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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

SUMMARY MEMORANDUM

TO: El Paso County Board of County Commissioners
FROM: Planning & Community Development
DATE: 9/12/2024
RE: VR239, Falcon Ranchettes Filing No. 1A

Project Description

A request by Galloway & Company, Inc., for approval of a 9.604-acre Vacation and Replat creating two commercial lots and one tract. This item was heard as a consent item on the agenda at the August 15th, 2024, Planning Commission hearing. The vote was 9-0 for a recommendation of approval to the Board of County Commissioners. The property is zoned CS (Commercial Service), is located at 11750 and 11690 Owl Place, and is directly northwest of the intersection of Meridian Road and Owl Place. (Parcel Nos. 5301001001 and 5301001002) (Commissioner District No. 2)

Notation

Please see the Planning Commission Minutes for a complete discussion of the topic and the project manager's staff report for staff analysis and conditions.

Planning Commission Recommendation and Vote

Trowbridge moved / Carlson seconded for approval of the Vacation and Replat, utilizing the resolution attached to the staff report, with ten conditions and one notation, and a finding of water sufficiency with regards to quality, quantity, and dependability, that this item be forwarded to the Board of County Commissioners for their consideration. The motion was **approved (9-0)**. The item was heard as a consent agenda item.

Discussion

The item was recommended for approval on the consent agenda, no discussion occurred.

Attachments

1. Planning Commission Minutes from 8/15/2024.
2. Signed Planning Commission Resolution.
3. Planning Commission Staff Report.
4. Draft BOCC Resolution.

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EL PASO COUNTY PLANNING COMMISSION

MEETING RESULTS (UNOFFICIAL RESULTS)

Planning Commission (PC) Meeting

Thursday, August 15, 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, JIM BYERS, JAY CARLSON, BECKY FULLER, JEFFREY MARKEWICH, TIM TROWBRIDGE, BRYCE SCHUETTELPELZ, AND CHRISTOPHER WHITNEY.

PC MEMBERS VIRTUAL AND VOTING: NONE

PC MEMBERS PRESENT AND NOT VOTING: MR. SMITH (Voted on last item. File # ID243).

PC MEMBERS ABSENT: BRANDY MERRIAM

STAFF PRESENT: MEGGAN HERINGTON, JUSTIN KILGORE, KYLIE BAGLEY, RYAN HOWSER, LISA ELGIN, KARI PARSONS, EDWARD SCHOENHEIT, DANIEL TORRES, HAO VO, MIRANDA BENSON, MARCELLA MAES, ERIKA KEECH AND LORI SEAGO.

OTHERS PRESENT AND SPEAKING:

1. REPORT ITEMS

Ms. Herington – advised the board that on September 5th, Mr. Ryan Howser will present to the board a report on the implementation of the El Paso Master Plan. This presentation is part of the Master Plan's scheduled reporting, which occurs every 2 to 3 years since the last report, the Commission has requested this update.

Mr. Kilgore - NONE

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

3. CONSENT ITEMS

A. Adoption of Minutes for meeting held August 1st, 2024.

PC ACTION: THE MINUTES WERE APPROVED AS PRESENTED BY UNANIMOUS CONSENT (9-0).

**PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN
THE ESTATES AT CATHEDRAL PINES**

A request by Villagree Development, LLC, for approval of a Map Amendment (Rezoning) of 35.09 acres from RR-5 (Residential Rural) to PUD (Planned Unit Development) with approval of a Preliminary Plan depicting 8 single-family residential lots, 2 open space tracts providing 2.5 acres of open space provisions, 2.3 acres of easements for open space preservation, and 1 private road tract. The property is located on the west side of Winslow Drive, approximately 1 mile northwest of the intersection of Shoup Road and Milam Road. (Parcel No. 6200000411) (Commissioner District No. 1)

NO PUBLIC COMMENT**DISCUSSION**

Mr. Bailey – stated that it was noted that one comment was added late this morning regarding the application. The chair inquired if anyone from the audience with concerns about the application was present and intended to speak on the matter. No concerns were expressed.

Mr. Trowbridge – stated I have a question for engineering. In reviewing the report, I noticed a waiver for the road construction. Additionally, the letter of intent mentions some deviations from the ECM (Engineering Construction Manual). Are the ECM deviations intended to be included in the waiver for the road construction?

Mr. Howser – agreed with Mr. Trowbridge on his first statement that this is more of an engineering question. Mr. Schoenheit was the engineer on this project.

Mr. Schoenheit– explained that we have the waiver for the private road and internal private road itself. One of the deviations is for the block length of the access road coming off the public road.

Mr. Trowbridge – stated that he thought there were four or five ECM deviations that just mentioned line of sight and intersections spacing.

Mr. Schoenheit- stated that the line of sight was rectified. It had been taken care of where the intersection is going to go off Winslow. Those lines of sight have been met. The entrance has been relocated slightly as they build up the entrance to the subdivision will be taken care of. We have gone out and vetted that with the developer as well for the line of sight down Winslow. That is not a concern. Is there a specific deviation?

Mr. Trowbridge – I wanted to make sure that those deviations were included or implied with the approval of the waiver that was being requested. The waiver was the only thing I saw in the staff report and was not sure if it was all picked up within the resolution. I am just asking that everything the applicant needs is included.

Ms. Herington – stated that the deviations are separate from this process and the waiver process. The waiver is only for the private road. The deviations would not be picked up specifically in the resolution because those are all approved or denied by engineering separately.

Mr. Trowbridge – asked if everything has been handled?

Ms. Herington – answered yes.

Mr. Trowbridge – answered sometimes we do see those.

Mr. Bailey – asked if there were any more questions.

PC ACTION: MARKEWICH MOVED /BRITTIAN JACK SECONDED TO RECOMMEND APPROVAL OF CONSENT ITEM 3B, FILE NUMBER PUDSP2210 FOR A PLANNED UNIT DEVELOPMENT / PRELIMINARY PLAN, THE ESTATES AT CATHEDRAL PINES, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SEVEN (7) CONDITIONS AND FIVE (5) NOTATIONS, ONE (1) 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 (9-0).

IN FAVOR: BAILEY, BRITTAIN JACK, BYERS, CARLSON, FULLER, MARKEWICH, SCHUETTPELZ, TROWBRIDGE, WHITNEY.

IN OPPOSITION: NONE.

COMMENTS: NONE.

C. SP232

HOWSER

**PRELIMINARY PLAN
THE COMMONS AT FALCON FIELD**

A request by Falcon Field, LLC for approval of a 57.67-acre Preliminary Plan depicting 169 single-family residential lots, 8 commercial lots, and 7 open space, utility, drainage, and right-of-way tracts. The property is zoned CR (Commercial Regional), RS-5000 (Residential Suburban), and RM-12 (Residential, Multi-Dwelling), and is located on the South side of East Highway 24, at the intersection of East Woodmen Road and East Highway 24. (Parcel Nos. 4307000001 and 4307200015) (Commissioner District No. 2)

NO PUBLIC COMMENT

DISCUSSION

Mr. Trowbridge – had another engineering question regarding drainage. Mr. Torres there was a note in the report about continuing drainage study. I know that drainage in that area has been an issue in the past. Could you elaborate more particularly what you are waiting on from the applicant regarding drainage, is it volume, flow rate, or something like that?

Mr. Torres – answered we are not waiting on anything right now; it is a Preliminary Plan. Only the hydrology is provided. The applicant has an approved conditional letter of map revision from FEMA for that flood plain where that drainage is. There will be further analysis with the final drainage report that will provide the hydraulics of that drainage channel there. Currently in the Preliminary Plan they are identifying to be conveyed a box culvert then it will transition back to regular open channel. With the final drainage report we will have a lot more detail and further analysis downstream as the Staff report identified all the way down to possibly Falcon Highway because that is of concern. We won't have the final details until the final drainage report.

Mr. Trowbridge – stated there was a note that they might have to amend their plan based on what the study showed.

Mr. Torres – answered even though it is not required we would want further analysis of the downstream for them as well as to what would be required to improve. It is not required but if for some reason that analysis turns that there may be some changes to the Preliminary Plan then a Preliminary Plan amendment would come back and get it approved in that regard.

NO PUBLIC COMMENT OR DISCUSSION.

PC ACTION: CARLSON MOVED / TROWBRIDGE SECONDED TO RECOMMEND APPROVAL OF ITEM 3C, FILE NUMBER SP232 FOR PRELIMINARY PLAN, THE COMMONS AT FALCON FIELD, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH FIVE (5) CONDITIONS AND 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 (9-0).

IN FAVOR: SCHUETTPELZ, CARLSON, TROWBRIDGE, FULLER, BRITAIN JACK, WHITNEY, BYERS MARKEWICH, AND BAILEY

IN OPPOSITION: NONE

COMMENTS: NONE

D. P229

BAGLEY

**MAP AMENDMENT (REZONING)
WINDERMERE SOUTH ZONE CHANGE TO RM-30**

A request by Windsor Ridge Homes for approval of a Map Amendment (Rezoning) of 9.25 acres from RS-5000 (Residential Suburban) to RM-30 (Residential Multi-Dwelling). The property is located 7653 Mardale Lane and is directly southeast of the intersection of North Carefree Circle and Marksheffel Road. (Parcel No. 5329416011) (Commissioner District No. 2)

PC ACTION: THIS ITEM WAS PULLED TO BE HEARD AS A CALLED-UP CONSENT ITEM PER MS. FULLER'S REQUEST.

E. CS242

BAGLEY

**MAP AMENDMENT (REZONING)
VILLAGE AT LORSON RANCH REZONE**

A request by Matrix Design Group for approval of a Map Amendment (Rezoning) of 9.73 acres from PUD (Planned Unit Development) to CS (Commercial Service). The property is located directly northeast of the intersection of Fontaine Boulevard and Marksheffel Road. (Parcel No. 5515413054) (Commissioner District No. 4)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: SCHUETTPELZ MOVED / BYERS SECONDED TO RECOMMEND APPROVAL OF ITEM 3E, FILE NUMBER CS242 FOR MAP AMENDMENT (REZONING), VILLAGE AT LORSON RANCH REZONE, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH THREE (3) CONDITIONS AND TWO (2) NOTATIONS AND NO FINDINGS OF WATER SUFFICIENCY THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

IN FAVOR: FULLER, TROWBRIDGE, CARLSON, SCHUETTPELZ, BRITTAIN JACK, WHITNEY, BYERS, MARKEWICH, AND BAILEY.
IN OPPOSITION: NONE
COMMENTS: NONE

F. VR239

BAGLEY

**VACATION AND REPLAT
FALCON RANCHETTES FILING NO. 1A**

A request by Galloway & Company, Inc., for approval of a 9.604-acre Vacation and Replat creating two commercial lots and one tract. The property is zoned CS (Commercial Service), and is located at 11750 and 11690 Owl Place, and is directly northwest of the intersection of Meridian Road and Owl Place. (Parcel No. 5301001001 and 5301001002) (Commissioner District No. 2)

NO PUBLIC COMMENT OR DISCUSSION

PC ACTION: TROWBRIDGE MOVED / CARLSON SECONDED TO RECOMMEND APPROVAL OF ITEM 3F, FILE NUMBER VR239 FOR VACATION AND REPLAT, FALCON RANCHETTES FILING NO. 1A, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TEN (10) CONDITIONS AND ONE (1) NOTATION, 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 (9-0).

IN FAVOR: BRITTAIN JACK, WHITNEY, BYERS, MARKEWICH, FULLER, TROWBRIDGE, CARLSON, SCHUETTPELZ, AND BAILEY.

IN OPPOSITION: NONE
COMMENTS: NONE

4. CALLED-UP CONSENT ITEMS

3D. P229

BAGLEY

**MAP AMENDMENT (REZONING)
WINDERMERE SOUTH ZONE CHANGE TO RM-30**

A request by Windsor Ridge Homes for approval of a Map Amendment (Rezoning) of 9.25 acres from RS-5000 (Residential Suburban) to RM-30 (Residential Multi-Dwelling). The property is located 7653 Mardale Lane and is directly southeast of the intersection of North Carefree Circle and Marksheffel Road. (Parcel No. 5329416011) (Commissioner District No. 2)

STAFF & APPLICANT PRESENTATIONS

Mr. Markewich – asked about the traffic light. We are putting money in escrow has the City of Colorado Springs traffic department estimated as far as to when that light will go up.

Mr. Houk – answered No, we did not get a final date on that.

Mr. Carlson – asked about access on to Antelope Ridge, is it too busy to have an access point over there?

Mr. Houk – answered yes it does not meet the distance. We do have two accesses on to the neighboring streets.

Mr. Smith – asked is the utilities property direct to the South is that the propane facility?

Mr. Houk – answered it is a substation.

Mr. Smith – asked if there is any concern about leakage or fire? I know there has had a problem in the past putting numerous houses nearby is that an issue.

Mr. Houk – stated there were no comments that came through with Colorado Springs Utilities or Staff.

PUBLIC COMMENTS

In Favor – NONE

Mr. Bazemore – spoke in opposition as a long-time resident of Pronghorn Meadows. The property in question is directly adjacent to my backyard and those of my neighbors. Initially, I hadn't considered the concerns raised by Mr. Smith regarding the city-owned propane plant, but as a retired Fire Chief, I am acutely aware of the hazards associated with propane. I have been concerned for the past eighteen years about the potential devastation an explosion could cause to our community. While this not mentioned in my letter, it is a significant concern.

