

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

**O:** 719-520-6300  
MegganHerington@elpasoco.com  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910

**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

---

## **EL PASO COUNTY PLANNING COMMISSION**

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

Planning Commission (PC) Meeting

Thursday, November 7th, 2024, El Paso County Planning and Community Development Department  
2880 International Circle, Colorado Springs, Colorado – Second Floor Hearing Room

**REGULAR HEARING at 9:00 A.M.**

**PC MEMBERS PRESENT AND VOTING:** Thomas Bailey, Sarah Brittain Jack, Becky Fuller, Jeffrey Markewich, Jay Carlson (remote), Eric Moraes (remote), Wayne Smith (remote), Christopher Whitney (remote) and Jim Byers (remote).

**PC MEMBERS PRESENT AND NOT VOTING:** (NONE)

**PC MEMBERS ABSENT:** Tim Trowbridge, Bryce Schuettpeiz

**STAFF PRESENT:** Meggan Herington, Justin Kilgore, Kari Parsons, Kylie Bagley, Joe Letke, Gilbert LaForce, Daniel Torres, Scott Shevock, Charlene Durham (remote) and Erika Keech and Lori Seago (remote) from the El Paso County Attorney's Office.

**OTHERS PRESENT AND SPEAKING:** Jeff Mark, Mr. Alwine, and Dan Kupferer.

---

### **1. REPORT ITEMS**

Meggan Herington updated Planning Commission about Miranda Benson becoming an Associate Planner.

Mr. Kilgore informed the Planning Commission that the hearing on December 19, 2024, has been cancelled.

---

### **2. PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA**

There were none.

---

### **3. CONSENT ITEMS**

**A. Adoption of Minutes** for meeting held on October 17<sup>th</sup>, 2024.

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

B. SF2315

Bagley

**FINAL PLAT  
MARIAH TRAIL FILING NO. 1**

A request by Wayne-Anthony Custom Homes for approval of a 35-acre Final Plat creating six single-family lots. The property is zoned RR-5 (Residential Rural) and is located 19205 Mariah Trail and is one mile south of the intersection of East County Line Road and East Thunder Road. (Parcel No. 5100000511) (Commissioner District No. 1).

**PLANNING COMMISSION DISCUSSION:** Planning Commission members inquired about whether the roads are privately owned or maintained by El Paso County. Engineering staff confirmed that the roads are public and maintained by the County.

**STAFF COMMENTS:** (NONE)

**APPLICANT COMMENTS:** (NONE)

**PUBLIC COMMENTS:** Mr. and Mrs. Norris opposed the development, citing concerns that it would use their roads and disrupt their covenants in Elk Creek Ranches. They requested the new development fall under their existing covenants. Additionally, they raised concerns about water and emergency access, noting that with only one entrance and exit, emergency services might be delayed during fires, bad weather, or other emergencies

**PC ACTION: FULLER MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER SF2315 FOR A FINAL PLAT MARIAH TRAIL FIL. NO. 1 UTILIZING THE ATTACHED RESOLUTION WITH NINE (9) CONDITIONS AND FOUR (4) NOTATIONS AND ONE (1) WAIVER AND A RECOMMENDED FINDING OF SUFFICANCY 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, BRITAIN JACK, FULLER, MARKEWICH, BYERS (remote), CARLSON (remote), MORAES (remote), WHITNEY (remote), AND SMITH (remote).

**IN OPPOSITION:** NONE

---

**4. CALLED-UP CONSENT ITEMS:**

The Planning Commission called up File# VA241 to be heard as a regular item.

---

**5. REGULAR ITEMS**

A. VA241

LETKE

**VARIANCE OF USE  
BARTLETT HAY SALES**

A request by LaRon and Renee Bartlett for approval of a Variance of Use to allow for commercial hay sales in the RR-5 (Residential Rural) district. The two properties are located at the intersection of Old Meridian Road and Chicago Avenue. (Parcel Nos. 5312110004 and 5312110009) (Commissioner District No. 2)

**STAFF PRESENTATION:** Mr. Letke noted that the applicants and property owners expressed concerns about Condition No. 1 of the Variance of Use approval, particularly how it could complicate selling the property, transferring the business, or passing it down to their children.

The applicants' representative stated that the owners have had a variance since 1991 but must reapply now that the original variance expired. They were unaware that selling the business would void the variance, requiring the new owner to re-apply. Their concern is that potential buyers may be deterred by the uncertainty of having to go through this process.

**PLANNING COMMISSION DISCUSSION:** Planning Commission members had questions about the Variance of Use conditions, particularly around the duration and ownership restrictions. They inquired whether it's typical for staff to impose such conditions, especially with indefinite terms, and how specific the variance is (i.e., limited to the hay business). Some members expressed concerns about requiring new owners to go through the same approval process, which could be costly, while others questioned whether this is the right approach.

