

**Meggan Herington, AICP, Executive Director**  
**El Paso County Planning & Community Development**

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**Board of County Commissioners**

Holly Williams, District 1  
Carrie Geitner, District 2  
Stan VanderWerf, District 3  
Longinos Gonzalez, Jr., District 4  
Cami Bremer, District 5

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**SUMMARY MEMORANDUM**

**TO:** El Paso County Board of County Commissioners  
**FROM:** Planning & Community Development  
**DATE:** 9/12/2024  
**RE:** P229, Windermere South Zone Change to RM-30

**Project Description**

A request by Windsor Ridge Homes for approval of a Map Amendment (Rezoning) of 9.25 acres from RS-5000 (Residential Suburban) to RM-30 (Residential Multi-Dwelling). This item was heard as a called-up consent item at the August 15<sup>th</sup>, 2024, Planning Commission hearing. The vote was 9-0 for a recommendation of approval to the Board of County Commissioners. Discussion from the public included concerns regarding traffic, water, and the Colorado Springs Utility propane station. Commissioners discussed traffic, compatibility with the existing neighborhood, and that the Colorado Springs Utility propane station to the south was built in 1974 and should be of no concern to this project. The property is located 7653 Mardale Lane and is directly southeast of the intersection of North Carefree Circle and Marksheffel Road. (Parcel No. 5329416011) (Commissioner District No. 2)

**Notation**

Please see the Planning Commission Minutes for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

**Planning Commission Recommendation and Vote**

Fuller moved / Schuettepelz seconded for approval of the Map Amendment (Rezoning), utilizing the resolution attached to the staff report, with two conditions and two notations, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (9-0)**. The item was heard as a called-up consent agenda item.

**Discussion**

Members of the public spoke in opposition to the proposed Map Amendment, specifically citing concerns regarding traffic, water, and the Colorado Springs Utility propane station. Commissioners discussed traffic, and compatibility with the existing neighborhood. Commissioners also discussed the Colorado Springs Utility propane station, which was permitted in 1974, and determined that the preexisting utility station was not a safety concern in regard to the rezoning application.

**Attachments**

1. Planning Commission Minutes from 8/15/2024.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolution.

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## **EL PASO COUNTY PLANNING COMMISSION**

### **MEETING RESULTS (UNOFFICIAL RESULTS)**

Planning Commission (PC) Meeting

Thursday, August 15, 2024, El Paso County Planning and Community Development Department  
2880 International Circle – Second Floor Hearing Room  
Colorado Springs, Colorado

#### **REGULAR HEARING, 9:00 A.M.**

**PC MEMBERS PRESENT AND VOTING:** THOMAS BAILEY, SARAH BRITTAIN JACK, JIM BYERS, JAY CARLSON, BECKY FULLER, JEFFREY MARKEWICH, TIM TROWBRIDGE, BRYCE SCHUETTELPELZ, AND CHRISTOPHER WHITNEY.

**PC MEMBERS VIRTUAL AND VOTING:** NONE

**PC MEMBERS PRESENT AND NOT VOTING:** MR. SMITH (Voted on last item. File # ID243).

**PC MEMBERS ABSENT:** BRANDY MERRIAM

**STAFF PRESENT:** MEGGAN HERINGTON, JUSTIN KILGORE, KYLIE BAGLEY, RYAN HOWSER, LISA ELGIN, KARI PARSONS, EDWARD SCHOENHEIT, DANIEL TORRES, HAO VO, MIRANDA BENSON, MARCELLA MAES, ERIKA KEECH AND LORI SEAGO.

#### **OTHERS PRESENT AND SPEAKING:**

##### **1. REPORT ITEMS**

**Ms. Herington** – advised the board that on September 5<sup>th</sup>, Mr. Ryan Howser will present to the board a report on the implementation of the El Paso Master Plan. This presentation is part of the Master Plan's scheduled reporting, which occurs every 2 to 3 years since the last report, the Commission has requested this update.

**Mr. Kilgore** - NONE

##### **2. CALL FOR PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA (NONE)**

##### **3. CONSENT ITEMS**

**A. Adoption of Minutes** for meeting held August 1<sup>st</sup>, 2024.

**PC ACTION:** THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (9-0).

**PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN  
THE ESTATES AT CATHEDRAL PINES**

A request by Villagree Development, LLC, for approval of a Map Amendment (Rezoning) of 35.09 acres from RR-5 (Residential Rural) to PUD (Planned Unit Development) with approval of a Preliminary Plan depicting 8 single-family residential lots, 2 open space tracts providing 2.5 acres of open space provisions, 2.3 acres of easements for open space preservation, and 1 private road tract. The property is located on the west side of Winslow Drive, approximately 1 mile northwest of the intersection of Shoup Road and Milam Road. (Parcel No. 6200000411) (Commissioner District No. 1)

**NO PUBLIC COMMENT****DISCUSSION**

**Mr. Bailey** – stated that it was noted that one comment was added late this morning regarding the application. The chair inquired if anyone from the audience with concerns about the application was present and intended to speak on the matter. No concerns were expressed.

**Mr. Trowbridge** – stated I have a question for engineering. In reviewing the report, I noticed a waiver for the road construction. Additionally, the letter of intent mentions some deviations from the ECM (Engineering Construction Manual). Are the ECM deviations intended to be included in the waiver for the road construction?

**Mr. Howser** – agreed with Mr. Trowbridge on his first statement that this is more of an engineering question. Mr. Schoenheit was the engineer on this project.

**Mr. Schoenheit**– explained that we have the waiver for the private road and internal private road itself. One of the deviations is for the block length of the access road coming off the public road.

**Mr. Trowbridge** – stated that he thought there were four or five ECM deviations that just mentioned line of sight and intersections spacing.

**Mr. Schoenheit**- stated that the line of sight was rectified. It had been taken care of where the intersection is going to go off Winslow. Those lines of sight have been met. The entrance has been relocated slightly as they build up the entrance to the subdivision will be taken care of. We have gone out and vetted that with the developer as well for the line of sight down Winslow. That is not a concern. Is there a specific deviation?

**Mr. Trowbridge** – I wanted to make sure that those deviations were included or implied with the approval of the waiver that was being requested. The waiver was the only thing I saw in the staff report and was not sure if it was all picked up within the resolution. I am just asking that everything the applicant needs is included.

**Ms. Herington** – stated that the deviations are separate from this process and the waiver process. The waiver is only for the private road. The deviations would not be picked up specifically in the resolution because those are all approved or denied by engineering separately.

**Mr. Trowbridge** – asked if everything has been handled?

**Ms. Herington** – answered yes.

**Mr. Trowbridge** – answered sometimes we do see those.

**Mr. Bailey** – asked if there were any more questions.

**PC ACTION:** MARKEWICH MOVED /BRITTIAN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER PUDSP2210 FOR A PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN, THE ESTATES AT CATHEDRAL PINES, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SEVEN (7) CONDITIONS AND FIVE (5) NOTATIONS, ONE (1) WAIVER AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

**IN FAVOR:** BAILEY, BRITTAIN JACK, BYERS, CARLSON, FULLER, MARKEWICH, SCHUETTPELZ, TROWBRIDGE, WHITNEY.

**IN OPPOSITION:** NONE.

**COMMENTS:** NONE.

**C. SP232**

**HOWSER**

**PRELIMINARY PLAN  
THE COMMONS AT FALCON FIELD**

A request by Falcon Field, LLC for approval of a 57.67-acre Preliminary Plan depicting 169 single-family residential lots, 8 commercial lots, and 7 open space, utility, drainage, and right-of-way tracts. The property is zoned CR (Commercial Regional), RS-5000 (Residential Suburban), and RM-12 (Residential, Multi-Dwelling), and is located on the South side of East Highway 24, at the intersection of East Woodmen Road and East Highway 24. (Parcel Nos. 4307000001 and 4307200015) (Commissioner District No. 2)

**NO PUBLIC COMMENT**

**DISCUSSION**

**Mr. Trowbridge** – had another engineering question regarding drainage. Mr. Torres there was a note in the report about continuing drainage study. I know that drainage in that area has been an issue in the past. Could you elaborate more particularly what you are waiting on from the applicant regarding drainage, is it volume, flow rate, or something like that?

**Mr. Torres** – answered we are not waiting on anything right now; it is a Preliminary Plan. Only the hydrology is provided. The applicant has an approved conditional letter of map revision from FEMA for that flood plain where that drainage is. There will be further analysis with the final drainage report that will provide the hydraulics of that drainage channel there. Currently in the Preliminary Plan they are identifying to be conveyed a box culvert then it will transition back to regular open channel. With the final drainage report we will have a lot more detail and further analysis downstream as the Staff report identified all the way down to possibly Falcon Highway because that is of concern. We won't have the final details until the final drainage report.

**Mr. Trowbridge** – stated there was a note that they might have to amend their plan based on what the study showed.



**Mr. Torres** – answered even though it is not required we would want further analysis of the downstream for them as well as to what would be required to improve. It is not required but if for some reason that analysis turns that there may be some changes to the Preliminary Plan then a Preliminary Plan amendment would come back and get it approved in that regard.

**NO PUBLIC COMMENT OR DISCUSSION.**

**PC ACTION:** CARLSON MOVED / TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF ITEM 3C, FILE NUMBER SP232 FOR PRELIMINARY PLAN, THE COMMONS AT FALCON FIELD, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FIVE (5) CONDITIONS AND THREE (3) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

**IN FAVOR:** SCHUETTPELZ, CARLSON, TROWBRIDGE, FULLER, BRITTAIN JACK, WHITNEY, BYERS MARKEWICH, AND BAILEY

**IN OPPOSITION:** NONE

**COMMENTS:** NONE

**D. P229**

**BAGLEY**

**MAP AMENDMENT (REZONING)  
WINDERMERE SOUTH ZONE CHANGE TO RM-30**

A request by Windsor Ridge Homes for approval of a Map Amendment (Rezoning) of 9.25 acres from RS-5000 (Residential Suburban) to RM-30 (Residential Multi-Dwelling). The property is located 7653 Mardale Lane and is directly southeast of the intersection of North Carefree Circle and Marksheffel Road. (Parcel No. 5329416011) (Commissioner District No. 2)

**PC ACTION:** THIS ITEM WAS PULLED TO BE HEARD AS A CALLED-UP CONSENT ITEM PER MS. FULLER'S REQUEST.

**E. CS242**

**BAGLEY**

**MAP AMENDMENT (REZONING)  
VILLAGE AT LORSON RANCH REZONE**

A request by Matrix Design Group for approval of a Map Amendment (Rezoning) of 9.73 acres from PUD (Planned Unit Development) to CS (Commercial Service). The property is located directly northeast of the intersection of Fontaine Boulevard and Marksheffel Road. (Parcel No. 5515413054) (Commissioner District No. 4)

**NO PUBLIC COMMENT OR DISCUSSION**

**PC ACTION:** SCHUETTPELZ MOVED / BYERS SECONDED TO RECOMMEND APPROVAL OF ITEM 3E, FILE NUMBER CS242 FOR MAP AMENDMENT (REZONING), VILLAGE AT LORSON RANCH REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH THREE (3) CONDITIONS AND TWO (2) NOTATIONS AND NO FINDINGS OF WATER SUFFICIENCY THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

**IN FAVOR:** FULLER, TROWBRIDGE, CARLSON, SCHUETTELZ, BRITTAIN JACK, WHITNEY, BYERS, MARKEWICH, AND BAILEY.  
**IN OPPOSITION:** NONE  
**COMMENTS:** NONE

**F. VR239**

**BAGLEY**

**VACATION AND REPLAT  
FALCON RANCHETTES FILING NO. 1A**

A request by Galloway & Company, Inc., for approval of a 9.604-acre Vacation and Replat creating two commercial lots and one tract. The property is zoned CS (Commercial Service), and is located at 11750 and 11690 Owl Place, and is directly northwest of the intersection of Meridian Road and Owl Place. (Parcel No. 5301001001 and 5301001002) (Commissioner District No. 2)

**NO PUBLIC COMMENT OR DISCUSSION**

**PC ACTION:** TROWBRIDGE MOVED / CARLSON SECONDED TO RECOMMEND APPROVAL OF ITEM 3F, FILE NUMBER VR239 FOR VACATION AND REPLAT, FALCON RANCHETTES FILING NO. 1A, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TEN (10) CONDITIONS AND ONE (1) NOTATION, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

**IN FAVOR:** BRITTAIN JACK, WHITNEY, BYERS, MARKEWICH, FULLER, TROWBRIDGE, CARLSON, SCHUETTELZ, AND BAILEY.

**IN OPPOSITION:** NONE  
**COMMENTS:** NONE

**4. CALLED-UP CONSENT ITEMS**

**3D. P229**

**BAGLEY**

**MAP AMENDMENT (REZONING)  
WINDERMERE SOUTH ZONE CHANGE TO RM-30**

A request by Windsor Ridge Homes for approval of a Map Amendment (Rezoning) of 9.25 acres from RS-5000 (Residential Suburban) to RM-30 (Residential Multi-Dwelling). The property is located 7653 Mardale Lane and is directly southeast of the intersection of North Carefree Circle and Marksheffel Road. (Parcel No. 5329416011) (Commissioner District No. 2)

**STAFF & APPLICANT PRESENTATIONS**

**Mr. Markewich** – asked about the traffic light. We are putting money in escrow has the City of Colorado Springs traffic department estimated as far as to when that light will go up.

**Mr. Houk** – answered No, we did not get a final date on that.

**Mr. Carlson** – asked about access on to Antelope Ridge, is it too busy to have an access point over there?

**Mr. Houk** – answered yes it does not meet the distance. We do have two accesses on to the neighboring streets.

**Mr. Smith** – asked is the utilities property direct to the South is that the propane facility?

**Mr. Houk** – answered it is a substation.

**Mr. Smith** – asked if there is any concern about leakage or fire? I know there has had a problem in the past putting numerous houses nearby is that an issue.

**Mr. Houk** – stated there were no comments that came through with Colorado Springs Utilities or Staff.

## **PUBLIC COMMENTS**

### **In Favor – NONE**

**Mr. Bazemore** – spoke in opposition as a long-time resident of Pronghorn Meadows. The property in question is directly adjacent to my backyard and those of my neighbors. Initially, I hadn't considered the concerns raised by Mr. Smith regarding the city-owned propane plant, but as a retired Fire Chief, I am acutely aware of the hazards associated with propane. I have been concerned for the past eighteen years about the potential devastation an explosion could cause to our community. While this not mentioned in my letter, it is a significant concern.

In my letter, I noted that the surrounding property is Mardel Lane. We are discussing a change from RS-5000 or RS-6000 zoning, which applies to my property, to RM-30. Based on my calculations, RM-30 could allow for as many as 278 units on the property. I understand from the gentleman's presentation that RM-30 could accommodate approximately 8 to 12 units per acre, potentially resulting in around 118 units. However, if the zoning changes to RM-30, the new or existing owner could develop up to 278 units, depending on the compliance with the RM-30 code. This could lead to significant infrastructure issues, especially concerning traffic.

There is a Charter school nearby, and with no busing or mass transit available, traffic congestion on Antelope Ridge and Barnes is already severe. This morning, at 8:30 A.M., I had to bypass the first entrance to my neighborhood due to extreme traffic backups. I believe the County needs to conduct its own traffic study, as the current situation would only worsen if RM-30 zoning is approved. This is a major concern for both me and my neighbors.

Regarding water concerns, it is difficult for any hydrologist to predict when Cherokee will run out of water. We have been under water restrictions for 18 years. I am here to express these concerns and am open to any questions.

**Mr. Bailey** – clarified that at this stage of the process, we are evaluating a rezoning request. Many of the concerns raised will be addressed at a later stage, once a final plan is developed, if the rezone is approved. Issues such as traffic and water are significant as the County continues to grow. However, I want to clarify that the safety concerns related to the city's propane plant are not directly related to the application. While it is a concern for area, it does not pertain to the current rezoning request.

**Mr. Bailey** – asked if there was anyone else that wanted to speak on this item.

**Mr. Coleman** – stated that for several years, I took my grandson to that school, and I can attest to the traffic issues mentioned. I have experienced firsthand sitting in traffic from Peterson Road all the way

down to Antelope Drive and Carefree. The congestion is so severe that you often must do a zipper merge just to get through. On some occasions, you can be stuck in that line for up to one to one and half hours.

## **DISCUSSION**

**Ms. Brittain Jack** – asked is someone can tell how long the propane plant has been there?

**Mr. Bailey** – replied for the record that someone from the audience said it has been there about twenty years. If staff can find that information, we can have it available for the County Commissioners when they hear this item with our recommendation.

**Mr. Bailey** – called up the applicant to make any additional comments.

**Mr. Houk** – stated that he would like to offer a few quick comments. The propane plant is a regional issue and is not directly related to the current development proposal, which involves a modification of the existing land use plan. We considered various density options for the RM-30 zoning, but due to significant topographical constraints and the need to manage stormwater from the northern part of the development, maximizing density is not feasible. The intent was to explore what might be possible, but the topography remains a major limitation.

We do acknowledge the concerns about traffic, particularly give the school's impact during peak times. We are actively working with the Colorado Springs Traffic Department to address these issues, and our discussions have helped to elevate the importance of traffic management at that intersection.

**Mr. Whitney** – asked what you're saying is that while RM-30 zoning permits significantly higher density, the practical constraints of the topography and other factors limit the feasible development to approximately 12 to 18 townhomes.

**Mr. Houk**- answered we are looking at about 12 units per acre. They allowed 30 at this point.

**Mr. Byers** – stated 118 townhomes approximately.

**Mr. Byers** – asked do you have any idea if there are any lane improvements that will come along with the traffic signal? There are issues with the left turn.

**Mr. Houk** – stated the left turn has bigger challenge with the traffic heading south. The light will create some windows for those turns. They have already done some work to expand the left-hand turn lanes heading towards Marksheffel.

**Mr. Byers** – stated that Marksheffel is controlled by the city now in that area.

**Mr. Houk** – answered Yes, we will be adding a deceleration lane into the development from the northbound lane, which will help alleviate some traffic at the intersection. Mr. Houk brought up Mr. Hodson from LSC Traffic Consultants.

**Mr. Hodson** – mentioned that their study fully incorporates the school traffic, with counts taken during peak school times-both in the morning and just before the main afternoon commuter peak. We observed that the school previously had a program to stagger the exiting traffic, releasing vehicles in batches to create gaps in the flow. However, we are unsure if this program is still in place. This traffic

management could impact the ability to turn in and out of side streets along Antelope Drive by creating those gaps, though this effect was not fully reflected in the numbers.

**Ms. Bagley** – answered the question about the power plant. It was built in 1974.

**Ms. Fuller** – stated I appreciate the discussions regarding water. It seems that Mr. Baezmore's concerns are specifically with the Cherokee Water District, as they will be responsible for providing a well-served letter. The county does not conduct its own traffic or water engineering reports; these are provided by the applicant. We cannot overrule a licensed engineer's findings.

I understand the frustrations of dealing with school traffic – I lived two doors from Steel Elementary School for 16 years and experienced firsthand the difficulties of accessing your driveway during peak school times. However, the school is likely the primary traffic generator, not the proposed development. Given the location at Carefree and Marksheffel, higher density housing at busy intersections is not unusual.

In my view, the location seems appropriate for this rezone. The presence of utilities and the propane facility, which has been there for a long time, does not significantly affect the decision. As a community, we must ensure that unsafe facilities are not tolerated, but I believe the applicant is fulfilling their obligations. Therefore, I will be in favor of the rezone and do not believe it is the applicant's responsibility to address school traffic issues.

**Mr. Trowbridge** – pointed out that water and traffic considerations are not part of the current criteria for this rezone. These issues will be addressed in the Preliminary Plan stage. It would be interesting to see a comparison in the traffic study between RS-5000 and RM-30 zoning. A delta analysis from the applicant could provide valuable insights into this.

As Ms. Fuller mentioned water availability is not something we have significant control over. If the applicant has the necessary letter of intent and the county attorney's analysis confirms the sufficiency of the water, we are bound to accept it.

**Mr. Whitney** – stated that for Mr. Baezmore, it may seem counterintuitive to approve a rezone if there is already a potential water problem, assuming that is the case. As previously mentioned by panel members, even if this rezone is approved, it does not mean the project is finalized. While the rezone itself might be approved, the project still requires proof of adequate water and sufficient traffic management as part of the Preliminary Plan review. This process is far from over. The current discussion is only about the RM-30 rezoning; we have not yet reviewed or approved the actual project.

**Mr. Bailey** – pointed out to remember we are only making a recommendation at this point for the Board of County Commissioners the final decision is theirs. This item will go to them on September 12<sup>th</sup>, 2024.

**PC ACTION: FULLER MOVED / SCHUETTELZ SECONDED TO RECOMMEND APPROVAL OF CALLED-UP ITEM 3D, FILE NUMBER P229 FOR MAP AMENDMENT (REZONING), WINDERMERE SOUTH ZONE CHANGE TO RM-30, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).**

**IN FAVOR:** BRITTAIN JACK, BYERS, CARLSON, FULLER, TROWBRIDGE, WHITNEY, MARKEWICH, SCHUETTPELZ AND BAILEY  
**IN OPPOSITION:** NONE  
**COMMENTS:** NONE

## 5. REGULAR ITEMS

### A. U241

**ELGIN**

#### **APPROVAL OF LOCATION BOCES**

A request by Pikes Peak Board of Cooperative Educational Services ("PPBOCES") for Approval of Location to allow for the placement of an 86.38-acre campus comprised of secondary education facilities for vocational training, campus housing, and a community water system. The project is proposed to be constructed on an existing BOCES parcel. The 86.38-acre property is located on the northeast corner of the intersection of Judge Orr Road and Elbert Road. (Parcel No. 4200000362) (Commissioner District 2)

**Mr. Bailey** – asked Ms. Seago to explain the process of how the Approval of Location works.

**Ms. Seago – County Attorney** – explained the Approval of Locations applications are submitted under Colorado revised statute 30.28.110 which requires that public projects such as schools, power plants, fire stations any kind of public building, public facility come to the planning commission of the county of which it is located to seek approval of the location of that facility. Under the statute the objective is to give the Planning Commission an opportunity to review the siting of that facility against the county's Master Plan. According to the statute the Planning Commission can vote to approve or vote to deny the project. If it does vote to deny the project, then the application can be referred to the governing body or the governing board of the entity that's proposing the project and they then can take action to approve the project and move forward with development. This board does then have its full discretion to approve or deny the project if it chooses to deny however then the governing body would have an opportunity to take another look at it and approve it nonetheless.

**Mr. Bailey** –clarified that we are not recommending we are approving that this will not go to the Board of County Commissioners.

**Ms. Seago – County Attorney** –answered that is correct this does not go to the Board of County Commissioners.

## **STAFF & APPLICANT PRESENTATIONS**

**Mr. Carlson** – asked can you tell us more about the buildout itself, the height of the buildings? We heard someone is concerned about a water tower. I saw firefighting as one of the teaching categories. Is their going to be a training tower 3 or 4 stories tall that they train in. Are any of those things going to be involved?

**Mr. Breshinsky** – answered that when we initially began, we reached out to the community to identify needs. For example, we spoke with Falcon Fire, who expressed interest in having a local training facility, as they currently must travel to Kiowa for training. While it's uncertain if this will materialize, it remains a consideration.

Additionally, there are plans underway to develop a centralized water system to support our campus. The housing we're discussing is intended to accommodate teachers for rural districts, addressing the current challenge of hiring teachers. Our goal with affordable housing is to include it as part of a benefits package to attract quality teachers from outside areas like Miami-Yoder, Peyton, Calhan, and Elbert. This initiative aims to enhance the quality of education in rural districts by providing better housing options for educators.

**Mr. Carlson** – stated I am concerned about the height of structures out there.

**Mr. Guman** – stated we have included a aviation easement on the plot plan submitted with this application, which we are committing to with Meadow Lake Airport and Colorado Springs Airport. We will ensure no towers are constructed on the property and will adhere to the height limitations for the A-35 district.

Additionally, we are proposing a couple of water tanks integral to the community water systems for this facility. These tanks will be similar in size to the one at the Saddle Horse Ranch development, located immediately to the northwest of this property. The tanks are approximately 40 feet tall.

**Mr. Carlson** – asked if they were putting up 60-foot towers?

**Mr. Guman** – answered No.

**Mr. Markewich** – stated the scale of the project is obviously large. Do you intend to build it in phases? Are you going to build it in phases and bring the students in phases? How is that going to work? What is the plan for the phasing?

**Mr. Bershinsky** – answered we do have a phasing plan. Our focus is rural. Other districts are going to want to take advantage of our facility. It will be about 100 kids to start.

**Mr. Markewich** – asked if you build out and occupy the campus, the teachers and the single-family homes what would the maximum enrollment be?

**Mr. Bershinsky** – answered I have no idea probably about 500.

**Mr. Bailey** – asked if the students are going to be the residents on this campus or are they bused in for the school day then they leave?

**Mr. Bershinsky** – answered the residence will be for the school district staff to have somewhere affordable to live.

**Mr. Bailey** – stated there seems to be a large misunderstanding in the community as to what the intent is. We saw some objections based on the students getting out.

**Mr. Bershinsky** – answered we have talked about the programs we have. We do not want to keep kids 24 hours a day. Eight hours a day is enough that entails a lot more problems to house kids overnight.

**Mr. Markewich** – asked if there would be any dormitories or apartments?

**Mr. Bershinsky** – answered No.

**Mr. Bailey** – stated thank you for clarifying that is key.

**Mr. Schuettepelz** – asked about the housing with about 120 units and enrollment maxed out at 500. I am assuming that is not just for teachers on that campus. That is space for the teachers at the school districts around there that they can utilize and be able to use. Correct?

**Mr. Bershinsky** – answered Exactly. If Miami-Yoder needs an English teacher in the future, our vision is to include affordable housing as part of their compensation package for teachers in Miami-Yoder. This campus will not replace or take over a significant number of instructors for this campus alone. Instead, we aim to address the broader issue of attracting and retaining staff across rural districts.

**Mr. Trowbridge** – asked will the housing sales be restricted to the instructors at the school?

**Mr. Guman** – stated there are no sales proposed for this project. This will be a land lease situation where BOCES would act as the developer, potentially in collaboration with one or more construction trades programs. The homes envisioned are between 800 and 900 square feet and may be built by students on the campus. These homes would be wholly owned by BOCES and are not intended for sale.

**Mr. Trowbridge** – asked will residency be restricted to staff?

**Mr. Bershinsky** – answered it will be school district staff depending on what it is eventually we would like to open it to first responders further down the road. First and foremost is trying to take care of the problem to find teachers to come in. I'm not saying just the teacher it could be any staff it could be a janitor, head of maintenance or head cook. We are having a problem finding staff.

**Mr. Bailey** – stated the intent of the housing is not a revenue generator for BOCES. It is filling a need that seems to be out there.

**Mr. Guman** – answered we hope that including affordable housing as part of a compensation package will serve as an incentive for instructors considering a position with BOCES. Prospective teachers will soon face the challenge of finding attainable housing in the Pikes Peak region, where entry-level housing costs around \$400,000 or more.

The homes we plan to offer are not priced at \$400,000; the details are still being finalized. However, when teachers and instructors review their compensation packages, they will see that we offer on-site housing. These will be well-designed homes available at entry-level rates. The rental cost is expected to be between \$600 and \$700 per month, which is appealing for those just starting out in their careers. The homes will be rented, not sold.

**Mr. Bershinsky** – stated all our school districts are in partnership with BOCES. we do not create to make money off our school districts it would not work. The thought is to keep it affordable it is not a revenue generator at all.

**Mr. Guman** – continued presentation.



**Mr. Smith** – asked for clarification of 2 questions. When we first started hearing about this you were talking about special needs. Where are we going with that is it for severe needs children? We focused on the rural areas.

**Mr. Guman** – answered the focus is on rural area kids and vocational education. This is not a special needs facility. It does have a special need element in it.

**Mr. Bershinsky** – answered about the special needs that is what we do as one part of our business in town. Eventually that building will be sold, and the school will be moved out there. For the severe need kids, we have four different programs. We have the high behavior program, dual diagnosis program, autistic program and the little kids. These are the highest risk most needed kids in the state. The problem that I have now is the building and location. It is right by highway 25 and is not safe for the children. We have about 80 kids.

