

**COMMISSIONERS:**  
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**CARRIE GEITNER (VICE-CHAIR)**

**HOLLY WILLIAMS**  
**STAN VANDERWERF**  
**LONGINOS GONZALEZ, JR.**

**PLANNING & COMMUNITY DEVELOPMENT**

**TO: El Paso County Planning Commission**  
**Thomas Bailey, Chair**

**FROM: Kylie Bagley, Planner III**  
**Jeff Rice, P.E., Senior Engineer**  
**Meggan Herington, AICP, Executive Director**

**RE: Project File Number: CS-22-004**  
**Project Name: Meridian Storage Rezone**  
**Parcel Number: 5301001001, 5301001002 and 5301001014**

<b>OWNER:</b>	<b>REPRESENTATIVE:</b>
Meridian Storage, LLC Mike Texer 11750 Owl Place Peyton, CO 80831	Galloway & Company Inc 1155 Kelly Johnson Blvd Suite 305 Colorado Springs, CO

**Commissioner District: 2**

<b>Planning Commission Hearing Date:</b>	<b>8/17/2023</b>
<b>Board of County Commissioners Hearing Date:</b>	<b>9/28/2023</b>

**EXECUTIVE SUMMARY**

**A.** A request by Meridian Storage, LLC for approval of a Map Amendment (Rezoning) of 15.30 acres from RR-5 (Residential Rural) to CS (Commercial Service). The properties are located at 11690, 11685, and 11750 Owl Place, directly southwest of the intersection of Meridian Road and Owl Place.

**B. WAIVERS/DEVIATIONS/AUTHORIZATION**

**Waiver(s)/Deviation(s):** There are no waivers/deviations associated with this application.

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

**C. APPROVAL CRITERIA**

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

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

**D. LOCATION**

North:	RR-5 (Residential Rural)	Single-family Residential
South:	CR (Commercial Regional)	Commercial
East:	RR-0.5 (Residential Rural)	Single-family Residential
West:	RR-5 (Residential Rural)	Single-family Residential

**E. BACKGROUND**

The 15.30-acre property was platted in 1972, as part of the Falcon Ranchettes Subdivision. The property is currently zoned RR-5 (Residential Rural), and each lot has an existing single-family dwelling served by well and septic. The applicant is proposing a rezone to CS (Commercial Service) as an extension to the Falcon Marketplace commercial lots to the south.

According to the applicants’ letter of intent, the planned development following the rezone is intended for mini-warehouse storage and RV storage; however, all uses allowed within the CS zoning district would be allowed upon approval of the rezone.

If the Map Amendment (rezoning) application is approved, site development plan approvals will be required prior to initiation of any uses on the property. The site

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development plans will need to provide a detailed depiction of the proposed use and compliance with all standards for the CS (Commercial Service) district.

Any subsequent subdivision will need to demonstrate compliance with the standards of the CS zoning district as well as the subdivision standards included in Chapters 7 and 8 of the Land Development Code.

## F. ANALYSIS

### 1. Land Development Code Analysis

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

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

### 2. Zoning Compliance

The applicant is requesting to rezone 15.30 acres to the CS (Commercial Service) zoning district. The CS (Commercial Service) zoning district is intended to accommodate retail, wholesale or service commercial uses that serve the general public. The density and dimensional standards for the CS (Commercial Service) zoning district are as follows:

- Minimum zoning district area: 2 acres<sup>11</sup>
- Minimum lot size: N/A
- Setbacks
  - Front: 25 feet<sup>1,3,11</sup>
  - Side: 25 feet<sup>1,2,3,11</sup>
  - Rear: 25 feet<sup>1,2,3,11</sup>
- Maximum height: 45 feet

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

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

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

<sup>11</sup> If the building is established as or converted to condominium units in accordance with Chapter 7 of this Code, the building and lot shall meet the minimum lot area



*and setbacks, but the individual units are not required to meet the minimum lot area, maximum lot coverage, or setback requirements.*

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

## **G. MASTER PLAN COMPLIANCE**

### **1. Your El Paso County Master Plan**

#### **a. Placetype Character:** Suburban Residential

*Suburban Residential is characterized by predominantly residential areas with mostly single-family detached housing. This placetype can also include limited single-family attached and multifamily housing, provided such development is not the dominant development type and is supportive of and compatible with the overall single-family character of the area. The Suburban Residential placetype generally supports accessory dwelling units. This placetype often deviates from the traditional grid pattern of streets and contains a more curvilinear pattern.*

*Although primarily a residential area, this placetype includes limited retail and service uses, typically located at major intersections or along perimeter streets. Utilities, such as water and wastewater services are consolidated and shared by clusters of developments, dependent on the subdivision or area of the County.*

*Some County suburban areas may be difficult to distinguish from suburban development within city limits. Examples of the Suburban Residential placetype in El Paso County are Security, Widefield, Woodmen Hills, and similar areas in Falcon.*

#### **Recommended Land Uses:**

##### *Primary*

- *Single-family Detached Residential with lots sizes smaller than 2.5 acres per lot, up to 5 units per acre*

##### *Supporting*

- *Single-family Attached*
- *Multifamily Residential*
- *Parks/Open Space*

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- *Commercial Retail*
- *Commercial Service*
- *Institutional*

**Analysis:**

The Suburban Residential placetype comprises the County’s traditional residential neighborhoods with supporting commercial uses at key intersections.

