


**EL PASO COUNTY**  
**COLORADO**

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

LONGINOS GONZALEZ, JR.  
 HOLLY WILLIAMS  
 CARRIE GEITNER

PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
 CRAIG DOSSEY, EXECUTIVE DIRECTOR

**TO:** El Paso County Planning Commission  
 Brian Risley, Chair

**FROM:** Nina Ruiz, Planning Manager  
 Jeff Rice, PE Engineer III  
 Craig Dossey, Executive Director

**RE:** Project File #: SP-19-006  
 Project Name: Saddlehorn Ranch  
 Parcel Nos.: 43000-00-599, 43000-00-600, 43000-00-601, 43000-00-602

OWNER:	REPRESENTATIVE:
Gorilla Capital Co. 1342 High Street Eugene, OR 97401	William Guman & Associates, Ltd. 731 N. Weber Street, Suite 10 Colorado Springs, CO

**Commissioner District: 2**

Planning Commission Hearing Date:	3/4/2021
Board of County Commissioners Hearing Date	3/23/2021

**EXECUTIVE SUMMARY**

A request by Gorilla Capitol Co., for approval of a preliminary plan to create 218 single-family residential lots, 134.33 acres of open space, and public right-of-way. The 816.47-acre property is zoned RR-2.5 (Residential Rural) and is located at the southeast corner of the Judge Orr Road and Curtis Road intersection and is within Section 3, Township 13, and Range 64 West of the 6th P.M. The property is located within the Falcon/Peyton Small Area Master Plan (2008). The applicant also request the Board of County Commissioners make a finding of water sufficiency in terms of quality, quantity, and

2880 INTERNATIONAL CIRCLE, SUITE 110  
 PHONE: (719) 520-6300



COLORADO SPRINGS, CO 80910-3127  
 FAX: (719) 520-6695

[www.ELPASOCO.COM](http://www.ELPASOCO.COM)

dependability. Approval by the Board of County Commissioners of the preliminary plan with a finding of sufficiency for water quality, quantity, and dependability authorizes the Planning and Community Development Department Director to administratively approve all subsequent final plat(s).

Comments were received by email from Meadow Lake Airport Association on February 9, 2021 indicating that they have outstanding comments and concerns regarding development within proximity of the private airport (see attached). Neither staff nor the applicant have had an opportunity to discuss these concerns with Meadow Lake Airport Association due to the Meadow Lake Airport Association President being unavailable due to prior commitments. Staff anticipates facilitating any necessary meetings once the President is available. Please review the Land Development Code and Small Area Plan Analysis sections below for information regarding the County's limitations pertaining to limiting development applications adjacent to the Airport. Meadow Lake Airport Association was sent a referral for the proposed Saddlehorn Ranch Preliminary Plan through EDARP seven (7) times beginning on May 14, 2019 and has not responded whatsoever to any of the referrals.

#### **A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION**

**Request:** A request by Gorilla Capitol Co., for approval of a preliminary plan to create 218 single-family residential lots, 134.33 acres of open space, and public right-of-way and for a finding of sufficient water quality, quantity, and dependability, thereby authorizing administrative approval of subsequent final plats.

**Waiver(s)/Deviation(s):** The following waiver of the El Paso County Land Development Code (2021) (LDC) and deviations from the Engineering Criteria Manual (2020) (ECM) are requested with the Saddlehorn Ranch Preliminary Plan:

- The waiver of LDC Section 8.4.4(D) is associated with the design of the Preliminary Plan but was approved as a standalone request to the Board of County Commissioners on February 9, 2021. Section 8.4.4.D, Dead-End Road Standards, to allow for a cul-de-sac not meeting the requirement that a dead-end road not exceed the ECM length requirements, and to provide a second means of access if the road would serve more than 25 lots. The proposed design shows Barrosito Trail as a dead-end cul-de-sac with a length of 4,392 feet and serving 41 lots, which would be the case until the time that road connections through anticipated future adjacent subdivisions to the east and south are constructed. The reason for the requested waiver and deviation to exceed maximum cul-de-sac length is that in the future, when the parcels to east and south are developed, Barrosito Trail will become an interconnected road to the south and La Noria Way will become an

interconnected road to the east, and to create a connecting loop in the interim would require the extension of a roadway 1,200 feet west at Copperas Court to intersect with Benito Wells Trail, requiring a drainageway crossing. If the additional connection is required, the additional asphalt paving and a box culvert crossing the existing drainageway would increase stormwater runoff and result in additional maintenance and operations costs for El Paso County and the Saddlehorn Metropolitan District.