In my letter, I noted that the surrounding property is Mardel Lane. We are discussing a change from RS-5000 or RS-6000 zoning, which applies to my property, to RM-30. Based on my calculations, RM-30 could allow for as many as 278 units on the property. I understand from the gentleman's presentation that RM-30 could accommodate approximately 8 to 12 units per acre, potentially resulting in around 118 units. However, if the zoning changes to RM-30, the new or existing owner could develop up to 278 units, depending on the compliance with the RM-30 code. This could lead to significant infrastructure issues, especially concerning traffic.

There is a Charter school nearby, and with no busing or mass transit available, traffic congestion on Antelope Ridge and Barnes is already severe. This morning, at 8:30 A.M., I had to bypass the first entrance to my neighborhood due to extreme traffic backups. I believe the County needs to conduct its own traffic study, as the current situation would only worsen if RM-30 zoning is approved. This is a major concern for both me and my neighbors.

Regarding water concerns, it is difficult for any hydrologist to predict when Cherokee will run out of water. We have been under water restrictions for 18 years. I am here to express these concerns and am open to any questions.

Mr. Bailey – clarified that at this stage of the process, we are evaluating a rezoning request. Many of the concerns raised will be addressed at a later stage, once a final plan is developed, if the rezone is approved. Issues such as traffic and water are significant as the County continues to grow. However, I want to clarify that the safety concerns related to the city's propane plant are not directly related to the application. While it is a concern for area, it does not pertain to the current rezoning request.

Mr. Bailey – asked if there was anyone else that wanted to speak on this item.

Mr. Coleman – stated that for several years, I took my grandson to that school, and I can attest to the traffic issues mentioned. I have experienced firsthand sitting in traffic from Peterson Road all the way

down to Antelope Drive and Carefree. The congestion is so severe that you often must do a zipper merge just to get through. On some occasions, you can be stuck in that line for up to one to one and half hours.

DISCUSSION

Ms. Brittain Jack – asked is someone can tell how long the propane plant has been there?

Mr. Bailey – replied for the record that someone from the audience said it has been there about twenty years. If staff can find that information, we can have it available for the County Commissioners when they hear this item with our recommendation.

Mr. Bailey – called up the applicant to make any additional comments.

Mr. Houk – stated that he would like to offer a few quick comments. The propane plant is a regional issue and is not directly related to the current development proposal, which involves a modification of the existing land use plan. We considered various density options for the RM-30 zoning, but due to significant topographical constraints and the need to manage stormwater from the northern part of the development, maximizing density is not feasible. The intent was to explore what might be possible, but the topography remains a major limitation.

We do acknowledge the concerns about traffic, particularly give the school's impact during peak times. We are actively working with the Colorado Springs Traffic Department to address these issues, and our discussions have helped to elevate the importance of traffic management at that intersection.

Mr. Whitney – asked what you're saying is that while RM-30 zoning permits significantly higher density, the practical constraints of the topography and other factors limit the feasible development to approximately 12 to 18 townhomes.

Mr. Houk- answered we are looking at about 12 units per acre. They allowed 30 at this point.

Mr. Byers – stated 118 townhomes approximately.

Mr. Byers – asked do you have any idea if there are any lane improvements that will come along with the traffic signal? There are issues with the left turn.

Mr. Houk – stated the left turn has bigger challenge with the traffic heading south. The light will create some windows for those turns. They have already done some work to expand the left-hand turn lanes heading towards Marksheffel.

Mr. Byers – stated that Marksheffel is controlled by the city now in that area.

Mr. Houk – answered Yes, we will be adding a deceleration lane into the development from the northbound lane, which will help alleviate some traffic at the intersection. Mr. Houk brought up Mr. Hodson from LSC Traffic Consultants.

Mr. Hodson – mentioned that their study fully incorporates the school traffic, with counts taken during peak school times-both in the morning and just before the main afternoon commuter peak. We observed that the school previously had a program to stagger the exiting traffic, releasing vehicles in batches to create gaps in the flow. However, we are unsure if this program is still in place. This traffic

management could impact the ability to turn in and out of side streets along Antelope Drive by creating those gaps, though this effect was not fully reflected in the numbers.

Ms. Bagley – answered the question about the power plant. It was built in 1974.

Ms. Fuller – stated I appreciate the discussions regarding water. It seems that Mr. Baezmore's concerns are specifically with the Cherokee Water District, as they will be responsible for providing a well-served letter. The county does not conduct its own traffic or water engineering reports; these are provided by the applicant. We cannot overrule a licensed engineer's findings.

I understand the frustrations of dealing with school traffic – I lived two doors from Steel Elementary School for 16 years and experienced firsthand the difficulties of accessing your driveway during peak school times. However, the school is likely the primary traffic generator, not the proposed development. Given the location at Carefree and Marksheffel, higher density housing at busy intersections is not unusual.

In my view, the location seems appropriate for this rezone. The presence of utilities and the propane facility, which has been there for a long time, does not significantly affect the decision. As a community, we must ensure that unsafe facilities are not tolerated, but I believe the applicant is fulfilling their obligations. Therefore, I will be in favor of the rezone and do not believe it is the applicant's responsibility to address school traffic issues.

Mr. Trowbridge – pointed out that water and traffic considerations are not part of the current criteria for this rezone. These issues will be addressed in the Preliminary Plan stage. It would be interesting to see a comparison in the traffic study between RS-5000 and RM-30 zoning. A delta analysis from the applicant could provide valuable insights into this.

As Ms. Fuller mentioned water availability is not something we have significant control over. If the applicant has the necessary letter of intent and the county attorney's analysis confirms the sufficiency of the water, we are bound to accept it.

Mr. Whitney – stated that for Mr. Baezmore, it may seem counterintuitive to approve a rezone if there is already a potential water problem, assuming that is the case. As previously mentioned by panel members, even if this rezone is approved, it does not mean the project is finalized. While the rezone itself might be approved, the project still requires proof of adequate water and sufficient traffic management as part of the Preliminary Plan review. This process is far from over. The current discussion is only about the RM-30 rezoning; we have not yet reviewed or approved the actual project.

Mr. Bailey – pointed out to remember we are only making a recommendation at this point for the Board of County Commissioners the final decision is theirs. This item will go to them on September 12th, 2024.

PC ACTION: FULLER MOVED / SCHUETTELZ SECONDED TO RECOMMEND APPROVAL OF CALLED-UP ITEM 3D, FILE NUMBER P229 FOR MAP AMENDMENT (REZONING), WINDERMERE SOUTH ZONE CHANGE TO RM-30, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH TWO (2) CONDITIONS AND TWO (2) NOTATIONS, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (9-0).

IN FAVOR: BRITTAIN JACK, BYERS, CARLSON, FULLER, TROWBRIDGE, WHITNEY, MARKEWICH, SCHUETTPELZ AND BAILEY
IN OPPOSITION: NONE
COMMENTS: NONE

5. REGULAR ITEMS

A. U241

ELGIN

APPROVAL OF LOCATION BOCES

A request by Pikes Peak Board of Cooperative Educational Services ("PPBOCES") for Approval of Location to allow for the placement of an 86.38-acre campus comprised of secondary education facilities for vocational training, campus housing, and a community water system. The project is proposed to be constructed on an existing BOCES parcel. The 86.38-acre property is located on the northeast corner of the intersection of Judge Orr Road and Elbert Road. (Parcel No. 4200000362) (Commissioner District 2)

Mr. Bailey – asked Ms. Seago to explain the process of how the Approval of Location works.

Ms. Seago – County Attorney – explained the Approval of Locations applications are submitted under Colorado revised statute 30.28.110 which requires that public projects such as schools, power plants, fire stations any kind of public building, public facility come to the planning commission of the county of which it is located to seek approval of the location of that facility. Under the statute the objective is to give the Planning Commission an opportunity to review the siting of that facility against the county's Master Plan. According to the statute the Planning Commission can vote to approve or vote to deny the project. If it does vote to deny the project, then the application can be referred to the governing body or the governing board of the entity that's proposing the project and they then can take action to approve the project and move forward with development. This board does then have its full discretion to approve or deny the project if it chooses to deny however then the governing body would have an opportunity to take another look at it and approve it nonetheless.

Mr. Bailey – clarified that we are not recommending we are approving that this will not go to the Board of County Commissioners.

Ms. Seago – County Attorney – answered that is correct this does not go to the Board of County Commissioners.

STAFF & APPLICANT PRESENTATIONS

Mr. Carlson – asked can you tell us more about the buildout itself, the height of the buildings? We heard someone is concerned about a water tower. I saw firefighting as one of the teaching categories. Is their going to be a training tower 3 or 4 stories tall that they train in. Are any of those things going to be involved?

Mr. Breshinsky – answered that when we initially began, we reached out to the community to identify needs. For example, we spoke with Falcon Fire, who expressed interest in having a local training facility, as they currently must travel to Kiowa for training. While it's uncertain if this will materialize, it remains a consideration.

Additionally, there are plans underway to develop a centralized water system to support our campus. The housing we're discussing is intended to accommodate teachers for rural districts, addressing the current challenge of hiring teachers. Our goal with affordable housing is to include it as part of a benefits package to attract quality teachers from outside areas like Miami-Yoder, Peyton, Calhan, and Elbert. This initiative aims to enhance the quality of education in rural districts by providing better housing options for educators.

Mr. Carlson – stated I am concerned about the height of structures out there.

Mr. Guman – stated we have included a aviation easement on the plot plan submitted with this application, which we are committing to with Meadow Lake Airport and Colorado Springs Airport. We will ensure no towers are constructed on the property and will adhere to the height limitations for the A-35 district.

Additionally, we are proposing a couple of water tanks integral to the community water systems for this facility. These tanks will be similar in size to the one at the Saddle Horse Ranch development, located immediately to the northwest of this property. The tanks are approximately 40 feet tall.

Mr. Carlson – asked if they were putting up 60-foot towers?

Mr. Guman – answered No.

Mr. Markewich – stated the scale of the project is obviously large. Do you intend to build it in phases? Are you going to build it in phases and bring the students in phases? How is that going to work? What is the plan for the phasing?

Mr. Bershinsky – answered we do have a phasing plan. Our focus is rural. Other districts are going to want to take advantage of our facility. It will be about 100 kids to start.

Mr. Markewich – asked if you build out and occupy the campus, the teachers and the single-family homes what would the maximum enrollment be?

Mr. Bershinsky – answered I have no idea probably about 500.

Mr. Bailey – asked if the students are going to be the residents on this campus or are they bused in for the school day then they leave?

Mr. Bershinsky – answered the residence will be for the school district staff to have somewhere affordable to live.

Mr. Bailey – stated there seems to be a large misunderstanding in the community as to what the intent is. We saw some objections based on the students getting out.

Mr. Bershinsky – answered we have talked about the programs we have. We do not want to keep kids 24 hours a day. Eight hours a day is enough that entails a lot more problems to house kids overnight.

Mr. Markewich – asked if there would be any dormitories or apartments?

Mr. Bershinsky – answered No.

Mr. Bailey – stated thank you for clarifying that is key.

Mr. Schuettpelez – asked about the housing with about 120 units and enrollment maxed out at 500. I am assuming that is not just for teachers on that campus. That is space for the teachers at the school districts around there that they can utilize and be able to use. Correct?

Mr. Bershinsky – answered Exactly. If Miami-Yoder needs an English teacher in the future, our vision is to include affordable housing as part of their compensation package for teachers in Miami-Yoder. This campus will not replace or take over a significant number of instructors for this campus alone. Instead, we aim to address the broader issue of attracting and retaining staff across rural districts.

Mr. Trowbridge – asked will the housing sales be restricted to the instructors at the school?

Mr. Guman – stated there are no sales proposed for this project. This will be a land lease situation where BOCES would act as the developer, potentially in collaboration with one or more construction trades programs. The homes envisioned are between 800 and 900 square feet and may be built by students on the campus. These homes would be wholly owned by BOCES and are not intended for sale.

Mr. Trowbridge – asked will residency be restricted to staff?

Mr. Bershinsky – answered it will be school district staff depending on what it is eventually we would like to open it to first responders further down the road. First and foremost is trying to take care of the problem to find teachers to come in. I'm not saying just the teacher it could be any staff it could be a janitor, head of maintenance or head cook. We are having a problem finding staff.

Mr. Bailey – stated the intent of the housing is not a revenue generator for BOCES. It is filling a need that seems to be out there.

Mr. Guman – answered we hope that including affordable housing as part of a compensation package will serve as an incentive for instructors considering a position with BOCES. Prospective teachers will soon face the challenge of finding attainable housing in the Pikes Peak region, where entry-level housing costs around \$400,000 or more.

The homes we plan to offer are not priced at \$400,000; the details are still being finalized. However, when teachers and instructors review their compensation packages, they will see that we offer on-site housing. These will be well-designed homes available at entry-level rates. The rental cost is expected to be between \$600 and \$700 per month, which is appealing for those just starting out in their careers. The homes will be rented, not sold.

Mr. Bershinsky – stated all our school districts are in partnership with BOCES. we do not create to make money off our school districts it would not work. The thought is to keep it affordable it is not a revenue generator at all.

Mr. Guman – continued presentation.

Mr. Smith – asked for clarification of 2 questions. When we first started hearing about this you were talking about special needs. Where are we going with that is it for severe needs children? We focused on the rural areas.

Mr. Guman – answered the focus is on rural area kids and vocational education. This is not a special needs facility. It does have a special need element in it.

Mr. Bershinsky – answered about the special needs that is what we do as one part of our business in town. Eventually that building will be sold, and the school will be moved out there. For the severe need kids, we have four different programs. We have the high behavior program, dual diagnosis program, autistic program and the little kids. These are the highest risk most needed kids in the state. The problem that I have now is the building and location. It is right by highway 25 and is not safe for the children. We have about 80 kids.

