



July 26, 2022

PCD File No. : AL-21-011

**LETTER OF INTENT
SPECIAL USE FOR RURAL HOME OCCUPATION
Lot 57, Valerosa Village Filing No. 1**

Owner:

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Consultant:

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Developer/Applicant:

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Site Location Size and Zoning:

The site of the proposed construction is the existing subdivision known as "Lot 57, Valerosa Village Filing No. 1", located in the Northwest One-quarter of the Northwest One-Quarter of Section 33, Township 17 South, Range 65 West of the 6th P.M., El Paso County, Colorado. The current address for the property is 19840 El Valle View, Fountain, Colorado 80817, having El Paso County Tax Schedule Number 5733002004. The site currently houses a single family residence with a detached garage. The site is located on the south side of Indian Village Heights, north of El Valle View, and east of Armadillo Heights. The parcel is approximately 5.73± acres and is zoned RR-5. Indian Village Heights, a gravel public rural residential roadway, is adjacent to the north side of the site. Access to the existing residence is from a paved driveway connecting to Indian Village Heights. Lot 58, Valerosa Village Filing No. 1 is adjacent to the west side of the property. Lot 56, Valerosa Village Filing No. 1 borders the east side. A public gravel roadway named El Valle View is adjacent on the south side if the site. All surrounding properties are zoned RR-5.

Request and Justification:

The request is for approval of a Special Use for Rural Home Occupation in the RR-5 zone. The proposal is to allow the operation of an Automotive Repair Garage on Lot 57, Valerosa Village Filing No. 1. The site is 5.73± acres in area and contains one existing residence and one existing detached garage, which will both remain in place. The Rural Home Occupation is to be housed in a new 4,000 square foot garage building that will be constructed to the west of the existing garage and house. Access to the new garage will be from the existing paved driveway connection to Indian Village Heights. A new paved driveway and parking area will extend from the existing paved driveway.

The proposal will comply with the requirements for Rural Home Occupations as a Special Use which are detailed in Section 5.2.29.(C) of the El Paso County Land Development Code (2019). The request is

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applicable to the Land Development Code because the Accessory Use of Rural Home Occupation is considered allowable by Special Use in the RR-5 zone pursuant to the El Paso County Land Development Code Chapter 5, Table 5-2. The intent “is to provide a mechanism by which a business owner or entrepreneur may reasonably establish or expand their home occupation on a large residential, forestry, or agriculturally zoned property in manner that protects neighboring properties from extreme or unreasonable impacts”. The site complies with the minimum lot size of 5 acres. The number of employees is estimated to be 1 to 2, which is less than the maximum of 10. The proposed use will generate not more than 50 daily trips as detailed below.

The Primary Use of the lot will remain consistent with the requirements of the existing RR-5 zoning with respect to the layout, land use (single-family residential), lot size, minimum building setbacks, water supply and wastewater disposal. The existing residence and existing auxiliary structures are to remain unchanged by the proposed Special Use proposal. The proposed Rural Home Occupation Accessory Use will also comply with the requirements of the RR-5 zoning and the conditions of Special Use approval regarding maximum allowed traffic trips and lot size. The application submittal contains all documents and plans necessary for approval of the Special Use and the Civil Site Construction Documents.

Any outside storage will comply with the outdoor storage requirements of the El Paso County Land Development Code (Sec. 5.2.40 & 5.2.58). Any vehicle to be stored on site shall not be stored for more than 30 days, and shall be screened from the view of the general public. Screening will consist of masonry panel fencing (opaque) at least 6 feet in height to be constructed around the proposed paved area. Outside storage of any materials, not including vehicles, shall not exceed the height of the screening. The code allows stored individual vehicles to exceed the height of the screening. It is not anticipated that a significant number of stored vehicles will exceed the fence height.

This application meets the Special Use submittal requirements, the standards for Use and Dimensional Standards in Chapter 5 of the El Paso County Land Development Code (2021). Special Use Applications are reviewed and approved in consideration of the review criteria found in the El Paso County Land Development Code. Each criteria is listed below followed by the appropriate justification.

