


EL PASO COUNTY
COLORADO

COMMISSIONERS:
 STAN VANDERWERF (CHAIR)
 CAMI BREMER (VICE-CHAIR)

LONGINOS GONZALEZ, JR.
 HOLLY WILLIAMS
 CARRIE GEITNER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO: El Paso County Board of County Commissioners
 Stan VanderWerf, Chair**

**FROM: Ryan Howser, Planner II
 Lupe Packman, EI Engineer I
 Craig Dossey, Executive Director**

**RE: Project File #: CC-21-002
 Project Name: 5250 Pikes Peak Highway
 Parcel No.: 83221-01-001**

OWNER:	REPRESENTATIVE:
5250 Pikes Peak Hwy, LLC 5250 Pikes Peak Highway Cascade, CO, 80809	Kimley-Horn and Associates 2 N Nevada Avenue, Suite 300 Colorado Springs, CO, 80903

Commissioner District: 3

Planning Commission Hearing Date:	1/20/2022
Board of County Commissioners Hearing Date:	2/1/2022

EXECUTIVE SUMMARY

A request by 5250 Pikes Peak Hwy, LLC, for approval of a map amendment (rezoning) from R-T (Residential Topographic) to CC (Commercial Community). The 5.11-acre lot is located on the south side of Pikes Peak Highway, approximately one (1) mile west of the intersection of Pikes Peak Highway and US Highway 24 and is within Section 22, Township 13 South, Range 68 West of the 6th P.M.

A. REQUEST/WAIVERS/DEVIATIONS/ AUTHORIZATION

Request: A request by 5250 Pikes Peak Hwy, LLC, for approval of a map amendment (rezoning) of 5.11 acres from R-T (Residential Topographic) to CC (Commercial Community).



Waiver(s)/Deviation(s): There are no waivers or deviations associated with this request.

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

B. Planning Commission Summary

Request Heard: As a Consent item at the January 20, 2022 hearing.

Recommendation: Approval based on recommended conditions and notations.

Waiver Recommendation: N/A

Vote: 9 - 0

Vote Rationale: N/A

Summary of Hearing: The applicant was represented at the hearing.

Legal Notice: Advertised in the Shopper's Press on January 12, 2022.

C. APPROVAL CRITERIA

In 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 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2021):

- The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
- The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116;
- The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
- The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

D. LOCATION

North:	RR-2.5 (Residential Rural)	Single-Family Residential
South:	CC (Commercial Community)	Rehabilitation Facility
East:	PUD (Planned Unit Development)	Single-Family Residential
West:	R-T (Residential Topographic)	Vacant

E. BACKGROUND

The property was zoned R-T (Residential Topographic) on April 28, 1966, when zoning was first initiated for this portion of El Paso County (BoCC Resolution No.

477044). There is an existing dwelling on the property which was constructed in 1993. The 5.11-acre property was legally platted on July 7, 1997 as Lot 1 of the Black Bear Inn Subdivision (Plat No. 9856).

The applicant is requesting approval of a rezone (map amendment) from the R-T zoning district to the CC (Commercial Community) zoning district. The existing dwelling is proposed to remain on the property and be converted into a commercial structure. The applicant's anticipated use of the property, as stated in the letter of intent, includes "a private hospital that will provide inpatient addiction rehabilitation, recovery, and treatment services for youth in a private residential style campus environment." No new construction is proposed at this time; however, the applicant will need to obtain a building permit to accommodate the change from a residential use type to commercial use type. The applicant has submitted a concurrent site development plan (PCD File No. PPR-21-052) to ensure the proposed change in use will meet the General Development Standards of the Land Development Code. No additional lighting is being proposed on the property at this time. The natural landscaping on the property is proposed to be retained to minimize impacts of development and retain an aesthetic similar to what is currently existing.

F. ZONING ANALYSIS

1. Land Development Code Analysis

Section 3.2 of the Code states the following as the intent of the CC zoning district:

"To accommodate retail sales and service establishments that generally require freestanding or small center type buildings and that primarily serve adjoining neighborhoods."

The adjacent property to the south of the subject property is zoned CC (Commercial Community) and is currently being used for the Sandstone Care facility, a rehabilitation facility. The applicant proposes to rezone the subject property to the CC zoning district to allow for the expansion of the Sandstone Care facility. Approximately 500 feet south of the subject parcel is The North Pole, an amusement park. The property to the north is zoned RR-2.5 and is used for single-family residential purposes. The properties to the east of the subject property, across Pikes Peak Highway, are located within the Pikes Peak Mountain Estates PUD (Planned Unit Development) and are used for single-family residential purposes. The property located to the west of the subject property is vacant. The Pikes Peak gate and entrance is located approximately 1,000 feet to the north.

The character of the immediate area includes a variety of uses, consisting of a combination of commercial, recreational, tourism, and residential uses. The proposed expansion of an existing medical facility is not anticipated to substantially change the character of the area. Please see the Master Plan Analysis sections below for an analysis of compliance and consistency with the various applicable elements of the Master Plan.

2. Zoning Compliance

The applicant is requesting to rezone 5.11 acres to the CC (Commercial Community) zoning district. The CC zoning district is intended to accommodate retail sales and service establishments that generally require freestanding or small center type buildings and that primarily serve adjoining neighborhoods. The density and dimensional standards for the CC zoning district are as follows:

- Minimum lot size – 1 acre
- Setbacks - 25 feet from the front, rear, and sides.
- Maximum height - 40 feet

The applicant has submitted a concurrent site development plan (PCD File No. PPR-21-052) to ensure the proposed change in use will meet the General Development Standards as well as the dimensional standards of the Code. The existing structure on the property currently meets all of the applicable dimensional standards.

G. MASTER PLAN ANALYSIS

1. Your El Paso Master Plan

a. Placetype: Large-Lot Residential

Placetype Character:

The Large-Lot Residential placetype consists almost entirely of residential development and acts as the transition between placetypes. Development in this placetype typically consists of single-family homes occupying lots of 2.5 acres or more and are generally large and dispersed throughout the area so as to preserve a rural aesthetic. The Large-Lot Residential placetype generally supports accessory dwelling units as well. Even with the physical separation of homes, this placetype still fosters a sense of community and is more connected and less remote than Rural areas. Large-Lot Residential neighborhoods typically rely on well and septic, but some developments may be served by central water and waste-water utilities. If central water and wastewater can be provided, then lots sized

less than 2.5 acres could be allowed if; 1.) the overall density is at least 2.5 acres/lot, 2.) the design for development incorporates conservation of open space, and 3.) it is compatible with the character of existing developed areas.

Conservation design (or clustered development) should routinely be considered for new development within the Large-Lot Residential placetype to provide for a similar level of development density as existing large-lot areas while maximizing the preservation of contiguous areas of open space and the protection of environmental features. While the Large-Lot Residential placetype is defined by a clear set of characteristics, the different large-lot areas that exist throughout the County can exhibit their own unique characters based on geography and landscape.