- ECM Section 2.3.8 – Roadway Terminations, Cul-de-sac length, to allow for a cul-de-sac with a length of 4,392 feet for Barrosito Trail where 1,600 feet is the maximum length allowed by the Engineering Criteria Manual for rural conditions. As described above, anticipated future subdivisions east and south of Saddlehorn Ranch will provide road connections to eliminate the cul-de-sac condition. Falcon Fire Protection District provided a letter stating that it has no objections to the interim cul-de-sac. The deviation request was approved. As noted above, the associated waiver request has also been approved by the Board of County Commissioners.
- ECM Section 2.3.3.E, Horizontal Curve Radii, Table 2-5, Minimum Centerline Curve Radius; to allow for reduced centerline radii of 200 feet where 300 feet is required on a local road. This deviation applies at four internal locations and is requested due to topographic conditions and natural features of the site, including floodplain constraints, which “lend themselves to the use of a reduced radius to create an efficient layout... Use of the required 300 foot centerline radius would create the need for excessively long flag lots or excessively large lots for the underlying RR-2.5 zoning.” The posted speed will be 25 mph at these locations, correlating with urban local road criteria. The daily traffic volume on these streets is minimal with each curve location only serving ten (10) or less nearby lots. “The applicant believes excessively long flag lots are less) desirable than the reduced centerline radius.” The associated deviation request has been approved.
- ECM Section 2.2.4 – Design Standards by Functional Classification, Rural Minor Arterial; to allow for the use of a modified cross-section for the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) two (2) lane principal arterial road (where there is no ECM cross-section) and an interim narrower shoulder than standard for the Curtis Road cross-section, with a two (2) foot shoulder proposed where an eight (8) foot shoulder is required until the time that Curtis Road is widened to the east with future Saddlehorn Ranch final plats (after Saddlehorn Ranch Filing 1), and to the

west at the time that either the MTCP 2040 roadway improvement project to widen Curtis Road to a two (2) lane road or the MTCP 2060 roadway project to widen Curtis Road to a four (4) lane principal arterial occurs. Per the rezone approval for Saddlehorn Ranch (PCD File No. P-18-008), a condition of approval requires Curtis Road to be improved to meet the minimum standards of an arterial roadway per the Engineering Criteria Manual. The anticipated average daily traffic (ADT) on Curtis Road does not justify construction of the full minor arterial cross-section with the Saddlehorn Ranch Filing No. 1 final plat and the proposed two (2) foot paved shoulders and two (2) foot gravel shoulders in the interim will provide improvements equivalent to a rural local road and adequate levels of service with the Filing No. 1 traffic. Future Saddlehorn Ranch final plats will provide the required minor arterial improvements for the east side of Curtis Road along the complete project frontage, with an eight (8) foot paved shoulder and two (2) foot gravel shoulder, as well as the necessary right-of-way dedication (72 feet) and preservation (18 feet) allowing for the construction of the future east one-half of the four (4) lane road widening. This deviation has been approved with a condition that it be re-evaluated with the next Saddlehorn Ranch final plat after Filing No. 1.

- ECM Section 2.2.4 – Design Standards by Functional Classification, Rural Minor Arterial; to allow for the use of a modified cross-section for the MTCP 4-lane minor arterial road (where there is no ECM cross-section) for the purposes of right-of-way dedication for Judge Orr Road. The cross-section proposed for the depiction of right-of-way dedication on the preliminary plan is equivalent to the two (2) lane rural minor arterial with two additional 12-foot lanes added and ditches widened proportionally, measuring 70 feet on each side of the road centerline. The associated deviation has been approved.

**Authorization to Sign:** There are no items requiring signature associated with this request.

## **B. PLANNING COMMISSION SUMMARY**

**Request Heard:**

**Recommendation:**

**Waiver Recommendation:**

**Vote:**

**Vote Rationale:**

**Summary of Hearing:**

**Legal Notice:**

### **C. APPROVAL CRITERIA**

In approving a preliminary plan, Section 7.2.1.D.2 of the El Paso County Land Development Code (2019) the BoCC shall find that:

- 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 fire 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.