Mr. Smith – stated the 2nd question is totally different but that answers the first question. I know there is a severe need for help in that area.

Mr. Bershinsky – answered that is what my business is. My problem is I cannot offer these kinds of programs to the kids in that building. There is not enough space, and I don't have the room. My kids do get the same opportunity as the other kids in that region is because I can't create it for them. Some of these programs we have you probably read about it and my kids can be a part of it. They can go on and have outstanding careers. Right now, I can't do that.

Mr. Smith – it is about the distance. There were comments about how far people were to drive to take the kids to and from. It sounds like we are already covering great distances. Moving it to another location somebody is going to drive far, and somebody is not.

Mr. Bershinsky – answered it was not feasible to find a spot in town it was not affordable. I think it is the perfect location.

Mr. Smith – asked his 2nd question about technical trades training. Pikes Peak State College is doing that with a great many high schools here in town probably not at the level that you are talking about. Have you worked with them to balance how this is going to work out?

Mr. Bershinsky – answered Constantly. Pikes Peak State College runs into a space and instructor issue as well. When this is done Pikes Peak State College will be a partner to the point where they will be helping with instructors. They are reaching out to the rural districts now. Pikes Peak doesn't have the capacity to build it out any further.

Mr. Smith – Thank you.

Mr. Bailey- made a comment. I am aware that BOCES had in the past and probably continues a lot of different partnerships with similar programs that are not necessarily controlled exclusively by BOCES. Educational programs, vocational programs that are out there this isn't being created out of nothing there is a demonstrated need out there. This helps to address, centralize some things and helps to make it more universally available then some of the ones may have been in the past. I think I'm correct to say that. Clearly a need in our county, statewide and nationally.

Mr. Bershinsky - answered I'm not sure if your packet includes information on some of the partnerships we've established with local unions. For example, we have a partnership with the El Paso County Sheriff's Office and Sheriff Roybal. We launched a program in February with El Paso

County and Teller County's local 911 services, where high school students began training to handle 911 phone calls. Six students graduated in May and are now employed, gaining income without needing a college degree. This is part of a nationwide initiative.

Additionally, we are introducing a new heavy equipment operator program, which is unique in its scope. We have secured equipment such as skid loaders, forklifts, and excavators for Miami-Yoder, marking the first program of its kind in the nation where students will operate live machinery.

Mr. Carlson – asked to define the kids that are a higher risk and most needy in the districts. Have they been kicked out of districts or just developmentally challenged. Tell me about those definitions.

Mr. Bershinsky – answered no they are not kicked out. I have a special education team. Every school district has a special education team. We are not any different than a Cedar Springs, Round Up. If both special education teams deemed that this child should be placed a BOCES that is where they are placed. We have them in a smaller area, fewer kids and we have highly specialized people trying to work with these kids

Mr. Bailey –stated you said various populations. You're not talking about all the same groups of kids right. You are not serving just one need of those special needs they cover a range of things.

Mr. Bershinsky – answered I have the four different programs. I have the higher behavior kids that are cognitively on track that need direction. They need programs like we are talking about up to severely blind autistic kids that have intense ABA therapy and things of that nature. When you talk about a parent with one of these kids it is very expensive. Our program works with all the school districts in our building they see what their kids doing. They do not get lost out in a program they never see.

Mr. Carlson – asked do you work with kids who just decide they don't want to go to college they just want to learn a trade?

Mr. Bershinsky – answered every day.

Mr. Carlson – asked so they could be not as needy or at risk you teach them as well?

Mr. Bershinsky – answered, No, not at my school. That is why I represent all these school districts. Whether it is a kid from Calhan they're in their school district they don't need a program like mine in town. If they trying to be in a construction program in Elbert school district Elbert school district can piece together somewhat of a construction program. If we pull all our resources together and put in one spot, we can construct a world class construction program for those kids.

Mr. Carlson – stated that is my question. Can that kid from Elbert come to this school and learn construction?

Mr. Bershinsky – answered, Yes, that's what the whole program is about.

Mr. Schuettpelz – stated I want to piggyback on that question. You work with the high schools and have the kids while they're in high school. This program sounds like someone who graduated from high school and wants to work for law enforcement they can come there and do this after graduation get that certificate and move on or is it just for the high school kids you are working with for now.

Mr. Bershinsky – answered it will be high school kids. We think it is a great idea.

Mr. Bailey – stated Clearly it's a good idea I think so too.

Mr. Bershinsky – asked the board to come to his school and see what everybody does it is amazing.

Mr. Bailey – stated will turn to public comment and get back to the Approval of Location. The concept pretty much everybody in this room thinks it's a great idea. The location might be problematic for some. In public comment we like to ask those in favor to come up first.

PUBLIC COMMENTS

Mr. Kistler - (In favor) I am a retired Superintendent from the Peyton School District, where I served for 22 years. I was also involved in creating a similar initiative called The Mill, which parallels what we are aiming to achieve here.

I have three main reasons why I support this project. First, it is highly problematic and challenging for special needs students from districts like Miami-Yoder and Big Sandy to travel over an hour on a bus to reach town. A centralized location would be incredibly beneficial for rural districts.

Second, Peyton developed an auto program and a woods program as part of The Mill, which provided services to other school districts. As rural districts, we cannot offer all the diverse programs or employ numerous instructors independently. A centralized location allows students from various rural districts to access these programs, with travel times of about 25 minutes.

Lastly, offering housing for teachers is a crucial opportunity. It is a necessity for rural districts to attract and retain quality educators.

Mr. Barnes- (In favor) I am the Superintendent for the Miami-Yoder School District, and I want to address the importance of the location. My facility is about 30 miles from this property, which is similar for Simila and Elbert. In fact, 70 to 80 percent of high schools in Colorado Springs fall within this travel time frame. The scope of our coverage is extensive, and I manage one of the largest Career and Technical (CT) programs, with six different programs.

We send between 11 to 30 students each year to Pikes Peak State College for career start programs. However, Pikes Peak does not offer all the programs we need or that our students want. We have discussed the importance of heavy equipment operation, and having a centralized facility is crucial for us since we focus on hands-on training.

Once this program is operational, we anticipate hosting students from Elbert, who will need to travel approximately an hour to reach our facility. A central location is ideal for preparing these students effectively and ensuring they are ready to enter the workforce.

Mr. Elliott - (In opposition) My wife and I own a 40-acre property adjacent to the proposed development, on the north side of their property line. We have lived here for 30 years. Previously, T-Cross Ranch owned the land to the east and south of us. The proposed development, named Santa Fe Springs, was initially planned for this area but fell through. The properties to the east of us are 35-acre tracts with homes, and to the southwest, there are 200 homes on 2.5-acre tracts, part of the Saddle Horn project, along with other proposed projects such as Davis Ranch and Rodriguez.

I disagree with the BOCES representative's statement that this development is in the middle of nowhere. We are only 5 miles away from approximately 50 commercial businesses. Our concerns with the development include:

1. Decrease in Property Value: We are worried that the development will negatively impact our property value.
2. Noise: We are concerned about potential noise from outdoor activities, carpentry, and heavy equipment operations.
3. Odor: The proposed water treatment ponds could produce unpleasant odors affecting not only the trade school but also the 121 homes.
4. Safety: With 121 homes and trade school students, we are worried about potential safety issues, including curious students trespassing, interacting with our livestock, or causing harm.
5. Water Supply: If the development is to serve 121 homes, the trade school, and another 400 homes, it seems unlikely that one 40-foot water tower will be sufficient.

When Santa Fe Springs was proposed, I sought approval for a minor 5-acre subdivision on our property but was turned down. Two years ago, I inquired about a minor subdivision of 5 acres and a house to RR-5, and was told our chances were slim. Now, a trade school with 121 low-income homes is being proposed right next to us, which seems unfair given our previous experiences.

I understand that this project has already received attention from Governor Polis, and it seems likely to be approved. However, I wanted to highlight how it would impact our lives. Whether using central water or individual wells, all projects are drawing from the same aquifers, affecting the overall water supply.

Mr. Townsend - (In opposition) I hope to clearly convey why this project is not suitable for this location. I live on a 52-acre parcel adjacent to the proposed development. As the owner of a manufacturing company in Colorado Springs, I understand the value of vocational training and the BOCES model. I agree that improving training for young people in the trades is crucial, as finding qualified individuals can be challenging. However, my concerns are centered around the zoning and appropriateness of this project for this area.

1. Zoning Concerns: El Paso County describes the primary function of large lot residential zoning as serving as a transition between rural and suburban areas, typically with single-family homes on 5-acre lots or more. This proposed project calls for a higher density of housing than what is observed in nearby developments like Banning Lewis Ranch and Meridian Ranch. Specifically, it proposes 120 residential units on 20 acres, resulting in approximately 6 structures per acre, with lot sizes around 6,960 square feet. This density is comparable to more urban areas, not the large lot residential zoning typically found in our region.

2. Workforce Housing Model: I am skeptical about the workforce housing model proposed for this rural area. While workforce housing can be effective in urban settings or high-cost areas like Vail, this location is surrounded by large lots and spread-out housing. The model, where instructors do not own property and may experience high turnover, seems more akin to an apartment complex rather than a stable residential neighborhood. This contrasts with the rural character of our area, where property owners have a vested interest in their own property values.

3. Location and Accessibility: It is not that we oppose development or recognize that the 82 acres along Judge Orr Road will be developed. We have seen similar developments on 5-acre and 2.5-acre plots. However, placing 121 homes on this relatively small area does not align with the large lot residential zoning. It would be more fitting to have larger lot sizes in line with the existing developments. Additionally, the proposed location is quite distant from the school districts associated with Pikes Peak BOCES, which are primarily to the east of this site. A more central and cost-effective location would better serve the students and teachers associated with this project.

In summary, while we acknowledge the need for improved vocational training and support for young people, this location and the density proposed do not align with the current zoning and

character of the area. It seems more appropriate to consider developments that fit within the established patterns of the region.

Mr. Bailey – asked if there were any other members of the audience who wished to speak opposition to the project, no one else came forward. The public comment period was the closed. Mr. Bailey then invited the applicant to provide any final remarks.

Mr. Guman. – stated he only had a couple of comments regarding some of the statements that were made. The water treatment facility is an enclosed system for community water distribution it is a central water system. There are no leach fields or sewage fields that were referred to. One thing I did not mention this will be dealt with at a future planning phase. We will be on the wastewater sewer system that exists with the Meridian services metro district. We will have central sewer system as well extended to this site. There will be no sewage on the site. The other thing that I did not mention is the plot plan that you have seen we were very conscious in laying this out as far as the rural nature of the vicinity. There is 27 percent of this site that is allocated to open space that far exceeds the open space requirements that we would be required to provide if we ran a higher density to this situation. We were careful to place all the structures in a clustered pattern in the central area of the property. You don't have buildings that are adjacent to who are within a stone throwing distance of our neighbors. The questions about a 40-foot water tower they exist out there. They are right down on the corner at Curtis Road and Judge Orr in the Saddle Horn Ranch development. We are encouraged now to avoid seeking multiple wells, multiple septic systems and to try and develop central water systems that provide water to the community central facility.

The other question that Mr. Townsend brought up we have had some challenges identifying a location that is suitable for the BOCES campus. I'll read from our letter of intent you have this in front of you it is on page 11 regarding place type transitions. This is right out of the El Paso County Master Plan.

We are not going to be putting one home on 35 acres – we are not going to put one home on 5 acres we clustered the housing element. I will make a comment here the Sante Fe Springs development we were the planner which was unanimously approved by the BoCC about 14 years ago. Had the Sante Fe Springs PUD development move forward as approved it was approved for 5,470 single family dwelling unit with urban density. You have old west ranches on 35-acres. There were financial problems as to why Sante Fe Springs never materialized. I don't think we are doing anything foreign to the area. This area has been primed for urban density and we are not seeking approval for urban density today. This is a campus and 27 percent of open space. That I think is keeping with the intent of the facility and why we are seeking Approval of Location for this area.

Mr. Bailey – asked if there were any questions for the applicant

Mr. Markewich –asked I know we are not at the detailed part but from a transition to the neighbor properties to what extent will you be using fencing, landscaping, trees, other things to block views from neighbors to the campus. What type of screening do you anticipate. In general, do you tend to have a fence around the whole property that will block it or will there be partial. What are you thinking?

Mr. Guman - (In response) The property is currently fenced, but the intention is not to maintain this fencing. Instead, we are adhering to the buffering requirements set by the El Paso County Planning Code. A landscape plan has been developed to meet these requirements, which includes

planting 850 trees around the perimeter of the property. These trees will be irrigated and are designed to satisfy the buffering requirements for each boundary of the property. Additionally, there is a 180-foot-wide transmission easement along the east and south sides of the property, which was purchased by a utility company years ago. This easement serves as a no-build zone in perpetuity and will act as a natural transition between our facility and the adjacent properties. Internal landscaping will also be provided for each building as required, ensuring that the development plan includes comprehensive landscape development.

Mr. Markewich – asked you mention the electrical easement I see that on the plan. Are there electrical lines there now or is this anticipated for the future?

Mr. Guman – answered No the electrical easement that is there now runs from the BOCES property south into the Rodriguez Ranch property also. I believe that was purchased by a utility company I do not know the name of it in 2014. Part of the deed restrictions is that there is no development allowed within that easement.

Mr. Markewich – asked are their high-tension lines there now?

