

SEPTEMBER 21, 2020

Applicant/Owner:

Douglas BNB, LLC
3855 Walker Road
Colorado Springs, CO 80908

Consultants:

Kimley-Horn, & Associates
2 N. Nevada Ave, Suite 300
Colorado Springs, CO 80903

SITE INFORMATION:

ADDRESS: 3805 Walker Road

PARCEL ID: 6115000004

ZONING: RR-5

ACREAGE: 20.18 AC

Shelter

REQUEST

Douglas BNB, LLC requests an amendment to the approved special use permit (PCD File No. AL-09-002) to clarify existing and planned uses under the permit allowances and site plan. The amended request includes:

- Clarification of the use as a resort and retreat as identified use under the general use designation of Recreation Camp, as defined in the Code.
- Enlarge the approved (not implemented) pool enclosure from 484 SF to 1,860 SF and add an inground outdoor pool and spa.
- Increase the approved (not implemented) Porte-cochere from 20' x 20' to 32' x 32'.
- Remove the proposed gate house/living quarters" and replace with 2 additional main level guest rooms as internal renovations
- Add four (4) guest rooms: 2 main level and 2 lower level guest rooms and reduction of corresponding common space on each affected level.
- Increase maximum daytime guests from 92 to 120
- Increase maximum guest rooms from 24 to 28 (Addition of 4 guest rooms)
- Revise overnight occupancy to 28 rooms rather than limiting overnight guests to 50 persons
- Inclusion of wedding ceremonies and related events as a permitted use consistent with the "resort/retreat" land use
- Special use approval of a bed and breakfast inn in the RR-5 zone to permit the booking of vacant guest rooms not reserved for group event use.

Remove. PCD Director said this can be included with the rec camp use. The Bed and Breakfast in has a max number of rooms and this project exceeds that.

The application includes a request to confirm the use of the facility for wedding activities, ceremonies, rehearsals, and celebrations as consistent with uses permitted and/or otherwise consistent with group scheduled events likely to occur at a retreat or resort or other venues which are considered to possess scenic or solemn qualities. According to the Code definition of recreation camp, the general use **“would include land uses commonly considered as campgrounds, dude ranches, resorts or retreats.”** [emphasis added] The applicant requests consideration and concurrence with the approval that wedding events, including rehearsals, dinners, reception activities, and wedding party/guest lodging and accommodations are consistent with resort and retreat facility activities and/or events. Wedding activities would follow the same booking, registration, and reservation policies and procedures as existing patrons. Separate or multiple wedding events would not be scheduled for the same day or reservation periods. Only one wedding event would be hosted on the site at any individual time.

If permitted, outdoor activities associated with weddings may be conditioned to limit early morning and late evening activities or limit activities which may create negative impacts to surrounding and nearby properties. All outdoor activities, including those associated with wedding events shall be conducted in compliance with the El Paso County Noise Ordinance.

The applicant requests to expand the current special use approval to include authorization for a bed and breakfast inn. Approval of the bed and breakfast inn land use as a special use will facilitate the booking of vacant rooms which have not been reserved or otherwise occupied by participants of a scheduled group/event. The request to fill non-booked/reserved rooms with guests will help the business’s recovery and overall resiliency in the wake of immediate, intermediate, and long-term financial impacts suffered from local Corona Virus restrictions and changing consumer patterns. These single room guests will be encouraged and invited to participate in scheduled/planned group activities and social events on site.

Re-word per comment above...