**Goal LU3** – *Encourage a range of development types to support a variety of land uses.*

**Specific Strategies** – *The Minimal Change: Developed areas are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly impact the character of an area/ Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character should be maintained.*

**Objective ED1-6** – *Large employers should be located on major roadways to improve connectivity and minimize their impact on daily traffic.*

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

The proposed rezone would reallocate approximately 15.3 acres from the RR-5 zoning district to the CS zoning district, which would support commercial development. Commercial development is consistent with the supporting land uses of the Suburban Residential placetype by providing limited retail and services. The CS zoning district would allow for greater flexibility to utilize the land based upon the market’s needs.

The subject property is located north of the Falcon Marketplace commercial development and south of Bent Grass East commercial properties. The rezone to the CS zoning district would allow for an extension of commercial development.

**b. Area of Change Designation:** Minimal Change: Developed

*These areas have undergone development and have an established character. Developed areas of minimal change are largely built out but may include isolated pockets of vacant or underutilized land. These key sites are likely to see more intense infill development with a mix of uses and scale of redevelopment that will significantly*



*impact the character of an area. For example, a large amount of vacant land in a suburban division adjacent to a more urban neighborhood may be developed and changed to match the urban character and intensity so as to accommodate a greater population. The inverse is also possible where an undeveloped portion of a denser neighborhood could redevelop to a less intense suburban scale. Regardless of the development that may occur, if these areas evolve to a new development pattern of differing intensity, their overall character can be maintained.*

**Analysis:**

The proposed rezone would bring commercial development to an area that has commercial development to the south and less than a quarter mile to the north along Meridian Road. The rezone would be consistent with the commercial developments that are adjacent to the subject property.

The 15.30-acre property was platted in 1972, as part of the Falcon Ranchettes Subdivision as 5-acre residential lots. As the area surrounding the original subdivision has developed, the land uses have redeveloped into a more intense urban development that utilizes urban services. The proposed rezone would match the urban character and intensity while accommodating the increase in population with commercial services.

**c. Key Area Influences:** The property is not located within a key area.

**2. Water Master Plan Analysis**

The El Paso County Water Master Plan (2018) has three main purposes; better understand present conditions of water supply and demand; identify efficiencies that can be achieved; and encourage best practices for water demand management through the comprehensive planning and development review processes. Relevant policies are as follows:

**Goal 1.1** – *Ensure an adequate water supply in terms of quantity, dependability and quality for existing and future development.*

**Policy 1.1.1** – *Adequate water is a critical factor in facilitating future growth and it is incumbent upon the County to coordinate land use planning with water demand, efficiency and conservation.*

**Goal 1.2** – *Integrate water and land use planning.*

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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 deficit of 32 AFY is anticipated for Region 3.

A finding of water sufficiency is not required with a map amendment; however, it is required with any future subdivision request.

### **3. 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 Services was sent a referral and have the following comments:

1. A completed U.S. Army Corps of Engineers (USCOE) permit shall be provided to the Planning and Community Development Department prior to project commencement if ground-disturbing activities will occur in wetland areas. 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.

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.

Please see the Parks Section below for information regarding conformance with The El Paso County Parks Master Plan (2013).

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Please see the Transportation Section below for information regarding conformance with the El Paso County 2016 Major Transportation Corridors Plan (MTCP).

## **H. PHYSICAL SITE CHARACTERISTICS**

### **1. Hazards**

No hazards were identified during the review of the map amendment (rezoning).

### **2. Floodplain**

The FEMA Flood Insurance Rate Map indicates that a 100-year floodplain (Zone A) flows through the site. The applicant will be required to process a Conditional Letter of Map Revision (CLOMR) and a Letter of Map Revision (LOMR) with FEMA for any modification to the floodplain and to provide flood elevations at the time of platting.

### **3. Drainage and Erosion**

The property is located within the Falcon drainage basin (CHWS1400), which is a studied drainage basin with drainage and bridge fees. Drainage and bridge fees are not assessed with Map Amendment (rezoning) requests but will be due at the time of final plat recordation. A grading and erosion control plan as well as a drainage report providing hydrologic and hydraulic analysis to identify and mitigate the drainage impacts of the development will be required at the subdivision stage of the development.

### **4. Transportation**

The property is located at the northwest corner of the intersection of Meridian Road and Owl Place. The submitted Owl Place Storage Traffic Impact Study (TIS) identifies that the primary access to the site will be via the extension of Meridian Park Drive from the north. The proposed roadway will extend to Owl Place. It is anticipated that Owl Place at the intersection of Meridian Road will be closed with the commercial development proposed in this area. The TIS provides recommended offsite improvements including turn lanes and road widening. Further analysis of proposed access points and improvements will be performed with the review of the engineering documents associated with the subsequent land use applications.

The 2016 Major Transportation Corridors Plan Update (MTCP) depicts corridor preservation for Meridian Road adjacent to the subject property for future widening to a 6-Lane Principal Arterial. The development will be subject to the El Paso County Road Impact Fee program (Resolution 19-471), as amended.

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**I. SERVICES**

**1. Water**

Water is currently provided by an onsite well. The applicant intends to bring in central water with the approval of the rezoning application.

**2. Sanitation**

Wastewater is currently provided by an onsite wastewater treatment system. The applicant intends to bring in central wastewater with the approval of the rezoning application.

**3. Emergency Services**

The property is within the Falcon Fire Protection District.

**4. Utilities**

Electricity is provided by Mountain View Electric Association and gas is provided by Colorado Springs Utilities. Both Mountain View Electric Association and Colorado Springs Utilities were notified of the map amendment application and have no outstanding comments.

**5. Metropolitan Districts**

The subject property is not within a metro district. The applicant intends to apply to the Woodmen Hills Metro District for wastewater and water supply connections to be added to the site for future commercial development.

**5. Parks/Trails**

Land dedication and fees in lieu of park land dedication is not required for a Map Amendment (Rezoning) application.

**6. Schools**

Land dedication and fees in lieu of school land dedication is not required for a Map Amendment (Rezoning) application.

**J. APPLICABLE RESOLUTIONS**

See attached resolution.

**K. STATUS OF MAJOR ISSUES**

There are no outstanding major issues.



## **L. RECOMMENDED CONDITIONS AND NOTATIONS**

Should the Planning Commission and the Board of County Commissioners find that the request meets the criteria for approval outlined in Section 5.3.5 (Map Amendment, Rezoning) of the El Paso County Land Development Code (as amended), staff recommends the following conditions and notations:

### **CONDITIONS**

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Developer shall participate in a fair and equitable manner in offsite transportation improvements, including but not limited to the items listed in Section VII of the Owl Place Storage Traffic Impact Study, to be verified with an updated traffic impact analysis or memorandum as appropriate with each final plat in the development.

### **NOTATIONS**

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.
2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.



## **M. PUBLIC COMMENT AND NOTICE**

The Planning and Community Development Department notified fifty-six (56) adjoining property owners on July 31, 2023, for the Planning Commission and Board of County Commissioners meetings. Responses will be provided at the hearing.

## **N. ATTACHMENTS**

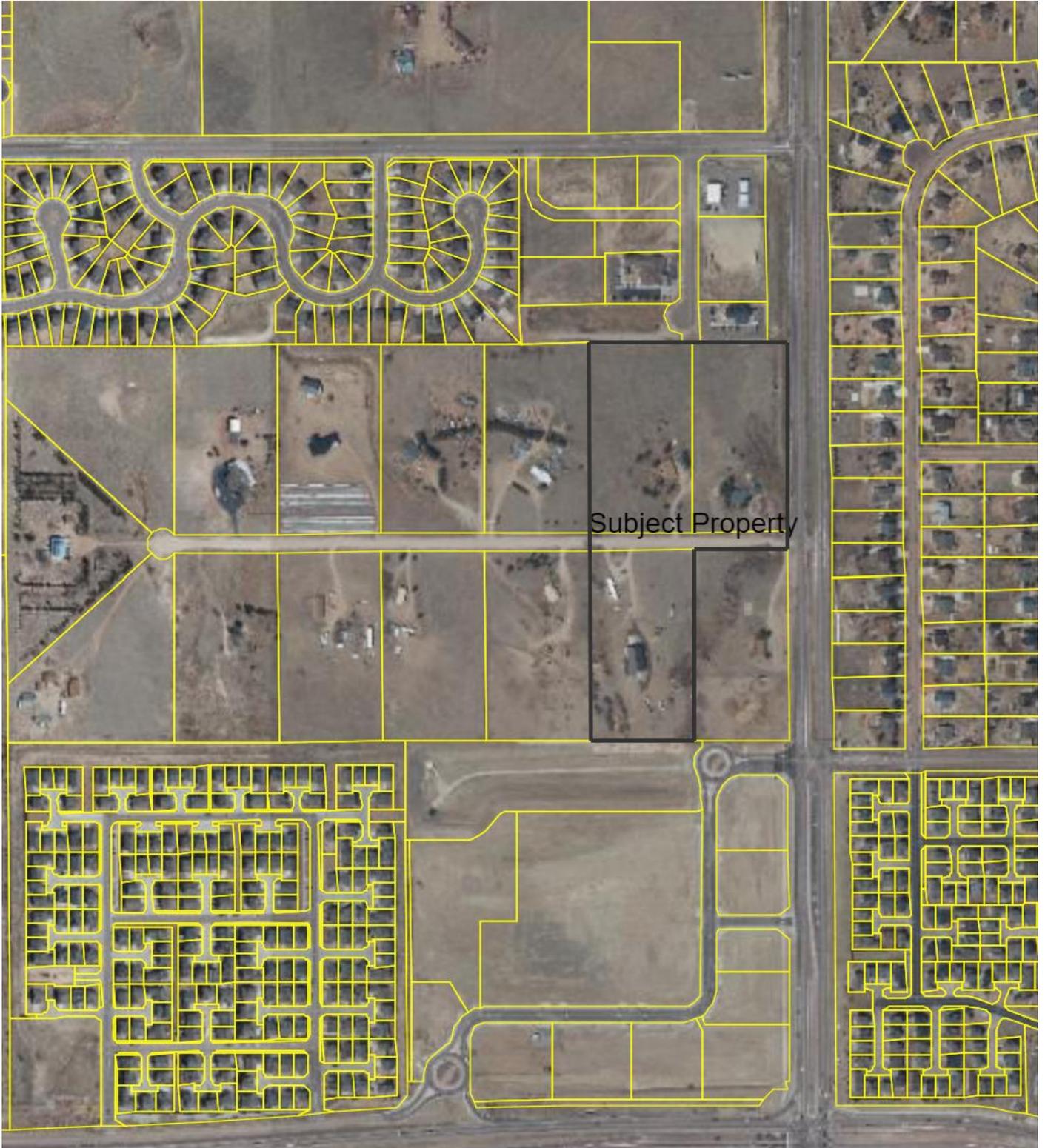
Map Exhibits  
Vicinity Map  
Letter of Intent  
Rezone Map  
Draft Resolution

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Map Exhibit #1: Aerial



# Map Exhibit #2: Zoning



# Map Exhibit #3: Placetype



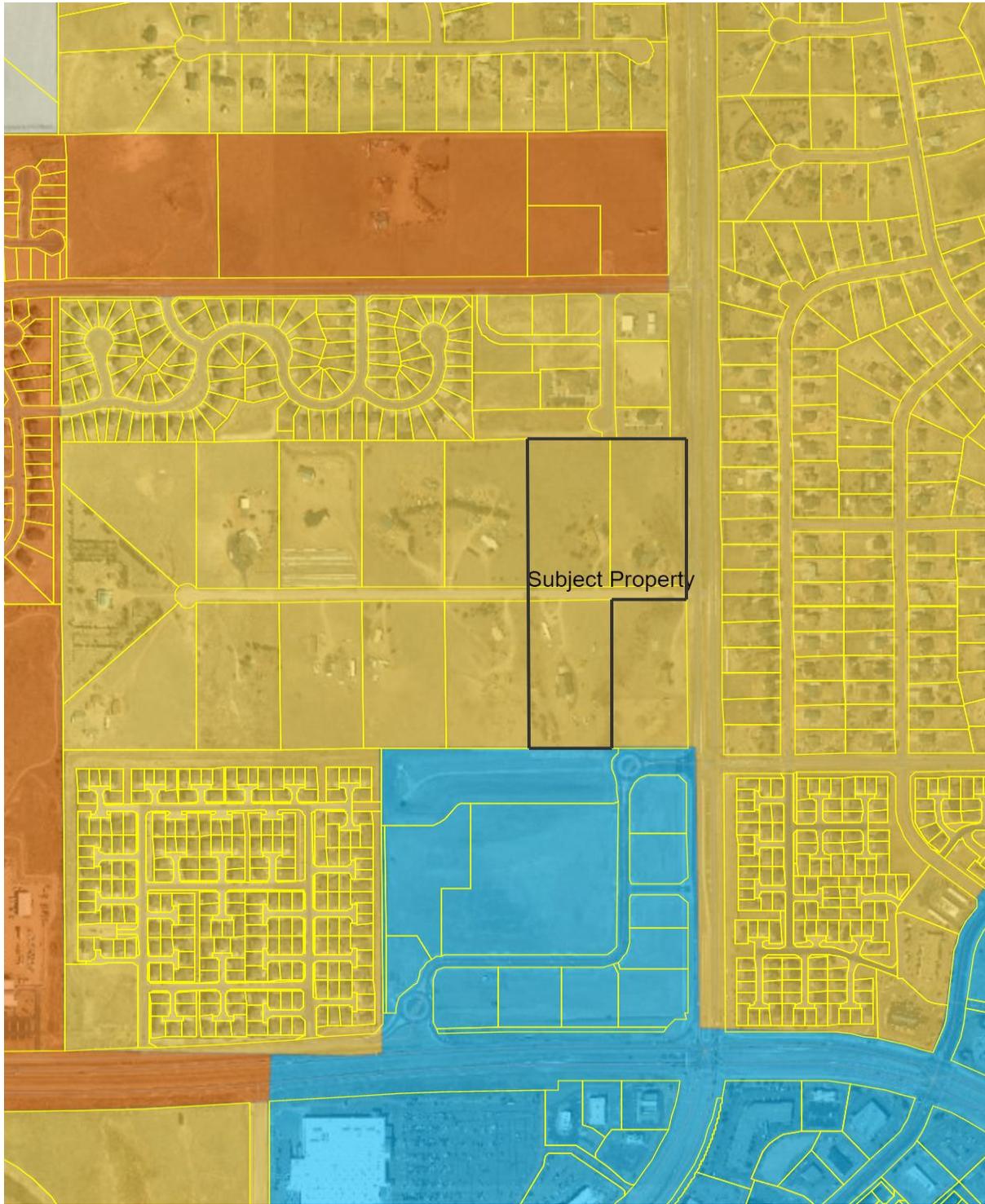
Subject Property

## Legend

- |   |   |
|---|---|
|  Rural                 |  Employment Center   |
|  Large-Lot Residential |  Regional Open Space |
|  Suburban Residential  |  Mountain Interface  |
|  Urban Residential     |  Military            |
|  Rural Center          |  Utility             |
|  Regional Center       |  Incorporated Area   |



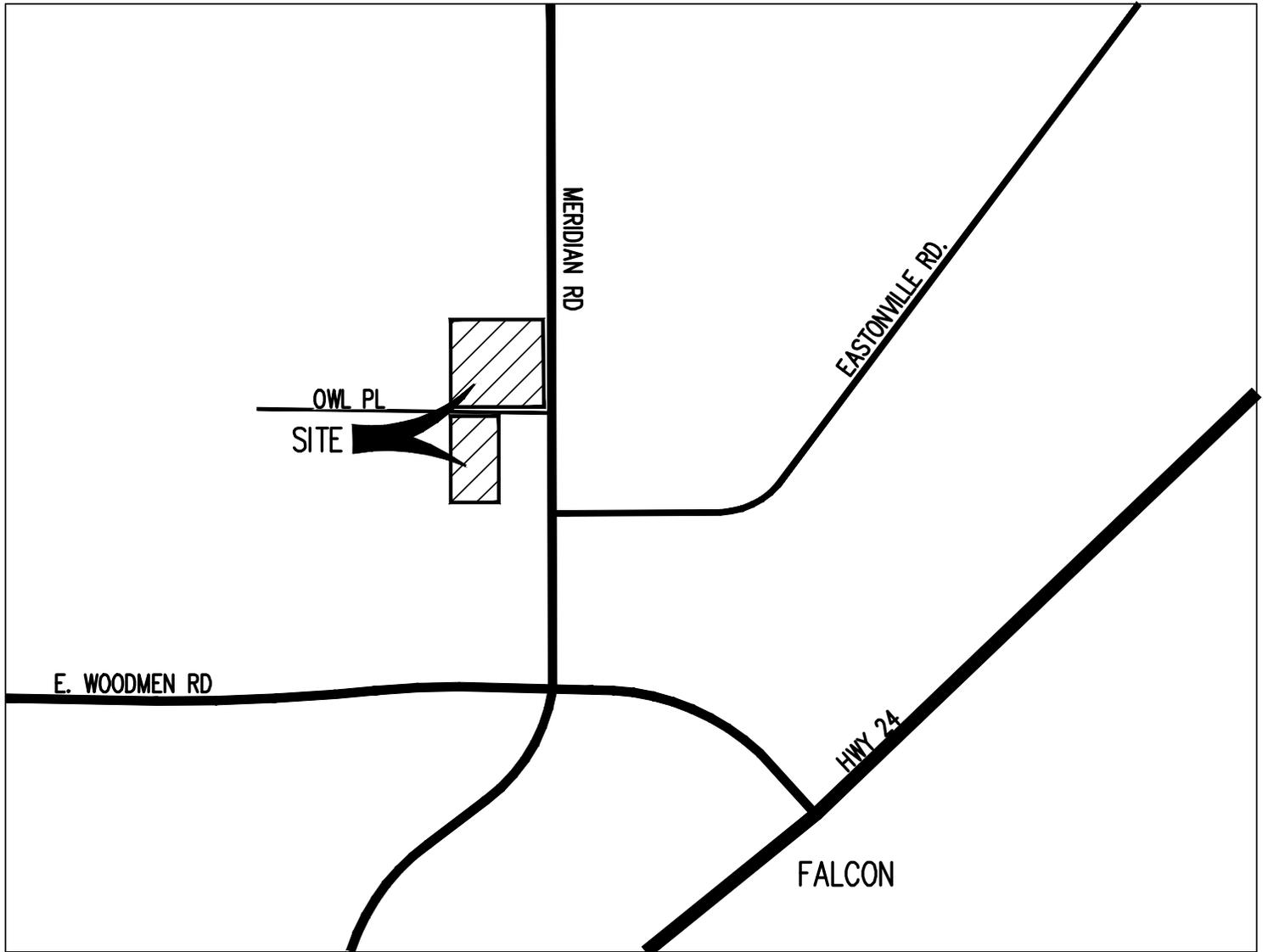
# Map Exhibit #4: Area of Change



## Legend

-  Protected/Conservation Area
-  Minimal Change: Undeveloped
-  Minimal Change: Developed
-  New Development
-  Transition





VICINITY MAP  
N.T.S.



## Letter of Intent

To: El Paso County  
Community Development

From: Galloway & Company, Inc

Re: **Meridian Storage CS Map Amendment (Rezone)**

**Owner** Mike Texer  
**/Applicant:** Meridian Storage LLC  
11750 Owl Place  
Peyton, CO 80831  
[office@mdroofing.info](mailto:office@mdroofing.info)  
719.591.2142

**Consultant:** Galloway & Company Inc.  
1155 Kelly Johnson Blvd., Suite 305  
Colorado Springs, CO 80920  
Grant Dennis  
[grantdennis@gallowayus.com](mailto:grantdennis@gallowayus.com)  
719.900.7220

**PCD File:** CS 22-004

### 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/Garage (Vacant)

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

TSN: 5301001014 (Lot 14 Falcon Ranchettes)  
Address: 11685 Owl Place  
Acreage: 5  
Current Zoning: RR-5  
Proposed Zoning: CS  
Current Use: Mobile Home (Vacant)



**Request:**

Galloway on behalf of Meridian Storage, LLC requests approval of a Map Amendment (Rezoning) for 15.30 Acres from RR-5 to CS comprising three parcels and a portion of Owl Place ROW.

**Location**

The Meridian Storage Map Amendment (rezone) area includes 15.30 acres and is located west of Meridian Road a divided, 4-lane road with commercial and residential uses, 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 Meridian Storage Map Amendment (rezone) request is for a zone change from RR-5 (Residential Rural) to CS (Commercial Services) for 15.30 Acres comprising three platted parcels of the Falcon Ranchettes subdivision and a portion of Owl Place ROW. This rezoning is requested to facilitate the development of the properties for future self storage facilities and recreational vehicle storage and the eventual closure of Owl Place access to Meridian Road. The CS District is intended to accommodate retail, wholesale or service commercial uses that serve the general public. Code, § 3.2.5.C. The Project proposes a self-storage facility and would therefore be classified by the Code as a “Mini-Warehouse Facility”. The properties currently have vacant mobile homes and garages on site. North of the properties 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 CR. Further south the Falcon Marketplace is zoned CR. West of the properties are parcels within the Falcon Ranchettes zoned RR-5.

**Traffic:**

A Traffic Memorandum prepared by Galloway is included with submittal.

**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.

**Wetlands & Floodplain:**

There are no wetlands within the project boundaries. The site is located in Zone X (FEMA Floodplain Map No. 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