Mr. Guman – answered Yes.

Mr. Bailey – asked if there were any questions for the applicant?

DISCUSSION

Mr. Trowbridge – I have questions for the staff. It may be more for Mr. Kilgore or Ms. Herington. My first question is under the approval criteria it says the application is reviewed for conformity with the submittal and processing requirements. This project seems very expansive and it not just a location approval for a school. This is a campus. I would like some explanation of how this conforms with what is in the land development code for approval for a public utility or school location.

Mr. Kilgore – stated he understood the question. I think I will just point out that this is just an Approval for Location of a school. Is this inappropriate?

Mr. Trowbridge – answered, I disagree with you. I believe this is an abuse of the process. There are several things within this plan. I would be troubled by the approval of just the school buildings alone because there are half a dozen buildings so I would view potentially each of those as a location approval for a school. I could be persuaded that the school campus itself could fall within that application however there is also the question of the water utility which is included in this. We are being asked to not only approve the location of a school but the approval of a water utility unless you're going to tell us that is going to come back to us.

Mr. Kilgore – answered, that Ms. Parsons has some history on that. You can disagree, that is your part as a Planning Commission member to make a recommendation.

Mr. Trowbridge – asked, are we not being asked to approve a water utility as well as a part of this application?

Ms. Parsons – answered, so first off in terms of the criteria for processing the requirement for the application to be heard within 30 days of complete submittal if the applicant did not agree to waive that, that has been met. Your number one question was the processing done correctly, the answer

is yes, the applicants did agree to waiving that 30 day get me to hearing regulation. Number two the citing of the water infrastructure to serve the development a community system that ultimately will hook up to the Meridian Metropolitan District for services. It can be included as part of this. If it were done separately, it would not be done before this Planning Commission body it would have been part of an expansion of major utility under a 1041 we probably would have approved that administratively. That would not have been in your purview but now that it is included as a part of the Approval of Location application you are seeing it to support the projects uses. I would remind the body that if this were a State College and the college were coming here you would site that as well dormitories, restaurants, gymnasiums a very similar situation to this so that would be in the purview of an Approval of Location. I have answered and clarified your questions as well.

Ms. Seago – County Attorney – stated, I would like to add to Ms. Parsons answer that the Approval of Location process as its set forth in statute applies to any public way, ground space, building structure or utility. To the extent that any of these individual elements are considered a public utility, a public structure, a public building then it would be appropriate to hear it through the Approval of Location process.

Mr. Markewich – asked Ms. Seago, obviously we are the approving body, and this will not go to the Board of County Commissioners as this process goes along there obviously designs and various things that need to be submitted. Is there going to be at any point a return to this body for approval? If we approve it everything else from this point forward would all be just an administrative review?

Mr. Bailey – answered, that is a question for planning department staff.

Ms. Elgin – answered yes, it would come back with a Site Development Plan which would be administratively approved.

Mr. Bailey – asked if there was any further discussion.

Mr. Carlson – stated he wanted to make a comment. I think this is about more than just a location. When we are talking about the preservation of rural life its not just about wide open 35 acre parcels. It is about people living in these other towns and how do they keep their kids there. How do you keep jobs in that area. This goes a long way to preserve living the rural life out in that area. Families are moving out of the rural areas because they do not like the education. It does follow in change and the new development overlay. I'm in favor of this project.

PC ACTION: BRITTAIN JACK MOVED / BYERS SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5A, FILE NUMBER U241 FOR APPROVAL OF LOCATION, BOCES, WITH THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH THREE (3) CONDITIONS AND ONE (1) NOTATION, AND WITH NO NEED OF FINDING SUFFICIENCY WITH REGARD TO WATER QUALITY, QUANTITY, AND DEPENDABILITY. APPROVAL PASSED (8-1).

IN FAVOR: MARKEWICH, BYERS, WHITNEY, BRITTAIN JACK, FULLER, CARLSON, SCHUETTELPELZ, BAILEY
IN OPPOSITION: TROWBRIDGE

COMMENTS: TROWBRIDGE - I am opposed to the location. I agree with the general principle. I am troubled again by the abuse of process. We did not get a report on the actual water. The County Attorney did not chime in with any approval to the fact that they have sufficient water. We did not receive a review of the housing.

**SPECIAL DISTRICT SERVICE PLAN
PRAIRIE RIDGE METROPOLITAN DISTRICT NOS. 1-3**

A request from Classic SRJ Land, LLC., and Spencer Fane LLP., for approval of a Colorado Revised Statutes Title 32 Special District Service Plan for the Prairie Ridge Metropolitan District Nos. 1-3. The 142-acre area included within the request is zoned RR-5 (Residential Rural) and is located south of Poco Road and west of Vollmer Road. The service plan includes the following: a maximum debt authorization of \$50,000,000.00, a debt service mill levy of 50 mills for residential, 50 mills for commercial and an operations and maintenance mill levy of 10 mills, for a total maximum combined mill levy of 60 mills. The statutory purposes of the district include the provision of the following:

- 1) street improvements, transportation, safety protection;
- 2) design, construction, and maintenance of drainage facilities;
- 3) design, land acquisition, construction, and maintenance of recreation facilities;
- 4) mosquito control;
- 5) design, acquisition, construction, installation, and operation and maintenance of television relay and translation facilities;
- 6) design, construction, and maintenance of water systems including fire hydrants;
- 7) sanitation systems;
- 8) security services; and
- 9) covenant enforcement.

(Parcel Nos. 5228000024 and 5228000025) (Commissioner District No. 1)

STAFF & APPLICANT PRESENTATIONS

Mr. Bailey – stated we did lose a couple of voting members before we started. Mr. Whitney and Mr. Carlson could not stay so we will add Mr. Smith as a voting member. We will have 8 commissioners to vote on this.

Mr. Markewich – stated you mentioned you had a photo of Jane ranch now we are talking about Sterling Ranch. How large is this metro district? Is it covering several different properties?

Ms. Parsons – answered, so Janes property that was the historical name in the Falcon area. When the development team went to market, they modified the name to something a little more marketable which is The Retreat at Prairie Ridge. This development is now known as The Retreat at Prairie Ridge. It is about 142 acres. It does not overlap with another Special District. The Sterling Ranch district is across to the East across Vollmer Road. There is not a Special District to the North, West, or South of this property.

Mr. Bailey – asked if there was anyone that wanted to speak on this.

NO PUBLIC COMMENT OR DISCUSSION.

PC ACTION: MARKEWICH MOVED / BRITAIN JACK SECONDED TO RECOMMEND APPROVAL OF REGULAR ITEM 5B, FILE NUMBER ID243 FOR SPECIAL DISTRICT SERVICE PLAN, PRAIRIE RIDGE

METROPOLITAN DISTRICT NOS. 1-3, UTILIZING THE RESOLUTION ATTACHED TO THE STAFF REPORT WITH SIX (6) CONDITIONS AND ONE (1) NOTATION, THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION TO RECOMMEND APPROVAL PASSED (8-0).

IN FAVOR: SMITH, SCHUETTELZ, TROWBRIDGE, FULLER, BRITTAIN JACK, BYERS, MARKEWICH, BAILEY

IN OPPOSITION: NONE

COMMENTS: NONE

6A NON-ACTION ITEMS – A presentation by Elizabeth Garvin with Clarion Associates, LLC regarding the Land Development Code Update.

MEETING ADJOURNED at 12:45.

Minutes Prepared By: MM

VACATION AND REPLAT (RECOMMEND APPROVAL)

TROWBRIDGE moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. VR239
FALCON RANCHETTES FILING NO. 1A

WHEREAS, Galloway & Company, Inc. did file an application with the El Paso County Planning and Community Development Department for approval of a Vacation and Replat request to vacate and replat two lots, creating two commercial lots and one tract within the CS (Commercial Service) zoning district for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by this Commission on August 15, 2024; 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 were 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 and the general public were heard at that hearing;
4. All exhibits were received into evidence;
5. The proposed land use does not permit the use of an area containing a commercial mineral deposit in a manner which would interfere with the present or future extraction of such deposit by an extractor;

6. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County subdivision regulations; and
7. For the above-stated and other reasons, the proposed Vacation and Replat is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, in approving a Vacation and Replat of a Subdivision, the El Paso County Planning Commission and Board of County Commissioners shall find that the application meets the criteria of approval listed in Section 7.2.3(C)(4) of the Land Development Code ("Code") (as amended):

1. The Replat complies with the Code and the original conditions of approval associated with the recorded Plat;
2. No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
3. The Replat is in keeping with the purpose and intent of the Code;
4. The Replat conforms to the required findings for a Minor or Major Subdivision, whichever is applicable;
5. Legal and physical access is provided to all parcels by public rights-of-way or recorded easement acceptable to the County in compliance with the Code and the Engineering Criteria Manual ("ECM");
6. The approval will not adversely affect the public health, safety, and welfare; and
7. Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the Replat has been resolved.

WHEREAS, a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of Subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. § 30-28-133(6)(a)] and the requirements of Chapter 8 of the Code.

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of Galloway & Company, Inc. for approval of a Vacation and Replat to allow two lots and one tract within the CS (Commercial Service) zoning district be approved by the Board of County Commissioners with the following conditions and notation:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.

2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the final plat is recorded.
9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 18-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
10. Drainage fees in the amount of \$261,499 and bridge fees in the amount of \$35,923 shall be paid for the Falcon Drainage Basin (CHWS1400) at the time of plat recordation.

NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

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

CARLSON seconded the adoption of the foregoing Resolution.

The roll having been called, the vote was as follows: (circle one)

Thomas Bailey	<u>aye</u> / no / non-voting / recused / absent
Sarah Brittain Jack	<u>aye</u> / no / non-voting / recused / absent
Jim Byers	<u>aye</u> / no / non-voting / recused / absent
Jay Carlson	<u>aye</u> / no / non-voting / recused / absent
Becky Fuller	<u>aye</u> / no / non-voting / recused / absent
Jeffrey Markewich	<u>aye</u> / no / non-voting / recused / absent
Brandy Merriam	aye / no / non-voting / recused / <u>absent</u>
Bryce Schuettepelz	<u>aye</u> / no / non-voting / recused / absent
Wayne Smith	aye / no / <u>non-voting</u> / recused / absent
Tim Trowbridge	<u>aye</u> / no / non-voting / recused / absent
Christopher Whitney	<u>aye</u> / no / non-voting / recused / absent

The Resolution was adopted by a vote of 9 to 0 by the El Paso County Planning Commission, State of Colorado.

DONE THIS 15th day of August 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

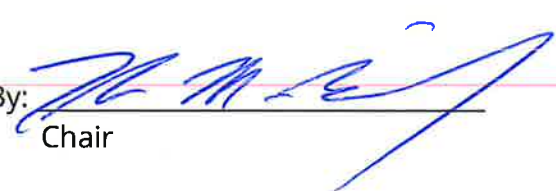
By: 
Chair

EXHIBIT A

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 13 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 & 2, FALCON RANCHETTES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK V-2, PAGE 15, OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CONTAINING 9.604 ACRES, MORE OR LESS.

EL PASO COUNTY COLORADO

COMMISSIONERS:
 CAMI BREMER (CHAIR)
 CARRIE GEITNER (VICE-CHAIR)

COLORADO

HOLLY WILLIAMS
 STAN VANDERWERF
 LONGINOS GONZALEZ, JR.

PLANNING & COMMUNITY DEVELOPMENT

TO: El Paso County Planning Commission
 Thomas Bailey, Chair

FROM: Kylie Bagley, Senior Planner
 Daniel Torres, P.E., Principal Engineer
 Meggan Herington, AICP, Executive Director

RE: Project File Number: VR239
 Project Name: Falcon Ranchettes Filing No. 1A
 Parcel Number: 5301001001 and 5301001002

OWNER:	REPRESENTATIVE:
Mike Texer 6785 Horseshoe Road Colorado Springs, CO 80923	Galloway & Company, Inc. 1155 Kelly Johnson Boulevard Suite 305 Colorado Springs, CO 80920