#### **D. LOCATION**

North: A-35 (Agricultural)	Agricultural
South: A-35 (Agricultural)	Agricultural
East: A-35 (Agricultural)	Agricultural
West: RR-5 (Residential Rural)/PUD (Planned Unit Development)	Rural Residential

#### **E. BACKGROUND**

The subject parcel was previously part of a larger proposed development known as Santa Fe Springs. The Board of County Commissioners approved the Santa Fe Springs PUD1 (northeast of the intersection of Curtis Road and Falcon Highway) (PCD File No. PUD-04-002) on November 18, 2004, which included 1,018.72 acres and authorized the following land uses:

- 2,039 single-family residential lots on 435 acres
- 78 multi-family units on 12.65 acres
- 39.46 acres of commercial land
- 422.39 acres of open space, which includes trails, parks and open space, preservation easements, and detention facilities

Santa Fe Springs PUD 1 was a zoning concept plan that required individualized rezoning applications for each specific use area/neighborhood prior to development. The PUD was never perfected by subsequent rezoning actions and none of the development allowed within the concept PUD was ever established. The Santa Fe Springs PUD 1 was approved with the following condition, which was never complied with:

“Rezoning requests for property within this project may be considered by the Planning Commission and/or Board of County Commissioners. If, however, the requisite level of urban services has not been provided within five years of such rezonings, applicant agrees the County, after the required public hearing process, may reinstate the zoning districts in effect on the date of such approval or otherwise zoning it to an Agricultural classification.”

Pursuant to C.R.S §30-28-116, the Board may amend the number, shape, boundaries, or area of any zoning district. Pursuant to Section 5.3.5.E, County Initiated Zoning, of the Land Development Code, the County “may initiate the rezoning of any property within the unincorporated area of the County”. Staff requested the Board of County Commissioners rezone Santa Fe Springs PUD1 back to the A-35 (Agricultural) zoning district based upon failure to comply with the condition of approval. The Board of County Commissioners approved the County initiated rezoning of the subject parcels from the PUD zoning district to the A-35 (Agricultural) zoning district on December 12, 2017.

The Board of County Commissioners approved a map amendment (rezone) of the development area to RR-2.5 (Residential Rural) on April 23, 2019. On July 23, 2019, the Board of County Commissioners approved a request for approval of a Colorado Revised Statute Title 32 Special District service plan (multiple district formation) with a maximum debt authorization of \$45 million, a debt service mill levy of 50 mills, an operations and maintenance mill levy of 10 mills, and 5 mills for covenant enforcement with a maximum combined mill levy of 65 mills. The statutory purposes of the Districts include: 1) street improvements and safety protection; 2) design, construction, and maintenance of drainage facilities; 3) design, land acquisition, construction, and maintenance of recreation facilities; 4) mosquito control; 5) covenant enforcement, and 6) design, construction, and maintenance of public water and sanitation systems.

The Board of County Commissioners approved a request to authorize the County Engineer to issue a construction permit for pre-development site grading including limited final grading associated with the water quality facilities within the proposed 816-acre Saddlehorn Ranch development in advance of approval of the Saddlehorn Ranch Preliminary Plan on February 9, 2021.

Section 8.4.4.D.3 of the Code states:

“Maximum Length of Dead-End Road. The maximum length of a dead-end road is governed by the ECM and may be further limited in those areas subject to wildfire hazard in accordance with this Code.”

The Preliminary Plan includes a proposed dead-end roadway, which is proposed to be 6,361 feet in length. A temporary cul-de-sac has been shown on the preliminary plan to allow for fire access and turn around. The associated deviation to the Engineering Criteria Manual has been approved by the ECM Administrator (see attached). Falcon Fire Protection District has provided a letter of support for the length of the dead-end road. The Board of County Commissioners approved the waiver of Section 8.4.4.D.3 of the El Paso County Land Development Code (2021) on February 9, 2021, which limits the length of the dead end road to no longer than that allowed by the ECM.

The applicant has submitted a request for approval of a preliminary plan to create 218 single-family residential lots; 134.33 acres of open space and public right-of-way; and for a finding of sufficient water quality, quantity, and dependability, thereby authorizing administrative approval of subsequent final plats.

## **F. ANALYSIS**

### **1. Land Development Code Compliance**

With the exception of the deviations listed above, this 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 El Paso County Land Development Code (2019).