PROJECT DESCRIPTION

The Hideaway Retreat Center has been defined by an administrative determination (PCD File No. ADM 08-015) as a Recreation Camp, which is defined by the County Land Development Code as:

*“**Recreation Camp** — A place used as a destination point for visitors, for vacationing or other recreational purposes which may include permanent structures and temporary facilities such as tents or yurts for the use of guests which facilities may contain cooking facilities and are used for temporary occupancy (not to exceed 30 consecutive days or a total of 90 days in one calendar year). **This term shall not be interpreted to include hotels, motels, restaurants, and theaters but***

would include land uses commonly considered as campgrounds, dude ranches, resorts or retreats.” [emphasis added]

A special use permit was approved (AL-09-002) to authorize the continuation of the Recreation Camp (Resort/Retreat) Use on the property subject to conditions of approval and notations. The 2009 special use authorizes eight (8) employees, 92 daytime guests, 50 overnight guests (or 24 overnight guest rooms), a 2,400 SF caretaker's residence, a 2,264 SF barn/storage facility, an 1,100 SF gatehouse with living quarters, outdoor pool enclosure, deck coverings (enclosures, roof only), and covered car ports as identified on the approved special use site plan. The approval included the following conditions which will be addressed by the current special use amendment request/permit:

2009 Special Use Conditions of Approval

1. *Approval is limited to a recreation camp as described in the letter of intent and special use map. This includes eight (8) phases as outlined on page three of the letter of intent. Any expansion not included in the letter of intent and special use map shall be approved by the Board of County Commissioners.*
2. *The applicant shall meet the requirements of El Paso County Public Health as it pertains to the septic system (ISDS) prior to DSD authorization of building permit(s) for occupied structure(s).*
3. *An on-site water source is required at time of expansion. This may be a cistern and or a pressurized system from the adjacent Walden Corporation water system.*
4. *Applicant shall remove the existing driveway access within the County right-of-way of Walker Road and reseed it to match adjacent ground cover. Applicant is not required to remove the balance of the old driveway outside of the right-of-way. If the applicant chooses to utilize the balance of the old driveway for additional parking, a revised Special Use plan shall be provided to the Development Services Department that meets the requirements of the Land Development Code.*

Existing & Proposed Uses

Historic and planned continued use of the site under the terms of the Special Use Permit (as existing and amended) will be in support of the operation of a retreat center/Recreation Camp. Use of the facilities is limited to scheduled group functions for two (2) to three (3) day periods; however, group reservations may be made for up to 30 days per general recreation camp development standard in the Code. Patronage generally consists of non-profit organizations (approximately 60%), Corporate/Business groups (approximately 20%)

and craft/hobby organizations (approximately 20%). Wedding activities and group events will be subject to the same two (2) to three (3) day booking periods.

Rooms may be booked in advance of, or extended beyond scheduled group events as a courtesy for hosts and/or program facilitators whose presentation needs may require pre-event preparation and staging or whose travel itinerary may require an additional lodging beyond the scheduled event. These accommodations are provided as a courtesy to event hosts and/or facilitators where of a hotel for pre/post event lodging of the organizer or facilitator of a scheduled event. Accommodations are also available for single day/night participation in longer planned group events. Events, services, and lodging are provided and operated around scheduled group events **and not to accommodate individual guests outside of organized group functions and activities. Availability of rooms/lodging under these circumstances are/will not be made available to the general public in a bed and breakfast or Air BNB manner. All rooms made available under these circumstances are only for the extended use of participants of hosted/scheduled group events.**

This conflicts with the request to fill the leftover rooms...

Available rooms due to under booking or forfeit due to non-attendance may be made available for guests not associated with scheduled events. Patrons of rooms under these circumstances will be welcome to participate in scheduled group events as appropriate for an auditing attendee.

The Owners have not registered or participated, nor intend to affiliate or otherwise partner with any lodging/hotel booking sites or organizations nor participate in any Air BNB booking sites or affiliations. The use of resort and/or hotel terminology is only intended for marketing imaging purposes to convey a sense of a resort atmosphere and establish the facility as a legitimate and high-quality hosting site for small group retreats and gatherings in accordance with the terms and conditions of the existing special use permit.