Recommended Land Uses:

Primary

- Single-family Detached Residential (typically 2.5-acre lots or larger)

Supporting

- Parks/Open Space
- Commercial Retail (Limited)
- Commercial Service (Limited)
- Agriculture

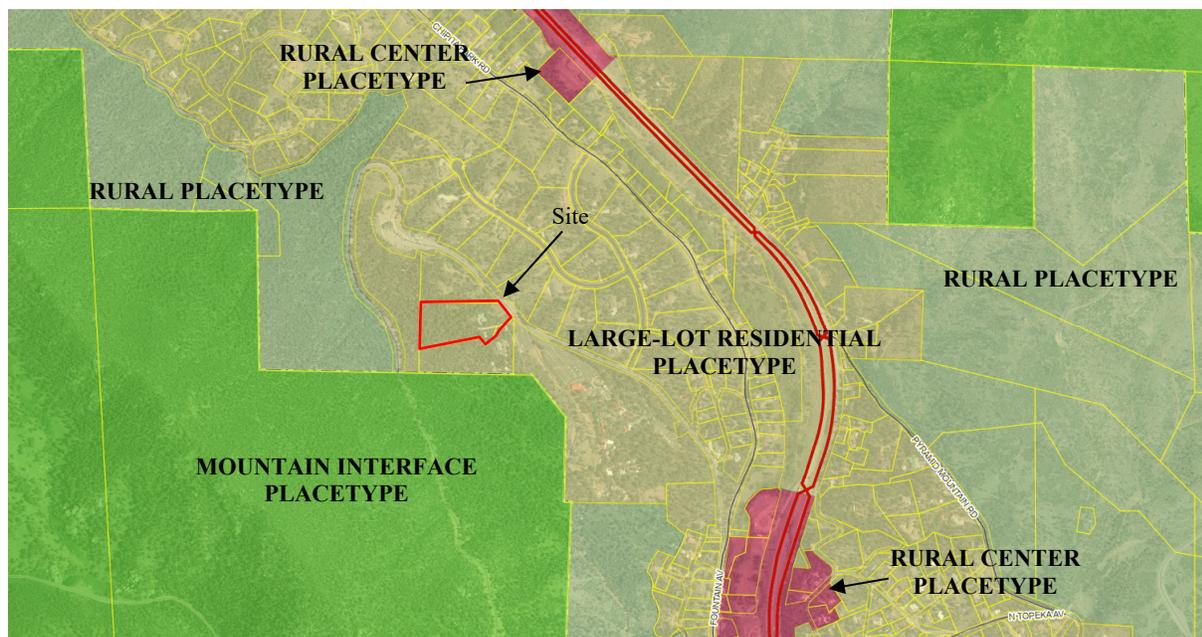


Figure G.1: Placetype Map

Analysis:

The property is located within the Large-Lot Residential placetype. The Large-Lot Residential placetype supports the rural character of the County while providing for unique and desirable neighborhoods. Relevant goals and objectives are as follows:

Goal LU1 – *Ensure compatibility with established character and infrastructure capacity.*

Goal LU3 – *Encourage a range of development types to support a variety of land uses.*

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

Goal HC2 – *Preserve the character of rural and environmentally sensitive areas.*

Objective ED3-6 – *Prioritize commercial use as development opportunities arise in order to support the growing residential base in the rural areas.*

The proposed map amendment (rezoning) would add approximately 5 acres of limited commercial service, consistent with the property adjacent to the south. Limited commercial retail and commercial service is listed as a supporting use in the Large-Lot Residential placetype. The proposed development is consistent with the scale and scope of similar development in the area and with the intent of the Large-Lot Residential placetype. Additionally, by limiting the development of the property to existing structures and by maintaining the existing natural landscape on the property, the rezoning would preserve the residential appearance of the property and the rural character of the area.

a. Area of Change Designation: Minimal Change: Developed

These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of

an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and change to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.

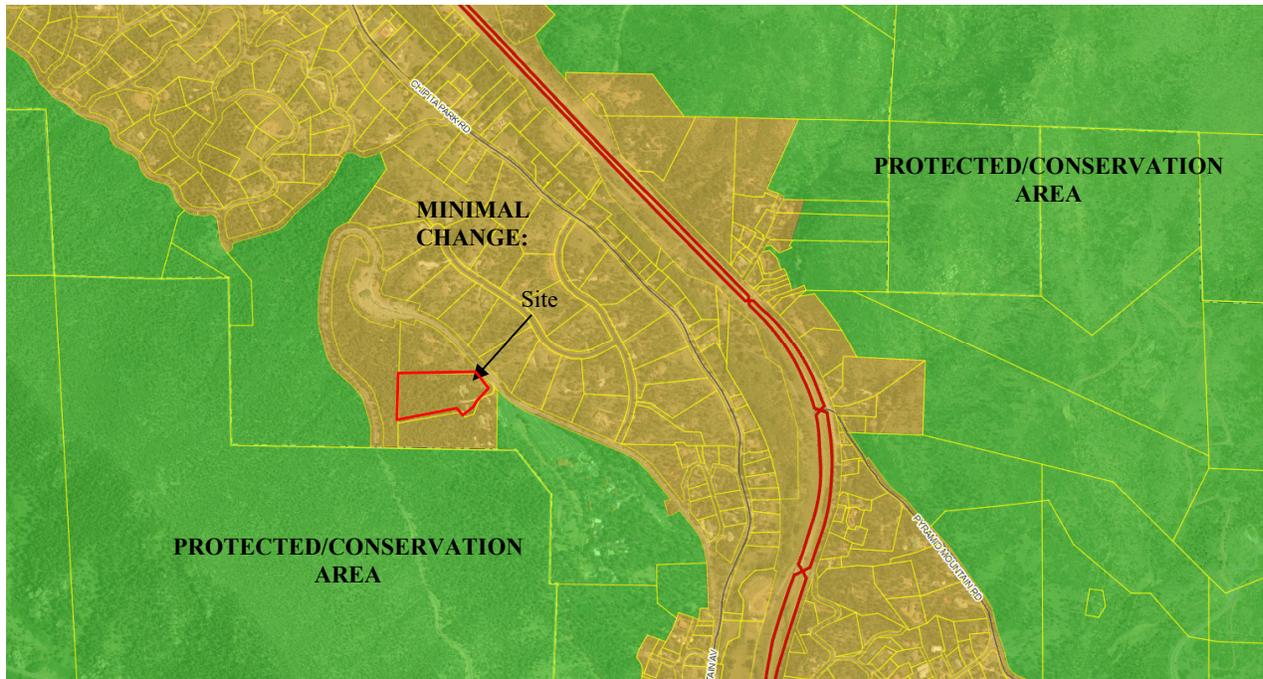


Figure G.2: Area of Change Map

Analysis:

The property proposed for a map amendment (rezoning) is located within an area which is not expected to substantially change due to being primarily built out. The area has an established character consistent with the Area of Change designation. The subject property is surrounded primarily by developed land; therefore, it is unlikely that the character of the area will change substantially in the future. The current map amendment proposal is consistent with the Area of Change designation and with the current development pattern in the area and is not likely to substantially change the character of the area.

b. Key Area Influences

El Paso County represents a vast area composed of many distinct areas. These “Key Areas” have their own unique identities and are generally localized into smaller geographic areas with distinct characteristics that distinguish them from other areas of the County. The subject property is potentially influenced by three Key Areas: 1) Small Towns & Rural Communities, 2) Forested Area, and 3) Pikes Peak Influence Area.