The Meadow Lake Airport Association was sent a referral for the preliminary plan application seven (7) times beginning on May 14, 2019 and did not provide a comment. Comments were eventually received by email from the Meadow Lake Airport Association on February 9, 2021, indicating that they have outstanding comments and concerns regarding development within proximity of the private airport (see attached). Neither staff nor the applicant have had an opportunity to discuss these concerns with Meadow Lake Airport Association due to the Meadow Lake Airport Association President being unavailable due to prior commitments. Staff anticipates facilitating any necessary meetings once the President of the Meadow Lake Airport Association is available. To summarize, the Meadow Lake Airport Association is requiring that the County impose a condition of approval requiring the applicant to provide the Airport with an

avigation easement to limit development within the requested avigation easement area.

The Land Development Code includes the GA-O (General Aviation Overlay) Zoning District. The GA-O includes certain use allowances as well as a requirement for an “Airport Activity Notice and Disclosure” for any map amendment (rezone) or subdivision action. Meadow Lake Airport and some of the surrounding area is subject to the overlay. However, a map amendment (rezone) has not been requested for the Saddlehorn Ranch Preliminary Plan area, therefore, the land is not subject to the overlay. Additionally, the Board of County Commissioners has not adopted the Part 77 Surface Overlay for Meadow Lake Airport. As such, PCD staff, in consultation with the County Attorney’s Office, recommends that the County cannot impose conditions of approval requiring an avigation easement or restricting the applicant’s right to develop the land based upon such Part 77 Surfaces. Requiring such an easement or development restrictions is outside of the County’s purview due to the Preliminary Plan area not being subject to GA-O or Part 77 Surfaces.

Any request from the Meadow Lake Airport Association of the County to adopt the Part 77 surfaces and impose land use restrictions would require the association to submit an application for a 1041 Permit as well as applications for an amendment to the Land Development Code to create a new overlay zoning district and for a map amendment (rezoning) to apply the new overlay zoning district.

The Board of County Commissioners has adopted 1041 Regulations including Site Selection and Expansion of Airports. Staff notes that these regulations require applicant requesting a permit to develop or expand an airport, such as Meadow Lake Airport, to “. . . provide evidence that sufficient property rights or restrictions exist, or alternatively, that adequate measures have been or will be taken and property rights have been or will be acquired to demonstrate that the airport site or expansion, and uses and activities associated with or generated by it, can be legally operated as proposed.” Guidelines and Regulations for Areas and Activities of State Interest, Chapter 7, Site Selection and Expansion of Airports, § 7.202(15).

The Meadow Lake Airport Association was sent a letter dated October 3, 2018, which outlined these requirements and the position of the Planning and Community Development Department regarding the status of the Part 77 Surfaces in substantial detail (see attached). The Meadow Lake Airport

Association has not submitted a complete application to date to initiate the required processes.

The applicant may choose to work with the Meadow Lake Airport Association to accommodate their requests with the future applications for final plat(s), but staff is not recommending any conditions of approval to address those concerns.

## **2. Zoning Compliance**

The RR-2.5 (Rural Residential) zoning district is intended to accommodate low-density, rural, single family residential development. The RR-2.5 (Rural Residential) zoning district's density and dimensional standards are as follows:

- Minimum lot size – 2.5 acres
- Setbacks – 25 feet in the front and rear and 15 feet on the sides
- Maximum building height – 30 feet
- Maximum lot coverage – none

The proposed preliminary plan will create 218 single-family residential lots, 134.33 acres of open space, and public right-of-way. Individual residential site plans will be required prior to building permit authorization to ensure all proposed structures will meet the dimensional standards of the Code.

## **3. Policy Plan Analysis**

The El Paso County Policy Plan (1998) has a dual purpose; it serves as a guiding document concerning broader land use planning issues and provides a framework to tie together the more detailed sub-area elements of the County Master Plan. Relevant policies are as follows:

***Policy 6.1.3-*** Encourage new development which is contiguous and compatible with previously developed areas in terms of factors such as density, land use, and access.

***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.

***Policy 6.1.13 -*** Encourage the use of carefully planned and implemented clustering concepts in order to promote efficient land use, conservation of open space and reduction of infrastructure costs.

***Policy 6.2.2 – Promote the unique identity of neighborhoods through the use of focal points, parks, trails and open spaces, preservation of significant natural features, compatible location and design of mixed uses, and promotion of pedestrian and other non-motorized means of travel.***

The subject property is surrounded by A-35 (Agricultural) parcels to the north, east, and south, and by RR-5 (Residential Rural)/PUD (Planned Unit Development) zoned property to the west (Meadow Lake Estates).