Then how will they fill the leftover rooms? I'm sure they will have to be advertised in some manner?

shelter

STATUS OF AL-09-002 AUTHORIZED IMPROVEMENTS

As stated in the request, modifications to the approved special use include enlarging the approved outdoor pool **enclosure** and the addition of an in-ground outdoor pool and spa, removal of the gate house with living quarters, and internal conversion of indoor common recreation space to four (4) guest rooms (within the existing structural footprint. Remaining facility improvements and expansions remain as planned for future implementation, unless otherwise identified as implemented, are based on the needs of the facility to respond to market demands affecting the viability of the resort/recreation camp facility.

Add

The following were identified in the 2009 Letter of Intent and special use site plan as planned facilities expansions and are repeated below for reference together with an identification of implementation status. Proposed improvements were identified by the special use as "Phases". The current special use does not maintain the use of this terminology, rather, improvements will be identified as existing and/or proposed.

1. **Phase I: Additional 3 overnight guest rooms, bathrooms and sitting area by reducing the caretaker residence area and converting the enclosed attached garage into a caretaker bedroom. Also, adding an attached covered 2 vehicle carport.**

STATUS: IMPLEMENTED. No changes or modifications are proposed to the approved Phase I improvements/facility expansions.

2. **Phase II: Two story addition for expanding the lobby area and adding a lower level meeting room with a new 6'x27.3' exterior deck on the south side of the main building.**

STATUS: NOT IMPLEMENTED. No changes or modifications are proposed to the approved Phase II improvements/facilities expansions.

3. **Phase III: Additional 3 overnight guest rooms and bathrooms by deleting the caretaker residence area.**

STATUS: IMPLEMENTED. No changes or modifications are proposed to Phase III improvements/facilities expansions.

4. **Phase IV: Adding an onsite separate detached Caretaker House with full basement and attached 3 car garage (footprint approximately 2,400 sq. ft.). Included in phase 4, a separate 40'x60' bam / storage building for Day Use.**

STATUS: NOT IMPLEMENTED. No changes or modifications are proposed to Phase IV improvements and/or facilities.

5. **Phase V: Separate 22'x22'+/- enclosed pool shelter, located on the south side of the existing main building.**

STATUS: NOT IMPLEMENTED. The amended special use proposes to increase the approved area/square footage of the Phase V pool enclosure from 484 SF (22' X 22') to 1,860 SF (30' X 62') and addition of outdoor in-ground pool and spa.

6. **Phase VI: Adding an attached 20' x 20' Porte-cochere and 6' x 10' Covered Walkway.**

STATUS: NOT IMPLEMENTED. The amended special use proposes to enlarge the Porte-cochere from 20' x 20' to 32' x 32'.

7. **Phase VII: Adding an onsite separate detached one-level gate house with living quarters and attached 1 'A car garage. Footprint approximately 1,100 square feet including the garage.**

These seem to be referring to the same 3 overnight rooms.. Please clarify

This does not match the SF shown on the site plan.

3 rooms plus these two = 5 rooms. The previous part of this letter reflects four new guest rooms. Please clarify

STATUS: NOT IMPLEMENTED, REMOVED FROM SPECIAL USE SITE PLAN. The amended special use proposes to remove the Phase VII gatehouse with living quarters and attached garage previously approved at the main entrance to the site adjacent to Walker Road from the special use request, permit, and site plan.

8. Phase VIII: Additional 2 overnight guest rooms and bathrooms by deleting classroom on the lower level of the 1 story main building walkout

STATUS: IMPLEMENTED,

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The applicant intends on constructing and implementing remaining 2009 improvements and uses authorized by the existing special use permit with the exceptions identified above, together with the proposed 2020 requested modifications to remove improvements approved as "Phase VIII", to increase the size of the approved pool enclosure and Portecochere, the addition of four (4) additional guest rooms, addition of four (4) reflection cabins (not for lodging or overnight use) and 20 additional guest parking spaces and include bed and breakfast as a modification to the recreation camp special use permit.

