

# **APEX VILLAGE MAP AMENDMENTS AND REZONE**

## **LETTER OF INTENT**

**May 2024**

---

### **OWNER:**

Richard & Winifred Holmes  
16888 Elbert Rd  
Peyton, CO 80831

### **APPLICANT:**

Holmes Enterprises LLC  
16888 Elbert Rd  
Peyton, CO 80831

### **SITE DETAILS:**

**TSN:** 4122000002

**ADDRESS:** 16888 Elbert Road, Peyton, CO 80831

### **ACREAGE:**

37.45 Acres

### **CURRENT ZONING: A-35**

### **CURRENT USE: SINGLE FAMILY RESIDENTIAL**

### **FILE #: Rezone PCD File #P242**

## **REQUEST**

Holmes Enterprises LLC, on behalf of Richard & Winifred Holmes, requests Rezone approval of the following applications:

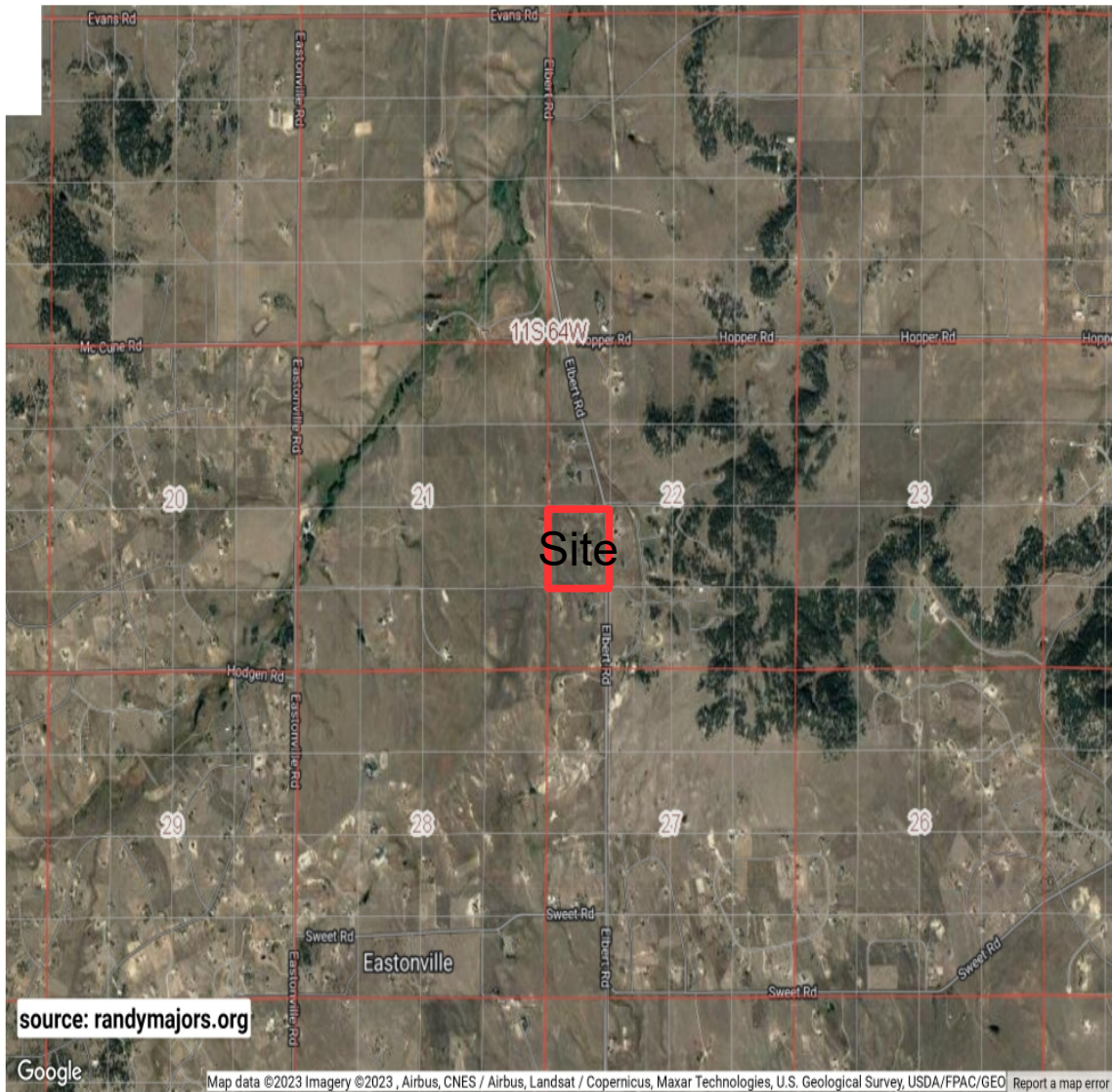
1. Map Amendments (Rezoning) of the area is 35.47 acre A-35 to Community Commercial (CC).