**Mr. Smith** – stated the 2<sup>nd</sup> question is totally different but that answers the first question. I know there is a severe need for help in that area.

**Mr. Bershinsky** – answered that is what my business is. My problem is I cannot offer these kinds of programs to the kids in that building. There is not enough space, and I don't have the room. My kids do get the same opportunity as the other kids in that region is because I can't create it for them. Some of these programs we have you probably read about it and my kids can be a part of it. They can go on and have outstanding careers. Right now, I can't do that.

**Mr. Smith** – it is about the distance. There were comments about how far people were to drive to take the kids to and from. It sounds like we are already covering great distances. Moving it to another location somebody is going to drive far, and somebody is not.

**Mr. Bershinsky** – answered it was not feasible to find a spot in town it was not affordable. I think it is the perfect location.

**Mr. Smith** – asked his 2<sup>nd</sup> question about technical trades training. Pikes Peak State College is doing that with a great many high schools here in town probably not at the level that you are talking about. Have you worked with them to balance how this is going to work out?

**Mr. Bershinsky** – answered Constantly. Pikes Peak State College runs into a space and instructor issue as well. When this is done Pikes Peak State College will be a partner to the point where they will be helping with instructors. They are reaching out to the rural districts now. Pikes Peak doesn't have the capacity to build it out any further.

**Mr. Smith** – Thank you.

**Mr. Bailey** - made a comment. I am aware that BOCES had in the past and probably continues a lot of different partnerships with similar programs that are not necessarily controlled exclusively by BOCES. Educational programs, vocational programs that are out there this isn't being created out of nothing there is a demonstrated need out there. This helps to address, centralize some things and helps to make it more universally available then some of the ones may have been in the past. I think I'm correct to say that. Clearly a need in our county, statewide and nationally.

**Mr. Bershinsky** - answered I'm not sure if your packet includes information on some of the partnerships we've established with local unions. For example, we have a partnership with the El Paso County Sheriff's Office and Sheriff Roybal. We launched a program in February with El Paso

County and Teller County's local 911 services, where high school students began training to handle 911 phone calls. Six students graduated in May and are now employed, gaining income without needing a college degree. This is part of a nationwide initiative.

Additionally, we are introducing a new heavy equipment operator program, which is unique in its scope. We have secured equipment such as skid loaders, forklifts, and excavators for Miami-Yoder, marking the first program of its kind in the nation where students will operate live machinery.

**Mr. Carlson** – asked to define the kids that are a higher risk and most needy in the districts. Have they been kicked out of districts or just developmentally challenged. Tell me about those definitions.

**Mr. Bershinsky** – answered no they are not kicked out. I have a special education team. Every school district has a special education team. We are not any different than a Cedar Springs, Round Up. If both special education teams deemed that this child should be placed a BOCES that is where they are placed. We have them in a smaller area, fewer kids and we have highly specialized people trying to work with these kids

**Mr. Bailey** –stated you said various populations. You're not talking about all the same groups of kids right. You are not serving just one need of those special needs they cover a range of things.

**Mr. Bershinsky** – answered I have the four different programs. I have the higher behavior kids that are cognitively on track that need direction. They need programs like we are talking about up to severely blind autistic kids that have intense ABA therapy and things of that nature. When you talk about a parent with one of these kids it is very expensive. Our program works with all the school districts in our building they see what their kids doing. They do not get lost out in a program they never see.

**Mr. Carlson** – asked do you work with kids who just decide they don't want to go to college they just want to learn a trade?

**Mr. Bershinsky** – answered every day.

**Mr. Carlson** – asked so they could be not as needy or at risk you teach them as well?

**Mr. Bershinsky** – answered, No, not at my school. That is why I represent all these school districts. Whether it is a kid from Calhan they're in their school district they don't need a program like mine in town. If they trying to be in a construction program in Elbert school district Elbert school district can piece together somewhat of a construction program. If we pull all our resources together and put in one spot, we can construct a world class construction program for those kids.

**Mr. Carlson** – stated that is my question. Can that kid from Elbert come to this school and learn construction?

**Mr. Bershinsky** – answered, Yes, that's what the whole program is about.

**Mr. Schuettpelz** – stated I want to piggyback on that question. You work with the high schools and have the kids while they're in high school. This program sounds like someone who graduated from high school and wants to work for law enforcement they can come there and do this after graduation get that certificate and move on or is it just for the high school kids you are working with for now.

**Mr. Bershinsky** – answered it will be high school kids. We think it is a great idea.

**Mr. Bailey** – stated Clearly it's a good idea I think so too.

**Mr. Bershinsky** – asked the board to come to his school and see what everybody does it is amazing.

**Mr. Bailey** – stated will turn to public comment and get back to the Approval of Location. The concept pretty much everybody in this room thinks it's a great idea. The location might be problematic for some. In public comment we like to ask those in favor to come up first.

## **PUBLIC COMMENTS**

**Mr. Kistler** - (In favor) I am a retired Superintendent from the Peyton School District, where I served for 22 years. I was also involved in creating a similar initiative called The Mill, which parallels what we are aiming to achieve here.

I have three main reasons why I support this project. First, it is highly problematic and challenging for special needs students from districts like Miami-Yoder and Big Sandy to travel over an hour on a bus to reach town. A centralized location would be incredibly beneficial for rural districts.

Second, Peyton developed an auto program and a woods program as part of The Mill, which provided services to other school districts. As rural districts, we cannot offer all the diverse programs or employ numerous instructors independently. A centralized location allows students from various rural districts to access these programs, with travel times of about 25 minutes.

Lastly, offering housing for teachers is a crucial opportunity. It is a necessity for rural districts to attract and retain quality educators.

**Mr. Barnes**– (In favor) I am the Superintendent for the Miami-Yoder School District, and I want to address the importance of the location. My facility is about 30 miles from this property, which is similar for Simila and Elbert. In fact, 70 to 80 percent of high schools in Colorado Springs fall within this travel time frame. The scope of our coverage is extensive, and I manage one of the largest Career and Technical (CT) programs, with six different programs.

We send between 11 to 30 students each year to Pikes Peak State College for career start programs. However, Pikes Peak does not offer all the programs we need or that our students want. We have discussed the importance of heavy equipment operation, and having a centralized facility is crucial for us since we focus on hands-on training.

Once this program is operational, we anticipate hosting students from Elbert, who will need to travel approximately an hour to reach our facility. A central location is ideal for preparing these students effectively and ensuring they are ready to enter the workforce.

**Mr. Elliott** - (In opposition) My wife and I own a 40-acre property adjacent to the proposed development, on the north side of their property line. We have lived here for 30 years. Previously, T-Cross Ranch owned the land to the east and south of us. The proposed development, named Santa Fe Springs, was initially planned for this area but fell through. The properties to the east of us are 35-acre tracts with homes, and to the southwest, there are 200 homes on 2.5-acre tracts, part of the Saddle Horn project, along with other proposed projects such as Davis Ranch and Rodriguez.

I disagree with the BOCES representative's statement that this development is in the middle of nowhere. We are only 5 miles away from approximately 50 commercial businesses. Our concerns with the development include:

1. Decrease in Property Value: We are worried that the development will negatively impact our property value.
2. Noise: We are concerned about potential noise from outdoor activities, carpentry, and heavy equipment operations.
3. Odor: The proposed water treatment ponds could produce unpleasant odors affecting not only the trade school but also the 121 homes.
4. Safety: With 121 homes and trade school students, we are worried about potential safety issues, including curious students trespassing, interacting with our livestock, or causing harm.
5. Water Supply: If the development is to serve 121 homes, the trade school, and another 400 homes, it seems unlikely that one 40-foot water tower will be sufficient.

When Santa Fe Springs was proposed, I sought approval for a minor 5-acre subdivision on our property but was turned down. Two years ago, I inquired about a minor subdivision of 5 acres and a house to RR-5, and was told our chances were slim. Now, a trade school with 121 low-income homes is being proposed right next to us, which seems unfair given our previous experiences.

I understand that this project has already received attention from Governor Polis, and it seems likely to be approved. However, I wanted to highlight how it would impact our lives. Whether using central water or individual wells, all projects are drawing from the same aquifers, affecting the overall water supply.

**Mr. Townsend** - (In opposition) I hope to clearly convey why this project is not suitable for this location. I live on a 52-acre parcel adjacent to the proposed development. As the owner of a manufacturing company in Colorado Springs, I understand the value of vocational training and the BOCES model. I agree that improving training for young people in the trades is crucial, as finding qualified individuals can be challenging. However, my concerns are centered around the zoning and appropriateness of this project for this area.

1. Zoning Concerns: El Paso County describes the primary function of large lot residential zoning as serving as a transition between rural and suburban areas, typically with single-family homes on 5-acre lots or more. This proposed project calls for a higher density of housing than what is observed in nearby developments like Banning Lewis Ranch and Meridian Ranch. Specifically, it proposes 120 residential units on 20 acres, resulting in approximately 6 structures per acre, with lot sizes around 6,960 square feet. This density is comparable to more urban areas, not the large lot residential zoning typically found in our region.

2. Workforce Housing Model: I am skeptical about the workforce housing model proposed for this rural area. While workforce housing can be effective in urban settings or high-cost areas like Vail, this location is surrounded by large lots and spread-out housing. The model, where instructors do not own property and may experience high turnover, seems more akin to an apartment complex rather than a stable residential neighborhood. This contrasts with the rural character of our area, where property owners have a vested interest in their own property values.

3. Location and Accessibility: It is not that we oppose development or recognize that the 82 acres along Judge Orr Road will be developed. We have seen similar developments on 5-acre and 2.5-acre plots. However, placing 121 homes on this relatively small area does not align with the large lot residential zoning. It would be more fitting to have larger lot sizes in line with the existing developments. Additionally, the proposed location is quite distant from the school districts associated with Pikes Peak BOCES, which are primarily to the east of this site. A more central and cost-effective location would better serve the students and teachers associated with this project.

In summary, while we acknowledge the need for improved vocational training and support for young people, this location and the density proposed do not align with the current zoning and

character of the area. It seems more appropriate to consider developments that fit within the established patterns of the region.

**Mr. Bailey** – asked if there were any other members of the audience who wished to speak opposition to the project, no one else came forward. The public comment period was the closed. Mr. Bailey then invited the applicant to provide any final remarks.

**Mr. Guman.** – stated he only had a couple of comments regarding some of the statements that were made. The water treatment facility is an enclosed system for community water distribution it is a central water system. There are no leach fields or sewage fields that were referred to. One thing I did not mention this will be dealt with at a future planning phase. We will be on the wastewater sewer system that exists with the Meridian services metro district. We will have central sewer system as well extended to this site. There will be no sewage on the site. The other thing that I did not mention is the plot plan that you have seen we were very conscious in laying this out as far as the rural nature of the vicinity. There is 27 percent of this site that is allocated to open space that far exceeds the open space requirements that we would be required to provide if we ran a higher density to this situation. We were careful to place all the structures in a clustered pattern in the central area of the property. You don't have buildings that are adjacent to who are within a stone throwing distance of our neighbors. The questions about a 40-foot water tower they exist out there. They are right down on the corner at Curtis Road and Judge Orr in the Saddle Horn Ranch development. We are encouraged now to avoid seeking multiple wells, multiple septic systems and to try and develop central water systems that provide water to the community central facility.

The other question that Mr. Townsend brought up we have had some challenges identifying a location that is suitable for the BOCES campus. I'll read from our letter of intent you have this in front of you it is on page 11 regarding place type transitions. This is right out of the El Paso County Master Plan.

We are not going to be putting one home on 35 acres – we are not going to put one home on 5 acres we clustered the housing element. I will make a comment here the Sante Fe Springs development we were the planner which was unanimously approved by the BoCC about 14 years ago. Had the Sante Fe Springs PUD development move forward as approved it was approved for 5,470 single family dwelling unit with urban density. You have old west ranches on 35-acres. There were financial problems as to why Sante Fe Springs never materialized. I don't think we are doing anything foreign to the area. This area has been primed for urban density and we are not seeking approval for urban density today. This is a campus and 27 percent of open space. That I think is keeping with the intent of the facility and why we are seeking Approval of Location for this area.

**Mr. Bailey** – asked if there were any questions for the applicant

**Mr. Markewich** –asked I know we are not at the detailed part but from a transition to the neighbor properties to what extent will you be using fencing, landscaping, trees, other things to block views from neighbors to the campus. What type of screening do you anticipate. In general, do you tend to have a fence around the whole property that will block it or will there be partial. What are you thinking?

**Mr. Guman** - (In response) The property is currently fenced, but the intention is not to maintain this fencing. Instead, we are adhering to the buffering requirements set by the El Paso County Planning Code. A landscape plan has been developed to meet these requirements, which includes

planting 850 trees around the perimeter of the property. These trees will be irrigated and are designed to satisfy the buffering requirements for each boundary of the property. Additionally, there is a 180-foot-wide transmission easement along the east and south sides of the property, which was purchased by a utility company years ago. This easement serves as a no-build zone in perpetuity and will act as a natural transition between our facility and the adjacent properties. Internal landscaping will also be provided for each building as required, ensuring that the development plan includes comprehensive landscape development.

**Mr. Markewich** – asked you mention the electrical easement I see that on the plan. Are there electrical lines there now or is this anticipated for the future?

**Mr. Guman** – answered No the electrical easement that is there now runs from the BOCES property south into the Rodriguez Ranch property also. I believe that was purchased by a utility company I do not know the name of it in 2014. Part of the deed restrictions is that there is no development allowed within that easement.

**Mr. Markewich** – asked are their high-tension lines there now?

**Mr. Guman** – answered Yes.

**Mr. Bailey** – asked if there were any questions for the applicant?

## DISCUSSION

**Mr. Trowbridge** – I have questions for the staff. It may be more for Mr. Kilgore or Ms. Herington. My first question is under the approval criteria it says the application is reviewed for conformity with the submittal and processing requirements. This project seems very expansive and it not just a location approval for a school. This is a campus. I would like some explanation of how this conforms with what is in the land development code for approval for a public utility or school location.

