

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

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 8/22/2024
RE: P247 – Multifamily Development Fishers Canyon

Project Description

A request by CS 2005 Investments III, LLC for approval of a Map Amendment (Rezoning) of 16.23 acres from PUD (Planned Unit Development) to RM-30 (Residential Multi-Dwelling).

Notation

Please see the Planning Commission Minutes from August 1, 2024, for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

Planning Commission Recommendation and Vote

Smith moved / Brittain Jack seconded to recommend approval of item P247 utilizing the resolution attached to the staff report with four (4) conditions and two (2) notations. The motion was **approved (6-0)**. The item was heard as a consent item at the Planning Commission hearing. There was no public opposition.

Discussion

A member of the public had a question about the traffic impact of a multifamily development. Staff advised that a traffic study will be conducted at the time of Preliminary Plan and Plat review.

Attachments

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

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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting
Thursday, August 1, 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, JEFFREY MARKEWICH, BRYCE SCHUETTELPELZ, WAYNE SMITH, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: NONE.

PC MEMBERS ABSENT: JIM BYERS, JAY CARLSON, BECKY FULLER, BRANDY MERRIAM, AND TIM TROWBRIDGE.

STAFF PRESENT: JUSTIN KILGORE, KYLIE BAGLEY, JOE LETKE, RYAN HOWSER, SCOTT WEEKS, GILBERT LAFORCE, ETHAN JACOBS, JOSEPH SANDSTROM, BRETT DILTS, CHARLENE DURHAM, HAO VO, MIRANDA BENSON, ERIKA KEECH, AND LORI SEAGO.

OTHERS PRESENT AND SPEAKING: JENNIFER BUCKLEY.

1. REPORT ITEMS

Mr. Kilgore advised the board that the next PC Hearing is Thursday, August 15, at 9:00 A.M., which will include a presentation by the LDC Update consultants. He reminded the board that there will be a LDC session on August 14, 2024.

Mr. LaForce announced that two new staff members have joined the County's Department of Public Works Development Services Engineering team. Mr. Rice has shifted roles to act as interim Professional Standards Engineer.

Mr. Sandstrom introduced himself.

Mr. Jacobs introduced himself.

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

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held July 18, 2024.

Mr. Markewich remarked that he was not in attendance at the last meeting. He asked for more information regarding the County-wide volunteer board procedure changes that will affect membership appointments.

Mr. Bailey explained that they're not yet sure about how changes will affect the PC. An immediate implication is that Mr. Moraes' term expired, and he is currently navigating the application process for reappointment. The process is not fully established yet.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (6-0).

B. MS243

LETKE

MINOR SUBDIVISION MCLEAN-HODGEN SUBDIVISION (2 LOT FINAL PLAT)

A request by Susan Carson McLean for approval of a Minor Subdivision to create 2 single-family residential lots. The 28.68-acre property is zoned RR-5 (Residential Rural) and is located on the south side of Hodgen Road, approximately .1 mile east of the intersection of Roller Coaster Road and Baptist Road. (Parcel No. 6128100014) (Commissioner District No. 1)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: SCHUETTELZ MOVED / SMITH SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER MS243 FOR A MINOR SUBDIVISION, MCLEAN-HODGEN SUBDIVISION (2 LOT FINAL PLAT), UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH ELEVEN (11) CONDITIONS, TWO (2) 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 (6-0).

IN FAVOR: BAILEY, BRITAIN JACK, MARKEWICH, SCHUETTELZ, SMITH, AND WHITNEY.

IN OPPOSITION: NONE.

C. VR243

LETKE

VACATION AND REPLAT GREAVES VACATION REPLAT

A request by Alan and Judith Ann Greaves for approval of a 10.36-acre Vacation and Replat creating 2 single-family residential lots. The property is zoned RR-5 (Residential Rural) and the new lots will be 5 acres in size, which complies with the RR-5 (Residential Rural) zoning district. The property is located on Snowmass Drive and .2 miles east of Black Forest Road. (Parcel No. 5205209004) (Commissioner District No. 1)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: BRITAIN JACK MOVED / WHITNEY SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3C, FILE NUMBER VR243 FOR A VACATION AND REPLAT, GREAVES VACATION REPLAT, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWELVE (12) CONDITIONS, ONE (1) NOTATION, 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 (6-0).

IN FAVOR: BAILEY, BRITAIN JACK, MARKEWICH, SCHUETTPELZ, SMITH, AND WHITNEY.
IN OPPOSITION: NONE.

D. SF2141

BAGLEY

**FINAL PLAT
OHANA ACRES**

A request by G & D Hammann Ohana Trust for approval of a 19.31-acre Final Plat creating 4 single-family residential lots. The property is zoned RR-5 (Residential Rural) and is located at 17825 Jones Road, directly southeast of the intersection of Jones Road and Murr Road. (Parcel No. 3330001001) (Commissioner District No. 2)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: MARKEWICH MOVED / SCHUETTPELZ SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3D, FILE NUMBER SF2141 FOR A FINAL PLAT, OHANA ACRES, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH NINE (9) CONDITIONS, TWO (2) 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 (6-0).

IN FAVOR: BAILEY, BRITAIN JACK, MARKEWICH, SCHUETTPELZ, SMITH, AND WHITNEY.
IN OPPOSITION: NONE.

E. SP207

HOWSER

**PRELIMINARY PLAN
CROSSROADS NORTH**

A request by Colorado Springs Equities, LLC for approval of a 44.34-acre Preliminary Plan depicting 15 commercial lots and 5 tracts. The property is zoned CR (Commercial Regional), is subject to the CAD-O (Commercial Airport Overlay) District and is located between the southeast corner of the intersection of Colorado State Highway 24 and Marksheffel Road and the northeast corner of the intersection of Colorado State Highway 24 and Colorado State Highway 94. (Parcel Nos. 5408001008, 5408001029, 5408001032, 5408001034, 5408001041, 5408001042, 5408001050, 5408001051, and 5408001052) (Commissioner District No. 4)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: SCHUETTPELZ MOVED / SMITH SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3E, FILE NUMBER SP207 FOR A PRELIMINARY PLAN, CROSSROADS NORTH, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FIVE (5) CONDITIONS, THREE (3) 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 (6-0).

IN FAVOR: BAILEY, BRITAIN JACK, MARKEWICH, SCHUETTPELZ, SMITH, AND WHITNEY.
IN OPPOSITION: NONE.

**MAP AMENDMENT (REZONING)
MULTI-FAMILY DEVELOPMENT FISHERS CANYON-THOMPSON THRIFT VENETUCCI**

A request by CS 2005 Investments III, LLC for approval of a Map Amendment (Rezoning) of 16.23 acres from PUD (Planned Unit Development) to RM-30 (Residential Multi-Dwelling). The property is located north of South Academy Boulevard and west of Venetucci Boulevard. (Parcel Nos. 6504300049 and 6504300050) (Commissioner District No. 4)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: SMITH MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3F, FILE NUMBER P247 FOR A MAP AMENDMENT (REZONING), MULTI-FAMILY DEVELOPMENT FISHERS CANYON-THOMPSON THRIFT VENETUCCI, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FOUR (4) 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 (6-0).

IN FAVOR: BAILEY, BRITAIN JACK, MARKEWICH, SCHUETTPELZ, SMITH, AND WHITNEY.

IN OPPOSITION: NONE.

4. CALLED-UP CONSENT ITEMS (NONE)

5. REGULAR ITEMS (NONE)

6. NON-ACTION ITEMS (NONE)

DISCUSSION

Mr. Whitney assured the audience that even though the meeting was brief, the board carefully reviewed each item in the comprehensive hearing packet provided by County staff.

Mr. Bailey acknowledged that a member of the public had joined remotely (by phone) and was requesting to speak regarding agenda item 3F, P247 (Multi-Family Development Fishers Canyon-Thompson Thrift Venetucci). He mentioned that each item on the agenda had already been resolved.

Ms. Seago clarified that because the item had already been voted on, any public comments made at this time would not be part of the item's record. She explained that if the board wanted to make the comments part of the record and part of their consideration, someone who voted in favor of the item would need to make a motion to reconsider it. That motion would need to be seconded and receive a majority vote to pass. She further explained that the item could then be presented before the board as if they had never voted previously. The board could choose to have either a limited or full hearing, incorporate the public comments, and then proceed as usual.

Mr. Bailey thanked Ms. Seago for the clarification. He expressed his intension to listen to the comments before deciding on how to move forward. He then asked the caller to speak.

Ms. Jennifer Buckley spoke in opposition to P247. She stated that she had tried to participate via X, formerly Twitter. She stated the traffic study for the project did not consider the Eldorado Springs Apartments being built on the corner of Westmark Avenue and Venetucci Boulevard (north of the subject property). She stated the traffic light at Venetucci/B Street/Highway 85 gets backed up in both directions and it often takes multiple light cycles to get through the intersection. She acknowledged there is

construction work being done on Academy Boulevard. Overall, however, she stated that she is concerned the traffic study for this project did not take into account that another multi-family residential development would soon be using the same intersection. People drive dangerously in the area.

Mr. Bailey asked if any members of the board would like to reconsider the vote after hearing the comments.

Mr. Whitney asked County staff to verify if traffic anticipated from Eldorado Springs Apartments had been part of the traffic study for the current proposal.

Ms. Vo answered that the current proposal will add a little more than 300 units, generating 2,200 daily trips. She stated that the traffic study identified that there are 2 access options from Venetucci Boulevard. One is Walmart Heights (to the south) and the other will be at the roundabout (to the north). She agreed that any development will increase traffic in the surrounding community. She stated the traffic study will evaluate how the traffic is distributed.

Mr. Bailey asked again if any board members wanted to reconsider their votes. (No response.)

Mr. LaForce added that during the next application, the Preliminary Plan, Engineering could confirm with the traffic engineers if the Eldorado Springs Apartments were incorporated within the background traffic that was estimated. That information can be clarified in the traffic study submitted with future phases.

Mr. Markewich clarified that the project would appear before the PC and BOCC again, and traffic could be addressed in more detail at that time.

Mr. LaForce confirmed.

Ms. Seago encouraged Ms. Buckley to attend the BOCC hearing on 8/22/2024 to express any concerns and have her comments incorporated into the record.

Mr. Bailey agreed and added that the PC is merely making a recommendation to the BOCC, who will hear the item and make a decision. He further added that there will be additional steps in the development process (Preliminary Plan, Final Plat, etc.) before completion.

Mr. Smith remarked that Venetucci Boulevard is owned and maintained by the City of Fountain. He asked how traffic issues are handled with that interplay.

Mr. LaForce answered that the area is multi-jurisdictional. Venetucci is owned by Fountain. There is another road to the north that is owned by CDOT. Those agencies are outside reviewers of the application and were invited to review the traffic study and provide comments. During the construction phase for offsite improvements, the applicants will coordinate submittals to those jurisdictions for sections that fall within their areas. The multiple jurisdictions may also work together to review one comprehensive plan set that includes all the various signature blocks. Many eyes will be on the project throughout the process.

Mr. Smith asked what would happen if the BOCC approved the project and the traffic study called for improved turn lanes to one of the roads. Would another jurisdiction be obligated to complete those?

Mr. LaForce clarified that the developer is the one responsible for making any offsite improvements that the jurisdictions require. He further explained that CDOT will require an access permit that includes a condition regarding the offsite improvements. The County could include conditions on subsequent applications.

MEETING ADJOURNED at 9:35 A.M.

