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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

Planning Commission Meeting
Tuesday, May 19, 2020
El Paso County Planning and Community Development Department
200 S. Cascade Ave – Centennial Hall Hearing Room
Colorado Springs, Colorado

REGULAR HEARING
1:00 p.m.

PRESENT AND VOTING: BRIAN RISLEY, JOAN LUCIA-TREESE, ALLAN CREELY, SARAH BRITTAIN JACK, AND ERIC MORAES

PRESENT VIA ELECTRONIC MEANS BUT NOT VOTING: GRACE BLEA-NUNEZ, TOM BAILEY, TIM TROWBRIDGE, AND THOMAS GREER

PRESENT AND NOT VOTING: NONE

ABSENT: BECKY FULLER

STAFF PRESENT: CRAIG DOSSEY, LINDSAY DARDEN (VIA REMOTE ACCESS), NINA RUIZ, KARI PARSONS (VIA REMOTE ACCESS), GILBERT LAFORCE (VIA REMOTE ACCESS), AND EL PASO COUNTY ATTORNEY COLE EMMONS (VIA REMOTE ACCESS)

OTHERS SPEAKING AT THE HEARING: ANDREA BARLOW, RICHARD AND REBECCA HICKS, CHRISTOPHER CASTELLI, KEITH WALKER (VIA REMOTE ACCESS), BONNIE MOSBARGER, KEITH WALKER (VIA REMOTE ACCESS), GRANT GURNEE' (VIA REMOTE ACCESS)

Report Items

- 1. A. Report Items -- Planning and Community Development Department – Mr. Dossey -- The following information was discussed:**

- a) The next scheduled Planning Commission meeting is for Tuesday, June 2, 2020.**

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- b) **Mr. Dossey** gave an update of the Planning Commission agenda items and action taken by the Board of County Commissioners since the last Planning Commission meeting as well as a Planning and Community Development progress report of permits and projects in process.
- c) **Mr. Dossey** also gave an update on the Master Plan and upcoming meetings. There is an Advisory Committee meeting tomorrow (May 20, 2020).

B. Public Input on Items Not Listed on the Agenda – NONE

2. Annual Meeting and Election of Officers

The Sunshine Law was presented at the first of the year and therefore did not need to be reviewed at this time.

The voting members for Election of Officers are **Risley, Creely, Lucia-Treese, Brittain Jack, and Moraes.**

Ms. Lucia-Treese nominated **Mr. Risley** as Planning Commission Chair seconded by **Ms. Brittain Jack**. **Mr. Risley** accepted the nomination. **Ms. Lucia-Treese** made a motion to close nominations. Motion passed unanimously to close nominations. Motion passed 5-0 to appoint **Mr. Risley** as Planning Commission Chair. **Ms. Lucia-Treese** nominated **Mr. Bailey** as Vice Chair seconded by **Ms. Brittain Jack**. **Mr. Bailey** accepted the nomination. **Ms. Lucia-Treese** made a motion to close nomination. Motion passed to close nominations. The motion passed 5-0 for **Mr. Bailey** as Vice Chair.

3. Consent Items

A. Approval of the Minutes – April 21, 2020

The minutes were approved as presented. (5-0)

B. PUDSP-19-007

RUIZ

**PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN AMENDMENT
THE ESTATES AT ROLLING HILLS**

A request by Meridian Ranch Investments, Inc., for approval of a map amendment (rezoning) of 28.9 acres from a conceptual PUD (Planned Unit Development) to a site specific PUD (Planned Unit Development) and approval of a preliminary plan for 16 single-family residential lots. The property is located west of Eastonville Road at the easternmost terminus of Rex Road

and is adjacent to the west of the Falcon Regional Park. (Parcel No. 42000-00-407) (Commissioner District No. 2)

PC ACTION: CREELY MOTIONED/LUCIA-TREESE SECONDED TO APPROVE ITEM 2B, PUDSP-19-007, FOR A PLANNED UNIT DEVELOPMENT AND PRELIMINARY PLAN FOR THE ESTATES AT ROLLING HILLS UTILIZING RESOLUTION PAGE NO. 29 AND 25, CITING 20-019, WITH SIX (6) CONDITIONS, SIX (6) NOTATIONS, AND FOUR (4) MODIFICATIONS WITH A FINDING OF SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED UNANIMOUSLY (5-0).

C. PUDSP-16-004

RUIZ

**PLANNED UNIT DEVELOPMENT/PRELIMINARY PLAN AMENDMENT
NORTHBAY AT LAKE WOODMOOR**

A request by Lake Woodmoor Holdings, LLC, for approval of a map amendment (rezoning) of 7.229 acres from R-4 (Planned Development) to PUD (Planned Unit Development) and approval of a preliminary plan for 28 single-family attached residential lots. The property is located approximately 450 feet east of the Deer Creek Road and Woodmoor Drive intersection. (Parcel Nos. 71114-00-007 and 71114-04-111) (Commissioner District No. 1)

Item PUDSP-16-004 was requested to be pulled from the Consent calendar and heard as a full presentation Regular item. It was heard after all the Consent items.