**Mr. Kilgore** – stated he understood the question. I think I will just point out that this is just an Approval for Location of a school. Is this inappropriate?

**Mr. Trowbridge** – answered, I disagree with you. I believe this is an abuse of the process. There are several things within this plan. I would be troubled by the approval of just the school buildings alone because there are half a dozen buildings so I would view potentially each of those as a location approval for a school. I could be persuaded that the school campus itself could fall within that application however there is also the question of the water utility which is included in this. We are being asked to not only approve the location of a school but the approval of a water utility unless you're going to tell us that is going to come back to us.

**Mr. Kilgore** – answered, that Ms. Parsons has some history on that. You can disagree, that is your part as a Planning Commission member to make a recommendation.

**Mr. Trowbridge** – asked, are we not being asked to approve a water utility as well as a part of this application?

**Ms. Parsons** – answered, so first off in terms of the criteria for processing the requirement for the application to be heard within 30 days of complete submittal if the applicant did not agree to waive that, that has been met. Your number one question was the processing done correctly, the answer

is yes, the applicants did agree to waiving that 30 day get me to hearing regulation. Number two the citing of the water infrastructure to serve the development a community system that ultimately will hook up to the Meridian Metropolitan District for services. It can be included as part of this. If it were done separately, it would not be done before this Planning Commission body it would have been part of an expansion of major utility under a 1041 we probably would have approved that administratively. That would not have been in your purview but now that it is included as a part of the Approval of Location application you are seeing it to support the projects uses. I would remind the body that if this were a State College and the college were coming here you would site that as well dormitories, restaurants, gymnasiums a very similar situation to this so that would be in the purview of an Approval of Location. I have answered and clarified your questions as well.

**Ms. Seago – County Attorney** – stated, I would like to add to Ms. Parsons answer that the Approval of Location process as its set forth in statute applies to any public way, ground space, building structure or utility. To the extent that any of these individual elements are considered a public utility, a public structure, a public building then it would be appropriate to hear it through the Approval of Location process.

**Mr. Markewich** – asked Ms. Seago, obviously we are the approving body, and this will not go to the Board of County Commissioners as this process goes along there obviously designs and various things that need to be submitted. Is there going to be at any point a return to this body for approval? If we approve it everything else from this point forward would all be just an administrative review?

**Mr. Bailey** – answered, that is a question for planning department staff.

**Ms. Elgin** – answered yes, it would come back with a Site Development Plan which would be administratively approved.

**Mr. Bailey** – asked if there was any further discussion.

**Mr. Carlson** – stated he wanted to make a comment. I think this is about more than just a location. When we are talking about the preservation of rural life its not just about wide open 35 acre parcels. It is about people living in these other towns and how do they keep their kids there. How do you keep jobs in that area. This goes a long way to preserve living the rural life out in that area. Families are moving out of the rural areas because they do not like the education. It does follow in change and the new development overlay. I'm in favor of this project.

**PC ACTION: BRITTAIN JACK MOVED / BYERS SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5A, FILE NUMBER U241 FOR APPROVAL OF LOCATION, BOCES, WITH THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH THREE (3) CONDITIONS AND ONE (1) NOTATION, AND WITH NO NEED OF FINDING SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY. APPROVAL PASSED (8-1).**

**IN FAVOR:** MARKEWICH, BYERS, WHITNEY, BRITTAIN JACK, FULLER, CARLSON, SCHUETTPELZ, BAILEY  
**IN OPPOSITION:** TROWBRIDGE

**COMMENTS:** TROWBRIDGE - I am opposed to the location. I agree with the general principle. I am troubled again by the abuse of process. We did not get a report on the actual water. The County Attorney did not chime in with any approval to the fact that they have sufficient water. We did not receive a review of the housing.

**SPECIAL DISTRICT SERVICE PLAN  
PRAIRIE RIDGE METROPOLITAN DISTRICT NOS. 1-3**

A request from Classic SRJ Land, LLC., and Spencer Fane LLP., for approval of a Colorado Revised Statutes Title 32 Special District Service Plan for the Prairie Ridge Metropolitan District Nos. 1-3. The 142-acre area included within the request is zoned RR-5 (Residential Rural) and is located south of Poco Road and west of Vollmer Road. The service plan includes the following: a maximum debt authorization of \$50,000,000.00, a debt service mill levy of 50 mills for residential, 50 mills for commercial and an operations and maintenance mill levy of 10 mills, for a total maximum combined mill levy of 60 mills. The statutory purposes of the district include the provision of the following:

- 1) street improvements, transportation, safety protection;
- 2) design, construction, and maintenance of drainage facilities;
- 3) design, land acquisition, construction, and maintenance of recreation facilities;
- 4) mosquito control;
- 5) design, acquisition, construction, installation, and operation and maintenance of television relay and translation facilities;
- 6) design, construction, and maintenance of water systems including fire hydrants;
- 7) sanitation systems;
- 8) security services; and
- 9) covenant enforcement.

(Parcel Nos. 5228000024 and 5228000025) (Commissioner District No. 1)

**STAFF & APPLICANT PRESENTATIONS**

**Mr. Bailey** – stated we did lose a couple of voting members before we started. Mr. Whitney and Mr. Carlson could not stay so we will add Mr. Smith as a voting member. We will have 8 commissioners to vote on this.

**Mr. Markewich** – stated you mentioned you had a photo of Jane ranch now we are talking about Sterling Ranch. How large is this metro district? Is it covering several different properties?

**Ms. Parsons** – answered, so Janes property that was the historical name in the Falcon area. When the development team went to market, they modified the name to something a little more marketable which is The Retreat at Prairie Ridge. This development is now known as The Retreat at Prairie Ridge. It is about 142 acres. It does not overlap with another Special District. The Sterling Ranch district is across to the East across Vollmer Road. There is not a Special District to the North, West, or South of this property.

**Mr. Bailey** – asked if there was anyone that wanted to speak on this.

**NO PUBLIC COMMENT OR DISCUSSION.**

**PC ACTION: MARKEWICH MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5B, FILE NUMBER ID243 FOR SPECIAL DISTRICT SERVICE PLAN, PRAIRIE RIDGE**



**METROPOLITAN DISTRICT NOS. 1-3, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SIX (6) CONDITIONS AND ONE (1) NOTATION, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (8-0).**

**IN FAVOR:** SMITH, SCHUETTELZ, TROWBRIDGE, FULLER, BRITTAIN JACK, BYERS, MARKEWICH, BAILEY

**IN OPPOSITION:** NONE

**COMMENTS:** NONE

**6A NON-ACTION ITEMS** – A presentation by Elizabeth Garvin with Clarion Associates, LLC regarding the Land Development Code Update.

**MEETING ADJOURNED** at 12:45.

**Minutes Prepared By:** MM

MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

Fuller moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P229

WINDERMERE SOUTH ZONE CHANGE TO RM-30

WHEREAS, Windsor Ridge Homes did file an application with the El Paso County Planning and Community Development Department for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property in the unincorporated area of El Paso County as described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated herein by reference, from the RS-5000 (Residential Suburban) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by this Commission on August 15, 2024; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, and comments by the El Paso County Planning Commission Members during the hearing, this Commission finds as follows:

1. The application was properly submitted for consideration by the Planning Commission;
2. Proper posting, publication, and public notice were provided as required by law for the hearing before the Planning Commission;
3. The hearing before the Planning Commission was extensive and complete, that all pertinent facts, matters, and issues were submitted and that all interested persons and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations; and
7. For the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a Map Amendment (Rezoning), the Planning Commission and the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5.B of the El Paso County Land Development Code (as amended):

1. 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;
2. 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;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. 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.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Windsor Ridge Homes for approval of a Map Amendment (Rezoning) to amend the El Paso County Zoning Map for property located in the unincorporated area of El Paso County from the RS-5000 (Residential Suburban) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

#### CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RM-30 (Residential Multi-Dwelling) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

#### NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein be forwarded to the El Paso County Board of County Commissioners for its consideration.

SCHUETTELZ seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	<u>aye</u> / no / non-voting / recused / absent
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	<u>aye</u> / no / non-voting / recused / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	<u>aye</u> / no / non-voting / recused / absent
Jeffrey Markewich	<u>aye</u> / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / <u>absent</u>
Bryce Schuettpelz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	aye / no / <u>non-voting</u> / recused / absent
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

The Resolution was adopted by a vote of 9 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 15th day of August 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 

Chair

EXHIBIT A

A PARCEL OF LAND LYING WITHIN THE EAST HALF OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, CHATEAU AT ANTELOPE RIDGE FILING NO. 2, AS SHOWN ON THE PLAT THEREOF RECORDED UNDER RECEPTION NO. 202192387, OF THE RECORDS OF THE COUNTY OF EL PASO, STATE OF COLORADO, SAID CORNER ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF ANTELOPE RIDGE DRIVE AND CONSIDERING THE SOUTH LINE OF SAID LOT 1, AS SHOWN ON SAID PLAT, TO BEAR N89°56'53"E, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;  
THENCE THE FOLLOWING FOUR (4) COURSES ALONG THE EAST RIGHT-OF-WAY-LINE LINE OF ANTELOPE RIDGE DRIVE:

1. S00°09'38"E, 35.51 FEET TO A POINT OF CURVE TO THE LEFT;
2. 928.37 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVE, SAID ARC HAVING A RADIUS OF 1560.00 FEET, A CENTRAL ANGLE OF 34°05'50" AND BEING SUBTENDED BY A CHORD THAT BEARS S17°05'40"E, 914.73 FEET;
3. 762.65 FEET ALONG THE ARC OF SAID REVERSE CURVE TO A POINT TANGENT; SAID ARC HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 34°08'17" AND BEING SUBTENDED BY A CHORD THAT BEARS S17°04'26"E, 751.42 FEET;
4. S00°00'18"E, 202.36 FEET TO THE POINT OF BEGINNING;

THENCE N89°59'46"E, 177.94 FEET TO A POINT OF CURVE TO THE LEFT; THENCE 264.28 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVE, SAID ARC HAVING A RADIUS OF 740.00 FEET, A CENTRAL ANGLE OF 20°27'45" AND BEING SUBTENDED BY A CHORD THAT BEARS N79°45'54"E, 262.88 FEET; THENCE 169.67 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF 20°27'58" AND BEING SUBTENDED BY A CHORD THAT BEARS N79°46'01"E, 168.77 FEET; THENCE N90°00'00"E, 125.29 FEET; THENCE N00°14'54"W, 33.28 FEET; THENCE N89°45'06"E, 150.34 FEET TO THE WEST RIGHT-OF-WAY LINE OF MARKSHEFFEL ROAD AS DESCRIBED IN THAT DOCUMENT RECORDED UNDER RECEPTION NO. 209071394 OF THE RECORDS OF EL PASO COUNTY; THENCE THE FOLLOWING THREE (3) COURSES ALONG THE SAID WEST RIGHT-OF-WAY LINE:

1. S00°15'17"E, 390.53 FEET;
2. S29°00'24"W, 54.00 FEET;
3. S59°08'42"W, 73.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NORTH CAREFREE CIRCLE AS DESCRIBED IN THAT DOCUMENT RECORDED UNDER RECEPTION NO. 205015091 OF THE RECORDS OF EL PASO COUNTY;

THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID NORTH RIGHT-OF-WAY LINE:

1. S89°48'47"W, 113.86 FEET TO A POINT OF CURVE TO THE LEFT;
2. 407.83 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVE, SAID ARC HAVING A RADIUS OF 1060.00 FEET, A CENTRAL ANGLE OF 22°02'40" AND BEING SUBTENDED BY A CHORD THAT BEARS S78°47'28"W, 405.32 FEET;
3. 288.60 FEET ALONG THE ARC OF SAID REVERSE CURVE TO THE EAST RIGHT-OF-WAY LINE OF ANTELOPE RIDGE DRIVE, SAID ARC HAVING A RADIUS OF 940.00 FEET, A CENTRAL ANGLE OF 17°35'28" AND BEING SUBTENDED BY A CHORD THAT BEARS S76°33'51"W, 287.47 FEET;

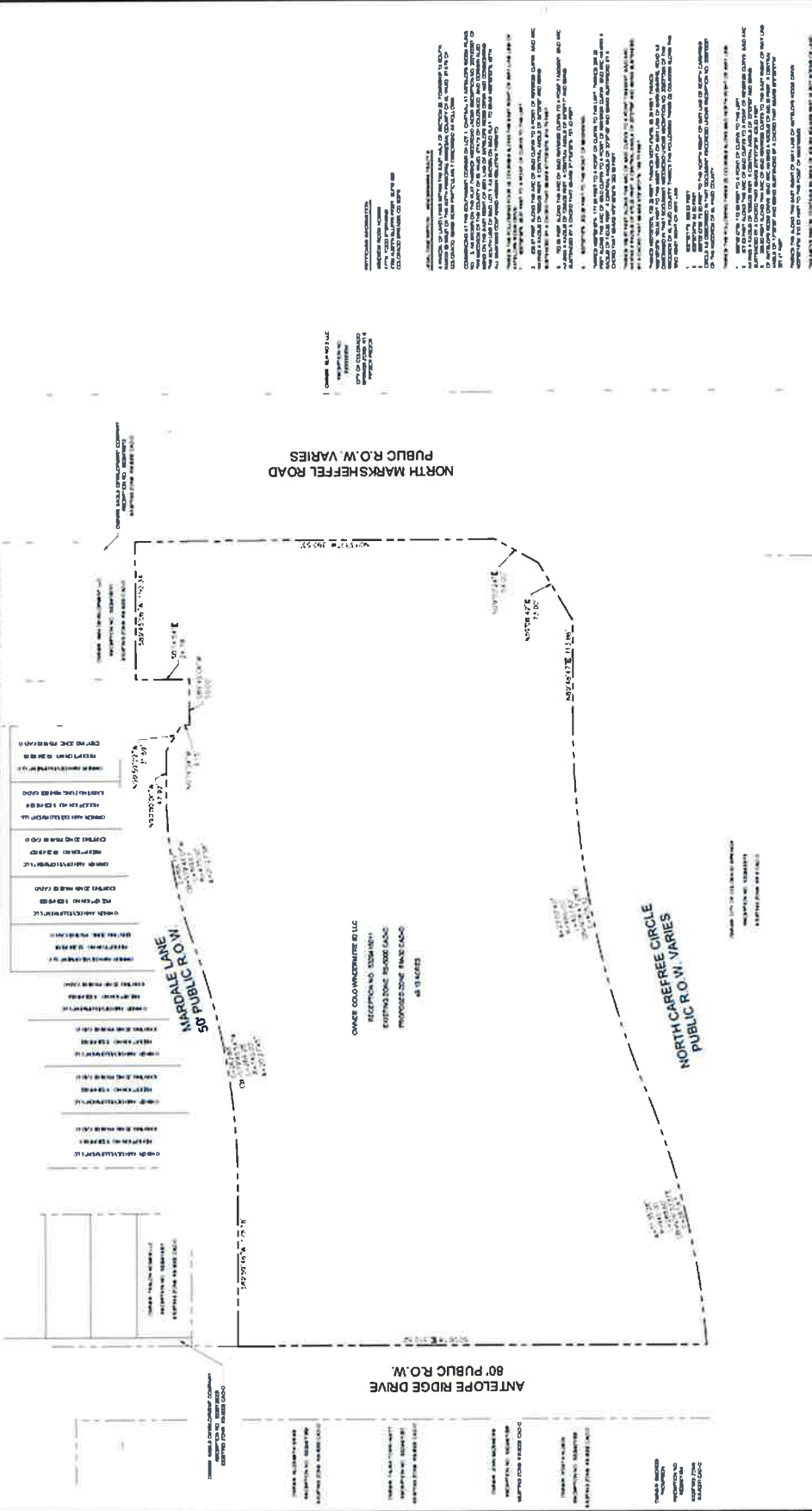
THENCE THE ALONG THE EAST RIGHT-OF-WAY LINE OF ANTELOPE RIDGE DRIVE N00°00'18"W, 510.52 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL CONTAINS AN AREA OF 403,264 SQUARE FEET (9.2577 ACRES) OF LAND, MORE OR LESS.

