

RE: Objection to Special Use Application for Fall Mountain Farm (Request to Increase Parking to 225 Vehicles)

To the El Paso County Planning and Community Development Department:

I am writing to formally object to the Special Use application by Fall Mountain Farm Company to increase its on-site parking capacity from 50 to 225 vehicles. This 450% increase in intensity is incompatible with the RR-5 (Residential Rural) zoning of our neighborhood and poses significant risks to public safety and resident welfare.

1. Procedural Failure and Lack of Proper Notice

The applicant has made false representations regarding community notification and sentiment:

- **False Certification of Notice:** In the Letter of Intent dated April 28, 2026, the applicant explicitly stated, "All adjacent property owners within 1,000 feet have been notified". However, residents did not receive legal notice until May 12, 2026. The applicant certified notification was complete 14 days before it occurred.
- **The "No Complaints" Fallacy:** On April 28, the applicant claimed that "No complaints... have been received from neighboring properties". It is a bad-faith argument to cite a lack of complaints as evidence of neighborhood "harmony" when the neighbors had not yet been informed of the specific 225-vehicle request.

2. Increased Fire Danger and Egress/Evacuation Risks

The proposal introduces severe ignition and life-safety risks to a high-fire-danger rural area:

- **Ignition Hazard:** The application specifies that overflow parking for 175 additional vehicles will utilize mowed grass fields. Parking hundreds of vehicles with hot exhaust systems including catalytic converters on dry vegetation creates a substantial fire risk.
- **Evacuation Bottleneck:** The primary access is via a "non-standard intersection" at Doolittle Road and Mt. Herman Lane. In the event of a wildfire, 225 vehicles attempting to evacuate simultaneously onto narrow, partially gravel roads would create a lethal bottleneck, potentially trapping residents and blocking emergency responders' ingress.
- **The Gauntlet:** The applicant, Steve Roscio, named the drainage ditch to the north of his property ingress and egress as "The Gauntlet" in our Community Wildfire Protection Plan. We, as a neighborhood, have worked hard to address this extremely dangerous section of our neighborhood that will cut us off from evacuation in case there is a fire in this area. Adding 225 additional cars to the area of The Gauntlet will reintroduce the extreme danger we worked hard to eliminate to create our evacuation plan.

3. Traffic Hazards and Unreliable Data

The Traffic Impact Study (TIS) is fundamentally flawed and fails to analyze the true impact of the request:

- **Fatal Data Error:** The TIS includes a chart titled "2025 Fri-Sun" but admits in the text, "In this chart, the year is actually 2024, not 2025 - oops!". This lack of professional oversight undermines the reliability of the entire study.
- **Under-Modeled Traffic:** The TIS modeled the road's capacity based on 91 entering trips per hour. However, the applicant is requesting to park 225 vehicles. The study fails to analyze the impact of the road network operating at the actual requested capacity of 225 vehicles.
- **Seasonal Misrepresentation:** Background traffic counts were collected on a single Saturday in mid-September. The farm's own data shows that visitor volume is significantly higher in mid-to-late October, with peak Sunday volumes often exceeding Saturdays. The TIS severely underestimates the cumulative traffic burden on residents.
- **Poorly Placed Ingress and Egress:** Residents have already dealt with increased dangerous traffic issues regarding the applicants' guests not following ingress and egress traffic laws due to the location of the entrance. Increasing the allotment of vehicles by 450% will create increased issues for this area, which is used by many residents for walking and riding bikes due to the proximity of the National Park trails.

4. Noise and Loss of Quiet Enjoyment

The RR-5 zone is intended for low-intensity residential use. The transition to a commercial-scale venue is incompatible:

- **Ineffective Mitigation:** The proposed visual screening berms range from only 2 to 5 feet in height. While these may hide tires, they are physically incapable of mitigating the noise of hundreds of guests, slamming car doors, food-truck generators, and tractor-pulled hayrides.
- **Loss of Quiet Enjoyment:** During the Pumpkin Season with the from sunup to sundown every 9 minutes a loud obtrusive tractor parades approximately 20 people down into the valley and past my home and yard. We have had people scream at us, point, take our picture while trying to enjoy our property. The driver on one occasion, even stopped the tractor specifically for people to take photographs of our private home.
- **Commercial Intensity:** The applicant admits the County currently has no limit on daily trips or total patrons—only on parked vehicles. Removing the 50-vehicle limit removes the only meaningful control on the intensity of these commercial events in our quiet residential area.
- **Increased Environmental Impact:** We have already seen a significant increase in trash during the Fall Mountain Farm's active season. I have picked up bags of trash, beer cans, discarded water bottles, full bags of fast food, and the most disgusting issue, human feces, along with used toilet paper on my property due to the increased activity, due to the approved Agritainment Zoning.

