

MEGGAN HERINGTON, AICP, EXECUTIVE DIRECTOR

PLANNING AND COMMUNITY DEVELOPMENT

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## EL PASO COUNTY PLANNING COMMISSION

### MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting

Thursday, June 5<sup>th</sup>, 2025, El Paso County Planning and Community Development Department  
2880 International Circle, Colorado Springs, Colorado – Second Floor Hearing Room

**REGULAR HEARING at 9:00 A.M.**

**PC MEMBERS PRESENT AND VOTING:** SARAH BRITTAIN JACK, JAY CARLSON, JEFFREY MARKEWICH, ERIC MORAES, BRYCE SCHUETTELPELZ, WAYNE SMITH, AND CHRISTOPHER WHITNEY.

**PC MEMBERS PRESENT AND NOT VOTING:** NONE.

**PC MEMBERS ABSENT:** JIM BYERS AND TIM TROWBRIDGE.

**STAFF PRESENT:** JUSTIN KILGORE, KYLIE BAGLEY, JOE SANDSTROM, DANIEL TORRES, BRET DILTS, GILBERT LAFORCE, LORI SEAGO (VIRTUAL), AND JESSICA MERRIAM.

**OTHERS PRESENT AND SPEAKING:** KRIS LEWIS, JAMES HALBRITTER (VIRTUAL), ANDREA BARLOW, NINA RUIZ, AND GARY BEIERLE.

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#### 1. REPORT ITEMS

**Mr. Kilgore** advised the board that the next PC Hearing is Thursday, June 19<sup>th</sup>, 2025, at 9:00 A.M. and informed them of the summer Planning Commission schedule.

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#### 2. PUBLIC COMMENT FOR ITEMS NOT ON THE HEARING AGENDA

**(NONE)**

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### 3. CONSENT ITEMS

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**A. Adoption of Minutes** for meeting held on May 15<sup>th</sup>, 2025.

**PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED (7-0)**

**IN FAVOR: (7)** Brittain Jack, Carlson, Moraes, Schuettepelz, Whitney, Markewich, and Smith.

**IN OPPOSITION: (0)** None.

**B. VR235**

**MATHY**

#### **VACATION AND REPLAT**

##### **PEYTON RANCHES FILING NO. 1A**

A request by Fridah Joanitah Wood for approval of an 8.59-acre Vacation and Replat creating one single-family lot. The lot was illegally created when it was split without going through the subdivision process per El Paso County and State Statute. The property is zoned RR-5 (Residential Rural) and is located at 15330 East Chaparral Loop. (Parcel No. 3133002011) (Commissioner District No. 2)

**DISCUSSION:** Mr. Kilgore requested that this item be continued to a date certain of June 19<sup>th</sup>, 2025.

**PC ACTION: SCHUETTEPELZ MOVED / WHITNEY SECONDED TO CONTINUE THIS ITEM AT THE JUNE 19<sup>TH</sup>, 2025 PLANNING COMMISSION HEARING.**

**IN FAVOR: (7)** Brittain Jack, Carlson, Moraes, Schuettepelz, Whitney, Markewich, and Smith.

**IN OPPOSITION: (0)** None.

**C. SF2426**

**MATHY**

#### **FINAL PLAT**

##### **TEAM CHRIS SUBDIVISION (FINAL PLAT)**

A request by Christine Tschamler for approval of a 19.39-acre Final Plat creating three single-family lots. The property is zoned RR-5 (Residential Rural) and is located at the Northeast intersection of Lil Squirrel Lane and Black Squirrel Road. (Parcel No. 5114000019) (Commissioner District No. 1)

**PC ACTION: THIS ITEM WAS PULLED TO BE HEARD AS A CALLED-UP CONSENT ITEM PER PLANNING COMMISSION MEMBER REQUEST.**

**D. SP243**

**BAGLEY**

## **PRELIMINARY PLAN**

### **RISEING MOON FILING 1 & 2 PRELIMINARY PLAN**

A request by N.E.S. Inc. for approval of a 9.00-acre Preliminary Plan to create 41 single-family lots. The property is zoned RS-5000 (Residential Suburban) and is located directly north of the intersection of Peaceful Meadow Street and Harvest Moon Terrace and is 100 feet west of the intersection of Shining Star Drive and Anvil Drive. (Parcel No. 5503101010) (Commissioner District No. 4)

### **NO STAFF OR APPLICANT PRESENTATIONS**

**DISCUSSION:** **Mr. Moraes** asked for clarification regarding the proposal to designate 14 of the 41 single-family homes for employees of School District 3. He expressed interest in understanding how these homes would be designated, whether the school district owns them, what happens if an employee leaves the district, and if any resale restrictions apply. **Ms. Kris Lewis**, CEO of Pikes Peak Habitat for Humanity, explained that the project is a partnership between Pikes Peak Habitat for Humanity, School District 3, and Careers in Construction Colorado. Homes are part of a homeownership program and all units, including those for employees, are subject to a 90-year deed restriction to preserve affordability. To qualify, families must earn no more than 80% of the area median income (AMI), complete the required sweat equity, and qualify for an affordable mortgage. **Ms. Lewis** clarified that once a school district employee qualifies and purchases a home, they may remain in the home even if they later leave the district. The lots are not pre-designated; instead, Habitat and Careers in Construction own the lots and assign homes based on family size and lot suitability during the building process. While 14 homes are currently designated for district employees, more may be made available in future phases if additional employees qualify. Although the homes can be sold, they must be sold at a price not exceeding 100% of the AMI to ensure continued affordability. Habitat also caps annual equity gains to prevent flipping and uses a silent second mortgage to further enforce affordability. This second mortgage, representing the difference between the home's appraised value and the buyer's first

mortgage, must be repaid if the home is sold. **Ms. Lewis** confirmed that renting the home is not allowed, as the program is strictly intended for owner-occupants.