Minutes Prepared By: Miranda Benson

MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

SMITH moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. P247

MULTIFAMILY DEVELOPMENT FISHERS CANYON - THOMPSON THRIFT VENETUCCI

WHEREAS, CS 2005 Investments III LLC 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 PUD (Planned Unit Development) zoning district to the RM-30 (Residential Multi-Dwelling) zoning district; and

WHEREAS, a public hearing was held by this Commission on August 1, 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 CS 2005 Investments III LLC 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 PUD (Planned Unit Development) 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.

3. A updated Traffic Impact Study addressing comments from Colorado Department of Transportation (CDOT) comment letter dated June 26, 2024, and City of Fountain comment letter dated June 26, 2024, shall be submitted at the time of Final Plat.
4. A Development Agreement in accordance with the terms described in the comment letter dated June 26, 2024, shall be satisfied at the time of Final Plat.

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.

BRITAIN - JACK 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	aye / no / non-voting / recused / <u>absent</u>
Jay Carlson	aye / no / non-voting / recused / <u>absent</u>
Becky Fuller	aye / no / non-voting / recused / <u>absent</u>
Jeffrey Markewich	<u>aye</u> / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / <u>absent</u>
Bryce Schuettepelz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	<u>aye</u> / no / non-voting / recused / absent
Tim Trowbridge	aye / no / non-voting / recused / <u>absent</u>
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

The Resolution was adopted by a vote of 6 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 1st day of August 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: 
Chair

EXHIBIT A

A PARCEL OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, RECORDS OF EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SOUTH ACADEMY HIGHLANDS FILING NO. 4 RECORDED UNDER RECEPTION NO. 222714970, EL PASO COUNTY, COLORADO; THENCE N 53° 59' 29" E, ALONG THE NORTHERLY LINE OF OF SAID SOUTH ACADEMY HIGHLANDS FILING NO. 4 (BASIS OF BEARING), A DISTANCE OF 226.24 FEET TO THE POINT OF BEGINNING;

THENCE N 36° 03' 36" W, A DISTANCE OF 155.65 FEET;
THENCE N 21° 58' 47" W, A DISTANCE OF 272.69 FEET;
THENCE N 02° 32' 04" W, A DISTANCE OF 127.26 FEET;
THENCE N 21° 58' 47" W, A DISTANCE OF 284.99 FEET;
THENCE N 08° 14' 28" W, A DISTANCE OF 450.13 FEET;
THENCE N 18° 57' 10" E, A DISTANCE OF 224.76 FEET;
THENCE N 68° 01' 13" E, A DISTANCE OF 452.68 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF VENETUCCI BOULEVARD;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID VENETUCCI BOULEVARD, THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

- 1) THENCE S 05° 08' 43" W, A DISTANCE OF 273.53 FEET TO A POINT OF CURVATURE;
- 2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 605.23 FEET, A CENTRAL ANGLE OF 27° 13' 21" AND AN ARC LENGTH OF 287.56 FEET, THE CHORD OF WHICH BEARS S 08° 29' 34" E, A DISTANCE OF 284.86 FEET;
- 3) THENCE S 22° 05' 07" E, A DISTANCE OF 501.69 FEET TO A POINT OF CURVATURE;
- 4) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 559.98 FEET, A CENTRAL ANGLE OF 21° 34' 55", AND AN ARC LENGTH OF 210.93 FEET, THE CHORD OF WHICH BEARS S 11° 17' 40" E, A DISTANCE OF 209.68 FEET;
- 5) THENCE S 00° 30' 13" E, A DISTANCE OF 51.77 FEET;
- 6) THENCE S 89° 29' 47" W, A DISTANCE OF 17.00 FEET;
- 7) THENCE S 00° 30' 13" E, A DISTANCE OF 162.77 FEET TO A POINT ON THE NORTH LINE OF LOT 1, SAID SOUTH ACADEMY HIGHLANDS FILING NO. 4;

THENCE ALONG THE NORTH LINES OF SAID LOT 1, THE FOLLOWING THREE (3) COURSES AND DISTANCES:

- 1) THENCE S 89° 29' 47" W, A DISTANCE OF 62.19 FEET TO A POINT OF CURVATURE;
- 2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 238.00 FEET, A CENTRAL ANGLE OF 35° 28' 54", AND AN ARC LENGTH OF 147.39 FEET, THE CHORD OF WHICH BEARS S 71° 44' 23" W, A DISTANCE OF 145.04 FEET;
- 3) THENCE S 53° 59' 29" W, A DISTANCE OF 190.95 FEET TO THE POINT OF BEGINNING.

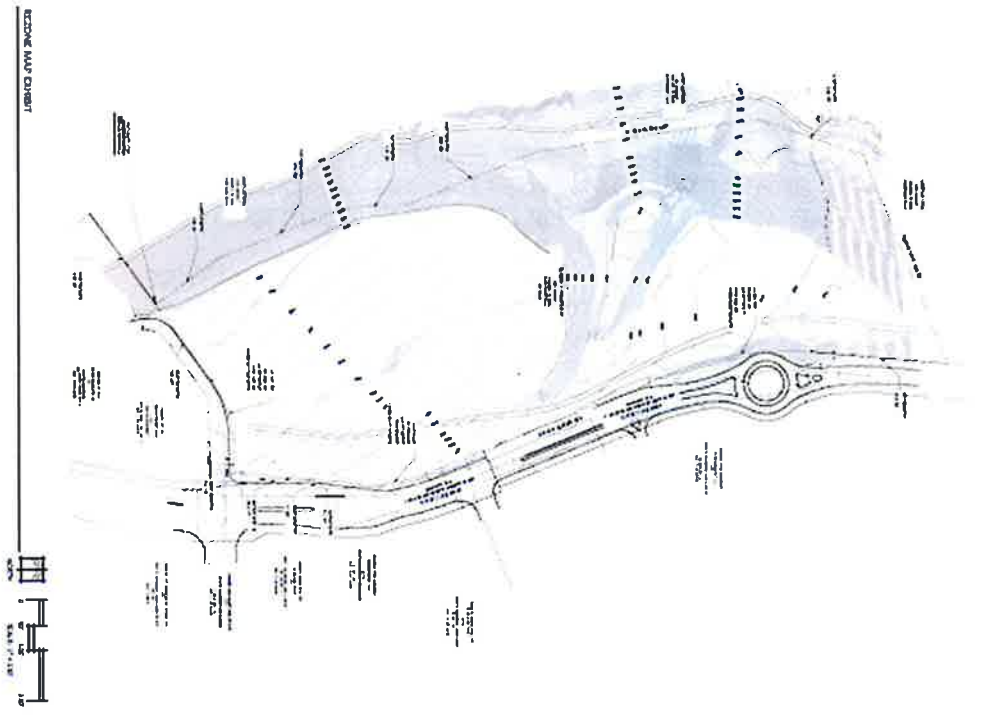
CONTAINING AN AREA OF 706,949 SQUARE FEET OR 16.229 ACRES, MORE OR LESS.

EXHIBIT B

LEGAL DESCRIPTION

LEGAL DESCRIPTION OF THE PROPERTY DESCRIBED IN SECTION 1, TOWNSHIP 11 NORTH, RANGE 68 WEST OF THE 10TH
PRINCIPAL MERIDIAN, SOUTHWEST CORNER OF SOUTH ACADEMY HIGHLANDS PLUN G HO. 4 RECORDED UNDER
RECEPTION NO. 222714970, EL PASO COUNTY, COLORADO

ZONING MAP
THOMPSON THRIFT - VENETUCCI
COMMENCING AT THE NORTH/WESTERLY CORNER OF SOUTH ACADEMY HIGHLANDS PLUN G HO. 4 RECORDED UNDER
RECEPTION NO. 222714970, EL PASO COUNTY, COLORADO



SITE DATA

APPLICANT	VENETUCCI
PROJECT NAME	THOMPSON THRIFT
ZONING MAP	VENETUCCI
DATE	11/11/11
SCALE	1" = 100'

THOMPSON
THRIFT
VENETUCCI
ZONING MAP



REVISIONS	DATE	BY	DESCRIPTION
1			

EL PASO COUNTY



COLORADO

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: Scott Weeks, Senior Planner
Hao Vo, Engineer
Meggan Herington, AICP, Executive Director

RE: Project File Number: P247
Project Name: Multifamily Development Fishers Canyon - Thompson Thrift Venetucci
Parcel Numbers: 6504300049 and 6504300050

OWNER:	REPRESENTATIVE:
CS 2005 Investments III LLC 10801 W Charleston Boulevard Ste 170 Las Vegas, NV 89135	N.E.S., Inc. 619 North Cascade Avenue, Suite 200 Colorado Springs, CO 80903

Commissioner District: 4

Planning Commission Hearing Date:	7/18/2024
Board of County Commissioners Hearing Date:	8/8/2024

EXECUTIVE SUMMARY

A request by CS 2005 Investments III LLC., for approval of a Map Amendment (Rezoning) of 16.229 acres from PUD (Planned Unit Development) to RM-30 (Residential Multi-Dwelling District). The property is located north of South Academy Boulevard and west of Venetucci Boulevard.



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 Your 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; and
- The Rezoning complies with all applicable statutory provisions including, but not limited to C.R.S. § 30-28-111, § 30-28-113, and § 30-28-116; and
- 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 Code, for the intended zone district.

C. LOCATION

North:	PUD (Planned Unit Development)	Vacant
South:	City of Fountain	Planned Unit Development
East:	City of Fountain	Planned Unit Development
West:	RS-5000 (Residential Suburban)	Residential

D. BACKGROUND

The subject property is within the 161.8-acre South Academy Station Concept PUD. Venetucci Boulevard bisects the PUD and has been annexed into the City of Fountain along with the commercially developed properties within the eastern portion of the PUD. The requested rezoning area (16.23-acres) to RM-30 Zoning District lies in the eastern portion of the South Academy Station Concept PUD and depicts single-family attached development (9 dwelling units/acre), west of Venetucci Boulevard in unincorporated El Paso County.



If the request for a Map Amendment (Rezoning) is approved, the applicant will be required to submit a Final Plat and site development plan prior to initiating any uses on the property.

E. ZONING COMPLIANCE

The applicant is requesting approval of a Map Amendment (Rezoning) of 16.23 acres from the Concept PUD (Planned Unit Development Plan) to the RM-30 (Residential Multi-Dwelling) zoning district. The conceptual PUD established the general land use and density; no site-specific development standards were established. The RM-30 (Residential Multi-Dwelling) zoning district is intended to accommodate moderate-density multi-dwelling development. The density and dimensional standards for the proposed zoning district is as follows:

- Maximum Density: 30 dwelling units per acre
- Minimum lot size: 5,000 square feet
- Minimum width at the front setback line: 75 feet
- Setbacks: 25 feet in the front and, 15 feet on the sides and rear
- Maximum lot coverage: 60 percent
- Maximum height: 40 feet

F. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. Placetype Character: Suburban Residential

The Placetypes map in the Master Plan classifies this property and the surrounding area as "Suburban Residential", where the primary land use is single-family detached residential with multi-family residential as a supporting land use. The Suburban Residential placetype comprises the County's traditional residential neighborhoods with supporting commercial at key intersections. The Master Plan states that "this placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area."

Recommended Land Uses:

Primary

- *Single-family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre*



Supporting

- *Single-family Attached*
- *Multifamily Residential*
- *Parks/Open Space*
- *Commercial Retail*
- *Commercial Service*
- *Institutional*

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 multifamily housing or commercial development of a larger scale in line with a commercial center.

c. Key Area Influences: Military Installations

The Key Areas Map shows this property between the Fort Carson Military Installations and 2-Mile Notification Zone and the Colorado Spring Airport/Peterson Space Force Base. Key areas have their own unique identities and distinct characteristics. The Military Installations key area related to Fort Carson focuses the pursuit of conservation and compatible land use buffering efforts; and creating fire mitigation plans to reduce the potential for wildfire impacts in neighborhoods adjacent to installations and training areas.

The Military Installations key area for Colorado Springs Airport/Peterson Space Force Base focuses on coordinating land use development applications located between Peterson AFB and Schriever AFB to limit radio frequency spectrum impacts; managing encroachment issues from nearby development; and pursuit of conservation partnering opportunities for compatible land use buffering under flight training and other critical areas. Development of the property for apartments will provide another housing option for military and civilian personnel that work on the base. The development site is buffered from Fort Carson by existing and developing adjacent



commercial properties as well as the Colorado State College Centennial campus, located on the south side of South Academy Boulevard.

d. Analysis:

The Suburban Residential Placetype offers an opportunity for El Paso County to redefine its growth areas through highly desirable, connected, and complete neighborhoods with a mix of housing products and density. The proposed Rezoning is a supporting land use within the Suburban Residential Placetype. The request for multi-dwelling residential provides a transition between the established commercial development to the east and the single-family residential development to the west. Relevant specific strategies include:

Objective M1-1: *Continue to include military installation representatives in regional planning efforts such as transportation plans, master plans, and facilities planning to ensure compatibility among future desired development and military operations.*

Housing and Communities Objective HC4-1: *Denser housing development should occur in Suburban Residential, Urban Residential, Rural Center, and Regional Center placetypes.*

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.*



Goal 4.1 – *Develop an understanding of the differences in water supply sources, and any water quality issues within the County.*

Goal 4.5 – *Plan for water resources in a thoughtful way that recognizes the nonrenewable nature of water resources in the area, accommodates existing and historical uses, and allows for sustainable, planned growth.*

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 7 of the Plan, which is an area anticipated to experience growth by 2040.

The following information pertains to water demands and supplies in Region 7 for central water providers:

Region 7 has a current water supply of 15,376-acre feet per year and a current demand of 10,141-acre feet per year. The 2040 water supply is projected to be 25,241-acre feet per year and the projected demand is 15,846-acre feet. The 2060 water supply is projected to be 27,840-acre feet per year, whereas the demand is anticipated to be 26,959-acre feet per year; therefore, there is projected to be a surplus supply of water for central water providers in this region of the County.

A finding of water sufficiency is not required with a Map Amendment. Water sufficiency shall be provided with subsequent subdivision applications.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential on the south portion of the property where the development will take place. El Paso County Parks & Community Services Department, Environmental Division was sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies valley fill 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

No hazards have been identified.



2. Floodplain

The FEMA Flood Insurance Rate Map (FIRM) panel number: 08041C0743G, effective December 7, 2018, indicates that a section in the northern portion of the property is situated within FEMA Zone AE, which signifies an area within the 100-year floodplain. However, no developable portion of the property falls within this floodplain area.

3. Drainage and Erosion

The parcel is located within the Fishers Canyon drainage basin (FOFO3600), which falls under the El Paso County Drainage Basin Fee program. However, drainage and bridge fees are not assessed during Rezoning requests. Prior to future development, the project will require a drainage report, grading, and erosion control plan as part of the associated subdivision and/or site development application.

Fisher's Canyon drainageway is located at the north end of the property. The property owner will be required to implement channel and bank stabilization improvements in conjunction with future development of the subject property.

4. Transportation

Primary access to the property is from the existing intersection of Venetucci Boulevard and Sam's Heights, and a proposed full movement access at the existing roundabout located approximately 600 feet north of Sam's Heights. Venetucci Boulevard is owned and maintained by the City of Fountain.

Per the Traffic Impact Study, the project, consisting of approximately 336 apartments, is expected to generate around 2,230 daily trips. The proposed development and expected traffic volumes will result in additional offsite improvements which will be designed with subsequent development applications.

El Paso County Road Impact Fees, per Resolution 19-471, will apply upon final land use approval. Driveway access permits are required for the new access point on Venetucci Boulevard. A CDOT Access Permit is also necessary due to the development's proximity and impact on State Highway Infrastructure.

H. SERVICES

1. Water

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



2. Sanitation

Wastewater is provided by Stratmoor Hills Sanitation District.

3. Fire and Emergency Services

The property is within the Stratmoor Hills Fire Department

4. Utilities

Colorado Springs Utilities (CSU) provides natural gas and electric services to the property. CSU was sent a referral for the project and does not have any outstanding comments.

5. Metropolitan Districts

The property is not within a 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

There are no 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.
3. An updated Traffic Impact Study addressing comments from Colorado Department of Transportation (CDOT) comment letter dated June 26, 2024, and City of Fountain comment letter dated June 26, 2024, shall be submitted at the time of Final Plat.
4. A Development Agreement in accordance with the terms described in the comment letter dated June 26, 2024, shall be satisfied at the time of Final Plat.

NOTATIONS

1. If a zone or Rezoning 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 82 property owners on July 3, 2024, and July 17, 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

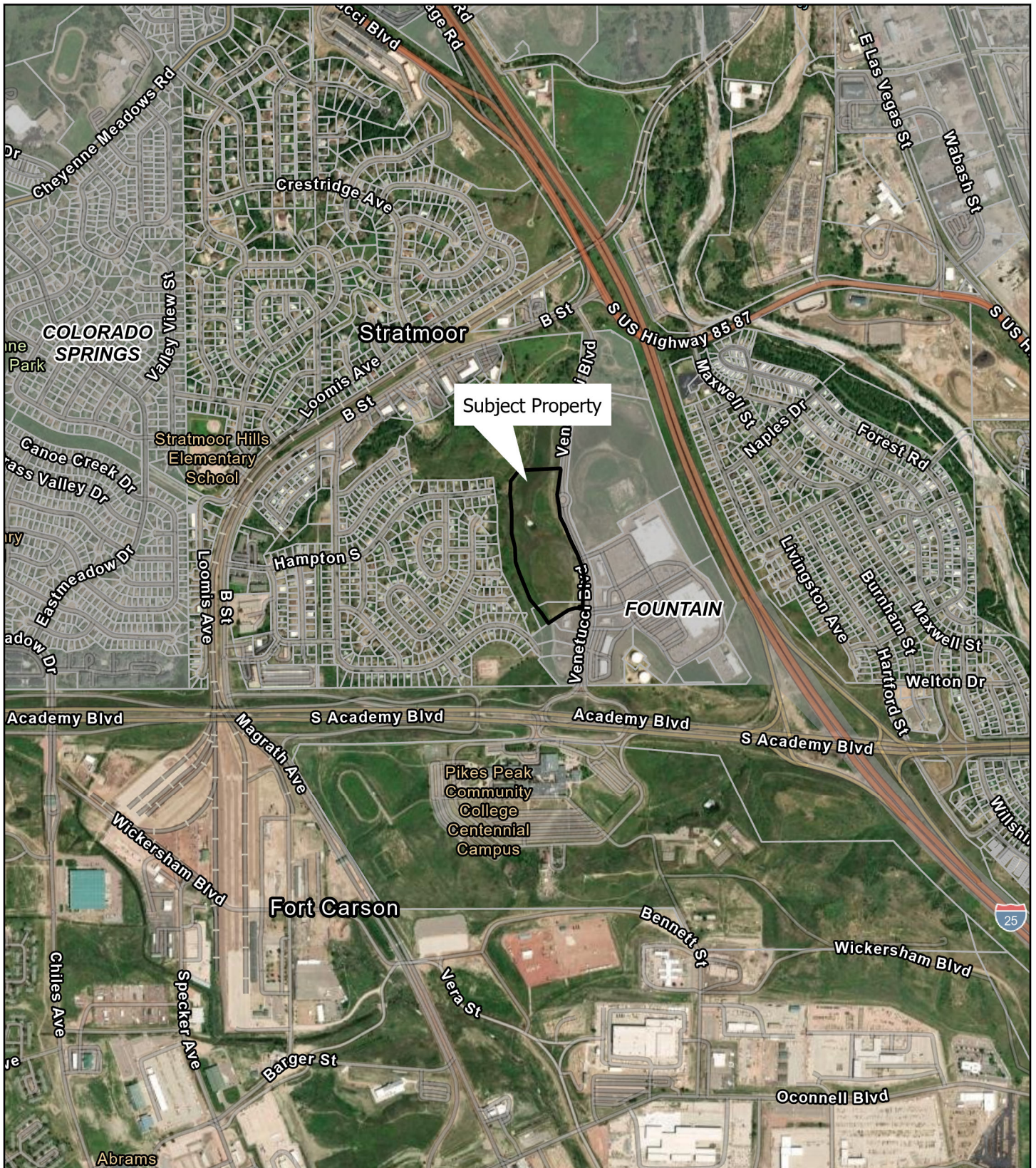
Draft Resolution

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
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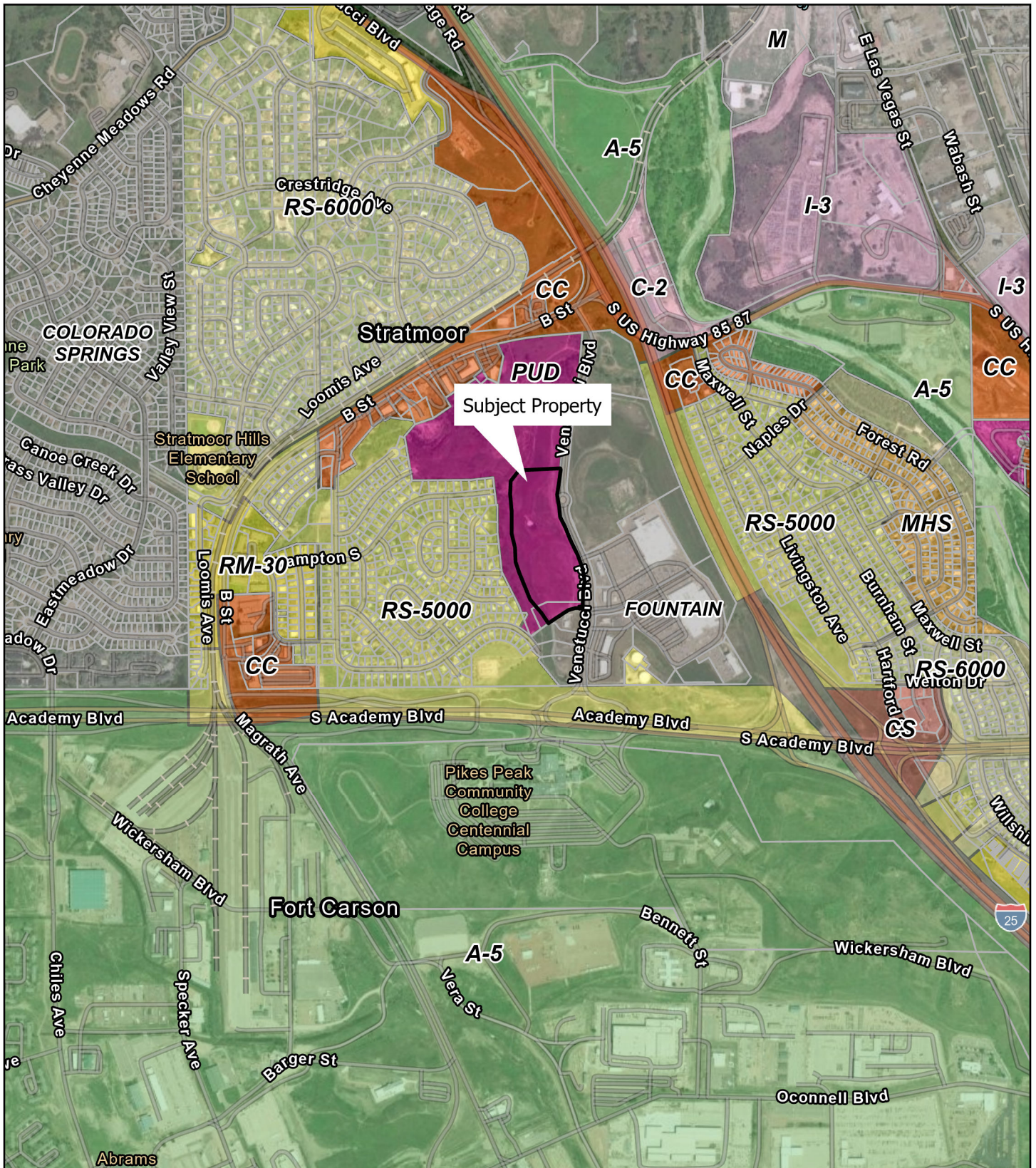
Aerial Map



