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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

TO: El Paso County Board of County Commissioners
Stan VanderWerf, Chair

FROM: Ryan Howser, AICP Planner III
Gilbert LaForce, PE Senior Engineer
Kevin Mastin, Interim Executive Director

RE: Project File #: CS-22-001
Project Name: Meadow Lake Commercial Park
Parcel No.: 43000-00-551

OWNER:	REPRESENTATIVE:
Meadowlake Developments, LLC 455 E. Pikes Peak Avenue, Suite 120 Colorado Springs, CO 80903	N.E.S., Inc. 619 Cascade Avenue, Suite 200 Colorado Springs, CO, 80903

Commissioner District: 2

Planning Commission Hearing Date:	8/18/2022
Board of County Commissioners Hearing Date:	9/6/2022

EXECUTIVE SUMMARY

A request by Meadowlake Developments, LLC for approval of a map amendment (rezoning) of 31 acres from PUD (Planned Unit Development) to CS (Commercial Service). The 254-acre property is located at the northwest corner of the intersection of Falcon Highway and Curtis Road and within Section 9, Township 13 South, Range 64 West of the 6th P.M.

A. REQUEST/WAIVERS/DEVIATIONS/ AUTHORIZATION

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



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

Request: A request by Meadowlake Developments, LLC for approval of a map amendment (rezoning) of 31 acres from PUD (Planned Unit Development) to CS (Commercial Service).

Waiver(s)/Deviation(s): The following deviation from the standards of the El Paso County Engineering Criteria Manual (ECM) (2020) have been submitted and is pending determination by the County Engineer (ECM Administrator):

1. Section 2.3.1 Table 2-4 of the ECM specifies that “intersection spacing for rural principal arterial shall be one-half mile.” The applicant has submitted a deviation requesting a Right-In/Right-Out access approximately one-quarter of a mile north of Curtis Road and Falcon Highway intersection.

Authorization to Sign: There are no documents associated with this application that require signing.

B. Planning Commission Summary

Request Heard: As a Regular Item at the August 18, 2022, hearing.

Recommendation: Approval based on recommended conditions and notations.

Waiver Recommendation: N/A

Vote: 8-0

Vote Rationale: N/A

Summary of Hearing: The Planning Commission draft minutes are attached.

Legal Notice: Advertised on August 10, 2022, in the *Shopper's Press*.

C. APPROVAL CRITERIA

In approving a map amendment (rezoning), the Planning Commission and the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (2021):

1. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned;
2. The rezoning is in compliance with all applicable statutory provisions including, but not limited to C.R.S §30-28-111 §30-28-113, and §30-28-116;
3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions; and
4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.



D. LOCATION

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

E. BACKGROUND

The subject property was included within the Meadow Lake Airport Zoning and Conceptual Plan (PCD File No. PUD-07-009), which was approved by the Board of County Commissioners on August 14, 2008. The property subject to the current map amendment was identified as appropriate for commercial development at that time.

The Board of County Commissioners approved an amended Zoning and Conceptual Plan (PCD File No. PUD-13-007) on December 9, 2014. The property subject to the current map amendment was identified as appropriate for commercial and industrial development at that time. The existing PUD, referred to as the Meadow Lake Industrial Park PUD, has since expired.

The applicant is currently requesting a map amendment (rezoning) from PUD to CS (Commercial Service). If the request for a map amendment is approved, the applicant will be required to submit and receive approval of subdivision application(s) which may include preliminary plans and/or final plats, and site development plan applications for individual lots. 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 uses on the property, the applicant will need to obtain site development plan approval.

F. ANALYSIS

1. Land Development Code Analysis

The applicant is proposing to rezone the property to CS (Commercial Service). Section 3.2 of the Code states the following as the intent of the CS zoning district:

“The CS zoning district is intended to accommodate retail, wholesale or service commercial uses that serve the general public.”

The applicant has not identified a specific development proposal for this property; however, the applicant is proposing to exclude a number of uses from development on this property which would normally be allowed as either



permitted uses or special uses within the CS district. Please refer to the applicant's letter of intent for a complete list of proposed excluded uses.

The property is bordered to the north and west by property zoned PUD which is located within the expired Meadow Lake Industrial Park PUD. The property adjacent to the north of the subject property is currently subject to a concurrent rezone application from PUD to I-2 (Limited Industrial) and the property adjacent to the west of the subject property is currently subject to a concurrent rezone application from PUD to I-3 (Heavy Industrial). The applicant is proposing to rezone the subject property to CS to act as a zoning buffer between the proposed heavy industrial zoning to the west and the rural residential and agricultural zoning districts to the south and east of the subject property.

The property to the south of the subject property is zoned RR-5 and is currently being used for rural residential purposes. The property to the east of the subject property is zoned A-35 and is currently vacant. While the CS zoning district may provide a buffer between these zoning districts and the proposed industrial zoning districts to the north and west, the CS zoning district may not be compatible with the surrounding RR-5 and A-35 zoning districts. The applicant is proposing to address this potential compatibility issue by excluding a number of uses from the zoning district for the subject property.

2. Zoning Compliance

The density and dimensional standards for the CS zoning district are as follows:

- Maximum zoning district area: 2 acres¹¹
- Minimum lot size: N/A
- Setbacks
 - Front: 25 feet^{1,3,11}
 - Side: 25 feet^{1,2,3,11}
 - Rear: 25 feet^{1,2,3,11}
- Maximum height: 45 feet

¹ Gasoline pumps and canopies shall be at least 15 feet from the front property line or public right-of-way, except where the landscaping regulations require a greater setback.

² The minimum setback is 25 feet from the perimeter boundary of the district, but no minimum setback is required from any internal side or rear lot line within the same district.



³ Temporary uses shall be setback at least 25 feet from all property lines and 100 feet from Residential zoning districts.

¹¹ If the building is established as or converted to condominium units in accordance with Chapter 7 of this Code, the building and lot shall meet the minimum lot area and setbacks, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or setback requirements.

In order to initiate any uses on the property, the applicant will need to obtain subsequent subdivision and site development plan approval. The subdivision and site development plan will be reviewed to ensure that all proposed lots, structures, and uses will comply with the zoning district dimensional standards as well as the General Development Standards of the Code and Engineering Criteria Manual requirements.

G. MASTER PLAN ANALYSIS

1. Your El Paso Master Plan

a. Placetype: Employment Center

Placetype Character:

Employment Centers comprise land for industrial, office, business park, manufacturing, distribution, warehousing, and other similar business uses. The priority function of this placetype is to provide space for large-scale employers to establish and expand in El Paso County. They are typically located on or directly adjacent to Interstate 25 and/or other regional corridors to ensure business and employee access.

Proximity to other transportation hubs, such as Meadowlake Airport, and rail lines is also appropriate for an Employment Center. Uses in this place type often require large swaths of land and opportunity to expand and grow to meet future needs and demands. Transitional uses, buffering, and screening should be used to mitigate any potential negative impacts to nearby residential and rural areas. Some Employment Centers are located in Foreign Trade, Commercial Aeronautical, and Opportunity Zones to help incentivize development.