Amendments to these phases results in minor increases of the footprint of the principal structure. Increased square footage of the proposed pool enclosure and outdoor pool and spa will not exceed the capacity of the existing water/wastewater system nor exceed the operational limitations of their well permit. The expanded pool enclosure is located outside of views from the public ROW and adjacent properties. Additional water and wastewater demands are anticipated with the four (4) internal guest room additions. However, the guest room additions are not anticipated to exceed the water/wastewater demands of the guard house which has been removed from the plans

gate house?

Compliance Status of Approved Phases (Site/Facility Improvements)

Implemented improvements approved under the 2009 special use which were identified under Phases have been implemented, except as identified in the "Implementation Status" discussion above. Permits were issued by the Building Department with authorization by the County PCD, Department of Health (RBD Permit Nos. H 78604, Plan No. 59378) and Tri-Lakes/Monument FPD respectively. The applicant seeks to amend the approved special use permit prior to implementation of remaining expansion phases to consider the inclusion of additional uses and/or facility expansions approved therein.

waiver?

Implementation of the remaining and proposed site improvements referenced in and amended by this special use will require paving of the existing driveway and parking areas. The applicant requests an extension of the paving requirement in order to preserve the rustic characteristics of the site and to reduce imperviousness. The proposed driveway and parking expansion will be improved with compacted gravel/road base materials and

maintained for adequate guest and/or emergency access/egress. Detailed analysis, including, drainage and grading and erosion control meeting County performance and report requirements will be provided and/or otherwise addressed with the site development plan submittal and accompanying development reports, plans, and permits.

Condition of Approval No. 3 from the 2009 special use states the following regarding fire suppression/mitigation requirements:

“An on-site water source is required at time of expansion. This may be a cistern and or a pressurized system from the adjacent Walden Corporation water system.”

This condition was imposed to ensure adequate water supply for fire suppression/mitigation onsite. At the time the 2009 building permit issuance, the implementation of the water supply was not adequately addressed nor documented for follow up regarding the disposition of the requirement. The applicant met with the Tri-Lakes/Monument Fire Marshal on site to review existing and proposed conditions and District needs to “support” the proposed use(s). In a follow up letter from that meeting, the Fire Marshal provides the following requirement for water supply:

“Before any additional residential rooms for occupancy are added, ensure that adequate water is located onsite. Options could include providing a fire hydrant on site with acceptable fire flow requirements from the existing water system near the property or adding a 30,000-gallon cistern or a combination of the options.”

The letter concludes with the following:

“All future expansions, which would include adding residential occupancy rooms for overnight, will need to be evaluated for the possible need of fire sprinklers in the R occupancy portions of the building. The determination at that time will be based upon the 2015 IFC or current code adopted by the fire district.”

The Fire Marshal’s letter has been included with the submittal documents for reference. During the RBD permitting and agency review process for building permit issuance, the applicant will coordinate the timing and final design of required Fire District requirements.

SPECIAL USE REVIEW/APPROVAL CRITERIA

- **The special use is generally consistent with the applicable Master Plan; EL PASO COUNTY WATER MASTER PLAN (WMP)**
The property is located within Planning Region 2 as depicted on the El Paso County Master Plan Planning Regions Map. Water is supplied via an on-site well (Permit # 284978). The permit authorizes annual withdrawal of one acre-foot for indoor use only. Withdrawal is limited to up to 5 AF/yr. the existing well produces

Well permit 284978 shows "canceled" and references permit 77569-F. Permit 77569-F states that "the use of groundwater from this well is limited to ordinary household purposes inside two single family dwellings, irrigation of up to one acre of lawn, garden, and trees, stock watering of up to 8 large domestic animals, in-building commercial use (1 acre foot), and storage or use in a water feature (0.6 acre feet/year)" The average annual groundwater appropriated shall not exceed 4.5 acre feet per year and the maximum pumping rate shall not exceed 35 GPM. The commercial use (rec camp) is only able to use up to 1 acre foot/year and the rest is allocated to the other uses. Please describe how the expansion will comply with that (how much water will be utilized for the number of guest rooms and the proposed events up to 120 people) and also how much water will be required to operate the pool and spa since it is limited to 0.6 acre feet/year.

at a rate of 16 GPM. The facility stores 750 gallons which are pumped internally at a rate of 40 GPM. The existing water supply is sufficient to maintain present and proposed operations

Goal 6.0 – Require adequate water availability for proposed development.