Ms. Ruiz gave a brief overview and went over the review criteria for a planned unit development and preliminary plan. She introduced the applicant, **Ms. Andrea Barlow**, to give their presentation.

Mr. Moraes – You spoke about a sidewalk by Deer Creek Road. A lot of kids walk to school so I'm glad to see that. **Ms. Barlow** – Yes, we are continuing to work with the school district to add additional sidewalks so we can get the kids off the street and on to sidewalks.

Ms. Ruiz then gave her presentation as well as **Mr. Gilbert LaForce** from engineering.

IN FAVOR: NONE

IN OPPOSITION:

Mrs. Rebecca Hicks – showed a slideshow of their opposition. 18810 Lake Forest Lane, Monument. Opposed to this project. There are not enough roads to exit the area in a fire event. The applicant went to significant lengths to show it is harmonious, but it is not. Construction will impact the wetlands and human habitation will change this for the worse. We ask for a delay on hearing the rezoning as we have not had adequate time to review the application online. **Ms. Hicks** read her statement into record. It is part of the permanent record on file.

Mr. Richard Hicks – Continued reading the statement **Mrs. Hicks** started. The statement is on permanent file.

Mr. Bart Horton - They talk about the building height of each building being 30 feet high. What is the fill on the side of the floodplain with the building height?

Ms. Bonnie Mosbarger – I'm on the HOA board and will be right next door to the development. I haven't heard much about the retaining wall, so I'd like more information. I hear that they will have 70 feet of fill. How will that impact the retaining walls?

Mr. Keith Walker – I live north of the planned development. It's 235 feet from the access bridge. I agree with the Hicks, and I also have a concern with traffic particularly on Deer Creek. There are a lot of pedestrians and students that walk that road. Any construction and more occupants will only increase safety concerns. The presentation pictures are not up to date and/or accurate. There are also ecological concerns as well.

Ms. Barlow had an opportunity for rebuttal. She addressed the concerns brought up by the adjacent property owners, including fill, not of 70 feet, but of 11-18 feet in total. The traffic study counts were actual real traffic counts. It takes into account all the current and proposed developments. It used an assumed baseline, which is standard. The traffic coming onto Deer Creek is considered Level A, so there's no delay or less than 10 seconds. It has taken four years to get here because we have been thorough in our review. CGS reviewed our soils and geology report and found that shallow ground water is not an issue and the analysis has been reviewed. US Army Corps of Engineers provided a letter stating there are no concerns with the wetlands and there will be no impacts the threatened or endangered species. They consult with the US Fish and Wildlife. There are no threatened species and we are protecting the wildlife with the development plans we've submitted.

Mr. Creely – You mention the Corps of Engineers and that Fish and Wildlife is a part of that. How do they factor into this review? **Ms. Barlow** – We reviewed the habitat of the site and there were no threatened or endangered species. In the permitting of the wetlands, they indicated that there was no impact.

Mr. Moraes – Why not seek a rezone that would allow multi or townhomes? **Ms. Barlow** -- With RM-12 we would be restricted to not be able to preserve the open space. PUD has a much higher expectation. This is a much more sensitive development than what we could have done with RM-12. It would be a more narrow floodplain, but we wanted to protect the wetlands. We could have proposed a much higher impact on wetlands. We produced the most sympathetic version that we could to the site. It's zoned for development and is entitled to development. PUD allows clustering to allow more narrow streets and preserve more of the open space.

Mr. Moraes – Was there a discussion of RM-12 and what townhomes should look like. **Ms. Ruiz** – Chapter 4 of the LDC provides the purpose statement for the PUD. Part of that purpose and intent is that it should be used to preserve open space. There are many challenges with this site and areas which should be preserved. The lot layout was carefully considered to protect/preserve those features. Staff encourage PUD in this specific situation as with conventional zoning we are not able to go into those same considerations to ensure sensitive areas are preserved.

Mr. Grant Gurnee' – Addressed comments regarding wetlands and wildlife. I am a professional wetlands scientist. I've been doing this or 36 years. We received a nationwide permit that allowed me to give that analysis. The Army Corps of Engineers are the authority that verify the delineations. We had migratory bird experts on site. We will do another screening right before construction.

DISCUSSION:

Mr. Creely – I think the application is harmony with the review criteria. I do have sympathy with the home owners. However, I don't have a reason to say no to this based on the reports that have been presented. I will be in favor.

