

Ryan Howser

From: Scott Souders <scottsouders@mayberrycoloradosprings.com>
Sent: Tuesday, October 6, 2026 6:26 PM
To: Ryan Howser
Cc: John Mick; Randy Goodson; Alaina Marler; Katie Carleo; Mindy Schulz; Meggan Herington
Subject: RE: EFPD comments

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Ryan – I appreciate you passing along the below comment. I’m assuming this comment was received by EPC today, 10/6, and is in response to our 9/21/26 Submittal #4.

As we’ve discussed on many occasions, EFPD refuses to respond to our requests for information and continues to bring up the same comments after multiple attempts to collaboratively discuss the basis of our application.

Although Mayberry has provided code language that supports our site program, they have not cited any specific fire regulation that prohibits the requested 3’ setback and 6’ separation between structures. There are provisions in the currently adopted codes that allow for the separation distances being requested. The proposed site program can also be supported by numerous examples throughout El Paso County and the State where similar developments have been successfully entitled.

Regarding the LDC reference to water supply, as stated in our Submittal-3 response comments, EFPD is referencing code language that does not apply to Mayberry. The referenced LDC requirement is applicable to “Areas without Central Water Systems.” Mayberry is served by a central water system; therefore, this comment is not applicable. The existing Central Water System is capable of supplying code prescribed fire water service to the fire hydrants that are illustrated on the PUD plan set.

Finally, we have all discussed that the referenced CWRC is not applicable to this application as the referenced code was adopted after Mayberry’s Phase 2 PUD application was in process, and after Mayberry’s Sketch Plan was approved by BOCC and recorded. Although the CWRC is not applicable, Mayberry has been actively attempting to work with EFPD to establish ground truthing clarification. Each attempt has been met with a refusal to accept our findings of fact demonstrating that Mayberry is not within a wildfire hazard area.

Please accept this email as our request to proceed to the Planning Commission public hearing based on the materials currently on record.

Thank you,
Scott Souders, PE
Director of Development



Mayberry Communities
(719) 922-2181

From: Ryan Howser <RyanHowser@elpasoco.com>

Sent: Tuesday, October 6, 2026 5:07 PM

To: Scott Souders <scottsouders@mayberrycoloradosprings.com>; Alaina Marler <amarler@lja.com>; Katie Carleo <ccarleo@lja.com>

Subject: EFPD comments

Scott,

EFPD just submitted the following comment:

Ellicott Fire Protection District cannot support the spacing of homes three feet from the property line creating urban level development being protected with rural resources and a water supply that does not meet the El Paso County Land Development Code of 3,000 gallons per dwelling unit and 300 gallons an acre. The existing development and this phase will require in excess of 1,000,000 gallons of water. The adopted fire code is less stringent on this issue per the ordinance that adopted it and no alternate design standard has been presented for review.

The PUD and the Landscape plans do not refer to the Colorado Wildfire Resiliency Code.

Previous comments not addressed.

I recommend reaching out to them to see if a resolution can be made before the hearings.



Ryan Howser, AICP
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To review all El Paso County projects in EDARP go to: <https://epcdevplanreview.com/>

To review the El Paso County Land Development Code, go to:
https://library.municode.com/co/el_paso_county/codes/land_development_code