This area of the County was rezoned to A-35 (Agricultural) in 2017. Although much of the immediately adjacent parcels are within the A-35 zoning district, much of the area has developed and continues to grow in population. There are three (3) existing RR-2.5 zoned subdivisions within one (1) mile of the subject parcels to the east (Sagecreek South), west (Falcon Heights), and south (Southfork). Immediately to the west, across Curtis Road, is Meadow Lake Airport which includes rural residential development within the private airport.

As the population of El Paso County continues to grow, development continues to creep further to the east along and across Highway 24. The development of these parcels is a logical extension and provides a density transition from the existing development in this area and is compatible in terms of proposed uses and densities. The proposed subdivision is contiguous to and compatible with the previously developed areas.

Due to a major drainage way and floodplain that runs through the property, approximately 16.5 percent of the total site is being preserved as open space with a trail system that will be open to the general public. The applicant is proposing a clustered design to allow for the preservation of additional open space. The result of implementing the clustered design concept is that the overall density for the development is proposed to be one (1) dwelling unit per 3.75 acres.

#### **4. Small Area Plan Analysis**

The property is located within the Falcon/Peyton Small Area Master Plan (2008). The Plan states the following:

“The primary purpose of this plan is to set forth a framework within which proposed new land uses may be analyzed. This document describes the characteristics and features which are unique to this planning area. The plan is intended to serve as an advisory planning tool to guide future land use decisions.” (Page 1)

Figure 4-5 - Recommendations Plan, shows this area as being recommended for urban density development. The Plan defines “Urban Density” as:

“Parcel sizes are less than 2.5 acres, typically less than 1 acre. These areas are served by urban level infrastructure, including roadways, water distribution, and wastewater treatment.”

The preliminary plan depicts proposed lots that are a minimum of 2.5 acres in size. The applicant is proposing to construct public roadways that will be dedicated to El Paso County for future maintenance, has provided an onsite wastewater treatment report identifying suitable locations for septic systems on each proposed lot, and is proposing to develop a new central water treatment facility to serve those lots within the Preliminary Plan area.

The subject parcel is adjacent to the Meadow Lake subarea of the Plan. Section 4.4.3- Meadow Lake Airport, (page 4-23) includes the following goals and policies:

- 4.4.3.1 Recognize the economic and safety importance of Meadow Lake Airport and encourage compatible land uses within and around the facility
- 4.4.3.2 Promote the Airport property as a center for mixed use commercial, business airport-compatible residential uses under the assumption that urban services will ultimately be extended to the property.
- 4.4.3.3 Encourage effective notice of Airport operations and impacts to adjoining property owners, preferably in advance of purchase and development of these properties.
- 4.4.3.4 Recognize the Meadow Lake Airport area as an appropriate location for non-residential uses including those industrial uses which are compatible with Airport operations and surrounding residential areas.

The Planning and Community Development Department sent Meadow Lake Airport Association seven (7) referral requests for comments on the proposed request beginning on May 14, 2019 and has not received an official response to date. However, Meadow Lake Airport Association did ultimately provide comments via email expressing concerns on February 9, 2021.

The Plan does not provide recommendations that would indicate any restrictions on potential residential land uses, nor does it provide recommendations that densities in this area should differ from the recommendations of Figure 4-5 (page 4-13). Rather, as stated in Policy 4.4.3.4 above, the Plan suggests that the non-residential uses on the Airport should be compatible with surrounding residential areas. Urban density residential development is recommended for the subject parcel with the provision of central services.

Figure 2-22, Meadow Lake Airport Influence Area, depicts the potential Federal Aviation Administration (FAA) Part 77 obstruction (page 2-62). Part 77 Surfaces are imaginary surfaces within the airspace that depict aircraft flight patterns to and from the runway(s). It is important to note that the Board of County Commissioners has not adopted the Part 77 Surfaces as a component of the County's land use regulations. The accompanying description of Figure 2-22 (page 2-63) includes the following language:

“In actual practice, these surfaces trend upward at a steep enough rate that they will only impact very tall structures such as transmission towers”

Figure 2-22 shows the potential Part 77 Surfaces to be 150 feet above the Airport elevation at Curtis Road, which is the westernmost boundary of the proposed preliminary plan. The RR-2.5 (Residential Rural) zoning district does not allow for structures over 30 feet in height, which would be 120 feet below the potential Part 77 surface. The proposed preliminary plan request will not have an impact upon any potential future adoption of the Part 77 Surfaces.