Ms. Lucia-Treese – We need to remember that this is a preliminary plan and not a final plat. There's still time in the process to work out some issues. I found the applicant's presentation to be very thorough and very credible and checked off every box of review criteria that we have to look at. I cannot find any reason to not approve this action.

Mr. Moraes – I would encourage neighbors in opposition to look at the letter on EDARP from NES.

Mr. Risley – We are bound to the review criteria and I don't see that they've not met those conditions. The environmental nature of the property is being handled as sensitively as possible. I think the applicant is operating within the bounds they are required to.

Mr. Emmons – I advise you when you make the motion that you remember that you have a PUD and it requires a general conformity to the master plan.

Mr. Dossey – This body is a recommending body and will be heard by the BoCC on May 26 at 9:00 a.m. A lot of these projects similar to this have challenges. There are a lot of site constraints to development. We talk about growth and sometimes it's infill, and there are reasons they sat vacant as long as they did. I appreciate the thoroughness of the applicant, and I appreciate the concerns of the property owners. Sometimes straight zoning just doesn't work. We tend to push them to PUD because it doesn't fit quite right into straight zoning.

PC ACTION: CREELY MOTIONED/LUCIA-TREESE SECONDED TO APPROVE ITEM 2C, PUDSP-16-004, FOR A PLANNED UNIT DEVELOPMENT AND PRELIMINARY PLAN FOR NORTHBAY AT LAKE WOODMOOR UTILIZING RESOLUTION PAGE NO. 29 AND 25, CITING 20-020, AND WITH CONFORMITY TO THE MASTER PLAN WITH SIX (6) CONDITIONS, (6) NOTATIONS, AND FIVE (5) MODIFICATIONS WITH A FINDING OF SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED UNANIMOUSLY (5-0).

D. SF-19-018

PARSONS

FINAL PLAT

BRANDING IRON AT STERLING RANCH FILING NO. 2

A request by SR Land, LLC, for approval of a final plat to create 75 single-family residential lots. The 30.5-acre property is zoned RS-5000 (Residential Suburban) and is located north of Woodmen Road, south of the future extension of Briargate-Stapleton Parkway, and east of Vollmer Road. (Parcel Nos. 52333-01-002 and 52330-00-010) (Commissioner District No. 2)

PC ACTION: CREELY MOTIONED/BRITTAIN JACK SECONDED TO APPROVE ITEM 2D, SF-19-018, FOR A FINAL PLAT FOR BRANDING IRON AT STERLING RANCH FILING NO. 2 UTILIZING RESOLUTION

PAGE NO. 19, CITING 20-021, WITH SIXTEEN (16) CONDITIONS AND TWO (2) NOTATIONS, WITH A FINDING OF SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED UNANIMOUSLY (5-0).

E. VR-19-004

DARDEN

**VACATION AND REPLAT
CLAREMONT BUSINESS PARK FILING NO. 1C**

A request by Hammers Construction for approval of a vacation and replat to create two (2) commercial lots and one tract. The 11.31 acre property is zoned CS (Commercial Service) and is located on the east side of Meadowbrook Parkway approximately 0.19 miles southwest of the Meadowbrook Parkway and Marksheffel Road intersection. (Parcel Nos. 54081-01-027 and 54081-01-054) (Commissioner District No. 2)

PC ACTION: LUCIA-TREESE MOTIONED/CREELY SECONDED TO APPROVE ITEM 2E, VR-19-004, FOR A VACATION AND REPLAT OF CLAREMONT BUSINESS PARK FILING NO. 1C UTILIZING RESOLUTION PAGE NO. 19, CITING 20-022, WITH FIVE (5) CONDITIONS AND THREE (3) NOTATIONS, WITH A CONDITIONAL FINDING OF SUFFICIENCY FOR WATER QUALITY, QUANTITY, AND DEPENDABILITY, AND THAT THIS ITEM BE FORWARDED TO THE BOARD OF COUNTY COMMISSIONERS FOR THEIR CONSIDERATION. THE MOTION WAS APPROVED UNANIMOUSLY (5-0).

REGULAR ITEMS

- 4. El Paso County Master Plan – Informational Update – No Action Needed – Mr. Dossey** updated the Planning Commission on the Master Plan process during his report items. No further information provided.

NOTE: For information regarding the Agenda item the Planning Commission is considering, call the Planning and Community Development Department for information (719-520-6300). Visit our Web site at www.elpasoco.com to view the agenda and other information about El Paso County. Results of the action taken by the Planning Commission will be published following the meeting. (The name to the right of the title indicates the Project Manager/Planner processing the request.) If the meeting goes beyond noon, the Planning Commission may take a lunch break.

The minutes were approved as presented at the June 2, 2020 hearing.