

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

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

Board of County Commissioners

Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 12/17/2024
RE: PUDSP243; Urban Landing

Project Description

A request by Elite Properties of America, Inc., for approval of a Map Amendment (Rezoning) of 6.58 acres from R-4 (Planned Development) to PUD (Planned Unit Development) with approval of a Preliminary Plan illustrating 49 single-family lots, 4 tracts, including 2.00 acres of open space provisions and 0.85 acres of land dedicated for private roads. The property is located at the southeast corner of the intersection of Spanish Bit Drive and Struthers Road. The item was heard on the called-up consent agenda at the December 5, 2024 Planning Commission meeting, and was recommended for approval with a vote of 9-0. (Parcel No. 7136001045) (Commissioner District No. 3)

Notation

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

Planning Commission Recommendation and Vote

Trowbridge moved / Smith seconded for Approval of the PUD Development Plan and Preliminary Plan utilizing the resolution attached to the staff report, that this item be forwarded to the Board of County Commissioners for their consideration. The motion for Approval was approved (9-0). The item was heard as a called-up consent agenda item.

Discussion

Four citizens were in attendance to speak regarding this item. Two citizens expressed neither opposition nor support; however, they had questions for staff and the applicant regarding traffic and drainage. Two citizens were in opposition and expressed concerns regarding traffic, drainage, and compatibility with the adjacent Chaparral Hills subdivision.

Attachments

1. Planning Commission Minutes from 12/5/2024.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolution.

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

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

Board of County Commissioners

Holly Williams, District 1
Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting

Thursday, December 5th, 2024, El Paso County Planning and Community Development Department
2880 International Circle, Colorado Springs, Colorado – Second Floor Hearing Room

REGULAR HEARING at 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: Thomas Bailey, Sarah Brittain Jack, Jay Carlson, Eric Moraes, Wayne Smith, Christopher Whitney, Jim Byers, Tim Trowbridge and Bryce Schuettpelz.

PC MEMBERS PRESENT AND NOT VOTING: (NONE)

PC MEMBERS ABSENT: Becky Fuller and Jeffrey Markewich

STAFF PRESENT: Meggan Herington, Justin Kilgore, Daniel Torres, Ryan Howser, Christina Prete, Jeff Rice, Marcella Maes, Terry Sample (El Paso County Attorney's Office), Erika Keech (El Paso County Attorney) and Lori Seago (El Paso County Attorney).

OTHERS PRESENT AND SPEAKING: Steven Sery, Julie Shoemaker, Paul Krause, Doug Schanel, Kirby Thompson, Kevin Beechwood, Larry Driver, Sara Frear, Ann Odom, Brooks Swenson and Andrea Barlow.

1. REPORT ITEMS

Ms. Herington let Mr. Bailey (Chair) know that it would be acceptable for the Planning Commission to hear regular item 5B first since there are people in the audience that are in opposition of the item 5B that want to speak. Mr. Bailey agreed to hear item 5B first.

Mr. Kilgore had no announcements.

2. PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA

There were none.

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held on November 21st, 2024.

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

4. CALLED-UP CONSENT ITEMS:

The Planning Commission called up 3B File number PUDSP243 to be heard as a regular item.

5. REGULAR ITEMS

3B. PUDSP243

HOWSER

**PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN
URBAN LANDING**

A request by Elite Properties of America, Inc., for approval of a Map Amendment (Rezoning) of 6.58 acres from R-4 (Planned Development) to PUD (Planned Unit Development) with approval of a Preliminary Plan illustrating 49 single-family lots, 4 tracts, including 2.00 acres of open space provisions and 0.85 acres of land dedicated for private roads. The property is located at the southeast corner of the intersection of Spanish Bit Drive and Struthers Road. (Parcel No. 7136001045) (Commissioner District No. 3)

COMBINED STAFF & APPLICANT PRESENTATION: **Mr. Bailey** (Chair) suggested that audience members who wish to speak should go first, with the applicant answering their questions afterward. **Mr. Brooks Swenson** (N.E.S) agreed. **Mr. Swenson** presented his presentation and touched on some of the concerns that were heard from the public.

DISCUSSION: **Mr. Carlson** inquired about the height of the buildings, asking if a story is typically 10 feet tall. **Mr. Swenson** responded that the buildings are less than 30 feet tall, under two stories, and a typical story height is about 10 to 12 feet. **Mr. Bailey** then clarified that the maximum height limit in the PUD zoning district is 30 feet.

Mr. Moraes asked **Mr. Swenson** for clarification on Table 8 of the traffic study, specifically regarding the west and right turn lanes. **Mr. Trowbridge** directed **Mr. Moraes** to page 28 of the packet, where the information is included in the letter of intent. In response to **Mr. Moraes'** question, **Ms. Andrea Barlow** (N.E.S) outlined several proposed improvements, some of which are the responsibility of the Urban Landing development and others involve joint efforts with the Cathedral Rocks Commons commercial development. These improvements include adding a northbound right turn lane, lengthening the southbound left turn lane on Struthers Road at Spanish Bit Drive, paving Spanish Bit Drive, and installing curbs, gutters, and sidewalks. An acceleration lane at Struthers was also discussed but is not yet required based on traffic volume.

Mr. Moraes inquired about the potential impact of installing signage for a left-hand turn on Innovative Drive and Urban Landing Drive. **Mr. Torres** responded that Innovative Drive meets the criteria for full movement intersections so there's no need to limit them. He also noted that people generally prefer paved roads, especially in bad weather, but the roads already meet required criteria. **Mr. Smith** expressed concerns about the turn lanes, particularly the timing for the northbound right turn lane, which is based on specific traffic conditions, and questioned whether these conditions would provide sufficient guidance for traffic flow. **Mr. Torres** clarified that the current discussion is at the preliminary plan stage, and further details would be finalized at the final plat stage. He mentioned that the applicant is in talks with Cathedral Rocks Commons, which is further along in development, and that most of the needed improvements will be triggered by the development of nearby commercial lots

Mr. Moraes asked staff about feedback from the United States Air Force Academy (USAFA) regarding citizen concerns. **Mr. Howser** deferred the question to **Mr. Torres**, noting that most concerns were related to drainage, and emphasized that the project has received approval. **Mr. Torres** explained that drainage concerns stemmed from both the Cathedral Rocks Commons and the current development, with flows directed west beneath Struthers Road. He stated that the development plans to provide a detention pond to manage flows, which will be analyzed further in the final drainage report. **Mr. Howser** clarified that an additional condition of approval requires addressing any outstanding comments, including those from the USAFA and other staff, before the PUD plan can be officially recorded.

Mr. Moraes spoke on the notification process, explaining that previously only property owners touching the site were notified, but now notifications are sent to everyone within a 500-foot radius. **Mr. Moraes** and **Mr. Bailey** let **Mr. Krause** know that he could go before the BoCC to state his comments or talk to the applicant who is present at this hearing. The Planning commission is only a recommendation body.

PLANNING COMMISSION DISCUSSION: **Mr. Moraes** highlighted that the property was already zoned for something like the proposed plan, and the new zoning updates an obsolete designation, offering the opportunity to address citizen concerns. **Mr. Whitney** added that with more conditions and restrictions in this new zoning, the development has a better chance of aligning with what people want. **Mr. Bailey** noted that the existing R4 zoning had been in place for 50 years, so it wasn't surprising. **Mr. Smith** suggested displaying the decision criteria for transparency, and **Mr. Bailey** confirmed it was in the packet and accessible via EDARP. **Mr. Trowbridge** agreed with **Mr. Moraes**, stating the development fits the area well, as it is on the edge and could have been commercial, but housing is more appropriate. **Mr. Bailey** also commented that the applicant did a good job ensuring the development is compatible with existing residential areas.

STAFF COMMENTS: None

APPLICANT COMMENTS: None

PUBLIC COMMENTS: Property owners expressed their views on the proposed development. **Mr. Doug Schanel** supported it but raised concerns about stormwater runoff, traffic safety, and infrastructure, citing issues like sediment on Spanish Bit Drive, unplowed gravel roads, and unsafe lanes in snow. **Mr. Steve Sery** highlighted school traffic and road conditions, recommending the inclusion of acceleration lanes for both right and left turns onto Struthers to improve safety. **Mr. Paul Krause** opposed the development's size and traffic impact, suggesting a wall to prevent people from walking on his property and hoping for shared access concerning the easement behind his house. **Mr. Kevin Beechwood**, a long-time resident of Chaparral Hills, strongly opposed the plan, criticizing the excessive number of units and the impact on the horse community and water drainage, while also noting the limited notification to neighbors.

PC ACTION: TROWBRIDGE MOVED / SMITH SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER PUDSP243 FOR A PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN URBAN LANDING UTILIZING THE ATTACHED RESOLUTION WITH SEVEN (7) CONDITIONS AND FIVE (5) NOTATIONS AND A RECOMMENDED FINDING OF SUFFICANCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

IN FAVOR: (9) Bailey, Brittain Jack, Byers, Carlson, Fuller, Moraes, Schuettpelz, Trowbridge, Whitney and Smith

IN OPPOSITION: (0) None

5A. VA244

KILGORE

**VARIANCE OF USE
UTAH-NEVADA LANE VARIANCE OF USE**

A request by N.E.S. Inc. for approval of a Variance of Use to allow a recreational vehicle (RV) storage and mini-warehouse facility in the RR-5 (Rural Residential) and CAD-O (Commercial Airport Overlay Zoning Districts). The property is located south of Woodmen Road on Adventure Way, south of the intersection of Adventure Way and Nevada Lane. (Parcel Nos. 5308000002, 5308000071, 5308000082) (Commissioner District No. 2).

STAFF PRESENTATION: Mr. Trowbridge asked **Mr. Torres** if Adventure Way is part of the City of Colorado Springs, while Nevada, California, and Utah are all private roads. **Mr. Torres** confirmed this. **Mr. Trowbridge** then asked who is responsible for maintaining these roads, to which **Mr. Torres** replied that he did not find any information on maintenance. Regarding Nevada Lane, **Mr. Torres** noted that the County Attorney indicated there wasn't enough information to determine if the road is open for public use. **Mr. Bailey** stated that the provided documentation suggests Nevada Lane is private, meaning anyone who used it in the past was trespassing on a private road. He asked Ms. Seago if the documentation is insufficient to establish ownership, emphasizing that ownership is an important issue.

Ms. Seago (El Paso County Attorney's Office) stated she reviewed deeds and court documents that identified only one property to the south that was previously granted access across the Applicant's property, and the Applicant is granting that property owner access through the gate on Nevada Lane. She said she cannot offer an opinion on whether any property owners may have an easement by prescription on Nevada Lane, but there is a suggested Notation of Approval that confirms that if approved, this Variance of Use will have no impact on such easement if it exists.

Mr. Whitney asked if the road has been used by the public for a long time. **Ms. Seago** responded that it has been used, but she could not confirm whether it was by the public or just a few residents as a private access easement, as she had no information on that. **Mr. Whitney** then asked if anyone had tried to block access to it, and **Ms. Seago** said not to her to my knowledge. **Mr. Torres** then continued with his presentation.

Mr. Carlson stated that the roadway issue should be resolved first, as approving the variance could alter the development plan if the road is later challenged in court. **Mr. Torres** responded that such matters would be handled in court and that if the road were deemed public, it would need to meet county standards. **Mr. Carlson** assumed the gates would have to be removed, and **Mr. Torres** agreed. **Mr. Bailey** noted that the Variance of Use decision wouldn't affect the road issue, which might need to be addressed separately. **Mr. Byers** mentioned that the property owner also owns Utah Lane, suggesting additional complications with private roads, but **Mr. Torres** was unsure about other easements. **Mr. Byers** agreed that road issues should be settled before proceeding with development. **Mr. Bailey** proposed allowing the applicant to address these concerns. **Mr. Whitney** asked **Ms. Seago** about the Quiet Title action, confirming it applied to half of Nevada Lane, which she affirmed. **Mr. Whitney** found it unusual for a Quiet Title to apply to just 15 feet, and **Ms. Seago** confirmed this. **Mr. Kilgore** continued the presentation.

APPLICANT PRESENTATION: **Mr. Whitney** confirmed that the eastern portion belongs to the client due to the Quiet Title action, while they already own the western portion, they are the owners of record of Nevada Lane. **Ms. Frayer (Applicant's attorney)** agreed with **Mr. Whitney's** and stated that the client is the owner of record of half of Utah Lane, and while there are recorded access easements affecting their ownership, they are not trying to disrupt these rights. **Mr. Byers** inquired about recorded access easements on California, and **Ms. Frayer** confirmed there are many recorded access easements on both California and Utah, including utility easements. **Ms. Odom (N.E.S)** continued the presentation.

Mr. Carlson asked if there is an area where property owners can access the development through the gate. **Ms. Odom** confirmed that it is 7215 Nevada Lane, a single-family home south of California, which has deeded access through the gate. She explained that this access has been in place for several decades, though she wasn't sure when the deed was recorded. **Mr. Carlson** clarified that this access is to the north-south road, and **Ms. Odom** confirmed they would have direct access through the gates on Nevada Lane. When **Mr. Carlson** questioned the earlier statement that no one had deeded access, **Ms. Odom** clarified that only this one property has deeded access.

PUBLIC COMMENTS: **Mr. Larry Driver** a property owner at 7150 Nevada Lane for over 30 years, opposed the proposal. He has maintained and plowed the road with his own equipment, with neighbor approval. His concern is that, while his neighbor is being granted access, he is not, despite using the road more than anyone else. **Mr. Driver** was unaware of the Quiet Title action and believes more information is needed before approving the Variance. **Mr. Kirby Thompson** who owns Hale Acres, also expressed concerns about property boundary issues and road access. He and his wife have used roads on Wyoming Lane since 1978. **Mr. Thompson** believes the applicant is using legal tactics to force action, especially after a Quiet Claim Deed was filed without proper notice. He referred to state laws that could make the roads public by prescription due to over 20 years of uninterrupted use. **Mr. Thompson** argued that blocking these roads would harm local businesses and that they should remain open.

APPLICANT DISCUSSION: **Ms. Frayer** acknowledged the neighbors' concerns but stated there is no legal basis to deny the application regarding Nevada Lane. She emphasized that Nevada Lane is a private easement in public records, with only the Sedlak family and her client holding rights to it. She disagreed with Mr. Kirby's interpretation of the public highway statute and clarified that the Quiet Title process followed all legal requirements, including court approval and public notice. **Ms. Frayer** explained that if neighbors wish to challenge this, they can pursue legal action in court. She reassured the Planning Commission that no access would be unlawfully cut off, as alternative access via recorded easements is available, and her client only claims ownership of their portion of Nevada Lane.

Ms. Frayer clarified that to establish a prescriptive easement under Colorado law, the claimant must go to court to have it recognized in the public record, which has not yet been done. She noted that if neighbors pursue this, the application accounts for it, and the project would be subject to any valid court order. **Mr. Carlson** asked if the client was willing to take the risk of developing the property, knowing that future legal action might require changes. **Ms. Frayer** confirmed they were. When asked about the Quiet Title process, **Ms. Frayer** stated it began in 2021, and the order was recorded in May 2022. She also explained that the plan was to install gates on Nevada Lane, but the current easement remains unchanged, and if a neighbor establishes a prescriptive easement, they would be given access in the same way as the current easement holder.

Mr. Moraes suggested seeking legal advice and entering executive session. **Mr. Bailey** proposed the applicant finish her rebuttal first.

Mr. Smith asked about whether the proposal would allow access to a regular roadway for business owners. **Ms. Frayer** clarified that the proposal does not aim to make Nevada Lane a public roadway

and emphasized that prescriptive easements differ from public roadways. **Mr. Whitney** asked if, as a citizen with a prescriptive easement, he would be given a key to Nevada Lane, to which Ms. Frayer confirmed that keys would be provided to easement holders but not the general public. **Mr. Carlson** clarified that he was asking about the statute that allows a road to become public after 20 years of use, and **Ms. Frayer** stated the public the interpretation of the law. **Ms. Frayer** read a letter she had written to Mr. Kirby, explaining that specific criteria must be met to establish a public highway, and in this case, those criteria were not satisfied. She emphasized that simply using a road for 20 years does not automatically make it a public highway, as the law requires more than that.

PLANNING COMMISSION DISCUSSION: Ms. Seago proposed a motion that the Planning Commission go into executive session in pursuant to CRS24-6-402 4B conferences with an attorney for the public local body for the purposes of receiving legal advice on specific legal questions the subject matter would be legal questions related to the status of Nevada Lane as an access.

PC ACTION: MORAES MOVED / WHITNEY SECONDED MS. SEAGO'S PROPOSED MOTION THAT THE PLANNING COMMISSION GO INTO EXECUTIVE SESSION IN PURSUANT TO CRS24-6-402 4B CONFERENCES WITH AN ATTORNEY FOR THE PUBLIC LOCAL BODY FOR THE PURPOSES OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS. THE SUBJECT MATTER WOULD BE LEGAL QUESTIONS RELATED TO THE STATUS OF NEVADA LANE AS AN ACCESS. MS. SEAGO STATED THAT THE PLANNING COMMISSION DOES NEED A ROLL CALL VOTE THE MOTION DOES NEED TO PASS BY A TWO THIRDS MAJORITY FOR IT TO PASS. THE MOTION TO RECOMMEND APPROVAL PASSED (8-1).

IN FAVOR: (8) Moraes, Byers, Whitney, Brittain Jack, Carlson, Schuettpelz, Smith and Bailey.

IN OPPOSITION: (1) Trowbridge stated he does not believe that this question is pertinent or hits on any aspect to the criteria we are supposed to consider.

Meggan Herington, Erika Keech (El Paso County Attorney), Lori Seago (El Paso County Attorney), Justin Kilgore, Daniel Torres, Thomas Bailey, Sarah Brittain Jack, Jay Carlson, Eric Moraes, Wayne Smith, Christopher Whitney, Jim Byers, Tim Trowbridge and Bryce Schuettpelz attended the Executive Session. Executive session start time: 11:24 A.M Executive session end time: 11:38 A.M.

Mr. Trowbridge moved, and **Mr. Moraes** seconded to come out of Executive session back to regular session.

IN FAVOR: (9) Moraes, Byers, Whitney, Brittain Jack, Trowbridge, Carlson, Schuettpelz, Smith and Bailey.

IN OPPOSITION: (0)

Ms. Seago said an Executive session was held for the purposes stated on the record and no decisions were made.

ADDITIONAL DISCUSSION: Mr. Carlson disagreed with fellow commissioners, saying that the approval criteria for the Variance state it should not be detrimental to the surrounding area or to the health, safety, and welfare of the community. Based on the 10 negative inputs received, including concerns about the road's importance for safety during inclement weather, the speaker believes the variance would indeed be detrimental to the area.

PC ACTION: BRITTIAN JACK MOVED / SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 5B, FILE NUMBER VA244 FOR A VARIANCE OF USE UTAH- NEVADA LANE UTILIZING THE ATTACHED RESOLUTION WITH THREE (3) CONDITIONS AND FOUR (4) NOTATIONS AND A RECOMMEND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (7-2).

IN FAVOR: (7) Bailey, Brittain Jack, Moraes, Schuettpelz, Trowbridge, Whitney, Smith
IN OPPOSITION: (2) Byers and Carlson stated the application does not meet the approval criteria.

5A. LDC243

HERINGTON

**EL PASO COUNTY LAND DEVELOPMENT CODE AMENDMENT
NATURAL MEDICINE**

A request by the El Paso County Planning and Community Development Department to amend Chapters 1 and 5 of the El Paso County Land Development Code (2022) as it pertains to definitions and use standards for Natural Medicine. The proposed revisions, in their entirety, are on file with the El Paso County Planning and Community Development Department. (All Commissioner Districts).

STAFF PRESENTATION.

DISCUSSION: Mr. Trowbridge asked whether it is possible to require that testing and manufacturing facilities be collocated, meaning they cannot be separate. **Ms. Herington** said that **Ms. Terry Sample (El Paso County Attorney)** would look into the regulatory language to determine what can or cannot be required in this regard. Mr. Herington clarified that multiple licenses can be applied for, suggesting that collocating these facilities might be feasible, similar to how medical marijuana operations work.

Mr. Carlson raised concerns about whether a product, such as mushrooms, can be grown and sold directly or if it requires additional processing to be useful. **Ms. Herington** explained that for patients at a Natural Medicine healing facility, treatment must occur on-site, and personal cultivation of a limited amount is allowed. She also explained that "manufacturing" involves more than just growing the product—there is a process involved to make it suitable for use.

Mr. Bailey added that natural medicine products are infused with natural medicine, implying additional steps are involved beyond simply consuming mushrooms. **Mr. Moraes** noted that the definitions suggest cultivation and manufacturing can be combined at one center.

Ms. Brittain Jack asked if all licensed healing center providers are also licensed professionals (like nurses). **Ms. Herington** confirmed that both facilitators and establishments are licensed by the state, as required by the Regulatory Act.

Mr. Whitney raised a question about the 1000-foot buffer requirement around colleges, asking if it should be based on the "principal campus" or something else, as he wasn't sure what a principal campus is compared to a satellite campus. **Ms. Herington** explained that the term "principal campus" comes from the Medical Marijuana licensing regulations, and the County Clerk uses this term to refer to a main campus. She clarified that this excludes satellite campuses, such as a downtown night school, and is more like a full campus, such as UCCS.

Mr. Carlson asked for clarification on how the 1000-foot distance is measured, particularly regarding pedestrian access. **Ms. Herington** explained that it is measured from the nearest property line of the school to the closest portion of the Natural Medicine business, with the route determined by the most direct pedestrian access. She acknowledged that there could be disagreements over the measurement, which might require using GIS or physically measuring the route.

Mr. Moraes asked about situations where a school and a Natural Medicine business might be close to each other, with their property lines touching, but the 1000-foot distance requiring a longer walk due

to the layout of the block. **Ms. Herington** confirmed that the buffer requirement applies to the property lines and not just proximity, meaning the distance could exceed 1000 feet depending on the layout.

Mr. Moraes also raised a concern about whether a Child Care Center could be established within the CS (Commercial Services) zone if there is already a Natural Medicine business within 1000 feet. **Ms. Herington** confirmed that the answer would likely be no but asked to hold off on a definitive response until further discussions and review of maps.

Mr. Moraes asked if the zoning requirements for Natural Medicine businesses could mandate rezoning to CS (Commercial Services) in areas with obsolete zoning districts like C1, C2, and M1. **Ms. Herington** explained that when the Land Development Code (LDC) is updated the obsolete zones will likely be converted to industrial zones. She noted that requiring a rezone to CS for Natural Medicine businesses might not be appropriate, and while recommendations to change zone districts could be made to the Board of County Commissioners, she was unsure why industrial zoning wouldn't be considered.

Mr. Trowbridge raised a question about storage requirements for Natural Medicine businesses, specifically if storage should be required within a licensed facility. **Ms. Herington** clarified that storage in a licensed facility is required, but personal cultivation is separate and not subject to the same regulations. She further explained that businesses could not store their inventory in outside units like storage facilities unless related to cultivation materials like topsoil, which do not require licensed storage. **Mr. Trowbridge** also inquired about security and secure disposal, asking if it was defined anywhere. **Ms. Herington** explained that security and disposal protocols are defined in the state's Regulatory Act, which businesses must follow.

Mr. Moraes asked about the personal cultivation space requirement, specifically whether it should be a separate enclosed area, such as a small shed or greenhouse not exceeding 12x12 feet. **Ms. Herington** confirmed this interpretation but emphasized that personal cultivation rules may be further clarified based on state regulations.

Ms. Herington discussed the personal cultivation of Natural Medicine, explaining that a locked-off space, such as a basement, could be used if it meets the necessary requirements (e.g., light and water). However, she noted that the interpretation of these rules is largely based on state licensing regulations, and she wasn't sure how far those regulations would go.

Mr. Moraes asked about the disposal of personal cultivation, noting that there was no specific guidance on whether the products could just be thrown away. **Ms. Herington** acknowledged that she did not have an answer for that, as personal cultivation doesn't require a state license, and enforcement on disposal and locked space details isn't clear.

Mr. Bailey mentioned that properties already zoned could be used starting January 1st, but other areas could be rezoned to allow for Natural Medicine businesses. **Ms. Brittian Jack** inquired if such zoning changes would be reviewed by their committee. **Ms. Herington** confirmed that any zoning changes would be heard by the Planning Commission but noted that the exact use of the rezone (e.g., for a Natural Medicine business) might not be known at the time. If a rezoning request for CS (Commercial Services) was made, the county would need to review the zoning and buffer requirements to determine if the business could be established at the location.

