

## Ryan Howser

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**From:** Kari Parsons  
**Sent:** Friday, September 2, 2022 8:34 AM  
**To:** Ryan Howser  
**Subject:** FW: Opposition to Proposed Zoning Change - Falcon Highway and Curtis Road

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**From:** Carrie Geitner <CarrieGeitner@elpasoco.com>  
**Sent:** Thursday, September 1, 2022 2:32 PM  
**To:** Steve <swrothert@yahoo.com>  
**Cc:** Kevin Mastin <KevinMastin@elpasoco.com>; Kari Parsons <kariparsons@elpasoco.com>  
**Subject:** Re: Opposition to Proposed Zoning Change - Falcon Highway and Curtis Road

Thank you for your email regarding the rezoning request by Meadowlake Developments, LLC (the "Developer,") seeking to rezone a 254 acre parcel near Meadowlake airport.

As a rezoning request, the pending request is what is referred to as "quasi-judicial," which means that the Board of County Commissioners is hearing the application in a process similar to a judge hearing a court case. Considering the need for the decision-makers to remain impartial prior to the hearing, I am limited in my ability to discuss the substance of the application, as doing so could result in my becoming biased or creating an appearance of impropriety, either of which would result in my being unable to vote. Here is a link to a video in which I discussed quasi-judicial land use matters in more detail: <https://vimeo.com/744759771/345616d310>.

Without getting into the merits, I am able to share information on the process and criteria:

1. The Developer presented its re-zoning request to the El Paso County Planning Commission on August 18, 2022. Their request was recommended for approval by the Planning Commission and will be heard by the Board of County Commissioners at 1:00pm on September 6th, 2022 at the Board of County Commissioners ("BoCC") Land Use Meeting held in Centennial Hall, 200 S. Cascade Ave, Colorado Springs.
3. The Developer is requesting to rezone their 254 acre parcel (Southeast of Meadowlake airport) from Planned Unit Development (PUD) to the following:
  - 31 acres: Commercial Service
  - 51.3 acres: I-2 Limited Industrial
  - 172.4 acres: I-3 Heavy Industrial

The zones at issue (PUD, Commercial Service, Limited Industrial, and Heavy Industrial) are all described in detail in Land Development Code Chapters 3 and 4 of the El Paso County Land Development Code ("LDC," linked below). There are also detailed materials that will be posted by Friday afternoon at this link: <https://www.agendasuite.org/iip/elpaso>

4. If the BoCC grants the re-zone, this does *not* provide approval for any special use. Any special use of a re-zoned property would still need to go through the planning process, be considered by the Planning Commission, and approved by the Board of County Commissioners. Criteria and details can be found in LDC Section 5.3.2.
5. If the BoCC denies the re-zone, a subsequent industrial use could only be permitted by way of a variance; criteria for variances of use can be found in LDC, Section 5.3.4.
6. If the BoCC approves an industrial use through either process (rezone followed by special use – or – variance), an administrative site development plan, issued by County Planning and Community Development would be required before issuance of a building permit.

To summarize, the BoCC is considering the re-zone request on September 6, 2022 and *not* any specific use of the property. Here is a link to the LDC for criteria and details: [https://library.municode.com/co/el\\_paso\\_county/codes/land\\_development\\_code](https://library.municode.com/co/el_paso_county/codes/land_development_code).

I would also note that all Planning Commission and BoCC Land Use meetings reserve time for public comment, at which citizens can present their concerns for the record. If you are not able to attend in person, we have options to participate virtually. County staff will also ensure that this email chain included in the BoCC's record. If you would like to provide additional input, please do so via email or letter so they can be included in the public comment section of the master file for the project. For emails, please send them to:

[dsdplanner@elpasoco.com](mailto:dsdplanner@elpasoco.com). For written letters: El Paso County Planning & Community Development, 2880 International Circle, Suite 110, Colorado Springs, CO 80910 Please include "Meadowlake Developments, LLC" in the subject line.

You may have additional questions. I have copied Kari Parsons (Planner) and Kevin Mastin (Planning Director), who may be able to assist prior to the hearing. Thank you.

Regards,

Commissioner Carrie Geitner

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**From:** Steve <[swrothert@yahoo.com](mailto:swrothert@yahoo.com)>

**Sent:** Thursday, September 1, 2022 2:03:14 PM

**To:** Carrie Geitner <[CarrieGeitner@elpasoco.com](mailto:CarrieGeitner@elpasoco.com)>

**Subject:** Opposition to Proposed Zoning Change - Falcon Highway and Curtis Road

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Dear Ms Geitner,

I am a user of Meadow Lake Airport and am opposed to the proposed zoning change of the parcel of land at the corner of Falcon Highway and Curtis Road.

- The traffic pattern of aircraft, landing at Meadow Lake Airport is directly over the proposed Concrete Batch Plant. Locating such a facility at Falcon Highway and Curtis Road is incompatible, in the eyes of the FAA.

- From a future, residential standpoint, ten years from now, no one will want to buy a residential property next to a Concrete Plant, due to decreasing property values, noise, air quality, etc.

- The water system in that area is stressed already. Adding a industrial Concrete Plant will further diminish the water supply.

I plan to attend the Sept 6 public meeting, on the discussion of this topic.

Attached to this email is a copy of a letter that I already sent to Holly Williams, voicing my opposition in this matter.

Thank you for your time and consideration, in this matter.

Stephen W. Rothert



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