EXHIBIT B

WINDERMERE FILING 2 MULTI-FAMILY  
REZONE EXHIBIT

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,  
COUNTY OF EL PASO, STATE OF COLORADO





**Kimley-Horn & Associates, Inc.**  
2000 North Main Street, Suite 100  
Colorado Springs, Colorado 80905 (719) 533-0100



GRAPHIC SCALE IN FEET  
1" = 100'  
SCALE 1" = 100'

DATE REVISED: APRIL 1, 2009  
**SHEET 1 OF 1**

WINDERMERE FILING 2 MULTI-FAMILY REZONE EXHIBIT - EPC FILE NO.: P229



COMMISSIONERS:  
CAMI BREMER (CHAIR)  
CARRIE GEITNER (VICE-CHAIR)

HOLLY WILLIAMS  
STAN VANDERWERF  
LONGINOS GONZALEZ, JR.

## PLANNING & COMMUNITY DEVELOPMENT

**TO:** El Paso County Planning Commission  
Thomas Bailey, Chair

**FROM:** Kylie Bagley, Senior Planner  
Hao Vo, Engineer  
Meggan Herington, AICP, Executive Director

**RE:** Project File Number: P229  
Project Name: Windermere South Zone Change to RM-30  
Parcel Number: 5329416011

OWNER:	REPRESENTATIVE:
Windsor Ridge Homes Attn: Todd Stephens 4164 Austin Bluffs Pkwy Suite #36 Colorado Springs, CO 80918	Kimley-Horn & Associates Attn: Jim Houk, PLA 2. North Nevada Avenue Suite #300 Colorado Springs, CO 80903

**Commissioner District: 2**

<b>Planning Commission Hearing Date:</b>	<b>8/15/2024</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>9/12/2024</b>

### EXECUTIVE SUMMARY

A request by Windsor Ridge Homes for approval of a Map Amendment (Rezoning) of 9.25 acres from RS-5000 (Residential Suburban) to RM-30 (Residential Multi-Dwelling). The property is located at 7653 Mardale Lane and is directly southeast of the intersection of North Carefree Circle and Marksheffel Road.

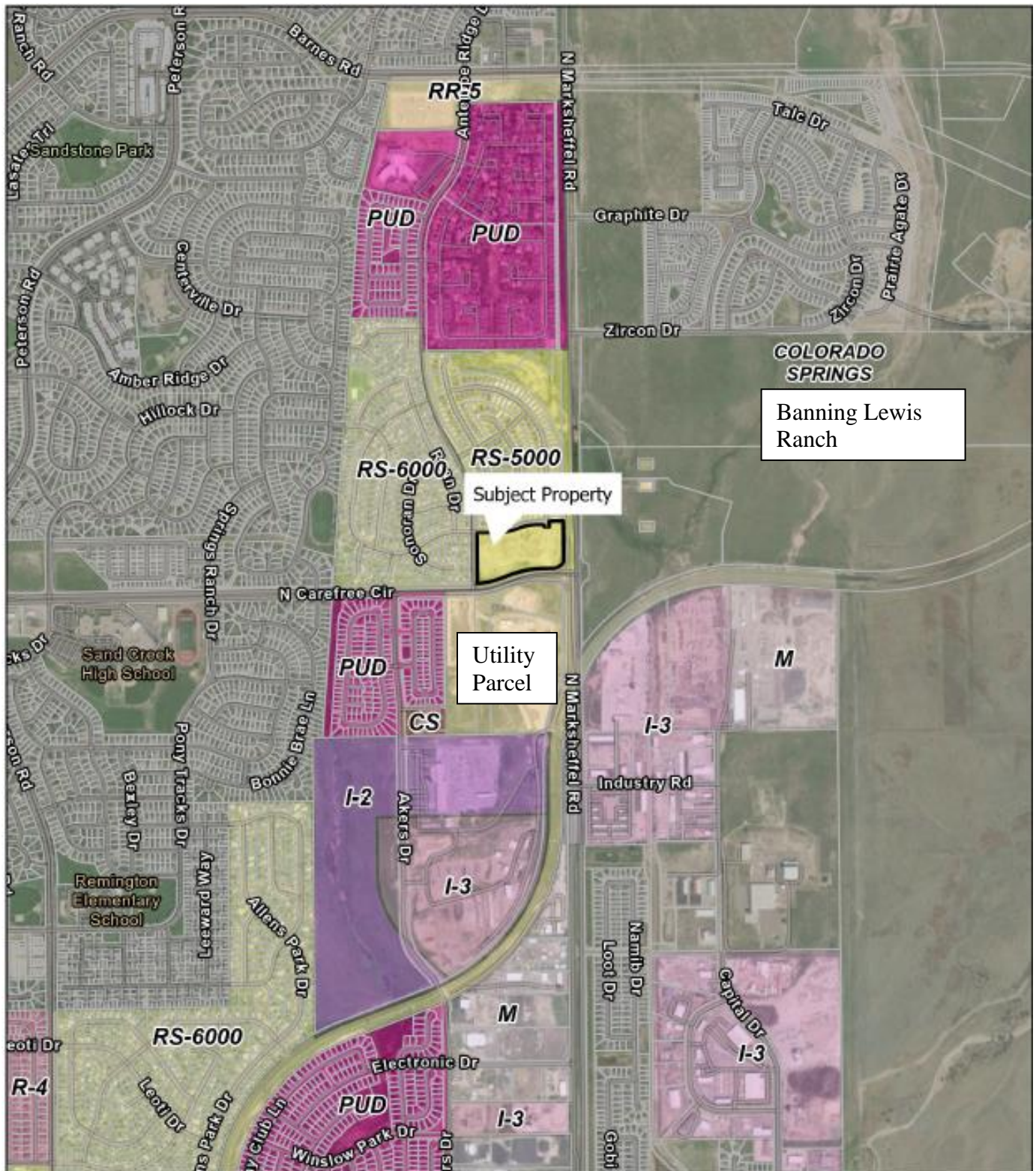
2880 INTERNATIONAL CIRCLE  
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910  
PLNWEB@ELPASOCO.COM

[WWW.ELPASOCO.COM](http://WWW.ELPASOCO.COM)





**Zoning Map**

2880 INTERNATIONAL CIRCLE  
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910  
PLNWEB@ELPASOCO.COM

[WWW.ELPASOCO.COM](http://WWW.ELPASOCO.COM)



## A. WAIVERS AND AUTHORIZATION

**Waiver(s):** There are no Waivers associated with this request.

**Authorization to Sign:** There are no documents associated with this application that require signing.

## B. APPROVAL CRITERIA

In approving a Map Amendment (Rezoning), the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 Map Amendment (Rezoning) of the El Paso County Land Development Code (As Amended):

- 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 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;
- The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
- 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.

## C. LOCATION

North:	RS-5000 (Residential Suburban)	Single-Family Residential
South:	RR-5 (Residential Rural)	Utility Land Use
East:	City of Colorado Springs	Vacant Land
West:	RS-6000 (Residential Suburban)	Single-Family Residential

## D. BACKGROUND

The applicant is requesting a rezone from RS-5000 (Residential Suburban) to RM-30 (Residential Multi-Dwelling) to provide high-density residential development. The property was previously rezoned from RR-5 (Residential Rural) to RS-5000 in 2014 (PCD File No. P144), as part of the Windermere Preliminary Plan. The Windermere Preliminary Plan (PCD File No. SP1413) was for 55.58 acres with the intent to plat 201 single-family lots. All the lots within the Windermere Preliminary Plan have been platted as single-family lots except for the remaining 9.25 acres.



## E. ZONING DISTRICT COMPARISON

The applicant is requesting to rezone 9.25 to the RM-30 (Residential Multi-Dwelling) zoning district. The RM-30 (Residential Multi-Dwelling) zoning district is a 30-dwelling unit per acre district primarily intended to accommodate moderate-density multi-dwelling development. The density and dimensional standards for the existing and proposed zoning districts are as follows:

	Existing Zoning District: RS-5000 (Residential Suburban)	Proposed Zoning District: RM-30 (Residential Multi-Dwelling)
Maximum Density	-	30
Minimum Lot Size	5,000 sf	5,000 sf
Minimum Width at Front Setback	50 feet	75 feet
Front Setback	25 feet	25 feet
Rear Setback	25 (5) Feet	15 feet
Side Setback	5 feet	15 feet
Maximum Lot Coverage	40%/45% (for single story ranch residences)	60%
Maximum Height	30 feet	40 feet

The multi-family zoning district will act as a transitional housing between the single-family residential lots to the north and the utility uses to the south. Directly south of the subject property is an electrical substation for Colorado Springs Utility. To the southeast, across Marksheffel Road, is zoned I-3, Industrial, and has a mix of uses including a concrete mixing company, equipment yard, and a landscaping company. North of the subject property is single-family residential lots with a minimum lot size of 5,000 square feet.

## F. MASTER PLAN COMPLIANCE

### 1. Your El Paso County Master Plan

#### a. Placetype Character: Urban Residential

*The Urban Residential placetype consists of established neighborhoods immediately adjacent to equally dense or more dense urban neighborhoods in incorporated areas, as well as new, largely residential neighborhoods in previously undeveloped areas where centralized utility services are available. The Urban Residential placetype*



*provides for a mix of development densities and housing types within a neighborhood. Urban Residential placetypes generally support accessory dwelling units as well. The dense urban development and high intensity of existing Urban Residential areas make it difficult to distinguish them from adjacent incorporated areas. The development of an Urban Residential placetype will strongly depend upon availability of water and wastewater services.*

*An interconnected network of pedestrian and bicycle infrastructure make Urban neighborhoods walk-able internally and well-connected to adjacent placetypes. Highly accessible parks and open space are integrated throughout the neighborhood. Neighborhood-serving retail areas in this placetype should be conveniently connected and accessible to residents of the nearby neighborhood. Commercial uses should be located along main or perimeter streets rather than imbedded within primarily residential areas. Cimarron Hills is the most prominent example of this placetype.*

#### **Recommended Land Uses:**

##### **Primary**

- *Single-family Detached Residential (5 units per acre lots or more)*
- *Single-family Attached Residential*
- *Multi-family Residential*

##### **Supporting**

- *Mixed Use*
- *Restaurant*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*
- *Parks*
- *Office*

#### **b. Area of Change Designation: Transition**

*Transition areas are fully developed parts of the County that may completely or significantly change in character. In these areas, redevelopment is expected to be intense enough to transition the existing development setting to an entirely new type of development. For example, a failing strip of commercial development could be redeveloped with light industrial or office uses that result in a transition to an employment hub or business park. Another example of such a transition would be if*



*a blighted suburban neighborhood were to experience redevelopment with significant amounts of multi-family housing or commercial development of a larger scale in line with a commercial center.*

**c. Key Area Influences: Enclaves or Near Enclaves**

*Enclaves are areas of unincorporated El Paso County that are surrounded on all sides by an incorporated municipality, primarily the City of Colorado Springs but enclaves or near enclaves exist within or adjacent to other municipalities. The largest enclave is Cimarron Hills, an urbanized community with nearly 18,000 residents, but several smaller enclaves exist around other areas of Colorado Springs as well.*

*The majority of the enclaves are developed or partially developed in a manner that would require significant improvement for annexation. These include roadway improvements, storm-water improvements and utility infrastructure upgrades. Most enclave areas are accessed by municipal roads, experience the impacts of urban stormwater runoff, or are otherwise served by one or more municipal utilities. The character and intensity of new development or redevelopment in these enclaves should match that of the development in the municipality surrounding it. Discussion with the City of Colorado Springs and other municipalities regarding the possible annexation of these areas should be continued and revisited regularly to explore means to finance improvements and service debt to make annexation a feasible consideration.*

**d. Analysis**

The subject property is located within the Urban Residential Placetype, this placetype recommends multi-family residential development within its primary land uses. The multi-family housing will be adjacent to two arterial roads and will provide as a transitional buffer from the industrial and utility uses to the south to the single-family residential uses to the north. The property will have all the adequate urban level services matching the level of services provided in the adjacent parcels located in the City of Colorado Springs. Relevant goals and objectives from the Master Plan are as follows:

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

***Objective LU3-4*** – *The Urban Residential placetype should consist of established neighborhoods immediately adjacent to equally dense or more dense urban*



*neighborhoods in incorporated areas, as well as new, largely residential neighborhoods in previously undeveloped areas where centralized utility services are available.*

**Objective HC1-3** – *Prioritize higher-quality redevelopment of any primary or supporting land use for the Urban Residential placetype as opportunities arise.*

**Objective HC3-1** – *Emphasize redevelopment of smaller enclaves to denser urban residential uses such as multi-family and single-family attached dwelling units where compatible and appropriate in the context of the existing neighborhood, which may also require parcel consolidation if existing businesses leave.*

## **2. Water Master Plan Analysis**

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

**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 Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 5 of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 5 for central water providers:

The Plan identifies the current demand for Region 5 to be 4,396 acre-feet per year (AFY) (Figure 5.1) with a current supply of 4,849 AFY (Figure 5.2). The projected demand in 2040 for Region 5 is at 6,468 AFY (Figure 5.1) with a projected supply of 68,000 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region 5 is at 9,608 AFY (Figure 5.1) with



a projected supply of 10,131 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 523 AFY is anticipated for Region 5.