Ms. Herington addressed whether the City's regulations will mirror those of the county. She mentioned that while the City's proposal includes a similar one-mile buffer from schools, their approach is different in classifying a Natural Medicine Healing Center as a medical clinic, which would be permitted in any zone district allowing medical clinics. Manufacturing, cultivation, and testing are considered industrial uses, permitted in industrial zones.

Ms. Herington also provided insight into other cities' regulations, mentioning that Fountain uses a 1000-foot buffer from schools, and other cities like Manitou, Monument, and Castle Rock are considering similar approaches. Local jurisdictions can adjust buffer requirements, sometimes including residential areas.

Mr. Carlson asked about the definition of religious institutions, with Ms. Herington confirming that a religious institution is defined by zoning, even if it's located in a shopping center.

Ms. Terry Sample clarified the legal limits on personal use of natural medicine under Colorado criminal statute 18-18-434 and mentioned restrictions on ownership of more than three medicine businesses by one person.

Mr. Bailey asked about the timeline for revising the LDC, and Ms. Herington confirmed that changes could be made in the future if necessary. She also explained that the current framework for regulating natural medicine is largely modeled after medical marijuana, as there is limited guidance available, especially with psilocybin still being a federal issue.

Mr. Smith asked about synthetic alternatives, and **Ms. Herington** clarified that the current regulations focus on natural plant-based psychedelics, though the future might involve synthetic substances.

PLANNING COMMISSION DISCUSSION: (NONE)

STAFF COMMENTS: (NONE)

APPLICANT COMMENTS: (NONE)

PUBLIC COMMENTS: (NONE)

PC ACTION: MORAES MOVED / SMITH SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 5A, FILE NUMBER LDC243 FOR EL PASO COUNTY LAND DEVELOPMENT CODE AMENDMENT NATURAL MEDICINE UTILIZING THE ATTACHED RESOLUTION AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

IN FAVOR: (9) SMITH, SCHUETTPELZ, CARLSON, TROWBRIDGE, BRITTIAN JACK, WHITNEY, BYERS, MORAES AND BAILEY.

IN OPPOSITION: (0) NONE

6. NON-ACTION ITEMS – MP232 – Jimmy Camp Creek hearing moved to January 16th, 2025

NON-ACTION ITEMS – Discussion of format for the minutes.

MEETING ADJOURNED at 12:40 P.M.

Minutes Prepared By: MM

MAP AMENDMENT (REZONING) TO PLANNED UNIT DEVELOPMENT (PUD) AND PRELIMINARY PLAN
(RECOMMEND APPROVAL)

TROUBKIDGE moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. PUDSP243
URBAN LANDING

WHEREAS, Elite Properties of America, Inc. 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 R-4 (Planned Development) zoning district to the PUD (Planned Unit Development) zoning district with a Preliminary Plan proposing the Urban Landing subdivision, consisting of 49 single-family lots, 4 tracts, including 2.00 acres of open space provisions and 0.85 acres of land dedicated for private roads; and

WHEREAS, a public hearing was held by this Commission on December 5, 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, the Planning Commission and Board of County Commissioners shall determine that the request meets the criteria for approval outlined in Sections 4.2.6 and Section 7.2.1 of the El Paso County Land Development Code ("Code") (as amended):

1. The proposed PUD district zoning advances the stated purposes set forth in Chapter 4 of the Code.
2. The application is in general conformity with the Master Plan;
3. The proposed development is in compliance with the requirements of the Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;
4. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;
5. The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;
6. The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;
7. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;

8. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;
9. The proposed development will not overburden the capacities of existing or planned roads, utilities, and other public facilities (e.g., fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;
10. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;
11. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;
12. Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and
13. The owner has authorized the application.

WHEREAS, the applicants have requested the proposed PUD be reviewed and considered as a Preliminary Plan, the requirements identified in Chapter 7 and Chapter 8 of the El Paso County Land Development Code ("Code") (as amended) requires the Planning Commission and the Board of County Commissioners find that the following additional criteria for approval have also been met:

1. The proposed Subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The Subdivision is consistent with the purposes of the Code;
3. The Subdivision is in conformance with the subdivision design standards and any approved Sketch Plan;
4. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code;
5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and local laws and regulations, [C.R.S. § 30-28-133(6)(b)] and the requirements of Chapter 8 of the Code;

6. All areas of the proposed Subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed Subdivision is compatible with such conditions. [C.R.S. § 30-28-133(6)(c)];
7. Adequate drainage improvements complying with State law [C.R.S. § 30-28-133(3)(c)(VIII)] and the requirements of the Code and the Engineering Criteria Manual ("ECM") are provided by the design;
8. The location and design of the public improvements proposed in connection with the Subdivision are adequate to serve the needs and mitigate the effects of the development;
9. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM;
10. The proposed Subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the Subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the Subdivision to provide a transition between the Subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed Subdivision so the proposed Subdivision will not negatively impact the levels of service of County services and facilities;
11. Necessary services, including police and protection, recreation, utilities, open space, and transportation systems are or will be available to serve the proposed Subdivision;
12. The Subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code; and
13. The proposed Subdivision meets other applicable sections of Chapter 6 and 8 of the Code.

WHEREAS, a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of Subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Elite Properties of America, Inc. 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 R-4 (Planned Development) zoning district to the PUD (Planned Unit Development) zoning district with a Preliminary Plan proposing the Urban Landing subdivision, consisting of 49 single-family lots, 4 tracts, including 2.00 acres of open space provisions and 0.85 acres of land dedicated for private roads be approved by the Board of County Commissioners with the following conditions and notations:

CONDITIONS

1. Development of the property shall be in accordance with this PUD Development Plan. Minor changes in the PUD Development Plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD Development Plan amendment application.
2. Approved land uses are those defined in the PUD Development Plan and development guide.
3. All owners of record must sign the PUD Development Plan.
4. The PUD Development Plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD Development Plan.
5. Applicable park, school, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of Final Plat(s) recordation.
6. All remaining staff comments shall be addressed prior to recordation of the PUD Development Plan.
7. The developer shall enter into a Subdivision Improvement Agreement or other applicable Development Agreement for the construction of the offsite roadway improvements listed in Table 8 of the Urban Landing Traffic Impact Study at the time of Final Plat recordation.

NOTATIONS

1. Subsequent Final Plat Filings may be approved administratively by the Planning and Community Development Director.
2. 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.

3. 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.
4. Preliminary Plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
5. Approval of the preliminary plan will expire after two (2) years unless a Final Plat has been approved and recorded or a time extension has been granted.

BE IT FURTHER RESOLVED that the Planning Commission recommends approval of the Planned Unit Development (PUD) as a Preliminary Plan of the Urban Landing Subdivision.

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.

SMITH 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	<u>aye</u> / no / non-voting / recused / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / <u>absent</u>
Jeffrey Markewich	aye / no / <u>non-voting</u> / recused / <u>absent</u>
Eric Moraes	<u>aye</u> / no / non-voting / recused / absent
Bryce Schuettpelz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	<u>aye</u> / no / non-voting / recused / absent
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

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

DONE THIS 5th day of December, 2024, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

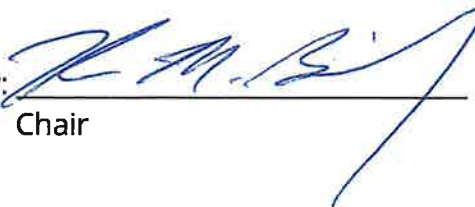
By: 
Chair

EXHIBIT A

Legal Description:

A tract of land in the Northeast quarter of the Southwest quarter in Section 36 in Township 11 South in Range 67 West of the 6th P.M., El Paso County, Colorado described as follows:

Beginning at the Southwest corner of Lot 26, Chaparral Hills, as recorded in Plat Book T-2 at Page 2 in the records of El Paso County, Colorado, said point being on the South line of said Northeast quarter of the Southwest quarter; thence S 89 degrees 59 minutes 08 seconds W, on said south line, 880.00 feet to a point of intersection with the Northeasterly line of a tract described by deed to the Department of Highways, State of Colorado, recorded August 12, 1963 in Book 1969 at Page 746 under Reception No. 301954 of the records of El Paso County, Colorado; thence N 24 degrees 59 minutes 35 seconds W, on said Northeasterly line, 61.00 feet to a point of intersection with the Southeasterly line of Spanish Bit Drive as platted in said Chaparral Hills; thence along the said Southeasterly line of Spanish Bit Drive for the following five courses, N 65 degrees 00 minutes 25 seconds E, 166.60 feet to a point of curve; thence on a curve to the left, through a central angle of 29 degrees 52 minutes 41 seconds, having a radius of 530.00 feet, an arc distance of 276.38 feet; thence N 35 degrees 07 minutes 44 seconds E, 167.67 feet to a point of curve; thence on a curve to the right through a central angle of 14 degrees 19 minutes 10 seconds, having a radius of 470.00 feet; an arc distance of 117.46 feet; thence N 49 degrees 26 minutes 54 seconds E, 227.19 feet to the most Westerly corner of said Lot 26, Chaparral Hills; thence S 16 degrees 21 minutes 15 seconds E, 700.71 feet to the Point of Beginning, except that portion conveyed by Special Warranty Deed recorded January 2, 2007 at Reception No. 207000186, El Paso County, Colorado.

Containing 6.576 acres "net" (286,453 square feet), more or less.



COMMISSIONERS:
CARRIE GEITNER (CHAIR)
CAMI BREMER (VICE-CHAIR)

COLORADO

HOLLY WILLIAMS
STAN VANDERWERF
LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
Thomas Bailey, Chair

FROM: Ryan Howser, AICP, Principal Planner
Daniel Torres, PE, Principal Engineer
Meggan Herington, AICP, Executive Director

RE: Project File Number: PUDSP243
Project Name: Urban Landing
Parcel Number: 7136001045

OWNER:	REPRESENTATIVE:
Elite Properties of America, Inc. 2138 Flying Horse Club Drive Colorado Springs, CO, 80921	Classic Consulting 619 North Cascade Avenue Colorado Springs, CO, 80903

Commissioner District: 3

Planning Commission Hearing Date:	12/5/2024
Board of County Commissioners Hearing Date:	12/17/2024

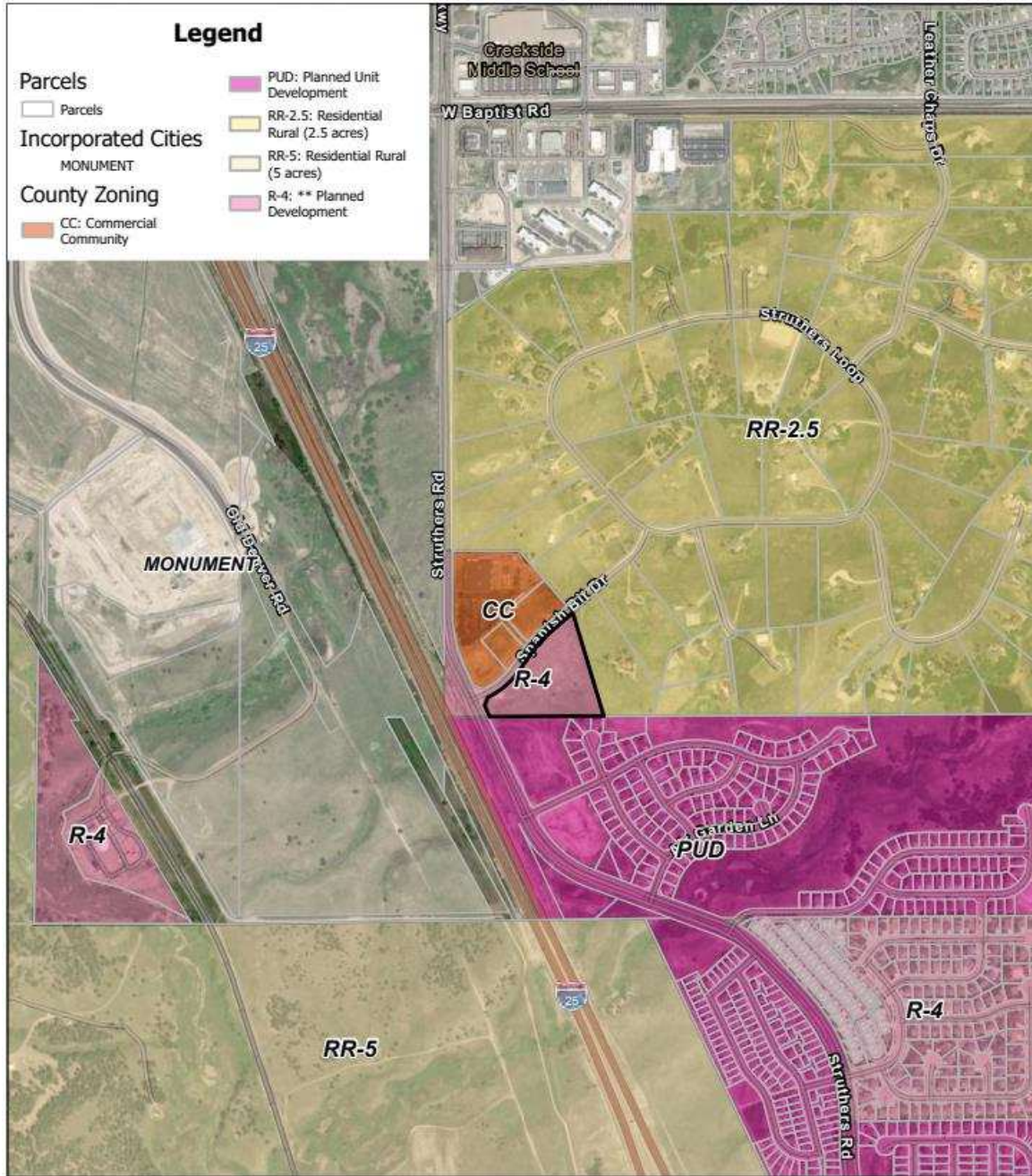
EXECUTIVE SUMMARY

A request by Elite Properties of America, Inc., for approval of a Map Amendment (Rezoning) of 6.58 acres from R-4 (Planned Development) to PUD (Planned Unit Development) with approval of a Preliminary Plan illustrating 49 single-family lots, 4 tracts, including 2.00 acres of open space provisions and 0.85 acres of land dedicated for private roads. The property is located at the southeast corner of the intersection of Spanish Bit Drive and Struthers Road.

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM



ZONING MAP

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

A. AUTHORIZATION TO SIGN: PUD Development Plan and any other documents required to finalize the approval.

B. APPROVAL CRITERIA

The Planning Commission and BoCC shall determine that the following criteria for approval outlined in Section 4.2.6 of the El Paso County Land Development Code (as amended), have been met to approve a PUD zoning district:

- *The proposed PUD district zoning advances the stated purposes set forth in this section.*
- *The application is in general conformity with the Master Plan;*
- *The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County;*
- *The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area;*
- *The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g. commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use to use relationships;*
- *The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community;*
- *Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project;*
- *Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities;*
- *The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g. fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed;*



- *The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design;*
- *The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner;*
- *Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide; and*
- *The owner has authorized the application.*

The applicant has requested the proposed PUD also be reviewed and considered as a Preliminary Plan. Compliance with the requirements identified in Chapter 7 and Chapter 8 of the El Paso County Land Development Code (as amended) for a Preliminary Plan requires the Planning Commission and the BoCC shall find that the additional criteria for a Preliminary Plan in Section 7.2.1 have also been met:

- *The proposed subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;*
- *The subdivision is consistent with the purposes of this Code;*
- *The subdivision is in conformance with the subdivision design standards and any approved sketch plan;*
- *A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of this Code;*
- *A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6) (b)] and the requirements of Chapter 8 of this Code;*
- *All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)];*



- *Adequate drainage improvements complying with State law [C.R.S. §30-28-133(3)(c)(VIII)] and the requirements of this Code and the ECM are provided by the design;*
- *The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development;*
- *Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;*
- *The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities;*
- *Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision;*
- *The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code; and*
- *The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.*

C. BACKGROUND

The property was zoned A-4 (Agricultural) at the time of initial zoning for this portion of El Paso County on January 3, 1955. The BoCC approved a request for a Map Amendment (Rezoning) from A-4 to R-4 (Planned Development) on April 5, 1976 (El Paso County



Public Records, Reception No. 231703), creating the Jackson Creek Junction R-4 district. The Jackson Creek Junction R-4 district (PCD File No. R475004Z) identified this property as appropriate for multi-family development consisting of up to 7.5 dwelling units per acre. The applicant is proposing to establish a PUD zoning on the property which could result in a gross density of 7.46 single-family dwelling units per acre. See the table below for a comparison of the current dimensional standards under the existing R-4 zoning district and the proposed dimensional standards under the requested PUD Development Plan.

	Existing R-4 (Planned Development)	Proposed PUD (Planned Unit Development)
Maximum Number of Units	49	49
Maximum Density	7.5 units per acre	7.4 units per acre
Front Setback	N/A	5 feet
Rear Setback	N/A	10 feet
Side Setback	N/A	5 feet
Minimum Lot Width	N/A	30 feet
Maximum Lot Coverage	N/A	70%
Maximum Height	N/A	30 feet

If the application for a PUD Development Plan and Preliminary Plan is approved, the applicant will be required to receive approval of a Final Plat(s) prior to the issuance of any building permits on the property. The Final Plat(s) must be recorded prior to initiating any land disturbing activities unless approval of a pre-subdivision site grading request is granted by the Board of County Commissioners. In order to initiate any residential uses on the property, the applicant will need to obtain Site Plan approval.

D. LAND DEVELOPMENT CODE AND ZONING ANALYSIS

The Struthers Ranch PUD is located to the south of the subject property and consists of single-family detached residential and commercial development with a minimum lot size of 6,500 square feet and a net residential density of 3.2 dwelling units per acre (PCD File No. PUD06016). To the east is the Chaparral Hills subdivision, which consists of single-family detached residential development with a minimum lot size of 2.5 acres (Plat No. 3515). The property to the north is zoned CC (Commercial Community) and is being used for commercial retail purposes. Interstate 25 is immediately adjacent to the



west of Struthers Road. The United States Air Force Academy is located west of Interstate 25 in this area and to the southwest of the subject property.

Section 4.2.6.F.8, Planned Unit Development District of the Land Development Code requires a minimum of 10% of the overall residential PUD to be set aside as open space. The Plan incorporates 2.0 acres of open space, which comprises approximately 30% of the proposed development area.

The PUD application meets the purpose of zoning and criteria of approval, in Chapter 4, and of the Land Development Code. The Preliminary Plan application meets the Preliminary Plan submittal requirements, the standards for Divisions of Land in Chapter 7, and the standards for Subdivision in Chapter 8 of the Code. The applicant will be required to comply with the standards for Subdivision in Chapter 8 of the Code with subsequent Final Plat applications.

The PUD Development Plan identifies allowed and permitted uses; use, density, and dimensional standards such as setbacks, maximum lot coverage, and maximum building height; and overall landscaping requirements. The PUD Development Plan is consistent with the proposed PUD development guidelines and with the submittal and processing requirements of the Land Development Code.

E. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

a. Placetype Character: Suburban Residential

Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. 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. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.

Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.



Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.

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*

Placetype Character: Military

Land use and development near and immediately adjacent to existing military installations, as well as their ancillary facilities, require additional consideration with regard to the compatibility of development and the potential for impacts or interference with military lands and potential future military base missions. The five military installations in the County, Cheyenne Mountain Air Force Station, Fort Carson, Peterson Air Force Base, Schriever Air Force Base, and the U.S. Air Force Academy (USAFA), each function of their own accord.

Most include a mix of residential and other supporting uses in addition to their core military functions. In total they serve over 151,000 active-duty, National Guard, Reserve, retired military personnel, contractors, and other related tenants throughout Colorado's Front Range. The County continues to partner with all of the installations to maintain compatible use transitions and buffers adjacent to each installation through open space protection and site-specific development restrictions. Base Realignment and Closure (BRAC) is a key factor in the Military placetype. This is the only placetype that proposes to describe primary and supporting land uses for areas around and near the placetype, which causes overlap with adjacent placetypes.



Recommended Land Uses:

Primary

- *Military Operation*
- *Office*
- *Light Industrial*
- *Multifamily Residential*

Supporting

- *Single-family Detached Residential*
- *Single-family Attached Residential*
- *Restaurant*
- *Commercial Retail*
- *Commercial Service*
- *Entertainment*
- *Institutional*
- *Parks and Open Space*

b. 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.

c. Key Area Influences:

Tri-Lakes Area

Tri-Lakes is the northern gateway into the County along Interstate 25 and Highway 83. It is situated between Pike National Forest, the United States Air Force Academy, and Black Forest. With significant suburban development and some mixed-use



development, this Key Area supports the commercial needs of many of the residents in northern El Paso County. Tri-Lakes also serves as a place of residence for many who commute to work in the Denver Metropolitan Area. It is also an activity and entertainment center with the three lakes (Monument Lake, Woodmoor Lake, and Palmer Lake) that comprise its namesake and direct access to the national forest. Tri-Lakes is the most well-established community in the northern part of the County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment opportunities. Future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor.

Military Installations

Colorado state law requires local governments to notify military installations of development applications taking place nearby, as per Colorado Revised Statute § 29-20-105.6. El Paso County has five military installations: Cheyenne Mountain Air Force Station, Fort Carson Army Base, Peterson Air Force Base, Schriever Air Force Base, and the U.S. Air Force Academy.

Given the central role the military plays in the region, El Paso County has worked to support its military installations through its land use, transportation, and natural resource planning efforts. Areas directly adjacent to the installations are critical to successfully planning for the County's projected growth, economic viability, and the various operations of the individual bases. Recommendations and policies will be specific and different for each installation, as outlined in Chapter 9 Military.

d. Other Implications (Priority Development, Housing, etc.): The subject property is not located within a Priority Development Area.

e. Analysis

The property is located within the Suburban Residential placetype and is located within the two (2)-mile buffer of the Military placetype. The Suburban Residential placetype comprises the County's traditional residential neighborhoods with supporting commercial uses at key intersections. The Military placetype consists of the installations and the supporting land uses that surround them. Military



installations are major landowners and employers and to help support sustainable growth in the community they must also be adequately supported. Relevant goals and objectives are as follows:

Goal LU1 Specific Strategy – *Ensure appropriate density and use transitions for new development that occurs between differing placetypes.*

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

Goal LU3 Specific Strategy – *The Minimal Change: Developed areas 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. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character should be maintained.*

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 HC1 – *Promote development of a mix of housing types in identified areas.*

Objective HC1-4 – *In Suburban Residential areas, clustered development should be encouraged to increase density while also preserving open space and such development should consist of a mix of single-family detached, single-family attached, and multifamily units.*

Goal HC3 Specific Strategy – Priority: *Consider increasing densities 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. Single-family attached and multifamily units should be located directly adjacent to commercial focal points to accommodate density in the County.*



Goal M1 Specific Strategy – *Coordinate with the Air Force Academy to ensure that proposed development within the Academy's formally designated accident potential zones remain compatible with airfield activities.*

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 property is located within Planning Region 2 of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 2 for central water providers:

The Plan identifies the current demand for Region 2 to be 7,532 acre-feet per year (AFY) (Figure 5.1) with a current supply of 13,607 AFY (Figure 5.2). The projected demand in 2040 for Region 2 is at 11,713 AFY (Figure 5.1) with a projected supply of 20,516 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 for Region 2 is at 13,254 AFY (Figure 5.1) with a projected supply of 20,756 AFY (Figure 5.2) in 2060. This means that by 2060 a surplus of 7,502 AFY is anticipated for Region 2.

See the water section below for a summary of the water findings and recommendations.



3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a moderate wildlife impact potential. The El Paso County Community Services Department, Environmental Services Division, and El Paso County Conservation District were each sent a referral and have no outstanding comments.

The Master Plan for Mineral Extraction (1996) identifies upland deposits and coal 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.

F. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified that would preclude the development of the site.

2. Floodplain

FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0287G, which has an effective date of December 7, 2018, indicates the subject property is located within Zone X, area of minimal flood hazard outside of the 500-year floodplain.

3. Drainage and Erosion

The subdivision is located within the Jackson Creek (FOMO4400) drainage basin. The Jackson Creek drainage basin has associated drainage basin and bridge fees that will be due at the time of plat recordation.