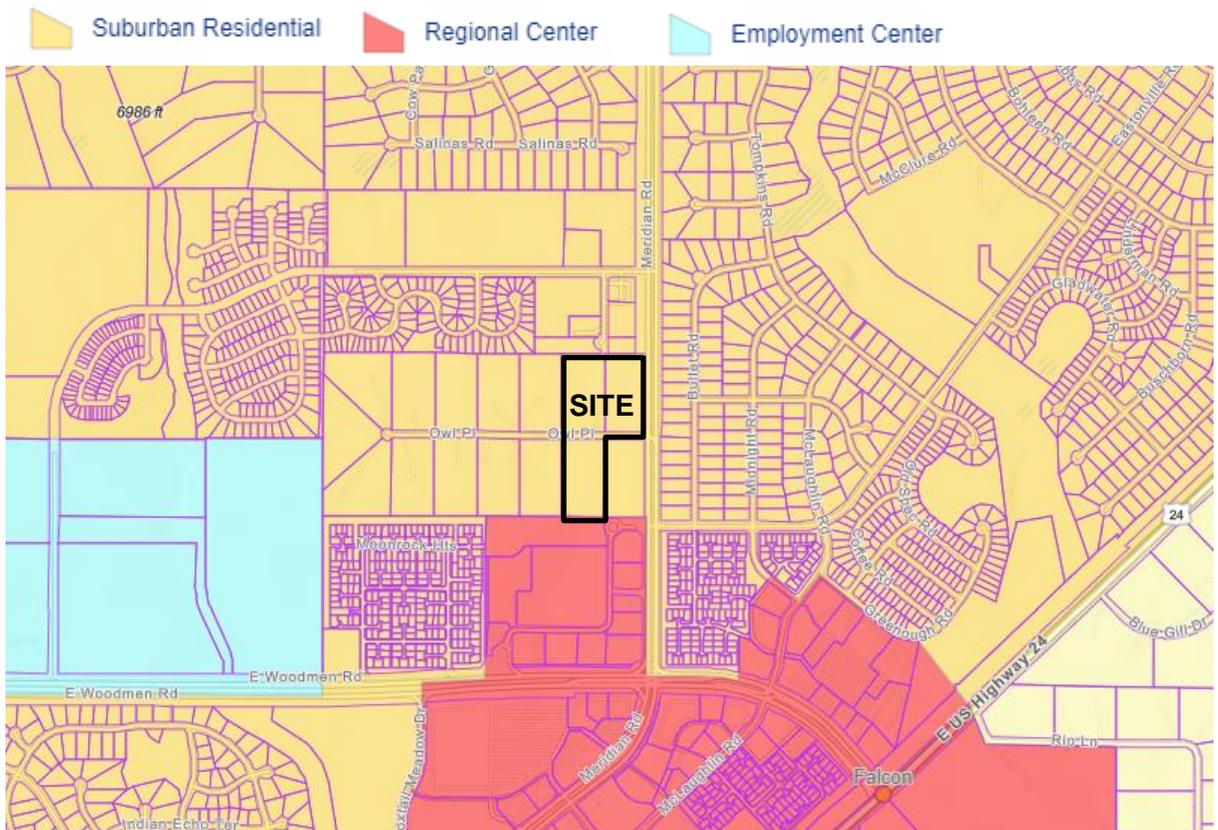
**Project Justification:**

The request is consistent with the criteria in Section 5.3.5.B for a Map Amendment (Rezoning) as follows

1. The Application is in general conformance with the El Paso County Master Plan including applicable Small Area Plans or there has been a substantial change in the character of the neighborhood since the land was last zoned.

***EL PASO COUNTY MASTER PLAN***

*The proposed CS rezone is a supporting land use type to the surrounding Single-Family Detached Residential land use. The proposed CS rezone 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.*





- *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. Lot 1 is served by the Woodmen Hills Metro District. Lot 2 and 14 are currently single-family residences served by wells. Surrounding sites are served by the Woodmen Hills Metro District. The development is in the process of applying for inclusion of Lot 2 and 14 in the district. Woodmen Hills Metro District supplies water and wastewater utilities for Lot 1 and expected to supply Lot 2 and 14. 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 rezoning is in compliance with applicable statutory provisions including but not limited to C.R.S. §30-28-111 §30-28-113, AND §30-28-116;

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

3. The proposed land use or zone district is compatible with the existing and permitted land uses and zone districts in all directions.

*As noted above, the proposed CS zoning is compatible with adjacent zoning and land uses, as it will be subordinate and buffered to the surrounding single-family residential uses, and compliment existing and proposed commercial uses. It is anticipated that that residential parcels to the west will eventually be redeveloped for higher density residential or commercial uses. Proposed landscaping and buffering will provide compatibility through separation until the future development occurs.*

*The Meridian Road corridor separates the site from fully developed residential use to the east. The site will be developed in accordance with El Paso County buffering requirements to be determined during the development process.*

*The site layout and architectural design will provide visual appeal and consistency with the Bent Grass Commercial, Falcon Marketplace and proposed commercial to the south creating a cohesive commercial frontage along Meridian Road.*

*The rezone and development of the subject property will complement the commercial centers already existing at the intersection of Woodmen Road and Meridian Road.*

*The proposed commercial development and CS rezone is identified in the Master Plan as a supporting land use for the suburban residential in the surrounding area. The rezone and development of the property will result in a minimal change to the area by providing supporting uses similar to those already existing or proposed along the Meridian Road corridor and enhanced landscaping and buffering to adjacent residential.*

4. The site is suitable for the intended use, including the ability to meet the standards as described in Chapter 5 of the Land Development Code, for the intended zone district.

*Future development of the property will meet the use and dimensional standards for the CS zone as set out in Chapter 5 of the Land Development Code (LDC). The site is suitable for the proposed self storage facility and provides a transition between adjacent commercial and residential use types. The project has adequate access to Meridian Park Drive and access to adequate utilities.*



MAP AMENDMENT - REZONE (RECOMMEND APPROVAL)

\_\_\_\_\_ moved that the following Resolution be adopted:

BEFORE THE PLANNING COMMISSION

OF THE COUNTY OF EL PASO

STATE OF COLORADO

RESOLUTION NO. CS-22-004

MERIDIAN STORAGE REZONE

WHEREAS, Meridian Storage, LLC did file an application with the El Paso County Planning and Community Development Department for an amendment of the El Paso County Zoning Map to rezone property in the unincorporated area of El Paso County as described in Exhibit A, which is attached hereto and incorporated herein by reference, from the RR-5 (Residential Rural) zoning district to the CS (Commercial Service) zoning district; and

WHEREAS, a public hearing was held by this Commission on August 17, 2023; 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. 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 all exhibits were received into evidence;
5. That 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. That 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. That for the above-stated and other reasons, the proposed amendment of the El Paso County Zoning Map is in the best interest of the health, safety, morals, convenience, order, prosperity, and welfare of the citizens of El Paso County.