Recommended Land Uses:

Primary

- Light Industrial/Business Park



- Heavy Industrial
- Office

Supporting

- Commercial Retail
- Commercial Service
- Restaurant

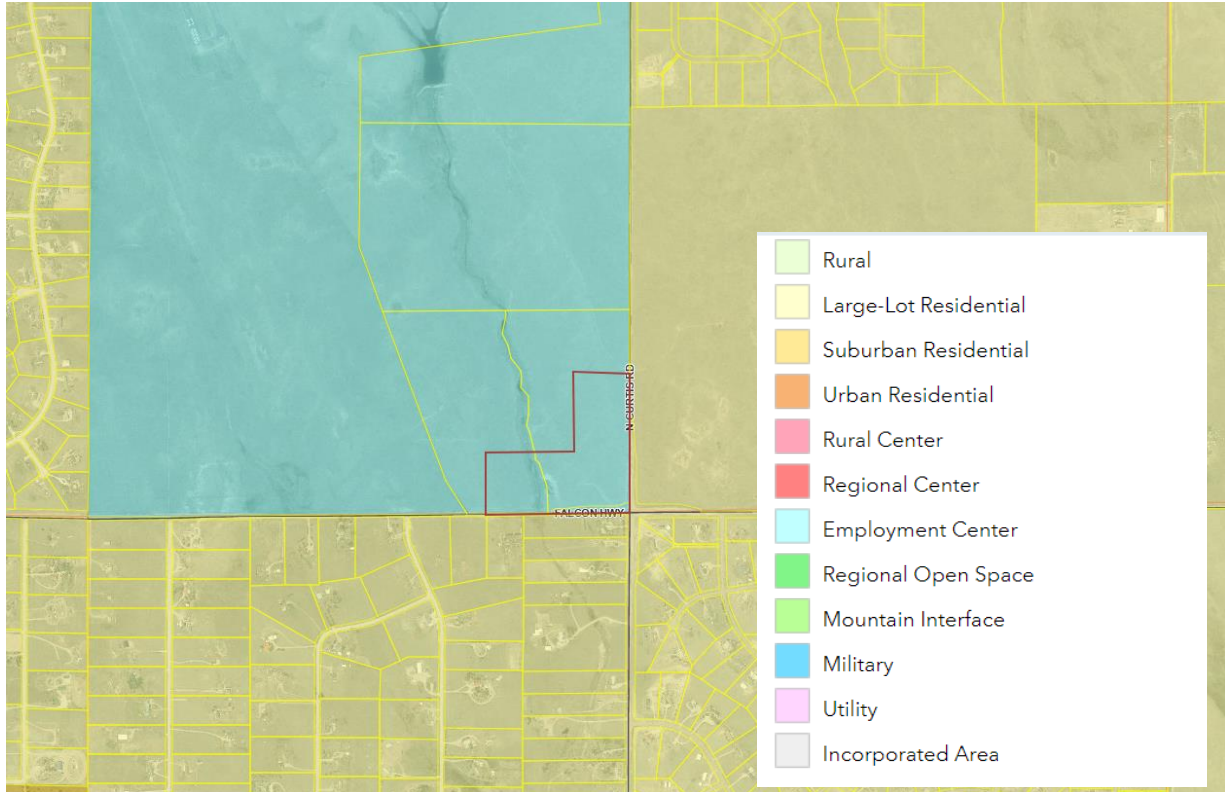


Figure G.1: Placetype Map

Analysis:

The property is located within the Employment Center placetype. The Employment Center placetype is the County’s primary location for large-scale, nonretail businesses that provide significant employment and economic development opportunities. Relevant goals and objectives are as follows:

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 LU4-3 – Employment Centers should comprise land for industrial, office, business park, manufacturing, distribution, warehousing, and other similar business uses.

Objective ED3-1 – Continue promoting commercial development to serve increasing residential neighborhoods in the Falcon area.

Objective ED3-6 – Prioritize commercial use as development opportunities arise in order to support the growing residential base in the rural areas.

Goal ED1 – Recruit new businesses and spur the development of growing sectors.

Goal ED1 Specific Strategy – Consider prioritizing Meadow Lake Airport for new employment uses to capitalize on the existing distribution network.

Goal ED1 Specific Strategy – Light and heavy industrial should be the primary businesses in the Meadow Lake Airport area, while supporting uses such as commercial or restaurants should be coordinated with the Meadow Lake Airport Association.

The proposed rezone would reallocate approximately 31 acres of vacant land from the PUD zoning district to the CS zoning district, which would support a variety of commercial uses within the Employment Center placetype. The placetype allows commercial retail and commercial service as supporting uses. The Master Plan identifies the Employment Center placetype as appropriate for commercial development and prioritizes locating supporting commercial uses near the Meadow Lake Airport. The Master Plan recommends that these uses be coordinated with the Meadow Lake Airport Association (MLAA). MLAA was sent a referral and submitted a letter of objection to the request. The letter is attached herein.



The applicant has provided a list of uses in their letter of intent which they have identified as potentially incompatible with the Employment Center placetype. It is possible that the proposed rezone may not be compatible with the Employment Center placetype due to the large number of uses which may be permitted within the zoning district which are proposed for exclusion.

b. Area of Change Designation: New Development

These areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built out area will be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.

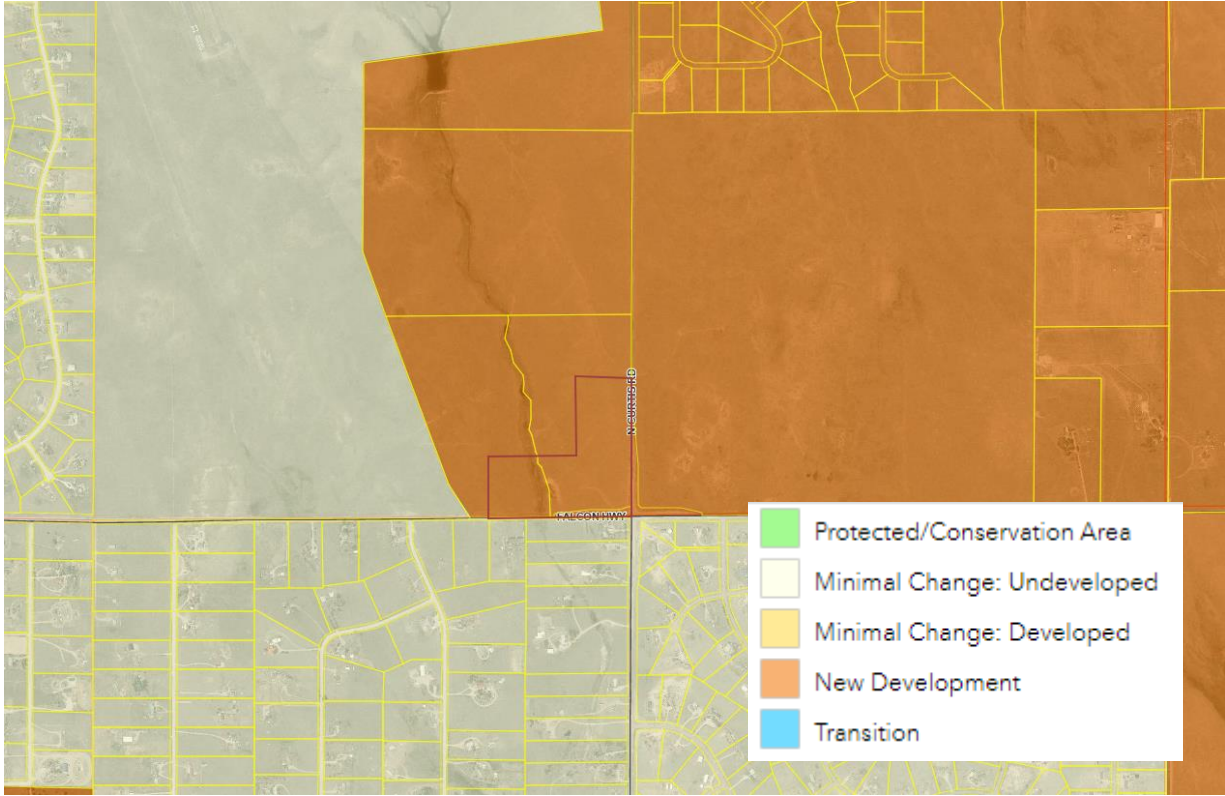


Figure G.2: Area of Change Map

Analysis:

The proposed rezone is located in an area which is expected to significantly change in character. A relevant strategy is as follows:



Goal LU3 Specific Strategy – *The New Development areas will be significantly transformed as new development takes place on lands currently largely designated as undeveloped or agricultural areas. Undeveloped portions of the County that are adjacent to a built out area should be developed to match the character of that adjacent development or to a different supporting or otherwise complementary one such as an employment hub or business park adjacent to an urban neighborhood.*

This area is expected to change in character. The proposed map amendment (rezoning) may result in a significant change in character from the surrounding area, which is primarily vacant. However, the property in close proximity to the Meadowlake Airport, which is identified as an area suitable for commercial development.

c. Key Area Influences

The subject property is not located within a Key Area.

d. Other Implications (Priority Development, Housing, etc.)