0 0.10.1 0.2 Miles

File No. P247

Map Series No. 1



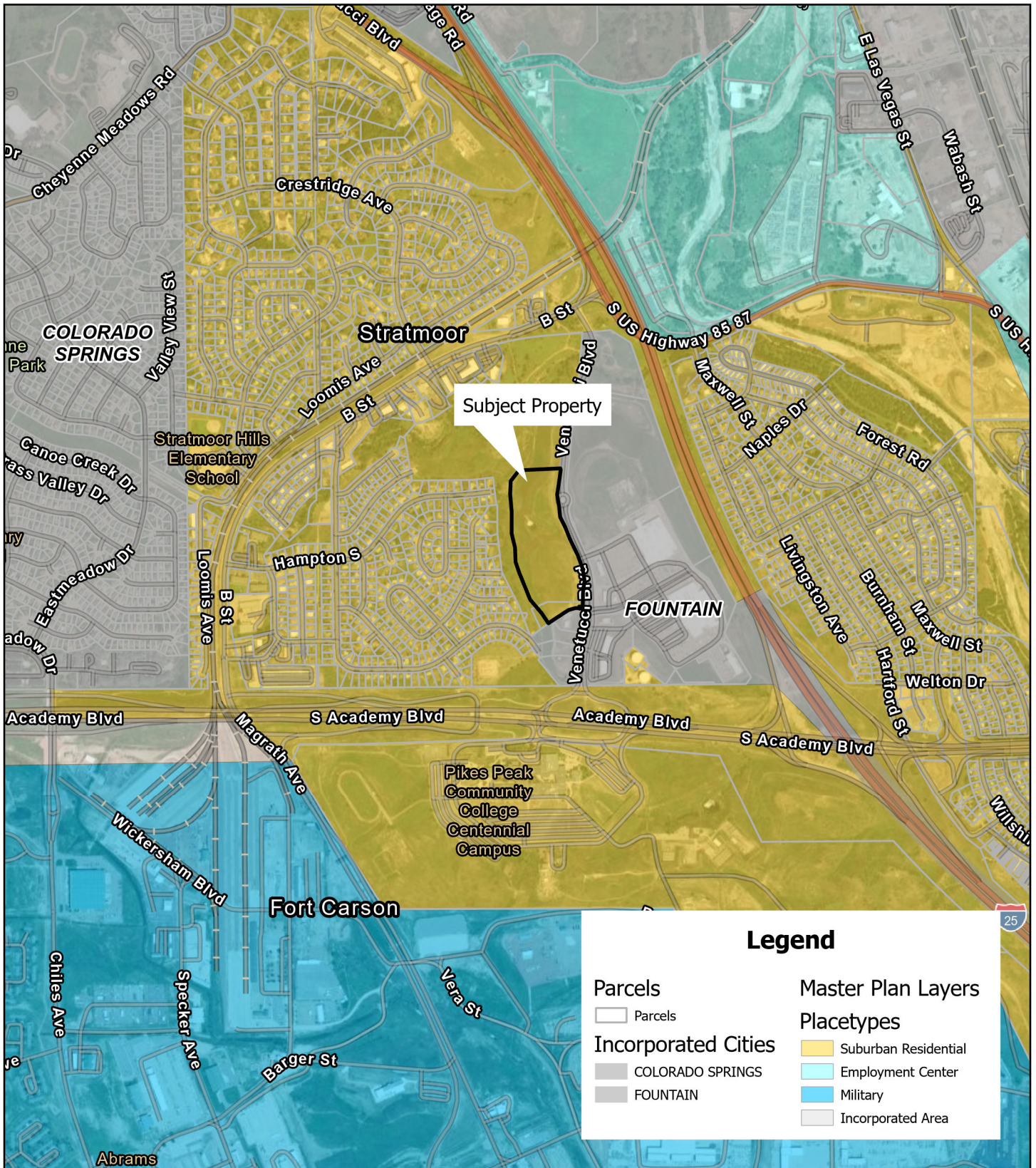
Zoning Map



0 0.10.1 0.2 Miles

File No. P247

Map Series No. 2

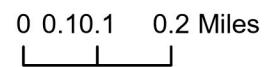


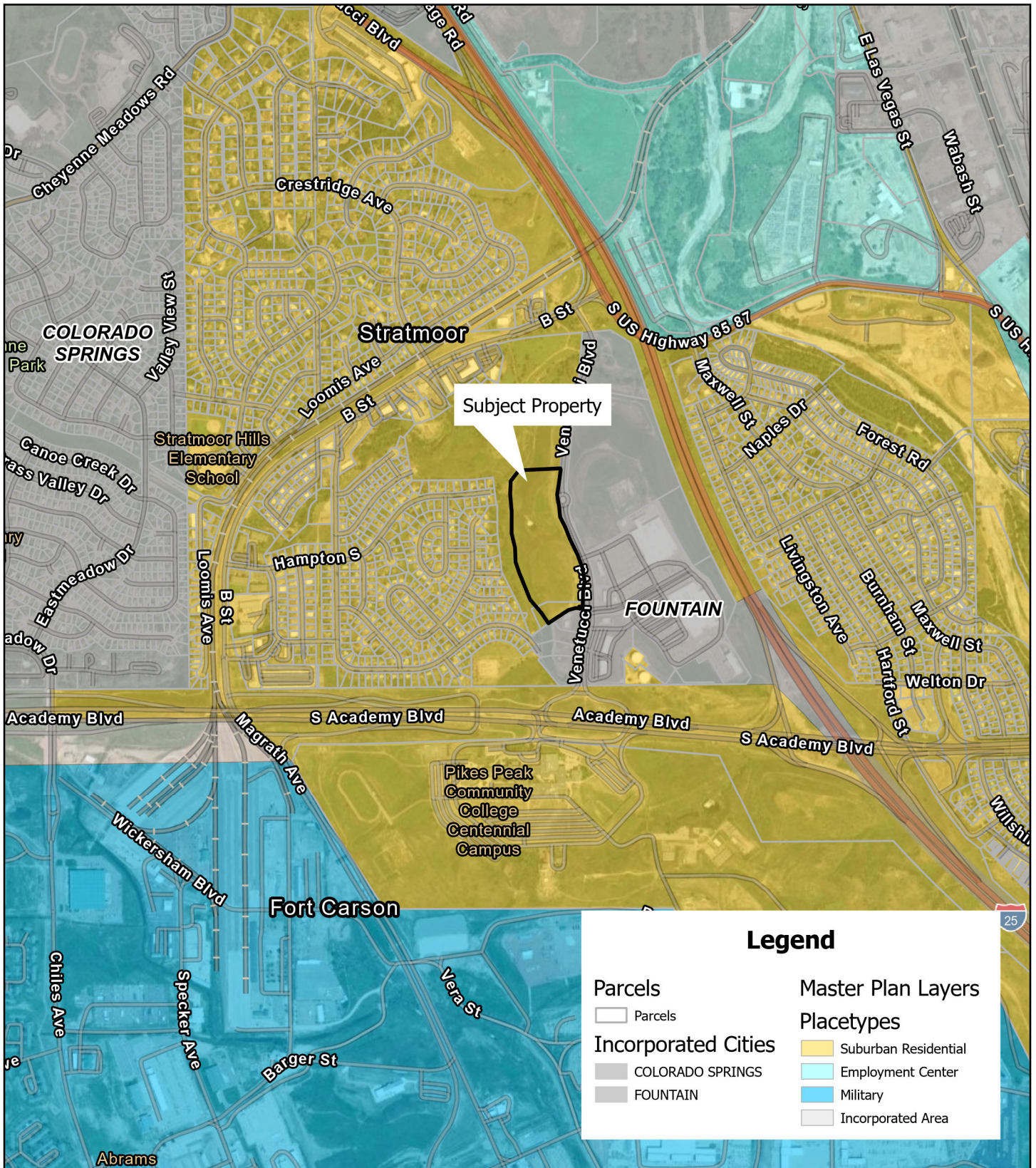
Placetype Map



File No. P247

Map Series No. 3



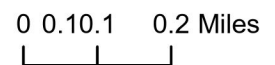


Area of Change Map

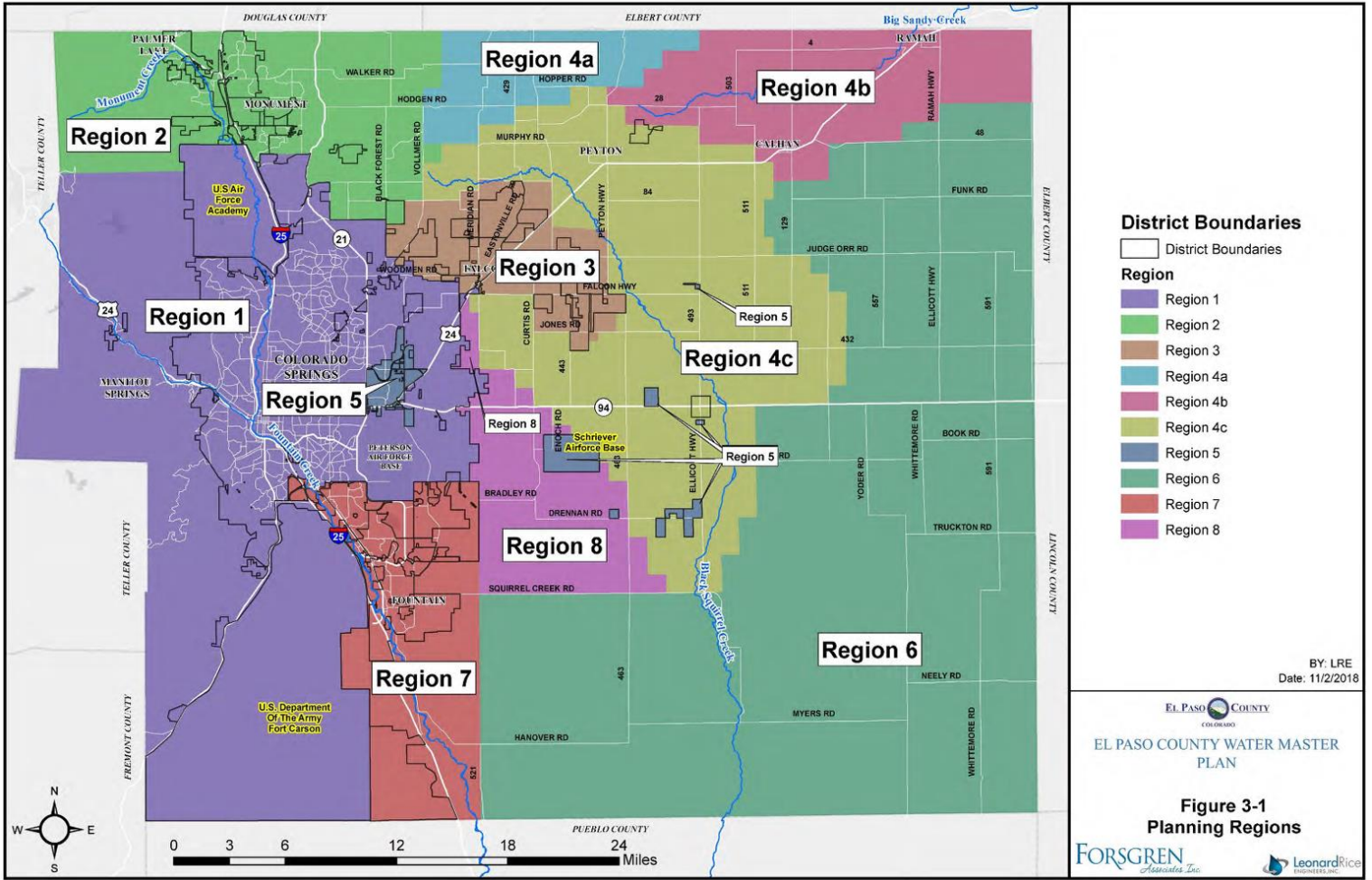


File No. P247

Map Series No. 4



Water Master Plan



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National Flood Hazard Layer FIRMette