The site generally drains to the southwest. Stormwater runoff will be conveyed by a proposed private storm sewer system and discharged into a proposed private full spectrum detention pond that will mitigate developed runoff and provide the necessary permanent stormwater quality for the development. Per the submitted preliminary drainage report, the Urban Landing Homeowner's Association will provide maintenance for the pond and the private storm sewer system. The proposed pond will ultimately outfall to an existing concrete box culvert under Struthers Road that is capable of conveying the development's flows. A grading and erosion control plan that identifies construction best management practices (BMPs)



to prevent sediment and debris from affecting adjoining properties and the public stormwater system will be required to be submitted with the Final Plat application(s).

4. Transportation

The development is located southeast of the intersection of Struthers Road and Spanish Bit Drive. These roadways are county owned and maintained roadways. The subdivision will obtain access via two new roadways intersecting Spanish Bit Drive. The proposed roadways within the subdivision are proposed to be privately owned and maintained. A Deviation request pertaining to the private roadway characteristics is approved by the ECM administrator.

The submitted Traffic Impact Study projects the proposed development will generate approximately 462 total vehicle trips on the average weekday. Off-site roadway improvements consisting of auxiliary turn lanes and improvements to Spanish Bit Drive have been identified in the Traffic Impact Study due to this development's traffic impacts as well as the traffic impacts from the commercial subdivision, Cathedral Rock Commons, north of Spanish Bit Drive. The developer shall enter into a Subdivision Improvement Agreement or other applicable Development Agreement for the construction of the offsite roadway improvements listed in Table 8 of the Urban Landing Traffic Impact Study at the time of Final Plat recordation.

The development will be subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471) as amended.

G. SERVICES

1. Water

Water is provided by the Donala Water and Sanitation District. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed subdivision has an adequate water supply in terms of quantity and dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

2. Sanitation

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520-6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

Wastewater is provided by the Donala Water and Sanitation District.

3. Emergency Services

The property is within the Tri-Lakes Monument Fire Protection District. The District was sent a referral and has no outstanding comments at this time.

4. Utilities

Electrical service is provided by Mountain View Electric Association (MVEA). Natural gas service is provided by Black Hills Energy (BHE). Both service providers were sent referrals; MVEA does not have outstanding comments, and BHE did not provide a response.

5. Metropolitan Districts

The property is not located within the boundaries of a metropolitan district.

6. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for a PUD Development Plan and Preliminary Plan application. Fees in lieu of park land dedication will be due at the time of recording the Final Plat.

7. Schools

Land dedication and fees in lieu of school land dedication are not required for a PUD Development Plan and Preliminary Plan application. Fees in lieu of school land dedication will be due at the time of recording the Final Plat.

H. APPLICABLE RESOLUTIONS

See attached resolution.

I. STATUS OF MAJOR ISSUES

There are no major issues.

J. 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 4.2.6, and Section 7.2.1 of the El Paso County Land Development Code (as amended), staff recommends the following conditions and notations:



CONDITIONS

- 1.** Development of the property shall be in accordance with this PUD Development Plan. Minor changes in the PUD Development Plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD Development Plan amendment application.
- 2.** Approved land uses are those defined in the PUD Development Plan and development guide.
- 3.** All owners of record must sign the PUD Development Plan.
- 4.** The PUD Development Plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any Final Plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD Development Plan.
- 5.** Applicable park, school, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of Final Plat(s) recordation.
- 6.** All remaining staff comments shall be addressed prior to recordation of the PUD Development Plan.
- 7.** The developer shall enter into a Subdivision Improvement Agreement or other applicable Development Agreement for the construction of the offsite roadway improvements listed in Table 8 of the Urban Landing Traffic Impact Study at the time of Final Plat recordation.

NOTATIONS

- 1.** Subsequent Final Plat Filings may be approved administratively by the Planning and Community Development Director.



2. 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.
3. 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.
4. Preliminary Plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
5. Approval of the Preliminary Plan will expire after two (2) years unless a Final Plat has been approved and recorded or a time extension has been granted.

K. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 38 adjoining property owners on November 20, 2024 for the Planning Commission and Board of County Commissioner meetings. Responses will be provided at the hearing.

L. ATTACHMENTS

Map Series
Letter of Intent
Development Plan / Preliminary Plan
State Engineer's Letter
County Attorney's Letter
Draft Resolution



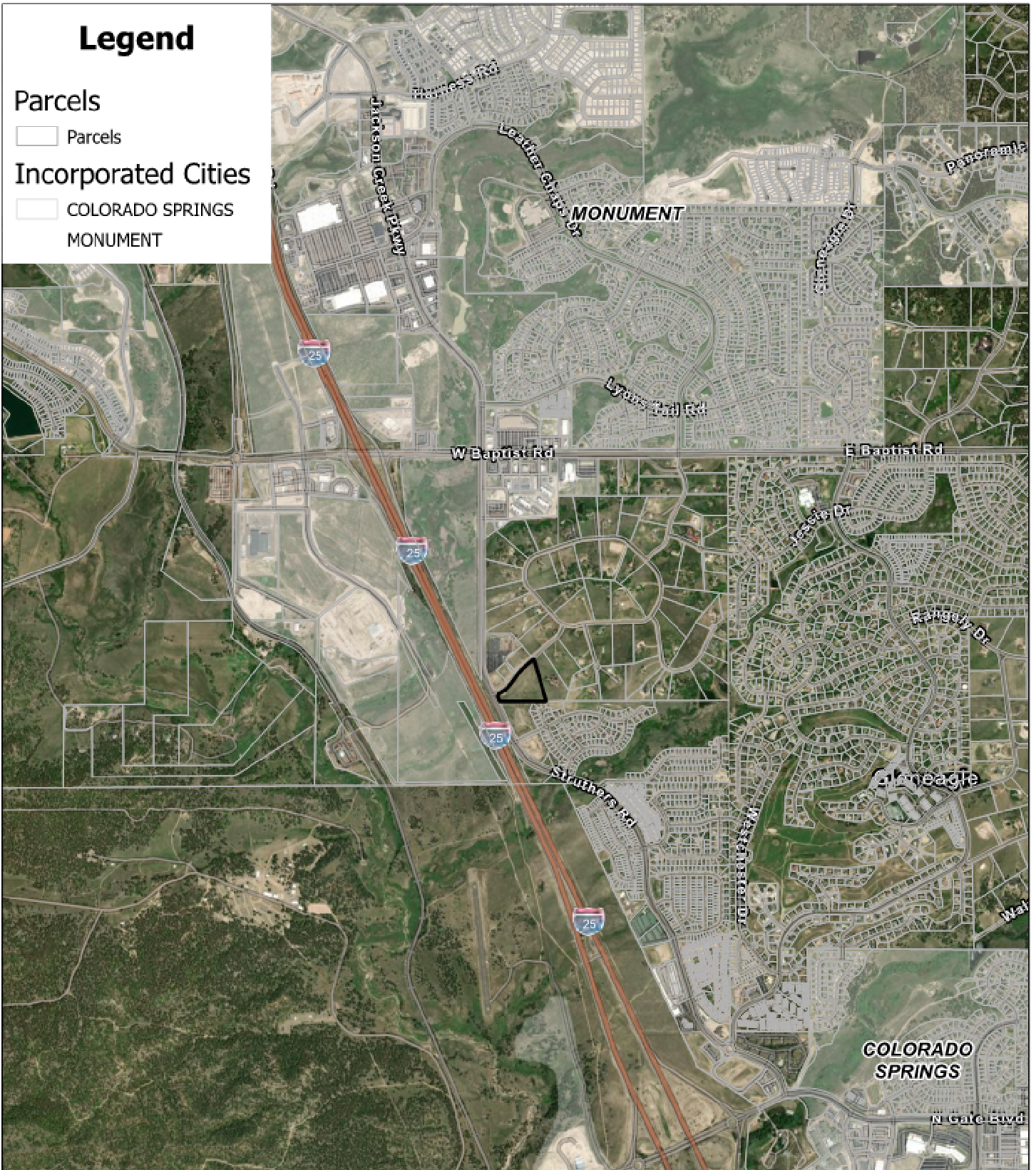
Legend

Parcels

□ Parcels

Incorporated Cities

□ COLORADO SPRINGS
MONUMENT



Aerial Map

File No. PUDSP243

Map Series No. 0



0 0.1 0.2 0.4 Miles

Legend

Parcels

□ Parcels

Incorporated Cities

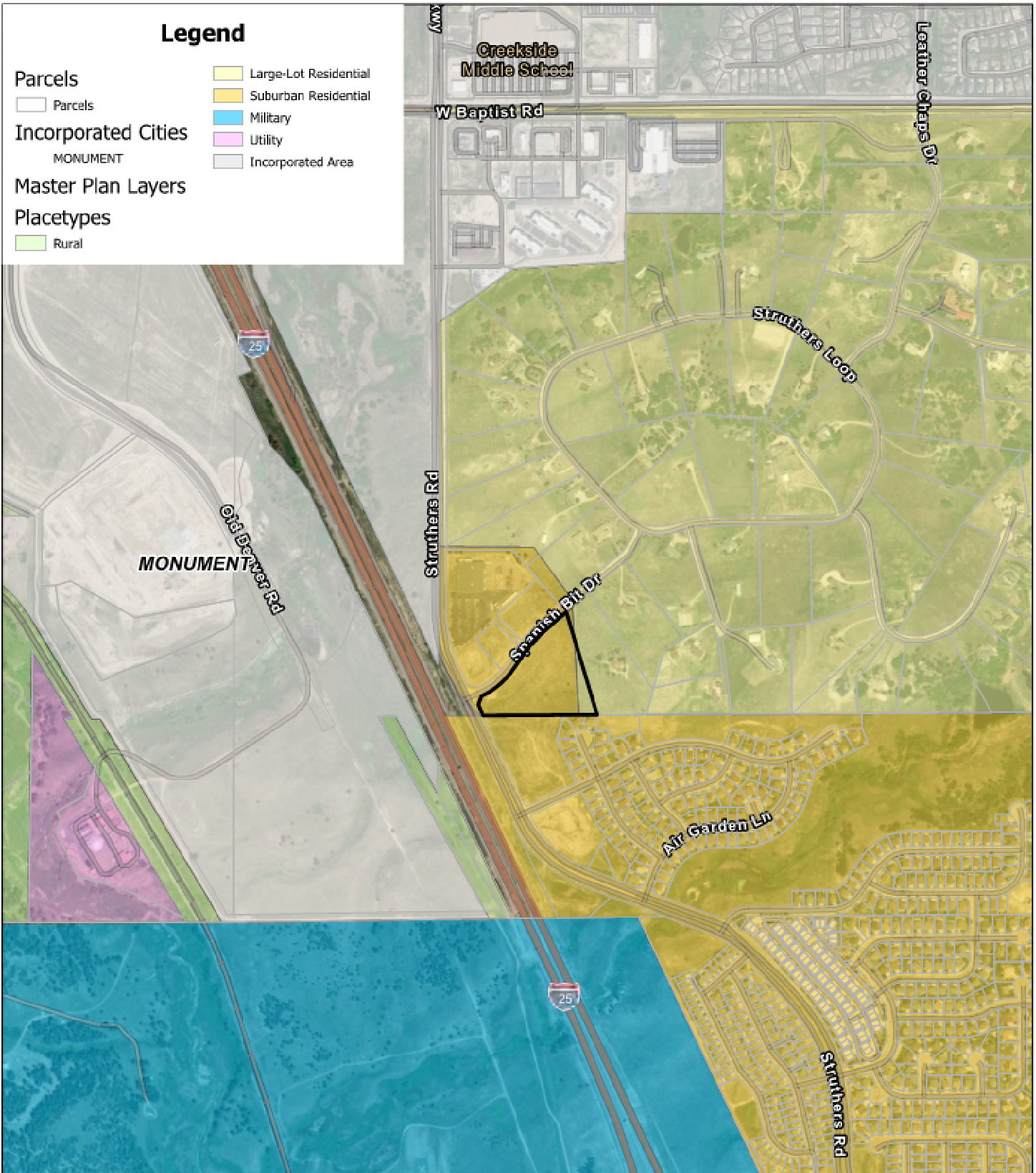
MONUMENT

Master Plan Layers

Placetypes

■ Rural

- Large-Lot Residential
- Suburban Residential
- Military
- Utility
- Incorporated Area



Placetype Map

File No. PUDSP243

Map Series No. 3



0 0.1 0.2 Miles

Legend

Parcels

□ Parcels

Incorporated Cities

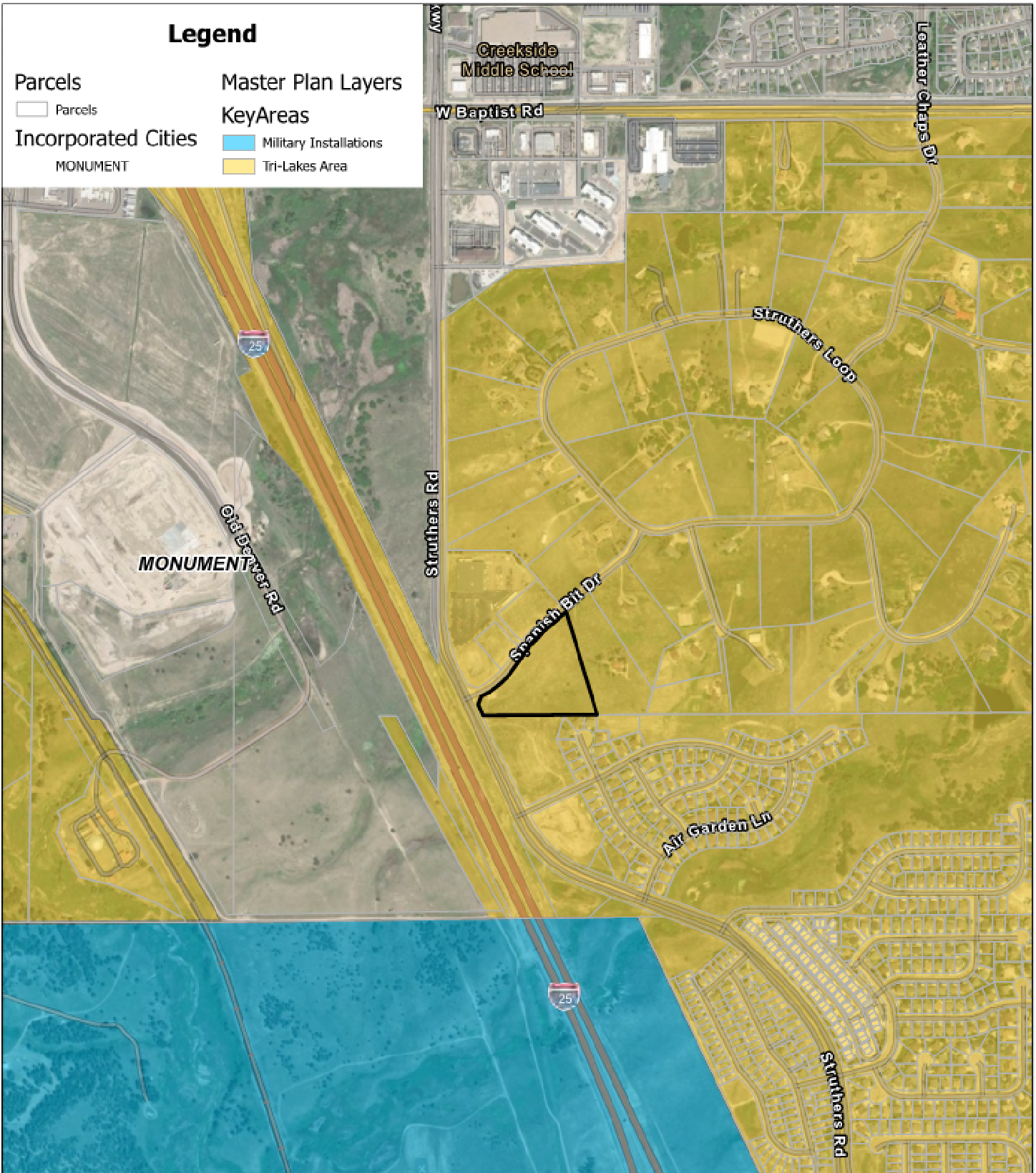
MONUMENT

Master Plan Layers

KeyAreas

■ Military Installations

■ Tri-Lakes Area



Key Area Map

File No. PUDSP243

Map Series No. 4



0 0 0.1 0.2 Miles

Legend

Parcels

□ Parcels

Incorporated Cities

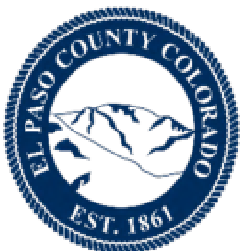
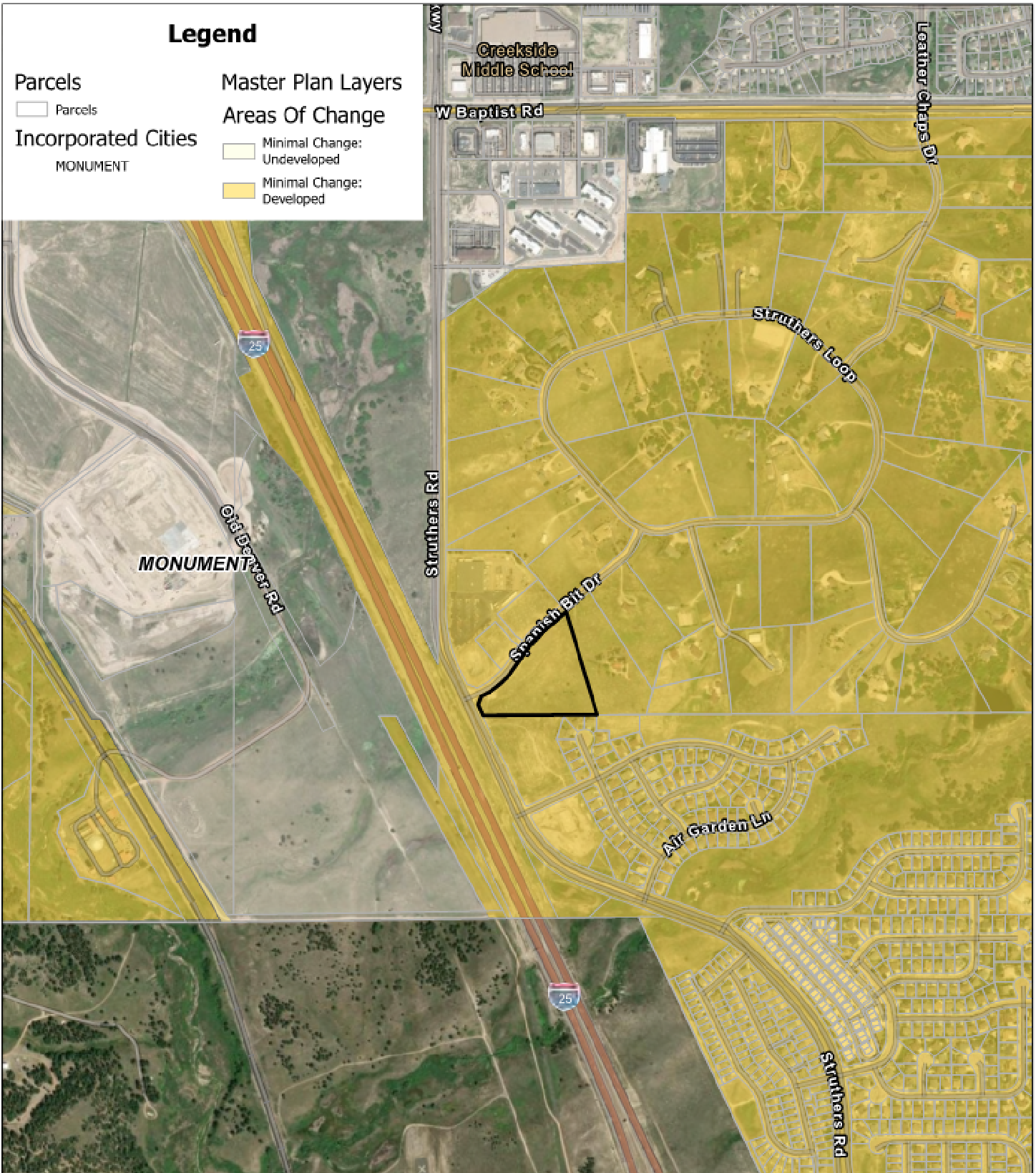
MONUMENT

Master Plan Layers

Areas Of Change

Minimal Change: Undeveloped

Minimal Change: Developed



Area of Change Map

File No. PUDSP243

Map Series No. 4



0 0.1 0.2 Miles

PUD/PRELIMINARY PLAN

LETTER OF INTENT

JULY 2024 | REVISED OCTOBER 2024

OWNER:

ELITE PROPERTIES OF AMERICA, INC.
JOE LOIDOLT
2138 FLYING HORSE CLUB DR.
COLORADO SPRINGS, CO 80921

JOEL@CLASSICHOMES.COM
(719) 592-9333

APPLICANT:

CLASSIC COMMUNITIES
JOE LOIDOLT
2138 FLYING HORSE CLUB DR.
COLORADO SPRINGS, CO 80921

JOEL@CLASSICHOMES.COM
(719) 592-9333

CONSULTANT:

N.E.S. INC
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903

ABARLOW@NESCOLORADO.COM
(719) 471-0073

SITE DETAILS:

TSN: 7136001045

ACREAGE: 6.57 AC

CURRENT ZONING: R-4

CURRENT USE: VACANT LAND

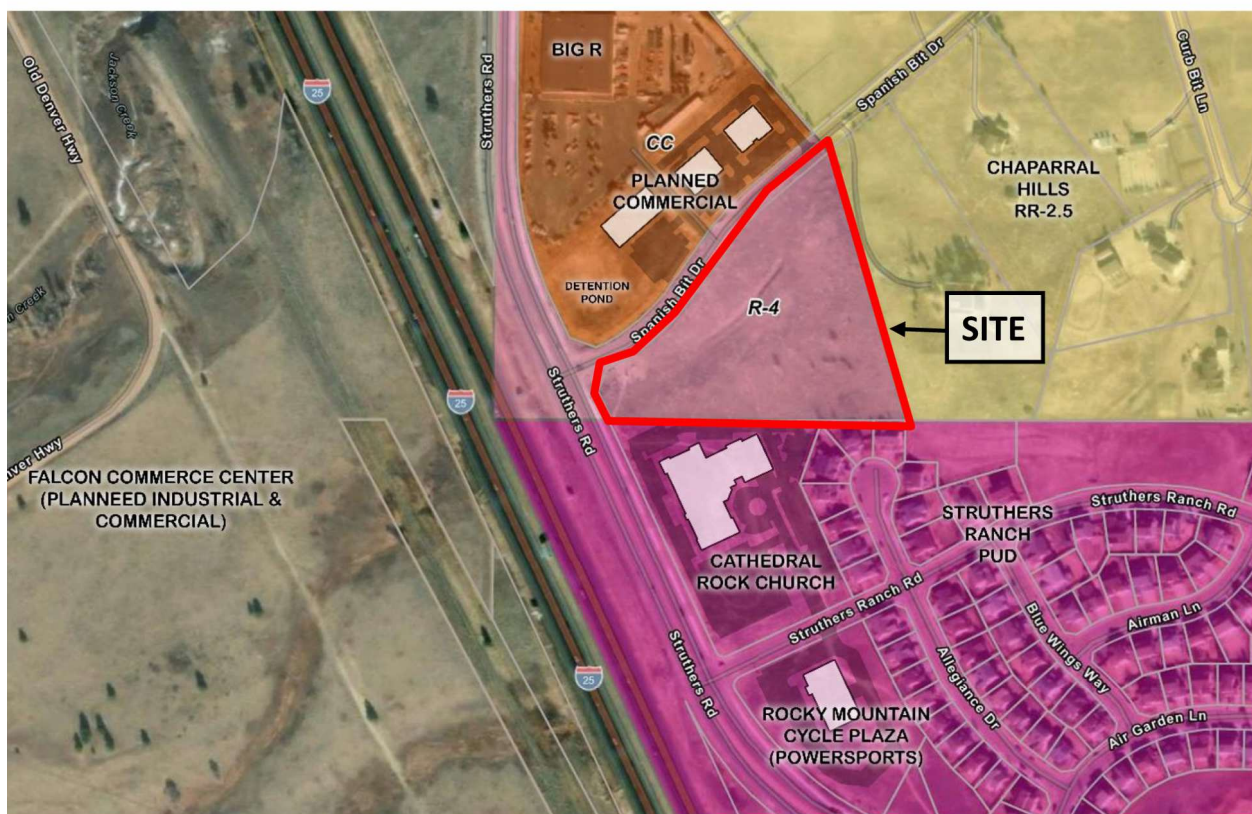
REQUEST

N.E.S. Inc. on behalf of Classic Communities requests approval of the following applications:

1. A Rezone from R-4 (Planned Development District – Obsolete) to PUD (Planned Unit Development District);
2. A PUD Development/Preliminary Plan (PUDSP) for 49 single-family lots on the 6.57-acre property, equating to a density of approximately 7.5 dwelling units per acre.
3. A finding of water sufficiency with the PUD Development/Preliminary Plan and subsequent Final Plat to be approved administratively.