The subject property is not located within a Priority Development Area.

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 property is located within Planning Region 3 (Falcon Area) of the Plan and is located within an estimated area of development. The Region is identified as



potentially having issues regarding long term sustainable draw from the Denver Basin aquifer.

The Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The proposed development will not be served by a central water system. The following has been included for informational purposes only as it pertains to water demands and supplies in Region 3. The Plan identifies the current demand for Region 3 to be 4,494 acre-feet per year (AFY) (Figure 5.1) with a current supply of 7,164 AFY (Figure 5.2). The projected demand in 2040 is at 6,403 AFY (Figure 5.1) with a projected supply of 7,921 AFY (Figure 5.2) in 2040. The projected demand at build-out in 2060 is 8,307 AFY (Figure 5.1) with a projected supply of 8,284 AFY (Figure 5.2) in 2060. This means that by 2060 a deficit of 23 AFY is anticipated for Region 3.

A finding of water sufficiency is not required with a map amendment (rezone) but will be required with any future subdivision request. The property is currently not platted. A finding of water sufficiency is required with subsequent plat application(s). The applicant has submitted a concurrent application for the creation of a Title 32 Special District service plan for the Meadow Lake Metropolitan District Nos. 1-3 for provision of public water and wastewater systems (PCD File No. ID-22-001).

3. Other Master Plan Elements

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

The Master Plan for Mineral Extraction (1996) identifies 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, no severed mineral rights exist.

H. PHYSICAL SITE CHARACTERISTICS

1. Hazards

No hazards were identified during the review of the map amendment.

2. Floodplain



The property is impacted by a designated 100-year floodplain (Zone A) as indicated by FEMA Flood Insurance Rate Map panel number 08041C0566G which has an effective date of December 7, 2018. A Letter of Map Revision (LOMR) is likely required with future subdivision of the site since approved base flood elevation data and 100-year flood shall be shown on the plat.

3. Drainage and Erosion

The property is located within Solberg Ranch (CHWS0800) drainage basin which is unstudied but is included in El Paso County Drainage Basin Fee program as a miscellaneous drainage basin. Drainage fees are not assessed with map amendment (rezone) requests.

Prior to future development, a drainage report, grading, and erosion control plan will be required. The drainage report provides hydrologic and hydraulic analysis to identify and mitigate drainage impacts to the surrounding properties.

4. Transportation

The 2016 Major Transportation Corridors Plan Update (MTCP) identifies two roadway improvement projects adjacent to the site. County road upgrades to Curtis Road (Project ID U1) from an Unimproved County Road to a Principal Arterial road, and Falcon Highway (Project ID U5) from an Unimproved County Road to a Minor Arterial road. Right-of-way dedication along Curtis Road and Falcon Highway will be required with future subdivision requests.

A deviation requests for access from Curtis Road is currently pending determination from the ECM Administrator. See section A above for detailed description of the deviation request.

A combined traffic impact study for the overall Meadow Lake Industrial Park was provided. According to the traffic impact study, the development is estimated to generate 11,406 average daily trips. Fair and equitable participation in the construction of off-site improvements proportional to the development's traffic impact shall be determined at the preliminary and final plat application.

Future development of the site is subject to the El Paso County Road Impact Fee Program (Resolution No. 19-471), as amended.

I. SERVICES

1. Water



The applicant has submitted a concurrent application for the creation of a Title 32 Special District service plan for the Meadow Lake Metropolitan District Nos. 1-3 for provision of public water and wastewater systems (PCD File No. ID-22-001).

2. Sanitation

The applicant has submitted a concurrent application for the creation of a Title 32 Special District service plan for the Meadow Lake Metropolitan District Nos. 1-3 for provision of public water and wastewater systems (PCD File No. ID-22-001).

3. Emergency Services

The property is within the Falcon Fire Protection District. The District was sent a referral and has no outstanding comments.

4. Utilities

Mountain View Electric Association (MVEA) will provide electrical service and Colorado Springs Utilities (CSU) will provide natural gas service to the area included within the final plat. Both utility providers were sent referrals and neither have outstanding comments.

5. Metropolitan Districts

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

6. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for a map amendment (rezoning) application.

7. Schools

Land dedication and fees in lieu of school land dedication are not required for a map amendment (rezoning) application.

J. APPLICABLE RESOLUTIONS

Approval Page 27

Disapproval Page 28

K. STATUS OF MAJOR ISSUES

There are no major issues.

L. 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 5.3.5 (Map



Amendment, Rezoning) of the El Paso County Land Development Code (2019), staff recommends the following conditions and notations.

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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.
2. Any future or subsequent development and/or use of the property shall be in accordance with the density and dimensional standards of the CS (Commercial Service) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.
3. Any future or subsequent development and/or use of the property shall be in accordance with the use standards of the CS (Commercial Service) zoning district and with the applicable sections of the Land Development Code, except as otherwise limited in the applicant's letter of intent.

NOTATIONS

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.
2. 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.

M. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified eight (8) adjoining property owners on August 2, 2022, for the Planning Commission meeting. Responses will be provided at the hearing.



N. ATTACHMENTS

Vicinity Map

Letter of Intent

Rezone Map

MLAA Objection Letter

PC Resolution

BOCC Resolution



El Paso County Parcel Information

PARCEL	NAME
4300000551	MEADOWLAKE DEVELOPMENT'S LLC

File Name: CS-22-001

Zone Map No.: --

ADDRESS	CITY	STATE
PO BOX 1385	COLORADO SPRINGS	CO

ZIP	ZIPLUS
80901	

Date: July 28, 2022



Please report any parcel discrepancies to:
 El Paso County Assessor
 1675 W. Garden of the Gods Rd.
 Colorado Springs, CO 80907
 (719) 520-6600



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MEADOW LAKE COMMERCIAL PARK CS MAP AMENDMENT (REZONING)

LETTER OF INTENT

MAY 2022, REVISED JUNE 2022

OWNER:

O'NEIL GROUP
KEVIN O'NEIL
P.O. BOX 1385
COLORADO SPRINGS, CO 80901-1385

APPLICANT:

O'NEIL GROUP
KEVIN O'NEIL
P.O. BOX 1385
COLORADO SPRINGS, CO 80901-1385

CONSULTANT:

N.E.S. INC.
ANDREA BARLOW
619 N. CASCADE AVE. SUITE 200
COLORADO SPRINGS, CO 80903
719.471.0073
abarlow@nescolorado.com

