application.

**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; and/or**



The special use will not be detrimental to the public health, safety, and welfare of the present or future residents of El Paso County. The special use is an extension of allowable private uses on the site and reflective of other commercial uses in the immediate vicinity.

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

The property contains one single-family residence, one unoccupied mobile home used for storage, one arena building, one stable building, and 12 loafing sheds (agricultural structures). The commercial use is located within the stable building in the office and reception area. The special use is consistent with the definition of a Commercial Stable because livestock are boarded for remuneration and horses or other livestock are kept for sale or hire. Likewise, the special use is consistent with the definition of a Riding Academy as an establishment which rents, boards, or leases riding horses or ponies or gives lessons to develop horsemanship.

All buildings are all in compliance with the dimensional standards of the El Paso County Land Development Code for an RR-5 zoned property. No building exceeds 30', and all buildings are set back at least 25 feet from the property line. Two loafing sheds north of the arena building are located within 25 feet of the property line but are exempt from the Building Code because they qualify as shelter for livestock; are each less than 200 square feet in size; and have exterior stalls, shelter overhang, and appropriate siding for weather exposure per Section 5.2.5 Agricultural Structure Exemption from the Building Code. All loafing sheds are oriented to the interior of the property.