In addition to the Part 77 Surfaces, properties surrounding the airport may experience additional noise from aircraft operations. The El Paso County Board of County Commissioners has adopted the Commercial Airport Overlay District for the Colorado Springs Airport. Included within this overlay is the Airport Noise Sub-Zone (ADNL), which limits the allowed uses and requires construction methods to mitigate potential noise impacts. However, El Paso County has not adopted such overlay restrictions for Meadow Lake Airport. The accompanying description of this map (page 2-63) includes the following language:

“Unlike with the Colorado Springs Airport, there are no noise contours adopted for this facility. Again, in practice, the noise levels that would require land use regulation are currently limited to the airport property.”

The Board of County Commissioners has not adopted the Part 77 Surfaces or an amendment to the Code pertaining to limiting uses within the vicinity of the Meadow Lake Airport, nor has the Airport initiated a formal application with the County to adopt such standards. Please see the Land Development Code section above for more information on what would be required of Meadow Lake Airport for the County to adopt the Part 77 Surfaces.

To summarize, the Plan recommends urban density residential development with lot sizes being less than 2.5 acres in size when central services can be provided. The Plan recognizes the existence and importance of Meadow Lake Airport from a land use perspective, but does not further limit development near the airport and, furthermore, recognizes that the Part 77 Surfaces and any noise overlay district for Meadow Lake Airport have not been adopted by the Board of County Commissioners. Staff recommends the proposed preliminary plan is consistent with the recommendations of the Falcon/Peyton Small Area Master Plan (2008).

## **5. 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.

Goal 1.2 – Integrate water and land use planning.

Goal 4.4 – Protect and enhance the quality, quantity, and dependability of water supplies.

Policy 5.3.1 – Evaluate cluster development alternatives to determine if water savings could occur.

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

Policy 6.0.7 – Encourage the submission of a water supply plan documenting an adequate supply of water to serve a proposed development at the earliest stage of the development process as allowed

under state law. The water supply plan should be prepared by the applicant in collaboration with the respective water provider.

The proposed development includes lots to be served by a new central water system and individual onsite wastewater treatment systems with a minimum lot size of 2.5 acres. Water sufficiency has been analyzed with the review of the proposed Saddlehorn Ranch Preliminary Plan. Please see the Water section below for a summary of the water findings and recommendations for the proposed development. The State Engineer and the County Attorney's Office have recommended that the proposed development has an adequate water supply in terms of quantity and dependability.

Saddlehorn Ranch is a rural residential development and is within Region 3, the Falcon Area, which primarily draws from nonrenewable resources from the Denver Basin. The Plan identifies the current demands for Region 3 to be 4,494 AFY (Figure 5.1) with the projected need at build-out in 2060 at 8,307 AFY (Figure 5.3). Region 3 currently has 7,164 AFY in supplies, which means by 2060 there is anticipated to be a deficiency of 1,143 AFY (Table 5-2).

The water resources report submitted in support of the proposed development identifies that the Saddlehorn Ranch District has adequate water rights to serve the proposed development. The District owns water rights to 198.16 AFY, which is in excess of the anticipated total demand of 146.06 AFY for the proposed development. The Plan specifically identifies this area as an anticipated area of development by 2060. The timing of the proposed development is in line with the anticipated growth schedule included in the Plan. Additionally, the applicant has provided a commitment letter and water resources report documenting that the District has adequate capacity to serve the additional lots.

## **6. Other Master Plan Elements**

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a low wildlife impact potential. The El Paso County Community Services Department, Environmental Services Division, Colorado Parks and Wildlife, Colorado State Forest Service, and the U.S. Army Corps of Engineers were each sent a referral and have no outstanding comments. The U.S. Fish and Wildlife Service provided a letter indicating they have no concerns.

The Master Plan for Mineral Extraction (1996) identifies potential upland deposits 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, severed mineral rights exist. The mineral rights owner has been notified of the

application and hearing date. No comments have been received from the mineral rights owner to date.

Please see the Parks section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

Please see the Transportation section below for information regarding conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

## **G. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

Please see the Floodplain section below for a discussion regarding floodplain on the property.