ACREAGE: 31 AC

CURRENT ZONING: PUD ZONING AND CONCEPTUAL PLAN

CURRENT USE: VACANT LAND

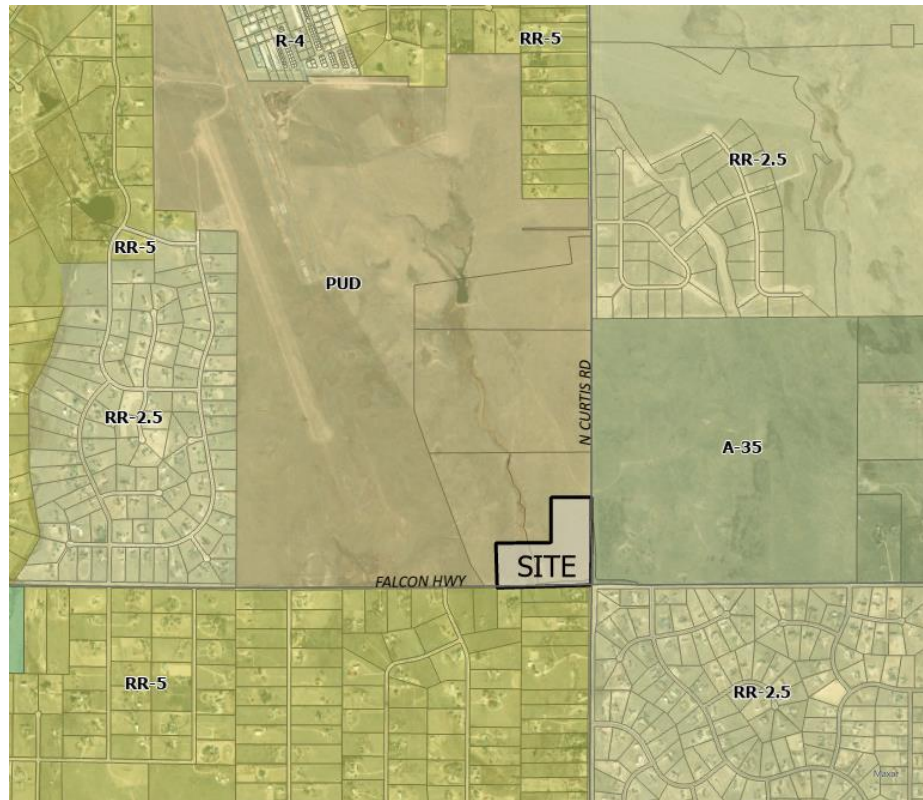
TSN: 4300000548, 4300000551

REQUEST

N.E.S. Inc. on behalf of the O'Neil Group requests approval of a Map Amendment (Rezoning) from PUD (Planned Unit Development), pursuant to the Meadow Lake Industrial Park Zoning and Conceptual Plan (ZCP), to CS (Commercial Service) on approximately 31 acres of the overall Meadow Lake Industrial and Commercial Park.

LOCATION

The site is located in eastern El Paso County, Colorado, situated approximately 10 miles east of Colorado Springs and northeast of the Falcon town site. The site is located at the northwestern corner of the Curtis Road and Falcon Highway intersection. The 31-acre site is currently vacant and is located east and south of Meadow Lake Airport, along the west side of Curtis Road, and along the north side of Falcon Highway. The overall Meadow Lake Industrial and Commercial Park site area is comprised of 254.7 acres.



CONTEXT/PROJECT DESCRIPTION

Project Description

The site was approved by the Board of County Commissioners in 2008 as a Planned Unit Development (PUD). The approved uses included 190 acres of commercial/industrial uses and 37 acres of open space/no-build areas. The PUD expired as a result of development inactivity.

The site was later approved by the Board of County Commissioners in 2014 for a Zoning and Conceptual Plan (ZCP). The conceptual uses approved in the ZCP included the following: 3.2 acres of commercial, 71.5 of mixed commercial and industrial, 117 acres of industrial, and 62.8 acres of open space, rights-of-way, and dedication of future right-of-way.

Both the 2008 PUD and the 2014 ZCP have since expired. Condition of Approval No. 6 of the ZCP stated: "Approval of the Meadow Lake Industrial Park PUD ZCP shall be limited to a period of five (5) years, after which, if no PUD development plan has been approved and recorded to implement an approved PUD development plan, the Board of County Commissioners authorizes the Development Services Department to process a request to revert the zoning of the property away from the PUD district back to the RR-5 (Residential Rural) district or other appropriate zone district as determined by the Board."

The ZCP PUD approval, therefore, has expired, however, no subsequent request has been initiated by the County to “revert the zoning of the property away from the PUD district.” The proposed CS rezoning request, along with the other concurrently reviewed rezoning requests to the I-2 and I-3 zoning districts, would effectively accomplish the intent of the prior condition of approval of the ZCP.

Concurrent applications have also been submitted for map amendments (rezonings) for 172.4 acres from PUD to I-3 (Heavy Industrial), 51.3 acres from PUD to I-2 (Limited Industrial), along with the subject map amendment (rezoning) application for the identified 31 acres from PUD to CS (Commercial Service). ***Please note that this Letter of Intent is only intended to specifically address the proposed rezoning of 31 acres to CS (Commercial Service).***

The CS zoning district is intended to accommodate retail, wholesale or service commercial uses that serve the general public. Below is the proposed list of permitted uses for this CS zone and a list of the uses that are proposed to be conditionally excluded.

Principal Uses Included/Allowed - Uses to be Retained with CS Zoning

- Amusement Center, Indoor
- Auction Facility
- Automobile and Boat Storage Yard
- Automobile and Trailer Sales
- Bakery, Retail
- Bakery, Wholesale
- Bar
- Barber/Beauty Shop
- Batch Plant, Temporary (temporary use)
- Billiard Parlor
- Business Event Center
- Car Wash
- Carnival or Circus (temporary use)
- Child Care Center
- Christmas Tree Sales (temporary use)
- CMRS Facility, Freestanding (special use)
- CMRS Facility, Small Cell
- CMRS Facility, Stealth
- Commercial or Retail as Part of Overall Shopping Center
- Community Building
- Construction Equipment Storage and Field Office, Temporary (temporary use)
- Contractor’s Equipment Yard (special use)
- Convenience Store
- Copy Shop
- Education Institution, Private (special use)
- Education Institution, Public
- Emergency Facility, Private
- Emergency Facility, Public
- Financial Institution
- Firewood Sales

- Fireworks Sales (temporary use)
- Food Processing
- Gas Station
- Health Club
- Heavy Equipment Rental, Sales, and Storage (special use)
- Hospital, Veterinary (special use)
- Inert Material Disposal Site - Minor
- Institution, Philanthropic
- Laboratory (special use)
- Laundromat
- Library
- Light Industry (special use)
- Light Manufacturing (special use)
- Liquor Store
- Lumber Yard (special use)
- Medical Clinic
- Mini-Warehouse
- Museum
- Nightclub (special use)
- Nursery, Retail
- Nursery, Wholesale
- Office, General
- Off-Premise Sign (special use)
- Over the Air Reception Devices
- Parking Lot
- Peddler Sales (temporary use)
- Proprietary School
- Public Building, Way or Space
- Public Park and Open Space
- Publishing Companies (special use)
- Recreational Vehicle and Boat Storage
- Religious Institution
- Rental Services
- Repair Shop
- Restaurant
- Retail Sales, General
- Seasonal Produce Sales (temporary use)
- Shopping Center
- Store
- Studio
- Theater
- Theater, Outdoor (special use)
- Truck and Recreational Vehicle Repair Garage
- Vehicle Repair Garage, Commercial
- Warehouse
- Wholesale Business

- Wood Sales (Firewood) (special use)
- Yard Sales (temporary use)

Principal Uses - Proposed for Conditional Exclusion from the CS Zoning

- Amusement Center, Outdoor (special use)
- Boarding House
- Bottling Works
- Club
- Flea Market (special use)
- Freight Terminal (special use)
- Funeral Home
- Garbage Service Facility
- Home Improvement Center
- Hospital (special use)
- Hospital, Convalescent (special use)
- Hotel
- Human Service Shelter
- Inert Material Disposal Site (special use)
- Kennel, Major
- Kennel, Minor
- Marijuana Land Use, Medical
- Meat Processing, Custom
- Mineral and Natural Resource Extraction Operations, Commercial (special use)
- Mining, Construction-Related (temporary use)
- Mixed Use Residential Units
- Parking Garage
- Prison, Private (special use)
- Rehabilitation Facility
- Sexually Oriented Business
- Tower, Commercial (non-CMRS)
- Truck Stop (special use)

Accessory Uses Included/Allowed - Uses to be Retained with CS Zoning

- Auction (temporary use)
- Caretaker's Quarters
- CMRS Facility, Building Roof Mounted
- CMRS Facility, Building Wall Mounted
- CMRS Facility, Pole Mounted
- CMRS Facility, Small Cell
- Commercial and Industrial Accessory Structures and Uses
- Construction Equipment Storage and Field Offices, Accessory
- Fuel Storage
- Garden Supplies and Nursery Stock
- Kennel, Major
- Kennel, Minor
- Light Manufacturing, Accessory (special use)

- Outdoor Sales and Display, Accessory
- Outside Storage
- Over the Air Reception Devices
- Parking, Storage, and Repair of Vehicles and Machines, Personal
- Recycling Collection Center
- Restaurant, Outdoor
- Shipping Container
- Shipping Container, Temporary
- Solar Energy System
- Tower, Private
- Wind Power Generator

Accessory Uses - Proposed for Conditional Exclusion from the CS Zoning

- (None)

These uses are proposed to be restricted either because they do not comply with the primary or secondary uses recommended for the Employment Centers Placetype within Your El Paso Master Plan (2021), or because they would not be compatible with adjacent land uses, or are anticipated to have high traffic generation or water use demand. For example, a hotel is an allowed use in the CS zoning district, but tourism commercial does not align with the Employment Center placetype as a primary or supporting land use. Further, mixed use residential is allowed with approval of a special use in the CS zoning district. Mixed use residential is not a compatible use with the adjacent Meadow Lake Airport. Furthermore, mixed use residential is not a primary or supporting land use in the Employment Center Placetype.