A finding of water sufficiency is not required with a Map Amendment.

### **3. Other Master Plan Elements**

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. El Paso County Environmental Services was sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies upland deposits in the area of the subject parcels. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

Hazards were not identified as part of this application.

### **2. Floodplain**

FEMA Flood Insurance Rate Map panel number 08041C0734G which has an effective date of December 7, 2018, indicates that the site is not located within a regulatory floodplain.

### **3. Drainage and Erosion**

The property is located with the Sand Creek drainage basin (FOFO4000), which is a studied drainage basin with drainage and bridge fees. Drainage and bridge fees are not assessed with rezoning requests but will be due at the time of Final Plat recordation. A grading and erosion control plan as well as a drainage report providing hydrologic and hydraulic analysis to identify and mitigate the drainage impacts of the development will be required at the subdivision stage of the development.

### **4. Transportation**

The submitted traffic study identifies that access to the site will be provided through two full-movement access points on Mardale Lane which is classified as an urban local roadway.



Roadway improvements, including the installation of a traffic signal at the intersection of Antelope Ridge Drive and North Carefree Circle, are mandated by the City of Colorado Springs. Per the City of Colorado Springs, the applicant shall escrow \$100,000 for their proportional share of the signal improvement with the subsequent Final Plat application.

The El Paso County 2016 Major Transportation Corridors Plan Update does not depict roadway improvement projects in the immediate vicinity of the development. The property is subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended. Driveway access permits are required for the new access points on Mardale Lane.

## **H. SERVICES**

### **1. Water**

A finding of water sufficiency is not required with a Map Amendment. Water is provided by Cherokee Metropolitan District.

### **2. Sanitation**

Wastewater is provided by Cherokee Metropolitan District.

### **3. Emergency Services**

The property is within the Falcon Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no outstanding comments.

### **4. Utilities**

Electricity will be provided by Mountain View Electric Association, Inc. Gas will be provided by Colorado Springs Utilities.

### **5. Metropolitan Districts**

The subject property is within the Cherokee Metropolitan District.

### **6. Parks/Trails**

Land dedication and fees in lieu of park land dedication are not required for a Map Amendment (Rezoning) application.



## **7. Schools**

Land dedication and fees in lieu of school land dedication are not required for a Map Amendment (Rezoning) application.

## **I. APPLICABLE RESOLUTIONS**

See attached resolution.

## **J. STATUS OF MAJOR ISSUES**

No outstanding major issues.

## **K. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.5 Map Amendment (Rezoning) of the El Paso County Land Development Code (As Amended), staff recommends the following conditions and notations:

### **CONDITIONS**

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RM-30 (Residential Multi-Dwelling) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

### **NOTATIONS**

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time





limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

#### **L. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 55 adjoining property owners on July 30, 2024, for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