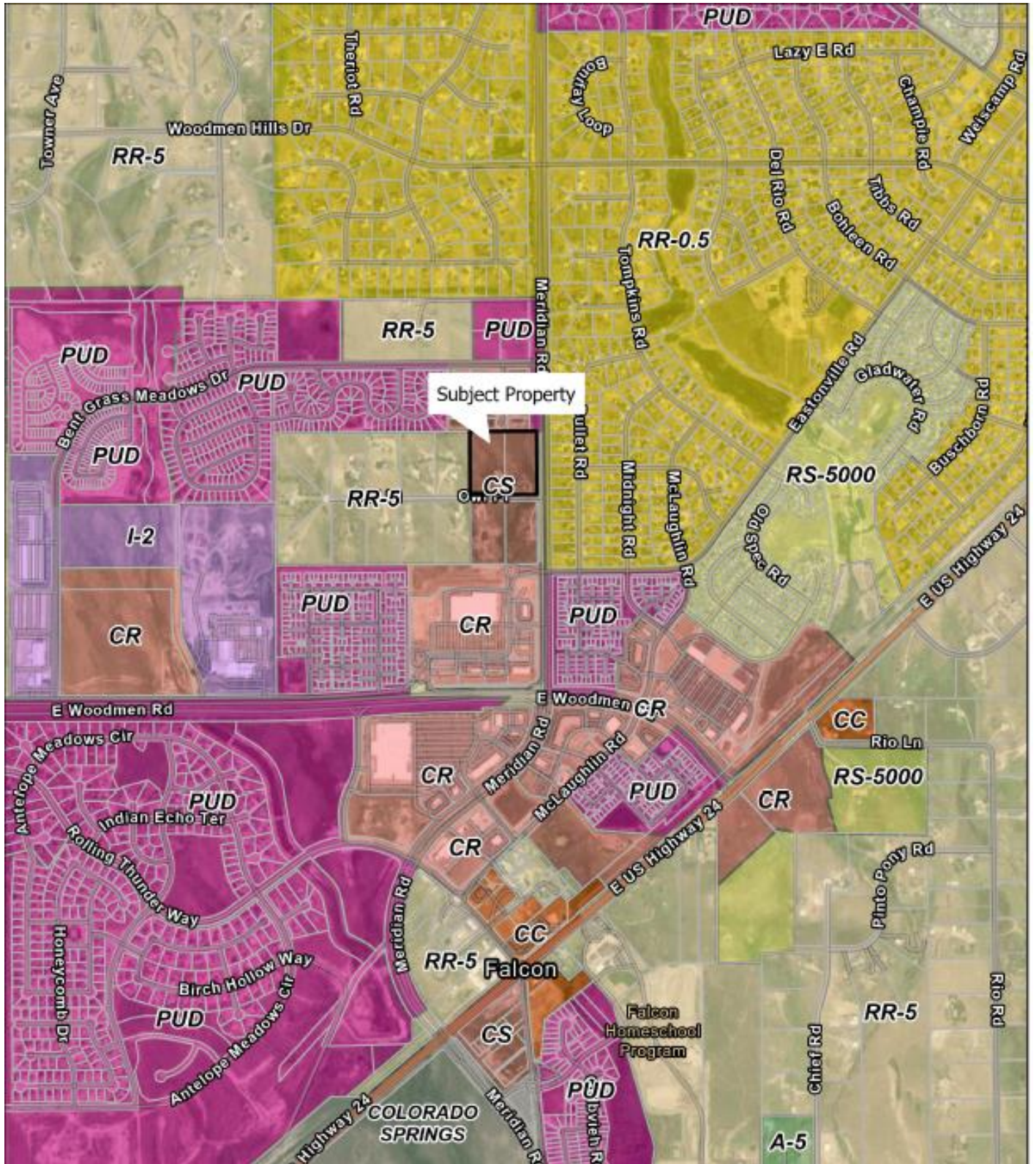
Commissioner District: 2

Planning Commission Hearing Date:	8/15/2024
Board of County Commissioners Hearing Date:	9/12/2024

EXECUTIVE SUMMARY

A request by Galloway & Company, Inc., for approval of a 9.604-acre Vacation and Replat of two lots, creating two commercial lots and one tract. The property is zoned CS (Commercial Service), and is located at 11750 and 11690 Owl Place, and is directly northwest of the intersection of Meridian Road and Owl Place.





Zoning Map

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

A. WAIVERS AND AUTHORIZATION

Waiver(s): There are no Waivers associated with this request.

Authorization to Sign: Final Plat and any other documents necessary to carry out the intent of the Board of County Commissioners.

B. APPROVAL CRITERIA

Section 7.2.3.C, Actions Vacating or Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (As Amended) states that a replat, “involves two actions, the vacation of the portion of the subdivision plat where the change is proposed...and approval of a new subdivision plat.” The Code goes on to define a replat as providing a replat of a subdivision or lots in a subdivision, in which the original subdivision is substantially modified or additional lots are created. In approving a replat, the following findings shall be made:

- The replat complies with this Code, and the original conditions of approval associated with the recorded plat;
- No nonconforming lots are created, and in the case of existing nonconforming lots, the nonconformity is not increased;
- The replat is in keeping with the purpose and intent of this Code;
- The replat conforms to the required findings for a minor or major subdivision, whichever is applicable;
- Legal and physical access is provided to all parcels by public rights-of-way or recorded easement, acceptable to the County in compliance with this Code and the ECM;
- The approval will not adversely affect the public health, safety, and welfare; and
- Where the lots or parcels are subject to any CC&Rs or other restrictions, that any potential conflict with the CC&Rs or other restrictions resulting from the replat has been resolved

C. LOCATION

North:	CS (Commercial Service)	Commercial Development
South:	CS (Commercial Service)	Vacant Land
East:	RR-0.5 (Residential Rural)	Single-Family Residential
West:	RR-5 (Residential Rural)	Single-Family Residential

D. BACKGROUND

The applicant is requesting to vacate the current two lots and replat them into two lots and one tract. In addition, the replat will also dedicate County Right-of-Way, extending



Meridian Park Drive to the North to Owl Place. The extension of Meridian Park Drive will continue further south to Falcon Marketplace when the lots to the south replat.

The subject property was rezoned to CS, Commercial Service, on September 28, 2023. The applicant has submitted a site development plan with the County and intends to develop the property for mini warehouse and RV storage.

E. ANALYSIS

1. Land Development Code and Zoning Compliance

The proposed replat will create two lots, one tract and additional County Right-of-Way. The two lots, as proposed, will conform to the standards of the CS (Commercial Service) zoning district. The CS (Commercial Service) zoning district density and dimensional standards are as follows:

	Proposed Zoning District: CS (Commercial Service)
Maximum Density	2 acres
Minimum Lot Size	-
Minimum Width at Front Setback	-
Front Setback	25 feet
Rear Setback	25 feet
Side Setback	25 feet
Maximum Lot Coverage	-
Maximum Height	45 feet

F. MASTER PLAN COMPLIANCE

The proposed Vacation and Replat is consistent with the Master Plan analysis which was provided with the Map Amendment (Rezoning) application CS224 and approved by the BoCC on September 28, 2023.

1. 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 Water Master Plan includes demand and supply projections for central water providers in multiple regions throughout the County. The property is located within Planning Region 3 of the Plan, which is an area anticipated to experience growth by 2040. The following information pertains to water demands and supplies in Region 3 for central water providers:

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 for Region 3 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 for Region 3 is at 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 surplus of 32 AFY is anticipated for Region 3.

See the Water section below for a summary of the water findings and recommendations.

2. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the parcels as having a high wildlife impact potential. El Paso County Environmental Health and Colorado Parks and Wildlife were each sent a referral and have the following comments:

1. A completed U.S. Army Corps of Engineers (USCOE) permit or concurrence of non-jurisdictional status from the USCOE shall be provided to the Planning and Community Development Department prior to project commencement. The applicant is hereby on notice that the USCOE has regulatory jurisdiction over wetlands. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including, but not limited to, the Clean Water Act.



2. Be advised that migratory birds and the nests and eggs of these species are protected under the Migratory Bird Treaty Act (MBTA). The applicant is hereby on notice that the U.S. Fish and Wildlife Service has regulatory jurisdiction over migratory bird species. It is the applicant's responsibility, and not El Paso County's, to ensure compliance with all applicable laws and regulations, including but not limited to the MBTA.

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, severed mineral rights exist. The mineral rights owner has been notified of the application and hearing date.

G. PHYSICAL SITE CHARACTERISTICS

1. Hazards

There are no hazards identified with the Soils and Geology Report as part of this Vacate Replat application.

2. Floodplain

The property is not located within a defined floodplain as determined by the review of the FEMA Flood Insurance Rate Map panel number 08041C0553G, dated December 7, 2018.

3. Drainage and Erosion

The property is located within the Falcon Drainage Basin (CHWS1400), which is a studied drainage basin with associated drainage and bridge fees. Drainage fees in the amount of \$261,499 and bridge fees in the amount of \$35,923 will be due at the time of plat recordation.

Stormwater runoff from the site will be routed via curb and gutter, internal drive aisles, and sheet flow to private and public storm systems that will convey the developed runoff to a proposed private full spectrum extended detention basin that will provide the necessary detention and water quality mitigation for the development. Detained flow from the pond will then be conveyed to the existing sub-regional pond, SR-4, located with the Falcon Marketplace development to south of the site.

The Unnamed East Tributary to Black Squirrel Creek flows along the east side of the property from north to south adjacent to Meridian Road. Improvements to this



channel have been identified in the submitted drainage report and are consistent with the amendment to the Falcon Drainage Basin Planning Study by the Bent Grass residential subdivision to the north. Per the submitted drainage report, the site runoff will not adversely affect the downstream and surrounding developments.

4. Transportation

The property is located at the northwest corner of the intersection of Meridian Road and Owl Place. The submitted Traffic Memorandum is consistent with the previous Traffic Impact Study submitted with the rezoning of this site. The primary access to the site will be via the approximate 750-foot extension of Meridian Park Drive from its current terminus to Owl Place. Meridian Park Drive will be dedicated to the County for ownership and maintenance and will be classified as an Urban Local roadway. It is anticipated that Meridian Park Drive will continue to Eastonville Road with the commercial development of parcels to the south of this subdivision.

The intersection of Owl Place with Meridian Road will be converted to a right-in only with the commercial development south of this subdivision. It is anticipated that Owl Place at the intersection of Meridian Road will be closed in the future with the expansion of Meridian Road from a Four-Lane Principal Arterial to a Six-Lane Principal Arterial and with future commercial development in this area.

Per the submitted traffic studies, there are no off-site improvements recommended nor required due to the proposed development of the site for mini warehouse and RV storage.

The 2016 Major Transportation Corridors Plan Update (MTCP) depicts corridor preservation for Meridian Road adjacent to the subject property for future widening to a Six-Lane Principal Arterial. The development will be subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

H. SERVICES

1. Water

Water sufficiency has been analyzed with the review of the proposed subdivision. The applicant has shown a sufficient water supply for the required 300-year period. The State Engineer and the County Attorney's Office have recommended that the proposed subdivision has an adequate water supply in terms of quantity and



dependability. El Paso County Public Health has recommended that there is an adequate water supply in terms of quality.

2. Sanitation

Sanitation is provided by Woodmen Hills Metropolitan District.

3. Emergency Services

The property is within the Falcon Fire Protection District, which is committed to providing fire protection services to the proposed development. The District was sent a referral and has no outstanding comments.

4. Utilities

Mountain View Electric Association, Inc. will provide electric services to this site and has no outstanding comments regarding this application.

5. Metropolitan Districts

The subject property is within the Woodmen Hills Metropolitan District. The District has committed to providing water and sanitation services to this site.

6. Parks/Trails

There are no regional or urban park fees required for this application, as the Board of County Commissioners have elected to not require park fees for commercial applications.

7. Schools

There are no school fees required for this application, as the Board of County Commissioners have elected to not require school fees for commercial applications.

I. APPLICABLE RESOLUTIONS

See attached resolution.

J. STATUS OF MAJOR ISSUES

There are no outstanding major issues.

K. RECOMMENDED CONDITIONS AND NOTATIONS

Should the Planning Commission and Board of County Commissioners find that the request meets the criteria for approval outlined in Section 7.2.3.C, Actions Vacating or



Altering a Recorded Plat, Replat, of the El Paso County Land Development Code (As Amended) staff recommends the following conditions and notation:

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.
3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.



9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 19-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
10. Drainage fees in the amount of \$261,499 and bridge fees in the amount of \$35,923 shall be paid for the Falcon Drainage Basin (CHWS1400) at the time of plat recordation.

NOTATION

1. Final plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

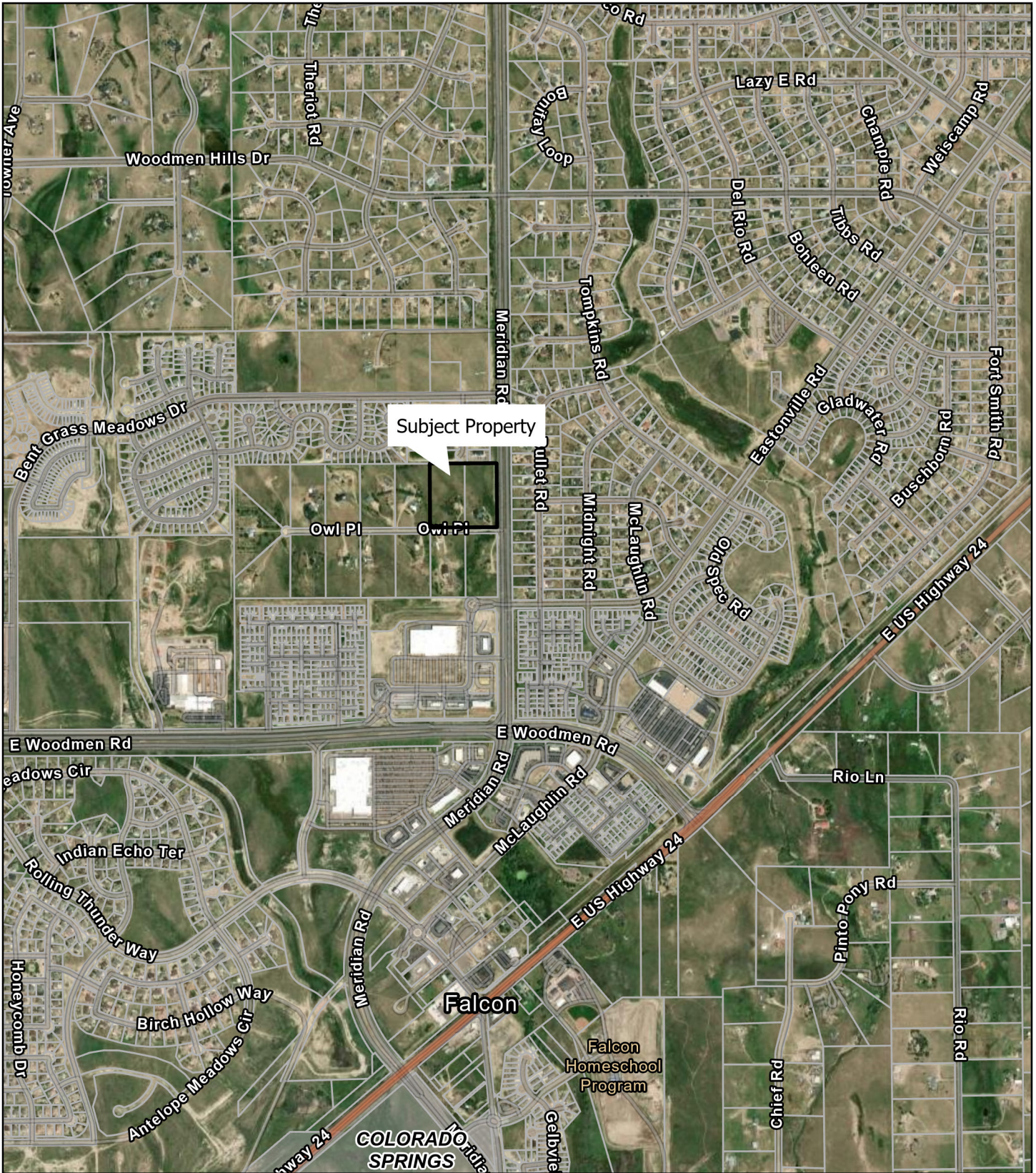
L. PUBLIC COMMENT AND NOTICE

The Planning and Community Development Department notified 49 adjoining property owners on July 30, 2024, for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