## SITE LOCATION

Apex Village lies west side of Elbert Road between Apex Ranch Road and Apex “dirt road” on north boundary of Apex Ranch subdivision. The property is surrounded by a growing residential area along the Elbert Road **corridor** in El Paso County. See Figure 1 – Site Location (below).

rmhregmaptools

<https://rlmcony.users.earthengine.app/view/rmhregmaptools?tool=plsstool&fips=08041&labe...>



1 of 1

9/30/2023, 9:53 AM

Figure 1 – Site Location

## SURROUNDING LAND USE

- To the north is a 5 acre parcel zoned RR-5 a single-family residence.
- To the east is the Apex Ranch subdivision and per the El Paso County Master Plan is designated as Large-Lot Place Type with 25, ~5-acre RR-5 lots. Immediately south the Apex Ranch subdivision is the Overlook planned subdivision to be approximately 60-65 2.5- to 5-acre lots.
- South of this parcel is 35 acre parcel zoned A-35 with a single-family residence.
- West of this parcel is 160 acre parcel zoned A-35. This parcel also includes has a strip of land 30'-70' wide by 1,021' long connecting to Elbert Road on the southern boundary line of the property. See Figures 2 & 3 – Placetype and Zoning Surrounding Area (below).

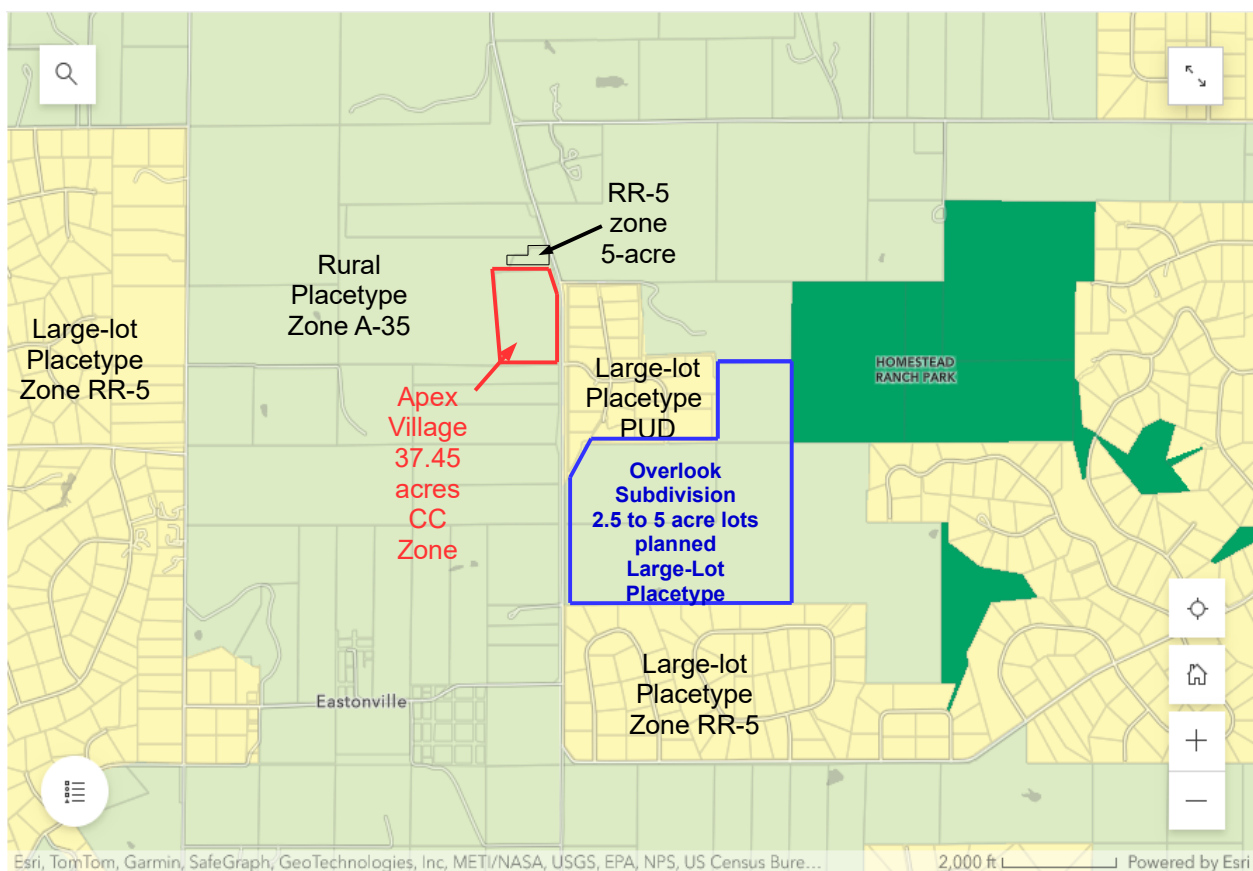


Figure 2 – Placetype and Zoning Surrounding Area

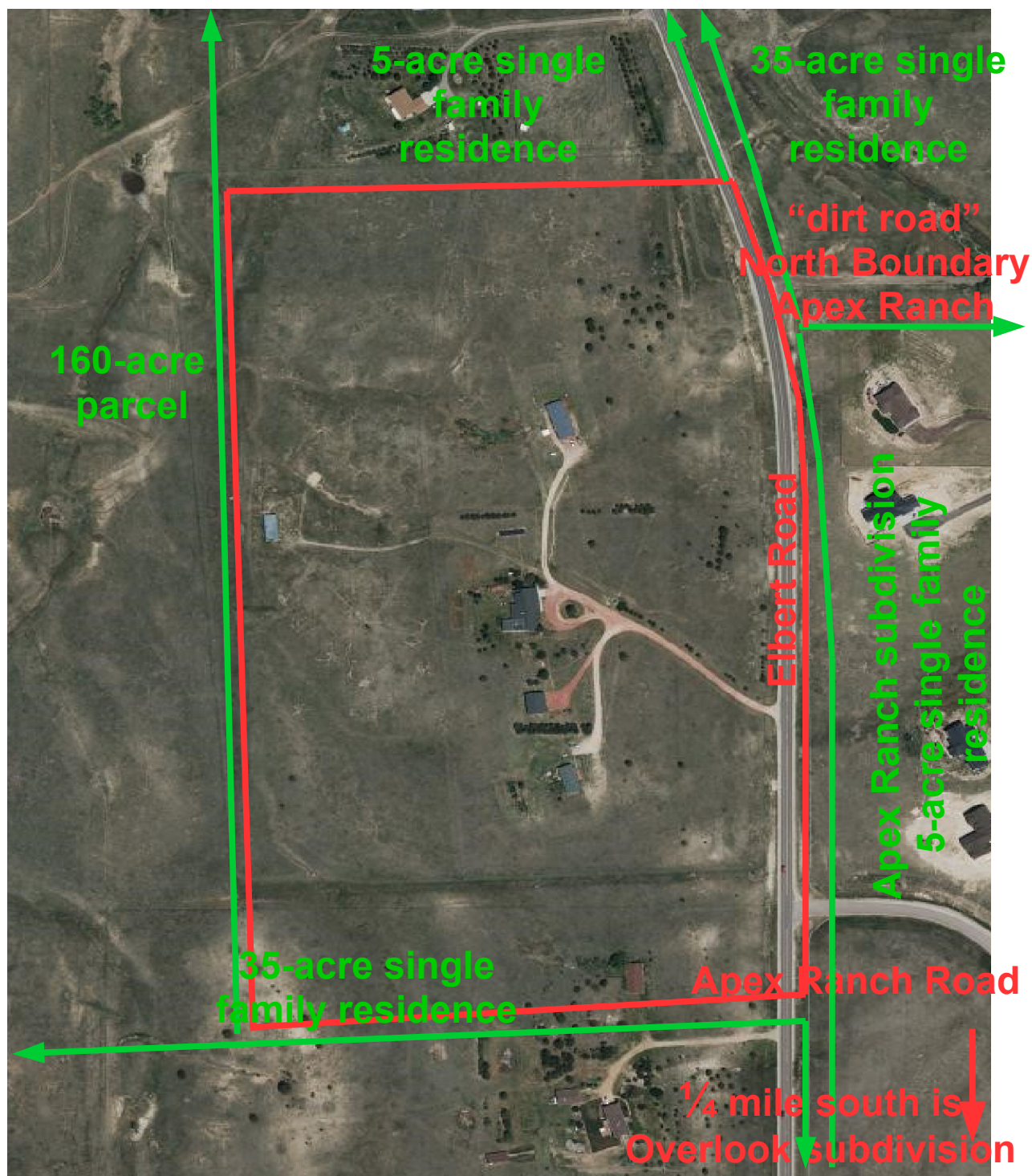


Figure 3 – Placetype and Zoning Surrounding Area

## **ZONING CONTEXT**

The property is currently zoned A-35, Rural Placetype. Surrounding zoning includes A-35 to the west and south. PUD to the east Large-Lot Placetype, and RR-5 to the north. In conjunction with the Apex Village, the following map amendments (rezones) Community Commercial (CC) rezone is requested.

This rezoning creates Commercial Community zoned parcel. Figure 4 is survey conducted by Centennial Land Survey showing the placement of all structures, utilities, and elevations.



Figure 4 – Structures, Utilities, and Elevations.

## **PROJECT DESCRIPTION**

Apex Village is an commercial and higher residential density development to support the growing needs of the area.

**ACCESS AND CIRCULATION:** The Apex Village includes adding entrance from Elbert Road, improving the intersection with a east-side access point that is in alignment with the northern boundary line of Apex Ranch subdivision and Elbert Road. There is currently a 'dirt road' servicing the 3 homes along the road along the northern boundary of Apex Ranch subdivision. Also, a private frontage road with 60' ROW, running north-south along Elbert Road to be created to service the commercial and residential uses.

**COMPATIBILITY/TRANSITIONS:** The following measures have been implemented to ensure the proposed Apex Village is compatible with the adjacent zoning and provides effective land use transitions.

The property is to be reassigned as a Large-Lots Placetype, similar to the Apex Ranch Subdivision PUD directly east. The Apex Ranch subdivision contains 25 lots, of which most now have single-family residences. Also, there is the Overlook Large-Lot subdivision of ~65 homes being developed directly south of the Apex Ranch subdivision. The Overlook subdivision is nested between two existing Large-Lots placetype areas with RR-2.5 and RR-5 zoning.

The Apex Village configuration of land uses and densities continues the gradual transition from the Rural Residential areas on the east and south. In addition, the Apex Village is to provide needed commercial services that are lacking in the area as well as dwelling units.

