

SKETCH PLAN (RECOMMEND APPROVAL)

Trowbridge moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. SKP242  
FLYING HORSE EAST PHASE 1

WHEREAS, Flying Horse Land Company, LLC did file an application with the El Paso County Planning and Community Development Department for approval of a Sketch Plan for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on June 19, 2025; 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. 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.

6. For the above-stated and other reasons, the proposed Sketch Plan is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of El Paso County.

WHEREAS, this Commission further finds that the request meets the criteria for approval outlined in Section 7.2.1.D.1.c of the Land Development Code ("Code") (as amended), as follows:

1. The proposed Subdivision is in general conformance with the goals, objectives, and policies of the Master Plan;
2. The proposed Subdivision is in conformance with the requirements of the Code;
3. The proposed Subdivision is compatible with existing and proposed land uses within and adjacent to the Sketch Plan area;
4. The water supply report provides sufficient information to identify probable compliance with the water supply standards and identifies any need for additional water supplies;
5. Services are or will be available to meet the needs of the Subdivision including, roads, police and fire protection, schools, recreation facilities, and utility service facilities;
6. The soil is suitable for the Subdivision;
7. The geologic hazards do not prohibit the Subdivision, or can be mitigated;
8. The Subdivision will not interfere with the extraction of any known commercial mining deposit [C.R.S. § 34-1-302(1), et seq.];
9. The design of the Subdivision protects the natural resources or unique landforms;
10. The proposed methods for fire protection are adequate to serve the Subdivision; and
11. The Subdivision is appropriate and the design is based on mitigating the constraints of topography, soil types, geologic hazards, aggregate resources, environmental resources, floodplain, airplane flight overlays, or other constraints.

NOW, THEREFORE, BE IT RESOLVED, that the El Paso County Planning Commission recommends that the application of Flying Horse Land Company, LLC for approval of a Sketch Plan for property in the unincorporated area of El Paso County as described in Exhibit A, meets the criteria for approval outlined in Section 7.2.1.D.1.c of the Land Development Code and be approved by the El Paso County Board of County Commissioners with the following conditions and notations:

### CONDITIONS

1. Development of the property within the Sketch Plan, including, but not limited to, Map Amendments, Preliminary Plans, and Final Plats shall be in general or substantial conformance with the approved Mayberry Sketch Plan. Amendments to the Sketch Plan may only be made subject to the limitations contained in the El Paso County Land Development Code (as amended).
2. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
3. All outstanding comments shall be addressed prior to final approval of the Sketch Plan.

### NOTATIONS

1. Applicable park, school, transportation, drainage, bridge, and traffic fees shall be paid to the El Paso County Planning and Community Development Department at the time of recording any Final Plat.
2. Access locations and roadway classifications are conceptual only and will be determined at the time of Preliminary Plan review. Final locations and classifications of roadways will be subject more detailed land use design and subdivision review.

BE IT FURTHER RESOLVED that this Resolution and the recommendations contained herein shall be forwarded to the El Paso County Board of County Commissioners for its consideration.

Brittain Jack seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	<u>aye</u> / no / non-voting / recused / absent
Jay Carlson	aye / <u>no</u> / non-voting / recused / absent
Jeffrey Markewich	aye / <u>no</u> / non-voting / recused / absent
Eric Moraes	aye / <u>no</u> / non-voting / recused / absent
Bryce Schuettpeiz	aye / no / non-voting / recused / <u>absent</u>
Wayne Smith	aye / <u>no</u> / non-voting / recused / absent
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	aye / <u>no</u> / non-voting / recused / absent

The Resolution was denied by a vote of 5 to 3 by the El Paso County Planning Commission,  
State of Colorado.

DONE THIS 19th day of June, 2025, at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

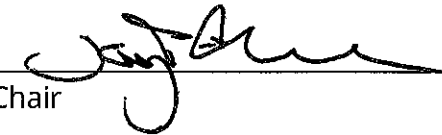
By:   
Chair

EXHIBIT A

ALL OF SECTION 13, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., LESS AND EXCEPT THE EAST HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER AND THE WEST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER, COUNTY OF EL PASO, STATE OF COLORADO;

ALL OF SECTION 14, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH, P.M., LESS AND EXCEPT THAT PART CONVEYED TO THE COUNTY OF EL PASO, STATE OF COLORADO, FOR ROAD PURPOSES, BY DEED RECORDED FEBRUARY 24, 1937 IN BOOK 910 AT PAGE 506; AND FURTHER EXCEPT THAT PART CONVEYED TO THE STATE DEPARTMENT OF HIGHWAYS DIVISION OF HIGHWAYS, STATE OF COLORADO, FOR ROAD PURPOSES, BY INSTRUMENT(S) RECORDED MAY 16, 1985 IN BOOK 5010 AT PAGE 60; AND RECORDED MAY 16, 1985 IN BOOK 5010 AT PAGE 62; AND RECORDED JUNE 13, 1988 IN BOOK 5518 AT PAGE 1209; AND FURTHER EXPECT THAT PART AS SET FORTH IN DEED RECORDED OCTOBER 5, 1994 IN BOOK 6539 AT PAGE 1323 MORE PARTICULARLY DESCRIBED AS FOLLOWS: A PORTION OF THAT TRACT OF LAND DESCRIBED IN BOOK 3856 AT PAGE 205 OF THE EL PASO COUNTY RECORDS AND LOCATED IN THE NORTH ONE-HALF (N 1/2) OF SECTION 14, TOWNSHIP 14 SOUTH, RANGE 64 WEST, OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SECTION 14; THENCE N01°13'32"W, ALONG THE EAST LINE OF SAID SECTION 14, A DISTANCE OF 5216.50 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY NO. 94 AS DESCRIBED IN SAID BOOK 3856 PAGE 205; THENCE S89°55'59"W, ALONG SAID LINE, A DISTANCE OF 1800.37 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE S01°13'51"E, A DISTANCE OF 473.30 FEET; THENCE S89°55'59"W, A DISTANCE OF 845.02 FEET; THENCE N01°13'51"W, A DISTANCE OF 473.30 FEET TO A POINT ON SAID RIGHT OF WAY LINE; THENCE N89°55'59"E, ALONG SAID LINE A DISTANCE OF 845.02 FEET TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO.

THE NORTH HALF OF SECTION 23, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO;

THE NORTH HALF OF SECTION 24, TOWNSHIP 14 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO;