

EL PASO COUNTY



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: Joe Letke, Planner II
Hao Vo, P.E., Engineer II
Meggan Herington, AICP, Executive Director

RE: Project File Number: U232
Project Name: Peyton Fire Protection District Unmanned Station
Parcel Number: 3100000255

OWNER:	REPRESENTATIVE:
Bennett Cullers Family Partnership LLLP P.O Box 34 Peyton, CO 80831	Jack Reutzler, Fairfield and Woods 1801 California Street Denver, CO 80202

Commissioner District: 2

Planning Commission Hearing Date:	06/06/2024
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EXECUTIVE SUMMARY

A request by Bennet Cullers Family Partnership LLLP for Approval of Location to allow for the placement of an unmanned fire station. Should the Planning Commission approve the location of the unmanned fire station, the applicant will be required to obtain Site Development Plan approval.

2880 INTERNATIONAL CIRCLE
OFFICE: (719) 520 – 6300



COLORADO SPRINGS, CO 80910
PLNWEB@ELPASOCO.COM

A. REQUEST/WAIVERS/DEVIATIONS/AUTHORIZATION

Request: A request for an Approval of Location to permit an unmanned fire station.

Waiver(s)/Deviation(s): No waivers or deviations are requested.

Authorization to Sign: There are no items requiring signature associated with this request.

B. APPROVAL CRITERIA

Section 5.3.3.J, Approval of Location, Review Standards, of the Land Development Code (as amended) states:

The application for a public use, structure or utility is reviewed for conformity with the submittal and processing requirements included within this Code and Procedures Manual and for conformity with the adopted Master Plan.

C. BACKGROUND

A request by the current owner of the property, Bennet Cullers Family Partnership LLLP, was submitted on April 18, 2024, to initiate the establishment of an unmanned fire station for the Peyton Fire Protection District. Development is proposed to consist of a pole barn and cistern on the property. The proposed purpose of the unmanned station is to decrease emergency response times in the Peyton area. The Peyton Fire Protection District proposes to purchase the property pursuant to a contract upon completion of Approval of Location.

D. ANALYSIS

1. Land Development Code Compliance

The request for Approval of Location is reviewed for conformity with the requirements of the Land Development Code and conformity with the County Master Plan. Staff concurs that the proposed use complies with Section 5.3.3 of the Code regarding Approval of Location and C.R.S. 30-28-110. Provided the included conditions and notations are adopted.

2. Zoning Compliance

Section 5.3.3.C of the El Paso County Land Development Code (as amended) describes the applicability for the Approval of Location process as follows:

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The Planning Commission is required to review and approve construction of or plans for the construction of any road, park, or other public way, ground, or space, public building or structure, or public utility, whether publicly or privately owned prior to the construction of any facility.

The proposed development is for an unmanned fire station for the Peyton Fire Protection District. Due to the use serving a public purpose, the proposed development meets the applicability for an Approval of Location as identified above. Should the Approval of Location be approved, the applicant will be required to submit and receive administrative approval of a Site Development Plan prior to initiating construction of the proposed fire station and associated structures.

F. MASTER PLAN COMPLIANCE

1. Your El Paso County Master Plan

The scope of the project is located near the eastern boundary of El Paso County. The Your El Paso Master Plan (2021) emphasizes the importance response times for fire protection services located in the eastern boundaries of El Paso County. Specifically, Chapter 7, Page 92, of the Master Plan states:

Fire Districts are concerned about increasing response times due to continued development in far lying regions of the County. New development presents new challenges to existing fire and emergency service capacity. If development continues to occur in far lying areas, new fire and emergency facilities may need to be constructed to provide appropriate levels of service.

According to data included on Page 10 of the Master Plan, El Paso County is projected to increase in population by roughly 256,000 by 2050, which represents an approximate 35% increase in population from 2019. Due to the County's rapidly growing population and projected future growth, it is imperative to ensure that improved fire response is available to support and sustain the population. Specifically, Chapter 7, Page 92, of the Master Plan states:

As the County continues to see an increase in population and development, the layout of the fire and emergency medical service (EMS) facilities have become an increasingly important factor in service capacity and response time.

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The proposed unmanned fire station will not adversely impact the character of any areas of the County.

2. Water Master Plan Analysis

Water and wastewater services will not be necessary for the unmanned fire station. The applicant is proposing to install a 30,000-gallon water cistern.

3. Other Master Plan Elements

The El Paso County Wildlife Habitat Descriptors (1996) identifies the property as having a low wildlife impact potential.

The Master Plan for Mineral Extraction (1996) identifies upland deposits in the area of the subject property. A mineral rights certification was prepared by the applicant indicating that, upon researching the records of El Paso County, no severed mineral rights exist.

F. PHYSICAL SITE CHARACTERISTICS

1. Hazards

El Paso County Environmental Division has identified wetlands on this property. Their review comments include the requirement for a completed U.S Army Corps of Engineers (USCOE) permit or concurrence of non-jurisdictional status from the USCOE. This shall be provided to the El Paso County Planning and Community Development Department prior to ground-disturbance activities.

2. Floodplain

FEMA Flood Insurance Rate Map panel number 08041C0350G shows Zone A floodplain exists within the defined property; however, the project area is not within the defined floodplain. The project is not expected to cause any disturbance that will impact the floodplain or result in increased flood elevations within the project area.

3. Drainage and Erosion

The proposed project is located within the Upper Bracket Creek (CHBR0600) basin. No drainage fee or bridge fee is applicable. A grading and erosion control plan or drainage report are not required with Approval of Location request.

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4. Transportation

The property is located south of Sweet Road and east of Bradshaw Road. A transportation impact study is not required with this Approval of Location request. The project proposes an unmanned fire station and is not projected to cause a significant increase in traffic on County facilities or conflict with the El Paso County 2016 Major Transportation Corridors Plan Update (MTCP).

El Paso County Road Impact Fees (RIF) as approved by Resolution 19-471 apply to the development. The RIF will be assessed at the final Land Use Approval required.

G. SERVICES

1. Water

Water service is not applicable for the proposed Approval of Location.

2. Sanitation

Wastewater service is not applicable for the proposed Approval of Location.

3. Emergency Services

Emergency service is not applicable for the proposed Approval of Location.

4. Parks/Trails

Land dedication and fees in lieu of park land dedication are not required for an Approval of Location. The El Paso County Community Services Department, Parks, and Recreation Division was sent a referral for the Approval of Location and had no outstanding comments.

5. Schools

Land dedication or fees in lieu of school land dedication are not required for an Approval of Location.

H. APPLICABLE RESOLUTIONS

See attached resolution.

I. STATUS OF MAJOR ISSUES

There are no major outstanding issues.



J. RECOMMENDED CONDITIONS AND NOTATION

Should the Planning Commission find that the request meets the criteria for approval outlined in Section 5.3.3 (Approval of Location) of the El Paso County Land Development Code (as amended) staff recommends the following conditions and notation:

CONDITIONS

1. Approval of a site development plan by the Planning and Community Development Department is required prior to initiation of the proposed use and site improvements as depicted in the site plan exhibit and described within the letter of intent.
2. No substantial expansion, enlargement, or modification of the site development plan shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code (as amended).

NOTATION

1. Approval of Location requests are not forwarded to the El Paso County Board of County Commissioners for consideration. Pursuant to C.R.S. § 30-28-110, the final El Paso County action occurs at the Planning Commission.

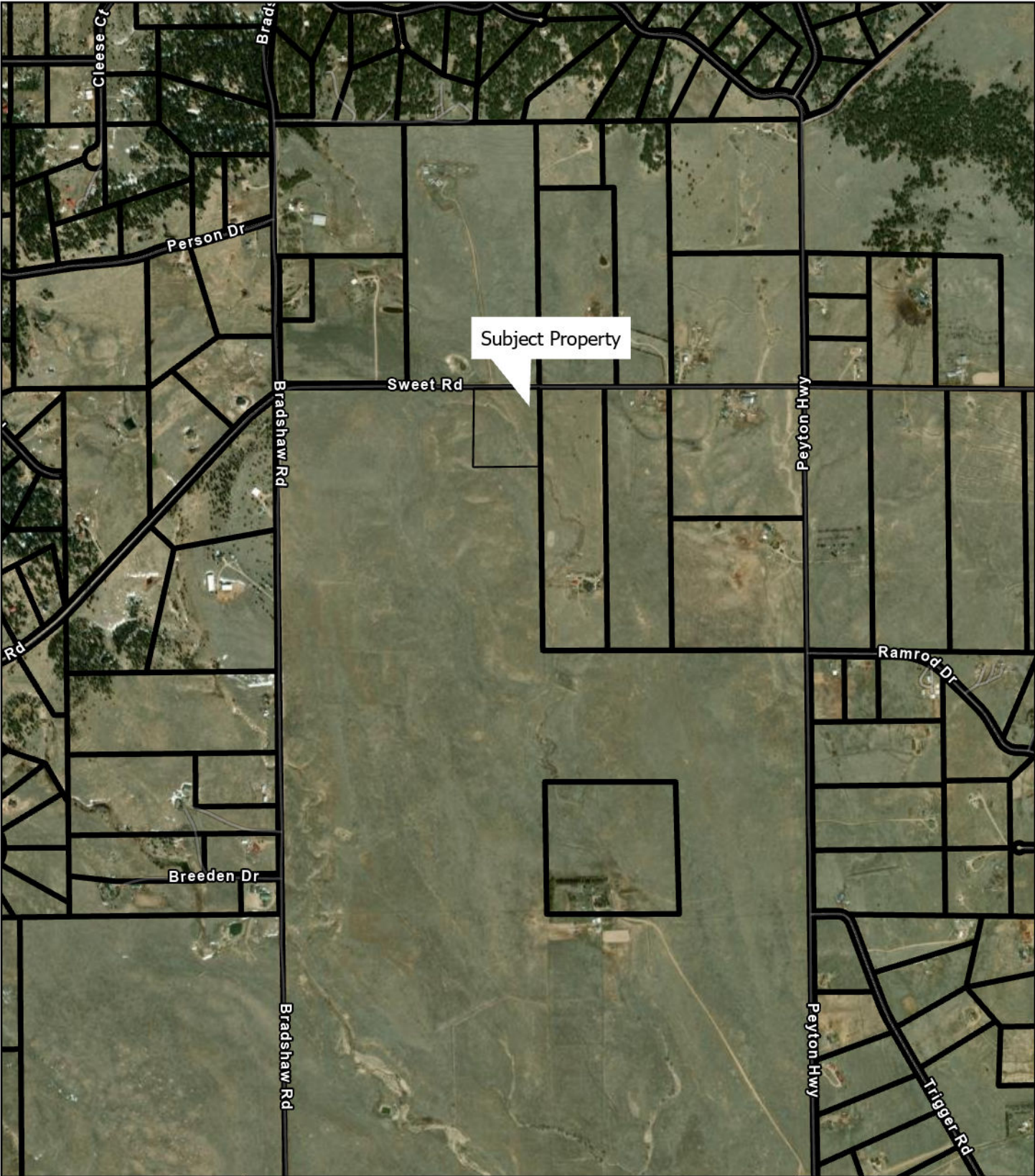
K. PUBLIC COMMENT AND NOTICE

On October 30, 2023, the applicant notified 3 adjacent property owners of the request for an Approval of Location. The Planning and Community Development Department notified 41 surrounding property owners on May 23, 2024, for the Planning Commission hearing. Any responses will be provided at the hearing.

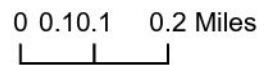
L. ATTACHMENTS

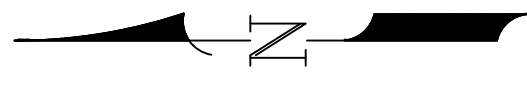
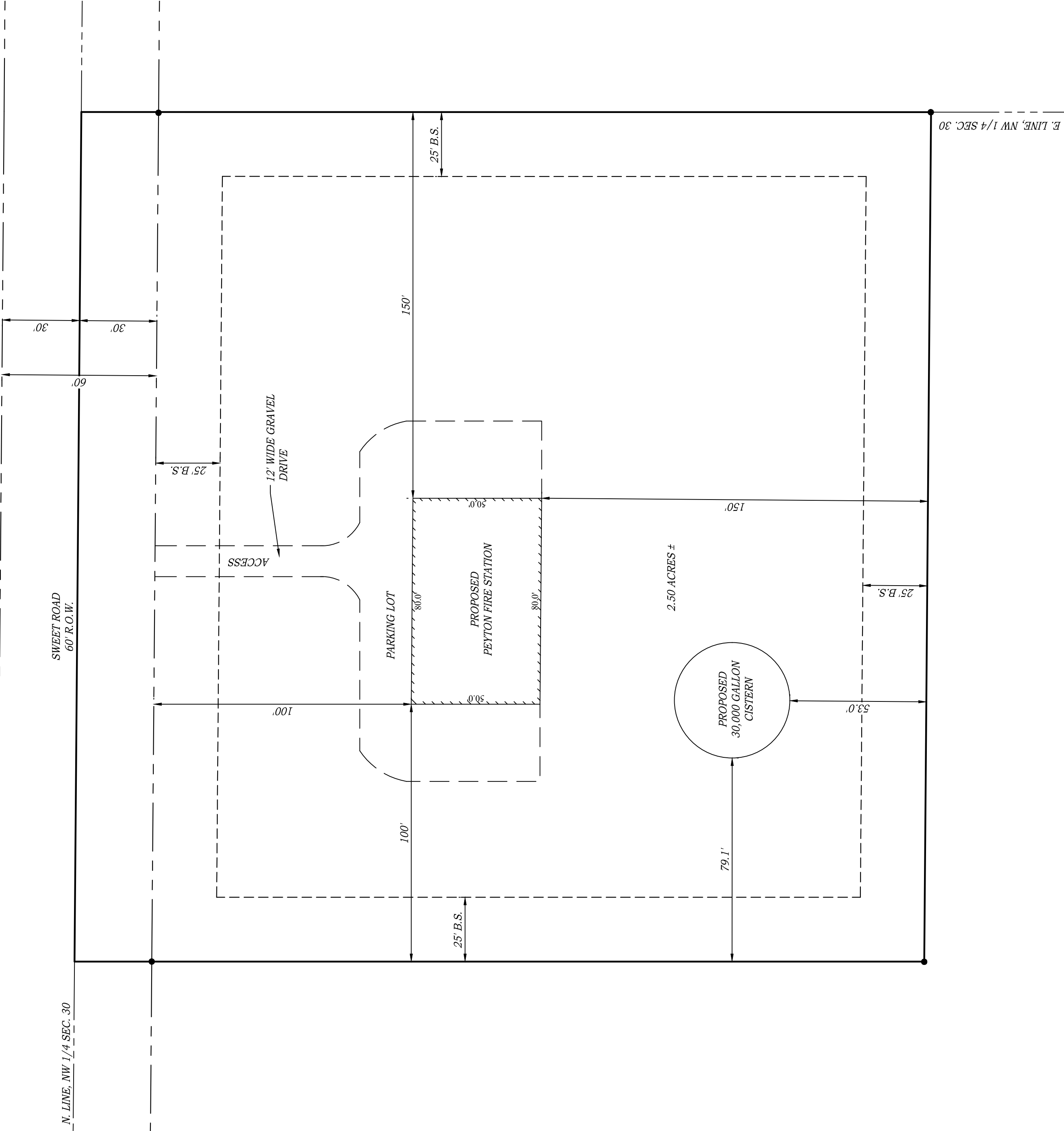
Map Series
Site Plan Drawings
Letter of Intent
Draft Resolution





Aerial Map





PROPERTY DESCRIPTION:

A PARCEL OF PROPERTY LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 63 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
 THE NORTH 330.00 FEET OF THE EAST 330.00 FEET OF THE NORTHWEST QUARTER OF SAID SECTION 30.
 CONTAINING 2.50 ACRES +/-

LEGEND:

- SUBJECT PROPERTY LINE
- SECTION LINE
- - - BUILDING ENVELOPE LINE
- - - ROAD RIGHT OF WAY

- SET 5/8" REBAR WITH CAP
- BUILDING SETBACKS

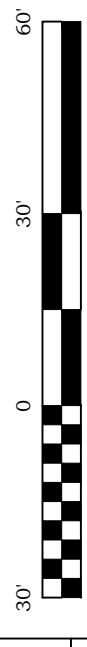
SITE PLAN
 PART OF SECTION 30, TOWNSHIP 11 SOUTH,
 RANGE 63 WEST, 6TH P.M.
 COUNTY OF EL PASO, STATE OF COLORADO

REVISIONS:

NO.	DATE	DESCRIPTION



10901 W. 120TH AVE, SUITE 400
 BROOMFIELD, COLORADO 80021
 303-955-6680
 WWW.ENCOMPASSSERVICES.COM



DRAWN BY: JR	PROJECT NO: 64313-PHASE 3
CHECKED BY: EF	DATE: 09/27/23
FIELD WORK COMPLETED: 09/27/2023	SCALE: 1" = 30'
	SHEET 1 OF 1



Jack E. Reutzel
(303) 894-4410
jreutzel@fwlaw.com

October 30, 2023

Meggan Herington
Executive Director
El Paso County
Planning and Community Development Department
2880 International Circle
Suite 110
Colorado Springs, CO 80910

RE: Letter of Intent
Approval of Location and Subdivision Exemption

Dear Ms. Herington,

Please find enclosed here our application for an Approval of Location and Subdivision Exemption on behalf of Peyton Fire Protection District for the construction of an unmanned fire station. Peyton Fire looks forward to working with staff to complete this project for the District.

Property Owner: Bennett Cullers Family Partnership, LLLP
P.O. Box 34
Peyton, CO 80831

Contract Purchaser: Peyton Fire Protection District
P.O. Box 98
Peyton, CO 80831

Authorized Representative: Jack Reutzel, Fairfield and Woods
1801 California St
Suite 2600
Denver, CO 80202

Site Location: A portion of parcel # 3100000255
Between Bradshaw Rd and Peyton Hwy, just south
of Sweet Rd

Meggan Herington
Executive Director
October 30, 2023
Page 2

Site Size: 2.5 acres

Site Zoning: RR-5

Request and Justification:

Peyton Fire Protection District is requesting an Approval of Location and Subdivision Exemption in order to construct a pole barn and cistern on the property to function as an unmanned fire station in order to decrease emergency response times in the area. This development is of minimal impact, and will not impact adjacent properties or existing stormwater runoff. The number of trips the unmanned station is anticipated to generate is minimal, approximately two per month, causing negligible impact to area traffic. Peyton Fire Protection District will purchase the property pursuant to a contract upon completion of the requested entitlements.

Existing and Proposed Facilities:

The property is currently vacant. A pole barn that will house a fire truck, and a cistern for water storage and truck filling onsite, are proposed to be constructed on the property. Access to the property is south from Sweet Rd.

Site Plan:

<i>Site size:</i>	2.5 acres Appx. 108,900 sf
<i>Zoning:</i>	Zoned RR-5
<i>Front/rear/side setbacks:</i>	25 feet
<i>Maximum lot coverage:</i>	25%



Meggan Herington
Executive Director
October 30, 2023
Page 3

Pole barn size:

50' x 80'

Cistern size:

30,000 gallons below grade, except for fittings and venting

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Jack E. Reutzal', is written over the typed name.

Jack E. Reutzal
Fairfield and Woods, P.C.

APPROVAL OF LOCATION (RECOMMEND APPROVAL)

_____ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. U232

APPROVAL OF LOCATION PEYTON FIRE PROTECTION DISTRICT UNMANNED STATION

WHEREAS, Bennett Cullers Family Partnership LLLP did file an application with the El Paso County Planning and Community Development Department for an Approval of Location to allow for the Peyton Fire Protection District Unmanned Station; and

WHEREAS, a public hearing was held by this Commission on June 6, 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. That the application was properly submitted for consideration by the Planning Commission;
2. That proper posting, publication, and public notice was provided as required by law for the hearing before the Planning Commission;
3. That 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. That the authorization or financing of said public way, ground, space, building, structure, or utility does not fall within the province of the Board of County Commissioners;
5. That the application conforms to the El Paso County Land Development Code;
6. That the application conforms to the adopted El Paso County Master Plan;

7. That approval of the proposed application will not result in harmful environmental, service, or fiscal impacts upon El Paso County or its residents; and
8. That for the above-stated and other reasons, the proposal is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

NOW, THEREFORE, BE IT RESOLVED that the application of Bennett Cullers Family Partnership LLLP for an Approval of Location to allow for the Peyton Fire Protection District Unmanned Station in the following described unincorporated area of El Paso County be approved:

See Appendix A

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

CONDITIONS

1. Approval of a site development plan by the Planning and Community Development Department is required prior to initiation of the proposed use and site improvements as depicted in the site plan exhibit and described within the letter of intent.
2. No substantial expansion, enlargement, or modification of the site development plan shall be allowed except upon reevaluation and public hearing as specified in the El Paso County Land Development Code (as amended).

NOTATION

1. Approval of Location requests are not forwarded to the El Paso County Board of County Commissioners for consideration. Pursuant to C.R.S. § 30-28-110, the final El Paso County action occurs at the Planning Commission.

