

Kylie Bagley

From: Robert Keeley <rhkeeley@earthlink.net>
Sent: Wednesday, July 17, 2024 8:49 AM
To: Kylie Bagley
Subject: Comments in Opposition to 16888 Elbert Road (PCD file No. 242)

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To: Kylie Bagley

From: Robert Keeley 17245 Elbert Road

Re: PCD 242 16888 Elbert Road

I am writing this email to raise several questions about PCD242 and to state my opposition to the proposed rezoning.

This note has six subjects:

1. Apparent errors in the County Assessor's description of parcel 4122000002, indicating only one residence on the parcel when three residences are located there, and the need to correct/explain the errors.
2. Agreement with Thomas Swain's statement of Public Opposition dated 4/2/42024 about the incompatibility of the proposed rezoning with the EPC Master Plan.
3. My statement on the importance of enforcing the EPC Master Plan's Place Types and the associated zoning.
4. My reasons for thinking the proposed project, if allowed, will be a commercial failure.

5. An error in the documents of P242 describing the properties to the north as having RR-5 zoning.

6. A question whether the proposed access to 16888 Elbert Road will be moved north from its existing driveway to a position directly across Elbert Road from our driveway, labeled “Unnamed Access Road,” on Figure 2, page 3 of the S.M. Roche LLC Traffic Impact Study.

Subject 1: The information on the El Paso County Assessor’s Parcel Search describes 16888 Elbert Road as having a single residence, when in fact it has 3 residences. The three septic permits in the Documents associated with P242 state that the properties have 9 bedrooms.

Why aren’t all 3 residences included in the Assessor’s description of the property? When were the residences constructed? Were they properly permitted? What market value should the Assessor have been using? Have the property taxes been the correct amounts, given the apparent issues with the property description. These questions should be cleared up and the records corrected as needed before considering any rezoning

Subject 2: I agree with Thomas Swain’s statement of Public Opposition, dated 4/2/2024.

Subject 3: The EPC Master Plan has a careful description of placetypes and of the economic benefits they provide. Proper control of zoning avoids the inefficiencies and costs that come with haphazard development—the costs are direct (such declining property values and lack of business profits) associated with little used commercial properties, and intangible (such as the negative feelings that people experience in declining/failing placetypes). With proper zoning control people can individually make optimum choices about where to live, and can count on having a neighborhood whose placetype will remain stable.

Subject 4: I see no evidence to suggest that the proposed Commercial Use of the property will be an economic success. A commercial property will only succeed if there is a demand for the goods and services it provides. In 2024 the successful commercial areas closest to 16888 Elbert Road are

Woodman Road/Meridian Road intersection area

Meridian Road/Stapleton Road intersection area

Baptist Road/I25 intersection area

State Highway 83 in the Flying Horse area

The above 4 commercial areas serve relatively dense residential neighborhoods and have substantial populations nearby. In contrast there are a number of successful large lot developments and rural tracts—none of which has, needs or wants a single commercial enterprise. The residents of these rural/ large lot locations have chosen to enjoy the scenic/environmental benefits of their neighborhoods, and make periodic trips for grocery shopping, medical care, car repairs, etc.

There are some small, generally-unhealthy commercial areas associated with towns that developed a century ago—before automobiles replaced rail lines and buggies—towns such as Elbert, Peyton, Ramah, and to some extent Calhan. These areas do not have large enough nearby populations to support typical modern commercial areas. P242 lacks enough nearby population to support any commercial activity in my view. The very limited number of people within an 8 mile radius of it neither want nor need a commercial site at 16888 Elbert Road.

Subject 5: Page 3 of the Report Packet for P242 states that properties to the north of 16888 are zoned RR-5. It appears that the only RR-5 property due north is the one that abuts the north boundary of 16888 Elbert Road. There is also a 40 acre PUD with 2 residential properties directly SE of the Elbert Road-Hopper Road intersection.

Subject 6: The Traffic Impact Study, conducted for 16888 Elbert Road by S.M.Roche LLC, appears to label our driveway as “Unnamed Access Road.” (see Figure 2 on page 3 of the study). Our driveway, follows the southern boundary of our property (which coincides with the north boundary of Apex Ranch) with an exit/entry to Elbert Road directly opposite our mailbox on the west side of Elbert Road. Immediately to the west is a steep bank approximately 10 feet high. The bank extends a considerable distance across the northern part of the 16888 property. Figure 2 appears to indicate that a large piece of the bank will be removed to change the access to 16888 from its current location. If true, the revised access appears to substantially increase the hazards associated with entering/exiting Elbert Road. It could also cause drainage, from rain or snowmelt, to flow across Elbert Road, down our driveway and into Kiowa Creek.