### **2. Wildlife**

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

### **3. Floodplain**

Per FEMA Flood Insurance Rate Map (FIRM) panel number 08041C0558G, a large portion of the development is located within Zone X, areas outside of the 500-year floodplain. The portions of the development containing three drainageways running through the property are located within Zone AE 100-year floodplains where base flood elevations are provided on the FIRM Panel. The northeast corner of the property contains an unstudied Zone A floodplain that will need to be studied and floodplain elevations provided prior to final platting of that area.

### **4. Drainage and Erosion**

The Saddlehorn Ranch development is located within the Haegler Ranch and Geick Ranch drainage basins, with only Haegler Ranch being a fee basin with an adopted Drainage Basin Planning Study (DBPS). The Geick Ranch basin does not have an approved drainage basin planning study (DBPS); however, a draft DBPS was prepared in 2010.

Most of the proposed development area drains to the south into two Haegler Ranch basin tributary streams, that in turn flow to a Black Squirrel Creek tributary and Black Squirrel Creek exiting the County, ultimately outfalling into the Arkansas River. The northeast corner of the site drains into a Geick Ranch

tributary stream that also eventually combines with the Black Squirrel Creek about seven miles south of Ellicott.

Nine proposed sub-regional full-spectrum detention (FSD) and water quality capture volume (WQCV) facilities are proposed within the development to meet stormwater quality and quantity requirements. Channel improvements consisting of a stabilized trapezoidal cross-section with drop structures are proposed for a segment of the main Haegler basin tributary within the site with the first final plat, concurrently reviewed with the Preliminary Plan. Additional analyses of the other channels in the development will be required with each future final plat to determine the necessary improvements in compliance with the DBPS, The City of Colorado Springs/El Paso County Drainage Criteria Manual (DCM) Volume 1 (1990), and the El Paso County Engineering Criteria Manual. All of the channel improvements and FSD ponds are to be maintained by the Saddlehorn Metropolitan District No. 1. The Master Development Drainage Plan and Preliminary Drainage Report for Saddlehorn Ranch concludes that “The proposed development will not adversely affect the offsite major drainageways or surrounding development.”

The applicant has submitted grading and erosion control plans for approval to perform pre-development site grading, which includes rough grading of the proposed interior roads needed in support of the proposed water supply system for the development. These plans and a stormwater management plan shall be approved, and the appropriate County and State permits obtained prior to grading occurring on the site. Financial assurances are required for the pre-development site grading at the time of the pre-construction meeting between the applicant and PCD Inspections staff, in accordance with the requirements of the Engineering Criteria Manual.

## **5. Transportation**

The proposed Saddlehorn Ranch development is located immediately southeast of the intersection of Judge Orr Road and Curtis Road. Access to the development is proposed from each of these roads.

Traffic generated from the 218 dwelling units proposed in this development will be approximately 2,224 average daily trips and the proposed interior roads will be public local rural paved roads dedicated to the County for ownership and maintenance. The proposed roads and traffic depicted in the preliminary plan and TIS are in conformance with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP) and the existing roads serving the proposed

development will be adequate with the improvements mentioned below. Judge Orr Road is shown as a 4-lane minor arterial on both the MTCP 2040 plan and 2060 Corridor Preservation Plan, and Curtis Road is shown as a 2-lane principal arterial on the 2040 plan and as a 4-lane principal arterial on the 2060 plan. Right-of-way dedication and preservation as appropriate for these two roads is depicted on the preliminary plan. A waiver and deviation requests have been approved for these roads as noted in the Waiver(s)/Deviation(s) section above in this staff report.

As outlined in the traffic impact study (TIS) submitted with this project, the developer will be required to participate in construction and funding of offsite road improvements necessary for safe access and adequate levels of service with the development's traffic, including widening and paving of Curtis Road to a standard cross-section, turn lanes where necessary, and intersection improvements at surrounding intersections. Table 10 of the TIS summarizes the anticipated necessary improvements, timing of construction, and potential responsible parties. Escrow provisions and/or construction of improvements as warranted shall be addressed with each final plat within the Saddlehorn Ranch development.

This development is subject to the El Paso County Road Impact Fee Program (Resolution 19-471), as amended, at the time of final plat recording.