Small Towns & Rural Communities

This Key Area includes both incorporated and unincorporated communities in El Paso County. Incorporated towns including Calhan, Green Mountain Falls, Palmer Lake, and Ramah have their own established identities that support neighboring rural residents. Similarly, unincorporated rural communities have commercial uses and community facilities that serve surrounding residents and create a sense of community even without a formalized municipal governmental boundary. The unincorporated areas that comprise this Key Area are Black Forest, Ellicott, Hanover, Peyton, Rush, Truckton, and Yoder. Regardless of municipal status, all of these places function as a community that supports the needs of a significant portion of the County’s rural population. To better serve this population, additional commercial development should be prioritized in the unincorporated places, or where appropriate, additional commercial development should be annexed by the municipalities. Additional commercial uses within these communities improves access to necessary goods and services such as grocery stores and gas stations.

Forested Area

This Key Area includes parts of the County where natural forests are the predominant feature such as Black Forest, areas north of Peyton, and areas along Highway 115 as well as lands within Pike National Forest. Pike National Forest is one of the County’s largest natural amenities and tourist destinations. Continued coordination with the U.S. Forest Service is critical to ensuring future development in areas adjacent to the Forest do not negatively impact the natural environment. There are also many established communities within Pike National Forest particularly in Ute Pass and along Highway 115. New development and any redevelopment in these locations should be of a lower intensity to mitigate any impacts on the Forest, properly manage stormwater, provide safe access to major roads and state highways for the traveling public and emergency response

vehicles and adhere to the strictest building codes to prevent any hazards such as fires and soil erosion related to poor planning, design, and construction.

Managed residential growth, along with supportive commercial uses, have helped the other forested areas preserve their natural amenities while supporting the daily needs of a thriving local community. The seamless connection between the natural environment and small-scale, low intensity development is critical to their identity. All new development and redevelopment in this Key Area should strictly adhere to the transportation and infrastructure, stormwater requirements, built form, and transition guidelines outlined in their appropriate placetypes. Each development proposal should also be reviewed on a case-by-case basis to determine its specific impact on the forested area and the established character of the individual community.

Pikes Peak Influence Area

Pikes Peak is the most-defining characteristic of El Paso County for residents and tourists alike, bringing in hundreds of thousands of visitors every year. As the County's most prominent destination, the Peak supports the tourism industry and strengthens the County's overall economy. There are many other amenities and destinations surrounding Pikes Peak that both attract their own visitors as well as benefit from Pikes Peak. These include Cheyenne Mountain State Park, John May Museum, Cave of the Winds, and a host of destinations near Cascade-Chipita Park and the West Colorado Avenue and Highway 24 corridors.

The County is uniquely positioned with access to multiple natural amenities that promote local spending in the economy by both residents and tourists. The County should coordinate with the U.S. Forest Service and the City of Colorado Springs to identify opportunities for the County to help ensure Pikes Peak is preserved and maintained as both a natural amenity and an economic asset. Additionally, the County should foster collaboration among the Forest Service and the other destinations in the Pikes Peak influence area to coordinate events and activities that capitalize on the high volume of visitors to Pikes Peak to further bolster the County's economy.

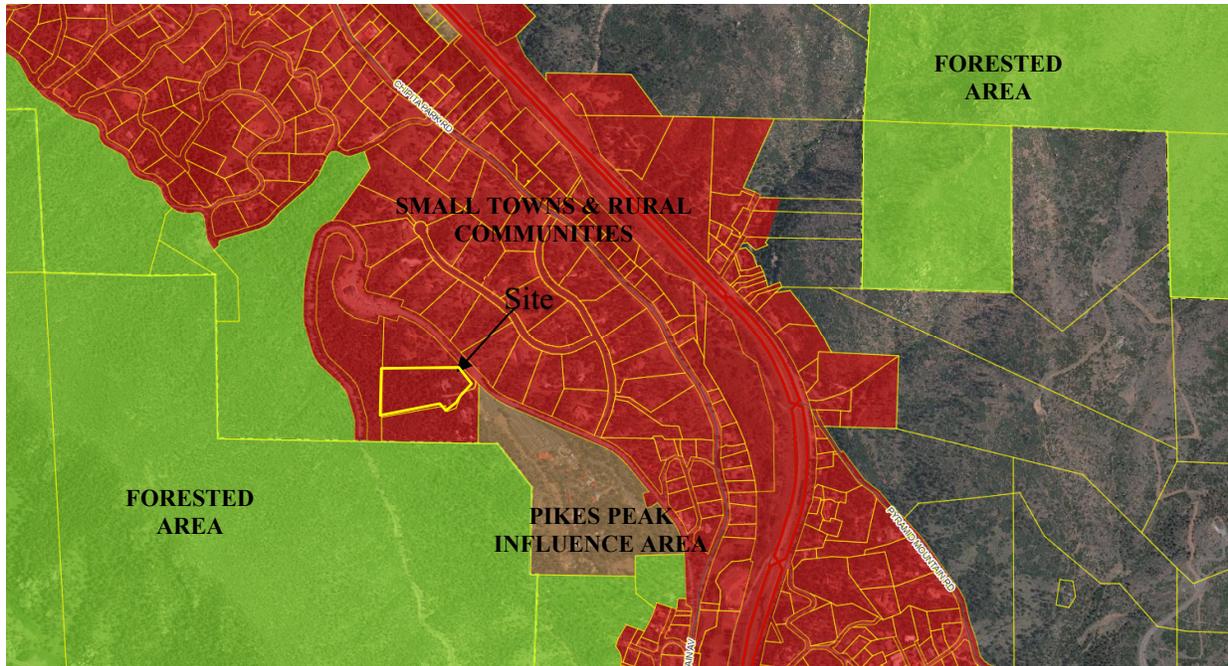


Figure G.3: Key Area Map

Analysis:

Small Towns & Rural Communities

The subject property is located in the Cascade and Chipita Park area of the County which is identified as being within the Small Towns & Rural Communities Key Area. The Master Plan identifies the importance of prioritizing additional commercial uses within the rural areas of the County in order to better serve the rural population and help create a sense of communities in rural areas.

Forested Area

Land identified as being within the Forested Area Key Area is located in close proximity to the subject property. The Forested Area is primarily part of the Pike National Forest and is considered protected land that will not likely develop in the future. Proximity to Pikes Peak and the forested area surrounding it may influence commercial properties in this area to retain small-scale uses and low impact development in order to maintain the character of the protected land and ensure that the nearby Pikes Peak Influence Area can be categorized as an ideal tourist destination. The applicant intends to maintain the natural landscaping of the property which may help to reduce potential impacts and support the character of the nearby Forested Area.

Pikes Peak Influence Area

The North Pole – Santa’s Workshop, which is located south of the subject property, is included as part of the Pikes Peak Influence Area Key Area. It is likely that the provision of additional commercial-zoned land in this area may help to facilitate the tourism industry in this area and capitalize on the high volume of visitors to Pikes Peak to further bolster the County’s economy.

c. Other Implications (Priority Development, Housing, etc.)

The subject property is not located within a Priority Development Area.

2. Water Master Plan Analysis

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

***Goal 1.1** – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

***Policy 1.1.1** – Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.*

***Goal 1.2** – Integrate water and land use planning.*

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The proposed development is proposed to be served by Colorado Springs Utilities, a central water provider. The following information pertains to water demands and supplies in Region 1 for central water providers:

The property is located within Planning Region 1 of the Plan, which is an area anticipated to experience growth by 2040. The Plan identifies the current demand for Region 1 to be 83,622 acre-feet per year (AFY) (Figure 5.1) with a current supply of 99,001 AFY (Figure 5.2). The projected demand in 2040 is at 111,086 AFY (Figure 5.1) with a projected supply of 119,001 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 is 138,453 AFY (Figure 5.1) with a projected supply of

139,001 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 548 AFY is anticipated for Region 1.