The members noted that past variances had expiration dates. They discussed the potential impact of allowing a perpetual variance and whether this sets a good precedent for county policy. Alternatives, such as reapplying for a new 10-year variance or rezoning the property, were suggested.

Planning Commission members ultimately recommended a time limit on the variance due to the unique circumstances of the property. They emphasized that the variance should specify the allowable uses (e.g., hay, feed, and farm supplies), and if a future owner exceeds these uses, the variance would be voided. While some members were open to a perpetual variance, they agreed the new owner should be fully informed of the limitations. They also noted that the BoCC could impose a time restriction if needed, and it is unusual to attach ownership conditions to variances.

**STAFF COMMENTS:** Mr. Letke stated that Variance of Use approvals typically have expiration dates, but this one was crafted to allow the current owners to continue without issue if they own the business. If a new owner wants to change or expand the use, they will need to reapply. This helps avoid code violations, especially in the RR-5 zoning district. The business has been in place since 1991, and there's a desire to avoid continually reapplying for variances. However, concerns were raised about the condition tying the variance to the owner, and the applicant is seeking to remove that condition.

Mr. Letke noted that variances no longer require a time limit after 2007, though some cases still involve time limits based on unique circumstances. The area is transitioning, with nearby commercial and residential developments. If the property were rezoned for residential use, it would require a simple process with permits, but a commercial rezone would need a traffic study and improvements. Staff is open to a perpetual variance for this long-established business, as continuing to reapply every ten years doesn't seem practical.

**APPLICANT COMMENTS:** Mr. Kupferer stated the variance would allow hay sales and other agricultural-related activities, such as selling feed, farming equipment, clothing, and other agricultural items. Essentially, this is a land use where they are operating a business. If it were a typical zoning district, they would need to comply with all zoning regulations. This does not prevent the business from being sold, and the new owner can continue the same operations. If there are any violations, they would be reported, and the County for enforcement action. He stated he does not see any difference in how this would be handled.

**PUBLIC COMMENTS:** (NONE)

**PC ACTION: FULLER MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3C, FILE NUMBER VA241 FOR A VARIANCE OF USE FOR BARTLETT HAY SALES UTILIZING THE ATTACHED RESOLUTION WITH FOUR (4) CONDITIONS REMOVING CONDITION ONE (1) REGARDING IT AS BEING ATTACHED TO THE OWNERSHIP VERSES THE LAND AND THREE (3) NOTATIONS AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (8-1).**

**IN FAVOR:** BAILEY, BRITAIN JACK, FULLER, MARKEWICH, BYERS (remote), MORAES (remote), WHITNEY (remote) AND SMITH (remote)

**IN OPPOSITION:** CARLSON stated the property to be rezoned.

**A. SKP233**

**PARSONS**

**SKETCH PLAN  
ROLLING MEADOWS BULL HILL**

A request by Murray Fountain, LLC, Eagle Development Company, Heidi, LLC, and Aeroplaaza Fountain, LLC for approval of a 1,136.9-acre mixed-use Sketch Plan consisting of a maximum of 5,440 residential units. The property is currently zoned PUD (Planned Unit Development Conceptual) and is located immediately adjacent to the north and south of Bradley Road, and immediately adjacent to the west of the future Meridian Road Corridor. (Parcel Nos. 5500000385, 5500000383, 5500000329, 5500000328, 5500000327, 5500000326, 5500000325, 5500000324) (Commissioner District No. 4)

**STAFF PRESENTATION**

The Planning Commission asked if they are looking at a historical flood zone that is part of the next stage, or has it already been reviewed.

Mr. Torres answered this an historical flood zone and there is a drainage basin planning study that is currently in development by El Paso County. Master Development Drainage Plan proposes 11 onsite full spectrum ponds to mitigate the developments flows. The channel improvements to the east tributary of Jimmy Camp Creek that flows through the site are currently in review by staff for channel improvements basically, for the whole channel along their property. I believe right now that they are 60 to 70 percent set. They will have to go through the FEMA, CLOMR, and LOMR process for any modifications through that flood plain and propose improvements that they are wanting to do.

The Planning Commission members asked if the detention ponds are designed to handle flow moving to the west, meaning that any runoff from the property will be directed toward those ponds and then discharged into Jimmy Camp Creek.

Mr. Torres clarified that their drainage report, as well as the Master Development Drainage Plan, is at a high level. They are essentially identifying that a portion of the flow will be collected through roadways or proposed storm systems and directed into the full-spectrum detention ponds to mitigate runoff before it reaches the creek.