Policy 6.0.1 – Continue to require documentation of the adequacy or sufficiency of water, as appropriate, for proposed development.

Policy 6.0.2 – Encourage developments to incorporate water efficiency principles

All new landscaping (required/voluntary) shall be xeric or otherwise drought tolerant which may be watered with non-potable or otherwise repurposed water supplies in a manner consistent with the following WMP Policies.

Policy 6.1.3.1 – Encourage new developments that incorporate water conservation techniques such as xeric landscaping.

Policy 6.1.3.3 – Encourage sustainable landscaping that is tailored to the variations of climate zones across the County.

EL PASO COUNTY POLICY PLAN

Policy 6.1.11: Plan and implement land development so that it will be functionally and aesthetically integrated within the context of adjoining properties and uses. **what are the adjacent uses? Are there any other non-residential uses nearby?**

The Hideaway site and facilities have been planned to reflect a residential character. Natural screening via undisturbed forested areas surrounding the facility provide effective screening from adjoining properties and views from the Walker Road right-of-way. The location of existing and planned facilities relative to the property boundaries and mature forest/tree cover provide and maintain functional and aesthetic integration of the existing and planned uses into the context of adjoining properties and uses.

Policy 6.1.15: Recognize the need for new development and redevelopment to respond to changes in demographic, market and technological conditions.

Proposed guest room additions are intended to offer accommodations to meet the needs of groups using the facility and to provide greater flexibility for group participants to utilize the facility in a manner that affords the maximum participation in scheduled group events.

How does offering the leftover rooms to individuals fit into this?

Policy 6.2.1: Fully consider the potential impact of proposed zone changes and development on the integrity of existing neighborhoods.

The Hideaway has been operating under the current special use permit since 2009 without incident or complaint by the surrounding community. No noise or use complaints have been filed against the property during its operation.

Policy 6.2.12: Ensure that proposed zone changes and/or use variances in established neighborhoods are of compatible scale and physical character.

Findings that the [special] use is generally consistent with the applicable Master Plan were made with the two previous approvals (PCD File Nos. AL-02-001 & AL-09-002). The facility has been designed with a residential character and most activities are located within meeting spaces inside the principal structure. The proposed modifications and refinements to the special use remain consistent with the goals, policies, and recommendations of the Master Plan.

BLACK FOREST PRESERVATION PL

Provide more details from the plan. Which sub-area is this project in? How does that affect the proposal?

The Black Forest Preservation Plan, Growth and Land Use Goal 1.6, states: Allow "low impact uses" as defined in this Chapter in areas designated for rural residential uses either through the special use review process or as part of carefully defined planned unit developments"...

The Plan defines Low Impact Use as follows:

Low Impact Use: A use which, due to its low intensity, limited scale and predominately rural character could be incorporated into an area otherwise designated for rural residential uses without significantly altering the character of that area. Consistency is dependent on-site characteristics, available buffering, adjacent uses and the ability to strictly define the scope of the sue through a development plan or other appropriate mechanisms. Uses which might meet this criteria include certain private educational institutions, some recreational uses, production and small retail sales of certain agriculturally related commodities and certain services of a limited scope and intensity. Specifically, not included in this definition are major industrial uses, predominately commercial activities, **high density recreational camps** and any other uses specifically recommended for exclusion from these areas in this plan.

This project is a rec camp and you are increasing the intensity. How are events that accomodate 120 people residentially compatible?



See Page 54 of the Plan "other land uses"

Previous Staff analysis of the existing use included recommendations that the site is consistent with the residential uses in the area and consistent with a low impact use based on the residential character of the facilities, preservation of forested acreage, quiet nature of the use, and limited traffic.