1. *The special use is generally consistent with the applicable master plan.* The applicable master plan is the “Your El Paso Master Plan” (2021). The plan is a comprehensive document that communicates a vision for many factors influencing the quality of in El Paso County, including Land Use. The Master Plan provides a strategy to achieve the vision by putting forth goals and policies that can be used as a framework for decision-making regarding development of the County. The special use meets the vision, principles, goals of the Master Plan while implementing its objectives and specific strategies.

Vallerosa Village, Filing No. 1 is not located within a key area, primary annexation area or a priority development area as delineated by the Master Plan. No new infrastructure, pedestrian or multimodal connections are required for this project.

The site is located within an area of minimal change: undeveloped as identified in the areas of change map in the Master Plan. This project promotes minimal change to the site and does not alter the essential character of the area. A conservation design approach was incorporated for this special use. The rural character of the area will remain unchanged, and contiguous areas of open space will be preserved.

The site is designated “Large-Lot Residential” Placetype and is located along the southern boundary of El Paso County. The Primary Land Use of this placetype is Single Family Detached

housing and includes Commercial Service as a Supporting Land Use. The landscape and geography of the region are conducive to large lot residential use as well as the Rural Home Occupation as an accessory use. The wide open spaces of the area will allow the construction of the additional structure without creating a cramp or crowded appearance. The site is also capable of providing the necessary parking and open space on the lot without disturbing critical natural resources.

In the Economic Development category, Goal 3.1 is *“Recruit new businesses and spur the development of growing sectors.”* Also located in the Economic Development category, the Master plan states *“One method for supporting rural economic growth is home-based businesses. A home-based business reduces startup and operational costs by removing the need for separate workspace. By allowing residents to manage compatible, low-intensity personal businesses from their home, the County is creating greater opportunities for new companies to be established. Additionally, these new businesses could be providing a missing good or service directly to their communities.”* Goal 3.2 is *“Support efforts to recruit, train, and retain a skilled workforce”*. Automotive Repair is a highly skilled and technology based occupation. Allowing the Rural Home Occupation will support economic development by providing an opportunity for training and practice of a needed service within the community.

The proposed special use is in compliance with the 2040 Major Transportation Corridors Plan (MTCP). This plan shows no intention to make any improvements to the area surrounding the site.

The proposed special use is also in compliance with the Master Plan for Mineral Extraction as the separate mineral estate owners for the property and the existing development were found and notified of the development.

The proposed special use is in compliance with the El Paso County Water Master Plan (2018). Water on the site is currently delivered and stored in an existing 3,000 gallon cistern. The existing cistern will continue to provide water to the site after the proposed improvements are made. No water will be supplied to the proposed garage.

The site is located at the southeast corner of Region 7 in the Water Master Plan. This region is comprised of the south central portion of the county including the Fountain area. The site is not located in a designated Growth Area as determined in the Water Master Plan. The Water Master Plan contains estimates of the demands and available supply by region at the years 2018, 2040 and 2060 Build-Out. The 2018/2040/2060 demands in Region 7 are estimated to be 10,141 acre-feet per year, 15,846 acre-feet per year, and 26,969 acre-feet per year, respectively. The 2018/2040/2060 supplies in Region 7 are estimated to be 15,376 acre-feet per year, 25,241 acre-feet per year, and 27,840 acre-feet per year, respectively, indicating adequate supplies until the year 2060. The Rural Home Occupation Special Use is a low water use and no new wells will be constructed.

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 site will remain in the RR-5 zone keeping its rural residential designation. The lots surrounding the site are all zoned RR-5 so the site will continue to fall in line with the character of the surrounding neighborhood. The existing structures will remain unchanged, and the proposed garage will have a minimal impact to the overall character of the site and its

surrounding area. It is the owners intent to serve the community while minimizing the affect that this rural home occupation has on the overall look and feel of the community. This rural residential community is made up of large lot residential sites, many of which utilize the undeveloped portions of their property for storage. Though outside storage is not uncommon in the area, it can be unsightly. The addition of the proposed garage will reduce the amount of vehicles currently stored outside of the residence, and provide a visually appealing fence around the site that reduces the affect that the site has on the overall view of the neighborhood. The addition of a fence paired with the open space of the site and surrounding properties will minimize any negative affects that the site may have on the surrounding community. The neighbors have been contacted and have expressed support for the application as shown in the “Notification of Adjacent Property Owners” form complete with signatures and comments of support.

