

# EL PASO

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# COUNTY

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT  
CRAIG DOSSEY, EXECUTIVE DIRECTOR

July 23, 2019

TC&C, LLC  
Carl Turse, MM  
17572 Colonial Park Drive  
Monument, CO 80132

PJ Anderson  
31 N Tejon St, Suite 500  
Colorado Springs, CO 80903

RE: Rollin Ridge Estates Commercial PUD -- Map Amendment (Rezone) -- (PUD-18-003)

This is to inform you that the above-reference request for approval of Map Amendment (Rezone) was heard and a recommendation for approval was made by the El Paso County Board of County Commissioners on July 23, 2019, at which time an approval was made to approve map amendment (rezoning) from the RR-5 (Residential Rural) zoning district to the PUD (Planned Unit Development) zoning district. The 8.17 acre property is located at the southwest corner of the Hodgen Road and Highway 83 intersection and is within Section 27, Township 11 South, Range 66 West of the 6<sup>th</sup> P.M., El Paso County, Colorado. The subject property is located within the boundaries of the Tri-Lakes Comprehensive Plan (2000). The anticipated plan for development includes three (3) lots for future commercial development and a tract to be used for a water quality and detention pond. (Parcel Nos. 61270-00-064 and 61270-00-065)

This approval is subject to the following:

## CONDITIONS

1. Development of the property shall be in accordance with the associated 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.

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



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

www.ELPASOCO.COM

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. 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 Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.

## **NOTATION**

1. 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.

## **WAIVER**

A request for a waiver of Section 8.4.3(C)(2)(f)(i), which states:

“Lots which will utilize an on-site wastewater treatment system (OWTS) shall have a minimum area of 2.5 acres”

Lot 17 is proposed to be 1.5 acres, Lot 18 is proposed to be 1.6 acres, and Lot 19 is proposed to be 2.43 acres. These proposed lots are designated as commercial uses within the associated PUD Development Plan. There is no minimum lot size requirement with a PUD (Planned Unit Development). The minimum lot size is established by an approved and recorded PUD development plan. However, there are

minimum lot sizes established within the Code when a lot or parcel is served by an OWTS system.

The soils and geology report that was prepared by Entech Engineering, Inc. concludes that the individual and commercial OWTS proposed for this site meets all El Paso County and State guidelines. Each lot will still have a minimum of one (1) acre of buildable area as required per Section 8.4.3(C)(2)(f)(ii) of the Code.

El Paso County Public Health (EPCPH) was sent a referral and has no opposition to the minimum lot size. However, they have placed limitations on the proposed use as a convenience store for incorporating a pressure distribution into the required design, and extensive food preparation will not be supported.

This represents the Planning and Community Development Department's understanding of the action taken by the Board of County Commissioners.

Should you have any questions, or if I can be of further assistance, please contact me at 719-520-6300.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gabe Sevigny', with a stylized, cursive script.

Gabe Sevigny, Planner II

File No. PUD-18-003