104°47'31"W, 38°46'34"N



FEMA Flood Insurance Rate Map

0 250 500 1,000 1,500 2,000 Feet 1:6,000

Basemap Imagery Source: USGS National Map 2023

Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LANDU1T

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (SFE) Zone A, V, A99 With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
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OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile, Zone X Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee, See Notes, Zone X Area with Flood Risk due to Levee, Zone D
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OTHER AREAS	No Screen Area of Minimal Flood Hazard, Zone X Effective LOMRs Area of Undetermined Flood Hazard, Zone D
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall

FEATURES	202 Cross Sections with 1% Annual Chance Water Surface Elevation 17.5 Coastal Tract Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Tract Baseline Profile Baseline Hydrographic Feature
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MAP PANELS	Digital Data Available No Digital Data Available Unmapped
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The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards. The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/28/2024 at 2:51 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time. This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

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COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

THOMPSON THRIFT RESIDENTIAL VENETUCCI APARTMENTS ZONE CHANGE

LETTER OF INTENT

MAY 2024, JULY 2024

OWNER:

CS 2005 INVESTMENTS LLC
10801 W CHARLESTON BLVD, SUITE 170
LAS VEGAS, NV 89135
(303) 503-1016
[CHAD ELLINGTON \(CHAD@PEAKDEVGRP.COM\)](mailto:CHAD@PEAKDEVGRP.COM)

APPLICANT:

THOMPSON THRIFT RESIDENTIAL
111 MONUMENT CIRCLE, SUITE 1500
INDIANAPOLIS, IN 46204
463.237.3261
ddungu@thompsonthrift.com

CONSULTANT :

N.E.S. INC.
KIMBERLY JOHNSON
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
719.471.0073
KJOHNSON@NESCOLORADO.COM

SITE DETAILS:

TSN: 6504300049

ADDRESS: VENETUCCI BLVD

ACREAGE: 16.229

CURRENT ZONING: PUD

CURRENT USE: VACANT

REQUEST

N.E.S. Inc. and Thompson Thrift Residential, on behalf of CS 2005 Investments LLC, request approval of a Rezone from PUD to RM-30 for a 16.229-acre property to allow multi-family residential development.

LOCATION

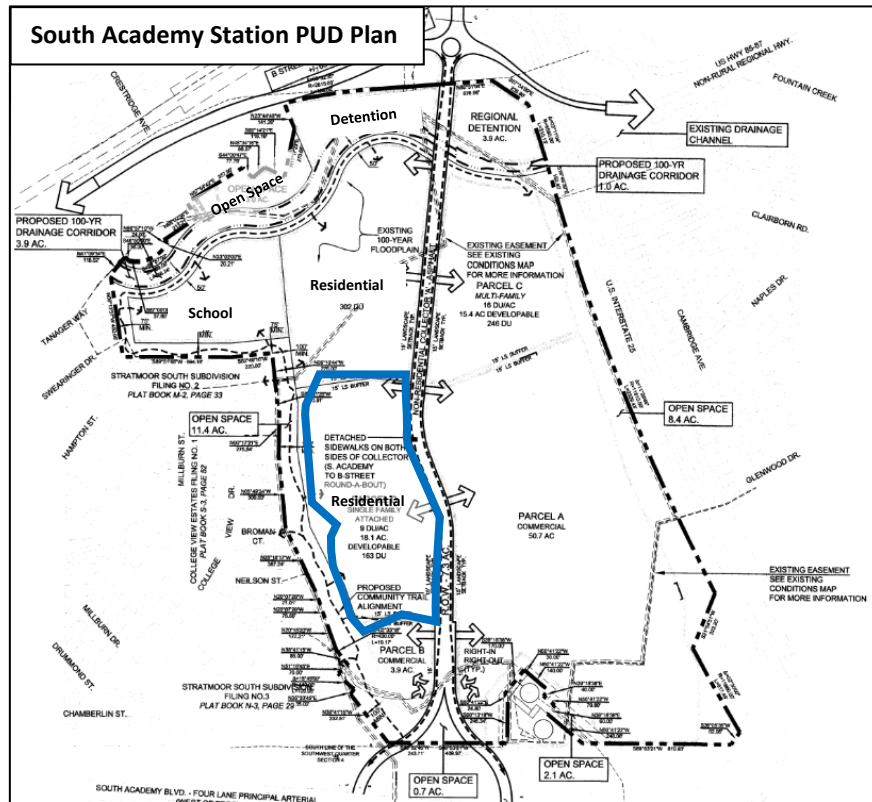
The 16.229-acre project site is located north of S. Academy Blvd, and west of Venetucci Blvd., in southwest El Paso County. The site is surrounded by residential development to the west, vacant undevelopable land to the north, vacant residential land and developed commercial land within the City of Fountain to the east and developed commercial land within the City of Fountain to the south.



PROJECT DESCRIPTION & CONTEXT

The site is currently undeveloped with no services, facilities, or structures. The property was zoned PUD, Planned Unit Development (South Academy Station) in 2008, which was amended in 2012 as currently zoned. The South Academy Station PUD is comprised of 162 acres of land on both sides of Venetucci Blvd, north of S. Academy Boulevard, South of B Street and west of I-25. The portion of the PUD west of Venetucci Blvd encompasses the subject property. The portion of the PUD east of Venetucci Blvd, and south of the subject site, has been annexed into the City of Fountain. The

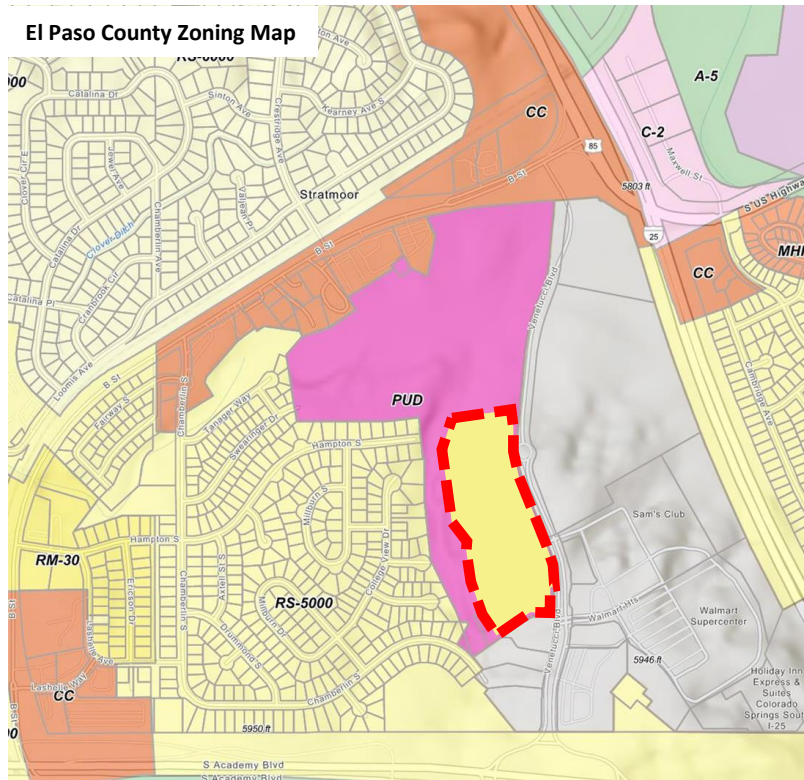
remaining portion of the PUD within El Paso County's jurisdiction, which includes the subject property, allows 465 residential units on 37 acres, public-school development on 8.1 acres, open space on 3 acres, and regional detention on 5 acres. Due to a large drainage complex (Clover Ditch), the area designated for school and residential development in the north portion of the PUD is undevelopable. Therefore, this proposed residential development will be the only additional development in this portion of the PUD.



A rezone of the property to RM-30 is requested to facilitate development of the property for a multi-family community, which is a permitted use in the RM-30 zone, up to a density of 30 DU/AC. Rezoning to RM-30 will allow the residential development planned in the west portion of the South Academy Station PUD to be developed on this 16.229-acre parcel, as opposed to being spread out over 37 acres, much of which is not appropriate for development. Further, with this rezoning, the number of units will be decreased from the allowable 465 units to approximately 336 units. The property will be developed on a single parcel and all zoning standards related to RM-30 zoning will be met.

Accessory uses and structures related to on-site parking and private recreation facilities (which may include clubhouse, pool, open space, and play area) may also be developed on the site, and are permissible accessory uses. There are no specific development standards for the principal or accessory uses proposed on the property. A storm water pond will also be constructed on the property, likely in the north portion of the site as determined by topography.

The proposed rezone to RM-30 is compatible with surrounding zoning. Land adjacent to the west of the property is developed residential land zoned RS-5000 (Residential Suburban); to the north is vacant low land zoned PUD (South Academy Station); and to the west and south is developed and undeveloped land in the City of Fountain zoned PUD (Planned Unit Development). RM-30 zoning is an appropriate zoning transition between the existing single-family residential development to the west and the existing commercial development to the south, east, and north beyond the PUD.



ACCESS AND CIRCULATION

Area access to the development will be provided by Interstate 25, US-85, and Academy Blvd. Primary access is provided by Venetucci Blvd, with direct access provided by one full movement access in alignment with Sams Heights and one at the existing round-about at the north end of the sight. There will be no connectivity or access to adjacent properties to the north, west or south.

A Traffic Impact Study is included with this submittal and provides recommendations for improvements to existing surrounding streets that will support this development. The proposed development of approximately 336 apartments will generate approximately 2,230 daily trips. The site will generate 128 morning peak hour trips and 166 afternoon peak hour trips. The Study found that the development will be successfully incorporated into the existing and future roadway network, and makes the following conclusions and recommendations (Ref. attached Study for details):

- The intersection of B Street and US-85 currently operates acceptably with level of service (LOS) B during the morning peak hour and LOS C during the afternoon peak hour; however, long vehicle queues are currently being experienced within the eastbound left turn lane

during the afternoon peak hour. To alleviate these long eastbound left turn vehicle queues, eastbound dual left turn lanes could be considered at this intersection. Therefore, the intersection of B Street and US-85 was evaluated with implementation of eastbound dual left turn lanes under existing signal control in this study. Vehicles queues are expected to be mitigated with eastbound dual left turn lanes at the B Street and US-85 intersection while this intersection is expected to operate with LOS C during the peak hour in 2045 under signal control. It should be noted that project traffic is expected to contribute approximately 3.9 percent of the eastbound left turn movements at this intersection in 2025.