Traffic: A Traffic Impact Analysis was prepared by LSC Transportation Consultants, Inc. for Meadow Lake Industrial Park (*Meadowlake Industrial Park Traffic Impact Study, May 17 2022*). This analyses the proposed traffic for all concurrent zone changes. The preliminary recommendations of the Traffic Report are summarized below:

- Curtis Road should be improved to a two-lane, Principal Arterial, with required right-of-way dedication and preservation of additional right-of-way for future expansion to a four-lane Principal Arterial. The improvement would be from Falcon Highway north to connect to the segment of Curtis planned for upgrade as part of the Saddlehorn development to the north
- Falcon Highway should be improved to a two-lane, Rural Minor Arterial, with required right-of-way dedication and preservation of additional right-of-way for future expansion to a four-lane Minor Arterial.
- Auxiliary turn-lane improvements are identified at the anticipated site access points of Curtis Road and Flacon Highway. These access points will be further defined and analyses at the Preliminary Plan stage.
- The intersections of Curtis Road/Falcon Highway and Curtis Road/Judge Orr Road will need to be improved in the future to operate at acceptable levels of service. This applicant will be responsible for their proportional share of the cost of these improvements. Auxiliary turn lane

recommendations are included as an intermediate traffic condition.

Utilities: The site is within the service area of Mountain View Electric Association, Inc. MVEA will supply electricity service and Colorado Springs Utilities will supply natural gas. Confirmation of the availability of these services is include with this submittal. Connection to a centralized water and wastewater treatment provider is anticipated. If construction of a new water and wastewater system is necessary, it would likely require creation of a Title 32 Special District, issuance of a 1041 Permit from El Paso County, and permitting by the Colorado Department of Public Health and Environment (CDPHE).

Floodplain: A portion of the proposed CS zoned site is mapped within Zone A of the FEMA Floodplain Map No. 080059C0566G and 080059C0558G, dated December 7, 2018. The remainder of the area is within Zone X, which is determined to be outside the 500-year floodplain.

Wetlands: The unnamed tributary on the site crosses the proposed CS zone area and includes some potential wetland areas and herbaceous riparian areas. There is a small pond in the northern portion of the site. These areas are within the floodplain which will be avoided when developed. A wetland analysis and natural features report will be included with subsequent applications for development of the site.

Wildlife: Potential for several species of mammals, rodents, fish, and vegetation exists on the site, primarily in the floodplain/wetland areas, which will be avoided when development occurs.

Wildfire: The primary wildland fuel type is grassland. The Colorado State Forest Service has determined a moderate wildfire hazard potential.

Districts/Utilities Serving the Property:

- Falcon Fire Protection District
- Mountain View Electric Association
- City of Colorado Springs Utilities – Natural Gas Service
- Upper Black Squirrel Creek Ground Water Management District
- Central Colorado Conservation District

COMMUNITY OUTREACH

Representatives of the O’Neil Group met with representatives from Meadow Lake Airport on May 11, 2022 to discuss the proposed rezonings. A meeting was held on June 29, 2022 with representatives from the Saddlehorn Estates residential development to the east to discuss their concerns. A public open house was held on the evening of June 29. Notification was sent to 169 properties (72 individual owners) within ½ mile of the site. Approximately 40 people attended the meeting, with 20 people entering details on the sign-in sheet. This included display boards of the proposed zoning areas, the proposed permitted uses, relevant extracts from Your El Paso Master Plan and the previously approved PUD Zoning & Concept Plan for the site. Balloons were also placed on the site to conceptually represent the height of the tallest anticipated structure within the I-3 zoning district area. The general feedback

from the meeting was an acknowledgement that development of the site was likely, general support for the I-2 and CS zonings, but concern regarding some of the potential heavier industrial uses associated with the I-3 zone in terms of compatibility with adjacent residential. Concerns were also expressed regarding traffic and water use.

PROJECT JUSTIFICATION

The request is consistent with the criteria in Section 5.2.5.B for a Map Amendment (Rezoning) as follows:

1. THE APPLICATION IS IN GENERAL CONFORMANCE WITH THE EL PASO COUNTY MASTER PLAN INCLUDING APPLICABLE SMALL AREA PLANS OR THERE HAS BEEN A SUBSTANTIAL CHANGE IN THE CHARACTER OF THE NEIGHBORHOOD SINCE THE LAND WAS LAST ZONED;

The relevant County master plan documents for the CS Map Amendment (Rezone) are Your El Paso County Master Plan, the El Paso County Water Master Plan, the El Paso County Major Transportation Corridor Plan, and the El Paso County Parks Master Plan.

YOUR EL PASO MASTER PLAN

The new County Master Plan denotes the site being within the Employment Center placetype (see page 36 of the Master Plan). Objective LU3-1 indicates that development should be consistent with the allowable land uses set forth in the placetypes first and second to their built form guidelines. The primary uses within Employment Centers include light industrial/business park, heavy industrial uses, and office, with supporting commercial retail, commercial services, and restaurants. The proposed CS zoning would allow for uses that support the employment center primary uses (industrial) to develop on the site. These uses include commercial services, retail, and restaurants, all of which support the primary Employment Center uses and help meet the day-to-day needs of the residents and workers in this part of the County.

The Master Plan specifically identifies that proximity to transportation hubs, such as Meadow Lake Airport, is appropriate for the Employment Center placetype. The Master Plan also identifies the subject property as being included within the Meadow Lake Airport Employment Priority Development Area (see page 71 of the Master Plan). The adjacent Meadow Lake Airport is the largest privately owned airport in Colorado and is an important economic driver for the County. The Airport has expanded significantly with more than a dozen industrial and manufacturing businesses on the property and Goal ED1 indicates that “the County should consider prioritizing the Airport for new employment uses to capitalize on the existing distribution network... Light and heavy industrial should be the primary businesses in this area, while supporting uses such as commercial or restaurants should be coordinated with the Meadow Lake Airport Association.”

The proposed CS rezoning is consistent with the objectives for supporting and expanding Meadow Lake Airport as an Employment Priority Development Area. The concurrent I-3 and I-2 rezoning requests for 88% of the property address the objective of light and heavy industrial being the primary businesses in this area. The proposed rezone to CS of only 12% of the property will serve to

help support the proposed industrial uses on the site, the existing and expanding operations and employment base at the adjacent Meadow Lake Airport, as well as providing commercial retail and service for residents in the surrounding area.

The Master Plan identifies that the “Function of Supporting Land Uses” within the Employment Center placetype should be to “support the daily needs of employees with restaurants, convenience stores, groceries, banks, and pharmacies. Buildings can be standalone, clustered together, or in a small strip center.” The CS rezoning request would help support this policy and would likely result in clustered commercial uses or a small strip center at the northwest corner of the Falcon Highway and Curtis Road intersection.

This site is also denoted as a “new development area” on the Areas of Change map (see page 20 of the Master Plan). New development areas take place on land largely undeveloped, adjacent to built out areas. These areas are to be designed to integrate with and complement adjacent development. The proposed CS rezoning would provide an opportunity for services to be introduced to the area which would complement the adjacent airport use and the proposed industrial uses on the property.