M. ATTACHMENTS

Map Series
Letter of Intent
Plat Drawing
County Attorney's Letter
Draft Resolution





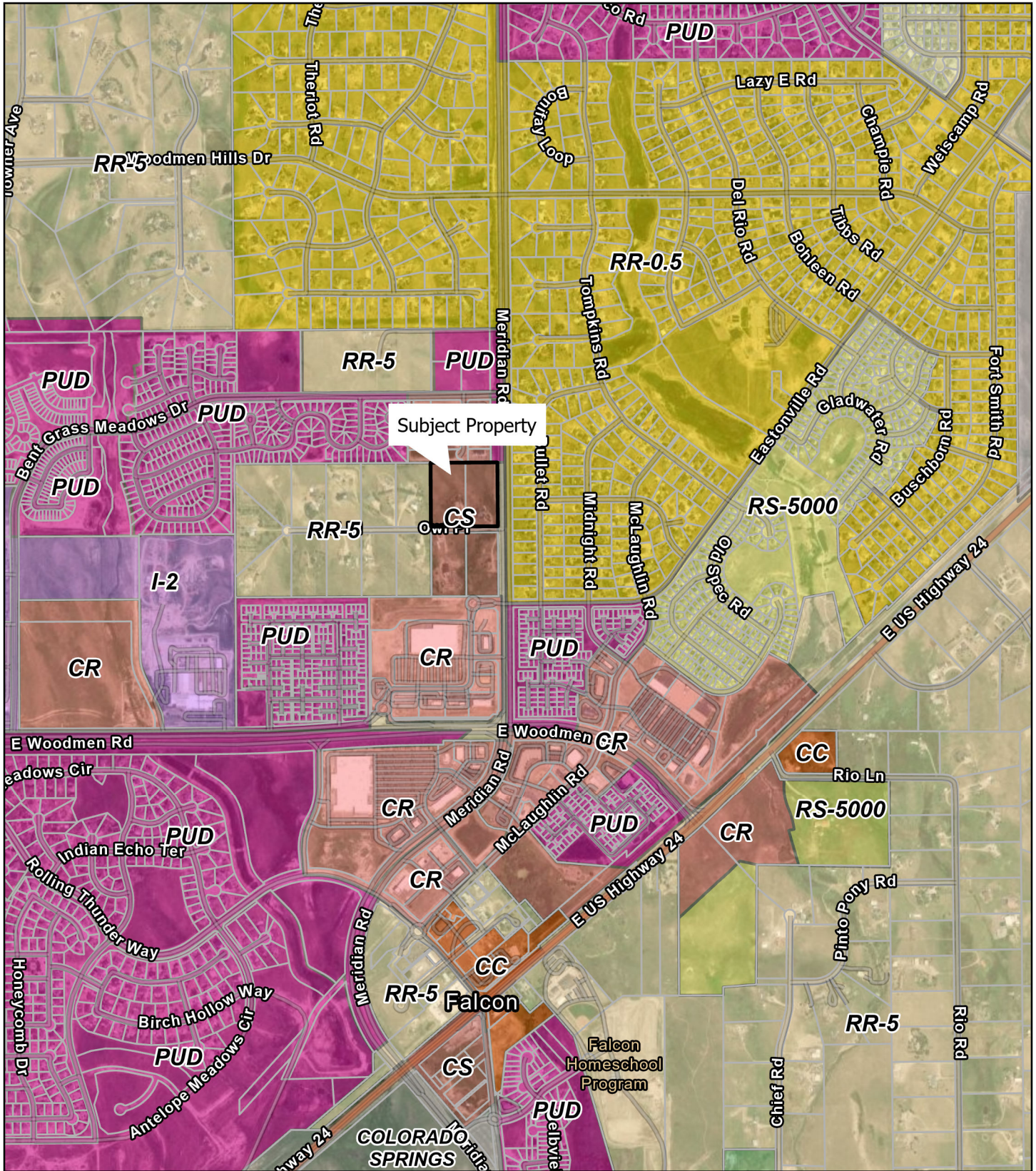
Aerial Map

File No. VR239

Map Series No. 1



0 0.10.1 0.2 Miles

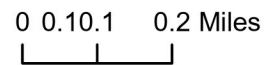


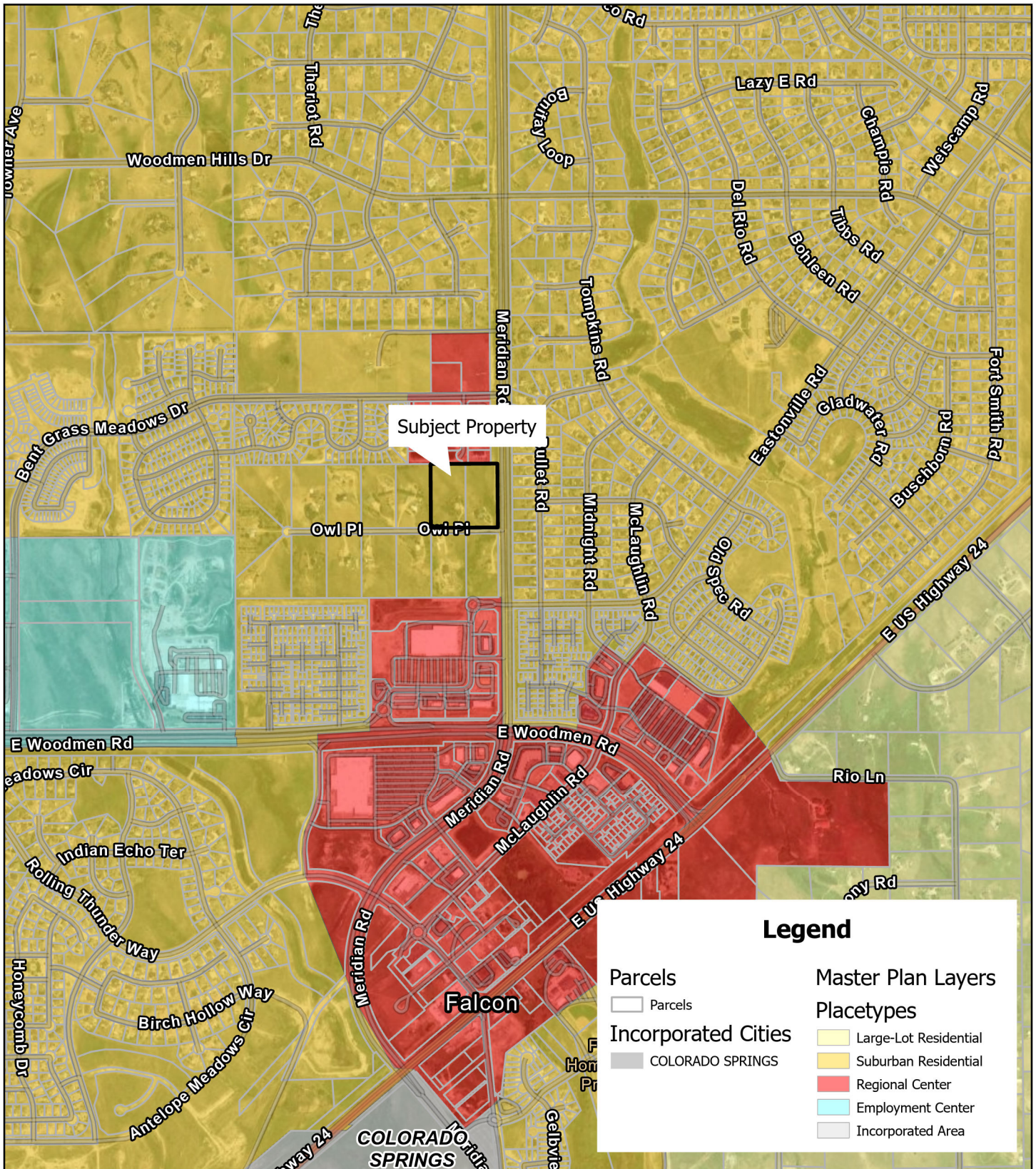
Zoning Map



File No. VR239

Map Series No. 2





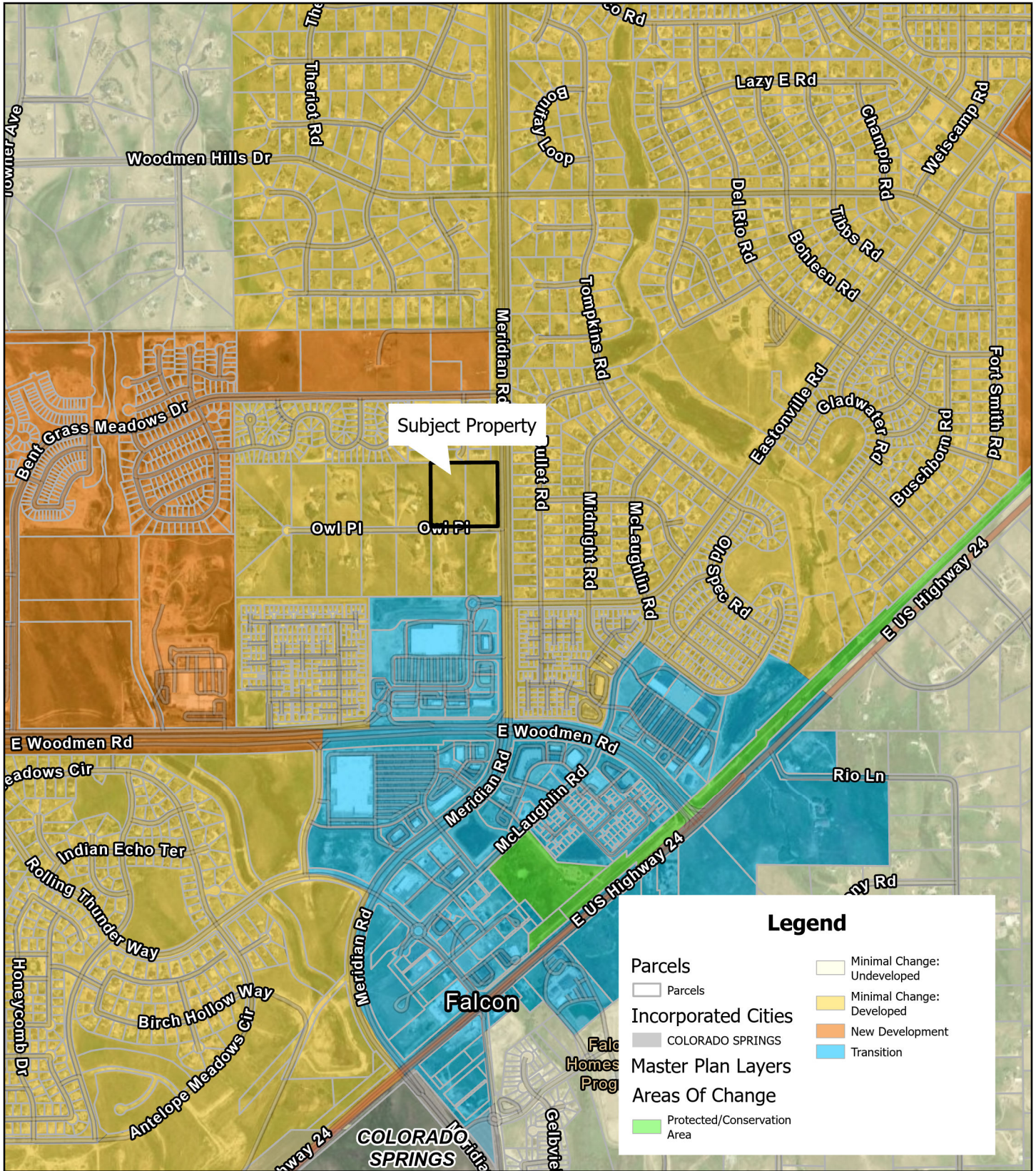
Placetype Map

File No. VR239

Map Series No. 3



0 0.10.1 0.2 Miles



Legend

Parcels	Minimal Change: Undeveloped
Parcels	Minimal Change: Developed
Incorporated Cities	New Development
COLORADO SPRINGS	Transition
Master Plan Layers	
Areas Of Change	
Protected/Conservation Area	



Areas of Change Map

File No. VR239

Map Series No. 4



0 0.10.1 0.2 Miles

Letter of Intent

To: El Paso County
Community Development

From: Galloway & Company, Inc
Brynhildr Halsten, PLA

Re: **FALCON RANCHETTES FILING NO. 1a Final Plat**

Owner: **Mike Texer
Meridian Storage LLC
11750 Owl Place
Peyton, CO 80831**

Applicant: **Mike Texer
Meridian Storage LLC
11750 Owl Place
Peyton, CO 80831**

Consultant: **Galloway & Company Inc.**

PCD File: **VR239**

Site Details:

TSN: 5301001001 (Lot 1 Falcon Ranchettes)
Address: 11750 Owl Place,
Acreage: 4.61
Current Zoning: RR-5
Proposed Zoning: CS
Current Use: Mobile Home

TSN: 5301001002 (Lot 2 Falcon Ranchettes)
Address: 11690 Owl Place
Acreage: 5
Current Zoning: RR-5
Proposed Zoning: CS
Current Use: Mobile Home

Request:

Galloway on behalf of Meridian Storage, LLC requests approval of a Final Plat for Falcon Ranchettes Filing No. 1a on 9.604 acres, including 2 lots, tracts, and rights of way. This plat requests a finding of water sufficiency.



