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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting
Thursday, October 17, 2024
El Paso County Planning and Community Development Department
2880 International Circle – Second Floor Hearing Room
Colorado Springs, Colorado

REGULAR HEARING, 9:00 A.M.

PC MEMBERS PRESENT AND VOTING: THOMAS BAILEY, SARAH BRITTAIN JACK, JAY CARLSON, BECKY FULLER, JEFFREY MARKEWICH, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE.

PC MEMBERS PRESENT AND NOT VOTING: NONE.

PC MEMBERS ABSENT: JIM BYERS, ERIC MORAES, BRYCE SCHUETTPELZ, WAYNE SMITH, AND TIM TROWBRIDGE.

STAFF PRESENT: MEGGAN HERINGTON, JUSTIN KILGORE, ELIZABETH NIJKAMP, KARI PARSONS, RYAN HOWSER, ED SCHOENHIET, CHARLENE DURHAM, MIRANDA BENSON, ERIKA KEECH, AND LORI SEAGO.

OTHERS PRESENT AND SPEAKING: NONE.

1. REPORT ITEMS

Mr. Bailey advised the board that Mr. Moraes was reappointed to serve a second term on the PC. There is an open advertisement for additional Associate membership.

Ms. Herington added that the LDC update group will have their next meeting on Monday, [October 21, 2024], where they will discuss zoning districts. The 2 PC members on that committee may have an update soon.

Mr. Kilgore advised the board that the next PC Hearings will be November 7, November 21, December 5, and December 19. Projects are anticipated at each of those meetings.

2. CALL FOR PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA (NONE)

3. CONSENT ITEMS

A. **Adoption of Minutes** for meeting held October 3, 2024.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (6-0).

B. P2223

PARSONS

MAP AMENDMENT (REZONING) SETTLERS RANCH RR-2.5 REZONE

A request by Hodgen Settlers Ranch, LLC, for approval of a Map Amendment (Rezoning) 53.53 acres from PUD (Planned Unit Development) to RR-2.5 (Residential Rural). The applicant intends to develop single-family homes pursuant to the concurrently requested Settlers Ranch Filing No. 3 Final Plat. The property is located north of the Hodgen Road, West of Stepler Road, and immediately adjacent to Settlers Ranch Road. A combined staff report has been provided. (Parcel Nos. 6123007024, 6124004003, 6124005001 and 6123004048) (Commissioner District No. 1)

NO PUBLIC COMMENT

DISCUSSION

Mr. Bailey asked to see aerial imagery of the subject property in relation to the adjacent conservation easement, mentioned by public comment in the staff report.

Ms. Parsons presented the zoning PowerPoint slide. She referenced the imagery to explain the conservation easement's location in relation to the project. She further explained that the applicant has proposed a transition in lot sizes on the Final Plat where their property abuts the conservation land. Lots will be approximately 4.29 acres along Stepler Road and transition to gradually smaller sizes until reaching the 2.5-acre lot size further west.

Mr. Markewich asked for more information about the conservation easement and an explanation of how it is different than the typical RR-5 zoning.

Ms. Parsons replied that County staff cannot explain the conservation easement because it was not part of the application, and she does not have the information.

Mr. Markewich asked about the concept of a conservation or grazing easement in general.

Ms. Seago reiterated that while staff does not have the specific details of the particular conservation easement adjacent to the subject property, but she can provide general information. A conservation easement is typically a restrictive easement on undeveloped property. That easement is usually granted to a non-profit organization or governmental entity who is then responsible for enforcing the easement. The purpose of creating a conservation easement is to preserve natural features or conservation values and generally restricts development of the property to whatever is defined within the easement. It is a private agreement between the property owner and whomever holds the easement. The County is not involved, unless they are the easement holder.

Mr. Markewich expressed his understanding.

Ms. Fuller asked how the rezoning will be different from the previously approved PUD zoning.

Ms. Parsons explained that the rezoning will increase the total number of lots by 6.

PC ACTION: CARLSON MOVED / FULLER SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER P2223 FOR A MAP AMENDMENT (REZONING), SETTLERS RANCH RR-2.5 REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH ONE (1) CONDITION AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (6-0).

C. SF249

PARSONS

**FINAL PLAT
SETTLERS RANCH FIL. NO. 3**

A request by Hodgen Settlers Ranch, LLC for approval of a 78.71-acre Final Plat creating 24 residential lots, and one tract. The property is zoned PUD (Planned Unit Development) and is located north of the Hodgen Road, West of Stepler Road, and immediately adjacent to Settlers Ranch Road. A concurrent Map Amendment (Rezoning) is also requested. (Parcel Nos. 6123007024, 6124004003, 6124005001 and 6123004048) (Commissioner District No. 1)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: FULLER MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3C, FILE NUMBER SF249 FOR A FINAL PLAT, SETTLERS RANCH FIL. NO. 3, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH NINE (9) CONDITIONS, FOUR (4) NOTATIONS, AND A RECOMMENDED FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (6-0).

D. PUDSP229

HOWSER

**PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN
WATERSIDE**

A request by Lake Woodmoor Holdings, LLC for approval of a Map Amendment (Rezoning) of 7.53 acres from R-4 (Planned Development) to PUD (Planned Unit Development) with approval of a Preliminary Plan depicting 44 single-family attached (townhome) lots and 6 tracts for open space and private roads. The property is located on the east side of Woodmoor Drive, approximately one-half of a mile north of Highway 105. (Parcel Nos. 7111404112 through 7111404194 (83 total parcels)) (Commissioner District No. 1)

A member of the public was called in to observe the hearing remotely.

NO PUBLIC COMMENT

DISCUSSION

Mr. Whitney clarified the conditional finding of sufficiency in regard to water and the requirement of the applicant to enter into a supplemental agreement. He asked what would happen to the project if the applicant does not sign the letter.

Ms. Seago answered that for this situation, the condition was added based on a contingency in the commitment letter from Woodmoor Water and Sanitation. She then read the requirement into the record, *"Prior to recording the final plat, Applicant must provide proof that it has entered into an approved Supplemental water Service Agreement with the District."* She anticipates that when the Final Plat is submitted, the County Attorney's Office will work with the Planner. The plat will not be recorded until proof of that agreement is provided.

Mr. Whitney asked how that should be addressed in the PC's motion.

Ms. Seago requested that the water finding be identified as a conditional finding of sufficiency.

PC ACTION: FULLER MOVED / WHITNEY SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3D, FILE NUMBER PUDSP229 FOR A PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN, WATERSIDE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SIX (6) CONDITIONS, FIVE (5) NOTATIONS, AND A RECOMMENDED CONDITIONAL FINDING OF SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (6-0).

4. CALLED-UP CONSENT ITEMS (NONE)

5. REGULAR ITEMS (NONE)

6. NON-ACTION ITEMS (NONE)

MEETING ADJOURNED at 9:20 A.M.

Minutes Prepared By: Miranda Benson