- An eastbound right turn lane is warranted at the B Street and Venetucci Boulevard intersection based on El Paso County standards and existing traffic volumes. To meet El Paso County standards, this right turn lane should provide a length of 305 feet with a 160-foot taper. Of note, this eastbound right turn lane is warranted based on existing traffic volumes while project traffic is expected to contribute to approximately 4.1 percent of the eastbound right turn movements at this intersection in 2025.
- With project construction, a private access west leg will be constructed at the Walmart North Access and Venetucci Boulevard intersection (#3) to provide access to the project. It is recommended that this west leg be designated with a separate left turn lane and a shared through/right turn lane. Additionally, a northbound left turn lane is currently striped out for future use at this proposed project access. This northbound left turn lane should be designated to a maximum possible length of 150 feet plus a 140-foot shared taper.
- With completion of the Venetucci Thompson Thrift project, a second access will be provided by a proposed north full movement access along the west side of Venetucci Boulevard to be incorporated into the existing roundabout (#7). The proposed north access along the west side of Venetucci Boulevard to align with the existing roundabout (#7) is recommended to have one lane and yield control for all three approaches.
- Any on-site or off-site improvements should be incorporated into the Civil Drawings and conform to standards of El Paso County, CDOT, and the Manual on Uniform Traffic Control Devices (MUTCD) – 2009 Edition.

ROAD IMPACT FEE

Per the Road Impact Fee ordinance, all property in unincorporated El Paso County that receives a land use approval, either in a public hearing or administratively, is subject to the payment of Road Impact Fees. The applicant has not yet determined if they intend to request inclusion into a public improvement district (5 mill or 10 mill) or pay the full fee. This decision will be made in conjunction with the Final Plat and Site Development Plan submittal.

UTILITIES

The proposed residential lot will be served by central water and sewer supply systems provided by Stratmoor Hills Water District and the Stratmoor Hills Sanitation District. A stormwater quality/detention pond is planned in the northeast corner of the site. Electric and gas service will be provided by Colorado Springs Utilities.

FLOODPLAIN AND WETLANDS

There are no wetlands within the project boundaries, and there are no waterbodies which would create floodplains on the property. There is a large drainage complex (Clover Ditch) north of the subject property, which creates floodplain and wetlands. This area is not part of the development; however, the property owner will make channel and bank stabilization improvements in conjunction with development of the subject property.

WILDLIFE

According to the Impact Identification study conducted with the South Academy Station PUD Sketch Plan (2012), which includes the subject property, “the U.S. Fish and Wildlife Service reviewed information pertinent to the property and concluded that development of the PUD area should not have direct adverse effects to the Preble’s Jumping Mouse or the species habitat”.

Community Outreach

A neighborhood meeting is not required for this proposed Rezone. Thompson Thrift, however, opted to host a voluntary neighborhood meeting that was held on February 13, 2024, with approximately 10 people in attendance. A copy of the sign-in sheet and meeting minutes are submitted with this application. Comments and concerns will be considered and addressed during site planning to the extent possible.

DEVELOPMENT TIMELINE

The development is intended to be developed as one phase over the course of two years.

ANNEXATION

The Cities of Colorado Springs and Fountain Hills have not expressed interest in annexation of this property.

PROJECT JUSTIFICATION

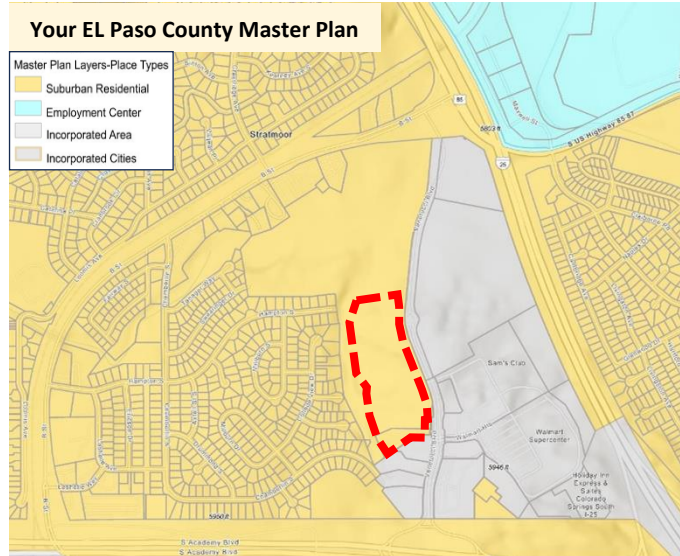
The criteria for assessing Map Amendments (Rezoning) are set out in Chapter 5.3.5.B of the El Paso County Land Development Code. The requested rezoning from PUD to RM-30 is justified against these criteria as follows:

- 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;**

A. Your El Paso County Master Plan

The Master Plan for El Paso County was effective on October 6, 2021. The proposed rezone from PUD to RM-30 is consistent with the Master Plan.

The Placetypes map in the Master Plan classifies this property and the surrounding area as “Suburban Residential”, where the primary land use is single-family detached residential with multi-family residential as a supporting land use. The Suburban Residential placetype comprises the County’s traditional residential neighborhoods with supporting commercial at key intersections. The Master Plan states that “this placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area”. This development meets the spirit and intent of the Suburban Residential placetype as it is a small multi-family development surrounded by a larger single-family detached and commercial development, and is secondary to, and supporting of such land uses. The property also serves as a buffer and transition from I-25 and commercial development to the lower density neighborhoods. Characteristics of the Suburban Residential placetype include the following:



- *Residential blocks are fully developed and well maintained with higher density uses adjacent to urban residential placetypes.* This site is adjacent to urban placetypes, such as Wal-Mart, Sam’s Club, and other commercial developments in the City of Fountain, as well as smaller lot residential.
- *Properties are generally connected through a network of sidewalks often on both sides of the street.* The development is adjacent to Venetucci Blvd, which has a sidewalk on both sides, and provides connections to commercial uses in the area. The residential development to the west has a network of sidewalks, however, due to existing topography, they will not connect to the subject property directly. There is an informal trail between the subject property and the adjacent neighborhood to the west.
- *Connectivity to trails, hiking paths, and bike lanes provide access to parks, open space, different neighborhoods, jobs, services, and transit if available.* The property has great connectivity to parks, open spaces, surrounding neighborhood, jobs, services and transit. There is a 10-foot’ wide trail along the west side of Venetucci Blvd adjacent to the property and a sidewalk on the east side of Venetucci Blvd between the two proposed access points to the property. The trail along Venetucci Blvd connects to a trail system that crosses under S. Academby Blvd and runs along the south side of S Academy Blvd. There is also an informal trail that runs along the west side of the subject property adjacent to the single-

family residential neighborhood that ties to the open space areas around the Clover Ditch. This open space area is immediately north of the development property and will remain as open space due to natural features and the Clover Ditch.

There are bus routes on both Venetucci Blvd and S. Academy Blvd; and the Pikes Peak State College Centennial Bus Transfer Center is located on the campus on the south side of Academy Blvd. There are no bike facilities in this area.

- *Neighborhood scale parks and open space are distributed throughout the residential development and support community gathering and recreation.* The development will have on-site amenities for tenants. Immediately to the north of the development area is a large open space area with informal trails, and natural features that deem the property undevelopable. This area is accessible to the development and will remain as open space. The closest neighborhood park is Stratmoor Park, located just under a mile northwest of the property, and Cheyenne Meadows Park is further to the west at just under 2 miles from the property. Stratmore Hills Elementary School has a playground and is located approximately 1.5 miles from the property.

The Areas of Change section of the Master Plan show the property as being in Transition. These areas are fully developed parts of the County that may completely or significantly change in character. Development/Redevelopment is expected to be intense enough to transition the area to a new type of development.

The Key Areas Map shows this property between the Fort Carson Military Installations and 2-Mile Notification Zone and the Colorado Spring Airport/Peterson Space Force Base. Key areas have their own unique identities and distinct characteristics. The Military Installations key area related to Fort Carson focuses the pursuit of conservation and compatible land use buffering efforts; and creating fire mitigation plans to reduce the potential for wildfire impacts in neighborhoods adjacent to installations and training areas. The Military Installations key area for Colorado Springs Airport/Peterson Space Force Base focuses on coordinating land use development applications located between Peterson AFB and Schriever AFB to limit radio frequency spectrum impacts; managing encroachment issues from nearby development; and pursuit of conservation partnering opportunities for compatible land use buffering under flight training and other critical areas. Development of the property for apartments will provide another housing option for military and civilian personnel that work on the base. The development site is buffered from Fort Carson by existing and developing adjacent commercial properties as well as the Colorado State College Centennial campus, located on the south side of S. Academy Blvd.

The Housing and Communities chapter of the Master Plan identifies its core principle to “preserve and develop neighborhoods with a mix of housing types”, and that “Housing variety provides multiple options to support residents regardless of income, household size, and age.

Providing an equitable mix of housing can ensure the viability of El Paso County as a home for all.” This chapter also indicates a shift toward renting, projecting that by 2050, 41% of housing units will be rental, and that multi-family housing will make up the majority of rental units. The plan recognizes that “Existing multifamily units provide rental housing options, but the County will need significantly more throughout the life of this Plan to capture projected growth within the region” and that “it is important that a mix of housing types be developed to provide options that support market demand and ensure affordability.” The plan goes on to say the “The County should increase density in key areas to reduce the land cost per unit for development. The primary focus should be in Urban Residential and Suburban Residential placetypes, which are appropriate for accommodating significant density that still conforms to the community’s desired character.”

The Transportation and Mobility Chapter of the Master Plan does not identify any road capacity improvements in the area of the development. Resurfacing of Academy Blvd west of this area is identified and currently on-going. The Traffic Impact Study for this project identifies recommended development related improvements as noted above.

The Public Facilities chapter of the Master Plan shows a County Fire Facility on the east side of Venetucci Blvd north of the development site, a State and Federal Fire facility south of Academy Blvd and the development area, and a public school in the north portion of the PUD adjacent to the development site, where the land has been determined to be undevelopable.

B. Water Master Plan

The subject property lies within the El Paso County Water Master Planning area, Region 7, within the Stratmoor Hills Water District. This area is not identified as an expected growth area, likely due to its proximity to the City of Fountain Municipal Boundary.

Region 7 has a current water supply of 15,376-acre feet per year and a current demand of 10,141-acre feet per year. The 2040 water supply is projected to be 25,241-acre feet per year and the projected demand is 15,846-acre feet. The 2060 water supply is projected to be 27,840-acre feet per year, whereas the demand is anticipated to be 26,959-acre feet per year; therefore, there is projected to be a surplus supply of water for central water providers in this region of the County.

A finding of water sufficiency regarding quantity, dependability, and quality is not being requested, nor is it required, with the proposed rezoning, but would occur later at the Final Plat and Site Development Plan stage of development. The applicant is proposing the subject development be served by the Stratmoor Hills Water District.

- **Policy 5.2.4:** *Encourage the locating of new development where it can take advantage of existing or proposed water supply projects that would allow shared infrastructure costs. The proposed subdivision is located within the service area of the Stratmoor Hills Water District.*

Water and Sewer service will be provided by extending water and sewer lines from adjacent developed areas to the west. A Will Serve Letter will be provided with later development review requests.

- **Policy 5.5.1:** *Discourage individual wells for new subdivisions with 2.5 acre or smaller average lot sizes, especially in the near-surface aquifers, when there is a reasonable opportunity to connect to an existing central system, alternatively, or construct a new central water supply system when economies of scale to do so can be achieved.* This site will be developed using a central public water supply.

C. Parks Master Plan

There are no new parks shown in the area of the development site. site lies south of the existing Stratmoor Hills Park, however there is developed residential land between the and the subject property. The Trails Master Plan identifies a proposed Secondary Regional Trail in the development area that follows the creek.