Location

The Falcon Ranchettes Filing No. 1a includes 9.604 acres and is located west of Meridian Road, north of Owl Place and south of Meridian Park Drive. Bent Grass East Commercial is to the north and Falcon Marketplace to the south.

Project Description & Context:

The Falcon Ranchettes Filing No. 1a property is currently vacant and/or mobile homes on site. North of the property the Bent Grass East Commercial properties are zoned CS. The neighboring property south of Owl Place is under County review for a rezone from RR-5 to CS. Further south the Falcon Marketplace is zoned CR. West of the properties is the Falcon Ranchettes zoned RR-5.

Utilities:

Water and wastewater will be provided by the Woodmen Hills Metropolitan District. The site is within the service area of Mountain View Electric Association, Inc. for electricity supply, and within the service area of Colorado Springs Utilities for natural gas supply.

Traffic:

A Traffic Impact Study prepared by Galloway is included with the submittal.

Drainage:

The drainage improvements associated with the Final Plat are consistent with the Master Development Drainage Plan and Preliminary Drainage Report. The drainage improvements have been designed based upon the most current El Paso County Engineering Criteria Manual, City of Colorado Springs/El Paso County Drainage Criteria Manual, and the Urban Storm Drainage Criteria Manual. Details related to the design, construction and maintenance of the required drainage improvements are set forth in the proposed Subdivision Improvements Agreement for the Final Plat.

Geologic Hazards:

The Soils and Geology Report for Falcon Ranchettes Ranch Filing No 1a prepared by Universal Engineering Services, dated June 2023, included with submittal, found the site to be suitable for development with proper mitigation techniques.

Wetlands & Floodplain:

There are no wetlands within the project boundaries. The site is located in Zone X (FEMA Floodplain Map Nos. 08041C0553G dated December 7, 2018), indicating the flood risk of the site is deemed by FEMA to be 'minimal'.

Wildlife:

In general, the site provides moderate to poor quality habitat for wildlife. No State-listed or State sensitive species were observed on the site. The site is not suitable habitat for any Federally-listed threatened and endangered species.

Wildfire:

The primary wildland fuel type is grassland with scattered trees. The Colorado State Forest Service has determined a moderate-high wildfire hazard potential and listed a moderate risk, as this area is currently undisturbed grassland. Development of the site will reduce available wildfire fuels in this area.

Districts Serving the Property:

The following districts will serve the property:

- El Paso County School District 49
- Mountain View Electric Association
- City of Colorado Springs Utilities Department – Gas
- Woodmen Hills Metro District – water and wastewater
- Falcon Fire Protection District

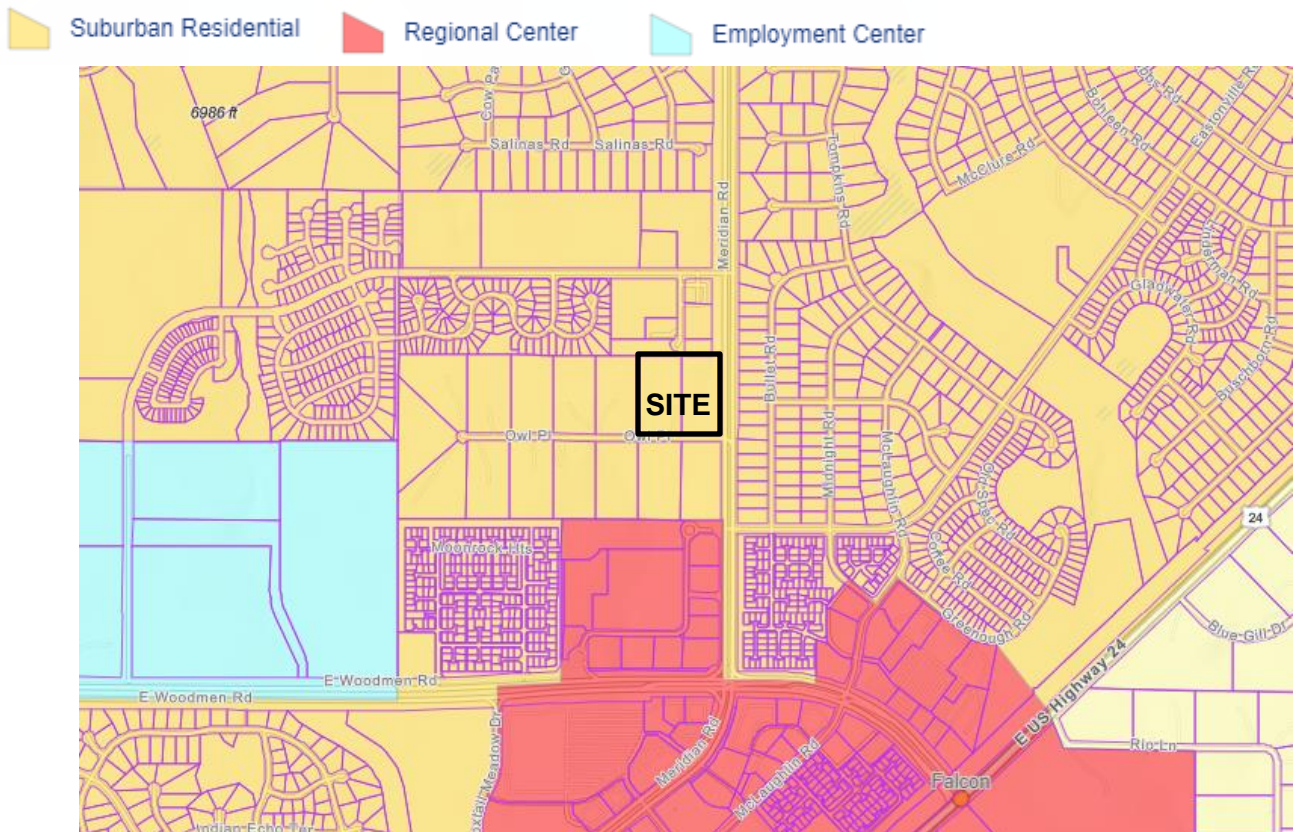
Project Justification:

The Final Plat addresses the Final Plat Review Criteria in Chapter 7.2.1.D.3.F of the LDC as follows:

1. The subdivision is in conformance with the goals, objectives and policies of the Master Plan.

EL PASO COUNTY MASTER PLAN

Falcon Ranchettes Filing No. 1a is identified in the County Master Plan Place-Based approach as a Suburban Residential Placetype and as an area for New Development on the Areas of Change Map. supporting land use type to the surrounding Single-Family Detached Residential land use. The proposed final plat is consistent with the character and objectives of the Suburban Residential Placetype by providing limited retail and services along the perimeter street, Meridian Road and near the commercial intersection of Meridian Road and Woodmen Road. The properties are adjacent to the Regional Center Placetype to the south.



The properties are bookended to the north and south by Commercial Development Areas identified in the Master Plan.



The properties are not in a Key Area, however, the Falcon Marketplace development to the south is in a key potential annexation area. The continuity of this proposed development with surrounding activity will likely result in the area's future annexation and/or classification as a future key area. The rezone and development support the character of the key area by providing similar land uses occurring along Meridian Road.

WATER MASTER PLAN

- *Goal 1.1 – Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*
- *Goal 3.1 – Promote cooperation among water providers to achieve increased efficiencies on infrastructure.*
- *Goal 3.2 – Promote cooperation among water providers to achieve increased efficiencies on treatment.*
- *Goal 5.1 – Identify the potential water supply gap at projected full development build-out (2060).*
- *Goal 5.4 – Promote the long-term use of renewable water.*
- *Goal 5.5 – Identify any water supply issues early on in the land development process.*

- *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.*

The project is located in Region 3. The development is included in the Woodmen Hills Metro District. Woodmen Hills Metro District supplies water and wastewater utilities for the proposed parcels. The district meets or exceeds all state and federal regulations. They strive to cooperate with surrounding providers and customers to ensure proper conservation and storage. Such actions intended to conserve water include the construction of a new water treatment facility and seasonal irrigation policies for all residential and commercial properties.

The proposed development will meet all standards set by local, state, and federal regulations. The developer seeks to maintain quality ground and drinking water, contribute to the local economy, and ensure resources use is sustainable.

The applicant understands the water needs for the proposed development. Available data and the water commitment letters for the future final plat will allow for predictable water demand to be calculated and compared with availability in the surrounding area.

EL PASO COUNTY PARKS MASTER PLAN

The El Paso County Parks Master Plan does not identify any County master-planned facilities that would be impacted by this project. The proposed Meridian Road Bicycle Route follows North Meridian Road from north to south. This proposed route would not impact the subject property as it would be accommodated within the public right-of-way. The proposed Eastonville Regional Trail follows Eastonville Road east to west. This proposed route would not impact the subject property either, as it is on the opposite side of the road and begins on the east side of Meridian Road.

2. The subdivision is in substantial conformance with the approved preliminary plan. *The Falcon Ranchettes Filing No. 1a Final Plat is in substantial compliance with the approved preliminary plan and is consistent with the County's subdivision design standards and regulations.*
3. The subdivision is consistent with the subdivision design standards and regulations and meets all planning, engineering and surveying requirements of the county for maps, data, surveys, analyses, studies, reports, plans, designs, documents and other supporting materials. *The Falcon Ranchettes Filing No. 1a Final Plat is in substantial compliance with the approved preliminary plan and is consistent with the County's subdivision design standards and regulations.*
4. Either a sufficient water supply has been acquired in terms of quantity, quality. And dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards C.R.S. § 30-28-133(6)(A)] and the requirements of chapter 8 of this Code, or with respect to applications for

administrative final plat approval, such finding was previously made by the BOCC at the time of preliminary plan approval.

A commitment letter from the Woodmen Hills Metropolitan District to provide wastewater service to the Falcon Ranchettes Filing No. 1a Subdivision is included with this submittal.

5. A public sewage disposal system has been established and, if other methods of sewage disposal are proposed, the system complies with State and Local laws and regulations [C.R.S. § 30-28-133(6)(B)] and the requirements of chapter 8 of this code.
A commitment letter from the Woodmen Hills Metropolitan District to provide wastewater service to the Falcon Ranchettes Filing No. 1a Subdivision is included with this submittal.
6. All areas of the proposed subdivision which may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and that the proposed subdivision is compatible with such conditions [C.R.S. § 30-28-133(6)(C)];
All areas of the proposed subdivision that may involve soil or topographical conditions presenting hazards or requiring special precautions have been identified and the proposed subdivision is compatible with such conditions.
7. Adequate drainage improvements and proposed that comply with State statute [C.R.S. § 30-28-133(3)(C)(VIII)] and the requirements of this code and the ECM.
Adequate drainage improvements are proposed that comply with State Statute C.R.S. 30-28-133 (3)(c)(VIII) and the requirements of the Land Development Code and the Engineering Criteria Manual.
8. Legal and physical access is provided to all parcels by public rights of way or recorded easement, acceptable to the County in compliance with this Code and the ECM.
All lots will be accessible by new public streets that comply with the LDC and ECM. Street names have been approved by El Paso–Teller County 911 Authority
9. Necessary services, including Police and Fire Protection, Recreation, Utilities and Transportation Systems, are or will be made available to serve the proposed subdivision.
Necessary services, including police and fire protection, recreation, utilities, and transportation systems, are or will be made available to serve the proposed subdivision as discussed above.
10. The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of this Code.
The final plans provide evidence to show that the proposed methods for fire protection comply with Chapter 6 of the Land Development Code.
11. Off-site impacts were evaluated and related off-site improvements are roughly proportional and will mitigate the impacts of the subdivision in accordance with applicable requirements of Chapter 8.

Necessary off-site improvements have been evaluated through the various reports submitted with the Final Plat, as well as the previously approved Preliminary Plan, and will mitigate the impacts of the subdivision in accordance with the applicable requirements of Chapter 8 of the Land Development Code Adequate public facilities or infrastructure, or cash-in-lieu, for impacts reasonably related to the proposed subdivision have been constructed or are financially guaranteed through the SIA so the impacts of the subdivision will be adequately mitigated; All public facilities and infrastructure reasonably related to the Final Plat have either been constructed or are financially guaranteed through the Subdivision Improvements Agreement so the impacts of the subdivision will be adequately mitigated.