LOCATION

Urban Landing is located east of the intersection of Spanish Bit Drive and Struthers Road in the Gleneagle community. Spanish Bit Drive forms the northern boundary of the property. Across Spanish Bit Drive is a Big R retail store and 4.5 acres of planned commercial development. To the east of the property is the 2.5-acre lot Chaparral Hills rural residential subdivision (.4 du/ac), an enclave surrounded by suburban residential and commercial uses. To the south is the Struthers Ranch suburban residential subdivision (zoned PUD with a net residential density of 5.5 du/ac), as well as the proposed Cathedral Rock Church and Rocky Mountain Cycle Plaza. The property is bounded on the west by Struthers Road and Interstate-25, across which the planned Falcon Commerce Center will be located. The site comprises approximately 6.57 acres.



HISTORY

The site was zoned R-4 (Planned Development District) in 1975 and was accompanied by a Plot Plan for Jackson Creek Junction that covered a much broader, 376-acre area that spanned both sides of I-25. At that time, the site was identified as part of a 67-acre area of medium density housing at a density of 7.5 du/ac. This density was not expressed as a maximum density.

In 2021, it was proposed to rezone the site from R-4 to RM-30 to accommodate 120 units in five multi-family apartment buildings along with a daycare center. Based on input from the community, this proposal was revised and decreased to RM-12 zoning to allow 47 single-family units. Ultimately, residents of surrounding neighborhoods felt that R-12 zoning was too dense, and requested the site not

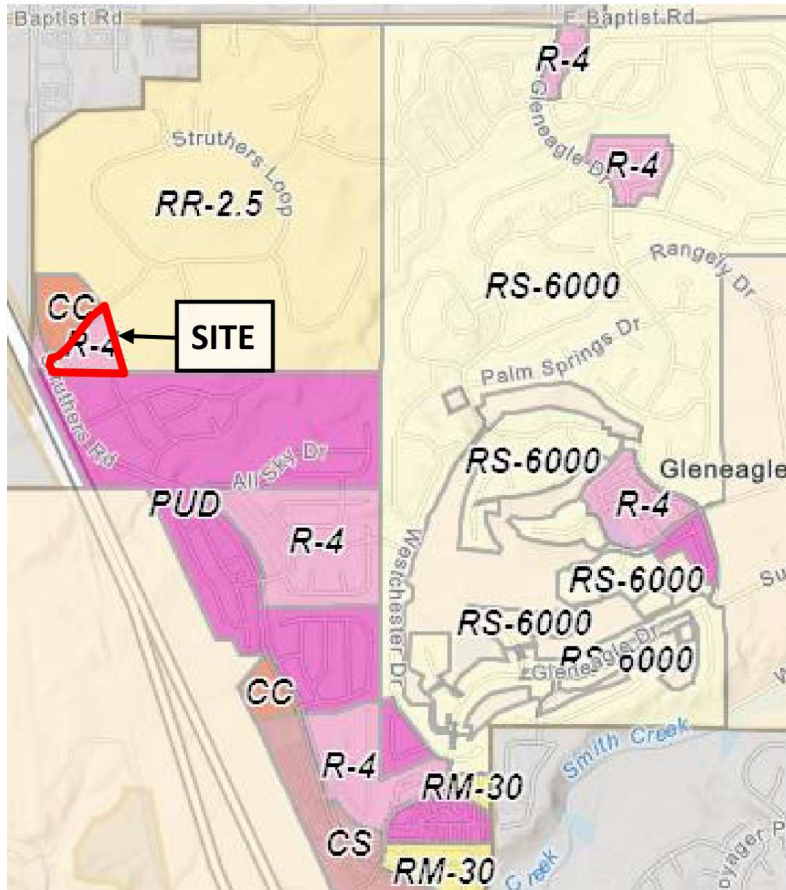
exceed the density of the R-4 zoning. As such, the project has been reimagined as a PUD with 49 single-family units and 1.82 acres of useable open space. This density is consistent with the 7.5 DU/AC originally planned for the R-4 zone.

COMMUNITY OUTREACH

On December 1, 2023, N.E.S. Inc. distributed a letter to approximately 21 neighbors within a 500-foot radius of the site to notify them of a Neighborhood Open House to discuss the proposed PUD/Preliminary Plan for Urban Landing (at that time, called Urban Edge). The Neighborhood Open House was held Tuesday, December 12th, 2023 from 5:30pm until 7:00pm at the Fairfield Inn & Suites located at 15275 Struthers Road. Representatives from the owner/applicant, NES, and Classic Consulting Engineering & Surveyors LLC were available to review the project design and process and to address questions. Only one member of the public attended.

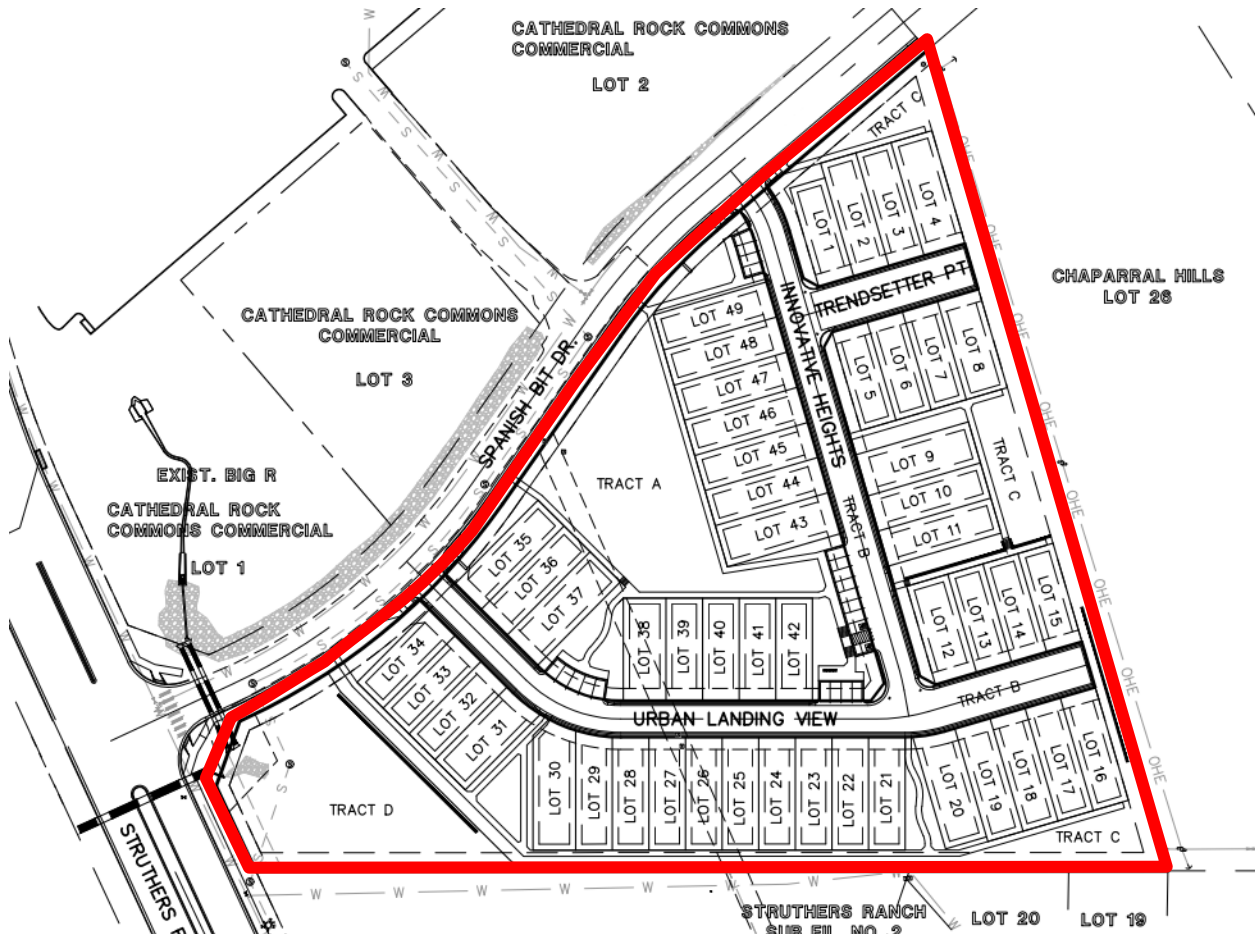
PROJECT DESCRIPTION

The site is zoned R-4, which is an obsolete zoning for Planned Development. The R-4 district was established to provide more flexibility and latitude of design; to provide for a greater variety of principal and accessory uses in the development of land; to address the advantages resultant from technological change; and to encourage initiative and creative development of parks, recreation areas, and open space. Any new development proposal for the property requires a rezoning.



It is proposed to rezone the property to PUD, which is the current equivalent of the R-4 zoning and is compatible with the surrounding PUD zoning to the south. The PUD zoning allows for flexibility in the dimensional and design standards to accommodate the proposed small, single-family product and associated neighborhood parks. This new product range for Classic Homes has been purposely designed to meet the growing demand for more housing choice at attainable price points and lower maintenance homes. The project will provide an innovative neighborhood model that reflects both changing market conditions and the surrounding urban fabric of single-family residential and commercial zoning.

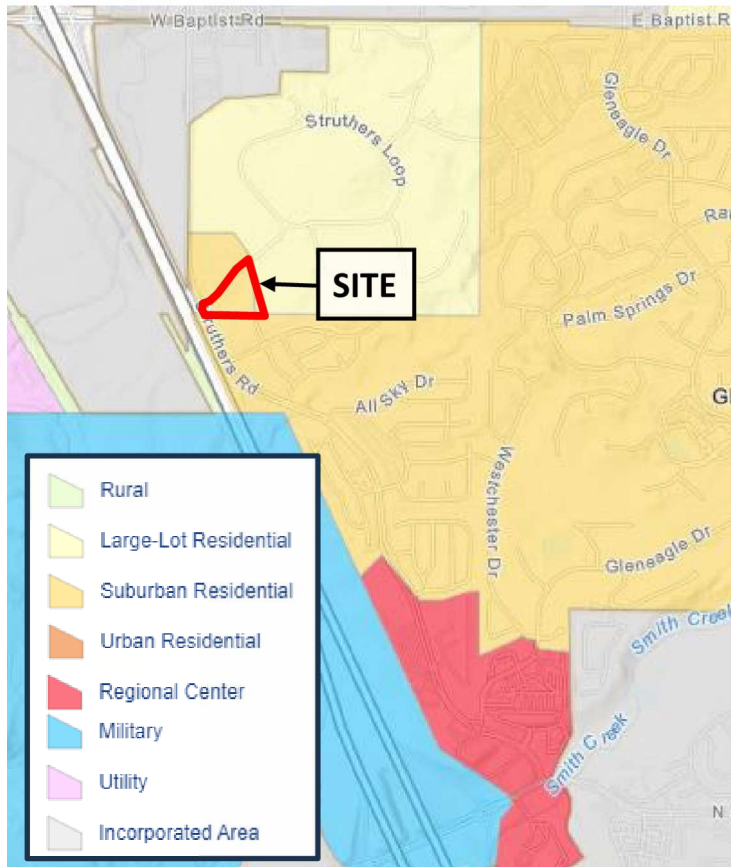
The PUD and Preliminary Plan propose 49 units on 6.57 acres; a density of 7.5 dwelling units per acre. This is consistent with the 1975 Plot Plan for Jackson Creek Junction. The maximum height of the buildings is 30 feet, and each unit will have a two-car garage or two parking stalls on the lot. An additional 22 guest parking spaces are provided within the development, two of which are ADA-accessible. Building footprints will not exceed 800 square feet, excluding the garage. Maximum lot coverage is 70%. 1.82 acres will be provided as useable open space in Tracts A, C, and D, which includes a detention pond. These areas will be owned and maintained by the Urban Landing HOA.



Each lot will have a 14-17 foot front setback, a 5-foot side setback, and a minimum 10-foot rear setback. Standard side yard setbacks apply to lots adjacent to a tract. The site will have a 15-foot landscape buffer to adjacent residential uses on the east and south and a 10-foot landscape buffer adjacent to public rights-of-way on the north and east. A retaining wall with a maximum height of four feet will be located on the east side of the site. A retaining wall with a maximum height of 10 feet will be located on Tract D between the proposed detention pond and Lots 31-34. A five-foot wide sidewalk will extend around the perimeter of the site on its north and east sides along Spanish Bit Drive and Struthers Road.

ACCESS AND CIRCULATION: The site will have two full-movement access points onto Spanish Bit Drive. Access A will be located at the intersection of Spanish Bit Drive and the existing Big R store's access drive. Access B will be located west of this intersection and east of Struthers Road on Spanish Bit Drive.

COMPATIBILITY/TRANSITIONS: The site is surrounded by residential and commercial development of various densities. The majority of the surrounding region is within the Suburban Residential placetype, which has a primary land use of single-family detached residential with lots smaller than 2.5 acres per lot, up to 5 units per acre. Supporting uses include single-family attached, multifamily residential, commercial retail, and commercial services.



These supporting uses predominate the immediate vicinity to the north and south. To the north, across Spanish Bit Drive, is an existing Big R retail store and 4.5 acres of planned commercial development. To the south, immediately abutting the site, is the proposed Cathedral Rock Church and Rocky Mountain Cycle Plaza, a powersports vehicle dealer. Also to the south of Urban Landing is the Struthers Ranch PUD, which slightly exceeds the typical Suburban Residential placetype primary land use density at 5.5 du/ac. Though located within the limits of the Town of Monument, the areas west and north of the site have consistent uses as well. The planned Falcon Commerce Center will be located across I-25 to the west, and a commercial center containing retail uses, fast food restaurants, a hotel, and The

Marq at Monument Ridge apartment complex is located at the intersection of W Baptist Road and Struthers Road.

Further south is the Gleneagle Regional Center placetype, which has primary land uses that include restaurant, commercial, entertainment, and multi-family residential. Supporting uses include office, institutional, mixed-use, and single-family attached residential. The 2021 Your El Paso County Master Plan specifically describes the Gleneagle Regional Center as “an extension of the regional commercial development at the northern edge of Colorado Springs.” Moreover, “Overall, the County should expand this Regional Center to include larger commercial development, including large retail centers to support more residents and travelers along Interstate 25.”

The County Master Plan recognizes and encourages a trend of intensifying development along Struthers Road and I-25, which Urban Landing supports. With a density of 7.5 du/ac, the project is compatible with not only the density of the 1975 Plot Plan for Jackson Creek Junction, but also with other residential properties along the Struthers Road corridor, including the Marq at Monument Ridge apartment complex to the north, and the Struthers Ranch, Summer Glen, Falcon View, Ridge Point, and Sunrise

Townhomes subdivisions to the south, among others, which range from 5.5 du/ac to 16.4 du/ac. These developments, as well as RS-6000 zoned properties to the east, surround the RR-2.5-zoned Chapparral Hills rural residential subdivision, which is an anomalous Large-Lot Residential enclave. The small, residential lots of Urban Landing will buffer Chapparral Hills from Struthers Road while promoting more attainable, dense housing with easy access to I-25 and within close proximity to existing commercial centers.

TRAFFIC: A Traffic Impact Analysis was prepared for the site by SM Rocha, LLC in 2024 and is included in this submittal. The Study provides an analysis of anticipated project impacts concludes the following:

- The proposed Preliminary Plan will generate 462 total daily trips, with 34 trips occurring during the peak morning hour and 46 trips occurring during the peak afternoon hour.
- An analysis of future traffic conditions indicates that the addition of site-generated traffic is expected to create no negative impacts on traffic operations for the existing and surrounding roadway system upon roadway and intersection control improvements assumed within this analysis. The study intersections are projected to operate at future levels of service comparable to Year 2044 background traffic conditions.
- Projected 2044 traffic operations with the project indicate that the stop-controlled intersection of Struthers Road with Spanish Bit Drive has turn movement operations at or better than LOS B during the morning peak traffic hour and LOS A during the afternoon peak traffic hour. Exceptions include the westbound left and right turning movement, which operates at LOS F during the afternoon peak traffic hour due to the through traffic volume along Struthers Road and the stop-controlled nature of the intersection. The stop-controlled intersection of Spanish Bit Drive with the Big R Stores access drive has turn movement operations at LOS B or better during both peak traffic hours.
- By Year 2044 without the proposed development, the stop-controlled intersection of Struthers Road and Spanish Bit Drive expects turn movement operations at or better than LOS B during the morning peak traffic hour and LOS A during the afternoon peak traffic hour. Exceptions would include the westbound left and right turning movement which operates at LOS E during the afternoon peak traffic hour.

An existing Development Agreement for the adjacent Big R Stores to the north defines off-site improvements and cost participation for potential Struthers Road and Spanish Bit Drive improvements, including the construction or modification of auxiliary lanes along Struthers Road and the paving of Spanish Bit Drive from the Big R Stores' east property line to Urban Landing's east property line. In addition to these improvements, potential public improvements for Urban Landing include the following, which would be paid for through a cost sharing agreement or participation in a cost-recovery with other adjacent owners benefitting from the Struthers off-site improvements:

INTERSECTION/ ROADWAY	PUBLIC IMPROVEMENT	TIMING	RESPONSIBILITY
Struthers Road	Construct northbound right turn lane on Struthers Road at Spanish Bit Drive	When warranted	Cathedral Rock Commons Commercial
	Lengthen southbound left turn lane on Struthers Road at Spanish Bit Drive	When 95 th percentile queuing exceeds existing lane length	Cathedral Rock Commons Commercial
Spanish Bit Drive	Pave Spanish Bit Drive east to eastern edge of property line	With Site Development	Urban Landing
	Install curb, gutter, and sidewalk along northside of Spanish Bit Drive	With Development North of Spanish Bit Drive	Cathedral Rock Commons Commercial
	Install curb, gutter, and sidewalk along southside of Spanish Bit Drive	With Site Development	Urban Landing

WATER: This site will be served by Donala Water & Sanitation District Area A. A commitment letter for water is included in this submittal. A finding of water sufficiency with the PUD and Preliminary Plan is requested, with subsequent Final Plat to be approved administratively. Donala has sufficient supply and infrastructure in the area to serve this development. The total commitment is 16.13 acre-feet.

A Water Resources Report, provided by Classic Consulting, is included in this submittal. It is expected that 49 residential units less than 3,500 sf in size will generate an annual demand of 9.8 acre-feet, and 2.53 acres of active net irrigation will result in an annual demand of 6.33 acre-feet. In total, the site has an annual demand of 16.13 acre-feet. Donala’s current water supply is 3,216 acre-feet per year, with an estimated annual demand of 1,922 acre-feet per year in 2023, resulting in an excess of 1,294.3 acre-feet per year for additional buildout.

WASTEWATER: Public sewage disposal is addressed in the Wastewater Disposal Report prepared by Classic Consulting. The average daily maximum month flows are expected to be 8,027 gallons per day. The wastewater commitment from Donala is 8,027 gal/day on an average daily-maximum monthly basis. The additional flow expected from this project results in a total loading of 75.3% of Donala’s total owned capacity. Sufficient supply is available as demonstrated by the wastewater commitment letter.

OTHER UTILITIES: Mountain View Electric Association, Inc. will supply electricity service. The utility commitment letter is submitted with this application. The site will rely on electric service only and will not have natural gas connections.

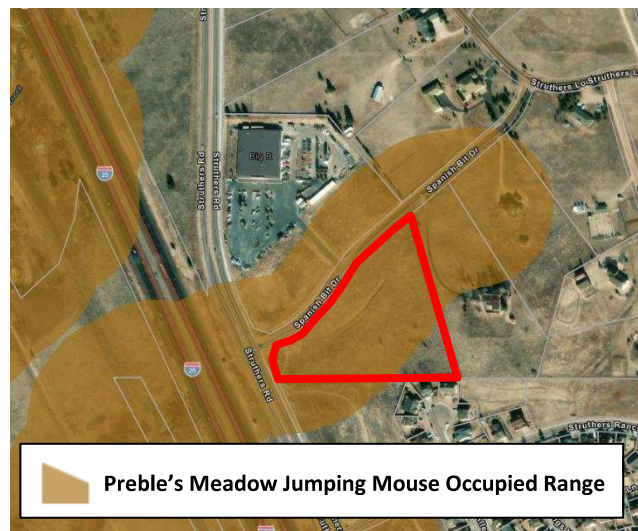
DRAINAGE: The majority of the site is located within the Jackson Creek Drainage Basin. The drainage improvements associated with the project are consistent with the Master Development Drainage Plan. The drainage improvements are designed to the most current El Paso County Engineering Criteria Manual, the Black Forest Drainage Basin Planning Study, the City of Colorado Springs/El Paso County Drainage Criteria Manual, and the Urban Storm Drainage Criteria Manual. See Preliminary Drainage Report by Classic Consulting for more details.

FLOODPLAIN: This site is not within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041C0287G, effective December 7, 2018.

WETLANDS: The National Wetlands Inventory indicates there is an intermittent, seasonally flooded riverine system that is located on a small portion of the western edge of the site. This designation indicates a channel that contains flowing water during only part of the year, and in which surface water may be present early in the growing season but is absent by the end of the growing season in most years. This stream is non-jurisdictional because it is not adjacent to a navigable waterway, nor does it have a significant nexus to a navigable waterway. The stream will be filled as part of the project's site development.



WILDLIFE: According to the Colorado Parks and Wildlife Species Activity Map, the site falls within the overall range of black bear, elk, mountain lion, mule deer, and white-tailed deer. The site is also within the overall range of Preble's meadow jumping mouse and is within the species' Occupied Range according to the El Paso County Planning and Community Development Application Map. However, the Urban Landing site is not within an area of Critical Habitat designation. Moreover, the site has no perennial water source nor a mid-story sapling/shrub vegetative layer, which are both critical requirements for Preble's Meadow Jumping Mouse.



The site does not offer suitable habitat and is therefore exempt from Section 1.106.6 of the El Paso County Land Development Code. There is no other known habitat for threatened or endangered species on the project site.

WILDFIRE: The fire risk on this site is low to moderate according to the Colorado State Forest Service Wildfire Risk Viewer. Developed areas will be landscaped and irrigated, reducing wildfire hazard potential. New landscaping will meet Firewise recommendations for separation.

GEOLOGIC HAZARDS: No geologic hazards were identified that are believed to preclude development of the site. Two soil types and two bedrock types were encountered in the 17 test borings drilled for the subsurface investigation. Highly expansive clays have been encountered in the area. Groundwater was encountered in three of the test borings but will likely not affect the construction of shallow foundation systems on the site. Deep utility excavations may encounter water. These conditions can be mitigated

with engineering design and construction methods commonly employed in the area. More information is provided in the Subsurface Soil Investigation prepared by Entech Engineering, Inc.

VEGETATION: The majority of the site has been disturbed and does not contain trees. There is a small patch of shrubs in the western corner of the site next to an existing drainage pipe. All new plantings on the site will be native species. All tracts will be owned and maintained by the Urban Landing HOA.

TRAILS AND OPEN SPACE: There are 1.82 acres of useable open space provided within the PUD. Per Section 4.2.6.F.8 of the LDC, a minimum of 10% of the gross PUD development area shall be set aside as open space, 25% of which must be contiguous and useable. Based on these requirements, the 6.57-acre site requires 0.65 acres of open space, .16 acres of which must be contiguous. The project satisfies these requirements. Approximately 150 feet from the site’s western property line, the County-proposed Jackson Creek Regional Trail is located along Struthers Road and will connect to the existing New Santa Fe Regional Trail.