WHEREAS, when approving a map amendment, the Planning Commission and the Board of County Commissioners shall find that the request meets the criteria for approval outlined in Section 5.3.5.B (Map Amendment, Rezoning) of the El Paso County Land Development Code (as amended) ("Code"):

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

NOW, THEREFORE, BE IT RESOLVED, the El Paso County Planning Commission recommends that the petition of James Hagan for an amendment to the El Paso County Zoning Map to rezone property located in the unincorporated area of El Paso County from the RR-5 (Residential Rural) zoning district to the CS (Commercial Service) zoning district be approved by the Board of County Commissioners with the following conditions and notations:

#### CONDITIONS

1. The developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements. Applicable agencies include but are not limited to: the Colorado Parks and Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Preble's Meadow Jumping Mouse as a listed threatened species.
2. Any future or subsequent development and/or use of the property shall be in accordance with the use, density, and dimensional standards of the CS, Commercial Service zoning district and with the applicable sections of the Land Development Code and Engineering Criteria Manual.

#### NOTATIONS

1. If a zone or rezone petition has been disapproved by the Board of County Commissioners, resubmittal of the previously denied petition will not be accepted for a period of one (1) year if it pertains to the same parcel of land and is a petition for a change to the same zone that was previously denied. However, if evidence is presented showing that there has been a substantial change in physical conditions or circumstances, the Planning Commission may reconsider said

petition. The time limitation of one (1) year shall be computed from the date of final determination by the Board of County Commissioners or, in the event of court litigation, from the date of the entry of final judgment of any court of record.

- 2. Rezoning requests not forwarded to the Board of County Commissioners for consideration within 180 days of Planning Commission action will be deemed withdrawn and will have to be resubmitted in their entirety.

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

\_\_\_\_\_ 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
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
Kara Offner	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 17th day of August 2023 at Colorado Springs, Colorado.

EL PASO COUNTY PLANNING COMMISSION

By: \_\_\_\_\_  
Thomas Bailey, Chair

## EXHIBIT A

A parcel of land being all of Lots 1, 2, and 14, together with a portion Owl Place, a 60-foot public right-of-way, Falcon Ranchettes as recorded in Plat Book V-2, Page 15 of the records of El Paso County, Colorado, and further being situated in the Southeast One-Quarter of Section 1, Township 13 South, Range 65 West of the 6th Principal Meridian, El Paso County, Colorado, being more particularly described as follows:

### BASIS OF BEARINGS:

All bearings referred to herein are based on the south line of Lots 2, 3, and 4 of said Falcon Ranchettes, recorded to bear N 89°49'54" W. Said line being defined by found monuments as follows: a found 1/2" rebar with a 1 1/4" yellow plastic cap stamped "LS 2372" at the southeast corner of Lot 2 and a found 1/2" rebar with a 1 1/4" yellow plastic cap stamped "LS 2372" at the southwest corner of Lot 4.

BEGINNING at the northeast corner of said Lot 1;

Thence N 89°49'54" W, coincident with the north line of said Falcon Ranchettes, a distance of 661.74 feet to the northwest corner of said Lot 2;

Thence S 00°10'06" W, coincident with the west line of said Lot 2 and the prolongation thereof, a distance of 661.39 feet to a point on the centerline of said Owl Place;

Thence S 89°49'54" E, coincident with said centerline, a distance of 1.59 feet to the prolongation of the west line of said Lot 14;

Thence S 00°10'06" W, coincident with the west line of said Lot 14 and the prolongation thereof, a distance of 660.54 feet to the southwest corner of said Lot 14;

Thence S 89°45'33" E, coincident with the south line of said Lot 14, a distance of 345.30 feet to the southeast corner of said Lot 14;

Thence N 00°10'06" E, coincident with the east line of said Lot 14 and the prolongation thereof, a distance of 660.98 feet to a point of the centerline of said Owl Place;

Thence S 89°49'54" E, coincident with said centerline, a distance of 316.80 feet to the prolongation of the east line of said Lot 1;

Thence N 00°00'00" E, coincident with the east line of said Lot 1 and the prolongation thereof, a distance of 661.39 feet to the POINT OF BEGINNING.

The above described parcel contains a total of 15.30 acres, more or less.