**PUBLIC COMMENTS:** **Mr. James Halbritter**, a resident adjacent to the Rising Moon development, asked whether a new fence will be built along the property line that borders the homes on Shining Star. He explained that he is planning to replace his existing fence and wanted to know whether he should wait, depending on the construction plans for the area.

**APPLICANT REBUTTAL:** **Ms. Andrea Barlow**, with N.E.S. Inc., responded that the Shining Star development is located to the east and confirmed that new fencing will be installed as part of the lot development process. She noted that a 6-foot privacy fence is planned around the lots and stated they can coordinate with Mr. Halbritter during construction to address the replacement of the shared fence between his property and the new development.

**PC ACTION: MARKEWICH MOVED / BRITTAIN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3D, FILE NUMBER SP243 FOR A PRELIMINARY PLAN, RISING MOON FILING NO. 1 & 2, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS, THREE (3) 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).**

**IN FAVOR: (6)** Brittain Jack, Moraes, Schuettpelz, Whitney, Markewich, and Smith.

**IN OPPOSITION: (0)** None.

**RECUSED: (1)** Carlson and Trowbridge.

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#### **4. CALLED-UP CONSENT ITEMS:**

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**3C. SF2426**

**MATHY**

#### **FINAL PLAT**

#### **TEAM CHRIS SUBDIVISION (FINAL PLAT)**

A request by Christine Tschamler for approval of a 19.39-acre Final Plat creating three single-family lots. The property is zoned RR-5 (Residential Rural) and is located at the Northeast intersection of Lil Squirrel

Lane and Black Squirrel Road. (Parcel No. 5114000019) (Commissioner District No. 1)

## **STAFF & APPLICANT PRESENTATIONS**

**DISCUSSION:** **Mr. Whitney** asked for clarification regarding whether Lil Squirrel Lane meets county standards, noting a discrepancy between public comments and the staff report. **Mr. Sandstrom** responded that while the staff report confirms the private roadway is accessible for emergency vehicles, the road itself was likely not constructed to current county standards, as it predates those requirements. **Mr. Moraes** inquired whether driveway permits would be provided for access to Black Squirrel Road, noting that the original issue involved a lack of access easements and the county previously unable to issue driveway permits. **Mr. Sandstrom** confirmed that both Lil Squirrel Lane and Black Squirrel Road are classified as local roads, and while initial plans relied on Lil Squirrel Lane due to lack of easement, there is no requirement preventing access from Black Squirrel. He added that current plans allow driveway access to Black Squirrel Road.

**Mr. Kilgore** explained that because the project has been amended to allow public access rather than private, the previously listed waiver related to private road access is no longer needed. **Mr. Schuettpeiz** clarified that the developer has shifted plans away from using Lil Squirrel Lane and instead is creating a new access point from the other side of the property to serve all three lots. **Mr. Kilgore** confirmed this and added that the decision was influenced by community concerns and address complications. As a result, the developer and engineering staff coordinated to provide an easement solution, though lots 1 and 2 will now require a separate waiver for not meeting the minimum 20 feet of public road frontage.

**Mr. Whitney** then raised a public comment concern regarding signage for public notice, noting that signs may have fallen or been damaged. He asked if there was any technical follow-up process. **Mr. Kilgore** explained that while signs are required to be posted within a specific timeframe—usually accompanied by a photo for proof—weather conditions sometimes cause them to fall or become damaged. When this happens and is reported, staff provides replacement signs, and applicants are generally responsive in reposting them. He also emphasized that signage is just one of three required public notice methods, which also include newspaper publication and direct neighbor notification based on a radius around the project.

**Mr. Moraes** noted that, in addition to the removal of the previously discussed waiver related to private road access, conditions six and seven outlined in the staff report and the resolution are no longer applicable. **Mr. Kilgore** confirmed this clarification.

**PUBLIC COMMENTS: Mr. Gary Beierle**, owner of a 10-acre property on the southwest corner of the proposed development, spoke in support of the project following resolution of previous concerns outlined in a letter he submitted. He expressed appreciation for the efforts of planning staff—specifically Mr. Kilgore, Mr. Sandstrom, and Mr. Howser,—in addressing those concerns. **Mr. Beierle** confirmed that a 54-foot easement on the north and west sides of the development had been verified, resolving his primary concern regarding the private road encroachment. He was particularly relieved that lots one and two no longer have access onto the private road, which had been a major point of opposition. He thanked everyone involved for their cooperation and noted that he no longer opposes the project.

**Mr. Beierle** also expressed a few remaining hopes, though he acknowledged they may fall outside the formal scope of review. These included potential covenant restrictions to require stick-built homes rather than modular units, siting homes on the south side of a drainage feature on the property, moderate restrictions on certain animals such as pigs, and assurance that proper setbacks are maintained.

**PC ACTION: MORAES MOVED / SCHUETTELZ SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3C, FILE NUMBER SF2426 FOR A FINAL PLAT, TEAM CHRIS SUBDIVISION, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FIVE (5) CONDITIONS, FOUR (4) NOTATIONS, ONE WAIVER, 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).**

**IN FAVOR: (6)** Brittain Jack, Carlson, Moraes, Schuettelpelz, Whitney, and Smith.

**IN OPPOSITION: (0)** None.

**RECUSED: (1)** Markewich.

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## 5. REGULAR ITEMS

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**(NONE)**

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## 6. NON-ACTION ITEMS

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(NONE)

**MEETING ADJOURNED** at 9:45 A.M.

**Minutes Prepared By:** Jessica Merriam