DISTRICTS SERVING THE PROPERTY:

The following districts will serve the property:

- Academy School District 20
- Donala Area A Sanitation and Water District
- Tri-Lakes Monument Fire District
- Mountain View Electric Association

PUD MODIFICATIONS:

Chapter 4.2.6.F.2.h of the LDC allows for a PUD modification of a general development standard in the LDC or criteria of the ECM. The following PUD Modifications are requested:

PUD MODIFICATION TABLE (AS ALLOWED BY LDC SECTION 4.2.6.(F)(2)(g))

LDC/ECM SECTION	CATEGORY	STANDARD	MODIFICATION	JUSTIFICATION
1 LDC CHAPTER 8.4.4(E)(2)	PRIVATE ROADS REQUIRE WAIVER	USE OF PRIVATE ROADS SHALL BE LIMITED.	PRIVATE ROADS PROPOSED TO SERVE THIS COMMUNITY	PRIVATE ROADS PROVIDE MORE FLEXIBILITY FOR THE DEVELOPMENT TO ACCOMMODATE THE UNIQUE COMMUNITY HOMES PROPOSED ON THE SITE. THE PRIVATE ROADS WILL BE OWNED AND MAINTAINED BY THE HOA.
2 LDC CHAPTER 8.4.4(E)(3)	PRIVATE ROADS TO MEET COUNTY STANDARDS	PRIVATE ROADS SHALL BE CONSTRUCTED AND MAINTAINED TO ECM STANDARDS	ROAD WIDTH AND ROADWAY TERMINATIONS (SEE 3 AND 4 BELOW)	
3 ECM SECTION 2.2.4.B.7, FIGURE 2-17, TABLE 2-7 ECM SECTION 2.3.8	URBAN LOCAL (LOW VOLUME) CROSS SECTION ROADWAY TERMINATION CUL-DE-SAC REQUIRED	24' PAVED WIDTH, 12' LANE WIDTH CUL-DE-SAC AT ANY DEAD-END ROADWAY	22' PAVED WIDTH (MIN.) 11' LANE WIDTH (MIN.) SHORT DEAD-END PRIVATE ROADWAY DOES NOT TRIGGER TURN-AROUND PER MONUMENT FIRE AND FIRE CODE.	A SMALLER PRIVATE ROAD CROSS SECTION STILL MEETS THE INTENT OF COUNTY LOCAL ROAD STD. THE SHORT DEAD-END PRIVATE ROADS ALLOW FOR ADEQUATE RESIDENT ACCESS WITH NO TURN-AROUND REQ. PER FIRE CODE.
4 8.4.4.C PUBLIC ROADS REQ. LDC CHAPTER	LOT AREA AND DIMENSIONS	LOTS TO HAVE FRONTAGE ON AND ACCESS FROM A PUBLIC ROAD	LOTS UTILIZING PRIVATE SHARED DRIVEWAYS WILL NOT HAVE DIRECT FRONTAGE ON OR ACROSS FROM A PUBLIC ROAD	THE PROPOSED UNIQUE LOT CONFIGURATION AND COMMUNITY DESIGN REFLECT THE NEED FOR PRIVATE ROADWAYS THAT DIRECTLY CONNECT TO PUBLIC STREETS.
5 LDC CHAPTER 6.2.2.B	ROADWAY LANDSCAPE REQUIREMENTS	STREET TREES REQUIRED ON RESIDENTIAL STREETS WITH URBAN DENSITY	NO STREET TREES ARE PROPOSED AS THE STREETS PROVIDE REAR GARAGE ACCESS TO THE LOTS AND THERE IS NO ROOM FOR TREE PLANTINGS	THE PUD ZONE IS INTENDED TO PROVIDE DESIGN FLEXIBILITY TO CREATE COMPACT LAYOUTS WITH MORE COMMON OPEN SPACE. THE LANDSCAPE PLAN INCLUDES AMPLE TREE AND SHRUB PLANTINGS IN COMMON TRACTS AND THE FRONT YARD OF THE LOTS WILL BE LANDSCAPED.

PUD Modification Justification:

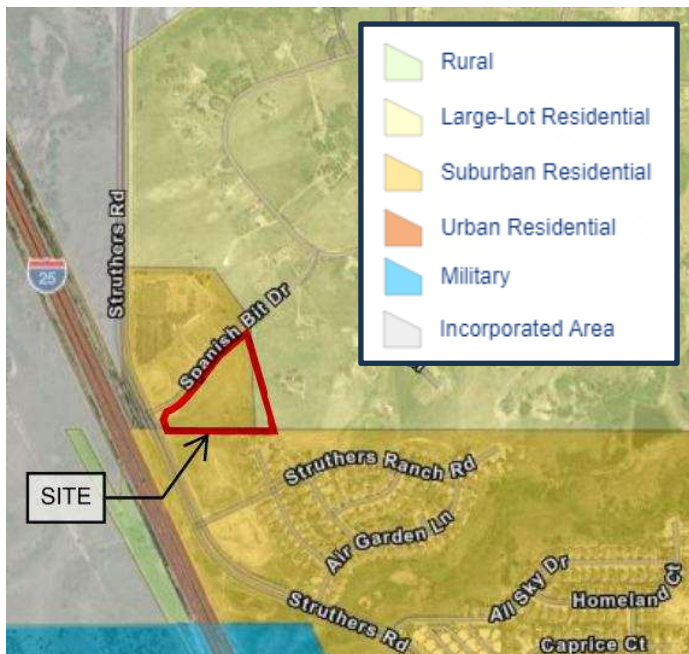
The proposed modifications and deviations support the identified benefits in Chapter 4.2.6.F.2.h by allowing a more efficient layout that promotes the construction of an attainable housing product and the creation of a more compact and livable environment with community open spaces that benefit the overall community.

The proposed unique lot configuration and community design reflect the need for shared, 30-foot wide private roads that directly connect to public streets. These private roads will deviate from the requirements of ECM Section 2.2.4.B.7 by having a typical paved width of 22 feet and a lane width of 11 feet. All private roads will be owned and maintained by the Urban Landing HOA. No street trees are proposed as The private streets provide rear garage access to the lots, which limits the ability to provide street trees as required by LDC Chapter 6.2.2.B. To compensate, the landscape plan includes ample tree and shrub plantings in common open space tracts and the front yard of the lots will be landscaped.

RELATIONSHIP TO THE ADOPTED COUNTY MASTER PLANS

The relevant County Plans for Urban Landing are the Your El Paso Master Plan, the Water Master Plan, the 2040 Major Transportation Corridor Plan, and the El Paso County Parks Master Plan.

Your El Paso Master Plan



Your El Paso County Master Plan designates the site as a Suburban Residential placetype, which has a primary land use of single-family detached residential with lot sizes smaller than 2.5 acres and up to 5 units per acre. Supporting uses include single-family attached, multifamily residential, and parks/open space. The Suburban Residential placetype is characterized by predominantly residential areas with mostly single-family detached housing and often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern. Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections

or along perimeter streets. The proposed Urban Landing development is consistent with this character because it maintains the form of a single-family detached residential neighborhood while providing a density transition to the adjacent retail and service uses located in the commercial centers on the north and south sides of the intersection of Spanish Bit Drive and Struthers Road. Although the proposed

density is greater than 5 du/ac, the character of the product is similar to high density single-family attached, which is an allowable supporting use in this placetype.



This site is located within the Tri-Lakes area on the Key Areas map, which is characterized by significant suburban development and some mixed-use development. The Tri-Lakes area is the most well-established community in the northern part of El Paso County with a mixture of housing options, easy access to necessary commercial goods and services, and a variety of entertainment options. The Plan notes that future development in this area should align with the existing character and strengthen the residential, commercial, employment, and entertainment opportunities in the adjacent communities of Monument, Palmer Lake, and Woodmoor. The proposed Urban Landing development

will provide an alternative housing option to the 2.5-acre single-family lots to the east and north, and the smaller single-family homes in the PUD and R-4 zoning to the south, which generally range from approximately 7,000 – 12,000 square feet lots. The Urban Landing development will strengthen and diversify the housing options in Gleneagle and the surrounding region by offering single-family detached homes on lots that range from approximately 2,520 – 3,555 square feet, thereby expanding homeownership opportunities to young families, single people, and those looking to age in place. The additional households will also support existing commercial and employment businesses.

This site also lies in an area of Minimal Change - Developed on the Areas of Change map. This designation recognizes pockets of undeveloped areas and the high likelihood of intense future infill development that will significantly impact the character of an area. The Plan specifically sites an example for this area in which “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 Urban Landing development will represent an infill development as it is surrounded by existing development. While the proposal is denser than the existing Chaparral Hills and Struthers Ranch single-family subdivisions to the east and south, it represents a more urban transition to the existing and planned commercial land uses immediately to its north and south.

The Urban Landing PUD/Preliminary Plan supports the Your El Paso Master Plan core principles, goals, and objectives by ensuring compatibility with the surrounding neighborhoods, increasing the diversity of housing types, supporting aging-in-place, and promoting more walkable communities with access to employment centers and amenities.

Core Principle 1: Land Use & Development

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.*
- *Objective LU3-3: The Suburban Residential placetype should be characterized by predominantly residential areas with mostly single-family detached housing.*

The Urban Landing development will integrate within the present spectrum of adjacent uses: single family detached housing of various densities, commercial uses, and a faith-based organization. The project’s location along Struthers Road, which is classified as a minor arterial roadway, and proximity to I-25 ensures that residents living at Urban Landing will have adequate access to public street infrastructure. The project is consistent with the density of the 1975 Plot Plan for Jackson Creek Junction and is within the planned capacity of areas road and utility infrastructure.

Core Principle 2: Housing and Communities

Goal HC1. Promote development of a mix of housing types in identified areas.

- *Objective HC1-4: In Suburban Residential areas, clustered development should be encouraged to increase density while also preserving open space and such development should consist of a mix of single-family detached, single-family attached, and multifamily units.*
- *Objective HC1-5: Focus detached housing development in Large-Lot Residential and Suburban Residential areas given the increasing infrastructure and environmental constraints associated with such development to help maintain the established character of rural communities.*

Goal HC3. Locate attainable housing that provides convenient access to goods, services, and employment.

- *Objective HC3-1: Emphasize redevelopment of smaller enclaves to denser urban residential uses such as multifamily and single-family attached dwelling units where compatible and appropriate in*

the context of the existing neighborhood, which may also require parcel consolidation if existing businesses leave.

- *Objective HC3-3: Redevelopment in the smaller enclaves should emphasize residential development first and then accommodate supporting uses.*

Goal HC4. Support aging-in-place housing options to meet residents' needs through all stages of life.

- *Objective HC4-1: Denser housing development should occur in Suburban Residential, Urban Residential, Rural Center, and Regional Center placetypes.*
- *Objective HC4-3: Support the development of housing types that further support aging in place.*

The Gleneagle and Monument areas will benefit from Urban Landing's addition to the availability of housing options, particularly in the Suburban Residential placetype. The project's high-density, single-family homes provide an appropriate transition in density from the existing, larger-lot single-family homes to the east and south, to the more intense commercial development immediately north and south of the site. Open space within the development preserves areas for recreation on-site. In addition, the smaller lots proposed by the development in conjunction with HOA maintenance creates a living situation with fewer and less taxing property maintenance demands, which provides a needed housing option to allow those of all ages and abilities to remain in the neighborhoods and areas they desire.

Core Principle 4: Transportation & Mobility

Goal TM1. Establish a transportation network that connects all areas to one another, emphasizing east-west routes, reducing traffic congestion, promoting safe and efficient travel.

- *Objective TM1-4: Encourage sidewalks and other multimodal facilities in all new development in placetypes, as appropriate, and upgrade existing infrastructure to these types of facilities when needed.*

Goal TM2. Promote walkability and bikability where multimodal transportation systems are feasible.

- *Objectives Objective TM2-1: Transportation improvements should prioritize active modes of transportation and connections to local destinations over vehicular travel and regional trips.*

The new sidewalks along Spanish Bit Drive will connect to the existing infrastructure on Struthers Road and will provide residents with continuous, safe walking spaces, relieving the need for dangerous commutes within and alongside the roadway. The project is within a one-mile walking or bicycling distance from King Soopers, Walgreens, Big R, churches, banks, and multiple fast-food restaurants, encouraging walkability and bikability in an interconnected, multi-use neighborhood.

Core Principle 5: Community Facilities

Goal CF13. Ensure adequate provision of utilities to manage growth and development.

- *Objective CF13-2: Promote urban level development in areas served by centralized utilities.*

- *Objective CF13-4: Locate new development where it can take advantage of existing or proposed water supply projects that would allow shared infrastructure costs.*

Goal CF14. Use best management practices to protect water quality, conserve water, minimize impacts of flooding, and beautify El Paso County.

- *Objective CF14-6: Encourage development that incentivizes and incorporates water-efficient landscaping principles.*
- *Objective CF14-16: Stormwater detention, retention ponds, or other best management practices (BMPs) should be required to minimize flooding, maximize infiltration, and minimize water quality impacts from impervious surface contaminants.*

Urban Landing is an infill project that will connect to existing utilities, minimizing the need to construct new infrastructure. At 7.5 single family detached homes per acre, the development introduces an appropriately urban density while reflecting the more traditionally suburban scale of surrounding neighborhoods. The landscaping will incorporate native and drought-tolerant design to maximize the water efficiency of the site. A retention pond will be located on-site to minimize flooding, maximize infiltration, and minimize water quality impacts from impervious surface contaminants.

Water Master Plan

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

Goal 1.2 – Integrate water and land use planning.

The Water Resources Report prepared by Classic Consulting and submitted with the PUD Preliminary Plan application provides calculations on the potable water supply. The quality of the water produced by the Donala Sanitation District for domestic and commercial consumption is subject to regulations prescribed by the CDPHE that limit the amount of certain contaminants in treated or untreated water. The water distribution system design for this project will conform to all applicable criteria set forth by El Paso County and Donala Sanitation District.

Goal 4.2 – Support the efficient use of water supplies.

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

The project will emphasize water-efficient landscaping and xeriscape design to accommodate the soils and arid conditions of the region. As an infill development, Urban Landing will connect to existing water infrastructure and will have a density consistent with the Plot Plan created for the site nearly 50 years ago.

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.8 – Encourage development patterns and higher density, mixed use developments in appropriate locations that propose to incorporate meaningful water conservation measures.

Policy 6.0.11– Continue to limit urban level development to those areas served by centralized utilities.

The project is located within the State of Colorado Division of Water Resources Region 2 (Monument Area). The El Paso County Water Master Plan specifically states: “Region 2, located in the northwest corner of El Paso County, is expected to experience significant growth through 2060. The I-25 corridor passes through the center of the region and offers optimal growth areas in and around the Towns of Palmer Lake and Monument. Growth is anticipated along both the east and west sides of I-25 by 2040.”

The WMP notes that Region 2 has a current water supply of 13,607 acre-feet per year and a current demand of 7,532 acre-feet per year. The 2040 water supply is projected to be 20,516 acre-feet per year and the projected demand is 11,713 acre-feet.

2040 Major Transportation Corridor Plan

The 2040 Improvements map does not identify any roadway improvement to the site or its immediate vicinity. The 2060 Corridor Preservation map shows I-25 as a Freeway and nearby Baptist Road as a Principal Arterial.

El Paso County Parks Master Plan

The Parks Master Plan does not identify any proposed parks or candidate open space on this site. The area north of the site, south of the intersection of Baptist Road and Struthers Road, is identified as a candidate open space area, as is the land on the western side of Interstate Highway 25. The proposed 9.28-mile Jackson Creek Regional Trail is proposed on the west side of Struthers Road, approximately 150 feet from the proposed Urban Landing property line. This trail is imagined to start at Highway 105, following the Jackson Creek Parkway south to Baptist Road before splitting into two segments; one of which will connect to the New Santa Fe Regional Trail, and the other will connect to the City’s trail system at the Northgate Open Space.

PROJECT JUSTIFICATION

Chapter 4.2.6.D of the LDC allows the combination of a preliminary plan with a PUD development plan, provided all review and approval standards for both the PUD development plan and preliminary plan are met.

PUD Development Plan

The PUD/Preliminary Plan for Urban Landing is consistent with the PUD zoning approval criteria set forth in Chapter 4.2.6.D of the LDC as follows:

1. THE PROPOSED PUD DISTRICT ZONING ADVANCES THE STATED PURPOSES SET FORTH IN THIS SECTION;

The Urban Landing PUD will advance the following purposes of the PUD District designation:

- *To improve the design, character and quality of new development with flexibility by varying lot size, building heights, setback controls and other site development requirements;*

The Urban Landing PUD includes smaller lots that average 2,836 square feet and require more design flexibility than afforded by standard zoning districts. The requested PUD modifications to allow the flexibility to accommodate the proposed housing product are described in the table above. This smaller lot size compares to surrounding residential parcel sizes that range from 8,000 square feet to more than 5 acres, and reflects the urbanizing character of this area with mixed-use commercial lots within walking distance.

- *To encourage innovations in residential, commercial, and industrial development and renewal so that the growing demands of the population may be met by greater variety in type, design, and layout of buildings including mixed use and traditional neighborhood design and by the conservation and more efficient use of open space ancillary to said buildings;*

There is a growing market sector for smaller homes that are more attainable and have less maintenance. The Urban Landing PUDSP provides the flexibility to provide a housing product that meets this demand.

- *To provide housing of all types and designs to be located in proximity to employment and activity centers such as shopping, recreational, and community centers, healthcare facilities, and public transit;*

The Urban Landing PUDSP will provide higher density residential homes in close proximity to several employment and shopping centers, as well as churches and schools. This will not only ensure the new homes have good access to existing commercial and community facilities, but the new homes will also help to support existing and additional services for the benefit of the entire community.

2. THE APPLICATION IS IN GENERAL CONFORMITY WITH THE MASTER PLAN;

The relevant County Plans for the Urban Landing PUD are the Your El Paso County Master Plan, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. The Urban Landing PUD is in general conformance with these plans as described above.

3. THE PROPOSED DEVELOPMENT IS IN COMPLIANCE WITH THE REQUIREMENTS OF THIS CODE AND ALL APPLICABLE STATUTORY PROVISIONS AND WILL NOT OTHERWISE BE DETRIMENTAL TO THE HEALTH, SAFETY, OR WELFARE OF THE PRESENT OR FUTURE INHABITANTS OF EL PASO COUNTY;

The stated purpose of the Code is to preserve and improve the public health, safety and general welfare of the citizens and businesses of El Paso County. The project proposes to match the density of the 1975 Plot Plan for the site and will retain on-site open space. New, paved sidewalks along Spanish Bit Drive will improve the pedestrian safety of the neighborhood. The project also offers an alternative housing design with dense, single-family detached houses in close proximity to commercial and natural amenities. This increases the diversity of the region's housing stock, improves access to homeownership, promotes aging-in-place, bolsters surrounding businesses, and reduces the development's environmental footprint by promoting alternative modes of transportation.

PUD modifications/deviations to the LDC and ECM are requested for the use and dimensional standards of private roads, as well as to exempt lots from fronting on and providing access to public roads. These modifications are described above.

4. THE SUBJECT PROPERTY IS SUITABLE FOR THE INTENDED USES AND THE USE IS COMPATIBLE WITH BOTH THE EXISTING AND ALLOWED LAND USES ON THE NEIGHBORING PROPERTIES, WILL BE IN HARMONY AND RESPONSIVE WITH THE CHARACTER OF THE SURROUNDING AREA AND NATURAL ENVIRONMENT; AND WILL NOT HAVE A NEGATIVE IMPACT UPON THE EXISTING AND FUTURE DEVELOPMENT OF THE SURROUNDING AREA;

The proposed single-family detached development is harmonious with the existing and proposed mix of uses surrounding the property, which includes commercial uses and single-family detached housing ranging from a density of 0.4 DU/AC to 5.5 DU/AC. In keeping with the site's 1975 Plot Plan, Urban Landing proposes a density of 7.5 DU/AC, which it will achieve on approximately a minimum of 2,520 square-foot lots with individual homes totaling no more than 800 square feet. This use maintains the original intended use for the property while respecting the existing built form of the neighborhood.

In 2021 the project submitted a request to rezone the site to RM-30 to accommodate five three-story apartment buildings. Based on input from the community, this proposal was scaled back and reconfigured first as an RM-12 zone, and now as a PUD, to be more harmonious and responsive to the character of the surrounding area. This design provides a transition from lower density single family detached housing to the east and south to the more intense commercial uses Struthers Road.

5. THE PROPOSED DEVELOPMENT PROVIDES ADEQUATE CONSIDERATION FOR ANY POTENTIALLY DETRIMENTAL USE TO USE RELATIONSHIPS (E.G. COMMERCIAL USE ADJACENT TO SINGLE FAMILY USE) AND PROVIDES AN APPROPRIATE TRANSITION OR BUFFERING BETWEEN USES OF DIFFERING INTENSITIES BOTH ON-SITE AND OFF-SITE WHICH MAY INCLUDE INNOVATIVE TREATMENTS OF USE TO USE RELATIONSHIPS;

The Urban Landing development will share its east and south boundaries with adjacent single-family detached housing, as well as the Cathedral Rock Church. The project will serve as a transition in higher density between these subdivisions and the commercial use to the north that contains the existing Big R and additional planned commercial use.

The development will be separated from traffic on Struthers Road by the detention pond, which spans the entire western edge of the site. Along on Spanish Bit Drive, there will be protected pedestrian sidewalks and street trees to buffer the site from existing and planned commercial use to the north. The future commercial use along Spanish Bit Drive will likewise be required to provide a landscape buffer.

6. THE ALLOWED USES, BULK REQUIREMENTS AND REQUIRED LANDSCAPING AND BUFFERING ARE APPROPRIATE TO AND COMPATIBLE WITH THE TYPE OF DEVELOPMENT, THE SURROUNDING NEIGHBORHOOD OR AREA AND THE COMMUNITY;

Appropriate landscape setbacks and buffers are included in this PUD. There is a 10-foot landscape setback on the northern boundary along Spanish Bit Drive and the western boundary along Struthers Road. A 15-foot landscape setback is provided on the western and southern boundaries where the site abuts existing residential uses. The associated landscaping and buffering are compatible with the surrounding area.

The proposed single-family detached use and the bulk of the proposed units are compatible with the adjacent Chaparral Hills neighborhood and Struthers Ranch PUD and represent an innovative design opportunity to provide compact, dense single-family homes in a traditional suburban layout.

7. AREAS WITH UNIQUE OR SIGNIFICANT HISTORICAL, CULTURAL, RECREATIONAL, AESTHETIC OR NATURAL FEATURES ARE PRESERVED AND INCORPORATED INTO THE DESIGN OF THE PROJECT;

There are no unique or significant historical, cultural, recreational, aesthetic or natural features to be preserved.

8. OPEN SPACES AND TRAILS ARE INTEGRATED INTO THE DEVELOPMENT PLAN TO SERVE AS AMENITIES TO RESIDENTS AND PROVIDE A REASONABLE WALKING AND BIKING OPPORTUNITIES;

Urban Landing includes 1.82 acres of useable open space within multiple tracts. Together, this open space represents 27.7% of the overall PUD area, which exceeds the minimum 10% open space requirements for a PUD per LDC Section 4.2.6.F.8. The LDC also requires that 25% of the available open space is usable and contiguous. At Urban Landing, this equates to .16 acres. Tract A is approximately 0.92 acres, which more than satisfies this requirement. Continuous paved sidewalks

throughout the development connect open spaces at the site and provide protected areas to walk and bike within the development and to surrounding neighborhoods.

- 9. THE PROPOSED DEVELOPMENT WILL NOT OVERBURDEN THE CAPACITIES OF EXISTING OR PLANNED ROADS, UTILITIES AND OTHER PUBLIC FACILITIES (E.G. FIRE PROTECTION, POLICE PROTECTION, EMERGENCY SERVICES, AND WATER AND SANITATION), AND THE REQUIRED PUBLIC SERVICES AND FACILITIES WILL BE PROVIDED TO SUPPORT THE DEVELOPMENT WHEN NEEDED;**

The Traffic Impact Study demonstrates that the development will not materially impact existing levels of service on surrounding roads. All required utilities are available to the development and the required will serve letters are provided. The proposed project will not negatively impact the levels of service of County services and facilities.

- 10. THE PROPOSED DEVELOPMENT WOULD BE A BENEFIT THROUGH THE PROVISION OF INTERCONNECTED OPEN SPACE, CONSERVATION OF ENVIRONMENTAL FEATURES, AESTHETIC FEATURES AND HARMONIOUS DESIGN, AND ENERGY EFFICIENT SITE DESIGN;**

The project proposes interconnected sidewalks throughout the project that connect the open spaces. There are no environmental features within the site.