#### **M. ATTACHMENTS**

Map Series  
Letter of Intent  
Rezone Map  
Public Comment  
Draft Resolution





# Aerial Map

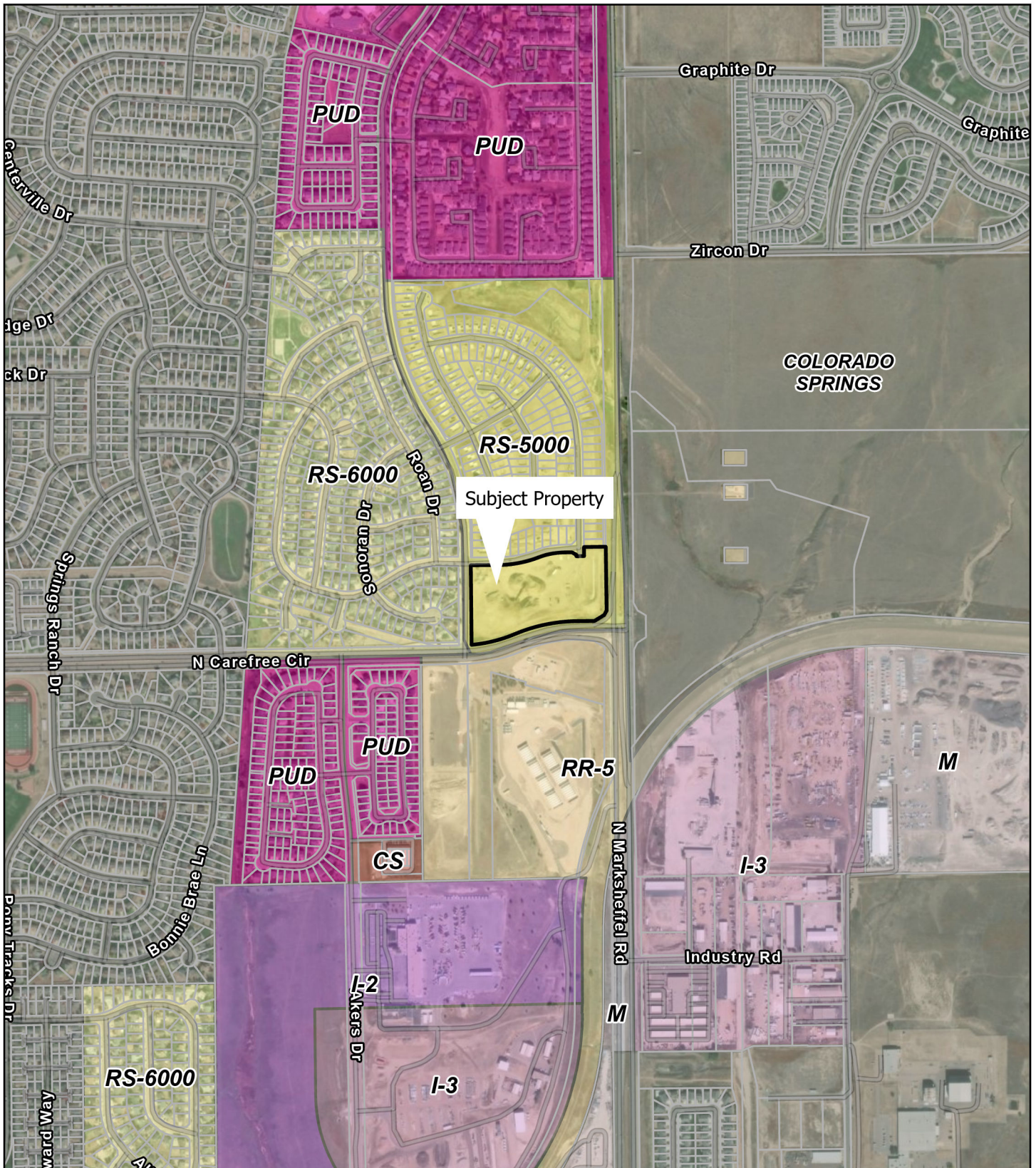
File No. P229

Map Series No. 1



0 0 0.1 0.2 Miles





# Zoning Map

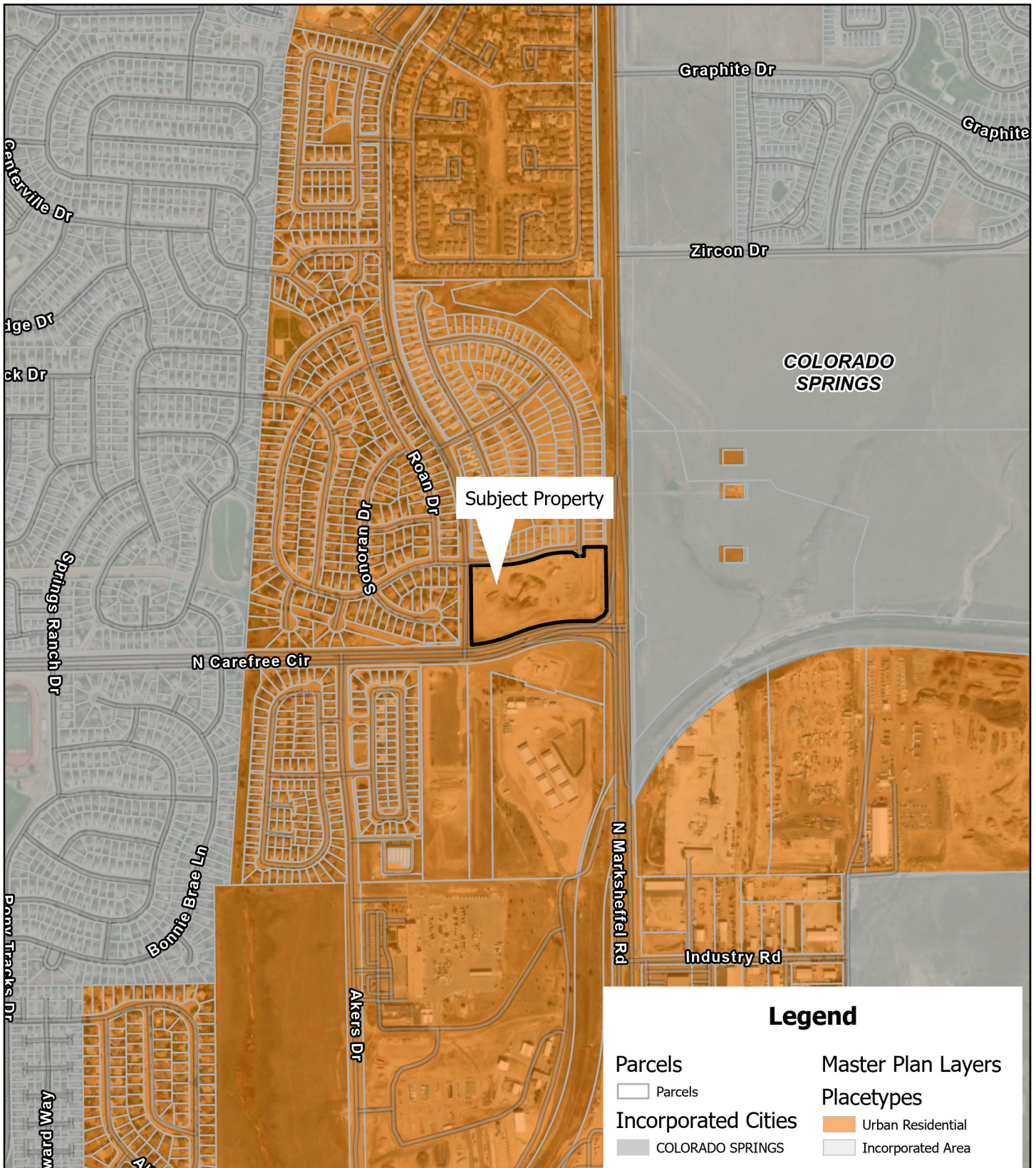
File No. P229

Map Series No. 2



0 0 0.1 0.2 Miles





**Legend**

**Parcels**

Parcels

**Incorporated Cities**

COLORADO SPRINGS

**Master Plan Layers**

**Placetypes**

Urban Residential

Incorporated Area



# Placetypes Map

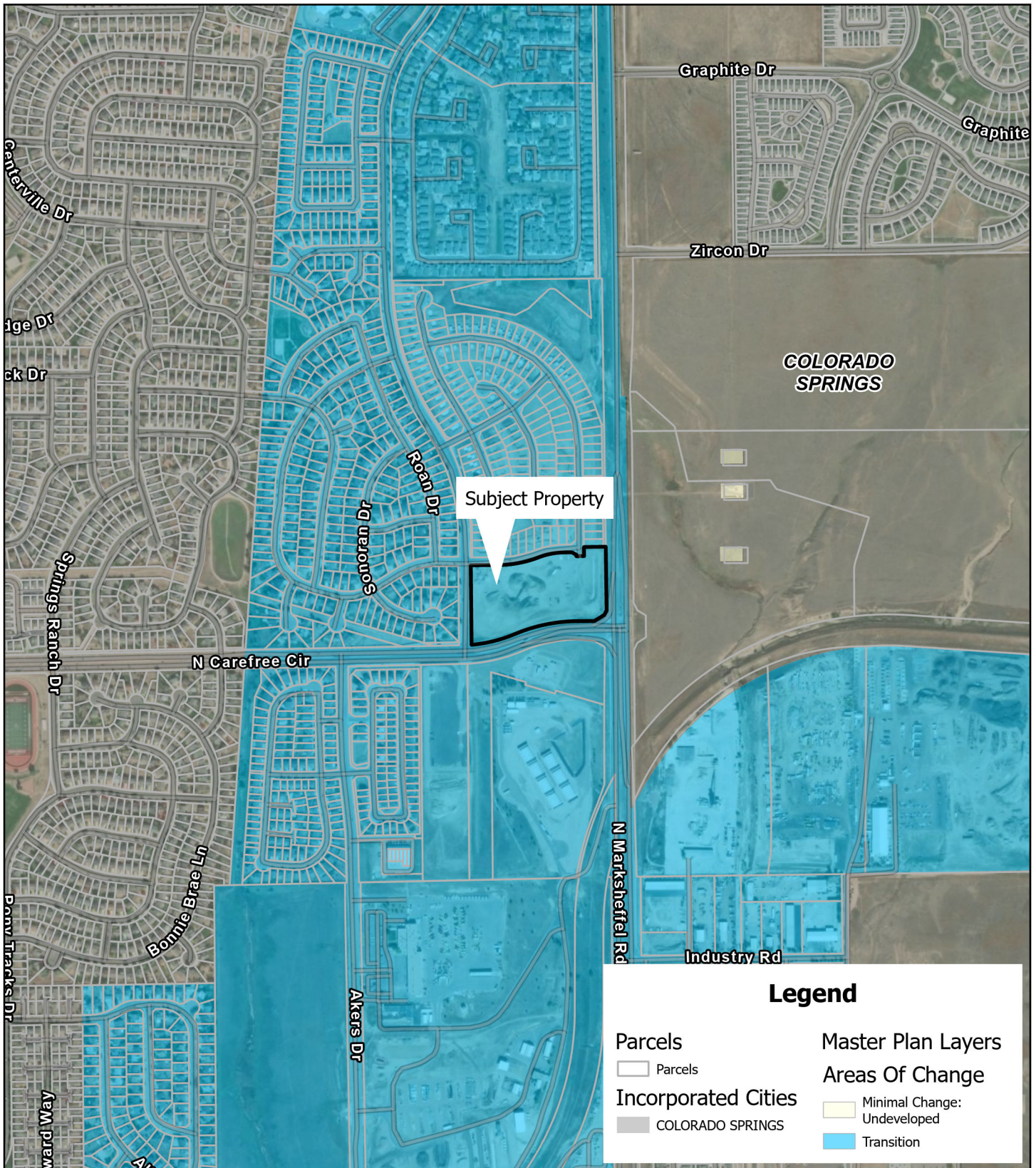
File No. P229

Map Series No. 3



0 0 0.1 0.2 Miles





# Areas of Change Map

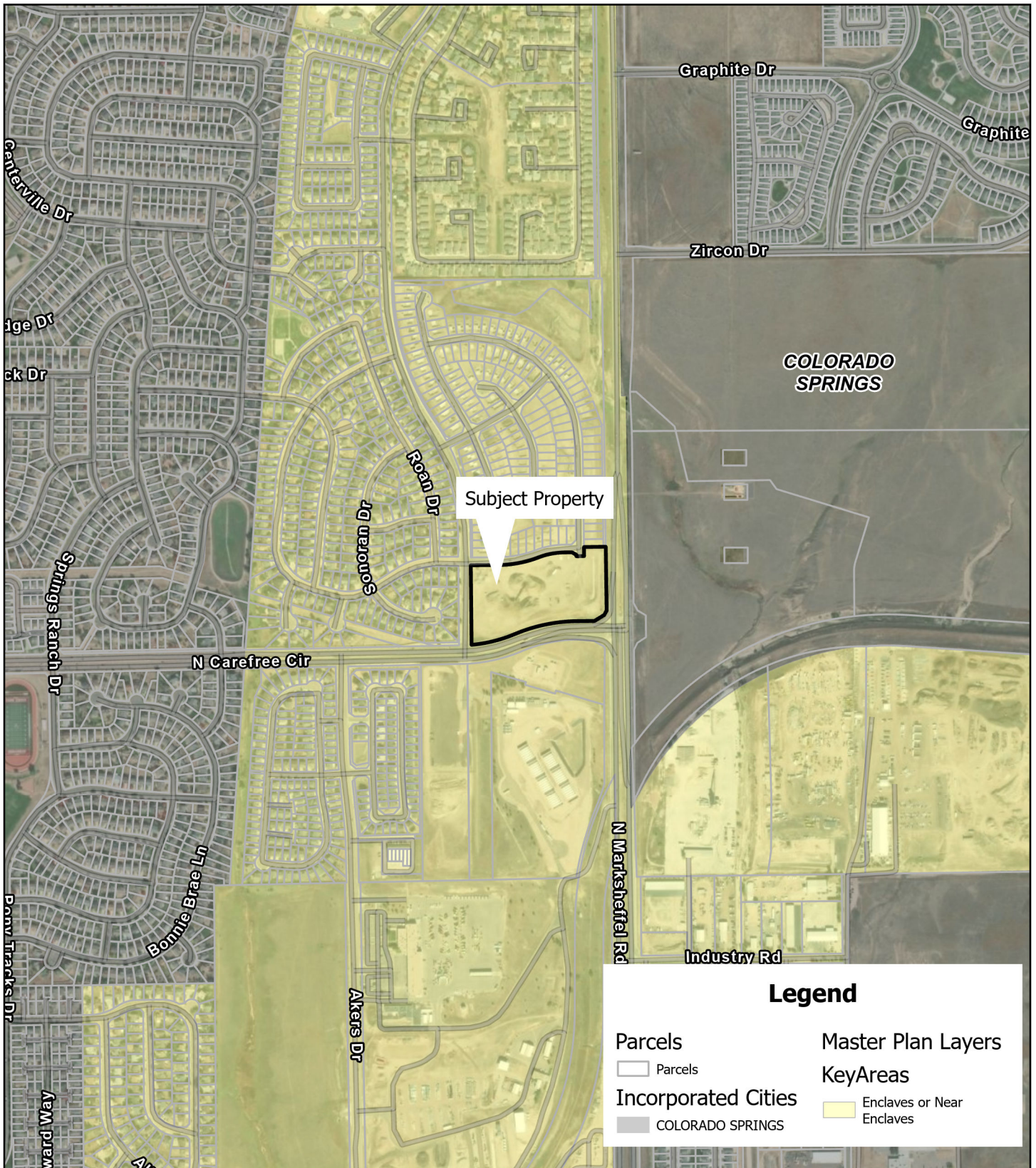
File No. P229

Map Series No. 4



0 0 0.1 0.2 Miles





# Key Areas Map

File No. P229

Map Series No. 5



0 0 0.1 0.2 Miles



**APPLICANT-OWNER/CONSULTANT INFORMATION:**

**OWNER**

Windsor Ridge Homes  
Attn: Todd Stephens  
4164 Austin Bluffs Pkwy Ste. #36  
Colorado Springs, CO 80918  
719-499-6136

**PLANNING**

Kimley-Horn & Associates  
Attn: Jim Houk, PLA  
2. North Nevada Avenue, Ste. #300  
Colorado Springs, CO 80903  
719-453-0180

**ENGINEERING**

Drexel, Barrell & Co.  
Attn: Tim McConnell, P.E.  
3 South 7<sup>th</sup> St.  
Colorado Springs, CO 80905  
719-260-0887

**LOCATION, ACREAGE, PARCEL ID INFO, & ZONING**

The application for a map amendment (rezoning) includes Parcel Number 5329416011, located at 7653 Mardale Lane. The proposed rezoning is located at the northwest corner of the intersection of North Carefree Circle and Marksheffel Road (see vicinity map insert and map exhibit for details). The acreage of the property in the proposed rezone is ±9.258.

**REQUEST**

Rezone 9.258 acres from the RS-5000 CAD-O zone to the RM-30 CAD-O zoning district. All future rezoning, subdivision, and/or land use applications will be subject to the restrictions and limitations of the Airport Overlay. The subsequent preliminary plan and final plat will clarify zone district boundaries with respect to rights-of-way, proposed lots, and landscape buffers and setbacks.

**JUSTIFICATION**

The applicant requests approval of the rezoning based on findings of compliance with the following:

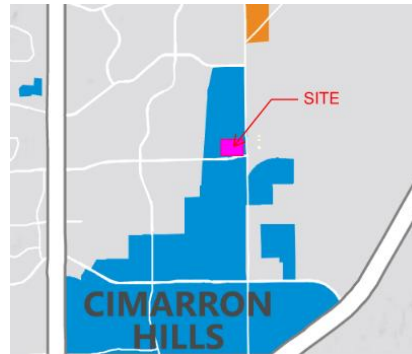
- **The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;**



The site is captured in the **Key Areas** and **Areas of Change** within the “Your El Paso County” Master Plan:



**Key Areas (The Enclaves)**



**Areas of Change (Transition)**



**Housing and Community Framework (Urban Residential/Priority Development)**

The project site also falls within the noted “Housing and Community Framework” zone of the Master Plan’s Place-Type category. Based on these maps, the proposed zone change and proposed use is supported by the Master Plan. The site is identified as an Urban Residential use, in an area of proposed change and in an area of development.

The project will build on the framework of the existing and currently developing neighborhoods and will provide an appropriate transition in use between the single family residential and the adjacent corridors and light industrial uses.

While the site is within the annexation “Priority Zone”, access to the major City utilities is limited in this area. At this time, it is not cost effective to seek the needed extensions while Cherokee Metro District continues to provide the local services.



**Master Plan principles and goals:**

- **Core Principle 2: Preserve and develop neighborhoods with a mix of housing types.**  
The proposed RM30 multi-family project density (30-DU/AC) is compatible with contiguous and surrounding land uses and densities (residential/commercial) reflected in the Windermere Preliminary Plan

The development creates opportunities for consumers to move into the neighborhood and ultimately transition into the nearby single-family housing options from the proposed multi-family units.

- **Goal 2.1 - Promote development of a mix of housing types in identified areas.**  
The Windermere multi-family zoning is a response to current market demands for affordable and attainable single-family housing within the existing neighborhood. The urban density provides for a desired affordability option with in the noted Housing and Community Framework illustrated in the Master Plan
- **Goal 2.3 - Locate attainable housing that provides convenient access to goods, services, and employment.** The proposed zoning offers greater housing selection options within the target market of a changing employment, education, health care, entertainment, and retail centers. The project is also served by the major thoroughfares facilitates increased accessibility to desired services and uses.

The area is not within the boundaries of any small area plan. However, the El Paso County Policy Plan and Mater Plan is cited as guidance for broader land use issues surrounding the proposed development:

- **Policy 6.1.1 - Allow for a balance of mutually supporting interdependent land uses, including employment, housing and services in the more urban and urbanizing areas of the County.**  
The proposed rezone creates opportunity for a ±9.258-acre high density residential development at the intersection of two principal-arterial roads – Marksheffel Road and North Carefree Circle. This proposed multi-family parcel will provide a mutually beneficial transition between these principal arterial roads and the single-family residential zoning to the north and west. The project also reinforces a great mix of housing types in the area.
- **Policy 6.1.2 - Discourage the location of small discontinuous land development projects where these might not develop the critical land area and density necessary to be effectively provided with services or remain viable in the face of competing land uses.**  
The proposed rezone is necessary to create multi-family housing opportunities at this intersection of two principal-arterial roads. Approval of this rezoning will enable the assembly of the critical land area effectively and efficiently to provide necessary dwelling units and housing opportunities along the Marksheffel Road Corridor.

Roadways, utilities, drainage, etc. will be constructed in the most optimal and efficient manner as necessary to facilitate development construction and sequencing. Utility services will be coordinated with the associated districts and providers as required.

- **Policy 6.1.3 - Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use and access.**

The proposed RM-30 zoning is compatible with adjacent developed areas and land uses. High-density residential development is a compatible transition between the public utility use to the south and the single-family residential use to the north and west. The RM-30 zoning is consistent and compatible with nearby land uses and zoning in the area, which are primarily residential but also include commercial and light industrial. Access to the property will be from Mardale Lane via Antelope Ridge Drive as prescribed in the TIS submitted in support of this application. There is no direct access proposed from Marksheffel Road or North Carefree Circle. Planned access will be consistent with the restrictions governing the adjacent major corridors as coordinated with the County and CDOT.

Required zoning district, use to use, roadway, and use-specific landscape buffers, setbacks, screening, open space, and/or landscape planting requirements will be identified on all preliminary plan and final plat maps and included in subdivision improvements and financial assurances as required by Code or Condition of Approval to mitigate any unique circumstance.

- **Policy 6.1.4 - Encourage the logical timing and phasing of development to allow for the efficient and economical provision of facilities and services.**

Necessary urban services are currently available to meet the use demands of the proposed multi-family development. The subdivision review will identify system or service deficiencies as well as clarify specific development demands of which the service providers will express respective needs in order to meet projected demands.

- **Policy 6.1.5 - Support the development of well-planned mixed use projects which promote all, or most, of the following objectives:**

- maximize the economy and efficiency of land use
- preserve open space or natural areas
- integrate employment, housing, shopping, schools and other use
- accommodate multi-modal transportation linkages
- allow for variations in design and character

The proposed rezone will introduce a multi-family residential use to an area that currently consists of primarily single-family residential uses, therefore maximizing the economy and efficiency of land use through providing a mixture of housing opportunities. The RM-30 zoning allows for variations in design and character. A multi-family use will provide more open space and landscaping than single-family, commercial, and industrial uses. The proximity to North Carefree Circle and Marksheffel Road allows the site to integrate seamlessly with employment hubs, shopping centers, schools, and other uses nearby.

- **Policy 6.1.6 - Direct development toward areas where the necessary urban-level supporting facilities and services are available or will be developed concurrently.**

Necessary urban level services including, but not limited to water/sewer, stormwater, electric, natural gas, police, fire and EMS, schools, parks and open spaces, and other public facilities and services are currently delivered to residential, commercial, and light industrial properties adjacent to this proposed development. Subsequent subdivision applications will provide detailed reports and plans regarding service availability and delivery infrastructure.

- **Policy 6.1.11 – Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses.**  
The functionality of the site with respect to access, design, and building orientation will be consistent with and compatible with existing conditions such as location and massing of buildings relative to adjacent rights of way and view corridors, site design which respects the location at a major intersection, as well as enhancing the overall visual character attractiveness of the area through contemporary building facades and private architectural design standards.
- **Policy 10.1.2 - Carefully consider the impacts that proposed new developments will have on the viability of existing and proposed water and wastewater systems.**  
Water and wastewater services for properties within the rezone will be provided by Cherokee Metropolitan District Service. The Applicant and Cherokee have been coordinating necessary activities which will be reflected in and on associated reports and plans submitted with future subdivision applications.
- **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;**  
The application has met all County submittal and procedural requirements for a rezone as either outlined or authorized by the referenced statutes.
- **The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and**  
The proposed zone district is compatible with existing and permitted land uses and zoning districts in all directions. Approval of the rezone provides 9.258 acres of RM-30 zoning, which is more compatible with existing and permitted land uses and zoning districts in all directions than the current RS-5000 zoning.
- **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.**  
The site is suitable for the intended multi-family residential uses which are more compatible at this major intersection than the current single-family residential use, including the ability to meet the standards as described in Chapter 5 of the County Code. General site suitability for development has been preliminarily reviewed in preparation for the subsequent preliminary plan submittal. Suitability of the site for development in terms of geology, service availability, unmitigable environmental impacts, major land use impacts, and aviation overlay considerations will be documented with the preliminary plan. The subdivision analysis of the site suitability will also include availability of public services such as: access & transportation, stormwater, fire protection, utilities, water/sewer services, schools, parks and open spaces (via dedications as well as on site amenities where applicable). These and other issues will be addressed in additional detail in response to subdivision, site development, and use and zoning district specific criteria.