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 proposed garage will not affect the site in any way that would overburden or exceed the capacity of public facilities and services. On-site water is provided by an existing 3,000 gallon cistern which is filled periodically. The proposed garage will not be supplied with water so the existing public facilities and services will be sufficient. There are no public facilities or infrastructure required or proposed for this special use request.

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

The site has a dedicated access from Indian Village Heights which is adequate to serve the proposed garage. The special use is expected to generate 12.48 trips per day per service bay as an automobile care center (according to Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers). The rural home occupation will have a maximum of 4 service bays and will generate about 50 trips per day which is within the limit set by the El Paso County Land Development Code.

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

All local, state, and federal laws and regulations regarding air, water, light, and noise pollution will be followed in the development and operation of the proposed garage. Any repairs occurring on the site will be performed in the proposed garage, mitigating any noise pollution produced by the garage. The outside lighting proposed for the site will consist of wall pack lighting located on the new garage. All outdoor lighting will utilize full cutoff lenses to eliminate light spill-over across any property boundary. The proposed garage will be an estimated 500 feet away from the nearest neighboring building. With all mitigating factors taken into consideration this site will not negatively impact the surrounding area with regards to light, or noise pollution.

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.*

The proposed garage will not have any adverse affects to the health, safety, and welfare of the present or future residents of El Paso County. All harmful substances will be stored, and disposed of properly to alleviate any chance of contamination. Vehicles will be stored on site for no more

than 30 days and screened from view in accordance with LDC 5.2.40, minimizing any negative impact they may have on the environment.

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

The proposed garage meets all regulations set forth by El Paso County including setbacks. The proposed building size conforms to the Land Development Code. Required building setbacks are 25 feet on the front, rear and sides. All proposed building setbacks exceed the minimum required by at least 5 feet on the front, at least 45 feet on the side and at least 409 feet on the rear.

Existing and Proposed Facilities:

Existing improvements within this parcel are related to the existing residential use. The proposed 4-bay garage located in the northwestern portion of the site does not require any public improvements.

Parking for the proposed Automotive service garage will be provided on the paved surface adjacent to the proposed garage building with enough space for fourteen (14) vehicles in addition to the 4 interior bays. The paved surface will also provide the necessary drive and maneuvering space.

A water quality / storm detention facility will be constructed with the project to mitigate water quality and storm runoff concerns. The facility will capture flows from the developed and impervious areas of the site and will be located outside of the local drainageway that traverses the site from northwest to southeast.

Total Number Of Residential Units And Densities:

The gross area of Lot 57 Valerosa Village is 5.73+/- acres and is proposed to contain the existing rural residential Single Family Unit with a proposed associated Rural Home Occupation. The gross density of the site is 0.17 units per acre.

Fire Protection:

The site is located within the Hanover Fire Protection District . The lots and homes are subject to the codes and policies adopted by the said District regarding fire protection. A meeting was held by the Hanover Fire Protection District on September 15, 2021 at 6:30 PM to discuss the proposed development which passed with no objection.

Proposed Access Locations:

The access location for the site is the existing driveway access currently being used for the existing residence at 19840 El Valle View located near the center of the northern border of the site.

Traffic Impact and Traffic Impact Fees:

The one (1) existing single family residential unit will access public Indian Village Heights. The development is expected to generate a total of 60 trips per day (Average weekday trips) and 10 trips in the

peak hour based on 9.44 trips per unit for Single Family Detached Housing, and 12.48 trips per day per service bay for an automobile care center (according to Trip Generation, 10th Edition, 2017 by the Institute of Transportation Engineers). The rural home occupation will have a maximum of 4 service bays and will generate about 50 trips per day which is within the limit set by the El Paso County Land Development Code. The total number of trips is below the County threshold of 100 trips per day or 10 trips during the peak hour. Therefore, a Transportation Impact Study (TIS) is not required for the project. This development is subject to fees established by the El Paso County Road Impact Fee Program per El Paso County Resolution Number 19-471. The owners have elected to not be included in any Public Improvements District. Traffic Impact Fees will be paid at time of building permit.