Relevant Goals, Objectives, and Strategies

Land Use

Core Principle: Manage growth to ensure a variety of compatible land uses that preserve all character areas of the County.

- *Goal 1.3 - 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 LU4-3: Employment Centers should comprise land for industrial, office, business park, manufacturing, distribution, warehousing, and other similar business uses.*

Economic Development

Core Principle: Strengthen the economy with a skilled workforce and targeted investment.

- *Objective ED3-1: Continue promoting commercial development to serve increasing residential neighborhoods in the Falcon area.*
- *Objective ED3-6: Prioritize commercial use as development opportunities arise in order to support the growing residential base in the rural areas.*
- *Goal 3.1: Recruit new businesses and spur the development of growing sectors.*

Implementation

- *Goal ED1 strategies:*
 - *Consider prioritizing Meadow Lake Airport for new employment uses to capitalize on the existing distribution network.*
 - *Light and heavy industrial should be the primary businesses in the Meadow Lake Airport area, while supporting uses such as commercial or restaurants should be coordinated with the Meadow Lake Airport Association.*

EL PASO COUNTY WATER MASTER PLAN

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 goals and 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 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 Region 3, Falcon Area, containing 4 growth areas projected to be completed by 2040, three areas to be completed by 2060, and two other growth areas located on the north and south sides of Falcon Highway directly east of Falcon. Specifically, the Water Master Plan states:

“Region 3 contains four growth areas west of Falcon projected to be completed by 2040. Other areas of 2040 growth are projected for the north-central part of the region west of Highway 24 extending from Falcon to 4-Way Ranch. North of Falcon along Highway 24, growth is projected by 2060 on both sides of the highway. Just west of Falcon, another small development is projected by 2060 on the north and south sides of Woodmen Road. On the east side of Highway 24, three separate areas of growth are projected for development by 2060, with the largest of the three spanning from south of Judge Orr Road to east of Peyton Highway into Region 4c. This development will likely consist of 35-acre lots that will require individual wells to use Denver Basin groundwater. The other two growth areas will be located on the north and south sides of Falcon Highway directly east of Falcon. See Figure 5.5 for Region 3 growth map projections.”

Region 3 has a current water supply of 7,164-acre feet per year and a current demand of 4,494-acre feet per year. The 2040 water supply is projected to be 7,921-acre feet per year and the project demand is 6,403-acre feet. The 2060 water supply is projected to be 8,284-acre feet per year and the projected demand is 8,307-acre feet.

2040 MAJOR TRANSPORTATION CORRIDOR PLAN

Curtis Road and Falcon Highway are both currently 2-lane unimproved County roads with a 60-foot right-of-way (ROW). The 2040 Functional Classification map shows Curtis Road being improved to a 2-lane rural principal arterial and Falcon Highway being improved to a 2-lane rural minor arterial. The 2060 Corridor Preservation Plan shows Curtis Road being expanded to a 4-lane rural principal arterial and Falcon Highway being expanded to a 4-lane rural minor arterial. Curtis Road is also anticipated to become a secondary truck route connecting Highway 24 to Highway 94 and I-25.

EL PASO COUNTY PARKS MASTER PLAN

The El Paso County Parks Master Plan identifies proposed bike routes on Curtis Road and Falcon Highway, which can provide access to the site by alternative transportation modes. A proposed secondary regional trail is identified along the alignment of the drainageway that crosses the property from north to south. This secondary trail also continues through the adjacent airport property, which brings into question the practicality of this proposed trail route.

2. THE REZONING IS IN COMPLIANCE WITH ALL APPLICABLE STATUTORY PROVISIONS, INCLUDING BUT NOT LIMITED TO C.R.S. §30-28-111 §30-28-113, AND §30-28-116;

As the proposed rezoning fulfills the goals of the County Master Plan as described under criterion (1) above and is a compatible transition between the adjacent uses, as described in criterion (3) below, the rezone complies with the statutory provisions that allow County's to establish limit, regulate, or amend zoning within the unincorporated parts of El Paso County in the interests of public health, safety and welfare.

3. THE PROPOSED LAND USE OR ZONE DISTRICT IS COMPATIBLE WITH THE EXISTING AND PERMITTED LAND USES AND ZONE DISTRICTS IN ALL DIRECTIONS; AND

The Master Plan specifically encourages commercial retail and services as supporting land uses in the Employment Center placetype as a supporting use to the primary industrial uses and to economically strengthen the adjacent airport. In addition, the lower intensity commercial service uses will provide a transitional use and physical buffer from the airport activities and the proposed heavy and light industrial uses on the property to the rural residential and agricultural areas to the east and south.

The Employment Center placetype, as identified in the Master Plan, indicates that transitional uses, buffering, and screening should be used to mitigate any potential negative impacts to nearby areas. As noted above, concurrent submittals have been made for I-3 and I-2 zones on the western and northern portions of the property respectively.

Compatibility with adjacent A-35 and rural residential zoning has already been evaluated with the currently approved PUD zoning and associated PUD Zoning and Conceptual Plan, which shows Commercial/Industrial Uses on the east side of the property adjacent to Curtis Road with Commercial use along Curtis Road and Falcon Highway. The designation of the site as an Employment Center within the Master Plan also assumes an acknowledgment of the appropriateness of this location for the industrial and commercial uses identified as primary and secondary uses in this placetype. Compatible means "to be able to exist or occur together without conflict." As the permitted uses in the proposed CS zone are broad, this request conditionally excludes certain uses to enhance compatibility with these less intense adjacent land uses. The I-2 and CS zoning designations will provide transitional uses and a physical buffer and separation between the heavier industrial uses allowed in the proposed I-3 zoning district on the west side of the property and the rural residential and agriculturally zoned properties located to the east and south. Appropriate landscape buffers will be included with subsequent site development plans.

4. THE SITE IS SUITABLE FOR THE INTENDED USE, INCLUDING THE ABILITY TO MEET THE STANDARDS AS DESCRIBED IN CHAPTER 5 OF THE LAND DEVELOPMENT CODE, FOR THE INTENDED ZONE DISTRICT.

Future development of this portion of the property will meet the use and dimensional standards for the CS zoning district as set out in Chapter 5 of the Land Development Code (LDC). The site is suitable for proposed commercial uses and provides a transition between Meadow Lake Airport and the surrounding rural land uses. The site will have adequate access to Curtis Road and Falcon Highway and has access to the provision of adequate utilities.

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MEADOWLAKE COMMERCIAL PARK

EAST HALF SECTION 9, TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH P.M. EL PASO COUNTY, COLORADO
REZONE

VICINITY MAP



SITE DATA

Tax ID Number: 430000551 & 430000548
 Parcel Area: 254.7 AC
 CS Rezone Area: 31.0 AC
 Current Zoning: PUD
 Proposed Zoning: CS

PROJECT TEAM

OWNER: O'Neil Group
 PO BOX 1385
 Colorado Springs, CO 80901
 (719) 229-0616

APPLICANT: N.E.S. Inc.
 619 N. Cascade Ave., Suite 200
 Colorado Springs, CO 80903
 (719) 471-0073

SURVEYOR: SMH Consultants
 411 S. Tejon St., #1
 Colorado Springs, CO 80903
 (719) 465-2145

PARCEL LEGAL DESCRIPTION

A tract of land in the East Half of Section 9, Township 13 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at the Southeast Corner of the Southeast Quarter of said Section 9; thence
 S 89°32'02" W 1591.78 feet along the South Line of the Southeast Quarter of said Section 9; thence
 N 32°39'44" W 373.95 feet; thence
 N 20°07'48" W 2441.45 feet to the West Line of the East Half of said Section 9; thence
 N 00°10'35" E 1856.84 feet along the West Line of the East Half of said Section 9; thence
 N 82°12'06" E 2369.67 feet; thence
 N 07°45'48" W 400.00 feet; thence
 N 88°06'51" E 343.54 feet to the East Line of said Section 9; thence
 S 00°06'00" W 5180.19 feet to the point of beginning, containing 254.7 acres.

Subject to easements and restrictions of record.