Water sufficiency analysis is not required as part of a map amendment (rezoning). However, should the owner wish to subdivide the property in the future, a finding of sufficiency for water quality, quantity, and dependability will be required. The applicant has provided a commitment letter from CSU indicating that they have adequate water resources to serve the proposed development.

3. Other Master Plan Elements

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

The Master Plan for Mineral Extraction (1996) identifies granite 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.

H. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified during the review of the map amendment (rezoning).

2. Wildlife

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential

3. Floodplain

The property is not located within a defined floodplain as determined from review of the FEMA Flood Insurance Rate Map panel number 08041C0486G, dated December 7, 2018.

4. Drainage and Erosion

The property is located within the Upper Fountain (FOFO7600) drainage basin, which is not studied and does not have associated drainage and bridge fees. Drainage and bridge fees are not assessed with map amendment (rezoning) requests.

5. Transportation

The property is located on the south side of Pikes Peak Highway, which is owned and maintained by the City of Colorado Springs.

The El Paso County 2016 Major Transportation Corridors Plan Update does not depict roadway improvement projects in the immediate vicinity of the development. The property is subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

I. SERVICES

1. Water

Water is provided by Colorado Springs Utilities (CSU). CSU has provided a commitment letter and has indicated that they have adequate resources to serve the site with water.

2. Sanitation

Wastewater is provided by an individual onsite wastewater treatment system (OWTS) (Permit No. 7117). El Paso County Public Health (EPCPH) was sent a referral and has no outstanding comments. EPCPH has identified that an upgraded OWTS system will likely be needed to support the change in use type and potential increase in wastewater flow. This will be further analyzed with the site development plan.

3. Emergency Services

The property is within the Cascade Volunteer Fire Protection District. The District was sent a referral and did not provide a response.

4. Utilities

Electrical service is provided by Mountain View Electric Association, Inc., (MVEA) and natural gas service is provided by Black Hills Energy. MVEA and Black Hills Energy were both sent a referral; MVEA has no outstanding comments and Black Hills Energy did not provide a response.

5. Metropolitan Districts

The property is located within the boundary of Cascade Metropolitan District No. 1. The District was sent a referral and did not provide a response.

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.

J. APPLICABLE RESOLUTIONS

See Attached

K. STATUS OF MAJOR ISSUES

There are no major issues.

L. RECOMMENDED CONDITIONS AND NOTATIONS

Should 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 (2019), 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 CC (Commercial Community) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a zone or rezone application 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.

M. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified seven (7) adjoining property owners on January 5, 2022, for the Board of County Commissioners meeting. Responses will be provided at the hearing.

N. ATTACHMENTS

Vicinity Map
Letter of Intent
Rezone Map
Planning Commission Resolution
Board of County Commissioners' Resolution

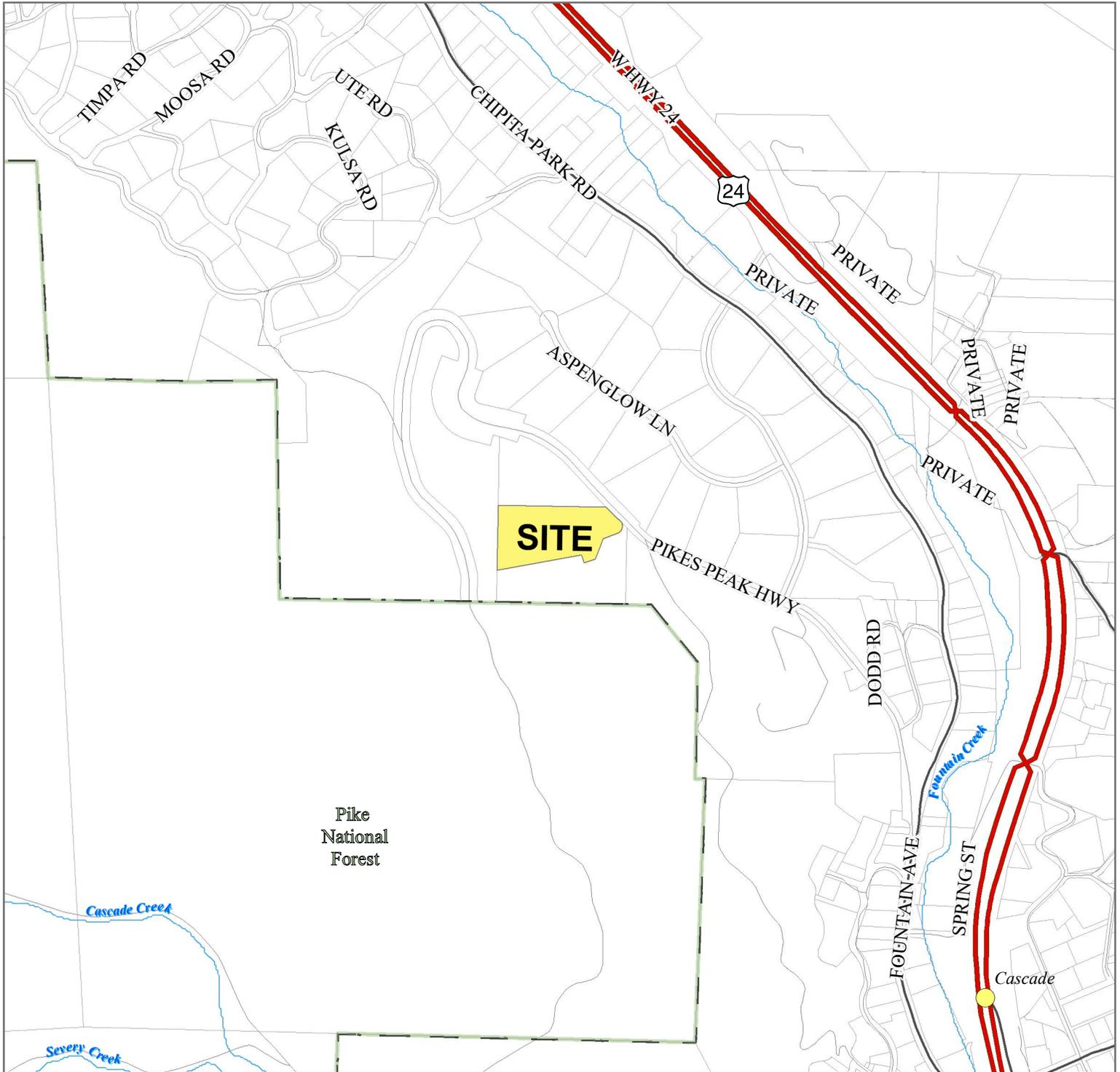
PARCEL ID	NAME
8322	

El Paso County Parcel Information

File Name: CC-21-002

Zone Map No.: --

Date: January 4, 2022



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 (769) 520-6600



COPYRIGHT 2018 by the Board of County Commissioners, El Paso County, Colorado. All rights reserved. No part of this document or data contained hereon may be reproduced; used to prepare derivative products; or distributed without the specific written approval of the Board of County Commissioners, El Paso County, Colorado. This document was prepared from the best data available at the time of printing. El Paso County, Colorado, makes no claim as to the completeness or accuracy of the data contained hereon.