## **H. SERVICES**

### **1. Water**

Sufficiency: **To be provided at or before hearing.**

Quality:

Quantity:

Dependability:

Attorney's summary:

### **2. Sanitation**

Wastewater is proposed to be provided by individual onsite wastewater treatment systems (OWTS). The applicant provided an onsite wastewater treatment system report identifying that each proposed lot has a minimum of two (2) potential locations for a septic system.

### **3. Emergency Services**

The property is within the Falcon Fire Protection District. The District was sent a referral for the preliminary plan and responded indicating they have no comments.

### **4. Utilities**

Mountain View Electric Association will provide electrical service and natural gas service will be provided by Black Hills Energy.

### **5. Metropolitan Districts**

The property is located within the Saddlehorn Metropolitan District which has a maximum debt authorization of \$45 million, a debt service mill levy of 50 mills, an operations and maintenance mill levy of 10 mills, and 5 mills for covenant enforcement with a maximum combined mill levy of 65 mills. The statutory purposes of the Districts include: 1) street improvements and safety protection; 2) design, construction, and maintenance of drainage facilities; 3) design, land acquisition, construction, and maintenance of recreation facilities; 4) mosquito control; 5) covenant enforcement, and 6) design, construction, and maintenance of public water and sanitation systems.

### **6. Parks/Trails**

Fees in lieu of park land dedication will be due at the time of recording the final plat(s). The El Paso County Parks Master Plan (2013) shows the proposed Judge Orr Road and Curtis Road Bicycle Routes running immediately adjacent to the north and west of the subject parcels. Dedicated right-of-way has been provided to allow for the bicycle route. Additionally, the Plan depicts the Judge Orr Road Candidate Open Space encompassing much of the parcel. Although the applicant is proposing to dedicate 134 acres of open space, El Paso County Community Services, Parks Division, does not wish to own and maintain these areas. Instead, the Saddlehorn Metropolitan District will own and maintain the open space. The Parks Division of the El Paso County Community Services Department has made a recommendation that the proposal is in conformance with the Plan.

### **7. Schools**

The site is within the boundaries of the Falcon School District No. 49. Fees in lieu of school land dedication shall be paid to El Paso County for the benefit of Falcon School District No. 49 at time of recording the final plat(s).

## **I. APPLICABLE RESOLUTIONS**

Approval Page 25

Disapproval Page 26

## **J. STATUS OF MAJOR ISSUES**

There are no major outstanding issues.

## **K. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.1 (Subdivisions) of the El Paso County Land Development Code (2019) staff recommends the following conditions and notations:

### **CONDITIONS**

1. Applicable traffic, drainage and bridge fees shall be paid with each final plat.
2. Applicable school and park fees shall be paid with each final plat.
3. 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, Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
4. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assigns that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the Countywide Transportation Improvement Fee Resolution (Resolution 18-471), as amended, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
5. The County Attorney's Conditions of Compliance shall be adhered to at the appropriate time.
6. Developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Table 10 of the

Saddlehorn Ranch Traffic Impact Analysis, to be verified and approved with an updated traffic impact analysis or memorandum provided with each final plat in the Saddlehorn Ranch development.

7. The adjacent portions of Curtis Road shall be improved to meet the minimum standards of an arterial roadway per the Engineering Criteria Manual. Improvements will be made as part of the Curtis Road access permitting. The necessary improvements and phasing will be clarified with future final plat applications. This work may be subject to any reimbursement as outlined in the El Paso County Road Impact Fee Program.
8. A site development plan shall be submitted, reviewed, and approved for the proposed water treatment plant prior to initiation of construction of the water treatment plant. The water treatment plant shall be limited to serving less than 250 dwelling units until and unless a 1041 permit is submitted, reviewed, and approved.

#### **NOTATIONS**

1. Subsequent final plat filings may be approved administratively by the Planning and Community Development Director.
2. Approval of the Preliminary Plan will expire after twenty-four (24) months unless a final plat has been approved and recorded or a time extension has been granted.
3. Preliminary plans not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed to be withdrawn and will have to be resubmitted in their entirety.

#### **L. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified 30 adjoining property owners on February 12, 2021, for the Planning Commission meeting. Responses will be provided at the hearing.

#### **M. ATTACHMENTS**

Vicinity Map  
Letter of Intent  
Preliminary Plan Drawing  
State Engineer's Letter  
County Attorney's Letter (to be provided at or before hearing)

El Paso County Public Health Recommendation Letter  
Meadow Lake Airport Association Comments  
2018 Letter to Meadow Lake Airport Association