CS REZONE LEGAL DESCRIPTION

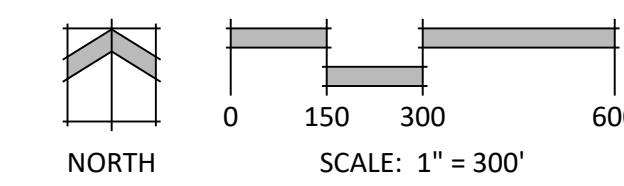
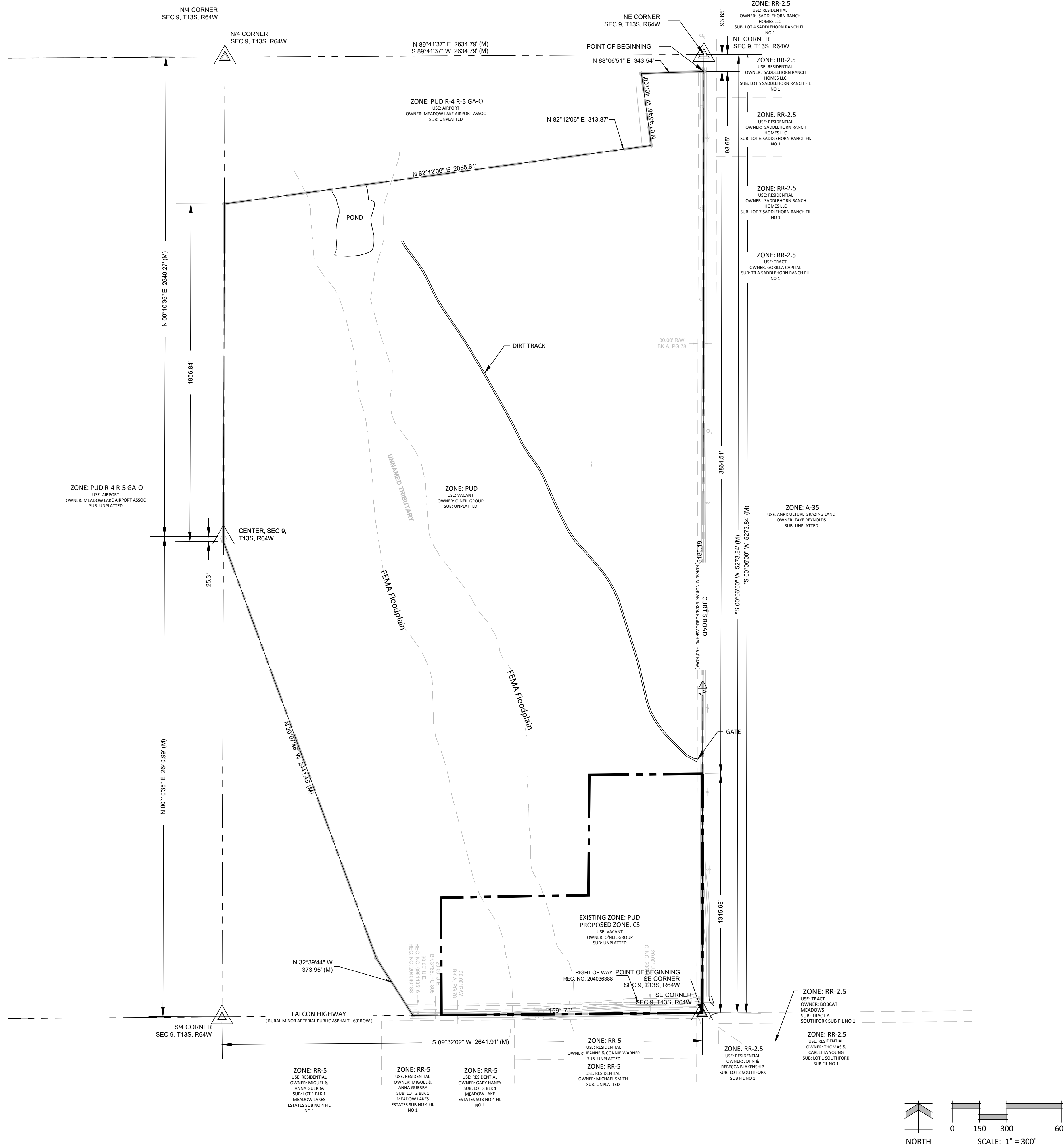
A tract of land in the East Half of Section 9, Township 13 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at the Southeast Corner of the Southeast Quarter of said Section 9; thence
 S 89°32'02" W 1435.15 feet along the South Line of the Southeast Quarter of said Section 9; thence
 N 00°11'42" W 646.45 feet; thence
 N 89°04'41" E 811.16 feet; thence
 N 00°29'26" E 660.20 feet; thence
 N 89°17'36" E 622.94 feet to the East Line of said Section 9; thence
 S 00°06'00" W 1315.68 feet to the point of beginning, containing 31.0 acres.

Subject to easements and restrictions of record.

AVIGATION EASEMENT

TERMS, CONDITIONS AND PROVISIONS OF AVIGATION EASEMENT RECORDED NOVEMBER 14, 1990 IN BOOK 5789 AT PAGE 1288. This is a blanket easement that does affect the subject property.



N.E.S. Inc.
 619 N. Cascade Avenue, Suite 200
 Colorado Springs, CO 80903
 Tel. 719.471.0073
 Fax 719.471.0267
 www.nescolorado.com
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MEADOWLAKE COMMERCIAL PARK

FALCON HIGHWAY & NORTH CURTIS ROAD

DATE: 05.12.2022
 PROJECT MGR: A. BARLOW
 PREPARED BY: B. ITEN

ENTITLEMENT

DATE: 06.30.2022 BY: BH DESCRIPTION: PER COUNTY COMMENTS

REZONE EXHIBIT

1 OF 1
 PCDS221

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Meadow Lake Airport Association

13625 Judge Orr Road, Meadow Lake Airport (KFLY), Peyton, CO 80831-6051

Date: May 19, 2022

To: El Paso County Planning & Community Development

Subj: **Meadow Lake Commercial-Industrial Park (Rezone)**

Ref: (a) Meadow Lake Commercial Park (CS) (CS221)
(b) Meadow Lake Industrial Park (I-2) (I221)
(c) Meadow Lake Industrial Park (I-3) (I222)
(d) FAA Advisory Circular 150/5190B, "Airport Compatible Land Use Planning"

Representatives of the O'Neil Group met informally with members of the Meadow Lake Airport Association (MLAA) Board of Directors on Wednesday, May 11, to present a draft development plan and solicit our support for a Meadow Lake Industrial Park proposal. After due consideration, the MLAA is strongly opposed to this proposal.

The proposal is based on obtaining a re-zoning or special use variance of the existing commercial (CS) & light industrial (I-2) zoning to include heavy industrial (I-3). The purpose of this rezone is to develop a significant portion of the interior of the Industrial Park for a concrete batch plant operation. The batch plant was previously presented to El Paso County for the NE corner of the Judge Orr/Stapleton roads intersection and was deemed incompatible with the rural residential nature of the community. We see no change to that inappropriateness, especially located an additional mile and half to the south along Curtis Road adjacent to the rural residential neighborhoods of Saddlehorn Ranch and Meadow Lake Estates. We believe it would also be incompatible with Meadow Lake Airport operations.

The proposed new location would be directly under our primary traffic pattern, i.e.; the "Crosswind" leg for aircraft taking off on Runway 15 (at full power and low level), and "Base" leg for aircraft landing on Runway 33 (at reduced power and low level descending to the runway). All powered aircraft operations at Meadow Lake Airport are on the east side of the airport (glider operations on the west side). While we believe the currently zoned commercial and light industrial zoning is compatible with airport operations, a heavy industrial development is inappropriate due to potential hazardous effects on our small general aviation aircraft.