SANDSTONE CARE SANDSTONE CARE (REZONING)
LETTER OF INTENT

APPLICANT-OWNER/CONSULTANT INFORMATION:

OWNER

SANDSTONE CARE COS LLC
7555 EAST HAMPDEN AVE, SUITE 103
DENVER CO 80231
EDWIN ALVARADO
Edwin.alvarado@sandstonecare.com
719-284-2231

PLANNING

KIMLEY-HORN & ASSOCIATES
2. NORTH NEVADA AVENUE, SUITE 300
COLORADO SPRINGS, CO 80903
RAIMERE FITZPATRICK, AICP
raimere.fitzpatrick@kimley-horn.com
719-284-7299

TRANSPORTATION ENGINEERING

KIMLEY-HORN & ASSOCIATES
4582 SOUTH ULSTER STREET, SUITE 1500
DENVER, CO 80237
JEFF PLANCK
jeff.planck@kimley-horn.com
720-943-9962

SURVEYING

BARRON LAND SURVEYING
2790 N. ACADEMY BLVD., SUITE 311
COLORADO SPRINGS, CO 80917
SPENCER BARRON
spencer@barronland.com
719-360-6827

LOCATION, ACREAGE, PARCEL ID INFO, & ZONING

The 5.11-acre parcel (Parcel ID: 83221-01-001) is located at 5250 Pikes Peak Highway and is in the R-T (Residential Topographic) zone district. The site is approximately 0.88 miles northwest of the intersection of Pikes Peak Highway and US 24 West in the Cascade/Chipita Park area of the unincorporated El Paso County. The property is legally described as Lot 1 Black Bear Inn Subdivision.

REQUEST

Sandstone Care COS LLC request approval of a map amendment (rezoning) from the RT to the CC zone district. The applicant proposes the reuse of the existing ±5,615 SF, four (4) bedroom, 2.5 bathroom residence as a private hospital that will provide inpatient addiction rehabilitation, recovery, and treatment services for youth in a private residential style campus environment. The external aesthetic character of the residence will not be altered nor are any external site improvements planned. The site is intended to be preserved in its existing residential character and appearance to provide a residential environment context for patients during treatment and recovery periods.

The facility program will have a maximum capacity of up to 12 patients. The hospital will comply with occupancy limitations set by the Regional Building Department, State Health Department, and/or other agencies regulating inpatient hospital uses as defined and permitted by the State of Colorado.

The hospital will serve youth clientele from within the existing residential structure from primarily within El Paso County and surrounding communities.

An existing private hospital is operated on the adjacent CC zoned parcel (TSN: 83221-01-002) owned and operated by Irish Clover, LLC. These uses will be owned and operated separately from each other. The proposed Sandstone Care will offer a separate treatment and care services to patients not associated with the existing private hospital use on the adjacent parcel.

JUSTIFICATION

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

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

The neighborhood is characterized by a mix of low impact rural residential and supporting commercial services that serve the local community and draw consumers from, El Paso and Teller Counties, Colorado Springs, and surrounding municipalities and communities. The North Pole – Santa’s Workshop is a Christmas themed amusement park on ±28-acres south of the current Sandstone Care facility on the property south of the rezone parcel. An (The) entrance to Pikes Peak National Park is located and Pikes Peak – America’s Mountain located within 700-feet north of the property, separated by a ±4-acre single family rural residential (RR-2.5) property.

The North Pole (Santa’s Workshop) and Pikes Peak – America’s Mountain draws local national, and international visitors annually.

YOUR EL PASO MASTER PLAN CONSIDERATIONS

The rezone request generally conforms to the following land use goals of the *Your El Paso Master Plan*:

Land Use Goal 1.1 - Ensure compatibility with established character and infrastructure capacity

The proposed rezone is compatible with the commercial and residential land use mix in the area. Existing commercial land uses in the area include an existing hospital (private) land use on the adjacent property and with The North Pole – Santa’s Workshop, a Christmas themed amusement park on ±28-acres south of the existing hospital use. Existing infrastructure (public utilities and transportation network) have adequate capacity to support the proposed use.

Land Use Goal 1.2 - Coordinate context-sensitive annexation and growth strategies with municipalities.

The area is not within any strategic or planned municipal annexation area.

Land Use Goal 1.3 - Encourage a range of development types to support a variety of land uses.

The proposed use is consistent with the supporting land use scenarios in the Large-lot Residential Placetype as discussed below. It is also consistent with the Minimal Change: Developed category descriptors.

The Key Areas Map locates the site within a Small Town & Rural Communities “Key Area”. Concerning the Key Area characteristics of Small Towns & Rural Communities, the Plan states:

...” unincorporated rural communities have commercial uses and community facilities that serve surrounding residents and create a sense of community”

The proposed hospital will primarily serve youth within the El Paso County/Pikes Peak region.

This “Developed” area is anticipated to experience “Minimal Change” as identified on the “Areas of Change” Map which are characterized as areas projected to experience minimal change. These areas are largely built out but may include isolated pockets of vacant or underutilized land.

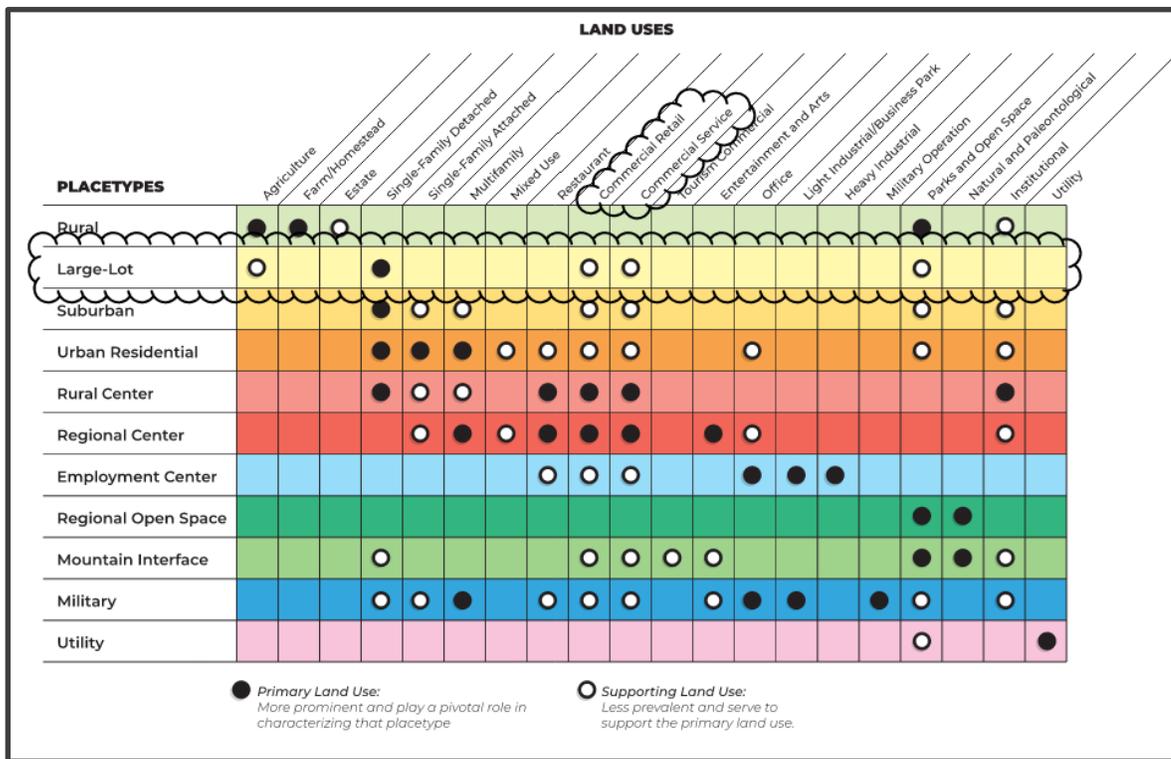
Per the ***Minimal Change: Developed*** description, “Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained”. Since the proposed zoning and use is identical to the zoning and use on the adjacent site (TSN: 8322101002), and no site improvements are proposed, approval of the rezone and expansion of the

private hospital use on the subject site will not impact the “overall character of the area”.