Conclusion

This request is not in harmony with the character of the neighborhood and fails to meet the criteria for a Special Use Permit. It places a private commercial expansion above the safety and property rights of the surrounding residents. I urge the Planning Department to deny this application and maintain the current 50-vehicle limit.

OBJECTION SUMMARY: FAILURE TO SATISFY LDC SECTION 5.3.2

PROJECT: Fall Mountain Farm Parking Expansion

FILE NUMBER: AL2611

ZONING: RR-5 (Residential Rural)

To the El Paso County Planning and Community Development Department:

The Special Use application for Fall Mountain Farm fails to satisfy the mandatory criteria for approval set forth in Section 5.3.2 of the El Paso County Land Development Code. This request to increase vehicle intensity by 450% should be denied based on the following non-compliance:

1. Failure of Criterion B: Harmony and Compatibility

- **Code Requirement:** The special use must be in harmony with the character of the neighborhood and compatible with surrounding land uses.
- **The Failure:** The applicant requests a commercial-scale capacity of 225 vehicles in an RR-5 (Residential Rural) zone. The proposed 2-to-5-foot berms are physically insufficient to mitigate the noise and visual impact of hundreds of visitors, food truck operations, and hayrides on adjacent residential lots.

2. Failure of Criterion C: Impact on Public Facilities (Road Maintenance)

- **Code Requirement:** The special use must not overburden or exceed the capacity of public facilities and services.
- **The Failure:** The primary access roads (Lindbergh and Doolittle) are gravel-surfaced. The applicant admits to having only "informal confirmation" of support from road maintenance personnel. Funneling 225 vehicles onto rural gravel roads will cause accelerated degradation (washboarding and dust), shifting the maintenance cost burden from the private developer to the El Paso County taxpayer.

3. Failure of Criterion D: Traffic Hazards and Data Integrity

- **Code Requirement:** The special use will not create unmitigated traffic congestion or traffic hazards.

- **The Failure:** The Traffic Impact Study (TIS) is built on unreliable data. The applicant admits the data chart contains "atypical" years and chronological errors ("oops!"). Furthermore, the study modeled the road's capacity based on 91 entering trips, yet the applicant is requesting to park 225 vehicles. The TIS fails to analyze the safety impact of the road network operating at the actual requested capacity.

4. Failure of Criterion F: Public Health, Safety, and Welfare (Fire Risk)

- **Code Requirement:** The use must not be detrimental to public health, safety, and welfare.
- **The Failure:** The plan specifies that overflow parking for 175 vehicles will utilize mowed grass fields. Introducing hundreds of hot exhaust systems to dry vegetation in a high-fire-danger area is a severe ignition hazard. Additionally, the primary egress is a "non-standard intersection" (Doolittle/Mt. Herman) which would likely bottleneck during an emergency evacuation, creating a lethal safety risk for both patrons and residents.

5. Procedural Non-Compliance: Lack of Proper Notice

- **Code Requirement:** Mandatory public notification of adjacent property owners.
- **The Failure:** The applicant certified in the Letter of Intent dated April 28, 2026, that all neighbors within 1,000 feet had been notified. In reality, neighbors were not sent until May 12, 2026. This 14-day discrepancy allowed the applicant to claim that there were "no complaints" in their formal record, even though the neighbors were not yet legally aware of the 225-vehicle request. This mailing list and associated map show neighbors only within 500 feet, not the certified 1,000 feet for letters sent on May 12, 2026.

Conclusion

The Special Use application for Fall Mountain Farm fails to satisfy the mandatory criteria for approval outlined in Section 5.3.2 of the El Paso County Land Development Code. This request to increase vehicle intensity by 450% should be denied based on all the failures to meet the mandatory criteria.