The applicant provided a comparison to a similar operation at Centennial Airport (APA). However, that operation has several significant differences. The batch plant operation at Centennial is in a warehouse district significantly offset to the side of the centerline of a runway that is used only for straight-in arrivals and departures. The proposal at Meadow Lake could have significant environmental concerns directly under our continuous traffic pattern operation. Likewise, it should be noted that even Colorado Springs airport does not permit heavy industry development underneath its close-in flight paths.

The FAA does not have authority over land use issues (until construction extends vertically into the National Airspace System) and therefore its Advisory Circulars establish a standard for guidance, although not regulatory. The sponsor of an airport, in this case Meadow Lake Airport Association, is charged by "Airport Grant Assurances" to coordinate with appropriate land use authorities for compatible land use around the FAA investment. Reference (d) was published in draft form last year and is currently under legal review for final publication this summer. It

provides guidance for land use authorities considering compatible land use around airports and identifies several cautions and concerns regarding heavy industry around airports.

We are very concerned about El Paso County's zoning and variance process around Meadow Lake Airport. There are many incidences, but an example is the Judge Orr Road Ranchettes and Saddlehorn Ranch sub-divisions. We happened to be present at the Planning Commission hearing the day of the Ranchettes presentation. This is a 7-unit residential subdivision on the NE corner of Meadow Lake Airport lies directly under our primary traffic pattern. We had the opportunity to express our concerns at that hearing and the developer publicly agreed to an "Avigation Easement". However, we were also not notified of the hearing for the sub-division with the Board of County Commissioners, who approved the development plan with no mention of aeronautical activities and the plat was recorded without any recognition of airport operations.

As a result of that experience, we learned that we had to pay specific attention when sub-divisions are proposed near the airport, such as Saddlehorn Ranch. Through our diligence and insistence, we were successful in working with a cooperative developer to obtain an Avigation Easement and ultimately, a written BOCC resolution directing annotation of a "Disclosure Notification" on the Sub-Division Plat. Yet even with the resolution, the Final Sub-Division Plat was approved by the County Planning without the required notation, and only after we objected was the Notice handwritten onto the recorded plat.

We have been trying since 2015 to get El Paso County Planning to approve and adopt the Meadow Lake Airport Master Plan Update. Five drafts of the "1041 Application" have been submitted. All have been returned for additional rewrite and comments, frequently in direct opposition to the previous submission or review comments. The El Paso County Master Plan was approved and adopted with incorrect statements about Meadow Lake and without consideration of the inputs submitted by the MLAA and the Colorado Division of Aeronautics. Both letters expressed concern about the "Employment Center" placeholder and failure by the County to recognize state and federal guidelines for protecting this valuable Regional GA asset to El Paso County, the Colorado Aviation System Plan, and the National Plan of Integrated Airport System. With that in mind, we cannot support any rezone or variances to established zoning until El Paso County adopts a published guide or Compatible Land Use Plan for the Meadow Lake Airport Influence Area, and we will actively oppose any proposal that we consider potentially hazardous to our operations or the general public.



David E. Elliott

President, MLAA Board of Directors

cell: (719) 339-0928 email: falcon20flier@msn.com

Copy: Carrie Geitner, El Paso County Commissioner
Colorado Division of Aeronautics
FAA Denver Airports District Office (ADO)
Justin Walker, Dewhirst & Dolven
Bill Guman, Guman & Associates
Meadow Lake Estates Homeowners
Saddlehorn Ranch HOA

MAP AMENDMENT (REZONE) (RECOMMEND APPROVAL)

Commissioner Trowbridge moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

**RESOLUTION NO. CS-22-001
Meadow Lake Commercial Park**

WHEREAS, Meadowlake Developments, LLC did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference from the PUD (Planned Unit Development) to CS (Commercial Park) zoning district; and

WHEREAS, a public hearing was held by this Commission on August 18, 2022; 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 was 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 were heard at that hearing.
4. The application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned.
5. The proposed land use or zone district is compatible with existing and permitted land uses and zone districts in all directions.

6. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district
7. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor.
8. 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.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission recommends that the petition of Meadowlake Development, LLC, for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the PUD (Planned Unit Development) zoning district to the CS (Commercial Service) zoning district be approved by the Board of County Commissioners:

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

CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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.
2. Any future or subsequent development and/or use of the property shall be in accordance with the density and dimensional standards of the CS (Commercial Service) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.
3. Any future or subsequent development and/or use of the property shall be in accordance with the use standards of the CS (Commercial Service) zoning district and with the applicable sections of the Land Development Code, except as otherwise limited in the applicant's letter of intent.

NOTATIONS

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.
2. 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.

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

Commissioner Lucia-Treese seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows:

Commissioner Risley	aye
Commissioner Bailey	aye
Commissioner Lucia-Treese	aye
Commissioner Brittain-Jack	aye
Commissioner Trowbridge	aye
Commissioner Patterson	aye
Commissioner Schuettpelz	aye
Commissioner Merriam	aye

The Resolution was adopted by a vote of 8 to 0 the El Paso County Planning Commission, State of Colorado.

Dated: August 18, 2022

Brian Risley, Chair

EXHIBIT A

A tract of land in the East Half of Section 9, Township 13 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at the Southeast Corner of the Southeast Quarter of said Section 9; thence
S 89°32'02" W 1435.15 feet along the South Line of the Southeast Quarter of said Section 9;
thence
N 00°11'42" W 646.45 feet; thence
N 89°04'41" E 811.16 feet; thence
N 00°29'26" E 660.20 feet; thence
N 89°17'36" E 622.94 feet to the East Line of said Section 9; thence
S 00°06'00" W 1315.68 feet to the point of beginning, containing 31.0 acres.

RESOLUTION NO. 22-

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

**APPROVAL OF THE MEADOW LAKE COMMERCIAL PARK MAP
AMENDMENT (REZONING) (CS-22-001).**

WHEREAS Meadowlake Development, LLC 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 for property located within the unincorporated area of the County, more particularly described in Exhibit A, which is attached hereto and incorporated by reference from the PUD (Planned Unit Development) zoning district to the CS (Commercial Service) zoning district; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on August 18, 2022, upon which date the Planning Commission did by formal resolution recommend approval of the subject map amendment application; and

WHEREAS, a public hearing was held by this Board on September 6, 2022; 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, 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 the Board of County Commissioners of El Paso County.
3. The hearings before the Planning Commission and the 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 zoning is in compliance with the recommendations set forth in the Master Plan for the unincorporated area of the county.

5. The proposed land use will be compatible with existing and permitted land uses in the area.
6. The proposed land use does not permit the use of any area containing a commercial mineral deposit in a manner, which would interfere with the present or future extraction of such deposit by an extractor.
7. For the above-stated and other reasons, the proposed Amendment to 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.
8. Changing conditions clearly require amendment to the Zoning Resolutions.

NOW, THEREFORE, BE IT RESOLVED the El Paso County Board of County Commissioners hereby approves the petition of Meadowlake Development, LLC to amend the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated by reference, from the PUD (Planned Unit Development) zoning district to the CS (Commercial Service) zoning district ;

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

CONDITIONS OF APPROVAL

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are 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.

2. Any future or subsequent development and/or use of the property shall be in accordance with the density and dimensional standards of the CS (Commercial Service) zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

3. Any future or subsequent development and/or use of the property shall be in accordance with the use standards of the CS (Commercial Service) zoning district and with the applicable sections of the Land Development Code, except as otherwise limited in the applicant's letter of intent.

NOTATIONS

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.

2. 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.

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

DONE THIS 6th day of September, 2022, at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

A tract of land in the East Half of Section 9, Township 13 South, Range 64 West of the Sixth Principal Meridian, El Paso County, Colorado described as follows:

Beginning at the Southeast Corner of the Southeast Quarter of said Section 9; thence

S 89°32'02" W 1435.15 feet along the South Line of the Southeast Quarter of said Section 9; thence

N 00°11'42" W 646.45 feet; thence

N 89°04'41" E 811.16 feet; thence

N 00°29'26" E 660.20 feet; thence

N 89°17'36" E 622.94 feet to the East Line of said Section 9; thence

S 00°06'00" W 1315.68 feet to the point of beginning, containing 31.0 acres.