- 11. THE PROPOSED LAND USE DOES NOT PERMIT THE USE OF ANY AREA CONTAINING A COMMERCIAL MINERAL DEPOSIT IN A MANNER WHICH WOULD UNREASONABLY INTERFERE WITH THE PRESENT OR FUTURE EXTRACTION OF SUCH DEPOSIT UNLESS ACKNOWLEDGED BY THE MINERAL RIGHTS OWNER;**

There are no mineral rights owners on this property.

- 12. ANY PROPOSED EXCEPTION OR DEVIATION FROM THE REQUIREMENTS OF THE ZONING RESOLUTION OR THE SUBDIVISION REGULATIONS IS WARRANTED BY VIRTUE OF THE DESIGN AND AMENITIES INCORPORATED IN THE DEVELOPMENT PLAN AND DEVELOPMENT GUIDE; AND**

PUD modifications are requested of LDC Chapter 8.4.4(E)(2), 8.4.4(E)(3), and 8.4.4(C), as well as ECM Section 2.2.4.B.7. The justification for these is set out above and summarized below. The modifications support the identified benefits in Chapter 4.2.6.F.2.h by allowing a more efficient lot layout that allows the construction of a more attainable housing product and the creation of a more compact and livable environment with centralized community open space that benefits the overall community.

Per Chapter Section 4.2.6.F.2.h of the LDC, for approval of a modification of a general development standard in the LDC or criteria or standard of the ECM, the BoCC shall find that the proposal provides for the general health, safety, and welfare of the citizens and at least one of the following benefits:

- *Preservation of natural features;*
- *Provision of a more livable environment, such as the installment of street furniture, decorative street lighting or decorative paving materials;*

- *Provision of a more efficient pedestrian system;*
- *Provision of additional open space;*
- *Provision of other public amenities not otherwise required by the Code; or*
- *The proposed modification is granted in exchange for the open space and/or amenity designs provided in the PUD development plan and/or development guide.*

The proposed PUD modifications allow for an efficient lot layout for higher density, detached single-family use that will create more open space, allow for a more efficient pedestrian system through open space tracts, and create an overall more livable environment. Sidewalks are proposed throughout the development providing connection to all tracts. The Urban Landing PUD provides 1.82 acres of useable open space, as well as a 0.72-acre tract used as a detention pond. All tracts will be owned and maintained by the Urban Landing HOA.

13. THE OWNER HAS AUTHORIZED THE APPLICATION.

Yes.

Preliminary Plan

The PUD/Preliminary Plan for Urban Landing is also consistent with the Preliminary Plan approval criteria set forth in Chapter 7.2.1.D.2.e of the LDC as follows:

1. THE PROPOSED SUBDIVISION IS IN GENERAL CONFORMANCE WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE MASTER PLAN;

The relevant County Plans for the Urban Landing PUD are the Your El Paso County Master Plan, the 2040 Major Transportation Corridor, the County Parks Master Plan, and the Water Master Plan. The Urban Landing PUD is in general conformance with these plans as described above.

2. THE SUBDIVISION IS CONSISTENT WITH THE PURPOSES OF THIS CODE;

See above analysis. The proposed development complies with the requirements of the LDC and will not be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County. The project offers additional housing choice in a developing area. This proposed small, single-family detached home development will provide new housing opportunities that will benefit the citizens of El Paso County.

3. THE SUBDIVISION IS IN CONFORMANCE WITH THE SUBDIVISION DESIGN STANDARDS AND ANY APPROVED SKETCH PLAN;

There is no approved sketch plan for this property. The subdivision design standards are met with the exception of the PUD modifications described above and as addressed by the submitted deviations for the project.

- 4. A SUFFICIENT WATER SUPPLY HAS BEEN ACQUIRED IN TERMS OF QUANTITY, QUALITY, AND DEPENDABILITY FOR THE TYPE OF SUBDIVISION PROPOSED, AS DETERMINED IN ACCORDANCE WITH THE STANDARDS SET FORTH IN THE WATER SUPPLY STANDARDS [C.R.S. §30-28-133(6)(A)] AND THE REQUIREMENTS OF CHAPTER 8 OF THIS CODE;**

A sufficient water supply is available as a demonstrated in the Water Resources and Wastewater Disposal Report prepared by Classic Consulting and through the water supply commitment from Donala Water & Sanitation District Area A.

- 5. A PUBLIC SEWAGE DISPOSAL SYSTEM HAS BEEN ESTABLISHED AND, IF OTHER METHODS OF SEWAGE DISPOSAL ARE PROPOSED, THE SYSTEM COMPLIES WITH STATE AND LOCAL LAWS AND REGULATIONS, [C.R.S. §30-28-133(6) (B)] AND THE REQUIREMENTS OF CHAPTER 8 OF THIS CODE.**

Public sewage disposal is addressed in the Water Resources and Wastewater Disposal Report prepared by Classic Consulting.

- 6. ALL AREAS OF THE PROPOSED SUBDIVISION, WHICH MAY INVOLVE SOIL OR TOPOGRAPHICAL CONDITIONS PRESENTING HAZARDS OR REQUIRING SPECIAL PRECAUTIONS, HAVE BEEN IDENTIFIED AND THE PROPOSED SUBDIVISION IS COMPATIBLE WITH SUCH CONDITIONS. [C.R.S. §30-28-133(6)(c)];**

A Geotechnical Report prepared by Entech Engineering, Inc. is included with the PUDSP submittal. This identified two soil types and two bedrock types from test borings drilled for subsurface investigation: Type 1: slightly silty to very silty; Type 2: sandy clay and sandy to clayey silt; Type 3: silty to very silty sandstone and silty, clayey sandstone; and Type 4: sandy claystone, sandy claystone-siltstone, and sandy siltstone. Given the subsurface conditions, the report concludes that the buildings can be supported with standard shallow spread footing foundations bearing on the medium dense sands or recompacted granular site soils. Excavation of sandstone is anticipated for a portion of the foundation utilities, and track-mounted equipment is likely required. Groundwater will likely not affect the construction of shallow foundation systems on this site. The site meets the seismic conditions of a Site Class D based on subsurface conditions.

- 7. ADEQUATE DRAINAGE IMPROVEMENTS COMPLYING WITH STATE LAW [C.R.S. §30-28- 133(3)(c)(VIII)] AND THE REQUIREMENTS OF THIS CODE AND THE ECM ARE PROVIDED BY THE DESIGN;**

The drainage improvements associated with the project are consistent with the Master Development Drainage Plan. The drainage improvements are designed to the most current El Paso County Engineering Criteria Manual, the Black Forest Drainage Basin Planning Study, the City of Colorado Springs/El Paso County Drainage Criteria Manual, and the Urban Storm Drainage Criteria Manual. See Preliminary Drainage Report by Classic Consulting for more details.

- 8. THE LOCATION AND DESIGN OF THE PUBLIC IMPROVEMENTS PROPOSED IN CONNECTION WITH THE SUBDIVISION ARE ADEQUATE TO SERVE THE NEEDS AND MITIGATE THE EFFECTS OF THE DEVELOPMENT;**

The public improvements proposed with this subdivision are all adequate to serve the needs of the proposed development. The required water and wastewater infrastructure and other utilities will be extended to the property. The existing Development Agreement for the adjacent Big R Stores

defines off-site improvements and cost participation for potential Struthers Road and Spanish Bit Drive improvements. These off-site public improvements include the construction or modification of auxiliary lanes along Struthers Road and the paving of Spanish Bit Drive from the Big R Stores east property line to proposed development's east property line. Additional potential public improvements associated with Urban Landing include: 1) constructing a northbound right turn lane on Struthers Road at Spanish Bit Drive; 2) lengthening the southbound left turn lane on Struthers Road at Spanish Bit Drive; and 3) paving Spanish Bit Drive east to the eastern edge of the site property line.

9. LEGAL AND PHYSICAL ACCESS IS OR WILL BE PROVIDED TO ALL PARCELS BY PUBLIC RIGHTS-OF-WAY OR RECORDED EASEMENT, ACCEPTABLE TO THE COUNTY IN COMPLIANCE WITH THIS CODE AND THE ECM;

All lots will be accessible by new private streets. Deviations and modifications to the LDC and ECM are requested and described above for the use of private streets.

10. THE PROPOSED SUBDIVISION HAS ESTABLISHED AN ADEQUATE LEVEL OF COMPATIBILITY BY:

a. INCORPORATING NATURAL PHYSICAL FEATURES INTO THE DESIGN AND PROVIDING SUFFICIENT OPEN SPACES CONSIDERING THE TYPE AND INTENSITY OF THE SUBDIVISION;

There are no substantial natural features on site. 1.82 acres of this project will remain as useable open space and serve as an amenity for residents.

b. INCORPORATING SITE PLANNING TECHNIQUES TO FOSTER THE IMPLEMENTATION OF THE COUNTY'S PLANS, AND ENCOURAGE A LAND USE PATTERN TO SUPPORT A BALANCED TRANSPORTATION SYSTEM, INCLUDING AUTO, BIKE AND PEDESTRIAN TRAFFIC, PUBLIC OR MASS TRANSIT IF APPROPRIATE, AND THE COST-EFFECTIVE DELIVERY OF OTHER SERVICES CONSISTENT WITH ADOPTED PLANS, POLICIES AND REGULATIONS OF THE COUNTY;

5-foot sidewalks are included throughout the project and connect to an existing network of sidewalks along Struthers Road, which opportunities for pedestrian and bicycle transportation to banks, a grocery store, churches, a pharmacy, and fast-food restaurants within approximately one mile. The County-proposed 9.28-mile Jackson Creek Regional Trail will be located west of Struthers Road, approximately 150 feet from the western property line of Urban Landing.

c. INCORPORATING PHYSICAL DESIGN FEATURES IN THE SUBDIVISION TO PROVIDE A TRANSITION BETWEEN THE SUBDIVISION AND ADJACENT LAND USES;

This proposed medium density development provides a transition from the lower density residential and church uses to the east and south to the more intense commercial development north and south of the site. The PUD zoning also allows for flexibility in the dimensional and design standards needed to accommodate the proposed product's setbacks and site coverage.

d. INCORPORATING IDENTIFIED ENVIRONMENTALLY SENSITIVE AREAS, INCLUDING BUT NOT LIMITED TO, WETLANDS AND WILDLIFE CORRIDORS, INTO THE DESIGN; AND

An analysis of the natural features, wildlife, and wetlands is provided in the analysis above and in the Natural Features Report submitted with the PUDSP. There are no environmentally sensitive areas within the limits of disturbance for the project. The loss of disturbed grass-land and non-native trees is not considered to be significant. Because the site does not offer a perennial water source or vegetation required to provide suitable wildlife habitat, there are not expected to be impacts to wildlife communities. The Preble's Meadow Jumping Mouse (PMJM) is not expected to occur on the site. The site is blocked from the nearest known habit by I-25 and there is no suitable riparian habitat on site. No other federally listed species are projected to be significantly impacted by the project and associated disturbance.

e. INCORPORATING PUBLIC FACILITIES OR INFRASTRUCTURE, OR PROVISIONS THEREFORE, REASONABLY RELATED TO THE PROPOSED SUBDIVISION SO THE PROPOSED SUBDIVISION WILL NOT NEGATIVELY IMPACT THE LEVELS OF SERVICE OF COUNTY SERVICES AND FACILITIES;

The Traffic Impact Study prepared by SM Rocha, LLC demonstrates that the proposed site-generated traffic resulting from the proposed development is not expected to negatively impact traffic operations for the existing or proposed surrounding roadway network, nor cause change to previously approved roadway classifications or current roadway design plans. The existing Development Agreement for the adjacent Big R Stores defines off-site improvements and cost participation for potential Struthers Road and Spanish Bit Drive improvements. These off-site public improvements include the construction or modification of auxiliary lanes along Struthers Road and the paving of Spanish Bit Drive from the Big R Stores east property line to proposed development's east property line. Additional potential public improvements associated with Urban Landing include: 1) constructing a northbound right turn lane on Struthers Road at Spanish Bit Drive; 2) lengthening the southbound left turn lane on Struthers Road at Spanish Bit Drive; and 3) paving Spanish Bit Drive east to the eastern edge of the site property line.

11. NECESSARY SERVICES, INCLUDING POLICE AND FIRE PROTECTION, RECREATION, UTILITIES, OPEN SPACE AND TRANSPORTATION SYSTEMS, ARE OR WILL BE AVAILABLE TO SERVE THE PROPOSED SUBDIVISION;

Water and sanitary sewer service is to be provided by the Donala Area A Sanitation and Water District. Mountain View Electric Association Inc. will provide electric services to the subdivision. The site will not have natural gas hookups. The required Will Serve letters are included with the submittal.

12. THE SUBDIVISION PROVIDES EVIDENCE TO SHOW THAT THE PROPOSED METHODS FOR FIRE PROTECTION COMPLY WITH CHAPTER 6 OF THIS CODE; AND

The site lies within the Tri-Lakes Monument Fire Protection District. A Fire Protection Report is included with the submittal.

13. THE PROPOSED SUBDIVISION MEETS OTHER APPLICABLE SECTIONS OF CHAPTER 6 AND 8 OF THIS CODE.

The proposed subdivision meets the applicable sections of these parts of the Code, subject to the requested PUD modification and deviation requests.

URBAN LANDING

COUNTY OF EL PASO, STATE OF COLORADO SECTION 36, TOWNSHIP 11 SOUTH, RANGE 07 WEST

PUD DEVELOPMENT PLAN & PRELIMINARY PLAN

- GENERAL PROVISIONS SECTION:**
1. APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 2. APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 3. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 4. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 5. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 6. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 7. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 8. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 9. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 10. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

- URBAN LANDING DEVELOPMENT GUIDELINES:**
1. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 2. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 3. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 4. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 5. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 6. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 7. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 8. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 9. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 10. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

USE	PERMITTED USES AND STRUCTURES	NOTES
1. SINGLE-FAMILY RESIDENTIAL	5 SINGLE-FAMILY HOMES	
2. MULTIFAMILY RESIDENTIAL	5 SINGLE-FAMILY HOMES	
3. COMMERCIAL	5 SINGLE-FAMILY HOMES	
4. INDUSTRIAL	5 SINGLE-FAMILY HOMES	
5. PUBLIC UTILITIES	5 SINGLE-FAMILY HOMES	
6. TRAVEL	5 SINGLE-FAMILY HOMES	
7. RECREATION	5 SINGLE-FAMILY HOMES	
8. EDUCATIONAL	5 SINGLE-FAMILY HOMES	
9. CULTURAL	5 SINGLE-FAMILY HOMES	
10. COMMUNITY	5 SINGLE-FAMILY HOMES	
11. SPECIAL USES	5 SINGLE-FAMILY HOMES	
12. TEMPORARY	5 SINGLE-FAMILY HOMES	
13. OTHER	5 SINGLE-FAMILY HOMES	

USE	PERMITTED USES AND STRUCTURES	NOTES
1. SINGLE-FAMILY RESIDENTIAL	5 SINGLE-FAMILY HOMES	
2. MULTIFAMILY RESIDENTIAL	5 SINGLE-FAMILY HOMES	
3. COMMERCIAL	5 SINGLE-FAMILY HOMES	
4. INDUSTRIAL	5 SINGLE-FAMILY HOMES	
5. PUBLIC UTILITIES	5 SINGLE-FAMILY HOMES	
6. TRAVEL	5 SINGLE-FAMILY HOMES	
7. RECREATION	5 SINGLE-FAMILY HOMES	
8. EDUCATIONAL	5 SINGLE-FAMILY HOMES	
9. CULTURAL	5 SINGLE-FAMILY HOMES	
10. COMMUNITY	5 SINGLE-FAMILY HOMES	
11. SPECIAL USES	5 SINGLE-FAMILY HOMES	
12. TEMPORARY	5 SINGLE-FAMILY HOMES	
13. OTHER	5 SINGLE-FAMILY HOMES	

THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

- PURPOSE AND INTENT:**
1. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.
 2. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.
 3. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.
 4. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.
 5. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.
 6. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.
 7. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.
 8. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.
 9. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.
 10. TO PROVIDE A FRAMEWORK FOR THE DEVELOPMENT OF THE PUD PROJECT.

- GENERAL NOTES:**
1. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 2. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 3. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 4. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 5. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 6. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 7. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 8. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 9. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.
 10. THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

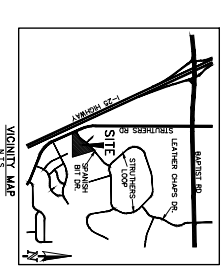
THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

THE APPLICABLE TO THE ENTIRE PLANNED UNIT DEVELOPMENT (PUD) PROJECT AS APPROVED BY THE BOARD OF COUNTY COMMISSIONERS ON APRIL 11, 1999.

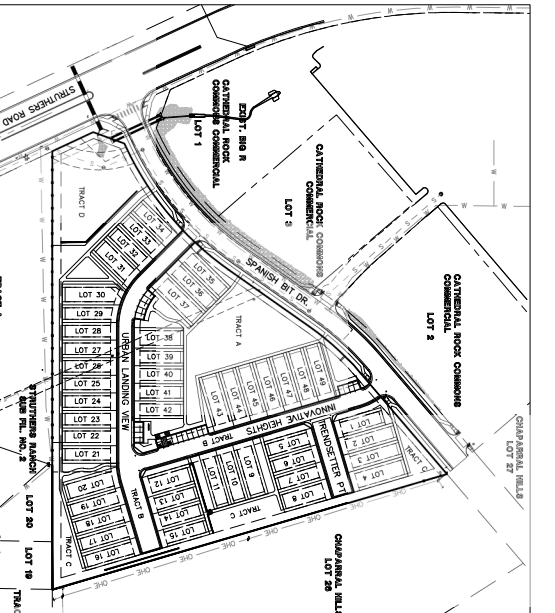


APPLICANT/DEVELOPER:
 PROPERTIES INVESTMENT, INC.
 2125 E. LAKEWOOD AVENUE, SUITE 200
 DENVER, CO 80202
 (719) 592-9333

APPLICANT REPRESENTATION:
 TRB SPANISH BILPARK
 COLORADO SPRINGS, CO 80921

**619 N. COUNCIL AVENUE, SUITE 200
 DENVER, CO 80202
 (719) 592-9333**

TRACT	USE	PERMITTED USES AND STRUCTURES	NOTES
1. TRACT A	1. SINGLE-FAMILY RESIDENTIAL	5 SINGLE-FAMILY HOMES	
2. TRACT B	2. MULTIFAMILY RESIDENTIAL	5 SINGLE-FAMILY HOMES	
3. TRACT C	3. COMMERCIAL	5 SINGLE-FAMILY HOMES	
4. TRACT D	4. INDUSTRIAL	5 SINGLE-FAMILY HOMES	
5. TRACT E	5. PUBLIC UTILITIES	5 SINGLE-FAMILY HOMES	
6. TRACT F	6. TRAVEL	5 SINGLE-FAMILY HOMES	
7. TRACT G	7. RECREATION	5 SINGLE-FAMILY HOMES	
8. TRACT H	8. EDUCATIONAL	5 SINGLE-FAMILY HOMES	
9. TRACT I	9. CULTURAL	5 SINGLE-FAMILY HOMES	
10. TRACT J	10. COMMUNITY	5 SINGLE-FAMILY HOMES	
11. TRACT K	11. SPECIAL USES	5 SINGLE-FAMILY HOMES	
12. TRACT L	12. TEMPORARY	5 SINGLE-FAMILY HOMES	
13. TRACT M	13. OTHER	5 SINGLE-FAMILY HOMES	



KEY MAP
 SCALE 1" = 100'

STATE OF COLORADO
 COUNTY OF EL PASO

SITE DATA:

EXISTING ZONING: R-4
 TLA SPECIAL NO: 713600/045
 TOTAL AREA: 6.57 ACRES
 REPLACEMENT SCHEDULE: FALL 2024

NUMBER OF LOTS: 49

TOTAL LOT AREA: 31.9 ACRES (48.9%)

GROSS DENSITY: 7.46 DU/AC

NET DENSITY: 15.30 DU/AC

PRIVATE ROADS (TRACT B) (5.08 ACRES (12.9%)

PRIVATE POND (TRACT D) (0.54 ACRES (8.2%)

TRACT	AREA (AC)	LAND USE	TOWNSHIP/MAYORALTY	USE ZONE
A	5.84	SINGLE-FAMILY RESIDENTIAL	URBAN LANDING 30A	14.0C
B	2.17	PRIVATE ROAD, PUBLIC ACCESS, UTILITIES	URBAN LANDING 30A	12.0C
C	46.18	OPEN SPACE, LANDSCAPE, UTILITIES	URBAN LANDING 30A	17.0C
D	23.40	DETENTION POND, OPEN SPACE, UTILITIES	URBAN LANDING 30A	7.4C
TOTAL	286.63	6.56		100.0C

LAND OWNER CERTIFICATION:

I, _____, owner of the above described property, do hereby certify that the above information is true and correct to the best of my knowledge and belief.

SIGNED: _____
 DATE: _____

COUNTY CERTIFICATION:

THIS RECORDING REQUEST TO PUD HAS BEEN REVIEWED AND FOUND TO BE COMPLETE AND ACCORDANT WITH THE _____ (DATE) APPROVING THE PUD AND ALL APPLICABLE EL PASO COUNTY REGULATIONS.

DIRECTOR, PLANNING & COMMUNITY DEVELOPMENT _____ DATE _____

BOARD OF COUNTY COMMISSIONERS _____ DATE _____

CLERK AND RECORDER CERTIFICATION:
 I, _____, Clerk and Recorder of the County of El Paso, do hereby certify that this PUD PLAN WAS FILED FOR RECORD IN MY OFFICE AT _____ O'Clock on _____ DAY OF _____, 20__ A.D. OF THE RECORDS OF EL PASO COUNTY, COLORADO.