- At this time, no community outreach has been planned for this Rezone. Public notification of the proposed Rezone was provided in the form of adjacent neighbor mailings per El Paso County requirements.

**The Water Master Plan: the subdivision is in general conformance with the applicable elements of the El Paso County Master Plan.** Cherokee Metropolitan District has committed to provide water service to the subdivision for potable and irrigation use. Findings of sufficiency are pending State and County are pending revised sufficiency letters. See commitment letters.

#### **WATER MASTER PLAN CONFORMANCE**

##### **Water Master Plan Conformance:**

Required analysis, reports, and documentation of service commitments, including available water supply information have been provided for review with the proposed Zone Change and Preliminary Plan amendment application. It has been provided in support of the objectives, goals and policies of the El Paso County Water Master Plan. The following is provided for reference. In conformance with the Water Master Plan, including the following:

- **Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.**  
Cherokee Metropolitan District has committed to provide water service to the subdivision for potable and irrigation use. Findings of sufficiency are pending State and County are pending revised sufficiency letters for the Zone Change.
- **Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.**  
The development proposes higher residential densities of 30 DU/AC compared to 4-6 DU/AC densities achieved with more conventional urban density projects. Higher densities are achievable in part by the availability of central water and sewer from Cherokee Metro District (CMD).
- **Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.**  
All development within the overall Windermere Development is served by centralized utilities. Utility extensions, improvements, or upgrades necessary to support the proposed development will be the sole responsibility of the developer and shall be installed in accordance with the respective service provider requirements and procedures.

**Under the Colorado Revised Statutes, Title 32. This property is within the Ellicott Utilities district boundary and will consistently follow the rules and regulations per the El Paso County Water Master Plan:**

Water Systems\*

- Cherokee Metropolitan District

Wastewater systems\*

- Cherokee Metropolitan District

Electric

- Mountain View Electric

Gas

- Colorado Springs Utilities

**\*Water/Wastewater Commitments**

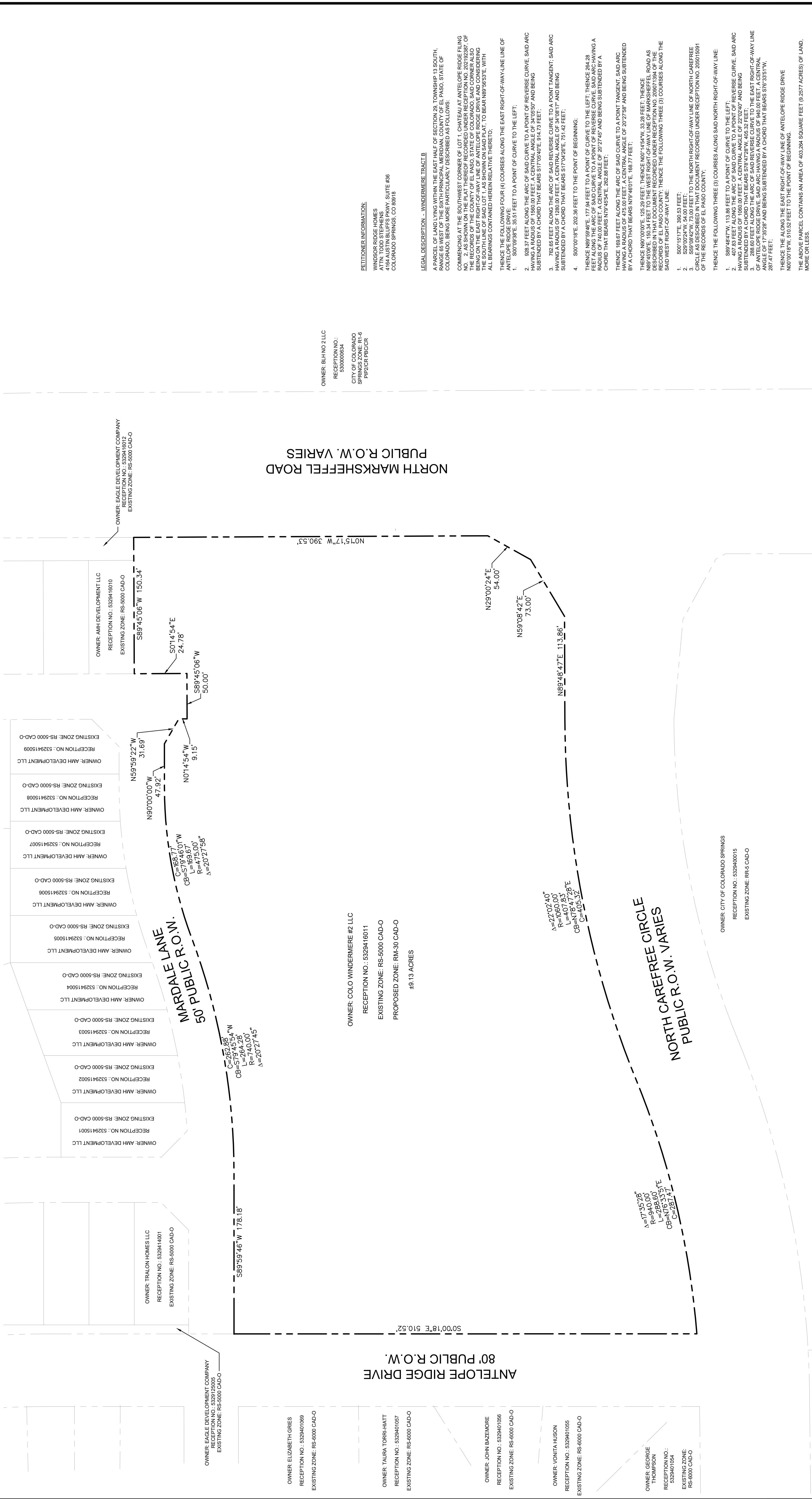
**(Note: Please refer to the Water Provider Supplement to Water Resource Report for the project, prepared by CMD District Engineering Staff for detailed information regarding the District. This information was specifically provided by the District to address elements of the County Water Master Plan with reference to this specific project. A formal commitment letter that addresses water and wastewater demands will be provided with a future site development plan.)**



# WINDERMERE FILING 2 MULTI-FAMILY

# REZONE EXHIBIT

SITUATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,  
COUNTY OF EL PASO, STATE OF COLORADO



**Kimley»Horn**

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2 NORTH NEVADA AVENUE, SUITE 300  
COLORADO SPRINGS, COLORADO 80903 (719) 453-0180

Miranda Benson

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**From:** Kevin Jones <kjvegan83@gmail.com>  
**Sent:** Saturday, August 3, 2024 9:05 AM  
**To:** PCD Hearings  
**Subject:** File Number: P229 Public Hearing Notice

[You don't often get email from kjvegan83@gmail.com. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification> ]

CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.

Hello,

I strongly oppose the approval of developing parcel #: 5329416011.

Kevin Jones  
3815 Roan Drive  
Colorado Springs, CO 80922

RESOLUTION NO. 24-

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF A MAP AMENDMENT (REZONING)  
WINDERMERE SOUTH ZONE CHANGE TO RM-30 (P229)

WHEREAS Windsor Ridge Homes did file an application with the El Paso County Planning and Community Development Department for an amendment to the El Paso County Zoning Map to rezone for property located within the unincorporated area of the County, more particularly described in Exhibit A and depicted in Exhibit B, attached hereto and incorporated by reference from the RS-5000 (Residential Suburban) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on August 15, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on September 12, 2024; and

WHEREAS, based on the evidence, testimony, exhibits, consideration of the Master Plan for the unincorporated area of the County, presentation and comments of the El Paso County Planning and Community Development Department and other County representatives, comments of public officials and agencies, comments from all interested persons, comments by the general public, comments by the El Paso County Planning Commission Members, and comments by the Board of County Commissioners during the hearing, this Board finds as follows:

1. That the application was properly submitted for consideration by the Board of County Commissioners.
2. That the proper posting, publication, and public notice were provided as required by law for the hearings before the Planning Commission and the Board of County Commissioners.
3. That the hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, that all pertinent facts, matters and issues were submitted and reviewed, and that all interested persons were heard at those hearings.
4. That all exhibits were received into evidence.
5. That the proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.
6. That the proposed land use will be compatible with existing and permitted land uses in the area.



7. That the proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor.
8. That changing conditions clearly require amendment to the Zoning Resolutions.
9. That for the above-stated and other reasons, the proposed Amendment to the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, pursuant to Section 5.3.5 of the El Paso County Land Development Code, as amended, in approving this amendment to the El Paso County Zoning Map, the Board of County Commissioners considered one or more of the following criteria:

1. 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;
2. 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;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. 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.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of Windsor Ridge Homes to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the RS-5000 (Residential Suburban) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district;

BE IT FURTHER RESOLVED the following conditions and notations shall be placed upon this approval:

#### CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the RM-30 (Residential Multi-Dwelling) zoning

district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

#### NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 12<sup>th</sup> day of September 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS  
OF EL PASO COUNTY, COLORADO

ATTEST:

By: \_\_\_\_\_  
Chair

By: \_\_\_\_\_  
County Clerk & Recorder

EXHIBIT A

A PARCEL OF LAND LYING WITHIN THE EAST HALF OF SECTION 29, TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1, CHATEAU AT ANTELOPE RIDGE FILING NO. 2, AS SHOWN ON THE PLAT THEREOF RECORDED UNDER RECEPTION NO. 202192387, OF THE RECORDS OF THE COUNTY OF EL PASO, STATE OF COLORADO, SAID CORNER ALSO BEING ON THE EAST RIGHT-OF-WAY LINE OF ANTELOPE RIDGE DRIVE AND CONSIDERING THE SOUTH LINE OF SAID LOT 1, AS SHOWN ON SAID PLAT, TO BEAR N89°56'53"E, WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;  
THENCE THE FOLLOWING FOUR (4) COURSES ALONG THE EAST RIGHT-OF-WAY-LINE LINE OF ANTELOPE RIDGE DRIVE:

1. S00°09'38"E, 35.51 FEET TO A POINT OF CURVE TO THE LEFT;
2. 928.37 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVE, SAID ARC HAVING A RADIUS OF 1560.00 FEET, A CENTRAL ANGLE OF 34°05'50" AND BEING SUBTENDED BY A CHORD THAT BEARS S17°05'40"E, 914.73 FEET;
3. 762.65 FEET ALONG THE ARC OF SAID REVERSE CURVE TO A POINT TANGENT; SAID ARC HAVING A RADIUS OF 1280.00 FEET, A CENTRAL ANGLE OF 34°08'17" AND BEING SUBTENDED BY A CHORD THAT BEARS S17°04'26"E, 751.42 FEET;
4. S00°00'18"E, 202.36 FEET TO THE POINT OF BEGINNING;

THENCE N89°59'46"E, 177.94 FEET TO A POINT OF CURVE TO THE LEFT; THENCE 264.28 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVE, SAID ARC HAVING A RADIUS OF 740.00 FEET, A CENTRAL ANGLE OF 20°27'45" AND BEING SUBTENDED BY A CHORD THAT BEARS N79°45'54"E, 262.88 FEET; THENCE 169.67 FEET ALONG THE ARC OF SAID CURVE TO A POINT TANGENT, SAID ARC HAVING A RADIUS OF 475.00 FEET, A CENTRAL ANGLE OF 20°27'58" AND BEING SUBTENDED BY A CHORD THAT BEARS N79°46'01"E, 168.77 FEET; THENCE N90°00'00"E, 125.29 FEET; THENCE N00°14'54"W, 33.28 FEET; THENCE N89°45'06"E, 150.34 FEET TO THE WEST RIGHT-OF-WAY LINE OF MARKSHEFFEL ROAD AS DESCRIBED IN THAT DOCUMENT RECORDED UNDER RECEPTION NO. 209071394 OF THE RECORDS OF EL PASO COUNTY;  
THENCE THE FOLLOWING THREE (3) COURSES ALONG THE SAID WEST RIGHT-OF-WAY LINE:

1. S00°15'17"E, 390.53 FEET;
2. S29°00'24"W, 54.00 FEET;
3. S59°08'42"W, 73.00 FEET TO THE NORTH RIGHT-OF-WAY LINE OF NORTH CAREFREE CIRCLE AS DESCRIBED IN THAT DOCUMENT RECORDED UNDER RECEPTION NO. 205015091 OF THE RECORDS OF EL PASO COUNTY;

THENCE THE FOLLOWING THREE (3) COURSES ALONG SAID NORTH RIGHT-OF-WAY LINE:

1. S89°48'47"W, 113.86 FEET TO A POINT OF CURVE TO THE LEFT;
2. 407.83 FEET ALONG THE ARC OF SAID CURVE TO A POINT OF REVERSE CURVE, SAID ARC HAVING A RADIUS OF 1060.00 FEET, A CENTRAL ANGLE OF 22°02'40" AND BEING SUBTENDED BY A CHORD THAT BEARS S78°47'28"W, 405.32 FEET;
3. 288.60 FEET ALONG THE ARC OF SAID REVERSE CURVE TO THE EAST RIGHT-OF-WAY LINE OF ANTELOPE RIDGE DRIVE, SAID ARC HAVING A RADIUS OF 940.00 FEET, A CENTRAL ANGLE OF 17°35'28" AND BEING SUBTENDED BY A CHORD THAT BEARS S76°33'51"W, 287.47 FEET;

THENCE THE ALONG THE EAST RIGHT-OF-WAY LINE OF ANTELOPE RIDGE DRIVE N00°00'18"W, 510.52 FEET TO THE POINT OF BEGINNING.

THE ABOVE PARCEL CONTAINS AN AREA OF 403,264 SQUARE FEET (9.2577 ACRES) OF LAND, MORE OR LESS.