The site is located one-quarter mile south of the Pike National Forest entrance and several hundred feet north of the North Pole amusement park. The proposed rezone and change of use is not anticipated to significantly impact the character of the area.

The site is located within the “**Large-Lot Residential**” Placetype as depicted on the Placetypes Map. Concerning this Key Area, the Plan recognizes the need to prioritize additional commercial development in the unincorporated places, or where appropriate.

Single-family residential is the primary land use in this Placetype. The Plan identifies institutional uses as an appropriate land use within the Placetype. Supporting land uses include commercial retail and service land uses.



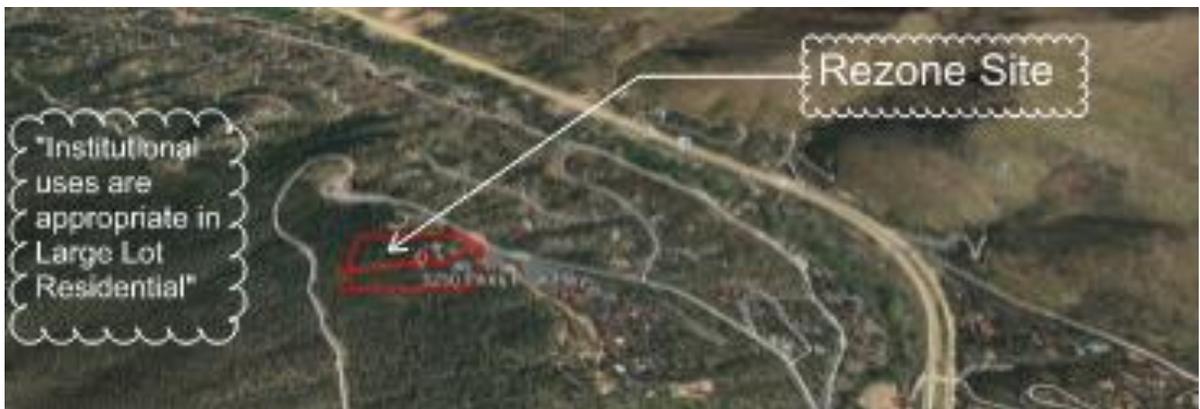
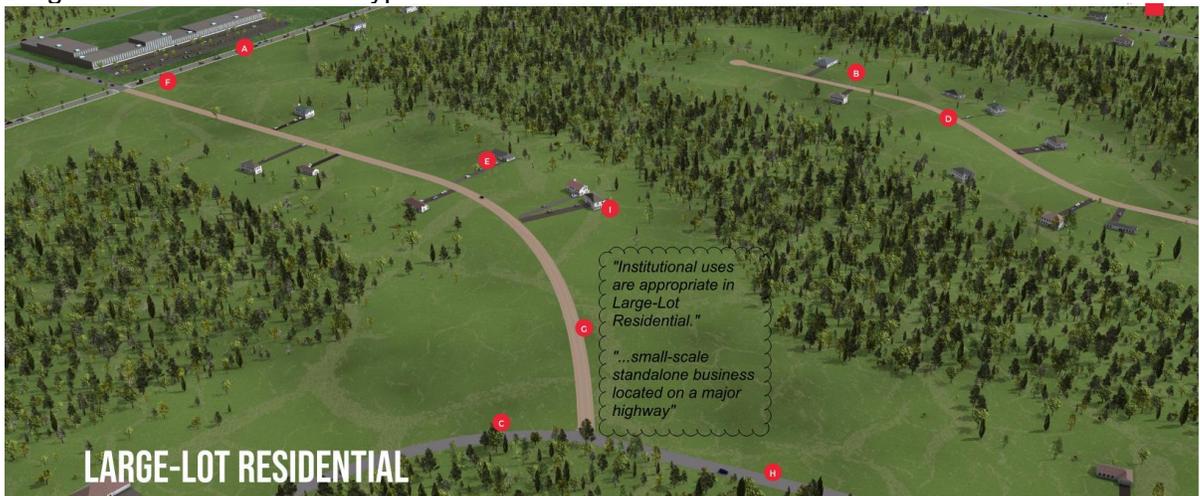
The site is located within a “Large Lot Residential” Placetype where single-family residential uses are identified as primary land uses and commercial retail and commercial service type uses are compatible supporting land uses. It should be

noted that the existing adjacent private hospital in the CC zone is also located within the “Large Lot Residential” Placetype. The Large Lot Residential Placetype Characteristics identify institutional uses as an appropriate land use within the Placetype. The proposed hospital and required underlying zoning (CC) are consistent with the allowances for institutional uses within the Large-lot Residential Placetype.

Function of Supporting Uses

The focus of Large-Lot Residential is intertwining residential uses with the County’s treasured natural environment without disruption or degradation. As such, commercial uses are minimal in this placetype with a small-scale standalone business located on a major roadway.

The following images compare consistency of the site with the graphic descriptors of the Large Lot Residential Placetype



Comparison of the Placetype demonstrates general conformity with the physical and land use descriptions of the Your El Paso Master Plan “Large Lot Residential Placetype”.

WATER MASTER PLAN CONSIDERATIONS:

The development area is in REGION 1 as identified on the El Paso County Water Master Plan Planning Regions Map and is within the Colorado Springs Utilities (CSU) Service Area. REGION 1 consists of areas served by CSU and is not expected to experience significant growth by 2060. Although the site is not located within the City of Colorado Springs, it is served by CSU water. CSU manages water service for the former Cascade Metropolitan District No. 1. Wastewater service is provided via an existing permitted on-site wastewater treatment system (OWTS). CSU does not provide wastewater disposal service within the area.

CSU has provided a letter of commitment to continue providing service to the site. Water supplies in REGION 1, and specifically from CSU, should be sufficient to meet the current development demand and ongoing needs of the use. CSU has committed to continue to serve the site out of its current supplies.

CSU has adequate supply, water quality, and existing infrastructure in the area to serve this development and maintains required regulatory compliances.