BY: _____ EL PASO COUNTY CLERK AND RECORDER

SHEET INDEX

SHEET 1 OF 9
 SHEET 2 OF 9
 SHEET 3 OF 9
 SHEET 4 OF 9
 SHEET 5 OF 9
 SHEET 6 OF 9
 SHEET 7 OF 9
 SHEET 8 OF 9
 SHEET 9 OF 9

PUD NO. PD09P243

CLASSIC CONSULTING

URBAN LANDING PUD DEV. PLAN & PRELIMINARY PLAN SHEET 1

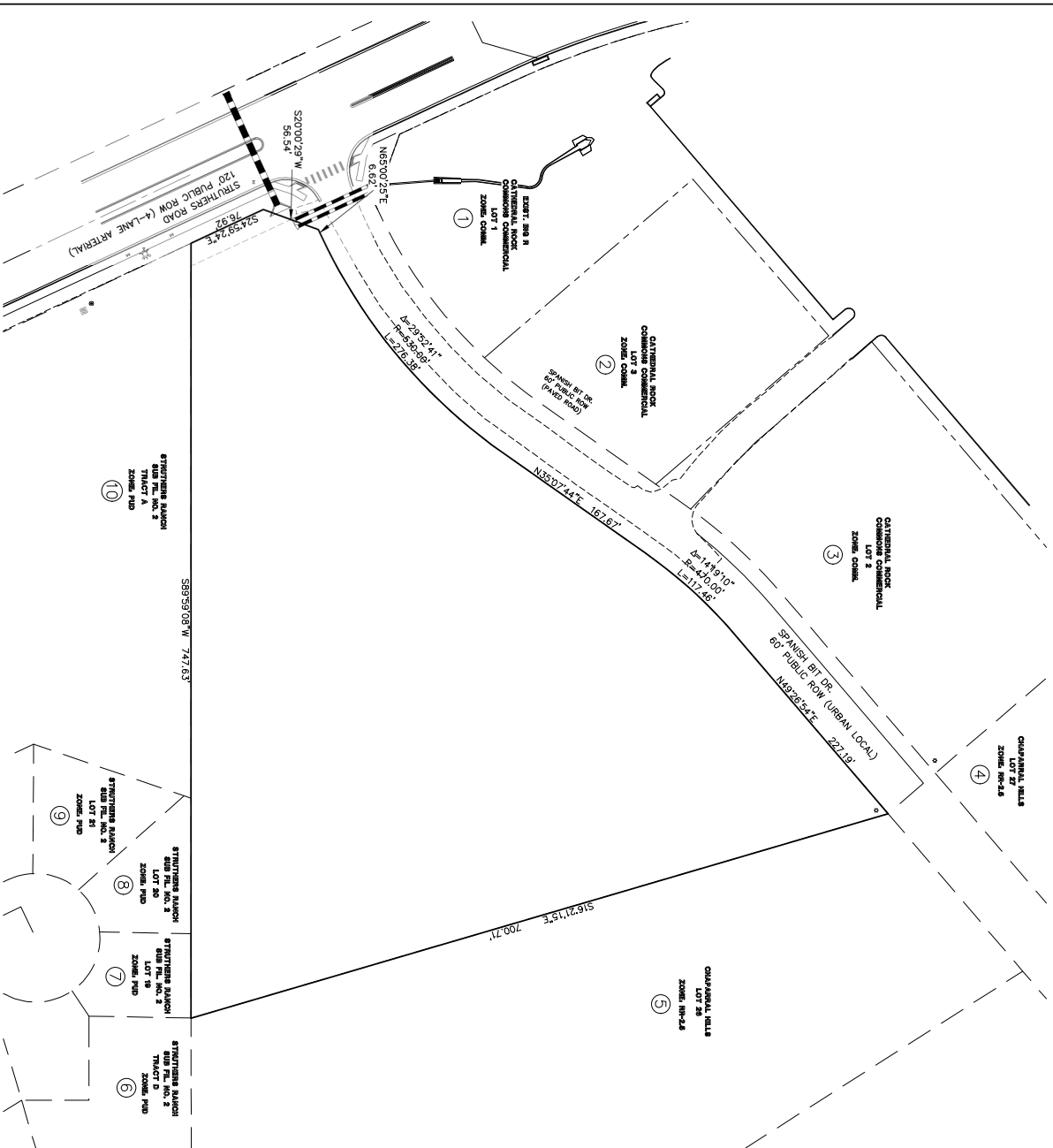
DESIGNED BY: N/A SCALE: DATE: 6/20/24
 DRAWN BY: N/A SCALE: SHEET: 1 OF 9
 CHECKED BY: N/A SCALE: SHEET: 1 OF 9

607 N. GARDNER BLVD., SUITE 200 (719) 592-9333
 1918 W. 10TH AVENUE, DENVER (719) 592-9333

URBAN LANDING

COUNTY OF EL PASO, STATE OF COLORADO, SECTION 36, TOWNSHIP 11 SOUTH, RANGE 67 WEST

PUD DEVELOPMENT PLAN & PRELIMINARY PLAN



LEGAL DESCRIPTION:

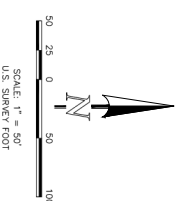
A TRACT OF LAND IN THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER IN SECTION 36 IN TOWNSHIP 11 SOUTH IN RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 26, OJAHARRAL HILLS, AS RECORDED IN PLAT BOOK 1-2 AT PAGE 2 IN THE RECORDS OF THE COUNTY OF EL PASO, COLORADO, CONTAINING 80 ACRES, MORE OR LESS, AND THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER, THENCE S 89 DEGREES 59 MINUTES 08 SECONDS W ON SMO SOUTH LINE 880.00 FEET TO A POINT OF INTERSECTION WITH THE NORTHEASTLY LINE OF A TRACT RECORDED AUGUST 12, 1983 IN BOOK 1989 AT PAGE 746 UNDER RECEPTION NO. 201954 OF THE RECORDS OF EL PASO COUNTY, COLORADO, THENCE N 24 DEGREES 59 MINUTES 56 SECONDS E ON SMO NORTHEASTLY LINE 610.00 FEET TO A POINT OF INTERSECTION WITH THE SOUTHWESTLY LINE OF SPANISH BIT DRIVE FOR THE FOLLOWING FIVE COURSES, N 85 DEGREES 00 MINUTES 25.16 OF 29 DEGREES 52 MINUTES 41 SECONDS, E 107.61 FEET TO A POINT OF CORNER, THENCE ON A CURVE TO THE RIGHT N 35 DEGREES 07 MINUTES 44 SECONDS, E 107.61 FEET TO A POINT OF CORNER, THENCE ON A CURVE TO THE RIGHT DISTANCE OF 114.46 FEET, THENCE N 49 DEGREES 26 MINUTES 54 SECONDS E, 227.19 FEET TO THE MOST WESTERLY POINT OF BEGINNING, EXCEPT THAT PORTION COVERED BY DEVAL WARRANTY DEED RECORDED JANUARY 2, 2007 AT RECEPTION NO. 207000186, EL PASO COUNTY, COLORADO,

CONTAINING 6,576 ACRES "NET" (286,453 SQUARE FEET), MORE OR LESS.

ADJACENT OWNERS

ADJACENT OWNER	NAME	MAILING ADDRESS	GRID STATE ZIP
1	STORVATER HOLDINGS, INC.	1000 BIC & STREET	COLORADO SPRINGS, CO 80901
2	CANTONAL ROCK INVESTMENTS LLC	7626 WINDING OAKS DRIVE	COLORADO SPRINGS, CO 80919
3	CANTONAL ROCK INVESTMENTS LLC	7626 WINDING OAKS DRIVE	COLORADO SPRINGS, CO 80919
4	SCHMIDT FAMILY TRUST TRUST	796 STRYUMERS LOOP	COLORADO SPRINGS, CO 80921
5	PAUL A. SWANER	796 STRYUMERS BIT DRIVE	COLORADO SPRINGS, CO 80921
6	STRYUMERS RANCH HOMEOWNERS ASSOCIATION	2780 N. ACADIAN BLVD 8002	COLORADO SPRINGS, CO 80921
7	DOMENIC T. TORRES/STOU	14727 ALPINE DRIVE	COLORADO SPRINGS, CO 80921
8	JAMES SWANER FAMILY TRUST	796 STRYUMERS BIT DRIVE	COLORADO SPRINGS, CO 80921
9	JAMES SWANER FAMILY TRUST	796 STRYUMERS BIT DRIVE	COLORADO SPRINGS, CO 80921
10	CANTONAL ROCK CHURCH	580 HIGHWAY 105, STE 198	MONUMENT, CO 81022



CLASSIC CONSULTING

URBAN LANDING
PUD DEV. PLAN & PRELIMINARY PLAN

LEGAL BOUNDARY MAP AND
ADJACENT OWNERS LIST

DESIGNED BY: YAM SCALE: 1" = 50'
DRAWN BY: YAM SCALE: 1" = 50'
CHECKED BY: YAM SCALE: 1" = 50'

DATE: 6/20/24
SHEET: 2 OF 9
JOB NO.: 1380601

PUD NO. PUDSP243

URBAN LANDING

COUNTY OF EL PASO, STATE OF COLORADO SECTION 36, TOWNSHIP 11 SOUTH, RANGE 67 WEST

PUD DEVELOPMENT PLAN & PRELIMINARY PLAN



LEGEND

- BOUNDARY LINE
- PROPERTY LINE
- EASEMENT STRIPBACK LINE
- LINE OF SIGHT
- NO PARKING SIGNED OR STRIPPED CURB
- EXISTING WATER LINE
- EXISTING SANITARY SEWER
- EXISTING STORM LINE
- SITE DISTANCE LINE

STANDARD PARKING STALL

WIDTH = 9.0'

LENGTH = 18.0'

ANGLE = 30° OVERHANG = 2.0' (OVERHANG IN FRONT)

30' TRACT TYPICAL STREET/UTILITY SECTION

N.T.S.

39' TRACT TYPICAL STREET/UTILITY SECTION

N.T.S.

60' R.O.W. TYPICAL STREET/UTILITY SECTION (URBAN LOCAL ROAD)

N.T.S.

60' R.O.W. TYPICAL STREET/UTILITY SECTION (SPANISH BLVD DRIVE)

N.T.S.

EASMENT NOTE:

ALL LOTS WITHIN URBAN LANDING (PUD ZONE) WILL HAVE THE FOLLOWING EASTS. AS SHOWN UNLESS OTHERWISE NOTED:

5' SIDE YARD PUBLIC UTILITY EASMT.

10' NESH YARD PUBLIC UTILITY EASMT.

SEE SHEET 4 FOR LOT SIDEWALK AND EXHIBENT DETAILS.

SIGNATURE NOTE:

ALL SIGNING AS ALLOWED BY THE PLAN SHALL BE DONE TO ACCOUNT FOR 7" WORK TO ACCOUNT FOR 2" VEHICLE OVERHANG.

CURB & GUTTER DETAILS:

- EPIC TYPE A**
- EPIC TYPE B**
- EPIC OPTIONAL TYPE C**
- CURB & GUTTER DETAIL**

CLASSIC CONSULTING

URBAN LANDING PUD DEV. PLAN & PRELIMINARY PLAN

SCALE: 1" = 40'

DATE: 4/01/2024

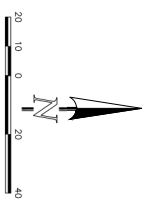
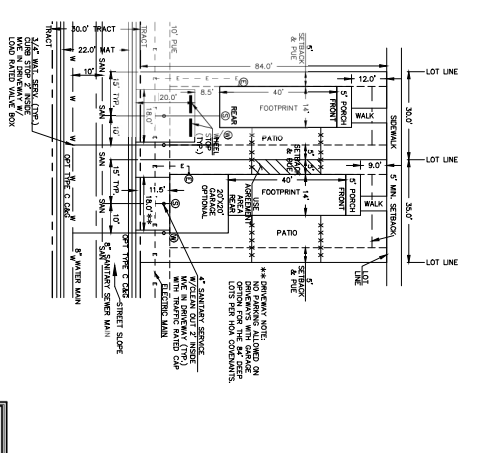
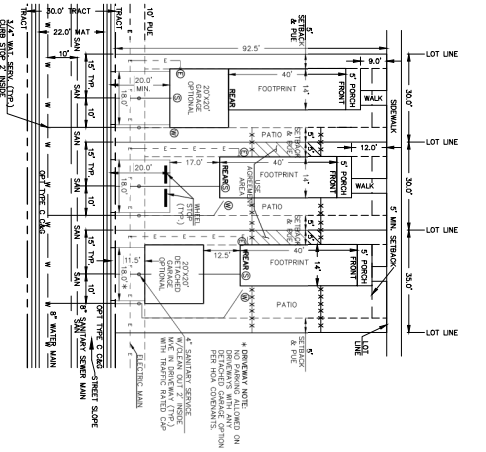
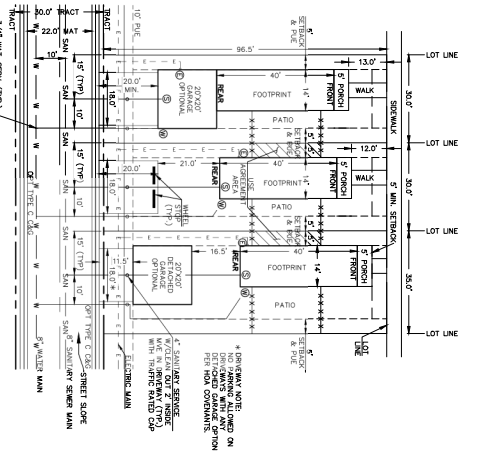
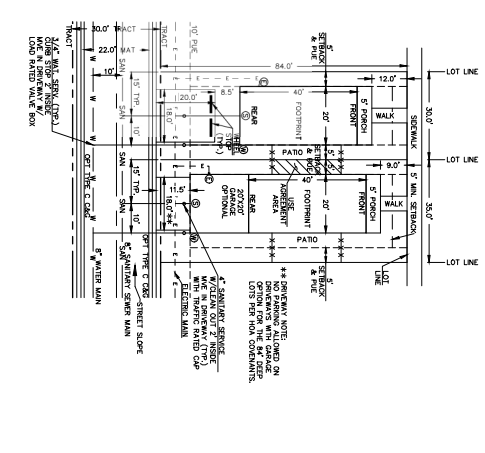
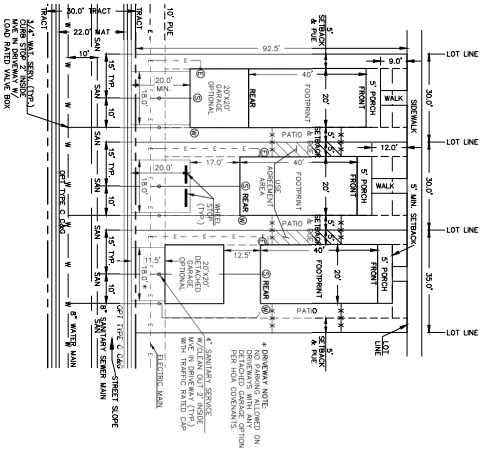
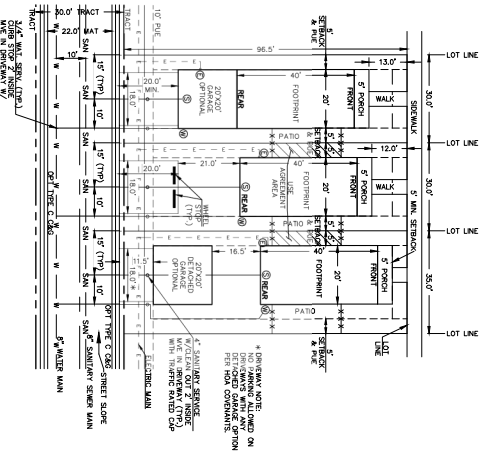
SHEET 3 OF 9

URBAN LANDING

COUNTY OF EL PASO, STATE OF COLORADO SECTION 36, TOWNSHIP 11 SOUTH, RANGE 07 WEST

PUD DEVELOPMENT PLAN & PRELIMINARY PLAN

NOTE:
COMMUNITY IS ELECTRIC SERVICES ONLY.
NO GAS SERVICE TO BE PROVIDED



URBAN LANDING
PUD DEV. PLAN & PRELIMINARY PLAN
PUD SITE PLAN SHEET
TRIPLE LOT LAYOUTS

CLASSIC CONSULTING

1019 N. Cascade Avenue, Suite 200
Colorado Springs, Colorado 80901

(719) 576-5199
(719) 576-5293 (fax)

DESIGNED BY	MAN	SCALE	DATE
CHECKED BY	MAN	SCALE	DATE

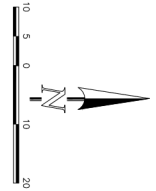
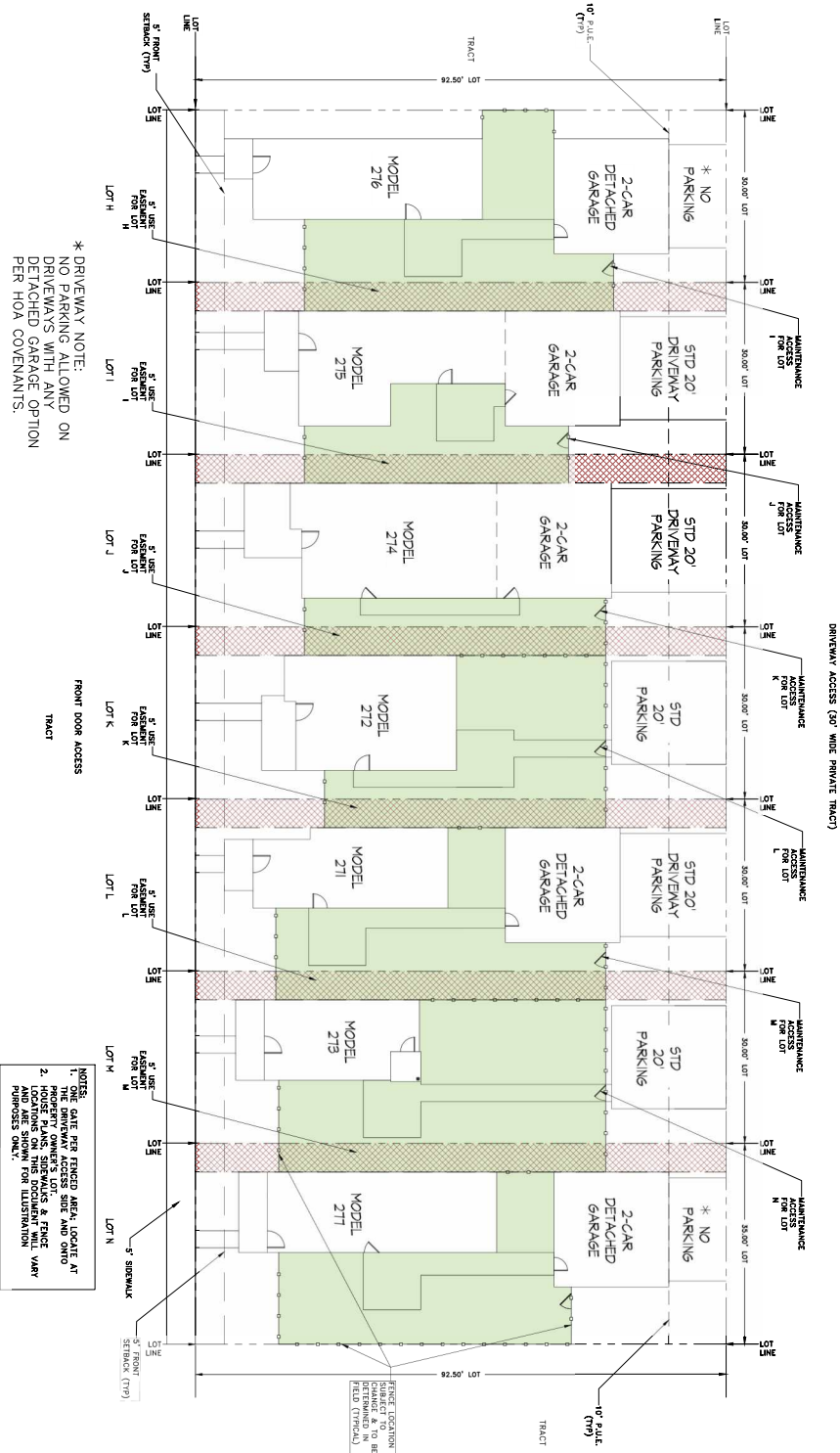
SHEET 4 OF 9
JOB NO. 150801

URBAN LANDING

COUNTY OF EL PASO, STATE OF COLORADO SECTION 36, TOWNSHIP 11 SOUTH, RANGE 67 WEST

PUD DEVELOPMENT PLAN & PRELIMINARY PLAN

"JUST" EASEMENT & "MAINTENANCE" ACCESS EXHIBIT



CLASSIC CONSULTING

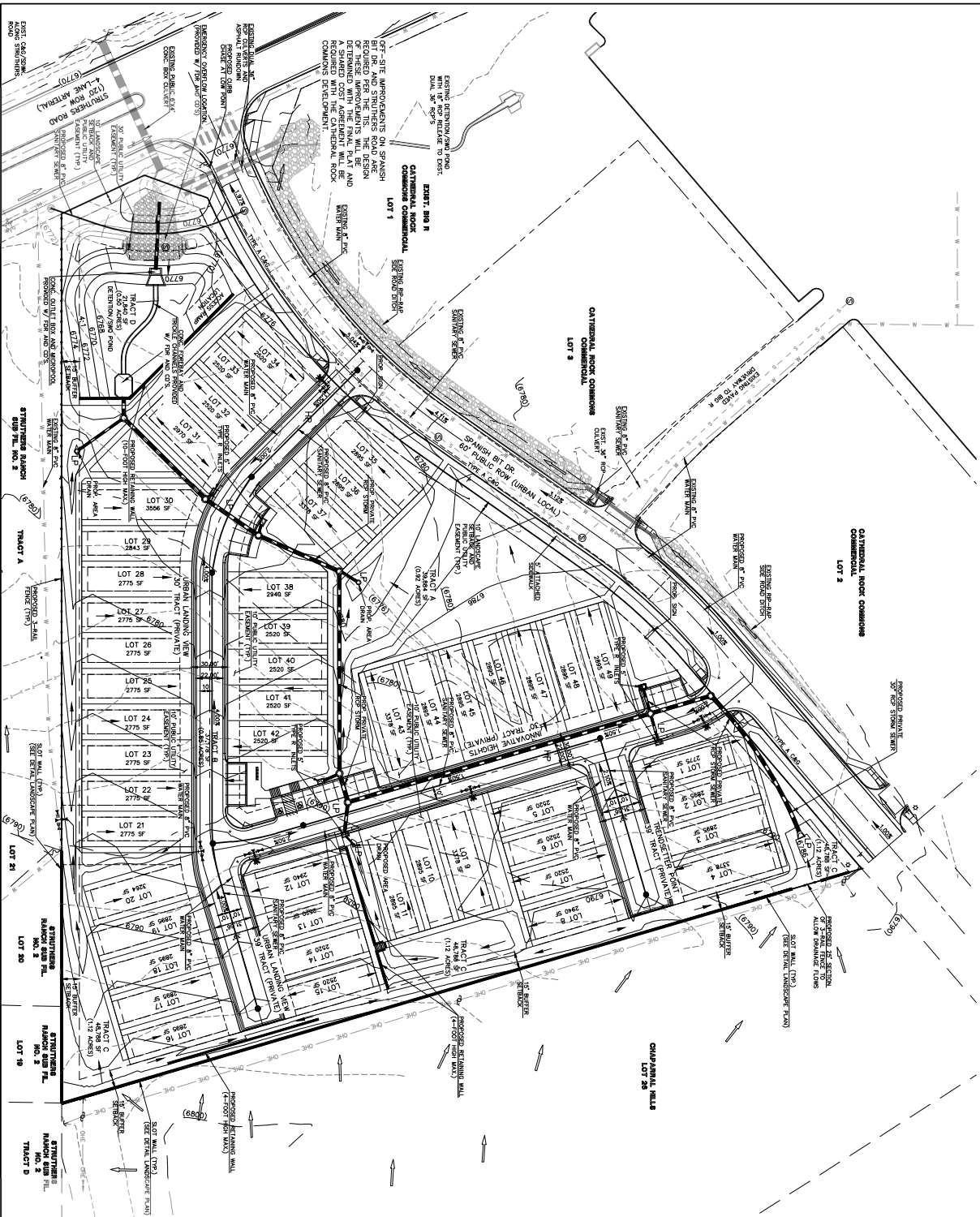
URBAN LANDING
PUD DEV. PLAN & PRELIMINARY PLAN
PUD SITE PLAN SHEET
LOT USE EASEMENT & MAINTENANCE ACCESS

DESIGNED BY: N/A SCALE: (10) 1" = 10' DATE: 4/01/2024
DRAWN BY: N/A SHEET: 5 OF 9
CHECKED BY: N/A JOB NO.: 1308.01

PUD NO. PUDSP243

COUNTY OF EL PASO, STATE OF COLORADO SECTION 36, TOWNSHIP 11 SOUTH, RANGE 67 WEST

URBAN LANDING PUD DEVELOPMENT PLAN & PRELIMINARY PLAN

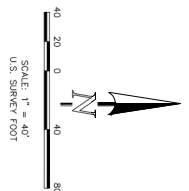


LEGEND

- PROPOSED CONTOUR-10
- PROPOSED CONTOUR-2
- EXISTING CONTOUR-10
- EXISTING CONTOUR-2
- PROPOSED FLOW DIRECTION
- EXISTING FLOW DIRECTION
- EXISTING FIRE HYDRANT
- EXISTING WATER MAIN
- EXISTING SANITARY SEWER
- EXISTING MAN W/ MANHOLE
- EXISTING STORM INLET
- EXISTING STORM SEWER
- PROPOSED SANITARY SEWER MAN W/ MANHOLE
- PROPOSED WATER MAIN
- PROPOSED FIRE HYDRANT
- PROPOSED STORM INLET
- PROPOSED STORM SEWER
- PROPOSED 3-FALL WALL
- PROPOSED 1-FALL WALL
- PROPOSED HIGH POINT
- PROPOSED LOW POINT

EXHIBENT NOTES

1. ALL LOTS WITHIN URBAN LANDING (PUD ZONE) WILL BE CONSIDERED AS EXHIBENT NOTES, AS SHOWN UNLESS OTHERWISE NOTED.
- 5' SIDE YARD PUBLIC UTIL./DRAINAGE EXMT.
- 5' FRONT BUILDING SETBACK EXMT.
- 10' REAR YARD PUBLIC UTIL./DRAINAGE EXMT.
- SEE SHEET 4 FOR LOT SETBACK AND EXHIBENT DETAILS.