_____ seconded the adoption of the foregoing Resolution.

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

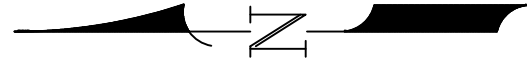
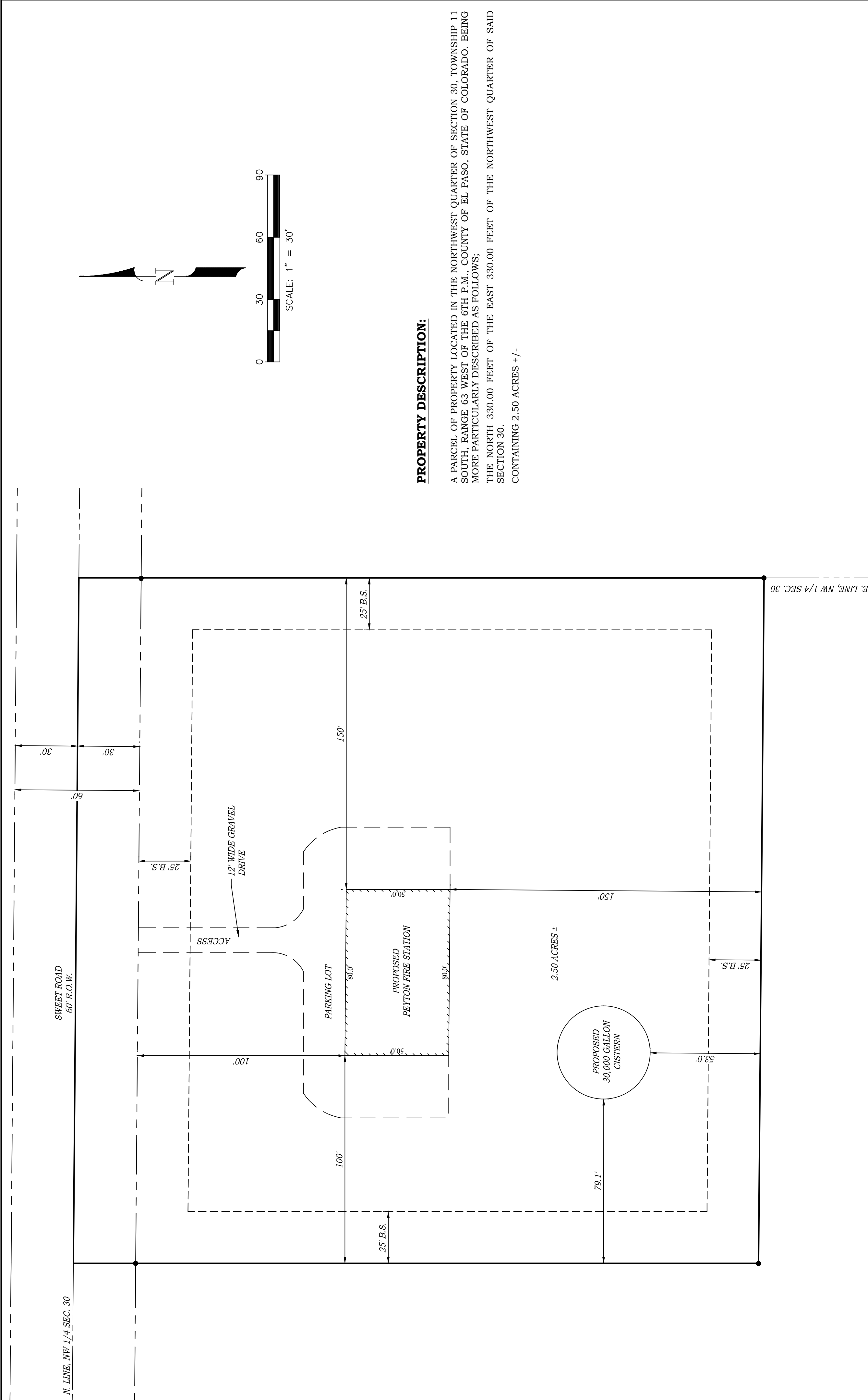
Thomas Bailey	aye / no / non-voting / recused / absent
Sarah Brittain Jack	aye / no / non-voting / recused / absent
Jim Byers	aye / no / non-voting / recused / absent
Jay Carlson	aye / no / non-voting / recused / absent
Becky Fuller	aye / no / non-voting / recused / absent
Jeffrey Markewich	aye / no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

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

DONE THIS 6th day of June 2024 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: _____
Chair



PROPERTY DESCRIPTION:

A PARCEL OF PROPERTY LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 11 SOUTH, RANGE 63 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;
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LEGEND:

- SUBJECT PROPERTY LINE
- SECTION LINE
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- SET 5/8" REBAR WITH CAP
- B.S. BUILDING SETBACKS

SITE PLAN

PART OF SECTION 30, TOWNSHIP 11 SOUTH,
 RANGE 63 WEST, 6TH P.M.
 COUNTY OF EL PASO, STATE OF COLORADO

encompass Providing Solutions

10901 W. 120TH AVE, SUITE 400
 BROOMFIELD, COLORADO 80021
 303-955-6680
 WWW.ENCOMPASSSERVICES.COM

REVISIONS:		DESCRIPTION
NO.	DATE	

PROJECT NO. 64313-PHASE 3
 DRAWN BY: JR
 CHECKED BY: EF
 DATE: 09/23
 FIELD WORK COMPLETED: 09/27/2023