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;

As the proposed rezoning is consistent with the County Master Plan and is compatible with adjacent land uses and the approved PUD Plan for the property, it therefore complies with the statutory provisions that allow County's to establish, limit, regulate, or amend zoning within the unincorporated parts of El Paso County in the interests of public health, safety and welfare.

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

As noted above, the proposed RM-30 zoning is compatible with adjacent PUD and RS-6000 zoning and land uses, as it will be subordinate to the surrounding single-family residential uses and acts as a transition between the single-family neighborhood to the west and the existing and developing commercial areas to the north, south and east. The proposed rezone to allow multi-family uses is consistent with the approved Academy Station PUD Plan, which shows residential development in this area.

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.

It is proposed to develop the single parcel as one lot with multi-family apartments, which is a permitted use in the RM-30 zone. The property is adequate to accommodate the RM-30 zone required setbacks of 25-foot front and 15-foot side and rear, maximum lot coverage of 60%, as well as landscape setbacks and open space requirements. The likely three-level buildings will fit within the maximum allowed height of 40 feet. Based on the requirement of 5,000 square feet minimum lot area for the first 3 units, and 1,000 square feet of additional lot area for each additional unit, the

parcel acreage would allow for 512 units at 30 DU/AC, which is significantly more than the approximately 336 units proposed.

p:\thompson thirft\venetucci boulevard\admin\submittals\rezone\1st
submittal\venetucci_letter_of_intent_1st_submittal.docx

ZONING MAP THOMPSON THRIFT - VENETUCCI

COMMENCING AT THE NORTHWESTERLY CORNER OF SOUTH ACADEMY HIGHLANDS FILING NO. 4 RECORDED UNDER RECEPTION NO. 222714970, EL PASO COUNTY, COLORADO

LEGAL DESCRIPTION

A PARCEL OF LAND BEING A PORTION OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, RECORDS OF EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

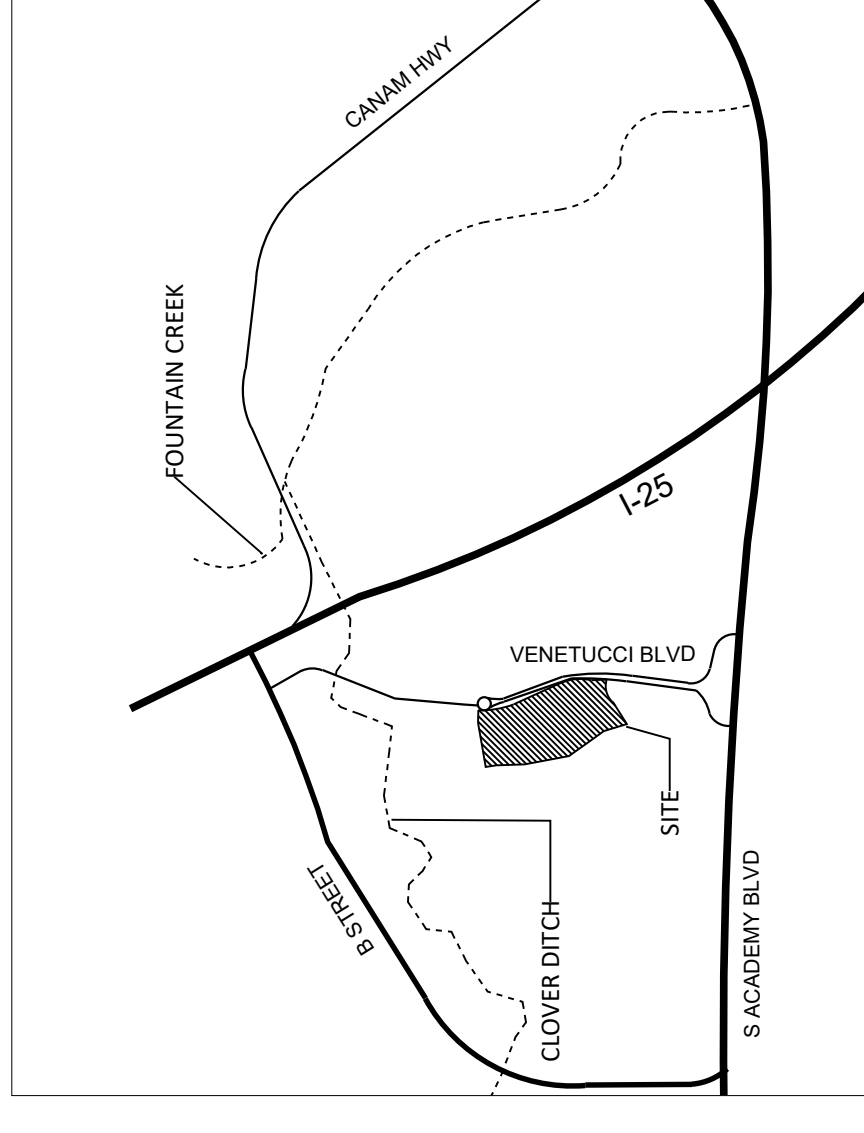
COMMENCING AT THE NORTHWESTERLY CORNER OF SOUTH ACADEMY HIGHLANDS FILING NO. 4 RECORDED UNDER RECEPTION NO. 222714970, EL PASO COUNTY, COLORADO; THENCE N 53° 59' 29" E, ALONG THE NORTHERLY LINE OF OF SAID SOUTH ACADEMY HIGHLANDS FILING NO. 4 (BASIS OF BEARING), A DISTANCE OF 226.24 FEET TO THE POINT OF BEGINNING;

- THENCE N 36° 03' 36" W, A DISTANCE OF 155.65 FEET;
- THENCE N 21° 58' 47" W, A DISTANCE OF 272.69 FEET;
- THENCE N 02° 32' 04" W, A DISTANCE OF 127.26 FEET;
- THENCE N 21° 58' 47" W, A DISTANCE OF 284.59 FEET;
- THENCE N 08° 14' 28" W, A DISTANCE OF 450.13 FEET;
- THENCE N 18° 57' 10" E, A DISTANCE OF 224.76 FEET;
- THENCE N 68° 01' 13" E, A DISTANCE OF 452.68 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF VENETUCCI BOULEVARD;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID VENETUCCI BOULEVARD, THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

- 1) THENCE S 05° 08' 43" W, A DISTANCE OF 273.53 FEET TO A POINT OF CURVATURE;
 - 2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 605.23 FEET, A CENTRAL ANGLE OF 27° 13' 21", AND AN ARC LENGTH OF 287.56 FEET; THE CHORD OF WHICH BEARS S 08° 29' 34" E, A DISTANCE OF 284.86 FEET;
 - 3) THENCE S 22° 05' 07" E, A DISTANCE OF 501.69 FEET TO A POINT OF CURVATURE;
 - 4) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 559.98 FEET, A CENTRAL ANGLE OF 21° 34' 55", AND AN ARC LENGTH OF 210.93 FEET; THE CHORD OF WHICH BEARS S 11° 17' 40" E, A DISTANCE OF 209.68 FEET;
 - 5) THENCE S 00° 30' 13" E, A DISTANCE OF 51.77 FEET;
 - 6) THENCE S 89° 29' 47" W, A DISTANCE OF 17.00 FEET;
 - 7) THENCE S 00° 30' 13" E, A DISTANCE OF 162.77 FEET TO A POINT ON THE NORTH LINE OF LOT 1, SAID SOUTH ACADEMY HIGHLANDS FILING NO. 4;
- THENCE ALONG THE NORTH LINES OF SAID LOT 1, THE FOLLOWING THREE (3) COURSES AND DISTANCES:
- 1) THENCE S 89° 29' 47" W, A DISTANCE OF 62.19 FEET TO A POINT OF CURVATURE;
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 - 3) THENCE S 53° 59' 29" W, A DISTANCE OF 190.95 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 706,949 SQUARE FEET OR 16.229 ACRES, MORE OR LESS.

VICINITY MAP



SITE DATA

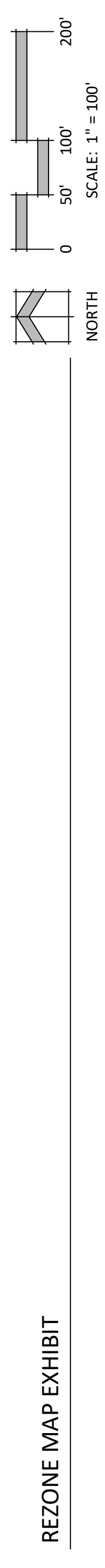
Tax ID Number: 6504300049
 Total Area: 15.426 AC
 Concept Zoning: PUD
 Proposed Zoning: RM-30
 Current Use: Vacant
 Sketch Plan: South Academy Station

PROJECT TEAM

OWNER: CS 2005 INVESTMENT LLC
 10801 W CHARLESTON BLVD, SUITE 170
 LAS VEGAS, NV 89135

APPLICANT: THOMPSON THRIFT RESIDENTIAL
 111 MONUMENT CIRCLE, SUITE 1500
 INDIANAPOLIS, IN 46204

CONSULTANT: N.E.S. INC.
 619 N. CASCADE AVE, SUITE 200
 COLORADO SPRINGS, CO 80903



REZONE MAP EXHIBIT



N.E.S. Inc.
 619 N. Cascade Avenue, Suite 200
 Colorado Springs, CO 80903
 Tel: 719-471-0073
 Fax: 719-471-0267
 www.nescolorado.com
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PLANNER / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH

THOMPSON
 THRIFT
 VENETUCCI
 ZONING MAP

VENETUCCI BLVD.

PROJECT INFO
 DATE: 05.01.24
 PROJECT MGR: K. JOHNSON
 PREPARED BY: T. KNAB

STAMP

ISSUE INFO

DATE:	BY:	DESCRIPTION:

ISSUE / REVISION

REZONE MAP

SHEET TITLE

SHEET NUMBER

1 OF 1

PLAN FILE #

Miranda Benson

From: Jennifer Buckley <jbbuckley74@gmail.com>
Sent: Thursday, August 1, 2024 1:31 PM
To: PCD Hearings
Cc: James P; Alex Donaghy
Subject: Re: 8.1.23 Comments for PCD on 3.F. MULTI-FAMILY DEVELOPMENT FISHERS CANYON - THOMPSON THRIFT VENETUCCI

Follow Up Flag: Follow up
Flag Status: Flagged

You don't often get email from jbbuckley74@gmail.com. [Learn why this is important](#)

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Miranda,

Thank you for reaching out today, re: my meeting comments for the Planning Commission on August 1st's Agenda Item **3.F. MULTI-FAMILY DEVELOPMENT FISHERS CANYON - THOMPSON THRIFT VENETUCCI.**

As I told the Planning Commission on audio and you on the phone later today, I was desperately trying to get comments on the record before this project vote during today's meeting by following the live "X" (Twitter) video feed and posting comments that I was waiting to speak on this matter. Thank you for letting me know how to participate in the future; however, it is very difficult for working folks, like me, to participate when meetings occur during business hours. I really wish these could happen at lunch hour or after work.