CLASSIC CONSULTING

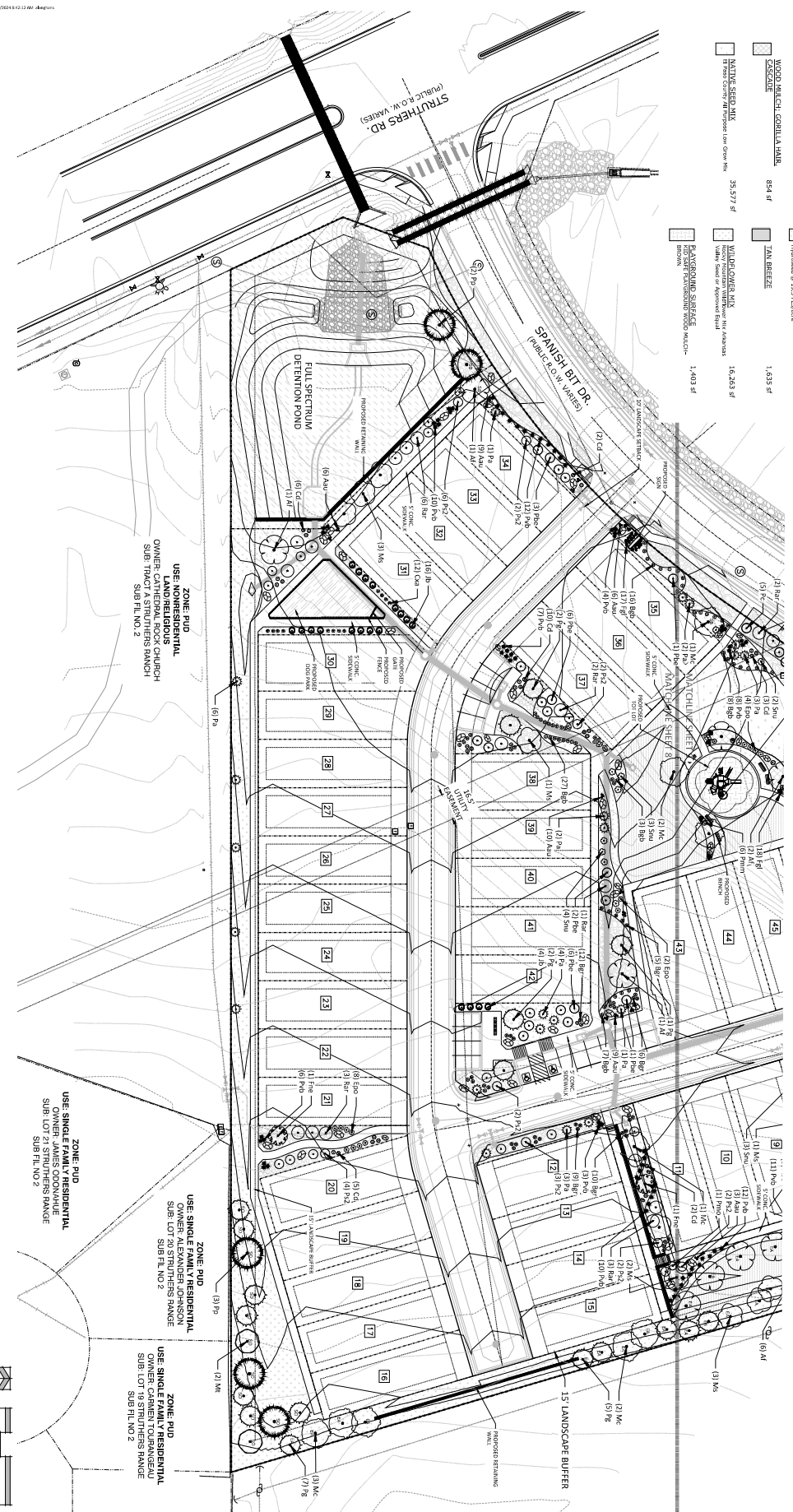
URBAN LANDING PUD DEV. PLAN & PRELIMINARY PLAN
PRELIMINARY GRADING AND UTILITY PLAN

PUD NO. PUDSP243

DESIGNED BY: N/A
CHECKED BY: N/A

SCALE: 1/2" = 40'
DATE: 4/01/2014
SHEET: 6 OF 9
JOB NO.: 1308.01

CONCEPT PLANT SCHEDULE	SYMMETRIC	7,045 SF
1. 1/2" ROCK MULCH	13,709 SF	
2. 1/2" ROCK MULCH	43,496 SF	
3. BLOCK CORNICE	26,046 SF	
4. BLUEGRASS SO2	15,499 SF	
5. WOOD MULCH, CORNICE HAIR	854 SF	
6. ZAN BREEZE	1,635 SF	
7. WATTLE SEED MIX	35,577 SF	
8. WATTLE SEED MIX	16,233 SF	
9. PALM TREES	1,403 SF	



NES

N.E.S. Inc., Suite 200
 619 N. Grand Street
 Colorado Springs, CO 80903
 TEL: 719.471.0072
 FAX: 719.471.0073
 WWW.NESLANDSCAPE.COM

FINAL LANDSCAPE PLAN

URBAN LANDING

SPANISH BIT DRIVE

6/15/2024

6/15/2024

6/15/2024

ENTITLEMENT

DATE: 6/15/2024

BY: ALANSON

6/15/2024 BY: ALANSON

6/15/2024 BY: ALANSON

6/15/2024 BY: ALANSON

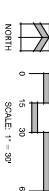
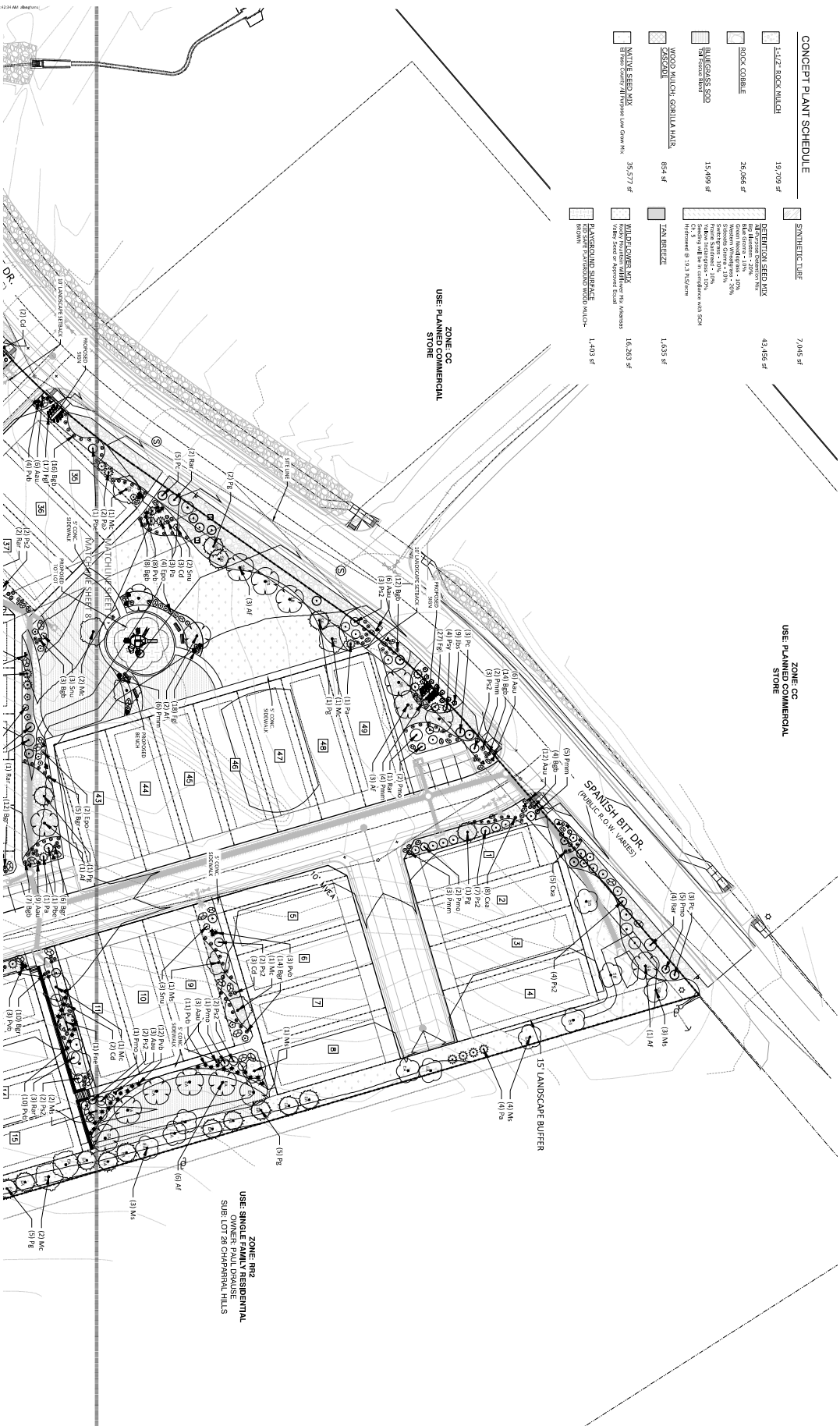
SHEET TITLE

8 OF 9

PUDSP243

CONCEPT PLANT SCHEDULE

SYNTHETIC TURF	7,745 SF
1-1/2" STOCK MULCH	10,709 SF
OPTIONAL SEED MIX 50% Buffon - 20% 50% Buffon - 20% 50% Buffon - 20%	43,456 SF
ROCK COBBLE	26,066 SF
BIRCHBARK SOD 12" Square Block	15,499 SF
WOOD MULCH - GORILLA HAIR	854 SF
TAN BREEZE	1,435 SF
MINUTE SEED MIX 50% Buffon - 20% 50% Buffon - 20%	35,577 SF
MINUTE SEED MIX 50% Buffon - 20% 50% Buffon - 20%	16,263 SF
WILLOW CRYSTAL 12" Square Block	1,403 SF
WILLOW CRYSTAL 12" Square Block	1,403 SF



NES

N.E.S. Inc. Suite 200
619 N. Cascade Street, CO 80603
Tel: 719.471.0072
Fax: 719.471.1639
www.neslandscape.com

PLANNER / LANDSCAPE ARCHITECT

© 2011, All Rights Reserved.

IN ASSOCIATION WITH

URBAN LANDING PLAN

SPANISH BIT DRIVE

601 GILSON
DENVER, CO 80202

ENTITLEMENT

DATE: 09/27/2024 BY: AAZ/AM/MS
DATE: 09/27/2024 BY: AAZ/AM/MS
DATE: 09/27/2024 BY: AAZ/AM/MS

9 OF 9

PLD5P243

9



August 6, 2024

Ryan Howser
El Paso County Development Services Department
Sent via online portal at: <https://epcdevplanreview.com>

RE: Urban Landing PUDSP
NE ¼ of the SW1/4 of Section 36, Twp. 11S, Rng. 67W, 6th P.M.
Water Division 2, Water District 10

Dear Ryan Howser,

We have received the above-referenced submittal to subdivide a 6.57-acre parcel into 49 single-family detached residential lots. The proposed source of water supply and wastewater disposal is to be served by the Donala Water and Sanitation District.

Water Supply Demand

According to the Water Supply Information Summary provided in the referral, the estimated water demand for the 49 lots is estimated to be 8,749 gallons/day or 9.80 acre-feet/year for household use and 5,647 gallons/day or 6.33 acre-feet for irrigation use, totaling 16.13 acre-feet for the entire development.

Source of Water Supply

According to the submittal, the proposed water supply for this development is to be served by the Donala Water and Sanitation District ("District"), and letter of commitment from the District dated July 2, 2024 was included with the referral documents. The District's current water supply total 3216.3 acre-feet/year from various nontributary and not nontributary water rights in the Denver Basin and surface water through an intergovernmental agreement with Colorado Spring Utilities. As of 2023 the District's current demand is 1922 acre-feet/year leaving 1294.3 acre-feet/year for use in additional projects. Based on the above it appears the District has sufficient water resources to supply the proposed development at a rate of 16.13 acre-feet/year.

Additional Comments

Should the development include construction and/or modification of any storm water structure(s), the Applicant should be aware that, unless the storm water structure(s) can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR's *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado* (<http://water.state.co.us/DWRIPub/Documents/DWR%20Storm%20Water%20Statement.pdf>) to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements.



State Engineer's Office Opinion

Pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing injury to decreed water rights, and the supply is expected to be adequate. Should you have any questions, please feel free to contact me directly.

Please contact me at 303-866-3581 x8246 or ioana.comaniciu@state.co.us with any questions.

Sincerely,



Ioana Comaniciu, P.E.
Water Resources Engineer

Ec: Subdivision no. 32432

County Attorney

Kenneth R. Hodges, County Attorney
719-520-6485
Centennial Hall
200 S. Cascade, Suite 150
Colorado Springs, CO 80903
www.ElPasoCo.com

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

October 7, 2024

PUDSP-24-3 Urban Landing

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Elite Properties of America Inc. (“Applicant”), to subdivide an approximately 6.57 +/- acre tract of land into 49 lots (the “Property”). The property is zoned R-4 (Residential).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the annual subdivision demand is 9.80 (0.20 acre-feet per unit) annual acre-feet for household use along with irrigation of 2.53 acres at 6.33 annual acre-feet, which results in an annual water demand of 16.13 acre-feet for Urban Landing. Based on these figures, the Applicant must provide a supply of 4,839 acre-feet of water (16.13 acre-feet/year x 300 years) to meet the County’s 300-year water supply requirement for the subdivision.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Donala Water & Sanitation District (“District”). As detailed in the *Water Resources Report June 2024* (“Report”), the total water demand for Urban Landing is 16.13 acre-feet/year.

The Report states that the District currently owns a total water supply of 3,216.3 acre-feet per year, consisting of both renewable and non-renewable sources. The Report estimates annual water usage in 2023 to be 1,922 acre-feet per year leaving 1,294.3 acre-feet per year.

ASSISTANT COUNTY ATTORNEYS

NATHAN J. WHITNEY
CHRISTOPHER M. STRIDER

STEVEN A. KLAFFKY
TERRY A. SAMPLE

LORI L. SEAGO
DOREY L. SPOTTS

BRYAN E. SCHMID
STEVEN W. MARTYN

MERI V. GERINGER
ERIKA M. KEECH

4. The District's Manager provided a letter of commitment for Urban Landing dated July 2, 2024, in which the District committed to provide water service to the Property in the amount of 16.13 acre-feet per year. The commitment letter remains in effect for one year from its date of issuance.

State Engineer's Office Opinion

5. In a letter dated August 6, 2024, the State Engineer reviewed the proposal to subdivide the 6.57 +/- acre parcel into 49 single-family detached residential lots. The State Engineer stated that the "[t]he proposed source of water supply and wastewater disposal is to be served by the Donala Water and Sanitation District."

The State Engineer offers their opinion that "[p]ursuant to section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply can be provided without causing injury to decreed water rights, and the supply is expected to be adequate."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Urban Landing is 16.13 acre-feet per year to be supplied by the Donala Water and Sanitation District. **Based on the water demand of 16.13 acre-feet/year for the development and the District's availability of water sources, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Urban Landing.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the *Water Supply Information Summary*, the *Water Resources Report* dated June 2024, the *Donala Water and Sanitation District letter* dated July 2, 2024, and the *State Engineer Office's Opinion* dated August 6, 2024. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.
- B. Applicant must obtain final plat approval and provide evidence thereof to the District within 12 months of the District's commitment letter dated July 2, 2024 (approval must be provided by July 2, 2025), to retain the District's water commitment. If Applicant fails to do so, this recommended finding of conditional sufficiency will be deemed void and no longer valid unless 1) an updated commitment letter from the District is provided with the final plat application and 2) the information provided in connection with and relied upon to complete this Review otherwise remains unchanged.

cc. Ryan Howser, Project Manager, Planner

RESOLUTION NO.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF EL PASO, STATE OF COLORADO

APPROVAL OF PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN
URBAN LANDING (PUDSP243)

WHEREAS, Elite Properties of America, Inc. 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 and more particularly described in Exhibit A, which is attached hereto and incorporated by reference, from the R-4 (Planned Development) zoning district to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development plan; and

WHEREAS, in accordance with Section 4.2.6.E of the El Paso County Land Development Code (2021) (hereinafter "Code"), A PUD Development Plan May be Approved as a Preliminary Plan, the applicants are also requesting the PUD development plan be approved as a preliminary plan with a finding of water sufficiency for water quality, dependability, and quantity; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on December 5, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the subject Planned Unit Development and Preliminary Plan; and

WHEREAS, a public hearing was held by this Board on December 17, 2024; and

WHEREAS, based upon the evidence presented, including 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 Board of County Commissioners of El Paso County.

3. The hearings before the Planning Commission and 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 PUD District zoning advances the stated purposes set forth in Chapter 4, Section 4.2.6, of the Code.
5. The application is in general conformity with the El Paso County Master Plan.
6. The proposed development is in compliance with the requirements of this Code and all applicable statutory provisions and will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of El Paso County.
7. The subject property is suitable for the intended uses and the use is compatible with both the existing and allowed land uses on the neighboring properties, will be in harmony and responsive with the character of the surrounding area and natural environment, and will not have a negative impact upon the existing and future development of the surrounding area.
8. The proposed development provides adequate consideration for any potentially detrimental use to use relationships (e.g., commercial use adjacent to single family use) and provides an appropriate transition or buffering between uses of differing intensities both on-site and off-site which may include innovative treatments of use-to-use relationships.
9. The allowed uses, bulk requirements and landscaping and buffering are appropriate to and compatible with the type of development, the surrounding neighborhood or area and the community.
10. Areas with unique or significant historical, cultural, recreational, aesthetic or natural features are preserved and incorporated into the design of the project.
11. Open spaces and trails are integrated into the development plan to serve as amenities to residents and provide reasonable walking and biking opportunities.
12. The proposed development will not overburden the capacities of existing or planned roads, utilities and other public facilities (e.g., fire protection, police protection, emergency services, and water and sanitation), and the required public services and facilities will be provided to support the development when needed.
13. The proposed development would be a benefit through the provision of interconnected open space, conservation of environmental features, aesthetic features and harmonious design, and energy efficient site design.

14. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would unreasonably interfere with the present or future extraction of such deposit unless acknowledged by the mineral rights owner.
15. Any proposed exception or deviation from the requirements if the zoning resolution or the subdivision regulation is warranted by virtue of the design and amenities incorporated in the development plan and development guide.
16. The owner has authorized the application.
17. The proposed subdivision is in general conformance with the goals, objectives, and policies of the El Paso County Master Plan.
18. The subdivision is consistent with the purposes of the Code.
19. The subdivision is in conformance with the subdivision design standards and any approved sketch plan.
20. A sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(a)] and the requirements of Chapter 8 of the Land Development Code.
21. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with state and local laws and regulations, [C.R.S. §30-28-133(6) (b)] and the requirements of Chapter 8 of the Code.
22. All areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions, have been identified and the proposed subdivision is compatible with such conditions. [C.R.S. §30-28-133(6)(c)].
23. Adequate drainage improvements complying with State law [C.R.S. §30-28- 133(3)(c)(VIII)] and the requirements of the Code and the El Paso County Engineering Criteria Manual (hereinafter "ECM") are provided by the design.
24. The location and design of the public improvements proposed in connection with the subdivision are adequate to serve the needs and mitigate the effects of the development.
25. Legal and physical access is or will be provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with the Code and the ECM.
26. The proposed subdivision has established an adequate level of compatibility by (1) incorporating natural physical features into the design and providing sufficient open spaces

considering the type and intensity of the subdivision; (2) incorporating site planning techniques to foster the implementation of the County's plans, and encourage a land use pattern to support a balanced transportation system, including auto, bike and pedestrian traffic, public or mass transit if appropriate, and the cost effective delivery of other services consistent with adopted plans, policies and regulations of the County; (3) incorporating physical design features in the subdivision to provide a transition between the subdivision and adjacent land uses; (4) incorporating identified environmentally sensitive areas, including but not limited to, wetlands and wildlife corridors, into the design; and (5) incorporating public facilities or infrastructure, or provisions therefore, reasonably related to the proposed subdivision so the proposed subdivision will not negatively impact the levels of service of County services and facilities.

27. Necessary services, including police and protection, recreation, utilities, open space and transportation system, are or will be available to serve the proposed subdivision.
28. The subdivision provides evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Code.
29. The proposed subdivision meets other applicable sections of Chapter 6 and 8 of this Code.
30. For the above-stated and other reasons, the proposed zoning 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 the El Paso County Board of County Commissioners hereby approves the application to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the R-4 (Planned Development) zoning district to the PUD (Planned Unit Development) zoning district in conformance with the supporting PUD Development Plan.

BE IT FURTHER RESOLVED that in accordance with Section 4.2.6.E of the El Paso County Land Development Code (as amended), the Board of County Commissioners hereby approves the PUD Development Plan as a Preliminary Plan.

BE IT FURTHER RESOLVED the following conditions and notations shall be placed upon this approval:

CONDITIONS

1. Development of the property shall be in accordance with this PUD Development Plan. Minor changes in the PUD Development Plan, including a reduction in residential density, may be approved administratively by the Director of the Planning and Community Development Department consistent with the Land Development Code. Any substantial change will require submittal of a formal PUD Development Plan amendment application.

2. Approved land uses are those defined in the PUD Development Plan and development guide.
3. All owners of record must sign the PUD Development Plan.
4. The PUD Development Plan shall be recorded in the office of the El Paso County Clerk & Recorder prior to scheduling any final plats for hearing by the Planning Commission. The development guide shall be recorded in conjunction with the PUD Development Plan.
5. Applicable park, school, drainage, bridge, and traffic fee shall be paid to El Paso County Planning and Community Development at the time of Final Plat(s) recordation.
6. All remaining staff comments shall be addressed prior to recordation of the PUD Development Plan.
7. The developer shall enter into a Subdivision Improvement Agreement or other applicable Development Agreement for the construction of the offsite roadway improvements listed in Table 8 of the Urban Landing Traffic Impact Study at the time of Final Plat recordation.

NOTATIONS

1. Subsequent Final Plat Filings may be approved administratively by the Planning and Community Development Director.
2. 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.
3. 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.
4. Preliminary Plans not forwarded to the Board of County Commissioners within 12 months of Planning Commission action shall be deemed withdrawn and shall have to be resubmitted in their entirety.
5. Approval of the preliminary plan will expire after two (2) years unless a Final Plat has been approved and recorded or a time extension has been granted.

Resolution No.

Page 6

AND BE IT FURTHER RESOLVED the record and recommendations of the El Paso County Planning Commission be adopted, except as modified herein.

DONE THIS 17th day of December, year, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

Legal Description:

A tract of land in the Northeast quarter of the Southwest quarter in Section 36 in Township 11 South in Range 67 West of the 6th P.M., El Paso County, Colorado described as follows:

Beginning at the Southwest corner of Lot 26, Chaparral Hills, as recorded in Plat Book T-2 at Page 2 in the records of El Paso County, Colorado, said point being on the South line of said Northeast quarter of the Southwest quarter; thence S 89 degrees 59 minutes 08 seconds W, on said south line, 880.00 feet to a point of intersection with the Northeasterly line of a tract described by deed to the Department of Highways, State of Colorado, recorded August 12, 1963 in Book 1969 at Page 746 under Reception No. 301954 of the records of El Paso County, Colorado; thence N 24 degrees 59 minutes 35 seconds W, on said Northeasterly line, 61.00 feet to a point of intersection with the Southeasterly line of Spanish Bit Drive as platted in said Chaparral Hills; thence along the said Southeasterly line of Spanish Bit Drive for the following five courses, N 65 degrees 00 minutes 25 seconds E, 166.60 feet to a point of curve; thence on a curve to the left, through a central angle of 29 degrees 52 minutes 41 seconds, having a radius of 530.00 feet, an arc distance of 276.38 feet; thence N 35 degrees 07 minutes 44 seconds E, 167.67 feet to a point of curve; thence on a curve to the right through a central angle of 14 degrees 19 minutes 10 seconds, having a radius of 470.00 feet; an arc distance of 117.46 feet; thence N 49 degrees 26 minutes 54 seconds E, 227.19 feet to the most Westerly corner of said Lot 26, Chaparral Hills; thence S 16 degrees 21 minutes 15 seconds E, 700.71 feet to the Point of Beginning, except that portion conveyed by Special Warranty Deed recorded January 2, 2007 at Reception No. 207000186, El Paso County, Colorado.

Containing 6.576 acres "net" (286,453 square feet), more or less.