12. The subdivision meets other applicable sections of Chapter 6 and 8.
The subdivision complies with all applicable sections of the LDC

13. The extraction of any known commercial mining deposit shall not be impeded by this subdivision [C.R.S. §§ 34-1-302(1), ET SEQ.]
The extraction of any known commercial mining deposit will not be impeded by this subdivision.

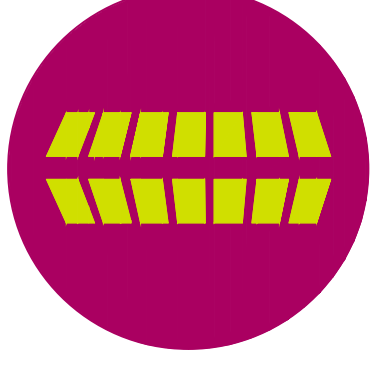
FALCON RANCHETTES FILING NO. 1A

A REPLAT OF LOTS 1 & 2, FALCON RANCHETTES
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1,
TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF EL PASO, STATE OF COLORADO

AS-REPLATED

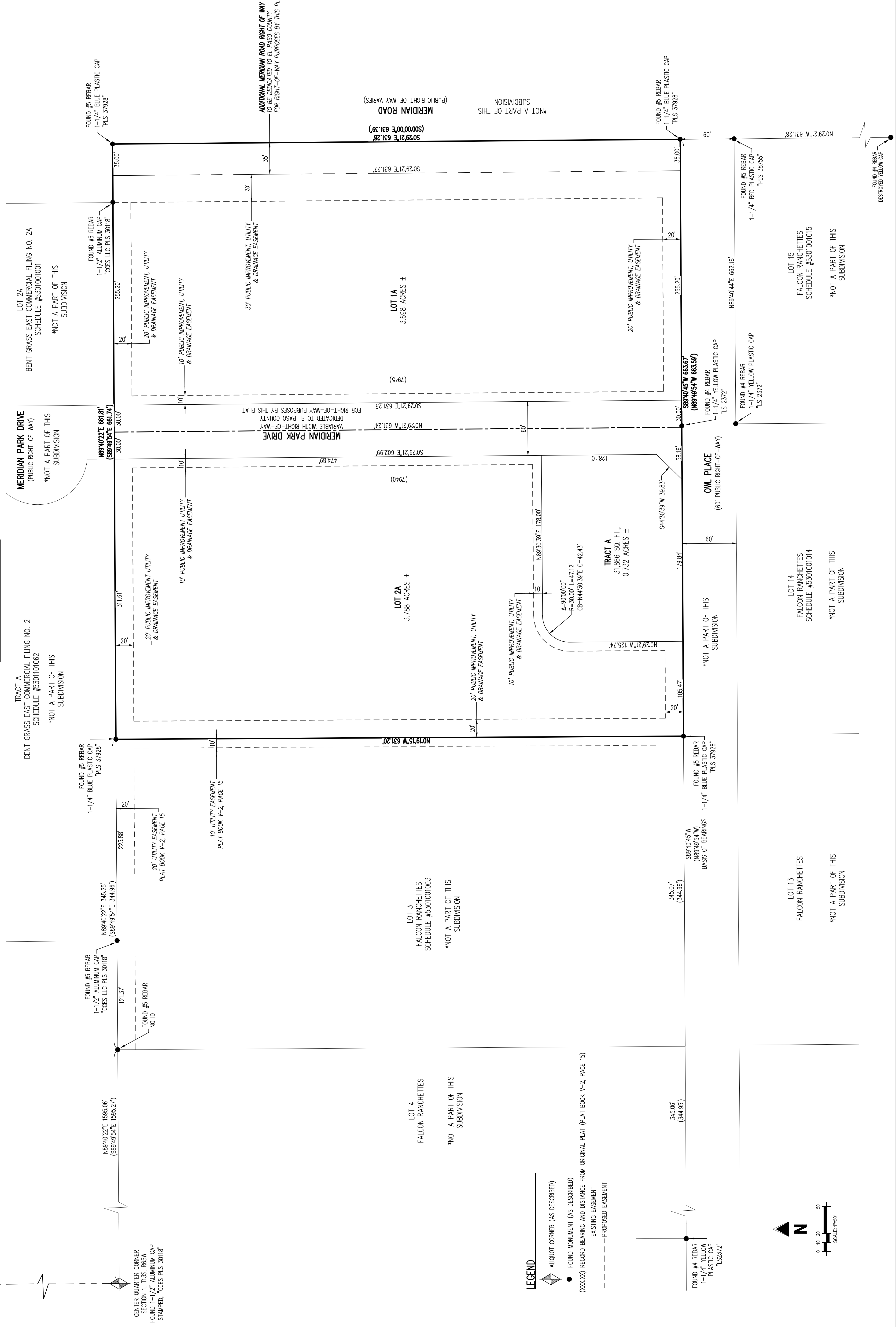
NORTH CENTER- $\frac{1}{8}$ CORNER
SECTION 1, T13S, R65W
FOUND 1-1/2" ALUMINUM CAP
STAMPED, "N 8 C-C ST 2019 PLS 38065"

CENTER QUARTER CORNER
SECTION 1, T13S, R65W
FOUND 1-1/2" ALUMINUM CAP
STAMPED, "CEES PLS 30118"



A REPLAT OF LOT 1 & 2, FALCON RANCHETTES
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 1,
TOWNSHIP 13 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN,
COUNTY OF EL PASO, STATE OF COLORADO

LEGEND
ALLOT CORNER (AS DESCRIBED)
FOUND MONUMENT (AS DESCRIBED)
(XXX) RECORD BEARING AND DISTANCE FROM ORIGINAL PLAT (PLAT BOOK V-2, PAGE 15)
--- EXISTING EASEMENT
--- PROPOSED EASEMENT



#	Date	Issue / Description	Int.
1.	06/01/2023	ADDRESS COUNTY COMMENTS	AMB
2.	10/18/2023	ADDRESS COUNTY COMMENTS	AMB
3.	04/26/2024	ADDRESS COUNTY COMMENTS	AMB

Project No:	MR3000022-10
Drawn By:	MWB
Checked By:	BB
Date:	02/10/2023

County Attorney

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Board of County Commissioners
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Carrie Geitner, District 2
Stan VanderWerf, District 3
Longinos Gonzalez, Jr., District 4
Cami Bremer, District 5

June 13, 2024

VR-23-9 Falcon Ranchettes Filing No. 1A
Vacation and Replat

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Mike and Brittany Texer (“Applicant”), to vacate and replat 2 lots of approximately 9.6 +/- acres into 2 lots (the “Property”). The property is zoned CS (Commercial Service).

Estimated Water Demand

2. Pursuant to the Water Supply Information Summary (“WSIS”), the subdivision demand is .096 acre-feet per year for commercial uses and .718 acre-feet per year for irrigation for a total demand of .813 acre-feet per year. The Applicant must therefore be able to provide a supply of 243.9 acre-feet of water (0.813 acre-feet per year x 300 years) to meet the County’s 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Woodmen Hills Metropolitan District (“District”). As detailed in the Water Resources Report dated April 2024 (“Report”), the average annual use will be .10 acre-feet for commercial use and .72 acre-feet for irrigation for a total demand of .82 acre-feet per year.

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The Report states that the District has an annual supply of water in the amount of 2,157.4 acre-feet on a 300-year basis from both renewable and non-renewable sources, and that over the last decade the District has used from 48% to 63% of that supply.

4. The District provided a letter of commitment for Falcon Ranchettes Filing No. 1A dated May 14, 2024, in which the District stated that it “[t]he estimated water usage demand per year is .82 AF-YR (acre-feet per year). The above said development property can be provided water and wastewater services by WHMD.”

State Engineer’s Office Opinion

5. In a letter dated May 25, 2023 the State Engineer reviewed the proposal to vacate and replat two lots in order to dedicate a right of way. The State Engineer stated that the proposed supply of water is to be served by Woodmen Hills Metropolitan District (“WHMD”) and advised that this project does not qualify as a subdivision and therefore provided only a cursory review, without any comments addressing water adequacy.

Recommended Findings

6. Quantity and Dependability. Applicant’s water demand for Falcon Ranchettes Filing No. 1A is .82 acre-feet per year to be supplied by the Woodmen Hills Metropolitan District. **Based on the water demand of .82 acre-feet/year and the District’s availability of water sources, the County Attorney’s Office recommends a finding of sufficient water quantity and dependability for Falcon Ranchettes Filing No. 1A.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney’s Office reviewed the following documents in preparing this review: the Water Supply Information Summary, the Water Resources Report dated April 2024, the Woodmen Hills Metropolitan District letter dated May 14, 2024, and the State Engineer Office’s Opinion dated May 25, 2023. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney’s Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.
- B. Prior to recording the final plat, Applicant shall upload an updated Commitment Letter from WHMD listing the correct name for the development.

cc. Kylie Bagley, Project Manager, Planner

RESOLUTION NO. 24-

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

APPROVAL OF THE VACATION AND REPLAT
FALCON RANCHETTES FILING NO. 1A (VR239)

WHEREAS, Galloway & Company, Inc., did file an application with the Planning and Community Development Department of El Paso County for approval of a Vacation and Replat of Falcon Ranchettes Filing No. 1A for property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, a public hearing was held by the El Paso County Planning Commission on August 15, 2024, upon which date the Planning Commission did by formal resolution recommend approval of the Vacation and Replat; and

WHEREAS, a public hearing was held by the El Paso County Board of County Commissioners on September 12, 2024; 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 Planning Commission.
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. All exhibits were received into evidence.
5. That the Vacation and Replat complies with the El Paso County Land Development Code and the original conditions of approval associated with the recorded plat.
6. No nonconforming lots are created and, in the case of existing nonconforming lots, the degree of nonconformity is not increased.

7. That the Vacation and Replat conforms to the required findings for a minor or Major Subdivision, whichever is applicable.
8. That a sufficient water supply has been acquired in terms of quantity, quality, and dependability for the type of subdivision proposed, as determined in accordance with the standards set forth in the water supply standards [C.R.S. §30-28-133(6)(1)] and the requirements of Chapter 8 of the Land Development Code.
9. Where the lots or parcels are subject to any Covenants, Conditions and Restrictions (CC&Rs) or other restrictions, the Vacation and Replat will not result in a conflict with the CC&Rs or other restrictions unless specifically approved by the Homeowners Association or controlling authority.
10. The Vacation and Replat is in general conformance with the goals, objectives, and policies of the Master Plan.
11. All data, surveys, analyses, studies, plans, and designs as are required by the State of Colorado and El Paso County have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the El Paso County Subdivision Regulations.
12. The proposed Replat of land conforms to the El Paso County Zoning Resolutions.
13. For the above-stated and other reasons, the proposed Vacation and Replat 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 the Board of County Commissioners of El Paso County, Colorado, hereby approves the Vacation and Replat of Falcon Ranchettes Filling No. 1A;

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

CONDITIONS

1. All Deed of Trust holders shall ratify the plat. The applicant shall provide a current title commitment at the time of submittal of the Mylar for recording.
2. Colorado statute requires that at the time of the approval of platting, the subdivider provides the certification of the County Treasurer's Office that all ad valorem taxes applicable to such subdivided land, or years prior to that year in which approval is granted, have been paid. Therefore, this plat is approved by the Board of County Commissioners on the condition that the subdivider or developer must provide to the Planning and Community Development Department, at the time of recording the plat, a certification from the County Treasurer's Office that all prior years' taxes have been paid in full.

3. The subdivider or developer must pay, for each parcel of property, the fee for tax certification in effect at the time of recording the plat.
4. The Applicant shall submit the Mylar to Enumerations for addressing.
5. Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed species.
6. Driveway permits will be required for each access to an El Paso County owned and maintained roadway. Driveway permits are obtained from the El Paso County Planning and Community Development Department.
7. The Subdivision Improvements Agreement, including the Financial Assurance Estimate, as approved by the El Paso County Planning and Community Development Department, shall be filed at the time of recording the Final Plat.
8. Collateral sufficient to ensure that the public improvements as listed in the approved Financial Assurance Estimate shall be provided when the Final Plat is recorded.
9. The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 18-471), or any amendments thereto, at or prior to the time of building permit submittals. The fee obligation, if not paid at Final Plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
10. Drainage fees in the amount of \$261,499 and bridge fees in the amount of \$35,923 shall be paid for the Falcon Drainage Basin (CHWS1400) at the time of plat recordation.

NOTATION

1. Final Plats not recorded within 24 months of Board of County Commissioner approval shall be deemed expired, unless an extension is approved.

AND BE IT FURTHER RESOLVED that the record and recommendations of the El Paso County Planning Commission be adopted.

DONE THIS 12th day of September 2024 at Colorado Springs, Colorado.

BOARD OF COUNTY COMMISSIONERS
OF EL PASO COUNTY, COLORADO

ATTEST:

By: _____
Chair

By: _____
County Clerk & Recorder

EXHIBIT A

A PARCEL OF LAND IN THE SOUTHEAST QUARTER OF SECTION 1, TOWNSHIP 13 SOUTH, RANGE 65 WEST, OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOTS 1 & 2, FALCON RANCHETTES, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK V-2, PAGE 15, OF THE RECORDS OF EL PASO COUNTY, COLORADO.

CONTAINING 9.604 ACRES, MORE OR LESS.