In any case, here are my comments/questions/concerns about this Fisher's Canyon Project:

- I am concerned for the traffic issues/backups in the multi-jurisdictional roadway area/intersections of B Street/Venetucci-85-87(North-South through route)/Venetucci (to/from Fountain shopping center)/Westmark/Las Vegas Street.
- Every single afternoon rush hour (especially during the school year when area residents also use that Venetucci-85-87-North-South route to Vanguard School), traffic backups occur--particularly going Northbound and Southbound along Venetucci-85-87.
- Daily, I see afternoon backups on Venetucci-85-87, backups that run North and South from the midpoint of the B-Street "T" Intersection with Venetucci-85-87; cars are stopped to the North (driving South) from the World Arena/Cinemark/Target Shopping Centers, to the South (driving North) through the Las Vegas Street light (and, often, even further, past that light). I personally know of a Stratmoor Hills neighbor who was recently, seriously injured in a horrible car accident during one such backup, when stopped traffic in one lane "waived" a turning car "through" the stopped line of traffic (but.... traffic the other way was not stopped, so a "t-bone" accident occurred).
- Further, I witness tons of illegal U-Turns on B Street that cause traffic problems and dangers--where Fountain's Wal-Mart shopping area Venetucci road meets B Street. Fountain crafted a limited (single-direction) entrance/exit at B Street, so many cars travelling West on B street U-Turn to then head East and enter the shopping center access point.

- And all of this traffic is occurring BEFORE the El Dorado Springs Apartment residents have moved in (approx. 1,000 residents); this nearly-finished multi-family complex on Westmark/Venetucci-85-87 will add lots of daily trips to that same area very soon. Also, I heard/saw that another complex or hotel (or two?) will be constructed (not this Fisher's Canyon project, but others) in Fountain's/EPC's Wal-Mart shopping center at the Pikes Peak College/Academy end of the shopping area, projects which, again, will add even more daily trips into the traffic in this area of El Paso County (EPC).
- My concern is that, with several multi-family projects/hotels in this area being *individually* proposed (and approved) and spanning these same roads, are any Traffic Impact Studies (TIS) taking all of these proposed/approved projects into account, "as a whole" planned/developed area for our County? Are the TIS studies for each individual project taking these already-approved projects (like El Dorado Springs Apartments) new daily trips in this area of the County into account? (These trips will begin very soon--the El Dorado Springs complex is nearly completed.)
- My second concern is that this is a multi-jurisdictional area, where the various roads are "maintained" by a combination of EPC, Colorado Springs, Fountain, and CDOT. Are these entities working together to ensure the roads are safe and to ensure that these roads can accommodate even more traffic from this proposed Fisher's Canyon Project?
- *Side note*, for example I (and some neighbors) have reported El Dorado Springs construction's total destruction of Stratmoor Hills' Westmark Ave to EPC multiple times via their online Citizens Connect Portal, but little has been done to repair damaged Westmark for nearly two years now. Westmark is nearly destroyed, due to the El Dorado Springs Apartment construction (and some other water damage, which, I would argue, is partially attributed to their destruction of the shoulders with heavy vehicle traffic). And even when I reported Westmark's potholes, which EPC did mostly repair, EPC only filled the potholes "down to" where Westmark intersects Venetucci-85-87, as if the other large potholes where the roads meet may be the city's or CDOT's responsibility? (Hard to say, since I have received little communication back from EPC about my Westmark reports, and since Commissioner Gonzales has not answered some Stratmoor Hills Residents' emails/calls to him about this matter--communications from the summer of 2023.)
- In general, this entire Stratmoor Hills/Valley area, and particularly the North-South-through-route of Venetucci-85-87 (one lane each way from Westmark Ave. through Las Vegas St.) can not handle more traffic.
- Another multi-family project--this proposed Fisher's Canyon Project--adding more daily trips to this area of the County is not only irresponsible development, but also dangerous for rush-hour commuters.

I would like to be called during the BOCC meeting on this project on August 22nd, and my domestic partner, Alex Donaghy, would like to speak as well (or he might yield his time to me). We can be reached at 330-687-2496 that day. As I mentioned, we are travelling on Aug 22, but likely/hopefully available by phone when the Commissioners will address this project; we really hope that we have cell service because we would like to speak.

I have also copied Stratmoor Hills Neighborhood Association President Jim Pesicka on this email, in case he would like to participate with the BOCC on this date as well. I will let him reach out to you directly, if he wants information on the August 22nd BOCC meeting to post to our neighborhood.

Thank you for your time today--I truly appreciate it,
 Jen Buckley
 330-687-2496

RESOLUTION NO. 24-

BOARD OF COUNTY COMMISSIONERS

COUNTY OF EL PASO

STATE OF COLORADO

APPROVAL OF A MAP AMENDMENT (REZONING)
MULTIFAMILY DEVELOPMENT FISHERS CANYON - THOMPSON THRIFT VENETUCCI

WHEREAS CS 2005 Investments III LLC 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 property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference from the PUD (Planned Unit Development) 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 1, 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 August 22, 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 CS 2005 Investments III LLC 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 PUD (Planned Unit Development) 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.
3. An updated Traffic Impact Study addressing comments from Colorado Department of Transportation (CDOT) comment letter dated June 26, 2024, and City of Fountain comment letter dated June 26, 2024, shall be submitted at the time of Final Plat.
4. A Development Agreement in accordance with the terms described in the comment letter dated June 26, 2024, shall be satisfied at the time of Final Plat.

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 22nd day of August 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 BEING A PORTION OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 66 WEST OF THE SIXTH PRINCIPAL MERIDIAN, RECORDS OF EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWESTERLY CORNER OF SOUTH ACADEMY HIGHLANDS FILING NO. 4 RECORDED UNDER RECEPTION NO. 222714970, EL PASO COUNTY, COLORADO; THENCE N 53° 59' 29" E, ALONG THE NORTHERLY LINE OF OF SAID SOUTH ACADEMY HIGHLANDS FILING NO. 4 (BASIS OF BEARING), A DISTANCE OF 226.24 FEET TO THE POINT OF BEGINNING;

THENCE N 36° 03' 36" W, A DISTANCE OF 155.65 FEET;
THENCE N 21° 58' 47" W, A DISTANCE OF 272.69 FEET;
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THENCE N 68° 01' 13" E, A DISTANCE OF 452.68 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF VENETUCCI BOULEVARD;

THENCE ALONG THE WEST RIGHT-OF-WAY LINE OF SAID VENETUCCI BOULEVARD, THE FOLLOWING SEVEN (7) COURSES AND DISTANCES:

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- 2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 605.23 FEET, A CENTRAL ANGLE OF 27° 13' 21" AND AN ARC LENGTH OF 287.56 FEET, THE CHORD OF WHICH BEARS S 08° 29' 34" E, A DISTANCE OF 284.86 FEET;
- 3) THENCE S 22° 05' 07" E, A DISTANCE OF 501.69 FEET TO A POINT OF CURVATURE;
- 4) THENCE ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 559.98 FEET, A CENTRAL ANGLE OF 21° 34' 55", AND AN ARC LENGTH OF 210.93 FEET, THE CHORD OF WHICH BEARS S 11° 17' 40" E, A DISTANCE OF 209.68 FEET;
- 5) THENCE S 00° 30' 13" E, A DISTANCE OF 51.77 FEET;
- 6) THENCE S 89° 29' 47" W, A DISTANCE OF 17.00 FEET;
- 7) THENCE S 00° 30' 13" E, A DISTANCE OF 162.77 FEET TO A POINT ON THE NORTH LINE OF LOT 1, SAID SOUTH ACADEMY HIGHLANDS FILING NO. 4;

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- 1) THENCE S 89° 29' 47" W, A DISTANCE OF 62.19 FEET TO A POINT OF CURVATURE;
- 2) THENCE ALONG THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 238.00 FEET, A CENTRAL ANGLE OF 35° 28' 54", AND AN ARC LENGTH OF 147.39 FEET, THE CHORD OF WHICH BEARS S 71° 44' 23" W, A DISTANCE OF 145.04 FEET;
- 3) THENCE S 53° 59' 29" W, A DISTANCE OF 190.95 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 706,949 SQUARE FEET OR 16.229 ACRES, MORE OR LESS.

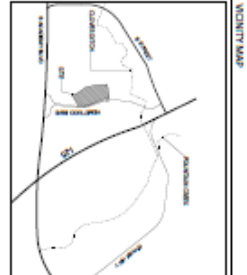
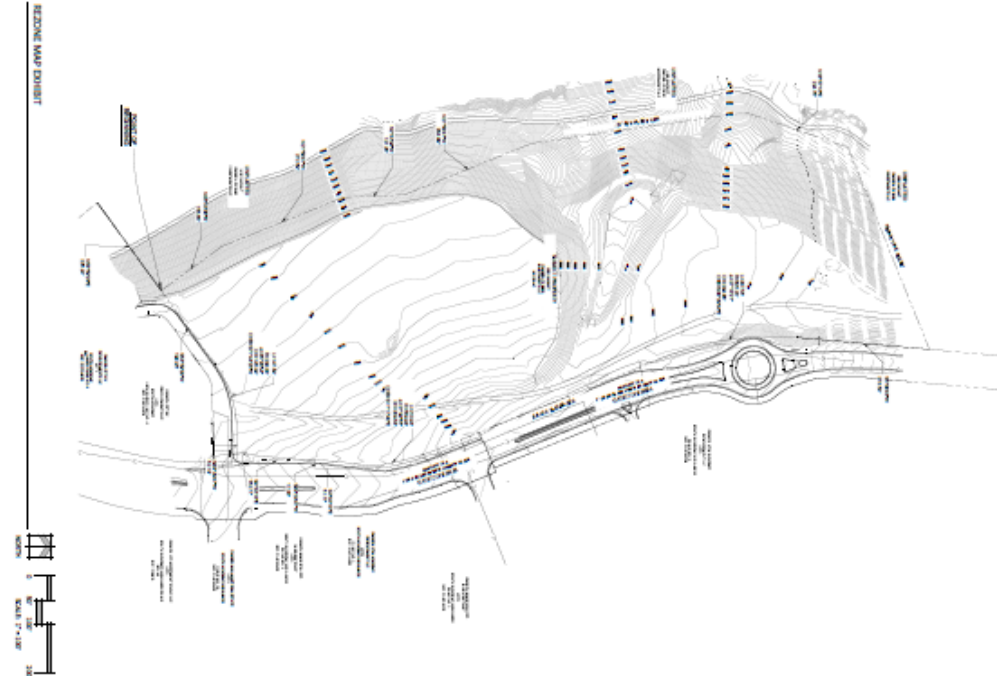
EXHIBIT B

ZONING MAP
THOMPSON THRIFT - VENETUCCI
 COMMENCING AT THE NORTHWESTERLY CORNER OF SOUTH ACADEMY HIGHLANDS FILING NO. 4 RECORDED UNDER
 RECEPTION NO. 222714870, EL PASO COUNTY, COLORADO

LEGAL DESCRIPTION

ACCORDING TO THE REQUIREMENTS OF THE COLORADO ZONING ACT, THE ZONING MAP FOR THE PROJECTED DEVELOPMENT OF THE THOMPSON THRIFT - VENETUCCI PROJECT IS AS FOLLOWS:

1. ZONING DISTRICT: COMMERCIAL GENERAL (CG)
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3. ZONING DISTRICT: COMMERCIAL GENERAL (CG)
4. ZONING DISTRICT: COMMERCIAL GENERAL (CG)
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100. ZONING DISTRICT: COMMERCIAL GENERAL (CG)



SITE DATA

Parcel Number: 100-100-100-100
 Area: 100,000 sq. ft.
 Zoning District: CG
 Project Name: Thompson Thrift - Venetucci

PROJECT TEAM

Client: Thompson Thrift Venetucci
 Architect: Thompson Thrift Venetucci
 Engineer: Thompson Thrift Venetucci
 Consultant: Thompson Thrift Venetucci



NES
 National Engineering Services
 1000 14th Street, Suite 100
 Denver, CO 80202
 Phone: 303.733.1111
 Fax: 303.733.1112
 Email: info@nes.com

THOMPSON THRIFT - VENETUCCI
 ZONING MAP
 VENETUCCI MAP

DATE: 10/1/2024
 SCALE: 1" = 100'