CSU provides services outside District boundaries to Schriever AFB and the Woodmen Hills/Meridian Ranch Development. System/infrastructure interconnections exist between CSU, CSU, Meridian Ranch MD, Meridian Service MD, and Woodmen Hills MD. Per the Water Master Plan, water supplies in REGION 1 from current to 2060 build out are as follows (*taken from EPC WMP*):

Planning Region	Current Supplies (AF per year)	2040 Supplies (AF per year)	2060 Build-Out Supplies (AF per year)
REGION 1	83,622	111,086	138,453

Table 5-1: Current, 2040, and Build-Out Water Supply by El Paso County Planning Region

Planning Region	Demand (AF)	Supplies (AF)	Average-Year Surplus** (AF)	Need (AF)	Need (%)
REGION 1	83,622	99,001	15,379	0	0%

Table 5-3: Current Demand and Current Supplies by El Paso County Planning Region

Planning Region	2040 Demand (AF) Need (AF) Need (%)	Current Supplies (AF)	(AF) Average-Year Surplus**	Need (AF)	Need (%)
REGION 1	83,622	99,001	15,379	0	0%

REGION 1	111,086	99,001	0	12,085	11%
-----------------	----------------	---------------	----------	---------------	------------

Table 5-4: Future (2040) Demand and Current Supplies by El Paso County Planning Region

Planning Region	2060 Demand (AF)	Current Supplies (AF)	Average-Year Surplus** (AF)	Need (AF)	Need (%)
REGION 1	138,453	99,001	0	39,452	28%

Table 5-5 – Build-out (2060) Demand and Current Supplies by El Paso County Planning Region

According to the Plan, “water providers are generally aware of their future needs, and are planning to develop and connect the new supplies they will need. Water providers tend to purchase a quantity of water rights and then separately develop the infrastructure capacity to deliver and treat the water, so water supplies will normally be added to their systems in incremental blocks ahead of the needs.”

- **The rezoning is in compliance with all applicable statutory provisions, including but not limited to C.R.S. § 30-28-111 § 30-28-113, and § 30-28-116;**
The application has met all County submittal and procedural requirements for a rezone as either outlined or authorized by the referenced statutes.
- **The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and**
The proposed zone district is compatible with existing and permitted land uses and zoning districts in all directions.

The Code (LDC) defines compatibility as:

“The characteristics of different uses, activities or designs which allow them to be located near or adjacent to each other in harmony. Some elements affecting compatibility include height, scale, mass and bulk of structures. Other important characteristics that affect compatibility are landscaping, lighting, noise, odor and architecture. Compatibility does not mean “the same as.” Rather, compatibility refers to the sensitivity of the proposed use, activity or design in maintaining the character of existing development within the vicinity”.

Compatibility of the proposed CC zone with the adjacent R-T zones and residential uses will be determined by how the proposed commercial use meets development standards such as landscaping, lighting, noise, odor, architecture, including the height, scale, mass and bulk of the structures supporting the use. As stated, the existing residential structures on the site will be incorporated into the use.

The CC zone has 25-foot front, side, and rear setbacks and a maximum structural 40-foot height limit which is compatible with the 25-foot yard setbacks and 30’ height

allowance in the adjacent R-T zone. A 15-foot roadway landscape buffer against the Pikes Peak Highway frontage and 15' non-residential/residential use buffer against the RT zoned properties to the north and west of the site will help achieve compatibility with the impacted residential properties. 5 trees are required within 1 tree/30 linear feet of roadway frontage (134.88' frontage/30 = 4.46 trees). 1 tree/25 linear feet is required within "use" buffer area. A total of 16 trees are required along the northern 691.9' boundary and 16 trees are required along the western 389.72' boundary. Existing mature trees on site more than exceed the required number of buffer trees required. The applicant has requested approval of an alternate landscape design with the site development plan application (PPR-21-52) to allow the existing tree cover to be counted towards satisfying the various categories of landscaping buffer requirements.

The "Large Lot Residential" Placetype where single-family residential uses are primary land uses identifies commercial retail and commercial service type uses are compatible supporting land uses.

The Large Lot Residential Placetype Characteristics identify institutional uses as an appropriate land use within the Placetype. The proposed zoning (CC) is consistent with the allowances for institutional uses within the Large-lot Residential Placetype.

The proposed CC zone is the least intensive commercial zone that has use allowances that are consistent with the Commercial Retail and Commercial Service Supporting Land Uses allowed within the Large Lot Residential Placetype.

The proposed rezone and intended land uses:

- *Preserves facilities and maintains the character of the original properties associated with the Black Bear Inn.*
- *Preserves a low impact use adjacent to the public access entry gate of the Pikes Peak Forest.*
- *Maintains the level of impacts, in terms of transportation, utility and public services, and environmental land management consistent with compatible residential and commercial uses in the neighborhood.*

- **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.**

Development within the proposed map amendment (rezoning) boundaries will conform to the density and dimensional requirements of the CC zone which include:

- Setbacks: 25-foot front yard; 25-foot side/rear yards (0-feet from internal side/rear lot line within the same zone)
- Height: 40'
- Roadway Landscape Buffer/Setback Requirements:

Ex./Prop. Road	Roadway Classification	Landscaping Buffer/Setback	Req. Trees*/ Linear Foot of Frontage
Pikes Peak Highway	Non-Arterial	10 feet	1 per 30 feet

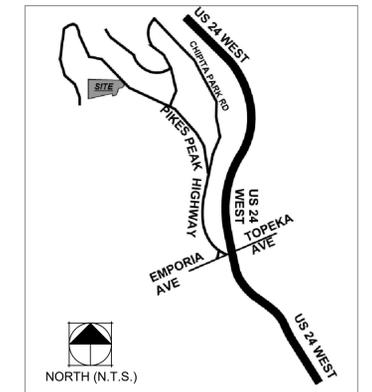
*(min. 1/3 trees shall be evergreen)

The site is heavily treed (see image below). The Site Development Plan application will include a request to count existing trees towards required roadway and internal landscaping and buffering/screening requirements.