What are the existing and allowed land uses in the surrounding area (not just adjacent)? You never mention that.

- **The special use will be in harmony with the character of the neighborhood, and will generally be compatible with the existing and allowable land uses in the surrounding area;**

The main facility has the physical appearance of a large custom residence nestled within a dense forested property screened from adjacent public rights of way and from views from adjacent properties. Previous and proposed structural modifications are residential in character to preserve a residential character of the facility.

The site and facilities are managed and operated to create a serene residential environment. Harmony is achieved by the creation of balanced relationships between neighboring properties and reducing if not limiting negative impacts among surrounding properties and neighbors, not by the creation of a homogenous copy of similar surrounding land uses.

Continuation of the approved special use together with proposed site modifications which include implementation of site improvements approved by the existing special use will remain harmonious with the character of the neighborhood and continue to be compatible with the existing and allowed uses in the surrounding area.

- **The impact of the special use does not overburden or exceed the capacity of public facilities and services, or, in the alternative, the special use application demonstrates that it will provide adequate public facilities in a timely and efficient manner;**

The cumulative surface area of existing and planned uses and facilities is approximately 5% of the 20 AC site (±1 acre). Implementation of facility expansion authorized by the 2009 special use requires performance and analysis of on-site water and wastewater treatment facilities. Water is provided via individual well. Wastewater is treated by three separate OWTS. Conditions of approval require compliance with County Health OWTS regulations and provision of on-site water supply at the time of expansions approved under the current special use permit.

Any required upgrades to the water supply or wastewater treatment systems will comply with County and State Health Department requirements governing public water supply systems and site application thresholds for OWTS. All requirements and recommendations of the Health Department will be adhered and addressed with all building permit applications and prior to final certificates of occupancy for the same.

The special use will not create unmitigated traffic congestion or traffic hazards in the surrounding area, and has adequate, legal access; Implementation of previously authorized expansions together with the facility modifications as presented herein and depicted on the special use site plan map will not create additional traffic beyond what was previously approved. The

Without seeing a breakdown of the water use for the rec camp and any changes that will result from the expansion, it is hard to determine if the amount of water permitted by the well permit is sufficient for the expansion. Provide an analysis.

Does the owner have a contract for people to park offsite or contracts for transport? If so, where are they parking and riding from?

amended special use will not create unmitigated traffic congestion or hazards in the area and has adequate and legal access. See site operational information regarding employees and guest limitations. Planned site improvements are not anticipated to generate significant transportation impacts. Transportation to the facility by guests is via a combination of **carpooling/ride sharing, commercial or private transports and similar group transport vehicles.**

Deliveries are generally limited to single-axel food service deliveries approximately three (3) times per month, weekly trash removal service, and 2-3 parcel deliveries per month.

What is the expected ADT during the larger events for 120 people?

Previous daytime guests were limited to 92 persons. The applicant is requesting a maximum facility occupancy of 120 persons. The addition of 4 guest rooms and an increase in daily occupants by 28 persons is not anticipated to significantly impact Walker Road and the surrounding road network. It is still anticipated that event participants will utilize carpooling, ride sharing, or charter transport to the facility thereby reducing the number of projected **ADT**. Daily ADT will not exceed thresholds that dictate the need for offsite improvements.

- **The special use will comply with all applicable local, state, and federal laws and regulations regarding air, water, light, or noise pollution;**
No complaints have been generated nor violations reported or documented regarding air, water, light, or noise pollution occurring on the site. Implementation of the approved special use together with the amendment modifications will not create significant air, water, light, or noise impacts or pollution.
- **The special use will not otherwise be detrimental to the public health, safety and welfare of the present or future residents of El Paso County; and/or**
Implementation of the approved special use together with the proposed modifications included in the amendment will not be detrimental to the public health, safety and welfare of the present or future residents of El Paso County
- **The special use conforms or will conform to all other applicable County rules, regulations or ordinances.**
The special use is in conformance and will remain conforming with all other applicable County rules, regulations, and/or ordinances.