**TRAFFIC:** A Traffic Impact Study (TIS) for Phase 1 of the project is included in this submittal. Phase 1 limits the development to adding a Business Event Center, adding storm water pond, and 60' ROW road. The Average Daily Traffic (ADT) from the Business Event Center is limited to 100.

Follow-on phases to be submitted as the commercial development proceeds to include Elbert Road roadway widening and auxiliary lane improvements as well as additional of commercial uses and dwelling units.

**NOISE:** The noise level coming from Elbert Road is not enough to warrant adding any noise barriers.



## COUNTY MASTER PLAN COMPLIANCE

Applicable plans for the County comprise the Your Master Plan, the Water Master Plan, the 2040 Major Transportation Corridor Plan, and the El Paso County Parks Master Plan.

### YOUR EL PASO MASTER PLAN

Apex Village is denoted as “Rural” on the Placetypes Map, see Figure 2 – Placetype and Zoning Surrounding Area in the Master Plan. The primary land use in the Rural placetype is agricultural with single-family detached residential, lot sizes 35 acres and up to 2 units per parcel. The local area has grown to now include Large-Lots Placetypes with adjacent properties to the east and continuing south from to Apex Ranch subdivision.

The proposed Apex Village is to be CC zoned allowing for commercial uses and higher-density units.

The Apex Village is seeks to develop neighborhoods with a mix community services and mixed-use residential/dwelling units.

### WATER MASTER PLAN

The proposed development satisfies the following policies of the Water Master Plan.

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

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

*Policy 4.3.6 – Encourage well monitoring throughout the County, with an emphasis on the Denver Basin aquifer fringe areas.*

*Policy 4.1.2 – Encourage more systematic monitoring and reporting of water quality in individual wells.*

*Goal 6.2.2 – Fully reuse all water that can be economically reused.*

The project is located within Region 3, the Falcon area. This growth area is projected to experience significant growth by 2040. By 2060, a 14% increase in supply is needed.

### Water Access

The Apex Village is unable to access central water as there are none locally. In Phase 1, the new and existing uses will be the 2 existing wells on the parcel. In follow-on phases.

### Sewer Access

The Apex Village is unable to access central sewer services as there are none locally. In Phase 1, the existing residences will be served by their existing 3 OWTS . One additional OWTS to be added for the Business Event Center. In follow-on phases, the Apex Village development needs to centralize the sewer services with the added goal of water re-use for landscaping and other non-potable water uses.

**2040 MAJOR TRANSPORTATION CORRIDOR PLAN (MTCP)**

The 2040 Functional Classification map in the MTCP shows Elbert Road as a Minor Arterial connection as a 2-lane principal arterial by 2040 and will be continue to be uncongested.

## **PROJECT JUSTIFICATION**

### **Map Amendment (Rezone) Approval Criteria-Chapter 5.3.5 (B)**

**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 relevant County Plans for the Apex Village map amendments are Your El Paso County Master Plan, the County Water Master Plan, and the 2040 Major Transportation Corridor Plan. The Apex Village is in conformity with these plans as described above adding commercial services to the local community.

**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;**

As the proposed map amendments fulfill the goals of the County Master Plan as described under criterion (1) and therefore complies with the statutory provisions that allow County's to establish, limit, regulate, or amend zoning within the unincorporated parts of El Paso County in the interests of public health, safety and welfare.

There are 4 lots proposed the Apex Village subdivision, size 37.45 acres. The proposed rezone is Community Commercial (CC). By adding Mixed-Use Family Residential Units (Special Uses in Table 5.1 of LDC), the Apex Village becomes self-sustaining. The dwelling unit (du) density to not exceed 1.5 du/ac.

**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.**

Future development of Apex Village will meet the use and dimensional standards for the respective CC zone, as set out in Chapter 5 of the Land Development Code (LDC).