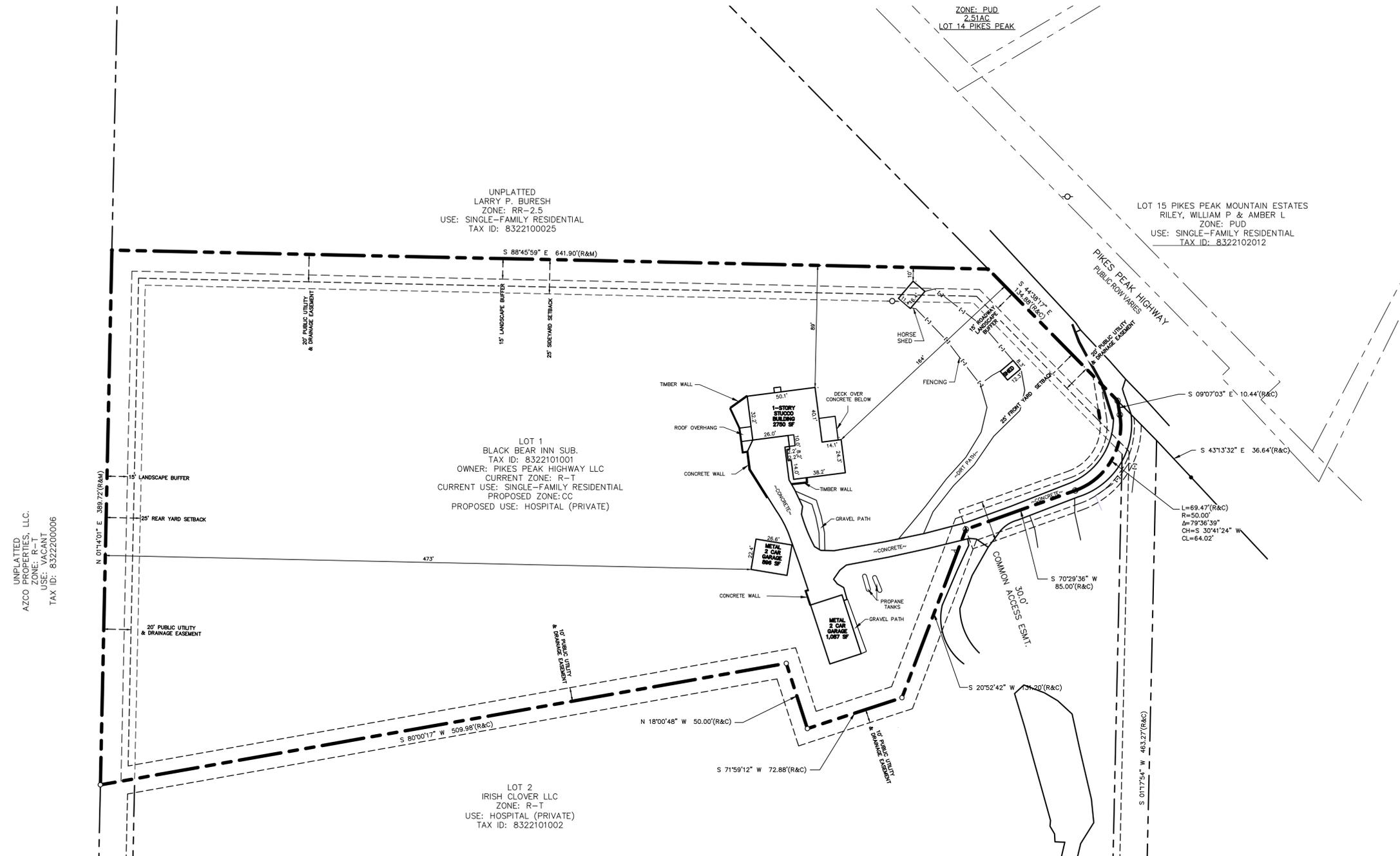


SANDSTONE CARE REZONE MAP

SITUATED IN SECTION 22, TOWNSHIP 13 SOUTH, RANGE 68 WEST OF THE 6TH P.M.,
CITY OF COLORADO SPRINGS, COUNTY OF EL PASO, STATE OF COLORADO



VICINITY MAP



LEGAL DESCRIPTION

Lot 1, Black Bear Inn Subdivision,
County of El Paso,
State of Colorado.

(Per the General Warranty Deed recorded under Reception No. 220115688)

Address of Record: 5250 Pikes Peak Highway, Cascade, CO 80809

ZONING INFORMATION

EXISTING ZONING: R-T (RESIDENTIAL TOPOGRAPHIC)
EXISTING LAND USE: SINGLE-FAMILY RESIDENCE

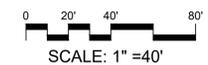
PROPOSED ZONING: CC (COMMERCIAL COMMUNITY)
PROPOSED LAND USE: HOSPITAL (PRIVATE)

PROJECT TEAM:

OWNER:
5250 PIKES PEAK HIGHWAY, LLC
c/o SANDSTONE CARE COS, LLC
5250 PIKES PEAK HIGHWAY
ATTN: COLORADO SPRINGS, CO 80906
ATTO: EDWIN ALVARADO
719-963-1923

SURVEYOR
BARRON LAND
2790 N. ACADEMY BLVD, SUITE 311
COLORADO SPRINGS, CO 80917
ATTN: SPENCER BARRON
719-360-6827

PLANNERS/ LANDSCAPE ARCH.:
KIMLEY-HORN
2 NORTH NEVADA AVENUE, SUITE 300
COLORADO SPRINGS, CO 80903
ATTN: RAIMERE FITZPATRICK
719-453-0180



© 2020 KIMLEY-HORN AND ASSOCIATES, INC.
2 NORTH NEVADA AVENUE, SUITE 300
COLORADO SPRINGS, COLORADO 80903 (719) 453-0180

MAP AMENDMENT (REZONING) (RECOMMEND APPROVAL)

Commissioner Fuller moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

**RESOLUTION NO. CC-21-002
5250 PIKES PEAK HIGHWAY**

WHEREAS, 5250 Pikes Peak Hwy, LLC, did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference from the R-T (Residential Topographic) zoning district to the CC (Commercial Community) zoning district; and

WHEREAS, a public hearing was held by this Commission on January 20, 2022; 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 was 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 were heard at that hearing.
4. 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.
5. The proposed land use or zone district is compatible with existing and permitted land uses and zone districts in all directions.

6. 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
7. 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. 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the petition of 5250 Pikes Peak Hwy, LLC, for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the R-T (Residential Topographic) zoning district to the CC (Commercial Community) zoning district be approved by the Board of County Commissioners:

BE IT FURTHER RESOLVED that the Planning Commisison recommends the following conditions, notations, and waiver 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 CC (Commercial Community) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a zone or rezone application 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 Board of County Commissioners for its consideration.

Commissioner Moraes seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Commissioner Risley	aye
Commissioner Bailey	aye
Commissioner Trowbridge	aye
Commissioner Moraes	aye
Commissioner Fuller	aye
Commissioner Brittain Jack	aye
Commissioner Schuttepelz	aye
Commissioner Carlson	aye
Commissioner Whitney	aye

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

Dated: January 20, 2022

Brian Risley, Chair

EXHIBIT A

Lot 1, Black Bear Inn Subdivision,
County of El Paso, State of Colorado
(Per the General Warranty Deed recorded under Reception No. 2201155688)
Address of Record: 5250 Pikes Peak Highway, Cascade, CO 80809

RESOLUTION NO. 22-

EL PASO COUNTY BOARD OF COUNTY COMMISSIONERS, STATE OF COLORADO

APPROVAL OF THE 5250 PIKES PEAK HIGHWAY MAP AMENDMENT (REZONING) (CC-21-002)

WHEREAS 5250 Pikes Peak Hwy, 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 for 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 R-T (Residential Topographic) zoning district to the CC (Commercial Community) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on January 20, 2022, 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 this Board on February 1, 2022; 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. The application was properly submitted for consideration by the Board of County Commissioners.
2. 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 of El Paso County.
3. The hearings before the Planning Commission and the Board of County Commissioners were extensive and complete, all pertinent facts, matters and issues were submitted and reviewed, and all interested persons were heard at those hearings.
4. The proposed zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.

5. The proposed land use will be compatible with existing and permitted land uses in the area.
6. 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.
7. 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.
8. Changing conditions clearly require amendment to the Zoning Resolutions.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of 5250 Pikes Peak Hwy, 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 R-T (Residential Topographic) zoning district to the CC (Commercial Community) 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 CC (Commercial Community) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

NOTATIONS

1. If a zone or rezone application 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 1st day of February, 2022 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

Lot 1, Black Bear Inn Subdivision,
County of El Paso, State of Colorado
(Per the General Warranty Deed recorded under Reception No. 2201155688)
Address of Record: 5250 Pikes Peak Highway, Cascade, CO 80809