**APPLICANT PRESENTATION:** Applicant representative, Mr. Alwine, presented.

The Planning Commission asked the applicant if they are building four schools or are those potential sites.

Mr. Alwine stated that they have worked with Widefield School District #3 to identify four school sites: three elementary school sites and one middle school site. The district has identified the locations and sizes of the schools, totaling approximately 76 acres of land. This will be land dedication, and no school fees will be required as part of the project. In response to the Planning Commission's question, Mr. Alwine noted that while he doesn't know when the schools will be built, the district is satisfied with the four sites and the acreage, which will serve the community as well as the planned expansion to the west and south with Lorson Ranch.

**PLANNING COMMISSION DISCUSSION:** The Planning Commission discussed the number of units per acre and stated the plans are valuable. The Planning Commission also wants to see controlled and managed growth.

**APPLICANT DISCUSSION:** Mr. Mark acknowledged that the concerns raised about the development are typical for a project of this scale and at this early stage. They explain that the current "bubble map" is a Preliminary Plan, and the final details will depend on market demand. Using Lorson Ranch as an example, the speaker highlights that while the area was originally planned for 6,000 units, it ended up with around 4,500 units. The current project is approved for over 8,000 units, but they plan to start with approximately 5,100 units, which is lower than the approved maximum.

He also emphasized that it's too early to define exact plans, and detailed discussions with neighbors those will occur later during the Planned Unit Development (PUD) phase. The project will take 20-25 years to fully build out, and decisions about density, particularly at the intersection of Bradley and Meridian, have not been made. They also address concerns about sound barriers, lighting, dust control, and environmental regulations, assuring that all necessary permits and standards will be followed during development

Mr. Alwine said regarding roadway and right-of-way spacing, that is based on working with Engineering Staff. The County prefers that the access points align with one another particularly coming off collector roadways to minimize the conflicting turning movement. Most of our development is initially happening south of Bradley Road because of the infrastructure improvements required to ultimately serve to the north. The noise there are requirements from El Paso County the landscape code and planning code as far as when mitigation for that noise and whether it is concrete soundwall barriers, wood fencing or some kind of opaque fencing or landscaping berms etc. that help mitigate the noise concerns.

#### **PUBLIC COMMENTS:**

Ms. Rush spoke in opposition – she is concerned about the proposed high-density development in Phase 4, which she believes is inconsistent with the rural character of the surrounding area. She proposes a lower-density residential development along the northeastern edge of the property and suggest relocating the high-density housing to more suitable areas along Bradley and Meridian. Ms. Rush also raises questions about traffic impacts, road design, noise and light control, and dust pollution, as well as the overall need for such development given the existing housing surplus and the ongoing population growth in El Paso County. They seek clarification on the development schedule and ask that their concerns be added to the official record.

Mr. Henderson is advocating for more direct communication between the developers and the surrounding community. While not opposed to the development itself, they are concerned about the high-density nature of the proposal and its potential negative impacts on the surrounding area, particularly on traffic, noise, and property values. They express frustration with the limited time for community input and request that the developers engage more thoroughly with residents to address these concerns. The speaker emphasizes the importance of listening to neighbors and working

collaboratively to ensure that the development benefits both the new residents and the existing community.

Ms. Williams stated she is a homeowner in Hammer Ranch. She specifically wants to address the apartments being built in that area. According to the Colorado Housing and Finance authorities the vacancy rate for Colorado Springs sits at 7.5% which is about 2% higher than what is considered stable for the area. What that means is that as of December under half of the new apartment units constructed in Colorado Springs were occupied. I think that number speaks for itself. Continuing to build at this rate is not stable and will continue to de-value our properties. I encourage the developer to rethink some of these high-density areas and the continued demand for them.

**PC ACTION: MARKEWICH MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5A, FILE NUMBER SKP233 SKETCH PLAN ROLLING MEADOWS BULL RUN UTILIZING THE ATTACHED RESOLUTION WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS AND A FINDING FOR WATER SUFFICIENCY OR INSUFFICIENCY IS NOT REQUIRED AT THIS TIME AND THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).**

**IN FAVOR:** BAILEY, BRITAIN JACK, FULLER, MARKEWICH, BYERS (remote), CARLSON (remote), MORAES (remote) WHITNEY (remote) AND SMITH (remote).

**IN OPPOSITION:** (NONE).

---

**6. NON-ACTION ITEMS** – Mr. Bailey asked if the Land Use Code Rewrite Group meeting that was cancelled had been rescheduled. Ms. Bagley will update the Planning Commissioners when a date has been set.

---

**MEETING ADJOURNED** at 11:18 A.M.

**Minutes Prepared By:** MM